UNITED STATES OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 91st CONGRESS
FIRST SESSION

VOLUME 115—PART 22

OCTOBER 9, 1969, TO OCTOBER 20, 1969
(PAGES 29313 TO 30642)

UNITED STATES GOVERNMENT PRINTING OFFICE, WASHINGTON, 1969

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HOUSE OF REPRESENTATIVES—*Thursday, October 9, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

They that wait upon the Lord shall renew their strength.—Isaiah 40: 31.

Almighty God, we thank Thee for all the blessings Thou hast so abundantly bestowed upon us. Do Thou help us to translate our thanksgiving into thanksliving and to live as Thy obedient and loving children. May we never forget who Thou art, who we are, and who our neighbor is.

Grant to the Members of this body the strength and the courage to do what they truly believe to be right and good for our Nation. Deliver them from pride and prejudice, from intolerance and every evil word, and bind them together in a faith which will enable them to labor unceasingly for the best interests of our people.

Look with Thy favor upon us, and may the words of our mouths and the meditations of our hearts be acceptable in Thy sight, O Lord, our strength and our Redeemer. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested bills of the House of the following titles:

H.R. 337. An act to increase the maximum rate of per diem allowance for employees of the Government traveling on official business, and for other purposes; and

H.R. 4148. An act to amend the Federal Water Pollution Control Act, as amended, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 4148) entitled "An act to amend the Federal Water Pollution Control Act, as amended, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MUSKIE, Mr. RANDOLPH, Mr. BAYH, Mr. MONTOYA, Mr. BOGGS, Mr. COOPER, and Mr. BAKER to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 1075) entitled "An act to establish a national policy for the environment; to authorize studies, surveys, and research relating to ecological systems, natural resources, and the quality of the human environment; and to establish a Board of Environmental Quality Advisers," agrees to a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JACKSON, Mr. CHURCH, Mr. NELSON, Mr. ALLOTT, and Mr. JORDAN of Idaho to be the conferees on the part of the Senate with instructions.

The message also announced that the Senate agrees to the amendments of the House to a bill and a joint resolution of the Senate of the following titles:

S. 2564. An act to amend the act fixing the boundary of Everglades National Park, Fla., and authorizing the acquisition of land therein, in order to authorize an additional amount for the acquisition of certain lands for such park; and

S.J. Res. 112. Joint resolution to amend section 19(e) of the Securities Exchange Act of 1934.

ALASKA NATIVES

(Mr. ASPINALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ASPINALL. Mr. Speaker, in consideration of important legislation affecting natural and human resource conservation, protection, use and equities, it becomes more and more important that committees charged with such responsibilities personally visit areas concerned. Such visits have been an important factor in the legislative process since the early days of this Nation.

With the practice of keeping Congress in session most of the year, it becomes increasingly difficult for a committee to discharge its obligation to obtain firsthand knowledge of people and areas affected by legislation.

One important piece of legislation before the Interior and Insular Affairs Committee and before the House is legislation having to do with claims of Alaska natives—Indians, Eskimos, and Aleuts. The problems necessitate a visit immediately by a limited number of committee members to Alaska. I have asked several members to go to visit the area and its people during October. The committee delegation will leave Washington Saturday, October 11, and visit several areas, with hearings in Fairbanks and Anchorage, returning to the District of Columbia October 19. This will be a hard trip but there will be no other time at our disposal.

Congressional Members making this trip with me include the gentleman from Florida (Mr. HALEY), chairman of the Subcommittee on Indian Affairs, the gentleman from Pennsylvania (Mr. SAYLOR), ranking minority member. Other members are Messrs. EDMONDSON, TAYLOR, MEEDS, BERRY, STEIGER of Arizona, CAMP, and LUJAN. The House and the immediate constituency of each Member should understand and appreciate the purposes of the trip and the personal dedication of those willing to go, especially at this time of year.

Mr. Speaker, I thank each Member accompanying me on the trip. It is our desire to have before this body for discussion, as soon as the second session convenes, well-considered and proper legislation to protect the people of the Nation generally and the natives of Alaska specifically.

TAKING CONGRESS TO THE PEOPLE

(Mr. HANNA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HANNA. Mr. Speaker, 2 days ago I remarked to this House that we were in the unhappy position of always being present at the unhappy crash landings but very rarely being present when there was an auspicious takeoff.

It occurs to me, further, that if we, as Members of this House of Representatives, are going to retain our posture with the American people, we are going to have to take this Congress to the country. I suggested, therefore, that the idea of the gentleman from Texas (Mr. PATMAN) of our committee to start having hearings in some of the major cities in this country is the right way to go.

We are not going to get the ear, the eye, or the appreciation of the American people so long as we are captives in the Capitol covered by the cape of limited exposure through the national media. The Executive and the Members of the other body can revel in the long and extended sessions, for they run less frequently than do we for office, and, in addition, they benefit from the favor of a forum provided by the national press and television coverage.

Another advance to be commended is the announcement made by Chris Craft yesterday that the corporation is opening a fully staffed Washington office to provide a forum for the local representatives in the areas their newly acquired network of stations cover. The corporation has expanded its communication subsidiaries holdings to include stations serving Minnesota, Wisconsin, Washington, Oregon, and California. This expansion of exposure to allow a report with local flavor to the States and congressional districts as to the actions of Government and specifically how they will affect the smaller segments of the country is long overdue. We commend other stations and facilities to do likewise. The purely national coverage given by the networks leaves many facets of the actions of Congress unexplained and special applications of the various programs unappreciated.

Let us then, colleagues, encourage and improve every change that builds the prestige of our body and brings us closer in more meaningful ways to the constituents we represent for how else can we assure that the government of the people, by the people, and for the people will prevail?

PERSONAL EXPLANATION

Mr. FREY. Mr. Speaker, on Monday, October 6, due to a longstanding previous commitment in my congressional district, I was unable to vote on rollcalls numbered 203, 204, and 205. Had I been present, I would thave voted yea on rollcalls numbered 203, 204, and 205.

DEDICATION OF COMMUNITY CENTER IN ORLANDO, FLA.

(Mr. FREY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FREY. Mr. Speaker, last Sunday I was privileged to be the speaker at the dedication of a community center in Orlando, Fla. The center included a nursery for working mothers, preschool classrooms, a recreation area, two pools, and a large meeting room. They have hired a former football player, Tommy Nelson, Jr., 24, as executive director and he has a 12-man staff. Certainly this is not remarkable by itself. But it is much more than a community center. It stands as tangible proof of what can be accomplished when people work together for a common cause. This is a symbol of what America is really all about. The center happens to be in the black community of Washington Shores in Orlando. Dr. James R. Smith, chairman of the Washington Shores Executive Committee, had a dream a few years ago for such a center. He felt that it should be an effort of the black community. With a handful of dedicated workers, the task of raising $50,000 began. At the same time leaders of the white community helped by raising $75,000 and donating a building. Together, not as blacks or whites, but as fellow Americans, the goals were reached and the center was completed. No one asked something for nothing. Each person had the personal satisfaction of pride in doing for himself rather than someone doing it for him.

As I said before, this center by itself is relatively unimportant. But in a time of internal strife, in a time of world tensions, in a time of conflict between people, we in the Fifth Congressional District of Florida are proud that as fellow Americans we can work and build together.

CONFERENCE ON THE AGRICULTURE APPROPRIATION BILL

(Mr. FINDLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FINDLEY. Mr. Speaker, it is my understanding that a request will be made today to go to conference on the House appropriation bill for Agriculture. At that time I am sure an effort will be made to instruct the conferees for the $20,000 limit on payments to individual farmers. But before that moment comes, I want to call the attention of the Members of the body to a report on cotton production just issued yesterday, which shows the yield per acre for the current year at 450 pounds.

This is important because the Secretary of Agriculture, in voicing his objection to the $20,000 limitation in the appropriation bill earlier this year, based it on his contention that this would cause an increase in cotton program costs of about $160 million. He forecast a 550 yield for 1970 crop. With a yield of 450 pounds per acre instead of the 550 pounds per acre Secretary Hardin was at that time forecasting for the 1970 crop, this would have an impact on the Government investment in inventory of a tremendous size. Twelve million acres at 100 pounds per acre times 32 cents acquisition cost comes to $384 million.

This adjustment alone would eliminate twice over the inventory increase of $160 million Secretary Hardin forecast.

I mention this to show that the forecast that the snapback provision of the cotton program would actually increase costs to the taxpayer simply cannot be supported by the statistics now available from the Department.

FREE WORLD SHIPS TRADING WITH NORTH VIETNAM

(Mr. CHAMBERLAIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include a tabulation.)

Mr. CHAMBERLAIN. Mr. Speaker, it is with a measure of satisfaction that I report that the administration is continuing to make progress in connection with the problem of free world ships trading with North Vietnam. During September there were six new arrivals, four British flags, one from Singapore, and one from Cyprus. While I am regretful that any free world flags are sailing into Haiphong, this nonetheless means that the total arrivals so far this year are 30 percent below last year's level. As for the figures themselves, at the end of the third quarter of 1969 there had been 79 arrivals as compared to 112 during the very same period in 1968. This downward trend is good, but it is still not good enough. I hope we can do even better and I urge the administration—as it works to bring about an early end to the conflict—to continue its good efforts to dry up this assistance to Hanoi.

At this point, I insert a chart itemizing free world ship arrivals at North Vietnam during 1969:

1969 FREE WORLD SHIP ARRIVALS IN NORTH VIETNAM

	British	Somali	Cyprus	Singapore	Japanese	Maltese	Total
January	8	2	1				11
Fedruary	6		1	2	1		10
March	6	1					7
April	7	1			1		9
May	9	1	1			1	12
June	6	2	2	1			11
July	6	1					7
August	4		2				6
September	4		1	1			6
Total	56	8	8	4	2	1	79

PERMISSION FOR SELECT COMMITTEE ON ROBINSON-PATMAN ACT, COMMITTEE ON SMALL BUSINESS, TO SIT DURING GENERAL DEBATE TODAY

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent that the Select Committee on the Robinson-Patman Act of the Small Business Committee may sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

CALL OF THE HOUSE

Mr. DICKINSON. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 211]

Barrett
Berry
Blatnik
Brooks
Burton, Utah
Cahill
Carey
Celler
Clark
Clay
Collins
Corman
Dawson
Denney
Diggs
Eckhardt
Edwards, Ala.
Fascell
Flood
Ford, William D.
Foreman
Gallagher
Gilbert
Gray
Griffin
Grover
Gude
Halpern
Hanley
Hansen, Idaho
Harsha
Harvey
Holifield
Howard
Hull
Ichord
Karth
Kirwan
Leggett
Lipscomb
Lukens
Melcher
Miller, Calif
Morton
Nichols
O'Hara
O'Konski
Ottinger
Pelly
Pepper
Pirnie
Podell
Powell
Pucinski
Purcell
Rees
Reifel
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
St. Onge
Scheuer
Sebelius
Shriver
Stafford
Steiger, Wis.
Stephens
Symington
Teague, Calif.
Teague, Tex.
Tunney
Vanik
Watson
Whitehurst
Widnall
Wilson, Bob
Wilson, Charles H.
Wright

The SPEAKER. On this rollcall 353 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PERSONAL EXPLANATION

(Mr. PUCINSKI asked and was given permission to address the House for 1 minute.)

Mr. PUCINSKI. Mr. Speaker, on the quorum call just concluded—rollcall No. 211—I was absent from the Chamber because I was holding hearings on the educational needs of the seventies, and we had a very distinguished group of witnesses appearing before our subcommittee.

APPOINTMENT OF CONFEREES ON H.R. 11612, DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1970

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 11612) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1970, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

Mr. FINDLEY. Mr. Speaker, reserving the right to object—and I assure my friend and colleague I shall not object—I do so because at the proper time a preferential motion will be made to instruct conferees. This is an unusual procedure, and in view of that, I thought perhaps the gentleman from Mississippi might shed some light as to the Members who have been recommended as conferees.

The reason I bring up this question—and I realize that, too, is quite unusual—is that as I have examined those who have been conferees on previous agriculture appropriation bills and who are still Members of this body, as to how they voted on the Conte amendment last July 31, as well as on the Conte amendment earlier this year. I do not find much enthusiasm among them for the payment limitation amendment. But, at the same time, I notice on the Appropriations Committee there are a number of members of both parties who did vote for the Conte amendment this year, and it would reassure us if we could feel the position of the House on the question of payment limitations would be supported by Members who voted for the Conte amendment earlier this year.

Perhaps the gentleman could shed some light as to the identity of those recommended to be conferees.

Mr. WHITTEN. Mr. Speaker, may I say I appreciate the gentleman's addressing the question to me, but as the gentleman well knows, this is a prerogative of the Speaker; and when the Speaker cares to, he asks advice in that area; and when he does not care to, that is within his own purview. So I cannot say what the Speaker will do.

Through the years that I have been here I have seen the entire subcommittee appointed on occasions, and I personally could not differ with that course, but I do not have anything to do with it.

Mr. FINDLEY. Mr. Speaker, further reserving the right to object, as I have examined the votes of members of the Appropriations Committee on the Conte issue, I believe it was late in May of this year, I find 11 Democrats did vote for the Conte amendment, and 10 Republicans voted for it.

So I am hopeful among those named to the conference will be a goodly number of those who are recorded in favor of putting a limitation on individual payments.

I thank the gentleman very much for the courtesy of his response.

Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

PREFERENTIAL MOTION OFFERED BY MR. CONTE

Mr. CONTE. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

> Mr. CONTE moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 11612, be instructed to insist on the provision beginning on page 22, line 17 which reads as follows:
>
> "*Provided further*, That no part of the funds appropriated by this Act shall be used to formulate or carry out any price support program (other than for sugar) under which payments aggregating more than $20,000 under all such programs are made to any producer on any crops planted in the fiscal year 1970."

Mr. WHITTEN. Mr. Speaker——

The SPEAKER. The gentleman from Massachusetts is recognized for 1 hour.

POINT OF ORDER

Mr. WHITTEN. Mr. Speaker, I rose to make a point of order against the motion.

The SPEAKER. The gentleman will state his point of order.

Mr. WHITTEN. Mr. Speaker, amendment 37 of the Senate to the bill provides that the language on page 23 of the House bill—which I shall read—"*Provided further*, that no part of the funds appropriated by this Act"——

The SPEAKER. Did the gentleman mention amendment 27?

Mr. WHITTEN. It is 37, on page 23 of the Senate bill, to strike out the language.

The SPEAKER. Will the gentleman repeat that again? Amendment 37?

Mr. WHITTEN. Amendment No. 37, page 23 of the bill H.R. 11612 as printed in the Senate.

The SPEAKER. The gentleman will state his point of order.

Mr. WHITTEN. The bill itself will show that the so-called Conte amendment was stricken out by the Senate on page 23 of the bill as printed by the Senate. It is identified as amendment 37 of the Senate.

I would call the attention of the Speaker to the fact that the unanimous-consent request I asked for, and which was accepted, called on the conferees to disagree to the amendments of the Senate. So we have, by unanimous consent, just instructed the conferees to disagree to the Senate amendments, of which amendment 37 is one, so any further instruction would be superfluous and would be out of order, because we have by unanimous consent agreed that the conferees would disagree to the Senate amendments, of which the Conte amendment repeal is one.

The SPEAKER. Does the gentleman from Massachusetts desire to be heard on the point of order?

Mr. CONTE. I believe the point of order is out of order, Mr. Speaker. Certainly the gentleman is putting the cart before the horse.

The House has a right to work its will here and to instruct the conferees in any manner it pleases. The only thing we have before us now is the unanimous consent to go to conference and to appoint conferees. At this point any Member can get up to ask for instruction of conferees to go to conference and sustain and substantiate the will of the House in regard to this particular amendment.

Therefore, I feel the Chair should overrule the point of order.

The SPEAKER. The Chair is prepared to rule.

This question has been passed upon on a number of occasions, and the Chair calls attention to previous rulings made on this same question to be found in Cannon's Procedure, page 126:

> Adoption of a motion to disagree or to insist on disagreement to a Senate amendment does not preclude consideration of subsequent motions instructing conferees to take other action on such amendments or parts thereof, and the question as to whether a motion to instruct is inconsistent with action previously taken is a question for the House, and not the Chair. (Cannon Precedents VIII 3237–9, 3230)

The Chair overrules the point of order.

PREFERENTIAL MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

> Mr. WHITTEN moves to lay on the table the motion offered by the gentleman from Massachusetts (Mr. CONTE).

The SPEAKER. The question is on the preferential motion offered by the gentleman from Mississippi (Mr. WHITTEN).

The question was taken; and the Speaker being in doubt, the House divided, and there were—ayes 64, noes 44.

Mr. CONTE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 181, nays 177, not voting 73, as follows:

[Roll No. 212]

YEAS—181

Abbitt
Abernethy
Adair
Albert
Alexander
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Arends
Aspinall
Ayres
Belcher
Bell, Calif.
Bevill
Blackburn
Blanton
Boggs
Bolling
Bow
Bray
Brinkley
Brock
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson, Tex.
Burlison, Mo.

Burton, Calif.
Bush
Byrnes, Wis.
Cabell
Caffery
Camp
Carter
Cederberg
Celler
Chappell
Clausen, Don H.
Colmer
Daniel, Va.
Davis, Ga.
Davis, Wis.
de la Garza
Dellenback
Dent
Derwinski
Devine
Dickinson
Dorn
Dowdy
Downing
Duncan
Eckhardt
Edmondson
Edwards, La.
Evans, Colo.
Evins, Tenn.
Fisher
Flood
Flowers
Flynt
Foley
Ford, Gerald R.
Fountain
Fuqua
Galifianakis
Gettys
Goldwater
Gonzalez
Goodling
Green, Oreg.
Gubser
Hagan
Haley
Hammerschmidt
Hanna
Hansen, Idaho
Hathaway
Hébert
Henderson
Hicks
Johnson, Calif.
Jonas
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Kazen
Kee
King
Kleppe
Kuykendall
Kyl
Kyros
Landgrebe
Landrum
Langen
Lennon
Lloyd
Long, La.
McClory
McClure
McFall
McKneally
McMillan
Mahon
Mann
Martin
Mathias
Matsunaga
May
Meeds
Melcher
Michel
Miller, Ohio
Mills
Mink
Minshall
Mize
Mizell
Montgomery
Morton
Myers
Natcher
Olsen
O'Neal, Ga.
Passman
Patman
Patten
Perkins
Pickle
Poage
Pollock
Preyer, N.C.
Price, Tex.
Pryor, Ark.
Quillen
Randall
Rarick
Reid, Ill.
Rhodes
Rivers
Roberts
Rogers, Colo.
Rogers, Fla.
Roudebush
Ruth
Satterfield
Schadeberg
Scherle
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Snyder
Springer
Steed
Steiger, Ariz.
Stubblefield
Stuckey
Talcott
Taylor
Teague, Tex.
Thompson, Ga.
Udall
Ullman
Utt
Vigorito
Waggonner
Waldie
Wampler
Watts
White
Whitten
Wiggins
Winn
Wold
Wylie
Young
Zion

NAYS—177

Adams
Addabbo
Anderson, Calif.
Annunzio
Ashbrook
Ashley
Baring
Barrett
Beall, Md.
Bennett
Betts
Biaggi
Biester
Bingham
Boland
Brademas
Brasco
Broomfield
Brotzman
Brown, Calif.
Burke, Fla.
Burke, Mass.
Button
Byrne, Pa.
Chisholm
Clancy
Clawson, Del
Cleveland
Cohelan
Collier
Conable
Conte
Conyers
Corbett
Coughlin
Cowger
Cramer
Culver
Cunningham
Daddario
Daniels, N.J.
Delaney
Dennis
Dingell
Donohue
Dulski
Dwyer
Erlenborn
Esch
Eshleman
Fallon
Farbstein
Feighan
Findley
Fish
Fraser
Frelinghuysen
Frey
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Gaydos
Giaimo
Gibbons
Green, Pa.
Griffiths
Gross
Grover
Gude
Hall
Hamilton
Harrington
Hastings
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hogan
Horton
Hosmer
Hungate
Hunt
Hutchinson
Jacobs
Jarman
Johnson, Pa.
Kastenmeier
Keith
Kluczynski
Koch
Latta
Long, Md.
Lowenstein
Lujan
McCarthy
McCloskey
McCulloch
McDade
McDonald, Mich.
McEwen
Macdonald, Mass.
MacGregor
Madden
Mailliard
Marsh
Mayne
Meskill
Mikva
Minish
Mollohan
Monagan
Moorhead
Morgan
Morse
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nelsen
Nix
Obey
O'Neill, Mass.
Ottinger
Pettis
Philbin
Pike
Poff
Price, Ill.
Pucinski
Quie
Railsback
Reid, N.Y.
Reuss
Riegle
Rodino
Rooney, Pa.
Rosenthal
Roth
Roybal
Ruppe
Ryan
St Germain
Sandman
Saylor
Scheuer
Schneebeli
Schwengel
Scott
Shipley
Smith, Calif.
Smith, N.Y.
Staggers
Stanton
Stokes
Stratton
Taft
Thompson, N.J.
Thomson, Wis.
Tiernan
Van Deerlin
Vanik
Watkins
Weicker
Whalen
Whalley
Williams
Wolff
Wydler
Wyman
Yates
Yatron
Zablocki
Zwach

NOT VOTING—73

Anderson, Ill.
Berry
Blatnik
Brooks
Brown, Ohio
Burton, Utah
Cahill
Carey
Casey
Chamberlain
Clark
Clay
Collins
Corman
Dawson
Denney
Diggs
Edwards, Ala.
Edwards, Calif.
Eilberg
Fascell
Ford, William D.
Foreman
Gilbert
Gray
Griffin
Halpern
Hanley
Hansen, Wash.
Harsha
Harvey
Holifield
Howard
Hull
Ichord
Karth
Kirwan
Leggett
Lipscomb
Lukens
Miller, Calif.
Nichols
O'Hara
O'Konski
Pelly
Pepper
Pirnie
Podell
Powell
Purcell
Rees
Reifel
Robison
Rooney, N.Y.
Rostenkowski
St. Onge
Sebelius
Shriver
Stafford
Steiger, Wis.
Stephens
Sullivan
Symington
Teague, Calif.
Tunney
Vander Jagt
Watson
Whitehurst
Widnall
Wilson, Bob
Wilson, Charles H.
Wright
Wyatt

So the preferential motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Stephens for, with Mr. Holifield against.

Mr. Griffin for, with Mr. Gilbert against.

Mr. Nichols for, with Mr. Carey against.

Mr. Tunney for, with Mr. Howard against.

Mr. Berry for, with Mr. Robison against.

Mr. Denney for, with Mr. Widnall against.

Mr. Wyatt for, with Mr. Pirnie against.

Mr. Burton of Utah for, with Mr. Bob Wilson against.

Mr. Sebelius for, with Mr. Pelly against.

Mr. Watson for, with Mr. Stafford against.

Mr. Rooney of New York for, with Mr. Eilberg against.

Mr. Kirwan for, with Mr. Podell against.

Mr. Leggett for, with Mr. William D. Ford against.

Mr. Brooks for, with Mr. Rostenkowski against.

Mr. Casey for, with Mr. Blatnik against.

Mr. Purcell for, with Mr. O'Hara against.

Mr. Edwards of California for, with Mr. Clay against.

Mr. Gray for, with Mr. Powell against.

Mr. St. Onge for, with Mr. Diggs against.

Until further notice:

Mr. Charles H. Wilson with Mr. Anderson of Illinois.

Mr. Miller of California with Mr. Edwards of Alabama.

Mr. Fascell with Mr. Lipscomb.

Mr. Pepper with Mr. Brown of Ohio.

Mr. Hanley with Mr. Harsha.

Mrs. Hansen of Washington with Mr. Chamberlain.

Mr. Rees with Mr. Lukens.

Mr. Symington with Mr. Foreman.

Mr. Hull with Mr. Collins.

Mrs. Sullivan with Mr. Harvey.

Mr. Karth with Mr. Halpern.

Mr. Ichord with Mr. O'Konski.

Mr. Wright with Mr. Reifel.

Mr. Corman with Mr. Whitehurst.

Mr. Steiger of Wisconsin with Mr. Clark.

Mr. Shriver with Mr. Cahill.

Mr. Teague of California with Mr. Vander Jagt.

Messrs. BROYHILL of Virginia, KLEPPE, BELL of California, DENT, and WALDIE changed their votes from "nay" to "yea."

Mr. LONG of Maryland changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

Mr. FINDLEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. FINDLEY. Mr. Speaker, was the vote 181 affirmative and 177 negative?

The SPEAKER. The Chair will state that that is correct.

Mr. FINDLEY. Mr. Speaker, on that I request a recapitulation.

The SPEAKER. The Chair will state that the Chair feels that if there was a difference of one or two votes, the Chair would order a recapitulation, but where there are four votes the Chair does not feel a recapitulation should be ordered.

The Chair appoints the following conferees: Messrs. WHITTEN, NATCHER, HULL, SHIPLEY, EVANS of Colorado, MAHON, LANGEN, MICHEL, EDWARDS of Alabama, and BOW.

Without objection, a motion to reconsider is laid on the table.

Mr. ASHBROOK. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

HOURS OF SERVICE ACT AMENDMENTS OF 1969

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 536 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 536

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8449) to amend the Act entitled "And Act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Interstate and Foreign Commerce now printed in the bill as an original bill for the purpose of amendment under the five-minute rule. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. MADDEN. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio (Mr. LATTA) pending which I yield myself such time as I may require.

Mr. Speaker, House Resolution 536 provides an open rule with 1 hour of debate for consideration of H.R. 8449, Hours of Service Act Amendments of 1969. The resolution also makes it in order to consider the committee substitute as an original bill for the purpose of amendment.

The purpose of H.R. 8449 is to bring up to today's safety requirements and operating conditions the provisions established in 1907 prohibiting railway employees engaged in or connected with the movement of trains from being required or permitted to be or remain on duty beyond a maximum of 16 hours, and specifying certain hours they must have off duty.

The bill would amend the Hours of Service Act of 1907—

To make it unlawful for a common carrier railroad to require or permit an employee engaged in or connected with the operation of a train in case he shall have been continuously on duty for 12 hours—a reduction from the present 16 reached in two steps over 3 years—to continue on duty or to go on duty until he has had at least 50 consecutive hours off duty; or to continue on duty or to go on duty when he has not had at least 8 consecutive hours off duty during the preceding 24 hours.

To define "time on duty" as commencing when an employee reports for duty and terminates when the employee is finally released from duty and includes interim periods available for rest at other than a designated terminal; interim periods available for rest for less than 4 hours at a designated terminal; the time spent in deadhead transportation to a duty assignment; and the time he is actually engaged in or connected with the movement of any train.

To define "time off duty" as not including that time spent in deadhead transportation by an employee from duty to his point of final release.

To reduce from the present 13 hours to 12 hours the maximum hours a telegrapher may be required to remain on duty at a one-shift station.

To change the present penalty of not less than $200 nor more than $500 for each violation to a straight $500.

To declare that the requirements imposed by the act with respect to time on duty of employees result in the maximum permissible hours of service consistent with safety; and also to declare that shorter hours of service and time on duty of employees for lesser periods of time are proper subjects for collective bargaining.

To authorize the Secretary of Transportation by order after hearing to make exemptions for any railroad operating less than 100 miles of road where he determines that this is in the public interest and will not adversely affect safety.

Administration of the amendments to the act will represent no appreciable additional cost.

Mr. Speaker, I urge the adoption of House Resolution 536 in order that H.R. 8449 may be considered.

The SPEAKER. The Chair recognizes the gentleman from Ohio (Mr. LATTA).

Mr. LATTA. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, the purpose of the bill is to reduce the number of continuous hours of work permitted for railroad employees.

The current law has remained unchanged since 1907. It provides that an employee may be required to work up to 16 straight hours. This is substantially more than permitted either airline pilots or truck and bus drivers. Additionally, safety of operation dictates a less than 16-hour day.

The bill sets the maximum consecutive hours of work at 12. This figure will be reached in two stages; 1 year after enactment the maximum hours are set at 14; after another year the total hours permitted to be worked decreases to 12. Before an employee can work again, he is required to be off for 50 straight hours. Nor may an employee be required to work if he has not had at least 8 consecutive hours off in the preceding 24 hours. In defining "off duty" the time spent in deadhead transportation by an employee from his place of duty to his point of final release is not to be included.

Finally, the bill provides that the Secretary of Transportation, after hearings, is authorized to make exceptions for any railroad operating less than 100 miles of track if safety and the public interest are not adversely affected.

There are no minority views or agency letters. The bill is a committee substitute; the rule will have to reflect this.

PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORTS

Mr. MADDEN. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file some privileged reports.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

HOURS OF SERVICE ACT AMENDMENTS OF 1969

Mr. MADDEN. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8449) to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907.

The SPEAKER. The question is on the motion offered by the gentleman from West Virginia.

The motion was agreed to.

The SPEAKER. The Chair designates as Chairman of the Committee of the Whole the gentleman from Ohio (Mr. ASHLEY) and requests the gentleman from Connecticut (Mr. GIAIMO), to assume the chair temporarily.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8449) with Mr. GIAIMO (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN pro tempore. Under the rule, the gentleman from West Virginia (Mr. STAGGERS) will be recognized for 30 minutes and the gentleman from Illinois (Mr. SPRINGER) will be recognized for 30 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. STAGGERS. Mr. Chairman, I yield myself whatever time I may consume.

Mr. Chairman, the purpose of the bill, H.R. 8449, is to bring up to today's safety requirements and operating conditions the provisions of the Hours of Service Act covering railroad operating employees.

These were established in 1907, and have been unchanged since.

Chiefly they prohibit railway employees engaged in or connected with the movement of trains from being required or permitted to be or remain on duty beyond a maximum of 16 hours either consecutively or in the aggregate without having certain hours off duty.

In no other industry have the maximum working hours been so static.

In the motor carrier field there is a maximum of 10 hours of driving. In the air carrier field there is a general limitation of 8 hours, and in certain cases of 10 hours, for flightcrew members.

H.R. 8449 would modernize the safety requirements relating to railroad employees who are connected with train operations consistent with present safety conditions instead of those of 62 years ago.

This is done in the reported bill by amendments to the 1907 act—

First. To make it unlawful for a common carrier railroad to require or permit an employee engaged in or connected with the operation of a train: (a) in case he shall have been continuously on duty for 12 hours—a reduction from the present 16 reached in two steps over 3 years—to continue on duty or to go on duty until he has had at least 10 consecutive hours off duty; or (b) to continue on duty or to go on duty when he has not had at least 8 consecutive hours off duty during the preceding 24 hours.

Second. To define "time on duty" as commencing when an employee reports for duty and terminates when the employee is finally released from duty and includes: (a) interim periods available for rest at other than a designated terminal; (b) interim periods available for rest for less than 4 hours at a designated terminal; (c) the time spent in deadhead transportation to a duty assignment; and (d) the time he is actually engaged in or connected with the movement of any train.

Third. To define "time off duty" as not including that time spent in deadhead transportation by an employee from duty to his point of final release.

Fourth. To reduce from the present 13 hours to 12 hours the maximum hours a telegrapher may be required to remain on duty at a one-shift station.

Fifth. To change the present penalty of not less than $200 nor more than $500 for each violation to a straight $500.

Sixth. To declare that the requirements imposed by the act with respect to time on duty of employees result in the maximum permissible hours of service consistent with safety; and also to declare that shorter hours of service and time on duty of employees for lesser periods of time are proper subjects for collective bargaining.

Seventh. To authorize the Secretary of Transportation by order after hearing to make exemptions for any railroad operating less than 100 miles of road where he determines that this is in the public interest and will not adversely affect safety.

In addition, certain technical changes have been made.

I should like now to discuss certain features of the reported bill and the changes which were made by the committee to the bill as introduced.

In the first place the committee felt that certain time should be provided for the revision of employee duty assignments that might be required by reduction from the maximum of 16 hours to the maximum of 12 hours. The committee recognized that the 30-day period set out in the introduced bill was simply unrealistic. Accordingly, the committee amendment provides that the 12-hour maximum should be attained in two steps.

One year after the effective date of this amendment the maximum is set at 14 hours, and then 2 years after that date or 3 years after the effective date, the maximum is set at 12 hours.

In the bill as it was introduced, there were certain definitions of time on duty. The time on duty used in computing the maximum of 12 hours now will include time that is provided for rest at places other than the designated terminal, and time provided for rest of less than 4 hours at a designated terminal. These definitions have been retained in the reported bill.

The introduced bill also provided that time spent in deadhead transportation to or from a duty assignment would be included as "time on duty." However, it appeared during the course of the hearings, that the inclusion of deadhead time from a duty assignment might operate to defeat the very purpose desired. Accordingly, this is excluded by the committee amendment from the computation of the maximum of 12 hours.

However, the problem of deadhead time and of rest is an important one. Illustrations were given of cases where employees were required to spend as much as 3 hours in deadheading home from a duty assignment. Then the rest period, which is set by statute before the employee may take another assignment, comes into play. Up to now these 3 hours would have been counted as time off duty. It is evident that this would not provide the rest for the employee which safety considerations demand. In the committee amendment, therefore, the "time off duty" is also defined, and time spent in deadheading back from a duty assignment cannot be covered in time off duty.

Again, there was some discussion in the committee hearings that the language of the introduced bill where it proposed to alter the existing language covering the operation of wreck or relief trains, might make it impossible for the crew of these wrecker-relief trains legally to return from the scene of a wreck. The reported bill, therefore, returns to the language of existing law.

In the course of the hearings, both employee and management witnesses were questioned as to why the matter of the maximum hours of service had not been bargained regardless of the maximum imposed by law.

It developed that there seemed to have been some question over the years as to the extent to which the Hours of Service Act, based on safety, had preempted this issue so that it was not a bargainable one.

The reported bill sets out a declaration of the Congress that the hours of service which are in the bill are maximum permissible hours consistent with safety, and then declares that the matter of lesser hours for time on duty is a proper subject for collective bargaining. We trust that in this way any ambiguity that may have existed in the past thoroughly will be resolved.

It also appeared that there may be certain instances where the requirements of safety did not always demand adherence of a maximum of 12 hours for the limited number of employees involved. Accordingly, the bill as reported provides that the Secretary of Transportation, who is to administer the new act, is authorized by order, after hearing, to make exemptions for any railroad operating less than 100 miles of road. He can make this exemption only when he determines that it would be in the public interest and would not adversely affect safety. I think it should be clear that this is not an absolute statutory exemption at all, but only derives where the Secretary can make the finding required. I am certain that the committee felt that where there were a number of crews operating, such as on a terminal or switching railroad, the Secretary would not be able to make the finding required irrespective of the fact that the railroad might have very limited mileage.

I urge passage of the bill as reported by the committee.

Perhaps parenthetically here, in speaking of the reported bill, I should say that the bill as reported correctly states the fact that after 3 years a man who has been continuously on duty cannot again go on duty until he has had at least 10 hours off duty. At one place in the committee report there is a typographical error in that "50" hours appears. The correct figure is "10" hours, as is quite evident elsewhere.

Mr. MARTIN. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I am happy to yield to the gentleman from Nebraska.

Mr. MARTIN. I appreciate the gentleman's yielding. I should like to ask one question in regard to this legislation.

This will undoubtedly increase somewhat the operating expenses of major railroads in the country. All of the major railroads operate branch lines of comparatively short distances, and most of those branch lines serve smaller communities.

My question is, What will be the effect of this legislation on the continued operation of branch lines which perhaps are very marginal now with regard to return on investment?

Mr. STAGGERS. In answer to the question of the gentleman I would have to say that this was a problematical question. I could not answer one way or the other.

I would say I cannot see why, if we have competent management, that would increase the cost. They certainly can make arrangements to use men efficiently in a 12-hour period of time. God help them if they have to work a man more than that to do a day's job.

I would say that I do not believe, with the management we have, it is going to increase the cost one whit on these branch lines.

Mr. MARTIN. Let us give the gentleman an illustration. There is a branch line which I have in mind in my district, of perhaps 110 or 115 miles in length. All passenger service on this branch line was discontinued several years ago, but they still operate a freight up and back, of just a few cars. It leaves the terminal point in the morning and goes up and switches, and serves six or seven or eight communities running up the 100 or 110 miles, and then comes back the same day. Normally it takes more than 12 hours for this operation, particularly in the summer when the harvest is coming in, with wheat to be hauled out and so forth.

This is an actual case in which I believe there will be an increased expense of operating this branch line. The communities are small. Some of the towns have almost folded up entirely. As a consequence, it is very marginal as an operation even under present conditions. I feel that this sort of operation might be discontinued altogether, and that would leave those communities without any railroad service at all.

Mr. STAGGERS. I should like to say that we considered different cases of these same situations and conditions throughout the country that were brought before the committee. In the committee's wisdom it was felt that with proper management and so forth these problems could be overcome. Even if they could not be overcome, we did not want them to work the men more than 12 hours, or to say that we would condone it. I do not believe the gentleman from Nebraska would, either.

I believe management has enough wisdom in order to make some rearrangement of the operating conditions and schedules to take care of that.

Mr. MARTIN. In other words, the gentleman does not believe it would have an adverse effect on the branch lines in respect to the marginal situations?

Mr. STAGGERS. That was the consensus in the committee.

Mr. MARTIN. I thank the gentleman.

Mr. BROWN of California. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I am happy to yield to the gentleman from California.

Mr. BROWN of California. I should like to compliment the gentleman for bringing this legislation to the floor and for the work he and the committee have put into it. I know the committee has had the bill before it for a considerable length of time. I have myself previously introduced similar legislation.

I am familiar, from my own contacts with the railroad industry in California, with the growing support that there is for this type of legislation. As the chairman indicated, this change is long past due as we move into a new era in the operation of our transportation systems.

So, Mr. Chairman, I certainly want to commend the gentleman. I hope that the bill will have the support of all the Members of the House.

Mr. STAGGERS. I appreciate the remarks of the gentleman from California.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I shall be happy to yield to the gentleman from Missouri.

Mr. HALL. Mr. Chairman, I appreciate the distinguished chairman of the Committee on Interstate and Foreign Commerce yielding.

I just want to ask a question. I notice that this bill is couched in and under the name of safety. I appreciate the limitation of hours that are incumbent therein. I wonder if the committee gave consideration, or if there is anything in this bill, which would place a limitation as to age and/or physical requirements for those who work the maximum number of hours.

I am thinking of the recent case of the 84-year-old engineer that had a disastrous train-car accident and I wondered if this is now covered adequately in the opinion of the Committee on Interstate and Foreign Commerce?

Mr. STAGGERS. Mr. Chairman, I will state to the gentleman from Missouri, if the gentleman will permit, that there is nothing in this bill that has to do with that at all.

However, I might say further to the gentleman that the bill which we had up for consideration last week and which was highly controversial did cover that aspect of the matter. Of course, these men who work for the railroads are examined periodically. This is through their own regulations and mutual agreement that they are examined and they must meet certain physical and mental specifications before they can work.

Mr. HALL. Mr. Chairman, if the gentleman will yield further, I thank the gentleman for his answer. Having been a railroad examining physician in the past I think, perhaps, besides the mutual agreement and the interline regulations and customs and traditions as to examinations, just as we require watchers to be certified after a certain age, perhaps, for the protection of the public we should go a little further, as maybe we can or will eventually from the conference with reference to the bill to which the gentleman referred that passed last week. We need to protect the public in a greater area insofar as at least the extreme cases are concerned which I understand are allowed to continue beyond the expected age of retirement by mutual agreement with the individual railroads. This reaches the public protection feature and evidently also includes crossing accidents out of kin of the regulations.

Although I would agree with the gentleman that, perhaps, this is not a subject of Federal regulation, I hope we will keep active oversight and surveillance of this operation.

Mr. STAGGERS. I thank the gentleman for his comments and for his concern. It is of concern to the Committee and the people of the country.

Mr. BIAGGI. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from New York.

Mr. BIAGGI. Mr. Chairman, I rise in support of this bill.

I am grateful for this opportunity to declare my firm support for H.R. 8449, the Hours of Service Act Amendments of 1969.

It is incomprehensible that today in our great Nation railroad employees may be required to work as long as 16 hours per day. Sixty-two years have passed since the Hours of Service Act of 1907 established a 16-hour maximum workday for railroad employees. This archaic standard is both unfair to the railroad employee and unsafe to the public.

Railroad safety has deteriorated in the last few years. Representatives from the Department of Transportation testified before the Committee on Interstate and Foreign Commerce that 8,028 train accidents in 1968 exceeded the 1967 level by over 10 percent. Operational error accidents, which include all accidents resulting from what employees do or fail to do, totaled 2,174 in 1968.

Certainly, many operational error accidents were caused by fatigue. It is common knowledge that man's efficiency diminishes the longer he works. The railroad employee who is working a 16-hour day is all too prone to make a mistake in judgment causing an accident.

I urge my colleagues to adopt H.R. 8449. Surely, a 12-hour maximum standard is entirely reasonable and will make a significant contribution toward the improvement of railroad safety.

Mr. MELCHER. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Montana.

Mr. MELCHER. Mr. Chairman, I want to commend the distinguished chairman and the Committee on Interstate and Foreign Commerce for bringing this legislation before the Congress. It has been long needed to correct and update the act of 1907. The 16-hour law for railroad employees is an archaic law. The State of Montana enacted a State law this past winter, and I was a part of that legislature, adopting the 12-hour law for Montana. It became effective July 1. To my knowledge Montana is the only State in the Union with a 12-hour law for railroad employees. However, having brought the 12-hour law into effect in the State of Montana, does not solve the problem because immediately there is litigation. The carriers are asking the court to determine what is interstate commerce and intrastate commerce and refuse to go along with Montana's new law. So, logically, this is not a problem that can be solved on a State level. Congress must act favorably on this bill. Safety is our goal, as outlined in the report, and I am very much in favor of the bill. This legislation will help the employees and the carriers and, above all, will help the public through greater safety of our railroads.

Mr. STAGGERS. Mr. Chairman, I thank the gentleman from Montana for his comments.

Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio (Mr. FEIGHAN).

Mr. FEIGHAN. Mr. Chairman, I support H.R. 8449, a bill to promote railroad safety by limiting the service hours of railroad employees. Sixty-two years have elapsed since the Hours of Service Act was last amended, and I believe that the present law is as antiquated as the trains of 1907 which traveled at 10 miles per hour.

The law currently in effect permits railroad employees to work a 16-hour day and contains a nebulous definition of what exactly constitutes time "on duty" and "off duty." Over a 3-year period, H.R. 8449 reduces the maximum work day to 12 hours for all railroad employees engaged in or connected with the operation of any train within the United States and its territories. Moreover, it makes explicit the meanings of time "on duty" and "off duty" so that certain deadhead traveling and certain interim terminal periods are included in the working hours and certain other time is not.

We are living in the jet age when increased speed and consumption necessitate increased safety measures. The number of railroad accidents has climbed steadily, from 4,822 in 1963, to 8,028 in 1968. We cannot, therefore, ignore our responsibility to insure safety to our citizens by living with the regulations of another era. This urgent need crosses the border of every State. Mr. Chairman, I urge support of these amendments.

Mr. SPRINGER. Mr. Chairman, I yield myself such time as I may consume.

The purpose of the bill before us today is to reduce from 16 to 12 hours the continous time which operating personnel of a railroad may spend on duty. The 16-hour maximum has pertained since 1907. On the face of it one is inclined to wonder how such a situation could have lasted without obvious need for a change. The reasons are more complex than would at first appear.

Service on a train is quite unlike the time spent at work by an employee in most heavy industries. We think of a drill press operator standing at his machine for nearly all of the 8-hour shift which he spends in the factory. Obviously he would be exhausted long before a continuous 16-hour shift would end. If he does work beyond the regular 8 hours he expects and receives pay at a different rate such as time and a half or double time. How come the railroad worker does not do the same? The answer lies in the great difference between the kind of duties performed on a railroad in the movement of trains. Although most operating personnel work less than 12 hours, and many less than 8 it is possible for them to spend a total of 16 hours on what the law defines as "duty." This term includes periods available for rest up to 4 hours at a designated terminal. In this way, for example, a crew may run a train to New York from Washington, lay over for up to 4 hours and then run one back. This is considered good duty by many senior employees.

Pay in the railroad industry is also entirely different than in factory type employment. The pay is figured by a very complicated formula which has evolved through brotherhood-management negotiations over the years. It includes a combination of time and distance traveled. For example, 100 miles of operation is equivalent to 1 day's basic pay. It is possible on a choice run for an engineer to work 12 days and make the equivalent of 39½ days pay. At such time he cannot repeat the performance for a month. Also involved is the difference of pay systems for railroad employees in various types of service. Long haul duty is paid differently from yard service or local freight. It is obvious then that a flat statement that a 16-hour law is good or bad is impossible.

Changing the law in the way this bill recommends will require some changes in operating procedures by the railroad. It may in some instances require realinement of divisions. It may very likely spread the available work among more employees giving some of the newer people a better chance to make wages.

The relationship between hours of service and the great increase in the accident rate is nebulous. Records on one cannot be easily equated to the other. It is rather difficult to argue that the hours of service limitations suddenly became so burdensome that the accident rate grew as a result. Nevertheless, it can be argued that a change in the hours of service downward might have some influence on the accident rate and if so it is well worth changing.

The bill before us today provides for a reduction from the present 16-hour maximum duty to 12-hour maximum duty to be reached in two steps. At the end of 1 year the limit will drop to 14 hours and then 2 years later to 12 hours. This will allow time for the necessary adjustments within the industry.

Under the new rules applicable after the 3 years, an employee may remain on duty no more than 12 hours and then he must be off duty at least 10. He may not go on duty if he has not had at least 8 consecutive hours off during the preceding 24 hours. Time on duty will include those interim periods available for rest either at a designated terminal or other terminal. There was considerable discussion of deadheading time to and from the point where service begins or ends. At the present time this is not considered as "on duty" time. Under the new law the time required to move the employee to the point of service would be included but the time used in returning him to his release point would not count as time on duty. The present limit of 13 hours for telegraphers will be reduced to 12 also. The bill also spells out the possible use of collective bargaining to set the exact hours of service in each contract as long as it is within the outer limits set out in the law. Both labor and management expressed some doubt as to the legality of such bargaining under present law and the provisions of this bill should eliminate that uncertainty.

A few short line railroads convinced the committee that complying with the new requirement could adversely affect operations to the extent of putting them out of business. To cope with that situation, the Secretary of Transportation is given authority to exempt such roads if it seems necessary and safety is not jeopardized.

Although I have felt that what we are here doing with legislation could be accomplished by collective bargaining, it is probably desirable to clarify the situation and modernize the law in the light of present day operating conditions. I recommend the bill to the House.

Mr. SPRINGER. I yield to the gentleman from Minnesota, Mr. ZWACH.

Mr. ZWACH. Mr. Chairman, I thank the gentleman for yielding. I want to compliment the ranking minority member and the chairman for bringing out this long-needed legislation. I wish to associate myself with the remarks of the ranking minority member and the chairman.

Mr. SPRINGER. Mr. Chairman, I yield to the gentleman from Kansas (Mr. SKUBITZ), a member of the committee.

Mr. SKUBITZ. Mr. Chairman, I thank the gentleman for yielding. I, too, want to commend the gentleman from Illinois on his excellent presentation. I support the bill.

Because the railroad industry is the oldest among the organized commercial transportation systems it has built up a body of traditions, laws, and labor practices which in any other industry would appear out of place. Such practices—as determining pay by distance as well as by time—would be impractical elsewhere. Railroading was a highly developed and well unionized activity before much of modern industry took form. One must realize this and take its history into account when considering the problems of the present and the laws which apply to the railroads.

Back in 1907 it was considered necessary to put on the statute books an outside limit to the consecutive hours a railroad man could either be allowed or required to work in the operation of a train. Undoubtedly this was meant to increase safety and advance the welfare of employees. But the legislation leaves much unsaid about the conditions to which it applied. No employee should be made to work a continuous 16-hour turn and even in 1907 that was hardly contemplated. However, the restriction made some kind of sense within the realities of railroad operations. It tied in with the physical setup of the divisions and the kinds of trains which operated in or through them.

In the time which has passed since the promulgation of the hours of service legislation there have been many changes in personnel practices, pay rates, and operations. Most of these have been accommodated by necessary changes in the employment contracts negotiated by the brotherhoods. It would seem that any further changes could be brought about in the same manner. The committee in hearings explored this possibility but found that both union and management had some slight reservations about their authority to make a binding change in the hour ceiling. In view of this, it seemed sensible to change the law to meet the modern conditions.

The bill before us today would lower the 16-hour maximum continuous duty to 14 hours after 1 year and to 12 hours after 2 additional years. It gives the railroads time to make the necessary adjustments in operating procedures but brings the ceiling down to the desired level fairly promptly.

The term "time on duty" is not a straightforward description of either the work to be performed or the number of hours which might be necessary to do the job. In the past the time required to transport an employee to the point where service actually began and the time later required to get him back to the point of origin did not count as duty time. The brotherhoods wanted that changed while we were fixing things up. On the other hand, there are periods up to 4 hours long when an employee does nothing but rest or anything else he wishes which are counted as duty time because he is to be used again thereafter in train operations. This latter quirk in the system accounts for many of those days when it appears that nearly 16 hours has been spent on duty. So the Committee looked over this situation and concluded that a fair arrangement was to include deadheading to the point of service but not back. This combined with the lower overall limit of duty makes a considerable difference in the way the railroads must handle the problems. The result is a bill which actually does modernize the system while recognizing the peculiarities of railroad operations.

Although the changes discussed above are the heart of this bill it does do some other things. For one thing, it allows for emergency situations such as train wreck operations and permits 4 extra hours in a full day in such cases. It raises the penalties for violations. It adjusts the law as to tower men and telegraphers to conform with the changes for operating personnel.

One special case is made for an exemption from the law. It was pointed out to the committee that some very small railroads could be forced out of business by a stringent adherence to the new provisions. No doubt these lines having less than 100 miles of track have separate problems. This cannot justify any work policy the employer might see fit to impose, however. So, an exemption within sensible limits can be obtained from the Department of Transportation if all the facts point to it and safety will not be jeopardized. Since the report has been written a question has been raised as to the application of the exemption provision to branch lines of larger railroads. I feel certain that this was not the intention of the committee and, in fact, it would do violence to the obvious intent of the bill which was reported and which is before us today for consideraton.

When this legislation is eventually in full force it will be unlawful for an employee connected with the operation of a train to be on duty more than 12 hours, including the time getting to the point of service, and he must then have at least 10 consecutive hours off. In any 24-hour

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period he must have at least 8 hours off. This makes sense in this day and age. It may necessitate the realinement of some divisions on railroads and it may very likely require the use of a somewhat larger work force. This will mean spreading around of the work and somewhat less money in some instances for those with the most seniority. This is all right from both a personnel and a safety standpoint.

One other point made by this bill will clear up the question of negotiation. The committee has written into the bill a specific provision authorizing the agreement on lesser hours of employment by collective bargaining. We do not intend to say that the limits set in the bill are both upper and lower limits and freeze the hours of service in place. Rather, we are setting upper limits beyond which an employer or a union cannot bargain away the time of the worker. Both safety and public policy on labor practices dictate that such a limitation is proper. Below those limits the parties can go to it and hammer out any kind of an agreement they please. As a result of this bill we can hope for a revision and a modernizing of labor practices in the railroad industry. It is high time it took place.

I recommend this bill, H.R. 8449, to my colleagues and hope that they will approve it in the form recommended by the committee.

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to the gentleman from Nebraska (Mr. CUNNINGHAM), a member of the committee.

Mr. CUNNINGHAM. Mr. Chairman, I am a member of the Committee on Interstate and Foreign Commerce, and I am very pleased to serve as a member of the Subcommittee on Transportation and Aeronautics. We have worked for a couple of years, or longer, in the subcommittee under the able chairmanship of Mr. FRIEDEL on this particular piece of legislation.

This legislation is long overdue. I support it wholeheartedly. I concur in the remarks of the chairman and the ranking minority member of the full committee. We need always to bear in mind the safety of the traveling public and the safety of the personnel who operate the railroads. This particular piece of legislation works toward both of those ends.

My dear friend and colleague, the gentleman from Nebraska (Mr. MARTIN), inquired a bit ago about a short-line freight train in his district. He asked whether or not this bill would affect that operation. Actually, it would not. There have been many discontinuances of passenger trains, as we all know. I wish to divert a minute to say that legislation should be enacted which would provide that when a railroad asks permission to discontinue a passenger train, the Interstate Commerce Commission shall take into consideration not only the loss on that passenger train but also the tremendous profits that they make on their freight train operation, and before they make their decision, they ought to balance profit against loss, and they ought to decide whether the whole line should be abandoned. Under such an arrangement I am confident the railroads would no longer seek to abandon passenger trains and both passenger and freight trains would continue to operate.

If the Interstate Commerce Commission would look at it in that light and if the law could be changed to give them that right, I think we would not see a stoppage and discontinuance of passenger trains which are so vitally needed in this country.

But I do want to conclude by saying we have spent 2 or 3 years on this legislation. As a member of the Subcommittee on Transportation, this legislation was initiated there and went into the full committee, and I am delighted that now it has been scheduled for consideration. I am hopeful it will pass. I feel all members will want to support this particular legislation in the interest of safety and the interest of the country and its transportation system.

Mr. STAGGERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Tennessee (Mr. FULTON).

Mr. FULTON of Tennessee. Mr. Chairman, I rise in support of the legislation. It was my privilege on March 27, 1969, to introduce legislation which would lower the hours of continuous service which certain operating railway personnel would be permitted or required to work within a 24-hour period.

Therefore, I am greatly pleased that the provisions of this legislation are identical to the provisions of H.R. 8449, which is now before this body.

My deep interest and concern for legislation promoting the safety of not only our dedicated railway employees but of the general public as well, dates back to my childhood. My late father was a railroad man, dedicated to his profession and to the responsibility of providing safe transport by our railroads.

Over these years, all of those in his family became intimately aware of the need to reduce the number of consecutive hours railroad men should be called upon to work.

H.R. 8449 would reduce the maximum of 16 hours to a maximum of 12 hours the hours of continuous service required, or permitted, to be performed by certain operating railway personnel. It would make it unlawful for any common carrier, its agents or officers subject to the act, to require or to permit an employee to continue on duty or go on duty when he has not had at least 8 consecutive hours off duty during the preceding 24 hours.

The Federal Railroad Administration, in a preliminary report of railroad accidents for the month of July, showed an increase in both the number of accidents and the number of casualties, when compared with the same month a year ago.

There were 699 train accidents in July, and 36 fatalities resulted from those accidents.

This same report showed that, during the 7 months ending on July 31 of this year, there were 5,040 train accidents of which 286 resulted in casualties.

If we were to include the number of grade crossing accidents, the fatality figure for the first 7 months of 1969 would be 809.

I am convinced that a reduction in train accidents—and in fatalities—would result with enactment of H.R. 8449, the hours of service act amendments.

I urge my fellow Members of the House of Representatives to give this legislation their support and endorsement.

Also, Mr. Chairman, there are two clarifying questions I would like to ask. As is said in section 2(a) on page 8 of this bill, if an employee has worked as much as 12 continuous hours, he must be given 10 consecutive hours off duty. Is that the intent? Is that correct?

Mr. STAGGERS. That is correct.

Mr. FULTON of Tennessee. I thank the Chairman.

Another question: If an employee is given 10 hours off duty, that means 10 hours undisturbed rest; in other words from the time he is relieved from job A until the time he is called for job B, and the calling time is not within the 10 hours of rest?

Mr. STAGGERS. That is substantially correct. It says that at least 10 hours consecutive off-duty time will be given, and that does not include deadheading time back from his last assignment.

Mr. Chairman, I yield 2 minutes to the gentleman from Montana (Mr. OLSEN).

Mr. OLSEN. Mr. Chairman, I rise to add my enthusiastic approval to an endorsement of the report of the Committee on Interstate and Foreign Commerce on H.R. 8449 to amend the Hours of Service Act.

The act was originally written in 1907, but has not been updated to cover the changing conditions in the railroad industry since that time. I followed the progress of the hearings that were conducted on this legislation, as I have many friends and constituents in the ranks of railroad labor, and have, through my years as a Member of this body, become interested in and sympathetic toward the special problems confronting employees in train service who continue to be used at the mercy of railroad carriers under the abuses perpetrated under the present Hours of Service Act.

In the 88th Congress, I introduced legislation providing for a reduction of from 16 to 10 the maximum continuous hours of service during any 24-hour period. However, I am pleased to give my complete support to this legislation to reduce the number of permissible on-duty hours under the act from 16 to 12. For I realize, Mr. Chairman, the legitimate need for the enactment of this kind of legislation.

The bill's stated purpose is to insure safety on the American railroads by requiring operating railroad employees to have sufficient time off duty to be rested and to work alertly and efficiently while on duty by making the above-mentioned reduction in the number of permissible on-duty hours in a 24-hour period. It seems ironical, and even inconceivable, Mr. Chairman, that in this country, with its vast technological breakthroughs and sweeping economic improvements in the past two decades alone that the employes in the railroad industry would still be saddled with the provisions of a horse-and-buggy law.

For rail carriers to use its employees in violation of the act is nothing short of inhumane. Many of us work beyond the generally accepted 8-hour day. It is not unusual in some cases to find admin-

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istrative and staff personnel working around the clock in a 12-hour day. But, Mr. Chairman, the railroad employees this legislation is designed to help have actually worked 16 consecutive hours on hundreds of occasions, and far in excess of 16 hours on many, many occasions.

The Federal Railroad Administration of the Department of Transportation issued recently the number of violations it settled under the Federal Claims Collection Act for violations of the Hours of Service Act against rail carriers for the fiscal year July 1, 1968, through June 30, 1969.

During that period there were 151 violations of the act, meaning that railroad employees worked more than 16 hours in a 24-hour period, either consecutively or in the aggregate. I hasten to point out that this is the number of cases that have been settled during that fiscal period—not the number of violations investigated, or even the number of cases actually occurring. So there is no doubt, Mr. Chairman, that even today with modern railroading, improved working conditions, and automated operation, certain railroad employees are still being used in excessive service, much as they were back in 1907 when the law was passed.

The hearings before the committee contain some revealing and surprising statements which indicate that certain crews have been kept on duty under the peculiar provisions of this act for more than 24 hours through a system of short-term releases during a lengthy tour of duty between distant terminals.

All of these excesses, Mr. Chairman, would be summarily corrected through the adoption of H.R. 8449 as approved by the Committee on Interstate and Foreign Commerce.

This worthy legislation would insure each employee covered by the act of having at least 8 consecutive hours off duty in every 24-hour period. It would prohibit the release of employees between terminals, which was the practice that resulted in the excesses referred to earlier whereby employees would actually be on duty, through periods of short release, for more than 24 hours. Releases at terminals would be legal, but would have to be for a minimum period of 4 hours.

Time spent by employees deadheading would come in for a partial correction under this bill. All time thus spent under the present act is excluded from computation as time on duty. This has resulted in an employee, believe it or not, being assigned to ride 8 hours in deadhead service and not have this time count as time on duty, and then follow it immediately with his official tour of duty, which could run anywhere from 8 to 16 hours, making his total time in railroad service a potential of 24 hours, divided between deadheading and nondeadheading time.

Under the amendment contained in H.R. 8449, time spent by employees going to an assignment or traveling between assignments will be computed as time on duty, but time spent returning to the terminal from an outlying point following the conclusion of an assignment will still be excluded from computation under the act. The saving grace in this arrangement, however, is the fact that the mandatory 8-hour rest period will not begin until after the employee completes his deadheading upon return to the terminal. This should eliminate the abuses we now experience under the present act.

For all of the above reasons I urge Members of this august body to lend their hearty approval to this act of simple justice and support H.R. 8449 as approved by the committee.

(By unanimous consent, Mr. OLSEN was allowed to speak out of order.)

LOBBYING EFFORTS OF CITIZENS' COMMITTEE FOR POSTAL REFORM, INC.

Mr. OLSEN. Mr. Chairman, bipartisan Citizens' Committee for Postal Reform, Inc., was formed last spring to muster financial and public support in behalf of converting the Post Office Department into a public corporation.

The fact that two former national chairmen of the two major political parties joined hands to head this committee was an interesting exercise in lobbying to begin with.

The extent of their lobbying efforts shows that they pulled out all the stops.

What we still do not know, for sure at least, is exactly what they told these high-powered executives to get them to climb on the national bandwagon in behalf of turning our postal system into a public corporation.

The most intriguing information to come from the Citizens' Committee for Postal Reform are the reports on their revenues.

They made one report to our House Post Office and Civil Service Committee during the postal reform hearings in July. Now they have prepared a supplemental report which shows the contributions up to October 1.

Mr. Chairman, I have taken the time to study these reports carefully and I believe they warrant publishing in major part for the edification of the Members and the American public.

The reports show that the committee has collected $261,083, plus three uncollected pledges of $5,000 each.

Would you believe that $201,920 came in pledges of $5,000 each or more?

Would you believe that $43,547 came in pledges of $1,000 or more, but less than $5,000?

Those are pretty healthy contributions, come from pretty well-heeled sources, and make up most of the total. That full-page advertisement which the committee ran in major newspapers last summer invited contributions from everyone, particularly the little fellows.

Well, my check of the list shows that 77 persons gave a dollar each. One gave 50 cents, another gave 25 cents, and still another gave one cent. We will not list those names.

However, Mr. Chairman, since about $245,000 of the total collected by the committee is in donations of $1,000 or more, I think they should be listed. I think we will also be interested in just what type of activities are conducted with these sums.

Following are two lists; the first is of contributions of $5,000 or more, the second is of contributions between $1,000 and $4,999:

DONATIONS OF $5,000 OR MORE

Bank of America-National Trust and Savings Assn., 300 Montgomery St., San Francisco, California 94120, $5,000.

The Boeing Co., P. O. Box 3707, Seattle, Wash. 98124, $5,000.

Scott Paper Co., Philadelphia, Pennsylvania 19113, $5,000.

Standard Oil Co. (New Jersey), 30 Rockefeller Plaza, New York, New York 10020, $5,000.

General Foods Corporation, 250 North Street, White Plains, New York 10602, $5,000.

Cummins Engine Co., Inc., 301 Washington St., Columbus, Indiana 47201, $5,000.

Union Carbide Corporation, 270 Park Avenue, New York, New York 10017, $5,000.

Westinghouse Electric Corp., 3 Gateway Center, P. O. Box 2278, Pittsburgh, Pennsylvania 15230, $5,000.

The Minneapolis Star and Tribune, 5th and Portland, Minneapolis, Minnesota 55415, $5,000.

Pan American World Airways, Inc., Pan Am Building, New York, New York 10017, $5,000.

The Coca-Cola Company, P. O. Drawer 1734, Atlanta, Georgia 30301, $5,000.

Owens-Corning Fiberglas Corporation, Toledo, Ohio 43601, $5,000.

Eastman Kodak Company, 343 State Street, Rochester, New York 14650, $5,000.

Southern Pacific Company, 65 Market Street, San Francisco, California 94105, $5,000.

Montgomery Ward, 619 West Chicago Avenue, Chicago, Illinois 60607, $5,000.

Time, Inc., Time and Life Bldg., Rockefeller Center, New York, New York 10020, $5,000.

J. C. Penney Co., Inc., 1301 Avenue of the Americas, New York, New York 10019, $5,000.

Boys Town of the Desert, % Mr. Z. R. Hansen, Mack Trucks, Inc., Box M, Allentown, Pa. 18105, $5,000.

Pitney-Bowes, Inc., Walnut & Pacific Streets, Stamford, Connecticut 06904, $5,000.

McGraw-Hill, Inc., 330 West 42d St., New York, N.Y., 10036, $6,920

E. I. du Pont de Nemours & Co., Wilmington, Del. 19898, $5,000.

R. J. Reynolds Tobacco Co., Winston-Salem, N.C. 27102, $5,000.

Castle & Cooke, Inc., Post Office Box 2990, Honolulu, Hawaii, 96802, $5,000.

Kimberly-Clark Corp., Neenah, Wis., 54956, $5,000.

Bechtel Corp., 50 Beale St., San Francisco, Calif., 94119, $5,000.

Sears, Roebuck & Co., 925 South Homan Ave., Chicago, Illinois, 60607, $5,000.

Proctor & Gamble Co., Post Office Box 599, Cincinnati, Ohio, 45201, $5,000.

Whirlpool Corp., Administrative Center, Benton Harbor, Michigan, 49022, $5,000.

Merck & Co., Inc., Rahway, N.J. 07065, $5,000.

3M Co., 3M Center, St. Paul, Minn. 55101, $5,000.

General Electric Co., 570 Lexington Ave., New York, N.Y. 10022, $5,000.

American Express Co., 65 Broadway, New York, N.Y. 10006, $5,000.

Goodyear Tire & Rubber Co., Akron, Ohio, 44316, $5,000.

Ford Motor Co., The American Rd., Detroit, Mich., 48121, $5,000.

Union Carbide Corp., 270 Park Ave., New York, N.Y. 10017, $5,000.

Westinghouse Electric Corp., 3 Gateway Center, Post Office Box 2278, Pittsburgh, Pa. 15230, $5,000.

General Foods Corp., 250 North St., White Plains, N.Y., 10602, $5,000.

Federated Department Stores, 222 West Seventh St., Cincinnati, Ohio 45202, $5,000.

Owens-Corning Fiberglas Corp., Post Office Box 901, Toledo, Ohio, 43601, $5,000.

Standard Oil Co., 30 Rockefeller Plaza, New York, N.Y. 10020, $5,000.

The Committee reported the following as outstanding pledges not paid as of September 30:

Federated Department Stores, Inc., 222 West Seventh Street, Cincinnati, Ohio 45202, $5,000.

Texas Instruments Incorporated, P. O. Box 5474, Dallas, Texas 75222, $5,000.

Continental Oil Company, 30 Rockefeller Plaza, New York, N.Y. 10020, $5,000.

DONATIONS OF $1,000 TO $4,999

Litton Publications, Inc., Division of Litton Industries, Oradell, New Jersey 07649, $1,350.

Burlington Industries, Inc., 301 North Eugene St., Greensboro, North Carolina 27402, $2,500.

West Point Pepperell, P.O. Box 71, West Point, Georgia 31833, $2,000.

Borg-Warner Corp., 200 South Michigan Avenue, Chicago, Illinois 60604, $2,500.

The Quaker Oats Company, Merchandise Mart Plaza, Chicago, Illinois 60654, $1,000.

Allied Chemical Corporation, 61 Broadway, New York, New York 10006, $1,000.

Campbell Soup Company, 375 Memorial Ave., Camden, New Jersey 08101, $1,000.

USM Corporation, Boston, Massachusetts 02107, $2,500.

Kennecott Copper Corporation, 161 East 42nd Street, New York, New York 10017, $2,000.

The Conde Nast Publications, Inc., 420 Lexington Avenue, New York, New York 10017, $2,500.

Cowles Communications, Inc., 488 Madison Avenue, New York, New York 10022, $1,500.

Meredith Corporation, Des Moines, Iowa 50303, $1,000.

Newsweek, 444 Madison Avenue, New York, New York 10022, $1,000.

Reynolds Metals Company, Reynolds Metals Building, Richmond, Virginia 23218, $1,000.

Republic Steel Corporation, Republic Building, P.O. Box 6778, Cleveland, Ohio 44101 $2,500.

Chilton Co., Chestnut and 56th Sts., Philadelphia, Pa. 19139, $2,012.

Cahners Publishing Co., 221 Columbus Ave., Boston, Mass. 02116, $3,222.

Penton Publishing Co., 1213 West Third St., Cleveland, Ohio 44113, $1,463.

Hon. C. Douglas Dillon, 767 Third Ave., Room 1800, New York, N.Y. 10017, $2,000.

Deering Milliken, Inc., 234 South Fairview Ave., Spartanburg, South Carolina 29302, $1,000.

B. F. Goodrich Co., 500 South Main St., Akron, Ohio 44318, $2,500.

Deere & Co., Moline, Illinois 61265, $2,500.

Allied Chemical Corp., 61 Broadway, New York, N.Y. 10006, $1,000.

Burlington Industries, Inc., 301 North Eugene St., Greensboro, N.C. 27402, $2,500.

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to my colleague the gentleman from Iowa (Mr. KYL).

Mr. KYL. Mr. Chairman, I thank the gentleman from Illinois for yielding this time to make some random comments which become germane because of the statistics reported by the committee.

Those statistics show that in addition to the accidents caused by too long a continuous period of labor, there were over 2,000 accidents caused by defects or failures of equipment and more than 2,000 accidents caused by improper maintenance of way and structure.

Certainly we do not want to be satisfied with taking care of only one-third of this safety problem. Those of us who are not on the Interstate and Foreign Commerce Committee cannot shirk our responsibility in trying to call attention to the need for solving the problem. The plain matter of fact is that we have not excited the people of this country about railroad safety.

We have had a great deal of debate recently about railroad safety in connection with the hauling of phosgene gas, but as soon as the Government announced it was not going to send this material across country by rail, the pressure for safety on railroads immediately died. We have ample illustration of that fact.

We have seen thousands of column inches in the press about railroad safety recently. Today, when we debate a railroad safety bill, through most of this debate we have had one or two reporters in the press gallery. The interest was not in railroad safety; it was in quite another matter.

We had an accident on a railroad in my district caused by a train truck collision. There was no gas on the entire train, but the biggest newspaper in the State the next morning reported in broad headlines, "Another accident on poison gas route." The first three individuals I talked with on the street asked, "How many cars of poison gas were there on the train?" I responded, "None." And they said, "Yes, there were. The paper said there were."

They were not interested in railroad safety, but in something else.

We have a big problem ahead of us here. We haul hundreds of potentially hazardous materials. We had a car of dehydrated alfalfa explode in a siding in the Midwest.

These products must flow normally in interstate commerce. Must we "beef up" the laws regarding the kind of equipment which is needed for handling these various products, for specifying improvements in railroad rights-of-way?

It comes as something of a shock to find that the laws in this field have not been brought up to date for 50 years. Furthermore, under present law nobody really has the authority to specify just exactly what standards should apply to railroad rights-of-way, or to enforce standards.

This is not primarily the fault of the railroads. We cannot shirk our own responsibility. We know the trains move faster. We know the cars are longer. We know we get more harmonic sway in freight trains than we used to. There are all kinds of factors, simply because we have progressed in the railroad industry.

Something has to be done to give authority to improve the safety conditions of our railroads. We do not even have the figures we need. No one is quite sure whether we have had an increase in accidents or not, because traditionally we have reported accidents where there has been $750 worth of damage. We know, with the rising cost of living, we could get a doubling of the accident rate merely because an automobile which is damaged could cost as much to repair today as a new one used to cost. Not even this figure is clear. We have no accurate reporting basis.

There is still another factor involved here. A real reason we have to get people excited about this is because, in the final analysis, the people of the United States are going to have to trade some of their convenience for safety in the operation of railroads, highway transportation, and all other fields. We still have far too many accidents at intersections between trains and automobiles. There is no other way to solve much of that problem than by limiting access. We do it on our highways now. But we have major railroad crossings protected in a small town, and then six or eight other intersections where there is no protection.

How many citizens are willing to have those intersections closed in the interest of safety? Usually the people who are injured or killed at these intersections are the people who live close to the railroads, the people who are always saying, "We do not need anything there. We know the train comes through. We know the tracks are there."

We cannot be satisfied with solving part of the railroad safety problem.

Mr. STAGGERS. Mr. Chairman, I yield myself such time as I may consume.

I certainly appreciate the remarks the gentleman has just made. They are apropos at this time.

We have held hearings in the committee on these very things. In fact, the chairman introduced a bill on which we held hearings last year. Our interest in this has induced the administration to appoint a committee from labor, from management and from the administration to make recommendations, which now have been written up into a bill, and which I understand should have been sent to our committee before now. That was held up by the Bureau of the Budget. I understand it has been cleared and should be sent to our committee within a few days.

Mr. KYL. Mr. Chairman, if the gentleman will yield, I certainly do not imply any criticism of the committee.

Mr. STAGGERS. I know you do not.

Mr. KYL. What I am trying to say is that those of us who send out press releases about the dangers of railroad transportation share the responsibility with you people on the committee and we have to help you in every way possible if we are going to resolve this problem. We have had too much of this complaining and not enough actual effort. Since the gentleman mentioned the work and cooperation by the labor unions and the railroads and the Government, I think he would join me in saying that the cooperation of these various elements has been most exemplary in trying to bring about the passage of this legislation.

Mr. STAGGERS. That is true. In the past there has been a sort of pulling apart by the various elements involved but they have now gotten together and we have them working together and your railroads are very happy.

Mr. BLANTON. Mr. Chairman, as a member of the Interstate and Foreign Commerce Committee which reported the Hours of Service Act Amendments of 1969, I want to go on record as fully endorsing the necessity of this legislation.

It has been 62 years since the Congress first established a limit on the hours of service of employees in the railway industry. At that time, the 16-hours maximum continuous hours on duty was consistent with the industrial standards and operating conditions as they existed in 1907. There have been no amendments to the basic law since 1916, except for a change in the penalty provision 12 years ago.

The Presidential Railroad Commission in 1962 recommended lowering of the maximum number of hours permitted employees as a step in the right direction to reduce the accident potential caused by fatigue brought on by long hours of work. Nothing ever came of their recommendations. It is time now that we accept the realistic concept embodied in their report, and in the committee report.

The statistical evidence presented to our committee on the relationship between accidents and the long hours of work by rail employees is overwhelming. Accidents are increasing, and we have good reason to believe the hours of work is one major cause of the soaring accident rate.

The maximum number of hours on duty is not the only problem with the existing law. Just as important is how it is to be construed. What comprises "time on duty"—it is continuous hours or an aggregate of 16 hours a day. The same difficulty exists in determining what constitutes "time off duty," either in the case of the 10 hours required "off duty" after 16 continuous hours, or the 8 hours "off duty" after 16 hours in the aggregate.

Mr. Chairman, the legislation we consider today is meant not only to lower the maximum hours of duty, but to clear up the problem of aggregate or continuous duty.

The conscience of America has been pricked too often on this subject. We can not delay any longer the bringing of the railway employees into the modern-day working conditions of this Nation. To fail to act now would be to abandon these people to archaic working conditions which only endangers the safety and welfare of themselves and ourselves, as well.

Mr. SPRINGER. Mr. Chairman, I have no further requests for time.

Mr. STAGGERS. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will now read the amendment in the nature of a substitute as an original bill for the purpose of amendment.

The Clerk read as follows:

H.R. 8449

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907 (45 U.S.C. 61, 62, 63, 64), is hereby amended to read as follows: "That (a) this Act shall apply to any common carrier or carriers, their officers, agents, and employees, engaged in the transportation of passengers or property by railroad in the District of Columbia or any territory of the United States or from one State or territory of the United States or the District of Columbia to any other State or territory of the United States or the District of Columbia, or from any place in the United States to an adjacent foreign country, or from any place in the United States through a foreign country to any other place in the United States.

"(b) For the purposes of this Act—

"(1) The term 'railroad' includes all bridges and ferries used or operated in connection with any railroad, and also all the road in use by any common carrier operating a railroad, whether owned or operated under a contract, agreement, or lease.

"(2) The term 'employee' means an individual actually engaged in or connected with the operation of any train.

"(3) Time on duty shall commence when an employee reports for duty and terminate when the employee is finally released from duty, and shall include:

"(A) Interim periods available for rest at other than a designated terminal;

"(B) Interim periods available for less than four hours rest at a designated terminal;

"(C) Time spent in deadhead transportation by an employee to a duty assignment: *Provided,* That time spent in deadhead transportation by an employee from duty to his point of final release shall not be counted in computing time off duty;

"(D) The time an employee is actually engaged in or connected with the movement of any train; and

"(E) Such period of time as is otherwise provided by this Act.

"Sec. 2. (a) It shall be unlawful for any common carrier, its officers or agents, subject to this Act—

"(1) to require or permit an employee, in case such employee shall have been continuously on duty for fourteen hours, to continue on duty or to go on duty until he has had at least ten consecutive hours off duty, except that, effective upon the expiration of the two-year period beginning on the effective date of this paragraph, such fourteen-hour duty period shall be reduced to twelve hours; or

"(2) to require or permit an employee to continue on duty or to go on duty when he has not had at least eight consecutive hours off duty during the preceding twenty-four hours.

"(b) In determining, for the purposes of subsection (a), the number of hours an employee is on duty, there shall be counted, in addition to the time such employee is actually engaged in or connected with the movement of any train, all time on duty in other service performed for the common carrier during the twenty-four-hour period involved.

"(c) The provisions of this Act shall not apply to the crews of wreck or relief trains.

"(d) The provisions of this section shall not apply to an employee during such period of time as the provisions of section 3 apply to his duty and off-duty periods.

"Sec. 3. (a) No operator, train dispatcher, or other employee who by the use of the telegraph, telephone, radio, or any other electrical or mechanical device directs or controls the movement of any train or who by the use of any such means dispatches, reports, transmits, receives, or delivers orders pertaining to or affecting train movements—

"(1) shall be required or permitted to be or remain on duty for more than nine hours, whether consecutive or in the aggregate, in any twenty-four-hour period in any tower, office, station, or place where two or more shifts are employed; and

"(2) shall be required or permitted to be or remain on duty for more than twelve hours, whether consecutive or in the aggregate, in any twenty-four-hour period in any tower, office, station, or place where only one shift is employed.

"(b) For the purposes of subsection (a), in determining the number of hours an employee is on duty in a class of service, and at a place, described in paragraph (1) or (2) of such subsection, there shall be counted, in addition to the time spent by him on duty in such service at such place, all time on duty in other service performed for the common carrier during the twenty-four-hour period involved.

"(c) Notwithstanding subsection (a) of this section, in case of emergency the employees named in such subsection may be permitted to be and remain on duty for four additional hours in any period of twenty-four consecutive hours of not exceeding three days in any period of seven consecutive days.

"Sec. 4. The requirements imposed by this Act with respect to time on duty of employees are hereby declared to result in the maximum permissible hours of service consistent with safety. However, shorter hours of service and time on duty of employees for lesser periods of time are hereby declared to be proper subjects for collective bargaining between any common carrier subject to this Act and its employees.

"Sec. 5. (a) Any such common carrier, or any officer or agent thereof, requiring or permitting any employee to go, be, or remain on duty in violation of section 2 or section 3 of this Act shall be liable to a penalty of $500 for each and every violation, to be recovered in a suit or suits to be brought by the United States attorney in the district court of the United States having jurisdiction in the locality where such violations shall have been committed; and it shall be the duty of such district attorney to bring such suit upon satisfactory information being lodged with him.

"(b) It shall be the duty of the Secretary of Transportation to lodge with the appropriate United States attorney information of any violation as may come to the knowledge of the Secretary.

"(c) In all prosecutions under this Act the common carrier shall be deemed to have knowledge of all acts of all its officers and agents.

"(d) The provisions of this Act shall not apply in any case of casualty or unavoidable accident or the act of God; nor where the delay was the result of a cause not known to the carrier or its officer or agent in charge of the employee at the time said employee left a terminal, and which could not have been foreseen.

"(e) With respect to any railroad operating less than one hundred miles of road, the Secretary of Transportation may by order after full hearing in any particular case and for good cause shown exempt any common carrier subject to this Act with respect to one or more of its employees specified in such order from the limitations imposed by this Act, and may so exempt any such common carrier with respect to one or more of its employees specified in such order for such period or periods as may be specified in such order from such limitations, if the Secretary determines that such exemption is in the public interest and will not adversely affect safety.

"Sec. 6. It shall be the duty of the Secretary of Transportation to carry out the provisions of this Act."

Sec. 2. If any provision of the amendment made by the first section of this Act is held invalid, the remainder of such amendment shall not be affected thereby.

Sec. 3. This Act shall take effect one year after the date of its enactment.

Mr. STAGGERS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment in the nature or a substitute be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

AMENDMENT OFFERED BY MR. PREYER OF NORTH CAROLINA

Mr. PREYER of North Carolina. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Preyer of North Carolina: On page 11, strike out line 16 and all that follows down through page 12, line 2, and insert in lieu thereof the following:

"(e) With respect to any railroad which employs a total of not more than 15 employees covered by this Act, the Secretary of

XUM

Transportation may after full hearing in any particular case and for good cause shown exempt any such railroad subject to this Act with respect to one or more of its employees from the limitations imposed by this Act for a specified period of time, if the Secretary of Transportation finds that such exemption is in the public interest and will not adversely affect safety. Such order is to be subject to review at least annually. In no event shall any such exemption be made for any railroad described in this section to work its employees beyond 16 hours either consecutively or in the aggregate within any 24-hour period."

Mr. PREYER of North Carolina. Mr. Chairman, section 5(e) of this act to which this amendment applies, relates to shortline railways. My amendment does not change the purpose behind the section but is a change in form to insure that the sweep of the language of section 5(e) is not broader than the intended purpose of the section.

Feeder and shortline railroads polka dot the entire country and serve a very useful function in the total railway network. There are 10 shortline railroads in North Carolina, for example. Most of these railroads have less than 30 miles of road and only one or two crews. As a practical matter, there is rarely a day when a crew is worked more than 12 hours and safety is not a major problem, since there are no long trains operated at high speeds over long distances. All of these railroads have limited resources; many operate on a shoestring. It would be an economic impossibility for some of these railroads to employ extra crews in peak seasons. Most of the shorter roads do not have designated terminals other than the home terminal. In short, to enable some of these shortline railroads to remain a part of the overall railroad network, it may become necessary and desirable for them to be exempted from the provision of H.R. 8449 under some circumstances. This is the reason for section 5(e). The exemption provided in this section could only be granted by the Secretary of Transportation for good cause shown after a full hearing in the particular case.

The present wording of section 5(e) has raised the question of whether some railway operations might be included within its scope which are not within the spirit of the shortline railroads provision. For example, there are some "switching terminals" which have 30 or 40 locomotives which conceivably could be included under the present wording of section 5(e). This is because the standard by which eligibility as a "shortline railroad" is determined is phrased as "100 miles of road."

To avoid any possibility of confusion in this respect, my proposed amendment substitutes as a standard "the number of employees" rather than "miles of road."

This provision does not include branch lines of major railroads but is intended to cover complete railroads only.

Mr. Chairman, I urge the adoption of the amendment.

Mr. STAGGERS. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I will take just a very brief time. I agree with the gentleman from North Carolina (Mr. PREYER), who was the originator of the amendment on the 100-miles rule and who, after examining the implications of what the amendment could do and that he did not intend it to do, has offered this amendment to correct. There is the fact, for instance, that at the Washington Terminal you could have hundreds of men working and they might have been exempted under this amendment were it the way it originally was. That was not his intention, but only to protect some of the really small railroads of this country who operate over short distances of maybe 4 or 5 miles or even up to 100 miles but most of whom do not operate that far. When they get to covering over that distance, usually they are class 1 railroads.

But, Mr. Chairman, I agree with the gentleman from North Carolina that this amendment should be adopted in order to clarify the situation. I do not think that terminal or switching railroads having a number of crews—even though short in mileage, could possibly have operations which the Secretary of Transportation could have found he could exempt under the standards of public interest and of safety which were in the bill as reported. However, so that there be no mistake about the committee's position, I think this clarifying amendment would be appropriate.

Mr. PICKLE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I first want to say that this is good legislation and I compliment the chairman and the committee for bringing this bill for presentation before the House. I would also like to compliment the representatives of management and labor who were contacted and who helped the committee work out the agreement that we thought was fair and progressive. This is a healthy sign in the railroad industry today, and I certainly hope it continues.

Mr. Chairman, I would like to ask the chairman of the committee, or the author of this amendment, some questions with reference to points that I think need to be raised here.

The committee passed out a bill that says that the short-line railroads would be exempted if they operated for 100 miles or less. This was, I think, upon the recommendation of the gentleman from North Carolina (Mr. PREYER). No objection was presented in the committee. So we now face a situation where the gentleman wants to change it on the floor.

Mr. Chairman, I do not want to be picking at small points, but I raise the question on how do you arrive at the number 15? I would first want to know when you say 15 employees covered by this act, am I to assume that employees covered by this act would not include those who were calling the train and that it would not include clerks or yardmen or janitors or all those other people that are in the railroad industry, but it would include the trainmen, or the engineers, or similar employees of that type, and not all the other employees; they would not be included in the 15 employees, is that correct?

Mr. PREYER of North Carolina. Mr. Chairman, if the gentleman from Texas will yield, I would reply to the inquiry of the gentleman that, yes, that is correct. The 15 employees mentioned in the act are train crews only, they are operating employees.

Mr. PICKLE. Mr. Chairman, I thank the gentleman.

Could the gentleman explain a little bit further on what the gentleman means by the phrase "covered by this act"? Does the gentleman mean just those people who are train crewmen?

Mr. PREYER of North Carolina. Yes, that is the definition in the act at the end of section 1, and this amendment only covers those persons mentioned in the definition, which would be train crews only.

Mr. PICKLE. I thank the gentleman. Now I know the intent when we put this exemption in the bill was to allow exceptions to the small railroads that do not have a large number of employees and it would be helpful to them if they did not have to comply with this overall act.

When you chose 15 though, it is a rather arbitrary figure. Now when you presented this amendment, am I to assume then there is an agreement by the operators, that is the management of the shortline railroads and the employees that 15 is a reasonable number? Is there general agreement that this is acceptable to them?

Mr. PREYER of North Carolina. First, I would point out that the intent as to the shortline railroads is to exempt them only if safety is not adversely affected.

As to whether there is general agreement on 15 employees as a proper number or the proper measurement of size of railroads to be exempted, there are some 200 shortline railroads in the country and I am sure there is not unanimous agreement. The figure was arrived at by attempting to strike a balance. This is a safety bill and, therefore, the exemptions to it should be as narrow as possible consistent with meeting the need that this provision is directed toward. There has been substantial agreement between the railroad brotherhoods and between a number of shortline railroads in North Carolina, at least that while this does exclude some shortline railroads, it does represent a reasonable compromise, and it does set a standard that describes the kind of small railroad, and one sufficient far from a class I railroad, that might be properly exempted.

Mr. PICKLE. I thank the gentleman. I think it ought to be clear to the House that, apparently, there has not been any meeting of the shortline officials to say that this is satisfactory to the majority of the shortlines in the country. But what we are assuming though, and you hope, that there is a good reason that they would agree to it.

I have a shortline railroad in my State that thinks the 100-mile definition, as passed by the committee, is better than 15. I think they feel however that if it is restricted to the train crew personnel, as defined, perhaps that would get them under it. But if they did enjoy some growth, they would not like to lose this exemption if they grew to the point where they had 16 employees covered by this act.

The CHAIRMAN. The time of the gentleman from Texas has expired.

(Mr. PICKLE asked and was given

permission to proceed for 3 additional minutes.)

Mr. PICKLE. So I would like to ask the chairman that if, since this amendment is so stated, that the order would be subject to review at least annually, that if it can be shown there is not this kind of satisfactory agreement in the short-line industry or if it shows in a questionable or borderline case a number of, say 16 or 20 employees would be reasonably the right figure, that this would be or could be presented or considered by either this or the other body or by the Secretary to change it. I do not want to get us locked in on something that we do not have a definite agreement on.

But, without any kind of contact other than this one individual line in North Carolina, I think that we ought to make legislative history and that it certainly is a point that could be considered either in the other body or on a review of the matter a year from now.

Mr. STAGGERS. Mr. Chairman, will the gentleman yield?

Mr. PICKLE. I yield to the gentleman.

Mr. STAGGERS. Mr. Chairman, I would say that we would be happy always in committee to consider this and have you come to talk to us. The bills originate in committee and nobody else can do it, so it would have to come back to our committee.

But I would say to the gentleman, he asked the gentleman from North Carolina if there had been an agreement by the short lines about this amendment. Do you think there has been one railroad in these United States that has made an agreement to the bill?

Mr. PICKLE. I think both management and labor have been in contact with us, because they have been in my office and I am sure they have been in your office, trying to help your great committee reach an agreement.

Mr. STAGGERS. That is true, but they did not agree to support the bill that I know of. I do not say that they are arbitrary about it because they know that something has to be done—they just know that.

But none of them have agreed to the bill. So you cannot go back to the 200 railroads and say, "Are you in agreement?" I believe that what the gentleman from North Carolina has proposed is certainly just and equitable, and as the chairman, I would certainly be willing to see that what later needs to be reviewed is reviewed.

Mr. PICKLE. I thank the chairman. I do not mean to say that they have made any collective-bargaining agreement, both sides, or that they have reached the exact wording of an agreement. This is a committee decision, not the two groups. It has helped both of them to get together. At least, I know they have talked and I feel there is general agreement.

I think it is important that we make this point so we can look back and say, "This figure of 15 may not be the exact figure." We may want to reconsider it further.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina (Mr. PREYER).

The amendment was agreed to.

Mr. HALEY. Mr. Chairman, I move to strike the requisite number of words. I shall not take but just a moment, but I do desire to ask the chairman of the full committee a question, and maybe I can clarify this point in my mind.

I notice that the proposed legislation would apply, for example, to the crews of regular and relief trains. I wonder if it is intended to take care of a situation such as, for example—and I cannot find such a provision—a train is snowbound, as we sometimes have in the Northwestern parts of the country. Would the railroad operating such a train be subject to penalties prescribed under this legislation, or would it be exempt from the provisions of this law?

Mr. STAGGERS. Mr. Chairman, will the gentleman yield?

Mr. HALEY. I yield to the chairman of the committee.

Mr. STAGGERS. On page 11, section 5(d) states, and this is a part of the law today; it is in the law we are amending—

> "(d) The provisions of this Act shall not apply in any case of casualty or unavoidable accident or the act of God; nor where the delay was the result of a cause not known to the carrier or its officer or agent in charge of the employee at the time said employee left a terminal, and which could not have been foreseen.

I am sure this would take care of any emergency that would occur in the country.

Mr. HALEY. I thank the gentleman.

The CHAIRMAN. If there are no further amendments, the question is on the committee substitute amendment, as amended.

The committee substitute amendment, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ASHLEY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 8449) to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907, pursuant to House Resolution 536, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. SPRINGER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 371, nays 0, not voting 60, as follows:

[Roll No. 213]

YEAS—371

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Alexander
Anderson, Calif.
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Aspinall
Ayres
Baring
Barrett
Beall, Md.
Belcher
Bell, Calif.
Bennett
Betts
Bevill
Biaggi
Biester
Bingham
Blackburn
Blanton
Boggs
Boland
Bolling
Bow
Brademas
Brasco
Bray
Brinkley
Brock
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, Calif.
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Caffery
Camp
Carter
Casey
Cederberg
Celler
Chamberlain
Chappell
Clark
Clausen, Don H.
Clawson, Del
Clay
Cleveland
Cohelan
Collier
Conable
Conte
Conyers
Corbett
Corman
Coughlin
Cowger
Cramer
Culver
Cunningham
Daddario
Daniel, Va.
Daniels, N.J.
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dellenback
Dennis
Dent
Derwinski
Devine
Dickinson
Dingell
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Feighan
Findley
Fish
Fisher
Flood
Flowers
Flynt
Foley
Ford, Gerald R.
Fountain
Fraser
Frelinghuysen
Frey
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gaydos
Gettys
Giaimo
Gibbons
Gonzalez
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gross
Grover
Gubser
Gude
Hagan
Haley
Hall
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harrington
Harsha
Hastings
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Hogan
Horton
Hosmer
Hull
Hungate
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Kastenmeier
Kazen
Kee
Keith
King
Kleppe
Kluczynski
Koch
Kuykendall
Kyl
Kyros
Landgrebe
Langen
Latta
Leggett
Lennon
Lloyd
Long, La.
Long, Md.
Lowenstein
Lujan
McCarthy
McClory
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McKneally
McMillan
Macdonald, Mass.
MacGregor
Madden
Mahon
Mailliard
Mann
Marsh
Martin
Mathias
Matsunaga
May
Mayne
Meeds
Melcher
Meskill
Michel
Mikva
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Mizell
Mollohan
Monagan
Montgomery
Moorhead
Morgan
Morse
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nix
Obey
O'Hara
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patman

Patten
Perkins
Pettis
Philbin
Pickle
Pike
Poage
Poff
Pollock
Preyer, N.C.
Price, Ill.
Price, Tex.
Pryor, Ark.
Pucinski
Purcell
Quie
Quillen
Randall
Rarick
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, Pa.
Rosenthal
Roth
Roudebush
Roybal
Ruppe
Ruth
Ryan
St Germain
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Scheuer
Schneebeli
Schwengel
Scott
Shipley
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Snyder
Springer
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stokes
Stratton
Stubblefield
Stuckey
Sullivan
Taft
Talcott
Taylor
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Udall
Ullman
Utt
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Wampler
Watkins
Watts
Weicker
Whalen
Whalley
White
Widnall
Wiggins
Williams
Wold
Wyatt
Wydler
Wylie
Wyman
Yates
Yatron
Young
Zablocki
Zion
Zwach

NAYS—0

NOT VOTING—60

Berry
Blatnik
Brooks
Burton, Utah
Cahill
Carey
Chisholm
Clancy
Collins
Colmer
Dawson
Denney
Diggs
Edwards, Ala.
Fascell
Ford,
William D.
Foreman
Gilbert
Goldwater
Griffin
Halpern
Harvey
Holifield
Howard
Jones, Tenn.
Karth
Kirwan
Landrum
Lipscomb
Lukens
Miller, Calif.
Nichols
O'Konski
Pelly
Pepper
Pirnie
Podell
Powell
Railsback
Rees
Rooney, N.Y.
Rostenkowski
St. Onge
Sebelius
Shriver
Sikes
Stafford
Stephens
Symington
Teague, Calif.
Teague, Tex.
Tunney
Watson
Whitehurst
Whitten
Wilson, Bob
Wilson,
Charles H.
Winn
Wolff
Wright

So the bill was passed.

The Clerk announced the following pairs:

Mr. Holifield with Mr. Lipscomb.
Mr. Gilbert with Mr. Stafford.
Mr. Griffin with Mr. Foreman.
Mr. Carey with Mr. Clancy.
Mr. Brooks with Mr. Berry.
Mr. Kirwan with Mr. Harvey.
Mr. Teague of Texas with Mr. Collins.
Mr. Whitten with Mr. Denney.
Mr. Wolff with Mr. Pirnie.
Mr. Miller of California with Mr. Bob Wilson.
Mr. Pepper with Mr. Edwards of Alabama.
Mr. Fascell with Mr. Burton of Utah.
Mr. Podell with Mr. Halpern.
Mr. Rooney of New York with Mr. Landrum.
Mr. Rostenkowski with Mr. Lukens.
Mr. St. Onge with Mr. Goldwater.
Mr. Sikes with Mr. Pelly.
Mr. Charles H. Wilson with Mr. O'Konski.
Mr. Tunney with Mr. Teague of California.
Mr. Howard with Mr. Cahill.
Mr. Blatnik with Mr. Railsback.
Mr. Colmer with Mr. Sebelius.
Mr. Nichols with Mr. Shriver.
Mr. Stephens with Mr. Watson.
Mr. Wright with Mr. Winn.
Mr. Karth with Mr. Whitehurst.
Mr. Symington with Mr. Diggs.
Mr. William D. Ford with Mr. Jones of Tennessee.
Mr. Rees with Mrs. Chisholm.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objections.

EXTENDING ASSISTANCE FOR PUBLIC BROADCASTING FACILITIES AND CORPORATION FOR PUBLIC BROADCASTING

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 526 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 526

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7737) to amend the Communications Act of 1934 by extending the provisions thereof relating to grants for construction of educational television or radio broadcasting facilities and the provisions relating to support of the Corporation for Public Broadcasting. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 7737, the Committee on Interstate and Foreign Commerce shall be discharged from the further consideration of the bill S. 1242, and it shall then be in order in the House to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.R. 7737 as passed by the House.

The SPEAKER. The gentleman from California (Mr. SISK) is recognized for 1 hour.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio (Mr. LATTA), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 526 provides an open rule with 1 hour of general debate for consideration of H.R. 7737 to amend the Communications Act of 1934 by extending the provisions thereof relating to grants for construction of educational television or radio broadcasting facilities and the provisions relating to support of the Corporation for Public Broadcasting. After the passage of H.R. 7737, the Committee on Interstate and Foreign Commerce shall be discharged from further consideration of S. 1242 and it shall be in order to move to strike all after the enacting clause of the Senate bill and amend it with the House-passed language.

H.R. 7737 would extend for 3 additional years—fiscal years 1971 to 1973—the matching grant program for construction of noncommercial educational radio and television broadcasting facilities; authorize the appropriation of $15 million for each of the 3 years for such program; and authorize the appropriation of $20 million for fiscal year 1970 for the support of the Corporation for Public Broadcasting.

The Educational Television Facilities Act of 1962 was enacted to provide matching grants to establish and expand public television broadcasting stations and authorized $32 million for the 5 fiscal years beginning with fiscal year 1963. Because of the success of the program, the Congress enacted the Public Broadcasting Act of 1967, which expanded the educational television facilities grant program to include educational radio facilities and extended that program for 3 more years.

In addition, the Public Broadcasting Act of 1967 established a private, independent, nonprofit corporation to assist in the development of public broadcasting in the United States—the Corporation for Public Broadcasting.

Under the public broadcasting facilities grant program, the Secretary of Health, Education, and Welfare makes grants to eligible applicants of up to 75 percent of the cost of acquiring and installing radio and television broadcasting apparatus. Grant funds cannot be used for the purchase, construction, or repair of buildings or the acquisition of lands.

During the grant program, four of every five public television broadcasting stations have received grants thereunder and the number of States without public television broadcast service has been reduced from 15 to three and it is estimated that for every dollar granted by the Federal Government, State, local and private sources have expended $11.

The Corporation for Public Broadcasting has served as a means for merging Federal and private financing for public broadcasting. To date, the Corporation has received over $2 million in funds from private sources, in addition to the $5 million appropriated to it by the Congress for fiscal year 1969.

Mr. Speaker, I urge the adoption of House Resolution 526 in order that H.R. 7737 may be considered.

Mr. Speaker, I reserve the balance of my time.

Mr. LATTA. Mr. Speaker, the gentleman from California has pointed out the purpose of this bill is to authorize funds for fiscal year 1971, and each of the 2 succeeding fiscal years for the construction of noncommercial educational radio and television broadcasting facilities, and to authorize for only fiscal 1970 funds for the support of the Corporation for Public Broadcasting.

The authorizations for the construction grants, which are on a matching basis, are for $15,000,000 for each of the 3 years beginning with fiscal 1971. Not more than 8.5 percent of the funds appropriated may be granted for projects in any one State. Since the program was established by the 87th Congress four of every five noncommercial broadcasting stations have received grants. Grants have gone to 47 States, the District of Columbia, and Puerto Rico. It is estimated that for every Federal dollar expended funds from State, local, and private sources have expended $11.

The bill also authorizes $20,000,000 in Federal funds for fiscal 1970 for the continued operations of the Corporation for Public Broadcasting. Created by the Congress in 1967, the Corporation is operated by a bipartisan Board of Directors, chaired by Mr. John W. Macy, Jr. Relying on both public and private funding, the Corporation, by its program of grants to noncommercial stations and production organizations, has sought to improve and upgrade the quality of noncommercial programing and also to assist stations with an experimental system of interconnection, enabling each station to have a greatly enlarged reservoir of programs from which to choose in determining its scheduling. Also supported by the Corporation is National Educational Television—NET—which has been able to expand its activities as a result.

The administration supports the legislation. There are no minority views.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SISK. Mr. Speaker, I have no further requests for time.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7737) to amend the Communications Act of 1934 by extending the provisions thereof relating to grants for construction of educational television or radio broadcasting facilities and the provisions relating to support of the Corporation for Public Broadcasting.

The SPEAKER. The question is on the motion offered by the gentleman from West Virginia.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 7737, with Mr. Gallagher in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from West Virginia (Mr. Staggers) will be recognized for 30 minutes, and the gentleman from Illinois (Mr. Springer) will be recognized for 30 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. STAGGERS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the bill, H.R. 7737, that the House has under consideration provides for assistance in the development of public broadcasting. "Public broadcasting" is the term which has replaced "educational broadcasting" to describe the system of radio and television stations which are licensed to State and locally supported schools and school systems, State broadcasting agencies and commissions, and nonprofit community corporations and associations which engage in public broadcasting. These stations broadcast educational, cultural, and informational programs without commercial advertising. As such, they provide an alternative to commercial broadcasting. However, in this connection, Mr. Chairman, I would like to quote from the recent report on violence in television entertainment programs of the National Commission on the Causes and Prevention of Violence. That is the Commission chaired by Dr. Milton Eisenhower. The report states:

> We believe, as the Public Broadcasting Act of 1967 states, "that it furthers the general welfare to encourage noncommercial educational radio and television broadcast programming which will be responsive to the interests of people both in particular localities and throughout the United States, and which will constitute an expression of diversity and excellence," and "that it is necessary and appropriate for the Federal Government to complement, assist, and support a national policy that will most effectively make noncommercial radio and television service available to all the citizens of the United States"

I would also like to point out and emphasize, Mr. Chairman, that this legislation and the program it extends is supported by the National Association of Broadcasters and the major networks.

Specifically, the bill as amended does three things:

First, it extends for 3 additional years, fiscal years 1971 through 1973, the matching grant program for construction of public radio and television broadcasting facilities;

Second, it authorizes $15 million for each of those 3 years; and

Third, it authorizes the appropriation of $20 million for the Corporation for Public Broadcasting for fiscal year 1970.

PUBLIC BROADCASTING FACILITIES GRANT PROGRAM

The public broadcasting facilities grant program is one of the most effective programs within the jurisdiction of our committee. It originated with the Educational Television Facilities Act of 1962. Under the program, grants are made by the Department of Health, Education, and Welfare of up to 75 percent of the cost of purchasing and installing educational radio and television broadcasting apparatus. In view of the 75-percent figure, I should like to observe, Mr. Chairman, that grant funds cannot be used for the purchase, construction, or repair of buildings or the acquisition of land.

Not more than 8½ percent of the funds appropriated for the program may be used for grants in any State.

Since the program began in 1963—

Over 100 public broadcasting stations have gone on the air bringing public television signals to 50 million additional American viewers;

Four out of five public television broadcast stations have received grants under the program;

The number of States without public television broadcast service has been reduced from 15 so that today only Alaska, Montana, and Wyoming are without that service. I am hopeful that soon they too will have the benefit of public broadcasting stations; and

Grants under the program have been made in 47 States, the District of Columbia, and the Commonwealth of Puerto Rico.

As introduced, the bill provided a 5-year extension of the program with open-end authorizations for each of those years.

The committee has amended the bill to provide for a 3-year extension with $15 million authorized for each year. This is in accord with recommendations of the Department of Health, Education, and Welfare.

THE CORPORATION FOR PUBLIC BROADCASTING

As I indicated, Mr. Chairman, the bill authorizes the appropriation of $20 million for the Corporation for Public Broadcasting for fiscal year 1970.

The Corporation was established under the Public Broadcasting Act of 1967 to develop programs for use by public broadcasting stations, to facilitate the availability of programs, and to promote the growth and development of public broadcasting in the United States.

It is a private, independent, nonprofit, and nonpartisan corporation which is incorporated under the laws of the District of Columbia.

Because of delays in making appointments, the Corporation is just getting underway. Last year $5 million was appropriated to the Corporation and it received over $2 million from private sources.

With these funds, the Corporation has, among other things—

Processed general support grants to practically all public broadcasting stations and the six regional networks serving them;

Made grants of up to $50,000 to 13 stations to carry out proposals for major new programs capable of both local and national distribution;

Assisted with funding to keep established quality programs on the air which otherwise would have been dropped;

Worked out an experimental system for interconnecting the public broadcasting stations of the United States;

Participated in funding the Children's Television Workshop which is developing quality television programs for children; and

Made grants to provide training and experience for operating and creative personnel to staff public broadcasting stations.

The Corporation is headed by a Board of Directors which has won esteem on both sides of the aisle from all who know its membership. Its Chairman is Frank Pace, who was formerly Secretary of the Army and Director of the Bureau of the Budget. The President of the Corporation, who took office in March of this year, is John Macy. As most Members of the House know, Mr. Macy was Chair-

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man of the U.S. Civil Service Commission in the previous administration.

Mr. Chairman, some members of the Board of Directors of the Corporation for Public Broadcasting, in addition to Mr. Frank Pace, the Chairman, are the following:

Erich Leinsdorf, a former director of the Boston Symphony Orchestra;

John D. Rockefeller III;

Joseph A. Beirne, the head of the Communications Workers of America;

Oveta Culp Hobby, the former Commanding Officer of the WAC, and former Secretary of Health, Education, and Welfare;

Jack Valenti, the head of the Motion Picture Association;

James R. Killian, past president of MIT; and

Frank E. Schooley, president of the University of Illinois.

Mr. Chairman, the facilities grant program provides the stations, and the Corporation for Public Broadcasting will provide the programs and interconnections which will give the American people an improved system of public broadcasting for their information and enlightenment. For every dollar granted by the Federal Government to carry out this program, it is estimated that $11 has been expended by State, local, and private sources.

Mr. Chairman, you can not beat that for a bargain.

Mr. Chairman, I urge the Members of the House to support this legislation with their votes.

Mr. SPRINGER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, since 1963, the Federal Government has been assisting States, cities, tax-supported colleges, and nonprofit corporations in the establishment of television stations dedicated to educational and public broadcasting activities. Grants up to 75 percent of the cost of equipment have been available, but it has been the responsibility of the recipients to provide all lands and buildings.

An educational TV station is one which does not sell advertising time or engage in other commercial practices. It must be supported by tax money or public subscription and engage in what can be loosely termed educational programing.

The Federal Communications Commission allocated 656 channels for this purpose with 101 of them in the regular VHF range—channels 1 to 13—and the remainder in the UHF range. To obtain a license to operate on one of these channels the applicants must show that they will be used exclusively for the noncommercial purposes required. Over 100 stations have taken advantage of this program, and the result is that we now have 180 noncommercial TV stations in operation and there are only three remaining States which have no public television service. Most States have established networks for the statewide dissemination of educational and cultural programs so that the potential audience for these services is now over 155 million viewers.

In 1967 when the original 5-year program was drawing to a close and the authorization of $32 million for that period had been well used, the Congress authorized an extension for another 3-year period at the rate of $10.5 million, $12.5 million and $15 million. At that time radio stations were added to the program. This was important to the fulfillment of the destiny of public broadcasting but amounted to a very modest increase in funds required because of the relatively low cost of radio equipment needed to start a new station compared with that needed for a television facility. During that 3-year period the executive branch did not see fit to pursue this program vigorously, and the authorizations were not translated into appropriations. As a result there is now a considerable backlog of applications which deserve attention.

The bill before us today would extend the grant program for an additional 3 years and authorize $15 million for each of these years.

The public good can be enhanced in at least three different ways by public broadcasting if it is properly utilized. First, there are the cultural and informational programs which do not fit the mold of commercial television but which should be available to the public whether that public be somewhat more limited in scope than that which finds commercial programs satisfying, or whether it be an occasional offering of universal appeal.

Next, there should be programing of a broadly educational nature such as courses in woodworking, art, or boat handling for any viewer with such an interest.

The remaining category would be purely instructional television wherein the TV set is the classroom and the material is part and parcel of an educational system and courses are offered for credit. This last kind of programing is really in its infancy, and it is the hope of the committee that it will be vigorously pursued in the coming years and imaginatively exploited.

It is obvious from what has been said thus far about the so-called educational television stations that the core of their problem is adequate and quality programing. Obtaining their funds by hand outs of various kinds few stations have unlimited manpower or money to expend upon the creation of ambitious or costly programs. Some have done very well with what they have to work with, and some of these better efforts have been made available to many stations. For some years the Ford Foundation through an organization known as NET has assisted in creating quality programs and provided funds for their distribution to the non-commercial stations. Not too much live, on-the-spot viewing can be possible under these circumstances.

It was the realization that more and better programing must be forthcoming that prompted the creation 3 years ago of the Corporation for Public Broadcasting. The purpose of this organization is to create programing of the kind that will make educational TV what it should be and wants to be. The Corporation cannot own stations or create networks, but it can provide material for simultaneous exposure through temporary hookups of the individual independent stations. This expands greatly the potential for timely programs.

It is not anticipated that the Corporation shall be the creator of all or even most of the programs it supports and distributes. The stations themselves may receive financial assistance in the production of material which will have broad significance and interest and therefore be useful for showing in other areas either on a simultaneous or delayed basis. Some activity of this type is already taking place even though the Corporation as an operational entity is still in its infancy.

Because of the safeguard of bipartisan membership on its Board of Directors and a ban on editorializing written into the law, the danger of consistent slanting of material or outright partisanship in coverage should be minimal.

When the Corporation for Public Broadcasting was being discussed and when it was actually created, it was understood that some long-range financing plan would be worked out and eventually written into the law. The prior administration did not accomplish this, and the present administration has not done so as yet. It is still the will of the Congress that it be done. Appropriated funds should not be expected in any great amount, and the present year-to-year authorization awaiting a permanent solution cannot be expected to continue. It may be that the final answer will be periodic authorizations for direct appropriations if all other suggested methods of financing seem unacceptable, but we should work out before too long the arrangement which will continue. Also, we should have the basis for making judgments on the sensible and proper level of Government support in conjunction with public support, foundation support and other possible sources of financing.

The amount provided in H.R. 7737 is twice the amount recommended by the administration, and it can be expected that the budget request will be in line with that recommendation. I am not particularly in favor of authorizing far more than the realities indicate will be made available, but in view of the committee action in this instance I am not inclined to fight for any change at this juncture. If the greater figure, which is the sum requested by the Corporation, tends to indicate our confidence in the organization at this stage in its development, then it may be useful to go along for this reason. In any event, I merely wished to point out to my colleagues that the $20 million figure in the bill is unrealistic under all circumstances, but if by any chance the Corporation can convince the people downtown to go along with them, it would be acceptable.

Public broadcasting has great promise for the presentation of material not now available to the viewer and for filling the gaping holes in program selectivity which are now so apparent. The next 3 years should indicate whether or not public broadcasting can fulfill its destiny. The Committee on Interstate and Foreign Commerce certainly will be monitoring its performance and evaluating the results against the possibilities.

This being a 1-year authorization Congress will have another opportunity to look it over next year.

I recommend H.R. 7737 to the House.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the distinguished gentleman from Iowa.

Mr. GROSS. Is WETA, channel 26, an educational television station or a nonprofit station, does the gentleman happen to know?

Mr. SPRINGER. I believe that channel 26 is. Channel 20 is not.

Mr. GROSS. Is it an educational TV station?

Mr. SPRINGER. It is an educational TV station.

Mr. GROSS. So, therefore, they participate, do they not, in these funds?

Mr. SPRINGER. They participate in the funds so far as programing is concerned. I believe they are already participating. I do not believe they participate in construction funds because they have been on the air for several years.

Let me say this to my distinguished colleague. We do not—we are not able to control all the programing that goes into any of these stations. All we do control is programing which this corporation programs and sends out.

But you have to understand that each of these stations is independent. If New York City wants to produce a certain kind of program and put it on, this corporation has nothing to do with that. All we do is try to prepare network programs which go broadside and which have a broad public interest to go out to all of these stations and they can use them or not as they see fit. But we do believe that in view of the popularity and the desire of the people to watch this type of program, that they will put them on. But we do not control what WETA does. That is an educational television station over which we do not have control.

Mr. GROSS. Then, as a matter of fact, we put up the money, or the taxpayers do, because we do not have any money here that is not the taxpayers' money unless the Committee on Banking and Currency cranks up the printing presses. But Congress puts up the money, yet it has no controls.

Mr. SPRINGER. Are you still talking about WETA?

Mr. GROSS. I beg the gentleman's pardon?

Mr. SPRINGER. Are you still talking about WETA?

Mr. GROSS. Yes, station WETA.

Mr. SPRINGER. WETA is an independent, community-owned station over which we do not have any control.

Mr. GROSS. Except to supply some money?

Mr. SPRINGER. I do not think that we, at the present time, are supplying any money to station WETA except that this Corporation would provide them with this programing, and if station WETA wants the programs they will have to go out on the TV.

Mr. GROSS. No money or funds supplied in any way, shape, or form?

Mr. SPRINGER. I could not put it so broadly, I say to the gentleman; but station WETA presently is already in operation.

Mr. GROSS. I understand that. I will say that it certainly is in operation.

Mr. SPRINGER. We do not pay a thing for its yearly support. The yearly support has to be provided from some other source.

Mr. GROSS. There is no question about the fact that it is in operation—not at all—and it seems to be broadcasting the ultraliberal view most of the time.

I am very much interested in knowing the identity of stations that get money under this program.

Mr. SPRINGER. Are you talking about——

Mr. GROSS. I am talking about all of them.

Mr. SPRINGER. Are you still talking about WETA or one that might——

Mr. GROSS. And WETA, too.

Mr. SPRINGER. Is the gentleman still talking about a station that he might want to go on in Iowa City?

Mr. GROSS. I beg the gentleman's pardon?

Mr. SPRINGER. Is the gentleman talking about one you might want to put up in Iowa City?

Mr. GROSS. I am not talking about Iowa City, I am talking about WETA here in the Washington, D.C., area.

Mr. SPRINGER. Station WETA could not, and I can assure the gentleman, it does not get any of these Federal funds for operational expenses at this time.

I cannot tell you whether or not they got funds for building the station.

Mr. GROSS. I thank the gentleman.

Mr. SPRINGER. Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The gentleman has consumed 13 minutes.

(Mr. REID of New York (at the request of Mr. SPRINGER) was granted permission to extend his remarks at this point in the RECORD.)

Mr. REID of New York. Mr. Chairman, I rise in support of H.R. 7737, a bill extending assistance for public broadcasting facilities and the Corporation for Public Broadcasting.

This bill would extend the authorization for 3 years for the matching grant program for construction of noncommercial educational radio and television broadcasting through the Corporation for Public Broadcasting. Authorizations of $15 million are proposed for each of the 3 years. These grants cover up to 75 percent of the cost of acquiring and installing radio and television broadcasting apparatus in furtherance of educational broadcasting.

It is estimated that for every dollar granted by the Federal Government for public broadcasting, State, local, and private sources have expended $11. A long-range plan for financing the Corporation for Public Broadcasting is now being developed by the administration and should, when implemented, encourage even more private support.

In my view, the quality of our life as a civilized nation demands that we support fully the CPB. Television has become one of our most influential means of communication and education. Surely we must exploit its potential for positive instruction, for public affairs reporting in depth, for enhancement of the arts, for the widest possible dissemination of cultural events. Educational television has made great strides toward this goal, and I believe that approval of the legislation before us will reaffirm the faith of the Congress in its capacity to continue.

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to the ranking Republican Member on the Subcommittee on Communications and Federal Power, the gentleman from North Carolina (Mr. BROYHILL).

Mr. BROYHILL of North Carolina. Mr. Chairman, the gentleman from West Virginia and the gentleman from Illinois have already made an explanation of this bill.

In 1962 Congress enacted a facilities grant program which has been in operation now for these several years offering matching grants to educational broadcasting stations all over the country. Now this is for apparatus. It is not for land and not for the construction of buildings and not for the repair of buildings. These grants have been given to the individual station for apparatus, cameras and equipment which is needed to operate the television station.

Since 1963, to go into a little bit of the record of what happened, over 100 of these educational television stations have been started as a result of this seed money approach, and these ETV's as well as educational radio stations are now located in 47 States. This has been the seed money approach; $37 million has been appropriated so far in this program since its beginnings. It is estimated that for every Federal dollar that has been invested in facilities over $10 have been invested by State, local, and private sources.

So you cannot say that the Federal Government is assuming a lion's share of the development of educational broadcasting in America.

Speaking for my own part, I feel that instructional broadcasting needs to be emphasized. In all fairness I will say that it has been emphasized to a degree in the past, but I believe we are going to have to have more emphasis on instructional broadcasts. I think that instructional broadcasting offers a unique and effective way to improve the quality of instruction in our schools.

I would add, also, that it offers an economical way of bringing quality instruction to not only school people but also to older citizens as well. Of course, in this day of spiraling costs in education, we should be thinking about more economical ways of bringing quality instruction to those of our citizens who need it. And we do need to use the up-to-date, modern technique of television in instruction.

So in view of the success that this program has had since 1962, the recommendation of $15 million per year is a modest request, and it should be approved by the House of Representatives.

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio (Mr. BROWN), a member of the committee.

Mr. BROWN of Ohio. Mr. Chairman, I would like to make two or three points, and call the attention of the Committee to some things in connection with this legislation on public broadcasting. In the first place, I want to call the attention of the committee to language which appears on page 3 of the committee report, which I urged to be put into the committee report, and the committee was happy to concur. That language points up the importance to this program of instructional television and radio broadcasting.

The point is made, and I think fairly and effectively by the language, that today when the educational field generally is costing so much money and is being, I believe, rebuffed so often by the taxpayers at the local level because of the increasing costs of education, that there is a place for instructional radio and television serving the classrooms in the institution either at the college level, the high school level, or the elementary level. I am pleased that the Public Broadcasting Corporation has gone into the creation of programing for the instructional level of public and private education, because it can provide economies to the taxpayers.

In our own State of Ohio, in southwestern Ohio, the parochial schools of the Catholic Archdiocese of Cincinnati have been obliged to close down the first grade of their elementary schools and are considering closing down other grades and turning those youngsters into the public school system.

One of the approaches that had been considered to forestall this necessity was the creation of a network of public broadcasting stations and receivers and boosters over southwestern Ohio, which would serve the parochial schools and therefore reduce the cost of education in the classrooms. However, there was not enough money or not enough enthusiasm in the last administration for this idea, and the grant was not made so that the funds were not available to the schools in that area.

Another example I would like to cite is of the Ohio University in southeastern Ohio, where many of the local public schools in that area of our State are to some degree deprived economically. These schools have had available programing for high school instruction purposes from the Ohio University station.

There is a great promise here of economies in public education that might inure to the general public from a proper emphasis on instructional programing in educational television and radio.

The gentleman from Iowa asked whether stations are benefiting directly from the public broadcasting program we are discussing today. The answer to the question is that they are if they get construction grants, and then indirectly they are if programing is prepared by the Public Broadcasting Corporation and is part of their programing usage, or if they get a direct grant from the Public Broadcasting Corporation so that they can develop a program of their own.

The fact of the matter is that these programs are only in the broadest sense educational. They are not necessarily instructional for the classroom, but only educational by broad interpretation. This program ought to be called not public broadcasting but rather noncommercial broadcasting, because the limitation really is that the stations be nonprofit stations or noncommercial stations in that they do not finance their operation from advertising revenues and that they not garner revenue from the sale of time on the station.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, I thank the gentleman from Ohio for yielding.

I would like to ask the gentleman if under the formula the gentleman has set forth, the preparation of news programing on a station such as WETA, channel 26 in Washington, could by any stretch of the imagination be subsidized by funds from this bill?

Mr. BROWN of Ohio. I cannot specifically say, I do not know whether WETA in Washington was the recipient of any kind of grant from this program for its construction, and I must say I do not know whether directly it is the recipient of a grant for developing any kind of educational programing. It probably develops its news programs from its general budget, which comes from donations, subscriptions, and that sort of thing.

If it uses programing which is prepared or encouraged by the Public Broadcasting Corporation and sent to the station, then it would be the recipient of some of the largess out of the funds set up here.

Mr. GROSS. Mr. Chairman, I think it is strange that the Washington Post, for instance, being a known ultraliberal newspaper—often referred to by other names, which I will not repeat on the House floor—dominates a recently initiated news program over WETA to the exclusion of any conservative purveyors of news.

I have had a little experience in news gathering and broadcasting, and I doubt that the Washington Post was ever accused of even approaching the conservative side of anything. I want to be sure that none of the funds appropriated by Congress for educational purposes go into the financing of news broadcasts or any other kind of broadcasts that represent leftwing views exclusively. That is all.

Mr. BROWN of Ohio. Mr. Chairman, I thank the gentleman from Iowa for his comments.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield? I believe that the question deserves an answer.

Mr. BROWN of Ohio. I yield to the ranking minority member of the committee, the gentleman from Illinois (Mr. SPRINGER).

Mr. SPRINGER. Money received under this bill does not go into news broadcasting of conservative, middle of the road, or left wing—any news broadcasting, unless under a grant program from the Corporation.

Mr. GROSS. Mr. Chairman, if the gentleman will yield further, the gentleman from Ohio says that funds may well be used for programing purposes. This is programing of news.

Mr. SPRINGER. Just a minute. It is not that programing per se. The only programing the funds are used for is by the Public Broadcasting Corporation, of which John Macy is the president and of which this distinguished panel of eight Democrats at the present and seven Republicans—which soon will be eight Republicans and seven Democrats—is the Board.

The CHAIRMAN. The time yielded to the gentleman from Ohio has expired.

Mr. SPRINGER. Mr. Chairman, I yield the gentleman 2 additional minutes.

I want to assure the Members that none of these funds are used for any news broadcasting per se. The only thing they are used for is programs produced by the Public Broadcasting Corporation.

Mr. GROSS. If the gentleman will yield further, the gentleman mentioned the name of John Macy. I assume he is the estimable gentleman who was the former Chairman of the Civil Service Commission, who wore two hats when he was in the service of the Government in recent years; one as adviser on political appointments to the then President Johnson and the other as Chairman of the Civil Service Commission. To my certain knowledge he was not a conservative at anytime on anything, and I do not mean that as a personal reflection on Mr. Macy. I do insist that where funds of all the taxpayers are being spent that conservative as well as liberal views be presented.

Mr. SPRINGER. All I can say to the distinguished gentleman is I have been watching Mr. Macy rather carefully. I do not consider myself to be a liberal, and I believe Mr. Macy has been very fair so far.

Mr. GROSS. I thank the gentleman.

Mr. SPRINGER. Mr. Chairman, I yield 3 additional minutes to the distinguished gentleman from Ohio.

Mr. BROWN of Ohio. I thank the gentleman from Illinois and the gentleman from Iowa for their contribution.

I should like to get two other factual considerations on the RECORD.

First I should like to put into the RECORD the amount of money that has been authorized for this program, the amount of money appropriated, and the amount of money spent.

For facilities in 1968, $10 million was authorized. The appropriation was, if I am correct, $4 million.

In 1969, $12.5 million was authorized and $4 million appropriated.

In 1970 the proposal is for $15 million to be authorized. Of course, the figure on appropriations is not available yet.

For programing under the Public Broadcasting Corporation the authorization in 1968 was $9 million. The Public Broadcasting Corporation was not formed; that is, the trustees of that Corporation were not named in time for any money to be spent, so no money was appropriated.

In 1969 the authorization was repeated at $9 million; $5 million was appropriated. The figure on the spending is still not finalized, but the assumption is that approximately that amount will be spent.

The committee is asking $20 million

to be authorized for programing by the Public Broadcasting Corporation in this fiscal year.

Mr. DENNIS. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I am glad to yield to the gentleman from Indiana.

Mr. DENNIS. This is not a field in which I claim any expertise at all; but on that point I have been reading the report. Apparently, as the gentleman says, they actually had $5 million last year. Now, apparently, the administration is asking only for $10 million.

Mr. BROWN of Ohio. That is correct.

Mr. DENNIS. And says they believe this bill should be amended to provide $10 million. I cannot help wondering why the committee—and particularly, I may say, the minority on the committee—is coming in here with a request for twice what the administration wants.

Mr. BROWN of Ohio. I appreciate the comment from the gentleman from Indiana. He presumed a statement that I was about to make and that is I shall not offer an amendment to reduce the amount from $20 million to $10 million. However, I do intend to incorporate that reduction in the motion to recommit. But in the interest of time I see no point in offering the amendment so as to live within the administration's budgetary recommendation.

Mr. DENNIS. I appreciate the gentleman's answer and it certainly makes me feel better about the bill.

Mr. BROWN of Ohio. And, if I may say one final thing in this connection, it is this: The problem with this whole appropriation or authorization is that there is a great deal greater demand for construction funds that we are authorizing or that are likely to be appropriated. The figure is generally estimated to be in the neighborhood of $30 million for facilities. But there is no great clear picture as to what is needed for programing purposes, because the Public Broadcasting Corporation is only just beginning to get organized and, really, as yet has no great clear direction as to where it is going.

Mr. STAGGERS. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the chairman of the committee.

Mr. STAGGERS. I would like to say to the gentleman from Ohio, if I may, that he has made a good statement. However, I would like to further say in regard to the $20 million that the new Administrator came before the committee and laid down a program as to why he needed the $20 million and how the whole committee had agreed that it would be spent. You will find that on page 6 of the report. It is also in the hearings. When this matter was pending before the other body a program was laid down there and they voted for the $20 million authorization. This was after the budget had been approved and before they had been organized. However, I think the Nixon administration would have been asking for the $20 million if they had known what was going to be scheduled and programed. Representatives of the administration have signified to us the fact that they will come up for the full funding later. This is for only 1 year, and that is all.

Mr. BROWN of Ohio. I appreciate the gentleman's comment. I think we have differences of opinion, Mr. Chairman, as to the value of the program as it was laid out by the committee.

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. FISH).

Mr. FISH. Mr. Chairman, the Corporation for Public Broadcasting was established by Congress to do many tasks in education and in working with minorities in the cities—tasks which must be done. The Corporation is a national resource which is not now being fully used.

In its first year of existence it expended the majority of its limited funds—$7 million—to support individual stations in all parts of the country. These stations are vitally important to giving schoolchildren the best possible instructions for the least possible cost, no matter where they live. I am particularly anxious to see the results of the work of the Children's TV Workshop, which has designed a program for preschool children which will begin November 10. This, it seems to me, is excellent use of the TV medium in helping prepare young children for school, especially those from disadvantaged families.

Everyone knows that TV cannot replace teachers and the need for additional classrooms, but it can certainly help to keep costs as low as possible while bringing the best teachers available to students even in our smallest schools.

Mr. STAGGERS. Mr. Chairman, I yield such time as he may consume to the chairman of the subcommittee, the gentleman from Massachusetts (Mr. MACDONALD), who has handled this bill for the last two occasions when it has been before the committee.

Mr. MACDONALD of Massachusetts. Mr. Chairman, I shall not impose upon the time of the Members here because the bill has been very thoroughly and well presented by earlier speakers from both sides of the aisle.

However, I would like to make just a couple of points that have been raised which I think should be emphasized. One is that in my time here we always hear about seed money. But, this is one of the rare occasions in which seed money has really worked, because over a geographical area of some 47 States every dollar that the Federal Government has granted we have gotten back $11 in local funds and by local participation. So, I think it is clear that this has been a very well-devised program.

Mr. Chairman, the program had some difficulty in getting off the ground and that was due to a number of reasons which have been touched upon. But I now feel we have a very strong head of the program and that they are now well organized and in my judgment we of the Congress have promised these dedicated people much but have not delivered them very much. On the contrary, I think they have promised not very much but they have delivered a good deal.

Certainly, because of the scope of the program, as was mentioned by the gentleman from Illinois (Mr. SPRINGER) and my colleague on the subcommittee (Mr. BROYHILL of North Carolina), I think that this program should be funded in a way that will permit it to operate properly.

Indeed, there are those of us who sometimes are disappointed in some of the programs that we see on this embryonic new method of communication here in the United States. As I say, we sometimes are a little disappointed, but I do not think we should be disappointed because we do not give the people who are carrying out the nitty-gritty of this academic cultural and educational program the wherewithal to do the things that they want to do and can do so well.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. MACDONALD of Massachusetts. I yield to the gentleman from New York.

Mr. FARBSTEIN. Mr. Chairman, I would ask the gentleman has the committee at all considered in connection with the funding and financing of this program the media that is earning untold millions as a result of being granted licenses for television, advertising, and manufacturers of television sets sharing part of the cost of educational TV?

Mr. MACDONALD of Massachusetts. The permanent funding aspect of this entire program has been uppermost in the committee's mind ever since its inception, and every time the people from the Public Broadcasting Corporation come up we ask them and urge them to get together and to come up with some permanent financing.

As I tried to indicate earlier, much of the changeover in personnel, as well as the change in administration, and so forth had left a void for a time, but I think that void is now filled, and I think they will come up, as we have urged them to, with a permanent plan for funding.

Certainly what the gentleman suggests has some merit. That would be one of the obvious recommendations.

I would like to say in defense of the commercial broadcasters, which I take it the gentleman from New York is talking about, that one of the national networks contributed a large sum of money to get this public educational broadcasting off the ground. Also I think that all of the networks testified before us in favor of the program, and I think they have been more than reasonable in trying to help this program.

Perhaps what the gentleman from New York suggests has a good deal of merit, and I can guarantee that the members of the committee will further pursue the matter with the public broadcasting people when they again appear before us on whether they can come up with some sort of a permanent, fixed financing basis.

Mr. FARBSTEIN. If the gentleman will yield further, may I inquire whether or not it is the intention of the chairman of the subcommittee that just addressed himself to me that he will hold hearings on the question of contribution or payment of the cost of public TV by the media and by the manufacturers of TV sets?

Mr. MACDONALD of Massachusetts. I will repeat to the gentleman he presents a very logical and good point and that the committee will look into it to the best of its ability.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. MACDONALD of Massachusetts. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Chairman, I would share the concern of the gentleman from New York in this area, because this was one of the promises that we had last year when the first appropriation was made to the Public Broadcasting Corporation, that if this were established, we would not be asked for another trip to the public Treasury and that we would have a recommendation as to the method of permanent financing of the Public Broadcasting Corporation from sources other than the general revenues of the Treasury. Now here we are once again dipping into the general revenues of the Treasury.

The suggestion has been made that we have taxes on TV stations or some other form of taxation, user taxation, if you will, or some other form of encouraging contributions. Certainly that needs to be done if the independence of this operation is to be served, as suggested in the Carnegie report, if one of the desirable things of the Public Broadcasting Corporation is going to be encouraged, at least the Carnegie report says so, that would stimulate this whole development, that we would come up with some kind of extra-Treasury method of financing public broadcasting, but so far we have not.

I would like to say to the gentleman and also to the chairman from Massachusetts and the chairman of the full committee that I for one am being rather subdued in regard not only to my concern about his program this year, because I think there have been problems on getting the thing in gear and organized, but in the future I have no intention of being quite so subdued if we do not come up with some other method of financing.

Mr. MACDONALD of Massachusetts. Mr. Chairman, I thank the gentleman for his contribution.

Mr. Chairman, the legislation before us today, the Educational Television and Radio Amendments of 1969, helps build upon the grand design erected by the 90th Congress when it enacted the groundbreaking Public Broadcasting Act of 1967. H.R. 7737 authorizes appropriations for interim financing for the Corporation for Public Broadcasting—established to provide publicly funded support for the Nation's growing educational broadcasting systems. The bill also provides an extension of authorizations for an ongoing program of facilities and equipment grants for the establishment and improvement of educational broadcasting stations.

The facilities-grants program predates the Public Broadcasting Act of 1967. Under a program authorized by Congress in 1962, the Department of Health, Education, and Welfare has offered matching grants to individual stations and statewide systems of stations to help finance needed equipment purchases. The funds, which are not used for acquisition of land or buildings, have enabled educational stations to purchase expensive broadcast-quality equipment necessary to compete for viewers' attention. The HEW grants have, more importantly, made possible the establishment of whole systems of new educational stations, fostering the creation of State educational broadcasting networks.

The HEW program has long been judged one of the most successful of its kind. Rare is the congressional district that has not already felt its beneficial impact. As the program continues to stimulate the growth of educational broadcasting, practically every Congressman will find his constituents served with a useful and attractive supplement to commercial broadcast fare.

The HEW program has achieved its exemplary results with small authorizations and even small appropriations. No one could successfully argue that this has been a swollen program. In fact, the need—as evidenced by the always large and growing backlog of applications—has from the start outdistanced the funds available. The authorizations proposed in the present bill are modest. They equal, for each of the next 3 fiscal years, the same amount currently authorized for the present fiscal year—$15 million. This is the level suggested by the administration. There was no opposition to the program expressed during the subcommittee hearings on the legislation, which I conducted.

Under the terms of the program, grants may cover up to 75 percent of the costs of purchasing and installing broadcast equipment. Local and State financing is needed for all of the costs of land and construction or repair of buildings. In any 1 year, no one State can receive more than 8½ percent of the available grants appropriations. Because of these limitations, there is a level below which appropriations may not be cut without placing the program in danger. Broadcast-quality equipment is not inexpensive, and to provide a meaningful improvement in the over-the-air transmission quality it is usually necessary to upgrade a whole series of related components. Thus improvements usually cannot be made piecemeal. Stations find themselves confronted with the necessity of making major improvements or doing nothing.

In the case of putting new stations on the air, the cost picture is even more indivisible. In order to insure that the benefits of the program have a wide geographical distribution, as the law requires, it is necessary to provide sufficient total funds so that realistic improvements at the level of the individual stations can be financed.

Because of the successful record and widespread popularity of the grants program, I would expect no member to oppose the present extension of authorizations.

Section 2 of the legislation would authorize an appropriation of $20 million for the Corporation for Public Broadcasting. Of the several titles in the Public Broadcasting Act of 1967, the one that established the Corporation broke truly new ground. The aim of the Corporation's designers and supporters was to fill out the aid provided by the facilities program with parallel support for the production and distribution of equality educational and public-service programing.

The Corporation was seen as a vehicle by which contributions from the private sector—viewers and philanthropic support—could be augmented with Federal funds. Several important considerations—which still stand today—guided the architects of the Corporation. One was that the need for funds greatly exceeded the level that could reasonably be expected from voluntary contributions. Another was that the benefits from a greatly improved and expanded public broadcasting system would flow so generally to the Nation as a whole that a Federal contribution would not only be proper but appropriate.

A third consideration was the need, if Federal funds were to support the production of programs, to provide insulation from political pressures that might be brought to influence the content of programs. It was to this end that a special corporation was conceived, chartered by act of Congress and guided by a blue-ribbon panel of presidentially appointed directors, chosen for their independence of judgment. In addition, it was planned that a form of permanent financing should be devised that would free the Corporation from possible pressures stemming from the annual appropriations process.

It was foreseen at the time that devising a plan acceptable to the administration, the Congress, and the educational broadcasters would be difficult and time-consuming. In the interim, it was decided to establish the Corporation with limited funding, so that it could begin its work in an orderly manner, and, with the expertise it could develop, play a leading role in the creation of a practical long-term financing proposal. In the process, the Corporation's projects could begin to bring benefits to the viewing public. With these ends in mind, Congress decided that, to start, Federal funding would be provided by direct appropriations. The Public Broadcasting Act of 1967 authorized $9 million, of which $5 million was appropriated.

These funds, together with approximately $2 million in private funds, provided the Corporation's first year operating budget. Meanwhile, the change in administrations brought an understandable delay to the program of devising a permanent financing plan. Because of this, the Corporation has sought a direct appropriation for fiscal year 1970.

The Corporation, now organized and staffed, is seeking to implement the will of Congress by promptly developing effective programs to meet current pressing national needs. First-priority areas are to strengthen local stations so as to increase the quality and quantity of local programing; interconnection of public broadcasting stations into regional and national networks, to maximize impact and give immediate distribution to worthwhile programs; and in program development to focus particularly on the creation of quality television fare for young audiences—especially preschool children.

To achieve its modest but important goals, the Corporation is seeking an appropriation of $20 million, which it expects to augment with $4 million of private funds. The budget submitted by the outgoing Johnson administration provided for a $20 million authorization. The incoming Nixon administration, new to its complex tasks, suggested $10 million for the Corporation in a revised budget. Administration witnesses noted that the bill before the subcommittee, as passed by the Senate, did not accord with the administration's formal request, but did not actually oppose the higher figure. All the witnesses before the subcommittee expressed wholehearted approval of the Corporation's purpose and aims. Many asked that the authorization be set at $20 million or higher. The measure was reported from the subcommittee and the full Committee on Interstate and Foreign Commerce with no dissent.

Supporters of the Nation's effort to strengthen our system of public television strongly hold that failure to support the Corporation's crucial early efforts would spread damaging waves throughout the ranks of educational broadcasters, adversely affecting the levels of local voluntary support and rendering it increasingly difficult to attract and hold quality personnel. The dedicated pioneers in educational broadcasting have long—too long—lived on promises. Even the most dedicated must occasionally give thought to their own future. The passage of the Public Broadcasting Act was an affirmation that their pioneering labors were not in vain. As their hopes were buoyed, so were the hopes of millions of viewers that progress at last might begin to reach the potential. Eyes are on Congress today, watching to see that the promise is not broken.

Mr. Chairman, I urge the wholehearted support of the present bill. A plan for permanent financing will emerge; one is now taking shape in consultations among the experts in public broadcasting and in the administration. Congress will have full opportunity to make the final decision. But meanwhile we can proceed to bring the benefits of our extraordinary technology to all the people. The program seeks modest funding. We should take a key step in providing it.

In closing, I would just like to say I think that we, the Congress, owe these people a chance to prove what they can do. I certainly urge our colleagues to go ahead with them.

Mr. STAGGERS. Mr. Chairman, I yield to the gentleman from Mississippi (Mr. MONTGOMERY).

Mr. MONTGOMERY. Mr. Chairman, I thank the gentleman for yielding.

As the distinguished chairman knows, in my State our first educational TV station will start broadcasting after February 1, 1970.

In Mississippi, in setting up the education television, we took the State approach. The State legislature set up the Mississippi educational television board made up of educators, business, industrial, and labor leaders.

There has been some concern by educators in my State and also by the State legislature as to what effect and what controls will HEW and the Corporation of Public Broadcasting have on the programs that we will initiate and run in Mississippi. Will they try to tell our people down there what type of programs they should run?

Mr. STAGGERS. The act provides that they may not force any program on any station anywhere in the land. They are attempting to cooperate in bringing to the people of Mississippi and to the people of other States good and worthwhile television programs.

Public television stations in the several States are, and will continue to be, free under the Public Broadcasting Act of 1967 to refuse to transmit any program developed by the Corporation for Public Broadcasting.

Mr. MONTGOMERY. I thank the gentleman. As I understand the chairman, he as answered my question. In the past, these two parts of the Federal Government that I mention have not in any way influenced the programs of educational television in other States, and as far as the Chairman is concerned, in the future under this act no steps will be taken by HEW or by the Corporation of Public Broadcasting to influence the type of programing that will be carried on in the different States.

Mr. STAGGERS. The provision is in the act that that cannot be done. That is part of the law.

Mr. MONTGOMERY. I thank the Chairman for answering my question.

Mr. STAGGERS. Mr. Chairman, I yield 2 minutes to the gentleman from Texas.

Mr. ECKHARDT. I thank the chairman. I wish to recognize his good work and that of the able gentleman from Massachusetts, the chairman of the subcommittee in this field, in preparing this bill and presenting it to the House. I certainly do endorse it fully. I have an unusual interest in this matter because station KUHT-TV of the University of Houston was, I believe, the first educational television station in the Nation under this program.

I also wish to recognize the very able statement of the distinguished ranking minority member, and commend particularly, his reference to the nonpartisan board. The nonpartisan board includes a very distinguished citizen of my community, Mrs. Oveta Culp Hobby, who was formerly a member of President Eisenhower's Cabinet.

Educational television is blessed with many outstanding administrators and creative minds. It utilizes the most powerful tool of communication ever devised. Increased funding of educational television will permit it to provide a service of increasing diversity and quality. I think that quality, that diversity, and that nonpartisan nature has been exemplified by the station in Houston.

Mr. STAGGERS. Mr. Chairman, I yield whatever time he desires to the gentleman from Texas (Mr. PICKLE).

Mr. PICKLE. Mr. Chairman, I rise in support of H.R. 7737.

I endorse the ideas and the actions incorporated in H.R. 7737, the assistance act for public broadcasting and the corporation for public broadcasting. This appropriation is reasonable and it is entirely fitting that Congress extend the assistance program.

Since the Educational Television Facilities Act became effective in 1963, more than 100 additional public television broadcasting stations have gone on the air making a usable public broadcasting signal available to over 50 million new viewers. In a relatively short period of time, these stations have developed in-depth programing that gives viewers a constructive and balanced educational vehicle.

KLRN-TV which broadcasts in Austin and San Antonio is a prime example of the potential offered by educational television. With facilities at the University of Texas KLRN not only broadcasts some excellent instructional programs, and quality drama—but this educational station is a living workshop that trains university students interested in broadcast careers. It is because of the work by such stations as KLRN that I support this bill today.

Dozens of men and women in our cities have served and are serving in advisory capacities, giving time and energy and money toward the advancement of public broadcasting. Because of this contribution, and because the stable and practical leadership given by the station personnel our educational television station is rendering a great service. We must help it move along.

Mr. STAGGERS. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. PUCINSKI).

Mr. PUCINSKI. Mr. Chairman, I rise in support of this legislation. There is no question that education television offers this country a very significant breakthrough in meeting some of the needs of our education system. My Subcommittee on General Education earlier this week had occasion to preview an excellent program that will premier on November 10, and will be made available to all education stations across this country, called "Sesame Street." It is a 1-hour program in full color. It will be made available to these stations, and it will be directed primarily at young children of the 3- to 5-year age group, preschool youngsters. So far as I know, this is the first electronic headstart program that we will have in this country. It will be available every day, 5 days a week. It is so good that in my own city, station WTTW, will show this 1-hour program three times a day to reach the largest audience possible of young children to prepare them for entry into the elementary school.

Certainly, Miss Joan Ganz Cooney of the Children's Television Workshop of National Educational Television and her associates did a great job. This program has particular appeal to young children and will teach them such things as the alphabet, how to relate numbers and many other interesting features for preschool youngsters. It is produced with such deep understanding of young children that it promises a very high rate of interest retention for preschool children.

I predict that this program will give the commercial stations a real run for their money on the ratings. This shows that educational television is moving.

Of course, we are very pleased that Public Broadcasting Corporation has selected one of our distinguished citizens from Chicago, John Macy, as its President.

We in the Education Committee are concerned about how to finance the educational needs of our country and we see in educational television a very significant breakthrough for the people of America.

One final word. There was a colloquy earlier on the financing of newscasts. It is true that WETA in Washington has been given $36,000 in a grant from the Public Broadcasting Corporation to help finance the program "Washington Week in Review." This program is being put together by four highly competent and independent newsmen in Washington. It is available to educational stations across the country as a weekly review of happenings in Washington.

I am mindful of the fact this is a dangerous field we are in, and we have to maintain constant surveillance to insure that we do not set up a publicly financed news agency. On the other hand, education television stations should not be denied the opportunity to have a good news program for their viewers.

I think as long as we use good, respectable, highly competent, and unbiased newsmen to prepare this, we ought to give it a chance. We will always have a chance to review these programs if we feel there are abuses.

Mr. Chairman, I congratulate the chairman of the committee for bringing this legislation to the floor for consideration today.

Mr. STAGGERS. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. FARBSTEIN).

Mr. FARBSTEIN. Mr. Chairman, I thank the gentleman from West Virginia for yielding.

I appreciate that the heart of the chairman is in the right place. Perhaps this bill is not a good vehicle for it.

Mr. Chairman, I am also very gratified that the chairman of the subcommittee, in answer to my query, said there will be consideration of financing of this program in the future. I say this especially because in the congressional declaration of policy it does not say a word about the fact that the media, which have been earning untold millions, should contribute to public and educational television. There is nothing there about a user's tax. There is nothing there about a trust fund being created for this purpose. Why should the taxpayers' money be used for these purposes? Why should the gentleman from New York (Mr. CELLER) be compelled to contribute toward educational television?

Mr. Chairman, the Corporation for Public Broadcasting was established in 1967 to stimulate the development of educational TV. It was established as a result of the recommendations of the Carnegie Commission on Educational Television. The commission had recommended a Corporation to provide financing for educational TV. It estimated in January 1967 that $270 million a year would be needed to develop a viable system of educational TV. The appropriations process, it suggested, could provide interim financing for the Corporation, but at a very low level. A permanent financing mechanism was required to provide anywhere near the $270 million a year. Such financing should be independent of the appropriations process to keep educational TV free of political pressure. It suggested a media tax to be paid into a trust fund. The Ford Foundation took a similar position. It recommended the establishment of a satellite system for noncommercial TV which could return some profit.

Congress put off the longterm financing question and enacted—in 1967—a bill to establish a Corporation with limited annual financing. At that time I offered an amendment to put Congress on record in support of a media tax and to require the FCC to report back on the idea. It failed. The chairman of the committee said that no hearings had been held on the question.

The next year—1968—on a bill to extend the Corporation an additional year, I offered a similar amendment. Again the chairman said no hearings had been held and that the administration was working on recommendations. In the meantime, the Corporation has been operating on a budget of approximately $14 million compared to the $270 million the Carnegie Commission estimated would be needed to operate adequately in any one year.

Since then Prof. Dick Netzer of NYU has put out an excellent study recommending specific permanent financing of educational TV and the Commission on Violence has called for permanent financing of educational TV.

But still nothing has happened. The administration will announce, I understand, a rather weak recommendation for permanent financing when the bill before the House today is signed by the President, but it is not going to be much.

Mr. Chairman, I insert at this point in the RECORD excerpts from the 1967 Carnegie Commission report, the Violence Commission's report on television, and the Netzer study to illustrate the recommendations and hard thinking which have been made with respect to the need for permanent financing for educational television.

[From "Public Television: A Program for Action, the Report and Recommendations of the Carnegie Commission on Educational Television"]

THE COMMISSION PROPOSES ENLARGED FEDERAL SUPPORT FOR PUBLIC TELEVISION

We recommend that Congress provide the Federal funds required by the Corporation through a manufacturer's excise tax on television sets (beginning at 2 percent and rising to a ceiling of 5 percent). The revenues should be made available to the Corporation through a trust fund.

In this manner a stable source of financial support would be assured. We would free the Corporation to the highest degree from the annual governmental budgeting and appropriations procedures: the goal we seek is an instrument for the free communication of ideas in a free society.

The excise tax will provide the Corporation with approximately $40 million of federal funds during its first year of operation, rising gradually to a level of $100 million a year. We propose that the rate be raised to 3 percent, bringing in $60 million, after the first year. The commission intends these revenues to be added to those available from other federal, local, and private sources to be used primarily for the support of programming for Public Television. We recommend that federal agencies continue to make grants to educational television stations for special purposes.

[From "Commission Statement on Violence in Television Entertainment Programs," National Commission on the Causes and Prevention of Violence," Sept. 23, 1969]

We offer one recommendation to the President and the Congress:

Adequate and permanent financing, in the form of a dedicated tax, should be provided for the Corporation for Public Broadcasting so that it may develop the kind of educational, cultural, and dramatic programming not presently provided in sufficient measure by commercial broadcasting.

We believe, as the Public Broadcasting Act of 1967 states, "that it furthers the general welfare to encourage noncommercial educational radio and television broadcast programming which will be responsive to the interests of people both in particular localities and throughout the United States, and which will constitute an expression of diversity and excellence," and "that it is necessary and appropriate for the Federal Government to complement, assist, and support a national policy that will most effectively make noncommercial radio and television service available to all the citizens of the United States." We suggest financing by means of a dedicated tax because we believe that public television must be free from the political pressures that result from the need for annual federal appropriations.

Public broadcasts can be a much needed alternative to commercial programs. It is generally assumed that commercial television caters to the public taste. But television also creates the public taste. If a wide range of wholesome entertainment and public service programs is offered as an alternative to the current fare of entertainment violence, it is likely that this will effect changes in public tastes and ultimately make violent television programs less commercially attractive. But this longer-term possibility does not relieve commercial television of the responsibility to reduce now the volume and change the character of its violent programs.

NATIONAL CITIZENS COMMITTEE
FOR BROADCASTING,
New York, N.Y., April 1969.

The President and Congress of the United States:

The greatest communications resource man has ever known continues to be polluted and to pollute the public's airwaves—for private gain. One answer to the staggering problem of airwave pollution and its desensitizing of the American spirit is a free and healthy non-commercial broadcasting system, which has come to be called Public Broadcasting.

Dr. Dick Netzer's report welds a combination of long-range financing proposals for Public Broadcasting into a single package free of any real or fancied domination and funded largely by those who profit most from the use of the public's airwaves. The plan is stable and the sums it would bring forth are substantial enough at long last to make noncommercial broadcasting technically, professionally and competitively capable of serving the whole public with the informational and cultural diversity to which all of broadcasting is called and to which so little of broadcasting responds.

In January, 1967, the Carnegie Commission said that a strong Public Broadcasting system would require $270 million annually. The first Congressional appropriation to the Corporation for Public Broadcasting, for fiscal 1969, was a disappointing $5 million. This in times when the revenues of the publicly-licensed commercial broadcasters are at their highest and the fulfillment of their responsibilities is at their lowest.

Professor Netzer's plan is based on all the various recommendations put forward for long-range financing of Public Broadcasting which were carefully studied by the trustees of the National Citizens Committee for Broadcasting before they turned their materials over to Professor Netzer for his objective evaluations and conclusions. It is entirely his report; the trustees concur with his conclusions entirely.

We believe the plan's moral applicability to our time ought to be a decisive factor for adopting it. We hope men of vision in broadcasting will endorse it. We know the public will support this immediate route to better broadcasting. We ask your action to see that it—and a free and healthy Public Broadcasting system—becomes a reality.

Respectfully,

The board of trustees of the National Citizens Committee for Broadcasting: Shana Alexander, Milton R. Bass, Harry Belafonte, Charles Benton, William B. Branch, Rev. Robert F. Drinan, S. J., Richard Eells, Ralph Ellison, John D. Entenza, Phillip Gainsley, John Kenneth Galbraith, Brendan Gill, Nathan Glazer, Robert Goodman, Henry Clay Hofheimer II, Marshall M. Holleb, Thomas P. F. Hoving, Marya Mannes, Robert Montgomery, Earle K. Moore, Gerard Piel, Walker Sandbach, Charles A. Slepmann, Mrs. David E. Skinner, June Wayne.

LONG-RANGE FINANCING OF PUBLIC BROADCASTING

(By Dick Netzer, professor of economics, head, All-University Department of Economics, New York University)

SUMMARY

Public Broadcasting, for its long-term financing, requires support that is adequate in amount, stable but growing over time, and reasonably free from undesirable economic side effects. The financing mechanisms must provide protection against political and economic interference with programing.

Proposed non-governmental financial devices, although attractive in some respects, simply are not adequate in the amount of funds they can provide, individually or in combination. The use of Federal taxing powers is essential, but to insure independence, any taxes or charges levied by the Federal government for Public Broadcasting should be paid into a trust fund and removed from the annual appropriations process.

The best of the tax devices considered here is a gross receipts tax on commercial broadcasting; at a 4 percent rate, it could yield over $120 million a year. This should be supplemented by a system of charges for access to the radio spectrum, collected by competitive bidding for licenses or otherwise, with the proceeds also paid into the trust fund.

On the non-governmental side, there is an extremely strong case for adoption of the Ford Foundation proposal for a broadcasters' non-profit satellite system to provide both cash and free service for Public Broadcasting. Also, Public Broadcasters should have the authority to accept limited amounts of advertising and to experiment with subscription television, to further supplement and diversify their sources of revenue.

The highest priority, however, is the establishment of the trust fund and imposition of the broadcasting gross receipts tax, to be paid into the trust fund.

This study explores a variety of possible ways to place the financing of Public Broadcasting on a stable, long-term basis. Two assumptions underly the analysis.

First, it is assumed that the funds required are substantial—in the order of the $270 million annually recommended by the Carnegie Commission (which compares to the nearly $4 billion spent for television and radio advertising in 1967). Second, it is assumed that financing of this magnitude cannot conceivably be provided by use of the begging bowl; no combination of private philanthropy, sporadic Federal appropriations and even more sporadic state and local government financial assistance will permit Public Broadcasting to develop more than a small fraction of its potential. This is not to exclude the role of philanthropy or independent fund-raising, but rather to state that the basic support for an adequate system of Public Broadcasting must be assured in a more dependable way.

CRITERIA AND ISSUES

Any system of long-range financing must have two basic attributes. It must provide funds that are reasonably adequate in amount. And the flow of funds must be stable and relatively assured, to permit the long-range planning and program development that is essential. Moreover, assurance of financing is necessary to insulate Public Broadcasting from the adverse pressures sure to be stimulated by free exercise of imagination and intellect in program content.

Ordinarily, in our society, freedom of expression of opinion and ideas in the arts, letters and sciences is protected by the existence of large numbers of channels of expression and by the very diversity of the sources of economic support. However, the technical characteristics of the radio spectrum limit the numbers of channels of expression far more rigorously than is the case for the printed word, the other performing arts or the graphic arts. In addition, the costs of production in broadcasting can be very high indeed, relative to other communications media. Therefore, a suitable financing system needs built-in insulating devices.

There are several other criteria an ideal financing system should satisfy. For one thing, the costs of Public Broadcasting surely will rise over time, as salaries rise and as new opportunities for service unfold; a superior financing system will provide growing amounts of money over time, more or less automatically. Second, the financing system should not have harsh economic effects on the rest of the broadcasting industry or on other forms of communication. Third, the financing system should not bear heavily on the poorer segments of the country's population. Fourth, an ideal financing system would be demonstrably sensible, in that there would be some clear linkage between benefits and payments—those who provide the funds ideally should also receive benefits from Public Broadcasting or from related activities in the communications field.

No financing device can satisfy all these criteria perfectly. It is necessary to "trade-off" among the criteria, to find one or a package of financial sources that comes closest to the ideal.

This list of criteria suggests that the following are the basic issues:

(1) Can the job be done with financing devices *other than* the use of governmental revenue-raising authority? Such devices might include the sale of services by Public Broadcasting (for example, pay-TV or acceptance of advertising) or revenue from assignment of monopoly powers to a quasi-public agency responsible for Public Broadcasting (for example, domestic satellite transmission). Clearly, if such arrangements were workable, they would have the advantage of affording a considerable degree of insulation from political pressures. They also tend to exhibit desirable linkages between benefits and payments.

(2) If governmental revenue-raising devices must be employed (as this study concludes), how can Public Broadcasting be assured of a stable flow of funds, free from political pressures and uncertainties?

(3) Assuming that the necessary insulation can be provided, which governmental revenue devices most nearly satisfy the other criteria?

FINANCING NOT DEPENDENT ON TAXATION

Unquestionably, there are non-governmental financing devices which can produce significant amounts of revenue. The doubts regarding such financing relate to whether these devices alone can produce sufficient revenue and whether, even if they can satisfy this criterion, they do not do violence to the other criteria.

Take, for example, pay-TV. It has some merits as a financing device, but its demerits are such that it should be no more than a marginal supplementary source of funds. To be sure, a national system of subscription Public Television no doubt eventually could attract large numbers of subscribers among upper-income families, for the charges could be very modest relative to the incomes of such families. An annual charge of $100 on the average would amount to less than three-tenths of one percent of the money incomes of the richest ten percent of American households (those with total money incomes over $15,000). If half of all such families did subscribe and if half the annual charge was absorbed by connection, administrative and collection costs, Public Television could net nearly $150 million a year. If only 5 percent of all other (less affluent) families were subscribers, the $270 million goal could be met.

Consider the drawbacks. First of all, subscription Public Television surely would tend to be, as the illustrative figures imply, an upper-income minority experience. But the fundamental case for Public Broadcasting is that it should *not* be merely yet another cultural experience for the affluent few who even now have access to and participate in a wide range of cultural experiences. It is conceived to be, ideally, a truly mass experience (and *far* more so than the live performing arts), conferring vast benefits on our whole society, *provided* that people of varying income levels, tastes and geographic locations have access to it. Public Broadcasting can realize its potential only if access to it is as easy as is access to commercial broadcasting.

Second, as a newly offered service competing with existing services (commercial broadcasting and other communications), subscription Public Television inevitably would develop slowly, with considerable geographic unevenness and with great year-to-year uncertainty during the growth period. In short its financial development is likely to duplicate the financial history to date of non-commercial broadcasting—slow, uneven growth and a dire lack of the financial security necessary to plan ahead with confidence. But history makes it clear that Public Broadcasting need to achieve a critical financial mass quickly so that the public can actually *see* its promise. We know only too well that there is no ready market for any product or service not actually offered, but only hypothesized. Offering a low-quality, under financed service in the early years will guarantee that development will continue to be painfully slow.

Because subscription television does associate financial support of the services with a portion of the benefits generated by Public Broadcasting, there is every reason to attempt to provide *some* role for subscription television in the financing of Public Broadcasting. For example, it would make sense, if feasible, to charge for occasional special programs of a very costly nature, much as certain facilities are charged for, in otherwise free parks, and fees are charged for special exhibitions in otherwise free museums. Thus Public Broadcasting should be free to experiment with subscription arrangements and indeed should encourage research in subscription-device technology.

But this cannot be the principal financial support for Public Broadcasting, nor should a large part of Public Broadcasting service be offered on a fee-for-service basis.

Another non-governmental financial device might be the acceptance of advertising on a controlled basis. The argument is that commercials can be carefully placed so as not to interfere with program content and that obnoxious forms of television advertising can be avoided. Meanwhile, there is increasing corporate interest in displaying "social responsibility," by supporting public programing; this requires visible evidence of the corporate contribution, for which large corporations will pay handsomely. Analogies are drawn to experience abroad and to the experience of a handful of successful "upper class" FM stations in this country.

The argument duplicates that now being advanced in Britain, that the BBC television services should accept advertising in a similar fashion. However, BBC would continue to get its basic support from the license fees paid for many years by households, and thus could continue to be quite independent of pressures by advertisers. More generally, experience abroad is a false analogy simply because of the different traditions—that is, the strong tradition of sponsor control here. Moreover, the design for Public Broadcasting is for a system that will ensure a maximum of conflict with advertisers—programing which is controversial, even revolutionary, in tastes, mores and politics.

In addition, the amounts of money are relatively large. At least half of present television and radio advertising expenditure is for consumer products that involve product rather than corporate identification, such as cigarettes, soaps, toiletries and proprietary drugs; another significant proportion is done by relatively small local firms unlikely to be overly concerned with "corporate image." Thus, to raise $270 million, the remaining advertisers would have to shift 20 percent or more of their advertising from commercial to Public Broadcasting. It is rather unlikely that this will occur. Public Broadcasting, in the next few years, will be offering less than 10 percent of total broadcasting service, usually to little more than 5 percent of the total broadcasting audience. If successful and adequately financed, Public Broadcasting will do better than this as it matures, but advertisers are acutely aware of the *current* performance of competitive media. Airlines and similar advertisers are unlikely to willingly devote 20 percent or more of their radio-TV advertising budgets to reach 5 to 10 percent of the potential audience. Moreover, since this is a large shift, it is likely to create considerable year-to-year uncertainty, even if the shifts could be achieved eventually. All this suggests that controlled acceptance of advertising may be a useful supplementary source of funds, especially for individual costly programs, but not an appropriate source of basic support.

The most dramatic and imaginative non-governmental financial course is found in the Ford Foundation's 1966 satellite proposal. The Foundation proposed creation of a broadcasters' nonprofit satellite service, operated by a non-governmental but nonprofit corporation, largely supplanting network transmission by telephone lines and microwave relay. The service would provide free channels for non-commercial television and it would pay over a substantial portion of the commercial broadcasters' projected savings (as compared to present transmission technology) to support Public Broadcasting programing.

The amounts involved are substantial. In its December 1, 1966 submission to the Federal Communications Commission, the Ford Foundation estimated level annual costs of the proposed system at $29–$32 million and that this system would replace, if in full operation in 1970, $60–$65 million in land-lines transmission costs incurred by commercial broadcasters. Thus, at a minimum, the annual savings in transmission costs would be $28 million ($60 million in present costs less $32 million for the new system) and, at a maximum, $36 million ($65 million less $29 million). These savings could be divided between modest rate reductions for commercial broadcasters and funds turned over to Public Broadcasting. Perhaps $20 million a year could be available for Public Broadcasting.

The free channels to be provided under this proposal are also of substantial value. The Corporation for Public Broadcasting, in July 1968, stated that *present* nationwide inter-connection needs for Public Television, to connect 91 points and 160 stations, comprise the eight hours daily from 3:00 to 11:00 p.m. AT&T estimated that such service would cost, at commercial rates, $8.7 million a year, under a ten-year contract.

From the standpoint of our criteria, how does the Ford Foundation proposal rate?

(1) As a non-governmental device paying money over to Public Broadcasting on some kind of formula basis and providing free service automatically, it affords significant insulation against political and sponsor pressure.

(2) There is a real linkage between benefits and payments. Commercial broadcasters receive a high-quality service at somewhat reduced costs (compared to present transmission systems); the remainder of the cost reduction is used to support Public Broadcasting which commercial broadcasters, notably the networks, have long maintained to be of substantial benefit to them.

(3) There is strong indication that the benefits, in money and in free service, to Public Broadcasting will rise rapidly over time. That is, increased utilization of the transmission services by commercial broadcasters will generate rising net revenues, and Public Broadcasting itself will be able to utilize an increasing proportion of the free transmission service as Public Broadcasting develops.

(4) The use of the savings from satellite transmission for Public Broadcasting rather than rate reductions for commercial broadcasting can be viewed as a "tax" on broadcasters' expenditure for interconnection cost. An earlier study has concluded that, so viewed, the proposal has few if any economic drawbacks:

"Merely reducing interconnection charges would not substantially improve the industry's structure or enrich the program alternatives it offers to viewers: this is what makes the tax relatively attractive . . . on economic grounds. Using the cost-savings instead to support ETV would do precisely what rate-reduction would not do, and do it openly, directly and in full measure, no need for the far more difficult undertaking of regulating the quality of commercial programing. It would increase the genuine diversity of programing, and in so doing come much closer than the industry does today to maximizing the benefits obtained from the limited spectrum."[1]

(5) Offsetting these advantages, the proposal involves important uncertainties. There are technological considerations; there is the possibility of successful competition from other transmission modes; and, most of all, there is the present uncertainty whether the proposal will be adopted at all, uncertainty on grounds quite aside from the financing of Public Broadcasting.

(6) The proposal clearly cannot be the sole support of Public Broadcasting (nor has the Ford Foundation so argued). It will not provide more than 10 percent or so of the money needs of Public Broadcasting at the Carnegie Commission scale.

Conclusion

The three main non-governmental financial sources that are conceivable—subscription television, controlled reliance on advertising and the Ford Foundation satellite proposal—each have some attractive aspects. But subscription television and advertising must be used sparingly, if the potential of Public Broadcasting is to be realized, and this limits them severely as sources of funds. It is difficult to imagine circumstances in which as much as $100 million of the $270 million needed annually could be provided sensibly from the two sources combined. And the satellite proposal, if deployed at full scale, cannot add enough of the required revenue to obviate the need for governmental revenue sources.

However, there is one strong argument, aside from the inherent characteristics of these approaches, for using them to some extent—limited in the case of subscription television and advertising, and all out in the case of the Ford Foundation proposal. Together with tax sources, they will afford a highly desirable diversity of financial sources, a diversity which can significantly enhance the independence of Public Broadcasting programing.

GOVERNMENTAL FINANCING—THE TRUST FUND APPROACH

In the discussion of governmental financing which occupies the remainder of this study, the analysis is confined to *Federal* government taxes and fiscal arrangements. In part, this is because most of the tax sources under consideration clearly are unsuited to imposition and collection by state or local governments—for example, taxes on broadcasting gross receipts, profits or access to the radio spectrum. But, more generally, proposals for state and local government financing seem highly unrealistic, in view of the fiscal stringencies of state-local governments and because the benefits from Public Broadcasting are not confined to individual political jurisdictions or small geographic areas.

State and local governments can be expected to finance some portion of the costs of strictly educational broadcasting in connection with their support of the country's educational system. However, even in this connection, the case for Federal finance is strong. It is widely argued that the Federal government's aid to education is far too low—that the Federal government should provide, say, 40 percent of the costs of the public schools rather than the 10 percent it now provides. Broadcasting is a highly sensible area in which to expand the Federal role in financing education, since it avoids the hot issue of local control over school operations and since the Federal government is ideally suited to foster experimentation and new technology.

Within the Federal government's financial system, there is a well-tested device that provides the insulation from political pressures necessary for Public Broadcasting—the trust fund approach, under which the receipts from specified taxes are paid into a trust fund, can be used only for purposes stipulated in the original legislation and are expended for these purposes on the basis of formulas or other provisions specified in the legislation, without going through the

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[1] Joel B. Dirlam and Alfred E. Kahn, "The Merits of Reserving the Cost-Savings from Domestic Communications Satellites for Support of Educational Television," *Yale Law Journal*, Vol. 77 (January 1968), p. 519.

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regular annual Congressional appropriations process. The trust fund approach is an old one. It originated years ago in connection with the Federal government's handling, as an agent or trustee, funds which were held not really to "belong to" the government, such as income from Indian-owned lands, held in trust for these wards of the government.

The trusteeship idea was considered appropriate for dealing with veterans life insurance funds, when this program was established during World War I (the funds were considered to "belong to" policy holders, not the government). It was extended, in massive fashion, in subsequent decades, to apply to the finances of the Social Security, unemployment insurance, railroad retirement and Federal employee retirement systems, all of which have been considered to have the characteristics of insurance with the Federal government's role one of holding the funds.

In reality, of course, in these cases the Federal government does much more than act as a trustee. The trust fund device as it has evolved, has somewhat different purposes now. First, it segregates specific taxes (or other receipts) from general revenues and earmarks them for a special purpose. Those receipts so earmarked are usually held to have some relation to the benefits provided by expenditures from the trust fund. Second, it assures continuity in the programs by making the expenditure independent of the annual appropriation process; indeed, it makes spending dependent on the level of receipts or statutory formulas, rather than appropriations action. To be sure, Congress can change the rate of expenditure by deliberate action; it can increase the rate if it raises the taxes feeding the trust fund. But it can reduce the rate of spending only by the politically difficult (and rare) act of changing the basic legislation.

The Highway Trust Fund, created by legislation in 1956 and spending roughly $4 billion a year recently, is the closest parallel to the financing of Public Broadcasting. It was created to finance a long-range spending program whose dimensions were set by an independent study commission (the Clay Commission in 1955). The tax receipts earmarked for the Trust Fund have two characteristics. First, they are taxes on highway users, who are also the presumed beneficiaries of the expenditure from the fund. Second, in combination the taxes were estimated to produce revenues adequate to finance the long-range program. Consequently, the annual rate of expenditure from the fund was to be approximately equal to the level of receipts from the earmarked taxes. Thus, the financing devices provided, in addition to insulation from the appropriations process, adequacy of revenues relative to the program intended, the year-to-year stability needed for long-range planning and a clear link between benefits and payments.

These are advantages that a trust fund device for financing Public Broadcasting should provide. Congress should establish a trust fund, into which receipts from new special taxes (to be discussed in the next section) are paid; the trust fund should also be the recipient of net proceeds from the broadcasters' nonprofit satellite system, on a formula basis—say, 90 percent of annual net proceeds. The trust fund would then annually or quarterly pay over to Public Broadcasting, presumably the Corporation for Public Broadcasting, its receipts. It might be appropriate for the trust fund to build up a modest balance in early years, to insure against unforeseen declines in tax receipts, but the general rule should be that the trust fund will be no more than a conduit, transferring receipts from those who pay the special taxes to Public Broadcasting.

GOVERNMENT FINANCING—ANALYSIS OF SPECIFIC SOUBCES

A number of new Federal taxes, or tax-like revenue devices, have been proposed as possible sources of funds for Public Broadcasting, to feed the proposed trust fund. In this section, these taxes are analyzed from the standpoint of the criteria discussed earlier. The following revenue devices are considered:

1. A tax on gross receipts of radio and television broadcasters.
2. A tax on the gross receipts of all FCC long-distance communications licenses, including long-distance telephone and domestic and overseas telegraph, as well as broadcasters.
3. A tax on total television advertising outlay.
4. A tax on net profits of broadcasters.
5. A form of excess profits tax on broadcasters, equal to some very high percentage (say, 90 percent) of profits above some designated "fair rate or return" on capital invested.
6. A charge for lease of access to the radio spectrum, levied by competitive bidding for licenses for spectrum rights or otherwise. It should be noted that the economic characteristics of (5) and (6) are similar in a number of ways.
7. A flat per household radio-TV license fee, somewhat like the British system.
8. A manufacturers' excise tax on TV sets.

There have also been proposals for some kind of high license fee on commercial broadcasting. However, any sensible fee would be one measured by gross receipts, net profits or the value of access to the radio spectrum; therefore, this is not treated here as a distinctive revenue source.

Adequacy of yield

Almost any of the eight revenue sources listed above would have few real disadvantages if imposed at very low rates. Almost any of them would have harsh and undesirable effects if imposed at very high rates. What we seek is one or a small number of taxes that can yield adequate revenue—at least $150 million annually—if imposed at reasonable rates.[2] "Reasonable" rates, for any tax on a specific range of activities or objects, are rates imposing liabilities for tax payments which do not exceed these limits:

(a) the firm's or individual's tax liability should not exceed the benefits he or it receives from the expenditure of the proceeds of the tax; or

(b) the firm's tax liability should not exceed the value of some monopoly privilege (like exclusive access to spectrum) that the firm has; or

(c) tax liability should not exceed that imposed, by other taxes, on activities and objects which are competitive with and partial substitutes for the activity or object in question. For example, sales of books are subject to retail sales taxes, at rates of 3 percent or more, in nearly all the states, but broadcasters' gross receipts or television advertising outlay (the parallel tax bases) are not taxed by states and cities. A 3 percent gross receipts tax on broadcasting would do more than equalize the tax positions of the broadcasting and book publishing industries.

It is difficult to establish such limits precisely, and appraisals may differ widely. Table 1 presents some estimates (some of them very rough) of the yield of the various taxes proposed, at 1966–1967 levels of activity, at rates considered here to be not entirely unreasonable.

The yield figures in Table 1 are not net yield figures. One necessary consideration is collection costs for most of the taxes proposed, these will be minor since relatively few taxpayers (in most cases, no more than 5,000 or so) are involved and these are corporations already subject to requirements for filing tax and other information to the IRS, the FCC, etc. But the household license fee could involve very substantial collection costs and obnoxious enforcement practices, unless a considerable degree of tax evasion were to be tolerated. Therefore, the yield figure for this revenue source should be heavily discounted.

Another factor to be considered is the regular Federal corporation income tax. Like all other corporations, broadcasters pay the regular corporation income tax; its standard rate is 48 percent. If a new tax is imposed and it is allowed as a deduction (as a cost of doing business) against the regular corporation tax, it will lower the company's regular corporation tax payments by 48 percent. Thus, nearly half the new tax will be paid, in effect, by the Federal Treasury, in the form of lower corporation income tax collections. The profits-based taxes (sources 4, 5 and 6) will surely reduce corporate income tax liability substantially; the taxes based on gross receipts may also do so, depending on the extent to which they are shifted forward to advertisers or backward to employees and suppliers (see below). It may be questioned whether the Congress would be willing to assign all the revenue anticipated to the trust fund, in view of this fact. If the Congress were not willing, the yield for Public Broadcasting would be much lower, and the profits-based taxes would rank low from the standpoint of adequacy of yield, rather than high (as suggested by Table 1).

Thus, the high-ranking sources for this criterion are the gross-receipts-type taxes: sources 1, 2, 3 and 8.

Year-to-year stability

A revenue source may be adequate in yield in a given year but nonetheless be highly unsuitable to finance Public Broadcasting if it is inherently subject to large year-to-year fluctuations in yield. The ideal tax base for this purpose would be one that increases each year at a fairly predictable rate and that does not experience large, unpredictable variations around this growth rate. An especially undesirable tax base is one that is susceptible to relatively large year-to-year declines.

Table 2 summarizes the variability in the bases of five of the eight revenue sources in the 11-year period from 1955 to 1966. The five revenue sources had fairly similar mean (average) changes over the period, ranging from an average yearly increase of 8.7 percent to one of 11.4 percent. But they differed greatly in the variations around these mean changes. There was a high degree of stability for source (2), gross receipts of all FCC long-distance licensees, with the average deviation from the mean change amounting to less than one-fifth of the mean change; on the basis of this record, one would expect to be able to predict revenues from this source within two percent of the actual results, in most years. Sources (1) and (3), broadcasting gross receipts and television advertising outlay, exhibit only slightly more instability, suggesting the ability to predict within a three percent range of error.[3] There were no actual declines in any of these tax bases in any of the 11 years.

In contrast, broadcasters' profits constituted a very unstable tax base, with actual declines in three of the 11 years (and an even larger decline in 1967). The deviation from the mean change was almost as large as the mean change itself, implying that it was as likely for the percentage increase in profits, in any given year, to have been one percent or 21 percent as 11 percent. This is a wide range indeed, for any kind of long-range planning.

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[2] In section 2, above, it was concluded that non-governmental sources should not be expected to provide more than $100 million annually, in the best of circumstances.

[3] If 1967 results had been included, the variation would have been slightly higher, since the rate of increase in TV advertising expenditure was very small.

This instability is inherent in the nature of profits, which are the product of two independently varying factors—gross receipts and expenses. The instability is even more marked for sources (5) and (6), which are related to "excess profits." In the nature of things, reliable year-to-year estimates of past performance of these hypothetical tax bases cannot be made, and hence they do not appear in Table 2. However, some notion of the variability in these bases can be obtained by comparing changes in broadcasters' profits with changes in those of all corporations, since "excess profits" have been defined here as the rate of return on broadcasting above and beyond that of other corporations. Changes in broadcasters' profits in the 1955–1966 period both varied more from year to year than was the case for other corporations (the average deviation was about twice as large, relative to the mean rate of change) and were somewhat different in timing. It is a reasonable guess that broadcasting "excess profits" would have been difficult to predict within a margin of error as wide as plus or minus 25 percent, and that decreases in the tax base are as frequent as increases.

Source (8), TV set production, has also been highly unstable, but for different reasons—the nature of the cycle of households' equipping themselves with TV sets. There were steep declines in TV production after the early 1950's, by which time ownership of black-and-white sets was widespread. Rapid increases occurred with the mass advent of color television, in the early and mid-1960's. It is reasonable to anticipate declines once again in coming years, followed by some stability, until once again, there is an important technological innovation. But in any case, the revenue source is an undependable one.

Source (7), household licenses, is a highly stable one, now that nearly all households have at least one radio or TV set—the tax base should grow at just about the rate of household formation, about 1.5 percent a year.

Thus, the high-ranking sources for this criterion are the gross-receipts-type taxes (excluding the tax on TV sets produced)—sources 2, 1 and 3—plus the household license fee.

Growth over time

Since Public Broadcasting expenses will rise over time, an ideal tax base is one which grows steadily but substantially over time. It is almost sure to be the case that tax bases with very high long-term growth rates will also tend to have considerable year-to-year instability and tax bases with slow growth rates will be highly stable in the short run. Thus, the most stable of the proposed tax bases, the household license fee, has almost no year-to-year variability, but an exceedingly slow growth rate; revenues would rise far less than costs of broadcasting, even in a totally inflation-free economy.

At the opposite end of the growth/stability spectrum are the "excess profits" tax bases (5 and 6). Since broadcasters' net profits have grown significantly more rapidly than the profits of corporations in general in recent years, it is likely that "excess profits" have risen very sharply indeed—perhaps at an annual rate of more than 15 percent since 1960. But the price of this extremely rapid growth is the extreme year-to-year instability noted above.

The appropriate "trade-off" between growth and stability is likely to be found among the other five proposed tax devices, those shown in Tables 2 and 3. As Table 3 shows, average annual long-term growth rates of 8 to 10 percent may reasonably be expected from the gross-receipts-type taxes (sources 1–3), in a prosperous economy. Somewhat higher growth rates are indicated for the broadcasters' profits tax base (source 4), but with more instability. The base for source 8, the tax on TV set production, has not grown quite as rapidly over the entire post-1955 period, but has shown spectacularly rapid bursts of growth in more recent years. However, the next decade may very well be more like the 1955–1963 period, when the tax base had *no* growth at all, than like the post-1963 period. This tax base, then, would seem to rank low on both growth and stability criteria.

It should be noted that the 8–10 percent annual growth rate for the gross-receipts-type taxes is a very high growth rate. Even if the costs of providing Public Broadcasting services of constant quality and quantity were to rise at a rate of 5 percent a year, this kind of growth rate would provide financing adequate to provide continual improvement in Public Broadcasting services.

Effects on low-income households

It has been pointed out that some of the proposed revenue devices may bear directly on consumers or indirectly on them through a chain of rises in the prices of goods heavily advertised on commercial broadcast services. Price rises on widely consumed goods and services tend to burden low-income households much more heavily, relative to family income levels, than higher-income households. For example, a 5 percent rise in the prices of consumer goods on which families spend $1,000 a year is $50; this is 2 percent of the total income of a $2,500-a-year family, 1 percent of the income of a $5,000 family and ¼ of 1 percent of the income of a $20,000 family.

There are two issues here. First, how likely is it that the proposed taxes will be shifted to consumers, in reality? Second, will the amounts be consequential? It is difficult to be greatly exercised about the burden on low-income families, however much heavier in a relative sense, if the absolute amounts are trivial, amounts like $5 a year per family.[4]

Let us deal with the more obvious cases first. Both economic reasoning and empirical studies done in other connections strongly indicate that taxes on corporate profits in general, and even more so, on profits of particular industries,[5] will not be passed on to consumers in the form of higher prices. Instead, the taxes will reduce corporate profits and/or reduce the earnings of some or all of those engaged in the taxed industry (in this case, an industry whose participants tend to have earnings well above the national averages). This would be even more true for "excess-profits"-based taxes, designed to extract the excess return to the industry made possible by the monopoly character of access to spectrum.

In contrast, the household license fee would fall directly on consumers and disproportionately burden low-income households. Similarly, it is highly likely that a manufacturers' excise on TV set production would be fully passed on to consumers in the form of higher prices; the 1965 reductions in Federal excises on TV sets (and many other goods) were fully and quickly passed on to consumers in the form of price reductions.[6] This, too, would disproportionately affect low-income households. But in both cases, the amounts are low—$3 a household in the case of the license fee and less than $10 a set in the case of the TV set tax, in nearly all instances. The amounts seem too small to consider a serious burden. However, it can be argued that ownership and use of TV sets can provide so great a potential enrichment in the lives of the poor and the disadvantaged that TV ownership should not be discouraged, no matter how slightly.

Sources (1) and (3), the gross receipts taxes on broadcasters and on television advertising outlays, respectively, could burden low-income families only if passed on to consumers in the form of higher prices for products that are heavily advertised on radio and television. If this happened, low-income families would be hit, since the products that do account for the bulk of broadcast revenues—automobiles, beer, cosmetics, tobacco, soap and detergents, proprietary drugs—are relatively more important in the budgets of low-income families. Again here, the absolute amounts are relatively small; but more important, it seems rather *unlikely* that the bulk of the tax would be shifted forward to consumers.

Any tax on a specific type of activity for which there are reasonably close substitutes tends *not* to be shifted forward in the form of higher prices. If there is an attempt by the taxed industry or activity to raise prices, its immediate customers will tend to avail themselves of the substitute services. In the case of commercial broadcasting and television advertising, there is no reason to believe that the charges now imposed for time, program services, agency commissions and the like, are below the maximums that can be extracted from the firms doing the advertising. Higher charges, imposed in response to a new gross receipts tax, would tend to divert advertising to non-broadcast media and/or to cause advertisers to reconsider their total advertising budgets; after all, there is some price at which the sales and profits generated by the marginal amount of advertising expenditure are less than that expenditure.[7]

Source (2), the tax on all long-distance licensees, has a somewhat different character in this respect. There is little doubt that the FCC would permit the regulated carriers to pass on the new tax in the form of higher rates. But low-income households are very minor direct consumers of long distance telephone and telegraph service. The principal direct users are business organizations, and they would tend to pass on their higher communications costs to customers. However, this would reach low-income families in a very muted fashion, having been diffused throughout the economy. If the tax burden could be traced through the diffusion process, it is a reasonable guess that the burden on low-income families would be no more than $1 or $2 a year.

Thus, the problem of regressivity does not seem a serious one, for any of the proposed revenue devices, although it is marginally worse for the taxes (sources 7 and 8) related to TV set ownership. There is a more general point here: while it is good public policy to avoid harshly burdening low-income families, it is bad and inefficient public policy to require *every* revenue measure to avoid any degree of regressivity, however trivial. The way to help low-income families is to improve their employment prospects and directly ensure them a minimum income level, not to twist every institution, however remotely related, to this end.

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[4] Roughly 10 million low-income American households currently receive government assistance through welfare, social security, and the like, at an annual cost of $40 billion. If all of them were burdened to the extent of $5 a year by the proposed taxes, the total burden of $50 million a year could be offset by an increase in income-maintenance payments of only one-eighth of one percent.

[5] Excluding public utilities whose prices or rates are set by administrative regulation and limited to a "fair rate of return."

[6] See Oswald Brownlee and George L. Perry, "The Effects of the 1965 Federal Excise Tax Reduction on Prices," National Tax Journal, vol. 20 (September 1967), pp. 235–249.

[7] This position agrees with the conclusion expressed by Dirlam and Kahn in their study of the economic effects of the Ford Foundation satellite proposal (*Yale Law Journal*, Vol. 77, p. 503); they believe that the gross receipts tax might actually *lower* to advertisers.

Other economic effects

Most economists agree that a tax is superior on economic grounds, other things being equal, if it is more or less neutral—that is, if it alters economic behavior (from the pre-tax situation) as little as possible. If a tax must be unneutral economically, then it should be unneutral in ways which offset other "distortions" in the economy, rather than reinforcing such distortions.

By definition, sources (5) and (6), the excess profits tax and charges for lease of access to spectrum, are economically neutral. That is, the tax or charge would siphon off, for Public Broadcasting, profits above and beyond the levels needed to sustain the current level of investment and output in commercial broadcasting. Broadcasting companies and their stockholders would be less well-off, but they would have no rational basis for changing their economic behavior, since they could not become better off by so doing.

There is one minor exception to this. A conventional excess profits tax (of the World War II and Korean War variety) imposed at very high rates tends to encourage extravagance in operations, since the Treasury in effect pays nearly all the cost of added expenses. Some system of competitive bidding for licenses for access to spectrum could avoid this drawback, since once the lease charge has been committed broadcasters continue to have incentives to minimize costs and maximize profits net of the least charge.

It was concluded earlier that the burden of taxes (1), (3) and (4), on broadcasting revenues, television advertising outlay and broadcasters' profits, respectively, is likely to fall on broadcasters' profits and/or the earnings of the participants in the broadcasting and advertising industries. To a considerable extent, these, too are neutral in their economic effects. The monopoly elements in commercial television, that is, exclusive access to desirable parts of the radio spectrum, produce monopoly returns which are likely to be shared by broadcasting firms and by the other participants in the industry—artists, technicians, suppliers, advertising agencies, etc.—with the sharing dependent on how scarce the specialized talents of the participants are, how strongly unionized they are and similar conditions. The burden of a tax on broadcasters' profits will fall partly on such "factor inputs." The burden of a tax on broadcasting gross receipts or advertising outlay will fall even more on "factor inputs," reducing their earnings.

This is economically neutral to the extent that "factor inputs" remain better rewarded than in any other conceivable employment, even after the reduced earnings. But even if there is some unneutrality, this may be no bad thing, to be cold-blooded about it. If broadcasters' or advertising firms' costs, including the new taxes, go up while revenue remains the same, this would tend to encourage economizing throughout the industry, reducing the notorious extravagance and inefficiency in the broadcasting/advertising productive process. Such cost reductions will release resources for other uses. Since commercial and non-commercial broadcasting compete for similar types of manpower and other resources, this will tend to reduce the cost of "factor inputs" for Public Broadcasting, a consummation devoutly to be wished.

The proposed tax on all long-distance licensees, in its effects on telephone and telegraph carriers, involves undesirable, although relatively minor, economic unneutralities. Communications common carriers tend to be heavily taxed even now, with a Federal excise, special state gross receipts taxes on utilities in many states and heavy local property taxes in most states. An added Federal tax, for Public Broadcasting, would tend to further encourage the already visible diversions to private communications systems. Moreover, these taxes are unneutral among communications-using industries, raising costs especially for those to whom long-distance communications service is a relatively important cost of doing business; many types of financial firms have this characteristic. The economic consequences are small but real.

Similarly, there are small but real distortions in sources (7) and (8), the household license and manufacturers excise, respectively. They increase the cost of TV set ownership vis-a-vis other entertainment and communications services. But, in these instances, the tax or charge is offset by the fact that the use of the proceeds of the revenue device, for Public Broadcasting, directly and clearly benefits those who pay the tax, set owners. No one is likely to forego ownership of a TV set, unless he is very poor, even if the tax or charge is a very high one, if at the same time, the quantity and quality of available programing is dramatically improved.

Link with benefits

This brings us to the final criterion in our analysis, the extent to which each of the proposed revenue devices would be paid by firms and individuals who in turn would benefit from use of the proceeds for Public Broadcasting. Clearly, any tax borne largely by TV set owners, like sources (7) and (8) ranks high on this score. TV viewers collectively benefit from improved Public Broadcasting; they cannot generate such benefits except through governmental action to raise the necessary revenue. Therefore, in imposing such a tax, the Federal government is truly acting as an agent for set owners.

If any of the other proposed taxes were passed on to consumers as a group, 95 percent of whom are TV set owners, that tax could be justified on a benefits-linkage basis. As we have seen, this does not seem likely. Are there other benefit-type-characteristics, even if less direct and obvious? One might be found in the frequent assertions by some commercial broadcasters, that commercial broadcasting will benefit in a variety of ways (competitive stimulus, innovations in programing, relief from ill-defined public service obligations, etc.) from a healthy Public Broadcasting system. To the extent this is so (that is, to the extent such assertions can be taken at face value), then any of the taxes on broadcasting per se (sources 1, 4, 5 and 6) rates high on the benefits-linkage criterion. But working in the other direction is the fact that a large-scale Public Broadcasting system will be competing for resources and for audience with commercial broadcasting, tending to dilute broadcasters' revenue, raise their costs and disadvantage advertisers generally.

Another type of benefit argument relates not to the use of the proceeds for Public Broadcasting, but to the rationale for certain kinds of taxes regardless of how the funds are used. This is the argument that government activities benefit the communications industries in a special way, and therefore they can justifiably be taxed to recoup part of the net benefits for public uses. One aspect of this has been noted earlier: taxation to recoup the monopoly profits from exclusive access to spectrum.

This might be extended, in the case of source (6), lease of access to spectrum, to say that if access was by competitive bidding for licenses (rather than granted free of charge), the communications industry would benefit, along with the whole country; from a more rational allocation of this scarce resource. However, commercial broadcasting would scarcely benefit if the competition for channels, within an auction system, were severely limited by zone; broadcasters would simply be bidding against one another for frequencies within the zones presently assigned to broadcasting. The industry, on the other hand, would benefit greatly if it could bid away frequency from the low priority users of the present non-broadcasting segments of the radio spectrum.[8]

It is true that Federal government research and development efforts over the years have made significant contributions to communications technology. However, it is not at all clear that the communications industries have benefitted from Federal research and development spending so much more than other industries that the communications industries should be called upon to pay special taxes, alone among American industries, on this score. Moreover, the impact of Federal R and D efforts has been highly uneven among communications firms and industries. Some of them, like the Bell System, originate nearly all their technological innovations from their *own* R and D work; and it may be questioned whether the Bell System will truly benefit from satellite technology, if this technology leads to the reduction in telephone revenue implicit in the Ford Foundation satellite proposal.

Thus, the argument that there is a benefits-linkage character to taxes on the communications industries, like source (2), is at best no more than superficially plausible; at worst, the argument is just plain wrong. In short, aside from the taxes on set owners (sources 7 and 8), none of our proposed revenue sources rates high, without real reservations, on the benefits-linkage criterion.

RECOMMENDATION

Although sources (7) and (8) do well on the benefit criterion, they rank low by most other standards. This can be seen in Table 4, where the analysis in the preceding section is summarized in the form of cryptic ratings. The sources related to profits (4, 5 and 6) also would seem to be unsuitable as the primary financial base for Public Broadcasting, in view of their low or questionable revenue yields and high degree of year-to-year instability.

In contrast, the gross-receipts-type of taxes (sources 1, 2 and 3) have most of the appropriate revenue yield characteristics; any of them could be a stable, growing and reasonably adequate basis for the long-term financing of Public Broadcasting. In most respects, sources (1) and (3), the taxes on broadcasting gross receipts and television advertising outlay, respectively, are similar in their characteristics, but the former is marginally superior on benefits grounds and is probably administratively superior as well. The broad-based long distance communications tax (source 2) rates somewhat below these two, since it has (minor) adverse economic effects and no real benefits justification.

The preferred package

Thus, the proposed tax on commercial broadcasting gross receipts appears to afford the best "trade-offs" among the characteristics an ideal tax should have. However, there is a strong case, connected not with Public Broadcasting but with efficiency in the allocation of resources, for some system of charging for access to spectrum. It is not unreasonable to assign such revenues to Public Broadcasting as a supplemental source of funds.

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[8] For an extensive discussion of this type of issue, see William K. Jones, "Use and Regulation of the Radio Spectrum: Report on a Conference," in *The Radio Spectrum: Its Use and Regulation* (Brookings Institution and Resources for the Future, 1968).

The recommended package of financing proposals includes these two Federal government revenue sources:

1. A tax on commercial broadcasting gross receipts, at a rate of perhaps 4 percent yielding over $120 million annually, to be assigned to the proposed trust fund.

2. Some system of charging for access to spectrum, designed to yield at least $50 million a year, to be assigned to the proposed trust fund.

In addition, supplementary financing should be obtained from these non-governmental sources:

(a) Establishment of the Ford Foundation's proposed broadcasters' nonprofit satellite system, with 90 percent of its net proceeds assigned to the proposed trust fund, yielding $20 million a year in money and substantial benefits in the value of free interconnection services.

(b) Authority for Public Broadcasters to accept advertising, under appropriate limits and controls.

(c) Authority for Public Broadcasters to experiment with subscription television.

In total, this package is capable of providing funds at the recommended $270 million annual level. However, the individual proposals are not equivalent in inherent merit, nor can they be instituted with equal speed. The best components of the package, from the standpoint of inherent merit, are the gross receipts tax and the satellite system. The components most amenable to speedy action are the gross receipts tax and the acceptance of advertising on a limited basis. In the light of this, the *highest priority* attaches to creation of the trust fund and adoption of the gross receipts tax, to provide substantial financing of Public Broadcasting while the other features of the program are being developed and converted into reality.

TABLE 1.—ESTIMATED YIELD OF PROPOSED REVENUE SOURCES, AT ILLUSTRATIVE TAX RATES

Revenue source	Estimated tax base, 1966–67 levels	Illustrative tax rate	Yield (millions)
1. Broadcasting gross receipts	$3,100,000,000	4 percent	$124
2. Gross receipts, FCC long-distance licenses (including broadcasting)	9,000,000,000	2 percent	180
3. Television advertising outlay	2,800,000,000	4 percent	112
4. Broadcasters' net profits (before Federal income tax)	600,000,000	15 percent	90
5. Excess profits tax on broadcasting	[1] $200,000,000	90 percent	$180
6. Lease of access to spectrum	[2] 200,000,000	[2] 90 percent	180
7. Household licensee fee (50,000,000 households).		$3	150
8. Manufacturers' excise on TV sets	[3] 2,500,000,000	5 percent	125

[1] According to Internal Revenue Service data from corporation income tax returns, net income as a percent of total assets less accumulated depreciation in broadcasting is roughly twice as high as that for all nonfinancial corporations and roughly 50 percent higher than for all other communications industries. The nature of these data indicate that this relatively understates the "excess profits" in broadcasting. However, for this table, it is assumed that "excess profits" equal ⅓ of total profits, to bring broadcasting in line with the rates of return in the rest of the communications industry.

[2] The value of access to spectrum is assumed to be equal to broadcasters' "excess profits," with 90 percent of this value recouped by competitive bidding for licenses or otherwise.

[3] The retail value of TV set production in 1966 was $3,700,000,000.

Note: Estimates are based on FCC data and data from Statistical Abstract of the United States, except where otherwise indicated.

TABLE 2.—YEAR-TO-YEAR STABILITY OF TAX BASES FOR PROPOSED REVENUE SOURCES, 1955–66

Revenue source (tax base)	Mean annual change percent	Average deviation from mean change: In percentage points	Average deviation from mean change: As percent of mean change	Number of years in which decline occurred
1. Broadcasting gross receipts	+9.0	2.7	30	0
2. Gross receipts, FCC long-distance licensees (including broadcasting)	+8.7	1.6	18	0
3. Television advertising outlay	+9.5	2.9	31	0
4. Broadcasters' net profits (before Federal income tax)	+11.4	10.7	94	3
8. Retail value, TV set production	+9.2	18.1	196	4

Note: Based on FCC data and data from "Statistical Abstract of the United States"; partly estimated.

TABLE 3.—AVERAGE ANNUAL GROWTH RATES OF TAX BASES FOR PROPOSED REVENUE SOURCES FOR SELECTED PERIODS (PERCENT)

Revenue source (tax base)	1963–66	1960–66	1955–66[1]
1. Broadcasting gross receipts	10.5	8.7	8.9
2. Gross receipts, FCC long-distance licensees (including broadcasting)	10.3	8.7	8.7
3. Television advertising outlay	10.8	9.7	9.4
4. Broadcasters' net profits (before Federal income tax)	13.9	12.5	10.6
8. Retail value, TV set production	30.7	19.8	7.2

[1] These figures differ slightly from the analogous ones shown in table 2; the table 2 data are simple unweighted averages of 11 year-to-year changes whereas the data in this table have been calculated on the basis of the compound interest formula and represent true average long-term growth rates.

Note: Based on FCC data and data from "Statistical Abstract of the United States."

TABLE 4.—SUMMARY RATING OF PROPOSED REVENUE SOURCES

Revenue source	Criteria: Adequacy of yield	Year-to-year stability	Long-term growth	Regressivity	Other economic effects	Benefit inkage
1. Broadcasting gross receipts	×	×	×	×	×	(1)
2. Gross receipts, FCC long-distance licensees (including broadcasting)	×	×	×	×	0	0
3. Television advertising outlay	×	×	×	×	×	0
4. Broadcasters' net profits (before Federal income tax)	0	0	×	×	×	(1)
5. Excess profits tax on broadcasting	(1)	0	×	×	×	(1)
6. Lease of access to spectrum	(1)	0	×	×	×	(2)
7. Household license fee	0	×	0	0	(3)	×
8. Manufacturers' excise on TV sets	×	0	0	0	(3)	×

(1) Uncertain.

(2) High rating, if access rights across the whole spectrum were auctioned; low rating if auctioned within zones (see text).

(3) Minor adverse effects, fully offset by benefit linkage (see text).

Note: × = rates high on this criterion. 0 = rates low on this criterion.

(NOTE.—Dr. Dick Netzer, author of the National Citizens Committee for Broadcasting's Long-Range Financing of Public Broadcasting, is Professor of Economics and Head, All-University Department of Economics, New York University. Effective May 1, 1969, Dr. Netzer will be Dean of the University's Graduate School of Public Administration.

(From 1948 to 1960, Dr. Netzer was successively Economist, Senior Economist and Assistant Vice President at the Federal Reserve Bank in Chicago, engaged in economic research. He was a Professor of Public Finance, Graduate School of Public Administration, NYU, before his present appointment. He directed NYU's work for the Temporary Commission on New York City Finances, which provided the background for New York's tax reform program in 1966.

(Dr. Netzer has been a consultant to the Government of Colombia, the Puerto Rico Planning Board, the Institute of Public Administration, the Ford Foundation, the Committee for Economic Development, the Downtown-Lower Manhattan Association, the Advisory Commission on Intergovernmental Relations, the Connecticut Legislature, the Nassau-Suffolk Bi-County Planning Board, and the Minneapolis Mayor's Tax Study Committee.

(He is Chairman of the Inter-University Committee on Urban Economics. He is also a member of the Research Advisory Board of the U.S. Economic Development Administration, the Advisory Committee on Government Statistics of the U.S. Bureau of the Census, the Advisory Council to the Joint Legislative Committee on Metropolitan and Regional Areas Study, State of New York, and the Mayor's Fiscal Advisory Committee, New York City.

(Among his principal works are *Economics of the Property Tax* (Brookings Institution, 1966), *Financing Government in New York City* (NYU Report to the Schwulst Commission, 1966), *Impact of the Property Tax: Its Economic Implications for Urban Problems* (Congress of the United States, Joint Economic Committee Print, May 1968), and *Issues in Urban Economics* (Johns Hopkins Press, 1968). He is co-author of *Public Services in Older Cities* (Regional Plan Association, 1968), and *Economic Aspects of Suburban Development* (State University of New York, 1969).

(Dr. Netzer received a B.A. degree from the University of Wisconsin and M.A. and Ph.D. degrees from Harvard University.)

Mr. Chairman, I will ask the chairman whether or not in view of what has occurred during the debate today, he will hold hearings on the question of permanent financing so that the citizens' money will not be required for this purpose, when the media that are earning the money, and the manufacturers that are earning the money can be given an opportunity to contribute toward the cost of educational TV?

I appreciate that the gentleman who is the chairman of the subcommittee made that commitment.

Mr. MACDONALD of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. FARBSTEIN. I yield to the gentleman from Massachusetts.

Mr. MACDONALD of Massachusetts. I should like to call attention to the record, to show I said we have already considered that and asked questions of the Public Broadcasting people when they came before us. I repeated that we would do so again. There was no specific statement that specific hearings would be held on that very small point.

Mr. FARBSTEIN. The only reason I mention that fact in connection with the gentleman's statement is that the congressional declaration of policy did not have a word in it on that subject.

Mr. SPRINGER. Mr. Chairman, I have no further requests for time.

Mr. STAGGERS. Mr. Chairman, I yield myself such time as I may consume.

In closing the debate I should like to point out that the National Commission on the Causes and Prevention of Violence issued its statements on violence in television entertainment programs on September 23. The Chairman of the Commission is Dr. Milton S. Eisenhower.

The report as I noted earlier states:

> We believe, as the Public Broadcasting Act of 1967 states, that it furthers the general welfare to encourage non-commercial educational radio and television broadcast programming.

The Commission recommended that public broadcasting be implemented, assisted, and supported.

The gentleman from Ohio brought up the question of why we come back for further funding of the Corporation for Public Broadcasting. It has been in existence and has been operating for about a year, but has not had a President until this year, 1969. Certainly they had to have a President before they could get fully operative.

The money that was appropriated for fiscal year 1969, $5 million, has been obligated, as Mr. Macy said when he came before our committee, and in addition, some $2 million from private sources.

They submitted a program for this fiscal year which would require $20 million in Federal funds. I should note that $20 million is contained in the Senate-passed bill, S. 1242.

They outlined how the $20 million could be used. They have drawn up their program for the $20 million, not $10 million.

As I say, $20 million passed the Senate. The Corporation ought to be given this opportunity.

There is no way they can complete this program which has been outlined for us unless they do have this full $20 million we have in here today.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. My comment was that we did not agree on the effectiveness of that presentation about the use of the funds. I thought the testimony was fairly limp. I do hope we will find another method of financing.

The CHAIRMAN. The Committee will rise informally in order that the House may receive a message.

The Speaker assumed the chair.

The SPEAKER. The Chair will receive a message.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On September 29, 1969:

H.R. 4658. An act for the relief of Bernard L. Coulter;

H.R. 11582. An act making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1970, and for other purposes; and

H.J. Res. 775. Joint resolution to authorize the President to award, in the name of Congress, Congressional Space Medals of Honor to those astronauts whose particular efforts and contributions to the welfare of the Nation and of mankind have been exceptionally meritorious.

On October 1, 1969:

H.R. 6508. An act to provide additional assistance for the reconstruction of areas damaged by major disasters; and

H.R. 9526. An act to amend the District of Columbia Unemployment Compensation Act to provide that employer contributions do not have to be made under that act with respect to service performed in the employ of certain public international organizations.

The SPEAKER. The Committee will resume its sitting.

EXTENDING ASSISTANCE FOR PUBLIC BROADCASTING FACILITIES AND CORPORATION FOR PUBLIC BROADCASTING

The Committee resumed its sitting.

Mr. EDWARDS of California. Mr. Chairman, we are all familiar with the failures of commercial television to serve many of the needs of our people, and, I hope, we are also familiar with the excellent job now being performed by public broadcasting to fill the huge gaps left by commercial broadcasting.

It is necessary, I believe, that we insure that public broadcasting has a sound financial foundation on which to build its services. H.R. 7737, which authorizes $15 million a year for 3 years for public broadcasting and $20 million for the Corporation for Public Broadcasting, will provide that foundation.

In my opinion the amounts authorized are but a minimum, if the American public is to have the information it so desperately needs.

The need for public broadcasting is great. I would hope this House will meet that need.

Mr. TIERNAN. Mr. Chairman, I rise in support of the Educational Television and Radio Amendments of 1969.

Public educational broadcasting has the potential of becoming a major segment of our educational system in America. For too many years now we have allowed public educational broadcasting to take a back seat. Today, we have begun to fully realize how powerful this media is in influencing the thinking of all our people, especially our preschool children. We cannot continue to let this important educational tool go unused. H.R. 7737 amends the Communications Act of 1934 by extending its provisions to grants for construction of educational television or radio broadcasting facilities.

It also contains provisions relating to support of the Corporation for Public Broadcasting. The Educational Television and Radio Amendments of 1969 authorize an appropriation of $15 million each for fiscal years 1971, 1972, and 1973. This money is for construction of noncommercial educational radio and television outlets. It also provides for a 1-year extension of financing of the Corporation for Public Broadcasting in the sum of $20 million for fiscal year 1970.

Anyone who has seen some of the fine shows that are now being produced by educational radio and television for children in and out of school can appreciate the enormous possibilities it presents.

Educational broadcasting has made immense progress in less than a decade. H.R. 7737 is essential to continue this progress. Unless we provide the money and the backing, channels will go unused and talents will go wasted. We have the power to see that educational broadcasting reaches full fruition, H.R. 7737 is a step in this direction.

Mr. RARICK. Mr. Chairman, I rise in opposition to H.R. 7737. For the Federal Government to be in the broadcasting business, directly or indirectly, is no different from its being in the newspaper business or, for that matter, going into commercial movie business. A controlled press is recognized as a threat to freedom and so must be a controlled public broadcasting system. Official Government radio and television in other countries, as opposed to free enterprise radio and television, have never proven superior to private enterprise.

The public broadcasting can be expected to promote, in large part, material which could not obtain a sponsor because it is unsalable, and sponsors could ill-afford to be linked with it. The sponsors, as businessmen who are selling a competitive product to the public, understand what the people want as opposed to what the bureaucrats, who have all the answers, think the people need.

By way of confirming the threat to free thought, the committee report indicates that there already has been established an Advisory Committee of national organizations to determine the range of interest to be served by public broadcasting throughtout the United States. A cursory glimpse at the Advisory Board offers no satisfaction that it represents any cross-section of the American people. In fact, the majority of the organizations listed, are highly controversial and exist primarily for the purpose of influencing public opinion and political action.

I insert a list of the Advisory Committee at this point in my remarks:

To assist it in determining the range of interests to be served by public broadcasting in communities throughout the United States, CPB has established an Advisory Committee of National Organizations. The Advisory Committee presently consists of—

American Association of University Women.
Consumer Federation of America.
Boy Scouts of America.
General Federation of Women's Clubs.
National Association for the Advancement of Colored People.
National Conference of Christians and Jews.
National Council of Churches.
National Council of Senior Citizens.
National Congress of PTAs.
National League of Cities.
National Conference of Mayors.
National 4–H Club Foundation.
National Education Association.
National Wildlife Federation.
National Audubon Society.
U.S. Jaycees.
National Catholic Office for Radio and Television.
League of Women Voters.

An appealing argument is made that one of the assets to this public broadcasting program is to be the praiseworthy dissemination of education and culture. The unanswered question is "Whose culture, and education in what? Who is to decide?"

It appears that we are well underway in creating a monster domestic propaganda agency paid for, but not controlled by, the American people.

Within my memory a similar machine headed by Dr. Joseph Goebbels was instrumental in misleading the German people. Hitler bragged that by being able to control the minds of the German youth he could change the destiny of the world.

Mr. Chairman, we do not need to repeat that mistake.

Frequent complaints on programing are already received from viewers of CBS, NBC, and ABC networks which must rely on popular support and sponsorship to be able to continue. If the American consumers, voting with their dollars, are unable to modify or effectively direct the policies of free enterprise television, how can anyone be naive enough to think that the citizens will have any voice of protest over an out-of-control, gigantic, tax-supported broadcasting bureaucracy.

In enacting longterm legislation, we must remember that we are creating something that will survive us and current personalities.

A previous Congress has struck down literacy qualifications for voters in some States, based largely on the argument that Americans learn of public affairs from television and do not need to read to form political opinions.

Congress later enacted laws requiring that all television sets manufactured be capable of receiving the UHF bands, although there was no public demand for such sets. This step was intended to encourage a proliferation of UHF stations which have never been economically feasible. The third step now provides programing for these stations to use in the indoctrination of uneducated voters.

We have already seen Government censorship of private enterprise programing in cases where license renewals were challenged by individuals who did not approve of local programing.

It is apparent that the ultimate objective is the total control of radio and television broadcasting and the silencing of free enterprise in this area.

There only remains then to revoke the licenses of the free enterprise television. Full centralized thought control is then but a matter of time.

If the first amendment will not protect broadcasting from tax-subsidized Government competition, newspapers may expect to find themselves the next victims of communications control.

Mr. Chairman, like all of our colleagues, I believe in education and want to do everything possible to make education available to our children. But I also realize that merely labeling something "education" does not make it education. There is a difference between education and indoctrination. This bill, H.R. 7737, provides the vehicle for indoctrination disguised as education and I must oppose it.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

H.R. 7737

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Educational Television and Radio Amendments of 1969."

FIVE-YEAR EXTENSION OF CONSTRUCTION PROVISIONS

SEC. 2. (a) Section 391 of the Communications Act of 1934 (47 U.S.C. 391) is amended by striking out "and" before "$15,000,000" and by inserting before the period at the end thereof ", and such sums as may be necessary for each of he next five fiscal years".

(b) The last sentence of such section is amended by striking out "July 1, 1971" and inserting in lieu thereof "July 1, 1976".

ONE-YEAR EXTENSION OF FINANCING OF CORPORATION FOR PUBLIC BROADCASTING

SEC. 3. (a) Paragraph (1) of subsection (k) of section 396 of the Communications Act of 1934 (47 U.S.C. 396) is amended by inserting ", and for the next fiscal year the sum of $20,000,000" after "$9,000,000".

(b) Paragraph (2) of such subsection is amended by inserting "or the next fiscal year" after "June 30, 1969,".

Mr. STAGGERS (during the reading). Mr. Chairman, I ask unanimous consent that further reading of the bill be dispensed with, and that the bill be printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 1, strike out line 5 and all that follows through line 5 on page 2 and insert the following:

"THREE-YEAR AUTHORIZATION FOR PUBLIC BROADCASTING FACILITIES

"SEC. 2. (a) Section 391 of the Communications Act of 1934 (47 U.S.C. 391) is amended by inserting after the second sentence the following new sentence: 'There are also authorized to be appropriated for the fiscal year ending June 30, 1971, and for each of the two succeeding fiscal years, $15,000,000 per fiscal year.'

"(b) The last sentence of such section is amended by striking out 'July 1, 1971' and inserting in lieu 'July 1, 1974'."

The committee amendment was agreed.

AMENDMENT OFFERED BY MR. BUTTON

Mr. BUTTON. Mr. Chairman, I offer an amendment.

The Clerk reads as follows:

Amendment offered by Mr. BUTTON: Insert after line 22 of page 2, after the period following "$9,000,000," the following: "No less than fifty percent of such funds shall be allocated to the various public television stations in the form of unrestricted direct grants for station operations."

Mr. BUTTON. Mr. Chairman, I propose the amendment of H.R. 7737 to state that a minimum of 50 percent of the funds appropriated to the Corporation for Public Broadcasting shall be allocated to the public television stations across the country in the form of unrestricted direct grants for station operations.

There are some 180 public television stations in operation. In most cases, the local station in your district does not have sufficient operating funds to perform the service which it should for your constituents. For example, the public television station in my district has just been forced to reduce its operating staff by 25 percent because of lack of funds.

The amount which would be available to these stations under the percentage formula which I urge would increase the direct allocation to each station from the $10,000 of the past year to approximately $50,000.

My amendment would guarantee that a substantial part of the Corporation for Public Broadcasting funds will help alleviate that problem. It would not preempt the administrative authority of the Corporation, for the Corporation would still have complete control over the other 50 percent of the funds. And, in addition, the Corporation would decide on the manner of distribution of the funds that go to the station as direct unrestricted grants.

As all of you know, your local station has struggled and is still struggling financially. There is little hope of any breakthrough unless substantial unrestricted funds are made available through the Corporation. We should provide the mechanism that insures this, and we have the opportunity in this amendment.

A national program service is important, but the local stations have an equally important—if not more important—role to play in providing locally originated programs for the area they serve.

Without a great increase in Federal aid, local program production will continue to be marginal, if it exists at all.

While a certain amount of the Corporation's funds did get to the local stations last year, much of it was the result of the local station submitting a specific proposal for a program project, and then the decision to make the grant was made by someone at CPB in New York or Washington. Under the present arrangement, the CPB can dictate that local stations must produce an opera if they wish a certain allocation of CPB funds; or, on the other hand, there is programing of a "national youth show" instead of allocations which would make possible youth programs at the local level. More and more, under existing circumstances, our local public television stations are mere pipelines for CPB policy.

I believe that it is imperative that the local stations maintain complete autonomy in what they produce locally. At the same time, they should continue to qualify for Federal aid.

I ask for your support for this amendment which will insure that substantial funds are made available to the station in your district for its local operations.

Mr. STAGGERS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think that we can vote on this amendment very shortly, and I shall only speak for a moment or so.

I think that this amendment hits at the very heart of that which we have sought to do, and that is to make the Corporation independent.

In addition, if we were to require the Corporation to spend 50 percent of its funds for station operations, it would not have any money left to do the job we seek; namely, to develop programs for public broadcasting stations and promote interconnection of those stations.

So I urge that the amendment be defeated.

Mr. SPRINGER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I agree with the chairman in what he said in that this would alter the whole purpose of this bill and this would bring about the very thing the gentleman from Iowa pointed out, and that is that we would thus be giving direct funds for the support of TV stations, and we have no intention of doing this. This matter has been up before the Committee twice and has been defeated twice.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. Button).

The amendment was rejected.

Mr. BROWN of Ohio. Mr. Chairman, I move to strike the last word in order to explain the motion to recommit.

Mr. Chairman, I will offer the motion to recommit and it will be a recommittal to cut from $20 to $10 million the funds for the Public Broadcasting Corporation which go into programing. It will not cut the funds which go into construction of facilities development under the proposal of the legislation. The motion to recommit is at the desk, and if there are any questions, I will be glad to answer them, but that will be the motion to recommit.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. Bolling) having assumed the chair, Mr. Gallagher, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 7737) to amend the Communications Act of 1934 by extending the provisions thereof relating to grants for construction of educational television or radio broadcasting facilities and the provisions relating to support of the Corporation for Public Broadcasting, pursuant to House Resolution 526, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. BROWN, OF OHIO

Mr. BROWN of Ohio. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. BROWN of Ohio. I am, in its present form, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Brown of Ohio moves to recommit the bill, H.R. 7737, to the Committee on Interstate and Foreign Commerce with instructions to report the same back forthwith with the following amendment: On page 2, line 22, delete the words "the sum of $20,000,000" and substitute therefor the words "the sum of $10,000,000".

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. Brown of Ohio), there were—ayes 35, noes 38.

Mr. BROWN of Ohio. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 131, nays 190, not voting 110, as follows:

[Roll No. 214]

YEAS—131

Abernethy
Adair
Anderson, Ill.
Andrews, Ala.
Arends
Ashbrook
Ayres
Beall, Md.
Bennett
Betts
Brinkley
Brock
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson, Tex.
Byrnes, Wis.
Cabell
Caffery
Camp
Cederberg
Chamberlain
Chappell
Clawson, Del
Colmer
Coughlin
Cowger
Daniel, Va.
Davis, Wis.
Dennis
Derwinski
Dowdy
Downing
Duncan
Erlenborn
Findley
Fisher
Flynt
Ford, Gerald R.
Fountain
Frey
Goodling
Gross
Gubser
Hagan
Haley
Hall
Hammerschmidt
Hansen, Idaho
Harsha
Henderson
Hogan
Hosmer
Hull
Hungate
Hunt
Hutchinson
Ichord
Jonas
Jones, N.C.
King
Kleppe
Kyl
Landgrebe
Langen
Latta
Lennon
Lloyd
Long, La.
Lujan
McClure
McEwen
McMillan
MacGregor
Mailliard
Marsh
Martin
Mathias
Mayne
Michel
Miller, Ohio
Minshall
Mizell
Montgomery
Morton
Myers
Nelsen
O'Neal, Ga.
Passman
Pettis
Poage
Poff
Purcell
Quie
Quillen
Randall
Rarick
Reid, Ill.
Robison
Roth
Roudebush
Ruth
Saylor
Schadeberg
Scherle
Schwengel
Scott
Smith, Calif.
Smith, N.Y.
Snyder
Springer
Stanton
Steiger, Ariz.
Steiger, Wis.
Stuckey
Talcott
Taylor
Thompson, Ga.
Thomson, Wis.
Utt
Waggonner
Wampler
Williams
Wold
Wyatt
Wylie
Zion

NAYS—190

Adams
Albert
Anderson, Calif.
Andrews, N. Dak.
Annunzio
Ashley
Aspinall
Barrett
Biester
Bingham
Blanton
Boggs
Boland
Bolling
Brasco
Brown, Calif.
Burke, Mass.
Burlison, Mo.
Burton, Calif.
Button
Byrne, Pa.
Carter
Casey
Celler
Clark
Clay
Cleveland
Cohelan
Conable
Conte
Conyers
Corman
Cramer
Culver
Cunningham
Daniels, N.J.
Davis, Ga.
de la Garza
Dickinson
Donohue
Dorn
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Esch
Eshleman
Evans, Colo.
Fallon
Farbstein
Feighan
Fish
Flood
Flowers
Foley
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz

Gaydos
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Griffiths
Grover
Gude
Hamilton
Hanley
Harrington
Hastings
Hathaway
Hawkins
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Horton
Jacobs
Jarman
Johnson, Pa.
Jones, Ala.
Jones, Tenn.
Kastenmeier
Kazen
Kee
Keith
Koch
Kyros
Landrum
Long, Md.
McCarthy
McClory
McCloskey
McDade
McDonald, Mich.
McFall
Macdonald, Mass.
Madden
Mahon
Mann
Matsunaga
Meeds
Melcher
Meskill
Mikva
Minish
Mink
Mollohan
Monagan
Morgan
Morse
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
Obey
O'Hara
Olsen
O'Neill, Mass.
Ottinger
Patman
Patten
Perkins
Philbin
Pickle
Pike
Pollock
Preyer, N.C.
Price, Ill.
Pryor, Ark.
Pucinski
Reid, N.Y.
Reuss
Riegle
Rodino
Rogers, Colo.
Rooney, Pa.
Roybal
Ruppe
Ryan
Sandman
Satterfield
Scheuer
Schneebeli
Shipley
Sisk
Skubitz
Slack
Smith, Iowa
Staggers
Steed
Stokes
Stratton
Stubblefield
Sullivan
Tiernan
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waldie
Watts
Weicker
Whalley
White
Wyman
Yates
Yatron
Young
Zablocki
Zwach

NOT VOTING—110

Abbitt
Addabbo
Alexander
Anderson, Tenn.
Baring
Belcher
Bell, Calif.
Berry
Bevill
Biaggi
Blackburn
Blatnik
Bow
Brademas
Bray
Brooks
Broomfield
Burton, Utah
Bush
Cahill
Carey
Chisholm
Clancy
Clausen, Don H.
Collier
Collins
Corbett
Daddario
Dawson
Delaney
Dellenback
Denney
Dent
Devine
Diggs
Dingell
Edwards, Ala.
Evins, Tenn.
Fascell
Ford, William D.
Foreman
Goldwater
Griffin
Halpern
Hanna
Hansen, Wash.
Harvey
Hays
Holifield
Howard
Johnson, Calif.
Karth
Kirwan
Kluczynski
Kuykendall
Leggett
Lipscomb
Lowenstein
Lukens
McCulloch
McKneally
May
Miller, Calif.
Mills
Mize
Moorhead
Nichols
O'Konski
Pelly
Pepper
Pirnie
Podell
Powell
Price, Tex.
Railsback
Rees
Reifel
Rhodes
Rivers
Roberts
Rogers, Fla.
Rooney, N.Y.
Rosenthal
Rostenkowski
St Germain
St. Onge
Sebelius
Shriver
Sikes
Stafford
Stephens
Symington
Taft
Teague, Calif.
Teague, Tex.
Thompson, N.J.
Tunney
Watkins
Watson
Whalen
Whitehurst
Whitten
Widnall
Wiggins
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wright
Wydler

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Hays with Mr. Rhodes.
Mr. Brooks with Mr. Bob Wilson.
Mr. Thompson of New Jersey with Mr. Widnall.
Mr. Daddario with Mr. Stafford.
Mr. Addabbo with Mr. Corbett.
Mr. Holifield with Mr. Broomfield.
Mr. Carey with Mr. Cahill.
Mr. Delaney with Mr. Bow.
Mr. Evins of Tennessee with Mr. Lipscomb.
Mr. Miller of California with Mrs. May.
Mr. Rooney of New York with Mr. Pirnie.
Mr. Wolff with Mr. Taft.
Mr. Rostenkowski with Mr. Reifel.
Mr. Devine with Mr. Watkins.
Mr. St. Onge with Mr. Wydler.
Mr. Sikes with Mr. Pelly.
Mr. Fascell with Mr. Mize.
Mr. Kirwan with Mr. McKneally.
Mr. Howard with Mr. McCulloch.
Mr. Teague of Texas with Mr. Denney.
Mr. Rivers with Mr. Edwards of Alabama.
Mr. Kluczynski with Mr. Harvey.
Mr. Biaggi with Mr. Bray.
Mr. Bevill with Mr. Berry.
Mr. Brademas with Mr. Shriver.
Mr. Moorhead with Mr. Teague of California.
Mr. Rogers of Florida with Mr. Collier.
Mr. St Germain with Mr. Belcher.
Mr. Mills with Mr. Watson.
Mr. Dent with Mr. Whalen.
Mr. Griffin with Mr. Railsback.
Mr. William D. Ford with Mr. Lukens.
Mr. Dingell with Mr. Kuykendall.
Mr. Pepper with Mr. Burton of Utah.
Mr. Charles H. Wilson with Mr. Clancy.
Mr. Podell with Mr. Halpern.
Mr. Whitten, with Mr. Don H. Clausen.
Mr. Blatnik, with Mr. Dellenback.
Mr. Alexander, with Mr. Collins.
Mr. Nichols, with Mr. Foreman.
Mr. Wright, with Mr. Bush.
Mr. Abbitt, with Mr. Blackburn.
Mr. Baring, with Mr. Price of Texas.
Mr. Stephens, with Mr. O'Konski.
Mr. Tunney, with Mr. Goldwater.
Mr. Anderson of Tennessee, with Mr. Whitehurst.
Mr. Johnson of California, with Mr. Wiggins.
Mr. Leggett, with Mr. Sebelius.
Mr. Roberts, with Mr. Winn.
Mr. Rees, with Mr. Dawson.
Mr. Hanna, with Mr. Powell.
Mr. Lowenstein, with Mr. Diggs.
Mrs. Hansen of Washington, with Mrs. Chisholm.
Mr. Karth, with Mr. Symington.
Mr. Rosenthal, with Mr. Bell of California.

Mr. **COUGHLIN** and Mr. **HAGAN** changed their votes from "nay" to "yea."

Mr. **STOKES** changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The **SPEAKER** pro tempore. The question is on the passage of the bill.

Mr. **SPRINGER**. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 280, nays 21, answered "present" 1, not voting 129, as follows:

[Roll No. 215]

YEAS—280

Adair
Adams
Anderson, Calif.
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Aspinall
Ayres
Barrett
Beall, Md.
Bennett
Biester
Bingham
Blanton
Boland
Bolling
Brasco
Brinkley
Brock
Brotzman
Brown, Calif.
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burlison, Mo.
Burton, Calif.
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Camp
Carter
Casey
Cederberg
Chamberlain
Chappell
Clark
Clay
Cleveland
Cohelan
Conable
Conte
Conyers
Corman
Coughlin
Cramer
Culver
Cunningham
Daniel, Va.
Daniels, N.J.
Davis, Ga.
de la Garza
Dennis
Dickinson
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Fallon
Farbstein
Feighan
Findley
Fish
Fisher
Flood
Flowers
Foley
Fountain
Fraser
Frelinghuysen
Frey
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gaydos
Gettys
Giaimo
Gonzalez
Goodling
Gray
Green, Oreg.
Green, Pa.
Grover
Gubser
Gude
Haley
Hamilton
Hammerschmidt
Hanley
Hansen, Idaho
Harrington
Harsha
Hastings
Hathaway
Hawkins
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Hogan
Horton
Hull
Hungate
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Kastenmeier
Kazen
Kee
Keith
King
Kleppe
Koch
Kyl
Kyros
Landgrebe
Landrum
Langen
Latta
Lennon
Lloyd
Long, Md.
Lujan
McCarthy
McClory
McCloskey
McClure
McDade
McDonald, Mich.
McEwen
McFall
McMillan
Macdonald, Mass.
MacGregor
Madden
Mahon
Mailliard
Mann
Marsh
Martin
Mathias
Matsunaga
Mayne
Melcher
Meskill
Michel
Mikva
Miller, Ohio
Minish
Mink
Mizell
Mollohan
Monagan
Montgomery
Morgan
Morse
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nix
Obey
O'Hara
Olsen
O'Neill, Mass.
Ottinger
Patman
Patten
Perkins
Pettis
Philbin
Pickle
Pike
Poff
Pollock
Preyer, N.C.
Price, Ill.
Pryor, Ark.
Pucinski
Purcell
Quie
Quillen
Randall
Reid, Ill.
Reid, N.Y.
Reuss
Riegle
Robison
Rodino
Rogers, Colo.
Rooney, Pa.
Rosenthal
Roth
Roudebush
Ruppe
Ruth
Ryan
Sandman
Saylor
Schadeberg
Scheuer
Schneebeli
Schwengel
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Springer
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stokes
Stratton
Stubblefield
Stuckey
Sullivan
Talcott
Taylor
Thompson, Ga.
Thomson, Wis.
Tiernan
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waldie
Wampler
Watts
Weicker
Whalley
White
Williams
Wold
Wyatt
Wydler
Wyman
Yates
Yatron
Young
Zablocki
Zwach

NAYS—21

Abernethy
Betts
Brown, Ohio
Burleson, Tex.
Caffery
Clawson, Del
Colmer
Davis, Wis.
Derwinski
Flynt
Gross
Hagan
Hall
O'Neal, Ga.
Passman
Poage
Rarick
Satterfield
Scherle
Scott
Utt

ANSWERED "PRESENT"—1

NOT VOTING—129

Abbitt
Addabbo
Albert
Alexander
Anderson, Tenn.
Ashbrook
Baring
Belcher
Bell, Calif.
Berry
Bevill
Biaggi
Blackburn
Blatnik
Boggs
Bow
Brademas
Bray
Brooks
Broomfield
Burton, Utah
Bush
Cahill
Carey
Celler
Chisholm
Clancy
Clausen, Don H.
Collier
Collins
Corbett
Cowger
Daddario
Dawson
Delaney
Dellenback
Denney
Dent
Devine
Diggs
Dingell
Edwards, Ala.
Evins, Tenn.
Fascell
Ford, Gerald R.
Ford, William D.
Foreman
Gibbons
Gilbert
Goldwater
Griffin
Griffiths
Halpern
Hanna
Hansen, Wash.
Harvey
Hays
Holifield
Hosmer
Howard
Johnson, Calif.
Jones, Tenn.
Karth
Kirwan
Kluczynski
Kuykendall
Leggett
Lipscomb
Long, La.
Lowenstein
Lukens
McCulloch
McKneally
May
Meeds
Miller, Calif.
Mills
Minshall
Mize
Moorhead
Nichols

O'Konski
Pelly
Pepper
Pirnie
Podell
Powell
Price, Tex.
Railsback
Rees
Reifel
Rhodes
Rivers
Roberts
Rogers, Fla.
Rooney, N.Y.
Rostenkowski
Roybal
St Germain
St. Onge
Sebelius
Shipley
Shriver
Sikes
Smith, N.Y.
Snyder
Stafford
Stephens
Symington
Teague, Calif.
Teague, Tex.
Thompson, N.J.
Tunney
Vander Jagt
Waggonner
Watkins
Watson
Whalen
Whitehurst
Whitten
Widnall
Wiggins
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wright
Wylie
Zion

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Watkins for, with Mr. Devine against.

Until further notice:

Mr. Hays with Mr. Rhodes.
Mr. Brooks with Mr. Bob Wilson.
Mr. Thompson of New Jersey with Mr. Widnall.
Mr. Boggs with Mr. Stafford.
Mr. Addabbo with Mr. Corbett.
Mr. Holifield with Mr. Broomfield.
Mr. Carey with Mr. Cahill.
Mr. Delaney with Mr. Bow.
Mr. Evins of Tennessee with Mr. Lipscomb.
Mr. Miller of California with Mrs. May.
Mr. Rooney of New York with Mr. Pirnie.
Mr. Wolff with Mr. Hosmer.
Mr. Rostenkowski with Mr. Reifel.
Mr. Albert with Mr. Gerald R. Ford.
Mr. Sikes with Mr. Pelly.
Mr. Fascell with Mr. Mize.
Mr. Kirwan with Mr. KcKneally.
Mr. Howard with Mr. McCulloch.
Mr. Teague of Texas with Mr. Denney.
Mr. Rivers with Mr. Edwards of Alabama.
Mr. Kluczynski with Mr. Harvey.
Mr. Biaggi with Mr. Bray.
Mr. Bevill with Mr. Berry.
Mr. Brademas with Mr. Shriver.
Mr. Moorhead with Mr. Teague of California.
Mr. Rogers of Florida with Mr. Collier.
Mr. St Germain with Mr. Belcher.
Mr. Mills with Mr. Watson.
Mr. Dent with Mr. Whalen.
Mr. Griffin with Mr. Railsback.
Mr. William D. Ford with Mr. Lukens.
Mr. Dingell with Mr. Kuykendall.
Mr. Pepper with Mr. Burton of Utah.
Mr. Charles H. Wilson with Mr. Clancy.
Mr. Podell with Mr. Halpern.
Mr. Whitten with Mr. Don H. Clausen.
Mr. Blatnik with Mr. Dellenback.
Mr. Alexander with Mr. Collins.
Mr. Nichols with Mr. Foreman.
Mr. Wright with Mr. Bush.
Mr. Abbitt with Mr. Blackburn.
Mr. Baring with Mr. Price of Texas.
Mr. Stephens with Mr. O'Konski.
Mr. Tunney with Mr. Goldwater.
Mr. Anderson of Tennessee with Mr. Whitehurst.
Mr. Johnson of California with Mr. Wiggins.
Mr. Leggett with Mr. Sebelius.
Mr. Roberts with Mr. Winn.
Mr. Rees with Mr. Dawson.
Mr. Hanna with Mr. Powell.
Mr. Lowenstein with Mr. Diggs.
Mrs. Hansen of Washington with Mrs. Chisholm.
Mr. Karth with Mr. Symington.
Mr. Gilbert with Mr. Bell of California.
Mr. Jones of Tennessee with Mr. Ashbrook.
Mr. Shipley with Mr. Minshall.
Mr. Celler with Mr. Smith of New York.
Mr. Gibbons with Mr. Cowger.
Mr. Meeds with Mr. Vander Jagt.
Mr. Waggonner with Mr. Zion.
Mr. Daddario with Mr. Snyder.
Mrs. Griffiths with Mr. Wylie.
Mr. Roybal with Mr. Long of Louisiana.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to the provisions of House Resolution 526, the Committee on Interstate and Foreign Commerce is discharged from the further consideration of the bill S. 1242.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. STAGGERS

Mr. STAGGERS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Motion offered by Mr. Staggers: Strike all after the enacting clause of the bill S. 1242 and insert in lieu thereof the provisions of H.R. 7737, as passed, as follows:

"That this Act may be cited as the 'Educational Television and Radio Amendments of 1969'.

"THREE-YEAR AUTHORIZATION FOR PUBLIC BROADCASTING FACILITIES

"Sec. 2. (a) Section 391 of the Communications Act of 1934 (47 U.S.C. 391) is amended by inserting after the second sentence the following new sentence: 'There are also authorized to be appropriated for the fiscal year ending June 30, 1971, and for each of the two succeeding fiscal years, $15,000,000 per fiscal year.'

"(b) The last sentence of such section is amended by striking out 'July 1, 1971' and inserting in lieu thereof 'July 1, 1974'.

"ONE-YEAR EXTENSION OF FINANCING OF CORPORATION FOR PUBLIC BROADCASTING

"Sec. 3. (a) Paragraph (1) of subsection (k) of section 396 of the Communications Act of 1934 (47 U.S.C. 396) is amended by inserting ', and for the next fiscal year the sum of $20,000,000' after '$9,000,000'.

"(b) Paragraph (2) of such subsection is amended by inserting 'or the next fiscal year' after 'June 30, 1969,'."

The SPEAKER pro tempore. The question is on the motion of the gentleman from West Virginia (Mr. Staggers).

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 7737) was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

ADJOURNMENT TO MONDAY, OCTOBER 13, 1969

Mr. MOSS. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. MOSS. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 4148, TO AMEND THE FEDERAL WATER POLLUTION CONTROL ACT

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4148) to amend the Federal Water Pollution Control Act, as amended, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama? The Chair hears none, and, without objection, appoints the following conferees: Messrs. Blatnik, Jones of Alabama, Wright, Fallon, Cramer, Harsha, and Grover.

There was no objection.

LEGISLATIVE PROGRAM FOR WEEK OF OCTOBER 13

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute.)

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority leader the program for the remainder of this week and the schedule for next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the distinguished majority leader.

Mr. ALBERT. I appreciate the indulgence of the Chair, because we have other matters to take care of immediately.

There is no further program for today.

Monday is District Day, but there are no District bills. Monday is also Columbus Day, and we will not program any legislative business on Monday.

For Tuesday and the balance of the week:

H.R. 13000, Federal Salary Comparability Act of 1969, with an open rule and 2 hours of debate.

H.R. 14127, to carry out the recommendations of the Joint Commission on the Coinage, with an open rule, 2 hours of debate.

H.R. 4293, Export Control Act extension, with an open rule and 1 hour of debate.

This announcement is made subject to the usual reservation that conference reports may be brought up at any time and any further program may be announced later, and I would say to the Members that we can certainly expect some conference reports during the course of next week.

I thank the gentleman.

Mr. GERALD R. FORD. Mr. Speaker,

I thank the gentleman and I yield back the balance of my time.

SECOND ANNUAL REPORT OF NATIONAL ADVISORY COMMITTEE ON ADULT BASIC EDUCATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91–176)

The SPEAKER pro tempore laid before the House the following message from the President of the United States:

To the Congress of the United States:

I transmit herewith the Second Annual Report of the National Advisory Committee on Adult Basic Education.

Adult basic education plays a vital role in making our democratic society viable and rewarding to all its members. Teaching the adult to read, write, and speak well leads to expanded job opportunities, enhanced self-esteem, a better home environment for school children and increased civic responsibility.

To help meet the needs for adult basic education, the National Advisory Committee has been reviewing the administration and effectiveness of the Adult Basic Education Program in the Office of Eduction and fifteen other federally supported programs which have adult basic education components. The Report describes this review and makes several recommendations concerning the Federal effort to serve the education needs of the more than 20 million adult Americans who have less than an eighth-grade education.

I have asked the Council for Urban Affairs, which has a special committee on education, to review these and other recommendations of the National Advisory Committee carefully, and to seek ways to improve the performance and coordination of all Federal adult basic eduction programs.

RICHARD NIXON.

THE WHITE HOUSE, *October 9, 1969.*

The message, together with the accompanying papers, was, without objection, referred by the Speaker pro tempore (Mr. BOLLING), to the Committee on Education and Labor and ordered to be printed.

PERSONAL ANNOUNCEMENT OF COSPONSORS OF HOUSE JOINT RESOLUTION 927 PROVIDING FOR FUNDING OF HEALTH, EDUCATION, AND WELFARE

Mr. COHELAN. Mr. Speaker, I rise to correct an error in the sponsorship of House Joint Resolution 927 which provided for the funding of Health, Education, and Welfare under a continuing resolution at the House-passed levels. The name of the Honorable MICHAEL J. KIRWAN, of Ohio, appears as a cosponsor of this resolution. I have been informed that Mr. KIRWAN's name was incorrectly added to the list of cosponsors and I ask unanimous consent that the RECORD stand corrected.

The SPEAKER pro tempore. The gentleman's statement will appear in the RECORD. There is no way of correcting the resolution.

PERSONAL EXPLANATION

Mr. STEIGER of Wisconsin. Mr. Speaker, on rollcall No. 212 I was unable to be present due to a speaking engagement at the Brookings Institute.

Had I been present, I would have voted "no" on the motion to table the motion of the gentleman from Massachusetts (Mr. CONTE) to instruct the agriculture appropriation conferees.

DOMESTIC FINANCE SUBCOMMITTEE TO CONSIDER FIELD HEARINGS ON THE STATE OF THE ECONOMY

(Mr. PATMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. PATMAN. Mr. Speaker, it is essential that the Congress keep in touch with the grassroots thinking of America.

Your Committee on Banking and Currency has received many hundreds of letters from consumers, homebuilders, small businessmen, and others concerning their economic problems. As chairman of the Committee on Banking and Currency, in answering these letters, I have indicated that if the demand is sufficient, the committee would make it possible for these local grassroots people to present their views to the committee in their own or nearby cities and towns. With this thought in mind, I have called for a meeting of the Domestic Finance Subcommittee on October 23 to discuss this matter and, as indicated, if the demand exists, to plan for a tour which will possibly include many areas of the Nation.

It will be our intention, Mr. Speaker, to listen to the views of the people on the key economic questions that are under the jurisdiction of the House Committee on Banking and Currency, questions involving such issues as high interest rates which fuel inflation, tight money, consumer prices, home construction and home mortgage credit, and like subjects. As we all know, most people find it difficult—if not impossible—to come to Washington to present their views to the Congress. As a result, we too often get only the so-called experts' opinion on these issues. And the ideas of these experts do not always coincide with those of the people.

Mr. Speaker, I believe the demand for these field trips is self-evident. In my opinion, these field trips will demonstrate that the Congress wants the views of the people. At the same time, it will enable the Banking and Currency Committee to view some of the serious economic problems firsthand and to collect information that is essential to the committee's legislative jurisdiction and responsibility. The concern of the people about high interest rates, inflation and other issues is real and it is vital that the Congress do everything possible to come up with solutions to these severe problems.

It would be my intention, based on additional requests from the field, to conduct this field trip as soon as possible. Every attempt will be made, of course, to spread these hearings geographically so that the maximum number of people may participate and express their various views.

FAILURE OF THE NIXON ADMINISTRATION TO GIVE FAVORABLE ATTENTION TO PENDING LEGISLATIVE PROPOSALS

(Mr. HELSTOSKI asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. HELSTOSKI. Mr. Speaker, I have had the high honor and privilege of serving on the Committee of Veterans' Affairs since coming to the Congress in 1965. Congress has a most distinguished and commendable record of bipartisanship in considering legislation affecting America's veterans and their dependents. I am absolutely certain that this excellent spirit of bipartisanship on veterans affairs will continue in the Congress.

However, Mr. Speaker, I am becoming increasingly concerned and alarmed over the failure of the Nixon administration to give favorable attention to many pending legislative proposals which have been introduced in the 91st Congress.

During the first 9 months of its life, the Nixon administration has opposed, reduced, or asked delay in passage of almost every meaningful bill on veterans matters which the House or Senate has brought to the floor for consideration. At his vacation retreat in San Clemente, Calif., on June 5, 1969, in his first public pronouncement on veterans affairs, President Nixon said:

> Veterans' benefit programs have become more than a recognition for services performed in the past, they have become an investment in the future of the veteran and his country.

Then the President announced the appointment of a study committee heavily weighted with social planners who traditionally have favored dismembering VA and switching administration of veterans health and education matters to the Department of Health, Education, and Welfare.

WHO IS RUNNING THE VA?

Appointments to the study committee raised the question in the minds of those knowledgeable in veterans affairs of "Who is going to run the VA?" Was it to be HEW Secretary Robert Finch, Mr. Patrick Moynihan of the White House domestic affairs staff, the Bureau of the Budget, or the Administrator of Veterans' Affairs?

In offering advice to newly appointed VA Administrator Don Johnson when Johnson recommended that Congress defer action on a bill to raise compensation of widows and orphans, Senator HERMAN TALMADGE, chairman of the Senate Subcommittee on Veterans Legislation said:

> There is a saying around town that if you want to kill a bill, study it to death.

TALK—NO ACTION

The contrast in what administration spokesmen and the President say and what they do, grows sharper with their every position on pending legislation.

They express concern over the problems of returning Vietnam servicemen using the GI educational entitlement—on June 5, 1969, Mr. Nixon said he was shocked—but just prior to the House passing an increase in educational benefits—the one sure economic attraction to get more veterans in school—the Nixon administration on June 23, 1969, implored the Congress to "defer consideration."

VIETNAM VETS LOSING ALMOST $1 MILLION DAILY IN EDUCATION BENEFITS

Meanwhile, Vietnam veterans in school, struggling to meet inflated education and cost-of-living costs are losing almost $1 million per day in benefits.

A recent Wall Street Journal article highlighted the issue in quoting two veterans among many they surveyed. Harry Arrington, a 37-year-old Navy veteran, who left service last year and needs two or three semesters to earn a college degree put it this way:

> I'd find it virtually impossible to use now—it's something I've always wanted, but I can't make the sacrifice now. I couldn't even pay my tuition on that amount of money.

Another 22-year-old Vietnam veteran, Kenneth Walker, with a 10th grade education said:

> You can't get nothing without a high school education, but first off I have to get me some money. Right now I couldn't afford to (attend school under the GI bill.)

WHAT ABOUT HELP FOR THE "DISADVANTAGED" VETERAN?

There has been much dialog in the new administration about training the disadvantaged veteran and in seeking them out to bring them into veterans' programs. Yet, when the Congress, at Mr. Nixon's request, removed the personnel ceilings on Government agencies and departments which Mr. Nixon asserted were "unworkable," he immediately had the Bureau of the Budget invoke new ceilings. As a result the VA lost 634 more positions over and above the 3,586 jobs they lost when the Nixon administration sent its revised April budget to the Congress. Three hundred and seventy-eight of the lost positions were scheduled for assignment to overworked VA contact and allied staffs which handle education and other veterans' claims. On April 1, 1969, when the new administration was recommending VA reduce its staff for claims processing, almost 600,000 pending actions and inquiries were backlogged in VA regional offices.

While these backlogs were accumulating, the workload of all facets of the VA's Department of Veterans' Benefits continued to grow as more and more servicemen poured out of service at the rate of 75,000 per month.

The increased workload in each division responsible for administering veterans' benefits is shown by these figures:

Workload items	Fiscal year 1968	Fiscal year 1969	Difference
Compensation and Pension: Claims received	1,887,344	2,310,131	+422,787
Education:			
Applications and authorizations	2,029,245	2,643,818	+614,573
Counseling actions	183,284	214,228	+30,944
Loan guarantee:			
GI appraisal requests	340,229	366,481	+26,252
Eligibility determinations	592,026	599,830	+7,804
Guardianship: Beneficiaries	689,545	746,800	+57,255
Contact:			
Personal interviews	2,655,396	2,712,452	+57,056
Telephone interviews	4,344,080	[1] 5,124,494	+780,414
Administrative:			
Incoming mail	54,338,329	60,245,125	+5,906,886
Applications processed	598,648	734,795	+136,147
Claims folder look-ups	25,027,496	27,889,970	+2,862,474

[1] Excludes 1,709,078 administrative type telephone actions.

CONSTRUCTION, MODERNIZATION, AND AIR CONDITIONING OF VA HOSPITALS CUT

One of the most disturbing developments came when the administration ordered a budget reduction of $41,151,000 in the VA hospital construction and modernization program—a program designed to care for sick and wounded veterans in facilities which are supposed to be "second to none."

Being consistent with inconsistency, the new administration ordered, as part of their overall $41 million cut in VA hospital modernization funds, a total of $17,153,000 in VA fund reductions which were scheduled to air condition four VA hospitals. Meantime, back at San Clemente, Nixon's aides were planning the construction of a "Western White House" complex which would end up costing the American taxpayer millions to build, air condition, staff, and transport the seat of Government to a plush California retreat. While the Nixon administration was tightening the budget and cutting the $17 million requested to air condition VA hospitals, there was no administration objection to the expenditure of millions of Federal money on the San Clemente summer retreat and Key Biscayne winter retreat.

And there was no administration objection to "refurbishing" Air Force One—already about the plushest airplane in the world—at a cost of about $830,000 when hospitalized veterans were suffering in 110° heat in several non-air-conditioned hospitals.

HOSPITAL STAFFING SUFFERS

Not satisfied with these deep cuts in the VA budget, the new administration cut another $31,567,000 from the original 1970 VA budget request which had been scheduled to pay the salaries of over 3,500 doctors, nurses, medical technicians, and other hospital personnel.

The Vietnam war is currently producing almost a million new veterans each year. The 16 million World War II veterans are aging rapidly requiring more medical care. Two million World War I men are an average of 75 years old and need more medical attention.

In spite of testimony before Congress from eminent medical experts who expressed alarm about understaffed VA hospitals in the face of increasing workloads, the new administration ordered VA to scrap their modest plans to staff up VA hospitals to relieve the pressure on overworked medical staffs.

Examples of increased workloads in the VA hospital system include:

Workload items	Fiscal year 1968	Fiscal year 1969	Change from fiscal year 1968
Hospital care in VA and non-VA facilities:			
Admissions	670,600	689,459	+18,859
Discharges	678,506	698,926	+20,420
Patients treated	787,871	800,012	+12,141
Average monthly turnover rate:			
VA hospitals	56.0	61.4	+5.4
Non-VA hospitals	98.0	110.6	+12.6
Percent of VA hospital discharges to posthospital care	46.4	47.3	+.9
Nursing home care:			
Average daily census:			
Total	8,067	9,030	+963
VA	3,468	3,700	+232
Community	2,805	3,177	+372
State	1,794	2,153	+359
Patients treated, total	20,514	22,994	+2,480
Outpatient visits—staff and fee:			
Total	6,563,787	6,947,074	+383,287
Compensation and pension	302,865	345,408	+42,543
Outpatient treatment	3,352,693	3,458,673	+105,980
Posthospital care	1,088,906	1,228,570	+139,664
Prebed care	88,470	99,388	+10,918
Outpatient visits—staff and fee—Continued			
Need for hospital or domiciliary care	1,090,904	1,173,117	+82,213
All other	639,949	641,918	+1,969
Dental examinatons:			
Total	655,431	684,228	+28,797
Staff	648,144	665,313	+17,169
Fee	7,287	18,915	+11,628
Dental treatment cases:			
Total	265,350	276,003	+10,653
Staff	255,815	254,453	−1,362
Fee	9,535	21,550	12,015
Patients receivng new prosthetic appliances	363,365	391,645	+28,280
Social work caseload	104,193	104,949	+756
Mental hygiene clinic—active cases EOP	69,234	74,891	+5,657
Clinical laboratory weighted work units	78,538,657	85,017,251	+6,478,594
Volumtary service man-hours	9,269,080	9,270,292	+1,212
Prescriptions filled	10,530,716	11,782,365	+1,251,649
Residents in training program (noncareer EOP):			
Physicians	3,478	3,876	+398
Dentists	53	64	+11
Interns in training:			
Physicians	396	556	+160
Dentists	35	59	+23

STATE VETERANS' HOMES LOSE FUNDS

While preaching the need for Government economy and greater cooperation with State governments on the one hand, the new administration cut one of the best bargains which had been put in the original 1970 VA budget—$4,000,000 scheduled to go to States on a matching fund basis to help modernize and construct medical facilities in State soldiers homes.

During fiscal year 1969, over 15,000 veterans received domiciliary care in State veterans' homes at an average per diem cost of $3.32 compared to VA per diem cost of $7.69. During this same period, State veterans' homes provided nursing care to almost 4,000 veterans at an average per diem cost of $4.87 compared to average VA nursing per diem cost of $15.67, thus relieving VA of this additional workload. What kind of "new math" concept in the new administration scuttles a program designed to relieve an additional workload in an already understaffed VA system at a cost saving of more than 50 percent. And when bills were presented to the new administration to broaden this bargain program—you guessed it—the new administration "opposed" them.

FINCH DECRIES MASSIVE HEALTH CRISIS—BUDGET BUREAU DECRIES CUTS

Not satisfied with these cuts, the Bureau of the Budget gouged another $11,333,000 out of the 1970 VA budget request which had been earmarked for other categories of veterans' hospital care, medical education, and medical and prosthetic research.

Once again the new administration overcame consistency with inconsistency. While in February HEW Secretary Finch had decried the Nation's massive health crisis because America was not training enough hospital and health personnel, another arm of the administration decreed that the VA budget request for 1970 had to be reduced thus depriving VA of their plans to train over 4,000 "shortage" category medical personnel in a medical education program which eminent medical educators have characterized as being "the most effective in the world."

OLD-AGE VETERAN LEGISLATION OPPOSED

While the new administration was advocating a new $4 billion welfare concept—much of which would be paid to the able bodied who will not work—they were opposing measures to ease the burden of old veterans who are no longer able to work.

The administration was asked to take a position on the following legislation which the Congress was about to vote on:

Eliminate the "pauper's oath" or statement of inability to defray hospital expenses for a veteran 72 years of age or older for admission to a VA hospital.

Provide outpatient treatment and medical services for seriously disabled veterans who are in receipt of special housebound or aid-and-attendance allowances and those who are rated as totally disabled without regard to service connection.

Eliminate the 6-months time limitation for elderly veterans who are receiving nursing care.

The Nixon administration opposed this legislation.

REJECT OR DEFER

While accusing the Congress of "foot dragging" in its legislative program, the Nixon administration has a bleak record of "inaction" on other important veterans legislation areas. They asked the Congress to:

Defer action on cost-of-living increases for widows and orphans of veterans who were killed or died of service-connected causes.

Reject proposals to utilize veteran-owned insurance funds to build homes for returning Vietnam veterans who cannot find mortgage capital while the Treasury Department uses the veterans' money at a rate of about 4 percent—Treasury paid the moneylenders 8 percent during the week of September 17—the highest rate in 110 years.

Defer action on legislation to up insurance coverage for servicemen in Vietnam from $10,000 to $15,000 while hundreds of American boys die each month not leaving enough money to support their dependents in an inflated economy.

Defer action on adding dismemberment coverage to GI insurance policies in the face of thousands of GI's who each month leave an eye or a limb in Vietnam.

Reject increases in the amount the Government pays paralyzed and other seriously disabled veterans as grants for special housing required because of their service-connected disabilities.

Mr. Speaker, as the list of deferrals and rejections grow day by day, America's veterans are asking how long must the maimed, the widows, and the orphans wait. One of President's Nixon's closest advisers, Attorney General John Mitchell, a few days after taking office, urged Americans to judge the Nixon administration on "what it does" not "what it says." By any measure—by any standard—the Nixon administration must, thus far, be judged deaf to the pleas of veterans, calloused to the health needs of veterans, and oblivious to the economic needs of veterans.

RACE CRISIS IN THE MARINE CORPS

(Mr. **HENDERSON** asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. **HENDERSON**. Mr. Speaker, the September 26 issue of Life magazine highlighted on its cover what it described as a "Race Crisis in the Marine Corps." Its table of contents labeled the story "Blacks and Whites stand on the edge of open war in Camp Lejeune."

The article proceeds to expand upon this theme in considerable detail and is highly critical of Jacksonville, N.C., the civilian community adjacent to the big Marine Corps base at Camp Lejeune.

I would suspect that every Member of this body who was in the military service during World War II, or at any other time, has heard all of the standard gripes about the civilian community adjoining the base where he was assigned: Honky-tonk atmosphere. Cheap bars. Camp follower-type girls. Shortage of nice girls for social contacts. Clip joints.

To some degree all of these things exist in all communities adjacent to all major military installations.

When we built major military installations, we have always sought out large tracts of relatively cheap suitable land. Such tracts did not exist in major metropolitan areas, but did exist in more sparsely settled rural areas. Hence we have had for decades all over the country sudden large influxes of thousands of military personnel into areas with limited civilian population.

Inevitably, this has resulted in criticism of civilian communities as dull, offering limited recreational and amusement opportunities during off-duty hours. Boys from other parts of the country tend to be critical of a different environment. Northern boys find small Southern towns dull and uninteresting. Southern boys dislike the cold climates of the North and Midwest. Boys from the east coast dislike the west and vice versa.

These things have nothing to do with race. Yet, they were highlighted in the Life approach to Camp Lejeune.

On October 3, 1969, the Jacksonville, N.C., Daily News did an eight-page feature section giving the community's side of the Camp Lejeune story.

It is too bad no provision is made to include pictures in the CONGRESSIONAL RECORD. Life went to great lengths to publish pictures tending to show bias, discrimination, and a bad environment.

The Jacksonville Daily News feature has equally convincing pictures tending to show a good racial climate.

I am inserting into the RECORD the printed matter contained in this feature, and I want to say that I personally agree with the viewpoint expressed by this fine newspaper.

During the past 9 years, I have spent a great deal of time on the base at Camp Lejeune and have personally known many of the marines who have been assigned there during those years. I likewise have spent a great deal of time in the civilian community of Jacksonville and other areas of Onslow County.

Naturally, I am prejudiced, but in my judgment, so is the article in Life magazine. They approached this whole matter with a preconceived idea of what they wanted and expected to find and they found what they were looking for.

Here is the other side of the story:

[From the Jacksonville (N.C.) Daily News, Oct. 3, 1969]

In Real Life: Each Situation Has Two Sides

On July 20, this year, a very regrettable tragedy occurred at Camp Lejeune. A young Marine lost his life in what has been described as a "gang attack." Arrests have been made and an investigation into this young man's death is still underway.

No one can guess what this investigation will reveal. This tragedy has brought forth many claims of "racism," these, too, are under investigation.

This has brought national news media into the area in force as they skim the surface for sensationalism.

The latest to join this parade was Life Magazine. In an article last week the magazine presented a lopsided view of the situation.

And, if a major magazine is to be the window for the nation to view Camp Lejeune and Jacksonville then we feel that that magazine has the responsibility of either cleaning up the windows, or removing the blinds to reveal all sides.

We find nothing wrong with the persons interviewed speaking out on situations in which they feel they have a deep involvement, but we do question the fairness of presenting only one side.

Definite feelings on racial discrimination were presented. However, nowhere in the article was there any effort to show the great strides that Camp Lejeune and Jacksonville have taken in overcoming racial discrimination in our area.

And we do feel that there was a certain amount of bias in the article. To quote: "Then there are the southern accents of a great many Marine officers and noncoms." We ask, "Since when has a southern accent been a bar to serving as an officer or noncom in the Marine Corps?"

We feel, and we know that the Jacksonville area is far ahead of the nation in integration. Our schools were the first to recognize that quality education meant equal educational opportunities for everyone through one school system.

The students themselves have proven the wisdom of this, with student leadership based on ability of the individual.

In fact youth is showing the way in many areas of establishing a unified community. The Teen Generation, established and governed by Jacksonville teens, is one outstanding example.

Thus, a magazine representative makes a whirlwind visit into Jacksonville and Camp Lejeune we expect more than a one-sided view to be held up to the world.

The writer didn't even bother to learn the spelling of Northwoods (North Woods was his spelling). He was writing about Marines, yet the spelling in Da Nang and Khe Sanh, areas where Marines have fought, died and are buried, the writer wrote of them Danang and Khesanh.

He harped on 18-percent interest . . . and every credit card holder, Marine or civilian, knows that he pays one and one-half percent interest each month . . . which comes out to 18 percent a year.

The Life piece made derogatory remarks about furniture stores on Lejeune Boulevard. We doubt very much if he bothered to enter a single store.

For, if he had, he would have found furniture of the highest quality and at prices that will certainly be below many areas in the United States.

If he had bothered to look, he would have seen that the buildings were well-built and created with no stinting in cost of construction.

We know for a fact that the creators of the Life magazine article made a trip into Northwoods to get a picture. They talked to Fred Silvia, Jacksonville businessman and owner of the Northwoods 66 service station.

Fred had a sign in front of his business. It stated, "Marines, We Do Give A Damn." This picture didn't make it in the Life magazine article.

Why? Because it showed the good side?

We also know for a fact that the Life writers interviewed a unique bi-racial committee of the 2nd Division Anti-Tank Battalion. We do not question the magazine's editorial prerogative (although we do wonder about the direction it takes).

In view of the other evidence that writer Paul Good's account of the racial situation in our community was tailored to imply some already-drawn conclusion, we cannot help but suspect that the bi-racial committee interview was omitted because it did not imply the "proper" conclusion.

We have been informed by a reliable authority that the committee members are also quite disappointed that their views were not considered as important as those of an anti-black hitch-hiker who refused to even give his name.

The writers wrote of what they called "ugly commercialism" in Jacksonville's dealing with Marines. A general statement if ever one was written.

Maybe that brand would fit the Life article. The exploitation of one-side of a serious and grave situation, the utter lack of regard for the side of those seeking unity, and the grasping for the sensational.

There is racial disharmony in our area, just as there is throughout the world. It is a problem which is being faced up to.

However, integration is not an "everyone-lived-happily-thereafter" solution to life, it is a practicable means to democracy and life. It is the sure step to overcome racism on all sides.

Racism, whether practiced by the majority, or the minority, is a retreat from reality. It is a contradiction of the human spirit and a mockery of democracy.

And to use racism to sell newspapers, magazines or TV shows is rank commercialism, a commercialism that feeds the growth of the cancer in our society.

It is the role of the news media to spotlight the pleasant as well as the unpleasant in the hope that the spotlight will foster corrective measures.

The news media must search out and publish the pleasant and the unpleasant, it must unravel existence . . . display the problems that engulf us.

If this is not done, and we shirk the duties of revealing the events and pressures of our time, our readers would retreat into indifference and self-complacency.

Or, if the revelation of news is weighted, one-sidedly in the direction of the sensationally unpleasant, the public could be placed in a state of tension and anxiety with the ultimate destruction of tolerance in its opinions.

The pleasant and the unpleasant are the warp and woof of the fabric of day-to-day living. Each must be revealed.

We must agree that Life, and other national media, have spotlighted a cause, even if it exists in a minor degree, that needs the sharpest scrutiny and attention of Marine and civilian leaders.

We do hold that any news media has:
The right to be wrong,
The right to offend on occasion
The right to report the disagreeable.
But never:
The right to be unfair
The right to be biased
Nor, the right to be inaccurate.

RESPECT HIM AS A "MAN AND A MARINE"

(By Skip Smith)

Marine Corps Major H. E. House is a Negro. He does not care whether you call him "colored," "Negro," or "black," so long as you respect him as a man and a Marine.

House flatly declares that racial discrimination in the Marine Corps is not prevalent and is not a matter of importance to the career Marine. He feels that the current "flap" about racial discrimination in the Corps is a "crutch" being used by a few black servicemen to escape the type of harassment which is necessary for the development of a "real Marine."

The major, a tall dark-skinned, handsome man, is one of the first two black pilots in the Corps.

He believes that if the color of his skin had any effect on his career as a Marine, it has been a help rather than a hindrance. ("When a black does something outstanding, it gets notices.")

Crowning a chest full of "salad" just below his aviator's wings is an Air Medal with a "20" designation. He does not know exactly how many combat missions he has flown. Since he was in Vietnam early—in 1962—there may be some question about what is, and what is not, a combat mission. Each of the 20 medals accounts for about five missions.

It would take an extremely brave man to call Major House "Uncle Tom" to his face. He does not belong to any black organizations ("The only organization I'm in right now is the Marine Corps."), nor to any Civil Rights groups, but he feels that if he ever does join such an organization, it will probably be the Urban League.

Major House feels that the most dangerous "outside agitators" are not Communists, black militants, anarchists, nor Civil Rights agitators. The problem in the Corps today, he says, is not racial, but disciplinary.

"The laxity resulting from maltreatment scandals has caused a breakdown in discipline and has brought the Corps face-to-face with the type of Marine who demands to be allowed to wear a grotesque hair style that would prevent him from wearing regulation headgear."

Major House, who wears his characteristically Negroid hair, clipped close in traditional Marine Corps "skinhead" fashion, has little patience with Marines, black or white, who insist on civilian coiffures ("I march 'em to the barber shop.").

There is probably some racial discrimination in the lower ranks, says the major, and some racial prejudice as well. But he believes that in order to survive as a professional Marine and become a Non Commissioned Officer, a man must be "purified of such inconsequential considerations as race. ('By the time a man gets to be an NCO, he should have been put through enough hell that the only color he thinks in is green!')"

The "well-meaning Moms" who write to their congressmen demanding "better treatment" for their sons every time they hear a complaint from boot camp have unintentionally weakened the character of the individual Marine and softened the entire Corps, according to the major's theory.

He finds the deaths, injuries, and scandals that have resulted from the alleged maltreatment incidents regrettable, but the public reaction to Marine Corps discipline and training has, in his opinion, had the effect of "crippling" the Corps.

("When a young Marine gets captured by the enemy in Vietnam today, he is very fortunate if he has anything at all in his background to prepare him for the treatment—or maltreatment—he will receive. What happens. He gets pushed around. He is liable to crack. To defect. To give up. The Viet Cong have no fear of his congressman's influence. All the letters in the world of inquiry and concern for his welfare from Washington cannot help him when he is in the hands of the enemy. His only salvation is backbone, something the Marine Corps once stiffened with harassment and stern discipline. It is a terrible thing that young men have died because of Marine Corps training—but far, far more young men have lived because of precisely the same training. It would be difficult to imagine the North Vietnamese or the Viet Cong agreeing to listen to grievances from prisoners about racial discrimination.")

Major House, who says he is one of only about a dozen field grade officers in the entire Marine Corps, does not see any prima facie evidence of discrimination in this fact, although he admits the shortage of black field-grade officers and absence of a general officer is probably the main reason why many young black choose other branches of the service. ("The Air Force has a three-star general who is a Negro, and his father was a general in the Army. Both branches are full of Negro majors and colonels. The Negro college graduate sees all this and he hears that there is discrimination in the Marines. Why should he choose the Marines?")

The major's only racial activism is in getting young black college men interested in the Marine Corps and convincing them that the tales of discrimination are false. All other things being equal, he would be more inclined to help a black man get into flight school than a white man (". . . because there are barriers I can remove, not barriers in the Corps, but in the Negro's mind. I can show him he can make it as well as anybody can . . . if he's intelligent and tough.")

He believes he has been instrumental in getting several black pilots into flight school, and he believes all have been treated fairly by the Corps and evaluated solely on their ability. ("You don't fool anyone in flight school and you don't make it.")

Major House is a bachelor, who is "married to the Corps" and whose social life is intertwined with his work in such a way that he is not personally affected by the type of discrimination that is sometimes directed at the young enlisted black Marine. ("Most of the places where they still discriminate against colored people are sort of grubby anyway, and when I go out I like to go to a place with a little class. That's why I usually go to the "O" clubs or to places where there is no question about whether I'm welcome.")

Although the major's personal life is not touched too often or too profoundly by what goes on "outside," he has some "very strong opinions" about the forces at work today in American colleges, universites and cities. He has not led a sheltered life. After his first hitch in the Marine Corps, he served for a time as a Los Angeles police officer, and was a member of the first suburban L.A. two-man "salt and pepper" patrol. He also flew a small, "non-sked" commercial air service in South America. ("But I got tired of winding up the plane.")

He sees a need for change in higher education and a new emphasis on the role of the Negro in American history, but he has some rather conservative ideas on how to accomplish these objectives. ("I think the black students at any good college in the United States could go to the administration and say something like 'Now here's an important Negro—an important American—and he's been neglected in the study of our history.' And I think that if they present their case properly and reasonably, that school would change its policy. Furthermore, I think a lot of important Negroes have been neglected. But when they start raving about African studies and taking over administration buildings to demand studies about spear throwers' cultures that's where we part company. My ancestors have been on this continent at least 300 years. That's a good, respectable American ancestry as far as I'm concerned. My roots are in America, not Africa.

"I was educated in a tough Roman Catholic school in New York City called "Manhattan College." Frankly, I was so glad for the opportunity to get an education that I just worked too hard at my studies to think about protesting college policies. In college, and in later life, I have failed or succeeded as a result of my own personal efforts, and not because of my race, or my friends, or my organization.

"Once a group of students did get together to protest the ban on smoking on the quadrangle at Manhattan College. When they returned to their dormitories, they found the rooms locked and their bags neatly packed outside. They were informed that they had agreed to the college rules before enrolling and their activities had indicated they no longer intended to abide by their agreement. Harsh, maybe. But I never questioned the justice of it.

"It appears that modern students either don't put much value on the opportunity for higher education, or they just don't believe the schools have any authority to do anything about their disruptive acts. In either case, I feel it's time the colleges clamped down and restored order.")

The major discusses patriotism as matter-of-factly as he discusses the aircraft-carrier landing problems of the old Vought Corsair. ("You couldn't see over the nose when she was level.")

He says that such men as Stokely Carmichael and Rap Brown have not only set the Negro back after the progress made under the leadership of the great moderates of recent years, but they have set back the cause of all Americans. ("I don't know where the proper place for these men is, but it is not in this country.")

Major House is no misty-eyed chauvinist, but he can say to a stranger in a manner that leaves no room for doubt about his sincerity, "This race business is bad for America. I want it resolved in the right way, the American way. People who use it to their own advantage—whatever their reasons—are selling this country short."

Major H. E. House, USMC, American, Marine, Negro, Roman Catholic, minority of one.

SELLING A "CLASH"

". . . Long before a coastal dusk settles on the 110,000 piney acres outside Jacksonville, N.C., two-man patrols with walkie-talkies move out over ground normally covered by only one sentry. Their M–14s each carry 10 rounds of live ammunition, double the usual sentry load. Special armed 'reaction squads' wait in barracks for an alarm to sound. At nightfall, Cyclopian searchlights burn in so-called 'drift areas'—wooded shortcuts. . . . etc., etc., etc. . . ."

Get the picture? The cover of the Sept. 26 "Life" hawks "Race Crisis in the Marine Corps." In the table of contents the reader is promised a story about how "Blacks and whites stand on the edge of open war in Camp Lejeune."

Setting the stage for the "edge" is the verse from the Marines' Hymn about the streets on Heaven's scenes being guarded by United States Marines.

The mother lode of poesy continues with the above-quoted imagery involving the settling of "coastal dusk" on "piney acres" and the burning of "Cyclopian" (one-eyed) searchlights in shortcuts.

You are now prepared, dear reader, to believe that a horde of marauding blacks—probably brandishing Zulu spears—will appear before the one-eyed searchlights to do battle with the double sentry-loaded walkie-talkie patrols.

You are prepared to believe that there are as many robbers as there are cops, that there is a bank robber for each guard, that for each pound of dirt there's a pound of Ajax. You, dear reader, have been promised the "edge of a war."

The "war," it appears will take place in "shadowy drift areas" where there have been "interracial assaults" for the past two years.

The Marine Corps mobilization for the edge of war took place only after a young Marine was killed in a tragic preembarkation brawl, the "Life" story goes. But the brawl did not take place in a drift area, and the weapon with which the unfortunate Marine was killed was not a Zulu spear, nor even a straight razor. It was a tree limb.

One wonders what conclusions the "Life" reporter would have drawn if he had witnessed a landing at Onslow Beach.

One of the two chief prognosticators of the impending "war," it seems, is a PFC with a cool attitude, an Afro haircut, and complete disillusionment with the Marine Corps. He gets along with some "white duds" and winds up "hooking with others," so he feels ". . . there's gonna be a bloodbath here someday."

The other is a "clean-cut, freckle-faced kid from Indiana" (another PFC), "who refuses to give his name" and hates Negroes. "Their turn is coming," he warns darkly.

A bunch of "them," it seems, stood in front of his car the "other night" at a drive in so he couldn't see. He asked them ". . . nice to move but that don't do any good with them." After reading about this incident—which is important enough to be related in one of the world's most widely circulated publications, one is inclined to hope that, during his military career, the clean-cut, freckle-faced kid is never put in charge of anything loaded.

(Where was "Life" magazine the time I got beat up by six white guys because I tried to make their dog spit out an innocent turtle it was carrying around. Those guys are in for a lot of trouble one of these days, too.)

The magazine has also noticed that a lot of black Marines are upset about the fact that the Marines have spent a good part of their existence fighting people "of color" "from China, the Philippines, Panama, Haiti, Cuba and the Dominican Republic." Apparently the reporter does not take into consideration that about three-fourths of the people on this globe are "of color." Sometimes it's either fight people of color or stay home.

To give credit where credit is due, however, it should be noted that the reporter diligently researched his remark that of ". . . 109 photos of individual Marines training, receiving awards, or engaged in sports competition in three recent issues of the 'Globe,' only one was of a black face." It certainly must have taken a good deal of valuable time to find three issues of the Globe that did not have a great number of "black faces" especially in the sports section where the Marine Corps' great Negro athletes always figure prominently in virtually every edition.

Of course, no piece of research is perfect, so we are inclined to overlook the reference to the Camp Lejeune "Globe" as the "Division newspaper." Strict adherence to facts is obviously not intended to be one of the article's stronger points, anyway.

As if it were not bad enough that three-fourths of the earth's population has been discriminated against and the writer claims he managed to dig up three "recent issues of the 'Globe' with but a single black face." One is faced with the clincher! Indeed, one can almost see the gleam of spearpoints in the glare of the one-eyed searchlights. "Then there are Southern accents of a great many Marine officers and noncoms," states one of the world's foremost publications!

And you never know exactly how you look to others. According to "Life":

"Jacksonville disturbs almost all Lejeune's Marines. It is not so much a city as it is a cash register ringing up its share of Lejeune's quarter-of-a-billion dollar annual contribution to the state's economy. While most merchants are reputable, neither Jacksonville nor other **service towns have zoning** that considers the **sensibilities of men who** have been recently shot at in Vietnam. Returned from dubious battle, they again become targets of ugly commercialism. Lejeune Boulevard leading to town is lined with used car lots, schlockhaus furniture stores, real estate operators, drive-in pawn shops. Jacksonville offers little more than credit buying at 18 per cent and unavailable go-go girls in the joints on Court Street. City fathers boast that there is no prostitution. This is small comfort to unsatisfied Marines who return to base feeling bullish and primed to take a poke at anybody, interracial or otherwise, who crosses them. In Saigon, at least, there was some action."

True, but someone's hostility is showing. Suppose all the words in bold face type were replaced with less emotionally toned words having essentially the same meaning?

Jacksonville disappoints many of Lejeune's Marines. It is not so much an entertainment center as it is a retail center taking in its share of Lejeune's quarter-of-a-billion dollar annual contribution to the state's economy. While most merchants are reputable, neither Jacksonville nor other service towns have zoning that is entirely able to avoid offending some men who have been recently shot at in Vietnam. Returned from battle they feel they are subjects of an unappreciative commercialism. Lejeune Boulevard, leading to town is lined with used car lots, furniture stores, real estate offices, and one drive-in pawn shop. Jacksonville's attractions are credit merchandise at 18 per cent, the standard credit-card rate and go-go girls who are not prostitutes in the joints on Court Street. City fathers boast that there is little prostitution. This is small comfort to healthy young Marines who return to base feeling frustrated and therefore more likely to get into fights with anybody, regardless of race, who disagrees with them. In Saigon, at least, the go-go girls were available.

(Interestingly enough, a Washington Post reporter, who also became an expert on race relations at Camp Lejeune and in Onslow County within a couple of days, reached an entirely different conclusion about the availability of prostitutes.)

WHAT'S THE CONNECTION?

"Onslow County has a klavern of the Ku Klux Klan but it has no black deputies or highway patrolmen."

True. There is a klavern in the county, according to reliable sources, but what is the connection between the klavern and the fact that the county has no black deputies or highway patrolmen? Does the writer mean to imply that there is collusion among klansmen, deputies and highway patrolmen to make ". . . Onslow County . . . insufferable for blacks?"

If this was the writer's intent, he has succeeded in what he set out to do: To establish in his reader's mind the unwarranted conclusion that somehow the Ku Klux Klan works to keep Onslow law agencies lily white and all work together to persecute blacks. But if the writer had a shred of evidence to this effect, he would not have had to resort to the shabby trick of establishing a relationship by including them all in the same rather inane observation. He would quite obviously have taken great delight in telling all the world that Life had uncovered collusion between the klan and the law in Onslow.

A conscientious reporter would not assume racial discrimination from the fact that neither the Sheriff's Department nor the highway patrol has any black officers in Onslow County. He would ask the question: "Does either the Sheriff's Department or the highway patrol in Onslow County practice racial discrimination in carrying out the duties of enforcing the law and preserving the peace?"

A diligent effort to find the answer to this question would reveal that neither agency practices racial discrimination in the line of duty. Questioning reporters who deal with these agencies each day (and who are sometimes highly critical of them) would reveal that in the opinion of the reporters, deputies and highway patrolmen are not without certain faults, but racial discrimination in the line of duty is not among them. Onslow County Sheriff Thomas Marshall is not likely to hire a black deputy simply because he has been criticized for not having one.

Assignment of highway patrolmen is the responsibility of the state of North Carolina and not the county.

"There are no black firemen and no blacks working in City Hall. Only 30 are employed in Jacksonville's 145-man work force."

True. But this piece of coverage is, to be charitable, highly selective. The reporter delights in telling the world that the City of Jacksonville discriminates against black firemen, but does not choose to mention the Police Department's fine black officers, Joe Brackeen and Levi Simmons, who are a credit to their city, their department and their race.

Furthermore, the least bit of research into why there are no black firemen would show that blacks who can qualify as Jacksonville firemen can qualify as Camp Lejeune firemen with higher pay and Civil Service benefits.

The statement that there are no blacks working in City Hall is not only highly selective, it is false.

The use of the world "only" is, to be charitable again, highly selective, in relating the number of blacks in the city's "145-man work force." If this piece of reportage has survived the reporter's selective mortality rate and has retained some semblance of truth, it means that 28 per cent of the work force is black, a much higher percentage than the percentage of blacks in the city's population.

The random sampling technique—as used by Life to show the feelings of Marines and barbers about the racial problems of this area produced some rather bizarre accounts of what is going on in the area:

Thus the klan got credit—through an oblique quote attributed to a deputy sheriff—for a cross-burning effort that had none of the earmarks of that organization.

The cross-burning was botched so badly that there was talk of citing the local Ku Klux Klan for unklansmanlike konduct. According to authorities familiar with klan activities, flaming crosses are not "tossed on front lawns."

It is doubtful that what "Life" with characteristic hyperbole calls a "cross burning" is actually the work of the Klan, it is more like the work of children or pranksters.

Using the "Life" interview technique, this reporter learned from two young Marine hitchhikers that (a) Seventy-five percent of the 1st Battalion, 6th Marines is Negro; (b) the blacks are accumulating large quantities of weapons and ammunition for an eventual takeover of the Marine Corps; (c) that the bars on Court Street make Negroes more welcome than they make whites; (d) that there is a lot more such secret information I could get if I looked hard enough; (e) that young Marines take great delight in putting on reporters and seeing their names in print.

ONSLOW COUNTY, A UNIFIED PUBLIC SCHOOLS STRUCTURE

(By Skip Smith)

Onslow County has removed the "final vestiges of the dual racial structures from its school system, and the U.S. Department of Health, Education and Welfare is satisfied that the latest plan submitted by Onslow is a plan for total desegregation.

To accomplish this, the county has, since the Civil Rights Act of 1964, closed down two of its best schools—both all-Negro, and directed far more administrative effort to desegregation than to education.

The closing of Georgetown High School was deplored by the black and white communities alike. Georgetown once was the only accredited high school in the county (although accredited by the Negro accrediting association). It was representative of the highest hopes for the "separate but equal facilities" doctrine of the South. Few white high schools could equal Georgetown in library, laboratory, classroom, shop and athletic facilities.

And the "Mighty Georgetown Panthers" were something to behold. The first desegregated football crowds in the area were at Georgetown. It was a big school, and they played a better class of ball than the other teams in the county. State and regional championships came to Jacksonville regularly in the days of the Mighty Panthers.

"But the Panthers fielded their last team in 1965, and the night lights over Georgetown went out. There was an outcry, for a time, from some Georgetown graduates and Negro educators, but the transition to the other area high schools was fairly painless.

The Jacksonville High School coaches were happy to get the great Negro athletes of Georgetown, and the coaching of Gid Johnson, former Georgetown coach, has been a big factor in making the Cardinals a power in the state.

Probably the happiest result of the closing of Georgetown School (the 400-student elementary school was phased out last year) has been the coming of Onslow Technical Institute which will be designated a community college this week. Onslow Tech has a freshman college class right now. The school reaches about 8,000 students with vocational, technical and academic education.

With great respect for what was a great high school, it must be said that Onslow Tech will be of far greater service to black and white citizens of Onslow County than Georgetown School could have been.

It is too early to say what will be the result of the closing of the second school, Silverdale Elementary, in the Silverdale section of White Oak Township. The new (16 years old) school was closed this year because the desegregation plan would have cut the student enrollment so severely that the school would not even have been authorized a teacher for each grade.

So far the Silverdale closing has not "worked out" to the advantage of all, the way the Georgetown closing has. For one thing a brand new elementary school, Morton Elementary, was opened less than seven miles away, the year before Silverdale was closed. More than one irate taxpayer has questioned the expenditure of a half-million dollars on a new school while closing another a short distance away.

Negro parents of Silverdale students were puzzled and hurt at the implications. "Why," they asked, "couldn't the Silverdale school have been expanded? It was new and in excellent condition."

It appeared that the white people did not want their children to attend what had once been an all-Negro school, even though the whites would far outnumber the blacks and the school was new and clean.

Two Civil Rights field workers from the U.S. Office of Education, one black and one white, who had approved the Silverdale plan as proposed by the county Board of Education returned to Onslow County and appeared before the Silverdale parents. "Yes," the black Civil Rights field worker said, "your suspicions are well-founded. The white people don't want to send their children to a formerly all-black school . . . and they don't have to, because the school board has come up with a plan that meets the desegregation requirements. It is a good plan. Accept it. It will mean a better educational environment for your children." The people of Silverdale grumbled, but they accepted.

The black Civil Rights worker, holder of a PhD in Sociology and a former school district administrator, wore a large medal on a chain around his neck and an Afro-style shirt. The Silverdale parents wore conservative dresses and coats and ties.)

The Board of Education is now in the process of granting a request by Rev. Willie Green of Onslow County Fund Inc. to permit the opening of three classrooms at Silverdale School for adult education classes. The defunct school may be on the way to becoming a center of community life in one of the county's most remote rural areas.

While HEW has expressed satisfaction that the county has eliminated the "last vestiges" of duality, some black parents feel that the de facto segregation at the all-Negro Bell Fork Elementary School in Jacksonville is just as discriminatory as the forced segregation of the dual school system in years gone by.

The Board of Education points out that the Bell Fork school is filled to capacity and above by students who live in the neighborhood, as the all-white Northwoods and Parkwood Elementary Schools inside the city limits are.

The board also points out that the faculties of all schools are completely desegregated.

The Bell Fork school remains as the only unit that could bring the county face-to-face with the profound questions raised by busing and schools in which white children find themselves the minority race.

The county office reported all quiet on the desegregation front on the first day of school this year. There was, however, some dissatisfaction with at least one assignment to Bell Fork Elementary and some rather unfriendly words between a parent and a school official, but the issue was resolved peacefully.

During a period when literally scores of North Carolina communities voted down school bond issue referendums, Onslow County taxpayers voted to sell $4 million worth of bonds to build new schools. Most opposition to school bonds, here and throughout the state, was couched in terms of disgust with the high-handed tactics of HEW in telling local school boards what they can and cannot do with their schools.

Whether by design or not, the building projects have served as safety valves during Onslow County's transition from a dual to an integrated school system.

Characteristically, the "trouble" in the south has come when white students have been assigned to formerly all-Negro schools, when the better all-Negro schools have been closed down, when the ratio of black-to-white students in a school area became overbalanced on the black side, and when certain groups from outside took an interest and decided to exploit the situation.

Fortunately, Onslow has had very little outside agitation. The closing of the all-Negro schools has apparently been resolved satisfactorily, and in one case, to the advantage of the entire county. The building money has taken the pressure off the only possible trouble spot, the formerly all-Negro Woodson School in Richlands. The rambling, partially dilapidated Richlands School—grades 1 through 12—will be renovated and turned into an elementary school. The county has the money, thanks to the bond issue, to transform the Woodson School into what will be the new, modern Richlands High School. Formerly all-white Trexler Junior High in Richlands is totally desegregrated.

Ironically enough, a majority of the members of the Board of Educaton are willing to state publicly that they are against integration. In fact, some vowed in their campaigns for election to work to reverse the trend. Incumbents, who had seen the handwriting on the wall—and had seen it written by the hands of HEW officials—tried to explain, but to no avail.

The new men came to office with the largest chunk of money the Onslow school system has ever had at one time, a determination to halt the integration of the schools, and in some cases, instruction from their constituents to go after the head of superintendent of schools J. Paul Tyndall, who was suspected of collusion with the enemy (HEW).

Fortunately for the children of Onslow County, the new board was composed of five reasonable men. They too saw the handwriting on the wall, and they continued the work of making the transition from old to new.

The school board that "caught the most hell" of any school board in the history of Onslow County was composed of Dr. James Piver, chairman, Dan Rand, Elbert Barbour, Leon Rowe Sr., and Gene Ennet. Ennet, now chairman is the only survivor. The next board consisted of Ennet, Chairman Piver, Sam Brown Meadows, who replaced Barbour, Wilbur Banks, who replaced Rowe; and J. M. Horne, who replaced Rand. The present board—expanded to seven—consists of Chairman Ennet, Horne, Meadows, Banks, Clyde Hurst, Mrs. Louise Sylvester, and Herschel Brown.

The opposition to desegregation of schools in a county which conscientiously fulfilled its obligations under the "separate but equal facilities doctrine" has not been based upon race hatred, but upon a cherished tradition. There have been a few ugly incidents, but these have involved individuals and families, not large groups. There appears to be no polarization of strong racial hatred here.

Another ironic factor in the desegregation of Onslow schools has been the role of federal money. HEW holds the blade above the heads of local school districts which can lop off federal assistance in cases of noncompliance with the desegregation guidelines. Onslow County gets a great deal of money from the federal government for capital outlay, vo-ag teachers, all kinds of visual aid equipment, library projects and many other uses.

The great need for this money and the "federal impact" money, which is supposed to compensate for the fact that a military installation is non-taxable but military dependents must be educated, has quieted many a voice raised in protest against what has been called "high-handedness" by HEW in desegregation policy.

Onslow County, with one of the best records for cooperation with HEW of all southern school districts, faces disaster in its school system this year, with an impending layoff of as many as 200 vital employees, because the current administration in Washington is withholding Public Law 874 (impacted area) funds as an economy measure. The economy measure, if enacted, will cost Onslow about $1 million in already-budgeted current expense funds.

[From the Jacksonville (N.C.) Daily News, Aug. 23, 1969]

SMILE, SAY SOMETHING CLEVER

(By Skip Smith)

Two young white men and a Negro tussle playfully on the sidewalk in front of a bar on Court Street. A police officer walks over briskly. The worried look on his face changes to relief and then to mild irritation as he recognizes the men.

"C'mon you guys. Knock it off," he says in the manner of a father correcting a trio of overly rambunctious sons. "You wanta mess around like that, go someplace else. You know what that can cause out here."

"Same old story officer," cracks a sidewalk loafer. "One black guy gangin' up on two white guys." The other sidewalk loafers, including the playful young men, all laugh and find some other diversion to pass the time on a slow evening in downtown Jacksonville.

A trivial incident, perhaps. Scarcely worth mentioning, except for some small humor from a sidewalk wag. But beneath the surface there is something ugly. There is fear of a racial flare-up.

Some of the fear is, no doubt well founded, and even justifiable. But a good part is the product of irresponsible sensationalism and plain laziness of newsmen who come to Jacksonville in the wake of a tragic death which resulted from a beer party at Camp Lejeune that got out of hand.

If there is no more major news of racial strife from Camp Lejeune during the next few weeks, it will not be because the news media has not worked at creating it. The major Washington newspapers, the Post and the Star have had their men on the scene. The New York Times has been heard from. Newsweek has given the situation at Camp Lejeune a half a page.

And now the Olympians themselves have come to Jacksonville and Camp Lejeune. Major television network cameramen and reporters have been working Court Street and the base, and the odds are pretty slim that they are doing a special on the chamber of commerce military affairs committee.

Cameramen invaded the cage of a go-go girl at Jazzland for some closeup art work, filmed the activity around the shops and bars of downtown Jacksonvile and even found time to record some of yesterday's Force Day ceremonies at Camp Lejeune honoring Lt. Gen. Richard Weede.

Hometown folks are getting interviewed. So get a haircut and wear a tie, and if a guy with a fat tie who looks like he has either given up barbers or is wearing his toupee backwards starts to question you about racial tension among the Marines in Jacksonville, be prepared to say something fit for national consumption.

One hopes the stories about rioters waiting around for the TV cameras to arrive before swinging into action are not true. It would be nice for the TV newsmen though, if after spending all that time and money they could take home something really interesting.

If they wait around on Court Street long enough they are sure to see a fight. But the hassle is more likely to be over some fancied insult between two members of different units rather than members of different races. When there is no one else available, Marines fight each other to keep in practice.

The stories about TV newsmen stirring up trouble are probably not true, but some newsmen from major newspapers have come up with some pretty fair substitutes for stirring up a little racial activity.

For example a Washington Post reporter quotes an anonymous captain—who has probably never been in a bar in downtown Jacksonville except as Officer of the Day—as stating, "A Negro Marine will be served in J-Ville's local bars, but the white waitress is likely to pour the beer on his lap instead of in the glass."

Waitresses of any color are likely to pour beer without regard to race, creed, or national origin in anyone's lap on Court Street, as anyone who does any active part-time bar-hopping in the hectic, crowded cabarets of this community will affirm.

The same self-styled expert says both Fayetteville and Jacksonville have the "usual string of used car lots, tattoo parlors and pawnshops, a shortage of nice girls and an abundance of prostitutes." Jacksonville, he notes, is inferior to Fayetteville, and Fayetteville is a "model of progress" compared to Jacksonville.

Tattoo parlors? Pawn shops? Prostitutes? There has not been a tattoo parlor in Jacksonville in nearly 10 years. The town has fewer pawnshops than any town this writer has ever been in. As for the prostitutes, and the shortage of nice girls, the Post reporter may have known what he was looking for, but one is tempted to suspect that he read about our town in the News and Observer and was never even here.

The Post reporter states the young Marines "swoop" to the large cities on the weekends to escape from Jacksonville. Young men who are close enough to their home towns to spend a few hours with their sweethearts and wives on the weekends would swoop from the Fountainbleu in Miami!

Sad to say, most large newspaper and wire service accounts of the situation at Camp Lejeune and Jacksonville, are written by "experts" who come for a few hours, strike up a conversation with some loafer and represent his remarks as the gospel truth to the rest of the nation.

Sadder to say, this appears to be what far too many viewers and readers are willing to believe.

And a final observation: A Marine is neither black nor white, say those who love the Marine Corps. A Marine is green.

Fair enough. The chief industry of Jacksonville is Camp Lejeune. Most of the people who serve the Marines in Jacksonville and Onslow County are well aware they are serving a desegregated, green industry. Money is also neither black nor white. It is green.

A SEACAP Operation—244 Into Jobs, Job Training

In a nine month period, beginning November 25, 1968 and ending August 31, 1969, SEACAP's Jacksonville Manpower Center has placed 244 formerly hard-core unemployed persons into permanent jobs or training leading toward permanent jobs.

At the end of August the Jacksonville Center's main placement categories for indicating participant status show that 50 enrollees were placed in Operation Mainstream, 26 in OJT (On-The-Job-Training), 47 in NYC (Neighborhood Youth Corp) and 70 in MDTA (Manpower Development and Training Act) classes. One person was still on Employment Trial and 50, who have successfully completed their employment trial period, have been terminated to permanent employment.

COMMUNITY COOPERATION

Mrs. Almita S. R. Woods, Center Director, stated that this story of accomplishment is made possible because of outstanding community cooperation. She had high praise for every member of the Jacksonville Center Staff, which she said works as a closely-knit team to enhance the employability of, and find gainful employment for SEACAP enrollees.

The Jacksonville Center is one of 4 Manpower Centers operated by SEACAP (Southeast Area Community Action Program), a private non-profit corporation under contract with the U.S. Department of Labor to alleviate unemployment and underemployment of disadvantaged citizens in 12 counties of South East North Carolina. The Jacksonville Center serves Onslow, Duplin and Pender counties. Central office of SEACAP is in Clinton, North Carolina. The other three Manpower Centers are in Wilmington, Lumberton, and Fayetteville. The operation of SEACAP is coordinated under A. J. Rauchle, Executive Director. SEACAP has a contract with the Employment Security Commission of North Carolina to furnish the manpower service necessary for an operation of this type.

Effort of personnel from the North Carolina Employment Security Commission, the local Community Action Program (Onslow County Fund), and the local Health, Education, Welfare and Law Enforcement agencies are coordinated by the Jacksonville Center into a team approach toward resolving problems of disadvantaged citizens, increasing their employability and developing jobs to assure permanent gainful employment suitable to their capabilities.

The Jacksonville Chamber of Commerce gives full cooperation to SEACAP and is presently assisting in organizing a Center Advisory Council. The Onslow County Planning Board and Neuse River Economic Development Commission keep the Center informed of new and-or expanding businesses in the area.

Service, business, and professional organizations such as Lions, Kiwanis, Medical Society, Pharmaceutical Society, Independent Garage Owners, Jacksonville Movers' Association, Cleaning and Pressing and others have endorsed SEACAP and many, through individual member firms, have provided employment and training for SEACAP enrollees. Onslow Board of Education, and church and school administrators cooperate with SEACAP. Films and maps are loaned SEACAP by the board of Education. Sponsorship of a Day Care Service to serve children of SEACAP enrollees and others qualifying for such service is under consideration by a local church. SEACAP enjoys excellent cooperation from the Onslow County Department of Social Services, Mental Health Center, Health Department, Onslow County Fund, Police Department, Jacksonville Daily News and every facet of community life.

COMMUNITY COLLEGES TRAIN ENROLLEES

Enrollees are trained in auto mechanics, brick masonry, carpentry, welding, plumbing, and cosmetology under State and Federal MDTA programs in cooperation with Onlow Technical Institute in Jacksonville and James Sprunt Institute in Kenansville. Others are trained in a variety of areas under Operation Mainstream, OJT and NYC components. The community colleges also provide basic education for MDTA, NYC and Mainstream participants.

OPERATION MAINSTREAM

Purpose of Mainstream under SEACAP is to provide opportunity for establishing good work habits while enrollee develops basic skill that leads to permanent unsubsidized employment at the Federal minimum wage of $1.60 per hour or more. Mainstream is designed for the chronically unemployed adult. Training under Mainstream can only be done with a public or private non-profit organization. The trainee is paid by SEACAP while the non-profit organization gives training and supervision. At the close of the training period, which can extend to six months, the trainee is ready for the competitive job market or, most desirably, is employed by the agency or organization which did the training.

On-The-Job-Training under SEACAP permits placement with nonprofit or profit making organizations. The trainee must receive a minimum wage of $1.60 per hour (as a full-time employee) from the firm with which he is placed. SEACAP provides up to $25.00 per week to the employer to cover cost of training and supervision of each OJT employee. Training period for an OJT employee may extend from a minimum of four to a maximum of twenty weeks, according to the extent and type of skill the enrollee must master.

A SEACAP OPERATION

SEACAP handles all administrative details leaving no burdensome responsibilities on the employer. At the close of the training period the enrollee is terminated to permanent employment.

STATE AND FEDERAL SUBSIDY

Training under MDTA may extend from eight months minimum to 18 months maximum, determined by the field of training and the standard curriculum for the training. Through State and Federal appropriations, SEACAP provides a small stipend of $29.00 a week plus $5.00 for each dependent and actual cost of travel, or five cents a mile. Before the training is completed, SEACAP's Job Developer develops a job for the enrollee so that he may move from training directly into employment.

NYC

The Neighborhood Youth Corps is designed to encourage continued education and to provide work experience for young people 16 to 22 years of age who, for various reasons, have not completed and are not attending high school. The enrollee may gain work experience in a public or private nonprofit agency while continuing his education on a part-time basis. He is paid at the rate of $1.40 per hour. Although SEACAP provides assessment and orientation for the NYC enrollees, the program is administered by Onslow County Fund under the NYC Director, Mrs. J. Sue Westfall and the NYC Out-of-School Counselor, Mr. George Tooks. Mr. Adam Mattocks is OCF Director.

HOW SEACAP WORKS

The hard core unemployed or underemployed are recruited from special target areas. They are provided counseling and medical examinations. Personality and work capabilities are evaluated by Job Counselors in a two-week assessment and orientation period during which time enrollees learn how to fill out job applications, how to seek and find a job, what community resources are available and how to apply for their services, what an employer expects of an employee and what the employee should expect of an employer, the importance of good personal hygiene, how to budget income, and everything about the world of work that can be as adequately covered as possible in a two-week period. If there are physical, mental or social problems which SEACAP cannot help the enrollee resolve, referrals are made to agencies or organizations that can help him. The enrollee is then assigned to a work experience component such as Operation Mainstream, OJT, NYC, special vocational training under MDTA, or is placed directly into a job on an employment trial basis.

A job coach is in constant contact with the enrollee, ironing out any misconceptions he may have of the job and-or the employer, and any misconceptions the employer may have of the enrollee and or SEACAP. The Social Services Counselor assists in resolving problems of child care, transportation, medical needs and, sometimes, has to help with improving family relations. When necessary, referrals are made to the Department of Social Services, Onslow County Health Department, Vocational Rehabilitation, Mental Health Center or other community service organizations.

It is the purpose of SEACAP to give meaning to "the policy of the U.S. to eliminate the paradox of poverty in the midst of plenty in this Nation by opening to everyone the opportunity for education and training, the opportunity to work, and the opportunity to live in decency and dignity. . ."

The Jacksonville Center pleads with each employer to work with it toward these goals by providing at least one job for a SEACAP enrollee. Without jobs, poverty and crime will never be eliminated. Employment of a SEACAP enrollee means good business for the employer, new hope for the enrollee, less tax for the tax-payer and an improved and happier community for all citizens.

"This Is Mrs. Woods' Office"

(By John Rogers)

You drive down a sloping, graded dirt and gravel road, pass the bread store, and stop in front of an unadorned block building with a simple sign "SEACAP" fastened a few feet left of the doorway.

As you enter a pert, polite, and attractive receptionist looks up from her typewriter and smiles.

"Mrs. Woods is expecting you," she says and rises from her chair. She leads you through a spacious outer office and down a narrow hall. All along the hall you sense an air of busyness and business coming from the cubbyhole offices and classrooms.

"This is Mrs. Woods' office," she says, excusing herself and you enter.

Mrs. Woods rises from her desk to greet you. She is a tall, well-proportioned, well-dressed woman exuding warmth and friendliness. She has the air of a college student rather than of a director of a large service organization, but as director of SEACAP (Southeastern Community Action Programs) for Onslow, Pender and Duplin counties, Mrs. Woods supervises a staff of about 20 persons and administers a complex and demanding program.

In addition to being a woman holding what is usually a man's position, she is also a Negro. She believes that both being a woman and being black make her more effective.

Being a woman, she says, helps her to get through to more people.

"When a woman travels out in the country to talk to a man, no matter how crude that man may be, he'll listen to her and show her respect if she approaches him as a lady. A man doesn't have this advantage," she explains.

As for being a Negro she believes it has made her more sensitive to the feelings and needs of other persons and makes it possible to relate directly with the many Negroes who come to SEACAP seeking help.

"Understanding, feeling . . . it's not something you can really put into words. If I cut my finger you know that it hurts but you can't feel what I feel unless you cut yours.

"Being black . . . you can know that this can sometimes be painful but unless you are, you really can't know what it's like. I do, I understand," she offers.

Perhaps it is a heightened sensitivity to others, perhaps it is something else, charisma, whatever it is, Mrs. Woods has quite a bit of it.

The 18th of 19 children, she grew up on a large farm in South Carolina, was valedictorian of her high school class, graduated Cum Laude from Benedict College, Columbia, S.C., and earned a Masters degree from Atlanta University.

She worked as a school teacher in South Carolina, a public relations director in East Texas, a peacemaker in Chicago, a social worker in various capacities, and now is the director of SEACAP. The job is satisfying.

"I love my job, the work, the staff . . . these men and women, they are more than enthusiastic. They are dedicated to seeing that everyone who comes to us does get a job. They take it as their own responsibilities," she says with obvious pride.

She came by the job almost by luck . . . or perhaps it was fate.

"One of the staff here suggested I apply for it. I didn't really think I wanted it. I was working three days a week for the Mental Health Center and I told her 'I've been working all my life and this three days a week is just my speed now.' "

However, she did consent to allow Clinton (SEACAP headquarters) to consider her resumé and a short while later she, much to her surprise, was hired.

How Mrs. Woods came to Onslow County is quite a story all by itself.

After a stint of public relations work for Jarvis College in East Texas, Mrs. Woods took leave to return to Atlanta to complete her thesis and get her Masters. While there the school received an inquiry from Chicago seeking a qualified, experienced person to head an early prototype of a community action program. Mrs. Woods submitted her résumé and was hired immediately.

After five months that consisted mostly of organizations, she tackled a real problem. The University of Chicago was on the verge of annexing the primarily Negro community of Woodlawn. The residents were bitter toward the University. The University was baffled and stunned by the reaction.

"Situations like that are dangerous. On one hand it would be easy for the community to see me as a kind of Uncle Tom, and on the other the University could believe that I was primarily a rabble rouser," she explains.

Neither, however, happened. She steered the tricky course between Scylla and Charybdis, she believes by "talking and talking to people and looking them right in the eye all the time.

"Now the situation is much better. The university is helping the people. At one time Woodlawn had no public sanitation, no trash pick up, nothing. Now it is getting help," she says looking back.

Mrs. Wood went to Chicago in 1960 and left in 1967 because of a raincheck that was cashed in 1965 in Hawaii.

In 1960 Mrs. Woods was not Mrs. Woods. She was a widow. On a trip to South Carolina to visit a niece she was introduced to a "really good looking man" who asked her out to dinner. She declined.

Five years later, in 1965, while visiting the same niece, now married and living in Hawaii and about to have her first child, who should appear but the same gentleman.

"My niece's husband met him at the Staff NCO Club. He had just arrived in Hawaii and he invited him home for dinner. For the life of me I couldn't remember him until he got to the house.

"Aunt Almita! You owe me a rain check," boomed MSgt. W. M. Woods on arriving. For the next month the couple spent most of their time exploring Hawaii.

Upon returning to Chicago in February Aunt Almita found her apartment laden with valentines.

"We met during Easter in Los Angeles and met again in July to get married. And do you know what? He planned that wedding down to every detail. I didn't even have to do a thing except put on my gown. He even picked one of his friends to act as my father and give me away," she remembers.

And so MSgt. Woods, upon receiving orders to Camp Lejeune, brought with him the woman who is now directing one of this area's most promising and important agencies.

The Woods have just purchased a new house and are planning to make Onslow their permanent home, though Sgt. Woods left last week for Da Nang, Vietnam. He has 26 years of active service and plans to go for 30.

Although when she came to Onslow County it was to be a housewife, the habits of many years of work are not easily broken.

"I believe the more you are exposed to learning the greater your responsibility becomes to help human beings and to see all people as human beings. I have a deep faith in people and what it means to be human," she openly admits.

This belief in mankind and her conviction that it is important to help others reflects the person that is Almita Woods.

From her birth more than 50 years ago to the present, she has been immersed in the flavor of life and living.

She had 18 brothers and sisters, five were from her mother's first marriage, six from her father's first marriage, and eight from her mother's and father's union. It was a large, diverse, and happy family.

"I remember we had such good times," she recalls smiling. "We used to steal potatoes and bury them under the ashes in the big fireplace and cook them. Then we'd sit around. Then father would come in the room and sit down and start chewin' a big hunk of tobacco. Then spttttt, he'd spit all over our potatoes and we didn't dare say a thing."

As she tells the story she laughs and laughs. "Oh those were such good times."

The times that followed were tougher . . . the depression, sickness and death, the struggle against racial intolerance.

"I worked with Martin Luther King Sr. in Atlanta, served on Negro Welfare Committees in Texas, on the Urban League in Atlanta, and many other agencies," she says.

What she doesn't say is that in 1963 she was selected as one of the 12 most outstanding women in Chicago, she holds a citation from the American Friends Service Committee (Quakers) for a "job well done" in Dallas, Texas, a citation from the American Friendship Club for her work in Chicago, and numerous other honors.

Her record with SEACAP since assuming its directorship need be judged by looking no further than the outstanding record of the agency itself.

"You know, I never thought I'd decide to live in North Carolina, but here I am," she remarks cheerfully.

You drive up the sloping, graded dirt and gravel road and onto the paved highway. A young man with his hands in his pockets passed on his way down the road. He nods to you and you nod back. You almost stop the car to tell him he has come to the right place.

CALL FOR A VOTE AGAINST CONFIRMATION OF JUDGE CLEMENT F. HAYNSWORTH TO THE SUPREME COURT

(Mr. EILBERG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EILBERG. Mr. Speaker, I rise today to call upon the senior Senator from my State of Pennsylvania to cast his vote against confirmation of Judge Clement F. Haynsworth to the Supreme Court.

As a member of the Judiciary Committee of the Senate, that gentleman's vote carries a double value. I urge him to vote against Judge Haynsworth in his committee and, if necessary, on the floor of the Senate.

Now elevated to minority leader, the senior Senator's influence is considerable. While he launches diversionary attacks on the Democratic Congress, the gentleman's first hour of truth is at hand.

He spoke of "conscience" after his election by his colleagues and that is a matter of conscience, but it is more. For certainly those who sit on the Supreme Court must be more virtuous than Caesar's wife.

It has been charged that Judge Haynsworth's business interests conflicted with his judicial responsibilities. Seeking to apologize for Judge Haynsworth, others have said no conflict of interest existed, but that Judge Haynsworth simply had made errors in judgment.

This is an outrageous defense. The business of the Supreme Court is judgment and errors in judgment certainly disqualify a man for service.

Beyond that, the controversy surrounding the appointment of Judge Haynsworth already has compromised the respect that must be held in the land for the Court.

For these reasons, I vigorously urge the senior Senator from Pennsylvania to use his counsel in urging the President to withdraw Judge Haynsworth's name. Failing that, I urge the gentleman from Pennsylvania to exercise his leadership to defeat the nomination in the Senate. It goes without saying that I urge the senior Senator to vote against the nomination both in his committee and on the floor.

The Senator from Pennsylvania serves the President, but he also serves the people of Pennsylvania and they have prior claim on his loyalty. The nomination of Judge Clement Haynsworth is clearly not in the best interests of the people of Pennsylvania.

Mr. Speaker, I yield back the balance of my time.

CASIMIR PULASKI—SOLDIER OF FREEDOM

(Mr. ANNUNZIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ANNUNZIO. Mr. Speaker, October 11, 1969, marks the 190th anniversary of the day on which the great Polish patriot, Count Casimir Pulaski, gave his life in order that our country might be free.

He was only 31 when he died on board the brig *Wasp* where he was removed after sustaining mortal wounds in the Battle of Savannah. Thus ended the life of one who was the embodiment of the best traditions of Polish chivalry and foremost in the ranks of those wholeheartedly dedicated to the cause of liberty.

Despite his youth, he had established a brilliant reputation in the field of cavalry, and was so thorough in completing the arduous task of reorganizing the American cavalry, that the book of drill regulations which he compiled still serves today as the basis of cavalry drills for the U.S. Army.

Pulaski first heard of the American rebellion against the British in Paris in 1776, and true to the words he had once spoken—

> Wherever on the globe men are fighting for liberty, it is as if it were my own affair.

This heroic Polish nobleman offered his services to our country.

He arrived in America in July of 1777 and Gen. George Washington immediately entrusted the command of our cavalry to him. Subsequently, Pulaski gave such distinguished service at the Battle of Brandywine and during other encounters with the enemy that the Continental Congress commended him for his efforts and rewarded him with the rank of brigadier general.

On this anniversary, it is especially fitting to remember Pulaski's courage in the face of tyranny, his patriotism, his warmth, and generosity, for all these are characteristics which the Polish people have demonstrated throughout centuries of strife and foreign domination.

In my own Seventh Congressional District of Illinois, which I am privileged to represent, hundreds of thousands of Polish-Americans reside. Therefore, I am particularly aware of these extraordinary characteristics of the Polish people and join my colleagues in the Congress in gratefully acknowledging the countless contributions with which our citizens of Polish heritage have enriched American culture.

Count Casimir Pulaski, of course, was among the first of the Polish people who served our Nation and aided its progress. Although he did not live to see America win her independence, his gallantry on the battlefield and his complete devotion to the cause of freedom helped our country in winning the ultimate victory.

Count Casimir Pulaski is remembered here today and is honored as a hero of two hemispheres—in one for his valiant efforts to prevent the partition of Poland—and in the other, for his outstanding contributions during America's war of independence.

This great man made the supreme sacrifice in the age-old struggle for freedom, and it is with a sense of real pride that I join my colleagues in commemorating the anniversary of General Pulaski's death.

CHANGE IN VOTING PROCEDURES NEEDED

(Mr. WHITE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WHITE. Mr. Speaker, I wish to advise the Members I am sending to the membership a suggestion for improving our voting procedures. I hope that you will give this matter consideration and I hope you will look at the RECORD today if you do not receive your letter. I hope you will examine my particular plan.

Mr. Speaker, the House truly needs to consider a change in voting procedures, and I herewith suggest a change that will help you in the performance of your duties. I have suggested these changes to the House Rules Committee.

Accepting that the present system of taking the roll is time consuming and subject to error, I suggest the following plan, in lieu of an electronic voting system:

When a yea-and-nay vote is called for, at the discretion of the Speaker, the Speaker may declare the standard present system of rollcall, or he may call for the special rollcall outlined below:

First. Upon the announcement of a special rollcall, the clerks shall lay out a suitable number of alphabetized sheets of paper—suggested, 10 legal sheets with 43 or 44 names each—with the Members' names printed in the left column, and then three blank vertical columns for aye, nay, and present. Each Member will then go forward to the clerk's desk to sign his name in the appropriate line and column, on which his name is located, according to his vote.

Second. Since 7 minutes is required to walk from the farthest point in the office buildings to the Hall of Congress, the list should be available for signature in 10 minutes from the first bells—or some specified time.

Third. After the time for signatures expires, the reading clerk will then take the lists and read:

> The following Members have voted "aye."

And then he will read the names in quick succession. Then he will follow the same procedure for the "nays" and the "presents."

This step could be eliminated, except that this completes the public record and allows other Members the opportunity to hear how others voted.

Fourth. Thereafter, the reading clerk will take votes from the well of the House from those who failed to register their votes on the lists, until all present are recorded, and the Speaker raps his gavel.

Fifth. While the reading clerk is taking votes from the well, other clerks are tallying the votes from the list—sheet by sheet, then totalled—then the Speaker will announce the results of the total vote.

Sixth. To differentiate a special rollcall from the standard rollcall, on the special rollcall two bells will be followed by a short pause and then two more bells, or if an automatic rollcall on a quorum, three bells will be followed by a pause and then three more bells. This will advise the membership of their time and procedure.

Seventh. If the same system were desired on a straight quorum call, the Speaker would so declare a special quorum call ,and then the special bells would ring, alphabetized sheets would be laid out and the membership would sign their names in the "present" column on the line designated by their printed name. After 10 minutes the Speaker or Chairman would direct the Reading Clerk to read the names of those who failed to respond to the registered lists—or this step could be dispensed with, since the presence or absence of the Members signing evidences their presence or absence. Then Members who failed to register could answer "present" from the well. The total process should consume 15 minutes, compared to 26 to 30 minutes under present procedures.

The advantages of this system over the present system are as follows:

First. Errors in voting and answering "present" would be reduced to a minimum, since the signature of the registering Member would attest his true position. For those who answer from the well, they would be close enough for the reading clerk to clearly hear their responses.

Second. The need for embarrassing calls to order would virtually be eliminated. These calls to order cast the Congress in a poor light with the gallery spectators.

Third. A Member would be sure that he is recorded correctly, and not have the need to later ask if he is recorded or how he is recorded. He will have signed his name in the proper column reflecting his position.

Fourth. Members who are already in the Chamber at the commencement of the voting will not have to wait until their name is reached before they can vote and thereafter attend to their business, or see a constituent, make a phone call, and so forth.

Fifth. Members coming to the floor will have the assurance that they can vote soon upon arriving at the floor, whenever they can affix their signature to the appropriate sheet. With 43 or 44 names to each sheet, over a 10-minute period, there should be virtually no waiting period. For example, this would be a great advantage for committees meeting during the session. A committee could be assured of resuming hearings or deliberations within 10 minutes after the first bells.

Sixth. A proven record will have been made by the membership itself, when all voting Members in the first 10 minutes have registered their votes. There can be little room for error for the journal clerks.

Seventh. At least 10 to 15 minutes on each rollcall or quorum call is saved by this procedure. At 10 minutes, for 435 Members, this is a savings of over 72 hours or nine 8-hour work days. Regardless of where the membership may be, and under the most extreme normal circumstances, he can be on the floor in 12 minutes. This rollcall would probably take 15 minutes at a maximum.

If you feel these suggestions have merit, I hope you will discuss the ideas with your colleagues, especially your friends on the Rules Committee, to see if an acceptable plan can be devised and implemented.

LEGISLATION REQUIRING ADVANCE REPORTING OF PROJECTED EXPERIMENTS IN WEATHER MODIFICATION

(Mr. MARSH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MARSH. Mr. Speaker, I am introducing today legislation to require advance reporting of all projected experiments in weather modification.

The bill also would establish a commission to evaluate attempts by governmental and private agencies to alter the weather by cloud seeding and other means, and to develop recommendations as to the regulation of weather control efforts.

There is growing concern, particularly among farmers, as to the effects of tinkering with the weather. The subject is little understood, and there are substantial differences of opinion among scientists as to the practical value of the methodology so far established.

An urgent need, Mr. Speaker, is for reestablishment of a reporting system. We had one, maintained by the National Science Foundation, but it lapsed last year. I am informed that there is current active interest within Government in the renewal of reporting requirements for weather modification experiments. To that end, the bill I am offering would assign responsibility to the Environmental Science Services Administration in the Department of Commerce.

The study to be undertaken by a National Weather Modification Commission would assess the state and prospects of weather modification experimentation with particular reference to the economy and the environment.

Various Federal agencies are engaged in experimental work, and there are private organizations in the field, including some which offer cloud seeding services commercially. The Commission proposed by the bill could provide the much needed coordination.

Legal problems, such as intrusion on air rights, and matters of international cooperation would be other proper concerns of the Commission.

Finally, the Commission would be expected to provide the President and the Congress with recommendations as to the extent and nature of regulation found in the public interest. This, of course, would be a matter for future legislative action.

Heads of Federal departments and agencies having an obvious concern with weather changes would be represented on the Commission, as would both bodies of the Congress and the non-governmental scientific community.

My principal concern, Mr. Speaker, is for prompt reestablishment of a reporting requirement in the matter of weather modification experimentation. I believe it logical, at the same time, to set up a coordinating agency with a view to placing in appropriate perspective the state of this art and reducing public misunderstanding and uneasiness about it.

INCREASE AMOUNT OF OUTSIDE EARNINGS ALLOWED UNDER SOCIAL SECURITY WITHOUT PENALTY

(Mr. STEED asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEED. Mr. Speaker, I am today introducing a bill that would raise the amount those drawing social security under age 72 are permitted to earn without forfeiting part of their benefits. The bill would increase this figure from the present total of $1,680 per year to $3,000.

Under the present law, many are receiving benefits far too little to meet the basic cost of living. Among this group are substantial numbers who are both willing and able to do some work. But as of now they can earn only $1,680 without losing some of their annuities. This is a rate equal to only $140 monthly if a person works the entire year.

Thus the law penalizes those who are trying to help themselves. It also penalizes the community, by drastically limiting the services of this substantial group. By raising the limit to $3,000, which would permit a year-round earning at a $250 monthly average, we can open the way for these people to keep themselves out of the poverty bracket. This amount, plus their social security annuities, would enable them to make ends meet.

In 1968 alone, the Consumer Price Index rose 4.7 percent. And its rise is continuing this year at a rate even greater. The hardest hit by inflation are those elderly citizens who are on meager fixed incomes. The greatest increases are coming in the necessities of life—medical care, food, and clothing.

We all know how difficult it is to obtain reliable help in many low-paying small business jobs, especially part-time ones, in present economic conditions. This provision will make available more elderly people to help fill this need.

Under existing law those 72 and over have no limitation on the amount of their earnings, but the $1,680 figure applies to all others drawing social security annuities. From $1,680 to $2,800 annually an individual loses $1 in benefits for every $2 in outside earnings, while above $2,800 the loss is dollar for dollar.

I hope the Committee on Ways and Means will go into this subject when it takes up the need for revision in the social security laws.

MORATORIUM ON WAR RESOLUTIONS IS SUGGESTED

(Mr. WILLIAMS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILLIAMS. Mr. Speaker, it is proper and essential that the Congress remain gravely concerned with the continuing problem of Vietnam and, in that concern, that the Congress hear and consider the voices and petitions of the people with regard to that problem.

It is imperative, however, that Members of the Congress do nothing, however unwittingly, that furthers the Communist effort against this country.

It is, therefore, essential that the Congress not forget the Communist objective nor the modus operandi through which the Communists hope to achieve that objective.

The objective is world domination. The modus operandi is what the Communists call "perpetual revolution" and "protracted conflict."

It is through this modus operandi that the North Vietnamese Communist regime and its Vietcong and National Liberation Front extensions in the South seek to gain by means short of total, modern war what they could not gain in such a direct conflict with the United States.

The prime tools for this Communist effort are: Limited aggression, guerrilla warfare, and outright terror tactics intermingled with agitation, propaganda, and political activity on a global scale.

Through this cynical blend of military action, professions of peace, and posturing of negotiation, the Communists seek to divide us—to wear us down—to fatigue us to the point where we will give them what they want; that, at the moment, is all of Vietnam.

In pursuing this course against us, they take maximum advantage of the full gamut of the freedoms which, guaranteed by the American system of government, are ruthlessly repressed by the Communist system.

I do not suggest that, because of this well-established Communist technique, we should, in any way, declare a moratorium upon those freedoms which, in the continuing great national debate over Vietnam, place greatest emphasis upon the fullest exercise of the freedom to assemble, speak, and petition.

I do suggest, however, that in consideration of these actions, the Congress cannot afford to appear to permit itself to panic, and, in so doing, accommodate the Communist objective.

The more irresponsible or reckless the demands, the more responsible and prudent must be the congressional reaction and conduct.

Consequently, I repeat my suggestion of last week that, in response to efforts to impose upon the President a time limit for withdrawal from Vietnam, we might better impose a limit upon the time our President feels impelled to be patient with the Communists who, up to now, have demonstrated contempt for his every effort to end the war with an honorable peace—a peace with which mankind can live. There is, however, some indication, now, that Mr. Nixon's policy and conduct may be causing them to modify their contemptuous conduct.

I would suggest, therefore, that we could do worse than to discipline ourselves with a resolution to end, at least for the moment, the flow of resolutions on "what to do about Vietnam."

I would remind my colleagues that it is much easier and, certainly, quicker, to run a resolution through a mimeograph machine than it is to find a viable solution to the Vietnam dilemma which, in the main, this flow of resolutions only compounds.

Like the President, the Congress has no reasonable choice than to remain resolved to contribute, not to defeat in Vietnam, not to surrender in Vietnam—not to the aid, comfort, and convenience of the Communist enemy—but to an end to hostilities commensurate with established American standards of morality and responsibility.

Every one of us in the Congress shares the burning desire of the people to end this most nightmarish and unpopular military effort in which this Nation has permitted itself to become embroiled. But every one of us in the Congress must also share the burning desire that it shall not be ended in the form of another Munich.

Let us not forget that the cost of that foolish effort to buy "peace in our time" ended with more than 50 million human beings killed in a global war—not on the battlefield alone, but in bombing attacks on cities and farms, in concentration camps, and in gas chambers and ovens under a maniacal Hitlerian tyranny with which, when it began, communism was formally and ideologically allied for the purpose of conquering the world and dividing the spoils.

Even as this was the well-recorded result of the original Munich, this, and worse, could be the result of the new Munich for which, however unwittingly, too many argue in their demands for unilateral American withdrawal from Vietnam in the misguided belief that such action might, indeed, prove to be the key to peace.

Even as Stalin, like his former ally, Hitler, was responsible for mass murder and genocide within his sphere of World War II control, so would the Hanoi-commanded Communists rush to do the same against the hundreds of thousands of North Vietnamese who have fled into the South in search of asylum from the Red tyranny which they suffered in the North. This is the asylum, the freedom, which we have guaranteed. These are the refugees from Communist terror who have believed us. These are the tragic human beings who have accepted our guarantee.

Even as the Communists would destroy these refugees so, too, would they destroy the hundreds of thousands of South Vietnamese who have resisted them, who have demonstrated friendship for Americans and belief in the American guarantee of security and freedom.

Then, with South Vietnam firmly in their grasp, the Communists would move into the new Vietnams which, in fact, they have already begun in Laos, Cambodia, and Thailand.

This is the Communist objective, this is the Communist modus operandi, with which our President is confronted even as he is further burdened by the unreasoned and unreasonable demands that he pave the way for that new Munich by surrendering to political expediency rather than standing on principle—the principle of freedom and honor.

This is the compounding of the basic problem of Vietnam which is being heaped upon him by the cries and the antics of thousands of malinformed, misguided, suspiciously led students who, to the delight of the Communists, prepare to contribute richly to the Communist objective and modus operandi on that defined as "Moratorium Day" next Wednesday.

On that day over which the Communists are already exuding great glee and to which they are giving active cooperation, any fool, any incompetent, any malcontent, any radical, will be able to rush into the streets to shout "peace," and "stop the killing," as long as he does it in the streets of America, where it is permitted—not in the streets of Hanoi, where it would result in instant annihilation.

On that day, in America, such conduct will be globally reported without the activists having to account for the consequences of what would follow the unilateral withdrawal from Vietnam for which they will be demonstrating.

But it will take a man—a statesman—to stand up in Congress, and in the White House, to resist that which, however sweet sounding, would, by no means, really be "the easy way out." Quite the contrary: such a precipitous action would, in all reality, be the fast way into a whirlpool of a second Munich and the nuclear age consequences from which mankind might never emerge.

It is this which, in all respect, I commend to the attention, intelligence, and consciences of my colleagues and, in turn, to the American people whom we represent—and whose security and interest we are sworn to protect and defend.

VIETNAM

(Mr. WEICKER asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. WEICKER. Mr. Speaker, I would like to refer my colleagues to a statement Democrat Senator FRANK CHURCH made on the floor of the U.S. Senate last week:

> After all, Democrats in the White House led this country into Vietnam. If President Nixon fails to lead us out, it may become his war, but it is not Nixon's war yet. For eight years we, Democrats, bore the responsibility. Now, we must wear the hair shirt longer than eight months. Quite apart from what our personal positions may have been, we are not yet entitled as a party to hold the Republicans to account.

And yet, of course, this is exactly what the Democratic Party is attempting to do in 1969.

Make no mistake about it—the American people rejected the possibility of war in 1964, and the actuality of war in 1968.

In representing my district, I intend to use all my energies to see to it that our young people do not continue to pay the price for past legislative silence and executive error.

Now it is easy enough to blithely go on to the problem of how many troops do we withdraw and how fast, but the fact is that Richard Nixon set up and put into motion without fanfare the machinery for peace. Very simply what used to be national rumor has been replaced with national policy. I would like to point out to the Democratic Party that for the very reason that they cooly, calmly, and surely put us into a war in Vietnam means that hysteria is not going to get us out. Steady hands securely tied the knot of war and steady hands are going to be required to unravel it.

I am more committed than ever to the disengagement of American land forces from Vietnam, and I think it is the job of this Congress to see that the President neither fails nor falters in continuing what he has started. But I can tell you what I am not about ready to do and that is to listen again after 8 months to those that gave the advice to America for 8 years. I saw 8 years of increased draft calls. I saw 8 years of increased troop commitments. I saw 8 years of increased casualties.

The fact is that now I see men returning from Vietnam—I see draft calls canceled—I see draft reform proposals—I see cutbacks in defense spending—I see declining casualties.

You and I both know that there is another side to the coin. For every man that would like to make this Mr. Nixon's war politically, there are people who would like to make this Mr. Nixon's war realistically. In an era of extremes, that makes the role of reason the most difficult and is why the President's program of disengagement should be encouraged.

POSTAL REFORM

(Mr. LANDRUM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANDRUM. Mr. Speaker, I was privileged to be one of the early sponsors of H.R. 11750, a bill which would make historic changes in the organization of the U.S. Post Office.

This bill attempts to give the Post Office a more manageable structure by converting it to a Government-owned corporation, operating under the broad policy direction of the Congress.

Some months have passed since the introduction of that bill, and I feel compelled to restate my convictions on the urgency of coming to grips with the serious problems which beset this department.

The Post Office is perhaps the best example in Government of an organization out of the past attempting hopelessly to deal with the larger, more complex demands of today.

Every credit must be given to the thousands of dedicated and hard-working postal employees. Were it not for them the system would not perform nearly so well as it does at present. But they are unable by themselves to overcome the serious obstacles the system places in their paths.

One does not have to be a postal expert to determine that the Post Office Department suffers serious problems. Its plant is sadly deteriorated. It does not have funds to purchase sufficient mechanical mail handling equipment already available on the market. Its employees often work under deplorable physical conditions, and under personnel policies that are decades behind the times. The Department's inefficiencies are widely known and documented, and it loses over $1 billion a year.

On top of all this, mail service is neither fast nor dependable.

Despite the increased use of electronic communications, and talk of using satellites for mail purposes, the hard fact is that the postal service is not a dying industry. Mail volume is booming—expected this year to reach an unbelievable 82 billion pieces. And a steady increase is predicted for the next decade.

While the productivity of workers in industry increased steadily in recent years, that of postal workers remained static; in fact, it has declined somewhat—due mainly to lack of mechanization.

We are confronted with a case of decreasing productivity and increasing mail volume—a recipe for disaster if I ever saw one.

Delays and breakdowns constantly threaten the mails. A complete breakdown in service did in fact occur in 1966 in one of our largest cities, causing severe economic damage and personal hardship. Similar breakdowns could occur at any time in many of our major post offices.

What is wrong with the U.S. mails?

The central problem, in my judgment, is that Congress holds management prerogatives which rightfully belong to the management of the post office. Congress is deeply involved in setting wages and benefits, in establishing postal rates, and in determining capital investments.

Without management authority in these vital areas, the Postmaster General and his staff can do little more than administer; certainly they cannot manage in the truest sense of the term.

This bill—basically—is an attempt to make the Post Office Department more manageable—to give it a management structure similar to those found in the Nation's most successful service enterprises.

This structure would consist of a board of directors, appointed by the President to serve part time. It would include a professional management, insulated from politics, to give the system a continuity it has which has been missing in recent years, as six different Postmasters General have held the office in this decade alone.

Provision is made for collective bargaining, to enable the employees to share in savings which might accrue from the creation of a corporation. Provision is made for a panel of full-time rate commissioners, independent of operating management, to consider postal rate adjustments, hold public hearings, and make recommendations to the board of directors. The board's decision on rate matters would be subject to congressional veto. Finally, and most importantly, it would authorize the Postal Service to raise money for new buildings and equipment by issuing public bonds.

Employees would be protected. They would retain their participation in the civil service retirement plan, and their veterans' preference and other benefits will remain the same or be improved. Indeed, postal employees may be the greatest beneficiaries of this plan.

The Postmaster General has assured the Congress of his conviction that the Postal Service, under this plan, can be operating on a break-even basis within 5 years, without any substantial reduction in the scope of present services. Indeed, he has promised a higher quality of service.

One of the bill's most important features, in my view, is that it clarifies and separates the confusing lines of responsibility which currently exist in this department between the Congress and the executive branch. Congress is so heavily involved in the details of postal affairs that it might legitimately be said that the Post Office is managed by legislative action.

I submit it would be far more preferable for the Congress to establish broad policy guidelines for operation of the Post Office, and retain responsibility for oversight of its operations, while leaving the actual day-to-day management of the postal system in the hands of postal officials. This is basically what H.R. 11750 proposes.

One cannot help but note the broad public support this bill enjoys.

Editorial support has been overwhelming. The Post Office claims that out of 275 editorials it has collected, 252 have been in favor of the bill, and 23 against.

Those Congressmen who have polled their constituents on this matter have almost without exception found respondents to be strongly in favor of the bill.

The surveys of the business community, particularly by the Chamber of Commerce of the United States, indicate business strongly favors the corporation concept.

The American people are behind this bill. If we fail to act responsibly in this matter, if we ignore broad public interest in this bill in favor of narrow, special interests, we will have to answer to the American public on this question.

I recognize this bill is not perfect. The Congress will want to make changes and improve on it. But in my judgment, this is the finest, most sensible solution to come forth to date, and Congress should give it the serious consideration it deserves.

Britain recently turned its mails over to a corporation. Germany has an organization very similar to a corporation in charge of its mail system. And Japan has a proposal before its Diet for a postal corporation. This important new concept for handling the mails is spreading. I urge the Congress to move in all due haste to authorize the U.S. Post Office to take this progressive step.

Only in this way can we assure that our postal system will measure up to the highest standard in the world—the American standard.

OLD CAPITOL: EMINENCE TO INFAMY

(Mr. PICKLE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. PICKLE. Mr. Speaker, on Tuesday evening, September 23, 1969, I attended the seventh annual meeting of the U.S. Capitol Historical Society. Under the guidance of our able and energetic Congressman, the Honorable FRED SCHWENGEL of Iowa, its founding president, this unique organization has become an integral part of Capitol Hill, performing a variety of excellent services for the Congress and the public. I was privileged to speak to this group briefly along with the distinguished Senator from Oregon, the Honorable MARK HATFIELD.

The principal speaker at Tuesday's meeting was Dr. James I. Robertson, Jr., professor of history at Virginia Polytechnic Institute, in Blacksburg, Va. A prolific writer and articulate spokesman, Professor Robertson served as executive director of the U.S. Civil War Centennial Commission and is the author of several Civil War books and articles. His talk on the Old Capitol, which accommodated the House and Senate during the years 1815–19, and later served as a prison during the Civil War, highlights a much neglected part of the Capitol and the Congress' history. For this reason, and because it should be of interest especially to the present Members of Congress, I include his remarks at this point in the RECORD:

OLD CAPITOL: EMINENCE TO INFAMY

(By James I. Robertson, Jr.)

Historically speaking, no building in Washington ever had a more contrasting sixty-year life of fame and infamy than Old Capitol. Certainly none ever began on a note more hallowed—or ended on one more horrible. In this sense, the building that stood at the northeast corner of First and A Streets epitomizes the tragedy to the Union of the American Civil War.

The story begins in August, 1814, when English soldiers burned the U.S. Capitol. For almost a year thereafter, the Congress was left homeless. Yet a combination of public patriotism and private enterprise soon went into operation. Thirty-eight public spirited citizens banded together into a corporation, sold $17,362 worth of stock, and commissioned the construction of a building that would provide at least temporary quarters for the two houses of Congress. The site chosen was a block east of the charred timbers of the Capitol.

In July, 1815, workmen began demolishing the Tunnicliff Tavern, which stood on the lot; and in the incredibly short period of six months, the largest privately constructed building in Washington was completed. Total cost of the brick structure was $25,000, exclusive of $5,000 which the Federal government contributed to furnish the interior in a reasonable eloquence befitting the Congress. The Senate Chamber, 45 by 15 feet, dominated the first floor; the House Chamber, 75 by 45 feet, occupied the center portion of the second floor. For these quarters, the government paid an annual rent of $1,650.

The building served as the nation's capitol until 1819, and it was on the steps of this imposing structure that James Monroe was inaugurated fifth President of the United States. After Congress returned to its renovated headquarters across First Street, the still-new building that had been its home became known out of distinction as "Old Capitol." It was used thereafter for a time as a school; by the 1830's, however, it was Mrs. H. V. Hill's fashionable hotel. So many politicians (plus "dashing young men and transient bachelors") frequented the establishment that it was known popularly as the "Congressional Boarding House." It was there, in the summer of 1850, that the inimitable John C. Calhoun died.

The boarding-house soon closed and for a decade remained unoccupied. When the Federal government in 1861 confiscated the building for use as a prison, it possessed little vestige of past grandeur. "Decayed walls, broken partitions, and creaking doors and stairways" were its leading characteristics. One writer of that time referred to Old Capitol as "a vast brick building, somber, chilling, and repellent;" another noted that because of its dingy, timeworn condition, it "closely resembled the Negro jails in Richmond."

Why authorities selected a rundown structure only a block from the Capitol as the site for a prison remains a mystery. In any event, the government also purchased a series of nearby houses known as "Duff Green's Row," renamed them "Carroll Prison," and made these buildings an annex to the old boarding-house. Enclosing the other two sides of the square with a twelve-foot-high wooden fence completed the compound known thereafter as Old Capitol Prison.

Composite accounts by a number of inmates provide a rather detailed picture of Old Capitol and its adjunct buildings. Dominating the whole complex was Old Capitol itself. The main entrance, on First Street, led into a large hall that served as a guardroom. To the right, off the hall, were two rooms used for searching and interrogating all incoming prisoners. To the left of the hallway was a "dirty, dismal" room that constituted the messhall. It was noted more for its filth than for its cuisine. The principal stairway was at the end of the hall. On the midway landing of the steps was a single office occupied by the prison superintendent.

The second floor contained five rooms (Numbers 14–18) created from the former chambers of the Congress. Incarcerated Federal officers occupied one of the cells; recalcitrant Virginians were in three others; and the central room, Number 16, was reserved for influential political prisoners and noted for the large arched window situated over the entrance on First Street.

According to one embittered inmate, the small rooms were filled with three-tiered bunks along the walls and "filth of every imaginable kind, and entirely destitute of any furniture or other accommodations indispensable to the humblest cabin." This is exaggeration, for each room contained what another prisoner termed "pine tables, chairs, benches, and other home-made apologies for seats." The bunks were so constantly invested with vermin that prisoners customarily slept on the tables and floor.

The third floor of Old Capitol was either an after thought or an attic. The rooms were exceedingly small and low-ceilinged. Ventilation was poor; mold, must and heat were oppressive; and when ten men were not jammed into one of these five-bunk rooms, the quarters were used as solitary confinement cells. Beneath Old Capitol was a two-roomed basement used initially to house Confederate soldiers captured in battle. In December, 1862, the Southerners were moved out and the rooms permanently converted into laundries.

Behind Old Capitol was a yard intended to provide ample space for exercise. However, transfer of Confederate prisoners to this area during periods of overcrowding made it one of the least enjoyable spots in the prison. Half of the yard was paved with cobblestones; the other half varied between a dustbowl and a quagmire, depending upon the weather. On the opposite side of the yard was a two-story wooden building that housed the hospital and apothecary. Next to it—in flagrant ignorance of sanitation—were the "sinks," as latrines were then called.

The sinks, wrote one prisoner, "consisted of wide trenches, partially covered over, but open in front, with long, wooden rails, on which the eighteen or twenty persons using them were obliged to stand. The accumulated excrement—for months, of several hundred men, many of whom were suffering from diseases of the intestines produced by these sinks—sent forth an offensive effluvium that poisoned the atmosphere of the whole prison, and disgusted the sickened senses of its inmates." Another prisoner described the situation more succinctly: "The presence of these sinks . . . did not contribute to the beauty of the scenery or add sweetness to the tainted air."

What set Old Capitol apart from all other prisons of the Civil War was not its location, background or facilities as much as it was the indescribable heterogeneity of its prisoners. No stranger conglomerate of people ever occupied the same compound. Inmates covered the full range of humanity: male and female, black and white, young and old, soldier and civilian, millionaire and vagrant, the brilliant and the retarded, the sadistic and the senile, as well as the guilty and the innocent. That each of the above classes received basically the same treatment in Old Capitol explains why the prison was continually likened to the infamous Bastille of the French Revolution.

Originally, Old Capitol was intended only for prisoners of war; and while Confederate soldiers always formed the largest block of inmates, the prison came to be the chief depository for political offenders (so-called "suspects and enemies of the state"), plus smugglers, kidnappers, counterfeiters, bounty-jumpers, Negro contraband, and Northern soldiers accused of major crimes.

Indeed, a sampling from the Prison's records of charges filed against persons confined in Old Capitol runs the full gauntlet of misbehavior: bushwhacker, contrabandist, guerrilla, carrying goods South, disloyalty and stoning guards, rebel spy, awaiting sentence for treason, dealer in Confederate money, murdering and robbing Federal soldiers, kidnapper, furnishing information which led to the murder of Union pickets, deserter and spy, persecuting Union men, refusal to take the oath, abusive language, damaging Long Bridge, burning commissary stores, aiding and piloting deserters, burning barges. Others were arrested on hazier charges: suspicious character, a crazy wanderer, showing "secesh" sentiments, a "rabid rebel." Beside the names of many prisoners was a simple notation: "Committed by Sec. of War."

In March, 1862, fifteen women were listed among Old Capitol's inmates. Two of them had been jailed for being "notorious prostitutes." Conversely, when in September of that year 170 Federal deserters were brought to Old Capitol, the prison superintendent exploded with rage. "G__ ____ them!" he shouted to the guards. "Take them down to the Navy Yard, and shoot every ____ son of a __________ of them!" Fortunately, higher authorities intervened before the order could be executed, and the soldiers were admitted to the already-crowded prison.

Probably the most pathetic of Old Capitol's occupants were persons arrested for voicing political opinions contrary to those of the Lincoln administration. A Virginian so imprisoned noted: "Many persons confined here were arrested, robbed of everything they possessed, and kept merely on suspicion for weeks and even months, without examination or trial, and sometimes, after an examination and no proof of charges, being still detained."

Another writer commented: "Hundreds of persons were subjected to military arrest and detention without formal accusation or trial. It was an easy, though illegal, way to render them harmless, and whenever further detention became useless, military commissions released them informally without establishing their innocence or their guilt. That their constitutional civil rights were violated was officially neither of concern nor [of] consequence."

Numbered among this group was a fifty-seven-year-old New York farmer named Joseph Kluger, who was sent to Old Capitol in 1862 for stating publicly that "Lincoln had no right to call out 75,000 troops without first convening Congress, and that if the South had her just dues there never would have been a rebellion." A Lieutenant McClune of the 135th Pennsylvania Infantry was confined in Old Capitol for four months because he voiced disapproval of the Emancipation Proclamation. Dennis A. Mahony an outspoken newspaper editor in Dubuque, Iowa, spent a good part of the war in Old Capitol as a result of his strong Democratic editorials. He was never arraigned or tried.

Mahony, who termed himself "a victim of partisan malignity, and of the despotism of Abraham Lincoln," wrote dejectedly in his diary in mid-September, 1862: "Every effort the State Prisoners make to have their cases heard seems to be futile. There is an evident determination on the part of those who have assumed authority in the matter to give no satisfaction to the prisoners, nor to give them the least opportunity to be heard in their defense. A reign of terror and of despotism is as firmly established here as in any city on the globe."

In the case of one political prisoner, the results proved disastrous for the Lincoln government. James W. Wall was a popular but Democratic political leader in New Jersey; and when he appeared to be gaining too much influence in the approaching elections of November, 1862, he was arbitrarily arrested and thrown into Old Capitol. Incensed New Jerseyites responded by electing a Democratic governor, Democrats to four of five congressional seats—and, after Wall's release, sending him to the U.S. Senate.

Old Capitol always had more than its share of strange and unique prisoners. Two inmates were kept in solitary confinement most of the time because each was completely insane. Mrs. L. A. McCarty of Philadelphia was arrested when she was discovered promenading on Washington streets while dressed as a man. (How this transvestite fared in Old Capitol is not known.) Another prisoner was John W. Smith, a roving eccentric known as "The Wandering Jew." He was over sixty-five years of age, blind in one eye, and apparently without home or friends. An inventive man who tinkered with contraptions, he developed the fundamentals of a timebomb—and went to Old Capitol as a result of it.

A Confederate sympathizer named Mrs. Baxley spent considerable time in Old Capitol. She was noted for her constant assailment of any and all guards who came within striking distance, and of the barroom tactics she employed in her many fights. A fellow inmate was Louisa P. Buckner, niece of Postmaster General Montgomery Blair. Miss Buckner was briefly detained on charges of smuggling quinine into the Confederacy. It was not uncommon for women and their young children to be clapped together into cells. Many were imprisoned for simple refusals to take the oath of allegiance.

Special mention must be made of the two

most celebrated prisoners in Old Capitol's history. Both were female, and both were acknowledged Confederate spies.

First of the two to be imprisoned was Rose O'Neal Greenhow, widow of an influential Washingtonian who had been a confidant of James Buchanan, John C. Calhoun and others. Mrs. Greenhow was forty-four and the mother of four daughters when the Civil War began. Few espionage agents in all of American history possessed more skill, or more political influence, than she. Congressmen, high-ranking army officers, and officials in every branch of the government were frequent guests in her elegant 16th Street home. They also and unknowingly were reliable sources of information for the enemy. The secrets that Mrs. Greenhow relayed to the Confederacy in the summer of 1861 enabled the South to win a smashing victory in the war's first major battle.

Secret Service agent Allen Pinkerton was then assigned to keep the widow under surveillance. Pinkerton soon reported that Mrs. Greenhow had "alphabets, numbers, ciphers, and various other ways of holding communication with the Confederate officials." On January 18, 1862, she was arrested and conveyed to Old Capitol. During her seven-month stay in the prison, she and her young daughter were the center of attention of guards and prisoners alike. Mrs. Greenhow was then banished from Union territory. She spent most of the ensuing two years in England on behalf of the Southern cause. During that time, she allegedly turned down a wedding invitation from the eminent Lord Granville.

On October 1, 1864, Mrs. Greenhow was en route home aboard a blockade-runner when a Federal gunboat intercepted the ship off the North Carolina coast. Mrs. Greenhow attempted to get ashore in a dingy; but high waves overturned the craft and she drowned at sea. Her body was later recovered and returned to Washington, where it was buried with military honors.

Carl Sandburg wrote of Mrs. Greenhow that she was "a tall brunette with slumberous eyes . . . gaunt beauty, education, manners and resourceful speech. . . . Her proud loyalty to the South and her will and courage set her apart as a woman who would welcome death from a firing squad if it would serve her cause."

Certainly Mrs. Greenhow's audacity was incalculable. Once, while sending secret messages to the Confederacy, she at the same time was pleading for the promotion of her son-in-law, a captain in the Union army!

The second noted Confederate spy confined in Old Capitol was the "Siren of the Shenandoah," the legendary Belle Boyd. A native of Martinsburg, Va., and daughter of a Confederate officer, she first attracted attention when she killed a Federal soldier who attacked her mother. Thereafter, Belle rode constantly through the Shenandoah Valley and gathered valuable information for General "Stonewall" Jackson. Late in July, 1862, Belle was finally captured; and Federal authorities wasted no time in dispatching her to Old Capitol.

She was then but nineteen. It would be dramatically fitting if one could compare Belle in appearance with Raquel Welch, Sophia Loren or Lana Turner. In truth, she had a marked resemblance to Judy Canova: slim build, sharply cut features and oversized teeth. Belle's first stay in Old Capitol lasted three months. While there she "played her role of Southern heroine with zest" by assisting three prisoners in a successful escape. She became "the darling" of the prison—so much so that confinement for her was practically a holiday. Food, attention and affection were showered upon her by all; and upon Belle's release, inmates took up a collection and bought her a gift which a Confederate officer presented to her weeks later in Richmond.

Following the battle of Gettysburg, Belle was again arrested and sent to Old Capitol. She spent seven months there under sentence of death, but then was exchanged for General Nathan Goff. Like Mrs. Greenhow, Belle was eventually exiled from the North. She married a Federal officer and ultimately moved to Wisconsin, where she died in 1890. She was given a military funeral—not by Southerners but by men and sons of men who had fought for the Union.

Of this remarkable young woman, Old Capitol's superintendent commented: "She was a good talker, very persuasive, and the most persistent and enthusiastic Rebel who ever came under my charge." Yet a Baptist minister confined near her in the prison observed: "I cannot help admiring the spirit of patriotism which seems to control her conduct, although much of romance is no doubt mixed with her patriotism."

Before describing life inside Old Capitol, one must bear in mind two unalterable facts about Civil War prisons: 1) the great majority of surviving accounts were written by inmates, not administrators, and hence are overly biased; and 2) prisoners in any institution tend always to exaggerate their misery. Old Capitol's political prisoners, most of whom were there because of inflammatory writings or vociferous speeches, naturally were inclined to give the most outspoken and dismal picture of their situation. These factors notwithstanding, Old Capitol still left something to be desired.

"In gloom and filth and discomfort," the prison truly "belonged to an ancient tradition." Owing to constantly crowded conditions, individual privacy was out of the question. Prisoners were normally packed into rooms with twice as many people as each room was supposed to hold. Newspaperman Mahony once moaned: "Nothing but the Providence of God preserved the prisoners from the natural effects of the filth, heat, and their crowded contact with each other."

Furniture was sparse and crude. Bunkbeds consisted of straw thrown atop boards cut more to the measurements of midgets. Vermin and spiderwebs graced every nook and corner; the strong odor of human excrement permeated the whole compound. The only diversions available to the prisoners were card-playing, letter-writing, smoking, singing, and whatever horseplay men might devise. "The worst misery in the Old Capitol," one writer has concluded, "was the helplessness and uncertainty which made the men . . . dull their minds with endless games of bluff poker, and toss wakefully at night on their shakedowns . . ."

A typical prison day began at dawn, when guards unlocked room doors and announced breakfast. Prisoners then tramped to the first floor messhall, which a Virginian described as "a long, dirty, gloomy-looking room, with nothing in its appearance to tempt the appetite." The food, he added, "looked as though served at second-hand. The odor which assailed the nostrils seemed as if coming from an ancient garbage heap. Judge Andrew D. Duff of the 26th Judicial Circuit of Illinois never forgot his first meal as a prisoner in Old Capitol. He termed the messhall a *"hog-pen,* a place where several hundred prisoners rushed at meal-time to satisfy the cravings of hunger." Judge Duff was unable "to bear the stench of the place, and the sight of the disgusting mass of half-putrid meat."

Civilian and political prisoners were of one voice in damning the food issued at Old Capitol. Dennis Mahony reported a breakfast as consisting of "a plate of the same crackers which had been furnished the night before—a piece of what we call mule beef, and which we seldom eat, . . . camp knives which stain anything they touch, forks to match, and a teapot of what is called coffee, but which looks as if the coffee-slops of some hotel table were all put together and boiled over." Another prisoner described prison fare as bread, pork and beef. "The pork was of poor quality, and was made worse by being badly kept, and illy cooked. The beef . . . had the appearance . . . of a piece of thick sole-leather, steeped in grease . . . Those who had good teeth might masticate it, with an effort, but even then they could not swallow it."

Mrs. Greenhow once characterized a chicken dinner as "fowl which must have been the cock that crowed thrice to wake Peter," and years after the war, her daughter remarked: "I do not remember much about our imprisonment except that I used to cry myself to sleep from hunger."

After the morning meal, prisoners returned to their rooms. Other than sick call at 9 a.m., the inmates had nothing to do until lunchtime. The same quality of rations was distributed at noon. Then followed a thirty-minute period in the yard for exercise and fresh air. Yet, one inmate noted, the yard was generally so full of the tents of Confederate prisoners of war "that all the recreation which could be indulged in was to gather in a crowd together, and elbow one's way through it."

On August 15, 1862, civilian George H. C. Rowe of Fredericksburg, Va., took his first thirty-minute outing in the yard. He stated: "This little enclosure I found filled; about three hundred and fifty prisoners of every rank, condition and degree, statesmen, lawyers, bankers, doctors, editors, officers, merchants, soldiers, deserters, and vagabonds were mingled in the court. The great majority, however, were dirty, lousy, half-clad soldiers. . . . The condition of many of the captive soldiers can be conceived when I state that many of them were actually scraping lice from their persons with knives and sticks."

When the half-hour "recreation" period ended, prisoners were herded back to their rooms for more boredom until supper time. Roll call came immediately after the evening meal. "Taps" consisted of a guard moving down the hall and shouting for all lights to be extinguished. Prisoners then sat in the darkness until sleep came. Yet, more likely than not, sleep was but temporary—thanks to the presence in every room of vermin. "There is a large force of bedbugs in the room," prisoner James J. Williamson recorded in this journal, "and they send out detachments and raiding parties to all the different bunks, and draw their full supply of rations from the occupants. Sometimes we get together and have . . . a promiscuous slaughter, regardless of age or sex. But they must recruit from the other side, like the Yankee army, as we can notice no diminution in the forces."

Iowa's Dennis Mahony stated the case more dramatically. "No dodging could escape the reconnaissance of these vigilant and active marauders. Even those [prisoners] who slept on the tables were assailed with as much fury as those who remained in the bunks." The bedbugs customarily made their assault in force around 1 a.m. "About that time of the night, some one would wake up smarting from the bites which he had received, and uttering imprecations on his tormentors. Soon the whole crowd would be awake, candles would be lighted and then for the onslaught on the bugs . . . pickets were set to watch the enemy, skirmishers were thrown out, bases of operation were selected, reports made of the number of captured and slain—and after an exhaustive battle, in which many wounds were inflicted on one party, and thousands killed on the other side, the assailing party being always routed, the prisoners slept upon their arms, ready at a moment's warning for a renewal of the attack."

As a further complication for Old Capitol inmates, and in marked contrast to other Civil War prisons, no specific regulations existed for the conduct of the incarcerated. As one Confederate observed early in his confinement: "There are no prison rules for our guidance placed where they can be seen, and no official instructions as to how we are to act, or to whom we shall make known our necessities. A knowledge can only be gained from conversing with prisoners who have been a long time in the prison, or from actual observation, or from seeing punishment inflicted upon some poor wretch for a violation of an unwritten law. One can only do as you see others do, and if you blindly follow a willful or ignorant transgressor, you must take the punishment of a guilty person."

The security of Old Capitol Prison lay not in its boarded windows and locked doors but in the heavy guard that patrolled constantly on the streets outside. Two inmates were killed by these prison sentries. Jesse W. Wharton, the twenty-six-year-old son of a college professor, was slain in the spring of 1863 when he refused a guard's order to back away from a window. Wharton had been an officer in the Federal army but had resigned because his heart was not in the struggle. The following month, twenty-three-year-old Henry Stewart, son of a Baltimore physician, was shot in the thigh while attempting to escape. Stewart's leg was amputated, but he died the next day from complications. Prison gossip claimed that Stewart had bribed a guard to allow him to escape, but that the guard had reneged at the critical moment.

No prisoner ever loves his jailer. This truism aptly existed at Old Capitol, and it applied in particular to the four chief administrators of the compound.

The most detested of the quartet was General Joseph K. F. Mansfield, who was Military Governor of Washington during the first year of the war. Mansfield allegedly gave orders that all prisoners would be fed "side pork and hard biscuit, the worst that could be procured." When a subordinate protested that the majority of the inmates were civilian gentlemen not even formally accused of any crime, Mansfield snorted: "Damn them! They are all traitors, or they would not be there. They shall have nothing else but what I have ordered. That is good enough for them!"

Mansfield was killed in September, 1862, at the battle of Antietam Creek. When news of his death made the rounds of Old Capitol, many prisoners "hoped he would realize in the new existence to which he was introduced what it is to be a tyrant towards his fellow mortals in misfortune. This was the most charitable feeling entertained towards him."

The prison official mentioned most often in the writings of inmates was Superintendent William P. Wood. Born in 1820 in Alexandria, Va., and a former private in the Regular Army, Wood was commandant of Old Capitol throughout its wartime existence. He and Secretary of War Edwin M. Stanton were such close friends that a Washington provost marshal once sneered: "Wood was deeper in the War Office than any other man at Washington, and it was commonly said that Stanton was at the head of the War Office and Wood at the head of Stanton."

Wood was a small man in his early forties when he became civilian administrator of Old Capitol. He proved to be a veritable bundle of inconsistencies. On the one hand, he was flagrantly impudent of authority and seemed to delight in disregarding all orders from above. That he compiled a fortune from stealing money and other valuables of prisoners is substantiated in official reports. Small wonder that his superiors (with the exception of the powerful Stanton) regarded him with distrust and contempt.

On the other hand, Wood went out of his way to try and win at least the confidence of his prisoners. In his own, rather uncouth way, he proved indulging and sympathetic. He supposedly violated regulations and allowed mail to pass in and out of the prison; he was always disarmingly respectful to all inmates; and he explained every hardship imposed by stating that such were direct orders from his superiors.

The prisoners never held Wood in any esteem. He was their jailer—the source of their misery. He was also a "renegade Virginian" noted for loud views on both the abolition of slavery and the preservation of the Union. Inmates regarded as disgusting Wood's tactic of sending spies (posing as prisoners) into the cells to gather information. His alleged penchants for stealing and embezzlement were considered sadistic dishonesty. Lastly, and despite his Roman Catholic background, Wood was an avowed atheist. One Sunday morning in 1862, when Wood allowed a Confederate and a Union chaplain to hold separate church services in the compound, the Superintendent announced the fact by strolling through the halls and yelling cheerfully: "All ye who want to hear the Lord God preached according to Jeff Davis, go down to the yard; and all ye who want to hear the Lord God preached according to Abe Lincoln, go down to Number 16!"

Late in 1865, Wood became Chief of the United States Secret Service. He died in 1903 at the Soldier's Home in Washington.

Of the two other prison administrators who acquired large shares of denunciation from inmates, the most obnoxious was the permanent officer of the guard, Lieutenant Joseph Miller of the 10th New Jersey Infantry. Prisoners referred to him as "Bullhead," and one voiced the opinion that Miller was "like many other civilians who never before had any authority over their fellow-men," for he "arrogated to himself all the power, as well as authority, which he dared exercise with impunity, over the defenceless victims intrusted to his guardian care." Slightly less repulsive was Old Capitol's portly and pompous medical officer, Surgeon W. D. Stewart. Mrs. Greenhow regarded him as "a vulgar, uneducated man, bedizened with enough gold lace for three field marshals." However, the quality of Stewart's medical practice at Old Capitol must have been above-average, for embittered prisoners never singled it out for condemnation.

Life in Old Capitol early degenerated into boredom and personal uncertainty. Prisoners passed the time sitting dejectedly in their cells. Confederate soldiers could only pine for exchange or transfer to a supposedly better compound. Civilian political prisoners hoped for arraignment or release. Either was regarded as preferable to detainment without charge. With prisoners of war being continually shuttled in and out of Old Capitol, the anxieties of civilian inmates naturally increased with each succeeding day.

A few unusual events occurred to break the tedium of prison existence. On December 5, 1862, a Federal soldier convicted of murder was hanged in the prison yard. The condemned man was Private John Kessler of the 103rd New York Infantry. For several weeks thereafter, the gallows were left standing in the yard, where their presence added to the "terror" of the prisoners. In January, 1864, smallpox erupted inside Old Capitol. Yet as quickly as cases were detected, diseased prisoners were transferred to Washington's Kalorama Hospital. Such actions prevented the disease from reaching epidemic proportions as it did in other Civil War prisons. On the morning of Abraham Lincoln's death, an angry mob gathered in front of Old Capitol and remained there throughout the day. Yet no attempt was made to rush the building.

The blackest day in Old Capitol's history came on November 10, 1865—seven months after the Civil War ended. At 11:20 that Friday morning, as spectators perched in nearby house windows and treetops, another hanging took place in the prison yard. The condemned man was Captain Henry Wirz, former commandant of Andersonville Prison. He was the only war criminal to be executed as a result of America's bloodiest conflict. That Wirz was undeserving of such a fate makes the incident more a legal lynching than a military execution.

Arrested on May 10, 1865, the small and crippled Swiss officer was confined for seven months in Room No. 9 on Old Capitol's third floor. That summer a military court martial, violating every known concept of justice, arraigned Wirz on charges of murder, conspiracy and excessive cruelty. In the course of the trial, the prosecution introduced 160 witnesses, consisting mainly of deserters, bounty-jumpers, and men actually hired by agents of Secretary Stanton to present false evidence.

For example, one "star witness" gave severely damaging testimony, walked from the courtroom, and gleefully confessed to friends outside that everything to which he had sworn was "all a damned lie." Another key witness was Boston Corbett, a known religious fanatic who early in the Civil War had been under death sentence for desertion. Only five years after the Wirz trial, this man (who also claimed credit for shooting John Wilkes Booth) was adjudged hopelessly insane.

The Wirz trial made a mockery even of military court proceedings. Wirz's defense witnesses were dismissed before they could testify; his attorneys were intimidated and denied time to prepare their defense. In railroad fashion, Henry Wirz was found guilty on ten counts of murder and conspiracy.

But let it be remembered that this Confederate officer went to his death with heroism. He walked calmly to the scaffold; for eighteen minutes he sat quietly on a stool while the sentence and other pronouncements were being read. Then, with the halter around his neck, Wirz made a final statement: "I am innocent, and will die like a man, my hopes being in the future. I go before my God, the Almighty God, and He will judge between me and you." Then, a recent writer has summarized, "what heroism there was disappeared with the roll of the drum, the jerk of the halter, and the cheers of a nation gone mad."

Henry Wirz was the pound of flesh that a victorious North had to extract. Yet the injustice of his trial, and the illegality of his sentence, will forever remain black marks on the American judiciary system. It is one of the ironic coincidences of our national heritage that on the precise spot where Wirz was put to death now stands the U.S. Supreme Court building.

Less than three weeks after the Wirz execution, Secretary Stanton ordered Old Capitol closed. The dozen remaining prisoners were transferred elsewhere. By 1869 the entire Old Capitol compound had been demolished—as if the Federal government were eager to erase the historical building from view and memory.

In its four-year existence as a prison, Old Capitol contained a host of prominent prisoners: Rose Greenhow, Belle Boyd, John S. Mosby, Mrs. Mary Surratt, Southern governors Joseph E. Brown, John Letcher and Zebulon B. Vance, plus many others. The prison had an average monthly population of 1,011 inmates. Its most crowded period was November, 1863, when 2,763 prisoners passed through its doors. A total of 51 prisoners died in Old Capitol; 17 others made successful escapes.

The smallness of the last two statistics leads to a major and irrefutable conclusion: compared to other Civil War compounds, life in Old Capitol was reasonably pleasant. Captured Southern soldiers who spent time there considered Old Capitol far superior to such Northern prisons as Point Lookout, Fort Delaware and Elmira. While political prisoners wrote many and long tracts of the hardships and "cruel despotism" they were forced to endure, they tended to overlook such luxuries at their disposal as coal-fire stoves in every room, the availability from the outside of food, whiskey, newspapers and playing-cards, and regular visitations from relatives and friends. Such leniencies as these explain why Old Capitol had no outbursts of violence and only a minimum number of escapes.

One can hardly deny that a large number of persons cast into Old Capitol were jailed without due cause and—moreover—detained for unjustifiably long periods of time. Even Provost Marshal William E. Doster was led to admit: "The great fault of this prison (and one for which the Secretary [of War] is and ought to be blamed) was that it operated like a rat-trap—there was a hole in but no hole out; in other words, plenty of provision for arresting people, but none for trying them or disposing of their cases.

"[Colonel Lafayette C.] Baker could arrest, the detectives could arrest, the provost marshal could arrest, the Secretary and each of his two assistants could arrest, but none of them could discharge without running great risk of getting into trouble with some or all of the others. . . ."

Nevertheless, and prisoners' memoirs notwithstanding, most of the civilians sent to Old Captiol were arrested for good reason. The large majority were, in truth, active saboteurs, Confederate agents, inciters of riots and desertion, and in many other ways guilty of giving direct aid to the enemy. Their confinement, even without official charges, was a necessary wartime precaution. The treatment they received was far more benevolent than the treatment they plotted or executed against the Union. For many inmates, Old Capitol was "the American Bastile." Yet, in its last years of existence, that grand old building deserved better tenants—and a far better fate—than it received.

Such was the indignity of civil war.

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SECRETARY LAIRD SPEAKS TO AFL–CIO

(Mr. BYRNES of Wisconsin asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BYRNES of Wisconsin. Mr. Speaker, this week Secretary of Defense Melvin R. Laird became the first Secretary of Defense to address the AFL–CIO. His illuminating speech on the Vietnam situation is printed elsewhere in the RECORD.

Mr. George Meany, president of the AFL–CIO, introduced the Secretary and thanked him at the conclusion of his speech. Mr. Meany's remarks were both pertinent and interesting and, I would like to quote them herewith:

INTRODUCTORY REMARKS BY MR. MEANY

At this time it's my pleasure to introduce to you a member of the Cabinet, who has perhaps the most difficult job at the present time, second, I think, only to that of the President. I've known this gentleman for many years. When I first met him he was a State Senator in Wisconsin and he afterwards came to Washington, was a very distinguished member of the House of Representatives, and I feel that when he was put in charge of the Department of Defense, that the President secured the finest person for that job—capable of handling it and doing the very difficult day-to-day work in the Department of Defense under rather severe handicaps at times. I think the Congress bugs him once in a while and sort of throws some curves at him, but he's quite well able to handle it, and I'm delighted to present him to you, the Secretary of Defense, the Honorable Melvin Laird.

CONCLUDING REMARKS BY MR. MEANY

On behalf of the delegation, the officers of AFL–CIO, myself, I express our appreciation to the Secretary of Defense for his very enlightening and forward looking address here this morning. I'm sure that this is one group who understands that when you negotiate with an opponent you must negotiate from strength and I'm sure that this is one group who believes that unilateral withdrawal is not the answer. I am hopeful that the plan that President Nixon has of negotiating and at the same time keep the pressure on our opponents, I'm hopeful that it will bring results. Frankly, it's the best possible plan I've seen yet. I can assure Secretary Laird that in the days to come, in his difficult job of trying to bring peace, in bringing our boys home, he's going to certainly have the backing of the AFL–CIO and its people. Thank you very much.

AMENDMENTS TO OMNIBUS CRIME CONTROL AND SAFE STREETS ACT

(Mr. McCULLOCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCULLOCH. Mr. Speaker, today I have introduced legislation which would first, make clear that the Law Enforcement Assistance Administration may make discretionary grants to units of general local government and State law enforcement agencies, or universities, and second, authorize $650,000,000 in appropriations for the Law Enforcement Assistance Administration for the fiscal year ending June 30, 1971.

I am sure that every well-informed person knows that we have a serious crime problem in our Nation today. More crimes are being committed today. Fewer crimes are being solved. Fear walks the streets. Since 1960 serious crime has increased 122 percent, and police solutions have declined 32 percent.

To meet this problem, we enacted the Omnibus Crime Control and Safe Streets Act of 1968. Title I of that act recognizes two basic facts of the crime problem—that law enforcement is primarily the responsibility of the States and the States are financially incapable of meeting this responsibility. Thus title I established the Law Enforcement Assistance Administration and authorized it to make block grants to the States.

Section 306 states that 85 percent of the Federal funds shall be allocated to the States according to population while the rest shall be allocated "as the Administration may determine."

The question arises as to how much discretion the Administration has regarding the remaining funds. What discretion does it have? To make grants regardless of population? Yes, of course, but may it make grants directly to units of general local government and State law-enforcement agencies, and universities as well as to the States?

Although the legislative history intimates an affirmative answer to the question, the language is open to either construction. This ambiguity should be eliminated. The bill I introduced today would eliminate the ambiguity and make clear that the Administration has broad discretion consistent with the purpose of the title.

The second section of the bill would authorize $650,000,000 in funds for fiscal year 1971. The program for fiscal year 1970 is to cost $300,000,000. However, the States have made requests for funds in excess of $1.1 billion for fiscal year 1971.

I would like to see that amount spent on the war on crime, but other demands of Government require that a smaller sum be sought. I believe that the figure of $650,000,000 is realistic.

We do not solve the crime problem by the simple enactment of a few laws. Progress will take time, effort, and money. Let us not forget the task we began last year. We must make the streets safe again.

TEXTILE PROBLEMS

(Mr. MANN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MANN. Mr. Speaker, today I have introduced legislation aimed at providing relief for the domestic textile industry of the United States.

I have patiently awaited results from trade negotiations between representatives of the Department of Commerce and Japanese officials. Several meetings have been held this year, but the Japanese have repeatedly refused to discuss voluntary cutbacks on textile products. In fact, this afternoon a representative of the State Department in Tokyo said that the latest discussions had achieved only "limited" concessions and that "We can't go on negotiating in this fashion." For these reasons, I believe we should enact legislation to provide protection for our textile industry.

Japan, of course, is not alone in providing unreasonably tough competition for our textile industry. Cheap-labor plants have appeared in Hong Kong, in Korea, and on Taiwan, and all are modern enough to provide competition. In many cases the modernity and technical know-how are the result of aid and guidance from the United States in its assistance to these countries while they were in an "underdeveloped" status.

The textile industry is one of the basic and most essential industries in our country. In addition to those employed directly in the manufacturing of textiles, some three million Americans are engaged in various support activities, such as supplying and transporting raw materials and selling goods. The industry makes a myriad of items that are indispensable to our defense forces and has been classified second only to steel in essentiality. While many people think of textile-apparel manufacturing as largely regional, 36,500 plants are located in all 50 States. Every State except Hawaii produces wool for the textile industry and 19 States grow cotton. All in all, the textile industry spends about $30 billion annually for products and services of the various industries which supply it and provide the transportation for its products. The industry has an annual payroll of $10.5 billion and pays some $750 million in Federal taxes in addition to millions of dollars in State and local taxes.

Textiles and textile-related industries together account for 75 percent of industrial wages in South Carolina, 70 percent of industrial employment, 68 percent of the annual product value, and some 50 percent of capital investment. South Carolina's textile industry has been called the most modern in the world. The spinning, weaving, finishing, knitting, and fiber plants spend around $500 million for plant expansion and modernization projects annually. No other State has a higher degree of textile concentration than South Carolina and that concentration is heaviest in Spartanburg, Greenville, and Laurens Counties—the Fourth Congressional District, which it is my privilege to represent.

What concerns the people of this area is not so much the current level of imports, but the steady and phenomenal rate of growth with no sign of a let-up. This year textile imports are showing a substantial increase over 1968, with shipments from Japan jumping 23 percent, the Republic of China 60 percent, Korea 51 percent, and Hong Kong 20 percent. Our total textile imports so far in 1969 stand at 2.1 million equivalent square yards, compared with less than 1.6 million yards last year. Of this total Japan has contributed 530 million yards, Hong Kong 300 million, China 140 million, and Korea 122 million.

The Japanese have been most skillful in the way they have concentrated on the U.S. open market. When restraints were placed on cotton textile imports under the long-term agreement on cotton textiles in 1962, they quickly switched to the unprotected man-made fiber and wool markets. This year Japanese man-made fiber textile exports to this country have jumped 51 percent, with yarns skyrocketing 140 percent. Even the cotton arrangement, which expires next year, has not produced the type of restraints we had hoped for since cotton textile imports have doubled in the last 5 years.

While complaining about the injustice of textile import quotas, even before they are imposed, the Japanese maintain a closed-door policy at home, shutting out U.S. goods and capital and erecting a bewildering maze of restrictive regulations. Foreign-owned firms can make wire, but not cable, cameras but not lenses, watches or clocks but not both. Imports of 120 items, including such U.S. specialties as computers and feather goods, are either banned or severely limited.

Japan, with the third largest gross national product in the world, accounts for 50 percent of our textile imports while the Western European nations, offering a market comparable to ours, takes only 5 percent of the Japanese output. One-quarter of all Japanese textile production is sold to the United States, and Japan has no less than 130,000 manufacturing companies employing 1.1 million workers—the country's biggest single worker group.

One of the best barometers of the problems facing our domestic textile industry is the fact that capital investments within the industry dropped from $1.1 billion in 1966 to $750 million last year. In spite of this drop in investments, wages have continued to rise. In fact, they have risen 46 percent in the last 10 years, so that the hourly wage rate in the United States industry is now $2.28 per hour. The hourly wage rate in Japan is now less than $0.50 per hour, and Japan has no wage and hours laws, overtime pay, workmen's compensation, antitrust acts, safety standards, or child labor laws.

It is simply unrealistic to assume that the United States should endure this inequitable situation any longer. Our trade deficit with Japan last year was $1.1 billion, possibly the highest deficit that the United States has ever registered with any nation. As I pointed out earlier, the prospects for an even greater deficit this year appear certain.

Profits in the textile industry, whether measured on sales or percent of equity, lag behind other manufacturing industries. Net profits after taxes, on sales, for 1968 were 3.1 percent, compared with the all-manufacturing average of 5.1 percent. Apparel industry profits were even lower, and long-range projects indicate that as many as 100,000 people per year will find themselves unemployed unless foreign competition is cut back. Already this year, four textile plants in my district have been forced to close while others watch profits shrink.

For all of the reasons I have given, Mr. Speaker, I feel that the legislation I have introduced today is imperative. All of us in South Carolina are hopeful that the Department of Commerce will continue to pursue voluntary cutbacks on foreign imports, but we must now consider the alternatives if such negotiations fail.

Recently two of the leading newspapers in South Carolina have pointed to the problems facing the textile industry. The State, of Columbia, S.C., published an article by its Washington correspondent, Lee Bandy, and the Greenville News, Greenville, S.C., editorialized on the subject. At this point I would like to have these items printed in the RECORD.

[From The State, Columbia (S.C.), Oct. 5, 1969]

STANS FORMING GROUP FOR TEXTILE PROBLEMS

(By Lee Bandy)

WASHINGTON.—Commerce Secretary Maurice H. Stans is in the process of setting up an intergovernmental committee to deal strictly with the textile import problem.

Formation of the panel is expected to be announced in the near future, reliable sources say.

The move is part of the overall program to put pressure on the Japanese and other textile-producing allies to negotiate voluntary agreements on imports.

Stans has been pushing for voluntary restraints, but thus far our trading neighbors refuse to budge. They claim the American industry is healthy and doing well.

The Nixon administration takes strong exception to that, citing figures showing imports on the rise at an alarming rate, specifically among man-made fibers.

Voluntary agreements exist on cotton textiles, but there is none for woolens or man-mades.

Stans hopes the administration can reach an arrangement with Japan to regulate the flood of textile imports before Nixon meets with Prime Minister Sato here next month.

The secretary says the "tidal wave of textiles from Japan to the United States" creates a very serious problem which colors the atmosphere between the two nations.

The matter of textiles overhangs every other issue in U.S.-Japanese relationships, he contends, adding:

"Resolution of the textile problem by a mutual agreement between the United States and Japan would go a long way toward improving relations between the two countries."

In the same breath, however, he warned the Japanese that if they show an unwillingness to curb imports, "Congress will take action to do so."

There are several bills pending, one of which is sponsored by Sen. Ernest F. Hollings, D-S.C., who successfully led a textile import quota bill through the Senate two years ago. It later died, however, in conference with the House.

House Ways and Means Committee Chairman Wilbur, D. Mills, D-Ark., also has a measure before his panel which would benefit any industry damaged by excessive imports.

Stans says he's prepared to start negotiations with the Japanese at any time. He hopes the Far Eastern trading partners will agree to meet with the administration team in Washington, Tokyo, Geneva, or anywhere "to consider the means of developing a satisfactory solution that will provide reasonable security to the American industry without doing any harm to the Japanese industry."

The secretary has assured Japan the United States seeks no roll-back in Japanese production or has any intention of trading the textile issue against any other.

He denied reports the administration would use the textile issue as a club to resolve the Okinawa matter.

In other words, Stans says there is no

truth to stories the U.S. will demand import concessions in return for relinquishing the Pacific Island to the Japanese.

The U.S. is expected to run a trade deficit with Japan this year in excess of the $1.1 billion in 1968. Textile imports account for almost $500 million of that. During the first eight months of 1969, imports of Japanese textile imports rose 83 per cent over the same period last year.

"It is extremely important that the Japanese government understand the political, economic and social considerations that are involved" in the textile issues in this country, Stans said.

Its resolution, he added, would permit the two nations "to move forward progressively and effectively on a number of other fronts."

But the Japanese are not impressed. They consistently refuse to discuss the administration's ideas for a solution. A showdown is imminent.

[From the Greenville News, Oct. 1, 1969]

It's About Time To Legislate

Those who depend upon the textile industry—and that's a lot of Americans—have about "had" it with trying to get voluntary restraints on textile imports.

The Japanese, who hold the key to the situation if voluntarism is to solve the acute problem, apparently won't even listen to American proposals, let alone negotiate the issue. At least that's the impression gained when Japanese trade representatives packed up and went home a few days ago.

Unless the question can be solved at the highest level when President Nixon and Japan's prime minister get together in Washington in December, there's no hope of getting relief for domestic textiles from the voluntary restraint approach.

It is downright disheartening that months of effort by Commerce Secretary Maurice Stans have produced no sign of response or cooperation by the Japanese. Mr. Stans has made clear that this country does not propose to cut back on imports, and that the domestic textile industry can and will live with reasonable increases.

The main thing the domestic industry wants—and must have if it is to survive as a strong sector of the American economy—is an orderly and predictable flow of imports. Unless the industry can have reasonable assurances of what to expect in the way of foreign competition, it can neither plan nor produce. The result will be stagnation and chaos over wide areas.

But the Japanese apparently feel they can get away with unlimited inroads upon the American textile market, no matter what it costs in damage to a vital industry.

The time has come for the textile states to begin pushing for legislation to restrict textile imports. Perhaps that is what it will take to get results from the December talks.

Restrictive legislation is distasteful, and damaging to the cause of free trade among free world nations. But the United States cannot afford to be the only free trader, letting other nations keep all sorts of restrictions, while its own industries suffer.

As noted before the textile industry is especially important now because it is serving as an economic ladder for increasing numbers of Negro citizens who want to better themselves. That, plus the impact of the industry upon the economies of several states, ought to give textiles a fairly high place on this nation's priority list.

SIXTY-TWO PERCENT OF AMERICAN PUBLIC SUPPORTS LEGISLATION TO BAN THE INTERNAL COMBUSTION ENGINE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. FARBSTEIN) is recognized for 15 minutes.

Mr. FARBSTEIN. Mr. Speaker, on July 31, I introduced H.R. 13225, legislation to ban the sale of internal combustion engines. The purpose of this legislation is to force the American automobile industry to develop nonpolluting engines.

The results of a nationwide public opinion survey announced earlier this week indicate that the American public favors by almost 3 to 1 this legislation. The survey conducted by Opinion Research Corp., of Princeton, N.J., between September 26 and October 3, found that 62 percent of those polled favored doing away with gasoline-driven autos, 23 percent opposed, and 15 percent had no opinion.

The selected random sample of 1,015 households was conducted in 138 U.S. cities across the country, including Detroit, and encompassing all of the largest metropolitan areas in the country. Those polled were asked to respond to the following:

> Exhaust from the existing kind of automobile engine, that is, the internal combustion engine, causes air pollution. It has been suggested that legislation be passed to outlaw the sale of the internal combustion engine effective in 1975 in order to force auto makers to develop other engines. Would you favor or oppose such legislation?

The Opinion Research Corp. has conducted survey research for business and government as well as political candidates. One recent project was for the 1968 presidential campaign of Richard M. Nixon.

The poll, conducted by telephone, sampled 505 men and 510 women. The breakdown of results by sex is as follows:

[By percent]

	Favor elimination	Oppose elimination	No opinion
Male	55	34	11
Female	69	12	19
Total	62	23	15

Support for this legislation can only be interpreted one way—the American people, be they from Los Angeles or New York—are worried about the quality of the air they are breathing and want drastic action taken to do something about it now. The auto industry take heed.

The article reporting on this survey in yesterday's Christian Science Monitor follows:

Exhaust Ban Backed

Los Angeles.—Sixty-two percent of people polled across the nation said they favor outlawing the internal combustion engine to force carmakers to develop smogless power sources.

Opinion Research Corporation of Princeton, N.J., said it telephoned a random sampling of 1,015 households in 138 cities with this question:

"Exhaust from the existing kind of automobile engine, that is the internal combustion, causes air pollution. It has been suggested that legislation be passed to outlaw the sale of the internal combustion engine in 1975 in order to force automakers to develop other engines. Would you favor such legislation?"

Twenty-three percent of persons responding opposed the idea and 15 percent had no opinion.

NATIONAL PRIORITIES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. RYAN) is recognized for 15 minutes.

Mr. RYAN. Mr. Speaker, I take this time to discuss one of the most important issues before the American people.

Americans now face a challenge so vast that many of our citizens and most of our leaders have totally avoided it.

This is the question of our national priorities.

Hundreds of residents of New York, Ohio, Illinois, California, Washington, Florida, and other areas of the Nation have written me of their concern.

They have pointed out that we must change our priorities.

And the fight to change our priorities may well be one of the major political conflicts of the 1970's and of American history.

A number of Congressman and I have been trying to bring the question of our priorities into open debate and into the political arena where it belongs.

More than 8 years ago, seeking a real priority for disarmament, I introduced legislation that led to the Arms Control and Disarmament Agency.

Throughout the 1960's I have been fighting the increasing influence of the military. I have spoken out repeatedly against Americanization and escalation of the Vietnam war. In 1964, I proposed a plan for the neutralization of Southeast Asia. Over the last 5 years, a handful of Congressmen and I consistently voted in direct opposition to the war.

More than a year ago, seeking a nationwide guaranteed annual income to replace our outmoded welfare system, I introduced the first income maintenance bill in Congress.

On issue after issue, from Vietnam to the antiballistic missile, to the supersonic transport, to housing, food stamps and social security, a few Congressmen and I have consistently pointed out that we are giving too much priority to the wrong things and not enough to the right ones.

Two years ago 10 of us stood up in the Congress to warn that our Nation was in a deepening crisis.

We said, "Never before in modern American history have our national priorities seemed more seriously unbalanced." And we called for an immediate end to the war, a reallocation of our resources and a "national movement for social reconstruction."

Our priorities are dangerously out of balance in two fundamental ways:

First, we are devoting most Federal expenditures to preparations for war and to war itself rather than to strengthening our society.

And second, in nonmilitary spending, we are devoting resources to relatively rich and to rural interests rather than to meeting fundamental needs in housing, education, medical care, jobs, pollution control.

More than 8 years ago the late President Eisenhower warned that "we must guard against the acquisition of unwarranted influence, whether sought or unsought by the military-industrial complex."

And over the last 8 years, the military-industrial complex has become enormously powerful, our biggest national employer and our biggest spender.

The Pentagon has more civilian employees than any other area of Government—45 percent of all Federal civilian employees. And the military-industrial complex has come to employ one out of every 10 workers in the Nation.

In the decade from 1959 to 1968, direct military outlays of the United States totaled more than $551 billion.

As I have noted in the House, this is twice the amount spent for new private and public housing over the same decade. and nearly twice as much as Federal, State, and local governments allocated to all education.

In this fiscal year, more than $82 billion or 56 percent of controllable Federal funds are budgeted for the military-industrial complex. That $82 billion is just about equal to all the money we spend in a year on building all the new homes, apartment buildings, factories, warehouses, shopping centers, motels, schools, bridges, and highways throughout the whole United States.

To put it another way, military-related spending in this fiscal year is more than all Federal expenditures on health, hospitals, education, old-age benefits, low- and middle-income housing, welfare, unemployment, and agriculture.

And the military-industrial complex is strengthening its priorities every day through the increasing arms race and the continuing Vietnam war.

The Nixon administration is stepping up the arms race with the $10 billion program to develop the Safeguard anti-ballistic-missile system and billions more for new weapons systems including multiple warhead missiles.

We are pouring $30 billion a year into Vietnam; we have 3.4 million men under arms, 33 percent stationed on foreign soil, 511,000 in Vietnam alone.

In terms of all our priorities, we have put the military first. We have given relatively low priorities to aid for low- and middle-income families and urban dwellers.

We have created an enormous capacity for destruction. And so have others. But unfortunately, the ability to wreak mutual destruction is no guarantee against disaster. The only final security for all of us is in increasing the strength of our society and our way of life—freedom, equality, courage, productivity, and intellectual relevance.

But with our present priorities, as I have said for many years, we are increasing the militarism and sowing the very seeds of social despair, hopelessness, and failure which can lead to our destruction.

In the last decade we spent about $30 billion for agricultural subsidies and $35 billion for space exploration.

In contrast, over the same period, we spent less than $4 billion for Federal low- and middle-income housing programs—one-eighth as much as to stabilize farm prices. And nearly 8 million Americans still cannot afford decent housing; 3 million live in slums.

In this fiscal year, while we are spending more than 50 percent of our controllable Federal funds for the military-industrial complex, we are spending only about $13 billion, or about 9 percent, for programs to service and improve the health of Americans.

That $13 billion, incidentally, is less than we are losing to the rich in tax loopholes.

This year, as I noted in the House, we are spending about eight times as much to prop up farm prices as to help the poor get adequate diets. The total outlay for farm income stabilization programs comes to about $4 billion; the total for surplus commodities and food stamps, aiding the poor, comes to only $1 billion.

And farm subsidies often go to rich farmers. In 1967, as I noted in a speech in Congress, the Agriculture Department paid more than $4 million to the J. G. Boswell Co., of Kings County, Calif.; $3 million to Rancho San Antonio, of Fresno County, Calif.; and last year more than $116,000 to Senator James Eastland's plantation in Mississippi.

Two years ago, when we spoke out in Congress, we warned of increasing despair and disruption in our society. We called for a "national movement for social reconstruction—a Marshall plan for the cities" and a wider distribution of American affluence.

Six months after that, the National Advisory Commission on Civil Disorders substantiated our warning. The Commission found unemployment, underemployment, and inadequate housing the three most intense causes of civil disorders.

The Commission said that it was "time to turn with all the purpose at our command to the major unfinished business of this Nation. It is time to adopt strategies for action that will provide quick and visible progress. It is time to make good the promises of American democracy to all citizens."

But we have not done that.

Two years after our warning in Congress, and a year after the Commission report, the National Urban Coalition reported this spring that we had made no progress on meeting pressing urban problems.

And the Nixon administration is emphasizing not new goals, but the same twisted priorities.

It has continued the war, although as I said early this year in Congress:

> The people of this nation through the political process have repudiated the very policy which still prevails.

In facing the arms race, we had hoped, as I said in March, that the new administration would take the opportunity to "reassess our national priorities." But instead the administration has supported the anti-ballistic-missile program and the "insatiable demands of the military-industrial complex."

The administration has talked of tax reform. But when we passed the tax reform bill in the House, the administration immediately set out to undermine it. We had closed many tax loopholes on the rich, but the administration wants the loopholes continued. We had changed relative tax burdens, but compared to our changes, the administration advocates higher taxes for middle-income citizens and lower taxes for corporations.

The administration has talked of economy. But it is planning enormously expensive space ventures, including a manned landing on Mars, which may cost up to $200 billion. And it has pledged $96 million in this fiscal year to subsidize the aircraft industry's supersonic transport airline, which the experts now say will cost the taxpayer $895 million before it gets off the ground.

While pouring funds into military programs and space, it has slashed funds and cut back on programs for domestic welfare and urban reconstruction.

It has cut housing funds. It has supported the principle of income maintenance but proposed a program that would be totally inadequate.

It has proposed to increase social security by 10 percent in stages at some future date. But that increase would leave 2½ million Americans enjoying retirement on some $60 a month. And it has fought a program to provide free food stamps so families earning $60 a month or less would have enough to eat.

The administration has talked about inflation and tried to combat it by cutting aid programs and increasing living costs of the middle class and the poor. It has failed to curb high interest rates. Yet the fact is, as experts have pointed out, that the costs of the war and the military budget are the major causes of inflation.

Two years ago, when we spoke out on our priorities, we launched a campaign for public awareness, open debate and a change in our national priorities.

In discussing Vietnam, I said recently:

> While our cities disintegrate and our country becomes increasingly disunited, a war which was ill conceived from the beginning rages on with undiminished fury.

In discussing the space program, I said:

> The primary role of Congress in connection with the space program should be to participate in the definition of national goals . . . Congress should determine which goals are worthy of the investment of public funds and which potential benefits are of great value to the nation.

In the battles for funds for housing, antipoverty programs, social security, income maintenance, antipollution programs, we have consistently emphasized the facts about our actual priorities today and the need to debate and set new priorities.

And our campaign has begun to take effect.

Last year we questioned and cut the bloated space budget, for the first time in a decade. By last December, the Wall Street Journal was calling for a reexamination of the space program.

This year, two Senators and eight Congressmen, including myself, initiated a major Congressional Conference on the Military Budget and National Priorities. Participants included military, scientific, and academic experts from all over the country.

Our conference set the stage for the first real congressional investigation and debate into the swollen coffers of the Pentagon and into the billions wasted each year by the military-industrial complex.

When it finally came to a vote in the House, we succeeded in rallying 93 votes against the anti-ballistic-missile system. The Senate almost defeated it. In the words of the United Auto Worker's Washington Report:

> It was the biggest massing of votes against a military proposal ever to hit Congress.

Four Senators and 32 Congressmen have now suggested Congress create a Joint Committee on National Priorities to conduct continuing broad investigations of the implications and objectives of American defense policy—providing a focus for research, study, and debate.

I am also introducing a bill to create a Temporary National Security Commission to study all aspects of defense policies in an effort to determine what current national defense policies are and the extent to which weapons systems conform to those policies. It is also supported by the four Senators and 32 Congressmen.

In Congress a number of us have pledged to make the setting of new priorities a major campaign issue whenever possible. And the setting of new priorities is going to be one of the major political issues of the 1970's.

As we noted 2 years ago, a successful movement for reconstructon and for new priorities must be national. It must find representation and power in Congress. It must have leadership.

But most important, it must fundamentally and ultimately rise from the people and the neighborhoods of America.

OCTOBER 15—DISSENT OR DISLOYALTY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana (Mr. RARICK) is recognized for 15 minutes.

Mr. RARICK. Mr. Speaker, a great deal of advanced notoriety is being given to public manifestations of disloyalty planned for October 15.

The sponsors of the so-called moratorium protest frantically that they are helping American fighting men by forcing the President to accept peace on the enemy's terms—even surrender. They register indignation at any suggestion that their actions aid the enemy or at any comment that such activities are less than patriotic.

Many innocent people are in danger of being duped into participation in this disgraceful misconduct because they simply are not being told the whole story. Radio Hanoi and Radio Moscow have called for these activities.

Monday of this week, Radio Hanoi—the official voice of the enemy—heaped lavish praise on the heroic struggle against what was termed "this aggressive war right in the United States."

The enemy radio singled out with special praise their friends in New York, Washington, Oakland, and Berkeley. It also complimented the manifestation of solidarity showed by the friends in the United States on the death of Ho Chi Minh.

It is extremely important for all Americans to understand that Ho Chi Minh defeated France—not in Vietnam, but in Paris. This continues to be the tactic of the enemy today. Hanoi has repeatedly announced that it will win its war in Washington.

So that our people may better understand how these unconscionable demonstrations aid and abet the enemy, 2 days before the Hanoi broadcast, Tass International Service, the propaganda voice of Moscow, transmitting in English for American listeners, commended officials here in Washington in the following words:

> We appreciate the actions taken by the American people and officials in support of demands for an end to the aggressive United States war in South Vietnam, for a rapid and complete withdrawal of American troops from South Vietnam, for discontinuing support to the Thieu-Ky-Kiem administration and granting to the South Vietnamese population the right to decide its affairs itself.

Mr. Speaker, knowing these tactics no American and certainly no Member of this body can profess ignorance of the effect of the disloyal actions planned for October 15.

I include at this point in my remarks the full text of the enemy propaganda broadcast from Hanoi as published in the Foreign Broadcasting Information Service Bulletin of October 6 and which is available to all Members:

U.S. STUDENTS URGED TO ACCELERATE PROTESTS

Hanoi in Vietnamese to South Vietnam 0100 GMT 6 Oct. 69 S.

(Text) According to LPA, Mr. Tran Buu Kiem, chairman of the South Vietnam Liberation Students' Union, recently addressed a letter praising the American students and youth on the occasion of the 1969 fall struggle movement. The letter reads:

"While carrying out a firm resistance against the U.S. imperialists' aggressive war, the South Vietnamese youth and students are following, with keen sympathy, the struggle movement of their friends of the same ages, on the other side of the Pacific—regardless of whether they are white or black—against this aggressive war right in the United States. The heroic struggle of the friends in New York, Washington, Oakland, and Berkeley, has been much appreciated by the South Vietnamese youth and students.

"We greatly admire the active and massive participation of the American youths and students in this fall struggle movement just as other colorful and multiform activities, from the antidraft manifestations to (words indistinct) and from the protests against the participation of college administrations in the working out of the Defense Department's study plans, to the recent demonstrations in front of the U.N. headquarters. We hail the strong development of your struggle movement, just as (we hail) the American people's antiwar struggle, through various phases and under various forms, such as the congresses of the SDS and SMT, that is, the organization of Students for a Democratic Society, and the Students' Committee for the End of the Vietnam War (as heard) held in June, and the all-nation anti-war conference held in Cleveland in July this year.

"We are extremely touched by the warm sympathy and support you have reserved for the struggle of our people, the NFLSV and the Republic of South Vietnam Provisional Revolutionary Government. We are particularly touched by the manifestation of solidarity you have shown on the occasion of the death of President Ho Chi Minh, the venerated leader of the entire Vietnamese people. We want to take this opportunity to express our sincere thanks to all of you."

The letter of the South Vietnam Liberation Students' Union continues: "While you are holding meetings over there, the Nixon administration stubbornly continues to violently intensify the aggressive war in South Vietnam. This administration, along with issuing deceitful statements about deescalation, continues to actively step up its acts of war to the highest levels. Indeed, in July and August the B–52 sorties exceeded the average monthly sorties of the first 6 months of the year. On the one hand, this administration pretends to respect the right of self-determination of the South Vietnamese people, but on the other hand it continues to hold on to the Thieu-Ky-Khiem administration which actually represents no one and which is despised by the South Vietnamese people.

"At the Paris conference, the U.S. delegation has always sought to evade discussion of the reasonable proposals of the Republic of South Vietnam's Provisional Revolutionary Government and the DRV, while putting forward unreasonable ones which they knew beforehand were unacceptable.

"Recently, faced with the just demand of the Vietnamese people, the American people, and world's peoples—that the Americans must quickly and completely withdraw their troops from South Vietnam—the Nixon administration again announced the second troop pullout, describing it as a peace initiative. However, right in the United States, many people have termed this an old trick to soothe public opinion and conceal the scheme of prolonging the war and the U.S. military occupation in South Vietnam. The fact that you have given prominence to the slogan demanding quick withdrawal of all U.S. troops is sound proof that this trick has failed to deceive anyone.

"More than anyone else, you have seen that the replacement of a score of thousands of troops is insignificant, as compared with about half a million U.S. youths still remaining in South Vietnam. These U.S. youths are daily sowing (?death) in South Vietnam and will, in the long run, die uselessly for the democracy and freedom which they themselves and their relatives and beloved ones do not have.

"More than anyone else, you are aware that your interests and those of the American people and the United States do not lie in such a drop-by-drop troop pullout, but in the quick and complete withdrawal of U.S. troops from South Vietnam; not in the Vietnamization or de-Americanization of the war in South Vietnam, which is unpopular and costly in human and material resources, but in ending it. This is the only honorable way out for the United States, as the NFLSV and the Republic of South Vietnam's Provisional Revolutionary Government has often pointed out.

"If Mr. Nixon sincerely wants to live up to his promise to end the war, a promise which he made when he ran for office and when he took over the presidency, there is no other way than to respond to the 10-point solution of the NFLSV and the Republic of South Vietnam's Provisional Revolutionary Government by quickly withdrawing all U.S. and satellite troops from South Vietnam without imposing conditions and by abandoning the lackey Thieu-Ky-Khiem administration, leaving the South Vietnamese people to decide their own internal affairs without foreign intervention."

Finally, the letter said: "You are entering a new, seething, and violent struggle phase. We hope that you all will pool your efforts in achieving great success in this fall struggle phase, thus contributing to further accelerating the common movement of the American people against the war of aggression in Vietnam for peace, democracy, freedom, and justice.

"As for their part, the South Vietnamese youths and students pledge to stand shoulder to shoulder with you. We pledge to closely unite with the South Vietnamese people in overcoming all difficulties and hardships and continuing to accelerate the resistance struggle until final victory, in order to fulfill our responsibility to our country and to be worthy of your confidence and that of friends the world over.

"Once again, we hope that you will achieve broad solidarity, struggle perseveringly, and win great victories."

THE BOARD OF REVIEW: ACHILLES HEEL OF COAL MINE SAFETY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from West Virginia (Mr. HECHLER) is recognized for 3 minutes.

Mr. HECHLER of West Virginia. Mr. Speaker, the history of coal mine safety laws is a sad and sorry story of weakness, ineffective action and loopholes which have rendered past attempts almost meaningless. Year after year, death and injury have stalked the mines and thousands of men working underground have contracted the deadly pneumoconiosis from breathing excessive amounts of coal dust. Whenever attempts have been made to correct these unsafe and unhealthy conditions, powerful forces have blocked the way and have watered down the effectiveness of sound legislation.

For the first time this year, I believe that this Congress has a chance to enact meaningful legislation. I am confident that the final outcome will be a law which will provide genuine protection for the health and safety of the coal miners. We all realize that the Nation is demanding such action. I have received letters from every State in the Union, expressing the outpouring of support for the protection of the lives, limbs, and lungs of those who labor in the coal mines. We cannot turn our backs on the miners or the people of this Nation who are demanding that those human beings who work in this most hazardous occupation in the Nation be given genuine protection. Therefore, we must be aware of those aspects of the proposed legislation which could constitute loopholes to weaken effective enforcement.

NATURE OF THE PRESENT BOARD OF REVIEW

Under the 1952 Coal Mine Safety Act, which is the basic legislation under which we are for the most part now operating, there was established a Federal Coal Mine Safety Board of Review. This Board now has five members. The Chairman must be a graduate engineer with experience in the coal mining industry—and he usually has been a big coal operator. The most recent Chairman, who resigned this spring, was Dennis L. McElroy, a long-time coal operator and former vice president of Consolidation Coal Co. The four other members, appointed, like the Chairman, by the President of the United States, by law represent the interests of large and small coal operators and large and small mine workers. One of the present members is George C. Trevarrow of the Bituminous Coal Operators Association, who also has had very close connections with Consolidation Coal Co. The 1952 act requires that when any case arises before the Board involving a large coal mine, both the representatives of the large coal operators and the large mine workers must "participate."

CONFLICT OF INTEREST

There is a case pending now before the Federal Coal Mine Safety Board of Review, involving an appeal from a closing order issued against a large coal mine—Barnes & Tucker Coal Co. in Pennsylvania. One of the officials of Barnes & Tucker Coal Co. is George C. Trevarrow, Jr., the son of the Board of Review member. Despite this obvious conflict of interest, Mr. Trevarrow, Sr., must "participate" as a member of the Board of Review to hear and decide whether or not his son's coal mine is as unsafe as the duly-appointed Federal mine inspectors have found when they issued an order to close the mine.

These five individuals who make up the Board of Review are private-interest individuals, who are allowed to retain their private connections while they serve. They sit to hear appeals from coal operators—not from coal miners who feel that safety is being compromised. Their function seems to be purely economic rather than to protect human beings—they review the work of the Federal inspectors who are charged with the public interest responsibility of protecting the safety of the men who mine the coal, and they review orders which the coal operators feel might interfere with their interest in production.

THE RECORD OF THE PRESENT BOARD OF REVIEW

Defenders of the Board of Review concept make quite a point of the fact that the present Board has really not interfered very much with the operation of the Mine Safety Act, because they have judged only 22 cases in the last 17 years. In these cases, the Bureau of Mines was upheld in 10 cases, partially upheld in one case, and reversed in five cases; six cases were settled after a hearing. The point is that under the bill proposed by the Committee on Education and Labor the powers of the Board are vastly expanded. In addition, the present, basic law of 1952 is so weak in other respects that it is not really necessary for those who wish to escape the act to appeal to the Board of Review. On the other hand, as the provisions of the new law now proposed start to bite, the role of the Board of Review will loom as far more important and constitute the major loophole in the mine safety legislation. It is for this reason that I hope that the Congress will reject the entire concept of the Board of Review, as it was rejected in the other body by a rollcall vote of 53 to 24.

NATURE AND POWERS OF THE PROPOSED BOARD

Under the proposed bill, there is established a Federal Coal Mine Health and Safety Board of Review. The five members, appointed by the President, represent large and small mine operators, large and small mine workers, and a public Chairman. Of the five Board members, only the Chairman is required not to have any interest in or association with the coal industry for 5 years prior to serving; the other four Board members are not required to sever their connections with the coal industry or workers during their tenure. Three additional members are added to the Board for the purpose of reviewing health and safety standards, and to determine how money is to be spent on health and safety research.

A coal operator who is assessed a penalty by the Secretary of the Interior under section 111, for violating health or safety standards, may appeal to the Board of Review. The Board must give the coal operator a hearing, and "determine by decision whether or not a violation did occur or whether the amount of the penalty is warranted or should be compromised."

That is pretty strong medicine for me to swallow. Why should a group of private individuals, four out of five of whom are still connected with their private business, be given the power to come in and overrule a Member of the President's Cabinet? One of the advocates of the Board told me he did not trust the Cabinet officer who is charged with administering the law. The point is that under our system of government, we must have responsible government in the public interest, and we must be able to point the finger of responsibility instead of diffusing this responsibility among private citizens with private interests.

As with the present Board, the proposed Board of Review can receive appeals from coal operators if a Bureau of Mines inspector finds a coal mine unsafe and orders it closed. The Board of Review has the power to get such a closing order annulled. In those cases where the operator chooses, under the bill, to appeal first to the Secretary of the Interior, the Board may hear and decide appeals from the Secretary's order. The Board of Review is not "bound by any previous findings of fact" of either the Federal inspector or the Secretary of the Interior if an appeal is made directly to the Board.

In the cases where three additional Board of Review members are added, the Board under the proposed bill has these powers:

First. It holds hearings and makes recommendations to the Secretary where objections are raised to proposed health and safety standards issued by the Secretary of the Interior.

Second. The Board of Review is also charged with establishing "objectives" for the conduct of health and safety research. The Board also may "distribute funds" to the Secretaries of Interior and Health, Education, and Welfare to provide medical examinations for miners afflicted with pneumoconiosis; "reduce the royalty required" from the operators to fund research and medical examinations; and, finally, "make a study to determine the best method to coordinate Federal and State activities in the field of coal mine health and safety."

CONCLUSION

Retaining the Board of Review in the proposed legislation would make a joke out of the rest of the law. Such a board, consisting of private-interest individuals with vast powers to veto otherwise effective provisions of the law, would drive a huge loophole by overriding the efforts of full-time public officials to enforce the law.

SOUTH VIETNAM—SEARCH FOR AN EXIT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York (Mr. ROBISON), is recognized for 30 minutes.

Mr. ROBISON. Mr. Speaker, the rash of resolutions—introduced or contemplated—relating to President Nixon's patient search for an acceptable exit from Vietnam, make it incumbent upon us to restate our individual positions on this most difficult of all current issues before Congress.

I am as impatient with this misbegotten war as anyone.

We should never have gotten involved in it.

For—as someone recently wrote to the editor of the Wall Street Journal:

> A land war in Asia where we have no allies, no regime worth defending, no freedom of sensible military action, no hope of victory, and nothing to offer the kids we send over than death in vain, is an *idiotic venture* that violates every rule in the book.

I could not have said it better—and I wholeheartedly agree with President Nixon that "the time has come to end this war."

But, how? That is the question over which the Nation agonizes.

It is probably true that antiwar sentiment over Vietnam reached a peak last year. This was followed by a mood of, more or less, national resignation as administrations changed in Washington—an event that always seems to give the American people a sense that a page in history has been turned and their new President has, as it were, a blank sheet of paper on which to write.

Richard Nixon has been scribbling away at that task for 9 months, now, and it is understandable if the Nation, that has been remarkably patient with him, is most anxious to know what it is he has "written" concerning Vietnam.

There are those—largely motivated by political considerations, it seems to me—who claim he came into office possessed of a self-proclaimed "plan" for ending the war, and demand now to know where that "plan" is.

Well, there is not much point now in going over last fall's campaign rhetoric in an effort to see what Mr. Nixon said—or did not say—on that subject. For myself, I am satisfied that what he meant to imply was that, if elected, he would institute a new policy vis-a-vis the war in Vietnam—which had already become a bloody quagmire—and that he hoped thereby to bring the fighting, or at least our direct participation in it, to an early and acceptable conclusion.

Has that Nixon policy—not "plan"—been put into effect?

Some critics say not; Senator EDWARD KENNEDY for instance, sees no change. In fact, he recently charged that our "Vietnam policy of today is the discredited policy of the past," and he added that Mr. Nixon has merely "chosen to repeat the mistakes of the past."

Well, I think this is clearly wrong, and that we are following a new policy in Vietnam.

If I were to fault the President at all in this whole matter—and I shall not hesitate, for political reasons, to say he is wrong when I believe him to be wrong—it would be in his failure to articulate this new policy as well he might for the benefit of the American people.

Admittedly, this has been no easy task.

There has always been an inordinate amount of ambiguity about our involvement in Vietnam. This has probably been not only the most mistaken but also the least understood war we have ever stumbled into. There is no plausible explanation for it at all, anymore; unless, that is, one goes all the way back to our original, limited purposes in Vietnam, which then seemed like a logical extension of our whole post-World War II effort to help maintain some degree of order in a very unstable world.

As I say, no one really likes to go back over all this ground again, and I can understand why Mr. Nixon has avoided doing so, directly.

But there may be some value in doing it, for just a moment, in order to help us better understand the policy that, under our new President, we are now trying to get back to

For our new policy in Vietnam is only "new" in the sense that it is one we are going back to, after having unwisely deviated therefrom.

To be sure, our involvement started under the late President Eisenhower—though it had its roots in such as the so-called Truman doctrine.

But, and this is important to note, General Eisenhower always stuck by his basic position that if we were to look for a "solution" in Vietnam's tangled affairs it had to be a political not a military solution.

Of course, one can say we never should have interfered in Vietnam's internal problems at all—and most of us now wish we never had—but surely General Eisenhower never contemplated American armies in Asia, or a land war in Asia, or unilateral military intervention of any sort, but merely the supplying of money, material, and arms to help the French and later the South Vietnamese improve their chance to stand against externally supported aggression.

But policies change with personalities and, by the end of 1961, President John F. Kennedy had been persuaded that only military intervention on our part could "meet the challenge of Communist expansion now in Southeast Asia." The quoted words are taken from then Vice President Lyndon Johnson's memorandum of May 23, 1961, to President Kennedy. Mr. Johnson also therein declaring that we either had to then make "a major effort in support of the forces of freedom in the area or throw in the towel."

By the end of 1961—during which year the first American soldier was killed in open combat in Vietnam—the war there had taken a qualitative turn, insofar as the United States was concerned.

It took on a gradual quantitative change, too, as American forces in the south grew from the 3,164 advisers that were there, working with the military units of South Vietnam in 1961, to about 20,000 by the time of President Kennedy's tragic death.

President Johnson, taking over, could have reassessed our situation and the deadend nature of what we were getting into, but he, more than ever, saw our by-now common goal with the South Vietnamese in military terms and, in December of 1963, sent a New Year's message to General Minh—one in that series of temporary South Vietnamese leaders—pledging:

> We shall maintain in Vietnam American personnel and material as needed to assist you in achieving *victory*.

In this fashion, had the American involvement in Vietnam come to require an open-ended military commitment.

The rest is history which there is little point in repeating—but the lesson to be drawn therefrom is that one nation simply cannot fight and win a war for another nation. Put another way, this lesson is that, with all our vaunted power, we cannot "save" another nation whose people are either unwilling or incapable of saving themselves.

What we had forgotten—but what President Nixon has not—is that the only successful strategy to follow in any counterinsurgency effort is not one defining "victory" as destruction of the enemy but as construction of a viable state capable of winning and holding its own nationals' loyalties in such a fashion as to be capable, in turn, of holding its own against externally supported insurgency.

Thus, nothing could have more effectively or rapidly smothered the spark of true nationalism in South Vietnam, and stifled its war-weary citizens' self-confidence and initiative, than the overwhelming American presence that was built up in that unhappy little state during the past 5 years.

That the American people understood the nature of this blunder in foreign policy is amply demonstrated by their retirement of Lyndon Johnson to private life.

But as Mr. Johnson departed the Washington scene, he left Richard Nixon, as his successor, painfully few options.

They were, at best, three in number, for to have merely kept following the Johnson course was unthinkable.

First, Mr. Nixon could have further escalated the war—and our prosecution of it—in the hope of forcing a political settlement through military means.

The President—and wisely, in my view—has firmly rejected this seeming—and to some, appealing—"alternative." This is clearly a change, because this idea of a military victory was one that Lyndon Johnson, with his occasional vision of "nailing coonskins to barn doors," could never quite rid himself of.

Why is this wise?

Well, beating the Vietcong into submission, and then North Vietnam along with them, has always been well within our supposed military capabilities. I presume we could still do it, even though it would practically involve the leveling of most of South Vietnam—or whatever is left of it—as well as much of North Vietnam, with hundreds of thousands of civilian casualties.

To my mind, neither the Vietcong nor North Vietnam have ever posed such a threat to our own security as to justify such a use—or abuse—of our military power. Besides which, even if we attempted it, we could only do so at the risk of a far wider war than the one under whose weight we now groan, and could only end up, at best, with an unwanted colony, halfway around the world, whose unhappy and sullen people we would have to police and nurture for years to come.

Victory for us, in this tragic war, does not lie that way.

Mr. Nixon's second option would seem to be that of our unilateral withdrawal, in a mood of "hang the consequences."

To those who have always seen this war—or our involvement in it—as being immoral as well as illegal, this is still, and will always remain, our only honorable course.

I respect the sincerity of most of those who now demand, openly or in veiled fashion, our withdrawal in pure, precipitate terms; just as I understand those former hawks who now argue that, if we are to deny our troops in Vietnam any chance at a military victory, then—in all decency—we ought to just pull them out.

As I have said, I would have preferred that our troops had never been sent in—but they were.

Many Americans voted for Lyndon Johnson for President in 1964, with the thought that he would not further escalate a war that simply could not be won that way—but he did escalate the war.

And the grimmest statistic of all the grim ones we now must deal with in deciding on our future course is that, since Mr. Johnson made that decision, 38,461 young Americans—as of September 25—have given their lives supposedly in defense of freedom for the people of South Vietnam.

The Nation—and each and every one of us—has been diminished by the individual sacrifice each such life represents.

And this is a matter that weighs heavily on my mind—as I assume it does on Mr. Nixon's mind.

Though Lyndon Johnson, after his election by a landslide to the Presidency in 1964, could undoubtedly have managed an abrupt withdrawal from Vietnam, it is not so easy to do, now, if for no other reason than this.

These young men may well have all died in vain—a fact which would be certified to if we were now simply to scuttle and run from Vietnam.

What is the other alternative—Mr. Nixon's third, and last?

It is, as I see it, precisely the one he has chosen—that of working out a phased withdrawal from Vietnam; "de-Americanizing" the war—or "re-Vietnamizing" it, if you prefer; getting back, as rapidly as possible, to a point where South Vietnamese forces do at least all the ground-combat fighting still required, if the conflict is to go on, while we, as we did at the beginning, provide them with money, materiel, and arms plus, for awhile yet, such air and naval support as may be indicated to help them hold if the Vietcong and Hanoi decide to escalate, rather than deescalate, the level of combat on their side.

There can be no question—Senator KENNEDY's protestations to the side—but what this is a change in policy.

It is a policy of deescalation, as opposed to a policy of escalation.

And it is a policy that, I would like to think, the American people understand and, by a large majority, support, for it would seem to be our only hope of salvaging something from the tremendous—and so mistaken—investment of blood and treasure we have made in Vietnam.

But it is not a policy that can be implemented overnight.

If it is to be successfully applied at all, the President will need—as he has suggested—as broad and united a front in support thereof at home as is possible under the prevailing circumstances.

And one of the difficulties the President has faced in trying to secure that support, has been the fact that he has been required—in his attempts at explaining his policy—to speak to several different audiences at one and the same time: To Saigon, to Hanoi and Moscow, for instance, as well as to the American people.

In each such instance, it is natural enough, one supposes, that he has tried to put the best possible face on his policy; trying to reassure the South Vietnamese people that there will be no precipitate and disorderly American withdrawal, so that they will have time to remarshal their own strengths and to reassume the major burden of such combat as may continue—yet, at the same time, signaling to Hanoi that we are most anxious to scale down the level of that combat, while meanwhile attempting to reassure the American people that an end to this war can shortly be in sight.

Mr. Nixon's problems in this respect have undoubtedly been magnified by the recent rash of criticism of his policy—or the implementation of it—here at home.

A "moratorium" on such criticism has been suggested, and one can well understand why the President would like that.

However, as one who believes in the basic values of the widest possible national debate over Vietnam—provided the same remains within constructive bounds—I would much prefer to see the President now more clearly and positively present his policy to the American people, and aggressively defend it.

I would like him to spell out both the risks and the ramifications in his policy for the Nation in a way he has not yet really done.

Some of our people, from a reading of the President's words and those of his more outspoken critics, have apparently assumed that it is all over in Vietnam but for the leaving of it.

This is quite clearly not what Mr. Nixon has in mind, at all.

As I read his policy, it is one of doing all we can to encourage Hanoi—with or without Moscow's influence in that direction—to begin, at last, to truly negotiate at Paris for an end to the fighting and for arranging the details of an eventual political settlement.

Toward that end, he has not only renounced, as I have said, the idea of an imposed military "solution," but he has also proposed free elections organized by a joint commission—on a "coalition" basis—under international supervision, as well as the withdrawal of all U.S. and allied forces over a 12-month period. And he has declared our lack of intention to retain any military bases in Vietnam, along with our willingness to negotiate—at any time—a supervised cease-fire to facilitate the process of mutual withdrawal, our willingness to discuss—at any time—the 10-point program previously put forth by the NLF and Hanoi, and finally our willingness to accept any political outcome in the contemplated elections, provided the same are truly free in nature.

Some critics say this is not enough in these directions.

Just the other day, the New York Times expressed its disappointment that no "creative new White House approach" for ending the war has emerged during the 9 months Mr. Nixon has been in office. Well, it is a matter of opinion whether or not the President has moved as fast or as far as he could toward inducing Hanoi to contemplate a political settlement, but the Times seems, in its critique, to be ignoring the substantial degree of flexibility Mr. Nixon has given to our bargaining position so far, or the fact that Mr. Nixon has essayed nearly every such proposal the Times itself was advocating along such lines a few months back.

In fact, the only item involved in a political settlement of the war that Mr. Nixon says is not negotiable is, in his words, "the right of the people of South Vietnam to determine their own future free of outside interference."

This would, on its face, seem to be a reasonable restatement of what this war—even dating from our original limited involvement therein—has been all about.

Yet its constant critics—now zeroing in on Mr. Nixon—argue that our present policy as enunciated by the President implies the participation of the present Saigon regime in the mechanics of the search for that tantalizingly difficult political solution, and say neither the NLF or Hanoi can be expected to accept that anymore than we would be willing to accept in advance the dominance of the Vietcong's present provisional government.

It is as difficult for me to understand exactly what such leading critics as Senator KENNEDY's position on all this really is, as it seems to be for the Times, for instance, to understand Mr. Nixon's position, and discuss it objectively.

The Senator from Massachusetts seems to be saying, of late, that the President should demand and insist on the Thieu-Ky regime's acceptance of a coalition government with NLF representation now. His implication is that such a forced reorganization of Saigon's government would automatically bring peace.

Hanoi's aim—as it always has been—is complete control of the South. It might accept a coalition government, whether or not imposed by us upon Saigon, as a step in that direction but not, I suggest, until after it has become convinced that the United States is not going to be forced, by the sheer weight of public opinion here at home, into a precipitated withdrawal of all our forces from Vietnam, regardless of what then happens—and regardless of the previous, tragic investment we have made in our ill-directed effort to preserve South Vietnam's last chance at self-determination.

Now, let me be understood: I am no happier with many aspects of the Thieu-Ky regime than anyone else. Though its claim to legitimacy is considerably better than that the Vietcong's provisional government could advance, or that of the government in Hanoi, for that matter, one could prefer other people than Thieu and Ky to deal with.

But, again, the problem is: There they are—and what do we do about them? Engineer their overthrow—or encourage dissident elements in the South to do so—thereby repeating one of our previous, and sorrier, acts of intervention into the affairs of this little nation?

I would surely hope not.

Yet at the same time, American boys are surely not dying in Vietnam in order to keep Messrs. Thieu and Ky in power, and we should thereby insist—as one hopes that, behind the scene, Mr. Nixon is—on Thieu and Ky assuming a negotiating stance equally as flexible as ours, on a true broadening of their political base, and on their instituting, at long last, those kinds of internal political and social reform without which no one can offer the people of South Vietnam the kind of government we have always hoped they would have a chance to choose.

It is, then, essential that when we say the only important thing in bringing the war to an end is what the South Vietnamese people want, we do our utmost to make sure that Thieu and Ky are only interested in the same thing, and not—as sometimes seems to be the case—only in their own futures.

From this distance, it is easy to criticize Thieu and Ky. At times they almost seem to invite U.S. criticism. But I have to believe that Mr. Nixon is as aware of this constant danger that our efforts can get sidetracked by petty politics—or politicians—in Saigon as anyone can be, and will do his best to remain faithful to our one peace objective as he, himself, has now restated it.

If this proves to be the case, we then come down at last to that one commodity which, above all, is presently most precious to Mr. Nixon in his goal of salvaging something from this misadventure for which he, personally, bears no blame.

That commodity is time.

How much time does the President have—more to the point, how much time will the American people give him—to see if he can yet work things out?

That depends on many factors—not the least of which is related to the nature of the swelling tide of criticism that will undoubtedly be aimed in his direction from now on.

If that criticism takes on a partisan tone along the lines just indicated by the present national chairman of the Democratic Party—who promised to "take the gloves off on Vietnam"; or if it follows the lead of the Wisconsin Democratic Party which, meeting in recent convention, adopted a resolution reading in part:

> President Nixon has done little to bring a just and honorable end to this ghastly conflict. His current proposals to withdraw 35,000 more troops from Vietnam and to temporarily suspend the draft calls are admittedly designed to defuse the anti-war movement. They are Nixon tricks, for which he is well known, to fool the people and to promote their apathy.

Then, Mr. Speaker, the American people can only become further divided and confused.

If, on the contrary, only constructive, nonpartisan criticism is aimed at Mr. Nixon and his policy, then one has to believe the national interest will be served, whatever the outcome for the President or the people of Vietnam.

It is in that sense, then, that I regard the recent proposal as made by Senator GOODELL, of my State—and the proposal soon to be made, so I understand, by the gentleman from Michigan (Mr. RIEGLE) and the gentleman from California (Mr. MCCLOSKEY) and others here on our side of the Capitol.

These gentlemen, though in different ways, would seek to impose a deadline of sorts on the Presidential efforts; Mr. GOODELL by offering a resolution that, if passed, would prohibit the further use of Federal funds to maintain American troops in Vietnam after November 1, 1970, unless before then specifically authorized by Congress, and Messrs. RIEGLE and MCCLOSKEY getting ready to introduce a resolution that would amend the so-called Tonkin Gulf resolution of August 10, 1964, by terminating the President's "warmaking authority," thereunder, as of December 31, 1970.

There is another proposed resolution that, so far as I know, has not been sponsored yet by any Member. This is one being circulated by the Friends Service Committee—as I believe it is called—which urges it be made the "sense of Congress" that the "continuous and orderly withdrawal of U.S. forces should proceed as expeditiously as possible until all American forces are removed from Vietnam," and goes on to state that—

> In no event shall American forces including air units or support personnel remain in Vietnam later than December 31, 1970.

Now, these kinds of proposals may well be counterproductive—as some have called them—insofar as they would relate to what Mr. Nixon is evidently trying to do, and I, personally, do not believe the President should be subjected to any such time limit within which to try to work out his policy, on which I shall comment more in a moment, but I do not object to such proposals being made nor question the motives of those advancing them.

Understand me, I am not defending these proposals—only their sponsors' right to submit them, following which we, of course, have a duty to consider them.

Out of that consideration here in Congress—as well as through the public discussions they have already precipitated—may well come a better public understanding of Mr. Nixon's policy and, it is even possible, the public support he has asked for.

For, if the President is trying to salvage a last chance at a political solution—meaning, in its broadest terms, a new election in South Vietnam in which all elements in this long conflict for control of that nation would participate, under international supervision guaranteeing its people a freedom of choice—he must, first, induce the NFL and Hanoi to accept that road toward an end to the fighting.

We have established, at Paris, our bargaining position.

It is a far more credible one than it was under Lyndon Johnson.

It should—under all prevailing circumstances but one—be attractive to both the NLF and Hanoi.

That missing circumstance is evidence of a clear U.S. determination to remain in Vietnam—albeit in a sharply modified military posture—as long as it may be necessary to do so in order to convince the NLF and Hanoi that they cannot pick up all the marbles by default.

Mr. Nixon has stated and restated that determination—though admittedly and, I think, unwisely, he fuzzed it up somewhat a few weeks back by trying to publicly outpromise former Secretary of Defense Clark Clifford as to the time needed to make his policy work out.

I believe that an issue was thereby raised, to which the President should now address himself.

It is all very well to hope—as we all hope—that the NLF and Hanoi can be induced to accede to a fair arrangement leading to a political settlement in which all sides take their chances, before the end of 1970.

But it is also necessary for the American people to understand the possibility that this may not happen, and that, if it does not, the President is proposing that we maintain a military presence in Vietnam beyond that date, if need be; a presence that, by then, hopefully would not involve more than, say, 200,000 troops, nearly all of whom would be there for air and naval support purposes, and not for ground combat, and all of whom, equally hopefully, could be volunteer forces.

This last point is, in my mind, of extreme importance, for I have never believed that American boys should be conscripted, against their will, to fight in a war that does not involve the security of the United States except in the most remote way possible, and that is being waged in pursuit of some international political purpose.

Again, let me be understood: I do not relish the thought of continuing any sort of American presence in Vietnam after the end of next year or, for that matter, 1 day longer than necessary to the working out of our original goal.

It is especially hard to accept that thought since it means that, for awhile at least, more American blood will be spilled on Vietnamese soil; posing a national dilemma of a sort we have never faced before, whereunder we contemplate a continuing sacrifice of American lives in order to salvage something from the larger sacrifice that has gone before.

Will the American people accept such a course—when so stated in such stark and tragic terms?

Frankly, I do not know—nor does the President.

But only the American people—and not the politicians nor the editorial writers—and not just the Dr. Spocks and the militant student groups—can answer.

Mr. Nixon—and the Nation—needs that answer, and needs it now.

Mr. Speaker, let us, each in our own way, search for that answer from our respective constituencies.

For my part, I hope these remarks of mine will encourage the people I am privileged to represent in this Chamber to search their hearts and minds with respect to this terrible problem we face, and to let me know what they think.

It would be better, I suggest, for each of us to attempt this than for us to spend our time debating whether or not we should put some sort of deadline on the President.

Deadlines or timetables are of no value now.

Indeed, they might well be counterproductive, as has been said, in that were we to impose one on the President, he would at once lose all chance at working things out in the manner he has chosen to try. For we would then simply be saying to the NLF and Hanoi: "We would like you to stop fighting and to begin to negotiate in earnest but, if you do not, before such and such a date, we will simply then go home and let you do what you will in South Vietnam."

Mr. Speaker, I do not believe the President needs to be pressured in this fashion in order to insure that he will pursue his announced policy as vigorously as possible, or to insist on the full cooperation of the Saigon regime in the implementation of that policy.

For no American could more fervently wish the end of this war than does Richard Nixon.

But what he needs to know—and what he is entitled to know—is whether or not the people he leads are still willing to give him a chance to work things out in an orderly way in a final effort for an acceptable conclusion in Vietnam.

If they are not, or if a substantial majority of them is not—then we should withdraw from Vietnam, at once.

The issue we face, as I see it, is as simple as that.

INTERNATIONAL POLICIES AND OVERSIGHT OF THE DEFENSE DEPARTMENT

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from Michigan (Mr. ESCH) is recognized for 10 minutes.

Mr. ESCH. Mr. Speaker, I rise to speak today only after a great deal of deliberation, coupled with no little frustration over the events that have transpired in this body during the past 7 days.

My deep concern is over the manner in which this body has fulfilled its responsibilities with regard to our international policies and oversight of the Defense Department. I believe that through our actions last week, we were derelict in our responsibilities to play a meaningful role in the shaping of our international and defense policies.

Let me first address myself to the recommittal motion on the defense authorization bill offered last week by the distinguished gentleman from Wisconsin (Mr. O'KONSKI). It essentially would have deleted all funds for research, development or deployment of an antiballistic-missile system. It was quite apparent to observers that this was an artificial motion made by a person who did not in fact favor it, as a parliamentary maneuver.

That vote, at best, was a contrived means of giving a false appearance of increased support for the administration's ABM proposal. At worst, it was a procedure developed to prevent the minority of Members from expressing on record either its objection of the deployment of the ABM or securing a meaningful record vote on the military authorization budget. In either case, it is a parliamentary procedure of which the House of Representatives and its leadership should be concerned.

Mr. Speaker, I have spoken out against the deployment of the ABM since early March. I recognize that the administration made its decision to request funds after thorough consideration and analysis. Yet others have made equally as objective analyses, and have concluded that deployment of an ABM is unwise and unnecessary. Upon careful study of both points of view, I found myself in agreement with those who dispute the need for an ABM, and I therefore oppose deployment. However, in light of the sincere conflict, I believe that our research in this field should continue. This point of view, which, I believe, is shared by a great many of my colleagues, was impossible to express on a record vote last week.

Although the failure to take a true vote on the deployment of an ABM is in my view unfortunate, the failure to go on the record with regard to limiting military spending is even more deplorable. Each of us in the House of Representatives has a direct responsibility to analyze and oversee military expenditures. I very strongly believe that major cuts could be made in our gigantic defense budget without in any way affecting the strength of our national defense. Indeed, I believe that a cutback in funds would force new efficiency on the military which would, in fact, result in an even more effective Defense Establishment. Yet, because of the nature of the recommital motion, once again the minority was silenced.

In many ways, however, the specific issue involved in last week's vote is less important than the principle involved. This is not the first time this has happened.

This vote parallels in many ways the vote on May 25, 1967, when the House was debating the extension of the Selective Service Act. There was a strong minority view held by Members from both sides of the aisle, that major reform was needed in the draft and that the act should be extended for only 2 years so that detailed review could be made and reform undertaken in the near future. That day, like last week, the gentleman from Wisconsin gained recognition through tradition as ranking minority member of the Armed Services Committee, to offer a recommital motion which was designed specifically to deny the minority an opportunity to express its support for reform. That day, like last week, the gentleman from Wisconsin was supported by the leadership of both parties.

History has proved that contrived motion to be unwise. Our President has called on the Congress, as we were trying to do 2 years ago, to enact a much-delayed reform of our draft system. Reform of the draft reflects both the will of the people and the best interests of the Military Establishment, and in my view it should not have been delayed through contrived parliamentary procedures for 2 years.

History has also recorded that the parliamentary maneuvering in the House last week was unwise and, indeed, this House has failed to be responsive to the will of the people by giving the Military Establishment a carte blanche approval for spending.

This whole procedure is not, however, the only matter which greatly disturbed me about the debate here in the House last week. During the closing minutes of debate the distinguished gentleman from Illinois (Mr. ARENDS) suggested that anyone who criticized the President with regard to Vietnam is doing so only to "advance their own political ambitions." The implication of his remarks was that criticism of the President was unpatriotic and was designed to further the cause of Hanoi.

Much as I respect the gentleman from Illinois and the position which he holds, I object to those remarks. I believe that a Member of the House of Representatives has a responsibility to represent his constituents. We have a responsibility which runs just as deep as that held by the President, to work for the betterment of the Nation and its international policies. We are not charged with the day-to-day operation of our foreign affairs, but we are charged with the responsibility of oversight of all Government activities.

No useful purpose is served by ill-advised charges from any political position that those not in accord somehow damage their country. What we debate is the wisdom of policy, not the courage, loyalty, or integrity of anyone.

As a Member of the House of Representatives, I have in the past felt responsible as a part of my duty in an independent branch of the Government to criticize the administration when I felt they were wrong—either domestically or internationally. That responsibility to express an independent point of view when a Democrat was in the White House has not changed now that a member of my own party is in power. I have the responsibility to criticize and to suggest constructive alternatives no matter what the issue, no matter what the party in power.

Hopefully, my criticism and suggestions in the past have been made with a maximum degree of analysis and constructive intent and with a minimum degree of personal aggrandizement. It was with that attitude that a group of eight of us here in the House joined on July 10, 1967, to state our proposals for a gradual, reciprocal, identifiable deescalation of the Vietnam war—a proposal which was eventually adopted in large part by the President in working toward the Paris talks. It was with that attitude that I sent to the President on February 7, 1968, a series of questions about the failure of the Americans to involve the Vietnamese sufficiently in the defense of their own nation and our failure to insist on reform in Saigon to assure freedom for all the people of South Vietnam—programs which have now been undertaken by the President. It is in this same vein that I will continue to speak out on Vietnam when I believe that our policies are wrong or that I can make a constructive contribution to our policy decision.

Mr. Speaker, I have not joined this week with the gentleman from Michigan (Mr. Riegle) and the gentleman from California (Mr. McCloskey) in their proposal that all troops be withdrawn from Vietnam by December 31, 1970. In my view, their goal is laudable but their suggested means of achieving it impractical. To suggest any timetable would be for us to remove the flexibility which the administration needs in negotiating. To remove this flexibility would be for us to fall into the structured, locked-in Johnsonian procedures. Flexibility is, I believe, one of the most important factors in dealing with our difficult situation in Southeast Asia.

Neither have I joined with the 104 Members who have introduced a resolution in support of the President's announced plan "to remove troops at the earliest possible date." In my view, this resolution in intent is meaningless since our country, through its Chief Executive, has already committed itself to this goal.

Although I disagree with these proposals, I believe that the Members of the House who are making them have both a right and a responsibility to do so if they sincerely believe them. In the much quoted words of Voltaire:

> I disapprove of what you say, but I'll defend to the death your right to say it.

I believe that this administration has taken positive and significant steps to set a new course in Southeast Asia—and I applaud and associate myself with their efforts. Yet where I feel I may be constructive, today or tomorrow, I will continue to comment and criticize. I will continue to speak out actively on those issues, including Vietnam, on which I believe I can make a meaningful contribution without "cutting and running," "bugging out," "hauling down the flag," or seeking personal aggrandizement. I will not be silenced by the leadership of my party and I will fight their efforts to silence others whatever their view.

In his speech the gentleman from Illinois alluded to the concept of the late Senator from Michigan Mr. Vandenberg, that "politics ended at the water's edge"—implying that, if we as Representatives were responsible, we would not enter into debate in the field of foreign affairs—that we would silence all criticism of the President's policy.

However, if we examine carefully the attitude of the Senator, we find that he held just the opposite view—that, indeed, he felt a direct obligation to contribute constructively.

Listen to his words as he so eloquently spoke on January 10, 1945, on the responsibility which the legislative branch holds. His words echo back to us today and hold special meaning for the Members of this body and our Chief Executive:

> I venture to repeat, with all the earnestness at my command, that a new rule of honest candor in Washington, as a substitute for mystifying silence or for classical generalities—honest candor on the high plane of great ideals—is the greatest contribution we can make to the realities of unity at this moment when enlightened civilization is our common state. . . . I realize Mr. President, in such momentous problems how much easier it is to be critical than to be correct. I do not wish to meddle. I want only to help. I want to do my duty. It is in this spirit that I ask for honest candor in respect to our ideals, our dedications, and our commitments, as the greatest contribution which government can now make to the only kind of realistic unity which will most swiftly bring our victorious sons back home, and which will best validate our aspirations, our sacrifices, and our dreams.

Let the dialog and debate continue, then—it is the essence of the ideal for which we strive—the crucial difference that sets apart this land from others. And let us all seek a realistic unity.

Mr. ARENDS. Mr. Speaker, the gentleman from Michigan (Mr. Esch) graciously furnished me with a copy of the remarks he proposed to make on the floor of the House dealing with our international policies and our defense program.

In the course of his remarks he refers to the debate on the recently passed military procurement authorization bill. He voices objection to the remarks I made during the closing of the debate on this bill. He states:

> During the closing minutes of debate the distinguished gentleman from Illinois (Mr. Arends) suggested that anyone who criticized the President with regard to Vietnam is doing so only to "advance their own political ambitions." The implication of his remarks was that criticism of the President was unpatriotic and was designed to further the cause of Hanoi.

The gentleman from Michigan has entirely misconstrued my remarks. I would never make such a broad generalization as to say that criticism of the President by anyone was "to advance their own political ambitions" or that it was "designed to further the cause of Hanoi." He has lifted a phrase from my speech entirely out of context. What I said was:

> There are those in high places on both sides of the political aisle who would seek to advance their own political ambitions at the expense of our country's international status.

And I stand by that statement. There are, indeed, some, but certainly not everyone, who are critical of the President's efforts solely to advance their own political interests. This criticism is not "designed to further the cause of Hanoi," as the gentleman from Michigan interprets my remarks. I did not believe that anyone would ever have such a design. I do claim, however, that some of the criticism is of such character that its result in fact, although not in intent, furthers the cause of Hanoi.

The burden of my remarks was to emphasize the importance of all of us helping the President bring this war to an honorable settlement. As I stated in my remarks:

> The surest and quickest way to achieve an honorable settlement of this unfortunate war is to unite behind him—

The President—

> in his efforts.

ADMINISTRATION'S POLICIES ON VIETNAM

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois (Mr. Arends) is recognized for 5 minutes.

Mr. ARENDS. Mr. Speaker, last Tuesday our distinguished minority leader, Mr. Gerald R. Ford, called special attention to the speech of our able Secretary of Defense Melvin Laird before the convention of the AFL–CIO at Atlantic City.

The speech dealt with the administration's policies with respect to Vietnam. I, too, urge every Member to read it. It will be found on page H9217 of the Congressional Record of last Tuesday—October 7—as a part of Mr. Ford's remarks.

I deem it also of importance that you be apprised of what George Meany said in introducing Secretary Laird to the convention, and especially what he had to say at the conclusion of the speech. I am accordingly making Mr. Meany's opening and closing remarks a part of the Record.

You will especially note that at the conclusion of Secretary Laird's speech Mr. Meany said that labor is "one group who understands that when you negotiate with an opponent you negotiate from strength" and that "unilateral withdrawal is not the answer" to the Vietnam situation. He said in reference to the administration's policies in Vietnam:

> Frankly it is the best possible plan I have seen yet.

The transcript of the opening and closing remarks of George Meany follow:

Opening Remarks of George Meany

At this time it's my pleasure to introduce to you a member of the Cabinet, who has perhaps the most difficult job at the present time, second, I think, only to that of the President. I've known this gentleman for many years. When I first met him he was a State Senator in Wisconsin and he afterwards came to Washington; was a very distinguished member of the House of Representatives, and I feel that when he was put in charge of the Department of Defense, that the President secured the finest person for that job—capable of handling it and doing the very difficult day-to-day work in the Department of Defense under rather severe handicaps at times. I think the Congress bugs him once in a while and sort of throws some curves at him, but he's quite well able to handle it, and I'm delighted to present him to you, the Secretary of Defense, the Honorable Melvin Laird.

CLOSING REMARKS OF GEORGE MEANY

On behalf of the delegation, the officers of AFL–CIO, myself, I express our appreciation to the Secretary of Defense for his very enlightening and forward looking address here this morning. I'm sure that this is one group who understands that when you negotiate with an opponent you must negotiate from strength and I'm sure that this is one group who believes that unilateral withdrawal is not the answer. I am hopeful that the plan that President Nixon has of negotiating and at the same time keep the pressure on our opponents, I'm hopeful that it will bring results. Frankly, it's the best possible plan I've seen yet. I can assure Secretary Laird that in the days to come, in his difficult job of trying to bring peace, in bringing our boys home, he's going to certainly have the backing of the AFL–CIO and its people. Thank you very much.

IMPROPRIETIES AT VETERANS' ADMINISTRATION MEDICAL FACILITIES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania (Mr. SAYLOR) is recognized for 30 minutes.

Mr. SAYLOR. Mr. Speaker, on some past occasions, it has been my reluctant duty to call to the attention of this House certain irregularities and improprieties in hospitals operated by the Veterans' Administration. I regret to report still another situation has arisen. The activities are serious in nature and have not met with the sort of response from officials in the Department of Medicine and Surgery that the condition warrants. Therefore, I feel that the matter must be publicly aired so that it may be corrected promptly.

Present activities in this particular Veterans' Administration facility, and there is no evidence to indicate that the hospital has received an order from the Chief Medical Director to stop such practices, involve full-time Veterans' Administration physicians treating patients in a hospital affiliated with a medical school and billing the patients so treated for their care. The patients then either pay the doctor directly or an insurance carrier does. The money is then deposited into a fund operated within the medical school for the payment of a multitude of services, such as supplemental travel allowance, dues in professional societies, malpractice insurance premiums and other fringe benefits believed to be of significant value to the medical profession.

The funds generated by this sort of activity by personnel in Veterans' Administration hospitals have at this one station alone totaled nearly $100,000. Central office did prohibit Veterans' Administration doctors from acting as disbursing agents of such funds but only after a General Accounting Office audit produced the information. The Veterans' Administration made no concerted effort to ascertain the facts.

My investigation reveals that there are similar funds for a variety of purposes in 34 other medical schools affiliated with Veterans' Administration installations, and this must not be allowed to exist. There are regulations which specifically prohibit a Veterans' Administration physician from assuming responsibility for care of a patient outside and beyond the Veterans' Administration hospital. This is not being observed.

Records which show how a physician's time is spent in and out of the Veterans' Administration, when such activity involves remuneration, were not maintained at the specific station involved to any degree at the time of the investigation, and are not being maintained properly in many stations throughout the 165-hospital system.

In the hospital under investigation, one "full-time" civil service employee was found to be acting as the chief of the laboratory service while holding the same "full-time" position in the medical-school-operated hospital across the street. There was no specific tour of duty regulation indicating the hours in which doctors were expected to be on duty. One physician served 6 months in the capacity of coroner without any approval from the station or central office in Washington.

This particular facility had a sharing agreement with the university hospital providing for cardiac surgery. At the suggestion of the medical school, the Veterans' Administration hospital referred service-connected patients having hospital insurance coverage and needing cardiac surgery to the university medical school hospital so that the insurance carriers could be billed at a higher rate than that provided in the sharing agreement, even though the law clearly provides that service-connected patients are the responsibility of the Veterans' Administration for full care and treatment at no expense to the veteran or a third party. The director of the hospital called this matter to the attention of central office on August 14. It was 27 days later—on September 11—when central office in Washington teletyped the station director informing him that such activity was illegal and prohibited.

Investigation shows that out of 5,000 full-time Veterans' Administration physicians, there are 679, or 13.6 percent, who are supplementing their income in one form or another by outside professional activities. Nineteen of these physicians received annual payments of more than $10,000 a year from outside sources. Six hundred and sixty have earnings below that figure. The median outside income is $2,000 per year involving nearly 4 workdays out of each 10-day work period for a full-time employee. The average Veterans' Administration salary for doctors engaged in this activity is $23,234 and the average income from "consultation and other" is $2,433. A few examples will suffice to show the discrepancies involved—one physician in a southern Veterans' Administration hospital is being compensated at the rate of $13 an hour; his outside activities are paid for at the rate of $175 an hour. Another doctor receives $125 an hour and a third at $120 an hour, and others in the vicinity of $100 to $115 an hour.

It should be borne in mind that 86 percent of the Veterans' Administration doctors do not participate in this activity which could lead to the conclusion that the leadership, or lack of it, in central office is letting the tail wag the dog.

The condition in the hospital which triggered the investigation was called to the attention of central office by the hospital director on April 14. One month later, on May 16, the regional medical director and an assistant chief medical director paid a visit to the station involved. Their appraisal of the seriousness of the problem is indicated by the fact that the action taken consisted of writing a one-page memorandum for the file. When this information came to light, there was an investigation by individuals from central office of the Veterans' Administration a representative of the General Accounting Office, and the staff of the Committee on Veterans' Affairs.

To this date, I have not been advised of any substantive correction despite the submission of a detailed and critical report by the chairman of the Committee on Veterans' Affairs, numerous conferences and several letters. The leadership in the Department of Medicine and Surgery after nearly 6 months has displayed no sense of urgency to correct this deplorable and dangerous condition. Despite the abuses shown in the time and attendance records, required by the Veterans' Administration's own regulations, central office has taken no steps to correct the deficiencies in this field. The number of funds of questionable character were determined at the request of the Committee on Veterans' Affairs, but the Department of Medicine and Surgery leadership was uninterested in ascertaining what activity on the part of the physicians generated the funds.

"Full-time" Veterans' Administration physicians have been receiving payments from medicare and medicaid. Perhaps the worst offense is that of a hospital in a community which involves "full-time" Veterans' Administration physicians who receive through a corporation or individually in the neighborhood of $200,000 in 1 fiscal year for the treatment of patients under medicare in a county hospital operated by local government funds. Central office has not conducted any survey of its own or indicated any interest in the amount of income that physicians, allegedly of a small number, may be receiving for care and treatment of patients eligible under medicare or medicaid.

Central office has issued no new regulations to supplement travel allowances above and beyond that authorized under existing law. Veterans' Administration regulation 00–67–12 specifically prohibits a Veterans' Administration doctor from assuming responsibility for care of patients outside the Veterans' Administration hospital. No effort has been made to alter this regulation or to enforce it. There have been no new definitions or guidelines formulated which define or redefine teaching or the treatment of patients. Effort has not been made to determine if open heart surgery infractions, previously described, at one hospital extends to other localities.

Aside from advising the station involved that the activities with regard to cardiac surgery were illegal, the net significant result at this troubled station is the approval by central office of a contract which triples the cost of consultant and attending fees from $16,000 to $48,000. This fact was disclosed through committee staff interrogation which revealed money is now going to the medical school rather than individual doctors. Formerly individual consultants were paid $50 for each visit and attendings $25; now the medical school will determine the amount to be paid individuals.

Nearly 6 months have elapsed since these deplorable conditions were called to the attention of responsible officials in the Department of Medicine and Surgery. No action has been taken other than that which I have indicated. Committees have been appointed to study the matter and I deplore the total lack of urgency or concern on the part of responsible officials of the Department of Medicine and Surgery.

The Committee on Veterans' Affairs, on which I have the honor to serve, has worked diligently, carefully, and steadily to improve the quality of patient care in Veterans' Administration hospitals. This has involved cooperation with medical schools throughout the country. We believe that it has worked in the best interest of the medical schools, but I submit that by no stretch of the imagination did the Congress ever envision or expect practices to develop like those which I have just described.

Neither did the Congress expect to have irresponsible attitudes displayed by doctors of medicine and high-ranking physicians in the Department of Medicine and Surgery. The sole reason for the existence of the largest hospital and medical complex in the world operated by the Veterans' Administration is for the care and treatment of veterans who are entitled under law to such benefits. It seems to me from the activities I have described that at least some individuals have departed from that concept. In fact, I am beginning to doubt they even share this reasoning and basic intent of the law.

Mr. Speaker, I have introduced bills to correct these situations. The first is H.R. 12901, which would designate a layman as the Chief Medical Director's deputy. I think this would result in solving many of the problems which now face us by placing a trained layman at the helm for administrative purposes, and let the doctors practice medicine. My second proposal is H.R. 13503, which in effect says that sick and annual leave by employees of the Department of Medicine and Surgery shall be no less than or no more than that enjoyed by civil service employees in the classified services.

My third bill, H.R. 13758, is broader in its concept and has a number of provisions: A Veterans' Administration doctor—

First. May not assume responsibility for the medical care of any patient outside a Veterans' Administration facility—as prescribed in Veterans' Administration regulations but not observed;

Second. May not teach or provide consultative services which interfere with his duties as a Veterans' Adminstration physician;

Third. May not accept medicare and medicaid patients;

Fourth. May not accept money from outside sources beyond the travel allowances authorized for Federal Government employees; and

Fifth. May not engage in any professional service which has as its purpose the generating of money for a fund operated by a medical school.

H.R. 13758 further provides that:

First. Patients may not be transferred from Veterans' Administration facilities for the purpose of permitting insurance payments from commercial health carriers;

Second. Removes from medical schools the veto which now exists, by practice, over the appointment of professional personnel;

Third. Requires sharing agreements to be approved by the Comptroller General and audited regularly by that official; and

Fourth. Attempts to provide some guidelines for full-time employment of doctors. Inquiry, for example, on one station revealed that a "full-time" physician is away from his station 2 full days out of each 5-day workweek, yet he continues to be classified and paid as a "full-time" employee. Other employees are away 2, 3, 4, or 5 hours each day and still qualify as full-time employees. Really now, are such employees "full time?"

Not surprisingly, the Veterans' Administration has frowned on the first two proposals. I am sure it has no enthusiasm for the last one, and will shortly so advise our committee.

What is needed is positive leadership in the highest echelons of the Department of Medicine and Surgery—a following, if you please, of the highest ethics of the medical profession. Failing to display this will make it necessary for the Congress to proceed with legislative action. If steps are not taken on an administrative level in the immediate future I shall press for consideration of my three bills and a complete ventilation of the entire deplorable condition.

HARRY EMERSON FOSDICK

(Mr. RYAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RYAN. Mr. Speaker, Dr. Harry Emerson Fosdick, founding pastor of Riverside Church in New York City, died last Sunday at the age of 91. During his rich, full life, which extended over most of a century, he was a leading spokesman for those deep concerns of the spirit which have shaped the history of our time. His prophetic ministry at Riverside Church gave witness to his heartfelt mission: To render the Christian Gospel intelligible and meaningful in a world increasingly dominated by scientific and technological knowledge. He was, in fact, the first great urban preacher, in the sense of having been the first to relate faith to the complex realities of modern urban culture and society. Yet withal, he remained the warm, understanding, and compassionate counselor, able as few men have been, to unite a burning social conscience with a tender regard for persons. A sermonic craftsman, which is to say a master of simplicity and clarity, he brought his own deep feeling for life to bear in his retelling of the story of Jesus: The result was a book of permanent worth, at once scholarly and vibrant, "The Man From Nazareth," a truly ecumenical work.

The great battles of the early decades of this century over the fundamentalist-modernist conflict are largely over and done with. Yet, in retrospect, regardless of our changing perspective as we confront the issues of the past, it may be that Dr. Fosdick's greatest achievement will have been to provide an intelligent understanding of the Bible and of the Christian faith for men and women of today's world. His service in this regard can hardly be exaggerated. Finally, his most enduring legacy can never be measured: That patient, gentle, and sensitive pastoral care which was always at the heart of his ministry—in the words of another great American preacher, Phillips Brooks, "the communication of truth through personality." His passing impoverishes us all, even as the memory of his life and his continuing ministry through the influence of his sermons and books remain to inspire and strengthen us in "the living of these days." To his family I extend my deepest sympathy at this time in their and our loss.

Mr. Speaker, I include at this point in the RECORD an obituary of Dr. Fosdick which was prepared by Charles H. Whittier of the Library of Congress:

HARRY EMERSON FOSDICK

(By Charles H. Whittier)

Harry Emerson Fosdick was born in Buffalo, New York, on May 24, 1878, the son of Frank Sheldon Fosdick, a high school teacher, and Amy Inez Fosdick. Descended from people who came to Massachusetts Bay in 1635 seeking religious freedom, he carried this heritage forward as the leading spokesman for liberal religious belief in his time. In 1900 he received his B.A. from Colgate University, where he was a member of Phi Beta Kappa. Influenced by such men as President Andrew D. White of Cornell, whose *Warfare of Science and Theology* has become a classic, he determined to enter the ministry, receiving his doctorate in divinity summa cum laude at Union Theological Seminary (after a brief period at Colgate Theological School), where he came under the influence of Walter Rauschenbusch, pioneering advocate of the Social Gospel, and Rufus Jones, the beloved Quaker mystic.

What he later called "an overdose of mission work in the bowery" precipitated a short-lived nervous breakdown and severe depression. Following his recovery, he was ordained to the Baptist ministry in 1903, and was called to serve his first parish, the First Church, Montclair, N.J., in 1904. He remained at Montclair until 1915, while also teaching at Colgate Theological School. His unorthodox ideas and preaching fervor here won him growing attention.

During the First World War he visited the AEF Troops in France under the auspices of the YMCA. In 1919 he was called to the First Presbyterian Church in New York City, where he was assured of freedom to pursue his ecumenical goals. During this time he continued his teaching at Union (begun in 1908), which extended over a period of 33 years. His marriage to Florence Allan Whitney of Worcester, Mass., brought happiness during a time of mounting controversy in which he gave outspoken leadership to the Liberal movement in its conflict with the Fundamentalist position (as represented by William Jennings Bryan and the Scopes "Monkey Trial" in Dayton). His 1922 sermon, "Shall the Fundamentalists Win?", attracted national attention. Charged with heresies by the Fundamentalist wing of the Presbyterian denomination, he refused to compromise when the issue came to a head in the General Assembly of the Presbyterian Church, U.S.A., and resigned, delivering his farewell sermon to an immense congregation, March 1, 1925.

At this point, John D. Rockefeller, Jr., a Liberal Baptist layman, offered him the pastorate of the Park Avenue Baptist Church in New York City. He accepted with the condition that the Church open its doors to all creeds and move in closer proximity to Columbia University. In 1927 he preached to 6,000 people for the first time in the new building (contributed by Rockefeller), and for the dedication in 1931 he wrote his finest hymn, "God of Grace and God of Glory," one of many hymns now sung in almost every denomination. The Riverside Church, as his parish soon became known, was an early center of interracial, interdenominational, and international ministry. In the ensuing years, it became one of the great pulpits of America.

From 1922, he pioneered in radio ministry, and his "National Vespers" program was heard regularly by millions. He served as trustee of Colgate, Barnard, and Smith Colleges, and received innumerable degrees from some 20 Ivy League colleges and other universities. Fearless of controversy, he gave early and constant support to Alcoholics Anonymous, to the birth control movement associated with Margaret Sanger, and to the cause of the League of Nations. He was friend and counselor to President Wilson. All forms of bigotry, racism, and nationalistic excess were alien to his broad, humane concern. Through the spoken and written word (he was author of some 40 books), he sought to relate Christian faith to the scientific culture of the 20th century. His *The Meaning of Prayer* went through 38 editions. *The Man from Nazareth* made Christ real to millions; *On Being a Real Person* communicated psychological insight with religious truth.

Beginning in the 30's, he moved toward a vigorously outspoken pacifism, and associated himself with leadership of the "No Foreign War" campaign. Following Pearl Harbor, he concentrated on those personal problems which the war situation created. In 1945 he expressed public shock at the revelations of the death camps.

His retirement from Riverside in 1946 marked a new era of activity in church and civic concerns, and for a time he headed the Manhattanville Community Center. The publication of his autobiography in 1956, *The Living of These Days,* revealed an alert, warmhearted, and witty mind and spirit, outspoken on issues of the day well into his 80's. Mrs. Fosdick passed away in 1964, saddening his last years. His death (at 91), came at Lawrence Memorial Hospital, Bronxville, New York on Sunday of this very week (Oct. 5, 1969). He is survived by a brother, Raymond B. Fosdick, former President of the Rockefeller Foundation; a half-sister, Mrs. Ruth Fosdick Jones; two daughters (Mrs. Elinor Fosdick Downs and Dr. Dorothy Fosdick); two grandchildren; and one great-granddaughter, born on September 15 of this year (and whom he lived to see).

Mr. Speaker, I include at this point in the RECORD the obituary by Edward B. Fiske which appeared in the New York Times on October 6, and also an editorial from the Washington Post of October 7:

[From the New York Times, Oct. 6, 1969]

HARRY EMERSON FOSDICK DIES; LIBERAL LED RIVERSIDE CHURCH

(By Edward B. Fiske)

Dr. Harry Emerson Fosdick, founding pastor of the Riverside Church and a pivotal figure in the Liberal-Fundamentalist split in American Protestantism in the nineteen-twenties, died last night at Lawrence Hospital in Bronxville, N.Y. He had been taken there two weeks ago after having suffered a heart attack.

The author, hymn writer and renowned preacher was 91 years old. He had lived in an active retirement since 1946, writing books and espousing social, religious and sometimes political causes. His home was in the Rivermere Apartments, Alger Court, in Bronxville.

On the first Sunday of March 1925, a 46-year-old, bushy-haired preacher stood in the pulpit of Manhattan's First Presbyterian Church and told the congregation:

"They call me a heretic. Well, I am a heretic if conventional oratory is the standard. I should be ashamed to live in this generation and not be a heretic."

The speaker was Harry Emerson Fosdick, an apostle of theological liberalism who had already become a pivotal figure in American Protestant history.

As a radio preacher and author, Dr. Fosdick was to become counselor to two generations of Americans and a major force in the struggle to relate Christian teachings to the scientific culture of the 20th century.

As the founding pastor of Riverside Church and a professor at Union Theological Seminary, he would be a pioneer in ecumenism, race relations and the peace movement and would leave his mark on the style of virtually every American Protestant preacher.

BITTER CONTROVERSY

When he spoke these words, though, Dr. Fosdick was still embroiled in the first major struggle of his career—the bitter controversy between Fundamentalists and Modernists.

Liberals eager to reconcile religion with evolution and other new theories were laying siege to traditional Christian teachings such as the infallibility of the Scriptures, the truth of miracles and the doctrine of the Virgin Birth.

Conservatives reacted with intensified devotion to the "fundamentals" of the faith, including adherence to the literal language of the Bible, a rigid salvation scheme and stanch opposition to the intrusion of historical scholarship into the Biblical field.

"It was a day," said Reinhold Niebuhr, the theologian, "in which the old evangelical piety of American Protestantism, so vital in its earlier form and so potent in taming an advancing frontier, had hardened into a graceless biblicism and legalism."

ICONOCLASTIC STAND

In this polarized and tension-filled situation, Dr. Fosdick clearly stood with the iconoclasts. He rejected the world-view of the Fundamentalists and paid little attention to the doctrines that they regarded as the tests of orthodoxy.

Instead, he concentrated in his sermons and writings on other traditional teachings such as the divinity of Christ, the doctrine of immortality and, above all, the concept of "God's indwelling presence in the world and in man."

"For me," he wrote, "the essence of Christianity is incarnate in the personality of the Master, and it means basic faith in God, in the divinity revealed in Christ, in personality's sacredness and possibilities, and in the fundamental principles of life's conduct which Jesus of Nazareth exhibited."

Dr. Fosdick became a prime target of William Jennings Bryan and other Foundamentalist leaders in 1922 when he preached a sermon entitled "Shall the Fundamentalists Win?"

In it he charged that the Fundamentalists were trying to drive the liberals out of the churches and dismissed the doctrine of the Virgin Birth as "one of the familiar ways in which the ancient world was accustomed to account for unusual superiority."

OUSTER ATTEMPTED

The resulting furor led to concerted efforts to force Dr. Fosdick out of his pulpit. He was a convenient target not only because of his visibility but also because he had been ordained as a Baptist and had never formally subscribed to the tenets of the Presbyterian church that he was serving.

In 1923 the General Assembly of the Presbyterian Church in the U.S.A. directed the New York Presbytery to require the preaching of First Presbyterian Church to "conform to the system of doctrines taught in the Confession of Faith."

Dr. Fosdick handed in his resignation, but the congregation refused to accept it. The case came up again the following year, however, and this time he was asked either to become a Presbyterian minister or to resign.

He took the latter course because of his conviction that subscription to creeds was "dangerous to the welfare of the church and to the integrity of the individual conscience."

On March 1, 1925, he preached his farewell sermon to a packed church. A newspaper account of the event stated that "most of the women in the church were in tears, and many of the men struggled to hide their feelings."

AN "URBAN" PREACHER

In a sense, Dr. Fosdick was the country's first great "urban" preacher, a pragmatist who focused on the needs of those who were abandoning the spiritual mores of the frontier and the farm and seeking an accommodation of Christianity with the emerging urban culture.

He challenged theological obscurantism as a basis for this and made it possible for the cultured classes to appreciate the "intellectual respectability of the Christian faith," Dr. Niebuhr said.

Dr. Fosdick was well prepared for this task, for as a youth he had himself fought his way through Fundamentalism to a so-called "rational" faith.

He was born in Buffalo on May 24, 1878. to Frank Sheldon Fosdick, a high school principal, and Amy Inez Fosdick. He had a sister, Edith, and a brother, Raymond, who became president of the Rockefeller Foundation.

Harry Fosdick was educated in Buffalo schools and went on to Colgate University, from which he was graduated in 1900 at the age of 22.

As a youth he had absorbed the religious orthodoxy of the day, but at college he reacted against what he termed "the puerility and debasement of a legalistic and terrifying religion."

Under the influence of liberal thinkers such as Andrew D. White, president of Cornell University, he developed the foundation of his progressive theology and made the decision to enter the ministry.

He entered the Colgate Theological School in 1900 and the following fall transferred to Union Seminary, where his major intellectual influences were the works of Walter Rauschenbusch, the leader of the Social Gospel movement, and Rufus Jones, the Quaker thinker.

He began doing outside work on the Bowery, but the extra load led to a nervous breakdown, and he was forced to withdraw from the seminary in December, 1901.

Dr. Fosdick later described his illness as a "horrid experience" but "one of the most important factors in my preparation for the ministry."

"Many times in later years," he wrote, "I have faced people who started in to tell me the inner hell of their neurotic agony—the waves of melancholia, the obsessive anxieties, the desire for suicide and all the rest—and I have stopped them, saying: 'Don't you tell me, let me tell you how you feel.'

"One typical man, with wide eyes, exclaimed when I was through: My God! how did you know that?' "

ORDAINED IN 1903

After a trip to Europe, he returned to Union, was graduated summa cum laude and was ordained on November 18, 1903. He took his first post at the First Baptist Church in Montclair, N.J., and the following year he married Florence Allen Whitney of Worcester, Mass.

Each morning the young pastor locked himself in a room and soaked up philosophy, literature and history. This paid off in first-rate preaching, and during his 11 years in Montclair the congregation doubled its budget and constructed a new building.

In 1908 he also began teaching at Union, a connection that he retained until his retirement 38 years later.

During World War I Dr. Fosdick traveled among American troops in Europe for the Young Men's Christian Association. In 1918, after his return, he moved to First Presbyterian Church with the understanding that his duties would be limited to preaching.

Shortly after his forced resignation from the Presbyterian church, Dr. Fosdick was approached by John D. Rockefeller Jr. and asked whether he would be interested in serving the 800-member Park Avenue Baptist Church, which had recently built the structure at Park Avenue and 64th Street that is now occupied by the Central Presbyterian Church.

Dr. Fosdick's first response was negative. "I do not want to be known as the pastor of the richest man in the country," he said.

Mr. Rockefeller replied, "I like your frankness, but do you think that more people will criticize you on account of my wealth than will criticize me on account of your theology?"

CONDITIONS STIPULATED

Dr. Fosdick accepted the job on the conditions that church would eliminate sectarian restrictions on membership and would leave its exclusive residential area in favor of still another new edifice in the area of Columbia University. Thus was borne Riverside Church.

From the beginning the church was interracial, international and interdenominational—what Dr. Fosdick described as a "united Church of Christ in miniature."

It was tied to two denominations—Baptist and United Church of Christ—and while it was being constructed the congregation, in what was then a bold ecumenical gesture, held services at Temple Beth-El, Fifth Avenue and 76th Street, which had just merged with Temple Emanu-El and moved eight blocks south.

The cornerstone was laid in November, 1927, and, despite a serious fire in the course of construction, the neogothic structure with its 72-bell carillon was formally dedicated on February 8, 1931. For the occasion Dr. Fosdick wrote the hymn that he considered to be one of his major accomplishments:

"God of grace and God of glory,
On Thy people pour Thy power;
Crown Thine ancient church's story,
Bring her bud to glorious flower.
Grant us wisdom, grant us courage,
For the facing of this hour."

From the outset the ministry of Riverside Church extended well beyond the needs of its immediate membership, and Dr. Fosdick's congregation was truly national.

He had been one of the first preachers to see the possibilities of radio in reaching nonchurchgoers, and in 1922 he had begun regular broadcasts.

Although Dr. Fosdick's theological ideas were advanced for his time, he was primarily a gifted popularizer rather than an original thinker.

He was, first of all, a superb craftsman. He wrote in his autobiography that "preaching for me has never been easy," and he used to spend as many as 15 to 20 hours of preparation on every sermon he delivered.

SUMMERS IN MAINE

Every summer he would withdraw to the large rambling house that he owned on Mouse Island in Boothbay Harbor, Me. There he would do his thinking and research, and emerge September with the outlines and background material for a year's preaching and lecturing.

His preaching voice was not heavy and although he occasionally thundered, his pulpit manner was undramatic. He was below average in height and somewhat rotund with a round face and thick dark hair that eventually grayed.

Dr. Fosdick's sermons were dotted with illustrations from literature, history and the arts, as well as from his own personal experience, and he was skilled at re-creating a scene from the past.

Preaching on St. Paul's farewell to the church at Corinth, for instance, he declared:

"You can imagine that group down by the Corinthian seashore gathered to say goodby. It must have been replete with many emotions, regrets, fears, happy memories, deep satisfaction, for Paul had tarried there a good while and was now taking leave of the brethren and sailing thence."

A FORM OF COUNSELING

Above all, though, he built his sermons around contemporary problems and viewed preaching as "personal counseling on a group basis."

"A good sermon," he said, "is an engineering operation by which a chasm is bridged so that the spiritual goods on one side—the 'unsearchable riches of Christ'—are actually transported into personal lives upon the other."

One former parishioner recalled, "I almost never left church after hearing him preach without some new idea that I could apply to my own relationship with people."

An American church historian said that Dr. Fosdick's influence on present-day preaching lay in his "intelligent understanding of Biblical materials."

"He showed, for instance, how the ways that Jesus dealt with people have been rediscovered by psychologists today," the historian stated.

Dr. Fosdick's topics included all the major social issues of his day. He was an early supporter of Margaret Sanger's birth-control movement and was both a backer of Alcoholics Anonymous and a vigorous opponent of Prohibition.

SUPPORTER OF LEAGUE

He was a good friend of Woodrow Wilson, whose League of Nations he vigorously supported, and he regarded himself as a liberal on social and economic issues.

"In the long fight . . . to make government the servant of all the people," he said, "I have been on the liberal side. The perils involved in the assumption of governmental responsibility for the welfare of the people are obvious—expanding bureaucracy, wild expenditures, crazy subsidies under political pressure, dependence on government as an exhaustless cornucopia, and many more—but the cure is not a return to Adam Smith's economic doctrines."

Some of his most controversial preaching stemmed from his pacifism, which grew out of his observations of World War I.

"In the first world conflict I saw war at first hand, and went through the disillusionment of its aftermath, confronting with increasing agony the anti-Christian nature of war's causes, processes and results," he stated.

"I could not dodge my conscience: I must never again put my Christian ministry at the nation's disposal for the sanction and backing of war."

ANTIWAR CRUSADE

In 1937 he joined Mrs. Franklin D. Roosevelt and Rear Adm. Richard E. Byrd in opening a national "No Foreign War Crusade." When war broke out in 1939 he continued to oppose American entry into the conflict.

After Pearl Harbor and full-scale American involvement, he concentrated in his preaching on the personal problems posed by the war and on the means of conducting it. He was a vigorous opponent of "obliteration bombing" of Germany, but later, after the disclosure of German prison camps and crematoriums, he called for stern punishment of Germany.

During these years Dr. Fosdick's theological liberalism underwent a process of mellowing. As a result of disputes with Dr. Niebuhr and others, he challenged some of his own optimism about the prospects for human progress.

In the mid-thirties he preached a famous sermon entitled "The Church Must Go Beyond Modernism." In it he declared that the battle against Fundamentalism had been won and urged modernists to abandon the polemics of the past and confidently move on to the new task of criticizing culture.

"We cannot harmonize Christ with modern culture," he declared. "What Christ does to modern culture is to challenge it."

In his younger days, Dr. Fosdick was an avid squash and tennis player, and later he took up golf.

Dr. Fosdick retired from the active leadership of Riverside Church in 1946 but immediately devoted himself to the establishment of a community center in Manhattanville, just off Morningside Heights.

From his home in Bronxville he continued to add to the list of books under his name, which numbered nearly 40 at his death. Among the most influential were "The Meaning of Prayer," which went through 38 printings, and "On Being a Real Person." Another was his autobiography, "The Living of These Days," published in 1956.

A WIDOWER SINCE 1964

Dr. Fosdick's wife died in 1964, when she was 84 years old. Surviving are a brother, Raymond B. Fosdick, former president of the Rockefeller Foundation; a half-sister, Mrs. Ruth Fosdick Jones of Portland, Me.; two daughters, Dr. Elinor Fosdick Downs of Bronxville and Dr. Dorothy Fosdick of Washington; two grandchildren, Dr. Patricia Downs and great-granddaughter, Margot Stephen Fosdick Downs, and a great-granddaughter Margot Ann Downs, born on Sept. 15.

"We're so happy that daddy lived to see her," a member of the family said.

A small private service will be held for members of the family at the Fosdick residence. A memorial service will be held at the Riverside Church at a date to be determined.

[From the Washington Post, Oct. 7, 1969]

HARRY EMERSON FOSDICK

Those who honor God by serving men seldom lead quiet lives. From the beginning of his mission of teaching and witnessing the Christian gospel, Harry Emerson Fosdick, dead this week at 91, was engulfed by controversy. He upset religious conservatives because, among other things he believed that Christianity was a movement, not a system;

that conscience was more important than creed; that the title of believer had to be earned before it could be owned. In his long pastorate at the Riverside Church in New York, his teaching at the Union Theological Seminary, and in his writing which included nearly 40 books. Dr. Fosdick was reaching in service for those "who are trying to make religion practical, not simply a meditative exercise in spiritual blessedness."

As a pacifist, he understood that war was both anti-Christian and anti-human. "Our present chaos, far from refuting, bears witness to . . . inexorable laws in the ethical realm, with which we have been trifling. We are like a man who has walked out of a third-story window and then complains that he is badly shaken. He is shaken because he has transgressed laws that are unshakable. Consider, then what the last generation has been doing—our wars, our militant nationalisms, our imperialistic greed, our racial discrimination, our economic avarice, our dedication of science to destructive purposes." He likened war to a fire—you can prevent it or put it out, but a fire can't be won because fire is destruction.

Most of the opponents of Dr. Fosdick have long since disappeared into their triviality. Tribute is made to the great minister in the way his style of service is being imitated today by more and more clergymen who see that Christianity is just as concerned with this life as with the next life. Or as Dr. Fosdick once wrote, religion is best carried on by men who see it as something that is "not simply theistic theory but personal experience of (a) Presence."

THE WEST FRONT OF THE CAPITOL

(Mr. STRATTON asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. STRATTON. Mr. Speaker, we have not finished in this House with the important issue of the proposed costly extension of the west front of the Capitol. The bill is now over in the Senate, and some day it will be back here for our further consideration.

In that connection I wish to bring to the attention of my colleagues three items that have a direct bearing on the final decision we make. The first is an announcement from the American Institute of Architects, representing 80 percent of the members of their profession.

They say flatly that restoration of the Capitol in place of its extension is structurally feasible, and will cost around $10 million, which is a saving of $35 million from the proposed costly and elaborate $45 million extension.

Even in the language of Washington's inflated budget figures, $35 million assuredly is not hay.

Second is an editorial from the New York Times of October 6, and finally, in an article from the October 4, 1969, issue of Human Events, a publication which many Members of this Congress know read with some care.

I include them all at this point in the Record:

Architects Outline Capitol Restoration

Washington, D.C., September 26.—America's most important architectural landmark—the West Front of the U.S. Capitol—can be restored for far less than a massive addition, The American Institute of Architects said today.

Restoration and correction of structural weakness could be completed for around $10 million, AIA estimated for Congress, on the basis of consultation with engineers and restoration architects.

That would be considerably less than the $45 million or higher estimates for extending the West Front which would erase the last walls of the original capitol, Francis D. Lethbridge, AIA vice president, told Senate Appropriations Committee members.

The restoration also could be concluded without undue inconvenience or time, Lethbridge said. Some structural work would be needed under either restoration or an addition and should start immediately, he added.

"We say it can be done and there is no need for Congress to rush into" an expensive addition because it is "frightened" the Capitol may collapse, Lethbridge said. Mario E. Campioli, AIA, assistant architect of the capitol, has conceded he does not think the building is in immediate danger of falling down, Lethbridge said.

The House of Representatives has approved $2 million for detailed architectural drawings for a 4.5 acre addition. The new space would house restaurants, committee rooms and other functions.

Since 1955, AIA has opposed major changes in the Capitol which is widely considered an architectural masterpiece. Architects want a master plan for Capitol Hill which will protect its historic buildings and provide new buildings for orderly growth. A professional study of Congress' space needs should precede any major building or additions, said AIA.

The West Front extension would erase the last visible walls of the original Capitol and alter its "noble terraces," said Lethbridge. He is also chairman of the Joint Committee on Landmarks of the National Committee, appointed by the President of the United States.

AIA's "best estimate" on restoration cost follows consultation with structural engineer James Madison Cutts of Washington, soils engineer Charles Meyerson of Atlanta, Contractors George M. Rullman, Jr. and James W. Cox of Baltimore, architects F. Blair Reeves, AIA, of the University of Florida and Carl Feiss, FAIA, of Washington and others.

[From the New York Times, Oct. 6, 1969]

Capitol Crime

The so-called Architect of the Capitol, backed by an unthinking House, proposes to keep the nation's prime historic monument from falling down by erecting a $45-million extension for the most ludicrously expensive restaurant, cafeteria and hide-away office space in the world—and all of it behind a new and preposterous false front.

It must be made clear—since it is being deliberately muddled in Congressional minds—that there are other, more sensible, appropriate and less costly ways to hold up the walls, and more responsible ways to get that space. The dome will not come tumbling down around legislators' ears as the only alternative to the present plan. The West Front obviously needs strengthening and restoration immediately. But that is all it needs, and all it should have, in the interest of historical and esthetic integrity.

Professionals have shouted themselves hoarse in the face of the elaborate schemes and reports from the office of the non-Architect of the Capitol, whose ossified imperial style and dogged amateur taste must be giving his distinguished predecessors, Bulfinch and Latrobe, sepulchral fits. But the amateurs on Capitol Hill go right ahead.

The House has already voted $2 million to start the $45 million attack. That $2 million is exactly the sum of the first year's authorization of the Historic Preservation Act of 1966. The $32 million authorized by the Preservation Act for a three-year period is less for the whole country's heritage than the cost of the Capitol mutilation alone.

In the light of this Congressional delinquency toward historic preservation, Congressional generosity toward historic destruction is even more appalling. It is doubly appalling after the murder and embalming of the East Front, under the same auspices. The Senate can take corrective action now by backing the most direct kind of restoration. This would cost about $10 million, according to the American Institute of Architects, or less than one quarter the cost of the extension.

The Capitol is a public building, not a private club. It belongs to the nation. It will not be served by the profligate distortion of history and art.

[From the Human Events, Oct. 4, 1969]

"Repair" of the West Front: Another Boondoggle by Congress?

The controversy over what to do about the deteriorating west front of the U.S. Capitol is back in the news again, and this time it appears Congress is going ahead with a long-debated rebuilding project. Last week the House appropriated $2 million to begin architectural planning on the estimated $45 million restoration; the Senate, despite the threat of a floor fight, is expected to concur.

Everyone familiar with the Capitol is aware that the walls and buttresses along its west front, the only portion of the original structure remaining intact, are beginning to crack and crumble. And everyone agrees that something must be done about it.

The controversy comes over the question of what must be done, how, and at what cost. An important point is that the currently favored bill to shore up the west front involves considerably more than just shoring up the west front.

The $2 million in planning and the estimated $45 million in actual building costs would be spent not only on repairing the west front, but on *extending* it, a construction project that would move the existing wall out as much as 88 feet and create some four and one half acres of new floor space. Within the extended portion, as now planned, there would be: 43 large offices, 55 medium offices, five committee-conference rooms, two 270-seat dining rooms, two 400-seat auditorium-theaters, two escalators, 19 stairways and bathrooms containing a total of 40 pay toilets.

It is this boondoggle which has outraged opponents of the extension bill. Coming on top of the goodies congressmen have already voted themselves this year, the bill's foes believe such a multi-million-dollar scheme to further enhance the comforts of the congressmen could only strengthen the growing rebelliousness among middle-income taxpayers—particularly when the members are supposed to be fighting inflation.

"In this Congress, we have already done a number of things in our own interest," said Rep. Samuel Stratton (D.–N.Y.), a leading House opponent of the extension windfall. "We've raised our pay, increased our staffs, and boosted our retirement benefits. Do we really need to pay this enormous sum to create 58 [sic] hideaway offices for ourselves? That is the question."

Stratton and his allies also scoff at the projected $45-million construction price tag. Considering cost overruns on past Capitol projects and the fact that actual construction would not begin for over two years, they estimate the bill will be closer to $70 million. In cost per-square-foot, says Stratton, this project could become the most expensive building ever constructed by mankind.

The House foes have a powerful, authoritative ally in the prestigious American Institute of Architects (AIA), which has been promoting a simple restoration plan for the west front to repair, not extend, the crumbling wall. This approach would preserve the architectural design of the original building as well as be less costly, the AIA claims, noting that sandstone from the same Virginia quarry used in the original Capitol is still available.

But the Congressional Establishment is never to be deterred when on the scent of a succulent boondoggle. Typical of the profound arguments the Establishment brought to the important debate was this statement by House Speaker John McCormack (D.-Mass.):

"I can't say [the west front] will collapse today, but I can't say it won't. If it should collapse it would have a tremendously adverse effect on public opinion." To say the least.

"Everyone recognizes that something has to be done," rejoined opponent Stratton, "but do we really need anything this elaborate? Is the only way to save the west front to have this incredible four-and-a-half-acre expansion?"

Stratton's side lost in the final House vote on the bill, 177 to 94. The battle now moves to the Senate.

ELECTORAL REFORM DANGER

(Mr. HALEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HALEY. Mr. Speaker, changes in any of the basic laws or in the Constitution of the United States should require the most careful study and thorough consideration. We should never forget that there are two sides to any issue and that the pros and cons of the issue, regardless of its character, should be carefully analyzed lest in the zeal to modernize or to reform we create even greater problems than those we seek to resolve.

Our Founding Fathers provided us with a living, viable, and flexible instrument when they wrote the Constitution of the United States. They weighed and reweighed every thought, every provision and the consequence of those provisions as they wrote the document. It was a time consuming process. They provided a method of change so that it could be adapted to meet the needs of modern men, the needs of change that would develop in the years to come.

We should seek to change where change is needed—but in our efforts to change the provisions of the Constitution, we should be as deliberate and as thorough in our approach to change and the consequences of that change as our Founding Fathers were in producing that Constitution.

The House of Representatives has passed and sent to the Senate of the United States the resolution which would become upon ratification by 38 States a constitutional amendment reforming the electoral college. There are those of us, including the editorial writer of the Sarasota Herald-Tribune, who are concerned about the consequences of the change we have proposed here in the House of Representatives.

In the attached editorial, "Electoral Reform Dangers," which appeared in the Sarasota Herald-Tribune of Sunday, October 5, 1969, we are cautioned to consider more carefully the consequence of the action this House has taken.

The editorial is a warning that should be heeded not only in its application to the issue of electoral reform but to future attempts to change our basic instrument of government and in our basic laws. The editorial merits careful attention:

ELECTORAL REFORM DANGER

In the current discussions about amending the Constitution to change the way we elect a President, there has been an alarming lack of consideration given to one practical drawback of the direct election scheme under consideration.

The House has passed and sent to the Senate a plan to eliminate the electoral college entirely and provide for popular election of a President and Vice President—with the stipulation that if no candidate wins at least 40 percent of the total vote there shall be a run-off between the top two votegetters.

To us this looks like a potentially dangerous adventure, and we do not say this out of pious concern for the reduced role it would give the states.

The electoral college, like our bicameral Congress, was a compromise agreement worked out by the framers of the Constitution to get the big and little (in terms of population) colonies to relinquish much of their sovereignty to a central government.

The idea in Congress was to have all people (qualified, free, adult males) equally represented in the House, and each state equally represented in the House, and each state equally represented in the Senate. This pragmatic, non-egalitarian solution to a real political problem has worked out, over the years, but only because we have modified it from time to time.

(A cruel war was fought before the franchise was extended to men who had been slaves. It took only a peaceful amending to extend the vote to women. Another amendment gave people in the several states—not their respective legislatures—the right to choose their U.S. Senators.)

The Constitution can be changed when it needs to be, and we should not be afraid to exercise that most basic and essential of our political rights, the right to do so.

And clearly, the Constitution's framers had no foggiest notion that the electoral college would become only a sham, that the people themselves in every state would choose among Presidential candidates offered by national political parties. In an era when it could take weeks for a letter to get from Providence to Savannah and when most Virginians probably did not know the name of a single citizen of Connecticut, the founding fathers simply didn't conceive of every voting American expressing his direct choice of a chief executive. And most would have mistrusted the idea anyway, if it had been suggested.

So they fixed it so the people of each state would choose a number of their wise citizens—as many as each state had senators and representatives—and those electors would meet and pick us a President.

But what worked in the beginning is now a menace. We don't want electors, now faceless men, to do our picking for us. We'll pick our own, thank you, with no hanky-panky about electors switching from the candidates they pledged themselves to. And no deals or stalemates to throw the decision into the House of Representatives, as many thought might happen last time if third-man Wallace had siphoned off enough electoral votes to prevent either major-party candidate from getting an electoral college majority.

Thus the rush to reform and modernize. Thus we hear the reformists call for direct counting of all votes from everywhere. And the stand-patters wail that this would take away the extra political power enjoyed now by the small states. But little attention is paid to the danger of a close direct vote.

The political trauma that might result from a hung electoral college and a deal among state delegations in the House would be mild compared to what would happen if a nationwide vote resulted in a near tie.

Every vote would have to be recounted. Every vote, everywhere, could be challenged. The decision could be hung up in the courts for months.

Think it unlikely? Then recall 1960, when candidate Kennedy got 34,227,096 votes and candidate Nixon 34,108,546.

Under the electoral system, the election wasn't particularly close. JFK won in the electoral college, 303–219. But his popular margin was a tiny two-tenths of one percent: 49.7 to 49.5. A recount changing just one vote in a thousand from the Kennedy total to the Nixon total could have reversed the popular vote victory.

A whisker-close Presidential election under a direct vote system would invite a reexamination of the votes and voting rolls in every precinct in the nation—from Oneco or Laurel to the most boss-ridden wards of Chicago—whether the outcome there happened to be close or not!

We simply cannot afford, as a nation, the prolonged period of leaderlessness which the House-approved direct election plan could produce.

An amendment to award electoral votes on the basis of the plurality vote in each Congressional district—with or without going through the formality of the electoral college procedure—would be fair and democratic but would not invite chaos and interminable controversy in case of a photo-finisher.

Let us hope the elders in the Senate will think carefully on this matter.

PRIVATELY CONTROLLED TAX-EXEMPT FOUNDATION—FOUNDATIONS SHOULD BE CAREFULLY SUPERVISED AND CONTROLLED AND CARRY A FAIR SHARE OF THE TAX BURDEN

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, it was my privilege to present a statement on October 3, 1969, at a hearing held by the Senate Finance Committee on H.R. 13270, the Tax Reform Act of 1969, which outlines the urgent need for reforms affecting privately controlled tax-exempt foundations. I want to take this opportunity to insert in the RECORD the text of my remarks for the consideration of the Members. My statement follows:

STATEMENT OF HON. WRIGHT PATMAN, ON TAX REFORM BILL, H.R. 13270, OCTOBER 3, 1969

Mr. Chairman, I greatly appreciate your invitation to testify before this Committee on H.R. 13270, the House-passed tax reform bill. I shall direct my remarks principally to the important subject of privately controlled tax-exempt foundations.

It has been puzzling to me for some time why the majority of privately controlled tax-exempt foundations were established in the first place. The religious, charitable and educational contributions which are made by foundations can just as well be made by an individual. The fact that the foundation route is taken, immediately gives rise to a question as to the actual purpose for establishing the foundation.

A great many huge family fortunes have been continued in perpetuity through the private foundation route. Controlling interests in closely held corporations have been transferred to foundations with no apparent change in the continuity of direction and control through this technique. I don't believe we really know the vast amount of tax dollars lost to this nation by tax avoidance through the vehicle of privately controlled tax-exempt foundations.

It appears to me that the time has come to look very closely at this problem, and to develop sufficient information so that the Congress can make a decision on the desirability of continuing the present concept of privately controlled tax-exempt foundations. Later on in my testimony, I shall speak further to this point.

At the outset, I would like to strongly endorse the provisions of H.R. 13270 dealing with privately controlled tax-exempt foundations. I hope this Committee takes no action to weaken the provisions affecting these organizations. This Bill is a step in the right direction and contains only the minimum reforms needed as shown by the experience of the Subcommittee on Foundations in dealing with this problem.

The Subcommittee on Foundations has been conducting a continuous and in-depth review of the activities of privately controlled tax-exempt foundations for a number of years. During this period, seven reports were issued and two hearings were held. As a result of our study, a number of abuses of the tax-exempt privilege were uncovered and recommendations were made to deal with them. Although these recommendations have heretofore been made public, I believe it important that they again be made a part of the record.

1. In my view, consideration should be given to a limitation of 25 years on the life of foundations instead of permitting them to exist in perpetuity.

2. Tax-exempt foundations should be prohibited from engaging in business directly or indirectly.

Foundations controlling corporations engaged in business, through the extent of stockownership in those corporations, should themselves be deemed to be engaged in that business.

3. Commercial money lending and borrowing by foundations should be banned.

4. Self-dealing transactions should be prohibited. A foundation should not be permitted to use its funds to grant benefits to a controlled company's employees. This is quite a competitive advantage.

5. Foundation or donor solicitation or acceptance of contributions from suppliers or users of goods or services should be prohibited.

6. A foundation should not be in the position of exercising control over any corporation, directly or indirectly. In my view, all foundations should be limited to ownership of no more than three percent of the stock of a corporation and should not be allowed to vote such stock.

7. Standards should be established with respect to foundation behavior in a proxy fight.

8. Another area that needs consideration is that of investments. There is a sharp difference between investing in securities and speculating or trading in securities. In other words, there is a difference between being a passive investor and an active securities merchant or gambler.

9. Is the tax law sound in permitting a deduction for charity to a person who merely transfers funds to a foundation that he himself controls, where the money has not as yet reached actual operating charities?

In my view, a contributor should not be allowed a deduction for payments to a foundation that he controls until the foundation actually uses the money for charity. The foundation should be recognized as being the alter ego of the controlling contributor. Income earned by the foundation should be taxable to the controlling contributor until put to charitable use.

10. Exemption should be denied if a foundation has been formed or availed of for tax avoidance purposes or to get financial benefits for the contributor. Conversely, a controlled corporation should not be allowed a contribution to a foundation, but instead the payment should be considered as a dividend to the controlling stockholder where the amount is significant and the foundation is unrelated to the business purpose of the corporation.

The tax law says that a foundation's earnings may not inure to the benefit of any private individual. It should be made clear that "individual" includes corporations and trusts.

11. Isn't there something out of gear with the tax law that, under the guise of charity, permits a taxpayer to actually enrich himself at the cost of all other taxpayers? One answer may to treat gifts to foundations in the same way as private gifts, and figure them at the cost of the property given or their value, whichever is lower.

12. In the case of corporations that are treated like partnerships (Subchapter S, Chapter 1, Internal Revenue Code) contributions to foundations should "pass through" to the stockholders and be included pro rata as contributions by the stockholders personally. In that way, the 20 percent and 30 percent limitations on contributions will be maintained. At present, through the mechanics of Subchapter S (Chapter 1, Internal Revenue Code), an extra 5 percent of the corporation's income becomes deductible by the stockholders.

13. For the purpose of figuring the accumulation of income, contributions to a foundation and all capital gains of the foundation should be considered as income, and not capital. Both the original contribution and the income from it are ordinarily available to the foundation without distinction.

This would eliminate a device for avoiding unreasonable accumulation of income: contributions from one donor-controlled foundation to other foundations controlled by the same donor.

14. For the purpose of computing the accumulation of income, amounts unreasonably accumulated in corporations controlled by a foundation should be added to the foundation's direct accumulation as if the two were one.

15. Corporations controlled by foundations should be subject to the unreasonable accumulation earnings tax in section 531 of the Code. At present, that tax is imposed where dividends are held back to save the existence of unreasonable accumulations for foundations otherwise exempt from tax.

16. Re gift and estate taxes,

(a) Exclude from the base for the marital deduction amounts left to foundations that are hence untaxed.

(b) While amounts given to foundations are not subject to gift and estate taxes, the rate brackets to be applied to amounts that are taxable should be the same as if the foundation amounts were part of the taxable gifts or estate.

17. Consideration should be given to a regulatory agency for the supervision of tax-exempt foundations.

18. A penetrating review of every application for tax exemption is needed.

19. All matters relating to the granting or denial of tax exemption, as well as revocations and penalties, should be made public.

20. The full content of foundation tax returns should be open to public inspection.

21. A national registry of all foundations should be published annually.

22. The tax returns of foundations should require disclosure of amounts spent for instigating or promoting legislation, or political activities, or amounts paid to other organizations for the purpose.

23. The returns should likewise require disclosure of amounts spent for TV, radio, and newspaper advertising.

24. The returns should call for a description of all activities, directly or indirectly engaged in by the foundation, in which commercial organizations are also engaged.

25. The program of field auditing returns of foundations should be greatly expanded.

26. Stiff penalties and revocation of tax exemption for improper or insufficient reporting would help curb abuses.

27. A reasonable tax on income of foundations should be assessed.

These and other reforms are vitally necessary.

H.R. 13270 contains provisions dealing with some of these recommendations; others still remain.

A glance at these recommendations indicates quite clearly that while tax reform is extremely important, there are many other facets of the activities of these organizations which bear close scrutiny. Further, although H.R. 13270 is less restrictive than H.R. 7053, which I introduced in the House of February 18, 1969, I support the provisions of H.R. 13270 as they relate to privately controlled tax-exempt foundations, since I believe they are a step in the right direction.

For instance, H.R. 7053 recommended a 20 percent tax on gross income, but H.R. 13270 establishes a tax at 7½ percent on net investment income. Further, my bill recommended restricting stock ownership by foundations in corporations to three percent. The bill under consideration by your Committee allows 20 to 35 percent.

To place this entire matter in perspective, I would like to give some over-all statistics on those foundations under study by the Subcommittee on Foundations.

In the ten-year period ending 1960, 534 foundations had total receipts from all sources of $6.9 billion. In the succeeding seven-year period (575 to 647 foundations were studied), their receipts totalled $8.6 billion, or, $1.7 billion (25 percent) more in a three-year shorter period. These same foundations more than doubled their accumulated (unspent) income from $1 billion at the end of 1960 to over $2 billion at the end of 1967 and their net worth increased from $6.8 billion to $10.1 billion, or about 50 percent.

During the period from 1951 to 1967, these foundations had $15.7 billion in total receipts. Of this amount, $7.3 billion or somewhat less than half came from such sources as business income, interest, dividends, rents and royalties. Of the balance, $4.1 billion came from capital gains on the sale of assets and the remainder, $4.3 billion from contributions, gifts and grants.

At the end of 1967, the 647 foundations under study had total assets at market value of $17.8 billion, as compared to some $10.2 billion at the end of 1960; an increase of almost 75 percent. The $17.8 billion valuation is 50 percent greater than the $11.8 billion of capital stock, surplus undivided profits and contingency reserves of the 50 largest banks in the United States. When one considers that these figures are for only 647 of the 30,000 foundations, even though most of the larger ones are included, the size of the problem strikes one in full force.

One of my greatest concerns is the impact of such organizations on the small businessmen of this country. Foundations, because of their tax-exempt status can unfairly compete with a business which does not enjoy the benefits of such privileges. Holdings by foundations in enterprises constitute a powerful influence in corporate control, in the market place and in proxy solicitations. Our last report shows that almost 25 percent, or, 154 of the 647 foundations studied, held sizeable amounts of stock from 5 to 100 percent in 313 corporations. The carrying value of these shares was $2.7 billion, with an estimated market value of $6.2 billion. The market value of all corporation stock holdings by these foundations amounted to the staggering sum of $13.1 billion, or, almost 80 percent higher than the holdings at the end of 1960.

As *Fortune* magazine of June 1969 states, "Philanthropy does get shortchanged however, when the corporate stock that a foundation holds for control purposes produces meager income." It cites the Lilly Endowment and the James Irvine Foundations as examples of disbursements representing only about one percent of its assets.

It would be interesting to take a look at what the foundations have done with their tax-free dollars. In the years 1951 through 1967, of the receipts of $15.7 billion, disbursements were $9.9 billion, of which $1.9 billion was paid out for expenses and $8 billion was distributed for contributions, gifts and grants. In other words, the foundations had distributed as contributions, gifts and grants only about 50 percent of what they had received; it cost them $25 in expenses for every $100 of contributions, gifts and grants made. However, this is an over-all average. When we look at 1967, we see that it cost the foundations $33 in expenses ($253 million) for every $100 in contributions, gifts and grants made ($745 million).

I am therefore constrained to view rather cynically the statements made by foundations' representatives that a 7½ percent tax on net investment income will seriously impair the ability of foundations to continue their philanthropic activities. This view is further supported when the record shows that the Rockefeller Foundation spent half as much just running its New York office—$5.4 million—as it spent throughout the entire nation in 1966. It spent more just running its New York offices—in salaries and the like—than it spent in "benevolence" in New York and California combined.

In fiscal years 1966 and 1967, the tax-exempt Ford Foundation lost $92,500 and $100,200 respectively in the operation of its cafeterias and dining room, and, of course, the taxpaying restaurant owners in New York City lost over several hundred potential customers.

In 1966 and 1967, the tax-exempt Rockefeller Foundation lost $44,500 and $47,200 respectively in the operation of its lunch rooms and taxpaying restaurant owners in New York City also lost several hundred potential customers.

Mr. Benson Ford received $15,000 for attending three meetings of the Ford Foundation.

I could go on and on giving examples of loose administrative practices, unconscionably high expenses, and free spending on the part of foundations. The reports issued by the Subcommittee on Foundations are replete with examples of complete disregard of the public interest in the operation of foundations.

If the foundation managers adopted a more prudent business-like approach to the cost aspect of their operations, exercised a more careful review of contributions, gifts and grants policies, and paid more attention to the kinds of income producing stocks in their portfolios, the 7½ percent tax, contemplated in H.R. 13270, would not be the burden they protest it would be. In fact, I would hazard a guess that tightening their belts would make more funds available for charitable purposes.

The provisions of H.R. 13270 were reviewed in depth by me. While much more remains to be done, the provisions relating to privately controlled tax-exempt foundations will have a salutary effect on the operations of such organizations. I strongly support its provisions.

As I have indicated, much remains to be done with respect to the control and supervision of the activities of privately controlled tax-exempt foundations. The foundation problems are far more numerous and serious than Treasury officials have been willing to admit publicly. During our subcommittee's 1964 hearings, I made the following statement, in part:

"The Secretary of the Treasury has testified that it is the Treasury's duty to be alert to all possible violations of law. The Secretary also says (1) he does not consider it proper for a foundation to engage in insider's stock deals, stock price manipulations, short sales, margin trading, speculation in commodity futures, or to act as an unregulated source of stock market credit, and (2) the SEC should be alerted to the possibility of a foundation's involvement in insider deals and stock price manipulations.

"Yet, testimony before this Subcommittee indicates the following:

"The IRS does not examine foundations to determine whether they are violating any Federal securities laws—including those relating to insider's stock deals, stock price manipulations, and unregulated sources of stock market credit.

"The IRS has not collected any information, as to the extent that foundations are involved in speculation and trading on margin.

"The IRS has not collected any data on the involvement of foundations in corporate proxy fights.

"The IRS does not examine foundations to determine whether their foreign operations may be in conflict with Government policies.

"The IRS does not examine foundations to determine whether the foundations are channeling income and corpus in a direction that may hurt competitors and investors.

"The IRS does not examine foundations to determine whether they are being used as a device for engaging in various trade practices which might be in violation of certain statutes administered by the Federal Trade Commmission or the Antitrust Division.

"Few of the persons in the IRS who examine foundation tax returns would be sufficiently familiar with the antitrust law to know whether the practices as cited may violate Section 5 of the FTC Act or the Sherman Act.

"The IRS does not examine foundations to determine whether there is a conflict of interest between the duties of a foundation's directors or trustees and their interests as officers, stockholders and employees of business corporations whose stock is controlled by the foundation.

"The Acting Commissioner does not know of any cases where compensation of officers, directors or trustees among the large foundations has been unreasonable or unjustified. Yet, Mr. Benson Ford received $15,000 for attending three meetings of the Ford Foundation.

"The IRS does not review a foundation's individual charitable donations.

"The IRS has no rule of thumb regarding the percentage of income that a foundation must spend for the purpose for which it was granted tax exemption.

"The IRS does not examine foundations to determine whether contributions are being made to the foundations by persons or organizations that supply goods or services to companies interlocked with the foundations.

"The IRS does not know how much money was spent overseas by U.S. foundations in 1963.

"The IRS does not examine foundations to determine whether they are making loans overseas that may be contributing to our balance of payments problem.

"This is the most impressive record of do-nothing that I have seen in my 36 years in Congress."

I regret to say that those observations are just as pertinent today as they were in 1964.

The fact that foundations are exempt from taxation does not mean that they are exempt from other Federal laws. Hence, antitrust law, FTC law, SEC law, etc. are applicable to foundations.

It is, of course, possible for a foundation to be used as a device for engaging in various trade practices which may be a violation of certain statutes administered by the Federal Trade Commission or the Antitrust Division. For example, contributions may be made to a foundation by (1) persons or organizations that supply goods or services to companies interlocked with the foundations, or (2) from persons or organizations that buy goods or services from companies interlocked with the foundation. The point is that if the company that is interlocked with a foundation is doing business with and by a contribution to the parent foundation they get the business because of that interlock, they are obviously getting an advantage.

In other words, a contribution can be made to a foundation for a business purpose rather than an elemosynary purpose. For example, under the Robinson-Patman Act, business concerns are prohibited from making disproportionate discriminatory discounts to particular buyers if the effect might be to substantially lessen competition or tend to create a monopoly. Hence, contributions to a foundation can be a method of getting around this provision of law.

Also, there is the business practice known as reciprocity, which may violate the antitrust laws. It involves tacit or actual agreement to do business with a firm if it reciprocates and gives business in return. Foundations may be parties to reciprocity arrangements. For example, a business affiliated with a foundation may say to one of its suppliers, "I will buy from you if you will contribute to such and such a foundation" or, "if you buy from me, such and such foundation will make you a business loan at favorable terms".

Our study indicates that many business suppliers and buyers have made sizable contributions to foundations controlled by customers. For example, we know that a number of suppliers of the Hilton Hotel chain are contributors to the Conrad N. Hilton Foundation, of Los Angeles. Mr. C. N. Hilton, Jr., Secretary of the Conrad N. Hilton Foundation, has acknowledged that, during the fiscal years ending February 28, 1952 through February 28, 1963, 29 donors—who were suppliers of goods or services to Hilton Hotels Corporation or its subsidiaries—made contributions to the Conrad N. Hilton Foundation in the amount of $61,695.18.

Does not this kind of situation appear to raise the specter of business reciprocity—We will buy from you if you contribute to our foundation?

If so, does it not raise a number of serious antitrust problems? Specifically, may it not involve a possible violation of the Robinson-Patman Act because it involves the inducement of discriminatory prices?

Or may it not involve a violation of Section 5 of the FTC Act as have other instances of business reciprocity because they involve "unfair methods of competition?"

Here is another case that we discussed in our hearings. The Rogosin Foundation of New York City, is controlled by the Rogosin family. The Rogosin family has also dominated Beaunit Corporation (formerly Beaunit Mills, Inc.), Rogosin Industries, Limited, and Skenandoa Rayon Corporation.

At December 31, 1952, the Foundation held 33½ percent of the nonvoting preferred stock of Beaunit Mills, Inc. (carrying value $2.7 million) as well as 5 percent of the common voting stock of the same corporation (carrying value $1.9 million).

Beaunit Mills, Inc., manufactures synthetic yarn, knits and weaves fabrices, and manufactures intimate apparel. The Goodyear Tire and Rubber Company of Akron, Ohio, has been a buyer of tire-cord yarn from Beaunit Corporation.

In March 1952, Goodyear made a cash donation of $150,000 to the Rogosin Foundation. Additionally, on March 10, 1952, Goodyear loaned $2.5 million to the Rogosin Foundation at 4 percent interest. The loan was to be paid off in installments due January 3–August 15, 1953, January 3–August 15, 1954, and January 3–August 15, 1955. According to the Foundation, payments on the loan were made on August 15, 1953, August 15, 1954, and August 15, 1955.

The Foundation states that it used the $2.5 million loan to purchase from Beaunit Mills, Inc., 30,000 shares of the latter's preferred stock. An identical number of shares of Beaunit Mills, Inc., preferred stock was pledged by the Foundation as collateral for the loan.

So, here we have the question as to whether this arrangement involves a price discount from Rogosin to Goodyear, for which Goodyear, the buyer, compensated Rogosin by making a contribution to the Rogosin Foundation. If this were the case, would it not seem to raise both tax and antitrust problems. First, it is a method whereby the buyer compensates the seller by making a tax deductible contribution to the Rogosin Foundation? Second, would not this practice, at best, be a distortion of the pricing and exchange process in a free enterprise economy? Third, might not this practice actually involve, (a) a violation of the Robinson-Patman Act because it involved discriminatory pricing, or (b) a violation of section 3 of the Federal Trade Commission Act because it is an unfair method of competition? Additionally, of course, Goodyear was acting as a source of unregulated credit.

Then there are the possible antitrust problems—actual or potential conflict of interest situations—that may stem from situations where board members of foundations also sit on the boards of business firms that compete with each other. As we all know, Section 8 of the Clayton Act provides that no person shall be a director of two or more competing corporations. Now, that Act does not apply to indirect interlocks, such as when a foundation has two board members, one of whom is also a board member of corporation A and the other member is on the board of corporation B (a competitor of A). While there is nothing illegal about such an arrangement under Section 8, there could be a special public interest problem when a foundation established for eleemosynary purposes becomes a vehicle for such indirect interlocks which might affect competition.

Here is another area that this panel should explore. Does a businessman in government pose a greater potential conflict of interest than the officials of foundations in government—such as, for example, McGeorge Bundy, President of the Ford Foundation, whose overlords, the Ford family, have immense commercial interests throughout the world, including the Middle East? It seems to me a bit inconsistent for the Congress to require a businessman to completely eliminate potential conflict of interest when, at the same time, it permits Mr. Bundy to wander in and out of the Government while retaining his $65,000 annual salary from the Ford Foundation. This was the case in June 1967 when Mr. Bundy became Executive Secretary to the National Security Council Committee on the Middle East.

Now, to turn to the stock market—there is ample evidence that many foundations are actively trading in the market with substantial portions of their funds. Judging from the content of their portfolios and the frequency of turnover, many foundations are concerned less with equity yields and inflationary trends than they are with the lure of capital gains to swell their principal funds. I might add that former Secretary Dillon testified that he shares my view that speculative gains for charity are not worth the risk of speculative losses, and that he knew of no case where directors or trustees of a foundation have reimbursed the foundation for losses incurred in speculation.

One of the operations that should be subjected to the close scrutiny of this Committee is that of the private pooling of investments by some foundations—in other words, the pooling of capital to trade in the stock market. For example, some of the Rockefeller foundations have informed us that they have a joint investment staff of 16 persons, not including secretarial, headed by Mr. J. Richardson Dilworth, which provides investment services with the cost shared by the various Rockefeller participants.

Does this not raise some potential problems—the possibility of speculative tactics, the possibility of a conflict of interest, the possibility of huge buying power that will have a strong impact on the prices of stock they deal in?

Secretary Dillon also testified that a foundation can be a source of unfair competition arising from active use of foundation assets by donors or trustees for private business ends, and that there are an infinite number of ways in which foundation assets or income can be used for the preferment of one set of private persons over another. The Seceretary agreed that (1) foundations' money-lending activities put them into unfair competition with private lenders and also give the foundations an element of influence over a wide range of business ventures, and (2) such activities may present problems, such as preferential rates of interest. All this is made possible by the fact that, at present, the only restraint on a foundation's moneylending appears to be that loans must carry a "reasonable" rate of interest and adequate security, and that nothing prevents the foundation from making loans to its founder or his family, the businesses under his control, or a donor.

I conclude with this thought: There is something fundamentally wrong in conditions which make such acquisition of economic power possible, and which tolerate its continuation. And it is the responsibility of Congress to correct those conditions.

The Internal Revenue Service has proven itself over the years unable to administer and enforce effectively the laws and regulations governing such organizations. For many years the Subcommittee on Foundations attempted to obtain a list of privately controlled tax-exempt foundations. Finally, in December 1968, after many delays and much prodding, such a list was submitted to the Subcommittee. This list contained the names and addresses of 20,262 foundations. Shortly, thereafter, almost 300 corrections were made to the list.

In attempting to broaden our study of such organizations, and after unsucccessful attempts to obtain the kinds of information we needed from the Internal Revenue Service, we undertook to obtain the information by communicating directly with the foundations. We are presently in the first stages of such a project. Of the first several thousand mailings made, about 1,000 have been returned with the notations, "Moved, not forwardable," "Addressee Unknown," "Addressee moved and left no forwarding address," "Insufficient address." In some cases we were advised that some foundations had been out of existence for years, one as long as ten years ago. The list furnished us by the Internal Revenue Service is replete with duplications and incomplete addresses and names.

If the Internal Revenue Service cannot even come up with the current addresses of the organizations for which they have responsibility, I shudder to think of the kind of audit and review that is being undertaken by them. Several years ago in one of our studies, we indicated that some of the larger foundations had not been audited for many years. In fact, as a result of prodding by the Subcommittee, some $26 million in assessments have been levied against a number of foundations.

The public is entitled to complete disclosure of information concerning these organizations which have been granted tax-exempt status. It is estimated that only 140 such organizations publish annual reports. The only other data is in the Form 990–A which is required to be filed with the IRS annually, which is admittedly limited in depth.

Recently, as a result of Congressional interest, there has been a great deal of scurrying around by the foundations to establish some kind of a self-policing organization. In view of the record, allowing such self-policing would be akin to having the fox guard the hen house or letting the goose watch over the shelled corn. Stronger Government action is urgently needed.

The proliferation in the number (2,000 new ones in the past year) of such organizations and in their increasing economic and other powers makes it necessary that their activities be given the closest scrutiny.

Accordingly, I introduced legislation in the House on September 9, 1969, (H.R. 13725) to establish an independent Government Agency to control and supervise the activities of privately controlled tax-exempt foundations. Because of its relevance to the deliberations of this Committee, I would like to request that the text of this bill be included in the record of these hearings.

The new Agency, "The Private Foundation Control Commission," would be headed by three Commissioners appointed by and reporting to the President. Commissioners will serve five-year staggered terms with a Chairman whose term as Chairman would be coterminus with the President's term.

As stated in the bill . . . "The establishment of a Private Foundation Control Commission is necessary in the public interest to:

(1) provide general leadership in the identification and solution of problems relating to private foundations;

(2) facilitate the enforcement of internal revenue laws and regulations relating to private foundations and aid in the development of a more equitable tax structure with respect to such foundations;

(3) develop and recommend to the President and the Congress policies and programs designed to ameliorate the problems relating to Federal taxation and regulation of private foundations; and

(4) establish and administer a comprehensive registration and reporting system for private foundations and to determine and centrally record the financial and other operations of such foundations in order to assist in the accomplishment of the foregoing objectives.

Under the legislation, no private foundation will be eligible for tax exemption unless it is registered with the Commission. The Commission would be authorized to revoke such registration under appropriate circumstances.

The Commission will be self-sustaining through assessing the foundations a registration fee and an annual maintenance fee. Such fees are not a substitute for the tax on net investment income of foundations included in H.R. 13270, the tax reform legislation recently passed by the House and under consideration by this Committee. The legislation is restricted to private foundations, which are defined in the legislation.

Mr. Chairman, I appreciate the time and courtesy afforded me in presenting this rather lengthy statement to the Committee. I would like to make it clear that my efforts are not directed to the elimination of all foundations as a constructive part of our democratic society. Rather, it is my hope that the corrective actions being considered by the Congress will clean up the bad apples in the barrel and allow those privately controlled tax-exempt foundations which are operating in the highest and best public interest to continue their worthy efforts.

In a democratic society, the burdens of taxation should be shared equitably by all. Privileges granted to any particular group for any special purpose must be accompanied by the acceptance of the responsibilities that such privileges carry with them. With the passage of this tax reform bill, as it relates to privately controlled, tax-exempt foundations, as passed by the House, and my bill (H.R. 13725) which I consider to be a companion bill, it is hoped that these objectives may be attained.

THE PRESIDENT'S PLANNED ATTACK ON THE CONGRESS

(Mr. BARRETT asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. BARRETT. Mr. Speaker, I was shocked to read in the paper last night that President Nixon plans to attack the Congress through a statement next Monday to be "leaked" to the press for Sunday release. According to the report, the President will chide Congress for not acting on a number of administration legislative recommendations.

It is highly regrettable that the President chooses to put politics ahead of the needs of our country. If that is his plan, let me set the record straight. In my own field of housing, we did not receive the administration bill until July 15; 2 days later, the Subcommittee on Housing began its hearings. I would not call that a delay. It was only after those hearings began that we were able to get from the administration its recommendations on farm housing legislation. After 3 weeks of hearings, the subcommittee held 5 days of executive session and there were an additional 2 days of markup sessions in the full committee. A housing bill, H.R. 13827, was reported by a vote of 35–0. This, I believe, is good evidence that we have done our job well and carefully. The bill we have brought out is a balanced bill which will carry our programs in the field of Housing and Urban Development through the next fiscal year and which makes a number of important amendments to existing programs. This bill will come before the House shortly.

If there has been any delay, it has been on the part of the administration which did not submit its proposals until mid-July, the latest date that I can recall.

In the case of mass transit legislation, the administration did not make its recommendations until August 7. We will start hearings on that bill as soon as possible but before we do we want to have the administration comments on mass transit legislation introduced by more than 100 members which would establish a trust fund for this purpose. These views were requested back in March of this year but so far the administration has not bothered to reply.

Mr. Speaker, in view of these facts, the President's planned attack on the Congress strikes a false note. He knows full well that sound legislation takes time and that the committees of Congress must consider not only his proposals but many other related bills introduced by Members of Congress. It is our intention to produce the best legislation as possible as soon as possible and political press releases do not contribute to that goal.

THE DREAD "BROWN LUNG" DISEASE—A REPLY FROM HEW SECRETARY FINCH

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HECHLER of West Virgina, Mr. Speaker, there is a growing recognition that the American people will no longer put up with the threat of the dread, crippling "brown lung" disaease to the health of thousands of textile workers no more than the American people will continue to tolerate the threat of the dread, crippling "black lung" disease to thousands of coal miners.

Ralph Nader lifted the lid on several aspects of the "brown lung" problem in a letter dated August 9, 1969, to the Honorable Robert H. Finch, Secretary of Health, Education, and Welfare, the text of which I placed in the CONGRESSIONAL RECORD on page 23177 of the August 11, 1969, edition.

I am pleased to insert in the RECORD the text of Secretary Finch's reply:

SEPTEMBER 19, 1969.

MR. RALPH NADER,
Washington, D.C.

DEAR MR. NADER: Thank you for your letter of August 9, 1969, regarding the problem of byssinosis in the textile industry.

It is clear that byssinosis is a serious occupational disease that has been too long ignored in the United States. For many years it was thought that the disease was not a significant problem in this country. That comfortable illusion no longer prevails.

Reports as early as 1961, indicated a high prevalence of respiratory symptoms among cotton mill cardroom workers. Further reports of disabling byssinosis among American cotton mill workers were submitted in 1967. And, in 1968, a survey of two cotton mills in the United States showed that 25 percent of the carders and 12 percent of the spinners were suffering from this lung disease. In the cotton mill operated at the Federal prison in Atlanta, 28 percent of the men in carding and spinning were found to have symptoms of byssinosis.

We do not have at this time any precise estimate of the total number of textile workers that may be afflicted by byssinosis. But it appears that thousands of workers may be adversely affected by cotton dust. I strongly agree that effective action must be taken to curb this occupational hazard.

You asserted in your letter the textile industry's unwillingness in the past to recognize the seriousness of the byssinosis problem. We have had indications that this is not the attitude of the industry today. The latest survey results I mentioned above were called to public attention some months ago by the Consumer Protection and Environmental Health Service. Since then, the Executive Council of the Textile Workers Union of America, the National Cotton Council of America, and the Committee on Health and Safety of the American Textile Manufacturers Institute, have expressed their concern and have asked the Public Health Service to provide more definitive information on the prevalence and control of the disease.

This in itself, of course, is hardly meaningful action to control byssinosis. But I am hopeful that it does reflect a growing recognition by both industry and labor that we can no longer tolerate this threat to the health of textile workers.

You urged a stronger Federal initiative in dealing with the byssinois problem. I believe that the Federal Government has a dual role to carry out in achieving this end. First, we must develop the additional information needed to curb the hazard in the mills. Second, we must have an effective mechanism for ensuring that this knowledge is applied.

In your letter, you cited the research of Dr. Arend Bouhuys and his associates. The Publice Health Service has helped support Dr. Bouhuys' work for the past five years. The Environmental Control Administration of the Consumer Protection and Environmental Health Service recently approved a new three-year research grant which will enable Dr. Bouhuys to continue his byssinosis studies. Other research necessary for the development of standards and control of the disease is under consideration now.

The National Institutes of Health currently is undertaking an examination and expansion of its research efforts in the entire field of pulmonary diseases, with special emphasis on the chronic pulmonary diseases.

Once criteria are developed to protect the health of workers, there must be a mechanism for putting them into effect. New legislation in this field is essential. The Occupational Safety and Health Act proposed to Congress by the President would provide this mechanism.

As you well know, byssinosis in only one of the occupational diseases and other hazards that confront American workers. We cannot build a comprehensive health program in this country without dealing with these job-related diseases and injuries.

I am forwarding a copy of your letter and my reply to the Department of Labor so that they will be appraised of your concern over their enforcement of the Walsh-Healy Act.

Thank you for giving me your views.

Sincerely,

ROBERT H. FINCH,
Secretary.

SANE, SENSIBLE SUGGESTION

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, amid all the smoke over the use of marihuana, one fact stands out like the Washington Monument over the fog of the Potomac. As the following editorial from the October 4 Charleston, W. Va., Gazette so well points out, we do not have enough information in marihuana to know what we are talking about. I join the Gazette in congratulating my distinguished colleague from New York, the Honorable EDWARD I. KOCH, for his legislative proposal to establish a Presidential Commission to look into this problem and report back to the American people. I am pleased to have joined the gentleman from New York in cosponsoring this bill.

The editorial follows:

SANE "POT" IDEA FINALLY OFFERED

The sanest suggestion we've yet encountered on what should be done to handle the incidence of marijuana smoking among the nation's youth comes from Rep. Ed Koch, D-N.Y.

His proposal is simple and sensible: establish an authoritative commission to study in detail the problem and to report back to the American people as soon as possible its conclusions. The congressman desires a report that will have the same impact on the American public as did the 1964 Surgeon General's Report on Smoking and Health.

Not nearly enough is known about marijuana to answer even basic questions: Is it dangerous? Is it addictive? Does it damage the brain? What are its long-term effects?

For years the United States has been handling narcotics on the theory that stiffer laws and sterner punishment would decrease traffic in drugs and thereby reduce the number of addicts. The contrary has happened. The black market in narcotics has increased by leaps and bounds, and addiction in some sections of the country—notably urban ghettos—has reached epidemic proportions.

Isn't it about time a new tack was taken and new policies initiated? Might it not be desirable to turn the problem over to the medical profession? It is impossible imagine doctors making a bigger bungle than has already been made.

Meanwhile, a definitive study on marijuana is clearly needed.

LEAVES OF ABSENCE

By unanimous consent (at the request of Mr. ASPINALL), leave of absence was granted as follows to:

Messrs. ASPINALL, HALEY, EDMONDSON, TAYLOR, MEEDS, SAYLOR, BERRY, POLLOCK, WOLD, CAMP, and LUJAN during the week of October 13 to 18, 1969, inclusive on account of official committee business. These Members will be conducting field hearings and inspections in Alaska in connection with legislation involving Alaska native land claims.

By unanimous consent, leave of absence was granted as follows to:

Mr. CEDERBERG (at the request of Mr. GERALD R. FORD) for the week of October 13, 1969, on account of official business.

Mr. CHARLES H. WILSON (at the request of Mr. MOSS) for today on account of official business for the Committee on Post Office and Civil Service Subcommittee on Census and Statistics.

Mr. BURTON of Utah (at the request of Mr. GERALD R. FORD) for October 6 through October 13 on account of official business as a member of House Committee on Interior and Insular Affairs.

Mr. WATSON (at the request of Mr. GERALD R. FORD) for today on account of official business as member of the Select Committee on Crime.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. RYAN, for 60 minutes, on October 14; to revise and extend his remarks and include extraneous matter.

Mr. KOCH, for 60 minutes, on October 14; to revise and extend his remarks and to include extraneous matter.

Mr. HELSTOSKI, for 60 minutes, on October 14.

Mr. SCHEUER, for 60 minutes, October 14.

Mr. CLAY, for 60 minutes, October 14.

Mr. MOORHEAD, for 60 minutes, October 14.

Mr. BRADEMAS, for 1 hour, on October 14.

Mr. MCCARTHY, for 1 hour, on October 14.

Mr. WALDIE, for 1 hour, on October 14.

Mr. STOKES, for 1 hour, on October 14; to revise and extend his remarks and include extraneous matter.

Mr. HECHLER of West Virginia, for 30 minutes today, and to include therewith extraneous material.

(The following Members (at the request of Mr. ESCH), to revise and extend their remarks and to include extraneous matter to:)

Mr. ARENDS, today, for 5 minutes.

Mr. ROBISON, today, for 30 minutes.

Mr. ESCH, today, for 10 minutes.

Mr. DUNCAN, on Monday, for 60 minutes.

Mr. SAYLOR, today, for 30 minutes.

(The following Members (at the request of Mr. MOSS) to address the House:)

Mr. FARBSTEIN, for 15 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

Mr. RYAN, for 15 minutes, today.

Mr. RARICK, for 15 minutes, today.

Mr. HANNA, for 60 minutes, on October 13.

Mr. BINGHAM, for 60 minutes, on October 14.

Mr. CONYERS, for 60 minutes, on October 14.

Mr. SIKES, for 30 minutes, on October 15.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MAHON, to extend his remarks and to include certain tabulated material on appropriations business for this session of Congress.

Mr. MADDEN, and to revise and extend his remarks and include editorials in two instances.

Mr. OLSEN to include extraneous matter in his remarks made in Committee today.

(The following Members (at the request of Mr. ESCH) and to include extraneous matter:)

Mr. RUPPE in two instances.

Mr. ROUDEBUSH.

Mr. FISH in two instances.

Mr. SANDMAN.

Mr. ANDERSON of Illinois.

Mr. SCHWENGEL.

Mr. DON H. CLAUSEN.

Mr. BURKE of Florida in two instances.

Mr. KLEPPE.

Mr. ASHBROOK in two instances.

Mr. HOGAN.

Mr. MORSE.

Mr. WYMAN in two instances.

Mr. PRICE of Texas in two instances.

Mr. REID of New York.

Mr. CUNNINGHAM in four instances.

Mr. DEL CLAWSON.

Mr. GROVER.

Mr. QUIE.

Mr. FULTON of Pennsylvania in five instances.

Mr. MATHIAS.

Mr. SCOTT.

Mrs. HECKLER of Massachusetts in two instances.

Mr. POLLOCK.

(The following Members (at the request of Mr. BURLISON of Missouri), and to include extraneous matter:)

Mr. ANNUNZIO in five instances.

Mr. BIAGGI in three instances.

Mr. ROONEY of New York.

Mr. MINISH in three instances.

Mr. STOKES.

Mr. EDWARDS of California in two instances.

Mr. BURTON of California.

Mr. ADDABBO in two instances.

Mr. RARICK in three instances.

Mr. ROGERS of Florida in five instances.

Mr. GONZALEZ.

Mr. FLOWERS in three instances.

Mr. OTTINGER.

Mr. RYAN in three instances.

Mr. EILBERG.

Mr. PICKLE in two instances.

Mr. MARSH.

Mr. CHAPPELL.

Mr. WOLFF.

Mr. FASCELL in two instances.

Mr. BOGGS.

Mr. DANIELS of New Jersey.

Mr. BINGHAM in two instances.

Mr. CORMAN.

Mr. CHARLES H. WILSON.

Mr. RODINO in two instances.

Mr. KOCH in two instances.

Mr. ZABLOCKI in two instances.

Mr. MONAGAN in two instances.

Mr. EDMONDSON in two instances.

SENATE ENROLLED BILL AND JOINT RESOLUTION SIGNED

The Speaker announced his signature to an enrolled bill and a joint resolution of the Senate of the following titles:

S. 2564. An act to amend the act fixing the boundary of Everglades National Park, Fla., and authorizing the acquisition of land therein, in order to authorize an additional amount for the acquisition of certain lands for such park, and

S.J. Res. 112. Joint resolution to amend section 19(e) of the Securities Exchange Act of 1934.

ADJOURNMENT

Mr. BURLISON of Missouri. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 48 minutes p.m.), under its previous order, the House adjourned until Monday, October 13, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1239. A communication from the President of the United States, transmitting an amendment to the requests for appropriations transmitted in the budget for fiscal year 1970 for the Department of Transportation for the civil supersonic transport development program (H. Doc. No. 91–173); to the Committee on Appropriations and ordered to be printed.

1240. A letter from the Assistant Secretary of the Interior, Public Land Management, transmitting a copy of the river plan for the Rio Grande River, pursuant to the provisions of sections 3(a)(4) and 3(b) of the Wild and Scenic Rivers Act (H. Doc. No. 91–174); to the Committee on Interior and Insular Affairs and ordered to be printed, with illustrations.

1241. A letter from the Assistant Secretary of the Interior, Public Land Management, transmitting a copy of the river plan for that portion of the Rogue River under the administration of the Bureau of Land Management in Oregon, pursuant to the provisions of section 3(b) of the Wild and Scenic Rivers Act (H. Doc. No. 91–175); to the Committee on Interior and Insular Affairs and ordered to be printed, with illustrations.

1242. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report on the operation of section 401 of the Second Supplemental Appropriation Act, 1969 (Public Law 91–47), through September 1969, pursuant to the provision of the act; to the Committee on Appropriations.

1243. A letter from the Chairman, Foreign Claims Settlement Commission of the United States, transmitting the annual report of the Commission for 1968, pursuant to law; to the Committee on Foreign Affairs.

1244. A letter from the Director, Bureau of Mines, Department of the Interior, transmitting a copy of a proposed research and development contract with American Standard Inc., Melpar Division to study and improve the design of cutting assemblies of continuous mining machines for the purpose of reducing the production of respirable dust, pursuant to the provisions of Public Law 89–672; to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FASCELL. Committee on Foreign Affairs, House Joint Resolution 894. Joint resolution to authorize appropriations for expenses of the United States section of the United States-Mexico Commission for border development and friendship, without amendment (Rept. 91–556). Referred to the Committee of the Whole House on the State of the Union.

Mr. ANDERSON of Tennessee: Committee on Rules. House Resolution 574. Resolution for consideration of H.R. 14127, a bill to carry out the recommendations of the Joint Commission on the Coinage, and for other purposes (Rept. No. 91–557). Referred to the House Calendar.

Mr. MATSUNAGA: Committee on Rules. House Resolution 575. Resolution for consideration of H.R. 4293, a bill to provide for continuation of authority for regulation of exports (Report No. 91–558). Referred to the House Calendar.

Mr. O'NEILL of Massachusetts: Committee on Rules. House Resolution 576. Resolution for consideration of H.R. 13000, a bill to implement the Federal employee pay comparability system, to establish a Federal Employee Salary Commission and a Board of Arbitration, and for other purposes. (Rept. No. 91–559). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BURKE of Florida:

H.R. 14273. A bill to amend the Internal Revenue Code to permit individuals to deduct all expenses for their medical care, and for other purposes; to the Committee on Ways and Means.

By Mr. CEDERBERG:

H.R. 14274. A bill to amend the Social Security Act to provide an increase in benefits under the old-age, survivors, and disability insurance program, provide for automatic benefit increases thereafter in the event of future increases in the cost of living, provide for future automatic increase in the earnings and contribution base, and for other purposes; to the Committee on Ways and Means.

By Mr. COLLIER:

H.R. 14275. A bill to amend the Internal Revenue Code of 1954 with respect to certain union negotiated pension plans; to the Committee on Ways and Means.

By Mr. DADDARIO:

H.R. 14276. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 14277. A bill to amend title II of the Social Security Act to permit the payment of benefits to a married couple on their combined earnings record, to eliminate certain special requirements for entitlement to husband's or widower's benefits, to provide for the payment of benefits to widowed fathers with minor children, to equalize the criteria for determining dependency of a child on his father or mother, and to make the retirement test inapplicable to individuals with minor children who are entitled to mother's or father's benefits; to the Committee on Ways and Means.

By Mr. HECHLER of West Virginia:

H.R. 14278. A bill to encourage the growth of international trade on a fair and equitable basis; to the Committee on Ways and Means.

By Mr. LONG of Maryland:

H.R. 14279. A bill to provide more efficient and convenient passport services to citizens of the United States of America; to the Committee on Foreign Affairs.

By Mr. MARSH:

H.R. 14280. A bill to provide for a study of weather modification activities, for the coordination and reporting of such activities, and for other purposes; to the Commission on Interstate and Foreign Commerce.

By Mr. RODINO:

H.R. 14281. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Commission on Ways and Means.

H.R. 14282. A bill to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. SCHWENGEL:

H.R. 14283. A bill to amend title 38, United States Code, to provide employment and relocation assistance for veterans; to the Committee on Veterans' Affairs.

By Mr. STAGGERS:

H.R. 14284. A bill to amend the Public Health Service Act to extend for 3 years the program relating to heart disease, cancer, stroke, and related diseases; to authorize training and clinical demonstration programs for related chronic diseases; and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 14285. A bill to amend the act of August 2, 1956, relating to safety devices of household refrigerators to extend the coverage of such act; to the Committee on Interstate and Foreign Commerce.

By Mr. STEED:

H.R. 14286. A bill to amend title II of the Social Security Act to increase from $1,680 to $3,000 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. TEAGUE of Texas:

H.R. 14287. A bill to amend title 38 of the United States Code to provide that the Administrator of Veterans' Affairs may provide certain treatment to veterans for disease; to the Committee on Veterans' Affairs.

By Mr. UTT:

H.R. 14288. A bill to encourage the growth of international trade on a fair and equitable basis; to the Committee on Ways and Means.

By Mr. WHITE:

H.R. 14289. A bill to amend the act of March 4, 1921, to place the counties of El Paso and Hudspeth, Tex., in the mountain standard time zone; to the Committee on Interstate and Foreign Commerce.

By Mr. WYDLER:

H.R. 14290. A bill to amend the Federal Aviation Act of 1958 to authorize States and their political subdivisions to make and enforce certain rules and regulations to control and abate aircraft noise and sonic boom; to the Committee on Interstate and Foreign Commerce.

By Mr. KEITH (for himself, Mr. BIAGGI, and Mr. PELLY):

H.R. 14291. A bill to amend the Fisheries Protection Act; to the Committee on Merchant Marine and Fisheries.

By Mr. BERRY:

H.R. 14292. A bill to improve farm income and insure adequate supplies of certain agricultural commodities by extending and improving the commodity program for corn, feed grains, and wheat; to the Committee on Agriculture.

By Mr. BINGHAM:

H.R. 14293. A bill to amend title 39, United States Code, to restrict the mailing of unsolicited credit cards; to the Committee on Post Office and Civil Service.

By Mr. BLACKBURN:

H.R. 14294. A bill to amend the Export Control Act of 1949 to provide for congressional approval of any economic boycott instituted by the President of the United States; to the Committee on Banking and Currency.

By Mr. BURKE of Florida:

H.R. 14295. A bill to protect interstate and foreign commerce by prohibiting the movement in such commerce of horses which are "sored," and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. McCULLOCH:

H.R. 14296. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to clarify the provisions relating to discretionary grants to the State and to provide authorization of appropriations for fiscal year 1971; to the Committee on the Judiciary.

By Mr. MANN:

H.R. 14297. A bill to impose limitations on the quantity of textile articles imported into the United States; to the Committee on Ways and Means.

By Mr. MONTGOMERY:

H.R. 14298. A bill to strengthen voluntary agricultural organizations, to provide for the orderly marketing of agricultural products, and for other purposes; to the Committee on Agriculture.

By Mr. MOSHER:

H.R. 14299. A bill to authorize a survey of the Black River and tributaries, Ohio, in the interest of flood control and allied purposes; to the Committee on Public Works.

By Mr. NEDZI (for himself and Mr. PETTIS):

H.R. 14300. A bill to amend title 44, United States Code, to facilitate the disposal of Government records without sufficient value to warrant their continued preservation, to abolish the Joint Committee on the Disposition of Executive Papers, and for other purposes; to the Committee on House Administration.

By Mr. STAGGERS:

H.R. 14301. A bill to implement the Convention on Offenses and Certain Other Acts Committed on Board Aircraft, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. EDMONDSON:

H.J. Res. 943. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. WOLFF (for himself, Mr. Edwards of California, Mr. Leggett, Mr. Lowenstein, and Mr. Ryan):

H.J. Res. 944. Joint resolution to create a Special Joint Congressional Committee on Oversight in Vietnam; to the Committee on Rules.

By Mr. KING (for himself, Mr. Gross, Mr. Devine, Mr. Scherle, Mr. Del Clawson, Mr. Watkins, Mr. Steiger of Arizona, Mr. Fountain, Mr. Rarick, Mr. Hall, Mr. Utt, Mr. Lennon, Mr. Colmer, and Mr. Ashbrook):

H. Con. Res. 401. Concurrent resolution expressing the sense of the Congress with respect to the revocation of the United Nations economic sanctions against Southern Rhodesia; to the Committee on Foreign Affairs.

By Mr. OTTINGER (for himself, Mr. Anderson of California, Mr. Brown of California, Mr. Clay, Mr. Corman, Mr. Derwinski, Mr. Eilberg, Mr. Gray, Mr. Koch, Mr. Leggett, Mr. Long of Maryland, Mr. Moss, Mr. Roybal, Mr. St Germain, Mr. Charles H. Wilson, Mr. Wolff, Mr. Tunney, Mrs. Mink, Mr. Powell, and Mr. Pollock):

H. Con. Res. 402. Concurrent resolution to provide that failure of executive departments, agencies or instrumentalities of the Federal Government to respond within 60 days to requests from committees of Congress for reports on pending legislation shall create the conclusive presumption that such agencies favor enactment of the legislation and that enactment is consistent with the legislative program of the President; to the Committee on Rules.

By Mr. ROSENTHAL (for himself, Mr. Brown of California, Mr. Button, Mr. Burton of California, Mrs. Chisholm, Mr. Conyers, Mr. Edwards of California, Mr. Eckhardt, Mr. Fraser, Mr. Jacobs, Mr. Kastenmeier, Mr. Mikva, Mr. Olsen, and Mr. Ryan):

H. Con. Res. 403. Concurrent resolution urging the withdrawal now of U.S. Forces in Vietnam; to the Committee on Foreign Affairs.

By Mr. KING:

H. Res. 577. Resolution directing the U.S. Tariff Commission to make an investigation of competition between domestic and imported leather and leather goods; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of California:

H.R. 14302. A bill for the relief of Mr. Isauro Alandy and Mrs. Jennifer Alandy; to the Committee on the Judiciary.

By Mr. BARRETT:

H.R. 14303. A bill for the relief of Giovanni Paolo Quagliariello; to the Committee on the Judiciary.

By Mr. BUTTON:

H.R. 14304. A bill for the relief of Munir W. El-Far; to the Committee on the Judiciary.

By Mr. THOMPSON of Georgia:

H.R. 14305. A bill for the relief of Hassan Chaharsough Vakil, doctor of medicine; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

284. By the SPEAKER: Petition of Harold Lindemann, Eatontown, N.J., relative to enlargement of the U.S. Supreme Court; to the Committee on the Judiciary.

285. Also, petition of Mrs. L. Vail, et al., Lynden, Wash., relative to appointments to the U.S. Supreme Court; to the Committee on the Judiciary.

286. Also, petition of the Committee on Public Health and Welfare, Florida House of Representatives; relative to the proposals of President Nixon for welfare reform; to the Committee on Ways and Means.

SENATE—*Thursday, October 9, 1969*

The Senate met at 12 o'clock noon and was called to order by the Acting President pro tempore (Mr. Metcalf).

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Mighty God, Lord of the nations who by Thy providence didst guide our fathers to create a great nation, teach us to humble ourselves by remembering that where much is given much shall be required. Be with us to strengthen us that we may guard faithfully this good heritage, conserving and using wisely all things material for the well-being of the people, but cherishing most zealously all things spiritual, that the idealism and character of the fathers may be renewed in each generation. Remove from all men the hate and prejudice which turns man against man. Subdue the pride, greed, and anger which corrupts and blemishes the life. And so nourish us in righteousness and truth that Thy promised kingdom may be fulfilled in the brotherhood of man, for Thine is the kingdom and the power and the glory forever. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, October 8, 1969, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Leonard, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session, the Acting President pro tempore laid before the Senate a message from the President of the United States submitting a nomination, which was referred to the Committee on the Judiciary.

(For the nomination this day received, see the end of Senate proceedings.)

APPOINTMENTS BY THE VICE PRESIDENT

The ACTING PRESIDENT pro tempore. On behalf of the Vice President, the Chair, pursuant to Senate Resolution 33, as amended, 87th Congress, appoints the Senator from Illinois (Mr. Smith) to the Special Committee on Aging, in lieu of Senator Dirksen, deceased.

On behalf of the Vice President, the Chair appoints the Senator from New Jersey (Mr. Williams) and the Senator from New York (Mr. Javits) as advisers to the Third Inter-American Conference of Ministers of Labor on the Alliance for Progress, to be held at Washington, D.C., October 10–17, 1969.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar.

There being no objection, the Senate proceeded to the consideration of executive business.

The ACTING PRESIDENT pro tempore. The nominations on the Executive Calendar will be stated.

DEPARTMENT OF JUSTICE

The bill clerk proceeded to read the nominations in the Department of Justice.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ECONOMIC DEVELOPMENT ON INDIAN RESERVATIONS

Mr. MANSFIELD. Mr. President, there are indications that a "red power" movement is growing among young people on our Indian reservations. This is the movement emphasizing pride in Indian heritage and the need for Indians to take responsibility for their own destinies.

I believe there is a better way for Indians to achieve these goals than through a militant "red power" movement. The economic development that is taking place on reservations in Montana and elsewhere appears to be that way.

An article in the September issue of the Government Executive tells about such development on the Fort Peck Indian Reservation in northeastern Montana. Dynalectron Corp. helped these Indians to establish a tribal industry for repairing small military arms. But the corporation's role will be finished when the Indians train a cadre to operate the industry by themselves. They are moving rapidly in that direction.

Such economic development cannot be accomplished by the Indians all by themselves. They need the help of business, industry, and the Federal Government. But the Indians can do their share—and eventually they can assume full responsibility.

The Government Executive article, which contains a very good picture of my distinguished colleague, the Presiding Officer, the Senator from Montana (Mr. METCALF), shows what can be done by Indians when they get the right kind of help and when they are given the incentive to take responsibility for their future.

Not only did this particular corporation help the Indians on the Fort Peck Reservation, but also, my distinguished colleague, the Senator from Montana (Mr. METCALF), played a very important part in getting this project underway and was one of the most active and most prominent participants when the Fort Peck Indian-owned plant opened in April with a ribbon-cutting ceremony.

I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

INDUSTRY-INDIAN-GOVERNMENT JOINT EFFORTS CUT WELFARE COST AND REVIVE LOCAL ECONOMY

(By Patrick J. McGarvey)

HIGHLIGHT

1—Dynalectron Corp. was largely instrumental in the formation of an Indian-owned plant in Montana that has reduced welfare payments dramatically.

2—While a restoration of Indian pride is evident through these efforts, the nationwide Indian situation remains grim.

3—The Bureau of Indian Affairs still labors under the paternalistic attitudes of the past although this, too, is changing.

4—Symptomatic of today's young Indian, a "Red Power" movement is taking hold on the reservations.

5—The Dynalectron effort at Fort Peck, Mont., suggests a new approach to the Indian problem by "winning the hearts and minds of the people."

Dynalectron Corp. has shattered the oft-stated myth about the heartless nature of American industry. In displaying and implementing a social conscience the firm also has pioneered a new concept of assisting the underprivileged that is well worth attention.

Heeding former President Johnson's advice for industry to assume social responsibility, Dynalectron became interested in the plight of the American Indian. Charles Gulledge, Dynalectron president, in an interview with *Government Executive* revealed that he was skeptical at first when the idea was broached to him by two men in his Aerospace Operations Division who had been working in remote areas on missile range work.

"If we were going to assume a responsibility for assisting in setting up a viable financial enterprise, we also realized that we were accepting a larger social responsibility toward the Indian tribes there. I wanted no mistakes, so I put some pretty high-priced legal and managerial talent to work on the project."

In October 1968 they assisted in the formation of the Fort Peck Tribal Industries at a remote reservation in northern Montana, lending legal and financial expertise to the tribe, which is the sole owner of the corporation. Dynalectron will make no money on the product nor does it plan to make any. It has lent the Indians its skill and expertise but plans to phase out as soon as the tribal members are trained and running their own show. Today Dynalectron personnel are working with the tribe in overall management, quality control, accounting and personnel. After the firm is on its feet, Dynalectron will continue to aid in marketing the products and services of the new organization.

WELFARE/UNEMPLOYMENT DOWN

The Fort Peck facility presently is working on a contract for the Air Force repairing carbines under a Small Business Administration contract that Dynalectron assisted the tribes in obtaining.

Although the project was initiated by Dynalectron, Gulledge spoke at length of the splendid cooperation he received from many parties. Within a six-month period the plant was brought from drawing board to full operation, and involved the efforts of Sen. Lee Metcalf (D-Mont.), the Small Business Administration, Bureau of Indian Affairs, Air Force, Office of Economic Opportunity, Trader's State Bank in Poplar, Mont., and the Sioux and Assiniboine tribes. The formal dedication of the plant took place on April 6, marking the on-time delivery of the first batch of carbines to the Air Force.

Plans for the future are looking brighter still. The Air Force, in signing the first contract, funded the operation at $700,000 with an option for an additional $350,000. Dynalectron men have drawn up a five-year plan in coordination with the Indian managers under training, and prospects for additional contracts seem good with the firm diversifying into assembly of electrical cables and other nondefense services.

Prior to the formation of Tribal Industries, the unemployment rate for the reservation was over 40 percent in the Summer and about 55 percent in the Winter. Fifty-four percent of the families were below the official poverty line of $3,000 a year. The new plant has a biweekly payroll of about $20,000 and is expected to add about $700,000 a year to the local economy. Local businesses report a 20 percent rise in sales since the plant opened. Moreover, welfare and unemployment compensation payments have dropped dramatically, and are expected to decrease about $300,000 in the near future.

With the ownership of the plant residing in tribal hands, a noticeable effect on local Indian morale and attitudes is evident. Plans are now underway for the tribe to purchase back land lost to them over the years in one way or another. Savings in the local bank are up markedly, and the men at the plant are apparently proud of their efforts, feeling as if their individual work contributes not only to themselves but also to the tribe as a whole.

CLASSIFICATION OF INDIANS

It would be unfair to industry and the Indians alike if it were claimed that a panacea has been found in these recent developments. The Indian problem is simply too complex, varying from area to area, to allow sweeping generalities.

In the last census there were just over a half-million Indians in the United States. About 300,000 of these people live on trust lands for which the Secretary of Interior is responsible.

Today the Bureau of Indian Affairs counts 263 Indian tribes, bands, villages, pueblos and groups in the country. Classification of Indians is generally handled in one of two ways: (1) by the way the Indians found their food or (2) by their language.

There are seven distinct groupings classified by food gathering techniques ranging from the woodsmen of the Eastern forest who traveled by foot or canoe and relied on hunting and fishing to the hunters of the Plains who hunted on horseback great areas of the West for buffalo.

In Washington and Oregon there were the northern fishermen and in California, Nevada and Utah there were planters. Shepherds dwelt in Arizona. Of course, in each of these cultures different social groupings and habits emerged. On the basis of common words or language, there are eight major Indian linguistic groups.

LEGAL STATUS OF INDIAN

There are many myths afoot concerning the legal status of the American Indian. He is not a ward of the Government as some would think. The Government is a trustee of Indian property, not the guardian of the individual Indian. Indians are not confined to reservations. They may move about freely as any other American citizens. There is no Federal payment to an Indian simply because he is an Indian.

The Indian is a citizen, although it was not until 1924 that he achieved this status. The right to vote has come even slower with his disenfranchisement finally being tested in the courts in 1948 and 1953. Since those cases, he has been fully franchised as all other Americans are.

Indians are subject to service in the military and many have distinguished themselves. In WWI more than 8,000 served, and in WWII they were represented by over 25,000 men in uniform.

The Indian is subject to Federal, state and local laws like non-Indians. If he lives on a reservation, however, only Federal and tribal laws apply, except in 13 states where Congress has provided that states shall have jurisdiction.

Indians may buy "firewater" at their own discretion. Here too, however, this right was not granted until 1953. On the reservations a local option ruling is in effect and some 55 reservations have legislated that their citizens may buy liquor.

Indians may own property. Today their lands are owned either by the tribe or by individual Indians. An Indian has trouble selling his land, however, for he must send a request to the Secretary of the Interior or his representative for a determination by them that the sale is in the Indian's best interest. If he wishes to hold individual title to his land, an Indian must also send a request to the Secretary of Interior for a determination that he is capable of managing his own affairs.

Indians pay local, state and Federal taxes the same as other citizens unless a treaty, agreement or statute exempts them. Most tax exemptions which have been granted apply to lands held in trust for Indians and to income from such land.

Indian tribes have their own government referred to as the tribal council, elected by vote of the adult members of the tribe. The council has the authority to speak and act for the tribe in dealings with Federal, state and local governments.

The role of the American Government has ranged the spectrum of emotions from punitive to paternalistic. To review the long history of broken promises to the Indian would be needless repetition. It is sufficient to say that the Indians moved to the reservations and whether they went peacefully, as the Cherokee did, or fought bitterly, as the Teton Sioux did, the result was the same. They were forced to live on land that the white man deemed worthless.

From the presidency of George Washington until 1849, Federal Indian policy was directed by the Secretary of War, which says much for the character of U.S.-Indian relations in that period. Since then, the Bureau of Indian Affairs (BIA), an agency of the Interior Department, has guided the destiny of the American Indian. For the most part it would not be inaccurate to say that the BIA over the years has misguided Indian Affairs. In fact, in an interview with *Government Executive*, some officials there admitted this.

Officially the BIA's duties are to protect the resources of the Indian, to see that his land is not stolen from him or sold when it would be in his best interests to hold it. In addition, the BIA provides schools, builds and maintains roads and irrigation projects and performs certain administrative chores, much like any city hall or county seat.

PATERNALISTIC ATTITUDE

Throughout the last 100 years, the BIA has carried out its tasks reasonably well given the resources with which it has had to work. In the process, however, it developed an attitude toward Indians that came to be known as paternalistic. This fatherly overprotection probably had several sources, but foremost among them was the shortsighted conclusion by the bureaucracy that it was easier to do the job itself than it was to teach a bunch of ignorant Indians to do it.

As a result the Indians received help, but never learned to help themselves. It was like giving morphine to a patient dying of cancer: It killed the pain but not the disease. The disease which was and is running rampant through Indian reservations is unemployment, which to some degree was the fault of the Indian. On the other hand, however, he was given little incentive to do otherwise. When the Pine Ridge Reservation in South Dakota was formed for the Ogala Sioux, the Indians called it "Wakpamini," which was the Dakota word for "place where you get something for nothing."

Since the early '60s the attitude has changed somewhat at BIA. Indian policy and BIA goals have been rephrased with generous dosages of positive thought. With an annual budget of about $250 million, BIA likes to think of itself as working with the Indian people and other agencies of Government to develop programs that will lead to Indian self-sufficiency. It advises Indian landowners how they can make the most of their resources. It provides educational and social services when these are not available from other sources. It informs Indian groups of sources of local assistance and it assists Indians who wish to leave reservations for economic improvement.

The three aims of the BIA are (1) higher Indian standards of living, (2) assumption by Indians and Indian tribes of the responsibility of managing their own funds and resources and (3) political and social integration of Indians.

Today there are approximately 290 Indian reservations under Federal jurisdiction. They range in size from tiny settlements in California of only a few acres to the Navajo Reservation of about 14 million acres. Other than the Navajo, there are only 10 reservations with more than a million acres. Slightly more than 50 million acres are in Indian use.

On this surface the figures are impressive. The gross value from agricultural production on Indian reservations in 1966 was about $170 million. This provided $58 million to Indian operators. Another $16 million was received by Indians from rents and royalties in 1966. Income from mineral rentals, bonuses and royalties in 1967 exceeded $30 million. In the same year, the sale of timber from reservations netted $15 million for the Indians. Another $4 million came from commercial, industrial and recreational use of Indian land.

"RED POWER"

The majority of Indian reservations, however, cannot support the Indian population. More intensive agriculture is needed, and industry and business are needed on or near Indian reservations to give diversification and incentive to the Indians. Their hope for the future lies in the balanced economic development of all their resources—natural, recreational and industrial.

BIA has several programs underway to assist in developing the natural resources on the Indian lands, to encourage industrial relocation to these areas and to provide employment assistance to Indians. These must be beefed up, however, to overcome the staggering apathy of Indians whose outlook and hopes for the future have too often been raised only to be dashed again by a loss of interest.

Symptomatic of the Indian attitude today is the emergence of a "Red Power" movement. As in other militant movements this one, too, represents a small but vocal minority of Indians. The leaders of this movement are college-trained young men who are most bitter. They describe most prominent Indians of today as "bootlickers, classic Indian finks."

Though the strength of the organization has declined in recent months it has attracted attention, not only among the startled highway travelers who have read bumper stickers announcing "Custer Died for Your Sins" but among growing numbers of young Indian people, more of whom are being taught to have a fierce pride in their Indian heritage.

Clyde Warrior, one of the leaders, claims that everyone over 30 years old should be kicked out of the BIA. Its ideas, he claims, date back to the paternalistic '20s and it has created in his opinion a neurotic, almost insane attitude toward joining the "mainstream." He claims the American dream is "Disneyland, garbage, a sham that should be exposed."

THE WHITE "DO-GOODER"

Like his brethren black power militants, Warrior wants nothing to do with the white liberal "do-gooder." "I don't know a single white man who's helped the Indians," he remarked. "Oh they're sincere and dedicated . . . and stupid."

The attitudes of such people he claims have fostered Indian dependence on society. "Take an Indian with no education and a house full of kids, and people say he's incompetent. He can't even manage his own life, let alone run a Government or a tribe. That's what the BIA's been saying for years. He's too stupid to do it himself, so we'll do it for him. The system perpetuates this thinking. It's so easy to justify it. And, it becomes easy for the Indian, too. He says: 'I'm just an Indian, I can't do any better.' He should be made to do better. Give the tribes the money and let them spend it. They'll make mistakes, sure, but they'll learn responsibility. You cannot have respect without responsibility."

So, far, the Red Power movement hasn't accomplished too much. The principal organizations involved in the drive—the National Indian Youth Council and the Coalition of American Indian Citizens—have a total membership of about 2,000 of the estimated 500,000 American Indians. Moreover there are internal splits; each group has factions that can't agree on whether Indians should try to preserve their racial identity at all costs or seek to assimilate themselves into white society. To date they have launched only a handful of self-help programs and protest demonstrations. Yet many students of Indian life agree that the mere existence of the two youth-dominated, action-oriented groups marks a sharp break with the Indian's traditional passivity.

As pride and hope have vanished, many Indians have turned to liquor. The result, of course, has been the disintegration of the family unit. Marriages break up at an alarming rate and the suicide rate is high on reservations. The situation is aggravated by the yawning generation gap in many Indian families. The old people refuse to live in this world; the youngsters know they're in it. They see it every day on television and in school.

Many young people want to leave. Some make it, but the success rate is very low. Many lack the money or the skills to settle in a new area. They run into constant discrimination in trying to find a job. Used to rural life, they have trouble adjusting to the urban areas where most jobs are found.

The economic development of Indian areas is tied to the cultural differences between Indians and whites. Many Indians simply do not aspire to be absorbed into the mainstream. They find urban American life frightening and distasteful and prefer to remain on familiar home ground.

Prior to 1955 BIA focused its attention on developing native industries such as sawmills, fisheries, cattle and agricultural pursuits. Two companies—Simpson Electric Co. and Bulova Watch—in the mid-1950s opened up assembly plants on Indian lands and found them eminently successful. They remain so today. They noted a high incidence of manual dexterity among Indians which suited their needs for assembling small electric components. Moreover, their reports describe Indians as intelligent, with good eyesight, excellent muscular coordination and patience.

The BIA has since the mid-1950s devoted a considerable portion of its efforts to inducing industries to locate on or near Indian lands. It is constrained somewhat by the monetary assistance it can offer in the form of on-the-job training program funds (PL 959) which defers some of the start-up costs for manufacturers. The remote inaccessible location of many reservations, moreover, is another deterrent. On the whole efforts in industrial development are just getting underway.

Reorganizations within the BIA have focused attention on the economic community in and near Indian lands. It admits that a major task is getting Indians and non-Indians in a locale to work together. It also has exerted efforts to develop tourism and recreation on and near Indian lands, viewing these as a natural economic potential that should be brought into full play by the Indians.

DOMESTIC PROBLEM

The Indian problem is not confined to the economic facts of life, which today are grim, but improving because of the efforts of firms such by Dynalectron. More fundamental problems exist in the fields of housing, education, health and police and legal protection on the reservations, and among the Indian community as a whole. Much needs to be done in these essential areas. President Nixon in his campaign promised to help. The recent appointment of a new Indian Commissioner may signal the beginning of a new era. (We believe it only fair to allow the new Commissioner time to settle in, but we shall return to this subject in the future to assess anew the Indian situation.)

In the meantime, since the BIA spends a good deal of effort studying the Indian situation it might be worthwhile for it to consider studying the different effects that projects like Dynalectron's has on Indian attitudes as opposed to the Indian attitudes where assembly plants are established and the local Indian population recruited as the labor force.

It would seem to this writer that we have a situation here not unlike the Vietnam rural situation in which we have been attempting to "win the hearts and minds of the people." Identification with an organization such as the Fort Peck facility runs far deeper than a paycheck. It represents the restoration of Indian pride, which was at one time the measure of an Indian. Efforts like Dynalectron's afford the Indian groups an opportunity to maintain their ancestral identity and not be faced with an "either-or" situation wherein the only escape is to join the so-called "mainstream."

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The Clerk will call the roll.

The bill clerk proceed to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(Subsequently, this order was vacated, and the Senate entered an order that at the conclusion of its business today it stand in adjournment until 10 a.m., Monday, October 13, 1969.)

EVERETT McKINLEY DIRKSEN—EULOGIES TO BE DELIVERED ON WEDNESDAY, OCTOBER 29, 1969

Mr. MANSFIELD. Mr. President, for the information of the Senate, a period will be set aside on Wednesday, October 29, for Members to deliver eulogies on the passing of our late and beloved colleague, the distinguished Senator from Illinois and former minority leader, Mr. Dirksen. I give this notice so that Senators will be prepared for that day and with that expectation in mind.

ORDER OF BUSINESS

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PACKWOOD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on October 8, 1969, the President had approved and signed the following act:

S. 574. An act to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments.

SECOND ANNUAL REPORT OF THE NATIONAL ADVISORY COMMITTEE ON ADULT BASIC EDUCATION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 91-176)

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

I transmit herewith the Second Annual Report of the National Advisory Committee on Adult Basic Education.

Adult basic education plays a vital role in making our democratic society viable and rewarding to all its members. Teaching the adult to read, write, and speak well leads to expanded job opportunities, enhanced self-esteem, a better home environment for school children and increased civic responsibility.

To help meet the needs for adult basic education, the National Advisory Committee has been reviewing the administration and effectiveness of the Adult Basic Education Program in the Office of Education and fifteen other federally supported programs which have adult basic education components. The Report describes this review and makes several recommendations concerning the Federal effort to serve the education needs of the more than twenty million adult Americans who have less than an eighth-grade education.

I have asked the Council for Urban Affairs, which has a special committee on education, to review these and other recommendations of the National Advisory Committee carefully, and to seek ways to improve the performance and coordination of all Federal adult basic education programs.

RICHARD NIXON.

THE WHITE HOUSE, *October 9, 1969.*

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT OF VIOLATION OF A FISCAL YEAR 1969 PANAMA CANAL COMPANY ALLOTMENT

A letter from the President, Panama Canal Company, reporting, pursuant to law, a violation of a fiscal year 1969 Panama Canal Company allotment; to the Committee on Appropriations.

REPORT ON FISCAL YEAR 1970 OUTLAY LIMITATIONS

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, on the operation of section 401 of the Second Supplemental Appropriation Act, 1969, limiting fiscal year 1970 budget outlays (with accompanying papers); to the Committee on Appropriations.

REPORT OF THE FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES

A letter from the Chairman, Foreign Claims Settlement Commission, transmitting, pursuant to law, the Annual Report of the Foreign Claims Settlement Commission for the period beginning January 1, 1968, and ending December 31, 1968 (with an accompanying report); to the Committee on Foreign Relations.

PROPOSED RESEARCH AND DEVELOPMENT CONTRACT WITH AMERICAN STANDARD, INC.—MELPAR DIVISION

A letter from the Director, Bureau of Mines, U.S. Department of the Interior, transmitting, pursuant to law, a proposed research and development contract with American Standard Inc.-Melpar Division, 7700 Arlington Boulevard, Falls Church, Va., to study and improve the design of cutting assemblies of continuous mining machines for the purpose of reducing the production of respirable dust (with accompanying papers); to the Committee on Interior and Insular Affairs.

MASTER PLAN FOR THE ROGUE RIVER COMPONENT OF THE NATIONAL WILD AND SCENIC RIVERS SYSTEM

A letter from the Assistant Secretary for Public Land Management, Department of the Interior, transmitting, pursuant to law, a plan for the development, operation, and management of that portion of the Rogue River segment under the administration of the Bureau of Land Management in Oregon (with accompanying papers); to the Committee on Interior and Insular Affairs.

PLAN FOR THE RIO GRANDE NATIONAL WILD AND SCENIC RIVER

A letter from the Assistant Secretary for Public Land Management, Department of the Interior, transmitting, pursuant to law, a plan for the development, operation, and management of the Rio Grande River segment of the national wild and scenic rivers system under the administration of the Secretary of the Interior, through the Bureau of Land Management (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORTS ON SHARING MEDICAL FACILITIES AND EXCHANGE OF MEDICAL INFORMATION

A letter from the Administrator, Veterans' Administration under fiscal year 1969 programs for sharing medical facilities and for exchanging medical information (with accompanying reports); to the Committee on Labor and Public Welfare.

REPORT OF THE FEDERAL VOTING ASSISTANCE PROGRAM

A letter from the Secretary of Defense, transmitting, pursuant to law, the seventh report of the Federal voting assistance program covering the period from September 1967 to September 1969 (with an accompanying report); to the Committee on Rules and Administration.

MESSAGE FROM THE HOUSE—ENROLLED BILL AND JOINT RESOLUTION SIGNED

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution, and they were signed by the Acting President pro tempore:

S. 2564. An act to amend the act fixing the boundary of Everglades National Park, Florida, and authorizing the acquistion of land therein, in order to authorize an additional amount for the acquisition of certain lands for such park; and

S.J. Res. 112. Joint resolution to amend section 19(e) of the Securities Exchange Act of 1934.

PETITION

The ACTING PRESIDENT pro tempore laid before the Senate a resolution adopted by the Board of Commissioners of the city of Millville, N.J., remonstrating against proposed legislation to limit the tax-exempt feature of interest paid on public bonds issued by State or local governments which was referred to the Committee on Finance.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. HRUSKA, from the Committee on the Judiciary, without amendment:

S.J. Res. 150. Joint resolution to authorize the President to designate the period beginning October 12, 1969, and ending October 18, 1969, as "National Industrial Hygiene Week" (Rept. No. 91-452).

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. METCALF (for himself and Mr. MANSFIELD):

S. 3007. A bill to authorize the transfer of the Brown Unit of the Belknap Indian irrigation project on the Fort Belknap Indian Reservation, Mont., to the landowners within the unit; to the Committee on Interior and Insular Affairs.

By Mr. YARBOROUGH (for himself, Mr. TALMADGE, Mr. RANDOLPH, Mr. CRANSTON, Mr. HUGHES and Mr. WILLIAMS of New Jersey):

S. 3008. A bill to increase the availability of guaranteed home loan financing for veterans and to increase the income of the national service life insurance fund; to the Committee on Labor and Public Welfare.

(The remarks of Mr. YARBOROUGH when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. TYDINGS:

S. 3009. A bill to authorize the Commissioner of the District of Columbia to enter into contracts for the payment of the District's equitable portions of the costs of reservoirs on the Potomac River and its tributaries, and for other purposes; to the Committee on the District of Columbia.

By Mr. TYDINGS (by request):

S. 3010. A bill to authorize in the District of Columbia a program of public day care services; and to amend the District of Columbia Public Assistance Act of 1962 so as to relieve certain adult children of the requirement of support and to provide public assistance in the form of foster home care to certain dependent children;

S. 3011. A bill to establish a revolving fund for the development of housing for low- and moderate-income persons and families in the District of Columbia, to provide for the disposition of unclaimed property in the District of Columbia, and for other purposes; and

S. 3012. A bill to supplement the Motor Vehicle Safety Responsibility Act of the District of Columbia in order to provide for the indemnification of persons sustaining certain losses as a result of the operation of motor vehicles by financially irresponsible persons, and for other purposes; to the Committee on the District of Columbia.

By Mr. JACKSON (for himself and Mr. ALLOTT):

S. 3013. A bill to amend the act of October 15, 1966 (80 Stat. 915), establishing a program for the preservation of additional historic properties throughout the Nation, and for other purposes; to the Committee on Interior and Insular Affairs.

(The remarks of Mr. JACKSON when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. JACKSON (for himself, Mr. ANDERSON, Mr. GRAVEL, Mr. MAGNUSON, Mr. MONTOYA, and Mr. STEVENS):

S. 3014. A bill to designate certain lands as wilderness; to the Committee on Interior and Insular Affairs.

(The remarks of Mr. JACKSON when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. HATFIELD:

S. 3015. A bill to authorize the Secretary of Health, Education, and Welfare to make grants to conduct special educational programs and activities concerning the use of drugs and for other related educational purposes; to the Committee on Labor and Public Welfare.

(The remarks of Mr. HATFIELD when he introduced the bill appear later in the RECORD under the appropriate heading.)

S. 3008—INTRODUCTION OF A BILL INCREASING THE AVAILABILITY OF GUARANTEED HOME LOAN FINANCING FOR VETERANS AND THE INCOME OF THE NATIONAL SERVICE LIFE INSURANCE FUND

Mr. YARBOROUGH. Mr. President, I introduce for appropriate reference a bill to increase the availability of guaranteed home loan financing for veterans, and to increase the income of the national service life insurance fund.

It would accomplish the first objective by permitting the investment of up to $5 billion of funds of the national service life insurance fund in mortgage loans for veterans. This injection of capital into veterans housing would be made at the rate of $1 billion a year for each of 5 years, and would mean a real shot-in-the-arm to home construction in general and for veterans in particular.

The bill would accomplish the second purpose because income to the national service life insurance fund from mortgage interest would be higher than the present income from Government securities.

On August 28, the Department of Commerce released its monthly economic indicators, showing a decline of four-tenths of 1 percent in the composite economic index. It was clear from the figures that this decline took place in the home construction industry, and that housing was bearing the brunt of the anti-inflation tactics of the stringent monetary policy and high-interest rates.

Mr. President, a few days ago, we heard the administration boast that the unemployment rate had gone up to 4 percent. This is the only administration in history that brags about creating more unemployment. Previously, if an administration could brag, it would be that it had reduced unemployment.

This administration boasts that we are increasing unemployment. At present, unemployment has increased by 4 percent. I can tell the administration in what industry unemployment is increasing the fastest. It is in the home construction industry. I have received that report in letters that small homebuilders, those who hire only six or eight employees, are suffering the most. In one county alone, six small homebuilders have already gone broke and their employees have lost their jobs. Others are laying off employees every day.

We are now feeling the impact of recordbreaking interest rates. There have been four increases in interest rates since the beginning of January. The first recordbreaking high-interest rate occurred in 1814, during the War of 1812, when the British forced our ships to rot in our harbors. The second significant increase occurred in 1864, when Lee was stalling Grant before Richmond, and Hood was stalling Sherman before Atlanta. As a result of the threat of the stalemate, the interest rates increased to the highest level ever. The third significant increase in interest rates occurred in 1919, as a result of World War I. The fourth increase was in 1929, during the boom period that preceded the great depression.

Today, we have the highest interest rates in the entire history of the United States. These high interest rates are crippling the American homebuilders, except in the few big money markets of the country.

Under the impact of these recordbreaking high rates, construction of single-family dwellings dwindled to an annual rate of 1.3 million in August, and is headed down to 1 million. That number is a tragic contrast to the 2.6 million units a year we must build to meet the goal established in the Housing Act of 1968.

The Commission reported to the President that it would take the construction of at least 2½ million housing units a year to keep this Nation out of the slums. These 2½ million units must be built if we are to meet the goals established in the Housing Act of 1968. We have already decreased that quota by more than half and with every day that goes by it is plummeting even lower.

The special veterans housing program has been hard hit by interest inflation, along with all moderate- and low-income housing. Despite the legislation we have enacted in an effort to assure homeownership opportunities for veterans, interest rates have undermined it, as they have undermined all homebuilding.

Raising interest rates in an effort to outbid other borrowers is becoming a game of governmental leapfrog. We are asked, in effect, to raise rates for loans to students to give lenders a 10-percent return. Then we are told that mortgage rates must rise in order to outbid the students. Then the Federal debt is refinanced at higher rates in order to outbid all the other borrowers.

I believe we have gone as far as we can to help housing by raising interest rates. In the case of veterans housing, the effect has been a decline, not an increase, in construction.

In May of 1968, the 6-percent mortgage ceiling still prevailed. Starts then were at an annual rate of 57,000 veterans homes. Then the mortgage rate was raised to 6.75 percent and in January of this year to 7.5 percent. But the current rate of veterans housing starts is down to 46,000 a year. An increase in the interest rate of 1.5 percent, in other words, has reduced construction by 11,000 units at an annual rate.

We need another answer to the housing depression besides new increases in mortgage rates. One answer that holds out hope for more veterans housing is the proposal sponsored in the House of Representatives by my colleague from Texas, the Honorable Olin Teague. It would make available up to $5 billion from the national service life insurance fund, over a period of 5 years, for investment in veterans home mortgages. This bill in the House is H.R. 9476. The same proposal was offered in the House on September 29 by Congressman Patman as an amendment to a VA interest rate bill. Unfortunately, it was ruled not germane to that measure.

The terms of the bill I am introducing today permit the VA Administrator to use the investment funds to purchase loans from the direct loan revolving fund; to sell participation certificates in mortgages held by the fund; and to utilize available funds in the loan guarantee and direct loan revolving funds to cover deficiencies in the investment fund.

This measure has wide support among veterans organizations, who recognize that higher lending rates are a death knell and not a stimulus to home purchasing by veterans. The Veterans of Foreign Wars adopted a resolution at its annual convention supporting the use of these insurance funds for veterans home mortgages, and I ask unanimous consent to have this resolution printed in the Record following the printing of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. YARBOROUGH. Mr. President, the proposal is also supported by the National Association of Homebuilders.

I wish to acknowledge the leadership on this matter by my colleagues from Texas in the House, and to commend them for it. This measure is in the best interest of the Nation's veterans and will, at the same time, provide a new and useful approach to the financing of homebuilding.

In order to have the text of the bill before the Members of the Senate, I request that it be printed immediately following my remarks.

The PRESIDING OFFICER (Mr. Burdick in the chair). The bill will be received and appropriately referred; and, without objection, the text of the bill will be printed in the Record, as requested.

The bill (S. 3008), to increase the availability of guaranteed home loan financing for veterans and to increase the income of the national service life insurance fund, introduced by Mr. Yarborough (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 3008

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subchapter III of chapter 37 of title 38, United States Code, is amended by adding at the end thereof the following new section:

"§ 1828. Investment of funds of the national service life insurance fund in first mortgage loans guaranteed under section 1810 of this chapter

"(a) When issuing a commitment to guarantee a proposed home mortgage loan under section 1810 of this chapter, the Administrator is authorized and is hereby directed to issue, if such is requested by the lender-mortgagee, a nonassignable commitment to purchase the completed loan from such lender-mortgagee. For each such commitment the lender-mortgagee shall pay a nonrefundable fee of not in excess of one-half percentum of the amount of the commitment. Such commitment shall provide for the purchase of the loan from the lender-mortgagee for the price specified in the commitment (which price shall be specified as a percentage of par) if the lender-mortgagee certifies to the Administrator, not earlier than sixty days subsequent to the disbursement of the loan proceeds but not later than twelve months from the date of the Administrator's issuance of the loan guaranty evidence, that—

"(1) it has not been successful in effecting a sale of the loan to a private investor at a price equal to or in excess of that specified in the Administrator's commitment;

"(2) it has not charged or collected from and will not charge or collect from the seller or builder of the property, or from any third person or entity, directly or indirectly, any discount (points) in excess of the difference between the face amount of the loan and the price specified in the Administrator's purchase commitment plus the origination fee charged by the lender-mortgagee and the commitment fee specified in this subsection (a);

"(3) the loan is not in default.

The purchase price specified in any purchase commitment issued under this subsection shall not be less than the average price for which one hundred and eighty day purchase commitments were auctioned by the Federal National Mortgage Association at the last Association auction preceding the issuance of the Administrator's purchase commitment, but in no instance shall the Administrator agree to pay more than par (unpaid principal balance plus accrued interest) nor less than 96 per centum of par for any loan purchased under this subsection. Insofar as practicable the Administrator shall utilize the purchase authorization in this subsection in those localities where the discount levels are determined by him to be substantially in excess of the discounts entailed in the Federal National Mortgage Association average auction prices for its one hundred and eighty day purchase commitments.

"(b) There is hereby established in the Treasury of the United States a revolving fund to be known as the national service life insurance investment fund (hereinafter called the investment fund). The investment fund shall be available to the Administrator for all operations under this section, including the payment of expenses and losses, except administrative expenses. From time to time, the Administrator shall notify the Secretary of the Treasury as to the amount of funds necessary to purchase loans as the consequence of commitments issued or to be issued, pursuant to subsection (a) of this section, and to purchase direct loans, pursuant to subsection (c) of this section, and the Secretary shall, as authorized by section 720(c) of this title, transfer such funds from the insurance fund to the investment fund, except that the aggregate of transfers pursuant to this subsection shall not, in the period between the enactment of this section and June 30, 1974, exceed $5,000,000,000, nor exceed in any fiscal year $1,000,000,000.

"(c) The Administrator shall utilize the funds transferred to the investment fund as provided in subsection (b) of this section to purchase loans pursuant to commitments issued as provided by subsection (a) of this section. In addition, the Administrator may utilize available funds of such investment fund to purchase (at par plus accrued interest) direct loan assets of the direct loan resolving fund and the entire proceeds of any such sale of direct loan assets shall be deposited in the direct loan revolving fund and be available thereafter for the purposes of that fund. The insurance fund shall be paid interest on all funds transferred to the investment fund at the same rate as the average interest rate on loans purchased by the Administrator less 1 per centum but in no event less than the average return on the other invested portion of the national service life insurance fund. All moneys received by the Administrator in the repayment of such loans shall be deposited in the investment fund and shall also be available, until June 30, 1975, for the purchase of loans pursuant to commitments issued as provided in subsection (a) of this section, and for the purchase of direct loans as provided for in the second sentence of this subsection, except that if the Administrator at any time determines that the balance in the investment fund is in excess of anticipated needs for the purchase of loans, he may so notify the Secretary of the Treasury, who shall then transfer such excess to the insurance fund. All collections of interest on loans purchased and all nonrefundable commitment fees received pursuant to the authority in subsection (a) of this section shall be deposited in the investment fund by the Administrator, who shall, after determining the amount to be retained in the investment fund as a reserve for expenses and losses, periodically notify the Secretary as to the amount of such interest collections available for transfer to the insurance fund and the Secretary thereupon shall effect such transfers. Such transfers shall constitute the payment of interest to the insurance fund. After June 30, 1974, all moneys received in the repayment of loans purchased pursuant to (subsection (a) of) this section and all interest collections on such loans, except for such sums which the Administrator determines to be necessary for retention in the investment fund as a reserve for losses, shall be deposited in the insurance fund. Interest collections so deposited shall constitute the payment of interest to the insurance fund.

"(d) In the event of a deficiency in the investment fund reserves for expenses and losses, the Administrator is hereby authorized and directed to transfer to the investment fund from available funds of the loan guaranty revolving fund or the direct loan revolving fund such sum or sums as may be necessary to defray such deficiency. For the purposes of this subsection the Administrator shall accord priority to the utilization of available funds of the direct loan revolving fund to the elimination of such deficiency notwithstanding the obligations of that fund in respect to advances theretofore made by the Secretary of the Treasury pursuant to section 1823 of this chapter.

"(e) The Administrator may sell, and shall offer for sale, any loan purchased under the authority of this section at a price determined by the Administrator, but not less than the price paid by the Administrator to purchase the loan (i.e., the percentage of the unpaid balance of the loan), plus accrued interest. The Administrator may, in respect to loans (originated under section 1810 and subsequently purchased by him, guarantee any loan) thus sold, guarantee any such loans subject to the same conditions, terms, and limitations as would be applicable were the loans guaranteed under section 1810 of this chapter.

"(f) Notwithstanding any of the foregoing provisions of this section, the Administrator, when authorized by appropriation Acts so to do, may set aside first mortgage loan assets of the investment fund as the basis for the sale of participation certificates pursuant to and in accordance with the provisions of the Participation Sales Act of 1966 (Public Law 89–429), and until June 30, 1974, the proceeds of any sale of such participation certificates shall be deposited in the investment fund and be available for the purposes of that fund. After June 30, 1974, the proceeds of any sales of such participation certificates shall be deposited in the insurance fund.

"(g) In the administration and management of the investment fund the Administrator shall, to the extent feasible, invest the funds thereof in loans which will represent a broad spectrum of the veteran homebuying population in respect to age, income, and location of the properties which will constitute the loan securities. In order to facilitate a more adequate supply of mortgage financing for veterans in the lower and middle income brackets the Administrator shall purchase only loans not in excess of $30,000 which are secured by single family dwellings only. The Administrator is authorized to adopt such standards, policies, and procedures and to promulgate such regulations as he considers necessary or appropriate for carrying out his functions and responsibilities under this section. In carrying out such functions and responsibilities the Administrator may contract with private entities for the servicing of any loans purchased by him for the investment fund provided that the servicing fee payable pursuant to any such contract shall not exceed the Administrator's estimate of the cost of the direct servicing of such loans by agency employees."

(b) The analysis of chapter 37 of title 38, United States Code, is amended by adding at the end thereof the following:

"1828. Investment of funds of the national service life insurance fund in first mortgage loans guaranteed under section 1810 of this chapter."

Sec. 2. Paragraph (1) of section 1811(c) of title 38, United States Code, is amended to read as follows:

"(1) he is unable to obtain from a private lender in such housing credit shortage area, at a discount charge for the purchase of existing housing to the home sellers or builders not in excess of the discount involved in the latest average auction price of the Federal National Mortgage Association's ninety-day purchase commitments, and for the purchase of a newly constructed or to be constructed home, at a discount charge to the home sellers or builders not in excess of the discount involved in the latest average auction price of the Federal National Mortgage Association's purchase commitments for the period of twelve to eighteen months."

Sec. 3. Section 720 of title 38, United States Code, is amended by adding at the end thereof the following new subsection (c):

"(c) The Secretary of the Treasury is authorized and directed to transfer from such fund to the investment fund established under section 1828 of this title such amounts as the Administrator may from time to time request pursuant to such section, and shall transfer from the investment fund to the national service life insurance fund, upon notification by the Administrator, such amounts as the Administrator determines are available for such transfer pursuant to the provisions of such section."

Exhibit 1

Resolution 359—GI Mortgage Interest Rates

Whereas, one of the rights granted to veterans under the GI Bill is guaranteed mortgages for the purchase of new or existing homes; and

Whereas, the Veterans of Foreign Wars has always advocated a statutory ceiling on interest rates on GI loans for veterans since the original 4% was established in the GI Bill for World War II veterans; and

Whereas, because of existing tight money and high interest rates, the GI home loan program, although still a program of considerable magnitude, has greatly dwindled because mortgage money for long term GI loans is not plentiful; and

Whereas, the Veterans of Foreign Wars strongly believes GI home loan assistance should be a meaningful benefit, which assistance is crucial to the Vietnam veteran during this period of a national housing shortage; and

Whereas, the present interest rate on GI home loans is 7½%, subject to a recommendation by the Commission on Mortgage Interest Rates, which has made a recommendation to the President which must be acted upon before October 1, 1969; and

Whereas, this Commission has recommended the present statutory ceiling established by Congress of 6% on the interest rate on VA mortgages should be permanently abolished; and

Whereas, the Commission on Mortgage Interest Rates has recommended that interest rates on GI mortgages should be determined in the market place without regard to any administrative or statutory ceiling or, in the alternative, if ceilings are established by the VA and Secretary of HUD, as at present, then discounts should be permitted between the borrower and the seller; and

Whereas, this recommendation by this Commission must be acted upon by the Congress; and

Whereas, the House Committee on Veterans' Affairs has completed hearings during this 91st Congress to provide for the use of a portion of the NSLI trust fund to be funneled into GI home loan mortgages; now, therefore

Be it resolved, by the 70th National Convention of the Veterans of Foreign Wars of the United States, that we urge Congress to provide for a statutory ceiling on GI loans coupled with authority for the Veterans Administrator to establish the rate within the maximum ceiling; and

Be it further resolved, that we strongly oppose the removal of the statutory ceiling as recommended by the Commission on Mortgage Interest Rates and its alternative recommendation that if there is a ceiling, discounts will be charged to veterans which would be nothing more than a license to pick the pockets of veterans; and

Be it further resolved, that we strongly recommend that a part of the NSLI trust fund be made available for GI home loans; and

Be it further resolved, that we recommend that the direct home loan program be greatly increased to provide more homes for veterans in small town and rural areas where home loan mortgage money is practically nonexistent.

(Adopted at the 70th National Convention of the Veterans of Foreign Wars of the United States held at Philadelphia, Pennsylvania, August 15 through 22, 1969.)

MORE HOUSING FOR VETERANS

Mr. CRANSTON. Mr. President, in passing the Housing Act of 1969, Congress set as its goal the construction of 26,000,000 additional housing units in the next decade. To date, little progress has been made toward this end.

Recent figures show that housing starts are down so far this year by nearly one-third. The President's Housing Secretary, in conceding that the outlook is even gloomier, stated that housing starts will probably be down 50 percent by the end of the year.

Housing is obviously one of the principal victims of the administration's anti-inflationary policies. Tight money policies mean little or no money for housing.

The Federal National Mortgage Association—Fannie Mae—has done an admirable job in making money available for FHA, VA, and other Government-guaranteed housing programs. But for Fannie Mae's activities, money for these loans would have long since evaporated.

Today, I am pleased to cosponsor legislation introduced by Senator YARBOROUGH—S. 3008—which would inject new money into the mortgage market for VA-guaranteed housing loans. I congratulate Senator YARBOROUGH, who has authored so much vital veteran's legislation, on his introduction of this measure. The bill would establish an investment fund which would utilize money transferred from the national service life insurance fund. The investment fund would pay interest on all money so transferred. It is contemplated that as much as $5 billion could be accumulated in the investment funds over a 5-year period. The money in the fund would be used to purchase both VA guaranteed and direct loans.

This bill would be an important step toward providing our returning veterans with some protection against the demoralizing effects of an inflationary economy. Vietnam veterans are encountering increased difficulty in finding reasonably well paying jobs in a depressed employment market. Making housing loans at reasonable interest rates more readily available to these veterans will aid significantly in their readjustment to civilian life.

The new program which S. 3008 would establish fits extremely well with the comprehensive veterans education and training bills which the Labor and Public Welfare Committee today unanimously ordered favorably reported, upon recommendation by the Veterans' Affairs Subcommittee, which I am privileged to serve as chairman.

In addition to making more money available for VA housing, the legislation would have the effect of allowing more of Fannie Mae's funds to be used for FHA and other Government-assisted housing programs. The Nation's housing shortage is approaching crisis proportions. I fervently hope that this legislation will have speedy congressional approval and executive implementation.

S. 3013—INTRODUCTION OF A BILL ESTABLISHING A PROGRAM FOR THE PRESERVATION OF ADDITIONAL HISTORIC PROPERTIES THROUGHOUT THE NATION

Mr. JACKSON. Mr. President, on behalf of the ranking minority member of the Senate Interior Committee (Mr. ALLOTT) and myself, I introduce, for appropriate reference a bill to amend the act of October 15, 1966 (80 Stat. 915), establishing a program for the preservation of additional historic properties throughout the Nation, and for other purposes.

This measure was submitted and recommended by the Advisory Council on Historic Preservation, and I ask unanimous consent that the letter from the Chairman of the Council accompanying the proposed draft of legislation and a statement explaining it be printed in the Record at this point.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the letter and statement will be printed in the Record.

The bill (S. 3013), to amend the act of October 15, 1966 (80 Stat. 915), establishing a program for the preservation of additional historic properties throughout the Nation, and for other purposes, introduced by Mr. Jackson (for himself and Mr. Allott), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The material furnished by Mr. Jackson follows:

Advisory Council
on Historic Preservation,
Washington, D.C., October 6, 1969.
Hon. Spiro T. Agnew,
President of the Senate,
Washington, D.C.

Dear Mr. President: Enclosed is a draft of a proposed bill "To amend the Act of October 15, 1966 (80 Stat. 915), establishing a program for the preservation of additional historic properties throughout the Nation, and for other purposes."

We recommend that the draft bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

The Advisory Council on Historic Preservation was established in accordance with title II of the Act of October 15, 1966. Section 202(b) requires that the Council submit annual reports to the President and the Congress and that it shall from time to time submit such additional and special reports as it deems advisable. Each report shall propose such legislative enactments and other actions as, in the judgment of the Council, are necessary and appropriate to carry out its recommendations.

At its meeting in Washington on July 20–21, 1967, the Advisory Council on Historic Preservation adopted resolutions favoring an expansion of its membership and participation by the United States as a member in the International Centre for the Study of the Preservation and Restoration of Cultural Property (Rome Centre). The Council reaffirmed its recommendation in favor of this proposal at its meeting in Washington on February 5–6, 1969.

EXPANDED MEMBERSHIP OF THE COUNCIL

The Council recommends that the Secretary of Agriculture, the Secretary of Transportation, and the Secretary of the Smithsonian Institution be afforded membership on the Council. It also recommends that the Chairman of the National Trust for Historic Preservation, like other statutorily designated members, be afforded the privilege of designating an alternate. Section 1 of the enclosed draft of bill offers the amendments necessary to accomplish these recommendations.

The Secretary of Agriculture's responsibility in historic preservation stems from his administration of tremendous acreages of Federal land which may contain historic or prehistoric ruins, or objects of antiquity. The Department of Transportation Act of October 15, 1966 (80 Stat. 931), transferred to the Secretary of Transportation duties and responsibilities respecting the highway and road building program of the Federal Government. Subsection 2(b)(2) of the Act declares it to be the national policy, in carrying out the provisions of the Act, to make a special effort to preserve historic sites. Section 15(a) of the Federal-Aid Highway Act of 1966 (80 Stat. 766) declares a similar policy. By virtue of the National Museum Act of 1966, approved October 15, 1966 (80 Stat. 953), the Secretary of the Smithsonian Institution has responsibility for a program of national and international research, training, and publication to assist the museum profession in preserving the cultural heritage of the Nation. In addition, the Smithsonian is the custodian of national collections in historic, art, and science.

Inclusion of the Secretaries of Agriculture, Transportation, and the Smithsonian Institution in the membership of the Advisory Council on Historic Preservation will thus strengthen the Council and facilitate its coordination responsibility by providing membership to a broader spectrum of the Nation's involvement in historic preservation.

PARTICIPATION IN THE ROME CENTRE

The International Centre for the Study of the Preservation and the Restoration of Cultural Property (Rome Centre) was established by UNESCO, in 1958, as an independent intergovernmental organization of professional conservators, to:

"(a) collect, study and circulate documentation concerned with the scientific and technical problems of the preservation and restoration of cultural property;

"(b) coordinate, stimulate or institute research in this domain, by means, in particular, of commissions to bodies of experts, international meetings, publications and exchanges of specialists;

"(c) give advice and recommendations on general or specific points connected with the preservation and restoration of cultural property;

"(d) assist in training research workers and technicians and raising the standard of restoration work." (Article 1, Statutes of the Rome Centre)

Clearly the Rome Centre is engaged in a program which, if the opportunity were available, would enhance the national policy of preserving this country's historical and cultural foundations. Beginning with the Antiquities Act of 1906 (34 Stat. 225), the Congress expressed its concern for the preservation of historic landmarks, historic and prehistoric structures and other objects of historic preservation situated upon lands owned or controlled by the Government of the United States and provided for the protection of these properties.

The Historic Sites Act of August 21, 1935 (49 Stat. 666), declared a national policy to preserve for public use historic sites, buildings, and objects of national significance for the inspiration and benefit of the people of the United States. Moreover, important implementing authority was provided in that Act, including among others, the authority for the Secretary of the Interior to conduct a survey of properties possessing exceptional value as commemorating or illustrating the history of the United States.

In 1966, the Congress took cognizance of the ever-increasing threats to the preservation of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, and culture. The Historic Preservation Act of October 15, 1966 (80 Stat. 915), broadened the national policy to encourage preservation by private individuals. It strengthened and expanded the work then being done under the Historic Sites Act of 1935 by providing a grant program and encouraging the broadest participation at local, regional, state, and national levels, including the participation of the private sector. In establishing the Council, the Act of 1966 charged it with the duty of advising the President and the Congress on matters relating to preservation of such properties, recommending measures to coordinate public and private preservation efforts, and reviewing plans for Federal undertakings and the undertakings of others involving Federal assistance.

In view of the very clear national policy of historic preservation and the advisory and coordinating responsibilities now assigned to it, the Council, at its meeting of July 21, 1967, and on February 5–6, 1969, adopted resolutions recommending legislation which would authorize United States participation in the Rome Centre and which would recognize the advisory and coordinating functions of the Council with respect to such participation.

It is in these circumstances that the Council transmits, as section 2 of the enclosed draft of bill, language amending the Historic Preservation Act of 1966 so as to authorize United States participation in the Rome Centre.

Pursuant to section 2 of the proposed bill, the Council will make recommendations to the Department of State as to the individuals who will be designated as the official delegates and alternates to take part in the activities of the Rome Centre on behalf of the United States. According to the statutes of the Rome Centre, these individuals "should be chosen from amongst the best qualified technical experts of specialized institutions concerned with the preservation and restoration of cultural property."

In order to provide for the participation of the many public and private organizations concerned with the technical problems of preservation, the Smithsonian at the request of the Council will hold periodic meetings of qualified experts from such organizations to consider their professional problems and needs and to submit proposals to the Council and a list of specialists who might appropriately be designated as delegates or alternates to the Centre. The Council, pursuant to its existing authority, will make such recommendations as to delegates, policies, coordination, and other matters pertaining to the Rome Centre, as may be appropriate.

Through enactment of the enclosed draft of bill, the advisory and coordinating responsibilities of the Council will be utilized so as to obtain from United States participation in the Rome Centre the greatest possible benefit to the historic preservation programs of all agencies, public and private.

It is estimated that the United States contribution, for its first year of membership in the Rome Centre, will be approximately $62,000, and might increase during the next several years to approximately $90,000. Other expenses incident to United States participation in the activities and functions of the Centre are estimated at $7,500 in the years in which the Centre holds its biennial General Assembly, and at $3,500 in other years. On the basis of these estimates, enactment of this legislation would result in appropriation increases as follows: First year following enactment, $69,500; second year, $75,000; third year $89,500; fourth year $93,500; and fifth year $97,500.

A statement containing additional details about the Rome Centre, its organization, programs and activities, and the estimated cost of the United States membership is enclosed.

The Bureau of the Budget has advised that there is no objection to the presentation of this draft bill from the standpoint of the Administration's program.

Sincerely yours,
S. K. Stevens, *Chairman.*

The Preservation of Cultural Property—The Rome Centre

(Statement on amendment to the act of October 15, 1966 (80 Stat. 915))

I. THE PRESERVATION OF CULTURAL PROPERTY

The material evidence of our culture and history includes a wealth of historic buildings, monuments, museum objects, books, and archives, in the United States and abroad, which are rapidly deteriorating and which are irreplaceable. For both public and private custodians of cultural property there is an increasing need for new and improved techniques and a critical shortage of trained experts in conservation and restoration. Although the United States has highly qualified experts in the conservation of paintings, our competence in many other fields such as the preservation of metals, wood, or stone, particularly in outdoor environments, is quite limited; and in all areas the number of trained personnel is inadequate to prevent the destruction of a substantial portion of our cultural inventory. Centers for research and training in these specialized fields have been established in other countries, notably in Europe.

II. COOPERATION WITH CONSERVATORS OF OTHER NATIONS

There is widespread agreement that an essential step in the timely solution of this problem is to join with conservators of other nations in cooperative programs of training and research and, by coordination of separate efforts and exchange of information in the numerous areas of conservation, to make the most effective use of the special talents available in each nation. The International Centre for the Study of the Preservation and the Restoration of Cultural Property (Rome Centre) was established to provide for such cooperation on a world-wide inter-governmental basis. In response to communications from a great many public and private organizations concerned with conservation, the Department of State in October 1966 announced its support of United States membership in the Rome Centre.

III. SUPPORT FOR COOPERATION THROUGH THE ROME CENTRE

The proposed United States membership in the Rome Centre has the support of virtually every public and private organization concerned with conservation. Many of these organizations were represented at a meeting, held at the Smithsonian in January 1967, which reaffirmed and approved the proposal for Rome Centre membership.

In June 1967 the United States National Commission for UNESCO passed, unanimously, a resolution giving "its full support to United States membership in the Rome Centre, at the earliest possible date, as being consistent with and in furtherance of the interests of the United States in the preservation of cultural property both in this nation and abroad."

In addition, United States membership in the Rome Centre was a first priority recommendation of the Cultural and Intellectual Exchange Committee of the White House Conference on the International Cooperation Year, as stated in the ICY Report issued by the Subcommittee on International Organizations and Movements of the House Committee on Foreign Affairs, June 13, 1966.

On July 21, 1967, the Advisory Council on Historic Preservation adopted a resolution authorizing the Council's Chairman to sponsor legislation to effect United States membership in the Rome Centre. The proposed legislation was introduced in the Senate, but action on it was deferred during the 90th Congress.

IV. STUDY OF THE ROME CENTRE AND RECENT ACTIVITIES

In view of this widespread interest in action to secure for the United States the benefits of membership in the Rome Centre, the Smithsonian in April 1967 sent the Director of the National Museum and the Smithsonian General Counsel as United States observers to the fourth biennial session of the Centre's General Assembly. This provided additional useful knowledge, at first hand, of the procedures of the Assembly and the Council, the professional concerns of the individual delegates, the organization of the Centre's staff, its achievements, and its programs. In reviewing programs and activities, it was learned that although the United States is not yet a member of the Centre, its Director, Dr. Harold Plenderleith, spent several weeks in May 1967 in Honolulu assisting the Bernice P. Bishop Museum, the Honolulu Academy of Arts, and the East West Center at the University of Hawaii, in establishing a museum training program for museum directors from the Pacific and Southeast Asia.

Following the 1967 meetings of the General Assembly of the Rome Centre, a trip to flood-ravaged Florence, which so many Americans have given their time and money to save, gave evidence of the important role of the Centre during the rescue operations and its activities as the official coordinator of technical assistance, for UNESCO and the Italian government, in the restoration program estimated to take from five to twenty years to complete.

V. THE ORGANIZATION OF THE ROME CENTRE

The Rome Centre was established by UNESCO, in 1958, as an independent intergovernmental organization of professional conservators, to:

"(a) collect, study and circulate documentation concerned with the scientific and technical problems of the preservation and restoration of cultural property;

"(b) co-ordinate, stimulate or institute research in this domain, by means, in particular, of commissions to bodies or experts, international meetings, publications and exchanges of specialists;

"(c) give advice and recommendations on general or specific points connected with the preservation and restoration of cultural property;

"(d) assist in training research workers and technicians and raising the standard of restoration work." (Article 1, Statutes of the Rome Centre)

Membership in the Centre is open to any member state of UNESCO. The annual contribution of each member is an amount equal to one percent of its contribution to UNESCO.

The governing body of the Centre, its General Assembly, in which each member state has one vote, meets in Rome every two years to decide on the policies, activities, and budget of the Centre and to elect the members of the Council. The delegates to General Assembly "should be chosen from amongst the best qualified technical experts of specialized institutions concerned with the preservation and restoration of cultural property." (Article 5, Statutes)

The Council has five statutory members and eight members elected by the General Assembly. The statutory members are:

A representative of the Director-General of UNESCO;

A representative of the Italian Government;

The Director of the Institute Royal do Patrimoine Artistique, Brussels;

The Director of the Istituto Centrale del Restauro, Rome;

A representative of the Conseil International des Musees (ICOM)."

Every two years the General Assembly elects the eight other members of the Council. Although no two elected members may be of the same nationality, they are chosen on the basis of their individual professional qualifications. (Article 7e, Statutes). The United States delegate would be eligible for election to the Council at the first General Assembly after the United States joins the Centre. The Council meets as often as necessary during its two-year term to carry out the decisions and directives of the General Assembly and to review the budget and plan of work for the next period, as submitted by the Director.

The Director and the permanent professional staff are the Secretariat of the Centre. The Director is appointed by the General Assembly on the proposal of the Council, and the professional staff is appointed by the Council on the proposal of the Director. The Director and his assistants must be specialists in different branches of study and may not be of the same nationality.

The headquarters of the Secretariat, its offices, library, lecture room, and laboratory, are located in Rome near the Istituto Centrale del Restauro, with which it collaborates in teaching and research projects. Under a continuing agreement, the Italian government, in addition to contributing as a member of the Centre, provides the Centre's premises equipment, and utilities, the salaries of the Centre's administrative staff, and a number of scholarships for the training programs of the Centre.

VI. PROGRAMS AND ACTIVITIES OF THE ROME CENTRE

Although the Centre's staff and budget are still quite small relative to the demand for research, training, and advise, in all types of conservation, the effectiveness of the Centre as a planning and cordinating organization is evidenced by its continuing growth from an original membership of five to the present fifty member states. As a result of this increasing support during its first ten years, the Centre has made substantial progress in each of its five areas of activity: publication documentation, research, training, and missions.

Of particular interest to the United States were the Council meeting held in New York in September 1965, the consultative missions of the Director to Boston and Williamsburg in September-October 1965, the meetings organized in Rome in November 1965 for the United States Special Committee on Historic Preservation, the conference in Brussels in February 1966 on the Conservation of Stone in which an American expert participated, the rescue work in Florence, the technical meetings organized (with ICOM) in Washington and New York, and the Director's mission to Honolulu. On the other hand, it should be noted that since the United States is not yet a member of the Centre, American applicants for the Centre's courses on the conservation and restoration of historic monuments could not be accepted.

Although all of the Centre's activities are interrelated, the highest priority in the Centre's future growth will be given to expanding its courses for training specialists in conservation. To make the most effective use of available resources, this will be done, not by major additions to the permanent staff in Rome, but by organizing additional courses in collaboration with existing institutions and inviting foreign specialists to participate for limited periods as needed. It is contemplated that the Centre will concentrate on advanced training to produce individuals qualified to teach others their own specialty.

In general, the basic training prerequisite to these advanced courses will have to be provided on a national or regional basis. For this reason, the Director has devoted a number of missions to assisting in the establishment of regional museum training centers. With support from UNESCO, regional centers have been established in India and Nigeria, and are being developed in Mexico and Hawaii, while several others are in the planning stage.

VII. ESTIMATED COSTS OF UNITED STATES MEMBERSHIP IN THE ROME CENTRE

Under the established formula the maximum annual contribution of the United States to the Rome Centre during 1969 and 1970 would be 1 percent of its UNESCO contribution ($10,635,907) or $106,359. In April 1967, the General Assembly of the Rome Centre unanimously adopted a resolution limiting the contribution of any member state to 30 percent of the total. Based on annual contributions of present members in the amount of $144,820, during 1969 and 1970, the annual contribution of the United States would be $62,066 during this period.

In addition to the 50-member States now participating, it is known that a number of countries are actively considering membership in the Rome Centre, and it is believed that several others might join following United States adherence. Additional support for the Centre will gradually bring the United States annual contribution nearer the $106,359 limit under the one percent formula. An informed estimate would place the actual figure between $65,000 and $90,000 during the next several years. Other expenses incident to United States participation in the activities and functions of the Centre are estimated at $7,500 in the years in which the General Assembly meets and at $3,500 in other years.

S. 3014—INTRODUCTION OF A BILL DESIGNATING CERTAIN LANDS AS "WILDERNESS"

Mr. JACKSON. Mr. President, on behalf of myself and five of my colleagues—Mr. ANDERSON, Mr. MONTOYA, Mr. MAGNUSON, Mr. STEVENS, and Mr. GRAVEL—I introduce, for appropriate reference, a bill to designate 14 new areas as part of the National Wilderness Preservation System.

All involve land within Federal wildlife refuges, and all have been studied and recommended for inclusion under provisions of the Wilderness Act. They include lands within:

The Hart Mountain National Antelope Refuge, the Malheur National Wildlife Refuge, the Three Arch Rocks, and Oregon Islands National Wildlife Refuges, all in Oregon; the Bering Sea, Bogoslof, Tuxedni, St. Lazaria, Hazy Islands, and Forrester Island National Wildlife Refuges, all in Alaska; the Copalis, Flattery Rocks, and Quillayute Needles National Wildlife Refuges in the State of Washington, and the Bitter Lake National Wildlife Refuge in New Mexico.

Maps of the proposed wilderness areas are on file and available for public inspection in the offices of the Bureau of Sport Fisheries and Wildlife of the Department of the Interior.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3014), to designate certain lands as wilderness, introduced by Mr. JACKSON (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 3015—INTRODUCTION OF THE DRUG ABUSE EDUCATION ACT OF 1969

Mr. HATFIELD. Mr. President, I am introducing today the Drug Abuse Education Act of 1969, a bill which would provide Federal funds to meet this Nation's critical problem in combating the use and abuse of dangerous drugs.

Writing in a provocative book, "The Drug Scene," Dr. Donald B. Louria said:

> The general public still appears to be appallingly misinformed regarding drugs, their abuse, the nature of their users and the genesis of the problem.

Mr. President, this bill seeks to dispel some of the ignorance surrounding the use of drugs. It would provide $29 million over a 3-year period to support the following kinds of activities:

First. Development of courses on drug abuse for elementary and secondary and adult education programs.

Second. Demonstration projects for testing the effectiveness of these courses.

Third. Dissemination of the results of the demonstration projects.

Fourth. Training in drug abuse education for schoolteachers, law enforcement officers, and community leaders.

Fifth. Development of community education programs on drug abuse, especially for parents.

Sixth. Aid to State education agencies in helping school systems plan drug abuse education programs.

In the House, the Select Subcommittee on Education, chaired by Congressman JOHN BRADEMAS, of Indiana, held hearings on the bill in Washington, New York, Los Angeles, Seattle, and Indiana.

Congressman BRADEMAS, who, along with Congressman LLOYD MEEDS, of Washington, has been one of the forces behind the legislation, said:

> The problem of drug abuse goes beyond law enforcement. It is also a problem with deep social and psychological roots. The first step in getting to these roots should be a comprehensive program of education on the dangerous effects of drugs.

Mr. President, the House Education and Labor Committee has reported this bill unanimously. The measure knows no partisan or philosophical boundaries. I hope that we shall act on this legislation in the Senate so that a concerted effort can be made to confront the alarming drug problem in our Nation.

At this point, I would like to insert a section-by-section analysis and the full text of the Drug Abuse Education Act of 1969.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and the section-by-section analysis will be printed in the RECORD.

The bill (S. 3015), to authorize the Secretary of Health, Education, and Welfare to make grants to conduct special educational programs and activities concerning the use of drugs and for other related educational purposes, introduced by Mr. HATFIELD, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 3015

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Drug Abuse Education Act of 1969".

STATEMENT OF PURPOSE

SEC. 2. (a) The Congress hereby finds and declares that drug abuse diminishes the strength and vitality of the people of our Nation; that such abuse of dangerous drugs is increasing in urban and suburban areas; that there is a lack of authoritative information and creative projects designed to educate students and others about drugs and their abuse; and that prevention and control of such drug abuse require intensive and coordinated efforts on the part of both governmental and private groups.

(b) It is the purpose of this Act to encourage the development of new and improved curricula on the problems of drug abuse; to demonstrate the use of such curricula in model educational programs and to evaluate the effectiveness thereof; to disseminate curricular materials and significant information for use in educational programs throughout the Nation; to provide training programs for teachers, counselors, law enforcement officials, and other public service and community leaders; and to offer community education programs for parents and others, on drug abuse problems.

AUTHORIZATION OF APPROPRIATIONS

SEC. 3. There are hereby authorized to be appropriated $7,000,000 for fiscal year, beginning July 1, 1970, $10,000,000 for the fiscal year beginning July 1, 1971, and $12,000,000 for the fiscal year beginning July 1, 1972 for the purpose of carrying out this Act. Sums appropriated pursuant to this section shall remain available until expended.

SEC. 4. (a) From the sums appropriated pursuant to section 3, the Secretary of Health, Education, and Welfare, hereinafter referred to in this Act as the "Secretary", shall assist in educating the public on the problems of drug abuse by—

(1) making grants to or entering into contracts with institutions of higher education and other public or private agencies, institutions, or organizations, for—

(A) projects for the development of curricula on the use and abuse of drugs, including the preparation of new and improved curricular materials for use in elementary, secondary, and adult education programs;

(B) pilot projects designed to demonstrate, and test the effectiveness of curricula described in clause (A) (whether developed with assistance under this Act or otherwise);

(C) in the case of applicants who have conducted pilot projects under clause (B), projects for the dissemination of curricular materials and other significant information regarding the use and abuse of drugs to public and private elementary, secondary, and adult education programs;

(2) undertaking, directly or through contracts or other arrangements with institutions of higher education or other public or private agencies, institutions, or organizations, evaluations of the effectiveness of curricula tested in use in elementary, secondary, and adult education programs involved in pilot projects described in paragraph (1)(B);

(3) making grants to institutions of higher education and local educational agencies to provide preservice and inservice training programs on drug abuse (including courses of study, institutes, seminars, workshops, and conferences) for teachers, counselors, and other educational personnel, law enforcement officials, and other public service and community leaders;

(4) making grants to local educational agencies and other public and private nonprofit organizations for community education programs on drug abuse (including seminars, workshops, and conferences) especially for parents and others in the community.

(b) In addition to the purposes described in subsection (a), the Secretary may make available not to exceed 5 per centum of the sums appropriated to carry out this Act for each fiscal year for payment of the reasonable and necessary expenses of State educational agencies in assisting local educational agencies in the planning, development, and implementation of drug abuse education programs.

APPROVAL OF APPLICATIONS

SEC. 5. (a) Financial assistance for a project under this Act may be made only upon application at such time or times, in such manner, and containing or accompanied by such information as the Secretary deems necessary, and only if such application—

(1) provides that the activities and services for which assistance under this title is sought will be administered by or under the supervision of the applicant;

(2) provides for carrying out one or more projects or programs eligible for assistance under section 4 and provides for such methods of administration as are necessary for the proper and efficient operation of such projects or programs;

(3) sets forth policies and procedures which assure that Federal funds made available under this Act for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be made available by the applicant for the purposes described in section 4, and in no case supplant such funds;

(4) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this title; and

(5) provides for making an annual report and such other reports, in such form and containing such information, as the Secretary may reasonably require and for keeping such records and for affording such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports.

(b) Applications from local educational agencies for financial assistance under this Act may be approved by the Secretary only if the State educational agency has been notified of the application and been given the opportunity to offer recommendations.

(c) Amendments of applications shall, except as the Secretary may otherwise provide by or pursuant to regulation, be subject to approval in the same manner as original applications.

INTERAGENCY COORDINATING COUNCIL ON DRUG ABUSE EDUCATION

Sec. 6. (a) The Secretary shall establish an Interagency Coordinating Council on Drug Abuse Education which shall consist of the Secretary (or his designee) as Chairman, the Attorney General (or his designee), the Commissioner of Education, the Director of the National Institute of Mental Health, and with the consent of such other Departments or agencies as the Secretary may from time to time designate as having a substantial interest in the field of drug abuse education, representatives of such Departments and agencies.

(b) The Council shall advise in the coordination of the respective activities of the Federal Departments and agencies concerned in drug abuse education.

(c) The Secretary of Health, Education, and Welfare shall promulgate regulations establishing the procedures for consultation with other agencies and with other appropriate public and private agencies.

(d) The Secretary of Health, Education, and Welfare may not approve an application for assistance under this Act unless he has given the Interagency Coordinating Council an opportunity to review the application and make recommendations thereon within a period not to exceed sixty days.

ADVISORY COMMITTEE ON DRUG ABUSE EDUCATION

Sec. 7. (a) The Secretary of Health, Education, and Welfare shall appoint an Advisory Committee on Drug Abuse Education, which shall—

(1) advise the Secretary concerning the administration of, preparation of general regulations for, and operation of, programs supported with assistance under this Act;

(2) make recommendations regarding the allocation of the funds under this Act among the various purposes set forth in section 4 and the criteria for establishing priorities in deciding which applications to approve, including criteria designed to achieve an appropriate geographical distribution of approved projects throughout all regions of the Nation;

(3) review applications and make recommendations thereon;

(4) review the administration and operation of projects and programs under this Act, including the effectiveness of such projects and programs in meeting the purposes for which they are established and operated, make recommendations with respect thereto, and make annual reports of its findings and recommendations (including recommendations for improvements in this (act) to the Secretary for transmittal to the Congress; and

(5) evaluate programs and projects carried out under this Act and disseminate the results of such evaluations.

(b) The Advisory Committee on Drug Abuse Education shall be appointed by the Secretary without regard to the civil service laws and shall consist of twenty-one members. The Secretary shall appoint one member as Chairman. The Committee shall consist of persons familiar with education, mental health, and legal problems associated with drug abuse, young persons, ex-users, parents and others familiar with drug use and abuse. The Committee shall meet at the call of the Chairman or of the Secretary.

(c) Members of the Advisory Committee shall, while serving on the business of the Advisory Committee, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, including traveltime; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently.

TECHNICAL ASSISTANCE

Sec. 8. The Secretary of Health, Education, and Welfare and the Attorney General shall, when requested, render technical assistance to local educational agencies, public and private nonprofit organizations and institutions of higher education in the development and implementation of programs of drug abuse education. Such technical assistance may, among other activities, include making available to such agencies or institutions information regarding effective methods of coping with problems of drug abuse, and making available to such agencies or institutions personnel of the Department of Health, Education, and Welfare and the Department of Justice, or other persons qualified to advise and assist in coping with such problems or carrying out a drug abuse education program.

PAYMENTS

Sec. 9. Payments under this Act may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

ADMINISTRATION

Sec. 10. In administering the provisions of this Act, the Secretary is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or private agency or institution in accordance with appropriate agreements, and to pay for such services either in advance or by way of reimbursement, as may be agreed upon.

DEFINITIONS

Sec. 11. As used in this Act—

(a) The term "Secretary" means the Secretary of Health, Education, and Welfare.

(b) The term "State" includes, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

The section-by-section analysis furnished by Mr. Hatfield follows:

DRUG ABUSE EDUCATION ACT OF 1969

SECTION-BY-SECTION ANALYSIS

Section 1. Short Title. The short title of the bill is the "Drug Abuse Education Act of 1969."

Sec. 2. Findings and Purpose. (a) The bill states a congressional finding that drug abuse "diminishes the strength and vitality of the people of our nation," that such abuse is increasing, that there is "a lack of authoritative information and creative projects designed to educate students and others" in this area, and that government and private efforts are required to remedy the situation. (b) The purpose of the bill: to encourage the development of new and improved curricula, to demonstrate their use and evaluate their effectiveness in model programs, to disseminate educational materials, to provide training programs for teachers, counselors, law enforcement officials and other public service and community leaders, and to offer community education programs for parents and others.

Sec. 3. Funding Authorization. The bill authorizes appropriations for a 3-year period. The fiscal year 1971 authorization is $7 million; fiscal year 1972 is $10 million; and for fiscal year 1973, $10 million.

Sec. 4(a). Programs. The funds appropriated for this act may be utilized by the Secretary of Health, Education, and Welfare for the following:

1. *Research*. He may make grants or let contracts with institutions of higher education, other public or private agencies, institutions and organizations for:

(A) curriculum development and preparation on the use and abuse of drugs;

(B) pilot projects to test the effectiveness of such curricula;

(C) dissemination of curricular materials and other information to public and private elementary, secondary and adult education programs for applicants who have conducted pilot projects under (B).

2. *Evaluation*. He may make grants or contracts or other arrangements with institutions of higher education or other public or private institutions, agencies, etc. for evaluating the effectiveness of curricula developed in pilot projects described in 1(B), or conduct such evaluations directly.

3. *Training*. He may make grants to institutions of higher education and to local educational agencies for preservice and inservice training programs on drug abuse for teachers, counselors, law enforcement officials and other public service and community leaders.

4. *Community Programs*. He may make grants to local educational agencies and other public and private nonprofit organizations for community education programs on drug abuse (including seminars, workshops and conferences) especially for parents and others in the community.

(b) Grants to States. The Secretary may utilize up to 5 percent of the funds appropriated to pay reasonable and necessary expenses of State educational agencies for planning, development and implementation of drug abuse education programs.

Sec. 5. Applications.

(a) Applications for assistance under this act must—

(1) provide that the activities or services being assisted will be administered by or under the supervision of the applicant;

(2) provide for carrying out one or more projects or programs eligible for assistance under section 4, and provide for proper and efficient project management;

(3) assure that Federal funds under this act will be used to supplement, and to the extent practical, increase the level of funds

made available at the local level for this purpose, and not to supplant local funding;

(4) provide for necessary fiscal control and fund accounting procedures;

(5) provide for annual reports to the Secretary and such other reports as he may reasonably require.

(b) Applications from local educational agencies may only be approved by the Secretary if the State agency has been advised and afforded an opportunity to comment.

(c) Applications may be amended, subject to appropriate regulations.

Sec. 6. Interagency Coordinating Council. No application for assistance may be approved unless the Secretary has afforded the Commissioner of Education, the Attorney General, the Director of the National Institute of Mental Health, and the head of such other Departments and agencies as the Secretary shall designate, 60 days to comment thereon. The Secretary of Health, Education, and Welfare may establish procedures for consultation with these and other Federal agencies.

Sec. 7. Advisory Committee. The Secretary of Health, Education, and Welfare shall appoint a 21-member Advisory Committee on Drug Abuse Education, consisting of persons familiar with education, mental health, and legal problems associated with drug control, ex-users, parents and others familiar with drug use and abuse. Committee members may be paid the standard WAE compensation.

The Commission shall—

(1) advise the Secretary on administration and operation of, and regulations for, programs assisted under the act;

(2) make recommendations regarding the allocation of funds under the act among the various purposes set forth in section 4, and criteria for establishing priorities, including those designed to achieve appropriate geographical distribution of approved projects;

(3) review applications and make recommendations on project applications;

(4) review the administration of programs under the act, and make recommendations to the Secretary (including recommendations for amendments to the act); and

(5) evaluate programs and projects under the act and disseminate the results of such evaluations.

Sec. 8. Technical Assistance. The Secretary of Health, Education, and Welfare and the Attorney General may make technical assistance available to local educational agencies, public and private nonprofit organizations and institutions of higher education in the development and implementation of drug abuse education programs. This assistance may include making available information or personnel.

Sec. 9. Payments. Payments under the act may be made in installments and in advance, or by way of reimbursement.

Sec. 10. Administration. The Secretary may utilize the services of other Federal or other public or private agencies, to be paid for or reimbursed by agreement.

Sec. 11. Definitions. This section defines terms used in the bill, in general conformity with other education legislation.

SENATE CONCURRENT RESOLUTION 39—SUBMISSION OF A CONCURRENT RESOLUTION RELATING TO WITHDRAWAL OF U.S. FORCES FROM VIETNAM

Mr. McGOVERN. Mr. President, I submit for myself and Senators Cranston, Ribicoff, Young of Ohio, Church, Hughes, and McCarthy a concurrent resolution directing that all U.S. forces now be withdrawn from Vietnam, the pace to be limited only by steps to insure: first, the safety of our troops; second, the mutual release of prisoners of war; and third, the assurance of safety through arrangements for amnesty or asylum in friendly countries for those Vietnamese who might be endangered by our disengagement.

Such a complete disengagement is, I think, the last, best response to a war we cannot win and which our allies do not want to end. And it is the way to end the loss of American lives and resources assisting a political regime abroad which lacks the confidence of its own citizens.

Today, after more than 250,000 American casualties, 40,000 American lives lost, and an inestimable devastation of Vietnamese lives and property, we still preside over the most costly misadventure in our national experience. It is a tragic folly which now tests our capacity to admit error and to build from disaster the foundations for more enlightened judgments in the future.

Paradoxically, we continue to squander our Nation's financial and human resources in Vietnam, after wide acknowledgment that there is no way now to win the war for Saigon, that there is no way to gain on the battlefield or in Paris what that Government long ago forfeited—the allegiance of its own people and the control of its own land.

The Saigon regime today has no actual and little potential political base—its essential constituency is the American military presence on its soil. It is the military regime of Generals Thieu and Ky—not the interest of the peoples of the United States and Vietnam—which is served by continuing our military operations in Vietnam.

In the name of self-determination we entered this civil conflict which has now endured longer than the Revolutionary War, claimed more American lives than the Korean war, produced more American casualties than World War I, and unleashed more American firepower than in all the theaters and all the years of World War II.

It is time to say "Enough." It is time to acknowledge that nothing vital to American security can be salvaged by further military operations in Vietnam.

Our continued presence on the battlefield is today the greatest obstacle to the realization of our best national interests. This is the lesson of these recent years—that a military stalemate is more costly to our vital concerns than it is to those of the NLF or the North Vietnamese. It assures that the leaders of South Vietnam will take no action to build a truly representative constituency which can compete against the NLF for the political allegiance of the Vietnamese people. It deadlocks the Paris negotiations and prevents the scheduling of serious discussions on the release and exchange of prisoners of war. It diverts our energies and resources from critical domestic needs while it threatens a renewal of the divisions and disorders which went so far toward tearing our country apart over these last recent years. What is surely most unacceptable, it asks young Americans to be crippled, maimed, and killed—tomorrow and the next day and the next, with no foreseeable end—in the name of bargaining gains which will never be achieved.

Still, after years of tragedy and frustration, against all the dictates of commonsense and respect for human life, we pursue today a policy of wishful thinking and tired rhetoric.

We have in too great a measure surrendered control of American conduct to foreign capitals which are beyond our control and often unsympathetic to our own best interests. Reductions in the level of violence have been made contingent upon three remote developments—progress at the Paris negotiations, a lessening of the combat operations of the North Vietnamese, and the capacity of Saigon to assume the military burden now carried by American forces.

In the first two instances, we make American policy a prisoner of North Vietnam; and in the last instance, of Saigon. I reject the notion that either Hanoi or Saigon should hold a veto over American foreign policy.

The responsibility of the Congress is not to Saigon but to our own citizens and especially to the young. We can best meet that responsibility by placing the saving of lives above the saving of face. For many months I have believed that there is no other practical course except to begin the systematic removal of all our forces. That process should be completed within a year's time or less. The key question is this: Is the Thieu-Ky regime with all its corruption and repression worth the sacrifice of more thousands of young American lives? This resolution which I now introduce offers a clear no to that question. It is, I believe, a resolution born of patriotic concern for the national interest and a commonsense view of the alternatives that lie ahead.

This resolution calls for the disengagement and withdrawal of our forces in a schedule which is limited only by measures to insure, first, the safety of our men; second, the return of American prisoners of war; and third, the establishment of amnesty or asylum arrangements for those Vietnamese endangered by our disengagement.

It is time to end the slaughter and waste and to fashion a policy of commonsense. It is time for America to redeem both her youth and her ideals.

I ask unanimous consent that the text of the resolution be printed at this point in the Record.

The ACTING PRESIDENT pro tempore. The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution will be printed in the Record.

The concurrent resolution (S. Con. Res. 39) submitted by Mr. McGovern, for himself and other Senators, relating to withdrawal of U.S. forces from Vietnam, was received, referred to the Committee on Foreign Relations, and ordered to be printed in the Record, as follows:

S. Con. Res. 39

Whereas the war in Vietnam has resulted in the loss of more than 40,000 American lives, in some 250,000 American casualties, in the depletion of American resources to the extent of over $100 billion, and in inestimable destruction of Vietnamese life and property, and

Whereas the war stands today as the

greatest single obstacle to efforts to focus the country's financial, human and spiritual resources upon urgent domestic needs, and

Whereas spokesmen for the present Administration have recognized that military victory cannot be achieved in Vietnam and have specifically defined United States policy to exclude that unattainable goal, and

Whereas the painful history of United States involvement in Vietnam exposes the futility of external attempts to create and sustain a viable, indigenous government, particularly when its leaders resist political and social reforms aimed at inspiring popular confidence and support, and

Whereas the leaders of South Vietnam have indicated, by action and deed, that their ambitions conflict with the interests of the United States in a prompt settlement of the conflict, and that they are unlikely to adopt a negotiating posture which might end the war so long as they are assured of all the United States support they need to prosecute it, and

Whereas the dominant result of policies relating the level of American presence to the capability or willingness of the South Vietnamese to fight the war themselves can only be the continued daily loss of life and limb by American servicemen, with no foreseeable conclusion: Now, therefore, be it

Resolved by the Senate, and House of Representatives concurring, that it is the sense of the Congress of the United States, That all United States forces should now be withdrawn from Vietnam, the pace of the withdrawal to be limited only by steps to insure the safety of our forces, the mutual release of prisoners of war, and the provision of safety, through arrangements for amnesty or asylum in friendly countries, for those Vietnamese who might be endangered by our disengagement.

AGREEMENT WITH RESPECT TO CERTAIN LANDS IN LEE COUNTY, SOUTH CAROLINA—AMENDMENT

AMENDMENT NO. 229

Mr. PROXMIRE submitted an amendment, intended to be proposed by him, to the bill (H.R. 9946) to authorize and direct the Secretary of Agriculture to quitclaim retained rights in certain tracts of land to the board of education of Lee County, S.C.

(The remarks of Mr. PROXMIRE when he submitted the amendment appear later in the RECORD under the appropriate heading.)

POTATO RESEARCH AND PROMOTION ACT—AMENDMENT

AMENDMENT NO. 230

Mr. STEVENS. Mr. President, I would like to submit an amendment to S. 1181, so that the benefits of this bill may be spread more evenly among all the States in the Nation.

Mr. President, the proposed change in the wording of S. 1181 would simply extend the provisions of the act to Alaska and Hawaii. Alaska's potato industry is still in its infancy, but it is growing rapidly. Last year, potatoes moved from third to second place in value of agricultural products produced in my State.

Further, much research is taking place on new strains of potatoes for northern climates which may result in further production increases. Currently, research is underway on virus-free seed potatoes grown in Alaska which have been exported to Oregon and Washington. To date, the results have been very good, and are highly encouraging for the future of Alaska's potato industry.

The PRESIDING OFFICER. The amendment will be received, printed, and will lie on the table.

ADDITIONAL COSPONSOR OF AN AMENDMENT

AMENDMENT NO. 161

Mr. BYRD of West Virginia. Mr. President, at the request of the Senator from South Dakota (Mr. McGOVERN), I ask unanimous consent that, at the next printing, the name of the Senator from Wisconsin (Mr. NELSON) be added as a cosponsor of amendment No. 161 to H.R. 13270, to reform the income tax laws.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ENROLLED BILL AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, October 9, 1969, he presented to the President of the United States the following enrolled bill and joint resolution:

S. 2564. An act to amend the act fixing the boundary of Everglades National Park, Fla. and authorizing the acquisition of land therein, in order to authorize an additional amount for the acquisition of certain lands for such park; and

S.J. Res. 112. Joint resolution to amend section 19(e) of the Securities Exchange Act of 1934.

NOTICE OF HEARINGS ON S. 2108

Mr. EAGLETON. Mr. President the distinguished Senator from Texas (Mr. YARBOROUGH), chairman of the Committee on Labor and Public Welfare, and of the Health Subcommittee thereof, has asked me to announce that the Health Subcommittee will hold hearings on November 12 and 13 on S. 2108, a bill sponsored by the Senator from Maryland (Mr. TYDINGS) and other Senators to expand, improve, and better coordinate the family planning services and population research activities of the Federal Government. I will have the privilege of conducting these hearings and all persons interested in testifying or submitting statements should contact Mr. James Murphy of the committee staff, room 4230, New Senate Office Building, telephone extension 7653.

NOTICE OF HEARINGS ON THE "USEFULNESS OF THE MODEL CITIES PROGRAM TO THE ELDERLY"

Mr. WILLIAMS of New Jersey. Mr. President, the U.S. Senate Special Committee on Aging will conclude its study of the "Usefulness of the Model Cities Program to the Elderly" with hearings to be conducted at 10 a.m., October 14 and 15, in room 4200, New Senate Office Building.

Representatives of the Model Cities Administration and the Administration on Aging will be among the witnesses. The study of model cities—which is being conducted by Senator FRANK MOSS for the full Committee on Aging—has involved field hearings in five cities and an earlier hearing in Washington, D.C.

NOTICE OF HEARINGS ON LAOS

Mr. SYMINGTON. Mr. President, the Subcommittee of the Foreign Relations Committee on U.S. Security Agreements and Commitments Abroad was scheduled to hold hearings on our relations with Laos during the week of October 13. Many members of the subcommittee plan to be out of town next week on official business however, and we are continuing work on the Philippine transcript. Therefore, the Laos hearings will be postponed 1 week, and will start October 20 instead of October 13.

NOTICE OF POSTPONEMENT OF HEARINGS ON BILL TO ESTABLISH A UNIFORM CODE OF ETHICS FOR ALL BRANCHES OF THE GOVERNMENT

Mr. CANNON. Mr. President, I announce, with regret, that the hearings which were scheduled to begin before the Subcommittee on Privileges and Elections on Tuesday, October 14, 1969, must be postponed to a more propitious time.

The bill which was to have been a prime cause for holding public hearings is S. 1993—to establish a uniform code of ethics for all branches, departments, and agencies of the Federal Government.

Letters to a variety of prospective witnesses whose testimony would have been of value to the subcommittee were mailed on September 18, 1969. To date, only one invitee has accepted the invitation to appear in person. Two others have agreed to furnish written statements. The remainder have not acknowledged the receipt of our letters.

Mr. President, in recent years there have been investigations in both Houses of the Congress pertaining to business and financial affairs and ethical conduct of officers and employees and, indeed, of Members. There has been nationwide interest in proceedings to determine qualifications and ethical sensitivities of nominees to the Supreme Court.

In 1964 I recommended that a code of ethics should have the force of law and should be enacted to require broad public disclosure of income, assets, liabilities, and judicial branches of our Government.

During the 1968 debate on S. 266 which was adopted as a code of ethics for the Senate, I offered an amendment which was agreed to by voice vote, expressing the sense of the Senate that there should be a Federal law on ethics—not a resolution or Executive order—and that the law should apply equally to all three branches.

The Department of Justice is unwilling to furnish a witness to appear personally. Neither the chairman of the Democratic nor the Republican National Committees acknowledged my invitation to testify. The American Bar Association has recently created a committee to study canons of legal ethics and that study will not be completed for several months. In short, only one witness is ready to testify before the subcommittee to submit his views.

Mr. President, I sincerely hope that the absence of witnesses does not reflect merely a lack of interest. We are all busy and it may be that more time is required for thoughts on ethics to become crystallized.

Regretfully, therefore, I am compelled for the time being to postpone the hearings until a later date when, I hope, there will be a greater, more productive response to our call.

NOTICE OF HEARING: TRANS-ALASKA OIL PIPELINE

Mr. JACKSON. Mr. President, the Committee on Interior and Insular Affairs has scheduled a public hearing for October 16 on the Trans-Alaska Pipeline System's application to the Department of the Interior for an 800-mile right-of-way for a 48-inch oil pipeline from Prudhoe Bay to Valdez, Alaska. The hearing will begin at 10 a.m. in room 3110 of the New Senate Office Building.

Secretary Walter J. Hickel of the Department of the Interior in a September 30 letter to the committee stated that if the Interior Committees do not disapprove, the Department will modify Public Land Order No. 4582 withdrawing all of the public lands in the State of Alaska and grant Trans-Alaska Pipeline System the right-of-way permit and other necessary permits for construction of the pipeline. Mr. President, I ask unanimous consent that Secretary Hickel's letter of September 30, the proposed modification of Public Order No. 4582 to permit the granting of a right-of-way, and the proposed stipulations which would govern the construction of the pipeline be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. JACKSON. Mr. President, the purpose of the October 16 hearing will be to take testimony from representatives of the Department of the Interior as well as from scientists, conservationists, and other concerned parties on the impact of the proposed pipeline on the ecology and environment of the public lands which this pipeline will cross. Testimony will also be taken on the adequacy of the proposed stipulations to insure proper development and proper protection of the public's interest in this matter.

Mr. President, the interplay and the relationship between "development" and "conservation" is an old problem that has acquired new significance in recent years. The answers of the past tended to stack the deck in favor of unimpeded and, often, unthinking resource development and exploitation. Historically, the competing and contending forces of the marketplace did not pay much, if indeed any, attention to conservation to the maintenance of environmental values, and to the needs of future generations.

Past practices and the old philosophy are not satisfactory any more. If resource development is to proceed, it must proceed in harmony with environmental values and sound conservation philosophy. Some of the problems of current concern which will be discussed at the hearing relate to the routing, the design, and the safety features of the proposed pipeline. Others are whether the production of oil on the fragile Arctic environment can proceed without pollution and without causing irreparable damage to other environmental resources.

During the course of Secretary Hickel's confirmation hearing in January of this year, the Secretary reached an agreement with the Senate Interior Committee that he would not modify Public Land Order No. 4582, the so-called land freeze order, without first consulting with the committee. As a result of this agreement, the committee has now been called upon to express its views on Trans-Alaska Pipeline System's application for the 800 mile pipeline right-of-way. The committee's primary interest in this matter, of course, relates to the protection of the rights of the Alaska native people pending a legislative settlement of the Alaska native land claim issue.

The committee, however, also exercises important legislative oversight responsibilities concerning the impact of technology and large-scale resource development on the quality of the environment and the management of the resources on the public lands located in Alaska.

Earlier in the year, at my request, officials and representatives of the major oil companies which are active in Alaska, met with members of the Senate Interior Committee, representatives of the Department of the Interior, and major conservation organizations to discuss ways to minimize the impact of oil development and technology on Alaska's unique scenic, wilderness, and fish and wildlife resources.

As a result of that meeting, the oil industry and representatives of major conservation organizations have formed ad hoc working committees which meet on a regular basis to discuss ways to minimize conservation and environmental problems associated with the proposed pipeline.

In my view these meetings mark an historic and unprecedented effort. Finding ways in which new technology and new development may proceed with a minimum amount of damage to the environment is one of the greatest challenges our Nation and the world faces.

As a result of these meetings and other activities, industry, Government, and private groups are now working together with the objective of planning a major resource development in a manner which will preserve and protect environmental and natural values for the enjoyment of future generations.

It is my view that the Interior Committees of both Houses and the Department of the Interior have an opportunity to establish a standard of excellence and a precedent which should guide all future resource development projects on the public lands.

In view of the uniqueness of Alaska's environment, in view of the dangers involved, and in view of the opportunity to insure orderly and proper development of Alaska's resources, it is my judgment that if the pipeline right-of-way is approved, the Federal Government should be prepared to commit the needed personnel and funds to provide proper oversight and control of the construction and maintenance of the proposed pipeline as well as any oil development activities taking place on the public lands in Alaska. The Senate Interior Committee held hearings on the Department of the Interior's manpower and funding requirements and capability to oversee oil resource development activities on public lands in Alaska on August 12, 1969. During the hearings, the Bureau of the Budget agreed to give serious consideration to the Department's request for additional funds and manpower to oversee pipeline construction and oil development activities. I have been informed that the President subsequently approved a supplemental request for additional funds for this purpose.

While the cost of proper control is relatively small, the stakes are very high. We have seen the impact of major resource development activities in the past. Too often they result in pollution, erosion, needless deforestation, poor land-use planning and management, and destruction of wildlife values. But there are other dangers also. The safety questions involved in a pipeline which holds over one-half million gallons in every mile of pipe are tremendous. This is especially true in Alaska's Arctic environment where earthquake conditions, extreme temperatures, permafrost, and new technology pose new and difficult engineering questions.

The parallel to the recent Santa Barbara oil spill is obvious. There, however, the Federal Government did not clearly anticipate the dangers involved. Here, the problems and the dangers are anticipated. In my judgment, it would be a violation of the public trust if the administration failed to provide all necessary funds, personnel, and conditions to insure proper development and to guard against a disastrous oil spill in one of the great river basins of Alaska.

Speaking for myself alone, I must confess that I would have very grave reservations about granting approval to the pipeline unless there are very clear assurances that all necessary precautions have been taken by the Federal Government to insure that proper Federal guidelines and controls are designed and implemented.

It is my understanding that the Department of the Interior has done a good job over the past few months in monitoring route selection activities and in preparing specifications for road and pipeline rights-of-way. The President's interagency task force has been active and we all look forward to receiving a report from the task force on its activities and recommendations. The pipeline applicant, Trans-Alaska Pipeline System, has hired and funded the work of ecologists, biologists, and geologists and has conducted extensive testing to insure that environmental and wildlife problems are eliminated or minimized. Copies of their studies and reports have been

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made available to the committee and will be included in the October 16 hearing record.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

THE SECRETARY OF THE INTERIOR,
Washington, D.C., September 30, 1969.
Hon. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: On June 9, 1969, the Bureau of Land Management received an application from the Trans Alaska Pipeline System for an 800-mile right-of-way from Prudhoe Bay to Valdez, Alaska.

As a matter of course, your Committee has been kept informed of major steps taken by the Department in processing this application. These steps include: (1) the set of 79 questions addressed to the Trans Alaska Pipeline System and their answers; (2) the August edition of proposed stipulations for the right-of-way which were distributed for outside review; and (3) the public hearings on the pipeline application held in Fairbanks on August 29–30.

The Department of the Interior has given careful attention to the interrelated problems—environmental, technological, social, and legal—involved with this project. The culmination of this effort is reflected in the enclosed set of stipulations designed to accompany and condition the right-of-way permit. The Federal Task Force on Alaskan Oil Development, which I established at the request of the President, has provided interagency coordination during this effort.

Enclosed also is a draft of a public land order which would modify PLO 4582 (the land freeze order) to allow for the lifting of the blanket freeze for the 800-mile right-of-way from Prudhoe Bay to Valdez.

During my confirmation hearings I agreed to refer to appropriate congressional committees matters affecting the Alaska land freeze. Upon receiving a reply indicating that you do not disapprove of this action, we will proceed to implement the attached land order.

Sincerely yours,

WALTER J. HICKEL.

MODIFICATION OF PUBLIC LAND ORDER NO. 4582

By virtue of the authority vested in the President by section 1 of the Act of June 25, 1910 (36 Stat. 847; as amended; 43 U.S.C. Sec. 141), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

Public Land Order No. 4582 of January 17, 1969, withdrawing all unreserved public lands in Alaska for the determination and protection of the rights of the native Aleuts, Eskimos and Indians of Alaska, is hereby modified to permit:

1. The granting of rights-of-way under the Mineral Leasing Act of February 25, 1920 (41 Stat. 449, as amended, 30 U.S.C. Secs. 181 et seq.), for an oil pipeline system, including, but not limited to, pumping plant sites, access facilities, terminal facilities, catch basins, and any other structures reasonably necessary or convenient for transportation of oil by pipeline from fields in Northern Alaska to a deep water port in the Gulf of Alaska.

2. The issuance of any other permit or right-of-way as may be reasonably necessary or convenient for the construction, maintenance, or operation of the oil pipeline system described in paragraph above.

3. The sale of forest products and mineral materials as may be reasonably necessary or convenient for the construction, operation or maintenance of the oil pipeline system described in paragraph 1 above.

STIPULATIONS FOR THE TRANS-ALASKA PIPELINE SYSTEM

(Environmental Stipulations to be used in conjunction with existing laws and regulations for construction of the 48" oil Pipeline and related facilities from Prudhoe Bay to Valdez, Alaska)

(Prepared by: Department of the Interior and the Federal Task Force on Alaskan Oil Development

LETTER OF ACKNOWLEDGMENT

This volume of stipulations represents the concerted efforts of the Department of the Interior and the Federal Task Force on Alaskan Oil Development, with the participation of State of Alaska agencies, to draw up guidelines that will provide exacting environmental protection during the construction and operation of the Trans-Alaska Pipeline.

In this endeavor, we have asked our bureaus and representatives to judge both the conceptual framework and individual stipulations by a yardstick that was both fair and firm, one that stressed equally the importance of environmental protection and resource development.

The participation in this project has been notably broader than the co-operative effort of the Government agencies formally involved. We have received substantial counsel for conservation and industry representatives, as well as from the interested public.

This wide participation and interest, as well as the depth of many contributions, underscore what is becoming a national commitment toward the proper use and protection of our natural resources.

It is a pleasure to acknowledge and thank those who have participated directly in this project, and particularly those not professionally involved who have contributed their sincerity and advice toward the responsible development of arctic Alaska.

WALTER J. HICKEL,
Secretary of the Interior.

A. Definitions

As used herein, the following terms have the following meanings:

"Authorized Officer" means the Alaska State Director, Bureau of Land Management, or the person designated or delegated to act in his stead with respect to the subject matter of this permit. As used herein, it is synonymous with "Superintendent in Charge," as that term is used in 43 CFR, Subpart 2234.

"Pipeline" means the Pipeline right-of-way; all or any part of the Pipeline system constructed thereon; and all structures, facilities, and appurtenances related thereto or used in connection therewith, whether located on or off the Pipeline right-of-way.

"Permittee" means each and every individual, person or company, including partnerships, corporations, joint ventures, associations, or any other business firms engaged in, or which shall become engaged in, the construction, operation or maintenance of the Pipeline, together with their employees, agents, contractors and subcontractors and the employees of each of them.

B. General

1. Acknowledgments of Permittee

Permittee, by accepting this permit and commencing activities pursuant thereto, acknowledges each of the following:

a. That, except where the approval of the Authorized Officer is required before Permittee may commence a particular operation, neither the United States nor any of its agents or employees agrees to or is in any way obligated to examine or review any plan, design, specification, or other document which may be filed by Permittee with the Authorized Officer pursuant hereto;

b. That the absence of any comment by the Authorized Officer or any other employee of the United States with respect to any plan, design, specification, or other document which may be filed by Permittee with the Authorized Officer does not represent in any way whatever any assent to, approval of, or concurrence in such plan, design, specification, or other document or of any action porposed therein;

c. That this permit, and the rights and privileges granted thereby, is subject to all valid existing rights in and to the land which is the subject of this permit, and that the United States makes no representations or warranties whatever, either express or implied, as to the existence, number, or nature of such valid existing rights.

2. Authorized Officer

The Authorized Officer, and such representatives of interested Federal agencies as he may designate, may inspect the exploration, construction, operation, or any other activities of Permittee at any time.

For purposes of information and review, the Authorized Officer at any time may call upon Permittee to furnish any or all data related to pre-construction, construction, or operation activities undertaken in connection with the Pipeline and its related facilities, including roads. Permittee shall furnish the requested data as promptly as possible, or as otherwise required under the terms of this permit or other applicable permits. Such data specifically include, but are not limited to, records of all geological data, soil core drillings and terrain temperature measurements made during pre-construction investigations; and engineering standards, basic data and technical criteria relating to the design, construction and operation of the Pipeline, pumping stations, safety devices and monitoring programs.

The Authorized Officer may require Permittee to make such modification of the alignment and installation of the Pipeline as he may deem necessary to protect stability of geologic materials, integrity of the Pipeline, fish and wildlife habitats, and the environment. He may also require Permittee to make adjustments of the above-ground heights and/or methods of installation of the Pipeline to prevent obstruction of access.

The Authorized Officer shall be afforded reasonable use of Permittee's communications systems.

In the event the Authorized Officer determines in his absolute discretion that Permittee has failed or refused to comply with the provisions of this permit, or any other permit issued in connection with the Pipeline, the Authorized Officer, by written order, may suspend or terminate any or all of Permittee's activities. Permittee shall not resume such suspended or terminated activities until given written authorization to do so by the Authorized Officer.

All decisions, orders and determinations of the Authorized Officer, unless otherwise indicated by him in writing, shall be appealable only to the Secretary of the Interior. During the pendency of any such appeal, the Authorized Officer's decision, order, or determination shall not be suspended, but shall remain in full force and effect until the Secretary of the Interior finally disposes of the appeal.

3. Changes in Conditions

Unforeseen conditions arising during construction and operation of the Pipeline may make it necessary to revise or amend these stipulations. In that event, Permittee and the Authorized Officer shall agree as to what revisions or amendments shall be made. If they are unable to agree, the Secretary of the Interior shall have final authority to determine the matter.

4. Equal Opportunity

By accepting this permit, Permittee agrees that, during the period of construction of the Pipeline and its related facilities and roads, and for so long as the Pipeline, or any portion thereof, shall be in operation, or for so long as this permit shall be in effect, whichever is the longest:

a. Permittee will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. Permittee will take affirmative action to insure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Permittee agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Authorized Officer setting forth the provisions of this equal opportunity clause.

b. Permittee will, in all solicitations or advertisements for employees placed by or on behalf of Permittee, state that all qualified applicants will receive consideration for employment without regard to race, religion, sex, color, or national origin.

c. Permittee will send to each labor union or representative of workers with which Permittee has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the Authorized Officer, advising the labor union or workers' representative of Permittee's commitments under this equal opportunity clause and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

d. Permittee will comply with all provisions of Executive Order No. 11246 of September 24, 1965, as amended, and the rules, regulations, and relevant orders of the Secretary of Labor.

e. Permittee will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, as amended, and by the rules, regulations, and orders of the Secretary of Labor, issued pursuant thereto, and will permit access to Permittee's books, records, and accounts by the Authorized Officer and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

f. In the event of Permittee's noncompliance with the equal opportunity clause of this permit or with any of such rules, regulations, or orders, this permit may be cancelled, terminated or suspended in whole or in part and Permittee may be declared ineligible for further Federal Government contracts or permits in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, as amended, and such other sanctions may be imposed and remedies involved as provided in Executive Order No. 11246 of September 24, 1965, as amended, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

g. Permittee will include the provisions of paragraphs a. through g. of this equal opportunity clause in every contract, subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, as amended, so that such provisions will be binding upon each contractor, subcontractor or vendor. Permittee will take such action with respect to any contract, subcontract or purchase order as the Authorized Officer may direct as a means of enforcing such provisions including sanctions for noncompliance: provided, however, that in the event Permittee becomes involved in, or is threatened with, litigation with a contractor, subcontractor or vendor as a result of such direction by the Authorized Officer, Permittee may request the United States to enter into such litigation to protect the interests of the United States.

5. Liabilities and Responsibilities of Permittee

a. Any structure, property or land harmed or damaged by or during the construction, operation or maintenance of the Pipeline shall be reconstructed, repaired, rehabilitated and restored, as may be necessary, by Permittee as soon as practicable, so that the condition thereof, in the judgment of the Authorized Officer, is at least equal to the condition thereof immediately prior to such damage or destruction. Permittee further shall abate as soon as practicable any condition existing with respect to the Pipeline or its related facilities or roads, or with respect to the construction, operation or maintenance thereof, which may be causing harm or damage to any person, structure, property, land, stream or wildlife.

b. Permittee shall be liable to the United States for any damage suffered or cost or expense incurred by the United States in any way arising from or connected with any operation under this permit whenever such damage, cost or expenses results from any breach of the permit or from any wrongful or negligent act of Permittee. Immediately upon written notice by the Authorized Officer of the nature and amount of such damage to or cost or expense of the United States, Permittee shall reimburse the United States therefor.

c. Permittee further shall indemnify and hold harmless the United States against and from any and all demands, claims or liabilities of every nature whatsoever, arising directly or indirectly from or in any way connected with any or all of the following: 1) The construction, operation or maintenance of the Pipeline or of any facility, structure or road used in connection therewith, whether or not located on Federally-owned land; and 2) The use or occupancy, whether authorized or not, by any person whomsoever of any land owned by the United States which is the subject of any permit or right granted to Permittee; provided, however, that the provisions of this paragraph c. shall not be deemed to apply to injuries or damages to the extent caused by employees of the United States acting within the scope of their authority.

6. Bonding Requirements

Permittee shall furnish a bond or other security (hereinafter called "Bond") of such type and on such terms and conditions as are acceptable to the Authorized Officer, in the principal amount of five million dollars ($5,000,000), within thirty (30) days after issuance to Permittee of a permit for a right-of-way for oil pipeline purposes.

Said Bond shall have the purpose of: 1) ensuring the performance by Permittee of each and every obligation of Permittee under the terms and conditions of any permit issued to Permittee by the United States in connection with the Pipeline; and 2) providing for immediate payment to the United States of any cost or obligation incurred by the United States in performing any said obligation of Permittee which, in the absolute judgment of the Authorized Officer, Permittee has not performed satisfactorily.

Said Bond shall be maintained in force and effect during construction of the Pipeline, as for so long as the Pipeline is operated, and for so long thereafter as may be necessary.

7. Housing and Quarters

Permittee shall furnish, on a reimbursable basis, such representatives of the United States as may be designated by the Authorized Officer with meals, living quarters and office space during the periods of construction and operational activities. Permittee shall be notified in writing by the Authorized Officer at a reasonable time before need exists, regarding the number of individuals for whom such services and facilities will be required.

8. Public Improvements

Existing telephone, telegraph, and transmission lines, fences, ditches, roads, trails, and other improvements shall be protected in all phases of Permittee's construction operations under this permit. Damage to utilities and improvements shall be promptly repaired to a condition which is at least as good as the condition just prior to such damage.

All roads and trails needed for fire protection shall be kept free of logs, slash, and debris.

Construction activities will not be allowed within one-half (½) mile of all designated recreation sites (campgrounds, waysides, parks) unless authorized in writing by the Authorized Officer.

9. Federal, State, and Local Laws and Regulations

Permittee shall comply with all applicable federal, state and local laws and regulations thereunder, existing or hereafter enacted or promulgated, affecting in any manner construction, operation, or maintenance of the Pipeline or any road construction in connection therewith.

10. Pipeline Standards, Design, and Compliance

All design, materials, and construction practices employed in the installation of the Pipeline shall be in accordance with safe and proven engineering practice for the arctic environment and in accordance with the following pipeline standards:

a. U.S.A. Standard Code for Pressure Piping, Liquid Petroleum Transportation Piping Systems (USAS B31.4–1966).

b. The Department of Transportation's proposed regulations on "Transportation of Hazardous Materials by Pipeline."

If either of said pipeline standards contains a provision which is inconsistent with a provision in the other standard, whichever provision is the more stringent shall be observed by Permittee. The plan and profile for the Pipeline shall be submitted for review and approval of the Authorized Officer prior to commencement of construction for any section of the Pipeline. The plan shall show the locations of pumping plant sites, block valves, stream crossings and other facilities; it shall also show those parts of the Pipeline to be constructed above ground, the dimensions of above-ground structures, and the general specifications and locations of all crossings across the Pipeline.

The design shall provide for automatic shut-off valves at each pumping station and additional valves using the best engineering judgment with due regard for the following: Terrain traversed, including associated drainage; population centers; wildfowl habitat and fishery habitat; public water supplies and significant water bodies including the Yukon River and other major rivers; and hazardous geologic areas.

All practical means will be utilized to avoid breaking or otherwise injuring the tundra or other organic layers in permafrost areas outside the Pipeline ditch area.

X-ray testing of weld quality and pressure testing of the completed Pipeline shall be conducted by Permittee prior to placing the system in operation.

During the construction of the Pipeline, Permittee shall protect the environment, stability of geologic materials, and integrity of the Pipeline and shall prevent undue interference with access over or across the Pipeline.

Permittee shall provide for continuous and suitable inspection of the Pipeline and related facilities by qualified inspectors to assure compliance with design and construction specifications.

11. Survey Monuments

In surveyed areas, Permittee shall mark and protect all survey monuments within or near the Pipeline right-of-way against destruction, obliteration or damage during the life of this permit. If any monuments, corners or accessories are destroyed, obliterated or damaged, Permittee shall hire a registered land surveyor to reestablish or restore at the same location the monuments, corners or accessories using surveying procedures in accordance with the "Manual of Instructions for the Survey of Public Lands of the United States, 1947 Ed.," and shall record such survey in the appropriate records. Additional requirements for the protection of monuments, corners, and bearing trees may be prescribed by the Authorized Officer.

12. Environmental Briefing

Prior to and during construction activities, Permittee shall provide for environmental and other pertinent briefings of construction and other personnel by such Federal employees as may be designated by the Authorized Officer. Such briefings shall include fire prevention and suppression training for all construction personnel. Permittee shall arrange the time, place and attendance for such briefings upon request by the Authorized Officer. Permittee shall bear all costs of such briefings other than salary, per diem, subsistence, and travel costs of Federal employees.

In addition, Permittee shall separately arrange with the State of Alaska for such similar briefings as the State may desire.

13. Construction Schedule

Prior to commencement of construction, Permittee shall submit a schedule of its construction activities. This schedule shall be in such detail as may be required by the Authorized Officer. During the course of construction this schedule shall be updated and resubmitted at 30-day intervals.

14. Surveillance and Maintenance

Permittee shall, during the life of the Pipeline permit and for so long as the Pipeline is in operation, conduct a surveillance and maintenance program applicable to the arctic environment in a timely manner and designed to provide for public safety, prevent damage to any resources adjacent to the Pipeline right-of-way, prevent erosion from the Pipeline right-of-way and maintain pipeline integrity. The surveillance and maintenance program shall include an effective communications system.

Records on construction, operation and maintenance activities shall be maintained by Permittee and regularly submitted as required to appropriate State and Federal agencies. Such records will include surveillance data, leak and break records, and necessary operational data.

Roads or air strips shall be maintained by Permittee to give maintenance crews access to valves, pumping stations, and other facilities.

15. Electronically Operated Devices

Permittee shall screen, filter, or otherwise suppress any electronically operated devices, that are installed as part of the Pipeline which are capable of producing electromagnetic interference radiations, to the extent necessary so that such devices will not adversely affect the functioning of existing communications systems or navigational aids. In the event that physical obstructions such as towers or buildings are to be erected as part of, or in association with, the Pipeline, their positioning should be such that they will not obstruct radiation patterns of line-of-sight communications systems, navigational aids, or similar systems.

16. Oil Spills

Permittee recognizes its prime responsibility for the protection of the public and environment from the contingency of oil spillage.

a. Reporting of Oil Leaks: All spills or leakage of oil or waste materials shall be recorded and reported by Permittee in accordance with 49 CFR, Part 180. Reports shall be filed with the Central Reporting Network as may be required by any joint Federal-State contingency plan which may be adopted and which pertains to the minimization of the effects of a spill of oil or other hazardous substances in Alaska or adjacent waters.

b. Containment of Oil Spills at Storage Tanks and Tank Farms: Permittee shall provide oil spill containment dikes or other structures around storage tanks at pumping stations and at the Valdez tank farm. The volume of the containment structures shall be at least: 1) one-hundred ten (110) percent of the total storage volume of the storage tanks in the relevant area, plus 2) a volume sufficient for maximum trapped precipitation and runoff which might be impounded at the time of the spill. Such structures shall be impervious so as to provide seepage free storage over reasonable periods of time.

c. Cleanup of Oil Spills: Permittee shall submit a contingency plan in conformance with the recommendations of the National Interagency Committee at least sixty (60) days prior to scheduled commencement of pumping. The plan shall: include oil spill control, disposal and cleanup; specify that the Interior agencies responsible for contingency plans in Alaska shall be among the first to be notified in the event of a Pipeline failure resulting in oil spill; provide for immediate corrective actions, including control and cleanup of oil spills and restoration of the affected resource; and spell out that the Authorized Officer shall approve any materials or device used to control or clean up oil spills and shall approve any disposal sites or techniques selected to handle oily matter. Detailed information must be included for major river crossings, lakes, populated areas, pumping stations and terminals. The contingency plan shall include separate and specific oil spill cleanup techniques for 1) terrestrial, 2) lake, 3) river and stream, 4) marine, and 5) estuarine spills. The plan must be approved by the Authorized Officer prior to pumping oil through the Pipeline.

If at any time, including without limitation during any phase of the construction, operation or maintenance of the Pipeline, any oil or other pollutant should spill or escape from the Pipeline, the control and total removal, disposal and cleaning up of such oil or other pollutant, wheresoever found, shall be at the expense of Permittee. Upon failure of Permittee to control, dispose of, or clean up an oil spill, or to repair all damages resulting therefrom, the Authorized Officer shall take such measures as he deems necessary to control the spill, clean up the spillage and restore the area to as near its original condition as possible at the full expense of the Permittee.

17. Excavations

In excavation operations, Permittee shall use construction methods that will provide maximum protection to animals and human beings.

18. Termination of Use

Upon revocation or termination of the Pipeline permit or abandonment of any section of the Pipeline, Permittee shall remove all above-ground Pipeline sections, and restore the land to the satisfaction of the Authorized Officer. Prior to capping the open ends of underground pipe sections, all oil and residues shall be removed from the pipe.

19. Pipeline Corrosion

Permittee shall provide detailed plans for corrosion resistant design and methods for early detection of corrosion. These will include: pipe material and welding techniques to be used and information on their particular suitability for the environment involved; details on the external pipe protection to be provided (coating, wrapping, etc.), including information on variation of the coating processes to cope with variations in environmental factors along the Pipeline route; plans for cathodic protection including details of impressed ground sources and controls to insure continuous maintenance of adequate protection over the entire external surface of the pipe; details of plans for monitoring cathodic protection current including spacing of current monitors; provision for periodic intensive surveys of trouble spots and regular preventive maintenance surveys and special provisions for abnormal potential patterns resulting from crossing of the right-of-way by other pipelines or cables; information on precautions to be taken in removing corrosive substances (e.g., saline water) from the crude prior to moving it to the pipeline. Permittee will also provide comments on the need for plans for periodic internal pitting surveys by electromagnetic or other means.

20. Seismic Monitoring

Permittee shall file with the Authorized Officer for approval a detailed plan for the monitoring of crustal strain and microseismic activity in the vicinity of the proposed Pipeline route.

Said monitoring network shall be constructed and in operation prior to use of the Pipeline.

The monitoring network shall include establishing of reference points on stable ground, placed at satisfactory intervals so as to form closed figures. Trilateration measurements shall be made at time intervals not to exceed six months and to a probable error not to exceed two parts per million. As data on creep locations and rates are accumulated, Permittee shall install recording or telemetering creep meters where movement is rapid. The monitoring network shall also provide for clusters of seismometers, with outputs telemetered to a central facility, where the Pipeline crosses major fault zones.

Data obtained from the network shall be provided to the Authorized Officer at regular intervals throughout the operational life of the Pipeline. Strain, creep, and microseismic data shall be used by Permittee to aid in the initiation of corrective measures to protect the Pipeline from breaking from tectonic strain.

C. Native training

Permittee shall enter into an agreement with the Secretary of the Interior regarding recruitment, testing, training, placement, employment and job counseling of Alaska Natives.

Continuously during Pipeline construction, Permittee shall conduct a pre-employment and on-the-job training program for Alaska Natives, adequate to qualify them for initial employment and for advancement to higher paying positions thereafter.

Permittee shall do everything within its power to secure the employment of those Alaska Natives who successfully complete Permittee's training program.

Permittee shall inform the Authorized Officer of its discharge of any Alaska Natives, and of the reasons therefor, in advance of such discharge wherever possible or, if advance notice is impossible, as soon thereafter as is practicable.

Permittee shall furnish the Authorized Officer such information and reports concerning Alaska Native employment as the Authorized Officer shall require from time to time.

D. Regulation of public access

After construction is completed, Permittee shall permit free and unrestricted public access to and upon the Pipeline and access road rights-of-way for all lawful and proper purposes except areas designated as restricted by Permittee with the consent of the Authorized Officer.

During construction Permittee may regulate public access and vehicular traffic as required to facilitate operations and to protect the public and wildlife from hazards associated with the Project. For this purpose, Permittee shall provide warnings, flagmen, barricades and other safety measures as necessary.

Provisions must be made for suitable permanent crossings where Permittee's Pipeline right-of-way and related access roads cross existing roads, foot-trails, winter sled trails, or other rights-of-way.

During construction, Permittee shall provide alternate routes for existing roads and trails as determined by the Authorized Officer, whether or not these roads or trails are recorded.

E. Pollution abatement

1. Pesticides and Herbicides

The use of pesticides and herbicides is limited to non-persistent and immobile types. An approved list of pesticides and herbicides, together with application constraints shall be obtained from the Authorized Officer.

2. Water Pollution

Permittee shall conduct its activities in a manner to prevent pollution of land and water, thereby protecting aquatic and terrestrial life.

Toxic material or sediments shall not be released in any lake or water drainage in such concentrations as would exceed acceptable water standards. Every effort shall be made to protect water bodies from damage by erosion and unnatural drainage conditions. In the design, construction and operation of the Pipeline, protection of water quality shall be of prime importance. Criteria for compliance will be the "Alaska State Plan—Water Quality Standards for Interstate Waters within the State of Alaska" as revised.

Unless waived by the Authorized Officer, dikes or cofferdams shall be installed to separate concrete work areas from lakes or streams during construction.

Mobile ground equipment shall be kept out of the waters of lakes, streams or rivers except for crossings within the right-of-way limits.

3. River and Stream Crossings

The Pipeline shall cross all rivers and streams completely underground unless a different means of crossing is approved in writing by the Authorized Officer.

4. Thermal Pollution

At all underground water crossings the Pipeline shall be placed at such depth and be so insulated that it will not degrade the water beyond standards set for thermal pollution in the State of Alaska.

If changes in the overburden take place so as to expose the pipe to natural water, the Pipeline will be additionally insulated from the water to the satisfaction of the Authorized Officer.

A standard stream crossing profile shall be filed in advance of Pipeline installation for review by the Authorized Officer.

F. Erosion control

1. General

The design of the Pipeline, roads, and associated structures shall include specifications for the construction of erosion control and drainage features that will minimize the concentration of water and thereby reduce erosive effects.

The erosion control measures such as water bars, contour furrows, water spreaders, diversion ditches, plugs, or other control measures shall be constructed to avoid induced and accelerated erosion and to lessen the possibility of forming new drainage channels resulting from construction activity on all Pipeline rights-of-way areas. All control measures must be designed with proper regard to minimize disturbance to the thermal equilibrium, thus minimizing the adverse effects of permafrost degradation.

The Authorized Officer shall be informed of all proposed erosion control measures.

2. Stream Banks

Excavated cuts through stream banks shall have side slopes that will not erode or slide.

Where practicable, unless otherwise approved by the Authorized Officer, temporary access over stream banks shall be made through use of fill ramps rather than by excavating through stream banks. Permittee shall remove such ramps upon termination of seasonal use or abandonment.

3. Water Crossings

At water crossings, the Pipe trench excavation shall stop an adequate distance from the water crossing to leave a protective plug (unexcavated material) at each bank. These plugs shall be left in place until the crossing grade is complete behind the plug and the pipe laying operation is begun. The plugs shall not be completely removed until absolutely necessary. The plugs shall be replaced with stable material on each bank as soon as the pipe is laid.

4. Disturbed Areas

Permittee shall conduct all construction, operation, and maintenance activities with minimum disturbance to vegetation.

Disturbed areas shall be restored by Permittee as nearly as practicable to their original condition as follows:

a. All disturbed areas shall be left in a stabilized condition. Stabilization practices shall include, as determined by the needs of specific sites: seeding; planting; mulching; and the placement of mat binders, soil binders, rock or gravel blankets, or structures.

b. Special attention shall be given to stream and river crossings so as to prevent erosion. Such measures shall not interfere with fish passage.

c. Material from the trench excavation in excess of that required to backfill around the pipe shall be disposed of in a manner approved by the Authorized Officer.

d. Seeding and planting shall be conducted during the first growing season and shall be repeated if unsuccessful on the first attempt. All other restoration shall be completed as soon as possible.

e. Unless other acceptable methods such as controlled burning or burial are approved by the Authorized Officer, all trees, snags, stumps or other woody material, not having commercial or construction value, shall be mechanically chipped and spread in a manner that will aid seeding establishment, soil stabilization and the minimization of permafrost degradation.

5. Disturbance of Natural Waters

All construction activities of Permittee which may create new lakes, drain existing lakes, significantly divert natural drainages, permanently alter stream hydraulics, disturb significant areas of streambeds, or appreciably degrade water quality, shall be prohibited unless approved in advance by the Authorized Officer.

6. Areas of Unstable Soils

Areas having soils that are susceptible to slides and slumps, excessive settlement, severe erosion and soil creep shall be avoided wherever possible. However, if these areas cannot be avoided, or are encountered unexpectedly, Permittee shall design its construction to insure maximum stability. Permittee will continue soil investigations in conjunction with construction activities. Such data shall be made available to the Authorized Officer upon his request.

The Authorized Officer may require special construction methods and/or rerouting, were unstable conditions are encountered.

7. Permafrost Degradation

Permittee shall conduct studies to determine: (1) the most feasible route and best construction design through permafrost areas so as to prevent permafrost degradation that could result in progressive geomorphic degradation, and (2) whether the Pipe should be buried or above ground. The potential effects of installing the pipe beneath the surface in moisture laden permafrost will be determined with regard to each segment of the Pipeline, and reports thereon shall be filed with the Authorized Officer prior to construction of each segment of the Pipeline. Construction methods shall be designed to prevent degradation of the permafrost in areas where such degradation would result in detrimental erosion or subsidence.

8. Off Right-of-Way Traffic

Permittee's vehicles shall not be operated outside the boundaries of the Pipeline, access or other roads, or other permitted areas, except with the consent of the Authorized Officer or when necessary to protect life, limb, or public property.

G. Sanitation and waste disposal

All waste generated in road or pipeline construction and operation shall be removed or otherwise disposed of in a manner acceptable to the Authorized Officer. All applicable standards and guidelines of the Alaska State Department of Health and Welfare, the United States Public Health Service and the Federal Water Pollution Control Administration shall be adhered to by Permittee. All incinerators shall meet the requirements of all applicable State and Federal laws and regulations and shall be used with maximum precautions to prevent forest and tundra fires. After incineration, material not consumed in the incinerator shall be disposed of in a manner approved in advance by the Authorized Officer.

Emissions from incinerators, pumps, motors, equipment and installations and other burning material, must meet the air quality standards of the United States Public Health Service and the State of Alaska.

The term "waste" as used in this stipulation means all discarded matter, including but not limited to human waste, trash, garbage, refuse, oil drums, petroleum products, ashes and equipment. The best practicable portable or permanent waste disposal systems shall be used and shall be approved in advance by the Authorized Officer.

H. Small craft passage

The creation of any permanent obstruction on any waters to the passage of canoes, boats, or other craft under forty feet in length, is prohibited.

I. Aesthetics

Permittee shall consider aesthetic values in planning, construction, and operation of the Pipeline and its associated facilities and roads. All permanent structures shall be painted a color or colors that harmonizes with their natural setting. The Authorized Officer may require such plans as he deems necessary to protect aesthetic values.

J. Timber

1. Commercial Timber

Prior to clearing operations, Permittee will enter into a contract with the United States for the purchase by Permittee of all merchantable timber situated within the Pipeline right-of-way.

2. Noncommercial Timber

Clearing and grubbing limits shall be approximately 10 feet outside of the edge of any cut or fill. Unless other methods, such as controlled burning or lopping and burial, are agreed upon between Permittee and the Authorized Officer in the clearing plan as acceptable for a given segment, all trees, snags, stumps or other woody material not having value to Permittee shall be mechanically chipped and spread in a manner that will aid seeding establishment, soil stabilization and the minimization of permafrost degradation. Permittee shall identify right-of-way clearing boundaries on the ground for each construction segment prior to clearing operations.

All timber and other vegetative material outside the right-of-way clearing boundaries and all blazed, painted or posted trees which are on or mark the clearing boundaries are reserved from cutting and removal with the exception of danger trees or snags designated as such by the Authorized Officer.

All trees, snags, or other woody material cut in connection with clearing operations shall be cut so that the resulting stumps shall not be higher than six (6) inches measured from the ground on the uphill side.

All trees, snags, and other woody material cut in connection with clearing operations shall be felled into the right-of-way and away from live water courses.

In areas where heavy equipment would be detrimental under the existing conditions, standard hand clearing operations will be used.

Logs shall not be skidded or yarded across any stream without prior approval of the Authorized Officer.

All debris, such as logs, chunks, and tops resulting from clearing operations and construction which may block stream flow, delay fish migration, contribute to flood damage, or result in streambed scour or erosion shall be removed.

No log landing shall be located within two hundred (200) feet of any live stream course.

Logs having a value to Permittee shall be neatly piled adjacent to the right-of-way clearing boundary if further use is contemplated by Permittee.

K. Wildlife

1. Hunting, Fishing, and Trapping

Permittee shall inform its employees, agents, contractors, subcontractors, and their employees, of applicable laws and regulations relating to hunting, fishing, and trapping.

2. Use of Explosives

At least thirty (30) days in advance of any underwater blasting Permittee shall submit to the Authorized Officer a plan for such blasting. The plan shall set forth blasting locations, types and amounts of explosives, date or dates of blasting, and the reason for the blasting.

No blasting shall be permitted underwater, or within one quarter (¼) mile of streams or lakes, without a permit from the Alaska Department of Fish and Game.

3. Buffer Strips

Except at approved crossings, the Pipeline shall be located so as to provide three hundred (300) minimum buffer strip of undisturbed land along all streams. Requests for exceptions to this provision shall be submitted in writing to the Authorized Officer at least thirty (30) days in advance of approval. The request shall include a description of the design criteria and time necessary to restore or enhance the stream habitat.

4. Fish Spawning Beds

"Fish spawning beds" means the areas, usually gravel, where anadromous and resident fish deposit their eggs.

Where channel changes cannot be avoided in designated anadromous fish spawning beds, new channels shall be constructed according to standards supplied by the Authorized Officer. Spawning beds shall be protected from sediment from all sources of construction activity. Where soil material is expected to be suspended in water as a result of construction activities, sediment settling basins shall be constructed to permit the removal of silt before it reaches the stream or lake. Special requirements may be made by the Authorized Officer for each stream system to protect spawning beds. Permittee shall repair all damage to fish spawning beds caused by construction, operation, or maintenance of the Pipeline.

5. Migration of Fish

Permittee shall provide for uninterrupted and safe upstream or downstream passage of fish. Any artificial structure or any stream channel change that causes a permanent blockage to migration of fish shall be provided with a permanent fish passage structure that meets all Federal and State requirements. The proposed design shall be submitted to the Authorized Officer at least thirty (30) days in advance of construction.

Unless otherwise provided for by appropriate State or Federal authority, culvert construction in water crossings shall meet the following minimum standards:

a. Water velocities at medium discharge will not exceed four (4) feet per second in any part of the culvert.

b. Installation shall be at zero gradient with the bottom of the outlet six (6) inches below the natural streambed to prevent erosion at the downstream end of the culvert.

c. Where necessary because of outfall erosion, a stilling basin shall be constructed at the outflow end of the culvert that is at least three (3) feet deep and twelve (12) feet long. The pool sides shall be stabilized with riprap or other appropriate method to prevent erosion.

d. Water shall be diverted around the work area in the streambed during installation of the culvert to reduce siltation.

e. Water diversion ditches or pumps shall be screened with a device approved by the Authorized Officer to prevent harm to migrating fish.

Abandoned water diversion structures shall be plugged and stabilized to prevent trapping or stranding of fish.

6. Seasonal Concentrations of Fish and Game

Key fish and wildlife areas may be closed to construction activities during periods of wildfowl nesting, migration, and spawning. The Authorized Officer shall provide Permittee written notice of closure.

From time to time, the Authorized Officer shall furnish Permittee a list of areas where closure may be required, together with anticipated dates of closure.

7. Big Game Movements

Permittee shall construct the Pipeline, both buried and above ground sections, so as to assure unrestricted passage and movement of big game animals.

L. Antiquities and historical sites

Permittee shall engage an archeologist approved by the Authorized Officer to provide surveillance and inspection of the Pipeline for archeological values.

If in connection with any operation under this permit Permittee excavates known or previously unknown archeological, paleontological, or historical sites, Permittee shall notify immediately said archeologist who shall investigate and provide an on-the-ground opinion regarding the protection measures to be undertaken by Permittee. The Authorized Officer may suspend that portion of permittee's operations necessary to preserve evidence pending investigation of the site by said archeologists or his representative.

Two copies of all survey and excavation reports shall be filed with the Authorized Officer.

M. Fire prevention

Permittee shall take all measures necessary or appropriate for the prevention and suppression of fires on the permit area and on other Federal lands. Permittee shall comply with all applicable laws and regulations, and with the instructions and directions of the Authorized Officer concerning the prevention and suppression of fires.

N. Campsites

Permittee or its contractors shall obtain special land use permits for each campsite from the Authorized Officer.

Upon abandonment or relocation of each campsite, the area shall be cleaned up and restored to a condition satisfactory to the Authorized Officer.

O. Material Sites

1. Purchase of Materials

Permittee shall make application in accordance with applicable regulations, to purchase construction materials, consummate a materials sale contract with advance payment, and submit a mining plan that must be approved before any materials are removed from the public lands.

Permittee shall utilize upland materials and existing material sites in place of clearwater stream materials when reasonably available. Gravel and other construction materials shall not be taken from stream or river beds or shores or outlets of lakes that are or could be considered as spawning areas unless approved by the Authorized Officer.

2. Vegetation Screen

Permittee shall not cut or remove any vegetative cover within a minimum five hundred (500) foot strip between roads and material sites unless authorized to do so in writing by the Authorized Officer. Permittee shall remove any debris created by its construction activities.

Where primary roads intersect the Pipeline right-of-way, a screen of vegetation native to the specific setting shall be established unless waived by the Authorized Officer in writing.

3. Layout of Material Sites

Material site boundaries should be shaped in such a manner as to blend with surrounding natural land patterns. Regardless of the layout of material sites, primary emphasis shall be placed on prevention of damage to vegetation and soil erosion.

4. Fish Protector

If material sites are approved adjacent to or in certain lakes, rivers or streams, the Authorized Officer may further require the construction of levees or berms to protect fish and prevent siltation of streams or lakes.

5. Restoration

All slopes shall be left in a stable condition.

Haul ramps, berms, dikes and other earthen structures shall be leveled, and other structures removed unless otherwise directed by the Authorized Officer.

Material pits in stream and river bottoms and channels shall be connected to the stream by channels constructed to allow flow of water through the pit at median stream stage.

Vegetation, overburden and other materials removed from surfaces of material sites shall be disposed of by Permittee at termination of use of the site in a manner approved by the Authorized Officer. Vegetative debris which has been put through a chipper shall be spread evenly over material site slopes, together with other organic materials and topsoil. Permittee, during the first growing season following termination of use of the site, shall revegetate material site slopes through seeding and planting with suitable plant materials unless otherwise directed by the Authorized Officer.

Upon completion of material site restoration, Permittee shall immediately remove all equipment, materials and supplies from the sites.

PARTICIPATING AGENCIES

Alaska

Federal

Department of the Interior

Regional Coordinator.
Bureau of Land Management.
Bureau of Sport Fisheries and Wildlife.
Bureau of Commercial Fisheries.
Federal Water Pollution Control Administration.
Bureau of Mines.
U.S. Geological Survey.

Bureau of Indian Affairs.
National Park Service.

Department of Defense

Corps of Engineers, Alaska District.
Alaskan Command.

Federal Field Committee for Development Planning

State

Department of Fish and Game.
Department of Natural Resources, Division of Lands.
Department of Highways.

Washington

Federal Task Force on Alaskan Oil Development

Department of the Interior.
Department of Defense.
Department of Transportation.
Department of Commerce.
Department of Health, Education and Welfare.
Department of Housing and Urban Development.

WOODLAND PARK HOSPITAL IN PORTLAND, OREG.

Mr. PACKWOOD. Mr. President, the role of the suburban hospital in the United States is unique. It is far removed from the clatter and clutter of congested city core centers. The private suburban hospital reflects the change of the Nation's thinking, and approaches the community with quite new and fresh ideas, with warmth and friendliness.

Oregon is honored to claim a fine example of this new approach. Woodland Park Hospital in Portland has instituted what is called the newborn nursery experiment. The idea is so unique and appealing, it was written up in Good Housekeeping's October 1969 issue.

Mr. President, I ask unanimous consent to have that article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CAN WE KEEP IT?

Having a baby is a family affair at this Oregon hospital.

"Ours is funny-looking. I'd rather have one with hair," pipes a four-year-old, looking over the nursery for newborns at Woodland Park Hospital just outside of Portland, Oregon. Like most of the 50 states, Oregon has health laws prohibiting small children from visiting hospital patients, yet this youngster and many others have "visited" the brand-new members of their families, and their mothers, too.

This happy, homelike atmosphere is no accident. The suburban hospital's new maternity wing was carefully planned and designed so the whole family could get in on the excitement of having a new baby. Not only is this entire section on the ground floor, but the nursery faces a corridor which is open to youngsters and adults alike. There is a special kids'-eye-level viewing window where children can peer in at their new little brothers or sisters while proud papas and doting relatives ogle through the grown-up-height window next to them.

Aside from giving older children the feeling that they're being included in what used to be an adults-only secret, this early view of the baby makes it easier for them to be happy about the new addition when it finally comes home to stay.

Woodland Park's idea that a hospital should be friendly and family-centered rather than cold and impersonal is not unique. It's happening all over the country as more and more hospital administrators realize at long last that patients are also human beings who don't like to be separated from their families.

On weekends and after school hours, the brothers-and-sisters-only window is crowded with grinning kids and their friends. While grown-ups ooh and ah through the conventional nursery window. After inspecting the babies, youngsters may visit with their mothers by standing outside the one-story maternity wing and chattering through the windows—which the new mothers may open whenever they want to. Children like to report the day's events, and to make sure mother is fine. This everyday personal contact helps to keep the disruption of family life at a minimum when a new baby takes Mother away from home.

The staff and administrators of Woodland Park feel that relaxation and friendliness are a big part of the difference between a city hospital and a suburban one. This is reflected in open visiting house and the use of soft colors in the decor, but most of all in the atmosphere of the obstetric and pediatric wards.

Young patients—unless, of course, they're infectious—are urged to play together, either in their rooms or in the cheerful playroom. Or they can go visiting themselves—walking or being pulled in red wagons to gape at the infants in the nearby nursery. And parents are welcome to spend unlimited time with their hospitalized children.

By making everyone as much at home as possible. Woodland Park has gone a long way to prove that even a hospital can have a heart.

TAX REFORM

Mr. PACKWOOD. Mr. President, tax reform is vitally needed if we are to spread the tax burden more equitably among our people and close the loopholes which have for so long allowed—and even encouraged—tax avoidance. But in correcting certain inequities in the tax structure, we must be careful not to create new, equally undesirable inequities. For example, section 515 of H.R. 13270 provides for changes in the tax treatment of lump-sum distributions from company profit-sharing and retirement plans. It is aimed at the high-income-bracket corporate executive, but the damage that would be done to millions of middle-income workers who have planned in good faith for their retirement years would be incalculable.

Omark Industries, born and headquartered in Portland, Oreg., has for a number of years encouraged its employees to plan for their retirement years through the use of a company profit-sharing plan. Now the rug has been pulled from under them. Unless the Senate takes appropriate action to correct this new inequity, all their years of planning and preparation will have been in vain.

I commend for the Senate's reading, Omark's analysis of the section 515 change, along with a discussion of two other changes adopted by the House. I believe that Senators will find the comments and recommendations worthwhile and constructive contributions in our efforts to bring about tax justice.

I ask unanimous consent to have the analysis referred to printed in the RECORD.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

AN ANALYSIS OF SECTIONS 515, 703, AND 521 OF H.R. 13270

LUMP-SUM DISTRIBUTIONS FROM PROFIT-SHARING PLANS—SECTION 515

Cancellation of capital gains treatment for lump-sum distribution from qualified pension and profit sharing plans results in a substantially increased tax expense for persons who choose to receive benefits in one payment over those who take payment in the form of an annuity. The reason given for such a change is that the capital gain treatment benefits high bracket taxpayers to a great extent. What this argument fails to recognize is that in order to stop a tax benefit for a few, the law would at the same time penalize all beneficiaries of such plans who desire to receive a lump-sum distribution.

Generally, beneficiaries of these plans will use the funds to supplement pensions and social security during the retirement years. Such deferred savings are desirable and should be encouraged because they make retired people more secure and independent. Even a small increase in tax expense which reduces these retirement funds is cruel and unjustified when the only reason is to tax certain high-bracket taxpayers who have managed to save substantial sums through such plans.

Any tax that reduces private retirement funds will inevitably place a greater burden on the public through increased social security and welfare expense. Such a tax is self-defeating because the small increase in revenue will be more than offset by the cost society must contribute to retired persons to make up the difference in their retirement income.

The effect of this change is to require anyone with a substantial nest egg in a qualified plan to take the benefits on an annuity basis. This severely restricts individual freedom of choice by use of the taxing power. Where possible, an individual would be better off to receive the employer's contribution directly each year and invest it, since taking it out year by year in relatively small amounts in effect is very long-term averaging.

INVESTMENT CREDIT—SECTION 703

Repeal of the investment tax credit has been proposed by the House on the basis that there is no longer a need to encourage investment in plant and equipment since American business has invested over $400 million since 1962. Also, the credit is considered inflationary and therefore undesirable during the current period of high inflation.

The above reasoning does not recognize that American business is now competing in a worldwide market. There is a continuing need for heavy investment in plant and equipment in order to retain our competitive position and to improve the balance of payments problem. The investment credit provides needed help in maintaining the rate of growth required. Repeal of the investment credit will result in an unhealthy slowdown in capital investment at a time when industry needs to improve and increase its productive capacity.

Continued substantial capital investment in efficient, labor-saving plant and equipment will in the long-term result in reducing inflationary pressure. Such investment allows management to eliminate high-cost labor which is the source of the wage-cost push inflation. The proposed repeal of investment credit would reduce the effectiveness of this deflationary device.

The effect of a slowdown of investment in plant and equipment will certainly result in fewer jobs being available for the presently unemployed and underemployed and for young people entering the labor pool each year. Coupled with this will be the lack of incentive for business to build new plants in or near deprived areas where the need for new jobs is especially acute. Such results are clearly undesirable in view of the present labor and social problems in this country.

The House also stated that by repealing the investment credit it is possible to reduce the surcharge from 10% to 5% for the first six months of 1970. This has the effect of making investing businesses bear the burden of tax reduction instead of having all taxpayers share it equally.

ACCELERATED DEPRECIATION ON REAL ESTATE—SECTION 521

This section limits use of most accelerated methods of depreciating real estate to new residential housing and provides for recapturing as ordinary income all excess of accelerated depreciation over straight line depreciation when real estate is sold.

It is generally agreed that this measure would result in curtailment of construction and hits hardest at the building construction industry which is so vital to the economy of Oregon. The building industry and Oregon have already suffered because of present tight money policy. It is unfair to strike at a particular industry to cure tax abuse by some individuals. The present law provides a needed stimulus for construction; and, with section 1250, already has a tax reform provision that was enacted recognizing the special needs of this industry. The present availability of different depreciation methods allows a taxpayer to select the method best suited to his economic and physical use situation. Arbitrarily eliminating these methods to curb abuses by certain taxpayers greatly restricts exercise of good business judgment.

In the summary of the bill prepared by the staffs of the Joint Committee it is stated that the problem is that the present tax treatment of real estate has been used by some high income individuals as tax shelters. If this is true, it appears that the House Bill already provides a solution with the "limit on tax preferences". No more than 50% of a taxpayer's total income plus certain tax preferences could escape taxation. One of these tax preferences is the excess of depreciation claimed on real property over straight line depreciation. This effectively prevents tax abuse by the specific individuals mentioned, and does not indiscriminately affect all property owners. By also eliminating all accelerated depreciation and recapture of excess depreciation the House bill provides an over-kill which will adversely affect the Oregon economy.

In summary, this measure unfairly hits the already depressed building industry by discouraging new construction, it affects all property owners instead of the few who have been abusing the tax benefits, and the reform bill already has adequate restriction on accelerated depreciation through the limit on tax preferences.

NOISE—OUR LATEST POLLUTANT

Mr. DOMINICK. Mr. President, some time ago, I introduced a bill which was referred to the Subcommittee on Aviation of the Commerce Committee, which would have the effect of phasing out jet traffic at National Airport and shifting it over to Friendship and Dulles. I did so on the ground that there were three very good reasons: First, safety at National; second, air pollution, which is created by the enormous amount of pollutants which the jets pour out every day over Washington; and third, the enormous problem of noise from jets over the major areas of the countryside surrounding National Airport, including the District of Columbia itself.

Mr. President, noise is an extremely important problem. I was interested to find that yesterday my distinguished colleague from Oregon (Mr. HATFIELD) made a speech on the same subject, which he entitled "Noise: The Gathering Crisis." He refers in the speech to the problems we have of increased noise levels in all areas in the country.

I know the problem which it created with pilots in World War II. I was one of them. We flew year after year in that war and we now find out that our hearing has been affected by the constant noise level we endured during those years.

Of course, the noise level now, whether one be a pilot or a civilian walking along the street, has become increasingly difficult to sustain, so far as the human physique is concerned.

Mr. President, I do not believe that anyone prior to this speech, has called noise—publicly, at least—an actual pollutant. But that is what it is. It seems to me, it would be an effective way to describe the problem which faces the country.

Since the remarks of the Senator from Oregon contain some very fine statistics and a careful analysis of the problem, I think it would be of interest to all Senators. We are all interested in the environmental and pollution problems facing the country today, and I, therefore, ask unanimous consent to have the speech printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

NOISE, THE GATHERING CRISIS

(Speech by Senator MARK O. HATFIELD, before the Noise Abatement Council of America, October 8, 1969)

There is a bumper sticker now circulating which says: "Eliminate Pollution Before Pollution Eliminates You." Immediately we will think of studies which threaten a lack of water by 1980 and conjure up the words of California scientists stating that within 50 years their state will be uninhabitable for any form of life. Or we hold our breath for a moment remembering that 142 million tons of smoke and noxious fumes are dumped into the atmosphere each year. Momentarily we feel brief panic and then for one reason or another, we forget the threatening words of the bumper sticker and go about our daily duties in a comfortable shield of self-deception and false security. Unfortunately such an attitude has now brought us to a situation in which the rapidly deteriorating quality of our environment is the most hazardous challenge to not only our health and well-being but to our very lives and those of our children and grandchildren.

Environmental pollution may not pose the immediate destruction that nuclear war does, but I might remind you that the effects are the same and just as lasting. And I might remind you that destruction at the hands of our environment is as immediate as your and my lifetime. And finally, I might remind you that lack of inhabitable land, lack of food, lack of good water to drink and good air to breath are the very conditions under which men become desperate and resort to any and all means to preserve their survival. It is with these thoughts in mind that I state my firm conviction that pollution—all forms of pollution: air, water, and noise pollution, overpopulation, land and soil pollution—is the most challenging and the most crucial problem facing the man of the 20th century. And it is with these thoughts in mind that I firmly believe that if we do not meet this problem with all the creativity and ingenuity of our age, then within a very short time nothing else will matter, for there will be nothing else to worry about.

Your concern with environmental pollution has brought you here today in order to form an effective citizen's group to combat this onslaught on our planet before it is indeed too late. Your special concern is with the assault of noise pollution on our society and in your recognition of noise as a pollutant you have established yourselves as somewhat pioneers in combating the effects of noise on our society. It was therefore an honor to be invited to speak at this organizational meeting of the Noise Abatement Council of America. Had such groups been instrumental in educating the public to appreciate the inevitable results of uncontrolled air and water pollution and in effecting remedial action to combat these problems even ten years ago then we would not be faced with the present national crisis in these areas. Today let us pledge ourselves to the task of preventing noise becoming another uncontrolled threat to our existence.

The effects of noise, although long a problem, have only begun to receive the well-founded concerns of government, health, industrial and community organizations. We are already far behind the rest of the world in appreciating the scope of the problem. For our backwardness in the field of noise abatement the United States is now the noisiest country on this planet, and frankly, I hate to think that we are now carrying this lack of respect for civilized standards to other planetary bodies. Basically, noise pollution is reaching crisis proportions in the United States and I think that it is time that all of us wake up to this fact.

We should be concerned with noise as a problem because for over a century noise exposure of sufficient intensity and duration has been recognized to produce sensorineural hearing loss. But in spite of this knowledge, an over-exposure to excessive noise is the major cause of hearing loss in the United States today. In fact it is estimated that 10–20 million people in the United States have some degree of hearing impairment.

Everyone realizes that if he is exposed to a very loud noise such as an explosion he may very likely wind up deaf—at least temporarily. What is not so apparent is that the effect of noise is cumulative; it produces as Dr. Leo Beranek, whose work in acoustics is international in scope, an "acoustic fatigue". Repeated moderate noise builds up to produce the same effect as would a single loud noise. And even more important, is the fact that repeated noise is the only type, short of a shattering explosion, that produces *permanent* hearing loss. The importance of this is readily seen when one is considering the harmful effects of exposure to daily occupational noise.

Another matter of some concern is that the noise level of the United States is increasing at an astonishing rate. Over the past 25 years the average increase in noise level has been at one decibel per year. When one considers that damage to the ears can occur at sustained exposure to the ranges around 85 decibels and over, and given our present noise levels, it will not be too many years before noise levels in the United States became lethal. To quote Dr. Vern O. Knudsen, physicist and former Chancellor of the University of California, "If the noise we make keeps increasing at the present rate, it will be as deadly in thirty years in some of our downtown cities as were the ancient Chinese tortures for executing condemned prisoners."

We know of course that the most pronounced physical effect of noise is damage to the ear. Exposure to intense noise over varying durations causes partial and in some cases permanent hearing loss due to actual cell damage in the organ of the Corti located within the cochlea of the inner ear.

But noise has much farther reaching effects than just hearing damage. As Paul E. Sabine stated even back as far as the March 1944 issue of the American Journal of Public Health: "There is a wealth of reliable data from medical sources in support of the statement that sustained exposure to noise is a contributing factor in impaired hearing, chronic fatigue that lowers bodily resistance, neurasthenia, increased blood pressure, and decreased working and mental efficiency and that noise should rightfully be classified as an occupational hazard along with gases, fumes, dust, toxic liquids, and bacteria." To put this into, if nothing else, economic perspective, the total cost to industry in compensation payments, lost production and decreased efficiency due to noise is estimated at well over $4 billion per year. In relation to business a World Health Organization report states that before 1939 office noise was costing United States business $2 million per day through inefficient work. Today that figure is $4 million. The psychological and physiological effects of noise are difficult to assess but the correlation between noise and such things as sleep disturbances, hypertension due to the constant response of hormonal and neurological mechanisms to noise stress, interference with basic communication, the loss in efficient performance and even damage to property must be counted as a very real and a very enormous threat to our well-being, not to mention the economic repercussions.

The effects of noise cannot be fully appreciated until we have more thorough studies in the field. One effect which needs to be especially explored by sociolgists and criminologists is referred to in a recent Fortune magazine article. As related by Fortune: In the Bronx borough of New York City one evening last spring, four boys were at play, shouting and racing in and out of an apartment building. Suddenly from a second-floor window came the crack of a pistol. One of boys spawled dead on the pavement. The victim happened to be Roy Innis, Jr., thirteen, son of a prominent Negro leader, but there was no political implication in the tragedy. The killer, also a Negro, confessed to police that he was a nightworker who had lost control of himself because the noise from the boys prevented him from sleeping. This incident is extreme but worthy of our careful attention due to the implications it has on the worsening human problems which we are now experiencing in our cities.

Until recently the most authoritative voices about noise have come from within the industrial occupations due to the mere fact that noise has been a problem much longer in this area than in any other. Industrial management has become increasingly concerned with the adverse effects of noise on those persons who work under constant exposure to intense levels of noise—and I might add with due reason.

According to Dr. Glorig, director of the Callier Hearing and Speech Center in Dallas, Texas: "Industrial noise is now the most important single cause of hearing loss." Despite numerous research, training and regulatory programs now underway in some industries and in various Federal agencies, and despite the great strides accomplished in responsible noise abatement efforts in the occupational fields, there is still need for a vast amount of education in the field of occupational noise. For instance, B. F. Goodrich estimates that the total market for accoustical goods and products will reach $875 million by 1970, which if one takes into account all that this comprises is a very paltry sum.

Another example of the need for increased emphasis placed on occupational noise is the fact that permanent hearing loss caused by excessive exposure to noise is now a recognized occupation hazard and is compensable in only 35 states. I am always reminded of the basic lack of awareness in this field by an unfortunately true story which occurred when one of my aids was touring a textile factory in the South. When he commented on the high level of noise to which the workers were subjected, the manager hastened to assure him that immediate efforts were being made to correct the unpleasant conditions. "Next week the factory is playing country-western music over the loud-speakers at a level which will block out the noise of the factory."

The noise of our industries is put into further perspective when one considers them in light of "safe" noise levels. There are differences of opinion about permissible occupational noise levels. The American Academy of Ophthalmology and Otolaryngology states that our present knowledge of the relation of noise exposure and hearing loss is much too limited to propose safe amounts of exposure. However, the Academy recommends noise-exposure control and tests of hearing if there is habitual exposure to continuous noise at 85 decibels at a frequency of 300–1200 cycles per second. Noise is measured in a dimensionless unit called the decibel which is used to describe the levels of acoustical pressure, power and intensity.

The decibel expresses a logarithmic ratio between two sounds. In other words, the difference between a noise with a decibel rating of 60 and that with a rating of 70 is a relative increase of 10 times the lower level. The frequency of noise expressed in cycles per second is useful for rating noise hazards since some frequencies are more likely to cause hearing damage than others, with high pitched sounds more annoying than low pitched sounds. The British Medical Society recommends hearing conservation measures when noise exceeds 85 decibels in the 250-4000 cycles per second range.

The United States Air Force recommends ear defenders when personnel are exposed to 85 decibels in the 300–4800 frequency range. The American Standards Association has suggested permissible daily quotas of exposure to noise which they suggest should protect the worker from hearing loss. Over an eight hour working day they suggest a limit of 85 decibels at any frequency range above 700 cycles per second. In the Walsh-Healey Public Contracts Act the Federal government has adopted 90 decibels at any frequency range as a permissible safe occupational noise level.

Only recently has there been concern about the entire realm of urban and community noise although millions of Americans are affected each day by the repercussions of this type of noise. As Dougherty and Welsh commented in "Community Noise and Hearing Loss":

"The saving quality heretofore has been that community noise has been a short-term exposure as compared to an 8 hour day period in industry. As the power use of both home and street increase, steps must be taken to limit the noise output. Otherwise, total timed exposure will exceed industrial standards that actually rely on regular audiograms to prevent severe hearing loss."

Indeed the din in the cities at times far exceeds the noise levels considered "safe" for an occupational situation. A noise level of 100 decibels was once recorded on the Avenue of the Americas in New York City where the Transit Authority was building the extension of the 6th Avenue subway. Construction is perhaps the mort irritating source of noise to the urbanite and the problem is intensified when once we realize that there are virtually no legal controls on the amount of noise that can emanate from a construction site. In the absence of any forms of control the consequences are logical—existing knowledge for noise control is not even applied.

Noise control costs money, and it is not reasonable to ask sympathetic construction firms to invest in noise control only to let unsympathetic firms underbid them on jobs by avoiding the noise control costs. Air compressors, pneumatic drills, power saws, concrete mixers and other machines involved in the construction or demolition of buildings are permitted in some urban areas between 7 am and 6 pm, six days a week and at night with special permit. Combined with the poor soundproofing in modern apartments, the sounds of congested traffic which can reach upwards of 90 decibels, and the multitudinous other sounds of "civilized living", the city dweller is caught in the midst of a cacophonic catastrophe".

Europe and such countries as Russia and Japan have for some time had strictly enforced noise abatement laws, including zoning and construction measures and national councils like the Swiss Anti-Noise Commission which deals with the basic medical, acoustic and technical questions of road, rail and water traffic; aircraft noise, noise in industry, building construction, homes, etc.; and legal questions.

The United States by contrast has few laws regarding noise abatement and even those that it has are barely enforced. For example, New York City is one of the cities that has strict noise laws against horn-blowing and even has a legal noise limit for the city of 88 decibels at 150 feet. If you have ever been to New York, I am sure that these laws will come as surprising news.

The final assault on the nation's well-being due to noise and the one which brings you here today is that of aircraft noise. Of all the fields of noise abatement that of air transportation has received the most attention by industry and government due to the obvious severity of the problem. The possible adverse effects of aircraft noise have been recognized for several years. In 1952 the Dolittle Report pointed out that "positive efforts should be continued by both government and industry to reduce or control aircraft noise nuisance to people on the ground and that substantial reduction of such noise is practicable."

Such firms as Pratt and Whitney, General Electric and Boeing have been involved for some years in the research and development of a "quiet" engine. According to sources within the field, we are five years away from a prototype which when operational will only reduce the perceived noise level at take-off and landing by 10%. The problem in this area is not so much a matter of money as lack of available technology. The sound of a jet taking off is approximately 130 decibels which is also the estimated maximum noise bearable to human years. A reduction of 10% will bearly scratch the surface of the noise problem in this area unless there is a major technological breakthrough.

Therefore in combating aircraft noise we also need to pursue abatement efforts in the aspects of aircrft operations and apply methods of compatible landuse around the airports. In the realm of flight patterns, airport design and placement, guaranteed buffer zones, adequate soundproofing of buildings in and around airports, extension of runways, legal controls, and so on, joint action will have to be taken by the Federal government, the airlines, and the community. With over 98% of our airports owned by some level of state government, it will be primarily up to the local government and the airport operators of the same to effect noise abatement controls. In addition airport operators should share the responsibility of enforcing the new Federal Aviation Agency noise standards to be announced this month and closely coordinating local efforts with such programs as the Aircraft Noise Alleviation Program established under the F.A.A. in 1961.

For examples of innovative noise control efforts I recommend such programs as that taken in the Los Angeles area in which community efforts and pilot programs have been established to abate noise at the Los Angeles International Airport. The Port of New York Authority has also carried out extensions costing several million dollars to the three runway at New York's Kennedy International Airport solely out of noise abatement considerations. Dulles International Airport in Washington is a good example of how zoning laws and design can be effectively employed to control noise levels emanating from aircraft.

But despite these examples, the fact remains that there is much left to do before we can successfully cope with aircraft noise. Your recognition of this fact has brought you here today. There are many questions which must be answered before actual work can even begin. The most important of these is funding of noise abatement efforts. Who is responsible? Should we ever obtain an operational "quiet" engine, the estimated cost of retrofitting our four engine commercial jets has been upwards of $300 million. This is perhaps the most touchy issue which will face you in your efforts to combat jet noise for the costs are formidable and the responsibility ill-defined.

Another problem of considerable concern is that of the sonic boom. Until recently the shock waves from the sonic boom was confined to occasional military flights scheduled to fly over unpopulated areas of the United States. However, since President Nixon's request for $96 million for the current fiscal year ending June 30, 1970 in order to finance the start of construction of two SST prototype aircraft it now appears that within the next 10 years we will be subjected to the sound of commercial sonic booms. I am opposed to the development of this aircraft. Aside from the obvious criticism of low cost-benefit considerations, I find it difficult to justify the vast noise disturbance of this aircraft in light of the small domestic value derived. The plane has no defense value, will cost the government a total of $1.29 billion, out of a total development cost of $1.51 billion, and its flights have been estimated to disturb 20 million groundlings every time the SST flies from coast to coast.

The repercussions of the noise problem have just begun to be understood and much has been done to alleviate the noise onslaught on our environment. For instance, New York City has a law requiring walls soundproof enough to reduce any airborne noise passing through by 45 decibels. Some construction companies have proved that buildings can be constructed quietly, by muffling blasting by special steel mesh blankets, welding instead of using the horrendous racket of riveting or bolting. New machines have been offered on the market which have a vast reduction in decibel rating over their old predecessors such as a new compressor which reduces the decibel level from 110 to 85 decibels and a new paving breaker that has had its sound reduced by ⅔.

New York, California, New Jersey, Minnesota, and other states have voted or have pending various legislation on noise abatement particularly in the realm of vehicular noise. Numerous local ordinances deal with specific noise problems of their area offering such things as prevention of transistor playing in public areas, zoning laws, etc. Some states have legislation which prohibits vehicles on its public highways that exceed certain established noise levels for that particular vehicle.

All of these are good beginnings but they cannot be assessed as anything more than just beginnings. What is needed are guaranteed standards for the man on the street, on his job, or in his home. In this category I would like to mention the Walsh-Healey Public Contracts Act which was signed into effect by Secretary of Labor Shultz on May 17, 1969. This Act provides for a limit of on-the-job noise levels at 90 decibels at any frequency. This regulation only applies to firms that have a $10,000 or better contract with the Federal government during the course of one year. The Walsh-Healey Act is a step in the right direction but again it is only a beginning. It only affects certain segments of workers and sets as a standard a noise level which is of debatable safety for an occupational level.

The real question at hand in the consideration of the noise level of our society is whether we are going to preserve the basic amenities of civilized life in the onslaught of technological advance.

As one noted figure in the noise abatement field, William H. Ferry, once said: "We have been neither interested nor successful in controlling noise because we have been neither interested nor successful in coping with technology."

Some 60 years ago Robert Koch, a bacteriologist and Nobel Laureate predicted: "The day will come when man will have to fight merciless noise as the worst enemy to his health."

That day is not so far away. The problem must be faced now before it is beyond our control. So I offer a few suggestions from my meager knowledge of the problem of what may prevent a continuation of the insult of noise on the future sensibilities of our nation. The problem of our "cacophonic republic" requires education, public awareness, increased research and greater application of economical acoustical materials, and a great deal of cooperation and coalition of effort between industry, business, government, health officials and community groups in order to find and carry out solutions to local, regional and national noise problems.

We need a uniform noise control standards for all industrial and office workers . . . a Walsh-Healey Public Contracts Act of more encompassing and more rigorous standards.

We need to educate consumer demand that will call for quieter jobs and products in order to make it desirable for industry to compete to produce both at less cost.

We need the City Code level to handle such noise sources as garbage collection, construction, loud speakers, and motor vehicles. We need a regional approach to the research and development of programs directed toward the alleviation of the noises that plague particular areas of the United States. Lastly we need the full cooperation of the Federal government in assisting, coordinating and financing these efforts to provide a quieter environment.

As Dr. William H. Steward of the Public Health Service once stated: "Those things within man's power to control which impact upon an individual in a negative way, which infringe upon his integrity, and interrupt his pursuit of fulfillment, are hazards to the public health."

Noise can and must be controlled as a danger to the public health and economy, but above all else we must commit ourselves to the control of the noise in our society on the basis of civilized standards.

THE REPORT BY DR. LUNA LEOPOLD ON MIAMI JETPORT

Mr. HOLLAND. Mr. President, on September 12, 1969, I wrote Secretary of Interior Hickel, asking that I be furnished a copy of the report on the proposed Miami jetport prepared by Dr. Luna Leopold. I did so since a number of newspaper articles prior to that date, September 12, indicated that the report or portions of the report had been made available to certain Members of the Senate and the press; and since the subject of the report directly affects my State of Florida and the Everglades National Park, of which I am frequently referred to as the father, I felt a copy of the report, or at least those portions of the report made available to others, should be furnished to me.

A letter dated September 15 received in my office on September 24 signed by a Mrs. Louise Bundy, Assistant to the Secretary of Interior, advised that—

> The Secretary appreciates your interest and a reply regarding this matter will be provided promptly.

On September 16, prior to receipt of the interim reply dated September 15 received in my office on September 24, my office again contacted the Department by telephone, at which time we were advised that the report was being printed and should be available "in several days."

On September 22, telephone contact was again made with the Department, at which time we were advised that the report would be available "shortly."

On September 30, telephone contact was again made with the Department at which time we were advised that a reply had been written but the language of the reply was objected to and it was being rewritten and if we had not received a reply by Thursday, October 2, we should again contact the Department.

On October 2 we again contacted the Department and were promised the report was forthcoming. However, it had not yet been received in my office this morning. Therefore, another telephone call was placed to the Department.

Mr. President, this is typical bureaucracy at its worst, for which there can be no excuse. Apparently the right hand does not know what the left hand is doing in this Department. Obviously, if it requires the efforts and time my office has spent to obtain a simple report, already completed, the more difficult problems confronting the Department could well require an eternity. Hopefully, Mr. President, administrative redtape apparently now strangling the Department of the Interior will be eliminated. May I say at this point, Mr. President, I am still awaiting the Leopold report.

CALIFORNIA CASUALTIES IN VIETNAM

Mr. CRANSTON. Mr. President, in the past week since last Thursday, October 2, the Pentagon has notified 11 more California families of the death of a loved one in Vietnam.

Those killed were:

Pfc. John M. Ananian, son of Mr. and Mrs. Christy M. Ananian, of San Francisco.

Sp4c. Mark L. Brown, son of Mr. and Mrs. Keith H. Brown, of Thousand Oaks.

Sp4c. Bryan J. de Mello, son of Mr. and Mrs. Richard M. Adams, of Palo Alto.

2d Lt. Robert G. Hartman, son of Mr. and Mrs. Maynard Hartman of Chico.

CBM George Mulrooney, husband of Mrs. Elsie L. Mulrooney of Coronado.

Pfc. Johnny Newsome, son of Mr. and Mrs. John H. Newsome, of Los Angeles.

S. Sgt. Michael A. Piacentino, husband of Mrs. Kazuko Piacentino, of Seaside.

Pfc. James S. Rogers, husband of Mrs. Luann Rogers of Palmdale.

S. Sgt. Thomas J. Simeth, father of Master Thomas J. Simeth, Jr., of Salinas.

Pfc. Edward A. Ulibarri, husband of Mrs. Virginia Ulibarri, of Salinas.

Pfc. Timmy Valadez, son of Mr. and Mrs. William Valadez, of Los Angeles.

They bring to 3,826 the total number of Californians killed in the Vietnam war.

ESTHER MORRIS—EARLY FIGHTER FOR POLITICAL RIGHTS OF WOMEN

Mr. PROXMIRE. Mr. President, the Convention on the Political Rights of Women was opened for signature at New York on March 31, 1953. The convention was at that time signed by 42 countries, not including the United States, and entered into force July 7, 1954. Since that time a total of 55 countries have become signatories to this convention. Still not among them is the United States.

It is ironic and disturbing that this country, which has probably benefited most from the services of its women, and which has experienced a progressive suffragette movement, has failed to ratify this treaty.

One of the most interesting suffragettes from the pioneer days was Esther Morris. The pressure applied by Esther Morris and other suffragettes in the Wyoming Territory was a major factor in the passage of a woman suffrage bill for that territory in the fall of 1869. The provisions of the Human Rights Convention on Political Rights of Women go beyond merely entitling women to vote in all elections on equal terms with men, without any discrimination. It also provides that women shall be eligible for election to all publicly elected bodies and shall be entitled to hold public office.

Once again, as I have said many, many times on the floor, I may say that the only obstacle in the way of the United States taking the place it should take on the human rights conventions is the U.S. Senate. These human rights conventions have been recommended by every President that we have had in the last five or six terms. The human rights conventions do not require any action by the House; it is only the Senate which must act. We shamefully have not acted on the human rights conventions on genocide, political rights of women, and forced labor, and we are, unfortunately, in the minority of nations of the world failing to do so.

I ask unanimous consent that the article from the Christian Science Monitor, "'Six-Foot Suffragette' Helps Win Vote in Wyoming," be inserted in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"SIX-FOOT SUFFRAGETTE" HELPS WIN VOTE IN WYOMING

(By Barbara Hildenbrand)

DETROIT.—One day just a shade over a century ago the stagecoach rumbled into the mining town of South Pass City, Wyoming Territory, carrying a troublemaking cargo—Esther Morris, all six defiant feet of her. She had come west from Illinois to join her husband and three sons in Wyoming.

She was a suffragette. And she was in the right place at the right time. For the Congress in Washington had just declared Wyoming a territory and soon delegates to the first territorial legislature would be elected.

As soon as she was settled, Esther set to work. She organized the women in the community to beg and badger their men for help in getting women the right to vote. She entertained legislative candidates in her home and extracted from them pledges of their support for woman suffrage.

Citizens of South Pass City, watching Esther going about her task, shook their heads and forecast failure. They nicknamed her "the six-foot suffragette."

The first territorial elections were held in September, 1869. And, to Esther's delight William Bright, who was a frequent guest in the Morris home and whose wife was a strong suffrage woman, became speaker of the upper house.

When the legislature convened in the fall of 1869 Bright introduced a woman suffrage bill. The anti-suffrage forces swung into action. But to everyone's surprise the bill passed the Senate by a vote of 6 to 2 (one abstention) and the lower house by 6 to 4 (one abstention).

Why was it passed?

There were many reasons. The pressure applied by Esther Morris and other suffragettes in the territory was a factor.

But perhaps the biggest reason was plain cussedness. The legislature consisted mostly of Democrats. The governor, John Campbell, was Republican. Presenting him with a suffrage bill which they assumed he would veto would, as one legislator gleefully put it, "get the governor in a fix" with the ladies.

For whatever the reasons, Governor Campbell found the woman suffrage bill on his desk on December 10, 1869. And he promptly signed it!

Why? Unknown to the legislature he sympathized with the suffragettes.

Now, for the first time anywhere in the world, women in Wyoming had the right to unlimited suffrage. What would they do with it?

National attention focused on the 1870 elections in Wyoming. There was no discernible feminine influence on the results. Women generally voted as their husbands or fathers did. And there were only a few hundred women of voting age in Wyoming at the time, anyway.

Then trouble struck from another direction. Men belatedly realized that women, as voters, could now sit on juries. Women voting was one thing, especially when there were not too many of them, but women sitting in judgment on men was something else again.

Some enraged husbands declared "they would never live with their wives again if they served on a jury."

But in the spring of 1870 the first jury including women sat in the Laramie City Court, and according to contemporary writing "became such a terror to evil-doers that a stampede began among them, and very many left the state forever."

Esther Morris was appointed Justice of the Peace in South Pass City, the first woman justice on record. In spite of her lack of legal training, not one of the more than 40 cases she handled was reversed by a higher court.

With the passing of time, passions cooled. And the men of Wyoming began to take pride in their record of successful suffrage. When their "voting women" became a stumbling block to their admission to the Union in 1889, Wyoming men gallantly wired Washington, "We will remain out of the Union a hundred years rather than come in without our women."

Finally the House and Senate voted by a narrow margin to admit Wyoming, woman suffrage and all. It would be another 30 years before Congress would allow all American women to vote.

When Wyoming celebrated its new statehood in Cheyenne on July 23, 1890, it was Esther Morris, still standing tall, who presented to the governor the flag honoring the occasion.

On the site of her office and home in South Pass City a monument has been raised to "Esther Morris, first woman Justice of the Peace, author of female suffrage in Wyoming"—a fitting tribute to the six-foot suffragette.

The ACTING PRESIDENT pro tempore. Is there further morning business?

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PUBLIC POLICY AND PRIVATE FOUNDATIONS

Mr. GORE. Mr. President, within the confines of the legal system, a man may do what he will during his life. After life has expired, one should not have, and should not in life expect, power or control over the living. The dead hand must not rule.

Every person, whether great or small, is entitled to hope for immortality of spirit or progeny or for lasting intellectual and moral influence, but the power, the wealth, the vanity and the will of the person, however great or imperious, do not, or should not, survive the grave.

Is it sound public policy, then, for U.S. tax law to accord economic immortality to persons of wealth through the device of a private foundation?

Man has sought continuity, both for himself and for the institutions and ideas he holds dear. We appreciate the elemental continuity of our natural environment, the earth in space and its organic production and reproduction. Personal continuity is instinctual. Almost all of us almost all of the time want a degree of continuity for ourselves, animate physical continuity.

And in spiritual and cultural matters we seek perpetuity, a continuity without definite limits. Our religion teaches of personal spiritual perpetuity. We seek to assure the perpetuity of our social institutions, our governments, our churches, our educational system. And in order to preserve these institutions, we seek to perpetuate the ideas, moral and legal, that sustain them.

Generally, our concepts of continuity may be classified as falling into one of two broad categories: those that owe their existence to what we have done, the creations of homo sapiens, and those created by an extra-human agency.

We would like to think of the latter as unchangeable. For most of our historical, and perhaps much of our anthropological, existence, man has managed to live in harmony with his natural environment. Only recently have we come to realize that man's own activities may threaten the perpetual continuity of conditions essential to life. And we have taken steps to counter pollution of the air and water and ravages against plant and animal life as we seek to assure the perpetuity of life on our planet.

In his search for continuity, man creates entities and institutions without regard to lifespan and which are engineered, initially at least, to continue for an indefinite duration. At a given time we may think of our governments, our legal systems, our religious organizations and other social institutions as perpetuities because they are necessary for our social and community stability. Similarly we may regard as enduring forever those creations which are more individually oriented but which nevertheless contribute to cohesiveness in society, for instance, the arts, novels and histories, painting and sculpture, symphony and opera, or monuments commemorating the life of an individual or an event.

But these manmade creations, though created with perpetuity in mind, are seldom perpetuities. Governments are supplanted by new governments. Businesses change as economic conditions vary. Literature is often subject to the life styles of the moment.

Great social institutions are created and destroyed by complex historical processes. Each generation shapes and molds its institutions and the rules of its society to serve the purposes of the present. For each generation determines for itself, however imperfectly, what will best promote public policy under conditions existing at the time. As much as man may admire the judgment of his own generation, he is no more capable of binding his successors than he is willing to be bound by his predecessors..

Thus, collectively, we recognize that change is necessary, as well as inevitable. And although we may rightly seek to influence, we are under no illusions about our ability to dictate the ideas, the concepts, and the institutions of the future.

But somehow, perhaps because man is an acquisitive creature, this idea has not been so easily accepted when applied to property. Not all of us, perhaps, but most of us, seek to acquire for use by ourselves and our families a quantity of worldly goods, a laudable objective. When pressed, all must concede that you cannot take it with you. Yet frequently there is an unwillingness to accept the judgment of others about the use to which property will be put after the possessor is deceased. This has given rise to various devices and stratagems to control the ownership and to determine the use of property in perpetuity from the grave.

This is not a new phenomenon. Records show that certain of the Pharaohs donated money to colleges of priests who, for a portion of the income, pledged their order to use the remainder of the income from those funds for the perpetual protection and sanctification of their tombs. In 347 B.C. Plato left his academy and a productive endowment of land to his nephew who was required to administer the academy and the land for the benefit of Plato's followers; the nephew, in turn, left the property to the administration of Xenocrates for the benefit of the cult. Epicurus gave his gardens to 10 disciples to be administered by them and their successors as a retreat for Epicurean scholars.

In the mid-17th century the Duke of Norfolk set about preparing his last will and testament. He might simply have followed family and English tradition and have left the dukedom to his eldest son. But the times were uncertain, the monarchy had been overthrown in the Duke's lifetime, and the King had been beheaded. The Duke was intimately concerned in these events, and feared the present government might not weather restoration sentiment. If a king were restored, what would happen to families who had supported Cromwell and helped to depose the last king? To prepare for any contingency as far as the family title was concerned, the Duke provided that the dukedom could not be sold and that all property must remain intact, even after his death. Thereby his unborn descendants would be insured the estate as he left it.

In 1865 the Duke's testament came before the Chancery and Lord Chancellor Nottingham ruled:

> A perpetuity is the settlement of an estate or an interest in tail, with such remainders expectant upon it, as are in no sort in the power of the tenant in tail to dock by any recovery or assignment, but such remainders must continue as perpetual clogs upon the estate . . . they are against the reason and policy of the law, and therefore not to be endured.

The policy of the rule against perpetuities was explained in re Hollis' Hospital—1899—as "the principle that restraints on trade are contrary to public policy." Jarman's text on wills is more explicit:

> The necessity of imposing some restraint on the power of protracting the acquisition of the absolute interest in, or dominion over property, will be obvious if we consider for a moment, what would be the state of a community in which a considerable proportion of the land and capital was locked up. That free and active circulation of property, which is one of the springs as well as the consequences of commerce, would be obstructed; the improvement of land checked; its acquisition rendered difficult; the capital of the country gradually withdrawn from trade; and the incentives to every branch of industry restricted. Indeed, such a state of things would be utterly inconsistent with national prosperity.

It came to be a law of the land in England that a man could not suspend the ownership of property in perpetuity; full control had to be given to the inheritor. The precise rule is:

> No interest is good unless it must vest not later than twenty-one years after some life in being at the creation of the interest.

Thus did the common law dictate that individual desire concerning disposition of real property must yield to considerations of "public policy."

As a corollary to this rule, our society developed the rule that a private trust should not have a perpetual life. This rule, however does not apply to "charitable" trusts for a public purpose.

If the Duke of Norfolk were alive today, preparing a testament with a view to a disturbed future, he might consider a modern form of perpetuity for his property, a perpetuity sanctioned and positively fostered by society through tax exemptions, a perpetuity which could keep his family fortune or business intact, and allow his sons and the sons of his sons ad infinitum to have substantial control over and to derive substantial benefits from the property.

He might establish a private foundation.

Under our tax law a wealthy individual may select any charitable purpose, any purpose which might be considered beneficial to society—the relief of poverty, advancement of education, religion or government—and create a foundation with the stated objective of promoting such a purpose. The part of his estate placed in the foundation is tax deductible to the donor, and in the foundation, the estate and the estate's income is, insofar as present law provides, perpetually exempt from taxation. Significantly, he provides, or may provide, that the foundation shall be administered according to his guidelines and by members of his family. Foundation assets may include a corporate business, land, or other properties.

In this way, application of the rule against perpetual life for private purposes may now be avoided. But the evils to which that rule is directed are very much present. For the foundation is nothing more or less than a perpetuity with very important private benefits: the corpus may be inalienable, the purposes may be subjected to the conditions imposed by the founder in perpetuity, and that control may be placed in the hands of and used for the benefit of the descendants of the founder.

The Government cannot, Mr. President, and should not undertake to, absorb the total charitable obligation. Personal charity and organized charities are admirable and priceless and within limits should be encouraged. Nongovernmental organizations fill some of the gaps. Moreover, they are often more flexible and imaginative than the welfare bureaucracy. And as democracy encourages individuality of expression, so democracy should encourage a plurality of charitable ideals.

But we must recognize that encouragement of charitable giving through the tax system can have questionable results, particularly when the determination of what constitutes "charity" and the conditions attached to the so-called desirable contribution are determined solely by the donor. When a wealthy donor reduces his tax liability through his gift, he is, in practical effect, being allowed to prescribe the use of public funds that would otherwise be paid in taxes. And his own prescription for society's needs will prevail regardless of possible unfitness and changes including priorities established by Congress as the representatives of all the people.

Government is surely far from perfect. But it is the agent of society. Its elected representatives are responsible for making the decisions and establishing the priorities related to the spending of public funds. It is government that is held accountable, and rightly so.

If it were seriously proposed that Congress appropriate to each of the 1,000 wealthiest individuals in the country $1 million to distribute for whatever cause or causes that might appear to each of them to be worthy, I suspect that the public reaction would be highly critical. Yet this is exactly what happens under our present tax laws. And by using the foundation device the donor not only is permitted to spend the "tax money" currently associated with his "gift," he also vests the property and directs in perpetuity the spending of the "tax money" that would otherwise accrue to the Government from the corpus.

Our present tax law, and various State statutes related to charitable giving badly need revision and I expect to discuss this subject in greater detail on another occasion. The thrust of my remarks today is directed to the broader question of public policy aspects of the perpetual foundation.

Should Federal tax policy encourage and subsidize a form of property arrangement that allows wealthy individuals to control their estate in perpetuity? Should the dead control the living for all time to come through the selection of charitable purposes that may, or even that may not, have served the public weal at the time the foundation is created?

The social needs of today are not those of 175 years ago, and they may not be the same 100 years hence. In the fall of 1789 Thomas Jefferson wrote to James Madison:

> A subject which I would wish to develop a little more than is practicable in the hurry of the moment, . . . the question whether one generation of men has a right to bind another. It is a question of such consequences as not only to merit decision, but place also among the fundamental principles of every government. . . . I set out on this ground, which I suppose to be self-evident, "that the earth belongs in usufruct to the living;" that the dead have neither power nor rights over it. The portion occupied by an individual ceases to be his when he ceases to be, and reverts to the society.

Jefferson secured repeal of the statutes which established primogeniture and entail in the transmission of real property in Virginia. The result was to release from entail half to three-fourths of the large estates in Virginia.

I believe the principles enunciated by Jefferson were sound when he expressed them. They are sound today.

The private foundation, however, freezes the notion of the donor as to charitable interests into society forever. If the charter is specific, however obtuse, the trustees of the foundation are bound by it. More importantly, since the income of the foundation is tax exempt, the entire Nation is bound to follow and to contribute to the wishes of its donor. Thus a dead donor's wishes will be carried out at the expense of each succeeding generation, even though a new order of public priorities and changed conditions would have rendered the specific charitable purpose obsolete.

In a democratic society each generation should have the opportunity to make unfettered decisions concerning the social institutions which regulate their lives. They should be free to choose from the guidelines and the abundance of material left by previous generations. More often than not, much of the old will be accepted. For barring major change in the fabric of society, a formula for stability that has well served one generation will, with appropriate modifications, serve the next. Radical change becomes necessary only when one generation is unable or unwilling to provide for social change.

But, if the opportunity for change is restricted or prohibited then evolution may give way to revolution—in economics as well as in politics.

The second problem created by private foundations is the retention and the concentration of economic power in possibly unproductive hands. The assets of foundations are effectively isolated from the mainstream of economic activity. The wealth and economic activity they represent are removed from the tax base, already badly eroded by other provisions of favoritism. This is not an inconsequential matter. According to the report of a subcommittee of the House of Representatives, the assets of just 647 foundations amounted in 1967 to about $18 billion. We do not really know the total value of the assets controlled by the more than 30,000 foundations which have been identified.

History records that other societies have been faced with situations not dissimilar to that created for us today by the growth and proliferation in number and variety of foundations.

Charitable associations existed in the Roman Empire, and by 65 B.C. had become powerful politically as well as economically. Because so many of these participated in Cataline's conspiracy, Cicero persuaded the Senate to dissolve them as contrary to public policy.

In England, during medieval times, the ecclesiastical orders controlled more wealth than did the crown. Those who controlled these ecclesiastical orders also controlled two-thirds of the votes in the House of Lords, and one-third of the land of Great Britain. The income from these lands was some 2½ times that of the crown. The 200-year period between the reigns of Henry II and Henry VIII witnessed a running battle as the state sought to wrest control of this wealth from religious orders. The solution began to take shape in the Statutes of Mortmain, some enacted as early as the 13th century, which restricted the amount of property a man might give to charity.

When the Ottoman Empire fell, two-thirds of all real property in its domain was owned by religious organizations. The withdrawal of such property from full participation in the economy and from the tax rolls played a leading role in the empire's downfall.

I do not seek to minimize the good that is accomplished by foundations. Much good has been accomplished. Much good could have been accomplished by our Government through the use of such vast sums as are involved. That point aside the growth of foundations in both size and number has reached such proportions that they threaten to undermine economic democracy in our country.

Finally, from the standpoint of Federal tax policy, favored tax treatment of private foundations can be justified only on the basis that the public good is served. But it is clear that, while some public benefits are derived from private foundations, these entities also serve very private purposes of the donor: control of family businesses by relatives, provision of jobs for members of his family, economic and social power resulting from control of large sums of money, perpetuation of the donor's view of society's needs.

These private foundations constitute, therefore, a hybrid mix—part public welfare and part narrow private benefits, sometimes only serving idiosyncrasy. It seems clearly improper, then, to grant Federal tax benefits as if the public were the sole beneficiary of these arrangements and to leave essential determinations without safeguard or regulation.

In broadly supported public charities—churches, colleges, and universities, the Red Cross—we can feel assured that public instead of private interests are being served. The funds are quickly devoted to truly charitable purposes; expenditure policies can be changed to meet new needs and new public concerns. In short, the living—not the dead—control the funds available to these organizations. Therefore, when the Congress grants total tax exemption to these public charities, it can be relatively sure that tax expenditures by these groups will be clearly responsive to the needs of the people—as Congress itself must be in proceeding through the appropriations process.

But these guarantees are not present in private foundations. These organizations are not responsive to public needs, they may not properly serve public needs, and they may be even precluded from meeting changed public needs. A clear example of such a case has been presented to the Finance Committee in the hearings which it has conducted on the tax reform bill. The Irvine Foundation controls, through the Irvine Co., 18 percent of the land in Orange County, Calif. This is an area of rapidly developing residential development. Yet the Irvine Foundation, through the Irvine Co., has recently dedicated almost 50,000 acres of this land for "agricultural purposes" for a period of 10 years. Such an action cannot possibly benefit charity, and it is questionable whether it is in the best interest of the people of California. In any event, it is clear that the public is not being permitted to determine the use of almost 20 percent of an entire county. This is a startling example of the dead controlling the living, and it is duplicated in countless foundations in various ways throughout the country.

Therefore, insofar as Federal tax law is concerned, it is plainly inappropriate to afford the same benefits to private foundations as are made available to public charities. At the very least, there should be a limitation in time.

As a beginning, I propose that favorable tax treatment be accorded a private foundation created hereafter only if it has a limited lifespan—say 25 years, and that tax exemption for existing private foundations terminate within 25 years.

This proposed rule will provide a

charitable deduction for Federal income tax purposes to a donor creating such a qualified foundation. Further, the foundation will be exempt from taxes for the duration of its 25-year life. But, at the specified time, the property must pass into the public domain.

This rule would provide a better balance between the interests of the public and private concerns. True, it may not be adequate treatment. It still grants significant tax benefits to wealthy individuals, I acknowledge, purely and practically because of such wealth, and it still provides a generous time during which their own wishes can have absolute priority in terms of expenditures for the public benefit, neither of which benefit is practically available to persons of ordinary means. But it also insures the funds will not be frozen for all time to come into a mold predetermined alone by the donor. At an appropriate time, there will be an opportunity for society of that day to reassess the priorities to which these funds should be directed. And should this not be?

Some donors of foundations have recognized the efficacy of my view that a specific termination date should be set for foundations. In 1928, Julius Rosenwald directed the dissolution within 25 years of the Julius Rosenwald Fund. In a letter to his trustees, he wrote:

> I am not in sympathy with this policy of perpetuating endowments and believe that more good can be accomplished by expending funds as Trustees find opportunities for constructive work than by storing up large sums of money for long periods of time. By adopting a policy of using the Fund within this generation, we may avoid those tendencies toward bureaucracy and in a formal or perfunctory attitude toward the work which almost inevitably develop in organizations which prolong their existence indefinitely. Coming generations can be relied upon to provide for their own needs as they arise.

I concur in the philosophy expressed by Mr. Rosenwald. I am willing now to grant by law an appropriate, fixed period of time for the furtherance of the donor's wishes. But thereafter control should pass to the living.

THE HAYNSWORTH AFFAIR

Mr. PELL. Mr. President, standards of conduct in government must be above the standards observed in other segments of our community. The people rightfully expect that some actions tolerated or permitted in the private sector will not be condoned in public service.

And, within the government, I believe, it is particularly important that the highest standards of conduct be observed by the judiciary, for those who are called upon to pass judgment must themselves be above reproach. And, indeed, among all men in government, the Justices of our Supreme Court should be called upon to demonstrate the nicest sense of ethics.

It is not just a question of doing right or wrong, for certainly wrongdoing cannot be tolerated. But for men in whom the highest trust is placed, even the appearance of a lack of sensitivity to ethical considerations must be avoided. If our country is to feel the confidence it should in the probity of our judicial system, then it is incumbent on each Justice to follow the course of Caesar's wife.

This is the standard that must be applied in considering the nomination of Judge Clement Haynsworth. Thus far no evidence has been brought to my attention that demonstrates actual wrongdoing or evil intent. But the record does show an absence of that nice sense of ethics which I believe should be required of all Justices of the Supreme Court.

For this reason, I oppose the confirmation of Judge Haynsworth to be a Justice in our Supreme Court.

BUSINESS EXECUTIVES MOVE FOR VIETNAM PEACE

Mr. PELL. Mr. President, last week, J. Sinclair Armstrong made a very telling statement before the Senate Appropriations Committee on behalf of Business Executives Move for Vietnam Peace.

Mr. Armstrong has had a singularly responsible and successful record in Government, where his last position was Chairman of the Securities and Exchange Commission, and in private business, as executive vice president of the United States Trust Co. of New York.

Mr. Armstrong has been in the forefront of the growing legion of businessmen concerned with the waste and drain upon our national vigor which is being produced by the Vietnam war.

He believes that it is up to Congress to rescue our country from the dilemma which it is in, and help the executive branch of our Government do what should be done.

I ask unanimous consent that this cogent statement be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

BUSINESS EXECUTIVES MOVE FOR VIETNAM PEACE

(Statement of J. Sinclair Armstrong, on behalf of Business Executives Move for Vietnam Peace, before the Senate Appropriations Committee, September 25, 1969)

Business Executives Move for Vietnam Peace is an organization of 2,600 owners and executives of American business corporations in forty-nine states who seek by open and lawful means to bring about an end of U.S. participation in the War in Vietnam.

We commenced our activity in September, 1967, spurred by several members of the Senate, who asked us, amid all the groups crying out against the U.S. bombing and fighting in Vietnam, "Where are the businessmen?"

We are executives and owners of American business corporations. The men in our group have great responsibility for management of wealth, operation of business, provision of employment, and an evergrowing concern and responsibility for our communities and our country.

My own business experience is in law and finance, and includes four years of service as Commissioner (two as Chairman) of the Securities and Exchange Commission, two as Assistant Secretary of the Navy for Financial Management, and ten in my present position as Executive Vice President of the United States Trust Company of New York (for whose official views I do not purport to speak on this occasion).

As executives and owners of American business, our numbers are small, but we notice an expansion of interest in our cause and an increase in our membership this year. As the War which America repudiated in 1968 continues full of fight through 1969, there is little evidence of progress in negotiations with the governments and fighting organizations involved on either side.

As business executives, we see the War as unwinnable. As financiers, we see the destabilization of our domestic and international finances that it has brought about.

As citizens in our home communities, we see the blight that its excess costs visits on us in curtailment of resources for housing, education, health facilities, mass transport facilities, and productive employment.

As taxpayers, we feel the burden of its cost—the surtax, recently re-enacted—and the proposed repeal of the tax credit for investment in capital equipment by which goods are produced and America is kept modern.

We see the enormous cost of restrictive monetary and fiscal measures, and the record high interest rates—7½% on U.S. Treasury Notes—and curtailment of availability of credit, with the resulting drastic curtailment of vital housing and other construction.

We feel the inflation, the monthly increases in the cost of living, steadily up half of one per cent a month, with no end in sight.

In my testimony before the Defense Sub-Committee of the Committee on Appropriations of the House of Representatives on June 9 (which appeared in the Congressional Record, June 18, 1969), I mentioned the destabilizing effect of the excessive Vietnam and other defense costs, and predicted that, if they continued, there might have to be direct wage and price controls and allocation of materials.

Several days later, the Secretary of the Treasury mentioned this possibility. After that, President Nixon said "no" to wage and price controls. But how else, except by curtailment of war spending, can inflation be curtailed? Tight money and surtax have not succeeded.

A wise leader of organized labor, George Meany, recently returned to the wage and price control theme. Neither he, nor the President, nor we Business Executives believe that that course would be good for America. The economics of the situation tell us that the Vietnam War should be ended now, in the vital interests of our free American society.

THE APPROPRIATION REQUEST FOR SOUTHEAST ASIA OPERATIONS

The Budget of the U.S., FY 1970, pages 73 and 74, states $23,025 million as recommended budget authority ("NOA") for "special Southeast Asia" and $25,733 million (including $336 million "economic assistance") outlays for special Southeast Asia in FY 1970, and military personnel in Southeast Asia, 639,000 in FY 1970.

Secretary of Defense Clifford's Defense Budget and Posture Statement, delivered to the Congress in January of this year, which has not been changed by Secretary Laird so far as we know, calls for the level of operations and personnel requested in the FY 1970 Budget document, for Southeast Asia. Nor do we know whether any budget changes have been made since the President's recent troop withdrawal decisions. We are advised that no action in the House Committee has yet been taken.

Business Executives Move for Vietnam Peace urge this Committee to reject the request for NOA of $23 billion and rescind obligational authority heretofore granted to spend $25.73 billion on the Vietnam War in FY 1970.

We urge this Committee to hand this request back to the Administration, and to require a new estimate based on a planned, phased, complete withdrawal from Vietnam of all U.S. forces beginning at once.

We do not have sufficient detailed data nor any staff to estimate precisely what this reduced amount should be. In view of the diverse considerations involved in such a withdrawal and the difficulty of making a precise estimate of its cost (recalling my own experience as Assistant Secretary of the Navy for Financial Management and Comptroller of the Navy), I believe that $12.5 billion is a prudent estimate of the cost savings that could have been achieved this fiscal year if a start had been made. As a quarter of the fiscal year has run, $10 billion is a prudent estimate of achievable savings in FY 1970 if the War ended now.

In his article in the October 1969 issue of "Foreign Affairs" magazine (p. 52), Representative Jonathan B. Bingham refers to "experts" who proceed "on the assumption that an end to the War might produce savings of about $20 billion annually after two years."

We Business Executives urge this Committee to start now, by cutting the appropriation.

THE VITAL INTERESTS OF THE UNITED STATES CALL FOR PEACE IN VIETNAM NOW

The U.S. has no vital strategic or economic interest in Vietnam. That tiny country is no threat to U.S. security. We continue to waste our resources—men and materials—there for no vital security reason.

The President recently said that the time for ending the Vietnam War is now. So let us begin with the appropriation, for the War cannot go on without the money taxed from our people and appropriated by the Congress.

We Business Executives see little progress on the military or diplomatic fronts. The U.S. stated conditions of peace is free elections in Vietnam, supervised by an international authority. We are business executives not diplomats by profession. But we believe that North Vietnam will not accept that condition, in the light of U.S. failure to follow through on the similar 1954 commitment. Peace will wait a long time if the U.S. waits for supervised elections—Western style—in that rural Asian country. What is needed is a broadening of the Saigon regime and then a true coalition government of all Vietnam parties to the conflict.

We believe that the only course that will bring this about is announced, complete, total U.S. withdrawal, beginning now. Only then will the recently narrowed South Vietnam Government be broadened. Only then will it have to enter into coalition and make peace.

President Nixon could be a great President if he would act to bring this about. Former President DeGaulle's withdrawal of French forces from Algeria led to a decade of French greatness. World opinion, of our allies, neutral states, the great leaders of the U.N., such as U Thant, and of religion, such as Pope Paul, would acclaim the President, should he do the same for the U.S. in Vietnam. Congress should spur him on, encourage him, support him, in his effort to end the War now.

We Business Executives are not encouraged by recent events.

Many of America's business leaders have lost faith in our country's ability to solve our problems. The Vietnam War keeps us from confronting the domestic crisis which has split the country. Young people cease to respect our generation when we offer them no way out of a useless, unwinnable war, but expect them to fight and die in it.

And what a terrible waste of our most vital national asset—our young men—it is, with 45,000 killed and missing, and 250,000 wounded, and the pace of casualties continuing well over a thousand a week. A country that alienates its most sensitive, highly trained, and productive youth is critically weak.

We Business Executives believe that the failure of our Government to take the necessary measures to end the War signals weakness. The recent decline of stocks and bonds in the securities markets—a drastic drop this year—directly reflects lack of confidence among businessmen and the investing public in the ability of our Government to end the War.

The Administration seems to pursue a two-faced policy on Vietnam. One face is set towards Hanoi. Secretary Laird stated in a recent interview in Time Magazine that the U.S. strategy is to reduce our forces in Vietnam to about 250,000 and keep them out of combat as much as possible to "quiet dissent".

With domestic opposition adequately "managed", the Administration seems to hope that it can convince North Vietnam that it is able to wait indefinitely for a peace offer that will be acceptable to the Thieu Government of South Vietnam. In other words, the U.S. will sit in Vietnam a decade or more waiting for the North and Vietcong to admit defeat. The other face we see in the news and on the television screen at home. That face tells us that the war is proceeding to an orderly solution. The withdrawal of a few troops, hints of progress at the negotiations, and a temporary suspension of the draft seem to be part of a carefully orchestrated plan to convince Americans that we are on the track towards a rapid end of the War.

We Business Executives doubt that this strategy can end the War and thereby help cure inflation and the other adverse economic consequences of the War. The Administration's strategy fails to confront the three stubborn central facts:

1. There can be no negotiated settlement unless the present Saigon government is significantly broadened. In recent weeks it has been narrowed and the hold of General Thieu and the other military leaders has been strengthened.

2. Troop withdrawals have little overall significance unless they are rapid and deep. General Thieu has said publicly that his government cannot survive if the rate of withdrawal proceeds at any faster pace.

3. As long as U.S. policy continues to underwrite the Thieu regime and insists upon a settlement that the South Vietnam generals will accept, North Vietnam and the NLF are furnished no inducement to make peace, and have no alternative but to continue the War.

Business Executives appeal to the Congress to end this stalemate. The making of War is Congress's responsibility.

The Congress has the power to "lay and collect taxes", "to provide for the common defense", "to raise and support armies", and "to declare war" (none has been declared against Vietnam). U.S. Constitution, Article I, Section 8, "Powers of the Congress".

The President is "Commander-in-Chief of the Army and Navy" and "shall from time to time give to the Congress information on the state of the union and recommend to their consideration such measures as he shall judge necessary and expedient". Article II, Sections 2 and 3.

Constitutional responsibility for the War clearly falls on the Congress.

The decisions of the Congress on whether to continue the Vietnam War will have vital implications for the future. If the Congress says "no" to continuing the War, and denies the appropriations for it, free enterprise in a free economy will survive and prosper in America.

So we, Business Executives Move for Vietnam Peace, urge the Congress to review the Defense Posture and Budget for FY 1970 and revise the Budget so as to cut out the appropriations with which to continue the Vietnam War. We urge this in the vital interests of the United States.

BOARD OF EDUCATION, LEE COUNTY, S.C.

AMENDMENT NO. 229

Mr. PROXMIRE. Mr. President, as we all know, for many years the distinguished former Senator from Oregon, Wayne Morse, used to rise on the floor of the Senate and object to bills which would give away Federal land without compensation. Senator Morse is no longer a Member of this body, but the validity of his point, I think, is just as strong as ever. For that reason, I am concerned about a bill that is now on the calendar, and that I understand is about to be acted upon.

So I send to the desk an amendment to that bill, H.R. 9946, a bill which would convey to the Board of Education of Lee County, S.C., the Federal Government's reversionary rights in certain tracts of land.

The land involved was originally conveyed in 1945 by the United States to the South Carolina Department of Education. The conveyance was free of cost to South Carolina on the condition that the property would be used for educational purposes, but the United States retained the right to reclaim the land if the property was put to some other use. The Lee County, S.C., Board of Education put up a grade school on the property in 1953.

In order to comply with recent school desegregation decisions, Lee County now intends to construct a new high school on this property and presumably the old grade school would be torn down. Naturally, I am delighted to know of these efforts to implement integration in South Carolina's public schools. However, the board of education has informed the House Agriculture Committee that it will not be able to float the construction bonds for the new school as long as the United States right to reclaim the land—if not used for education—is superior to the rights of the mortgagees who will put up the construction funds.

Frankly, Mr. President, I am at a loss to understand why Lee County is unable to find mortgagees who would not insist on a disavowal by the United States of its legitimate rights to this land. The money is being put up to finance a school. As long as a school is on the land, the Federal Government has no right whatsoever to reenter and reclaim the land. The county stands behind the bonds, and the reverter can be kicked off only if the county reneges on its covenant with the Federal Government.

Mr. President, I am unaware of any other instance in which the Federal Government has been compelled to give up its rights at the insistence of private financiers. To do so, as H.R. 9946 would have the Government do, would represent a clear violation of the terms of the Federal Property and Administrative Services Act, which stipulates that Federal property may be conveyed without cost only if the property is to be used for school purposes. If it is used for some other community purpose—such as park or recreational use—the act stipulates that the purchase price shall be 50 percent of the fair market value of the land. Of course, if some private or industrial use is to be made of the property, a full 100 percent of fair market value is to be paid. This is the requirement of the "Morse formula."

Now we are asked to abrogate this time-tested formula by enacting H.R. 9946. Mr. President, I cannot consent to depriving the taxpayer of what rightfully belongs to him. Having conveyed this property free of cost, the Federal taxpayer is entitled to assurance that it will be used for educational purposes. This Senator, for one, serves notice that the Morse formula is still valid, and will be applied in the future.

However, Mr. President, I do not wish to stand in the way of integration. Accordingly, to insure that funds for the new school will be available, I hereby propose an amendment to H.R. 9946 which would subordinate the reversionary rights of the United States to the rights of the mortgagees on this property. The amendment reads as follows:

> On page 1, beginning in line 5 with the word "a" strike through the word "to" in line 9 and insert "an agreement subordinating all right, title, and interest of the United States of America in and to the land hereinafter described to a lien or liens to be executed by the said Board of Education of Lee County, South Carolina, its successors or assigns for the financing of consolidated public school improvements on the said land, which consists of"

My amendment would not unconditionally release the reversionary rights of the United States to this land. It would, however, insure that the necessary funds would be available to construct the new school. If this amendment is adopted to H.R. 9946, I would have no objection to the bill's passage.

We have discussed the amendment with the staff of the Senate Committee on Agriculture and Forestry. I am very hopeful that the Senators from South Carolina will agree to the amendment so that we can act on the bill for the benefit of the people of South Carolina.

The ACTING PRESIDENT pro tempore. The amendment will be received and printed and will lie on the table.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BURDICK in the chair). Without objection, it is so ordered.

THE THREAT FROM GERMAN MEASLES

Mr. TYDINGS. Mr. President, it is a sad commentary on our society that we seem unable to provide some 50 million children throughout our nation with vaccine protection against German measles.

Rubella, as German measles is known, is itself a mild disease. However, it may cause serious impairment to an infant if contracted by a mother during the early months of her pregnancy. Unless adequate precautions are taken against the disease, children can be born blind, deaf, or with heart and brain defects.

During the 1964 outbreak of German measles, 2 percent of the children born in Maryland were adversely affected. Fifteen hundred children in our State were born with physical defects.

With rubella the cost in human suffering is thus great. The cost of medical treatment and special education is of course tremendous.

Fortunately, there is now a new and safe vaccine to protect against German measles which has been recently licensed by the U.S. Public Health Service.

According to a letter I recently received from Dr. William J. Peeples, commissioner of the Maryland State Department of Health, Maryland has approximately 930,000 children in the 1-to-12-years age group who should receive this vaccine now. Action is underway to provide these children with immunization during the coming school year. Yet, to meet Maryland's needs will cost $1,311,300. This is slightly more than $1 per child.

At this time the Federal Government through its immunization project grant can only furnish enough rubella vaccine to protect less than 8 percent of the Maryland children who need it. State and local governments will be unable to make up the difference.

The Subcommittee on Health is now considering legislation to provide additional Federal financial support for rubella control and other communicable diseases control programs. S. 2264 authorizes $60 million for fiscal year 1970 and $75 million for fiscal year 1971 to reaffirm and increase our nationwide effort to provide protection against communicable diseases.

The proposed legislation has my full support.

Unfortunately, it does not have the support of the administration. Testifying before the subcommittee, Dr. William Stewart, Surgeon General of the United States, and then Acting Assistant Secretary of the Department of Health, Education, and Welfare, stated that present grant authorizations are already adequate to cover the purposes of S. 2264 and that the administration is opposed to the proliferation of categorical grant programs.

I can understand Dr. Stewart's desire for administrative efficiency but am deeply disturbed by the administration's apparent insensitivity to the health of our children. The information I have from Dr. Peeples indicates that the present authority is not adequate and that S. 2264 is urgently required.

I have therefore written the President, urging him to reconsider the administration's position on S. 2264.

Surely we all have the health of our children foremost in our minds. Nothing should stand in the way of our efforts to insure that our children are vaccinated against rubella and that German measles no longer constitute a health danger.

In a democratic society that prides itself on technological skill and humanitarian concern, anything less is sheer hypocrisy.

I ask unanimous consent that Dr. Peeples' letter to me and my own to the President be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., October 8, 1969.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I am writing to urge the Administration's support for S. 2264, which authorizes $60 million in fiscal year 1970 and $75 million in fiscal year 1971 for communicable disease control programs.

I am concerned by our failure to have on hand sufficient vaccine to protect our children from the expected nationwide epidemic of German measles. S. 2264 would provide funds to acquire this vaccine and ensure that children born during the epidemic do not suffer the physical defects that German measles may bring.

According to Dr. William J. Peeples, Commissioner of the Maryland State Department of Health, approximately 930,000 children in Maryland should be vaccinated at this time. Yet present federal assistance to the state will cover only 8% of these children. The state and local governments will be unable to make up the difference.

On June 30, Dr. William Stewart, Surgeon General of the United States and then Acting Assistant Secretary of the Department of Health, Education and Welfare, testified against enactment of S. 2264. Dr. Stewart stated that present grant programs are sufficient to cover the German measles threat and that the Administration is opposed to the profit of categorical grant programs.

In view of the information given me by Dr. Peeples, I urge you to reverse the position stated by Dr. Stewart and place the Administration in full support of S. 2264.

I know you share with me the view that our nation, which prides itself on scientific advancement, must no longer permit children to suffer from diseases for which there are effective vaccines.

With best wishes,
Sincerely,
JOSEPH D. TYDINGS.

STATE OF MARYLAND,
DEPARTMENT OF HEALTH,
Baltimore, Md., September 23, 1969.

Hon. JOSEPH TYDINGS,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SENATOR TYDINGS: A new safe, effective vaccine to protect against German measles has been recently licensed for general use by the U.S. Public Health Service. The vaccine arrives at a time when health authorities predict an imminent nationwide epidemic.

Although rubella (German measles) is a mild illness, it may cause serious impairments to the infant if contracted by his mother during the early months of her pregnancy. The results of the most recent outbreak of German measles in 1964 were devastating. It is conservatively estimated that 2% of the children born in Maryland during that year were affected. These 1500 children were born with such problems as deafness, cataracts, mental retardation, or heart defects. Many of them were undersized and failed to grow normally. The costs in terms of human suffering is difficult to evaluate. Nevertheless, we do know that the cost of medical treatment, special education, and institutionalization will be tremendous.

The Sub-Committee on Immunization Practices of the Medical and Chirurgical Faculty of Maryland composed of representatives of the State and local health departments and of the private medical community has recommended that the vaccine be used for children between 1 and 12 years. This is in agreement with the recommendations of the Public Health Service Advisory Committee on Immunization Practices. It is hoped that by immunizing this age group first we can stop the chain of transmission to the pregnant woman thereby decreasing the threat to the unborn child.

There are in Maryland approximately 930,000 children in the 1–12 year age group who should receive this vaccine now. Programs are being planned in Maryland in cooperation with the private medical community to immunize these children during the coming school year. But the cost of the vaccine alone without considering its administration will be a staggering $1,311,300.

At this time the Federal Government through the Immunization Project Grant can only furnish enough rubella vaccine to immunize less than 8% of the children in Maryland in the 1–12 year age group, many of whose parents cannot afford to purchase private medical care. The State and local subdivisions will be able to supply a limited amount of funds for the purchase of vaccine in addition to the large expenditure for personnel to plan and execute these rubella immunization programs.

However, there is currently a bill before the Senate, Senate Bill 2264 which requests federal funds for the Public Health Service Immunization Program. If such a bill is passed, more monies will then be available to purchase additional rubella vaccine for Maryland's children. I urge your support of this important legislation.

Sincerely,

William J. Peeples, M.D.,
Commissioner.

STATEMENT BY RAND CORP. STAFF MEMBERS ON WITHDRAWAL OF TROOPS FROM SOUTH VIETNAM

Mr. CRANSTON. Mr. President, the New York Times contains an article written by its west coast correspondent, Steve Roberts, reporting that six Rand staff members, "all of whom have done research on Vietnam for the Federal Government, have urged the United States to make a unilateral withdrawal of its troops from South Vietnam within a year."

This declaration by Rand scholars is one more piece of important evidence of the nationwide disgust with our present course in the Vietnam war. Their conclusion—"an unconditional pullout was the only feasible alternative open to Washington"—matches much of our thinking within the Senate.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Six Rand Experts Support Pullout—Back Unilateral Step Within 1 Year in Vietnam

(By Steven V. Roberts)

Santa Monica, Calif., October 8.—Six staff members of the Rand Corporation, all of whom have done research on Vietnam for the Federal Government, have urged the United States to make a unilateral withdrawal of its troops from South Vietnam within a year.

In a letter to The New York Times, the six said, "Such disengagement should not be conditioned upon agreement or performance by Hanoi or Saigon—i.e., it should not be subject to veto by either side."

The six said that they were acting as individuals, not as employes of Rand, a nonprofit research corporation established by the Air Force in 1946. The corporation is now independent but still does 76 per cent of its work for the Defense Department.

The letter, written by men of considerable expertise who normally shun publicity, provided new impetus to the growing public demand for swift disengagement from Vietnam.

TWO YEARS IN SAIGON

Under contract to the Pentagon, the six have studied subjects ranging from the effectiveness of bombing North Vietnam to the interrogation of enemy prisoners. One of them, Daniel Ellsberg, spent two years working for the State Department in Saigon before joining Rand.

The group includes experts on Russia, China and Japan. One signatory, Melvin Gurtov, is the author of a forthcoming book on the future of American policy in southeast Asia. The other signers are Oleg Hoeffding, Arnold L. Horelick, Konrad Kellen and Paul F. Langer.

The letter writers concluded that negotiations could never bring peace to Vietnam and that an unconditional pullout was the only feasible alternative open to Washington. As one of the group commented: "Unilateral withdrawal is now respectable."

The letter listed four reasons, "apart from persuasive moral argument," for rapid American withdrawal:

"No. 1. Short of destroying the entire country and its people, we cannot eliminate the enemy forces in Vietnam by military means; in fact, military victory is no longer the U.S. objective. What should now also be recognized is that the opposing leadership cannot be coerced by the present or by any other available U.S. strategy into making the kinds of concessions currently demanded.

EXAGGERATION IS FOUND

"No. 2. Past U.S. promises to the Vietnamese people are not served by prolonging our inconclusive and highly destructive military activity in Vietnam. This activity must not be prolonged merely on demand of the Saigon government, whose capacity to survive on its own must finally be tested, regardless of outcome.

"No. 3. The importance to the U.S. national interests of the future political complexion of South Vietnam has been greatly exaggerated, as has the negative international impact of the unilateral U.S. military withdrawal.

"No. 4. Above all, the human, political and material costs of continuing our part in the war far outweigh any prospective benefits, and are greater than the foreseeable costs and risks of disengagement."

DISASTER IS DENIED

The North Vietnamese, the letter continued, have shown extraordinary "resiliency, determination and effectiveness even under extremely adverse conditions." Any hope that the enemy is weaking is "erroneous," it went on.

Moreover, the letter said, the North Vietnamese would never accept a settlement that "implied recognition of the authority of the Saigon government."

"Thus to make the end of U.S. involvement contingent upon such concessions is to perpetuate our presence indefinitely," it declared.

Unilateral withdrawal, the letter insisted, would not necessarily have the disastrous consequences predicted by supporters of American policy. Withdrawal could even produce "desirable political changes in Saigon" by eliminating support for a regime not backed by a majority of South Vietnamese and by allowing a "cohesive national consensus" to emerge.

The theory that a massive military effort in Vietnam would prevent "proxy victories" by the Soviet Union or Communist China "has long since been discredited," the letter added.

"Moreover, we regard the Vietnamese insurgency as having special characteristics that cannot be considered typical of or exerting decisive influence on other revolutionary movements in Asia or elsewhere," the letter said.

"We do not predict that only good consequences will follow for Southeast Asia or South Vietnam (or even the United States) from our withdrawal," it declared. "What we do say is that the risks will not be less after another year or more of American involvement, and the human costs will surely be greater."

DIRECT ELECTION OF THE PRESIDENT

Mr. CURTIS. Mr. President, one of the most outstanding and scholarly lawyers of Nebraska is Mr. Clarence A. Davis, of Lincoln. As a very young man, Mr. Davis carved out a brilliant career as attorney general of Nebraska. He has in a true sense been the "lawyers' lawyer." He is well known among the good leaders who make up the leadership of the American Bar Association.

Mr. Davis served during the Eisenhower administration as Solicitor of the Department of the Interior. Later, he was Under Secretary.

Mr. Davis has written an article entitled "Direct Election of the President." The article was published in the Nebraska State Journal of October 2, 1969. Mr. Davis' arguments call attention to some questions to which the proponents of direct election have no answer.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Direct Election of President

(By Clarence A. Davis)

Do you want to have your vote for President nullified by a tombstone in Chicago, a vacant lot in Philadelphia, or by repeat voting of a Bowery Bum? If you don't, you better wake up to what this attractive sounding campaign for the direct election of president really means, for it may destroy your vote and end up destroying the American republic.

It minimizes the influence of the smaller states like Nebraska in their voice in the selection of a president. It opens the door towards turning this country into a vast democracy instead of a republic of sovereign states which its founders intended it to be.

Most of us were taught in grade school of the remark of Benjamin Franklin at the close of the Constitutional Convention in which he told excited inquirers: "We have given you a republic if you can keep it." Well, we are about to lose it, and lose it because of a very attractive sounding slogan which covers the ultimate destruction of our political system as we have known it.

This all grows out of the attack being made on the electoral college system. We have never voted directly for the President, but have voted for electors who later met and actually voted for the president. Each state has a definite number of electors.

This is being attacked as secondhand voting. The cry is raised that these electors have the power to vote for Joe Doakes instead of for the man who carried the state; that they are open to corruption and every other abusive charge that power greedy minds can imagine.

HOUSE DECIDES

If the electors do not have a majority for any one man, the election goes into the House of Representatives. The entrance of George Wallace into the Presidential picture is used as a horrible example of what might happen. If George Wallace had gotten, for instance, 30% of the votes and the votes had been more or less evenly divided between Nixon and Humphrey, the election would have gone to the House.

There is much wailing over this possibility, but in almost 200 years it has happened but once. In the same long period of years, as thousands of electors of the various states have met every four years to elect a president, there are only five instances where an elector failed to vote for president for the man who carried his state and even in those cases, he voted for a responsible man who might have become a satisfactory president.

But the cry is that we must elect the president direct and that sounds attractive. I suppose if I stopped 100 people on the street someday and asked each of them, "Don't you think you ought to vote directly for the President of the United States?", probably 95 of them would say "Sure, of course" without any thought of the consequences which flow from this innocent statement.

The proposal is that we elect a president by direct vote of all of the people of all the United States. That sounds attractive. But it will not bear the light of day. It has the practical effect of turning over the control of the country to four or five large population centers and nullifying the votes cast in almost half of the states.

For instance, in last year's election Massachusetts gave Humphrey about 600,000 majority. Eleven western states, totals combined, voted for Nixon with a total majority that did not exceed that 600,000. So, the votes of all of Nebraska and most of its neighboring states would have been completely nullified by the large majority in Massachusetts, not to mention New York, Pennsylvania, or California.

I suspect the Daley machine in Chicago can turn in enough votes for its candidate to nullify the votes of the entire Mississippi and Missouri Valley. Hence, the opening sentence of this piece.

Under the present system, Nebraska is always assured of at least three votes in the Electoral College; other states differ according to increasing population, but at least they are states and they have a voice, which voice is entirely obliterated by the system of direct election.

FEDERAL CONTROLS

Furthermore, it is impossible to go to the system of direct voting without that being followed by other federal controls of our elections, and what other things I know not. But if we are to have direct election of presidents, we obviously will have to have federal election laws covering the times and places of voting, qualifications of voters, and the enforcement of election laws.

We clearly would have to set up a federal bureau of elections to hold and supervise all presidential elections. We would have to have federal clerks, federal counting boards, federal snoopers, and I suspect we would end up with not less than 25,000 additional federal employees to run our elections. We will have federal inspectors and federal clerks of election, federal counting boards in every county and sizable municipality within the United States.

It is a small wonder that we have now some five to six million federal employees and they have all grown out of just such innocent sounding phrases as direct election of presidents.

Furthermore, we would have obliterated the voice of the states in the selection of presidents. State lines would mean nothing and the candidates would obviously confine their campaigns to the vast metropolitan areas which, under this system of pooling of votes, would control the elections completely. The remaining states, for practical purposes, are disenfranchised and of no real consequence.

It is easily possible to secure a large enough majority in New York, Boston, Philadelphia, Chicago or Los Angeles to elect a president regardless of the wishes of the rest of the country. I for one am not yet ready to suppress the voice of large areas of this country and with it the great resources that comprise most of the western United States, and turn the control of this country over to the large metropolitan areas which of all areas in our country have shown the least capacity for good government.

The operation of such a plan, obviously, would require a federal compilation of voter lists. In other words, a list of all citizens entitled to vote. And once we have started down this road, how long will it be before there is a movement for a nationwide federal referendum on the acts of Congress utilizing these same federal voting lists; and how long before we will have initiative proposals from these same voting lists; and how long will it be before there will be a campaign to the effect that these little states are not entitled to two senators but senators should be proportioned to the number of voters in the state?

In other words, do we change the basic government of the United States of a republic of sovereign states into a nationwide democracy knowing that every attempted pure democracy throughout history has sown the seeds of its own destruction?

But it is said the electoral college has a couple of weaknesses, so we burn down the barn to get a couple of rats. On the contrary, we could prevent those weaknesses by electing the members of the electoral college by congressional districts compelled by law to vote as their district voted, without losing the identity of the states or the areas within the states or permitting them to be engulfed by the votes of metropolitan areas which in turn would perish in 30 days if Nebraska and small states didn't feed them.

ELECTION CONTESTS

And what about election contests? Do we tie up the whole question of who is elected president because somebody starts an election contest in Texas or Chicago? Under the present system at least, that contest only affects the result of that particular state and the rest of the nation can proceed normally. But a contest in New York or Chicago with their millions of votes under the direct election plan can tie up the whole election of a president of the United States?

Suppose a total recount was called for. The term of the President could expire before that could ever be completed. Admittedly there is localized fraud or at least irregular voting in many of our large cities regardless of political party, but the localized fraud can only affect the vote of that particular city or that particular state. Under a national totalizing system it can infect the whole country.

To become effective, of course, as an amendment to the federal constitution, this plan must have the approval of two-thirds of the Senate and of two-thirds of the states. I would assume it would never get that approval. I would assume the senators from the smaller states would protect their constituents by voting 'no,' and I certainly would suspect that the legislatures of those states are not about to nullify the votes of their citizens by acquiescing in the domination of metropolitan areas.

But you never can tell. Last week I was horrified that the House of Representatives did pass exactly this measure for the direct election of president and even Congressmen who should know better fell for the glamour of the catch phrase.

This direct election of president business is a perfect example of Madison Avenue type advertising designed to catch the unwary in the net of the wily big city politicians and the intellectual theorists and the enemies of the republic.

THE FIFTH ANNUAL CONFERENCE OF SOCIALIST SCHOLARS: THE "TOTAL BREAK WITH AMERICA"

Mr. DODD. Mr. President, the fifth annual conference of Socialist scholars took place on September 5 to 7 at Hofstra University, Hempstead, N.Y.

Although the evidence is that the conference of Socialist scholars has from the beginning functioned as an intellectual braintrust for the revolutionary left in this country, for some strange reason the conference was not covered by our daily or periodical press.

For the facts about this conference, I feel that we all owe a special debt of gratitude to Mrs. Alice Widener, the distinguished editor of U.S.A. In her closing remarks Mrs. Widener points out that for the fifth time in succession she was "all alone among members of the nonradical press in reporting on the annual conference of the Marxist braintrust in America."

One can only wonder why this should be.

A few quotations from some of the statements made at the conference should be enough to establish that what we are dealing with here is not a Fabian Socialist study group, committed to evolutionary change in the tradition of moderate socialism, but a revolutionary action organization committed to the total destruction of our society.

Mr. Martin Jay, a teaching fellow in social science at Harvard University, told the conference for example:

> Our movement is a movement which, in effect, is a total break with America.

Mr. Robin Blackburn, editor of the New Left Review of London, who was a guest of honor at the conference, called for the overthrow of "the hegemony of bourgeois culture and creation of a genuinely revolutionary counterculture."

He said:

> Such a culture is impossible to achieve without the violent overthrow of the capitalist regime.

And he added to this the thought:

> If the revolution is a complex totality, so must be the revolutionary party.

Mrs. Widener in her report on last year's Socialist scholars conference pointed out that the so-called scholars regard students "as the detonators for setting off revolutionary explosions." She said that the conference was now moving into phase 2 of its operations: "a phase in which they would take Students for a Democratic Society—SDS—out of undergraduate leadership, would fragment the student movement and merge it into a much more sophisticated, better disciplined, more militant international Marxist-Leninist apparatus, and would seek to overthrow capitalism in all the advanced industrial nations."

Mr. President, with Mrs. Widener's permission, I ask unanimous consent to have printed in the RECORD the complete text of her report on the Socialist scholars conference. I also ask unanimous consent to have printed in the RECORD the text of a letter which I wrote to the Director of Internal Revenue, asking how an organization committed to the violent overthrow of our society could enjoy tax deductibility.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

The Total Break With America

(By Alice Widener)

Openly proud of their rapid progress toward destruction of our American way of life, the Socialist Scholars—Marxist revolutionary braintrust in our country—gathered together at Hofstra University, Hempstead, New York, September 5–7, to hold a Fifth Annual Conference.

Even if broadcasting networks' television cameras had been grinding and wire service reporters had been taking notes at the conference panel discussions, which they were not, no Socialist Scholar would have minced words this year about his real revolutionary role in "the movement."

Members of the tax-exempt Socialist Scholars Conference (SSC) know they have no effectively organized anti-socialist or anti-revolutionary opposition in our country today. They knew in 1965, when they formed the SSC, that their intellectual foes had been disarmed by the accusatory slogans "McCarthyism" and "Red-baiting" and "witch-hunt"; the Socialist Scholars knew too that the U.S. Department of Justice had been disarmed legally by a series of decisions favorable to Communists handed down by a Warren Court practicing lax interpretation, not strict construction, of the First and Fifth Amendments to our Constitution.

Also, the Socialist Scholars are certain this year, as they have been during the last five years, that almost nobody among the bewildered majority of Americans asking "How do they get that way?" about violent young revolutionaries in the United States, France, Japan, Mexico and other countries, would come up with the only correct answer: "Because they were taught that way."

So why should the Socialist Scholars mince words?

They didn't.

Take Socialist Scholar Martin Jay, for example, at present a Teaching Fellow in Social Science, School of General Education, Harvard University. He told a large audience of Socialist Scholars and radical students in the Multipurpose Room, Student Center, Hofstra University, during a morning panel session, Friday, September 5: "Our movement is a movement which, in effect, is a total break with America."

DEAR HERBERT

The topic of the SSC panel discussion in which Martin Jay took part was "Marcuse [Herbert]: His Works and Influence." The other panelists were Ronald Aronson, Assistant Professor of Humanistic Studies, Wayne State University; Paul Breines, University of Wisconsin, and Stanley Aronowitz, columnist for the radical news-weekly *Guardian*.

The very long paper presented by Ronald Aronson was in the form of an open letter headed "Dear Herbert." It shows precisely why Prof. Herbert Marcuse of the University of California at San Diego, a Socialist Scholar and author of "One Dimensional Man" and "Eros and Civilization," is the internationally recognized intellectual mentor of "Red" Danny Cohn-Bendit, who played a key role in the 1968 May-June rebellion in France, and of "Red" Rudi Dutschke in West Berlin. Ronald Aronson's paper shows too, in a most vivid, personal way, why and how Marcuse, an Old Leftist, has become the intellectual idol of the so-called New Left in influencing youths toward anarchism and hedonism.

For the Second Annual Conference of Socialist Scholars in 1966, Herbert Marcuse, then 70 years old, wrote a paper saying "the Marxian idea of socialism is not radical enough." He wrote to the Socialist Scholars, "We must develop the moral-sexual rebellion of the youth."

Marcuse's pupil, Ronald Aronson wrote in the paper he delivered at Hofstra University, September 5, 1969:

"DEAR HERBERT: . . . I want to begin by emphasizing that for myself and a few friends, studying with you was one of the decisive experiences of our lives. Your thought, personality, style of teaching and writings were overpowering . . . you helped us to take our stand in Western thought and still be Marxists . . . You introduced us to a perspective which was new and revolutionary, which made sense of our lives and helped us find our way as radicals. . . .

"You were never humble, and for that I thank you . . . No wonder we felt dominated by you. No wonder we argued after every class about what you meant, read and discussed your books as soon as they came out, quoted you against each other, made 'What would Marcuse think?,' our major intellectual principle."

Pursuing the Marxist-Leninist policy of "criticism and self-criticism," Ronald Aronson then took Marcuse apart in order to put him together again, attacking and supporting his theories, exposing faults and excusing them, discrediting him and justifying him. To the uninitiated listener, such "yes-no" argument is confusing; to the informed one, who knows Marxism, it is lucid. "But, strange to say," writes Aronson to Marcuse, "this weakness is also your strength. The 'good' aspects of your writing cannot be rescued by throwing the 'bad' overboard. To spell this out is to locate the historical place and limits of your thought—and experience."

Any non-Marxist who is appalled at or mystified by the anarchism and violence of revolutionary youth in our country and abroad, need only read Ronald Aronson's own account of his own life in the paper "Dear Herbert" to gain full understanding. Rhetorically, Aronson asks how it is possible for him to be himself "and live in America." Answering himself, he writes, "The only answer that makes sense to me is this: creating my dientity *and* becoming political. Being myself *and* in opposition. Seeing revolution as the way to liberate us all to live a life that is truly our own." He continues:

"What a leap I just took! A whole account of a life-search which doesn't once mention politics, and suddenly I proclaim the necessity for revolution."

He then calls on scholars to write a study—written "as Marx did"—to show "that fully-developed capitalism is necessarily totalitarian. . . . I mean that the corporations' pursuit of profits through the mass production and sale of commodities has spread to every geographic area, every inch of land, every population subgroup, every activity, every hour of the day."

Do American university presidents, corporation heads, government leaders and communications media executives really want to know how middle class American youths become violent anarchists wanting to bring down the system?

It is not possible to find an explanation more specific than that given in the following verbatim quotation from Professor Ronald Aronson's paper "Dear Herbert" presented to the Fifth Annual Conference of Socialist Scholars at Hofstra University, September 5, 1969:

"Only the sense of a wholly new way of life will do, the demand to be radical—myself—in working, in loving, in thinking, in feeling, in eating, in joking. Anything which separates me from myself oppresses, whether it comes from America or its radical opposition. Not only Nixon's patriotism oppresses, but also the idea of any community over the individuals. Not only bourgeois morality, but any morality which imposes thoughts from the outside. Not only the idea of self-sacrifice for a class society, but any kind of self-sacrifice for a cause beyond me. Not only the middle class postponement of pleasure, but any postponement of pleasure, coming from any source. Not only guilt about not fighting for my homeland, but also guilt of any sort, even towards black people. Not only middle class role playing is outrageous—but any kind of role playing, even the role of radical intellectual or heavy politico. I have become a revolutionary because America, while willing to sell me everything, won't let me be myself. Should I give up this or that part of myself to oppose America?

"Do you see now? It's not politics that are at stake, or my ideas. My whole being is at stake. To reclaim a part of it I have to reclaim it all—otherwise I'm just playing the game. I don't have the feeling of America slowly closing in on me, the need to retreat to some small corner in order to keep mankind's hopes alive. Even 'mankind' is just another oppressive phrase to me; just another abstraction threatening to suffocate me. My experience is of being lost in the Smiling sick sea and of need to Wrench myself out step by step; my need is to avoid and destroy all of Their categories in my life, to reject bull ——— in all its disguises, to let America have none of myself, to get whole, and to become a guerrilla."

ACADEMIC LICENSE

Does our American Constitutional First Amendment prevent Michigan taxpayers from trying to protect youth at Wayne State University from indoctrination by an Assistant Professor such as Ronald Aronson? Are the Governor of Michigan and regents and administrators of Wayne State University under the same illusion as were their counterparts in New Jersey in 1965? That is, do they really believe that a radical socialist professor or instructor seeking the overthrow of our capitalist system can keep or is willing to keep, his own "political beliefs" separate and apart from his classroom teaching?

Let's take a look at the Socialist Scholar's record:

In 1965, New Jersey State Senator Wayne Dumont, Jr., called for the removal from the Rutgers University faculty of Professor Eugene D. Genovese for having declared at a Rutgers campus "teach-in" on Vietnam, April 23, 1965, "Those of you who know me know I am a Marxist and a Socialist. Therefore, unlike most of my distinguished colleagues here this morning, I do not fear or regret the impending Viet Cong victory in Vietnam. I welcome it."

Largely on the assertion strongly put forth by Prof. Genovese and his defenders that his campus teach-in remarks were not made in a classroom, and that his campus political life and personal views were one thing, his academic classroom role another, the Governor of New Jersey declared, August 6, 1965, that "however offensive" was Genovese's statement, it did not constitute grounds for dismissal.

A month later, Prof. Genovese told the First Annual Conference of Socialist Scholars (McMillin Theater, Columbia University), "we must exert the moral leadership we are prepared to give young radicals. . . . The political separation—activitist and academician—is a matter of convenience. *That, we all know.*"

Now in 1969, the Socialist Scholars—among whom Ass't Prof. Ronald Aronson of Wayne State University is a leading member—are so confident of being able to play their real campus role with total immunity that they have formally abandoned the "convenience" of professing to separate their political and classroom activities.

The official invitation to the Fifth Annual Socialist Scholars Conference, issued May 1969, stated the organization is expanding its functions by recognizing that "any socialist organization—even one limited to intellectual work—*is* a political organization." The official SSC program for the conference at Hofstra University states:

"When the SSC was founded five years ago its declared purpose was to 'bring socialist scholars together in order to stimulate analysis, theory and criticism.' . . . the organization welcomed all who call themselves socialists . . .

"During these years . . . the need for an expansion of purpose and function has been general. . . . The SSC now seeks to provide an organizing focus for the effort to identify and establish the intellectual's role in the development of a socialist culture. . . .

"An expanded definition gives rise to additional activities."

One of these activities will be inexpensive reproduction and distribution of SSC papers in pamphlets "for assignment in the college classroom materials written from an explicitly socialist perspective . . ."

There you have it.

Sure of immunity, the Socialist Scholars no longer need the "convenience" of dissimulation concerning aims, methods and acts. They no longer need to put on a false front of academic objectivity; they no longer need to pretend that there is a separation between activities off-campus and on-campus, out-of-classroom and in-class.

Ronald Aronson's "Dear Herbert" probably will become a classroom assignment for students taught by Socialist Scholars who—as listed in the 1969 conference program—have infiltrated or penetrated the faculties of Wayne State University; University of Wisconsin; Harvard University; University of Maryland; Washington University; New School (for Social Research) New York City; Boston University; Hofstra University; John Jay College; McGill University (Montreal, Canada); Douglass College; Massachusetts Institute of Technology; University of California; Long Island University; Essex County College; University of Pennsylvania; State University of New York at Stonybrook; Amherst College; Yale University; Federal City College; Brandeis University; Richmond College, City University of New York; Brooklyn College.

THE MIND BLOWERS

Doubtless students studying with Socialist Scholars at the foregoing academic institutions, and dozens of others, will be given a classroom assignment to study Ronald Aronson's maxim that "revolutionaries need to engage the whole person; his activity, his imagination, his sense of lost hopes. Not tracing the structure of capitalism, but blowing people's minds."

That's what the Socialist Scholars are all about—blowing people's minds, and especially young people's minds. At SSC panel sessions, the devastating path of the intellectual hurricane blowing thousands of young American victims into a mindless culture of drugs, obscenity, pornography and anarchy was as discernible as the weather map path of hurricane Camille on its way to destroy Gulfport, Biloxi and Pass Christian.

At a September 5 panel session on "The Student Response to the American Century," Socialist Scholar James O'Brien of the Univeristy of Wisconsin traced the historic development of American socialism in this century, praising all socialists, regardless of faction, for the role they played in trying to destroy capitalism, from Walter Lippmann of the Intercollegiate Socialist Society (Harvard, 1913) to Mark Rudd of Students for a Democratic Society (Columbia, 1968); from John Dewey, author of "progressive education" to Herbert Aptheker of the present Communist Party, U.S.A. and Institute of Marxist Studies; from the late Norman Thomas, of the Socialist Party and Social Democratic Federation, to Michael Harrington, author of "The Other America" and a present leader of Americans for Democratic Action. All socialists—Communist, Trotskyite, Democratic, Christian or Maoist—have made invaluable contributions to the downfall of middle class ("bourgeois") culture and impairment of the American corporate structure, explained James O'Brien. Had his historically accurate paper been written by an anti-socialist, it probably would have been shouted down by the Socialist Scholars as a guilt-by-association tale told by a "McCarthyite" or "Bircher."

THE DEATH PERIOD

In commenting on his own paper, James O'Brien boasted, "Capitalism is in its death period, and some progressive capitalists acknowledge it."

Indeed some do, even as some wealthy German, French and British capitalists, Catholic, Protestant and Jewish, backed National Socialist Adolph Hitler during the early 1930's, hoping to ride on the crest of "the wave of the future."

In our country today, there are many "progressive capitalists" financing socialist attacks on our great corporations, the furnishers of essential services and the producers of consumer goods—from ethical pharmaceutical drugs to insecticides, from cigarettes to lipsticks, from automobiles to transistors, from computers to television sets and toys.

It is true that no human institution is faultless; and our great business corporations are not; but muckraking against American business always has been a socialist business, and from it sprang the current fad for "consumerism" which had its origin in the Communist-organized subversive Consumer's Union founded in 1935. It remained under Communist control until 1953, when changes in personnel were made and the organization was removed from the House Committee on Internal Security list of subversive organizations. There is no question that the American consumer needs legal protection against fraud, injury, unfair business practices and other criminal activities. But there is also no question that there exists in our nation today a deliberate campaign of vilification against American corporate enterprise by socialists, and especially Socialist Scholars, who, in turn, are turning thousands of young men and women in schools and colleges into members of a student-worker alliance such as nearly brought down France in May-June 1968.

THE DECISIVE LINK

The American business corporation was the main target of the Fifth Annual Socialist Scholars Conference at Hofstra University this month. And the scholars linked the radical student movement closely with the anti-corporation campaign. All Marxist-Leninists believe (and SSC guest of honor Robin Blackburn, editor of *New Left Review* in London reiterated it), "The theory of the weakest link is the theory of the decisive link." At the panel on "The Student Response to the American Century," Bruce Brown of Washington University said, "The university is the weakest link of capital corporate structure." Brown explained that the corporation is the "nuclear institution" around which American capitalism is organized, and he charged that in the United States "affluence is only attained through the surrender of control to corporate bureaucracy." Describing himself as a "revolutionary," Bruce Brown told the Socialist Scholars, "We must begin an anti-corporate struggle on its own terrain and not wait for a crisis." He went on to say that the term "youth" should be used to define "a group only in part defined by age, that is, a modality of society free of bureaucratic [capitalist] control."

Bruce Brown's statement explains the seeming paradox in a "New Left" American radicalism that professes rejection of "anyone over 30" but takes direction from Old Leftist septuagenarian Herbert Marcuse, and from middle-aged Herbert Aptheker of the Communist Party, U.S.A.

To make sure of not being misunderstood, Bruce Brown explained, "The student movement is the catalyst for extending revolution outside the campuses."

What the Socialist Scholars mean by saying they will introduce into the classroom teaching materials written from "an explicitly socialist perspective," was made clear in Bruce Brown's remarks. This "scholar" declared, "Marxism is the only theory of capitalistic development; to deny Marxism is to deny that capitalism still exists."

It won't exist very much longer in the United States, and neither will the American corporation, if the Socialist Scholars have their way. A year ago, I reported after having attended the Fourth Annual Conference of Socialist Scholars, at Rutgers University, that they regard students as the detonators for setting off revolutionary explosions, and that the Socialist Scholars were moving into "phase two" of their operations, a phase in which they would take Students for a Democratic Society (SDS) out of undergraduate leadership, would fragment the student movement and merge it into a much more sophisticated, better disciplined, more militant international Marxist-Leninist apparatus, and would seek to overthrow capitalism in all the advanced industrial nations.

SCHOLARS ON SCHEDULE

All is taking place on schedule. Control of SDS and rival factional radical student groups has been removed from undergraduates' hands and centralized in graduate student and adult organizations. The official Socialist Scholars conference program, September 1969, announces that SSC will join forces with the Bertrand Russell Peace Foundation in a series of public meetings on "Toward a Revolutionary Strategy for Advanced Industrial Countries." The first meeting is scheduled for late November in New York City and will discuss "Agencies for Social Change." Main speakers will include André Gorz, author of "Strategy for Labor" and editor of *Les Temps Modernes;* James O'Connor of San Jose State College, California; and Ernest Mandel, author of "Marxist Economic Theory" and editor of *La Gauche*. (A Belgian instigator of the 1968 May–June rebellion in France, Mandel is banned from that country but was guest speaker at the Fourth Annual Conference of Socialist Scholars, Rutgers University, September 1968.)

On Saturday, September 6, 1969, the guest of honor at the Fifth Annual Conference of Socialist Scholars, Robin Blackburn, British editor of the influential *New Left Review*, spoke at length in a panel session on "Recent European Theory and the American Left."

Mr. Blackburn explained, "Lenin is not difficult to accept by us Western revolutionaries." It is a mistake, he said, to allege that Lenin taught the necessity of one single revolutionary party. At certain stages of development—Blackburn said—Lenin favored the expediency "of a number of competing revolutionary groups." Blackburn continued, "If the revolution is a complex totality, so must be the revolutionary party." He called for overthrow of the "the hegemony of bourgeois culture and creation of a genuinely revolutionary counter-culture." There must be a decisive break with middle class (bourgeois) culture, he said, a break that is "the reverse of Puritanism." He said such a socialist culture "is impossible to achieve without the violent overthrow of the capitalist regime."

As I said earlier, the Socialist Scholars no longer mince words.

However, even Blackburn's call for "violent overthrow" was not explicitly socialist enough to suit him and his listeners, and so he went into great detail putting current affairs in such clear perspective that there is no longer the slightest necessity for continued discussion in general academic, governmental or law enforcement circles about the significance of the "youth movement" and its role in our nation's and other advanced industrial nations' affairs, now during the Vietnam War, or later, after it has come to an end.

"Youth culture," said Robin Blackburn, "takes out a segment of society from bourgeois society." He praised the hippies and yippies and all manner of freak-out youth, including the 300,000 at the Woodstock Festival in New York last month. He praised highly the American "underground culture" because "its explicit themes are anti-capitalist."

And so they are.

There is not a single underground newspaper or magazine in the United States which does not carry anti-capitalist political propaganda along with the obscenity and pornography.

Also, the United Nations World Health Organization has issued the strongest condemnation of marijuana as introduction to use of mind-blowing narcotics, there is scarcely a single Leftist in our country who does not oppose our laws against use and sale of marijuana.

At the Fifth Annual Conference of Socialist Scholars, I overheard two members—one from Fairleigh Dickinson in New Jersey and one from New York State University at Stonybrook—talk about the "outrageous pig-administration cooperation in marijuana repression" and go on to praise marijuana as a useful means of "liberating" students from "middle class authoritarianism."

The Socialist Scholar from Fairleigh Dickinson hastily added, "Of course, I don't approve of students using hashish and hard stuff."

Obviously, the speaker had in mind the death from narcotics use, this year, of Fairleigh Dickinson III, age 19, in a dormitory at Columbia University.

The Socialist Scholars in Adams Hall at Hofstra University, September 6, loudly applauded Robin Blackburn's analysis of youth culture. But they gave still more enthusiastic approval to Blackburn's analysis of current "anarcho-populism" in the advanced industrial nations. In the United States and elsewhere, he explained, anarcho-populism should be favorably regarded because it is undermining "the archaic institution of private property."

To foster anarcho-populism in our nation, the Socialist Scholars—aware of the multiracial, culturally diverse nature of our population—strongly favor a multiplicity of radical groups and organizations among us. Indeed, the Socialist Scholars are assiduously promoting as many radical groups as possible, believing that in our big country with its big and regionally diverse population, variety is not only the spice of Socialist life but also its bread and butter. The Socialist Scholars are far too smart to put all their eggs in one Party basket. That is why they accorded as much attention to Ralph Schoenman, passionate Trotskyite and head of the Bertrand Russell Peace Foundation, as they did to Robin Blackburn, Marxist-Leninist who praises Stalin and Mao Tse-tung.

PEACE, PEACE?

At the SSC panel session on "Recent European Theory and the American Left," Mr. Schoenman opened his remarks with the salutation, "Comrades, friends, and all of us who are revolutionaries: . . ."

The most interesting thing about his presence at the Socialist Scholars Conference was the presence there of his associate in the Bertrand Russell Peace Foundation, U.S.A., executive secretary Arthur J. Felberbaum, Jr.

Several times, during discussion periods following panel sessions, Mr. Felberbaum went to the microphone to ask questions and offer comments. He is not an eloquent speaker, being more activist than scholar. In fact, he is so much an activist that he attended a "Pretty Boy Floyd Memorial Lecture" sponsored by Students for a Democratic Society and Movement for a Democratic Society at The New School (formerly New School for Social Research) in New York City, October 3, 1968.

The lecture took place in a closed-off section of the fourth floor cafeteria. Newspaper headlines throughout the world were reporting the terrible violence of the student revolution in Mexico City. Speakers at the Pretty Boy Floyd lecture were an innocent looking little blonde, Sara Murphy, who looked as if she wouldn't hurt a fly but talked cold-bloodedly in favor of the bloody Mexican student rebellion as a means of "bringing down the repressive Mexican Government," and a Spanish-speaking "Comrade Rafael" accompanied by two other Spanish-speaking revolutionaries.

Miss Sara Murphy said all had taken part in the violent student struggle as a means of forcing Mexican police and troops to discredit themselves in the eyes of Mexican workers, peasants and "petite bourgeoisie." Arthur Felberbaum, recently returned from Mexico City, said the rebellious Mexican students went into a new housing development in the city to force the troops and police "to shoot at unarmed students" and thus discredit themselves in front of uninvolved housing development residents "and bring the petite bourgeoisie into rapport with the revolution."

(That same evening, October 3, 1968, on the 11 p.m. CBS news, reporter Bert Quint, broadcasting from Mexico, fell into the Mexican revolutionists' propaganda trap and, during filmed scenes of the housing development shooting in Mexico City, talked about the Mexican authorities' "senseless shooting at unarmed students." There was not a hint in his news report that the revolutionary students had deliberately planned things that way, including the inevitable slaughter of civilians.)

At the Pretty Boy Floyd lecture, last October, Arthur Felberbaum charged that our Federal Bureau of Investigation works against the Mexican "people's movement" in concert with the "repressive" Mexican Government. He scoffed at its charge that "foreign revolutionaries" sparked the Mexican student rebellion. But Felberbaum's own description of his own involvement, plus that of other participants in the Pretty Boy Floyd lecture, appeared to be proof that there was sound basis in the Mexican Government's charge.

All during the lecture, Mr. Felberbaum and other participants made ugliest possible remarks about the F.B.I. and about American and Mexican police. This was to be expected by anyone familiar with the sinister significance of the lecture title "Pretty Boy Floyd." On June 17, 1933, murderous gangster "Pretty Boy" (Charles) Floyd took part in the "Kansas City Massacre" in which two detectives and the chief of police were killed, one F.B.I. agent was killed, and two F.B.I. agents were wounded.

What has all this Pretty Boy Floyd lecture incident of last year to do with the Fifth Annual Conference of Socialist Scholars this year?

Only that Ralph Schoenman, head of the Bertrand Russell Peace Foundation, and its executive secretary, Arthur J. Felberbaum, militant revolutionary activist, have teamed up with the Socialist Scholars to devise a revolutionary strategy for the advanced industrial countries.

The formal announcement of this alliance gives ample advance warning of its import. "Toward a Revolutionary Strategy . . ." it says; not "Toward a Peaceful Evolutionary Strategy . . ."

Among the industrial nations, the United States is the most advanced. Thus it is the main target of the Socialists' revolutionary activities. The bull's eye in that target is exactly what the Socialist Scholars say it is—the capitalist American corporate structure. At the very center of the bull's eye is the American citizen's right, under our Constitution, to own private property. That right is essential to our life and liberty, and to our pursuit of happiness. These the Socialist Scholars wish to destroy.

Now, for the fifth time in succession, I have been all alone among members of the non-radical press in reporting on the annual conference of the Marxist braintrust in America, the Socialist Scholars. There is no mystery at all about their movement; it is what Martin Jay of Harvard University says it is—"a total break with America."

On campuses throughout our nation, Socialist Scholars are training our children to make that break. In virtually all our academic communities. Socialist Scholars are studying researching and teaching the most effective means for violent overthrow of our government and destruction of our way of life.

Is anyone anywhere going to do anything to thwart their activities? Or, is it possible the Socialist Scholars already have succeeded in "blowing" people's minds?

October 1, 1969.

Mr. Randolph Thrower,
Commissioner, Internal Revenue Service,
Washington, D.C.

Dear Mr. Thrower: In a special report on the Fifth Annual Conference of Socialist Scholars, the well-known writer, Mrs. Alice Widener, states that the Socialist Scholars Conference enjoys tax exemption. If this statement is accurate, and if, in addition, the statements attributed by Mrs. Widener to various spokesmen at the Conference are also accurate, then I believe that some explanation is in order from the Internal Revenue Service.

Personally, I can conceive of no construction of the law which would grant tax exemption to an organization which calls for the violent overthrow of the government, and which functions as an integral part of the brain trust of the New Left movement.

I enclose for your examination a copy of Mrs. Widener's report, captioned "The Total Break With America".

I would be grateful if you could provide me with a statement of the facts in this matter.

Sincerely,

Thomas J. Dodd.

THE UNCOMFORTABLE PRESSURE OF INFLATION

Mr. CRANSTON. Mr. President, the American economy is an inflationary spiral. The morass of statistics which illustrate the unusually high interest rates, great increases in the Consumer Price Index for staple goods, and the rising costs of steel-mill products does not reveal how an economy out of control affects the individual wage earner in his ability to adequately provide for his family. Millions of Americans are now personally feeling the uncomfortable pressure of inflation while prices are raised by large corporations unable to be sensitive to the individual American consumer or wage earner.

The responsibility for control of the economy belongs to the President. Late last month, the Senator from Oklahoma (Mr. Harris) spoke to a convention of the industrial union department of the AFL–CIO. In his perceptive analysis of the state of the national economy, Senator Harris documented the administration's failure to control inflation in a way that will not injure the precarious financial position of the workingman. I now join the Senator from Oklahoma in his call for President Nixon to halt inflation and to use the moral force of the Presidency to speak out on behalf of the mechanic, the laborer, and the farmer.

I ask unanimous consent that the remarks of Senator HARRIS be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR FRED R. HARRIS, DEMOCRAT OF OKLAHOMA, CHAIRMAN OF THE DEMOCRATIC NATIONAL COMMITTEE, AT THE CONVENTION OF THE INDUSTRIAL UNION DEPARTMENT, AFL–CIO, ATLANTIC CITY, SEPTEMBER 25, 1969

Everyone here today knows that the American economy has enjoyed an unprecedented period of growth with relatively stable prices, for most of the past eight years.

By the end of 1968, business profits had doubled in eight years, and *real* spendable family income had increased by 32 percent. Unemployment, which stood at a staggering seven percent in 1960, was cut in half. Ten and one-half million jobs were added to the rolls and 12 million people were able to move above the "poverty line" during the years 1960–1968. Price performance for those eight years has been rated better than that of any other industrial nation in the world.

Even when the rate of price increase picked up in 1968, prices were still kept stable enough to permit the average wage earner in America to make real gains in spendable income.

Now, the American people face the hard economic fact that what has been a fundamentally healthy economy is in serious danger from unprecedented inflation and outrageously high interest rates. The economic gains of the past eight years may indeed be wiped away. Take one alarming example: The Consumer Price Index for meat, fish, and poultry has gone up almost as much in the past seven months as it did in the previous ten years. (From the base year of 1959 until December, 1968, the Price Index for meat, fish, and poultry increased by 14 points—to 114.4. By the end of July, 1969, that same index stood at 127.6—an increase of 13.2 points in *seven months*, and an annual rate of increase of 20 percent.) This is happening at a time when the producer of these commodities is also suffering.

Since this Administration took office, the period of stable prices has dramatically ended. The Consumer Price Index reflects many other distressing examples of what has happened to the American economy during the first half of 1969:

Mortgage interest rates rose during the first six months of this year at an annual rate of 14.4 percent.

The cost of medical care has increased during the same period at an annual rate of 8 percent.

The price of gasoline has increased 5.3 points since January—an annual rate of increase of 9.4 percent. If this trend continues, gasoline prices will increase more during 1969 than they did during the entire eight years between 1960 and 1968.

Since January, the price of copper has risen 24 percent, as primary copper prices have been raised *four times* in eight months.

Since January, the price of steel mill products has increased 4.5 points on the wholesale price index—an annual rate of increase of 7.1 percent. This is roughly equal in just nine months of this Administration to the percentage increase during the entire eight-year period from 1961 through 1968.

These figures do not include the August increase of 4.8 percent in rolled steel sheets—nearly 5 percent in the month of August alone. Rolled steel goes into every automobile and virtually every appliance Americans buy.

All during this rapid and alarming growth of serious economic disease, President Nixon has steadfastly refused to utilize the power of the Presidency and the moral authority of the office the American people gave him, despite the fact that inflation was one of the three principal issues he said were most important when he was a candidate.

In the American system, the Presidency has become the focal point, the single place for making clear the public interest, as distinguished from individual private interests.

Andrew Jackson once said: "When the laws undertake . . . to make the rich richer and the potent more powerful, the humble members of society—the farmers, mechanics, and laborers—who have neither the time nor the means of securing favors to themselves, have a right to complain of the injustice of their government."

It is the President of the United States who must deal with such injustice, who must speak out in the name of the people whose voice he is elected to be.

The individual American is essentially helpless without vigorous Presidential leadership in behalf of the public interest.

This is especially true in the basic industries, where price increases roll like ocean waves through thousands of products which the individual consumer buys.

Even General Motors could not—without the President's help—stop a steel price increase, and we have since seen a 4 percent auto price increase by General Motors for its 1970 models. The point, however, is not that General Motors was a good company in 1968 because it limited its price increases and is a bad company in 1969 because it announced a $125 per car average price increase. The point is that the rules of the game have changed and General Motors is playing the game by those new rules—namely, it is Administration policy not to interfere in pricing decisions even in industries as concentrated as the automobile industry.

The same has been true for interest rates—the big banker knows that it is Administration policy not to interfere with these decisions—and the small banker has no choice but to go along. That's why big bank profits are running 25% to 30% ahead of this same period last year.

With skyrocketing interest rates and radically unstable prices, we have seen, in eight short months, an economy that was fundamentally healthy for eight years become seriously endangered by inflation. And the middle-income fellow, the wage-earner, is paying the bill for this lack of leadership.

Seven days after his inauguration, President Nixon announced that the government would not intervene in price and wage decisions, that the fight against inflation would rest on fiscal and monetary policy without, and I quote, "exhorting labor and management" to exercise restraint. Every American wage earner knows what the consequences are now, and are going to be, if this cost-price push is permitted to continue. Every American housewife knows what it means in the marketplace.

What is the Administration doing about this crisis?

While many of us were at work on the Senate floor trying to cut non-essential military spending, the President gave us no assistance in the fight.

I believe that working men would cooperate in restraints on wage increases if there were real restraints on the increase of prices for everything they have to buy. Yet, the President has not to this day spoken out against interest rate increases or price increases in the basic industries.

Instead, a few days ago, the Chairman of the Council of Economic Advisers said that *wage* increases would have to be trimmed next year. Whatever happened to concern about *price* increases? When the Nixon Administration recently advocated before the Senate Finance Committee, of which I am a member, that instead of granting the full tax reduction provided in the House bill for the overburdened middle and lower income taxpayers, we provide more relief for the wealthy and for the corporations, I was reminded that the late Robert LaFollette of Wisconsin once said that he was started upon his great liberal career by a commencement address of Chief Justice Ryan, who declared:

"The question will arise, and arise in your day though perhaps not fully in mine, 'which shall rule—wealth or man; which shall lead—money or intellect; who shall fill public stations—educated and patriotic freemen, or the feudal serfs of corporate capital?' "

The President must at long last face up to the responsibility which is his, and his alone.

The economic gains of the past eight years—gains for which you men and women of the AFL–CIO have labored more than any other group—must not be lost.

Too much depends upon the health of the American economy. If the President does not act decisively now to roll back interest rates, if he does not show determination to hold down prices, then price and wage controls may become the only alternative. It would be ironic indeed if the man who refused to use his office to protect a healthy economy were consequently forced to institute controls—in a last-ditch effort to rescue an economy he had allowed to deteriorate.

This Administration has been having trouble with its priorities. What I have been speaking of here—the health of the American economy—surely deserves a very high priority. The President's fiscal and monetary policies have clearly been inadequate. He *must* add the moral suasion of the Presidency to get this inflationary, high interest rate spiral under control.

The American people have asked no less of their government in the past. We must not accept less today.

AGRICULTURE — THE NATION'S LARGEST AND MOST IMPORTANT INDUSTRY

Mr. TALMADGE. Mr. President, I have always maintained that agriculture is the Nation's largest and most important industry. It is vital not only to our national economy, but to the health and well-being of every man, woman, and child in the country.

This is why I have been appalled in recent years by the increasing tendency to relegate agriculture and farmers virtually to second-class status in the American society. While other segments of the American economy have increased their incomes many times over in recent years, agricultural income has generally stayed the same and, in fact, has even suffered a loss. Farm production costs are six and seven times what they were a decade ago. But farm income continues to lag far behind. Food prices go up, and the farmer is blamed. Someone is getting it—such as some of the middlemen, but it is not the farmer, as any examination of farm products price trends readily shows.

I think it is incumbent upon all of us to recognize the importance of agriculture and to do everything possible to improve the farm situation. This applies to Government and to the private sector as well.

In Georgia, I am proud to say, top businessmen and agricultural leaders are working together through the Georgia Agribusiness Council to promote agriculture. In the magazine Top Op, a farm journal publication, there appears an excellent article of the splendid work being done by the Georgia council. I found this to be an extremely interesting and enlightening article. For example, it is stated that more than 30 percent of the manufacturing jobs in Atlanta are based on agriculture products, supplies, and services; that agribusiness provides two-thirds of the total income in the State of Georgia; and that agribusiness firms comprise 66 percent of all manufacturing in the State. I feel certain that the important role of agriculture is duplicated in the economy of many other States and urban areas.

I ask unanimous consent that that article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AGRICULTURE CAN TELL ITS STORY

(By Norman Cavender)

As the Sixties draw to a close, U.S. agriculture stands face-to-face with one of the thorniest problems in its history. But the right moves could turn the problem into an opportunity.

The situation is simple: Agriculture's voting power has withered away. As several USDA officials have recently pointed out, only 31 of the nation's 435 congressional districts have 25% or more people living on farms. And 21 states have not a single congressional district with as much as 15% farm population.

This is bad enough. But there's more to the problem. In many quarters, agriculture's public image is little better than that of the Mafia. Consider some typical examples.

A congressman from New York, questioned about agricultural conditions today, immediately lashes out at "fat-cat farmers getting rich on government subsidies." His remarks are reported to millions of newspaper readers.

A civil-engineering student at the University of Illinois, asked if he considered studying agricultural engineering, replies, "Get serious! There's no future in that."

A young woman picketing a Cincinnati supermarket is asked why she supports the boycott of California grapes. Her impassioned reply: "Why children are *starving* in those fields. They're dying like *flies*. And if a worker's child eats even *one* grape, the farmers *beat* him!"

A letter to the editor of a Philadelphia newspaper charges that a milk-marketing order "serves no function except to guarantee that the average Pennsylvania family will be robbed of $25 to $100 a year."

A *Life* magazine survey asks people what purchases they think are poor values for the money. The overwhelming choice for poorest value: food and beverages.

In the midst of public outcry over pollution, *U.S. News & World Report* lists the sources of pollution that are "spoiling the environment." Chief villain: agriculture, with 1.3 billion tons of pollution. The 2.3 million readers of *U.S. News* are not told that the major portion of agriculture's "pollution"—manure and crop residue—is exactly the same kind of "pollution" that Mother Nature has been turning back into the soil since time began.

The list could go endlessly. Never mind that the incidents distort the truth. The point is, the public believes such things. And it is this public that holds the voting power.

Now something is being done about it. The most impressive effort comes from Georgia, where urban business leaders have decided it is time to step in and help agriculture improve both its publicity and its profits.

The move began in 1963, when members of the Georgia Agricultural Alumni Association apprehensively studied reapportionment of the legislature, pending state elections, a newspaper's attack on agriculture, and public misunderstanding. The Association was prevented by its charter from tackling some of these areas, particularly when politics were concerned. So Clyde Greenway, executive director of the Sears, Roebuck Foundation, suggested the situation called for a new organization.

Greenway was not alone in this thinking. Other members decided some new moves had to be made. One was Phil Campbell, Georgia's Commissioner of Agriculture (now USDA Undersecretary of Agriculture). Another was Bill Sutton, vice president of Citizens & Southern National Bank. Campbell is a warhorse of the first rank, and the problems evident in 1963 were a bugle call to him. Sutton, an officer of the largest bank in the Southeast, knew agriculture's importance to the economy.

These men, and others like them, set up the Georgia Agribusiness Council. The concept was simple, but it had a touch of genius: Persuade business executives to use their talent and influence in fighting for agriculture.

The men hit the recruiting trail. With a little polite arm-twisting, many hours of time, and a great deal of cold, hard logic they got a membership nucleus from all over the state.

To strengthen its hand in Atlanta, the young GAC asked the Chamber of Commerce to furnish a report on agriculture's importance to that city. The results even opened some eyes at the Chamber of Commerce: *Over 30% of the manufacturing jobs in Atlanta were based on agricultural products, supplies, and services.*

A similar study was made for the state. Among its findings:

Agribusiness provided *two-thirds of the total income in the state.*

Agribusiness firms comprised 66% of all manufacturing firms in the state, 62% of Georgia's payrolls, and 68% of the expenditures for new plants and equipment.

"An Atlanta newspaper had reported that only 6.4% of the state's personal income came from farming," says Henry Simons, executive director of the GAC. "But that's only the tip of the iceberg. We have to show people the whole iceberg—all those businesses and jobs involved in producing, handling, and selling farm crops and farm supplies."

The GAC exposed the iceberg. Businessmen saw that problems on the farm shook the total economic framework of the state. So GAC picked up more support.

The Council now has 250 members, paying from $50 to $500 annual dues. The names include Southern Railway System, Georgia Power Co., Southern Bell Telephone and Telegraph Co., Ford Motor Co., and Shell Chemical. The membership list contains 33 banks and almost every type of agribusiness firm from electric-power suppliers to food retailers.

The influence available here is enormous. And it's the kind of influence the farmer lacks. For example, C & S National Bank is one of the nation's most respected financial institutions, and its president, Mills B. Lane, Jr., is an internationally recognized banking leader. Sutton, as an officer of that bank, gets a cordial reception behind doors that would be closed to the farmer.

Greenway, of Sears, Roebuck Foundation, can win an argument for agriculture when an individual farmer can't even get anyone to listen to him.

John Duncan, Washington-based executive of Southern Railway, can reach more influential people in a single day than the farmer can in a year.

These and other members of the GAC know how to use influence. And they're using it to help agriculture solve some of its problems.

Recently, for example, a state-commissioned study recommended broad tax changes. One of the recommendations would have wiped out a market advantage that the Georgia peach crop enjoys. The GAC quietly stepped in and persuaded state officials and members of the legislature to alter that portion of the tax package.

As for agriculture's problem with public relations, the GAC mounted a campaign that any politician would envy. First it assembled a roster of business leaders willing to hit the banquet trail and speak up for agriculture. Then it reached down into almost every county in the state and installed a local chairman, in each case picking the most influential man it could get. These local chairmen set up programs for civic clubs, schools, and other groups. The speakers are the GAC businessmen.

The Rotary Club in Savannah might pay little heed to a farmer or county agent. But it will sit up and listen as an executive of a major bank or manufacturing company tells it why agriculture is important.

"We don't forget the ladies," says Greenway. "We make a special effort to get to their clubs. Those women hold a lot of power. And if the farmer is going to get better prices, they're the ones who will pay them."

On top of this, the GAC prepares weekly columns on agribusiness for newspapers throughout the state. It puts out bumper stickers and pamphlets, and it produces radio and television spots to be used in station breaks.

The GAC is far more than a public-relations organization. Working with a 10-point action program, it wrestles with some of agriculture's toughest problems. The program:

Survey and develop new markets for Georgia's agricultural products.

Develop a system to value land for tax purposes according to use, rather than real estate value alone.

Bring in new processing plants to strengthen the market for farm products and boost the total agribusiness complex.

Determine the strengths and weaknesses of Georgia agribusiness, and recommend steps for growth.

Set up a Financial Advisory Service to strengthen the businesses that serve and support agriculture.

Develop a program to train competent personnel for agriculture and agribusiness.

Show the public the vital contributions agriculture makes to the country.

Pull together producers, processors, suppliers, financiers, transporters, wholesalers, and retailers to support agriculture.

Maintain a continuous watch on imports, particularly those that compete with Georgia farm products.

Publish a newsletter of political developments that affect agriculture.

This is an ambitious program. But the men are deadly serious about it, even though the organization is only three years old and not yet up to full membership.

The GAC has gotten its quickest cooperation from urban businessmen. In most cases, these executives recognize the importance of supporting agriculture. But in the rural areas, GAC has had a tough time getting cooperation. It has been difficult to convince the small-town businessmen that something needs to be done.

Recently Clyde Greenway paused in the midst of a busy week of travel and speeches and commented wearily, "I just don't know. The people closest to agriculture are the hardest to budge. We've gotten cooperation from rural areas, but not as much as we need."

Undersecretary of Agriculture Phil Campbell puts his finger on the problem. "The farmer *must* have a bigger voice," he says. "That voice could come from the people who buy from him, sell to him, finance his business, and transport his goods. After all, his business supports them. But you have two obstacles. People in the cities fail to realize the importance of agriculture. People in the rural businesses realize it, but don't recognize the need to do anything."

This is what the GAC is all about. And even with rural businessmen dragging their feet, it has made a major impact. Already, Oregon has set up a similar organization. At least five other states have requested information. And a national Agribusiness Council is getting underway, with Henry J. Heinz, II, president of H. J. Heinz Co., as president.

These organizations are recent on the scene. But there's a veteran on the West Coast. California agricultural leaders noticed in 1959 that only eight of the 120 state legislators were farm oriented, and less than 8% of the state's population came from agriculture. So they organized the Council of California Growers and gave it the single but vital job of improving agriculture's public image.

The Council surveyed the public and members of government to determine what they *thought* about agriculture. Then it launched a campaign to get the facts across.

At the entrance to almost every major city in the state, the Council erected billboards bearing the message, "Even in the space age agriculture is still our most important industry." It put agriculture's messages into record albums for the schools, video tape for the television stations, programs for radio, films and brochures for the public.

Periodic surveys prove that the Council is getting the message to the people. Today, most residents know that agriculture is the state's most important industry. When housewives throughout the U.S. picketed to protest food prices, a survey in California found almost no one who believed that the farmer was getting too much for his products.

The Council is providing factual information about the grape boycott, water problems, farm prices, and a host of other issues. "We're guided by a basic principle," says Leslie Hubbard, executive assistant. "All statements bearing the Council's return address must be completely accurate and true. This has paid off. The public has confidence in us, and reporters and editors know they can accept our statements without having to check them for accuracy."

This is the key. If agriculture can get the truth across, it can pick up widespread support. The grape boycott is a perfect illustration of the problem; it survives because the public doesn't know the facts.

For example, the Rev. John Speers, Angelican priest in Toronto, organized a "Grape-Boycott Day" this past May. Like millions of other people, he acted on what he *thought* were the facts. But shortly afterward, he visited the California vineyards. What he saw was totally different from what he had been led to believe. He returned to Toronto, repudiated the boycott, and announced that he would buy California grapes.

Hundreds of other persons—mayors, students, housewives, grocery-store managers have likewise withdrawn support from the boycott as the facts slowly surface. But many are still misled. People who grow, ship, and handle grapes are losing millions of dollars. And growers are laying out hefty sums to counter the propaganda: $400,000 for ads through J. Walter Thompson agency alone.

"The grape boycott is evidence of the total problem," says a Chicago manufacturing executive. "The public doesn't recognize its ties to agriculture. My wife and I were angry when our supermarket removed California grapes from the shelves. I don't believe any group has a right to tell us what we can or cannot buy. But you know who should have been angriest of all? The men who deliver milk, and cut meat, and bake bread, and sell vegetables. They should have marched in and demanded that the supermarkets put grapes back on the shelves. If it can happen to grapes, it can happen to any food. There's a vast army of people out there whose jobs depend on agriculture. If agriculture can reach these people, then it will have plenty of strength."

Organizations such as the one in Georgia are moving in this direction. But the job is a big one. In fact, it's difficult just to get special-interest groups working together. But the GAC proved it can be done. Not only does the GAC have the backing of businessmen, it receives enthusiastic support from Farm Bureau, Extension Service, Ag Alumni Association, and the state Department of Agriculture.

"Everyone has to pull together and get this job done," says Tommy Irvin, Commissioner of Agriculture. "Otherwise public opinion will squeeze off agriculture's research funds, support restrictive taxes, elect unsympathetic politicians, and even make the housewife balk at paying fair prices for the farmer's products. If this happens, our whole economy will suffer."

These things are already happening in some areas. But men of vision are proving that agriculture can do something about it.

GROUP AUTO INSURANCE—A WAY TO LOWER PREMIUMS

Mr. NELSON. Mr. President, most automobile owners are required by law to buy insurance.

Unfortunately, they are not protected adequately by law or regulation against two trends in the auto insurance industry: First, sharp increases in premiums for regular auto insurance policies; and second, refusal to insure at regular rates large groups of persons declared, often with no justification, "high-risk" customers.

In a speech at the recent convention of the Allied Industrial Workers in Chicago, the Senator from Michigan (Mr. HART) urged support and pledged his aid for a plan to offset the increasing cost of auto insurance.

Senator HART asked organized labor to continue its push for group auto insurance. In his speech he outlines how the consumer would benefit from such programs.

In essence, Senator HART suggested that auto insurance costs could be cut if companies insured by group rather than eliminate by group.

I ask unanimous consent that the text of Senator HART's speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

GROUP AUTO INSURANCE—A WAY TO LOWER PREMIUMS

(By Senator PHILIP A. HART)

It has been observed that if you take free advice, you get what you pay for. In the case of speech topics, that observation should be amended to read that the audience could get more than it paid for . . . regrettably.

For example, it has been suggested that I talk this afternoon about auto insurance, credit rating, a certain hearing now going on in Washington dealing with a certain judicial appointment, and taxes.

Now if I took all that advice, you would get much more than you paid for, deserved, or, I suspect, could accept gracefully. This hall would be empty by the time I completed my in-depth discussion of all those topics some hours hence.

Let me hasten to assure you that I have no intention of visiting such cruel and unusual punishment upon so many people who I hope I can call friends.

The problem then becomes how to choose among the free advice without offending the friendly advice-givers.

I solved the problem this way.

I chose auto insurance because it gives me an opportunity to ask a favor of *you*.

I want your support in helping to make group auto insurance programs available across the nation.

This may sound like a small request and a boring topic, but stay with me for a moment.

The request is bigger than it sounds, for 36 states, either by regulation or law, have discouraged development of such programs.

The subject may sound boring, but it may spark your interest to learn that such a program can save you money.

Let me explain.

Rates for group auto insurance could be developed on the basis of the number, ages and driving experience of the persons in the group. A single average rate would be established and coverage would be guaranteed everyone in the group. The plan could include conversion options, non-cancellable clauses, and, if part of a labor contract, the employer could agree to pay part of the premium.

The benefits then would be:

1. Broader coverage.
2. Less restrictive underwriting.
3. Lower premiums.
4. Easier purchase and payment of premiums.

These benefits would counteract some of the undesirable trends now affecting the auto insurance industry.

Premium rates are rising in many states, rising rapidly. In fact, in 19 states rates have gone up more than 10 per cent since January 1.

I understand that average annual auto insurance payment is $200. A significant percentage of that premium goes to meet selling and administrative costs.

It has been estimated that group auto insurance, which eliminates some of those costs, could reduce rates 15 per cent or more—that's $30 a year or more, on the average.

And, of course, if group auto insurance were part of a labor-management contract, the saving to the employee could be even greater. How much greater? That depends on the contract.

Along with rising insurance premiums, the car owner is faced with the prospect of being denied auto insurance at regular rates as companies, in efforts to cut costs, write less and less auto insurance.

Companies are eliminating, often with no justification, large groups of so-called high-risk customers.

This approach is, of course, unfair to individual members of such groups who may be an extremely good risk for insurance.

Most states, of course, require auto insurance, so persons unfairly denied insurance at normal rates are forced to purchase what the law requires at higher rates.

Surely, the customer deserves some protection against this practice.

Group insurance would provide that protection. In short, insuring rather than eliminating by groups benefits the individual, and that is what consumer protection is all about.

It may seem to you that the fairness and the logic of the plan guarantees speedy acceptance across the country . . . but, as I indicated earlier, such is not the case. And this is where my request for assistance comes in.

To repeat, thirty-six states, not including my home state of Michigan, have laws or regulations discouraging development of group auto insurance programs.

Economic benefits aside, aren't these laws and regulations, in effect, barriers to collective bargaining?

Probably only with strong support from such consumer-oriented organizations as unions can we reverse these moves against group auto insurance.

I urge you to renew the fight to make group auto insurance available in all states. If you do, I pledge to seek federal legislation if such legislation is required.

Among those opposing the availability of group insurance are some independent agents. I think they err in taking that position.

Companies who sell auto insurance directly, bypassing agents, are taking a larger and larger share of the market. The independent agent will be in a more competitive position if he can offer group plans.

Keep that point in mind. You may have to make it many times as you embark on the effort to ensure that everyone can buy required auto insurance at equitable rates.

A CANDLE FOR COLORADO

Mr. METCALF. Mr. President, utility corporations distribute much irrelevant and misleading information while withholding data that should be readily available to stockholders, customers, and regulators. A case in point is Public Service Co. of Colorado, having headquarters in Denver.

Six years ago the head of Public Service Co. of Colorado, Robert Person, was also president of Edison Electric Institute, the trade association of the investor-owned utilities. He and EEI managing director Edwin Vennard arranged for the production and national distribution of the film entitled "The Power Within," designed to incite viewers to demanding congressional cutback of the Rural Electrification Administration. The film, filled with innuendos and falsehoods that I have previously mentioned, was also designed, according to the manual accompanying it, to "prepare a path for further education or action, as your company desires."

Detailed instructions distributed by the power industry covered methods by which letters to Members of Congress could be made "to appear spontaneous to the reicipient and not as though it were a planned concerted effort by any one interested group."

High level personnel of Public Service Co. of Colorado spent many days arranging the diffusion of this propaganda through its service area, as I have previously reported to the Senate. The company did not list one penny of the many thousands of dollars it spent on this political operation as a political expenditure. Nor, for that matter, did any other power companies report their expenditures on "The Power Within" as a political expense, as can be easily verified by their form 1 reports on file at the Federal Power Commission.

Recently this same company was challenged on these same issues—distribution of the irrelevant and withholding of the pertinent—by a stockholder. At the company's annual meeting, he noted the bland dismissal as "business expenses" of the company's extraordinary expenditures for advertising, promotion, golf balls, smokers, road shows, and country club memberships and its elaborate presentation to stockholders on the company's role in the community. He contrasted these examples with the company's failure to report to the stockholders, in accordance with the law, a $4.7 million lawsuit pending against the company.

Mr. President, I understand the difficulties faced by one or many ordinary utility stockholders who seek to change company policy. I voted my 10 shares of stock in a utility against its proposal to make an additional 200,000 shares of stock available for option by insiders. The head of the company, who has already received more than half a million dollars in windfall profits from options, decided the issue his way at the annual meeting last June. Management of the utility ratifies management's desires by casting proxies of absent owners of large blocks of stock.

Nevertheless, I believe recognition should be given to the Denver businessman, Gerald R. Armstrong, who is trying to obtain a voice in utility management for the small stockholder. Mr. Armstrong was without electricity, having refused to pay his bill in protest of company policy. I sent a candle to Mr. Armstrong. I suggest that others who support his effort do the same, perhaps in care of Cervi's Rocky Mountain Journal, 1326 Delaware Street, Denver, Colo. 80204, the local newspaper which perceives that a utility stockholder's attempt to cut out executive featherbedding and increase reporting of hard financial data is, indeed, newsworthy.

Mr. President, I ask unanimous consent to have printed in the RECORD articles from Cervi's Journal concerning Mr. Armstrong's efforts. I also ask unanimous consent that a canned editorial, "The Scent of Bondage," distributed free by Industrial News Review to 11,000 editors on behalf of Public Service Co., of Colorado, be printed in the RECORD.

The editorial is a part of the utility's campaign to portray itself as a wild pony. This is necessarily an expensive campaign. It will take a great deal of education, and perhaps several viewings of "The Power Within," for the ordinary ratepayer to understand that a utility monopoly is really standing out on the prairie all alone, nostrils aquiver and mane flying, while the Gerald Armstrongs and other big bad wolves close in with their candles.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Denver (Colo.) Cervi's Rocky Mountain Journal, Apr. 30, 1969]

PSCo EXPOSED ON PRESS BRIBES—HUGE ADVERTISING, PROMOTION JUNKETS PAID FOR BY PUBLIC

(By Douglas Bradley)

More than $1 million was spent by the Public Service Co. (PSCo) on institutional and electricity advertising last year with newspaper and broadcasting media, it is disclosed by the utility's accounts. Additional large sums were expended by the PSCo on advertising natural gas and on promotions to build a reservoir of goodwill and predisposes the corrupt to wink at the utility's transgressions.

Still other expenditures were made by the PSCo during the year that involved junketing which ranged from such things as country club memberships for executives to a ludicrous unending flow of golf balls, men's smokers and the importation of road shows.

Sizable expense accounts, month after month, for PSCo executives, shrouded in aggregate and undetailed amounts, effectively hide from stockholder and customer the facts on what channels the utility's funds are diverted to and who the beneficiaries are.

No protest from the public is possible since nearly all the media expression sources have been bought and harnessed.

In the annual report, the consolidated accounts write off $52,166,997 as "other operating expenses." PSCo purchases of gas and power, maintenance and repairs, depreciation, taxes etc. are separately dealt with in the accounts.

A PSCo stockholder, Gerald R. Armstrong, who was cut off at the recent annual meeting when he tried to raise questions on the utility's munificence in so many directions, charged that the extravagence is being paid for by unwilling stockholders and unwitting customers.

"These expenses are cutting down our dividends and adding to the staggering burden imposed on users of electricity and natural gas," Armstrong said.

At the annual meeting, President Robert T. Person hinted that applications will be made to the Public Utilities Commission for an increase in the rates now paid by the public for gas and electricity.

When and if such applications are made, the Public Utility Commission may cause investigation to be made into the PSCo's enormous budget for advertising and promoting its effectual monopoly.

Two of the main beneficiaries of the PSCo's advertising budgets are the Denver Post and the Rocky Mountain News. Both newspapers covered the annual meeting; neither mentioned the accusations of waste raised.

Stockholder critics accused PSCo of unjustified expenses in the advertising and promotion programs on the grounds that since the PSCo represents a monopoly, in effect, the area it serves . . . "what is PSCo trying to sell by advertising other than itself, and with whom does it pretend to compete for the consumer's dollar?"

President Person had an explanation for the advertising:

"It has the purpose of creating a specific demand for the increased use of appliances that use our services," he told the stockholders.

"Institutional advertising is directed toward the public to create goodwill. We also promote the state of Colorado as a desirable place in which to live and to do business."

Person did not have similar rationale to advance to the stockholders in regard to all the intriguing et cetera shown in PSCo's accounts—nor was Armstrong permitted time to get into this. He got as far as Person's personal expenses and the many country club memberships for executive personnel before being choked off.

Armstrong questions ruled "after time" concerned the purchase of more than 900 golf balls bought by the utility; the hiring of a time-keeper for a basketball game; the bringing to Denver of an Illinois road show; and the spending of more than $1,700 on a lost study of the utility's operation.

There were several "shows" that stockholder Armstrong wanted to query at the annual meeting but the particular one arousing his curiosity was a GE club smoker on March 15, 1968, in which transportation and printing expenses were listed at $863, and talent for the same even extracted from the utility a sum of $1,200.

In the $1,700 study, the PSCo hired Gordon O. Jacobs of San Francisco to advise the company on how to run its advertising department. For some reason, the PSCo was unable to turn up a copy of Jacobs' report.

The total advertising payoff to the Denver Post during 1968 was around $100,000. The Rocky Mountain News had to be satisfied with a lesser amount. The institutional advertising expense of the utility averaged out to $4,700 monthly for the Post. The PSCo gave the News a disparaging average of $2,500 a month.

Other press media received correspondingly less down to a $75 monthly average for the Rocky Mountain Herald.

Few daily and weekly publications are left out. Industry house organs, union and church, craft and quasi-professional periodicals have reaped a quota.

The names are repetitive in the year-long accounts. A typical group of payments taken in part from the March 1968 allotments are as follows:

Aurora Star, $86.40; Intermountain Jewish News, $115.20; Police & Fire Journal, $33.80; Tri-County Firemen, $15; TV Guide, $244; Colorado Farm Bureau, $37.48; Daily Journal $119.70; Lowry Airman, $44.80; Arvada Enterprise, $140.16; Denver Leader, $42; Denver Lutheran Forum, $23.81; Westminster & District 50 Journal, $201.60; Jeffco Publications, $141.12; North Denver Tribune, $60.

The Denver Post managed to maintain a healthy consistency. In June 1968, it was $7,731.14, dropping a little the following month to $6,987.17.

In contrast, the Rocky Mountain News ranged from $3,954.55 in January to $3,341 in June, but by August it was climbing back up to $5,213.60.

The variances between the two daily newspapers reflect not only the circulation figures but also the opinion held by PSCo management that the Post is a stauncher supporter of the utility's policy and tries harder to adhere to the PSCo line.

Some of the July payments by PSCo for advertising are interesting:

Colorado Trumpet (Republican Party newspaper) $44.80; Mining Record, $50; Jefferson Sentinel, $93.68; Mullins Outdoor Signs, $1,760; Aurora Advocate, $138.77; Colorado Transcript, $142.75; Guestguide Publications Inc., $40; Peace Officers Magazine, $100; Western Farm Life, $205.80; Colorado Labor Advocate, $323.40.

Guestguide did not always show a measly $40. The previous month (June) it scored with a check for $1,195 for advertising. A German-language newspaper published out of Kansas and called the Volkszeitung Tribune also collected intermittently during the year—in June for $52.50.

The broadcasting media is far from overlooked. High payments in July ranged from $4,150 for one station to $60 for a smaller outfit. Here are some PSCo checks for the month:

KLZ–TV, $3,225; KWGN, $3,480; Mullins Broadcasting (KBTV), $4,150; KOA Stations, $3,022; KADX, $214; KBTR, $380; KDEN, $731; KDKO, $315; KFSC, $60; KGMC, $288; KHOW, $624; KIMN, $720; KLAK, $900; KLIR, $330; KLZ-Radio, $432; KOSI, $540; KTLN, $848; and KQXI, $75.

Apart than advertising, expenses under scrutiny by the critical stockholders included a number of items presenting incongruity such as the following:

To Mack McGinnis, the sum of $10 for one year's presentation of comedy and comments for Robert T. Person; Rocky Mountain Management Club, dinner for members and guests $433.50; a GE bowling tournament at the Crown Bowling Center, $150; training of selected PSCo employees in nuclear engineering fundamentals at Colorado State University, $7,074; Eugene L. Telgman, timekeeper for basketball game, $106; Colorado Jaycees, sustaining membership, $750; Urban America Inc., support, $500; 30 dozen golf balls, $725; softball entry fees, $840; Jack E. Carver, talent fee for five television commercials, $610.

A legal counsel firm kept busy by the PSCo against plaintiffs bringing suit or threatening to so do, was paid $30,000 "on account" in June 1968. The firm was Lee, Bryans, Kelly & Stansfield.

The personal expense element included almost every PSCo executive on the roster. Much of the expense information submitted was clouded.

For example, President Person's meetings with the Atomic Energy Commission in the spring of last year involved a check being written for him amounting to $2,328. How he spent the money was not available to the stockholders.

The list of challenged items on expenditures is long. The information available to the public about the public utility's conduct is not public enough, was the comment of stockholder Armstrong.

Some stockholders believe there are clues to the PSCo motives in a couple of 1968 expense items listed:

One item records a payment to N.W. Ayer & Son Inc. of a first contribution to current electric companies' advertising programs of $14,199; and the second lists one quarter's subscription of $7,200 to the Edison Electric Institute.

It was only last year that the institute awarded PSCo honors for its Cabin Creek project now under challenge in the federal courts by the contractor who built it.

[From the Denver (Colo.) Cervi's Rocky Mountain Journal, Apr. 23, 1969]

Anyone for Golf? Stockholder Clubs PSCo Expenses

(By Douglas Bradley)

If the Public Service Co. could harness the vigor of its stockholders, it could add up to a lot of excess energy. In a severe endurance test at the annual meeting last week, several hundred of the stockholders bravely withstood historic lantern slides, an exercise in computer graphs, a firm on the utility's nuclear plant construction, and long-winded management monologues.

Relieving the almost three-hour tedium were some stockholder questions and comments that the PSCo plainly tried to inhibit. There was also a hint of takeover aims casually dropped into the news hopper by a stockholder's question.

Said that (primed?) stockholder: "Other companies have joined with PSCo in the past. Wouldn't it be better for our company now if it joined with other Colorado companies? Wouldn't it make for a bigger and finer company?"

Answered President Robert T. Person: ". . . We realize that there could be a coming together of the PSCo with other companies. These matters are under continuing investigation. . . . At any rate, all stockholders should be apprised that management is interested in this type of progress and growth."

A stockholder not rehearsed by management, Gerald R. Armstrong, credit executive and real estate investor, had to wait more than two hours as he noted, to press some reform proposals upon the company.

By the time Armstrong came to speak, many in the fatigued audience were champing to call it a day. A claque of employees, with dutiful cheers and applause, endorsed Person's ruling that short-circuited Armstrong as out-of-order, not germane, or otherwise over his time limit.

Armstrong, in three proposals, urged that stockholders should be allowed to elect the utility's auditors annually; that comprehensive reports on the annual meetings should be mailed to stockholders unable to attend; and that the utility's corporate by-laws should be available to stockholders on demand.

The support he drew dismayed management. In the tally, more than 326,000 shares were voted in favor of each Armstrong proposal. But it was insufficient to upset management's notion on who "owns" the company.

Armstrong claimed the utility's refusal particularly to publish stockholder complaints in its annual report and proxy material, and the withholding of by-laws, is detrimental to good management-shareholder relationships.

Person said Armstrong had been provided with a copy of the by-laws.

Armstrong: "It took four letters and one telegram to get a copy. At the outset all I received was three recipes for preparing salmon. I think this was inappropriate at a time when I wanted to talk turkey." (laughter).

Person said that stockholders with constructive reasons for needing a copy of the by-laws in future would not be denied them.

Armstrong had a comment about the comparatively small attendance. He said:

"The PSCo has 25,000 stockholders—many of them institutional investors. It seems curious the utility picks the third Wednesday of April for its annual meeting.

"That date coincides with the annual meeting of American Telephone & Telegraph which also attracts institutional investors. The phone company registers the date of its meeting with the New York Stock Exchange—the PSCo does not. The phone meeting represents competition for the PSCo.

"I think our management is fondest of the absentee stockholders who give it their proxies."

Armstrong got a disagreeable stare when he inquired how many stockholders voted against the management-sponsored slate of directors (proposed by a Mr. Virtue) and how many shares this represented.

"We do not record this information," Person told him coldly.

Armstrong's persistence in demanding data eventually moved the chairman to warn the stockholder that he was in danger of becoming an un-person.

Any implication that Armstrong might be bodily removed posed some problems. In addition to his own stock in the utility, he represented a number of other shareholders. He also turned up at the annual meeting with a burly private bodyguard, an attorney and a woman secretary.

Armstrong's questions challenged the prudence of management in bond sales and ethics on Person's expenses.

The stockholder noted that PSCo accepted a 1968 bid on $25 million worth of first mortgage bonds at 6.75 per cent interest, and boasted in the annual report that it was a good rate. Commented Armstrong:

"At the same date, the Wall Street Journal reported the current rate on utility bonds was 6.6 per cent. Why did we have to pay higher rates for our bonds?"

Person: ". . . We sold them at the most attractive rate available and being commanded in the over-all bond market at the time . . . You are well aware of the fluctuations in interest rate paid at any given time."

Some murmured scepticism arose. In the $25 million transaction a decimal point error is costly to the stockholders and to the consumers.

On Person's individual expense account, Armstrong invited him to justify an approximately $10,000 item relating to travel and country club dues.

Person protested his expenses were presented with back-up detail. When the questions got into Person's personal messenger service to the Denver Country Club, Armstrong's battery-powered microphone started raising static.

"I don't know why you won't provide electric microphones like other companies," Armstrong complained. A mirthless stockholder nearby had an answer: "But then they couldn't jam you without jamming the other mikes."

Armstrong to Person: "Let's get back to your expense account. These expenses for getting your golf clubs from this building to the country club seem unusual. If we're good enough to pay the membership fee, can't you carry the clubs with you?"

Person (exasperated): "First of all, you know very well that a messenger did not deliver my golf clubs to the Denver Country Club from my office. The voucher will show, I am sure, that some posters were delivered by Speedy Delivery Service—I believe.

"I do belong to the Denver Country Club and any items relating to business are charged as company expenses and the balance I pay for personally. The charges run about 50–50."

Armstrong was not satisfied and returned to the fray:

"How do justify our corporation having to pay your country club membership and (Vice President Paul) Brookover's at Cherry Hills Country Club and at the Denver Athletic Club, and other executive memberships at Hiwan Country Club?" he demanded, and stirring a yell of laughter when he added:

"It looks like the shareholders are being clubbed to death."

Person: "I won't make the obvious remark in answer to your question (renewed laughter). Let me simply say that in the course of our operation, which are very extensive and go in many directions, and recognizing the various matters in connection with company business, it is not uncommon to have these types of facilities available. Only club expenses pertaining to business operations are submitted to our accounting department . . ."

Stockholder questions on the failure of PSCo to disclose in proxy material that litigation against the utility over its Cabin Creek pumped storage plant has not yet been settled, were answered by Person that the policy statements had been prepared in accordance with advice from counsel. The chairman also pointed out that Cabin Creek had won an industry award for exceptional performance.

A rattled PSCo engineering executive, told by Person to answer Armstrong's questions on "missing megawatts of energy" said the stockholder had lost him.

"If Cabin Creek is as functional as claimed," Armstrong observed later, "the excess production of electricity could have been sold—say to rural electric cooperatives and neighboring states starved of electricity.

"That is, of course, if PSCo management had the real benefit of PSCo investors at heart. Such a policy also would help the consumers of electricity because the profit generated could have been reflected in cheaper rates."

Publicity released by PSCo on its safety record prompted another question from Armstrong on a recent threat by the International Brotherhood of Electrical Workers Local 111, to place a picket line around the downtown PSCo building following a dispute over safety.

The question was answered by another PSCo vice president:

"I'm not certain how you know about this," he stammered. "There was an occasion when the (union) business manager said he would place a picket line around the front of our building . . . This did not concern our own employees but was in connection with a private contractor.

Person touched fleetingly on the decision made by Denver District Court that voters were cheated in the PSCo franchise election by being denied their right to vote. The case was dismissed without PSCo being subjected to penalty . . . "but I believe we can anticipate an appeal."

The earlier historic slide show at the annual meeting managed to link most people in Denver's venerable past (plus one Abe Lincoln) with PSCo's developing glory . . . "Fantastic," muttered a director apparently taken by surprise.

Management, embattled during the past year by consumers over high Denver power charges, was concerned in projecting for stockholders higher rates and income anticipated. Person used color charts to explain the charge extracted from electricity users by PSCo in 1968.

No stockholder thought to ask how much the soporific picture shows cost. Person in his address did raise the subject of promotional costs for enlightening the public on the utility's proper role in the community.

Arising out of that, a *Cervi's Journal* story on the utility next week will deal with how the PSCo channeled a lot of its money in selfless pursuit during the year.

[From the Denver (Colo.) Cervi's Rocky Mountain Journal]

Charge Against PSCo Filed With SEC, PUC

A stockholder of the Public Service Co. (PSCo) has filed formal charges against the utility with the Securities & Exchange Commission (SEC) alleging violations of the regulating federal act.

Gerald R. Armstrong of Denver asked the SEC to order the PSCo to reconvene its annual meeting because it suppressed vital information from the stockholders and made illegal decisions as a consequence.

In separate action, Armstrong also registered a protest with the Public Utilities Commission (PUC) about PSCo expenditures.

The SEC headquarters in Washington confirmed that Armstrong's complaint had been received. A spokesman would only comment: "The matter is being looked into."

In Armstrong's complaint, he accused the PSCo of violating the Securities Exchange Act (Rule 14A–3) on solicitation of proxies. The rule states that in information to be furnished security holders, material data must not be omitted as shall make a company's financial statements misleading.

Armstrong points out to the SEC that on April 16 last at the utility's annual meeting, he asked if there were any law suits pending against the corporation. He was told to research the annual report.

He goes on to assert that neither in the annual report nor proxy statement is there reference to a $4.7 million suit in the U.S. District Court filed against the PSCo by its contractors on the Cabin Creek project.

"As the outcome of such a law suit could seriously and considerably affect the future market values of the stock and shareholders' dividends, there was a misrepresentation to the shareholders," the Armstrong indictment reads.

"I now request that you take that action necessary to cause the Public Service Co. to re-issue its proxy statement to include the details of this litigation, reconvene its annual meeting, and nullify the actions taken in the previous meeting."

In the PUC state agency protest, Armstrong alleged infringements of the Colorado statutes.

Drawing attention to the utility's expenditures on such things as country club memberships and other boondoggling, the Denver stockholder said that such expensive frills violated the spirit as well as the terminology of regulations designed to protect the public from the consequences of improper utility management.

In the protest Armstrong asked the PUC investigate rates charged to Denver area residents by the utility.

"The PSCo is wrongfully spending funds causing its rates and charges to be excessive, unjust and unreasonable," the protest stated.

"These expenses include membership fees in the Denver Country Club, Cherry Hills Country Club, Hiwan Country Club, Boulder Country Club and Denver Athletic Club . . .

"These memberships for the most part, are in organizations which prohibit membership to minority persons, and, therefore, are not in the best interest of all citizens served by this utility."

Armstrong also cited PSCo extravagance in advertising and promotion fields.

[From the Industrial News Review, Feb. 17, 1969]

The Scent of Bondage

A unique advertisement over the name of an investor-owned power company (Public Service Company of Colorado) has appeared in Western Farm Life. It contains no word about electric energy, nor does it discuss rates, taxes, or the invasion of private business by government competition or bureaucratic regulation. It talks about wild horses, and it is entitled "The Free Breed." However, only the extremely myopic will miss the point.

Speaking of the wild horse, it says, "There still lives a breed unvanquished and untempted by the relief of surrender. Efforts to tame it have only made it more wary and wise to the ways of oppressors. The scent of their bondage has only made the smell of freedom sweeter to its nostrils. Again and again it has tossed off their frayed fetters with a proud snort of contempt, and it has eluded their dogged pursuit like a mocking phantom. The free breed survives on the instincts created and strengthened by the relentless threat of subjection. Only when the memory of that threat fades does the smell of freedom seem stale. Hopefully, one day that memory will be strong enough that it needn't be revived by danger."

The people of the United States have lived in freedom and security for so long that they have become amenable to strictures and controls that would have been unacceptable a few years ago. Like the wild horse, we have been a free breed, but if the time comes when we can no longer distinguish between the scent of bondage and the smell of freedom, we may find ourselves wearing a halter with a lead rope fast in the iron grip of government. Many of the controls that are proposed today in the name of such things as electric power reliability, economic security, safety and law and order, have the smell of danger to those who value freedom.

THE BUSINESS AND PROFESSIONAL WOMEN'S CLUB OF HOUSTON, INC., SALUTES THE APOLLO 11 CREW AND THE ENTIRE NASA TEAM

Mr. YARBOROUGH. Mr. President, the three-man crew of Apollo 11—Neil Armstrong, Edwin "Buzz" Aldrin, and Michael Collins—have received many tributes since their successful voyage to the moon. They have been honored at many celebrations, not only in this Nation, but in other nations, as well.

The many accolades they have received are certainly well deserved. With all the publicity given official parades before hundreds of thousands of people and given to appearances with many official dignitaries, it could be easy to overlook some of the tributes that have come from different citizens and citizen groups of this Nation.

In Houston, the home of the Manned Spacecraft Center, the Business and Professional Women's Club of Houston, Inc., has adopted a resolution expressing the club's appreciation and thanks to the men of Apollo 11 and to all the people of the NASA team which participated in the program which took man to a safe landing on the moon and a safe return to earth.

We should commend fine women like Miss Chattie Slayton, president of the Business and Professional Women's Club of Houston, Inc. Her interest and support along with the interest and support of the members of her organization like the support of all citizens are essential to a national program of the magnitude of the space program.

Mr. President, I ask unanimous consent that the resolution of the Business and Professional Women's Club of Houston, Inc., and the names and titles of all the women who signed it be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION

Whereas, the successful landing on the moon by Apollo 11 has opened new space horizons almost beyond the imagination and ushered in a new era in man's continuous progress forward; and,

Whereas, this magnificent achievement has developed a new feeling of understanding and brotherhood among the peoples of the world, thereby creating a greater sense and comprehension of unity and peaceful relations:

Now, therefore, in tribute to the Apollo 11 crewmen and the untold thousands of persons on the team of the National Aeronautic and Space Administration participating in the program which culminated in the successful moon landing, to the fulfillment of President John F. Kennedy's dream of a new age in science and exploration, and to our late United States Congressman Albert Thomas, who guided the establishment of the Manned Spacecraft Center in Houston; Be it resolved that the business and Professional Women's Club of Houston do officially and publicly express its appreciation and thanks, and do cause an entry thereof to be made in its permanent official records.

Passed this 7th Day of August, A.D. Nineteen Hundred Sixty-Nine.

Business and Professional Women's Club of Houston, Inc.; Miss Chattie Slayton, President; Miss Pansy Root, President-Elect; Mrs. Krin C. Holzhauser, First Vice President; Mrs. Louella Breedlove, Second Vice President; Miss Frances Lea Tucker, Immediate Past President.

Miss Edna L. Root, Treasurer; Miss Alyce Leatherwood, Corresponding Secretary; Directors: Mrs. Lucille O. Miller, Miss Frances Rummell, Mrs. Dorothy M. McCord, Miss Billye N. Russell; Mrs. Ethel M. Roberts, Assistant Treasurer; Mrs. Minnie Leigh Shields, Parliamentarian; Miss Virginia D. Cooper, Recording Secretary.

THE BROILER INDUSTRY IN GEORGIA

Mr. TALMADGE. Mr. President, I have pointed out with pride on numerous occasions the importance of the broiler industry to my State of Georgia. Georgia produces more broilers than does any other State in the Nation. The broiler industry is the source of more farm income in Georgia than is provided by any other agricultural commodity.

I am pleased to note that the broiler industry continues to make progress nationally. I noted with interest a recent study from the U.S. Department of Agriculture which lists the principal sources of cash receipts from farming in the 50 States. Broilers are the major source of cash receipts for farmers not only in my State of Georgia, but in four other States as well: Alabama, Delaware, Maine, and Maryland. Moreover, in two other States, Arkansas and North Caroline, broilers constitute the second highest source of cash receipts from farming.

Mr. President, the progress made in recent years by the Nation's broiler industry has been little less than sensational. One fact will serve to dramatize the point. Broiler production and consumption in the United States are today more than seven times what they were at the end of World War II. I think this fact proves beyond a shadow of doubt that the American people like chicken.

The congressional Committees on Agriculture have begun work on extending the present general farm program. Hearings have been held in the other body, and the Senate Committee on Agriculture and Forestry, on which I have served for 13 years, will begin hearings in the not-too-distant future. We found out long ago that the same type of farm program will not work best for all agricultural commodities. Each commodity is best served by a program that fits its particular needs. As we take a hard look at how well or how poorly this or that program has served this or that commodity, I think we would be well advised to consider the fact that the modern broiler industry has made important progress without a Government program. I am by no means recommending such a course for any other commodity. I am merely proposing that we look into all systems fairly and objectively and study what makes them work—and how well they work—as we evolve farm legislation for the future.

THE TAX REFORM BILL, H.R. 13270

Mr. COOPER. Mr. President, my experience in the Senate has instilled in me a tremendous respect for the difficulties of legislating in this complex technological age in which we live. It is a respect shared, I am sure, by all Senators no matter how long or short their service in the Senate. No bill, no committee activity, no legislative activity is immune from the pressures of complexity, of the uncertainty of the ramifying impact that all legislation now has and yet, that, to the fullest extent possible, must be considered during the legislative process. Essential to achieving comprehensive consideration, which is a paramount responsibility to our constituents and to the public, is the flow of information of the highest quality to the Congress.

Consequently, as legislators, we must continually ask ourselves if the information reaching Congress is the most complete and balanced information that is available; we have a duty to determine if there are any barriers to the flow of such quality information, and if so, we must remove them.

The Federal income tax law has had the effect of regulating the flow of information, particularly information from non-profit organizations established under section 501(c)(3) of the code, which by its terms, prohibits such organizations from engaging in any "substantial" efforts to influence legislation. The real effect of the provision has been to greatly restrict, and in some instances actually prevent organizations which possess important information from making it available to Congress in any meaningful or systematic manner. In addition, the Internal Revenue Code locks many organizations into this section 501(c)(3) status by granting a contribution deduction only to donors of such organizations. A full discussion of the operation and effect of these provisions of the Code is presented in an article in the Oregon Law Review that has been inserted in the CONGRESSIONAL RECORD of Thursday, September 4, on page 24540. I commend it for your attention.

I might point out that there do not appear to be any material revenue consequences from this provision, nor would there be if it were deleted. It is certainly not an issue of tax reform aimed at equalizing tax burdens and closing loopholes.

The tax reform bill, H.R. 13270, the subject of extensive hearings before the Committee on Finance, reaffirms this restriction on information flow and in some important areas expands on it. Such a restriction is counterproductive and serves no public purpose, for in the conduct of their duties as legislators, Senators and Representatives can act wisely only if all sides of the issue are aired before them.

On Friday, October 3, I offered an amendment to H.R. 13270, amendment No. 224, to remove the barriers to the flow of information to Congress that prevail in the present and proposed income tax laws. The general aim of the amendment is to change the definition of section 501(c)(3) organizations and the activities in which such organizations can engage. Also proposed is a corollary change in the limitations restricting the applicability of section 170(c)(2)(D) regardng charitable deductions. I ask unanimous consent that the text of these amendments be printed at the conclusion of these remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. COOPER. Mr. President, when considered in the context of other sections of the Internal Revenue Code and the bill, H.R. 13270, the restrictions on the conveyance of certain information I have mentioned are even more disturbing. Section 162(e) of the Internal Revenue Code establishes a clear tax stimulus for profitmaking organizations to influence any legislation that may affect their operations. It so stimulates by permitting an income tax deduction for any expenses incurred by these organizations to convey information to and influence Congress. This, of course, can only lead to the overrepresentation of some interests while others remain underrepresented.

It is useful here to consider a somewhat analogous situation in the courts which also must be sensitive to the institutional factors regarding representation and information flow that form an essential part of the judicial decisionmaking process. In recent years the complexity of issues in litigation has prompted the courts to reconsider such things as standing to sue and parties of interest. In these important respects the courts are removing narrow definitional and procedural barriers and permitting broader participation in order to achieve justice among the complex forces that operate in our contemporary society.

The legislature is subject to much the same pressure and must similarly expand participation in the legislative process. I hope that Senators will consider these amendments in that light.

EXHIBIT 1

On page 85, after line 15, insert the following new section:

"DEFINITION OF SECTION 501(C)(3) ORGANIZATION

"SEC. 102. (a) IN GENERAL.—Section 501 (c) (relating to list of exempt organizations) is amended by striking out paragraph (3) and inserting in lieu thereof the following:

" '(3) Corporation, and any community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, testing for public safety, literary, educational, or public or social welfare purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, and no part of the activities of which is participating in, or intervening in, any political campaign on behalf of any candidate for public office, or attempting to influence the general public or segments thereof with respect to legislative matters, elections, or referendums.'

"(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to taxable years beginning after December 31, 1969."

On page 122, strike out lines 10 through 19, and insert:

"(b) DEFINITION OF CHARITABLE CONTRIBUTION.—Section 170(c)(2) (relating to definition of charitable contribution) is amended—

"(1) by striking out 'or educational' in subparagraph (B) and inserting in lieu thereof 'educational, or public or social welfare'; and

"(2) by striking out subparagraph (D) and inserting in lieu thereof the following:

" '(D) no part of the activities of which is participating in, or intervening in, any political campaign on behalf of any candidate for public office, or attempting to influence the general public or segments thereof with respect to legislative matters, elections, or referendums.' "

On page 44, strike out lines 10 through 14, and renumber the succeeding paragraphs.

On page 44, beginning with line 25, strike out all through line 20, on page 46, and redesignate the succeeding subsections.

NOMINATION OF JUDGE CLEMENT F. HAYNSWORTH TO THE SUPREME COURT

Mr. CANNON. Mr. President, during the past several weeks I have followed very closely the deliberations of the Committee on the Judiciary in attempting to assess the judicial and moral qualifications of Clement F. Haynsworth, Jr., to sit on the U.S. Supreme Court.

While the inquiry is still in process and all of the facts are not before us, there has been sufficient testimony and other data given to cast serious doubt on this nominee's sense of judicial propriety with respect to his business and financial interests.

I believe that the nominee's honesty is not in question, but the people of this country in recent years have come to expect a greater than average moral conscience in public servants in general and jurists in particular. Candidates for the highest court in the land should be noble and dedicated men of impeccable integrity.

Doubt has been cast upon whether Judge Haynsworth possesses these qualifications. He has participated on several occasions in court decisions affecting corporations in which he personally had direct or indirect financial interests.

Weakness in ethical conscience attacks the very foundations of judicial temperament and has a corrosive effect upon public confidence in the judicial system.

I bear, as a U.S. Senator, a part of the responsibility for considering carefully the qualifications of a nominee whose appointment is subject to the "advise and consent" of the Senate. Once a Justice is confirmed by the Senate, the action is virtually irreversible.

On the basis of information presented to the Senate during the hearings of the Judiciary Committee, as well as from other sources, I must conclude that Judge Haynsworth exercised poor judgment in not disqualifying himself from sitting on the bench when cases before the court presented a conflict of interest or an apparent conflict of interest for him.

Therefore, when the Haynsworth nomination comes before the Senate for confirmation, I will be morally impelled to vote against it.

SHORTENING THE SHADOWS

Mr. STEVENS. Mr. President, Alastair Down, deputy chairman of British Petroleum Co., Ltd., recently addressed the Alaska State Chamber of Commerce.

BP is one of the pioneers of oil exploration in northern Alaska. During the last 12 years BP has expended $75 million on its Alaskan operations.

Mr. Down directed his comments to the coming decade of development in my State. He spoke of the need to shorten the shadows which may retard this development.

I commend his remarks to the Senate as an example of the desire and ability of a major petroleum company to aid in meeting the problems of a growing State.

I ask unanimous consent that Mr. Down's remarks be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ADDRESS TO THE ALASKA STATE CHAMBER OF COMMERCE BY ALASTAIR F. DOWN

Gentlemen, I am most grateful for your warm welcome and your hospitality and am very conscious of the honour in being asked to take part in this important decision on Alaska's future.

All of you must have been involved at least as citizens of Alaska in the great excitement last month over the sale of new leases on the North Slope. You must have felt that every oilman in the world was flocking into your State. Indeed we have sometimes been likened to sheep and there may be some truth in this but it does not mean that oil companies are all the same.

Every oil company is different—in its history, its size and its world coverage. British Petroleum is unique in that it started off in the Middle East and has been developing outwards ever since. We are happy to be in Alaska and proud to be so closely associated with the discoveries and the development of the North Slope.

During this Convention you are discussing Alaska's second decade. BP has, of course, been working in Alaska during the whole of your first decade and we can claim to have been pioneers in the exploration of the northernmost part of the North Slope. We put in the first commercial drilling rig in 1963 and we pioneered the geological reconnaissance which led us to take up the important leases in Prudhoe Bay. We did take an interest in southern Alaska but our hunch has always been that the big prospects were on the Northern Slope and despite a number of disappointments we have maintained our faith in the area which has now been fully justified. Over the past 12 years we have spent some $75-million on our Alaskan operations. A large part of this has, of course, been spent this year; but before the discovery well at Prudhoe we drilled more wells and spent more money than any other oil company on the North Slope. The money we have spent is large or small depending on how you look at it. I am sure that in terms of your first decade, it is fairly large but of course in terms of the next decade it is relatively small, as we face the huge task of developing Alaskan reserves, exploring in the new acreage and building what must be one of the world's biggest single investment projects—the 48 inch Trans Alaskan Pipeline.

Both the State of Alaska and The British Petroleum Company are clearly on the threshold of a new era of development and productivity, and for both of us the central factor in this new era will be the reserves of crude oil now known to be lying beneath the Alaskan Arctic plain.

Whatever priorities you set for the next decade I do not think I will be considered bold in saying that the development of your petroleum resources must be high on the list. I might even go so far as to say that your first priority is to ensure the right conditions—I nearly said climate but that might be asking too much—for the smooth and rapid development of the North Slope bearing in mind all the important environmental interests which must be protected.

An indication of the significance of the North Slope reserves was given in the recent lease sale when an all time record was set. And now after several months of secrecy concerning the drilling operations information is becoming available which enables us to evaluate more meaningfully the discoveries that have been made and the influence that these will have on the future position of Alaska in the U.S. oil industry.

Undoubtedly a lot of oil has been discovered at Prudhoe Bay. As you know BP announced only this week that DeGolyer and McNaughton estimated "an ultimate proved oil reserve, recoverable by primary methods, of at least 4.8 billion gross barrels", in BP's acreage at Prudhoe Bay. I think the chances are that the same firms earlier estimate of the total reserves of the Prudhoe field as some 10 billion barrels of recoverable oil is, therefore, a realistic one to take at the moment. The Prudhoe field is a major discovery in anybody's terms and represents a substantial addition to U.S. reserves.

It is among the ten largest fields ever discovered, and is the largest outside the Middle East and Venezuela. It is for example comparable in size to the Agha Jari field in Iran and certainly larger than the East Texas field discovered in 1930. The prices paid for acreage on the North Slope in the recent land sales will ensure that rapid progress is made with further exploration to establish whether or not other fields exist in the areas now opened for exploration.

Where will all this oil go? Much speculation has been evident in recent months on this subject and references have been made for example to the possibility of deliveries being made to Japan and even to Europe if a route through the arctic islands can be found. My own view, however, is that the natural home for this oil is the U.S. market.

Over the past decade the U.S. oil import controls, which restrict imports in the interests of National Security, have created a market for U.S. oils which has been largely insulated from the fluctuating supply and demand pattern in the international market. These controls have enabled the U.S. to maintain a position of near self-sufficiency in oil. But when combined with other factors such as, for geological reasons, the higher finding costs of oil, U.S. flag shipping costs, higher production costs, state prorationing of production, etc. the result has been to preserve stable but higher delivered crude oil prices relative to the outside world.

On the other hand natural gas wellhead prices are low in the U.S.A. and the weighted average price for crude oil and marketed natural gas is not very different from the rest of the world when distance from the market is taken into account. Nevertheless there is a significant premium for domestic crude oil sold in the U.S.A. compared with prices which would be obtained in direct competition with international crudes. For so long as this situation prevails it is clearly sound commercial sense to deliver North Slope oil to the U.S. market and the generally higher returns thus gained will be reflected not only in the oil companies' cash flow which is needed to maintain the rate of investment in the facilities to handle all the new oil but—more important to you—in the royalty and tax payments to the State. Providing, therefore, that Alaska and the Lower 48 are capable of absorbing total North Slope availability I do not believe that this oil will be exported.

What then is the liklihood of the U.S.A. absorbing total production from the North Slope? We foresee a continuing increasing demand in the U.S. for oil products for which, during most of the next decade, there is no real substitute in sight. Recently there has been a consensus among the experts that the prospects of adequate oil reserves being found in the U.S. to support this demand were diminishing. Eighteen months ago before the discovery of oil on the North Slope the history of the fifties was repeating itself, that is a possible domestic crude oil scarcity was foreseen. A closer look was again being taken at the prospects of producing synthetic oil from coal or shale and the possible need to relax the control over oil imports into the U.S.A.

The timely discovery of oil in Alaska has considerably changed the picture because it has added very significantly to the U.S.A. prospects for oil production. It means that for some time domestic production should be able to increase in line with demand although I do not at this stage foresee a situation where imports will be backed out.

The Prudhoe discovery is significant by any standard, but the U.S.A. consumes in one year a quantity of oil equivalent to half the indicated total reserves in the Prudhoe field, and demand is growing at such a rate that North Slope production will probably do no more than meet market growth for a few years. Not only will the U.S. market in my opinion be capable of absorbing total North Slope production, therefore, but in view of the fact that U.S. crude production outside Alaska is likely to level off or decline beyond the early 1970's, North Slope supplies will probably only succeed in deferring by 3 or 4 years the date by which either additional U.S. crude will need to be found or produced synthetically or increased imports considered. Such is the significance of this discovery for the U.S. oil industry. For the State of Alaska the impact as we all know is much more drastic.

Until recently BP has been the only major international oil company without an established marketing operation in the U.S.A.—whereas U.S. companies are strongly entrenched in Britain and in Europe. Since the introduction of the U.S. oil import regulations we in BP have tended to regard ownership of substantial supplies of U.S. domestic oil as a prerequisite for our entering the U.S. market—and we lacked such supplies.

For BP the Prudhoe discovery is the key which has opened this door and as you know the BP Oil Corporation has acquired the Sinclair refining and marketing assets mainly on the U.S. east coast and has arranged to amalgamate with The Standard Oil Co. of Ohio. We intend that the Prudhoe field should be developed efficiently and rapidly in order to provide the basis for a new major competitor on the U.S. oil scene. You will see therefore that BP's and Alaska's hopes and interests are closely linked.

This development is now going ahead urgently involving development drilling, additional seismic work, the construction of local gathering systems and an Arctic Ocean supplies jetty. But considerable priority is for transport facilities for the existing large potential production.

As you know, a decision has been taken to build a pipeline right across the State to Valdez to enable us to ship crude oil all the year round to any part of the world but, of course, primarily to other parts of the U.S.A. I know you have recently had a detailed presentation on the pipeline. What is important to repeat today is the cost, which initially will be nearly $900-million. In fact the BP/Sohio company alone is expecting to incure nearly $500-million of expenditure in the next three years on its development work and its share in the pipeline. Ultimately it is envisaged that this pipeline will be expanded to carry up to 2 million bpd of crude oil at an additional capital cost of $400/500-million.

This pipeline project will rank as one of the outstanding engineering feats of modern times, and to bring it to fruition we have gathered together some of the best qualified engineers available in the oil industry today. However, building a pipeline does not consist solely of engineering. We have to obtain right-of-way and construction and operating permits and this requires paying due regard to all the other interests that may be involved. Most of the land which this pipeline will cross is federally owned and subject to the "land freeze." Therefore, instead of negotiating with hundreds of different land owners, as would probably be the situation in the Lower 48, we have in this instance been concerned with obtaining virtually all of our permits from the Federal and State governments. TAPS has made formal application for right-of-way both in Juneau and Washington and has made presentations at formal public hearings. We have worked closely with officials both in the State and Federal governments in an effort to further our common desire to speed up the process of decision making. In all this activity we have been positively assisted by the Alaskan Chambers of Commerce and I can assure you, Gentlemen, that we value your support and encouragement. We must also thank the Federal Government and State authorities for their considerable cooperation.

All our plans for development of the field and for pipeline construction are being made with full regard to the need to preserve the natural environment of the area. We have become acutely conscious of the fundamental difference between the arid desert or dense jungle regions in which the bulk of our previous exploration activity has taken place, and the delicate tundra vegetation which so precariously protects the subsoil of the arctic plain and supports the wild life which is so valuable to Alaska and to the rest of the world.

In this context I should like to emphasize the point which has been rather overlooked by some conservationists that preservation of the ecology of the area is in any case very much in our own interest since the continuing reliability of much of the necessary field and pipeline engineering work can only be ensured if the stability of the surrounding soil is left relatively undisturbed.

To this end we have undertaken all manner of studies and experiments designed to find out the best ways of achieving our objectives within the limits of conservation. We have tapped the best brains in the world on this subject, we have studied the animal and bird migratory habits in the region, we have asked for work to be done on possible use of hovercraft, we have curtailed all seismic work in the summer months. I ask you to accept our total sincerity on this score and to believe that everything that can possibly be done to preserve the natural beauty of your State is being done.

Beyond the Alaskan shores the industry is exploring many alternative means of getting North Slope oil to the market and currently BP is financially and physically concerned in the Manhattan arctic experiment which if successful will be the first step towards the establishment of a commercial route through the Northwest Passage to the U.S. east coast. If our dreams come true in this respect we shall be faced with the equally formidable problem of constructing a deep water oil terminal on the exposed north Alaskan coast and protecting it from the polar pack ice that descends into the area during winter. I am sure I need not emphasize the magnitude of such an undertaking and in the meantime there is no doubt that for the immediate future the way to get North Slope oil to the market is by the pipeline to Valdez.

We have foreseen that the volumes of crude oil available from the North Slope via the Trans Alaska Pipeline will exceed demand for this oil in the U.S. west coast market, and we are also therefore actively studying the feasibility of a trans-U.S. pipeline from Puget Sound to the huge midwest/Chicago market and possibly onwards to the east coast.

Thus the North Slope discovery should bring immense stimulus to the Alaskan economy. It should bring increased and unprecedented wealth to Alaska: from your individual point of view it must mean more business; from the State's point of view an economic activity within which to plan your progress; and for the Alaskan natives the prospect of permanent worthwhile employment within their own natural environment.

There will, of course, be problems. The sudden surge in activity in your State may create political, social or economic strains which will require a constant clear focus on your objectives to ensure that the right decisions are taken.

Your objective, as witnessed by the theme of this Convention, must be the steady progress of the Alaskan economy. The huge reserves of oil found on the North Slope offer a good foundation upon which to plan your progress. But the oil up there has no value, it only becomes wealth when work has been done to bring it to the market as quickly as possible. The oil companies are already putting every possible effort into their projects for this purpose and I believe that your objective will be achieved by your full cooperation with us in speeding the development of North Slope oil.

The oil companies have the organization and technical knowhow to do the job but they will need to commit themselves to an exceedingly high level of expenditure which

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will involve generation of finance on an unprecedented scale. The nature of the industry and the project itself is such that large sums of money will have to be borrowed on an extremely long-term basis and we shall therefore need to convince the investors that circumstances exist, and will continue to exist, in which we are able to generate the funds necessary to service and repay our debts. The investors know that the producing end of the oil industry is at the best of times a risky business and in particular that the cost of producing and transporting oil in the Arctic environment is at this stage very much a question of informed guesswork. Furthermore, apart from the physical imponderables, we have to contend with the uncertain future of market prices, of U.S. import controls, of depletion allowances, expensing of intangible drilling costs, investment credits, increases in severance tax and a host of possible other changes in taxation. All these tend to cast shadows on our future ability to repay loans and therefore render more difficult and more costly the task of raising the necessary finance.

Much of the work we are doing at the moment is designed to shorten some of these shadows. As our knowledge grows we are able more accurately to forecast our costs in the field, on the pipeline and in the market and we are trying to see more clearly what will happen to market demand and prices in the next few years. Many of these uncertainties are far beyond our control and it is here, Gentlemen, that we look to your cooperation, guidance and support. It is vital that the oil companies and the business community in Alaska work together to ensure a stable and progressive economic climate both in Alaska and the U.S.A. as a whole in which to develop our future. We must do all we can to minimize the economic doubts that might threaten our financial capacity to carry out the development program and the confidence of investors in that program. At the same time we need your help in opening up the North Slope areas by the building of permanent roads and airstrips, of public amenities and other infrastructures which will promote the growth of industrial communities and in particular the native community in the area, provide attractive living conditions for those concerned or associated with the project, and—most important—job training opportunities. Time is of the essence of the project and that is why I say there should be priority for petroleum in your State.

Gentlemen, the part that will be played in the U.S. economy by the North Slope oilfields is a subject of mutual concern and interests; our individual future prosperity is inexorably linked with the careful economic development of this asset. I am sure we shall work admirably together to this end and I look forward to a long and mutually rewarding association with you.

AUTHORIZATION OF FUNDS FOR A "WORLD FREEDOM FIGHTER" AIRCRAFT

Mr. FULBRIGHT. Mr. President, the House Committee on Armed Services included an item of $52 million in the military procurement authorization bill, passed by the House last Friday, to prepare for the production of a fighter aircraft that, in Pentagonese, has been dubbed the "World Freedom Fighter," a plane for which there is no U.S. defense requirement. The money, Representative Robert Sikes told the House last Friday, is for the development of an inexpensive aircraft that we can furnish our allies around the world through sales and the military assistance program.

This is a proposal for back-door foreign aid and the subsidy to tool up for producing this plane should not be charged off to the defense budget but to the foreign aid program, if the taxpayers are forced to foot the bill at all.

Earlier this year the House committee added a $14 million item to a supplemental authorization bill for this project, but the proposal was not adopted by the Senate Committee on Armed Services. Gen. Duward L. Crow, Director of Budget for the Air Force, told the House Committee on March 12:

> The proposal was made to the Air Force, basically to improve the capability of the United States to compete more successfully in the world markets. The aircraft that we are discussing—the F–5—has been extremely successful in the past, but, in its present configuration, we feel its competitive position is slipping. The improved version should enhance the possibility of sales worldwide.

Representative Sikes echoed this argument during the House debate. He said:

> By the development of a modern, high-performance aircraft, the United States will have the opportunity of reclaiming, or at least competing for, a substantial portion of the foreign military sales market which recently has decreased considerably.

The chairman of the House committee stated during the hearings that—

> The re-tooling subsidy would hasten the modernization of the free world air forces, particularly those countries to which we have a heavy commitment, such as Korea, Vietnam, Thailand, Greece, and Turkey.

In addition, he said Spain and Nationalist China are "interested in this aircraft."

After the House passed the bill, I wrote to the distinguished chairman of the Committee on Armed Services (Mr. Stennis), pointing out that this matter properly came under the jurisdiction of the Committee on Foreign Relations. I ask unanimous consent that the text of the letter be printed in the Record at the end of my remarks.

The PRESIDING OFFICER. Without objection it is so ordered.

(See exhibit 1.)

Mr. FULBRIGHT. Mr. President, when Secretary of Defense Laird appeared before the Committee on Foreign Relations on the foreign aid bill, I questioned him about the proposal. He was very emphatic that the House committee acted on its own and not in response to an administration request. He said:

> As far as the $14.5 million, I want to make that very clear that this was not a request of the Department of Defense or the Air Force. This was not approved by the Bureau of the Budget or the Air Force. This request came from the Congress, and it was on the initiative of the House Armed Services Committee . . .

Yet, on September 24 Deputy Secretary of Defense David Packard, in a letter to the House Armed Services Committee, said that the Defense Department "would need between $40 million to $60 million" in development funds and $4 million for procurement of long leadtime items this fiscal year in order to supply 325 "appropriate fighter" aircraft to "Korea, Taiwan, South Vietnam, and other countries over the next 5 or 6 years." Incidentally, this clearly indicates that the Secretary is not contemplating getting out of Vietnam in the foreseeable future.

In minority views on the military procurement bill, seven members of the House committee stated:

> The funds were added to this year's authorization bill on the strength of a limited conversation with the Deputy Secretary of Defense on the day of the bill markup to which the members of the Armed Services Committee were not privy . . . if the Department of Defense wanted this program, it could have been included in the fiscal year 1970 budget request in one of the numerous revisions made by the new Secretary of Defense.

It seems highly unusual that a decision that there was a need for these funds was made by the Defense Department on the very day of the committee's markup. I ask unanimous consent to have printed at this point in the Record the letter from Deputy Secretary Packard contained in the House report.

There being no objection, the letter was ordered to be printed in the Record, as follows:

The Deputy Secretary of Defense,
Washington, D.C. September 24, 1969.
Hon. L. Mendel Rivers,
Chairman, House Armed Services Committee, House of Representatives, Washington, D.C.

Dear Mr. Chairman: Following our discussion this morning, this will confirm our request that your committee consider making the necessary adjustments in its action on the miltary procurement authorization bill in order to permit the Department of Defense to proceed expeditiously with the development of a new free world fighter aircraft by the Air Force.

Over the past few months we have been studying the question of how we can provide an appropriate fighter for our free world allies, and in particular, South Vietnam. We believe we will need about 325 for Korea, Taiwan, South Vietnam, and other countries over the next 5 or 6 years. In order to do this we should begin development of a relatively simple and inexpensive fighter in fiscal year 1970. We have rechecked the figures and we believe we would need between $40 million and $60 million R.D.T. & E., depending on when appropriations are available to us, and $4 million for long-leadtime items for fiscal year 1970. We believe this is an important program and we hope your committee will approve this program in connection with its action on the bill.

Sincerely,

David Packard.

Mr. FULBRIGHT. Mr. President, this proposal to subsidize the manufacture of a fighter plane which we do not need for our Armed Forces but which would be suitable only for giving or selling to foreign countries, poor ones at that, would establish a far-reaching precedent for our foreign policy. The Committee on Foreign Relations has devoted much study over the past few years to the Government's arms sales and grant policies. It found much wanting with our policies and will, no doubt, make further changes this year in connection with its work on the foreign aid and military sales bills. The Congress should not give its stamp of approval to subsidizing arms aid to foreign countries through the Defense budget, as the House committee has proposed, without the most careful study by the committees responsible for

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foreign policy matters—the House Committee on Foreign Affairs and the Senate Committee on Foreign Relations.

Yet, in the hearings before the House Armed Services Committee earlier this year on this matter, Chairman Mendel Rivers said:

> The other committee—

Meaning the House Committee on Foreign Affairs—

> is not knowledgeable in this field, and incapable of discussing these things on the floor. This is the reason I think our committee should get more and more into the foreign military assistance. It is our jurisdiction.

I do not wish to become involved in the jurisdictional disputes of the House of Representatives, but I wish to make it clear that the Committee on Foreign Relations has primary jurisdiction over all matters involving the military aid and sales programs.

Since this proposed subsidy has not been submitted as an administration measure in keeping with standard procedure, the committee has not studied the matter. In view of this, I hope that the Senate conferees will refuse to accept the item. In the event funds for the project are included in the conference report, I will object to the Senate's consideration of the report until there has been a thorough study of the matter by the Committee on Foreign Relations, including testimony from officials of the Departments of Defense and State, and company officials.

I ask unanimous consent to have printed at this point in the Record the pertinent excerpts from the additional views of several members of the House Armed Services Committee and a news item from the New York Times of September 30.

There being no objection, the items were ordered to be printed in the Record, as follows:

FREEDOM FIGHTER

Delete $38 million from freedom fighter program. This is merely another name for the program proposed by the majority of the members of the House Armed Services Committee earlier this year in the fiscal year 1969 supplemental authorization bill. In that bill, the committee authorized an unrequested $14 million for a sole source contract to develop an improved F–5 aircraft then identified as the F–5–21. The Department of Defense was opposed to the program then, as was the Department of the Air Force. In fact, no one in Government appeared to be willing to come forward and support the proposal.

In theory, the development of an inexpensive, uncomplicated fighter-type aircraft for use by some of our less fortunate, free world allies is sound. However, this should be done in the routine manner and not as an afterthought.

The funds were added to this year's authorization bill on the strength of a limited conversation with the Deputy Secretary of Defense on the day of the bill markup to which the members of the Armed Services Committee were not privy. It is significant that the total added to the program—$52 million—was equal to the amount deleted from C–5A procurement. We are not objecting to the inclusion of $14 million once previously approved by the committee for R. & D., but do believe that the added $38 million is ill-advised.

Surely this requirement has been known for some time and if the Department of Defense wanted this program, it could have been included in the fiscal year 1970 budget request in one of the numerous revisions made by the new Secretary of Defense.

FREEDOM FIGHTER AIRCRAFT

In committee I moved to strike $36 million from a $52 million item not in the committee print, the budget or in any formal Air Force communication for an alleged World Freedom Fighter Aircraft. The $52 million surplus arose the day of our committee mark-up as a result of DOD determination not to go ahead with a 5th C–5A squadron. The funds were for long leadtime procurement.

It was stated at the time this item was voted on that the World Freedom Fighter plane was not necessarily the F–5–21 Freedom Fighter Aircraft of Northrop Aviation, but could be any airplane of any company. This has got to be the most bizarre $52 million authorization to ever come out of a congressional committee.

If the United States needs a cheap jet airplane to sell only to foreign governments, let's ask the foreign governments to foot the bill. We've never paid Air Force money in the past to develop a new airplane the Air Force could not use!

Moreover, the project has escalated fourfold since it was last presented to this House.

If you will refer to the Record of March 27, last, at page 7895, you will see that the cost of the more definitive F–5–21 Freedom Fighter only cost $14 million at that time to modify the F–5A's and F–5B's now selling like hotcakes worldwide. *Neither the Air Force nor the Department of Defense has ever asked for these development funds.* My chairman stated last March as follows:

"* * * You will notice in the report that the committee added $14 million to the authorization bill for modifying the F–5–Freedom Fighters—aircraft into an improved version which will be called the F–5–21. By taking advantage of the several improvements that have been funded by Canada, Norway, and the Netherlands, at a cost of more than $50 million, and by installing the increased thrust J85–21 engines, a significant increase in military effectiveness will be attained while retaining the desirable low-cost, high-utilization rates and excellent maneuverable qualities of the F–5 aircraft * * *

As Representative Arends stated on page 7897:

> * * * First. Why should the United States invest $14 million at this time in an aircraft not in the U.S. inventory? * * * *By minor United States investment* we can take advantage of these and other advances now available to modify the F–5 into an improved production version.

The September *Air Force Space Digest* describes the F–5 as follows:

F–5A, B FREEDOM FIGHTER

Lightweight supersonic all-purpose fighter, being furnished U.S. allies under military assistance program, including South Vietnamese AF, and more than a dozen others. Canadair is producing improved versions, 115 for RCAF and 105 for Royal Netherlands Air Force. None is operational in U.S. Air Force, except in training foreign pilots at Williams AFB, Ariz. F–5A is single-seater; F–5B accommodates 2-man crew for training or combat missions. It carries up to 6,200 pounds external stores—armament or fuel—and can take off or land from sod field. Freedom Fighter evolved from USAF T–38 Talon jet trainer. Contractor: Northrop Corp., Norair Div. Powerplant: 2 General Electric J85–13 turbojets, 4,080-pound thrust with afterburner. Later version, including Canada's CF–5, employs J85–15 engine with 4,300 pound thrust. Dimensions: span 26 feet, 5 inches, length 45 feet 11 inches, height 13 feet. Speed: 1,000 miles per hour. Ceiling: over 50,000 feet. Range: combat, 400 miles; ferry, 2,100 miles with external tanks. Armaments, 2 M39 20-millimeter cannon in nose. Can carry Sidewinder missiles or 2,000-pound bomb, or rockets in combination. Crew: F–5A, one; F–2B, two. Maximum gross takeoff weight: over 20,000 pounds. Primary using commands: U.S. allies.

I say there's no need for the United States to spend this $52 million at all.

The Air Force is strangely silent on the airplane. Under date of June 6, I sent the following letter to Air Force Secretary Robert C. Seamans, Jr.

June 6, 1969.

Hon. Robert C. Seamans, Jr.,
Secretary of the Air Force,
Department of the Air Force,
Washington, D.C.

Dear Mr. Secretary: There was presented before my House Armed Services Committee an amendment to the supplemental authorization bill to provide funds for the construction of F521 aircraft.

At your earliest convenience, I would appreciate having a complete analysis of this subject—past costs of F5 aircraft for foreign nations sales that have been made; original funding which was used; history of the proposed new funding; location where the aircraft will be constructed; proposed customers for the new aircraft; and position of the Department of the Air Force on this proposed contract and justification therefor.

Your many courtesies are appreciated.

Very sincerely,

Robert L. Leggett,
Member of Congress.

To date, I am still waiting for a reply.

As I understand the current state of the record, the Air Force has orally requested $52 million for development of a World Freedom Fighter aircraft, which may or may not be the Northrop Freedom Fighter and moreover, the Air Forvce to this date has presented no written justification or the method whereby they will spend $52 million of our American tax dollars.

Robert L. Leggett.

HOUSE GROUP SCORES FUND ALLOCATION FOR FIGHTER

(By Warren Weaver, Jr.)

Washington, Sept. 29.—A group of House members attacked as "ill-advised" today the last-minute provision of $52-million for development of a fighter plane that had been consistently opposed by the Pentagon but was a favored project of Representative L. Mendel Rivers, Democrat of South Carolina.

In one of several critical postscripts to an Armed Services Committee report made public today, Representative Robert L. Leggett, Democrat of California, declared: "This has got to be the most bizarre $52-million authorization to ever come out of a Congressional committee."

The money was added to the military authorization bill by the committee last Wednesday at the behest of Mr. Rivers, its chairman. There had been no previous request for money for the so-called "freedom fighter" from the Pentagon, but Mr. Rivers announced he had an oral expression of interest from the Defense Department that day.

In today's report, the chairman included a letter from Deputy Defense Secretary Davis Packard, dated last Wednesday, noting a discussion with Mr. Rivers earlier in the day and asking the committee to "consider making the necessary adjustments" to develop the new fighter aircraft.

In the same recasting of the military bill, the committee cut $52-million from the authorization for the C–5A supertransport so that the money for the F–5–21 fighter plane did not increase the over-all spending figure under consideration by the committee.

The new fighter, to be built by the Northrop Corporation, would not be used by the Air Force at all but would be supplied to what Mr. Packard called "our Free World Allies, and in particular South Vietnam." Representative Leggett found the whole project objectionable.

He wrote in his separate report: "If the United States needs a cheap jet airplane to sell only to foreign governments, let's ask the foreign governments to foot the bill. We've never paid Air Force money in the past to develop a new airplane the Air Force would not use."

The House members who submitted a joint statement opposing the F–5–21 were Mr. Leggett, and Representatives Lucien N. Nedzi, Democrat of Michigan; Otis G. Pike, Democrat of Suffolk County; Robert T. Stafford, Republican of Vermont, and Charles W. Whalen Jr., Republican of Ohio.

Some House members have privately attributed Mr. Rivers's sponsorship of the "freedom fighter," at a time when the Defense Department opposed the project, to a solicitude toward the Northrop Corporation, but others who have watched the Armed Services chairman for years doubt any special treatment is involved.

"You've got to give Rivers credit," one of his colleagues said. "This is not an example of preferential treatment for Northrop. He has this kind of a relationship with a lot of the big defense contractors."

The F–5–21 is only one of 10 or more controversial items in the military bill that will come under attack when the measure reaches the House floor on Wednesday, but its critics are not overly optimistic about making any changes in the provisions approved by Mr. Rivers' committee.

Their best opportunity appears to be a move to strike from the bill $1-billion for additional Navy ships, over and above any Pentagon request, that was inserted by the committee last week.

An effort will also be made to drop $345.5-million for deployment of the Safeguard anti-missile system. Debate on this issue took the Senate several weeks this summer, but the forces opposed to the ABM failed by a single vote to kill the program.

The military bill the Senate finally approved totaled $20-billion. The version that the House will consider authorizes $21.3-billion in expenditures, as a result of additions made by the House Armed Services Committee.

Generally, there are fewer Pentagon critics and more supporters of the Armed Services Committee in the House than there are in the Senate, and this week's House debate is not expected to take more than two or three days, compared with eight weeks in the Senate.

EXHIBIT 1

Hon. JOHN STENNIS,
Chairman, Committee on Armed Services, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I urge the Committee on Armed Services to delete two items from H.R. 7757, both of which come under the jurisdiction of the Committee on Foreign Relations.

As you know, the bill contains a $14,000,000 authorization, the first increment of a total of $62,000,000, proposed for retooling the Northrup Corporation's production facilities for F–5 fighter aircraft, to be sold or given to foreign countries under the military assistance and sales program. There is no United States military requirement for this aircraft and the item was not requested by the Department of Defense.

During recent years the Committee on Foreign Relations has given a great deal of study to the military aid and sales program, with particular attention to grants and sales of sophisticated weapons such as jet fighters to developing countries. Many corrective policy changes have been brought about as a result of this study and the Committee will undoubtedly recommend further changes as a result of its work on foreign aid legislation this session.

The proposal to subsidize a manufacturer of aircraft, suitable only for use by foreign countries, is unprecedented and involves grave questions of foreign policy which should receive careful consideration by the Committee on Foreign Relations, which has jurisdiction over foreign aid matters. I hope your Committee will delete the proposed $14,000,000 authorization so that our Committee can study in depth the many serious issues involved.

The second item, although seemingly a minor personnel matter, would be a first, and perhaps irrevocable, step in the transfer of funding for United States participation in international military headquarters (NATO, SEATO) from the military assistance program to the regular Department of Defense budget. The Department's regular budget for FY 1970 contains a $31,250,000 request for international military headquarters, thus removing it from the foreign aid program. In 1967 the Senate considered and rejected a similar Department of Defense proposal. If the issue is to be re-opened it should be considered by the Committee on Foreign Relations, which has basic jurisdiction. I urge the Committee to reject the requested personnel authority.

I will appreciate having this letter printed in the Committee's hearing record on H.R. 7757.

Sincerely yours,
J. W. FULBRIGHT,
Chairman.

PUBLIC DISCLOSURE BY SENATOR AND MRS. CHARLES McC. MATHIAS, JR.

Mr. MATHIAS. Mr. President, Mrs. Mathias and I believe that one way to renew confidence in the institutions of Government is to share with the public all information that may throw light upon the interest or disinterest of those who participate in making public decisions.

Therefore, last April, in addition to filing the confidential financial reports required under the Senate rules, we voluntarily made available to the press and the public a listing of our assets, our creditors, our net worth, and our income in 1968 over and above congressional pay and allowances. Periodic changes will be reflected in each annual report.

This is the practice which Mrs. Mathias and I followed last year, when I was a Member of the other body and a candidate for the Senate. It is the type of full, public disclosure, not now required by law, which I believe every elected Federal official and candidate should make.

I ask unanimous consent to have printed in the RECORD our statement of financial disclosure for 1968 and a letter of April 22, 1969, transmitting this report to the chairman of the Select Committee on Standards and Conduct.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

APRIL 22, 1969.

Hon. JOHN STENNIS,
Chairman, Select Committee on Standards and Conduct, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to Senate Rules XLII and XLIV, I have heretofore submitted the information required. In addition to that disclosure, Mrs. Mathias and I wish to follow the practice that we have established and to make a listing of our assets, our creditors and our income over and above Congressional pay and allowances. A copy of this voluntary report is enclosed for your information and additional copies will be submitted to the Congressional Record and to the press.

Very truly yours,
CHARLES McC. MATHIAS, Jr.,
U.S. Senator.

DISCLOSURE OF FINANCIAL INTERESTS OF SENATOR AND MRS. CHARLES McC. MATHIAS, JR., APRIL 22, 1969

ASSETS

Equity in Federal Retirement System.

Life Insurance.

Livestock and Farm Machinery.

Real estate

House: RFD 2, Frederick, Maryland.

House: 3808 Leland Street, Chevy Chase, Maryland.

Half interest in 40-acre farm in Frederick County, Maryland.

Half interest in 306 Redwood Avenue, Frederick, Maryland.

Lease for 373-acre farm, expiring in 1973.

Stocks

Farmers and Mechanics National Bank.
Capitol Hill Associates.
Citizens Bank of Maryland.
Foote Mineral Company.
Frederick Medical Arts.
G. D. Searle & Company.
Glaxco Laboratories, Ltd.
Investors Loan Corporation.
Massachusetts Investors Growth.
The Detour Bank.
The Great Atlantic & Pacific Tea Company.
Warner-Lambert Pharmaceutical Company.
Maryland National Bank.

LIABILITIES

Debts due on mortgage, collateral and personal notes to: Farmers & Mechanics National Bank, Frederick, Maryland; Bank of Charles Town, Charles Town, West Virginia; and Walker & Dunlop, Washington, D.C.

Net worth computed to April 16, 1969, $143,602.55.

Year 1968:	
Investment income	$1, 330. 62
Interest	52. 52
Honorariums	1, 550. 00
Net rents	1, 566. 65
Legal fees	1, 702. 08

PRESENTATION OF AWARD OF MERIT BY THE DEFENSE DEPARTMENT TO A DISTINGUISHED NEVADAN

Mr. CANNON. Mr. President, I ask unanimous consent to have printed in the RECORD an article about an outstanding Nevadan.

Mrs. Jessie Beck of Reno, Nev., was presented last October with the Award of Merit by the Department of Defense for her outstanding service in writing to literally hundreds of servicemen who are serving overseas. She receives a half dozen or so letters a day from marines at Con Thien and Army men at Cam Ranh Bay. Recently the men of the carrier *Hancock* made her an honorary member of their 164th and 165th Fighter Squadrons. Because of her dedication to making the lot of some of our lonely men overseas easier, I wish to give her special recognition by having the account of her activities made a matter of special record. The account was published in the Wednesday, September 10, 1969, issue of the Reno Evening Gazette.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MRS. JESSIE BECK

A lady gambler and great grandmother, who spends her off hours writing "her boys" in Vietnam, was back at her letter writing an hour after being named a Distinguished Nevadan Monday.

Mrs. Jessie Beck of Reno began her gambling career 30 years ago as one of the first women running a roulette table in Nevada. She now owns the keno game and other gambling concessions in one of Reno's largest casinos.

She started writing letters and sending packages to servicemen in Vietnam five years ago. The Award of Merit, the highest award the Defense Department can give a civilian, was given her last year.

"I write because I think those kids are pretty wonderful and I know some of them do not get much mail," Mrs. Beck explained. "Some of them are away from home for the first time and need help.

"Then I watch movie reels on tv, and my heart goes out to them," she said. "I would go over and fight by their side, but I'm afraid I would only get in the way.

"I don't like fighting. I don't like war. I only wish there was more I could do for them."

Mrs. Beck's first letters and packages went to a man who had worked for her in Reno. Her letters and the food, books, playing cards and kool aide she sent were passed from man to man in his company and beyond.

Soon letters with Vietnam postmarks started appearing in her mailbox with increasing regularity. There are now more than 500 names on her mailing list.

"I try to write to each man personally, but I got caught behind because of business and visitors last month and had to type sort of a newsletter." There was a personal post script on the bottom of each of those newsletters when they went out.

Mrs. Beck, white-haired but still very active, has two sons, five grandchildren and two great-grandchildren.

A native of Sweetwater, Texas, she came to Reno at the invitation of Harold Smith Sr. to run the roulette table at Harolds Club. A few months later, when several men who worked the craps table became ill, she became the first woman craps table boss in Nevada.

Mrs. Beck's late husband, Fred, ran the keno and poker games at Harolds on a concession basis. She took over the operation when he died in 1954.

She is still in the club almost every night, but has not actually run a game for several years.

Mrs. Beck, who does her letter writing from a special apartment she maintains on the top floor of the Arlington Towers apartment, was presented the Award of Merit last October in Reno by Sen. Alan Bible.

It was awarded to her by the Defense Department after literally hundreds of servicemen she had written to overseas deluged congressmen and senators in Washington with letters about her.

Mrs. Beck bears the same surname as another illustrious Nevadan, Miss Jessie Beck. A teacher for whom a Reno elementary school is named Miss Jessie Beck taught for 43 years in Nevada schools, retiring in June 1941. She died in January, 1961.

A half dozen or so letters a day reach Mrs. Beck from Marines at Con Thien, Army men at Cam Ranh Bay and the pilots of the Carrier Hancock who made her an honorary member of Fighter Squadrons 164 and 165.

Some of the letters she receives talk of Vietnam, but most she said, are filled with talk of wives and children and sweethearts. She answers them by writing at nights and Sundays. Her letters, which she said are never too personal to be passed around are unabashed patriotism laced with humanitarianism.

"I write every day unless I get stuck at the office until after midnight. It would be all right, but I write long letters."

An hour after she was presented the Distinguished Nevadan Award by Gov. Paul Laxalt at the state capitol in Carson City, Mrs. Beck was back in her Reno apartment writing a letter.

Five of the men whom Mrs. Beck had written have died in Vietnam. "It takes a long time to get over it," she said.

Many of the men on her mailing list come to visit Mrs. Beck when they return to the United States.

"The only thing I enjoy more than writing to them is saying welcome home to them." Mrs. Beck, a well-known and respected business woman, never fails to see they are well taken care of in Reno.

With the exception of some help from her employees in wrapping packages at Christmas time, Mrs. Beck's campaign is a one-woman operation with all the expenses paid from her pocket.

All of the letters she has received from "her boys" are in a file near Mrs. Beck's desk.

"I wouldn't take a million dollars for those letters. I cry every time I read some of them, but when I get old, they are going to make me very happy."

THE VIETNAM PROTEST MARCH

Mr. COTTON. Mr. President, a nationwide march is being organized for October 15 as a demand that the President immediately withdraw our forces and stop the war in Vietnam.

It is a march against our country.

It cuts the ground from under our President, encourages our enemies, and reduces the chances for a negotiated peace.

It asks the President to abandon 500 Americans languishing in the prisons of North Vietnam.

It asks the President to abandon numberless thousands of non-Communist Asians to be tortured and slaughtered.

It asks the President to break the word of his predecessor and of this Government and to betray the 40,000 heroic Americans who have given their lives.

It is a step toward substituting mob psychology for the reasoned policies of a government elected by the people of this constitutional Republic.

The President is seeking an orderly withdrawal of our forces and an ultimate disengagement of this war.

During the 3 weeks that the North Vietnam Communists occupied the city of Hue, they murdered 2,000 old and young men and women and little children, and buried them in mass graves. When we reoccupied the city, American press representatives described the digging up and reburial of many of the victims. They reported that many had been beaten to death with clubs so they did not have a whole bone in their bodies, and some showed clear evidence of having been buried alive. Do those who march want the lives of a million more such victims on their conscience?

It may well be that under our present policy we shall eventually occupy a single port in South Vietnam under the guns of our Navy and the protection of our Air Force. There we could evacuate the innocent victims should South Vietnam lose the war. There we would remain a thorn in the side of the Communists until they release to us American prisoners.

What must be in the minds of the fathers and mothers of our soldiers in the hands of the enemy when they hear this demand that we abruptly abandon them, I can only imagine.

I cannot imagine what is in the minds of Senators and Representatives who approve of this demonstration and will even allow their office facilities to be used in promoting and organizing the proposed October 15 march.

FREEZE ON CONSTRUCTION FUNDS FOR SMALL WATERSHED PROTECTION AND FLOOD PREVENTION PROGRAMS

Mr. HARRIS. Mr. President, I recognize the need for a concerted, bipartisan effort to curb the current inflationary spiral in this great country of ours. However, I am much concerned about the current freeze order on use of appropriated funds and cutbacks in Federal construction work. In a statement issued September 4, President Nixon announced a 75-percent reduction in Federal construction and strongly urged State and local governments to cut drastically their construction plans in order to release construction workers and equipment for badly needed housing projects. He further stated that if local response proves insufficient, he would need to restrict the commitments for construction that can be financed by Federal grants.

I am particularly concerned about cutting back on grants for resource development programs such as the small watershed protection and flood prevention programs. My concern is twofold.

First, these projects are locally directed and partially financed from local funds. Millions of dollars of State and local money have been committed with the expectation that the Federal share would be available when needed. Bonds have been issued. Interest is being paid. In many cases, State appropriated funds are lost if not obligated within a specified time. Sponsors have acquired hundreds of easements which will expire if construction work is suspended. A stop-and-go policy on these construction grants will make it increasingly more difficult, and in some cases impossible, to convince State legislatures that continued support is a wise investment.

In the private sector, many contractors have made large investments to continue construction of project measures currently underway or scheduled for early completion. In Oklahoma alone, almost $12 million worth of construction work, involving about $7 million of Federal funds and almost $5 million of State and local funds, is ready to go. Suspension of this work will result in heavy losses to local contractors and put many workers on the unemployment roles. Cutting back construction programs of this nature will certainly prove to be false economy and also greatly erode public confidence in the resource development stance of the Federal Government.

Second, and equally important, these small upstream watershed programs provide such an array of social and economic benefits that funding should be significantly increased—not reduced. For example, the first national water assessment shows $1.7 billion flood and sediment damages occur each year throughout the country. Of this total, $1 billion, or 59 percent, occurs in rural upstream areas. The January 1969 Annual Report of the President's Council of Economic Advisers points out that the greatest incidence of poverty in the Nation is in the rural areas—23 percent compared with 16 percent in central cities.

Not only do these projects provide direct employment in their installation but they also greatly stimulate the economy of the rural communities. Almost 20 percent of the projects in the great State of Oklahoma include structures for rural community water supply, and this percentage is increasing each year. An equal number include recreation facilities as a project purpose. Often these multiple-purpose measures are the one stimulant needed to put new life into presently dying rural communities.

My remarks here are in no way intended as criticism of efforts to curb the inflationary spiral which is plaguing our Nation's citizens. However, I do wish to emphasize that greater priority is needed for resource development programs because of their immediate and long-range social impact, not only in the local areas in which needed measures are installed but also throughout the Nation.

By improving the economy of rural areas, we can reverse the out-migration of unemployed or underemployed people and our rural youth to already overcrowded, poverty stricken urban areas. By providing and increasing job opportunities in rural areas, we also provide the means for improved housing for millions in esthetically pleasing environments away from the smog and congestion of central city areas.

I hope all Senators will join me in urging the President not to impose any cutback in Federal grants particularly for the small watershed protection and flood prevention programs. I also urge each Senator to encourage the removal of the current restrictions imposed by the Bureau of the Budget on expenditures of appropriated funds and strongly support a substantial increase in subsequent appropriations for these programs consistent with the needs in upstream areas of our Nation.

STATEMENT BY JAMES M. HESTER, PRESIDENT, NEW YORK UNIVERSITY, ON THE TAX REFORM ACT OF 1969

Mr. GOODELL. Mr. President, the Committee on Finance has just concluded extensive and informative hearings on the important matter of tax reform.

I invite the attention of Senators to a statement submitted to the committee by James M. Hester, president of New York University, on certain aspects of the Tax Reform Act—H.R. 13270—affecting charitable contributions to higher education. A tremendous amount of interest and concern has been expressed on this subject by the members of the academic community. President Hester's remarks are an important and useful contribution to this dialog.

Also I take this occasion to congratulate Dr. Hester on his appointment as chairman of a task force on priorities in higher education recently announced by President Nixon. This task force of distinguished citizens, among them two other New Yorkers—Sebastian Martorana, vice chancellor for Two-Year Colleges, State University of New York, and Albert L. Nickerson, director, Mobil Oil Corp.—has been given the critically important charge of advising the President on higher educational priorities for the 1970's. I am sure that Senators join me in wishing them every success. We all look forward to having their recommendations on ways to provide innovative and constructive educational programs for the future.

Mr. President, I ask unanimous consent that the text of President Hester's statement to the Committee on Finance be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT ON THE TAX REFORM BILL FOR THE SENATE FINANCE COMMITTEE

(By James M. Hester, president, New York University)

I am grateful for the opportunity to present, for your consideration, the views of New York University on certain provisions of H.R. 13270, the tax reform bill, and I should also like to express my personal satisfaction with the thoughtful and comprehensive response of the Congress to the demands of the public for basic reforms in our system of taxation. I am confident that your deliberations will greatly advance the cause of equity in taxation.

The provisions of the tax reform bill with which New York University is principally concerned are those which would effect basic changes in the treatment of charitable contributions. Many of the provisions in this area are meaningful reforms, and we heartily endorse the elimination of those incentives which have encouraged charitable contributions solely as a means to increasing the donor's after-tax net worth. Yet we feel that in some respects the bill would reach too far, destroying those legitimate incentives which stimulate private support for our colleges and universities and thus severely jeopardizing this nation's capacity to meet the educational challenges of tomorrow.

GIFTS OF APPRECIATED PROPERTY—LTP AND ALLOCATION

Our primary concern is with the provisions which make the appreciation element of gifts in property a "tax preference" item for purposes of both the limitation of tax preferences and allocation of deductions. The House Ways and Means Committee recognized that permitting the donor to deduct the full fair market value of gifts to schools, hospitals and other publicly supported charities serves as a crucial stimulus to make substantial gifts, but by making appreciation a preference item most of the benefit of that stimulus will be lost. As you are well aware, most of the support for any private educational institution comes from a relatively small number of alumni and friends, and large gifts are typically made in the form of appreciated property. It is a doubtful proposition at best that reform would be served by deeming a contribution of appreciated property a preference akin to the receipt of tax-free interest, and to endanger the quality of higher education on this premise seems a rash course indeed.

There is a fundamental difference between making a gift of appreciated property and those other transactions which are considered tax preferences under the bill for purposes of LTP and allocation of deductions. Allowing a donor to deduct the full fair market value of his gift, upon meeting the restrictions set forth in the bill as to the type of property contributed, will encourage him to contribute by reducing the net cost of such gift to him, but it does not permit him to profit; his net worth will have been reduced. Tax-free interest and capital gains, on the other hand, represent untaxed income, while accelerated depreciation and farm losses are tax benefits arising out of profit-seeking activities which produce an increase in net worth through lessening of tax. In short, the donor of appreciated property is "preferred" only in the sense that the source of part of his deduction is attributable to untaxed *appreciation*, not untaxed income. Granted that it may be less painful for the owner of substantially appreciated securities to make a contribution than for one who makes an equivalent cash gift, each has acted charitably because each has reduced his net worth. The donor of appreciated property is preferred only in that he possessed such property and in that the law recognizes that its contribution, at less net cost to him than its full value, serves a desirable social purpose.

While there is considerable doubt, therefore, as to whether fairness requires that the appreciation element be included among the items of tax preference, there is none whatsoever about the immediate and drastic effect of such inclusion. While precise calculation of the cost to higher education is impossible, uncertainty about the net cost of major contributions, which would be dependent upon all items of income and deduction which bear upon the LTP and allocation formulas, would induce hesitancy in any case and outright refusals to give in many. It would surely create a climate in which expert income-and-deduction juggling would reduce the cost of contributions, and college and university fund-raisers could rarely advise prospective major donors as to the real cost of their gifts. Indeed, we have already observed a reluctance to consider major gifts pending the resolution of this problem.

Finally, it is not at all inconceivable that severe diminution of the private sector's incentive to support higher education through contribution's would be a first step to vast expansion of public assistance programs. Private institutions like New York University can maintain their activities only so long as they can sustain a constant flow of contributions. Lessening of private support would require increased public support or radical retrenchment of education services essential to our society. The decision that the public has to assume an obligation to provide substantial support for institutions heretofore privately sustained is not one that should be made by indirection, especially on the dubious premise that tax equity demands it.

GIFTS OF FUTURE INTERESTS IN APPRECIATED PROPERTY

In recent years New York University has benefitted from a significant number of gifts of future interests in property. By permitting donors to reserve income from contributed property for life, we are able to attract important gifts from persons of relatively modest means—gifts which such persons simply could not afford to make without the benefits of retained income and an income tax deduction for the present value of the remainder interest. The bill, in denying a deduction for the fair market value of a future interest in appreciated property unless the donor elects to include the appreciation in income, would effectively destroy all incentive to use this plan.

As to the portion of the appreciated property which may be considered to fund the life income interest, the donor reaps an unwarranted benefit in avoiding tax on the appreciation. But the solution posed by the bill goes beyond correction of the abuse. What is necessary is not a blanket denial for all gifts of future interests in appreciated property, but rather a separation of the transaction into two elements, similar to the treatment afforded "bargain sales." Thus a portion of the donor's basis in the entire property should be allocated to the life-income interest, and he would be taxable on the appreciation attributable to that portion, but his fair market value deduction would be preserved as to the remainder interest.

PERCENTAGE LIMITATION ON GIFTS OF APPRECIATED PROPERTY

The House bill imposes a special limitation of 30 percent of a taxpayer's "contribution base" on the deduction for gifts of appreciated property, while the general limitation on gifts to churches, schools, hospitals and publicly supported charities is 50 percent. It is at least questionable whether gifts of cash and property which has not appreciated in value are entitled to such comparatively favorable treatment, but even assuming that they are, the 30 percent limitation should have reference to the appreciation, not to the entire value of the gift. Under the bill, a donor with a contribution base of $10,000 who makes a contribution in property worth $5,000 in which he has a basis of $4,900 would be limited to a $3,000 deduction, but were his basis $5,000, he would be entitled to the full $5,000 deduction. The inequity is obvious and should be remedied.

TAX ON FOUNDATION INVESTMENT INCOME

Under the House bill, private foundations, in addition to becoming vulnerable to a variety of penalties for overstepping their charitable bounds or indulging in certain proscribed investments, are liable for a 7½ percent tax on "net investment income." New York University depends heavily on foundation grants for support of many of its programs. We assume that this 7½ percent levy would have the effect of reducing the amounts of funds which we might expect to receive from these foundations. Furthermore, such a tax would seem to bear no relation to costs incurred in supervising the activities of foundations; in effect it would create an anomalous special class of partially tax-exempt organizations. Accordingly, we endorse the Treasury recommendation to reduce the suggested tax to two percent, an amount which bears a reasonable relation to the anticipated increased costs of governmental administration and supervision.

THE "CLAY-BROWN" PROVISIONS AND THE URBAN UNIVERSITY

In mounting an assault on the "Clay-Brown" situation in which the purchase of a business or other income-producing property by an exempt organization is financed out of future profits, H.R. 13270 permits debt-financed acquisitions to escape the unrelated business income tax where "all the use" of the acquired property is related to the performance of the acquiring organization's exempt purposes. It also excepts acquisitions of neighborhood land provided that it is contemplated that the land will be used within 10 years in furtherance of such exempt purposes, and if the intended future use requires that any structure on the land at the time of acquisition be demolished or removed.

Meeting one or the other of these exceptions may prove most difficult for the growing urban university. If New York University, for example, has an opportunity to purchase, at an attractive price through debt-financing, an apartment hotel for eventual use as a dormitory, it may not be possible, for financial or other reasons, to make an immediate complete conversion to dormitory use, yet eventual use would not contemplate demolition. As a result, until conversion has been completed, a percentage of rentals derived from both students and hold-over tenants would be subject to tax.

Perhaps the most equitable solution to this problem would be to tax only revenues from persons whose occupancy is not in furtherance of the acquiring organization's exempt purposes. Or, in recognition of the fact that demolition provides unequivocal evidence of intent but is an inappropriate requirement, it could be deleted, permitting the exception to be satisfied if the building were completely converted to educational purposes within 10 years.

TAX REFORM ACT OF 1969—SUMMARY OF ACTION OF COMMITTEE ON FINANCE

Mr. LONG. Mr. President, today the Committee on Finance began its first day of executive sessions on H.R. 13270, the Tax Reform Act of 1969.

Our first decision was with respect to the proposed tax treatment of interest earned on State and municipal obligations. Because of the continuing rise in interest rates and because of the deterioration of the marketability of these bonds, the committee decided not to subject State and local bond interest to Federal income tax under either the minimum income tax or the allocation of deductions rule as provided in the House bill.

So that Senators might follow the progress of these executive sessions, I ask unanimous consent that a press release be printed in the Record.

There being no objection, the press release was ordered to be printed in the Record, as follows:

[A press release from the Committee on Finance, U.S. Senate, Oct. 9, 1969]

State and Local Bond Interest and Tax Reform

Senator Russell B. Long (D., La.), Chairman of the Committee on Finance, announced today that the Committee had agreed that it would not subject State and local bond interest to federal income tax. This was the first decision reached by the Committee in their deliberation on the tax reform bill of 1969. The Committee also agreed to delete that provision in the House bill which would provide a subsidy for State and local governments which choose to issue their bonds on a taxable basis and pay competitive market rates of interest on them.

The Committee decided to retain the provision in the House tax reform bill which subjects interest earned on so-called arbitrage bonds to federal income tax. Arbitrage bonds are those which are sold by the State and local government, the proceeds of which are reinvested in higher yield federal or corporate securities. The Committee felt that these bonds serve no useful governmental purpose but were an unhealthy consequence of the record-high interest rates existing in the Country today.

Finally, the Committee added to the bill a provision which will require in the future that State and local bond interest be reported on the tax return *for statistical purposes only.*

The Chairman indicated that because of the gap in knowledge as to who the recipients of this interest are there had been considerable speculation that these bonds are purchased primarily for their tax avoidance potential. He stated that this attiude overlooked the more obvious point that the purchaser of State and local governmental bonds had already borne a tax in the form of a return for his investment.

[From the press release of the Committee on Finance, U.S. Senate, Oct. 9, 1969]

Statement Made by Hon. Russell B. Long, Chairman, Committee on Finance, Announcing the Committee Decisions With Respect to the Tax Treatment of Interest Paid on State and Local Government Bonds

The Finance Committee acted this morning to delete those provisions of the House tax reform bill which would indirectly tax the interest earned on State and local government bonds. Under this action the limit on tax preferences and the allocation of deduction provisions of the House-passed tax reform bill will not apply to this bond interest. The provision extending a Federal subsidy to State and local governments which choose to issue their bonds on a taxable basis were also deleted.

The Committee felt that if there was ever a time for ending the tax exemption on this interest income, 1969 is not the year to do it. Interest rates are at the highest level in over 100 years.

Because of this, taxable investment opportunities have attracted money away from the State and local government bond market. This in turn has caused interest rates on some State and local bonds in recent months to rise three times as swiftly than interest rates generally. On the other hand, provisions in many State Constitutions severely limit the interest that State or local governments may pay on their obligations. These factors have made it very difficult for States and municipalities to raise the funds they need to finance the improvements they desire for their citizens.

The tax bill has added to this difficulty by further reducing the net income a purchaser of these bonds might earn. This causes a widening of the gap between the net yield on taxable corporate and Federal securities on the one hand and tax-exempt State and local governmental securities on the other.

Good tax policy considerations and public policy considerations alike demand that the total tax structure—Federal, State and local, combined—be explored in determining the advisability of tax reform aimed at a Federal tax on State and local bond interest.

The Committee on Finance did explore these aspects.

During the hearing before the Finance Committee, a distinguished panel of Governors representing the National Governors' Conference was followed to the witness table by a distinguished panel of Mayors which, in turn, were followed by a distinguished panel of County officers. These dedicated officials presented irrefutable evidence of the impact the House tax reform bill has already had on their functions.

Their capital improvement programs cannot be initiated. Their bond issues have been authorized but the bonds cannot be sold. Bonds they have already issued are rapidly depreciating in value, causing considerable losses to their holders.

These witnesses reminded the Committee that the House tax reform bill would raise only $80 million annually in revenues for the Federal Treasury through the tax on their bond interest. Then they carefully demonstrated that State and local taxes would have to go up by $200 million a year to pay for it.

State and local tax structures generally are regressive—they fall more heavily on the poor than on the rich. Sales taxes, property taxes, gasoline taxes—these are the levies that would need to be hiked at State and local levels to pay the higher yields demanded by purchasers in anticipation of a Federal tax on their bond interest. These are the taxes that hit hardest at the poor.

Based on the testimony we received, the Committee on Finance concluded this morning that the provisions of the House bill taxing State and local bond interest constituted a very inefficient tax reform and should not be enacted. The Committee is hopeful that the action it has taken on this subject will restore confidence to the tax-exempt bond market and enable State and local governments to get on with the important work of improving services and facilities for their own citizens.

ARBITRAGE BONDS

The Committee agreed to retain that provision in the House Tax Reform bill which would tax the interest earned on so-called "arbitrage bonds." However, the provision was modified to make it somewhat more objective.

Arbitrage bonds are bonds issued by a State or local government, the proceeds of which are reinvested in higher yield Federal or corporate securities.

The Committee felt that State and local governments should not use their tax exempt privilege for the purpose of gaining a higher return on other investments in this day of record-breaking interest rates.

The Committee action consists primarily of the addition to the bill of a definition of the type of bond to which the House bill referred but did not identify. It is made clear in this definition that bonds issued by a State and local government to provide funds for the financing of residential housing, sports facilities, airports, docks, wharves, mass commuting facilities and park facilities, air and water pollution control facilities, sewage or solid waste disposal facilities, or for facilities of the local furnishing of electric energy, gas or water would not be treated as arbitrage bonds, and the interest on bonds issued for these purposes would remain tax-exempt. These are the purposes for which an exception was provided when Congress acted last year to tax the interest earned on industrial development bonds.

REPORTING OF TAX-EXEMPT INTEREST

The Committee also agreed to a provision which in the future would require that individuals and corporations receiving tax-exempt State and local bond interest must report their bond interest on their tax returns *for statistical purposes only*.

This will provide information as to where, in the income classes, interest on these bonds is received. This will indicate whether there are individuals with large amounts of this income who are avoiding the payment of any Federal taxes.

Today this interest is not reported on tax returns for any purpose. No one knows who receives this interest at the present time and this gap in our knowledge has led to considerable speculation that these bonds are purchased primarily for their tax exemption.

The statistical knowledge gained by requiring that tax-exempt interest be identified on the tax return will permit a more national discussion of the question of whether these bonds are used primarily as a tax-avoidance device.

It is certainly true—although tax-purists are unwilling to concede it—that the purchaser of State and local bonds have already borne a tax, a tax in the form of a lower return on their money.

ANTIWAR DEMONSTRATIONS

Mr. THURMOND. Mr. President, a carefully orchestrated tide of voices is now rising throughout the country demanding what amounts to immediate withdrawal from Vietnam. I notice that these self-appointed spokesmen no longer even mention the need for reciprocal moves from Hanoi. They want the United States to withdraw now—whatever the consequences. They cast aspersions upon the Thieu government, and they demand some kind of coalition that will admit to power the very subversive elements that the United States, South Vietnam, and our allies have been struggling against for many years.

Even though some eminent persons have lent their names to this protest movement, it is very disturbing to examine the makeup of the groups that are actually doing the work. Coordination of the activities is being done by the New Mobilization Committee To End the War in Vietnam. The Washington weekly, Human Events, has revealed that the steering committee of "New Mobe" includes such people as Arnold Johnson, the public relations director of the U.S. Communist Party; Irving Sarnoff, an identified Communist who took the 5th amendment before the House Committee on Un-American Activities rather than say whether or not he was a Red; Sylvia Kushner, a radical activist in her own right and for many years the wife of Sam Kushner, who has served on the Communist Party's National Committee and as Los Angeles editor of the People's World, the west coast Communist Party newspaper; and Otto Nathan, charged by the State Department in 1955 with having been a German Communist who has a "consistent and prolonged adherence to the Communist Party line on a variety of issues."

The steering committee also includes Dave Dellinger and Rennie Davis, two of the people now on trial in Chicago on grounds of violating the U.S. antiriot law during the 1968 Democratic convention. Fred Halstead, an avowed Trotskyite, is also included, along with Robert Greenblatt. Human Events says that Greenblatt's bias was revealed last year when he went to Paris bearing a letter of introduction from Tom Hayden to a North Vietnamese, a Colonel Lao. The letter from Hayden introduced Greenblatt as a trusted worker in the cause and ended with this thought for Colonel Lao: "Good fortune. Victory."

Mr. President, this New Mobilization Committee is working hand and glove with the Vietnam Moratorium Committee, and does not attempt to conceal its relationship. I am sorry to say that certain Members of this body are vigorously supporting the Vietnam Moratorium Committee. Perhaps they have not examined its relationship with the New Mobilization Committee. I hope they will do so and withdraw from this effort.

The New Mobilization Committee does not hesitate to propagandize openly for the Vietcong. It is viciously anti-American. Theodore White has quoted Sam Brown as saying the following:

> We've recognized the true nature of the United States. We saw the United States attack Cuba, it attacked the Dominican Republic, it attacked South Vietnam. The Communists are now a fragmented force; the United States is now the great imperialist-aggressor nation in the world.

This is not a peace movement. These people do not direct any antiwar protests against North Vietnam. They attack only the leaders of the American people.

The mood of the country is outraged now at the conduct of the war, but I warn that the country will be even more outraged if we surrender. The consequences will be so terrible for the people of South Vietnam, and the blow to American credibility will be so great that the balance of peace among the great powers may be irreparably dislodged.

Mr. President, we must not misjudge the temper of the Vietnam dissent. As reported recently in the Washington Post, a thorough study has been conducted of the supporters of the senior Senator from Minnesota (Mr. McCarthy) in his bid last year for the Democratic nomination in New Hampshire. The opinions of the Senator on Vietnam are well known. It was a great surprise, then, when this study showed that his supporters backed a harder line against Hanoi by a 3 to 2 margin. In other words, for every two "doves" in his camp, there were three "hawks" who were disgusted that the policy of the Johnson administration declined to seek victory in Vietnam. Although the news media played up the young supporters who were eager to project a liberal and radical image, the bulk of the Senator's support came from those who were deeply disturbed over the artificial and unreasonable restrictions placed upon the military conduct of the war.

This study was conducted by the survey research center of the University of Michigan, one of the most prominent such institutes in the field. It must also be noted that it was a study of past and present attitude, rather than an attempt to predict how voters might react in a future election.

We are now in the midst of another campaign. There is no doubt that the proponents of this campaign against the Vietnam war are seeking to manipulate public opinion, and to influence the course of events with regard to the war. It would be disastrous if Hanoi—or our own leaders—misread the nature of the discontent of the American people. Just as the news media misread the nature of this discontent last year, there is today a calculated attempt to misread and misinterpret the situation.

Let there be no mistake. The American people will not accept surrender. They will not agree to discard the sacrifice of American blood for a hollow diplomatic agreement. This war must be ended, but it must be ended on honorable terms. We cannot exclude the possibility that it still may be necessary to seek military victory. The President cannot limit his options solely to the conference table. So far, the Paris negotiations have given little comfort to those who have expected a significant breakthrough.

On the contrary, the delaying tactics of the Paris conference give us reason to think that the Communists are waiting for the Americans to get tired and go home. The more they listen to the chorus of dissent, as controlled and manipulated by certain news media, the more they take heart and confidently wait for a unilateral pullout. The President was correct when he said that he would not allow himself to be influenced by protest demonstrations, but there must be more to it than that. The President must retain his options to lift the military restrictions that have mired us deeper and deeper in stalemate.

The unproductivity of the Paris conferences comes as no surprise when we study the general outlines of the war, and our gradual involvement in it. It is not true that the United States has escalated the level of the war. Our military action, such as it has been, has been a passive response to Communist initiatives. It is true that our response has been of a greater magnitude than the Communist initiatives. But in every case the disparity is the result of the unfavorable ratio necessary in a restricted action. It is well known that, for a relatively small investment, the Communists have tied up a considerable part of the U.S. defense effort. When the classic doctrines of military tactics and strategy are nullified by unreasonable and shortsighted restrictions, it is not surprising that the American effort ballooned to alarming and wasteful proportions. We cannot fight a war when the enemy is allowed to keep his sanctuaries and supply lines. We cannot fight when the enemy has a guarantee that his home territory is not subject to infiltration and devastation.

With this pattern established, Hanoi had very little difficulty in engaging the United States in wasteful actions which did little to advance the cause of South Vietnamese independence. Moreover, Hanoi waited until it had the backing of the Soviet Union before it began any major new initiative. The Soviets, by advancing or withholding support, had a fundamental control over Hanoi's actions, and, by the same token, over the United States' actions. Our foreign policy since World War II has been marked by a series of reactions to Communist expansion, with no contrary effort to reduce or weaken Communist-held areas. Our policy in Vietnam was no different. We were gradually led into deeper and deeper involvement because of our unwillingness to initiate actions to reduce Communist expansion. Vietnam has been coexistence with a vengeance.

This unfortunate understanding of the Vietnam conflict struck me recently when I came across an extremely interesting study of events in Vietnam made by the Institute of International Studies of the University of Plano, in Plano, Tex. The institute's study is basically a chronology of events. However, there is one significant difference between this chronology and any other that I have seen. This study recognizes the significance of international participation in the Vietnam situation. I have seen no other study, for example, that includes references to the diplomatic activity between Moscow and Hanoi, based upon sources in Soviet publications.

The institute's study itself draws no conclusions. It merely presents a chronology. Nevertheless, a broad pattern emerges when the Soviet involvement is recorded. Nothing becomes clearer than the fact that Soviet support and assistance is critical to the prolonging of this war. Significant agreements between Hanoi and Moscow preceded every step that North Vietnam took to escalate the war. The pattern of U.S. activity is one of reaction to the Soviet-North Vietnamese joint initiatives.

The chronological study breaks down into two periods. November 1960 is the great watershed of events. The chronology concludes with the formation of the Provisional Revolutionary Government in June 1969. The Communists regard this event as a termination to the struggle. The "provisional government" is a preparatory stage for a gradual takeover. The Communists are convinced that the "peacenik" movement in the United States will force American withdrawal.

It is significant that this provisional government was recognized less than 5 days later by the Soviet Union. It is also significant that the proclamation of this "shadow government" coincided with the opening of the International Congress of Communist and Workers' Parties in Moscow.

To anyone who has studied worldwide Communist theory, the establishment of the provisional government is a key event. In the Communist mind, the so-called provisional government is the legal government of South Vietnam, "the true representative of the people." The Thieu government is an usurper, a corrupt imperialist lackey in Communist terminology. The fact that the provisional government is self-appointed does not matter to the Communists. By definition it is the "real government," awaiting only the withdrawal of American aid from the Saigon government. It signifies that, in the Communist mind, the Vietcong's job of "liberation" is almost completed, and a civilian Communist takeover is only a matter of patience.

The period 1961–69, therefore, requires the closest study. Escalation of the war took place following that watershed date of November 1960. Previous to this date, the action both in North and South Vietnam consisted of limited local conflict. From the Geneva accords in 1954 until June 1957, when the French completed their withdrawal of the last French forces, the government of South Vietnam was faced with open guerrilla warfare.

The significance of November 1960 is this: In that month, Ho Chi Minh went to Moscow and obtained an agreement for a 5-year plan of open and massive support from the Soviet Union and some of her allies. On the basis of this long-range strategic plan, the Vietcong and the National Liberation Front were organized in the South, and a constant flow of equipment and troops began from the North.

Think of it: The November 1960 agreement was announced the following January—almost simultaneously with the beginning of the new administration in the United States—and less than 1 week later the Vietcong movement was proclaimed in the South.

With the establishment of the Vietcong in January 1961, the situation in the South gradually deteriorated. After the assassination of Diem in November 1963, the Vietcong began a massive offensive the following February. Meanwhile, the Soviets stepped up their level of aid to Hanoi and support that made such offensives possible. It is significant that U.S. ground forces did not pass the 50,000 mark until June 7, 1969—5 months after the Soviets openly declared that they would aid and support Hanoi in the war effort.

Throughout 1966, the Soviets continued to force the United States to step up the level of defense for South Vietnam. A five-man Soviet mission led by CP Central Committee Secretary Shelepin visited Hanoi in January to arrange for increased Soviet military aid; by March Congress was approving an additional $4.8 billion for the defense of the South. In August, the Soviets announced training of North Vietnamese fighter pilots in the Soviet Union, and in October a new aid agreement was signed.

Mr. President, I offer these as examples. The chronology begins with a synopsis which shows these events in greater detail. Anyone can examine the record for himself. The United States was invading no territory. It was attempting to defend the South against attacks by invasion and infiltration. The disparity between the Soviet level of assistance and the U.S. level of assistance was made possible only because of the mode of warfare adopted by the Johnson administration.

Let there be no doubt about it: The real force we are fighting in Vietnam is the Soviet Union. The war against South Vietnam could not go on without Soviet help and assistance. If North Vietnam does not withdraw from its aggressive policies, then the only way to stop the war is to take measures to interdict the outside assistance.

I support the President in his program of "Vietnamization" of the war. We should increase our support for the Thieu government's program of taking over the war. But we must also let North Vietnam know at the conference table that, if the aggression does not end, no U.S. policy will interfere with the necessary steps to close the sanctuaries and supply lines.

Mr. President, because of the extreme interest in this subject at this time, I ask unanimous consent that the chronology of the Vietnam conflict, prepared by the Institute of International Studies of the University of Plano, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SYNOPSIS

I. January 1954–November 1960. "Peace" Conferences and Limited Local Conflict.

A. May 1954–June 1957. French Withdrawal Period.

B. June 1957–November 1960. Growing Guerrilla Warfare.

II. November 1960–January 1969. Development of Open International Conflict.

A. November 1960–November 1, 1963. Diem Period.

B. November 1963–February 1965. Period of Expanded Subversion.

C. February 1965–June 1968. Period of Direct International Action.

D. June 1968 to Present. Period of Repetition of "Peace" Conferences, with expanded hostilities.

SIGNIFICANT ACTIVITIES LEADING TO INITIAL ATTACKS

1954

May 8–July 21: *Geneva Conference on Indochina.*—Participants: United Kingdom and the USSR (joint chairmanship), France, the United States, Communist China, Cambodia, Laos, Vietnam and Vietminh regime. July 20–21 agreements: 1. Vietnam to be partitioned along 17th Parallel into North and South Vietnam; 2. Restrictions are imposed on foreign military bases and personnel and on shipment of armaments; 3. Countrywide election leading to the reunification of North and South to be held by July 20, 1956; 4. An International Control Commission (ICC) to be established.

The U.S. and Vietnam did not sign the agreements, but the U.S. made a declaration that 1. "it will refrain from the threat or the use of force"; 2. "would view any renewal of aggression with grave concern"; 3. "shall seek to achieve unity through elections."

July 20: Geneva Agreements on cessation of military activities in Vietnam go into force.

October 11: Communist Vietminh regime formally takes over control of Hanoi and North Vietnam.

1955

June–July: North Vietnam government delegation visits the USSR and Communist China and signs agreement on USSR and China's economic and technical aid to North Vietnam.

July 18: USSR-North Vietnam accord on aid without compensation in form of equipment, materials, and consumer goods, for a sum of 400 million rubles.

August 16: Last French High Commissioner in Vietnam departs.

October 23: National referendum deposes Bao Dai, former Emperor and since March 7, 1949, head of State of Vietnam. Ninety-eight per cent of the votes express preference for Premier Diem.

1957

June: French naval and air force mission withdrawn.

October 22: Bombing of U.S. MAAG and USIS installations in Saigon; U.S. personnel injured.

COMMUNIST ACTION

1958

March 12: USSR-North Vietnam protocol signed in Hanoi on mutual supplies of goods by USSR and North Vietnam for 1958, also agreement on trade and navigation.

1959

July 8: Communist guerrillas attack Vietnamese Military Base at Bien Hoa, killing and wounding several U.S. MAAG personnel.

1960

May 5: United States announces that at request of Government of South Vietnam, U.S. Military Assistance and Advisory Group will be increased by the end of the year from 327 to 685 members.

November 6–December 2: North Vietnam party and government delegation headed by Chairman of CC of Workers Party of Vietnam, President Ho Chi Minh, in USSR.

USSR INVOLVEMENT

1961

January 19: Announcement of signature in Moscow of USSR-North Vietnam agreement on economic and technical aid and on trade for 1961–1965.

January 29: Radio Hanoi praises establishment of "National Front for Liberation of South Vietnam (NFLSV)" founded December 1960. "Sacred historical task" of the NFLSV is "to overthrow the U.S.-Diem clique" and "to liberate the South."

May 11–13: U.S. Vice President Johnson in South Vietnam. Joint Communique on May 13 on additional U.S. military and economic aid.

COORDINATION WITH USSR

June 26–July 5: North Vietnam delegation headed by prime minister and member of Politburo of CC of Workers Party of Vietnam, Phan-van Dong, visits USSR.

July 4: Joint Soviet-Vietnam communique signed in Moscow.

September 1–4: Series of attacks by 1,000 Communist guerrillas in Kontum Province. 41 engagements in August.

September 18: Communist forces of 1,500 men attack and seize capital of Phuoc Thanh Province, 60 miles from Saigon.

October 18: State of emergency is proclaimed in South Vietnam by President Diem.

LEADING TO

November 16: Following recommendations in Taylor report, President Kennedy decides to bolster South Vietnam's military strength, but not to commit U.S. combat troops at this time.

USSR COOPERATION AND SIGNIFICANT EVENTS

1962

February 14: Signature in Hanoi of USSR-North Vietnam protocol on trade exchange in 1962, and on shipment to North Vietnam in 1962; on credits extended by USSR in agreement of 23 December 1960.

1963

November 1: Military coup against Diem regime. Diem and brother Ngo Dinh Nhu assassinated. Council of generals headed by Maj. Gen. Duong Van Minh declares that fight against Communists must be carried on to a successful conclusion.

December 7: Protocol on USSR-North Vietnam trade for 1964 signed in Moscow.

December 14: U.S. military spokesman in Saigon reports on stepped up guerrilla attacks on hamlets.

1964

February 4–6: Vietcong offensive in Tay Ninh province and Mekong Delta.

August 2: USS Maddox is attacked in international waters off coast of North Vietnam by North Vietnamese torpedo boats.

August 5: President Johnson's message to Congress. Joint resolution: "To promote the maintenance of international peace and security in Southeast Asia."

SOVIET INVOLVEMENT

1965

February 10: Joint declaration of USSR and North Vietnam reaffirming that USSR would extend to North Vietnam necessary aid and support. Both parties agreed to carry out regular consultations on the matter.

March 4: Declaration of A. Gromyko to U.S. Ambassador F. Kohler in connection with new attacks of U.S. Air Force on Territory of Vietnam on March 2.

May 25: Soviets announce construction of anti-aircraft missile sites underway around capital of North Vietnam.

June 7: U.S. military authorities disclosed that number of military (American) personnel in South Vietnam has passed 50,000 mark (Army 21,500; Marines 15,500; Air Force 9,500; Navy 3,500).

USSR FORCES U.S. AND ALLIED ACTION

1966

January 7–12: Five-man Soviet mission led by CP Central Committee Secretary Aleksandr N. Shelepin visits Hanoi and arranges for increased Soviet military aid to North Vietnam.

March 1: Congress approves additional $4.8 billion for the Vietnam war.

March 1: President Johnson renews his offer of aid to North Vietnam; exhorts Hanoi to negotiate.

March 2: Secretary McNamara reveals that U.S. forces in South Vietnam reached total of 215,000 men, with 20,000 on their way.

July 5: Australian Prime Minister Harold Holt endorses U.S. policy in Asia, including bombing of North Vietnam.

USSR ACTIONS FORCE

August 28: The USSR announces training North Vietnamese fighter pilots at an unidentified Soviet airbase.

October 3: The Soviet Union announces new aid agreement with North Vietnam providing for both military and economic assistance. Washington officials cite evidence that Russian advisers might at times be operating Hano's air defenses.

October 13: President Johnson rules out ending the bombing of North Vietnam without an indication that Hanoi will, in turn, de-escalate its military activities.

COMMUNIST

November 10: North Vietnam announces that the USSR, China, and other Commnist countries have pledged increased aid, both military and economic.

AID AND ALLIANCE FORCES ACTION

1967

July 15: Vietcong stage massive mortar attack on US air base at Danang killing 13 Americans and wounding 150. Shelling destroys 11 planes and damages 10 more.

August 3: President Johnson announces raising of maximum limit of US personnel in South Vietnam to 525,000. South Korean officials tell AP that Seoul government has "agreed in principle" to send about 17,000 reservists to man supply lines in South Vietnam.

September 3: South Vietnam's presidential elections take place. Approximately 4.8 million voters participate . . . 81 per cent of registered voters. General Thieu wins presidency, receiving about 35 per cent of vote.

USSR FORCES ESCALATION

September 23: Soviet Union and North Vietnam sign an aid agreement, which provides for increased deliveries of military equipment (both air defense weapons and small arms), vehicles, petroleum, and other materials designed to bolster Hanoi's economy. Kosygin pledges to support North Vietnam "till total victory" but declares that "perspectives for a peaceful settlement of the Vietnamese question have been opened recently."

October 17: Australia announces that it will increase size of its Vietnam force from 6,300 to 8,000. New Zealand announces that it will send an additional 170 infantrymen to join the 370 already there.

SIGNIFICANT COMMUNIST ACTIVITIES WHILE U.S. WAS TRYING TO ESTABLISH A BASIS FOR A NEGOTIATED PEACE

1968

January 30–31: The Communists launch simultaneous attacks on major South Vietnamese cities, including Saigon (January 31) where they temporarily invade the grounds of the US Embassy.

February 6: Dang Quang Minh, Chief National Liberation Front representative in Moscow, states that the NLF aim in its latest attacks was to overthrow the Saigon government.

February 18: The Communists shell more than 30 bases and outposts across South Vietnam.

March 5: Communists shell US base at Camranh Bay for first time in war.

March 31: President Johnson . . . "no attacks on North Vietnam except in area north of the demilitarized zone where enemy build-up directly threatens allied positions." Bombing pause includes 90 percent of North's population, but complete bombing halt could come "if our restraint is matched by restraint in Hanoi."

April 18: The US proposes 10 more sites for diplomatic contacts with North Vietnam: Ceylon, Japan, Afghanistan, Pakistan, Nepal, Malayasia, Italy, Belgium, Finland, and Austria.

April 19: North Vietnam rejected the ten new sites proposed.

May 5: Vietcong shelled Saigon and a dozen other South Vietnamese cities and infiltrated small sniper and suicide squads into the capital. Communists had launched 119 mortar and rocket attacks throughout South Vietnam and ground attacks at 14 locations.

May 13: US and North Vietnamese delegations met in first formal session in French

Foreign Ministry's International Conference Center in Paris. North Vietnamese chief delegate, Xuan Thuy, repeated accusation that Vietnam war had resulted from US aggression and brought up Hanoi's four-point program, and described it as "the basis for a correct political settlement of the Vietnam problem."

Ambassador Harriman replied, stating the US's objective of preserving "the right of the South Vietnamese people to determine their own future without outside interference or coercion." He asserted: "Since March 31, we have sought a sign that our restraint has been matched by the Democratic Republic of Vietnam. We cannot conceal our concern that your Government has chosen to increase numbers of troops and supplies from the North to the South."

June 3: North Vietnamese Politburo Member, Le Duc Tho visits Moscow on route to Paris peace talks. Le Duc Tho arrived in Paris and accused the US of "jeopardizing the progress of the talks" by its refusal to "cease unconditionally the bombing and all other acts of war."

June 4: Forty Vietcong rockets struck Saigon in heaviest bombardment of capital during the war. US officials reportedly linked attacks to Paris talks.

July 4: Soviet Union announced signing of a new military and economic aid agreement with North Vietnam. No details or figures given. Department of State has estimated that Soviet aid to North Vietnam in 1967 totalled about $700 million.

COMMUNIST ACTIVITIES CONTINUE

October 31: In a final meeting between Ambassador Bunker and President Thieu in Saigon an effort was made to get Saigon to agree to a halt in bombing and to expanded talks in Paris. There were sharp disagreements during meeting, which lasted some 7 hours, ending only 3 hours before Johnson announced bombing halt. The shelling of Saigon and Hue by Vietcong rockets, killing 34 persons during the night of October 31 Saigon time, when the meeting was held, reportedly increased domestic pressure on Thieu to reject terms for expanded Paris talks.

December 31: U.S. Department of Defense announced U.S. casualties in eight years of Vietnam War as 30,543 killed and 192,372 wounded (99,643 seriously wounded) and 1,243 missing in action. Close to 50 per cent of these totals were losses in 1968: 14,521 killed and 46,655 seriously wounded.

TERMINAL POINT

1969

January 25: First session of formal peace negotiations. No results.

June 5: Twentieth session of peace negotiations. Still no results.

June 5–17: International Congress of Communist and Workers' Parties held in Moscow.

June 8: Provisional Revolutionary Government of the Republic of South Vietnam established.

CONCLUSION

For the convenience of the reader, the main events leading to escalation of the war or "controlled responses" are lifted from the chronology and listed by date of event. President Nixon's statement that the USSR is furnishing 80 to 85 per cent of the supplies for Vietnam is verified by intelligence and Soviet statements and actions. Agreements and political decisions to meet the increased demands invariably were made in Moscow. The importance of the bombing halt to movement of supplies is shown by the following statement and verified in the chronology.

January 1969: Vietnam, the New Phase, World Marxists Review, By Ivan Shchedrov, *Vietnam Victory of 1968*.

February and May 1968, the biggest frontal offensive of the war compelled the United States in March to announce a bombing restriction, limiting the bombing of southern DRV provinces, and in May the United States made contacts with North Vietnam and the Paris talks began.

In October 1968 the White House announced a total bombing halt as of November 1.

The Socialist States and world democratic opinion see these as an important victory for Vietnam.

The opening blasts of the United States bombing of North Vietnam date to August 5, 1964, when United States aircraft made their first massive strike; regular bombing was resumed in February 7, 1965 and continued without interruption until November 1, 1968. Washington hoped that the differences between the socialist countries (USSR and China) coupled with Vietnam's remoteness from the Soviet Union would hamper timely and effective help. North Vietnamese leaders emphasize that it was the Soviet Union that helped most in creating the modern defense system and training of Vietnamese in the use of sophisticated weapons.

CHRONOLOGY OF VIETNAM CONFLICT

1954

May 8–July 21: *Geneva Conference on Indochina*. Participants: United Kingdom and the USSR (joint chairmanship), France, the United States, Communist China, Cambodia, Laos, Vietnam and Vietminh regime. July 20–21 agreements: 1. Vietnam to be partitioned along 17th Parallel into North and South Vietnam; 2. Restrictions are imposed on foreign military bases and personnel and on shipment of armaments; 3. Country-wide election leading to the reunification of North and South to be held by July 20, 1956; 4. An International Control Commission (ICC) to be established.

The U.S. and Vietnam did not sign the agreements, but the U.S. made a declaration that 1. "it will refrain from the threat or the use of force"; 2. "would view any renewal of aggression with grave concern"; 3. "shall seek to achieve unity through elections".

* May 7: Units of the Communist Peoples' Army occupy Dien Bien Phu area.

* June 22: North Vietnam Communist government announces new "national policy" in Hanoi.

July 7: Head of State and former Emperor Boa Dai appoints Ngo Dinh Diem Prime-Minister of Vietnam.

* July 20: Geneva Agreements on cessation of military activities in Vietnam go into force.

August: Flood of refugees from North to South starts (about 1,000,000).

October 11: Communist Vietminh regime formally takes over control of Hanoi and North Vietnam.

October 24: President Eisenhower commits American assistance to be channeled directly to South Vietnamese Government (not through French authorities as before).

1955

January 1: United States promises direct assistance for the support of Vietnamese Armed Forces.

February 5: Announcement of Premier Diem's extensive land reform program.

February 12: The U.S. Military Assistance Advisory Group (MAAG) takes over training of South Vietnamese Army.

February 19: Southeast Asia Collective Defense Treaty (SEATO) goes into force.

March 7: U.S. and South Vietnam sign agreement which supplements existing economic cooperation agreement of September 1951.

March 29: Armed revolt in Saigon by Binh Zuyen political bandit group.

April 17: South Vietnamese Government appeals to U.N. against North Vietnamese Communists, who, in violation of Geneva Agreements, prevent northerners from migrating to South Vietnam.

May 10: Premier Diem forms new Cabinet.

May 16: U.S. signs agreements with Cambodia for direct military aid.

* June–July: North Vietnam government delegation visits the USSR and Communist China and signs agreement on USSR and China's economic and technical aid to North Vietnam.

July: Communists initiate first overt propaganda move in South Vietnam by distributing literature signed by "National United Front."

July 1: France relinquishes command over Vietnamese Navy.

July 7: French transfer Nha Prang Airbase to Vietnamese control.

*July 18: USSR–North Vietnam accord on aid without compensation in form of equipment, materials, and consumer goods, for a sum of 400 million rubles.

July 20: Government of South Vietnam rejects North Vietnamese Government's invitation to discuss the elections, on the grounds that in North Vietnam the people would not be able to express their will freely and that falsified votes in North Vietnam could overrule the votes in South Vietnam.

*August 2: Direct North Vietnam and China railroad communications opened.

August 16: Last French High Commissioner in Vietnam departs.

October: Binh Zuyen is defeated as an organized armed insurgent force.

October 23: A national referendum deposes Bao Dai, former Emperor and since March 7, 1949, head of State of Vietnam. Ninety-eight per cent of the votes express preference for Premier Diem.

October 26: A republic is proclaimed by Ngo Dinh Diem, first President of South Vietnam.

December 12: U.S. Consulate in Hanoi is closed.

1956

January: South Vietnamese Army units occupy Tay Ninh, Cao Dai political center. Agreement of February 28 legalizes Cao Dai religious practices and forbids its political activities.

February 12: Tran Van Soai, leader of Hoa Hao faction, surrenders. Ba Cut, another Hoa Hao leader, captured April 13; breakup of Hoa Hao armed insurgency.

March 4: General elections for South Vietnam's first National Constituent Assembly (123 members), victory of political parties supporting President Diem.

*March 12: USSR Ambassador to North Vietnam, M. V. Zimyanin, presents credentials to Ho Chi Minh, President of North Vietnam.

*April 2–6: Visit to North Vietnam of first deputy Chairman of USSR Council of Ministers. A I. Mikoyan, and Chairman of Presidium of Supreme Soviet of Uzbek SSR, Sh. R. Rashidov.

April 6: Vietnam Government announces it will continue to cooperate with the ICC and reiterates its position of supporting Vietnam-wide elections at such time as conditions in Communist North Vietnam permit free voting.

*May 5: Accord on mutual deliveries of goods between USSR and North Vietnam signed for 1956.

July 4: Constituent Assembly approves constitution providing strong executive. President, five years, veto power, may rule by decree when National Assembly (4 years) not in session.

July 6: U.S. Vice President Richard Nixon visits Vietnam, and declares, "the military march of communism has been halted."

July 30: Vietnamese liaison mission to ICC established.

September 19: French Air Force transfers Tourane Airbase to Vietnamese.

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*Communist sources.

*October 16: Delegation of National Assembly of North Vietnam headed by Chairman of National Assembly of North Vietnam, Ton Diek-Thanh, visits USSR.

October 26: South Vietnam's first constitution promulgated.

1957

January 3: International Control Commission reports that neither North nor South fulfilling their obligations under 1954 armistice.

*February 15: USSR-North Vietnam cultural agreement signed in Hanoi.

*March 11: USSR-North Vietnam agreement on non-trade payments signed.

*March 30: USSR-North Vietnam mutual deliveries accord signed for 1957.

*April 27: North Vietnam Ambassador to USSR Nguen Van Kinh handed his credentials to deputy chairman of Presidium of USSR Supreme Council M. P. Tarasov.

May 5–19: President Diem visits United States. President Eisenhower and President Diem declare that both countries will work toward "peaceful unification."

*May 20–24: Chairman of Presidium of USSR Supreme Soviet K. Ye. Voroshilov visits North Vietnam.

June: French naval and air force mission withdrawn.

*July 13–17 and August 21–28: President of North Vietnam Ho Chi Minh visits USSR on route to Europe and back.

July 29: United States establishes consulate in Hue.

*October 18–26: Delegation of USSR Supreme Council headed by A. B. Aristov visits North Vietnam.

October 22: Bombing of U.S. MAAG and USIS installations in Saigon; U.S. personnel injured.

*November 1–22: President of North Vietnam Ho Chi Minh visits USSR.

*December 25: USSR-North Vietnam cultural collaboration agreement signed for 1958.

*December 26: USSR-North Vietnam agreement on establishment of telephone and telegraph communications and on postal and parcel exchange signed.

1958

January 4: Communist guerrilla band attacks plantation north of Saigon; steady increase in Communist armed activity since mid-1957.

*February 21: USSR Ambassador to North Vietnam, I. I. Sokolov, presents credentials to President Ho Chi Minh.

*February 26: USSR-North Vietnam agreements on mutual supplies of printed matter, records and editions of *Sovetskiy Soyuz* (Soviet Union), a periodical in North Vietnam in Vietnamese language in Hanoi.

*March 12: USSR-North Vietnam protocol signed in Hanoi on mutual supplies of goods by USSR and North Vietnam for 1958, also agreement on trade and navigation.

*May 17: North Vietnam liaison mission to ICC withdrawn from Saigon.

September 10: France and South Vietnam sign agreement of aid for Vietnam Government's agrarian reform program—1,490 million francs.

November 19: Cambodia signs trade and payments agreements with North Vietnam.

1959

*February 1: USSR-North Vietnam agreement on considerable expansion of exchange of industrial goods signed in Moscow.

*March 6: Plan for USSR-North Vietnam cultural and scientific collaboration for 1959 signed in Hanoi.

*March 7: Accord signed on the USSR economic and technical aid to North Vietnam for the construction of industrial projects for the implementation of "other measures" and on scientific and technical cooperation.

*March 27–April 1: North Vietnam Party and government delegation headed by Deputy Prime Minister and Minister of National Defense of North Vietnam, Wo Nguen Giap (en route to Hungarian People's Republic) visits USSR.

May 13: Japan signs W.W. II reparations and loan agreements with South Vietnam.

*June 5: USSR-North Vietnam consular convention signed in Hanoi.

July 2–August 1: President of North Vietnam, Ho Chi Minh visits USSR.

July 8: Communist guerrillas attack Vietnamese Military Base at Bien Hoa, killing and wounding several U.S. MAAG personnel.

July 10: In Belgian Communist publication, *Fed Flag*, Ho Chi Minh states "we are building socialism in Vietnam . . . we still have to bring to a close the middle-class democratic and anti-imperialistic revolution."

August 30: Second national elections give the National Revolutionary Movement and other pro-Government political parties overwhelming majority in National Assembly in South Vietnam.

October 30: A campaign against Communist guerrillas in country's southern-most region, the Camau Peninsula, resulted in heavy guerrilla losses.

November 14: France and Vietnam sign agreements for settlement of financial claims between the two countries . . . and for a French loan of 7 billion (old) francs (about $14 million) and credit of 11 billion (old) francs (about $22 million).

1960

April 17: North Vietnam protests to Chairman of 1954 Geneva Conference (Britain and USSR) against a "formidable" increase of personnel in the American Military Assistance and Advisory Group in South Vietnam; and accuses the U.S. of creating "a U.S. Military Base for the preparation of a new war."

May 5: United States announces that at request of Government of South Vietnam, U.S. Miltiary Assistance and Advisory Group will be increased by the end of the year from 327 to 685 members.

June–October: Communist guerrilla activities in South Vietnam increase.

June 1–2: U.S. top level policy conference on Southeast Asia (in Hawaii).

*June 15: Announcement of USSR-North Vietnam accord signed in Moscow concerning further economic collaboration and expansion of perennial tropical cultures and their industrial processing. USSR to extend to North Vietnam a long range credit of 350,000 rubles.

July 20: Vietnamese National Assembly delegation leaves Saigon for 6-week visit to the United States.

*August 31–September 12: USSR party and government delegation headed by member of Presidium CC GPSU, Secretary of CC CPSU N. A. Mukhitdinov, in North Vietnam.

October 26: President Eisenhower assures President Ngo Dinh Diem in a letter of good wishes on South Vietnam's fifth anniversary that . . . "United States will continue to assist Vietnam in the difficult yet hopeful struggle ahead."

November 5: John F. Kennedy elected President of U.S.

*November 6–December 2: North Vietnam party and government delegation headed by Chairman of CC of Workers Party of Vietnam, President Ho Chi Minh, in USSR.

November 10: South Vietnam Government sends letter to ICC charging that Communist attacks in Kontum-Pleiku area in October (1) involved regular army forces from Communist North Vietnam through Laos, (2) constituted open aggression which was well prepared, commanded by high-ranking officers, and conducted by regular forces trained in North Vietnam, and (3) employed weapons made in North Vietnam and other Communist countries.

November 11: Military coup attempt against President Diem's regime. Paratroop battalions led by Col. Nguyen Van Thi and Lt. Col. Vuong Van Dong beseige presidential palace. Thi declares that struggle against the communists will be intensified, that President Diem is guilty of autocratic rule and nepotism.

November 12: Loyalist troops enter, subdue rebels. Estimated 200 soldiers and civilians are killed.

November 13: U.S. State Department expresses satisfaction at failure of coup and hopes "rapid implementation of radical reforms."

November 16: Ngo Dinh Nhu, President Diem's brother, announces plans of far-reaching reform program based on reports of the Ford Foundation.

*December 15–25: North Vietnam government delegation headed by Chairman of Council of Ministers, Chairman of North Vietnam State Planning Commission, Nguyen Thuy Chin, in the USSR.

*December 23: Agreement on Soviet economic and technical aid to North Vietnam for fulfillment of first 5-year plan for 1961–65; agreement on mutual deliveries of goods for 1961–65; protocol on trade turnover for 1961 signed in Moscow.

1961

*January 2–18: North Vietnam delegation headed by deputy prime minister Ngyuen Thuy Chin visits Moscow.

*January 19: Announcement of signature in Moscow of USSR–North Vietnam agreement on economic and technical aid and on trade for 1961–1965.

January 29: Radio Hanoi praises establishment of "National Front for Liberation of South Vietnam (NFLSV)" founded December 1960. "Sacred historical task" of the NFLSV is "to overthrow the U.S.-Diem clique" and "to liberate the South."

*January 31: North Vietnam and Czechoslovakia agreement signed in Peking and extending to North Vietnam credits for 141,700,000 rubles over 7 years to cover industrial equipment and technical aid given by Czechoslovakia.

February 6: President Diem announces his administrative reform program.

February 7: President Diem announces he will be candidate for reelection; elections to be held on April 9.

*March 2–5: North Vietnam delegation headed by foreign minister, Ung Van Khiem visits USSR.

March 10: National Front for the Liberation of South Vietnam announces guerrilla offensive against Government April 9 elections.

April 3: U.S.-Vietnamese Treaty of Amity and Economic Relations signed in Saigon.

April 4: President Diem appeals to ICC for "immediate and energetic investigation" of growing Communist terrorism and subversion.

April 9: President Diem elected by overwhelming majority.

May 5: President Kennedy declares that consideration is being given to use of U.S. forces to help South Vietnam.

May 11–13: U.S. Vice President Johnson in South Vietnam. Joint communique on May 13 on additional U.S. military and economic aid.

June 4: President Kennedy and Premier Khrushchev, in Vienna.

June 12: Communist Chinese Premier Chou En-Lai and North Vietnamese Premier Phan Van-dong accuse U.S. of aggression and intervention in South Vietnam.

*June 26–July 5: North Vietnam delegation headed by prime minister and member of Politburo of CC of Workers Party of Vietnam, Phan Van-dong, visits USSR.

*July 4: Joint Soviet-Vietnam communique signed in Moscow.

August 2: President Kennedy declares U.S. will do all it can to save South Vietnam from Communism.

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*Communist sources.

September 1–4: Series of attacks by 1,000 Communist guerrillas in Kontum Province. 41 engagements in August.

*September 9: Soviet note to British government protesting "dangerous developments" in South Vietnam.

September 17: British advisory mission leaves for South Vietnam.

September 18: Communist forces of 1,500 men attack and seize capital of Phuoc Thanh Province, 60 miles from Saigon.

October 1: Military experts of SEATO meet in Bangkok, Thailand. Adm. Harry D. Felt declares no immediate prospect of using U.S. troops, but plans call for use of American troops.

October 2: President Diem declares "It is no longer a guerrilla war."

October 11: President Kennedy announces sending Gen. Maxwell D. Taylor.

October 18: State of emergency is proclaimed in South Vietnam by President Diem.

November 16: Following recommendations in Taylor report, President Kennedy decides to bolster South Vietnam's military strength, but not to commit U.S. combat troops at this time.

December 8: U.S. State Department publishes "white paper" on "clear and present danger" of Communist conquest of South Vietnam.

December 14: U.S. President Kennedy pledges increased aid to South Vietnam.

*December 29: Protocol of third session of Soviet-Vietnam commission on scientific and technical collaboration signed in Moscow.

1962

*January 4: A joint U.S.-South Vietnamese communique defines "broad economic and social program" and "Measures to strengthen South Vietnam's defense in military field."

February 7: Two U.S. Army air support companies totaling 300 men arrive in Saigon bringing total of U.S. military personnel in South Vietnam to 4,000.

February 8: U.S. reorganizes its South Vietnam command, establishes U.S. Military Assistance Command, Vietnam under Gen. Paul D. Harkins.

*February 14: Signature in Hanoi of USSR-North Vietnam protocol on trade exchange in 1962, and on shipment to North Vietnam in 1962; on credits extended by USSR in agreement of 23 December 1960.

February 24: Communist China declares her security seriously threatened by war waged by the U.S.; . . . demands withdrawal of U.S. personnel and equipment from South Vietnam.

February 27: Two planes of North Vietnam Air Force bomb Presidential palace in Saigon. President Diem not injured.

*March 17: Tass reports: Soviet ministry note charges the U.S. with creating "a serious danger to peace" by its "inference" in South Vietnam in contravention of Geneva agreements.

March 22: "Operation Sunrise," a plan to eliminate Vietcong Guerrillas in South Vietnam begins.

April 20: National Assembly pledges support to President Diem's plan on "strategic hamlets."

*April 21: USSR-North Vietnam cultural and scientific collaboration plan for 1962 signed in Moscow.

*April 23: Plan for scientific collaboration for 1962 between USSR Academy of Sciences and State Committee of Sciences of North Vietnam signed in Moscow.

May 22: President Diem promulgates the protection of morality law, which prohibits all dancing and makes prostitution and "unnatural methods" of birth control illegal.

June 2: Canadian and Indian members of ICC find North Vietnam guilty of subversion and covert aggression against South Vietnam. Polish delegation rejects charge.

June 26: South Vietnam's National Assembly votes to extend its term of office to August 1963; impossible to hold elections now.

July 6: U.S. Secretary of Defense Robert McNamara declares he is encouraged by increased effectiveness of U.S. aid to South Vietnam.

July 15: Protocol of fourth session of Soviet-Vietnam commission on USSR-North Vietnam scientific technical collaboration signed in Moscow.

*July 13–17 and July 25–26: North Vietnam foreign minister Ung Van Khyem visits USSR on route to Geneva and back.

*September 15: Accord on further development of USSR and North Vietnam economic cooperation signed in Moscow.

October 26: National Assembly extends by one year President Diem's emergency powers to rule by decree.

November 8: South Vietnam withdraws its Ambassador to Laos as a result of Laos' establishment of diplomatic relations with North Vietnam.

*November 4–20: USSR government delegation headed by Deputy Minister of USSR foreign trade, I. T. Grishin, visits North Vietnam to participate in opening of Soviet trade and industry exhibition in Hanoi.

*November 19: Protocol signed in Hanoi concerning trade exchange between USSR and North Vietnam in 1963. Both parties exchanged letters about Soviet shipments to North Vietnam in 1963 on credit according to the agreement of 23 December 1960.

December 6: South Vietnamese Government protests to ICC against introduction of Chinese-made weapons and ammunition; large cache discovered.

December 29: Saigon announces that 4,077 strategic hamlets have been completed of total of 11,182 to be built.

1963

January 9–11: Adm. Harry D. Felt confers with Gen. Paul D. Harkins and says, "I am confident the Vietnamese are going to win the war."

*January 10–20: Delegation of USSR Supreme Soviet headed by member of Commission for foreign affairs, Secretary of CC of CPSU Yu. V. Andropov, visited North Vietnam.

March–June: Pathet-Lao attack on Kong Le's forces.

March 6: U.S. military sources report that Vietnamese Navy has taken over patrol of South Vietnam's coast for U.S. Seventh Fleet.

April 8–10: SEATO Ministerial Council meeting in Paris (to discuss Communist threat to Southeast Asia).

April 10: SEATO Ministerial Council meeting in Paris calls on parities to Geneva Conference to keep Laos out of conflict.

April 14: Under Secretary Harriman says U.S. must not become involved in conflict in Laos.

April 17: President Diem proclaims an "open arms" campaign.

April 22: Secretary Rusk calls the situation in South Vietnam "difficult and dangerous."

May 8: Riot erupts in Hue; involves Buddhist celebration; 12 persons killed.

June 3: Buddhist demonstrations in Hue; martial law proclaimed.

June 7: President Diem appeals for calm and makes concession to Buddhists.

June 11: Buddhist monk commits suicide by burning himself to death.

June 15: Tentative agreement between Buddhist leaders and President Diem to end discrimination and meet Buddhist demands.

June 16: Government troops use tanks, tear gas to suppress riots in Saigon.

June 27: President Kennedy appoints Henry Cabot Lodge Ambassador effective September 1963.

July 11: Ambassador Nolting issues statement assuring support to Diem.

August 21: Martial law proclaimed throughout South Vietnam.

August 22: Foreign Minister Vu Van Mau resignation. Ambassador to U.S., Tran Van Chuong resigns. Department of State issues statement deploring action against Buddhist pagodas.

August 26: U.S. Ambassador Lodge presents credentials.

August 29: French President de Gaulle issues policy statement on South Vietnam; says "this people must exercise its activity in independence from foreign influence or interference."

August 30: French Ambassador to U.S. Herve Alphand explains de Gaulle's statement as a long-range French solution which would reunify North and South Vietnam.

September 2: Times of Vietnam charges CIA had planned coup for August 28 to overthrow Diem. President Kennedy says, "in last two months the Government has gotten out of touch with the people."

September 5: President Diem declares that "the Government considers the (Buddhist) affair closed."

September 8: David Bell, Administrator of U.S. Agency for International Development, warns that U.S. Congress may cut back aid to South Vietnam unless Diem government changes policies.

September 9: President Kennedy states that he doesn't think helpful to reduce U.S. aid to South Vietnam; it might bring about collapse similar to that of Chiang Kai-shek government in China after W. W. II. Lodge confers with President Diem.

September 14: Presidential decree announces end of martial law September 16.

September 21: President Kennedy orders Secretary McNamara and Gen. Taylor to go to South Vietnam on September 24 to October 1.

September 27: 123-member National Assembly elected.

October 2: Secretary McNamara and Gen. Taylor report to President and National Security Council.

October 7: Mme Ngo Dinh Nhu, sister-in-law of President Diem, arrives in New York to begin a three-week visit.

October 8: U.N. General Assembly agrees to send fact-finding mission to South Vietnam.

* October: Speaking at General Assembly of U.N., Soviet Ambassador N. T. Fedorenko stressed USSR "Solidarity with Vietnam patriots in their struggle for independence and unification of country."

October 24: U.N. Mission on Buddhist situation arrives—Saigon.

October 27: Buddhist monk burns himself to death in Saigon . . . seventh such death since June 11.

November 1: Military coup against Diem regime. Diem and brother Ngo Dinh Nhu assassinated. Council of generals headed by Maj. Gen. Duong Van Minh declares that fight against Communists must be carried on to a successful conclusion.

November 2: Military leaders in South Vietnam set up provisional government headed by former Vice President Nguyen Ngoc Tho.

November 4: Premier Nguyen Ngoc Tho announces formation of mixed military-civilian Cabinet. U.S. recognizes new provisional government.

November 9: U.S. announces resumption of import aid to South Vietnam, suspended in August.

November 14: President Kennedy states his confidence in General Harkins.

November 15: U.S. military spokesman in Saigon reports that 1,000 U.S. servicemen will be withdrawn from South Vietnam, beginning December 3.

November 20: Secretary McNamara and Secretary Rusk confer in Honolulu with Lodge and Gen. Harkins.

November 22: President Kennedy assassi-

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*Communist sources.

nated in Dallas. Successor Johnson affirms on November 24 that the U.S. intention to continue its military and economic support of South Vietnam's struggle against the Communist Vietcong.

*December 7: Protocol on USSR—North Vietnam trade for 1964 signed in Moscow.

December 14: U.S. military spokesman in Saigon reports on stepped up guerrilla attacks on hamlets.

December 19–20: U.S. Secretary McNamara and Director of CIA McCone in Saigon to evaluate new government's war efforts against Vietcong.

1964

January 2: Secretary Rusk announces Vietnamese Army group seized 300,000 rounds of small arms ammunition, mortars, recoilless ammunitions made in China.

January 6: Government decrees three-man military command over Vietnamese forces and government (consisting of Maj. Gen. Duong Van Minh, chief of state, Maj. Gen. Tran Van Don, and Maj. Gen. Le Van Kim).

January 27: U.S. Secretary McNamara states situation in South Vietnam "continues grave" but that "the survival of an independent government in South Vietnam is so important to the security of Southeast Asia that all measures must be taken to prevent Communist victory."

January 30. Military coup by Maj. Gen. Nguyen Khanh, ousts government of Maj. Gen. Duong Van Minh.

February 4–6: Vietcong offensive in Tay Ninh province and Mekong Delta.

February 7: Secretary Rusk reiterates that "If the agreements which have already been reached and which have been signed by those in the North would be fulfilled, there could be peace in Southeast Asia."

February 8: Maj. Gen. Khanh, announces formation of new Vietnamese government, himself as Premier, Maj. Gen. Duong Van Minh as nominal Chief of State.

March 7: General Khanh announces one-year reform program.

March 8–12: McNamara and Taylor in Saigon.

March 22: Vietnam Military Council gives unanimous vote of confidence to Premier Khanh.

March 23: Plan for Soviet-North Vietnam scientific and cultural collaboration signed.

April 13–15: SEATO Ministerial Council communique declares defeat of Vietcong is "essential" to the security of Southeast Asia.

April 25: General Westmoreland to replace Gen. Harkins.

May 2: Explosion in Saigon Harbor sinks U.S. aircraft transport ship.

May 12: Secretary Rusk asks NATO members to give greater support.

May 12–13: Secretary McMamara and Gen. Taylor make fifth on-the-spot review of South Vietnam.

May 22: Secretary Rusk stating choices says, "to expand the war can be the result if the Communists persist in their course of aggression."

*June 2. Announcement of signature in Moscow of plan for scientific collaboration for 1964 between USSR Academy of Sciences and North Vietnam State Committee of Sciences.

June 12: President de Gaulle calls for end to all foreign intervention.

June 23: President Johnson announces appointment of Gen. Taylor to be Ambassador and Alexis Johnson Deputy Ambassador to South Vietnam.

*July 11–13: North Vietnam delegation, headed by member of politburo of CC of Workers Party of Vietnam, deputy Chairman of the North Vietnam National Assembly, Hoang van Hoan visited USSR on way to Cuba.

August 2: USS Maddox is attacked in international waters off coast of North Vietnam by North Vietnamese torpedo boats.

August 4: Destroyer C. Turner Joy and destroyer Maddox attacked by North Vietnamese PT boats.

August 4: President Johnson orders "air action" against "gunboats and certain support facilities in North Vietnam."

August 5: President Johnson's message to Congress. Joint resolution: "To promote the maintenance of international peace and security in Southeast Asia."

August 5: U.S. sends reinforcements to Tonkin Bay.

* August 5: Soviet representative to Security Council, P. D. Morozov criticized and termed "aggressive" the U.S. actions in Gulf of Tonkin.

* August 6: TASS declaration in connection with "aggressive action" of U.S. in Gulf of Tonkin.

August 7: Congress approves Southeast Asia resolution (Senate 88–2; House 416–0). General Khanh declares state of emergency.

* August 7: Soviet representative to Security Council, P. D. Morozov attacks U.S. presentation of military activities against North Vietnam shoreline as defensive measures.

August 11: President Johnson signs Southeast Asia resolution (Pub. Law 88–408).

August 16: General Khanh elected President by Military Revolutionary Council; ousts Duong Van Minh.

August 25: General Khanh promises liberalization of regime after repeated protests by Vietnamese.

August 27: New Vietnam Constitution is withdrawn; Revolutionary Council disbands; General Khanh, Duong Van Minh, and Tran Thien Khiem named provisional leaders.

August 29: Nguyen Xuan Oanh names acting premier to head caretaker government for two months. He states General Khanh suffered mental and physical breakdown.

September 3: General Khanh resumes premiership. Taylor sees him "rested and recovered"; he dissolves triumvirate and restores Duong Van Minh as chief of state.

September 13: Bloodless coup by Brig. Gen. Lam Van Phat against Khanh.

September 13: Forces loyal to Gen. Khanh regain control.

* September 14: New USSR Ambassador to North Vietnam, I. S. Shcherbakov, presents credentials to President Ho Chi Minh.

September 18: U.S. Defense Department reports U.S. destroyers in Tonkin Gulf fire on and presumably hit four or five hostile targets.

September 19: Vietnam Government makes sweeping changes in military command following abortive coup of September 13.

September 26: Vietnam High National Council formally inaugurated and charged with preparing new constitution.

October 20: Revolutionary Council presents new Vietnam constitution.

October 21: U.S. charges Cambodian troops crossed border.

October 26: Vietnam Revolutionary Council elects Phan Khac Sun chief of state.

November 1: Tran Van Huong named Premier.

* November 5–12: North Vietnam delegation, headed by member of Politburo of CC of Workers Party of Vietnam, deputy Chairman of North Vietnam National Assembly Hoang Van Han visited the USSR.

* November 9: North Vietnam party and government delegation headed by member of Politburo of CC of Workers Party of Vietnam, prime minister Pham Van Dong, visited A. N. Kosygin.

December 4: South Vietnam military leaders announce support of Premier Tran Van Huong.

December 20: Military stage purge; dissolve civilian High National Council (provisional legislature).

December 21: General Khanh supports power of military versus U.S. appeals; declares Vietnam forces would not fight "to carry out the policy of any foreign country."

December 24: Terrorist bombings in Saigon kills two Americans and wounds 52 Americans and 13 Vietnamese.

1965

*January 5: Publication of letter of USSR Foreign Minister A. Gromyko of 30 December 1964 to North Vietnam Foreign Minister Suan-Thuy affirming USSR support of "national liberation war" in South Vietnam.

January 8: South Korea sends 2,000 military advisors.

January 13: Defense Department confirms that two U.S. planes were shot down over Laos.

January 27: Premier Huong ousted. Gen. Khanh asked to solve political crisis.

January 28: Gen. Khanh nominates Nguyen Xuan Oanh acting Premier.

*February 1: Announcement of forthcoming visit of A. N. Kosygin to North Vietnam.

*February 6–10: Sojourn in Hanoi of USSR delegation headed by Kosygin.

February 6: Kosygin arrives in Hanoi.

*February 7. Publication of TASS declaration in connection with escalation of "aggressive action of U.S." in Indochina.

February 7: Communist guerrillas stage attack on U.S. outpost. U.S. planes strike targets in North Vietnam. U.S. dependents evacuated from South Vietnam.

*February 7–8: Formal negotiations in Hanoi between Kosygin and Ho Chi Minh.

February 8: South Vietnamese Air Force planes accompany U.S. air mission into North Vietnam. President Johnson indicates that further developments depend on Communist response. Indian Foreign Ministry requests a new Geneva Conference.

February 8: Kosygin announces Soviet willingness to aid North Vietnam if she is invaded.

*February 9: Protest of USSR government against "new serious provocations of U.S. armed forces in North Vietnam."

February 10: Vietcong blow up U.S. military billet at coastal city of Quinhon, killing 23 soldiers.

*February 10: Joint declaration of USSR and North Vietnam reaffirming that USSR would extend to North Vietnam necessary aid and support. Both parties agreed to carry out regular consultations on the matter.

February 11: Secretary General U Thant calls for international negotiations on Vietnam inside or outside the U.N.

February 15: Chinese Communists threaten to enter war if American troops enter North Vietnam.

February 16: South Vietnamese Armed Forces Council announces that Phan Huy Quat has been named new Premier.

February 18: South Vietnamese Army and Marine units stage bloodless coup in Saigon and oust Gen. Khanh.

February 19: Khanh regains temporary control of government.

February 20: Armed forces council demands resignation of Khanh.

February 21: Khanh bows to council demands for resignation.

February 24: Premier Phan Huy Quat announces South Vietnam's determination to end war with honor.

February 25: North Vietnamese officials state negotiations would be considered if American troops withdrawn.

February 27: State Department issues white paper detailing charges of aggression on part of North Vietnam.

February 28: U.S. and South Vietnamese officials declare that President Johnson has decided to open continuous limited air strikes against North in order to bring about negotiated settlement.

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*Communist sources.

XUM

March 1: President Quat rules out peace until North Vietnamese stop their infiltration into South Vietnam.

March 4: Declaration of A. Gromyko to U.S. Ambassador F. Kohler in connection with new attacks of U.S. Air Force on territory of Vietnam on March 2.

March 6: Two U.S. Marine battalions sent for limited duty.

March 8: U Thant proposes U.S. and USSR, Great Britain, France, Communist China, and North and South Vietnam participate in preliminary conference.

March 9: U.S. rejects U Thant's offer until North stops its aggression.

March 12: Soviet Ambassador to UN, N. T. Fedorenko, transmitted to Chairman of UN Security Council Usher (Ivory Coast), Soviet declaration to U.S. government of March 4, 1965.

March 22: U.S. discloses that it has provided South Vietnamese army with certain types of nonlethal gases.

*March 23: Russian Communist Party Secretary Brezhnev hints of Russian participation in the war.

*March 24: Soviet Union initiates common action with UK demanding immediate cessation of US aggression against North Vietnam.

*March 25: New exchange of letters between Soviet Foreign Minister Gromyko and North Vietnam foreign minister Suan Thuy on matter of repeated aggressive actions of U.S.

March 25: In public statement President Johnson held out to North the prospect of economic aid if peace is secured.

*March 26: USSR Ambassador to U.S., A. F. Dobrynin meets in Washington with Secretary Rusk. During meeting the situation in Southeast Asia is discussed.

*March 29: N. T. Fedorenko, Soviet Ambassador to UN, transmits to Chairman of UN Security Council A. Usher, a note of protest of USSR to U.S. dated 26 March 1965 in connection with use of poisonous gases by U.S. in South Vietnam.

March 29: Bomb explodes outside U.S. Embassy in Saigon, causing heavy damage and casualties.

April 1: Seventeen non-aligned nations meeting in Belgrade, Yugoslavia, appeal for immediate negotiations.

April 2: U.S. announces intention of sending several thousand more troops.

April 7: President Johnson in Johns Hopkins University speech stresses our willingness to negotiate, and suggests a billion aid program for Southeast Asia.

April 8: USSR proposes international conference to guarantee Cambodian neutrality.

April 8: Peiping announces that U.S. peace offer is a trick.

April 11: North Vietnam officials denounce Johnson's offer to negotiate.

April 12. Gordon Walker is unsuccessful in British attempts to meet with officials in Hanoi and Peiping over Southeast Asia.

April 14: U.S. urges Hanoi to consider plea of 17 non-aligned nations.

*April 10–17: Important and large North Vietnam party and government delegation, headed by First Secretary of CC of Workers Party of Vietnam, Le Duan, visits USSR.

* April 18: Joint Soviet-Vietnam communique published concerning visit to Moscow of North Vietnam party and government delegation headed by LeDuan.

*April 21: Accord on USSR-North Vietnam cultural collaboration for 1965 signed in Hanoi.

May 4: President Johnson requests $700 million supplemental appropriations.

May 5: House approves by 408–7.

May 5: SEATO condemns Communist aggression in Vietnam war.

May 6: Senate passes $700 million by 88–3.

May 6: Two U.S. Marine Battalions sent to Vietnam; first combat units to be deployed to South Vietnam.

May 12: Red Chinese Chief of Staff calls for preparation for atomic war. President Johnson declares that Peiping prevents Hanoi from agreeing to talks.

May 18: U.S. halts bombing missions on North Vietnam.

*May 15: USSR Deputy Foreign Minister M. V. Zimyanin received Australian Ambassador J. R. Rowland and delivered to him a declaration of protest concerning intended Australian military participation in Vietnam war.

*May 3–5 and May 15–18: North Vietnam delegation headed by Deputy Chairman of National Assembly of North Vietnam, Hoang Van Hoan, visits USSR.

May 19: U.S. resumes air attacks on North Vietnam.

May 25: Soviets announce construction of anti-aircraft missile sites underway around capital of North Vietnam.

June 1: President asks Congress to authorize $89 million for expanded program of economic and social development in Southeast Asia.

*June 4–10: North Vietnam delegation headed by member of Politburo of CC of Workers Party of North Vietnam, deputy prime minister Le Than Nguy, visits USSR to negotiate economic collaboration with USSR and other Warsaw Pact countries. Conference in Moscow with Kosygin on 8 June.

June 7: U.S. military authorities disclose that number of military (American) personnel in South Vietnam has passed 50,000 mark (Army 21,500; Marines 16,500; Air Force 9,500; Navy 3,500).

June 7: Senate adopts amendment adding $89 million to foreign aid bill in accordance with President's request. (42–26)

June 8: State Department spokesman says U.S. military command authorized to send American troops into combat alongside Vietnamese if such "combat support" is requested.

June 9: White House issues statement that "There has been no change in the mission of U.S. ground combat units in Vietnam in recent days or weeks."

June 12: Spokesman announced that Premier Quat had decided to hand back reins of government to military following Chief of State Suu's refusal to approve proposed cabinet changes.

June 16: Secretary McNamara announces new troop movements to Vietnam; to over 70,000 total.

June 17: Four-nation British Commonwealth peace mission to find an end to Vietnam war.

June 24: New South Vietnamese Government under Brig. Gen. Nguyen Cao Ky announces measures including formal state of war, extension of Saigon's curfew, and price controls.

*June 24: Soviet Premier Kosygin refuses to meet with Commonwealth peace mission.

June 25: Communist China rejects any visit by Commonwealth peace mission to Peiping.

June 25: President Johnson declares that "bilateral diplomacy" yielded "no results."

June 25: Prime Ministers of British Commonwealth outline objectives of their Vietnam peace mission.

June 28: U.S. troops participate in their first major attack of the war.

July 1: North Vietnam formally rejects request by Commonwealth for talks in Hanoi.

July 4: Rusk says U.S. had asked Hanoi "what would be stopped if we stopped the aerial bombing", but that "we've never had a reply."

July 8: White House announces that Ambassador Taylor has resigned and will be replaced by Henry Cabot Lodge.

July 10: President Johnson declares that in Vietnam "we committed our power and honor."

*July 10: Signing of agreements and related documents between USSR and North Vietnam governments following prolonged negotiations in Moscow.

July 12–18: U.S. begins large scale buildup of its forces in South Vietnam.

*July 13: Publication of official agreements of July 10, 1965, extending Soviet Aid for additional strengthening of defense capacities of North Vietnam in view of increasing escalation of "United States imperialist aggression."

July 14–21: Lodge and McNamara arrive in Saigon, confer with Taylor, Westmoreland, and Premier Ky.

July 15: A "voluntary censorship" of news is requested of journalists by U.S. Military Assistance Command, Vietnam.

July 15: Harriman begins informal talks in Moscow with Kosygin.

*July 16: Announcement of forthcoming visit to the USSR of North Vietnam delegation headed by deputy chairman of National Assembly member of Politburo of CC, Hoang Van Hoan.

July 20: McNamara leaves Vietnam after receiving requests for additional U.S. troops. He states "in many respects there has been a deterioration" since his last visit 14 months ago.

July 28: Ambassador Goldberg delivers note to U Thant from President Johnson asking the UN to employ its "resources, energy and immense prestige" in finding ways "to halt aggression and bring peace in Vietnam."

*August 7: Accord between USSR and North Vietnam on deliveries of Soviet Railroad equipment to North Vietnam signed in Moscow.

August 11: Soviet Union indicates it would have no part in any American efforts to involve the UN in Vietnam.

*August 14–28: Sojourn in the USSR of a delegation of National Assembly of North Vietnam headed by Hoang Van Hoan.

August 18: Senate approves $1.7 billion supplementary appropriation for military operations in Vietnam.

August 19: Defense Department reports 561 Americans killed, 3,024 wounded, and 44 missing in Vietnam between January 1, 1961, and August 16, 1965.

August 23: White House pamphlet entitled "Why Vietnam."

August 24: The House Republican Committee on Planning and Research issues "white paper" criticizing the Administration's actions in Vietnam. It accuses the Johnson Administration of "an uncertain policy," "lack of candor," and "misleading statements."

*September: Delegation of North Vietnam, headed by Hoang Van Hoan visits Communist China, North Korea and Mongolian Peoples Republic.

*October 4–5 and October 28: Sojourn in the USSR en route to North Vietnam and Koean Democratic Peoples Republic and on way back, of delegation of Hungarian Socialist Worker's Party headed by member of Politburo of CC, 1 Hungarian CP, deputy chairman of Council of Ministers of HWP, I. Fok.

October 21: Defense casualty report states: Vietcong deaths in 1965 totaled about 25,000; 830 U.S. military personnel killed between January 1961 and October 18, 1965.

October 23: U.S. forces in South Vietnam reached total of 148,300: 89,000 Army, 8,000 Navy, 37,000 Marine, 14,000 Air Force, 300 Coast Guard.

November 2: R. Morrison, 32, a Quaker of Baltimore, commits suicide by fire in front of Pentagon "to express his concern over the war in Vietnam."

November 9: Roger Allen LaPorte, 22, of pacifist Catholic Worker movement burns himself in front of UN headquarters in New

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*Communist sources.

York as protest against the war. Dies November 10.

November 11: McNamara announces "it will be necessary to add further to the strength of U.S. combat forces in Vietnam."

November 17: State Department confirms that North Vietnam peace feeler had been made May 20, 1965.

November 18: Defense casualty report 108 U.S. soldiers slain in week ending November 15, bringing to 1,095 slain since January 1961.

November 27: Vietcong release two U.S soldiers captured November 24, 1963.

November 28–29: McNamara states that Vietcong's "expressed determination to carry on conflict . . . can lead to only one conclusion . . . that it will be a long war."

December 1: Gromyko declares peace talks would be conditioned on halting of U.S. air strikes against North and withdrawal of U.S. troops.

*December 6–22: Sojourn in the USSR of North Vietnam economic government delegation headed by member of Politburo of CC of Workers' Party of North Vietnam, Deputy Prime Minister, Le Thanh Nghi.

December 9: Ho Chi Minh calls President Johnson's offer of unconditional talks "absolutely unacceptable."

December 15: Air Force planes bomb and destroy North Vietnamese thermal power plant at Uongbi in first U.S. raid on major North Vietnamese industrial target.

December 17: U.S. sources confirm that Ho Chi Minh relayed an offer to hold talks.

December 18: North Vietnamese statement calls reports of Hanoi's peace feelers "sheer groundless fabrications."

December 25: A one-day Christmas truce agreed to by U.S. and Vietcong.

December 26: U.S. and South Vietnam offensive operations resumed in face of resumption of heavy Vietcong attacks; however, suspension of air raids on North continued.

December 28: Vietcong propose four-day cease fire for January 20–23, 1966, to mark Vietnamese lunar New Year, U.S. troops not included.

December 29. U.S. dispatches high-ranking emissaries to various capitals of the world in an attempt of achieving negotiated settlement.

*December 29: Announcement of forthcoming visit to North Vietnam of the USSR delegation headed by Secretary of CC of CPSU, A. N. Shelepin.

1966

January 1: Pope Paul VI makes public messages he had sent on December 31 to Moscow, Peiping, Hanoi and Saigon urging their leaders to seek an end to Vietnam war.

January 2–3: Ambassador Goldberg and Vice President Humphrey return from foreign tours.

January 7–12. Five-man Soviet mission led by CP Central Committee Secretary Aleksandr N. Shelepin visits Hanoi and arranges for increased Soviet military aid to North Vietnam.

January 8: Senator Mansfield and four other Senators file report with Foreign Relations Committee based on trip to South Vietnam and other countries.

January 9: Yale Professor Lynd returns after visit to North Vietnam.

*January 13–14: North Vietnam economic delegation headed by member of Politburo of CC of Workers Party of Vietnam, Deputy Prime Minister Le Thanh Nghi, visits USSR.

January 15: Secretary Rusk and Ambassador-at-Large Harriman meet with Premier Ky.

January 16: U.S. and South Vietnam communique states, "positions of two Governments were consistent in all fundamental respects."

January 16: Communist China denies Soviet-supported rumors that Peiping is impeding trans-shipment of Soviet military equipment through China to North Vietnam.

January 19: The President sends Congress a request for additional $12.76 billion supplemental funds primarily for Vietnam expenses.

January 20: Secretary McNamara reports loss of 351 planes and helicopters in Vietnam in 1965.

January 20–23: Vietnamese lunar New Year cease-fire marked by many clashes.

January 24: Ho Chi Minh states in a message to world communist leaders that U.S. must accept Hanoi's four-point peace formula and recognize NLF "as the sole genuine representative of the people of South Vietnam."

January 24: President Johnson submits budget for fiscal 1967; defense expenses to total of $57.05 billion. Also $9.1 billion new obligational authority. Vietnam expenses for FY 67 are estimated at $10.5 billion.

January 24: Senate Foreign Relations Committee hears three hours of testimony from Secretary Rusk in closed hearing.

January 31: President announces resumption of U.S. air strikes against North Vietnam.

January 31: Secretary Rusk summarizes "tragically negative responses from Hanoi."

February 1: UN Secretary Council meets to consider U.S. draft resolution calling for Council action to arrange an international conference to bring peace to South Vietnam and Southeast Asia.

* February 1: Soviet Ambassador to UN, N. T. Fedorenko protests Security Council meeting called by U.S. to discuss situation and accuses U.S. of lack of sincerity and of diversionary tactics to camouflage escalation of "aggressive war."

* February 1: Publication of Soviet protest on renewed U.S. air force bombardment of North January 31.

February 2: North Vietnamese foreign ministry formally rejects any UN action.

February 2: Security Council agrees by 9 to 2 vote (USSR and Bulgaria opposed; France, Mali, Nigeria, Uganda abstaining) to consider the war.

February 5: Defense Secretary McNamara refuses on grounds of security to testify publicly before Foreign Relations Committee of the Senate.

February 6: President Johnson in Honolulu for discussions with Premier Ky.

February 8: President Johnson states his determination to fight against aggression as well as for social construction in Vietnam.

February 8: Vice President Humphrey leaves Honolulu for Saigon with Premier Ky.

February 10: Former Ambassador G. Kennan urges orderly end to Vietnam conflict.

February 11: President Johnson disavows any desire to escalate. However, he adds "additional troops" will be sent as militarily required.

February 17: General Taylor testifies that U.S. intends to wage limited war.

February 18: Secretary Rusk's testimony before the Senate Foreign Relations Committee places emphasis on SEATO pact as legal basis for U.S. commitments in Vietnam.

February 19: Senator Robert F. Kennedy states National Liberation Front should be included in any post-war Saigon Government.

February 20: South Korea announces it will send an additional division and a regiment to South Vietnam.

February 21: Vice President Humphrey criticizes Sen. Kennedy's suggested inclusion of NLF into Vietnam coalition government.

March 1: Congress approves additional $4.8 billion for the Vietnam war.

March 1: President Johnson renews his offer of aid to North Vietnam; exhorts Hanoi to negotiate.

March 2: Secretary McNamara reveals that U.S. forces in South Vietnam reached total of 215,000 men, with 20,000 on their way.

March 5: Gen. Taylor proposes mining of Haiphong Harbor.

March 6: Communist China accuses the Soviet Union of pressing North Vietnam to negotiate.

March 8: Australia announces intention of tripling its force from 1,500 to 4,500 by June 1966.

March 9: U.S. planes carry out heaviest bombardment of the war.

March 10: South Vietnamese Government removes Lt. Gen. Nguyen Chan Thi as District Commander in Hue.

March 11: Vice President Humphrey bars settlement that would give Vietcong role in a coalition government not earned in free elections.

March 10–16: Protests in Hue and Danang ensue over dismissal of Gen. Thi.

* March 13: TASS protests alleged U.S. use of poisonous substances against the North Vietnamese troops.

March 18: South Vietnam government votes to make no concessions to Buddhist demonstrators.

March 23: General strikes occur in Danang and Hue.

March 25: Premier Ky announces committee to draft constitution to be followed by elections.

* March 31: 10,000 Buddhists demonstrate in Saigon.

April 2–5: Anti-government demonstrations intensify in Saigon and spread to other leading towns in South. Premier Ky threatens the use of troops and flies to Danang to quell rebellion.

April 11: Defense officials acknowledge that Buddhist demonstrations have hampered operations against Vietcong.

April 12: B–52s from SAC base in Guam bomb North Vietnam for the first time.

April 12–14: National Political Congress (boycotted by Buddhist and Catholic organizations) meets in Saigon and adopts program designed to meet Buddhist demands.

April 16: South Vietnam military National Leadership Committee sets elections for a Constituent Assembly in August.

April 18: Senator Mansfield proposes "direct confrontation across a peace table" between U.S., China, North and South Vietnam; plan rejected by Peiping April 21, and Hanoi on April 22.

April 22: Pauline Frederick, NBC, quotes Soviet informant as stating that North Vietnam would be willing to enter into peace negotiations if U.S. would halt bombing of North Vietnam.

April 24: Communist MIG–17s appear in strength for the first time in the air war in North Vietnam.

April 26: Ho Chi Minh and Premier Pham Van Dong appear before National Assembly reaffirming Hanoi's four-point peace plan.

April 30: U.S. officials in Saigon set rate of North Vietnamese infiltration of the South at 5,500 men per month.

May 1: U.S. battalion drives Communist units into Cambodia.

May 2: Secretary McNamara predicts increase in U.S. troop strength.

May 3: U.S. forces fire on Vietcong in Cambodia.

May 7: Premier Ky declares he has no intention of resigning.

May 13: Communist China charges five U.S. planes "flagrantly" intruded over Yunnan Province May 12.

*May 13–14: Rumanian Communist Party and government delegation headed by member of Presidium of CC of Rumanian CP, first deputy Chairman of the Council of Ministers E. Bodnaras, visits USSR returning from North Vietnam.

May 15–23: Vietnamese government troops regain control of Danang from pro-Buddhist army units.

May 18: U.S. protests to Cambodia concerning Vietcong's use of its territory.

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*Communist sources.

May 20–23: Saigon police and army units break up massive Buddhist demonstrations.

May 22: Harold Brown, Secretary of the Air Force, states that President Johnson decided against expanding list of bombing targets in North Vietnam.

*May 28: Plan for North Vietnam-USSR cultural and scientific collaboration for 1966 signed in Moscow.

May 31: Buddhist leaders and South Vietnam government officials begin talks in Saigon.

June 3: South Vietnam requests UN observers at Constituent Assembly elections scheduled in September.

June 6: South Vietnam ruling military National Leadership Committee of 10 generals expanded to include 10 civilians.

June 8: Buddhist leader Tri Quang begins fast.

June 16: South Vietnam moves troops into Hue to deal with Buddhist disorders.

June 18: President Johnson declares the U.S. would persist in using "the ground, naval and air strength required to achieve our objective."

June 20: Premier Ky signs decree setting September 11 election of constituent assembly.

June 23. South Vietnam government troops seize principal Buddhist stronghold in Saigon.

June 26: Secretary Rusk states that there are "no prospects for early peace" in Vietnam.

June 29: American planes attack oil installations in areas of Hanoi and Haiphong.

June 30: President Johnson calls for unconditional peace talks.

July 2: State Department estimates 40,000 Chinese workers are in North Vietnam .

July 5: Australian Prime Minister Harold Holt endorses U.S. policy in Asia, including bombing of North Vietnam.

July 6: Several captured American pilots paraded through streets of Hanoi.

July 7: Warsaw Pact nations issue declaration that they are ready to send "volunteers" to Vietnam.

July 8: Chief of State, Lt. Gen. Nguyen Van Thieu states that allies should invade North Vietnam if necessary in order to end the war.

July 10: Defense Department announces U.S. forces will expand to 375,000 by the end of 1966 and to 425,000 by spring of 1967.

July 11: U.S. reported to be carrying out over 100 air strikes a day over the Communist infiltration routes in Laos.

July 14: Secretary Rusk warns Hanoi against trying captured U.S. pilots as war criminals.

July 15: 18 U.S. Senators sign statement calling on North to refrain from any act of vengeance against captured airmen.

July 16: U.N. Secretary General U Thant urges North Vietnam to exercise restraint in treatment of American prisoners.

July 19: North Vietnamese Ambassadors in Peiping and Prague report that captured American pilots will go on trial in Hanoi.

July 20: President Johnson warns Hanoi that American people would regard war-crime trials of American prisoners as "very revolting and repulsive" and that they would "react accordingly."

July 23: Ho Chi Minh declares there is "no trial in view" for American prisoners.

July 24: North Vietnam official publication Nhan Dan reiterates Hanoi's four points as "sole basis" for settling the Vietnam problem.

July 25: Premier Ky urges allied invasion of North Vietnam as sole alternative to a long war.

July 30: B–52 bombers initiate first of series of attacks on growing North Vietnam troop concentrations in and around demilitarized zone.

July 31: Premier Ky states that he will not be candidate for President in 1967.

August 3: Thailand proposes an all-Asian peace conference.

August 3: A House Appropriations Subcommittee makes public testimony of May 11 by Secretary Rusk in which he said that U.S. observes a no-bombing buffer zone along the North Vietnam border with Red China.

August 7: Former Vice President Nixon in Saigon suggests that 500,000 American troops are needed to shorten the war.

August 9: Premier Ky expresses a willingness to negotiate an end of the war with North Vietnam provided "they would be willing to compromise" by agreeing to accept 17th parallel as border and "to withdraw their agents and soldiers from South Vietnam."

August 13–14: At end of two days of conference with Westmoreland in Texas, President Johnson warns that while a Communist military takeover in South Vietnam is impossible, there will be no quick victory.

August 18: North Vietnam denounces proposed all-Asia peace conference to settle the Vietnam war.

August 24: President Johnson endorses proposals for an all-Asian conference.

August 28: The USSR announces training North Vietnamese fighter pilots at an unidentified Soviet airbase.

September 5: President Johnson says U.S. troop withdrawal from South Vietnam is dependent upon a pull out of Communist forces.

*September 5–13: Visit to the USSR of North Vietnam economic delegation headed by member of Politburo of CC Workers Party of Vietnam, Deputy Chairman of Council of Ministers of North Vietnam, Le Thanh Nghi.

*September 11: South Vietnam voters (80.8 per cent of those eligible) elect a 117 member constituent assembly to draft new constitution.

After election of September 11, CC of National Front for Liberation of South Vietnam issues declaration stating that the Constituent Assembly holds no power and that the National Front for Liberation is the only representative of South Vietnam.

September 22: Ambassador Goldberg states that the U.S. will halt bombing of North Vietnam when it receives assurances, privately or otherwise, that Hanoi will respond by a reduction of its war effort.

September 22–October 2: North Vietnam economic delegation headed by member of Politburo of CC of Workers Party of Vietnam, deputy chairman of Council of Ministers, Le Thanh Nghi, visits USSR.

September 24: Communist China and North Vietnam reject U.S. peace proposals put forward by Ambassador Goldberg.

October 3: The Soviet Union announces new aid agreement with North Vietnam providing for both military and economic assistance. Washington officials cite evidence that Russian advisors might at times be operating Hanoi's air defenses.

October 4: Ambassador F. Kohler warns that an American blockade of North Vietnam would raise risk of military confrontation with USSR.

October 6: North Vietnam rejects UN Secretary General U Thant's appeal for mutual de-escalation of the ground war, but endorses his call for cessation of U.S. bombing of North Vietnam.

October 10: The Soviet Union declares that end to the U.S. air raids on North Vietnam is key to improved Soviet-American relations.

October 13: President Johnson rules out ending the bombing of North Vietnam without an indication that Hanoi will, in turn, de-escalate its military activities.

October 14: U.S. pilots fly a record 175 missions over North Vietnam.

*October 18: Visit to the USSR of North Vietnam economic delegation headed by member of Politburo of CC of Workers Party of Vietnam, Deputy Prime Minister, Le Thanh Nghi.

October 24: The Manila Conference opens. Premier Ky tells the conference that South Vietnam will press a program of political-economic reform.

October 25: The U.S. and five other nations assisting South Vietnam offer to withdraw troops from South six months after Hanoi disengages itself from the war.

October 26: President Johnson pays surprise visit to Camrahn Bay and pledges full support to U.S. forces.

October 27: Hanoi and Peiking reject the Manila Conference troop withdrawal offer.

*October 27–November 3: President of Cuba, O. Dortico Torrado, Raul Castro, members of Politburo of CC of CP of Cuba, and Deputy Prime Minister of Defense Valle Timenes, visit North Vietnam and USSR.

November 5: Secretary McNamara states that the number of U.S. troops in Vietnam will continue to grow in 1967.

November 10: North Vietnam announces that the USSR, China and other Communist countries have pledged increased aid, both military and economic.

November 18: Secretary Rusk states that the U.S. might agree to short holiday truce in December.

November 25: Vietcong offers to observe 48-hour truces at both Christmas and New Year.

December 2: Premier Ky announces the U.S. troops will be stationed in Mekong Delta where operations previously were conducted solely by South Vietnam Army.

December 2–5: U.S. bombers stage heavy raids in the immediate vicinity of Hanoi.

December 8: Pope Paul urges combatants in Vietnam to extend holiday truces into an armistice and begin peace negotiations.

December 12: New York *Times* reports that the Soviet Union has sent North Vietnam 100 new MIG–17s and 21 jet fighters, thus doubling the size of Hanoi's air force.

December 13: Soviet press agency Tass claims that U.S. planes attacked residential areas of Hanoi.

December 14–15: U.S. officials admit that U.S. planes bombed military targets in Hanoi but deny Soviet charges.

December 16: Communist China charges that American planes bombed its Embassy in Hanoi. Rumania follows suit December 17.

December 19: U.S. asks Secretary General U Thant to take whatever steps he considers necessary to bring about cease-fire talks.

December 21: North Korean pilots reported to be flying MIG jet fighters in North Vietnam and training Hanoi's pilots.

December 30: Britain invites North and South Vietnam to begin cease-fire talks on British territory.

December 31: Secretary General U Thant calls on the U.S. to halt "unconditionally" its bombing of North Vietnam.

December 31: U.S. troop strength in South reaches 389,000. U.S. battle deaths in Vietnam reached 6,644, while total wounded reached 37,738.

1967

January 1: National Liberation Front announces that it will observe a seven-day truce during Lunar New Year celebration of February 1967. U.S. planes down seven Communist MIG fighters, North Vietnam's biggest daily loss of war.

January 3: South Vietnam accepts British proposal of December 30. North Vietnam rejects it.

January 3: North Vietnamese Premier Pham Van Dong asserts that Hanoi's four points are not "conditions" for peace talks but constitute a "basis for settlement" and "valid conclusions for discussion."

January 3: Thailand announces its intention to send troops to Vietnam.

January 5: North Vietnam's chief diplomatic representative in Western Europe states that if U.S. will "definitely and unconditionally" stop bombing his country, Hanoi will "examine and study" proposals for negotiations.

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*Communist sources.

January 8: Ambassador Lodge predicts "sensational" military gains in 1967 and that open peace negotiations would probably never take place. U.S. and South Vietnamese troops begin Operation Cedar Falls in Mekong Delta, largest single offensive of war.

January 10: Secretary General U Thant rejects view that Vietnam is vital to U.S. security and dismisses so-called "domino theory," and the view that the NLF in South Vietnam is stooge of Hanoi.

January 13: General Wheeler, Chairman of Joint Chiefs, says U.S. will not bomb MIG bases in North Vietnam.

January 17: South Vietnam proposes talks with Hanoi on extending Lunar New Year truce.

January 20: Senator Stennis calls for intensification of bombing of North Vietnam; predicts that over 500,000 troops will be needed in South Vietnam by the end of 1967.

January 23: Secretary McNamara lists enemy strength in South Vietnam at 275,000, including 45,000 North Vietnam regulars.

January 25: President presents budget for FY 1968. For Vietnam estimates expenditures at $21.9 billion. Total defense for FY 68 estimated at $73.1 billion.

January 28: North Vietnam's Foreign Minister asserts, "only after the unconditional ending of bombing and other acts of war being carried out by the U.S. against North Vietnam that there can be talks between the two countries."

February 2: The USSR charges Communist China with hampering its aid shipments to North Vietnam.

February 8: The Lunar New Year's truce begins.

February 8: Premier Kosygin, in London for discussions, says that an unconditional halt in the U.S. bombing of North Vietnam is necessary to enable negotiations to take place.

February 8: In message to Pope Paul, President Johnson expresses the hope that New Year's truce can be extended and open the way for negotiations.

February 9: Secretary Rusk tells that the U.S. will not cease bombing North Vietnam until Hanoi shows willingness to reduce its military effort in South Vietnam.

February 10: State Department voices "serious concern" over reports that North Vietnam has taken advantage of New Year's truce to increase its supplies to Communist forces in South Vietnam.

February 11: Izvestia terms an end of the U.S. bombing a first step to the limiting of military operations in Vietnam.

February 12: Allies resume ground action with the end of the truce, but U.S. planes do not bomb the North.

February 13: Premier Kosygin ends visit to Britain.

February 14: The U.S. bombs North Vietnam after a pause of nearly six days.

February 14: Radio Hanoi declares that there can be no bargaining on North Vietnam's demand that the U.S. halt the bombing "unconditionally and for good."

February 15: Secretary McNamara declares that bombing has been effective but major military objectives of the war must be achieved in South Vietnam.

February 23–24: 25,000 Allied troops begin Operation Junction City in a wide area near South Vietnam-Cambodia border.

February 24: Secretary McNamara states that the U.S. might bomb new targets in North Vietnam.

February 27: U.S. planes begin to drop mines in North Vietnam rivers.

March 1: The Senate by 75 to 19 passes resolution tied to $4.5 billion military spending bill pledging support to President Johnson.

March 6: Premier Kosygin declares that the recent U.S. escalation of the war will result in a corresponding increase in Communist aid to Hanoi.

March 10: U.S. war planes bomb North Vietnamese Thainguyen iron and steel works for the first time.

March 15: President Johnson announces Bunker will replace Lodge as Ambassador to South Vietnam.

March 16–20: The House and Senate pass $12.2 billion supplemental FY 67 defense money bill for Vietnam. Senate 77 to 3; House 385 to 11.

March 20: President Johnson arrives in Guam for meetings with South Vietnamese officials. Premier Ky opposes coalition government in South Vietnam which would include Vietcong.

March 21: North Vietnam's Foreign Ministry discloses that President Johnson and Ho Chi Minh exchanged letters in February. Ho rejected President's call for peace talks unless the U.S. halted bombing and all other acts of war against North Vietnam.

March 22: U.S. officials announce plans to base B–52 bombers in Thailand for use in Vietnam.

March 27: South Vietnam's government approves new constitution voted by Constituent Assembly March 18.

March 28: Secretary General U Thant discloses that on March 14 he proposed to both sides a "standstill" truce in Vietnam. The U.S. and South Vietnam approved the plan but Hanoi rejected it.

April 3: State Department expresses concern that North Vietnam is brainwashing captured American pilots to obtain propaganda statements.

April 8: Saigon announces it will observe one-day truce on Buddha's birthday, May 23.

April 11: U.S. officials state that the Soviet Union and Communist China have apparently worked out an agreement to speed flow of Soviet aid to North Vietnam.

April 18: Saigon, in response to a Canadian proposal, suggests that one means of bringing about peace might be a withdrawal by both sides from the demilitarized zone. Hanoi had already rejected Canadian proposal.

April 19: The U.S. proposes that both sides pull back military forces ten miles from the demilitarized border zone as a first step toward peace talks. North Vietnamese on April 21 rejected proposal, calling it a "trick". The NFL on April 23 denounced the U.S. proposal.

April 20: U.S. planes bomb two power plants inside Haiphong for the first time.

April 24: U.S. planes attack two North Vietnamese MIG bases marking the first strike against such installations.

April 24: Communist China claims to have shot down two U.S. Jets over Kwangsi Province bordering North Vietnam.

April 27: Vietcong announces in radio broadcast that it will observe a 48-hour truce for Buddha's birthday, May 23.

April 30: Communist China rejects recent appeal by Secretary General Brezhnev for unity in aiding North Vietnam and the Vietcong.

May 1: Secretary Rusk lists 28 peace proposals "made by ourselves and others" which North Vietnam had turned down.

May 1: Senate Republican Policy Committee releases staff study critical of many aspects of U.S.-Vietnam policy.

May 3: President Johnson states that he has no "imminent" plans to substantially increase U.S. fighting strength in Vietnam.

May 5: Marines capture third and final peak of Hill 881.

May 8: Administration officials state the U.S. did not bomb immediate Hanoi area from mid-December to late April in an unsuccessful effort to open negotiations with North Vietnam.

May 11: Secretary General U Thant expresses fear that "the initial phase of World War III" is being fought in Vietnam.

May 14: South Vietnam's Chief of State Thieu states that 50,000 American or allied troops will be needed 10 to 20 years after end of Vietnam war to guard against future aggression.

May 14: Gen. Lewis Walt, U.S. Marine Commander in Vietnam, states that more allied troops are needed there.

May 18–19: U.S. and South Vietnamese forces for first time move into demilitarized zone while U.S. planes bomb a power plant one mile north of the center of Hanoi.

May 19: South Vietnam's Chief of State Thieu declares his candidacy for President.

May 21: General Wheeler states that the U.S. commanders in Vietnam have strict orders to stay out of North Vietnam even if engaged in "hot pursuit."

May 22: President Johnson calls on North Vietnam to help negotiate a way "out of this bloody impasse."

May 30: Secretary McNamara authorizes Navy to spend $800,000 for "exploratory" demothballing of battleship *New Jersey*.

June 11: U.S. jets attack North Vietnamese airfield at Kep.

June 12: South Vietnam releases 39 sick and wounded North Vietnamese prisoners.

June 12: U.S. military spokesmen state that U.S. planes have destroyed 115 North Vietnamese aircraft, roughly equal to the strength of the North Vietnamese combat air force in 1965.

June 15: Premier Ky states that 600,000 U.S. troops are needed in Vietnam.

June 20: U.S. formally expressed regret for damages caused to Soviet ship *Turkestan* on June 2 off the North Vietnamese port of Campha.

June 22: The Defense Department announces that the total U.S. troop strength in South Vietnam is 463,000 as of June 17, U.S. combat deaths stand at 11,099 and number of wounded totals 67,083.

June 23–25: President Johnson and Premier Kosygin hold two days of conference at Glassboro, New Jersey, with no success toward reaching an agreement on solution of the Vietnam War.

June 26. Communist Chinese fighters attack and down a U.S. F4C Phantom jet south of Hainan Island.

June 30: U.S. planes had damaged Russian merchant ship *Mikhail Frunze* in Haiphong Harbor.

June 30: Premier Ky withdraws from Presidential race to seek vice presidency on ticket headed by Thieu.

July 2: Secretary McNamara arrives in Saigon.

July 9: Secretary McNamara comments that more progress has been made in the last nine months than in the previous six years.

July 11: Secretary McNamara states U.S. will continue to "provide troops which our commanders consider necessary."

July 12: Chief of State Thieu rules out a general mobilization of South Vietnam because of problems of training and equipping additional troops.

July 15: Vietcong stage massive mortar attack on U.S. air base at Danang killing 13 Americans and wounding 150. Shelling destroys 11 planes and damages 10 more.

July 16: The U.S. admits that U.S. planes may have bombed Soviet ship *Mikhail Frunze* in Haiphong Harbor on June 29.

July 22: Presidential Advisors Gen. Taylor and Clifford leave for tour of the Far East.

July 22: Premier Ky announces that South Vietnam will increase the size of its armed forces. He repeats his view that 600,000 American troops are needed in Vietnam.

July 27: Premier Ky announces after talks with Gen. Taylor and Clifford that South Vietnam will increase the size of its armed forces by 65,000 men to approximately 685,000.

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*Communist sources.

July 30: Secretary General Thant says that the Vietnam war cannot end until the U.S. recognizes that it is "a war of national independence" rather than a war of Communist aggression.

August 3: President Johnson announces raising of maximum limit of U.S. personnel in South Vietnam to 525,000. South Korean officials tell AP that Seoul government has "agreed in principle" to send about 17,000 reservists to man supply lines in South Vietnam.

August 4: U.S. planes fly 197 missions over North Vietnam, exceeding record of 175 set October 14, 1966.

August 5: Presidential Advisors Clifford and Gen. Taylor return from two-week trip to capitals of the "Manila countries." Clifford states that the "bombing of North Vietnam should be carried on at its present level or possibly at an increased level."

August 11: South Vietnam's Defense Minister Gen. Cao Van Vien states that bombing of North Vietnam will not itself stop the infiltration into South Vietnam and that the war will last another 20 to 30 years unless the infiltration is halted.

August 11: U.S. Senators of both parties call for withdrawal of U.S. troops unless Saigon regime assures free elections in September.

August 11: U.S. planes destroy center span of North Vietnam's most important railway bridge linking Hanoi with Haiphong and Communist China.

August 12: U.S. Army Chief of Staff Gen. Harold K. Johnson says planned dispatch of 45,000 additional troops to Vietnam should be enough "to carry through a solution."

*August 15: North Vietnamese economic delegation arrives in Moscow.

August 17: Gen. Wheeler testifies that the U.S. has to bomb targets repeatedly to make sure the level of destruction is maintained.

*August 17: Member of Politburo, CC SPSU, Chairman Soviet Trade Union A. N. Shelepin meets with North Vietnam trade union delegation.

Deputy Head of North Vietnam economic delegation calls on USSR Deputy Minister of Defense, Marshall I. Kh. Bagramyan (head of Rear Services).

August 18: U.S. officials announce that Communist strength in South had been declining by about 2000 men per month since January 1967.

August 20: U.S. planes set a new one-day record of 209 bombing missions over North Vietnam.

August 22: Communist China accuses the U.S. of a "bold war provocation" in ordering bombing of North Vietnamese targets close to its border.

August 23: President Johnson names a 20-man commission to observe elections in South Vietnam.

August 27: Chief of State Thieu said he would meet with individual members of NLF to discuss problems but would not recognize them as equals or as an official negotiating group.

August 29: Chief of Staff of the Army, Gen. Harold K. Johnson, tells Senate Preparedness Subcommittee that the U.S. should bomb Haiphong Harbor.

September 1: Vietcong radio broadcasts a new national liberation front political program to overthrow Saigon government to establish a "national union democratic government" composed of the "most representative persons" among various social, religious, ethnic, and political groups.

September 3: South Vietnam's presidential elections take place. Approximately 4.8 million voters participate . . . 81 per cent of registered voters. General Thieu wins presidency, receiving about 35 per cent of vote.

September 6: President Johnson's 22-man panel of election observers report that the South Vietnam elections were generally fair.

September 7: Secretary McNamara announces that the U.S. will build anti-infiltration barrier along DMZ between North and South Vietnam.

September 11–12: U.S. planes bomb North Vietnam port of Campha for the first time September 11, and attack four previously untouched targets in Haiphong on September 12.

*September 12: Soviet-North Vietnamese Commission on Science-Technology Cooperation in Moscow. North Vietnam economic delegation arrives in Moscow.

September 14–16. North Vietnamese Defense Minister Gen. Vo Nguyen Giap warned that "our fight will be more violent in the days ahead," that the NLF would "step up their armed and political struggle, make the great people's war develop to a new degree."

*September 16: Secretary Gen. L. I. Brezhnev receives head of permanent mission of NLFSV in Moscow.

September 21: About 1,200 Thai troops land in Vietnam as first contingent of 2,500 troops expected.

*September 22: Premier Kosygin talks with Deputy Premier of North Vietnam Le Than Kghi in Moscow.

September 23: Soviet Union and North Vietnam sign an aid agreement, which provides for increased deliveries of military equipment (both air defense weapons and small arms), vehicles, petroleum, and other materials designed to bolster Hanoi economy. Kosygin pledges to support North Vietnam "till total victory" but declares that "perspectives for a peaceful settlement of the Vietnamese question have been opened recently."

September 24: Departure of North Vietnam economic delegation from USSR.

September 26. North Vietnam rejects idea of North Vietnam rendering definite assurances that it will negotiate in return for a U.S. bombing halt.

September 29: President Johnson declares that the U.S. will stop bombing of North Vietnam "when this will lead promptly to productive discussions."

October 2: South Vietnam's Constituent Assembly approves election of Nguyen Van Thieu as President.

October 3: North Vietnamese official newspaper Nhan Dan rejects President Johnson's San Antonio proposals.

October 17: Australia announces that it will increase size of its Vietnam force from 6,300 to 8,000. New Zealand announces that it will send an additional 170 infantrymen to join 370 already there.

*October 18: USSR-North Vietnam plan for scientific cooperation signed in Moscow.

October 25: U.S. planes bomb North Vietnam's largest air base, Phucyen, for the first time.

October 29: Thailand's Interior Minister tells newsmen that his country will send 12,000 additional troops to Vietnam as soon as the U.S. provides arms and equipment.

October 31: Thieu inaugurated as President of Republic of Vietnam. Names Nguyen Van Loc as Premier.

*October 31: North Vietnam delegation arrives in Moscow.

*November 3: Ho Chi Minh awarded Order of Lenin but refuses to accept it until U.S. troops are driven out.

November 10: Premier Kosygin tells members of the National Liberation Front that the USSR will provide front with all necessary support in its struggle against "American aggression."

November 11: President Johnson suggests that Vietnam peace talks take place aboard a neutral ship in neutral waters.

November 14: North Vietnamese rejects President Johnson's offer to conduct negotiations at sea.

November 15. Gen. Westmoreland arrives in Washington; tells newsmen, "I have never been more encouraged in my four years in Vietnam."

November 16: U.S. planes bomb Haiphong's shipyard No. 2 for the first time.

November 17: President Johnson tells newsmen that the U.S. has no plans to increase its Vietnam troop strength beyond 525,000.

November 17: U.S. planes bomb Bacmai airfield near the center of Hanoi for the first time.

November 19: Gen. Westmoreland states that Communist strength in Vietnam could be sufficiently sapped by 1969 to permit withdrawal of some U.S. troops.

November 20–21: Heavy fighting between Allied and North Vietnamese troops rages around Dakto in Central Highlands.

November 21: Gen. Westmoreland says that the Vietnam War has reached a point "when the end begins to come into view."

November 24: The U.S. Command in Saigon issue revised estimate of Communist strength in South; 223,000 to 248,000 men plus an additional 75,000 to 85,000 political cadres.

November 30: The U.S. Senate passes by 82 to 0 a "sense of the Senate resolution," calling on President to "consider taking the initiative" in bringing Vietnam question before UN Security Council.

Dcember 5: State Department issues statement that the U.S. would not oppose a UN invitation to National Liberation Front to appear before Security Council.

December 9: UN Secretary General U Thant tells newsmen that the NLF had sought to send representatives to UN "on the same basis as the Algerian NLF ten years ago" and that it was his impression that NLF "did not want to come to the Security Council."

December 19: President Johnson states that talks between the Saigon Government and members of NLF "could bring good results."

December 20: President Thieu tells newsmen that his government would never recognize the NLF as a legal body but that he would be willing to talk to individual NLF members.

December 21: President Johnson and Thieu issue joint statement in Canberra, Australia, in which Thieu expressed willingness to "discuss relevant matters with any individuals now associated with so-called NLF while making it clear that his government could not regard the front as an independent organization in any sense."

December 24: The 24-hour Allied Christmas truce goes into effect.

December 26: South Vietnam's Foreign Minister Tran Van Do states in Paris that South Vietnam forces will employ the doctrine of hot pursuit if Communist troops used Cambodia as sanctuary from which to cross border into South.

December 29: Prince Sihanouk says that Cambodia will not intervene militarily to stop U.S. troops pursuit of Communist forces if Communist units had crossed Cambodian frontier into outlying regions difficult to control.

December 30–31: Allies announce a 12-hour extension of 24-hour New Year's truce in response to plea by Pope Paul.

January 1: President Johnson says that he is "quite encouraged" by Prince Sihanouk's offer to permit American troops to cross the Cambodian border in pursuit of Communist units.

Radio Hanoi broadcasts a December 24 statement by North Vietnam's Foreign Minister Nguyen Duy Trinh that Hanoi "will hold talks with the U.S. on relevant questions" after the U.S. has "unconditionally" halted the Northern bombing and all other acts of war against North Vietnam.

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*Communist sources.

1968

January 2: The Allied New Year's truce ends and the U.S. resumes the bombing of North Vietnam.

January 4: Secretary Rusk tells that the U.S. will explore fully North Vietnam's statement.

January 6: President Thieu states that Saigon and Hanoi should be the principal parties to any peace talks.

January 15: President Thieu declares that South Vietnam "should have the central role in any development relating to the events in Vietnam" and that "peace efforts should be made by the Saigon Government."

January 16: Mai Van Bo, North Vietnam's chief diplomat representative in Paris, tells newsmen that before peace talks could be held, the U.S. must stop the bombing and "other acts of war."

January 17: President Johnson says in his State of the Union message that North Vietnam "must not take advantage of our restraint as they have in the past" if the U.S. halted the northern bombing.

January 22: The State Department acknowledges that a combined U.S.-South Vietnamese patrol had entered Cambodian territory on January 18 in the heat of battle with a Vietcong unit that had fled into that country.

January 29: The Allies cancel their 36-hour Tet Truce in South Vietnam's five northernmost provinces.

January 30–31: The Communists launch simultaneous attacks on major South Vietnamese cities, including Saigon (January 31) where they temporarily invade the grounds of the U.S. Embassy.

January 31: President Thieu declares martial law throughout South Vietnam as the Communists continue their attacks on Allied bases and major cities, 44 provincial capitals plus 25 airfields.

February 1: Secretary McNamara presents his final posture statement to the Congress He warns that the combat strength of North Vietnamese forces in South Vietnam "may increase sharply in the next few months".

February 4: Secretary Rusk expresses the view that the recent Communist attacks on South Vietnamese cities showed "they are not seriously interested at the present time in talking about a peaceful settlement."

February 6: Dang Quang Minh, Chief National Liberation Front representative in Moscow, states that the NLF aim in its latest attacks was to overthrow the Saigon government.

February 7: North Vietnam reportedly uses tanks for the first time in the Vietnam war in an attack upon the U.S. Special Forces Camp at Langvei. The Camp fell on February 8.

February 8: Radio Hanoi quotes North Vietnamese Foreign Minister Trinh as saying that negotiations "will begin as soon as the U.S. has proven that it has really stopped unconditionally bombings and all other acts of war."

February 10: U.S. planes raid the Haiphong area for the first time in a month. The U.S. pilots sighted two and possibly three Soviet made IL–28 jet bombers on Phucyen airfield near Hanoi.

February 13: Pentagon announced that the U.S. will airlift 10,500 additional troops to Vietnam in compliance with General Westmoreland's request.

February 14: Secretary Rusk announced that all U.S. attempts to launch peace talks "have resulted in rejection" by North Vietnam.

February 16: President Johnson says that the Joint Chiefs of Staff had made no recommendations for the use of nuclear weapons in Vietnam and that Hanoi is not any more ready to negotiate than it was three years ago.

North Vietnam releases three captured American pilots in the celebration of the Tet New Year.

February 18: The Communists shell more than 30 bases and outposts across South Vietnam.

February 27: Communist armored vehicles sighted within 50 miles of Saigon.

March 1: A South Vietnamese government source states that South will increase armed forces by 125,000 to 150,000 men by June 1968 instead of the previously announced 65,000.

March 4: According to the Defense Department figures total U.S. troop strength in South as of February 24, 1968, was 495,000. U.S. combat deaths stood at 18,799 (January 1, 1961–February 24, 1968) and wounded totaled 115,114 and 983 U.S. servicemen were missing and 238 were listed as captured. Communists killed since January 1, 1961, totaled 300,262.

March 5: Communists shell U.S. base at Camranh Bay for first time in war.

March 11: President Thieu appoints new chiefs for eight of 44 provinces to reduce corruption.

March 11–12: Secretary Rusk testifies before Senate Foreign Relations that Administration is examining its Vietnam policy; that Tet offensive has set back Allied effort, but that abandoning Vietnam would be "catastrophic—not just for Southeast Asia but for the United States."

March 13: South Vietnamese director general of information, Nguyen Ngo Linh announces that South is forming a "North Vietnam Liberation Army" to wage guerrilla warfare in North.

March 14: In speech Ky calls on Vietnamese people to liberate North. A Saigon spokesman says that Ky's office is organizing liberation army to invade North, and Ky states to newsmen that he will accompany it if and when it marches north.

March 15: About 50,000 U.S. and South Vietnam troops launch largest operation of war in five provinces west of Saigon.

March 19: North Vietnam's representative in France, Mai Van Bo starts a week of talks with the Swiss ministers in Bern; reportedly tells Swiss that DRV is "seriously prepared" to begin peace talks if U.S. halts bombing of the North.

March 21: President Thieu tells over television that South will increase armed forces by 135,000 to 900,000.

March 22: President Johnson intends to nominate Westmoreland to replace retiring Army Chief of Staff, H. K. Johnson in July 1968.

March 22: Ky states that an invasion of North is militarily advisable but "against the policy of the government for the time being."

March 25: Gen. C. Abrams, U.S. Deputy Commander in Vietnam, arrives unannounced in Washington for talks on increase of South's Armed Forces.

March 26: President Thieu removes four more province chiefs as part of his drive against corruption.

March 31: President Johnson . . . "no attacks on North Vietnam except in area north of the demilitarized zone where enemy buildup directly threatens allied positions." Bombing pause includes 90 per cent of North's population, but complete bombing halt could come "if our restraint is matched by restraint in Hanoi."

April 1: Soviet agency TASS gave first Communist reaction to partial U.S. bombing halt: "by refusing to fully discontinue the barbaric bombing, the U.S. continues to ignore legitimate demands of North on a full and unconditional cessation of bombing and all other acts of war."

U.S. planes bombed North Vietnam targets 205 miles north of and 90 miles south of Hanoi. Pentagon described raids as "within the framework of" President Johnson's new restrictions.

April 2: President Thieu said his government had agreed to President Johnson's order for a reduction in the bombing and added "that if North Vietnam does not respond with a corresponding goodwill gesture, it will be hard for us to accept any more goodwill gestures in the future."

April 3: U.S. Command in Saigon announced that 20,000 Allied troops were advancing on U.S. Marine Base at Khesanh to lift the 75-day siege of that fortress. The operation, which began in secret on April 1 reached Khesanh on April 6.

North Vietnam offered to meet with U.S. representativs to determine unconditional cessation of bombing and all other acts of war against Vietnam so that talks may start.

President Johnson sent reply to Hanoi same day suggesting Geneva as meeting site.

Moscow called North Vietnam's proposal "a realistic way toward ending the war" and added that "a further development depends on whether the U.S. stops bombing and other acts of war against North Vietnam fully and unconditionally and whether it takes a positive view of well-known proposals of North Vietnam and the South Vietnamese National Liberation Front on ways of settling conflict."

April 3: Peking called the partial bombing halt a "smokescreen" to cover further intensification of the war and urged the Vietcong to continue fighting.

South Vietnam's Vice President Ky indicated that his country would never accept a coalition government with the Vietcong as a condition for peace.

April 4: North Vietnam charged that U.S. planes bombed an area close to Laotian border far above 20th Parallel. Pentagon ordered investigation.

North Vietnam's Premier Pham Van Dong stated that terms of settlement "should be based on our four well-known points." He called the Tet offensive the turning point of the war.

April 5: An NLF Broadcast made no mention of North Vietnam's offer to hold talks to arrange a complete cessation of bombing. But said that Vietcong forces would "pursue the struggle until complete victory."

April 5: South Vietnam's President Thieu stated that "when there are real negotiations, the Republic of Vietnam will have to play the principal role."

April 6: U.S. casualties in Vietnam since January 1, 1961, reached 21,054 killed and 131,058 wounded; for the week ending April 6, 279 killed and 3,190 wounded; South 407 killed; Communist 2,251 killed.

April 7: Gen. Westmoreland stated "The spirit of the offensive is now prevalent throughout Vietnam, with advantage being taken of the enemy's weakened military position."

April 8: President Johnson announced that he had received reply from Hanoi to his proposal for direct contact, and hoped "to work out promptly" the time and the place for the talks.

April 8: Secretary Clifford denied North Vietnam's charge of April 4 that U.S. planes had bombed north of the 20th Parallel.

April 10: President Johnson announced appointment of Gen. Abrams to replace Gen. Westmoreland as US Commander in Vietnam.

The Allies announced launching of largest operation of war—Operation Complete Victory—involving 100,000 troops and aimed at eliminating Communist troops from the entire III Corps area.

Secretary Rusk said that North Vietnam's infiltration into South was "continuing at an increased rate."

President Thieu announced that he initiated bill calling for general mobilization and for armed forces of over 1,000,000 men.

April 11: Hanoi proposed Warsaw as site

for initial USDRV contact. White House Press Secretary Christian, indicated U.S. favored neutral site. A TASS dispatch publicized Hanoi's suggestion for Warsaw.

Secretary Clifford stated that decision had been made for South Vietnamese forces to take over a greater share of fighting.

April 15: President Johnson, in Honolulu, for talks with top U.S. officials on strategy and with President Park of South Korea, urged Hanoi to agree to peace talks in a setting "where both sides have representatives and communications."

April 17: Administration sources said that North Vietnam had built several new roads into South Vietnam from Laos and South Vietnam itself to improve their ability to move troops, heavy weapons and supplies into combat areas. An official North Vietnamese publication described the "new situation" in the war as an opportunity to "strengthen our forces" and shift "the balance of power more rapidly in our favor."

April 18: The U.S. proposed ten more sites for diplomatic contacts with North Vietnam: Ceylon, Japan, Afghanistan, Pakistan, Nepal, Malaysia, Italy, Belgium, Finland, and Austria.

April 19: North Vietnam rejected the ten new sites proposed.

Administration sources indicated that infiltration from North Vietnam had been so heavy in 1968 that about ⅔ of men in enemy main force units in South were believed to be native North.

April 20: Members of North Vietnamese delegation suggested Paris and New Delhi as sites.

April 22: South Vietnamese forces in Saigon and 11 surrounding provinces were placed on full alert because intelligence reports indicated an attack by 10,000 enemy troops on capital was near.

April 25: The U.S. and North Vietnamese diplomats met in Vientiana, Laos, over problem of site for preliminary peace talks.

April 27: U.S. sources in Saigon stated that U.S. reconnaissance aircraft had sighted 10,000 North Vietnamese trucks moving down Ho Chi Minh trail in Laos into South Vietnam during first 25 days in April. This figure was 2,000 more than previous monthly record.

April 28: U.S. Command announced that Allied forces began a large-scale offensive against Communists in the Ashau Valley on April 19 with intention of thwarting North Vietnamese buildup which would threaten city of Hue.

April 30: Secretary Clifford stated that for some weeks prior to March 31, the level of the traffic in North had increased and level was carried on through President's speech down to present time.

May 1: President Thieu declared, "We will never accept the peace solution set forth by the communists," and he formulated his five points:

1. any peace settlement needs de-escalation by both sides.
2. bombing of North Vietnam is only a measure to cope with aggression of the North in the South, and Hanoi cannot be allowed to differentiate between the two.
3. peace talks must be carried out quickly and successfully; Communists not allowed to take advantage of curtailment of bombing.
4. in formal peace talks Republic of Vietnam will automatically play a principal role.
5. Republic of Vietnam will not accept so-called South Vietnam National Liberation Front as valid participant.

Vice President Ky said, "We should not forget that for the Communists, there is no question of good will, and peace negotiations or agreement is nothing but a form and a stage of war."

May 3: South Vietnam's Foreign Minister Tran Van Do responded that Paris was acceptable and that a liaison officer from his government would observe meeting but would not sit in on the actual negotiations.

May 4: Secretary Rusk stated U.S. regarded a halt of Communist infiltration into South Vietnam and other countries in the area as necessary for "an honorable peace in Southeast Asia."

American casualties for week ending May 4 were 383 killed and 1,501 wounded; South Viet 242 killed and 894 wounded; Communists 3, 326 wounded.

The NLF issued appeal to citizens of Saigon to "rise up and stage armed revolts . . . destroy all police and security posts . . . attack and annihilate enemy . . . destroy all of the enemy's facilities . . . those who do not have rifles must use knives or hammers."

May 6: North Vietnam troops participated in fighting inside Saigon for the first time.

May 5: Vietcong shelled Saigon and a dozen other South Vietnamese cities and infiltrated small sniper and suicide squads into the capital. Communists had launched 119 mortar and rocket attacks throughout South Vietnam and ground attacks at 14 locations.

May 7: An "Administration official" told White House correspondents that North Vietnam had infiltrated more than 100,000 troops into South since start of TET offensive, and between 6,500 and 7,000 of Hanoi's troops had entered South during first five days of May. U.S. troops moved into Saigon to assist South Forces against Vietcong units still fighting in city.

May 7: Colonel Ha Van Lau, deputy to chief North Vietnam negotiator at Paris, Xuan Thuy, arrived in Paris and described himself as "optimistic" over upcoming talks.

U.S. delegation to Paris: Ambassador Averell Harriman, Cyrus Vance, General Goodpaster, H. Habib of the State Department, Jordan of White House Staff, and Davidson, special assistant to Harriman.

May 8: President Johnson stated in speech welcoming Thai Premier Thanom Kittikachorn, that the U.S. still bases its Vietnam policy on offer made at Manila in 1966 to withdraw American troops "as the military and subversive forces of North Vietnam are withdrawn, infiltration ceases, and the level of violence subsides."

NFL representative in Chinese capital had stated that the Front, while welcoming U.S.-North Vietnamese peace talks in Paris, was "determined to fight until final victory."

Premier Kosygin received North Vietnam representatives to Paris peace talks in Moscow.

May 9: Both U.S. and North Vietnam delegations arrived in Paris for preliminary peace talks scheduled to begin on May 10.

Radio Hanoi broadcast the text of letter from President Ho Chi Minh to Nguyen Huu Tho, chairman of NLF. Ho urged Vietcong to "increase the resolve to fight and win" and "fight continuously and on all battlefields, in order to win yet bigger victories."

President Thieu stressed a hard-line toward negotiations and stated, "We will never cede an inch of land to the northern Communists, we will never set up a coalition government with the NFLSV."

May 10–11: U.S. and North Vietnamese delegates met in Paris for the first time and agreed to begin substantive negotiations on May 13.

May 11 U.S. casualties for week ending May 11 totaled 562 killed and 2,225 wounded. Number killed was highest toll for any week of war.

May 13: U.S. and North Vietnamese delegations met in first formal session in French Foreign Ministry's International Conference Center in Paris. North Vietnamese chief delegate, Xuan Thuy, repeated accusations that Vietnam war had resulted from U.S. aggression and brought up Hanoi's four-point program, and described it as "the basis for a correct political settlement of the Vietnam problem."

Ambassador Harriman replied, stating the U.S.'s objective of preserving "the right of the South Vietnamese people to determine their own future without outside interference or coercion." He asserted: "Since March 31, we have sought a sign that our restraint has been matched by the Democratic Republic of Vietnam. We cannot conceal our concern that your Government has chosen to increase numbers of troops and supplies from the North to the South."

May 16: A high-ranking Vietcong defector, Lt. Col. Tran Van Dao, said the Allies should intensify the Vietcong War to improve their bargaining position at negotiations in Paris. He warned against a coalition government that would include the Vietcong, saying that this would be an instrument for a Communist takeover of South Vietnam.

May 17: U.S. Command in Saigon announced that Operation Delaware, the offensive aimed at clearing enemy troops out of the Ashau Valley, had been completed.

May 18: At the third session of the Paris peace talks, Ambassador Harriman asked North to admit that it had troops in South in order to establish "some basis from which we can properly consider your demand for cessation of our bombing." He stated that North Vietnam had 95,000 troops in South, 72,000 of which were in regular North Army units with the remainder in Vietcong units.

North Vietnamese chief delegate, Xuan Thuy, pressed U.S. for unconditional halt to bombing and other acts of war against North Vietnam.

U.S. casualties during week ending May 18 totaled 549 killed, second highest weekly total of war; wounded 2,282; South Vietnamese, 475 killed and 1,476 wounded; Communist, 4,765 killed.

May 21: President Johnson sent to Congress a request for supplemental appropriations to cover increased costs of war. The new defense needs were set by President at $3.9 billion for FY 68.

General Westmoreland stated North Vietnam infiltration totaled 15,000 in April 1968.

May 22: At fourth negotiation session at Paris neither side budged from previous positions.

May 23: British Foreign Secretary Stewart completed two days of talks in Moscow on Vietnam peace. No progress was made. Gromyko insisted on demand that U.S. cease bombing North Vietnam, while Stewart represented the American view that Hanoi must give a sign of restraint before bombing could be halted.

May 24: Soviet delegation returns from North Vietnam.

May 25: Vietcong renewed its attacks on Saigon as sharp fighting broke out on outskirts of city.

New cabinet of Premier Huong was officially announced, strengthening power of President Thieu.

May 27: Thai Premier Thanom Kittikachorn said Thailand would send 5,000 combat troops to South Vietnam in July at request of President Johnson.

At fifth negotiating session in Paris, North Vietnam chief delegate Xuan Thuy made a statement almost admitting the presence of North troops in South Vietnam. Ambassador Harriman declared that North Vietnam had infiltrated over 200,000 North Vietnamese into South Vietnam since Fall of 1964.

May 28: South Vietnamese House passed general mobilization bill short of what President Thieu had asked for.

South Vietnam Premier Tran Van Huong appealed to Hanoi to help "find an appropriate solution to the war." He suggested direct negotiations between North and South Vietnam.

President Johnson told newsmen that North Vietanm was infiltrating men and supplies into South "at an unprecedented rate" while pressuring the U.S. at Paris to stop all bombing of North Vietnam without any reciprocal action.

In joint communique issued by President Johnson and by Australian Prime Minister Gorton, support was pledged to "a strong military posture" in Vietnam and to "intensive diplomatic efforts to obtain peace."

May 29: North Vietnam spokesman at Paris, Nguyen Thanh Le, accused President Johnson of using "hypocritical, false, lying words," in his statement of May 28 asserting that North Vietnam had been sending men and supplies into the South at an unprecedented rate.

May 30: General Westmoreland reported to President Johnson that Communist forces were "approaching a point of desperation" in Vietnam, placed number of North Vietnamese troops in South Vietnam at 90,000.

May 31: Following sixth formal negotiating session at Paris, which produced no visible progress, a North Vietnamese spokesman announced that Le Duc Tho, a member of the Politburo of Lao Dong (Communist) Party of North Vietnam was coming to Paris to join DRV delegation.

June 1: 438 Americans were killed and 3,870 wounded in week ending June 1; South Vietnam 345 killed and 1,163 wounded; Communists killed 4,737.

June 3: North Vietnamese Politburo Member, Le Duch Tho visits Moscow en route to Paris peace talks. Le Duch Tho arrived in Paris and accused the U.S. of "jeopardizing the progress of the talks" by its refusal to "cease unconditionally the bombing and all other acts of war."

June 4: Forty Vietcong rockets struck Saigon in heaviest bombardment of capital during the war. U.S. officials reportedly linked attacks to Paris talks.

French Communist newspaper, L'Humanite, published interview with North Vietnam's General Giap, who stated that President Johnson's decision to limit bombing of North Vietnam on March 31 stemmed from the "tragic defeat" suffered by Americans during Communist Tet offensive. Giap declared: "To have peace in Vietnam, the Americans should end their aggression and withdraw their troops."

The South reported that desertions from South Vietnamese Army climbed to an average of 9,000 per month in February, March, and April 1968 as compared to average of 6,000 per month in 1967.

June 5: Seventh formal session of Paris talks produced no results.

June 8: U.S. casualties in Vietnam week ending June 8, 380 killed and 2,739 wounded; South 392 killed, Communist 2,134 killed.

June 9: On his visit to U.S. troops in the field before leaving Vietnam to assume post as Army Chief of Staff, General Westmoreland stated, "Our side is getting stronger whereas enemy is getting weaker."

June 10: Following meeting with President Johnson in Washington, Ambassador Harriman remarked concerning Paris talks: "There is nothing new to be hopeful about."

June 11: Communists shelled Saigon, killing at least 19 Vietnamese civilians and wounding 106. Since the shelling began regularly on May 5, the Communists have killed at least 128 and have wounded 519. Today's barrage consisted of 30 122mm Soviet-built rockets.

Le Duc Tho, North Vietnamese Politburo Member, in Paris described as an "absurdity" the cessation of U.S. bombing of North in return for reciprocity on the part of Hanoi.

June 12: At eighth session of Paris negotiations, Ambassador Harriman raised issue of Vietcong shelling of Saigon and asserted that "this is a situation which could have the most serious consequences for these talks," North Vietnamese delegate Xuan Thuy replied that: "If the U.S. pulls out of Saigon the combat will cease around Saigon."

Soviet newspaper Izvestia, in article on U.S.-Soviet relations, asserted that Vietnam War had "frozen" increasing contacts, exchanges, and trade between the two countries.

June 13: U.S. and South Vietnamese officials in Saigon reportedly stated that Vietcong appear determined to launch another major ground attack upon Saigon.

June 16: General Creighton Abrams, US Commander, said that "we have the means to stop" Communist rocket attacks on Saigon.

June 18: A record total of 120 North Vietnamese and Vietcong soldiers surrendered to South Vietnamese troops in a Saigon suburb.

June 19: Ninth negotiating session at Paris saw no visible progress.

President Thieu signed South Vietnam's first general mobilization law to draft 200,000 men by end of 1968 for a total of 190,000.

June 24: North Vietnamese delegation headed by deputy Premier Le Thanh Ngi arrived in Moscow to open talks on Soviet military and economic assistance to North Vietnam in 1969.

June 26: Tenth negotiating session at Paris produced no progress.

June 27: U.S. command in Saigon announced that U.S. troops were withdrawing from base at Khe Sahn, which had survived a 77-day seige beginning in January 1968.

June 28: U.S. officials in Washington reported that flow of military supplies to North Vietnam by rail through Communist China had been interrupted and that the last shipment to reach North Vietnam entered the country on June 14. The officials reportedly expressed uncertainty over whether the cause of the disruption lay in renewed fighting between Red Guard factions in South China or in a Peking decision to punish Hanoi for negotiating with the U.S. at Paris.

June 29: Politburo Member Le Duc Tho left Paris to return to Hanoi.

July 1–7: U.S. B–52s staged heavy raids against Communist positions in the North just above demilitarized zone.

July 3: North Vietnam announced that it would release three captured American pilots for humanitarian reasons. At 11th negotiating session at Paris, Ambassador Harriman expressed gratitude and voiced hope that the gesture "indicated a willingness to move toward a peaceful settlement." The U.S. would probably respond by arranging release of more North Vietnamese prisoners in Allied hands. The three pilots left Hanoi August 2 and arrived in New York August 4.

July 4: Soviet Union announced signing of a new military and economic aid agreement with North Vietnam. No details or figures given. Department of State has estimated that Soviet aid to North Vietnam in 1967 totaled about $700 million.

July 5: U.S. forces found three major caches of enemy weapons as they swept area around Saigon. Included in caches were 60 rockets and 1,100 rocket grenades.

July 5: Radio Moscow asserted that transport of supplies to North Vietnam by rail through Communist China had come to a standstill because of strife between contending factions in China's Cultural Revolution.

July 6: South Vietnam Premier Tran Van Huong stated that no unconditional cease-fire was acceptable to Saigon, and that one condition for a cease-fire would be the withdrawal of all Communist forces from South Vietnam.

New York Times reported information received in Hong Kong that Soviet military aid to North Vietnam had resumed its movement through Communist China after a "brief stoppage" in June.

July 9: Reports received in Hong Kong indicated that Premier Chou En-lai in speech delivered in mid-May acknowledged that factional fighting in Liuchow, Kiangsi province, had paralyzed movement of military and economic supplies to North Vietnam.

President Thieu proposed meeting between President Johnson and himself. Johnson announced he would meet with Thieu in Honolulu around July 20.

July 10: The 12th negotiating session at Paris produced no progress.

A broadcast from Soviet Union repeated that main purpose of talks was to arrange unconditional cessation of bombing of North Vietnam. Moscow accused the U.S. of deliberately delaying, trying to use the talks to improve its military position in Vietnam.

July 10–11: North Vietnam's deputy premier, Le Thanh Nghi, and Communist China's deputy premier, Li Hsien-Nien, had pledged mutual support between their countries. Nghi was in Peking for talks on Chinese military and economic assistance to North Vietnam.

Vietnam Alliance of National, Democratic and Peace Forces criticized U.S. for lack of progress in Paris talks. Alliance accused the U.S. of "deliberately stalling" talks to gain time.

July 12–14: Saigon placed on full alert against an expected "third wave" Communist attack. Reports circulated that 1,000 Vietcong commandos had infiltrated city to launch assault.

July 14: Secretary Clifford arrived in Saigon and said that the U.S. would provide South Vietnamese armed forces with more weapons and firepower "even at expense of our forces."

July 15: North Vietnam delegate Nguyen Thanh Le stated in Paris that "the official talks have made no progress, they have not moved an inch, and there is no glimmer of hope."

July 16: North Vietnamese chief delegate Xuan Thuy noted that "there have been no rocket attacks on Saigon for several weeks." He then accused U.S. of staging heavy bombing raids in Saigon area, arming South Vietnam and increasing tonnage and number of sorties of the air attacks on North Vietnam.

July 17: Communique of NLF Central Committee Presidium summarizing the tasks of the Front stressed the aim of "completely defeating" the U.S. and "overthrowing the puppet administration."

Secretary Clifford told reporters at Danang that "the reason for the lull in the fighting is some of the North Vietnamese divisions have been withdrawn north of the DMZ for refitting and refurbishing; . . . "They will return to combat in greater force and greater effectiveness."

The 13th negotiating session at Paris produced no progress.

July 19: First units of a 10,000 man Thailand division left for Vietnam. A total of 1,650 troops left, to be followed by 3,350 more in about a month. Remainder scheduled to leave in October. Thailand already has over 2,000 soldiers in South.

July 20: At news conference following meetings with President Thieu in Honolulu, President Johnson stated his Administration's determination "to defend South Vietnam" while pursuing "every avenue that might lead to peace."

July 20: Presidents Johnson and Thieu issued joint communique. Johnson promised "the continued support and assistance . . . as long as such aid is needed and desired." The two men "called on the authorities of Hanoi to respond to the substantial de-escalation initiated on March 31 and open the door to serious peace negotiations." They concluded that Hanoi had shown "no response" to the bombing limitation.

The two Presidents "affirmed that the Republic of Vietnam should be a full participant playing a leading "role in negotiating a political settlement of the conflict.

U.S. casualties in Vietnam for week ending July 20, 157 killed and 2,014 wounded; South 156 killed and 580 wounded; Communist 1,549 dead. U.S. troop strength remained 536,000.

July 22: President Thieu stated in a Saigon news conference that if the Communists de-escalated war "they should state very clearly what steps they are taking in the de-escalation . . ."

July 23: Total of 30 US planes reported shot down over North Vietnam since March 31, compared to 133 during same period last year. However, more missions being flown over North Vietnam: 130 per day, compared to 103 in 1967 and 65 in 1966.

President Johnson in a speech reaffirmed support of Saigon government and declared that he was determined neither to impose a coalition government "or any kind of government" on the South nor "let the totalitarians impose a Communist government of their direction either."

North Vietnamese and Communist China signed an agreement providing for military and economic assistance from Peking to Hanoi in 1969. No figures were disclosed. The U.S. government has estimated that value of the Chinese aid to North Vietnam in 1967 was about $250 million.

July 24: The 14th negotiating session at Paris produced no progress.

July 27: U.S. casualties in Vietnam for week ending July 27 totaled 193 killed and 1,086 wounded; South Vietnamese, 243 killed and 781 wounded; Communist, 1,146 dead. Total U.S. killed in combat since January 1, 1961, reached 26,290. Total South Vietnamese killed in 1968 reached 15,078, while the 1961–68 figure reached 68,215. Total Communists killed in 1968 reached 124,938, and total since 1961 reached 374,083. U.S. troop strength reached 537,000.

July 27: Thai Communist guerrillas attacked with small arms the U.S. air base at Udorn, Thailand. This marked first assault on any of the American bases in Thailand.

July 31: President Johnson stated: "The number of North Vietnamese soldiers entering South Vietnam is now greater than at any other time" and estimated 30,000 or more in July, and "even more . . . will come in August." And he said we have "every reason to believe that the enemy is preparing a massive attack on our forces." Because of this, the President said, he could not order cessation of bombing.

The 15th session at Paris produced no progress.

August 3: U.S. casualties for week ending August 3, 171 killed and 1,050 wounded; South Vietnamese 250 killed and 738 wounded; Communists 1,461 killed. U.S. troop strength 538,000.

August 7: At 16th negotiating session in Paris, Ambassador Harriman stated the President has no basis to take the additional risks that a complete bombing cessation would entail. He declared that Hanoi had increased its infiltration into South Vietnam to "an unprecedented rate."

Ambassador Harriman informed North Vietnamese officials that the U.S. would release 14 captured North Vietnamese seamen.

U.S. sources in Saigon stated captured Vietcong documents and prisoner interrogations indicated that the Communists had called off several planned attacks on Saigon during period from early June to mid-July.

August 8: The U.S. Command announced that the Allied Forces had begun another drive into Ashau Valley with objective of destroying enemy supply and staging areas.

August 9: Vietcong command issued communique claiming massive military gains in first half 1968. Vietcong claimed it had inflicted 380,000 casualties on "enemy," including 133,000 U.S. casualties.

August 10: Republican Presidential nominee Richard Nixon received a briefing from President Johnson on Vietnam War. At the news conference following briefing, Nixon stated that "under no circumstances" should the U.S. stop bombing of North Vietnam without receiving a quid pro quo.

U.S. casualties in Vietnam for week ending August 10 were 173 killed and 1,050 wounded; South Vietnam, 178 killed and 839 wounded; Communist 2,102 dead. U.S. troop strength 543,000.

August 11: U.S. B-52 bombers hit North Vietnam's targets just above DMZ for the first time in three weeks.

August 11: North Vietnamese delegate Nguyen Tanh Le attacked Republican Presidential nominee Nixon for his recent statements on Vietnam. Le charged Nixon "would be ready to use atomic arms to bring Hanoi to its knees."

*August 13: North Vietnam's Politburo Member Le Duc Tho arrived in Paris after six weeks of consultations in Hanoi. On his way back to negotiations he stopped in Moscow for two days of talks with Soviet Leaders.

August 14: The 17th negotiating session at Paris saw no change in the positions of either side.

August 17: U.S. killed for week ending August 17 totaled 159; 609 wounded; South 258 killed and 738 wounded; Communists 2,129 dead. U.S. troops strength 543,000.

August 18: Communist forces launched 19 separate attacks on South Vietnamese cities and allied fortifications.

August 19: Speaking to national convention of Veterans of Foreign Wars, President Johnson ruled out a cessation of U.S. bombing of North Vietnam until Hanoi showed willingness to de-escalate war.

Communist forces withdrew from Tay Ninh, leaving over 200 dead in a one-day battle.

August 20: Vietcong shelled 13 towns and military installations in Mekong Delta and launched ground attack on five of these. Heavy fighting also continued in Tay Ninh Province.

August 22: Vietcong shelled Saigon for the first time in two months.

August 24: U.S. casualties for week ending August 24 were 308 killed and 1,144 wounded; South Vietnamese killed, 495 and wounded 1,833; Communists killed 5,329. U.S. troop strength 539,500.

August 27: State Department announced that Ambassador Harriman had been instructed to tell the North Vietnam negotiators in Paris "to stop miscalculating or trying to interfere in internal American affairs and get down to serious business of making peace in Southeast Asia."

August 28: Democratic National Convention adopted its party platform for the 1968 election. Vietnam plank advocated cessation of bombing of North Vietnam "when this action would not endanger the lives of our troops in the field. This action should take into account the response from Hanoi." It also called for the negotiating of "an immediate end or limitation of hostilities and the withdrawal from South Vietnam of all foreign forces—both U.S. and allied forces and forces infiltrated from North Vietnam." For a political solution, the platform called for the encouragement of all parties in South Vietnam to agree to a postwar government "determined by fair and safeguarded elections, open to all major political factions and parties prepared to accept peaceful political processes."

At 19th Paris negotiating session, North Vietnam delegate Xuan Thuy rejected U.S. demand, as presented by Ambassador Harriman, that North refrain from interfering in internal American political affairs.

August 30: Radio Hanoi broadcast an "official appeal" by NLF Command for Central Vietnam calling on Communist forces in central Vietnam to "hit, destroy, annihilate the enemy in the new general offensive now under way."

August 31: U.S. casualties in Vietnam for week ending August 31 were 408 killed and 2,513 wounded; South Vietnam's, 484 killed and 1,868 wounded; Communist 5,292 dead. U.S. troop strength 537,500.

September 3: Two Vietcong terrorist bombings in Saigon wounded 11 South Vietnamese. One grenade exploded in front of the U.S. Agency for International Development headquarters.

September 4: The 20th negotiating session at Paris produced no progress.

September 5: Secretary Clifford told news conference that he saw a "basis for hope" that "we'll begin to get progress at Paris."

U.S. intelligence officers in Saigon stated that the Communists could launch full-scale attack on the capital no earlier than September 15.

September 6: Three terrorist bomb incidents were reported in Saigon. One explosion killed seven South Vietnamese civilians and injured 15.

U.S. casualties for week ending September 7, 195 killed and 1,400 wounded; South Vietnamese, 325 killed and 1,081 wounded; Communuist, 1,664 killed. U.S. troop strength 535,500.

September 10: President Johnson told American Legion Convention in New Orleans that bombing of North Vietnam "will not stop until we are confident that it will not lead to an increase in American casualties."

South Vietnamese Government reported that "indiscriminate" enemy shelling of 31 provincial capitals in August had killed 115 civilians and wounded 471.

September 11: The 21st negotiating session at Paris produced no progress. South Vietnam and American forces repulsed assault on Tayninh, a provincial capital 50 miles northwest of Saigon and 10 miles from Cambodia.

South Vietnam's general mobilization has drawn more than 220,000 additional men into armed forces, "about 30 percent above what we expected," according to a Saigon official. Total includes 63,000 draftees and 161,000 volunteers. This has boosted armed forces to more than 755,000 men, with 800,000 expected by end of year.

September 14: U.S. casualties for week ending September 14 totaled 217 killed and 1,485 wounded; South Vietnamese, 286 killed and 1,269 wounded; Communists, 2,886 killed. U.S. troop strength 535,500.

September 15: A military spokesman in Saigon stated Allied forces had uncovered 38 tons of enemy supplies in two days of operations.

September 18: The 22nd negotiating session at Paris produced no break in the deadlock.

September 20: South Vietnam President Thieu expressed conviction that "next year Vietnamese armed forces will be able to take more responsibility for mobile operations."

September 21: U.S. casualties for week ending September 21 totaled 290 killed and 1,762 wounded; South Vietnamese, 473 killed and 1,262 wounded; Communists, 3,380 killed. U.S. troop strength 538,500.

September 24: Congressman Melvin Laird stated current plans of the Johnson Administration call for reducing American troops in Vietnam by about 90,000 men by June 30, 1969.

Presidential candidate Richard Nixon stated, "The more we can conduct the war . . . with less men the better." But he said requirement for "fighting forces" in Vietnam remains same and "there will be no reduction until there is a change in the enemy's attitude."

September 25: The 23rd negotiating session at Paris produced no visible progress.

September 27: South Vietnam President Thieu said in Danang that South Vietnam's rural development program had "more or less" recovered from blows of the Communist Tet offensive.

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*Communist sources.

September 28: At least two battalions of U.S. Marines pushed on for the 12th day in the Demilitarized Zone in longest sustained American operation there since war began. American and South Vietnamese forces have entered DMZ about a half dozen times previously, but none of these operations lasted more than two days.

U.S. casualties for week ending September 28 numbered 247 killed and 1,779 wounded; South Vietnamese, 316 killed and 1,230 wounded; Communists, 3,398 killed. U.S. troop strength 538,500.

September 29: Secretary Clifford stated that there were "bits and straws" of progress in Paris negotiations.

George Ball, former Ambassador to UN, stated with respect to Paris negotiations: "Within the past month or so I have been beginning to feel that we are on the verge of a breakthrough."

September 30: Speaking on nationwide television, Vice-President Humphrey declared: "As President I would stop the bombing of the North as an acceptable risk for peace because I believe it could lead to success in the negotiations and thereby shorten the war . . ."

US battleship New Jersey, taken from mothballs for duty in Vietnam, saw its first action in shelling Communist targets in the DMZ, nine to twelve miles inland.

Former Vice-President Nixon said that he was "pleased" at emphasis Secretary Clifford placed on de-Americanizing the Vietnam War through speeding up training and equipping of South Vietnamese forces but stated that "after election to the Presidency I intend to advance this program far more vigorously than has the present Administration."

October 1: U.S. military spokesmen in Saigon said that Communist killed in the Vietnam War since January 1, 1961 had surpassed 400,000 mark—401,589 as of September 21, 1968.

October 2: The 24th negotiating session at Paris saw no apparent progress.

October 3: Speaking to UN General Assembly, Soviet Foreign Minister Gromyko declared that first stop toward peace was unconditional cessation of U.S. bombing and other acts of war against North Vietnam.

October 7: Former Vice-President Nixon told reporters following briefing with Secretary Rusk that there had been "substantial improvement" in Vietnam military situation. He reported "no significant change" in Paris negotiations but said that some hope remained for break in talks before November election. He described as "completely inaccurate—fabrications" reports that Harriman and Vance were seeking total U.S. bombing halt; he asserted that Rusk had assured him on that point.

October 8: U.S. Marines and South Vietnamese troops reoccupied Khesanh, scene of a seige in early part of 1968. U.S. spokesmen in Saigon said that the return to Khesanh was only temporary and was designed to locate North Vietnam's supply caches in area. In another action, Marine units moved into southern half of DMZ and discovered arms caches, including one containing 200 rounds of ammunition for Soviet-built 152 mm artillery. This was first discovery of ammunition for these guns, which the Communists to date had not used in South Vietnam.

Administration sources reportedly stated that President Johnson would not halt bombing of North Vietnam without reciprocity even if this meant that he would leave office in January 1969 with the negotiations still deadlocked.

October 8: U.S. Mission in Saigon reported that from January 1, 1968 through October 5, 1968, Communist terrorists had killed 4,150 civilians, injured 9,379 and kidnapped 6,538.

The 25th negotiating session at Paris produced no progress.

October 10: President Johnson and Prime Minister Keith Holyoake of New Zealand issued joint communique in Washington stating that the situation in Vietnam had improved in recent months but that North Vietnam "still shows no disposition to scale down the fighting." The two leaders asserted that a just peace calls for "both a strong military posture and intensive diplomatic efforts."

October 10: U.S. military officials in Saigon stated that recent Allied discoveries of Communist rice caches threatened some North Vietnamese units operating west of Saigon with starvation.

October 11: Two representatives of NLF arrived in Paris to set up an information bureau.

October 12: U.S. casualties for week ending October 12 were 177 killed and 1,278 wounded; South Vietnam, 176 killed and 690 wounded; Communists, 1,527 killed. U.S. troop strength 538,500.

October 14: North Vietnam's Politburo Member Le Duc Tho left Paris unexpectedly for Hanoi via Moscow and Peking. North Vietnamese officials said he was flying home for "routine consultations." Later reports indicate he flew home for consultations on the developments toward expanded talks to include Saigon and NLF.

President Thieu sent South Vietnam's National Assembly a proposed budget for 1969 providing for outlays of 130 billion piasters ($1.1 billion) according to parliamentary sources. Defense expenditures accounted for 85 billion piasters or 65 percent of budget. Sources said that the size of the regular South Vietnamese forces and militia would total 801,000 by the beginning of 1969 and 816,000 by the end of year. Government projected government income in 1969 at 80 billion piasters with U.S. aid supplying 25 billion piasters of this total.

October 15: U.S. civilian and military officials in Saigon said enemy main force units had pulled back or were driven back from all of South Vietnam's major cities for first time since Tet offensive. The withdrawal did not appear to be a peace gesture.

October 16–31: Series of meetings held in Saigon between President Thieu and U.S. Ambassador Bunker in effort to reach agreement on halt in bombing of North Vietnam and on expanded talks in Paris.

October 16–17: Reports circulated in Washington, Paris, Saigon and Canberra that the U.S. is on verge of totally halting bombing of North Vietnam.

Official U.S. statements in Washington, Paris, and Saigon gave no clue as to status of heightened diplomatic activity. White House Press Secretary Christian issued statement that "There has been no basic change in the situation: no breakthrough."

In Paris, Ambassador Harriman said after the 26th negotiating session on October 16 that he saw "no straws in the wind." North Vietnamese delegate Xuan Thuy declared that the "26th meeting was just like the 25 preceding ones."

October 17: U.S. officials in Washington disclosed that the U.S. still expected specific assurances from North Vietnam that it would respond in a positive manner to a cessation of bombing.

Administration officials in Washington reportedly stated that South Vietnam's President Thieu had endorsed latest U.S. diplomatic probes to North Vietnam on bombing issue. However, many South Vietnamese officials viewed current activity with skepticism. Vice-President Ky allegedly opposed any cessation of air attacks.

Orr Kelly of the Washington Star listed the following North Vietnamese pullbacks: 1. Two divisions have withdrawn north of Benhai River which separates North and South; 2. A third has moved into Cambodia or Laos from Central Highlands; 3. Portions of two divisions have withdrawn into Cambodia from Tay Ninh City area west of Saigon.

October 18: Administration officials in Washington reportedly said that Hanoi and not Saigon held key to acceptance of new U.S. proposal to halt bombing of North Vietnam.

October 19: Former Vice-President Nixon proposed a mutual security pact of "the Asian nations themselves."

South Vietnam President Thieu stated that there had been "no breakthrough in negotiations over a U.S. bombing halt," and called for specific assurances by Hanoi that it would de-escalate the war in return.

George Wilson reported in Washington Post that according to Administration sources, as many as 60,000 Communist troops had withdrawn from the South over last several weeks. This included elements of five North Vietnamese divisions.

The number of U.S. troops killed in week ending October 19 totaled 100, wounded 587; South Vietnamese, 132 killed, 624 wounded; Communist, 1,440 killed. U.S. troop strength 535,500.

October 21: Thai Premier Thanom Kittikachorn voiced opposition to a complete halt to the bombing of North Vietnam.

October 20–22: U.S. and North Vietnam observed a truce for 36 hours in an area of about 288 square miles along North Vietnam's coast 145 miles north of DMZ for purpose of facilitating release of 14 North Vietnamese seamen captured by U.S. in 1966.

October 22: President Thieu issued statement that he does not oppose the cessation of the bombing of North Vietnam if "North Vietnam seriously intends to join us in de-escalating the war."

Pentagon officials said that reports that North Vietnam had withdrawn as many as half of its troops in last three weeks were exaggerated; Hanoi pulled out approximately 40,000 troops, about one-third of the 120,000 to 130,000 estimated to be in the South, a few miles over the border into sanctuaries from which they could easily return.

October 22: Radio Hanoi acknowledged U.S. release of 14 captured North Vietnamese sailors.

October 24: President Johnson stated that there had been "no basic change," in negotiations over bombing cessation.

South Vietnam announced that it would free 140 Vietcong prisoners within ten days as "a humanitarian gesture." Vietcong recently freed eleven government soldiers.

October 25: Secretary Clifford asserted that North Vietnam had withdrawn 30,000 to 40,000 troops from the South but that 80,000 still remained, and that it was "too soon to be able to attach any significance to the lower level of combat."

Vietcong's Liberation Radio called on the U.S. to stop bombing of North Vietnam unconditionally.

About 200 Communist troops attacked U.S. base north of Saigon near Cambodian border.

U.S. casualties for week ending October 26 included 109 killed and 717 wounded; South Vietnamese, 103 killed and 578 wounded; Communists, 1,995 killed. U.S. troop strength 534,000.

October 27: Former Vice-President Nixon said that the imposition of a coalition government on South Vietnam would constitute a "thinly disguised surrender."

October 27–31: Radio Hanoi denied that North Vietnam is prepared to accept U.S. conditions in return for bombing halt.

October 28: South Vietnam President Thieu and New Zealand Prime Minister Keith Holyoake issued a Communique following their discussions in Saigon. It stated that "The so-called National Liberation Front cannot be considered as an independent entity distinct from North Vietnam in international peace negotiations."

North Vietnam delegation in Paris cancelled its weekly news conference for the second straight week

October 29: The U.S. had planned to announce on October 29 that bombing would be halted on October 30 and that expanded talks would begin November 2.

General Abrams held secret conferences with President Johnson at the White House.

The U.S. B–52 bombers had made heavy strikes against enemy troops massing in Tay Ninh province northwest of Saigon.

October 30: The 28th negotiating session at Paris saw no outward signs of a breakthrough in the deadlock.

North Vietnamese newspaper Nhan Dan said that U.S. "propaganda campaign about a so-called breakthrough in Paris will end in a flop." It called for an unconditional halt to bombing.

According to "informed sources" in Washington in recent weeks, North Vietnam had withdrawn the 320th Division and the 164th Artillery Regiment from the I Corps area into North. In addition, three infantry regiments in Hue area have been sent into Laos or North.

Authoritative sources in Washington asserted that General Abrams had told President Johnson that he could accept a bombing halt under present conditions.

October 31: In a final meeting between Ambassador Bunker and President Thieu in Saigon an effort was made to get Saigon to agree to a halt in bombing and to expanded talks in Paris. There were sharp disagreements during meeting, which lasted some seven hours, ending only three hours before Johnson announced bombing halt. The shelling of Saigon and Hue by Vietcong rockets, killing 34 persons during night of October 31 Saigon time, when the meeting was held, reportedly increased domestic pressure on Thieu to reject terms for expanded Paris talks.

October 31: President Johnson announced the U.S. would cease "all air, naval, and artillery bombardment of North Vietnam" as of 8 a.m. Washington time, November 1. The President said that in the course of the Paris talks the U.S. negotiators said that the U.S. would stop air attacks "when that would lead to prompt and productive talks, in which the Government of Vietnam was free to participate." The President added that the U.S. had stressed that it could not halt the bombing "so long as by doing so we would endanger the lives and the safety of our troops." In the past week, the U.S. had begun to get confirmation of the essential understanding that we had been seeking with the North Vietnamese on the critical issues between us."

Following President Johnson's announcement a "close associate" of Vice-President Ky reportedly commented, "We were informed last night, but we didn't go along with it. We are very unhappy." And President Thieu declared: "As long as we have no sign of good will from Hanoi that they will start talks directly with us, that they would agree to de-escalate the war and not maintain that the National Liberation Front is a separate entity at the peace conference, we cannot halt the bombing." When asked if a cessation would take place before the American presidential election, Thieu said: "Frankly, I don't care about the election but about the good will of Hanoi . . . I can't decide for President Johnson but I never believed the U.S. would do it."

State Department denied reports that President Johnson knew when he announced bombing halt that South would boycott the expanded peace talks in Paris.

November 2: South Vietnam President, Ngyen Van Thieu, announced the decision to boycott the expanded Paris talks if the NLF will be included as a separate delegation.

November 3: Hanoi and NLF agree to expanded talks.

November 5: The U.S. Government initiated to postpone the expanded talks scheduled to start on November 6.

November 5: The National Liberation Front delegation arrived in Paris.

*November 6: Secretary General L. I. Brezhnev receives head of NLF mission in the USSR.

*November 7: North Vietnam Worker's Party Delegation arrives in Moscow.

*November 8: South Vietnam President Thieu proposes two-sided conference headed by South Vietnam.

November 9: South Vietnam government reports to ICC that populated places were shelled in 14 provinces, and in Saigon area and city.

November 10: Communist guns shell DMZ area.

November 12: The U.S. lost its first plane since the halt of bombing of the North.

Secretary Clifford warned South Vietnam that U.S. might proceed without Saigon.

November 13: The U.S. Government charge that Communist operations in DMZ violated the U.S.-Hanoi agreement of bombing halt.

November 14: U.S. and South Vietnam troops repulsed 1000 North Vietnamese regulars near Saigon.

November 15: Hanoi spokesman in Paris, Nguyen Thanh Le, accused the U.S. of continuing reconnaissance flights over the North.

November 17–18: City of Danang attacked by North Vietnamese.

November 18: Le Duc Tho arrives in Paris from Moscow.

November 21–27: North Vietnam delegation, headed by Deputy Prime Minister, Le Thanh Nghi, in Moscow.

November 26: Joint communique by USSR and North Vietnam delegation in Moscow, cooperation stressed; the agreement covers exports to North Vietnam of equipment, food, fertilizers, armaments, munitions and other materials.

December 2–5: Ambassador-at-Large W. A. Harriman returned to the U.S. to brief President Johnson and President-elect Nixon.

December 7: South Vietnamese Senate and House endorse government's decision to participate in the Paris peace talks.

December 8: Vice-President Nguen Cao Ky arrives in Paris to participate in expanded peace talks.

December 9: North Vietnam and NLF delegation stop off in Moscow on way to Stockholm International Conference on Vietnam. Soviet Committee of support to Vietnam (deputy chairman, Major General of Aviation, G. N. Zahkarov), meets for a conference.

December 11: There was no agreement reached on the "table issue" at the Paris talks.

December 13–15: Stockholm International Conference on Vietnam, main resolution: "Vietnam–69—international mobilization."

December 16: The NLF delegates to the Paris peace talks arrived in Moscow for a meeting and conferences with the Secretary of CC CPSU, M. A. Suslov, Secretary of CC CPSU, B. N. Ponomarev, Deputy Chief of international Department of CC CPSU, R. A. Ulyanovskiy and Deputy Minister of Foreign Affairs, N. P. Firyubin.

December 20: Eighth anniversary of NLFSV celebrated in the USSR. Significance of the Soviet support strongly stressed.

December 31: U.S. Department of Defense announced U.S. casualties in eight years of Vietnam War as 30,543 killed and 192,372 wounded (99,643 seriously wounded) and 1,243 missing in action. Close to 50 percent of these totals were losses in 1968: 14,521 killed and 46,655 seriously wounded.

1969

January 25: The first session of formal peace negotiations between the U.S. and South Vietnam on one side, and the FLN and North Vietnam on the other, was held in Paris. It produced no positive results.

Eighteen subsequent sessions held before June 1969 produced no visible progress.

May 8, 1969: National Liberation Front of South Vietnam presents 10-point program at peace negotiations in Paris.

May 23: Representatives of Central Committee of NLF and Vietnam Union of National Democratic and Peaceloving Forces hold clandestine meeting in South Vietnam to discuss planned Congress of Representatives of Peoples of South Vietnam. Purpose of Congress: creation of a Provisional Revolutionary Government of the Republic of South Vietnam.

June 5, 1969: Twentieth session of peace negotiations between the U.S. and South Vietnam and the NLF and North Vietnam held in Paris. No results were produced.

June 5–17: International Congress of Communist and Workers' Parties held in Moscow (75 CP participated).

June 6–8: Congress of Representatives of Peoples of South Vietnam held in a secret location within Communist-controlled territory in South Vietnam.

June 8: Provisional Revolutionary Government of the Republic of South Vietnam established.

June 13: The Provisional Revolutionary Government of the Republic of South Vietnam is officially recognized by the Soviet Union.

The International Congress of Communist and Workers' Parties expresses unanimous support of the Provisional Revolutionary Government of the Republic of South Vietnam.

Eleven other Communist and non-Communist countries recognize the new Provisional Revolutionary Government of South Vietnam.

A SOUTH DAKOTA COLLEGE PRESIDENT SPEAKS FOR THE CHURCH

Mr. McGOVERN. Mr. President, the current issue of Look magazine contains a succinct but compelling statement about the contemporary church, written by Dr. Donald Ward, president of Yankton College at Yankton, S. Dak.

Because of the general interest in the issues raised by President Ward, I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Underground Church Is Nonsense

(By Donald B. Ward)

TODAY'S CHURCH IS A MESS, BUT GOING UNDERGROUND IS NO SOLUTION

So now they're building underground churches.

Many priests and ministers claim theirs are outmoded, irrelevant and meaningless in today's world so they quit and "go underground."

My reaction? Underground, schmunderground!

Yes, today's church is a mess. Lord, how it needs to update its liturgy, compose timely hymns, pray in today's language, be thoroughly honest with itself, jostle the status quo.

But an underground church? Nonsense. What the avant-garde boys want is an idealized church, perfectly fulfilling every mandate of Jesus, with the Holy Spirit hovering constantly. That dream church will forever be "out there" in some utopian future. Our New Testament forebears discovered this—that Jesus was not coming back to set up that perfect congregation, and that they would have to live with the highly imperfect model that had been given them. Thus, Christian eschatology was born.

The bright, young, abdicating ministers want a perfect Christian community in which Jesus' ideal of selfless love and noble sacrifice

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*Communist sources.

is followed to the letter. They can forgive all our sins except that we *are* sinners and therefore cannot possibly be that ideal congregation. Their visionary church simply doesn't fit our chaotic, mixed-up world. And the underground church had better learn this quickly and rejoin the stumbling, fumbling church on the corner. The underground church will not save the world, for it does not really exist.

The trap they have so easily entered is to call the church an "it." "It" is outmoded; "it" is irrelevant, etc. The church is not "it"; it is *they, we, us, you, me,* the *people.* Our Roman Catholic friends are learning this painfully as the authoritative *it* struggles to become, agonizingly, the living *we.*

My minister friend, Ralph Hoffman, looked out over his congregation one Sunday as they sang *Onward Christian Soldiers.* At the second stanze, "Like a mighty army moves the Church of God," Dr. Hoffman assessed his "mighty army" in the pews before him. The incongruity was pathetic. He saw a ragtag army of remnants: people who had reached bottom or suffered some severe crisis—a deeply sorrowful new widow, a man with terminal illness, another losing his job in a company economy move, an alcoholic, a young girl pregnant out of wedlock. That was his church: certainly not an army, but a remnant; most certainly not an "it," but "they," "him," "her," "us."

The avant-garde ministry calls that church irrelevant, outmoded. But there is nothing irrelevant or outmoded about ministers or concerned laymen who agonize with suffering, seeing people through their dark days.

"This is the world Christ loved," said John XXIII, "and man must be saved where he is, not where he ought to be." Human compassion is human compassion, whether it is manifested in a frightened right-wing community in Idaho, in Ozzie and Harriet suburbia or in a ghetto on Chicago's scenic West Side. How does the dedicated minister reach his ragtag remnants where they are? He faces them, whether they are farmers, steelworkers or ad executives, and he talks and he listens. He doesn't go underground.

Just how sick are our churches? Every congregation has its pockets of gangrene and flashes of fitness. But isn't it a matter of individual attitudes and personal relationships rather than one big institutional disease? Our church—that Edwardian pile of granite where my wife Vera and I teach Sunday school—has everything from apathy to euphoria. Our membership runs the gamut (or is it gauntlet?) from disgruntled intellectuals through sincere idealists to uneducated sentimentalists. How can one single dogma or theology fill everyone's bucket of need? We have our squabbles, but we are still held together by a common spiritual bond, so we struggle on.

Our missionaries do battle in urban ghettos and overseas, leaving the headlines to VISTA and the Peace Corps, whose activities were begun by the church long before the Government nationalized them. Missionaries haven't worn starched collars, Mother Hubbards, flat heels or pince-nez for decades. They're as hip a bunch of swingers as ever taught a Turkish farmer to use insecticides.

Discouraged ministers must not go along with the hippie assumption that you make the relevant scene only by dropping out. Staying aboard and working *with* Establishment people, teaching them to see true value through the facade of our walnut-paneled, town-and-country-sedan, trimmed-hedge existence is the greater challenge. Hippiedom provides the easy way out—reject and forget. But Jesus was no dropout. Our modern defectors threaten to take along with them those idealists who are desperately needed to fight our common sin. With their help, faith and true commitment will come easily in an underground church made up of the zealots, the theologically aware, the sensitively educated elite. Will they seek a smug, snug harbor, untouched by reality's biting winds? Who is really abdicating responsibility to the institution?

And that's another complaint. The church is too "institutionalized." But if the underground church catches on, part of the collection will have to pay for light and heat. A budget rears its ugly head and, lo! Institutionalized!

I ask for a return to dialogue between the undergrounders and our ecclesiastical brick piles. We want our bright young ministers and priests to return, certainly not to conform but to suffer with us, exult with us, help us make the evolution of Sunday liturgies move a little faster. (Remember when organ music was avant-garde—nay, even heresy?) We want them to help us break through the surface amenities, minister to a compendium of complaints, help us unalienate the young, orient us to the prime movement of our lives and, above all, teach us what it means to be truly human.

BALTIMORE URGES ENACTMENT OF URBAN AND RURAL EDUCATION ACT

Mr. MURPHY. Mr. President, I have been placing in the RECORD endorsements that I have received from educators all over the country in support of S. 2625, the Urban and Rural Education Act of 1969.

I have received a letter from Superintendent Thomas D. Sheldon, of the Baltimore City public schools, saying:

> The enactment of your bill will bring school districts such as Baltimore a step closer to full funding under ESEA and allow us to provide services that we know will work to improve the condition of so many of Baltimore's children.

I ask unanimus consent that the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

BALTIMORE CITY PUBLIC SCHOOLS,
Baltimore, Md., August 20, 1969.

Hon. GEORGE MURPHY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MURPHY: We have read with a great deal of interest your Urban and Rural Education Act of 1969 and appreciate your asking for our responses to it.

That there is a need for appropriations in addition to funds currently received for the benefit of disadvantaged children there can be little doubt. Your remarks for the record reveal your clear understanding of that fact.

The per pupil expenditure in Baltimore under present ESEA-Title I appropriations is constantly diminishing at a time when costs are increasing at a rate of 8% to 10%. For FY 1969, the ESEA authorization for Baltimore City was $16.6 million; the actual appropriation amounted to $7.3 million, 44% of the authorized amount. For FY 1970, that gross appropriation will be further reduced to $6.4 million, nearly $1,000,000 lower than last year. This gap between authorization and appropriations together with the increasing number of children being served has worked to lower drastically the per pupil expenditure. In FY 1966, the first year of the program, we were able to spend $241 per eligible child (28,287); in FY 1969, that sum was down to $135 per child (54,121); for FY 1970, the projection is $124 per child.

As regrettable as that steadily diminishing rate of expenditure is, it still presents a picture far better than the reality of our local situation. For FY 1969, the number of eligible children in Baltimore was 54,000, under current guidelines for determining eligibility. In fact, however, we know that well over 100,000 children in Baltimore City are entitled to receive the beneficial services of the kinds of ESEA-Title I programs that could be made available were there adequate financing. (The primary reason for this unfortunate situation is the reliance on the 1960 Census for defining "low income" families. Having to use this constant when all other elements are inconstant obviously adds to the difficulties of depressed areas such as are found in Baltimore.)

Your remarks in the Record contained an explicit reference to the "strenuous effort" made at the local level by the citizens of Baltimore. Not enough can be said about that effort, which resulted, for example, in overwhelming voter approval last November of the largest School Loan for construction in the United States, $80,000,000. And Baltimore's financial difficulties are at least as severe as any large urban center in our country. Our citizens have demonstrated beyond doubt their willingness to sacrifice to the limits for their schools, but our needs outstrip their capacity to pay.

In the context of such data as shown above, your attempt to have added 30% of regular Title I funds in the first year (without precondition) and 40% thereafter (with State approval) for eligible districts can only be endorsed with the most sincere kind of hope. The enactment of your bill would bring school districts such as Baltimore a step closer to full funding under ESEA and allow us to provide services that we know will work to improve the condition of so many of Baltimore's children.

It may be of value to you to know that the National School Boards Association is presently working on proposals concerning the entire matter of federal funding for public education. The thinking of that organization has reached a stage of development where, I am sure, members of Congress will be receiving material related to their work. Perhaps that material will be of value to you as a result of your work with your Urban and Rural Education Act of 1969.

My best wishes to you on behalf of your effort to further improve public education in our country.

Sincerely,
THOMAS D. SHELDON,
Superintendent.

TOWARD MORE ADEQUATE SOCIAL SECURITY—I

Mr. WILLIAMS of New Jersey. Mr. President, with the announcement that the House Committee on Ways and Means will open hearings on the social security legislation later this month, it has become clear that the Congress will have an excellent opportunity to end inadequacies which have persisted for too long in that essential, but still imperfect, program.

As chairman of the Special Committee on Aging, I intend to offer on these pages within the next few weeks information and exhibits which arise primarily from that committee's study of the "Economics of Aging: Toward a Full Share in Abundance." The committee and its subcommittees, at hearings in Washington, D.C., and in the field, are gathering weighty evidence about the intensity and pervasiveness of a retirement income crisis in this Nation.

I believe that every American has a stake in the committee study, and I will draw upon it heavily in the weeks to come.

The committee study is also mentioned in the exhibit I offer today for the RECORD. It is a letter expressing the views of the AFL-CIO in regard to the inadequate and off-target social security proposals offered by President Nixon in draft legislation submitted on September 30. I believe that Mr. Bert Seidman has offered a cogent and timely analysis of the deficiencies in the administration proposal. I ask unanimous consent that his letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS,
Washington, D.C., September 29, 1969.

Hon. HARRISON WILLIAMS,
Chairman, Senate Special Committee on Aging, U.S. Senate, Washington, D.C.

DEAR SENATOR WILLIAMS: I am writing to convey to you the views of the AFL-CIO on pending proposals for social security changes.

Recently, the Administration recommended a 10% increase in benefits to be effective April 1, 1970. From February 1968, the date of the last social security increase, to August 1969, the consumer price index rose by 8.1%. Thus, a 10% increase will not even close the cost of living gap and will once again leave social security beneficiaries the victims of rising living costs.

The Administration proposal did include a recommendation for adjusting benefits automatically in accordance with increases in the cost of living. Though keeping purchasing power up-to-date, such a provision would do nothing to raise present low benefits to a level of adequacy. What is needed is major improvements in the benefit structure before adoption of a cost of living escalator clause in order to avoid the danger of condemning most beneficiaries to a permanent and inadequate low level of benefits.

In addition, even if benefits were kept in line with the cost of living, there would be a gradual worsening of retirement benefits relative to earnings, since earnings grow in accordance with the overall growth of the economy whereas benefits do not reflect such gains from growth. For as your Committee pointed out, in its excellent report, "The Economics of Aging," the gap between the incomes and living standards of older people and those of the rest of the population is getting worse rather than better.

Fortunately, the prospects are good for passage of a social security bill that will provide a higher benefit increase and other improvements not recommended by the Administration. These favorable prospects are due in large measure to your leadership and the efforts of the Senate Special Committee on Aging to highlight and document the plight of our elderly population and to chart the course on what needs to be done.

The AFL-CIO, its members, and retirees appreciate your efforts and we expect in the years ahead to be one of your strongest allies in the fight to bring economic justice and dignity to our senior citizens.

Kindest personal regards.

Sincerely,

BERT SEIDMAN,
Director, Department of Social Security.

BUSINESS EXECUTIVES MOVE FOR VIETNAM PEACE

Mr. McGOVERN. Mr. President, I invite the attention of Members of Congress to the statement of J. Sinclair Armstrong, on behalf of Business Executives Move for Vietnam Peace—the testimony of Mr. Armstrong before the Committee on Appropriations of the U.S. Senate on September 25.

I ask unanimous consent that Mr. Armstrong's testimony be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

BUSINESS EXECUTIVES MOVE FOR VIETNAM PEACE

Statement of J. Sinclair Armstrong, 45 Wall Street, New York, N.Y., 10005, on behalf of Business Executives Move for Vietnam Peace, on the Appropriation Request for the Vietnam War

Business Executives Move for Vietnam Peace is an organization of 2,600 owners and executives of American business corporations in forty-nine states who seek by open and lawful means to bring about an end of U.S. participation in the War in Vietnam.

We commenced our activity in September, 1967, spurred by several members of the Senate, who asked us, amid all the groups crying out against the U.S. bombing and fighting in Vietnam, "Where are the businessmen?"

We are executives and owners of American business corporations. The men in our group have great responsibility for management of wealth, operation of business, provision of employment, and an evergrowing concern and responsibility for our communities and our country.

My own business experience is in law and finance, and includes four years of service as Commissioner (two as Chairman) of the Securities and Exchange Commission, two as Assistant Secretary of the Navy for Financial Management, and ten in my present position as Executive Vice President of the United States Trust Company of New York (for whose official views I do not purport to speak on this occasion).

As executives and owners of American business, our numbers are small, but we notice an expansion of interest in our cause and an increase in our membership this year. As the War which America repudiated in 1968 continues full of fight through 1969, there is little evidence of progress in negotiations with the governments and fighting organizations involved on either side.

As business executives, we see the War as unwinnable. As financiers, we see the destabilization of our domestic and international finances that it has brought about.

As citizens in our home communities, we see the blight that its excess costs visits on us in curtailment of resources for housing, education, health facilities, mass transport facilities, and productive employment.

As taxpayers, we feel the burden of its cost—the surtax, recently re-enacted—and the proposed repeal of the tax credit for investment in capital equipment by which goods are produced and America is kept modern.

We see the enormous cost of restrictive monetary and fiscal measures, and the record high interest rates—7½% on U.S. Treasury Notes—and curtailment of availability of credit, with the resulting drastic curtailment of vital housing and other construction.

We feel the inflation, the monthly increases in the cost of living, steadily up half of one per cent a month, with no end in sight.

In my testimony before the Defense Sub-Committee of the Committee on Appropriations of the House of Representatives on June 9, (which appeared in the Congressional Record, June 18, 1969), I mentioned the destabilizing effect of the excessive Vietnam and other defense costs, and predicted that, if they continued, there might have to be direct wage and price controls and allocation of materials.

Several days later, the Secretary of the Treasury mentioned this possibility. After that, President Nixon said "no" to wage and price controls. But how else, except by curtailment of war spending, can inflation be curtailed? Tight money and surtax have not succeeded.

A wise leader of organized labor, George Meany, recently returned to the wage and price control theme. Neither he, nor the President, nor we Business Executives believe that that course would be good for America. The economics of the situation tell us that the Vietnam War should be ended now, in the vital interests of our free American society.

The appropriation request for Southeast Asia operations

The Budget of the U.S., FY 1970, pages 73 and 74, states $23,025 million as recommended budget authority ("NOA") for "special Southeast Asia" and $25,733 million (including $336 million "economic assistance") outlays for special Southeast Asia in FY 1970, and military personnel in Southeast Asia, 639,000 in FY 1970.

Secretary of Defense Clifford's Defense Budget and Posture Statement, delivered to the Congress in January of this year, which has not been changed by Secretary Laird so far as we know, calls for the level of operations and personnel requested in the FY 1970 Budget document, for Southeast Asia. Nor do we know whether any budget changes have been made since the President's recent troop withdrawal decisions. We are advised that no action in the House Committee has yet been taken.

Business Executives Move for Vietnam Peace urge this Committee to reject the request for NOA of $23 billion and rescind obligational authority heretofore granted to spend $25.73 billion on the Vietnam War in FY 1970.

We urge this Committee to hand this request back to the Administration, and to require a new estimate based on a planned, phased, complete withdrawal from Vietnam of all U.S. forces beginning at once.

We do not have sufficient detailed data nor any staff to estimate precisely what this reduced amount should be. In view of the diverse considerations involved in such a withdrawal and the difficulty of making a precise estimate of its cost (recalling my own experience as Assistant Secretary of the Navy for Financial Management and Comptroller of the Navy), I believe that $12.5 billion is a prudent estimate of the cost savings that could have been achieved this fiscal year if a start had been made. As a quarter of the fiscal year has run, $10 billion is a prudent estimate of achievable savings in FY 1970 if the War ended now.

In his article in the October 1969 issue of "Foreign Affairs" magazine (p. 52), Representative Jonathan B. Bingham refers to "experts" who proceed "on the assumption that an end to the War might produce savings of about $20 billion annually after two years."

We Business Executives urge this Committee to start now, by cutting the appropriation.

THE VITAL INTERESTS OF THE UNITED STATES CALL FOR PEACE IN VIETNAM NOW

The U.S. has no vital strategic or economic interest in Vietnam. That tiny country is no threat to U.S. security. We continue to waste our resources—men and materials—there for no vital security reason.

The President recently said that the time for ending the Vietnam War is now. So let us begin with the appropriation, for the War cannot go on without the money taxed from our people and appropriated by the Congress.

We Business Executives see little progress on the military or diplomatic fronts. The U.S. stated condition of peace is free elections in Vietnam, supervised by an international authority. We are business executives, not diplomats, by profession. But we believe that North Vietnam will not accept that condition, in the light of U.S. failure to follow through on the similar 1954 commitment. Peace will wait a long time if the U.S. waits for supervised elections—Western style—in that rural Asian country. What is needed is a broadening of the Saigon regime and then a true coalition government of all Vietnam parties to the conflict.

We believe that the only course that will bring this about is announced, complete, total U.S. withdrawal, beginning now. Only then will the recently narrowed South Vietnam Government be broadened. Only then will it have to enter into coalition and make peace.

President Nixon could be a great President if he would act to bring this about. Former President DeGaulle's withdrawal of French forces from Algeria led to a decade of French greatness. World opinion, of our allies, neutral states, the great leaders of the U.N., such as U Thant, and of religion, such as Pope Paul, would acclaim the President, should he do the same for the U.S. in Vietnam. Congress should spur him on, encouraging him, support him, in his effort to end the War now.

We Business Executives are not encouraged by recent events.

Many of America's business leaders have lost faith in our country's ability to solve our problems. The Vietnam War keeps us from confronting the domestic crisis which has split the country. Young people cease to respect our generation when we offer them no way out of a useless, unwinnable war, but expect them to fight and die in it.

And what a terrible waste of our most vital national asset—our young men—it is, with 45,000 killed and missing, and 250,000 wounded, and the pace of casualties continuing well over a thousand a week. A country that alienates its most sensitive, highly trained, and productive youth is critically weak.

We Business Executives believe that the failure of our Government to take the necessary measures to end the War signals weakness. The recent decline of stocks and bonds in the securities market—a drastic drop this year—directly reflects lack of confidence among businessmen and the investing public in the ability of our Government to end the War.

The Administration seems to pursue a two-faced policy on Vietnam. One face is set towards Hanoi. Secretary Laird stated in a recent interview in Time Magazine that the U.S. strategy is to reduce our forces in Vietnam to about 250,000 and keep them out of combat as much as possible to "quiet dissent".

With domestic opposition adequately "managed," the Administration seems to hope that it can convince North Vietnam that it is able to wait indefinitely for a peace offer that will be acceptable to the Thieu Government of South Vietnam. In other words, the U.S. will sit in Vietnam a decade or more waiting for the North and Vietcong to admit defeat. The other face we see in the news and on the television screen at home. That face tells us that the war is proceeding to an orderly solution. The withdrawal of a few troops, hints of progress at the negotiations, and a temporary suspension of the draft seem to be part of a carefully orchestrated plan to convince Americans that we are on the track towards a rapid end of the War.

We Business Executives doubt that this strategy can end the War and thereby help cure inflation and the other adverse economic consequences of the War. The Administration's strategy fails to confront the three stubborn central facts:

1. There can be no negotiated settlement unless the present Saigon government is significantly broadened. In recent weeks it has been narrowed and the hold of General Thieu and the other military leaders has been strengthened.

2. Troop withdrawals have little overall significance unless they are rapid and deep. General Thieu has said publicly that his government cannot survive if the rate of withdrawal proceeds at any faster pace.

3. As long as U.S. policy continues to underwrite the Thieu regime and insists upon a settlement that the South Vietnam generals will accept, North Vietnam and the NLF are furnished no inducement to make peace, and have no alternative but to continue the War.

Business Executives appeal to the Congress to end this stalemate. The making of War is Congress's responsibility.

The Congress has the power to "lay and collect taxes", "to provide for the common defense", "to raise and support armies", and "to declare war" (none has been declared against Vietnam). U.S. Constitution, Article I, Section 8, "Powers of the Congress."

The President is "Commander-in-Chief of the Army and Navy" and "shall from time to time give to the Congress information on the state of the union and recommend to their consideration such measures as he shall judge necessary and expedient". Article II, Sections 2 and 3.

Constitutional responsibility for the War clearly falls on the Congress.

The decisions of the Congress on whether to continue the Vietnam War will have vital implications for the future. If the Congress says "no" to continuing the War, and denies the appropriations for it, free enterprise in a free economy will survive and prosper in America.

So we, Business Executives Move for Vietnam Peace, urge the Congress to review the Defense Posture and Budget for FY 1970 and revise the Budget so as to cut out the appropriations with which to continue the Vietnam War. We urge this in the vital interests of the United States.

A HAPPY ENDING

Mr. GRIFFIN. Mr. President, some time ago I commented on the Senate floor about the difficulty of a new administration obtaining control of the machinery of government.

In connection with those remarks I placed in the RECORD three articles written by Mr. Willard Edwards, the distinguished columnist of the Chicago Tribune, dealing with a State Department matter.

There has been a happy ending to the story Mr. Edwards recounted. I ask unanimous consent that another column by Mr. Edwards, published in the Chicago Tribune of October 7, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HARASSMENT STORY ENDS HAPPILY

(By Willard Edwards)

WASHINGTON, October 6.—Happy endings to stories of federal employe harassment are rare.

It is comforting, therefore, to report that the Nixon administration has rectified the shameful injustice accorded a distinguished state department career officer just before the Johnson administration left office last January.

The subsequent ordeal of John D. Hemenway, 42, former chief of the Berlin section, was described in this space some weeks ago. Fired Jan. 17, 1969, he spent more than eight months fighting for his rights. He has now won the battle altho hold-over state department officials resisted him to the end.

Hemenway reported for duty today as special assistant to Warren G. Nutter, assistant secretary of defense for international security affairs. The post carries a higher grade than the one from which he was ousted and an increase in salary from $18,974 to $21,589.

Much more important, to Hemenway, is the cope of his new duties, affording him the display of talents which earned him official evaluation during a long career as a matter of the complexities of German affairs. The shift from Foggy Bottom to the Pentagon, he feels, is like leaving darkness for light, tangled intrigue for constructive effort.

The documented record is abundantly clear that Hemenway was dismissed as a foreign service officer because of ideological disputes with two superiors, Alfred Puhan, now ambassador to Hungary, and Alexander C. Johnpoll, acting director of German affairs.

They did not share his views of communist designs in Europe and were resentful when, in several instances, his prescience was demonstrated by following events. When the then United States ambassador to Germany, George C. McGhee, and the present minister in Berlin, Brewster Morris, strongly recommended Hemenway's promotion, they were ignored.

Instead of promotion, Hemenway was given notice of dismissal without retirement annuities after 24 years in government, counting his military service.

In one of his last acts in office, Secretary of State Dean Rusk indorsed the discharge, upholding findings that Hemenway, despite a brilliant record, had been "aggressive and tenacious" in presenting his views, an attitude deemed intolerable under the state department code.

When complaints from Congress about this outrage were sent to the White House last July, they first were relayed to the state department, which promptly responded that Hemenway had been given a fair hearing and no injustice could be found.

Then the case came to the attention of Clark Mollenhoff, deputy counsel to the President, a celebrated journalist recently enlisted by Nixon as a trouble-shooter. Mollenhoff has a low boiling point when he encounters inequities. He made an exhaustive inquiry and reached the conclusion that a dedicated public servant had been victimized for honest policy differences with his superiors.

As in the case of Otto F. Otepka, another victim of state department intrigue, it was evident that reinstatement in the state department was not the answer. An entrenched bureaucracy continues to wield power there. An officer, reinstated over its protests, would be reduced to futility.

Finally, the defense department post was located. It offered Hemenway an opportunity to serve his country in a field where his skills are outstanding.

For him, personally, it is a happy outcome. But another aspect of this case is less pleasing. The state department had triumphed again, as it did with Otepka, in ridding itself of a courageous and talented officer who would not conform.

INCREASES IN OIL AND GASOLINE PRICES

Mr. KENNEDY. Mr. President, I have received a great many requests for copies of my correspondence with the Director of the Office of Emergency Preparedness regarding the recent increases in the price of oil and gasoline. This correspondence provides important insights into the administration of the oil import program. I therefore ask unanimous consent that it be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

SEPTEMBER 5, 1969.

Mr. GEORGE A. LINCOLN,
Director, Office of Emergency Preparedness,
Executive Office Building, Washington, D.C.

DEAR MR. LINCOLN: On March 5, 1969, I wrote to President Nixon requesting him to inform me what measures his administration was taking with regard to the substantial increases in the price of gasoline and crude oil. I pointed out that "under Section 6a of Presidential Proclamation 3279, as amended, which established the oil import program, the Office of Emergency Planning (now Office of Emergency Preparedness) is required to maintain surveillance over the program and 'in the event prices of crude oil or its products or derivatives should be increased . . . such surveillance shall include a determination as to whether such increase or increases are necessary to accomplish the national security objectives' of the applicable statute and order." I specifically asked the President: "Has the OEP, in accordance with its duties under the law and proclamation, begun its determination as to whether the price rises are 'necessary' in the interests of national security? Has it reached a conclusion, and if so, what conclusion? What steps will be taken if the rises are found not to be 'necessary'?"

Mr. Bryce Harlow, Special Assistant to the President, replied on behalf of the Administration on March 19. He stated that the Director of the OEP was required to determine "whether increases in the price of crude oil, its products, and derivatives are necessary to achieve the national security objectives of the proclamation and the applicable statute. After consultation with the Secretaries of State, Defense, Treasury, Commerce, Labor and Interior, the Director is required to inform the President of circumstances which in his opinion indicate the need for further Presidential action. The Director will meet his responsibility of advising the President with respect to the current gasoline and crude oil price situation after consulting with the Secretaries named above if, in his opinion, the facts so warrant. In addition, the Office of Emergency Preparedness will naturally take part in the announced over-all review of the Oil Import Program."

In short, Mr. Harlow made it clear that the OEP could not simply await the findings of the Cabinet Task Force on Mandatory Import Controls but must make an immediate investigation of the recent price rises. Accordingly, I am now writing to inquire what action your Office has taken to determine whether the recent increases were "necessary to accomplish the national security objectives" of Presidential Proclamation 3279. I would like to know what consultations have been made with the Cabinet officers concerned and what conclusions have been reached. In view of the time which has elapsed since my original inquiry, I would appreciate your response as soon as possible.

I thank you for your assistance.

Sincerely,

EDWARD M. KENNEDY.

SEPTEMBER 17, 1969.

DEAR SENATOR KENNEDY: This is in response to your inquiry received September 5 regarding your March 5, 1969, letter to President Nixon concerning oil prices. Mr. Bryce N. Harlow's reply called attention to the comprehensive review of oil import controls and to the Office of Emergency Preparedness surveillance responsibility.

Many of the factors going into the overall study are also important for our surveillance. This relationship is especially significant because of the long period during which the oil import policy had not been subject to a basic review.

As of the beginning of September, available figures indicate that much of the gasoline price increases between January and March have been eliminated. According to OIL DAILY, the wholesale price of regular gasoline went from 16.6¢ a gallon in January to 17.7¢ in March and to 17¢ in September. Platt's Oilgram reported 16.9¢ for January, 17.4¢ for March, and 16.8¢ for August. Its September information is not available yet.

Average service station prices of regular gasoline, taxes excluded, had a similar pattern. The Oil and Gas Journal reported 23.1¢ for January, 23.9¢ for March, and 23.5¢ for September. Oil Daily had 22.9¢ for January, 24.4¢ for March, and 23.5¢ for September. Platt's Oilgram had 23.5¢ for January, 24.3¢ for March, and 23.5¢ for August.

The surveillance of the program is a continuing one, and this reply should not be regarded as indicating a curtailment of that effort. However, recent price changes have not been such as to support a finding on which a recommendation to the Cabinet officers could be developed.

Sincerely,

G. A. LINCOLN,
Director.

SEPTEMBER 26, 1969.

Mr. G. A. LINCOLN,
Director, Office of Emergency Preparedness,
Executive Office Building Annex, Washington, D.C.

DEAR MR. LINCOLN: Thank you for your response to my inquiry of September 5. I am delighted to learn that the OEP is maintaining surveillance of gasoline prices and that these prices have apparently declined since March 1969. However, your response made no mention of crude oil prices. Since my letter to President Nixon in March 1969 and my letter to you expressly referred to price increases in crude oil, I had expected you to deal with that matter.

It is my understanding that the substantial increases in March have not been rolled back. I therefore request that you provide me with the results of your surveillance of crude oil prices as soon as possible.

Sincerely,

EDWARD M. KENNEDY.

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF EMERGENCY PREPAREDNESS,
Washington, D.C., October 3, 1969.

Hon. EDWARD M. KENNEDY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KENNEDY: This is in response to your letter of September 26, 1969 concerning crude oil. Crude oil prices have not receded significantly from the increased level reached earlier this year. As seen in the attached table, the U.S. Bureau of Labor Statistics Wholesale Price Index (1957–59 equals 100) recorded crude oil in January 1969 at 99.7. Crude oil rose to 104.8 in April, and was 104.5 in August. The second column of the table lists the Wholesale Price Index for all industrial commodities. This indicator was 112.8 in August as compared with 110.9 in January 1969.

Looking at longer time frames, the August 1969 crude oil price index was 7.5 percent above the average for 1960, the first full year of the control program. In that period, the Wholesale Price Index for all industrial commodities increased 11.4 percent. Since 1966 the year before the most recent oil emergency, the crude oil price index increased 7.2 percent, and the price index for all industrial commodities increased 7.7 percent.

The current study by the Cabinet Task Force on Oil Import Control is the first general review of oil import policy undertaken in many years. I anticipate that in the course of this review there will be developed additional material useful to me in the performance of my responsibility for surveillance. Meanwhile, the price trends for gasoline and crude oil have not by themselves made possible an evaluation of their relationship to the national security.

I am mindful that the surveillance responsibility is a continuing one and assure you that it is given careful attention.

Sincerely,

G. A. LINCOLN,
Director.

[Attachment]

WHOLESALE PRICE INDEXES; U.S. BUREAU OF LABOR STATISTICS—CONTINUED

[1957-59=100]

	Crude oil	All industrial commodities
1954	91.0	90.4
1955	91.1	92.4
1956	91.6	96.5
1957	101.0	99.2
1958	101.2	99.5
1959	97.8	101.3
1960	97.2	101.3
1961	97.5	100.8
1962	97.0	100.8
1963	97.3	100.7
1964	96.9	101.2
1965	96.8	102.5
1966	97.5	104.7
1967	98.6	106.3
1968	99.4	109.0
1969—		
January	99.7	110.9
February	99.9	111.4
March	103.7	112.0
April	104.8	112.1
May	104.7	112.2
June	104.5	112.2
July	104.5	112.4
August	104.5	112.8

THE WHITE REACTION

Mr. BYRD of West Virginia. Mr. President, in the third article of a five-part series, the Evening Star of Washington examined the reactions of whites in Los Angeles to the growing demands of black militants. The article, which appeared Wednesday, October 8, states:

> Whites generally believe that separate societies are the way things are—and will be for the foreseeable future.

This article, as the two before it, tells of the deep frustrations felt by America's white majority—a majority which shoulders the heaviest portion of the tax burden, but which now feels alienated from the Government it supports.

Reporter John Mathews, the author of this part of the series, notes that—

> Government has responded to riots with an outpouring of new facilities and services.

He adds that attitudes among the races are nonetheless, "changing for the worse."

I ask unanimous consent that the third article in this series be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE WHITE REACTION

(By John Mathews)

LOS ANGELES.—A year and a half ago, the President's riot commission warned that "our nation is moving toward two societies, one black, one white—separate and unequal." That prediction is rapidly becoming reality here in America's most endless metropolis.

Whether whites are unabashedly racist, passively moderate or liberal, one common belief prevails in this city where the pressure cooker that is urban America first blew its cover four years ago in the Watts riot.

Whites generally believe that separate societies are the way things are—and will be for the foreseeable future.

While the riot commission's warning of a black-white division is well on the way to being realized, Los Angeles has gone even beyond that pessimistic prophecy. The city and the county that take pride in being the most racially heterogeneous area in the 50 states—with the exception of Hawaii—actually encompass more than two societies. Los Angeles exists as well with a separate brown society of Spanish-speaking Americans, a yellow society of Oriental-Americans, and a red society of American Indians, plus many subgroups.

But the black-white breach, like that in other cities, is the cutting edge here. "They live over there and we live over here," was the way a factory worker in the blue-collar suburb of Southgate characterized life in Los Angeles.

"Over there," separated from his community by an industrial buffer zone lining Alameda Street and only a mile away, is the Negro section of Watts. Just south of it is the city of Compton, a community in which blacks are a majority.

Among community leaders and officials anxious to defuse this movement toward irrevocably separate societies, gloomy resignation is the order of the day.

"I don't see integration in my lifetime," said Thomas Bradley, the Negro city councilman who failed to unseat Mayor Sam Yorty last May after a campaign charged with racial issues. "Some whites are open and flexible and willing to meet the change which is coming in this country, but another element is sort of teetering. This is the element that is capable of being frightened. . . . They made the difference in my election."

A veteran worker in the field of race relations, Julius M. Klein, deputy director of the Los Angeles County Commission on Human Relations, thinks that government has responded to riots with an outpouring of new facilities and services into Watts. But attitudes are changing for the worse. "There's been increased polarization: Whites who are opposed are more crystalized in their opposition and minorities are vocal," he said.

That doesn't mean every white Angeleno is fired up by the racial situation. Such an impression would be grossly misleading. In this land of endless summer—and instant winter less than an hour's drive away in the mountains—many people are immersed in their own lives and insulated from the realities of city life. To them, racial issues are faint abstractions.

But the uninvolved and the untouched are the real outsiders here. For the dominant white majority in this booming county of 7.5 million people, race is as immediate and personal as the smog that stings their eyes.

Perhaps the most dramatic sign of change comes from one group, the white liberals. Many of those veterans of nearly forgotten campaigns for fair housing legislation and other instant racial remedies today are attempting to reconcile their principles with the reality of their personal lives.

Where they live and send their children to school is part of that dilemma. West of Watts is such an area.

Across the Harbor Freeway that links the city with San Pedro and the bustling port of Los Angeles, blacks are buying homes in the upper-$20,000 to lower-$30,000 price range. In time, blacks undoubtedly will be the majority there. Already, whites are leaving. Scattered "for sale" signs can be seen imbedded in the thick carpets of carefully edged and trimmed dichondra lawns.

On a quiet street in the Morningside Park section of Inglewood, one white tells about his changing neighborhood. He's a former social studies teacher in his early 30s. For seven years, he's tried to make integration succeed in his community. He hasn't put out his "For Sale" sign yet, but he plans to within the year.

"You know, many of the liberals who agonized the most were among the first to leave. We've lived here much longer than most people our age do and we would move in any case. But frankly, I have no intention of living in a black ghetto.

"What has happened here is that desegregation took place, but integration didn't. But why should we be able to accomplish something no one else in any other area of the country has been able to accomplish?"

A young liberal, who is now getting his doctorate in political science and is launching a new firm with friends to provide expertise on urban problems—including integration—has two children in the neighborhood elementary school—now more than 70 percent Negro. "The school is fine," he says. "My daughter won the citywide spelling bee and the runner-up was a Negro boy also from her school." But, he adds, the situation in the junior and senior high schools is different.

"The black kids come from awful substandard schools and then are lumped together. (The city school board turned down a plan recently to eliminate de facto segregated secondary schools.) The teachers don't know how to react. The white kids feel the black kids are favored and the black kids feel they are discriminated against—and they are both probably right."

Leafing through his files to find documents detailing the yearly changes in his community, he reflects on one aspect of the early stages of integration that is peculiarly the liberal's dilemma.

Many black children have had an inferior education or don't get the extra educational support at home that many white children profit from, he says.

The result: "My kids are getting a good education, but the social experience is a mixed bag. If the experience of the white child is constantly that he is superior, he gets an inflated sense of his own superiority and a distorted view of what Negro children are like. There's a small elite development at Judy's school and unfortunately it's disproportionately white."

Back up the freeway in his downtown office, a liberal lawyer, who has moved from his Monterey Park section where Japanese and Chinese-Americans are the incoming minority, supplies a common local definition for racial integration: "Integration is the time between the first Negro moving in the neighborhood and the last white moving out."

"It's terrible," he says. "Whites are going to keep on running and they are not going to let themselves be taxed to support the Negro population explosion. They won't even support the white population explosion." He gives as his reason for moving out of Monterey Park the rejection of a school bond issue, engineered mainly by older and retired whites within the community.

In a flight of legalistic fancy, he says, "The only way to integrate may be a law that no block or any city can have more than a certain percentage of a minority. That may sound unconstitutional, but if you want integration, then you have to make it constitutional."

Like many liberals immune from direct personal contact with the problems of racial integration, the lawyer is searching for involvement in what he considers meaningful social causes.

"The reason liberals hated Lyndon Johnson was that he took away all their old causes, like civil rights acts, federal school aid, medicare. We fought for fair housing, got it, then lost it here in California, but on a national basis it's established. I'm working on public transportation now. I did a study and even got a certificate of appreciation from Mayor Yorty" (which he takes off the wall to show the visitor).

As liberals learn to live with their dilemmas, other whites also look warily at the outward movement of blacks from Watts and Compton and of Spanish-Americans from the barrios of East Los Angeles.

Most whites are able to retreat from a transitional area and to regroup in another insulated white suburb. In Inglewood again, an angry white woman in a Spanish-style stucco house typifies the panic aspect of white flight.

Moments after answering her door chimes, she launches into a string of racial epithets and stereotypes about her new neighbors, punctuating her narrative with "they . . . they . . . they . . ."

"It begun in 1962 when they began moving in," she says. "This was a beautiful neighborhood. We worked like dogs to get good schools and you should see them now. All the good teachers are leaving. The principal quit last year . . .

"We never had racism here. Why Watts started I'll never know . . . I've been broken into four times since that riot. My car was stolen and they used it in a robbery. On July 6, they broke in through my kitchen—walked right over the begonias—took my TV and all my jewelry. I'm scared they'll start drilling a hole and come through the roof."

She ends the conversation. "You bet I'm selling and I'm moving to any place where it's all white, like Glendale," a suburb in the hills north of the city.

Ironically, the white exodus serves as something of a racial safety valve preventing drawn-out tensions. But there are whites with limited incomes and younger families where the breadwinner is just beginning the tortuous seniority ladder who are not as mobile. Here lies the potential for volatile racial friction. Jesse Unruh, the state's leading Democrat and likely challenger next November to the state's conservative Republican Gov. Ronald Reagan, described the situation of the blue-collar white this way:

"The white majority is all over the lot. I don't think it's just racism, but the people feel threatened in many ways . . . People feel the tax bite, particularly the guy on the periphery of the ghetto, who can't sell his house and sees the schools deteriorate.

"This guy sees his tax money taken, then turns on the TV set and there's a black militant with a beard leading a campus riot or people throwing bricks through windows.

"He's really got something to be scared about, because he just made it himself. He's got two kids, probably two jobs. His wife works too and every time taxes go up, he feels it. Medicaid doesn't benefit him because he's just above the poverty level, and that's true of other government programs.

"Then he hears, what I like to call the 'hilltop liberals' tell him he should be tolerant and understanding and be willing to give more of his taxes to take care of minority problems."

Lower-income whites do feel an economic squeeze here, but the economy, compared to other industrial cities, is one of abundance and plentiful employment. Blue-collar whites see many more black, brown and yellow faces now on their production lines, but they do not yet feel their jobs are threatened by quota systems or militant campaigns to increase minority workers.

In fact, if there is one positive aspect to be found in the racial situation here, it is a general acknowledgement, cutting across class lines that minorities in the past have been discriminated against in the job market. Now, they should be given a fair shake—to a point.

An engineer approaching retirement, who worries about street crimes and housebreaks in his West Inglewood neighborhood, actually defended riots when asked about minority employment. "It's unfortunate we had to have lots of riots, like the one in Watts, to make people wake up. I think they've had a positive effect, because they've awakened the general public and lawmakers that if a colored person is qualified, he should get a job."

But in another breath he makes clear that equal employment opportunity can be pushed too far. "What gets me is that every time you turn around, you've got to hire colored. My office had four colored secretaries and only one was any good. When it came to firing them, like you do the white girls, they cried prejudice, discrimination."

Other whites in other areas, only a short freeway ride from the central city, are not so aroused. The farther removed from the Negro, the less the racial antagonism—or even concern—over social issues.

About 15 miles from downtown Los Angeles, up in the rough, scrubby foothills of the Verdugo Mountains where the smog days are few and far between and the houses in the community of Glendale perch precariously over the ridges, a young mother in her mid-30s mows her lawn. She is the classic California beauty with her sunbleached hair and her aggressively healthy, athletic figure.

"I really live for my family and my house," she says. "I worked for 20 years and now I'm retired from that world." Questions about race relations and social problems are gently turned away with talk of coyotes, rattlers, raccoons and 12 varieties of hummingbirds that inhabit her hillside retreat. When she is asked for whom she voted in the presidential election, she pauses and replies, 'Which election do you mean?"

To the east in the lush suburb of San Marino, a pleasant woman who lives in an opulent house of sleek modern design with a facade that stretches at least 100 feet on a quietly elegant street, has definite opinions. "The colored people," she says, "are very grateful for the opportunities they have been given in the last few years. We all know they were denied opportunities in the past. I'm perfectly willing to give them a fair shake. . . . I've never discriminated against help in my house. It's just these subversives who are creating discrimination. It really doesn't exist."

Asked her opinion of the state of relations between the races, she answers: "I have this friend who was in the knit shop with me the other day. Her chauffeur drove her down, a really lovely, lovely chauffeur . . . and she said something like, Darling John will be back to get me. It was beautiful, this type of rapport."

A neighbor on a nearby street, where the $100,000-and-up houses are surrounded by handsome live oaks, magnolia, palm trees and varieties of tropical and semi-tropical plants, has a somewhat more realistic view of the world. She speaks of race and other issues that agitate whites, regardless of income groups—issues like campus unrest, the generational conflict and taxes.

"The generation gap only exists because all those professors are telling children that their parents are squares, a bunch of jerks," she says. "You know, we have drugs right here in San Marino High School. If I had a child now, I'd be scared to let him go to school, any school."

She regards the tax system and inflation as great levelers, insidious instruments designed to eliminate class distinctions. "What's going to happen to all these beautiful homes? We were able to accumulate money over the years to get all of this, but how are the young people going to be able to do it?" she asks.

"My husband works like a dog just to pay his taxes and I can't get anyone to work for me for less than $25 a day," she continues. "I'd say only one half of 1 percent of the people around here have live-in help and most women do their own house cleaning, even washing all those windows."

A thoughtful lawyer downtown has a more global view of the malaise afflicting his neighbors up in the hills. "It's not just the black revolution my generation is scared to death about," he says. "But, it's the youth revolution, the sex revolution, the woman revolution. It's a revolution taking place in the relationships between people."

For him, the conflict between generations gets down to basic goals. "My generation wanted security; we were the depression babies. This generation, because they have the pill and affluence, want freedom."

What the new generation of whites does with that freedom is not yet known. Its predecessors have exercised their freedom as a freedom of choice: the right to live in separate societies of their own choosing.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

INTEREST EQUALIZATION TAX EXTENSION ACT OF 1969

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the unfinished business.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 12829) to provide an extension of the interest equalization tax, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

PRIVILEGE OF THE FLOOR

Mr. DODD. Mr. President, I ask unanimous consent that Mr. William Mooney, a member of our staff, be granted the privilege of the floor during the debate on this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNETT. Mr. President, as the chief sponsor of S. 2718, I appreciate this opportunity to explain the amendment to H.R. 12829, dealing with ammunition recordkeeping. It may interest my colleagues to know that I do not own a firearm and, in fact, have not fired one in more than 30 years. I am not a member of the National Rifle Association or any other group which may have a special interest in this legislation. I am, however, interested in justice for America's law-abiding sportsmen.

My amendment is sponsored by 47 Senators, and reflects, I think, a nationwide feeling that, in 1968, Congress enacted an unnecessary and unworkable provision dealing with sporting ammunition.

I am sure the opponents of the bill will point out that the Senate has already considered and defeated similar, although not identical, legislation last year. It will be argued that hearings have not been held on my bill and that the Judiciary Committee, which had jurisdiction last year, has not been involved.

In September 1968, the Senate did reject by a 41-to-36 vote a Judiciary Committee amendment to redefine ammunition in the 1968 Gun Control Act to exclude shotgun, rifle, and .22-caliber rimfire ammunition. This, however, is a new Congress, and Treasury has administered this part of the 1968 Gun Control Act for almost a year. I should point out further that there are several new Senators in this body who may have differing views on this issue. Finally, I wish to emphasize the fact that eight Senators who last year voted against the committee amendment have decided to cosponsor my bill this year. In other words, if the same Senate lineup existed today as we had on September 16, 1968, the vote would be 44 to 33 in favor of the amendment, a fact which I think reflects a realization that the present law has been proved unworkable and that it should be changed.

Extensive hearings were held last year on the gun control legislation. I think the Senate knows what the issues are, and I see no need at this time for additional hearings on a subject which every Senator understands.

I submit, Mr. President, that the ammunition registration provisions of the 1968 gun control law do not work. Let me explain why.

Under the law, recordkeeping on ammunition requires that a dealer record the following information: The date, manufacturer, caliber, gage or type of component, quantity, name, address, date of birth, driver's license, or other means of identification. In other words, there are eight or nine separate pieces of information which a sportsman must give if he is to buy a box of shotgun shells or other sporting ammunition.

The dealer who must retain this information for 2 years is not required to pass it on to the Federal Government. He must hold it for examination by Federal agents, although, I am told, nothing is really accomplished by examining the dealer's ammunition record. I can understand this. I have seen the form. The dealer uses a bound book with a series of lines on each page; and as his customers come in, they fill out their personal information on the first blank line. So there is no opportunity to rearrange the information alphabetically or any other way; and if anybody really started out to try to locate the particular purchase of ammunition, he would have a real job on his hands.

Let us now examine for a moment the futility of ammunition registration requirements. A firearm has a number. It can be checked and traced from the manufacturer through the retailer to the initial purchaser. The Treasury Department has indicated that the firearms provisions in the 1968 act have been helpful. On the other hand, an ammunition cartridge has no serial number and cannot be traced in the same way a firearm can. Perhaps we could put serial numbers on ammunition. Maybe we should. If such a serial number were to be put on every piece of ammunition, certainly it could not survive the firing, and therefore checking back would be impossible. However, even if we could, we would soon run out of workable numbers, since this Nation produced almost 6 billion rounds of civilian-type ammunition last year, and I am not including the ammunition used for military purposes. It would take several thousand more employees in the Alcohol, Tobacco, and Firearms Division of IRS to go through these records and check the registration against the records before the dealers store them away.

The matter is further complicated, and I think Congress failed to appreciate this fact last year, when we consider that on the average 300,000 separate ammunition transactions take place each day in the United States. This represents some 109,500,000 transactions annually on sales of 5.9 billion rounds to be recorded by the Nation's 143,903 licensed dealers. Assuming that each transaction takes about 2 minutes, this represents approximately 365,000 man-hours, or 15,208 man-days expended by ammunition dealers annually in serving their customers in an exercise of futility. Related to this is the fact that these records are almost never reviewed by the Treasury Department. When we consider that we require these 365,000 man-hours at a time when the Treasury Department, as outlined in a letter from Secretary Kennedy to me last week, "knows of no instance where any of the recordkeeping provisions relating to sporting type ammunition has been helpful to law enforcement," we are engaged in nothing less than harassment of sportsmen and bureaucratic boondoggle.

I ask unanimous consent that two letters from Secretary Kennedy favoring my bill be printed in full at this point in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

THE SECRETARY OF THE TREASURY,
Washington, D.C.

Hon. WALLACE BENNETT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BENNETT: This is in response to your request for the views of the Treasury Department on the enactment of the ammunition records amendment to H.R. 12829. The amendment was made by the Finance Committee and includes the text of S. 2718. The latter bill would modify the recordkeeping requirements now imposed by Chapter 44 of Title 18, United States Code, for sporting type ammunition. This would be done by amending section 4182 of the Internal Revenue Code.

The Department has found that the records required of transactions in sporting type ammunition, *i.e.*, shotgun, rifle and .22 caliber rimfire ammunition, is of little value in law enforcement.

Indeed, the Department knows of no instance where any of the recordkeeping provisions relating to sporting type ammunition has been helpful in law enforcement.

In short, the recordkeeping controls are not effective as a law enforcement tool. They do, however, because of the volume of transactions in sporting ammunition tend to generate criticism from sportsmen and others and detract from the effective enforcement of other provisions of the firearms laws.

You should note that the amendment discussed here does not affect the recordkeeping requirements concerning pistol and revolver ammunition nor does the amendment affect the existing controls over interstate shipment and sales by licensees to prohibited persons.

The Department recommends the enactment of the amendment to H.R. 12829 which would eliminate the recordkeeping requirements of certain sporting type ammunition.

With best wishes,
Sincerely yours ,
DAVID M. KENNEDY.

THE SECRETARY OF THE TREASURY,
Washington, October 2, 1969.

Hon. WALLACE BENNETT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BENNETT: In my letter to you of September 26, 1969, recommending the enactment of the amendment to H.R. 12829, I set forth the reasons therefor, and noted in passing that the amendment discussed does not affect the recordkeeping requirements concerning pistol and revolver ammunition.

I have been advised that the aforesaid observation is not entirely accurate. An exception has been called to my attention in that one of the types of ammunition proposed to be excluded from the recordkeeping requirement, .22 caliber rimfire, is usable in handguns as well as shoulder arms. Although my letter to you of September 26 should be read with this clarification in mind, the position of the Department on the amendment to H.R. 12829 remains the same, for the reasons stated therein.

With best wishes,
Sincerely yours,
DAVID M. KENNEDY.

Mr. BENNETT. Mr. President, once shells have been purchased, they lose their identity; and the only thing that registration does by way of identification is to show that someone has purchased ammunition.

The Treasury Department took this position in 1963, when Mr. John W. Coggins, Chief Counsel stated:

> It has been found impractical to effectively administer the provisions of this Federal Firearms Act relating to ammunition.

On another occasion, the General Counsel of the Treasury Department said:

> Ammunition is not serially numbered and is very hard to identify. Those provisions make it impractical to administer. Further, we know of no instance where any of those provisions have been helpful in controlling the interstate flow of firearms or in law enforcement.

These quotes appeared in last year's debate in the CONGRESSIONAL RECORD, volume 114, part 20, page 26894.

The present Secretary of Treasury has taken the same position. In the letter sent to me last week he said:

> The Department has found that the records required of transactions in sporting type ammunition, *i.e.*, shotgun, rifle, and .22 caliber rimfire ammunition, is of little value in law enforcement.
>
> Indeed, the Department knows of no instance where any of the recordkeeping provisions relating to sporting type ammunition has been helpful in law enforcement.
>
> In short, the recordkeeping controls are not effective as a law enforcement tool. They do, however, because of the volume of transactions in sporting ammunition, tend to generate criticism from sportsmen and others and detract from the effective enforcement of other provisions of the firearms laws.

The Justice Department took a similar position on July 24, 1969, when Associate Deputy Attorney General Donald E. Santarelli appeared before the Juvenile Delinquency Subcommittee. I quote from his statement:

> Another aspect of the Gun Control Act of 1968 that has raised substantial problems relates to recordkeeping. As the representatives from the Treasury Department indicated, there is substantial reaction to the requirements in the 1968 Act for detailed recordation of all transactions involving sporting ammunition. Licensees, especially small dealers who lack clerical personnel, object to the burden imposed on them by the recordkeeping requirements. Sportsmen and shooters object to the burden and annoyance of providing required information and identification and filling out the forms. It is further argued that such recordation is meaningless to law enforcement since sporting ammunition is fungible and, thus, not easily identified. Furthermore, the hundreds of thousands of daily transactions in sporting ammunition create a volume of records almost impossible to deal with.
>
> Careful consideration should be given to this subject in view of the widespread dissatisfaction with its implementation and the questionable effectiveness of its enforcement.

Mr. Randolph W. Thrower, the present Commissioner of the Internal Revenue, had this to say:

> With regard to ammunition transactions, it is only fair to report to the Subcommittee that we are not able to process or check individual ammunition sales records in any meaningful way, particularly in view of the multitude of sales in only sporting ammunition. Whatever manpower would be required to provide adequate checking and policing of this information would, in our view, be better utilized in enforcing the other more critical provisions of the gun laws.
>
> While we do not question the value of prohibitions on sales of ammunition to proscribed persons, we have serious question as to the contribution to enforcement made by keeping records on sales of sporting ammunition, *i.e.*, ammunition for shotguns, ammunition for use only in rifles, and .22 caliber rimfire ammunition.

I would also like to set the record straight regarding the testimony of Assistant Secretary of the Treasury Eugene T. Rossides before the Juvenile Delinquency Subcommittee last July. The Senator from Connecticut seems to have taken the position that Treasury has changed its position based upon Mr. Rossides' testimony that before changes are made in the 1968 Gun Control Act, we should allow it to operate. I have talked to Mr. Rossides about this, and he has assured me that his testimony referred only to legislative proposals that would impose licensing and registration upon all Americans who own a firearm. In his testimony, he clearly pointed out that Commissioner Thrower of IRS would comment on the actual enforcement provisions. As I noted above, Mr. Thrower indicated, on the same day, that the registration provisions on sporting ammunition do not work and should be changed.

Mr. Rossides fully supports this proposal, and the IRS position was fully coordinated at the Treasury Department. To claim that Treasury has switched its position is an incorrect and very misleading assertion. I would like to point out that from 1963 to this day, Treasury has been consistent in its position that ammunition registration is unworkable. I believe if any Senator doubts this, he should read Mr. Rossides' testimony in full.

It is very clear, Mr. President, that those who are now required to administer the law are convinced that recordkeeping on sporting ammunition is of no value and has been of no assistance in the fight against crime. I think Congress should admit this fact and reduce this burden on our legitimate sportsmen.

The legitimate gunowner is harassed; he is inconvenienced; and I assure you, Mr. President, he is unhappy. I have thousands of letters and signatures on petitions in my office, as I am sure other Senators do, from legitimate sportsmen who demand that these provisions be eliminated.

They should also be changed because the end result is a clear example of bureaucratic usurpation of congressional authority—the end result being a type of backdoor gun registration. In section 922(b)5 of the 1968 Gun Control Act, the Treasury Department is required to record the name, address, and age of persons purchasing all types of ammunition. Under section 923(g), the Treasury Secretary was charged with drawing up the regulations. It is my belief, Mr. President, that Congress, in the first section, dictated the information that was to be required. However, in 1968, under the previous administration, the regulations were vastly expanded.

Consequently, a citizen purchasing rifle, shotgun, or .22-caliber rimfire ammunition is now required to give not only his name, age, and address, but his driver's license number, the quantity of ammunition purchased, the caliber or gage of his firearm, or type of component part, and other identification if necessary. When a man gives his name, his age, his address, and the caliber or gage of his firearm to a dealer who must make that available to Federal agents upon request, that, in my opinion, is a type of backdoor registration, and Congress soundly voted down firearms registration last year.

Mr. President, this amendment was originally attached to the interest equalization tax bill so that it could receive consideration prior to the fall hunting season, which is now upon us.

The IET bill, as it has become known, expired on September 30. During this time, the Treasury has managed to obtain voluntary withholding and cooperation from the securities, banks, and others involved in the interest equalization tax.

However, we are now moving into the second week without an interest equalization tax law and great concern is growing in the Treasury and among the financial community. It will not take much to break the egg that is now a volunteer tax, and then it could become a very difficult, multi-million-dollar problem putting it together again.

Just yesterday a gentleman visited my office. He had acted in good faith on the assumption that the tax would be renewed. They have been negotiating a contract for the borrowing of a substantial amount of money abroad. In their prospectus they indicated they would have the interest equalization tax. They are going to find themselves in violation of the law if this tax is not passed before their loan is finally completed; and in self-defense they may have to drop the loan. Of course, I do not want to be responsible for that.

Under these circumstances and after a visit home to discuss the problem with sportsmen and with wholesale and retail dealers in ammunition, I am persuaded that in order to get any bill out at all it is necessary at this time to extract from it all reference to .22-caliber rimfire ammunition from the bill.

This should eliminate most of the emotional opposition and, at the same time, take care of the most serious problem of shotgun and rifle ammunition registration, the purchases of which tend to pile up at the beginning of each hunting season, and create minor crises in the stores of dealers who are trying to serve sportsmen.

I was assured by the distinguished majority leader (Mr. MANSFIELD) that if the change were made, the bill would be brought up just as soon as feasible, and that is just what happened.

Mr. President, I still believe that the registration should also be removed from .22-caliber ammunition and to that end, I may offer another amendment when another House-passed bill comes along. If the Senate will act now on this abbreviated bill, I think we will relieve the pressure on the interest equalization problem and also relieve the greatest burden from the dealers and the sportsmen; and I am sure this new relief will be most welcome if they can get it now.

Mr. President, the modified amendment, eliminating any reference to .22-caliber ammunition, does not change the recordkeeping provisions on all other handgun ammunition and on destructive devices. In other words, a person who seeks to purchase a box of shells for a .22, .25, .32, .38, or .45 caliber pistol must comply with the provisions in the law and the regulations. The other prohibitions in the 1968 gun law dealing with the sale of ammunition to minors, felons, and persons mentally incompetent are not changed by this amendment.

We are simply removing an unworkable, unnecessary harassment upon the sportsmen of America; and while I will be very pleased if the amendment passes, I wish to point out that the real winners today will be those many Americans who abuse their constitutional right to own a firearm.

Mr. DOLE. Mr. President, will the Senator from Utah yield?

Mr. BENNETT. I am happy to yield to the Senator from Kansas.

Mr. DOLE. Mr. President, let me express my appreciation for the efforts of the Senator from Utah in taking the lead in what I consider to be a very important matter. Certainly, as he pointed out, registration of .22-caliber ammunition, as well as other kinds of shotgun ammunition, serves no useful purpose. It is a method of harassment. I certainly join in supporting the Senator's present efforts and hope that we can take care of the other, with reference to the .22-caliber ammunition, later on.

Coming from the State of Kansas—it is probably true in every other State in the Nation—we found that those engaged in the sale of ammunition are literally covered up with bookwork and keeping records—something we never realized would happen.

I had not heard the statement until today, but I agree, this is, in effect, back door gun registration.

Mr. President, I urge my colleagues to approve the provision of the tax equalization bill which would remove the irritating and unncessary registration for sporting ammunition.

Registration entangles millions of dealers and sportsmen in a web of redtape for no sufficient reason. The treasury department acknowledges that such regulation serves no valuable end in law enforcement. Its chief effect is to waste the time and try the patience of America's gun sportsmen and the dealers who supply them. Registration of rifle and shotgun ammunition does not restrict the Mafia and the gangs. It merely places an unnecessary burden on many highly responsible and public-spirited citizens.

I was pleased to join with Senator BENNETT in sponsoring this measure when it was introduced as a separate piece of legislation, and I reiterate my support at this time.

Mr. BENNETT. I thank the Senator from Kansas very much for his kind comments.

Mr. MANSFIELD. Mr. President, I have listened with interest to the speech just made by the distinguished Senator from Utah (Mr. BENNETT). I think that he has stated the case candidly, frankly, and honestly. Perhaps it should be made clear that it was in the interest of positive action with the least possible obstruction, and with consideration for the vitally needed interest equalization tax measure, that .22-caliber rimfire ammunition was removed by Senator BENNETT from the amendment as it was reported from the committee.

In its present form, Mr. President, the gun-law amendment added to this measure will remove what the vast majority of my constituents and I consider an unnecessary burden on the law-abiding gunowner—on the hunters and sportsmen, on those whose use of a weapon is accompanied largely by proper training and a great measure of responsibility.

I wish at this time to offer my sincere commendation to the distinguished senior Senator from Utah (Mr. BENNETT). May I say that he responded with quick dispatch to correct what is considered a raw abuse of agency authority in administering the Gun Control Act of 1968. On February 4 of this year he introduced S. 845 charging that, contrary to the intentions of Congress, registration of ammunition was being compelled by regulation under the 1968 gun law. Registration, I might add, is precisely what the Congress expressly voted down on its merits. I joined as a cosponsor of S. 845 and, on February 17, expressed here in the Chamber my concern for such action by an agency that had no such authority.

For the most part, I agree with gun legislation; I agree especially in its stated objective: to assist Federal, State, and local law-enforcement agencies in their fight against crime and violence. At the same time, I do object when a Federal agency—when any Federal agency—misinterprets or misconstrues the law in the name of enforcement. That is why I joined as a cosponsor of S. 845 in the first place. In doing so, I sought to strike down regulations that, in my opinion, fall squarely beyond any authority granted by Congress under the law. As I said, Congress voted down registration; and registration, in my opinion, is precisely what the Treasury regulations call for.

Getting down to specifics, under section 922(b)(5) of the law, the gun dealer is required to record the name, age, and address of the buyer of ammunition. That is all that is required. Nothing more. Yet the regulations issued by the Secretary of the Treasury in my judgment go considerably beyond the Gun Control Act and, for that matter, the specific intent of Congress. They call for the following: First, date; second, manufacturer; third, caliber, gage, or type of component; fourth, quantity; fifth, name; sixth, address; seventh, date of birth; eighth, mode of identification, driver's license, and so forth.

It hardly needs saying that these requirements set forth on an extensive form go well beyond the "name, age, and address" of the law and cover a good deal more territory.

What is also clear is that insofar as these regulations affect ammunition and components used in rifles and shotguns, the burden imposed on the law-abiding gun owner is nothing short of onerous. In Montana, for example, the use of a shotgun of rifle by the criminal and unfit is a rarity indeed. I imagine that that is the story across most of the land.

What has resulted from the application of these ammunition regulations against rifles and shotguns has largely been counterproductive. Hunters and sportsmen have been compelled to wait inordinately long periods of time at great inconvenience. In turn, the agency involved has been compelled to process an overabundance of paperwork—which is in the vicinity of something like 300,000 pieces of paperwork every day of the year—devoting long man-hours to a task that no one can say for sure has been of any assistance whatsoever in the fight against crime and violence. By adopting this amendment to the gun law we will provide for its more efficient administration. By adopting this amendment the hunter and sportsman will be relieved of an onerous burden. By adopting this amendment, the gun law of 1968, its implementation and administration, will be vastly improved.

Senator **Bennett** is to be commended for his foresight and legislative skill, and especially for his diligence in attempting to correct a feature of the gun law that I think needs correcting.

Mr. President, I ask unanimous consent that certain past statements of mine on this and other features of gun legislation be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the Congressional Record, Feb. 4, 1969]

S. 849—INTRODUCTION OF BILL—GUNS AND CRIMINALS

Mr. Mansfield. Mr. President, like so many others, I am alarmed with the increasing use of firearms by criminals in our society; I am appalled by the criminal's quick resort to a gun when deciding to commit his insidious acts. In this respect, the Congress saw fit last fall to make it more difficult for the lawless and untrained to obtain weapons. It is my belief that in its implementation this law—the Gun Control Act of 1968—will serve more effectively as time passes to cut down on the inordinate flow of firearms into the hands of the criminal and the incompetent, the drug addict, and the alcoholic. For the present, however, the ease with which any element of our society has been able to obtain weapons precludes the dramatic effects this legislation can expect to bring in the future.

But there remains another approach to curtailing gun crimes—an approach that says to the criminal in terms that are clear and simple that the use of a gun will be met with punishment that fits such an act of violence. This approach is contained in an amendment to the Gun Control Act of 1968 which would provide a mandatory additional prison sentence for criminals who choose to resort to firearms.

For a first offender the penalty would be 1 to 10 years in prison. For a subsequent offense—25 years. This proposal varies from the present law in two major respects. Under no circumstances can the sentence imposed against the criminal gun user be suspended or assessed concurrently with the sentence applied for the commission of the crime. In other words, the criminal will be compelled to serve additional time in prison solely for deciding to use a firearm. Second, under the provisions of this proposal, a subsequent offender will be compelled to serve 25 years to for his choosing to use a gun. It seems to me no leeway or discretion is needed in the case of a criminal gun user who employs this weapon of violence a second time.

I agree that in providing mandatory sentences on the congressional level, questions will be raised. But just as the ease of gun accessibility by the lawless reached national proportions justifying congressional action with the 1968 gun law so does the penalty for the criminal use of guns warrant equally close attention and careful consideration by the Congress. To put it frankly, gun crimes have become a national disgrace.

It is in this light that I offer this proposal for a mandatory prison sentence against perpetrators of violent gun crimes. It will serve, I hope, as a focal point. For ultimately it is up to the criminal. In the first instance, it is he who decides to resort to a gun. If he finds the penalty so severe as to deter its use, only then can society be protected from the violence it produces.

AMENDMENT OF GUN CONTROL ACT OF 1968

Mr. President, I introduce, for appropriate reference, a bill to amend the Gun Control Act of 1968 and ask unanimous consent that its text be printed in the Record.

The **Vice President**. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 849) to strengthen the penalty provisions of the Gun Control Act of 1968, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S. 849

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (c) of section 924 of title 18, United States Code, is amended to read as follows:

"(a) Whoever—

"(1) uses a firearm to commit any felony which may be prosecuted in a court of the United States, or

"(2) carries a firearm unlawfully during the commission of any felony which may be prosecuted in a court of the United States, 'shall, in addition to the punishment provided for the commission of such felony, be sentenced to a term of imprisonment for not less than one year nor more than 10 years.' In the case of his second or subsequent conviction under this subsection, such person shall be sentenced to a term of imprisonment for not less than 25 years and, notwithstanding any other provision of law, the court shall not suspend the sentence of such person or give him a probationary sentence nor shall the term of imprisonment imposed under this subsection run concurrently with any term of imprisonment imposed for the commission of such felony."

GUN CONTROL LEGISLATION—ADDITIONAL COSPONSORS OF BILL

Mr. Mansfield. Mr. President, on February 4, the distinguished senior Senator from Utah (Mr. **Bennett**) introduced S. 845. It seems to me to indicate that registration by another name is being required by a regulation of the Internal Revenue Service. This regulation covers ammunition for pistols, rifles, shotguns and some components, including primers, propellent powders, cartridge cases, and bullets.

Under sections 992(b)(5) and 923(g) the dealer is required to record the name, age, and address of the buyer of firearms or ammunition, while section 923(g) authorizes the Secretary of the Treasury to issue regulations relative to record keeping by dealers. The regulations issued by the Secretary of the Treasury call for far more than sections 922 and 923 require and, in my judgment, go considerably beyond the intent of Congress in passing the Gun Control Act of 1968.

For example, the regulations issued by the Secretary of the Treasury call for the following: Date; manufacturer; caliber, gage, or type of component; quantity; name; address; date of birth; and mode of identification, driver's license, and so forth.

It seems to me that this goes far beyond "the name, age, and address" of the law and covers a good deal more territory which, in effect, amounts to registration.

If there is to be registration, let it be in the open and on the table, and let everyone be aware of it. Congress, in my opinion, opposed registration under the Gun Control Act of 1968, and this regulation, in my judgment, would go far beyond what Congress intended.

This is back-door registration and should be corrected. In my judgment, it is necessary to correct an unnecessary burden and a deceptive form of registration and to bring the regulations in line with the intent of Congress at the time the bill was passed.

I ask unanimous consent that I be registered as a cosponsor of Senator **Bennett**'s bill, S. 845.

The **Vice President**. Without objection, it is so ordered.

Mr. Byrd of West Virginia. Mr. President, will the Senator yield?

Mr. Mansfield. I yield.

Mr. Byrd of West Virginia. Mr. President, I ask unanimous consent that my name also be added as a cosponsor.

The **Vice President**. Without objection, it is so ordered.

TESTIMONY BEFORE THE JUVENILE DELINQUENCY SUBCOMMITTEE OF JUDICIARY COMMITTEE, STATEMENT OF SENATOR MIKE MANSFIELD, DEMOCRAT OF MONTANA, JULY 23, 1969

Let me first thank you for your invitation, Mr. Chairman. I appreciate having this opportunity to testify at the beginning of this series of hearings on firearms legislation and especially on my bill, S. 849.

The gun law thus far has asked a sacrifice on the part of the law-abiding gun owner in return for what hopefully will be a measure of control over the inordinate flow of weapons into the hands of the lawless and untrained, the addict, the incompetent and the criminal. Providing such legislation at the Federal level has provoked numerous questions and the debate still rages on.

What is clear so far is that the burden imposed by the present law on the law-abiding gun owner has not been distributed equally. We in Montana, for example, seldom experience the use of guns by the criminal and unfit. At the same time we Montanans pride ourselves in the responsible use of weapons for sport and even for self-defense. Unfortunately, that is not the case elsewhere in the land. Our large metropolitan centers have been wracked by crime and violence perpetrated by hoodlums having no notion of the responsible use of weapons. Yet we in Montana are asked to bear the full measure of the burden of gun legislation. What we stand to benefit from its hoped-for objective—a reduction in gun crime—is greatly disproportionate when viewed solely within the geographical confines of Montana. Nevertheless, may I say that in Montana the sacrifice asked by this law has been made. It has been made by Montanans though to some the whole notion of gun legislation may be repugnant. It has been made simply because Congress recognized that the ease with which guns are made available to the lawless has become not only a state and local problem, but a national problem as well.

And just as Congress recognized that the ease of gun accessibility by the lawless has reached national proportions justifying Congressional action, so does the penalty for the criminal use of guns warrant equally close attention by the Congress. And that is just what my bill, S. 849, aims to do.

Gun crime is a national disgrace. And with this bill I offer another approach to curtailing the gun crime rate—an approach that says to the criminal in terms that are clear and simple that his resort to a gun will be met automatically with punishment that fits such an act of violence. In contrast to the present gun law, no burden is imposed on the law-abiding gun owner. No sacrifice is asked. The burden falls squarely where it belongs—on the criminal and the lawless; on those who roam the streets, gun in hand, ready and willing to perpetrate their acts of violence.

I am no expert in crime control. I am not even a lawyer. But I know there is something wrong when the FBI tells us that while our gun crime rate continues to spiral upward, our prison population shrinks proportionately. I hope this trend is reversed. I would think an assured prison sentence for criminals who choose to resort to firearms would help establish such a reversal or at least stem the tide. That is the purpose of my bill.

Under its provisions, for a first offender the penalty would be 1 to 10 years in prison; for a subsequent offense—a mandatory 25 years. The proposal varies from present Federal law in two major respects. Under no circumstances can the sentence for using a firearm be suspended or assessed concurrently with the sentence for the commission of the crime itself. The criminal gun user will be sentenced solely for his choice to use a gun. Moreover, the subsequent offender will be compelled to serve 25 years for making such a choice. In this regard, it just seems to me that no leeway or discretion is necessary when it is found that a criminal has chosen a second time to use a firearm lawlessly.

I would add that for the most part I agree with gun legislation; especially in its stated objective; to assist Federal, State and local law enforcement agencies in their fight against crime and violence. At the same time I do object when a Federal agency—when any Federal agency—misinterprets or misconstrues the law in the name of enforcement. That is why I joined as a co-sponsor of the bill, S. 845, offered by the distinguished Senator from Utah, Mr. Bennett, to strike down the ammunition regulations issued by the Secretary of the Treasury pursuant to the Gun Control Act of 1968. In my opinion those regulations fall squarely beyond any authority granted by Congress under the law. Indeed, Congress voted down registration; and registration, in my opinion, is precisely what the Treasury regulations call for.

On February 4, the distinguished senior Senator from Utah (Mr. Bennett) introduced S. 845. It seems to me to indicate that registration by another name is being required by a regulation of the Internal Revenue Service. This regulation covers ammunition for pistols, rifles, shotguns and some components, including primers, propellent powders, cartridge cases, and bullets.

Under sections 992(b)(5) and 923(g) the dealer is required to record the name, age, and address of the buyer of firearms or ammunition, while section 923(g) authorizes the Secretary of the Treasury to issue regulations relative to record keeping by dealers. The regulations issued by the Secretary of the Treasury call for far more than sections 922 and 923 require and, in my judgment, go considerably beyond the intent of Congress in passing the Gun Control Act of 1968.

For example, the regulations issued by the Secretary of the Treasury call for the following: Date; manufacturer; caliber, gage, or type of component; quantity; name; address; date of birth; and mode of identification, driver's license, and so forth.

It seems to me that this goes far beyond "the name, age, and address" of the law and covers a good deal more territory which, in effect, amounts to registration.

If there is to be registration, let it be in the open and on the table, and let everyone be aware of it. Congress, in my opinion, opposed registration under the Gun Control Act of 1968, and this regulation, in my judgment, would go far beyond what Congress intended.

This is back-door registration and should be corrected. In my judgment, it is necessary to correct an unnecessary burden and a deceptive form of registration and to bring the regulations in line with the intent of Congress at the time the bill was passed.

With that said, let me again reiterate that I think the objectives sought by the 1968 law are wholly correct. I hope they are met; though it is premature now to make a judgment on that score.

And it is only to complement the objectives of the existing law that I offer my proposal for mandatory jail sentences against perpetrators of violent gun crimes. The message it brings to the criminal gun user is clear. For ultimately the decision to resort to a firearm is up to him. If he finds the penalty so severe as to deter his use of this deadly weapon, only then can society be protected from the violence it produces. The State of Alaska I understand has already adopted such an approach. Other states are in the process of joining the effort. Mr. Chairman, I urge you and your subcommittee—already so distinguished for your leadership in this area—to steer this proposal through the full Judiciary Committee and on through the Senate.

By offering mandatory jail terms in return for gun violence at the Federal level, the Congress will provide, I believe, a splendid model for all fifty states to follow.

Mr. BENNETT. Mr. President, yesterday, when I opened the debate on H.R. 12829, I indicated I would include in the RECORD a summary of the minor and technical changes made in the interest equalization tax bill. Inadvertently, this summary was not included in the RECORD. Therefore, I ask unanimous consent that the summary be included in today's RECORD at this point.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY OF OTHER INTEREST EQUALIZATION TAX AMENDMENTS

In addition to the two major provisions, the House bill contained a series of minor modifications of the existing provisions of the interest equalization tax. These modifications were accepted by the committee with a few technical amendments. In addition, the committee adopted technical amendments regarding the treatment of certain lease obligations for purposes of the tax.

The minor modifications made by the House bill are as follows:

(1) Under present law the tax applies where an American transfers money to a foreign trust which then acquires otherwise taxable foreign stock or debt obligations. The bill strengthens this provision by presuming that upon a transfer of funds to a foreign trust, the trust made a taxable acquisition of foreign stock or debt obligations unless, and to the extent, the transferor proves to the Treasury that such an acquisition has not occurred.

(2) An exclusion is presently provided for loans by a U.S. person to a foreigner for the purpose of constructing a foreign mineral facility, where a substantial portion (35 percent) of the minerals or ores processed in the facility are extracted outside the United States by the U.S. person or by an affiliated company. The bill modifies this rule to provide that the exclusion will be applicable where the U.S. person's loan covers only part of the cost of constructing the facility, if more than 50 percent of the minerals processed in the proportionate part of the facility represented by the U.S. person's loan in relation to the total cost of the facility are extracted by him or an affiliated company.

(3) Under present law, an exclusion is provided for acquisitions of debt obligations arising in specified export credit transactions. The exclusion is lost, however, if the debt obligations are subsequently transferred other than to specified persons or in specified ways. The bill adds an affilitated company to the permitted transferees.

(4) U.S. dealers in foreign stock or debt obligations presently may acquire these securities without payment of tax (through a credit or refund) if they resell them to foreign persons within a prescribed time. A similar rule applies in the case of U.S. underwriters who resell to foreign persons. The bill provides that certain foreign branches (engaged in the commercial banking business) of U.S. corporations which, in effect, are treated to a limited extent as foreign persons for purposes of the tax (they may acquire foreign stock or debt obligations free of the tax up to a specified amount) also are to be treated to the same extent as foreign persons for purposes of the dealer and underwriter resale exclusions.

(5) Present law provides that a domestic company engaged in the business of financing sales of products manufactured by affiliated companies in the United States or abroad may elect to be exempt from the tax on the foreign debt obligations it acquires as the result of its financing activities. The bill modifies or eliminates certain restrictions in this proviison which have made it unworkable, but retains the basic framework of the provision including the concept that the financing company must obtain the funds it uses in its business from foreign sources.

(6) Under present law, a transaction tax return must be filed prior to the sale of foreign stock or debt obligation which was subject to tax when acquired, if the sale occurs prior to the time for filing the regular quarterly interest equalization tax return. The bill clarifies the application of this requirement to U.S. dealers or underwriters by providing that they need not file a transaction tax return with respect to sales of foreign securities under the dealer or underwriter resale exemptions.

(7) The bill conforms the reporting and recordkeeping requirements for "nonparticipating firms" to the procedures established by the Interest Equalization Tax Extension Act of 1967 in connection with the exemption for prior American ownership and compliance. This amendment generally conforms the requirements imposed on these firms to those imposed on "participating firms" insofar as specified types of sales or acquisitions of foreign stock or debt obligations are concerned, and confirms that nonparticipating firms must continue to file quarterly information returns.

(8) The bill prescribes a $1,000 penalty for each failure to file (or inadequate filing) by

a nonparticipating firm pursuant to the requirements imposed under the conforming amendment discussed above.

The committee adopted two minor amendments to the financing company provision (No. 5 above) to further implement the purpose of the changes made by the bill; namely, to increase the workability of this provision. One amendment provides that a financing company may loan out amounts represented by accrued foreign taxes which are payable within 3 years, rather than one year as under the House bill. The other amendment provides that a financing company may own debt obligations acquired in the course of carrying on its financing business (such as loans to employees) in addition to the other types of debt obligations the company is allowed to own under the House bill.

The committee also added technical amendments to the bill regarding the treatment of a lease obligation as a debt obligation for interest equalization tax purposes where the lease is entered into principally as a financing transaction. These amendments also provide that export leases are to be treated in a manner similar to export sales under the existing export credit exemption and under the financing company provision.

Mr. DODD. Mr. President, by now, the Senate is aware that the amendment offered by the senior Senator from Utah to repeal the ammunition controls of the Gun Control Act of 1968 will no longer include .22-caliber rimfire ammunition. Senator BENNETT's amendment to H.R. 12829, the Interest Equalization Tax Extension Act, has been modified so that now only rifle and shotgun ammunition would be exempted from the control provisions of the 1968 act.

I have considered Senator BENNETT's action very carefully, because I realize that if one side moves toward conciliation, then the other side should be willing to compromise as well.

I have considered the fact that Senator BENNETT's modification does indeed remove from contention 70 percent of the ammunition which he originally sought to exempt.

I have asked myself whether or not controls on rifle and shotgun ammunition might indeed be a burden on legitimate sportsmen, and I have asked myself whether or not, if I agreed to the Bennett modification, I might gain the support of those in the State of Connecticut who have looked askance at my efforts in the field of responsible firearms controls.

I have considered all these facts, Mr. President, and I have considered them well, but the conclusion rings through loud and clear: we must oppose the remains of the Bennett amendment as emphatically as we opposed the original amendment.

In the first place, ammunition controls are a significant law enforcement tool. Second, the controls are not burdensome to legitimate sportsmen or anyone, except felons, drug addicts, and other undesirable types. Third, and most importantly, one cannot just write off the lives of over 1,600 Americans. That is how many people were murdered last year with the bullets and shells Senator BENNETT would remove from the Gun Control Act.

And one cannot write off the tens of thousands of our citizens who will be assaulted, wounded, and subjected to armed robbery with the bullets and shells Senator BENNETT would have us remove from the Gun Control Act.

The pending amendment to repeal ammunition controls must be defeated.

While much has been said about the substance of the Bennett amendment, and while much more will be said today, I must state that there is also a procedural question of some magnitude involved here which deeply disturbs me.

Speaking quite frankly, I find the way in which the amendment to repeal ammunition controls reached the floor rather repugnant. My feelings on this point are underscored by the statement which the senior Senator from Utah made awhile ago indicating that while he has modified the pending amendment, he will again try to exempt .22-caliber ammunition from the control provisions of last year's Gun Control Act by offering "another amendment to another House-passed bill when one comes along".

This statement is disturbing, because it indicates that those who would repeal ammunition controls are unable and unwilling to work through traditional Senate channels.

Instead, they must resort to subterfuge, thereby bypassing the very committee which has had jurisdiction over this subject matter for several years.

Let me review briefly the history of the amendment which is before us today.

On February 4, 1969, Senator BENNETT introduced S. 845, a bill to repeal the ammunition controls of the Gun Control Act of 1968.

The amendment was referred to the Judiciary Committee and then to its Subcommittee To Investigate Juveline Delinquency.

This was an entirely proper referral, because it was the Subcommittee To Investigate Juvenile Delinquency which, through 6 years of work, handled the significant firearms control legislation which was enacted last year. It is this very legislation, of course, which established the ammunition controls under discussion today.

In mid-July, the subcommittee announced that it would hold hearings on several bills which would amend last year's Gun Control Act. Among the bills scheduled to be considered was S. 845. Among the witnesses scheduled to be heard was the senior Senator from Utah, the author of the bill.

On July 18, Senator BENNETT wrote to me, as chairman of the subcommittee, asking that S. 845 be removed from consideration during the forthcoming hearings because the bill was to be withdrawn.

Senator BENNETT stated that his reason for withdrawing the bill was the firm opposition to the bill of the distinguished chairman of the Committee on the Judiciary of the House of Representatives.

On July 29, 11 days later, Senator BENNETT introduced S. 2718, a bill very similar to S. 845, which, at Senator BENNETT's request, was referred to the Finance Committee.

Mr. President, the referral of S. 2718 to Finance makes no sense at all, for the Finance Committee has never had jurisdiction over legislation to control the irresponsible sales of firearms and ammunition to felons, juveniles, drug addicts, and the like. The bill is in no way germane to the functions of the Finance Committee.

I did not object to the referral of this bill to the Finance Committee, because at that time the Subcommittee To Investigate Juvenile Delinquency was deeply involved in legislation concerning narcotics control, prison reform, pornography control, and several other matters.

And, of course, I felt certain that the Finance Committee would hold hearings on the bill, at which time those of us who had an interest in the bill would be called upon to testify. I felt so certain that hearings would be held that my testimony was prepared well in advance.

I was gravely disturbed, therefore, when the bill to repeal the ammunition controls of the 1968 Gun Control Act was attached as a "Christmas tree" amendment to H.R. 12829, the Interest Equalization Tax Extension Act, which had already passed the House, without a single minute of hearings being held on the amendment.

I would point out that the Gun Control Act of 1968 had a history of hearings totaling 35 days and involving 154 witnesses. In addition, there were six executive sessions held by the Subcommittee To Investigate Juvenile Delinquency and five executive meetings of the full Judiciary Committee. And, because the bill had interstate aspects to it, it was referred to the Senate Commerce Committee so that that committee could render its judgment on the final product.

Mr. President, it strikes me that this is the proper way to legislate: by holding public hearings and extensive debate within the appropriate committees of Congress.

The amendment we are considering today went to the wrong committee and the way it was handled constitutes a mockery of the legislative process. There were no hearings on the amendment and apparently there was no debate on the subject within the committee. There was certainly no attempt to seek the concurrence of the Judiciary Committee, which does have jurisdiction, as we sought the concurrence of the Commerce Committee on the Gun Control Act.

This abortion of the legislative process is intolerable and I ask the Senate to look at it for what it is, a blatant attempt to ram down the throats of the great majority of the American people legislation they really do not want.

I ask the Senate to reject this procedure for the dangerous precedent it sets, and at the appropriate time, I shall move to table the pending amendment.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. KENNEDY. Mr. President, I acknowledge first of all the adjustments that have been agreed upon by the distinguished Senator from Utah and the majority leader eliminating the rimfire .22 ammunition from the pending proposal. I think this meets to a great extent one of the outstanding needs of the country—the control of sales of ammunition to insure that it will be kept out of the hands of juvenile delinquents, criminals, addicts, and mentally deranged individuals.

Those of us who had very serious reservations about the Bennett amendment in the first place are encouraged by the exclusion of the .22 caliber rimfire ammunition.

We were very much confused by the alleged report from the distinguished Senator from Utah in the newspapers in which he expressed his view that the amendment in and of itself did not cover ammunition for handguns, when in fact the ammunition reported by the Finance Committee quite clearly covered .22 rimfire pistol ammunition, which is used in many handguns.

A legitimate question was therefore raised in the minds of many of us as to whether its own sponsors fully understood the amendment. And it is understandable that they would not, since we know, as the distinguished Senator from Connecticut has pointed out, that no hearings were held. It is thus very questionable whether even the members of the Committee on Finance, with their expertise on matters of finance and taxation, had any fundamental grasp of the nature of the amendment, because the report and the amendment themselves were inconsistent, and the amendment was contradictory to the explanations given by the prime sponsor.

Nevertheless, as we understand it now, an effort was made by the distinguished Senator from Utah to correct the amendment in order to insure that the .22 rimfire ammunition was not included. That ammunition, as the distinguished Senator from Connecticut has pointed out, is the cause of so many of the deaths in our country and is easily usable in many handguns.

I point out at this time that the Subcommittee on Juvenile Delinquency of the Judiciary Committee really is the expert committee in the field of gun legislation. Obviously, members of that committee, as happens in so many other cases which come before the Senate, have different views and different opinions. For example, the distinguished Senator from Nebraska (Mr. HRUSKA), is a member of that committee, and he has perhaps been the most enthusiastic spokesman for those interests that have attempted over a period of time to weaken any legislation on gun control and ammunition.

The Senator from Nebraska is very effective and has been a forceful spokesman for these interests. He is an extremely knowledgeable person, as is the distinguished Senator from Connecticut. However, as the Senator from Connecticut pointed out, the Subcommittee on Juvenile Delinquency has jurisdiction of this matter.

What we would like to see happening is what we were reminded about last year at the time the Subcommittee on Juvenile Delinquency was meeting and trying to acquire quorums and to get the subject matter considered before the full committee. We were told then that we ought to wait and give careful and full consideration to the matter.

For so many years the distinguished Senator from Connecticut held hearings on gun legislation and found that the Senate would adjourn the next year without having considered the matter, and he would then have to reschedule hearings and again hear witness after witness.

In those days it was always those who wanted to weaken the legislation and eliminate any kind of restrictions that were interested in following the due procedures of the committee system and of the Senate to insure that all people who had opinions about these matters would be heard.

Is it not ironic that once the shoe is on the other foot, so to speak, our friend, the distinguished Senator from Utah, says, "We are ready to vote this afternoon or at any time. And we are prepared to offer the handgun amendment on a tax bill some time in the future."

Once the ball is in their court, then it is so ironic to see all these procedures go by the board. Now they say, "Let us get right to it."

This is something that the Members of the Senate ought to be fully aware of. I think that the statement the distinguished Senator from Connecticut has given to the Senate is extremely helpful. I hope that included in his records would be the number of days of hearings on which his committee has held hearings over the last 9 years on the matter of gun control and the related question of ammunition.

I hope the RECORD will show the dates of those hearings, the witnesses who testified, and, as the distinguished Senator has pointed out, the efforts that were made to include the Commerce Committee which has related jurisdiction in the matter to make sure they were informed and that their interests were carefully protected.

It is interesting to me that in the limited time I have been a Member of the Senate, we have heard about the proper procedures and about being respectful of the committee system. That seems to be well and good only so long as it works to the advantage of those holding a particular viewpoint.

Mr. President, I could not agree more with the distinguished Senator from Connecticut that this is not a matter that should have ever been considered by the Finance Committee.

Obviously a Senator is right in proceeding to introduce any amendment he desires on any related matter. However, to report an amendment out of the Finance Committee as if the matter had been thoroughly considered and deliberated, or were a measure urgently necessary to meet an outstanding need in our country, is just perpetrating a fraud on the Senate.

Mr. PERCY. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. PERCY. Mr. President, I would not want to get into the jurisdictional dispute on the matter. The amendment is pending. I would like to deal with the amendment on the basis of merit and from the standpoint of my best experience.

The distinguished Senator from Massachusetts knows that I supported every gun control measure in which he was interested, even back in the days when very few Senators were supporting that type of legislation.

Mr. DODD. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. DODD. Mr. President, the reason we are discussing the procedural aspect is that I said I would offer a motion to table.

Mr. KENNEDY. The Senator from Connecticut indicated that he was going to make a motion to table. That is why we were discussing the procedure. However, I would welcome the comments of the Senator on the substance of the matter as well.

Mr. PERCY. Mr. President, knowing the point would be made, I wanted to make my comments in the RECORD. I would sponsor such legislation that I felt was needed and necessary.

I feel, since legislation has been passed, that we should take the benefit of experience we have had, and whenever we have amendments that become burdensome or meaningless as far as the true meaning of the law is concerned, we should have no hesitation in backing away from those amendments.

As I understand the situation, in this case we are not talking about guns; we are talking about ammunition. We are talking now about the Justice Department and the Treasury Department which have agreed that the regulations are useless, that they are a burden to the storekeeper and to the consumer, and that they serve no real purpose. In my own State I have talked with both sellers and buyers of ammunition to determine whether or not these regulations have any effect on the end result we were trying to achieve with control legislation. I find them of no help and only a burden.

It is for this reason that I have joined in cosponsoring the amendment of my distinguished colleague, the Senator from Utah.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. PERCY. I yield.

Mr. KENNEDY. What burden is placed by these regulations? Will the Senator from Illinois enlighten me on that factor? What burden is placed on legitimate interests about which he is so concerned? What burden is placed on the person who goes into one of these stores and attempts to buy the ammunition that is not placed on a housewife who attempts to charge something in a store or goes to a supermarket and cashes a check and has to show a license? What is this great burden about which we are always talking?

Mr. DODD. Mr. President, will the Senator yield?

Mr. KENNEDY. I will not yield at this point.

We hear these expressions about the great burden it has caused the sportsmen of this country. If there is a legitimate burden, the Senator from Utah has not been able to present us with any witnesses who say that there has been. Representatives of the sports clubs have not testified before the Subcommittee on Juvenile Delinquency, nor have any representatives of the NRA who are so active and so vociferous on these matters. I think this is the kind of question that should be answered. The Senator from Illinois says the regulations were passed, a burden was imposed, and we are trying to eliminate it. But are we just supposed to take the statements that were made in the Committee on Finance, without having any opportunity to question these people?

Mr. PERCY. If I may reply to the distinguished Senator, I do serve as the ranking minority member of the Committee on Small Business. I engaged in small business years and years ago. I am constantly aware of the fact that Government continues to impose upon the small shopowner a tremendous burden of paperwork. We overwhelm them with paperwork. If we just take Federal regulations alone, we find that the small shopowner, who is open from 9 to 6 in the evening, spends hours and hours and weekends working and struggling through this pile of paperwork.

I was quite willing to see that in this case, recognizing the national interest, what we are trying to protect is the small shopowner from unnecessary paperwork.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. PERCY. I yield.

Mr. KENNEDY. Is this the same kind of paperwork that a grocery store owner has to go through when someone comes in to cash a check? They have to check someone's license for residency and number and name. That is done at a gasoline station and at a supermarket. That is done when one buys groceries. The only thing this regulation provides is that it has to be done when one buys ammunition.

Mr. DODD. Mr. President, will the Senator yield?

Mr. KENNEDY. I am having a dialog with the Senator from Illinois, and if he would like to respond, I will then yield.

Mr. PERCY. My point is this: Have we proved or solved anything by the particular regulation we have imposed?

Mr. KENNEDY. Will not the Senator agree that once we have the regulations, the burden is on the other person to prove that they are not functioning?

Mr. MOSS. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. MOSS. The Senator asked a legitimate question, and I think I can supply some information on it. The Senator asked if someone who went to a store and wanted to cash a check does he not have to show his driver's license and residence? Yes. He is seeking credit and has to prove certain things. If he is going to a liquor store, he has to prove he is of age, and he may have to show his driver's license for that.

But this is over and beyond that. He not only has to prove residence and age to the satisfaction of the seller, but, also, he must actually fill out a form, and the form has all this information on it. The form must then be filed by the seller, and somebody has to stack all those forms up for some reason.

Mr. DODD. Mr. President, will the Senator yield?

Does the Senator have one of those forms?

The PRESIDING OFFICER (Mr. SPONG in the chair). The Chair recognizes the Senator from Massachusetts.

Mr. KENNEDY. I think we would like to get the form that the purchaser supposedly has to fill out. The seller has to comply with certain regulations and has to keep some records. But I think that this is a good question of the Senator from Connecticut. We would like to see the form that the purchaser supposedly has to keep.

Mr. MOSS. It is a regular Federal form.

Mr. KENNEDY. For the purchaser or the seller?

Mr. MOSS. The seller keeps it. The purchaser fills it out. The seller has to file it. Let me answer.

Mr. DODD. If the Senator can produce that form, I will quit. There is no such form.

Mr. MOSS. That sounds like an easy offer, and I will be glad to take it up.

Mr. DODD. It is.

Mr. MOSS. The Senator asked another rhetorical question, but I think there is a good answer to it. He asked if anybody had said this was burdensome. I hold in my hand petitions signed by 5,240 citizens of my State, who say, "Respectfully request you make every effort to persuade Treasury Department and Congress to eliminate registration requirements on the purchase of shotgun and rifle ammunition."

That is the sort of problem it is causing. The people in my State are getting ready for the opening of the duck season this Saturday. They are already standing in line, trying to buy shotgun shells, because of the burdensome requirement to fill out these forms. What can be more innocuous than buying a couple of boxes of shotgun shells if you are a sportsman?

Next week will be the opening of the deer season, and 180,000 people in my State will go into the mountains to seek deer, and they must buy ammunition. Next week they are going to be lined up the same way. And what does it accomplish? It does not accomplish a thing. It does not accomplish anything to have their names filed on forms and those forms filed someplace. The little shopkeeper, to whom the Senator from Illinois referred, already has a lot of burdens and paperwork, and he will have one more form he has to make sure is filled out and properly indexed. It does not accomplish anything.

So why should we do a futile thing? That is my position. It is futile to do this, and it creates only frustration and delay and all sorts of bother for the people involved—the buyer and the seller.

Mr. DODD. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. PERCY. Who has the floor?

Mr. KENNEDY. I have the floor.

The PRESIDING OFFICER. The Senator from Massachusetts has the floor.

Mr. DODD. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. DODD. Yesterday, I sent out a number of our staff with the instruction to buy some of this ammunition and keep a record carefully of what happened. I think it would be of interest to the Senate to know what her experience was.

I have in my hand photostatic copies of two sales slips. She made two purchases. Both were in Maryland, across the line. All she had to do was go in and ask for this ammunition. All she gave was her name and address, and she showed her automobile license, and she paid the money and got the ammunition.

Mr. KENNEDY. Did she have to fill out any form?

Mr. DODD. None at all.

Mr. KENNEDY. And these are the same regulations that are in effect, and this person did not have to fill out any form?

Mr. DODD. No. This is so all over the country.

Mr. KENNEDY. Is this the burden?

Mr. DODD. This is the burden.

Also, we sent out another member of our staff to make a check, which is also of interest. We obtained the list of persons who had purchased ammunition during the last 3 months at the Suitland Trading Post in Suitland, Md., and we have the list here. It took 1 hour to run these names through the criminal identification files of the Metropolitan Police Department of Washington, D.C., yesterday.

Here are the names of people who purchased ammunition in the last 3 months just over the line in Maryland. Twenty-one percent of them had records for felonies, which run all the way from riots, felonious assault, and so forth. The list includes all kinds of things. Twenty-one percent of the people who bought this ammunition just over the line in Maryland in the last 3 months were criminals. They were people who could not buy ammunition in the District of Columbia because of the ordinances imposed here by the Commissioners. So they go across the line into Maryland and buy it.

We are asked, "What is the need for this requirement?" We do not need a relaxation of the controls. We need better controls or we will have an epidemic of killing all over again and it will increase and get worse.

Nobody talks about the number of people who have been killed with this kind of ammunition. There were 1,600 people murdered last year in this country by the same type ammunition this legislation would seek to exempt from controls. I am not talking about accidents, mistakes, or suicides. I am talking about homicides. Certainly that is a sizable figure.

We hear complaints about this great burden. What a great burden to ask someone to give his name, address, and age. That is very little, indeed, to ask in the face of the grave situation that is facing this country today.

Mr. KENNEDY and Mr. PERCY addressed the chair.

The PRESIDING OFFICER. The Senator from Massachusetts has the floor.

Mr. KENNEDY. Mr. President, as I understand what the Senator from Connecticut has just said——

Mr. DODD. Mr. President, will the Senator yield once more briefly?

Mr. KENNEDY. I yield.

Mr. DODD. Mr. President, here is the ammunition record book. I am told this book is typical of the book most of these stores have. They use similar books to record the data. It is an inexpensive ledger. That is all they are required to keep and that is all they keep.

Mr. KENNEDY. Mr. President, as I understand from what the Senator from Connecticut has pointed out this afternoon, there is no requirement under any of the regulations which are in existence now that the purchaser has to fill out any form at all. Is that correct?

Mr. DODD. The Senator is correct. There is no form at all for the purchaser to fill out.

Mr. KENNEDY. The purchaser has no obligation other than to show what the Senator from Connecticut has mentioned: the equivalent of a driver's license that would show name, age, and residence of the purchaser. Is that correct?

Mr. DODD. The Senator is correct.

Mr. KENNEDY. What we are really doing is asking the purchaser to assume the same inconvenience or burden that it is necessary for any housewife to assume who wishes to cash a check when she goes to the grocery store or to the gas station and has to show a driver's license.

Mr. DODD. The Senator is correct.

Mr. KENNEDY. As I understand the position of the Senator from Connecticut, we are balancing that slight burden on the purchaser against what the Senator from Connecticut has pointed out, and which has been demonstrated time and time again in the hours and days of hearings before the Subcommittee on Juvenile Delinquency, that without any regulations the gates are being opened for juveniles, addicts, felons, and mental incompetents to purchase the kinds of ammunition that can be used in crimes and disorders. Is that right?

Mr. DODD The Senator is correct.

Mr. MOSS. Mr. President, will the Senator yield?

Mr. KENNEDY. I shall yield to the Senator in just a moment.

Mr. DODD. When the Senator from Utah dropped from the amendment that part thereof dealing with .22 caliber rimfire ammunition he said, that he would try to exempt those bullets at a later date. This is not an abandonment of the effort to exempt .22 caliber rimfire ammunition, which is the bullet that killed 3,000 people in this country last year. It has killed many people over the years but last year 3,000 people were killed by that type of ammunition. The weapon which fires that ammunition is known to law enforcement officials across the land as the "Saturday night special." It is the murder gun, that is cheap, and is easily procured, easily concealed, and used unlawfully on a vast scale.

As to how frequently it is used in holdups and assaults, I do not know; but I have the figure for murders. This is the ammunition that is used for the 3,000 murders I mentioned.

We are told, "We will drop the effort to exempt this ammunition today but we will be back tomorrow." They are not content with 1,600 murders a year from shotguns and rifles. They want to do away with regulation on .22-caliber rimfire ammunition which is used in handguns concealed so easily, and used so frequently by hoodlums all over the country.

This is a dreadful thing. The people of this country would be in tears if they knew all the facts, and if the people of the country would come down and speak they would overwhelmingly say, "No. Do not exempt this ammunition from control."

The little inconvenience of giving one's name, address, and age in order to buy bullets is not very much to ask. I have heard talk here about registration. We went all through that a year ago. Many of us thought we had to go to that extreme. We do not have ammunition registration. We have the simple matter of asking an individual, "How old are you, son?" We must be sure he is of age to buy ammunition. We are trying to prevent children from getting these dreadful weapons and the bullets for them in their hands and misusing them. There is no requirement of police check, no asking for fingerprints, no request that they come back in 30 days to get the bullets. There is nothing of that kind. Purchasers walk in, give the information, pay their money, and walk out with the ammunition, as if one were buying a spool of thread, liquor, or cigarettes, in a good many places across the land.

Mr. KENNEDY. I yield to the Senator from Utah.

Mr. MOSS. Mr. President, I wish to ask a question. It seems to me the Senator from Connecticut and the Senator from Massachusetts are, in effect, arguing against their point by saying, as the Senator from Connecticut did, that it is as simple as buying a spool of thread; that one simply goes in and shows his driver's license, pays his money, and it is done. On the other hand, he said we need this because we have to keep this out of the hands of those who would go around killing people, that it is awful, and, therefore, if they jot their names down in a book or on a form they will not go around killing people.

If it is as simple as all that how is this going to check the use of ammunition in the commission of crime in this country in any way?

Mr. KENNEDY. Mr. President, I make two answers to the Senator's comment. First of all, we use this system very widely today in terms of alcoholic beverages. For example, certain States sell alcoholic beverages to persons who are 18 years of age and other States sell alcoholic beverages to persons who are 21 years of age. Therefore, any time a youth asks for alcoholic beverages, he must show a driver's license to establish his age. That works pretty well. It does not meet all the problems, but it works pretty well in the States. Some States have an age limit of 18 and it works pretty well, and in States where the age limit is 21 it works pretty well. It does serve as an important factor in determining violations of the law by those whom the law prohibits from making a purchase.

Second, it adds another kind of opportunity, because, as I understand, many jurisdictions, like the District of Columbia have lists of convicted felons on computer cards, and in a matter of minutes it is easily determined if someone who was a known felon has purchased ammunition. Thus the bill helps supply this kind of information to law enforcement agencies.

All we have to do is look through the Crime Commission report of 1967 and see that law enforcement personnel throughout the country believe this is a very useful instrument for preservation of law and order.

And yet the proponents say, "What a burden it is." But why can we not go ahead and have a hearing? That is the point Senator from Connecticut and I make. If this is supposed to be a burden, why do we not have an opportunity to listen to the responsible administrative officials tell us why? We receive letters and hear comments that in letters and conversations with officials in the Department of the Treasury it is said the regulations do not work and that they support an amendment. Why are they not willing to come here and be questioned? Why does this always have to be just, so to speak, between individual Members of the Senate? Why cannot we have some hearings?

Mr. PERCY. Will the Senator from Massachusetts yield at that point?

Mr. KENNEDY. I yield.

Mr. PERCY. I agree fully, once again, that if we can pass regulations that we can prove will help the problem, I would be for them.

But we have testimony, not in private conversations, not in private letters, but in public hearings by Mr. Randolph W. Thrower, Commissioner of Internal Revenue of the Treasury Department, before the Subcommittee to Investigate Juvenile Delinquency in the Senate, saying the following:

> With regard to ammunition transactions, it is only fair to report to the subcommittee that we are not able to process or check individual ammunition sales records in any meaningful way, particularly in view of the multitude of sales in only sporting ammunition. Whatever manpower would be required to provide adequate checking and policing of this information would, in our view, be better utilized in enforcing the other more critical provisions of the gun laws.
>
> While we do not question the value of prohibitions on sales of ammunition to proscribed persons, we have serious question as to the contribution to enforcement made by keeping records on sales of sporting ammunition, *i.e.*, ammunition for shotguns, ammunition suitable for use only in rifles, and .22 caliber rimfire ammunition.

Furthermore, Mr. President, in public testimony by Donald E. Santarelli, Associate Deputy Attorney General of the Department of Justice, before the same committee, Mr. Santarelli said:

> Another aspect of the Gun Control Act of 1968, that has raised substantial problems, is that relating to record keeping. As the representatives from the Treasury Department indicated, there is substantial reaction to the requirements in the 1968 Act for detailed recordation of all transactions involving sporting ammunition. Licensees, especially small dealers who lack clerical personnel, object to the burden imposed on them by the record keeping requirements. Sportsmen and shooters object to the burden and annoyance of providing required

> information and identification and filling out the forms. It is further argued that such recordation is meaningless to law enforcement since sporting ammunition is fungible and, thus, not easily identified. Furthermore, the hundreds of thousands of daily transactions in sporting ammunition create a volume of records almost impossible to deal with.
>
> Careful consideration should be given to this subject in view of the widespread dissatisfaction with its implementation and the questionable effectiveness of its enforcement.

Mr. President, my only concern is this: Many times we think we have passed a law and solved a problem, but it is a delusion to think that we have solved this problem by passing this particular law.

It is for this reason that I support the amendment of the Senator from Utah. I appreciate the Senator from Massachusetts yielding to me.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts has the floor.

Mr. KENNEDY. Mr. President, we can see from the record of last year that we voted to include this kind of provision on ammunition which is being struck out by the Senator from Utah, and that it was of sufficient importance for us to see that it was included. I am sure that some of us may have a change of heart on these kinds of matters, but the only thing that we are saying here is that if we are going to have representations made later, which the Senator from Illinois (Mr. PERCY) has made, and people change their minds about these things, why do we not at least have an opportunity to question the people who are affected by the regulations? That is, really, the thrust of what the argument is.

I should like to ask the Senator from Illinois whether he feels that the burden is a burden on the purchaser or is a burden on the shopkeeper? Who really has the burden that he is so concerned with?

Mr. PERCY. I think it is a burden on both.

Mr. KENNEDY. The Senator thinks it is a burden on both.

Mr. PERCY. I am more concerned not just with the burden but with the end result. I do not think we have solved the problem with this particular provision of law.

Mr. KENNEDY. Who has ever represented that we have solved the problem? However, it falls upon the proponents, it seems to me, to prove that we should undo what the 90th Congress did. No one is suggesting that the 1968 act answers the problem, but now the Senator says there is this burden, one on the purchaser and one on the seller. What burden does the Senator from Illinois see on the purchaser this year that was not on him last year that would require him to change his mind?

Mr. PERCY. I would think this: We have clear-cut testimony from the very department responsible—the Justice Department—saying that this is a meaningless regulation, that it is impossible to enforce, and that it does not really lead to any desirable end result. What we passed before was hopefully intended to lessen the killing and injury to the people of this country, but here we have the agency responsible for administering the law which says it is meaningless, that they do not need it or want it. Let us use our manpower—it is always limited—in areas where a decent return on the investment can be made rather than one of futility.

Mr. KENNEDY. This is the same Justice Department that has retreated on the Voting Rights Act, that said the bill would not work, but then, when they said it, they still came to the Judiciary Committee and said it and received cross-examination on it. Why should the Justice Department say last year it will work and this year say it will not? Why will they not come up here and be asked about it? Why will they not do that, I ask my friend from Illinois?

Mr. PERCY. I do not know, but——

Mr. KENNEDY. Would he not welcome it?

Mr. PERCY. That testimony was given in the hearings.

Mr. DODD. If I may interject there, that testimony was never given in the hearings, I am sure. I held them.

Mr. BENNETT. May I answer that question? This testimony was given in the hearings before the Subcommittee on Juvenile Delinquency, in July of this year.

Mr. KENNEDY. That was on a totally different bill.

Mr. BENNETT. On this bill?

Mr. DODD. No, No; it was not.

Mr. BENNETT. On the question of ammunition.

Mr. DODD. That bill was withdrawn from the committee. We held no hearing on it.

Mr. BENNETT. That was the basic question of registration of ammunition.

Mr. KENNEDY. Does the Senator have it right there?

Mr. BENNETT. Yes.

Mr. KENNEDY. Would the Senator enlighten us about the testimony there? Will the Senator tell us what matter was being heard before the committee at that time? Of course, we have no record before us. No one of us has a record on this side. No one else has it.

Mr. BENNETT. I have the statement of Commissioner Thrower, Commissioner of Internal Revenue, before the Subcommittee To Investigate Juvenile Delinquency.

Mr. KENNEDY. On what bills?

Mr. BENNETT. S. 100, S. 849, 977, 2433——

Mr. DODD. That is not this bill.

Mr. BENNETT. May I finish, please? In that statement, Commissioner Thrower said:

> It is only fair to report to the subcommittee that we are not able to process or check individual ammunition sales records in any meaningful way particularly in view of the multitude of sales in only sporting ammunition. Whatever manpower would be required to provide adequate checking and policing of this information would, in our view, be better utilized in enforcing other and more critical provisions of the gun laws. While we do not question the value of prohibitions on sales of ammunition to prescribed persons, we have serious questions as to the contribution to enforcement made by keeping records of sales of sporting ammunition.

Now, the fact that a specific bill to repeal a requirement on ammunition was not then before the committee does not invalidate the fact that the Treasury Department representative made this statement before the committee. I am sure they would make it again today.

Mr. DODD. I can answer that. I presided over those hearings. That bill was not before us. Commissioner Thrower did not address himself to it. I have the record here in front of me. He was not asked about that. It was not before us for consideration. Whatever statement he made about it did not pertain to S. 845, because that bill had been withdrawn.

Mr. BENNETT. That is true, but it is pertinent to the question before us today.

Mr. DODD. Now that is not the question that the Senator is talking about here, in answer to the Senator from Massachusetts. I tell the Senator, it is not so.

Mr. BENNETT. OK.

Mr. KENNEDY. What kind of procedure is this, I am wondering, for hearings on an unrelated matter, from which we get some paragraphs of testimony on a matter which is not even before that committee, to be trotted out as the administration's position on a bill which is not before the committee? What kind of procedure are we coming to?

Mr. BENNETT. The administration has stated its position in letters to the Senator from Connecticut (Mr. DODD), and in letters to me, so there is not any question——

Mr. KENNEDY. Why do they not come up and testify? That is all we are asking. We want to know whether the administration has any kind of position on matters of significance and importance, and after all the time that has been spent on the question by our subcommittee, will they not come up and be questioned on this?

Mr. BENNETT. I think it is unfair to——

Mr. KENNEDY. Why is the Senator from Utah so reluctant to permit the committee that has the proper jurisdiction to hold hearings? The chairman said he would do it in a short period of time and that we would report something out. This is the committee that reported the original gun bill here.

Mr. BENNETT. May I reply to that?

Mr. KENNEDY. Yes.

Mr. BENNETT. It became perfectly obvious to the Senator from Utah that the chairman of the House Judiciary Committee made it clear that even if the committee on this side, and the whole Senate, had approved this kind of legislation and it had been handled by the Judiciary Committee, he would not even take it up. So our problem was to find a way to take it up, and that way was to make use of the jurisdiction the Finance Committee has over taxes, which are involved in this problem——

Mr. KENNEDY. Involved in this problem? Involved in which problem? Involved in the regulations——

Mr. BENNETT. I misstated myself. The Finance Committee has jurisdiction over Internal Revenue Service, which has responsibility for enforcing this legislation.

I am sure that if the Senator from Massachusetts were in the same position the Senator from Utah found himself in on a piece of legislation on which he was being blocked by the unwillingness of sombody either in this body or the other body even to give consideration to his proposal, he would find some way to get around that roadblock.

Mr. KENNEDY. I can certainly give every assurance to the Senator from Utah, that I would not have done so when we have the proper and appropriate committee of this body, which is willing, as I stated on the floor here, and as was stated to the proponents, that it would have hearings. It is the same committee that has reported out gun control legislation time and time again. It was indicated to the Senator from Utah that the commitee would have hearings. I would certainly give that assurance. I would not violate what everybody has always said, that in the Senate we have a committee system, and this is the only way the Senate is going to function. We ought to abide by that principle. But apparently we do not when it comes to regulation of ammunition.

I would like to ask the Senator from Utah how many times the Finance Committee has exercised jurisdiction over gun control.

Mr. BENNETT. I think this is the first time.

Mr. KENNEDY. This is the first time.

Mr. BENNETT. I would like to ask the Senator from Massachusetts how many times he has brought an amendment out that has not had hearings.

Mr. KENNEDY. Not had hearings?

Mr. BENNETT. Yes. That is what the Senator said to me, that here we are bringing forth an amendment without hearings on it.

Mr. KENNEDY. Name one time when I brought one out that has not gone through the committee process anywhere in the Senate, reverse a law passed only a year ago, and is critical to a complex scheme of regulation. This is the matter before us now. The burden is on the Senator from Utah, not on me. The Senator from Utah is the one who is trying to convince the Senate.

Mr. BENNETT. I have been able to convince almost a majority of my colleagues——

Mr. KENNEDY. No one questions that the Senator has the required cosponsorship on this matter. The question comes down to whether we are just going to say, so all the Senate knows and all the American people know, that whenever we have the votes we can go through without any kind of adherence to the Senate's practices, without any kind of committee procedure at all, without respecting the established committee system.

When we are voting on this matter this afternoon, I am going to be extremely interested in how my colleagues vote. Some of them have talked about this tradition to a younger Member of this body, and we go through all the indoctrination that we should go through the system. The Senator from Utah has, on his own admission, said that the matter does not belong in the Finance Committee, but that he is going through it for expeditious reasons.

Mr. BENNETT. I did not say it does not belong in the Judiciary Committee.

Mr. KENNEDY. Would the Senator have done it this way if he had not been given assurance it would not be considered in the House? I thought the Senator said the reason for bringing it up in the Finance Committee was that the House committee chairman said he would not consider it.

Mr. BENNETT. I did this to get action on the bill, which is perfectly legitimate.

Let me read some of the jurisdiction of the Finance Committee. It has jurisdiction over the National Firearms Act. the Federal Firearms Act, so far as it involves tax on shotguns. It has jurisdiction over excise taxes on ammunition and on firearms. So——

Mr. KENNEDY. If the Senator will just wait a minute, if we could get the precise language, as I do not have it before me. The Senator is talking about the taxing jurisdiction. He is not talking about the present regulation of arms or ammunition. Would the Senator find for me, within the rule book, where the jurisdiction over this particular matter is in the Finance Committee?

Mr. BENNETT. The Senator from Utah will be glad to do that. It will take a minute or two to get that.

Mr. MOSS. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. MOSS. We previously had a discussion over whether a form had to be filled out. I have been trying to get one. The distinguished Senator from Connecticut said he would quit if I found one. I will not hold him to that.

Mr. DODD. I want to be held to it.

Mr. MOSS. I have a letter from the Utah State Employees Association on this subject, and enclosed with it is a form that has to be filled out to purchase ammunition. Here it is. It says, record of ammunition sold, date of sale, store number, customer's name and address, date of birth, mode of identification—driver's license, specify what other—caliber, gage, or type of component, manufacturer, sold by, the clerk's name to be signed. So there is a form to be filled out.

Mr. DODD. On those statements, I do not have to quit. That is the seller's form. There is no question about that.

Mr. MOSS. We are talking about who provides the form.

Mr. DODD. I said show me such a form that the purchaser has to fill out.

Mr. KENNEDY. The Senator from Utah mentioned 52,000 duck hunters who were standing in line waiting to fill out forms. Here we find it is actually the seller who is filling them out.

Mr. MOSS. I suppose it can be done two ways. I will concede that the buyer can stand there and dictate each of these items to the seller, and the seller can write them down, and admittedly the seller has to sign the clerk's name. Or it can be done the other way, and the purchaser is told, "Here is the form. You fill it out and come back and we will sell you a box of shotgun shells."

Mr. KENNEDY. Do not the sellers in Utah, when they sell any ammunition, fill out a sales slip?

Mr. MOSS. Not when a customer pays cash.

Mr. KENNEDY. For the purpose of information?

Mr. MOSS. They do not have to give name, address, and kind of caliber. They ring it up on the cash register and the purchaser pays for it. And what would one do with the form when he fills it out?

Mr. KENNEDY. Does the Senator agree with the Senator from Connecticut that the purchaser himself does not fill out any form?

Mr. MOSS. Yes; I would say he may not have to fill out a form by actually writing it, but he has to provide the information.

Mr. KENNEDY. Is there anything in the regulations adopted in accordance with the Gun Control Act of last year that requires the purchaser of ammunition to fill out a form?

Mr. MOSS. That is my understanding; there is a form required. At least, these people signing petitions tell me that. They have been through the trouble of buying ammunition.

Mr. KENNEDY. I think that is important, because we have heard the Senator from Illinois talk about the burden on the purchaser. I think we are talking, not about the seller, but the hunter, the individual. We were listening to the burden placed on that person to fill out a form in compliance with the regulations. As I remember the discussion, the question was whether there was any obligation on the purchaser himself to fill out any form, or any form required by the regulations. I think what we have proved by this colloquy is that no such form is required. The form that is necessary is for the seller himself, and he has to keep a record. If there is a form required, this is the kind of thing we would get into in a hearing.

Mr. DODD. Yes.

Mr. MOSS. I have given the Senator the specific information, coded with the number: Part 178 of Code of Federal Regulations, "Commerce Firearms and Ammunition," 178.25, effective December 16, 1968, published in the Federal Register.

There are eight items: date, manufacturer, caliber, gage, type of component, quantity, name of purchaser, his address, his date of birth, mode of identification, driver's license or otherwise. Then it must be signed by the seller.

This is directly from the Treasury Department. So this is the requirement we are talking about. Now, this is different from going to buy other things of the type the Senator has been talking about.

He speaks of going in the grocery store. When I go shopping I do not have to list, for example, that I want a Norbest turkey, who packed it, what my address is, and how old I am. Even on items that are controlled rather carefully, as I indicated, like liquor or tobacco, where there is an age limit, the only requirement is that the buyer, through proper identification, convinced the seller that he is of proper age. He does not have to fill out anything. He pays his money, and he goes with the product.

Here we are requiring a lot of data to be recorded. I do not know what is done with it afterward. I understand there is some doubt as to what is done with it. But most important of all, how does it control the situation? If I come walking in and show, by my driver's license, that I am old enough, and I give my name and address and say I want Remington 30-30, after I get the whole thing filled out and walk away with my box of shells, how is that going to control what I do with them? I might give them to my neighbors. I might carry them around in my pockets for 3 years. I might do any number of things. It does not control at all what those shell are to be used for. So all that has been accomplished is to create a delay, and, as the Senator from Illinois says, some kind of a conviction that we had some control to help cut down on crime. But it does not accomplish that at all.

Mr. KENNEDY. Mr. President, I think there are two points here. First, the question as to what is the burden on the purchaser, I think, this dialog has cleared up quite well. It was illustrated well, I think, by the example given by the Senator from Connecticut, and I think it has been established here this afternoon that it does not really add any additional burden on him. It does add some additional paperwork as far as the seller himself is concerned, but the question of the regulations and how they could be altered or adjusted is certainly a reasonable area for inquiry by the Subcommittee on Juvenile Delinquency; and if that card itself could be restructured or changed or altered—as perhaps it should be, I am not prepared to say whether it should or not—it certainly seems to me that it is not inappropriate for the committee that has jurisdiction to hold some hearings on that subject, and listen to sportsmen, law enforcement officers, manufacturers, small businessmen, and others to find out.

They might say, "Well, we could achieve the purpose of the law more easily if we just altered that card a little, like this or that, and then it would not really be an additional burden." Why is it so unreasonable? When we have regulations in the law that have only been on the books for some 10 months, and we have no testimony, why is it so unreasonable to have the committee which has jurisdiction hold some hearings on it, with the assurance of the chairman of that committee that the Senate will be able to respond? Why is that so unreasonable?

Mr. MOSS. Mr. President, if I may respond. Of course, I believe that under normal circumstances we would have hearings, and all sides should be heard. But, as the Senator pointed out, this has only been on the books now for a matter of 6 or 8 months, or effective that long.

Mr. DODD. It has been in effect for almost a year.

Mr. MOSS. Well, I was going by the date when this legislation became effective, December 16, 1968.

Whether or not it is acceptable in my State is clear right here. I have bales of petitions. Everyone who is a sportsman—and that is nearly everyone in my State—has run into the problem, and they are signing these and sending them in. Every day's mail brings me 200 or 300 more.

Mr. KENNEDY. The point is that even though the Senator from Utah has the cosponsorship, has 51 or 52 votes, why is it so unreasonable to say that we ought to be able to have some hearings on this matter? I ask him, why is that such an unreasonable request?

Mr. MOSS. I think the answer has been given by my senior colleague. First of all, there is the problem, of course, of getting legislation through both Houses of Congress. This one looks very doubtful on the other side, where it has to go through the Committee on the Judiciary.

Secondly, we are right up against the problem now. As I said earlier, our people are standing in line now, trying to buy a box of shotgun shells. They either have to fill out the form or stand there and tell the clerk all these items that I read off, and he has to write them all down on a piece of paper, before he is allowed to go to the shelf and get the box of shotgun shells and give it to the man who has the money ready to pay him.

When he has the sale made, and the form is in his hands, he has to do something with the form. I guess he has to mail it to the Treasury. They are the ones who made the requirement. And when all is said and done, you have not accomplished anything except to require 10 or 15 minutes to make a sale that ought to take less than five.

So we are just piling up a futile requirement that accomplishes nothing. It does not accomplish anything. We wonder why our people are restive about the bureaucracy and the long hand of the Federal Government reaching into everything. When we compel them to do something that does not make sense, of course they rebel.

Mr. KENNEDY. As I understand these petition forms, they are not unlike the forms that were conceived and sponsored last year by the NRA. The ones I received from the Senator are all identical.

Mr. DODD. If the Senator will yield, I think I can resolve that problem. I have in my hand a copy of the regulations, published in the Federal Register which sets out word for word just what has to be done under the Gun Act. It specifically says, on page 14 thereof what the licensed dealer has to do. The very form that has been read over and over here is the one that is set out in the regulations as the form the seller has to fill out, and not the purchaser.

Here it is. It not only spells it all out, but it requires the licensee to keep a ledger like the one I have in my hand and which they do keep anyway as prudent businessmen.

Mr. MOSS. Where does the seller get the information?

Mr. DODD. He finds the requirements in the regulations.

Mr. MOSS. No; to put on the form.

Mr. DODD. The licensed dealer obtains the information.

Mr. MOSS. The seller gets it from the buyer, does he not?

Mr. DODD. The seller obtains the name, age, and address of the buyer.

Mr. MOSS. How would the seller know the name? How would he know the address?

Mr. DODD. He would ask it.

Mr. MOSS. Well, of course; he gets the information from the buyer.

Mr. DODD. And the age the same way, and that is all he has to obtain from him.

Mr. MOSS. Plus what he wants to buy, how many shells he wants, what caliber or gage, what manufacturer's shells he wants, and all the rest of it. And the date of birth, and so on.

Mr. DODD. Well, he would have to ask some questions if he wants to sell anything.

Mr. MOSS. No; I can go in the supermarket and pick something off the shelf, and walk by the cash register and pay for it, and I do not have to give my age or anything else.

Mr. KENNEDY. Mr. President, on the various forms that have been sent in and signed here, it says, "We, the undersigned citizens, respectfully request that you make every effort to persuade the Treasury Department and Congress to eliminate registration requirements on purchases of shotgun and rifle ammunition."

Has the Treasury Department had any hearings on these regulations?

Mr. MOSS. They did, through publication in the Federal Register and receiving comments. This is the form that was published in the Federal Register, and had to be published for 30 days before it became effective.

Mr. DODD. The Treasury Department did have hearings on the proposed regulations.

Mr. KENNEDY. Was that done before the regulations were established?

Mr. DODD. Yes; before they were promulgated.

Mr. KENNEDY. Mr. President, can the Senator from Utah describe the nature of the hearings held by the Treasury Department?

Mr. MOSS. I do not have firsthand knowledge, but I know the procedure, and I know that there is a time when people can be heard.

Mr. KENNEDY. I understand they held those hearings before issuing the regulations.

Mr. DODD. Yes.

Mr. KENNEDY. They took into consideration various matters and then promulgated the regulations.

Mr. DODD. That is exactly what happened.

Mr. KENNEDY. Does the junior Senator from Utah or the senior Senator from Utah know whether there have been any additional hearings held by the Treasury Department on suggestions to revise the current regulations?

Mr. BENNETT. I understand that the regulations have not been changed since written by the previous administration.

Mr. KENNEDY. That was not my question. My question was whether, in view of the talk about their being dissatisfaction with the current regulations, the Treasury Department has held any hearings on the matter. Do we have any help and assistance from the Treasury Department?

Mr. BENNETT. I do not think the Treasury Department is under the obligation to hold hearings. I think it has checked the situation in the field.

Mr. KENNEDY. Does the Treasury Department hold hearings prior to establishing regulations and publishing them in the Federal Register?

Mr. BENNETT. I think the Senator from Connecticut said that the Treasury Department held hearings before the regulations were written in the first place. It has not changed those regulations since, I think, hoping that we could change the law so that the regulations would be automatically reached.

Mr. KENNEDY. The point I am making is that I understand the Treasury Department, after laws are passed and prior to issuing regulations, holds certain hearings. They did so in this instance, and they took into consideration the different viewpoints and then issued certain regulations. Now the Senators from Utah say the regulations are not functioning because of letters or an exchange of individual correspondence—to my knowledge the Finance Committee has not received it—to the effect that the regulations are not working.

I am asking whether the Treasury Department, because of their anxiety about the regulations and their belief that they do not work, has tried to change the regulations.

Mr. BENNETT. Mr. President, the information we got was that if this measure were passed, that would take care of the matter, and there would not have to be any further regulations.

Mr. KENNEDY. No effort has been made in the Treasury Department, at least none that can be testified to, and no witnesses were heard either before Congress or the Treasury Department on these regulations to express dissatisfaction, which is really a routine matter. When the Treasury Department imposes regulations which some term unsatisfactory, it can, as is done in other departments, hold hearings to discover if there is legitimate dissatisfaction, and they can offer to change the regulation. If that does not satisfy the situation, they then offer recommendations to Congress.

They made no effort to do this at all in this case. The Senator cannot show us where the Treasury Department was so worked up that they made any effort to accommodate the situation the junior Senator from Utah talks about with relation to forms that must be filled out.

We have no record of hearings. We have a questionable exercise of jurisdiction. I note that the chairman of the Committee on the Judiciary is present. We know how important it is to maintain the integrity of the committee system. And we have the assurances of the chairman of the Subcommittee on Juvenile Delinquency that he will see that we have expeditious action.

Mr. DODD. Mr. President, I should like to ask the Senator from Utah a question. Perhaps we can resolve the matter. Would the Senator be willing to agree that we not deliberate this matter further today, but that the amendment be referred to our subcommittee? We will hold hearings beginning on Monday morning, and we promise to conclude them in a matter of 4 or 5 days. The matter will then be referred to the Finance Committee for approval or disapproval.

The Finance Committee can hold hearings if it desires. We will then have had hearings before our committee which has jurisdiction and also before the Finance Committee, which I am willing to give concurrent jurisdiction. We will have heard from people on both sides of the issue. We will have the hard facts and the information we need. It will be far better than the attempt to emasculate the gun bill in this fashion.

One Senator says that a long form has to be filled out, and another says that it is not the case. There have been no hearings and we have no hearing record. That is why the facts are in conflict.

Mr. KENNEDY. Mr. President, I think it is a thoroughly accommodating gesture by the Senator from Connecticut. I would hope that sufficient questions have been raised during the course of the debate this afternoon to show that this is a very reasonable request.

As I understand it, the Senator from Connecticut would hold hearings and he would be willing to schedule them on Monday. He would then be willing to refer the measure to the Finance Committee, and that committee could then act on the measure.

Mr. DODD. The Senator is correct. I am sure that we can do that. That course of action would also get around the objection of the Senator concerning the House Judiciary Committee.

Mr. BENNETT. Mr. President, no attempt would have ever been made to take the measure out of the jurisdiction of any committee if there had been any opportunity to get the measure passed by both Houses.

To go back at this time as a matter of procedure and to retreat from this point and have hearings before the Judiciary Committee and then refer the matter to the Finance Committee and then have it brought back to the floor and return to the same situation in which we are now would seem to me to be an exercise in futility and a complete waste of time.

I think that everyone understands the problem.

I think there was testimony before the Senator's committee on this subject. I do not know whether it was directed to the specific bill before the committee at this time.

I do not think we would get any more information. I think it is perfectly within the pattern of the operation of the Senate that an amendment like this could be offered on the floor without even having committee consideration. This measure had committee consideration by the Finance Committee and was reported by the Finance Committee. The Finance Committee is buried in the job of writing a tax bill. We can assume that after the tax reform bill gets to the floor of the Senate, the committee will be deeply involved in that matter for the length of time it will take to debate and consider the matter. There will be no opportunity then to get further Finance Committee deliberation of this measure for a long time to come.

I see no reason why we should turn around and go back to this process again in order to get back to where we are now.

Mr. DODD. Mr. President, we would not have to do it again. We have not done it at all.

Mr. KENNEDY. Mr. President, the Senator from Connecticut has been very reasonable in his suggestion as to a way in which to get by this impasse.

I know that the distinguished chairman of the House Judiciary Committee, Representative CELLER, has been represented here as being an obstructionist. I think that is an unreasonable and an unfair characterization.

Mr. BENNETT. Mr. President, I did not say that. I said that he would not take up this bill or any bill affecting gun legislation at this session of the Congress.

That does not call him an obstructionist. It represents a policy he is following that constitutes an effective block to this kind of legislation.

I think that if the Senator from Massachusetts were in my place, he would have done as I have done and tried to find a way around the block.

Mr. KENNEDY. Mr. President, does not the Senator believe that if the Committee on the Judiciary passed the measure, the House would be under a compulsion to give the matter some consideration? Would not the position of the Senator be stronger if the measure went through the route suggested by the Senator from Connecticut and hearings were held before the Judiciary Committee and then the Finance Committee considered it, and the matter was then considered on the floor of the Senate? If the House of Representatives then failed to take action, the Senator could come back to this forum and demand some kind of action. It would be a stronger position to be in than to make some comments on information that the Senator is privy to, but of which I am unaware.

Mr. BENNETT. It is in the RECORD.

Mr. KENNEDY. Certainly it would be a good deal more understandable if we had gone that route and failed to get any kind of action and then come back to the consideration of this matter through the Committee on Finance. Does the Senator think that the request of the Senator from Connecticut is an unreasonable one?

Mr. BENNETT. I think it is an unnecessary waste of time. We have come to this position. The Senator from Connecticut says he is going to make a motion to table it. Let us have him make his motion, and let us find out how strong my position is. I am perfectly willing to leave it to the decision of the Senate. If the Senator from Connecticut delays his motion too long, I may have to make a similar motion, even though I vote against it, in order to bring to a close what I think is superfluous and unnecessary debate.

Mr. DODD. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. DODD. I do not know that Representative CELLER ever made any such statement, and if the Senator from Utah does, I think it would be helpful to all of us if he would tell us when and where.

Mr. BENNETT. This word came to me early in the year, at the time I asked the Senator from Connecticut to abandon consideration of 845. It has been confirmed within the last 48 hours. He is going to object to the House consideration of this bill if it comes there.

Mr. DODD. This is a different matter. With this amended bill and the way it is being handled in the Senate, I can understand his objection, and I think he is right. There has been no hearing in the Senate and no hearing in the House. It would be run through the Senate as a Christmas tree present, on a bill to which it is wholly unrelated.

I wonder whether the Senator is sure that the chairman of the House committee ever said he would obstruct any amendment that came to that body from the Senate. I would have grave doubts about that.

Mr. CANNON. Mr. President, will the Senator yield?

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. KENNEDY. As to the point made by the Senator from Connecticut about "this word," does the Senator from Utah have a letter from Representative CELLER?

Mr. BENNETT. The Senator from Utah has no letter.

Mr. KENNEDY. Does he have any quotation that has appeared in a reputable newspaper?

Mr. BENNETT. The Senator from Massachusetts pays no attention to letters. He has just announced the insufficiency of the letters from the Treasury Department, so why should the Senator from Utah be concerned about his getting a letter?

Mr. KENNEDY. I was wondering about the basis for the representation that the Representative from New York said there would be no action. Is it in the RECORD?

Mr. BENNETT. It is not in the RECORD. But the Senator from Utah is satisfied. If the Senator from Massachusetts is not satisfied and would like to talk to the Representative from New York, the chairman of the committee, he may do so. But so far as the Senator from Utah is concerned, after many months of trying to work this problem out, we have come to this point; and the Senator from Utah is perfectly content to have the Senate make its decision, rather than go back and go through the chairs again and return to this point.

Mr. DOMINICK. Mr. President, will the Senator from Massachusetts yield?

Mr. CANNON. Mr. President, will the Senator yield?

Mr. KENNEDY. I think the Senator from Nevada asked me to yield before. I yield to the Senator from Nevada.

Mr. CANNON. What is the purpose of obtaining the information in the form that is required?

Mr. KENNEDY. The purpose for obtaining the information on the form?

Mr. CANNON. The form that is required under the regulation.

Mr. KENNEDY. It is to meet what has been outlined day after day, month after month, year after year, in hearings of the Subcommittee on Juvenile Delinquency, conducted by the distinguished Senator from Connecticut, and which has been outlined in the Crime Commission report. It is the facility which mental incompetents, juvenile delinquents, and known felons have to acquire ammunition and arms. That is the thrust and the purpose of the inclusion of that requirement in the gun law of last year and for the propounding of these regulations.

Mr. CANNON. If that is the purpose, may I ask the Senator this question: Is there a question in the form that asks a man if he has ever been convicted of a felony? Is any such question in that form?

Mr. KENNEDY. There is provision in terms of age, in terms of name and address. Certainly a felon will hesitate before he puts that information on the record in connection with a purchase of bullets.

Mr. CANNON. I did not ask about age. I asked about a felony.

Mr. DODD. I can say there is not, and I do not think there should be.

Mr. CANNON. Mr. President, who has the floor?

Mr. KENNEDY. I have the floor.

Mr. CANNON. I am confused.

Mr. DODD. I think I can help.

These regulations were written pursuant to the passage of the Gun Control Act and as required by the act. They were written by the Secretary of the Treasury in order to make it impossible, if we can, for, as the Senator from Massachusetts pointed out, juveniles, mental incompetents, felons, and addicts to get——

Mr. DOMINICK. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOMINICK. It is my understanding that the Senator can yield only for the purpose of a question, not for the purpose of allowing everybody else to make speeches.

The PRESIDING OFFICER. The Senator from Colorado is correct.

Mr. CANNON. My question was this: Where is anything in this form that indicates whether a person has or has not ever been convicted of a felony? I do not find anything in the form that relates to a felony.

Mr. KENNEDY. Whether we should have that requirement might be one of the things to be gone into in hearings, if we were permitted to consider this matter in committee.

Mr. CANNON. The only thing I can find in relation to the purposes stated is the question on date of birth. I do not know why a person has to have the person's name or the name of the manufacturer if they are concerned about the date of birth.

Mr. KENNEDY. Perhaps the point that the Senator from Nevada makes about the question of the felony should be on there. Perhaps we ought to have a hearing and find out whether the law enforcement people of this country feel it would be useful to have that on there, and whether it might properly be required. That is the kind of thing I would hope we could look into. Perhaps it should be on the form, and that may be one of the matters the committee would go into.

Mr. CANNON. Is it now the law that it is unlawful to sell to a person who has been convicted of a felony? Is that a provision in the law?

Mr. KENNEDY. To knowingly sell, I believe.

Mr. CANNON. And is it in the law that it is unlawful to knowingly sell to a person under the age of majority?

Mr. KENNEDY. That is correct.

Mr. CANNON. Under what age—18 or 21?

Mr. KENNEDY. It depends on the weapon. On the long gun it is 18, and on the handgun it is 21.

Mr. CANNON. So where the majority is 21 in some States, they can sell to someone under the age of 21?

Mr. KENNEDY. We establish it. It is a national regulation. It is 21 for handguns and 18 for the long guns.

Mr. CANNON. Does the Senator feel that this form helps to achieve the purpose he has intended or that it imposes an unreasonable burden on people who want to buy ammunition for sporting purposes?

Mr. KENNEDY. As we brought out in the dialog, there really is very little additional burden on any purchaser when he goes in to buy ammunition.

It is the belief of principal law enforcement personnel that this is helpful in identifying the violators and felons. An example of that was cited earlier by the distinguished Senator from Connecticut—the fact that 21 percent of the District of Columbia people who bought ammunition in Maryland had a felony background. I think it is helpful to illustrate that.

I think it is useful and it is helpful. If we are going to change that requirement, I think we should find out by hearings how helpful and useful it has been and can be. I believe it is helpful. I think a case has been made.

Mr. CANNON. The Senator says this is useful in determining law violators who get access to this ammunition. How is that helpful to law-enforcement people? Are these forms turned over to the law-enforcement people?

Mr. KENNEDY. They can be. For example, in the District of Columbia they have computer lists of the names of known felons. When someone who is a known felon buys ammunition, they can check this. It depends on the law-enforcement agency as to whether they are doing this or not.

Mr. CANNON. Who keeps the records on this? Who keeps these records which are filled out by the hundrdes of thousands at the local stores?

Mr. KENNEDY. They are available to law-enforcement personnel. It is up to them.

Mr. CANNON. Are they furnished to the law-enforcement agencies?

Mr. KENNEDY. It is up to the law-enforcement personnel if they want to pursue them. That is one of the questions here. Is the law being adequately used?

Mr. CANNON. If they want to go and examine them?

Mr. KENNEDY. That is correct.

Mr. CANNON. But the forms are not furnished them?

Mr. KENNEDY. They are available.

Mr. CANNON. What does the Senator mean?

Mr. KENNEDY. Just the common understanding of the word "available."

Mr. CANNON. Does the Senator mean the forms are there for the law-enforcement agencies if they want the forms?

Mr. KENNEDY. The Senator is correct.

Mr. BENNETT. Mr. President, may I answer the question?

The PRESIDING OFFICER (Mr. STEVENS in the chair). Does the Senator from Massachusetts yield?

Mr. KENNEDY. Mr. President——

Mr. BENNETT. I can answer the question in two words. The law requires dealers to keep the records 2 years.

The PRESIDING OFFICER. The Senator from Massachusetts has the floor.

Mr. CANNON. There is no requirement that these forms be furnished to the law-enforcement agency. Is that correct?

Mr. KENNEDY. The Senator is correct, except that such agencies may inspect them on request.

Mr. CANNON. Is there any requirement on the law-enforcement agency to go and examine these forms at any time?

Mr. KENNEDY. There is no requirement, as such, but any agency doing its job should do so, at least on a spot check basis.

Mr. CANNON. Does the law require the dealer to keep the records for 2 years, then burn them, throw them away, or do what he wishes with them?

Mr. KENNEDY. I understand they have to keep them for 2 years as a minimum. What happens after that I do not know.

Mr. CANNON. This is helpful to the law-enforcement agency only if the law-enforcement agency decides they are going to go to every gun dealer in the city and examine all the records of sales.

Is there any provision that the records are kept in alphabetical order?

Mr. KENNEDY. No.

Mr. CANNON. Does the Senator think that the law-enforcement officer in one of the cities in my State, where hundreds of thousands of boxes of ammunition are sold in a year for sporting purposes, is going to go through an alphabetized list to see who furnished that information? Does the Senator believe that is going to happen?

Mr. KENNEDY. No. I believe what could very well happen there would be what could now happen in the District of Columbia. The District has a computerized system of names and addresses of known felons. Although it depends widely on the disposition of the law enforcement personnel this can give an additional kind of help in prosecution. Spot checking would be very easy. And, it would limit the sales of ammunition with respect to juveniles, felons, drug addicts, mental defectives and so forth, because they would be deterred from identifying themselves for the record.

Certainly if they so choose, the law enforcement agencies can check through the list and prosecute. They could be doing that at the present time. It is not widely done but this is one of the reasons gun control has been recommended by the Crime Commission. The Crime Commission has made a long study about how to alleviate problems involved in law and order, and gun control was high on its list. I think it is probably a useful step. If it is not, I think it would be helpful to find out why.

I think the Senator should have his law enforcement personnel in from Nevada and other States come here so we can find out.

Mr. CANNON. If we can save them a trip back here, I would be glad to give the Senator correspondence about the matter from a number of my constituents. It would save them a trip back here. They explain it pretty well in a letter with an airmail stamp.

Mr. KENNEDY. That could be a part of the record, but we have no record now.

Mr. CANNON. Other than what the Senator has just said, is there any other useful purpose in this recordkeeping exercise?

Mr. TYDINGS. Mr. President, will the Senator yield for the purpose of a few questions that might get to the heart of the questions that the Senator from Nevada is asking?

Mr. KENNEDY. I yield.

Several Senators addressed the Chair.

Mr. DOMINICK. Mr. President, may we have order?

Mr. KENNEDY. Mr. President, I yield for a question to the Senator from Maryland.

Mr. TYDINGS. I am directing this question to the Senator from Massachusetts.

Mr. DOMINICK. To whom is the Senator from Massachusetts yielding?

Mr. KENNEDY. I yield to the Senator from Maryland.

Mr. PASTORE. For a question.

Mr. TYDINGS. Is it not a fact that, during the debate last year that took place in this Chamber when the question of keeping records on the sale of ammunition came up, was debated, and was carried, the reason or one of the reasons why the issue carried was that there are provisions in the law—specifically section 922(b) which prohibits any licensed gun dealer to sell ammunition to a minor, section 922(b)(2) which prohibits any licensed gun dealer to sell ammunition to any person in violation of local law, section 922(d)(1) which prohibits any licensed gun dealer from selling to any person under indictment, section 922(d)(2) which prohibits any licensed gun dealer from selling ammunition to any fugitive, section 922(d)(3) which prohibits any licensed gun dealer from selling to any known drug user, section 922(d)(4) which prohibits any licensed dealer from selling to any mental defective—which could be more easily enforced; and, as a matter of fact, are almost impossible of enforcement unless the licensed gun dealer took the very minor step of requiring the name, address, and age of the individual; and was it not further brought up in the course of the debate that the mere fact that the fugitive, minor, narcotic addict, or mentally defective individual knew he would have to give his name, address, and age to a licensed gun dealer might dissuade that person from buying ammunition; and was that not debated and was that not one of the issues on which the Senate based its judgment in adopting this measure?

Mr. KENNEDY. That is correct. I yield the floor.

Several Senators addressed the Chair.

Mr. DOMINICK. Mr. President, who has the floor?

The PRESIDING OFFICER. The Senator from Colorado has the floor.

Mr. DOMINICK. Mr. President, I shall be very brief in connection with this matter and I shall be happy to yield to anyone who wishes to ask a question or two.

The thing that I think should be placed in summary form is the requirement that every small or large ammunition dealer must keep a record. This has been referred to by the Senator from Nevada (Mr. CANNON). The record has to be kept for a minimum of 2 years. The record is not forwarded to the Treasury Department. No copy of the record goes to the local police officials. There are no standard forms for use. Many of the records are kept on plain lined paper. There are no separate sheets for each sale. One would have to look through them all to find any one purchase. The records probably are not filed alphabetically in most cases. All I can see that they have is a mountain of paper, which certainly does not prevent crime.

It strikes me that in giving one's name, address, age, and producing a driver's license, there is nothing that would prevent anybody from going in and getting the ammunition. This requirement is no deterrent to any criminal. Therefore, we have not passed anything in the way of helpful legislation to deal with the problem of reducing the use of firearms in the commission of crimes. Since we have not cured anything, let us get rid of it. Why burden everyone with the problem, whether it is this paperwork or the desire of a sportsman to go hunting?

In the Select Committee on Small Business one of the most tremendous problems we have discovered in the entire country, is the number of separate forms and the great amount of papers that small businessmen have to fill out, at great expense and loss of time. Where the forms are not useful, they should not be required.

Mr. CANNON. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. CANNON. I would like to ask the Senator if there is anything on the form, in the information that is required, that would be helpful to achieve the purposes the Senator from Massachusetts said were intended, other than the age of the person?

Mr. DOMINICK. No. I was going to say, age is the only information furnished.

Mr. CANNON. And could not age be ascertained from the driver's license or any other card without necessity for requiring name, address, rank and serial number, as we used to say in the service.

Mr. DOMINICK. The Senator is correct. Anyone can say anything he wants to say as long as he has a name matching the card he produces.

Mr. CANNON. Is there anything indicating the man has been convicted of a felony, that he is a narcotic user, or likely to be a narcotic user, or anything that might lead one to believe the purchaser is going out to commit a felony?

Mr. DOMINICK. No, and I might say if those questions were added it probably would be self-incrimination, which would be unconstitutional.

Mr. CANNON. Does the Senator believe that the Treasury Department would come in and say it does not believe this provision is helpful for the purpose intended in the law? Does the Senator think they would say that, if it were not so?

Mr. DOMINICK. No, sir, I do not. That is a good point to bring up.

Mr. BENNETT. Will the Senator from Colorado yield?

Mr. DOMINICK. I yield.

Mr. BENNETT. Suppose this process turned up the fact that a convicted felon had actually purchased ammunition? Is there anything that the Treasury Department could do about it? Could it take that ammunition away and throw him in jail for buying ammunition just because he was a convicted felon?

Mr. DOMINICK. That is another thing I was going to say. I am glad the Senator brought it up. I do not believe there is anything in the law that would permit the Treasury Department to take such action. The fact that he has brought some ammunition does not mean that he is going out to shoot his next door neighbor. This registration is not under oath. It adds no new violation for which a felon could be prosecuted. The paperwork provides no new tool for law-enforcement officers.

Mr. JAVITS. Mr. President, will the Senator from Colorado yield?

Mr. DOMINICK. I yield.

Mr. JAVITS. The Senator knows that I have taken a position very strongly for gun control. I am also the ranking member of the Small Business Committee which is deeply interested in the proliferation of paperwork. Let me tell the Senator what troubles me.

Mr. PASTORE. Will the Senator please speak louder so that we can hear him?

Mr. JAVITS. I will.

Mr. PASTORE. We want to be in on it.

Mr. JAVITS. Two questions trouble me.

One, it is not the judgment of the Senator that, by adopting this amendment, we are beginning to erode the Gun Control Act? People like myself, who strongly favored that legislation would be deeply concerned about that. This amendment, in and of itself, may not be a consequential matter, but it begins to erode by peripheral means—through an unrelated revenue bill—the Gun Control Act—a bill, which was not any too strong to begin with

Mr. DOMINICK. Let me answer that question first. There is no erosion when we get rid of a piece of deadwood that has been attached to the bill which is not accomplishing a thing in the way of the intent of those in favor of gun control. These regulations are in fact building more opposition to gun control. Though I do not favor gun registration, it seems to me this present requirement is counterproductive.

Mr. JAVITS. That is the Senator's opinion, and I respect it, but he is not very favorable to gun control. I do not share his view.

Mr. DOMINICK. No. I might say, however, that this is the opinion the Department of Justice and one other agency——

Mr. BENNETT. The Treasury Department.

Mr. DOMINICK. Yes, the Treasury Department. We have already made the record on that, thanks to the Senator from Utah.

Mr. JAVITS. Second, would it not be desirable to have someone examine this situation in order to check on the concerns which the Senator from Maryland (Mr. TYDINGS) expressed in his leading question. Such information would be useful in terms of identifying prohibited purchasers at least to find who they are, and get after the dealer?

If present regulations are onerous, if they are not really required or can be simplified, at least, we should seek to find some way to reconcile the necessity of ascertaining prohibited purchasers and the need for simplifying recordkeeping. That sort of study is preferable to adding this provision and insisting on forcing it through. Should not we, at least, try to reconcile this objective to the broader purposes?

Mr. DOMINICK. I would say to the Senator from New York that we are entering into the hunting season on a nationwide basis, and that we already have substantial evidence that this particular series of certificates is not doing anyone any good but is creating enormous animosity all around the country. If we really want to try to do something which we think would be more effective, then we should hold hearings and vote on it after we have eliminated these perfectly useless regulations. I see no point in retaining a provision which accomplishes no end except filling out more papers. Later on we can do something more about it, if that is the will of Congress.

Mr. JAVITS. The Senator from Colorado has a right to call this a "useless regulation," but I would say——

Mr. DOMINICK. Yes, the Senator from Colorado feels that way. That is the reason I stated it. I cannot see anything useful in it.

The Senator from Connecticut and the Senator from Maryland have not pointed out a single case where this type of certificate has been useful to law-enforcement officers in arresting or sentencing anyone, or preventing the commission of a crime.

Mr. JAVITS. I thank my colleague from Colorado. I cannot agree with him, but I thank him for his frankness.

Mr. PASTORE. Mr. President, will the Senator from Colorado yield on that very point?

Mr. DOMINICK. At this time, Mr. President, I yield to the Senator from Pennsylvania, and then I will come back to the Senator from Rhode Island.

Mr. SCOTT. Mr. President, would not the Senator agree that no law enforcement purpose is served by the present system and that it has operated in a way which serves merely to harass the law-abiding sportsman?

Mr. DOMINICK. I would certainly agree, yes.

Mr. SCOTT. Would the Senator not agree that if this provision were repealed, in no way would enforcement of criminal law be impeded to the disadvantage of law enforcement officers?

Mr. DOMINICK. That is totally correct. There are still prohibitions in the law, as referred to by the Senator from Maryland, concerning the prohibition against selling to minors, delinquents, and so forth. In addition this provision would not affect the regulations on the sale of ammunition for handguns. It affects only rifle and shotgun shells.

Mr. SCOTT. Mr. President, I am a cosponsor of the amendment of the distinguished Senator from Utah (Mr. BENNETT) to the tax equalization legislation before this body. This rider repeals the burdensome rifle and shotgun ammunition sales registration requirements of the Gun Control Act of 1968. I joined as a sponsor of this amendment and support it now because I believe that provision of the Gun Control Act places an unfair burden on the great majority of law-abiding citizens in this country including over a million Pennsylvania sportsmen. I am particularly concerned about the seemingly endless forms which sportsmen have had to fill out for the Alcohol Tax Division of the Internal Revenue Service. I have long been concerned that the present methods of enforcement go beyond the intent of Congress and serve no useful purpose. I have been informed by the Secretary of the Treasury that this information has not been properly utilized in Washington due to the impossible task of working with the millions of registration statements. In addition, it is not possible to trace this sport ammunition in an accurate way. I want to assure sportsmen that they are not being treated like criminals. Several months ago, I promised Pennsylvania sportsmen that I would do everything possible to eliminate these registration requirements before the hunting season began. In urging your support of this measure, I am cognizant of the controversy involved, but I urge that the burdensome and bureaucratic ammunition sales registration system now imposed does nothing to control crime or criminals. No law enforcement purpose is served by the present system which as operated in a way which merely harasses the law-abiding sportsmen. I urge that this body repeal those provisions of the Gun Control Act of 1968 which provides for sportsmen's registration requirements for high-powered rifle or shotgun ammunition.

I recognize that the only way a divided Democratic leadership would move this legislation on the floor was to remove .22 caliber rimfire ammunition from the amendment. I want to assure the sportsmen of Pennsylvania that I will continue to work to repeal those registration requirements as well as the ones I urge the Senate to repeal today.

Mr. DOMINICK. Mr. President, I am happy to yield now to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, I was a little surprised at the assertions which were made by the Senator from Colorado, who used the rationale that up to this time not one criminal has been turned up as having gone into an ammunition purchase shop to buy these long-gun bullets.

Mr. DOMINICK. I did not say that, if I may say so to the——

Mr. PASTORE. Will the Senator repeat again for my benefit what he did say?

Mr. DOMINICK. I said that I had not heard from any of the opponents where this particular provision had helped the police to arrest someone because of this registration.

Mr. PASTORE. On that same score, could it not be that the chances are this law has worked and criminals have been deterred from purchasing these long-gun bullets?

Mr. DOMINICK. Only if one assumes that every criminal is a creep or an imbecile. I certainly do not think so.

Mr. PASTORE. I think they are despicable and imbecilic. They are creeps. I think they should stop buying long-gun bullets. I think we should do everything to stop them from buying long-gun bullets. That is exactly what we should try to do.

Mr. DOMINICK. I could wave the flag in the same way.

Mr. PASTORE. I am not waving the flag. I am waving a little logic.

Mr. DOMINICK. So am I. If the Senator can point out where the certificates are doing anything in the way of preventing anyone from buying bullets, if they want to buy bullets, I should like to hear it.

Mr. PASTORE. I shall have my turn when the Senator sits down.

Mr. KENNEDY. Will the Senator from Colorado yield for a question?

Mr. DOMINICK. I am happy to yield to the Senator from Massachusetts.

Mr. KENNEDY. Was not the Senator on the floor when, earlier in the afternoon, the distinguished Senator from Connecticut pointed out that yesterday the personnel on his staff went to a sports shop over the Maryland line and recorded for a period of 1 hour the names of purchasers of ammunition which would be included in the Bennett amendment, and then researched police records in the District of Columbia—and found that 21 percent of the District of Columbia residents who had purchased that ammunition over there in Maryland were felons.

It seems to me, Mr. President, that if we require the names and addresses of purchasers of ammunition from a driver's license, a draft card, a credit card, or whatever, it is most difficult not to agree that law enforcement personnel would be greatly assisted, in finding criminals if they are interested in doing so, felons and potential felons would be deterred, and the cause of crime prevention furthered. To say otherwise, Mr. President, is indefensible, in my opinion.

Mr. DOMINICK. I say, it is unusual that members of a Senator's staff had to go down, and the police did not. I do not think we can prove anything by the fact that a criminal bought some ammunition. This provision will not keep criminals from obtaining ammunition.

Mr. KENNEDY. Yes, but that is the point. This has only been the law for 10 months. What we are really doing is changing it before it has ever been given a trial.

Mr. DOMINICK. Is the Senator asking me a question?

Mr. KENNEDY. Yes; I am asking a question.

Mr. DOMINICK. Let us ask a question; let us not make a speech.

Mr. KENNEDY. Is it not so? Is it not so that the staff went down there and located this?

Mr. DOMINICK. I do not know.

Mr. KENNEDY. And that 21 percent of those people had committed crimes? And is it not so, further, that this provision has not been given a reasonable period of time so that the law enforcement people of this country could give it a full chance? And is it not so, further, that it would be useful——

Mr. DOMINICK. Before the Senator goes so far in his question, will he give me a chance to answer?

Mr. KENNEDY. I will finish it in just 1 second.

The PRESIDING OFFICER. Does the Senator yield for the question?

Mr. DOMINICK. I yield for a question.

Mr. KENNEDY. Is it not so that, in order to ascertain whether this provision would be beneficial to the law enforcement personnel of this country it would have been helpful, to have had them testify before a committee of this body? Would it not have been helpful to have heard their testimony? Then we would not have to be speculating on whether this provision deters crime and whether the forms ought to be changed.

Mr. DOMINICK. Let me answer before the Senator starts making more speeches. First, I have no reason to doubt that the staff of the Senator from Connecticut went there and made this investigation.

Second, I have not seen it, so I do not know what it says.

Mr. KENNEDY. Will the Senator yield?

Mr. DOMINICK. No; I refuse to yield until I finish answering the Senator's question.

Third, I have no doubt somebody found that they had some kind of record whether just arrests or actual convictions, and that the percentage was 21. I do not know what kind of crimes they committed, whether they were for parking, speeding, armed felonies, or what they were.

Fourth, I do not know that this has a single thing to do with what we are talking about, because the police did not find them, they have not used the registration forms, and there has been no case cited to show that this provision has any effect on law enforcement procedures.

As far as hearings are concerned, the Senator from Connecticut, the Senator from Massachusetts, or any other Senator whose committee has jurisdiction over the matter can hold all the hearings they want. I will be delighted to come in and testify. But let us go ahead now and have a decision on this question.

Mr. CANNON. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. CANNON. Is it not a fact that we have here eloquent testimony—more eloquent than could be produced in any committee hearing—against this kind of recordkeeping by reason of the statement of what has already been found there by the recordkeeping? If 21 percent of the people who bought ammunition in that place in Maryland were convicted felons, I do not know what other evidence one could find to show that this provision of the law is completely unreasonable, irresponsible, and ineffective. Is that not a fact?

Mr. DOMINICK. I presume the Senator from Nevada is asking my opinion on this. All I can say is that I cannot see that this provision is going to be useful in that way. It has not prevented felons from purchasing ammunition. It would probably be unconstitutional to require a person to write down whether or not he was a convicted felon. I cannot see where the police have inspected these records and really used them. So I would tend to agree with the Senator from Nevada.

Mr. DODD. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. DODD. The Senator from Nevada complains that we detected only 21 percent of the purchasers with criminal records. Before the Gun Control Act was passed, similar checks a year ago showed that 70 percent of such purchasers had criminal records. I am sure the Senator from Nevada will be interested in that. He says the law is no good.

Mr. DOMINICK. Does the Senator intimate that a year ago, before the law went into effect, Maryland had the same requirement?

Mr. DODD. Before the Gun Control Act was enacted substantial numbers of Washington residents with criminal records were buying guns and ammunition in Maryland.

Mr. DOMINICK. Is the Senator from Connecticut saying that Maryland had the same requirements for registration of ammunition a year ago?

Mr. DODD. No; the State did not have that requirement.

Mr. DOMINICK. I am having trouble hearing the Senator.

Mr. DODD. No; Maryland did not have similar requirements, obviously. Those requirements were the result of the gun bill passed 10 months ago.

Mr. DOMINICK. How did the police know that 70 percent of the people buying ammunition at that particular gun store a year ago were felons?

Mr. DODD. Because we obtained the records under the provisions of the Federal Firearm Act and gave them to the police.

Mr. DOMINICK. But the Senator indicated that they did not have records.

Mr. DODD. We had Federal investigators find out who were buying guns and ammunition. They obtained names and addresses and gave them to the police of the District of Columbia. The records showed that 70 percent of them had felony arrest records.

Mr. DOMINICK. Then I submit to the Senator from Connecticut that the same procedures could be used now with as much effectiveness, without burdening the dealers with a lot of paperwork that law enforcement officers are not using.

Mr. KENNEDY. Mr. President, will the Senator from Colorado yield?

Mr. DOMINICK. I yield for a question.

Mr. KENNEDY. For a question. Does the Senator now agree that if those 21 percent were felons, they violated the law, and under the provisions of the gun law they can be prosecuted and sentenced to a substantial fine and period of imprisonment?

Mr. DOMINICK. I presume they can. I think it is going to be an interesting case, but I have not heard any one in the 21 percent charged. Furthermore, the same information could be obtained without these regulations, as I just pointed out.

Mr. KENNEDY. I wish the Senator from Maryland were present so he could correct me if I am not right, but I understand there is a distinction. To purchase in the District of Columbia, one has to show a permit for the purchase of ammunition or firearms. That is not a requirement in Maryland. Therefore, I understand what happens is that the felons themselves go into Maryland and violate the law in purchasing the ammunition, and possibly even firearms. But by doing so they violate the Federal law, for which they can be prosecuted.

Whether they will be prosecuted by the Internal Revenue Service, whether there are sufficient personnel to prosecute them, whether other Federal agencies can be persuaded to prosecute—obviously, it has not been done on the 21 percent—still they could be prosecuted because they violated the law. Is that correct?

Mr. DOMINICK. As far as I know, either the dealer or the purchaser can be prosecuted. I do not know which; maybe both. But I would say to the Senator from Massachusetts that this could be done without requiring all this useless paperwork. The Senator from Connecticut just pointed out his staff was able to get the same information before these regulations were put into effect. So why should we keep this kind of recordkeeping system in effect when we are not sure we can use the provisions at all?

Mr. KENNEDY. I think the Senator will agree that those who have violated the law can be prosecuted; that it is a question of whether there is a will and whether there are adequate law enforcement personnel and sufficient personnel to prosecute. But they are liable under the provisions of the law.

Mr. DOMINICK. If I may answer the question this way, those people can be prosecuted regardless of whether or not we have the form. All we are talking about is the form. We are trying to get rid of an unconscionable burden so far as the dealers are concerned, and one that is a source of annoyance to purchasers. If there are adequate personnel to investigate and prosecute these people it can be done without this form. It would not take any more personnel. This amendment does not affect any other provision of the law to which the Senator from Massachusetts is referring. It only eliminates the paperwork.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. PASTORE. We were talking about date of birth, color of one's eyes, and all that sort of thing. As I read the amendment, the effect of it, if enacted, would mean that anyone could go into any ammunition retail shop—anyone—and buy all the ammunition and all the bullets for long guns that he wanted to buy, without accountability to anybody. Is that correct?

Mr. DOMINICK. No, we are not.

Mr. PASTORE. What are we doing?

Mr. DOMINICK. I am simply saying that you would no longer have to keep these records, that the basic law with regard to felons and juveniles is still in effect; and this amendment does not exempt .22 ammunition, interestingly enough. I wish it did.

Mr. PASTORE. And anyone can go in, whether he is a felon or not, and buy bullets for long guns?

Mr. DOMINICK. No, it is against the law.

Mr. PASTORE. And the seller would not be responsible?

Mr. DOMINICK. No; it is against the law.

Mr. PASTORE. What is against the law?

Mr. DOMINICK. To sell it to a juvenile or to a convicted felon. It is still against the Federal law. All that this does is eliminate the need for the useless recordkeeping.

Mr. PASTORE. How are they ever going to find out, unless they keep the records?

Mr. DOMINICK. That is easy enough. The same way that they do it now; the same way the staff of the Senator from Connecticut found out last year in the store in Maryland.

Mr. PASTORE. How do you do it now? How do you put that purchaser on record that he is in the wrong place at the wrong time, to do the wrong thing, unless you ask him questions?

Mr. DOMINICK. You investigate, find the people buying and check back in the criminal files. These records are not going to help get convictions.

Mr. PASTORE. We do not want him even to go in there. We want to discourage him from going there. That is the purpose of this law.

Mr. DOMINICK. Surely, but this obviously is not doing that.

Mr. PASTORE. We want to discourage that criminal from going in, because he knows if he goes in, he is trapped.

Mr. DOMINICK. The best way to do that would be simply to confiscate all the guns in the country, and refuse to sell ammunition to anyone, which, as a matter of fact, I think was suggested in the debate last year.

I yield to the Senator from Utah.

Mr. MOSS. Is there any requirement in the law at the present time for the seller to ascertain and put on the record whether or not the purchaser is a felon, or whether he has been convicted of any crime?

Mr. DOMINICK. There is nothing whatsoever, except the age statement; and I think if we made that a requirement, the answer would probably be in violation of his constitutional rights on the grounds of self-incrimination.

Mr. MOSS. These records are kept 2 years, and after that time there is no record at all regarding who bought ammunition prior to that time?

Mr. DOMINICK. That is absolutely correct.

Mr. MURPHY. Mr. President, will the Senator yield for a question?

Mr. DOMINICK. I yield.

Mr. MURPHY. My last experience in connection with this issue was when a representative of the Treasury Department said to me:

> We do not know what to do with these forms.

Does anyone know what happens to the little black book the Senator from Connecticut showed? Does it stay in the store? Is it registered somewhere? I cannot see, if it stays in the store, what possible good it does. If it does not stay in the store, how does the filling out of the form accomplish what the Senator from Connecticut desires? I do not understand that. Does the Senator from Colorado know what happens to the form?

Mr. DOMINICK. Yes, I can say to the Senator from California that the form stays in the store. They are required to keep it for not less than 2 years. They are not kept alphabetically, and trying to find out even whether or not an individual registered is a difficult problem for anyone, including, I am sure, the staff of the Senator from Connecticut. The form does not go to the Treasury Department or any other law enforcement agency.

Mr. MURPHY. I might add one comment that was made by one of the best known dealers in Los Angeles, when he said he had some of the place where, to sell a 75-cent box of ammunition, it cost him about $2.50 in processing and time of his employees. I do not know whether that was the intent of Congress or not, but that is apparently the effect of the law as it is working out, and I concur that, while I am probably the last person in this Chamber who would condone felons having guns, I have not yet heard a single argument put forward that, in my opinion, would stop the criminal. All it does is furnish a further example of impeding the good citizen, and not doing anything to impede the criminal.

I thank my distinguished colleague.

Mr. DOMINICK. I thank my friend from California. I might say that an amendment that I offered in the District of Columbia Committee, which was adopted and has been put into effect by only one judge, as far as I know, would have far more effect on doing something about the crime situation here, and hopefully we can get it enacted elsewhere in the country, and that was to say that if anyone commits a felony in which a gun is used, and is convicted of it, the judge has the right, at his option, to give him an indeterminate sentence up to life, regardless of whether he used the gun or not.

That is the quickest way to stop the use of guns in the commission of crime. It punishes criminals, not law-abiding citizens.

Mr. MURPHY. I concur.

Mr. DOMINICK. Mr. President, I yield the floor.

Mr. PASTORE. Mr. President, I had

not intended to speak on the matter before the Senate, but, having come to the Chamber and listened to the debate, I think I have a word or two to say with reference to this particular amendment, in view of some of the logic I have heard used in the debate this afternoon.

First of all, I admit to my colleagues from Utah, Colorado, and Nevada that there may be an element of inconvenience to the citizens of their particular States with reference to this matter, because the use of long guns for hunting purposes might be a little more prevalent in that part of the country than in New England, which is much more urbanized.

When we passed this gun control law, we realized fully that we were not going to eliminate crime completely. You can never eliminate crime by law, just as you can never strictly eliminate segregation by law. These are human problems, and they have to be met with human considerations.

I think that sometimes we reach the point where the decent citizens of this country have to make a small sacrifice, or undergo a small inconvenience, in order to protect the common good. If we knew that every one was honest, if we knew that a gangster, or a criminal, or an Oswald would never use a long gun to shoot a President of the United States, and could be sure of that, we would not have to pass any law.

We passed this law in good faith. We realize this is an inconvenience upon the legitimate sportsman. We know that. We know that it is an inconvenience to the dealer in ammunition and guns. We know that; we have always known it. But after all, the rate of crime is rising in this country in an astronomical spiral. Guns are getting into the hands of outlaws. They are getting into the hands of criminals, gangsters, and sometimes people who are mentally unbalanced. I think that was the case with Oswald.

A minor is prohibited under the law from buying liquor, and a retail liquor dealer is prohibited from selling liquor to a minor. That does not mean that a minor does not sometimes sneak in, because he is an overgrown boy and looks 22 when he is only 16.

Mr. President, we know all these elements are involved here, but what are we doing today? We are taking a shotgun approach, if I may coin a phrase. A shotgun approach. We have not had any hearings at all on whether or not this law has worked in the last 9 months it has been on the books. We know this is cumbersome upon the Treasury, and we know it is cumbersome on the Justice Department. We know that. They would seek to free themselves of this responsibility if they thought that Congress would go along with it.

By the same logic, if we are not going to make sure that a certain amount of interrogation is going to go on, on the part of the dealer, to ascertain that he is dealing with a respectable citizen, Mr. President, we are opening the floodgates to abuse.

We have had this experience. This is not new. We know that when you pass a law or institute a regulation, that does not make a situation 100 percent pure. We know that.

But what does the gun law do? What does it actually do?

The law puts the dealer on notice that before he can be convicted of knowingly having sold to the criminal, he has a responsibility to the decent people of this country, to ask a few questions.

What are the questions he asks?

Mr. MOSS. Mr. President, will the Senator yield?

Mr. PASTORE. In just a moment.

He asks for the name, he asks for the address, and maybe eight or nine other questions. What sacrifice is that?

The point I make today is that somewhere along the line someone has to begin to make a little sacrifice if we are to clean up crime in this country.

I pick up a newspaper every day and wonder where a 16-year-old kid gets a gun that he is able to put to the head of a bus driver and shoot out the brains of a man with four or five children. How does he get the gun? I know he could get it from someone else. But are we going to make it easier for him to get it?

Before the gun law, I know that one could send an application to any gun dealer in the country and get a pistol through the mail. I know that we would not be touching short arms or pistols in this amendment. But, by the same token, why should we not extend the application of the law to the long gun as well? What is so sacrosanct about the long gun that an exception has to be made?

I know that a sportsman uses the long gun and does not use a pistol. I have many friends who are hunters.

I have talked with these fine people about this matter. I have said: "You owe it to your community and to the goodness of your community to make a little sacrifice. You can get all of this material that you need. All you have to do is to go in and prove who you are."

There is not a hunter in the Senator's State of Utah who is not known by his dealer. It is almost automatic when they go in. However, when some stranger comes in who would use the gun lets say to assassinate a President, he could be discovered.

The effect of this statute now, as I understand it—and we are talking about records—would be that we are actually saying that almost anyone can go in and get bullets for long guns, except 22 rifle bullets, because of a compromise that was made beforehand.

All I am saying, and all that the Senator from Connecticut is saying is: "Well, gentlemen, maybe you do have a case. Maybe your situation is different from the situation in my State or in my part of the country." We are asking why we do not call upon the Treasury Department, not merely to have an exchange of letters, but to interrogate them as to their reasons for wanting this provision taken off the books.

Let us call in the dealers and find out how much of an inconvenience it has been. Let us call in J. Edgar Hoover and find out from him what he thinks about it. Let us call in the chief of police of our States and ask him how they feel about it. Let us see if we cannot crystallize this matter so that we can all act responsibly.

What kind of bill is before us? It is an equalization tax bill. That has to do with taxes. The amendment is attached as a rider. I heard the argument to the effect that, if we agree to the amendment, some Representatives have said that it would not be considered at this session. Maybe it will be and maybe it will not be. Let us give it a try. Where the public interest is involved, I think we all have to assume some responsibility.

I realize that this provision causes inconvenience to the dealer to some extent. It does inconvenience the decent citizen to some extent. However, by the same token, I think he owes it to our good society, to the people of the country, and to the law-enforcement agencies of the country to make some sacrifice so that we can put our hands on the gangsters, criminals, and assassinators to the fullest extent we can.

We cannot stop these activities completely. However, let us slow them down.

Mr. DODD. Mr. President, will the Senator yield?

Mr. PASTORE. I yield to the Senator from Connecticut.

Mr. DODD. Mr. President, I commend the Senator from Rhode Island on his very fine speech. I think I have a duty here that I must perform.

I am authorized by the chairman of the House Judiciary Committee, Representative CELLER, to say that he never made any such statement as has been attributed to him on the floor of the Senate this afternoon. I am authorized, in addition, to say that, in the judgment of Representative CELLER, if the bill passes with this amendment attached to it, it will certainly not get through the House for several weeks, and probably not at all.

I think that clears the record. I hope that it does clear the record with respect to the statement attributed to Representative CELLER concerning any gun legislation.

Mr. PELL. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. PELL. Mr. President, I associate myself with the remarks of my senior colleague from Rhode Island. They express, better than I could, the views that are in my heart.

The proposal of the Senator from Massachusetts and the Senator from Connecticut is excellent. I intend to support it.

Mr. MOSS. Mr. President, I have listened with interest to the usual eloquent statement of the Senator from Rhode Island. I always enjoy listening to him, and ordinarily I agree with him.

I agree with the first part of what he has said on this occasion; namely, that it would be a little more inconvenient to the dealer and to the buyer, in that it would pile up records, but that such a sacrifice ought to be made to achieve a purpose.

That is where I must leave him, because he did not indicate in any way that any purpose would be achieved.

He said that if a stranger were to walk into an ammunition store and he happened to be the potential assassinator of a President, the store would have some records. However, the form does not give any information other than his name and address, the kind of shells he bought, who the manufacturer is, and the number of boxes he purchased. The form would be signed by the clerk who furnished the supplies.

In the first place, such information is not furnished for the record. Second, the record is not available; it is not kept where it can readily be available to a law enforcement officer, even if it contained the information.

If the purchaser is a known felon, or one who the dealer has any way to identify as a felon, there is already a law which provides that the dealer shall not sell ammunition to him.

If the person is a known minor, or one who can be ascertained from his driver's permit to be a minor, the seller already knows that he should not sell to him. He may ask him to show his driver's permit or other identification.

My point is that this provision is utter futility. It is costly and time consuming, and it does not accomplish anything.

I may say to the Senator from Rhode Island (Mr. Pastore) and other Senators who feel strongly about this that I am perfectly willing to have full hearings on any other phase of the bill except this. This provision has proved to be ineffective, repugnant, and useless.

Again, I hold up my sheaf of petitions which have come from the sportsmen of my State. They have spoken, and they have spoken unanimously and loudly, that they think this provision is an imposition. They do not want it. It is not effective to achieve any kind of control over felons or incompetents who use guns or buy ammunition.

Mr. DODD. Mr. President, it seems to me that we have gone the full sweep of the clock, so to speak, in the arguments for and against the amendment. It has been argued that the amendment is too burdensome; that it will create a situation which will require thousands of pieces of paper; that it will cause long lines of purchasers who will not be able to get their commodities; and that it will cause great inconvenience to them.

Then we get around to the position that the provision is not doing any good; that it is not detailed enough; that it asks for more burdensome information. I think that that pretty well sums up the situation.

This provision is an attempt to help law-enforcement people, as the Senator from Rhode Island has so well said, to prevent undesirables from purchasing ammunition for the guns which they should not get and cannot get under the Federal Gun Control Act.

All the local law-enforcement officials we have talked with say that this is a good provision. The act requires the Secretary of the Treasury to make the information available to local law-enforcement people.

Mr. President, because this amendment, in my judgment, was referred to the wrong committee, because no hearings were held on it, and because it is not germane to the provisions of the tax measure to which it was appended, I move to table the pending amendment.

Mr. BENNETT. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BENNETT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded, to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the motion of the Senator from Connecticut to table the modified committee amendment beginning on page 20, line 21. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. KENNEDY. I announce that the Senator from California (Mr. Cranston), the Senator from Minnesota (Mr. Mondale), the Senator from New Mexico (Mr. Montoya), the Senator from Maine (Mr. Muskie), the Senator from Wisconsin (Mr. Nelson), and the Senator from West Virginia (Mr. Randolph) are necessarily absent.

I further announce that the Senator from Indiana (Mr. Hartke) and the Senator from Washington (Mr. Magnuson) are absent on official business.

I further announce that, if present and voting, the Senator from Washington (Mr. Magnuson) would vote "nay."

I also announce that, if present and voting, the Senator from West Virginia (Mr. Randolph) would vote "yea."

Mr. SCOTT. I announce that the Senator from Colorado (Mr. Allott), the Senator from Kansas (Mr. Dole), the Senator from Ohio (Mr. Saxbe), the Senator from South Carolina (Mr. Thurmond), and the Senator from Texas (Mr. Tower) are necessarily absent.

The Senator from Michigan (Mr. Griffin) is absent because of death in the family.

The Senator from Kansas (Mr. Pearson) and the Senator from Arizona (Mr. Goldwater) are detained on official business.

If present and voting, the Senator from Colorado (Mr. Allott), the Senator from Kansas (Mr. Dole), the Senator from Arizona (Mr. Goldwater), the Senator from Kansas (Mr. Pearson), the Senator from Ohio (Mr. Saxbe), the Senator from South Carolina (Mr. Thurmond), and the Senator from Texas (Mr. Tower) would each vote "nay."

The result was announced—yeas 19, nays 65, as follows:

[No. 118 Leg.]

YEAS—19

Bayh
Brooke
Case
Cooper
Dodd
Fong
Goodell
Hughes
Javits
Kennedy
McCarthy
McGovern
McIntyre
Pastore
Pell
Ribicoff
Smith, Maine
Tydings
Williams, N.J.

NAYS—65

Aiken
Allen
Anderson
Baker
Bellmon
Bennett
Bible
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Church
Cook
Cotton
Curtis
Dominick
Eagleton
Eastland
Ellender
Ervin
Fannin
Fulbright
Gore
Gravel
Gurney
Hansen
Harris
Hart
Hatfield
Holland
Hollings
Hruska
Inouye
Jackson
Jordan, N.C.
Jordan, Idaho
Long
Mansfield
Mathias
McClellan
McGee
Metcalf
Miller
Moss
Mundt
Murphy
Packwood
Percy
Prouty
Proxmire
Russell
Schweiker
Scott
Smith, Ill.
Sparkman
Spong
Stennis
Stevens
Symington
Talmadge
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—16

Allott
Cranston
Dole
Goldwater
Griffin
Hartke
Magnuson
Mondale
Montoya
Muskie
Nelson
Pearson
Randolph
Saxbe
Thurmond
Tower

So Mr. Dodd's motion to table the modified committee amendment was rejected.

Mr. BENNETT. Mr. President, I move that the vote by which the motion to table was rejected be reconsidered.

Mr. JACKSON. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. HOLLAND. Mr. President, I should like to address two questions, if I may, to the author of the amendment.

Mr. BENNETT. I am happy to yield to the Senator from Florida.

Mr. HOLLAND. Do I correctly understand, inasmuch as I could not be in the Chamber to hear all the debate, that the Senator withdrew that part of his amendment which related to the .22-caliber rimfire ammunition, for the reason announced that it could be used or made interchangeable for rifles or pistol ammunition?

Mr. BENNETT. The Senator withdrew that part of his amendment but, in fairness to the other Members of the Senate, the Senator stated that at some time in the future he intended to bring it up again.

Mr. HOLLAND. If the Senator will yield, so that I may ask him one more question, I note a part of his amendment reads "ammunition suitable for use only in rifles." As I understand that wording, that means if this ammunition is suitable for use both in rifles and handguns. It is not covered by his amendment as it now stands. Is that correct?

Mr. BENNETT. The purpose of removing the .22-caliber bullet, which is interchangeable, is that if there should by any chance be any other gage that is interchangeable and that is sold mainly for rifles, but might properly be used in handguns, the Senator would assume that its major use would apply. The .45-, .38-, .32-, .25-caliber ammunition, which is designed chiefly for use in handguns, is still covered by the law and the amendment does not affect them.

Mr. HOLLAND. I thoroughly agree with the Senator as far as his answer goes, but his amendment reads "ammunition suitable for use only in rifles." My understanding of that would be that wherever the ammunition is suitable for use both in rifles and in handguns, it is not covered by his amendment.

Mr. BENNETT. The Senator is not aware of any ammunition that is suitable for use in rifles or handguns, except the .22 caliber. Now, if the Senator from Florida has any knowledge of any other caliber, I would appreciate knowing about it.

Mr. DODD. I think I do.

Mr. HOLLAND. I certainly have in the past known some such ammunition. My sole question is, if there is any such ammunition now suitable for use in both rifles and handguns, my understanding is that the wording of the Senator's amendment makes his amendment inapplicable to such ammunition. Am I correct?

Mr. BENNETT. That is obviously its intent.

I thought the Senator from Connecticut said he knows, or was about to say he knew about some.

Mr. DODD. There is a new gun called the "Enforcer" a pistol. It uses .30-caliber ammunition, which is also used in rifles.

Mr. BENNETT. If that is the case, then, before the amendment of the Senator is voted on, he must offer an amendment to the effect that it refers to ammunition used chiefly in rifles other than .22. We have eliminated the .22. I think we must protect the .30-caliber rifle ammunition against the possibility that some manufacturer comes out with a pistol to use it.

Mr. HOLLAND. If the Senator will yield again, I hope the Senator will not offer such an amendment, because I think, as noted, his amendment very clearly is inapplicable to ammunition that is usable in both rifles and handguns. I think his amendment is good if so interpreted. That is the reason for my question. I hope he will leave his amendment just as it is worded.

Mr. BENNETT. The Senator's purpose is to protect the right of a man using a rifle for hunting to get ammunition without having to go all through this rigmarole. As I say, if somebody comes along, or has come along recently, and manufactures a pistol to use rifle ammunition, I do not think the bill should, by its wording, make it possible to eliminate everything we have done. Somebody else can come along with a pistol that is gaged to fit another rifle bullet, and thus wipe out the exemption we have worked out for rifles.

So if it is the impression of the Senator from Florida that that kind of action is possible, then the Senator must change his amendment, or this has been an exercise in futility.

Mr. HOLLAND. Mr. President, I do not even know whether .32 rimfire ammunition is still manufactured, but as a young man I had .32 rimfire ammunition for my first rifle and others used it in .32 rimfire pistols. There may not be any .32 rimfire pistols now, but I am sure, as stated, his wording does protect against any such possibility.

I do not want the language to release ammunition from the bill which is designed for and can be used in pistols, and I do not think anybody else does.

I hope the Senator will leave his language just as it is. If we find out later there are some hardships under it, we can consider further correction; but I do not believe it is the Senator's desire to release from the operation of the bill ammunition used in pistols or handguns. If that is his position, I cannot join in that position.

Mr. BENNETT. At the same time we cannot be in a position so that a private gunsmith downtown can manufacture a series of pistols that will take the range of rifle ammunition and take it into the Treasury and say, "See, here I have a handgun which will use .30-.30 rifle shells, and therefore the Treasury must reinstate this."

Mr. HOLLAND. I would certainly not accept any such subterfuge as that, but I would not want to open the door, because I do not claim to know all about all handgun or all pistol ammunition or all rifle ammunition, and I doubt if there is any Senator on the floor who does. I do not want to be in a position of making it possible for pistol ammunition to be released from coverage under the present bill by the Senator's amendment. I certainly agree with him that no such subterfuge as he has described should be acceptable, or should be considered as taking a great deal of other ammunition out from under the operation of the amendment.

Mr. BENNETT. Then, would the Senator from Florida join the Senator from Utah in saying that it is the intent of the Senate that such subterfuge or the very occasional development of a special weapon, a handgun to take a rifle ammunition, shall not be used to negate the intent of the bill?

Mr. HOLLAND. Yes, I would be agreeable to that; but I think it could be more easily done by putting in the words "commercially manufactured" before "rifles," so as to make it read "ammunition suitable for use only in commercially manufactured rifles," because I think that meets the point that the Senator has just mentioned.

Mr. BENNETT. I thought of that approach myself, and maybe it does, but again the words "commercially manufactured," it seems to me, let in the individual manufacturer who manufactures special guns and sells them out of his shop. Should we say "rifles generally available"?

Mr. HOLLAND. "Rifles generally available on the commercial market."

Mr. BENNETT. "Rifles generally available on the commercial market."

Mr. HOLLAND. I am agreeable to that wording, and I would be much better pleased with the amendment if that wording were added.

Mr. BENNETT. I think that improves the amendment.

The PRESIDING OFFICER. Will the Senator reduce that amendment to writing?

Mr. HOLLAND. "Generally available on the commercial market."

Mr. BENNETT. Let me reduce it to writing. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BENNETT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNETT. Mr. President, I send to the desk, an amendment to the committee amendment and I ask that the amendment be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 21, line 5, after the word "rifles," it is proposed to insert "generally available in commerce."

The PRESIDING OFFICER. The question is on agreeing to the amendment to the committee amendment, as modified by unanimous consent on yesterday.

Mr. BENNETT. Mr. President, let us vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the committee amendment as modified.

The amendment was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the committee amendment as modified and amended.

Mr. JACKSON. Mr. President, on that question, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. KENNEDY. Mr. President, as I understand it, the question before the Senate is the amendment of the distinguished Senator from Utah, to the committee amendment. Is that correct?

The PRESIDING OFFICER. The Chair is informed that the vote will be on the language of the committee amendment, beginning on page 20, line 21, through page 21, line 7, as modified and amended.

Mr. KENNEDY. Mr. President, I wish to speak for only a very short period of time.

First of all, I wish to state again a word of appreciation to the distinguished Senator from Utah for changing his initial amendment to take out the coverage of handgun ammunition. I think that was extremely helpful and important, and I commend him for his action.

The Senator has indicated earlier today that at some other opportunity, he will introduce an amendment to prevent the 1968 act from applying to handgun ammunition as well. I certainly hope all of us will be given reasonable notice and reasonable time to prepare for such an eventuality and that the usual and proper course of Senate procedure will be followed.

Mr. President, I certainly hope that the amendment, as modified, will be defeated by the Senate today. During the course of earlier discussion, we heard the statement of the distinguished Senator from Connecticut, who is the chairman of the Juvenile Delinquency Subcommittee, indicating that he would be glad, starting on Monday, to have hearings on this amendment; that he would even be willing to have the amendment, after it was considered by the Juvenile Delinquency Subcommittee and the Committee on the Judiciary, go to the Committee on Finance for whatever consideration they might wish to give, and then to have the matter considered by the Senate.

Mr. President, it seems to me that that is an extremely reasonable offer by the chairman of the Juvenile Delinquency Subcommittee. His subcommittee has been historically charged by this body with making recommendations on gun control and ammunition control. It is this subcommittee that has held lengthy hearings, over a period of the last 8 years, on gun control legislation. It has been fair in its hearings. It has been willing to bring to its hearings those who have supported gun legislation and those who have been opposed to it.

The point has been made by the chairman of the subcommittee and the other members of that subcommittee on the floor this afternoon that, first of all, the provisions which will be abolished by the amendment of the Senator from Utah have been in effect for less than 10 months, that they have never really been given a reasonable period of time to be tested by the people of this country. Further, it is clear that if there is a hardship placed upon the sportsmen and the sellers of ammunition, the Treasury Department itself might have had some kind of hearings relative to a possibility of a change of regulations, and an opportunity given to modify the procedures it has adopted.

But as the matter comes before us today, the Treasury Department has had no such opportunity. So, Mr. President, we are asked to vote today, with no Treasury Department hearings on rulemaking proceeding, no Senate hearings, and with the committee which has the primary jurisdiction not having been consulted, although the chairman of the appropriate subcommittee indicates openly that he is willing to have expedited hearings, to bring the matter to the floor, and to treat it on its merits.

But, Mr. President, we hear from those on the other side of the issue that they cannot go through the Judiciary Committee, because it is represented that the chairman of the House Judiciary Committee will refuse to consider gun legislation this year. I am reliably informed on inquiry today, Mr. President, that the chairman of that committee, Mr. Celler, has indicated no such thing, and that quite to the contrary, he has indicated that he will fight, if this amendment is added to the interest equalization bill, to see that the interest equalization measure is deferred. I can understand, Mr. President, why he would take such action.

I think all those who have taken the floor during the last week or so and who have talked about the importance to the financial community of passage of the interest equalization tax measure should be on full notice now, that every effort will be made in the House of Representatives, and every parliamentary technique will be utilized in that body, to be sure that action is deferred on interest equalization this year as long as this extraneous amendment is on the bill. The responsibility for delay is clearly upon the movers of this amendment. And, Mr. President, we can understand why the delay is certain.

The distinguished Senator from Utah would be in a stronger position if he had accepted the offer of the distinguished Senator from Connecticut and had come before the Juvenile Delinquency Subcommittee, had the hearings been held and the matter properly considered in committee and on the floor of the Senate, than to force a vote on the matter in the Senator now, having attached it to another important bill, and then cause a great delay in the House of Representatives, on the other measure, which the Treasury Department says endangers our balance-of-payments problem.

But nonetheless, Mr. President, no such orderly effort has been made. The proponent of the amendment comes before the Senate and says that the committee that has been charged with this responsibility traditionally and historically will be ignored. He says, "We have the horses, we have the votes"—which was shown by the action on the last amendment, I must admit and he further states—"and therefore we are going to set aside the committee system and go ahead and have action by the Senate this afternoon."

Therefore, Mr. President, I think this amendment should be defeated simply on the basis of Senate procedure. On the question of the substance of the amendment, on the realization that this law which we are about to vote to repeal has not been given a reasonable period of time to be tested, that we have never really had an opportunity to cross-examine any Federal officials charged with making it work, either those representatives of the Treasury Department or the Internal Revenue Service, before any committee of this body, and to determine their point of view and their attitude and the effectiveness of that law this amendment should certainly be defeated.

So we are asked, now, to act on this measure. A great deal has been said this afternoon as to how much of a burden this registration requirement imposes on the sportsmen of this country. We have had no representatives of the sportsmen indicate what kind of a burden it is. There has been no opportunity to amend the present regulations, to see whether with some changes the regulations could be made capable of carrying through the spirit of the law passed last year without imposing an extraordinary burden on the sellers of ammunition.

We are simply asked to repeal the action this body took last year. We are asked to repeal it without hearings. We are asked it repeal it without having the appropriate subcommittee and committee deliberate and consider the question or have an opportunity to express themselves on it. We are asked to repeal it without having an opportunity to question those who have had the prime responsibility for enforcing it in the Treasury Department. We are asked to repeal it without listening to law-enforcement officials who believe the law does have an important effect in helping to reach the problems of crime and violence. We are asked to repeal it this afternoon, Mr. President, as an afterthought on a bill to which it has no relevance.

For those reasons, Mr. President, I certainly hope that the amendment of the Senator from Utah will be defeated.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, as amended.

Mr. DODD. Mr. President, I do not want this matter to come to a vote without making a statement for the Record. I shall not read it, but I do ask unanimous consent to insert it at this point.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Mr. Dodd

Mr. President, on its merits, I object strenuously to the Bennett amendment to exempt from the control provisions of the Gun Control Act of 1968 the ammunition for rifles, the weapon of the urban sniper, and the ammunition for shotguns, which, along with its sawed-off sister, is the weapon of the armed robber.

Just a year ago, this body, by a 41–36 vote, adopted effective and enforceable controls over the sale of all ammunition as an integral part of a legislative effort to assist in curbing the spiralling crime rate in the United States.

That Act, the Gun Conrtol Act of 1968, has been in effect since last December. The ammunition controls in the law require Federally licensed dealers record the name, age and address of all purchasers of all ammunition. The Act also prohibits the sale of ammunition to juveniles and minors, to criminals, to narcotics violators and to mental incompetents.

The recordkeeping provisions are absolutely necessary to prevent the sale of ammunition to these prohibited persons.

There is no doubt in my mind as to the crime deterrent value of the ammunition recordkeeping provisions of that Act nor is there any doubt in the minds of law enforcement agencies.

Now we are confronted with a determined effort by the well-intended, I am sure, but misinformed, to strip from the Act its effective ammunition controls, the controls that keep bullets out of the hands of criminals.

We are faced with this attempt despite the fact that 1969 is a "law and order" year and despite the fact that the ammunition provisions of the Gun Control Act are an essential and integral part of a "law and order" Federal statute.

While there are those who argue that the ammunition controls in the Federal law are not essential in any effort to curb gun crimes, I know of no firearm that can be fired without ammunition.

And without ammunition, the gun loses its deadly character. Without ammunition, the gun becomes five times less lethal and falls into the club and brass knuckle category.

It seems logical and reasonable, therefore, to control the sale and distribution of ammunition.

Yet, in this year when "law and order" are paramount in the public mind, the propo-

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nents of this amendment do not equate controlling the sale of ammunition with an effort to curb crime.

They argue that Federal controls on rifle and shotgun ammunition are not going to affect the incidence of crime.

The sponsor of the ammunition amendment has said that he has withdrawn .22 caliber bullets *at this time*. However, he has already announced his plans to "hook it" onto the next House-passed tax measure which comes his way.

For future reference, I would remind the Senate that since 1960 almost two million inexpensive, .22 caliber, "Saturday Night Specials" have been imported into the United States and *they fire .22 caliber rimfire ammunition.*

During the last week I have discussed the facts concerning .22 caliber ammunition and the incidence of crime.

There are additional considerations which have a direct bearing on crime in America, which apply not only to .22 caliber ammunition, but which apply to all other rifle bullets and shotgun shells as well.

Since the Act requires a dealer to record the name, age and place of residence of each person to whom he sells ammunition as well as firearms, records which are available for inspection by law enforcement officers, *ammunition controls would deter criminals from attempting to purchase bullets.* Persons who intend to commit unlawful acts will be deterred from purchasing ammunition because they will not want to identify themselves and leave a record of the transaction.

Since the National Violence Commission estimated that there are now some 90 million firearms in private hands in the United States, *ammunition control is the only way in which the Gun Control Act can affect firearms already privately owned.* As these weapons are impotent without ammunition, it is only common sense to regulate the flow of that ammunition to felons, juveniles, drug addicts, and other irresponsible persons, who may already own firearms.

Since evidence of the purchase of ammunition used in a crime may be an important element of proof, *ammunition controls would assist investigation of crime.* Investigation of crime by law enforcement officials should be greatly benefited by records of ammunition sales, particularly where police suspect a particular individual of a specific firearms crime.

Preventing the sale of ammunition to persons with criminal records is impossible without requiring dealers to keep records of ammunition receipts and sales.

During Subcommittee hearings on firearms controls on July 24th of this year, Commissioner Randolph Thrower of the Internal Revenue Service told us:

"Many cases are being made involving felons who give false information while purchasing guns. During one month nine cases were made in the New York-New England States in which defendants were charged with knowingly making false statements on Form 4473 when purchasing a firearm. In Florida, seven felons were charged at one time, each with giving false information on Form 4473 when purchasing a firearm. Most of our 4473 cases involve active criminals."

If, as Mr. Thrower says, the fact that several dozen criminals have already been apprehended for giving false identification for the purchase of firerams, then why should we remove these same identification requirements from ammunition. The same kind of case can be made under the Gun Control Act for the criminal who buys ammunition under false pretenses.

The recordkeeping requirement ensures that dealers exercise a high degree of care in ascertaining whether a potential purchaser is barred by criminal record from buying ammunition.

Yet Senator Bennett would have us remove these recordkeeping requirements.

Mr. President, these are persuasive and telling arguments for keeping ammunition recordkeeping controls in the Gun Control Act of 1968, and they are a sound basis on which to reject the Bennett ammunition amendment.

An intact Gun Control Act of 1968, as an aid to state and local law enforcement, has been recognized by both the Treasury Department and by the Internal Revenue Service.

Both agencies were represented in hearings held by the Juvenile Delinquency Subcommittee in July, to which I have just referred, and both agencies attested to the Act's effect as an aid to law enforcement.

Assistant Secretary of the Treasury, Eugene T. Rossides, told the Subcommittee:

"In summation, it is the view of the Department that, on the basis of 7 months' experience, the Gun Control Act of 1968 is working reasonably well and is providing the needed suport for State and local controls for which it was designed. We respectfully suggest that controls under the Gun Control Act of 1968 be given a full opportunity to prove their worth."

Commissioner Thrower of the IRS said: ". . . I strongly believe the new gun law is an effective law enforcement tool which will go a long way in assisting local law enforcement authorities in coping with the crime problem within their own borders."

Mr. President, in view of the limited time that the provisions of the Gun Control Act have been in effect, we should not prematurely adopt any limiting amendments to that Act.

This is especially true with respect to the ammunition controls.

The argument has been made that sportsmen are the only ones who use rifles and shotguns, but I ask Senators to consider:

President John F. Kennedy and Dr. Martin Luther King, Jr., were killed by rifle bullets, which Senator Bennett would exempt;

Medgar Evers was killed by a shotgun, the ammunition for which Senator Bennett would exempt.

To render the controls over ammunition for rifles and shotguns ineffective, as the Bennett amendment would do, is tantamount to wrecking that one element of control in the Federal law, which deals directly with those 90 million guns owned, and, unfortunately, abused, in substantial numbers each year in this country.

Armed crimes continue to soar in America. The most recent FBI report shows that during the first *six* months of 1969:

Murder was up eight percent.

Armed robbery was up twenty percent; and,

Aggravated assault was up ten percent.

Last year alone, 3,000 Americans were murdered with .22 caliber ammunition, and 1,228 were murdered with shotguns and 328 were murdered with rifles of larger caliber than .22 caliber.

Let me read a few reports gathered by the Subcommittee concerning the use of a shotgun by murderers and criminals:

From the Baltimore News American, February 11, 1969: "Thug Kills Attendant, Steals Cash Register."

"Cambridge, Feb. 11—An attendant in one of the two service stations which remain open all night here was found shot to death at 3:30 A.M. today and the station's cash register is missing.

"State police said Earl Harry Pitman . . . was shot in the head at close range by a shotgun."

From the Washington Post, June 20, 1969: "D.C. Man, 22, Guilty in Bank Robbery with a Sawed-Off Shotgun."

From the Baltimore News American, April 23, 1969: "Conviction of Bank Robber Gang Cost Taxpayers $9,000."

"The Baltimore State's Attorney today charged a subject with participating in five of the six holdups that led to the legend of "The Shotgun Gang," which operated usually with at least one sawed-off shotgun."

From the Philadelphia Evening Bulletin of July 6, 1969: "Camden Youth Held in Slaying of 2 Policemen."

"A 21-year-old man was arraigned yesterday on charges that he shot and killed two young Camden policemen . . . with blasts from a 12-gauge shotgun."

From the Atlanta Constitution, August 18, 1969: "Bus Driver Hit; Shotgun Killers of 4 Sought."

"A shotgun sniper wounded an Atlanta bus driver early Sunday in the latest of a series of five unsolved shootings that have left four Atlantans dead."

From the Baltimore News American, September 17, 1969: "Man, 55, Shot to Death; Four Wounded in City with a 12-Gauge Shotgun."

From the Washington Post, February 26, 1969: "Three Juveniles Accused of Bank Holdup."

"The three, all 16 years old, disarmed a guard, used a rifle and shotgun to force employees and customers to lie on the floor and escaped with $8,000."

This is just a random sampling of the reports that have come across my desk of the 1,228 people that were murdered by shotgun and the many more thousands who were shot and robbed by shotgun in the year that just passed.

Federal controls on the sale of ammunition are essential if we hope to reverse this trend.

To adopt the Bennett amendment and to remove these controls on rifle and shotgun ammunition would help perpetuate this trend.

The major argument put forth by the proponents of the Bennett amendment is that as we approach the hunting season, the ammunition controls will be burdensome to the American sportsman.

Mr. President, under the Gun Control Act, the American sportsman is treated in the same fashion as is any other citizen. He has to prove his name, age and address, just like anyone else. To call this requirement burdensome is ridiculous.

Consider these facts:

The Act requires that the licensed dealer obtain and record the name, age and place of residence of the ammunition purchaser.

In addition, the Act makes it unlawful for the purchaser to furnish to the licensed dealer any false or fictitious statement either orally or in writing or to furnish any false or misrepresented identification to the licensee.

The Act is clear and concise on these points. The regulations implemetn these requirements and nothing more.

I fail to see any burden in the above requirements, and I believe that most reasonable citizens would agree with me. Yet the proponents of this measure violently and blindly argue that such a small requirement is burdensome.

Surely such is not the case.

The requirement that purchasers of ammunition furnish identifying information and that the dealer record the name, age and address of the purchaser is *necessary to implement the prohibitions on the sale of ammunition to minors and in the case of rifle and shotgun ammunition to juveniles.*

By obtaining identification, the dealer obtains and records the name, age and address through credible means (such as a driver's license) to be reasonably sure that he does not sell to a minor or a juvenile.

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Germane to the argument that the ammunition recordkeeping provisions are burdensome on the American sportsman is an apparent misconception of the Act's provisions and the regulations to which Senator Bennett referred in his floor remarks upon introduction of his amendment.

He stated: "Under the Gun Control Act of 1968, the Secretary is required to record the name, age and address of a person buying any type of ammunition. But, as the regulations came from the Treasury last year, a person is now required to give his name, address, date of birth, date, manufacture, caliber, gauge, or type of component, quantity of ammunition purchased and a driver's license or other type of identification."

Mr. President, the Senator from Utah is misinformed on the specific recordkeeping provisions of the law and the regulations designed to implement those provisions.

The first half of Senator Bennett's statement is a reflection of *the dealer's responsibilities under the Act. That refers to the information that the Federal licensee must obtain from the purchaser*.

The second half of Senator Bennett's statement concerning additional information that he asserts must be provided by the purchaser, *refers to information that is required to be kept by the dealer,* but it amounts to prudent recordkeeping for any businessman, and there is no burden placed upon the purchaser.

The requirements of the letter of the law are clear, reasonable and just.

Any misconception that has arisen in that regard is unfortunate in that it has served to distort the intent of the Act and its provisions.

I would now briefly refer to the charge that the ammunition controls of the Gun Control Act are nothing more than "backdoor registration."

The charge is absurd.

First, there are no registration provisions in the Gun Control Act of 1968.

With specific regard to ammunition controls, when the purchaser furnishes his name, age and address, *this information is retained by the dealer at his place of business*.

This is not registration.

There is no *central recordization* as would be the case in a registration scheme.

Second, there is no way to register ammunition *as it is not serially numbered*.

The argument about registration is contrived and has no basis in fact.

Finally, it is charged that the Treasury Department has gone beyond the letter and the intent of the law in promulgating rules and regulations relative to ammunition controls.

Quite the opposite is true.

In promulgating regulations to implement the ammunition controls of the law, the Internal Revenue Service has in effect *limited* the definition of ammunition by excluding from coverage shot for shotgun shells and unprimed hulls (the actual shells once fired and then retained) for such weapons. This limiting of the definition is found in Internal Revenue Service regulations.

In addition, gun clubs which distribute ammunition to members for their use are not considered to be dealers "in the business of selling ammunition" and thus are not subject to the recordkeeping provisions of the Act.

These are two specific examples not of *broadened* regulations but rather of the *limiting* of ammunition controls by the administering and enforcing agency, the IRS.

Mr. President, ammunition controls must be retained in the Federal gun laws.

I would remind those 40 Senators who voted with me to include these controls in the 1968 Act that these provisions must be given a reasonable test and should not be quietly interred by a slick parliamentary maneuver, without public hearings, and without reference to the wave of violence that has engulfed America.

Congress should not deceive the public by listening to the contrived arguments of an industry whose sole motive is the profit it derives from the indiscriminate and uncontrolled sale of billions of bullets to all comers, including murderers, addicts, juveniles and the insane.

Let us serve the public interest.

Let us reject the Bennett amendment and help keep bullets out of the hands of criminals.

Let us give a vote of assurance to a public hounded by fear and threatened by crime and violence in our streets.

Mr. DODD. Mr. President. Let us understand that this is the beginning of the end of the gun control law. That is the intention of those who have been opposed to it for a long time. They have said publicly the way to cut this thing down is first to go after the ammunition control part of it. They have stated that in their official publication, and have said it over and over again.

They are well on the way toward getting that first step accomplished. At this time, when everyone is talking about law and order, reducing violence in our streets, and reducng the crime rate.

It is absolutely astonishing and bewildering that the Senate could turn back the clock in the face of existing statistics on homicides and murders.

I remember that when we passed a gun control bill last year, people said it was a weak bill. Some of us who had worked on it knew better. It was not a perfect bill.

I wish that some who were advocating registration a year ago were here today to help us. It is senseless to talk about the control of firearms and do little or nothing about the sale of ammunition. A gun without a bullet is nothing but an ornament.

We cannot have effective gun control without control over ammunition. Without controls more and more people will be victimized on the streets. More and more holdups will occur. More and more lives will be ruined.

It is a great pity, but this is the direction in which we will go. We must defeat the pending proposal if the overwhelming public interest is to be served.

Mr. MOSS. Mr. President, few votes taken in the Senate this year will be more closely watched in the State of Utah than the vote on this amendment. In Utah we are a State of sportsmen and hunters. Next weekend, 180,000 deer hunters will go into the hills of Utah for the annual deer hunt.

But this year, when those hunters purchase ammunition for the deer hunt, or to have target practice, they will be faced with the requirement to fill out forms and register, giving their name, address, age, amount and type of ammunition, in order to purchase sporting ammunition. This happened this week as we prepared to open the duck season and shotgun shells became a necessity.

Long lines develop at the more popular locations, and the annoyance of standing in line to purchase ammunition is added to the foolish requirements to register the purchase.

Perhaps more important than the inconvenience to the hunters is the burden placed upon the small businessman who, in addition to operating his store, must now keep registration documents with all their incumbent paperwork and detail and the requirement to forward these documents on to the Treasury Department. Business is tough enough today without the small businessman spending hours on unnecessary paperwork.

When those hunters, standing in line to register their purchases, ask why the delay, most people will be at a loss to tell them.

They are not standing in line because Congress has passed a bill requiring them to do so. Last year, when the gun bill was being considered, the Senate specifically defeated the provision which would have required registration for purchase of ammunition or firearms. Although the gun bill did pass over my objection, it did not contain the registration requirement.

But what Congress specifically forbade, the Treasury Department has accomplished by administrative order. Using the age requirement contained in the bill as the excuse, the Treasury Department requires complete registration of each ammunition purchase. This is absolutely ridiculous.

Most States require a certain age for purchase of such items as liquor and cigarettes. But no State requires registration of each purchase as part of the proof of age. Identification, such as a driver's license, is usually required to be shown, and that ends it. The person required to establish age has been shown the proof, and nothing must be written down, such as the amount and size of the purchase. And certainly bales of forms are not sent to the Treasury Department for permanent record.

Not only is the registration requirement contrary to the will of the Congress, and foolish in its intent, it is also worthless as far as accomplishing what proponents of registration think they will achieve. The gun bill passed last year was supposed to reduce crime and violence in this country. Of course, it has not done so. Crime continues to increase in our big cities and in our States. The simple fact is that criminals violate laws, and they certainly will not start obeying laws because we pass one that restricts the use of guns. I think this argument, which the proponents of gun legislation continue to use, is the weakest point in a very weak case.

All we are attempting to do with this amendment is to remove ammunition, used only for sporting and hunting activities, from the registration requirement.

The citizens purchasing sporting ammunition are not criminals. They are law-abiding people who enjoy the sport of hunting and shooting. To require them to register each purchase as though they were buying their shells for some illegal act is wholly unnecessary.

To give you an idea of the feeling in my State on this issue, let me show you some petitions which I have received from Utah. These started to arrive from sporting goods stores a few days ago. Not knowing that this measure would come up for a vote as soon as it has, the petitions were to be mailed by November 1.

But I have already received more than 5,200 signatures supporting the amendment. I have received signatures from private citizens, from union groups, from civic organizations from all walks of life. People have not only signed petitions at the sporting goods stores, they have taken them to friends and neighbors to sign, and then have mailed the petitions to me. By November 1, I know I will receive several thousands more signatures supporting this position.

I am delighted that we are voting on this amendment today. I commend my colleague from Utah (Mr. BENNETT) for accelerating our consideration of the bill by obtaining Finance Committee approval of it as an amendment to the interest equalization bill. We have all tried several ways to get our measure up for a vote, and he has succeeded. I support the amendment; I am a cosponsor. I will vote for it, and I urge my fellow Senators to do the same.

SPORTING AMMUNITION SHOULD BE REMOVED FROM THE PROVISIONS OF THE GUN CONTROL ACT OF 1968

Mr. CHURCH. Mr. President, today I am pleased to join with the distinguished Senator from Utah (Mr. BENNETT) in support of our amendment to repeal the provisions of the Gun Control Act of 1968 in relation to registration requirements for sporting ammunition at time of purchase. Our amendment, if enacted, would eliminate the registration provisions as they affect sporting rifle and shotgun ammunition.

Under the law as it presently exists, persons who purchase ammunition must give name, address, and date of birth; date of purchase; manufacturer; caliber; gage, or type of component; the quantity of ammunition purchased; and the purchaser's driver's license or other type of identification must be shown.

I have opposed gun registration since I first came to the Senate in 1957. I opposed the passage of the Gun Control Act of 1968, together with the ammunition registration provisions which it contained. These provisions have proved nothing more than a harassment to the average sportsman and gun dealer. By the Treasury Department's own admission, they have been of no assistance whatsoever in combating crime.

I would support repeal of all the ammunition provisions of this act. However, it has become clear in recent days that such a proposal would fail passage by the Senate. For that reason, I support the present amendment which repeals the provisions on all but pistol and .22 caliber rimfire ammunition. With the hunting season upon us in the West, I support this legislation now in hopes that its passage will help remove a portion of the needless harassment that has been heaped on western sportsmen and gun dealers by the Gun Control Act of 1968.

Passage of this amendment will be welcomed by thousands of sportsmen in the West and throughout the United States.

Mr. BROOKE. Mr. President, Senate bill 2718 as reported from committee would do a great deal to emasculate the historic Gun Control Act passed by the 90th Congress. That law, which I strongly believe is supported by most of the Nation's citizens as well as its legislators, was discussed at great length. It was pieced together last year as the result of a great amount of effort and thought by a good many of us in this Chamber.

If we are to pass S. 2718 with the ammunition control amendment, we will have done a great injustice—not only to ourselves, but to the Nation. For, let there be no mistake about it, this amendment even in its revised form, would severely impair the 1968 Firearms Act by removing the Federal controls over the sale of ammunition for shotguns and rifles. The decision by the sponsors of the bill to remove .22 caliber ammunition from the amendment, while a step in the right direction, represents no noteworthy acknowledgment by the sponsors that ammunition registration is necessary and desirable. In fact, in my mind, it makes it all the more important that we vote down the revised amendment, lest its approval establish a dangerous precedent in the removal of these limited controls. All of the types of ammunition we are dealing with in this amendment are potentially fatal; to lessen the restrictions is an abrogation of our obligation to the Nation.

It was my strong hope and belief that this body had finally realized that one of the most important ways of preventing crime and discouraging acts of violence was to require the registration of the tools used for those acts so that the identity of both the user and his weapons could be more readily established. The U.S. Senate should not turn back from the historic and laudable course which it charted for itself in the passage of firearms and ammunition control legislation just a year ago.

A look at the facts of the situation shows, in the light of the amendment presently under discussion, that tragically we either have not learned or have forgotten those lessons.

In 1968, there were approximately 10,000 recorded cases in which individuals were killed by ammunition from a firearm. Most of the bullets for these weapons were sold over the counter to individuals, many of them hardened criminals, who did not have to present any identification. These bullets were bought by men whose aim was not to hunt, but to kill.

Since the passage of the 1968 Gun Control Act, the Government has been able to monitor more closely, and in some cases to limit, the sale of ammunition by simply maintaining records of all purchasers of ammunition. At the same time, it has been more effective in keeping ammunition out of the hands of juveniles and undesirable elements who either do not know how to use these potential weapons of destruction or intend to use them to commit a crime.

What, then, is the argument for eliminating the provision of the firearms legislation that places these limited controls over the sale of ammunition? It is contended that this provision inconveniences and unfairly burdens law-abiding sportsmen who wish to purchase ammunition for lawful purposes.

Mr. President, what is the inconvenience of having to give one's name and address or show a driver's license in order to purchase ammunition? How much extra time does this take for the average person while making his purchase? If it takes 2 minutes, is this a great infringement on personal liberties when we know that this limited information check might, just might, keep the ammunition out of the hands of a person who is dangerous to others when he has such equipment? Is this an infringement on personal liberties when this limited form of registration might help prevent the murder of a neighbor, a loved one, or even of one's self? I strongly contend that this provision of the 1968 Firearms Act is no significant infringement of liberties. It is significant as a means to limit serious crime in this Nation. No case has been made to justify abandoning the provision before it has been fairly tried.

A distinquished colleague, the senior Senator from Connecticut, who will long be remembered as a man who brought some sense and order to firearms traffic in this Nation, stated the facts of this matter quite succinctly and candidly when he wrote, in a letter to the President, that:

> Any attempt to reduce the capability of law enforcement officials to cope with criminals while increasing the capability of any lunatic, juvenile delinquent, felon, or zip-gun owner to once again purchase these deadly items with no questions asked must be prevented.

If we are to pass this bill without giving serious consideration to its ramifications, we will have committed a grave disservice to the American people. At a time when there is a great demand to disarm the criminal, we are debating here today a measure which will only serve to rearm him. To me, this measure represents a most dramatic folly in the long-proclaimed efforts to bring "safety to the streets." Indeed, it would seem more logical for the Senate to consider tighter restrictions on the sale of ammunition, perhaps including the prohibition of sale to any nonresident of the State, rather than to consider, as is now the case, the repeal of the modest ammunition controls now in force.

The arguments in favor of controls on the sale of ammunition—that the controls tend to deter criminals from attempting to purchase ammunition, that they are the only way effectively to control firearms already privately owned and in circulation, that the controls assist in the investigation of crime—are so well known that it seems a needless waste of time for this body to have to reconsider them. But, despite these arguments and despite the sheer force of logic, we are once again being required to bring up this matter which I had thought was long since resolved.

If a sufficient number of Senators do see a need to decimate a vital section of the 1968 Gun Control Act, then let there be hearings in an appropriate committee to prove the validity of such an action. To those who are interested in them, there are facts and theories in the area of law enforcement that are available and show the great dangers resulting from unlimited, open-market sale of ammunition. I believe I understand some of those facts as they have been proven time and time again by simple records and surveys. Let us not now pass a bill which would take away from our law enforcement officials one of their most promising tools in helping to protect the average citizen from the gun-wielding criminal.

Mr. President, I strongly urge this body to consider the alarming consequences of this amendment, and to reject this unwise proposal.

Mr. McGEE. Mr. President, on the surface, the amendment to H.R. 12829 would modify ammunition recordkeeping requirements for the 1968 Gun Control Act. But, there are two points even more important than mere modification. It is to these two points that I wish to address myself, Mr. President.

The first of these two points is that the effect of the modification would correct what is an obvious absurdity about gun controls and about the habits of sportsmen in Wyoming. In no sense do the present requirements for recordkeeping in regard to sale of ammunition aid in crime control. The irritation and make-work of the current requirements to keep the names, addresses, and other information about ammunition buyers causes more contempt than it does control.

Those of us from the West, and I would hope others as well, take not only pleasure but pride in being able to hunt and shoot safely without petty rules distracting from our pursuits. Certainly the current regulations spawned by the Gun Control Act of 1968 regarding ammunition are a detraction from the concept of sound legislation at best and petty legislation at worst.

Too many sporting goods dealers, hardware merchants, hunters, and others from Wyoming have complained acidly about the time and expense, not to mention useless effort, required for compliance with the recordkeeping provisions of the Gun Control Act.

The second of my two points directs itself to the argument that our amendment to the bill before us can be used to open a loophole in the 1968 Gun Control Act. It does not seem to me, Mr. President, that good sense of our amendment can be described as opening any kind of a hole in the Gun Control Act. Nowhere is there any evidence to support the notion that writing one's name, address, and age down every time he buys a box of ammunition goes in the direction of controlling crime. To remove the ludicrous provisions for recordkeeping required by the Gun Control Act seems to me the very opposite of opening loopholes.

Besides I am not at all certain that the Gun Control Act of 1968, which I voted against, is all that much of a model of wise legislation. While I am philosophically opposed to viewing the law as something in which to find loopholes, I think the Senate should be very careful about accepting the proposition that the Gun Control Act of 1968 is something sacred and above modification. The amendment before us is an effort to recover some sense of reality and intelligence about the rather silly regulations adopted to control the sale of ammunition. I urge that we accept the amendment to H.R. 12829.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment as amended. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. KENNEDY. I announce that the Senator from Indiana (Mr. Bayh), the Senator from California (Mr. Cranston), the Senator from Mississippi (Mr. Eastland), the Senator from Oklahoma(Mr. Harris), the Senator from Minnesota (Mr. Mondale), the Senator from New Mexico (Mr. Montoya), the Senator from Maine (Mr. Muskie), the Senator from Wisconsin (Mr. Nelson), the Senator from West Virginia (Mr. Randolph), and the Senator from Maryland (Mr. Tydings), are necessarily absent.

I further announce that the Senator from Indiana (Mr. Hartke), and the Senator from Washington (Mr. Magnuson) are absent on official business.

I further announce that, if present and voting, the Senator from Washington (Mr. Magnuson) would vote "yea."

I also announce that, if present and voting, the Senator from West Virginia (Mr. Randolph) would vote "nay."

Mr. SCOTT. I announce that the Senator from Colorado (Mr. Allott), the Senator from Kansas (Mr. Dole), the Senator from Ohio (Mr. Saxbe), the Senator from South Carolina (Mr. Thurmond), and the Senator from Texas (Mr. Tower) are necessarily absent.

The Senator from Michigan (Mr. Griffin) is absent because of death in the family.

The Senator from Kansas (Mr. Pearson) is detained on official business.

If present and voting, the Senator from Colorado (Mr. Allott), the Senator from Kansas (Mr. Dole), the Senator from Kansas (Mr. Pearson), the Senator from Ohio (Mr. Saxbe), the Senator from South Carolina (Mr. Thurmond), and the Senator from Texas (Mr. Tower) would each vote "yea."

The result was announced—yeas 65, nays 16, as follows:

[No. 119 Leg.]

YEAS—65

Aiken
Allen
Anderson
Baker
Bellmon
Bennett
Bible
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Church
Cook
Cotton
Curtis
Dominick
Eagleton
Ellender
Ervin
Fannin
Fulbright
Goldwater
Gore
Gravel
Gurney
Hansen
Hart
Hatfield
Holland
Hollings
Hruska
Inouye
Jackson
Jordan, N.C.
Jordan, Idaho
Long
Mansfield
Mathias
McClellan
McGee
McIntyre
Metcalf
Miller
Moss
Mundt
Murphy
Packwood
Percy
Prouty
Proxmire
Russell
Schweiker
Scott
Smith, Maine
Smith, Ill.
Sparkman
Spong
Stennis
Stevens
Symington
Talmadge
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—16

Brooke
Case
Cooper
Dodd
Fong
Goodell
Hughes
Javits
Kennedy
McCarthy
McGovern
Pastore
Pell
Ribicoff
Williams, N.J.
Williams, Del.

NOT VOTING—19

Allott
Bayh
Cranston
Dole
Eastland
Griffin
Harris
Hartke
Magnuson
Mondale
Montoya
Muskie
Nelson
Pearson
Randolph
Saxbe
Thurmond
Tower
Tydings

So the committee amendment as amended was agreed to.

Mr. BENNETT. Mr. President, I move to reconsider the vote by which the committee amendment, as amended, was agreed to.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BENNETT. Mr. President, I ask for third reading.

The PRESIDING OFFICER (Mr. Gravel in the chair). The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

GIVE LAW-ABIDING SPORTSMEN A BREAK

Mr. HANSEN Mr. President, all of us are aware of the unnecessary burden placed on law-abiding hunters and skeet and target shooters by the interpretation of the Gun Control Act of 1968, which has required registration of ammunition sales. This has created so many headaches of paperwork for small ammunition dealers in areas of Wyoming and other States that they have either dropped or are considering dropping ammunition from their line of merchandise.

In Wyoming, wild game often is a meaningful supplement to the annual diet of most families, especially the low-income families. These same low-income families often do not have the money or the means to travel great distances to city stores to buy the ammunition they need for hunting, or to drive predators away from their livestock. We can give the law-abiding sportsmen a break by endorsing the provisions of the ammunition amendment to the interest equalization tax bill.

The Treasury Department has found this ammunition registration requirement to be of little value in deterring crime. But I have no quarrel with those Senators from States which do have problems stemming from firearms and ammunition sales. Wyoming and many other States do not have such problems, and we do not have the need for registration and licensing of either firearms or ammunition.

We see no reason in Wyoming why we should not be allowed within the State to decide the sort of firearms and ammunition laws we should have to meet our special needs. And we see no reason why the States with special but different requirements cannot meet their goals within the realm of their own legislatures. I hope that the Senate will give support to the law-abiding gun users of this Nation.

Mr. HRUSKA. Mr. President, the Gun Control Act of 1968 made important changes in Federal firearms policy by controlling interstate sales of firearms. This enabled individual States to impose effective controls designed to meet local conditions.

Not every section of that law was meritorious and effective, however. It included provisions controlling interstate transactions in all firearms ammunition and imposing strict recordkeeping requirements upon dealers in ammunition.

I opposed the inclusion of sporting ammunition in last year's law for two reasons. First, I felt that the provisions of the act relating to sporting ammunition would impose an unwarranted burden upon sportsmen and upon dealers; and, second, I believe that the recording requirements were unenforceable and could not effectively control interstate transactions in sporting ammunition.

Mr. President, the idea of recording transactions in ammunition is not new. Pistol ammunition has been subject to Federal regulation ever since the enactment of the Federal Firearms Act of 1938. The ammunitions provisions of the 1938 law, however, have not been enforced.

Mr. John W. Coggins, Chief Counsel's Office, Internal Revenue Service, explained the failure to enforce the law in testimony before the House Interstate and Foreign Commerce Committee in 1963. Mr. Coggins told the committee that—

> It has been found impracticable to effectively administer the provisions of the Federal Firearms Act relating to ammunition.

Mr. G. D. Belin, General Counsel of the Department of the Treasury, in testimony before the same committee objected to the wisdom of ammunition control by explaining:

> Ammunition is not serially numbered and is very hard to identify. These factors make those provisions of the Act relating to ammunition impractical to administer. Further, we know of no instance where any of those provisions have been helpful in controlling the interstate flow of firearms or in enforcement.

It is unfortunate that notwithstanding the testimony of these knowledgeable witnesses who were in a position to know the shortcomings of ammunition regulations, Congress, in 1968, saw fit to include sporting ammunition in registration requirements.

The reactions of those charged with administering ammunition regulation has not changed.

On July 23, 1969, Mr. Randolph W. Thrower, the new Commissioner of Internal Revenue, addressed himself to this subject in testimony before the Senate Subcommittee to Investigate Juvenile Delinquency. In his statement, Mr. Thrower said:

> With regard to ammunition transactions, it is only fair to report to the subcommittee that we are not able to process or check individual ammunition sales records in any meaningful way, particularly in view of the multitude of sales in only sporting ammunition.

Mr. Thrower went on to say:

> We have serious questions as to the contribution to enforcement made by keeping records on sales of sporting ammunition. . . .

The problems inherent in the enforcement of the ammunition provisions of the act were further highlighted by Mr. Donald E. Santarelli, Associated Deputy Attorney General. Mr. Santarelli told the subcommittee that "ammunition is fungible and, thus, not easily identified. Furthermore, the hundreds of thousands of daily transactions in sporting ammunition create a volume of records almost impossible to deal with."

It is clear that the ammunition provisions enacted in 1968 constitute little, if any, improvement upon the unenforceable provisions included in the 1938 act.

Mr. President, many of the predictions made during final debate of the 1968 Gun Control Act regarding regulation of ammunition sales by opponents thereof, have now materialized.

It was foretold that great harrassment, inconvenience, and unnecessary added costs would be imposed on law-abiding users of firearms for sporting purposes. It was pointed out that the prescribed procedures would be undue and unnecessary restriction and burden; and the results thereof would not in any way contribute to the fight against crime, violence, or the criminal misuse of guns.

All of these things have come to pass and to be plainly evident.

The sheer volume of paperwork now required is staggering, all at great expense and time, as well as annoyance to the merchant as well as the customer.

Estimated sales transportations of .22-caliber ammunition per day are on the order of a quarter of a million. To this must be added shotgun shell sales to millions of hunters. It is estimated that total daily transactions during hunting season could readily reach a half million.

During the debate, attention was called to the many small town and rural merchants who had stocked such sporting ammunition for the convenience of their customers. Many did not even deal in firearms. But there would be large numbers of such businesses which would cease to thus accommodate the hunter. The reasons are plain: the voluminous, expensive, and in vain paperwork; the cost of the Federal license; and the potential of severe criminal penalty in case of a sale to a person prohibited by the law to buy, notwithstanding every good faith and reasonable effort to avoid making such illegal sales.

All of these forecasts have come about in numerous places and in a large total, according to reports; and have led to substantial inconvenience and added expense to thousands of lawful users.

All of these factors should at all times be considered against the background that: The required sales records serve no useful purpose; the Federal authorities are not able to process or check individual sales records in any meaningful way because of the astronomical number of transactions; the provisions regulating ammunition have not been helpful in controlling the interstate flow of firearms or in enforcement.

These provisions are not enforceable.

It is most reasonable, therefore, to see that sportsmen and dealers are relieved of the unnecessary recordkeeping burdens placed upon them by the Gun Control Act of 1968. I believe that sporting ammunition should be excluded from Federal Control.

The Senator from Utah (Mr. BENNETT) introduced a bill, S. 845, to exempt certain sporting ammunition from the provisions of the Gun Control Act of 1968. I welcomed the opportunity to join the distinguished Senator from Utah, and many other Senators, as a cosponsor of this very good bill. S. 845 was assigned to the Committee on the Judiciary for consideration.

Subsequent to the introduction of S. 845, the chairman of the House Judiciary Committee made it known that his committee did not intend to consider any firearms legislation this session. This action, of course, spelled doom to S. 845.

To avoid this roadblock, Senator BENNETT withdrew S. 845 and introduced a substitute bill which was designed to fall within the jurisdiction of the Committee on Finance instead of the Judiciary Committee. This bill, S. 2718, of which I am also a cosponsor, would amend the Internal Revenue Code in such a way as to relieve dealers of the burden of keeping records of transactions in sporting ammunition. The content of that bill is now contained in section 5 of the pending bill.

Although this amendment will not go as far as many of us would like, I believe that it will be an improvement over existing law. S. 2718 will relieve the dealer from the excessive paperwork that is now required of him for each and every sale of sporting ammunition. It will also relieve the sportsmen from the interrogations by dealers each and every time they purchase sporting ammunition.

And most important of all, this amendment will in no way impair the objectives of the Gun Control Act—namely to keep the firearms out of the hands of the wrong people; and to reduce misuse and criminal use of firearms.

Mr. President, the Bennett amendment is a good one. I urge favorable action on it.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 12829) was passed.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. BENNETT. I move to lay that motion on the table.

Mr. HOLLAND. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BENNETT. Mr. President, I move that the Senate insist on its amendments and request a conference with the House of Representatives on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. LONG, Mr. ANDERSON, Mr. GORE, Mr. WILLIAMS of Delaware, and Mr. BENNETT conferees on the part of the Senate.

Mr. MANSFIELD. Mr. President, if there is a Senator who did not get the message, there will be no further votes this afternoon.

ORDER FOR ADJOURNMENT TO TOMORROW VACATED

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order which would convene the Senate tomorrow at 12 o'clock noon be vacated.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT TO 10 A.M. MONDAY, OCTOBER 13, 1969

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10 o'clock Monday morning, October 13, 1969.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR RECOGNITION OF SENATOR COOK, SENATOR DOLE, AND SENATOR JAVITS ON MONDAY, OCTOBER 13, 1969

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, after the disposition of the Journal on Monday, October 13, 1969, the distinguished Senator from Kentucky (Mr. Cook) be recognized for not to exceed 1 hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, following the remarks of the distinguished Senator from Kentucky, the distinguished Senator from Kansas (Mr. Dole) be recognized for not to exceed 1 hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I would like approximately 20 minutes on Monday morning. Could the Senator in some way accommodate me?

Mr. MANSFIELD. Would the Senator like to come in at 20 minutes to 10?

Mr. JAVITS. If the Senator wishes. I would hope not.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at the conclusion of the remarks of the distinguished Senator from Kansas (Mr. Dole), the distinguished senior Senator from New York (Mr. Javits) be recognized for not to exceed 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. I thank the Senator.

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS ON MONDAY, OCTOBER 13, 1969

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at the conclusion of remarks of the senior Senator from New York on Monday, October 13, 1969, there be a brief period for the transaction of morning business, with a time limitation of 3 minutes for matters relating to morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF THE INTERSTATE OIL AND GAS COMPACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 189, Senate Joint Resolution 54. I do this so that the bill will become the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The Assistant Legislative Clerk. A joint resolution (S.J. Res. 54) consenting to an extension and renewal of the interstate compact to conserve oil and gas.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

LEGISLATIVE PROGRAM

Mr. SCOTT. Mr. President, I ask the distinguished majority leader if he will be good enough to tell us of the future order of business.

Mr. MANSFIELD. Mr. President, it will be a pleasure to respond to the request of the distinguished minority leader.

Following the oil compact bill on Monday, we will turn to Calendar No. 447, Senate Joint Resolution 158, a joint resolution to authorize the minting of clad silverless dollars bearing the likeness of the late President of the United States, Dwight David Eisenhower.

Following that, it is anticipated that we will take up the OEO—somewhere in there; it will be available—plus Calendar No. 445, S. 1508, a bill to improve the judicial machinery. Then it is anticipated that we will take up Calendar No. 329, S. 2696, a bill to provide for continuation of authority for the regulation and expansion of exports.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HOLLAND. I did not hear the Senator mention the two so-called potato bills, S. 1181 and S. 2214. Both have been on the calendar a long time. I am not familiar with any prolonged objection that is planned, but I have not really tried to find out about it. I think I would have heard of it.

Mr. MANSFIELD. I overlooked mentioning those two bills, which will be considered in tandem, so to speak, sometime next week—I hope the early part.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 11612) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1970, and for other purposes, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Whitten, Mr. Natcher, Mr. Hull, Mr. Shipley, Mr. Evans of Colorado, Mr. Mahon, Mr. Langen, Mr. Michel, Mr. Edwards of Alabama, and Mr. Bow, were appointed managers on the part of the House at the conference.

The message also announced that the House had passed a bill (H.R. 14159) making appropriations for public works for water, pollution control, and power development, including the Corps of Engineers—Civil, the Panama Canal, the Federal Water Pollution Control Administration, the Bureau of Reclamation, power agencies of the Department of the Interior, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions for the fiscal year ending June 30, 1970, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 14159) making appropriations for public works for water, pollution control, and power development, including the Corps of Engineers—Civil, the Panama Canal, the Federal Water Pollution Control Administration, the Bureau of Reclamation, power agencies of the Department of the Interior, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions for the fiscal year ending June 30, 1970, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

OPERATION INTERCEPT

Mr. MANSFIELD. Mr. President, beginning on the afternoon of Sunday, September 14, and continuing to this day, nearly 2,000 agents of the combined Customs and Immigration Agencies have been stopping and searching northbound passengers and vehicles at 31 land points and 27 airports.

The results of this operation have been mixed. I understand that in the United States drug prices have increased, which would seem to indicate that Operation Intercept is stemming the flow, at least temporarily, especially of marihuana. In some cities the price doubled within a few days. But these short-range benefits must be balanced against the ill will created among the inconvenienced travelers, mostly Mexican, and a sharpening of the drug debate at home.

Although Mexican authorities have, to the best of their ability, cooperated with our Government, the reaction of private Mexican citizens has been sharp. The bulk of those inconvenienced by Operation Intercept are Mexicans, mainly those who cross the border daily to work. There are newspaper accounts of vehicles backed up for several miles and of long lines of people waiting in the heat to undergo the humilitation of a search.

In protesting, the Mexican Confederation of National Chambers of Commerce is trying to counter Operation Intercept with "Operation Dignity." The confederation charges that Intercept seeks to prevent Mexicans from crossing the border.

Delays encountered at the border cause economic hardship, again mostly for the Mexicans. Felix Belair, writing in the New York Times of September 24, said:

> Enforcement officials readily agree that total inspection of all northbound vehicles and persons at the border amounts to noth-

ing less than limited economic sanctions against Mexico.

Critics of Operation Intercept also point to the lack of tangible results. During the first week, agents stopped 2,384,079 people at the 31 land points. Of these, 903,460 crossed on foot; the remainder were in 529,047 vehicles. The Washington Post of September 23 reported that of the first half million persons coming from Mexico, not a single marihuana smuggler was found. Another story a week later told of 33 persons arrested and 405 seizures of an "unspecified amount of marihuana and other drugs." Compared to the scope of the operation, pickings have been small.

Finally, the charge is made that the professional smuggler is unaffected by Intercept. When the operation is over, he will resume business as usual, while the legitimate economic interests of ordinary Mexican citizens may be harmed permanently, and I might say some American citizens as well.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point an editorial entitled "The Bureaucratic Error," published in the St. Louis Post-Dispatch of October 3, 1969, and also an editorial entitled "Is Intercept Worth the Price?" published in the Missoulian of Missoula, Mont., of October 3, 1969.

There being no objection, the editorals were ordered to be printed in the RECORD, as follows:

[From the St. Louis Post-Dispatch, Oct. 3, 1969]

THE BUREAUCRATIC ERROR

Mexico has privately retaliated against Operation Intercept, the Nixon Administration's Western tourist roundup aimed at the marijuana traffic, with Operation Dignity. This is an effort by Mexican chambers of commerce in border towns to keep Mexicans from going to shop or work in the United States.

Dignity is, no doubt, one of the principal Mexican concerns, since the effect of Operation Intercept is to put the country's entire border and anyone crossing it under dire suspicion of carrying marijuana. Indeed, President Gustavo Diaz Ordaz was sufficiently irritated to refer to the border searches as a "bureaucratic error" in welcoming America's astronauts to Mexico City.

Dollars also are involved, however, and we suspect few Americans comprehend what the traditionally open border means to Mexico. It means a kind of tourism that in 1967 procured one billion dollars for Mexico, or 87 per cent of that country's total export earnings, or enough to stabilize Mexico's balance of trade.

Now the State Department admits it failed to consult "sufficiently" with Mexican officials before Intercept was launched. We do not know whether sufficient consultation would have prevented a drive apparently aimed at proving how strongly the Administration stands against marijuana. Surely, however, American customs could have clamped down on the traffic more selectively and efficiently than by clogging the border with tourists waiting to be searched. "Bureaucratic error" seems a kindly word for an affront to a neighbor.

[From the Missoula (Mont.) Missoulian, Oct. 3, 1969]

IS INTERCEPT WORTH THE PRICE?

"Operation Intercept" against drugs along the Mexican border is intercepting very little and the question is how long it can continue and at what cost.

The operation successfully is stifling the entry of illegal drugs—particularly marijuana, plus some hashish, heroin and cocaine—into the United States. Word of the operation got out long in advance, so those going south of the border to pick up the stuff had quit by the time the operation began.

So drugs aren't being intercepted in any quantity because very few people are trying to bring them through. Presumably the drugs will remain in Mexico until the heat lifts, after which business will resume.

Probably "Operation Intercept" is worth a try just to measure its consequences. We hope federal narcotics agents and independent researchers are hard at work making such measurements, because they are important.

The cost of the operation falls into four categories:

1. Maintaining the manpower and equipment the operation requires. How long the federal government can keep this up is unknown. It likely will keep the heat on hard for awhile, then let border inspections taper off, though not to the easygoing extent of yesteryear, with periodic unannounced intensive crackdowns.

2. The harm to U.S.-Mexican relations. Mexicans commuting daily into the United States are up in arms over the delays at crossing the border. Mexican business interests are upset over the drop in trade. The clampdown cannot continue at its present intensity without injuring relations between the two countries. Whether the Mexican national and state governments will be coerced by "Operation Intercept" into doing their own drug policing (which is what our government wants them to do) is doubtful.

3. Most important, as the operation cuts off pot supplies, where will American drug users turn and with what consequences? Marijuana users are predicting that the clampdown will increase consumption of habit-forming narcotic drugs as well as use of LSD and speed. That could be dangerous and terribly costly. "Operation Intercept" might succeed, but the patient probably will be more apt to die. This danger requires careful measurement.

4. Even before "Operation Intercept" began there was some evidence that organized crime was strongly intensifying its attempts to penetrate the illegal drug scene. The Mafia always has had a hand in the heroin smuggling and selling racket, but could not control the pot, LSD, and speed business because of the overwhelming amateur competition. If "Operation Intercept" aids Mafia penetration and control of drug areas it hitherto has shunned, the consequences could be incalculably bad.

All this presents a complex moral and legal dilemma to the federal government. It is right when it seeks to crack down on any illegal drugs, including marijuana.

Yet if its clampdown on pot increases the use of more destructive drugs and simultaneously assisted organized criminal domination of the drug underground, with all the sinister possibilities which criminal domination would bring, then the operation assists the moral and legal degeneration which until now has been an intimate but largely dormant part of much of the illegal drug scene.

If the operation produces the adverse consequences outlined above, the best thing would be to abandon it quickly and try to find less damaging ways to curtail the importation and use of illegal drugs.

Mr. MANSFIELD. Mr. President, I suggest that the best way to face up to this particular problem, and it is a problem for both countries, would be to meet with representatives of the Government of Mexico on an equal and dignified basis and then work together toward a positive solution.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. AIKEN. Mr. President, yesterday afternoon the seriousness of Operation Intercept was brought to my attention. It was reported to me that as a result of this operation much of the good will which has been built up over recent years between Mexico and the United States, and it is a splendid example of good will between nations, was being seriously jeopardized.

On receiving this information, I called the top officials of the United States and reported what I had been told. I was advised that action would be taken very promptly to straighten out this situation because we cannot afford the ill will of Mexico, and this operation was proving to be extremely embarrassing and costly to our good neighbors to the south.

Mr. President, I might as well say that the President advised me the administration would go to work as rapidly as they could to solve this situation. About 2 hours ago I received a call from the administration, to the effect that they had met with Mexican authorities this morning, that great progress has been made on reaching an agreement satisfactory to both countries, and that we might expect within a matter of hours—although probably not today—a formal announcement that a solution had been found through the mutual cooperation and participation of both countries.

Mr. President, I wish to commend both the Mexicans and our own administration for recognizing this serious problem and salute them both for the speedy solution that they worked out.

Mr. MANSFIELD. Mr. President, I, too, wish to commend the administration for the good news which the distinguished senior Senator from Vermont (Mr. AIKEN) has just given to us. I am glad to note, if I interpret his statement correctly, that the representatives of the Mexican Government, who have been meeting with officials of the Department of Justice, are making good and satisfactory progress. It looks as if it might be possible that a solution on a dignified, mutually acceptable, and mutually agreeable basis will soon be announced. If it is, I think the distinguished Senator from Vermont will be entitled to a great deal of credit for what all of us hope will be a happy solution.

Mr. AIKEN. Mr. President, the Senator from Vermont is not asking for any credit, but will consider it most satisfying if this problem can be solved without delay. I have every reason to believe that within the next 24 hours we may have even better news.

Mr. MANSFIELD. I am delighted.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. Mr. President, I, too, am delighted to hear what the Senator from Vermont has reported with respect to this matter. I believe the majority leader has properly assessed the matter with regard to stopping the flow of narcotics or is not an addictive drug. into this country, although there is an argument as to whether marihuana is

I wish to point out to the Senator something I think we could do ourselves. My interest in this problem has been reawakened. When I was attorney general of New York, I served as the chairman of the attorney general's committee on this subject. In that capacity, I served with the Senator from Iowa (Mr. HUGHES), who is now doing such a splendid job as the chairman of the Subcommittee on Alcoholism and Narcotic Drugs of the Committee on Labor and Public Welfare.

One of the elements of the agreement with the Mexicans is very likely to be the availability of some helicopters and other equipment to engage in surveillance over the raising of narcotic-producing plants. I understand this is illegal there, too. The administration will want to know whether we look with favor on that kind of a cooperative surveillance effort, as contrasted with the rather awkward and difficult Operation Intercept.

I just wanted to call that to the attention of the majority leader. His views and those of the ranking minority member of the Committee on Foreign Relations will be critically important if it should be possible to achieve an agreement such as the one to which the Senator from Vermont has referred.

Mr. AIKEN. Mr. President, if the Senator will yield further, for another minute, I want to say that the majority leader has been instrumental over the years in building up the excellent relations which exist between the United States and many countries, but particularly between Mexico and the United States.

In fact, our majority leader is respected in virtually every country in the world and enjoys unquestioned credibility in each of them.

Our distinguished majority leader has played a substantial part in reaching the solution to the present agreement. Perhaps I have spoken out loud, or out of turn—I do not know about that——

Mr. JAVITS. Never.

Mr. AIKEN. But the main thing is the result and it looks as though we will get results in this present episode within the next few hours.

Mr. MANSFIELD. Mr. President, as always, the senior Senator from Vermont (Mr. AIKEN) is too modest about his participation and influence in matters of this nature.

I note that we have in the Chamber at this moment the distinguished Senator from Iowa (Mr. HUGHES). I recall reading a few weeks ago something to the effect that he was conducting hearings having to do with alcoholism and drug addiction.

If I recall correctly, the Senator heads a subcommittee operating out of the parent Labor and Public Welfare Committee. If I recall further, now that the ranking minority member of the committee is in the Chamber, the Senator from Iowa is chairing the subcommittee, making the study, the inquiry, the investigation, without any funds or any staff to help him. Is that correct?

Mr. JAVITS. That is correct, and he is doing a fine job.

Mr. MANSFIELD. He certainly is doing a fine job. He is doing a magnificent job. No one is more capable of so doing than he.

If I may, I should like to suggest—I have never done this before in my 17 years of service in the Senate—that the Committee on Labor and Public Welfare might well see fit to appropriate or allocate some of its money to this particular subcommittee which is facing up to the evils of alcoholism and drug addiction. These problems are two of the most significant facing our society today and the great interest and involvement into these social problems that the Senator from Iowa has demonstrated should be utilized to their fullest so that the substantial progress we all seek can be best achieved.

Mr. President, so far as I am concerned, let me say that I would be more than willing, either in open session before the Committee on Rules and Administration, or in any other way, to try to get at least a substantial amount of money for the carrying out of the activities of the subcommittee which the Senator from Iowa (Mr. Hughes) is chairing, to the end that he can put his expertise and knowledge—as he has up to this time—to better use in finding solutions to the problems of alcoholism and drug addiction, which are not becoming less prevalent, but more prevalent in this country with the passing of each day.

Mr. HUGHES. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. HUGHES. I should like to thank the Senator from Montana for calling attention for the second time to the fact that the subcommittee I chair has no funds, but to point out that the chairman of the Committee on Labor and Public Welfare has given me the utilization of mailing privileges, and telephone privileges, and has in fact been supplying some daily expenses as we have traveled around the country. But, we have been hustling, trying to pay our travel expenses, in most instances.

It is true, we are operating on limited funds. When we get to publication, I am not sure where we will be; but with the help of the able Senator from New York (Mr. JAVITS) and the distinguished majority leader, and others, I have enough faith and enough hope, with the Nation facing these two great problems, that we will find a solution and the money, at least, to print the results of what we come up with.

Mr. President, concerning the border incident, let me point out another set of circumstances.

As the Senator from New York indicated, there is great controversy over the drug cannabis, or marihuana, and the fact that Operation Intercept was primarily hitting at marihuana.

It should be pointed out that much of the border conflict there is hitting at pills manufactured in the United States, being shipped to Mexico, and coming back, plus the question of whether some of those pills are going to Mexico or are just being turned around at the border and coming back.

So, they are not hitting at marihuana alone. Also, the fact that question has been raised, that by driving prices of marihuana so high in this country, more people will be turning to "speed" and other narcotic drugs, which will have a much more dangerous effect than that of marihuana. But that question is not one that the administration or the subcommittee can answer in line with the laws of both Mexico and the United States.

We must enforce the laws to the best of our ability. As the Senator from New York (Mr. JAVITS) has indicated, he certainly will have the cooperation of this Senator, although I might be in disagreement with him on some of his philosophical views. We are trying to do the best we can with the law as it now exists.

I want to thank the distinguished majority leader once more for pointing out the needs of the subcommittee.

Mr. MANSFIELD. We will try to put a little substance in that faith the Senator is talking about, and that we are operating on.

Mr. JAVITS. I will, too.

AUTHORIZATION FOR COMMITTEES TO FILE REPORTS, INCLUDING MINORITY AND SUPPLEMENTAL VIEWS DURING ADJOURNMENT OF THE SENATE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, during the adjournment of the Senate today and until 10 o'clock a.m. on Monday next, all committees be authorized to file reports, including minority and supplemental views thereon.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT TO 10 O'CLOCK A.M., MONDAY, OCTOBER 13, 1969

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 10 o'clock a.m. on Monday next.

The motion was agreed to, and (at 5 o'clock and 27 minutes p.m.) the Senate adjourned until Monday, October 13, 1969, at 10 o'clock a.m.

NOMINATIONS

Executive nomination received by the Senate, October 9, 1969:

DEPARTMENT OF JUSTICE

Clarence M. Coster, of Minnesota, to be an Associate Administrator of Law Enforcement Assistance, vice Wesley A. Pomeroy, resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 9, 1969:

U.S. MARSHALS

Harlan R. Hosch, of Illinois, to be U.S. marshal for the eastern district of Illinois for the term of 4 years.

Leon B. Sutton, Jr., of Tennessee, to be U.S. marshal for the eastern district of Tennessee for the term of 4 years.

XUM

EXTENSIONS OF REMARKS

PROPOSED REVISIONS OF RULES GOVERNING INTERSTATE COMMERCIAL VEHICLE DRIVER QUALIFICATIONS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 8, 1969

Mr. ASHBROOK. Mr. Speaker, on June 2, 1969, the Department of Transportation, through its Federal Highway Administration Department, proposed a complete revision of part 391 of the motor carrier safety regulations pertaining to qualifications of drivers of commercial motor vehicles engaged in interstate or foreign commerce.

I believe the Department of Transportation would be well advised in implementing these rules to proceed carefully as many are far-reaching and arbitrary and would work hardships on drivers with good records and qualifications.

Because of their importance to the commercial motor vehicle area of the transportation field, I insert at this point in the Record the proposed revisions and other pertinent pronouncements as they appeared in the Federal Register of June 7 and August 23, 1969:

[49 CFR Part 391]

[Docket No. MC–7; Notice No. 69–13]

Motor Carrier Safety Regulations

QUALIFICATIONS OF DRIVERS; NOTICE OF EXTENSION OF TIME TO FILE COMMENTS

On June 2, 1969, the Federal Highway Administrator issued a notice of proposed rule making which proposed a complete revision of Part 391 of the Motor Carrier Safety Regulations pertaining to qualifications of drivers of commercial motor vehicles engaged in interstate or foreign commerce (34 F.R. 9080). The notice specified that interested persons should submit their comments on the proposed rule within 90 days of its publication in the Federal Register.

The Administrator has received a petition for extension of time for filing comments. Upon consideration thereof, he has extended the time to file timely comments for 32 days, to the close of business on October 6, 1969.

Issued on August 19, 1969.

F. C. Turner,
Federal Highway Administrator.

[F.R. Doc. 69–10100; Filed, Aug. 22, 1969; 8:50 a.m]

[49 CFR Part 391]

[Docket No. MC–7; Notice 69–9]

Qualifications of Drivers

NOTICE OF PROPOSED RULE MAKING

The Federal Highway Administrator is considering a complete revision of Part 391 of the Motor Carrier Safety Regulations, relating to qualifications of drivers of commercial motor vehicles engaged in interstate or foreign commerce.

Accident experience in recent years has demonstrated that reduction of the effects of organic and physical disorders, emotional impairments, and other limitations of the good health of drivers are increasingly important factors in accident prevention. Technological advances in equipment and highway engineering, together with increased knowledge in the areas of highway safety and the various skills that today's commercial motor vehicle drivers must possess, make it necessary that criteria for determining whether individuals are qualified to drive commercial motor vehicles be upgraded. The mobility of the modern labor force requires access to more information by which a potential driver's ability, training, mental attitude, and experience in the operation of commercial motor vehicles can be determined. Medical advances, improved diagnostic techniques, and modern man's increased exposure to the regulations' physical qualifications for driving commercial motor vehicles. These factors have impelled the Administrator to consider revising Part 391.

The proposed changes to Part 391 fall into five broad, general areas:

The first area relates to the record and history of professional drivers. The driver qualifications under consideration would require every prospective driver to submit information concerning his driving record, his prior employers, his accident experience, and the status of his driver's license to the motor carrier for which he seeks to drive. He must also furnish information concerning his experience in driving motor vehicles. The carrier would be required to test the skill of prospective drivers by giving an adequate road test under controlled conditions, and a written examination to test the applicant's knowledge of the applicable motor carrier safety regulations.

The second general area relates to the minimum physical qualifications for drivers. The proposed revision would substantially tighten the existing regulations by including guidelines for the evaluation of persons in high-risk medical categories and would provide for giving the examining physician full information about the responsibilities of and the exacting demands made on present-day commercial drivers.

The third general area relates to the in-service record of each driver and continued surveillance of his performance while he is on the job. In order to assure continued attention to these factors, the proposal would require an annual review of each driver's record, investigation of the accidents in which he is involved, if any, and more frequent physical reexaminations under the same criteria as apply to the preemployment examination. In addition, the proposal provides a means for resolution of disagreements between medical examiners in special cases.

The fourth area relates to a difficult problem facing both the Administration and the motor carrier industry. That problem is when, and under what circumstances, permitting a driver to continue to drive involves too great a risk to the interests of public safety. Therefore, the proposed revision would establish rules requiring removal from service of any driver who is convicted of serious offenses involving a motor vehicle or alcohol or drugs, or whose license to operate a motor vehicle has been suspended or revoked. The rules would also require motor carriers to consider, on an annual basis, whether the driving record of each driver in their employ indicates that the driver has exhibited a disregard for public safety. These rules are intended not only to promote safety in the public's interest, but also to protect the lives of drivers who are subject to them.

The fifth area relates to revisions of an editorial nature. A large number of changes have been proposed for the purpose of increasing the clarity of Part 391. In addition, the proposal would transfer two provisions which relate to the driving of motor vehicles from Part 391 to Part 392.

During the past year, particularly while revision of Part 391 was under consideration, the Administrator received a number of suggestions that the minimum age for drivers (now set at 21) be lowered. The Administrator realizes that the present age limit applies only to drivers of commercial motor vehicles engaged in interstate or foreign commerce. He recognizes the complex mechanical characteristics and the demanding operational requirements of modern commercial vehicles. Most of such vehicles in intercity service are articulated trucks which have sophisticated air, electrical, and mechanical systems, such as complex transmissions. Operating these vehicles safely requires both experience and an unusual degree of judgment. These vehicles frequently operate under all conditions including wet and otherwise slippery pavements, adding to the need for experience and judgment on the part of those who drive them to avoid serious and costly accidents. However, in order to give the fullest possible consideration to the views of those who favor reducing the existing minimum age, the Administrator particularly invites interested persons to comment on this issue.

Interested persons are invited to submit written data, views, or arguments, pertaining to the proposed rule. Comments must identify the docket (No. MC–7) and must be submitted in three copies to the Federal Highway Administration, Sixth and D Streets SW., Washington, D.C. 20591, Attention: Bureau of Motor Carrier Safety, Room 302A. All comments received before the close of business 90 days after this notice is published in the Federal Register will be considered by the Administrator. All comments will be available for examination in the docket at the above address before and after the closing date for comments.

In consideration of the foregoing, the Administrator proposes to revise Part 391 of Title 49, CFR to read as set forth below and to amend Part 392 of Title 49, CFR as set forth below.

This notice of proposed rule making is issued under the authority of section 204 of the Interstate Commerce Act, as amended, 49 U.S.C. 304, section 6 of the Department of Transportation Act, 49 U.S.C. 1655, and the delegation of authority by the Secretary of Transportation in 49 CFR 1.4(c).

Issued: June 2, 1969.

F. C. Turner,
Federal Highway Administrator.

I. Part 391 of Title 49, CFR is revised to read as follows:

PART 391—QUALIFICATIONS OF DRIVERS

Subpart A—General

Sec.
391.1 Scope of rules in this part; additional qualifications.
391.3 Definitions.
391.5 Familiarity with rules.
391.7 Aiding or abetting violations.

Subpart B—Qualification and Disqualification of Drivers

391.11 General qualifications for all drivers.
391.13 Special qualifications for drivers hired after December 31, 1969.
391.15 Disqualification of drivers.

Subpart C—Background and Character

391.21 Application for employment.
391.23 Investigations and inquiries.
391.25 Annual review of driving record.
391.27 Record of violations.

Subpart D—Examination and Tests

391.31 Road test.
391.33 Equivalent of road test.
391.35 Written examination.
391.37 Equivalent of written examination.

Subpart E—Physical Qualifications and Examinations

391.41 Physical qualifications for driving.
391.43 Medical examination; certificate of physical qualification.
391.45 Persons who must be medically examined and certified.
391.47 Conflict of medical evaluations.
391.49 Waiver of certain physical defects.

Subpart F—Files and Records

391.51 Personnel files.

Subpart G—Exemptions

391.61 Single trip drivers.
391.63 Drivers furnished by other motor carriers.

AUTHORITY: The provisions of this Part 391 issued under sec. 204, Interstate Commerce Act, as amended (49 U.S.C. 304); sec. 6, Department of Transportation Act (49 U.S.C. 1655); delegation of authority by the Secretary of Transportation in 49 CFR 1.4(c).

Subpart A—General

§ 391.1 Scope of rules in this part; additional qualifications.

(a) The rules in this part establish minimum qualifications for persons who drive motor vehicles as, for, or on behalf of motor carriers. The rules in this part also establish minimum duties of motor carriers with respect to the qualifications of their drivers.

(b) The rules in this part, and in other parts of this subchapter, do not prevent a motor carrier from imposing more stringent or additional qualifications, requirements, examinations, or certificates than the qualifications, requirements, examinations, or certificates that are imposed by those rules.

§ 391.3 Definitions.

As used in this part—

(a) The term "motor carrier" includes a motor carrier and the agents, officers, representatives, and employees of a motor carrier who are responsible for or concerned with the driving of a motor vehicle or the hiring, supervision, training, assignment, or dispatching of drivers.

(b) The term "Director" means the Director of the Bureau of Motor Carrier Safety.

§ 391.5 Familiarity with rules.

Each motor carrier shall know, and be familiar with, the rules in this part.

§ 391.7 Aiding or abetting violations.

No person shall aid, abet, encourage, or require a motor carrier or a driver to violate any provision of this part.

Subpart B—Qualification and disqualification of drivers

§ 391.11 General qualifications for all drivers.

(a) A person shall not drive a motor vehicle unless he is qualified to drive a motor vehicle. A motor carrier shall not require or permit a person to drive a motor vehicle unless that person is qualified to drive a motor vehicle.

(b) A person is qualified to drive a motor vehicle if he—

(1) Is at least 21 years old;

(2) Can read, write, and speak the English language sufficiently to converse with the general public, to understand highway traffic signs and signals in the English language, to understand oral and written directions in the English language, to respond to official inquiries, and to make entries in the English language on reports and records;

(3) Can, by reason of experience, training, or both, safely drive the type of motor vehicle he drives;

(4) Can, by reason of experience, training, or both, insure that the cargo he transports (including baggage in a passenger-carrying motor vehicle) has been properly located and distributed in or on the motor vehicle he drives;

(5) Is familiar with blocking, bracing, chains, cables, boomers, dogs, and other methods of securing cargo in or on the motor vehicle he drives;

(6) Is physically qualified to drive a motor vehicle in accordance with § 391.41;

(7) Has in his possession a medical examiner's certificate issued pursuant to § 391.43;

(8) Knows the current rules and regulations of the Federal Highway Administration pertaining to safe operation of motor vehicles and the statutory provisions pertaining to safe operation of motor vehicles which are administered by the Federal Highway Administration (including the Transportation of Explosives and Other Dangerous Articles Act, if he is, or may be, assigned to handle or transport explosives or other dangerous articles as defined in that Act);

(9) Has prepared and furnished the motor carrier that employs him with the list of violations or the certificate required by § 391.27; and

(10) Is not disqualified to drive a motor vehicle pursuant to § 391.15.

§ 391.13 Special qualifications for drivers hired after December 31, 1969.

(a) A person who has not been continuously employed by a motor carrier as a driver for a period which began before January 1, 1970, shall not drive a motor vehicle unless he is specially qualified to drive a motor vehicle. After December 31, 1969, a motor carrier shall not require or permit such a person to drive a motor vehicle unless that person is specially qualified to drive a motor vehicle.

(b) A person is specially qualified to drive a motor vehicle if he—

(1) Is qualified to drive a motor vehicle pursuant to § 391.11;

(2) Has successfully completed a driver's road test and has been issued a certificate of driver's road test in accordance with § 391.31, or has presented an operator's license or certificate of driver's road test which the motor carrier that employs him has accepted as equivalent to a road test in accordance with § 391.33;

(3) Has successfully completed a written examination and has been issued a certificate of written examination in accordance with § 391.35, or has presented a certificate of written examination which the motor carrier that employs him has accepted as equivalent to a written examination in accordance with § 391.37; and

(4) Has completed and furnished the motor carrier that employs him with an application for employment in accordance with § 391.21.

§ 391.15 Disqualification of drivers.

(a) A driver who is disqualified shall not drive a motor vehicle. After December 31, 1969, a motor carrier shall not require or permit a driver to drive a motor vehicle if that driver is disqualified.

(b) After December 31, 1969, a driver is disqualified if—

(1) He has, within the preceding 3 years, been convicted of or forfeited bond or collateral upon any of the following charges:

(i) A felony, the commission of which involved the use of a motor vehicle;

(ii) A crime involving the manufacturing, knowing transportation, knowing possession, sale, or habitual use of amphetamines, a narcotic drug, a formulation of an amphetamine, or a derivative of a narcotic drug;

(iii) Operating a motor vehicle under the influence of alcohol, amphetamine, a narcotic drug, a formulation of an amphetamine or a derivative of a narcotic drug;

(iv) Leaving the scene of an accident which resulted in personal injury or death; or

(v) Three or more moving traffic violations.

(2) Any license, permit, or privilege to operate a motor vehicle which he has held has been suspended, revoked, withdrawn, or denied and has not been reinstated or reissued by the authority that suspended, revoked, withdrew, or denied it; or

(3) He fails to comply with the Motor Carrier Safety Regulations or Hazardous Materials Regulations of the Federal Highway Administration.

Subpart C—Background and character

§ 391.21 Application for employment.

(a) No person, other than a person who has been continuously employed by a motor carrier as a driver for a period which began before January 1, 1970, may drive a motor vehicle unless he has completed and furnished the motor carrier with an application for employment that meets the requirements of paragraph (b) of this section.

(b) The application for employment shall be made on a form furnished by the motor carrier. Each application form must be completed by the applicant, must be signed by him, and must contain the following information:

(1) The name and address of the motor carrier;

(2) The applicant's name, address, date of birth, and social security number;

(3) The addresses at which the applicant has resided during the 3 years preceding the date on which the application is submitted;

(4) The date on which the application is submitted;

(5) The issued State, number, and expiration date of each unexpired motor vehicle driver's, chauffeur's, or operator's license or permit that has been issued to the applicant;

(6) The issuing State of each expired motor vehicle driver's, chauffeur's, or operator's license or permit that has been issued to the applicant during the 3 years preceding the date the application is submitted;

(7) The nature and extent of the applicant's experience in the operation of motor vehicles including the type of equipment (such as straight trucks, tractors, and semitrailers, or tractors, and full trailers) which he has operated;

(8) A list, in reverse chronological order, of the date and nature of any motor vehicle accidents specifying fatalities or personal injuries, in which the applicant was involved during the 3 years preceding the date the application is submitted;

(9) A list of all violations of motor vehicle laws or ordinances (other than violations involving only parking) of which the applicant was convicted or forfeited bond or collateral during the 3 years preceding the date the application is submitted;

(10) A statement setting forth in detail the facts and circumstances of any denial, revocation, or suspension of any license, permit, or privilege to operate a motor vehicle that has been issued to the applicant, or a statement that no such denial, revocation or suspension has occurred;

(11) A statement certifying that the applicant holds a valid license which entitles him to operate a motor vehicle;

(12) A list, in reverse chronological order, of the names and addresses of the applicant's employers during the 3 years preceding the date the application is submitted, together with the dates he was employed by, and his reason for leaving the employ of, each employer; and

(13) The following certification and signature line, which must appear at the end of the application form and must be signed by the applicant:

This certifies that this application was completed by me and that all entries on it and information in it are true and complete to the best of my knowledge.

---------- --------------------------
(Date) (Applicant's signature)

(c) A motor carrier may require an applicant to provide information in addition to the information required by paragraph (b) of this section on the application form.

(d) Before an application form is submitted the motor carrier shall inform the applicant that the information he provides in accordance with subparagraph (12) of paragraph (b) of this section may be used, and the applicant's prior employers may be contacted, for the purpose of investigating the applicant's background as required by § 391.23.

§391.23 Investigations and inquiries.

(a) Each motor carrier shall make the following investigations and inquiries with respect to each driver it employs, other than a driver who has been continuously employed as a driver by the motor carrier for a period which began before January 1, 1970, at the time it employs him:

(1) An inquiry into the driver's driving record during the preceding 3 years, including an inquiry to the appropriate agency of every State in which the driver held a motor vehicle operator's license or permit during those 3 years; and

(2) An investigation of the driver's employment record during the preceding 3 years.

(b) The inquiry to State agencies required by subparagraph (1) of paragraph (a) of this section shall be made in the form and manner those agencies prescribe. A copy of the response by each State agency, showing the driver's driving record or certifying that no driving record exists for that driver, shall be retained in the carrier's files as part of the driver's personnel file.

(c) The investigation of the driver's employment record required by subparagraph (2) of paragraph (a) of this section must be made within 30 days of the date the driver is employed. The investigation may consist of personal interviews, telephone interviews, letters, or any other methods of obtaining information that the motor carrier deems appropriate. Each motor carrier must make a written record with respect to each past employer who was contacted. The record must include the past employer's name and address, the date he was contacted, the method by which he was contacted, and his comments with respect to the driver. The record shall be retained in the motor carrier's files as part of the driver's personnel file.

(d) The motor carrier's findings resulting from its investigation of every recordable accident, as defined in § 394.2(a) of this subchapter, in which the driver was involved shall be retained in the motor carrier's files as part of the driver's personnel file.

§ 391.25 Annual review of driving record.

At least once in each year, each motor carrier must review the driving record of each driver it employs to determine whether that driver meets minimum requirements for safe driving or is disqualified to drive a motor vehicle pursuant to § 391.15. In reviewing a driving record, the motor carrier must consider any evidence that the driver has violated applicable provisions of the Motor Carrier Safety Regulations. The motor carrier must also consider any evidence that the driver has violated laws governing the operation of motor vehicles, and must give great weight to violations, such as speeding, reckless driving, and operating while under the influence of alcohol or drugs, that indicate that the driver has exhibited a disregard for the safety of the public.

§ 391.27 Record of violations.

(a) After December 31, 1969, each motor carrier shall require each driver it employs annually to prepare and furnish it with a list of all violations of motor vehicles laws and ordinances (other than violations involving only parking) of which the driver has been convicted or on account of which he forfeited bond or collateral during the preceding year.

(b) If a motor carrier accepts a certificate the list required in accordance with paragraph (a) of this section. If the driver has not been convicted of or forfeited bond or collateral on account of any violations which must be listed, he shall so certify.

(c) The form of the driver's list or certificate shall be prescribed by the motor carrier. The following form may be used to comply with this section:

Motor vehicle driver's certification

I certify that the following is a true and complete list of traffic violations (other than parking charges) for which I have knowingly been convicted or forfeited bond or collateral during the last 12 months.

Date	*Offense*
------------	--------------------------
------------	--------------------------
------------	--------------------------
------------	--------------------------

Location	*Type of vehicle operated*
------------------	------------------
------------------	------------------
------------------	------------------
------------------	------------------

If no violations are listed above, I certify that I have not been convicted or forfeited bond or collateral on account of any violations required to be listed during the last 12 months.

------------------ (Date of certification)	------------------ (Driver's signature)
------------------ (Motor carriers name)	------------------ (Motor carrier's address)
------------------ (Checked by: signature)	------------------ (Title)

(d) Each motor carrier shall retain the list or certificate required by this section in its files as part of the driver's personnel file.

Subpart D—Examinations and tests

§ 391.31 Road test.

(a) Except as provided in § § 391.33 and 391.61, no person, other than a person who has been continuously employed by a motor carrier as a driver for a period which began before January 1, 1970, may drive a motor vehicle unless he has completed a road test and has been issued a certificate of driver's road test in accordance with this section.

(b) The road test shall be given by the motor carrier, or a person designated by it. The test shall be conducted by a person who is competent to evaluate and determine whether the person who takes the test has demonstrated that he is capable of safely operating the motor vehicle, and associated equipment, which the motor carrier intends to assign to him.

(c) The road test must be of sufficient duration to enable the person who conducts it to evaluate the skill of the person who takes the test at handling the motor vehicle and associated equipment which the motor carrier intends to assign to him. At a minimum, the person who takes the test must be tested while driving the type of motor vehicle the motor carrier intends to assign to him on his skill at performing each of the following operations:

(1) The pretrip inspection required by § 392.7 of this subchapter;

(2) Coupling and uncoupling of combination units;

(3) Placing the vehicle in operation;

(4) Use of the vehicle's controls;

(5) Operating the vehicle in traffic and while passing other vehicles;

(6) Turning the vehicle;

(7) Braking, and slowing the vehicle by means other than braking; and

(8) Backing and parking the vehicle.

(d) The motor carrier shall provide a road test form on which the person who conducts the test shall rate the performance of the person who takes the test at each operation or activity which is a part of the test. After he completes the form, the person who conducted the test shall sign it. The original of the signed form shall be retained in the carrier's files as part of the personnel file of the person who took the test.

(e) After the road test is completed, the person who conducted it shall complete a certificate of driver's road test in substantially the form prescribed in paragraph (f) of this section. The original of the certificate shall be retained in the motor carrier's files as part of the personnel file of the person who took the test. One copy of the certificate shall be given to the person who took the test.

(f) The form for the certificate of driver's road test is substantially as follows:

Driver's name---------------------------------
Social Security No----------------------------
Operator's or chauffeur's license No----------
State --
Examining motor carrier-----------------------
Date tested-----------------------------------
Type of power unit----------------------------
Type of trailer(s)----------------------------
If passenger carrier, type of bus-------------

This is to certify that the above-named driver was given a road test under my supervision on ------------ 19-- consisting of approximately -------- miles of driving.

It is my considered opinion that this driver Does ( ), Does Not ( ), possess sufficient driving skill necessary to operate safely the type of motor vehicle listed above.

Signature of examiner-------------------------
Title --
Address of examiner---------------------------

§ 391.33 Equivalent of road test.

(a) In place of, and as equivalent to, the road test required by § 391.31, a person who seeks to drive a motor vehicle may present, and a motor carrier may accept—

(1) A valid operator's license which has been issued to him by a State that licenses drivers to operate specific categories of motor vehicles and which, under the laws of that State, licenses him to drive motor vehicles of the type that the motor carrier intends to permit him to drive; or

(2) A copy of a valid certificate of driver's road test issued pursuant to § 391.31 within the preceding 3 years.

(b) If a driver presents and a motor carrier accepts a license or certificate as equivalent to the road test, the motor carrier shall retain a legible copy of the license or certificate in its files as part of the driver's personnel file.

(c) A motor carrier may require any person who presents a license or certificate as equivalent to the road test to take a road test or any other test as a condition to his employment as a driver.

§ 391.35 Written examination.

(a) Except as provided in §§ 391.37 and 391.61, no person, other than a person who has been continuously employed by a motor carrier as a driver for a period which began, before January 1, 1970, may drive a motor vehicle unless he has successfully completed a written examination and has been issued a certificate of written examination in accordance with this section.

(b) The written examination shall be given by the motor carrier or a person designated by it on a form prescribed by the motor carrier. The examination shall be administered by a competent person.

(c) The examination shall consist of questions designed to test the examinee's knowledge of Parts 390–397 of this subchapter. At least 30 questions, which can be answered in either multiple-choice or true-or-false form, shall be asked. A person who correctly answers at least 70 percent of the questions has successfully completed the examination.

(d) If the examinee successfully completes the examination, the person who administered it shall advise the examinee of the correct answers to any questions he failed to answer correctly and shall complete a certificate of written examination in substantially the following form:

This is to certify that the driver whose signature appears below, has successfully completed the written examination under my supervision in accordance with the provisions of section 391.35 of the Motor Carrier Safety Regulations.

(Signature of driver taking examination) (Date of examination)

(Location of examination)

(Signature of examiner) (Title)

(Address of examiner)

(e) A copy of the certificate required by paragraph (d) of this section shall be given to the person who was examined. The motor carrier shall retain in the personnel file of the person who was examined—

(1) The original of the certificate required by paragraph (d) of this section;

(2) The questions asked on the examination; and

(3) The person's answers to those questions.

§ 391.37 Equivalent of written examination.

(a) In place of, and as equivalent to, the written examination required by § 391.35, a person who seeks to drive a motor vehicle may present, and a motor carrier may accept a valid certificate of written examination issued pursuant to paragraph (d) of that section within the preceding 3 years.

(b) If a motor carrier accepts a certificate as equivalent to the written examination, it shall retain a legible copy of the certificate in its files as part of the driver's personnel file.

Subpart E—Physical qualifications and examinations

§ 391.41 Physical qualifications for driving.

(a) No person may drive a motor vehicle unless he is physically qualified to do so and has on his person a medical examiner's certificate, issued pursuant to § 391.43, that he is physically qualified to drive a motor vehicle.

(b) A person is physically qualified to drive a motor vehicle if he—

(1) Has no loss of a foot, a leg, a hand, a finger, or an arm, or has been granted a waiver pursuant to § 391.49;

(2) Has no impairment of the use of a foot, a leg, a hand, a finger, or an arm and no other structural defect or limitation which is likely to interfere with his ability to control and safely drive a motor vehicle, or has been granted a waiver pursuant to § 391.49;

(3) Has no established medical history or clinical diagnosis of diabetes mellitus that requires insulin for control, or has required insulin treatment within the preceding 12-month period;

(4) Has no clinical diagnosis of myocardial infarction, angina pectoris, coronary insufficiency, thrombosis, or any other cardiovascular disease of a variety known to be accompanied by a syncope, dyspea, collapse, or congestive cardiac failure;

(5) Has no established medical history or clinical diagnosis of a respiratory dysfunction likely to interfere with his ability to control and safely drive a motor vehicle;

(6) Has blood pressure no higher than 160/90 mm. Hg.;

(7) Has no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause loss of consciousness or any loss of ability to control a motor vehicle;

(8) Has no established medical history or clinical diagnosis of rheumatic, arthritic, orthopedic, or muscular disease which interferes with his ability to control and safely operate a motor vehicle;

(9) Has no mental, nervous, organic, or functional disease or psychoneurotic disorder likely to interfere with his ability to drive safely;

(10) Has visual acuity of at least 20/40 (Snellen) in each eye without corrective lenses or visual acuity separatetely corrected to 20/40 (Snellen) or better with corrective lenses, distant binocular acuity of at least 20/40 (Snellen) in both eyes with or without corrective lenses, form a field of vision of at least 70° in the horizontal meridian in each eye, and the ability to recognize the colors of traffic signals and devices showing standard red, green, and amber;

(11) Has hearing not less than 10/20 in his better ear at whispered voice tones without a hearing aid, or a similar level as shown by an audiometric testing device (25–30 decibel loss at 500, 1,000, and 2,000 c.p.m.);

(12) Does not use an amphetamine or a narcotic or other habit-forming drug; and

(13) Does not consume alcoholic beverages to excess.

§ 391.43 Medical examination; certificate of physical qualification.

(a) Except as provided in paragraph (b) of this section, the medical examination shall be performed by a licensed doctor of medicine or osteopathy.

(b) A licensed optometrist may perform so much of the medical examination as pertains to visual acuity, form field of vision, and the ability to recognize colors as specified in subparagraph (1) of § 391.41(b).

(c) The medical examination shall be performed, and its results shall be recorded, substantially in accordance with the following instructions and examination form:

Instructions for Performing and Recording Physical Examination

The examining physician should review these instructions before performing the physical examination. Answer each question yes or no where appropriate.

The examining physician should be aware of the rigorous physical demands and mental and emotional responsibilities placed on the driver of a commercial motor vehicle. In the interest of public safety the examining physician is required to certify that the driver does not have any physical, mental, or organic defect of such a nature as to affect the driver's ability to operate safely a commercial motor vehicle.

Medical history. The purpose of this physical examination is to detect the presence of physical, mental, or organic defects of such a character and extent as to affect the applicant's ability to operate a motor vehicle safely. The examination should be made carefully and at least as complete as indicated by the attached forms. Careful and detailed inquiry regarding past illness may reveal the cause of defects found upon physical examination. Knowledge concerning the etiology of certain defects may result in the rejection for employment or continued employment of a driver. Such data may also indicate the need for making certain laboratory tests or a further, and more stringent, examination. Defects may be recorded which do not, because of their character or degree, indicate that certification of physical fitness should be denied. However, these defects should be discussed with the applicant and he should be advised to take the necessary steps to insure correction, particularly of those which, if neglected, might lead to a condition likely to affect his ability to drive safely.

If, in the opinion of the examining physician, the defects are of such nature as to require additional physical examination, it shall be specified on the certification.

General appearance and development. Note marked overweight, or obesity. Note any posture defects, perceptible limp, anemia, tremor, or other form of nervousness, such as might be caused by chronic or excessive alcoholism, thyroid intoxication, or other illnesses. The Motor Carrier Safety Regulations provide that no driver shall use a narcotic or other habit-forming drug or consume alcoholic beverages to excess.

Head-eyes. When other than the Snellen chart is used, the results of such test must be expressed in values comparable to the standard Snellen test. If the applicant wears corrective lenses, these should be worn while applicant's visual acuity is being tested. If appropriate, indicate on the Doctor's Certificate by checking the box. "Qualified only when wearing corrective lenses." In recording distance vision use 20 feet as normal. Report all vision as a fraction with 20 as numerator and the smallest type read at 20 feet as denominator. Note ptosis, discharge, visual fields, ocular muscle imbalance, color blindness, corneal scar, exophthalmos or strabismus, uncorrected by corrective lenses. Monocular or aphacic drivers are not qualified to operate commercial motor vehicles under existing Motor Carrier Safety Regulations.

Ears. Note evidence of mastoid or middle ear disease, discharge, symptoms of aural vertigo or Meniere's Syndrome. In recording hearing, record 20 feet as normal distance for conversational voice and record deviation from normal as fraction with 20 feet as denominator and actual distance as numerator.

Mouth. Note evidence of any disease or infection.

Throat. Note evidence of disease, irremediable deformities of the throat likely to interfere with eating or breathing, or any laryngological condition which could interfere with the safe operation of a motor vehicle.

Thorax-heart. Stethoscopic examination is required. Note murmurs and arrhythmias, and any past or present history of cardiovascular disease, attacks, or seizure of a variety known to be accompanied by syncope, dyspnea, collapse, enlarged heart, or congestive heart failures.

Electrocardiogram is required when findings so indicate.

Blood pressure. Record with either spring or mercury column type of sphygmomanometer. If the blood pressure is consistently above 160/90 mm. Hg, fixed hypertension must be considered to be present and the driver would not be qualified to operate a motor vehicle.

Lungs. If any lung disease is detected, state whether active or arrested; if arrested, your opinion as to how long it has been quiescent.

Gastrointestinal system. Note any diseases of the gastrointestinal system.

Abdomen. Wounds, injuries, scars, or weakness of muscles of abdominal walls sufficient to interfere with normal function. Any hernia should be noted; if present, state how long and whether it is retained by an adequate truss.

Abnormal masses. If present, note location, if tender, and whether or not applicant knows how long they have been present. If the diagnosis suggests that the condition might interfere with the control and safe operation of a motor vehicle, more stringent tests must be made before the applicant can be certified.

Tenderness. When noted, state where most pronounced, and suspected cause. If the diagnosis suggests that the condition might interfere with the control and safe operation of a motor vehicle, more stringent tests must be made before the applicant can be certified.

Genito-urinary. Urinalysis is required. Acute infections of the genito-urinary tract, as defined by local and State public health laws, indications from urinalysis of uncontrolled diabetes, symptomatic albumen in the urine, or other findings indicative of health conditions likely to interfere with the control and safe operation of a motor vehicle, will disqualify an applicant from operating a motor vehicle.

Reflexes. If positive Rhomberg is reported indicate degrees. Pupillary reflexes should be reported for both light and accommodation. Knee jerks are to be reported absent only when not obtainable upon reinforcement and as increased when foot is actually lifted from the floor following a light blow on the patella; otherwise as normal.

Extremities. Carefully examine upper and lower extremities. Record the loss or impairment of a leg, a foot, a toe, an arm, a hand, or a finger. Note any and all deformities, the presence of atrophy, semiparalysis or paralysis, or varicose veins. If a hand deformity exists, determine whether sufficient grasp is present to enable the driver to secure and maintain a grip on the steering wheel. If a leg deformity exists, determine whether sufficient mobility and strength exists to enable the driver to operate properly the various pedals. Pay particular attention to and record any impairment or structural defects which may impair the driver's ability to operate a motor vehicle safely.

Spine. Note deformities, limitation of motion, or any history of pain, injuries, or disease, past or presently experienced in the spine and the lumbar region of the spine. If findings so dictate, X-ray examination should be used to diagnose such conditions as herniated lumbar discs, spondyloisthesis, scoliosis.

Hemorrhoids and back trouble. Hemorrhoids, back trouble, or other conditions causing discomfort should be evaluated carefully to determine the extent to which the condition might be handicapping while lifting, pulling or during periods of prolonged driving that might be necessary as part of the driver's duties.

Laboratory findings. Urinalysis is required, as well as such other tests as the medical history or findings upon physical examination may indicate are necessary. A seriological test must always be made if the applicant has a history of luetic infection or present physical findings indicate the possibility of latent syphilis.

Diabetes. If insulin is necessary to control a diabetic condition, the driver is not qualified to operate a motor vehicle. If mild diabetes is noted at the time of examination and it is stabilized by use of a hypoglycemia drug, and a diet that can be obtained while the driver is on duty, it should not be considered disqualifying. However, the driver must remain under adequate medical supervision.

The physician must date and sign his findings upon completion of the examination.

Examination to Determine Physical Condition of Drivers

Driver's name ________
Address ________
Social Security No. ________
Date of birth ________ Age ________

☐ New certification.
☐ Recertification.
☐ Interim certification.

Health history

Yes	*No*	
☐	☐	Head or spinal injuries.
☐	☐	Seizures, fits, or convulsions.
☐	☐	Extensive confinement by illness or injury.
☐	☐	Cardiovascular disease.
☐	☐	Tuberculosis.
☐	☐	Syphillis.
☐	☐	Gonorrhea.
☐	☐	Diabetes.
☐	☐	Gastrointestinal ulcer.
☐	☐	Nervous stomach.
☐	☐	Rheumatic fever.
☐	☐	Asthma.
☐	☐	Kidney disease.
☐	☐	Muscular disease.
☐	☐	Suffering from any other disease.
☐	☐	Permanent defect from illness, disease, or injury.
☐	☐	Psychoneurotic disorder.
☐	☐	Any other nervous disorder.

If answer to any of the above is yes, explain: ________ ________

Physical examination

General appearance and development:
Good ________ Fair ________ Poor ________
Vision: For distance: Right 20/ ______
Left 20/ ______
☐ Without corrective lenses.
☐ With corrective lenses if worn
Evidence of disease or injury: Right ______ Left ________
Color Test ______ Horizontal field of vision: Right ________ Left ________
Hearing:
Right ear at 20 ft. ______ Left ear at 20 ft. ______
Disease or injury ________
Audiometric Test (complete only if audiometer is used to test hearing):
______ decibel loss at 500 c.p.m. ______ at 1,000 c.p.m. ______ et 2,000 c.p.m.
Mouth: ________
Throat: ________
Thorax:
Heart ________
If organic disease is present, is it full compensated? ________
Blood pressure:
Systolic ________ Diastolic ______
Pulse:
Before exercise ________
Two minutes rest after exercise ________
Lungs: ________
Abdomen:
Scars ______ Abnormal masses ______
Tenderness ________
Hernia: Yes ______ No ______
If so, where? ________
Is truss worn? ________
Gastrointestinal:
Ulceration or other disease: Yes ________ No ______
Genito-Urinary:
Scars ______ Urethral discharge ______
Reflexes:
Rhomberg ________
Pupillary ______ Light R ______ L ______
Accommodation R ______ L ______
Knee Jerks:
Right: Normal ________ Increased ________ Absent ________
Left: Normal ________ Increased ________ Absent ________
Extremities:
Upper ________
Lower ________
Spine ________
Laboratory findings:
Urine: Spec. Gr ______ Alb ______ Sugar ______
Blood serology ________
Chest X-ray ________
Electrocardiograph ________

________ (Date of examination)	________ (Address of examining doctor)
________ (Name of examining doctor (Print))	________ (Signature of examining doctor)

NOTE: This section to be completed only when visual test is conducted by a licensed optometrist.

________ (Date of examination)	________ (Address of optometrist)
________ (Name of optometrist (Print))	________ (Signature of optometrist)

(d) If the medical examiner finds that the person he examined is physically qualified to drive a motor vehicle in accordance with § 391.41(b), he shall complete a certificate in the form prescribed in paragraph (e) of this section and furnish one copy to the person who was examined and one copy to the motor carrier that employs him.

(e) The medical examiner's certificate shall be substantially in accordance with the following form:

Doctor's Certificate

I certify that I have personally examined ________ in accordance with the Motor Carrier Safety Regulations (49 CFR §§ 391.41–391.49) and with knowledge of his duties, I find him qualified under the regulations.

☐ Qualified only when wearing corrective lenses.

A completed examination form for this person is on file in my office at ________ ________
(Address)

________ (Date of examination)	________ (Name of examining doctor (Print))

____
(Signature of examining doctor)

________ (Signature of driver)	________ (Address of driver)

NOTE: The following section of the form is to be completed only when visual examination is conducted by a licensed optometrist.

________ (Name of optometrist (Print))	________ (Date)
________ (Signature of optometrist)	________ (Address of optometrist)

NOTE: Stocks of doctor's certificates in the possession of carriers or their suppliers as of the effective date of this order may be used until Jan. 1, 1972, provided the information required by § 391.48 is entered thereon.

§ 391.45 Persons who must be medically examined and certified.

The following persons must be medically examined and certified in accordance with § 391.43 as physically qualified to drive a motor vehicle:

(a) Any person who has not been medically examined and certified as physically qualified to drive a motor vehicle;

(b) Any driver who has not been medically examined and certified as physically qualified to drive a motor vehicle during the preceding 12 months; and

(c) Any driver who incurs a physical or mental injury or impairment which affects his ability to perform his normal duties.

§ 391.47 Conflict of medical evaluations.

(a) If, having performed medical examinations of a person pursuant to § 391.43, two or more medical examiners disagree as to whether that person is physically qualified to drive a motor vehicle, the Director, on application of that person or a motor carrier, may determine whether that person is physically qualified to drive a motor vehicle.

(b) An application under this section must be supported by a finding that the person is physically qualified to drive made by—

(1) A medical officer of the U.S. Government;

(2) The medical advisory committee to the motor vehicle administrator of the State in which the person is licensed to drive; or

(3) An advisory committee established by the medical association of the State in which the person is licensed to drive.

(c) An application under this section must demonstrate to the Director's satisfaction that, before the finding required by paragraph (b) of this section was made, the medical officer or committee was fully aware of the person's complete medical history and of the nature of the work the person would perform if he were found physically and otherwise qualified to drive a motor vehicle. At a minimum, the medical officer or committee must have been informed of the type, size, and weight of the vehicles the person would drive, the distances he would traverse, the number of hours he would spend in an on-duty status, and the related duties (such as loading, unloading, climbing onto and descending from vehicles, and making repairs enroute, if he would be required to do so) that the person would perform.

(d) If the Director determines that the person is physically qualified to drive a motor vehicle, a medical examiner's certificate may be issued to that person pursuant to § 391.43.

§ 391.49 Waiver of certain physical defects.

(a) A person who is physically qualified to drive under § 391.41(b) (1) or (2) only if a waiver of a defect specified in those paragraphs is granted, and who is otherwise qualified to drive a motor vehicle, may drive a motor vehicle, other than a motor vehicle which transports passengers or must be placarded or marked in accordance with § 177.823 of this title (relating to placards or markings upon vehicles which transport explosives or other dangerous articles), if the Director has granted an application for a waiver with respect to that person.

(b) An application for a waiver must be submitted jointly by the person who seeks a waiver of his physical disqualification (the individual applicant) and by the motor carrier that will employ him if the application is granted. The application must be addressed to the Director, Bureau of Motor Carrier Safety, Sixth and D Streets SW., Washington, D.C. 20591.

(c) An application for a waiver must contain—

(1) A description of the type, size, and special equipment (if any) of the vehicles the individual applicant intends to drive, the general area and type of roads he intends to traverse while driving, the distances over which he intends to drive, the periods of time he will be on duty while driving, the nature of the commodities or cargo he intends to transport, the methods he will use to load and secure those commodities or cargo, and the nature and extent of his experience at operating motor vehicles of the type he intends to drive;

(2) An agreement by both applicants that the motor carrier will promptly file with the Director such reports as he may require, including reports about the driving activities, accidents, arrests, license suspensions, revocations, or withdrawals, and convictions which involve the individual applicant; and

(3) An agreement that, if a waiver is granted, it authorizes the individual applicant to drive in interstate commerce only when employed by the motor carrier that joined in his application.

(d) An application for a waiver must be accompanied by—

(1) At least two reports of medical examinations made pursuant to § 391.43, at least one of which was conducted by a medical examiner selected and compensated by the motor carrier, each of which includes the medical examiner's opinion concerning the individual applicant's ability to operate safely a motor vehicle of the type he intends to drive;

(2) A copy of the certificate of driver's road test that was issued to the individual applicant pursuant to § 391.31;

(3) A copy of the certificate of written examination that was issued to the individual applicant pursuant to § 391.35; and

(4) A copy of any certificate of a medical examiner that was issued to the individual applicant pursuant to §391.43.

(e) Each application for a waiver shall be signed by both the individual applicant and the motor carrier. If the motor carrier is a corporation, the application shall be signed by an officer of the corporation. If the motor carrier is a partnership, the application shall be signed by a partner. If the motor carrier is an individual proprietorship, the application shall be signed by the proprietor.

(f) The Director may deny the application or he may grant it in whole or in part and issue a waiver subject to such terms, conditions, and limitations as he deems consistent with safety and the public interest. A waiver is valid for a period not in excess of 2 years, and it may be renewed upon submission of an application pursuant to this section.

(g) If the Director grants a waiver, he will notify each applicant by a letter which sets forth the terms, conditions, and limitations of the waiver. The motor carrier shall retain the letter (or a legible photographic copy of it) in its files as long as the individual applicant is employed by that motor carrier and for 3 years thereafter. The individual applicant shall have the letter (or a legible photographic copy of it) in his possession whenever he drives a motor vehicle or is otherwise on duty.

(h) The Director may suspend a waiver at any time. The Director may revoke a waiver after the persons to whom it was issued are given notice of the proposed revocation and a reasonable opportunity to be heard.

Subpart F—Files and records

§ 391.51 Personnel files.

(a) Each motor carrier shall keep a complete personnel file for each driver it employs.

(b) The personnel file for each driver must include—

(1) The medical examiner's certificate of his physical qualification to drive or a legible photographic copy of the certificate;

(2) The Director's letter granting a waiver of his physical disqualification to drive, if a letter was issued under § 391.49(g);

(3) The motor carrier's findings resulting from each recordable accident in which he was involved, as required by § 391.23(d); and

(4) The list or certificate relating to violations of motor vehicle laws and ordinances required by § 391.27.

(c) In addition to the matters referred to in paragraph (b) of this section, the personnel file for each driver who has not been continuously employed by the motor carrier for a period that began before January 1, 1970, must include—

(1) The form on which his performance on the driver's road test was evaluated, as required by § 391.31(d), if he took a road test;

(2) The certificate of driver's road test, issued to him pursuant to § 391.31(e), if a certificate was issued to him;

(3) The license or certificate which the motor carrier accepted as equivalent to the driver's road test, if a license or certificate was so accepted pursuant to § 391.33;

(4) The questions asked and the answers he gave upon the written examination required by § 391.35, if he took a written examination required by § 391.35;

(5) The certificate of written examination, issued pursuant to § 391.35(e), if he took a written examination;

(6) The certificate accepted as equivalent to a written examination, if a certificate was so accepted pursuant to § 391.37;

(7) His application for employment completed in accordance with § 391.21;

(8) The responses of State agencies to the motor carrier's inquiries concerning his driving record pursuant to § 391.23(b);

(9) The record of the motor carrier's investigation of his employment record pursuant to § 391.23(c); and

(10) Any other matter which relates to his qualifications or ability to drive a motor vehicle safely.

(d) Except as provided in paragraph (e) of this section, each driver's personnel file shall be kept at the motor carrier's principal place of business for as long as the driver is employed by that motor carrier and for 3 years thereafter.

(e) Upon a request in writing to, and with the approval of, the Director, a motor carrier may keep one or more of its drivers' personnel files or parts of files at a regional or terminal office that the Director approves.

Subpart G—Exemptions

§ 391.61 Single trip drivers.

(a) A motor carrier may employ a person to drive a motor vehicle for one round trip having a duration of 7 days or less without complying with the rules in this part if, with respect to that person, the carrier has in its files—

(1) A copy of his driver's medical examiner's certificate issued pursuant to § 391.43;

(2) A copy of his certificate of driver's road test issued pursuant to § 391.31 or a license that, pursuant to § 391.33, may be accepted as equivalent to the road test; and

(3) A copy of his certificate of written examination issued pursuant to § 391.35 within the preceding 3 years.

(b) A motor carrier that employs a driver referred to in paragraph (a) of this section need not comply with Subpart C of this part with respect to that driver. Before it permits that driver to drive a motor vehicle, the motor carrier must obtain his name, his social security number, and the identification number, type, and issuing State of his motor vehicle operator's license. The motor carrier must retain that information and the copies of certificates specified in paragraph (a) of this section in its files for 3 years.

§ 391.63 Drivers furnished by other motor carriers.

(a) A motor carrier may use a driver without complying with the rules in this part with respect to that driver if—

(1) The driver is regularly employed by another motor carrier who is subject to the rules in this part; and

(2) The motor carrier who employs the driver furnishes a certificate that the driver is fully qualified to drive a motor vehicle under the rules in this part.

(b) A motor carrier that obtains a certificate in accordance with subparagraph (2) of paragraph (a) of this section shall retain that certificate in its files for 3 years.

II. Part 392 of Title 49, CFR is amended—

1. By adding the following new section to Subpart A:

§ 392.9 Eyeglasses to be worn.

A driver whose visual acuity meets any of the minimum requirements of § 391.41 of this subchapter only when he wears corrective lenses shall wear properly prescribed eyeglasses at all times while he is driving.

2. By amending the title of Subpart E to read: "Subpart E—Accidents and License Revocations; Duties of Driver"; and

3. By adding the following new section to Subpart E:

§ 392.42 Notification of license revocation.

A driver who receives a notice that his license, permit, or privilege to operate a motor vehicle has been revoked, suspended, or withdrawn shall notify the motor carrier that employs him of the contents of the notice before the end of the business day following the day he received it.

[F.R. Doc. 69-4874; Filed, June 6, 1969;
9:45 a.m.]

[49 CFR Part 392]

[Docket No. MC-7; Notice 69-10]

DRIVING OF MOTOR VEHICLES

NOTICE OF PROPOSED RULE MAKING

The Federal Highway Administrator is considering a revision of §§ 392.1–392.5 and 392.10(a) Part 392 of the Motor Carrier Safety Regulations in Title 49, CFR relating to the rules for operating commercial motor vehicles in interstate or foreign commerce.

Only minor changes have been proposed in §§ 392.1, 392.2, and 392.3.

A proposed amendment to § 392.4 deals with amphetamine, narcotics, and other dangerous drugs. These substances can affect a user's behavior and his ability to operate a motor vehicle safely. Therefore, their use presents a hazard to the public. Recent information indicates that the use of these dangerous drugs has increased sharply and may be a factor in a number of motor vehicle accidents. These considerations prompted the Administrator to propose this amendment.

Recent experimental work indicates that alcohol impairs certain skills and aspects of behavior which are considered relevant to the safe operation of a motor vehicle. This conclusion is substantiated by investigations which show that immoderate use of alcohol is a major cause of highway crashes. These considerations lead the Administrator to propose that § 392.5 be amended to regulate consumption of alcoholic beverages more explicitly by prohibiting frequent or habitual users from operating motor vehicles and by prohibiting a driver from going on duty or operating a motor vehicle if he has consumed an alcoholic beverage within the preceding 8 hours. Further, possession of alcohol would be regulated by prohibiting a driver from having an alcoholic beverage in his possession while he is on duty or operating a motor vehicle.

A proposed amendment to § 392.10(a) deals with railroad grade crossings and drivers' actions after coming to a stop.

Interested persons are invited to submit written data, views, or arguments pertaining to the proposed rule. Comments must identify the docket (No. MC–7) and Notice No. 69–10 and must be submitted in three copies to the Federal Highway Administration. Sixth and D Streets SW., Washington, D.C. 20591, Attention: Bureau of Motor Carrier Safety, Room 302A. All comments received before the close of business 90 days after publication of this notice in the Federal Register will be considered by the Administrator. All comments will be available for examination in the docket at the above address before and after the closing date for comments.

In consideration of the foregoing, the Administrator proposes to revise §§ 392.1–392.5 and to amend § 392.10(a) of Part 392 of Title 49, CFR as set forth below.

This notice of proposed rule making is issued under the authority of section 204 of the Interstate Commerce Act, as amended, 49 U.S.C. 1655, and the delegation of authority by the Secretary of Transportation in 49 CFR 1.4(c).

Issued on June 2, 1969.

F. C. Turner,
Federal Highway Administrator.

§ 392.1 Compliance required.

(a) Every motor carrier, its officers, agents, representatives, and employees responsible for the management, maintenance, operation, or driving of motor vehicles or the hiring, supervising, training, assigning, or dispatching of drivers, shall be instructed in, comply with, and know the rules in this part and any Acts, rules, or regulations which this part incorporates.

(b) Nothing contained in Parts 390–397 of this subchapter prohibits a motor carrier from requiring and enforcing more stringent rules and regulations relating to safety of operation.

§ 392.2 Applicable operating rules.

Every motor vehicle must be operated in accordance with the laws, ordinances, and regulations of the jurisdiction in which it is being operated. However, if a regulation of the Federal Highway Administration imposes a higher standard of care than that law, ordinance, or regulation the Federal Highway Administration regulation must be complied with.

§ 392.3 Ill or fatigued operator.

No driver shall operate a motor vehicle, and a motor carrier shall not require or permit a driver to operate a motor vehicle while the driver's ability or alertness is so impaired, or so likely to become impaired, through fatigue, illness, or any other cause, as to make it unsafe for him to begin or continue to operate the motor vehicle. However, in a case of grave emergency where the hazard to occupants of the vehicle or other users of the highways would be increased by compliance with this section, the driver may continue to operate the motor vehicle to the nearest place at which that hazard is removed.

§ 392.4 Narcotics, amphetamine, and other dangerous substances.

(a) No person shall operate, or be in physical control of, a motor vehicle if he possesses, is under the influence of, or is a habitual user of, any of the following substances:

(1) A narcotic drug or any derivative thereof;

(2) An amphetamine or any formulation thereof (including, but not limited to, "pep pills" and "bennies");

(3) Any other substance, to a degree which renders him incapable of safely operating a motor vehicle.

(b) No motor carrier shall knowingly require or permit a driver to violate paragraph (a) of this section.

(c) A person may not violate paragraph (a) of this section even though he is or has been entitled by law to use any substance specified in that paragraph unless that substance was administered to him by or under the instruction of a physician who has advised him that the substance will not affect his ability to operate a motor vehicle.

(d) As used in this section, "possession" does not include possession of a drug which is manifested and transported as part of an intransit shipment.

§ 392.5 Intoxicating liquor.

(a) No person shall—

(1) Consume an intoxicating liquor, regardless of its alcoholic content, or be under the influence of an intoxicating liquor within 8 hours before going on duty, or operating, or having physical control of a motor vehicle; or

(2) Consume an intoxicating liquor, regardless of its alcoholic content, or be under the influence of an intoxicating liquor while on duty, or operating, or in physical control of a motor vehicle; or

(3) Operate a motor vehicle, if he frequently or habitually consumes intoxicating liquor in amounts that render him under the influence of an intoxicating liquor; or

(4) Be on duty or operate a motor vehicle while he possesses an intoxicating liquor regardless of its alcoholic content. However, this subparagraph does not apply to possession of an intoxicating liquor which is manifested and transported as part of an intransit shipment.

(b) No motor carrier shall require or permit a driver to—

(1) Violate any provision of paragraph (a) of this section; or

(2) Be on duty or operate a motor vehicle if, by his general appearance or by his conduct or by other substantiating evidence, he appears to have consumed an alcoholic beverage within the preceding 8 hours.

§ 392.10 Railroad grade crossings; stopping required.

(a) Except as provided in paragraph (b) of this section, the driver of a motor vehicle specified in subparagraphs (1) through (6) of this paragraph, shall not cross a railroad track or tracks at grade unless he first: Stops the vehicle at least 50 feet from and not closer than 15 feet to the tracks; thereafter listens, and looks in each direction along the tracks for an approaching train; and ascertains that no train is approaching. When it is safe to do so, the driver may drive the vehicle across the tracks in a gear that permits the vehicle to complete the crossing without a change of gears. The driver must not shift gears while crossing the tracks.

* * * * *

[F.R. Doc. 69–6675; Filed, June 6, 1969; 8:45 a.m.]

WOMEN VERSUS BIG TRUCKS

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 8, 1969

Mr. SCHWENGEL. Mr. Speaker, during our recent hearings on the big truck bill, we had the pleasure of hearing the testimony of Mrs. Walter Varney Magee, president of the General Federation of Women's Clubs. Mrs. Magee's organization represents over 11 million members, and thus, her testimony is representative of the views of a sizable number of women in this country.

At the time of our hearings, Mrs. Magee made an eloquent statement in opposition to the big truck bill. Mrs. Magee recently addressed a meeting of the national board of her association on this subject. As can be seen from her remarks on that occasion, the members of her Association have clearly vindicated the position which she took before the Roads Subcommittee, and indicate the extent of the opposition throughout the country to this legislation.

Her remarks follow:

Remarks by Mrs. Walter Varney Magee Before the Federation of Women's Clubs

I wish all of you could have shared with me the day-by-day evidence that has crossed my desk showing your support—and public approval—of the General Federation of Women's Clubs oppositions to bigger trucks on our highways as proposed in House Bill 11870. It's been tremendous.

In July, your President testified in opposition to the bill at a hearing before the Subcommittee on Roads of the House Public Works Committee. That testimony was treated generously in Associated Press and United Press wire stories. As a result I've received hundreds of clippings reporting the Federation's opposition to increasing the size of trucks on our highways as hazardous to highway safety.

These stories in turn have generated dozens of letters of commendation and support from the general public—letters from men, if you please, as well as from women. Then there has been a continuing flood of letters from you, your state legislative chairman and from individual club members reporting your activities to let your Congressmen know that our members are backing the resolution opposing bigger trucks which was adopted at our convention in Cleveland.

In addition, there's been a very flattering evaluation of our influence by an official of the American Automobile Association. Speaking in opposition to the big truck bill during AAA convention in Chicago last week, he expressed the belief that the 12,000,000 members of the automobile association agreed that an increase in the size of trucks would make them seriously incompatible with other highway uses.

Now listen to this further quote from him in a Chicago paper: "Probably more effective, he said, will be the reactions of the members of the General Federation of Women's Clubs. He said the Congressman listened respectfully as a federation officer opposed the bill at the hearing."

We're campaigning for highway safety when we oppose bigger trucks and we intend to keep the momentum going until we defeat the proposal now before Congress. Mrs. Northrup, chairman of our legislative committee, will have suggestions later for our continuing campaign.

Now, let no one take us lightly as did one trucking executive. He was quoted in an article in the National Observer as saying:

"I suppose all of these women want their new hats delivered by balloon or something. I'm afraid that if the gals want a wide selection of hats this fall, and want them on time, they'll just have to live with trucks."

Well—let him have his joke about our hats. That's a worn-out old saw. But, this is to let him know we can't live with bigger trucks!

We're already concerned for safety reasons with the size of present-day trucks. I testified before the Public Works Committee of the House of Representatives that no statistics can allay our concern that our fears would be intensified if even larger vehicles up to 70 feet in length, and particularly double-bottomed ones, were permitted on our highways and streets.

The Director of the Federal Highway Administration, in testimony on the big-truck bill before the same committee had this to say, and I quote: "There can be no denying that many drivers on the highways, including myself, are apprehensive about passing or approaching trucks. Caution is certainly appropriate in all such circumstances, as indeed it is in every case of highway driving."

This same Federal Highway Administrator recommended to the Public Works Committee that if the bill is passed, its effective date should be delayed for three years to enable the Highway Administration to develop and promulgate appropriate safety standards.

He admitted that they do not have, quote, "sufficiently reliable evidence to determine whether longer or heavier vehicles would pose additional safety hazards to American drivers."

I say to the department: let them put first things first, and that's safety on our highways, before they make recommendations on bigger trucks. I'm sure you all agree with me.

Finally, we don't need trucks 70 feet long carrying 80,000 pounds to get our hats—as the trucking executive suggested. It's not impossible to get them by balloon.

MALTESE INDEPENDENCE: A TRIBUTE

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 8, 1969

Mr. POWELL. Mr. Speaker, I rise to direct the attention of this body to an occasion which is too important for us to allow it to go by without notice. I refer to September 21, a date which marked the end of the fifth year of independence for the island of Malta. And it is with all due respect and regard, that I extend my belated greetings to Prime Minister Borg Olivier and Ambassador Arvid Pardo.

As an independent member of the Commonwealth, Malta was able to look upon the ending of 150 years of British protection not as a step toward revolution and fumbling recovery, but as one of evolution and forward development. Accompanying political independence in 1964 was the challenge of attaining economic independence, an effort which required and still requires continuing perseverance and planning. Of special significance in this endeavor was a move in late 1966, when a proposed 50-percent cut in British defense expenditures on Malta threatened to cut off the island from a vital source of revenue. But farseeing negotiators of both nations sought to devise a plan to compensate for the resulting unemployment caused by the cut and to divert Maltese energies toward development of their own resources; thus it was hoped that Malta could expect to assume a more autonomous economic outlook. And the planners met their task well.

By late summer of 1967, an agreement had been reached for an active plan for gradual reduction of British forces, with attendant plans to offset the monetary setback. Incentives for foreign investment were devised, as well as schemes to promote tourism, in an effort to create new jobs for those lost with the British forces, and to further enhance the domestic economy. Benefits such as 10 years of exemption from income tax and duty-free raw materials and machinery are but two of several successfully enticing provisions. Add to these incentives a stable political climate, an abundant and willing supply of labor, and Malta's strategic location within easy reach of the markets of southern Europe, north Africa, and the Middle East—and it is no wonder that substantial inroads have been made by foreign investment—including the United States—with profitable results for our Mediterranean friend as well. Active government programs are striving to increase tourist facilities; and to enrich the appealing surroundings, as well as to combat the problem of soil erosion, a vigorous reforestation program accounts for the planting of some 50,000 trees last year.

And taking a glance at another asset, the natural beauty of this picturesque isle, not to mention the myriad sights which are vestiges of Malta's multifaceted origins, one can easily explain the promising role tourism will play in bolstering the economy. It is interesting to note that this tiny archipelago of the Mediterranean has been occupied and thus influenced by a wide variety of peoples—to name a few, by the founding Phoenicians, through the Romans and Greeks, the French, Spanish, and finally the British—and the resulting fabric from these interwoven cultural influences is bound to be fascinating, yet it is distinctively Maltese. The capital city of Valetta offers the view of the limestone structures which the Knights of Malta built in the 16th century; or if the Hilton is more to your liking, you may visit Spinola Point overlooking Balluta Bay. There is the swinging spot of Sliema for those who work at having a good time, or the northern rural bays for those who want to get away from it all—and one town of the area is aptly named: Paradise.

But being an island has not left Malta isolated by any means. Entering the United Nations just 2 months after attaining independence, Malta has made her voice heard within that body, offering new ideas and proving herself a power not to be taken lightly within the forum of the world community. Moreover, her role within the network of NATO, carried over no doubt from her gallantry in World War II, provides further evidence of her strategic importance on an international scale.

The road to independence is never an easy one—but if the efforts thus far are any indication of the diligence, ingenuity, and skill which can be found in this thriving young nation—the future cannot help but look bright. To the Government and the citizens of Malta, I salute you on this, your fifth anniversary of independence.

WISCONSIN ATTORNEY GENERAL VERSUS ORGANIZED CRIME

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 8, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, I would like to include as part of my remarks an editorial by the Wisconsin State Journal of September 25, 1969. The editorial speaks highly of the efforts of Wisconsin's attorney general to combat organized crime.

Wisconsin is extremely fortunate to have Bob Warren as its attorney general. He concentrates on getting results; on not only identifying problems but, most importantly, on solving them. Congress is still deliberating on President Nixon's proposals for fighting organized crime, but Attorney General Warren has fashioned a comprehensive legislative program to improve Wisconsin's ability to halt organized crime and he is working with the tools at hand and taking those important first steps which have been needed for so long.

At this point I would like to include the State Journal editorial for the benefit of my colleagues:

WARREN VS. ORGANIZED CRIME

Organized crime can be described like the weather: everybody talks about it, but no one does anything.

Various politicians have warned about the influence of the Mafia in Milwaukee and elsewhere in the state. FBI reports and other sources have been cited, but no action has been taken.

Now it appears that someone is doing something. Atty. Gen. Robert W. Warren has been quietly moving against the corporate holdings of Frank Balistrieri, Milwaukee.

One outfit known as Alfie's, Inc., has already been shut down after action by the attorney general's office. Actions are pending against two others.

The efforts of Warren and his staff have been carefully coordinated with those of the district attorney in Milwaukee County. The legal efforts can hardly be considered major assaults on organized crime.

But Atty. Gen. Warren deserves respect for beginning to do something. First, the legal actions are the first of their kind in the state.

Second, Warren has been extremely careful not to issue a multitude of press releases. Only the briefest of statements on the pending actions have been made—a sharp contrast to some other recent officeholders who were generous with their press releases but delivered nothing in terms of action on suspicious organized crime operations.

It would be premature to suggest that organized crime is being licked.

But Atty. Gen. Warren's efforts and the national crime effort being undertaken by the Nixon Administration could be the worst news in a long, long time for the underworld here and elsewhere.

CUTBACKS IN FEDERAL SUPPORT FOR MEDICAL RESEARCH

HON. EMILIO Q. DADDARIO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 8, 1969

Mr. DADDARIO. Mr. Speaker, a thoughtful letter by Dr. T. Stewart Hamilton, executive director of the Hartford Hospital, in response to an editorial appearing in the September 22, Hartford Times deserves the attention of the Members of Congress. I commend this letter and the editorial to your attention because it so very well illustrates the great harm that can come through underfunded medical research:

HARTFORD HOSPITAL,
Hartford, Conn., September 23, 1969.

THE EDITOR,
Hartford Times,
Hartford, Conn.

DEAR SIR: Your editorial of September 22, 1969, deploring cutbacks in Federal support for medical research sounded a much needed warning. Deliberately slowing the momentum of research directed at human betterment will have adverse effects both short and long range.

While we can't guarantee that every research effort will result in a discovery such as polio vaccine, we can be sure that without research and investigation there will be no discovery and little progress. If we as a nation are truly interested in the improved health and welfare of our citizens we must support worthy programs to that end. I sincerely hope our representatives in Congress will continue to do all in their power to assure adequate financing for the nation's ongoing programs in medical research.

Sincerely,
T. STEWART HAMILTON, M.D.,
First Vice President and Executive Director.

AS NIXON SAID (10–5–68) WE'RE "CUTTING MUSCLE"

The federal government seems glad enough to spend more billions on the development of big bombers and the construction of more aircraft carriers.

But the ax has come down hard on the National Institutes of Health—through which Uncle Sam backs medical research in the nation's great hospitals, universities, and laboratories.

The Nixon administration budget planners are standing firm on their plan to knock $290 million off the allowance for medical research. That will mean a reduction of 15 per cent, and—one by one—the directors of the big long-range projects are announcing plans to fold up their operations.

Medical research costs, like the costs of everything else, are going up. If there is less money for them, instead of more, the undertakings will simply have to halt. In many cases, of course, it will mean that millions already spent will be wasted because an almost-finished research project is usually of very little value.

Last October 5, speaking as a presidential candidate in New York, Richard Nixon put the case very well, indeed:

"Scientific activity simply cannot be turned on and off like a faucet. The withdrawal of support disperses highly trained research teams, closes vital facilities, loses spinoff benefits, and disrupts development momentum. . . ."

The Johnson administration, Mr. Nixon said, had "struck at the lifeline of our future progress . . . the National Science Foundation budget was decreased by one-fifth; the National Institutes of Health funds were reduced by an estimated 25 per cent . . . fund reductions are idling masses of equipment purchased at great cost in previous years.

"In the name of economy, the current (Johnson) administration has cut into muscle. The United States must end this depreciation of research and development in its order of national priorities."

Would that the Nixon of 1969 might remember the words of the Nixon of 1968.

HOLD OUT FOR CLEAN WATER

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 8, 1969

Mr. OBEY. Mr. Speaker, the action last week by the House Committee on Public Works in recommending an appropriation of $600 million to aid local units of Government in construction of sewage treatment projects is a significant step in the right direction. But $600 million is not nearly enough to cover our need. The more than 200 Members of Congress, including myself, who have joined with various citizens groups in an effort to secure full funding of $1 billion for sewage treatment construction have been cheered in recent weeks by expressions of support by the Nation's press. A great many newspapers have offered editorials demanding that the full $1 billion be made available by the Congress and the administration.

An example of this concern for the preservation of our environment appeared in the September 29 issue of the Appleton, Wis., Post-Crescent. I commend it to my colleagues:

HOLD OUT FOR CLEAN WATER

In the past several years an alarmed America has been making a lot of noise about its dirty air, water and land—all of which are getting dirtier. But this country has not done nearly enough to clean itself up.

As we mess up our world with the waste products of our living, we talk, talk, talk. But we will not get anywhere until we put up the money.

Look back to 1965 when Congress set clean water as a national goal, and decided that it would cost money to reach that goal. Ever since the federal bureaucracy has been blowing its horn about clean water, and stirring up the populace.

Yet Congress and the administration have repeatedly failed to budget the amounts authorized. If President Nixon's proposed allocation for 1970 goes through, less than one-third of the $2.1 billion authorized over the past three years will have been approved.

That is a very poor performance, especially when you look at the volume of our waste problem. Right now municipal ties are waiting for $2.2 billion in federal funds so that they can construct improvements to their sewage treatment plants. The $214 million Nixon has asked is less than one-tenth of the amount needed.

Finally a great deal of pressure is being applied to budget $1 billion for 1970, the full authorized amount. A coalition of interested groups is waging a war for clean water in Washington. More than 200 congressmen now have signed up to support the full $1 billion figure. Meanwhile there are indications that Nixon will again try to take the middle road, suggesting that the budgeted amount be raised to about $600 million.

That kind of compromise just isn't enough now. It is already too late to compromise, for pollution, peace and population are the chief problems facing this world. Even the full $1 billion is only a fraction of what is needed. We urge the clean water crusaders to hold out.

A MORATORIUM ON DISSENT

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 8, 1969

Mr. BOB WILSON. Mr. Speaker, I would like to take this opportunity to share the attached October 5 editorial from the Los Angeles Times with my House colleagues:

A MORATORIUM ON DISSENT

It is never easy to ask for, or to achieve, a moratorium on dissent from government policies. In a democracy the freedom to criticize is possibly the most important of all rights, the essential and accepted method for promoting peaceful change. It is a right not to be treated lightly, either by those who use it or those who ask forbearance on its use.

President Nixon and the Republican congressional leadership no doubt are fully aware of the difficulties and even the dangers involved in requesting a temporary suspension on criticism of the Administration's Vietnam policies. They have done so nonetheless, both directly and implicitly. Almost certainly their effort will come to nothing. But it is worth examining the reasons for that effort.

Basically what they are seeking is an appearance of unity—or, more properly, a major reduction in visible disunity—in regard to what the Administration is trying to achieve in the Paris talks. If this could be done, it is hoped that it would be easier to convince North Vietnam to negotiate seriously on a political settlement of the war.

Up to now there have been no such negotiations. Instead Hanoi has given every appearance of believing that time is on its side and that stalemate works in its favor. It feels that political pressures within the United States will force this country either to quit the war entirely or, at the least, to make the major concessions the Communists have been insistently demanding. Chief among these is abandonment of the Thieu government, a step that would probably have the effect of opening the way to a full and early Communist takeover of South Vietnam.

The Nixon Administration has been trying to make clear to the Communists that it will not walk away from the war or compromise its minimum demand that the people of South Vietnam have the right freely to determine their own political future. Its main problem is making its announced determination to persevere credible to the Communists.

Credibility, however, is undercut by strong and vocal anti-war sentiment at home. This is not just the view of the U.S. government, it is also the view of Hanoi. The Vietnamese Communists have always placed major emphasis on the political side of their wars, and they are doing so now. What happens in the United States is a primary influence on what happens in Paris.

Hence the painful dilemma facing the Nixon Administration. So long as there is no progress in Paris, opposition to the President's Vietnam policies is likely not only to continue but to grow. But so long as that opposition continues, the Communists have reason to believe they are following the right course in refusing to compromise their harsh demands. Why should they make any meaningful concessions at the conference table to an enemy who, they beleive, will sooner or later be forced by domestic pressures to accept Communist terms?

For that matter, why should opponents of the Vietnam war in the United States suspend their criticisms now?

They can and do claim that it was only because of the vigor of their protests that the United States ended the bombing of North Vietnam and began withdrawing troops from South Vietnam. (The often heard assurances from many of these critics that Hanoi would negotiate seriously or begin its own pullout of troops once these actions were taken, are now conveniently forgotten.) With these victories behind them, why should the critics let up?

The Republican leader in the Senate, Hugh Scott, says that the protestors should be talking to Hanoi, for it is Hanoi that is chiefly responsible for prolonging the conflict. He's right, of course, but that doesn't make any difference. Among the critics there are those who don't want North Vietnam to change its position, and those who think it is futile even to try to get such a change. The U.S. government in any case is the logical target for their pressures.

Some Americans, a rather small minority, still think the war should be prosecuted with all the strength at our command. But most are eager for peace, weary with the conflict and with our allies. The issue that divides this majority is how quickly can the United States quit the war.

There are many who feel that a greatly accelerated withdrawal of U.S. forces is vitally necessary, both to avoid prolonging the mistake of involvement and to prevent even deeper divisions within this country. The thrust of their critcism is that the President is not doing enough to reduce the U.S. role in the war.

There are many others, including Administration policy-makers who believe that the pace of withdrawal must be guided by a healthy concern for the political consequences that will follow. These include not only the consequences in Asia that might result from too hasty a pullout, but also those at home that might emerge in the reflective morning that is sure to come once the nightmare of the war has passed.

It may be maladroit to ask for or expect a moratorium on war dissent. But it is proper to ask for responsibility in dissent, in the form of due concern for the implications of what the dissenters are demanding. The future must be considered along with the present. We cannot ignore the one to satisfy the other.

DR. THEOPHILUS S. PAINTER

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. PICKLE. Mr. Speaker, Dr. Theophilus S. Painter, 80, former president of the University of Texas and one of America's foremost geneticists, died last Sunday in Texas. He had been on an antelope hunting expedition with his two sons.

Dr. Painter, a member of the National Academy of Sciences, had spent almost his entire professional career at the University of Texas. He joined the faculty in 1916 as an adjunct professor of zoology and rose to become a widely recognized professor, known particularly for his pioneering investigations of chromosomes in the salivary glands of fruit flies. In addition to his role as teacher-researcher, Dr. Painter served as acting president of the University of Texas from 1944 to 1946 and as president from 1946 to 1952. Although he retired from the faculty in 1966 with the title of professor emeritus of zoology, Dr. Painter continued to come to his laboratory where he participated in graduate seminars and pursued various plant chromosomal studies.

Dr. Painter achieved national distinction for his work in genetics research in 1934 when he was awarded the Giraud Elliot Medal given by the National Academy of Sciences to the Nation's outstanding scientist.

I remember Dr. Painter as the unifying force that helped nurture the university through the difficult times after World War II. He was a warm man, brimming with progressive ideas that he translated into action. His mark will last forever at the University of Texas.

STOP PORNOGRAPHY NOW

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 8, 1969

Mr. PRICE of Texas. Mr. Speaker, I wish to join with the gentleman from Illinois (Mr. ERLENBORN) and other Members in sponsoring the Sexually Provocative Mail Regulation Act of 1969. The impetus for this act has grown out of the increasing nationwide concern over the extensive flow of pornographic and obscene materials through the U.S. mails. I have received many telephone calls, letters, and telegrams from citizens in the 18th Congressinoal District of Texas and from concerned individuals throughout the State on this subject.

In this Congress I have already introduced legislation designed to stop and control pornography; the Sexually Provocative Mail Regulation Act will close the legal door even further.

The U.S. Post Office Department estimates that more than $500 million worth of obscene material is sold to young people through the mail each year. J. Edgar Hoover, Director of the Federal Bureau of Investigation, warned more than a year ago:

> The publication and sale of obscene material is big business in America today . . . It is impossible to estimate the amount of harm to impressionable teenagers and to assess the volume of sex crimes attributable to pornography, but its influence is extensive.

FBI statistics show that sexual violence is increasing at an alarming pace, and Mr. Hoover states that pornography in all forms is a major cause of sex crimes, aberrations, and perversions.

In addition to the irreparable social damage that is caused by pornography, the flood of these materials into the homes of most of our citizens constitutes a clear invasion of our constitutionally guaranteed right of privacy. I feel that it is in this area that the real value of the Sexually Provocative Mail Regulation Act lies.

The act would prohibit the use of the U.S. mails to send sexually provocative materials to any home unless the occupant in writing specifically requested the materials from the sender; in addition, it would prohibit the mailing under any circumstances to minors in the 36 States and the District of Columbia, which already have laws on the books prohibiting the dissemination of obscene materials to minors.

In my judgment, clear benefits to both our citizens and our Nation would accrue from the prompt enactment of this Sexually Provocative Mail Regulation Act. The flow of unsolicited hard-core pornographic advertisements through the U.S. mails would be immediately and constitutionally halted. In addition, the remaining 14 States which have not enacted legislation would by virtue of this new law be encouraged to pass appropriate laws designed to protect our young from the harmful influences of sexually provocative materials.

I believe that this approach complements our traditional Federal-State relationship. I believe further that through the utilization of this joint effort, the tide of unwanted pornography which is presently flooding homes across the country can be stemmed and controlled. I urge all of my colleagues to support this nonpartisan effort to clear our country of this filth.

SPACE GOALS

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 8, 1969

Mr. TEAGUE of Texas. Mr. Speaker, the President's Space Task Group report has outlined an orderly and progressive program for space in the decade ahead. An editorial in the Patriot Ledger of September 20, 1969, emphasizes the need to pay adequate attention to the development of space for utilitarian purposes. This excellent editorial points out that one of the prime objectives stated by the task group report is to utilize the Nation's space capabilities to the service of the Nation and all mankind. This editorial succinctly presents the findings of this group and highlights its significance. The editorial follows:

[From the Quincy (Mass.) Patriot Ledger, Sept. 20, 1969]

SPACE GOALS

In the moonglow of the lunar landing, manned planetary expeditions have a spectacular allure. But fortunately, President Nixon's Space Task Group has decided not to mount a crash program for a Mars landing.

The group, headed by Vice President Spiro Agnew, has presented three alternatives to the President—each proposing a Mars landing in the 1980s. But the over-all emphasis is on a more balanced space program directed toward greater mastery of our spatial environment between earth and the moon.

President Kennedy's pledge to go to the moon within the decade of the Sixties provided an important focus to the National Aeronautics and Space Administration's program. There is less glamor in a "balanced" space program. Yet this is what the nation should have now, while keeping an eye on Mars for the future.

The options given the President range from a Mars landing in 1983, to a Mars landing in 1990 or later, depending on the size of the budget allocated to NASA. But during this period, NASA's over-all program will have five balanced objectives: application of space technology to the direct benefit of mankind; operation of military space systems; unmanned exploration of the solar system and beyond (including follow-up manned lunar expeditions); development of new capabilities for operating in space; international participation and cooperation.

Too little attention has been given to applications of space technology to the direct benefit of man, and it is good to see a new emphasis in this important area. The report points out: "Programs directed toward the application of the nation's space capabilities to a wide range of services, such as air and ocean traffic control, worldwide navigation systems, environmental monitoring and prediction (weather, pollution) earth resources survey (crops, water resources, oceanography) and communications have great potential for improving the quality of life on this planet earth."

The applications program has direct relevance to the fifth goal of international cooperation. In his address to the United Nations this week, President Nixon pledged that the United States would share with other nations the benefits of such programs.

Moreover, the application of space technology to problems here on earth should make the space program more meaningful to citizens, and should help answer the question, "why go into space when we have so many problems here on earth?"

Also deserving emphasis in the new space objectives is the development of new capabilities for operating in space, including the development of a manned space station and laboratory, and a reusable "space shuttle" vehicle that can "carry passengers, supplies, rocket fuel, other spacecraft, equipment, or additional rocket stages to and from orbit on a routine aircraft-like basis." The development of a launch vehicle that can be returned to earth, refueled and reused will be a great step toward a more economic space program.

MORALITY REVOLUTION—THE CASUALTIES

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 8, 1969

Mr. RARICK. Mr. Speaker, most parents these days find it difficult to say "No" to the activities and freedoms desired by their children.

As a result of permissiveness, pornography, dope, alcohol, and the early overexposure to sex not only threatens to destroy the morality of our country, but is rapidly engulfing one generation of our youth.

Parents who see no harm in their children being entertained by uncensored movies, television, or prurient books should check the hospital rosters for the devastating effect on adolescents.

And contrary to what self-styled experts promise as the preventive values of sex education and drug awareness, both morgues and hospitals reveal an increase in youthful casualties resulting from the war against morality—the sexual revolution.

More laws, financial outlays and extended liberal theories of education cannot offset the damage already done.

Any corrective action by this body must consider that the problem was created by liberal court decisions which have all but abolished the power of local and State officials to protect the youth through strict community controls.

Parents must exert authority over their children to keep them away from unwholesome environment and unsavory associations. Those parents concerned over their children's well-being will not be persuaded by the excuse, "Everybody's doing it."

Mr. Speaker, a moving story of what can happen to unrestrained children written by Alice Widener appeared in a special supplement to the Eagle of Yakima, Wash., on September 4, 1969. I insert it in the RECORD at this point:

SHE WAS ONLY 15

(By Alice Widener)

NEW YORK CITY.—From a nearby private hospital, a friend of mine, a young doctor, telephoned and said, "I saw the lights on and thought perhaps if you were still at work you'd let me come over for a cup of coffee." He sounded so tired and depressed that I said yes. A few moments later, he was at my front door, dressed in crumpled whites, his eyes bloodshot with fatigue, his long-fingered hands shaking.

"I guess I won't make it," he blurted out. "My chief just chewed me up. I doubt he'll recommend me for the appointment I've been longing for."

SHE WAS ONLY 15

"I couldn't help it," he explained slowly. I know a doctor is supposed to keep his emotions under control, but I just couldn't help crying. I tried so hard to save her. She was only 15 and I got emotionally involved when she was brought in two days ago. She looked so defenseless. This afternoon, I thought she'd made it. Then, an hour ago, she expired." He buried his face in hands. In despair he looked at me. "When she went, I just couldn't keep back the tears. I just couldn't."

We sat quietly a while and then I said I don't believe the chief would punish him in any way. "He has to teach you to have best possible control over yourself. I'm sure he felt terrible after he chewed you up. Probably, when he was alone, he cried too. You'll see. You'll get the hospital appointment. He was just helping you fortify yourself with self control for your future great career."

The young doctor is generally considered to be outstanding at the hospital. He's going to be a surgeon.

We talked some more and then, suddenly, he poured out his heart. I wish every parent and teacher and clergyman in America could have heard him.

"IT'S FRIGHTENING"

"Lately, I've been on gynecology and obstetrics. It's absolutely frightening to see what's going on—the wards and private rooms are filled with young girls—from as young as 13 to 16 and 17. Their insides are torn to pieces. It's impossible to describe the repair jobs we have to try to do. These girls suffer from the results of every kind of sexual abuse. It used to be that doctors treated prostitutes in such condition. But now we have to treat young girls from the best families for every kind of harm inflicted on them. Every day, we see girls in their teens with diseases and infections and torn-to-pieces insides due to over-indulgence, or sex abuses by drug-crazed youths. The most expensive private rooms in the hospital—at $125 a day—are filled with girls from good homes enjoying every advantage in life. If this is the New Morality, then all I can say is that the end result is sheer brutality. How can these girls ever bear healthy children, or be healthy themselves? In their early teens, they're worn out."

There was little I could say, so I turned on the hi-fi and we listened to George Szell's marvelous recording of Richard Strauss' symphonic poem, "Death and Transfiguration."

It was comforting. At two o'clock in the morning, my young doctor friend said good bye. "She wasn't the first patient I lost," he said softly, "but she was the first girl one. She was brought in after a botched abortion. Lying there this afternoon, she looked so pure—such fine features, delicate skin. She rallied and said a little hello. I was so happy. We thought she'd made it."

He smoothed his rumpled white jacket and squared his shoulders. "Thanks," he said. "Thanks a lot. My chief's right, I'm going to tell him so. Next time, I won't cry." A great sigh shook his slender body. "Tell me," he said, "do people know what's going on?"

THE AVERAGE NEGRO

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 8, 1969

Mr. LONG of Maryland. Mr. Speaker, in this time of the militant left and the militant right, I found a letter in the Baltimore Sun this morning both refreshing and thought provoking. I should like to share this letter with my colleagues by including it in the CONGRESSIONAL RECORD:

THE AVERAGE NEGRO

SIR: S. Smulian is mistaken. He knows no more now where the average Negro stands than he did before reading the Black Manifesto. As in the past the Smulians are listening to the wrong persons. The average Negro who is moderate does not take the Manifesto stance. I know because I am Negro, or black as it is now fashionable to say. I have many friends and do a lot of talking about things I feel are important. This racial crisis is one.

Very few subscribe to that document. Some who do, do it out of desperation. Without spiritual hope they feel the only activity that matters is acquiring things. Deserted by those in positions to help, they reluctantly go along with Manifesto people in the hope of getting a bit of the glitter that is so highly touted in all places everywhere.

Most of us hoped that Manifesto would be given the short shrift it deserved. None were more surprised and outraged than we, when we saw august bodies of churchmen coming to terms with the holders of it. That money is not going to filter down to the needy masses and change their lives. To think so is to commit one's self to a folly as monstrous as sympathizing with Castro when he was hiding in the mountains and canebrakes of Cuba.

In spite of the dignity-assaulting conditions we have lived under, we, the black moderates, have found life darkly promising and limitedly productive. In the last few years, thanks to the wise restrained leadership of moderates, we have seen a brightening of the promise and an expansion of our productiveness. It has been done without the adoption of any foreign ideology such as this Manifesto seems to be based on.

We should like, God willing, our years to end and the years of our children and grandchildren to develop without that kind of spiteful adoption. We now stand on the doorsill of opportunity. If we could so advance, surrounded by dimness and limitation, surely our posterity can go in and dwell in the midst of brightness and expanded production.

The small powerless group of black moderates do not speak loudly. They are afraid. They do not think the police will protect them from the revenge loud talk would bring. So they look over their shoulders, verbally spar and feel their way, lest they say the right thing to the wrong persons. Then they dare to hope that enough white persons of goodwill will love their country if not their black brothers sufficiently to let democracy work every day.

It was, after all, the white man's failure to keep faith with the moderate leadership when it had sole control that has given the Manifesto people their leverage. The present administration in Washington is already a classic case in point. We feel that balloting will take care of that in time. We are not so hopeful that "Manifestoitis" can be handled so easily if it gets the upper hand.

No, the position of the Black Manifesto is not the stand of the average black.

FRANCES CHARLES.

BALTIMORE.

RESPONSIBILITIES OF THE U.N. TOWARD THE AFRICAN NATIONS

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. REID of New York. Mr. Speaker, several Members of the House and Senate on both sides of the aisle recently had the privilege of meeting with the Honorable S. N. Odaka, Minister of Foreign Affairs of the Republic of Uganda, and chariman of his country's delegation to the United Nations General Assembly.

Prior to his brief visit to Washington, Mr. Odaka addressed the U.N. General Assembly about the responsibility of that organization toward the African nations. I think his thoughtful remarks are perceptive and relevant to the review of our African policy now underway at the State Department and the White House. I include Foreign Minister Odaka's speech in the RECORD at this point:

STATEMENT BY THE HONOURABLE S. N. ODAKA, M.P., MINISTER OF FOREIGN AFFAIRS AND CHAIRMAN OF THE DELEGATION, AT THE PLENARY MEETING OF THE 24TH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS

Madam President, allow me to congratulate you most warmly on your election to the high office of President of this Assembly. Your election reflects the important role the women of Africa are determined to play in the international community. We wish you a most successful term of office.

For the first time in several years, the General Assembly is not admitting a new member. The absence this year of the admission of a new member does not reflect work well-done, but rather a regrettable setback for the United Nations in its sacred task of ensuring that colonialism is dead. This Session must therefore, ensure that this setback is a temporary one. We must ensure that the still unfinished task of bringing freedom and human dignity to all people is not forgotten but is carried on and successfully completed.

Indeed Madam President, the urgent problem facing Africa is precisely the issue of colonialism and racial discrimination. The forces of colonialism in Africa are becoming more entrenched. The South African Regime has strengthened its arsenals of war. With this ever increasing strength the South African Regime has gone further to consolidate its abominable rule of tyranny over the territory of Namibia, completely ignoring the overwhelming opinion of mankind as expressed in numerous resolutions of the United Nations. Indeed, the United Nations itself has been brought into ridicule by its failure to implement its decisions over Namibia and save it from the grabbing hand of the Pretoria Clique which wishes to usurp it and permanently enslave its people.

To the North, in spite of the gallant struggle being waged by the freedom fighters in Mozambique, Angola and Guinea Bissau, Portugal has built up confidence and is now striving to consolidate herself since she sees this as the only way to continue to exploit the riches of Africa and thus save her crumbling economy. Any success she has achieved in fighting the forces of African Nationalism has only been carried out through the massive economic and military assistance she obtains from her allies. It is the same assistance that sustains the economy and military strength of South Africa. It is for this reason that we appeal to all countries who profess to be opposed to the evils of colonialism and racial discrimination to stop giving military and financial assistance to Portugal and South Africa.

The South African Regime has also made a determined and persistent thrust Northwards. On the one hand, it is seeking to strengthen its allies in Rhodesia and the Portuguese controlled territories of Angola and Mozambique and on the other, it is out to establish puppet regimes in Independent African States through deceit and subversion. We do not consider these gestures as genuine, friendly and calculated to achieve the dignity of the black man on our continent. These gestures are calculated to extend the unacceptable philosophy of the superiority of one race. To make matters worse, those who resist this pressure and stand firm on the principles of equality and human dignity are being threatened with increasing subversion and open aggression from South Africa and Portugal.

This year, Portugal has attacked Guinea and has threatened lives and property in that State. This is in addition to the constant attacks that have been made on Zambia and the United Republic of Tanzania. We have no doubt that these acts of aggression will continue unless strong measures are taken by the Security Council to contain the situation. The stage is thus being created for the final confrontation between the minority racist regimes and the Independent African States. The world, however, cannot afford to stand by as passive observers. It is not for the love of war but because of their commitment to the principles of human equality and dignity that Independent African States are opposed to colonialism and racial discrimination which is being practised in South Africa. It is also on the basis of their commitment to these universally accepted principles that Independent African States appeal to other members of the United Nations for support. The dignity of all men is destroyed when a section of humanity is denied its rights. Above all, without an acceptance of, and a commitment to the principles of human equality and self-determination, there can be no basis for peace and justice in the world.

In April this year, the Heads of State and Government of East and Central Africa, desirous to spell out their attitude and purpose in relation to the problems existing in Southern Africa adopted in Lusaka a Manifesto. Earlier this month, this Manifesto was unanimously adopted by the Organization of African Unity Assembly of Heads of State and Government. The Lusaka Manifesto is an affirmation of the principles of justice, equality and human dignity. In it, the African Leaders have stated that they wish to make clear beyond all shadow of doubt, their acceptance of the belief that all men are equal and have the right to human dignity. These are the same sentiments to which the United Nations Charter is committed. The Manifesto defines the attitude of Independent African States to the racist regime in South Africa and to the philosophy of apartheid. It explains in very clear terms the alternatives before Independent African States and before the Liberation Movements in Southern Africa. The Manifesto high-lights the serious situation existing in the region and the threat to, and deep concern of the Independent African States. It is for this reason that the Organization of African Unity Assembly of Heads of State and Government charged its current Chairman, the President of Cameroon with the duty of presenting this Manifesto to the United Nations General Assembly. We sincerely hope that this Assembly will fully appreciate the spirit in which this Manifesto was conceived and re-affirm their belief in the principles to be found in the United Nations Charter by adopting this Manifesto. These principles have almost been lost sight of in Rhodesia.

In Rhodesia as we had foreseen and feared, we are now witnessing the final abandonment by the United Kingdom of her responsibility. Another apartheid styled regime is being created in Rhodesia while the United Kingdom is passively sitting with her arms folded in complacency. It is now four years since the Unilateral Declaration of Independence, and all we have heard from the United Kingdom is that force must not be used and that sanctions will soon bring about a change of heart among the racists and eventually lead them to return to legality and accept majority rule. We say the world has waited long enough. Sanctions have failed owing to the support which the South African Regime, Portugal and other countries have given. At the same time Smith and his colleagues have in fact entrenched their positions and they are adopting even more extreme measures to safeguard white supremacy and the enslavement of the Africans who constitute the majority in that country.

While Smith is introducing an apartheid styled constitution all that the United Kingdom Government is prepared to do is to remove her futile representative and suitably honour him for his services. From now, Rhodesia is no different from South Africa and it is only overall action against all the minority regimes in Southern Africa which can hope to be successful. The United Nations should therefore, not listen to, and be deceived by those who preach half-hearted measures. We urge the Security Council to seriously face its responsibilities and take strong measures to halt the fast deteriorating situation. Until this is done, Independent African States have no choice but to support the Liberation Movements in their armed struggle against these regimes. The Security Council as the primary organ of the United Nations charged with the maintenance of international peace and security has a responsibility to perform and should have sufficient courage to take the necessary action. The racists should not be allowed on the one hand to reject the cherished principles of justice and equality and on the other benefit through friendly international relations which are based on these very same principles. Without action by the Security Council, peace in Africa will remain threatened.

The failure of the members of the Security Council, particularly the permanent members who are responsible for peace and security in the world to divorce themselves from siding with those who threaten peace and security is the main reason for the continued worsening of the world situation and the inability of the United Nations to perform its functions effectively. As we approach the twenty-fifth anniversary of the United Nations, the role of the Security Council is a matter that needs examination.

It is most disturbing to find that in all major conflicts threatening international peace and security, the permanent members of the Security Council who should always be on the side of peace are the ones fanning the flames of war. When those most responsible for peace and security are so committed on the side of war, how can they at the same time effectively play the role of mediator and peace-maker? Is it any wonder that the United Nations has become powerless and is not playing a major role in the preservation of peace and security? We must emphasize that the permanent members of the Security Council must play an impartial role. The taking of sides in any major conflict is bound to aggravate the situation and spread tension rather than to establish conditions for the settlement of disputes. Looking at the major conflicts in the world, what lessons can we learn? The tragic civil war in Nigeria, the Middle East Conflict and the war in Viet Nam, all clearly point to one sad lesson. In Nigeria, as in the Middle East and Viet Nam, the major powers who are the permanent members of the Security Council, and who should be on the side of peace are actively involved with one party or another in all these wars.

The situation in Nigeria is being greatly aggravated by the presence of foreign interests on both sides of the civil war. This fact has been admitted by the two sides in the civil conflict. We believe that a peaceful solution can be achieved through negotiations so long as outside powers are not involved.

The situation in the Middle East could also be quickly solved if all the Big Powers were firmly committed to finding a peaceful and just solution. Again, it is most regrettable that some of the members of the Security Council are not devoid of self-interest in this matter and are for selfish reasons actively arming the warring parties. How then can these powers help to find peace? We patiently wait to hear of any success that may be achieved through the talks of the Big Powers now taking place.

Similarly, in the case of the Viet Nam war, we find that the failure of the permanent members of the Security Council to have a common approach to peace is largely responsible for the continuation of this most tragic and costly war. Mankind has waited most patiently to hear the results of the Paris Peace Talks. We, therefore, cannot emphasize enough the urgency and the necessity of reaching an agreement and establishing lasting peace in Viet Nam.

Madam President, the problems of achieving peace and security in the world require realism on the part of the permanent members of the Security Council. It is an inescapable fact that no permanent solution to the problems of disarmament, just as those of world peace can be found while a large section of mankind is excluded from this world body. This year when mankind salutes the great scientific achievement of setting the first man on the moon, it is high time that a sense of realism was adopted towards the major problems facing mankind here on earth. It is unfortunate to pretend that a government which controls and represents the largest nation in the world does not exist. Most important of all this same nation now possesses means of mass destruction. We must again state that it is in the interest of peace and security that the Peoples Republic of China be admitted and become a member of the United Nations.

Madam President, the problems of peace are also the problems of human development. His Holiness, The Pope, on his arrival in Uganda for his historic visit, appropriately stated that, "Development is the new name for peace." As we approach the Second Development Decade, we should bear in mind these wise words. It is impossible to have any lasting peace when the world is divided into the rich and the poor. Poverty cannot be eradicated by the poor alone While it is imperative that the developing countries play their role, a great responsibility rests with the economically advanced regions. That is why, we have persistently called upon these countries to eliminate the discriminatory obstacles which impede the development of the poor regions.

Permament Members of the Security Council who are primarily responsible for peace and security are also members of ECOSOC, the principal organ of the United Nations for economic and social development. It is, therefore imperative, that these countries should be on the side of both peace and development. It is a fact that poverty still remains the most noticeable and regrettable characteristic of this world in this modern age. Next year, we shall not only be celebrating the Silver Jubilee of the formation of this Organisation, but perhaps what is most significant and vital to Africa is that we shall be entering the Second Development Decade. It is therefore fitting that we examine the role of the United Nations and see how we can eliminate areas of weakness and make the United Nations and its agencies more effective. The developing countries are making great attempts to help themselves and to up-lift their standard of living. In our continent, the Organisation of African Unity and regional bodies such as the East African Community have attempted to increase trade among member countries and promote regional cooperation in economic and social spheres. The practical meaning that the United Nations can give to this activity is to realise that Africa wants to play her full role in eradicating social and economic evils. We wish to see the United Nations playing a bigger role and working closely with the Organisation of African Unity in meeting Africa's aspirations in economic spheres.

This year, the Organisation of African Unity has played an increasingly effective role in economic and social development. The Organisation of African Unity, however, should be helped by the United Nations and its agencies. This help can be channeled through growing participation in the Organisation of African Unity's institutions such as the African Development Bank and greater cooperation from E.C.A. We in Uganda look at the United Nations and its agencies for active assistance in building our infra-structure. The United Nations and its agencies should not be merely contented with producing Feasibility Studies which yield no productive results. We expect them to cooperate in the provision of development finance. It is in this way that we shall appreciate the role of multilateral agencies. It is by determined efforts to understand Africa's development needs that the United Nations economic role will be measured in the coming development decade.

It is imperative to educate world opinion on the growing problems created by a continuing divided world of the poor and rich. In order to do this, the United Nations and particularly its Secretariat and officials should themselves fully appreciate the problems they are required to tackle. The Senior officials of the United Nations and its agencies should make it a point to familiarise themselves with the problems of development, by physically visiting us in our environment, discussing development priorities and examining how best they can assist in meeting our goals.

It is paradoxical that while policy-makers find it necessary to come here every year and discuss these issues, very few visits are made by top officials of the United Nations Secretariat and the United Nations Agencies to developing countries where these problems could be examined on the spot.

In the Second Development Decade we expect the United Nations and its agencies to move away from pre-occupation with theory and instead, actively deal with practical problems to be found in the field. The top officials of the United Nations, the World Bank, the United Nations Development Programme and all the major agencies of the United Nations should make it a point of visiting all the developing countries regularly for this purpose.

Uganda welcomed the initiative taken by the President of the World Bank to send the Pearson Commission on International Development to discuss the role of the World Bank in meeting the challenge of economic development. We want to see other organisations such as the United Nations Industrial Development Organisation following this example. We in Uganda are confident that industrialisation is essential to our development. We are, therefore, most anxious to see UNIDO effectively on its feet and familiar with our programmes and actively assisting us to meet the challenge of development.

We consider that here is a lot of potential in Africa for the good of mankind. In order to fully utilize this potential, the world must take Africa seriously. In the case of the problems that face us in Southern Africa, we expect cooperation and understanding. In the Nigeria conflict we expect permanent members of the Security Council to be on the side of peace. In the case of economic development, we expect the developed countries not to build obstacles and apply restrictive measures but to be the vanguard for increased trade and cooperation between developed and developing countries. The future of mankind is interdependent and no section can be left behind and ignored without seriously affecting the well-being and prosperity of the rest. This is the only way we can make the Second Development Decade meaningful.

THE APPROPRIATIONS BUSINESS OF THE SESSION

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. MAHON. Mr. Speaker, the House yesterday passed the eighth of the annual appropriation bills for the current fiscal year 1970.

One bill has been signed into law—the Treasury-Post Office bill.

Two bills are awaiting conference action.

Five bills are pending in the other body.

There are five regular bills for 1970 remaining to be reported. They depend significantly on related authorization legislation that has not been finalized by Congress. Thus the delays.

For the general information of Members and others, I include a summary picture of the appropriation and spending actions of the session thus far:

THE APPROPRIATIONS BUSINESS OF THE SESSION

Recommendations on the spending side of the budget are handled mostly in appropriation bills, dealing—in this session—with supplements to fiscal 1969 and with the main budget for the current fiscal year 1970. A handful of items relate to fiscal 1971. And a number of actions with impact on the pending budget have been taken in bills out of the legislative committees—the details of which are reported on in the latest (October 8) budget scorekeeping report of the Joint Committee on Reduction of Federal Expenditures.

THE APPROPRIATION BILLS

House actions on budget authority

The House has acted on 8 of the 13 fiscal 1970 regular appropriation bills. The 8 bills involved consideration of about $49.5 billion of the President's budget requests for new appropriations and other budget (obligational) authority. Against this total, the Committee on Appropriations recommended about $49.3 billion—a net reduction, overall, of $203 million in round figures.

But the House, through floor actions in the 8 bills, made net additions of $725 million to the committee recommendations, with the result that the 8 bills—as finally voted in the House—are *above* the related budget requests by some $522 million in new spending authority. The principal floor additions occurred on the Labor-HEW bill, increased $922 million above the committee total.

HOUSE ACTION ON BUDGET EXPENDITURES

In terms of *expenditures*—or more precisely, budget outlays—it is tentatively estimated that House actions to date in the 8 appropriation bills voted on would result in *increasing budget expenditures* for 1970 by roughly $337 million.

The late passage of the Second Supplemental Bill for fiscal 1969, in which reductions were made, resulted in some spill-over effect of the reductions in relation to expenditures for fiscal 1970 which began July 1, in consequence of which it is tentatively estimated that the $337 million increase is diminished, on the basis of final passage of the Second Supplemental, to about $262 million *above* the budget projections.

FISCAL 1969 SUPPLEMENTALS

In respect to fiscal 1969 supplementals at this session, budget requests for new budget spending authority totaled nearly $5.9 billion. Amounts approved by Congress totaled $5.4 billion, a reduction of nearly a half billion dollars—$461.9 million—from the budget requests.

APPROPRIATIONS UNREPORTED

Some $83 billion of new budget spending authority requests are pending in connection with the five regular appropriation bills for fiscal 1970 still unreported. These are:

	Millions
District of Columbia (Federal funds)	$190
Transportation	1,994
Defense	75,278
Military construction	1,917
Foreign assistance	3,679

They depend significantly on related authorization legislation still pending.

Senate actions on budget authority

The Senate has passed three of the regular appropriation bills for fiscal 1970—Treasury-Post Office, Agriculture, and Interior. They involve $10,673 million of new budget spending authority requests, against which the Senate voted $11,305 million, a net *increase* of $632 million above the budget.

One of the three bills has cleared Congress.

Final action on 1970 appropriation bills

One bill for fiscal 1970, the Treasury-Post Office appropriation bill, has been signed into law. As enacted, it appropriates $8,783 million of new budget (obligational) authority on a *gross* basis, a reduction of about $38.5 million from the related budget requests.

But on the net basis used in the budget, that is, counting *estimated* postal revenues as offsets to postal appropriations rather than as budget receipts, the *net* amount enacted is roughly $2,276 million. But this does not take account of the revised estimate for postal revenues that was projected in the summer review of the 1970 budget, released September 17; that review now assumes enactment of new postal rate legislation effective January 1, 1970, valued at $315 million, and makes a slight refinement of the estimate otherwise.

THE APPROPRIATION AND LEGISLATIVE BILLS IN RELATION TO THE BUDGET

Folding in the various spending actions in legislative bills that bear on the budget with those in the appropriation bills for fiscal 1970, the latest (October 8) budget "scorekeeping" report of the Joint Committee on Reduction of Federal Expenditures projects a more comprehensive picture of congressional actions or inactions thus far on the budget. These reports are designed to keep tabs, currently, on what is happening in the legislative process to the budget recommendations of the President, both appropriation-wise and expenditure-wise, and on the revenue recommendations, and not only from actions in the revenue and appropriation bills but also in legislative bills that affect budget authority and expenditures (backdoor bills, bills that mandate expenditures, and so on).

In relation to budget authority

On this overall basis, for fiscal year 1970, the October 8 "scorekeeping" report shows a net increase by the House *above* the budget requests—in terms of budget authority—of $915 million. For the Senate, the figure *above* the budget requests is $895 million.

In relation to budget expenditures

In relation to budget expenditures, for fiscal year 1970, the October 8 "scorekeeping" report shows a net increase by the House *above* the budget projections of about $778 million. For the Senate, the figure *above* the budget projections is about $786 million.

These increases are in the face of the action of Congress in July in adopting an overall budget expenditure ceiling for 1970 in the Second Supplemental Appropriation Act, directing a *cut* of at least $1 billion below the $192.9 billion expenditure budget for fiscal 1970 projected in the President's April 15 budget revision—a figure to which the President holds in the summer review of the 1970 budget.

The approximate totality of pending fiscal 1970 new budget (obligational) authority requests

Congress does not annually act upon all of the appropriations or new budget (obligational) authority requests. Something in excess of $81 billion or so of the grand total currently estimated for fiscal 1970 arises from previous permanent-type legislation that does not *require* action in bills this session (interest, social security and other trust funds, etc.).

About $132.6 billion of the 1970 total is *presently* involved in the form of *specific* budget requests in connection with the 13 regular annual appropriation bills—$49.5 billion in the eight bills acted on by the House and $83.1 billion in the five bills not yet reported.

Another major part of the total would be a $3-billion allowance in the total for the July 1, 1969, civilian and military pay increase.

The *gross* total in the April 15 budget revision, relating to fiscal 1970, was $219.6 billion. The Summer Review of the Budget reflects many changes in details and identifies several of them, but does not include a new grand total. But the total remains in this vicinity. The October 8 "scorekeeping" report—distributed to all Members—supplies more details.

SUMMARY OF APPROPRIATION BILL TOTALS

Here is a summary as to the appropriation bills of the session thus far:

SUMMARY OF APPROPRIATION BILL TOTALS OF NEW BUDGET (OBLIGATIONAL) AUTHORITY, 91ST, CONG., 1ST SESS. AS OF OCT. 9, 1969

[Does not include any "back-door" type budget authority; or any permanent (Federal or trust) authority, under earlier or "permanent" law,[1] without further or annual action by the Congress]

	New budget (obligational) authority (all figures are slightly rounded)		
	Bills for fiscal 1969	Bills for fiscal 1970	Bills for the session
A. House actions:			
1. Budget requests considered	$5,400,007,000	$49,539,081,000	$54,939,088,000
2. Amounts approved by House	4,819,213,000	50,061,570,000	54,880,783,000
3. Comparison with corresponding budget requests	−580,794,000	+522,489,000	−58,305,000
B. Senate actions:			
1. Budget requests considered	5,850,305,000	10,673,133,000	16,523,438,000
2. Amounts approved by Senate	5,495,669,000	11,305,760,000	16,801,429,000
3. Comparison with corresponding budget requests	−354,636,000	+632,627,000	+277,991,000
4. Compared with House amounts in same bills	+676,457,000	+852,486,000	+1,528,943,000
C. Enacted:			
1. Budget requests considered	5,850,305,000	2,314,714,000	8,165,019,000
2. Amounts enacted	5,388,358,000	2,276,232,000	7,664,590,000
3. Comparison with corresponding budget requests	−461,947,000	−38,482,000	−500,429,000

[1] For fiscal year 1970, in the revised (April) budget, total new budget (obligational) authority was tentatively estimated at $219,600,000,000 ($205,900,000,000, net of certain budget presentation adjustments) of which $138,900,000,000 was for action by Congress and $80,700,000,000 would become available under permanent law.

Note: House actions to date on appropriation bills for 1970 are tentatively estimated to increase outlays (expenditures and net lending) budgeted for 1970 by approximately $337,300,000. In addition, it is estimated that outlays budgeted for 1970 will be reduced by about $75,000,000 based on the enacted amount of the second supplemental, 1969.

Prepared Oct. 9, 1969, in the House Committee on Appropriations.

SUMMARY OF CHANGES REFLECTED IN BOTH APPROPRIATION AND LEGISLATIVE BILLS

Following is a table from the October 8 "scorekeeping" report of the Joint Committee on Reduction of Federal Expenditures. It capsules changes from the budget requests and estimates to that date in both the appropriation bills and various legislative bills:

SUMMARY HIGHLIGHTS

The new administration has made various revisions in the January budget estimates, in three steps, as shown in the summary table on page 2.

These actions changed the estimated surplus for fiscal 1970 from $3.4 billion in the January budget to $1.8 billion as a corrected budget to $5.8 billion in the updated estimates, and finally to $5.9 billion in the revised estimates being considered by the Congress. Without the new taxes proposed in the budget this estimated surplus of $5.9 billion would become a deficit of approximately $3.9 billion.

House action to date (October 8) reflects a net increase of $915 million in the 1970 estimates for budget authority and a net increase of $778 million in the 1970 estimate for outlays.

Senate action to date (October 8) reflects a net increase of $895 million in the 1970 estimates for budget authority and a net increase of $786 million in the 1970 estimate for outlays.

SUPPORTING TABLE NO. 1.—ACTIONS ON INDIVIDUAL BILLS AFFECTING BUDGET AUTHORITY AND OUTLAYS (EXPENDITURES) (AS OF OCT. 8, 1969)

[In thousands of dollars]

Items acted upon	Congressional actions on budget authority (changes from the budget)[1] House (1)	Senate (2)	Enacted (3)	Congressional actions on budget outlays (changes from the budget)[1] House (4)	Senate (5)	Enacted (6)
Fiscal year 1970:						
Appropriation bills (changes from the budget):						
Treasury, Post Office, and Executive Office (H.R. 11582, Public Law 91-74)	−42,382	−34,519	−38,482	−37,000	−30,600	−34,000
Agriculture and related agencies (H.R. 11612)	−160,907	+675,236		[2] +53,000	+556,000	
2d supplemental, 1969 (H.R. 11400)				−110,000	−82,000	−75,000
Sec. 401 outlay ceiling[3]					(−1,900,000)	(−1,000,000)
Independent Offices and Department of Housing and Urban Development (H.R. 12307)	−471,325			−113,000		
Interior and related agencies (H.R. 12781)	−15,810	−8,090		−15,300	−11,800	
State, Justice, Commerce, the judiciary and related agencies (H.R. 12964)	−130,070			−71,000		
Labor and Health, Education, and Welfare and related agencies (H.R. 13111)	+1,078,365			+521,000		
Legislative branch (H.R. 13763)	−26,850			−7,900		
Public works (H.R. 14159)	+301,469			+7,500		
Subtotal, appropriation bills	+532,490	+632,627	−38,482	+227,300	+431,600	−109,000
Legislative bills with spending authorizations (changes from the budget):						
Civil service retirement benefits (H.R. 9825, S. 2754)	N.A.	N.A.	††N.A.	+86,100	[4] +94,700	†† [4] +94,700
Defense: overseas mailing privileges (H.R. 8434)	+8,900			+8,900		
Veterans readjustment benefits (Public Law 91-22)	+1,362	+1,362	+1,362	+3,952	+3,952	+3,952
Veterans hospital care for 70-year-olds (H.R. 693)	+3,400			+3,400		
Veterans care in State homes (H.R. 9334)	+2,803			+2,803		
Veterans care in community nursing homes (H.R. 692)	+5,954			+5,954		
Veterans outpatient care (H.R. 3130)	+8,000			+8,000		
Veterans nursing home care (service connected) (H.R. 2768)	+1,500			+1,500		
Veterans non-service-connected benefits (H.R. 372)	+8,538			+8,538		
Additional district judges (S. 952)		+1,473			+1,473	
Additional clerks for House Members (H. Res. 357)	+3,600		+3,600	+3,600		+3,600
J. F. K. Center (H.R. 11249)	+5,000	+5,000	††+5,000	+5,000	+5,000	††+5,000
Appalachian highways (H.R. 4018)	+20,000					
Food for needy children (H.R. 11651)				+100,000		
Veterans education assistance (H.R. 11959)	+206,500			+206,500		
Veterans Vietnam insurance (S. 2003)		+1,700			+1,700	
Veterans additional $5,000 insurance (S. 1479)		+45,000			+45,000	
Veterans double indemnity insurance (S. 1650)		+100,000			+100,000	
Veterans dismemberment insurance (S. 2186)		+10,000			+10,000	
Veterans increased dependency and indemnity compensation (S. 1741, H.R. 13576)	+61,565	+52,840		+61,565	+52,840	
Navajo Indian road (S. 404)		+5,000				
Savings bond interest (H.R. 14020)	†+18,000			†+18,000		
Travel per diem (H.R. 337)	+27,000	+40,000		+27,000	+40,000	
District of Columbia delegate in House (S. 2163)		+145			+145	
Subtotal, legislative bills	+382,122	+262,520	+9 962	+550,812	+354,810	+107,252
Total, fiscal year 1970	+914,612	+895,147	−28,520	+778,112	+786,410	−1,748
Fiscal year 1969:						
Appropriation bills (changes from the budget): 2d supplemental, 1969 (H.R. 11400)	−580,794	−354,636	−461,948	−464,000	−254,600	−325,000

[1] Accurate estimates of the cost impact of congressional actions on mandatory spending legislation are frequently difficult to obtain—especially for outlays. Cost estimates are obtained from various sources, including committee reports, floor debates, Government agencies and informal staff contacts. Sometimes cost estimates on new legislation are not available. What is reflected in this congressional action table is the best that the staff has been able to put together. Occasionally it is necessary to revise an estimate as more current information becomes available.

[2] Reflects floor action increasing milk funds by $120,000,000, but does not reflect effect of $20,000 limitation on subsidy payments adopted by House. The Appropriations Committee assumed a reduction in Public Law 480 spending which if not realized will result in higher spending than estimated.

[3] The 2d Supplemental Appropriation Act, 1969, carried an overall expenditure limitation for fiscal 1970 which was different in all 3 versions. The House-passed version set the ceiling at the Apr. 15 budget figure of $192,900,000,000 with provision for increases or decreases depending upon actions or inactions of the Congress affecting the budget. The Senate version made a flat reduction of $1,900,000,000 in the overall ceiling but exempted certain items from the ceiling. The enacted version made a flat reduction of $1,000,000,000, provided for increases or decreases depending upon action or inaction of Congress affecting the budget, and granted up to $2,000,000,000 of flexibility in the ceiling to the President for certain uncontrollable items.

[4] Updated estimate based on revised assumptions of number who might retire under the new law.

†Committee action.

††Cleared for signature.

N.A.—Not available.

BIG TRUCK BILL

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. SCHWENGEL. Mr. Speaker, my editorials for today are from the Goshen, Ind., News; the Franklin, Ind., Journal; and the Evansville Press, Evansville, Ind., in the State of Indiana. The editorials follow:

[From the Goshen (Ind.) News, July 31, 1969]

HIGHWAY GIANTS

The trucking industry is back before Congress this year with a bill to permit the operation of heavier and bigger trucks on the nation's interstate highway system. Congress, as it did with a similar measure last year, should reject the proposed changes.

Foremost among the opponents of the legislation is the American Automobile Association, whose executives testified recently before the House Public Works Committee. The AAA's opposition is based on two points. The first is that bigger trucks will constitute a hazard on the highways because their bulk diminishes the visibility of other drivers and their length makes passing more risky.

The second point the AAA stresses is that the increased weight of tractor-trailers and tractor-two trailers will punish pavements and bridges and increase not only the costs of upkeep but also the construction of new roads built to withstand the heavier loads.

Highway costs warrant concern, but the argument Congress should find most persuasive is the likelihood of greater danger on the nation's already unsafe roads. A 70-foot truck, more than eight feet wide and weighing as much as 15 tons, is an intimidating object. To allow such snorting behemoths on the public roads is not in the public interest.

[From the Franklin (Ind.) Journal, July 26, 1969]

BIGGER TRUCKS?

The trucking industry, engaged in a determined campaign for the last year or so to persuade the government to give even larger trucks the run of the nation's roads, has lately come up with a new argument to bolster its case.

Industry spokesmen asserted in congressional hearings that the size and weight hikes desired would actually contribute to highway safety. Their reasoning is that by abandoning the present weight limit—73,280 pounds—for trucks on the interstate system and adopting instead an axle-spacing formula, weight distribution would be improved. Trucks might be heavier—up to 92,500 pounds—and wider, but also better-balanced, and therefore less of a hazard to truckers, passenger car drivers, bridges and the roadways themselves.

There is no question that trucking is a vital element in the transport system of a consumption-happy society or that there are valid arguments for bringing existing regulations into line with changing needs of the industry and public, improved technology and highway facilities.

But this is one that is likely to be difficult to sell to drivers who have had white-knuckled experience maneuvering around and among present width and weight trucks, or struggled to keep a car on the road in the gale-force winds frequently created in passing or being passed by trucks.

[From the Goshen (Ind.) News, July 31, 1969]

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[From the Evansville (Ind.) Press, July 18, 1969]

THE TRUCK BILL AGAIN

Congress, which last year shelved a bill to permit longer, wider and heavier trucks on the interstate highway system, is engaged now in studying a somewhat modified version.

The new bill would lift the present 75,280-pound weight limit, extend the width limit from eight to eight-and-a-half feet and impose a length limit of 70 feet. This last provision was absent from last year's bill.

The trucking industry argues an axle-spacing formula set out in the new bill would permit more even weight distribution, thus easing the strain on bridges and highways despite heavier loads and greater length.

These factors, the truckers contend, also would promote safety by permitting improved braking ability for big rigs and better road visibility for their drivers.

The industry's primary interest in the bill, of course, is the greater "economic return" larger vehicles would provide for truckers and lower per unit hauling costs for customers—a legitimate interest, certainly.

But that interest must be weighed against the public's interest in the use of the interstate system—a $60 billion, taxpayer-financed project—and the other highway arteries onto which it empties.

Executive Vice-President George Kachlein of the American Automobile Association, which opposes the bill, charges the extra truck weights permitted (up to 108,500 pounds for a nine-axle truck) would cost $1.8 billion for road repairs in 10 years.

And even if the bigger rigs could operate safely on the interstate, millions of miles of feeder roads on which some of them would have to travel are far below the interstate's design and safety standards. Congress has been warned by the National Association of County Engineers, the National Association of Counties and other opponents.

Further, the improved safety factors of the bigger rigs are projected rather than proved. And the sight of a passing truck 15 feet longer and tens of thousands of pounds heavier than the 55-foot vehicles now permitted throughout most of the east seems unlikely to steady the nerves of the average motorist.

On balance, the truckers' interest are outweighed by the public interest in safe and economic use of the highways. The new bill should join the old one on the congressional shelf.

DOING WHAT THE ENEMY WANTS?

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. WYMAN. Mr. Speaker, at a time when the wire services report that Hanoi and the Vietcong have "appealed to the American people over the heads of their negotiators in Paris" to continue efforts at dissension and protest on the home front, the following letter from a New Hampshire boy stationed in Vietnam is worth pondering. It appeared in the Manchester, N.H., Union Leader issue of September 29, 1969:

NEW HAMPSHIRE SOLDIER WRITES FROM SOUTH VIETNAM: "WE'RE DOING JUST WHAT THEY WANT US TO DO"

(NOTE.—The following letter was written by "Swede," a New Hampshire boy stationed in Vietnam for almost two years. For obvious reasons his identity cannot be disclosed.)

DEAR MR. LOEB: Yesterday I received a few papers from you, one of them Aug. 29. In February I will have been in Vietnam for 21 months and I want to give my full support to an article on page 17 of that newspaper titled, "Let's Face Up to Vietnam". It was well written and very true.

I realize that U.S. citizens are tiring of this war and are tired of hearing about it. That is the price of a prolonged war and we elected the men who are dragging it on and on, at a great loss to the American public. As the article stated, the war should have been won in the early stages.

We are now doing just what North Vietnam wants us to do. Crumble and crawl any way we can. Troop withdrawal will strengthen the enemy's cause.

I hope the American public is not ignoring the fact that as long as the bombing of the North has been stopped the North has had freedom of movement for shipment and resupply to the South by way of the Cambodian border, etc., to the South.

They are probably planning a deadly devastating blow to the South when troop withdrawal reaches a peak. I'm astonished that our leaders are playing into their hands and have done nothing to stop it.

Surely freedom is worth the price we have already paid in lives lost. I know my friends who have died here wouldn't want to see the U.S. crawl away defeated.

If Nixon and other government officials are worrying about votes . . . I think, if we win this war honorably and quickly, they will get many more votes than if they let the killing of American troops drag on and on, as the Communists planned.

The American Public may grow sick of the war and accept anything from the other side to end it. But it will be ended only for the U.S. not for Asia, and our allies who believe in our help—not for Asia.

We will either come out of this war a crawling broken nation or a strong proud nation as we have been in the past.

Also on the front page of this edition is a story of enemy retreat near Que Son Valley. The enemy had heavily entrenched bunkers here and those five men who refused to enter any further into that valley a second time were not alone. They represented their whole company in the refusal. As a result of poor leadership Major Ramsey was released from his duty and a new commander took over the company.

When Ho died the North asked for a three day truce. The U.S. government stated they would go along with Saigon on the decision. Saigon said no truce. But my company stopped all operations for those three days and I presume that all American operations stopped for those three days. I'd like to know why the U.S. government didn't acknowledge this.

While we stopped operations, enemy movement continued as usual. When politicians finally decide to stop playing games with American lives at stake, and let the military run it, we will be victorious. If not, politics will bring our great nation to the brink of a great defeat and the greatest blunder in American history.

PRICE TESTIFIES ON BEEF PRICES

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. PRICE of Texas. Mr. Speaker, during this past week, the House Government Operations Subcommittee on Special Studies has been conducting hearings to determine to what extent, if any, in increases in the price of beef during the first 7 months of 1969, were caused by factors such as the activities of Federal agencies, as opposed to free market forces.

I testified on this issue before the subcommittee. I pointed out that meat is not one of the major consumer items in the cost of living index that has reached an all-time high during the current inflationary round. According to market record, there were 35 prior months which had higher beef costs than did July. In 84 past months, consumers paid more for pork, and in 16 previous months the price of lamb was higher.

I also compared the rise in beef prices since the early fifties with that of other consumer items. The record is clear that through the years, beef prices have risen slower than the prices of dairy products, fruits and vegetables, rent, homes, clothing, medical care, recreation, public transportation, and many other items.

Based on its price record, beef is a real bargain. Over the past 20 years, general inflation has brought about price increases for all goods and services of more than 40 percent. Despite this radical increase, beef today sells at more favorable prices than existed 18 years ago.

Today, 1 hour's labor buys 3½ pounds of beef; 10 years ago the same labor bought less than 3 pounds of beef; and 20 years ago, the consumer purchased approximately 1 pound of beef for 1 hour of labor. During the past 20 years, per capita disposable income increased 50 percent. Yet today, the average American family spends only 17 percent of its disposable income on food, as compared to the 1959 figure of 25 percent. When one considers that 2.3 cents out of each disposable dollar is spent on beef, the favorable position to today's consumer becomes obvious.

I advised the subcommittee that the modern consumer also benefits from the fact that he is purchasing better quality beef for his money than at any other time in our Nation's history. Over two-thirds of today's beef has spent time in a feedlot, compared to 40 percent only a few short years ago. This feedlot finishing creates increased beef tenderness, flavor, and desirability. With new trimming and packaging techniques, created by specific consumer demand, there is less waste and actually more edible meat per pound of beef than ever before.

Basically, I think that when consumers complain about the high cost of beef, they fail to realize that beef costs are more of a reflection of the cost of marketing beef than they are a reflection of the basic price of beef at the producer's level. The marketing cost of getting a choice steer from the ranch to the table has increased 15 percent in the last 8 years. In the food processing and distributing industries, labor costs alone have increased well over 45 percent when compared to the standard 1957–59 averages. In addition, the cost of land, labor, equipment, and money has risen dramatically over the last few years. Finally, the modern, convenient, "see through" packaging coupled with the increasing variety of cuts that the consumer is demanding has increased the price between the beef producer and the dinner table.

Mr. Speaker, the price of beef is more a reflection of the cost of marketing beef than it is the cost of producing beef. It is for this reason that I suggest that those complaining about the so-called high price of beef examine the problem more closely. If they do so, they will discover that the causes of the problem lie elsewhere than the farm, the ranch, or the feedlot.

As a contribution to the public discussion of the various causes of the price of beef I am inserting the testimony I presented to the subcommittee. I hope the information contained therein will help clarify the issues. It follows:

Testimony of Congressman Robert D. Price of Texas Before the House Government Operations Subcommittee on Special Studies, October 7, 1969

Mr. Chairman, I am a member of the House Agriculture Committee and Subcommitte on Livestock and Feed Grain. I appreciate being afforded the opportunity to testify before the Subcommittee today. I have been a farmer and rancher most of my adult life, and I represent the 18th District of Texas now feeding about 2 million heads of fat cattle. As I understand it, the purpose of these particular hearings is to ascertain to what extent, if any, the increases in the price of beef during this year have been effected not by the operations of the law of supply and demand, but by other factors such as the activities of Federal agencies.

I submit that the rise in beef prices has resulted from the operations of supply and demand coupled with other factors which do not include the activities of Federal agencies.

As regards the beef producer, the average retail price of Choice-grade beef was $70.55 per hundred weight in 1951, while during the price peak last July, Choice-grade beef was sold at only $75.26 per hundred weight. This is an increase of less than 7 percent in 19 years. Moreover, the average price of Choice-grade slaughter steers actually has fallen since 1951; from $35.24 per hundred weight in 1951 to $30.54 in August, 1969. It is even lower today.

As regards the final consumer, during the first two quarters of this year, average retail meat prices on all cuts rose from 90 cents a pound in January to a July high of $1.01. Since July, there has been a significant decline in meat prices. The USDA's estimate for last month was 99.4 cents, which represents a price decline of approximately 2 percent. Live prices have dropped from the 34 range to 28–28.6 price today!

It should be noted that meat is not one of the major consumer items in the cost of living index that has reached an all-time record price peak during the current inflationary round. According to market record, there are 35 prior months which had higher beef costs than did July. In 84 past months, consumers paid more for pork, and in 16 previous months the price of lamb was higher.

The members of the Subcommittee will be interested to know that on the whole, the average level of prices for steer beef on the hoof is 17 percent lower than it was during the price peaks of the early 1950s; pork on the hoof is 29 percent cheaper; and lamb is 26 percent less expensive.

It is also instructive to compare the rise in beef prices since the early fifties, with that of other consumer items. The record is clear that through the years beef prices have risen slower than the prices of dairy products, fruits and vegetables, rent, homes, clothing, medical care, recreation, and public transportation.

Based on its price record, beef is a real bargain. Over the past twenty years, general inflation has brought about price increases for all goods and services of more than 40 percent. Despite this radical increase, beef today sells at a more favorable price than existed 18 years ago: Today, one hour's labor buys 3½ pounds of beef; ten years ago the same labor bought less than 3 pounds of beef; and twenty years ago, the consumer purchased approximately 1 pound of beef for one hour of labor. During the past twenty years, per capita disposable income increased 50 percent. Yet today, the average American family spends only 17 percent of its disposable income on food, as compared to the 1959 figure of 25 percent. When one considers that 2.3 cents out of each disposable dollar is spent on beef, the favorable position to today's consumer becomes obvious.

The modern consumer also benefits from the fact that he is purchasing better quality beef for his money than at any other time in our nation's history. Over two-thirds of today's beef has spent time in a feed lot, compared to 40 percent only a few short years ago. This feed lot-finishing creates increased beef tenderness, flavor and desirability. With new trimming and packaging techniques, created by specific consumer demand, there is less waste and actually more edible meat per pound of beef than ever before.

Basically, I think that when consumers complain about the high cost of beef, they fail to realize that beef costs are more of a reflection of the cost of marketing beef than they are a reflection of the basic price of beef at the producer's level. The marketing cost of getting a choice steer from the ranch to the table has increased 15 percent since 1961, 85% since 1951, and 190% since 1945. In the food processing and distributing industries, labor costs alone have increased well over 45 percent when compared to the standard 1957–1959 averages. In addition, the cost of land, labor, equipment, medicine and money has risen dramatically over the last few years. Finally, the modern convenient see-thru packaging coupled with the increasing variety of cuts that the consumer is demanding has increased the price between the beef producer and the dinner table.

What all this means is that ranchers and commercial feed lot operators have been faced with costs of production which have almost doubled in the past twenty years. As a result, many beef producers are being forced to sell their product at or below their break-even point. What it boils down to that even with today's higher beef prices, the cattle industry is increasingly becoming characterized as a low-yield investment.

The cattle industry is meeting this cost-price squeeze head on. Cattle producers have brought in professional managers and animal nutrition specialists to run their business; they are reacting faster to changing market conditions; and, they freely acknowledge that they must continue to update their operations if they are to survive.

I think it is of vital importance to note that the cattle industry is meeting this challenge and altering its traditional modes of operation within the free market system. Cattlemen are not asking for price supports, they are not asking for Federal subsidies. They are willing to rely on competitive market forces to establish the price level, and they are willing to succeed or fail on that basis. This is truly the spirit of American enterprise and American ingenuity. This rugged individualism, typified by the American cattle producer, is what has helped make our country great.

Mr. Chairman, the current price of beef is supported and buoyed up by a great national craving for red meat. This amazing national appetite is not only maintaining the price of beef, it is giving cattle producers some relief from the cost-price squeeze that plagues the industry.

The American appetite for beef seems to know no bounds. In 1960, the average U.S. citizen ate 85 pounds of beef. In 1968, he ate over 109 pounds, and a further increase in per capita consumption is forecast for 1969. This trend is not a new one; over the past twenty years, the consumption of beef has increased approximately 70 percent. Beef is surely one of the staples—if not *the* staple—of the American diet. In this connection, according to a recent USDA survey of American eating habits, 93 percent of the housewives interviewed said they served beef at least once a week. Only 85 percent served chicken once a week; and only 41 percent fed their families pork chops on a weekly basis.

Because the cattle industry operates in a free market, the price a cattleman ultimately receives for his product is determined by the price the consumer is willing and able to pay at the retail level. The consumer is presently demanding a lot of beef in terms of both quantity and quality. The American cattle industry has met this demand, and can continue to meet this demand, but only on a basis which permits the industry to realize a reasonable return on its investment. If, however, the price of beef does not continue to follow its present course in the market, the cattle industry will have no alternative but to reallocate operations and divert resources to more profitable uses. If this occurs, production will be reduced, and beef prices will be driven skyward.

In conclusion, as I mentioned earlier, the price of beef is more a reflection of the cost of marketing beef than it is the cost of producing beef. It is for this reason that I suggest that those complaining about the so-called "high price" of beef examine the problem more closely. If they do so, they will discover that the causes of the problem lie elsewhere than the farm, the ranch, or the feed lot.

COUNT CASIMIR PULASKI

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. STOKES. Mr. Speaker, the President of the United States has designated October 11 a day to commemorate Count Casimir Pulaski, the Polish-born nobleman who became one of the premier heroes of the American Revolutionary War.

Count Pulaski's burning dedication to freedom manifested itself early in his life when he was exiled from his native land for his active role in one of Poland's recurring uprisings against the Russians. Undaunted, he came to America and volunteered his services to General Washington. Washington, sensing the young Count's great capacity for leadership, placed him in command of the newly formed American cavalry. It was a decision the general would not regret. Although he was only in his early thirties, Pulaski molded his corps into one of the finest fighting units in the American Army. He rose to the rank of brigadier general, and was one of Washington's most trusted and capable officers until he died on October 11, 1779, as a result of wounds received in the battle for Savannah.

The life and death of General Pulaski should recall two things for modern America. The first is the tremendous contribution the people of Poland and their ancestors have made to the intellectual, industrial, and moral growth of our Nation. Their tireless efforts and unselfish dedication to the American ideals should always be recognized as one of the finest chapters in our history.

Secondly, we should remember that General Pulaski was one of millions of Americans of all ethnic groups who have sacrificed their lives to the concept of freedom for all men. Unfortunately, many Americans have yet to grasp this concept, despite the blood of those who have given this ultimate gift to our country. We must do so, and we will, so that General Pulaski and all soldiers of freedom like him will not have died in vain.

TWENTY MILLION DOLLARS OF MODERN MEDICAL EQUIPMENT STANDS IDLE IN VA FOR LACK OF PERSONNEL

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. TEAGUE of Texas. Mr. Speaker, in April and May of this year the Subcommittee on Hospitals of the Veterans' Affairs Committee held extensive hearings to determine the current overall status of the Veterans' Administration's medical program. During the course of these hearings, the VA chief medical director and other eminent independent medical experts, testified that the personnel ceiling imposed by the Revenue and Expenditures Control Act of 1968 had resulted in serious staffing shortages at Veterans' Administration hospitals throughout the country.

There had been hope that this serious deficiency in the medical treatment program for our Nation's veterans would be corrected as a result of the fiscal year 1970 budget submitted by President Johnson which authorized over 4,000 new positions for the VA medical program. But hope dimmed when the new administration sent its revised budget to Congress in April eliminating these proposed new positions for the VA medical program. The problem was further compounded after Congress, at the President's request, removed the restrictive personnel ceilings contained in the 1968 Revenue and Expenditures Control Act. In signing the second supplemental appropriations bill for 1969 on July 22, 1969, which also repealed the personnel ceiling provision of the law, the President announced that he was administratively reimposing personnel ceilings on all agencies and departments. This has resulted in a further loss of 634 more positions at the Veterans' Administration.

Mr. Speaker, I am very disturbed at the apparent failure of the administration to recognize that the Veterans' Administration's workload has skyrocketed as a result of the military discharge rate which will approximate 1 million new veterans in this current year. I am proud that the House of Representatives has a clear perspective of this problem. When this body considered the VA appropriation for fiscal year 1970 on June 24, we restored nearly all of the reductions made in the revised budget submitted in April.

Mr. Speaker, it is especially disturbing to me that much-needed medical facilities have been constructed and equipped during the past 2 years to meet the increased medical needs of our returning veterans and that, today, they stand unstaffed and unoccupied because of unrealistic and unwise staffing ceilings which the Bureau of the Budget has imposed on the Veterans' Administration.

Mr. Speaker, here stands over $20 million of modern medicine's most advanced technological equipment—installed and waiting—to perform lifesaving and life-prolonging miracles for thousands of sick veterans who are suffering with kidney disease, heart disease, blindness, and numerous other ailments which require intensive medical treatment.

In all honesty, Mr. Speaker, I am completely baffled that the administration is letting these precious lifesaving assets gather dust. I hope the President will take some immediate corrective action to enable the Veterans' Administration to use these facilities which have already been constructed and equipped to perform their intended purposes.

Mr. Speaker, I want to call my colleagues' attention to the following list of medical facilities which are not operative today in the VA medical system because of current policies that preclude staffing these units:

MEDICAL CARE FISCAL YEAR 1970

[Specialized new medical services for which construction and equipping are substantially completed but which cannot be placed in operation, due to staffing limitations]

	Units ready for operation		Cost		
	As of Aug. 15, 1969	Between Aug. 15, 1969, and June 30, 1970	Construction	Equipment	Total
Alcohol treatment units:					
Albuquerque, N. Mex	1				
Brockton, Mass	1		$3,500	$4,844	$8,344
East Orange, N.J	1		10,108	19,577	29,685
Indianapolis, Ind	1		9,683	3,852	13,535
Los Angeles, Calif	1		23,978	6,523	30,501
Lyons, N.J	1		19,019	8,709	27,728
Minneapolis, Minn	1		19,477	21,738	41,215
Nashville, Tenn	1		4,414	17,709	22,123
Northampton, Mass	1		24,825	13,667	38,492
Salem, Va	1		23,370	32,515	55,885
Subtotal	10		138,374	129,134	267,508
Blind clinics: Northampton, Mass	1		25,680	21,204	46,884
Cardiac catheterization:					
Augusta, Ga	1			23,443	23,443
Charleston, S.C	1			160,208	160,208
Wilmington, Del	1		24,962	139,430	164,392
Subtotal	3		24,962	323,081	348,043
Clinical radioisotope:					
Jefferson Barracks, Mo	1		$3,658	$41,795	$45,453
Prescott, Ariz	1		5,138	25,490	30,628
Tuskegee, Ala	1			12,632	12,632
Wilkes-Barre, Pa	1			53,242	53,242
Subtotal	4		8,796	133,159	141,955
Day hospital treatment:					
Boston, Mass	1		15,266	18,422	33,688
Bronx, N.Y	1			5,164	5,164
Chicago, Ill. (WS)	1		12,822	5,852	18,674
Dallas, Tex	1			3,463	3,463
Kansas City, Mo	1		9,921	3,959	13,880
Miami, Fla	1		[1]	12,000	12,000
Salt Lake City, Utah	1		27,005	4,456	31,461
Seattle, Wash	1				
St. Louis, Mo	1		24,000	6,401	30,401
West Haven, Conn		1	24,500	5,000	29,500
Subtotal	9	1	113,514	64,717	178,231

Footnotes at end of table.

MEDICAL CARE FISCAL YEAR 1970—Continued

[Specialized new medical services for which construction and equipping are substantially completed but which cannot be placed in operation, due to staffing limitations]

	Units ready for operation		Cost		
	As of Aug. 15, 1969	Between Aug. 15, 1969, and June 30, 1970	Construction	Equipment	Total
Electron microscopy:					
Allen Park, Mich	1			$57,260	$57,260
Boston, Mass	1		$24,500	70,000	94,500
Long Beach, Calif	1		10,463	64,593	75,056
New Orleans, La	1		23,301	70,245	93,546
Richmond, Va	1		18,800	67,629	86,429
Salt Lake City, Utah	1		5,067	63,812	68,879
Washington, D.C	1			71,930	71,930
Subtotal	7		82,131	465,469	547,600
Epilepsy centers: West Haven, Conn	1		5,950	14,565	20,515
Hemodialysis units:					
Chicago, Ill. (Res.)	1		110,000	108,598	218,598
Little Rock, Ark		1	105,000	83,000	188,000
Minneapolis, Minn	1		100,000	144,109	244,109
San Juan, P.R	1		(1)	103,628	103,628
Subtotal	3	1	315,000	439,335	754,335
Intensive care Units:					
Albany, N.Y	4	1	15,883	27,140	43,023
Albuquerque, N. Mex	13		160,000	92,585	252,585
Allen Park, Mich	6		218,000	35,206	253,206
Ann Arbor, Mich	12		140,000	65,538	205,538
Atlanta, Ga	4		171,000	93,205	264,205
Baltimore, Md	7		22,888	73,030	95,918
Batavia, N.Y	2	2	18,488	8,953	27,441
Birmingham, Ala	28		317,000	153,510	470,510
Boston, Mass	23		274,000	150,567	424,567
Bronx, N.Y	16		418,000	174,605	592,605
Brooklyn, N.Y	21	8	386,000	27,659	413,659
Buffalo, N.Y	13		160,000	95,559	255,559
Charleston, S.C	14		139,000	90,649	229,649
Cheyenne, Wyo	8		113,000	38,147	151,147
Chicago, Ill. (WS)	19		130,000	134,139	264,139
Chicago, Ill. (Res.)	24		154,857	128,401	283,258
Cincinnati, Ohio	13		10,600	81,183	91,783
Clarksburg, W. Va	4	8	128,000	98,283	226,283
Cleveland, Ohio	17		349,000	106,024	455,024
Dallas, Tex	15		23,043	38,094	61,137
Dayton, Ohio	11		185,000	106,172	291,172
Denver, Colo	13		107,000	25,308	132,308
Des Moines, Iowa	9		144,000	54,398	198,398
Durham, N.C	17		130,000	138,436	268,436
East Orange, N.J	21		196,000	121,729	317,729
Fargo, N. Dak	4		30,000	26,603	56,603
Fort Wayne, Ind	6		70,000	31,033	101,033
Fresno, Calif	3		60,000	52,769	112,769
Hines, Ill	9		(1)	37,000	37,000
Houston, Tex	26		310,000	154,189	464,189
Indianapolis, Ind	16		266,000	153,493	419,493
Iowa City, Iowa	9		302,000	41,367	343,367
Kansas City, Mo	14		184,000	129,015	313,015
Lake City, Fla		4	25,000	22,000	47,000
Little Rock, Ark	18		190,000	110,811	300,811
Long Beach, Calif	8		80,000	183,325	263,325
Los Angeles, Calif	9		186,541	99,752	286,293
Louisville, Ky	10		110,000	69,120	179,120
Madison, Wis	9		12,292	68,456	80,748
Manchester, N.H	2		25,000	12,408	37,408
Miami, Fla		6	(1)	237,888	237,888
Minneapolis, Minn	13		134,939	138,204	273,143
Nashville, Tenn	5		160,000	117,452	277,452
New Orleans, La	26		284,000	144,610	428,610
Oklahoma, City, Okla	21		202,000	130,738	332,738
Omaha, Nebr	27		311,000	186,793	497,793
Palo Alto, Calif	8		114,000	107,913	221,913
Philadelphia, Pa	21		92,000	70,192	162,192
Phoenix, Ariz	12		19,218	65,378	84,596
Pittsburgh, Pa. (U.D.)	16	2	278,000	280,730	558,730
Portland, Oreg	12		86,600	145,361	232,961
Prescott, Ariz	6		60,000	40,109	100,109
Providence, R.I	10		280,000	36,845	316,845
Reno, Nev	1		80,000	37,855	117,855
Salt Lake City, Utah	16		71,000	96,443	167,443
San Francisco, Calif	9		24,972	37,821	62,793
San Juan, P.R		26	(1)	188,046	188,046
Seattle, Wash	8		60,000	25,901	85,901
Sepulveda, Calif	1		59,585	104,839	164,424
Shreveport, La	22		222,000	112,402	334,402
St. Louis, Mo	15		307,000	118,019	425,019
Syracuse, N.Y	1		93,000	94,739	187,739
Temple, Tex		8	20,000	45,000	65,000
Tucson, Ariz	8		91,000	88,128	179,128
West Haven, Conn	14		93,596	77,980	171,576
West Roxbury, Mass	1		70,000	52,177	122,177
White River Junction, Vt	8		60,000	16,800	76,800
Wichita, Kans	2	5	20,000	12,000	32,000
Wilkes-Barre, Pa	17		74,000	79,749	153,749
Wilmington, Del	3	10	181,000	59,554	240,554
Wood, Wis	2		19,150	78,752	97,902
Subtotal	782	80	9,529,652	6,379,279	15,908,931
Mental hygiene clinics:					
Hines, Ill	1		(1)		
Northport, N.Y	1				
Subtotal	2				
Open heart surgery:					
Atlanta, Ga		1	(1)	$25,000	$25,000
Memphis, Tenn	1		(1)	183,369	183,369
Subtotal	1	1		208,369	208,369
Organ replacement:					
Denver, Colo	1		$140,000	38,520	178,520
Durham, N.C	1		24,974	58,899	83,873
Los Angeles, Calif	1		24,113	42,477	66,590
Nashville, Tenn	1		16,629	35,059	51,688
St. Louis, Mo	1		24,500	19,383	43,883
Subtotal	5		230,216	194,338	424,554
Prosthetics treatment centers:					
Richmond Va	1		38,773	4,087	42,860
San Francisco, Calif		1	25,000	20,315	45,315
Subtotal	1	1	63,773	24,402	88,174
Pulmonary emphysema:					
Allen Park, Mich	1		14,441	68,511	82,952
Atlanta, Ga	1		(1)	26,126	26,126
Castle Point, N.Y	1		22,298	27,928	50,226
Charleston, S.C		1	(1)	5,084	5,084
Des Moines, Iowa	1			6,758	6,758
Fresno, Calif		1	15,000	6,000	21,000
Gainesville, Fla	1		(1)	13,198	13,198
San Juan, P.R		1	(1)	18,000	18,000
Seattle, Wash	1		15,872	33,810	49,682
Wadsworth, Kans	1		8,070	9,909	17,979
Wilmington, Del		1	18,544	25,000	43,544
Subtotal	7	4	94,225	240,324	334,549
Pulmonary function units:					
Alexandria, La	1				
Charleston, S.C	1		(1)	48,628	48,628
Gainesville, Fla	1		(1)	13,680	13,680
Louisville, Ky	1		4,845	20,836	25,681
Montgomery, Ala	1		13,474	19,745	33,219
San Juan, P.R		1	(1)	27,000	27,000
Sioux Falls, S.Dak	1			7,286	7,286
Vancouver, Wash	1		6,086	1,702	7,788
Wichita, Kans		1	4,000	13,700	17,700
Subtotal	7	2	28,405	152,577	180,982
Reference laboratories:					
Hines, Ill. (adrenal hormone determinations)	1		(1)	28,837	28,837
Memphis, Tenn. (cytogenetics immunoelectrophoresis)	1		(1)	15,853	15,853
San Francisco, Calif. (TB and other mycobacteria)		1	25,000	20,000	45,000
Subtotal	2	1	25,000	64,690	89,690
Speech pathology program:					
Albany, N.Y	1		5,000	23,509	28,509
Alexandria, La		1	5,200	15,000	20,200
Columbia, S.C	1		5,043	28,214	33,257
Hines, Ill	1		(1)	20,000	20,000
Long Beach, Calif	1		24,993	5,792	30,785
Martinez, Calif	1		11,723	5,864	17,587
Oteen, N.C	1			1,675	1,675
Shreveport, La	1		840	31,928	32,768
Subtotal	7	1	52,799	131,982	184,781
Stereotactic brain surgery:					
Durham, N.C	1		24,723	94,908	119,631
Long Beach, Calif	1		22,861	100,800	123,661
Syracuse, N.Y	1		22,058	108,694	130,752
Subtotal	3		69,642	304,402	374,044
Supervoltage therapy:					
San Juan, P.R	1		(1)	104,125	104,125
Grand total			[2] 10,808,119	9,395,152	20,203,271

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[1] Costs not separately identified, included in replacement hospital funding.

[2] Consists of alterations and equipment costs. $10,669,271 funded from medical care and construction costs of $9,534,000 funded from construction of Hospital and domiciliary facilities.

VOLUNTARY PRAYER IN PUBLIC SCHOOLS

HON. RICHARD L. ROUDEBUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. ROUDEBUSH. Mr. Speaker, the Supreme Court has outlawed voluntary prayer in public schools, while permitting a flood of pornography and obscene literature to be unleashed upon the public.

As a countermeasure we have been offering five children's prayers in the CONGRESSIONAL RECORD each week for recitation by schoolchildren at the start of their day.

Our first prayer this week was offered by Mrs. Beth Miller, a kindergarten teacher at the Elmwood School in Peru, Ind.

I wish to thank Mrs. Miller for submitting this prayer for the benefit of schoolchildren throughout the United States.

The prayers for this week follow:

I

Be Thou with me every day
In my work and in my play,
When I learn and when I pray
Hear me, Holy Jesus. Amen.

II

Heavenly Father, hear our prayer;
Keep us in Thy loving care.
Guard us through the livelong day,
In our work and in our play.
Keep us pure and sweet and true,
In everything we say and do.

III

(*Seventy-fifth Psalm*)

Unto Thee, O God,
Do we give thanks.
Unto Thee do we
Give thanks: for
That Thy name is near
Thy wondrous works
Declare.

IV

Thank You
  for the world so sweet,
Thank You
  for the food we eat,
Thank You
  for the birds that sing . . .
Thank You,
  God, for everything.

V

For flowers that bloom about our feet,
Father, we thank Thee;
For tender grass so fresh and sweet,
Father we thank Thee;
For song of bird and hum of bee,
For all things fair we hear and see,
Father in heaven, we thank Thee.

COURTENAY HEMENWAY

HON. JOHN S. MONAGAN

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. MONAGAN. Mr. Speaker, I am sad to report the passing of Courtenay Hemenway, who for over 50 years was a positive force in the moral and academic education of young Americans.

A longtime master at the Choate School in Wallingford, Conn., Courtenay Hemenway taught President John Kennedy, Ambassador Adlai Stevenson, and Ambassador Chester Bowles. While serving for 18 as chairman of the history department, he also taught a variety of subjects, among them English, French, German, Latin, Spanish, mathematics, and science. In addition he was credited with the development of Choate's system of individual schedule providing the utmost flexibility and opportunity for advancement for each student.

Courtenay Hemenway's nonpedagogical activities were no less strenuous and rewarding. He coached the Choate hockey team for many decades, playing goalie daily until he was near 60. The Choate hockey rink is appropriately named in his honor. Mr. Hemenway was also an enthusiastic participant in State and local politics and for years he was a prominent figure in the Wallingford Democratic Party.

American society is the richer for the strength of character and dedication which Courtenay Hemenway contributed for so many years.

TAX-EXEMPT ORGANIZATIONS ENGAGING IN IMPROPER POLITICAL ACTIVITIES

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 8, 1969

Mr. BLACKBURN. Mr. Speaker, this morning I had the privilege of appearing before the Senate Finance Committee concerning the Tax Reform Act of 1969 and specifically the section on tax-exempt organizations. During the past few months, I have made an in-depth study of such organizations, and I found that they have engaged in political activities which are highly improper considering their tax-exempt status.

For the information of my colleagues, I am hereby inserting a copy of my testimony into the RECORD:

TAX-EXEMPT ORGANIZATIONS AND H.R. 7432

(Statement of Hon. Ben Blackburn before the Senate Finance Committee, October 8, 1969)

I appreciate your affording me the opportunity to appear before your Committee. We are all aware of the need for tax reform and the elimination of the abuses now occurring under the present Internal Revenue Code.

I would like to discuss the tax abuses of organizations enjoying special tax-exempt status under existing provision of law. Many of these organizations engage in political activities which by reason of tax privileges are being subsidized by the Federal Treasury. My purpose in being here today is to call the Congress' attention to some examples of political activities which I personally, and many others, consider to be improper activities by groups enjoying special tax privileges and to suggest possible ways of preventing future abuses.

Tax-exempt organizations are classified under Section 501(c) of the Internal Revenue Code of 1954. Under this section, 17 types of organizations are excluded from taxation. I would like to discuss those found under Section 501(c)(3) and Section 501(c)(5).

The organizations operating under the provisions of Section 501(c)(3) of the Internal Revenue Code exist for purposes of charity, scientific research, religious functions, public safety, promotion of literary or educational endeavors or the prevention of cruelty to children or animals. The Internal Revenue Code further provides that no substantial part of the activity of any such organization (generally referred to as a "foundation") is to carry on propaganda or otherwise attempt to influence legislation. The Internal Revenue Code further prohibits participation in political campaigns.

In my opinion some organizations have flagrantly violated this section of the Code. The violations have been tolerated due to ambiguity in construing the phrase, "substantial part." It has been commonly held by I.R.S. and other authorities in this field that 10% or more of the funds of any organization would be considered a "substantial part." 10% of the Ford Foundation's assets as of 1968 would be approximately $3,060,436, whereas 10% of some small church group could amount to less than $500.

Tax-exemption is a privilege. There are many different spokesmen for groups presenting their views on legislation before both Houses of Congress. Most of these spokesmen do not enjoy tax-exempt status. The government should not subsidize one group's political activities, by allowing any tax-exempt organization to engage in lobbying activity.

As an example of this misuse of privilege, I would like to direct the attention of the Committee to a group which was recently formed to actively lobby against the ABM proposal, The Coalition on National Priorities and Military Policy. This organization is supported primarily by contributions from religious organizations. Its headquarters is in space granted to it in the Methodist Building at 100 Maryland Avenue, N.E. This group has lobbied against the proposed ABM system. A few days ago a representative from this group came to my office and presented my staff with further information concerning its opposition to the 1968 Military Authorization Bill. Attached as Exhibit A is a copy of the material which I received, along with a list of the organizations. The business of the nation's defense can in no logical way be related to religious undertakings.

I would also like to invite to your attention the National Students Association (NSA). I have closely reviewed the tax returns of this group. The group is clearly and heavily engaging in political activity. In fact, political activity has become such a large part of the group's activity that a subsidiary organization, the National Students Institute has been formed to conduct the non-political activities the NSA was previously performing. It appears that the National Students Institute, which is now a tax-exempt organization, will serve the function of raising funds through soliciting tax-deductible contributions and then contributing these funds to the National Students Association. The national convention of the National Students Association has advocated the abolishment of the House Un-American Activities Committee (now the House Committee on Internal Security), the repeal of the McCarren Act, passage of Civil Rights legislation, the admission of Red China to the United Nations and various "Vietnam Summer Activities." Attached as Exhibit B is documentation of these activities. Furthermore, I was distressed to learn that the new National Students Institute, as incorporated under laws of the District of Columbia, has a Board of Directors identical to that of the new tax-paying NSA. Its bylaws are very similar and it utilizes the same facilities as the NSA. The NSA has not filed tax returns for the past two years, and no explanation is forthcoming from the IRS.

The 1965 and 1966 returns of this organization list its specific grants and their purposes. Present reporting laws are wholly inadequate for any person to know whether or not the National Students Association is engaged in legal activities under its tax-exempt classification. The NSA granted in 1966 to the Southern Student Union Relations $36,317.18, the Fast for Freedom Fund $20,365.39, the Student Stress $890.52, and Southern Literacy Project $363.75. These are just a few of the specific grants listed by this organization which dispensed a total of $551,397 in 1966. The Library of Congress has advised me that it is impossible to discover the purposes or functions of the recipient organizations. A close examination of the tax returns does not provide sufficient information. For the Committee's information, attached as Exhibit C are copies of the NSA's tax return for 1965 and 1966.

Briefly, one more group I would like to bring to your attention is the National Education Association (NEA). This group, which is organized for the promotion of education has endorsed numerous political positions including Home Rule for the District of Columbia and fair housing legislation. I do not feel that this activity is related to the promotion of education.

I know that the members of this Committee have followed the revelations of various activities of tax-exempt foundations. In the hearings on Tax Reform before the House Ways and Means Committee, Representative John Rooney of New York presented a clear picture of the misuse of tax-exempt funds. In Representative Rooney's race in the Democratic primary, he was opposed by one Frederick Richmond.

Mr. Richmond is head of the Richmond Foundation. During the election, Mr. Richmond's foundation gave numerous grants to different ethnic groups within the Congressional District. The campaign staff of Mr. Richmond was also the staff of the Foundation. In Mr. Rooney's statement he revealed that some of the expenses of the campaign were paid out of the Foundation funds under the title of such things as printing expenses and stationery accounts. Finally, Mr. Richmond encouraged his contributors to give directly to the Foundation, thus making their contributions deductible on their income tax returns. I would advise members of the Committee to read Mr. Rooney's testimony since it gives one of the best examples of political activities by tax-exempt groups.

In July of 1967, the Ford Foundation made a grant of $175,000 to the CORE Special Purpose Fund of New York to be used for: (1) a youth training institute; (2) an adult training institute; and (3) a voter registration drive. This grant was supplemented in 1968 with another $300,000. These funds were actually used in voter registration drives in Cleveland, Ohio. Many political analysts believe that because of the registration activity by CORE through the financing of the Ford Foundation, Carl B. Stokes was elected Mayor of Cleveland, Ohio, in 1967. By such activity the Ford Foundation through its economic power, augmented by special tax privileges, is having a decisive political power which is resulting in the election of political candidates. No more effective political influence can be found!

I have stated many times that in the political arena all combatants should operate under the same set of rules. I know that every member of the Committee would object strongly to having a tax-exempt group pour funds into his opponent's campaign. Under the Tax Reform Act recently passed by the House, foundations are precluded from engaging in voter registration drives except when the foundation supports voter registration drives in five states. Thus, the Ford Foundation, for example, can avoid the effect of the legislation by supporting five different voter registration drives in five different states.

No discussion of political activities by tax-exempt groups would be complete without some attention to labor organizations as classified under Section 501(c)(5). From mutual experience in politics, I think we would all agree that money is the mother's milk of a political campaign. To the degree that one candidate receives direct or indirect financial or material support for his campaign from a source that enjoys financial subsidy through a special tax privilege, to that degree the equality of rules between two political candidates is greatly upset. Labor unions do not deny the use of union dues for political activities. When a member of a union pays his dues, he is paying for political action. The organization insists that their political activities are carried on by a separate organization known as the Committee on Political Education (COPE). However, as it was reported during the last election, the full staff of the national office of the AFL–CIO was brought to work for COPE and on the local level union officials were employing their union staff to engage in campaigning for favored candidates. Numerous cases have come before the Federal Judiciary in which union members have objected to political use of dues for political activity. For the information of the Committee the cases are as follows: *United States* v. *Anchorage Federal Labor Council* 193 F. Supp. 504 (1961); *United States* v. *Planters Local #481 et al* 172 F. 2d 854 (1949); *United States* v. *International Union United Automobile, Aircraft and Agricultural Implement Workers of America* 352 U.S. 567 (1957); and *United States* v. *CIO* 335 U.S. 106 (1947).

There is a contention that political funds are contributed voluntarily. To work on an American flag ship, a seaman must be a member of the International Seafarers Union. Members of this union have been compelled at times to "contribute" (or as the union leaders would say, have voluntarily given) ⅓ of their income to political activities. I think it is insulting the intelligence of Congress to argue that these funds are granted voluntarily. Not even politicians devote ⅓ of their income to political campaigns.

The Internal Revenue Code provides that all 17 types of organizations classified under Section 501(c) cannot engage in support or opposition to any political candidate. However, for some strange reason, the IRS has consistently ignored the mandate of the law. Attached as Exhibit E are copies of letters sent by the Internal Revenue Service to one Mr. Reed E. Larson and one Mr. F. R. Dickerson attempting to explain why only labor unions are exempt.

The Federal Corrupt Practices Act provides that neither corporations, or trade organizations, or labor unions are allowed to contribute funds to the support or opposition of any political candidate or party. It seems that the IRS is not aware of the Corrupt Practices Act which is enforced by the Justice Department. In Baltimore, a Grand Jury hearing is now being conducted concerning campaign contributions by the Seafarers International Union to various candidates for Senatorial seats. I think it would be appropriate for the Congress to demand that the IRS investigate the tax-exempt status of the Seafarers Union.

During the course of my testimony today, I have cited several problems which exist under the present IRS Code. When the members of the Committee examine the tax returns of tax-exempt organizations, you will see that it is virtually impossible to determine how these funds are being used. I propose that the Committee require a full explanation of the purpose of each grant, contribution or gift made by a tax-exempt organization along with the identities of the chief officers and executive directors of recipient organizations. The law should provide criminal sanctions should such officers or executive directors use funds for purposes other than those permitted by law. Only by requiring full disclosure from tax-exempt organizations can we possibly curb the misuse of funds.

Earlier this year, when I appeared before the House Ways and Means Committee on this matter, I outlined for them the legislation which I was introducing. My ideas are contained in H.R. 7432. Essentially this bill is divided into two sections. The first section pertains to organizations classified under Section 501(c)(3). I will not take credit for the ideas found in this section since they were originally proposed by the Subcommittee on Tax-Exempt Organizations of the American Bar Association. The Subcommittee recommended that all organizations classified under this section shall have the right to defend themselves whenever their tax-exempt status is threatened. Furthermore, they should be permitted to appear before Congressional Committees and submit reports to them concerning matters of direct interest to the organization. By direct interest I specifically mean the purpose for which the organization was granted exemption.

The second purpose of my bill is to prevent any tax-exempt organization from directly or indirectly contributing any material support for the promotion or opposition to any candidate or any political party. I would sincerely urge the Committee to give consideration to my proposal. My bill, H.R. 7432, is attached as Exhibit F. I would request that the Committee review the House language with regard to voter registration drives conducted by tax-exempt foundations. In my opinion the present language is inadequate.

Finally, if meaningful control over the use of special tax-exempt funds is to be achieved, more complete reporting laws are essential. Criminal sanctions are a necessary adjunct to such control where abuse of funds for nonpermissible purposes is discovered.

Mr. Chairman, I believe that you and the members of your Committee are anxious to provide the American people with needed tax reform. I appreciate your affording me the time to make this brief contribution.

EXHIBIT A

COALITION ON NATIONAL PRIORITIES AND MILITARY POLICY, WASHINGTON, D.C.

Executive committee

Joseph S. Clark, Chairman; Sanford Gottlieb, 1st Vice Chairman; Frances Neely, 2nd Vice Chairman; Herman Will, Jr., Treasurer; Harry Applewhite; Michael Beard; and Patricia Samuel.

Coordinator: Wiley Patterson Reis.

Affiliated organizations

American Baptist Convention; American Friends Service Committee; Americans for Democratic Action; Anti-Pollution League.

Christian Church (Disciples of Christ), Department of Church in Society; Committee for Community Affairs; Council for Humanist and Ethical Concern; Church of the Brethren.

Executive Council of the Episcopal Church; Federation of American Scientists; Friends Committee on National Legislation; International Union United Automobile, Aerospace & Agricultural Implement Workers of America, UAW.

Mennonite Central Committee; National Council of Churches, Department of International Affairs; National Federation of Temple Sisterhoods; SANE.

Southern Christian Leadership Conference; Teachers Committee for Peace in Vietnam; Union of American Hebrew Congregations; Unitarian Universalist Association, Department of Social Responsibility.

United Church of Christ, Council for Christian Social Action; United Methodist Church, Board of Christian Social Concerns; United Presbyterian Church, U.S.A., Office of Church and Society; United States Catholic Conference, Division of World Justice and Peace.

William Penn House; Women's International League for Peace and Freedom; Women Strike for Peace, and the World Federalist Youth, U.S.A.

The Coalition is a coordinating body for national religious, peace, liberal and scientific organizations which seek to reverse the militarization of America's policies and resources. It serves the representatives of its affiliated organizations as a channel for communication and cooperative action to oppose deployment of new weapons systems, to support arms control and disarmament agreements and to redirect resources into programs to meet human needs at home and abroad.

The Coalition does not present policy positions for its affiliated organizations unless specifically agreed upon, since its function is not the making of policy but the coordination of action.

The Coalition is financed by contributions.

COALITION ON NATIONAL
PRIORITIES AND MILITARY POLICY,
Washington, D.C., September 24, 1969.

DEAR CONGRESSMAN: We understand that the Department of Defense Authorization bill will be reported by the House Armed Services Committee on Thursday and may come to the floor next week.

We appeal to you to participate in that most vital debate. If you are not already convinced of the need for major cuts, we urge you to give serious consideration to the broad cross section of amendments that will be offered. We ask this because we are deeply uneasy over the fact that last year a comparable bill passed the House in one day with only two hours allocated to general debate.

Surely the House would lay itself open to the charge of irresponsibility if a similar timetable were adhered to now when so many questions are being raised about U.S. priorities and the size and direction of the U.S. military establishment—so many questions, in fact, that the Senate spent two months discussing the bill. Couldn't the 435 Members of the House spend at least two weeks discussing these basic issues which affect so many aspects of their constituents' lives?

The American people are discouraged over the conflicts racking our society. Many are turning away from the legislative process. They need reassurance that their representatives in Congress are willing to come to grips with major problems—including the problems of the ever expanding arms race and the U.S. propensity toward unilateral military involvements. Some of our membership look forward to coming to the gallery and hearing you deliberate over the Department of Defense Authorization bill. Please do not disappoint them.

Most sincerely,

JOSEPH S. CLARK
Chairman.

TWO GIANT RALLIES PLANNED

Two rallies—one in New York City, the other in Los Angeles—have been planned for June 25.

The rallies will focus on the ABM and American militarism.

In New York, George Wald, Nobel Prize winner, and Jerome Wiesner, the science advisor to President Kennedy, will speak at Madsion Square Garden. Members of Congress and several top entertainers will also be on hand.

Plans for the Los Angeles event are still underway, and details will be announced later.

The New York City rally will begin at 7:30 p.m. Tickets—priced from $1 to $10—are available at the boxoffice or from Hannah Weinstein, 101 W 57th Street, New York, New York.

AN ERROR OF OMISSION

Because of an oversight, *the names of three organizations affiliated with the Coalition on National Priorities and Military Policy were omitted from the listing in the first edition of this newsletter last week.*

They are: The Federation of American Scientists, the Mennonite Central Committee and the *Department of International Affairs of the National Council of Churches.*

They're not listed this week either because the cover sheets were printed in advance in sufficient quantity for three weeks. But the omitted groups will be in week after next. In the meantime, our apologies.

GOP SENATOR SUSPECTS ABM PRESSURE

Although he's not charging cause and effect, Republican Senator James B. Pearson of Kansas told the New York Times last week that after he broke with the Administration on the ABM issue, the following things happened:

*An Army general told a plane manufacturer in Kansas that if the ABM were defeated, the Pentagon might not be able to go through with an airplane contract.

*The Agriculture Department decided that it would not publicly endorse a rural job development bill sponsored by Pearson, despite the Department's private expressions of support for the bill.

*The White House decided in Pearson's favor in a dispute involving the moving of some federal offices—but failed to give the Senator advance notice of the decision.

Pearson is one of some 15 Republican Senators who are opposed to the ABM.

ABM HARD SELL TO LABOR FLOPS

A Nixon Administration hard sell has failed to convince the 29-member AFL–CIO Executive Council to support the ABM.

The Washington Post reported that AFL–CIO President George Meany was "skeptical, to put it mildly" to pleas by Defense Secretary Melvin R. Laird and Secretary of State William P. Rogers to back the ABM.

Rogers and Laird met with the Council in early May.

ABM INFORMATION CENTER,
UNITED METHODIST CHURCH,
Washington, D.C., July 14, 1969.

DEAR CONGRESSMAN BLACKBURN: Enclosed for your use are several items pertaining to the Safeguard Anti-Ballistic Missile System which we hope will be helpful to you in the ABM debate.

(1) Bibliography of selected information pertaining to the ABM which has appeared in the *Congressional Record* over the past several months.

(2) Series of remarks by various Senators, prominent scientists, union and church leaders explaining why they oppose deployment.

(3) Rebuttal to the Administration Press Packet on the ABM, prepared by an independent group of citizens including Dr. Jeremy J. Stone, a member of the Institute for Strategic Studies and currently working under a grant for the Social Science Research Council of New York.

If we can be of any assistance to you, please let us know.

Sincerely,

ABM INFORMATION CENTER STAFF.

EXHIBIT B

STUDENT DIMENSIONS: EDUCATION, COMMUNITY, SOCIETY

1963–64 Codification of Policy of the United States National Student Association

Desegregation in Public Schools

MANDATE:

The Sixteenth National Student Congress mandates the National Affairs Vice President to:

1. Work through regional chairmen to set up regional interracial conferences on desegregation in education;

2. Assist in establishing regional interracial conferences to initiate action within the educational community in cooperation with the Southern Student Human Relations Project in Atlanta;

3. Distribute to all member schools and interested parties pertinent information concerning the work of Southern Human Relations Project and the regional interracial conferences;

4. College data including periodical reports where integration problems exist with at least a bi-annual report to be sent to USNSA member schools, and immediately notify the appropriate regional chairman of any school integration problem of which he is made aware;

5. Continue to program student exchange to further the cause of integration;

6. Establish a liaison with the appropriate religious, governmental, and private organizations dealing with the questions of desegregation at all levels of education insofar as they apply to the above stated principles in regard to education;

7. Distribute information concerning legislation and judicial decisions affecting desegregation in the public schools, such as that concerning the filling of desegregation plans by segregated school districts;

8. In cooperation with regional interracial conferences, inform member schools and individuals of the methods of filing desegregation suits and to make legal information available at these conferences;

9. Encourage and support appropriate nonviolent direct action for purposes of school desegregation where all other methods have failed.

Omnibus Civil Rights Bill

FACT: Today some states make arbitrary and discriminatory use of voter qualifications to prevent minority groups from exercising their privilege of franchise. Physical intimidation, economic reprisal, and coercion are commonly employed when such groups attempt to register and vote.

Widespread job discrimination blocks opportunities for the economic advancement and wellbeing of Negro citizens. The burden and deprivations of unemployment fall twice as heavily upon the Negro population as they do upon the white.

In the seventeen Southern and border states and Washington, D.C., 92.1 percent (June, 1963, Southern School News) of the Negro students are still restricted to segregated schools. Most lack adequate financial resources to instigate litigation to secure their constitutional right to equal protection of the laws. In other areas, *de facto* segregation imposes deprivations and inequalities fully as unjust.

The federal government is presently subsidizing unequal and segregated facilities through federally financed and federally-assisted programs.

In many parts of the nation, Negro citizens are not permitted full and equal access to public facilities licensed by the state and open to the public in general.

Many communities are faced with difficult problems of transition as old mores and patterns of discrimination are broken down and a new pattern of integrated community life begins to emerge.

PRINCIPLE: The denial of full freedom and equal rights of citizenship is inconsistent with fundamental justice, with the democratic process, and with the dignity of the human individual. The government of a free people has a clear moral duty to achieve a maximum realization of equal opportunity for all its citizens.

DECLARATION: USNSA urges the passage of the Omnibus Civil Rights bill H.R. 7152 with the following amendments:

Under Title I:

1. Fair elections requirements would be broadened to include state as well as federal elections.

2. The waiting period between the filing of a voting complaint and the entering of a voting suit by the Attorney-General would be limited to a period of not more than seven days.

3. Federal judges appointed by the chief judge of the circuit would be required to decide on voting cases within 60 days to prevent delaying tactics.

4. Voting referees would be chosen by the chief judge of the circuit court.

Under Title III:

1. Every school board would be required to submit to the federal circuit court a comprehensive school desegregation plan that initiates compliance with the Supreme Court decision in Brown v. Board of Education by September, 1964.

a. New titles will:

(1) provide for the assurance of adequate protection from mob violence and police brutality;

(2) provide a fair employment practices commission.

ACTION:

USNSA supports the above pending legislation and urges that:

1. The student governments of all member schools endeavor to acquaint their student bodies with the importance of this legislation and the provisions which it contains.

2. All member schools conduct letter writing campaigns to inform congressmen and public officials of student support for the bill.

MANDATE:

The Sixteenth National Student Congress mandates the National Affairs Vice President to send copies of this resolution to members of the 88th Congress and to appropriate federal and private agencies. The National Affairs Vice President is authorized to cooperate fully with other groups in efforts to further the passage of this legislation and shall send information concerning the bill to member schools.

Washington March

FACT:

Throughout the country, unemployed citizens of all races are deprived of the economic security that is necessary for even a minimal standard of living. The widespread denial of equal rights and opportunities to minority groups has focused the attention of the nation on the problems of political and social discrimination. Economic issues are inextricably linked with this discrimination in the important areas of housing, education, employment, voting, and public accommodations. Nationwide concern for these conditions that force many citizens to exist at a subsistence level and for the prevalence of discriminatory practices that suppress the attempts of minority groups to better their social, political and economic status has led many individuals to join in a Washington march for "Jobs and Freedom."

PRINCIPLE:

A basic principle of a democratic, free society is the right of the people "peacefully to assemble and to petition the government for a redress of grievances." The United States National Student Association has specifically endorsed the right of individuals to use non-violent demonstrations to express concern and create awareness of existing social and economic injustices.

DECLARATION:

The August 28th march is an appropriate exercise of this principle. The United States National Student Association strongly supports this effort to center public attention on the related problems of discrimination and economic deprivation. In addition, USNSA urges all citizens to unite in a sincere effort to remedy the present situation as manifested by widespread unemployment and poverty, and the denial of equal rights and opportunities to minority groups.

In order that students may squarely face the social and economic problems of our times, they must consider the specific concerns of this march:

1. All pending civil rights legislation.
2. Police brutality.
3. The allocation of federal funds to institutions and projects that discriminate.
4. The application of the Fourteenth Amendment.
5. The enforcement of Brown v. Board of Education.
6. The Manpower Development and Training Act.
7. The adequacy of present minimum wage legislation.
8. The extension of the Fair Labor Standards Act.

MANDATE:

The Sixteenth National Student Congress mandates the President of the Association to appoint a three member delegation of this Congress to represent the United States National Student Association at the march in Washington. This delegation shall inform leaders of the demonstration and representatives of the news media of the full content of this resolution.

Discrimination—Americus, Ga.

FACT:

On August 8, 1963, three SNCC field secretaries—Don Harris, Ralph Allen, and John Perdew—were arrested while participating in a non-violent demonstration in Americus, Georgia. Two local citizens, Sally Mae Durham and Thomas McDaniels, also were arrested at the time. Harris, Allen, and Perdew were charged with eight counts including "inciting to insurrection." The maximum sentence for such conviction under such a charge is death and the three prisoners are being held in a separate jail until the grand jury in November. The bond has been set by the magistrate, C. M. Bradley, at $5,000.00 for each of eight peace warrants sworn out by citizens in Americus. This totals $120,000.00.

On August 17, Zev Aelong, a CORE worker, also was arrested on charges of "inciting to insurrection" while participating in a non-violent demonstration. He too faces a possible death penalty upon conviction.

Collin McGee, Thomas Douglas, Carol Bonner, Thelma Young, Lois Baker, Geneva Dutley, Annie Plesh, Geraldine Battle, Homer Smith, Mary Wolfson, Jodie Harris and Rosalie Rushing, as well as Allen and Perdew are the parties involved in the following:

1. Circumstances of arrest:

a. Multiple brutalities dating from July 19.

b. Recently, burns indicating use of cattle prodders, bandaged demonstrators, many needing stitches.

c. Police authorities seen carrying and using clubs.

2. Conditions of confinement:

a. Very crowded and mixed sleeping quarters.

b. Deplorable sanitary conditions (no water available for drinking or bathing, little ventilation, and plumbing facilities out of order).

c. Very unhealthy diet.

DECLARATION:

USNSA reaffirms its stand taken at the Fifteenth National Student Congress in "The Role of the Federal Government in Civil Rights." This resolution, citing the violation of civil liberties of students and citizens in the civil rights movement "as a result of the deliberate neglect, collusion, or active participation of local officials or policement" urged "immediate action by the Justice Department under section 241 and 242 of Title 18 of the United States Code.

EXHIBIT B

1967–1968 CODIFICATION OF POLICY OF THE UNITED STATES NATIONAL STUDENT ASSOCIATION

National Teacher Corps

FACT:

The National Teacher Corps was established on May 13, 1966, with an initial appropriation from Congress of $9.5 million. Since that time 1600 persons (300 experienced teachers and 1300 recent graduates) have been selected from over 10,000 applicants and are presently undergoing the pre-service training.

Upon completion of the pre-service training, these Corpsmen will work in poverty and slum area schools while at the same time the teacher-interns will study for advanced degrees in education or related fields at nearby universities.

"They will extend teaching beyond the classroom, and look for new ways to involve parents in the mysteries of the learning process. They will work with adult education programs and with local health and welfare agencies, with youth organizations, social clubs, and civic groups." (NTC Brochure.)

At present, needed appropriations for the National Teacher Corps are bogged down in the Senate Appropriations Committee. Without these appropriations no salary funds are available for the Corpsmen except through already over-taxed school budgets in slum areas. The appropriations are necessary to insure that each Corpsman will be able to obtain a job in a slum area school district.

PRINCIPLE:

In our world of rapidly advancing technological changes, it is important for all men to have the opportunity to receive adequate education. USNSA supports efforts to assure the maximum amount of education to all individuals. (BPD—XVIII, Equal Educational Opportunities-Free Public Higher Education.)

DECLARATION:

USNSA reaffirms its support for the National Teachers Corps as a valuable supplement to the educational process in slum area school districts because it provides experienced and new teachers with opportunities to assist slum area children in new and relevant ways. Furthermore, USNSA feels that the NTC program will suffer if Congress fails to appropriate funds for salaries, since local school districts in slum areas cannot afford to hire additional teachers.

Therefore, USNSA expresses its belief that the Chairman and the members of the Senate Appropriations Committee should approve the appropriations for the National Teacher Corps and submit them to the floor of the Senate with a recommendation for passage.

MANDATE:

The Nineteenth National Student Congress mandates the Educational Affairs Vice President to prepare copies of this special resolution and submit them to all interested parties.

Home rule for the District of Columbia

FACT:

Washington, D.C. was granted a Charter in 1802. For almost 75 years, the citizens practiced local self-government as had been anticipated by the drafters of the Constitution. Now, however, the legislative and fiscal responsibility for the District of Columbia rests with Congress. A limited amount of this authority has been delegated by Congress to a three-man Board of Commissioners who are appointed by the President.

Washington, D.C. has a population greater than that of 11 states (Alaska, Delaware, Hawaii, Idaho, Montana, Nevada, New Hampshire, North Dakota, South Dakota, Vermont, and Wyoming). And each of these states has a governor and an elected state legislature to administer local affairs; each is represented in Congress by two Senators and at least one Representative. The District of Columbia, however, enjoys neither representation in Congress nor local self-government.

Among the results of this situation are these:

A significant number of school buildings in the District are in such a bad state of repair as to be unsafe for use. The Superintendent of schools has stated that more money is spent for a child in white sections than in Negro areas. Half-day sessions and crowded classrooms are commonplace (the school population is 90% Negro; 10% white).

Housing in Washington is inadequate. According to a report issued by the National Capital Planning Commission in April, 1966, 25% of the District's residents live in a state of "abject poverty, total deprivation." In the same report, 41% of the housing is called "inadequate"; 104,700 people live in "substandard" housing (lacking such common amenities as bathrooms); some 114,000 people are said to pay "too much rent." Other facts brought out in the report are that there are 27,500 families eligible for public housing for which there is no room; 5,800 families are on public housing waiting lists; there is no minimum wage for male employees except government workers; unemployment in the Negro slums is estimated to be as high as 10%; and underemployment (long hours for sub-poverty-line pay) is indeed much higher.

Welfare benefits are totally insufficient. Thousands of school-age children have been forced to stay home from school during cold weather because of inadequate clothing.

Medical facilities for the poor are not adequate. Even in serious cases, waits of 8–12 hours are frequent.

Some city jails are, in fact, barbaric "human stockyards," in which up to 500 people have been crowded into a single room, 150' x 180', sometimes for months, awaiting trial—with no work or recreation.

The Metropolitan Board of Trade has thrown the weight of its powerful lobby against efforts to secure home rule for the District of Columbia and is, by far, the most effective local obstruction to reform. It opposes urban renewal, higher real estate taxes, and increased welfare payments.

In February, 1966, the "Free D.C. Movement" was organized by the Student Non-Violent Coordinating Committee and the leaders of other civil rights groups. The Movement has demanded that Washingtonians have the right to elect their own local government and has instituted action programs to implement its goal.

At present, the United States Senate District Committee favors self-government for the District; the House District Committee does not favor such a change.

PRINCIPLE:

"The role of the student involves a commitment to an educational process that extends beyond classroom training . . . A student operating in this role . . . must be prepared to face the challenges of modern life and he must be willing to confront the crucial issues of public policy that affect him beyond the classroom and that determine the course of his society . . . USNSA recognizes the great value of student involvement in programs of political and social action and the integral connection of these programs with the educational process . . . And in this connection the student should be concerned . . . with those great problems and issues of our national . . . life." (BPD-XIII Student and the Total Community.)

DECLARATION:

USNSA affirms its support for the "Free D.C. Movement," and its goal of home rule under the mayor-city council system for the District of Columbia. USNSA commends the leaders of the "Free D.C. Movement" for their efforts in this area. Furthermore, USNSA applauds the efforts of those members of Congress who have been in the vanguard of the home rule movement; particularly, Senators Morse (D-Ore.), Kennedy (D-N.Y.), Tydings (D-Md.), and Representatives Multer (D-N.Y.), and Mathias (R-Md.).

MANDATE:

The Nineteenth National Student Congress mandates the Educational Affairs Vice President to give all forms of legitimate assistance to groups seeking to secure home rule for the District of Columbia under the mayor-city council system.

The Nineteenth National Student Congress further mandates the Educational Affairs Vice President to send copies of this resolution to all appropriate parties concerned.

[Excerpts from form 990-A]

EXHIBIT C

Return of organization exempt from income tax—1965 or other taxable year beginning Oct. 1, 1964, and ending Sept. 30, 196

United States National Student Association, employer identification No. 23-1421976; 2115 S St., NW., Washington, D.C.

Enter the name and address used on your return for 1964 (if the same as above, write "Same"). If none filed, give reason. United States National Student Association, 3457 Chestnut St., Philadelphia Pa. 19104.

Pt. II: Information required pursuant to sec. 6033(b) and other applicable sections of the Internal Revenue Code, must be submitted in duplicate as part of your return. This part will be made available to the public.

4. Interest	$81.61
9. Other income (attach schedule.—Do not include contributions, gifts, grants, etc. (See line 17.)	90,576.42
10. Total gross income (lines 3 to 9, inclusive)	90,658.03
11. Expenses of earning gross income from column 3, Schedule A	116,570.60

DISBURSEMENTS MADE WITHIN THE YEAR OUT OF CURRENT OR ACCUMULATED INCOME FOR PURPOSES FOR WHICH EXEMPT, AND ACCUMULATION OF INCOME

12. Expenses of distributing current or accumulated income from column 4, Schedule A		
13. Contributions, gifts, grants, scholarships, etc. (See Instruction 13)		
14. Accumulation of income within the year (line 10 less the sum of lines 11, 12, and 13)		(25,912.57)
15. Aggregate accumulation of income at beginning of the year	(20,396.17)	
16. Aggregate accumulation of income at end of the year	(10,861.68)	

RECEIPTS NOT REPORTED ELSEWHERE

17. Contributions, gifts, grants, etc., received (See Instruction 17)	761,497.04
18. Less: Expenses of raising and collecting amount on line 17, from column 5, Schedule A	
19. Net contributions, gifts, grants, etc., received	761,497,04

DISBURSEMENTS MADE OUT OF PRINCIPAL FOR PURPOSES FOR WHICH EXEMPT

20. Expenses of distributing principal from column 6, Schedule A		142,772.54
21. Contributions, gifts, grants, scholarships, etc.:		
(a) Paid out in prior years	(2,254,259.89)	
(b) Paid out within the year (See instruction 21)		533,542.90

SCHEDULE A.—ALLOCATION OF EXPENSES (SEE INSTRUCTIONS FOR ATTACHMENTS REQUIRED)

1. Item	2. Total	3. Expenses of earning gross income	4. Expenses of distributing income	5. Expenses of raising and collecting principal	6. Expenses of distributing principal
(a) Compensation of officers, etc	$15,001.12	$11,327.77			$3,673.35
(b) Other salaries and wages	69,783.14	24,187.65			45,595.59
(d) Taxes	4,028.27	1,847.58			2,180.69
(e) Rent	5,275.38	1,754.40			3,520.98
(f) Depreciation (and depletion)	1,275.75	772.60			503.15
(g) Miscellaneous expenses (attach sch.)	163,979.48	76,680.60			87,298.88
(h) Totals	259,343.14	116,570.60			142,772.54

SCHEDULE B.—BALANCE SHEETS (SEE INSTRUCTIONS)

	Beginning of year		End of year	
	(A) Amount	(B) Total	(C) Amount	(D) Total
ASSETS				
2. Accounts receivable (see instructions)		$32,024.45		$20,805.47
(a) Less allowance for bad debts	$24,710.89		$41,303.26	
3. Notes receivable (see instructions)		24,710.89		41,303.26
10. (a) Less accumulated depreciation (and depletion)	26,107.18		27,382.93	
11. Land	16,745.28	9,361.90	27,382.93	
13. Total assets		103,718.79		170,815.38
		169,816.03		232,924.11
LIABILITIES AND NET WORTH				
15. Contributions, gifts, grants, etc., payable		137,009.22		100,759.47
17. Other liabilities (attach schedule)				35,000.00
18. Capital stock: (a) Preferred stock		53,202.98		108,026.23
22. Accumulated income or earned surplus: (b) Attributable to gains from sale of assets	(20,396.17)		(10,861.68)	
23. Total liabilities and net worth		(20,396.17)		(10,861.68)

1. Date of current exemption letter April 20, 1954.

2. Attach a detailed statement of the nature of your charitable, business and all other activities.

3. Have you attached the information required by:

(a) Instruction 17. Answer. Yes.

(b) Instruction 17. Answer. Yes.

4. Have you filed a tax return on Form 990–T for this year? Answer. No.

5. In what year was your organization formed? Answer. 1947.

In what State or country? Answer. Wisconsin.

8. If you acquired capital assets out of income attach itemized list and amount thereof. Exhibit G. Answer.

9. Have any changes not previously reported to the Internal Revenue Service been made in your articles of incorporation or bylaws or other instruments of similar import? Answer. No.

10. Have you had any sources of income or engaged in any activities not previously reported to the Internal Revenue Service? Answer. No.

11. Did you hold any real property for rental purposes with respect to which there is an indebtedness incurred in acquiring the property or in making improvements thereto or which was acquired subject to a mortgage or similar lien? Answer. No.

12. Have you during the year advocated or opposed (including the publishing or distributing of statements) any national, State, or local legislation? Answer. No.

13. Have you during the year participated in, or intervened in (including the publishing or distributing of statements) any po-

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litical campaign on behalf of or in opposition to any candidate for public office? Answer. No.

14. After July 1, 1950, did—The creator of your organization, or A contributor to your organization, or A brother or sister (whole or half blood), spouse, ancestor or lineal descendant of such creator or contributor, or, A corporation owned (50 percent or more of voting stock or 50 percent or more of value of oil stock) directly or, indirectly by such creator or contributor—

(a) Borrow any part of your income or corpus? Answer. No.

(b) Receive any compensation for personal services from you? Answer. No.

(c) Have any part of your services or assets made available to him? Answer. No.

(d) Purchase any securities or other property from you? Answer. No.

(e) Sell any securities or other property to you? Answer. No.

(f) Receive any of your income or corpus in any other transaction? Answer. No.

15. Do you hold 5 perecnt of any class of stock in any corporation. Answer. No.

EXHIBIT C

U.S. NATIONAL STUDENT ASSOCIATION E.I. NUMBER 23-1421976, YEAR ENDED SEPT. 30, 1966

Page 1, line 21—Contributions, gifts, scholarships, etc.

Algerian Scholarship Program	$76,928.35
Fourteenth I.S.R.S	436.37
African Freedom Fund	2,976.62
Domestic Programs	18,556.45
Latin American Representation, 1964–1965	108.85
Southern Student Human Relations	4,020.60
SCOPE—Ford Directory	22,426.01
Fund for the Advancement of Education	2,106.04
College Community Tutorial Project	6,772.53
Literacy Project	930.00
Student Stress	6,680.10
Angolian Scholarship Program	11,990.76
Polish Exchange	7,894.16
Representation in Latin America	901.85
Foreign Student Hospitality at National Student Congress	12,131.52
Publications Program	43,020.45
Vietnamese Flood Disaster Fund	1,500.00
Sports Affairs	13,320.19
Arab Student Leadership Seminar	508.49
Student International Responsibility Project	2,016.03
Director Campus Program	2,537.59
Publication Civil Rights	988.04
Nigerian Student Cultural Festival	641.01
Kenya Student Scholarship	4,163.44
Director of Cultural Affairs	2,400.61
Seminar on Cooperative Management in Israel	3,584.40
International Affairs Vice President	19,630.89
International Student Conference Dues	36,111.10
Overseas Representation	1,807.55
Technical Assistance	32,351.58
Middle East African	34,734.09
Film Festival	700.96
Algerian Scholarship Program	3,388.46
Southern Adult Education Fund	3,143.86
Fast for Freedom Fund	34,218.96
Student Services	7,011.65
Student Stress	17,720.10
Asian Student Affairs	7,682.03
Christmas Freedom	7,790.00
Sports Affairs	2,239.80
Latin American Representation	29,005.76
Eighteen Year Old Vote	3,000.00
Film Festival	1,264.32
Tutorial Assistance Center	47,495.36

[Excerpts from form 990–A]

EXHIBIT C

Return of Organization Exempt From Income Tax—1965 or Other Taxable Year Beginning Oct. 1 1965, and Ending Sept. 30, 1966

U.S. National Student Association, employer identification No. 23-1421976, 811 S. St. NW., Washington, D.C.

Enter the name and address used on your return for 1964 (if the same as above, write "Same"). If none filed, give reason. Same.

Pt. II: Pt. 1 (pp. 1 and 2) information required pursuant to secs. 6033, 6001 and other applicable sections of the Internal Revenue Code. Note: 1 copy of pt. I and 2 copies of pt. II must be filed.

4. Interest		$145.27
9. Other income (attach schedule.—Do not include contributions, gifts, grants, etc. (see line 17)) exhibit A		143,722.45
10. Total gross income (lines 3 to 9, inclusive)		143,555.73
11. Expenses of earning gross income from col. 3. schedule A		18,456.07

DISBURSEMENTS MADE WITHIN THE YEAR OUT OF CURRENT OR ACCUMULATED INCOME FOR PURPOSES FOR WHICH EXEMPT, AND ACCUMULATION OF INCOME

13. Contributions, gifts, grants, scholarships, etc. (see instruction 13)		10,524.00
14. Accumulation of income within the year (line 10 less the sum of lines 11, 12, and 13)		31,202.20
15. Aggregate accumulation of income at beginning of the year (deficit exhibit B)	($10,861.68)	
16. Aggregate accumulation of income at end of the year (deficit exhibit B)	(36,776.43)	

RECEIPTS NOT REPORTED ELSEWHERE

17. Contributions, gifts, grants, etc., received (see instruction 17)		647,632.10
18. Less expenses of raising and collecting anount on line 17, from col. 5, schedule A		
19. Net contributions, gifts, grants, etc., received		647.00

DISBURSEMENTS MADE OUT OF PRINCIPAL FOR PURPOSES FOR WHICH EXEMPT

20. Expenses of distributing principal from col. 6, schedule A		170,036.92
21. Contributions, gifts, grants, scholarships, etc.:		
(a) Paid out in prior years	(2,787,802.79)	
(b) Paid out within the year (see instruction 21) exhibit D		551,397.53

SCHEDULE A.—ALLOCATION OF EXPENSES (SEE INSTRUCTIONS FOR ATTACHMENTS REQUIRED)

1. Item	2. Total	3. Expenses of earning gross income	4. Expenses of distributing income	5. Expenses of raising and collecting principal	6. Expenses of distributing principal
(a) Compensation of officers, etc	$7,693.00				$7,693.00
(b) Other salaries and wages	65,287.49				65,287.49
(g) Miscellaneous expenses (attach schedule)	115,512.50	18,456.07			97,056.43
(h) Total	188,492.99	18,456.07			170,036.92

SCHEDULE B.—BALANCE SHEET

	Beginning of year		End of year	
	(A) Amount	(B) Total	(C) Amount	(D) Total
ASSETS				
1. Cash		$20,805.47		$31,382.48
2. Accounts receivable (see instructions) exhibit 1	$41,303.26		$68,291.21	
(a) Less allowance for bad debts		41,303.26		68,291.21
10. Depreciable (and depletable) assets (attach schedule) F	27,382.93		89,275.09	
(a) Less accumulated depreciation (and depletion)	27,382.93		89,275.09	
12. Other assets (attach schedule) exhibit E		170,815.38		15,733.25
13. Total assets		232,924.11		115,499.50
LIABILITIES AND NET WORTH				
14. Accounts payable (see instructions) exhibit 1		100,759.47		33,985.92
16. (b) Mortgages payable		35,000.00		
17. Other liabilities (attach schedule) exhibit E		108,026.32		118,236.01
22. Accumulated income or earned surplus:				
(a) Attributable to ordinary income	(10,861.68)			
(b) Attributable to gains from sale of assets exhibit B		(10,861.68)		(36,766.43)
23. Total liabilities and net worth		232,924.11		115,455.50

1. Date of current exemption letter, April 20, 1954.

3. Have you attached the information required by:

(a) Instruction I? See phamphlet. Answer. Yes.

(b) Instruction J? Answer. Yes.

4. Have you filed a tax return on Form 920–T for this year? Answer. No.

5. In what year was your organization formed? Answer. 1947.

In what State or country? Answer. Wisconsin.

9. Have any changes not previously reported to the Internal Revenue Service been made in your articles of incorporation or bylaws or other instruments of similar import? Answer. No.

10. Have you had any sources of income or engaged in any activities not previously reported to the Internal Revenue Service? Answer. No.

11. Did you hold any real property for rental purposes with respect to which there is an indebtedness incurred in acquiring the property or in making improvements thereto or which was acquired subject to a mortgage or similar lien? Answer. No.

12. Have you during the year advocated or opposed (including the publishing or, distributing of statements) any national, State, or local legislation? Answer. No.

13. Have you during the year participated in, or intervened in (including the publishing or distributing of statements) any political campaign on behalf of or in opposition to any candidate for public office? Answer. No.

14. After July 1, 1950, did—

The creator of your organization, or

A contributor to your organization, or

A brother or sister (whole or half blood), spouse, ancestor or lineal descendent of such creator or contributor, or

A corporation owned (50 percent or more of voting stock or 50 percent or more of value of all stock) directly or indirectly by such creator or contributor—

(a) Borrow any part of your income or corpus? Answer. No.

(b) Receive any compensation for personal services from you? Answer. No.

(c) Have any part of your services or assets made available to him? Answer. No.

(d) Purchase any securities or other property from you? Answer. No.

(e) Sell any securities or other property to you? Answer. No.

(f) Receive any of your income or corpus in any other transaction? Answer. No.

15. Do you hold 5 percent or more of any class of stock in any corporation? Answer. No.

EXHIBIT C

U.S. NATIONAL STUDENT ASSOCIATION E I NUMBER, 23–1421976, FOR FISCAL YEAR ENDED SEPTEMBER 30, 1965

Specific purpose grants expenditures

Southern Student Human Relations	$36,307.18
Ford Foundation Directory	23,834.22
College Community Tutorial Project	8,183.81
Student Stress	890.52
Southern Literacy Project	363.75
Film Festival	228.72
Wellington Self-Government	404.19
Books for Equal Education	621.60
Overseas Press Club	1,563.05
Fast for Freedom Fund	20,365.39
Student Services	4,775.84

Specific purpose grants expenditures—Con.

Student Stress	$353.84
Student Leader Delegate	2,080.25
New Building and Moving Cost	56,907.84
College Editors' Conference	10,833.33
Research Travel	38.64
International Pilot Project	3,047.96
Algerian Scholarship Program	3,919.19
U.S. Department of State Bureau of Education and Cultural Affairs, Algerian Scholarship Program	88,124.04
Angolan Scholarship Program	8,124.04
Nigerian Scholarship Program	1,245.00
Polish Exchange Grant	4,880.44
Student International Responsibility Project	3,000.00
Scholarship—Foreign Student	1,500.00
Program Director	5,983.50
Representation in Latin America	29,471.77
Special Assistance for Foreign Student Organizations	7,923.98
Foreign Student Hospitality	20,280.09
Publications Program	7,117.84
Representative to Viet Nam	2,131.35
Vietnamese Flood Disaster Fund	3,537.00
Sports Affairs	11,588.66
Publications Department	6,206.27
Arab Student Leadership Seminar	$18,039.38

Specific purpose grants expenditures—Con.

Student International Responsibility Project	3,268.93
East African Press	5,599.06
Special Assistant to International Vice President	692.66
Director Campus Programs	3,514.03
U.N.E.A. Representative Switzerland	1,043,10
Dubrovnick Seminar	677.80
Nigerian Student Cultural Festival	8,830.55
American Student—Publications	2,935.87
Swaziland Student Union	750.00
Scholarship Assistances	8,950.94
Director of Cultural Affairs	5,949.60
NSA Overseas Representation	33,624.19
Twelfth I.S.R.S	1,472.20
Thirteenth I.S.R.S	22,831.97
Technical Assistance	3,507.01
I.S.C. Delegates	16,267.82
International Affairs—Vice President	3,718.09
Indonesia-Malaysia, problems and prospects	3,000.00
Latin American Representation	8,786.89
Other anticipated	4,249.51
Total	533,542.90

EXHIBIT D

PERIOD OCT. 1, 1966, TO SEPT. 30, 1967

Division, NATAFF program, SD	FF monitor	Status	Duration		Total value	Unpaid, beginning of period	Changes during year		Unpaid, end of period
			From—	To—			Approved or (reduced)	Payments or (refunds)	
The University of Chicago, Chicago, Ill. Survey and analysis of the responses of Chicago Catholics to Archbishop Cody's 1967 campaign for racial integration (67–133).			Feb. 24, 1967	Feb. 23, 1968	$100,000	0	$100,000	0	$100,000
Citizens' Committee for Children of New York City, Inc., New York, N.Y. Study papers and a conference to consider the feasibility of children's allowances as an income security measure (67–156).			Mar. 24, 1967	Mar. 23, 1968	45,000	0	45,000	$45,000	0
Citizens Crusade Against Poverty, Washington, D.C. Creation of a training institute for community development workers (66–410).	Edley, C. F	A	Aug. 19, 1966	Oct. 3, 1968	883,500	187,500	508,500	187,500	508,500
Community Progress, Inc., New Haven, Conn. Community development program for residents of New Haven's middle ground and urban renewal areas (62–328).	Miller, S. M	A	June 13, 1962	Feb. 28, 1968	5,050,000	300,000	0	0	300,000
CORE Special Purpose Fund, New York, N.Y Support of Cleveland activities including Youth Training Institute, adult training program, and voter registration drive (67–446).	do	a	July 21, 1967	July 20, 1968	175,000	0	175,000	75,000	100,000
State of New Jersey, Trenton, N.J Support for the development of a comprehensive manpower system in the State of New Jersey (67–374).	Feldman, M. J	a	July 19, 1967	July 18, 1968	250,800	0	250,800	0	250,800
PERIOD OCT. 1, 1967, TO SEPT. 30, 1968									
The Community Resources Institute, Washington, D.C. Partial support of Cabinet Committee Hearings on Mexican-American Affairs, El Paso, Tex. (68–111).	Miller, S. M	a	Oct. 1, 1967	Jan. 31, 1968	5,000	0	5,000	5,000	0
CORE Special Purpose Fund, New York, N.Y Support of Cleveland activities including Youth Training Institute, adult training program, and voter registration drive (67–446).	do	a	July 21, 1967	July 26, 1969	475,000	100,000	300,000	175,000	225,000
Cornell University, Ithaca, N.Y Program to extend and expand a research project on migrant labor at the School of Industrial and Labor Relatiors (68–086).	do	a	Dec. 21, 1967	Dec. 20, 1969	55,500		55,500	20,000	35,500
Cornell University, Ithaca, N.Y Research on race relations (68–141).	do	a	July 1, 1967	Dec. 30, 1968	16,714		16,714	15,214	1,500
Council of Southern Mountains, Inc., Berea, Ky Interim administrative support for experimental activities in economic and community development in Appalachia (68–112).	do	a	Jan. 11, 1968	July 10, 1968	35,000		35,000	35,000	0
University of Detroit, Detroit, Mich Summer training institute for clergymen and laymen working to counteract white racist hostility. (68–666.)	Cooney, T. E	A	June 21, 1968	June 20, 1969	77,000		77,000	38,500	38,500

EXHIBIT F

SEPTEMBER 2, 1966.

Hon. SHELDON COHEN,
Commissioner, Internal Revenue Service,
Washington, D.C.

DEAR MR. COHEN: As you know, for the past ten months the National Right To Work Committee has been the subject of an intensive investigation by the Internal Revenue Service for the purpose of determining whether the Committee is entitled to retain its tax exemption status under section 501 (c)(4) of the Internal Revenue Code.

During the course of this investigation your representatives have made an intensive effort to find some evidence of political activity on the part of the National Right To Work Committee. They have quite frankly advised us that this is what they are looking for, and in this connection they have scrutinized all of our expenditures for printed material, staff travel, legal services, and membership promotion, have asked us for a breakdown of the activities of staff personnel particularly during the period preceding the 1964 national elections and even subpenaed the books of those printers who have done business with us. We have been expressly told by your representatives that if they turned up any evidence of political expenditures or political activities by our staff on paid time our exemption could be cancelled.

We are, of course, well aware that as an exempt organization, we cannot engage in any political action, and we have scrupulously avoided any involvement in politics of political activities. The only purpose of the National Right To Work Committee is to promote the principle of voluntary unionism. By reason of this we have incurred the enmity of union officials who have publicly expressed their intent to bury us by one means or another.

This brings us to the point of this letter. Are not labor unions, as tax exempt organizations under section 501(c)(5), subject to the same restrictions on political activities as the National Right To Work Committee and other exempt organizations? And, if this is so, why is it that labor unions can openly and flagrantly use the monies collected from membership dues to make contributions to political candidates, and assign their staff personnel to electioneering activities on behalf of union endorsed candidates? That they do all of these things on a large scale is, of course, well known and well documented. Just by way of example, in *International Association of Machinists* v. *Street*, 367 U.S. 740 (1961), the defendant unions stipulated that the dues monies collected from their members under compulsory union shop agreements were "used in substantial amounts to support the political campaigns of candidates for the offices of President and Vice President of the United States, and for the Senate and House of Representatives of the United States . . . and candidates for state and local offices." 367 U.S. 740, 745, footnote 2. In May of this year the newspapers in Washington reported a public announcement by Charles Della, president of the Maryland-District of Columbia AFL–CIO, that that organization would contribute the sum of $200,000 to support the campaign of Carlton Sickles for Governor of Maryland. Enclosed is an article written for the May 1966 issue of *Commonweal* magazine by Sidney Lens, a long-time union staff official, which points out, among other things, that the United Auto Workers Union recently donated $20,000 to the campaign of Senator Paul Douglas of Illinois. The article goes on to point out:

"Equally important is manpower. Around election time labor mobilized thousands of workers from the shops as well as many full-time organizers. The offices of the auto union, perhaps the most active of all politically, become depopulated by as much as one-half of the regular staff, all working the hustings for union-endorsed candidates. These are men, it should be noted, with considerable organizational talent, usually far above the caliber of ordinary Democrats. . . . Union-leased autos, painted over with the names of union-endorsed aspirants, plastered with signs, participate in parades and make tours with loudspeakers blaring their message. In small towns especially, such as Peoria, Illinois, or Muncie, Indiana, big unions like steel or auto can mobilize thousands of members to fill a meeting hall or listen to an open-air speech. On the first Tuesday in November innumerable union men, paid from the union treasury, can be seen driving voters to and from the polling booths, acting as watchers to assure an honest count, and calling on 'sure' voters who have not yet cast a ballot. Thus by concentrating on marginal areas, by doling out $1,000 to $5,000 for Congressional hopefuls who need just a little push to put them over, labor can make an important contribution."

Also enclosed is a recent article by one of the well known labor columnists, Victor Riesel, who points out that the AFL–CIO has assessed its 13.7 million members at a nickel a head for a special election fund of $850,000 to be spent for compaign activities in this year's national elections.

Since the Internal Revenue Service insists that the National Right To Work Committee must strictly observe the rule against political activity, and since the flagrant political activities of labor unions are largely ignored, it would seem that a double standard is applied under the Internal Revenue Code. As the public becomes more and more aware of this selective .enforcement of the law the effect can only be to break down respect for the law, a trend which seems to be rapidly undermining the foundations of orderly society.

We feel that you can quickly restore public confidence in the integrity of the Internal Revenue Service by issuing directives to your agents and offices throughout the country to undertake a sweeping investigation of the political activities of organized labor in this year's state and national elections, and revoke the tax exemption status of any union that engages in such political activities.

Very truly yours,
Reed E. Larson,
Executive Vice President.

U.S. Treasury Department,
Internal Revenue Service,
Washington, D.C., September 28, 1966.
Mr. Reed E. Larson,
National Right To Work Committee,
Washington, D.C.

Dear Mr. Larson: Thank you for your letter of September 2, 1966, with attachment, concerning the political activity of labor unions.

You asked whether labor unions, as tax-exempt organizations under section 501(c)(5), are subject to the same restrictions on political activities as other exempt organizations. Although certain sections of 501(c) of the Internal Revenue Code and their implementing regulations contain various definitions, limitations, and prohibitions relative to political and legislative activities, there is no such proscription with respect to a labor organization otherwise qualifying for exemption from Federal income tax under section 501(c)(5).

The qualifying character of a labor organization, as the term is used in section 501(c)(5), is that it has as its principal purpose the representation of employees in such matters as wages, hours of labor, working conditions and economic benefits, and the general fostering of matters affecting the working conditions of its member. *As a matter of law, a labor organization does not lose its right to exemption under section 501 because it engages in political activities*, unless by reason of the organization's improper activities it can be established that the organization is not sufficiently engaged in the union or labor activity to be characterized as a labor organization in the sense that that term is used in section 501(c)(5).

As you may know, contributors to labor organizations are not entitled to a charitable deduction; however, under certain conditions payments may qualify as a business expense under section 162. With respect to the deductibility of dues paid to a labor union or trade association as a business expense, the Revenue Act of 1962 amended section 162 by adding a new subsection (e) which provides for the deduction of ordinary and necessary expenses paid or incurred in taxable years beginning after December 31, 1962, for certain activities directly connected with legislation or proposed legislation of direct interest to the taxpayer. In no event shall a deduction be allowed for that portion of a special assessment or similar payment (including an increase in dues) made to any organization for any activity which does not constitute an appearance or communication with respect to legislation or proposed legislation of direct interest to the organization.

We appreciate your concern in this matter and want to further assure you that the Service is primarily interested in applying the internal revenue laws fairly and uniformly in all cases. We do everything we can to administer the applicable law and regulations without regard to the political leanings of any taxpayer or organization.

We trust this information will be helpful for your purposes.

Sincerely yours,
S. B. Wolfe,
Director, Audit Division.

U.S. Treasury Department,
Internal Revenue Service,
Washington, D.C., Otcober 10, 1969.
Mr. F. R. Dickerson,
President, Roper Industries, Inc., Commerce, Ga.

Dear Mr. Dickerson: Thank you for your letter of September 6, 1966, concerning the political activities of organized labor and the tax-exempt status of the National Right to Work Committee and the Sierra Club.

The records of the National Office disclose that the National Right to Work Committee has qualified for tax-exempt status under section 501(c)(4) of the Internal Revenue Code, while the Sierra Club is exempt under section 501(c)(3), and labor unions frequently qualify under section 501(c)(5).

The Internal Revenue Service maintains a program of periodic audit and review of the operations of tax-exempt organizations. If it is determined as a result of the audit program that any tax-exempt organization is engaged in activities to an extent proscribed by that section of the Code under which it has been held exempt, we will take appropriate action to revoke or modify our prior ruling. This is a factual question in each case, and the Service must examine all of the operations for the years involved.

You expressed concern regarding the possible nonuniform application of restrictions on political activities for various tax-exempt organizations. It should be noted that, although certain sections of 501(c) of the Code and their implementing regulations contain various limitations and prohibitions relative to political and legislative activities, there is no such proscription with respect to a labor organization otherwise qualifying for exemption from Federal income tax under section 501(c)(5).

The qualifying character of a labor organization, as the term is used in section 501(c)(5), is that it has as its principal purpose the representation of employees in such matters as wages, hours of labor, economic benefits, and the general fostering of matters affecting the working conditions of its members. As a matter of law, a labor organization does not lose its rights to exemption under section 501 because it engages in political activities, unless by reason of the organization's improper activities it can be established that the organization is not sufficiently engaged in the union or labor activity to be characterized as a labor organization in the sense the term is used in section 501(c)(5).

As you may know, it is the responsibility of the Service to administer the Federal income tax laws enacted by Congress as efficiently and impartially as possible. We have no power to amend the laws or to act contrary to their provisions. Your concern in this matter is appreciated and we want to further assure you that the Service is interested in applying the internal revenue laws fairly and uniformly in all cases. We do everything we can to administer the applicable regulations without regard to the political leanings of any taxpayer or organization.

We trust this information will be helpful in explaining the varying limitations or organizations qualifying for tax-exempt status under different sections in the Code.

Sincerely yours,
Forrest P. Neal,
Chief, Technical Coordination Branch.

H.R. 7432

A bill to amend the Internal Revenue Code of 1954 to deny tax exemption to organizations which endorse political candidates, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Section 501 of the Internal Revenue Code of 1954 is amended by redesignating subsection (e) as subsection (f) and inserting after subsection (d) the following new subsection:

"(e) APPEARANCES, ETC. WITH RESPECT TO LEGISLATION.—

"(1) None of the following activities by an organization described in subsection (c)(3) shall be deemed 'carry on propaganda, or otherwise attempting, to influence legislation':

"(A) Appearances before, submission of statements to, or sending communications to, the committees, or individual members, of Congress or of any legislative body of a State, a possession of the United States, or a political subdivision of any of the foregoing with respect to legislation or proposed legislation of direct interest to the organization.

"(B) Communication of information between the organization and its members or contributors with respect to legislation or proposed legislation of direct interest to the organization.

"(2) For purposes of this paragraph, matters of direct interest to the organization include—

"(A) those directly affecting its exemption under this section;

"(B) those directly affecting the deduction of contributions to such organizations under sections 170, 642, 2055, 2106, 2522;

"(C) those directly affecting any exempt purpose or function for which the organization was organized and is operating, in the case of an organization which normally receives a substantial part of its support (exclusive of income received in the exercise or performance by such organization of its charitable, educational, or other purpose or function constituting the basis for its exemption under this section) from the United States or any State or possession or political subdivision thereof, or from direct or indirect contributions from the general public.

"(3) Activities described in paragraph (1) shall not include any attempt to influence the general public, or segments thereof, with respect to legislative matters, elections or referendums."

SEC. 2. Section 170(c) is amended by adding the following new sentence at the end thereof: "For purposes of this subsection, the phrase 'carrying on propaganda, or otherwise attempting, to influence legislation' in paragraph (2)(D) shall be subject to the qualifications set forth in section 501(e)."

SEC. 3. Section 2055(a) is amended by adding the following new sentence at the end thereof: "For purposes of this subsection, the phrase 'carrying on propaganda, or otherwise attempting, to influence legislation' in paragraphs (2) and (3) shall be subject to the qualifications set forth in section 501(e)."

SEC. 4. Section 2106(a)(2)(A) is amended by adding the following new sentence at the end thereof: "For purposes of this subparagraph, the phrase 'carrying on propaganda, or otherwise attempting to influence legislation' in clauses (ii) and (iii) shall be subject to the qualifications set forth in Section 501(e)."

SEC. 5. Section 2522 is amended by redesignating subsections (c) and (d) as subsections (d) and (e) and by inserting after subsection (b) the following new subsection:

"(c) CARRYING ON PROPAGANDA, OR OTHERWISE ATTEMPTING, TO INFLUENCE LEGISLATION.—For purposes of this section the phrase 'carrying on propaganda, or otherwise attempting, to influence legislation' in paragraph (2) of subsection (a) and in paragraphs (2) and (3) of subsection (b) shall be subject to the qualifications set forth in section 501(e)."

SEC. 6. The amendments made by the preceding sections of this Act shall be applicable to taxable years beginning after the date of enactment thereof and to estates of decedents dying after the date of enactment thereof.

SEC. 7(a) part 1 of Subchapter F of Chapter 1 of the Internal Revenue Code of 1954 (relating to exempt organizations) is amended by adding at the end thereof the following new section:

"SEC. 505. EXEMPTION DENIED TO ORGANIZATIONS ENGAGED IN POLITICAL ACTIVITIES.—

"(a) PROMOTION OF POLITICAL CANDIDACIES.—Any organization described in section 501(c) which—

"(1) endorses or opposes directly or indirectly, any political candidate, or

"(2) expends directly or indirectly any of its funds to promote the candidacy of any political candidate, or

"(3) provides goods, services or anything of value to any political party or political organization, shall not be exempt from tax under section 501 for the taxable year in which it so endorses or so expends funds, and for the three succeeding taxable years; provided further, that activities prohibited by this section shall not be exempted from these prohibitions by being termed 'educational'.

"(b) CERTAIN POLITICAL ACTIVITIES.—Any organization described in section 501(c)(3) which—

"(1) makes any contributions of goods, services or anything of value to any person or organization when there is reason to believe that part or all of such contributions will be used—

"(A) to promote or oppose the candidacy of any political candidate, or

"(B) to support, directly or indirectly, any political party or political organization whose purpose is to provide candidates for political office or to promote the candidacy of persons for political office.

"(2) has any officer or employee who is actively engaged in a political campaign (within the meaning of section 7324 of title 5 of the United States Code) during his hours of employment by the organization. shall not be exempt from tax under section 501 for the taxable year ending after the date on which it so endorses, makes such a contribution, or has such an officer or employee and for the three succeeding taxable years.

"(c) POLITICAL CANDIDATE.—For purposes of this section, the term 'political candidate' means any individual whose name is presented for nomination for or election to public office.

"(b) The table of sections for such part I is amended by adding at the end thereof the following:

"SEC. 505. Exemption denied to organizations engaged in political activities."

SEC. 8. The amendments made by section 7 of this Act shall apply to acts occurring after the date of the enactment of this Act.

RESTORING CLEAN WATER

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. FISH. Mr. Speaker, congressional antipollution policy started in 1965 with the Water Quality Act. The 1966 Clean Water Restoration Act made a commitment to the States and municipalities to help finance construction of needed sewage treatment plants. Authorization under this act increases each year, amounting to $1 billion for fiscal year 1970.

It is not uncommon that appropriations fall short of authorization. On the strength of the 1966 act, however, several States with serious water pollution problems started to do something about them. As appropriations year after year failed to match the sums authorized, States and municipalities which could not postpone their antipollution efforts were obliged to prefinance the Federal share.

In the debate on the appropriation for this year in the House on Wednesday, October 8, no question was raised over the policy of Federal responsibility in attacking water pollution. No question was raised of need. In fact the issue was whether administration requests should be increased three times or almost five times.

The debate on the appropriation bill makes it clear Congress is committed to an antipollution effort. Over and over during the debate, however, it was stated that more than $600 million could not be spent this fiscal year. This was not because no States were undertaking an ambitious program against pollution; the committee report clearly indicates the contrary. The sole reason is the fact that the formula contained in the 1966 act fails to match the efforts of the larger industrial States with the greatest pollution problems, while many States cannot use what the formula makes available to them which is returned in the form of a carryover. Congress should move quickly to change this formula so that the States with the greatest need will receive adequate funding.

Not even a billion dollar appropriation would make up the deficits incurred by several States in reliance on the basic statute. New York State alone has incurred $150 million of State prefinancing and $158 million of local prefinancing for a total of $308 million. The rules with respect to the carryover provisions should be changed. The Secretary of the Interior should be authorized to reallocate carryover funds to States and municipalities which have prefinanced the Federal share of sewage treatment plants.

NATO RICE WITH VIETCONG

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 8, 1969

Mr. RARICK. Mr. Speaker, today's announcement that our soldiers in Vietnam found NATO rice in a Communist food cache is profoundly disturbing.

The American people are disgusted at products and food given in foreign aid ending up sustaining the Communist enemy.

I not only hope that the proper authorities stop this food diversion but that the American people be advised who the culprits are.

Mr. Speaker, I insert an AP release at this point:

STRAY NATO RICE

SAIGON, October 7.—An enemy rice cache found by the U.S. 25th Infantry Division included one 10-pound bag marked as the property of the North Atlantic Treaty Organization. American officers are wondering how it got from Western Europe to the Vietnam war zone.

CONGRATULATES ELKS

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. CHAPPELL. Mr. Speaker, in a day when criticism is rampant about the patriotism of many organizations, it is most refreshing to see an organization actively and openly expressing its patriotism. Such an organization is the Benevolent and Protective Order of Elks of the United States of America, which has adopted a resolution in which they call for a return of law and order in our land.

The Clermont-Groveland Lodge No. 1848 has seen fit to forward me a copy of this resolution which I am attaching to this statement. In their firm belief that our country's citizens must speak out for discipline and loyalty to our form of government, these men are urging our support of the principles and ideas in their resolution.

I support this resolution, Mr. Speaker, and I urge every Member of Congress to read it, to listen to the voices of these concerned citizens and uphold their principles which they advocate.

I congratulate the Elks Club of Clermont-Groveland. I am pleased to be a member of the great Order of the Elks.

The resolution follows:

BENEVOLENT AND PROTECTIVE ORDER OF ELKS OF THE UNITED STATES OF AMERICA, 1969

Whereas, the members of the Benevolent and Protective Order of Elks, numbering a million and a half American gentlemen who believe in God and revere our country's flag and realize the necessity to preserve the Constitution of the United States of America and the Bill of Rights, which have served to establish the finest system of government in the world, and

Whereas, we deplore the presence of crime in our streets, violence and disorder on our campuses, and lack of respect by a minority of our people for our Country's flag and the rights of others, and

Whereas, we abhor the anarchy and chaos in our schools and communities with a continuance of riots, demonstrations, and disorders which bring about malicious destruction of property and danger to the personal safety of our people, and

Whereas, we and all other loyal Americans, having displayed much patience and forebearance, are angered, dismayed and disgusted with the illegal acts of radicals, extremists, trained agitators and militants, and

Whereas, we desire to express our concern for the future of our society and particularly our youth, the majority of whom are decent and law-abiding.

Be it hereby resolved, that we stand for discipline of those who defy our laws, with the knowledge that public order is essential to achieve a solution to our domestic problems;

That we call for the full support of our membership for our law enforcement agencies and courts, and full cooperation in the enforcement of their duties in the prosecution of those who have caused, instigated or aided violations of our laws and disorder in our schools and communities;

That we favor intelligent dissent, properly used and presented, but not as an excuse for violence or destruction;

That we demand the arrest and prosecution of those dissidents, radicals and militants who engage in criminal acts of riot, disorder and rebellion against the laws of our Country;

That we demand the expulsion from school of those participating in violent demonstrations, riots or the disruption of classes and the operation of schools, colleges or universities, public or private, whether on or near the school premises, and we demand the revocation of scholarships, grants or other monetary aids of a public nature extended to those participating in such acts.

Be it further resolved, that this resolution be distributed to all Lodges of our Order where it is to be read on the floor of the Lodge at an appropriate session, posted in a prominent place in the Lodge quarters, reproduced in the Lodge bulletin and given publicity through the local news media so that not only the members of our Order but also all the citizens of our Country will know that the Benevolent and Protective Order of Elks of the United States of America respects the laws of our land and supports those charged with their enforcement.

Adopted by the Grand Lodge of the Benevolent and Protective Order of Elks in Convention assembled in Dallas, Texas on July 14, 1969.

EDWARD W. MCCABE,
Grand Exalted Ruler.
FRANKLIN J. FITZPATRICK,
Grand Secretary.

JORDAN HONORS OKLAHOMAN FOR OUTSTANDING SERVICE

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. EDMONDSON. Mr. Speaker, I was pleased to read in a recent article appearing in the AID "Front Lines" report, that Mr. Elbert Bowen, area adviser for the Agency, has been awarded the Jordanian Star Medal, third class, by the Jordanian Minister of Agriculture.

The Jordanian Government presented the Star Medal for Mr. Bowen's outstanding contributions in adaptation of the "summer fallow" method of wheat production for lands such as those in Jordan where there is only minimum rainfall and no satisfactory system of irrigation. In addition to his contributions in wheat production, Mr. Bowen also submitted new methods to increase national vegetable crops and improve systems of farm economic research. Since completing his work in Jordan, Mr. Bowen and his wife have moved to Recife, Brazil, where he is currently serving as area agricultural officer.

Mr. Bowen is to be commended for his very valuable contribution not only to AID and the Jordanian nation, but also for exemplifying the very best traditions of the United States in peaceful cooperation and assistance to its neighbors around the world.

Mr. Bowen is the son-in-law of very close family friends in Pawhuska, Okla. And has many friends in Nowata, Okla I know many of his fellow Oklahomans share my pleasure in seeing this well-deserved recognition come to an outstanding public servant.

COLUMBUS DAY

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. BIAGGI. Mr. Speaker, on this occasion honoring the birthday of Christopher Columbus, over 500 years ago, we recall once again the heroism and the insight of this most remarkable man.

We do so under new circumstances, however, for now, at last, after many years of consideration and public pressure, Congress has designated Columbus Day a Federal holiday, as of the year 1971. All America hails this decision.

There were many heroes in history prior to Columbus. There have been many since. Undoubtedly, there will be many more. Yet few if any can be said to have dared the same kind of odds as he. John Charles Frémont, the "Pathfinder" of the American West, had the advice of Indian guides to serve him on his journeys. Charles Lindbergh, although traveling alone without guidance, in his famed trans-Atlantic flight, was at least familiar with the location of the continents. The current-day astronauts, engaging the awesomeness of outer space, have all the assistance of modern technology and brilliant scientific minds. Not so, however, in the case of Columbus. If ever a man departed into the complete unknown, it was he.

Through his discovery, Columbus opened another world to the lovers of freedom—a new world in which they could unite in the construction of a new and beautiful land, the United States of America.

Here they were to build a country in which every new-born babe would have the unheard of luxury of economic opportunity, together with the inherent rights and privileges endowed upon all men by their Creator.

No sooner was our country in existence than certain Americans began thinking in terms of honoring Columbus, as the father of the new world. That is to say, back as early as the 1790's, when Washington was President and the country was fairly swarming with distinguished persons, such as Franklin, Jefferson, Hamilton, Patrick Henry, and all the rest, even in the midst of all that glory, the people turned back in their thoughts to Columbus, whom they singled out for special commendation.

Although he died believing he had merely found another passage to the East Indies, and never dreamed he had discovered a new world, to him, nevertheless, the entire credit for this stupendous achievement belongs.

The poet Santayana has written:

Columbus found a world, and had no chart,
Save one that faith deciphered in the skies;
To trust the soul's invincible surmise
Was all his science and his only art.

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In the same spirit, we must, as Americans, maintain the courage of Columbus. We must, as Americans, discover the great secrets of mankind, in order to solve the problems of our universal destinies.

NEW PAMPHLET ON WOMEN'S RIGHTS AVAILABLE FROM EEOC

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. CHARLES H. WILSON. Mr. Speaker, when one considers the Equal Employment Opportunity Commission, one nearly always thinks in terms of racial equality, and I suppose this is quite logical. However, we should not forget that there is, on the horizon, a certain, sometimes down-trodden group of individuals whose employment opportunities are frequently limited due to factors other than legitimate concerns, such as ability, education, skill, and so forth. I refer, of course, to women. While it is difficult to deny that "you've come a long way, baby," it is also true that we still have a good deal of ground to cover as far as full employment rights for women are concerned. Thus, I am pleased to bring to the attention of my colleagues and the public the recent publication by the Equal Employment Opportunity Commission of its pamphlet on discrimination on the basis of sex. It is titled "Towards Job Equality for Women" and is available on request from the EEOC, 1800 G Street NW., Washington, D.C. 20506.

Summarized in the report are the employment rights of women, as well as the provisions of the 1964 Civil Rights Act which are concerned with discrimination based on sex on the part of employers, unions, and employment agencies.

Since publication, I should add, the commission's guidelines have been amended to insure that State regulations dealing with the occupations women may hold, the hours they may work, and weights they may lift do not constitute justification for limiting women's work opportunities. The enactment of the amendment was the result of the decision of the commission under its prior guideline.

HON. JOSEPH Y. RESNICK

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 7, 1969

Mr. ALBERT. Mr. Speaker, it was with a deep feeling of shock and regret that I learned of the death of our former colleague from New York, the Honorable Joseph Y. Resnick.

In the 4 years that Joe Resnick served in this House I came to know him well. On occasion we disagreed but never was there any doubt of Joe Resnick's deep commitment to the causes in which he believed and to the high ideals of this House.

All of us who knew him will miss him. The history of this House is richer because he served here and our lives are richer because we knew him. We are all deeply saddened that his outstanding career in business and in public service has been cut off in his prime.

Mrs. Albert joins me in extending deepest sympathy to his wife and family.

A TRIBUTE TO CASIMIR PULASKI

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. RODINO. Mr. Speaker, this forthcoming October 11 will be the day when we have the privilege of paying tribute to the great Polish soldier and hero of the American Revolution, Casimir Pulaski, a fiery, exuberant champion of liberty. The American cause of 1776 attracted many talented supporters from many foreign lands, but none could be said to excel Pulaski in fighting spirit, military ability, or democratic purpose.

As a citizen of Poland, Pulaski had grown to manhood under harsh political circumstances. Surrounded by large and powerful neighbor countries, Poland was constantly under assault, generally dominated by foreign rulers, and often involved in revolt. In 1768 the Polish Government under King Stanislaus II was the tool of Russia, and Polish patriots took up the revolutionary cause, seeking independence. Initially successful, with the powerful military assistance of Pulaski, they established the Confederation of Bar. In time, however, they were overcome, and Pulaski, in company with many others, was driven into exile. His journeys taking him to France, in 1775, he there was advised of developments in America. At that point, of course, the American patriot forces, were preparing to resist British domination, and Pulaski saw in this a full-scale duplication of Poland's struggles against the wiles and machinations of her neighbors. Won to the American cause, instantly and without hesitation, Pulaski contacted Benjamin Franklin, who in turn referred him to George Washington.

Pulaski arrived at Boston during the summer of 1777 and soon was involved in some of the most important fighting of the Revolution. Serving as a volunteer under Washington he participated with distinction that September in the battle of Brandywine. The following month he served again at Germantown. An expert on cavalry operations, he was at first unable to exploit this capability for want of an effective American cavalry force. Such a force was raised, however, in the winter of 1777 and Pulaski became its commander. Almost at once the cavalry saw service at Trenton, where it performed with distinction. At Flemington, N.J., in conjunction with the famed "Mad Anthony" Wayne, the cavalry engaged in a major foraging expedition, to feed the troops encamped at Valley Forge.

At the insistence of Washington, Congress granted Pulaski permission to organize an independent cavalry corps in 1778. The following year he was ordered with his corps to South Carolina, with the object of bringing his talents to bear in behalf of forces under General Lincoln. On October 9, 1779, with victory in sight, the American cavalry charged the British lines in dramatic assault. Pulaski was there, of course, at the front—urging forward his fine, fierce horsemen, calling upon them to overrun the foe, to drive them from their works. In the midst of the fray, he fell, seriously wounded. Removed at once to an American ship, anchored off the Carolina coast, he was examined by doctors, who, however, were unable to save his life.

So it was for this great American hero—who never even lived to see his adopted country under peaceful conditions. To Pulaski, who had known Poland as a land of turmoil and violence, the American colonies appeared in the same light. And yet, the storm and the fury was all but a stage in the life of America—a stage that was to be followed by peace, prosperity, and great achievement. Pulaski, who sensed this for both America and for his native Poland, is honored by all that has occurred in this land since his death. Moreover, the time is sure to come when the same will be the case so far as Poland is concerned, when, finally, Pulaski's dream comes true, and Poland, too, shall take her place among the free nations of the world.

THE PUBLIC BURDEN

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. BURKE of Florida. Mr. Speaker, today I am introducing legislation which further involves our Federal tax system, in finding solutions to ease the public's burden. It is my hope that this proposal will strongly suggest that our two congressional tax committees utilize the tax system rather than turning over administration of health care delivery to the Federal bureaucracy as some are suggesting today.

Under our present system, taxpayers may deduct as medical expenses those expenses in excess of 3 percent of their adjusted gross income. In addition, they may take a special deduction for a percentage of health insurance premiums. A taxpayer who furnishes medical support for a parent 65 or over is also governed by the 3- and 1-percent rules.

Prior to the enactment of Public Law 89-97—medicare—taxpayers 65 and over could deduct their medical expenses, without regard to the 3- and 1-percent rules, and taxpayers furnishing medical support for a dependent parent age 65 or over were not limited to the 3- and 1-percent rules as far as such expenses were concerned.

This bill would remove the 3- and 1-percent limitations and would permit any taxpayer to deduct the full amount of medical expenses and drug expenses paid for the medical care of the taxpayer, his spouse, and dependents.

In addition, it would further provide that the taxpayer could claim such de-

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ductions for a person age 65 or over who would otherwise be a dependent except that for this purpose the taxpayer would not have to furnish one-half the support of the elderly person.

END ELECTORAL COLLEGE

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. BOGGS. Mr. Speaker, 3 weeks ago, the House made history by approving and sending to the Senate House Joint Resolution 681, which provides for the direct election of the President of the United States. It may prove to be one of the most important pieces of legislation passed by this or any other Congress, for it may lead to the greatest alteration in our electoral system in our history. Many of us hope so, because it is vitally important that the Senate pass this measure and that it be ratified by the various States.

The reasons why it is important that electoral reform be swiftly carried out are admirably set forth in a recent editorial in the New Orleans States Item. Though this subject has been a topic of constant commentary and discussion, I believe this editorial offers fresh insights, and I am happy to call it to the attention of my colleagues:

END ELECTORAL COLLEGE

The unresponsive Electoral College method of selecting a president should be abolished in favor of a direct vote of the people, this newspaper believes.

In our estimation, the reform is long overdue and, in fact, almost comes too late.

Only by the barest margin was the 1968 presidential election decided by the people, through the Electoral College, and not by a House of Representatives subject to pressures from third-party candidate George W. Wallace.

There are a number of logical reasons for a direct vote in a presidential race.

Most important, perhaps, direct selection of a president will make the vote of the individual much more meaningful at a time when he feels the frustration of anonymity against a backdrop of increasing political complexity.

More specifically, every vote will count. It will not, as is now the case, be lost at the state level under a winner-take-all system. Thus, a Republican in a hard-rock Democratic industrial state in the Northeast is assured that his vote will count. The same applies for the lonely Democrat in a hidebound Midwestern state dedicated to Republicanism.

The change will force presidential candidates to beam their appeal to the entire nation, not just to a strategically selected group of states computer-calculated to produce an Electoral College victory. It will be extremely difficult for a candidate to "write off" a section of the country or to concentrate on the big-city vote at the expense of all else.

Abolishing the Electoral College will rule out the possibility that a third-party candidate would ever find himself in a position to throw the selection of a president into the House of Representatives.

As was pointed out in an earlier editorial, the power to pick a president in 1968 could conceivably have shifted from the 72 million Americans who went to the polls to the shoulders of one third-party candidate. Such a dangerous set of circumstances should not be allowed to materialize again.

A direct vote will assure that a man who receives the largest popular vote will go to the White House. It is a fact that in three presidential elections, the man who ultimately was sworn in as president actually received fewer votes than his opponent. But he captured more Electoral College votes.

The reform would rule out the possibility that an elector, supposedly with a mandate from his state, would decide to vote his personal convictions instead. This too has been done.

The critics see pitfalls in making the historic change. We believe the opportunity to make the choice of a president far more responsive to the voice of the people outweighs the dangers envisioned.

The Senate should follow the recommendations of President Richard M. Nixon and the lead of the House of Representatives in approving a constitutional amendment to allow for direct elections. We would then hope that the necessary 38 states would ratify the 26th Amendment.

DECLARATION OF HIS MAJESTY THE KING OF THE BULGARIANS

HON. JAMES R. GROVER, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. GROVER. Mr. Speaker, several years ago, the young King in exile of Bulgaria, visited the United States. During that time, I had the pleasure of meeting His Excellency and was most impressed with his zeal and dedication to the welfare of his people. Recently, he has issued a declaration regarding the situation in his country today, 25 years after the Communists' coup d'etat. I believe it is a most telling statement explaining what happens to a people when they lose their freedom. I believe my congressional colleagues, indeed, all Americans, should read this revealing statement. For this reason, I am pleased to include this review in the RECORD:

DECLARATION OF HIS MAJESTY THE KING OF THE BULGARIANS

The Communist regime in Bulgaria is preparing to celebrate the 25th anniversary of its seizure of power. A quarter of a century of political assassination, persecution, intellectual and religious oppression will be praised as the dawning of a new Utopia.

The present leaders of Bulgaria try to spread the myth that on September 9, 1944, there had been a "popular revolution". The historic truth is that during My minority whilst the country was governed by a Regency Council and Parliament, the Communists, with the help of the same foreign army which now occupies Czechoslovakia, staged a military coup d'etat. Bulgaria, until 1944, was making overall progress and was about to emerge undamaged from the Second World War, in which it did not take a direct part. Indeed, until Soviet troops invaded Bulgaria, diplomatic relations between Sofia and Moscow had remained unbroken.

Then as now, the Communists were a tiny minority—barely 8 per cent—without the political standing or popular support to gain power by legal means. When it was free, our country, which many of us remember, was a State where the law was respected, and neither class distinction nor racial discrimination existed with no demand for a change in the political system. The coup directed from abroad by George Dimitroff (whom My Father had pardoned a few years earlier), was certainly not brought about by a call for reform. If the totalitarian regime in Sofia dares to dispute this, let it hold truly free elections.

Twenty-five years after the coup d'etat the Bulgarian people, cruelly exploited by arbitrary economic measures, continue to be deprived of their basic human rights and freedoms. We believe that in a liberated Bulgaria, property, and above all the farmers' land, should be returned to its legal owners, or where, because of modern agricultural needs and methods, this proves difficult, fair compensation should be paid. This does not mean a turning back of the clock, but the laying down of sound economic foundations for the future.

The reactionary Sofia regime has done away with the Constitution of Tirnovo and all its guarantees. The country's energy is squandered, its labour and wealth wasted on the imperialistic goals of international Communism. Inspiration is poisoned, artists and writers are forced to follow cramping political directives. The truth is distorted and only fear, through the countless abuses and privations, holds back the people's resentment. Born in deceit, nurtured in lies, the Communist regime will celebrate, on September 9 amidst irrealities and more lies, nothing but its utter failure.

Is it possible to ask the Bulgarian people to celebrate this anniversary, which recalls its thousands of victims, its prisons, its concentration camps, the so-called people's courts, poverty and the suppression of civil rights and liberties?

The little that has been accomplished in 25 years—insignificant compared to the progress in economically independent countries—is not due to the regime's efforts, but to the people's toil. Even if the Communist party were to fulfill their vain promises to raise the standard of living, this could never satisfy the Bulgarians, because nothing can compensate for their loss of freedom.

Our people are tough and will survive. They possess great qualities and our beautiful homeland has the resources to rise again and take its place in a strong and united Europe. This is why We encourage Western tourists to visit Bulgaria, to see that the country deserves better, to sense, despite continuing oppression, its increasingly evident desire for freedom. The example of our neighbours' independent policies heartens us, but so long as an outdated ideology with nineteenth century tinges guides Bulgaria's retrogressive leaders—at a time when man has conquered the moon—that is no hope of change, for the evils of servility, disregard of professional opinions of experts and economic exploitation for the benefit of a foreign power will continue to plague our country.

Nevertheless, the desire for revenge and feeling of hatred must be overcome to achieve true national reconciliation and unity. With the support of all the Bulgarian people—for right is on our side—we shall create together a just and modern government. We Bulgarians look confidently to the future convinced that freedom, justice and welfare will finally triumph in our land.

This is the ultimate goal in the life of He who is still King of the Bulgarians and whose thoughts are constantly turned towards Bulgaria.

HON. JOSEPH Y. RESNICK

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 7, 1969

Mr. EDWARDS of California. Mr. Speaker, it is with great sadness that I

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read Tuesday of the death of former Congressman Joseph Y. Resnick. Congressman Resnick and I were neighbors in the Cannon House Office Building during my second term in Congress. He was a friend, a help, and a valuable addition to this House.

In addition Congressman Resnick was a courageous and intelligent legislator. All of us remember the valuable service he performed in his investigation of the Arnheiter case and his determined stand in defense of American farmers.

In addition Congressman Resnick supported the best interests of the Nation in his drive for civil rights and his advocacy of a congressional code of ethics.

Congressman Resnick had been vastly successful as a businessman prior to winning election to Congress from Ellenville, N.Y. He and his brothers, Harry and Louis, built the Channel Master Corp. from a $7,000 firm to a corporation with 1,100 employees and sales of $45 million. It is to Congressman Resnick's credit that the fact of having made money was to him but an opportunity to further serve his fellow man. And when he left Congress, he did not cease his efforts to improve the lot of all mankind.

We will miss Congressman Resnick and I personally want to offer my condolences to his wife, Mrs. Ruth Lehrer Resnick and their three sons and a daughter. All of our lives were enriched by Congressman Resnick, and we will be diminished by his loss.

A TRIBUTE TO THE LATE WENDELL L. WILLKIE

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. BRADEMAS. Mr. Speaker, October 8 marked the 25th anniversary of the death of an extraordinary figure in modern American life, Wendell L. Willkie.

As a native of Indiana, the State of Wendell Willkie's birth, I have always naturally been interested in Mr. Willkie and his contributions to our country.

Moreover, I remember as a boy walking with some relatives of mine in Elwood, Ind., Mr. Willkie's hometown, who had known him as a young man.

I remember, too, in the presidential campaign of 1940, Mr. Willkie's visit as the Republican presidential nominee to my hometown of South Bend, Ind., and from my front porch watching his drive down Michigan Avenue, the main street in the city.

Although a Democrat and a strong supporter of President Roosevelt, I was nonetheless moved even then to respect Wendell Willkie for his deep sense of responsibility to the Nation which overrode his sense of loyalty to his party.

Wendell Willkie made great contributions—and, Mr. Speaker, I do not make this observation invidiously—toward bringing the Republican Party into the 20th century, and if, as some of us Democrats may at times think, our Republican friends still have a distance to go, we can all as Americans be grateful to Wendell Willkie for what he contributed not only to his party, but to the Nation and the world.

PEACE IS ATTAINABLE

HON. PHILLIP BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. BURTON of California. Mr. Speaker, Miss Theresa Ann Callahan wrote as a student at Marymount High School in Palos Verdes, Calif., a paper entitled: Peace is Attainable.

A copy of this paper was recently sent to me and after reading it, I should like to share it with my colleagues.

I would note that Miss Callahan is now 20 years old and a junior majoring in languages at UCLA. She is the daughter of Mr. M. R. Callahan, international vice president, Hotel and Restaurant Employees and Bartenders International Union.

I was struck by her thoughtful concern for peace, a concern which millions of our citizens share.

The item follows:

PEACE IS ATTAINABLE

Today's world is not a peaceful one. Rivalries and conflicts erupt into violence with alarming regularity. The emergence of a new leader in any unstable nation, for example, is overshadowed by the dire threat of a retaliatory coup; nations are aligned in opposing camps; and, as guerrilla warfare is waged in the jungles of Southeast Asia, nuclear war is literally at our fingertips. Yet today, as perhaps never before, men are seeking to establish universal peace. Plans for peace, although characterized by extreme idealism, are nevertheless significant representations of the spirit of our times. The practical problem, of course, is to determine a *workable* plan for peace. In this respect, our generation has the advantage of being able to draw from the resources of some of the greatest thinkers of all time, for a concern that peace be established is in no way peculiar to our age. Among those individuals and groups whose contributions toward world peace should be acknowledged are Immanuel Kant, Pope John XXIII, and the Society of Friends.

Any discussion of world peace demands that several important considerations be kept in mind. First of all, the Society of Friends recommends that a capacity for flexibility be supported. Structures and policies for the maintenance peace may become outmoded, and therefore must be subject to revision. An outstanding example of this flexibility occurred when the League of Nations was replaced by the United Nations. Likewise, theories such as balance of power, counterforce, and deterrence through arms buildup—although relevant to one age—may be discarded in another.

Secondly, the importance of international cooperation cannot be underestimated. In 1795, German philosopher Immanuel Kant declared such cooperation is not merely advisable, but essential: "Reason without exception condemns war . . . and makes a state of peace an absolute duty; and since this peace cannot be effected or be guaranteed without a compact among nations, they must form an alliance of a peculiar kind, which might be called a pacific alliance (*foedus pacificum*)." Kant's world federation of states had as its aim the avoidance of war; today's United Nations has a wider and more positive role. In addition to its essential purpose of consolidating peace, the United Nations also carries out important international duties in the economic, social, cultural, educational, and health fields.

The question of whether or not the member nations of an international league must subordinate their jurisdiction to a higher authority is a complex one. Every significant peace plan based on the establishment of such an organization provides that each member nation will retain its sovereignty. In reference to his proposed alliance of republican states, Kant insisted that "this alliance does not tend to any dominion over a state, but solely to the certain maintenance of the liberty of each particular state, partaking of this association, without therefore being obliged to submit, like men in a state of nature, to the legal constraint of public force." Pope John XXIII also emphasized the limitations of supranational organizations, stating, "The world-wide public authority is not intended to limit the sphere of action of the public authority of the individual state, much less to take its place." However, the very nature of cooperation dictates that some authority must be delegated; the guiding principle is that of subsidiarity. Pope John XXIII outlined this principle when he asserted: "The world-wide public authority must tackle and solve problems of an economic, social, political or cultural character which are posed by the universal common good. For, because of the vastness, complexity, and urgency of these problems, the public authorities of the individual states are not in a position to tackle them with any hope of a positive solution."

The most important consideration in determining a plan for universal peace is the basis upon which the peace will be constructed. In his encyclical *Pacem in Terris*, Pope John XXIII called for a peace "founded on truth, built according to justice, vivified and integrated by charity, and put into practice in freedom." According to truth, states have been endowed with an *equal* natural dignity; intense nationalism, often cited as the greatest stumbling-block to the establishment of world peace, must be eliminated. Furthermore, justice requires that nations forget their differences and recognize instead the solidarity which unites them. The Society of Friends advocates this solidarity by their proposal that the essential unity of nations should be promoted by regarding the world as a unit. Charity should be demonstrated by unselfish and productive collaboration, that socio-economic inequalities may be resolved. Above all, relations among nations must be conducted in freedom.

Respect is another essential condition for world peace. Based on equality, this respect must be extended to every human being—despite the ideology to which he is committed. Universal and inviolable respect is the foundation of the brotherhood of man.

Finally, a true peace is a lasting one. Kant maintained that "no treaty of peace shall be esteemed valid, on which is tacitly reserved matter for future war." His qualification is valid, for peace is no mere suspension of hostilities; today the term properly describes a lasting condition of harmony among nations. In order to achieve this state, men must abandon the negative attitude that war is inevitable.

If the norms outlined above are fulfilled, a plan for peace can be formulated. According to this plan, a union of nations with universal membership would be established. Theoretically, this organization should be a world community, a family of nations not completely unlike the United Nations. Nationalism would be replaced by internationalism; each member nation, however, would be recognized as an equal, sovereign nation. Although critics might point out that aggressive competition culminating in warfare seems to arise from the very existence of a structure composed of independent and sovereign states, the problem is not to eliminate competition, but to prevent the resolution of the conflict by warfare. The adoption of a meaningful plan for total disarmament would solve this problem. Moreover, the alignment of nations into opposing camps would be abolished since, ideally, every nation would be concerned with the common good. All member nations would have an equal voice in the deliberations of the community; there would be no powerful nations endowed with a crippling veto power. The organization would be less of an alliance for defensive action, and more of a structure having as its goal the establishment and security of peace through international understanding, appreciation and cooperation. As Burton suggests, the community of nations would provide "a forum from which there can be a promotion of ideas and theories, the spread of knowledge regarding the basic principles of international peaceful conditions, and the advocacy of suitable national policies."

Incorporating the proposals of the Society of Friends, it should be characterized by the willingness of its member nations to unite in areas of mutual concern—language, population, scientific and technical information. Because peace is more than the absence of war, those conditions conducive to peace (social and economic stability, education, culture, and political rights) would be established on a world-wide basis. Peace as the active inter-relation among states further demands that communication and mutual assistance among nations be an indispensable part of any peace program. The nations of the world would, in the words of Albert Palmer, "wage peace with the same unified heroic determination, knowledge of resources and clarification of objectives, the same clear-headed planning that a good general uses in waging war."

The success of this plan, of course, depends upon the adoption of the fundamental qualifications previously stated: the peace must be based on truth, justice, charity, freedom, respect, and a conviction that the peace is a lasting one. If these requirements are fulfilled, peace will be not only attainable; it will be inevitable.

THE LATE HONORABLE JOSEPH Y. RESNICK

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 7, 1969

Mr. ADDABBO. Mr. Speaker, the news of the sudden and untimely passing of our former colleague, Joseph Y. Resnick, came as a shock to us.

Joe did not return to the 91st Congress and he was missed, but now we have lost a friend as well as a colleague. The image which Joe Resnick achieved in his two terms in the House was merely a reflection of his life. Joe was a fighter, afraid of no man and of no idea. He was dedicated to the people of the 28th Congressional District which he represented and he was deeply concerned with national issues.

His experience as a businessman of great success was a great asset for Joe Resnick as a Member of Congress. He possessed sound judgment and he knew the plight of those less fortunate. He battled on behalf of the small farmer, the small businessman, and the members of oppressed minorities. He wanted to help the disadvantaged and he devoted his energies to the civil rights movement.

The history of American politics will record the colorful and exciting events which marked Joe Resnick's career and those of us who were privileged to know Joe and to work with him will not forget his warm and outgoing personality.

As a friend Joe was loyal and without fault. This is the greatest loss of all for those of us who knew Joe as our friend.

My sincere condolences to his lovely wife and family.

PULASKI DAY

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. CUNNINGHAM. Mr. Speaker, this week we observe the 190th anniversary of the death of a gallant fighter for freedom, Gen. Casimir Pulaski, the great Polish-American hero of the Revolutionary War period. He died on the field of battle during the siege of Savannah on October 11, 1779.

In appreciation of his services to the cause of American freedom and independence it has become customary to pay a well-deserved tribute to the memory of this gallant soldier who left his native Poland and came to the American Colonies to join in their struggle for a righteous cause. Pulaski participated in the battles of Germantown and Trenton, and also was with the main army at Valley Forge in the winter of 1777–78. He was only 31 years of age when he lost his life at Savannah.

Freedom-loving Americans observe each year the anniversary day of the death of this brave patriot. We have named that day Pulaski Day and observe it in many parts of our country with appropriate ceremonies, as we acknowledge the debt we owe to him as one of the great fighters for the cause of American democracy.

Americans of Polish descent are justifiably proud of General Pulaski's role during our Revolutionary War period. He hated tyranny and fought against it, first in his native Poland which sought to free itself from the domination of Russia, and later with the American Colonies. To him, it was a struggle for mankind's freedom from tyranny and he gave his life for that struggle.

Mr. Speaker, when we honor the memory of General Pulaski, we also honor all Americans of Polish descent who helped in the development of America as a great nation and fought in its wars for its freedom and security. They have contributed of their talents and their energy toward our cultural and religious life, our political institutions, and our economic growth. I salute them and voice my fervent hope that General Pulaski's ancestral home, Poland, will soon be liberated and its people will once again live in freedom.

SGT. CARL JOHNSON

HON. PHILIP E. RUPPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. RUPPE. Mr. Speaker, recently I heard a radio commentary on the dilemma our Nation faces in Vietnam. One assertion made was that the American fighting man lacks the will, or perhaps the dedication, of soldiers in previous conflicts. In my opinion, such an assertion is categorically wrong. I have served during periods of conflict and I have been to Vietnam as a Congressman. In my opinion the fighting man of today is equal in every measure to the fighting men of World War I, World War II, and Korea.

Daily, in Vietnam, young men are risking their lives. They do this, not because they agree with every aspect of our policy, but because they have a strong sense of duty. Often our men not only do what is expected of any good soldier, but engage in selfless acts of genuine heroism.

One such hero is Sgt. Carl Johnson of Wakefield, Mich. Sergeant Johnson, like most American soldiers, did not enjoy the fighting. In the lines of his last letter, which he never finished, Sergeant Johnson wrote:

> Something I never wanted to do in my life is kill. Each and every guy over here is lonesome and does a lot of crying. We all are scared thinking how close we are to death and never knowing which one is going to be next. Like me, now, I do a lot of praying as I heard say prayers will help sometimes.

Like most of our boys, Sergeant Johnson was determined to make it home. In his last letter he also wrote:

> I know I've got to make it back home, because I haven't got much longer to go and they will be waiting.

But Sergeant Johnson did not make it home. On the night of June 22, 1968, while serving as a radar team leader of a radio tower in a combat area, an enemy rocket passed close to his position. Sergeant Johnson ordered his senior radar operator to take cover and began to estimate the enemy location. As a second rocket passed just below his platform, it became clear that the enemy was attempting to knock out the tower. Sgt. Carl Johnson, a man with a will to live and a short time left in Vietnam, did not break and run for cover. He continued to disregard his own safety in order to relay information to the tactical operations center. As the third rocket exploded in the upper portion of the tower, Sergeant Johnson was mortally wounded.

A close friend of Carl Johnson's wrote:

> Sure he could have left the tower or laid down on the floor also. Because he didn't, more men are alive now, and there was less injury because of Carl's actions. The enemy position was knocked out.

Carl was posthumously awarded the Bronze Star Medal with a first Oak Leaf Cluster for heroism. But that is not the point. As his mother wrote in a letter to me:

Medals and scraps of paper are just the mortal objects that will in time wither away into the meaningless form from which they came.

Carl Johnson, in his devotion to duty and the safety of his fellow men, demonstrates the high caliber of America's fighting man. While our policies may go astray and our Nation may be divided, there can be no doubt that the heart of America's strength and security is in its Carl Johnsons, is in its men.

ELECTORAL COLLEGE REFORM

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. RYAN. Mr. Speaker, House Joint Resolution 681, to provide for the direct election of the President and Vice President through a constitutional amendment was overwhelmingly approved by the House on September 18 by a vote of 339 to 70. I hope that the Senate will soon act, and also approve direct election. Now that President Nixon has expressed his support of the concept, other support for electoral reform should follow.

The New York Times has conducted a survey of sentiment in the 50 State legislatures, of which three-fourths must approve of the proposed constitutional amendment. The results of that survey should dispose of the argument often used against direct election to the effect that it could not be ratified by 38 States. According to the survey, 30 State legislatures already seem likely to approve the direct election plan.

I urge my colleagues to read the following article by Warren Weaver, Jr., which was published in the New York Times on October 8. It is an insightful article which certainly should convince the skeptics that public sentiment favors direct elections.

The article follows:

A SURVEY FINDS 30 LEGISLATURES FAVOR DIRECT VOTE FOR PRESIDENT

(By Warren Weaver, Jr.)

WASHINGTON, October 7.—What had seemed the most serious obstacle to replacing the Electoral College with a popular-vote choice of the President—ratification of the reform plan by 38 state legislatures—may not be so serious after all.

There are already 30 legislatures that appear, according to their leaders, either certain or likely to approve a constitutional amendment embodying the direct election plan if it passes its final Congressional test in the Senate.

In six other states, the picture has not crystallized enough for a reading, one way or the other. Six legislatures are leaning toward opposition to the direct plan and eight appear solidly opposed.

These are the results of a check of political sentiment in the 50 state capitals by The New York Times. The results reflect the current judgment of more than 200 legislative leaders of both parties and most of the Governors.

The survey was conducted to test the validity of the argument that the direct election amendment should not be approved by Congress because there is so much opposition at the state level that it could never be ratified. President Nixon took this position last February but reversed himself last week.

If the legislative leaders' predictions are correct and if backers of direct election are able to win over the legislatures where opinion has not now gelled, the backers would have to turn around only two more states to obtain the necessary three-quarters or 38 of the 50.

Congressional sponsors of the direct plan, anticipating Senate approval, have already begun planning a state-by-state campaign for ratification, with the assistance of such organizations as the American Bar Association, the United States Chamber of Commerce and the American Federation of Labor and Congress of Industrial Organizations.

Opposition to the direct election system appears strongest in the South, the Middle West and the Mountain States. In both the first two areas, however, about half the states either favor the direct plan or are neutral.

Under the present system, a Presidential candidate who carries a state gets all its electoral votes, however narrow his victory. The candidate with a majority of the electoral vote wins; if no one has a majority, the decision is made by members of the House of Representatives on a one-state, one-vote basis.

Under the direct plan as approved by the House, the candidate with the largest popular vote wins, no matter which states he carries or loses, as long as he gets at least 40 percent of the vote. If he falls short of 40 per cent, he goes into a runoff with his closest competitor.

Of the 50 Governors, 19 favor the direct plan and 8 oppose it, with the remaining 23 either undecided or not prepared to take a public position. The Governors have no official role in the ratification process, but their political influence may be important in some states

THE MOUNTAIN STATES

In the sparsely populated Mountain States, only Wyoming was listed as somewhat favorable. Idaho, Montana and Nevada were regarded as somewhat opposed and Colorado and Utah as strongly opposed.

Critics of direct election say it would reduce the political influence of the smaller states, whose electoral-vote count, though small, is larger than they would be entitled to on a strict population basis. The counterargument is that their influence is already so small a cut is not really important.

In the south, the Alabama and South Carolina legislatures were reported to be opposed and those in Mississippi and Virginia somewhat opposed. In the Middle West, the strongly opposed states were Kansas, Nebraska, North Dakota and South Dakota.

The survey cast considerable doubt on the likelihood of the direct election amendment's winning ratification in time to become applicable to the 1972 election. The House-passed amendment sets an effective deadline of Jan. 21, 1971, for the final state ratification to make the plan effective in 1972.

Senate sponsors of the direct plan would like to extend this deadline somewhat, to May or June of 1971, to allow more time to line up states. In the light of President Nixon's recent endorsement of the cause, Republican insistence on the early deadline may be relaxed.

Nineteen of the legislatures do not have regular sessions scheduled until January of 1971 or later, although in some cases there may be special sessions during 1970. Trying to obtain ratification in a number of states in the first two weeks of a new session would undoubtedly be difficult.

New York, New Jersey and Connecticut are among the nine states whose legislatures are reported as strongly favorable to the direct plan. Governors Rockefeller of New York and John N. Dempsey of Connecticut are known to favor the direct plan, and both gubernatorial candidates in New Jersey have endorsed it.

The traditionalist argument against direct election was typified by a remark by State Representative Clifford B. Hearn Jr., a Delaware Democrat, who said:

"If the Electoral College system was good enough for John M. Dickinson and George Read, it's good enough for me." He referred to two Delaware signers of the Constitution.

In at least two states, Illinois and Pennsylvania, there was evidence that some Negro legislators would oppose the direct plan. State Representative K. Leroy Irvis, majority leader of the Pennsylvania House, said his opposition was based on "a very purely selfish reason."

"The Negro people are collected in the North and East in urban areas," Mr. Irvis said. "The only way they can have any political clout is through their vote in presidential elections. If by being the balance of power they can swing an election, they have a leverage which popular election removes."

Likewise, the 18 Negroes in the Illinois legislature are likely to vote against the direct election amendment on the ground that it would dilute black political influence in the state.

An illustration of how a small state would lose political power under the direct plan came from the speaker of the unicameral Nebraska Legislature, Jerome Warner, who estimated that his state's national influence would decline from 0.9 per cent now to 0.7 per cent with direct election in force.

Opposition to the direct plan in the Alabama Legislature reflects a well-founded suspicion that some of its features were designed to frustrate any further Presidential ambitions that George C. Wallace may entertain.

Had the version of the plan approved by the House required a majority of the popular vote for a winner, the entry of a third-party candidate like Mr. Wallace could almost insure a runoff in any close election. For this reason, the winning plurality was lowered to 40 per cent.

Reaction to direct election in the South is by no means uniformly hostile, however, four states—Arkansas, Florida, North Carolina and Tennessee—were reported somewhat favorable to the reform, and two that were listed as undecided—Georgia and Louisiana—include some active supporters of the plan.

Ratification will become an issue only if the Senate approves the amendment. It is presently stalled in the Judiciary Committee, awaiting final action on the nomination of Clement F. Haynsworth Jr. to the United States Supreme Court.

Although the Senate vote on the amendment may be close, Senator Birch Bayh, Democrat of Indiana, and other backers of direct election believe the plan will get the necessary two-thirds majority, particularly in the light of President Nixon's personal recommendation that the Senate go along with direct election.

PORNOGRAPHY IN THE MAIL

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mrs. HECKLER of Massachusetts. Mr. Speaker, last week the Postmaster General announced that he had used his administrative authority to deny the use of rental boxes to eight dealers who have been either arrested or indicted on charges of violating Federal or State pornography statutes. I hail this responsible action on the part of Postmaster General Winton Blount, for the problem of pornographic mailers has been mounting in recent months.

My office has been flooded with letters from constituents who are appalled and harassed by the rising flow of obscene literature through the mails which intrudes into the household and often is sent directly to minor children. In addition to my own bills to curb this smut, legislative proposals have been submitted by over 200 Members of Congress in hopes of discouraging trash mail by penalizing the mailer. In the interim, while the House Committee on Post Office and Civil Service is studying possible corrective measures through hearings begun in August, I commend Postmaster General Blount for his affirmative action to deny recognized dealers in obscene mail the convenience of post office box service. It is to be hoped that continued vigilance on the part of postal officials will serve to discourage smut mailings until remedial legislation is enacted.

THE PADRE'S LOG

HON. DEL CLAWSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. DEL CLAWSON. Mr. Speaker, the U.S. Naval Air Facility at Cam Ranh Bay issues a publication entitled the "Sandpiper Familygram." The issue for September 1969 was of particular interest because of the discussion of Vietnam in a column "The Padre's Log." It is written by Lt. Samir Jamil Habiby, now a Navy chaplain and formerly the pastor of a church in my congressional district. I commend the positive approach to the subject and the note of optimism Lieutenant Habiby sounds.

The column follows:

> THE PADRE'S LOG
>
> DEAR FRIENDS: A great deal has been said about "Vietnam." All too often the type of headlines that capture our attention do not give the full story, and we become confused and misinformed. Sometimes this confusion is actually our own doing. We just don't seem to find enough time to look into issues at great length.
>
> A good friend recently wrote to me to say how much the Familygram meant to her—"it gives a fresh and constructive news of some of the local important developments in Vietnam and human interest stories, which we rarely hear about here at home." This unsolicited comment related to the stories of the Familygram dealing with Vietnam and the phenomenal development of the Vietnamese Naval Training Center at Cam Ranh Bay with which NAF has been intimately involved.
>
> The Familygram is, of course, limited in its scope since it is designed to inform the families and friends of the Naval Air Facility of our experience here at Cam Ranh Bay, a small portion of the overall developments in Vietnam.
>
> Our religious heritage has always stressed the great virtue of honesty. As a Chaplain, who had grown up in the developing countries of the Middle East, I cannot help but express my great admiration for the tremendous steps forward by the people and Government of the Republic of Vietnam, in spite of the very heavy casualties suffered by them at the hands of the enemy.
>
> A similar proportion of casualties, particularly in terms of village leaders and professional men and women, in well-developed nation, would be so crippling that it would take several generations to overcome. Yet here in the short space of a few years the South Vietnamese, with American and Allied help have not only been able to stem the tide of aggression and subversion, but have been able to build firm foundations for an emerging free way of life. Albeit, there is a great deal to be done, and conditions are far from perfect, nevertheless, great progress has been made. This has allowed for the rapid "Vietnamization" of the war in the past few months.
>
> All of this is to say that the long darkness of the tunnel is being replaced by the bright light ahead. The time spent here by those of us stationed in Vietnam has not been in vain nor wasted. Measured in terms of the future, it is my earnest belief the great sacrifices will ultimately bring forth an abundant harvest of peace and stability in Southeast Asia.
>
> I know that these months of separation from loved ones and the anxiety and loneliness this entails causes us to wonder whether it is worth it. The happy smile on a Vietnamese child's face in a refugee resettlement, the visible excitment of Vietnamese boys and girls walking to school, the eager, intelligent and keen mind of a Vietnamese sailor or cadet, and the developing sense of national pride can perhaps bring comfort and strength to all of us during this time of separation. This has been for me a a great source of personal comfort and strength.

THESE IMPROVEMENTS ARE LONG OVERDUE

HON. THOMAS S. KLEPPE

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. KLEPPE. Mr. Speaker, yesterday I joined with 38 of my colleagues in introducing legislation providing for a 10-percent across-the-board increase in social security benefits.

The bill (H.R. 14329) is identical with that recommended by the President except that the increased benefits would become effective January 1, 1970, rather than April 1. There are also minor technical changes.

The bill provides future automatic cost-of-living increases. This means social security recipients will not have to wait for Congress to act every time living costs go up. Benefits will increase automatically.

The retirement test would be modified to permit the annual exempt amount of earnings to rise from $1,680 to $1,800. The taxable earnings base would be increased from $7,800 to $9,000 in 1972. Changes in contribution schedules would remove the present deficit in the health insurance fund and at the same time reduce total OASDI taxes below the level scheduled under present legislation between the years 1971 and 1976. Increased benefits for widows and widowers are provided. Also recommended is an option for retirement for men at 62, rather than 65. Under present law, women are permitted to take the earlier retirement.

These improvements are long overdue.

THE CHANGING FACE OF THE PEACE CORPS

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. ANDERSON of Illinois. Mr. Speaker, to many Americans, the Peace Corps has always been a group of youthful idealists capable of performing minor miracles in the underdeveloped countries of the world. This mud hut and miracle myth has been largely responsible for the unquestioned popularity of the Peace Corps over the past 8 years. It has also been the source of volunteer frustration and disillusionment as the distance between Madison Avenue and Monrovia became apparent.

Fortunately, the Peace Corps has not been a hapless victim of self-deception. To have operated under the myth rather than the reality would have foreclosed the possibility of responsive change. It is just as important that all Americans confront the realities of the Peace Corps and learn that this is a dynamic rather than a static organization; that it is comprised of fallible humans rather than infallible superhumans; that it has made mistakes, suffered growing pains and profited from the experience.

All this is brought home in an article by Ross Baker entitled "The Peace Corps Matures," which appeared in the October 5, Washington Post. Mr. Baker has done a great service to Americans by departing from the traditional Sunday-supplement treatment of the Peace Corps and instead, "telling it like it is." He traces the history of the Peace Corps with a finger of fact rather than a wand of fancy. He tells of the agency's failings and of its changing response to the changing conditions of the third world and our own changing perceptions of third world needs. One of his most telling statements is that the new approach of the Peace Corps "represents an effort to meet the 'felt needs' of the host country rather than the altruistic fancies of Americans who see in the Peace Corps a sort of neomissionary endeavor."

He discusses the new directions being plotted by Peace Corps Director Joseph Blatchford in response to these felt needs. The third world is asking for more development experts and fewer generalists. The challenge to the Peace Corps is in providing this expertise without completely sacrificing the youthful idealism and people-to-people aspects that have made it a unique arm of American foreign assistance. Can the Peace Corps achieve maturity without developing hardened arteries or arthritis? Or, as Mr. Baker puts it:

> The Peace Corps had undergone a process of institutional maturation and runs the

risk of any agency reaching maturity. The risk is that innovation becomes less attractive and routine replaces inspiration. The Peace Corps has been held back from bureaucratic old age by the youth of its staff. If it becomes less attractive to young staff personnel, its fate is sealed, for then it will be just another government agency with overseas operations.

Mr. Speaker, I for one am confident that Mr. Blachford, who is both young and competent, will avoid the pitfalls which Mr. Baker warns against. I think the Peace Corps can become an effective and mature organization and still retain its unique and youthful character.

At this point in the RECORD I include the article by Ross Baker and commend it to the attention of my colleagues. The article follows:

THE PEACE CORPS MATURES

(By Ross K. Baker, assistant professor of political science at Rutgers. Baker is an authority on Africa. In the preparation of this article, he had the help of his wife, a former Peace Corps volunteer)

Shortly after its establishment in 1961, the Peace Corps became the beneficiary of a Madison Avenue windfall when the Advertising Council agreed to give it free advertising. Early Peace Corps recruiting appeals were for young idealists to undergo two years of privation by living in primitive housing, subsisting on a daily bowl of rice and deriving their psychic income "by grooving with the people" of the developing world.

Most Peace Corps volunteers would readily admit that their two years overseas were no weekend at the Waldorf, but few ever lived in mud huts and fewer still have lived solely on rice. One of the first things that many volunteers learn is that a hair shirt is not necessarily part of the Peace Corps wardrobe.

Peace Corps teachers and community development, public administration and cooperative workers in places like Ghana, Liberia and the Ivory Coast often find themselves living in fairly substantial accommodations, some of which were formerly occupied by colonial or expatriate personnel whose living standards were supposed to be avoided like the plague under early Peace Corps dogma. There are, to be sure, countries where volunteers do undergo considerable privation, but this is by no means widespread.

If modest comfort in the form of running water, screened windows and indoor toilets has been the lot of so many volunteers, how does this comport with the self-abnegation and rigor popularly associated with the Peace Corps? The answer, no doubt, lies in the necessity for organizations to have sustaining myths. The Peace Corps' myth is the young college graduate armed only with a bachelor's degree and a heart full of compassion and dedication, teaching young Dayaks, Quechua Indians or Ethiopian farmers the gems of "American know-how," cooperation and diligence.

TEACHERS ON PEDESTAL

Almost anyone at Peace Corps headquarters (known to overseas personnel as "Peace Corps/Washington") would admit that the myth has long outlived the reality, although much of the relative opulence of Peace Corps life is no fault of the organization, if any fault there is.

The Ivory Coast provides a striking example of the host country's determination to accord the volunteers a status relevant to its own needs rather than to the lingering delusions of volunteer suffering. The Ivorian government has placed education in the forefront of its national goals and the position of teacher is an elevated one. Unable to meet its own educational needs, the Ivory Coast relies heavily on foreign teachers, principally from France, who receive fat expatriation allowances and hardship differentials which allow them to live princely lives.

Peace Corps teachers, however, until very recently were required to live as closely as possible to the standard of the humblest Ivorian. While their French counterparts drove to their classes in automobiles, the volunteers trudged, hitchhiked or bicycled. The volunteers consequently were widely regarded as second-class teachers and their effectiveness as models of achievement was impaired. How successful could these teachers be, the Ivorians reasoned, if they could not afford even a motorbike? The motorbikes were not long in coming.

Peace Corps/Washington is not always that sensitive to the clash of myth and reality, however. A rural construction program in the Ivory Coast came to grief when volunteers were sent to villages of concrete houses to teach the villagers how to build concrete houses. In villages which still needed hard housing, other volunteers sat for weeks awaiting the shipment of supplies.

HOSTESS INSTRUCTION

In many ways, the Ivory Coast is a microcosm of the confrontation that is forcing the Peace Corps to tailor its programs more to the needs of the host country than to the images of its own public relations. Harold Fleming, the Peace Corps director in that West African state, says that volunteers expecting squalor and primitive conditions found instead a capital city with superhighways, supermarkets and luxury hotels which serve hamburgers.

Rather than teaching young children basic French in mud hut villages, they found themselves teaching the wives of government workers how to set a Western-style table and how to prepare the European foods that will impress their husbands' bosses. Ivory Coast volunteers tend to feel defensive when corpsmen from less-developed countries question the purity of their endeavor.

This type of situation might be anathema to early Peace Corps purists but it represents an effort to meet the "felt needs" of the host country rather than the altruistic fancies of Americans who see in the Peace Corps a sort of neomissionary endeavor. The changes have occurred in a rather undramatic fashion over the last eight years; the appointment of a new director, Joseph Blatchford, by President Nixon may signal a more radical change in direction for the corps.

To understand these gradual changes and assess the impact of the new director, one must remember that the Peace Corps bears a Kennedy administration birthmark; it was a Kennedy organization just as surely as the CCC was a Roosevelt organization. In the early days, the premium was on involvement and dedication. The technical skill of a volunteer was less important than his ability to establish rapport with people in the developing world.

It was strongly felt that a liberal arts graduate with enthusiasm could be taught any necessary skills. The principal Peace Corps effort was in teaching (as it continues to be with lesser intensity), and teaching could be imparted without unduly long training.

The Peace Corps has been chronically short of volunteers with agricultural and construction skills. Its recruiting personnel tended to aim at campuses where the much-beloved "generalist" with his potential bachelor's degree dwelt. The archetypal Ivy League recruiter had little credibility in the shops and factories of America.

A CLEVER SOLUTION

By 1964, THE Peace Corps was up against the serious problem of how to meet the technical needs of the developing world with a recruitment base of liberal arts graduates, the only group to which the Peace Corps seemed to appeal. The solution to the A.B. generalist's lack of expertise was an idea of such transcendental cleverness and public relations appeal that it revived the Peace Corp's flagging morale. It was also a manifestation of the cultural arrogance which had chronically affected the organization. Community development was the panacea.

Students of development had noted that one characteristic of an underdeveloped society was that its people had not mastered the ability to work together toward a common goal; that the area of personal concern usually did not extend beyond the bounds of one's own family. Peace Corps planners reasoned that a young American with his tradition of community endeavor, placed in such a static and atomized situation, could encourage the people to work together for the common good.

The focus of the community development effort was in Latin America, where it was sold as a natural corollary of the Alliance for Progress, which was itself an appeal for self-reform. The result was a qualified catastrophe.

Volunteers in the program tended more to be objects of curiosity than inspiration; their status in most villages was ambiguous in the extreme. They had no attachment to any official agency; they had no funds or equipment and possessed no visible technical skills. If they were able to overcome popular suspicion and the hostility of local politicians, they often had problems in divining precisely what the needs of the people were and how they could be met.

The object, after all, was not to dig the well but to convince the local people that the well was necessary and then to get them to dig it. In most cases, it was simply too much for a volunteer to cope with the suspicion and apathy of centuries. The failure of many of the projects embittered the volunteers involved.

QUICKLY TAUGHT SKILLS

The Peace Corps leadership under Jack Vaughn, Sargent Shriver's successor, continued to grapple with the problem of whether to tailor programs to fit liberal arts graduates or to tailor the graduates to meet the skill requirements of the developing nations. The idea was advanced by Brent Ashabranner, Vaughn's deputy, that generalists could quickly be taught certain skills which would enable the corps to continue its reliance on college graduates while providing a higher level of technical expertise and response to the needs of the host countries.

Poultry-raising was such a program. The attempt was moderately successful, as were programs placing volunteers with business administration backgrounds in government ministries and others with less definable skills in rural cooperatives.

Most Peace Corps country directors would probably admit that a good volunteer can succeed even in a weak program. Programs such as the rural cooperative venture in Ghana, which "turned off" some volunteers, have been molded by others into moderate success. Ghana is an interesting case in this regard.

Under ousted Kwame Nkrumah, there had been a major effort to organize farm cooperatives. The cooperatives, however, became ridden with graft and corruption, the organizers absconding with the farmers' money. The cooperative concept was thus in great disfavor among Ghanaian farmers.

Despite this, volunteer Ross Cox of Los Angeles, who lives in the town of Swedru, has managed to overcome the suspicions of local cocoa farmers and has established a cooperative for the purchase and culture of cocoa seedlings. He has also been the motive force behind the construction of two schools under the Peace Corps' School Partnerships Program, which matches local funds with money raised in American high schools.

Eugene Martin, the Peace Corps director

in Ghana, admits that Cox is an exceptional volunteer and suggests that the corps has not done enough to attract the blue-collar worker, the mid-career expert and the technician. This belief is shared by Blatchford, who said upon assuming his new post as Peace Corps director that the day of the generalist may be over except in teaching.

PROBLEMS OF MATURITY

The statement was greeted with a shudder by most old Peace Corps hands. If the corps puts a premium on maturity and expertise, they reason, how can it be differentiated from the Agency for International Development, which is in the business of supplying technical assistance? What, moreover, will happen to the corps' basic concept of volunteer service?

It is widely felt by Peace Corps veterans that older volunteers with skills needed by the developing nations will be unsuitable for a number of reasons. First, people of mature age and established position will simply not be able to leave their jobs for two years. Second, their decreased ability to make the severe cultural adjustments will render them ineffective regardless of their skills. The cost of supporting older volunteers with greater personal needs will be excessive, and even if the Peace Corps is willing to spend the money for more comfortable homes and cars, this will increase the gap between them and the people they must serve.

On the other hand, advocates of the generalist approach may be taking their "audience" for granted. The Peace Corps has never recruited under ordinary circumstances. For the first three years, it benefited from New Frontier glamour. After the death of President Kennedy, recruitment was sustained by the intensification of the Vietnam war with its attendant draft calls. The Peace Corps does not offer ironclad protection, but draft boards are usually loath to call a volunteer who has been chosen for a program. There is a strong probability that Peace Corps recruitment will be a casualty of peace in Vietnam.

Defenders of the expertise approach are also awaiting the results of a new program in Guinea, where a diverse group of older technicians, Job Corps graduates and amateur mechanics is attempting to restore public transportation in the capital, Conakry. The effort is being led by Henry Norman, who faces the difficult task of using volunteers with limited language skills in a politically sensitive environment.

Guinea expelled the Peace Corps in 1966. Norman did a selling job on both the government of Guinea and on the Peace Corps itself. Then he canvassed garages and union halls for enough recruits to put the program in the field.

LEFT IN MIDDLE

Other changes are making the Peace Corps a far different organization from what it was in 1961. Volunteers of today are more or less the same kind of people they were in the early days, but their position in the spectrum of American youth has changed considerably.

No longer are volunteers the vanguard of their generation. They are no longer the most activist or the most committed. Their entire generation has shifted leftward and has left the potential Peace Corps applicant somewhere in the vague liberal middle.

Few SDS members join the Peace Corps. Black volunteers are becoming more difficult to find. More volunteers proportionally are coming from small denominational colleges and fewer from the seats of campus radicalism. Activists who do go overseas for the Peace Corps often find themselves thwarted.

They are technically employees of the host governments, many of which are conservative. Volunteers who protest against the practices of the autocratic or oligarchic governments to which they are accredited tend to find themselves out of a job. Feedback from campus revolts in the United States combined with program weakness overseas have given rise to dissident volunteer groups such as the Volunteer Action Committee in Liberia, which sought to increase volunteer participation in running that country's programs.

Unorthodox behavior or bizarre or even casual dress are frowned upon by many local authorities. At a conference at Bassa, Liberia, in June, the Liberian Secretary of Education attacked volunteer teachers for their shabby attire, charging that the students found their appearance at variance with the exalted status of teachers.

The Peace Corps has undergone a process of institutional maturation and runs the risk of any agency reaching maturity. The risk is that innovation becomes less attractive and routine replaces inspiration. The Peace Corps has been held back from bureaucratic old age by the youth of its staff. If it becomes less attractive to young staff personnel, its fate is sealed, for then it will be just another government agency with overseas operations.

THE ART OF CRUELTY

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. BURKE of Florida. Mr. Speaker, man's inhumane treatment of man has been well documented, as has man's inhumane treatment, at times, to animals.

Today, I am joining with several of my colleagues in the House in cosponsoring a bill which was originally introduced in the Senate by Senator JOSEPH TYDINGS. The bill originally sponsored in the House is H.R. 12438.

I strongly concur in the purpose of this legislation aimed at eliminating the cruel practice of "soring" which is practiced widely on show horses and more particularly on the Tennessee walking horse. It defines the procedure of soring and makes it unlawful for anyone to ship or otherwise move such horses in commerce, for the purpose of showing or exhibition.

The so-called art of soring is one of the most flagrant inhumane acts of cruelty involving the mistreatment of animals.

It is an art, indeed—an art in the practice of cruelty.

The purpose of soring is to achieve a more pronounced, very sprightly gait or kick—known as "the big lick"—whereby the horse kicks out his front foot as he steps.

The most widely used method of soring a walking horse is the placement of oil of mustard, which is a blistering chemical agent, on the feet of the horse. Added to this, a chain is placed around its ankle for additional weight.

The chain scrapes against the area where the chemical has been applied when the horse attempts to throw the chain off and unless the horse is treated very carefully after being worked out, a more painful sore results, in addition to possible serious and permanent scarring.

It is understandable that trainers would like to achieve the big lick in the shortest possible time but this does not give them license to practice soring, which is totally inhumane, merely to serve the interests, financial or otherwise, of those involved in the training and exhibition of horses.

The bill charges the Agriculture Department with the responsibility of inspecting the records of such commerce and sets penalties for the exhibition of horses which have been sored.

The truth of the matter is that soring is actually illegal in most States but I feel that the enactment of this legislation will provide the necessary impetus to bring about the elimination of soring practices.

The big lick can in fact, be achieved without undergoing the process of soring, although it may require a much more lengthy period of time which includes patient and diligent training, but the time element involved should be of no consequence when we consider the other question involved—namely, the manner in which the Tennessee walking horses are treated.

We are now forced to address our efforts to the moral, as well as the legal aspect of outlawing this inhumane practice.

REPORT ON A BILINGUAL PILOT PROJECT

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. DANIELS of New Jersey. Mr. Speaker, in 1967 the Congress passed the much needed Bilingual Education Act. That act, an amendment to the Secondary Education Act of 1965, was a searching attempt to resolve the difficult problems faced by students with language and cultural backgrounds different from and conflicting with those of their fellow students.

Recently, Dr. Francesco Cordasco, professor of education at Montclair State College in Paterson, N.J., provided me with a report of a pilot project undertaken to provide educational assistance to students speaking a foreign language and who had cultural conflicts. He also enclosed a review of the project which appeared in the Paterson News.

Since the report and the review will be of great interest to the many Members whose districts are concerned with problems of bilingual education, I am including the material for their consideration.

The report and review follow.

MONTCLAIR STATE COLLEGE,
Upper Montclair, N.J., September 9, 1969.

The following abstract of "A Bilingual Experimental Project in Paterson"[1] has a twofold crucial importance: it clearly establishes that the *Project* was undertaken in full observation of, and congruence with Congressional intents wisely expressed in the Bilingual Education Act of 1967;[2] and it illustrates the success which derives from the application of the main tenets of the Bilingual Act.

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[1] The Model Cities Division of the State Department of Community Affairs sponsored the bilingual experimental project in the City of Paterson in conjunction with the Educational Committee of INCCA (Inner-City Committee for Action) for a six-week period, from July 7 to August 15.

The results of the *Pilot Project* graphically show that "The child with language and cultural conflicts will not progress noticeably in the existing structure of our school system unless his language and background are sufficiently employed by sensitive bilingual teachers. In fact, he will regress, reverse and retard himself in a classroom which is non-sensitive to his needs." If the criteria which governed the *Pilot Project* are widely applied, they will furnish a prototype for both educational reform and progress which promise great benefits to the thousands of Spanish-speaking children, and particularly Puerto Rican children, in American mainland schools.

Sincerely yours,

FRANCESCO CORDASCO,
Professor of Education.

SIX WEEK PILOT PROJECT SHOWS MARKED IMPROVEMENT OF SPANISH SPEAKING CHILDREN UNDER BI-LINGUAL SENSITIVE APPROACH

Under favorable bi-lingual learning conditions tests and methods used during this six week project proved that the children's capacity improved 20% in English and 30% in Spanish in just six weeks, a larger growth than similar tests showed in an all-year school situation.

Very high absenteeism, tardiness and educational retardation is in direct proportion to the emotionally charged social tensions of the ghetto. Where educational systems are not yet able to meet the serious language needs of the foreign-speaking child, the emotional conflicts are aggravated and prevent learning.

A teacher not sensitive or prepared for the child with a language conflict was shown by tests to help continue the educational retardation of the child.

Present educational trends of Spanish-speaking children in urban areas will produce a generation of severely educationally retarded students.

Eighty-four percent of the 12 year olds tested were not able to function in English at a 3rd grade level.

Ninety-four percent of the 11 year olds tested were not able to function in English above a 3rd grade level.

Eighty-two percent of the 10 year olds were functioning below a 3rd grade level.

Sixty-four percent of the 9 year olds were functioning below a 2nd grade level.

Under a favorable, sustained bi-lingual teaching approach, the educationally retarded child would take at least three years to achieve his age level potential.

RESULTS OF A BI-LINGUAL EXPERIMENTAL PROJECT IN PATERSON RELEASED

A. Background

Paterson Model Cities Agency with the cooperation of the State Department of Community Affairs, sponsored a bi-lingual experimental project in the City of Paterson in conjunction with the Educational Committee of INCCA (Inner-City Committee for Action) for a six-week period, from July 7 to August 15.

The Committee, aware of the great number of foreign-speaking families, especially those who are Spanish, in our urban areas, applied for funds to investigate and test methods of dealing with the child suffering from language and cultural conflicts.

Two-hundred forty children were selected in cooperation with the Paterson Board of Education on the basis of language retardation, lack of experience needed for academic learning, aggressive behavior tendency to be slow in learning, lack of self-concept, feeling of rejection by society, and lack of interest in academic achievement.

A selected staff of 25 bi-lingual teachers utilized Public School No. 11 and employed both Spanish and English achievement, I.Q., as well as psychological tests under the guidance of selected consultors for the Pilot Project. The Education Committee of INCCA herein releases conclusions drawn from this most important project for the benefit of educators, counselors, and parents.

B. Attendance

Whereas in INCCA's 10 recreational type programs throughout the city of Paterson with 2,000 children the participation of the Spanish-speaking child went from 30% to 5%, the child in this special project, which was mostly educational, maintained a remarkable 91% daily attendance for the six-week period. Most of the participants had a history of tardiness, absenteeism, and general lack of interest in academic achievement in the City of Paterson. This Special Spanish Component maintained the highest daily average attendance compared to other components including the City's Title I Programs.

C. Testing

Academic and psychological tests were administered prior to and after the program. The following conclusions are stated:

1. Goodenough-Harris "Draw A Man" Test was used as a pre- and post-test drawing cautious psychological conclusions. From the figures in the pre-test, there is evidence of strong scenes of violence, badly fragmented life figures, and evidence of unusual sexual preoccupation. Many embellishments which are not called for in the administration of the test were added to the figures. This is an indication of the child projecting inner conflicts, fears, and tensions, which make learning highly improbable. The entire pre-test is suggestive of social, economic and educational deprivation.

Many psychological areas are suggested, but these would have to be investigated in context with other testing procedures. In the post-test application of this test the figures show a trend toward less bizarre presentations, less embellishment of objects not called for, diminished sexual preoccupations and scenes of violence. The life figures are less fragmented. Not all poor results have been eliminated, but the whole picture tends towards a more normal presentation. Considering the fact that about five weeks elapsed between the two tests, the upward shift and results are very encouraging. Possibly contextual and factual testing results will show a similar shift.

The child in a favorable learning environment will so diminish his emotional and psychological conflicts that learning will definitely be more possible.

2. The Inter-American Test of General Ability was also used in this project. Form AS was administered in Spanish at the beginning of the six-week period, and Form BS was administered in Spanish at the end.

The results of these tests showed an approximate 30% increase in the total scores, which is considered a notable improvement in such a short period.

Forms CE and DE respectively were administered in English at the beginning and end of the six-week period. The results of this test showed a 25% upward shift in the scores over the first testing results.

The only class where there was no significant growth was the result of a serious teacher weakness due to lack of control, lack of interest in presentation of materials and sensitivity to the child. This factor became evident in all tests taken by these same children which indicated that a teacher who is not prepared or sensitive will help continue the educational retardation of students with language conflicts.

D. Observations

Nutritional deficiencies evident in the children at the beginning of the program had to be supplemented by a proper diet to improve the attention and response level of the children.

Parent participation is essential to the total learning process of the child and this can only be successfully achieved where the parent feels that the child's school is also his school.

Proper selection and judicious use of many texts and techniques are imperative on the part of the system and the teacher because of the varied ages and abilities of children with language conflicts.

E. Conclusions

The child with language and cultural conflicts will not progress noticeably in the existing structure of our school system unless his language and background are sufficiently employed by sensitive bi-lingual teachers. In fact, he will regress, reverse and retard himself in a classroom which is non-sensitive to his needs. He will likewise retard the progress of other students in the class who normally would function satisfactorily.

Diagnostic tests in the child's native language must be part of the system to measure more adequately the native ability of the child and his concept in his own language before testing or grading in English. Testing in English alone tends to categorize the child and prejudice the teacher against the student. The child must first be aware and proud of his own language and culture with a strong pride in himself before "integration" is possible with other conflicting cultures and traditions.

Of the many possibilities of teaching the child with language-cultural conflicts, the bi-lingual school technique for a period of a minimum of three years is judged the most beneficial. Where this is not possible a sufficient portion of the school space and curriculum should be allocated to the child in an ungraded class situation. In both situations his progress is not to be measured by standard classroom techniques, and the teachers should not be under pressure to make this child conform to a grade structure which is impossible and beyond his ability.

The Goodenough-Harris "Draw A Man" Test was used as a measure of intellectual maturity and as a pre- and post-test device. The pre-test scoring was very lenient in order to give the Spanish-speaking child the advantage of dubious scores.

All dubious scores were moved to the next highest category, In the post-test use the scoring was very rigid. All dubious scores were assigned the next lowest score. *In the CP comparison of the pre- and post-test results there is a significant shift in scores upward of approximately 20% improvement overall.*

A complete report will be made available upon request by writing to: INCCA Education Committee, care of 100 Fair Street, Paterson, New Jersey 07501.

[From the Paterson News, Sept. 8, 1969]

PILOT PROJECT BENEFITS SPANISH-SPEAKING CHILDREN

(By Pat Patterson)

Juan can read and make progress in school when the right kind of teaching techniques are used by the right kind of teachers.

This was demonstrated here this summer during a six week pilot project for Spanish-speaking children, conducted by the education commission of the Inner-City Committee for Action (INCCA).

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[2] The Bilingual Education Act (1967) is an amendment to the Elementary & Secondary Education Act (1965). See F. Cordasco, "The Challenge of the Non-English Speaking Child in American Schools," *School & Society* (March 30, 1968), pp. 198–201; and F. Cordasco & E. Bucchioni, *Puerto Rican Children in Mainland Schools: A Source Book for Teachers* (New York: Scarecrow Press, 1968).

The bilingual program was sponsored by the Paterson Model Cities Agency with the cooperation of the New Jersey Department of Community Affairs. Results achieved were so exciting, there is a good chance this city could become the site for a full scale bilingual school that would serve as a model for all other cities facing the same problems in meeting the educational needs of large numbers of foreign speaking children with language and cultural conflicts. The state Department of Community Affairs has shown interest in staffing a bilingual school in this area if a building were to be made available.

Francesco Cordasco, professor of education at Montclair State College, was enthusiastic over the project and its accomplishment.

"If the criteria which governed (this) pilot project are widely applied," he said, "they will furnish a prototype for both educational reform and progress which promise great benefits to the thousands of Spanish-speaking children, particularly Puerto Rican children in American mainland schools."

The summer project developed as an outgrowth of the INCCA day camp as an educational experiment. Aware of the great number of Spanish-speaking children having difficulty in school, INCCA's education committee applied for and was given a grant through the Model Cities Agency to investigate and test methods for dealing with these children.

A specially selected staff of 25 bilingual teachers was recruited, headed by Miss Sheila Walters. Classes were set up in Public School 11 for 240 children selected in cooperation with the Paterson Board of Education. They were chosen on the basis of language retardation, lack of experience needed for academic learning, aggressive concept, tendency to be slow in learning, lack of self concept, evidence of feeling rejected by society and a lack of interest in academic achievement.

Academic and psychological tests were administered at the outset of the program and again at the end. Both Spanish and English achievement, IQ and psychological testing were done under the guidance of John Sepp, psychometrician, and Mrs. Janet Suci, consultant from Montclair State Teachers College.

The program ran from July 7 through Aug. 15, concurrent with INCCA's 10 recreational type programs throughout the city. In the recreation program, participation by Spanish speaking children showed a steady decline, from 30 per cent down to 5 per cent. But the children taking part in the largely educational pilot program, conducted inside a school building, maintained an unbelievable daily attendance record of 91 per cent throughout the entire period. These same children had histories of tardiness, absenteeism and general lack of interest in the regular school program. This Spanish component also maintained the highest daily average attendance in comparison to other components including the city's Title I programs conducted by the Board of Education.

In one of the psychological tests, the children were asked to draw a man.

At the outset, many of the drawings showed indications of violence, figures were badly fragmented, indicating the children's tensions, inner conflicts and fears and reflecting their social, economic and educational deprivation.

At the end of the program, the figures drawn by the children showed less fragmentation, fewer scenes of violence and more normal presentation, all within a space of little more than five weeks.

In general ability, in a test administered in Spanish, the children showed a 30 per cent increase in their total scores by the end of the program.

At the beginning of the program the children also were tested in English and again at the end, and showed a 25 per cent upward shift in their scores over the earlier testing results.

In scoring the initial tests, leniency was applied to move dubious scores to the next highest category. At the conclusion the process was reversed, with rigid scoring and all dubious scores assigned to the next lowest. A comparison of results showed a significant upward shift in all scores upward of approximately 20 per cent overall improvement.

Analyzing the achievements of the project, the INCCA committee reached the following conclusions:

That the child with language and cultural conflicts will not progress noticeably in the existing school structure unless his language and background are sufficiently employed by sensitive bi-lingual teachers. On the contrary he will regress, reverse and retard himself in a classroom non-sensitive to his needs, and will likewise retard the progress of other students in the same classrooms.

That diagnostic tests in the child's native language must be a part of the system to measure more adequately his native ability. He must first be made aware and proud of his own language and culture with a strong pride in himself before integration is possible with other conflicting cultures and traditions.

The committee also concluded that the educationally retarded child would require at least three years under a favorable, sustained bi-lingual teaching approach to achieve his age level potential, and that under present educational trends, Spanish-speaking children in urban areas will produce a generation of severely educationally retarded students.

Of the children in the project, 84 per cent of the 12 year olds and 94 per cent of the 11 year olds were unable to function at or above a third grade level; 82 per cent of the 10 year olds were functioning below a third grade level and 64 per cent of the nine year olds were functioning below a second grade level.

The program also proved that a teacher not sensitive to or prepared for the child with a language conflict will help continue his educational retardation.

The only participating class that showed no significant growth was one whose teacher showed lack of control, lack of interest in presentation of materials and lacked sensitivity to the child. This was reflected in all of the tests taken by these children, in comparison with others in the program.

Professor Cordasco, after analyzing the project and its results agreed with the committee, saying that its results "graphically show" that unless the child's language and background are sufficiently employed by sensitive bi-lingual teachers he will regress, reverse and retard himself.

He noted that the project was undertaken "in full observation of and congruence with the intent of the Congress expressed in the Bilingual Education Act of 1967 (an amendment to the 1965 Elementary and Secondary Education Act) and said it illustrates the success which derives from the application of the main tenets of (this) Act."

Professor Cordasco is the author of numerous source books and papers on the education of non-English speaking children, including: Puerto Rican Children in Mainland Schools, published last year.

COLUMBUS DAY

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. CUNNINGHAM. Mr. Speaker, on Sunday, October 12, we observe the 477th anniversary of the discovery of America by the intrepid Italian navigator, Christopher Columbus. Nearly five centuries have gone by since that historic event in human affairs which began a new era for all mankind, but most especially for us who live in the Western Hemisphere.

In the course of history, mankind has come to recognize Columbus as a great navigator, explorer, and dreamer, but also as a dedicated and religious man who by his exploits inspired countless generations to great deeds. I believe that much of our heritage of freedom and justice is due in large measure to the courage, the determination, and the ideals of Columbus.

It is to be regretted that to this day we have not yet given to Christopher Columbus the full recognition to which he is entitled. During the 90th Congress I introduced a bill to designate October 12 of each year as a legal holiday and that it be known as Columbus Day in recognition of the achievements of the great navigator. I also suggested that this day be observed as a day of rededication to the ideals of peace, justice, and democracy which have helped make America the great Nation that it is today.

I believe the time has come to make Columbus Day more meaningful, and for this reason I commend our fellow Americans of Italian origin for their efforts each year in observing this day in accordance with the ideals and dreams envisioned by Columbus. We join with them on this day in paying tribute to Columbus. We recall with pride and appreciation the magnificent contribution and the invaluable role of Italian-Americans in the growth of development of America. We salute them for their loyalty and their patriotism.

ST. THOMAS THE APOSTLE CATHOLIC CHURCH CELEBRATES ITS CENTENNIAL

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. MIKVA. Mr. Speaker, it is an honor to bring to the attention of my colleagues the centennial celebration of St. Thomas the Apostle Catholic Church, Chicago, Ill. As a member of the honorary committee for the parish centennial, I commend this fine church for its contribution to the spiritual and social life of Chicago's Hyde Park.

During a time when many institutions have abdicated their responsibility to our central cities, it is heartening to observe the persistent ministry of St. Thomas the Apostle Catholic Church. For 100 years it has ministered to a unique international and interracial community and contributed to its growth and stability. In a recent letter to me, the Reverend Thomas J. Fitzgerald, pastor of the church, indicated how the parishioners view their role in Chicago:

> We take pride in the unique quality of our parish, situated as it is in the shadow of the University of Chicago, in a community dis-

tinctively international and interracial in character. Being a Hyde Parker yourself, I'm sure you can understand how we feel as we complete our first hundred years here. During that time St. Thomas has sought to translate the Word of God into social action and community good, and we're still trying. The parish has had an unusually large share of distinguished parishioners. But from the beginning, as now, it has constituted a broad cross section of society: God's people in extraordinary variety.

I pay tribute to the church and extend to its parishioners my best wishes on the occasion of their parish centennial.

COAST REDWOOD BICENTENNIAL DISCOVERY

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. DON H. CLAUSEN. Mr. Speaker, tomorrow, October 10, marks an anniversary of great significance to the people of my district and the entire 15-county redwood region of California and Oregon. On that date 200 years ago, the exploring party of Don Gaspar de Portola first recorded the existence of the tree that has since come to be known as the coast redwood.

It was a foggy morning two centuries ago when the bold Spaniards set out to continue their search for Monterey Bay. At a point near the present-day town of Watsonville, Fray Juan Crespi wrote in his diary that the group had come across "Tall trees of a red color, not known to us. In this region there is a great abundance of these trees and because none of the expedition recognizes them, they are named palo colorado (redwood) from their color."

The discovery ranks with that of the better known discovery of gold in 1848, for the economic value harvested from our renewable redwood forests over the years has far surpassed the value of all the gold ever mined in the Golden State. In addition, these most famous of trees provide the basis of an increasingly important tourism and travel industry. And in their tangible values, the coast redwood forests, both old growth and young, offer inspiration that is without price.

The Portola party of 1769 returned to San Diego in defeat. They had failed to find Monterey Bay. But unknowingly, they had discovered the tree that is the tallest of all species, the fastest growing of American conifers and the largest plant on earth with an economic value.

Today, after 200 years, the redwood industry manufactures products worth a quarter-billion dollars annually. It employs 20,000 people directly. And with the application of modern forestry practices, we know that this level of production can be maintained for many centuries in the future.

In view of this historic anniversary, I am inserting into the RECORD at this point California State Assembly Resolution No. 243, and a resolution from the board of forestry in the State of California relative to Redwood Discovery Day:

ASSEMBLY CONCURRENT RESOLUTION NO. 243—RELATIVE TO REDWOOD DISCOVERY DAY

(Filed with Secretary of State, Aug. 9, 1969)

Whereas, The coast redwood of California is the tallest and most famous of trees and in combination with the redwood of the Sierra has been declared the official tree of the State of California; and

Whereas, Sequoia sempervirens is also the largest useful plant on earth, providing more than a quarter-billion dollars worth of products each year, direct employment for 20,000 persons, and economic stability to many communities in the 15-county redwood region; and

Whereas, Outside the 175,000 acres of Sequoia sempervirens forever saved in governmental parks and reserves, the commercial forests are being managed by enlightened practices that will assure a supply of redwood timber in perpetuity at the present annual level of harvest; and

Whereas, The recent creation of a Redwood National Park has focused the attention and concern of peoples around the world on the need to both wisely use this great renewable resource and to carefully preserve outstanding specimens; and

Whereas, The year 1969 is being observed as the bicentennial of the beginnings of many events of historical, cultural and economic significance to the State of California, including the discovery of the coast redwood in Santa Cruz County by Fray Juan Crespi, diarist and chaplain of the Don Gaspar de Portolá expedition; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the members urge Governor Ronald Reagan to proclaim Friday, October 10, 1969, as Redwood Bicentennial Discovery Day in honor of the bold men of the Portola party and in recognition of the continuing bounty, esthetic and economic, provided to all citizens by our official state tree; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to Governor Ronald Reagan.

RESOLUTION

Whereas, the official tree of the State of California, the coast redwood, (Sequoia sempervirens), was first identified on October 10, 1769; and

Whereas, this most useful of trees has made important contributions to the cultural, economic and spiritual lives of our citizens, presently supporting a dynamic industry employing 20,000 workers who annually turn out products worth more than a quarter-billion dollars; and

Whereas, this most famous of trees has been deserving of the unequaled program of cooperative preservation that today accounts for one hundred seventy-five thousand (175,000) acres of Sequoia sempervirens in public parks and reserves; and

Whereas, this fastest-growing of commercial conifers is capable of regenerating itself naturally, and with the application of modern forest management practices may be expected to provide for man's product need for limitless centuries into the future;

Now, therefore, be it resolved, the California State Board of Forestry, in regular session this 18th day of September, 1969, in the City of San Diego, does hereby give recognition to the bicentennial year of the discovery of Sequoia sempervirens, and extends greetings to the men and women of the redwood timber products industry, the Save-the-Redwoods League, the California Department of Parks and Recreation, the California Division of Forestry, and the many other citizens who have made possible the continuing bounty of aesthetic and economic values from the redwood forests; and

Be it further resolved, that copies of this resolution be forwarded to the Governor, the Director of Conservation, the Secretary for Resources, the Save-the-Redwoods League, the California Redwood Association, and the Director of the Department of Parks and Recreation, the Congress of the United States, the Secretary of the Interior, and the Secretary of Agriculture.

Approved.

W. B. CARTER,
Chairman, State Board of Forestry.

Attest:

F. H. RAYMOND,
Executive Secretary, State Board of Forestry.

Dated San Diego, Calif., September 18, 1969.

GEN. CASIMIR PULASKI

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. MINISH. Mr. Speaker, it is my honor to pay tribute to the memory of Gen. Casimir Pulaski, the Polish nobleman who fought and died in America to help the colonists gain their freedom and liberty.

Pulaski was born in Podolia, Poland, the eldest son of Count Joseph Pulaski, in 1748. When he was a very young man, Poland underwent a severe internal political battle, and Pulaski threw himself into the struggle. In 1769 he joined his father in the Confederation of Bar, which consisted of a group of Polish noblemen who had pledged themselves to the salvation of Poland. Pulaski rose to become a leader in the movement, and at 25 years of age was a hero to his countrymen. When a proscription was placed upon his head, Pulaski was forced to leave Poland.

It was in Marseilles, France, that he met Benjamin Franklin, then U.S. Ambassador to France. Franklin wrote to General Washington about the young man when Pulaski decided to participate in America's struggle. Pulaski arrived in the middle of July 1777 and within 2 months was elected by Congress as "Commander of the Horse, with the rank of Brigadier." The following March Pulaski requested permission to organize an independent corps, which was granted. The corps was later known through the Colonies as the "Polish Legion." The horsemen in this corps bore the famous Polish lance, a new weapon on this continent. Pulaski fought with great valor and distinction in the battles of Brandywine, Warren Tavern, Germantown, Trenton, and Haddonfield. The Polish Legion in the battles at Little Egg Harbor, Charleston, and other engagements were most noteworthy.

Perhaps Pulaski's most distinguished service was rendered in the siege of Savannah, after having been made commander of the entire cavalry, both French and American. During an ebb in the battle, Pulaski hoped to rally his men and rushed into the thick of the action. Wounded in his right thigh, he was carried from the field of battle fatally wounded, and died on October 11, 1779. Thus at the age of 31 years ended the life of a nobleman who left a life of ease and complacency for a career of hardship. This gallant son of Poland had enthusiastically espoused the American cause. He served that cause with zeal, ardor, and fidelity. He was known as the founder of the American cavalry, and his corps of lancers and light infantry has since become famous under the name of Pulaski's Legion.

Since the American Revolution, many Poles have immigrated to the United States. They have given their lives and their energy for the freedom and development of our country. They have become an integral part of America, fighting as soldiers, working in factories and at essential jobs, becoming farmers, miners, and lumberjacks. They hold all kinds of positions in the civic, social, political, and cultural life in America. I hope that our Nation, in recognition of the services rendered to us, not only by General Pulaski but by many others of Polish descent, will give Poland all possible assistance so that she may again attain her liberty and freedom, which rightfully belongs to her. We must not rest until the promises of freedom and independence for Poland are redeemed.

CIVIL DEFENSE ROLE IN HURRICANE CAMILLE

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. CONTE. Mr. Speaker. The damage that Hurricane Camille inflicted upon the gulf coast has been recorded throughout the Nation. It took a very heavy toll both in lives and in property.

However, as a result of advance disaster preparations, many lives were saved. And efforts taken in the aftermath of the storm helped to bring order out of chaos.

Civil defense units deserve a great deal of credit for the work they performed before, during, and after Hurricane Camille. At this time, I include an article that appeared in the Civil Defense Information Bulletin for September 1969. The following article discusses the role played by civil defense units during the crisis:

The Civil Defense Role in Hurricane Camille—Director Davis Inspects the Devastation

In the wake of the greatest storm ever to smash into the Gulf Coast, John E. Davis, National Director of Civil Defense, made a personal, on-the-scene inspection of the devastation and of the efforts underway to cope with it.

He returned convinced that advance disaster preparations had saved thousands of lives even though the 200 mile-an-hour winds, floods, and killer tornadoes from Hurricane Camille had taken a heavy toll of life and property.

Four days after Camille pounded into Louisiana and Mississippi, Director Davis flew into Gulfport, Mississippi, to confer with Mississippi Governor John Bell Williams at the governor's temporary disaster headquarters in the National Guard airport building, and tour the stricken Gulf areas.

With Governor Williams, an Army Air Corps veteran of World War II, directing the flight pattern of an Army helicopter, Director Davis "hedge hopped" over the disaster area from Gulfport to Pass Christian, Bay St. Louis, and Biloxi . . . over the smashed remnants of what Dr. Robert Simpson, head of the National Hurricane Center in Miami, termed "the greatest storm of any kind that has ever affected this nation.

—Homes flattened or wrenched from their foundations, often just a bare outline of where a building had been.

—Huge sea-going freighters grounded or lifted onto levees like toy ships.

—Tall pines, live oaks, magnolia and palm trees uprooted, split in half, and sprawled across powerlines.

"Unbelievable. Just unbelievable," commented Director Davis as the helicopter flew over the damage.

But from the air, and again back on the ground, there were signs everywhere of the huge and complex recovery job.

Air Force, Navy, Army, and Civil Air Patrol planes airlifting emergency supplies of food, clothing, medicine, heavy equipment, including civil defense generators.

Bulldozers shoving aside debris to open key roads.

Buses and trains lined up to move more of the injured and homeless inland.

And people—civil defense, Red Cross, Salvation Army, National Guard and regular military personnel, volunteers—people working to help other people.

"We need help and we need advice," Governor Williams told Director Davis as they worked their way through the debris on what a few days before had been the main street of Pass Christian. "We are trying to coordinate communication services and search and rescue operations. It must be done now and can be done with the resources we have here now. The big task right now is to pull it all together."

One of the many people working to "pull it all together" was Wade Guice, Civil Defense Director of hard-hit Gulfport. At the Gulfport civil defense emergency operation center, Mr. Guice, weary from hours without sleep, described local disaster problems for Director Davis.

"The biggest immediate problem," Mr. Guice said, "is lack of managers—trained people—for the magnitude of a disaster like this one."

He stressed the great job performed by the Gulfport Chapter of the National Defense Transportation Association, citing examples of NDTA members commandeering and driving taxis, buses, "anything on wheels with a motor," to evacuate people from the lowlands.

Mr. Guice said that, despite early warnings hours before the hurricane reached the coast, many people flatly refused to leave their homes.

"They had lived through other hurricanes, and just didn't believe this one was any different," he said. "You can bet that those who survived won't take that chance again."

As he conferred with Director Davis, Mr. Guice received word that the Gulfport water system was back in service. It was one of the few pieces of good news he had received in a week of tragedy.

"We're up on our knees now," he exclaimed. "Things are beginning to look up a bit."

Upon his return to Washington, Director Davis said he was convinced the advance disaster preparations made by civil defense authorities in the Gulf area were responsible for saving thousands of lives.

"Sure, mistakes were made," he said. "They always are in anything as overwhelming as Camille. But I just want to say that those people on the scene did one terrific job. And they're still doing it."

The next day Director Davis flew to southwestern Virginia to inspect flood damage along the James River, and meet with General George Lincoln, Director of the Office of Emergency Preparedness, Virginia Governor Mills Godwin and other State and local officials for a firsthand report on recovery actions being taken after the flash flooding that hit parts of West Virginia and Virginia before Hurricane Camille finally swirled out into the Atlantic.

MIDDLE-ROAD POLICY

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. RHODES. Mr. Speaker, there are those in this country who would integrate all our schools today at the point of a bayonet if necessary.

There are others who oppose integration of our schools with equal fervor, regardless of the law of the land.

Fortunately, President Nixon is aware that either course can foment trouble, stir resentments to the point of violence, and, in so doing, defeat the goal of integration.

The Arizona Republic recently commented on the President's "middle course" in an editorial which I commend to my colleagues:

Middle-Road Policy

At his recent press conference, President Richard Nixon convincingly defended his approach to school desegregation as a practical middle course steered between two extremes—one demanding "instant integration," the other seeking "segregation forever."

No matter what approach the administration chose, there would be criticism. Therefore, the only question worth considering is what policy offers the best prospect of long-range success.

Viewed in that manner, the answer is that the administration's middle-road approach is the most promising. For, as Asst. Atty. Gen. Jerris Leonard recently said, even a Supreme Court order demanding instant integration could not speed it up.

It has been 15 years since the U.S. Supreme Court ruled that racially segregated school systems were unconstitutional. To the "instant integrators," this was viewed as a green light to force racial integration in every school district along precise racial and ethnic lines. To them, education was—and is—less important than a precise racial mix.

Yet while the Supreme Court's 1954 ruling outlawed segregated school systems, it has since done little to clarify whether an end to segregation meant that school districts must actively pursue compulsory integration.

Congress, in the 1964 Civil Rights Act, noted that desegregation "shall not mean the assignment of students to public schools in order to overcome racial imbalance." It specifically rejected federal efforts to force busing of students, or requiring students to attend schools against their choice, or their parents' choice, in order to overcome racial imbalance.

Many Southern communities are still resisting desegregation efforts. And extremists on the other side—the most outspoken critics of the administration's policies toward school segregation—are demanding compulsory integration.

Yet if we have learned anything in recent years about racial relations, it is that harmony cannot be achieved by forcing people together against their will. Many Northerners continue to criticize Southern segregation. But already in this new school term, there has been bitter conflict between blacks and whites in schools in Pittsburgh, Chicago, Boston, Kansas City, Riverside, Calif., and New Brunswick, N.J.

In persuading a federal court to give 30 Mississippi districts more time to complete their desegregation, the administration was persuaded that cutting off federal educational funds to recalcitrant school districts harms both black and white students.

It understands that even though Congress or the courts might order instant integration, it could—and would—still be thwarted by litigation, school closings, and boycotts.

It realizes that any "victory" won at the point of federal bayonets would be a hollow victory indeed.

In questions of racial harmony, as in so many other questions, moderation—no matter how much that word is despised by militants—remains the one course that promises genuine success. For people must be led by government, not pushed or cajoled. And it is clear that the majority of parents, in the North as well as in the South, are opposed to compulsory integration.

The administration understands this. That is why it has tailored its policy on school segregation to a moderate middle course which alone can insure justice and equality for all Americans.

TWO SCORPIONS IN A BOTTLE

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. MORSE. Mr. Speaker, since the mid-1950's when the United States and the Soviet Union both achieved a strategic nuclear arms capability, it has been the principal object of political leadership on both sides to avoid using these weapons. The arms race has been politically stalemated from the very moment this point was reached. Yet in the 15 years this stalemate has existed, strategic contingency plans and weaponry has escalated in vast proportions.

As top adviser to two previous administrations, McGeorge Bundy has observed these developments at close hand. In his article in the current issue of Foreign Affairs, Mr. Bundy has charged that this escalation has persisted because our political leaders have lacked the public political support to take a position to the contrary.

As a recent editorial in the Boston Sunday Globe notes, however, Mr. Bundy believes that "it has fallen to Mr. Nixon to come to terms with the politics of parity," and that, to his enormous credit, the President has taken up the task, despite a tenuous political base for this position. It is a reflection of the President's determination and commitment to peace that he has urged, as McGeorge Bundy reports, strategic parity as both "inescapable and acceptable."

In June, the President invited the Soviet Union to take part in the strategic arms limitation talks with the hopes of moving ahead on this front, and I am indeed hopeful that a U.S.S.R. response will be forthcoming soon.

The commentary in the October 5 Boston Globe is an encouraging indication of progress, and I am including it here in my remarks for the careful attention of my colleagues:

[From the Boston Sunday Globe, Oct. 5, 1969]

TWO SCORPIONS IN A BOTTLE

Secretary of State William P. Rogers and Soviet Foreign Minister Andrei Gromyko after several recent meetings have not yet, as this is written, reached agreement on a date to start the arms reduction talks which both their countries have off and on been saying they wanted for the past year and a half.

Yet surely a date should and will be set soon. That is the only possible conclusion to be reached from reading a brilliant article in the current "Foreign Affairs" magazine by McGeorge Bundy, who was a top adviser to Presidents Kennedy and Johnson. It would be hard to find a man who knows more than he about the demands—and limitations—of the nation's security.

A year ago, Mr. Bundy was admitting that he had been very wrong about the war in Vietnam. His latest statement, entitled "To Cap the Volcano," will remind many a reader of the little child in the fable who first broke the news that the emperor had no clothes on.

"The neglected truth," he writes, "about the present strategic arms race between the United States and the Soviet Union is that in terms of international political behavior that race has now become almost completely irrelevant. The new weapons systems . . . will provide neither protection nor opportunity in any serious sense. Politically the strategic nuclear arms race is in a stalemate. . . .

"In light of the certain prospect of retaliation there has been literally no chance at all that any sane political authority, in either the United States or the Soviet Union, would consciously choose to start a nuclear war. This proposition is true for the past, the present and the foreseeable future. For sane men on both sides the balance of terror is overwhelmingly persuasive."

Think-tank analysts who write about "acceptable" damage and the loss of dozens of great cities, are, writes Bundy, "in an unreal world." He adds that we have somehow forgotten "that already 15 years ago we were scorpions in a bottle, able to sting each other only at the price of death."

"Beyond a point long since past," Bundy continues, "the escalation of the strategic nuclear race makes no sense for either the Soviet Union or the United States," and it would not even if the nuclear strength of the two nations were reversed: "A stalemate is a stalemate either way around."

It is not that Mr. Bundy downgrades those in charge of our strategic forces; he says they "place us all in their debt." But he denies that their necessary contingency plans are seriously considered.

"The object of political men—quite rightly—is that these weapons should never be used. I have watched two Presidents working on strategic contingency plans, and what interested them most was simply to make sure that none of these awful events would occur."

And yet there is a rub. "Presidents and Politburos may know in their hearts that the only thing they want from strategic weapons is never to have to use them . . . but they do find it prudent to expose them for the political irrelevance they are.

"The same political leaders who know these terrible weapons must never be used . . . still do not hesitate to authorize system after system . . . I know of no escape from the conclusion that both in his sensible abhorrence of nuclear conflict and his persistent attachment to still more weapons systems the political leader is reflecting his constituency. The fault is less in our leaders than in ourselves."

How to overcome this situation? To Bundy, the strategic arms limitation talks (SALT) presented the great opportunity for both realists and sophisticates on both sides to become convinced that "enough is enough." It cannot be a one-way street, he writes, but each side "must move from a zealous concern for its own advantage to a sober acceptance of parity."

For "any war between serious nuclear powers would be as bad to 'win' as to 'lose,' so that relative numbers of weapons have never been decisive . . ."

Mr. Bundy believes that "it has fallen to Mr. Nixon to come to terms with the politics of parity," and in an interesting comment he says that "according to informal but authoritative reports from Europe he (Mr. Nixon) has been eloquent in reminding friends abroad that strategic parity is now both inescapable and acceptable." Mr. Bundy suggests, however, that the President does not yet see any solid political base for this position here at home.

If this is so, then the people themselves must create such a base, by speaking out and letting Congress know about it. Mr. Bundy is right in believing there would be "solid support for the kind of reassessment that could lead to a decision that the United States, on its own will take a small step away from the nuclear arms race."

And we liked very much Mr. Bundy's last sentence: "That small step, too could be a giant leap for mankind." Now the question is, "Will Mr. Nixon take it?"

CONGRESSMAN RODINO AIDS CONSTITUENT MARASCO

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. FASCELL. Mr. Speaker, in connection with the recent incident involving eight Green Berets, I think it is important to note the major role played by our distinguished colleague, Congressman Peter Rodino.

As we all know, the Green Berets were accused of murdering an alleged South Vietnamese double agent. When the incident first occurred the Secretary of the Army, Stanley R. Resor, announced his decision that a trial of the charges of murder and conspiracy to murder would be held. Several weeks later, in an unusual reversal, the Secretary ordered the dismissal of all charges against the men on the ground that they could not receive a fair trial.

One of the men involved in this unfortunate incident was Capt. Robert F. Marasco, a resident of the 10th Congressional District of New Jersey, which is most ably represented by Congressman Rodino. Each of us can well understand the extreme difficulties involved in handling a military case of this nature—but Congressman Rodino immediately acted in behalf of his constituent and was largely responsible, in my judgment, for bringing to light the inequities of the charges and the manner in which the Army handled the entire situation. Congressman Rodino took every possible action in behalf of Captain Marasco, and exemplified the acute sense of duty which motivates him.

I congratulate Congressman Rodino for his perseverance in this important case and thank him for the role he played in reversing the Department of the Army's decision.

MINNESOTA EXPERIMENTAL CITY

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. QUIE. Mr. Speaker, for the past 3 years the idea of building an experimental city to serve as a focal point in testing technological and social changes applicable to urban areas has been nurtured in the minds of a group of distinguished Americans.

With the help of the University of Minnesota, the State and Federal Governments and the business community, the concept of an "instant city" has been honed and polished until it has come into sharper focus.

Guiding light behind the idea since its inception has been Mr. Otto A. Silha, executive vice president and publisher of the Minneapolis Star and Tribune Co., and chairman of the steering committee for the experimental city project.

He has been capably assisted by Prof. Walter Vivrett of the University of Minnesota School of Architecture, project director.

The first phase of the project, concluded in June, was financed jointly by the Department of Commerce, the Department of Health, Education, and Welfare and the Department of Housing and Urban Development with 12 private firms contributing 25 percent of the $320,000 cost.

Reporting on the work of a University of Minnesota project team in completing phase 1 of the project, Mr. Silha addressed a public conference at the University on June 6.

Everyone interested in finding solutions to the national urban crisis will be intrigued by the concept of an experimental city as he describes it. I am pleased to insert his speech in the Congressional Record, as follows:

The Experimental City and Its Partnership for Progress

(By Otto A. Silha)

Today marks a significant milestone for what many now consider one of the most important and far-reaching undertakings ever launched in America—the planning and eventual building of an experimental city for the United States.

This first public conference is also the occasion for release of the Phase I "Progressive Report" on the Minnesota Experimental City and we are pleased as well to make several announcements of considerable significance for the MXC project in the months ahead. But more on these points later.

Let me express the hope that your day here will prove to be a valuable experience and that you will leave with a greater appreciation for the project and—especially—for what it can mean for Minnesota, the Midwest, and indeed for our entire nation as a partial but vital solution to many of our rural and urban problems.

Since mid-1966, when an experimental city was initially proposed, the energies of the University of Minnesota, the State and Federal governments, and of our business community have been harnassed in developing, during Phase I, the theoretical foundations of this entirely new kind of city.

The project has maintained from the beginning a certain magnetic quality, attracting the brainpower, experience, and talent of more than 170 workshop participants from all over America and symbolized today by our Steering Committee. I would like to digress for a moment to introduce those members of the Steering Committee who are with us this morning:

Gaylord W. Anderson, Director, School of Public Health, University of Minnesota.

Dr. James C. Cain, Professor of Clinical Medicine, Mayo Clinic, Rochester, Minnesota.

Max L. Feldman, Engineer, G. E. TEMPO (Center for Advanced Studies) Santa Barbara, California.

Mrs. Rita E. Hauser, U.S. Representative, Human Rights Commission of the United Nations, New York, N.Y.

Walter W. Heller, Regents' Professor, Department of Economics, University of Minnesota.

Martin E. Marty, Professor, Divinity School, University of Chicago.

Malcolm C. Moos, President, University of Minnesota.

Joseph A. Pechman, Director, Economic Studies, Brookings Institution, Washington, D.C.

Roger Revelle, Head, Center for Population Studies, Harvard University, Cambridge.

General B. A. Schriever, U.S.A.F. (ret.), B. A. Schriever Associates, Arlington, Virginia.

Mrs. Muriel S. Snowden, Associate Director, Freedom House, Inc., Roxbury, Massachusetts.

Wayne E. Thompson, Vice President, The Dayton Corporation, Minneapolis.

Walter K. Vivrett, Professor, Architecture and Planning, University of Minnesota.

William L. C. Wheaton, Dean, College of Environmental Design, University of California, Berkeley.

Other Steering Committee members unable to be with us today include:

Walter M. Beattie, Jr., Dean, School of Social Work, Syracuse University.

Harrison Brown, Professor, Geo-Chemistry, California Institute of Technology, Pasadena.

Arthur S. Flemming, President, Macalester College, St. Paul.

R. Buckminster Fuller, Engineer and Professor, Southern Illinois University, Carbondale.

Harvey S. Perloff, Dean, School of Architecture and Urban Planning, University of California, Los Angeles.

Athelstan Spilhaus, President, Franklin Institute, Philadelphia.

O. Meredith Wilson, Director, Center for Advanced Study in Behavioral Sciences, Stanford University, Palo Alto.

Paul N. Ylvisaker, Commissioner, Department of Community Affairs, Trenton, New Jersey.

Whitney M. Young, Jr., Executive Director, National Urban League, Inc., New York. (I'm glad to say Gleason Glover of the Urban League is representing Whitney Young here today.)

As a result of nearly three years of counsel and direction by these prominent Americans, and the work of a competent staff at the University, the State of Minnesota is in the forefront of an effort to find workable alternatives to the solution of our national urban crisis. No other large scale study of the potential of a new kind of city is currently under way in the United States. The importance of this effort is further underscored by the fact that the Minnesota Experimental City is the first research project in our nation's history to receive joint funding from three departments of the Federal government—the Department of Commerce, the Department of Health, Education and Welfare, and the Department of Housing and Urban Development. In addition, twelve private corporations, nine of which are headquartered in Minnesota, have demonstrated their commitment to the City by contributing more than 25% of the $320,000 required to complete Phase I of the project.

At the outset, to give greater focus to the project, let me briefly review with you the 1969 nomenclature of "the cities."

The Minnesota Experimental City is frequently confused with the Model City program, which is essentially a much-needed extension of what we have come to know in previous years as urban renewal, a super coordination effort involving the many departments of government which deal with the problems of the city.

Let me emphasize that the Model Cities program basically involves the replacing of slum areas with new construction, along with attempting to deal simultaneously with the overwhelming "people problems" in these dense urban settings.

A second designation for urban development which has come into the vocabulary recently is the "New Town." There are now in construction or on drawing boards, more than 250 "New Towns" in the United States. The two with which you are probably most familiar are Reston and Columbia, both of them in the greater Washington, D.C., areas. Jonathan in Carver County is the nearest counterpart in this part of the country.

Actually, in oversimplified terms, the New Town is a real estate development. They are all primarily in the private sector and many of them are spearheaded by large corporations.

Interestingly enough, almost all of these planned "New Towns" are located around the "rims" of the United States. You can trace the concentration starting from the Boston area in New England down along the East Coast into Florida, across the Gulf Coast into Texas, through Arizona and then up the West Coast of California. Very few of them are mapped out for the Midwest.

I want to make the distinction now between the Model Cities, the New Cities and the Conference subject—the Experimental City. The key phrase which I prefer to use in describing the Experimental City is that it will comprise an *overleap* in research and in seeking more alternatives in dealing with the problems of the city.

This experimental overleap would offer an opportunity to start anew rather than deal with the entangling restrictions of every sort—power, transportation, sewer lines, to name a few—which are ever present when we attack the problems of the established city or even the environs of an established metropolitan area.

The Minnesota Experimental City has been conceived as a totally new city in which innovations—technological, social, economic, and physical—could be developed, experimented with, and evaluated. Such a city concurrently could lead the way to a more humanized order of urban living. In short, the objective of the Minnesota City is to improve dramatically the quality of life by providing a major advance in man's ability to shape his environment.

We know that today's urban systems are complex and interacting; thus only through a new city is a total systems experiment possible. The Minnesota Experimental City, located some 100 to 150 miles from any existing urban center and housing eventually some 250,000 people, will provide that opportunity.

The fragmented experiments possible in existing urban settings are no substitute for what we envision here. Tradition and the

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status quo can be—and frequently are—deadly enemies of human progress but, in a new city, it will be possible to experiment in a coordinated way with a wide myriad of human and environmental factors.

Thus, we look upon the Experimental City as a national proving ground for demonstrating our social, economic and physical capabilities for building cities that can be truly responsive to man's changing needs. The real premise of the City, then, is that 1) man can creatively mold his environment; 2) that we can uniquely unite the technological resources of the private sector with the authority of the public sector; and, finally, that we can do much more to serve people by harnassing and reorienting the social, economic and physical forces about us.

And, what is the great force compelling us to forge ahead . . . people. Dr. Patrick Moynihan, President Nixon's urban adviser, has repeatedly spoken of the need to deal boldly and imaginatively with the American population explosion. America's population trend is irreversible—despite a birthrate of only one per cent, the United States will grow by 100 million people in the next thirty years.

We must find the means to locate these Americans in other than existing urban centers. In short, as Dr. Moynihan says, we need to build in the United States one city the size of Tulsa, Oklahoma each month for the next thirty years just to keep pace with our population explosion.

The question of numbers aside, we are also rightfully concerned with the "quality of life" for our people.

The MXC project proposes to create near the geographic center of the North American continent a new city which will serve in 1976 as a symbol of the progress of two hundred years of an evolving democratic society—its people, institutions, and technology.

In several of our MXC workshops, participants stressed the importance of the City subscribing to a set of community and human values consistent with these principles:

(1) That citizen participation in evaluation and change be encouraged so as to develop mechanisms for achieving further progress.

(2) That social interaction within and among age, religious, racial and ethnic groups and subgroups be fostered.

(3) That personal integrity, individuality and freedom of choice be upheld.

(4) That protection and security be assured; and

(5) That the City will provide for creative and renewing experiences for its inhabitants.

Hence, the search for innovation will not be limited to physical hardware and physical arrangements; equal significance will be given to the need for genuinely new and progressive social institutions and social arrangements.

The Minnesota Experimental City, by its very nature, would have a number of inherent advantages, including:

(1) Lower land costs, particularly if the ultimately selected site is removed from an area currently under development or if it were already in the public domain.

(2) Housing of diverse types and sizes could be built into the communities to accommodate the full life cycle, and to experiment with intermixes of different income, age, and ethnic groups.

(3) Fewer legal and regulatory restrictions would deter innovation in construction technology; and

(4) Community attitudes would be more conducive to change and experimentation; far fewer economic or socio-psychological commitments would manifest themselves as barriers to change.

As an instant city, defined to mean a ten-year development effort from the beginning to substantial completion, the Experimental City would permit a coordinated application of social and physical know-how in a working demonstration of what man can achieve if he so desires.

Later today you will be receiving a progress report on the work accomplished during Phase I. For the first time in the history of man, we are advancing the concept of building a complete city from an ecological base. In reading the report, you will note that our past Steering Committee deliberations and MXC workshops have generated some exciting concepts for intensive investigation, research and/or development during Phase II. Here are but a few of the ideas:

The feasibility of free public mass transportation being built into The City the way an elevator is built into a building.

The possibility exists for co-ordinated testing and experimentation with MXC ideas in the near-term future. We find an emerging interest in conducting experiments wherever possible in existing communities, including our central cities. For example, certain experimental ideas may be suggested for the Model City area of Minneapolis.

The whole concept of research on "the new" and people's capacity to absorb new ideas and new things. The "marketing" aspects of new ideas constitute a whole new field for concentrated research.

A "situation room" or an "information transfer" room may be constructed for use in the planning and design stages of The City, but also as an experiment for early application in existing cities.

Development of the first air world transportation center for the United States.

The educational possibilities of the project itself. Can a new kind of university "without walls" be built into the project as it unfolds? We believe so.

What new horizons can be explored in supplying food to a city?

Again, these are only some of the interesting thoughts which have developed in the first planning stage of MXC. Many more are discussed in the formal report.

Minnesota has demonstrated a traditional concern for the quality of life. Thus it is fitting that we should be instrumental in leading the way toward a new and better environment. However, the tasks ahead are enormous. Only through a level of cooperation unique in our nation's history can the Minnesota City come into fruition. The cornerstone of this cooperation has already been set in the project's unique tripartite partnership of private enterprise, the academic community, and government evidenced during the first phase.

Many major companies joined the University and the Federal agencies in providing the funding needed to complete Phase I. The following contributed $10,000 or more toward the initial research:

The Dayton Company; The H. B. Fuller Company; Honeywell, Inc.; IBM; Minneapolis Banks' Clearing House Association; Minneapolis Star and Tribune Company; Northern Natural Gas Company; Northern States Power Company; Northwestern Bell Telephone Company; Polaroid Corporation; Boise-Cascade Corporation; and Control Data Corporation.

Even greater support and cooperation will be necessary as we now move into Phase II which encompasses actual experimental and development work . . . work designed to evaluate untried concepts and systems in a laboratory environment, to experiment with small scale models, and to investigate anticipated operational problems. Phase II is roughly estimated to cost some four million dollars and the Steering Committee is rightfully encouraged by the continuing high level of interest in both the public and private sectors and by the financial commitments already secured from private industry.

We have every reason to be encouraged. This morning I publicly announced that the Minnesota City project has received grants from the private sector totaling $500,000 for Phase II work—including a $100,000 cash grant from the American Gas Association in conjunction with an additional AGA grant of $250,000 in stipulated research. Most of the companies mentioned previously have already contributed $25,000 each for Phase II.

As you can see, the private sector has played and will continue to play a major role in the conception and development of the Minnesota City. But, more than that, our business community is demonstrating a steadfast commitment to a better life for all our people in the years to come.

In addition, I understand that the Ford Foundation has poised for approval the University's grant request for $46,000 to conduct an on-site research evaluation of the evolution of the new town of Jonathan in Carver County. Surely such research efforts there will provide many insights and improve our capability to deal with the manifold problems to be encountered in building the Minnesota City.

Developments in the public sector also have been impressive and encouraging. Before adjourning last week, the 1969 Minnesota Legislature, by concurrent resolutions of the House and Senate, authorized an interim legislative study of the Minnesota Experimental City, its needs and requirements, to be undertaken by a standing committee in each respective body. Such a study, to be underwritten by legislative funds, will be the first of its kind in the nation and will be instrumental in getting positive legislative action in the 1971 session. Important areas such as the formation of a semi-public corporation—with both public and private financing—to actually build the city, the granting of condemnation and bonding powers to the corporation, insurance ratings, building codes, school aid payments and taxation, and innumerable questions affecting the public health and safety need to be researched with recommendations made.

In directing its standing committees to report back these legislative recommendations by January of 1971, the Legislature has taken a major stride in advancing the feasibility of the Minnesota City. Only through a positive legislative response can we ultimately succeed and this 1969 action is a significant breakthrough with far-reaching ramifications.

We are gratified by this interest and cooperation shown by the members of the Legislature and by the considerable assistance given to us by Minnesota's Executive Branch. The Governor, the Attorney General and the operating departments have been most helpful and we are assured of their continuing support during Phase II.

At the Federal level prospects are equally bright. Since taking office, Vice President Agnew—the President's liaison with the cities of America—has held two sessions with the nation's leading urban experts on the topic of "new towns." I was privileged to have been invited to the May session and it appears to me that we are witnessing in Washington a greater awareness than ever before that the new cities concept can be a viable solution to many of our current ills.

In Washington the MXC project enjoys the support of our congressional delegation. And, in addition, we have visited with several cabinet-level officials as well as with the Vice President to discuss the City and our plans for Phase II. We are now in the process of preparing our Federal grant applications and, hopefully, we can look forward to broadened Federal support in the months ahead.

From this brief overview I hope you will conclude with me that we are well on the way toward the day when people will live in the Minnesota City. To those who have so generously and enthusiastically supported the project, we can only say "thank you" with the hope that it will continue to merit your confidence and support in the future;

to the "doubters" we must also express a certain gratitude for, throughout history, they have impelled man to think the unthinkable and conquer the unconquerable. And, so it is with the Experimental City.

In less than two months Americans will witness the culmination of our multi-million dollar lunar program with the landing of our astronauts on the moon. Once again, man will have achieved the impossible.

If American technology and know-how can overcome this incredibly complex and difficult challenge, surely we can grapple more successfully with our people-problems here on earth. What we so desperately need is the resolve to do so. . . and that means we must re-examine our priorities.

Vice President Agnew, writing in the foreward of *The New City*—just recently published for Urban America by the National Committee on Urban Growth Policy—commented:

". . . the problems faced by American cities seem an unending chain of crises. Not only are suggested solutions few, but the general ability to think through the intricate maze of political, technical and geographic relationships is almost totally lacking.

"Everyone concerned knows that something must be done. Without cities of a new kind, cities which exist to serve human life and not detract from it, our complex civilization cannot survive. . . ."

Let me conclude by observing that, with the completion of Phase I, we have begun to cut through this intricate maze and we are proposing, by the creation of the Experimental City, one real alternative to the decay of urban America and the decline of our civilization.

At the close of today's conference, I trust you will agree.

Thank you for coming.

A MEMORABLE MAN HAS GONE TO REST

HON. WALTER FLOWERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. FLOWERS. Mr. Speaker, my hometown of Tuscaloosa and the entire State of Alabama lost one of its most valued and respected citizens in the death of Luther Davis, Sr., on October 3. Fortunately for us, he was able to live a long and useful life which stands as an example of service that should be brought to the attention of the House and to others. Therefore, it is my privilege, under unanimous consent, to offer for insertion in the RECORD the following article from the Tuscaloosa News:

A MEMORABLE MAN HAS GONE TO REST

His hair had turned to silver long ago. His eyes had dimmed. His shoulders stooped slightly to reach his walking cane. But Luther Davis, Sr., still had that dapper look, that friendly disposition, that softness of voice that marked him as a memorable man.

Now Luther Davis, ex Tuscaloosa mayor, ex Tuscaloosa druggist, one of Tuscaloosa's longest and most faithful boosters is dead at 88.

In 1967 he retired after serving as a druggist 66 years. In 1949 he stepped down as Tuscaloosa's mayor, a position he held against all comers for 25 years.

A born philosopher, a natural vote-getter, a man rich in the knowledge of human nature . . . a pretty fair doctor without being one . . . a typical gentleman of the old school . . . a gentle and kind man. That was Luther Davis.

In 1901 he left a cotton field in Hale County and came to Tuscaloosa. In 1906 he went into partnership with Dr. Sidney Leach and opened a drugstore downtown. He was elected to the City Commission in 1926.

"I gave up politics," said he, "because I got tired of hearing folks ask for more than we could possibly do."

His philosophies of life are as memorable as he.

"We're all better off than we think we are."

"We all give and provide things to make life easier for our children when we shouldn't do it for their own sakes."

"It is best to let the young folks have a few obstacles to overcome. It makes better men and women out of them."

"I have always respected the right of the other man to have his own opinions and I have always hoped he would also give me that right. It has worked out pretty well."

Luther Davis will long be remembered in Tuscaloosa. Many will miss his everyday walks along the sidewalks, his friendly wave as he passed store windows.

Two years ago he went home "to rest awhile."

Now he's gone to rest forever.

But his memory lingers.

POSTAL CLERKS MARK GOLDEN JUBILEE

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mrs. HECKLER of Massachusetts. Mr. Speaker, I should like to take this opportunity to join in tribute to the members of Locals 511 and 575, United Federation of Postal Clerks, Fall River and New Bedford, Mass. The Fall River Herald News expressed the appreciation of all the citizens of Greater Fall River on the occasion of the 50th anniversary celebration of this outstanding group of Federal employees. I certainly concur with the sentiments of this editorial and submit it for the attention of my colleagues:

POSTAL CLERKS MARK GOLDEN JUBILEE

A group of men who work behind the scenes to expedite the delivery of mail will observe a golden jubilee here Saturday.

The members of Locals 511 of this city and 575 of New Bedford will mark the 50th anniversary of their association with the United Federation of Postal Clerks. They plan to meet aboard the USS Massachusetts, to visit the Marine Museum and to enjoy dining and dancing at White's.

National union officials will join in paying tribute to the clerks on this happy anniversary.

President James C. Simpson of the Fall River local points out that the public's contact with postal clerks is minimal because the few who serve at the windows of the main post office represent an extremely small portion of the staff. Behind the scenes there are scores of well-trained men seeing to it that the letters dropped into the corner mailbox or the parcels weighed, insured and stamped in the post office, are properly and speedily dispatched into the main stream of the department's delivery system so they will reach the adddessee safely and without delay.

Simpson and his associates have reason to mark the golden jubilee of their association with the United Federation of Postal Clerks for they have served their nation, their home communities and their fellow citizens well.

All Greater Fall Riverites are appreciative of these federal employes' efforts and on this gala occasion say to them—well done.

AMON G. CARTER FOUNDATION, FORT WORTH, TEX.

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. TEAGUE of Texas. Mr. Speaker, the other day representatives of the Amon G. Carter Foundation of Fort Worth, Tex., appeared before the Senate Committee on Finance to testify in behalf of their foundation. Under leave to extend my remarks in the RECORD, I wish to include a copy of the statement of Mr. Amon G. Carter, Jr., president of the foundation, as follows:

STATEMENT TO THE COMMITTEE ON FINANCE, U.S. SENATE

(Submitted by Amon G. Carter Foundation, Fort Worth, Tex.)

Amon G. Carter Foundation, a non-profit Texas corporation organized and operated for charitable, religious, literary, and educational purposes, sometimes hereinafter styled "Foundation," hereby respectfully requests modification of certain provisions of H.R. 13270 dealing with the taxation and regulation of "private foundations," as defined in said H.R. 13270. H.R. 13270 will sometimes hereinafter be referred to as "the Bill" or "the House Bill."

The provisions of the Bill as to which such modification is urged are:

Those limiting the percentage of the total voting stock in a business corporation which may be owned by a private foundation, requiring the disposition of so much of said stock as is in excess of the specified limit, and imposing penalties and sanctions for failure to comply with these requirements, whether or not it is legally impossible for the private foundation to dispose of the stock.

FACTS

Amon G. Carter Foundation was incorporated as a non-profit Texas corporation in 1945. It has no capital stock. It was organized to support charitable, religious, literary, and educational undertakings. Shortly after its organization, it was classified as an organization exempt from Federal income taxes under what is now Section 501(c)(3) of the Internal Revenue Code of 1954, and it has continuously maintained that exempt status and its right so to do has never been questioned.

At its organization, Foundation received substantial gifts from Amon G. Carter, Sr. and his former wife, Mrs. Nenetta Burton Carter, from whom he was then divorced. Foundation functioned primarily under the direction of Amon G. Carter until his death in 1955.

By his will, which was duly admitted to probate in 1955 and which has never been in any respect contested or modified, Amon G. Carter bequeathed and devised to the Foundation all of the stock which he owned at his death in Carter Publications, Inc., under provisions which prohibited the Foundation from in any manner disposing of the stock so devised except under specified circumstances for the length of time shown in the excerpt from the will hereinafter set forth. The pertinent provisions of the will are as follows:

"2. The Foundation shall not sell, exchange, mortgage, or pledge, or in any manner dispose of, encumber or hypothecate my stock in Carter Publications, Inc. for the length of time hereinafter set forth, except with the unanimous consent of all who are then directors of Foundation.

"(a) Foundation may, at any time, join all other stockholders in Carter Publications, Inc., in a sale of all of its capital stock; or

"(b) Foundation may join with the number of other stockholders then required by law in completely liquidating Carter Publications, Inc., if it has sold substantially all of the assets directly employed by it in its business. If, but only if, my stock in Carter Publications, Inc. is disposed of by Foundation in accordance with either of these exceptions, then the purchase rights granted in the subsequent paragraphs of this Article shall be completely extinguished without any right to compensation from or claim upon the proceeds of such disposition inuring to any of those to whom such purchase rights are hereinafter given.

"3. The restrictions set forth in the preceding paragraph 2 shall continue in full force and effect until June 23, 1994, or until twenty (20) years after the death of the last survivor of such of the following named as are living at my death: Amon G. Carter, Jr. (my son), Ruth Carter Johnson (my daughter), James M. North, Jr., B. N. Honea, and Harold V. Hough (all of Fort Worth, Texas, and now stockholders in Carter Publications, Inc.), and any child of any of these five (5) who may be living at my death, whichever period is shorter, and for six (6) months thereafter, but no longer; which six months' period is hereinafter referred to in this Article as the 'option period.'"

The stock in Carter Publications, Inc. so received under the Amon G. Carter will, with stock dividends subsequently received amounts to 26,257 shares, which is more than 20% of the authorized, issued and outstanding capital stock of Carter Publications, Inc. of 120,000 shares. The restrictions on disposition cannot be expected to expire prior to 1994.

Carter Publications, Inc. is the owner and publisher of the Fort Worth Star-Telegram, one of the important newspapers in the State of Texas, and also owns and operates a television and radio station. It was developed from a very small beginning into a successful and valuable organization under the direction and control of Amon G. Carter, with the assistance of a small group of individuals who were actively connected with its operation and who were minority stockholders in Carter Publications, Inc. For many years prior to his death. Amon G. Carter and members of his family, including his former wife, Mrs. Nenetta Burton Carter, had complete stock control of Carter Publications, Inc. All of those associated in the development of the enterprise, except B. N. Honea, have died and their stock holdings have been acquired by Carter Publications, Inc. and retired.

The present capital stock of Carter Publications, Inc. consists of 120,000 shares of a par value of $100 each. 29,951 of these shares are owned by Foundation; 69,043 by members of the Carter family, which term includes Mrs. Nenetta Burton Carter, Amon G. Carter, Jr. and Ruth Carter Johnson (the children of Amon G. Carter and Nenetta Burton Carter), and the children of Amon G. Carter, Jr. and Mrs. Ruth Carter Johnson. B. N. Honea and members of his family own 21,206 shares of the stock; the attorney for Carter Publications, Inc. owns 148 shares; and another employee and director owns 12 shares. All of the shares owned by Foundation were acquired under the will of Amon G. Carter except 2,000 shares which Foundation acquired prior to the death of Amon G. Carter from the estate of a deceased daughter. Eliminating this 2,000 shares and the increases therein by stock dividends, the remainder of the Carter Publications, Inc. stock held by Foundation, which was acquired under and was subject to the provisions of the Amon G. Carter will, exceeds 20% of the outstanding capital stock of Carter Publications, Inc.

Since shortly after the death of Amon G. Carter, Sr., Foundation has been managed and controlled by a self-perpetuating board of three directors, consisting of Amon G. Carter, Jr., Mrs. Ruth Carter Johnson, and Mrs. Katrine Deakins, who, during the lifetime of Amon G. Carter, Sr., was his confidential and executive secretary and who is more familiar with his plans and wishes than any living person.

No member of the Carter family has ever received any compensation or other financial benefit of any kind or character from Foundation. Amon G. Carter, Jr. and Mrs. Ruth Carter Johnson serve without compensation and devote a considerable portion of their time to its affairs.

The book value of the assets of Foundation at the end of the first period after it received the residue of the Amon G. Carter Estate was approximately $25,000,000. The book value of its assets on July 31, 1969, was over $33,600,000, and the market value of these assets at that time was between $45,000,000 and $50,000,000. Since its organization, the Foundation has made gifts and grants of approximately $16,500,000, and in addition, has about $5,000,000 in assets in Amon G. Carter Museum of Western Arts and its contents. The establishment of this museum was required by the provisions of the will of Amon G. Carter. It is operated for public use and without any admission charge and will ultimately go to the City of Fort Worth. The recipients of the gifts made by Foundation are churches, educational institutions, hospitals, and similar organizations such as the Carter Blood Center in Fort Worth, Texas, and numerous other qualified and worthwhile recipients. The Foundation's activities, both financial and charitable, have been conducted with a minimum of expense. The Foundation has consistently disbursed, for charitable and related purposes, all or more of its income than present laws direct it to disburse. It has no accumulation of such earnings.

The Carter Publications, Inc. stock bequeathed to Foundation was valued for estate tax purposes at $1,125,000. The company has regularly paid cash dividends for many years. Its present dividend rate is $8.37 per share. During the period of administration on the Amon G. Carter Estate, it received $501,244 in cash dividends on the stock owned by the decedent at death, and the total cash dividends received by Foundation on Carter Publications stock from 1956 through 1969 amounted to $2,398,103. This stock was valued at $81.00 per share at Amon G. Carter's death, so the present cash dividend rate is more than twenty per cent (20%) per year on the value of the stock at Carter's death.

Foundation's holdings of the stock in Carter Publications, Inc. acquired from the Amon G. Carter Estate cannot, as shown by the excerpt from the Amon G. Carter will quoted above, be disposed of for a great many years except under the limited circumstances specified in the will, which, in effect, would require the disposition by all stockholders in Carter Publications, Inc. of all of their stock in that company or the sale by Carter Publications, Inc. of all of its assets and its complete liquidation. The properties of Carter Publications, Inc. are very valuable with necessarily a very limited number of possible purchasers, and even if its stock or its properties could be sold, the prospective purchasers would probably be limited to one of the several newspaper chains which in the past have acquired newspaper properties in various sections of the country. To place the ownership of the Fort Worth Star-Telegram and the television and radio station associated with it in the hands of any such purchaser would deprive North Texas and West Texas of an enterprise which has for almost half a century been devoted primarily to the development of those areas, and promote further an undesirable concentration of the ownership of news media throughout the United States. Further, any such disposition would require the cooperation of all of the stockholders in Carter Publications, Inc. and it is entirely beyond the power of the Foundation to secure such cooperation.

Foundation has been advised and believes that it would be impossible to secure a judicial determination which would remove the restrictions contained in the Amon G. Carter will upon the disposition of Carter Publications, Inc. stock which was bequeathed by said will to Foundation. Such a judicial determination would, in effect, be a rewriting of a plain and unambiguous will which was admitted to probate approximately fifteen years ago and the provisions of which have never been contested or in any respect modified. For the same reasons, it appears impossible for Foundation to dispose of any portion of the stock in Carter Publications, Inc. received under the Carter will within the two-year and five-year periods specified in Section 4943(c) (4) (B) and (C) of the Bill. Thus, the Bill, as presently drafted, would not only impose very severe sanctions and penalties on all concerned, but would destroy this very worthwhile organization.

SUGGESTED MODIFICATION

It is believed that if there is added to Section 4943(c) (4) (D) the following provision:

"No holdings of a private foundation shall be classified as 'excess business holdings' for so long as, by the terms of the applicable instrument (in effect on January 1, 1969) by which the private foundation acquired such holdings, it is prohibited from disposing in any manner of such holdings without the consent of a person or persons who are not 'disqualified persons,' as defined in Section 4946(a), if, in a proper judicial proceeding to which the highest law officer of the State having jurisdiction is a party, it is determined that such prohibition cannot be modified so as to permit such disposition without such consent," it will remedy the existing situation which, as aforesaid, would accomplish very inequitable results not intended by the authors of the Bill.

The provision above quoted is submitted without pride of authorship, and any other provision which would accomplish the intended result would be satisfactory to the Foundation and to any other foundations similarly situated.

The relief suggested is substantially similar to the relief presently afforded by the Bill in those provisions of the Bill dealing with accumulated income and affording relief in those cases where the governing instrument provides for the accumulation of a part of the foundation's income over an extended period. See in connection with this relief provision the statement of Hon. Edwin S. Cohen, Assistant Secretary of the Treasury for Tax Policy, found on Page 32 of the government publication entitled "Statement of the Hon. David M. Kennedy, Secretary of the Treasury," where Assistant Secretary Cohen said:

"There is, however, a permanent exemption from the income pay-out rules of those organizations which are required by their governing instruments to accumulate income and which find it impossible to effect a change. It appears that the provision pertaining to disposition of business holdings is too stringent and should be changed to conform to the income pay-out rule."

WITHDRAWAL NOW

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. ROSENTHAL. Mr. Speaker, 14 Members of the House today introduced a resolution calling for withdrawal now from Vietnam with the pace of departure to be limited only by the need to protect our forces.

Our resolution also expresses our conviction that the United States should assist in the protection of those South Vietnamese who are endangered by our disengagement.

A similar resolution was also introduced today by Senators Alan Cranston of California, George McGovern of South Dakota and Abraham Ribicoff of Connecticut.

House sponsors of the resolution, the text of which follows, were:

George Brown of California; Daniel Button of New York; Phillip Burton of California; Shirley Chisholm of New York; John Conyers of Michigan.

Don Edwards of California; Bob Eckhardt of Texas; Donald M. Fraser of Minnesota; Andrew Jacobs of Indiana.

Robert Kastenmeier of Wisconsin; Abner J. Mikva of Illinois; Arnold Olsen of Montana; William F. Ryan of New York; Benjamin S. Rosenthal of New York.

House Concurrent Resolution 403

Whereas, the war in Vietnam has resulted in the loss of more than 40,000 American lives, in some 250,000 American casualties, and in the depletion of American resources to the extent of over $100 billion, and inestimable destruction to Vietnamese life and property.

Whereas, the war stands today as the greatest single obstacle to efforts to focus the country's financial, human and spiritual resources upon urgent domestic needs, and

Whereas, spokesmen for the present Administration have recognized that military victory cannot be achieved in Vietnam and have specifically defined United States policy to exclude that goal, and

Whereas, the painful history of United States involvement in Vietnam exposes the futility of external attempts to create and sustain a viable, indigenous government, particularly when its leaders resist political and social reforms aimed at inspiring popular confidence and support, and

Whereas, the leaders of South Vietnam have indicated, by action and deed, that their ambitions conflict with the interests of the United States in a prompt settlement of the conflict, and that they are unlikely to adopt a negotiating posture which might end the war so long as they are assured of all the United States support they need to prosecute it, and

Whereas, the dominant result of policies relating the level of American presence to the capability or willingness of the South Vietnamese to fight the war themselves can only be the continued daily loss of life and limb by American servicemen, with no foreseeable conclusion.

Now therefore be it resolved by the House, and the Senate consenting, that it is the sense of the Congress of the United States:

That all United States forces should now be withdrawn from Vietnam, the pace of the withdrawal to be limited only by steps to insure the safety of our forces, and that the United States should assist in the provision of asylum in friendly countries for those Vietnamese who might be endangered by our disengagement.

NEWSPAPER-OF-THE-AIR

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. HOGAN. Mr. Speaker, WETA/channel 26, Washington's public television station, should be congratulated for their immediate and excellent response to the recent Washington newspaper pressmen's strike.

On the evening of Thursday, October 2, as the House remained in session to debate military appropriations, WETA-TV launched a revolutionary new program entitled "Newspaper-of-the-Air" in response to an emergency community need. The program was broadcast in color from 7 to 8 p.m. and again from 10 to 11 p.m.

Fortunately for the residents of the Washington metropolitan area, the pressmen's strike was resolved late that same evening. However, WETA-TV was prepared to continue the program on a daily basis for the duration of the strike.

"Newspaper-of-the-Air" was coordinated and programed with the aid of editors and reporters from both the Washington Post and the Washington Star.

On the October 2 program, 13 experienced newspapermen covered the full gamut of the day's most important news events in the fields of foreign and national news; District of Columbia, Virginia and Maryland news; entertainment, sports and other features. Reporters also contributed incisive news analyses and special reports.

I commend WETA-channel 26 for arranging such an excellent broadcast on such short notice. It is even more remarkable in view of the budget limitations which characteristically distinguish public television broadcasts from commercial operations. The entire staff deserves our thanks for their dedicated efforts.

The only real problem encountered with this experiment in television programing was that of communicating its availability with such little leadtime. Although press releases and telegrams announcing the program were sent to all government leaders, it was virtually impossible to notify the general viewing public of the broadcast in advance of air time.

I have been informed by WETA-TV staff members that if such a communications emergency should ever arise again channel 26 will resume this news program. They are already formulating plans to have time available to make immediate announcement of the program in case of a news emergency.

It is particularly appropriate today, as the House opens debate on additional funding for educational television, that WETA-channel 26 and the Washington Star and Washington Post staffs be congratulated for offering this public service.

STATEMENT OF JOHN G. GUIMARRA, JR., GENERAL COUNSEL, GUIMARRA VINEYARDS CORP., EDISON, CALIF.

HON. ROBERT B. (BOB) MATHIAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. MATHIAS. Mr. Speaker, John G. Giumarra, Jr., one of my constituents, on September 30, 1969, presented testimony before the Senate Subcommittee on Migratory Labor. I believe his remarks present a fair appraisal of the activities of the United Farm Workers Organizing Committee in raising the issue of pesticides to bolster its presently sagging grape boycott.

The remarks follow:

Statement of John G. Giumarra, Jr., General Counsel, Giumarra Vineyards Corp., Edison, Calif., Before the Senate Subcommittee on Migratory Labor, Washington, D.C., September 30, 1969

I am John G. Giumarra, Jr., a resident of Bakersfield, California, and General Counsel of Giumarra Vineyards Corporation. We are grape growers in the Arvin and Delano regions of Kern County and are one of the many targets of the United Farm Workers Organizing Committee boycott effort.

Despite that boycott effort and intensive efforts by UFWOC to organize our workers and other farm workers in California and across the nation, our crops—and the total crop of the table grape industry—have been harvested and marketed in each of the past four years. Our 1969 crop is similarly flowing to market right now as Mr. Cesar Chavez and UFWOC trumpet their strike and boycott calls before this committee and in the marketplaces of the nation.

This crop is moving because UFWOC has failed in each and every phase of its campaign and is now resorting to cynical and desperate tactics to keep its cause alive.

UFWOC has failed in the fields where it has been unable to win over the workers and unable to halt the production or harvest of grapes.

UFWOC has failed with the boycott because the consumers of America want grapes and will eat them if they are for sale. UFWOC has further failed in the marketplace because the stores of America have stood up under the worst kind of coercion, refusing to serve as arbiters in a dispute which is not of their making and refusing to deny freedom of choice to the consumer.

Now, as this hearing has established beyond doubt, Mr. Chavez and UFWOC, in a last ditch effort to buoy up their cause, have recklessly leveled the false charge that the grape growers are poisoning the American people. Mr. Chavez has come to Washington to testify before the highest legislative body in the land in an attempt to use this revered place as the staging ground for an effort which could well destroy the table grape industry and the livelihood of the farm workers for whom he professes such deep concern.

That tactic has failed because of the diligence this Subcommittee has shown in pursuing the truth. His defamatory charge against this industry is based on the flimsiest possible evidence—Mr. Chavez' single laboratory analysis and one four-pound sample from nearly a billion pounds of California table grapes. And indeed even this test was demonstrated to be inaccurate.

Let us look at that evidence:

Dr. Paul E. Porter, a world renowned chemist and unimpeachable expert in pesticides, has refuted beyond question the charge that California table grapes are contaminated by aldrin. His scientific expertise brought down to language everyone can understand proves that the test cited to this committee on August 1 was either in error, or that the grapes were deliberately doctored by someone.

Even disregarding for the moment the scientific technicalities of the matter, the irrefutable fact is that aldrin is not used on California grapes.

Anthony A. Bianco, Jr., who grew the grapes in question, swears he has never used aldrin on any crop.

Mr. Allen Lemmon of the California State Department of Agriculture showed that aldrin isn't used on grapes and that his department's tests of grapes on the farm, in the transportation process and in the markets, have never turned up aldrin.

The people who apply pesticides for the growers, and the agricultural commissioners of every county in California state that aldrin isn't used on grapes.

Finally, the Food and Drug Administration, with its broad scale tests and its widely recognized array of technical experts, processes and equipment have totally cleared the California table grape crop of charges that it is contaminated by aldrin—or that it is contaminated in any way whatsoever by pesticides, herbicides and what Mr. Chavez calls "economic poisons" of any kind.

This then is the evidence that disposes of UFWOC's pesticide and which destroys the credibility of Mr. Chavez' own testimony before this committee and the dangerously irresponsible propaganda he is spreading in his travels about the country.

But this is only part of the story. The contrived pesticide issue represents a final desperate move in Mr. Chavez' campaign to grab control of the nation's food production. The pesticide scare was obviously launched to shore up UFWOC's sagging boycott. UFWOC's stated concern for the farm worker and consumer is no more than a cynical weapon in its arsenal of trickery and deceit.

The first I personally heard of pesticides as an issue between the growers and UFWOC was about a year ago from Mr. Cohen himself. We were litigating a matter in Superior Court in Bakersfield, California, when Mr. Cohen warned me that UFWOC was considering launching the pesticide campaign which has now materialized. At that time, however, he stated that UFWOC was being restrained from doing so by the AFL–CIO because such a campaign might destroy the industry. Mr. Cohen insisted that UFWOC could raise the issue in the future if the industry continued its refusal to negotiate with UFWOC and that if UFWOC did, the grape industry would be faced with another cranberry situation. And he warned that we couldn't beat this tactic because, he said, in the cranberry situation every time the Food and Drug Administration or the industry advised the public that cranberries were safe, sales of that commodity plunged even lower.

The ironic part of all this is that apparently not only the AFL–CIO but Mr. Chavez himself opposed the use of this tactic by his followers.

On June 10, 1969, Mr. Cohen walked into the office of the South Central Farmers Committee in Delano, California, and engaged in a conversation with Mrs. Eleanor Schulte, the committee's office manager.

(At this point, Mr. Chairman, I would like to submit for the record Mrs. Schulte's affidavit regarding that conversation.)

Mrs. Schulte notes therein that Mr. Cohen said his purpose was for Mrs. Schulte to pass along to the growers the conversation that took place between them.

I will also quote three brief paragraphs from Mrs. Schulte's affidavit:

(Quote) "The Board of UFWOC (He [Cohen] mentioned the names of Larry, Dolores and Phil whom I assume to be Larry Itliong, Dolores Huerta and Phil Veracruz [All UFWOC officials]) had met the previous night and voted to mount an all-out campaign this year on the boycott, including the pesticide issue. Cesar did not want to push the pesticide issue, and tried to restrain the others but finally agreed to go ahead with it if necessary. The only alternative to this intensive campaign will be for the growers to negotiate. Cesar wants to avoid this intensification because it will be so destructive to both sides." (End quote)

(And quote) "He spoke of the 'cranberry scare' and said that every time the Department of Agriculture issued a bulletin denying pesticide poisoning in cranberries, it only made the situation worse. He said we couldn't fight the pesticide issue . . ." (End quote)

(And again I quote) "He said that the union had had conversations in the past with John Giumarra, Jr. and that 'we told him we would make the boycott a national issue and he laughed. Then we told him that we would bring up the pesticide issue, and he laughed, but we did all these things'."

Yes, Mr. Chairman and members of the committee, they did do all these things and more.

They have lied to the American people. They have deliberately distorted fact. They have libeled this industry and this commodity. And they have demonstrated the most vicious irresponsibility the agricultural community of this nation has ever witnessed.

For example, consider the next document I will ask to be made part of this record. It is a handbill put out by UFWOC urging "Don't Eat Grapes." This handbill and thousands like it are flooding the country in a deliberate effort to frighten the American consumer and to destroy this industry.

In it, UFWOC charges the growers with using pesticides of a kind, and I quote, "developed by the Nazis during World War II" which "works just like war gases in its effect on human beings."

I am not a technical expert in pesticides but I do read the English language and I understand deliberately misleading propaganda when I see it. The same handbill says "There are no inspection procedures and no safeguards to protect consumers from dangerous pesticide residues remaining on grapes." The testimony before this committee yesterday and today demonstrate the utter falsity of UFWOC's claims.

By the way, if UFWOC wants to talk about gases, I'd like to tell you of an incident in our vineyards near Delano on August 26. A picking crew reported to a field for work and within a few moments many of the workers complained of feeling ill. Their eyes were watering and they were coughing. One worker attempted to use a portable field toilet which is provided for our workers, but was driven out in several seconds, tears streaming from his eyes.

The Hornkohl Laboratories of Bakersfield, chemical and testing engineers, were asked to analyze the problem because we fully anticipated that UFWOC would charge the incident up to pesticides in some fashion. A Hornkohl chemist, L. H. McAuley, said he was unable to remain in the toilet building for more than three seconds because of what he described as "a very pungent odor and burning effect of the eyes."

Laboratory tests (And I am submitting the Hornkohn certificate for the record, Mr. Chairman) showed that the portable toilet had been sprayed with an organic chemical with an aldehyde base. Aldehyde, I am told, is an abrasive agent, a basic ingredient in tear gas.

When Mr. McAuley attempted to leave the area with his sample, he was accosted by UFWOC supporters on the road outside the vineyard and warned to get rid of his sample. He refused, however, and was safely escorted from the area by one of our ranch officials. Moreover, while Mr. McAuley was taking his samples, the same UFWOC group harangued the workers in the field with shouts asking: "Do your eyes burn?" "Do you have tears in your eyes?"

All I can say, Mr. Chairman, is that before Cesar Chavez and UFWOC came to the valley, our workers were not tear gassed in the fields.

Mr. Chavez knows that the pesticide issue is false. He is completely willing to have it go away—even without resolution on his terms—if he can whip the growers into submission and take his first step toward control of America's food production.

Proof that he is willing to throw away the pesticide issue is evidenced in the next document I now submit for the record.

In June and July of this year, 12 table grape growers entered into negotiation with UFWOC under the supervision of the Federal Mediation and Conciliation Service. Those negotiations failed. The evidence stemming from those negotiations demonstrates beyond question that UFWOC was willing to throw away the pesticide issue to get its first contracts with the table grape industry.

The document I submit is an August 6 press release by the labor relations consultant who represented the 12 growers in the negotiations. It states that UFWOC submitted an offer in writing through the Federal Mediation and Conciliation Service which read as follows:

"That we are prepared to give a moratorium to the whole industry on the pesticide campaign for a limited time in exchange for an acceptable contract covering all workers, all crops."

Mr. Chairman, in closing I would submit the following:

The United Farm Workers Organizing Committee purports to represent the farm workers yet the majority of those workers have not chosen UFWOC as their collective bargaining agent. The charges by UFWOC on wages, working conditions, pesticides and the rest only obscure the real issue.

We, the growers, favor federal legislation that would allow the farm workers in the vineyards of California, and, indeed, the nation, to state whether they want UFWOC as their representative, or some other union, or no union at all. This should be part of a comprehensive legislative program dealing with the whole issue of employer-employee relations in agriculture and the right of the American consumer to the free flow of food from the farm to market.

Only if the Congress takes action can this controversy be ended forever.

WHY WE SHOULD GET OUT OF VIETNAM

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. KOCH. Mr. Speaker, I have read with great interest a statement made by our colleague, PETER N. KYROS, which has appeared today in the Maine Times. Because I believe it will be of equal interest to our colleagues, I am setting forth a copy of it:

WHY WE SHOULD GET OUT OF VIETNAM

Whatever our motive may have been and may be for having committed half a million troops to a military struggle in Vietnam, we must face an excruciating reality. The military struggle has not simply become a stalemate, it is a war which we can *never* win.

Above and beyond all discussion of firepower, kill ratios, destruction of Vietcong infrastructure, and pacification, we are faced with a very basic fact: the North Vietnamese and the Vietcong are dedicated to the struggle, one which they are prepared to fight to the last man. We are not, thank God.

Let no one say that we have not fulfilled our commitment. Half a million troops sent, 38,000 lives lost, and 100 billion dollars spent are evidence enough of our steadfast commitment.

A second basic fact is our inability to eliminate guerrilla insurgency. It is possible to defeat guerrillas in countries such as Malaya, the Philippines, and Bolivia, where infiltration can be successfully dealt with and where there is no continual supply of local recruits. Vietnam, however, is a country where young men are not afraid to die in fighting the Saigon army, known for decades to be corrupt. It is also impossible to stop North Vietnamese from going South, in what they believe to be a continuation of Ho Chi Minh's campaign to unify Vietnam and drive out foreign troops.

It is estimated that between ten and fifteen men trained in counterinsurgency are required to secure an area from one guerrilla. Unable to prevent the recruitment and infiltration of these guerrillas, we are also unable to make the overwhelming manpower commitment necessary to secure the countryside from insurgency.

North Vietnam and the Vietcong will continue to have the option, should they suffer heavy losses in unit warfare, to return to Stage I of insurgent tactics—a return to guerrilla operations alone. We would be unable to match such a development, just as we would be unable to match a second option available to the insurgent forces: expansion of the war into Laos and Northern Thailand.

We have learned several military lessons from the conflict in Vietnam, and history may judge that the costs were not excessive, if the lessons are remembered. We have learned that we cannot indefinitely commit our men to a far-off struggle, against dedicated opponents who believe they are fighting for their very survival. We cannot commit half a million men indefinitely to one small military theatre, and continue to be prepared for other global confrontations. And we have learned that power is not synonymous with capability, nor firepower a guarantor of victory.

There is no question as to the courage of our men, or as to their performance and heroism under fire. But this is not the kind of war for them to fight, and we should not ask them to continue.

We can rain bombs upon the factories of North Vietnam—and their factories will be dispersed and rebuilt in untargetable units. We can attack petroleum supplies, cutting down on motor vehicle traffic—and the North Vietnamese will walk. We can crater roads—and labor gangs will have the holes patched in several hours. We can close the Ho Chi Minh trail for several hours—until the tide of infiltration and supplies resumes its flow.

It is time that people understand what many of our best military people already know: we cannot successfully wage a guerrilla war against men who are fighting in their own land for their own beliefs, and who have since their earliest years been fighting against corrupt governors and foreign troops. For us to lose such a war is no cause for shame. But it is inevitable.

If the war is futile—and it is—then why do we continue? We must stop. 38,000 lives, a quarter of a million injuries, and 100 billion dollars will not be vindicated by more lives, more wounds, and more money. Almost 300 young men from Maine have died. There must be no more—no "reduced" casualty rates of 100 or 150 deaths a week, 5,000 or 8,000 men per year.

We have admitted that South Vietnam may never become a viable democracy, worthy of all the blood shed on that sad country's soil. But we have fought on, believing the struggle necessary to buy time for our efforts to stabilize a Southeast Asia emerging from colonialism. It is time we also recognize the error of these assumptions.

We may talk of fighting for the South Vietnamese people's right of self-determination. But to the vast majority of Asians, we are Westerners killing Orientals. We may have the support of certain governments in the war—the Thais, the South Koreans, and some Laotians and Malaysians. But we are slowly alienating the two nations in Asia with true future potential: Japan and India.

While we will never exhaust the North Vietnamese, we could succeed in making Chinese-style communism, and possible offers of help, increasingly more attractive to them. The continued war, then, is not only militarily futile; it is also increasingly more damaging politically.

It is difficult, if not excruciating, for us to face the fact that we may have lost a war. If this were a conflict in which our national security were truly at stake, I am sure all Americans would fight on, regardless of the odds. Fortunately, our nation will suffer no permanent damage by admitting that we are unable to fight indefinitely a guerrilla war in a far-off corner of the world.

It is obvious that mainland China is unable to embark upon expansionist policies at a time when that nation is faced with chronic disintegration of its domestic rule. While the Communist government of mainland China will no doubt find satisfaction in the withdrawal of American forces, the leaders and people of Vietnam are not about to enter into a stellite relationship with China replacing the once-dominant Western influences. The historical antagonism between Vietnam, Cambodia, and Laos will also militate against any pro-Chinese, anti-Western alliance of these nations.

The nations of Southeast Asia have for centuries been dealing with China, and we can expect that they will be able to continue this balancing act in the future, even should Vietnam be united under a Communist government. By continuing to support an elitist, military government in Vietnam, however, we only retard the movements in other Southeast Asian nations towards broadly-based governments capable of dealing with the realities of mainland China.

The realities of Vietnam are such that we should get out, now. The issue is not whether to get out, but how.

Essentially, we get out by getting out. Even if we are only now recognizing the futility of remaining, our adversaries have known since the first Tet offensive that victory is in their grasp. The prospect of compromise, so basic to our own principles in resolving conflicts, is alien to the other side. Why should they surrender by negotiation anything which they can accomplish by fighting? We must bite the bullet, and realize that our hopes for compromise are delusions born of our incurable optimism.

We have, however, an obligation to the South Vietnamese who fear for their lives at the hands of the Vietcong. While recognizing that the present Saigon government will never reach accommodation with its enemies while we are supporting this government, we also owe this government a chance to do what the South Vietnamese should have had the opportunity to do years ago: negotiate for their own future, without unrealistic reliance upon U.S. military support.

We should immediately take the only action which is morally acceptable to the young men who are courageously fighting at our nation's behest: end all offensive operations, and take every millitary action with only one goal in mind: keeping casualties to a minimum. If this means withdrawing from exposed positions in the northern tier of South Vietnam, so be it. Our air and artillery power can be used to full advantage for protective purposes, but protective purposes alone.

We should, in order to protect those who fear reprisal, establish protectorates, or enclaves in Saigon and possibly Danang, Hue, or several other urban areas. The Vietcong should be advised, however, that these protectorates are for protection alone, and that U.S. military presence will be withdrawn entirely should there be effective guarantees against such reprisals.

We should halt offensive operations immediately, and we should advise the Saigon government of our firm intention to withdraw all military forces, except those needed for the protectorates, within a brief period—60 to 90 days. During this time, we should do everything possible to see that the Saigon government meets with nationalist and Vietcong groups to establish the future of the country. We should not involve ourselves in these discussions at all, and should make every effort to see that the North Vietnamese are not involved either. In this way we can hope, although perhaps not expect, that the future of South Vietnam can be determined by the Vietnamese themselves. In order to promote such an arrangement, we can make clear our willingness to provide economic assistance—an offer in which the Vietcong have shown interest. Should it be obvious that these discussions are really headed in a direction which will provide for a peaceful Vietnam we could extend our withdrawal date by a slight margin if warranted.

We should insist on one sole non-negotiable condition from North Vietnam, a condition on which we can expect unified public opinion in the United States and the world. We should insist that as we leave Vietnam, all our prisoners of war held by Hanoi and the Vietcong leave also. At the same time, we should do everything possible to see that North Vietnamese presently held as prisoners are permitted to return to their own homes as well.

As we withdraw from Vietnam, and withdraw we must, we come to the end of an era, an era in which we believed it possible to impose a Pax Americana upon local insurgencies, even 10,000 miles away. It is also, however, the beginning of a new age, an age in which the forces of nationalism emerge not only against Western-oriented elite governments in Asia, but against Soviet domination in Eastern Europe.

The United States should, and will, remain a Pacific power. Since the beginning of this century, our nation has accepted the fact that we must not simply seek commercial advantages in trans-Pacific trade, but that Hawaii, the Philippines, Australia, and other Pacific lands are destined to have close relations with the United States, Hawaii having now become a part of this nation. We must realize, however, that to oppose nationalist forces in Vietnam is to oppose the tide of history.

We need not fear nationalist, revolutionary movements in Southeast Asia. Less than 50 years ago, revolution took place on our own borders, in Mexico. President Kennedy was later to return to Mexico to stress our common revolutionary heritage, and the harmony which has grown up between our neighboring countries.

An even more recently example of successful accommodation to revolutionary nationalism has been France's experience with Algeria. After long years of fruitless struggle which had divided the French nation as the war in Vietnam divides ours, the French withdrew. A government came to power spouting Marxist slogans, but one which was nonetheless willing to find accommodation with France.

We should remember that we fought our own "war of national liberation" less than 200 years ago. During that war, the British statesman William Pitt sought to convince his country of its folly: "You cannot conquer America," he said. He continued: "If I were an American, as I am an Englishman, while a foreign troop was landed in my country I would never lay down my arms,—never! never! never!"

We, as Americans, should realize that the Vietnamese nationalists will never lay down their arms. Just as we have not forever remained enemies to the British, so we will not always be enemies to the Vietnamese, if we will only stop killing each other.

I hope most fervently that President Nixon will adopt a course of action similar to that which I have described, and I will give the President my fullest support should he do so. After all, he has inherited our nation's war, not of his own making, which he has committed himself to bring to an end.

I believe there is no other course of action which will halt the loss of life and bring our nation together once again. The President still has the opportunity to avoid the divisiveness which has surrounded our Vietnam involvement in recent years, and I want to do everything possible to make our withdrawal possible for him.

TESTIMONY ON TAX REFORM: PART II

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. PRICE of Texas. Mr. Speaker, yesterday I inserted in the RECORD the first of a series of excerpts from the testimony on tax reform I submitted to the Senate Finance Committee. Today I am inserting the second installment in this series, an installment concerning the proposed revisions in the tax treatment of capital gains.

I believe that the traditional tax treatment of capital gains has proven to be a key underpinning in our national economic development. Since the early twenties, Congress has based its capital gains tax policy on the belief that it is the national economic interest to encourage individuals to invest in productive enterprises. This is but a reflection of the basic economic fact that capital must be encouraged to flow into new commercial ventures if society is to benefit from new technological trends and more efficient modes of production and distribution.

Through the years, the capital gains tax structure has been an integral part of the genius and the guiding force of our Capitalist system. Due to its position of economic importance to our national health, I do not think that it should be revised at this time.

I insert in the RECORD, at this point, that portion of my testimony to the Senate Finance Committee which relates to capital gains:

CAPITAL GAINS

Mr. Chairman, as passed by the House of Representatives, the provisions of the Tax Reform Act of 1969 dealing with the treatment of capital gains affects substantial changes in the present law. I feel that these changes, on the whole, will weaken our economic structure under the guise of reforming it, and their operation could cause irreparable damage to the nation's capacity for economic growth in coming years.

It is fundamental that an adequate level of investment must be maintained as a necessary precondition to continued national prosperity. What is not settled, however, is what the proper level of investment should be under varying economic conditions, and what combination of federal restraints should be utilized to insure that the proper level of investment is reached and maintained.

In recent testimony before this committee, Secretary of the Treasury David M. Kennedy made some pointed observations about the capital gains provisions of the Tax Reform Act of 1969. Secretary Kennedy noted that the Act is, "weighted in favor of consumption, to the potential detriment of the nation's productive investment." He concluded that the House passed version could impede economic growth in the years ahead by curtailing the incentive to make productive investments.

I fully agree with Secretary Kennedy's assessment of the impact to the national economy that would be caused by the new capital gains tax structure. In my view, the negative effects of the changes would manifest themselves in three ways.

First, the incentive for the businessman to take commercial risks would be reduced; and the supply of essential investment funds would be seriously curtailed. Since the early twenties, Congress has acknowledged through its taxation policy that there are distinct differences between ordinary income and income realized on true capital assets. The Congress has based its policy on the belief that it is in the national economic interest to encourage people to invest in productive enterprises. Capital must be encouraged to flow into new commercial ventures if society is to benefit from new technological trends and discoveries. This is part of the genius and the guiding force of our capitalist system.

It is axiomatic that the willingness of an individual to assume commercial risks depends to a considerable extent upon the prospect he sees for a suitable return on his investment. Obviously, then, if higher tax rates were levied on the gains an individual derived from his investments, the incentive of the individual to even get involved in a risk enterprise would be reduced. Consequently, if the tax treatment of capital gains is altered so that capital gains received less favorable treatment as is contemplated in the House passed Tax Reform Bill, then the flow of investment capital to new ventures will be reduced. This would not be in the interest of the consumer, the businessman, or the nation.

Second, if the changes in the treatment of capital gains become effective, the investment in modern plant and equipment would decline. This is not a desirable consequence from a view of long term, national economic growth. As I mentioned earlier, the Administration has expressed the view that the tax reform bill involves too great an allocation of tax benefits to consumption and not enough tax benefits to investment in productive equipment and capacity.

It is well settled there is a clear need for an adequate level of investment to promote long-run economic prosperity. At present, the Federal government has available an adequate array of fiscal and monetary tools by which it can attempt to influence and control the level of aggregate private investment. It does not need more investment controls, especially of the type contained in the House passed tax reform bill.

Third, any increases in the taxation of capital gains would adversely affect both the national level of investment and the allocation of investment funds. Economists generally agree that in order to achieve the optimum allocation of our economic resources, the mobility of investment capital should be encouraged. Accordingly, if investment funds are to be allocated among various commercial ventures with maximum value, it is essential for investors to have access to and be able to transact business in a liquid and orderly market. For this reason, tax measures which hamper investment liquidity and impair capital mobility are clearly undesirable. Moreover, in our free enterprise system, individuals should not be deterred from making desirable shifts in the composition of their asset holdings as their needs and expectations change.

In looking at capital gains in perspective, it is clear that in coming years, new capital and new investments must be generated if our economy is to meet the demands placed upon it by our growing population and our expanding technology. In the face of these demands, the traditional structure of incentives which has proven itself through the years should not be casually or hastily dismantled.

THE PRESIDENT'S ERROR

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. BINGHAM. Mr. Speaker, I agree with those who say that the kind of national commitment that led to a landing on the moon is what we need for the achievement of more important goals here on earth.

But it is quite something else to suggest, as President Nixon has, that the dazzling success of the Apollo 11 mission signals a new capability in us mortals to solve the problems of mankind.

The following pithy comment by Reinhold Niebuhr, which appeared in the September 15 issue of Christianity and Crisis, is worth pondering:

THE PRESIDENT'S ERROR

(By Reinhold Niebuhr)

After the successful moon shot, the triumphant President, speaking at a White House reception for foreign exchange students, exulted: "Any culture which can put a man on the moon is capable of gathering all the nations of the earth in peace, justice and concord." He was so persuaded by this conclusion, weighted with error, that he repeated this hope and promise in all the capitals of Asia.

The error of the President has persisted in Western culture since the 18th century. Quite simply, it is the error of identifying the self with the mind. When the mind considers, studies and conquers nature, then it is pure mind. The self with its pride, passion and interests does not enter when man frees himself from the limitations of nature. But when there is the problem of relating man to man and nation to nation, then the mind becomes the servant of the self's hopes, ambitions, pride and fears. Reason cannot simply annul or reduce the self's ideologies. An ideology is, in fact, a corruption of the reasoning process in the interest of self, individual or collective.

The bright young students, insofar as they numbered many foreigners, could not help but observe critically that the President's fond hopes betrayed an American ideology. Was it not the USA that placed a man on the moon; and did not his hopes and ambitions suggest that it would be this nation, accoutered with this newfound "redeemer" status, that would lead all the nations to a triumphant "peace and concord"? Was this but another version of the "American Century"? No doubt there were as many skeptics in the capitals of Asia as among the foreign students at the reception.

We are unquestionably a powerful nation. And we also may be a virtuous one, even though our virtues may be more ambiguous than we can imagine in our inveterately high self-esteem. But surely we cannot assert our leadership by the constant reiteration of a long-exposed error about the self and its mind. For social and moral progress is more difficult than the mere conquest of nature.

The histories and social studies of two centuries prove the vanity of a hope and promise that has become the cornerstone of the "American Century."

THE GROWING USE OF VIOLENCE AS A POLITICAL TACTIC

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. ASHBROOK. Mr. Speaker, the use of force and violence which our Nation has experienced in recent years has had a snowballing effect due largely, I believe, to refusal of involved authorities to call upon the laws and enforcement facilities available to them. Every school administrator who allowed his offices to be occupied, every clergymen who permitted his services to be disrupted, every official who acquiesced in the face of threats of violence—all, in my opinion, encouraged inadvertently the use of unlawful coercion, or the threat thereof, to gain desired ends.

The October 1969, issue of Religion and Society carried an excellent example of how violence has been adopted in various areas of our society in an article entitled "The Growing Use of Violence as a Political Tactic." Authored by Allan C. Brownfeld, a lawyer, lecturer and writer, this account puts to rest the proposition that the term, "law and order" is but a code phrase to be used for political advantage. As Mr. Brownfeld's treatment amply illustrates, the malady is very real and will not be cured by semantical dodges. Only an aroused public will effect corrective action, and articles such as the above-mentioned should be constantly called to their attention until conditions in this area change for the better. For this reason I insert "The Growing Use of Violence as a Political Tactic," by Allan C. Brownfeld in the RECORD at this point:

THE GROWING USE OF VIOLENCE AS A POLITICAL TACTIC

(By Allan C. Brownfeld)

Violence, in a short period of time, has moved from an occasional aberration and disturbance to a political tactic, endorsed by many leaders of the New Left, by leaders of the new black nationalist movement, and by others who feel disaffected and disillusioned.

This tactic has resulted in many overt and covert acts, the full import of which is yet to be understood and assimilated. There are, of course, the major incidents, such as the take-over of Columbia University and the disorder which was precipitated in Chicago. These bear careful analysis. But there are many, often unreported, incidents, of what their perpetrators term "sabotage."

The Institute of Science and Technology at the University of Michigan was rocked by an explosion late October 14. The bombing was the thirteenth to hit the Detroit area since August and came only two weeks after extensive damage forced the closing of a semi-secret C.I.A. recruiting office in a downtown Ann Arbor office building.

Ann Arbor Police Chief Walter Krasny has claimed the series of bombings may be the work of "anti-establishment militants" at the University of Michigan, while Detroit officials blame "hippies" for the explosions. *The National Guardian* reported that "Reaction to the bombings in the Ann Arbor radical community has ranged from quiet amusement to fantasy to increased discussion regarding the nature and timing of revolutionary chaos and terrorism and their possible relation to politicization of young people and/or mass repression of the radical movement. While some feel that such violence will help increase the consciousness of students, others feel that the level of awareness is now so low that the bombings will do little . . . ."

The Cleveland riots of July 1968, according to federal investigators, were the product of a black nationalist conspiracy. Key figure in the conspiracy, the experts say, was Fred "Ahmed" Evans, a local black power leader who has been linked with the pro-Peking Revolutionary Action Movement. In May 1967, Det. Sgt. John Ungvary, head of the Cleveland police department's subversive squad, said that terrorists under Evans' direction were plotting a "black revolution" to coincide with "a war between Red China and the United States."

Evans, who was arrested during the riots, was charged with shooting to kill. "If my carbine hadn't jammed I would have killed you three," police quoted him as saying. "I had you in my sights when my rifle jammed." Evans told police that he and seventeen others had organized the sniper attacks that resulted in the deaths of three policemen. Told that three of his snipers had been slain, Evans said, "They died for a worthy cause." Phil Hutchings, militant head of the Student Non-Violent Coordinating Committee, told newsmen that the Cleveland outbreaks were "the first stage of revolutionary armed violence."

This was confirmed by negro mayor Carl Stokes who viewed the violence this way: ". . . it was not at all related to any kind of honest reaction to an environment, not at all. This was a planned, deliberate and previously contrived plot to damage . . . The acts of the people the other night were just deliberately contrived lawlessness and determination to commit violence among this small group."

Violence is often proclaimed as the only means by which society can truly be cleansed. The Rev. William Sloane Coffin, convicted last summer of conspiring to violate draft laws, delivered his first sermon of the academic year at Yale University in praise of change, even if change comes in violent ways. He told three hundred persons, mostly students, that "life is change, growth, love and readiness to suffer." The Rev. Coffin warned that the current condemnation of violence by political leaders may also be condemnation of change. He stated: "Jesus, when he threw the money changers out of the temple was no more violent than (Columbia radical student leader) Mark Rudd."

The day before the 1968 election about three hundred white and negro students seized the Administration Building at San Fernando Valley College about four hours. Several youths with knives held prisoner about thirty-five administrators, including the college president. Shortly after the elections, plainclothes police halted a brief outbreak of violence at San Francisco State College. Two arrests were made after members of a small gang wearing stockings over their heads ransacked offices and set small fires in the restrooms of several buildings. A strike by an extremist minority of the eighteen thousand students closed down the campus as a protest against suspension of Black Panther George Murray, English department instructor, who had called on black students to carry guns on campus.

Courses in how to stage community demonstrations and how past revolutions have been planned and carried out are listed in the curriculum of evening adult education classes advertised for Junior High School 271 in the controversial Ocean Hill-Brownsville School district of New York. Among the teachers listed for the courses is Herman B. Ferguson, who is in jail awaiting appeal of a prison sentence for conspiring to murder moderate civil rights leaders. Another instructor is Robert Carson, head of the Brooklyn Chapter of the Congress of Racial Equality. He withdrew the chapter from the national CORE because he considered the parent group insufficiently militant.

Student protestors, emulating black power militants, are turning from non-violent demonstrations to "Che Guevara-like tactics of organized guerrilla warfare." Dr. Edward E. Sampson, associate professor of psychiatry at the University of California campus in Berkeley, told a national symposium on violence. He said that on college campuses as well as in the ghetto, militant leaders are turning from the spontaneous violence of a few years ago and now are using violence as a carefully planned political tactic. He stated: "The tactics here are to force the police or the national guard into an area ostensibly in order to prevent violence. What actually occurs, of course, is that their presence easily provokes spontaneous violence."

Following the teachings of Mao Tse Tung and Guevara, the militants find in violence "a radicalising effect on predisposed but otherwise as yet uncommitted or barely committed people." Guerrilla warfare has already started on college campuses. "Several burnings have taken place at Stanford University and at Berkeley. These may be the work of small bands of organized protestors. This move to more secretive hit and run guerrilla warfare is definitely the future direction of protest in this country. Things are going to get much worse before they get any better."

For some time, negro extremists have urged a Castro-like revolution in America. Castro's newspaper *Granma* quoted Stokely Carmichael that "Brothers, we see our right connected with the patriotic struggle of the peoples of Africa, Asia and Latin America against foreign oppression, especially United States oppression." *Granma* published an interview with Carmichael in which he said that "Fidel Castro is a source of inspriation" and that Cuban communism has a special importance "because it is the nearest system." Carmichael said that "We are moving toward urban guerrilla warfare within the United States" and linked the purposes of his guerrilla warfare to communist objectives: "When the United States has fifty Vietnams inside and fifty outside, this will mean the death of imperialism."

A long distance call between H. Rap Brown in New York City and a Castro functionary in Havana was broadcast throughout Latin America on August 13, 1967. Brown told Havana, "Our rebellion is against the power and structure of white America." He bragged that black power now is proficient in the terrorist urban tactics of the Viet Cong, and said of the summer: "Each city in America which has a large Negro population can predict with confidence that it will have a rebellion. . . . We live in the stomach of a monster and we can destroy him from within."

Ex-convict Eldridge Cleaver, the presidential candidate of the Peace and Freedom Party, did not hesitate to state that violence was his goal. In a talk before a group of San Francisco lawyers he stated: ". . . you're all chasing dollars, but there are other people who are chasing dollars to buy guns, to kill judges and police and corporation lawyers. . . . We need lawyers today who have a lawbook in one hand a a gun in the other . . . so that if he goes to court and the case doesn't come out right, he can pull out his gun and start shooting. . . . I hope you'll take your guns and shoot judges and police. Kill some white people or make them act in a prescribed manner."

Violence has been defended by groups and individuals who had been generally respected in their communities. Washington, D.C. provides a case in point. The Black United Front, an organization of negro leaders, issued a statement describing the slaying of a district policeman as a "justifiable homicide." The statement said, in part: "The methods of self-defense used by the family charged with the alleged slayings of the honky cop is justifiable homicide in the same sense that police are allowed to kill black people and call it justifiable homicide."

Several hours later, Mayor Walter E. Washington, himself a negro, asserted that "The Black United Front resolution with respect to the slaying of Officer Stephen A. Williams . . . is inflammatory, irresponsible and unfortunate. . . . If this community is to thrive and prosper, it must do so within the framework of law. As citizens we must continue to work together—black and white, policeman and civilian—so that law and order, with justice will be the code for all."

Director of Public Safety Patrick V. Murphy called the Black United Front's resolution "very dangerous" and "not well founded." He said the resolution could not "help but be inflammatory," and he said he did not think it spoke for "any significant number of citizens." Murphy asserted that police department evidence suggested nothing like justifiable homicide and that anybody with different evidence had a responsibility to come forward. "I think it's tragic that such a statement should be made concerning a policeman who has given his life protecting other citizens."

The Black United Front statement was adopted unanimously in July, 1968, by about 450 persons at a meeting at Douglas Memorial Church. The group was formed in January, 1968, as a civil rights coalition of moderates and militants by Stokely Carmichael, now its co-chairman. The Rev. Channing Phillips, the Democratic National Committeeman from Washington, D.C., and a board member of the Front was asked whether he approved of the front's statement. "Well, I was there and the vote was unanimous," Mr. Phillips said. "Both the officer and the citizen deserve protection from this system that provides for the deaths of both."

The Rev. Walter E. Fauntroy, vice chairman of the City Council and a member of the board of the Black United Front, also refused to repudiate the statement.

If violence has become an acceptable tactic for black extremists, it has also become an essential part of the tactical approach of the New Left, made up primarily of middle class, white college students.

Steve Weissman, a student leader speaking at Stanford University, stated: "What the University has done is to get us to think for a number of years that social problems can be solved by rational discussion. . . . There's no conversation between us and C.I.A. We're on different sides. I hope people will now see that force is a part of this world. . . . "

Steve Kindred, a member of the Students for a Democratic Society at the University of Chicago, noted that "This University owes quite a lot of reparations. This whole society owes quite a lot of reparations. With what the University's done, and the way it's followed in the footsteps of the other major institutions of this society, it may burn some day. It doesn't deserve not to burn."

Joel R. Kramer, President of the *Harvard Crimson*, expressed the view that ". . . if students are to have any of the real power, they know they must take it forcibly, or at least use force to focus public attention on their claims. . . . Force is becoming a popular student tactic because students are learning that it works."

A leaftlet prepared in Toronto, Canada, and reported to have been distributed to chapters of Students for a Democratic Society throughout the country contains instructions on how to make Molotov cocktails and incendiary time bombs.

Urging sabotage as "the next logical step toward obstruction and disruption of the U.S. war machine," the leaflet says that it is ludicrous to think that demonstrations closing down an induction center for a few hours will really hurt Selective Service. "On the other hand," the leaflet says, "is there anyone who doubts that a small home-made incendiary device with a timing mechanism planted in a broom closet at the Oakland induction center could result in fire and smoke damage to the entire building, thus making it unusuable for weeks or months? One person with a fair knowledge of chemistry could build a device easily and cheaply and could plant it with almost no chance of being detected."

S.D.S. has between 250 and 300 chapters at colleges and universities and claims a membership of 35,000 to 45,000.

In the violence at Columbia University private papers representing ten years of research were taken from the files of Orest A. Ranum, an assistant professor of modern history, and burned.

Supporters of the strike are said to have been antagonistic toward Mr. Ranum since he issued a paper opposing the student position early in the crisis when five buildings were occupied by student demonstrators. Leaders of S.D.S. disavowed the destruction of Mr. Ranum's research. "We deplore the burning of the professor's papers," one S.D.S. leader said, "but we deplore the provocation of the University even more." Of the burned papers, Mr. Ranum said: "All of this is personally irreplacable."

Discussing the motives and tactics of the radical students, Professor Robert Lindsay Schuettinger of Catholic University, said this: "These people . . . do not wish to communicate. They are uninterested in reason, or reform, or betterment or progress or democracy or freedom of speech. They are interested in making war. Their war is not the civilized warfare of our traditions; they do not attempt to exempt women or children; they do not hesitate to lie, to break treaties, to steal private property. What occupying army, for instance, would have treated President Grayson Kirk's Columbia office as did the hooligans who broke in and destroyed his personal books, papers and paintings? The Nazi and Communist armies as a general rule did not act like that; we would have to go back to the Vandals, the Huns and the Mongols for precedents. . . . There is a real question, in fact, whether demonstrations . . . have a place in a well-run university at all; a demonstration, after all, cannot say, 'On the other hand.' "

The New Left's leading philosopher, Professor Herbert Marcuse of the University of California, has made a case for what he terms "socially useful destructiveness." It is his thesis, expressed in his book, *The One Dimensional Man,* that by providing man with an abundance of food, clothing, and material comforts, this society robbed the individual of his desire for intellectual growth and self-expression. Since it is obvious that a socialist revolution will not be brought about by the now docile masses, Marcuse abandons the proletariat as the medium for the desired social upheaval. Instead, he finds much promise in students and the "oppressed" minorities. Using what he terms "socially useful destructiveness," they will apply the pressure necessary to obliterate our bourgeois-industrial state. What would come after the revolution? It would be rule by an elite, for Marcuse would replace democracy with a dictatorship controlled by those who rigidly adhere to his Marxist views. According to the professor, majority rule would be replaced by the "morality" of a presumably infallible minority.

The violence which occurred at the Democratic National Convention in Chicago provided a case in point. As far back as November 16, 1967, the *Village Voice* reported the leader of the Youth International Party, Jerry Rubin, as saying: "See you next August in Chicago at the Democratic National Convention. Bring pot, fake delegates' cards, smoke bombs, costumes, blood to throw and all kinds of interesting props. Also football helmets."

Early in 1968 the National Mobilization Committee Against the War in Vietnam headed by David Dellinger organized a Chicago project committee and placed Rennie Davis in charge with instruction to work closely with Tom Hayden, leader of S.D.S., and Jerry Rubin, of the Progressive Labor Party and also of the Youth International Party, more commonly known as Yippies.

Dellinger and Hayden held a press conference in New York on June 29 and were quoted by the *National Guardian* as saying: "We are planning tactics of prolonged direct action to put on the Government and its political party. We realize that it will be no picnic but responsibility for any violence that develops lies with the authorities, not the demonstrators."

Early in August, Rennie Davis appeared before a meeting of the Chicago Peace Council held at the Lawson Y.M.C.A. He displayed two large three foot by three foot maps of the area surrounding the International Amphitheater, noting locations where police, National Guard, F.B.I. and other security forces would be situated during the proceedings. He stated that if trouble starts at the convention, among other things "The Loop will fall," implying the demolition of the downtown Chicago area.

The violence which occurred in Chicago was predicted almost precisely by the August 9 Intelligence Division Report of the Chicago Police Department. That report concluded with this statement: "Due to the talk around the office of the National Mobilization Committee and the general attitude of Rennie Davis and Tom Hayden, the reporting investigator feels that the night of 28 August 1968 there will be widespread trouble through efforts of Davis and Hayden. It is felt that there will be trouble in the Loop area and possibly on the South and West Sides. This would be done in an effort to draw the police away from the Amphitheater."

Chicago was just the beginning. Addressing a rally in Grant Park, Tom Hayden urged youths to go home and create "100, 200, 300 Chicagos." He cried: "If they want blood to flow from our heads, the blood will flow from a lot of other heads around this city and around this country. We must take to the streets, for the streets belong to the people. . . . It may well be that the era of organized, peaceful and orderly demonstrations is coming to an end and that other methods will be needed."

Those other tactics discussed by Tom Hayden have already become a reality in the fall of 1968. A new publication, *Mayday,* has appeared. Making light of the violence which has shaken a number of campuses, it led off its fourth issue with this verse: "Sabotage: This is Number One and the Fun Has just

Begun." Edited by Andrew Kopkind, James Ridgeway, and Robert Sherrill, its November 8, 1968, issue included the following: "The war began last winter on the Western front, in the rainy season. The guns of February were four Molotov cocktails, thrown at the Naval ROTC building on the Berkeley campus of the University of California. The shots were not heard round the world .... But 'war' is not always a recognizable object .... The first attack on the Berkeley ROTC building was followed by the burning of a similar center at Stanford. At about the same time, electric power cables strung over the Berkeley hills were cut. Then, three giant electric towers in Oakland were blown to the ground, leaving about 30,000 houses without power and stopping work at the Lawrence Radiation Laboratory at Berkeley. A few days after the tower was destroyed, a University of Colorado drop-out student turned himself in to publicize his 'crime.' 'I had to do something to stop their machines—so maybe they would listen, so that this war would be stopped,' he said."

The violence has mounted. The Stanford ROTC building attacked last winter was hit again a few months later and destroyed. On September 18, a Naval ROTC hall at the University of Washington in Seattle was blasted, with damage estimated at $85,000. Five days previously, a Naval ROTC building at Berkeley was dynamited and an ROTC hall at the University of Delaware was hit by a Molotov cocktail. In Eugene, near the University of Oregon, a series of explosions destroyed the Naval and Marine Corps Training Center in late September. Damage was put at $106,000; trucks, a personnel carrier, a crane, and a radio tower were destroyed.

The mounting violence in American cities and on American campuses caused Canadian Prime Minister Pierre Elliott Trudeau to express concern over the possibility of large scale rebellion in the United States and the fear that disturbances might spread into Canada and Mexico.

Trudeau, making his first major statement on relations with the United States since he took office, said North America is more threatened by internal disorder than external pressure. "I am not predicting what the outcome will be, but I am saying that in my scale of values I'm less worried about what might happen over the Berlin Wall than what might happen in Chicago, New York and perhaps our own great cities of Canada," the Prime Minister said.

Addressing students at Queens University, Trudeau said that strife in American cities "might seriously lead to large rebellions and large disturbances of civil order and social stability in North America. And I believe that if in the next half dozen years or so there were to be great riots, beginnings of Civil War in the United States, I'm quite certain they would overflow the borders and they would perhaps link up with the underprivileged Mexican and the underprivileged Canadian."

The growing acceptance of violence as a tactic by black militants and new left activists poses threats to the democratic values of dissent and free speech. One man's freedom has traditionally ended where another man's freedom began. One man cannot use his freedom to deny that same freedom to other men. Where violence takes the place of dialogue and debate, the very concept of freedom and democracy is in serious jeopardy.

One of the most eloquent replies to the advocates of violence came from Dean Clarence Ferguson of the Howard University Law School. Speaking to the students at this predominantly negro institution, Dean Ferguson stated: "I feel our system is amenable to change with less than a confrontation. I believe within the system are the resources for alleviation. . . . Unlike every revolution throughout the world, this revolt, of both poor people and of students, is a revolt to get in, not out. It is a revolution that appreciates the good things of the American system. It still believes the American dream is a valid dream. . . . They want in. They insist on a sharing role—in curriculum planning, discipline, distribution of aid. They are saying they are excluded from the system and they want to be part of it. . . . Instinctively they know there is a wide gap between what we say and what we practice. Many of them make it plain that reforms have to go beyond law and technique to a reorientation of our values and a change in attitudes. . . . The students know that if you enforce every civil rights bill up to the hilt tomorrow morning, you wouldn't change the ghetto situation. The social changes needed are beyond the power of mere legalisms and minor renovations in the present system."

But whatever changes are needed, either in the cities or on the campus, they must come about through the democratic process, when the will of the majority has been made known, or when the responsible officials have acted. They must not come through coercion, through threats, and through violence.

Unless we understand the use of the tactic of violence, and unless we oppose it forcefully, refusing to permit it to succeed, we may yet face the upheaval predicted by Prime Minister Trudeau. Thus far, all too often, we have compromised with it, and apologized for condemning it. A society of law cannot exist if citizens take the law into their own hands and violently coerce their fellow citizens into particular courses of action. Violence is no more acceptable as a political tactic than is a social aberration. In both instances, it is harmful both to those using it and to those forced to endure it.

IUD PRESIDENT STRESSES LABOR UNITY

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

[From the Pittsburgh Press, Sept. 28, 1969]

IUD PRESIDENT ABEL WINS PRAISE OF 61 AFL–CIO UNIONS—STRESSES LABOR UNITY, MAPS FUTURE GOALS

(By Edward Verlich)

ATLANTIC CITY.—Crimson flooding his cheeks, a smiling, embarrassed I. W. Abel rose halfway out of his chair on the podium at Trimble Hall in the Claridge Hotel here and made a half bow.

It was about all the acknowledgment the humble molder from Canton, Ohio, could muster.

The action was in response to 400 cheering, standing, clapping delegates—leaders of 61 international unions—who unanimously resolved:

"The delegates to this convention join with the industrial Union Dept. Executive Committee and Executive Board in expressing to our president, I. W. Abel, our deep gratitude for leading the department out of its darkest depths to the threshold of its greatest achievements."

Less than two years ago, the president of the 1.2-million-member United Steel Workers didn't want the job as president of the 5.6 million-member Industrial Union Dept. (IUD) of the AFL–CIO.

In his own words, "I did not welcome the development that resulted in my selection as president (of the IUD). I would have preferred—and I still prefer—a completely united labor movement."

REUTHER PULLOUT

Mr. Abel's reference was to the pullout by Walter Reuther and his United Auto Workers (UAW) from the IUD presidency and AFL–CIO.

But, in the words of Nicholas Zonarich, a former steelworker from New Kensington and the IUD's longtime director of organization, "The job sought the man."

Mr. Zonarich said the IUD was about in the same shape after the UAW pullout as that McKeesport steelworker's house that was blown down by a tornado a few years ago.

The steelworker came to union hall and announced, "The wind blow my house down. What CIO do for me now?"

Faced with a treasury that depleted from $3½ million annually to $650,000 due to Mr. Reuther's exodus, Mr. Abel cut financial corners. But he managed to maintain essential services such as co-ordinated bargaining, the elaborate method by which the old CIO unions that make up the IUD—balance the increasing power of conglomerate companies.

He induced four international unions to return to the fold. That picked up the treasury and the membership ranks.

Now, as chairman for the first time of the IUD convention, he had to provide leadership and direction for the 5.6 million workers represented by the industrial unions.

"TOO MUCH DIVISION"

"There has been too much division in the labor movement," Mr. Abel said in his keynote address. "We must never forget that we are an arm of the AFL–CIO . . ."

With the stage set, he charted the course for the industrial union.

"There has been a growing concentration of corporate wealth, as signified in the creation and growth of conglomerates. And I say that this constitutes a real threat to the collective bargaining process," the IUD chief declared.

"It does so because it tilts the balance scales in favor of industry," he said.

Merging companies into conglomerates is the type of structure that lends itself to "strike-breaking and union-busting," he added.

Mr. Abel said workers are not sharing adequately in the fruits of their labors.

In the last nine years, corporate net profits have increased 94 per cent—corporate dividends up 78 per cent. Yet, weekly wages went up only 33 per cent and in terms of real buying power, only 10 per cent.

Ironically, Mr. Abel said, workers now are being told there has to be trade-off in jobs to slow down inflation.

"The worker, who has been denied his share of profits, now is being told he must continue to lose ground by being laid off from work," he added.

The Abel leadership could be seen in the resolutions passed by the convention.

In his keynote address, he called for Federal legislation on occupational health and safety. He cited the figures—14,500 workers killed annually on the job; 2.2 million workers disabled; 7 million more injured; more than $1 billion in wages lost; 225 million man days of productivity.

"We need Federal standards because the states are completely ineffective," he said.

SAFETY PUSH

The delegates unanimously passed a resolution of occupational health and safety after lengthy floor debate on the need for action and no more lip service as far as worker safety is concerned.

On health care, Mr. Abel said a national health insurance system financed out of the Federal Treasury is needed.

He said he doesn't care what the American Medical Assn. (AMA) calls such a program. He asked the AMA, "If you call such a program to provide medical care for people socialized medicine, what do you call it if you deny such care to people?"

IUD has scheduled a conference for November on the crisis in health care.

The IUD, Mr. Abel said, is insisting Congress extend the Voting Rights Act of 1965 for another five years when it expires next August.

If the act isn't extended, some states again would try to "subvert Democracy," he added. Nixon Administration proposals would allow states to make it impossible or at least "very difficult for Negroes to register and vote," he charged.

One of the greatest challenges of our time is the "spread of automation and technological change," Mr. Abel said.

"Spurred by tax concessions, industry has been modernizing the means of production at a fantastic rate. New automated plants are replacing vast and complex operations with a corresponding reduction in needed workers," he said.

To prevent "jobless chaos" he called for a four-day, 32-hour work week with no loss in pay, he emphasized. He asked the 61 IUD unions to make the shorter work week their primary objective in bargaining and legislation.

HO CHI MINH—A REALISTIC VIEW

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. MARSH. Mr. Speaker, the late Ho Chi Minh has been referred to by some as "father of his country."

Whatever descriptive appellation history may assign him, there is not likely to be any bracketing with George Washington, whose attributes and achievements earned that honored designation in the United States of America.

The contrast is set forth effectively in an article by John P. Roche which appeared in the Boston, Mass., Record-American on September 16, 1969. As I believe it will be of interest to the House, I include it in these remarks, as follows:

A WORD EDGEWISE—THE TRUTH ABOUT HO CHI MINH

(By John P. Roche)

The death of Ho Chi Minh has touched off a lot of absurd rhetoric. One Congressman suggested he was the Vietnamese equivalent of George Washington and Abraham Lincoln, while a favorite description leaned heavily on the word "mystic." As far as Ho's mysticism was concerned, I am not prepared to argue—provided those who use the term would also apply it to Adolf Hitler, Sirhan Sirhan, and the organizers of the Spanish Inquisition.

However, I do find the analogy with George Washington and Abraham Lincoln too much to take. Without for a second denying Ho Chi Minh's dedication, courage, and strategic genius, the stark fact is that he became the "Father of His Country" by murdering the other candidates. The Stalinists preempted the cause of Vietnamese nationalism by their ruthless willingness to destroy non-Communist competition, particularly Marxist revolutionaries who rejected Moscow.

If George Washington had operated differently, he might have been a model for Ho. If, for example, in 1765, Patrick Henry had been found dead in a ditch with a bullet hole in the back of his neck; and in 1767 Thomas Jefferson had been found hanging from a barn rafter, an apparent suicide; and in 1771, John Adams had been found drowned in Boston harbor; and in 1775, Alexander Hamilton and James Madison—on their way to a secret meeting at Mt. Vermont—had been captured by the British—if our colonial history had been highlighted by such incidents, George Washington could have been an excellent preceptor for Ho Chi Minh.

For this was the basis of Ho's "mystical" commitment to Vietnamese nationalism. It was brought home vividly to me a few years ago when a friend introduced me to a Vietnamese who was on the lam from everybody. At that point in time, both Ho Chi Minh and President Diem had a price on this man's head. He was an authentic Vietnamese nationalist, a one-time leader of the Cao Dai resistance to the French in the Mekong delta. His story was incredible—but verifiably true.

In early 1947, after Ho broke with the French, the top leadership of the Viet Minh (which then had substantial non-Communist forces) was allegedly called to a meeting near Hanoi. The word came to Dr. Xuan (a pseudonym) and he set out on the long, dangerous journey. Shortly before he reached the secret meeting place, French security agents seized him. French intelligence officers told him he had been betrayed by the Communists and tried to get him to sing. He thought it was a trick, refused to reveal anything even under torture, and was sentenced to death.

On the day of his execution, a French officer appeared with a squad of Senegalese. The French officer looked at him and suddenly called him by his real name. They had been classmates and friends at the famed Ecole Polytechnique in Paris! The officer instructed him quickly: "Everything is chaotic around here; we will march you down towards the place of execution. When we reach a certain corner I will distract the soldiers and you take off. Good luck."

To make a long story short, he escaped, and keeping what the French intelligence officers had told him in mind, made no contact with the Viet Minh. Later in Paris he met others who told him there had been no meeting, that he had been deliberately led into a trap. One of those who had set the stage was now himself a refugee from General Giap's secret police (Giap was then Minister of the Interior); he had been denounced as a "Trotskyite."

The best estimates are that in 1946–47 about 10,000 key non-Stalinist Vietnamese nationalists were murdered. When it came to being the Father of His Country, Ho Chi Minh took no chances on paternity suits. And what makes the New Left acclaim for "Uncle Ho" savagely ironic is that they are precisely the sort of undisciplined, unrealiable, talky types who were featured on the execution lists as "Trotskyites." In pragmatic terms, however, one has to hand it to Ho: after 1947, he had very little trouble with his intellectuals.

BIRDS IN A GILDED CAGE

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. GALLAGHER. Mr. Speaker, the announcement yesterday that the Pentagon has funded a $600,000 study to determine the effectiveness of birds as an instrument of modern warfare should caution all Pentagon watchers. Those who have tried to impose fiscal control over the Pentagon now realize they have budgeted budgies. Alfred Hitchcock, who directed "The Birds," will be named Assistant Under Secretary for the Office of Ornithology Operations and I can reliably report to the House that Burt Lancaster is now under contract to four-star as "The Bird Man of the Pentagon." The American eagle really has something to scream about this time. When we are budgeting birdseed for the ghettos and hanging an albatross around the neck of those who continue to urge innovative social action programs, the "gilded cage" across the Potomac continues to feather its nest and hatch such bird brain schemes. Research leading to a mynah bird conducting search and destroy missions is no more absurd than a massive funding for an SST to go from Watts to Harlem in 2 hours. They both represent a tragic waste of national resources at a time when we are alleged to be restructuring our priorities.

Mr. Speaker, unless the Washington Post story is a hoax, this is no laughing matter. All of us, hawk, dove, and owl, have an equal stake in an effective Department of Defense. Until the nations of the world are truly ready to beat their swords into plowshares, military preparedness, including advanced research and development, needs the full support of the Congress.

Mr. Speaker, in the name of sanity, the Pentagon must clip the wings of this contract at once. It is not "old fogeyism" to insist that this pilot project be promptly grounded. To protect the necessary solid steel in the Pentagon, the "bird in the gilded cage" must not be allowed to cast discredit on the whole operations of the Department of Defense.

The article describing this incredible plan appeared in the Washington Post of October 8, 1969, and I insert it at this point:

BIRDS ALERTED FOR WAR

(By Thomas O'Toole)

Would you believe that war is for the birds?

So much so that hawks and doves might fight side by side or that parrots, ducks, chickens, pigeons and even mynah birds could be drafted to help defend the flag in some future war?

Whatever you might think of the scheme, the Pentagon is all for it. Consider the description of the $600,000 contract the Defense Department has with the Psychology Department of the University of Mississippi:

"This program is based," the contract reads, "on the supposition that birds will eventually replace humans for activities that are dangerous, difficult, expensive or boring."

Among the activities the Pentagon has in mind are "aerial photography, gunnery, steering of missiles, detection of mines and search and destroy operations."

Just how the Pentagon plans to get birds to do all these things is anybody's guess, but it does mean to try.

"Much of the research will relate to complex forms of stimulus control," the contract with the University of Mississippi reads, "for example, visual search, auditory pattern recognition, pursuit and tracking, controlled locomotion and operation of manipulanda while flying."

"This is not a development contract," explains a Pentagon spokesman. "What we're trying to do here is to see if birds can be trained to do certain things."

The Pentagon admits it won't be able to use all birds in its research but it would like to train most species of wild birds for combat flying. "Especially crows, ravens, jays, hawks and vultures," the contract goes on, including "doves, parrots, mynahs, chickens and pigeons."

The use of warbirds is not a new one, though its past is hardly glorious.

The most serious attempt to use bird-like creatures was in a program called X-Ray, in which bats carrying incendiaries were to be flown into Tokyo during World War II. The idea was to get the bats to roost in the eaves of Tokyo's wooden buildings, where the bombs would go off when the bats flipped upside down to sleep.

"The trouble with that one," said one scientist who worked on Project X-Ray, "was that it almost burned down an Air Force base in New Mexico." X-Ray never made it to Japan.

The latest scheme for warbirds came to roost when the Pentagon circulated a letter advertising for ornithologists to work on it.

"I read it, I re-read it, and I read it again," one scientist said, "and I still couldn't believe it. It's insane."

Critics notwithstanding, the Pentagon is going ahead with its bird scheme.

"This program is just getting started," it says. "Hopefully, it will go on for 10 or 20 years."

The project is supported by a three-year "Project Themis" contract, at $200,000 a year. Project Themis is a program aimed at beefing up basic research in universities that have not had strong science programs.

REPUBLIC OF CHINA CELEBRATES 58TH ANNIVERSARY

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. WOLFF. Mr. Speaker, tomorrow marks the 58th anniversary of the founding of the Republic of China. In honor of this important anniversary of a close and dear friend of the United States, I feel we should recall the courage and tenacity which has marked the 58 years of this nation.

On October 11, 1911, Dr. Sun Yat-sen and a courageous band of followers lit the spark of revolution which led to the overthrow of the Manchu dynasty. After the tides of revolution had subsided, these dedicated and hearty souls set about to establish a nation which embodied the precepts of liberty and justice. In effect, the Republic of China began in much the same way that the United States had—sparked by courage and reared in compassion.

The Republic of China, as we know, has continued its fight against slavery and injustice. In its 58 years, it has continually demonstrated that its foundations are built on a truly universal concept of freedom and justice. Living in the shadows of communism, it has stubbornly and admirably flourished with a strongly anti-Communist ideology, an ideology which refuses to be intimidated by brute forces of communistic evils.

Evil, slaughter and intimidation have never diminished the country's convictions or prevented it from showing the world that it is determined to live up to the highest ideals it has set for itself.

This nation has grown and prospered imbued with the convictions that it can triumph over the greatest of odds.

Mr. Speaker, it is with great satisfaction that I have the opportunity to pay tribute to the Republic of China on its anniversary. I am sure that I speak for all of us when I wish them continued brightness and a future which will bring the ideals of humanity and courage within the grasp of all mankind.

A FREEZE ON SHIPMENT OF REPLACEMENTS OF VIETNAM COULD BREAK THE PRESENT IMPASSE ON PEACE TALKS

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. PUCINSKI. Mr. Speaker, during the month of October, the United States will have to send approximately 49,099 replacement troops to Vietnam.

In November, it is estimated we will have to send another 45,298 and in December, 45,020. Thereafter, if there is no break in Vietnam, we will be replacing American troops at the rate of roughly 40,000 a month.

I believe that a "freeze" on the shipment of all new troops to Vietnam, without replacing those troops that are rotated back home at the conclusion of their 1-year tour in Vietnam, could capture the imagination of the rest of the world and serve as a new basis for meaningful peace discussions in Paris.

In other words, as our soldiers complete their 1-year tour of duty in Vietnam and are sent back home, I would suggest that we announce a policy of not sending replacements to Vietnam for those soldiers who are returned home.

It occurs to me, Mr. Speaker, that this sort of an announcement by the United States would convince the free world and out adversaries that the United States does indeed want to disengage as rapidly as possible. It should bring pressure on Hanoi to agree to a cease-fire and commence meaningful peace talks.

If the North Vietnamese Government refuses to enter into meaningful peace negotiations within the framework of this sort of a "freeze" on shipment of new troops, then of course the United States would have to review, within a reasonable time, other means of bringing this conflict to a successful military conclusion.

We have tried all other means to get peace talks moving. But we have never said we will stop sending troops to Vietnam.

I believe that such a total freeze is possible and practical. The Defense Department is already embarked on a limited program of freezing troop shipments to Vietnam.

In an Associated Press dispatch from Saigon earlier today, the U.S. Command announced that five Air Force units in Vietnam are being demolized and that the transfer of two units to Vietnam is being called off.

The headquarters said this would reduce the Third Air Force's manpower authorization in Vietnam by 2,541 men, but an Air Force spokesman said that about half of these represents the two F-4 Phantom fighter-bomber squadrons that are not being sent to Vietnam.

The Air Force said that as with all other units being pulled out of Vietnam under President Nixon's withdrawal programs, only those men who have completed their normal year's tour in Vietnam will be sent home. The rest will be transferred to other units in the country.

I believe this last point, Mr. Speaker, is very important.

Mr. Nixon has announced the withdrawal of 65,000 troops from Vietnam, but this announcement has not brought any support from a single nation in this world and has only given the Communists a propaganda vehicle to denounce our sincerity.

The world has not responded to the President's withdrawal announcement because everybody knows that while we are withdrawing troops from Vietnam, we are at the same time sending replacements. I have previously made this point and I am making it again today that if the President really wants to capture the imagination of the world and force the major powers to take an active hand in bringing meaningful peace discussions to Vietnam, we ought to, at least for a reasonable time, completely freeze the shipment of new troops to Vietnam.

If the Communists fail to respond and if they should launch a new offensive in the wake of the President's freeze announcement, he can always cancel the freeze and send emergency troops to Vietnam as replacements.

At the conclusion of my remarks, I shall include a table of estimates on the number of soldiers whose tour of duty will be completed in the next 12 months and who will have to be replaced by fresh troops if the conflict continues.

We will have to send to Vietnam approximately 53,861 replacement troops in the 12-month period beginning October 1.

It is true that under my proposal, in 12 months there would be no American troops left in Vietnam.

But this is only if we were to continue to freeze for 12 months with no response of a similar withdrawal program from North Vietnam. I believe President Nixon ought to take this one more risk for peace. If, after a reasonable time, there is no meaningful similar response from the Communists, then the President will have to make whatever judgment is necessary to bring this conflict to a successful military conclusion. This could well mean the resumption of the bombing of the north to remove the pressure from South Vietnam as we reduce our ground forces. But it would be my hope that with a genuine offer of disengagement incorporated into a freeze on shipment of new American troops, hopefully we might find the basis for a peaceful solution without the need for further escalation.

It is quite apparent from our present policy in Vietnam that those troops being withdrawn are not necessarily being replaced by fresh troops in the same units. There is now a substantial consolidation going on in Vietnam and as soldiers complete their 1-year tour of duty and are sent home, their remaining units are being consolidated with other units to maintain a level of military efficiency.

My plan in effect would mean that we

are willing to risk a freeze on 49,000 new troops to Vietnam in October to test whether or not the Communists are willing to meet on some middle ground for a meaningful peace solution in Vietnam.

In the announcement by the Associated Press from Saigon today, a spokesman for the Air Force said that 100 positions of airmen who have served 1 year and are being rotated back home will be eliminated at the 7th Air Force Headquarters in Saigon. It is obvious from this dispatch that the United States could risk a freeze on 49,000 new troops during the month of October without doing any violence to our security in Vietnam.

I would hope that if the President would announce such a freeze, we would demand that the Soviet Union, the other major powers, the Security Council of the United Nations, and all other interested parties would impress upon North Vietnam the necessity for meaningful negotiations in Paris with no further delay.

Following is the best available estimate on the number of troops that will have completed their tour of duty each month for the next 12 months and who will have to be replaced under our present policy of replacing those who are rotated home at the completion of their 1-year tour in Vietnam.

I want to emphasize that we in no way want to interfere with the orderly return of these soldiers who are entitled to come back home at the conclusion of their 1-year tour. It is the freeze on replacements that I believe is a risk we ought to take to get the Paris Peace Talks off of dead center.

Table of replacements necessary in Vietnam:

	Army	Navy	Air Force	Marine	Total
1969:					
October	32,105	1,316	10,219	5,459	49,099
November	31,530	1,013	7,461	5,294	45,298
December	25,727	2,053	10,131	7,109	45,020
1970:					
January	25,246	991	7,803	7,172	41,212
February	21,047	1,863	10,590	5,318	38,818
March	24,603	1,450	6,214	8,033	40,300
April	28,144	1,279	5,832	7,545	42,800
May	34,805	1,152	5,651	6,345	47,953
June	30,028	1,557	7,034	7,716	46,335
July	32,652	2,059	1,547	7,240	43,498
August	19,028	1,850	8,154	7,327	36,359
September	33,880	1,866	15,931	5,492	57,169
Total	338,795	18,449	96,567	80,050	533,861

RURAL DEVELOPMENT CENTER AT TIFTON, GA.

HON. G. ELLIOTT HAGAN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. HAGAN. Mr. Speaker, oftentimes problems come before us which we recognize but are unable to change. Therefore, when it was learned that some learned and conscientious people understood the need for dealing more effectively with problems of the Georgia coastal plains and the people residing in that region, I thought their efforts merit my colleagues' attention. This group of people, the regents of the university system of Georgia, on July 1 of this year established the rural development center at Tifton, Ga. Although this center is not within my congressional district, I earnestly believe its purpose and goals will go far in helping to bring better living conditions, improved cultural facilities and a better life to our rural population.

The rural development center is administered by the College of Agriculture of the University of Georgia. The concept was developed by the regents of the university system in an effort to underscore the need for dealing more effectively with problems of the Georgia coastal plains and the people residing in that region. Programing for the center will be of a cooperative nature involving the facilities and resources of the University of Georgia, Abraham Baldwin Agricultural College, and other units of the university system.

Dr. S. E. Younts, associate dean of the College of Agriculture, University of Georgia, is director of the center. He comes to the position from the American Potash Institute with offices in Atlanta where he served as regional director and vice president.

The programs of the center are to be directed toward the full development and utilization of the vast resources existing in the coastal plains area. The idea for such a center grew from recognition of conditions as they currently exist in both the rural and urban society of the State of Georgia and of our Nation. The term "rural development" came into being to emphasize the needs for giving attention to agricultural efficiency, agri-industry, community development, and manpower training.

Rural America is the scene of declining population. Some 70 percent of the people in this country live on 1 to 2 percent of the land area. Many of those in the rural areas cannot find alternatives to moving to the large urban areas. For the most part this migration is costly in that it represents a loss to the rural community in terms of earning and purchasing power and, in many cases, a loss in leadership.

There have been vast technological changes in agriculture and dramatic increases in the amount of capital employed in farming along with extensive consolidation of farms and increased automation. With this has come a rapidly decreasing demand for farm labor. These have all changed the structure of rural America.

Other technological changes outside of agriculture have also had a very pronounced effect on the rural communities. New modes of production, transportation, and communication have greatly increased the market areas served by the industrial complex. For example, an economically viable community today needs to be about 100 times as large as was the case 50 years ago.

Advances made in the last two decades have been of such nature as to very effectively destroy jobs in the rural areas. The result has been massive migrations of people from the farms and the small villages to the larger urban areas. These people are often poorly trained and poorly educated. Therefore, they find themselves almost totally helpless in being able to cope with their new urban environment. Yet it appears that they have no other alternative than to move to the urban centers.

Georgia population approximates 4,470,000. There are some 83,000 farms where 300,000 people live—6.8 percent of the total. Rural means more than farming and when we include people in the small towns and open areas not engaged in farming we find that about half of the State's population is classified as rural. As is the case in many other areas of America, the balance is shifting rapidly in favor of urban numbers.

Three-fourths of Georgia's urban population resides in six metropolitan areas. In cities social problems are intensified with crowding of people on limited land areas. In these urban areas traffic jams become more of a problem with each passing day, pollution problems intensify, more crime and to a great extent more of just plain malcontent is resulting. The solution to these is fast becoming one of the supreme challenges of this century. Billions of dollars will be spent in cities in this country over the next few years trying to solve problems of housing, poverty, slums, welfare, education, health and recreation. Many of which have their genesis in the rural community.

Rural problems include below average production for many crops, low per capita income, shortage of dynamic leaders, lack of opportunity, poor public facilities, meager services, weaknesses in local governments, lack of adequate education, and poor housing. All of these work together in causing rural people to look elsewhere for something more desirable.

The rural and urban segments of our society have long been at odds but are being dramatically intensified. Billions will be spent to improve urban conditions, but it may prove to be equally important to look to conditions in the rural areas for answers to some of the problems. With population densities in some of our urban centers reaching 15,000 people per square mile, it seems that one of the solutions to the urban crush would be for more people to live in the rural areas. Governmental leaders are stressing the need to strengthen rural and smalltown communities. Rural development on a planned basis seems to be a more practical solution to unplanned urban explosion. In helping to develop the rural development center concept, Mr. J. W. Fanning, vice president for services at the University of Georgia, made this statement:

> For the past three decades everybody was trying to go to town. During the next three decades, they are all going to try to move back to the country.

The authors of the rural development concept have been labeled as dreamers. The doubters are asking, "How can the strong tide toward urbanization be reversed? After all going to town has an aura of excitement that lures the young, the old, the poor, and the well-to-do." Dreamers have scaled the seemingly impossible before, and the rural development center has been given a foundation for a program that has favorable odds for success. If there is a principal goal it would have to be to make the rural communities more attractive as places of residence for more people. This would serve to bring a better balance between the rural and urban populations of the State of Georgia. Perhaps a better way to state the primary goal is "to provide an alternative." Forcing people to live in urban or rural areas, for that matter, is not good. There should be attractive opportunities in both locales to allow a person to make intelligent and soundly based choices in where he wishes to live and work.

Four initial thrusts will comprise the program of the rural development center. These are:

First. Agricultural and forestry production efficiency;

Second. Marketing and utilization;

Third. Community development; and

Fourth. Manpower training and utilization.

On the basis of current knowledge and information the need for additional and more intensive research and educationally oriented programs for the coastal plains area of Georgia becomes apparent. The coastal plains area comprises almost two-thirds of Georgia's land area and 51 percent of the farms are located in this region. In terms of total farm sales for the State 57 percent occur in this region and if poultry is excluded total farm sales in the region amount to 78 percent of the total sales of farm products in the State of Georgia. On a per capita basis there is a large income gap—$1,000 per person, or a total loss of $1.828 billion per year to the coastal plain of Georgia.

In order to initiate and undertake the program activities for the rural development center there is to be constructed at Tifton, Ga., in conjunction with Abraham Baldwin Agricultural College and the Coastal Plain Experiment Station, a facility that will provide office space for necessary staff, laboratory space, equipment, meeting and conference rooms, mass communication, information storage and retrieval, land area and other necessities for training, for applied research and for demonstrations. It is expected that the building program will be accomplished in two steps. The initial building is expected to be finished for use by mid-summer of 1970.

In addition to a director, the center will have three assistant directors; a program specialist; specialist in animal and plant production; marketing and utilization, supported by specialists in sociology; economics; community development; industrial development, particularly as it relates to the agricultural economy; communications; data handling and processing; conference and short-course planning and coordination; and liaison with other elements in the College of Agriculture, the university and the university system.

The rural development center concept is the product of many fine minds. The task now is to fit all of the ideas, dreams, and hopes into a workable and effective program. Time is of the essence. The tempo of the past must be quickened if rural Georgia and rural America is to be moved forward toward the wish of the dreamer—to get a bigger share of the good life in the form of better schools, better communities, improved cultural facilities and just plain pleasant living.

The rural development center program represents a gigantic hope. The center will be staffed with competent specialists, but they alone cannot do the job. It must be a cooperative venture, a venture that captures the fancy, the energy and the involvement of the total populus of the coastal plains region of Georgia.

HEARINGS TO BE HELD ON ECONOMIC PROBLEMS

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. MINISH. Mr. Speaker, I am most gratified at the prospects that the Banking and Currency Domestic Finance Subcommittee, on which it is my honor to serve, will conduct a series of hearings across the country on the general economic problems over which it has jurisdiction: Interest rates and monetary policy, housing, the availability and price of mortgage credit, consumer prices, and small business problems.

Our distinguished chairman, the Honorable WRIGHT PATMAN, that redoubtable champion of the public interest throughout his long public service, wisely recognizes the need to obtain data and opinions firsthand from the recipients of Washington policy decisions and to allow them to be heard and to participate in establishing economic policies. The people are unhappy and uncertain, weighed down by a disquieting sense of being buffeted by impersonal forces, unable any longer to be the masters of their own destiny. High taxes, high interest rates, the high cost of food, housing, medical care, and other basic items bear most heavily upon low- and middle-income groups. The average factory worker's "real" income has declined $1.09 per week in the past year, and, with the unemployment rate now at 4 percent the specter of being thrown out of work looms large before him. The American people are too knowledgeable to accept the discredited "trickle down" policies that cause recessions and depressions. They demand realistic and decisive steps to stop inflation and serve the public interest.

George Mason at the Constitutional Convention declared that the House of Representatives was "to be the grand depository of the democratic principle of the Government." That is precisely the point of these proposed hearings. The people, who are so largely excluded from the decisionmaking processes, would be able to speak their minds to their representatives on these vital issues. I urge our colleagues to alert their constituency to the planned hearings and to encourage them to respond to this rare opportunity to voice their opinions on the problems that directly affect their present and future well-being.

ABUSE OF TAX EXEMPTIONS

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. BLACKBURN. Mr. Speaker, this morning I testified before the Senate Finance Committee on the subject of the abuse by some tax-exempt organizations of their privileges.

So that this matter may be called to the attention of all Members of the Congress, I place my testimony in the RECORD at this point:

STATEMENT OF THE HONORABLE BENJAMIN B. BLACKBURN, A REPRESENTATIVE IN CONGRESS FROM THE FOURTH CONGRESSIONAL DISTRICT OF GEORGIA

Mr. BLACKBURN. Thank you Senator, I appreciate that kind of welcome.

Mr. Chairman, I appreciate your affording me the opportunity to appear before your committee. Of course, I have submitted my principal statement for the record and I will try to shorten it in my verbal testimony and only hit the highlights.

We, of course, have been hearing a great deal of testimony this morning relative to abuses of tax exempt organizations. The field in which I wish to direct my attention is the use of tax exempt funds for partisan political activities, and I would like to include in my discussion not only foundations but all tax exempt organizations, whether they be for religious or labor activities.

Many of these organizations engage in political activities which, by reason of their tax privileges, are being subsidized by the Federal Treasury. My purpose in being here today is to call the Congress' attention to some examples of political activities which I personally and many others consider to be improper by groups enjoying special tax privileges and to suggest possible ways of preventing future abuses.

I would like to discuss those funds under Section 501(c)(3) and Section 501(c)(5).

The Internal Revenue Code provides that "no substantial part" of the activity of any such organization is be used to carry on propaganda or otherwise attempt to influence legislation. Many organizations avoid this language because there is some ambiguity in the definition of the term "substantial part." As an example of this misuse of privilege, I would like to direct the attention of the committee to a group which was recently formed to actively lobby against the Anti-Ballistic Missile proposal, the Coalition on National Priorities and Military Policy. This organization is supported primarily by contributions from religious organizations. Its headquarters are located in a building here in Washington. This group has lobbied against the proposed ABM system. A few days ago a representative from this group came to my office and presented my staff with further information concerning its opposition to the

1969 Military Authorization Bill. I am attaching as an exhibit a copy of the material that I received. The business——

Senator Talmadge. Mr. Chairman, may I ask a question at this point?

Mr. Blackburn. Yes, sir.

Senator Talmadge. Was that organization financed by a foundation?

Mr. Blackburn. It is financed by a number of religious organizations, which themselves, are classified under the same section of the Internal Revenue Code.

Senator Talmadge. And the language of the House bill precludes their lobbying activity?

Mr. Blackburn. No, sir, it would not. The House bill, as I recall, and you understand I am not on the Ways and Means Committee so I am not as intimately familiar wtih it as I would like to be, would permit appearing before Congressional committees but it would prevent propaganda, that is attempting to sway public opinion.

Senator Talmadge. Your point is you don't think the Ways and Means Committee language goes far enough in preventing political activity and lobbying by tax exempt groups?

Mr. Blackburn. No, sir, I do not. I think that I draw a distinction between lobbying in the sense of making appearances before members of Congress in their offices or before Congressional Committees and presenting a view. I think that any group should have that right as a matter of the extension of free speech. But to use tax exempt dollars to propagandize the American public is a radically different thing and I think this should be definitely prevented.

I would like further to invite the attention of the committee to the National Student Association. Gentlemen, if you want to see tax returns which reveal very little I would suggest that you look into the returns which have been filed by this group. I am attaching some copies to my testimony. In fact this group—

Senator Talmadge. How is that group financed?

Mr. Blackburn. Primarily by foundation grants.

Senator Talmadge. For what purpose, do you know?

Mr. Blackburn. Promoting educational activities among the students of the country. Of course, they have no reluctance in taking positions on partisan political matters. In fact, this National Student Association has recognized that its blatant political activity would cost it its tax-exempt status, so now they have set up a parellel organization known as the National Student Institute, which will be the tax-exempt organization. It will solicit the funds as a tax-exempt organization, and then we strongly suspect that the funds that are contributed to the National Student Institute will then be funneled into the National Student Association to be used for political and——

Senator Talmadge. Do you know which foundations are making those grants?

Mr. Blackburn. I think the Ford Foundation is one of their major contributors but I don't—I can get the information.

Senator Talmadge. You could get it and supply it for the record, I presume?

Mr. Blackburn. Yes, sir, I will.

One of the things I would like to call to the attention of the members of the committee is the fact that looking over the list of the recipients of National Student Association's funds, we found listed numbers of organizations which have no identities. No one can find—the Library of Congress has done extensive research and they can't find—who these organizations are that have been receiving $25, $30, $40,000 a year from the National Student Association. And you understand for the last two years they haven't even bothered to file a tax return which is a matter that I think should direct itself not only to this committee, but to the Internal Revenue Service.

Now, the reason I make such a point of this is the fact that the whole reporting procedure for tax-exempt organizations is, not to say, deficient but wholly inadequate. They can list the name of an organization, and we don't know who the principals are. Some of them may well be principals in the donor organization. The purpose for which the money has been granted doesn't appear on the tax return of the organization. So we know from looking at the returns that money is given to a group that may bear any name, XYZ Charities, whatever you want to call it. But we don't know what the purpose of the grant is and we don't know who actually handles the money or what it actually goes for. So if there is one grave area in which the Congress must give further attention it is in the area of requiring more complete reporting from recipient as well as donor organizations to show who handles the money by name, and the purpose for which the money was granted. Then if it is found, as a matter of fact, that the recipient organization and the managing individual have used the money for other purposes, in my opinion, there should be criminal sanctions.

Some feel perhaps that loss of tax privileges or perhaps civil penalties would be enough against the organization. But I frankly feel that some criminal sanctions would be required because if a person takes money and abuses it, he should be held accountable under the criminal laws.

Senator Fannin. Congressman, so far as money I am certainly in agreement with you. But also isn't it true that many of these organizations use vast manpower, staffs that work on these programs and they are just as much in violation as if they contributed money.

Mr. Blackburn. Well, I can give you a current example. In Atlanta, Georgia, we just had an election for mayor and for school board. The National Education Association, which again is a tax-exempt organization enjoying special tax privileges, organized for the purpose of promoting education among the teaching profession and promoting the teaching profession which are worthy objectives. I have attached a copy of the return of that organization, and it doesn't bother to even list the funds that it has received or spent or who they went to or anything else. It is practically a blank piece of paper. But in a news story appearing in the *Atlanta Constitution* within the past week, a report filed or issued by the National Education Association was highly critical of some of the individuals who are incumbents on the Atlanta school board. Well, obviously, this report is going to have political repercussions in the sense that here is a report which supposedly has been issued by a non-partisan, non-politically oriented organization which is highly critical of some individuals who are running for office.

Without question the staff people who were working for the National Education Association were being paid with tax-exempt dollars; they were being paid for supposedly educational purposes. But a staff member admitted, as quoted in the paper, that the report was issued with political implications. In other words, they were telling the people of Atlanta, "don't re-elect certain members of the school board because they are not doing the proper thing in our opinion."

In my opinion this is clearly political activity, and one of the—and I recall the testimony of the gentleman preceding me from Illinois in which he stated in his opinion the use of tax exempt dollars for political purposes is very small by these organizations, I would have to differ with him very greatly. In fact, I would have to differ with him on two scores. First of all, nobody really knows to what extent staff personnel are used for political purposes and, second, the biggest functioning political organizations in this country are the labor unions, and if I recall from—and they make no bones about this, they don't attempt to cover this up. It is just that the Internal Revenue Service completely ignores their political activity.

Senator Fannin. And the Congress.

Mr. Blackburn. And the Congress has been ignoring it. But I don't think the Congress should be ignoring it.

Senator Fannin. I agree with you, and I have introduced a bill in that regard.

Mr. Blackburn. Senator, I have read your bill, and if you will forgive me for being presumptuous, I don't think your bill goes far enough.

Senator Fannin. You stated that in the first part of your testimony and I will agree with you.

Mr. Blackburn. I would like at this point to read into the record the provisions which I would suggest relative to prohibitions against partisan political activity by a tax exempt organization. And here again I want to be sure that everyone understands that when I use the term "tax exempt organizations" I mean all tax exempt organizations, whether they be foundations, religious organizations or labor unions. I would prohibit the promotion of political candidates. I would define, any organization described in section 501(c), which, (1) endorses (you understand that the labor unions have no reluctance to endorse political candidates, in fact they have no reluctance to endorse candidates for the Supreme Court or oppose them) or opposes, directly or indirectly political candidates or (2) expends directly or indirectly (and this would attack the use of staff personnel) any part of its funds to promote the candidacy of any political candidate or (3) provide goods, services or anything of value to any political party or political organization, shall not be exempt from tax under Section 501 for the taxable year in which it so endorses or so expends funds and for the three succeeding taxable years, provided further that activities prohibited by this section shall not be exempted from these prohibitions by being termed "education." Of course, that is the guise under which many political activities are carried out.

Senator Fannin. This would also include registration, where, of course, we realize they just go into districts they desire and it is not a blanket registration, it is a specialized registration. That would also be included under your recommendation?

Mr. Blackburn. I would strongly recommend that the language be clear that that would be prevented because we do know that the registration drives are channeled in certain areas of the cities.

Senator Fannin. Thank you.

The Chairman (presiding). Thank you very much, sir.

Senator Gore. Could I ask one question?

Congressman, could I ask you to exercise your imagination a bit?

Mr. Blackburn. I do it rarely.

(Laughter.)

Senator Gore. Well, change parties and you will be encouraged to do so more.

Mr. Blackburn. We are finding out it requires it when we are in control.

Senator Gore. I really want to ask you a serious question: Could you imagine the possibility that a family who was associated with and in indirect ways had control of, distribution of, a fund from a multimillion dollar foundation might very well succeed in identifying themselves with good and worthy causes in one important state after another, one rich state after another, might very well succeed to public favor in almost direct proportion to the distribution of the funds from a multi-billion foundation.

Mr. Blackburn. Senator, I can well recognize that possibility. I suspect the possibility might exist.

Senator Gore. It is possible for a common man, whether a Republican or Democrat, to recognize this, isn't it?

Mr. Blackburn. It certainly is and no matter what the partisan flavor of the individual or family concerned, I don't think it is a proper use of tax exempt dollars. In fact Representative Rooney—I don't know if he has appeared before your committee or not, but he appeared before the Ways and Means Committee, pointed out how Mr. Richmond, whose family controlled the Richmond Foundation, ran against him in the Democratic primary and it turns out that the staff of the Richmond Foundation was also the campaign staff of Mr. Richmond. The Foundation would make it a point to go into certain areas of the city and perhaps purchase a building and donate it to the residents of the area for charitable purposes and, of course, Mr. Richmond, the political candidate, would be very prominent there in handing over the keys to the building, and otherwise participating in the ceremonies. I think that no matter whether you are a Democrat of Republican, you will concede Mr. Rooney was facing unfair competition in the funds that the foundation controlled.

Senator **Gore**. It might even be possible for scions of such a family to move to sparsely settled states and become political figures.

Mr. **Blackburn**. I have heard it speculated.

Senator **Bennett**. Sparsely settled like New York.

(Laughter.)

Senator **Gore**. Or Arkansas or West Virginia.

Mr. **Blackburn**. It is entirely possible, Senator.

Senator **Talmadge**. Congressman, will you file for the record as part of your testimony the specific instances of any further specific charges of political activity on the part of these exempt organizations?

Mr. **Blackburn**. I will, and I want to thank you, Senator. Your questions were well put, Senator Gore.

The **Chairman**. Congressman, while you are at it some man told me of a situation that may have happened or might not, it is hearsay, but he thought he was familiar with it. Here were two men who set up foundations and part of their charitable purpose was to give young people a chance to get a college education. Let's say one is Mr. Black and the other is Mr. White, so Mr. Black sends Mr. White's son to college and Mr. White sends Mr. Black's son to college. Abe Ribicoff has been trying to get some kind of tax advantage for the ordinary American so he can deduct some of the expenses of putting his own son through college. But that is the way to do it you might advise those people.

Senator **Gore**. Mr. Chairman, how dare you criticize such a charitable purpose.

(Laughter.)

Senator **Gore**. Education, educating your neighbor's son.

Mr. **Blackburn**. I think this goes——

The **Chairman**. On a reciprocal basis.

Mr. **Blackburn**. I think this goes to the point that I was making earlier, gentlemen, and that is that the reporting procedures for these tax exempt organizations are wholly deficient. We have got to have them report the names of the recipients, not only organizations, but the individuals who receive funds. If this were done, this sort of thing would turn up very quickly in a study.

The **Chairman**. Thank you so much.

Mr. **Blackburn**. Thank you.

THE PARADOX OF PLENTY

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. FISH. Mr. Speaker, the President's report contained in the Rockefeller Foundation Quarterly 2 is a brief, concise, and thoughtful message. "The Paradox of Plenty" points up the problems which challenge an affluent society today. While making giant strides in scientific knowledge, and in industrial and agricultural technology, we have left gulfs and inequities which now must be faced.

The provocative remarks of J. George Harrar, president of the Rockefeller Foundation, attributing to uncontrolled population growth at least a share of the blame for the difficulties in improving the quality of life, should be of interest to all Members of Congress and his speech is inserted in the Record for their consideration:

The President's Report: The Paradox of Plenty

We live in an age characterized by paradox. Man's accumulated scientific knowledge has increased his ability to find remedies for ancient ills, but it has also added new and difficult problems to those that he must solve; many of the dread diseases that threatened man's life have been brought under control, but lengthening life spans and longer childbearing periods have caused population numbers to soar; more people than ever before are attending college, but greater inequalities in educational opportunities are found both in our cities and in our rural areas; we have been able to solve many problems requiring quantitative solutions, but continue to fail to find qualitative answers. Agricultural technology has never been more advanced, but more people in the world face malnutrition and hunger than ever before; never before has the world seen the high standard of living reached by certain industrial nations such as the United States, but never has the gulf between the rich and the poor been so wide; never have so many average citizens been so aware of what is happening on the other side of the world, or even on the other side of the moon, but many remain in ignorance of fundamental social problems of their own communities; never have so many people been able to enjoy the modern methods and conveniences of a technological civilization, but never has frustration born of environmental pollution and ecological imbalance been so acute; and never before has there been such widespread revulsion against war, but wars continue and their weapons become ever more lethal. We will need to utilize all our intelligence and imagination to help understand and solve these paradoxes.

If we were obliged to characterize the last quarter of a century by a single phrase, I think we could most accurately choose the words "kaleidoscopic change." And many would now say that the greatest impact on society is that made by the massive change in population growth that has manifested itself in almost every part of the world.

Even countries that are relatively affluent and have high rates of economic growth and development are beginning to feel some of the unfortunate results of unregulated human reproduction: environmental deterioration, urban congestion, and intolerable pressures on almost all social institutions.

Millions of Americans are crowded into cities that are totally unable to meet their needs for housing, transportation, employment, education, medical services, and cultural and recreational opportunities. As these cities burgeon and increase in complexity, the demand for municipal services grows larger, and the cost of living and local taxes continue to rise without commensurate improvement in the structure and organization of the metropolitan areas. Indeed, there is evidence that in many cases disruption and deterioration of civic life is taking place.

We cannot, of course, place the blame for the deterioration of our environment solely on population growth. A variety of socioeconomic factors have also played a significant role in bringing about this situation. Nevertheless, a careful examination of the current scene suggests that many of our national problems have been exacerbated by a rapidly expanding population concentrated in high density areas. More and more we are coming to realize that when populations are allowed to expand beyond the maximum that a country's social and material resources can support, it is impossible for a society to concern itself effectively with the quality of life. In these circumstances, moral considerations, aesthetic values, attempts to improve standards, and efforts to provide opportunities to deepen and enrich human existence tend to give way to quantitative questions of how to handle expanding numbers of people. Many sensitive and concerned individuals are convinced that the tool which excessive population growth takes of the quality of our existence is outweighing any temporary economic advantages.

Paradoxically, this awareness of the multiple effects of uncontrolled population growth has suddenly burst upon a society that is struggling to make it possible for every individual human being to develop his maximum potential. Our willingness to accept the painful truth of the extent of inequality in our society and our readiness to take steps to eliminate it, together indicate a trend toward yet another major change in our attitudes and in the human climate. Our society, originally founded on the ideal of providing equal justice and opportunity for all, has shockingly failed to live up to this idea. Large segments of our population, primarily black Americans, have been in practice excluded from many of the rights, privileges and opportunities enjoyed by others in the society. Belated efforts to remedy these injustices are now taking place. The interests of minorities are becoming a national concern, and minority voices are being listened to as never before.

Under the very best of circumstances, however, there will be a time lag simply because it is not possible instantaneously to correct a situation that has taken generations to develop. There will need to be great understanding and forbearance on all sides, and all sectors will have to interact and work together toward mutually defined goals. Deep-seated attitudes cannot be eliminated, nor age-old wrongs righted, by threatening demands for concessions on the one hand and capitulation and surrender born of guilt or fear on the other. Rather, constructive changes in attitudes and practice can come about only through appreciation of the need for change and in the period of time necessary for such appreciation to deepen into moral conviction and fructify into socially beneficial action. The proof of our understanding and of our determination and readiness to work in concert to remedy the errors of the past will come partly through measurable and increasingly rapid progress toward the goal of providing equal opportunity for all Americans. In this effort, American minorities will have to participate as fully and constructively as the majority.

THE NEW PRESIDENT OF SARAH LAWRENCE COLLEGE

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. OTTINGER. Mr. Speaker, Dr. Charles R. DeCarlo, a close personal friend, a respected businessman and an outstanding civic leader recently assumed the presidency of Sarah Lawrence College.

It is typical of Dr. DeCarlo that at a time when college presidents throughout the nation are embroiled in turmoil and sometimes violent change, he would leave the security and relative calm of the business world to take on a new challenge.

But Charles DeCarlo is no ordinary man, and he is certain to be an extraordinary college president. His career, both in business and in his community, has been distinguished by sensitivity to social change, an active concern for the well-being of his fellow man, and a strong creative and innovative drive.

By way of introducing Dr. DeCarlo to my colleagues in the Congress, I present herewith for the RECORD an interesting profile of him published in the September 30 edition of the Westchester Business Journal:

DR. CHARLES DECARLO: BUSINESSMAN BECOMES PRESIDENT OF A COLLEGE

(By Penny Singer)

What prompts a top executive to leave the technological market place at the height of his career to assume the duties of a college president, in an era when college presidents jobs are going begging?

The man in question, Charles Raymond DeCarlo, is unusual. The college, Sarah Lawrence in Bronxville, is unusual. At the age of 47, Dr. DeCarlo has been an executive of IBM since 1951; he has also been a mathematician, scientist, teacher and an author. When he left IBM, he was director of automation research, an area far removed from the stress on humanities that has always been Sarah Lawrence's keystone.

But Dr. DeCarlo is a many-faceted man. During the past few years he has become increasingly interested in the problems of American society and higher education. In contributions to books, magazines and seminars he has been speading his views on the dehumanizing aspects of technology.

"The cult of efficiency, of doing everything by the scientific method, of automated everything possible, leads to the myth that men and machines are interchangeable. A certain amount of efficiency will enable us to make something different of work; more play is needed, more risk-taking. Leisure will have to assume more relevance; we are only half way to humanity."

The switch from technology to humanity was bound to follow.

"After spending 25 years in pursuit of degrees and business, I had a growing feeling that we're all to much under the domination of technology. At IBM I played the role of an acceptable maverick, a gadfly. Most people use large organizations to escape from the freedom that is theirs for the taking. What we need are people better educated in the liberal arts. For me, it's a shift of values. I want to work in the humanities stream now. I'm terrifically concerned with social change and the logical place to be involved with social change is to work with young people. They are more sensitive to the demands of the future. That's where the action is."

RELEVANT

One of the re-occuring themes on Dr. DeCarlo's articles on education and social change is the futility of forcing students through educational structures they do not find relevant.

"Too much business and technological education is short sighted. After five or ten years on the job, people find a tremendous need for further development of themselves, some of fulfillment, if you will. Business must find a way of breaking down enormous operations into something smaller in scale for a more humanistic approach."

Dr. DeCarlo stressed that business must re-examine goals and attitudes, especially "the brilliance of the means to the problems of the ends. It's a dangerous trend for measure of business ends to intrude into college processes of management. The academic world and the business world should be divided. Of course a college president has to be concerned with the mechanics of salaries, fund raising; in this area experience in the business world is invaluable. But we cannot be so tied to the idea of technical knowledge that we ignore the other side of human development."

CURIOSITY

Much education, be believes, kills curiosity, and disregards a students experience and feelings. "If a college has to have a motto," he said, "it ought to be feel." First of all I want our students to feel a sense of self worth, if they feel secure, then they can feel for others."

In his opening address to students Dr. DeCarlo asked that they "attack problems honestly and openly, acknowledge that problems of sex, drugs and color exist, then we can deal from strength."

FAMILY

Dr. DeCarlo, a native of Pittsburgh, is the son of an Italian father and an Irish mother which combines "the lucidity of the Latins with the passions of the Irish," which, as he succinctly puts it leads to fulmination. Tall, blonde and handsome, he has been described by associates as a complete "Renaissance Man, a good amateur poet, a fantastic gourmet cook and the best platform speaker around." He enjoys classical music and wide range conversation. His wife is a cellist with the Westchester Symphony and the mother of his four children. The DeCarlos resided in Scarsdale before they moved into the president's house on the Sarah Lawrence campus. Their oldest daughter is a student at UCLA, the two younger children attend public school in Yonkers. The children find it "great fun" to be living on the campus, as does their father who emphasizes that he wants to be available to students at any time.

He has a bachelor's degree in engineering and Ph.D in mathematics from the University of Pittsburgh where he taught. He also taught at the American Studies Institute in Salzburg, Austria. His writings, which include the book "Education in Business and Industry," argue for resistance of the dehumanizing aspects of technology by emphasis on the conservative, humane values of the liberal arts."

And that's what it's all about at Sarah Lawrence. Dr. DeCarlo doesn't much care about turning Sarah Lawrence girls out to be housewives or technicians. "I believe a college whose values are essentially grounded in femine attitudes and visions must be of great and continuing importance to the society, for the feminine instincts are characterized by caring qualities, concern for beauty and form, reverence for life, empathy in human relations, and a demand that men be better than they are." Does it mean that the hand that rocks the cradle rules the world? "Exactly," he said, in blanching at the cliche.

A TRIBUTE TO CASIMIR PULASKI

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. BIAGGI. Mr. Speaker, on Saturday, we have the pleasure of honoring the name of the Polish hero, Gen. Casimir Pulaski, whose memory is one of great significance to friends of liberty in every land.

Here was a man who loved the democratic cause without restraint and without concern for national boundaries. As the beneficiaries of his courageous conduct, the people of America have hailed him as hero in the past and will do so once again this Saturday, October 11, on the 190th anniversary of his death resulting from wounds sustained during the seige of Savannah.

Unlike the Boston merchant or the farmer of the Piedmont, unlike the fishermen on the Carolina coast or the backwoodsmen of western Pennsylvania, Casimir Pulaski was not himself a victim of British oppression, in the year 1776. Indeed, he was at that moment far removed from oppression of any kind.

Of noble birth, of wealth and family distinction, he was free to live in peace wherever he chose. And yet, in those tumultuous times, peaceful complacency was not the mark of a man, and Pulaski, it must be remembered, was a giant among men.

Having fought against Russian domination of Poland, and having as a result been driven from his native land, Pulaski ventured to France, where he was advised of the approaching American Revolution. Fired by the spirit of the American cause, and perceiving therein the same basic principles as his own, Pulaski threw in with the American Colonies.

A cavalry officer of considerable ability, he offered his services to Benjamin Franklin who in turn referred him to George Washington. By the summer of 1777 Pulaski was in America, ready for battle, and in September of that year he took his place in the American line, as a volunteer at Brandywine, where his conduct earned him instant recognition as an outstanding military leader.

At Germantown and Trenton he was again brilliant, and his foraging expeditions prevented starvation at Valley Forge. Granted command of a full cavalry corps, he ravaged the enemy in New Jersey, after which he was dispatched to Georgia. Once again brilliant and courageous, Pulaski assaulted the British position at Savannah, and was wounded at the height of the attack. Two days later he died.

The hero of the two continents and the advocate of liberty in every land, Casimir Pulaski is deserving of the highest praise by freedom-loving people everywhere.

POPULATION EXPLOSION

HON. PHILIP E. RUPPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. RUPPE. Mr. Speaker, it took three centuries for 100 million people to populate this great Nation. It took only 50 years to add the second 100 million. Within the next 30 years we will add the third 100 million people. Simultaneously, our population is experiencing a great migration from depleted countryside areas to increasingly crowded metropolitan areas. What does all this mean for our country?

We do not face the specter of mass starvation as do underdeveloped nations that will double and even triple their populations between now and the end of the century. We do, however, face potential erosion in the quality of life as our lakes and streams become more polluted, our highways and beaches more jammed, and our schools and social institutions increasingly less able to provide adequate service. President Nixon has expressed the opinion that many of our social problems may relate to the fact that we have had only 50 years in which to accommodate the second 100 million Americans. Furthermore, we have jammed this new population into metropolitan areas.

In northern Michigan, and in other countryside areas of our Nation, there is yet room to grow and lead the good life. However, these areas lack industry and tax base and their populations are migrating to the cities—where the jobs are. Meanwhile, the cities are under increasing social pressure and many are on the border of becoming ungovernable.

I have introduced legislation to create a National Commission on Balanced Economic Development that would uncover the ways and means of reversing the migration trend from rural to urban areas. Granted, this is only a first step—but we had better start taking a few small steps soon. The hour is getting late.

Recently, I was struck by a letter to the editor from one of my constituents, Mr. Maurice L. Hartung, of East Jordan, Mich. The letter appeared in the Petoskey News Review. I read this letter after having spent a weekend with my family on a lovely isolated lake in Michigan's Upper Peninsula. The tranquillity of that unspoiled location clashes dramatically with the vacation described by Mr. Hartung. Unfortunately, given present trends, family outings amidst the serenity of a northern Michigan lake are rapidly giving way to the racket, rudeness, and hubbub of an overcrowded shoreline in more densely populated areas. It concerns me deeply that Mr. Hartung's vacation, not my weekend, may be the harbinger of the future. I include Mr. Hartung's letter in the CONGRESSIONAL RECORD:

DEAR EDITOR:

"Jammed is the only Word for people and cars at Petoskey State Park on Sunday"!!! Baloney!

We just returned from the north central New Jersey sea coast and I wish I had some black and white pictures that you could use but mine are in color.

But I can give you a word picture of what jammed at the beach is like!

First off they have the fabled Board Walk—no this is not the one at Atlantic City! We're quite a ways north. I'm told it runs several miles south as far as Ocean City. On the beach side it is hemmed in by a chain link fence. Every little ways is a stairway leading down to the beach. A guard stands or sits by the gate and collects $1 per person going onto the beach unless you are fully clothed and carrying a fishing pole or poles. If you are just going down to the beach for a picnic it it still $1 each or show your month or season sticker!

Now you wish to go to the beach for a picnic! You take the family and pay your admission spread your blanket and lay out your food and people running by kick sand in it! Oh no not purposely! People are just so darn thick that it can't be helped! And so you decide that maybe swimming would be more fun. You go down to the edge of the water "in designated areas only please"—that means not far from where a life guard is stationed! Now the water gets deep quickly and if you get out 50 feet you are up to your armpits! If you go further the guard blows his whistle and believe you me it is best to come back, always! Now you come back from your swim to find your beach towel missing. You inquire of a neighboring group and the man happened to see where it went and when you go after it you find that a tow head boy of about 10 or 11 years has collected about a dozen beach towels! Now what he planned to do with them, I really don't know! But he nearly got mobbed as returning owners tracked him down! You lose money, jewelry and what have you!

After people have left the beach—they chase you out of the water at 5:30 and three guys with metal detectors begin looking for money and jewelry and when the thing goes beep beep they stoop over with a fire shovel with a mesh bottom and sift the stuff out of the sand and put it in their pockets! And a city official with a crew of boys starts in to collect the million or so bits of refuse from all the parties held that day! The sand by now—even after cleaning—is a good healthy percent cigarette butts! A little way down the beach a bunch of hippies are playing catch with a ball and seeing me with a movie camera yell at me to take pictures of the "International Champs"!

Now if you were fortunate and came early you may have been able to park near the beach! If you came to spend the 4th of July weekend and went anywhere during the day you may have had to go six blocks from the beach to park!

Forty foot lots often had two houses with a drive way between! And if there was ever a garage in the rear of each house it has long since been converted into an upstairs apartment with tools and junk stored on ground floor! and over the 4th people slept in their cars because there were no more rooms!

One more thing about the beach! Every few minutes an airplane passed over towing a big long sign announcing attractions at night clubs, hotels, bars, etc. The one I liked best was, by far, the most appropriate to the conditions we noted. It read "You look burned! Cool it with noxzema!"

And these people thought they were having fun! How I'd like to have transported them all to Northern Michigan for a few minutes where they could sit on nice green grass to have their picnic. Miles of shore line free to the public. Room to park your car. And, *room to spread out!*

Well we did have a good time there. What with the arrival of a brand new grandson and meeting some very wonderful people and seeing new things.

But when we arrived home to find the delphiniums in full bloom, waving gently to us in the breeze I can assure you we wouldn't trade these few acres for the whole coast of New Jersey!

How fortunate to live in Northern Michigan. And all it takes to make you realize it more and more as the years go by is to just take a two weeks vacation every year and see where and how others live!

CUBAN MIG FLIGHT HIGHLIGHTS NEED TO DEPLOY ADDITIONAL MILITARY UNITS TO SOUTH FLORIDA

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

The Russian Mig, flown by a Cuban military officer, that recently flew from Cuba past Key West and the Florida Keys and landed at Homestead Air Force Base literally beside the President's plane, Air Force One, demonstrates most vividly the need to maintain full military operational capability at Key West Naval Base complex, the Key West Aerospace Defense Command, and at Homestead Air Force Base.

This is not the first instance that aircraft have underflown our radar and landed at South Florida air installations.

We must not forget that there is a serious, well organized and equipped Communist activity in Cuba that seeks to work throughout the Caribbean and Latin America. It has been emphasized that the Key West Naval Base complex, comprised of Navy, Army, and Air Force activities, is the main defense structure defending the southeastern approaches to the United States. It would seem reasonable, therefore, that the Commander in Chief and the Secretaries of Defense, Navy, Army, and Air Force would take every precaution to protect against such incidents or others of greater magnitude.

However, recently we have had a series of cutbacks in naval activity around the country. At the Key West Naval Base, the ship's repair facility was ordered closed with little apparent regard to the part that it has played and might play again in the event of a crisis in the Caribbean or elsewhere. Three submarines and the sub tender, U.S.S. *Bushnell*, have been ordered decommissioned—to depart Key West. To date, no announcement has been made of replacement. The *Bushnell* has been homeported at Key West since 1952. It had been involved in two wars and had seen Cuban duty.

In 1964 $10½ million was provided for runway extensions and major aviation facilities to insure Key West Naval Air Station capability to handle any aircraft now operating with the fleet. In 1965 a dredging project costing $3.2 million increased the channel turning basin and depths in order to accommodate nuclear attack submarines.

These are but a few of the many improvements made to the military establishment at Key West. The Key West Naval Base complex has the capability of handling additional air and naval units.

Would it not be wise and simultaneously in the best defense interests of this country to have assigned at the Key West naval complex additional military units fully equipped and ready to cope with any contingency, large or small, that might arise in the Gulf of Mexico, the south Atlantic, in Cuba, the Caribbean, and South American areas?

Are additional Air Force attack or radar-equipped units needed to provide scanning patrol defense and attack functions?

Would it not be wise to home port additional naval and Air Force units at Key West?

Would it not be better to be prepared in this area, one that still contains a hazard and has a base which guards one of the most vital spots in this hemisphere?

The Air Force has admitted the weakness in our defense programs in the

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South Florida area, and with announced cutbacks, it can only be worse—not better. Whatever is needed in additional air squadrons, missile battalions, naval vessels, submarines, radar, other tracking facilities, personnel, operational facilities, or other more modern equipment should be provided.

The 12th Congressional District of Florida in which the Homestead Air Force Base and Key West Naval Base complex are located is the closest to Castro's Cuba and the entrance to the Caribbean, Central and South America. As the Representative of this district, a member of the Foreign Affairs Committee, and chairman of the Subcommittee on Inter-American Affairs, I urge our military services to immediately take such actions as would seem advisable to strengthen our defenses in the Caribbean and to the southeastern approaches to the United States; that they reverse their decision to deploy vessels and personnel from the Key West Naval Base; that they redeploy to the Key West area additional air and naval units and personnel and that they embark on an improvement and modernization program.

NEIGHBORHOOD DEVELOPMENT PROGRAM

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. MINISH. Mr. Speaker, the Housing and Urban Development Act of 1968 authorized the neighborhood development program as an important part of the Federal Government's urban renewal effort. The neighborhood development program was designed, to quote from the law, "to facilitate more rapid renewal and development of urban areas on a more effective scale and to encourage more efficient and flexible utilization of public and private development opportunities by local communities in such areas." Conversion to the neighborhood development approach was to be at the option of the local communities.

Late last year, the Department of Housing and Urban Development began a concerted campaign to encourage cities to convert their urban renewal efforts to the neighborhood development program. Neighborhood development, the communities were told, would provide for a smooth flow of Federal funds and flexibility of movement between one urban renewal project and another. It would allow for starting needed urban renewal activity by obtaining funds quickly without waiting for HUD to finance each individual project area. Communities, under the NDP, would not be required to prepare detailed plans for each project prior to acquisition—a general plan would be acceptable.

For many cities the process of converting from the conventional urban renewal system to the NDP was complicated and cumbersome. In Newark, N.J., which has applied for an NDP grant of approximately $47 million, any change in an urban renewal project, no matter how slight, requires an amendment to that project with hearings before the planning board, the municipal council, and the public. Approval must be obtained from the Newark Housing Authority Board and from the Department of Housing and Urban Development. Additionally, there must be an amended loan and grant contract and perhaps a change in the cooperative agreement with the city. Needless to say, a change back to the conventional urban renewal system at this late date would involve an equally difficult and cumbersome process. Despite the difficulties inherent in conversion to NDP, most cities, including Newark, agreed with HUD and with the Congress that the neighborhood development program concept offered great dividends for substantial coordinated progress in urban renewal.

Under the previous administration, 30 cities were approved for NDP conversion. HUD's attitude toward NDP since the advent of the new administration has been, to say the least, extremely confusing. Only five cities have been approved for NDP since January 20, 1969. They are: Cheyenne, Wyo., Muskogee, Okla., Tulare, Calif., Saint Paul, Minn., and Highland Park, Mich. The administration claims it has only approved NDP applications of cities which were well along on the application process by January 20, and these were approved shortly after the new administration took office. Yet the record shows that three NDP's were approved in June of 1969, the last on June 20—5 months after the change in administrations.

When HUD witnesses appeared before the House Subcommittee on Housing Appropriations in April of this year, the following statement was submitted in the Department's name:

> The Neighborhood Development Program provides a means to make an immediate start on improvement and redevelopment of large impoverished areas. This new approach will allow cities to schedule renewal as they do capital expenditures, speed up renewal activity, and respond more effectively to the needs of local citizens.

During the same session, Mr. Lawrence Cox, Assistant Secretary for Housing and Renewal Assistance, speaks of the NDP:

> I really feel that it was a rather sketchy and not well thought out approach.

Such testimony is hardly likely to result in adequate funding of the neighborhood development program. Moreover, the quoted passage is not atypical. Nowhere in this year's appropriation hearings, in either the Senate or the House, does HUD make a genuine attempt to press for sufficient NDP funds to satisfy even the minimum needs of our cities.

Secretary George Romney of HUD notified the Congress last week that while "the administration supports the NDP concept" and regards it as "a flexible tool to aid cities in achieving their renewal objectives," the program will now be subject to "management controls" due to inadeqaute funding. Yet the record shows HUD has neither requested nor fought for adequate funding.

The city of Newark provides a good example of the way in which HUD has mismanaged the NDP. Newark was given repeated verbal assurances by HUD all throughout 1969 that their NDP would be approved and fully funded. In early September, HUD officials informed Newark that they should not expect approval of their NDP application in its present form. The city, HUD explained, could expect a fund cut of up to 90 percent. Now HUD denies any decision has been reached on Newark's NDP application.

Clearly, the Department of Housing and Urban Development has failed to administer the NDP as Congress intended. The House Banking and Currency Committee, of which I am a member, has responded to HUD's failure to satisfactorily implement the neighborhood development program by providing in the recently reported Housing Act of 1969 that 35 percent of the total urban renewal money for fiscal year 1971 shall be reserved for neighborhood development. Further, the committee reserved $400 million of fiscal 1970 funds for NDP.

Mr. Speaker, HUD must be put on notice that the Congress will not stand idly by while its will is thwarted and its mandate is ignored. More than 300 communities have indicated a desire to initiate, or convert to, NDP. Applications for NDP were filed, after HUD's encouragement, with the recognition that NDP offered a coordinated means by which to accelerate the reconstruction of our urban centers. The proposed changes announced by HUD, in defiance of congressional intent, will lead to delay, confusion, and expense for cities throughout the Nation. I urge Members to make their indignation known to the appropriate officials in HUD in order that this situation may be corrected promptly.

SID W. RICHARDSON FOUNDATION, FORT WORTH, TEX.

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. TEAGUE of Texas. Mr. Speaker, Mr. E. W. Sampson, president of the Sid W. Richardson Foundation of Fort Worth, Tex., appeared before the Senate Committee on Finance the other day and presented a statement recommending some changes to the House-passed tax revision bill. Under leave to extend my remarks in the RECORD, I wish to insert a copy of Mr. Sampson's statement, as follows:

STATEMENT TO THE COMMITTEE ON FINANCE, U.S. SENATE

(Submitted by Sid W. Richardson Foundation, Fort Worth, Tex.)

Sid W. Richardson Foundation, a nonprofit Texas corporation organized and operated for charitable, religious, literary, and educational purposes, hereby requests modification or elimination of certain provisions of H.R. 13270 dealing with the taxation and regulation of "private foundations" as defined in said H.R. 13270 now under consideration by the Committee on Finance.

DEFINITIONS AND ABBREVIATIONS USED

Sid W. Richardson Foundation will hereinafter be referred to as "Foundation." H.R. 13270 will sometimes be referred to as "the Bill." The late Sid W. Richardson will be referred to as "Richardson," and Perry R. Bass, Richardson's nephew and his partner for many years prior to Richardson's death, will be referred to as "Bass."

REQUESTED MODIFICATIONS OR ELIMINATIONS

The provisions of the Bill as to which modification or elimination is requested are:

1. The provisions of Section 507(b)(2), which define the term "substantial contributor."

2. The provisions of Section 4946(b) of the Bill, defining the term "Foundation Manager," insofar as it affects permitted stock holdings in a corporation under Section 4943(c)(2) of the Bill.

FACTS

Foundation was incorporated as a Texas non-profit corporation in 1947. It has no capital stock. Its articles of incorporation, which have never been modified, provided that the Foundation should be managed and controlled by a self-perpetuating board of directors. It was organized at the instance of Richardson, and he, Bass, Richardson's two sisters, and a brother-in-law were the original directors. Its present directors are: Bass, his wife, H. B. Fuqua (Chairman of the Board of the Fort Worth National Bank and unrelated), E. W. Sampson, and M. E. Chappell, the latter two of whom are long-time executives of Richardson and Bass organizations, but are unrelated to Richardson or Bass.

Shortly after its organization, Foundation was classified as exempt from income taxes under what is now Section 501(c)(3) of the Internal Revenue Code of 1954, and it has continuously preserved that exempt status and is now so classified.

Prior to Richardson's death, which occurred on September 30, 1959, Foundation's only contributors were Richardson and Bass. In lieu of Richardson and Bass individually or their various enterprises making direct contributions to charitable, religious, and educational undertakings, those just referred to contributed to Foundation, which in turn distributed substantially all of these contributions to appropriate educational, religious, and charitable undertakings. From organization through the calendar year 1961, Foundation received from the sources indicated contributions of $800,500.00, and through 1961, it had disbursed in contributions $804,747.46. Of this total amount, Bass contributed, directly and as his share of contributions made by enterprises jointly owned by him and Richardson, a total of $147,500.00. In several years during this period, Bass' direct contributions exceeded $5,000.00, so that under the Bill as presently drafted, he would be classified as a "substantial contributor." See Section 507(b)(2) of the Bill. Other than as above stated, Bass has made no contributions to Foundation, either directly or indirectly.

Richardson, who was a bachelor and a very active and successful business man, after making certain specific provisions in his will for various members of his family (which provisions have no bearing on the problem dealt with herein), left the residue of his estate and the income received from it during its administration to Foundation. The administration of the estate was closed as of January 1, 1962, and the entire residue delivered to Foundation at that time, although the obligations of the estate and a considerable portion of the death duties (which aggregated some $48,000,000.00) had not been paid. Foundation immediately borrowed $30,000,000.00 to pay off the balance of the unpaid death duties and certain claims, and subsequently has proceeded to pay off these obligations subject to which it received the residue of the Richardson estate and to carry on the religious, charitable, and educational activities which it was organized to support. Bass, Howell E. Smith, Richardson's brother-in-law, and John B. Connally, who, at Richardson's death, was employed by the Richardson and Bass organizations, were the independent executors of that Richardson estate.

At the close of the year 1962 (the first year that Foundation had possession of the residue of the Richardson estate), the net book value of Foundation's assets was $71,051,714.52. At the close of the calendar year 1968, the net book value of these assets was $72,852,530.52, and the market value of certain of its investments in excess of book value was $19,038,208.47, resulting in what might be called an increase in actual value over carrying value to $91,990,738.99.

From the time Foundation received the residue of the Richardson estate until the close of the year 1968, its net income, exclusive of capital gains, amounted to $16,303,138.19, but its contributions and firm commitments to make contributions during the same period largely exceeded this net income, so that, considering its firm commitments, it had a deficit in accumulated income at the close of the year 1968 of $1,339,179.73.

The greater portion of Foundation's contributions and commitments were to institutions such as Rice University at Houston, Texas, Austin College at Sherman, Texas, St. Luke's Episcopal Hospital at Houston, Texas, Texas Wesleyan College at Fort Worth, Texas, the Boy Scouts of America Longhorn Council, Fort Worth, Texas, Texas Christian University at Fort Worth, Texas, Trinity University at San Antonio, Texas, the University of Texas, at Austin, Texas, and Howard Payne College at Brownwood, Texas.

It is clear from the above that under Section 507(b)(2) of the Bill as presently written, Bass would be classified as a "substantial contributor" to Foundation, and because of this fact and the fact that he is presently, as he has been since its organization, a director of Foundation, he would be classified as a "disqualified person" under Section 4946(a) of the Bill for all of the situations dealt with in the Bill, such as those dealing with "excess holdings" (Section 4943), as well as those imposing taxes on self-dealing.

It is equally evident that in bringing the Foundation into existence in 1947, and by naming Bass and his brother-in-law as two of the independent executors of his will, and by the continuation of Bass as a director of Foundation, Richardson intended that members of his family who were familiar with his wishes and the interests which he wanted his fortune to serve should have an important voice in the management of the Foundation which received the residue of his estate.

DISCUSSION

The facts above summarized show that Foundation has had two entirely separate periods of existence. The first period began with the Foundation's incorporation and extended to the year 1962 when Foundation received the residue of the Richardson estate. During this period, Foundation might be likened to a private community chest which contributions from Richardson, Bass., and their common interests, and distributed the amounts so contributed to qualified and acceptable donees—religious, charitable, and educational undertakings. All amounts contributed during this period—those contributed by Bass and the interests with which he was identified, as well as those contributed by Richardson and the interests with which he was identified—had been disbursed prior to January 1, 1962. This closed the "private community chest" era of the Foundation. Since that time, Foundation has received no contributions other than the residue of the Richardson estate which was received under the terms of his will. Leaving for subsequent discussion the fact that Bass is a director of Foundation, it is wholly unconscionable and inequitable to treat Bass or anyone else as a "substantial contributor" under the section of the Bill above referred to, because that definition applies no matter how long ago such contribution was made. This results in an untenable, retroactive confiscation that violates all concepts of equity and fairness.

The same undefendable, retroactive operation of the Bill will follow as to the determination of "permitted holdings" in a corporation by a foundation if the present provisions defining a "Foundation Manager" as a disqualified person (Section 4946(b)(1) of the Bill) remain unmodified.

It is submitted that the situation so presented requires, in fairness and in equity, and to avoid retroactivity of a taxing provision that virtually all citizens abhor, modification of the Bill so that the holdings of Bass should not be taken into consideration in determining whether or not this or any other similarly situated foundation has "permitted holdings."

It is intended by the modifications in the Bill hereinafter suggested to remove the provisions of the Bill which, as now written, classify Bass or anyone similarly situated as a "substantial contributor" to a foundation for purposes only of determining whether Foundation has "permitted holdings," but it is not intended thereby to relieve Bass or any other officer, director, or trustee, or any individual having powers and responsibilities similar to those of an officer, director, or trustee of a foundation, so long as such person remains in such position with the foundation from the application of the provisions of Section 4911 of the Bill imposing taxes, penalties, and sanctions on "self-dealing."

SUGGESTED MODIFICATIONS

It is believed that the objections to the present Bill herein pointed out can be removed by the following:

The following should be substituted for Section 507(b)(2)(A) and (B):

"(A) Any person who (by himself or with his spouse) contributed or bequeathed to a private foundation in any one calendar year beginning on or after January 1, 1965, more than $5,000.00, and

"(B) Any person who (by himself or with his spouse) contributed or bequeathed the greatest amount to the foundation in any one calendar year, on or after January 1, 1965."

To prevent Bass or anyone else similarly situated from being classified as a "disqualified person" because of the fact that he has continuously been a director of Foundation since its organization, and thereby resulting in having his holdings and those of his family taken into consideration in determining "excess holdings," it is believed that the following addition to Section 4946(b)(1) should be made, so that the entire subsection 4946(b)(1) would read:

"An officer, director, or trustee of a foundation (or an individual having powers and responsibilities similar to those of officers, directors, or trustees of a foundation), except that in the determination of 'permitted holdings' there shall be excluded as a disqualified person an officer, director, or trustee of a foundation (or an individual having powers and responsibilities similar to those of officers, directors, or trustees of a foundation) who occupied such capacity at the organization of the foundation prior to January 1, 1965, and who thereafter has continuously held such office or had such powers and responsibilities."

SENATE—*Monday, October 13, 1969*

The Senate met at 10 o'clock a.m. and was called to order by the Acting President pro tempore (Mr. METCALF).

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father whose word declares: "It is a good thing to give thanks unto the Lord, and to sing praises unto Thy name, O Most High: to show forth Thy loving kindness in the morning and Thy faithfulness every night." We adore Thee in the beauty of the world, in the goodness of the human heart, in the faithfulness of friends, and in Thy thought within the mind. Our pause is our prayer and Thy presence is the answer. As the days of a new week open, invest Thy servants in this body with wisdom and grace sufficient for their tasks. Above differences and divisions, above conflict and confusion, may they know the deeper unity of those whose minds are stayed on Thee. Anoint the people of this good land with Thy spirit that they may help open for all men the gates of the kingdom everlasting whose Builder and Maker is God. Amen.

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of October 9, 1969, Mr. NELSON, from the Committee on Labor and Public Welfare, reported favorably, on October 10, 1969, an original bill (S. 3016), to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, to authorize advance funding of such programs, and for other purposes, and submitted a report (No. 91–453) thereon, which bill was placed on the calendar, and the report was printed.

THE JOURNAL

Mr. KENNEDY. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, October 9, 1969, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries, and he announced that on October 10, 1969, the President had approved and signed the following acts:

S. 713. An act to designate the Desolation Wilderness, Eldorado National Forest, in the State of California; and

S. 2462. An act to amend the joint resolution establishing the American Revolution Bicentennial Commission.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 1242) to amend the Communications Act of 1934 by extending the provisions thereof relating to grants for construction of educational television or radio broadcasting facilities and the provisions relating to support of the corporation for public broadcasting, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had disagreed to the amendments of the Senate bill (H.R. 4148) to amend the Federal Water Pollution Control Act, as amended; agreed to the conference by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. BLATNIK, Mr. JONES of Alabama, Mr. WRIGHT, Mr. FALLON, Mr. CRAMER, Mr. HARSHA, and Mr. GROVER were appointed managers on the part of the House at the conference.

The message further announced that the House had passed a bill (H.R. 8449) to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 8449) to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907, was read twice by its title and referred to the Committee on Commerce.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Chair recognizes the Senator from Kentucky (Mr. COOK) for a period of not to exceed 1 hour.

Mr. KENNEDY. Mr. President, will the Senator yield, without losing his right to the floor?

Mr. COOK. I yield.

Mr. KENNEDY. I thank the Senator.

WAIVER OF CALL OF THE CALENDAR

Mr. KENNEDY. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. KENNEDY. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. KENNEDY. Mr. President, I ask unanimous consent that, following the remarks of the senior Senator from New York (Mr. JAVITS), there be a period for the transaction of routine morning business and that statements in relation thereto be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. McGOVERN. Mr. President, will the Senator yield?

Mr. COOK. I yield.

Mr. McGOVERN. I thank the Senator.

THE VIETNAM MORATORIUM

Mr. McGOVERN. Mr. President, the Vietnam moratorium scheduled for Wednesday of this week will, in my judgment, prove to be the greatest nationwide outpouring for peace ever experienced in this country; but it is important that it not be confused with the senseless violence on the part of so-called radicals that took place in the city of Chicago last week.

The Wednesday moratorium was conceived and organized by the finest young people in this Nation. It is a national town meeting of conscience against the destructive war in Vietnam. It is the peaceful, constructive, and patriotic expression of dissent in this Nation. It is joined by millions from every political persuasion; and, by every account, it reflects the judgment of most of the American people. No one should confuse the Wednesday moratorium with the kind of mindless, destructive activity which took place last week in Chicago. The moratorium seeks to end violence, not to expand it; it seeks serious discussion, not the screaming of slogans; it believes in the decency and good sense of the American people, not the shallow ideology and viciousness of recent demonstrations in the parks and streets of Chicago.

(At this point Mr. MCGOVERN assumed the chair.)

THE NOMINATION OF JUDGE HAYNSWORTH TO BE AN ASSOCIATE JUSTICE OF THE SUPREME COURT

Mr. COOK. Mr. President, as a firm supporter of the confirmation of Judge Haynsworth, I welcome Senator BAYH'S "bill of particulars" which he released to the press Wednesday afternoon. Both the opponents and the supporters of Judge Haynsworth can now stop dealing with ghosts, rumors, and innuendos and address themselves to what the judge's principal foes conceive to be the reasons for opposing his confirmation.

I have carefully reviewed the bill of particulars, and my studied conclusion is that the mountain of opposition has labored, and given forth a mouse of justification. The principal item in the bill is a rehash of the new time-worn details of Carolina Vend-A-Matic and the Darlington Corp. case—a criticism that was exploded by the chairman of the American Bar Association Committee on Judicial Selection, and by the leading authority on judicial disqualification in the country, during the very first week of the hearings before the Senate Judiciary Committee. Another charge reiterated in the bill of particulars is the claim that Judge Haynsworth should have disqualified himself in several cases in which he held stock in a parent corporation, and a subsidiary of the parent was a party litigant before his court. Unfortunately, instead of carefully analyzing the very real problems that exist in this area, Senator BAYH has contented himself with stating the bald conclusion that Judge Haynsworth's refusal to disqualify himself was a violation of the statute and of the Canons of Ethics. I find this conclusion wholly unsupported, either in reason or in precedent.

Finally, analyzing as carefully as I can that section of the bill entitled "Demonstrated Lack of Candor," I can only say that I am left with the firm feeling that any lack of candor there may be is not that of Judge Haynsworth.

I think the Senate Judiciary Committee, and the Senate as a whole, is entitled to something more than just rhetoric on this matter, and I would therefore like to take up these three principal charges in the bill of particulars in detail.

1. CAROLINA VEND-A-MATIC

This history of Carolina Vend-A-Matic has been told and retold both in testimony before the Senate Judiciary Committee, and in media coverage of the nomination of Judge Haynsworth. The best answer to Senator BAYH's rehash of these same facts in his bill of particulars is to be found in the statements of two witnesses who testified before the Senate Judiciary Committee in connection with its hearings on the nomination:

> We believe that there was no conflict of interest in the *Darlington* case which would have barred Judge Haynsworth from sitting and we also concluded that it was his duty to sit. (Testimony of Lawrence E. Walsh, Chairman of the American Bar Association Committee on Judicial Selection, and himself a former federal judge, Transcript, Hearings before the Senate Judiciary Committee, Nomination of Honorable Clement F. Haynsworth, hereinafter called "Transcript", p. 243.)

The second witness, John P. Frank, probably the leading authority on the subject of judicial disqualification in the country, rejected the argument now revived by Senator BAYH with these words:

> It follows that under the standard federal rule Judge Haynsworth had no alternative whatsoever. He was bound by the principle of the cases. It is a judge's duty to refuse to sit when he is disqualified, but it is equally his duty to sit when there is no valid reason not to . . . I do think that it is perfectly clear under the authority that there was literally no choice whatsoever for Judge Haynsworth except to participate in that case and do his job as well as he could. (Transcript, 199–200.)

Senator BAYH's purportedly factual discussion of Carolina Vend-A-Matic contains several statements which can only be described as disingenuous.

> (a) He stated that he orally resigned from the vice presidency in 1957, but the corporation records show he was listed as vice president until 1963 and indeed regularly attended meetings of the board of directors and voted for slates of officers through the years.

The obvious import of this statement is that the fact that Judge Haynsworth regularly attended meetings of the board of directors, and voted for slates of officers through the years, tends to support the conclusion that he knew he was carried on the corporate records as a vice president of the corporation until 1963. Anyone who has had any familiarity with closely held corporations and the methods by which they conduct their business, will not be overly impressed by this logic. But more important, it is undisputed that Judge Haynsworth submitted a written resignation of his position as a director of Carolina Vend-A-Matic in October 1963, pursuant to a resolution of the Judicial Conference of the United States disapproving of judges holding either directorships or offices in corporations organized for profit. If he had realized that he was carried on the corporate books as a vice president at this time, is there any doubt that he would also have resigned his office as vice president?

He goes on to state:

> (b) "Although the judge claims he was an inactive officer, the minutes of the corporation indicate that such was not the case. Directors were active in locating new business and Judge Haynsworth took an active part in directors' meetings, often making motions himself. While he was director of Carolina Vend-A-Matic, he took part in decisions to buy and sell land to himself and other directors on the profit sharing trust."

There is no requirement of judicial conduct that a judge owning an interest in a business be completely inactive in that business. The statement with respect to Judge Haynsworth's activity in the affairs of Carolina Vend-A-Matic was originally made in the context of the 1963 investigation conducted by Chief Judge Sobeloff, and was directed to the issue of whether Deering-Milliken personnel in charge of granting concessions to vending machine companies might have known of Judge Haynsworth's connection with Carolina Vend-A-Matic, and tended to favor it for that reason. Judge Sobeloff concluded that this was emphatically not the case, and none of the facts contained in Senator BAYH's statement contradict that conclusion in the slightest. Since they do not bear on that conclusion, they can only be described as red herrings, which tend to prove or disprove nothing in connection with Judge Haynsworth's judicial conduct while on the court of appeals for the fourth circuit.

He proceeded to say:

> (c) "In 1957, after Judge Haynsworth assumed the bench, the gross sales of CVAM and its subsidiaries increased tremendously."

Mr. President, at this point I ask unanimous consent to have printed in the RECORD two letters, one addressed to the Senator from South Carolina (Mr. HOLLINGS) and the other addressed to the chairman of the Committee on the Judiciary, the Senator from Mississippi (Mr. EASTLAND), from the president of the largest vending machine company in South Carolina, who emphatically states that he does not know of any instance when Judge Haynsworth ever involved himself in the acquisition of business for Carolina Vend-A-Matic.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

ATLAS VENDING CO., INC.,
Greenville, S.C., September 5, 1969.

HON. ERNEST F. HOLLINGS,
Senate Office Building,
Washington, D.C.

DEAR MR. HOLLINGS: There have been a lot of rumors in our newspapers lately concerning Judge Haynsworth, his business connections and ethics. Let me take this opportunity to speak in his behalf.

It seems to me his having an interest in a vending company should not be a deterring factor in his being appointed to the Supreme Court. As in the past, any person who owned stock in a vending company seemed to leave a bad taste in the mouths of the people. Speaking as an independent operator and in behalf of independent operators like Carolina Vend-A-Matic, we are a business like any other business, part of a free enterprise. A business whose ethics are up to or surpass any other business in this nation and we resent being classified as a "Bobby Baker Case". I cannot, however, speak for the ethics of the national vending companies.

I am probably the oldest vendor in this area and probably know more about the operation of my then competitor, Carolina Vend-A-Matic than any other person in this area in which they operated. I own and operate Atlas Vending Company, Inc. here in Greenville, South Carolina and have been doing so for over thirty years. Carolina Vend-A-Matic was a competitor of ours and during the time this company was Carolina Vend-A-Matic the stockholders and the management did nothing unethical in obtaining new business or in holding old business. As you know, they are now known as A.R.A. Service and Judge Haynsworth is not a stockholder in the present company. I had the greatest regard for Carolina Vend-A-Matic, its employees, and its management for the ethical manner in which they conducted business. If all the other companies or competitors could come together around a conference table I am sure they would feel that the good points of Carolina, in the way in which they conducted business would certainly overcome and outweigh any competitive "jealousy". All of the vendors in this area, which at that time were several in number, had equal opportunity to obtain business. We got some of the business, others got some, and Carolina got some. Judge Haynsworth to my knowledge was never an officer of Carolina Vend-A-Matic and at no time used his position to gain new business. To the best of my knowledge the Presidents of Carolina Vend-A-Matic were Francis Marion and Gene Bryant.

The persons who were the stockholders of Carolina are well known to me. They are men af great means who are honorable and respectable business men who would never stoop to gaining wealth by using their position or their influence in unethical measures.

The reason that Carolina and myself and others have grown and gained in the vending industry is due largely and for the most part to the change in the times in the textile industry. The textile plants approached vending seeking more modern means to feed their people. They needed better quality food, with less time involved in feeding in order to gain through production. The textile plants are looking out for their people. The business is gained through competitive bidding. A textile firm will often have as many as five to twenty bids on which to base their decision. These bids are reviewed by employee committees, personnel, and management in order to come to a decision in the best interest of all concerned. This leaves little room for personal or political gain.

My reason for writing this letter is that I can no longer sit still and see the charges being made by the news media and the attempts by them and others to dig into the past and use facts in such a way as to throw reflection on Judge Haynsworth with no knowledge of the person whom they are talking against or the great injustice which they are doing to our nation. It seems that personal and political gain is clouding the minds of some and closing their eyes to the truth. Now is not the time for self, we must put our nation first and our nation needs a good Supreme Court.

We have been visited recently by a Charlotte reporter who asked questions regarding Judge Haynsworth's past vending affiliations. One of his questions dealt with whether or not Carolina Vend-A-Matic had the vending for the Deering-Milliken Plant in Darlington, South Carolina. My reply to him was that at that time neither I nor Carolina could go beyond our own county because of our volume of business and that it was some years later that we were able to spread into other areas within our state.

The dignity and reputation of a man like Judge Haynsworth must and will be spoken with truth. The people of this nation should be proud to have a man of his character in the Supreme Court. I, personally and wholeheartedly, support President Nixon's choice of this man; but, Senator, it will be a grave injustice if his record is not wiped clean before his appointment and it must be done by people who know him and who have been in contact with him. People from other states and in other capacities should not be judging a man for their own benefits.

My only aim in writing this letter is to see that the reputation of this man does not fall into the hands of a few and to do my part to see that he becomes a part of the Supreme Court of the United States. I would be willing for and would urge you to use this letter, any or all of it, at your discretion before the Judiciary Committee or in any other way it might be beneficial to Judge Haynsworth's appointment and this nation. I will also be available, at my own expense, to come to Washington and appear before the committee on his matter. We need Judge Haynsworth in the Supreme Court and we need the slate wiped clean. Please use this letter to that end.

Sincerely,

ALEX KIRIAKIDES, Jr.

ATLAS VENDING CO., INC.,
Greenville, S.C., October 6, 1969.

Re: Judge Clement F. Haynsworth, Jr.

Hon. JAMES O. EASTLAND,
Chairman, Senate Judiciary Committee, New Senate Office Building, Washington, D.C.

DEAR SENATOR EASTLAND: Sometime ago I wrote to Senator Thurmond and to Senator Hollings about the slanders which are being circulated in the press about Judge Haynsworth and Carolina Vend-A-Matic Company. I am disappointed that those letters did not get into the record of the hearings, as I am now informed. I am so disturbed about the matter, however, that I, at least, want you to know about it.

I have been in the vending business in Greenville for many years. I operate complete food vending services in many industrial plants. Many of them are textile plants, for that is still the principal industry in the area. A number of my installations are in plants affiliated with Deering-Milliken.

Because of the growing recognition that vending services provide the most pleasant and most efficient means of providing food and refreshment for industrial employees, the industry throughout the United States has experienced phenomenal growth. In the Southeast general industrial expansion has made the growth of all vending companies even more spectacular. The experience of Carolina Vend-A-Matic was not in the least unique to it. My own business experienced comparable growth. A vending business in Spartanburg, just thirty miles to the West, had similar experiences. It is simply the case of having a service to offer at a time of a rapidly rising demand for that service.

While all of the vending services in this area have prospered, the competition has been keen. I competed with Carolina Vend-A-Matic for locations in textile plants and other industrial plants. Sometimes I got the business; sometimes they got the business; sometimes somebody else got it.

The practice in the area was to make these awards on the basis of open bidding. The business was awarded after a careful comparison of the bids. Of particular importance was the location of the plant in relation to the vending company's service centers and the existence and location of a commissary operated by the vending company. If, considering all of these factors, an appraisal of the bids would show that I was the one in position to render the best service, I got the business; if not, it went to the bidder who was.

This business was not developed on the basis of anyone using anyone's influence on anybody. I know that Judge Haynsworth's name was never used in an attempt to influence anybody. As a very active competitor, I knew what was going on in the business, and I would have heard of it if it had been. Carolina Vend-A-Matic under the direction of Mr. Wade Dennis operated in an honest and honorable fashion. They did a good job and were tough competition, but I and the other competitors had nothing to complain about it.

I do resent all of the aspersions being cast upon the industry as a whole, upon Carolina Vend-A-Matic, and the attempts to reflect upon Judge Haynsworth's character and reputation. I have known him since we were boys together. He is an honorable man fully deserving the very high reputation he has enjoyed until some people with their very unjustified slanders have attempted to impair it.

I would be very happy to come to Washington to discuss this matter with you and the members of the Committee, or with anyone else with whom you would like me to talk, but I do think that someone should speak up and tell the truth in the face of all of the misinformation being circulated in the press.

Yours very truly,

ALEX KIRIAKIDES, Jr.,
President.

Mr. COOK. Mr. President, one may hope that this is not the sort of reasoning process which will commend itself to the Senate Judiciary Committee, or to any other deliberative body which seeks to proceed in a rational manner.

Insofar as the six other cases involving purported customers of Carolina Vend-A-Matic referred to in Senator BAYH's statement, the conclusion is inescapable that the judge was equally under a duty to sit in these cases as he was in the case involving Darlington Corp. It is worth noting parenthetically that the inclusion in this group of cases of the Kent Manufacturing Corp. appears to have been a mistake. There appears to be no connection between Kent Manufacturing Corp., a Maryland corporation which manufactures fireworks, and was the litigant referred to by Senator BAYH, and the Kent Manufacturing Co., a woolens manufacturer in Pennsylvania which operated the Runnymeade plant in Pickens, S.C.

I turn now to Senator BAYH's claim that Judge Haynsworth should have disqualified himself in five cases in which he sat during his 12 years as a judge of the court of appeals, because, according to the "bill of particulars," "he had a substantial stock interest in litigants before him." One of these cases is the Brunswick case, to which I will come in a moment; the others are *Farrow* v. *Grace Lines, Inc.*, 381 F. 2d 380 (1967), *Merck* v. *Olin Mathieson Chemical Corp.*, 253 F. 2d 152 (1958), *Darter* v. *Greenville Community Hotel Corp.*, 301 F. 2d 70 (1962), and *Donohue* v. *Maryland Casualty Co.*, 363 F. 2d 442 (1966). Senator BAYH does not say what he means by "a substantial stock interest in litigants"; but I think it important to present to the Senate precisely what the facts were in each of these cases. In two of them—Grace Lines and Donohue—the judge did not hold stock in the party litigant, but he held a small amount of stock in a corporation which in turn had a controlling interest in the litigant. In Merck, I have been unable to find even this type of connection between a litigant and any company in which the judge held shares. Here are the facts with respect to these five cases:

Senator BAYH claims that Judge Haynsworth had a substantial interest in the Greenville Community Hotel Corp. when that corporation appeared before his court in 1962. In 1962, Judge Haynsworth had absolutely no interest in the Greenville Community Hotel or in any company having any interest in that corporation. On April 26, 1956, one share of the Greenville Community Hotel Corp., worth $21, was transferred to Judge Haynsworth so he could be a director of that corporation, a position he held until he went on the bench in 1957. On New Year's Day 1958, he received a check for 15 cents for the 1957 dividend. Thinking he no longer owned the one share, he sent the check to Alester G. Furman, Jr., who had originally transferred the one share to him. Furman returned the check and Judge Haynsworth listed it on his tax return. The share was later transferred to Furman who sold it on August 1, 1959, for the same $21. Yet Senator BAYH claims Judge Haynsworth had a substantial interest in the corporation in 1962.

Senator BAYH also charges that Judge Haynsworth had a substantial interest in Brunswick Corp. when it appeared before his court in 1967. Both Judge Winter and Judge Haynsworth testified before the committee that the court of appeals agreed on the disposition of Brunswick Corp. against Long on November 10, 1967. While the written opinion in Brunswick had not yet come down, it is difficult to see how he had any substantial interest in the outcome of the case. Whether Brunswick won or lost the case could not possibly have made any material difference to its stockholders.

Brunswick had outstanding 18,479,969 shares of common stock. If the full $90,000 of future rents for all 7 years of the unexpired term of the lease had been recovered by the plaintiff, it would have only received $90,000 which is less than ½ cent per share of Brunswick's 18,479,969 shares of stock outstanding. This, as was pointed out in the Judiciary Committee, would translate into one-half of 1 cent per share on the 1,000 shares of stock owned by Judge Haynsworth, or the grand total of $5.

Senator BAYH claims that Judge Haynsworth should have disqualified himself in 1967 in Farrow against Grace Lines, Inc. because of his substantial interest in one of the litigants. Judge Haynsworth owned no stock in Grace Lines, but he did hold 300 shares of the parent corporation, W. R. Grace & Co. Grace Lines, Inc. was one of 53 subsidiaries owned by W. R. Grace & Co., and it contributed less than 7 percent of the parent company's 1967 revenue of $1,576,000,000. In this same year W. R. Grace & Co. had 18,252,335 shares of common stock outstanding. Judge Haynsworth's 300 shares gave him a .00001 interest in the common stock of this company. Even if the plaintiff's claim of $30,000 against Grace Lines had been awarded, the effect of that judgment on a company with a yearly revenue of over a billion and a half dollars would have been extremely minute. Assuming that the common stockholders were held solely liable for this amount, such a judgment would have reduced the value of Judge Haynsworth's entire holdings by a grand total of 48 cents.

Judge Haynsworth had no direct interest in either of the litigants in Donohue against Maryland Casualty. He did own 67 shares of common stock and 200 shares of preferred in American General Insurance Co., a corporation in which Maryland Casualty was one of at least 12 subsidiaries. It is of course difficult to measure the effects of a judgment against the subsidiary of a corporation such as American General with total consolidated assets of $888,857,336, total income of $356,602,892, and a consolidated net profit of $26,672,196. It is highly doubtful that an adverse judgment would have any sufficient effect on Judge Haynsworth's fractional interest in such a mammoth corporation. Indeed, Judge Haynsworth's interest amounted to 0.0059 percent of the 3,279,558 outstanding shares of preferred and 0.0015 percent of the four and a half million shares of common stock.

Finally, Senator BAYH suggests that Judge Haynsworth should have disqualified himself in Merck against Olin-Mathieson Corp. because he owned shares in Monsanto Chemical Corp. The only connection between Olin Mathieson and Monsanto I have found in public records is remote—

Olin-Mathieson was formed in 1954 by a merger of Olin Industries, Inc., with Mathieson Chemical Corp. Mathieson Chemical was formed in 1892 as Mathieson Alkali Works, Inc., a producer of various chemical products. In September 1929, Mathieson Alkali Works sold its small organic chemical plant located at Newark, N.Y., to Monsanto Chemical Co., for 6,490 shares of Monsanto stock. At the time, Monsanto had 398,286 shares of stock outstanding. Monsanto dismantled the plant and moved it to St. Louis. During 1929, Monsanto stock was traded between 96 and 101. Monsanto stock has since split several times. I have been unable to determine if Olin-Mathieson still owns the shares received by Mathieson Alkali from Monsanto in 1929. If it does, then Olin-Mathieson and Judge Haynsworth both own stock in Monsanto—and not by any fair use of words can Judge Haynsworth be said to own an interest in Olin-Mathieson.

I think it is vital that we consider these cases in some depth, in the context of the nearly 3,000 cases in which Judge Haynsworth sat during the 12 years that he was a judge of the court of appeals. Indeed, discouraging as the campaign of rumor, innuendo, and slander against Judge Haynsworth has been, I think that many thoughtful people are seriously concerned about the allegations of "conflict of interest," and I think that perhaps there is an opportunity for some constructive action by both the Senate Judiciary Committee and the Senate as a whole in exploring this subject in connection with the confirmation of Judge Haynsworth. I would suggest that there are two different points of view on this question of "conflicts of interest"—what might be called a layman's point of view or the commonsense point of view, on the one hand, and the lawyer's point of view on the other. I do not mean to suggest that these should necessarily reach different conclusions; indeed, I would suggest quite the opposite. But I do suggest that both methods of approach to the question can contribute to the discussion, and to the ultimate resolution of the issues which confront us.

Let us start with the layman. What do we want of our judges?

First, we want no bribery, no corruption, and no improper use of judicial influence. There has not only been none here, but there has not been even the slightest hint of it, and Senator BAYH's bill of particulars so states. I will therefore not dwell longer on this point.

But we want more than this from our judges. We do not want them to be in a position where it might reasonably be thought that their decision in a particular case is influenced by the possibility of personal gain resulting from deciding the case one way, as opposed to deciding it another way. We do not think that members of the Federal judiciary, given life tenure and income, sworn to uphold the Constitution and to faithfully enforce the laws, would in fact be influenced in this manner, but we do not want them put in a position where any question can arise. This is the principle of "conflict of interest" about which we have heard so much during the confirmation hearings.

If we now analyze these cases upon which Senator BAYH relies in terms of these commonsense principles, I do not think that anyone can seriously doubt that Judge Haynsworth must be given a clean bill of health. He not only was not in fact influenced by any personal interest in deciding the cases, but no reasonable person could think that he was influenced by such interest.

Now let us turn to the legal approach to conflicts of interest. And, make no mistake about it, we deal in an area where there is a governing statute, where the American Bar Association has promulgated canons of judicial ethics, and where there are decided cases. Senator BAYH's bill of particulars limits itself to stating conclusions. To deal with a question in this way is virtually useless; like so many other areas of the law, careful analysis is required.

First of all we have a governing statute, section 455 of title XXVIII, United States Code. On the question of disqualification for interest, that statute reads as follows:

> Any Justice or judge of the United States shall disqualify himself in any case in which he has a substantial interest . . .

Now, there are several things that are worth noting about this language. In the first place, the basis for disqualification is not a substantial interest in a litigant, but a substantial interest in the case itself. As a matter of original inquiry, one would think that a judge considering whether or not he should disqualify should take into consideration not merely the amount of his interest in the litigant, but the potential effect on the litigant of a decision one way or another in the case.

The only case I can find bearing directly on the point is *Lampert* v. *Hollis Music, Inc.*, 105 F. Supp. 3 (1952), in which a judge of the eastern district of New York stated that where the amount of stock in a litigant held by the judge was minimal, disqualification was not required under the statute.

I do not think any competent lawyer would dispute the conclusion that if we dealt only with the language of the Federal statute, and the Lampert case, Judge Haynsworth would not have been required to disqualify himself in any of these cases we are discussing.

However, the American Bar Association Canons of Judicial Ethics speaks, not in terms of the judge having a substantial interest in the case, but instead of not "performing or taking part in any judicial act in which his personal interests are involved." Since we do not find the word "substantial" modifying "interests" in this language from canon 29, it is certainly fairly arguable from the language itself that a much smaller interest would require disqualification under canon 29 that would require disqualification under the Federal statute. I add that these canons were reviewed, reestablished, and printed only last year—not in 1957, 1958, 1961, or 1962, but in 1968, after these so-called violations occurred.

This brings us right up against a point which Judge Walsh alluded to in his testimony before the committee, but on which I have seen almost no public discussion since that time. It is raised by the very natural question,

> If the American Bar Association has imposed a stricter standard for disqualification than that imposed by the federal statute, why shouldn't federal judges adhere to the stricter of the two standards?

I think the natural tendency of all of us at this point is to feel, in effect, that "nothing is too good for our boys," and that therefore the very strictest standard of disqualification is none too strict for Federal judges. My considered judgment is that this natural initial reaction is entirely wrong, but that it is so very natural that it has tended to distort the entire debate on disqualification. Participants of the discussion on both sides have looked upon judicial disqualification as if it were at least in part a matter of morality, and that therefore the more a judge disqualified himself, the more upright and honorable the judge was.

But at least in our Federal system, this is not so. We have it on the authority of several Federal courts of appeals that a judge is obligated to sit in any case in which he is not disqualified by law. There are very good reasons for this rule: disqualification can have a disruptive effect on the normal process of trial and appellate review of law suits, and is by no means a value which is to be preferred over all other values in our judicial system. The law as developed in the Federal cases not only does encourage judges to bend over backward to disqualify themselves in a case by reason of interest, but it most emphatically requires each judge to decide as objectively as he can whether or not he is disqualified in any particular case. To the extent, then, that there is any conflict between the Federal statute and the American Bar Association Canon of Ethics, the Federal statute must prevail.

Senator BAYH concludes, without giving us the benefit of his reasoning, that Judge Haynsworth violated canon 29 when he sat in these cases. I am not at all sure that I agree with that conclusion. Formal opinion No. 170 of the American Bar Association states that a judge shall not sit in a case in which he owns stock in a party litigant. In three of the cases we are discussing here—Farrow, Merck, or Donohue—Judge Haynsworth did not own stock in a party litigant. And in Greenville Community Hotel, the judge did not own such stock at any time during the litigation.

But one may ask, Is not ownership of stock in a corporation which in turn has a controlling interest in a party litigant not the same as the case in which the judge owns stock in the litigant itself? No opinion from the American Bar Association Ethics Committee has passed on this point, and the principal case in the field, *Central Pacific Railway* Co. v. *Superior Court*, 296 Pacific 883, dealing with the State statute phrased in terms similar to the prohibition of canon 29, has held otherwise.

I suggest that there are very practical reasons for drawing some sort of a line between ownership in a party litigant, and ownership of a corporation which in turn controls a party litigant. For a judge to determine whether or not he owns stock in a corporation which is a party litigant in his court is a relatively easy matter; for him to determine whether or not he owns stock in a corporation which in turn owns stock in another corporation which is a party litigant in his court may be far more difficult.

Furthermore, the effect of an adverse judgment on a subsidiary corporation may be but a drop in the bucket so far as the parent corporation is concerned. For example, the New York Times recently stated that W. R. Grace & Co.—in which Judge Haynsworth held 300 shares at the time he sat in a case involving Grace Lines, Inc., its subsidiary—has a total of 99 subsidiaries in the United States and in foreign countries.

How do we make sense out of all of this? If there is one point I would like to make today, it is that the question of disqualification is not an easy one, with the governing rule so plain that he who runs may read. Reasonable people—reasonable lawyers—indeed, reasonable judges—could reach diametrically opposite conclusions in a particular fact situation. Another point which I have already made will bear repeating—in the federal system, no merit badges are given to the judge who reaches over furthest to disqualify himself in a doubtful situation. Decision in a disqualification case is just like any other decision that involves the application of governing principles of law to a particular fact situation; the judge calls it as he sees it, without any preference for one result as opposed to another.

Judge Haynsworth can be subject to legitimate attack for failure to disqualify himself, in my opinion, only if his failure to do so in a particular case represents an unreasonable application of these standards. The fact that another judge might, in the same situation, have gone the other way sheds no light on the issue of what was the proper conclusion.

On the question of whether Judge Haynsworth can be faulted for failing to disqualify himself for interest in the Grace Line and the Donohue cases, I suggest that the answer is a resounding "No."

In view of the fact situations outlined above relating to the Merck case and the case of Darter against Greenville Community Hotel Corp., Senator BAYH's charges with respect to these cases can only be described as trivial.

With respect to the judge's purchase of stock in the Brunswick case, he has frankly confessed to a lapse of memory, and I think all concur in his judgment that his purchase of the stock at the time he did was an error. While he did not utilize information coming to him in the judicial capacity for purposes of speculation, his purchase of the stock at the time he did, without further explanation from him, could have given rise to the appearance of such an improper utilization of judicial information.

And in the case of canon 26, which proscribes utilization of such information, there is no countervailing requirement which requires him to hew as close to the line as possible. In purchasing stock, he must give full latitude not only to the proscription of canon 26, but to the appearance that would be created by conduct which does not itself violate the canon.

However, remembering that this was a lapse of memory, not of morality, and that it must be placed in context of 12 years on the Federal bench, participating in nearly 3,000 decisions, it would require more of a perfectionist than I am, or than I think more of my fellow Senators are, to suggest that Brunswick is a reason for voting against confirmation.

Finally, I turn to the charges of "demonstrated lack of candor."

Senator BAYH's charge of "demonstrated lack of candor," suggesting as it does conduct bordering on perjuring, or at least an attempt to conceal damaging facts, is a most serious one. Upon analysis, however, reasonable people may well conclude that if there is a "demonstrated lack of candor," it is not that of Judge Haynsworth.

Paragraph I of this portion of Senator BAYH's statement is entitled "Denial of Active Participation in the Business of Carolina Vend-A-Matic." However, the two quotations from the judge's presentation to the Senate Judiciary Committee make it crystal clear, in the very context quoted by Senator BAYH, that the judge was addressing himself to his participation in the securing of new vending machine locations for the company, and to his detailed knowledge of specific locations of vending machines. Such an inquiry, as evidenced by the question of both chairman and Senator TYDINGS, was undoubtedly material in considering the question of whether the judge should have disqualified himself in the Darlington Corp. case, since one of the claims against Judge Haynsworth was that he might have let the prestige of his office be used to influence those who had control over the award of vending machine sites.

However, when we come to the "fact" under this heading, the fact proven is not that Judge Haynsworth knew anything about vending machine sites, but instead that he regularly received director's fees from that corporation until October 1963, and that the board of directors had passed a resolution 2 months after the judge's ascension to the bench stating generally that directors had been active in obtaining new locations for the company's vending machines. Judge Haynsworth freely volunteered to the committee that he had received director's fees, and so the fact that he did so can scarcely be urged as showing a "lack of candor" on his part. The quotation from the corporate resolution, referring to directors generally, would not be accepted by any fair-minded man as contradicting the judge's express and detailed statement that he, at least, played no part in the obtaining of new business sites.

I have already dealt with the substance of paragraph II, under the heading of disqualification generally. Whatever questions of interpretation may be raised by the question of whether minor stockholding in a parent corporation requires disqualification when a subsidiary is a party litigant, that inquiry is not advanced by arguing whether a witness' particular form of expression can be stretched to include a subsidiary corporation, as well as one in which stock is directly owned.

Senator BAYH's paragraph III statement gives the impression that Judge Haynsworth, on September 17, 1969—during the very time that the hearings were going on before the Senate Judiciary Committee—testified before a subcommittee of the Judiciary Committee that he had not retained his directorships in Carolina Vend-A-Matic and the Main Oak Corp. after he ascended the bench in 1957. However, a cursory examination discloses that the quoted testimony, referred to by Senator TYDINGS in his examination of Judge Haynsworth on September 16, was actually given by Judge Haynsworth before Senator TYDINGS' subcommittee on June 2, 1969. Placed in this context, before any issue had arisen in connection with the Supreme Court nomination, a confusion of dates of resignation is certainly understandable.

Lastly, I wish to touch upon Senator BAYH's charge that Judge Haynsworth violated canon 26, which prohibits the making of investments in "enterprises which are apt to be in litigation in the court." The bill of particulars cites several cases, and one can only infer from it that Senator BAYH believes that if in fact a litigant does come before a judge's court, whatever the probabilities of its doing so might have been prior to the filing of the case, canon 26 is thereby automatically violated. Such a reading of the canon is demonstrably nonsense. It would mean that a judge who sought to disqualify himself for interest in a case would be acting too late to save his ethical reputation, since the mere fact that a party litigant in which he had an interest was before his court meant that he should have anticipated the arrival of the litigant, and sold his stock before that day arrived. Indeed, Senator BAYH's expansive construction of the canon would have it violated in the case of a judge of the Court of Appeals for the Fourth Circuit when in fact the litigation takes place in the second circuit. More should not be necessary to show the frivolous nature of this charge.

We have since the time of Judge Haynsworth's nomination witnessed a wave of opposition to his confirmation, couched in terms of "conflicts of interest," but motivated far more by disagreement with some of the decisions he has rendered as a judge of the Court of Appeals for the Fourth Circuit. Yet, I know that some of my fellow Senators, while not questioning his decisions, have been genuinely troubled by these vague and ill-defined allegations of "conflict of interest." I have done my best to analyze these charges as scrupulously as possible, and I have now presented to you the conclusions which I believe the record supports. I think Senator BAYH's bill of particulars was a significant development in the debate over Judge Haynsworth's confirmation, because it has finally enabled those of us who support him to focus on particular charges, subject them to the light of reason, and thereby show how little substance there is to them. I think the Senate as a whole will conclude, just as the Judiciary Committee concluded the other day, that the bill of particulars should be dismissed, and Judge Haynsworth confirmed to the high office to which he has been nominated.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. COOK. I yield.

Mr. THURMOND. Mr. President, I commend the able and distinguished Senator from the great State of Kentucky for the magnificent presentation he has made, and for the devastating answer he has given to those who oppose confirming the nomination of Judge Haynsworth for the Supreme Court. I hope every Member of this body will read his speech. It answers every conceivable question that could be raised against Judge Haynsworth, and shows him to be, just as those of us who come from South Carolina know him to be, a man of character and integrity, a man who is incorruptible, a man who lives by a high code of ethics, and a man who will make this country an able and distinguished Supreme Court Justice.

The distinguished Senator from Kentucky is to be commended for his courage in taking the stand he has taken. He sees here a man charged wrongfully, and has attempted to answer the charges; and I say he has answered them fully, totally, and completely. But it takes courage to stand up against some of the forces opposing Judge Haynsworth—which include some of the most powerful forces in America today. But right is right, and right will prevail.

Those who know Judge Haynsworth best have the greatest respect for him as a man, as a lawyer, and as a distinguished judge. The members of the South Carolina bar know him to be a man of high ethics and unimpeachable character, and a man who, before his appointment to the circuit court of appeals, was one of the outstanding lawyers in the United States.

Judge Haynsworth has made an enviable record upon the circuit court of appeals. In doing so, he has not pleased some of the forces which oppose him. Of course not. His decisions have been for them and against them. He has traveled the middle of the road. He has been objective. He has been neutral, so to speak, in taking either side of a philosophy.

The fact that the county officials, of their own volition and at no one's request, have endorsed this distinguished lawyer and judge to be a member of the Supreme Court, when they have to run before the people, and 98 percent of them know their very political lives are at stake, to my mind speaks very highly for Judge Haynsworth. The members of the Fourth Circuit Court of Appeals, none of whom other than Judge Haynsworth come from South Carolina, have unanimously endorsed him. Even since these attacks have been made upon him, they have studied the record on the alleged conflicts of interest and the alleged violations of the code of ethics, and have unanimously, every one of them, endorsed him. These are outstanding men in this Nation, and outstanding lawyers. They would not put their personal reputations on the block if they did not feel that an injustice was being done to this fine lawyer and distinguished judge.

Moreover, the American Bar Association, upon reading and learning about the various charges brought against this distinguished gentleman, went back in session, I believe yesterday, and considered categorically every charge made against him. They have turned them all down, and reiterated their previous position that Judge Haynsworth's appointment should be confirmed.

Mr. President, I again commend my distinguished friend and colleague from Kentucky, with whom I have the pleasure of serving upon the Committee on the Judiciary, and to say to him that the stand he is taking is a high stand, a stand on the high road, and a stand for statesmanship and truth.

Mr. HOLLINGS. Mr. President, will the Senator from Kentucky yield?

Mr. COOK. I yield to the junior Senator from South Carolina.

Mr. HOLLINGS. Mr. President, I wish to express my personal gratitute for the stand taken by the distinguished junior Senator from Kentucky, in the light of the record made before him. I allude, of course, to the significance of the timing of this particular stand by a Senator who, for the good of this body if for no other reason might well be disposed to let this matter pass without comment.

Specifically, the Senator from Kentucky took his stand at a time when the chairman of the Democratic Party has taken a party position against the confirmation of this appointment. He takes his stand at a time when certain segments of the leadership in his own party have requested the President to withdraw the appointment, and at a time when far more senior, and highly respected, Members of this body have joined in that request for withdrawal.

Therefore, the Senator from Kentucky could not have taken the stand he has taken lightly. I am sure that, on the contrary, having sat as a member of the Committee on the Judiciary and listened to all the witnesses, and having reviewed the record, his conscience would not permit him to sit silent longer.

He has gone into every facet of this case. He is interested, as am I, in public confidence in the U.S. Supreme Court. I am sure this distinguished Senator would feel as I do that if a competent, outstanding appointment were made from his State, and subjected to charges of wrongdoing loud and long; and if it were a fact that he had been subjected to such charges without exploring the truth, without getting into the facts, he would resolve that to allow that situation to go by the board unchallenged would be demeaning to the Court itself, and, more than anything else, to the reputation of the U.S. Senate as the greatest deliberative body in the world.

So, I express my admiration for the courage of the Senator from Kentucky.

Specifically the Senator referred in his statement to the increase in sales of the Carolina Vend-A-Matic Co. I will make only a few comments. To refer to the record, at the time that Judge Haynsworth was asked about this matter, he answered, "I am a lawyer and not a salesman."

The inference and the innuendo is that after the judge was elevated to the bench, by the use of his influence he increased the sales of the vending company. It is an absolutely false statement.

The fact is otherwise. From 1949 to 1963, I traveled hundreds of thousands of miles in the United States seeking new industry for South Carolina. You name the State, and I was there. We obtained $1 billion in new industry and many thousands of new jobs as a result.

At no time did Judge Haynsworth ever confer with me with respect to any industry in South Carolina. He had served as an attorney prior to that time. However, in 1957 he had left his firm and became a member of the Fourth Circuit

Court of Appeals. Many new industries and jobs were secured prior to and during his tenure on the bench and never did he have any role. Additionally, the 1954 decision was being felt by industry in the South with respect to segregated feeding facilities. The industry in toto did away with what we used to call the stoke wagons that would carry around soda pop, sweetbreads, and everything else to those employees of industries. It was an approach to integrated feeding.

The result was that—and not just when the judge went on the bench—that every vending company increased its sales in South Carolina.

I thank the Senator from Kentucky for including the letters written to both the Senator from Mississippi (Mr. EASTLAND) and me by Alex Kiriakides, Jr., of Atlas Vending Co., Inc., the major competitor of Carolina Vend-A-Matic, which contain the true historical facts on the matter of the growth of all vending business in South Carolina.

One would hope that Senators and mature men would confine themselves in the making of their judgment on the facts themselves and not on innuendos.

The fact is that at no time was any unethical conduct or influence exerted on the part of Judge Haynsworth with respect to the vending business. It was a matter of competitive bidding.

That is the only thing in the record. The Senator from Indiana says that Judge Haynsworth went on the bench and the sales increased; ergo, the judge used his judicial capacity to influence the sales. It is a completely false statement.

If the Senator from Kentucky would please refer to the section of the "bill of particulars" entitled "Demonstrated Lack of Candor," authored by Senator BAYH. This section suggests conduct bordering on perjury, and is a most serious charge.

For the past several weeks, has the Senator, as a participating member of the Committee on the Judiciary, ever had the feeling that Judge Haynsworth was not leaning over backward toward a full disclosure of all information to the Judiciary Committee?

Mr. COOK. As a matter of fact, at all times he gave us everything he could. There was some discussion and an apparent feeling on the part of the distinguished Senator from Indiana (Mr. BAYH) that he was not getting all he wanted. However, I can only say that when we are calling for corporate records of a corporation that the judge has had nothing to do with since the early sixties, it is not possible to get all the books and records unless the committee subpenas the records. Without subpena, people are not going to give the committee everything it wants. Judge Haynsworth had nothing to do with the business at that time.

In talking about Carolina Vend-A-Matic, if Judge Haynsworth had been a better and more intelligent investor, when he sold his interest in Carolina Vend-A-Matic in 1964 for, I think it was, $450,000—and we all understand that is a tremendous amount of money—he would have kept the stock in the new corporation, ARA, because the same holdings today that he sold for less than a half million dollars would have been worth $1,650,000 in today's market.

Mr. HOLLINGS. Is it not a fact, with respect to the matter of insensitivity being charged to the judge, that up until the 1963 Judicial Conference which adopted a resolution restricting appellate judges from participating as directors and officers in publicly held corporations, that many judges served as officers or directors of publicly held corporations until the fall of 1963?

Mr. COOK. It is a fact that many judges had to retire from such positions in major corporations at that time.

Mr. HOLLINGS. Senator, is it not a fact that in 1957, due to his sensitivity, Judge Haynsworth resigned from his post as an officer-director of publicly held corporations and only retained his position in two closely held private corporations plus one small trusteeship?

Mr. COOK. The Senator is correct.

Mr. HOLLINGS. Mr. President, is it not a fact that when the policy came from the Judicial Conference with respect to not holding posts as officer or director, because of the sensitivity of Judge Haynsworth, he resigned as officer and director of all publicly held corporations and also sold all of his stock at a price which reflects a loss in today's market of $1 million?

Mr. COOK. The Senator is correct.

Mr. HOLLINGS. Is it not a fact that in 1963, due to the sensitivity of Judge Haynsworth, after Judge Sobeloff and his group had fully investigated and exonerated the judge concerning the accusations with respect to lack of propriety, disqualification, and even bribery, in the Carolina Vend-A-Matic matter, at the behest of Judge Haynsworth, he said, "No. I want you to also refer it to the Justice Department."

Mr. COOK. The Senator is correct. I might suggest to the Senator and to the others who would listen to the debate that I am not sure where we go from here.

I am not sure whether we should say to the judges of the United States, "Sell all your stocks. Don't hold any." Perhaps the logical thing to do is to tell them, "If you have money, invest it in U.S. bonds."

Now at the district level, a large number of the cases coming before the court involve the United States as a defendant. Suppose someone were to file suit claiming that this country had misused its authority. The result would be that all of the certificates and bonds would be put in jeopardy.

Would we then have to find someone who could sit on such a case because all of the judges would have invested in bonds and would not be able to sit?

Mr. HOLLINGS. The Senator is correct. With respect to an appellate body, the Senator served in a judicial branch of our Government as an outstanding judge. As an appellate judge, is it not a fact that one of the complaints we have as trial attorneys in going up on appeal to the circuit court of appeals does not concern the holding of a stock interest by a judge, but the general persuasion where they jockey the panels where we find, for example, that three corporate judges have been placed on the panel to hear a corporation matter?

Mr. COOK. Well, it has been known to happen; yes.

Mr. HOLLINGS. That has happened to me, prior to Judge Haynsworth taking over in that district.

Was he not praised by the Senater from Maryland (Mr. TYDINGS), working on his Subcommittee on Improvements in Judicial Machinery, as a leader toward developing the random panel selection in the fourth circuit?

Mr. COOK. Yes.

As a matter of fact, let me cite an example.

Mr. HOLLINGS. I wish the Senator would elaborate on that, for the benefit of Senators.

Mr. COOK. I should like to give an example, because I think it is interesting.

We checked the records when he sat on these cases, and examined the charges of the various representatives of the AFL–CIO.

But I might suggest that had they looked at when Judge Haynsworth sat on Farrow against Grace Lines, they would have had found that if he had removed himself from that case, he would have to be assigned to two labor cases. And had he done so, the charge probably would have been made that he had gone out of his way to remove himself from insignificant cases to put himself on cases involving labor unions.

Mr. HOLLINGS. Is that not the best authority and the best testimony that he had a duty to sit on the so-called Carolina Vend-a-Matic case; that there was no option; that he had a duty to do so?

Mr. COOK. If I may correct the Senator—he should have sat on Darlington Mfg. Co. against NLRB.

Mr. HOLLINGS. Finally, with respect to appearances, they are merely impressions as gained from some or a few of the facts. That is all an appearance is. Is it not true, that when all the facts are in, no longer does the appearance subsist, but we refer to all the facts as that exist? And is that not our duty as Senators? Because people can raise questions and blow smoke and make charges, is it not our duty, as Senators, to look behind that and see all the facts and get the truth, rather than sit back and say that because of all these appearances his effectiveness is ruined? Is it not our duty to review and find these facts and bring the truth to this body, so that we can do justice not only to this appointment but also to this body and to the Supreme Court?

Mr. COOK. That is so.

Mr. HOLLINGS. I appreciate the Senator from Kentucky doing that this morning.

Mr. COOK. I say to the Senator from South Carolina that, oddly enough, there are many fields, particularly the fields of civil rights, in which Judge Haynsworth and I do not have a great deal in common. But this has nothing to do with the decision the Senate must render. Our authority is based upon the authority to advise and consent as created by the Constitution. The authority to appoint was, of course, given to the President. If it is the responsibility of this body to now decide that a person should be selected on the basis of whether he fits their ideological conceptions and not whether he is qualified, then I say we have destroyed that authority in the President. Rather than destroy it in this case, let us face it the way we should face it. If we feel that it is now our responsibility to pick a candidate because he is a liberal or because he is a moderate or because he is a conservative, then let us place before this body a constitutional amendment to place in the Senate of the United States the authority to appoint members of the Supreme Court of the United States. Consideration was given to placing this authority in the Senate but was decided against.

I might suggest that if we now say that because this country is moving in one direction or another, we must deny a man this seat because he does not ideologically fit in that pattern, then I ask the American people, "Is not every facet of the American society entitled to be represented on the Court," even though I may personally disagree with him?

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. COOK. I yield.

Mr. KENNEDY. How does the Senator conceive our responsibility? Are we supposed to be just a rubberstamp to the President?

Mr. COOK. Not at all.

Mr. KENNEDY. The Constitution clearly points out that this is a question of advise and consent. Would the Senator not agree with me that there is a different standard that should be applied in terms of the judiciary than should be applied, say, to Cabinet officials, whose term is, in effect, coterminous with that of the President of the United States? Does the Senator not agree with me, therefore, that the kind of review we would give in a judicial appointment, and the standard we would apply, would be different?

Mr. COOK. I agree.

Mr. KENNEDY. So I gather, from what the Senator has said, that the function of the Senate is not to be just a rubberstamp. Would the Senator not agree with that as well?

Mr. COOK. I agree with that.

Mr. KENNEDY. Therefore, I gather from the thrust of the Senator's argument that we have a responsibility to exercise our own, independent judgment. Is that not correct?

Mr. COOK. That is correct.

But I would say to the Senator that, if that be the case, declare it on that basis, and every man should stand up and declare it on that basis. But one should not use another motive or another reason to go around the fact that one wants it declared on an ideological basis; and if one does, he should honestly take that position.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). The time of the Senator from Kentucky has expired.

Mr. ERVIN. Mr. President, I ask unanimous consent that I may ask one question of the Senator from Kentucky and make a short statement.

Mr. DOLE. Mr. President, I yield 5 minutes of my time to the Senator from Kentucky.

Mr. ERVIN. I ask the Senator from Kentucky if the so-called bill of particulars, known as the Bayh bill of particulars, does not consist largely of conclusions rather than facts.

Mr. COOK. It deals totally with conclusions.

Mr. ERVIN. And is it not honeycombed with conclusions that are not supported by the evidence taken before the committee?

Mr. COOK. It is.

Mr. ERVIN. I should like to make this statement: I think the Senator from Kentucky expressed my only misgiving concerning Judge Haynsworth, and that is the fact that he did not have a perfect memory and that when he purchased the Brunswick stock, he was forgetful of the fact that the Brunswick case had been argued and decided some 6 weeks before, but the opinion had not been written and had not been handed down.

I spent 15 years of my life in discharging what Walter Malone, the poet judge of Memphis, Tenn., called judging one's fellow travelers to the tomb. I spent 2 years as judge of a criminal court. I spent 7 years as a judge of the North Carolina Superior Court, which is our court of general jurisdiction and which tries most important civil and criminal cases. I spent more than 6 years as an associate justice of the Supreme Court of North Carolina. In these various capacities, I decided or participated in the decision of thousands of cases.

As a member of the supreme court, I spent many weeks studying many cases and writing opinions on them. Out of all these thousands of cases, if my life depended on it, at this moment I could not name more than a dozen or so of the litigants. I can remember the points of law involved. And this is perfectly natural, because judges—especially judges of appellate courts, who never see the parties litigant—are interested only in the points of law involved. As a consequence, they do not retain in their minds the names of the litigants.

As a result of my own experience, it is perfectly understandable to me why Judge Haynsworth had this unfortunate lapse of memory. That is the most that can be said about it. It did not affect his decision. The decision had already been made, and it was altogether concurred in by every member of the court of appeals, as well as by two U.S. district court judges—one who had heard it originally, and one who sat on the court of appeals and helped to decide it.

Mr. COOK. Certiorari was denied by the Supreme Court, also.

Mr. ERVIN. I want to commend the able and eloquent Senator from Kentucky upon a most accurate and illuminating exposition of what the testimony revealed in respect to the charges made against Judge Haynsworth on conflict of interest and ethical grounds.

Mr. BAKER. Mr. President, I ask unanimous consent that I may proceed for not to exceed 5 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BAKER. Mr. President, may I take this brief opportunity to commend the distinguished junior Senator from Kentucky for a most thoughtful and searching and painstaking analysis of a most difficult problem which confronts the Senate in performing its constitutional function, the problem of whether to advise and consent to the nomination of an Associate Justice of the Supreme Court by the President of the United States.

In these brief moments, I have no desire to restate the splendid points made by the junior Senator from Kentucky. I would make just these observations, because I know them firsthand.

Mr. President, I know the junior Senator from Kentucky to be a junior member of the Committee on the Judiciary and a member of the freshman class of 1969. I know him to serve with great diligence. I know him to be a most conscientious, thorough, and painstaking legislator. I know firsthand some of the dilemma he faced in trying to reach his judgment and conclusion in this case. I am bold enough to suggest it was not an easy task for a conscientious Member of this body. I know he listened carefully to the testimony before the Committee on the Judiciary. I know at times he had doubts. I know at times he was concerned about some of the charges and allegations that were made. I know that on occasion he was incensed in his private way about some of the innuendo that flowed from some of the charges leveled here and elsewhere.

But, Mr. President, I have observed today the product of the deliberations of a great man, and certainly a great colleague. Rather than taking a rigid position based on superficial reasons, or colored reasons determined by philosophical and ideological slant, our most illustrious and distinguished colleague did what I commend all of us do, and that is to examine in detail and depth these "appearances" of impropriety. In my judgment, we should get to the bottom of the barrel and find out with what Judge Haynsworth is being charged and what the facts are, rather than running with the pack or deciding the matter on some liberal or conservative bias, let alone from some geographical bias.

I believe we should all do as he has done. We should make the painful, searching analysis that leads us to an objective judgment. I think we should stop this business of hiding behind the cliche of appearances of impropriety because the appearances of impropriety dealt with in the canons of judicial ethics are created by the person himself and not by a Member of this body. I may create an appearance of impropriety by my words and phrases but I suggest there is no impropriety that has been perpetrated by the distinguished designee for this high post.

Justice Holmes once said, and I believe that all of us would agree he served with great distinction on our High Court:

> Lawyers and legislators have the unhappy faculty of devoting their entire adult life to the proposition of shoveling smoke.

I do not impugn the motives of any of my colleagues in their diligent and inquiring prosecution of this question of whether or not we should advise and consent to the confirmation of the nomination of Judge Haynsworth. Nor do I say that they are shoveling smoke. I rather say we must at all costs guard against it because in the discharge of this constitutional responsibility, in the discharge of this higher duty we have created, as a result of the debate in the Fortas nomination, we cannot afford to shovel smoke. We have to look at the facts and never have the facts been more cogently, clearly, and relatively presented on this issue than has been done this morning by the Senator from Kentucky.

I commend the distinguished Senator.

Mr. **HRUSKA**. Mr. President, I ask unanimous consent that I may proceed for 5 minutes.

The **PRESIDING OFFICER**. Is there objection? The Chair hears no objection, and it is so ordered.

Mr. **HRUSKA**. Mr. President, I endorse what has been said by several of our colleagues with reference to the distinguished part the junior Senator from Kentucky is taking in the consideration of the nomination of Judge Haynsworth. He has been perhaps the most faithful in attendance at the sessions during the 8 days of hearings before the Committee on the Judiciary. He has shown by his questions during the hearings a sincere desire to bring out all the facts in a fair way, not out of context. He did not use suspicion or innuendo, or take matters outside of the record in which they were contained. Instead he has made an effort to elicit and have recorded all the facts. The remarks made here this morning likewise show him to be a man who devoted a great deal of study to the facts of this case and to the historical background against which they must be considered.

Mr. President, the so-called bill of particulars has been answered on at least two occasions already. It is going to be answered on future occasions because when the cold analysis of reasoning and all of the facts are applied to that alleged bill of particulars, it will be found to consist of some things taken out of context, of some taken outside of the hearing record, of inaccuracies of statement, and some of bold and erroneous conclusions.

I would not want to detract one iota from the sincerity, diligence, and the integrity of the distinguished junior Senator from Indiana in his efforts to oppose this nomination. Unfortunately, however, I cannot accept the bulk of the conclusions and information of the bill of particulars as being founded in fact and fair interpretation of facts. In due time in connection with other matters, I shall explain in detail the reasons.

Reference has been made to the canons of ethics again and again as grounds for attacking this nomination, and reference will be made in the future. This issue should be answered. These canons of ethics, that are recited so often here, have been in existence between 40 and 45 years. Why is it that in 1963 that the Judicial Conference of the United States had to approve and promulgate a rule flatly saying no member of the Federal Judiciary shall sit on a board of directors or occupy any other office in an corporation engaged in business for profit? It was because the canons of ethics in that regard were so unclear and ambiguous that it remained for the Judicial Conference in 1963 to clarify them.

Let us consider that title 28, section 455, which prohibits a Federal judge from participating in any case in which he has a substantial interest. Why was that amended in 1949 to make it applicable to appellate judges? Up until that time it applied only to trial judges. The court did not deem the canon sufficient to apply to such situations, and the Congress stepped in to deal with it definitely and without equivocation.

It remained for the Congress and the firm hand of the Judicial Conference of the United States to offer judges some degree of certainty. Until then ambiguity impaired the ability to perceive the rule. This question will be explored further, but I shall suggest now that this reflects upon the ways in which the canons of ethics have operated.

In order to create an illusion of rectitude, key phrases are being chanted again and again in discussion of the nomination. References are made to "appearances of impropriety," and "every judge must be beyond approach." Still another is, "He should avoid giving reason for suspicion of misusing the power of his office." The inference is that the nominee has failed in all these respects.

No man can be without appearance of impropriety, nor can he be beyond reproach, nor can he be above suspicion, if the deficiency is to be found solely in accusations and charges without reference to whether they are true or untrue. If they are untrue and without foundation, merit, or relevance, I submit that they cannot be used to put a man into a state of reproach or put him under suspicion, or to give him the appearance of impropriety.

When we get through with this bill of particulars, it will be seen that such is the case with most of the allegations in that bill.

It would be grossly unfair to subscribe to the idea that the mere making of a statement puts a man under suspicion or reproach. We cannot refrain from testing the veracity, fairness, and applicability of the attacks, charges, diatribes, and accusations. If, merely because they have been asserted, attacks make any nominee guilty, or disqualify him, then the canons of ethics, standards of ethics, standards of good behavior have become instruments of persecution. In fact, it would be a fair bid to reinstate the institution of witch-hunting or witchcraft which I thought we had gotten rid of 300 years ago.

I know of no better way to illustrate this than to point out that canon 25 is quoted in the bill of particulars. It says that a judge should avoid giving grounds for any reasonable suspicion that he is utilizing the power or prestige of his office unfairly and improperly.

Then the fantastic conclusion is reached that the rise in gross sales of the Vend-A-Matic Co., after Judge Haynsworth assumed the Federal bench, justified the suspicion that the prestige of his office was used to promote the well-being of that corporation.

The record contains no evidence to this effect. There is no reference made by critics to the fact that the vending machine business in the past 15 years has been one of the fastest-growing businesses in America. There is no reference to the fact that there are other vending machine companies in that same area that prospered in as great or greater a measure as the Carolina Vend-A-Matic.

Since when are we to make a judgment on the basis of such a suspicion?

If we are governed by such attacks and upon the suspicion that they create, then indeed, we are defying the most fundamental proposition of our jurisprudence; namely, that a man is not guilty until he is proved to be guilty.

Although this presumption of innocence resides in our criminal laws, let me suggest that there are some sanctions even more cruel than 90 days, 6 months, or 1 year in jail. There is an effort to apply sanctions here in these proceedings of confirmation which are more cruel than the jail sentence or the fine; namely, casting discredit upon a judge who has served with honor and respect for 12 years on the circuit bench and before that was engaged in an honorable and highly respected career as a practioner of the law.

Viewing innuendoes, suspicions, reproaches, which are sought to be foisted upon him without proper factual backing, I should think that many men would rise up in righteous indignation and declare that the Senate of the United States should not be a party to any such proceeding, that it is unjustified and not factual.

Mr. President, once more I commend the Senator from Kentucky (Mr. COOK) for the fine job he has done in pointing out the facts and uncovering errors. His efforts will certainly be elaborated upon in greater detail in the days ahead.

Mr. **GOLDWATER**. Mr. President, I was amazed, yesterday afternoon, to be told by one of the press organizations in this country to comment on a story in Newsweek magazine which infers that I would oppose the appointment of Judge Haynsworth.

I merely want to put the record straight. I have no idea where they gathered that information because I have been going across this Nation for the past week or so making speech after speech, and going on television, where I have backed Judge Haynsworth all the way.

I think this is purely a political objection which has been raised to him, which I have so stated across America.

Mr. President, I merely wanted the opportunity to reaffirm on the Senate floor the fact that I have always supported Judge Haynsworth and I intend to support him.

I ask unanimous consent to have printed in the RECORD some remarks I had prepared on the Newsweek article.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

> It is nothing new in my experience—and I am sure the same goes for the majority of my colleagues—to find it necessary from time to time to put the record straight after some of our more enthusiastic and

partisan ax-grinders of the press represent our alleged views.

Last night I was amazed to have a reporter call and tell me that *Newsweek* magazine was carrying a story quoting me to the effect that I had called President Nixon and urged him to withdraw the nomination of Judge Haynsworth for Associate Justice of the United States. This is the last issue on which I ever thought my views might be mistaken.

For the past two weeks newspapers, magazines, radio stations and TV commentators have been calling my office every day and asking how I planned to vote on the Haynsworth nomination. The press representatives whom I talked to were told that I supported the President's nominee 100% and would vote for his confirmation on the Floor of the Senate. The same answers were given to reporters and commentators and other interested citizens who inquired of my staff members on how I would vote.

Where *Newsweek* magazine dreamed up the quotes they attributed to me in their magazine which is out today I do not know. I merely want my colleagues to know that they were made up out of the whole cloth and are completely untrue.

Mr. GRIFFIN. Mr. President, regardless of the judgment which any Senator may finally reach with respect to the nomination of Judge Haynsworth, no Senator who listened here today could help but be impressed by the presentation of the distinguished junior Senator from Kentucky (Mr. Cook).

As he knows, because we have discussed our views in private, I do not agree with all his arguments, or all his conclusions; but that does not lessen or diminish my great respect for the dispassionate, thoughtful, and logical presentation he has made. He has proven himself to be a brilliant advocate as well as an able and distinguished Senator.

Mr. FANNIN. Mr. President, it has been my pleasure to note the excellent presentation made this morning by the Senator from Kentucky (Mr. Cook). He has done a masterly job of putting cogency in harness with the facts he has marshaled, and I believe his judicial experience and objective approach to the issue confronting us will stand as a model of reason.

Particularly, I respect his lack of invective against those with whom he disagrees. It is unfortunate that this mood is not universally shared by several Senators who are in opposition to the President.

In addition, I think the Record should bear an outstanding brief prepared by Mr. Clark Mollenhoff, deputy counsel to the President. Mr. Mollenhoff is widely known and respected in Washington as a newsman and a lawyer. He is the recipient of the coveted Pulitzer Prize for excellence in his field.

Mr. Mollenhoff, who shares the confidence of many in this Chamber, has assembled the record of a most comprehensive and thorough investigation into the charges that have been leveled at Judge Haynsworth. The conclusion Mr. President is inescapable. Critics of the President, still smarting from the public embarrassment they suffered over the unfortunate Fortas affair last year, have seized upon almost nonexistent and insignificant events as a convenient stick with which to beat the President and his supporters. This has, in fact, been privately admitted to me and to members of my staff by some of the most vocal critics of the President.

In order that we all may have the benefit of this well-researched and calmly reasoned information, I ask unanimous consent that the report by Mr. Mollenhoff be printed in the Record.

There being no objection, the explanation was ordered to be printed in the Record, as follows:

Explanation of the Haynsworth Case

(By Clark R. Mollenhoff, Deputy Counsel to the President)

GENERAL POSTURE POSITION

There is no justification for a comparison of the activities of Judge Clement F. Haynsworth with those activities of former Justice Abe Fortas, that resulted in Fortas submitting his resignation. Those who contend there is any similarity in the ethical questions raised in connection with Judge Haynsworth and Justice Fortas simply have not done their homework on the facts. Last May, the American Bar Association, in a letter to Senator John J. Williams of Delaware, made a finding that Justice Fortas acted "clearly contrary" to the canons of judicial ethics in his dealings with financier Louis E. Wolfson.

The A.B.A. in the letter to Senator Williams stated: "The conduct of Mr. Fortas while a Supreme Court justice, described in his statement of the facts, was clearly contrary to the canons of judicial ethics even if he did not and never intended to intercede or take part in any legal, administrative or judicial matters affecting Mr. Wolfson.

Fortas resigned without making a public disclosure of all the facts in this matter.

By contrast, the Haynsworth nomination has been supported by the A.B.A. and his handling of the Darlington case has been defended by the A.B.A. and other leading authorities on judicial conflicts of interest problems.

(See detailed statement on Judge Haynsworth and Justice Fortas.)

This statement is being issued to focus attention on important aspects of the Haynsworth controversy that have been overlooked or given too little attention. There has been wide circulation of false statements, outrageous charges and innuendoes regarding Judge Clement Haynsworth that have represented the most vicious character assassination effort in the last 20 years.

The clearest example of the use of false statements and innuendoes was the nine-page "bill of particulars" circulated by Senator Birch Bayh. Efforts to counter this inaccurate and distorted document have been only partly successful because of the hit-and-run tactics used by Senator Bayh, and because of the lack of interest of many newsmen in pursuing the details of the factual, the legal and the ethical questions involved.

It is unfortunate that there has been so little interest in presenting the full factual details essential to exposure of the false charges and vicious innuendoes leveled against Judge Haynsworth by Senator Bayh and others. (This is a sharp contrast to the aggressive manner in which many rightfully pursued the exposure of a few irresponsible legislators 15 or 20 years ago.)

Only one network and one local television commentator have exhibited an interest in a depth discussion of the cases and issues made available through the White House during the last week. Coverage of Senator Marlow Cook's "bill of correction" was much too abbreviated for full understanding of the "inaccuracy and misrepresentation" that Senator Cook characterized "an unjustified attack upon a public official unparalleled in recent American history."

Senator Bayh has refused to debate his charges with Senator Ernest Hollings, of South Carolina, on national television. Senator Hollings has repeatedly issued the challenge to Senator Bayh to meet him in debate on the Haynsworth case "in the name of fair play and in the interest of the good name of the Senate." If Senator Bayh has any faith in his case, he should not reject this opportunity for a confrontation on the issues with Senator Hollings.

Judge Haynsworth has revealed his financial holdings in a detail that has few if any parallels in the history of judicial confirmations. Fair play dictates that each area of controversy be explored in full detail with continued emphasis on the testimony of those who have testified or expressed public confidence in Judge Haynsworth.

In judging the fitness of Judge Haynsworth and the validity of the charges leveled by Senator Bayh, there should be emphasis on these points:

1. President Nixon has examined the allegations against Judge Haynsworth and in a letter to Senator Hugh Scott has stated: "There is nothing whatsoever that impeaches the integrity of Judge Haynsworth. There is no question as to his competence as a Judge. There is no proper faulting of his posture vis-a-vis civil rights or labor. It would be very wrong to allow unfounded allegations to deny this country the distinguished service of Judge Haynsworth on the Supreme Court."

2. On Friday, October 10, 1969, the six other judges of the Fourth Circuit, with full knowledge of the Bayh charges, stated their "unshaken confidence" in the ability, the honesty, and the integrity of Judge Haynsworth. Those judges are Simon E. Sobeloff, Herbert S. Boreman, Albert V. Bryan, Harrison L. Winter, J. Braxton Craven, Jr., and John D. Butzer.

3. Many Senators who have said they intend to vote against confirmation of Judge Haynsworth state they have found nothing dishonest or unethical in his record, but feel compelled to oppose him only "because there is considerable public doubt about him." The public doubt has been created to a large extent by the continued circulation of false and misleading statements, and irresponsible accusations.

4. The spokesman for the American Bar Association and also a leading authority on judicial conflicts of interest have stated that Judge Haynsworth under the standard federal rule should not have disqualified himself, and had a duty to sit on the so-called Darlington cases. Senator Bayh has continued to rehash the Darlington cases and similar cases despite the views of the A.B.A. and of a leading authority. (There are in fact three Darlington cases, and in only one of these cases did Judge Haynsworth grant the relief requested by the company. As Senator Cook noted: "In the final and determinative Darlington case, Judge Haynsworth concurred in the decision in favor of the union.")

5. Senator Cook has fully and adequately answered the Bayh allegations that Judge Haynsworth should have disqualified himself in at least five cases because of a "substantial" stock interest in the litigant. Exemination of the records shows Bayh's charges represent gross distortion of the term "substantial" interest. Detailed examination of the facts demonstrates the absurdity of even the suggestion of illegal or unethical conduct by Judge Haynsworth in these cases. (See the accompanying information sheets for details on these cases.)

6. Senator John J. Williams, of Delaware, has exploded the so-called Bobby Baker aspects of the case as unfounded "guilt by association." There is no substance to the charges. There were three superficial contacts between Judge Haynsworth and Bobby Baker, the last one in September, 1958—five years before the Bobby Baker scandals broke into the open.

XUM

CAROLINA VEND-A-MATIC

The Bayh charges of a conflict of interest involving customers of Carolina Vend-A-Matic represent *a rehash of an issue that has already been rejected* by the testimony of a representative of the American Bar Association, as well as by John P. Frank, a leading authority on conflicts of interest.

Senator Bayh's repetition of this charge is no more than a continued insinuation that the increased profits of Carolina Vend-A-Matic were in some manner tied to Judge Haynsworth's elevation to the Fourth Circuit Court of Appeals.

Former Federal Judge Lawrence E. Walsh, chairman of the A.B.A. Committee on Judicial Selection, has testified there was "no conflict of interest in the Darlington case that would have barred Judge Haynsworth from sitting and we also concluded that it was his duty to sit."

John P. Frank, a leading authority on judicial disqualification, stated that "under the standard federal rule Judge Haynsworth had no alternative whatsoever (in the Darlington case). It is a judge's duty to refuse to sit when he is disqualified, but it is equally his duty to sit when there is no valid reason not to . . . I do think that it is perfectly clear under the authority that there was literally no choice whatsoever for Judge Haynsworth except to participate in that case."

Senator Bayh makes no charge that Judge Haynsworth performed even one questionable act to solicit business for the food vending firm. He only insinuates that the increased profits of Carolina Vend-A-Matic must have been somehow related to the fact that Judge Haynsworth was a federal judge.

It can be stated that there is no evidence that Judge Haynsworth ever did one thing to solicit business for Carolina Vend-A-Matic. In fact, all of the evidence is to the contrary.

Judge Haynsworth testified that he did nothing to promote or solicit business for the food vending firm, and that the management of the business was left in the hands of Wade Dennis. That testimony is unchallenged.

The corroboration of Judge Haynsworth's testimony is impressive:

1. *Chief Judge Sobeloff* conducted an investigation in 1963 to determine the validity of an allegation that Deering-Milliken personnel in charge of granting concessions to vending companies might have known of Judge Haynsworth's connection with Carolina Vend-A-Matic and tended to favor it. Judge Sobeloff concluded *this was emphatically not the case,* and there are no facts in Senator Bayh's statement that contradict that conclusion in the slightest.

2. *Attorney General Robert F. Kennedy* reviewed that case and agreed with the Sobeloff opinion. *Attorney General John Mitchell* reviewed it and had the same view.

3. *Wade Dennis,* who became General Manager of Carolina Vend-A-Matic in 1957, states that "Judge Haynsworth did not involve himself in any way in the management or direction of the company, and in no case did he participate directly or indirectly with the solicitation of any business, or intervene in our behalf with any client . . . he would have had no way of knowing what account we served or who we were in the process of trying to sell." Virtually all business was gained "by sales efforts followed by bidding among competing companies."

4. The Dennis statement is supported by the letter from the *leading competitor, Alex Kiriakides, Jr., of Atlas Vending Company, Inc.,* of Greenville, South Carolina.

Kiriakides of Atlas Vending has written a letter to the Senate Judiciary Committee stating his concern over what he called "the slanders which are being circulated in the press about Judge Haynsworth and Carolina Vend-A-Matic." Kiriakides makes these important points:

a. The food vending business in South Carolina and in the United States has had a phenomenal growth, and "the experience of Carolina Vend-A-Matic was not in the least unique to it."

b. His own business, Atlas Vending, experienced comparable growth, as did others in the area.

c. He competed with Carolina Vend-A-Matic for locations in textile plants and other industrial plants, and the practice in the area was to make the awards on the basis of open bidding.

d. The business was not developed on the basis of any one using anyone's influence on anybody. "I know that Judge Haynsworth's name was never used in an attempt to influence anybody," Kiriakides said. "As a very active competitor, I knew what was going on in the business, and I would have heard of it if it had been."

e. "Carolina Vend-A-Matic under the direction of Mr. Wade Dennis operated in an honest and honorable fashion," Kiriakides said. He is willing to speak up to stop the "unjustified slanders" of Judge Haynsworth.

Senator Bayh has not produced any evidence to contradict this record. If he has it, he should have produced it.

The same principle applies to Bayh's contentions that there was some "conflict of interest" in Judge Haynsworth sitting on cases involving six other "customers" of Carolina Vend-A-Matic. The Bayh cases follow:

1. Homelite v. Trywilk Realty Co., Inc., 272 F2d 688 (1959) Gross sales to Homelite by CVAM in 1959 totaled $15,957.22.

2. Kent Mfg. Corp. v. Commissioner of Internal Revenue 288 F2d 812 (1961) CVAM gross sales to Runnymeade, a subsidiary of Kent, in 1961, totaled $21,323.63.

(It is worth noting that the inclusion of Kent Manufacturing Corporation in this group was a mistake. There is no connection between Kent Manufacturing, a Maryland corporation which manufactures fireworks which was the litigant mentioned by Senator Bayh, and the Kent Manufacturer in Pennsylvania which operated the Runnymeade plant in Pickens, South Carolina.)

3. Textile Workers Union of America v. Cone Mills Corp, 268 F2d 920 (1959). CVAM gross sales to Cone Mills and its subsidiaries Carlisle Mill and Union Bleachery in 1959 totaled $97,367.12.

4. Leesona Corp. v. Cotwool Mfg. Corp., Deering Milliken Research Corp., and Whitin Machine Works 315 F2d 895 (1963) CVAM gross sales to Deering Milliken plants in 1963 totaled $100,000.

5. Leesona Corp v. Cotwool Mfg. Corp., Deering Milliken Research Corp., and Whitin Machine Works 308 F2d 895 (1962) CVAM gross sales to Deering Milliken in 1962 totaled $50,000.

6. Textile Workers Union of America v. Cone Mills 290 F2d 921 (1961) CVAM gross sales to Cone Mills and its subsidiaries in 1961 totaled $174,314.92.

We agree with Senator Cook's comments on these cases:

"*Kent Manufacturing Corporation* v. *Commissioner of Internal Revenue* should be summarily dismissed because as I pointed out CVAM had never had direct or indirect business dealings with the litigant Kent Manufacturing Corporation or with any other company or individual associated with that company. This serious yet completely untrue accusation is another of the tactics used to discredit Judge Haynsworth by publication of false information.

"There are two *Textile Workers Union of America* v. *Cone Mills Corporation* cases listed by the "Bill of Particulars." *In both of these cases Judge Haynsworth voted against the company and in favor of the union.*

"There are also two *Leesona Corporation* v. *Cotwool Manufacturing Corporation* cases listed. In both, *only procedural questions* were raised, and Judge Haynsworth merely affirmed the District Court's decision which required the proceedings which had been begun in South Carolina to wait until a related case in Massachusetts had been concluded.

"In *Homelite* v. *Trywilk Realty Company, Incorporated,* Judge Haynsworth did rule in favor of the company allowing it to rescind a lease agreement made with Trywilk Realty since the *realty company had fraudulently represented to Homelite* that the partially constructed building leased by it had sewer connections.

The conclusion is inescapable that Judge Haynsworth had an equal duty to sit on all of these cases involving purported customers of Carolina vend-a-matic as in the Darlington Corporation case. There is no reason to believe that the testimony of the ABA or of such leading "conflicts" experts as John Frank would be any different on any of these cases.

FIVE CASES OF "SUBSTANTIAL INTEREST"

Bayh's charge that there are "at least five cases" in which Judge Haynsworth held a financial interest "substantial enough" to require disqualification under 28 USC 455 and to "constitute impropriety" under the canons of judicial ethics.

1. Brunswick Corp. v. *Long 392 F2d 348 (1967)*

A technical mistake. The Circuit Court unanimously agreed to a disposition of the case on all issues on November 10, 1967. While the written opinion did not come down until February 2, 1968, it is difficult to see how Judge Haynsworth could have had any substantial interest in the outcome of the case when he bought stock in December, 1967.

Whether Brunswick won or lost the case could not possibly have made any material difference to its stockholders, and I have heard no allegation that there was any manner in which Judge Haynsworth could have enriched himself unjustly through this stock purchase.

Senator Cook noted the insignificance of the case (even if the whole $90,000 had been recovered). It would have been less than one-half cent per share on Brunswick's 18,479,969 shares of outstanding stock or less than $5 on the 1,000 shares of stock Judge Haynsworth purchased.

2. Farrow v. *Grace Lines, Inc. 381 F2d 380 (1967)*

There was no substantial interest in the litigant, Grace Lines. There was no direct interest in the stock of the litigant, Judge Haynsworth held 300 shares of stock in W. R. Grace & Co., and Grace Lines was one of 53 subsidiaries owned by W. R. Grace. Grace Lines contributed less than seven percent to the parent company's 1967 revenue of $1,576,000,000.

An award of the entire $30,000 demanded would have been insignificant. Assume the whole judgment, and assume common stockholders liable, it would have reduced Judge Haynsworth's holding by 48 cents. In fact, it was a $50 judgment by a lower court jury that was simply upheld by a unanimous opinion in the Fourth Circuit.

3. Merck v. *Olin Mathieson Chemical Corporation 253 F2d 156 (1958)*

Senator Bayh suggested that Judge Haynsworth was engaged in illegal and unethical conduct in taking part in a case in which he had a "substantial interest" in one of the litigants. The truth is that Judge Haynsworth never owned any Merck stock and never owned any Olin Mathieson stock. Bayh now says his staff researcher misread a business transaction, and that this charge "is an error."

4. Darter v. *Greenville Community Hotel Corp. 301 F2d 70 (1962)*

See the memorandum attached noting that Judge Haynsworth had no stock in Greenville Community Hotel Corp. in 1962, and had held no stock since 1958.

The case of the Greenville Community Hotel Corporation demonstrates the absurdity of Senator Bayh's allegations that Judge Haynsworth was involved in conflicts of interest because of a substantial interest in corporations that had business before his court.

Senator Bayh charged that Judge Haynsworth had "a substantial interest" in the Greenville Community Hotel Corporation at a time that the Corporation came before his court in 1962.

We can state categorically that Judge Haynsworth had absolutely no interest in the Greenville Community Hotel Corporation or in any company having any interest in that corporation in 1962. The facts are:

On April 26, 1956, before the Judge was on the Court, one share of the Greenville Community Hotel Corporation stock worth only $21 was transferred to Judge Haynsworth so he could be a director of that corporation. He held that position until he went on the bench in 1957. On January 1, 1958, a short time after he went on the bench, he did receive a check for 15 cents for the 1957 dividend.

Judge Haynsworth, thinking he no longer owned that one share of stock, sent the check to Alester G. Furman, Jr., who had transferred the one share of stock to him two years earlier. Furman then returned the 15-cent check to Judge Haynsworth and Judge Haynsworth listed that 15-cent check as income on his tax return. That share was later transferred to Furman, who sold it on August 1, 1959, for $21. Yet, here in October of 1969, Senator Bayh is charging that Judge Haynsworth had a substantial interest in the corporation in 1962, is in violation of the law, and is engaged in what he contends is "impropriety." Either Senator Bayh did not know all the facts when he made his statement and was lax if not irresponsible in making the charge, or he knew the facts and deliberately distorted.

This is only one of the thoroughly absurd charges that have been made by Senator Bayh and other critics. Each of these cases will be dealt with in detail in the days ahead. It should be apparent to anyone who examines this charge that Senator Bayh and other critics are grasping at straws. It is unfortunate that they have filled the air with so many charges that it is difficult to get through with an explanation demonstrating the lack of substance in each of the alleged "conflict of interest" cases.

5. *Donohue* v. *Maryland Casualty Co.* *363 F2d 442* (*1966*)

6. *Maryland Casualty Company* v. *Baldwin* *357 F2d 338* (*1966*)

(Note: Both cases five and six involve Maryland Casualty Company.)

This sixth case was added after Senator Bayh was forced to admit error in using the cases of Merck v. Olin Mathieson Chemical Corporation and Darter v. Greenville Community Hotel Corp.

Senator Bayh contends that Judge Haynsworth held a substantial interest in American General Insurance Co. and should have disqualified himself in both cases in which Maryland Casualty Company was a litigant, because it is a subsidiary of American General Insurance.

Judge Haynsworth did own 67 shares of common stock and 200 shares of preferred stock in American General Insurance Company, a corporation in which Maryland Casualty was one of at least twelve subsidiaries.

It is difficult to measure the impact of a judgment upon a corporation with total assets of $888,857,336, total income of $356,602,892, and consolidated net profits of $26,672,196.

There is doubt if an adverse judgment could have any significant effect on Judge Haynsworth's fractional interest in such a mammoth corporation. Senator Cook has pointed out:

"The Judge has only .0059 percent of the 3,279,559 shares of preferred stock, and an even smaller .0015 percent of the 4,500,000 shares of common stock."

In all of these cases, we have nothing from Senator Bayh except the general contention that he believes there was "a substantial interest" in a litigant that violated the federal law, 28 USC 455, and required disqualification.

Unless Senator Bayh is holding back some important evidence, it would appear that all of his so-called "new charges" are devoid of substance.

He states there is no charge of dishonesty on the part of Judge Haynsworth. He says the question is not whether Judge Haynsworth is dishonest, but simply whether Judge Haynsworth meets "the demanding ethical standards required of an Associate Justice of the Supreme Court." If there is lack of candor, it is not on the part of Judge Haynsworth. If there is lack of public confidence in the judiciary it is not because of any acts by Judge Haynsworth.

If there is lack of confidence in the judiciary it is rather because of the elevation of Abe Fortas to the Supreme Court. If there is lack of confidence in the present nominee, it is because of the perfidy of those who have made false accusations and who continue to circulate false information about Judge Haynsworth.

JUDGE HAYNSWORTH AND JUSTICE FORTAS

When future historians of the Supreme Court of the United States come to write about the nomination of Judge Haynsworth to that court, they are bound to conclude that one of the most important facts in connection with the nomination is that it was made only three months after the resignation of Justice Fortas from the Supreme Court. Because of that fact, it was inevitable that Judge Haynsworth would be subjected to the most microscopic scrutiny to determine whether he should be confirmed as a justice of the court. So long as that scrutiny is confined to matters which genuinely relate to his qualifications to be a Supreme Court justice, and does not degenerate into reckless character assassination, one cannot quarrel with this result.

But one must have the most serious quarrel with those who say that because accusations were made against Justice Fortas, and he resigned, that therefore since accusations have been made against Judge Haynsworth, he should not be confirmed. If our Anglo-American system of justice means anything, it means that a man is judged by facts which are either proven or can reasonably be inferred, and not on the basis of accusations alone. Because of this, the case of Justice Fortas differs significantly from the case of Judge Haynsworth.

Life magazine last spring printed an article indicating that Justice Fortas, while a member of the Supreme Court of the United States, had received a substantial payment from the Wolfson Family Foundation, whose guiding genius was Louis Wolfson. Although Justice Fortas returned the money that he had reecived approximately a year after he had received it, during the intervening period of time Louis Wolfson had been investigated by the Securities and Exchange Commission, and indicted on numerous criminal charges by a federal grand jury in New York. It was further revealed that the money paid to Justice Fortas had been paid pursuant to a contract which had called for payments to him of $20,000 a year for the remainder of his life, and for additional payments of $20,000 per year after his death to Mrs. Fortas so long as she should live.

Justice Fortas issued a statement to the effect that the money was paid him for assistance that he would render to the family foundation and its charitable activities during the summer recess period of the Supreme Court, but that because of the press or work, he had found that he was unable to discharge this obligation, and therefore returned the money. He further stated, in his letter to Chief Justice Warren, that although Mr. Wolfson had on several occasions sent him material relating to the former's problems, and had discussed them with Justice Fortas, the latter had not interceded or taken part in any legal matter affecting Mr. Wolfson.

Title 18, § 205, provides in part as follows:

"Whoever, being an officer of the United States in the Executive, Legislative, or Judicial Branch of the Government . . . otherwise than in the proper discharge of his official duties—

(2) acts as agent or attorney for anyone before any department, agency, court, court-marshall, officer . . . in connection with any proceedings, application, request for a ruling, or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter in which the United States is a party or has a direct and substantial interest—

shall be fined not more than $10,000 or imprisoned for not more than two years, or both."

By reason of all of these facts, Senators on both sides of the aisle called for an explanation from Justice Fortas. Feeling that the two statements issued by the Justice did not adequately dispel legitimate concern as to whether there might have been a violation of this criminal statute, the typical public reaction, both inside and outside of Congress, was "explain or resign".

Justice Fortas chose to resign, and therefore any fully inquiry into the circumstances of the Wolfson transaction became moot. The ultimate resolution of the question was made, not by the Senate, but by Justice Fortas himself.

In the case of Judge Haynsworth, charges have been made that he failed to disqualify himself in cases before his court in which he had a "substantial interest". Title XXVIII, § 455 of the United States Code provides as follows:

"Any Justice or judge of the United States shall disqualify himself in any case in which he has a substantial interest . . . or is so related to or connected with any party or his attorney as to render it improper, in his opinion, for him to sit on the trial, appeal, or other proceeding therein."

Judge Haynsworth, like Justice Fortas, has been asked by the Senate Judiciary Committee to explain the circumstances surrounding these charges.

Unlike Justice Fortas, however, Judge Haynsworth has made the fullest sort of disclosure, not merely of facts and records involving his judicial activities in any way, but of facts and records pertaining to private business transactions whose connection with his judicial activities would appear to be remote at best. In fairness to Justice Fortas, it should be pointed out that the confirmation hearing of Judge Haynsworth before the Senate Judiciary Committee is a readily available forum in which the facts and circumstances can be fully investigated, while no such forum was readily available to Justice Fortas. This difference, however, results from the fact that Judge Haynsworth is a nominee to the Supreme Court requiring confirmation by the Senate, while Justice Fortas was a sitting Justice of the Supreme Court at the time the charges against him were made.

It is thus not accurate to speak of an "appearance of impropriety" in the Fortas case, and a similar "appearance of impropriety" in the Haynsworth case. The resignation of Justice Fortas prevented any examination into, or resolution of the "appearance of impropriety" in his case. Judge Haynsworth's furnishing of voluminous records does permit a

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careful and factual resolution of the charges against him on their merit.

Finally, the charges made against Justice Fortas were quite different from those made against Judge Haynsworth.

Under all the circumstances, Justice Fortas was called upon to explain a situation which might involve a violation of a criminal statute. It is not unreasonable for the public to insist that holders of high office not only refrain from violating the criminal law, but also either avoid the appearance of violating it, or be prepared to explain themselves when such appearance is present.

Judge Haynsworth has been charged with failing to disqualify himself when required to by statute—a statute which not only does not impose any criminal penalties, but requires a careful judgment by a judge in each case where it might be applicable. At least three Courts of Appeals have held that a judge is as much under a duty to sit where he is not disqualified, as he is under a duty to disqualify himself where required to do so. A judge interpreting the disqualification statute may not "bend over backwards" and disqualify himself in cases where it might "appear" that he should do so, even though upon analysis he were to conclude that he should not.

Therefore, while it may not be enough for a judge to show that upon careful legal analysis he has not violated a criminal statute, even though he "appeared" to have done so, a judge is required to sit in a case in which he is not disqualified, even though upon superficial analysis it might appear that he is in fact disqualified.

The **PRESIDING OFFICER**. Under the order of last Thursday, the Chair now recognizes the Senator from Kansas (Mr. DOLE).

SENATE RESOLUTION 271—SUBMISSION OF A RESOLUTION CALLING ON NORTH VIETNAM TO END THE WAR

Mr. DOLE. Mr. President, ending the war in Vietnam is the Nixon administration's prime concern. President Nixon has repeatedly stated that our limited but fundamental objective is to assure the people of South Vietnam the basic right to determine their future free from outside interference.

Publicly and at the Paris talks, the United States has offered proposals to bring peace and self-determination, and we have expressed willingness to discuss any other proposals having the same objectives.

The United States has proposed, and agreed to accept the results of free elections organized by joint electoral commissions, composed of representatives of both sides under international supervision.

We have offered to negotiate a supervised cease-fire to diminish the intensity of the conflict. In the absence of such a cease-fire, new orders have gone out to American field commanders to minimize military and civilian allies' casualties, to gear combat actions to enemy actions, and to adopt a policy described by General Wheeler as one of "protective reaction." We have called for a mutual withdrawal of all non-South Vietnamese troops, which action by their side need not be formally announced. We have commenced reduction of the U.S. presence in South Vietnam by removing over 60,000 U.S. troops—this is 20 percent of our combat troops and 12 percent of the total allied troops. Future withdrawals will be considered based on three criteria: progress in the Paris talks, military progress in the war, progress in Vietnamization of the war.

It is time for North Vietnam to respond to these initiatives. The United States is waiting. The world is waiting, and the people of Vietnam, North and South, have been waiting and suffering for 30 years. The time has come for peace. In the name of peace, I shall introduce a resolution later today calling on the Government of North Vietnam and the National Liberation Front to enter serious negotiations to end this war.

This resolution urges the Government of North Vietnam and the National Liberation Front to:

First. Acknowledge that a just and mutually agreed settlement is the best hope for lasting peace;

Second. Show at the Paris peace talks the same flexibility and desire for compromise which the allies have clearly demonstrated over the past year;

Third. Agree to direct negotiations between representatives of the National Liberation Front and of the Government of the Republic of Vietnam, as proposed by the latter;

Fourth. Withdraw their insistence on allied surrender through their demand for the overthrow of the Government of the Republic of Vietnam before genuinely free elections could be held—and I think a very important point in this resolution;

Fifth. Provide information on the status of U.S. prisoners of war held in North Vietnam and by the National Liberation Front, and give evidence that these prisoners are being treated humanely in accordance with the provisions of the Geneva Convention.

Mr. President, by passing this resolution, the Senate can make known to the Government of North Vietnam and the National Liberation Front that this country is determined to negotiate a settlement in Vietnam.

We can convince Hanoi that there is nothing to be gained by waiting and waiting and waiting, and that they should proceed to a negotiated settlement.

Mr. President, we all want peace and an end to this tragic conflict. As President Nixon has said:

> The people of Vietnam, North and South alike, have demonstrated heroism enough to last a century. They have endured an unspeakable weight of suffering for a generation.

They deserve a better future.

We ask the North Vietnamese and the National Liberation Front to show a sign of concern for the people of Vietnam. We ask that they demonstrate that they care about a better future for all Vietnamese.

In this spirit, I ask the Members of this body—who have not done so—to join me in calling for an affirmative response from the North Vietnamese Government and the National Liberation Front.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. DOLE. I yield to the Senator from Colorado.

Mr. DOMINICK. I congratulate the Senator from Kansas. I have the pleasure of being a cosponsor of this particular resolution. I think it is a very worthwhile effort. If I may say so to the Senator, it strikes me that all we have heard up to date has been from people who are, in general, critical of either the United States or the South Vietnamese, and are not critical of the North Vietnamese or the Vietcong. I think this has been totally without balance.

For example, I received a letter from my son who said, "Why don't we hear more about what has happened at Hue?"—where, when they went to that city, the ancient capital of Vietnam, they found graves dug in which the Vietcong, in the process of taking over during the Tet offensive, had literally buried people alive in mass graves; had lined up others, hitting them with mattocks, and buried them. Over 2,500 people were murdered by the Vietcong in that offensive alone. But do we hear anything about that at all? Not a bit. We hear about the inhumanity of the South Vietnam, or the corruption, or the problems that we have with our own intervention.

It seems to me we must do something to restructure a good deal of the thinking that has gone on; to recognize that we have gone one step after another in an effort to try to get a negotiated peace. We have not yet been able to reach it.

I may say to the Senator from Kansas that I have a statement on this matter myself. I know that, prior to my giving it, other Senators would like to make comments on the Senator's resolution.

I certainly hope that what the Senator from Kansas has done here today, and those of us who have joined with him, both Democrats and Republicans, will bring a focus of attention on some of the problems we have with the other side, which has remained intransigent and which has been unwilling up to the present time to make any kind of concessions toward getting to a peace, which is what we all want.

Therefore, I again congratulate the Senator from Kansas.

Mr. DOLE. I thank the Senator from Colorado. There has probably been a false impression created in this country about what has happened in the Senate as a result of the recent flurry of withdrawal resolutions. I certainly have no quarrel with anyone's desire to end this conflict. But we only help Hanoi when it is said that only the United States should do something or that only the South Vietnamese should do something. It is my hope this resolution will alert the American people to the fact that some of us recognize that North Vietnam is the enemy and it is time they reacted to the U.S. initiatives.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. DOLE. I yield.

Mr. COOPER. Mr. President, I am not a sponsor of the resolution of the distinguished junior Senator from Kansas. I am not a sponsor of any of the many resolutions which have been proposed regarding the war in South Vietnam. As a member of the Foreign Relations Committee, I hope I can view each one of them objectively.

Since 1965 I said time after time on

the Senate floor that the United States should cease the bombing of North Vietnam as a way in which, it was hoped, we could reach negotiations. I said also that while no one could say whether those negotiations would be successful it was a condition precedent to negotiations, and I hoped that fruitful negotiations would follow.

It is well that the Senator has presented his resolution, because I know, and we all know, that the chief reason why we have not been able to make progress in the negotiations has been due to the intransigence and the intractability of the North Vietnamese and the Vietcong. I think it is proper and good for the Senate and the American people to keep the fact in mind as we approach the subject of Vietnam in an effort to see if we can help the President bring the war to a close. I shall speak my own views in some detail later.

Mr. DOLE. The distinguished Senator from Kentucky is recognized as one of the experts in this area, and is a member of the Committee on Foreign Relations. When the Foreign Relations Committee meets to consider the other resolutions before that committee I trust it may also consider this resolution.

Mr. HANSEN. Mr. President, will the Senator yield?

Mr. DOLE. I yield.

Mr. HANSEN. Mr. President, the resolution submitted by the junior Senator from Kansas is timely, indeed.

It is time that the onus for continuing this war were put where it belongs—on the back of the Communist government of Hanoi.

Mr. President, the United States has taken every step for peace possible, short of betraying our ally, South Vietnam.

Let me read here what this administration has proposed in our attempts to reach a decent peace. They are measures consistent with the principles of all parties:

> As soon as agreement can be reached, all non-South Vietnamese forces would begin withdrawals from South Vietnam.
>
> Over a period of 12 months, by agreed-upon stages, the major portions of all U.S., allied and other non-South Vietnamese forces would be withdrawn. At the end of this 12-month period, the remaining U.S., allied and other non-South Vietnamese forces would move into designated base areas and would not engage in combat operations.
>
> The remaining U.S. and allied forces would complete their withdrawals as the remaining North Vietnamese forces were withdrawn and returned to North Vietnam.
>
> An international supervisory body, acceptable to both sides, would be created for the purpose of verifying withdrawals, and for any other purposes agreed upon between the two sides.
>
> This international body would begin operating in accordance with an agreed timetable and would participate in arranging supervised cease-fires in Vietnam.
>
> As soon as possible after the international body was functioning, elections would be held under agreed procedures and under the supervision of the international body.
>
> Arrangements would be made for the release of prisoners of war on both sides at the earliest possible time.
>
> All parties would agree to observe the Geneva Accords of 1954 regarding South Vietnam and Cambodia, and the Laos Accords of 1962."

The above was excerpted from the President's speech of May 14. His position has not changed.

Neither has that of Hanoi. Despite every effort made by this administration, the North Vietnamese have refused to enter into any meaningful negotiations.

Perhaps it is time the President's critics began to put the blame where it belongs—not with the United States, but with North Vietnam.

Mr. DOLE. I thank the Senator from Wyoming. He has recited the eight points stated by the President on May 14. That clearly states that American position. I agree that if the critics would review what was said on May 14, and review what we have done in an effort to negotiate an end to the war, they may want to join with us in taking the monkey off our back and putting it where it belongs, on the back of the North Vietnamese and the Vietcong.

Mr. FANNIN. Mr. President, I commend the distinguished Senator from Kansas for offering this resolution, of which I am very pleased to be a cosponsor, calling on the North Vietnamese to show that they truly want peace.

I fervently hope that the resolution will be broadcast on all radio and television stations throughout the land, and will be run in all our newspapers and magazines, so that those Americans who see American surrender as the only road to peace will be aware that there is another side—a very serious side.

Mr. President, all across our land many young people, who, not having stopped to analyze what this war is all about, are calling for the United States literally to "bug out" on its commitments—young people who would rather have peace than honor or principle, who would surrender today to what would mean that they would be slaves tomorrow; who just do not understand what is involved.

Mr. President, it is time they heard the other side. It is time they became aware that it is the United States that has truly sought an honorable peace, and that it is the Communists of North Vietnam who have been totally intransigent, who have in fact called on the United States to surrender unconditionally, and who have in fact called on the United States to lose its principles and the great reputation it has throughout this world, to desert its allies, and to betray its principles.

Mr. President, I cannot believe that is what our young people really want. I believe, instead, they act and speak from ignorance, an ignorance that has bred fear and uncertainty.

I think there is no excuse for that ignorance. The facts are available. I believe that if they will look at the facts, the facts will change their minds.

Mr. President, the United States is not fighting an innocent foe with clean hands and honorable intentions. We are fighting a foe who is guilty of torture and mass murder, and of mistreatment of American prisoners. The facts are there to be seen by those who wish to see them. It is time that those who would surrender took a look at those they would surrender to. It is time they reconsidered.

Last Friday, the Washington Post's front page was plastered with pictures of people carrying Vietcong flags on the streets of Chicago. Those people say they are opposed to our present policies. Why are they opposed? President Nixon is moving with all the speed he can muster toward an honorable settlement in Vietnam, but he cannot proceed if he is undercut at home by elements of irresponsible criticism. Therefore, I suggest that Americans who wish to show their support for our President, in his effort to win a just and honorable peace, can fly the American flag and display it in every appropriate way on October 15, to let Hanoi and the world know we stand solidly in support of our President.

I commend the Senator from Kansas for his speech and his resolution.

Mr. DOLE. Mr. President, I commend the Senator from Arizona for his excellent suggestion with reference to flying the flag on Wednesday of this week. With reference to publicizing this resolution, I can only assure the Senator that it will be published in the CONGRESSIONAL RECORD. I am not optimistic that it will receive wide publication outside the RECORD, because the liberal media in this country is not interested in this aspect of the Vietnam war.

I hope those who are concerned with winning the Vietnam war will read the Senator's comments and this resolution very carefully.

Mr. GOLDWATER. Mr. President, I, too, wish to commend the distinguished Senator from Kansas, not only for his remarks but for the introduction of his resolution. I am happy to have my name on it as a cosponsor.

Several questions enter my mind after listening to the Senator's presentation. The first is, what kind of peace are these people talking about? If they think for one moment withdrawing our troops unilaterally is going to create peace in this world, they are crazy. That is the surest way to enlarge the war and start new wars all over the world. Why the people who advocate unilateral withdrawal cannot understand that, I do not know.

Sometimes, as I look upon this radical left, I wonder how they can be made up so largely of academic people, and yet never seem to have read their history. I do not know what they base their judgments on.

The question comes to my mind, who speaks for youth? I do not see many youthful faces in the pictures of the Chicago demonstration. I see some middle-aged, fuzzy-haired people who have long since ceased to be young.

Mr. President, I think these questions have to be answered. While driving to work this morning, I heard on the radio a remarkably disturbing statement that the mayor of New York has proclaimed that black bunting will be flown on the government buildings on Wednesday, that the flags will stand at half mast, and that the bells will toll.

Mr. President, who speaks for the people of New York City? I do not think the mayor speaks for them, because I do not think, if you took a poll in New York City, as fuzzy as we think that place to be at times, you would find that the majority of the people would agree with the mayor when he says:

> We are going to turn tail and pull out of Vietnam, regardless of what happens.

It is this kind of things going on in the country that disturbs me. Americans historically, whether they have agreed with him or not, have backed the President of the United States when we are in war. That is exactly what we are in today, and I think it is high time our own colleagues in this body and some other people around the country stand ready to back the President as those of us who back him on this floor stand ready.

I again thank the Senator from Kansas, and am happy to be included with his cosponsors.

Mr. DOLE. I thank the Senator from Arizona for cosponsoring the resolution. It is a well-reasoned resolution, it does not seek to chastise anyone, but simply states the case as it is. Mr. President, we are telling it like it is, the only group holding up peace in this war are the National Liberation Front and the North Vietnamese.

I yield to the Senator from Tennessee.

Mr. BAKER. Mr. President, I commend and thank the distinguished junior Senator from Kansas for an excellent presentation and an outstanding resolution. I join with the Senator from Kansas and other Senators today in cosponsoring this resolution, because I believe that it can, if properly understood, make a significant contribution to intelligent thinking about future American policy in Vietnam.

I am convinced that many people on all sides of this issue of paramount importance are thinking less carefully and less objectively than they perhaps should, without carefully weighing and measuring the many alternative policies available to us, being swayed by prejudices and emotions.

The substance of the resolution introduced today is that the Government of North Vietnam and the National Liberation Front are urged to take steps that might, in concert with steps already taken and yet to be taken by the United States and the Government of South Vietnam, assist in bringing to an end this tragic conflict and working toward a fair and lasting peace.

Mr. President, there is nothing essentially new about urging Hanoi and the National Liberation Front to adopt a more flexible position on the battlefield and in Paris. The Government of the United States and other governments and organizations have, for many years, been urging just such flexibility. But I feel that the timing of this resolution may be of considerable importance, most particularly with respect to public debate on the war here in the United States and in this body; because I am convinced that the strategy of Hanoi and of the National Liberation Front is predicated almost entirely on their estimate of the direction that the public opinion will take in the United States in the next weeks and months just before us.

Every man, woman, and child in the United States who knows about Vietnam wants an end to the war in Vietnam. The terrible cost of the war in human casualties, in diverted resources, in spiritual and intellectual anguish, has been immense. I cannot believe that there is a single American who does not want an end to this conflict.

But not everyone in this country means the same thing when he speaks of "an end to the war." It is my hope that the resolution introduced today by the Senator from Kansas can help every American understand more clearly that an end to the war means more than just the withdrawal of American troops, and that, when they speak of an end to the war, a great many Americans, perhaps a majority of Americans, do really mean an end to the war. Some, however, do not mean an end to the war, but, rather, an end to American involvement in the war.

Mr. President, a growing number of Americans seem to be thinking of the war in Vietnam only in terms of the immediate domestic cost to ourselves. The terrible killing and wounding of American men, the diversion of great physical wealth from programs urgently needed here at home, and damage to the moral and spiritual fiber of our society—these costs are indeed incalculable, and they must constantly be weighed against our commitment to the people of South Vietnam.

Mr. President, in considering the total context of the dilemma in which we find ourselves, we must keep in mind that the United States of America has gone the extra mile. We will have unilaterally withdrawn at least 20 percent of our combat troops by December 1969. We have made the offer of internationally supervised elections, and we are moving toward the de-Americanization and Vietnamization of that effort. We have stopped the bombing. We have reduced the level of combat hostilities and activities in that troubled area. We have done all those things which must be considered as the last, best, good-faith effort to show to the Asian people the desire of the United States really to end that war—not merely to end our part in the combat, to withdraw unilaterally, and disengage and leave that great part of the world to the cannibalism of another Maoist adventure or another exercise in elimination by a totalitarian regime.

The junior Senator from Kansas has done a magnificent thing today, at an appropriate time, by formally proposing that the Senate call on North Vietnam and the National Liberation Front to take some steps toward meeting our efforts—our multiple efforts thus far—to end this terrible conflict, so that we can turn our full attention to the general grievances of mankind.

Mr. DOLE. I thank the Senator from Tennessee, not for myself, but for all Americans, particularly those young Americans who are now fighting in South Vietnam. Sometimes, in the game of resolutions and debate, we overlook those heroic Americans who are daily risking their lives in Vietnam.

I deeply appreciate the comments of the Senator from Tennessee.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. DOLE. I am pleased to yield to the distinguished Senator from Pennsylvania.

Mr. SCOTT. Mr. President, I warmly commend the distinguished Senator from Kansas for submitting this resolution, for having spoken so well on it, and for having also stirred such favorable reaction.

If I were among the youth who received an invitation to the October 15 events, I think I should want to ask myself some questions. The right of dissent is enormously important in this country. We must all defend and welcome it. The right to hear all sides is immensely important. I hope that during this time there will be a recognition of the true nature of the enemy, of the adversary. I hope that Americans will not have any difficulty deciding what side they are on.

But if I were one of those young people, I think I would ask myself, "Where was I 6 months ago?" and "Where do I stand now?"

The Senator from Kansas has pointed out that 6 months ago, these young men were in a state where for 7 years they would have been undecided, frustrated, and uncertain of their future; uncertain whether they would be called into the Armed Services or not. Now that period has been shortened to 12 months. Six months ago, we had a maximum number of men in Vietnam. That number is being reduced substantially every week.

Six months ago, or at least prior to May 14, there were no offers of peace terms from the United States. Now there are, and they are the most generous ever offered by a nation. I think I would like to say, "Hurry up, Hanoi." I would like to see that statement appear on some of the placards. I would like to see on some of the placards some of the suggestions made by the distinguished Senator from Kansas.

As the Senator well pointed out, throughout all this furor very little compassion has been shown the prisoners of war. His proposal that we receive information on the status of the U.S. prisoners of war and that we make certain that they are being treated humanely in accordance with the provisions of the Geneva Conventions seems to have been overlooked.

Those who would propose all sorts of precipitate departure seem to have forgotten that some of their fellow Americans are imprisoned under conditions which we have good reason to believe are far less than humane. Some Americans who have advocated precipitate departure seem to have forgotten the massacres that have ensued.

Some of those who advocate precipitate departure should remember, as the Senator from Kansas has pointed out, that the enemy should withdraw its insistence on an allied surrender. Yet they demand an overthrow of the Government of South Vietnam and say that genuinely free elections can be held. Are those who demand this blind to what happened the last time, when another administration presided at the time of the overthrow of another Government of Vietnam, and chaos ensued? Many lives that were lost then would not have been lost had their been an orderly transfer of government.

Perhaps the Government of South Vietnam has not been perfect, but I do not know of any government which is. The South Vietnamese Government has installed some persons who, in my judgment, should not be in it; but then I know of other governments whose behavior has not been perfect. It is necessary to have a viable government in being if a country is to have true peace. If the people do not like a government, then they ought to have free elections and choose another government.

What I am pleading for is to encourage young people, on October 15, to ask themselves one question: "Whose side am I on?" There can be but one answer. I know their answer. They are all on our side; they are all Americans. Then, being on our side, let them direct some of their energies to the enemy, who stands in the way of peace.

The Senator from Kansas has justly, fairly, and temperately worded the resolution. He simply asks the enemy to consider now its obligation to help to bring about peace and end this terrible war. I again say that that is responsible, that it is evidence of our recognition of the nature of the adversary.

Again, I congratulate the Senator from Kansas on his sagacity in making this proposal, which to my mind does much to bring the whole matter of our national debate into better proportion.

Mr. DOLE. I appreciate the comments of the Senator from Pennsylvania. The purpose of the resolution is not to antagonize those who may have a different view; but, as the Senator from Pennsylvania has said, more eloquently than I can, its only purpose is to bring the question into proper perspective. Let us look at both sides.

Yes, maybe we have made mistakes. Maybe South Vietnam has made mistakes. But what about North Vietnam? It takes two to make an agreement.

I informed President Nixon this morn- that I planned to submit this resolution. He was pleased to see this initiative. He said, as he has before, that only Hanoi stands in the way of peace.

Perhaps there ought to be a movement on the part of North Vietnam. Maybe they should make some movement or response that would indicate they want to bring an end to this tragic conflict. That would please everyone—everyone in America, and everyone in the rest of the world.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, notwithstanding the lapse of the 2 hours which constitute the morning hour, the Senate proceed under the orders as previously agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRIFFIN. Mr. President, will the Senator yield?

Mr. DOLE. I yield to the Senator from Michigan.

Mr. GRIFFIN. Mr. President, I wish to take this opportunity, as one of the cosponsors of the Senator's resolution, to add my voice to the chorus of approval and commendation which he is hearing today following his very excellent presentation.

Lest there might be some who think that this is merely a partisan exercise, I believe it is most appropriate to call attention to what the former Vice President, the Hon. Hubert H. Humphrey, said following a visit to the White House last Friday. He was reported as saying that he believed "the President is proceeding along the right path" in seeking peace in Vietnam. Then he added, most appropriately:

> We have only one President at a time, and I think the worst thing we can do is to undermine the position of the President.

Needless to say, it is not often that the former Senator from Minnesota and the former Vice President receives any praise or indication of approval from this side of the aisle. But I am glad to commend Mr. Humphrey for his responsible and statesmanlike attitude, and I wish to commend what he said to others in both parties who continue to carp and to criticize, for whatever reasons, with the unfortunate effects of undermining the President in his earnest efforts to achieve peace.

In addition, I wish to call attention to a suggestion made by the distinguished minority leader a week ago. While no campaign is organized as such, he suggested on nationwide television that it would be a good idea that if those who support the President's earnest effort should demonstrate their support by turning on the lights of their automobiles on October 15. I hope many Americans will follow the minority leader's suggestion.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. DOLE. I yield to the Senator from California.

Mr. MURPHY. Mr. President, I join with the distinguished Senator from Kansas and commend him for the presentation of the resolution. I am pleased that I have had the opportunity to be in the Chamber and listen to the remarks of my colleagues with regard to the situation in Vietnam. It seems to me that, as months have gone by and years have gone by, we in America have been subjected to possibly the greatest propaganda attack that has ever been staged on a people, to the extent that at times we forget how the war in Vietnam started and why we are there. We forget the nature of the enemy. We forget where the enemy resides.

We talk about the National Liberation Front. Why do we not say "the Communists"? That is what they are.

We have youngsters in school who give the Communist salute, the clenched fist. They do not know what they are doing, because it has not been explained to them. How are our people to know, unless the truth is told?

As a result of the resolution of the distinguished Senator from Kansas, much of the discussion that has been lacking in this Chamber is now coming forth.

We speak about the nature of the enemy. I recall the start of the Vietnam war, in the Plain of Jars, where, by stealth, the stomachs of the South Vietnamese were slit during the night. I was in South Vietnam when they held the election of the government about which we hear so much. I recall that we heard the same things about the government in Korea. I recall that we heard the same things about the government in China, the Nationalist government—the same government that is now doing so well in Taiwan and is having such success that it no longer needs our help. These same cries of corruption were made, and I recall them vividly.

Let me say something about the way it is approached in South Vietnam. The week before we went there to watch the elections, over 1,000 South Vietnamese were either murdered or kidnaped in order to frighten the people away from the polls, to keep them from voting in the election. While I was there—I have told this story in the Chamber—had I been on schedule, two plastic bombs were set in the exact location where I would have been in the town of Tuy Hoa. It would have been a good idea to blow up a United States Senator, to scare the people of South Vietnam. Thirty-nine people were hurt when these bombs went off. Two men lost their lives. Thirty-seven people came back after having their wounds dressed and voted. I said then—and at every opportunity I have had—that I have never seen a people with a greater determination for democracy than the South Vietnamese. Now we hear voices which say, "Walk away and leave them."

Let me read some figures I have.

Mr. President, the innocent people of South Vietnam live in daily terror of murder and torture from their Communist brethren in the north. Let me cite some random reports:

September 30—an indiscriminate Vietcong mortar attack killed five civilians and wounded 12 others in the Cam Nam village. Farther to the south, in Rinh Din Province, a Vietcong sapper squad entered the hamlet of Chanh Tru, went into the market area, and assassinated one identified civilian. After killing the man, the sappers went to his house and blew up and burned his wife and his child.

September 28—an unknown number of Vietcong entered Dong Luc hamlet and assassinated the deputy hamlet chief. Why? To take a life? Of course not. To strike terror into the whole country, to terrorize them into the acceptance of the imposition of the Communist-atheist government from the north. These people do not want it, and they have fought valiantly in order to keep from its imposition. We have joined them.

As of September 8, official reports indicate that 22,500 South Vietnamese civilians have been the victims of Vietcong terrorists since the first of this year.

Mr. President, the time has long passed when this contrived confusion in America should be allowed to go unchallenged. It is time that our young people—yes, our older people—insist that the true story be told as to the actual reason why we are there, the reason why we dare not leave, and as to the will of these people for democracy. Certainly there is corruption. There is corruption in Washington. There is corruption in California—very little, I am proud to say, since the new administration there. But these are the things we must bear in mind.

I would hope that the press and the communications media would spread this word to the young people who are being hoodwinked, who are being used, and who are being misled, just as the people in my industry, in Hollywood, were misled years ago, and joined in an effort to create chaos in this Nation, which they did not understand.

We have to get to the basic facts, we have to understand what has been done. What is the United States attempting to do? Why do we allow people around the world to call us imperialists? We have no imperialistic design. We know where the imperialism is. It is in Communist Russia. If Communist Russia would stop supplying the arms to North Vietnam, the war would be 90 percent finished the minute they would do that.

The same applies with respect to the Middle East. I had the privilege last week of listening to the Prime Minister of Israel, Golda Meir. She said three times that it is time that we recognize the enemy and point out the enemy.

So I am pleased that the distinguished Senator from Kansas has submitted this resolution. If I have any complaint, it is that the resolution is too mild. I think it should be strong and firm and direct so there can be no misunderstanding.

I hope the people of this great country, along with our distinguished colleagues, joint the Senator in saying this resolution is the embodiment of the desires and feelings of the people of this country with regard to the valiant little country we have been trying to help in Southeast Asia, South Vietnam.

Mr. DOLE. I thank the Senator. I hope this resolution will put the matter in proper perspective. I believe strongly that because of the one-sided media coverage on the question of Vietnam there has been a false impression created. At least with the consideration of this resolution by the Committee on Foreign Relations, the matter will be placed in a different light.

I yield to the Senator from Alabama.

Mr. ALLEN. Mr. President, I commend the distinguished junior Senator from Kansas for conceiving and submitting this resolution. I am not one of the cosponsors but I shall vote for the resolution if it emerges in its present form or in an amended form that does not cause it to lose its spirit and purpose.

I am going to support the resolution because I approve its spirit and purpose, although I have strong doubts and misgivings as to its method of putting into effect that spirit and that purpose.

I call attention to the fact that the resolution urges the enemy—and that is what they are, North Vietnam—to take certain steps. Now, it is definitely an exercise in futility to urge the enemy to act as we would have him act. My preference would be that the resolution state that it supports the President in demanding that North Vietnam take certain steps. If we urge North Vietnam to act in certain ways, it possibly may be inconsistent with the proposals now being made in Paris by our peace negotiators. If we urge him to take certain action, of necessity, it would invite a reply by North Vietnam, and receiving a reply from North Vietnam that then would occasion another reply by the Senate. So we would find ourselves supplanting the regularly and duly constituted authorities in seeking to negotiate with North Vietnam.

But I am so strongly in favor of showing support for the President's efforts to end the war in Vietnam, and I am so strongly in favor of having a bipartisan or nonpartisan approach to this problem, which is a problem for the entire country and the entire world, that I will support the resolution.

However, I would ask the distinguished junior Senator from Kansas to give serious consideration to the method by which he is getting across the idea that it is North Vietnam and not the United States and not the Republic of South Vietnam, that is preventing us from having meaningful negotiations in Paris.

It would be far better to support the President's policies, and by our resolution to say we support those policies, rather than for the Senate to enter into foreign relations; that is, negotiations with a foreign power to the extent of urging them to take certain action.

I believe the action of the Senate should be action endorsing and supporting the President, critical of North Vietnam, and backing the President in insisting on action by North Vietnam rather than for the Senate to urge a course of action on North Vietnam.

I am so strongly in favor of taking a stand behind the President's efforts to end the war in Vietnam that I will support the resolution.

Mr. DOLE. Mr. President, I appreciate the remarks of the distinguished Senator from Alabama. I share his views and am certain nothing the Senate does is going to bind the enemy, and they are the enemy. They have made no effort to end the war in Vietnam. In the last paragraph of my resolution I do, in effect, state support of the President's position because he has said time and time again everything is negotiable in this war except the right of self-determination.

I could not agree more that this should be a nonpartisan or a bipartisan effort. I deplore the tactics of some who now make it partisan. I deplore more that some of the American people seem to feel that only a handful in this body speak for America. The real purpose of the resolution is to let the American people know, if we can, that a rather sizable number of Senators understand who the enemy is and that we are determined to make our voices heard.

I yield now to the Senator from Oklahoma.

Mr. BELLMON. I thank the Senator from Kansas and I compliment him on the leadership he has taken in providing a vehicle for Senators to show we do support the President and that we are united in the effort in South Vietnam. The resolution provides a very important function in that it places the emphasis where it belongs, and that is on the North Vietnamese, who keep the war going.

This war will end immediately, as soon as the north stops sending troops and supplies into the south in an effort to disrupt the Government of South Vietnam and take over by force.

I believe the resolution makes it plain that this Nation is willing to stop its involvement there as soon as the north agrees to let the people of the south make their own decisions, run their country, and conduct their affairs the way we expect the people of the world to do.

I believe the Senator has provided a great service to the American people in helping to make plain that a large number of Senators silently back President Nixon and the policy he is following over there, and that we do not believe we should, as has been said here today, bug out and let the Communists take over that nation.

I have visited South Vietnam on two occasions, in 1965, and again in July of this year. I have been extremely impressed with the progress being made there on three fronts. First, on the military front I was impressed to find the South Vietnamese are now operating the most sophisticated weapons we have there, our helicopters, artillery, transport vehicles, jet aircraft, and rivercraft. These military operations are all being taken over in a competent way by the armed forces of South Vietnam. They are rapidly reaching the point where they will be able to supply security for their people.

I am happy with the progress on the political front. In 1965 the governments there were falling one after another, but since the election of Thieu the government has had a high degree of stability. The participation in that election was high. More than 80 percent of the people voted in spite of threats against their lives and safety, which is a far better record than we have here.

I was impressed with the progress on the economic front in July. Large numbers of South Vietnamese were free to go to their farms and their lands and conduct their lives in a regular fashion because they had the security which had been denied them earlier when the Vietcong were operating throughout the country and terrorizing villages.

To me the important point is, whether or not the opponents of the President recognize it, the war is ending and coming to a conclusion. The war there started with infiltration from the North. Acts of atrocity were committed against leaders of the South Vietnamese Government.

The war will probably not end the way we like to see wars end, with the signing of documents and the sudden cessation of hostilities. Last week's record shows that the level of casualties to Americans in South Vietnam was the lowest during that week of any during the past 3 years. The record will also show that most of the larger, organized North Vietnamese military units are no longer active in South Vietnam. This indicates that the war is rapidly coming to a conclusion, and together with the fact that we can withdraw 60,000 combat troops is another evidence of the fact that the level of hostilities is declining.

Therefore, I feel that this resolution will help to point out that our national leader, President Nixon, is on the right track, that the war is coming to a conclusion, that we are accomplishing our objectives there, that it is only a matter of time until the South Vietnam Government will be able to provide security for its people, and we will be able to disengage our military forces and see a stronger country emerge in South Vietnam.

Mr. DOLE. I thank the distinguished Senator from Oklahoma and am pleased to have his comments. As he stated, he and the Senator from Alaska have been in Vietnam and have observed what has happened there. They have firsthand knowledge of the situation.

Again I say, the efforts being made here by the Senator and others, who are cosponsoring the resolution put the entire matter in its proper perspective and will let the American people know that there are two sides to the issue, and that there is a new direction in Vietnam.

I am now happy to yield to the Senator from Colorado.

THE PRESIDENT ON VIETNAM

Mr. DOMINICK. Mr. President, I am deeply distressed during these troubled times in our Nation's history to hear the discordant voices of some in this body seeking to discount and discredit the great efforts being made by President Nixon toward peace in Southeast Asia. I wonder whether such utterances, which refer to our continuing withdrawal of troops and lowering of draft calls as "tokenism" and "an exercise in politics," are not in fact doing more to hinder than to help us reach the goal we all seek: A permanent solution to the Vietnam war?

I am certainly not attempting here to impugn the motives of anyone, because I sincerely believe we all share an intense desire to see that tragic conflict in Southeast Asia ended.

President Nixon said most eloquently in his televised report to the country on May 14:

> I want to end this war. The American people want to end this war. The people of South Vietnam want to end this war. But we want to end it permanently so that the younger brothers of our soldiers in Vietnam will not have to fight in the future in another Vietnam someplace else in the world. The fact that there is no easy way to end the war does not mean that we have no choice but to let the war drag on with no end in sight.

He also said in that report to the Nation:

> We can have honest debate about whether we should have entered the war in Vietnam. We can have honest debate about how the war has been conducted. But the urgent question today is what to do now that we are there.

I agree wholeheartedly with that statement. I have stated repeatedly in this Chamber, at public meetings, and on national network television programs, that it was a tragic mistake for the United States to commit ground troops to fight in Southeast Asia. President Nixon, I am sure, feels the same way. In fact, during his news conference on Guam following the safe return of our Apollo 11 astronauts, he said:

> Future U.S. policy in Asia would aim to avoid military intervention which could involve the country in situations such as Vietnam, while encouraging Asian nations to assume greater defense responsibilities.

I believe that President Nixon is earnestly working to put just such a policy into being. But I am tired of hearing members of the other party who had the responsibility for Vietnam for 8 years criticizing the President because he has not gotten us completely out of Vietnam in 8 months.

Mr. GOLDWATER. Mr. President, will the Senator from Colorado yield at that point?

Mr. DOMINICK. I yield.

Mr. GOLDWATER. I apologize to the Senator for interjecting at this point, but I believe that we are laboring under a false apprehension in this country as to what President Nixon has actually done.

The Senator from Colorado has been in the military and he knows that our backup strength is always greater than our ground forces, in a ratio of 5 or 6 to 1. In the Air Force, that varies, but generally it is 20 to 1. That is 5 or 6 men in the backup strength to 1 who is subjected to a possible casualty. In the Air Force the 20 to 1 applies to the pilot, the radarmen, and so forth.

Everyone knows that there were 500,000 men in Vietnam and that the President has brought home 50,000. It is my humble opinion that very few of the men left in Vietnam will be exposed to the possibility of casualties, except in the Air Force. The possibility of casualties in the Air Force is much less than for ground forces.

I think that we must get this difference broken down. I have made statements publicly, which have not been challenged, on this point. I just want to bring it up, and emphasize that what a majority of my colleagues seem to be looking at is the figure of roughly 500,000 men. That number of men is not subject to daily exposure to enemy fire.

The President has done a remarkably fine job of carrying out his promise to bring the men home who have been exposed to the possibility of becoming a casualty; namely, the ground forces and the Marines.

I want to inject that thought into this debate and I thank the Senator from Colorado very much for letting me do so.

Mr. DOMINICK. I thank the Senator from Arizona. He is making a valuable contribution to this discussion.

Mr. President, we are making progress toward disengagement in all of Southeast Asia. For example, following his meeting with President Nixon on July 29, the Thailand Prime Minister announced that the 47,000 U.S. troops in Thailand would be gradually withdrawn. And that is being done. But I disagree that we should try to impose on the President any timetable for complete withdrawal, either from Saigon or elsewhere. That should be at his discretion.

At his news conference on September 26, the President rejected the idea of an arbitrary cutoff, saying:

> I know they were made with the best of intentions. However, it is my conclusion that if the Administration were to impose an arbitrary cutoff time, say the end of 1970, or the middle of 1971, for the complete withdrawal of American forces in Vietnam, that inevitably leads to perpetuating and continuing the war until that time and destroys any chance to reach the objective that I am trying to achieve of ending the war before the end of 1970 or before the middle of 1971. I think this is a defeatist attitude, defeatist in terms of what it would accomplish. I do not think it is in the interest of the United States.

The Wall Street Journal, in its editorial on October 2, brought out some very valid points on the subject of imposing an arbitrary cutoff. I ask unanimous consent that this editorial, entitled, "The Measure of Tragedy," be printed as part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE MEASURE OF TRAGEDY

Emotionally all Americans recognize the Vietnamese war as a tragedy, but intellectually they have trouble grasping the concept. They cling to the typically American belief that if they find the right combination of levers there will be an easy way to end the agony.

In this respect Senator Charles E. Goodell's resolution calling for the withdrawal of all U.S. forces by December 1970 is better than most. The policy it would mandate is absolutely cogent: Wash our hands of the affair and hang the consequences. We think the Senator vastly underestimates those consequences, but the starkness of his proposal is an important contribution to intelligent debate. At least he proposes an alternative that does exist.

We're not at all sure the same thing can be said for more "moderate" proposals for ending the war. Some apparently serious people seem to believe, for example, that it can be ended by offering to give the Vietcong a "fair share" of political power in the South, which we imagine would be somewhere around 20%. Some people even profess to think that once this is done free and honest elections can follow.

This is, among other things, an insulting underestimation of our antagonist. He is not a bandit who can be bought off with a few cabinet posts. He is a zealot who religiously believes that the majesty of history entitles him to rule Indochina. From his standpoint, the only honorable thing to do with partial power will be to use it as a stepping-stone in his drive for total power, and he will continue that drive by all means including shooting and killing whenever he deems the moment ripe.

To end an encounter with that kind of foe through an honest compromise simply does not fit the tragic themes the script has followed so far. Our role and our honor, of course, call for continuing to strive for such a compromise. But we need not delude ourselves; it is likely to prove a mirage.

To Senator Goodell's credit, he recognizes as much. Also to his credit, he is responding to the gut question: If no compromise settlement is forthcoming, what do we do then? Further, his answer of complete and unilateral withdrawal would end the American casualties in this particular war. But we very much doubt it would provide a happy ending.

The Communists would take over South Vietnam by military force, which would be a cheap enough price if the international effects stopped there. But just as the American debacle at the Bay of Pigs helped prompt the Soviet initiatives leading to the Cuban missile crisis, so we expect American defeat in Vietnam would encourage the adventurists throughout the Communist world. We do not know whether the next crisis would break out in Thailand, Berlin, South America or elsewhere, but we do feel that over the long run a show of American irresolution is likely to result in worse crises, not easier ones.

A Communist take-over in Saigon also would be likely to make American domestic discord worse—not better as is so often and so glibly suggested. Judging by what happened subsequent to Communist victory in North Vietnam and during Communist occupation of Hue during 1968, we can assume their victory in the South would lead to the massacre of several hundred thousand South Vietnamese whose crime was putting their trust in the United States of America. Those who talk about whether continued war is "politically acceptable" might also ponder whether the American people will reelect a President who presides over such a spectacle.

Reelection of any particular President, to be sure, is only symptomatic of the broader political-social costs at issue. Yet precisely in these broad terms, we see little in world history to suggest that military defeat is good for a nation's domestic problems, and little in the bitter aftermath of the Korean War stalemate to suggest that this nation is one of the exceptions. Some generals are already saying they could have won the war if unleashed. And as is being more widely recognized, white-working-class America is already seething with discontent against the prevailing establishment. For our part, we have no desire to see what, say, George Wallace could do with a stab-in-the-back theme.

If these are the likely costs of traumatic withdrawal, it's easy to understand why the Nixon Administration is withdrawing only gradually and carefully. If negotiations continue to yield no result, it seems likely the Administration will continue to pare down U.S. combat forces—looking less to complete withdrawal than to maintaining a smaller and less burdensome force, but still one large enough to help the South Vietnamese prevent a Communist victory.

This course too has obvious risks. For one thing, as Joseph Alsop has been pointing out recently, the Communists might again send full divisions across borders to fall on the smaller U.S. forces. At worst, there could be an outright military defeat. At best, careful withdrawal guarantees no quick end to the war, only a reduction in the U.S. participation.

The Administration's evident course obviously is no happy one, but it looks a little better when you also look clearly at the alternatives. It makes more sense if you understand there is no magic combination of levers, that there is no easy way out, that this war is indeed a tragedy in the full sense of that word.

Mr. **DOMINICK**. Mr. President, a United Press dispatch from Saigon, datelined October 6, 1969, quotes Vietnamese President Thieu as saying in a speech to the National Assembly:

> South Vietnam is determined to replace the bulk of the U.S. fighting units in 1970.

This certainly indicates that we are making progress in getting the South Vietnamese to take over entirely their own defense.

Other critics of the President's efforts to end the war have suggested that he should impose a unilateral cease-fire, directing our troops to fire only if fired upon. President Nixon answered that proposal at his news conference on June 19, saying:

> I have checked the situation with regard to our operations as compared with the enemy's since this Administration took over. I find that our casualties are in direct ratio to the level of enemy attacks. We have not escalated our attacks. We have only responded to what the enemy has done.

In his column in the Washington Post of October 7, 1969, the noted columnist David S. Broder satirically discusses the current situation under the title: "A Risky New American Sport: 'The Breaking of the President.'" I ask unanimous consent that Mr. Broder's article be printed at this point in the RECORD as part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A RISKY NEW AMERICAN SPORT: "THE BREAKING OF THE PRESIDENT"

(By David S. Broder)

CAMBRIDGE, Mass.—If there are any smart literary agents around these days, one of them will copyright the title "The Breaking of the President" for the next big series of nonfiction best-sellers. It is becoming more obvious with every passing day that the men and the movement that broke Lyndon B. Johnson's authority in 1968 are out to break Richard M. Nixon in 1969.

The likelihood is great that they will succeed again, for breaking a President is, like most feats, easier to accomplish the second time around. Once learned, the techniques can readily be applied as often as desired—even when the circumstances seem less than propitious. No matter that this President is pulling troops out of Vietnam, while the last one was sending them in; no matter that in 1969 the casualties and violence are declining, while in 1968 they were on the rise. Men have learned to break a President, and, like any discovery that imparts power to its possessors, the mere availability of this knowledge guarantees that it will be used.

The essentials of the technique are now so well understood that they can be applied with little waste motion.

First, the breakers arrogate to themselves a position of moral superiority. For that reason, a war that is unpopular, expensive and very probably unwise is labeled as immoral, indecent and intolerable. Critics of the President who are indelicate enough to betray partisan motives are denounced. (That for you, Fred Harris.) Members of the President's own party who, for reasons perhaps unrelated to their own flagging political careers, catapult themselves into the front ranks of the opposition are greeted as heroes. (Hooray for Charley Goodell.)

The students who would fight in the war are readily mobilized against it. Their teachers, as is their custom, hasten to adopt the student's views. (News item: The Harvard department of biochemistry and molecular biology last week called for immediate withdrawal from Vietnam.)

Next, a New England election (the New Hampshire primary is best but the Massachusetts Sixth Congressional District election will do as well) surprisingly shows that peace is popular at the polls. The President's party sees defeat staring it in the face unless it repudiates him, and the Harris poll promptly comes along to confirm his waning grip on public trust. The Chief Executive, clearly panicky, resorts to false bravado and says he will never be moved by these protests and demonstrations, thus confirming the belief that he is too stubborn to repent and must be broken.

And then, dear freinds, Sen. Fulbright and the Foreign Relations Committee move in to finish off the job.

All this is no fiction; it worked before and it is working again. Vietnam is proving to be what Henry Kissinger once said he suspected it might be—one of those tragic, cursed messes that destroys any President who touches it.

That being the case, and President interested in saving his own skin would be well-advised to resign his responsibility for Vietnam and publicly transfer the assignment of ending the war to Congress or the Vietnam Moratorium Committee or anyone else who would like to volunteer for the job.

But he cannot. And that is the point the protesters seem to overlook. Assume that they and the President are both right when they assert the time has come to end this war. Assume that the protesters know better than the President how to do so—despite the conspicuous absence of specific alternatives to the President's policies in their current manifestos.

There is still a vital distinction, granting all this, to be made between the constitutionally protected expression of dissent, aimed at changing national policy, and mass movements aimed at breaking the President by destroying his capacity to lead the nation or to represent it at the bargaining table.

The point is quite simple. Given the impatience in this country to be out of that miserable war, there is no great trick in using the Vietnam issue to break another President. But when you have broken the President, you have broken the one man who can negotiate the peace.

Hanoi will not sit down for secret talks with the Foreign Relations Committee. Nor can the Vietnam moratorium's sponsors order home a single GI or talk turkey to Gen. Thieu about reshaping his government. Only the President can do that.

There is also the matter of time. It is one thing to break a President at the end of his term, as was done last year. It is quite another thing to break him at the beginning, as is being attempted now.

The orators who remind us that Mr. Nixon has been in office for nine months should remind themselves that he will remain there for 39 more months—unless, of course, they are willing to put their convictions to the test by moving to impeach him.

Is that not, really, the proper course? Rather than destroying his capacity to lead while leaving him in office, rather than leaving the nation with a broken President at its head for three years, would not their cause and the country be better served by resort to the constitutional method for removing a President?

And what a wonderful chapter it would make for Volume 2 of "The Breaking of the President" series.

Mr. **DOMINICK**. Mr. President, in the October 13, 1969, issue of Newsweek, Mr. Stewart Alsop has made an excellent assessment of the problems confronting President Nixon and the leaders of the free world over the war in Vietnam. I ask unanimous consent that Mr. Alsop's article, entitled "The President On Vietnam," be printed in the RECORD as part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE PRESIDENT ON VIETNAM

(By Stewart Alsop)

WASHINGTON.—"I'm not going to be the first President to preside over an American defeat."

President Nixon has made this declaration, or something like it, to many recent visitors. He made it to the Republican Congressional leaders who discussed Vietnam policy with him last week, and he also made it to this reporter, who saw him briefly and unexpectedly after a White House talk with Presidential aide Henry Kissinger. To all his visitors, the President has made it clear that he has given a great deal of very hard thought to the courses open to him in Vietnam, and that he has now arrived at certain conclusions which he is not at all likely to change.

The basic conclusion is simple—that a

"humiliation" of the United States in Vietnam, or even a defeat which could be disguised for a year or two, would have genuinely disastrous consequences both abroad and at home. What worries him most are the consequences at home.

If the American people were told that the loss of Vietnam would lead to the loss of Thailand, or the Philippines, or Indonesia, he has remarked rather ruefully, a great many of them would respond with a "ho hum." The great danger, he feels, is that as a result of a humiliating defeat by a small agrarian country, the United States would lose, not merely the respect of the rest of the world, but its own self-respect and self-confidence. As a result, the United States, the "main prop" of the whole non-Communist world since Britain ceased to be a great world power, would abandon its world responsibilities, and turn angrily in upon itself.

UNDERSTANDING

The President is further convinced, partly as a result of his travels abroad since he became President, that the leaders of the non-Communist world understand this danger thoroughly, although some of them for political reasons criticize the American role in Vietnam. The President has remarked to visitors, for example, that Indira Gandhi of India told him that the last thing India wanted was to see American humiliated in Vietnam. Golda Meir of Israel ("What a woman—I'm glad she's on our side," he remarked recently) also fully understands the disastrous world implications of an American defeat in Vietnam, and so do the Western European leaders.

He tells of one European who "talks very dovish for home consumption," but who told the President in private that an American defeat in Vietnam would be a great disaster for Europe. Already, the President points out, there is heavy pressure on him to bring several divisions home from Europe, and in the wake of an American defeat in Vietnam, the pressure to abandon Europe entirely would become heavier still.

The President has no illusions at all about the extent to which the "leadership groups" in the United States now favor a policy of extrication from Vietnam at any cost. He is unhappily aware, for example, that no single college president has taken a firm stand against the demand for "immediate withdrawal" from Vietnam by the Oct. 15 moratorium movement.

MAJORITY

He is also, of course, aware that the Majority Leader of the Senate, the chairman of the Democratic National Committee, and all five Democratic senators with Presidential aspirations—as well as several influential Republicans—have endorsed the moratorium. But he appears to be convinced that a majority of the Congress—and a majority of the people—are on his side.

For example, he believes that if the Goodell resolution to withdraw all U.S. troops from Vietnam next year ever comes to a vote, it will be beaten and beaten very badly. The Senate is perfectly aware, he has told visitors, that if such a resolution passes, Henry Cabot Lodge might just as well be summoned back from Paris, since there will be no hope at all of a negotiated settlement.

The President points out to visitors that he has offered to negotiate on all points; that the American Government has proposed an international electoral commission including Communists; and promised also to abide by the results of any election, even if the Communists win it. Moreover, the Saigon government has agreed to these propositions, something, he says, that would have been hard to imagine even a few months ago.

Abroad, he has said, even the peace groups have been pretty quiet, because it is so generally realized that it is the Communist side that is really refusing to negotiate. He is not sure that enough has been done to explain his policy at home.

He denies that he has "fallen into the Johnson quagmire," and although he refuses to criticize the former President, he says that the Johnson policy has now been turned right around. Already, he points out, some 15 per cent of the American combat troops are on their way home. The President never talks in specific terms of further withdrawals—perhaps because on that point he has not made up his own mind—but those who have seen him have little doubt that the 1970 withdrawals will be much heavier than this year's.

When the American people realize that his policy is to reach a compromise settlement if possible, and, if that is impossible, to withdraw in such a way as to give the people who have fought on our side a fighting chance to survive and prevail, a majority of Americans will support the policy, or so the President believes. In any case, he says, he is not going to be influenced in his policy by violence or demonstrations, and he is not going to be influenced by his standing in the polls either.

Hanoi, he says, certainly expects that what happened to President Johnson will happen to him—and Hanoi could even be right. But he will be President and Commander in Chief for more than three more years—that is one basic difference between his situation and President Johnson's. And even if his standing in the polls falls lower than President Johnson's, he tells visitors, he is simply not going to accept humilitation or defeat for the United States, come what may.

CONVICTION

A President can never be entirely candid with close friends, let alone casual visitors and political acquaintances. A President who knows his business uses words not only to express his meaning, but to produce an effect. One effect that President Nixon certainly wants to produce is to persuade the Communists that it is no use waiting for South Vietnam to fall into their laps; and that it will therefore be in their interest to begin at long last to negotiate seriously.

Moreover, it is in the President's political interest to appear staunch and resolute, especially since there is a clear risk that his policy of sharply cutting back the American commitment in Vietnam might have a bad military or political result. For such reasons, a certain skepticism about the President's neo-Churchillian tone has seemed justified. But after careful inquiry, I am convinced that the prospect of American humiliation and defeat during his Presidency really *is* intolerable to Richard Nixon, and that he really does mean what he says.

Mr. DOMINICK. Mr. President, I think it is time that these critics realize that this administration is trying its best to achieve peace in Vietnam just as soon as possible, but in order to accomplish that, it must be able to retain all of its options.

One such option is to make greater use of our air and sea technology. We can continue withdrawing our ground troops providing we use our airpower to cut off supplies to the enemy forces from North Vietnam. This would not involve accelerating the ground war, but would rather serve to reduce it.

While I am not advocating that it be one, another option that the administration has and should keep is the option to seal off Haiphong harbor to stop the flow of military supplies coming in there.

Our area of superiority in any landlocked place such as Southeast Asia lies with our airpower and our naval power. We do not have that kind of superiority in ground combat, and therefore must maintain our options to use our superior capabilities.

The fact that we have these options, whether we use them or not, is valuable for our side at the bargaining table. That is where we need all the cards in our hand, especially now that there seems to be more prospect for progress toward peace. As the President said in his news conference on September 26:

> The United States has made a far-reaching and comprehensive peace offer, a peace offer which offers not only mutual withdrawal of forces, internationally guaranteed cease-fires, internationally supervised elections in which we will accept the results of those elections and the South Vietnamese will as well, even if it is a Communist government, and by making that offer we have reversed the whole tide of world public opinion.

Mr. President, I think it is time to demonstrate our unified desire for peace.

Mr. President, while we were engaged in this debate, I had delivered to my desk a copy of a proposed speech by the Senator from Utah (Mr. Moss). In the process of the speech he says that we are not going to work and that the combination of peace talks in Paris, Vietnamization of the battlefield, and cautious U.S. troop withdrawals is not working. He says it has not worked because the South Vietnamese Government has not broadened its base. In what way? What is he talking about? He is talking about bringing Communists into their government. This is the one thing we have been trying to prevent—at least, not to put them in unless it is done by free elections. This is something that the South Vietnamese have stated and that we ourselve have guaranteed. And yet we still hear nothing from North Vietnam in order to get moving on peace negotiations, in order to be able to do something about a breakthrough at Paris.

In order to be able to persuade the enemy that we have options other than unilateral withdrawal, I would recommend that we talk more about the other options that we have available to us, and less about the total and immediate unilateral withdrawal by us.

Mr. PEARSON. Mr. President, will the Senator yield?

Mr. DOLE. I am glad to yield to my distinguished colleague from Kansas.

Mr. PEARSON. I thank my distinguished colleague. While I was necessarily in committee as the only member of the minority in the Commerce Committee, I had read the speech of my colleague with a great deal of interest and a great deal of pride. He has outlined, in a most succinct and persuasive way the President's position, particularly with regard to the May 14 speech, and then reiterated those points in a formal fashion in the resolution he has submitted today with so many cosponsors. I think he sets forth his purpose in a most simple form. He states in his speech that—

> By passing this resolution, the Senate can make known to the government of North Vietnam and the National Liberation Front that this country is determined to negotiate a settlement in Vietnam.

Mr. President, to say I am unhappy and troubled by this war is only to reiterate what I believe most people in Kansas feel, and it is manifested by the hopes and aspirations of my colleague from Kansas. It takes seconds to break a peace. It takes years to get that peace again. I think this is a commendable contribution to that cause. I again commend my colleague.

Mr. DOLE. Mr. President, I submit the resolution and ask unanimous consent that it be printed in the Record; and I also ask unanimous consent that the names of the sponsors and cosponsors be listed.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, without objection, the resolution and the names of the sponsors and cosponsors will be printed in the Record.

The resolution (S. Res. 271) relating to peace in Vietnam, was received, referred to the Committee on Foreign Relations, and ordered to be printed in the Record, as follows:

S. Res. 271

Resolved, That it is the sense of the Senate that the Government of North Vietnam and the National Liberation Front are urged to take promptly the following steps:

(1) Acknowledge that a just and mutually-agreed settlement is the best hope for a lasting peace;

(2) Show at the Paris peace talks the same flexibility and desire for compromise which the Allies have clearly demonstrated over the past year;

(3) Agree to direct negotiations between representatives of the National Liberation Front and of the Government of the Republic of Vietnam as proposed by the latter;

(4) Withdraw their insistence on Allied surrender through their demand for the overthrow of the Government of the Republic of Vietnam before genuinely free elections could be held;

(5) Provide information on the status of U.S. Prisoners of War held in North Vietnam and by the National Liberation Front, and give evidence that these prisoners are being treated humanely in accordance with the provisions of the Geneva Convention.

Further Resolved, That it is the sense of the Senate that the United States must maintain its one fundamental goal in Vietnam of peace, with self-determination for the South Vietnamese people.

The names of cosponsors of Senate Resolution 271 ordered to be printed in the Record, are as follows:

The Senator from Colorado (Mr. ALLOTT), the Senator from Tennessee (Mr. BAKER), the Senator from Oklahoma (Mr. BELLMON), the Senator from Utah (Mr. BENNETT), the Senator from Delaware (Mr. BOGGS), the Senator from Nevada (Mr. CANNON), the Senator from Kentucky (Mr. COOK), the Senator from Nebraska (Mr. CURTIS), the Senator from Colorado (Mr. DOMINICK), the Senator from North Carolina (Mr. ERVIN), the Senator from Arizona (Mr. FANNIN), the Senator from Hawaii (Mr. FONG), the Senator from Arizona (Mr. GOLDWATER), the Senator from Michigan (Mr. GRIFFIN), the Senator from Florida (Mr. GURNEY), the Senator from Wyoming (Mr. HANSEN), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Nebraska (Mr. HRUSKA), the Senator from Idaho (Mr. JORDAN), the Senator from Wyoming (Mr. MCGEE), the Senator from Maryland (Mr. MATHIAS), the Senator from Iowa (Mr. MILLER), the Senator from South Dakota (Mr. MUNDT), the Senator from California (Mr. MURPHY), the Senator from Kansas (Mr. PEARSON), the Senator from Illinois (Mr. PERCY), the Senator from Ohio (Mr. SAXBE), the Senator from Pennsylvania (Mr. SCOTT), the Senator from Maine (Mrs. SMITH), the Senator from Illinois (Mr. SMITH), the Senator from Alaska (Mr. STEVENS), the Senator from South Carolina (Mr. THURMOND), and the Senator from Texas (Mr. TOWER).

Mr. GRIFFIN. Mr. President, will the Senator yield?

Mr. DOLE. I yield to the Senator from Michigan.

Mr. GRIFFIN. Mr. President, I want to commend the distinguished Senator from Colorado and associate myself with his very timely and lucid remarks today.

In all matters dealing with the tragic war in Vietnam and the perplexing problems of national defense and national security, the distinguished Senator from Colorado has brought to our deliberations a voice of reason.

I remember it was not too long ago that he appeared on the Senate floor, at considerable risk to his health, to take part in one of the important debates on national security. That indicated in some measure his deep concern and his dedication to duty as a U.S. Senator.

I subscribe fully to what the distinguished Senator has said with regard to the need for support of President Nixon in his sincere and continuing efforts to secure peace in Vietnam.

I ask unanimous consent that two newspaper articles be printed at this point in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Nashville (Tenn.) Banner, Oct. 8, 1969]

NIXON HAD NO PART IN CREATING SORRY MESS IN VIETNAM

Democratic senators, et al., tuning up with their national chairman for louder blasts at President Nixon's Vietnam policy, would have done well to have heeded instead the sage counsel of Majority Leader Mike Mansfield. By more than inference it was advice—inseparable from the opinion he expressed:

"I think the President is doing everything he can, according to the best advice he can get, to get out of Vietnam. It is not a partisan issue. It is something we must all try to work toward a solution of, and I am hopeful it can be accomplished in the not too distant future."

If such party colleagues as National Chairman Fred Harris, Sen. Edward M. Kennedy (Senate Whip), J. William Fulbright, et al., heard it, they gave no sign. By Harris' signal-calling, October is the big month for a frontal policy assault—with no holds barred. Characteristically they were talking when they should have been listening; and when they could have been examining for previous party shoals the cross-currents on which they were blithely embarking.

Republican Chairman Rogers C. B. Morton wound up and let them have it Tuesday squarely between the eyes. He recalled some facts about when, how, and by whom, the United States got involved militarily in that war. The quotes suffice, as a matter of record, with which the nation is acquainted:

"Democratic administrations committed over a half million U.S. troops to a war in Vietnam.

"It was Ted Kennedy who supported President Kennedy's escalation in Vietnam, and Fred Harris who supported Hubert Humphrey on Vietnam, and Hubert Humphrey who supported President Johnson's proposals.

"It is President Nixon who has ordered 60,000 out of Vietnam, and who has cut draft calls by 50,000."

Raucous voices in the Harris-Fulbright-Kennedy corner won't be restrained by any appeal to reason or statesmanship issued by the Senate Majority Leader, though Senator Mansfield could wish his party Whip would grow to a stature of judgment and maturity suited to that office. In the interest of a nation confronting a matter that transcends partisanship, he devoutly could wish that.

He counselled wisely, but has been ignored by these colleagues.

In the eyes of a nation that knows the score—and the record cited—hardly can they ignore the fact that they have been hit by their own boomerang of political mischief.

How did the United States get into that war?

In his "Editor's Notebook" column on Sept. 28, John S. Knight, head of the Knight Newspapers, published the significant background of that involvement:

"Some readers have questioned my statement that the late Ngo Dinh Diem, first president of South Vietnam, was 'largely an American creation, promoted by the late Francis Cardinal Spellman and financed by the Hon. Joseph P. Kennedy.'

"Former Sen. Wayne Morse of Oregon explains that 'it was Cardinal Spellman who arranged for a public relations firm to build up Diem as the Catholic puppet of South Vietnam, and that Diem's brother, the Catholic bishop of Saigon, beat a path to Spellman's door to promote the war'.

"Drew Pearson reported that Cardinal Spellman enlisted the support of Joseph P. Kennedy, a heavy contributor to Spellman's charities, to hire the Harold Oram public relations firm, at a fee of $3,000 a month, to represent Diem as 'the man who could save Vietnam.' The Cardinal helped organize 'the American friends of Vietnam' to promote Diem and American aid.

"Ironically, when Ngo Dinh Diem proved to be a liability to the Kennedy administration, he was assassinated in 1963 and without protest from the U.S. government.

"The unpopular Ngo Dinh Diem, noted for highhanded edicts enforced by corrupt subordinates, was once described by Lyndon Johnson as 'the Winston Churchill of Southeast Asia.' "

Subsequent to such a start of this thing, the late President John F. Kennedy committed the first 16,000 U.S. troops. And it might incidentally be recalled that it was then-Defense Secretary Robert Strange McNamara and his successor, Clark M. Clifford, who over so many years, conducted the war in a manner that denied to the military any victory which is the one essential of combat.

This is the sorry story of U.S. involvement in that stinking mess, for none of which can Richard Nixon or his administration bear the slightest blame.

[From the Washington Star, Oct. 10, 1969]

CRITICS ASKING UNITED STATES TO SURRENDER

(By David Lawrence)

For the first time in American history, some members of Congress as well as a number of protesting groups are demanding that the United States run up the white flag and yield to the enemy in Vietnam after many American lives have been sacrificed for a great principle—to repel aggression and aid weaker nations to determine their own destiny.

No public opinion poll has directly asked the question whether the American people favor surrender. The customary queries have been whether the war is being handled properly or if it should be brought to an end, without reference to how this could be achieved. The issue has not been clearly put to the people. If it were, undoubtedly Americans would reject any humiliating policy amounting to "peace at any price."

Resolutions are being offered in Congress and are being supported by various organizations which plan "demonstrations" in many cities on October 15 to insist that the United States make peace at once. Not a single one of these proposals requires as a condition any reciprocal action to be taken by the North Vietnamese. In Paris this week, both North Vietnam and the Viet Cong have deliberately ignored peace efforts made by the United States, and are offering no concessions whatsoever.

The forthcoming "Protest Day" in the United States—next Wednesday—is being hailed by the Communists as a sign that the American people are willing to surrender. Seventeen senators and 47 House members are supporting the projected "demonstrations."

The chief American delegate at Paris, Henry Cabot Lodge, has been pleading in vain for talks that would accomplish constructive purposes, but the opposing delegations at the Paris conference have been turning a deaf ear. The negotiators of the North Vietnamese government instead are placing of American opposition to the war. One of the Hanoi representatives say that support is snowballing in the United States in behalf of the Communists.

Almost every week some members of the Senate and the House call for a more and more rapid pullout of American forces by President Nixon, but not one of them imposes any condition on the enemy to take the action necessary to assure peace in South Vietnam. Timetables are being specified by senators for the withdrawal of the American troops, yet no stipulation is made that the enemy must also remove its military forces from South Vietnam.

Meanwhile, there is much talk about a "coalition government" being set up which could replace the present government in South Vietnam and make it easy for North Vietnam to move in and assume command. Secretary of Defense Melvin Laird recently stated President Nixon's policy as follows:

"We hold firmly to a single objective for Vietnam: permitting the people of South Vietnam freely to determine their own destiny. We want peace as speedily as possible, but we cannot acquiesce to a peace that denies self-determination to the South Vietnamese."

The advocates of peace at any cost would, in effect, allow the South Vietnamese government to be destroyed. Yet it has mobilized a large army, and what some members of Congress seem to be asking is that this force surrender to the enemy.

A Gallup Poll recently showed 52 percent approval when the question concerned "the way President Nixon is handling the situation in Vietnam." One wonders how much bigger the percentage would be if an answer were obtained on the following question:

"Do you want the United States to surrender in Vietnam, and thereby ignore the sacrifices that have been made by tens of thousands of troops of the United States and our allies who have been killed or wounded in an effort to protect the right of peoples to select their own form of government?"

All the so-called "antiwar" statements being made inside and outside of Congress are unquestionably encouraging the North Vietnamese and the Viet Cong to prolong the war. If this fact, which has been stated by high authorities, were to be reiterated and made plain to the American people, they would surely not support any resolution in Congress that could mean surrender. For to do so would tell the Soviets and the Red Chinese that America would no longer help countries to resist aggression whether in Asia, Europe or Latin America.

Mr. DOMINICK. Mr. President, I thank the Senator from Michigan for his kind remarks.

Mr. DOLE. Mr. President, before I yield the floor, I want to say that we have 34 cosponsors. I urge Senators who have not done so to join with me. Let me state simply that, as far as I am concerned, this resolution brings the entire matter into proper perspective, and when the Foreign Relations Committee has hearings on other resolutions, I trust it will consider this one.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. DOLE. I yield.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. Mr. President, I ask unanimous consent that the Senator may have 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUNDT. Mr. President, I congratulate the Senator from Kansas on his initiative in preparing this resolution, of which I am happy to be a cosponsor. It seems to me it should help bring this matter into perspective. Surely, if we are to have Foreign Relations Committee consideration of resolutions dealing with Vietnam, it seems to me the resolution of the Senator from Kansas and Senators supporting it are entitled to the same consideration.

As a member of the Foreign Relations Committee, I shall be happy to make sure that if the witnesses are available, or if the Senator from Kansas will supply them, or if Senators who have cosponsored the resolution want to be heard, they will be heard by the Foreign Relations Committee.

Mr. President, I ask unanimous consent to include at this point in the Record two recent news article from Joseph Alsop. He has had a whole series of articles in connection with Vietnam recently. I think it should be said of Mr. Alsop that he, more than any other American reporter, has extensively covered the terrain of Vietnam.

There being no objection, the articles were ordered to be printed in the Record, as follows:

Vietnamization Working Well but Limits Must Be Understood

(By Joseph Alsop)

At this strange juncture, President Nixon is actually being denounced for saying that he does not wish to be the first American President to lose a war. Maybe, therefore, truthfulness is tactless.

Yet the hard, on-the-spot facts in Vietnam make it a duty to tell the plain truth, which is that the President can perhaps lose the war if he handles his "Vietnamization" program in the wrong way. It is a fine program, and it is working very well indeed, so far. But it has its own clear limits, and these must be understood.

This reporter had better confess at the outset that he went to Vietnam unhappily convinced that the U.S. troop withdrawals already made, in the name "Vietnamization", must certainly have caused heavy military setbacks. Happily, however, that pre-judgement turned out to be entirely erroneous.

No troop withdrawal, of course, can ever be a net plus until a war has been successfully ended. The now-withdrawn brigade of the 9th Infantry Division, for instance, that had been operating in Dinh Tuong province in the delta, had genuinely become superfluous in Dinh Tuong. But there were other provinces where this brigade of the 9th Infantry would surely have greatly accelerated the terrible erosion of the whole VC structure, which is now the key feature in Vietnam.

On the other hand, there is much more to be said for making the South Vietnamese feel they must carry the main burden on their own, without big brother to come to their aid at all times. And above all, the two troop withdrawals to date have not exceeded prudent limits.

If the President is not over-hasty, moreover, further very massive withdrawals of U.S. units in Vietnam will eventually become both safe and prudent. The test, in all cases, must be whether erosion of the local VC structure has finally reached the point of no return.

But there are also two big fakes in the announced theory of "Vietnamization", as distinguished from the practice to date. To begin with, it is faking to pretend that providing M–16 rifles has given the South Vietnamese army's divisions the same fighting power as American divisions.

Even with the aid of the U.S. helicopter companies left behind after Vietnamization, the ARVN divisions have far less mobility than the better U.S. divisions. They also have only about one-quarter of the mobile artillery support; for the other three-quarters of every ARVN division's artillery is tied down in fixed positions. This tied-down artillery in fact supports the territorial forces, rather than the division's regiments and battalions. That is the first fake.

The second fake, which is much more dangerous, lies in the fact that the enemy now has 233 maneuver battalions in South Vietnam, against only 168 ARVN maneuver battalions. The numbers are about even in the delta. But in the other corps areas, accordingly, the disproportion ranges from about five-to-three all the way up to nearly two-to-one. The disproportion, therefore, means that some (though not many) U.S. units will have to stick around until Hanoi ceases its massacre of the south.

Where Hanoi has two maneuver battalions against one ARVN battalion, after all, nothing on earth will prevent an eventual breakthrough by Hanoi's battalions. And the worst of it is that the President is obviously strongly tempted to leave ARVN to fight on these terms, in precisely the provinces where the situation is now most favorable.

Some key people in the administration, reportedly including the State Department leaders, are apparently arguing, in effect, that you cannot Vietnamize without accepting some setbacks. But these people plainly are unable to envision the kind of setback they are talking about.

In the provinces in question, the VC structure has been almost wholly uprooted from the populated areas. The people are living in peace for the first time in many years, with their own elected hamlet and local governments, under the sole protection of the little RF companies and PF platoons of the territorial forces. But let big enemy units once break through into these new areas of peace; and everything that has been built up will be smashed down for good.

It will be smashed down for good because the people have put their confidence in their government and the U.S. government; if they see the territorial forces and the elected hamlet and village governments massacred before their eyes, that confidence will never be restored again. So the other test of prudent American troop withdrawals until Hanoi ceases to invade the south is whether the

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people who have given us their trust will still be adequately protected.

Hanoi's Infiltration "Drop" Reflects Manpower Losses

(By Joseph Alsop)

Imagine the United States shipping off to a foreign war, in a single year, and with only a minimal chance of ever coming home again, all the able-bodied young men who reached draft age in 1965, 1966 and 1967!

It is something this country has never done, thank God, so it is pretty hard to imagine. Yet it is almost the exact equivalent of what Hanoi did in the year 1968, when the exports of North Vietnamese military manpower were enormously increased to sustain the Tet and subsequent offenses—all of which were military disasters.

To cite the underlying facts very briefly, North Vietnam, with its much smaller population than ours, is officially estimated to produce an annual "year-class" of about 125,000 able-bodied young men. Thus three year classes are 375,000 men.

Throughout 1968, North Vietnam's manpower exports to the war in the South (usually miscalled "infiltration") ran at the average rate of around 29,000 men per month. Thus that year's total export of manpower by Hanoi was just under 350,000 men, or hideously close to three entire year-classes, as stated above.

This is the essential context in which to judge all the current double-talk about "reduced infiltration," and peaceable "signals" from Hanoi, and so on and on. Any government that was not wholly inhuman and irrational, would be inclined to stop, look and listen after throwing almost three entire year-classes of its young men down the drain, to no good military purpose.

This is, in fact, what Hanoi has done this year. In the first six months of 1969, the North's manpower exports were cut back to around 10,000 men per month. Since then, they have been again cut back, so that they have recently been fluctuating between 3,500 and 4,000 men per month.

Hanoi's theory, justifying the cutbacks, was the famous reversion to "protracted war," waged by small units with low losses. This was advocated by the Chinese, and quite probably by Gen. Vo Nguyen Giap, at the time of the U.S. intervention in 1965. Unfortunately, for Hanoi, the theory of reversion to "protracted war," which might well have worked very well in 1965, seems to be working very badly indeed in 1969.

In the ways described in the last report in this space, the Vietcong structure in South Vietnam, Hanoi's most precious asset, is everywhere being eroded at a serious rate. In a few provinces and districts, this V.C. structure has in fact been just about destroyed already.

In all provinces, continuance of the present rate of erosion will leave the V.C. structure crippled, or even in danger of final collapse, by some time next spring. Yet the Vietcong structure in the South is, by definition, the essential, indispensable apparatus that Hanoi must depend upon to wage "protracted war." You can hardly carry on a guerrilla war without guerrillas.

There is a rather direct link, moreover, between the erosion of the V.C. structure and the reduced rate of North Vietnamese manpower exports. Because exports are so far down, the enemy's big units in South Vietnam are in general cruelly depleted. Battalions with no more strength than a reinforced company, regiments with no more strength than a reinforced battalion, have become all too common. No wonder, since so few replacements have been coming in!

Because the big units are so depleted, too, they are generally in refuge in remote base areas, or they have broken down into small groups of men with no mission except survival. Hence they are no longer performing one of their main functions. This is to take the brunt of the fighting, and thereby to give some protection to the V.C. structure.

Such, then, in simplest terms, is the problem that now faces Ho Chi Minh's quarreling heirs in Hanoi. If they do not greatly increase their manpower exports, the V.C. structure in the South will have no protection at all, and will continue to be eroded as at present. But if they do increase their manpower exports to mount another offensive effort, they are pretty sure to expend still another year-class—and once more to no purpose.

It is anyone's guess what Hanoi will do. There is only a single fragment of solid evidence to date: the return from North Vietnam of the 559 Transport Group, which used to be in the Ashau Valley. The 559 group has been heavily augmented, and has been sent down to Chepone, on the Laos trail.

This points to what can only be called another February-March spasm of effort by the North. But with any luck at all—unless President Nixon's troop withdrawals are overhasty—the new spasm should produce even fewer results than the spasm in February-March of this year. If so, Hanoi will again confront the same old dilemma after the spasm is over.

Mr. MUNDT. Mr. President, here we have the eyewitness report of a reporter who has talked with more people in Vietnam, covered more areas in Vietnam, and spent more time on the scene in Vietnam than any other American reporter. So it would appear that his observations should be relevant to this general discussion of Vietnam policy and should carry far more weight than the comments of editorial writers and commentators with far less personal experience in Vietnam, Mr. Alsop.

I am sure that most Democrats and most Americans were pleased to see the titular head of the Democratic Party reject the bugout policies of his party's national chairman last Friday.

I am sure our former colleague and the former Vice President, the Honorable Hubert Humphrey, spoke for the great majority in his party when he declared his support for the President of the United States.

Mr. President, I ask unanimous consent to have printed in the Record the questions from the press and the answers by Vice President Humphrey after he met with President Nixon Friday morning.

There being no objection, the press conference transcript was ordered to be printed in the Record, as follows:

[A release from the office of the White House Press Secretary, Oct. 10, 1969]

The White House Press Conference With Former Vice President Hubert Humphrey

Former Vice President Humphrey. The President knows that I have, along with himself, a deep concern over our situation in Southeast Asia. I think the President is proceeding along the right path. I had the privilege of discussing with him some of the things that he is doing and contemplating, and I thought it was mighty kind and thoughtful of him to ask me to come on in and just review the whole situation.

Q. Did you give him assurances of your public support if the Administration were to decide on a systematic withdrawal of all combat forces?

Former Vice President Humphrey. I think the President knows that I will support to the best of my ability a reduction in forces—"systematic" is a very important word—withdrawals. But I am not trying to outline the President's policy for him.

We only have one President at a time, and I think the worse thing that we can do is to try to undermine the efforts of the President. I do think he appreciates suggestions and ideas that we may present, and I took the liberty of presenting some.

Q. Do you have any concern that the debate over Vietnam may be getting too partisan?

Former Vice President Humphrey. I don't want it to be partisan. I hope it won't be. I am sure that all of us know that there are honest differences over Vietnam. There have been for a long time. It is nothing new. I don't think anybody can hush those differences, but I believe that we have to give the President time to carry out his proposals, to carry out his plan and his policies.

Q. Are you for the 60-day moratorium?

Former Vice President Humphrey. No. I don't believe the President has asked for that. The American people are not going to be hushed. What is important is that any suggestions we have be made in a constructive way and not in a destructive way.

I don't have anything more to say, gentlemen, except I think it was a very helpful and rewarding morning.

The Press. Thank you.

Mr. MUNDT. What a far cry they are from the cringing calls for surrender from a few in his party.

Regardless of political differences I may have with Mr. Humphrey, I have only respect for his decision to support our President.

When the bugout vote is counted, Hubert Humphrey, at least, will not be there.

Mr. DOLE. I thank the Senator from South Dakota, and I am pleased to hear his response with reference to calling of witnesses. I certainly hope there will be some there when this resolution is considered.

The facts are indisputable. There is a new direction to our Vietnamese policy.

If there is to be criticism for following past policies, for not changing, for being inflexible and unresponsive, let this criticism be directed at the North Vietnamese and the Vietcong.

They have not made reasonable suggestions. They have not made meaningful gestures. They have not expressed willingness to reach viable compromises.

Surely the critics see these facts. They are not blind or unintelligent. What then do they want? Is it tyranny in South Vietnam? Is it peace at any price? Or is it something more subtle? Perhaps a new national pastime has grown out of the experience of Lyndon Johnson.

Do not be mistaken. These techniques worked before, and they can work again, but I, for one, do not intend to sit quietly while these game-playing critics attempt to break our President with attacks which flagrantly ignore the facts.

Mr. STEVENS. Mr. President, I would like to take a few moments to speak in support of Senator Dole's resolution urging North Vietnam to demonstrate a desire and spirit of willingness to work for a settlement of the conflict in Vietnam.

It is time for North Vietnam and the NLF to acknowledge that a mutually agreed settlement is the best hope for a lasting peace. It is time for both sides to agree to direct negotiations between representatives of the NLF and the Government of the Republic of Vietnam. Now is the time for all of us here to focus on the present administration's efforts to achieve peace, and to discuss what further steps can be taken.

In this spirit I urged all Alaskans to use October 15 as a day to make themselves aware of President Nixon's efforts for peace and recommended that city, borough, and village councils in my State meet on that day to discuss what further efforts can be made toward peace in Vietnam and throughout the world. I urged that Alaska's educational institutions permit students to hold discussions in their classes on how peace can be achieved and recommended that churches hold special services to pray for peace. The Governor of Alaska joined me in this effort.

The Nation has been divided regarding support for the Vietnam war—we cannot be divided in our support of efforts toward peace. It is only through peaceful means that we can reflect on the efforts that have been made and what more we must do to achieve peace.

Therefore, I hope that all 100 Senators will join in support of the Dole resolution and express their resolve that a lasting peace be reached in Vietnam.

Mr. GURNEY. Mr. President, I have joined with the Senator from Kansas (Mr. DOLE) in this resolution on the Vietnam war.

I commend Senator DOLE for his splendid leadership in sponsoring this resolution. His resolution puts the spotlight in that troubled area and in this unhappy war exactly where it belongs.

The cold, white glare of the searching beam of light should be on the Communist government of North Vietnam and its puppet in the south, the National Liberation Front, for they are the ones who are frustrating all efforts at peace. They are the ones who want the war to continue and who have no desire to stop the killing in South Vietnam. They have proved this intention beyond a scintilla of doubt by their words and deeds and actions.

President Nixon has made concrete proposals for bringing peace in Vietnam since coming to office.

President Nixon has proposed free elections in the south with Communist participation, supervised by an international commission. What fairer proposal could be made? But Hanoi has rejected this out of hand.

President Nixon has withdrawn substantial numbers of troops from Vietnam. He proposes to withdraw more as time goes on. Again the Communists, Hanoi, and the NLF have made no response whatever, except to insist that all American troops be withdrawn forthwith.

What if the President followed this course? First, it would amount to an abandonment of an ally to whom we had made a commitment. It would amount also to an abandonment of another ally in the same area, Thailand, for they are being pressed night and day by the same Communist aggressors. Second, and even more, it would unleash a blood bath in South Vietnam. For the Communists would rush in and murder, wholesale, all people in South Vietnam who have placed faith in and relied upon the United States.

Why do I predict this? The evidence is there in year after year of coldblooded murder by the NLF in South Vietnamese Government officials, teachers, and citizens.

President Nixon wants to end the war more than any one person in the United States. Not only first and foremost, because he is humane and wants to stop the killing of American soldiers as well as others and be able to get on with urgent other business of this Nation, but also because the whole future of his Presidency depends upon ending the war in Vietnam.

But he does not want to be the leader of this Nation who lost a war, who abandoned an ally, who knuckled under to Communist aggressions in this confrontation in Southeast Asia, which would certainly mean repercussions around the world and could well promote Communist mischief in many other places and spell trouble and possible engagement and disaster elsewhere.

While we are engaged in this debate, we should also take cognizance of the past history of this war.

In the first place, let us never forget that it was the Communists who began this war. They began the guerrilla warfare against South Vietnam. They began the murder. They began the sabotage.

The Communist troops of North Vietnam are the ones in the south. No allied troops are in the north—no South Vietnamese, no Americans, no South Koreans, no Thais, no Australians, no New Zealanders.

The Government of the United States under President Nixon and Lyndon Johnson has made so many overtures of peace that we have lost count of the number of times. Bombing halt after bombing halt was made my President Johnson. Each time, the Communists used these halts to resupply their troops and means to wage war and step up the fighting.

Peace emissaries, of the United States, time after time, have sought to get the message to the Communists that the Nation wanted peace. Always the response has been a deaf ear.

In short, all the evidence that we have is that the Communists do not want peace, except on one condition, a peace imposed by conquest of South Vietnam and its puppet NLF, upon South Vietnam. This means but one thing, that a Communist government rule in South Vietnam and one more free nation would fall to the determined advance of Communism at the expense of people who want to be free and rule their own destiny.

One last and most important point.

Why is it that these people who desire to end this war now, why is it that they never seem to aim criticism at Hanoi and its puppet, the NLF?

They constantly carp at and castigate the Thieu government, blaming it for all kinds of short comings and wrong intentions.

We never hear a word of criticism about Hanoi, the government that started the war, the government that continues the war, the government that has never indicated on a single occasion during all these long years of warfare, a desire to end the war to bring peace to southeast Asia.

If the voices in this Nation who are being heard so loudly these days, and have been heard so loudly in the past, heaping criticism on South Vietnam, and also President Johnson and now President Nixon for not ending the war. Voices could have been directed with equal sound and frequency against Hanoi and the NLF, in my view, the United States would be a lot closer to ending this war.

Senator DOLE's resolution which I have joined raises that direct point.

I hope our colleageus here in the Senate, as well as others, who want peace right now would also raise their most effective voices against Hanoi.

There is no question but that Hanoi listens to them and hears them loud and clear. Their equal criticism of Hanoi along with South Vietnam must bear some fruit.

Let us make this a two-way, instead of a one-way street.

Again, in closing may I commend my colleague from Kansas, Senator DOLE. He has performed a great service here today, in placing the blame for continuance of war in South Vietnam for the sabotage of peace efforts by President Nixon, exactly where it should be, on the doorstep of the Communists, Hanoi, and the NLF.

Mr. TOWER. Mr. President, several days ago the distinguished junior Senator from Iowa (Mr. HUGHES) submitted a resolution calling on the United States to issue a series of ultimatums to the South Vietnamese Government. He suggested the South Vietnamese be given 60 days to comply under the threat of a U.S. withdrawal.

On the surface, the junior Senator's resolution may have appeared to have merit.

Things, however, are not always as they appear on the surface.

I, for one, cannot understand why some Americans keep looking for excuses to pull out on their commitments, to bug out on their allies, because, in truth, that resolution and most of the other recently offered resolutions on Vietnam have been bugout resolutions.

I believe the resolution offered by the junior Senator from Iowa would only improve the position of the enemy during the 60-day period and then call for a humiliating and complete withdrawal from our commitments.

To call on a nation to give up even minimum censorship requirements in wartime is to ask it to telegraph its punches to the enemy.

To ask it to release its political prisoners in wartime is to ask it to agree to lay itself open on yet another front.

I believe Hanoi should be called upon to become more democratic, more free, and more humane, with the warning that if this does not happen in 60 days, the United States will consider military options available to it which would encourage Hanoi to seriously seek peace.

Mr. President, after all the surrender

resolutions of recent weeks, I am most pleased to see the resolution submitted earlier today by the junior Senator from Kansas (Mr. DOLE). I commend him for his efforts and I support his resolution wholeheartedly.

Mr. THURMOND. Mr. President, it is a pleasure for me to cosponsor the resolution on the Vietnam war which was introduced by the distinguished Senator from Kansas. Senator DOLE has not been here very long, but he has already made an outstanding contribution toward the achievement of our Nation's goals. His resolution on the war reflects wisdom and understanding of our Nation's security. I value his counsel, and I strongly endorse his resolution.

Mr. President, the Senate passage of this resolution will reaffirm our Nation's firm desire for peace. We have clearly demonstrated our willingness to negotiate for an honorable peace. It is time for Hanoi to respond to our initiatives. Passage of this resolution should convince North Vietnam that this distinguished body stands behind President Nixon in negotiating a lasting peace.

Mr. President, I also am pleased that the distinguished Senator from Kansas has included a demand to Hanoi to provide humane treatment of our men who are prisoners of war. I know our Nation is united on this point in the resolution.

Mr. President, approval of this resolution by the Senate will go a long way in contributing to unity in this country which we need so much today. I recommend my colleagues give this support to our President.

Mr. MILLER. Mr. President, in recent days, several resolutions have been introduced advising President Nixon on what he should do in the Vietnam war. They range from setting a specific timetable for withdrawal to a demand that South Vietnam abolish its present government and create a temporary coalition government; otherwise, we will pull out. All, while well intentioned and well meaning, serve only to harden the position of Hanoi and delude it into thinking that if it holds out long enough, it will get everything it wants without the need for reciprocal action; that its aggression will finally pay off. It would seem to me that there is a need for the Senate to spell out in no uncertain terms what we expect from Hanoi, to demonstrate and point out in unequival terms that it is time for our enemy to demonstrate a genuine desire for peace. We see little evidence—in fact, no evidence, that Hanoi is willing to concede anything. In fact, two reports indicate a hardening of attitude;

First. North Vietnamese reaction to our pressing for details on our prisoners of war is—as the Washington Post reported on October 10—"A veiled suggestion that prisoners' families might now have to participate in the antiwar campaign at home before Hanoi would inform them about the prisoners' status."

Second. North Vietnamese reaction to establishment of a provisional coalition government in South Vietnam appears now to exclude anyone who supports the present Saigon government and of former South Vietnamese soldiers, if a report in the New York Times of October 10 is accepted. If this is accurate—and I think it is—it would make a mockery of any proposal to abolish the present Saigon government and replace it with a coalition government. It is apparent that Hanoi demands nothing less than a provisional government in its own image. It is time that American public opinion be mustered behind the phased withdrawal policy of President Nixon, a policy which provides the opportunity for the South Vietnamese to be trained to protect themselves when we are out of South Vietnam—hopefully, by the end of 1970. It does not do any good to say that we had the opportunity for 5 years to train the South Vietnamese so they could stand alone and take over this task. That goal was only partially achieved. President Nixon cannot be blamed for what occurred or was done or not done prior to January 20 of this year. But since January 20 he and his administration have been moving to lessen and ultimately end the American casualties and our combat involvement in South Vietnam. He and his administration have made the "Vietnamization" of the war a No. 1 priority. And there are favorable indications that the South Vietnamese will be in a position to take over all combat efforts by the end of 1970—unless, the North Vietnamese invaders seek to mount another major offensive.

Do those who suggest a specific timetable—60 days hence or 100 days hence—really believe this would break the impasse blocking the peace negotiations?

In the entire course of human conflict and negotiation has there ever been a time when one side announced beforehand precisely when it was going to withdraw without any reciprocity by the other side? This cannot be called negotiation. It is another name for surrender.

What do those who advocate such a course think will happen if the President announces a specific timetable for withdrawal?

Do they think Hanoi will stop killing American boys?

Do they think that Hanoi's negotiators are going to suddenly become paragons of reasons and good will toward men?

Do they think Hanoi is going to have a change of heart when it discovers it can ride to domination on the vehicle of the good intentions set up by a specific timetable?

Suppose that President Nixon followed this advice and ordered an immediate and unilateral U.S. troop withdrawal? Would those who advocate such a course be counted on the side of the President if North Vietnam then overran South Vietnam and unleashed a blood bath in which thousands upon thousands of persons friendly to Saigon were massacred? Or would they blame the President and use such a tragedy as a political weapon? Are those who advocate unilateral withdrawal willing to take the consequences if this should occur?

I am not putting up a strawman or a red herring, because the past actions of the North Vietnam and the Vietcong speak for themselves—in the thousands ruthlessly murdered or buried alive in the trench graves when Hanoi's troops controlled Hue, and in the thousands upon thousands—some estimates place them in excess of 50,000—massacred after the French pulled out of Vietnam in the 1950's. If the advocates of such a unilateral and immediate withdrawal are willing to share the responsibility of what could happen, so be it. But if they are not, then they should be willing to support the President on his phased withdrawal, which offers the promise of South Vietnam being able to prevent such tragic occurrences.

Hope for peace is not mechanical, step-by-step walk away from responsibility that a specific timetable would inevitably become. Hope is humane. Hope does not set up inflexible schedules. Hope does not make American soldiers the unwilling victims of an enemy who, if they knew in advance when and how we were to withdraw, would try to kill as many of our men as they could while they waited to go home.

Do these advocates of unilateral, immediate withdrawal wish to talk of morality? Then I suggest it is immoral by any standard known to Western man to suggest that such a course would be "honorable."

Do such advocates talk of rationality? Then I say it is irrational to suggest that this conflict will be honorably ended by some mechanistic, lock-step, unthinking, uncaring timetable.

Do they talk of national interest? Then I say nothing we do at home, nothing we build, no school, no hospital, no program to feed the hungry, clothe the naked, and comfort the afflicted will save this Nation if we end this conflict in any other way than with honor, and that means a reasonable guarantee that the people of South Vietnam will be free to choose their own government and determine their own future, free from outside aggression.

The President of the United States wishes as much as anyone to turn the great and powerful forces of creativity to our domestic problems.

To be involved in any war is a profound tragedy: But to unilaterally pull out, leave after all we have done, just to get out, with no commitment on the part of the aggressors to stop their aggression, and without giving our new President a fair chance to carry out his plans, would be worse.

So I would suggest that this is the time for us to back the President—and to let Hanoi know that we do so. We should insist upon some sign from Hanoi that it wants peace as much as we do. The determination of the American people can be expressed through adoption of the resolution which Senator DOLE, along with myself and others, have introduced today, expressing the sense of the Senate that meaningful specified measures should be taken by the Government of North Vietnam to demonstrate a genuine desire for peace.

David Broder, the Washington Post's increasingly perceptive political writer, wrote a column which appeared in the October 7 issue of the Washington Post, "The Breaking of the President," one which, I believe, ties in with our resolution.

I would like to quote a section of it:

> It is becoming more obvious with every passing day that the men and the movement that broke Lyndon B. Johnson's authority in 1968 are out to break Richard M. Nixon in 1969.
>
> The likelihood is great that they will succeed again, for breaking a President is, like most feats, easier to accomplish the second time around. Once learned, the techniques can readily be applied as often as desired—even when the circumstances seem less than propitious. No matter that this President is pulling troops out of Vietnam, while the last one was sending them in; no matter that in 1969 the casualties and violence are declining, while in 1968 they were on the rise. Men have learned to break a President, and, like and discovery that imparts power to its possessors, the mere availability of this knowledge guarantees that it will be used . . .

Mr. Broder then makes this indisputable point:

> But when you have broken the President, you have broken the one man who can negotiate the peace.

And he adds:

> Hanoi will not sit down for secret talks with the Foreign Relations Committee. Nor can the Vietnam Moratorium's sponsors order home a single GI or talk turkey to Gen. Thieu about reshaping his government. Only the President can do that.

These are powerful and timely considerations for every American to ponder.

On this same general subject, I would now like to pose several questions relating to the Americans held prisoners of war by North Vietnam. I offer them in the context of the year 1957 when North Vietnam and 119 other nations signed the Geneva Conventions pertaining to the treatment of such prisoners:

First. Has Hanoi released the names of those Americans held prisoners?

Second. Has Hanoi permitted neutral inspection of its prisons and the treatment of its prisoners?

Third. Has Hanoi released the sick and wounded?

Fourth. Has Hanoi permitted the exchange of letters and packages?

Fifth. Has Hanoi protected the American prisoners from public abuse?

The answer to each of these questions, of course, is "no."

In the meantime, thousands of relatives of these prisoners suffer in a "limbo of anguish," a term used by Air Force Magazine editor Louis R. Stockstill to describe this tragedy.

This deplorable situation cannot and should not be overlooked in our desparate search for peace. If Hanoi were able truthfully to answer "yes" to those questions, then perhaps public opinion in this country would be convinced that Hanoi wants peace also.

All of us await a genuine response from North Vietnam.

I ask unanimous consent that the article, entitled "The Forgotten Americans of the Vietnam War," which was published in the October issue of Air Force Magazine be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PRISONERS OF WAR—THE FORGOTTEN AMERICANS OF THE VIETNAM WAR

(By Louis R. Stockstill)

(EDITOR'S NOTE.—On the following pages you will find one of the most important articles ever published in this magazine. Telling you this may seem redundant. If an article is unimportant, we should not be publishing it at all. At the same time, we have always acknowledged to ourselves that not all readers are interested in everything we print. Our job is to supply a balanced buffet table—not intravenous feeding.

(But the matter of our American servicemen who have sacrificed their freedom, their health, and the peace of mind of themselves and their families in behalf of freedom for others—this is a matter that concerns us all. By the hundreds, these men languish in North Vietnam prisons and in Viet Cong jungle camps—unprotected by the Geneva Conventions which are supposed to guard the rights and persons of all prisoners of war. That the bulk of these American prisoners are airmen brings their plight a little closer to us, perhaps. That others have lost life and limb in the same cause is even more saddening. But death and wounds are irretrievable, and all we can do is to make suitable provision for the wounded and the survivors of the dead. The prisoners, on the other hand, are alive and are retrievable. We can do something about them. We must.

(The author, who has done such a thorough and painstaking job, served for many years on the staff of The Journal of the Armed Forces, ultimately as its Editor. Lou Stockstill has devoted his professional life to the examination and explanation of the problems of the armed forces of the United States. He is now a freelance writer in Washington. This article represents, in our judgment, the finest effort of his distinguished career. It explains the POW problem better, and in more detail, than anything published to date. It includes some concrete suggestions as to what you can do to help.

(Read it, and let your conscience be your guide.)

Once a month, from her living room high up in an Arlington, Va., apartment building, removed from most brutalities of life except her own thoughts, Gloria Netherand walks a long hallway to the mail chute and deposits a letter.

She watches it drop from sight on the first leg of a journey into an unknown void halfway around the world. The letter begins "Dear Dutch." But whether Dutch will read it, or someone else will read it, or whether it will go unopened is impossible to say.

Gloria and Dutch have been married eighteen years, but she doesn't know—hasn't known for a long time now—if he is alive or dead. And if alive, she doesn't know where he is or how he is.

For more than two years she has written the monthly letters—limited to six lines each, according to current Communist rules. None are answered; none are returned.

But, in the pattern of "dreadful uncertainty" that characterizes her daily life, she never fails to write.

"I realize," she says, "that there is just a fifty-fifty chance he is alive, but I feel that I cannot afford to let anything go undone."

Capt. Roger M. Netherland, USN, who was shot down over North Vietnam in May 1967, is one of the senior US pilots missing in the Vietnam War. Flyers reconnoitering the site where his burning plane plunged to the ground believe they heard his voice. But no word has come through since.

"When you are married to a flyer," Gloria Netherland says, "you learn to live with potential disaster. But you expect it to be black and white, not like this. I can't think of him as being gone, but it is very difficult for me to think of him as a prisoner."

She says, "The worst day for me was not the day they came to tell me he had been shot down. The worst day was the day his clothes and books and personal things came back. To have to unpack a man's life is not an easy experience.

"And if he is gone, I will have to do it all again. There will be another complete healing period to go through."

Gloria Netherland is but one of hundreds of wives and parents who live on an emotional roller coaster of grief, hope, faith, anxiety, and raw courage. For some, the waiting has lasted more than five years.

Their husbands and sons are the forgotten men of the Vietnam War—approximately 1,400 men captured by the enemy or missing and possibly in enemy hands. Most of the known captives are imprisoned in North Vietnam, others by the Viet Cong in the jungles of the South. A few are interned in Laos and Red China. Files of 981 men have been stamped with the heart-wrenching legend "MIA"—missing in action.

Some 3,000 "next of kin"—wives, children, and parents—in every state now endure what one calls "this limbo of anguish."

The other side has revealed tragically little about these "casualties" of the war. North Vietnam and the Viet Cong, defying international agreements and basic codes of humanitarianism and decency, have consistently refused to discuss the whereabouts of the missing men. Similarly, they have dribbled out only limited and distorted information about selected prisoners in infrequent propaganda movies tailored to their own purposes, often peddling doctored film to foreign outlets. Many wives quite rightly believe that "our husbands are being sold for so much propaganda."

On the shoddy pretext that US captives are not prisoners of war but "criminals," North Vietnam will not allow neutral inspections of its prisons. Yet such inspections are required under the Geneva Conventions, signed by North Vietnam in 1957 and by 119 other governments.

Using the "criminal" charge to mask its defiance, Hanoi not only has rejected inspection of its camps. but has refused to:

Identify the prisoners it holds;

Release the sick and wounded;

Allow proper flow of letters and packages; or

Protect US prisoners from public abuse.

The Viet Cong and Communist forces in Laos have followed Hanoi's lead by imposing an even more rigid blackout.

The curtain of secrecy the enemy has thrown around the prisoners and missing men has, until recently, been duplicated to some extent by the US government. But this is now changing. A brighter spotlight has been turned on the problem. The change has been wrought by the Nixon Administration. The United States government has now opened up some of its previously closed files of information on the imprisoned and missing men. New initiatives and a tougher approach are the order of the day. Further steps may be in prospect.

NEW HOPE FOR POWS

For the first time, Administration officials are waging an open fight for the prisoners. The diplomatic maneuverings which shielded many aspects of the problem from public view during the Johnson Administration—although perhaps rightly so for that time—have now been partially cast aside. The United States is speaking out.

Two of President Nixon's top Cabinet officers have embarked on a strong public offensive in which they stress concern for, as well as facts and figures about, the treatment of the US prisoners and missing men.

"I don't understand how the North Vietnamese can be so lacking in humanity that they won't even give us the names of the prisoners they have," declares Secretary of

State William P. Rogers. "All they have done is to be more intransigent, more unreasonable, and more inhumane."

Secretary of Defense Melvin R. Laird says there is "clear evidence that US prisoners are not being treated humanely," and that conditions in the prison camps are "shocking."

Yet, in order for the tough and forthright new policies to produce desired results, citizens must join the attack. Their assistance could be crucial. Many citizens may never have asked themselves how, or if, they can help. Many still may not be aware of the full story of our forgotten men.

Here then are the sobering facts about the prisoners and the missing, the details of the obscure existence they live, the way they are used and abused by Hanoi. And here, too, is an account of what the US is doing to aid the men and their families, and suggestions as to how you might lend a hand:

Of the known prisoners—the 401 the armed forces have been able to positively identify as captured—192 are Air Force, 140 are Navy, forty-six are Army men, and twenty-three are Marine Corps personnel.

Nearly 1,000 others are missing in action and thought to be captives. The largest number missing from any single service is 516 from the Air Force. More than 260 are missing in the Army, more than 100 in the Navy, and ninety-four in the Marine Corps.

The prisoners and missing men range in rank from private to colonel, or Navy captain. They include such men as Col. Robinson Risner, of Oklahoma City, one of the top AF pilots, and Navy Lt. Cmdr. J. S. McCain, III, son of the US Commander in Chief, Pacific, Adm. J. S. McCain, Jr.

Several of the known prisoners have now been behind bars more than five years. More than 200 have been imprisoned or missing for more than three and one-half years, more than 500 for over two years.

Some military intelligence the United States has gleaned about these men must be kept secret or couched in guarded language to protect the prisoners.

Nevertheless, accounts of torture and inhumane treatment have emerged. The widely publicized story of the capture, escape, evasion, and rescue of Navy Lt. (j.g.) Dieter Dengler in 1966 presented stark examples. Captured by the Pathet Lao but eventually turned over to North Vietnamese soldiers, Dengler was spread-eagled by his captors and at night left to the mercy of jungle insects, tied to a tree for harassment target practice, repeatedly beaten with fists and sticks (once into unconsciousness) for refusing to sign a statement condemning the US, and tied behind a water buffalo and dragged through the bush. The once 180-pound flyer weighed ninety-eight pounds following his escape and rescue.

STORIES OF MALTREATMENT

Other escaped prisoners have told of similar maltreatment in Pathet Lao and Viet Cong jungle camps.

Most recent evidence about those imprisoned in North Vietnam discloses that many have been tortured by being deprived of sleep, refused food, hung from ceilings, tied with ropes until they developed infected scars, and burned with cigarettes. At least one had his fingernails ripped from his hands. The broken bones of another, set by Communist doctors and still in a cast were rebroken by guards.

It is difficult to know how typical these examples may be. But, regardless of the continuing secrecy in certain areas, substantial information is available on some prisons and the basic treatment of some prisoners. Portions of the record are cloaked in "it is believed" language, some is official hard fact, and some has come from those foreign news sources Hanoi has permitted to peek into selected prison keyholes.

Prisoner treatment, of course, varies, and often the enemy attempts to camouflage the worst conditions. With that in mind, consider these details about three types of prisons—a jungle camp operated by the Communist Pathet Lao; a Viet Cong jungle camp; and a North Vietnamese institution known euphemistically as the "Hanoi Hilton."

The Pathet Lao camp is a bamboo stockade of primitive thatched huts. Prisoners are fed twice a day, mostly rice but with occasional supplemental foodstuffs. Many suffer from malnutrition. Some are afflicted with intestinal parasites. Except when allowed outside to empty toilet pails, prisoners are confined inside the huts, often locked in crude wooden foot blocks or handcuffs. Barbaric treatment, including beatings is not unique. Prisoners are forced to listen to Radio Hanoi.

The Viet Cong prison or jungle camp houses fewer than a dozen men. The prisoners are fed three times a day, again mostly rice, supplemented by some meat, fish, or vegetables. They are supplied with soap and toothpaste, fifth-rate medical treatment, pills thought to be antimalarial, and even occasional vitamin injections for those in most obvious need. Between meals, prisoners are allowed to smoke, exercise, or just sit. About once a month, they are furnished news of the outside world. They have been told, for example, of the assassinations of Dr. Martin Luther King and Sen. Robert F. Kennedy, of the release of the *Pueblo* crew and the election of President Nixon. They are allowed to write occasional letters, but have no way of knowing the effort is futile. No letters have ever arrived in the US from prisoners held by the VC. To maintain the pretense of a mail-exchange, however, at least one prisoner in this camp was permitted to receive two letters over a ten-month period.

DAILY ROUTINE IN HANOI

In the North Vietnam prison camp (in central Hanoi), daily routine is more formalized. Prisoners are awakened between 5:00 and 6:00 in the morning by a gong, followed by a thirty-minute Radio Hanoi (English language) broadcast piped into their cells. At mid-morning they are taken out to empty toilet buckets. About 11:00 a.m., seventeen to nineteen hours after they last ate, they are fed the first of two daily meals. Food consists mainly of pumpkin or squash, pork fat, a vegetable resembling wild onion tops, and bread or rice.

One former prisoner said, "The main diet is based around bread, and during the summer we got a squash soup and pig fat." Prisoners receive three daily cigarettes and sometimes, possibly for propaganda purposes, have been given sweets. (Propaganda films staged by Hanoi have shown tables laden with food, including mounds of fresh pineapple and bananas. But no one was eating.) After the morning meal—picked up on a wooden tray and eaten in their individual cells—prisoners are allowed to "nap" on their bare-board bunks until 2:00 in the afternoon, when their cells are flooded with another half-hour Radio Hanoi broadcast. Between 4:00 and 6:00 p.m., they are fed the second and final meal of the day. The day ends around 9:00 p.m.

Each prisoner is provided with two sets of pajama-like clothing, two blankets, and toilet articles. Each is allowed to shave twice a week and wash his clothing once a week.

CONSTANT INDOCTRINATION

Brainwashing efforts do not follow the hard-line techniques employed during the Korean conflict, but prisoners are subjected to constant lower-key indoctrination. Not only does Radio Hanoi bombard their cells with slanted news and propaganda a full hour out of each day, but prisoners also are furnished with Communist propaganda periodicals and are lectured on the "history" of Vietnam and the provisions of the 1954 Geneva Accords as conveniently interpreted by their captors. Sometimes men reportedly are taken from the prison to visit state institutions where they can "learn" more about North Vietnam's "culture."

Attempts also are made to induce them to write or record statements expressing sympathy with the North Vietnamese cause and condemning U.S. involvement in the war.

Within the confines of the prison, the captives generally are isolated from contact or communication with more than one or two other prisoners who may share the same cell. Many men are kept in solitary confinement. As they are moved around in the prison to pick up food, empty toilet buckets, wash, etc., they are carefully shepherded so that one prisoner or group of prisoners seldom encounters another.

At infrequent intervals, certain prisoners have been allowed to write to their families, although few letters ever reach home.

That the prisoners are allowed to write at all, and that they are accorded other elemental amenities, may likely be because the so-called "Hanoi Hilton" is anything but typical.

PROPAGANDA SHOWPLACE

U.S. officials, with reasonable suspicion, regard the "Hanoi Hilton" as a propaganda showplace. While foreign newsmen have "seen" prisoners, who have been transported to a central location for that express purpose from at least eight other camps, the "Hilton" is the lone place outsiders have been allowed to enter. And it is the only prison from which U.S. prisoners have ever been released. Obviously, the open-door policy at only one prison creates real doubt that the North Vietnamese can afford to let the world, and in particular the neutral nations, see the conditions that prevail elsewhere.

No prisoner has ever escaped from the prisons of North Vietnam. Those who have managed to struggle back to freedom from the VC jungle camps add up to fewer than two dozen (the specific number is classified). And the Communists have been extremely callous when it comes to returning American prisoners. To date only a handful has been set free. Sixteen have been released by the Viet Cong, nine by Hanoi.

Procedures followed by Hanoi in releasing prisoners are particularly meaningful since North Vietnam has been the bellwether in establishing what might be regarded as over-all policy guidance in the treatment of prisoners elsewhere. And it is in North Vietnam that the greatest number of men are believed to be imprisoned. Of the more than 1,400 captured and missing, nearly 800 (mostly pilots) were downed over North Vietnam. The Defense Department believes "a substantial percentage of the missing" may be prisoners.

POW RELEASES FOLLOW PATTERN

All the prisoner releases by Hanoi—two last year and one this August—have followed a similarly disturbing pattern. First, they have been but token gestures, letting just three men out at a time. Second, they have been accompanied by blatant propaganda announcements in the guise of either "humanitarianism" or "good will," or coupled with some "special" day. Third, the names of the men to be freed are withheld for periods of more than a month, thus creating untold agony for thousands of hopeful next of kin. Fourth, releases are carried out through dissident US intermediaries instead of the International Committee of the Red Cross, the traditional go-between in matters affecting war prisoners.

As a condition of each of the three prisoner releases, Hanoi has insisted that US pacifist groups be sent to North Vietnam to take custody of the prisoners and accompany them out of the country.

After a protracted wait, the identities of the prisoners are presented to the world in a staged ceremony. Finally, they are allowed to depart for home with their pacifist countrymen, who are merely used by Hanoi in a grossly overt effort to foment further unrest among American citizens and abet militant critics abroad.

The first two prisoner releases took place last year. Three men were released in February, three more in July. All six were "short termers"—that is, men who had been held prisoner for relatively brief periods of time.

The February 1968 group consisted of two Air Force officers, Lt. Col. Norris M. Overly and Capt. John D. Black, and twenty-three-year-old Navy Lt. (j.g.) David P. Matheny. None had been in captivity as much as six months. Lieutenant Matheny had been captured only four months earlier.

The three prisoners released in July 1968 were all Air Force officers: Maj. James F. Low and Capt. Joseph V. Carpenter, imprisoned for seven and six months, respectively, and Maj. Fred N. Thompson, captured less than four months before.

The man designated by Hanoi as the principal go-between for the releases is a fifty-four-year-old pacifist named David Dellinger. Chairman of an organization known as the National Mobilization Committee to End the War in Vietnam, he has traveled frequently to Communist bloc nations and to North Vietnam. Currently, he is under indictment on charges of conspiring to incite a riot in Chicago during last year's Democratic Convention.

As the main contact in the prisoner releases, Dellinger, in turn, has named other US pacificists to act as "escorts" in bringing the prisoners out of Hanoi.

THREE RELEASED IN AUGUST

The most recent release—three men, again—came in August of this year and illustrates how completely Hanoi milks the prisoner situation for its own purposes. However, it marked a minor breakthrough of sorts. For the first time, North Vietnam released prisoners who had been held captive for fifteen to twenty-eight months.

The new policies of the Nixon Administration may have had something to do with the release of the longer-term prisoners. Publicity about two of the men had been widely aired by DoD several months earlier.

Like the two preceding releases, the third also was carried out under the banner of David Dellinger. On this occasion, he designated a somewhat ragtag escort group. The group was substantially larger than any previously dispatched. There were four escorts. They took along three cameramen.

Leader and spokesman was Rennard C. Davis, twenty-nine, National Coordinator of Dellinger's National Mobilization Committee. A member of Students for a Democratic Society, Davis is also under indictment on charges growing out of the Chicago riots. He had to obtain a court ruling in order to leave the country.

With Davis in the escort group were Linda Sue Evans, twenty-two, an SDS regional organizer; Grace Paley, forty-six, a member of antiwar and antidraft organizations; and James Johnson, twenty-three, Negro, former GI who served a stockade term for refusing to fight in Vietnam. The three cameramen, from an underground movie-making outfit, were identified as Robert Kramer, thirty-six, an SDS member during a stint at Columbia University; Norman Fruchter, thirty-two; and John B. Douglas, thirty-one.

TEAM FLEW TO HANOI

The seven-member team flew to Hanoi in mid-July, about two weeks after North Vietnam announced plans to release the prisoners. For the next couple of weeks they received Hanoi's "grand tour," were escorted on a 500-mile trip into the DMZ, met with the Prime Minister, and were ultimately entertained at a farewell party well-oiled with rice liquor and propaganda.

At the farewell ceremony, according to details churned out by the North Vietnam News Agency (VNA), the prisoners were "handed over . . . to the American antiwar delegation" with a Madame Bui Thi Cam denouncing the "monstrous crimes" perpetrated by the "US imperialists" who had destroyed towns and crops and "massacred . . . women, children, and old folk."

She said US pilots "caught in the act of committing grave crimes" are not entitled to the protection of the Geneva Conventions, but are, nevertheless, treated "in accordance with the humanitarian policy of the government."

James Johnson, accepting the prisoners "on behalf of the American antiwar delegation," said, "We know, as these pilots must know, that all over the world the United States has been branded an outlaw nation." His statement, running some 500 words, might almost have been written by Hanoi.

The North Vietnam News Agency said, "The three released American military men then took turns in expressing, each in his own [way], their deep gratitude to the Vietnamese People, the DRVN government, and the Vietnam People's Army, for this humanitarian act as well as for the humane treatment all of them had received throughout the period of their detention."

The names of the prisoners were revealed. Two were Navy men: Lt. Robert F. Frishman, captured twenty-one months earlier, and Seaman Douglas B. Hegdahl, imprisoned for two years and four months. The third was Air Force Capt. Wesley L. Rumble, held for fifteen months.

The prisoners and their escorts left Hanoi on August 5. Arriving in Vientiane, Laos, that night, they were seen for the first time by US newsmen. They were described as "pale and gaunt," clad in "dungarees and sandals."

The press accounts noted that Frishman, acting as spokesman for the prisoners, selected his words "carefully." He said only that he was happy "to be returning home, to be back with my country and my wife."

There then followed a question-and-answer session. Here are revealing excerpts from Frishman's interrogation by the newsmen:

Q. How was the treatment you received . . .?

A. I received adequate food, clothing, and housing.

Q. Would you describe it as humane treatment?

A. Sir, I believe I have answered that question.

Q. Did they make any attempt to indoctrinate you or brainwash you in any way?

A. I have no comment.

Q. Was their treatment better at all when they decided you were going to be released?

A. As I say, my treatment has been adequate.

Q. Are you concerned that other prisoners might be harmed by something you might say here?

A. Yes. I in no way want to jeopardize any of the other people who have been . . .

The sentence trailed off.

When the prisoners arrived in Bangkok the following day, Frishman was quoted as saying. "It's great to be back." Nothing more. At some point during the return journey, Frishman had indicated the desire of all three men to be furnished with military clothing. "We left in uniform," he said. "We intend to return in uniform." The clothing was rushed to Frankfurt, last stop before New York.

ARRIVAL IN NEW YORK

When the three men arrived at Kennedy International Airport in New York, I was there to see them for myself. To television audiences, the returning prisoners may have looked reasonably well cared for. But their appearance on the hot, noisy flight line was deeply saddening.

When the general passengers and the pacifist escorts had disembarked, the families of the prisoners were allowed to board the plane for a brief reunion away from the eyes of the curious. Twenty minutes later, the men and their families began emerging.

There was no brass band, no flags, no clamoring throng to welcome them. Only a cluster of newsmen, cameras, government representatives, police, and a small crowd of onlookers.

Lieutenant Frishman, followed closely by Seaman Hegdahl, was first off the plane. Both wore their new uniforms, the Navy blue contrasting starkly with their drawn, pallid faces. Captain Rumble, ill, stooped, pale, was assisted down the steps, helped into a police car, and rushed to a waiting medical-evacuation plane.

The two Navy men and their families were led to a small platform, barren but for a gaggle of intertwined microphones. Uncertainly at first, and then with alert precision they returned the salute of Air Force Col. Milt Kegley standing nearby.

They were ashen in color. Their eyes were deep, hollow circles of darker gray, much like the exaggerated eyes of starving children. They smiled, but somehow their smiles seemed macabre; not forced, but not exactly real; joyful surely, but with an underlying tautness; perhaps nearer to tears than laughter.

Lieutenant Frishman once again spoke for all three men, repeating what by now had become his stock statement. They were happy to be home, they had received "adequate food, clothing, and housing" from their captors.

He, himself, had been seriously wounded. The North Vietnamese doctors had removed his elbow and tied the muscles together. "I am glad to still have my arm," he said.

THE ARM WAS WASTED

It hung at his side, the loose sleeve of his jacket emphasizing that the arm was wasted, thin, far shorter than the other. When the suggestion had been made to him earlier that, "They'll fix it better at home," he replied, "Oh, no. They won't. It's impossible now."

Now, as he extolled the "adequate" treatment he and the others had received, and praised the North Vietnamese for saving his arm, Frishman voiced the "hope that there will be some more releases."

At his side, Douglas Hegdahl, once a robust heavyweight, continued to smile, his face almost skeletal. A reporter asked how much weight he had lost. He had "no comment."

But then Frishman addressed the microphones. "I lost forty-five pounds; Seaman Hegdahl lost sixty pounds," he said. It was the first detailed confirmation of their deprivations.

A newsman asked Frishman why the North Vietnamese had selected him for release in preference to some other prisoner.

"I am sure they released me for some reason . . . this reason I do not know," he said.

What about the welfare of other prisoners still held by Hanoi?

"No comment," Lieutenant Frishman said.

PRESS SESSION QUICKLY ENDED

The session with the press was over quickly, the final questions muffled in the roar of a nearby jet. The men were tired; they had been traveling for thirty-six hours.

"I want to be with my wife now," Lieutenant Frishman said. He placed his good arm around her. The prisoners and their families moved off the platform.

As Frishman turned, I saw him for the first time from the side. His shoulders were incredibly thin. The collar of his shirt hung loosely about his neck. The lines of his nose, his cheeks, and his chin were sharply drawn, haggard. So were Hegdahl's.

If the two men had been well-treated, there

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was nothing in their appearance to verify it. The almost corpse-like pallor of their skin, tightly stretched, almost translucent, mutely testified to long seclusion from the sunlight.

The men and their families moved to waiting transportation for the short trip to the medical-evacuation plane and the final leg of their journey to military hospitals. I turned with the other newsmen to walk back into the International Arrivals building for the meeting with the pacifist escorts.

We waited for an hour in a small, stuffy room intensely illuminated by bright klieg lights.

Finally, the pacifists straggled in, having been delayed in customs. The four escorts and the three cameramen gathered on a platform at one end of the room. By any standards, they were unprepossessing in appearance.

The leader and spokesman, Rennie Davis, was the most presentable, dressed in neat trousers and shirt, hair slightly long but combed and parted.

Peering from time to time at notes reclutched in his right hand, Davis began a recitation of what the seven-member team had seen and done in North Vietnam. His monologue had little to do with the prisoners. It mainly emphasized the "devastation" that US bombing forays had inflicted on a "determined" and "unbeatable" people now instilled with a "mood of victory." The North Vietnamese believe, he said, that they have President Nixon "trapped."

He introduced Grace Paley, a short frumpy woman in a cotton dress. She said North Vietnam considers U.S. prisoners criminals, but relates them to "show good faith" and as a demonstration of their "humanitarian" treatment.

PRAISE OF HANOI'S TREATMENT

Next up was Linda Sue Evans, young, blonde, wearing tightly fitting, flared blue jeans. "We believe," she said, "that North Vietnam should win." She praised Hanoi's "humane" treatment of the prisoners.

The young Negro, Johnson, principal pacifist speaker at the Hanoi ceremony, was next. He said with obvious pleasure that the North Vietnamese "feel they have defeated the United States."

Davis opened the press conference to questions.

"Are our prisoners being mistreated?" he was asked.

He had seen no such evidence. The group had met a "total of twenty-five to thirty all told," and had been informed by the prisoners that they had been protected within the very villages they had bombed, been given immediate medical attention, and "better" food than is provided for their guards.

He said continuing concern is voiced about the treatment of U.S. prisoners, but he is more concerned about the treatment of prisoners from the other side held in camps in South Vietnam.

Davis was asked to comment on a statement by Secretary of Defense Laird that Hanoi's treatment of prisoners is in "flagrant violation" of the Geneva Conventions.

Davis said he thinks North Vietnam "legally regards the United States as an outlaw nation." (An interesting comment. James Johnson had used the same "outlaw" phrase in his Hanoi remarks, but attributed it to the pacifists themselves.)

"You say our prisoners are being treated humanely," I asked Davis. "How many prison camps did you visit?"

Repeatedly, he sought to evade a direct answer, but I kept hammering "how many prisons" at him. Finally he admitted he had "no information at all" about any of the prison camps.

The press conference produced nothing of any kind about the status of U.S. prisoners held by North Vietnam. The pacifists had returned believing what they wanted to believe. They brought back no list of prisoners held by Hanoi, no hint that North Vietnam might consider changing its policy on prisoners.

Except for some fifty letters Hanoi had permitted them to carry home, they had returned only with an array of sugar-coated propaganda. They had swallowed whole as much as possible and stuffed the rest into their luggage.

The press conference could only raise serious doubts about the value of continuing to allow Hanoi the luxury of using such groups to bring back tiny numbers of prisoners. Some Administration officials, even some wives and families of prisoners and missing men, also are beginning to question the validity of this practice.

At the current exchange rate, it would take well over 400 years to get all of the men home. And the current release procedures, in the words of the Washington, D.C., *Evening Star*, are "a little like Oriental water torture—and just as humanitarian."

Twenty-five days after Frishman, Hegdahl, and Rumble reached New York, I went to Bethesda Naval Hospital in Maryland to hear the two Navy men tell about their prison life. Sunshine had improved their color; they had regained some weight. They were ready to open up.

Frishman recounted how he had been blindfolded after his capture and, despite serious injuries, driven in a truck to other locations where he was removed from the truck and stoned by the populace. When he reached the prison, he was refused medical treatment and told he "was going to die in four hours," unless he talked. He "finally passed out" and was taken to a hospital. "Then, even with my bad arm, they tied me up with ropes."

Doctors operated on his arm but failed to remove missile fragments. It was six months before the incision healed over. "I would wake up and find my arm stuck to the blankets . . . the scab would come off . . . the wound would drain again." One of his legs was left with "a seeping sore," still draining when he reached the United States almost two years later.

During much of his ordeal, Frishman was isolated in a tin-roofed cell, vented by "a few holes." In forty-five-degree winter weather, he froze. In summer, it was "like an oven." Sometimes, he was forced to sit on a stool in the stifling room—"just sit . . . and sit"—until he passed out.

Early this year when interviewed by *L'Europeo,* his captors wrote out what he was to say and then "practiced" it with him.

Did they try to "fatten" him in his final weeks of imprisonment, I asked?

"Yes, they did." On July 4 they took him before the camp commander who "had a real nice table with some fruit on it. . . . I knew then that I was going home."

SOLITARY CONFINEMENT

Hegdahl, too, had been subjected to solitary confinement—in all, for more than a year. The longest stretch lasted "seven months and ten days."

He was permitted occasional mail, but the letters were rifled of enclosures (including money) sent by his parents. The lone package he was allowed also was plundered before it was handed to him.

For propaganda purposes, he was photographed "reading" a US magazine which he was allowed to hold "just long enough for them to take the picture."

Frishman said he was threatened before his release. If he embarrassed North Vietnam, they would "have ways of getting even with me," he was told. He was cautioned "not to forget that they still have hundreds of my buddies."

But those still imprisoned want the facts out in the open, he said. One told him "not to worry about telling the truth," that if it means more torture, "at least he'll know why he's getting it and he will feel that it will be worth the sacrifice."

While North Vietnam's claims of "humane" treatment of the prisoners have failed to stand up to public scrutiny, it is equally apparent that Hanoi's policies and those of the Viet Cong have been cruelly lacking in compassion for the families of the prisoners and missing men.

Take Andrea Rander, whose husband, Army SSgt. Donald Rander, is held by the Viet Cong. He was first reported missing during the January Tet offensive last year. Four weeks later she was officially notified that he had been wounded and imprisoned. She has been waiting almost two years for a letter that has never come. She has great difficulty, she told me, in making decisions. "I keep putting everything off. I keep telling myself I will wait until Donald comes home. It's my way, I guess, of convincing myself that he will be back."

SPORADIC LETTERS

Billie Hiteshew, wife of AF Maj. James Hiteshew, who was captured by North Vietnam in March of 1967, has lived with the problem longer, but at least she has heard from her husband. She receives sporadic letters, including two this year. And she has seen photographs of her husband. Shortly after his capture, CBS purchased a film of Hiteshew—confined in a hospital with a broken leg and arm—being interviewed by Felix Greene, a British antiwar journalist. She watched her husband say he agreed with Senators who feel "we need to take another look at our foreign policy," a view she had never heard him express or even hint at before.

Evelyn Grubb's only knowledge of her husband came from a similar Hanoi propaganda gesture. An unarmed reconnaissance aircraft, piloted by AF Maj. Wilmer "Newk" Grubb, was shot down in January 1966 while a Christmas bombing halt was in effect. Hanoi gloatingly publicized his capture, conveniently obscuring the true nature of his mission. The day Mrs. Grubb heard of his capture, it was snowing, two of her three sons were ill, and she was three months pregnant. Each time she writes she tells him about their sons (there are now four; one he has never seen), and sends photographs of all of them stapled to the letter so he will know if they have been removed. She doesn't know whether he has received a single photograph or letter. In four years, she has had no further official word of her husband.

Elizabeth Hill is another wife I talked with. Only twenty-three, she was married to AF Capt. Howard J. Hill (both are AF "brats") in August 1967. Two weeks later he returned to Southeast Asia, and just before Christmas was shot down. Nine months passed before she learned that his capture had been confirmed. As she told me this, she smiled. "I can't help smiling," she apologized. "After Howard was missing for so long, I just have to smile when I say he is a prisoner." She has written faithfully for almost two years, but there has never been an answer.

Although regular exchange of mail between prisoners and their families is guaranteed under the Geneva Conventions (even when two countries are not formally at war), the Communists have permitted only a trickle of letters to flow out of North Vietnam.

Efforts of the American Red Cross and the International Red Cross to improve the situation have been essentially futile in the face of Hanoi's obstinance.

NO INSPECTIONS PERMITTED

Not only has North Vietnam rejected Red Cross efforts to establish improved flow of mail and packages to and from US prisoners, and to permit inspections of their prison camps, but they persistently have refused to even acknowledge the existence of, or accept mail from, their own men held as prisoners in South Vietnam. The latter camps are regularly inspected by the neutral International Committee of the Red Cross, and names of all captured North Vietnamese and Viet Cong soldiers are prepared for Hanoi and the VC, but are spurned.

Although the Red Cross has tackled the problem again and again through all potential channels (even seeking help from the USSR)—and keeps on trying "all the time," according to ARC Vice President Robert Lewis—most of the effort has fallen on deaf ears.

Mr. Lewis says the Red Cross also has made it clear that it is prepared to send representatives to Hanoi at any time to accept released prisoners, but the North Vietnamese prefer to stick to their practice of using dissident go-betweens.

MAIL FOR PRISONERS

Mail for all prisoners and missing men is sent through a variety of channels and addresses. Some is handled by the Red Cross, some is mailed direct to foreign post offices, but little is known to have reached the men to whom it is addressed.

Letters written by the prisoners themselves have fared somewhat better because of their propaganda value. But none ever has arrived in the States from prisoners held by the Viet Cong. And fewer than 100 men held by North Vietnam have been allowed to write over the past five years. The average for this small group has been less than two letters a year.

Currently the letters from prisoners are written on a prescribed form, about five by seven inches, which makes its own envelope when folded. Six lines are provided for the message. Instructions tell the prisoners to write "legibly and only on the lines" and "only about health and family." The form states that "Letters from families should also conform to this pro forma."

Not all wives and parents abide by the advice, but many, like Gloria Netherland, do. Forms are provided by the armed forces. All carry a mailing address in the Vietnamese language reading: "Camp of detention for US pilots captured in the Democratic Republic of Vietnam."

But for most families, whether they use the six-line form letter or a longer page, the return on their investment is slim at best.

For families of men listed as "missing," even the lack of mail might be bearable if Hanoi and the VC would release the names of all prisoners. But they have consistently refused. Some U.S. Senators say Hanoi "could devise no subtler cruelty."

While no solution to either the mail problem or the list of missing is in sight, the U.S. armed forces, meanwhile, do what they can to ease the plight of the next of kin.

It is not a simple job, nor has it always received top marks in every area, but as the list of prisoners and missing has grown and as the services have learned from past mistakes and found out more about what the families want and need, they have moved increasingly into programs that now garner well-deserved praise.

All of the wives I talked with feel that their husband's service, as one put it, "is doing everything humanly possible."

NOTIFYING NEXT OF KIN

In the early days when a man was captured or turned up missing, next of kin sometimes were advised by telegram. This impersonal approach proved highly unsatisfactory and has long since been abandoned.

Today when catastrophe strikes, a service representative is sent to the home to call on the family, break the news in person, give whatever details are immediately available, and offer solace and assistance as he can provide.

Either this representative or another is thereafter permanently assigned as an "assistance officer" for all future contacts. He makes sure the families are informed of breaking developments, if any; answers their questions, or refers the queries to someone who can; and ensures that they receive such legal, financial, or other aid as they may require.

The main Air Force effort is performed from the personnel center at Randolph AFB, Tex. Service is available twenty-four hours a day, seven days a week, and next of kin may make collect telephone calls any time, day or night.

Families are told everything the services can tell them about the circumstances surrounding the capture or disappearance of the man. Any subsequent news is passed along as quickly as it is received.

On a broader front, all services have put together special informational programs for the next-of-kin to keep them informed about over-all prisoner developments. These most often take the form of newsletters. But the Army's Adjutant General, Maj. Gen. Kenneth G. Wickham, writes a personal, individually prepared letter to each Army family once a month.

The letters and newsletters are supplemented by personal meetings with individual family members or with groups. This practice was instituted early by the Navy, but has now been made uniform for all services, under expanded policies of the Nixon Administration.

Beginning this past spring, group meetings were instituted under the aegis of a joint Defense/State/military team, with families from several services attending at a central location for each given area. At the meetings, the next of kin receive a full briefing on the prisoner problem.

Much of what they can be told is not new, but it has demonstrated to the satisfaction of many, if not all, of those attending that the government is giving the prisoner problem priority consideration, and sincerely wants, and is trying, to help in every way possible.

MEETINGS WITH NEXT OF KIN

The meetings have been spread all across the country. Scheduled mostly at Air Force bases, they are generally held in Service or Officers Clubs, in an informal atmosphere, with local volunteer-wives serving coffee or punch to the families—normally about 100 wives and parents.

One meeting held at Bolling Air Force Base near Washington, D.C., was attended by Ambassador Henry Cabot Lodge (home to report to the President). He told the group what was happening at the Paris peace table. Another briefing session was conducted at the Pentagon itself. Defense Secretary Laird met and talked with the families.

One member of the briefing team, Deputy Assistant Secretary of Defense Richard G. Capen, Jr., said, "We are always frank about telling the families there have been no great breakthroughs. I review the over-all situation; Frank Sieverts [State Department representative] discusses the Paris talks and other State Department efforts conducted through diplomatic channels. Then we spend the remainder of the time, about an hour or an hour and a half, responding to questions."

Mr. Capen says reaction to the briefings has been excellent. Sometimes "wild suggestions" are offered or family members give vent to angry frustration. ("Some cannot understand why we learn so little about the men.") But the meetings, Capen feels, have been extremely useful and have helped to partially satisfy the yearning of many families for some closer contact with their government in Washington.

He has been through many heartrending conversations, but what remains most vividly in his mind is the meeting at which one wife stood up and declared, "I want my husband back, but I don't want to give my country away to do it."

Most of the families, he says, "have real understanding and appreciation of the problems. We want to assure them that when the men do come back, we will be in a position to say we did all we could." He thinks most of the families now feel, if they didn't before, that this is the case.

In addition to the programs designed for the next of kin, the armed forces also carry out certain procedures for the prisoners and missing men themselves.

All, for example, are considered for promotion at the time they normally would have been considered if not in captured or missing status. Their full pay and allowances are continued indefinitely, and they receive whatever general pay increases are authorized for others on active duty. Allotments the men provided for their families are increased as needs dictate.

New laws also have been enacted, and others are being sought, to protect rights of the men that might otherwise be jeopardized.

The military "savings deposit" program, for example, encouraged overseas servicemen to bank a portion of their pay in high-interest accounts as a means of cutting down on the US gold-drain. But the law contained no provision for men who were captured or reported missing. This inequity was corrected only to have a second develop. The maximum that can accumulate in such accounts is $10,000. Anything above that amount draws no interest. With deposits of some men now approaching or exceeding the ceiling, the Defense Department recently asked Congress for authority to invest "excess" amounts in the purchase of US saving bonds and notes.

Yet, despite these and other continuing efforts on behalf of the men and their families, it is all too apparent that the combined activities of the armed forces, the State and Defense Departments, the American and International Red Cross, and the efforts at the Paris talks have reunited few prisoners with their loved ones. Nor has there been any new hope for proper medical care of the sick and injured, neutral inspection of prison camps, full disclosure of the names of all captives, or proper flow of mail.

The new Nixon Administration initiatives are helpful, but only full and continuing exposure of the plight of the prisoners and their families, together with relentless public pressure at home and abroad, are likely to produce desired action.

An occasional newspaper editorial is not enough. Limited news coverage of developing prisoner stories is not enough. An infrequent letter-to-the-editor is not enough. A statement inserted in the back pages of the CONGRESSIONAL RECORD is not enough. A business-as-usual attitude on the part of the American public can only make apparent to Hanoi that these men who have given so much to their country have indeed been forgotten by those for whom they made the sacrifice.

Some wives of the prisoners and missing men have reached the same conclusions. Some are taking steps to counter public apathy, and to arouse the Congress.

Mrs. James Bond Stockdale of Coronado, Calif., wife of a senior Naval officer held by North Vietnam, has encouraged other wives to send telegrams to the North Vietnamese delegation in Paris, and helped to organize prisoner families. Mrs. James Lindberg Hughes of Santa Fe, N.M., wife of a captured Air Force lieutenant colonel, and Mrs. Arthur S. Mearns of Los Angeles, wife of a missing Air Force major, also have been urging the Congress and others to act.

Many of the wives are essentially satisfied that the services and the Administration are doing all they can. But some feel, as Evelyn Grubb says, that "there is a bargaining point for everything; we have to find it." The wives are convinced that more public pressure is essential.

Some have been particularly critical of the inaction by Congress. "Usually," Mrs. Stockdale has said, "they put something in the

Congressional Record and then forget about it."

A check of the *Record* discloses that this practice was, until very recently, more or less standard. But there is hopeful evidence of a growing change—partly as a result of appeals by the wives, partly as a result of the more open discussion policy encouraged by the Administration.

In August, shortly before Congress went into brief summer recess, forty-two Senators banded together in a strong statement condemning North Vietnam for its "cruel" treatment of the prisoners and their families. Instigated by two opponents of our Vietnam policies, Charles Goodell (R-N.Y.) and Alan Cranston (D-Calif.), the declaration says if North Vietnam thinks it can "influence the policy of the United States toward the Vietnam conflict" through its intransigent position on the prisoners, it is "doomed to failure."

"Neither we in Congress, nor the Administration, nor the American people as a whole, nor indeed the families directly affected, will be swayed by this crude attempt."

Those signing the statement included both Democrats and Republicans representing thirty-three of the fifty states. Three names that might have added weight but were absent from the list of signatures were those of war critics J. William Fulbright (D-Ark.), George McGovern (D-S. D.), and Eugene McCarthy (D-Minn.).

The Senate statement ended with a specific plea to "the governments, the statesmen, and the ordinary men and women around the world" who spoke out in 1966 against Hanoi's proposed "war-crimes trials"—a plan that was abandoned by North Vietnam after a wave of world protest.

The Senators said those who protested in 1966 should "make their voices heard once more. Then, as now, the issue was not political but humanitarian—and Hanoi responded to the force of world public opinion. If that force can again be mobilized, this too may contribute to inducing from Hanoi greater respect for human decency and for the rule of law." On August 21, the North Vietnamese delegation in Paris vehemently rejected the protest as "slander" and an attempt "to deceive public opinion."

In the House of Representatives, Congressman William L. Dickinson (R-Ala.) sent a letter to his colleagues asking that they join him, after the August recess, in making floor statements protesting the treatment of our war prisoners.

Whether these moves are one-shot efforts remains to be seen. What members of both houses seem to have overlooked is the potential force of a Joint Congressional Resolution condemning Hanoi's prisoner policies.

Whatever action Congress may take, what will count most significantly is the time and effort the American people are willing to expend in helping solve the problem.

In my numerous interviews with government officials, representatives of the Red Cross, members of the armed forces, and next of kin of the prisoners, I ask each person what he or she thought would be the most effective attack that could be launched.

They agreed that a four-pronged letter campaign could produce dramatic results. The letters should be directed to:

Representatives of foreign nations;

Newspapers and magazines in foreign nations;

Members of the US House and Senate; and

Xuan Thuy, chief North Vietnamese negotiator in Paris.

The letters to the foreign nations and the press in those nations should urge that pressure be brought to bear on Hanoi to live up to the spirit of the Geneva Conventions by putting into practice the Conventions' rules on the treatment of war prisoners.

The letters to Xuan Thuy should demand the same points. And those individuals who are not necessarily in sympathy with the war should make it clear that proper treatment of the prisoners is nevertheless an overriding consideration. All should note that continued intransigence on the part of Hanoi will only stiffen the resolve of the American public, not weaken it.

Letters to members of Congress (addressed to the Representative from your own congressional district and to either or both of your US Senators) should call for a Joint Resolution demanding proper treatment for the prisoners and missing men, and stressing the solidarity of the nation in this aim.

HOW YOU CAN HELP

If you want to help, send a postcard to AIR FORCE/SPACE DIGEST at 1750 Pennsylvania Ave., N.W., Washington, D.C. 20006, and you will be mailed a list of Washington, D.C., addresses of ambassadors of foreign nations whose assistance could be crucial, together with a list of selected foreign newspapers and publications.

Letters to Xuan Thuy can be addressed, in simplified form, as follows: Xuan Thuy, North Vietnam Delegation, Paris Peace Talks, Paris, France.

There is a chance—possibly a good chance—that world opinion might force Hanoi to honor basic codes of human decency.

"By any human standards," the position of North Vietnam is "totally inexcusable," Secretary of State William Rogers says. "I don't understand why we have not become more excited about the prisoner question."

The Secretary is telling the people of the United States that their concern is important. The rest is up to you. If you want to help the men many Americans have forgotten, you can. Your letter could be the one that spells the difference.

OCTOBER 15: A PERIL

Mr. FANNIN. Mr. President, on several occasions I have expressed my concern about the national strike we are faced with on October 15. I am aware that the more elite name by which the leaders of this movement prefer to be described is "Moratorium," but I wonder if many becoming involved realize the hazards they risk in leading this Nation into the throes of anarchy.

There apparently is no dearth of those, Mr. President, who are willing to lend their names to the success of this effort. I cannot judge their motive and do not attempt it. I only question their wisdom. It is extremely questionable to me, Mr. President—to put it in the mildest terms I can manage—to be lending one's name and endorsement to organizations whose leadership councils are shot through with Marxist elements; elements whose philosophy and ideals I believe to be extremely inimical to the best interests of the United States.

Mr. President, I have tried to be quiet and simply put forth the information which had come to me and suggest that those who have inadvertently become wrapped up in these causes may wish to disentangle themselves. However, the publicity given to this affair seems to be mounting and there are apparently few quieting voices from those who believe this soon will border on total disorder.

I wonder, Mr. President, how many of those who have endorsed this movement are aware that the public relations director of the Communist Party, U.S.A., Arnold Johnson, is actively involved in its leadership? How many who have lent their names to ads appearing in major newspapers are knowingly joining with the wife of a Communist Party national committeeman, Sam Kushner, who served as west coast editor of the Communist Party newspaper People's World?

Are they aware that Irving Sarnoff, who has served as a member of the district council, southern California of the Communist Party, U.S.A. is a member of the new "MOBE" steering committee also? Sarnoff is also listed among those who attended the World Peace Assembly in East Berlin this past June.

These are just some of the backgrounds of a few of the people who serve on the steering committee of the New Mobilization Committee.

The new MOBE as it is called, is located in the same office building as the Vietnam Moratorium Committee. I detailed activities of that group in the RECORD of September 30, 1969. The offices are one above the other at 1029 Vermont Avenue NW., here in Washington. They freely admit connections between the two committees. A leader of Vietnam Moratorium Committee, Dave Hawk, is a member of the steering committee of the new MOBE.

Sam Brown, about whom much has been written and publicized, is the chairman of the VMC. He is quoted by Theodore H. White, author of "The Making of the President 1968," as saying:

> We've recognized the true nature of the United States, we saw the United States attack Cuba, it attacked the Dominican Republic, it attacked South Vietnam. The Communists are now a fragmented force; the United States is now the great imperalist-aggressor nation in the world.

Are those who have lent their names to Sam Brown and his crew of anarchists, willing to agree that the "United States attacked Cuba?"

Are they willing to be blamed with "attacking" the Dominican Republic or the Republic of South Vietnam? Do they share Mr. Brown's view that the United States is the great "imperialist-aggressor nation in the world?"

In my view, Mr. President, the activities scheduled for October 15, under the auspices of the Vietnam Moratorium Committee have been carefully coordinated with similar activities in Communist-controlled Cuba and other Latin countries. The same plan has been set in motion by student groups active in Communist causes in Canada. These are no idle coincidences. How does it happen that the magic date of October 15 began to appear in print some 5 days after the breakup of the world peace assembly in East Berlin last June? Before that, no one had heard October 15 designated as a special day.

Mr. President, in all good conscience, I cannot stand idly by while sworn enemies of the United States—not simply youthful dupes—are actively seeking to bring this country to a standstill. I must protest, and I do so with all the moral force I can muster. These times are not only troublous, they are perilous and I feel threaten the foundation of all that America and Americans hold dear.

Mr. President, I ask unanimous consent that a report on the National Antiwar Conference held in Cleveland, Ohio, this past July, compiled from newspaper reports and eyewitness accounts, be printed in the Record at this point, along with a list of U.S.A. participants in the World Peace Assembly held in Communist-controlled East Berlin last June. These documents will, I believe, Mr. President, show without a reasonable doubt where the strategy for a national strike was developed and will also tell a great deal about the manner in which these interlocking so-called "peace" groups are used to do the work of those who are hostile to the United States, our freedom and our Constitution.

There being no objection, the material was ordered to be printed in the Record, as follows:

Report on the National Antiwar Conference

During the late Spring of 1969, a group of approximately 30 radical leaders of anti-war organizations issued a Call to a National Anti-War Conference held in Cleveland, Ohio, July 4–5, 1969. The Call was initiated for the most part by individuals associated with the National Mobilization Committee to End the War in Vietnam (MOBE), a Communist-oriented organization which has functioned as a coalition for numerous anti-war groups operating throughout the country. Included among those persons who endorsed the Conference Call were such MOBE leaders as David Dellinger, Robert Greenblatt, Donald Kalish, Sidney Lens, Sidney Peck and Maxwell Primack.

Functioning as the lineal descendant of A. J. Muste's November 8 Mobilization Committee for Peace in Vietnam, MOBE has a three-year history involving violence and civil disobedience. MOBE sponsored the October 21–22, 1967 demonstrations in Washington, D.C., during which time repeated attempts were made to close down the Pentagon. It also jointly planned and executed the disruption of the 1968 Democratic Party National Convention held in Chicago, and sponsored the demonstrations in the Nation's Capital on January 18–20, 1969 in protest over the inauguration of President Nixon.

In a determined effort to revive and strengthen agitational protest activities against U.S. military involvement in Vietnam, MOBE-oriented initiators of the Cleveland Conference believed that a more extensive formation of MOBE was required in order to establish an effective anti-war program. According to the published Call, the purpose of the Conference was to "broaden and unify the anti-war forces in this country and to plan co-ordinated national anti-war actions for the fall." The Conference was hosted by a MOBE-affiliated organization called the Cleveland Area Peace Action Council (CAPAC), a coordinating body of several dozen anti-war groups in Cleveland, in cooperation with the University Circle Teach-In Committee at Case Western Reserve University. The meetings were held during the entire two-day period at the University's Strosacker Auditorium. Publicity for the Conference was arranged by several organizations including the Student Mobilization Committee to End the War in Vietnam, a group dominated by the Trotskyist Socialist Workers Party.

The Conference was attended by approximately 900 persons, many of whom were delegates from anti-war groups comprising individuals identified in sworn testimony as Communists, well-known Communist sympathizers and radical pacifists in their leadership. Among the organizations represented at the Conference, in addition to MOBE and CAPAC, were the Communist Party, U.S.A., W.E.B. DuBois Clubs of America, National Lawyers Guild, Chicago Peace Council, Southern California Peace Action Council, Veterans for Peace in Vietnam, Socialist Workers Party, Young Socialist Alliance, Student Mobilization Committee to End the War in Vietnam, Youth Against War and Fascism, Fifth Avenue Vietnam Peace Parade Committee, Women Strike for Peace, and the Students for a Democratic Society. There were also in attendance persons representing so-called "GI underground newspapers" which are devoted to disseminating anti-war propaganda and to discrediting the U.S. Armed Forces. Delegates and observers to the Conference were predominantly Caucasian; only about 30 Negroes were in attendance.

A Steering Committee of about 20 to 30 members formed the ruling clique at the Conference. In effect, the Steering Committee was a self-appointed group composed mostly of Communists and radical pacifists with pro-Communist leanings who have participated in MOBE action projects in varying degrees. Members of the Steering Committee with communist backgrounds included the following: Arnold Johnson, Public Relations Director and legislative representative of the Communist Party, U.S.A. (CPUSA); Irving Sarnoff, who has served as a member of the District Council, Southern California CPUSA; Sidney M. Peck, a former State Committeeman, Wisconsin CPUSA; Dorothy Hayes of the Chicago Branch, Women's International League For Peace and Freedom; Sidney Lens (Sidney Okun), leader of the now defuuct Revolutionary Workers League; and Fred Halstead, 1968 presidential candidate of the Socialist Workers Party. Moreover, Steering Committee member David Dellinger, MOBE Chairman, declared in a May 1963 speech: "I am a communist, but I am not the Soviet-type communist." Speaking at Yale University in 1965, Dellinger stated that although he was not a communist, he would not disassociate himself from known communists.

The first day of activity was mainly devoted to speeches by MOBE officials and representatives of various groups. Among those who participated in the deliberations on July 4, 1969, were Jerry Gordon, Chairman, Cleveland Area Peace Action Council; Sidney M. Peck, MOBE Co-Chairman; Irving Sarnoff, Chairman, Southern Califonia Peace Action Council; David Dellinger, MOBE Chairman; LeRoy Wolins, leader of the Chicago branch, Veterans for Peace in Vietnam; Stewart Meacham, Peace Secretary, American Friends Service Committee; Mark W. Rudd, National Secretary, Students for a Democratic Society (SDS); Bill Ayers, SDS Education Secretary; Arnold Johnson, Public Relations Director of the CPUSA; Jack Spiegel, Organizational Director, Chicago District, United Shoe Workers of America; David Hawk, Vietnam Moratorium Committee; Douglas Dowd, New University Conference; and several persons representing Trotskyist organizations. Of the aforementioned Conference participants, five have been identified under oath as members of the CPUSA, namely: Peck, Sarnoff, Wolins, Johnson and Spiegel.

There were a number of other indivuals attending the Conference, in addition to those previously identified, who have been closely linked with activities of the Communist Party, U.S.A. or its front apparatuses. Some of these persons were Phil Bart, newly appointed Chairman, Ohio CPUSA; Jay Schaffner, W.E.B. DuBois Clubs of America; Charles Wilson of Chicago; Ishmael Flory, Afro-American Heritage Association; and Gene Tournour, W.E.B. DuBois Clubs of America.

The Conference was well represented by a number of functionaries of the Socialist Workers Party (SWP) and its youth arm, Young Socialist Alliance (YSA). It is noteworthy that the Conference itself was marked by periods of dissension. At the outset of the Conference, it became apparent that the majority of those in attendance were affiliated with numerous anti-war groups operating under the domination of the Trotskyist SWP or YSA.

There were two principal issues at the Conference which involved considerable conflicting views with respect to the nature of Fall anti-war demonstrations. First, the SWP essentially held that a Fall anti-war action should comprise only a massive, legal as well as peaceful march on Washington, with the sole demand of immediate withdrawal of the U.S. Armed Forces from Vietnam. This proposal brought about a split in the Steering Committee; however, it was defeated. David Dellinger and Douglas Dowd presented the majority proposal which called for the Steering Committee's support of a "Washington action" project together with the endorsement of the scheduled "Chicago action" originally planned by SDS for September 27, 1969. Interestingly, the SDS project extends the "Washington action" demand beyond troop withdrawals and advocates civil disobedience as a necessary part of the demonstrations.

Secondly, the other main source of disagreement which occurred at the Conference involved a proposal by SDS National Secretary Mark Rudd to plan the Fall anti-war actions to center around the Marxist-Leninist theme of an "anti-imperialist struggle." The SDS proposal was disapproved by the majority of the delegates who took the position that the Fall demonstrations should concern only the issue of the Vietnam War. Another source of friction was the question of who was eligible to receive delegate status. The Steering Committee held that only the Steering Committee itself would make the final determination of any appeal stemming from decisions of the Conference's Credentials Committee.

During part of the second and final day of the Conference, the delegates and observers attended workshop sessions which were devoted to the following topics in connection with proposed demonstration tactics: "November Washington Action," "September Chicago Action," "September Washington Action," "August 17 Summer White House Action," "Moratorium," "GI's and Vets," and "Third World."

The plenary session reconvened during the afternoon of July 5, 1969 at which time the Steering Committee introduced a "majority-minority" resolution for approval. The Communist-oriented Guardian of July 12, 1969 stated that the resolution was "vague" and gave "support" to "all factions, covered up all political differences. The resolution said next to nothing about the Chicago demonstration except that negotiations would be held. The unity resolution was accepted with little discussion." The Conference resolution agreed to endorse or assist in organizing a series of anti-Vietnam war action projects commencing during the month of August and terminating with the November 15, 1969 demonstration in Washington, D.C.

The Conference resolution specifically adopted the following actions:

(1) Support a mass march on President Nixon's Summer White House at San Clemente, California on August 17, 1969.

(2) Endorse an enlarged "reading of the war dead" demonstration in Washington, D.C. in early September 1969.

(3) Support plans of the Vietnam Moratorium Committee for a "moratorium on campuses" on October 15, 1969.

(4) Support the September 27, 1969 demonstration in Chicago sponsored by SDS in opposition to the Vietnam War and to protest the trial of "The Conspiracy" which is scheduled to commence on that day.

(5) Support a "broad mass legal" demonstration around the White House in Washington, D.C. on November 15, 1969 which will include a march and rally in other areas of the city. An associated demonstration will be planned for the same date on the West Coast.

XUM

The Conference agreed to form a bicameral organization to effectively launch the Chicago and Washington actions. Two Co-Chairmen and two project directors were designated to be responsible for the Chicago demonstration slated for September 27, 1969. They were: Sidney Lens and Douglas Dowd, Co-Chairmen; and Rennard (Rennie) C. Davis and Sylvia Kushner, Project Directors. With respect to the Washington action scheduled for November 15, 1969, the Conference selected the following persons to administer that project: Sidney M. Peck and Stewart Meacham, Co-Chairmen; and Fay Knopp and Abe Bloom, Project Directors. In an effort to develop both the Chicago and Washington actions in a related manner, David Dellinger was selected by the Cleveland Conference to be a liaison coordinator between both proposed demonstrations.

The Conference claimed that it selected a "new, broadly-based" National Steering Committee of approximately 30 individuals to "implement the program of action." Prior to adjourning, the Steering Committee adopted a new name for the organization which will be responsible for planning and directing the forthcoming Fall demonstrations. It was designated the New Mobilization Committee to End the War in Vietnam. However, in actuality, the MOBE-oriented Steering Committee composed of key MOBE officials, decided to drop the name National Mobilization Committee and substitute a new but similar title. Therefore, the New MOBE succeeded the "old" National MOBE with the leadership of the latter remaining virtually intact. The New MOBE has characterized itself as a "new anti-war coalition" which will "carry forward the work of the old National Mobilization Committee" to "affect the inclusion of a wider social base among GI's, high school students, labor, clergy and third world communities."[1]

Since the staging of the National Anti-War Conference in Cleveland in July 1969, New MOBE has increased the size of its Steering Committee. It has also instituted a number of the organizational changes in planning for the Fall demonstrations. One such change brought about the withdrawal of New MOBE support for the SDS-sponsored Chicago action which was re-scheduled from September 27 to October 11, 1969. New MOBE rescheduled its Chicago action to October 25, 1969. The reason for this change was the fact that New MOBE leadership felt apprehensive over the SDS project which they deemed foolhardy and destined for a collision course with the Chicago Police Department. In effect, New MOBE viewed that its participation in such an "adventurous" project of outright confrontation would be detrimental to both New MOBE and the entire anti-war movement at this time.

An evaluation of the Conference by the Socialist Workers Party provided a revealing insight into the effectiveness of the Conference from a Communist viewpoint. The SWP declared: "The attendance at the conference, the serious political debate, the program mapped out and the spirited note on which the sessions ended offer every promise that the anti-war movement is on the road to one of the biggest things this country has ever seen."[2]

WORLD ASSEMBLY FOR PEACE, EAST BERLIN, JUNE 21–24, 1969

PROVISIONAL LIST OF PARTICIPANTS FROM UNITED STATES

[International organizations and movements]

All-African Trade Union Federation; All-African Women Conference; All-African Youth Movement; American Friends Service (Quakers); Arab Lawyers Union; World Constitution and Parliament Association, Selma Brackman (U.S.A.).

U.S.A.

Richard (Dick) Gregory, entertainer, author, lecturer, Chicago.

Mrs. Lillian Gregory.

Stanley Faulkner, lawyer.

Valeri Mitchell, student, Peace Action Council, Los Angeles.

Harlan Weltzel, Episcopal priest, Peace Action Council, Clergy & Laymen Concerned of Los Angeles.

Irving Sarnoff, railroad mechanic; chairman, Peace Action Council, Los Angeles.

Antonia March, church secretary, Women Strike for Peace, Los Angeles.

John Joseph Donaldson, student, Radical Student Union, Los Angeles.

Michael Markwart Pannwitz, family planning consultant; Committee of Returned Volunteers, Los Angeles.

Sara Pannwitz, teacher; Committee of Returned Volunteers.

Peggy Jo Boylen Best, student; Seattle Women's Strike for Peace, Washington.

Janell Aldon Kilgoro, entertainer; Dow Action Committee (DOW), (COLAS), L.A. Committee of Latin American Solidarity, Los Angeles.

Susan Boronstein, student: W.E.B. Du Bois Club, Philadelphia.

Karen Ackerman, student; Du Bois Club, Philadelphia.

Sonia Kaross, press and peace groups; American-Russian Institute, Women for Peace, California.

Alan E. Flanigan, professor of enginering; president, Society for Cultural Relations USA–USSR (Los Angeles); Committee of Concern on Vietnam, Santa Monica, Calif.

Marion Fay, journalist; Committee for International Peace Action, San Francisco.

Estelle Cypher, teacher, Women Strike for Peace, Washington.

Dr. Herbert Apthekor, writer, historian, member of Presidium of World Council of Peace.

Dr. Carlton Goodlett, physician and surgeon; Committee for International Peace Action, San Francisco; Member of Presidium of World Council of Peace.

Rose Epstein, teacher; United for Peace, Fine Towns Forum, New York.

Joseph Walker, journalist, 'Muhammad Speaks' Newspaper, N.Y.

Jarvis Tyner, National Chairman, W.E.B. Du Bois Club of Amer., New York.

Rudolph Oppenheim, buyer and store manager; Methodist Federation.

Jean Taylor, clerk, Salem Methodist Church, New York.

Shirley Keith Viel, anthropologist; English-speaking Comm. MPDL, Paris.

Eleanor Ohman, artist; secretary, Committee for International Peace Action, San Francisco.

Thomas Fleming, journalist; Black War Resisters, Calif.

Clara J. Brown, black American Civil Rights Activists.

Richard Morford, clergyman, Organizing Committee for World Peace Assembly.

John Donaldson, student; Radical Student Union, Los Angeles.

Mary Clarke, peaceworker; coordinator, Women Strike for Peace, Los Angeles.

Barbara Bick, editor; Women Strike for Peace; editor, National Newsletter National Office.

Antonia March, church secretary; Women Strike for Peace, Los Angeles.

Martin Hall, writer; Peace Action Council of Southern California.

Beatrice Milwe, Women Strike for Peace, Women International League for Peace and Freedom, New York.

Regina Pustan, medical doctor; Deutsch-Britische Gesellschaft.

Harlan Weitzel, clergyman; Peace Action Council Clergy and Laymen Concerned, California.

Mary-Angie Dickerson, social worker; Organizing Committee of the World Assembly for Peace, New York.

Pauline Rosen, teacher; Women Strike for Peace, New York.

Adele Halkin, photographic stylist; Women Strike for Peace.

Jules Ramney, artist, bookkeeper, lecturer; Peace Action Council, Black Unitarian Caucus, Los Angeles.

Taimi Halonen, Women Strike for Peace, Seattle Women Act for Peace, Washington.

ORDER OF BUSINESS

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JAVITS. After we have completed these speeches under the unanimous agreement, will there be a period for the transaction of routine morning business?

The PRESIDING OFFICER. After the Senator's statement, there will be a period for the transaction of routine morning business, under a 3-minute limitation.

Mr. JAVITS. Then, Mr. President, I ask unanimous consent that my time be extended to accommodate the following two matters, and I ask the Senator from Massachusetts (Mr. KENNEDY) and the Senator from West Virginia (Mr. BYRD) of the majority leadership to give me their attention:

First, to accommodate what the Senator from Georgia (Mr. TALMADGE) tells me is a routine matter of adjusting a Senate bill to a House bill, and then the conference report on the insured student loan bill, which will be brought up by the Senator from Rhode Island (Mr. PELL) and myself, and then that I may proceed for the 20 minutes which was previously provided for me.

I might explain that this was simply to accommodate other Senators.

Mr. KENNEDY. Yes. Mr. President, we would like to ask the Senator how much time that would take. I do not have any reason to object, but I know there are other Senators who wish to speak on the conference report on student loans, for example.

Mr. JAVITS. Does the Senator wish to speak himself?

Mr. KENNEDY. Yes, I had planned to speak on it.

Mr. JAVITS. How long?

Mr. KENNEDY. Well, several minutes, certainly.

Mr. JAVITS. Mr. President, I ask unanimous consent that my time, then, be extended to accommodate both of these matters, an additional 20 minutes. Will that be enough for the Senator?

Mr. KENNEDY. Yes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I now ask unanimous consent that I may yield, respectively, for the purposes mentioned to the Senators to whom I have referred, as well as other Senators who may come into the debate, and that I may then obtain the floor, after those two items are disposed of.

The PRESIDING OFFICER. Is there

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[1] "New Mobilizer," September 5, 1969, p. 1.

[2] "The Militant," July 18, 1969, p. 7.

objection? Without objection, it is so ordered.

Mr. JAVITS. I yield to the Senator from Georgia.

INCREASED DEPENDENCY AND INDEMNITY COMPENSATION FOR WIDOWS AND CHILDREN

Mr. TALMADGE. Mr. President, I ask that the Chair lay before the Senate a message from the House on S. 1471, a bill to amend chapter 13 of title 38, United States Code, to increase dependency and indemnity compensation for widows and children, and for other purposes.

The Presiding Officer laid before the Senate the amendments of the House of Representatives to the bill (S. 1471) to amend chapter 13 of title 38, United States Code, to increase dependency and indemnity compensation for widows and children, and for other purposes, which were to strike out all after the enacting clause and insert:

That section 402 of title 38, United States Code, is amended to read as follows:

"§ 402. Determination of pay grade

"(a) With respect to a veteran who died in the active military, naval, or air service, his pay grade shall be determined as of the date of his death.

"(b) With respect to a veteran who did not die in the active military, naval, or air service, his pay grade shall be determined as of—

(1) the time of his last discharge or release from active duty under conditions other than dishonorable; or

(2) the time of his discharge or release from any period of active duty or training or inactive duty training, if his death results from service-connected disability incurred during such period and if he was not thereafter discharged or released under conditions other than dishonorable from active duty.

"(c) The pay grade of any veteran described in section 107(b) of this title shall be that to which he would have been assigned upon final acceptance or entry upon active duty.

"(d) If a veteran has satisfactorily served on active duty for a period of six months or more in a pay grade higher than that specified in subsection (a) or (b) and any subsequent discharge or release from active duty was under conditions other than dishonorable, the higher pay grade shall be used if it will result in greater monthly payments to his widow under this chapter. The determination as to whether an individual has served satisfactorily for the required period in a higher pay grade shall be made by the Secretary of the Department in which such higher pay grade was held.

"(e) The pay grade of any person not otherwise described in this section, but who had a compensable status on the date of his death under laws administered by the Veterans' Administration, shall be determined by the head of the department under which such person performed the services by which he obtained such status (taking into consideration his duties and responsibilities) and certified to the Administrator. For the purposes of this chapter, such person shall be deemed to have been on active duty while performing such services."

SEC. 2. Section 403 of title 38, United States Code, is amended by striking out the last sentence of the section.

SEC. 3. Section 411 of title 38, United States Code, is amended to read as follows:

"(a) Dependency and indemnity compensation shall be paid to a widow, based on the pay grade of her deceased husband, at monthly rates set forth in the following table:

"Pay grade	*Monthly rate*
E-1	$167
E-2	172
E-3	177
E-4	187
E-5	193
E-6	197
E-7	206
E-8	218
E-9	[1] 228
W-1	211
W-2	219
W-3	226
W-4	238
O-1	211
O-2	218
O-3	234
O-4	247
O-5	272
O-6	306
O-7	332
O-8	363
O-9	390
O-10	[2] 426

"[1] If the veteran served as sergeant major of the Army, senior enlisted advisor of the Navy, chief master sergeant of the Air Force, or sergeant major of the Marine Corps, at the applicable time designated by sec. 402 of this title, the widow's rate shall be $245.

"[2] If the veteran served as Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, or Commandant of the Marine Corps, at the applicable time designated by sec. 402 of this title, the widow's rate shall be $457.

"(b) If there is a widow with one or more children below the age of eighteen of a deceased veteran, the dependency and indemnity compensation paid monthly to the widow shall be increased by $20 for each such child.

"(c) The monthly rate of dependency and indemnity compensation payable to a widow shall be increased by $50 if she is (1) a patient in a nursing home or (2) helpless or blind, or so nearly helpless or blind as to need or require the regular aid and attendance of another person."

SEC. 4. Section 421 of title 38, United States Code, is amended to read as follows:

"§ 421. Certifications with respect to pay grade

"The Secretary concerned shall, at the request of the Administrator, certify to him the pay grade of deceased persons with respect to whose deaths applications for benefits are filed under this chapter. The certification of the Secretary concerned shall be binding upon the Administrator."

SEC. 5. Section 401 of title 38, United States Code, is amended by striking out the text thereof beginning with "(1)" and continuing through "(2)".

SEC. 6. The table of sections at the beginning of chapter 13 of title 38, United States Code, is amended by (1) striking out

"402. Computation of basic pay."

and substituting in lieu thereof:

"402. Determination of pay grade."

and (2) by striking out

"421. Certifications with respect to basic pay."

and substituting in lieu thereof:

"421. Certifications with respect to pay grade."

SEC. 7. Section 322 of title 38, United States Code, is amended by (1) inserting "(a)" immediately before "The"; and (2) adding at the end thereof the following new subsection:

"(b) The monthly rate of death compensation payable to a widow under subsection (a) of this section shall be increased by $50 if she is (1) a patient in a nursing home or (2) helpless or blind, or so nearly helpless or blind as to need or require the regular aid and attendance of another person."

SEC. 8. This Act shall take effect on the first day of the second calendar month which begins after the date of enactment.

And, amend the title so as to read: "An Act to amend title 38 of the United States Code to increase the rates of dependency and indemnity compensation payable to widows of veterans, and for other purposes."

Mr. TALMADGE. Mr. President, a majority of the Subcommittee on Veterans' Legislation of the Committee on Finance have indicated that the House amendments are acceptable and that a conference on the bill would not be necessary. Accordingly, I move that the Senate concur in the amendments of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Georgia.

The motion was agreed to.

EMERGENCY INSURED STUDENT LOAN ACT OF 1969—CONFERENCE REPORT

Mr. PELL. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 13194) to amend the Higher Education Act of 1965 to authorize Federal market adjustments payments to lenders with respect to insured student loans when necessary in the light of economic conditions, in order to assure that students will have reasonable access to such loans for financing their education. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

CONFERENCE REPORT (H. REPT. No. 91–560)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 13194) to amend the Higher Education Act of 1965 to authorize Federal market adjustment payments to lenders with respect to insured student loans when necessary in the light of economic conditions, in order to assure that students will have reasonable access to such loans for financing their education, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following "That this Act may be cited as the 'Emergency Insured Student Loan Act of 1969'.

"INCENTIVE PAYMENTS ON INSURED STUDENT LOANS

"SEC. 2. (a)(1) Whenever the Secretary of Health, Education, and Welfare determines that the limitations on interest or other conditions (or both) applicable under part B of title IV of the Higher Education Act of 1965 (Public Law 89–329) to student loans eligible for insurance by the Commissioner of Education or under a State or nonprofit private insurance program covered by an agreement under section 428(b) of such Act, considered in the light of the then current economic conditions and in particular the relevant money market, are impeding or threatening

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to impede the carrying out of the purposes of such part B and have caused the return to holders of such loans to be less than equitable, he is hereby authorized, by regulation applicable to a three-month period specified therein, to prescribe (after consultation with the Secretary of the Treasury and the heads of other appropriate agencies) a special allowance to be paid by the Commissioner of Education to each holder of an eligible loan or loans. The amount of such allowance to any holder with respect to such period shall be a percentage, specified in such regulation, of the average unpaid balance of disbursed principal (not including interest added to principal) of all eligible loans held by such holder during such period, which balance shall be computed in a manner specified in such regulation; but no such percentage shall be set at a rate in excess of 3 per centum per annum.

"(2) A determination pursuant to paragraph (1) may be made by the Secretary of Health, Education, and Welfare, on a national, regional, or other appropriate basis and the regulation based thereon may, accordingly, set differing allowance rates for different regions or other areas or classifications of lenders, within the limit of the maximum rate set forth in paragraph (1).

"(3) For each three-month period with respect to which the Secretary of Health, Education, and Welfare prescribes a special allowance, a determination required by paragraph (1) shall be made, and the percentage rate applicable thereto shall be set, by promulgation of a new regulation or by amendment to a regulation applicable to a prior period or periods.

"(4) The special allowance established for any such three-month period shall be payable at such time, after the close of such period, as may be specified by or pursuant to regulations promulgated under this Act. The holder of a loan with respect to which any such allowance is to be paid shall be deemed to have a contractual right, as against the United States, to receive such allowance from the Commissioner.

"(5) Each regulation or amendment, prescribed under this Act, which establishes a special allowance with respect to a three-month period specified in the regulation or amendment shall, notwithstanding section 505 of the Higher Education Amendments of 1968, apply to the three-month period immediately preceding the period in which such regulation or amendment is published in the Federal Register, except that the first such regulation may be made effective as of August 1, 1969, and notwithstanding other provisions of this section requiring a three-month period, may be made effective for a period of less than three months.

"(6)(A) The Secretary of Health, Education, and Welfare shall determine, with respect to the student insured loan program as authorized under part B of title IV of the Higher Education Act of 1965 and this Act, whether there are any practices of lending institutions which may result in discrimination against particular classes or categories of students, including the requirement that as a condition to the receipt of a loan the student or his family maintain a business relationship with the lender, the consequences of such requirement, and the practice of refusing to make loans to students for their freshman year of study, and also including any discrimination on the basis of sex, color, creed, or national origin. The Secretary shall make a report with respect to such determination, and his recommendations, to the Congress on or before March 1, 1970.

"(B) If, after making such determination, the Secretary finds that, in any area, a substantial number of eligible students are denied a fair opportunity to obtain an insured student loan because of practices of lending institutions in the area which limit student participation, (i) he shall take such steps as may be appropriate, after consultation with the appropriate State guarantee agencies and the Advisory Council on Financial Aid to Students, relating to such practices and to encourage the development in such area of a plan to increase the availability of financial assistance opportunities for such students, and (ii) he shall, within sixty days after making such determination, adopt or amend appropriate regulations pertaining to the student insured loan program to prevent, where practicable, any practices which he finds have denied loans to a substantial number of students.

"(7) As used in this Act, the term 'eligible loan' means a loan made on or after August 1, 1969, and prior to July 1, 1971, which is insured under title IV–B of the Higher Education Act of 1965, or made under a program covered by an agreement under section 428(b) of such Act.

"(b) The Commissioner of Education shall pay to the holder of an eligible loan, at such time or times as are specified in regulations, a special allowance prescribed pursuant to subsection (a), subject to the conditions that such holder shall submit to the Commissioner, at such time or times and in such manner as he may deem proper, such information as may be required by regulation for the purpose of enabling the Secretary of Health, Education, and Welfare and the Commissioner to carry out their functions under this Act and to carry out the purposes of this Act.

"(c)(1) There are hereby authorized to be appropriated for special allowances as authorized by this section not to exceed $20,000,000 for the fiscal year ending June 30, 1970, $40,000,000 for the fiscal year ending June 30, 1971, and for succeeding fiscal years such sums as may be necessary.

"(2) Sums available for expenditure pursuant to appropriations made for the fiscal year ending June 30, 1969, under section 421(b) (other than clause (1) thereof) of the Higher Education Act of 1965 shall be available for payment of special allowances under this Act. The authorization in paragraph (1) shall be reduced by the amount made available pursuant to this paragraph.

"INCREASED AUTHORIZATION FOR THE NATIONAL DEFENSE STUDENT LOAN PROGRAM

"Sec. 3. Section 201 of the National Defense Education Act of 1958 is amended by striking out '$275,000,000 for the fiscal year ending June 30, 1970, and, $300,000,000 for the fiscal year ending June 30, 1971' and inserting in lieu thereof '$325,000,000 for the fiscal year ending June 30, 1970, and $375,000,000 for the fiscal year ending June 30, 1971'.

"INCREASED AUTHORIZATION FOR THE EDUCATIONAL OPPORTUNITY GRANT PROGRAM

"Sec. 4. Section 401(b) of the Higher Education Act of 1965 is amended by striking out '$100,000,000 for the fiscal year ending June 30, 1970, and $140,000,000 for the fiscal year ending June 30, 1971,' and inserting in lieu thereof '$125,000,000 for the fiscal year ending June 30, 1970, and $170,000,000 for the fiscal year ending June 30, 1971'.

"INCREASED AUTHORIZATION FOR THE WORK-STUDY PROGRAM

"Sec. 5. Section 441(b) of the Higher Education Act of 1965 is amended by striking out '$250,000,000 for the fiscal year ending June 30, 1970, and $285,000,000 for the fiscal year ending June 30, 1971' and inserting in lieu thereof '$275,000,000 for the fiscal year ending June 30, 1970, and $320,000,000 for the fiscal year ending June 30, 1971'."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same with an amendment as follows: Amend the title so as to read: "An Act to authorize special allowances for lenders with respect to insured student loans under title IV–B of the Higher Education Act of 1965 when necessary in the light of economic conditions in order to assure that students will have reasonable access to such loans for financing their education, and to increase the authorizations for certain other student assistance programs.".

And the Senate agree to the same.

Claiborne Pell,
Ralph W. Yarborough,
Jennings Randolph,
Harrison Williams,
Edward M. Kennedy,
Walter F. Mondale,
Thomas F. Eagleton,
Winston L. Prouty,
J. Javits,
Peter H. Dominick,
George Murphy,
Richard S. Schweiker,
Managers on the part of the Senate.

Carl D. Perkins,
Edith Green,
John Brademas,
Hugh L. Carey,
Will D. Hathaway,
Phillip Burton,
Frank Thompson,
James H. Scheuer,
Louis Stokes,
William L. Clay,
William Ayres,
Albert H. Quie,
Ogden Reid,
John N. Erlenborn,
Marvin L. Esch,
John Dellenback,
William A. Steiger,
Managers on the part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. PELL. Mr. President, I am happy to present to the Senate the conference report on the Emergency Insured Student Loan Act of 1969. The House and Senate conferees met in four sessions of conference and agreed on this report. As is often the case, the conference report is, in my opinion, a better bill than that which was submitted to the conference by either House.

Since this is the first conference report which I, as chairman of the Subcommittee on Education, have submitted to the Senate, I would like to express my appreciation to my fellow conferees both from the Senate and the House for their assistance in making this conference such a great success. I would also like to express my thanks to Mr. Peter LeReoux of the Legislative Counsel's office for his able assistance in putting the report together.

Mr. President, as chairman of the Senate conferees I now present a statement which explains the conference report and discusses the intent of the conference with respect to the agreements which were made.

The House bill providing for market adjustment allowances amended the Higher Education Act of 1965. The Senate amendment providing incentive allowances was an independent act which did not amend existing law. The House recedes from its disagreement with the Senate amendment. The conference report contains an independent act. The special allowances, due to the emergency situation, are provided for by a new enactment.

The House bill provided for payments to lenders based on a determination by the Secretary of Health, Education, and Welfare that the limitations on interest or other conditions have caused the return to the lenders under the student insured loan program to be less than equitable. The Senate amendment made the determination of the Secretary dependent upon whether the limitations on interest or other conditions impede or threaten to impede the carrying out of the purposes of the student insured loan program. The House recedes from its disagreement with the Senate amendment, with an amendment, which requires the Secretary to make both findings prior to setting a return for special allowances. He must find first, that economic conditions and the limitations on interest impede or threaten to impede the carrying out of the purposes of the student insured loan program; and second, that such conditions and limitations have caused the return to lenders to be less than equitable.

The House bill provided that the allowances would be called "market adjustment allowances." The Senate amendment provided that the allowances would be called "incentive allowances." The House recedes from its disagreement to the Senate amendment, with an amendment, which provides that the allowances will be called "special allowances."

The House bill required that the amount of the allowance to be paid to the lender be computed in a manner specified in regulations. The Senate amendment provided that the amount of the payment to the lender would be determined as of the close of each 3-month period unless a different method of determining the amount is set forth in regulations. The Senate recedes from its amendment on this part.

The House bill provided that the allowances apply retrospectively to the 3-month period preceding the publication of the regulation. The Senate amendment provided that the allowances would be effective prospectively for the 3-month period beginning after the publication of the regulation. The Senate recedes from its amendment.

The Senate amendment provided that the Secretary would prescribe procedures to the effect that lenders making loans eligible for an allowance pursuant to the act do not, as a condition precedent or subsequent for making any such loan, require a student or any member of the student's family to carry out any business activity with the lender, other than an activity directly related to the administration and repayment of such loan. The House recedes from its disagreement with the Senate amendment with an amendment which provides that:

First, the Secretary of Health, Education, and Welfare shall determine, with respect to the student insured loan program as authorized under part B of title IV of the Higher Education Act of 1965 and the act, whether there are any practices of lending institutions which may result in discrimination against particular classes or categories of students, including the requirement as a condition to the receipt of a loan that the student or his family maintain a business relationship with the lender, the consequences of such requirement, and the practice of refusing to make loans to students for their freshman year of study, and also including any discrimination on the basis of sex, color, creed, or national origin. The Secretary shall make a report with respect to such determination, and his recommendations, to the Congress on or before March 1, 1970.

Second, if after making such determination the Secretary finds that, in any area, a substantial number of eligible students are denied a fair opportunity to obtain an insured student loan because of practices of lending institutions in the area which limit student participation, he shall take such steps as may be appropriate, after consultation with the appropriate State guarantee agencies and the Advisory Council on Financial Aid to Students, relating to such practices and encourage the development in such area of a plan to increase the availability of financial assistance opportunities for such students, and he shall, within 60 days after making such determination, adopt or amend appropriate regulations pertaining to the student insured loan program to prevent, where practicable, any practices which he finds have denied loans to a substantial number of students.

In light of the record vote on the Senate floor at the time of Senate debate on the measure, it was with great reluctance that the Senate conferees accepted the amendment of the House. Therefore, the Senate conferees wish to make certain that the intent of the conference with respect to this provision is made clear.

The language of the conference report carries out the original intent of the Senate that lenders should not require students or their families to conduct business activities with the lender as a condition for receiving a student loan. However, the language of the report does require that there be a finding that such an activity results in a substantial number of students being denied a fair opportunity to obtain loans prior to the adoption of regulations to prevent that practice. The conference report contains language which states the regulations are to "prevent, where practicable, any" such practices. The phrase "where practicable" was used in order to make sure that the practices of credit unions and other similar lenders which have, as a condition precedent to receipt of a loan, requirement of membership, are not precluded from continuing such requirement. Subparagraph (B) of paragraph (6) of section 2(a) of the bill is intended to discourage banks from requiring students or their families to carry out any business activity other than that related to the administration and repayment of the loan. The authority contained in such subparagraph (B) is sufficient to prevent that practice if it results in a substantial number of students in any area from obtaining insured loans.

The House bill defined eligible loans to be those loans made under the insured loan program after June 30, 1969, and prior to July 1, 1971. The Senate amendment defined eligible loans to be those made after August 15, 1969, and prior to July 1, 1970. The House recedes from its disagreement with the Senate amendment, with respect to the starting date, with an amendment which provides that the starting date for eligible loans is August 1, 1969. The Senate recedes from its amendment with respect to the terminal date. Eligible loans are defined in the conference report as those made after August 1, 1969, and prior to July 1, 1971.

The House bill authorized a permanent appropriation of such sums as may be necessary to pay allowances to lenders. The Senate amendment provided for an authorization of appropriations of $15 million for the fiscal year ending June 30, 1970. The House recedes from its disagreement to the Senate amendment with a substitute amendment which provides that there are authorized to be appropriated $20 million for the fiscal year ending June 30, 1970, and $40 million for the fiscal year ending June 30, 1971, and such sums as may be necessary in succeeding fiscal years to pay special allowances on loans made prior to July 1, 1971.

The House bill explicitly gave lenders a contractual right to allowances. The Senate amendment directed the Commissioner to pay allowances to lenders. The Senate recedes from its amendment.

The House bill required lenders to submit such information to the Commissioner as may be necessary to enable him to pay the allowances. The Senate amendment required the lenders to provide such information as may be necessary to enable the Commissioner and the Secretary to carry out their functions under the act. The House recedes from its disagreement to the Senate amendment.

The Senate amendment amended the authorization of appropriations for the national defense student loan program by increasing the authorization from $275 million for the fiscal year ending June 30, 1970, to $325 million for such year, and increasing such authorization from $300 million for the fiscal year ending June 30, 1971, to $375 million for such year. The House bill contained no such provision. The House recedes from its disagreement.

The Senate amendment amended title IV–A of the Higher Education Act of 1965 to increase the authorization of appropriations for the educational opportunity grant program from $100 million for the fiscal year ending June 30, 1970, to $150 million for such year, and increase such authorization from $140 million for the fiscal year ending June 30, 1971, to $200 million for such year. The House recedes from its disagreement with an amendment which provides that the authorization for the educational opportunity grant program is $125 million for the fiscal year ending June 30, 1970, and $170 million for the fiscal year ending June 30, 1971.

The Senate amendment provided for an increase in the authorization of the college workstudy program under title IV–C of the Higher Education Act of 1965 from $250 million for the fiscal year ending June 30, 1970, to $275 mil-

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lion for such year and an increase in such authorization for the fiscal year ending June 30, 1971, from $285 million to $320 million. The House recedes from its disagreement to the Senate amendment.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. PELL. I yield to the Senator from New York.

Mr. JAVITS. Mr. President, I know that the Senator from Massachusetts (Mr. KENNEDY), who had a very important part in this bill, and perhaps the Senator from Vermont (Mr. PROUTY), who also had a very important part in it, will wish to be heard on the matter. So I shall be brief.

Mr. President, the conference report on the Emergency Insured Student Loan Act of 1969, H.R. 13194, is a modified version of the administration's bill, S. 2721, which I introduced on July 29 for myself and Senators BELLMON, DOMINICK, MURPHY, PROUTY, and SCHWEIKER, all members at that time of the Senate Committee on Labor and Public Welfare. Later joining as consponsors were Senators GOLDWATER, THURMOND, MILLER, PERCY, STEVENS, and MONTOYA.

On August 7, the Senate Education Subcommittee, under the chairmanship of the distinguished Senator from Rhode Island (Mr. PELL) conducted hearings and on the following day the measure was reported from the full committee. Within a week, on August 12, the bill was approved by the Senate with but one dissenting vote.

However, due to unfortunate parliamentary delays and the Labor Day recess, the House was unable to consider the proposal until September 15, when, under suspension of the rules, it was approved by an overwhelming 322-to-60 vote. A motion to adopt the Senate bill number, S. 2721, was rejected, so it then became necessary for the Senate to approve again its version of the bill under the House number. This was done on September 16.

After a lengthy conference with the House, a report has been agreed to which has the support of all the Senate conferees. The program of incentive allowances of up to 3 percent to lenders will be effective until the end of the next fiscal year, retroactive to August 1 and expiring concurrently with the authorizations contained in the Higher Education Act on June 30, 1971. The Senate provision prescribing for procedures to prohibit lenders from requiring that the student or his family conduct business with the lender was modified in conference so as to preserve the concern of the Senate that such discrimination not exist but also recognizing the special problems of credit unions and labor organizations and the difficulties in administering the provision in an equitable and efficient manner.

Authorizations were increased for the Federal direct-loan program—national defense student loans—as well as the work-study and educational opportunity grant—EOG—programs, thus strengthening other Federal student-aid activities which complement the guaranteed student loan effort.

In conclusion, Mr. President, I wish to say that I am satisfied, as the author of the bill, that the fundamental thrust of the bill has been preserved through the conference. It is true that we ran into some difficulty with the House of Representatives in seeking to sustain the Senate's position on the amendments, which essentially were those of the Senator from Massachusetts (Mr. KENNEDY), but even those were compromised out fairly. There are additional authorizations provided for the NDEA, that is, the national defense student loan aspect, for educational opportunity grants, and even for college work-study programs. There is a compromise on the provision respecting banks which makes it a precondition to these insured student loans that they have done some business with the student or his family. I think that was fairly compromised out.

But the fundamental thrust of the bill remains, and 750,000 students will be able to go to college and get loans through the financial program because of this very brilliant innovation, which comes essentially from the administration. We have got to give credit where credit is due.

I have been for this underwriting of policy with respect to rules for college commitments and other things. It has worked very well, and I think we have simply got to use it more in this time of inordinately high interest rates. We cannot let society be crushed by a financial situation like this, while we are trying to repair it.

I think the Senator from Rhode Island (Mr. PELL), the chairman of the conference, is entitled to our gratitude, certainly to mine at least, as the man who brought the bill in. It is a happy day for me. I commend him for handling it with such skill and such fidelity to the wishes of the Senate.

Finally, may I say, Mr. President, that I should like to include in this commendation my colleagues of the minority. We had voted against, as members of the minority, some of the committee provisions which we compromised, but never by so much as the drop of a nod was that fact conveyed to the House conferees, but the Senate conferees stood firm to their utmost in supporting the Senate position, whether or not we had supported that position in this Chamber. I think that is an excellent attitude for conferees, and I am glad to have had the privilege, as ranking minority member of the committee, of speaking in support of the conference report as far as those members are concerned.

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. PELL. I yield to the Senator from Vermont.

Mr. PROUTY. Mr. President, to add to what the distinguished Senator from New York has just said, some of us in the minority were opposed to certain provisions of the bill, but when we went to conference, we worked long and arduously to maintain the Senate position.

I think all the conferees on both sides were dedicated to bringing out a bill of this character, because we knew it was so desperately needed if many thousands of young people were to have a chance for a college education. So, as one of the conferees, I am happy to support the report. I think those of us on both sides, particularly the distinguished Senator from Rhode Island (Mr. PELL), who has rendered yeoman service as chairman of the conferees, felt the same way. I am very happy to support the work of the conferees. I know it will be in the great interest of higher education in this country.

Mr. KENNEDY. Mr. President, will the Senator yield to me?

Mr. PELL. I yield to the Senator from Massachusetts.

Mr. KENNEDY. Mr. President, first of all I commend the distinguished Senator from Rhode Island (Mr. PELL) for his work as chairman of the Education Subcommittee in the Senate, and for the leadership which he has provided on the matter which is before the Senate this afternoon. Senator PELL took over the chairmanship after the recent departure of the very distinguished former Senator from Oregon, Mr. Morse, who has left his mark on so many of the education bills during the last decade, and before.

The emergency nature of the legislation challenged us. We had time only for a very limited period of hearings.

As a member of that committee, I point out that every consideration was given to the matter by the members of the subcommittee and the full committee. They brought their views to bear on the legislation.

When the matter came up for consideration on the floor of the Senate, two amendments had been added to it in committee. Those amendments were in dispute. But the Senate approved both by rollcall votes.

These were controversial matters in the conference. One related to the increase in authorizations for other Federal student assistance programs, and the other related to provisions that would prohibit banks from requiring as a condition for the receipt of such loans that a student or his family actually do other business with the bank.

The chairman of the committee, during the many hours of conference, conducted himself always in a most fair and reasonable manner and with a firmness that provided leadership in maintaining the position of the Senate.

I was the sponsor of two amendments. In commending the leadership of the Senator from Rhode Island, I am sure that I speak for the Senator from Minnesota (Mr. MONDALE) who was most helpful in increasing the national defense student loan program and on the other matters, as well as the Senator from Missouri (Mr. EAGLETON), one of the strongest supporters of the amendment I offered to prohibit banks from loaning on the basis of some kind of other banking activity.

I commend the distinguished chairman of the committee for the leadership he has provided. I also extend a word of appreciation to the distinguished Senator from New York (Mr. JAVITS). There are very few Senators who possess his legislative skill and ability.

We can all remember times during conferences between the House and the Senate when the legislative craftsmanship of the Senator from New York has been called up to establish the kind of working compromise which can and must be reached in these important conferences.

I also extend commendation to the Senator from Vermont (Mr. PROUTY) and the other minority members for their attitude and constructive comments during conference.

Mr. President, I am pleased that the House and Senate conferees have reached agreement on the emergency special incentive bill to expand the guaranteed student loan program. Prompt action today by the House and Senate will finally clear the bill for the President's signature.

Under the guaranteed student loan program, the Federal Government guarantees repayment of loans by lenders to students—as long as the interest rate charged to the student does not exceed 7 percent. The present bill would authorize the Secretary of Health, Education, and Welfare to pay lenders an incentive bonus of up to 3-percent interest, above the 7-percent statutory maximum, in order to encourage participation. The maximum rate charged to students would remain at 7 percent.

Mr. President, I am especially pleased that the conferees acted positively on two amendments which I added to this bill in the Committee on Labor and Public Welfare and which were passed in the Senate by rollcall votes. I would like to discuss briefly both of these amendments, and review the understanding of the conferees regarding the conference language.

The first Senate amendment increases the authorizations for the three other Federal student assistance programs—national defense student loan program, the college work-study program, and educational opportunity grants. The House conferees agreed to the Senate passed increases for the national defense student loans of $50 million in fiscal 1970, and $75 million in fiscal 1971. The House conferees agreed to the Senate passed increases in the college work-study program of $25 million in fiscal 1970, and $35 million in fiscal 1971. The House conferees accepted half of the Senate passed increases in the educational opportunity grant program, resulting in increases of $25 million for fiscal 1970, and $30 million for fiscal 1971.

Mr. President, I believe that these increases are significant. Congress has demonstrated concern and a recognition that we are in an emergency situation across the board on Federal student assistance programs. We have recognized that the current authorizations are inadequate for each of these programs. We have indicated a desire to move ahead not just on the guaranteed student loan, which helps middle income students, but also on the other programs directed to the lower income students.

The need for the increases is clear. At the present time money available for the three major programs of student aid—NDSL, EOG and college work study—is only 61 percent of the total requested by the Nation's colleges and universities. The estimated $503 million available for the coming academic year is higher than the $430 million allocated in 1966, or even the $490 million allocated in 1969. But the total still falls far short of the $814 million requested or the $682 million approved by regional panels that review the requests.

There are specific needs for each of the three programs.

For this academic year, institutional requests for national defense student loans are $318 million—enough to serve 650,000 students. Only $155 million is available—enough to serve only 400,000 students. This leaves 250,000 students unable to receive desired loans. For next year, institutional requests will be even higher than $318 million—perhaps an estimated $370 million, considering that requests rose by $48 million this year. Yet authorization for this year is only $275 million. Authorization for next year is only $300 million. The Senate amendment, accepted in conference, would increase authorization to $325 million this year and $375 million next year.

For this academic year, institutional requests for educational opportunity grants are $120 million—enough to serve 225,000 new students. Available funds are only $54 million—enough to serve only 100,200 new students; 125,000 new students are unable to receive EOG's. For next year institutional requests will be even higher than $120 million—perhaps an estimated $155 million, considering that requests increased by $37 million this year alone. Yet authorization for next year is $100 million. The conference-approved amendment would increase this authorization to $125 million, and next year's authorization to $170 million. These increases were one-half of those passed in the Senate.

For this academic year institutional requests for college work study are $275 million—enough to serve approximately 600,000. Only $170 million is available—enough to serve only about 400,000 students. For next year, institutional requests will be even higher than $275 million—perhaps an estimated $315 million, considering that requests increased by $42 million this year. The authorization for this year is only $250 million, and for next year $285 million. The Senate amendment accepted in conference would increase this year's authorization to $275 million. It would increase next year's authorization to $320 million.

Mr. President, the need to help lower-income students is clear. Fifty percent of college students come from the top quartile of family income. Only 7 percent come from the lowest-income quartile.

Moreover, the number of students is growing rapidly. At present there are almost 6 million college students. Enrollment will pass 8 million by 1976. The present rate of increase in the number of students attending institutions of higher education is over 8 percent. This reflects the fact that today 40 percent of young Americans enter college.

For these reasons, Mr. President, I think that it is highly significant that the conferees agreed to move ahead on all Federal student assistance programs.

Mr. President, the second amendment which I offered in committee, which passed by a record vote of 72 to 21 in the Senate, and which to a substantial degree was accepted by the conferees, would prohibit discrimination by lenders in making guaranteed student loans. One abuse, in particular, which the amendment is designed to prevent is the practice by some lenders of requiring, as a condition for a student's receiving this attractive 7-percent loan, that either the student or his family do additional banking business with the lender.

The Senate-passed version directed the Secretary of Health, Education, and Welfare, to establish procedures to prevent such requirements. The final version agreed to by the conferees directs the Secretary of Health, Education, and Welfare, to make a comprehensive investigation of discrimination in the guaranteed student-loan program. He must report to Congress no later than March 1, 1970. If he finds that there is discrimination of any kind which denies a substantial number of students the fair opportunity to receive insured student loans, the Secretary must adopt or amend regulations to prevent these practices.

Mr. President, if the Secretary carries out the mandate of Congress with regard to this discrimination, the design of the original Senate amendment will be met.

I am concerned, as I know my colleagues in Congress are concerned, that the guaranteed student-loan program should be a "student program," not a "banking program." Every student should have a fair opportunity to receive an insured student loan. Banks should not be using the program as a means of increasing "good will" with preferred customers—handing out the attractive 7-percent loans only where there is further banking activity with the student or his family.

When the Federal Government is offering lenders a chance to earn up to 10 percent on these loans, when the Federal Government is giving an absolute guarantee which in itself is worth 1 or 2 percentage points on interest, when the desire is to help all students—in this situation lenders should not be making additional requirements.

I am convinced, Mr. President, that most lenders who participate in this program do so with a sense of public obligation and public conscience. I am hopeful that there will not be too many occasions when the Secretary finds it necessary to enforce regulations and sanction lenders.

For the most part, banks have added these requirements and conditions of further banking activity only during the last year or two when the pressure on interest rate has been severe. As Mr. William Simmons, head of the Insured Loan Division in the Office of Education, testified before the Senate Committee:

> I think in the past year, and particularly since January, (there has been) more and more of what you say, this creeping in of the requirement that they (borrowers) be a customer, they be a good customer, they be a senior or a junior, at least they have a contract relationship for up to five years.
>
> All of these restrictions are coming into

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> this program for those who have not withdrawn. I am convinced, however, if we can provide this market adjustment allowance and payment, we can return these lenders to the program and open it up again as it was up until about a year ago.

Commissioner Allen made the same observation:

> We have been advised by many lenders who participated heavily in the 1968–69 program that their activity at the 7 percent rate must either be halted entirely or restricted to children of favored customers, on the grounds that they are unable to "break even" in the current market period.

Now that the pressure on interest rate has been relieved, by giving the Secretary discretion to pay lenders an additional 3 percent, Congress has a right to expect that banks will cease from making these requirements. That is why the Senate conferees were willing to let the Secretary make a 5-month study of the situation, after passage of this bonus act. But that is also why we expect the Secretary to take steps and establish sanctions on those few lenders who continue to abuse the program.

To avoid any confusion, Mr. President, I would like to explain the sense of the conferees of what is meant by the phrase "where practicable" in the nondiscrimination amendment. This was not meant to be a loose phrase which could be seized upon by the Secretary of Health, Education, and Welfare to avoid enforcing regulations. Rather it was meant to exempt certain specific situations where lenders have certain membership or other requirements for doing any business with the lender. For example, credit unions and labor unions have minimal membership requirements. Many banks require that a borrower have his residence within the standard "banking area." Other analogous requirements, applied to all persons doing any banking activity with the lender, may come up. These are acceptable, and exempted by the phrase "where practicable."

Mr. President, the guaranteed student-loan program has been increasing rapidly—from $77 million in fiscal year 1966 to $672 million in fiscal year 1969. For the month of August, the total of loans guaranteed was $154 million to 152,000 students—the highest month ever in the history of the program. Passage of this special allowance will allow even greater expansion of the program.

We in Congress have an obligation to see that as the program expands there is no discrimination or other abuse. I intend to follow this matter very closely. I think that the Federal commitment to student assistance is important. I am pleased that Congress is acting positively on the student loan program today.

Finally, Mr. President, I again compliment the distinguished and able Senator from Rhode Island (Mr. PELL). The Senator from Rhode Island must be extremely proud that the first legislative measure he has guided so skillfully through the conference committee and on the floor of the Senate will provide an opportunity for hundreds of thousands of students who labor under financial hardship to acquire loans. It will also provide for expanding the work-study program, the educational opportunity grant program, and the national defense student-loan program—creating additional opportunities for students. I commend the Senator from Rhode Island for his contribution.

Mr. JAVITS. Mr. President, I thank the Senator from Massachusetts (Mr. KENNEDY) for his very kind expression regarding me.

Mr. PELL. Mr. President, I thank my colleagues for the very kind and undeserved words.

I often felt during the conference as if I had a bear by the tail. I must also underline the fact that each member of the conference, no matter how they voted on amendments when they were considered by the committee, and by the Senate, presented a united front to the House in the conference. This is an example which I hope will often be followed in the future. I thank the Senators very much.

Mr. YARBOROUGH. Mr. President, I urge the Senate to adopt the conference report on the Emergency Insured Student Loan Act of 1969.

In this measure, we have tried to cope with the impact of high interest rates upon student financing of higher education. A special allowance up to 3 percent of the loan, will be provided to lenders by the Treasury, to make student loans competitive with other types of credit transactions.

It was the addition of this special subsidy that prompted the Senate to include language in its bill to protect prospective borrowers from discriminations designed to produce other business for the lender. The Senate conferees faithfully reflected the Senate vote of 72 to 21 to prohibit requirements that a borrower, or his family, do other business with the lender in order to get a student loan.

Although the conference modified the language somewhat, I believe we have retained this basic protection. The Secretary of Health, Education, and Welfare is directed to determine the existence and extent of such practices, as well as discriminations against freshmen, and for reasons of sex, color, creed, or national origin. If such discriminations are found, the Secretary is directed to consult with State guarantee agencies, and the Advisory Council on Financial Aid to Students. On the basis of those consultations, he shall make regulations to prevent, where practicable, any practices which he finds have denied loans to a substantial number of students.

The words "where practicable" are intended to give him leeway in devising regulations for credit unions, or other lenders who in their charters or bylaws restrict their activities to members, and do not do business with the general public.

I also call to the attention of the Senate the authorization increases in other forms of student assistance. The national defense student loan program is increased from its present authorization for fiscal year 1970 of $275 million to $325 million. The authorization for fiscal year 1971 is increased from $300 million to $375 million.

Educational opportunity grant authorizations are increased from the present $100 million for fiscal 1970 to $125 million, and from $140 million to $170 million for 1971.

Work-study funds are increased from $250 million for the fiscal year 1970 to $275 million, and from $285 to $320 million for 1971.

These increases reflect the conferees' approach that student aid involves a series of programs. As prospective students crowd to the campuses, and education costs continue their rapid rise, all forms of student aid must rise. I hope the Senate Appropriations Committee will give special attention to the higher level of authorization included in this conference report. Now we need appropriation of funds, not only for the special interest subsidy provided by the bill, for all the forms of student financial aid covered in it.

Finally, I urge all lending institutions to recognize the public service they are being invited to share, and for which they will be compensated by the Federal Government. Without the participation of help of many commercial lenders, higher education in America would be far less available than it is today. The Office of Education estimates that 920,000 more students will be in college in fiscal year 1970, having borrowed $800 million under this program, if the interest subsidy is provided. That is a large share of the 8-million estimated enrollment. Without the help and cooperation of lending institutions, this large number of students could be denied a college education.

But I think the other student aid programs should be enlarged also, and they have been under the Kennedy amendment adopted by the Senate and held, for the most part, in conference.

Mr. MURPHY. Mr. President, as a coauthor and as a conferee of the Insured Student Loan Emergency Amendments of 1969, I am pleased that we are finally completing action on this much-needed measure. I support the conference report.

I have received many letters and phone calls in my office from distressed students. One, in particular, that I recall was from Gary Lockwood, of Anaheim, Calif., who is a student at Brigham Young University. Mr. Lockwood called my office three times, indicating that he would not be able to continue his education without a guaranteed student loan. I contacted the bank involved in Salt Lake City, and the president of the bank was most cooperative. I was pleased that we were able to get the loan approved for Mr. Lockwood.

One wonders, however, Mr. President, how many students across the country were denied loans because of congressional delays in enacting this legislation which, as its name implies, was designed to meet an emergency.

It was estimated by the Office of Education that as many as 200,000 youngsters applying for the guaranteed loan program might be turned down. I certainly hope that this was not the case. Secretary Finch and the administration tried to see that this was not the case by urging that lending institutions across the country make the loans, and many of the banks did respond to this plea.

The legislation will allow the Secretary of Health, Education, and Welfare to provide an incentive allowance above the present 7-percent simple interest rate authorized by the guaranteed student loan program. The incentive allowance, which may not exceed 3 percent, may be paid whenever the Secretary determines the statutory interest limitation or economic conditions are preventing students from getting loans. With the Federal Government paying the incentive cost allowance, there will be no additional cost to the student.

The guaranteed student-loan program was enacted in 1965 for the purpose of providing assistance in financing college expenses for those students from moderate income families who had been excluded from loans and other assistance under the various other Federal student assistance programs. Senators will recall that as a part of the Higher Education Amendments of 1968, we were forced to raise the maximum statutory interest rate from 6 to 7 percent. As a result, 730,000 students received loans last year totaling $670 million. In my State, for fiscal year 1969, 76,054 students received loans totaling over $69 million. Thus, this is a most important program both in the country and in California.

Mr. President, financing higher education is a real struggle for many students and parents. The enactment of the measure today will do much to help meet the rising costs for higher education, and I urge its prompt enactment by the Congress.

Mr. MONDALE. Mr. President, I am very happy that the House and Senate conferees finally reached agreement last week on a bill to expand the guaranteed student loan program and improve other student assistance programs. I urge my colleagues to adopt the conference report today and send this bill to the President for his signature.

Currently, the Federal Government guarantees repayment of loans by banks and other lending institutions to students under the guaranteed student-loan program. A ceiling of 7 percent exists on the interest rate which can be charged to the student under this program. The current bill will provide for an incentive bonus of up to 3 percent to be paid to banks and other lending institutions by the Secretary of Health, Education, and Welfare. This 3-percent interest subsidy, above the 7-percent statutory maximum, is designed to encourage expansion of the program. Under this bill, 7 percent would remain as the maximum rate charged to students.

Two very important principles contained in the Senate version of this bill have been retained. First, the current bill includes increased authorizations for the national defense student-loan program, the college work-study program, and the educational opportunity grant program. The House conferees agreed to the Senate provisions adding a total of $125 million in authorization increases for the national defense student loan program, $60 million in authorization increases for the college work study program, and accepted one-half—or a total of $55 million—of the Senate increased authorizations for the educational opportunity grant program.

These increased authorizations are terribly significant. They will permit the funding of these other student assistance programs at a level consistent with institutional requests. The inclusion of these improvements signifies that Congress is aware of an emergency in all student assistance programs, and wants to improve not only the guaranteed student-loan program, but also other grant and loan programs as well.

Second, this bill retains the principle established in the Senate-passed version which would prohibit discrimination by lending institutions in making guaranteed student loans. The bill requires the Secretary of Health, Education, and Welfare to determine whether discrimination—on the basis of color, national origin, or sex or in the form of requiring an applicant—as a condition for receiving a guaranteed loan, to do additional banking with the lending institution—exist in the guaranteed student-loan program. The Secretary is further required to report his findings and recommendations to Congress by March 1, 1970, and to prevent any discriminatory practices which he has found deny a substantial number of students the chance to receive a guaranteed student loan.

I believe this nondiscrimination provision is a central issue in this bill. The bill is a "student bill." This provision will insure that lending institutions receiving a Federal guarantee and a Federal subsidy do not use this program as a tool to generate more business or evade the interest ceilings.

I believe that most lending institutions, in the public interest, will not discriminate in their allocation of guaranteed student loans now that a Federal interest subsidy assures an equitable return on the loan. This provision will simply protect students against the possibility that the program is misused.

I am pleased that Congress has acted to improve the guaranteed student-loan program and the other Federal student assistance program, and I intend to watch very closely the progress that takes place as a result of this bill.

Mr. PELL. Mr. President, I move the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

LATIN AMERICA: WILL WE MEET THE CHALLENGE OF THE 1970'S?

Mr. JAVITS. Mr. President, I rise on this occasion to talk about United States-Latin American relations on this the 477th anniversary of Columbus' discovery of America. The America Columbus discovered, of course, was the Caribbean—the Bahamas which he named San Salvador and Haiti. This should remind us that we began this great adventure of the Americas together—and since that time, for better or for worse, our fortunes have been linked.

I also wish to welcome to Washington the ministers of labor and other distinguished guests who are delegates, as I am, to the Third Inter-American Conference of Ministers of Labor on the Alliance for Progress. I hope the Conference will be fruitful and will lead to strengthened labor movements, social security systems, and labor ministries throughout Latin America.

As we survey the past and look to the future, it is clear that United States-Latin American relations are in ferment. On an even larger scale, relations between the developed world and the developing world are in ferment, and our mutual actions in the coming years will determine whether the new wine will be good or bitter.

If 1969 has been the year of study, then 1970 must be the year of action. We are in debt to Robert McNamara for commissioning the report of the Commission on International Development entitled "Partners in Development" and to Lester Pearson and his distinguished staff for preparing it. We are eagerly awaiting the Jackson study on the capacity of the United Nations system in development assistance; Raul Prebisch is preparing a study under the auspices of the Inter-American Development Bank. And finally President Nixon, in response to my amendment to the Foreign Assistance Act of 1968, has just named a Presidential task force under Rudolph Peterson of the Bank of America to review and to give new direction to our own foreign assistance program. These studies should enable us to define new priorities for the critical decade of the 1970's—the second development decade.

But I think it would be naive to assume that the full burden for development rests with such developed countries as the United States. In many developing countries, the governments in power must first endeavor to strengthen their ties with their own people as a necessary first step. Our experience has taught us that in the United States, as in Latin America, nations can only be as strong as their people, and as the local institutions these peoples establish and work through to fufill local needs.

In Latin America, those who resort to the tactics of highjacking, kidnaping, and political murder in the attempt to further extremist ends only debilitate the freedom they allegedly seek. Expanded cooperation among Latin American countries must also precede concerted joint efforts abroad, if progress is to be made. Among other things our neighbors to the South should more clearly define their national and regional aspirations, revitalize their self-help measures, increase their awareness of the high costs of unchecked population expansion, revise outmoded land tenure systems and initiate new money and credit policies if a more meaningful life is to be created for their citizens.

I have been encouraged to note that the 21 governments of Latin America—in an unprecedented step of cooperation—have joined together in drawing up a document, the Latin American Consensus of Viña del Mar, setting forth their aspirations in the trade and aid fields. This cooperation is to be welcomed and perhaps signals the day when these 21 governments—or many of them—will

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take additional steps needed to form a truly great Latin American common market.

It is clear to all of us that time is short, and that we will either make this new mutual commitment to walk forward together, or our paths may increasingly diverge and cumulative mutual recriminations may progressively move us apart. The pressures for a new and sterile neoisolationism are as strong in the United States as are the pressures that could lead to greater fragmentation in the countries of Latin America.

To avert these dangers, I call upon North America, Central America, the Caribbean, and South America to commit themselves to a decade of mutual cooperation during the 1970's—a decade which should be characterized by greater self-help measures by the countries of Latin America and by a renewed commitment by the United States to cooperate with Latin America in the implementation of these self-help measures. I visualize this hemispheric commitment as going beyond even the worldwide planning effort toward better relations between the developed and developing countries underway within the World Bank family and the United Nations system. Hopefully, Governor Rockefeller's report, which will not be released until after the President speaks on October 31, will form a key building block in our policies.

I have developed a seven point program which, I believe, addresses itself to priority areas that our policymakers should consider. Here are my specific recommendations:

First. Tariff preferences: I call on the Nixon administration to reaffirm the U.S. Government's commitment to the prompt establishment of a system—and to work to get it adopted—through which the developed countries of the world would grant nonreciprocal, nondiscriminatory generalized tariff preferences to the developing countries.

I propose that a new organization comparable to the General Agreement on Tariffs and Trade be created to oversee this global preference scheme. Perhaps this new organization could be formed from the appropriate sections of the GATT and UNCTAD which have already carried out considerable work in this area.

Under my proposal, all developed countries would agree to grant all developing countries across the board tariff preferences in amounts equal to, in the first instance, historic trade amounts. As it is development we are seeking to sponsor, the formula adopted should make provision for preferential entry, in reasonable amounts, of manufactures and semimanufactures of developing countries including those that may not now be produced or exported by them. Moreover, provisions for further orderly growth of these exports should be built into the scheme. Appropriate burden sharing provisions would also have to be worked into this formula.

What I would like to emphasize at this time is that all the developed countries would join the United States in the granting of such preferences. I am not envisioning a unilateral U.S. tariff concession, but tariff concessions taken in concert with all other developed countries. As the global tariff preferences come into effect, the developed countries would move toward the elimination of the special preference systems—and I have in mind those of the United Kingdom and the EEC—which now exist. These would no longer be needed.

The United States first committed itself to a global preference scheme at the Conference of American Presidents held in Punte del Este in April 1967, and again accepted this basic commitment at the second meeting of the U.N. Conference on Trade and Development held in New Delhi in early 1968. The Latin American states continue to push the United States to reaffirm this commitment to a nondiscriminatory global system of tariff preferences, and I urge this administration to do so now, thereby maintaining the momentum among many developed and developing countries for the establishment of such a system. It must be recognized that pressures for the establishment of regional preferential systems remain strong—that some developed countries continue to promote reverse schemes, thereby attempting to maintain trade spheres of influence—and that such pressures will become stronger if a global nondiscriminatory system of tariff preferences for the developing world is not soon established.

I would caution that if developing countries which now enjoy special trade preferences in developed country markets, such as France and the United Kingdom, do not opt to relinquish these preferences as a global-preferences scheme is put into effect, the United States may be compelled within the reasonable future to offer preferences to only those developing countries which do not already enjoy preferences in other industrialized country markets. The countries of Latin America and eight other nations do not presently enjoy preferential tariff access to any industrialized country markets.

Second. Agricultural development: It is clear to all of us that agriculture is not making its maximum contribution to the development of Latin America. Perhaps, outside of the area of population control, this is the most pressing problem facing Latin America. Overcoming this problem of low productivity in agriculture is crucial. Consequently, urgent consideration must be given by the United States and Latin America to new efforts at regional and international cooperation in the agricultural area which would in a more dynamic way:

Establish as the primary assistance goal of the United States for rural Latin America the support of measures directed toward doubling the income of subsistence and small farm operators in the next decade and toward requiring medium and larger landowners to put their inadequately utilized land resources to work;

Double U.S. capital development support for sound, repayable loans which concentrate on creating new work opportunities for rural low-income workers and small farm operators;

Provide loans capable of increasing by 50 percent the existing supply of technically trained agricultural people in 10 years;

Help to establish a rural development insurance corporation to guarantee World Bank, AID, IDB, and Latin American private sector capital and bank loans for crop and livestock production and marketing projects to operators on small- and medium-sized farms who do not otherwise possess adequate loan security; and

Help to create pride in rural life through primary and secondary school education.

Latin America now produces over 95 percent of its food requirements and has increasingly effective institutions evolving. In addition, the fact that only one-third of its arable land resources are now in use and these operate at an exceedingly low level of technological advancement points out its future potential. Increased emphasis must immediately be placed on expanding the Latin American food production capacity to the maximum in the decade ahead. The U.S. aid program should continue to accord this area priority treatment—and increased development assistance funds may be necessary to implement my suggestions.

Third. Private investment: I have long been convinced that private foreign investment can play a greater role than it already has in the developmental process. ADELA and PICA are proud examples of my own efforts in this area. I am hopeful that Congress will provide the authority under this year's foreign assistance legislation to establish an overseas private investment corporation.

Philippe de Seynes, Under Secretary General of the United Nations, has just written me that a regional Latin American foreign investment panel sponsored by the U.N.–OAS–CIAP and the Inter-American Development Bank may be convened in early 1970. Mr. de Seynes informs me that this meeting, which is a highly welcomed initiative, will bring together high-level government representatives with senior executives of major industrial and financial enterprises in the industralized countries and in Latin America to consider specific measures for increasing the flow of foreign private investment to countries of the region. While this may not be the topic of the conference, I am convinced that we must begin looking toward the formulation of a hemispheric or worldwide charter spelling out the rights and obligations of recipient countries and private foreign investors with the eventual end of providing the protection of international law to such investors. The role of private investment in regional economic integration schemes also deserves priority explanation.

I have become increasingly convinced that as we move toward a world of multinational corporations—a world increasingly characterized by such joint ventures—we must give more attention to the development of investment guarantee programs that will not only partially protect the capital of developed countries invested in the developing world, but will also guarantee the risk capital invested by indigenous private investors in developing countries. Indeed, it would be wise if our own measures help to strengthen the role of private enterprise in Latin America precisely by strengthening private Latin American entrepreneurship.

Fourth. Military assistance: I recommend that military assistance programs and U.S. military missions in Latin America be subordinated to our political, economic, and social objectives in Latin America.

I do strongly believe, however, that our Latin American military missions can be reduced and that it is a rationalization that is essential. Large military missions are not only costly, but often counterproductive from a political point of view. In Latin America today, most of the population live under military rule—unforturately, a far greater number than in 1960. Given the conspicuousness of our military programs and military missions, many Latin Americans are convinced that these programs contributed to the rise of the military in Latin America over the past decade. That the military continues to intervene in the political affairs of most Latin American countries, and that we helped train the military are indisputable facts. That some military posture is natural in Latin America and that we, not the U.S.S.R., should help reasonably is less understood. But, the overall impact of our programs in Latin America must be to show clearly that military aid is ancillary and only supportive to aid to the people for economic, political, and social development. The fact is that we have alienated large segments of the civilian population in various Latin American countries, that antimilitary political groups have rioted against the United States as a symbol and even against our Presidential emissary to express their discontent with our policy and with their own military governments. This has resulted in a serious loss of influence by the United States on many major issues. Here is an aspect of our policy urgently in need of both clarification and better understanding at home as well as in Latin America.

In making this suggestion, I realize that while the role of the military may be changing in Latin America, none of us can afford to forget the words in both the new and old OAS Charter which state:

> The solidarity of the American States and the high aims which are sought through it, require the political organization of those States on the basis of the effective exercise of representative democracy.

Fifth. Voluntary programs: Municipalities and voluntary programs should be encouraged substantially to expand ongoing people-to-people programs and city-to-city programs to strengthen the personal bonds presently linking our two continents. More communities should commit themselves to this modern day version of the good neighbor policy. I commend for instance efforts such as those going forward under the Inter-American Commission for Women of the OAS through which the League of Women Voters in the United States cooperates in the training and organization of South American women.

The ties between the Americas also can be strengthened by increased tourist travel between the two hemispheres. I am encouraged to see that an unprecedented number of Latin Americans have been visiting the United States. With a proper investment in tourist facilities, there is no reason why a steadily increasing flow of North Americans should not spend their holidays in Latin America. Before this can happen however, Latin American governments must give increased emphasis to the creation of an appropriate tourist infrastructure in terms of hotels, travel facilities between cities, and better informational service, among other things. A greater commitment on the part of Latin American governments to tourism could assist the development of their economies as well as to further North American-Latin American understanding.

Looking far down the road, I can envisage the day when bilingualism will be the order of the day in both North and South America. This world is rapidly shrinking, as many of us are realizing—and this is particularly true of New York politics—that fluency in Spanish is a definite asset. This will be increasingly the case for the businessman, the student, the politician, and the peoples of our two hemispheres. The communications revolution will hasten this process.

Also, it is just a question of time before an inter-American satellite becomes operational. Since 1966, I have been pressing for the establishment of a continentwide Pan-American television satellite system to promote especially better interchange between the Americas in education and culture. I understand that the Nixon administration is giving this proposal serious consideration. I promise this distinguished forum that when such a system becomes operational, I will make my maiden speech—in Spanish—over this network. Seriously, though, closing the communications gap—this giant barrier to meaningful understanding—is one of the most urgent tasks we have before us to strengthen the inter-American system.

Sixth. Additional U.S. aid: The U.S. Congress must recognize that by geography alone, Latin America has a special relationship with the United States. The strengthening of this relationship will be increasingly important to the United States for economic, social, and moral reasons. Also, as the case of Cuba so clearly shows, its weakening could have definite detrimental aspects to our national security as well. The Congress should revive an earlier initiative and allocate additional resources ranging from $250 to $500 million over a specified time period above and beyond present allocation levels, to strengthen the drive for Latin American economic integration. The drawdown of such new resources would be contingent on measures Latin America takes to implement the declaration of Presidents made at Punte del Este, "to create progressively, beginning in 1970, the Latin American Common Market, which shall be substantially in operation in a period of no more than 15 years." I realize that the decisions facing Latin American countries on economic integration are complex and difficult and that only they can make them. But early action is urgent for accelerated development, and the United States should be ready with substantial funds to assist during the transitional period. This investment would be most wise to help attain greater economic independence and social and political stability with tangible and intangible benefits for the United States far exceeding the cost.

It should be noted that encouraging progress has been made in this direction, particularly in regional integration schemes. The additional $250 to $500 million I am urging the Congress to provide would be used to support these and subsequent Latin American moves toward regional integration. These funds, in conjunction with the increased funds being made available to Latin America by the World Bank and the Inter-American Development Bank, would be used to support such worthy initiatives as the Central American Development Bank, the Andean Development Corporation, and the Caribbean Development Bank when it becomes operational.

Seventh. Special drawing rights: Finally, the developed countries of the world should give special consideration to the idea of linking their creation of special drawing rights—SDR's—in the IMF with assistance to developing countries. The multilateral creation of SDR's in addition to expanding the supply of international liquidity, also offers the opportunity to finance transfers of real resources to developing countries. I am aware of discussions of this proposal that have taken place at the recently concluded IMF–IBRD annual meeting, and urge that this matter be given prompt international attention.

While my seven points do not deal with population control, let me emphasize that I fully support the priority accorded this area in the Pearson commission report and commend Bob McNamara's recent announcement that the World Bank family will be undertaking accelerated efforts in this area.

In assessing the prospects for the implementation of these recommendations, I also realize that many in the Congress and elsewhere may have another point of view. But I believe that our priorities as a great nation would be ill-served if the AID program and particularly the Alliance for Progress bore, through cuts, the brunt of our concern over the U.S. budget. Furthermore, I do not share the feeling of those, who, because of their revulsion against the Vietnam war, feel that we should draw back from our AID commitments, from the alliance and related international development activities.

It is my contention that part of the U.S. disillusionment with the progress Latin America has made and with the AID programs in general results from a misreading of the development process. We have failed to realize—and I believe that we similarly misread the discontent erupting in our cities—that the process of social and economic development is inherently destabilizing. Those who revolt are not utterly without hope; those who revolt are the ones who have begun to achieve, who have begun to hope, whose expectations are rising, who are involved. Our problem, be it in our cities or in our Latin American development programs, is to meet more rapidly the rising expectations while fully expecting instability. David Bronheim, a distinguished economist, has recently testified before the Foreign Relations Committee, that "the problem then is not how to preserve stability, but rather how to keep the instability within a range that does not threaten growth."

It is a test of the greatness of our Nation that we maintain our developmental assistance in spite of this instability—again whether it be in our own cities or in Latin America. Having promoted development and having reaped the perhaps unexpected but transitional "reward" of increased instability—I repeat, the transitional "reward"—we should not now abandon the effort. We should continue what was started, not because our national honor is at stake, but because it is necessary and, yes, because it is hoped and expected of us not only by the developing countries, but also by the other developed countries of the world which are following our lead.

The United States has just successfully landed the first man on the moon. This act, more than any other, will usher in the decade of the 1970's. It signifies the fulfillment of one of the major commitments made by President Kennedy in the early 1960's. Another of these commitments made in the early 1960's, the commitment to the first development decade will not be adequately fulfilled by the end of this year.

In consequence, it is especially imperative that we maintain our commitment to economic and social development of the developing countries of the world in the decade ahead. Congress must recognize that for the United States to continue its world leadership role, it must maintain an assistance program at a level at least proportionate to those of other developed countries of the world. Indeed, our standing in the world community depends as much on this as it does on our landing of the first man on the moon.

ORDER OF BUSINESS

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. ALLEN in the chair). The Senator will state it.

Mr. JAVITS. Do I still have time remaining?

The PRESIDING OFFICER. The Senator has 5 additional minutes remaining.

Mr. JAVITS. I have a little morning hour business. If it is convenient I will deal with it now.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. BYRD of West Virginia. Will the Senator first suggest the absence of a quorum so that Senators will know we have arrived at the period for the transaction of routine morning business?

Mr. JAVITS. Mr. President, I suggest the absence of a quorum and I ask unanimous consent that it not be charged to me.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. I thank the Chair.

TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. The Chair wishes to state that in accordance with the previous order the Senate will proceed now to the consideration of routine morning business.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

A MESSAGE FROM THE PRESIDENT—URGENCY OF LEGISLATIVE PROPOSALS (H. DOC. NO. 91–178)

Mr. KENNEDY. Mr. President, I ask unanimous consent that the message received today from the President of the United States urging enactment of various proposals of the President submitted to the 91st Congress, since the jurisdiction of so many committees is involved, be ordered to lie on the table, and that the message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message of the President is as follows:

To the Congress of the United States:

In the nine months since Inauguration, a number of issues have arisen clearly calling for the Congress and the Administration to work together.

One such issue was the extension of the surtax, where our economic security was involved. Another was authority to build the Safeguard ballistic missile defense, where the national safety was the issue. On both occasions, when the time came to be counted, Congress subordinated partisan concerns and voted the country's interest.

The continuance of this working partnership between a Congress heavily Democratic and a Republican Administration, on occasions where great issues are involved, is imperative for the good of our country. I hope this partnership will survive the "spirit of party" that grows more evident weekly in the National Capital. Yet, in recent days, the call to partisan combat has grown more compelling.

I am aware that members of the Administration have criticized the Democratic-controlled Congress for "dragging its feet" in the enactment of legislation, for holding hearings thus far on only half the Administration proposals before it, for having enacted but a single appropriations bill for fiscal 1970, a full quarter of the way through the fiscal year. From Capitol Hill there have come similar charges—that the Administration has been laggard in proposing legislation, that the Executive Departments have been slow in giving the Congress the reports it has requested, that some of the most far-reaching Administration proposals have only lately been sent to the Congress, and so cannot be acted upon by the end of the year.

If a working partnership between men of differing philosophies and different parties is to continue, then candor on both sides is required. There may be merit in both charges; neither the Democratic Congress nor the Republican Administration is without fault for the delay of vital legislation.

But, in my view, the American people are not interested in political posturing between the Executive Branch and Capitol Hill. We are co-equal branches of government, elected not to maneuver for partisan advantage, but to work together to find hopeful answers to problems that confound the people all of us serve.

Both the President and Congress have been commissioned by the same American people, for a limited time, to achieve objectives upon which the great majority agree. For our part, we are willing to travel more than half-way to work with Congress to accomplish what needs to be done. The time for staking out political claims will come soon enough.

Let us resolve, therefore, to make the legislative issue of the 1970 campaign the question of who deserves greater credit for the Ninety-First Congress' record of accomplishment, not which of us should be held accountable because it did nothing. The country is not interested in what we say, but in what we do—let us roll up our sleeves and go to work. Before us are urgent legislative priorities.

The legislative program of this Administration differs fundamentally from that of previous administrations. We do not seek more and more of the same. We were not elected to pile new resources and manpower on the top of old programs. We were elected to initiate an era of change. We intend to begin a decade of government reform such as this nation has not witnessed in half a century.

Some months ago, a Washington columnist wrote in some pessimism that if ours is not to be an age of revolution then it must become an age of reform. That is the watchword of this Administration: *REFORM*.

REFORM OF THE DRAFT. I have asked Congress to make the most extensive changes in the way we select young men for military service since the draft became an accepted feature of American life. We have the administrative power—and we will exercise it if Congress fails to act—to make far-reaching reforms in the selective service system, reducing the period of prime vulnerability for young Americans from seven years to 12 months. However, we need Congressional approval to shift from the inequitable requirement of choosing the "oldest first" to the more just method of random selection. I asked Congress five months ago for this power;

I ask again today. Basic fairness to our young people is the prime reason for this recommendation. I see no reason why this vital piece of legislation cannot be enacted *now*.

REFORM OF THE WELFARE SYSTEM. Last summer I asked Congress to make the most sweeping changes in the American system of welfare since the beginning of the New Deal. Last week legislation went to Congress outlining the proposal I have made for a new family assistance system to replace the demeaning and bankrupt system that now exists.

Under the present system, sometimes a father must desert his wife and children to make them eligible for benefits. Under the present system, some mothers with three children must survive with only $39 a month for the entire family to live on.

The family assistance system is built on a different set of principles. It provides incentives for families to stay together. It provides economic rewards for men and women on welfare who enter training programs and search out jobs. It provides a floor under income that assures the minimum necessary for food and clothing and shelter.

The present system has led this country into a morass. It has laid a heavier and heavier burden on the American taxpayer. It has loaded the relief rolls with more and more families even in times of rising prosperity and low unemployment. I ask that Congress begin hearings on the new family assistance system at once. The welfare system should be abandoned as quickly as we can discard it and a new system established in its place.

REFORM OF THE TAX CODE. In April I recommended to Congress the most comprehensive set of tax reforms in many years. Subsequently the House of Representatives responded with an even more far-reaching proposal of its own. The national momentum behind tax reform—to make the code more fair and equitable, to shift part of the burden from those who have borne too much for too long to the shoulders of others who have not carried their fair share—must not be allowed to dribble away while a partisan wrangle goes on over who deserves the political credit. We will give Congress as much assistance and as many hours of labor as it requires to enact extensive and responsible reform in this calendar year.

I do ask, however, that Congress, in acting on this major reform, not compromise this Administration's effort to combat the most unjust tax of all, inflation. Specifically, I ask that Congress not convert this historic tax reform legislation into a sharp tax reduction that would unbalance the Federal budget and neutralize our campaign to halt the rising cost of living. I ask again that Congress repeal the seven percent investment tax credit, and extend for another six months the income tax surcharge at one-half the present rate. To fail to take these steps would be an abdication by Congress of its vital role in controlling inflation.

REVENUE REFORM. For the first time in the history of this government, we have recommended a national policy of permanent sharing of the Federal income tax revenues with the States and lesser political units in the country. For years, political students and leaders have contended that governments at the State, county and local levels have lost their creativity and lost the capacity to respond because they lack access to the great source of growing revenues available to the Federal government. I have recommended that Congress set aside a rising portion of Federal revenues each year and transmit them directly back to the States and communities to spend as they see fit and not as Washington sees fit. This concept has been debated by both parties and recommended by their majorities for years. The time has come to move it off the plain of discussion to make it a reality. I urge the Congress to move.

POSTAL REFORM. For more than a decade the American people have complained increasingly of the rising cost of postal service accompanied step by step with declining service. Today the United States postal system is inferior to that of many countries of Western Europe; it is grossly inadequate to the needs of our society. The nation has known this for years. I have acted in that knowledge—recommending that the existing postal system be scrapped, that a government-owned corporation replace the United States Post Office, that business principles replace partisanship in its management, and that merit and performance—rather than political affiliation—be the new criteria for appointment and advancement. Three years ago this month the Chicago postal system, a microcosm of the national system, collapsed under a flood of mail. The rapid delivery of mail is not a partisan issue. Distinguished leaders, of both parties, have endorsed the precise reform I have recommended. There is no reason why the Congress cannot enact the most complete reform of the United States Post Office in the Nation's history—by the close of this session.

I am aware of the setback which postal reform sustained in a House Committee on October 8. That action must be reversed. I shall persist in behalf of both the taxpayers and the mail users in this country to press for this urgently needed reform. I still believe enactment should come by the end of this session of the Ninety-First Congress.

Here I must again urge responsible Congressional action, and promptly, on the proposed increase in postal rates for all three classes of mail. When this Administration entered office in January, it confronted a deficit in the postal budget for fiscal year 1970 of more than $1.2 billion. We are already three months into that fiscal year—and this deficit is being underwritten by the taxpayers, rather than the users of the postal service, who should rightly bear the cost. I recognize that such a measure is hardly a political delight. Yet it is required in the interest of equity and fiscal integrity. I request the Congress to face up to this task.

MANPOWER REFORM. The history of the 1960's chronicles an intense political debate that has resulted in the old centralism of the thirties losing converts to the new federalism of the seventies. More and more progressive men in both parties have become convinced from the failures of programs run from Washington that important areas of government decision-making must be returned to the regions and locales where the problems exist.

I have attempted to take that conclusion out of the forum of debate and into the arena of action—Congress. I have recommended that management of a Federal program—the multi-billion dollar manpower training program—be consolidated, and turned over in a three-stage operation to the States and communities to run in a way that fits the needs of the immediate areas involved. No reform of this magnitude has been attempted since centralism became the dominant national trend at the depths of the depression. This recommendation represents the beginning of a revitalized federalism, the gradual transfer of greater power and responsibility for the making of government decisions to governments closest to the people. I urge swift Congressional action.

SOCIAL SECURITY REFORM. I have requested an across-the-board increase of ten percent in Social Security benefits to compensate elderly Americans for the losses they are suffering because of an inflation they could do nothing either to prevent or avoid. In addition, I have proposed a new reform, an escalator in Social Security to insure that benefits will rise correspondingly whenever the cost of living goes up. When this reform is enacted, never again will those Americans least able to afford it be made to bear the brunt of inflation. These necessary steps can and should be taken by Congress before the end of this year.

One word of caution. I know the political temptations here. Why not balloon the benefits now, far above 10 percent, for political rewards in 1970? I remind the Congress that it is long since time that we stopped the political over-reactions which fuel the inflation that robs the poor, the elderly, and those on fixed incomes. I urge Congress to hold to this ten percent figure—and let the new escalator protect older Americans against the possibility of future inflation.

A second reform I have proposed is to alter the system of social security to encourage and reward the workers who want to go on working past age 65—rather than discourage them. I ask Congress to enact this measure without delay.

REFORM OF THE GRANT-IN-AID SYSTEM. Among the first major pieces of legislation I asked of Congress was authority to make uniform the requirements for participation in many grant-in-aid programs that have proliferated in the last five years. If we are granted the power to draw these programs together, to group them by function—setting far more simple regulations—then States and communities will participate more and Congress' original purposes will be better served. We need that authority *now*. I know of no reason for delay.

ELECTORAL REFORM. While I originally favored other methods of reforming the electoral college system, I have strongly endorsed the direct popular election plan approved by the House. I hope the Senate will concur so that final favorable action can be completed before the end of this session. This must be done if we are to have this needed reform amended to the Constitution in time for the presidential election of 1972.

D.C. GOVERNMENT REFORM. For years there has been broad support for granting the people of Washington, D.C., the same right to Congressional representation other Americans have always prized, and the right to conduct their public business themselves. The Federal city has been a federal colony far too long. Months ago I presented to Congress a program to bring about the orderly transfer of political power to the people of this community. I recommended a constitutional amendment giving the District of Columbia at least one Representative in the House and such additional Representatives as Congress may approve, and providing for the possibility of two United States Senators. I urged Congress further to grant the city one non-voting Congressional representative in the interim, and recommended creation of a commission to prepare and present to Congress and the President a program to improve the efficiency and competence of the District government—looking to the day of complete self-government. Favorable action has been taken by the Senate. I ask that this work be completed before the end of the year.

OEO REFORM. I have provided the Office of Economic Opportunity with a new director, a new structure, and added responsibilities as the research and development arm of the nation's effort to deal with the problems of the poor. OEO is now strengthening its present operating programs, including the Community Action Agencies, VISTA, Legal Services, Neighborhood Health Centers, Family Planning, Emergency Food, Rural, Older Persons, Indian and Migrant Programs. In addition, there is new emphasis on research, the evaluation of existing Federal social programs, and developing and testing new approaches in community and economic development, manpower and education to assist the poor to move into the economic life of the nation. I have asked for a two-year extension of the existing legislation, without crippling amendments. I believe that a reformed OEO has a major and continuing role to play in our national life. Here again, there is no need or justification for further delay.

In recent years the Federal Government has suffered a precipitous decline in public confidence. The reason can be found in the chronic gap that exists between the publicity and promise attendant to the launching of a new Federal program—and that program's eventual performance. If confidence in government is to be restored, the gap must be closed.

This is the purpose of the foregoing proposals and great goal of this Administration—not to establish some new arithmetical record for the number of programs proposed, but to do more than other Administrations have done—to devise new approaches, to make the worthy old programs work, and to make old institutions responsive. It is for this that we prize the mechanics and engineers of government who retool and improve its machinery as much as we do the planners and the idea men who develop new programs and new agencies. There is little publicity and less glamor in the labor of the mechanics and engineers of government but, with billions in tax dollars invested in scores and scores of on-going Federal programs, the need is certainly greater. Let us together make government's performance and responsiveness more commensurate with its size.

REFORM OF FOREIGN AID. Our foreign aid program, sent to Congress in May, differs from earlier programs in three significant ways. First, it would place greater emphasis on technical assistance, especially in the areas of agriculture, education and family planning, where the return would be greatest when measured in terms of national and human development. Second, the new program would create an Overseas Private Investment Corporation to provide a greater thrust for the channeling of private investment to the low-income countries. Third, it would increase the share of our assistance contributed through multilateral institutions.

I know of the economic miracles which foreign aid has helped create in Western Europe and in parts of Asia. I know also that our program is far from perfect. With this in mind, I have recently appointed a Presidential Task Force on International Development, charged with proposing new approaches to aid for the 1970s.

One fundamental question must be faced as Congress prepares to vote on this issue: will we in the United States live out our lives in comparative affluence, while denying reasonable help to those who are our neighbors in the world community and who are struggling to help themselves achieve a better life? To enable us to answer this question positively, I have requested $2.7 billion—the smallest request in the history of the U.S. aid program but an amount vitally needed to maintain our relationship with the developing world.

In addition to the reforms already cited, I have made other recommendations that call for new commitments by the Federal government, and offer more hopeful avenues of progress than the paths of the past.

Specifically, I have asked Congress to:

—establish a national computer Job Bank, which would enable the unemployed and the employer to come together through a computer matching system. The bank would have "branches" in every major labor market in the country. No longer would men have to go without work solely because they did not know where to find jobs.

—commit this country to the most extensive improvement of the nation's air facilities in history. Under this program, the annual Federal appropriation for improving air facilities will rise from $3 million a year—the average of the last decade—to $250 million annually over the next decade. I have proposed further aid for airport development of $2.5 billion dollars in Federal funds in the next ten years to be matched dollar-for-dollar by the States and local governments. This will mean an added $5 billion in funds for airport development. It will mean a running start on the national effort to build for the doubling of airline traffic expected by 1975 and its tripling by 1980.

—commit this country to the redevelopment of the nation's deteriorating public transportation system by providing an unprecedented measure of Federal support. In the six-year period ending with fiscal 1970, some $800 million will have been authorized by Congress to aid the nation's deteriorating public transit industry. I have proposed raising that commitment to $3.1 billion over the next five years and to a total of $10 billion over the next twelve.

—enact the most extensive improvements in the Federal-State unemployment system in a decade, with coverage extended to an additional 4.8 million workers, mostly low-income, with an automatic extension of benefits to workers during times of high unemployment.

—enact the strongest mine health and safety bill in history, one which empowers the Secretary of the Interior to upgrade health and safety standards for coal mines as the technology develops.

—establish a national occupational health and safety board, with power to set standards to protect workers.

—empower the Equal Employment Opportunity Commission to bring suit in a Federal District Court to enforce federal laws against discrimination.

—ban literacy tests as a prerequisite for voting throughout the United States.

NEW INITIATIVES

THE HUNGRY. For many years, in this richest of societies, we have heard rumors of malnourished children and hungry men and women. Now we know these rumors are true. This realization has prompted us to a commitment—that we eliminate every vestige of hunger and malnutrition from America. I have asked Congress to help us assure that every American family can have a nutritionally complete diet; I have asked that the poorest members of our national community be provided with food stamps free of cost.

The Senate has shown a willingness to join in this commitment and has acted with dispatch. I urge the House to move so as not to prolong any further the day when the ancient curse of malnutrition and hunger is eliminated in this most modern of nations.

POPULATION. There is a widely-recognized correlation between population growth and poverty in the under-developed nations of the world. I have asked Congress to support our endorsement of those individuals and organizations seeking voluntary answers to this global question in other lands.

To approach this question as it applies at home, I have called on Congress to create a national commission to undertake now a study of how the nation is to provide for the 100 million new Americans expected before the turn of the century.

Beyond this, I have asked that a new philosophy become American government policy. We will interfere with no American's freedom of choice; we will infringe upon no one's religious convictions; but we shall not deny to any American woman the family planning assistance she may desire but cannot afford. That is the goal I ask Congress to support.

THE CONTROL OF CRIME

There is no greater need in this free society than the restoration of the individual American's freedom from violence in his home and on the streets of his city or town. Control and reduction of crime are among the first and constant concerns of this Administration. But we can do little more unless and until Congress provides more tools to do the job. No crisis is more urgent in our society. No subject has been the matter of more legislative requests from this Administration. Yet, not a single one of our major recommendations on crime has been acted upon favorably. I have not even received yet the budget appropriation for the Department of Justice for this fiscal year which is three months old. In light of the rising crime statistics in the country—and in the Nation's Capital—I again call upon Congress to become a full-fledged ally in this national campaign.

ORGANIZED CRIME. To intensify the national effort against organized crime, I have asked for an arsenal of new legal weapons:

— a doubling of existing resources for the organized crime effort;

— authority for Justice Department agents to enter any community and shut down large-scale gambling operations;

— a modern general witness immunity statute under which witnesses in Federal criminal cases could be compelled to testify under threat of a prison sentence for contempt;

— finally, because organized crime would shrivel up without its enormous gambling resources, and because illegal gambling on a large scale cannot go on without cooperation of corrupt law enforcements, I have asked Congress to make corruption of local authorities who are tied in with such gambling operations a Federal crime. I must stress the great urgency of these measures. Let the Congress act—*now*.

D.C. CRIME. To deal with the increase in crime in the District of Columbia I have asked for an expansion and strengthening of the entire system of law enforcement and criminal justice, including a fundamental reorganization of the courts. I have stressed the urgent need for more police, more judges, more prosecutors, more courtroom space, a new public defender's office, better penal and rehabilitation facilities and reform in the procedures for dealing with juvenile offenders. Crime in the District of Columbia continues to rise to new records with each month. We cannot contain or control it with existing resources; we need more men and money; we need a speedier trial system and, as important as any other measure, the power to keep hard-core criminal repeaters in the District of Columbia off the streets, so they are not committing five and six crimes before they are ever brought to trial. The Congress should act—*now*.

NARCOTICS. In the Federal effort against the illicit narcotics trade, I have submitted a major revision of all Federal narcotics laws and requested more men and money to deal with a problem that long ago outstripped the capacity of government at every level. Existing manpower and resources are stretched to their elastic limits—they are demonstrably inadequate. We have to have the cooperation of Congress to attack this terrible problem. Let's get at it—*now*.

PORNOGRAPHY. To prevent the use of the Nation's postal system for the mailing of unsolicited sex-oriented materials to families that do not want the material and to children to whom it might do psychological harm, I offered three legislative proposals that will protect American citizens from the barrages of the filth peddlers, and will also be consistent with the decisions of the U.S. Supreme Court interpreting the First Amendment. These bills are still in Congress. I ask that they be promptly enacted.

These are among my major legislative proposals in these first nine months in office. I believe they speak directly to the needs of a Nation in distress. I can see no legitimate reason why—with good will and cooperation between us—we cannot make the great majority of these urgently needed programs law before the end of the year. We should have all of them—as well as the others now pending—on the statute books well before the Ninety-First Congress enters the history books.

To that end, I again pledge the cooperation of this Administration.

RICHARD NIXON.

THE WHITE HOUSE, *October 13, 1969.*

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Proposed Interchange of Jurisdiction of Civil Works and National Forest Lands

A letter from the Secretary of the Army and the Under Secretary of Agriculture, transmitting, pursuant to law, notice of the intention of the Departments of the Army and Agriculture to interchange jurisdiction of civil works and national forest lands at Libby Dam and Reservoir in Montana (with accompanying papers); to the Committee on Agriculture and Forestry.

Report of Defense Contingency Disbursements

A letter from the Secretary of Defense, reporting, pursuant to law, disbursements made against the "Contingencies, Defense" Account from current and prior fiscal year obligations during fiscal year 1969; to the Committee on Appropriations.

Report on Proposed Construction Projects for the Army Reserve

A letter from the Deputy Assistant Secretary of Defense (Installations and Housing), reporting, pursuant to law, with respect to certain construction projects proposed to be undertaken for the Army Reserve; to the Committee on Armed Services.

Reports of the Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a secret report on the review of U.S. policies and procedures for obtaining NATO cost sharing of military construction projects in Europe, Department of Defense, B–156489 (with an accompanying secret report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of internal audit activities, exclusive of the Internal Revenue Service, in the Department of the Treasury, October 13, 1969 (with an accompanying report); to the Committee on Government Operations.

Proposed Legislation Establishing a Program for the Preservation of Additional Historic Properties Throughout the Nation

A letter from the Chairman, transmitting a draft of proposed legislation to amend the act of October 15, 1966 (80 Stat. 915), establishing a program for the preservation of additional historic properties throughout the Nation, and for other purposes (with accompanying papers); to the Committee on Interior and Insular Affairs.

Proposed Legislation To Amend Title I of the Act of November 15, 1966

A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to amend title I of the act of October 15, 1966 (80 Stat. 915) (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Report of the National Advisory Council on Education Professions Development

A letter from the Chairman, National Advisory Council on Education Professions Development, transmitting, pursuant to law, a report of the National Advisory Council on Education Professions Development, October 1969 (with an accompanying report); to the Committee on Labor and Public Welfare.

Proposed Legislation to Liberalize the Provisions of Law Governing the Payment of Increased Disability Compensation

A letter from the Administrator, Veterans' Administration, transmitting a draft of proposed legislation to liberalize the provisions of law governing the payment of increased disability compensation as a result of examination or hospitalization in a nongovernmental hospital (with accompanying papers); to the Committee on Labor and Public Welfare.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House insisted upon its amendment to the bill (S. 1689) to amend the Federal Hazardous Substances Act to protect children from toys and other articles intended for use by children which are hazardous due to the presence of electrical, mechanical, or thermal hazards, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. STAGGERS, Mr. MOSS, Mr. MURPHY of New York, Mr. SPRINGER, and Mr. KEITH were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 12781) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1970, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mrs. HANSEN of Washington, Mr. KIRWAN, Mr. MARSH, Mr. FLYNT, Mr. MAHON, Mr. REIFEL, Mr. McDADE, Mr. WYATT, and Mr. BOW were appointed managers on the part of the House at the conference.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A resolution adopted by the City Commission of the City of Traverse, Mich., remonstrating against proposed legislation to limit the tax-exempt feature of interest paid on public bonds issued by State or local governments; to the Committee on Finance.

A letter, in the nature of a petition, from Jacob Kisner, of New York, N.Y., praying for the enactment of legislation relating to the establishment of a Department of Peace; to the Committee on Foreign Relations.

A resolution adopted by the Florida House of Representatives, Committee on Public Health and Welfare, supporting President Nixon's welfare reform with the exception that it proposes that all administration and control remain in the hands of the States subject to minimal Federal guidelines; to the Committee on Labor and Public Welfare.

A resolution adopted by the City Council of the City of Worcester, Mass., opposing the so-called Postal Corporation; to the Committee on Post Office and Civil Service.

BILLS AND A JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. STEVENS:

S. 3017. A bill for the relief of Jerry J. McMutcheon, of Anchorage, Alaska; to the Committee on Interior and Insular Affairs.

By Mr. METCALF (for himself and Mr. SCOTT);

S. 3018. A bill to amend section 104 of the Truth-in-Lending Act; to the Committee on Banking and Currency.

(The remarks of Mr. METCALF when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. SYMINGTON:

S. 3019. A bill for the relief of Dr. Abelardo B. Sanchez; to the Committee on the Judiciary.

By Mr. PROXMIRE (for himself and Mr. BELLMON):

S. 3020. A bill to repeal the so-called Connally Act; to the Committee on Commerce.

(The remarks of Mr. PROXMIRE when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. PERCY (for himself and Mr. SMITH of Illinois):

S. 3021. A bill to amend the River and Harbor Act of 1958 to authorize the appropriation of $5,728,000 for the repair and modification of certain structures along the Illinois and Mississippi Canal in the State of Illinois; to the Committee on Finance.

By Mr. BYRD of West Virginia (for Mr. RANDOLPH) (for himself and Mr. BYRD of West Virginia):

S. 3022. A bill to provide for the orderly expansion of trade in manufactured products; to the Committee on Finance.

(The remarks of Mr. BYRD of West Virginia when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. NELSON (for himself and Mr. McGOVERN, Mr. MONDALE, and Mr. SAXBE):

S. 3023. A bill to create an Office of Defense Review; and

S. 3024. A bill to establish a Temporary National Security Commission; to the Committee on Armed Services; and

S.J. Res. 160. A joint resolution to create a joint congressional committee to review, and recommend changes in national priorities and resources allocation; to the Committee on Government Operations.

(The remarks of Mr. NELSON when he introduced the bills and joint resolution appear later in the RECORD under the appropriate heading.)

S. 3018—INTRODUCTION OF A BILL REPEALING THE EXEMPTION OF UTILITIES SUBJECT TO STATE REGULATION FROM THE CONSUMER CREDIT PROTECTION ACT OF 1968

Mr. METCALF. Mr. President, on behalf of the senior Senator from Pennsylvania (Mr. SCOTT) and myself, I introduce for appropriate reference a bill to repeal the exemption of utilities subject to State regulation from the provisions of Public Law 90–321, the Consumer Credit Protection Act of 1968.

According to the paragraph which our amendment would delete, the provisions of title I, which deal with consumer credit disclosure, do not now apply to "transactions under public utility tariffs, if the Federal Reserve Board determines that a State regulatory body regulates the charges for the public utility services involved, the charges for delayed payment, and any discount allowed for early payment."

Truth-in-lending legislation was before the Congress for many years prior to passage of the Consumer Credit Protection Act of 1968. None of the bills introduced during those previous Congresses carried the paragraph quoted above, which is section 104, paragraph (4) of the act. Nor was there testimony before either the Senate or House Banking and Currency Committee in support of the above amendment. In fact, it did not appear in either the Senate or House bill, as originally approved by the Senate and House in the 90th Congress, being included instead during the Senate-House conference.

The distinguished chairman of the House Subcommittee on Consumer Affairs (Mrs. SULLIVAN) expressed her reservations about the amendment during the hearing on consumer credit regulations last March. She said—I quote from part 2 of the Subcommittee on Consumer Affairs hearing, page 393:

> Mrs. SULLIVAN. This is a rather technical question; but important: In the case of utility bills, the law exempts from the annual percentage rate disclosure requirements the so-called discounts for cash, which are often actually penalties for late payment, where such charges or rebates are regulated by a governmental agency.
>
> I was not too happy with that provision which was put in the bill in the conference committee. I had been against it because I learned that in about half the cases where the electric company or the gas company bills you for both a net and a gross amount, depending upon whether the bill is paid before or after a specific date, it is not a discount from the bill for prompt payment as many people believe, but instead it is a penalty for late payment—really a credit charge. And the annual percentage rate of that charge is often very high. I think we have to watch that, and at least encourage consumers in the States to make certain that their State utility regulatory agencies actually do oversee and regulate such charges.
>
> The utility company runs very little risk on its late bills, because no one wants to risk having the service cut off. Very few other creditors have a similar club to hold over the head of their slow paying customer. Where these are late payment penalties instead of discounts for prompt payment, they are often regulated under State law only in the sense that the utility company files its tariffs with the regulatory agency, but very little attention, if any, is paid by the regulating agency to the reasonableness of the late payment charges.

Later in the hearing, it developed that neither the Congress nor the Federal Reserve Board had actually determined that the State regulatory authorities exercised regulatory function in the credit field. The Board witness agreed with a member of the subcommittee that the established exemption might well be inappropriate, as indicated by the following colloquy between the Congressman from Texas (Mr. GONZALEZ) and Frederic Solomon, Director of the Division of Supervision and Regulation of the Federal Reserve System:

> Mr. GONZALEZ. Perhaps just an explanation of section 104, the exemptions, subsection 4, transactions under public utility tariffs. If the board determines that a State regulatory body regulates the charges, et cetera, suppose there is no State regulatory authority, such as in my State?
>
> Mr. SOLOMON. Let me read a provision, if I may, Mr. Congressman. The feeling there was that the situations were quite similar in those situations where, as in the State of Texas, there may not be a State regulatory authority, or there may be a State regulatory authority, but it may not apply within a particular city.
>
> And therefore it was felt that the best way to carry out the purpose of this provision as well as it could be understood at the time, and subject always to review and further consideration, was to apply it generally to those public utility situations that were under some kind of surveillance from some kind of regulatory authority. So the provision related to that was phrased in the regulation as follows. This is an exemption in section 226.3(d) of the regulation on page 10 of the mimeographed copy:
>
> "TRANSACTIONS UNDER PUBLIC UTILITY TARIFFS
>
> "Transactions under public utility tariffs involving services provided through pipe, wire or other connected facilities, if the charges for such public utility services, the charges for delayed payment, and any amount allowed for early payment are filed with, reviewed by, or regulated by an agency of the Federal Government, a State, or a political subdivision thereof."
>
> It was felt that this was the most workable way of implementing what was believed to be the purpose of the exemption in the statute itself.
>
> Mr. GONZALEZ. Suppose there is no such legal regulatory supervision?
>
> Mr. SOLOMON. It was our impression, as best we could get the information, that there would almost always be some kind of agency with which there would be a filing, or some

instance where this could be complied with, not necessarily extensively regulated, but at least some kind of filing. That was the impression we had. We may be mistaken about it, but we hope that would be the case.

Mr. Gonzalez. I am afraid it isn't.

Mr. Solomon. It may well be wrong.

Mr. President, the paragraph which our bill would repeal sounds reasonable. It appears to prevent conflicting jurisdiction. Actually, though, as the House hearings indicated, State commissions do not have the resources for regulation of utility finance charges. Those State commissions have already been given many assignments by their State legislatures, without, in some instances, commensurate staff and appropriations, as was indicated by the commissions in their reports to the Senate Subcommittee on Intergovernmental Relations. I do not believe that the Congress should casually pass on to the State commissions additional responsibilities which will require them to divert some of their modest resources to yet another field or, in the alternative, to incur the displeasure of consumers who complain that the commissions are not doing their assigned job or regulation.

In addition, I am concerned by the criticism levied by small businessmen at section 104(b). I have heard from fuel oil marketers in Pennsylvania, New York, and Connecticut who compete with electric and gas utilities for the heating market. The electric and gas utilities are exempt from the Truth-in-Lending Act. The oil heat industry is not. As one of the oil heat officials said, as the law now stands it penalizes the independent businessman and favors the utilities.

Mr. President, in elaboration of this complaint by fuel oil marketers, I ask unanimous consent to insert at the conclusion of my remarks an article on this point which appeared in the July 28 issue of U.S. Oil Week.

It is my intention to ask for a hearing on the bill today introduced, whenever the Banking and Currency Committee of either House considers proposed amendments to the Consumer Credit Protection Act of 1968.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the article will be printed in the Record.

The bill (S. 3018), to amend section 104 of the Truth-in-Lending Act, introduced by Mr. Metcalf (for himself and Mr. Scott), was received, read twice by its title, and referred to the Committee on Banking and Currency.

The article presented by Mr. Metcalf follows:

Gas Company Charges Tom Jones 142 Percent Interest

Tom Jones uses natural gas to cool his home in suburban Kensington, Md.

Jones is executive vice president of the National Oil Jobbers Council representing thousands of fuel oil marketers faced with the twists and hazards of conforming to the new Truth-in-Lending law.

Writing to New York Attorney Sam Borenkind last week Jones noted that the Washington Gas Light Co. doesn't have to reveal its finance charge for those customers who don't elect to take advantage of premium billing.

Utilities were exempted from Truth-in-Lending in a closed door final meeting on the bill.

But if Washington Gas Light were covered, this is what the bill would have to say:

"A cash discount (FINANCE CHARGE) of $.32 may be deducted from the total (Deferred Payment Price) $4.42, which equals a cash price (Amount Financed) of $4.10, (this is an ANNUAL PERCENTAGE RATE of %) if paid within 20 days.

"Actually, because of the size of the finance charge, the annual percentage rate would not have to be stated, but if it were, calculating on the FTC system, it would equal 142.25%," Jones said.

(Divide .32 by amount financed—$4.10—which equals 7.8% for 20 days.

Divide 7.8 by 20, giving you the daily rate of .39%.

Multiply that by 365 and you get 142.35%, which is rounded off to the nearest quarter of a percent or 142.25%.

"The law most definitely penalizes the independent businessman, favors the utilities which are exempt from compliance, and I hope we can jointly work out something to exempt jobbers from compliance," he added.

The bill looks like this:

[Not printed in the Record.]

S. 3020—INTRODUCTION OF A BILL REPEALING THE CONNALLY HOT OIL ACT

Mr. PROXMIRE. Mr. President, I had originally intended to propose an amendment to Senate Joint Resolution 54, consenting to an extension of the interstate compact to conserve oil and gas. However, the Senator from Oklahoma (Mr. Bellmon) has convinced me that I could better secure my original objective by introducing a bill to repeal the Connally Hot Oil Act, chapter 15A of title 15 of the United States Code.

I am, therefore, pleased to introduce on behalf of the Senator from Oklahoma (Mr. Bellmon) and myself a bill to repeal the Connally Hot Oil Act.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3020) to repeal the so-called Connally Act, introduced by Mr. Proxmire (for himself and Mr. Bellmon), was received, read twice by its title, and referred to the Committee on Commerce.

NEED FOR WHOLESALE PRICE INDEX REFINEMENT

Mr. PROXMIRE. Mr. President, one of the most distinguished economists and original thinkers in the country is Gardiner C. Means. In the 1930's he and Adolph Berle wrote a classic economic textbook entitled "The Modern Corporation and Private Property." There, for the first time, a detailed analysis of the divergent and conflicting interests of managers and owners of large corporations was made.

In the 1950's, Gardiner Means was closely associated both with the development and demonstration of what is now known as administered prices and administered price inflation.

Now Gardiner Means has performed an analysis of the years 1964 to 1969 and has described in some detail the nature of the price rises in what to him are three distinct periods during those years. He terms the periods "reflation," in which the largest price rises were in the competitive industries; a period of administered price inflation, in which the fastest price rises were for the goods of concentrated industries; and a recent period since December 1968 which he calls "compound inflation" or where prices in both groups of industries rose.

In Sunday's Washington Post there was an article published, written by Bernard Nossiter, entitled "New Clues Are Uncovered to Causes of Inflation," in which the tentative results of Mr. Means' study of the period are given.

But, as the article points out, Mr. Means has had to base his findings on the broad industry groupings of the wholesale price index. In order to confirm or to rebut the thesis and findings or, more correctly, to determine for the country what the real situation is, a more detailed and sophisticated breakdown of the price increases industry by industry is needed. There is, for example, a need to break out the price behavior in the steel and oil industries from their broader classifications.

I believe this should be done. It can be done. As vice chairman of the Joint Economic Committee, I have asked our staff to work with the Labor and Commerce Departments in order that they may further refine the wholesale price index data so that a more meaningful breakdown can be made.

One of the criticisms of this administration is that it has failed to act against the administered price increase. That is the kind of action President Kennedy took, as well as President Johnson. Many economists support it. Some oppose it. However, the argument recently heard is that we are suffering from a kind of inflation which is not susceptible to competitive factors, or to a diminution in demand which one gets by increasing taxes or by tightening credit. As I said, this study by Mr. Means, which may or may not be right, so far as the analysis by the Joint Economic Committee goes, is the kind of economic policy we should follow.

I ask unanimous consent that the article by Mr. Nossiter describing Gardiner Means' analysis be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

New Clues Are Uncovered to Causes of Inflation

(By Bernard D. Nossiter)

[Charts not printed in Record]

The growing outcry over rising prices is taking on a new dimension. An increasing number of leaders, political and otherwise, are beginning to call for wage and price controls, an extreme measure normally regarded as unthinkable except in an all-out war.

At the same time, a number of Democratic Party figures, including Joseph Califano, the former Johnson aide, think they have found a weak point in the Nixon Administration because of its rhetoric dismissing wage-price guidelines.

This ferment represents a significant shift in the debate over inflation. Until recently, the issue had been posed in these terms: Are prices rising because the Federal Reserve has created too much money, or because government spending on Vietnam and civilian programs has built up too much demand?

Now, the question is being put thus: Is inflation the consequence of misguided government policies, fiscal or monetary, or is it the result of an abuse of private power? Behind the revived discussion of guidelines and controls is an implicit view that the nation's economic analysts have looked too long at Washington and not nearly enough at the decisions made in executive suits and union headquarters.

THE QUESTION OF POWER

The three accompanying charts are an effort to ground the new discussion in fact; to look at the industries in which prices have been rising and see whether some clues about the sources of inflation can be deduced.

The graphs are the work of Gardiner C. Means, a distinguished 73-year-old economist whose product has always been regarded uneasily by his professional confreres because it has touched on the disagreeable question of power.

In the '30s, in collaboration with A. A. Berle, he revolutionized thinking and public policy toward large corporations by observing that ownership and management were no longer an identity. In the '50s, Means produced a powerful analysis demonstrating that the inflation of that era was largely the product of administered price industries, led by steel.

He is, in effect, the unacknowledged godfather of the Kennedy-Johnson wage-price guidelines and his findings were the theoretical rationale for President Kennedy's famous confrontation with Chairman Roger Blough of U.S. Steel.

The story suggested by Means' new charts will provide little comfort to advocates of the either-or stripe; to those who fix responsibility exclusively on government and to those who pin it entirely on private power.

THREE-PHASE INFLATION

Means believes that there have been the three distinct periods in the current inflation, the one that began in 1965 and still persists. The first, lasting nearly two years, he gives the old New Deal label "reflation."

Here, the government was seeking to reduce high unemployment and did so with a variety of techniques. The most notable were a big tax cut and enlarged spending for both the war and civilian purposes.

The second period, which ran through last year, Means describes as an "administered price inflation." Here, increases were generated by the large corporations and the powerful unions with which they dealt. Whether the inflation was fueled by union wage demands or by corporate price decisions is a question difficult to disentangle. Means has not attempted to do so.

In the third period, the march of prices during 1969, Means concludes that both government policy (and "government" here embraces the nominally independent Federal Reserve as well as executive fiscal powers) and private decision-making are responsible. This he calls "compound inflation."

If Means is right, a remarkably sophisticated mix of public policy is in order. His analysis indicates that inflation cannot be choked off by exclusive reliance on fiscal and monetary restraint without recreating at least the high levels of unemployment of the 1950s. By the same token, inflation can't be stopped by pursuing only the centers of private power. A judicious mix of both is needed.

Indeed, some perception that this is so may explain why some members of the Nixon administration are beginning to soften their antiguidelines pronouncements and may be tinkering with a variant of this approach.

THE GAMUT OF INDUSTRY

To understand Means requires an understanding of the structure of American industry. He distinguishes between three broad types of industry and argues that their price behavior depends on the extent of their power over their market.

At one extreme are the competitive industries, beloved by economics textbooks. These are the industries like farming in which no one firm is big enough so that its actions can affect the prices or output of its fellows.

At the other extreme are the concentrated industries like steel, aluminum, autos and electrical machinery. Here, a few companies account for the bulk of the sales. They are not immune to the classical forces of supply and demand but they, or their price leaders, have considerable discretion within broad limits.

Thus, what U.S. Steel or General Motors or General Electric (and their generally well-organized unions) do about pricing and output will powerfully affect the decisions of their handful of near-peers. These are the industries—"oligopolistic" in the economists' idiom—that administer prices.

In between is a broad range of industries with more firms than the auto industry but far fewer than the number of cotton farms. The pulp and paper industry is a typical member of this mixed branch.

Both in theory and in practice, an expansive fiscal policy (tax cuts, more spending) or easy money will push up competitive prices. In textbook terms, effective demand is outstripping supply. Prices in competitive industries, Means has demonstrated in the past, are sensitive and change rapidly with changes in demand.

Prices in concentrated industries, however, are a different animal. Corporate executives, essentially conservative, make changes more slowly and in order to achieve a targeted rate of return. Thus a burst of effective demand may or may not move up prices in oligopolistic industries. Moreover, corporate managers may raise prices even in the absence of extra demand.

RESULTS ARE TENTATIVE

Means' charts are based on the wholesale price index rather than the more familiar consumer price index. Broad price changes show up in the wholesale index before they appear at the retail level. Moreover, the wholesale index is distorted less by changes in the quality of products.

For this exercise, Means has used very broad industry groupings, and his findings are therefore more tentative than conclusive. Thus the steel industry is subsumed under the bigger Metal and Metal Products heading; oil is part of the larger Fuel and Power group and the like. A more detailed breakdown, industry by industry, is needed to confirm or rebut Means' findings.

This is a task that the Joint Economic Committee or the Senate Antitrust and Monopoly Subcommittee might profitably undertake. Federal agencies—the Labor and Commerce Departments or the Federal Reserve—have the resources to do the job but have traditionally shied away from politically sensitive questions like administered prices and wages.

In the Means graphs, the height of each bar is the percent of price increase during the period under examination. The width of each bar reflects the industry's weight or importance in the index. Thus the area of the bar, the height times the width, is a graphic representation of the contribution of each industrial grouping to inflation.

In the reflation period, the overwhelming role of the competitive industries is apparent. Farm products went up 17.2 per cent and processed foods, 13 per cent. Conversely, the concentrated machinery group goes up less than 5 per cent and the concentrated motor vehicles sector even fell.

During the administered inflation period, the picture changes dramatically. The price advances are largely in the concentrated sector. One important competitive industry, farm products, actually declined 5 per cent. An exception to the pattern is the competitive lumber and wood products industry. A housing boom shot up prices by 26 per cent.

The present compound inflation offers still another pattern. Here, price advances are registered indiscriminately among competitive and concentrated groups.

Means' work has already been circulated among a handful of financial executives and a few Democratic Senators and Congressmen with a penchant for fresh approaches to economic problems. Whether his attack will have the potent effects on policy-making that it did with a Democrat in the White House is a large question.

Moreover, even an Administration willing to acknowledge the importance of administered prices and wages can rightfully ask: What institutional mechanism can really contain this power?

Guidelines are crude, and capriciously applied. There is another family of solutions requiring leading corporations and unions to give advance notice and justify changes in prices. But there are many political, administrative and theoretical objections to this approach.

In the end, any President, even one so little bound to ideology as Mr. Nixon, would have some difficult calculations to make. To deal with classical inflation and restrain the competitive sectors, how high a price in unemployment is bearable? To deal with administered inflation, how much opposition can any President take from centers of power at union and corporate headquarters?

S. 3022—INTRODUCTION OF THE ORDERLY TRADE EXPANSION ACT OF 1969

Mr. BYRD of West Virginia. Mr. President, on behalf of my able senior colleague (Mr. Randolph) I ask unanimous consent that a statement by my colleague be printed in the Record at this point, and that I be permitted to introduce a bill for him in his behalf and in mine.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Randolph

On behalf of myself and Senator Byrd of West Virginia, I introduce a bill to empower the President with effective authority to negotiate with supplying countries mutually beneficial agreements to regulate the rate of increase in future imports of flat glass, steel, glassware, footwear, electronic components, and man-made fibers. This bill is designed to recognize the legitimate interest of both the foreign and domestic producers of these commodities in the continuing participation in the growth of U.S. markets. It provides ground rules of considerable flexibility which will strengthen the long-range participation of both groups in this market.

Mr. President, the bargaining power which the President needs for effective international trade negotiations with other countries which have a major stake in the American market is provided by provisions of this measure. It would impose mandatory quotas upon imports of these six products equal to the average of the quantity and value imported during the period 1966 through 1968. Annual adjustments would be made to increase the quota in proportion to the growth experienced in domestic consumption of the commodities which are being regulated. If the threat of a shortage of supply develops, the Secretary of Commerce would investigate and would be empowered to set aside the statutory quota to prevent an artificial shortage.

The statutory quotas would not apply in the case of any country which chose to negotiate an agreement with the President to set mutually agreeable limits on the rate of growth of imports.

The mandatory quotas which the statute would otherwise impose would become a hard fact which would provide incentive for our trading partners to come to the bargaining table. Once there, the President would have considerable discretion as to the arrangements to be agreed upon to provide satisfactory assurance to the United States that exports to this country would be controlled in a reasonable manner. The objective would be an acceptable limitation on the rate of increase in U.S. imports in order to avoid disrupting domestic markets to such a degree that domestic producers could not continue to keep their work force intact and participate in supplying the American public with basic commodities.

Mr. President, this measure is of particular importance to the State of West Virginia. The bill lists six basic industries as being import-sensitive, and specifies import limitations on the products of such industries. These are: steel, electronics, flat glass, shoes, glassware, and man-made fibers. The latest U.S. Government data shows that the steel industry employs 16,000 workers in West Virginia; glassware, 7,000; flat glass, 2,500; electronic components, 1,200; footwear, 485; and man-made fibers, about 2,500 workers. All together, these nearly 30,000 workers represent about one out of every four manufacturing jobs in West Virginia. Neither from the point of view of the State of West Virginia, nor of the Nation, can we responsibly remain passive in the face of the rapid inroads which imports of steel, electronic products, flat glass, glassware, footwear, or manmade fibers are making on the domestic market.

We are not proposing by the bill introduced today to roll back imports of the affected products to an injurious degree. We do not believe that modest reduction in imports which the use of the average of 1966 through 1968 imports represents constitutes as significant a loss of U.S. market opportunity when we think of the impact of the rapid rise of imports.

Additionally, this bill does not ignore the problems of other import-sensitive industries. Section 7 establishes a general procedure with clear-cut guidelines under which the Tariff Commission upon petition of the affected industries or workers will investigate the level of import penetration in the petitioning industry. The objective of such an investigation is to determine whether imports are comparable to those in the basic industries in the bill, each of which has been seriously harmed by excessive volumes and increases in imports in the past few years. If the Commission under very carefully drawn guidelines finds that the level of import penetration is comparable to that of the named industries, its finding will result in the imposition of mandatory quotas limiting imports to the average of the three years 1966 through 1968. Also, in the event of such a finding, the President will be authorized to enter into negotiations with the suppliers of such foreign merchandise with a view to agreeing upon mutually beneficial limitations upon future increases in imports.

Mr. President, I believe that this bill will be fair to all parties. Above all, it backs up the policy of the President to seek to adjust serious import problems through negotiation. Its provisions make the word "negotiations" means something by putting real bargaining power into the hands of the President. When its provisions are operative, the avoidance of mandatory quotas in damaging import situations will be within the powers of foreign producers themselves. By agreeing to negotiate with our President, they can eliminate the threat of quotas. They will find our President a fair negotiator; but, they will find that they will have to be willing to bargain with a President who holds real bargaining power.

Mr. BYRD of West Virginia. Mr. President, I join in the introduction of the bill to provide our President with effective power to solve damaging import problems through realistic negotiations with supplying countries. These problems are broader than just the textile import problem which the Secretary of Commerce is laboring so valiantly to solve. The lesson to be learned from the Secretary's frustrations in Europe and Asia is that other countries care not a whit for the problem of injury to American industries, or loss of jobs in America to Americans. As long as they can continue to bolster employment in their countries at the expense of American workers, they have no desire to come to the bargaining table. What the President and Secretary Stans lack, Mr. President, is meaningful bargaining power. This we must provide through realistic legislation. The President has some authority on woolen textiles, but he needs a clear-cut grant of power on man-made fiber textiles. This the bill we introduce today would supply.

Important as the textile problem is, there are other major industries just as badly affected by damaging imports. The bill being introduced today identifies six major industries, each of which supplies substantial employment in West Virginia, which are suffering from rapidly increasing imports. They are steel, flat glass, pressed and blown glassware, electronic components, footwear, and manmade fibers. My colleague has pointed out that these industries employ more than 29,000 workers in West Virginia—nearly one out of every four manufacturing jobs. What has excessive import competition meant to employment in these domestic industries?

A recently published study of the Trade Relations Council of the United States supplies the answer. In 1966, the latest year for which complete U.S. Government data were available for use in such a calculation, the foreign trade deficit in steel mill products represented the equivalent of 27,000 jobs lost to the American economy. For flat glass, the trade deficit represented a loss of 2,000 jobs in the United States. In pressed and blown glassware, our once hefty trade surplus had disappeared by 1967, and the employment once created by our favorable trade balance has been lost. In electronic products, the burgeoning trade deficit in radio and television sets in 1966 represented a net loss of 13,000 jobs in the United States. Each imported set represented a loss of employment in component production also, so the total job loss resulting from our foreign trade in consumer electronic products and components was much greater than the 13,000 jobs. In fact, in these two industries there occurred an absolute loss of 60,000 jobs between December 1966 and December 1968. Regarding footwear, in the first half of 1969 seven New England shoe factories closed, with imports an important factor in each case. Total imports of foreign leather shoes entering the United States in 1969 totaled 36 percent more than in 1967. Since 1960 shoe imports have increased by 600 percent; imports equalled almost 28 percent of total domestic production in 1968. These increases represent jobs lost in our domestic industry, both in the manufacturing plants and in the tanneries in West Virginia, which supply the leather. The decreased use of leather hides as between 1968 and 1967 resulted in a loss of employment equal to 38 weeks of lost production in one tannery alone in my State.

In cellulosic manmade fiber production, one of the more technologically advanced industries in our State and in the Nation, our foreign trade deficit in 1966 was the equivalent of 600 jobs lost.

So, in sum, our six West Virginia industries lost more than 50,000 jobs nationally due to adverse foreign trade balances in 1966—and the number has grown since then. This is nearly twice our total employment in West Virginia in these industries.

States like West Virginia need industries to provide jobs for their people. We cannot afford to have these job-creating centers of activity damaged or driven out of the State by sheer neglect on the part of the National Government to lay down some reasonable ground rules as to the rate at which foreign goods will be allowed to take over our markets. We badly need solutions to these problems. The bill being introduced today will give the President the bargaining tools he needs to cope with these problems. More importantly, it will serve notice on our trading partners that we owe as much to our own people as we do to theirs, and that we are not going to hand over our markets to foreign goods and foreign jobs. We intend to keep a fair share for our own people.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3022), to provide for the orderly expansion of trade in manufactured products, introduced by Mr. BYRD of West Virginia (for Mr. RANDOLPH) (for himself and Mr. BYRD of West Virginia), was received, read twice by its title, and referred to the Committee on Finance.

S. 3023, S. 3024 AND SENATE JOINT RESOLUTION 160—INTRODUCTION OF BILLS AND A JOINT RESOLUTION ON DEFENSE, NATIONAL SECURITY, NATIONAL PRIORITIES AND RESOURCE ALLOCATION REVIEW

Mr. NELSON. Mr. President, in the first 9 years of this decade, $500 billion went into the military expenditures of this country, while the problems of poverty, hunger, and urban unrest intensified.

During this past year, however, several Members of the Senate made it clear that the special privileged position of the military and its industrial allies would no longer be ignored. Throughout several weeks of the summer, Members of the Senate carefully examined a $21 billion military procurement authorization bill for fiscal 1970 and battled over money for an anti-ballistic-missile system, super tanks, super airplanes, and more aircraft carriers.

Although the dissenting Senators came close to cutting large chunks of money from the budget, numerous fights ended unsuccessfully. The victory, however, was that the established tradition of rushing multi-billion dollar military bills through Congress was broken.

An examination of the CONGRESSIONAL RECORD shows that, over the previous 9 fiscal years of this decade, the House of Representatives never spent more than 1 day each year discussing military construction authorization proposals. The longest period of time ever spent on military procurement authorization in the House was 3 days for fiscal 1968. In the Senate, the record was not much better. Military construction debate was generally 1 or 2 days each year until fiscal 1969, when 6 days were spent. On military procurement, the Senate spent its longest debate—8 days—in fiscal 1968. Generally the floor debate was never more than 2 days.

It must be made clear, however, that, when the statistics were compiled, it was counted as a day, even if the discussion of the military procurement or construction bill was brought to the floor for a vote or if it was just briefly discussed.

Clearly, the statistics show a shocking indifference on the part of Congress. With the increased development of highly sophisticated, complicated weapons systems, Congress and the public have been willing to accept the judgments of the military with insufficient review. In our highly specialized society, it was just naturally assumed that the expert knew what is best. This unquestioning reliance on the military to determine policy that was clearly the responsibility of the Congress has been unwise. While the Senate committees responsible for military and foreign affairs have tried their best to keep up with the overwhelming amount of work directed at them, the pressures have been enormous. I believe that an information source outside and independent of the military would be valuable to the committees and the Congress as a whole.

Instead, Congress has been faced with the massive Military Establishment. This country now has military installations around the world, including 429 major and 2,972 minor overseas military bases operated by more than a million men. The sprawling military bureaucracy controls millions of acres and expends more money annually than any other single organization on earth.

In facing the massive defense structure, Congress faces the country's largest employer—one out of every nine jobs is in the defense area. There are some 1.3 million civilian defense workers and 22,000 prime contractors and 100,000 subcontractors who are regularly involved in defense production. Defense Department awards in fiscal 1968 accounted for 81.4 percent of all contracts let by the Federal Government.

The soaring defense expenditures have risen from $13 billion in 1950 to $43 billion in 1960 and to more than $80 billion this year. And even if the war is ended, the administration has already announced the dark news that there will be no peace dividend and that the $30-odd billions spent annually for the war in Vietnam will not be transferred to the tightly squeezed domestic programs, but will be eaten up by the growing military demands.

The growing rate of runaway military spending was described in a recent issue of Fortune magazine in a discussion of the military-industrial complex, when one writer observed that, "under the pressures of the Vietnam war, civilian control over military spending has diminished, efficiency has decreased, and a large amount of 'gold plating' of the forces has taken place under the guise of meeting the needs of war. Unless brought under control, these trends can easily drive the defense budget to more than $100 billion within a few years."

In his recent book, entitled "The Economy of Death," Richard Barnet made an even more depressing observation when he wrote:

> Unless some crucial assumptions behind present defense policy are explicity rejected, the Pentagon's escalator will soon take the American public on a ride toward a $200 billion annual budget. Senator Stuart Symington, veteran member of the Armed Services Committee and former Secretary of the Air Force, points out that even a serious try at building a "thick" anti-ballistic missile system would cost about $400 billion. In five years a $200 billion defense budget is likely to sound as austere as $80 billion does today. As for those who wish to return to the $50 billion Eisenhower budget, the staggering size of which prompted the retiring President to utter his famous warning against the "military-industrial complex," such would-be budget-cutters are viewed in the Pentagon as proponents of unilateral disarmament.

The obvious question is, What then happens to the vital domestic needs of the Nation? Today, of every 100 tax dollars paid to the Federal Government, approximately $4 is spent for education, $1.85 for community housing and development; $1.25 for the preservation and utilization of our natural resources; $8.60 for health—including $6.70 for medicare and medicaid; $6 for commerce and transportation; $3.50 for agriculture; $2.60 for space; $2.50 for all programs of international assistance; and $1 for all other social services. The rest of the money—approximately $66—goes to pay for past wars, present conflicts, and future military preparedness.

What emerges is a picture of a nation whose economic welfare and gross national product are tied to warfare.

Several years ago, before Vietnam was a household word, Fred J. Cook in his book entitled "The Warfare State" aptly observed that there had been a civilian abdication of responsibility to the military and that "the legislature constantly defers to the military as the only source of supreme knowledge in the infinitely complicated world of modern arms."

If Congress is going to take its responsibility for reviewing military expenditures and challenge the alarming trend of a runaway military establishment, it must have its own authoritative, objective sources of information. It is no longer acceptable for the Pentagon, with its parochial view of the world, to set the definition, design the objectives, and establish the national priorities, while the Congress nods its trusting approval.

Any challenge to the massive military-industrial structure will require a new system—a new modernized approach which uses the modern systems analysis techniques and computers that feed information that can be studied and judged.

Every Senator here knows that it is difficult to attempt to face a massive, complicated defense budget with an undermanned and overworked staff. It is also difficult for the staffs to seek the necessary information from the very agency the Senator is attempting to scrutinize and regulate.

John Stuart Mill once said:

> The proper office of a representative assembly is to watch and control the government.

That is what this Congress must and will do.

Fortunately, the Senate, with the aid of an excellent staff of the General Accounting Office, was able to uncover waste and inefficiency in the military procurement programs. But the GAO staff is also undermanned, overworked, and suffering from a lack of appropriations. It, too, has other responsibilities. GAO oversees all the Government's programs and, like many of us, does not have the necessary technical understanding of many of the complicated weapons programs the military argues it needs.

To give Congress the assistance it needs, I am introducing three bills today. These bills are an outgrowth of a conference on the military budget and national priorities that was held in Washington on March 28 and 29 this year. Several members of both the House and the Senate participated in 2 days of meetings with leading scientists, weapons experts, and foreign policy scholars.

The bills introduced today, cosponsored by the Senator from South Dakota (Mr. MCGOVERN), the Senator from Minnesota (Mr. MONDALE), and the Senator from Ohio (Mr. SAXBE), establishes some of the mechanism that the conference indicated would be helpful for giving Congress a better understanding of the complex military weaponry questions coming before it.

TEMPORARY NATIONAL SECURITY COMMISSION

The first of our bills, "To create a Temporary National Security Commission," would establish a Commission consisting of five Members of the House of Representatives and five from the Senate, who would then appoint six eminent citizens to serve with them. The Commission would include no more than a single member of any one standing committee of either the House or the Senate. A representative of the Comptroller General would be a 17th member, so that his available knowledge of fiscal aspects would serve the Commission and thus avoid duplicate effort.

The Temporary National Security Commission would be given until the end of the 92d Congress to perform a thorough combing over of the defense operation in all aspects and the national security operations as well.

Duties of the Temporary Commission would be to study—

> (a) . . . (1) what the national policy in the area of defense is now formulated to be and to evaluate such policy, and in the light of such policy whether the national interest is being properly served by the existing agencies of Government; (2) whether existing projected weapons systems, military installations and fiscal performance of such agencies properly serve national policy in the area of defense; (3) to what extent the defense establishment as an institution dwarfs individual judgment in the making and execution of policy; (4) whether relationships between agencies of the Government responsible for procurement and suppliers of goods and services require modification.
>
> (b) to make recommendations to Congress with respect to legislation upon the foregoing subjects, including the justification and improvement of policy for national security and the effectiveness of procedures and organization in those agencies of the Government which function in the area of defense.

In sum, it is our thought that no aspect of defense or national security should be overlooked.

The concept of such a Temporary Commission of investigation sprang from the celebrated Temporary National Economic Committee set up in 1938 under Senator O'Mahoney, which conducted a study about concentration of economic power. The extensive reports that grew out their investigations are still widely respected today.

The findings of the Temporary Committee of 1938–41 gave impetus to the antitrust prosecutions of that period. They generated the atmosphere for judicial decisions which achieved reforms in such areas as resale price maintenance, the basing-point system of pricing and the patent system. The Commission studied the process of corporate mergers which were dealt with in later legislation, such as the Celler-Kefauver Act of 1950.

Note must be taken of the fact that the President on June 30 announced the establishment of a blue-ribbon panel to conduct a year's study of the Department of Defense. The President is to be applauded for perceiving the need for such a study. But this blue-ribbon panel highlights a very serious constitutional question; namely, the extent of congressional oversight of activities in the executive branch. It is our considered view that such a review of the Department of Defense would be far more fitting constitutionally, if it were conducted by the Congress.

The Temporary Commission offered in our bill would conduct a more detached analysis of defense mechanisms than a panel responsible to the same chieftains as the Department of Defense; namely, the President and the Secretary of Defense. Our Temporary Commission has a more extensive mandate than the President's panel which would survey only the Department of Defense and would concentrate on such activities as organization and management, defense research and procurement policies and practices. That leaves untended the far more profound and sensitive areas, such as national defense policy, military performance and the capability of weapons systems to fit their purposes. In these areas the Temporary Commission that we advocate would serve a broader purpose and one most vital to our national interest.

OFFICE OF DEFENSE REVIEW

The second bill creates an Office of Defense Review. This would be responsible to the Congress and provide the Congress with an intimate and ongoing knowledge of defense and national security affairs as they occur. The analogy for this is the General Accounting Office. However, the Office of Defense Review would apply itself to such vital matters as the conformance of weapons systems to defense policy, and the performance of such weapons themselves in light of declared objectives and national defense policy. The bill also provides that fiscal data relating to defense and national security, already known to the General Accounting Office, and deemed to be of interest to the Office of Defense Review shall be provided to it by General Accounting.

The Office of Defense Review would have ongoing and continuous responsibilities. A special feature of this plan for an Office of Defense Review is the requirement that it prepare a congressional defense budget, independent of the one prepared by the executive branch. Such a concept, a congressional budget, is not new to political scientists. The purpose here is to bring to bear in the processes of congressional budgetary review the creative powers within Congress and thus highlight disparities between the congressional and executive thinking on each matter.

A prime function of the Office of Defense Review would be constant aid to congressional committees such as the Committees on Armed Services dealing with defense and national security. The immensity and sensitivity of these great functions are such that the Congress, in order to uphold its coordinate role, should be constantly conversant with them, and thus better able to offer guidance quickly.

An Office of Defense Review should also be ready to answer questions of individual Members on matters of defense and national security. Should computers be secured, it would be possible for Congress to have its own memory banks, where data of concern to Congress, arrayed in the fashion that congressional oversight best demands, could be made instantly available.

A Director and Assistant Director of the Office of Defense Review are provided in the bill. These offices would be analogous to the Comptroller General and Assistant. They would be appointed to hold office for 4 years.

There are many other reasons for setting up the Office of Defense Review. The imperatives of the vast national defense and security effort and also the present questioning of values and performance in this area, likewise the need to reassert congressional oversight generally over executive functions, and the sophistication of techniques, the size of the operations, taken all together, are strong reasons for the establishment of Defense Review as a substantial and continuing congressional function.

The Temporary National Security Commission, being recommended in legislation simultaneous with this, should recommend new devices and ways of reviewing defense and security. However, in setting up a task force for defense review, we feel that the provision of a permanent congressional mechanism for this purpose cannot wait for the conclusion of the Temporary Commission's work more than 3 years from now. The need to review the defense and security apparatus is now.

THE JOINT COMMITTEE ON NATIONAL PRIORITIES

The third proposal is a joint resolution to create a Committee on National Priorities. This, of course, goes beyond defense and national security, for it implies an overview of all national objectives and policies wherever the Government is concerned. Recently the concept of priorities has been highlighted by the growing size and significance of the military in relation to all other national activities.

This proposal provides for a Committee on Priorities of 14 members, seven from the House and seven from the other body. It would include no more than a single member of any one standing committee of either body. The members would select their chairman and vice chairman. Those offices would rotate from Congress to Congress, which is a somewhat experimental device for selection of committee leadership.

The Committee would submit to the Congress at the end of each calendar year a proposed government budget of income and expenses for a period of not less than 5 years. While this might not go to the depth and detail of line items, it would reveal to Congress the future magnitudes of projects to which Congress may be induced to commit the Nation because of innocuous costs in the first year.

It is felt that such budgetary foresight will induce the Committee on Priorities to evaluate much more closely the need for weapons systems, and especially their implications within the framework of national policy. The Department of Defense does now prepare a 5-year budgetary forecast. That, however, does not necessarily correspond with future plans of other departments, nor is it made in light of national priorities. It should be checked by an independent forecast, representing a principle of congressional budgetary control that was alluded to in our comment about the Office of Defense Review.

The Committee on National Priorities would request from executive agencies and departments posture statements on their respective operations and objectives. These would help to establish priority among governmental objectives. They would enlighten the Committee, and invite criticism from the Committee. Such data and the Committee's evaluation would be passed on to Congress.

The plan provides that the Committee on Priorities shall propose legislation relating to national objectives and recommendations for action to the Congress.

The question has been raised as to whether such a Joint Committee on National Priorities may not duplicate in some measure the activities of the presently operating Joint Economic Committee. The Joint Economic Committee has established for itself a notable reputation for creative achievement. It has broadly construed its mandate in the sphere of economics. For example, we note with great interest the Joint Economic Committee's excellent report issued this year on the subject, "The Economics of Military Procurement." Certainly a Committee on Priorities would be concerned with this very same subject. However, a Committee on Priorities would be concerned with the whole gamut of national affairs, not only economic but many other matters such as national defense and security per se, conservation, health, education, communications, transport, perhaps even judicial matters, to name a few.

I ask unanimous consent that the bills and the joint resolution be printed at this point in the Record.

The PRESIDING OFFICER. The bills and joint resolution will be received and appropriately referred; and, without objection, the bills and joint resolution will be printed in the Record.

The bills (S. 3023), to create an Office of Defense Review; and (S. 3024), to establish a Temporary National Security Commission; introduced by Mr. Nelson (for himself and other Senators), was received, read twice by their title, and referred to the Committee on Armed Services; and

The joint resolution (S.J. Res. 160), to create a joint congressional committee to review, and recommend changes in, national priorities and resource allocation, introduced by Mr. Nelson (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Government Operations; and the bills and joint resolution were ordered to be printed in the Record as follows:

S. 3023

A bill to create an Office of Defense Review

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DECLARATION OF POLICY

Section 1. The Congress finds that expenditures for military purposes are ever mounting and constitute a large fraction of total government outlays and, therefore, that it is greatly in the national interest that provisions for defense and national security be subject to continuous Congressional review to insure, for example, that arm's length relationships prevail between defense procurement agencies and suppliers of goods and services, that defense procurement costs be properly estimated in advance of commitments and reported currently, and that the performance of weapons systems and the merit of military installations be evaluated before and after procurement in order that there can be a determination as to whether they serve national policy in the area of defense and national security. To effectuate such a review, the Congress needs the assistance of an office with a continuing mission to provide reports giving independent evaluations of defense and national security matters. Such an agency could also significantly aid the Armed Services Committee of the Senate and of the House of Representatives in meeting their immense responsibilities with respect to evaluation and oversight in the area of defense.

ESTABLISHMENT OF THE OFFICE OF DEFENSE REVIEW

Sec. 2. (a) There shall be created an establishment of the Government to be known as the Office of Defense Review (hereafter referred to in this Act as the "Office"), which shall be independent of the executive departments and under the control and direction of the Director of Defense Review (hereafter referred to in this Act as the "Director"). The Director is authorizd to adopt a seal for the Office.

(b) There shall be in the Office the Director and an Assistant Director of Defense Review (hereafter referred to in this Act as the "Assistant Director"), each of whom shall be nominated by the President from a slate of candidates submitted to him under section 5(d)(4) of this Act by the Joint Board of Defense Review, and appointed by him with the advice and consent of the Senate. The Assistant Director shall perform such duties as may be assigned to him by the Director, and during the absence or incapacity of the Director, or during a vacancy in that office, shall act as the Director.

(c) The annual compensation of the Director shall be equal to the annual compensation of the Comptroller General of the United States. The annual compensation of the Assistant Director shall be equal to that of the Assistant Comptroller General of the United States.

(d) The Director and the Assistant Director shall be an "employee" within the meaning of such term as used in section 8331(1) of title 5, United States Code, and service performed by them shall be creditable service for all purposes of subchapter III (relating to civil service retirement) of chapter 83 of such title.

(e) The term of office of the Director and the Assistant Director shall be four years and, unless removed under subsection (f), an individual appointed to such office is not ineligible for selection under section 5(d)(4) of this Act.

(f) The Director or Assistant Director may be removed at any time by joint resolution of Congress after notice and hearing, when, in the judgment of Congress, the Director or Assistant Director has become permanently incapacitated or has been inefficient, or guilty of neglect of duty, or of malfeasance in office, or of any felony or conduct involving moral turpitude, and for no other cause and in no other manner except by impeachment.

FUNCTIONS OF THE OFFICE

Sec. 3. It shall be the function of the Office, under the direction of the Director—

(1) to determine whether projected weapons systems and military installations accord with national policy in the area of defense;

(2) to determine whether the actual performance of procured weapons systems and installations in the area of defense is in accord with originally declared objectives and national policy in the area of defense and national security;

(3) to prepare for the Congress a defense budget for each fiscal year which shall be independent of that prepared by the executive branch and shall be available in the course of the appropriations process in Congress, for comparison with the executive defense budget;

(4) to prepare optional defense budgets based on alternative assumptions concerning policy and weapons systems for defense and national security;

(5) to report to the Armed Services Committees of the Senate and the House of Representatives, to other appropriate congressional committees, and to the Joint Board of Defense Review on all of the matters listed in paragraphs (1) through (4), together with (A) recommendations for conduct of national defense and security, and (B) one summary annual report to be submitted in advance of the submittal to the Congress of the annual budget of the executive branch;

(6) to provide information to individual Members of Congress, upon request, concerning matters of defense and national security; and

(7) to recommend to the Joint Board of Defense Review improvements in the operating efficiency of executive departments of the Government in the area of defense and national security.

POWERS OF THE OFFICE

Sec. 4. (a) In the performance of its functions under this Act, the Office is authorized—

(1) to make, promulgate, issue, rescind and amend rules and regulations governing the manner of the operations of the Agency;

(2) subject to the civil service and classification laws, to select, appoint, employ and fix the compensation of such officers and employees as are necessary to carry out the provisions of this Act and to prescribe their authority and duties;

(3) to use, with their consent, the services, equipment, personnel, and facilities of Federal and other agencies with or without reimbursement, and on a similar basis to cooperate with other public and private agencies and instrumentalities in the use of services, equipment and facilities; and

(4) to establish such security requirements, restrictions, and safeguards as it deems necessary in the interest of national security, exercising due care to protect classified information, sensitive intelligence sources and methods, and, in this regard, shall seek the advice of the Director of Central Intelligence, and

(A) to arrange with the Civil Service Commission for the conduct of such security or other personnel investigations of the Office's employees and contractors, actual or prospective, as it deems appropriate, and

(3) if any investigation under paragraph (A) develops any data reflecting that the individual who is the subject thereof is of questionable loyalty, to refer the matter to the Federal Bureau of Investigation for the conduct of a full field investigation, the results of which shall be furnished to the Office.

(b) Upon the request of the Director—

(1) the head of any department or agency in the executive branch shall furnish to the Director copies of any report submitted by such department or agency to the Comptroller General of the United States if the Director deems such report to be of consequence in the area of defense and national security, and

(2) the Comptroller General of the United States shall furnish to the Director copies of analyses of expenditures prepared by the General Accounting Office with respect to any department or agency in the executive branch if the Defense Review Director deems such analyses to be of consequence in the area of defense and national security.

(c)(1) The Comptroller General of the United States shall submit to the Director reports of all exceptions taken by the Comptroller General to the financial or other activities of any department or agency in the executive branch in the area of defense and national security, and also reports of any settlements or conclusions reached by the Comptroller General with respect to such exceptions.

(2) The Comptroller General shall transmit to the Director copies of all reports prepared by the Comptroller General pursuant to section 283 of the Revised Statutes (31 U.S.C. 103).

JOINT BOARD OF DEFENSE REVIEW

Sec. 5. (a) There is hereby established a Joint Board of Defense Review (hereafter referred to in this section as the "Board") to be composed of three members of the Senate to be appointed by the President of the Senate and three members of the House of Representatives to be appointed by the

Speaker of the House of Representatives. In the case of the members appointed from each house of the Congress, the majority party shall be represented by two members and the minority party represented by one member. No standing committee of the Senate or House may be represented by more than one member on the Board at any time.

(b) Members of the Board shall serve for terms of no longer than a total of five sessions of Congress. The Board shall select a chairman and vice chairman from among its members. Members of the Board shall receive no additional compensation on account of their service on the Board but shall be reimbursed for travel and other expenses incurred while performing work as members of the Board.

(c) A member of the Board may, when unable to attend a meeting of the Board, authorize another such member to act for him in his absence. A vacancy in the Board shall not affect the power of the remaining members to execute the functions of the Board, and shall be filled in the same manner as the original selection. Four members shall constitute a quorum of the Board. Decisions of the Board shall be taken by majority vote and a tie vote shall be decided according to the vote of the chairman, or, in his absence, the vice chairman.

(d) It shall be the function of the Board—

(1) to receive reports from the Director relating to his activities,

(2) to aid the Director in the interpretation of national defense policy,

(3) otherwise to counsel and advise the Director in the performance of his duties, and

(4) in the event of a vacancy in the office of Director or Assistant Director, to submit to the President the names of five individuals who, in the judgment of the Board, are qualified to hold such office.

S. 3024

A bill to establish a Temporary National Security Commission

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DECLARATION OF POLICY

SECTION 1. The Congress finds that the immense demands upon our national resources for purposes of defense and security have become a matter of deep concern in our society and that there is evidence that institutional momentum, rather than conscious policy, governs decisions relating to defense and national security. The Congress also finds that there is increasing criticism being made of the Federal agencies responsible for national defense and security with respect to their choices of weapons systems and procurement policies and practices. The Congress further finds that the rising costs of the military and the changing international situation, as well as the factors previously mentioned, require that a complete study and review of the national defense sector be immediately undertaken as a first step toward the solution of these problems.

ESTABLISHMENT

SEC. 2. There is established a commission to be known as the Temporary National Security Commission (hereafter referred to in this Act as the "Commission").

DUTIES OF COMMISSION

SEC. 3. It shall be the duty of the Commission—

(1) to make a full and complete study and investigation of all activities with respect to national security and defense, including, but not limited to, the operation of all agencies established in the National Security Act of 1947, and any legislation subsequent thereto providing for the coordination for national security or constituting the national military establishment, with a view to determining—

(A) what are the current national policies and objectives in the area of defense and security and, in view of such policies and objectives, whether the national interest is being properly served by the existing agencies of Government;

(B) whether existing and projected weapons systems, military installations, management procedures and fiscal performance of such agencies conform to national policy in the area of defense;

(C) to what extent the defense establishment as an institution affects individual judgment in the making and execution of policy; and

(D) whether the relationships between agencies of the Federal Government responsible for procurement and suppliers of goods and services require modification; and

(2) to make recommendations (including suggested legislation) to the Congress with respect to subjects covered in paragraph (1) particularly with regard to the improvement of policy for national security and the effectiveness of procedures and organization in those agencies of the Federal Government which function in the area of defense.

MEMBERSHIP

SEC. 4. (a) Number and Appointment.—The Commission shall be composed of 17 Members as follows:

(1) Five members of the House of Representatives to be appointed by the Speaker of the House of Representatives, three from the majority party and two from the minority party.

(2) Five members of the Senate to be appointed by the President of the Senate, three from the majority party and two from the minority party.

(3) Six individuals from private life to be appointed, with due regard given to insuring a balance of political viewpoint, by the members of Congress appointed under paragraph (1) and (2).

(4) One representative of the General Accounting Office to be appointed by the Comptroller General of the United States.

A vacancy in the Commission shall not affect the power of the remaining Members to execute the functions of the Commission and shall be filled in the same manner as the original appointment was made. At no time may any one standing committee of the Senate or the House of Representatives be represented by more than one individual chosen pursuant to paragraph (1) or (2). Individuals from private life appointed under paragraph (3) shall be appointed for the life of the Commission and shall be of acknowledged eminence in fields of study or activity of national importance.

(b) Compensation and Travel Expenses.—(1) Except as provided in paragraph (2), Members of the Commission shall each be entitled to receive $150 for each day (including travel time) during which they are engaged in the actual performance of duties vested in the Commission.

(2) A Member of the Commission appointed under paragraph (1), (2), or (4) of the subsection (a) shall receive no additional compensation on account of his service on the Commission.

(3) While away from their homes or regular places of business in the performance of services for the Commission, Members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as the expenses authorized by section 5703(b) of title 5, United States Code, for persons in the Government service employed intermittently.

(c) Quorum.—Nine Members of the Commission shall constitute a quorum, and actions by the Commission shall be determined by a majority vote of the Members present.

(d) Chairman.—The Chairman and Vice-Chairman of the Commission shall be elected by the Members of the Commission from among those Members appointed under paragraph (1) and (2) of subsection (a).

(e) Meetings.—The Commission shall meet at the call of the Chairman or a majority of its Members.

(f) Any Member of the Commission may, if unable to attend a meeting of the Commission, authorize another Member to act and vote for him in his absence.

STAFF OF COMMISSION

SEC. 5. (a) Staff.—The Commission may appoint and fix the compensation of such personnel as it deems advisable.

(b) Applicability of civil service laws.—The staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(c) Security requirements.—The Commission shall establish such security requirements, restrictions, and safeguards as it deems necessary in the interest of national security. The Commission may arrange with the Civil Service Commission for the conduct of such security or other personnel investigations of the Commission's employees, consultants, and contractors, actual or prospective, as it deems appropriate. If any such investigation develops any data reflecting that the individual who is the subject thereof is of questionable loyalty, the matter shall be referred to the Federal Bureau of Investigation for the conduct of a full field investigation, the results of which shall be furnished to the Commission.

POWERS OF COMMISSION

SEC. 6. (a) Hearings and Sessions.—The Commission may for the purpose of carrying out this Act hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission may deem advisable. The Commission may administer oaths or affirmations to witnesses appearing before it.

(b) Subpena Power.—

(1) The Commission shall have power to issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter which the Commission is empowered to investigate by section 3. Such attendance of witnesses and the production of such evidence may be required from any place within the United States at any designated place of hearing within the United States.

(2) If a person issued a subpena under paragraph (1) refuses to obey such subpena or is guilty of contumacy, any court of the United States within the judicial district within which the hearing is conducted or within the judicial district within which such person is found or resides or transacts business may (upon application by the Commission) order such person to appear before the Commission to produce evidence or to give testimony touching the matter under investigation. Any failure to obey such order of the court may be punished by such court as a contempt thereof.

(3) The subpenas of the Commission shall be served in the manner provided for subpenas issued by a District Court under the Federal Rules of Civil Procedure for the United States District Courts.

(4) All process of any court to which application may be made under this section may be served in the judicial district wherein the person required to be served resides or may be found.

(c) Immunity.—No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to a subpena, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

(d) Powers of Members, Subcommittees and Agents.—When so authorized by the Commission, any Member, subcommittee, or agent of the Commission may take any action which the Commission is authorized to take by this section.

(e) Obtaining Official Data.—The Commission may secure directly from any department or agency of the United States information necessary to enable it to carry out this Act. Upon request of the Chairman or Vice-Chairman of the Commission such department or agency shall furnish such information to the Commission. During the course of its investigations and deliberations, and in making its reports, findings, and recommendations, the Commission shall exercise due care to protect classified information, sensitive intelligence sources and methods, and, in this regard, shall seek the advice of the Director of Central Intelligence. For the purposes of this subsection, the term "classified information" means information which is, for reasons of national security, specifically designated by a department or agency of the United States for limited or restricted dissemination or distribution.

(f) The Commission is authorized to enter into contracts with qualified educational institutions, other public or private organizations or agencies, or individuals for the preparation of studies related to the Commission's duties, except that any contract entered into under this subsection shall require that the services contracted for be completed before January 1, 1973.

AUTHORIZATION

SEC. 7. There are authorized to be appropriated such sums as may be necessary to carry out this Act.

REPORTS

SEC. 8. Before January 1, 1971, or as soon thereafter as is practicable, the Commission shall transmit to the President and to the Congress preliminary reports of the studies and investigations carried on by it, together with its findings and recommendations, and shall transmit to the President and to the Congress before January 1, 1973, the final reports on the studies and investigations carried out by it pursuant to this Act, together with its final recommendations transmitted by it pursuant to this section at the time of such transmittal, except that the Commission shall withhold from the text of reports and recommendations made available to the public or transmitted to the Congress any part thereof the release of which, in the Commission's judgment, would be detrimental to national security.

TERMINATION

SEC. 9. The Commission shall cease to exist on December 31, 1972.

S.J. RES. 160

A joint resolution to create a joint congressional committee to review, and recommend changes in, national priorities and resource allocation

Whereas national objectives, to the extent that they are affected by action of the Federal Government, ought to be more clearly formulated; and

Whereas national objectives can be realized only if all competing demands for priority in the allocation of resources disposed of by the Federal Government can be reconciled on a continuing basis; and

Whereas the immense demands upon national resources for purposes of defense and national security have become a matter of deep concern in our society; and

Whereas the Congress can meet its constitutional obligation as a coordinate branch of the Government more fully if it will consider the overall relationship of the many separate legislative demands: Now, therefore, be it

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled, That there is hereby created a joint congressional committee to be known as the Joint Committee on National Priorities (hereafter referred to in this joint resolution as the "joint committee") to be composed of seven Members of the Senate to be designated by the President of the Senate and seven Members of the House of Representatives to be designated by the Speaker. Of the seven Members appointed from each house of the Congress, the majority party shall be represented by four members and the minority party shall be represented by three members. No one standing committee of the Senate or the House of Representatives may be represented by more than one Member on the joint committee at any time.

SEC. 2. (a) The joint committee, acting as a whole or by subcommittee, is authorized—

(1) to suggest national objectives and, on a current and continuing basis, to examine these objectives as they are affected by actions of the Federal Government;

(2) in the light of the examinations undertaken in paragraph (1), to suggest national priorities and to recommend, on a continuing basis, the allocation of resources disposed of by the Federal Government to such national priorities;

(3) to obtain from the departments and agencies in the executive branch annual posture statements on the operations and objectives of the departments and agencies as they relate to such national priorities and to assess such statements;

(4) to suggest legislation that will contribute to the attainment of national objectives; and

(5) to recommend courses of action, based on its findings and investigations, in the national interest to departments and agencies in the executive branch, to the States and political subdivisions thereof, and to regional agencies.

(b) The joint committee shall, before the close of each calendar year, submit to the Congress a posture statement on national priorities, which shall include a proposed Federal budget of income and expenditures covering a period of not less than the five consecutive fiscal years next succeeding the calendar year in which the posture statement is submitted.

SEC. 3. (a) A vacancy in the membership of the joint committee shall not affect the powers of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as the original appointment was made. The joint committee shall select a chairman and a vice chairman from among its members; except that no member may serve as chairman or vice chairman for longer than one Congress.

(b) An individual is not eligible to be a member of the joint committee after such individual has served as such a member for a total of eight sessions of Congress. For the purpose of the preceding sentence, service on the the joint committee for a full session of Congress or part of a session shall count as one session of service.

SEC. 4. In addition to the reports required under section 2, the members of the joint committee who are Members of the Senate shall from time to time report to the Senate, and the members of the joint committee who are Members of the House of Representatives on the results of the joint committee's studios and investigations, together with their recommendations with respect to matters within the jurisdiction of the joint committee.

SEC. 5. In carrying out its duties, the joint committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings or investigations, to sit and act at such places and times, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, to make such expenditures as it deems advisable. The joint committee may make such rules respecting its organization and procedures as it deems necessary. Subpenas may be issued over the signature of the chairman of the joint committee or by any member designated by him or by the joint committee, and may be served by such person or persons as may be designated by such chairman or member. The chairman of the joint committee or any member thereof may administer oaths to witnesses. The provisions of section 192 and 194 of title 2, United States Code, shall apply in case of any failure of any witness to comply with any subpena or to testify when summoned under authority of this section. The cost of stenographic service to report public hearings shall not be an excess of the amounts prescribed by law for reporting the hearings of standing committees of the Senate. The cost of stenographic service to report executive hearings shall be fixed at an equitable rate by the joint committee. Members of the joint committee, and its employees and consultants, while traveling on official business for the joint committee, may receive either the per diem allowance authorized to be paid to Members of Congress or its employees, or their actual and necessary expenses provided an itemized statement of such expenses is attached to the voucher.

SEC. 6. The joint committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and staff employees as it deems necessary and advisable. The joint committee is authorized (1) to utilize the services, information, facilities, and personnel of the departments and establishments of the Government and (2) to contract with educational institutions, public or private agencies or organizations, or individuals for the conduct of research or studies with respect to matters within the jurisdiction of the joint committee.

SEC. 7. The joint committee shall establish such security requirements, restrictions and safeguards over its records as it deems necessary in the interest of national security, exercising due care to protect classified information, sensitive intelligence sources and methods, and, in this regard, shall seek the advice of the Director of Central Intelligence. All committee records, data, charts, and files shall be the property of the joint committee and shall be kept in the offices of the joint committee or other places as the joint committee may direct under such security safeguards as the joint committee shall determine in the interest of the common defense and security.

SEC. 8. The expenses of the joint committee shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers signed by the chairman of the joint committee or by any member of the joint committee duly authorized by the chairman.

ADDITIONAL COSPONSORS OF BILLS AND A JOINT RESOLUTION

S. 641

Mr. ERVIN. Mr. President, I ask unanimous consent that, at the next printing, the name of my colleague, the Senator from North Carolina (Mr. JORDAN) be added as a cosponsor of S. 641, to amend the Consolidated Farmers Home Administration Act of 1961 in order to permit borrowers obtaining loans under such act to employ attorneys of their own choice to perform necessary legal services in connection with such loans.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2893

Mr. MOSS. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from New Jersey (Mr. Williams) be added as a cosponsor of S. 2893, to amend the act of June 27, 1960 (74 Stat. 220), relating to the preservation of historical and archeological data.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE JOINT RESOLUTION 158

Mr. NELSON. Mr. President, I ask unanimous consent that, at the next printing, my name be added as a cosponsor of Senate Joint Resolution 158, to authorize the minting of clad silverless dollars bearing the likeness of the late President of the United States, Dwight David Eisenhower.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE RESOLUTION 271—SUBMISSION OF RESOLUTION ON PEACE IN VIETNAM

Mr. DOLE, for himself and other Senators, submitted a resolution (S. Res. 271) on peace in Vietnam which was referred to the Committee on Foreign Relations.

(The remarks of Mr. Dole when he submitted the resolution appear earlier in the Record under the appropriate heading.)

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATION BILL, 1970—AMENDMENT

AMENDMENT NO. 231

Mr. MURPHY. Mr. President, I rise today to submit an amendment intended to be proposed by me to H.R. 13111, a bill making appropriations for the Departments of Labor, Health, Education, and Welfare for fiscal year 1970. My amendment is very simple. It will have the effect of increasing by $20 million the total amount of funds made available for parts C, D, and F of the Education Professions Development Act, with the additional $20 million earmarked for the development of personnel in vocational-technical education. Currently the U.S. Office of Education has indicated an intention to spend only $5,750,000 for training vocational education personnel. There is ample evidence that this sum is totally inadequate, and my amendment proposes to earmark the additional funds so that our educational system can begin to attract new personnel to the field of vocational-technical education, and in order that existing vocational personnel might be upgraded and retrained.

Mr. President, my colleagues in the Senate who are concerned about the problems posed by inreased inflation may question my introduction of this amendment. I share their concern and I must admit that I have been hesitant about supporting increased spending at this time. I am, however, persuaded that there is an overwhelming and critical need for additional training funds to meet the personnel needs in vocational and technical education. These needs are especially severe in my own State of California.

I introduce my amendment at this time in order to bring this matter to the immediate attention of my colleagues. The Senate Labor-HEW Appropriations Subcommittee, so ably chaired by the distinguished Senator from Washington (Mr. Magnuson) will begin hearings on H.R. 13111 this month. In the interim, however, I hope that the other Members of the Senate will investigate the training needs for vocational-technical personnel in their own States and will come to the support of my amendment.

There is no lack of facts to substantiate the need for increased and improved vocational-technical education programs throughout the country. These facts have been presented to Congress before, and they clearly and persuasively indicate that education in the United States does not meet the needs of the majority of American youth. For example: 80 percent of American youth in 1966 left school before graduation from college, but less than 20 percent had acquired skills with which to enter the job market; and 60 percent of the students attending high school left to enter the world of work rather than going on to college, yet less than one in four was enrolled in a vocational education program while in high school.

In light of these facts our national educational priorities have been incorrectly set: 14 Federal dollars were invested in universities in 1966—proportionately more in subsequent years—for every $1 invested in vocational education programs; and 4 Federal dollars were invested in remedial training programs during that same year for every $1 invested in preventive vocational education programs.

To correct this imbalance, Congress voted last year to authorize an expenditure of over $750 million beginning in fiscal year 1970 for a new and improved vocational education program. I am pleased to have been the author on the Senate side of part G of the 1968 amendments which provides funds for cooperative vocational education programs. This technique for preparing persons for work has much potential, and is a great untapped resource for vocational education, as well as for other education.

Aware of the fact that neither innovation nor expansion can occur unless there is sufficient professional teaching and administrative personnel, Congress made provision in the 1968 amendments for the training of vocational education personnel. The training component of the 1968 Vocational Education Amendments—an amendment adding part F to the Education Professions Development Act—authorized a 1970 expenditure of $35 million for training purposes. I ask unanimous consent, Mr. President, that a fact sheet describing the components of part F be printed in the Record immediately following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 1 and 2.)

Mr. MURPHY. Mr. President, those of us in the Senate who worked to perfect the Vocational Education Amendments of 1968 were hopeful that the newly authorized programs would be adequately funded in 1970. We were heartened when the House Appropriations Committee increased President Johnson's and President Nixon's budget allowance for vocational education, and we were even more encouraged when the full House of Representatives voted to add more than $131 million to the committee bill, making a total of $488 million.

Mr. President, neither the House committee nor the full House, however, increased the funds for the training of vocational education personnel—and these are key people who must administer the $488 million of programs and staff the schools. The thrust of the Vocational Education Amendments of 1968 is to modernize vocational-technical training, to make it available to individuals, and areas, not now being served. These changes cannot take place unless there is an adequate supply of trained teachers, coordinators, and administrators. The new vocational education programs may be doomed to failure if Congress does not act now to provide additional training funds for vocational personnel. New institutions can be built and new teaching methods devised, but the schools cannot operate and the new curriculums cannot be implemented without an increased supply of adequately trained vocational education personnel.

The needs for training and retraining vocational and technical education personnel are just as startlingly clear as the needs for establishing new and better schools. The facts are these:

Enrollments in the public vocational-technical education program are rising and will continue to rise at an accelerated rate, requiring many new teachers. Information available to the Office of Education indicates that enrollments in public vocational-technical education programs will probably reach 8,555,000 in 1969 and increase to 17,250,000 by 1975. Past experience has shown a teacher-student ratio of about 1 to 50 which would mean that the 1969 teaching force would be approximately 171,400. If the ratio remains the same, the teaching manpower requirement in 1975 based upon the above enrollment projections would be 345,000. Other professional and paraprofessional support personnel needed to staff vocational education programs throughout the country would be in addition to the above estimates.

Producing additional teachers is a problem since most universities do not offer the proper teacher training programs in vocational-technical education. Although universities and colleges in most States offer teacher training in vocational education areas such as homemaking, industrial arts, agriculture, and trade and industrial education, few offer training in teaching the more technical occupational skills and in new and

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emerging occupational areas. Very few universities and colleges offer comprehensive advanced degrees designed to develop leadership personnel for vocational-technical education.

Further, the problem of shortage is compounded by the fact that many States have not had the staff or financial assistance necessary to properly assess their needs. The State boards of vocational education, in nearly one-half of the States have not been able in the short time since the enactment of the vocational education amendments to submit a prospectus or plan to make them eligible for funding under section 553 of part F. This includes some States which most desperately need to update and expand vocational education programs.

In the States which have accomplished this assessment, however, the response has been overwhelming. Tentatively eligible requests for financial assistance from educational agencies and institutions for 1970 fiscal year funds from States which have submitted a plan as of August 1 deadline totaled $34,772,633, or slightly under the amount of the authorization. These facts underscore the need for massive financial and technical assistance to institutions of education and State boards of vocational education if these training needs are to be met.

So that you may fully appreciate the need for training additional vocational technical education personnel and for retraining presently employed staff, I would like to present a case study by bringing to your attention the problems faced by the State of California in the area of recruiting, training, and retraining vocational-technical education personnel.

The information and statistics I am about to present were supplied by the State department of education in California.

The State of California currently has some 9,500 vocational and technical education teachers who will be attempting to meet the skill development needs of approximately 1,000,000 secondary, postsecondary, and adult students in California. Earlier in my remarks, Mr. President, I quoted Office of Education figures which indicated that the usual ratio of students to teachers, nationwide, was 50 to 1. In California that ratio is close to 100 to 1, an appalling state of affairs. We cannot deny that the shortage of personnel is a very severe problem.

It is not the only problem, however. Two additional factors compound the issue. One problem revolves around the fact that our rapidly advancing technology has left currently employed teachers far behind in up-to-date knowledge of their subject matter. Recent studies, entitled, "Profiles of Trade and Technical Teachers," by Melvin L. Barlow and Bruce Reinhart, substantiate this claim. The median age of trade and industrial education teachers employed in 1966–67 was 45.9 years, and the median age when they began teaching was 36.8 years. The majority of these teachers at that time, and I am certain that the situation has not changed, had been away from active participation in the occupation for which they were giving instruction for approximately 8 years. The study concludes it was safe to assume that many of them had "not kept current with changes occurring in the technology of teaching." A second study completed in 1969, in which 286 leaders responsible for vocational education programs at the local level in California were contacted, found that the highest priority for the improvement of instruction was "the maintenance of teacher exposure to the latest developments in their subject area, both technical and pedagogical."

The second problem concerns the fact that existing vocational education personnel are simply not adequately trained to cope effectively with the special needs of the major minority groups within the State—the Mexican-Americans, Negroes, and others—who constitute enrollments in vocational education in increasing numbers. A study currently being completed by the University of California underscores this fact.

The State of California Department of Education is very concerned about these problems and desires to take immediate steps to meet the needs of retraining existing personnel and recruiting and training new teachers. They desperately need additional assistance, however, in order to accomplish this.

The State department of education has outlined the vocational-technical education needs of the State of California and carefully constructed a plan of operation to meet those needs. This plan, I have been informed by officials in California, was submitted to the Bureau of Educational Personnel Development for funding. In order to be implemented the California plan requires an expenditure of over $4 million during the next 3 years, with $892,000 needed for 1970–71. Over this 3-year period, nearly 2,000 persons would be trained or retrained. Overall the emphasis would be on improving the quality of teaching in vocational education areas, alleviating the shortage of qualified teachers, and developing a cadre of "master teachers" to teach in places where there are high concentrations of disadvantaged, handicapped, and minority students.

Mr. President, at the current level of resource allocation, there would be no hope of funding the California State comprehensive plan. The 3-year request submitted by the State of California by itself is nearly four-fifths of the total request for part F in 1970.

At the present level of funding—$5,750,000—I have been informed—and somewhat reluctantly—that the Vocational Education Training Branch of the Bureau of Educational Personnel Development could fund projects under section 552 involving 160 persons, projects under section 553 involving 3,825 participants, and continue projects from 1969 involving 70 teachers. If my amendment were adopted and $20 million was made available to the Vocational Education Training Branch, however, the situation would change. Instead of 4,055 participants nationwide, projects could be funded in which 13,495 persons were trained or retrained to be vocational technical education teachers. This is a substantial number and would constitute a good effort to meet current needs.

Mr. President, the failure of American education to meet the job entry needs of today's youth continues to constitute a serious waste of human resources. Vocational education must become an integral part of the educational experience of those students who are planning to enter the job market without continuing their education at the college level. It cannot and should not be assigned a second-class status. The need for vocational education experience is particularly acute for the members of minority groups, for the handicapped, and for those seeking to break the cycle of poverty. For these people the lack of job entry skills may prove the crucial obstacle in a society with an increasing demand for a skilled labor force and an ever-decreasing need for unskilled workers. The proposed level of funding for vocational personnel funding is too low to make an impact, too inadequate to begin to meet the vocational education training needs.

One of the most important and rapidly growing educational institutions in our society is the junior college. These institutions, many of which call themselves comprehensive community colleges, have developed at the rate of one per week, and they offer unusual opportunities to prepare persons for the world of work by offering the 13th and 14th year of education. California, as my colleagues know, has been the pioneer and leader in the community college movement. The last time I checked, there were approximately 90 community colleges in the State, and it was expected that there would be 100 by the early 1970's. Of the total student freshman and sophomore population in California, approximately 85 percent are enrolled in community colleges. Secretary Finch and the administration are aware of the importance of community colleges.

Prof. John Nealon of Rutgers University, in a recent study, entitled, "The Outlook for Adequate Faculty in Public Postsecondary Vocational Education," reported:

> The essential facts are that of the entire working force, less than 15% have baccalaureate or advanced degrees. The balance are employed in the occupational areas where the formal education required of the average worker is shifting upward at an increasing rate. A 12th grade education soon will no longer suffice and the great body of our working force will require one to two years of postsecondary training to be considered for the more desirable and higher paying paraprofessional positions.

Professor Nealon developed statistics showing the types and number of teachers that must be prepared for vocational education programs at the postsecondary level alone. He finds that by 1974 we must almost double our present efforts in preparing personnel for postsecondary programs of vocational-technical education.

The Vocational Education Amendments of 1968 was a landmark bill chartering a new direction for vocational education. Educators with whom I have spoken are challenged by both the act's great potential and the societal problems to which the bill is addressed. But as magnificent a blueprint as it is, the key to the act's success will not be its form, but its implementation. And this means that meeting the personnel needs is crucial to the success of the entire vocational education program. We simply cannot vote funds for bricks and mortar, experimental programs, books, and equipment without providing adequate money to train teachers to serve in those schools to run those programs to use that equipment.

An appropriation of $20 million for the training of vocational education personnel will be a move in the right direction.

Mr. President, I ask of my colleagues that between now and the time H.R. 13111 is reported to the Senate floor, they investigate the situations in their own States. I am certain that each of you will find the shortages just as acute, the inadequacies of present vocational and technical education personnel just as severe as those I found in California. I believe there will be unanimous agreement as to the critical nature of this problem. I hope the Senate will support an appropriation of $20 million for vocational education personnel training for fiscal year 1970.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment (No. 231) was referred to the Committee on Appropriations.

EXHIBIT 1

DESCRIPTION OF PROGRAMS AUTHORIZED UNDER PART F OF THE EDUCATION PROFESSIONS DEVELOPMENT ACT

Part F of EPDA contains two major sections: Section 552—Leadership Development Awards, and Section 553—Exchange programs, Institutes, and Inservice education for Vocational Education teachers, supervisors, coordinators and administrators.

The Leadership Development Awards are to be made to individuals through sponsoring universities and will provide experienced vocational education teachers with an opportunity to update their occupational competency and knowledge in order to be able to raise the standard of vocational education in their own schools. In addition, an attempt will be made to effect improvements in and increase the number of those institutions of higher education that have comprehensive vocational and technical programs in schools of graduate study.

Section 553 authorizes the award of grants to State boards of vocational education to carry out cooperative arrangements for the training and retraining of teachers between schools, private business and industry, and other educational institutions. Such grants will support the leadership efforts of State boards of vocational education in updating and expanding vocational and technical educational opportunities for all, with particular emphasis on minority, poverty, and handicapped groups.

EXHIBIT 2

NUMBER OF TEACHERS OF POSTSECONDARY VOCATIONAL EDUCATION, NATIONALLY

Program	1970		1974			
	Number of teachers	States reporting	Number of teachers	States reporting	Numerical increase	Percent increase
Agriculture production	386	30	498	33	112	29.0
Agriculture off farm	518	33	727	35	209	40.5
Distribution and market	1,301	42	2,094	43	793	61.0
Home economics, consumer and home	290	26	627	33	337	116.0
Home economics, gainful employment	400	33	1,042	34	642	160.5
Office	5,445	44	7,638	43	2,193	40.0
Public service	128	23	335	24	207	162.0
Technical	6,484	44	8,896	44	2,412	37.0
Trades and industry	7,118	42	8,844	42	1,726	24.0
Health	4,826	43	6,666	43	1,840	38.0
Total	26,896		37,367		10,471	[1] 39.0

[1] Average.

Source: U.S. Office of Education, State Plans for Vocational Education, 1969.

TAX REFORM ACT OF 1969—AMENDMENTS

AMENDMENTS NOS. 232 THROUGH 239

Mr. JAVITS. Mr. President, I submit a series of amendments to H.R. 13270. These amendments would change certain provisions in H.R. 13270 relating to the tax treatment of foundations, charitable contributions, small business, handicapped, and other areas. These amendments are in conformity with and implement my testimony before the Senate Finance Committee. I wish to elaborate just briefly on certain of my amendments affecting foundations.

My amendment calling for special tax incentives for the handicapped would give cognizance to the special needs of our handicapped citizens. It would provide the disabled an income-tax deduction of up to $600 to cover transportation to and from work and would also allow the disabled the same additional $600 income tax deduction now given to the blind. Under this bill, the disabled taxpayer in order to qualify for the additional $600 exemption must suffer from a loss of one or more extremities, or 40 percent or more of the loss of ability as defined under the Schedule for Rating Disabilities of the Veterans' Administration. I estimate that some 300,000 disabled persons would qualify under this legislation at a maximum cost to the Government of about $130 each, or $40,000,000 per year.

One of these amendments changes section 506 to provide for a filing fee instead of a tax of 2 percent of a private foundation's net investment income with a minimum fee of $250 and a maximum fee of $10,000. This amendment makes it clear that the charges being assessed against private-foundation income are user fees and not taxes. This will have particular significance in States which base their taxes on the Federal tax base. In addition, I would like to make it clear that lest we establish an undesirable precedent, we are not taxing foundations but merely asking them to bear the estimated costs associated with the increased reporting requirements found elsewhere in H.R. 13270.

Another amendment deals with the definition of a private foundation. I have given this matter considerable thought. I originally had considered that the best way to approach this question was by adding a third category, the public service organization. However, on the basis of discussions I have had with many individuals highly knowledgeable in this area, I now believe that the best approach is to limit the concept of the private foundation to those foundations which are under the control of those persons who would be in a position to provide benefit to themselves through improper use of the foundation. This amendment would therefore carry over the concept found in H.R. 13270 of excluding from the definition publicly supported foundations and in addition would exclude those foundations which are under the control of an independent body.

Another of my foundation amendments deals with the House provision requiring distribution of all current income or a fixed percentage of assets if that be more. My amendment basically permits accumulation of income when it is reasonable in light of the foundation's exempt purposes. To insure against investment by the foundation in assets which are unproductive or not sufficiently productive, a new class of assets called an "accumulating investment asset" is created which ultimately would require the payment of a tax should these assets be held for an unreasonable duration.

The last of my foundation amendments provides, in my judgment, a more rational treatment than the House provisions, which would limit the foundation's ability to own more than a fixed percentage—generally 20 percent—of an interest in any business entity. My amendment imposes a tax of 100 percent of the value of excess business holdings. Excess business holdings will occur where a foundation, together with its disqualified persons, own effective control of any business entity and where the foundation is operated in such a manner that the needs of the business take precedence over the exempt purposes of the foundation. In this regard my amendment provides three levels of presumptions with respect to whether business needs take precedence over exempt purposes: First, where effective control of a business entity is owned for less than 10 years it is rebutably presumed that such needs do take precedence; second, where effective control of a business entity is owned for more than 10 years it is rebutably presumed that such needs do not take precedence, and third, after 25 years, the latter presumption becomes conclusive. Special rules are provided in the case of business entities which are acquired by will, gift, and so forth.

I am also offering an amendment calling for two new types of information to be provided as a regular part of the Secretary of the Treasury's annual report. Specifying the required publication of the information called for by this amendment would make the public aware of the cost to the Treasury of tax preferences and permit a clearer insight into the allocation of public resources. This information must be publicly available if the public is to intelligently call the attention of the Congress to take appropriate action where needed.

Mr. President, I testified with respect to all of these amendments before the committee, and inasmuch as the committee is now considering the measure, in all fairness, in accordance with the promise which I made to the committee, they should have the text of my amendments before them.

Mr. President, I am convinced if we ever passed the bill as it came from the other body, it would affect all of our foundations, charitable contributions, hospitals, community chests, and so forth. I do not blame the other body. Many things they did were good. That is why we have a bicameral legislature. However, it is important that these matters be straightened out.

They have now begun to realize what would happen in this situation from the outcry from many deserving people in our land who have given their lives and volunteered their efforts, but many of these provisions would inhibit them in their philanthropic acts.

I ask unanimous consent that these amendments be printed in full in the Record.

The **PRESIDING OFFICER**. The amendments will be received, printed and appropriately referred; and without objection, the amendments will be printed in the Record.

The amendments (Nos. 232 through 239) were referred to the Committee on Finance, as follows:

Amendment No. 232

At the end of the bill add the following new section:

"Sec. —. Information to be Included in Secretary's Annual Report

"(a) Revenue Losses.—The Secretary of the Treasury shall include in his annual report to the Congress estimates of the losses in revenues for the fiscal year for which such report is submitted which result under the provisions of subtitle A of the Internal Revenue Code of 1954 and other laws of the United States from—

"(1) the exclusion of items of income for purposes of the taxes imposed by such subtitle,

"(2) the deductions allowed under such subtitle,

"(3) the deferral of the imposition of the taxes imposed by such subtitle, and

"(4) such other special tax provisions in such subtitle or in other laws of the United States as the Secretary considers appropriate to carry out the purposes of this subsection.

"The Secretary shall include in such report only those revenue losses which in his judgment are significant and can be ascertained with reasonable accuracy.

"(b) Tax Expenditures.—The Secretary of the Treasury shall include in his annual report to the Congress estimates of the indirect expenditures made and to be made by the Government through the application and operation of the Federal income tax laws for the fiscal year for which such report is submitted and for the preceding and succeeding fiscal years. Such indirect expenditures shall be related, insofar as possible, to budget outlays as set forth in the Budget of the United States Government for the same fiscal year for which such report is submitted. Such indirect expenditures shall be based on the revenue losses described in subsection (a), but, for purposes of this subsection, such losses may be qualified in such manner as the Secretary considers appropriate to carry out the purposes of this subsection."

Amendment No. 233

On page 5, delete lines 1 through 7 and insert in lieu thereof the following:

"part II—private foundations

"Sec. 506. Filing fee for private foundations.

"Sec. 507. Tax on termination of private foundation status.

"Sec. 508. Special rules with respect to section 501(c)(3) organizations.

"Sec. 509. Private foundation defined.

"Sec. 506. Filing Fee for Private Foundations.

"(a) Imposition of Filing Fee.—A filing fee of 2% of the net investment income of every private foundation (as defined in section 509) is hereby imposed for each taxable year subject to the following limitations:

"(1) Minimum filing fee.—The minimum filing fee imposed hereby is $250.00.

"(2) Maximum filing fee.—The maximum filing fee imposed hereby is $10,000.00."

Amendment No. 234

At the end of the bill add the following new section:

"Sec. ——. Commuting Expenses of Disabled Taxpayers; Additional Personal Exemption.

"(a) Commuting Expenses.—

"(1) Allowance of deduction.—Part VII of subchapter B of chapter 1 (relating to additional itemized deductions for individuals) is amended by redesignating section 218 as section 219 and by inserting after section 217 the following new section:

" 'Sec. 218. Transportation of Disabled Individual to and From Work.

" '(a) General Rule.—In the case of a disabled individual, there shall be allowed as a deduction expenses paid during the taxable year for transportation to and from work to the extent that such expenses do not exceed $600.

" '(b) Disabled Individual Defined.—For purposes of subsection (a), the term "disabled individual" means an individual who is blind (as defined in section 151(d)(3)) or who has lost or lost the use of one or more of his extremities to such an extent that he is unable during the entire taxable year to use, without undue hardship or danger, a streetcar, bus, subway, train, or similar form of public transportation, as a means of traveling to and from work. A taxpayer claiming a deduction under this section shall submit such proof that he is a disabled individual as the Secretary of the Treasury or his delegate may by regulations prescribe. The regulations so prescribed shall provide that—

" '(1) if the taxpayer is a veteran with a service-connected disability, a certification from the Veterans' Administration that his disability (to the extent based upon or attributable to loss or loss of use of one or more of his extremities) has a rating of 40 percent or more under the Schedule for Rating Disabilities of the Veterans' Administration (Federal Register, vol. 29, No. 101, part II) shall be deemed conclusive proof that he is a disabled individual for purposes of this section; and

" '(2) in any other case, a certification from the United States Public Health Service or any local office thereof that the taxpayer's disability (to the extent based upon or attributable to loss or loss of use of one or more of his extremities) has a rating of 40 percent or more as determined in accordance with such schedule shall be deemed conclusive proof that he is a disabled individual for purposes of this section.'

"(2) Clerical amendment.—The table of sections for such part VII is amended by striking out

" 'Sec. 218. Cross References.'

and by inserting in lieu thereof the following:

" 'Sec. 218. Transportation of Disabled Individual to and From Work'.

" 'Sec. 219. Cross References.'

"(b) Additional Exemption.—

"(1) In general.—Section 151 (relating to allowance of deductions for personal exemptions) is amended by adding at the end thereof the following new subsection:

" '(f) Additional Exemptions for Disability.—

" '(1) For taxpayer.—An additional exemption of $600 for the taxpayer if he is a disabled individual.

" '(2) For spouse.—An additional exemption of $600 for the spouse of the taxpayer if the spouse is a disabled individual and if the taxpayer is entitled to an exemption under subsection (b) for such spouse.

" '(3) Disabled individual defined.—The term "disabled individual" means an individual who during the entire taxable year of the taxpayer has a loss or loss of use of one or more of the extremities. A taxpayer claiming a deduction under this subsection shall submit such proof that he (or his spouse) is a disabled individual as the Secretary of the Treasury or his delegate may be regulations prescribe. The regulations so prescribed shall provide that—

" '(A) if such individual is a veteran with a service-connected disability, a certification from the Veterans' Administration that the disability (to the extent based upon or attributable to loss or loss of use of one or more of the extremities) has a rating of 40 percent or more under the Schedule for Rating Disabilities of the Veterans' Administration (Federal Register, vol. 29, No. 101, part II) shall be deemed conclusive proof that such individual is a disabled individual for purposes of this section; and

" '(B) in any other case, a certification from the United States Public Health Service or any local office thereof that such individual's disability (to the extent based upon on or attributable to loss or loss of use of one or more of the extremities) has a rating of 40 percent or more as determined in accordance with such schedule shall be deemed conclusive proof that such individual is a disabled individual for purposes of this section.'

"(2) Conforming amendments.—

"(A) Paragraph (1) of section 3402(f) (relating to withholding exemptions) is amended by adding at the end thereof the following new subparagraph:

" '(G) one additional exemption for himself if, on the basis of facts existing at the beginning of such day, there may reasonably be expected to be allowable an exemption under section 151(f)(1) (relating to the disabled) for the taxable year under subtitle A in respect of which amounts deducted and withheld under this chapter in the calendar year in which such day falls are allowed as a credit.'

"(B) Subparagraph (D) of such paragraph (1) is amended by striking out '(C), or (F),' and inserting in lieu thereof '(C), (F), or (G)'.

"(C) Subparagraph (E) of such paragraph (1) is amended by striking out 'and' at the end thereof:

"(D) Subparagraph (F) of such paragraph (1) is amended by striking out the period at the end and inserting in lieu thereof '; and'.

"(c) Effective Dates.—The amendments made by subsections (a) and (b)(1) shall apply only to taxable years ending after the date of the enactment of this Act. The amendments made by subsection (b)(2) shall apply only with respect to payments of wages made after the date of the enactment of this Act."

Amendment No. 235

On page 15, delete lines 10–24 inclusive; on page 16 delete lines 1–6 inclusive and insert in lieu thereof the following:

"(2) an organization which—

"(i) is publicly supported within the meaning of section 170(c) (2); or

"(ii) is governed by a body whose members serve without compensation (except to the extent permitted by section 503(c) (2)) and who are not under the control directly or indirectly of any disqualified person (as defined in section 4946);"

Amendment No. 236

On page 25, delete lines 20–25 inclusive; delete pages 26, 27, 28, 29, 30, 31, 32, and 33; on page 34 delete lines 1–16 inclusive and insert in lieu thereof the following:

"Sec. 4942. Taxes on Unreasonable Accumulations of Income.

"(a) Imposition of Tax.—In addition to other taxes imposed by this chapter and the fee imposed by Sec. 506, a tax is hereby imposed on the accumulated income of a private foundation for any taxable year or for any prior taxable year and not actually paid out before the end of the correction period are—

"(1) unreasonable in amount or duration in order to carry out the exempt purposes of such private foundations; or

"(2) used to a substantial degree for purposes or functions other than those relating to the exempt purposes of such private foundation.

"(b) Rate of Tax.—In any case in which a tax is imposed under subsection (a), the tax shall be 100% of the amount of accumulated income so determined thereby.

"(c) Tax on the Management.—In any case in which a tax is imposed under subsection (a), there is hereby imposed on any foundation manager who participates in the making of such accumulation with the knowledge that such accumulation will be subject to a tax under subsection (a), a tax equal to 50% of the amount of accumulated income so determined by subsection (a). Where, under the preceding sentence, more than one foundation manager is liable for a tax with respect to the same accumulated income, the liability for such managers for tax under this subsection shall be joint and several.

"(d) Accumulated Income.—For the purposes of this section, the term accumulated income means, with respect to any private foundation for any taxable year, the aggregate amounts of adjusted net income for the taxable year and prior taxable years, reduced by the aggregate amount of qualifying distributions made before such time.

"(e) Accumulating Investment Assets.—

"(1) General.—There shall be included in adjusted net income for any taxable year 2% of the aggregate fair market value of each asset of the foundation which is not being used (or held for use) directly in carrying out the foundation's exempt purpose reduced by such asset's acquisition indebtedness (as defined in Section 514(c) (1)) and further reduced (but not below zero) by the income specifically derived from such asset.

"(2) Valuation.—For the purposes of paragraph (1), the fair market value of securities for which market quotations are readily available shall be determined on a quarterly basis. For all other assets, the fair market value shall be determined at such times and in such manner as the Secretary or his delegate shall by regulation prescribe.

"(f) Adjusted Net Income.—

"(1) Defined.—For purposes of this section the term 'adjusted net income' means the excess (if any) of—

"(A) the gross income for the taxable year (determined with the modifications provided by paragraph (2)), over

"(B) the sum of—

"(i) the deductions (determined with the modifications provided by paragraph (3)) which would be allowed to a corporation subject to the tax imposed by section 11 for the taxable year, plus

"(ii) the amount of the tax imposed by section 511 for such year, plus

"(iii) the amount of the fee imposed by section 506 for such year.

"(2) Income modifications.—The modifications referred to in paragraph (1) (A) are as follows:

"(A) section 103 (relating to interest on certain governmental obligations) shall not apply, and

"(B) capital gains and losses from the sale or other disposition of property shall be taken into account only in an amount equal to any net short-term capital gain for the taxable year.

"(3) Deduction modifications.—The modifications referred to in paragraph (1) (B) (i) are as follows:

"(A) no deduction shall be allowed other than all the ordinary and necessary expenses paid or incurred for the production or collection of gross income or for the management, conservation, or maintenance of property held for the production of such income, and

"(B) section 265 (relating to expenses and interest relating to tax exempt interest) shall not apply.

"(4) Transitional rule.—For purposes of paragraph (2) (B), the basis of property held by the private foundation on December 31, 1969, and continuously thereafter to the date of its disposition shall be deemed to be not less than the fair market value of such property on December 31, 1969.

"(g) Qualifying Distributions Defined.—

"(1) In general.—For purposes of this section, the term 'qualifying distribution' means—

"(A) any amount paid out to accomplish one or more purposes described in section 170(c) (2) (B), other than any contribution to (i) an organization controlled (directly or indirectly) by one or more disqualified persons (as defined in section 4946) with respect to the foundation, (ii) a private foundation, or (iii) an organization which would be a private foundation if it were a domestic organization, or

"(B) any amount paid out to acquire an asset used (or held for use) directly in carrying out one or more purposes described in section 170(c) (2) (B).

"(h) Treatment of Qualifying Distributions.—Any qualifying distribution made during a taxable year shall be treated as made out of the accumulated income if any of the foundation. Where a qualifying distribution reduces the accumulated income of the foundation below zero, such deficit of accumulated income may be carried forward to the five next succeeding taxable years.

"(i) Correction Period.—The term 'correction period' means, with respect to any foundation for any taxable year, the period beginning with the taxable year and ending 90 days after the date of mailing of a notice of deficiency (with respect to the tax imposed by subsection (b)) under section 6212, extended by—

"(1) any period in which a deficiency cannot be assessed under section 6213(a), and

"(2) any other period which the Secretary or his delegate determines is reasonable and necessary to permit a distribution of accumulated income taxable under this section."

Amendment No. 237

On page 313, delete lines 17 through 23 inclusive; delete pages 314, 315, and 316 inclusive; on page 317, delete lines 1 through 14 inclusive: Renumber remaining sections accordingly.

Amendment No. 238

On page 127, delete lines 11 through 23 inclusive; page 128, delete lines 1 through 2 inclusive; page 130, delete lines 3 through 6 inclusive; page 131, delete lines 14 through 24 inclusive; page 132, delete 1 through 2 inclusive; page 135, delete lines 3 through 23 inclusive; delete page 136 inclusive; page 137, delete lines 1 through 19 inclusive: Renumber remaining sections accordingly.

Amendment No. 239

On page 34, delete lines 18–25 inclusive; delete pages 36, 37, 38, 39, 40, and 41 inclusive; page 42, delete lines 1–21 inclusive, and insert in lieu thereof the following:

"(a) Imposition of Tax.—There is hereby imposed at the end of the correction period on the excess business holdings of any private foundation in any business enterprise a tax equal to 100 per centum of the value such excess holdings.

"(b) Excess Business Holdings.—A private foundation shall be deemed to have excess business holdings with respect to any business entity if

"(1) the holdings of the private foundation together with the holdings of all disqualified persons constitute effective control of such business entity; and

"(2) the business needs of such business entity are allowed to take precedence over the exempt purposes of the private foundation.

"(c) Business Needs Presumptions.—Where a private foundation meets the requirements of subsection (b) (1) with respect to any business entity there shall be

"(1) a rebutable presumption that where such requirements have been met for less than ten years, the needs of such business entity take precedence over the exempt purposes of the foundation;

"(2) a rebutable presumption that where such requirements have been met for ten years or more but less than twenty-five years, the needs of such business entity do not take precedence over the exempt purposes of the foundation;

"(3) where such requirements have been met for twenty-five years or more, the presumption of subsection (2) shall be conclusive.

"(d) Special Rules With Respect to Property Acquired by Will, Gift, Bequest, Etc.—Interests in any business entity received by a private foundation by will, gift, bequest, etc. shall be considered for the purposes of this section to be held by such foundation for the shortest of the following periods; provided that, the foundation does not at the time of receipt of such interest have effective control of the business entity.

"(1) the date from which such interest is actually received if received by the foundation from other than a disqualified person;

"(2) the date from which the foundation first held an interest in such business entity; provided that, the donor of such interest was at all times during such period a disqualified person with respect to the foundation as a result of an interest owned by such donor in such business entity; or

"(3) the date from which the donor of such interest first acquired an interest in such business entity; provided that, as a result of the acquisition of such interest, the donor became and at all times during the period a disqualified person with respect to such foundation.

"(e) Definitions; Special Rules.—For purposes of this section—

"(1) Business holdings.—In computing the holdings of a private foundation, or a disqualified person (as defined in section 4946) with respect thereto, in any business enterprise, any stock or other interest owned, directly or indirectly, by or for a corporation, partnership, estate, or trust shall be considered as being owned proportionately by or for its shareholders, partners, or beneficiaries.

"(2) CORRECTION PERIOD.—The term 'correction period' means, with respect to excess business holdings of H.R. 13270–6, a private foundation in a business enterprise, the period ending 90 days after the date of mailing of a notice of deficiency (with respect to the tax imposed by subsection (b)) under 6212, extended by—

"(A) any period in which a deficiency cannot be assessed under section 6213(a), and

"(B) any other period which the Secretary or his delegate determines is reasonable and necessary to permit orderly disposition of such excess business holdings.

"(4) FUNCTIONALLY RELATED BUSINESS.—The term 'business enterprise' does not include a trade or business—

"(A) which is not an unrelated trade or business as defined in section 513, or

"(B) which is carried on within a larger aggregate of similar activities or within a larger complex of other endeavors which is related (aside from the need of such organization for income or funds or the use it makes of the profits derived) to the exempt purposes of the organization."

PUBLIC TRANSPORTATION ASSISTANCE ACT—AMENDMENT

AMENDMENT NO. 240

Mr. WILLIAMS of New Jersey, for himself, Mr. CRANSTON, Mr. HARRIS, Mr. HART, Mr. INOUYE, Mr. MONDALE, and Mr. TYDINGS, submitted an amendment, intended to be proposed by him, to the bill (S. 2821) the Public Transportation Assistance Act, which was referred to the Committee on Banking and Currency, and ordered to be printed.

ECONOMIC OPPORTUNITY ACT—AMENDMENT

AMENDMENT NO. 241

Mr. JAVITS submitted an amendment intended to be proposed by him to the bill (S. 3016) to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, to authorize advance funding of such programs, and for other purposes, which was ordered to lie on the table and to be printed.

(The remarks of Mr. JAVITS when he submitted the amendment appear later in the RECORD under the appropriate heading.)

REFORMS OF INCOME TAX LAWS—AMENDMENTS

AMENDMENTS NOS. 242, 243, AND 244

Mr. MILLER submitted amendments intended to be proposed by him to the bill (H.R. 13270) to reform the income tax laws, which were referred to the Committee on Finance and ordered to be printed.

ADDITIONAL COSPONSORS OF AN AMENDMENT

AMENDMENT NO. 228

Mr. DOMINICK. Mr. President, I ask unanimous consent that, at the next printing, the names of the Senator from Montana (Mr. MANSFIELD), the Senator from Nevada (Mr. CANNON), the Senator from Nebraska (Mr. HRUSKA), the Senator from Washington (Mr. JACKSON), the Senator from Washington (Mr. MAGNUSON), the Senator from Wyoming (Mr. MCGEE), the Senator from California (Mr. MURPHY), the Senator from South Carolina (Mr. THURMOND), the Senator from South Dakota (Mr. MUNDT), and the Senator from Texas (Mr. TOWER) be added as cosponsors of my amendment No. 228, in the nature of a substitute to Senate Joint Resolution 158, to authorize the minting of clad silverless dollars bearing the likeness of the late President of the United States, Dwight David Eisenhower.

The PRESIDING OFFICER. Without objection, it is so ordered.

JAVITS URGES $100,000,000 IN DISASTER RELIEF FOR MEDICAL SCHOOLS; CHAIRS EMERGENCY MEETING OF ALL STATE MEDICAL SCHOOL DEANS

Mr. JAVITS. Mr. President, I invite attention to a conference I had yesterday with 12 medical schools in New York State which are facing a major disaster. One of them is in danger of closing almost any day.

My proposal would urge Congress to make a special disaster relief provision for all medical schools in the country—94 of them—for $100 million, to carry them over the dreadful emergency period which arises out of the reforms we made, and which the States followed, in medicaid and medicare, and the cutdown in the research funds which the hospitals had been relying on from the National Institutes of Health and other research projects.

Mr. President, it just does not make sense to have our medical schools on the brink of disaster when their contributions to the health of the Nation are so vital. I know of at least three distinguished institutions in New York State—the New York Medical College, the New York University School of Medicine and Albert Einstein College of Medicine of Yeshiva University—facing an acute financial crisis which is threatening their very survival. I also understand that numerous medical schools and research institutions in the Nation are reported to be cutting back their programs because of reduced medicaid reimbursements and Federal research grants. Even our great State-run institutions, which are attempting to develop and expand to meet pressing needs, are finding it difficult to obtain funds from State sources to enable them to meet their responsibilities.

To meet the fiscal crisis—a crisis with the gravest moral and humanitarian implications—facing medical schools and research institutions in New York State, I have called this emergency meeting of the deans of all 12 medical schools throughout the State. What I hope will come out of this meeting are a set of recommendations and a bill of particulars to present to Health, Education, and Welfare Secretary Finch, listing all the vital programs of these institutions that are being cut back or eliminated altogether as a result of the drastic cuts in medicaid reimbursements and Federal funding. These recommendations and particulars will also be presented to the New York State Health Department, but I must stress that the primary responsibility for meeting this emergency rests squarely with the Federal Government. This, of course, is true for every State in the union. The effects of research cuts reverberate throughout a medical school, affecting teaching and graduate training as well as science. When budget cuts slice deeply into funds for research-training grants and fellowships, the effect is to dry up the supply of future teachers who will be needed to produce the larger numbers of doctors that both the present and earlier administrations have said our Nation must have. The administration must provide the funds if we are to solve the health manpower problem.

I believe that the proposed Federal budget for health programs, so vital to the continued existence of our medical schools, and at a time when their resources are greatly needed by all America, is insufficient in our ordering of priorities. My survey of the 1970 budget for the Department of Health, Education, and Welfare shows why medical schools—which have a major part of their support furnished through Federal grants—are in such dire financial straits.

We have a $15,600,000 appropriations shortfall for institutional and special project grants, a $44,000,000 appropriations shortfall for construction and renovation of educational facilities and a $20,000,000 appropriations shortfall for health-research construction grants, to mention but a few.

Then let us look at but some of our more established research programs. The National Cancer Institute estimated it needed $203,741,000, but only $180,725,000 is scheduled to be appropriated—a $23,000,000 shortfall. And yet last year there were 615,000 new cancer cases and cancer mortality is steadily increasing.

The National Heart Institute estimated it needed $186,708,000, but only $160,513,000 is scheduled to be appropriated—a $26,000,000 shortfall. And yet diseases of the heart and circulatory system are the major cause of death in the United States and account for 54 percent of all deaths.

The National Institute of Child Health and Human Development estimated it needed $85,065,000, but only $75,852,000 is scheduled to be appropriated—a $10,000,000 shortfall. And yet uncontrolled population growth is one of the most critical problems of our time, affecting the health and well-being of everyone. I could go on and on, for each of the divisions of the National Institutes of Health, but the story is all too clear from these few examples.

Student assistance programs—which include traineeships, scholarships, and opportunity grants—were reduced by the Bureau of the Budget by $21,500,000.

As an emergency measure—to avoid the pending financial disaster of our medical schools—I would recommend that we act now to appropriate no less than $100,000,000 to offset the States reduced appropriations. Such funding would be similar to disaster relief programs we have previously enacted to meet the ravages of flood and hurricane, only this time it is our entire Nation that faces disaster—a health crisis—if our medical schools cannot meet the existing financial crisis.

If we are to meet the critical shortage of physicians—estimated at 52,000 this year—we must allocate sufficient resources to establish a Federal commitment to assist schools of medicine in increasing their output of physicians as rapidly as possible. We in Congress have passed the laws to help us to accomplish this goal. Now we must be certain that there are increased appropriations to meet this objective, not cutbacks which place the medical schools in financial straits, causing them to curtail programs or contemplate closing down altogether.

The Carnegie Commission has reported that it will take $500,000,000 to begin to put our Nation's medical schools on the road to recovery. While I understand the necessity to reduce Federal spending as a curb to inflationary pressures; I believe we must reorder our priorities so that Federal support of medical research and education is sufficient to meet the challenge of a burgeoning health crisis. I believe that Federal funding for our medical colleges is an investment in the health care of the people and that we cannot afford to permit it to regress.

DR. STIMMEL ON METHADONE MAINTENANCE PROGRAM

Mr. JAVITS. Mr. President, the Special Subcommittee on Alcoholism and Narcotics recently concluded hearings—under the able leadership of the Senator from Iowa (Mr. HUGHES)—at the Mount Sinai Medical Center in New York City.

I have long been concerned about the problem of heroin addiction—a matter of much anxiety and yet, paradoxically, little action by our Nation. I have long stressed that narcotic addiction and drug abuse—a complex myth-ridden field—has been grossly underfunded by the Federal Government. What is required is a Federal commitment—adequately funded—to State, local, and private programs of research, experimentation in narcotics prevention; and for rehabilitation and after-care services.

The enormity of the problem in New York City alone staggers the imagination. The city has records of some 42,000 heroin addicts but that does not include addicts not in prison nor in voluntary treatment and it was testified that the number of addicts is more accurately nearer 100,000. The economic impact—the cost to citizens and taxpayers—exceeds $1 billion a year.

The efforts of Mount Sinai—without Federal assistance—to help the addicted individuals in its community—East Harlem where there are over 200,000 people and one out of every 100 is a known heroine addict—through utilization of a methadone maintenance program was testified to by Dr. Barry Stimmel, Chief Resident Medicine and Instructor in the Department of Medicine at Mount Sinai School of Medicine. In view of the controversy surrounding methadone maintenance, and the urgent need to establish a Federal commitment to meet the burgeoning problem of narcotic addiction and drug abuse, I commend Dr. Stimmel's testimony to my colleagues and ask unanimous consent to have it printed in the RECORD.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

TESTIMONY GIVEN AT THE U.S. SENATE SPECIAL SUBCOMMITTEE ON ALCOHOLISM AND NARCOTICS, NEW YORK, N.Y., OCTOBER 4, 1969

(By Dr. Barry Stimmel, chief resident, Medicine/Instructor Department Medicine, co-director methadone maintenance program, Mount Sinai Medical Center and School of Medicine)

Senators: The purpose of my appearing before this committee hearing today, as I understand it, is to try and explain how an institution without any specific federal, state, or city grants can become deeply involved in a problem of immense social importance and can succeed in initiating a functioning program to combat ths problem. I am referring of course to the subject of narcotic addiction. I am certain that by this time you must be saturated with statistics related to the prevalence of heroin usage throughout the country, and especially in the New York City area, which has been said to house more than one half the nation's heroin addicts.[1]

In order to stress the enormity of this problem I would like to focus on the number of addicts in one small section of New York City:—that of East Harlem which contains only 8 of the more than 80 health districts in the borough of Manhattan. In East Harlem, where there are over 200,000 people, approximately 1 out of every 100 is a known addict.[2] Does this seem surprising? Well it is an estimate that is quite a conservative one. It is almost impossible to arrive at a statistically significant figure but just to engage in some thought, I reviewed the records of the emergency room in Mount Sinai Hospital over a month's period of time. Approximately 1 out of every one hundred patients seen in the hospital's emergency room is an addict who is clinically ill with hepatitis. It is fairly well established that ⅓ to ½ of all addicted persons have abnormal liver functions without clinical signs of hepatitis. Furthermore, a significant percentage have no hepatic abnormalities at all so that the actual number of heroin addicts is far greater than that reported.

Other medical complications of heroin addiction in addition to liver disease are frequent and often fatal; antibiotic resistant bacterial pneumonias, tetanus, and infection of the valves of the heart are just a few. The death rate in these patients is inordinately high, as many as 25% of all addicts dying before reaching their 40th year.[3] In addicts under 30 years of age, 16 deaths per 1000 have been reported.[4]

However, of equal importance are the social effects of drug addiction upon the addict as well as society. Although an addict may be on heroin continuously for 20% of his adult life, studies have shown that he is socially disabled for 80% of this time.[5] An addicted individual loses respect not only for the society around him, but more importantly for himself. He is unable to function, is depressed, is defensive and is disgusted by his illness far more than those who view him. And he reacts—he reacts in the one avenue open to him, more heroin, more frequently. Economically this means supporting a habit of $40 to $75 per day. He utilizes whatever means are avaliable to him to obtain drugs. He lies, "pushes" drugs to others, robs, hustles and prostitutes himself to obtain the "stuff." Estimates of up to 60% of the robberies in New York City are attributed to persons on drugs. Up to 52 convictions per 100 man years of addiction have been reported.[6]

For these reasons drug addiction is everybody's "bag." It is a disease, not a crime and something that should be dealt with by both laymen and physicians alike. Complacency with cancer is unheard of, yet heroin metastasizes for more rapidly.

What then can be done to alleviate this problem? Many methods are in practice today ranging from intense psychoanalytic therapy to the use of narcotic substitutes to the actual dispensing of heroin, as in existence in Great Britain. Most of these programs have been difficult to evaluate and none have been shown to be a cure for drug addiction. However, certain immediate goals can be easily visualized: First, help the addict become physically well by removing the germ infested equipment with which he literally poisons himself; second, show him that he is indeed able to be a functioning member of society—able to stay with his family and not be interred in a closed, artificial community; that he is not forced to steal and degrade himself to feed his habit; third, support him with whatever means necessary to keep him from getting overly anxious and slipping back to his illness and finally, enable him to develop sufficient self-respect and free himself of all drug escapes entirely.

After careful consideration the Mount Sinai Medical Center felt that a Methadone Maintenance Program might be the answer to the first three of these goals and could assist the addicted individual in eventually achieving the last. Methadone Maintenance to date appears to be the only method of treating, note, I did not say curing, drug addiction that has been scientifically and objectively evaluated with published results open to all who are interested. I wish to briefly emphasize certain figures which may have been stated earlier in this hearing. They are taken from reports based on the work of Drs. Vincent Dole and Marie Nyswander and represent a patient load of up to 1200 patients.[6][7]

After the first year of Methadone treatment, over 85% of patients are no longer addicted to heroin. Eighty-eight percent (88%) of patients in the program have arrest free records as compared to 36% of patients in a detoxification center. At the end of two years, 85% of the patients are working or in school as compared to 28% at the start of the program, and the number of patients on welfare decreased from 40% to 15%. All this is done without removing the addicted individual from his family unit. Furthermore, Methadone does not cause euphoria, and the patients are now able to function at a greatly improved level. However, most important, in the dosage of Methadone administered the euphoric effects of heroin are blocked, thereby eliminating the desire to illicitly obtain the drug.

In February 1969 the Department of Medicine in the Mount Sinai Hospital Medical Center, Mount Sinai School of Medicine, operating on a "shoe string" budget, started its out-patient Methadone Program. The staff consisted of a receptionist, a research assistant who is a former addict, two internists on a part time basis and a psychiatric consultant. The physical layout was quite small. It was felt that official notification of the opening should not be released until a measure of community acceptance became manifest. Within one week over 30 applications were filed; within two weeks close to 100 and within three weeks upwards of 200 applications had been received and no further application forms were handed out due to inability of the staff to keep pace with the investigative load.

The criteria for admission were simple: (1)

Footnotes at end of article.

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the absence of a mixed addiction; (2) heroin addiction greater than four years duration (3) patients over 21 years of age. Due to the large number of applicants, parents and married patients were given priority. The clinic is open from 9 AM to 7 PM to enable working patients to be seen after hours. An answering service functions from 7 PM to 9 AM for any patients who might run into unexpected difficulty. All patients accepted to the program are carefully monitored according to the criteria suggested by Drs. Dole and Nyswander. New patients receive a complete medical evaluation including psychiatric consultation when indicated and associated conditions are treated by use of other hospital facilities. Three new patients are added each week to the program. At the present time 65 patients are being maintained on Methadone. Since the first patient was placed on Methadone in March, 1969, only one patient has been dropped from the program and that was within the first week of treatment. The age of the patients ranges from 21 years up to 47 with the mean being in the late twenties. It is felt by both patients and staff alike that the program has been quite successful. Despite the lack of outside funds and a direct affiliation with any large drug addiction center, the Mount Sinai Medical Center has shown that it is not only possible, but feasible for all voluntary hospitals, with proper training, to become effectively involved in the treatment of addiction with Methadone. This would eliminate the need for the establishment of costly "de noveau" structure for the treatment of addiction and take the problem back into the hospitals in the involved community.

Yet, as of the present, we have been forced to temporarily stop enrolling new patients. The reason for this is simple. There is no money, in spite of the apparent concern of everyone in both business and the community over drug addiction. Methadone programs are finding it increasingly difficult to obtain funds. This is due to ignorance—ignorance not only of the lay, but also of the professional community which believe that Methadone is being falsely promoted as a cure to drug addiction. Methadone is not a panacea but it is an effective means of placing the addict on the road to recovery.

One of the most frequent complaints of the community is that Methadone is being used to narcotize the less fortunate individuals in our society. Some feel that it is merely another form of addiction. It is true that Methadone is an addictive drug; however, it does not cause euphoria and loss of control as does alcohol, nor lethargy as do barbituates. It does enable the addict to enter society as a functioning member. In fact, if the number of addicts who as potential Methadone patients were compared to the number of people in this country who are on the numerous tranquillizers which are habituating and legally dispensed by physicians, those on Methadone would not be in the majority.

Methadone is not the answer for all addicted patients; the adolescent addict for example represents a whole new challenge in the fight against drug addiction. The in-resident homes such as Day Top Village, Exodus House, Phoenix House, and Odyssey House, just to mention a few, also represent valid approaches to drug addictions. But to accept one concept is not to preclude the effectiveness of Methadone.

How expensive is it to run a Methadone clinic? To merely dispense Methadone cost about 12¢ per day per patient. However, with paramedical and medical support which is essential to any well run clinic the cost per patient per year is $1000. Does this seem expensive? Compare it to the $1000 the addict steals in one month's time to feed his habit; compare it to the amount of money that is being spent on the 40% of addicts on welfare; compare it to the price one puts on the safety an individual does not experience when walking down the street in a ghetto neighborhood and compare it to the price of a human being's self-respect. There really is no comparison. Only one tenth of the money that insurance companies pay out each year on robberies committed in the City of New York could adequately finance Methadone clinics in most voluntary hospitals.

Methadone represents a successful initial attempt to enable the drug addict to become a useful functioning member of society. Methadone Maintenance is the only method to date that has been objectively evaluated and found to be effective. It should be expanded to include functioning clinics operating out of every large voluntary hospital in the city. Drug addiction is everybody's problem. The Methadone Maintenance Clinic at the Mount Sinai Medical Center is one of the fruitful attempts of the Medical Center to combat a rapidly spreading disease. The next question to be asked is what are you going to do about it?

FOOTNOTES

[1] Traffic in Opium and Other Dangerous Drugs. U.S. Government Bureau of Narcotics 1968.

[2] Amsel, Z., Narcotics Register—Development of a Case Register 1969.

[3] Valiant, G. E., 12 year Follow Up of Narcotic Addicts: The Natural History of a Chronic Disease, NEJM 1966 275:1282–1289.

[4] Duvall, H.S., Locke, G., Brill, L., Follow-up Study of Narcotic Addicts, Public Health Rep. 1963, 78:185.

[5] Valiant, G. E. Ibid.

[6] Dole, V. P., Nyswander, M. E., Wayne A., Successful Treatment of 750 Criminal Addicts, JAMA 1968 206:2207.

[7] Progress Report of Evaluation of Methadone Maintenance Treatment Program, as of March 31, 1968. JAMA 1968 206:2712–2714.

VIETNAM MORATORIUM

Mr. PELL. Mr. President, on Wednesday, October 15, many college students and faculties around our country will take part in a peaceful day of protest to the war in Vietnam. And here I speak as one who has long opposed our Vietnam war policies, and who no longer feels so lonely. But I must add that, if vilence or unlawful actions occur, the Vietnam moratorium will do more harm than good.

I believe that the October 15 moratorium appears to be a constructive step toward providing a peaceful outlet for legitimate protests on our Nation's campuses and in our communities.

In addition to voicing their deep concern about the war, these young people also want to demonstrate there is still a place in our society for peaceful and rational protest rather than the violent approach of the Students for Democratic Society—SDS—and the Students for Democratic Action—SDA.

The students want to work within the framework of the democratic process in an effort to activate a broad cross section of the community.

In doing so, their efforts should be viewed by the people of our Nation, not as a "radical student reaction" to the war but as an honest expression of the views of the many who are against the war in Vietnam.

For those of us with responsibilities in decisionmaking in our national affairs, it is necessary indeed that we better understand the agonizing crisis which faced so many of our young to whom the war seems neither right nor reasonable.

To them, Vietnam is not an academic issue. Rather, it is, in all likelihood, an imminent experience whereby their country may well demand that they be willing to die and be prepared to kill for a cause which they believe to be morally wrong.

It is unrealistic to expect our campuses to be models of scholarly detachment from current political issues. In fact, it would be odd if discussion of the war did not take place in our classrooms.

President Mason W. Gross of Rutgers University said:

> We ought always as a university community, to examine and debate among ourselves, in the freest and fullest way, all the great problems—war and peace, foreign and domestic policies, our national priorities, and the universities' responsibility to the community . . . demonstrate positively and dramatically the role of the university as teacher, as guardian of civilized values, and as the critical and moral intelligence which compels the community to ponder its courses of action.

If political protest in the colleges must not be repressed, neither should it be imposed. University authorities have adopted varying attitudes toward the moratorium. In the California State College, faculty members who dismiss their classes will risk "formal disciplinary proceedings." On the other hand, at Rutgers, classes have been canceled for the day.

Most colleges will open, which I believe is the right course to follow. As Robert F. Goheen, president of Princeton University, has said:

> It is not right to force participation in this sort of protest.

But there should be no penalties for those who do engage in it as long as they do so in a peaceful manner.

It is vital that our younger generation should find that when they conduct themselves with dignity and in a law abiding manner, their views are treated with respect. They will discover that it is not only through mindless screaming and violence that they can gain a national forum. If this enterprise is scorned or ignored, many students may be more tempted to listen to the radicals who denounce American democracy as a fraud.

Wisely, the moratorium leaders have decided not to restrict their activities to the campuses. They also plan to go out into the wider community, which may help contribute to restoration of communications between students and parents, friends, and neighbors. Hopefully, mutual understanding will be fostered. Sam Brown, moratorium organizer, has promised—

> We will try to engage people in conversation rather than in polemics.

Obviously, there are dangers involved. I emphatically denounce violence and earnestly implore respect for the views of others. It is important we behave responsibly.

If it contributes toward calming our campuses, informing our people, and leading toward peace, the moratorium will have achieved much. We must all seek to avoid the perils in order to realize the promises.

For all these reasons, I believe the Vietnam moratorium is an excellent idea. If our people—old and young—who believe our National Government must press more vigorously for dissolution of our involvement in Vietnam stand fast together, it will be a constructive day.

I also hope that those who participate in the moratorium give consideration to our moral commitment in Vietnam which is that our withdrawal does not result in the slaughter of any Vietnam citizen because of his identification with us—no matter whether the identification is for reasons of patriotism or cupidity. I would hope that the advocates for withdrawal of our forces would also advocate recognition of responsibility to arrange asylum for those who seek it in fear of their lives.

Mr. JAVITS. Mr. President, will the Senator from Rhode Island yield?

Mr. PELL. I yield.

Mr. JAVITS. Mr. President, I identify myself with the views of the Senator from Rhode Island on the Vietnam moratorium. I had serious doubts about it. I did not want to be a party to those who would go in for draft-card burning or flag burning, or anything like that. But I think, for this day, they are entitled to our support. I announced mine this morning.

I am very glad to hear that the Senator from Rhode Island has pretty much the same reaction.

The people of this country are entitled to this opportunity and I am going to join them as another guarantee that it will be kept the way it is represented—to wit, a peaceful and honorable protest under the first amendment.

I hope very much that they will be vigilant to keep out all those who would destroy our Constitution, and destroy our laws, under the guise of a protest against the Vietnam war. It is unnecessary to that protest. It would only destroy the protest itself.

I thank my colleague from Rhode Island.

Mr. PELL. I thank my friend and colleague from New York very much for his comments.

LAWYERS COMMITTEE OF PRESIDENT'S COMMISSION FOR THE OBSERVANCE OF HUMAN RIGHTS YEAR 1968 EMPHASIZES HUMAN RIGHTS ARE MATTERS OF INTERNATIONAL CONCERN

Mr. PROXMIRE. Mr. President, a report prepared by the Special Committee of Lawyers of the President's Commission for the Observance of Human Rights Year 1968 has just now been published. This committee of distinguished lawyers was appointed by President Johnson and headed by former Supreme Court Justice Tom Clark. A full list of its distinguished membership is attached. This report is entitled ,"A Report in Support of the Treatymaking Power of the United States in Human Rights Matters." It was the general conclusion of this report that after a "thorough review of judicial, congressional, and diplomatic precedents, that human rights are matters of international concern; and that the President, with the U.S. Senate concurring, may, on behalf of the United States, under the treaty power of the Constitution, ratify or adhere to any international human rights convention that does not contravene a specific constitutional prohibition." I have already substantiated in previous statements that these conventions do not contravene constitutional prohibitions. Mr. President, in later statements, I intend to detail point by point specific recommendations and observances of this committee. At this time, I ask unanimous consent that the forwarding letter by the Chairman, Justice Tom C. Clark, be inserted in the RECORD at this point, followed by the list I previously referred to.

There being no objection, the letter and list were ordered to be printed in the RECORD, as follows:

AUGUST 20, 1969.

Hon. W. AVERELL HARRIMAN,
Chairman, the President's Commission for the Observance of Human Rights Year 1968, Washington, D.C.

DEAR MR. CHAIRMAN: I have the honor to submit the report of the Special Committee of Lawyers on the treaty-making power of the United States in Human Rights Matters.

As you noted in your letter transmitting the final report of the Commission to President Nixon:

"The whole of government must recognize its commitment to human rights and thereby seek to articulate its policies and programs in human rights terms. A touchstone of our commitment will be the ratification of additional human rights conventions through action by the Administration and the Senate."

The United States, in successive Administrations of both political parties, has taken the lead in working for a world in which human rights are the birthright of all. Nevertheless we have ratified only two of the more than a score of human rights conventions. Distinguished members of the legal profession have raised thoughtful questions relating to the constitutional competence of the United States to bind itself internationally on human rights, and the Special Committee of Lawyers has addressed itself to this question.

Our formal conclusions may be found at the beginning of our report. I would like to reiterate here, however, our finding, after a thorough review of judicial, Congressional and diplomatic precedents, that human rights are matters of international concern; and that the President, with the United States Senate concurring, may, on behalf of the United States, under the treaty power of the Constitution, ratify or adhere to any international human rights convention that does not contravene a specific Constitutional prohibition. The Special Committee of Lawyers would further commend the examination of proposed human rights conventions to their colleagues in the legal profession as a matter of high priority.

Respectfully yours,

TOM C. CLARK,
Chairman, Special Committee of Lawyers.

COMMITTEE MEMBERS

Hon. Tom C. Clark, Chairman, Associate Justice (Retired), U.S. Supreme Court.

Morris B. Abram, President, Brandeis University.

Terence H. Benbow, Attorney at Law, New York City.

Bruno V. Bitker, Attorney at Law, Milwaukee.

John H. Carey, Attorney at Law, New York City.

Dean Clarence Clyde Ferguson, Jr., Howard University Law School.

Professor Richard N. Gardner, Columbia University Law School.

William T. Gossett, Attorney at Law, Detroit.

Hon. Sarah T. Hughes, U.S. District Court.

William P. Rogers,[1] Attorney at Law, Washington, D.C.

Frederick M. Rowe, Attorney at Law, Washington, D.C.

Bernard G. Segal, Attorney at Law, Philadelphia.

Whitney North Seymour, Attorney at Law, New York City.

John R. Stevenson,[2] Attorney at Law, New York City.

Hon. John Minor Wisdom, U.S. Circuit Judge, U.S. Court of Appeals.

Mr. PROXMIRE. Mr. President, I hope the series of speeches that I have given now for 2 years will begin to bear fruit and that the Committee on Foreign Relations will report these human rights conventions to the Senate, and that the Senate will act. It has been the only obstacle standing in the way of their ratification. The President has supported them. It is only the Senate that has stood in the way of their ratification.

ORDER OF BUSINESS

Mr. MOSS. Mr. President, I ask unanimous consent that I may proceed for not to exceed 12 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, the Senator from Utah is recognized for not to exceed 12 minutes.

THE ONLY WAY OUT OF VIETNAM

Mr. MOSS. Mr. President, I have concluded that the present combination of peace talks in Paris, Vietnamization of the battlefield, and cautious U.S. troop withdrawals is not working.

It is not working because the North Vietnamese and Vietcong will never accept a cease-fire or free elections as long as the present Saigon government remains in power.

It is not working because the Government of South Vietnam is corrupt and repressive, and, unless it broadens its base, it will never gain the support of its people.

It is not working because the Government of South Vietnam will refuse to broaden its base as long as our troops are protecting it.

It is not working because Vietnamization really means trying to achieve a military solution by proxy.

It is not working because at this rate it will be years and maybe never before South Vietnam can completely take over the fighting.

It is not working because no matter how "unified" our country becomes, the

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[1] Secretary of State William P. Rogers terminated his active participation in the work of the Committee after he was designated Secretary of State by President-elect Nixon, December 12, 1968.

[2] Mr. Stevenson assumed his duties as Legal Adviser to the Department of State on July 14, 1969.

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Communists can outlast us in a waiting game and they know it.

But most important, it is not working because a year from now an end to the war still will not be visible. A year with more GI casualties and still no end.

I recommend, therefore, that the United States must cease all offensive military action in Vietnam at once and proceed to withdraw all combat forces as swiftly as can be done without endangering American lives. Our combat forces should fire only in self-defense.

The Government of South Vietnam should be notified that we will continue to aid it with materiel and civilian advice and skills, but that we will no longer participate in any offensive military action. If the Government of South Vietnam does not have broad enough civilian support or military strength to govern, then it must give way. We will protect American lives, but no longer will we seek to kill Vietnamese.

This conviction on my part has come only after the agony of long soulsearching and conscience wrestling. I now believe this is the only way to end the bloodshed of American boys in Vietnam. We have tried other courses without success. Now we must acknowledge our inability to control the battle, to prop up governments, and to dictate the course of events in Southeast Asia. We have not been defeated. We, of course, could stay in Vietnam forever. We could never be driven out. But it would be futile. As a great nation we must face reality.

It is my belief that we became involved in Vietnam for the highest of motives. Our thinking was conditioned largely by events in Korea, where we intervened to halt aggression by a militant neighbor. Painful and costly as it was, we succeeded in Korea and today South Korea prospers and is free. But in Vietnam we tried to stem invasion without success, and we found antigovernment forces everywhere throughout the countryside. And no government has emerged in South Vietnam to command allegiance as did Syngman Rhee in South Korea. The domestic rebellion against the government of South Vietnam has intermingled with invasion from the North to produce a wholly unstable and unmanageable condition in South Vietnam. We have tried to help stabilize this unhappy country and have poured in our blood and treasure without stint. Today we are no closer to our goal of a peaceful and free South Vietnam than we were in 1965. At this point we must be honest with ourselves and with the South Vietnamese. We must halt our participation in the war. South Vietnam must chart its own course, without our troops. We should continue to assist economically and should indicate our willingness to assist in the relocation of persons whose lives might be endangered after our troops have left.

In the beginning, I, like the great majority of Americans, felt that our action in aiding South Vietnam with military advisers, and later with combat troops, was right and would succeed. The optimistic reports of the military through 1965 and 1966 kept this feeling alive.

By 1967 my doubts had set in and in January of 1968 I visited South Vietnam where I was caught in the Tet offensive. Under that severe combat situation, I tended to feel primarily the urgency of staying alive, and I returned still unwilling to abandon our military effort. Throughout 1968 and 1969, I have continued to seek information and informed opinion as my apprehension mounted and my conviction solidified. I applauded President Nixon's announced withdrawal of troops and felt concern only when he qualified his action to a small fraction of our combat forces and reiterated U.S. policy to force the Vietcong and the North Vietnamese to a negotiated settlement. It is my judgment that never will we get a satisfactory settlement—or even any settlement. The Vietcong will never agree. President Nixon should know this. Our only course is to withdraw under conditions of maximum safety for our military personnel. Every day's delay now brings more casualties and mounting dissent. We must disengage at once.

Mr. McGOVERN. Mr. President, will the Senator yield to me?

Mr. MOSS. I am happy to yield to the Senator from South Dakota.

Mr. McGOVERN. Mr. President, I want to take just a moment to commend the Senator from Utah for what I believe to be a most honest, frank, and unequivocal statement of the dilemma that now faces us in Vietnam and the only practical course that is now left to us, which is to disengage from that conflict.

The Senator has very properly pointed out that we have been allied for many years with a political regime in South Vietnam that refuses to take the steps that would give it the confidence and support of its own people. This is not to say anything derogatory about the bravery or the sacrifice of those troops that have fallen in battle, either among the South Vietnamese forces or among our own young men who have fought over there under terribly difficult circumstances for a long period of time. But it is to say that the central lesson of our experience in Vietnam is that we cannot save a political regime abroad that does not have the respect of its own people; that is so corrupt and so oppressive that it is unable to inspire its own people to fight for it.

I do not know how we explain to the parents of young Americans who have fallen over there, supposedly in defense of freedom, that the present regime in Saigon has stayed in power by jailing its critics, non-Communists and Communists alike. There are an estimated 20,000 political prisoners held in the jails of Saigon, including the runnerup contender for the presidency in the election held in South Vietnam.

He said what the Senator from Utah is saying today. He is in jail for 5 years because of it. American troops are still there, being asked to sacrifice their lives and to accept that kind of regime. It will not work. There is no evidence that 1 year, 2 years, or 5 years from now we will be in any better position than we are today.

The Senator from Utah is correct in saying that the withdrawal process is not painless. It is not a sure thing. It is not risk free. Neither is there any evidence that we will be one bit better off many months, many casualties, and many deaths from now.

Mr. President, I ask unanimous consent, with the permission of the Senator from Utah, to have printed at the end of my remarks a statement published in yesterday's Washington Post. The article bears the signatures of six experts of the Rand Corp. As the Senator from Utah knows, this is a group that the Pentagon relies on heavily for military judgment. These six men have come to the conclusion, as the Senator from Utah is aware, that there is no other practical course ahead of us now than to remove our troops. They draw attention, as he has done, to the conflict of interest that exists between the government in Saigon and our own national interest.

I shall read a couple of sentences:

> The primary interest of the present Saigon leadership is to perpetuate its status and power, and that interest is served not by seeking an end to hostilities through negotiations but only by continuing the war with U.S. support. Their interest—

Meaning the interests of Saigon—

> Is thus directly opposed to ours.

I shall read the final paragraph:

> We do not predict that only good consequences will follow for Southeast Asia or South Vietnam (or even the United States) from our withdrawal. What we do say is that the risks will not be less after another year or more of American involvement, and the human costs will surely be greater.

So I congratulate the Senator from Utah for his realism, his honesty, and his dealing so squarely with the position that Americans are going to be underscoring on Wednesday of this week, namely, that the time has come for us to take this terrible burden off our backs and put our own national interests first, the interests of the people of this country first, and to free ourselves from a political regime in Saigon whose interests are increasingly divergent from our own.

Mr. MOSS. I thank the Senator from South Dakota.

Mr. President, I ask unanimous consent that the letter from which the Senator from South Dakota has read be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Oct. 12, 1969]

A CASE AGAINST STAYING IN VIETNAM

Now that the American people are once again debating the issue of Vietnam, we desire to contribute to that discussion by presenting our own views, which reflect both personal judgments and years of professional research on the Vietnam war related matters. We are expressing here our views as individuals, not speaking for the Rand Corporation, of which we are staff members; there is a considerable diversity of opinion on this subject, as on other issues, among our Rand colleagues.

We believe that the United States should decide now to end its participation in the Vietnam war, completing the total withdrawal of our forces within one year at the most. Such U.S. disengagement should not be conditioned upon agreement or performance by Hanoi or Saigon—i.e., it should not be subject to veto by either side.

It is our view that, apart from persuasive moral arguments that could lead to the same conclusion, there are four objections to continued U.S. efforts in the war:

1. Short of destroying the entire country and its people, we cannot eliminate the enemy forces in Vietnam by military means; in fact "military victory" is no longer the U.S. objective. What should now also be recognized is that the opposing leadership cannot be coerced by the present or by any other available U.S. strategy into making the kinds of concessions currently demanded.

2. Past U.S. promises to the Vietnamese people are not served by prolonging our inconclusive and highly destructive military activity in Vietnam. This activity must not be prolonged merely on demand of the Saigon government, who capacity to survive on its own must finally be tested, regardless of the outcome.

3. The importance to the U.S. national interest of the future political complexion of South Vietnam has been greatly exaggerated, as has the negative international impact of a unilateral U.S. military withdrawal.

4. Above all, the human, political, and material costs of continuing our part in the war far outweigh any prospective benefits, and are greater than the foreseeable costs and risks of disengagement.

The opponent's morale, leadership, and performance all evidence his continuing resiliency, determination, and effectiveness, even under extremely adverse conditions (in no small part because of his conviction that he fights for a just and vital cause). Estimates that the opponent's will or capacity (in North or South Vietnam) is critically weakening because of internal strains and military pressures are, in our view, erroneous. Even if a new strategy should produce military successes in Vietnam, substantially reduce U.S. costs, and dampen domestic opposition, Hanoi could not be induced to make any concessions (e.g., cease-fire or mutual withdrawals, so long as they implied recognition of the authority of the Saigon government. Thus, to make the end of U.S. involvement contingent upon such concessions is to perpetuate our presence indefinitely.

Our participation in the war will also be unjustifiably prolonged if we tie total withdrawals to basic changes in the policies and character of the South Vietnamese government. The primary interest of the present Saigon leadership is to perpetuate its status and power, and that interest is served not by seeking an end to hostilities through negotiations but only by continuing the war with U.S. support. Their interest is thus directly opposed to ours. For the same reason, the present Saigon government is not likely to seek the long-awaited improvements and "broadening" of its base. The United States should not obstruct favorable political change in Saigon by unconditional support of the present regime. Yet, we believe, the United States should in no way compromise or postpone the goal of total withdrawal by active American involvement in Vietnamese politics. Such interventions in the past have only increased our sense of responsibility for an outcome we cannot control.

Our withdrawal might itself produce the kinds of desirable political changes in Saigon that the U.S. presence seems to have inhibited, including the emergence of a cohesive nationalist consensus; and it might give better focus to our alliance relationships elsewhere in the world by bringing our Vietnam policy into line with the President's declaration in Guam on the limits of our partnerships.

As for global U.S. interests, the original rationale for a large scale U.S. military effort in Vietnam—the prevention of proxy victories by the USSR or Communist China—has long since been discredited. Moreover, we regard the Vietnamese insurgency as having special characteristics that cannot be considered typical of or exerting decisive influence on other revolutionary movements in Asia or elsewhere. We do not predict that only good consequences will follow for Southeast Asia or South Vietnam (or even the United States) from our withdrawal. What we do say is that the risks will not be less after another year or more of American involvement, and the human costs will surely be greater.

Daniel Ellsberg,
Melvin Gurtov,
Oleg Hoeffding,
Arnold L. Horelick,
Konrad Kellen,
Paul F. Langer,
Santa Monica, Calif.

Mr. MOSS. Mr. President, I thank the Senator from South Dakota for his observations. He has long been a leader in the endeavor to have the United States disengage itself from Vietnam. I have followed carefully his speeches on the subject. In part, they are what has brought me to my final conclusion.

Mr. President, several Senators have asked me to yield to them, so I ask unanimous consent that we may continue for 10 minutes more.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MOSS. Mr. President, I yield to the distinguished Senator from Texas.

Mr. YARBOROUGH. Mr. President, I congratulate the distinguished Senator from Utah for his statement and the position he has taken. I agree with him. I have not had to change my views, because I have never made a speech in support of our policy in Vietnam in all the years that it has been followed. I have thought it was wrong from the beginning. I think it is wrong now.

We helped to pressure the British out of India. We helped to pressure the Netherlands out of Indonesia. But when it came to Vietnam, we reversed our policy. We have been utterly inconsistent. We pressured the French to stay in Vietnam, and we continued to fight even after their defeat at Dienbienphu. Then we gradually interjected our forces into Vietnam under the guise of sending advisers to the military forces of South Vietnam.

Why we should have attempted to retain a colonial power in South Vietnam when we had helped to get the Dutch out of Indonesia and the British out of India is a mystery to me; it simply does not make sense. Furthermore, it is utterly incompatible with our policy in other areas of Asia.

We have apparently attempted to take the place of the French in South Vietnam. Of course, we did not state this as our purpose, but that is what has happened. The people of Vietnam historically have fought long and desperately against foreign powers. They fought the Japanese and the French. Many military leaders have stated that they did not see how the Vietnamese could fight these wars. They have had to use women and children to fight them. This shows their desire to be relieved of a foreign invader. I think that should have some impact on our conscience as a people when we continue a war after women and children have fought and died to prevent a foreign power from occupying their country.

I think the statement of the Senator from Utah is correct. I agree with the position he has taken. I commend him for the long and careful study that brought him to this conclusion. It has strengthened my own opinions of this matter. I think his statement will be of great benefit to all the American people.

Mr. MOSS. I thank the Senator from Texas for his comments.

I am happy to yield to the distinguished Senator from Kansas.

Mr. DOLE. I do not wish to quarrel with the Senator's conclusion. We all have a right to reach our own conclusions. The Senator suggests it has been difficult for him to reach this conclusion; that he has reached it only in the last few days or weeks.

I wonder what the Senator believes our position should be in Southeast Asia. Should we become a second-rate power? Should we dismiss the 40,000 young men who have lost their lives in Vietnam?

I remind the Senator from Utah that that is not compatible with the history of our great country. I understand that George Washington had a few problems in the early days of this country. I understand that there were censorship and political prisoners in America as recently as World War II.

I think that many of us who make judgments about corruption in South Vietnam or other problems in South Vietnam may not have sufficient information. I certainly do not have the information to say on the Senate floor or anywhere else that the Government of South Vietnam is corrupt, that it does not represent the people. But I have spoken with persons who have been there and who indicate that there is a change in South Vietnam, that there is respect for the government, that reforms are taking place.

I would only say to the Senator from Utah that there is a difference in the war today compared with conditions a year ago. There is a new direction in the war compared with a year ago. There is a strategy for peace in Vietnam.

Maybe the withdrawal of 20 percent of our combat troops is insignificant to some persons, but I think it is significant. President Nixon has not escalated the war; he has done everything he could to deescalate the war.

I hope that by his statement the Senator from Utah did not intend to be critical of President Nixon's statement, because on page 3, the President indicates that he is having the same struggle that the Senator had in reaching a very difficult conclusion.

I would only say, on behalf of the President, that the demonstration on Wednesday is not needed for his benefit. He wants peace as earnestly as President Kennedy wanted peace and President Johnson wanted peace.

I nope that on Wednesday we might demonstrate against our enemy, the North Vietnamese, and see if we can get some response from the enemy.

I would hope that the Senator from Utah might join in sponsoring the resolution I introduced along with 34 other

Senators this morning to call upon the North Vietnamese, the National Liberation Front, to make some affirmative response toward the settlement of this war without further conflict and bloodshed.

Mr. MOSS. Mr. President, I appreciate the comment of the Senator from Kansas. Certainly, I wish I could feel there would be response from Hanoi to any resolution agreed upon by the Senate or issued by our Government.

But as I recall, we have been calling upon Hanoi to negotiate now for about 4 or 5 years. In fact, the whole thrust of the Paris peace talks is to obtain response from the North Vietnamese and the Vietcong who are also at the table. We have not been able to obtain any progress and I do not think we ever will.

Mr. DOLE. Mr. President, if the Senator from Utah were from North Vietnam and represented Hanoi at a time when 20 or 30 U.S. Senators were saying, "Do not do anything. We will get out anyway," what response would he make?

Mr. MOSS. I do not know what response I would make. But as I said in my statement, I do not think the enemy will ever negotiate, no matter how unified we are. They have been fighting for their objective for over 20 years. We can never outlast them in a waiting game.

I would also consider it from the point of view of the American troops who are there now and the American citizens at home. How long must they wait for a negotiated settlement?

The Senator from South Dakota asked what we would say to the 40,000 men who have already lost their lives. I say that we should feel humble and grateful to them. However, certainly we will not redeem the situation in any way by losing an additional 40,000 men. We cannot bring back these 40,000 lives tragically lost, but we can save the lives of those half million men still in Vietnam.

The Senator from Kansas asked me if I meant my statement to be critical of President Nixon. I pointed out in my statement that I applaud the President for the steps he has taken to withdraw some of our combat personnel from Vietnam. But I want the rate of withdrawal greatly increased.

I would like to see an immediate cessation of all offensive operations and a concentration only on withdrawing our troops as rapidly as possible without endangering American lives.

It is the only reasonable course we can follow, as I tried to point out. I had hoped, along with most other citizens that we could succeed in our objectives to stabilize Vietnam. I had hoped that a broad-based position could be established in South Vietnam so that we could then withdraw.

But it has not worked. It is a colossal failure. We will lose more and more American lives and spend more and more American money the longer we stay there. And still we will be no closer to our objectives.

Mr. DOLE. Mr. President, I share the view of the Senator from Utah—and every other American does—that we should end the fighting in Vietnam as quickly as we can.

I am afraid, however, that an impression of panic may have been created in America because of the many statements that have been made on the Senate floor. If I were an enemy in the Government of Hanoi and knew that someone here would rise and defend Hanoi and uphold the role of Hanoi in Vietnam, I would want to wait, thinking that sooner or later enough public opinion would be aroused that the United States would have to withdraw.

I know that the Senator feels as I do about the men who have lost their lives. I know something about war and about the tragedies of war. I point out on behalf of President Nixon that he does have a strategy for peace. In all fairness, we cannot expect him to end in 8 months what someone else could not end in 4 or 5 years.

The President wants peace as strongly as does the Senator from Utah, President Kennedy, President Johnson, or anyone else.

I recognize that no brownie points are to be gained from talking about slowing down the withdrawal. However, in the long run, talking about Southeast Asia and our role there, if we do as the Senator advocates and come home, how many more men will we lose in future years in some other conflict?

I do not know. Perhaps the Senator from Utah is right. However, speaking for those 40,000 who have lost their lives, we owe a great deal of gratitude to them.

Mr. MOSS. I thank the Senator. But I must disagree with the Senator. The American people have not panicked. In growing numbers they simply see the futility of our present course. And they are not too proud to change that course.

I do not think it is a partisan matter. I think it rises far above partisanship. I intend to support the President in achieving peace. It does no good to search for scapegoats. There is blame enough for all of us. What we need is a way out.

I have pointed out what I think we should do now to disengage. I hope the President will listen.

Mr. YOUNG of Ohio. Mr. President, will the Senator yield?

Mr. MOSS. I yield.

Mr. YOUNG of Ohio. Mr. President, I thank the Senator for yielding to me.

I congratulate the distinguished Senator from Utah on his address and the position he has taken regarding our involvement in an ugly civil war in South Vietnam.

The question has been asked concerning what our role should be in Southeast Asia. The United States does not have a mandate from Almighty God to police the entire world. I speak with firsthand knowledge of Vietnam. I was in South Vietnam in October of 1965 for nearly a month. Last year I spent nearly a month in South Vietnam and in Laos. I have been in every area of South Vietnam.

I know that the Saigon militarist regime of Ky and Thieu is not representative of the people of South Vietnam. I know that we are involved in an ugly, undeclared, and immoral war in South Vietnam.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that the Senator from Utah have an additional 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YOUNG of Ohio. Mr. President, it is not only my judgment that we are involved in a civil war, but I can also voice statements made to me by our generals in South Vietnam and in Thailand when I was there, substantiating that fact.

General Westmoreland informed me that the bulk of the Vietcong fighting us were born and reared in South Vietnam. Gen. Richard Stilwell, then General Westmoreland's chief deputy, informed me that 80 percent of the Vietcongs fighting us in the Mekong Delta were born and reared in the Mekong Delta, which is south of Saigon. I told him, "Well, we are involved in a civil war." He did not like that. He answered, "Well, it could be termed an insurrection."

The fact is that it is well known in South Vietnam that the militaristic rule of Saigon is not representative of the majority of the people in South Vietnam. It represents 20 percent of the people at most. I know the Senator from Utah is aware that both General Thieu and Air Marshal Ky were born and reared in North Vietnam.

There is no truth in the assertion that our enemy is North Vietnam. The head of the National Liberation Front of South Vietnam is a Saigon lawyer. He is not a Communist.

The fact is that Americans have been sent there by ship and plane. American troops in South Vietnam should be returned home this year in the same manner in which they were sent there—by ship and plane.

Until all our forces can be returned home, we should very wisely follow the advice of Generals Gavin and Ridgway to the effect that we should withdraw our remaining forces there to our coastal enclaves where they would have the umbrella of our airpower and the protection of the 7th Fleet.

Many more than 46,000 Americans have already lost their lives in Vietnam. In addition, 8,000 Americans have been killed in South Vietnam from what the Pentagon terms as accidents and injuries. We never had that credibility gap, so-called, in World War II, as the Senator from Utah knows from his service.

Also, approximately 500,000 civilians—women, children, and old men—have been killed or maimed for life by our bombing and artillery fire. In hospitals in Vietnam I saw pitiful little children, burned and maimed.

I am one who will be very glad to demonstrate next Wednesday for peace. I will be glad to join in that demonstration against our involvement in the longest war ever waged by our Republic, the most unpopular war ever waged, an undeclared war at that, and the bloodiest foreign war, costing the most lives—priceless lives of American youngsters—in a little faraway country which is of no importance whatsoever to the defense of the United States.

I do not have any secret plan to end

the war in Vietnam. However, a good plan, an excellent plan, would to bring our forces home just as soon as possible.

Here we are trying to maintain in power a corrupt regime, as the Senator has stated. It is well known that Vice President Ky has an unlisted account in Hong Kong and another one in Switzerland. We know from the public press that Madame Thieu, the wife of the President of the Saigon regime, recently bought an expensive villa in Switzerland.

Let us withdraw. Let us get out of this war the same way we got in—by ships and planes. The Saigon regime was originally put in power because they refused to permit neutralists and many Buddhists and others to vote. If the soldiers in the ARVN forces, the so-called friendly forces—I say too friendly to fight, when we examine the statistics and see that week after week more Americans have been killed and wounded in combat there than these so-called friendly forces—cannot then maintain the Saigon government, we had better leave at least one plane to take Ky and Thieu out of the country to rendezvous with their bank accounts and to join Madame Thieu in her lavish villa. But we should get out, just as the Senator has said.

I again compliment the Senator from Utah upon the fine statement he has made today.

Mr. MOSS. I thank the Senator.

I yield to the Senator from New York.

Mr. KENNEDY. Mr. President, will the Senator withhold for a brief moment?

VISIT TO THE SENATE BY THE MINISTER OF FINANCE OF THE FEDERAL REPUBLIC OF GERMANY

I do not want to interrupt the dialog which is taking place, but we have a distinguished visitor from the Federal Republic of Germany, the Minister of Finance, Mr. Strauss, who is in the Chamber, and he is on an extremely tight schedule. If it is convenient, I wonder whether the distinguished Senator from Utah would be kind enough to indulge a short recess, without losing his right to the floor when the Senate reconvenes. It would be appreciated by the leadership. It is only intended to have a 4-minute recess, which would provide an opportunity for the Members of the Senate to extend greetings to this very distinguished visitor to our country.

Mr. JAVITS. The Senator from Utah had yielded to me. May I just finish? I know Franz Joseph Strauss, and I am delighted to welcome him.

Mr. MOSS. I yield.

Mr. JAVITS. I shall address myself to this subject tomorrow with the Senator from Rhode Island (Mr. Pell).

Is it not a fact that what the Senator from Kansas (Mr. Dole) has done today—and with the very impressive list of cosponsors—is to pose the issue: Either you are going to pursue a strategy of trying to euchre, pressure, influence the North Vietnamese to make peace in Paris, or you are going to pursue a unilateral strategy, wherever it may hit, whatever it may hit, whomever it may influence; but you are going to turn the combat responsibility over to the South Vietnamese in a reasonable time, ready or not; and this is the real issue before the Senate of the United States.

Mr. MOSS. As I understand it, the resolution of the Senator from Kansas is another plea to the North Vietnamese and the Vietcong to negotiate. But my response to Senator Dole was that we have been pleading, pressing, and pushing for years. Every avenue I know of has been tried to get this kind of negotiation. We have tried bombing them to the negotiating table. That did not work. Now we are trying negotiation. But I think that is an absolute stalemate. The enemy will never negotiate, and I do not think we can force him to, no matter what resolutions we pass, no matter how we wait. Therefore, I suggest my action—a unilateral strategy as the Senator from New York puts it.

ORDER OF BUSINESS

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate stand in recess for 4 minutes in order that Senators may greet our distinguished visitor, and that I be granted the floor when the Senate reconvenes.

The PRESIDING OFFICER (Mr. Inouye in the chair). Without objection, it is so ordered.

RECESS

Thereupon, (at 2 o'clock and 6 minutes p.m.) the Senate took a recess until 2:10 p.m.

[Applause, Senators rising.]

During the recess, Minister of Finance Franz Josef Strauss was greeted by Members of the Senate.

On the expiration of the recess, the Senate reassembled and was called to order by the Senator from Hawaii (Mr. Inouye).

The PRESIDING OFFICER. (Mr. Inouye in the chair). The Chair recognizes the Senator from Utah.

Mr. THURMOND. Mr. President, will the Senator yield for one-half minute?

Mr. MOSS. I yield to the Senator.

Mr. THURMOND. Mr. President, yesterday, Sunday, October 12, 1969, Dr. Strauss, the distinguished Minister of Finance of the Federal Republic of Germany, delivered the dedication address in Columbia, S.C., at a new coliseum at the University of South Carolina. On that occasion he made a deep and lasting impression on the people of my State.

Mr. President, I ask unanimous consent that the address by Dr. Strauss be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Economic, Scientific, Technological and Political Partnership Between the United States of America and Europe

(By the Chairman of the Christian Social Union and Federal Minister of Finance, Dr. H. C. Franz Josef Strauss)

For many years, we have witnessed promising beginnings of a partnership between the United States and Europe in a number of fields: economic, scientific, technological and political. But unfortunately, although we should have known better, we have not been able to establish a genuine and full partnership between the United States and Europe. The reason is that such a partnership requires more than mere cooperation in settling and overcoming mutual difficulties. The idea of an "Atlantic partnership" which once gave rise to high hopes of new forms of progress on both sides of the Atlantic has disappeared in the welter of day-to-day political routine. This is all the more deplorable as such a wider partnership between America and Europe—which would turn the North Atlantic Ocean into an inland sea—would enable us to tackle effectively the great problems of our century. But such a "transatlantic community" presupposes the existence of partners and Europe today is not a partner.

For a time, the world was fascinated by the European experiment. The rapid emergence of the Common Market seemed to raise the curtain on an early sweeping integration of Western Europe which would then be able to speak with one voice. In the meantime, however, it has become evident that a dialogue between the United States and Europe has remained an illusion, even where fields are concerned which have become community matters under the Treaty of Rome. Realization of the United States of Europe has been bogged down in a community narrowly confined to economic objectives and strictly limited to its original members. The conviction that close economic cooperation could not fail to lead to political integration has been demolished. The history of the United States itself shows that political union can overcome economic rivalries more easily than economic union can overcome conflicting political interests.

To enable a dialogue to begin between the United States and Europe the O.E.E.C. was established in 1948. Its task was to coordinate European reconstruction which was financed from Marshall Plan funds. O.E.E.C., however, was not a genuine European partner of the United States, because the relationship between you and us, between the United States and Europe, was in fact a rather one-sided relationship between donor and donee. But in a real partnership there must be give and take. And this presupposes partners of more or less equal size and strength—or at least the possibility of the two being complementary to each other. A giant and a dwarf generally make bad, or even ridiculous, partners, much as the well-known duet of Pat and Patachon.

O.E.E.C. was succeeded by O.E.C.D. and the latter, with its large number of committees and working parties and its broader membership including the United States, Canada and Japan in addition to the old O.E.E.C. members, has grown into a predominantly multilateral institution, drowning the transatlantic dialogue. Neither of these bodies could furnish the organizational basis for responsible American-European initiatives.

Smiliar considerations apply to other international institutions such as GATT, the Bretton Woods institutions, the United Nations development assistance organizations where North America and Western Europe cooperate on a broader basis. Here, the emphasis is on the mutual coordination of national policies and—in certain conditions—on jointly agreed procedures in dealings with third parties.

In some sectors, cooperation on national and supernational levels is well-tried so that a partnership between Europe and the United States might evolve as European integration progresses.

1. TRADE BETWEEN THE UNITED STATES AND THE FEDERAL REPUBLIC OF GERMANY

Trade relations between two countries are reflected in their balances of payments. Up to 1967, the balance between the Federal Republic of Germany and the United States was characterized by large German deficits.

1968 was the first year in which a German surplus was achieved owing to a very large increase in our exports. While the balance on current account between the United States and Germany was just about in equilibrium in 1967, it showed a German surplus of DM 3,500 million in 1968.

In recent years, the United States has been the largest supplier to Germany and the second largest buyer of German goods. In 1968, 13.5 percent of total German imports came from the United States and 10.7 percent of all German exports went to the United States.

The exchange of goods between Germany and the United States, in DM million, was in 1965 imports 9,195.9 exports 5,740.6 with a deficit of 3,445.3 was in 1966 imports 9,177.4 exports 7,177.7 with a deficit of 1,999.7 was in 1967 imports 8,555.6 exports 7,859.1 with a deficit of 696.5 was in 1968 imports 8,849.6 exports 10,833.3 with a surplus of 1,983.8.

The pattern of German external trade was temporarily influenced by the Law Concerning Measures to Protect the Economy from Adverse Effects of External Trade and Payments (taxation of experts and a tax relief for imports). As a result, exports scheduled for 1969 were for a large part already effected in November and December 1968 so as to bypass taxation. In the first quarter of 1969, exports dropped considerably, but then a recovery set in and exports rose again substantially. As far as imports are concerned, they at first slowed down somewhat in the last quarter of 1968, but in the course of 1969 there was a marked increase in imports from the United States.

2. TRADE BETWEEN THE UNITED STATES AND WESTERN EUROPE

Trade between the United States and Western Europe is on the increase. Whereas the increase in United States exports to Europe has in the past years been absorbed by EEC and EFTA in equal proportions, the increase in United States imports has largely come from EEC countries which goes to show their greater economic efficiency.

The pattern of United States trade with Europe, in U.S. $ million. Was in 1966 imports 620.30 of which—from EEC, 341.51; from EFTA, 244.74; exports, 753.02. Of which to EEC, 438.70; to EFTA, 234.95.

In 1967 imports, 651.60. Of which from EEC, 370.04; from EFTA, 240.71. Exports, 816.11. Of which to EEC, 465.15; to EFTA, 264.51.

In 1968 imports, 819.10. Of which from EEC, 487.40; from EFTA, 283.97; exports, 884.17. Of which to EEC, 499.51; to EFTA, 297.84.

Both imports from, and exports to, Europe accounted for approximately 30 percent of total United States imports and exports.

3. NUCLEAR RESEARCH

In the field of reactor development, industrial cooperation has evolved in the form of a general exchange of know-how between Siemens and Westinghouse as well as between AEG and General Electric. In addition, Siemens has recently acquired North American Rockwell's one-third participation in INTERATOM; in exchange, North American Rockwell is said to have received a certain amount of Siemens shares.

There is a licence agreement between Gulf General Atomic and Gutehoffnungshutte under which the latter can utilize the results of Gulf's research work in building reactors in Germany.

Attempts are made to secure cooperation with the United States in developing an Incore Thermionic Reactor (for supplying spacecraft and launchers with power from a reactor). Germany may be in a position to develop a terrestrial prototype of such a reactor, but it cannot test it in space for lack of the necessary launchers.

4. SPACE RESEARCH

There are three agreements on bilateral cooperation in this field: (a) the research programme agreed upon with the National Aeronautics and Space Administration on 17 July 1965 for developing and launching a satellite for measuring the energy spectrum and the flux of electrons and protons in the inner Van Allen belt (Satellite project Azur); (b) a Memorandum of Understanding with the National Aeronautics and Space Administration on developing and launching a satellite for probing phenomena in the upper atmosphere (ionosphere and exosphere), aeronomy satellite; (c) a Memorandum of Understanding with the National Aeronautics and Space Administration on developing and launching a solar probe for studying the solar plasma and interplanetary matter.

In all three cases, the United States make available the necessary launching rockets.

The joint projects just mentioned also comprise an extensive NASA training programme for German engineers.

5. DATA PROCESSING AND MARINE RESEARCH

Germany is at present substantially extending its research activities in these fields and some form of useful cooperation may be expected to evolve sooner or later.

6. ARMS INDUSTRY AND TECHNOLOGY

The origins of cooperation between our two countries in this field date back to the German-American Agreement on the Purchase of Military Equipment by the Federal Republic of Germany in the United States under which the United States agreed to furnish the initial equipment of the newly established Federal German armed forces. In subsequent years, Germany has again and again effected large-scale arms purchases in the United States. These purchases play an important part in the offset arrangements between our two countries. The fact that German firms were charged with maintaining and repairing the arms supplied, and produced equipment under United States licences, has resulted in close cooperation between the arms industries of our two countries. A recent example is the licensed production of the Bell UH–1 D and CH 53 helicopters in Germany. Cooperation which may properly be called American-European has evolved in the case of larger weapon systems which require standardization on the basis of NATO criteria, e.g., the licensed production of the F 104 Starfighter and of the air-defence missile system Hawk as well as the installation of the NADGE system.

As not all German arms requirements could be satisfied by American supplies, a limited German arms industry had to be created. It has since designed and produced the "Leopard", a modern battle tank for which interest has been shown also abroad. The experience thus gained enables us to contribute on an equal footing to the joint American-German project of a Main Battle Tank (MBT or Kpz 70).

Necessarily, international partnership in arms production, as in other fields, demands that both sides should have something to offer. But as yet American-European, and particularly American-German, arms trade has been a "one-way" affair. While Germany purchased and still purchases many thousand millions dollars worth of arms in the United States, German arms exports to the United States have so far been more or less limited to a few 20 mm guns manufactured by Rheinmetall.

One of the reasons for this is that it is not Germany's ambition to build an arms industry which could compete with anything like yours. In the interest of offset, we shall continue to buy as many as possible of the arms we need in the United States. "As many as possible" means, of course, as far as the equipment offered meets our special requirements and as far as the price is within our means.

Moreover, it is only in a limited number of fields of arms technology that a small country like Germany can reach a level permitting it to cooperate with your great country as an equal partner. We have, for instance, been able to gain some experience in vertical/short takeoff and landing (V/STOL) aircraft technology which we are now contributing to a joint American-German V/STOL aircraft technology programme. In addition, the National Aeronautics and Space Administration is interested in the technological concept embodied in the German V/STOL transporter Do 31, and is studying whether and to what extent V/STOL aircraft can be used for civilian feeder lines.

But real partnership with your country in the field of arms technology will not materialize until the small German arms industry has been integrated with that of other European countries so that yours will have one opposite number. Dealing with a bigger partner will certainly be more profitable for you. If the European arms industries—for the benefit of our Alliance—are to contribute to the technological superiority of the free west, they will have to start by establishing closer cooperation among themselves.

An important step in this direction is the agreement between the Federal Republic of Germany, the United Kingdom and Italy on the joint development and production of a Multirole Combat Aircraft (MRCA). It is regrettable that France did not find it possible to join. The MRCA programme opens up new possibilities for a genuine partnership between Europe and America in the field of arms technology. For an American contribution will be of great importance. In particular, I have in mind how far your industry is ahead in the field of electronics which is becoming increasingly important in modern high-performance aircraft.

But even a European arms industry will neither be in a position nor wish to compete with the arms industry of a world power like the United States. Rather, its role would be that of supplementing and strengthening the potential of the American arms industry in the interest of our western defensive alliance.

7. DIRECT GERMAN INVESTMENT IN THE UNITED STATES

Direct German investment in the United States is grossly inadequate as a basis of a useful and sound partnership between our two countries. In 1968, it accounted for 8 percent of the total volume of German investment abroad. The share of German investment in total direct foreign investment in the United States was 3.2 percent (or DM 318 million). This is a poor show compared with American investment in the Federal Republic of Germany which amounted to $3,077 million in 1966 and to $3,487 million in 1967.

Between 1 September 1961 and 30 June 1968, the United States invested DM 7,500 million in Germany. New investment by German business in the years 1964–1968 on the other hand, amounted to DM 844 million.

The reasons for this relative inactivity on the part of German business abroad are twofold:

(a) it is undercapitalized;

(b) it twice lost its capital invested abroad.

It is evident that German external trade and payments relations are based on an expanded exchange of goods rather than on capital transactions. The reverse is true in the case of other large industrialized nations. Admittedly in recent years, when the Federal Republic achieved large balance of trade surpluses, German external accounts were to a great extent balanced by capital exports, particularly in the form of portfolio investment. This way of balancing a country's external accounts by lendings may be justified in the case of a temporary imbalance, but in the case of structural trade surpluses capital exports in the form of direct private investment should have preference. In fact, it is closer financial interrelation between countries which is the basis of genuine partnership, that is, of a mutual exchange of technological and organizational information. Direct investment furthers the integration of national economies and favours the international division of labor; the resulting growth benefits all concerned. That is why the 1969 Tax Adjustment Law encouraged German investment abroad by fiscal measures. They might be supplemented by credit policy measures which are under discussion at present; the problem here is to avoid the devil of interventionist controls and the deep sea of massive subsidies.

8. THE ATLANTIC ALLIANCE

It is indispensable for the preservation and defense of the freedom of the West that we Europeans should in future bear our fair share in the Alliance which is commensurate with our strength and our economic resources. The conviction that the security of the United States requires the continued existence of the Atlantic defensive alliance is still valid. If Western Europe were drawn into the Soviet orbit, that would be the beginning of the end of a free United States. Yet, we Europeans have no right to expect our American friends and allies to be forever responsible for Europe's freedom and destiny. Rather, it is our duty to strengthen our continent ourselves in order to relieve the United States of some of its many tasks. This is possible only if NATO is transformed from a defensive alliance for United States protection of the free European nations into an American-European pact. And such a pact of two continents can only be brought about if first the west European partners of the United States get together to form a group within the Alliance with the aim of joint political action as the result of co-ordination and co-operation among themselves. The first task of such "grouping"—to give it a deliberately undramatic name—should be to take stock of the confused European situation.

(*a*) *The Kremlin's strategy*

The Kremlin's strategical plans remain clearly discernible, although some people are trying to revive their pipedreams and to cover reality again by a veil of error, delusion and cant. During the night which preceded August the twenty-first, nineteen hundred and sixty-eight the Soviets by occupying Czechoslovakia consolidated the "cordon stalinaire" around their European sphere of influence, and thus unmistakably disproved the theory that in wise restraint of their way they might be disposed to transform their empire into a "commonwealth" of sovereign states. Their military action was buttressed by a political doctrine pronounced "ex cathedra" by Leonid Bezhnev. This doctrine lays down the law that the Soviet Union has the right to intervene in any socialist country of the communist camp wishing to shape life within its frontiers and contacts with others outside too much according to its own needs. At the same time, when it seems opportune and expedient to do so the Soviet Union seeks to intimidate by ruthless threats any "capitalist" state not bowing to this doctrine unquestioningly—a case in point was its announcement that it would invoke the so-called enemy clauses of the United Nations Charter against Bonn to bring it to heel. The Soviets want a divided Europe and ultimately a Europe under their control, and for this purpose they find it very useful to talk of German revanchisme and of a—fictitious—German threat.

(*b*) *The main functions of the Atlantic Alliance*

In this situation, and for quite some time to come, the Atlantic Alliance has two main functions. One is to maintain the military balance which so far has prevented aggression and black mail, and will continue to do so in the future. The other is to maintain the political unity of action among European countries and between Europe and the United States. If the Alliance should fail to fulfill these functions, the Soviets will sooner or later by subtle political manoeuvres find the weak spot which they can explicit to divide us and ultimately bring us under their control. In the foreseeable future, maintenance of the Alliance will remain the only effective response to the undiminished challenge from the East and thus the only guarantee of our common security. But the Alliance must be adjusted to changes and developments in the world. The only way to do this is by strengthening the European element of the Alliance. Europeans must cooperate more closely in the field of defence, and must step up their military effort, gradually integrating their armed forces. On this basis, a new shape of the Alliance will have to be worked out with the United States within the framework of NATO reform.

(*c*) *European security conference and European peace system*

To moot this subject in the supposed interest of Western security throws a glaring light on the pipedreams and illusions of some Western—and particularly Western German—politicians. I regret that I have to include the outgoing Federal German Foreign Minister and many of his party friends. In my view, the old socialist dream of an All-European security system that could be built if all European nations left both NATO and the Warsaw Pact, would mean the end of the Western world. It is therefore a hopeful sign that the scheme of a so-called European security conference and European peace system has been coldly received in the United States and France. To my mind there is every justification to fear that it would only put the seal on the status quo and the division of Germany. One must be grateful to Mr. Alistair Buchan, Head of the Imperial Defence College and formerly Director of the Institute for Strategic Studies, for countering the idea of a European security conference advocated by the former Soviet Ambassador in London, Mr. Ivan M. Maisky, and refuting the claim that the forces of peace were stronger in Europe today than the forces of war, pointing to the following facts:

1. that the Soviet invasion of Czechoslovakia has increased the number of Soviet troops permanently stationed in Europe by 20 per cent;

2. that the military budget of the Soviet Union has been steadily increasing in the past four years whereas that of West-European countries has remained at the same level;

3. that military circles have obviously gained greater influence in the Kremlin than they had before.

Likewise, Mr. D.E.T. Luard, Labour M.P.: for Oxford, rightly emphasized that what the Soviet Union hoped to achieve at a European security conference was restoration of its damaged prestige, stabilization of its western front, enhancement of the status of the Soviet zone of Germany, recognition of the Oder-NeiBe line and disposition of the United States to withdraw its forces from Europe, whereas this conference was not likely to yield anything of any benefit to the West. As matters stand, we West-Europeans cannot but urgently appeal to our American friends to keep vigilant guard with us so that the dangers lurking behind this seducing facade may be recognized in time. If the Soviet Union were honestly interested in European security and in reinforcing world peace, it would have to be more explicit about, or at least to give some indication of, the steps which it would be prepared to take itself with a view to solving this problem. But before this has happened, any innocent acceptance of such Eastern proposals would mean playing with fire and might jeopardize the freedom of all of us.

(*d*) *Common strategy for the defence of Europe*

In the immediate future, the most important task is to work out a common strategy for the defence of Europe. Its principal objective must be the maintenance of peace.

What we need in the future is not a military defense concept, but a political security concept in line with the progress of technology. Strategy and technology will have to concentrate on the one task which will count in future, that is, credible and effective deterrence. The credibility and effectiveness of deterrence will be exclusively determined by three inseparable elements of equal importance:

The chain of deterrence must have no gaps. Any gap closed by conventional means only will destroy the whole deterrent effect.

The deterrents must be adequate and at least equivalent to the potential of the enemy.

The use of the deterrents in case of aggression must be compulsory. Only then will deterrence be credible.

(*e*) *Nuclear division of labour between Europe and the United States*

A concept of European security which meets these requirements is conditional upon a "nuclear division of labour" and, at the same time, closer co-operation between the United States and its European allies. But such a more sophisticated strategy which would imply that United States power would not need to be brought to bear at the very first moment, cannot be applied unless Europe is able to protect itself. The larger countries of Western Europe have the human, financial and therefore economic resources to create their own joint and efficient defence. What is lacking is the determination to do so. There is no room in Europe today for a purely national defence policy; such a policy would be entirely out of the question where nuclear strategy is concerned, for this calls for planning space which just does not exist within the narrow confines of individual European countries. That is why in the long run we need a European defence organization. It is the only chance Western Europe has of becoming a potentially equal and autonomous military partner of the United States within NATO in the foreseeable future. The first step could be for Great Britain and France to pool their nuclear arms, creating the core of a European nuclear force to which the other European countries could make appropriate contributions. In this initial stage of the community, the order to use nuclear weapons could only be given by the existing authorities in whose territories parts of the nuclear arsenal were located. In this way, it would be possible very soon to get two effective western strategic systems which would be complementary, but autonomous, with one headquarters in Washington and the other on the European continent. I should like to emphasize that this concept would not give Germany national control over nuclear weapons. The aim must always be to transfer control over the use of weapons from national authority to community authority, to a central government. Only, such an authority must first exist, and it could only be embodied in the sovereign figure of the President of a European Federation. And for this stage to be reached, it will be necessary to accept solutions along the lines just set out.

It is difficult to understand why this idea should be attacked on the grounds that it involves the danger of creating a third nuclear power which—independent from the United States and the Soviet Union—could trigger nuclear chaos. The fact that Britain and France are nuclear powers in Europe seems to be completely overlooked. Actually, creation of a European nuclear force would reduce the number of existing nuclear powers by one, and eliminate the risk of national panic accidentally precipitating a collision.

If this project of an American-European partnership is to be realized, which I consider essential to preserve our freedom, then all of us—you, ladies and gentlemen, your government and all Europeans have one great common objective, that is: to promote untiringly

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and unconditionally the political integration of Western Europe so that a genuine American-European partnership may result to our mutual benefit. Only then will the presently precarious state of our security and of world peace give way to stable conditions.

VIETNAM

The **PRESIDING OFFICER**. The Senator from Utah has the floor.

Mr. **MOSS**. Mr. President, I realize we are technically in the morning hour and that my time has been extended two or three times by unanimous consent. I am happy to go on as long as the Senate agrees. I appreciate the comments of my colleagues, which have been pointed and thoughtful. However, I do not want to trespass on the time of other Senators.

Mr. **YARBOROUGH**. Mr. President, will the Senator yield for a question?

Mr. **MOSS**. I am happy to yield.

Mr. **YARBOROUGH**. Did the Senator hear the figures on the total American casualties in the Vietnam war which the distinguished majority leader, the Senator from Montana (Mr. MANSFIELD), stated at Salt Lake City on Saturday evening?

Mr. **MOSS**. Yes.

Mr. **YARBOROUGH**. The casualty figure is over 290,000.

Mr. **MOSS**. Total casualties; that is correct.

Mr. **YARBOROUGH**. Does the Senator know what the total casualties were in the war in Korea?

Mr. **MOSS**. I do know the number except I know they are less than the total in South Vietnam.

Mr. **YARBOROUGH**. At the present rate our casualties in the Vietnam war will in a few more weeks exceed the casualties of World War I.

Mr. **MOSS**. I think that is a correct figure, which gives some measure of the magnitude of the war we are carrying on.

The **PRESIDING OFFICER**. The time of the Senator has expired.

Mr. **MOSS**. Mr. President, I ask unanimous consent that I may proceed for 3 additional minutes.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **MOSS**. Mr. President, I now yield to the Senator from Ohio.

The **PRESIDING OFFICER**. The Senator from Ohio is recognized.

Mr. **SAXBE**. Mr. President, I have read the Senator's statement and I have heard the remarks and comments of Senators today. I hasten to agree with the general feeling.

We have discussed this matter quite frequently. There is nothing Congress can do to end this war. There is nothing Congress can do to bring these troops back. It is a matter for the Executive. I have had the feeling in the last 10 days, and the remarks of Secretary Rogers over the weekend would seem to indicate, that the administration is beginning to feel the urgency—I think approximately 8 months too late—of getting the troops out of Vietnam. They realize what the great majority of American people felt some months ago, that, when the decision was made to make this a political war and not a military war, it was all downhill for us. When we gave up the option of bombing the harbor, when we gave up our option of cutting off supplies, we violated all rules of warfare. Those of us who attended military academies have been taught—and it has been taught for centuries, I suppose—that the way to defeat an enemy is to isolate the battlefield and then destroy those troops there. We gave up this option several years ago. There was nowhere to go except this continuing guerrilla warfare which requires something like a 6-to-1 ratio. We have never been able to do it successfully. We know our troops individually have been victimized by the very nature of the Vietnamese. They have been exploited in everything. We know we must get out.

But I do feel, and it is one of the reasons I joined the Senator from Kansas (Mr. DOLE), that the administration is beginning to feel this urgency and it is only through them that we can act. I have no desire to let up on the pressure because I cannot help feeling that pressure is what has put them in this frame of mind, which I believe is correct. I want to see this reflected in the time they ask for and I want to see these troops on the way home and as scheduled to assure an orderly withdrawal so that no GI's life is put in peril by these actions. The only place that schedule can come from is over in the Pentagon and from the White House. So, while we can point out what they should do, there is only one place it can be done. I think our pressure is well put.

I do not support the moratorium, as many Senators do.

The **PRESIDING OFFICER**. The Senator's time has expired.

Mr. **MOSS**. Mr. President, I ask unanimouse consent that I may proceed for an additional 2 minutes.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **SAXBE**. Mr. President, I do not support the moratorium, as I said on the floor, because, well intentioned as these young people are who put this matter together, and I have had letters from college presidents and others and I know how well intentioned Senators are, I question their ability to keep it out of the hands of the "crazies" who have moved into the area, not because of the war but because they are looking for a cause any place to cause disruption and revolution. I despair of their ability to handle the situation. It is for that reason I do not join.

Second, they ask for 2 days in November, and 3 days in December. If it does not work there is no problem, but if it does work, and nothing is going to happen to get all of our troops out of there if we start today, in 6 months we would have a week of trouble when we can least afford it next spring.

I commend the Senator from Utah. He, as I, looks forward to the day we can get down to the really important things in this country and leave behind the sad memory and the mistakes of Vietnam.

I thank the Senator.

Mr. **MOSS**. I thank the Senator from Ohio for his comments about the conduct of the war. I, too, think there have been some mistakes in the conduct of the war but I think, as I said in my statement, that we have tried to pattern our experience largely on Korea where we also fought a limited war, and finally came to negotiate a cease-fire. We thought all along we could achieve the same thing in Vietnam but we were wrong. We have not been successful, however, because of bad military tactics, but because of the political realities of South Vietnam.

I agree that the orders, whatever they are, are going to have to come from the Executive and military to move things. But I do not think we are without great influence in Congress. We can express a point of view. In the final analysis, we have to fund the war so they must come back to this reservoir of power if they want to continue this war.

Mr. President, this represents my point of view. I have tried to state it carefully and in a restrained manner. I appreciate the motivation of all Members of this body, who I am sure are struggling to find what they consider to be the proper solution to concluding the bloody conflict that goes on in Vietnam.

Mr. **GORE**. Mr. President, will the Senator yield?

Mr. **MOSS**. I am happy to yield to the Senator from Tennessee.

Mr. **GORE**. Mr. President, I have listened with interest to the very learned remarks of the distinguished Senator from Utah. I congratulate him upon his contribution and upon the contributions of other Senators which he has drawn forth.

Perhaps the Senator will recall that the senior Senator from Tennessee was the first person in this Chamber to express the conviction that the policy of phased withdrawal was not a path to peace but rather a program that would prolong the war. I reached this conclusion, in essence, because the policy of gradual withdrawal, incremental or phased, over a period of time, was tied to the survival of the Thieu-Ky regime in Saigon.

I felt and still feel that the best avenue to peace is the utilization of the overwhelming presence of the United States in South Vietnam to persuade a coalescence of the forces, factions, factors, and personalities in Vietnam. Unless the people who live there, whose country it is, are willing to live together in peace, there is no way that a country even as powerful as the United States can enforce a peace.

Mr. **MOSS**. I thank the Senator from Tennessee and all other Senators who have made these observations. I agree with the Senator from Tennessee that ultimately the decision of what happens there must come back to the people of South Vietnam themselves.

As I said in my original statement, the longer we stay there with military forces and prop up a government that does not command the allegiance of the people, the fighting will continue and no peace can come.

Perhaps when we withdraw, the present government will collapse, if it has not broadened its base. Then that government must give way to some other government; but, eventually, there has to be a government in Vietnam that will command the allegiance and respect of the great majority of the Vietnamese people. When that is done, then peace will be restored.

I think that our worrying about the composition of that government has now become quite irrelevant. It is just the fact that there must be a government which will command the allegiance of its people. But it is not for us to decide what that government will be. That is for the Vietnamese to decide.

Mr. GORE. I suggest to the able Senator that the credibility of our whole democratic system is being put to a severe test.

Mr. Lyndon B. Johnson was elected President of the United States on a commitment to the American people, a promise, that American boys would not be sent into a land war in Asia to do what Asian boys should do for themselves.

Shortly after his election, I learned that plans were underway to send combat forces to Vietnam. I went to the White House, in an effort to dissuade President Johnson from committing ground troops to a land war in Asia. He reviewed the war with me. To make it brief, he said that President Eisenhower had sent advisers, that President Kennedy had sent more advisers, technicians, and aides, but that this was not enough and that he, President Johnson, must either withdraw the advisers, technicians, and aides, or send in combat troops.

He then made a very pointed remark to me, which I quote:

> I am not going to be the first President to run.

I did not think that should be the question. I thought the question was the adoption of a wise policy for the United States under all these circumstances.

To make a brief analogy, Mr. Richard M. Nixon was elected President of the United States on a promise, specific and stated, a commitment to the American people to end the Vietnam war.

Six months after his election, there were more men in Vietnam than on the day of his inauguration. In the 9 months since his inauguration, we have had more than 68,000 American casualties in Vietnam.

Now President Nixon is quoted as having said—although he did not say this to me, as President Johnson did—but he is quoted widely as saying:

> I am not going to be the first American President to preside over a defeat.

That should not now be the question, either. But after these two commitments to the American people, President Nixon is now pursuing the same policy, and making the same defense for policies and failures, as did former President Johnson.

What are the American people to do?

I do not like to set legislative deadlines. Frankly, I think that is a meat-ax approach. But, if the representatives of the people have no choice other than between a meat-ax approach and the continued meat grinding of our sons, it will be a hard choice, and the outcome may be unpredictable.

Yes, Mr. President, the credibility of our society, of the democratic process, of popular government is now being put to a severe test.

We are proud to say that the people are the masters of their destiny, but when they make a decision upon the basis of commitments from people seeking highest office, and when those commitments are violated, it raises doubts. It creates hopelessness and frustration. This lends itself to extreme action.

I say to the Senator that debate in the Senate may be strident, but strident debate is not so costly as the lives and bodies of 68,000 American boys.

Mr. DOLE. Mr. President, will the Senator from Utah yield?

Mr. MOSS. I yield.

Mr. DOLE. Let me say, in response to the Senator from Tennessee, that I have often heard recitals on the floor of the Senate about how we became involved in South Vietnam. I believe the Senator from Tennessee voted for the Gulf of Tonkin resolution and in fact, all Senators did except two. That indicated, to me, at that time, that there was some support from the Senator from Tennessee for U.S. policy in Vietnam.

In debate, at least by inference, it has been indicated that President Nixon has not changed policy. The repeated statement has been made that there were more troops in Vietnam in February or March than when President Nixon came into office in January. As has been pointed out in this Chamber, those troop movements were programed, as the Senator knows, last year. The point is that every Senator wants the war to end. There is a difference of opinion on how it should be ended. I happen to believe that President Nixon is on the correct course for peace, and that he does have a strategy for peace. He did not say he was going to end the war on January 21, 1 day after having been sworn in on January 20. Further, I would remind the Senator from Tennessee that Mr. Nixon is the first President since we became engaged in war in Vietnam to bring our boys back alive, to reduce the number of troops, and to deescalate the fighting.

I would guess that President Nixon has access to almost every fact there is to know about Vietnam. I would also say, as President Truman said so well: that President Nixon knows, "the buck stops here."

It is easy for me or other Senators to go around making judgments and criticizing, because we do not make the hard decisions. I know that everyone regrets and deplores the loss of one single life in South Vietnam.

We also deplore the injuries suffered by many of our boys. One can go to Walter Reed Hospital and find young men of 18, 19, and 20 years of age with arms gone, legs gone, and a variety of injuries. General MacArthur said we should never become involved in a land war in Asia. The Senator pointed out what President Johnson did. President Kennedy sent the first combat forces there. President Johnson sent troops there. President Nixon came into office in 1969, and he has had 8 short months to end the Vietnam war.

I ask the Senator from Tennessee, if he were the Hanoi government, and every day on the Senate floor Senators were saying, "We are not going to do anything but bring the boys home," how would he react?

I would guess the Senator from Tennessee supported negotiations. Many critics were for negotiations 8 or 10 months ago. Now some critics are saying, "Negotiations are not working; we must do something about it. We must withdraw on a unilateral basis." If we look at the war we can see there has been a change in the direction of our policy toward the war.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. GORE. Mr. President, I ask unanimous consent that the Senator from Utah may continue for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORE. Mr. President, will the Senator yield?

Mr. MOSS. I yield to the Senator from Tennessee.

Mr. GORE. Mr. President, it is not a question now of the Tonkin resolution. It is not a question of who erred and how tragically. The real question now is a policy for peace. Like other Senators, I wish peace, I wish to aid President Nixon in achieving peace; and I suggest that his policies are contradictory and self-defeating, and I hope that by calling attention to that fact, the policies will be altered.

The President says, on the one hand, that he is for self-determination by the people of South Vietnam, and he adds that this is not negotiable. But then, secondly, he says that he stands firmly behind and beside Mr. Thieu, who in turn says that he must run such elections as are held. Indeed, he says, no elections can be held until 2 years beyond some as yet unspecified date. He says, moreover, that there will be no coalition government, "not even for a reconciliatory government."

So, on the one hand, President Nixon's policy proclaims self-determination by the people of South Vietnam, but, on the other hand, he says, in effect, You must keep Mr. Thieu.

Mr. President, we must have a policy for peace, and that policy can be found within the framework of the Geneva accords, to which we once adhered, but to which neither we nor the other side has remained loyal.

This is in no sense, in my view, an expression of partisanship.

Mr. DOLE. Mr. President, will the Senator yield?

Mr. GORE. In just a moment. I said the same thing when President Johnson was our Chief Executive.

The thrust of the sentiment in this country is for a settlement of the war; and to tie the United States to the survival of the Thieu regime and to equate peace for America——

Mr. DOLE. That is the statement of the Senator from Tennessee.

Mr. GORE. With the political success of President Thieu is not a program for peace but one to prolong the war.

Mr. DOLE. Mr. President, will the Senator yield?

Mr. GORE. I do not have the floor.

Mr. MOSS. Mr. President, I am glad

to yield to the Senator from Kansas. Then I would like to conclude.

Mr. DOLE. Mr. President, I generally share the sentiments of the Senator from Tennessee, but do not believe he is stating President Nixon's position when he equates peace with support of the present Thieu regime.

On May 14, President Nixon set forth eight specific proposals for peace, they were not tied to any regime.

Mr. GORE. Mr. President, will the Senator yield?

Mr. DOLE. I yield.

Mr. GORE. I took the floor and praised that speech, but then President Nixon went to Midway and tied us to Mr. Thieu.

Mr. DOLE. I do not know about that, but I am sorry I missed a speech in which the Senator praised President Nixon. We have had the other side of this issue presented almost daily and, starting today, we will have the other side presented. This is not a Republican or a Democratic proposition; it is not a partisan issue. I just happen to believe that there has been a one-sided presentation on the Senate floor and by the American media. One would believe there is panic in the U.S. Senate and America and that we will do anything to get out of Vietnam. This is not an accurate impression, and the people of the United States should be properly informed.

Mr. MOSS. Mr. President, in my statement I think I tried to make it perfectly clear that this was not a partisan issue. It rose above partisanship. The Senator from Kansas seems to think it is, in some way, and that he is called upon to defend the President's point of view.

I praised President Nixon for the withdrawal of such forces as came out of Vietnam. My only statement was that I felt it had been temporized too much and that it was qualified. I want him to state categorically and immediately that all offensive action will cease.

I am not saying that in criticism of any political party or any political leadership. I am just trying to state the position I think the United States should take. I am doing it on the floor of the Senate, in the presence of my colleagues, because I think the President must eventually listen to the Senate as he must listen to the people when they demonstrate peacefully.

I do not want us to degenerate into a partisan wrangle. I want us to stop the killing in Vietnam.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senator may have 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, if the Senator will yield, I want to join the other Members of this body who commended the Senator from Utah this afternoon. I think he has presented, in a very concise and reasoned and thoughtful way, a sound and useful proposal. I am certainly hopeful that it will receive consideration by those who are developing our policy and recommendations. I think the Senator has obviously given the matter careful thought and consideration. He has made a useful contribution to the whole dialog on a difficult and complex problem, as has been brought out there this afternoon. It is a many-faceted problem. I think the Senator has shown an incisiveness and a reasoned thoughtfulness which will help many of us in this body.

I join the other Senators in commending him for his statement.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. MOSS. I yield.

Mr. YARBOROUGH. The question for consideration raised by the Senator from Tennessee is why, in view of the overwhelming sentiment of the American people we have not been able to disengage in Vietnam. We wonder why we had three candidates for the Presidency in the 1968 election, all of whom were war candidates. The problem is that we do not have a democratic system of nominating a President. Unfortunately, our political conventions are controlled by cliques. What we need is greater democracy in nominating the President. We need national preferential presidential primaries. I feel that if we had had national preferential presidential primaries, some candidate would have come forward and said, "I will settle the war." President Eisenhower did in 1952, and he won overwhelmingly on that platform. Had we had any candidate last year who unequivocally had promised to end the war, he would have won by a landslide.

I have felt this sentiment over the country, and I am hopeful that the reforms that the Democratic Party has proposed, and reforms which have been talked of in the Republican Party as well, will take place. I hope that both parties will reform their nominating procedures before 1972, to provide a greater voice for the people of this country in the nomination of candidates for the Presidency.

I thank the Senator for his great contribution today.

Mr. MOSS. Mr. President, I yield the floor.

SWEDEN: OUR GOVERNMENT GUILTY OF AFFRONT TOWARD A GREAT AND STABLE EUROPEAN NATION

Mr. YOUNG of Ohio. Mr. President, Olof Palme, recently chosen as Prime Minister of Sweden, is the most outspoken critic of the heads of government of any European nation against our policies in Vietnam. He has denounced the United States as an aggressor in Vietnam.

Palme is leader of the Social Democratic Party. He received a bachelor's degree at Kenyon College, Gambier, Ohio. He studied law in Sweden. He is still a young man, and his rise to power in 10 years has been spectacular.

Recently, he stated:

> I am not anti-American but I denounce United States aggression in Vietnam. I sorrow that a country such as the United States where I attended college and where I have many affectionate friends has been an aggressor in a civil war in south Vietnam on the side of a minority opposed to national liberation.

Formerly, as Minister of Education he participated in Stockholm in an anti-American demonstration walking side by side with the Ambassador from North Vietnam. Recently he directed a grant of $40 million as foreign aid from Sweden to North Vietnam.

Prime Minister Palme has also been outspoken in his denunciation of the fascist colonels who crushed democracy in Greece, and he has assailed his powerful neighbor, the Soviet Union, for its aggression against Czechoslovakia. This wise young national leader recently reiterated Sweden's support for the admission of Communist China to the United Nations.

To date, President Nixon has refused to nominate an ambassador to Sweden. That post has been vacant since the departure of Ambassador William W. Heath on January 23, 1969, 3 days after President Nixon took office.

What valid reason can there be for this administration's continuing affront to the Swedish people in refusing to normalize diplomatic relations between the United States and Sweden? How can Nixon administration officials or our Secretary of State justify this policy when they continue diplomatic, economic, and even military support of fascist dictatorships in Greece, Spain, Haiti, Brazil, Argentina, Paraguay, to name a few of the nations ruled by fascist tyrants?

Can it be claimed that Sweden is engaged in hostile action against the United States? Has she alined herself with our so-called foes? Of course not. The fact is that Sweden historically has been neutral. Sweden has not been involved in a military conflict since 1814. As stated, Prime Minister Palme has publicly denounced leaders of the Soviet Union for their aggression in Czechoslovakia. Sweden is neither a member of NATO nor the Warsaw Pact nations.

As for Sweden's policy of nonalinement, is her friendship toward the United States less valuable and less sought after than that of such nonalined nations, so-called, as Switzerland, Finland, Burma, Indonesia, and Tanzania, to name a few neutral nations with whom we maintain cordial diplomatic relations?

Is Sweden's democratic form of government repugnant to our sensibilities? Manifestly not. The fact is Sweden is one of the world's freest societies, a nation with a long tradition and history of freedom and democracy.

Does the President delay naming an ambassador to Sweden because the Swedish Government disagrees with our involvement in a civil war in South Vietnam? The fact is that the United States maintains excellent diplomatic relations with a number of nations whose chiefs of state are extremely critical of our fighting an immoral, undeclared war in Vietnam—a war that has caused the death or maiming by our bombing and artillery fire of at least 500,000 Asian civilians—women, children, and old men. Among these nations are India, Pakistan, and France, not to mention the Soviet Union and other Eastern European nations giving active diplomatic, economic, and military support to the National Liberation Front, the VC, and to North Vietnam.

Does the President refrain from appointing an ambassador to Sweden because Sweden has offered asylum to American servicemen, many of whom in good conscience believe that they cannot participate and kill in what they consider an immoral war? Evidently not, because the United States maintains extremely friendly relations with Canada, our neighbor to the north, which has also opened its doors and provides safe refuge and, in fact, hospitality and friendship to hundreds of young Americans who are evading the draft for conscientious reasons and refuse to serve in what millions of Americans regard as our involvement in an undeclared, unpopular, and immoral war.

The Prime Minister of Sweden recently stated:

> We shall continue to repeat simple but important truths. That the longing of peoples for freedom cannot be beaten by violence. . . . That peoples have the right to decide over their own destiny.

These are truths which were, in fact, embodied in 1776 in our Declaration of Independence.

Mr. President, Sweden is increasingly taking on a greater role in foreign affairs. Sweden is a dynamic young country with one of the world's highest standards of living. The per capita income in Sweden is surpassed only by one Nation—the United States. President Nixon's failure to name an ambassador to Sweden constitutes a continuing unwarranted and unconscionable insult to the Swedish people. In the long run, it will prove harmful to our Nation.

Olof Palme will officially become Prime Minister of Sweden tomorrow. President Nixon could make no finer expression of the traditional friendship between the United States and Sweden than by announcing his intention to name an American ambassador to Sweden without further delay.

ADMINISTRATION RESEARCH CUTS THREATEN NATION'S HEALTH

Mr. YARBOROUGH. Mr. President, our Nation is facing a crisis in the field of health care. Every day we fall further behind in the race to provide adequate care for those who are ill and injured in our society. Earlier this year President Nixon correctly assessed the situation when he warned:

> The Nation is faced with a breakdown in the delivery of health care unless immediate concerted action is taken by government and the private sector.

But rather than stepping up health programs, the administration has wielded a cruel ax and severely cut the existing programs, intensifying the imminent disaster and callously disregarding the lives and hopes of those Americans suffering from diseases.

In the October 13, 1969, issue of the Washington Post, reporter Victor Cohn, in his front-page article entitled "U.S. Scientists Fear Further Cuts in Aid," brilliantly illuminates the disaster which threatens our Nation. Drastic reductions in Government research grants will seriously deplete our future supply of Ph. D's. and M.D.'s. At a time when we desperately need to increase the number of doctors, researchers, and teachers, the administration has effectively undermined our medical schools and laboratories. As Mr. Cohn points out, health and science budgets are 40 percent less than in fiscal year 1967 and the Department of Health, Education, and Welfare forecasts no research increases until 1973, to take up the losses in the past 3 or 4 years.

The situation is worsening every day. Within the past month, 360 valuable monkeys were exterminated at the National Cancer Institute. This was done because the money had been cut off. These were monkeys being used in research on cancer virus to determine whether cancer is transmitted in such a fashion.

It will be necessary to do away with dogs, monkeys, baboons, and other valuable animals. Much time will be lost, because these animals had been infected with virulent germs to determine what germs were transmissible.

We have lost out on research and are turning back the clock.

Sixty cents of every dollar in such research comes from the Federal Treasury. Thirty-five cents of every dollar that goes to support the medical schools in the United States comes through the Institutes of Health.

These are moneys appropriated by Congress. These are the moneys that this administration is cutting back.

The Institute of Doctors and Dentists meeting in New York expressed their dissatisfaction to me. We are facing a crisis that has not been faced at any time since the Federal Government started to put money into the medical schools to try to build up the number of doctors and dentists in our country.

Never before have we had such a shortage of doctors and dentists.

The **PRESIDING OFFICER.** The time of the Senator has expired.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that I be permitted to continue for an additional 3 minutes.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, the Nixon administration has ordered cutbacks this year and the termination next year of the chronic disease programs, involving cancer, respiratory ailments, diabetes, arthritis, heart and stroke and neurological and sensory disorders.

Mr. President, these programs were started under the leadership of former Senator Lister Hill to find out the cause and cure of cancer, heart disease, stroke, and respiratory ailments, including the alarming increase in emphysema. All the hopes and dreams of millions of suffering Americans, plagued by these diseases are being shattered by the reckless dissolution of health facilities by this administration condemning them to a slow death or permanent disability without the possibility of a remedy through research.

These millions of Americans live in the hope that a breakthrough in research will come any day or week or month.

The Framingham, Mass., study to determine the effects of smoking, high blood pressure, obesity, and blood cholesterol on the heart and blood vessels has been terminated. National Institutes of Health grants have been cut 25 percent since 1965. In addition the administration ax has fallen on 19 clinical research centers across the country, completely abolishing them.

Mr. President, nine of those 19 clinical research centers were engaged in research on infant illness and infant mortality. The United States ranks 15th with respect to infant mortality rates among the countries of the world. Fourteen other countries have a better record than we do on infant mortality.

In some nations of Western Europe, the number of deaths per thousand births is only half the number in our country. Yet this administration is closing out the research that was started largely under the leadership of Senator Lister Hill. They have abolished 19 clinical research centers in our country.

Mr. President, these and many other health cuts have been made by the Nixon administration in the name of economy. But it is a false economy. The long-range loss to our society is impossible to assess in strict dollar figures, but these cuts will surely sap the manpower reserve in our Nation. Furthermore, the research that is being stopped before completion means that a large body of scientific knowledge will lie dormant until the work is resumed.

Mr. President, we just cannot cut off the research funds and then start all over again at a later date. We are dealing with valuable animals that have already been infected by viruses to see what effect the viruses will have and whether they are transmissible. The scientists will have to do it all over again.

This is a careful selection process that requires close observation to be sure that the animals are free of disease so that we will know what effect certain viruses and medicines will have on them.

Mr. President, I ask unanimous consent that the article entitled "U.S. Scientists Fear Further Cuts in Aid," by Victor Cohn, in the October 13, 1969, issue of the Washington Post be printed at this point in the RECORD.

The article specifies all of the places where the Nixon Administration is undercutting our vital national health programs. The article lists the names and locations of center after center where funds have been cut down or abolished. I commend the article to the attention of Senators and hope that the article will be read in the paper or in the CONGRESSIONAL RECORD tomorrow.

There being no objection, the article as read, to be printed in the RECORD, as follows:

U.S. SCIENTISTS FEAR FURTHER CUTS IN AID

(By Victor Cohn)

"We are witnessing a mindless dismantling of the American scientific enterprise."

These words—spoken at a recent meeting of the American Chemical Society—represent a deep new fear among American scientists and medical researchers.

They fear that what a year ago still seemed a temporary "leveling off" in federal support of research and training in science and medicine has become an annual pole-axing.

They report that:

A combination of cuts, "hold-downs" and inflation has meant a 20 percent cut in the last two years in academic research—basic and advanced studies at universities, hospitals and similar centers. In many fields, it means a more than 40 per cent cut since fiscal 1967, the year science budgets began leveling off.

Fiscal 1970, the budget year that began July 1, "will obviously be the worst year yet," though Congress has not completed action yet on any appropriation bills.

Fiscal 1971 budgets, by advance word, will be no better, or provide only "minimal increases." In fact, a five-year plan now being drafted at the Department of Health, Education, and Welfare sees no research increases for nearly four years—not until mid-1973.

The greatest effect, leaders in science and medicine agree, will be on the future supply of Ph.D.s and M.D.s.

In recent interviews, Dr. Lee A. DuBridge, President Nixon's science adviser, Dr. William McElroy, director of the National Science Foundation, and Dr. Philip Handler, president of the National Academy of Sciences, agreed that the next 20 years will need armies of experts to clean up pollution, man health centers, staff university faculties and build new urban and industrial technologies—and that present federal policies will not provide them.

DuBridge, in testimony to the House Science Subcommittee, spoke of "our faltering scientific enterprise" and warned of "huge" and "serious" gaps in "fruitful and important fields."

A "CRITICAL STAGE"

"Our research in terms of real effort is declining," he said in an interview. "Our scientific corps is not growing as it needs to grow—when our population is increasing and the needs of the country are so clear and glaring. We're at a very critical stage."

Handler—new head of "the Academy," a group that advises the government on many issues—said, "A crisis is facing all American science. It is a very black picture."

McElroy—new head of the NSF, the government's main agency supporting basic research—said, "The crisis is not here. It can still be avoided if we start growing modestly. I think we're on the edge. The way things are going, I see a real possibility of collapse."

"Collapse" to McElroy means not just failure to build new buildings and buy new telescopes or medical electronics—"this has already been happening." It means "loss of young people," who are "already being forced to turn to other fields," and then loss of faculties, "which has not yet happened but will begin."

For "the way things are going," the scientists point to what has happened so far.

The Nixon budget asked $500 million this year for NSF—it provides nearly a fourth of the government's $2.1 billion support of academic science and training. A House Appropriations Subcommittee cut this to $420 million. With $20 million in left-over funds, this would make $440 million, compared with $420 million in fiscal 1969.

Even if NSF winds up with more, however, say $450 million out of a conference committee, this would mean just a 6 per cent increase. McElroy and many others say: "General inflation costs us about 5 per cent a year. Increasing scientific and medical sophistication costs another 5 per cent, and increasing salaries—because we mainly have young investigators—costs another 5 per cent. So we need about 15 per cent more a year to stay even."

The Nixon budget allotted the National Institutes of Health just $1.64 billion compared to last year's $1.93 billion for biomedical and health projects, study and training. It allotted $462 million of this as "regular" research grants, which may wind up as $425 million, affected by the President's recent order to slice an extra $3.5 billion from federal budgets.

MEDICAL SCHOOLS HIT

"The main effect," says one health scientist, "is on medical schools. The entire medical school, not just the research labs. And on output of future doctors, teachers and researchers."

According to Dr. John Cooper, head of the Association of American Medical Colleges, these schools today get "upwards of 40 per cent" of their total income from federal research and training grants. For some the figure is "50, 60 or even 70 per cent." They are also being hit by cuts in Medicaid, which they need to help pay for low-income patients in their research and teaching hospitals.

Some specific effects:

Nine medical schools are now, Cooper states, "teetering on the edge of insolvency" —drawing on thin reserves or other university funds to stay open, unable to accept poor black students or obey demands to "expand" to provide the U.S. more doctors. Cooper declined to name affected schools. But in New York City last week the New York Medical College said its "continued existence is threatened." Medicaid cutbacks have caused a $1.3 million annual deficit at its Flower and Fifth Avenue Hospitals.

All NIH Sept. 1 grant renewals were cut by around 5 per cent to save $14 million. Funds for new grants were cut by 10 per cent, to save $18 million, and "I am concerned that even these cuts may go deeper," says Cooper. Some units are already making deeper cuts. The National Inistitute of Arthritis and Metabolic Diseases has been making 15 per cent slashes in many programs, to save funds for renewals and new awards.

In all, there will probably be less than 10,000 NIH grants in effect by the end of fiscal 1970, compared with 12,324 in 1965.

To save some $9 million a year, five major programs to attack chronic and crippling diseases—specifically, heart disease, stroke, cancer, arthritis, diabetes, neurologic and sensory diseases and lung diseases—are to be phased out. "Ironically," comments one doctor, "these programs were started by Congress to translate basic research into help for patients. These cuts will wipe out many unique staffs, staffs that took years to put together."

To save $4 million, 19 of 93 "clinical research centers"—small 4-to-10-bed advanced units in hospitals—are to be similarly abolished.

To save $400,000, a world-famous National Heart Institute program to study factors contributing to heart disease is being ended. This is "the Framingham study," following Framington, Mass., men and women to learn how smoking, high blood pressure, obesity, blood cholesterol and other things affect the blood vessels and heart. "Heart researchers in and out of NIH are sick about this decision," said a recent issue of Washington Report on Medicine and Health.

Nearly 400 monkeys—carefully followed for five years to study virus-caused cancer—are to be killed by the National Cancer Institute. Animal centers at many hospitals and universities also will suffer.

Doctors at NIH's big Clinical Center, its own research hospital at Bethesda, report that "in many wards we are so low on nurses and other workers that we are turning away patients we could and should care for."

Cuts in NSF and other federal support in the physical sciences—report professors in those fields—will have similar effects in physics, astronomy and other areas. "Studies of human behavior are on starvation rations," says one professor. Important work in organic chemistry—though it is basic to all medicine and biology—is being eliminated as "non-health-related" by NIH's National Institute of General Medical Sciences.

All this affects "knowledge we need for future technological progress," say men like Handler, McElroy and DuBridge. But "it is not merely a matter of support of research," McElroy emphasized—"It is a matter of the support of our universities."

"And of people," he added. "A research grant is the way you train a graduate student today."

Research grants, training grants and "clinical research" units, says Dr. Cooper, are "really part of the training of future faculty, the people who go into academic medicine. These are the very people needed to produce the health manpower to meet the crisis President Nixon says will exist."

An $18 million cut in NIH training grants and fellowships—from a $196 million total last year—means training programs have already been "wiped out" in some medical school departments, according to a report in Science.

EFFECT OF DRAFT

The draft and cuts in scholarship and loan funds add to the problem. The total effects will be "catastrophic," says Dr. John Knowles of Massachusetts General Hospital. Nobel prize-winning biologist Dr. Albert Szent-Gyorgyi says "the cuts are having a demoralizing effect" on the young and "shutting the way to science for many."

Dr. John Siegel at one of the clinical research centers to be closed—an acute injury and illness unit at Jacobi Hospital in New York City—asked, "Who will be our researchers in 10 years when we need to learn more about disease?"

A Health Manpower Act was voted by Congress in 1968, but funds to help medical schools have never been approved. Cuts in "neurologic and sensory diseases," a specialist points out, mean lack of funds to train speech pathologists and audiologists to help children with speech, hearing and learning troubles.

REQUEST UNANSWERED

A University of California zoology professor reports that two professors trying to learn how to manage the polluted environment "have spent between them about 40 man-hours negotiating with a major U.S. agency for a joint program to train one graduate student. The request to date has not been answered. You cannot imagine the bitterness I feel at the absurd discrepancy between the demands made on our time by the press and by politicians, which contrast so sharply with our inability to get funds."

Alarm in the scientific community is growing. In the Sept. 26 issue of Science, organ of the American Association for the Advancement of Science, scientist-editor Dr. Philip Abelson called on scientists for "political action": "They have the wit and energy. to develop the political clout necessary, and they should get about that business."

Many scientists, among them Harvard's Dr. George Wald, blame the country's defense and war bill for the problem. Dr. S. E. Luria, distinguished MIT biologist, contrasts the nearly $4 billion-a-year support for space exploration alone—which he considers "scientifically trivial"—with the tiny sums shared by "hundreds of projects."

Dr. Roger Egeberg, HEW's health chief, said at a recent House subcommittee hearing that "I will see if I can't make a crisis" over the low priority for health funds. NSF's Dr. McElroy has personally visited 25 senators and representatives, "and I ask them why don't they want to support the development of science and technology, and the exploration needed to keep young people, which are the future of America."

TAX REFORM LEGISLATION

Mr. BYRD of Virginia. Mr. President, the Senate Finance Committee has now completed 5 weeks of public testimony on the Tax Reform Act of 1969, and has had 2 days of executive sessions.

The committee has scheduled daily executive sessions through October 31. Senator LONG, chairman of the committee, has expressed the hope that a tough schedule of work can be adhered to, so that a motion to report the bill to the Senate can be entertained on Friday, October 31.

I ask unanimous consent that the agenda, as established by Chairman LONG, be inserted in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. BYRD of Virginia. Mr. President, the pending tax legislation is immensely complicated. It affects every segment of our population. Its basic purpose is not tax reduction, but tax equity. This is an important objective.

In seeking this objective, the Congress has an obligation to understand the proposals and to be sure that we do not unjustly penalize the many in order to strike at the few.

For example, representatives of the independent colleges throughout the United States, of which there are about 1,500, have testified that the legislation in its present form will penalize charitable contributions and will seriously cripple such schools. If true, this would increase the burden on tax-supported colleges.

Hospital and church officials say their institutions will likewise be crippled.

Representatives of States, counties, and cities say the cost of local government will be increased if the Congress changes the status of State and local bonds.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent that I be permitted to continue for an additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of Virginia. Mr. President, so I say this bill must be handled carefully and thoughtfully. We should understand what we are doing.

I shall cooperate fully in an endeavor to bring this bill to the floor of the Senate by October 31.

I am prepared to devote whatever time is necessary as a member of the Finance Committee to see that the tax legislation is completed by October 31.

I have the feeling that the uncertainty regarding what will or will not be done in regard to taxes is affecting the entire economic life of our Nation.

A college president told me yesterday that contributors are reluctant to make commitments. I have received the same information from church officials and from various philanthropic organizations.

The business community and the farmers urgently need to know whether the investment tax credit will be repealed. Until they know, they cannot determine the extent of their investments in new machinery, machinery which in turn creates jobs for the people.

The business community as a whole is affected by the uncertainty which exists.

Handling such major tax legislation in such a relatively short time presents a problem of some magnitude for the Finance Committee.

But the final decisions cannot be made by the committee. The final decisions must be made on the floor of the Senate.

I feel that the sooner this tax legislation can be brought to the Senate floor, the sooner we can dispel the uncertainty which is having a bad economic effect on our Nation—and which could lead to increased unemployment.

EXHIBIT 1

COMMITTEE ON FINANCE—SCHEDULE FOR EXECUTIVE SESSION, H.R. 13270—THE TAX REFORM ACT OF 1969

MONDAY, OCTOBER 13

Sec. 201. Charitable Contributions.

TUESDAY, OCTOBER 14

Sec. 221. Limitation on Interest Deduction.
Sec. 231. Moving Expenses.
Sec. 311. Income Averaging.
Sec. 321. Restricted Property.
Sec. 331. Deferred Compensation.
Sec. 515. Total Distribution under Pension Plans.
Sec. 541. Pension Plans of Subchapter "S" Corporations.

WEDNESDAY, OCTOBER 15

Secs. 341–342. Multiple Trusts.
Sec. 401. Multiple Corporations.
Secs. 411–414. Conglomerates.
Sec. 421. Stock Dividends.
Secs. 431–432. Foreign Tax Credit.

THURSDAY, OCTOBER 16

Secs. 441–444. Financial Institutions.

FRIDAY, OCTOBER 17

Secs. 211–213. Farm Losses, etc.
Sec. 531. Cooperatives.

MONDAY, OCTOBER 20

Sec. 521. Real Estate Depreciation.
Secs. 451–452. Depreciation Allowed Regulated Industries.

TUESDAY, OCTOBER 21

Secs. 511–516. Capital Gains.
Sec. 461. Alternative Capital Gain Rate for Corporations.

WEDNESDAY, OCTOBER 22

Hearing on Foundation (Peter G. Peterson).

THURSDAY, OCTOBER 23

Sec. 501. Percentage Depletion, etc.

FRIDAY, OCTOBER 24

Sec. 301. Limit on Tax Preferences.
Sec. 302. Allocation of Deductions.

MONDAY, OCTOBER 27

Sec. 101. Private Foundations.

TUESDAY, OCTOBER 28

Sec. 101. Private Foundations.
Sec. 121. Other Tax Exempt Organizations.

WEDNESDAY, OCTOBER 29

Secs. 701–705. Extension of Tax Surcharge and Excise Tax; Repeal of Investment Tax Credit, etc.

THURSDAY, OCTOBER 30

Secs. 801–805. Tax Reductions, Low Income Allowances, etc.

FRIDAY, OCTOBER 31

Review of bill as Amended; Miscellaneous Amendments. Vote on the question of reporting the bill.

Mr. BYRD of Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MOSS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FEDERAL INDIAN POLICIES: A NATIONAL DISGRACE

Mr. MONDALE. Mr. President, on Tuesday in Albuquerque, the senior Senator from Massachusetts (Mr. KENNEDY) addressed the annual convention of the National Congress of American Indians. His speech is a thorough, thoughtful analysis of the devastating effect our national American Indian policies have had on the Indians themselves—when, in fact, we pretend that these policies are designed to help enrich the quality of the lives of the 600,000 American Indians.

Senator KENNEDY stated that much of the blame for the national disgrace of our Indian policies must be placed at the door of the Bureau of Indian Affairs. He points out, for example, that the Bureau has one employee for every 18 Indians. This is some indication of the sheer size of the bureaucracy which has grown up inexorably since the Bureau was founded over 100 years ago.

I share Senator KENNEDY's view of our national Indian policies. I serve with him on the Subcommittee on Indian Education and have, with the subcommittee, visited Indian reservations across the Nation. What we have seen is shocking and presents us with a major national challenge. We need a Select Committee on American Indian Affairs; we need a White House Conference on American Indians; we need to alert the people of the country to how much has gone so wrong for so long. We need, too, an Indian Development Corporation; increased funding for Indian education programs; reorganization of the Indian responsibilities within the Federal Establishment. But most of all, we must begin to listen to the Indians and let them tell us what they need. We have had task force after task force, study after study, report after report—yet Indian voices have not been heard as these analyses have been assembled. Just as we must listen to the Indians themselves, so we must turn over the management of their schools and their lands to the Indians themselves.

I ask unanimous consent that Senator KENNEDY's remarks be printed in the RECORD. They deserve wide circulation and consideration.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR EDWARD M. KENNEDY BEFORE THE NATIONAL CONGRESS OF AMERICAN INDIANS, ALBUQUERQUE, N. MEX., OCTOBER 7, 1969.

I was pleased and honored to be invited to speak to you today, as you meet in Annual Convention to celebrate the twenty-five years of life of the National Congress of American Indians. I count it a special privilege to be among you, the representatives of more than one hundred American Indian tribes from all across the country. I hope to talk with many of you, to listen to you speak of your frustrations and your hopes;

of your disappointments and your dreams; and your reverses and your gains. I hope to learn of your wants, and your needs—and how these wants and needs have been denied you for generations and generations. And I hope to hear how you, the American Indians, believe the indignities and the injustices you have suffered for so long can finally be put right.

But there are many specific reasons, too, that it is such a pleasure to be among you today. Like many Americans, I realize just how profound a debt not only this country, but the world, owes the rich heritage of your culture. Benjamin Franklin carried his admiration for the Iroquois Confederacy to the Albany Union. Thomas Jefferson and his fellow Federalists made frequent reference to the spirit of democracy in Indian political structures, a spirit fostering maximum order with minimum coercion. The pattern of states within a state we call federalism; the notion of our elected leaders as servants of the people, and not masters; the insistence that society must respect individual diversity—these were American customs long before 1492. We owe much more than this to your rich heritage, a heritage which has found its way into our folklore, our music, our games, and into all aspects of our lives.

I come not from a western state, but an industrialized, eastern state. Yet, my state of Massachusetts has many reminders of its Indian past. In the State House in Boston hangs a gold-leaf model of a fish, called the Sacred Cod. This fish is sacred because it kept our early settlers from starvation. And it was Indians who taught those settlers how to catch the cod. Thanksgiving is now a national holiday. It commemorates the occasion when the Pilgrims in Plymouth gave thanks for the Indian Massassoit, who taught them to plant and harvest food for the winter. Thus, while Massachusetts is an eastern state, it has many cultural ties with you and your heritage. Your concerns cannot be viewed as local only to the American west; they are concerns for all of us, whether we be from the east, the south, the north, or the west.

My work on the Senate Subcommittee on Indian Education has brought me into the villages, the homes, the reservations, and the schools of American Indians. It has taught me of the resilience of your way of life, which for so many generations has been the target of a determined, Federal effort to stamp it out. Yet you are the fastest growing minority in this country. You still speak 300 separate tongues. Fifty percent of your children who go to school speak their native language in your homes. You have preserved in the face of grave challenges, yet not without difficulty. Our Subcommittee visited the Alaskan natives last spring, and we saw firsthand some of these difficulties. We saw entire villages without modern sanitary facilities of any kind. And we found out there was no way for the Indians to get them. That is why, shortly after this visit to Alaska, I sponsored special legislation to provide Federal funds for construction of these facilities in 155 native villages. But we have learned much more than this in our Subcommittee's work. We have learned that Indian Education programs are traditionally under-funded. Consequently I was gratified when the Senate accepted last month my amendment to add $4 million to the BIA education appropriation. And this is why I am glad to be a member of the Subcommittee, because I have learned so much. I hope to help you teach all Americans some of what I have learned—how much we have to do, as a Nation, to bring into balance our human and legal obligations to the American Indian.

There is one final reason, a personal reason, I am glad to be among you today. Senator Robert Kennedy sought your advice; he talked not to you, but with you; he cared deeply about your welfare and your well-being. His oldest child, Kathleen, lived among you the summer before last. I know how much your friendship meant to him, and how it gave him inspiration and spirit. As I have carried on the work he began on the Indian Education Subcommittee, I have learned why it meant so much to him. So, I, too, welcome your friendship and your trust.

These are the reasons I am so honored to be with you this morning. I have come to understand how much more we have to learn from you, even today—an interest in people, rather than things; a strong sense of community; a need to share our lives with others; a dignity in harsh surroundings; a sympathetic, non-exploitive love for nature; and taking the measure of a man not by what he has, or looks like, or says, but by what he is.

You and I know these things. But too many other Americans do not.

Why is it that some people see only idleness and despair among our Indian people, but fail to see the fierce sense of individual pride and strong expression of autonomy and freedom?

Why is it that some people see only problems in cultural differences, but fail to see that these differences are not problems, but assets?

The answer to these questions, sadly, is that the Federal Government's Indian policies have been continuing national failure of major proportions.

These policies have swung between harsh policies of starving the Indians into submission, or kinder policies of "helping them" become non-Indians. If either policy succeeded, the Indians would then be off our consciences, and out of our pocketbooks. The underlying motive for both of these policies has been a continuing greed—a desire to exploit Indian land and physical resources. This motive has been stimulated by a self-righteous intolerance of cultural differences.

For too long, the dominant Indian policies of the Federal government have brought destruction to Indian communities; a continuing life of poverty for most Indians; a steady growth of a large and ineffective bureaucracy; a destruction of our natural resources; and perhaps, the most tragic, a nation both uninformed and misinformed about American Indians, past and present. This policy has permitted and encouraged prejudice, racial intolerance, and discrimination towards Indians.

These policies have also had a severe impact on the education of most Indian children. The schools fail to understand, or appreciate—and in fact, often tear down—the cultural differences. The Indian child then defends himself and his integrity as an individual by defeating the purposes of the school. The school in turn blames its failure on the Indian child, and reinforces his defensiveness. The ultimate result is a dismal record of absenteeism, drop-outs, negative self-image, low achievement, and ultimately, academic failure.

The government's policy has also had a devastating impact on the education of Indian children. The schools fail to understand, or appreciate—and in fact often denigrate—cultural differences. The Indian child defends himself and his integrity as an individual by defeating the purposes of the school. The school blames its failure on the Indian child, and reinforces his defensiveness. This depressing spiral generates a painful and unrewarding experience, which then sustains a self-fulfilling prophecy of accumulative failures. The ultimate result is a dismal record of absenteeism, drop-outs, negative self-image, low achievement, and ultimately, academic failure for many Indian children. The failure of the schools perpetuates the cycle of poverty, and undermines the success of all other programs aimed at bettering the lives of American Indians.

Senator Robert F. Kennedy called the facts illustrating our national Indian policies failure, "the cold statistics that illuminate a national tragedy and a national disgrace." Let me site just a few of these statistics from a 1963 government survey:

First. The Standing Rock Sioux had 500 out of 880 head of household unemployed, with a yearly family income of $190.

Second. On the Blackfeet Reservation in Montana, the permanent unemployment rate was nearly 75 percent, with an annual income of less than $500 per family.

Third. On the Choctaw Reservation in Mississippi, the unemployment rate was 86 percent. Only 170 adults, out of 1,225 had jobs.

Fourth. On the Hopi Reservation in Arizona, the unemployment rate was 72 percent.

Fifth. For all of the Pueblo Indians in New Mexico, the unemployment rate was 77 percent.

Sixth. Of the 19,000 adult Indians in Eastern Oklahoma, between the ages of 18 and 55, an estimated 10,000 were unemployed, and more than half of these 10,000 received no unemployment insurance, or any other welfare assistance at all.

How well have we faced up to the problem these statistics outline? Since 1962, we have created about 10,000 new jobs on or near Indian reservations. But only 4,700 of these new jobs are held by Indians. Out of a labor force of about 100,000 Indians, more than 50,000 are still unemployed. The average Indian income is about $1500. Our nation gets visibly upset when the *national* unemployment rate exceeds *4 percent*—yet we *tolerate* an Indian unemployment rate of 50 percent. Is this the best we can do? We have failed, and we continue to fail. We have yet to face up to the full dimensions of the disgrace of unemployment among Indians. Until we do, all the secondary implications of it will grind down on the lives of American Indians.

Let me cite a few of these secondary implications.

Housing. Indian housing is without a doubt the worst in the nation: 50,000 Indian families live in unsanitary, dilapidated dwellings, many in huts, shanties, even abandoned automobile bodies.

Health. Health conditions among American Indians continue to be the worst in the nation. Indians have the highest infant mortality rate in the nation—32 percent, against a national rate of 24 percent. The tuberculosis death rate among Indians is five times the national rate. Thousands of Indian children are afflicted with permanent hearing loss due to chronic ear infections; 80 percent of all Alaskan native children have ear diseases. Only one doctor is available for every 900 Indians. The ultimate consequences of these health conditions are that life expectancy of the Alaskan native is only 35 years and for the total Indian population only 44 years. The national average in the U.S. is 65.

Education. The educational performance of Indian children is the worst in the nation. Drop-out rates are twice the national average. Achievement levels are 2–3 years behind white children. More than 75,000 Indian adults cannot read and write at a fifth grade level. More than 16,000 school age Indian children do not go to school at all.

Throughout the 1960s, we have been groping toward a more enlightened national policy. The result, however, is measured more in terms of words than action. Studies, task forces, and commissions have come forth with their solutions for "the Indian problem". But the crucial ingredient has always been missing—Indians speaking for themselves about what is wrong, what they want and need, and what our policies should be. The Declaration of Indian Purpose, drawn up in 1961 by Indians, was largely ignored. Meanwhile, the Federal Government continued to churn out studies, reports, messages to Congress—all of them a white man's charade.

What must be done? A great deal, without question. More than I can discuss today. But let me make five specific suggestions, for consideration by you in your national conference.

First. A national policy for Indians developed by Indians. If the Federal Government is ever to set more enlightened policies, it is necessary that you define for us what those policies should be. How best can this be done? I would recommend a White House Conference on Indian Affairs. A White House Conference would have the necessary stature to command the attention of the Federal government and general public. We have had White House Conferences on Civil Rights, on Natural Beauty; we will have one next year on Aging. It is time we had one for Indians. It would provide for broad scale participation of Indians in extensive deliberations at tribal, regional, and national levels, leading up to the White House Conference itself. The report of this Conference—with policy, legislative, and program recommendations—could serve as the blueprint for reform and change over the next generation. You passed at your last convention a resolution recommending such a conference. I hope you do so again this year. Because you want it, and because it is so important, I will introduce a bill to authorize and finance a White House Conference on Indian Affairs in the near future, and will work for its passage.

Second. A select Committee on the Human Needs of American Indians. I think the Congress has failed to understand the human needs and aspirations of the American Indian. We have not recognized the failure of our national policies, nor have we faced up to the extent and severity of the problems which this policy has caused. I recommend that a Select Committee on the Human Needs of the American Indian be established in the U.S. Senate. There is no reason why a Select Committee on the Human Needs of the American Indian could not achieve similar results. I note that you have a resolution pending before your Convention to recommend such a Select Committee. I urge you to adopt it, and I assure you if it is adopted, I will do everything I can to bring it about.

Third. Re-Organization of the BIA. I hope you give careful consideration to the NCAI Position Paper on Reorganization of the Bureau of Indian Affairs. I congratulate your President, Mr. Wendell Chino, for his leadership on this fundamental problem. In the last analysis, the success of more enlightened policies depends upon implementation of them.

The Bureau of Indian Affairs is notorious for its resistance to reform, to innovation, and to discharging its responsibilities in a competent and sensitive fashion. No other agency of government is so burdened by such a history. Felix Cohen, a noted authority, has pointed out that BIA's present organization was designed to prevent accountability to the Indian communities being served; to frustrate and prevent Indian criticism and communication; and to facilitate the termination of services.

A few examples:

The Indian Affairs Manual fills 33 volumes and 6 feet of shelf space. In it, in addition to the more than 2,000 BIA regulations, are 389 treaties, 5,000 statutes, 2,000 Federal Court decisions, and 500 opinions of the Attorney General.

There is one BIA official for every 18 American Indians.

The BIA has presided over the loss of 90 million acres of Indian lands, and most of the proceeds—presently amounting to $330 million—are held in trust accounts for the Indians by the BIA. The Indians are stymied in their efforts to win control over their money—which is theirs by right—and until recently, the BIA refused to put these funds in interest-bearing securities.

If the annual budget of the BIA and other Federal programs for Indians were divided up among Indians, the average annual income would rise from the present $1500. per family to $6500. per family.

I am equally convinced that the BIA is incapable of reforming itself. It presently has the authority to contract out almost all its functions to Indian tribes; to make BIA officials accountable to Indians; and to reorganize itself. Yet if one thing is certain, it is that internal reorganization of BIA must be imposed from without the system—from higher up in the Department of Interior, or from the White House itself, but with participation by Indians themselves. It is here, particularly, that a White House Conference might do what has needed doing for a hundred years.

Four. Location of BIA. An equally serious and more emotional question is the location of the BIA—whether it should stay within the Department of Interior or whether some or all of it should be moved out. For myself, I would agree with your Resolution Number 6 that the Department of Interior, even under the best of circumstances, is unsatisfactory.

In the past, organizational changes have almost always been put forward as a way of getting the Federal government out of the Indian business. This has poisoned the well of constructive discussion and dialogue. Much of the information about why the Bureau should be removed from the Interior Department is not well known, and has not been brought together in a systematic way. This, too, would be an important task for the White House Conference.

The conflict of interest problems within the Department of Interior are far more serious than have been generally recognized.

For example:

Interior's Bureau of Mines opposed Indian interests, in seeking minerals at a low price from the Navajos;

Interior's Bureau of Reclamation has repeatedly opposed the Paiute Indians as they seek to protect Pyramid Lake, on their Pyramid Lake Reservation; furthermore, the Bureau authorized construction of the Garrison Dam which destroyed the Sioux reservation at Fort Berthold.

Indian tribes in the State of Washington were promised perpetual fishing rights by the Government in exchange for Indian lands. Yet Interior's Bureau of Sport Fisheries and Wildlife has severely restricted these rights.

This conflict of interest problem cuts two ways. It works to inhibit effective economic development of Indian resources by compromising the Indian's bargaining power in leasing his physical resources. At the same time, it forces neglect of the Human Resource programs of the BIA. These human resource programs comprise 80 percent of the BIA budget. Yet why should the Department of Interior manage education programs? Are they experts in educational standards? Have they ever used modern educational specifications to build Federal schools? Are they trained to understand the emotionally damaging consequences of institutionalizing six year old children? Why do they permit non-educators to make many of the important educational decisions?

The answer, of course, is not difficult. The Department of Interior has no expertise, or even much interest, in these matters. Your position paper calls it a "lack of empathy." It is probably far more serious than that.

Presently before our Senate Subcommittee on Indian Education are five proposals for relocating the BIA. They are reprinted in your program, with the NCAI positions on each outlined with them. It is my hope to come away from this convention with some feeling about how you, as a national community view these proposals, and any others as well. You might study them, and then vote on them in your councils. It would be an important contribution to our work in the Subcommittee if you then let us know how you voted. You can send us resolutions, letters, or any other indication of your feeling. But we want to know what you think.

My own views on relocation have not yet crystallized. But the minimum step must be raising the Commissioner of Indian Affairs to an Assistant Secretary's level. Perhaps we should go further—such as transferring the human resource programs into the Executive Office of the President, where OEO and the Peace Corps are located, for some set period of time while we undertake a crash program, on the highest level, to better the lives of all American Indians. After this set time, we would have a much better perspective on where the human resource programs—and the remaining BIA functions—should reside.

Fifth. An Indian Development Corporation. I would suggest you give careful consideration to the concept of an Indian Development Corporation, to be established by legislation as a public corporation under Indian control, with authority to issue as much as $200 million in bonds backed by the full faith and credit of the U.S. Government. The Corporation would be charged with the responsibility for maximum development of Indian resources, and a major effort to create new jobs for Indians in a short period of time. Nearly all of BIA's functions might well be transferred to the new corporation, after it was firmly established. This concept will require a great deal of thought, but I think it has great promise.

I note that the NCAI, with two foundation grants, has contracted for an intensive examination of this Indian Development Corporation concept. As you do, I await its results with high anticipation. It would be a great pleasure for me to sponsor the necessary legislation in the Congress and to work with you for its passage. I have seen the worth of this concept, as it is now actually operating in the Bedford-Stuyvesant slum of New York City. It has brought new income, new pride, and new homes to the blacks in Bedford-Stuyvesant; there is no reason its successes cannot be your successes. I pledge to you my assistance in preparing introducing, and fighting for the legislation.

Sixth. Education for American Indians. The Subcommittee on Indian Education is due to make its final report, two years in the making, at the end of this month. We have had many meetings, and have listened to many of you here today, in our hearings. I cannot now predict what our final recommendations will be, but let me suggest some of the positions I have been arguing for.

First, that Indians control Indian Education. There should be a national Indian Board of Education, which does not advise, but controls. It should have the authority to set standards and criteria for the Federal schools. It should have power to make contracts with public schools, to guarantee that Indian parents who choose to send their children to public schools can do so without prejudice to their culture and language. This means that local and state boards, too, should control education programs in their own areas.

Second, that Indians receive an exemplary education. Head Start, adult education, scholarships, vocational and technical training, special summer programs—we need to focus all these on Indians if they are to make up the lost ground.

Third, that Indian Education programs are adequately funded. Improving quality will take at least double the funds we now devote to Indian Education.

There is much, much more, of course, which our report will detail. But I think the thrusts are plain—control, quality, and funding.

I have made six specific suggestions. You will put forward others here at your convention. The difficult issue we now face is: how to give them practical effect. For we need no more studies; we need action. We need no more buck-passing; we know where the blame lies. We need no more promises; we know they are empty. We need no more Presidential Task Forces; we know they always have only a token Indian on them. As an Eskimo boy told me last spring in Fairbanks, Alaska: "We don't need more Indian experts; we need more expert Indians."

The United States Government accorded you rights and obligations as sovereign peoples—yet these rights have been steadily eroded. This inexorable erosion has been swept under the rug for generations. But I think now, there is slowly growing in this country an awareness that as a nation, we have many wrongs to right. You must help to spread this awareness, for it is a critical element in our democratic process.

In 1963, representatives from NCAI met with President Kennedy in the Rose Garden at the White House. He told them that their problems were:

> An opportunity and a challenge for us all, in making sure that the American Indians have every chance to develop their lives in the way that best suits their customs and traditions and interests.

Those words can serve as a beacon, as we seek the course they light.

VIETNAM WAR NOT A POLITICAL PARTISAN ISSUE AT THIS TIME

Mr. **SCOTT**. Mr. President, I ask unanimous consent that an editorial published recently in the Philadelphia Evening Bulletin be printed in the Record. The editorial expresses the concern of responsible people that the Vietnam war not become a political partisan issue at this time.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Politics and Vietnam

President Nixon's efforts to assemble a united front in support of his endeavors to end the war in Vietnam imposes a considerable responsibility on every citizen.

Not only must the individual subject the President's policies to flexible, day-to-day scrutiny, but he ought to be wary of attempts by some to use the war for raw political gain.

For combative Democrats, for example, the prospect of Mr. Nixon being able to end a war generally laid to Democratic Administrations can be positively unnerving, especially with the advent of the 1970 congressional elections.

The thought of peace, or, more probably, a steadily diminishing war, coinciding with the elections is one likely to bring out the politician rather than the statesman in even the most stable Democratic Representative or U.S. Senator.

The politician might try to placate the statesman by rationalizing that since Mr. Nixon is trying to end the war as fast as he can, there is nothing wrong with trying to win some of the credit that would undoubtedly come by prodding the President to move even faster.

The concerned citizen may not know whether he is hearing the statesman or the politician when, for instance, U.S. Senator and Democratic National Chairman Fred Harris, of Oklahoma, says: ". . . it is time to take the gloves off . . . we've got to escalate the pressure on the Administration . . ."

And some Republicans, differing philosophically with Mr. Nixon and in political trouble on purely local issues, might find it advantageous to divert voter attention through criticism of Mr. Nixon's policies. In areas where there is a demand for immediate disengagement, they might find it especially profitable.

One of the more reassuring things about the 1968 presidential primary elections and the pre-convention dialog on Vietnam was the obvious sincerity with which some of the presidential aspirants questioned the war and the morality of the U.S. commitment to it. There are men of good will who think the U.S. was wrong to be in Vietnam and should get out as fast as possible and in any way possible.

Thus, on the conscientious citizen rests the responsibility of weighing today's Vietnam utterances for purely partisan and personal political overtones. Shrillness should not be taken for soundness. And credence ought not to be given those who heap criticism upon Mr. Nixon's obvious steps toward peace, but fail to offer any alternatives.

THE WISDOM OF SENATOR ELLENDER

Mr. **McGOVERN**. Mr. President, one of the most remarkable and indeed one of the wisest men to serve in the U.S. Senate is the distinguished senior Senator from Louisiana (Mr. Ellender). It has been my privilege to serve as a member of his Committee on Agriculture and Forestry during my entire 6½ years in the Senate. We have also served together this past year on the Select Committee on Nutrition and Human Needs, of which I have the honor to be the chairman.

Of course, Senator Ellender and I have some differences of opinion in certain areas of politics and government, but I have come to a profound admiration for many of his perceptions and insights in the all-important field of American foreign policy and national security.

For many years he has been making trips to various parts of the world to see for himself those forces that are moving around the globe. I am tremendously impressed with his early, acute perception of the weaknesses and dangers in our foreign policy, especially in our relationships to the Soviet Union and Southeast Asia. As early as 1955, Senator Ellender saw clearly the self-defeating nature of much of the cold war rhetoric and policy involving the Soviet Union. As he put it in one of his early reports:

> It seems to me that we have as much to fear from ignorance, prejudice, selfishness, and bias in our own Nation as we have from a similar condition on the part of the Russian leadership.

Senator Ellender believes that much of our difficulty with the Soviet Union stems from the failure on our part to understand their legitimate fears of a rearmed Germany, the NATO block and the ring of military bases with which we have surrounded Russia for the past 20 years.

In the September 27, 1969, issue of the New Republic, Stephen S. Rosenfeld has written a thoughtful summary of Senator Ellender's travels and his observations. I am convinced that every Member of Congress would profit from reading Mr. Rosenfeld's account of our colleague.

As we have all learned, the war in Vietnam is perhaps the most regrettable overseas involvement in our national history. Consider, then, these early warnings by Senator Ellender, as reported in Mr. Rosenfeld's article.

> Visiting Vietnam in that year (1956), Ellender was informed by US officials that a new agrarian reform code "demonstrates in the village the (Vietnamese) Government's concern for rural people." Ellender concluded that "our aid effort here, instead of being directed to activities designed to raise living standards, is being used to fill the coffers of the Vietnamese Government." The United States, he found, was supporting "a rather large information and propaganda program on behalf of the Government of Vietnam . . . another indication of the scope of our activities and the extent to which we have shouldered the burden of purely local governmental functions." Returning in 1961, he wrote: "My fear is that the cry of 'communism' is being used to pull our leg. . . . The people in (anti-Diem) areas permit, in fact invite, I was told, some infiltration from the north in order to strengthen their opposition to Diem. In Saigon, also there are many dissidents who do not like President Diem's tactics in administration. . . . It is my belief that much of the trouble stems from within. . . . Boiling discontent threatens to erupt at any moment. . . . Some feel that we should send American troops here. I would not do so under any circumstances."

Mr. President, I ask unanimous consent that Mr. Rosenfeld's excellent article including the bibliography of Senator Ellender's works be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the New Republic, Sept. 27, 1969]

The Travels of Allen Ellender

(By Stephen S. Rosenfeld)

The Congress harbors no more relentless and singleminded traveller than the 79-year-old senior Senator from Louisiana. For more than two decades, Allen J. Ellender has—to be precise—*trotted* the globe in pursuit of evidence of various follies of American policy. Since 1955 his findings have been recorded in nine public-reports covering 184 country visits. That these "books" (the Senator's word) have received slight notice, that a few highly mockable episodes and lines have alone been culled out by the media, and that other Senators have been hailed recently for insights he arrived at a decade or more ago—all this is accepted by Ellender with gentle regret. He attributes the lapse chiefly to his reputation as a Southern conservative in domestic, especially racial, affairs.

In a real sense, all Ellender's trips have begun at home, on the isolated and then "poor" farm, Hardscrabble Plantation in Terrebonne Parish, where he grew up. While other boys were in school, he was weighing sugar and keeping the books for the family enterprise. His formal schooling, before undertaking graduate studies at Tulane, spanned only four months. To this day he believes that a nation's strength is measured not by its military or industrial power but by its capability of producing what he refers to in tandem as "food and fiber." Ellender came to the United State Senate in 1937; only Richard Russell is now senior to him. He heads the Agriculture Committee—his chairmanship, his back-home occupation (farmer), his hobby (cooking) and his occasional metaphors ("seeds of freedom," "grassroots information") fit nicely.

As a Depression legislator Ellender was a natural follower of the New Deal, which he trimmed to the shape of his own constituency and his own Puritan Ethic: it was the Federal Government's obligation to help the poor, but especially the rural poor and, among them, the poor who manifested some talent at helping themselves. Simple misery is not an adequate qualification for aid: "I lose patience with people who are poor and won't take advice." The New Deal political formula—an expectation of gratitude and loyalty in exchange for services rendered—informed his foreign outlook when, after his wife's death in 1949, he began taking his long trips abroad.

At first he travelled with other Senators and with a staff, but he soon sloughed off both; they cramped his go-go style and kept him from screening every grain of his findings himself. An assertively unbookish and self-reliant man, he has consistently neglectd the works of other observers (and stubbornly opposed USIA programs aimed at intellectuals). The only investigative method he knows and trusts is look and listen. This gives his reports 19th-century simpleness, as well as a certain rustic charm.

To each US post on his itinerary Ellender customarily sends an advance questionnaire. (Only the CIA is spared; a member of the Congressional group that ostensibly oversees the CIA, he treats the agency tenderly and, one gathers, confines himself overseas merely to asking whether CIA and State Department political reporting overlap). Upon arrival at a post, he checks out the questionnaire. Prevented once from debarking in Tanganyika (for having remarked at an earlier stop that "I have yet to see any part of Africa where Africans are ready for self-government"), he summoned American diplomats to the boiling airplane in which he was penned and grilled them until takeoff. His energy is fantastic—"when I get interested in something I don't stop." He sits up late at night making jottings in tiny notebooks which he pouches back one by one for transcribing. He writes his own reports, including as appendices in agate type the copious data furnished him on, for instance, "Project 02–18–041. To assist in increasing the snappper catch, a US fisheries adviser is spending two months in [then-British] Guyana demonstrating modern snapper fishing aids."

Ellender prose has the sophistication of a seed catalogue. He discovers water in the canals of Venice; "I was told," he reports. that "there is very little free love in Russia." He is square and unselective: "The worker using a huge knife cuts the macaroni into 8-inch lengths." "Ceylon," we learn, "is a small island located near the southern tip of India;" chez Chiang Kai-shek, "the Chinese food served was the best I have ever tasted." But there is an impressive amount of hard information and interesting observation. The wheat, to be sure, comes unseparated from a great deal of chaff, some diverting, most tedious: In Sudan, "I have never witnessed such cruelty to animals in my life. Huge sticks, cut from green acacia trees, were used to beat the cattle." In Haiti, "I sampled four different kinds of tropical fruit that he uses in ice cream. All were delicious, except one; I did not think much of avocado puree for ice cream."

His first published report, on his 1956 trip, bore the title "Report on Overseas Operations of the United States Government." He has since visited every American mission. His interest has expanded to cover foreign aid, propaganda, military activities, diplomacy and overall policy. At the same time he has kept up surveillance of embassy administration, perusing (and publishing) titles of all publications subscribed to by each USIS, listing each vehicle in the embassy motor pool, inquiring after rent and car cost, demanding justification for each employe and expenditure. Ellender has a copy of a memo, stamped "Confidential," in which the Army's Assistant Chief of Staff advises 22 attachés on the Senator's 1957 itinerary to restrict the release of information and report immediately ("air pouch") on his visit.

At his worst an insensitive lintpicker, at his best Ellender rummages beyond a hunt for waste and duplication into a kind of political and economic cost-efficiency analysis. Over the years he has developed a keen sense of how programs proliferate, often by feeding on each other, until the dimensions of the American presence can scarcely be measured, let alone controlled. For example, in Guatemala in 1957 he found USIS spending two-thirds of its resources selling the aid program: ". . . unconscionable . . . to expend such a great effort in trying to tell the people that the foreign-aid program is going to solve their problems. Nothing could be further from the truth." In Japan a year earlier, he found that US "planners" (generally "eager") had imprudently undertaken a protein project specifically rejected by the Japanese parliament and that the US information program had then been turned to counter the resultant bad publicity.

A few months ago, the Senator reported that the presence of military assistance advisory groups (4,056 officers and men in 48 countries) often "marks us as warmongers." "I am convinced," he complained, "that the personnel attached to these military missions are instrumental in influencing host governments to build up their armed forces and weaponry at our expense." Earlier he had contended that MAAGs were not wanted in some Latin countries "but we seem to persist in remaining there." He illustrates the breadth of the American presence in one country, Japan, by listing the agencies represented there besides State: Atomic Bomb Casualty Commission, AEC, Agriculture, Bureau of Reclamation, Defense (embassy attaches and non-embassy advisers), FAA, Foreign Broadcast Information Service, General Accounting Office, Immigration and Naturalization Service, Maritime Administration, National Institutes of Health, National Science Foundation, Trade Center, Treasury, Customs, Travel Service, Information Service, Internal Revenue Service, and Library of Congress.

The concern over far-flung and far-reaching national "commitments" which many Americans have evinced since the Vietnam war is old hat to Ellender. He has worried about the open ended nature of some formal agreements and about their subtle revision by events. "Unless we make it clear to the Government of the Philippines that our mutual security program is not a long-range effort, we may find ourselves placed in the position of being compelled to maintain the program in order to fulfill at least moral commitments made by our officials in the field," the Senator wrote in 1956.

Visiting Vietnam in that year (1956), Ellender was informed by U.S. officials that a new agrarian reform code "demonstrates in the village the [Vietnamese] Government's concern for rural people." Ellender concluded that "our aid effort here, instead of being directed to activities designed to raise living standards, is being used to fill the coffers of the Vietnamese Government." The United States, he found, was supporting "a rather large information and propaganda program on behalf of the Government of Vietnam . . . another indication of the scope of our activities and the extent to which we have shouldered the burden of purely local governmental functions." Returning in 1961, he wrote: "My fear is that the cry of 'communism' is being used to pull our leg. . . . The people in [anti-Diem] areas permit, in fact invite, I was told, some infiltration from the north in order to strengthen their opposition to Diem. In Saigon, also, there are many dissidents who do like President Diem's tactics in administration. . . . It is my belief that much of the trouble stems from within. . . . Boiling discontent threatens to erupt at any moment. . . . Some feel that we should send American troops here. I would not do so under any circumstances."

Periodically, Ellender stubbed his toe. He found "great progress" in Trujillo's Dominican Republic. In Haiti, "despite the filth, the people seem happy and content." South Africa's Verwoerd was "thoroughly realistic." Very often, nonetheless, he picked up the scent of danger—corruption in Rhee's Korea, American military influence in Greece, landholding anachronisms in Ceylon, regionalism in Nigeria.

For its proximity and resources Ellender has always deemed Latin America of first importance. Anticipating the Alliance for Progress, he recommended in 1958 that the US condition its loans on tax reform and "compel" American businessmen to pay fair wages, limit profits and participate in development. More distant distress moves him less. He was ready to write off India until he spotted last year some bootstrap progress—made in part, he submits, in response to his own arms-first spur. (Ellender has never hesitated to offer technical and political advice to world leaders, but generally holds that it would be inappropriate to claim credit when policies he has recommended pay off.) Africa strikes him as unsuitable for major American aid, because of its shortage of trained cadres on the one hand and its access to European help on the other—a judgment he made long before it silently became American policy.

The Senator has toured the Soviet Union five times. The mayor of Omsk threw him a 67th birthday party in 1957. I happened across his tracks in 1962 at a Volga dam whose chief engineer was positively bubbling over him. Once, denied use of an embassy phone by Ambassador Bohlen "because of strict objections at the Washington level," he strode out to the street, dialed the Kremlin from a pay phone, and almost instantly got an appointment with Mikoyan. ("I asked Mikoyan how General Zhukov was making out as a member of the Presidium. . . . He smiled. He said the general was a fine man and was doing well for his country. This on September 9, 1957, barely a month before Zhukov's ouster!") Ellender has expounded dutifully on the struggle between "state socialism" and "free enterprise." Nevertheless, he concedes that "communism has brought a new way of life to a people once left far beyond progress." His earlier desire to "demonstrate that communism cannot hold a candle to democracy in furthering the cause of individual freedom or bringing a better way of life" has not been abandoned. But it now must share room in his mind with his very direct and "Russian" interest in peace.

Until he met simple Russians on the street, Ellender confesses, he had obediently accepted the cold-war premises and budgets of successive Presidents. But in 1955, he says, "I went to Minsk, Orel, Odessa, Volgograd. The damage there from the Germans was useless, wanton. If only you were to *see* it." It hit him that the United States had deeply alarmed Russians by creating NATO, re-militarizing Germany and building a "ring" of bases and clients around the Soviet Union. The way to dispel the Russian people's fear, he determined, was to pursue an active detente policy and to communicate directly with the people through unslanted radio broadcasts and extensive personal exchanges. Ellender recalls a moment at Yalta when a crowd gathered around him, "looked at my clothing, stroked my suit, they were amazed." The people's envy, he reasoned, would put pressure on their leaders to conduct more moderate policies. He takes the general run of Soviet development since then, on both the foreign and domestic sides, as validation of this idea.

XUM

Harry Truman's picture has the place or honor among the hundreds on Ellender's office walls, yet he blames Truman, though not alone, for engraining "the spending habit." In the heat of the Korean War, he wrote, Truman made the fateful post-Marshall Plan decision to give the "wonder drug" of American money to "the rest of the world," diverting spending from economic to military channels and then involving the United States practically everywhere in the name of "mutual defense" against communism. "The marriage between our Departments of State and Defense, which occurred during and soon after World War II, has been subverted. The leadership was allowed to pass to the Defense Department." Right or wrong, this analysis is astonishingly Fulbrightian, and that of many who wouldn't be caught dead agreeing publicly with Allen Ellender.

This is nothing to him. His views are his own. To the American diplomat who had escorted him to see Mikoyan, Ellender said: "The trouble with you ——— diplomats is, you have a chip on your shoulder. You see something good in Russia and you pass it over, you see something bad and you criticize. My approach was objective and that's why Mikoyan helped me." In his last report he wrote: "I can personally recall hearing a member of the Joint Chiefs of Staff tell me that nothing had changed in the quality of Russian life, that no decentralization or loosening of any controls had taken place over the last two decades. The spokesman admitted that he had never been inside Russia. It seems to me that we have as much to fear from ignorance, prejudice, selfishness, and bias in our own Nation as we have from a similar condition on the part of the Russian leadership." That in sum is what Allen Ellender has learned in 20 years of globe-trotting.

The collected works of Allen J. Ellender have appeared as Senate Documents: No. 31, 85th Congress, 1st Session, Report on Overseas Operations of the US Government, March 4, 1957; No. 78, 85th, 2nd, Review of US Foreign Policy and Operations, Feb. 13, 1958; No. 20,* 87th, 1st, Report of US Government Operations in Latin America, Feb. 19, 1959; No. 20,* 87th, 1st, Report on US Foreign Operations, March 15, 1961; No. 73, 87th, 2nd, Report of US Foreign Policy and Operations, March 1, 1962; No. 8, 88th, 1st, Report on US Foreign Operations in Africa, March 23, 1963; No. 18,* 90th, 1st, Review of US Government Operations in Latin America, April 5, 1967; No. 77,* 90th, 2nd, Review of US Government Operations in South Asia, April 5, 1968; No. 91-13,* 91st, 1st, Review of US Foreign Policy and Operations, March 26, 1969.

The starred documents are available at no cost from the Senate Document Room, Washington, D.C. 20510.

GOLDEN SPIKE HIGHWAY, UTAH

Mr. MOSS. Mr. President, on September 26, I wrote Secretary of Transportation Volpe, requesting that a portion of Interstate Highway 15 in Utah be named the Golden Spike Highway. This request was made because of the successful Golden Spike Centennial Celebration which was held in Utah on May 10 of this year.

Secretary Volpe was the main speaker at that celebration, and he knows firsthand the importance the celebration has had and will continue to have for the tourist industry of our State.

The Utah news media has overwhelmingly endorsed the idea, and has given its support to it. Three daily newspapers have editorially commented on the proposal.

I ask unanimous consent that three editorials, published in the Deseret News, the Ogden Standard-Examiner, and the Provo Daily Herald be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Deseret News, Oct. 1, 1969]

A GOLDEN SPIKE ROAD

When the centennial of the driving of the Golden Spike was observed last May, Utah gained some valuable attention all over the country.

But since then, most Americans have forgotten about the spot where the rails joining the East and the West were "wedded."

That's a shame, since there's still much at Promontory Summit and the visitors center there to interest visitors to Utah, particularly those who still thrill to railroading's romantic past.

To keep capitalizing on the Golden Spike celebration, the Utah Travel Council and others suggest the Interstate 15 from Ogden to the Idaho border be named the Golden Spike Highway. Senator Frank Moss is urging Secretary of Transportation John Volpe to go along with the idea.

As Senator Moss observed, naming of this section of I-15 the Golden Spike Highway would enhance efforts to attract tourists and new industry. We second the motion.

[From the Ogden (Utah) Standard-Examiner, Sept. 30, 1969]

INTERSTATE 15: GOLDEN SPIKE HIGHWAY

It would certainly be appropriate if the name "Golden Spike Highway" would be officially placed on Interstate Highway 15 in Northern Utah when the final segment in Weber County is opened later this fall.

Sen. Frank E. Moss, in a letter to Transportation Secretary John Volpe, has asked for official approval of the plan.

Secretary Volpe was the principal speaker on May 10 at the Golden Spike Centennial Celebration at Promontory Summit.

We know, from talking with him that day, that the secretary was certainly impressed by our area.

He had flown from the East in a government airplane, then hopped to Promontory by helicopter.

"I had no idea," he said, "that this country was so beautiful, as well as so steeped in railroad history. I expected, in coming to Utah, to see nothing but desert. I'm certainly surprised."

Sen. Moss suggested that the "Golden Spike Highway" be used for the stretch of Interstate 15 from Ogden northward to the Idaho border.

We would go a bit further.

The 30 miles of Interstate 15 in Davis County should be included, too.

By designation of the Utah Travel Council and Gov. Calvin L. Rampton, the four counties of Davis, Weber, Box Elder and Morgan have been grouped together as the Golden Spike Empire for tourist promotion purposes.

Authorities of the four counties have been discussing a formal organization. This effort was spurred last week when the Brigham City Council and Box Elder County Commission hosted a dinner in Ogden to talk over mutual plans for the future.

It was agreed then that Antelope Island and the new Great Salt Lakes State Park would share honors with the Golden Spike National Historic Site as the primary attractions in our area. The century-old railroad construction sites in Weber Canyon—beside Interstate 80N, which will join Interstate 15 in Riverdale—will also play on eventual role.

All these development programs make the designation of Interstate 15 as the Golden Spike Highway a natural. Secretary Volpe, we're confident, will lend a sympathetic ear to Sen. Moss' suggestion.

[From the Provo (Utah) Daily Herald, Oct. 1, 1969]

PROPOSED GOLD SPIKE HIGHWAY

Utah's drive to increase tourism in the state would receive a publicity boost if a move to designate a "Golden Spike Highway" is successful.

Under the move initiated by the Utah Travel Council and various citizens the Interstate Highway 15 from Ogden north to the Idaho border would be named the Golden Spike Highway.

Following up on the suggestion, and with Gov. Calvin L. Rampton also behind the proposal, Sen. Frank E. Moss has asked Secretary of Transportation John Volpe for permission to attach the Golden Spike designation to the Ogden-Idaho Border segment of the highway.

"We are seeking ways to continue to capitalize on the Golden Spike celebration in promoting the tourist attractions, not only for the entitre state, but especially the areas of Ogden, Brigham City, Tremonton and Promontory," Sen. Moss wrote.

Interstate 15 which runs north and south through Utah, passes within a few miles of the Promontory Summit, where the transcontinental railroad link was forged May 10, 1869.

The Herald believes there is merit in the proposal Sen. Moss has presented to the secretary of transportation. But why not extend the publicity to the whole state and name the entire Interstate 15 through Utah the Golden Spike Highway?

It's an idea which, we believe, would warrant discussion and consideration.

THE OCTOBER 15 MORATORIUM

Mr. PERCY. Mr. President, I invite the attention of the Senate to a statement issued on October 10 by Robert A. Goldwin, dean of St. John's College in Annapolis, Md., regarding the stand taken by his institution on the October 15 Vietnam moratorium.

Dean Goldwin was long associated with the University of Chicago, where he made a major contribution in dealing with contemporary problems. His statement appears to me to be one of moderation and reason as regards the role of the educational institution in the moratorium and the role of the student body.

I ask unanimous consent that the statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY ROBERT A. GOLDWIN, DEAN, ST. JOHN'S COLLEGE COMMUNITY, OCTOBER 10, 1969

As you all probably know, October 15 has been designated as a day of Moratorium, at which time many people throughout the nation intend to demonstrate their opposition to United States policy in Vietnam. Some tutors and students have asked me about the position of the College with regard to the Moratorium. The purpose of this letter is to express my understanding of the matter.

Some tutors have told me that they plan to observe the Moratorium by not attending their classes on October 15. In conversation with them it became clear that their demonstration against United States policy in Vietnam was in no way meant as a demonstration against St. John's College. They assured me that they would explain this to their students. In most cases, these tutors also plan to make up the lost time by holding classes on some later day.

I wish to assure students who intend to participate in the moratorium that absences for the purpose will be excused. I urge such students to make arrangements with their tutors or one of the Assistant Deans, in advance of October 15. No student who makes arrangements in advance will be penalized or punished in any way for absence on that day.

The position of the College is based on the fact that we are an educational institution: as an educational institution we take no sides whatever on controversial political issues. On the other hand, every individual member of this community is completely free to take whatever political position he wishes. When he does so, as in the present case, he acts as an individual and not as a spokesman or representative of this college.

In my opinion it is especially important in time of conflict and dissension that there be institutions that maintain a stance of dispassionate impartiality. I firmly believe that the refusal of the College as to take a stand on controversial issues is the foundation of the extraordinary freedom that exists within this college for individuals to express any political opinion they believe in. We refuse to take a collective, institutional stand not because we do not care, but because we are committed to the preservation of the conditions under which entirely free inquiry may take place.

It is clear to me that the range of political opinions on this campus, among faculty and students, is very great. No one can speak for all of us when he takes sides on any controversial issue. But on one point, I think, we can all agree: whenever any of us expresses a political conviction, the College has the right to expect it to be stated clearly, argued reasonably, and defended honorably. As long as this is the case, St. John's College will continue to serve as a model to the nation in this respect as in many other respects.

TAX REFORM ACT OF 1969—ACTION OF THE COMMITTEE ON FINANCE

Mr. LONG. Mr. President, on Friday, October 10, the Committee on Finance acted in executive session on a number of provisions of the Tax Reform Act of 1969, H.R. 13270, including the maximum tax on earned income, the tax on deferred compensation, the 6-month holding period on capital assets, and the repeal of the 7-percent investment tax credit.

So that Senators might follow the progress of these executive sessions, I ask unanimous consent that a press release be printed in the RECORD.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

[A press release from the Committee on Finance, U.S. Senate, Oct. 10, 1969]

COMMITTEE DECISIONS, TAX REFORM ACT OF 1969

Senator Russell B. Long (D., La.), Chairman of the Committee on Finance, announced today that the Committee had taken the following action in executive session on H.R. 13270, the Tax Reform Act of 1969.

50 Percent Maximum Tax on Earned Income.—The Committee agreed to delete Section 802 of the House-passed tax reform bill. This provision would have reduced the maximum tax on earned income from 70 percent (77 percent with the surtax) to 50 percent.

This action removes the distinction created by the House bill, based on the source of income, and increases the revenue to be gained by the bill by $200 million in 1970.

Deduction for Gasoline Tax.—The Committee decided *not to approve* an administration suggestion that the Federal income tax deduction be disallowed in the case of State and local gasoline taxes. Before the Committee acted, the Treasury Department modified its original suggestion so that those who commute not more than 10 miles per day could continue to deduct the State and local tax paid on the gasoline they purchase to travel to and from work. As already reported, the Committee rejected this suggestion.

Capital Gains Holding Period.—The Committee agreed that it would retain the provision in present law which requires taxpayers to hold a capital asset for 6 months if the gain from the sale of the asset is to qualify for favorable capital gains tax treatment. In taking this action, which was recommended by the Treasury Department, the Committee rejected the feature which would have extended the holding period to one year. The Committee did not act on the provision to repeal the maximum capital gains rate of 25 percent.

The Treasury Department indicated that there was some question as to whether the extension of the holding period would increase revenues by the $150 million they had previously estimated. They indicated that on reconsideration they felt the revenue increase estimated under the House bill might not be nearly so large.

Deferred Compensation.—The Committee agreed to delete the provision of the House bill (Sec. 331) which would have imposed a tax on amounts received as deferred compensation based on the rates which would have been applied if the deferred amount had been received in the year in which earned. This action carried out a recommendation made by the Treasury Department.

Investment Tax Credit.—The Committee agreed that the rules in the House bill for repealing the 7 percent investment tax credit would be modified to conform to the Committee's previously announced decisions (of September 19, 1969) with respect to the repeal of the credit. In addition, the Committee made one change in its September 19 decisions.

This single change related to the special transitional exception for railroad rolling stock. Under the prior announcement this exception was to apply to all "rolling stock." Under the Committee's decision of today, this exception *is not to apply* to locomotives (other than passenger train locomotives), flat cars, or railroad cars for the hauling of automobiles.

OPERATION INTERCEPT

Mr. MONTOYA. Mr. President, there is no doubt that the objectives of the administration's program "Operation Intercept" to diminish and prevent the flow of narcotics and dangerous drugs from Mexico to the United States is worthwhile.

I am aware of the fact that a Presidential task force strongly urged the United States to undertake a major law enforcement effort along the United States-Mexico border. I am told scores of border crossing points have been established where small independent groups of smugglers transport drugs into the United States by airplane, helicopter, automobile, and boats. The demand for drugs is rapidly increasing inside the United States, and of course unfortunately, smuggling is increasing, also. Everything one reads these days indicates the seriousness of the narcotics and dangerous drug problem in the United States, especially among our youth.

According to a Department of Justice spokesman, Mexico officials agreed to cooperate in implementing Operation Intercept. However, the tremendous negative effect this operation has had on the overall economy along our borders seems to indicate that despite the justification for such an enforcement plan the United States neglected to accurately assess the impact on tourism, commerce, and our overall United States-Mexico relations. Furthermore, it seems the administration failed to accurately assess the amount of money and manpower required for such a large scale enforcement program.

The United States should provide the necessary personnel and funds, and the needed up-to-date equipment and facilities to improve the inspection program and allow for a free flow of pedestrian and vehicular traffic. The people living along the border areas have been upset, and justifiably so, by the effect this law enforcement activity has had on industry, commerce, and tourism. In addition the residents have suffered many personal inconveniences, such as long traffic delays and repeated customs inspections.

The U.S. Government should immediately take whatever action is necessary to reduce the inconvenience to law abiding citizens in the area with appropriate assurances and action. Equally important, the United States should act to relieve any strain in our relations that developed with Mexico as a result of this enforcement plan.

The joint communique issued by the United States and Mexico Governments is a step in the right direction. Operation Cooperation as it is now called, and the revisions promised in the operation, hopefully will help to renew our close working relationships with the Mexican people. The communique states that the Mexican Government plans to step up their enforcement activities along the border. I am very much pleased by this development and look forward to the results of the late October talks, which should eliminate whatever communications and policy gap remains between the two nations.

STATEMENT BY RAND CORP. STAFF MEMBERS FAVORING TOTAL WITHDRAWAL OF U.S. TROOPS FROM VIETNAM WITHIN 1 YEAR

Mr. GOODELL. Mr. President, six staff members of the Rand Corp., all of whom have done research on Vietnam for the Federal Government, have urged that the United States completely withdraw its forces from Vietnam within 1 year.

Their proposal—for complete disengagement within 1 year—is one with which I am in total agreement.

On September 25, I introduced the Vietnam Disengagement Act (S. 3000) that would require such complete withdrawal within 1 year.

The Rand Corp. is one of the oldest and most respected research institutions organized to study problems of national security. The Rand staff members who have made this proposal have made extensive studies for the Pentagon on the war in Vietnam, on subjects ranging from the effectiveness of bombing North Vietnam to interrogation of enemy prisoners.

It is extremely significant that men with such expertise—men who normally shun publicity—have urged this withdrawal timetable. It is another piece of evidence that swift disengagement from Vietnam is the only policy that makes sense.

The Senator from California (Mr. Cranston) has already placed in the Record, on October 9, a New York Times article on this proposal.

On Sunday, October 12, the Washington Post published a letter written by these six Rand staff members, setting forth the reasons for their withdrawal plan. It is one of the most cogent pieces of reasoning I have read on why it is essential that the United States disengage its troops from this terrible war within the next year.

Mr. President, I ask unanimous consent that the text of this letter be printed in the Record. I also ask unanimous consent that an article written by Joseph Kraft on this proposal, which was also published in Sunday's Washington Post, be printed in the Record.

There being no objection, the letter and the article were ordered to be printed in the Record, as follows:

A Case Against Staying in Vietnam

To the Editor, the Washington Post:

Now that the American people are once again debating the issue of Vietnam, we desire to contribute to that discussion by presenting our own views, which reflect both personal judgments and years of professional research on the Vietnam war and related matters. We are expressing here our views as individuals, not speaking for the RAND Corporation, of which we are staff members; there is a considerable diversity of opinion on this subject, as on other issues, among our Rand colleagues.

We believe that the United States should decide now to end its participation in the Vietnam war, completing the total withdrawal of our forces within one year at the most. Such U.S. disengagement should not be conditioned upon agreement or performance by Hanoi or Saigon—i.e., it should not be subject to veto by either side.

It is our view that, apart from persuasive moral arguments that could lead to the same conclusion, there are four objections to continued U.S. efforts in the war:

1. Short of destroying the entire country and its people, we cannot eliminate the enemy forces in Vietnam by military means; in fact "military victory" is no longer the U.S. objective. What should now also be recognized is that the opposing leadership cannot be coerced by the present or by any other available U.S. strategy into making the kinds of concessions currently demanded.

2. Past U.S. promises to the Vietnamese people are not served by prolonging out inconclusive and highly destructive military activity in Vietnam. This activity must not be prolonged merely on demand of the Saigon government, whose capacity to survive on its own must finally be tested, regardless of the outcome.

3. The importance of the U.S. national interest of the future political complexion of South Vietnam has been greatly exaggerated, as has the negative international impact of a unilateral U.S. military withdrawal.

4. Above all, the human, policical, and material costs of continuing our part in the war far outweigh any prospective benefits, and are greater than the foreseeable costs and risks of disengagement.

The opponent's morale, leadership, and performance all evidence his continuing resiliency, determination, and effectiveness, even under extremely adverse conditions (in no small part because of his conviction that he fights for a just and vital cause). Estimates that the opponent's will or capacity (in North or South Vietnam) is critically weakening because of internal strains and military pressures are, in our view, erroneous. Even if a new strategy should produce military successes in Vietnam, substantially reduce U.S. costs, and dampen domestic opposition, Hanoi could not be induced to make any concessions (e.g., cease-fire or mutual withdrawals), so long as they implied recognition of the authority of the Saigon government. Thus, to make the end of U.S. involvement contingent upon such concessions is to perpetuate our presence indefinitely.

Our participation in the war will also be unjustifiably prolonged if we tie total withdrawals to basic changes in the policies and character of the South Vietnamese government. The primary interest of the present Saigon leadership is to perpetuate its status and power, and that interest is served not by seeking an end to hostilities through negotiations but only by continuing the war with U.S. support. Their interest is thus directly opposed to ours. For the same reason, the present Saigon government is not likely to seek the long-awaited improvements and "broadening" of its base. The United States should not obstruct favorable political change in Saigon by unconditional support of the present regime. Yet, we believe, the United States should in no way compromise or postpone the goal of total withdrawal by active American involvement in Vietnamese politics. Such interventions in the past have only increased our sense of responsibility for an outcome we cannot control.

Our withdrawal might itself produce the kinds of desirable political changes in Saigon that the U.S. presence seems to have inhibited, including the emergence of a cohesive nationalist consensus; and it might give better focus to our alliance relationships elsewhere in the world by bringing our Vietnam policy into line with the President's declaration in Guam on the limits of our partnerships.

As for global U.S. interests, the original rationale for a large scale U.S. military effort in Vietnam—the prevention of proxy victories by the USSR or Communist China—has long since been discredited. Moreover, we regard the Vietnamese insurgency as having special characteristics that cannot be considered typical of or exerting decisive influence on other revolutionary movements in Asia or elsewhere. We do not predict that only good consequences will follow for Southast Asia or South Vietnam (or even the United States) from our withdrawal. What we do say is that the risks will not be less after another year or more of American involvement, and the human costs will surely be greater.

Daniel Ellsburg.
Melvin Gurtov.
Oleg Hoeffding.
Arnold L. Horelick.
Konrad Kellen.
Paul F. Langer.

Santa Monica, Calif.

Breaching the Code—Rand Analysts' Protest on Vietnam Raises Basic Question of Responsibility

(By Joseph Kraft)

Santa Monica, Calif.—When six analysts from the Rand Corp. drop their slide rules and open their mouths to protest about Vietnam, something important has happened.

For the Rand protest, expressed in letters to the editors of The New York Times and The Washington Post, goes beyond the issue of Vietnam to the central moral problem of American public life. It raises the question of the responsibility borne by officials and analysts for the actions and policies of the governments they serve.

Rand, which has its headquarters in Santa Monica, is one of the oldest and most professional of the research institutions set up by the government after World War II to analyze problems of national security. It derives about 75 per cent of its annual budget from the Department of Defense. It does extensive work with classified material. It has recently begun to do a series of special studies for Henry Kissinger and the National Security Council. Its existence depends on having funds from, and good relations with, the federal government.

In the past, Rand analysis have repeatedly questioned prevailing government policies behind closed doors. Individual Rand staff members have participated in public discussions. But the six men involved in the present letter—Daniel Ellsberg, Melvin Gurtov, Oleg Hoeffding, Arnold Horelick, Konrad Kellen and Paul F. Langer—go way beyond the tradition. For they speak out as a group in direct opposition to a government policy which they had not before challenged. They published their letter over strong opposition from some of Rand's chief executives. And they did so at some risk to their future careers.

The basic argument on Vietnam unfolds in three stages. The first point is that Washington has committed itself to a Saigon regime that does not want peace. As the letter says: "The primary interest of the present Saigon leadership is to perpetuate its status and power, and that interest is not served by seeking an end to hostilities through negotiations but only by continuing the war with U.S. support."

The second point is that the other side cannot be made to negotiate on Saigon's terms. The letter says: "Even if a new strategy should produce military successes in Vietnam, substantially reduce U.S. costs and dampen domestic opposition, Hanoi could not be induced to make any concessions—so long as they implied recognition of the authority of the Saigon government."

The argument concludes with the proposition that, since the United States cannot bring either Hanoi or Saigon to negotiate, this country's best option is to walk away from the war. The letter says: "We believe that the United States should decide now to end its participation in the Vietnam war, completing that total withdrawal of our forces within one year at the most."

There is nothing shocking in these views. They are shared by many high officials in this and previous administrations. What is remarkable is that only a handful of those who have come to believe these ideas have said so in public.

Most have suppressed their true beliefs. They have preferred to play inside politics. They have subscribed to the basic Washington mystique that fidelity to a President transcends fidelity to convictions on even the most critical issues. They have followed the code of the apparatchik.

The Rand letter is chiefly important as a repudiation of the apparatchik code. The public protest breaches the bureaucratic tradition of mute service even when policy conflicts with conscience. And that crack in the old mystique requires a rethinking in two areas.

For one thing, the federal government is going to have to develop a more open policy in its relations with outside sources of expertise. The days are gone when good men, with an implicit faith that the United States was on the right side of the Cold War, signed up to do unquestioning research for the national security establishment. If the government wants to have the advice of good men, it is going to have to accept a wide range of questions about basic policy objectives. There is going to have to develop between Washington and the analysts much more of a give-and-take relation.

Conversely, a new obligation is imposed upon those disposed in the past to damn anybody with close ties to the government. Out of that shallow practice there have come sweeping attacks on many institutions doing work for government. But the fact now made manifest in the Rand protest is that these institutions are not uncritical mouthers of a monolithic line. They are not Dr. Strangeloves writ large. And thus, more than ever, there is an obligation on those of us with doubts about the government policy not to suspend our disbelief but to be careful, selective and discriminating in criticism.

REGIONAL AIR SERVICE PROJECTED IN ANALYSIS BY EDWIN I. COLODNY, VICE PRESIDENT OF ALLEGHENY AIRLINES

Mr. RANDOLPH. Mr. President, for many, many years I have endeavored to promote the value and importance of local service air carriers in the development of our national transportation networks. The regional carriers perform a vital function in bringing commercial air service to smaller communities throughout the United States. It is my firm belief that they will exercise an increasingly vital role in the future. The citizens of West Virginia are deeply interested in and concerned with the progress and advancement of local service carriers. We are served by Allegheny Airlines and Piedmont Airlines. The interstate and intrastate operations of these carriers are important to the traveling public and shippers of our Mountain State.

Edwin I. Colodny, executive vice president of legal affairs and marketing services for Allegheny Airlines, presented a thought-provoking paper at the International Symposium on Air Transportation in Nashville, Tenn., on August 21. His analysis, "Regional Service in the 1970's," outlines the service of local carriers to the traveling public and projects future developments in the next decade. Mr. Colodny cogently analyzes many of the complex problems to be faced and resolved if regional carriers are to continue their growth and to meet increased travel demands for smaller communities and lower density market areas.

I feel that his comments should be brought to the attention of Members of Congress who will be involved in the development policies and programs under which local service carriers operate.

Mr. President, I ask unanimous consent that the paper entitled "Regional Service in the 1970's" be printed in the RECORD.

There being no objection, the paper was ordered to be printed in the RECORD, as follows:

REGIONAL SERVICE IN THE 1970'S

(By Edwin I. Colodny, executive vice president, legal affairs and marketing services, Allegheny Airlines, Inc., Washington, D.C., August 21, 1969)

The name of the product is travel. The local service carriers—nine in number—sold 22 million persons over $400 million worth in 1968. An additional $30 million in non-passenger service—cargo and mail was also dispensed.

A decade ago—1958—only 4 million passengers were carried by the locals, with commerical revenues totaling $62 million.

To accomplish this impressive record, the local service industry has expanded both the quantity and quality of its service: cities served increased from 420 to 558; points served exclusively by the locals increased from 207 to 289; population served increased from 110 to 141 million; available seat miles increased five-fold; investment in modern equipment has replaced obsolete piston aircraft; total assets increased from $56 million to $800 million.

The federal government has fostered development of the local service industry through two major policies: route grants which have authorized more service at cities large and small; subsidy payments to support services at the smaller cities.

The local service industry, by the end of 1968, dramatically decreased its dependence on federal subsidy—from over 50% of commercial revenues in 1958, to less than 10% of commercial revenue in 1968.

Yet this growth has not produced a level of earnings adequate to produce a consistent reasonable return on investment.

There are some, both within and without the industry, who are pessimistic with regard to the regional carriers' future. Speculation centers around mergers with trunklines as the only long-range solution, or sharp increases in subsidy, or take-overs such as the Hughes-Air West transaction.

While all of us share concern for the economic health of the regional carrier industry, in my opinion it would be a sad mistake if the pessimists were to carry the day, particularly if they were to influence regulatory policy in a way which would curtail, or terminate, those policies which are essential to structuring a sound regional air carrier system for the 1970's.

Let's have a quick look at the general economic trends which the experts project for the next decade: growth in population from 200 million to 226 million by 1980; growth in gross national product (GNP) from $865 billion in 1968 to $1.7 trillion by 1980; growth in personal consumption expenditures at a rate even faster than GNP.

Domestic air travel forecasts are equally optimistic. The ATA projects an average annual growth rate between 10 and 12%, producing a market of 177 billion revenue passenger-miles by 1975, and 300 billion by 1980.

Domestic cargo traffic is also projected to increase rapidly—from 1 billion ton-miles in 1965 to 6 billion by 1975, and 30 billion by 1980.

These projections are highly significant, because they indicate a continuing growth potential available to all segments of the industry—trunklines, locals, and all-cargo carriers.

Despite the impressive growth record of the regional carriers over the past decade, these nine carriers carried only 6.3% of the total domestic passenger-miles in 1968. This is about the same as Delta Air Lines' share of the industry. The trunkline growth in July was 875 million revenue passenger miles—50% greater than total local service traffic in the same month.

Despite a CAB program to strengthen the local carrier route system, its share of the domestic market has increased by only one-half of one percentage point between 1966 and 1968.

If the share goes no higher than 7% by 1975, the regional industry can expect to serve about 12 billion revenue passenger miles in that year, slightly more than double the 1968 level of 5.5 billion.

I believe our policy aim should be higher than this. *By 1975, the regional carriers should have a goal of 10% of domestic passenger-miles, with an average passenger trip of approximately 350 miles.* This should equate to some 50 million originating passengers, and 18 billion passenger-miles. This would mean a doubling of passengers, and a tripling of passenger-miles.

In addition, *the majority of the regional carriers should be operating without federal subsidy support by 1975.*

To achieve these goals, it is imperative that federal policy be in harmony with the objectives.

If the regional carriers are to become self-sufficient, subsidy-free operations, three things must occur, each of which is dependent on affirmative federal action:

(1) average passenger journey must increase significantly over the current level of 250 miles;

(2) access to a greater share of the denser markets must be provided; and

(3) very low traffic producing points should be served by smaller aircraft, or in some instances be eliminated from certificated status.

The high cost of short-haul air service is an accepted fact. Its cost characteristics are further aggravated by inflation, as well as traffic delays in certain major metropolitan areas. This is true whether the carrier be trunk or local.

It is essential, therefore that the *quality* as well as the *quantity* of air carrier growth be examined. The growth in air travel in many short-haul markets *must* be constrained.

The investment in aircraft required to provide increasing volumes of seats to serve many of these markets cannot be justified. Even more important, we cannot justify the use of our limited airport capacity at many cities for such travel. Many cities within a two to three hour drive of New York cannot look forward to better New York air service unless a successful V/STOL system makes an appearance.

Fortunately, we have developed a national system of interstate and defense highways. Some 28,000 miles of the 42,500 mile system are now open to traffic, 67% of the total. All but 2,000 miles of the remaining 14,000 is in process. $37 billion has been spent thus far to provide decent surface transportation. With the cost of short-haul air travel at such high levels, we should not attempt to maintain high growth rates in air travel over short distances where the highway system offers a reasonable alternative. As a matter of fact, the interstate highway system has drastically improved accessibility of many areas to alternative air service. Many small cities which are within one hour's drive of frequent service at another city's airport cannot compete with the airport having a full pattern of service to multiple destinations.

Concurrently with a restraining of the growth rate in short-haul travel, the federal policy should continue to provide the regional carriers with a larger share of the longer-haul markets. As noted earlier, a route strengthening program was commenced in 1966.

The CAB's route policy has permitted expansion of regional carriers in the past two years in two ways: 1) better markets by permitting competitive nonstop service in many dense short-to-medium-haul pairs of points; and 2) long-haul extension to major terminals, in order to provide new single-carrier services from intermediate size cities to their ultimate destinations.

Examples of these policies are the certification of Allegheny in several important Pittsburgh markets including New York, Boston, Chicago, Louisville, Nashville and Memphis; certification of Mohawk in several important Buffalo/Rochester/Syracuse markets; extension of Piedmont to New York and Chicago; extension of Ozark and Southern to Washington and New York; extension of Texas International to Los Angeles; and extension of North Central to Denver.

The advent of the highly efficient, passenger appealing family of twin jets such as the DC–9 and B–737 has made this new policy viable. The need for better service at many intermediate size cities can now better be met by regional carriers. The carriers have the equipment and the know-how. These markets, served without subsidy eligibility, are profit potential markets due to the density of traffic available and longer length of haul. The regional industry average length of haul increased from 210 miles in 1965 to 250 miles in 1968, with average passengers per mile increasing from 18 to 26. This is still a long way from the trunkline industry, which averaged 57 passengers per mile and a 753 mile journey in 1968.

There are many opportunities for further route strengthening for the regional carriers. The policy of the CAB should not only be continued, but accelerated, particularly in these situations where the issue is not whether to authorize a new carrier, but which carrier to select. The traffic potential reflected in all the forecasts, whether government or industry, indicates an ample ability to permit the regional carriers expansion without in any way impairing the financial integrity of the trunkline industry.

Looking ahead five years, it is not unreasonable to foresee regional carriers providing service at both east and west coasts. The considerations which supported the extension of Ozark from the mid-west to the east coast may well support extension from these same points to cities such as Los Angeles.

As a matter of fact, two carriers, Air West and Frontier, now serve border to border, and Ozark and Texas International are two-thirds transcontinental.

What about the other end of the spectrum, the low traffic generating points? What is their future in the next decade? As an industry, the regional carriers are extremely mindful of their responsibilities to the smaller cities of this country. Overall, the record is excellent. Service has been improved and expanded at most cities. But there still remain a large number of points which can be served only with heavy losses, and heavy subsidy in relation to the public benefit. As of the end of 1968, there were 74 domestic points receiving year-round service which generated 10 or less daily passenger enplanements. This is one out of six of the airports served. Less than 175,000 passengers—less than 1% of the industry total were boarded at these points. The average per departure was *less than three passengers*.

The question must be asked—does the policy of the Federal Aviation Act require a scheduled certificated service at all of these points? Is it in the public interest to impose this burden on the balance of the certificated air transport system, whether such burden reflects itself in outright federal subsidy, cross-subsidization of such services by those which are profitable, or by fare policies which unduly hinder lower fares where they are economically warranted?

The answer to such questions is obviously neither easy to come by, nor necessarily uniform in applicability. But one point does seem obvious—we should not assume that service by a subsidized certificated carrier is necessarily the best way to meet the public need. The CAB has been re-examining the matter of service to lower traffic producing points. This should be applauded and encouraged for several reasons:

(1) this is a time for reviewing our national priorities, including those relating to all modes of transportation;

(2) at a time of economic tightness, it is essential that non-productive services be curtailed or eliminated, particularly where tax dollars are supporting such services;

(3) in some instances, the need for certificated service by a local service carrier has probably disappeared, due to such reasons as a decline in economic activity, or the impact of new highways;

(4) the air taxi/third level group of carriers are in a period of expansion, and to the extent that rational development and integration of such services into the national air transport fabric can be accomplished, it should be encouraged.

(5) Part 399.11(d) of the Board's Statements of General Policy encourages local service carriers to request suspension of service at points which are not generating sufficient traffic.

Allegheny has commenced on its own to implement a means of improving service at certain low traffic generating points, and at the same time eliminating the losses associated therewith.

It has long been apparent that larger aircraft such as the Convair and Fairchild series designed for markets which serve greater traffic flows could not be utilized to provide an economically viable service. It has also been apparent that the traditional segment type service, where the city is served as one of several points between major terminals, is not necessarily designed to provide adequate service at such cities. Frequency and timing of schedules are invariably a compromise when attempting to satisfy three, four or five points all on the same flight.

The Allegheny Commuter program attempts to harness the cost and service values of smaller aircraft under a program which substitutes the air taxi for Allegheny, but under definitive guidelines which relate to the quality and quantity of service, with Allegheny remaining identified with service to the community and providing certain resources and a measure of financial stability not otherwise available. Equally important, Allegheny retains the obligation to resume service at the community in the event the operator suspends service for any reason.

Since the initial experiment began at Hagerstown in October 1967, the Allegheny Commuter has been introduced at five other cities. As of May 1969, almost 50,000 passengers have been carried by Allegheny Commuter flights at these six points. No subsidy is paid for Allegheny Commuter services. And Allegheny's subsidy need has been reduced by $323,000 annually.

The CAB has favorably received this program. It should continue to encourage this, as well as other means of utilizing the air taxi segment as an integral part of the domestic industry. Such encouragement should include an early review of the present 12,500 pound limitation on aircraft. A better standard for the 1970's would be passengers instead of pounds. If the forecasts are near accurate, it is likely that air taxi operators will have to utilize aircraft with 20 to 25 passenger capacity within the next few years.

According to a spokesman for the third level carriers, 101 different carriers now serve 359 of the 538 cities listed in the *Official Airline Guide*. One hundred ten points are dependent on scheduled air taxi/third level service.

The industry, as well as the CAB, must be sensitive to any suggestion that the local service carriers are no longer interested in serving smaller cities. A review, such as is suggested here, should not be so interpreted, however. In some instances air taxis are already providing service in competition with the locals, and are in a position to offer adequate replacement service. In other instances, the interstate highway system is the competitor. Part 399 of the CAB's Policy Statements requires the carriers to act in those instances where service by a local carrier no longer appears warranted. The industry and the CAB should jointly accept responsibility for administering this policy in order to reduce unnecessary economic burdens on either the private or public sectors.

In summary, I believe that there is sound basis for confidence in the future of the regional carriers. With a projected growth from 150 million passengers in 1968 to 425 million by 1980, there is ample room for accommodating an expanded role for both the regional carriers and the air taxi/third level group without impairing the health of any group, including the trunk carriers. In the long run, market demand will provide a meaningful base for route policies which will permit economic self-sufficiency without federal subsidy support. The contribution of the air taxi group as part of the total regional air transport system will strengthen regional services in the next decade. It is important that national transport policy recognize the contribution which these carriers can make and encourage their growth in a controlled but positive environment.

Recognition of changing conditions in the needs of our population for air transportation is one of the great virtues of the regulatory concept embodied in the Federal Aviation Act. We have confidence that this will continue to be reflected in the administration of this Act.

RAIL PASSENGERS AND THE RAIL CRISIS

Mr. PELL. Mr. President, it had often been said that consumers were the least organized and least represented group in the Nation. The appearance of Ralph Nader and the passage of former President Johnson's successful legislative program for consumer protection have somewhat offset those weaknesses.

Railroad passengers have for many years suffered from the same under-representation and disorganization which have beset the consumer in past years.

However, I believe that there are now a man and an organization capable of doing for the railroad passenger what Ralph Nader has done for the consumer. Mr. Anthony Haswell is that man, and the National Association of Railroad Passengers is that organization.

Since 1967, Mr. Haswell and the ever-increasing membership of the National Association of Railroad Passengers have been vigorously fighting for the maintenance and improvement of rail passenger service. Mr. Haswell and the National Association of Rail Passengers have presented their case to congressional committees and have argued persuasively before the Interstate Commerce Commission against the discontinuances of intercity trains. Their efforts deserve the commendation of the many Americans who believe that rail passenger service is a viable and economical mode of travel which should be encouraged by the Federal and State governments and continued by the railroads. As a member of the advisory board of the National Association of Rail Passengers, I am particularly proud of the fine work undertaken by Mr. Haswell and the association.

I ask unanimous consent that an article entitled " 'Crank from Chicago' Fights Death of Passenger Trains," written by Stephen Aug, and published in the Sunday Star of September 28, 1969, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Sunday Star, Sept. 28, 1969]

CRISIS ON RAILS: "CRANK FROM CHICAGO" FIGHTS DEATH OF PASSENGER TRAINS

(By Stephen M. Aug)

There are some segments of the railroad industry in which the name Anthony Haswell is synonymous with "that crank from Chicago."

But to his supporters, several regulatory agencies and apparently a growing number of congressmen, Haswell appears to be offering one of the few rational approaches to one of the most highly emotional transportation problems to develop in years—solving the crisis of the disappearing passenger train.

As founder in 1967—and chairman of the National Association of Railway Passengers, Haswell has been leading virtually a one-man battle against the efforts of the multi-billion-dollar railroad industry to divest itself of its unprofitable passenger business.

Although the association, with about 3,500 members, now provides $15,000 to $20,000 a year in membership dues, Haswell—38-year-old bachelor heir to a Dayton, Ohio, department store fortune—has spent about $150,000 of his personal funds fighting his cause.

OPPOSES DISCONTINUANCES

He has taken active part in opposition to railroad attempts to discontinue such famed trains as the California Zephyr; City of San Francisco and the Sunset Limited. The Interstate Commerce Commission sought him out for its year-long study of the costs of railroad passenger service which resulted in a call to Congress for some form of help to preserve rail passenger service.

And, while the Association of American Railroads could persuade one senator and one representative to introduce legislation calling for federal subsidies for railroads forced to operate money-losing passenger trains, a measure strongly endorsed by Haswell's group found 13 cosponsors when Sen. Joseph D. Tydings, D-Md., introduced it in the Senate, and 18 cosponsors when Rep. Brock Adams, D-Wash., proposed it in the House. The measure would provide $195 million to the Department of Transportation over four years to buy new passenger equipment and lease it to the railroads.

CAUSE APPEARS POPULAR

This doesn't mean Haswell is a power to be reckoned with. Apparently it means he's fighting a popular cause.

It began when Haswell, as a young lawyer in 1959 at his first job with the Illinois Central Railroad law department, used to watch from his office window as trains came and went through the IC station.

"The New York Central Railroad used the IC station for its three train a day between Chicago and Cincinnati," he recalled in a recent interview. "Suddenly, across my desk came a notice saying it was applying to the Indiana Public Service Commission to discontinue all passenger service between Chicago and Cincinnati. I was shocked. It suddenly occurred to me that the railroads were trying to discontinue all their passenger service."

But the Indiana commission declined to permit the end of the Chicago-Cincinnati service, and now, 10 years later, Haswell is trying to stop the New York Central's successor—Penn Central—from eliminating the last train over that route, the James Whitcomb Riley.

Haswell resigned from his railroad job in 1963, served for a time the following year as a public defender in Cook County, Illinois, and since then has devoted full time in the railroad passenger's cause.

The chief villains, Haswell contends, are the Southern Pacific, Missouri Pacific and—with the exception of its Chicago-area commuter service—the Chicago & North Western. But he also has a "good-guys list:" Seaboard Coast Line; Atchison, Topeka & Santa Fe; Great Northern; Illinois Central and Southern.

Haswell contends that some railroads—like Penn Central—which have not tried actively to discourage passengers, have simply let their business drift away. "The passenger business has to be aggressively managed," he said, with continual advertising, well-maintained equipment, courteous personnel. "The moment you quit managing it, it's going to go to pot in a hurry and the costs will spiral. Most railroads have allowed this to happen.

"To put passenger service down the drain you don't have to take affirmative action. You just have to walk away from it—and this is what the industry has done."

Haswell believes there are three specific markets for long-distance trains:

1. Between such huge population centers as New York-Chicago and Washington-Chicago. "Two thousand people a day fly one-way New York to Chicago, while perhaps 100 to 200 take the train. I'm convinced that 10 percent of the people up there flying are there not because they want to be, but because the alternate service is unsatisfactory."

2. New York-Florida, Chicago-Florida. "What you have there are Florida vacationers. Unlike businessmen they have a great deal more time to themselves," he said. He contends Seaboard Coast Line has made the run profitable because it capitalizes not only on winter travel, but on summer-time low-priced package trips that keeps the trains full year-round.

3. Summer vacations on long Western runs. "The train travel itself is an integral part of the vacation in terms of viewing the scenery," he said. Haswell contends the western train service has to be trimmed to one train between Chicago and San Francisco, one between Chicago and Los Angeles and one between Chicago, the Twin Cities and Pacific Northwest.

He would also have somewhat less luxurious service between New Orleans and Los Angeles and Kansas City and the Pacific Northwest.

CALLED "A FANATIC"

There are those in the railroad industry who consider Haswell "a fanatic." One ranking railroad official said. "He has an uncritical belief in the preservation of passenger service—whether it's needed or not. He's a preservationist. He doesn't have a completely logical open mind."

On one thing both Haswell and the industry agree—passenger service is costing the railroad vast sums of money. "It is a serious economic situation, and we who want passenger trains must work for solutions.

Is there a future for the trancontinental passenger train? The industry says "no," because people don't want to spend the time or the money.

But Haswell says "the values—the usefulness—of the California Zephyr for example will not change in 20 years. They won't change as long as there's a railroad and the Rocky Mountains."

OAKLAND, CALIF., URGES ENACTMENT OF SENATOR MURPHY'S URBAN AND RURAL EDUCATION ACT

Mr. MURPHY. Mr. President, I have been placing in the Congressional Record endorsements that I have received from across the country of S. 2625, the Urban and Rural Education Act of 1969, which I introduced on July 15.

Today, I am pleased to place in the Record a letter I received from my home State. Superintendent Benbow, of the Oakland Public Schools, said:

> Your description of the nation's troubled urban school systems is a very exact description of Oakland's school system. . . . I think I am not exaggerating when I say that the situation in Oakland is ominous and that the schools in their present weakened condition offer little hope for improvement.

Thus, Oakland is one of the troubled school districts of the Nation to which my bill is addressed. I ask unanimous consent that Superintendent Benbow's letter be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Oakland Public Schools,
Oakland, Calif., August 13, 1969.

Hon. George Murphy,
U.S. Senate, Senate Office Building,
Washington, D.C.

Dear Senator Murphy: I have read with much interest and appreciation your address to the Senate on July 15, 1969, on the occasion of the introduction of the Urban and Rural Education Act of 1969.

You have most ably described the background and the urgency of the need and there is little that I can add except to say that your description of the nation's troubled urban school systems is a very exact description of Oakland's school system.

Superficially, one might say that a city such as Oakland should be able to help itself more effectively, but that time has passed. The very same conditions which have brought the schools to crisis have pretty well paralyzed the will of the community to help.

The citizens of Oakland are deeply divided in many ways and much of this seems to be centered on what to do with the schools. This situation has effectively defeated all efforts to raise locally the money that is necessary to rehabilitate the school program and to provide the highly specialized and expensive help needed for our very large number of disadvantaged children.

The state legislature has been unable to provide the help for the urban areas which almost everyone admits is needed.

I think I am not exaggerating when I say that the situation in Oakland is ominous and that the schools in their present weakened condition offer but little hope for improvement.

Please be assured that we deeply appreciate your efforts on our behalf and will do all we can in support.

Respectfully yours,
Spencer D. Benbow,
Acting Superintendent.

DEVELOPMENT OF SOVIET NAVAL STRENGTH

Mr. JACKSON. Mr. President, one of the crucial questions facing America today is the adequacy of our defense. For the past decade our first line of deterrence has been our Polaris submarine fleet. In recent years the Soviet Union has made significant progress in developing its naval forces, particularly those which could be used to counter our Polaris force or which increases their sea-based striking power. As a part of their program to surpass the United States, they are continuing to produce newer and better nuclear submarines.

The Soviet Union's nuclear power submarines, which used to be content to stay close to Europe and Asia, are now moving increasingly closer to our shore. Elements of their surface fleet just recently cruised off the beaches of Cape Kennedy on their way to Havana.

In an interview recently, Russian Admiral Sergeyev stressed the increased power of the Soviet naval fleet. He said that the creation of a powerful Soviet navy had its beginnings under Lenin. Then the admiral recalled an old song:

> Over all oceans, over all countries, we unfold the red banner of labor.

Admiral Sergeyev added:

> What was a dream then, now has become reality.

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The United States must heed these bellicose warnings; to ignore them is an invitation to disaster. In this connection, I ask unanimous consent to have printed in the Record an editorial which calls attention to statements by Secretary of Defense Laird and by Admiral Rickover that advances by the Soviet Union threaten our retaliatory capability. The editorial was published in the Norfolk, Va., Ledger-Star, August 30, 1969.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Countering the Missile Subs

Twice in recent months, intimations have come from knowledgeable American officials that the missile-carrying submarine may lose some of the protection it has enjoyed by reason of its capacity to remain submerged for long periods and its ability to fire and then move to a new position before an enemy could deal with it.

The first such publicly disclosed comment was a statement by Defense Secretary Laird in March, when he said he did not believe the existing immunity from attack would last much beyond 1972.

Now has come the release of testimony by the chief architect of the U.S. nuclear sub force, Vice Admiral Hyman Rickover, who points to the looming need of a new kind of escort submarine for the missile-firing type. He said the Soviets, rapidly overtaking the U.S. in submarine strength, could threaten the invulnerability of the Polaris by 1973 or 1974.

However inevitable it may have been that the A-sub would bring development of enemy means to offset its advantages—under the historically demonstrable theory that any new weapon stimulates the creation of counter-weapons—it is nevertheless a matter of concern that this may happen soon, may indeed already be happening. For beyond a doubt the potent U.S. force of Polaris subs, with their nuclear-tipped rockets, has given this country an important margin of protection. This has been the extra striking power the U.S. could exert even if somehow its land-based missile complex was crippled.

Nor is the new concern greatly lessened by such beliefs as that of the civilian expert who answered Mr. Laird's view by attributing the Defense Secretary's observations to intuition and uneasiness rather than any hard evidence of a Soviet anti-Polaris breakthrough. This expert, who is a member of the Naval Research Advisory Committee, said he knows of no such actual developments in submarine warfare.

Yet even granting a degree of over-emphasis on Mr. Laird's part (he was intent on selling the anti-ballistic missile to Congress at the time), he is nevertheless in a position to know a great deal about the matter. And obviously, so is Admiral Rickover. If such men as these, even supposing they have no precise, factual data, are making educated guesses that the end of Polaris' special advantage is in the offing, their views cannot be complacently dismissed.

The possible danger and the cost of ignoring such a Soviet potential are simply too great.

CONSERVATION OVERKILL IN THE GRAND CANYON

Mr. GOLDWATER. Mr. President, I am always gratified when Senators from the East take a particular interest in the scenic wonders of Arizona, especially the Grand Canyon. However, those with an intimate knowledge of the canyon and the surrounding area and its related problems are inclined to feel that the bill introduced recently by the Senator from New Jersey (Mr. Case) may do more harm than good.

It may surprise some Senators to understand that although conservation is a highly laudible pursuit, it is also a pursuit which may be overdone. I believe this is true so far as Senator Case's bill is concerned.

The Phoenix Gazette, which is published in my hometown of Phoenix, Ariz., says that Senator Case's bill to expand the acreage of the Grand Canyon Park to 2.1 million acres is an exercise in conservation overkill. Just one of the problems that would be created involves the proper management of wild game. Arizona pioneers have never forgotten the problems in Kaibab National Forest in the 1920's, when the lack of sound game management resulted in a vast overpopulation of deer which virtually destroyed the area.

There are other objections which I feel I must raise to Senator Case's bill, objections which I will raise if and when it comes before the Senate for consideration. Meanwhile, I ask unanimous consent to have printed in the Record an editorial entitled "Too Large a Park," published in the Phoenix Gazette of October 6, 1969.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Too Large a Park

Although Sen. Clifford Case, R–N.J., may deserve admiration for his concern over the scenic wonders of the Grand Canyon, his proposal to expand the national park there to three times its present size amounts to conservation overkill.

Under provisions of a bill introduced by Case, the park would be enlarged from its present 673,575 acres to more than 2.1 million acres, taking in a vast area from Lee Ferry to Lake Mead. That is too much park.

Even if all the extra land involved already belonged to the federal government, Case's proposal would be a bad one. It would seal off vast acreage, including much of the Kaibab National Forest, from multiple use, a move that would seriously damage the economy of Northern Arizona. Since hunting is prohibited in national park areas, sound game management would be impossible, and the Kaibab might once again be the scene of the horror of the 1920s, when an overpopulation of deer virtually destroyed the area.

Worse yet, Case's bill provides for 50,000 acres of state land and 40,000 acres of privately owned land to be taken into the park. With 72 percent of Arizona already in the federal domain, no additional acreage should be added except for the most urgent reasons. The park expansion envisioned by Case is not urgent.

This is not to say that the Grand Canyon National Park shouldn't be expanded. Sen. Barry Goldwater, who knows the canyon better than most men, has introduced legislation that would expand the park by 255,250 acres, most of it already held by the federal government. Moreover, Goldwater's bill, backed by the entire Arizona delegation, takes into careful consideration the other needs of the area, including game management. Like Case's bill, it prohibits major dams and provides other protection. It does not, however, provide a park so vast that it would be virtually unmanageable.

If Sen. Case really has the interests of the Grand Canyon at heart, he will withdraw his bill so the Senate can proceed on Sen. Goldwater's sound legislation.

THE HAWAIIAN VIEW OF THE WORLD

Mr. INOUYE. Mr. President, on this 10th anniversary of Hawaii statehood, I thought it would be of interest to Members of Congress—particularly those who had supported the effort which gave us statehood—to share a recent address by our Governor, Hon. John A. Burns, to the 95th annual convention of the American Bankers Association. I believe Governor Burns expresses so well the Hawaiian view of the world and their role in it.

While each of our 50 States is unique, we in Hawaii feel that we have certain special characteristics which set us apart and make us a bridge for understanding the larger world.

Mr. President, I ask unanimous consent that Governor Burns' speech be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address by Gov. John A. Burns Before the American Bankers Association, Honolulu International Center

It is with genuine pleasure that I welcome today to our State of Hawaii all you who are here for the 95th annual Convention of the American Bankers Association.

It is certainly an honor for our Islands that your prestigious organization has chosen this Pacific State for your major national assembly during our Statehood Decennial Year.

The list of distinguished leaders of our country's financial business, governmental and news media institutions who have gathered here in connection with your sessions adds luster to our own happy 10th Statehood Anniversary celebrations.

I am delighted to say to all of you, in the ancient and beautiful language of these Polynesian Islands, "E komo mai"—Come in! The House is Yours!"

You will, I am sure, find time to tour our State and go far beyond the immediate comforts and convenience of modern Waikiki to the still more beautiful regions of our wonderful Neighbor Islands. You will see there what we call the "Other Hawaii"—the Islands of legend and song, where an environment of surpassing beauty is within reach of all of you.

You will discover—perhaps to your astonishment—that we who live in Hawaii view the world beyond our Islands with different eyes and somewhat deeper insights. It was with both good humor and a special perception that a speaker remarked recently:

"In Hawaii, New York is the Far East and the Land of the Rising Sun, while China, Japan, Korea, the Philippines, and other nations of Asia are the lands of the Golden West, where opportunities abound."

While Paris, London, Philadelphia, Chicago, Denver, and San Francisco are deep in sleep or close to it, Hawaii is wide awake, pondering the world's events, reading Today's News Today in the nation's latest afternoon paper, and still discussing at dinner tables the newest crises and newest solutions to the problems of our globe.

And while London, New York, and Chicago are roaring with the traffic noises of giant cities starting a new day, Hawaii is still at rest and hears only an occasional song of a sleepy bird and the soft, steady thunder of our ever-present surf.

We in Hawaii are in the Center of the Sea, in the quiet vastness of the awesome Pacific, geographically unique, like no other State in the Nation. It is most logical, therefore, that our outlook, our political and social philosophy, our culture, our thinking, our habits of work, and recreation will, in many ways, be refreshingly different to those of you who may not be familiar with our history and our special place in this world.

We are more than a collection of Islands; we are an Island people—a free people—of all races, colors, creeds, and cultures. We are an amalgamation, a fusion, of East and West. We are not a *collection* of differences; rather, we are a *melding* of differences, forming what some have called—in their enthusiasm for the process and the product—a Golden People.

Because we are different, although still thorougnly American, we view the world an outlook different from that of our fellow citizens of our Mainland Sister-States.

We are a Pacific Frontier State. Here in Hawaii, we have known the full fury of war and the sweet and precious blessings of peace. Our young and dear Island sons have offered their lives—just as many of your sons have given theirs—for the defense of freedom of alien peoples in alien lands, in past and present conflicts.

It was from these same lands—Japan, China, the Philippines, Korea, and the countries of Southeast Asia and the Pacific, that the parents and grandparents of our citizens came, seeking the security and blessings of America. We have been the second "Golden Door" to the United States for thousands of Asian immigrants.

Here in Hawaii, we have suffered the same anguish of spirit over the Vietnam War which you yourselves have suffered. We have been much closer to it, geographically and militarily, than any other State. With our memories of Pearl Harbor, we have a special sensitivity to the many implications which flow from the changing tides of battle and the deep yearnings of millions for an end to brutal conflict.

Here in Hawaii, we developed long ago the profound conviction that all mankind is one family; that no man, no State, no nation, is an Island complete unto itself; that there is no peace for us when anyone, anywhere, is at war; and that peace, prosperity, and progress are available to all who will struggle and work together to gain these gifts offered to us.

We have learned that unity is not achieved by voluntarily alienating ourselves from others or by withdrawing from regions of struggle because the effort is extremely difficult.

We in Hawaii yearn for, and work for, the development of a spirit of community in the Pacific basin. We seek to inspire and promote a Pacific Community of Nations, a spiritual unity of peoples of diverse ethnic origins.

We see this as our special role and duty and destiny by reason of the precious gift of American freedom given to us; by reason of our unique geographical location; by reason of our total blending of the cultures of East and West in our interracial unity and harmony; by reason of our extraordinary prosperity and attractive physical and social environment, and by reason of our proven history of dedication to man's highest ideals.

It is to this land of Aloha, this American-Polynesian-Asian-European society, that I welcome all of you today. I hope you will have time to learn something of our history, and to review some of our many modern developments which are playing so important a part in the promotion of a sense of unity among Pacific peoples.

You will find our prosperity is real and solidly based—the result of good programs of planning and economic development. You will find our spirit of Aloha, a treasured inheritance from the Hawaiian people, is genuine and all-pervasive in spite of the new pressures of expansion. You will find that our local concerns are not primarily for wealth or economic power or the superficial image of a painted and promoted pseudo-paradise.

Rather, Hawaii wants to be of service to the world. We want to lead by the power of good example, by the perfecting of our Island society. We want the shining light of our prosperity, our remarkable social advances and our compassion for all the lesser developed regions of the Pacific to inspire others so they will honor and cherish the basic principles of justice, freedom, and mutual assistance which have made our country so great.

You are bankers, and financial specialists, and great men and women in the world of commerce and trade. I invite you to consider whether Hawaii's aspirations to improve our world strike a responsive chord in your hearts.

Is Hawaii a State in which your valuable contributions of time, talent, and investment can further the cause of peace and global unity, an end to wars, and a flowering of prosperity and progress? Is this where your heart lies . . . in the vibrant center of an ocean whose very name means peace?

Please consider these things in the brief time you will be with us. And, meanwhile, it is my earnest hope that your convention will be eminently successful, and that all of you will have a most enjoyable and profitable visit with us.

Mahalo.

THE PRESIDENT'S MESSAGE ON THE PACE OF CONGRESS

Mr. McCLELLAN. Mr. President, this morning the President forwarded to Congress a message discussing the pace of action on the administration's legislative program. While the message was formally sent today, advance copies were made available to those of us most immediately concerned with parts of it. Over the weekend, I had an opportunity to study and evaluate the message.

Mr. President, I cannot speak for all Senators on this side of the aisle, but I will say that I intend to take the President's message in the nonpartisan spirit in which it was apparently written. The President is right when he observes that we have not always acted with due dispatch on each of his proposals, and he is right, too, when he observes that executive departments have been slow—often very slow—to report on various measures. The facts, which I shall place in the Record at the conclusion of my remarks, speak for themselves. Nevertheless, the President made his most cogent point when he said:

> Let us resolve . . . to make the legislative issue of the 1970 campaign the question of who deserves greater credit for the 91st Congress' record of accomplishment, not which of us should be held accountable because it did nothing. The country is not interested in what we say, but in what we do—let us roll up our sleeves and go to work.

Mr. President, a substantial part of the President's message was devoted to the control of crime, and a large segment of that was devoted to organized crime. This session of Congress has thus seen the introduction in this area of 10 major measures—three of which the President singled out in his message. I shall place in the Record at the conclusion of my remarks a brief analysis of each of these bills, but I am pleased now to report to the Senate that the Subcommittee on Criminal Laws and Procedures, of which I am chairman, has completed its preliminary study of these measures, and we are now ready to move to mark up and then to bring the major provisions of these bills to the attention of the full committee and the Senate itself. We are now awaiting only the printing of a committee print, a document which I am informed should be in our hands shortly.

Mr. President, it is true that we have taken some time in processing these measures. But let me suggest that it is not only important that things be done quickly, but also that they be done well. We have extensively explored the ramifications of these proposals in hearings with all those who desired to testify, circulated the measures on our own initiative throughout the United States for critical comment from learned scholars, and attempted to work as closely as possible in fashioning workable tools with those in the Federal law enforcement community who will ultimately bear the responsibility to implement whatever we do in this field. As a result of this process, I am pleased to report that the 10 separate measures have now been consolidated into a single overall bill, embracing 11 major titles and presenting for consideration an integrated, comprehensive, organized crime control program, a program that I feel confident will find the approval of a large majority of Senators.

Mr. President, in closing my message the President pledged his "cooperation" in securing the enactment of these "urgent measures." I now pledge to this body that I will do all in my power to see that these proposals are presented to the Senate for action as soon as it is practicably possible. My hope is that we can see favorable action this session. I intend to do all I can to fulfill that hope.

I ask unanimous consent that the following documents be printed in the Record.

First, an analysis of the major organized crime proposal referred to the Subcommittee on Criminal Laws and Procedures.

Second, the time schedule of the work of the Subcommittee on Criminal Laws and Procedures.

Third, an analysis of S. 30 as reworked and ready for subcommittee action, the Organized Crime Control Act of 1970.

There being no objection, the material was ordered to be printed in the Record, as follows:

ANALYSIS OF THE MAJOR ORGANIZED CRIME PROPOSALS REFERRED TO THE SUBCOMMITTEE ON CRIMINAL LAWS AND PROCEDURES

S. 30 (Mr. McClellan, Mr. Ervin, Mr. Hruska, January 15, 1969) is a comprehensive revision and strengthening of the evidence gathering process in organized crime investigations. It contains the following provisions:

Title I: revamps the grand jury system and authorizes, subject to careful safeguards, the issuance of grand jury reports;

Title II: authorizes the granting of immunity to obtain testimony over objections of self-incrimination;

Title III: provides for civil contempt proceedings to deal with recalcitrant witnesses;

Title IV: eliminates outmoded evidentiary restrictions in prosecutions of those who give false testimony in grand jury or court proceedings;

Title V: makes possible, subject to constitutional protections, depositions from witnesses in danger of reprisal;

Title VI: extends to such witnesses physical facilities in which they may be protected;

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Title VII: strengthens the evidentiary rules surrounding the admissibility of vicarious admissions in conspiracy cases; and

Title VIII: provides for the imposition of increased punishment (up to 30 years) for convicted "habitual" criminals, "professional" criminals, and "organized crime" leaders.

S. 974 (Mr. Tydings, February 7, 1969) creates within the Department of Justice the position of Assistant Attorney General for Organized Crime and provides for his supervision over other activities relating to organized crime cases.

S. 975 (Mr. Tydings, February 7, 1969) is a general immunity statute which would compel witnesses to testify or produce evidence in certain cases even though such testimony or evidence may be self-incriminating, but provides that no witness shall be prosecuted as a result of such compelled evidence except for perjury or contempt.

S. 976 (Mr. Tydings, February 7, 1969) would provide increased sentences of up to 30 years for certain persons over the age of 21 who are considered dangerous to the public and who are being sentenced for a felony committed as part of a continuing criminal activity in concert with one or more persons.

S. 1623 (Mr. Hruska, March 20, 1969) would prohibit the investment of certain illegally gained income in any business enterprise affecting interstate or foreign commerce and provides for a penalty up to $10,000, 10 years imprisonment, or both. Injunctive relief to prevent violation of the act may be sought in United States district courts by the government or a person threatened with damage. In addition, an individual who has actually suffered injury is entitled to treble damages.

S. 1624 (Mr. Hruska, March 20, 1969) would amend the Internal Revenue Code of 1954 in regard to taxes and wagering, and facilitate the collection of such taxes by complying with *Marchetti* v. *United States*, 390 U.S. 39 (1968), and *Grosso* v. *United States*, 390 U.S. 62 (1968). The *Marchetti* and *Grosso* decisions held that a defendant charged with failure to register and purchase a wagering occupational tax stamp, or failure to pay an excise tax under title 26 of the United States Code could use his privilege against self-incrimination as a complete defense against such charges. S. 1624 is designed to eliminate the hazards of self-incrimination which underlie the *Marchetti* and *Grosso* decisions. The bill would also raise the annual occupation tax from fifty dollars to one thousand dollars for principals and to one hundred dollars for their subordinates.

S. 1861 (Mr. McClellan, Mr. Hruska, April 18, 1969) would prohibit the infiltration of legitimate organizations by racketeers or the proceeds of racketeering activity, where interstate or foreign commerce is affected. Criminal penalties include a fine of up to $10,000, imprisonment of up to 20 years, or both, and forfeiture of all interest in the affected enterprise. Civil remedies to prevent violation of the act are available to the government and may be brought in United States district court.

S. 2022 (Mr. Hruska, Mr. Dirksen, Mr. Eastland, Mr. McClellan, Mr. Mundt, April 29, 1969) would assist the States in the control of illegal gambling and is divided into three titles. Title I would make it unlawful for two or more persons to obstruct the enforcement of the criminal laws of a state to conceal an illegal gambling business if one of the persons is an employee charged with executing the criminal laws of such state and one of the persons participates in or derives revenue from an illegal gambling business violation of Title I is punishable by a fine of not more than $20,000, imprisonment for not more than 5 years, or both. Title II would make it unlawful to participate in an "illegal gambling business" which is defined as a violation of a state law involving 5 or more persons participating in any betting, lottery, or numbers activity, which has been in operation over 30 days or has a gross revenue of $2,000 in any single day. Title III makes clear that the act is not to occupy any field in which the provisions operate to the exclusion of any state law.

S. 2122 (Mr. McClellan, Mr. Ervin, Mr. Hruska, May 12, 1969) is a general immunity statute which would prescribe the manner in which a witness in a Federal proceeding may be ordered to provide information after asserting his privilege against self-incrimination and defines the scope of immunity to be provided such witness with respect to information provided under an order. The bill provides that no testimony, information or derivative evidence may be used against such witness in any criminal case except for prosecution for perjury or contempt. S. 2122 repeals all previously enacted immunity statutes and it should be noted that the bill grants a witness immunity from "use" of the compelled evidence rather than immunity from prosecution.

S. 2292 (Mr. McClellan, Mr. Hruska, May 29, 1969) provides that in all proceedings under the authority of the United States no claim regarding the inadmissibility of evidence obtained as the result of an allegedly illegal act shall be considered if there is five years between the allegedly illegal act and the event evidence of which is to be introduced. The bill further provides that as regards any claim of inadmissibility of alleged illegally obtained evidence, no information may be disclosed unless such information is relevant to the determination of the admissibility of such evidence and is in the interest of justice.

TIME SCHEDULE OF THE WORK OF THE SUBCOMMITTEE ON CRIMINAL LAWS AND PROCEDURES

January 15, 1969: Introduction of S. 30, "Organized Crime Control Act," by Senators McClellan, Hruska and Ervin.

February 5, 1969: Letter to the Attorney General informing him of forthcoming hearings on subject of organized crime legislation.

February 7, 1969: Full Committee requested report from the Attorney General on S. 30. (Received May 8th.)

February 7, 1969: Introduction of bills by Senator Tydings: *S. 974*, to create a position of Assistant Attorney General for Organized Crime; *S. 975*, to provide for granting of immunity; and *S. 976*, to provide for increased sentences.

February 20, 1969: Acknowledgment of Chairman's letter of Feb. 5th . . . "will be in contact with you again in the very near future."

February 20, 1969: Full Committee requested reports from the Attorney General on—S. 974 (Received August 5, 1969); S. 975 (Report on given in Asst. A. G. Wilson's statement before Subcommittee on June 4, 1969); S. 976 (Report on given in Asst. A. G. Wilson's statement before Subcommittee on June 4, 1969).

March 17, 1969: Letter to Attorney General re *Alderisio* and *Spinelli*. (Reply received April 11th.)

March 18, 1969: Hearings on S. 30 and related bills with the Attorney General not testifying on specific provisions, but merely testifying generally:

Detailed analysis of S. 30 promised within 15 days or 3 weeks. (Received May 8th.)

Crime charts submitted to Attorney General for verification. (Received June 3d.)

Data on La Cosa Nostra requested. (Received June 3d.)

Information on *Alderisio* and *Spinelli* again requested. (Received April 11th.)

March 19, 1969: Transcript of hearings sent to the Attorney General for correction (pp. 11–61). (Received April 29th.)

March 20, 1969: Introduction of bills by Sen. Hruska: *S. 1623*, to prohibit the investment of illegally obtained income, and S. 1624, wagering tax amendments. (S. 1624 administration proposal.)

March 27, 1969: Full Committee requested report from the Attorney General on 1623. (Received Asst. A. G. Wilson's testimony, June 3d.)

March 27, 1969: Full Committee requested report on S. 1624 from Attorney General. (Received May 16, 1969); Treasury (Received June 3d, in testimony).

April 18, 1969: Introduction of S. 1861, "Corrupt Organizations Act," by Senators McClellan and Hruska.

April 23, 1969: President's Message on Organized Crime—Commends recommendations of National Com. on Reform of Fed. Criminal Law on Immunity (submitted to President March 17, 1969). Seeks "swift enactment" of S. 1624. Asks for legislation on syndicated gambling and police gambling corruption. Approves objectives of S. 30. Notes Attorney General examining legislation dealing with infiltration of organized crime into legitimate business.

April 29, 1969: Introduction of S. 2022, to outlaw syndicated gambling and gambling corruption by Senators Hruska, Dirksen, Eastland, McClellan and Mundt. (Administration proposal.)

May 12, 1969: Introduction of S. 2122, "Federal Witness Immunity Act," by Senators McClellan, Hruska and Ervin. (Reflecting Administration proposal.)

May 19, 1969: Full Committee requested report (within 20 days) from (follow-up request on June 30th for report by July 14th)—Attorney General (Received June 3d testimony); Atomic Energy Commission (Received July 15th); Civil Aeronautics Board (Received July 15th); Federal Communications Commission (Received July 16); Federal Deposit Ins. Corp. (Received July 18, July 24); Federal Maritime Commission (Received July 16th); Federal Power Commission (Received June 2d); Federal Trade Commission (Received July 16); Interstate Commerce Commission (Received July 14th); National Labor Relations Board (Received July 17th); National Transportation Safety Board (Received July 15th); Railroad Retirement Board (Received May 28th, July 16th); Securities and Exchange Commission (Received July 15th); Subversive Act. Control Board (Received July 15th).

May 29, 1969: Introduction of S. 2292, to regulate suppression of evidence, by Senators McClellan and Hruska.

June 2, 1969: Full Committee requested report on S. 2292 from the Attorney General. (Received Sept. 9th.)

June 3, 1969: Assistant Attorney General Wilson testified.

Report on S. 1861 promised in about 3 weeks. (Received Aug. 11th.)

Report on S. 974 promised "shortly." (Received Aug. 5th.)

June 4, 1969: Transcript of hearings sent to Mr. Wilson for corrections (pp. 336–390). (Received July 24th.)

June 6, 1969: Letter to Asst. A. G. Wilson setting out questions per hearings of June 3d (on S. 30 and S. 976). (Received July 18th.)

September 3, 1969: S. 1624 circulated for subcommittee approval or comment.

September 13, 1969: Printed hearings received.

October 9, 1969: Organized Crime Control Act ready for mark-up by Subcommittee.

ANALYSIS OF S. 30 AS REWORKED AND READY FOR SUBCOMMITTEE ACTION, THE ORGANIZED CRIME CONTROL ACT OF 1970

OUTLINE OF BILL

Title I. Grand Jury

Source: Title I of S. 30 as originally introduced.

Endorsed: Department of Justice.

Title II. Immunity

Source: S. 2122.

Endorsed: National Commission on Reform of Federal Criminal Law; President in his message on "Organized Crime" Department of Justice.

Title III. Recalcitrant Witnesses

Source: Title III of S. 30 as originally introduced.

Endorsed: Department of Justice.

Title IV. False Declarations

Source: Title IV of S. 30 as originally introduced.

Endorsed: Department of Justice.

Title V. Witness Facilities

Source: Title V of S. 30 as originally introduced.

Endorsed: Department of Justice.

Title VI. Depositions

Source: Title VI of S. 30 as originally introduced.

Endorsed: Department of Justice.

Title VII. Admissibility of Declarations

Source: Title VII of S. 30 as originally introduced.

Endorsed: Department of Justice.

Title VIII. Regulation of Litigation Concerning Sources of Evidence

Source: S. 2292.

Endorsed: Department of Justice.

Title IX. Syndicated Gambling

Source: S. 2022.

Endorsed: President in his message on "Organized Crime" Department of Justice.

Title X. Corrupt Organizations

Source: S. 1623 and 1861.

Endorsed: Suggested by President in his message on "Organized Crime" Department of Justice.

Title XI. Special Offender Sentencing

Source: Title VIII of S. 30 as originally introduced, and S. 976.

Endorsed: Department of Justice.

WISCONSIN ART PROFESSOR WINS INTERNATIONAL AWARD

Mr. PROXMIRE. Mr. President, I was delighted to learn recently that Paul S. Donhauser, associate professor of art at Wisconsin State University, has become the first American ever to win one of the highest awards of the international competition of artistic ceramics, which was held this year at Faenza, Italy. In the past, these biennial competitions have been exclusively dominated by Europeans.

Actually, this competition provided a double victory for Wisconsinites. In addition to Dr. Donhauser's coveted award, first place in a separate worldwide student competition went to David Debyl, a student at Wisconsin State University.

Mr. President, I ask unanimous consent that Dr. Donhauser's letter of October 6, 1969, to me, and an accompanying news article, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

WISCONSIN STATE UNIVERSITY,
Oshkosh, Wis., October 6, 1969.

Mr. WILLIAM PROXMIRE,
U.S. Senator,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PROXMIRE: I thought you might be interested in knowing that I was just selected as the first American to ever receive one of the highest awards at the 27th International Competition of Artistic Ceramics, currently being held at the International Museum of Ceramics, Faenza, Italy. In addition, one of our students, David Debyl of Neenak, won first place in a separate worldwide student competition. Thus, for the first time in the history of the international show, teacher-artists and students from the same school were given these top honors.

I received the award at the last session of the Council of European Nations which was meeting at Faenza. It was at that time I felt extremely proud of being an American citizen and also representative of our state of Wisconsin.

I am a naturalized citizen who came to this state in 1948 from Germany. Since that time, this land has given me ample opportunities to work my way through school and compete for a career. The international award is really just a manifestation of my gratitude for having had these opportunities and privileges. It is for that reason that I write you, hoping that you can share with me indirectly, at least a short moment of happiness and pride in this event.

Thank you for allowing me to take a few minutes of your time.

Sincerely,

PAUL S. DONHAUSER,
Associate Professor of Art.

DR. PAUL DONHAUSER HAS INTERNATIONAL AWARD

Artists and art critics of five nations have selected the work of Dr. Paul S. Donhauser, associate professor of art at Wisconsin State University-Oshkosh, for the third highest international award at the 27th International Competition of Ceramics at Faenza, Italy.

According to Faenza Mayor-President Elio Assirelli, this is the first time that an award of this importance has been given to an American. In the past, the biennial international competitions have been dominated by Europeans.

Dr. Donhauser will receive the award Saturday at the International Museum of Ceramics in Faenza. For the competition, he submitted five stoneware ceramic pieces created during the past year. His work was screened by the international jury from Italy, France, Belgium, Germany and Switzerland. They also recommended one of his pieces be purchased by the International Museum for its permanent collection.

Donhauser left Oshkosh Wednesday for Italy to attend the state ceremony where the Faenza Municipal Administration and the Art Council of Europe will make the award. The WSU-O professor will receive the "Prize of the Ministry of Education in Honour of Gaetano Ballardini" and the sum of 500,000 lire.

In addition to the competition for professionals, a competition for students was won by a former WSU-O student. David Debyl, Neenah, was awarded a first prize for a large stoneware bowl and a cash prize of 50,000 Italian lire. Because Debyl was a student of Dr. Donhauser, his teacher will receive a gold medal.

Although five other WSU-O students submitted work for judging by the international jury, it is not known at this time whether or not their work has been accepted. This will be known at the time Donhauser returns.

Dr. Donhauser came to WSU-O in the fall of 1965. He received his baccalaureate and master's degrees from the University of Wisconsin and his doctorate from Illinois State University.

Over the past three years, Donhauser's work has appeared in numerous local, state, and national exhibitions and has won several awards. His work has been shown at the Everson Museum in Syracuse, the Milwaukee Art Center, Evansville Museum of Art and Science, Springfield Museum in Illinois, in Wichita, Kans., Peoria Art Center, Joslyn Art Museum, Des Moines Art Center and many other galleries, museums, and art centers.

In addition to his activities in the teaching and ceramic field, Donhauser is currently completing a book entitled "History of American Studio-Pottery."

SENATOR SCOTT PAYS TRIBUTE TO ITALIAN AMERICANS ON COLUMBUS DAY

Mr. SCOTT. Mr. President, I pay tribute to Pennsylvania's Italian Americans today on Columbus Day 1969, which was celebrated this past Sunday. During the last Congress, I supported legislation establishing Columbus Day as a national holiday.

This will be a long overdue tribute to the Italian Americans who have contributed so greatly to the progress of our Nation.

Nearly five centuries ago, Christopher Columbus sailed into the Western Hemisphere. Since that time, more than 12 million of his countrymen have followed him to these shores.

Establishment of Columbus Day as a national holiday is a long-overdue tribute to the discoverer of the New World and to the millions of Italian Americans whose ancestors made a new life in America and, in the process, contributed so greatly to the progress of our Nation.

Each year brings increasing recognition of the great contributions to a growing America which have been and are being made by our citizens of Italian origin. The music of Italian names fills the rollcall of achievement in nearly every area of American life. The Italian Americans have made a tremendously rich contribution to the United States and it is high time that we take action to recognize their contribution.

Our citizens of Italian descent have enriched our national heritage and our way of life through business, the professions the arts, politics, science, and sports. In every type of endeavor, the names of Italian Americans are prominent and respected.

Some of the more familiar are:

Philip Mazzei, friend of Thomas Jefferson, whose writing greatly influenced the drafting of our Declaration of Independence.

Constantino Brumidi, who painted the magnificent frieze in the great rotunda of the Capitol Building in Washington.

Charles Barsotti, who established the first Italian daily newspaper in America.

Enrico Fermi, who made possible the use of atomic power, the peaceful uses of which are continually creating exciting new possibilities.

Walter Alessandroni, Pennsylvania's late attorney general, who made outstanding contributions to government and law enforcement.

Anna Moffo, another Pennsylvania, whose glorious singing has made her name known throughout the world.

Michael A. Musmanno, Pennsylvania's late supreme court justice, who was one of the Commonwealth's and the Nation's most respected jurists.

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PROGRESS THROUGH PARTICIPATION

Mr. STEVENS. Mr. President, the Secretary of the Interior, Walter J. Hickel, and the new Commissioner of the Bureau of Indian Affairs, Louis Bruce, each spoke before the National Conference of American Indians in Albuquerque, N. Mex. Their appearances before this group were highly significant in the highlighting of the positive approach the Nixon administration is taking in its dealings with our first citizens.

The remarks of Secretary Hickel show that this administration is both responsible and responsive to the needs and desires of the American Indians.

Mr. President, I ask unanimous consent that the texts of Secretary Hickel's and Commissioner Bruce's speeches be printed in the Record.

There being no objection, the speeches were ordered to be printed in the Record, as follows:

Remarks by Secretary of the Interior Walter J. Hickel Before the National Congress of American Indians, Albuquerque, N. Mex., October 8, 1969

To have the opportunity to address the group that represents so many of America's first citizens is indeed an honor for the Secretary of the Interior.

It is good to have the opportunity to get away from Washington, D.C. and out in the land, with you—America's first citizens.

It is good to join you in celebrating this 25th anniversary of the NCAI.

Through your organization, America's Indians, individually and collectively, have made great strides. Unfortunately, the NCAI and all of the other Indian groups, for too long have been trying to carve out their niche alone.

Government, in my judgment, has not met its responsibilities in helping you to secure your goals. In this respect, and before I go any further, I want to make one thing crystal clear: This Administration is dedicated to improving—not destroying—that special relationship that exists between Government, the Indians, and the land.

We are not a pro-termination Administration.

Several weeks ago, I was quoted in the press to the effect that "Hickel is for termination."

Let me set the record straight here this afternoon so that there will not be any further misunderstanding. Neither I nor this Administration have a pro-termination policy.

Such a policy can only be established by the Indian community itself, through a clear mandate on the part of your people.

Another way of putting it is that I personally, as Secretary of the Interior, and the Bureau of Indian Affairs, which is under my jurisdiction, do not intend to tell you what to do. Rather, we will listen to you, work with you, and implement the policies which, through mutual understanding, will be designed to further improve your state in life.

I also want you to know that President Nixon agrees with me completely in this line of policy thinking. He put it so well when he said that he will "help the Indian people reach the goals that they themselves have set and will set."

Not all the publicity surrounding the Secretary's job has been the most favorable as we build this new Administration.

One cartoon I saw showed one Indian saying to another:

"If you liked Custer, you'll love Hickel."

I hope that such cartoons will soon read:

"If you *like Indians*, you'll love Hickel."

I have searched long and hard to find the right man to represent all of America's Indians as Commissioner of Indian Affairs. In some areas, this delay has caused a rightful concern.

Happily, out of our search, and with your help—came Louis R. Bruce. He is a man many of you know and have worked with as a founder of this National Congress of American Indians.

And I want to tell all of you that Commissioner Bruce has my support and my ear.

I have told the Commissioner that I will insist that the American Indians have an important place in determining and making Indian policy, and implementing Indian programs.

There will be no plans concerning Indians without having Indians in the planning.

There will be no programs for Indians without Indians running the programs.

I believe in Indian participation while I was Governor of Alaska, and I had many Indians on the staff in my Administration.

All American Indians can be assured that I have lost none of my beliefs. I know that you have the ability—and I intend to utilize your talents.

Let me issue you an invitation to work with us, to begin to take action now for a rewarding future.

In our planning, I have taken two steps. First, I have announced the establishment of an Advisory Committee made up of your chosen representatives and Interior Department representatives.

Second, I have named Morris Thompson, an Alaskan Indian (who is sitting right here), as my Special Advisor on Indian Affairs in Washington.

He will remain here in Albuquerque this week and will be available to meet with you.

Only you know who your best spokesmen are. Tell Morris who they are. And tell him what items the Committee should face up to.

When he returns to Washington, Morris, Commissioner Bruce, Assistant Secretary Harrison Loesch and I will sit down and set up a meeting of the Advisory Committee.

We want this first meeting to be soon. And at each meeting we want your chosen representatives telling me the policies you want implemented.

We will also be in constant touch with the Vice President's Council on Indian Opportunity so our programs will be coordinated. I know that Vice President Agnew's aid will be invaluable.

There must be no conflicts with individuals or agencies, no interests greater to Interior than improving the quality of life for the American Indian.

First, there must be a general rise in the quantity and quality of education, and Indians must participate in that rise.

Indians must direct school boards. Indian parents and tribal leaders should be involved in school affairs.

Indian curriculums must be geared to the needs—both occupational and cultural—of the Indian.

And, we should remember that education can be both vocational and academic.

Good education is a community effort. And the school must be part of the community. This is being done at Rough Rock. It can be done elsewhere.

Next, we must make sure that unemployment doesn't start when education ends.

It is time to stop thinking merely of "economic development." Let's start thinking in terms of jobs.

For those reservations that don't want industry, we must make other plans.

Together we can develop plans so that Indians themselves contract to provide services in and around the reservations. We can establish more employment for Indians by having them meet the need of other Indians.

It is important that we build for the future as well as the present. It is important that we build for pride.

Without quality, as well as quantity, there can be no pride in your home.

Without challenge and diversity, there can be no pride.

Without pride in your home, it is doomed to a life of neglect and disrepair. We must work together to build that house.

As important as jobs and education and housing are, land and water daily affect each and every one of you. But the needs and problems vary from tribe to tribe and area to area.

As trustee for Indian Tribes, I have a duty to protect and defend your rights against all efforts to diminish or destroy them.

I will fulfill that duty.

Many of you know that as your Secretary, I have fought hard to get a generous settlement of the Alaskan land claims.

I have worked for legislation to get surplus government lands for the Indian tribes, with favorable legislative reports from our Department on such projects as Cheyenne River, Fort Berthold Laguna, Pueblo, Standing Rock, and Taos Pueblo.

And I have called a hearing at the request of the Fort Mojave Indians. They will be heard.

There are many other concerns in protecting the Indian land rights. I have been greatly troubled by the threat to Pyramid Lake in Nevada. I had an opportunity to see the Lake and to meet with the Pyramid Lake Indians prior to a meeting with the Governors of California and Nevada concerning the use of water in this basin.

There has been some misunderstanding of this complex matter, but I want you all to know that I am standing firm on providing sufficient water for the preservation of Pyramid Lake and protecting the rights of the Pyramid Lake Tribe.

I want to thank you for the Pyramid Lake Resolution No. 31 that passed last year's NCAI convention and was sent to me. It helped me adopt my policy.

Let me use this meeting to pledge to you that the American Indian will not be the "Forgotten American" in this Administration.

I worked hard as Governor of Alaska to improve native conditions there, and now as your Secretary, I have the same will to bring full citizenship to all American Indians.

There are many other needs—needs for all Indians, needs for just one tribe, needs for just one Indian.

The challenge to meet the needs is ours—yours and mine. I gladly accept that challenge and I know that you do, too.

With your ideas and your trust, we can make words come to life.

I can help. But, in the final analysis, the future of the Indians—America's First Citizens—must be shaped *by* the Indians, *for* the Indians.

Address by Commissioner of Indian Affairs Louis R. Bruce at the 25th Anniversary Convention of the National Congress of American Indians, Albuquerque, N. Mex., October 9, 1969

President Chino, Vice Presidents, and friends. I am especially happy to be here at the 25th Anniversary Convention of the National Congress of American Indians.

In the past I have joined you around the table as one of the charter members of the National Congress of American Indians. Our efforts then were to develop a forceful voice for the American Indians and to work to improve the legal, economic, and social conditions of our people. Today, I come as your Commissioner of Indian Affairs. The intensive efforts which you need to make and which I need to pursue are more pressing now than at any time in our history.

I have accepted the challenge of being the Commissioner of Indian Affairs fully realizing the tremendous task which I have undertaken. As Commissioner I want to get Indians fully involved in the decisions affecting their lives; then to get the Bureau of Indian Affairs to be totally responsive to Indian needs; and to develop a climate of understanding throughout the United States which will permit the full development of Indian people and their communities without the threat of termination. All of these tasks are of equal importance and must be pursued with diligence and at once.

I want to underscore, at this point, that I accepted the appointment of Commissioner, with the commitment and understanding that this administration was not going to become a termination administration and that I would have the fullest high-level cooperation in my efforts to reorganize the Bureau of Indian Affairs. I have been given these assurances.

Secretary Hickel strongly emphasized this in his speech last night, and Assistant Secretary Loesch has stated publicly on several occasions that this is not a termination administration.

Indians have had a unique relationship with the Federal Government since its inception. The core of this relationship has been the trust status of Indian lands. Because of the existence of the "Trust Land Status", Indian tribes have continued to exist and provided some degree of continuity for their culture and some identity for their members.

I, like you, hold this trust sacred, not just because I am an Indian who has invested much time and effort to protect it, but also because I believe sound government policy dictates this view as derived from the Federal treaties, public laws, and court opinions.

We propose to undertake an extensive study of the Federal trust relationship to make it a more flexible instrument for Indian development while fully protecting Indian resources. I will invite Indian people, as well as other experts in Indian law; corporation law; and property law, to assist us in defining the best way to obtain this flexibility. This means a new role for the agency will become necessary to serve you.

Beginning with the Indian Citizenship Act of 1924, services available to all other citizens, in some measure, began to apply to Indians. Particularly since 1934, the landmark legislation enacted by the Congress, which resulted in the many new social and economic development programs to assist the disadvantaged, have been of benefit to Indian citizens. They have derived benefits from these programs, not so much on the basis of their being Indians, but more on the basis of their being citizens in need, who by most standards qualify for such programs.

In the 1970 fiscal year, it is estimated that the combined expenditures of all Federal agencies assisting Indian people will be approximately $500 million. At least one-half of these monies will come from agencies outside the Bureau of Indian Affairs.

The dramatic increase in kinds and levels of services from the Federal Government has had an extensive impact upon the lives of Indian people as well as the Bureau of Indian Affairs and has contributed to more meaningful and comfortable lives for thousands of Indians.

Yet as far as I can determine to date, the organizational structure and personnel deficiencies of the Bureau of Indian Affairs have prevented it from helping Indians organize to get optimum Indian utilization of this new array of programs and services.

The Department of Interior and the Bureau of Indian Affairs will seek to serve as a spearhead for developing other agency programs for Indians. It is our intent to stimulate, facilitate, and support the direct involvement and planning between the Indian people and other agencies and departments.

What I have in mind, is the development of a strong inter-governmental relations unit in the Washington office of BIA. This office will take the initiative and work with other agencies and departments, to insure that old as well as new programs, are designed to meet Indian needs. This unit also will work Regional and State offices, and local tribal groups to assure that Indians are getting their fair share of these programs.

This means the Bureau staff must work aggressively at the local level with tribal groups, State agencies, and Federal and regional counterparts to develop and assist in implementing a viable plan for the development of Indian communities and people. If Bureau funds are minimal and the community needs are maximum, our staff will be expected to search out additional program monies from other public or private sources.

What I am emphasizing is the fact that a primary role for the Bureau staff will be to improve the conditions of American Indian people by utilizing resources from the public as well as private sectors.

Under our administration, the thrust of the Bureau will be to advocate and create improved conditions of Indian life and to activate Indian involvement in all matters affecting their lives.

In order to do this, we must have a Bureau of Indian Affairs structure, from headquarters to the agency level, which will support and direct the development of this role.

I have taken the initial step by first attempting to pull my own team together. At this point, I have sent forward a number of names of persons who would join me in my efforts to restructure the Bureau. Among the names are a number of persons whom you know and respect as Indians and who have a long history of fighting for our Indian rights. I would welcome any suggestion you have about appointments at all levels within the Bureau of Indian Affairs.

I have had an opportunity to talk extensively with many of you here at this convention, and you have given me many good ideas about how to undertake a plan of restructuring. I shall certainly follow your good advice and counsel.

I can pledge to you, that we will do everything in our power to make the Bureau a more flexible organization which will be responsive to Indian needs.

In restructuring the Bureau of Indian Affairs, I should not like to commit myself to any particular method of operation we will be using an internal working group on the immediate matter of redirecting Bureau functions and staff roles. On the broader issues of policy affecting Indian people, I shall call together Indian persons and Indian groups as well as other persons to look at specific issues which need new direction and new definition. Areas like education from pre-school throughout adulthood; tribal governments; the basic rights of Indian people and legal services; the development of economically viable Indian communities; the identification of methods to make the broad range of community services available to Indian people; ways to enhance the development and creation of community institutions, and Indian control of such institutions; improved use of heirship lands, and a true look at Indian heritage, accomplishments, and contributions.

One of my special interests is Indian youth. They are the largest and fastest growing segment of our Indian population, and our greatest asset for the future of Indian people. Over the years, we have made great strides in education and training but we have also ignored many of the pressing problems that come about as our communities change. For example, many of our young people are growing up without homes or communities. We need to look at this and find ways for them to feel more secure in their development and environment. We will be looking towards new and different alternatives of education not only for the very young, but also on the secondary post-graduate, and graduate levels. To help in these plans, I am forming a special youth advisory committee responsible to my office. As we form our other committees, advisory groups, and task forces, young people will be asked to serve as an important part of these.

We will be asking a number of young Indian people to work with us in bringing insights and understanding to their problems.

No one person can hope to achieve the many things I have talked to you about. It will require negotiations and building of relationships and commitments to Indian people and their future and by we the Indian people for our future. In a sense, an Indian Commissioner is a tightrope walker, he must look clearly at the goal of improving the conditions of Indian people, the trust relationship and protecting and developing the natural resources and water rights of our people. To do all this, the Indian Commissioner must operate as a part of the governmental process bouncing on the tightrope, and yet, keeping his feet firm, his eye sharp, and maintaining the cooperation and support of this entire process and the Indian people.

You are my biggest asset in this job. I intend to maintain and continue open dialogue with Indian interest organizations, like NCAI, as well as Indian tribes and individual Indian people, so that on the difficult issues, I will have Indian understanding and support.

We invite you to join us as full partners in discussing, planning, and implementing programs and services to improve all the facets of Indian life.

President Nixon has pledged that "progress through participation on the part of the Indians is now the basis of this administration's efforts to make progress in every area of Indian affairs." Secretary Hickel also has underscored this pledge and I am determined that my performance as your Commissioner will warrant your confidence, patience, and support in achieving a program which will be beneficial to all of us.

MISCONDUCT OF ARMY GENERALS

Mr. YOUNG of Ohio. Mr. President, it has been disheartening to Americans to read in the newspapers in recent days and to hear via television and radio the scandalous accounts of the dishonest actions of Maj. Gen. Carl C. Turner in buying revolvers and guns from the Chicago Police Department claiming he was buying them for Government use. Then, this general appropriated these weapons, purchased by him under false pretenses for his own use and personal profit. In addition, he sought to defraud our Government by not reporting this income for tax purposes. Now that his nefarious actions have been exposed after a lapse of years, on advice of his lawyer he has belatedly filed an income tax return for the year 1966.

Could it be ignorance on the part of this general? I doubt it. It was a dishonest act from the outset. Thoughtful citizens must have a feeling of shock and outrage about the operations of General Turner.

It is evident that he is a disgrace to the Army, of which he was the top police officer. President Nixon was amply justified in summarily dismissing him as Chief of U.S. Marshals, a job he took following retirement from the Army.

Furthermore, it appears he was a co-

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conspirator and certainly he aided and abetted in cheating servicemen along with a group of corrupt Army sergeants who drained U.S. service clubs and cheated their fellow servicemen throughout the world by "skimming" the "take" from slot machines, stealing liquor, and paying themselves exorbitant salaries. Instead of exposing and prosecuting them, the best that can be said for General Turner is that he covered up and concealed their crimes.

Mr. President, as a member of the Committee on Armed Services I have on a number of occasions listened to the testimony of top generals and admirals of our Armed Forces, including that of Gen. Harold K. Johnson, former Chief of Staff of the Army. I have had cause to wonder whether there is something deficient and defective and inferior in the education and training given to cadets at the U.S. Military and Naval Academies. I hope not. However, it might be well to consider having a subcommittee of the Committee on Armed Services make a thorough investigation of both the U.S. Military and U.S. Naval Academies. Frankly, I have been so well impressed by the appearance and testimony of Air Force officers, and from personal knowledge of the operations of the Air Force Academy, that I feel that it is our outstanding service academy.

It comes as no surprise to me that Gen. Harold K. Johnson, former Chief of Staff of our Army, now comes to the defense of his choice of William O. Wooldridge in July 1966, to become the first sergeant major of the U.S. Army. He admits he made this selection despite the fact that Wooldridge during his period of service in our Army was apprehended and found guilty by court-martial of committing a crime, and sentenced to a term of hard labor for breaking into two telephone coin boxes in London and stealing the money from those coin boxes.

Gen. Harold K. Johnson is now on the defensive and is hard put indeed to justify his decision disregarding Wooldridge's criminal record and selecting Wooldridge as the oustanding sergeant of many thousands of truly distinguished sergeants in the U.S. Army.

Frankly, his decision should not be cause for surprise. Having observed him and listened to his testimony in executive and open sessions of the Committee on Armed Services, I had every reason to question his intelligence and doubt his judgment. As an example, I cite the fact that he stated in committee, and the records will confirm this, that "Russia is our sworn enemy and its leaders are sworn to bury us." When I listened to him so testify, I concluded that he was parroting untruthful, ludicrous propaganda of the John Birch Society and the Liberty Lobby, so-called. I suspected he was very likely a member of that lunatic rightwing extremist fringe group, the John Birch Society, so-called.

Knowledgeable men and women in our country are aware that of the many wisecracks of Nikita Khrushchev, the one which most Americans remember best is "We will bury you." Taken in full context, Khrushchev made it crystal clear at the time that he did not mean war. He said:

> I don't mean war. I mean competition. You say your system is best. We say our system is the best. Let's compete and see which is best.

General Johnson either was uninformed of that or purposely attempted to distort the meaning of Premier Khrushchev's statement for propaganda purposes.

I consider that General Johnson has been derelict in the performance of his duty in the high position in the Army which he held. His selection of Wooldridge and his recent actions in supporting and defending malfeasance and criminal acts have gone a long way toward causing the American people to question the judgment and integrity of all the generals of our Armed Forces. That is most unfortunate, especially at a period of our history when many Americans, for good reason, are questioning the judgment of our military and naval leaders.

TIME IS RUNNING OUT FOR THE BIG THICKET OF SOUTHEAST TEXAS

Mr. YARBOROUGH. Mr. President, in a penetrating and timely article published in the Living Wilderness, Mr. Orrin H. Bonney accurately depicts the danger confronting one of the Nation's last great wilderness areas—the Big Thicket of southeast Texas.

At one time, this beautiful and unique wilderness consisted of more than 3.5 million acres. Today, however, the Big Thicket has been reduced by insensitive and careless industrial operations to only 300,000 acres—one-tenth its original size. With every day that passes, the Big Thicket, which is the last refuge for many species of wildlife and has many unique combinations of plant growth, is reduced by 50 acres.

To save the Big Thicket from being completely destroyed, I have introduced S. 4, which would create a 100,000-acre Big Thicket National Park. This proposal has gained the support of civic and conservation groups throughout the United States. We must act now if future generations are to have the benefit of this beautiful area. Time is running out on the Big Thicket.

Mr. President, I ask unanimous consent that Mr. Bonney's article, entitled "Big Thicket—Biological Crossroads of North America," published in volume 33, No. 106, of the Living Wilderness, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BIG THICKET: BIOLOGICAL CROSSROADS OF NORTH AMERICA

(By Orrin H. Bonney)

Big Thicket, near the great population centers of Dallas, Houston, and the Beaumont-Orange-Port Arthur complex of East Texas, was once a sweeping expanse of about 3.5 million luxuriantly forested acres. It has been whittled down to less than one-tenth of its former size. But the 300,000 remaining acres contain great beauty, and habitats that are ecologically unique.

Most of its wilderness was raped decades ago, but Big Thicket has remarkable recuperative powers. Stumps decayed, and dense undergrowth recaptured the sites of old sawmill towns. And fortunately, there are areas that axe and machine have never reached.

Today, the last 300,000 acres of Big Thicket are under renewed attack. The entire acreage is privately owned, most of it by five lumber companies. Lumbermen, pipeline companies, and real estate promoters are racing to carve up Big Thicket at the dismaying rate of 50 acres a day. It is now or never if significant parts of Big Thicket's last 300,000 acres are to be preserved.

Citizen groups in Texas are preparing a comprehensive plan for preserving the values of Big Thicket and East Texas piney woods. With full details to be developed, the plan proposes, in essence, the following:

1. Unique specimen areas of Big Thicket to be preserved in their natural and untouched state. These would give the public an opportunity to observe, and scientists to study, the ecological progress of nature in the area. These should be under the jurisdiction of the National Park Service.

2. Wildlife areas of sufficient size and forest cover to be provided for restoration, habitat, and protection. Not only would this enable a species such as the rare ivory billed woodpecker to survive, but ultimately it would provide a reservoir of abundant game which would help stock outlying hunting territory and leased hunting preserves. These wildlife areas should be under the jurisdiction of a State or Federal bureau, preferably under the U.S. Fish and Wildlife Service.

3. Timber management areas to be established for timber harvest and multiple use under concepts similar to the U.S. Forest Service and with all conflicting use and developments prohibited. These should be under U.S. Forest Service and forest industry jurisdiction. The forest industry of East Texas cannot survive encroachments of subdivisions, weekend homes, the construction of concrete canals, the drainage of woodlands, and false notions of what combinations of trees will produce the best forest.

4. Rivers and streams with a wide corridor on both sides to be preserved in their natural beauty, accessible to canoeists for primitive camping our forefathers once enjoyed. The Neches River corridor should encompass the entire floodplain.

5. Highways bordered with a deep corridor of natural forest, preferably one-half mile each side, to provide access and sightseeing to Texas' greatest tourist attractions, so long unnoticed. The streams and adjoining corridors could be preserved by State and Federal laws within the concepts of the National Wild and Scenic River System Act. The highway corridors could be part of highway planning, State and Federal.

6. Recreational facilities, including camping, boating, horseback riding, and hiking, to be provided to reasonably handle the masses of visitors who will inevitably visit this beautiful section of Texas to enjoy its lakes and great out-of-door features—but with such areas set apart so that the unique units will not be trampled, developed, endangered, and destroyed. Since timber management, hunting, and grazing are compatible with most of the recreational objectives, these could be under the jurisdiction of the U.S. Forest Service.

This plan is by no means as complex as it may appear. While U.S. Senator Ralph Yarborough of Texas has introduced a bill (S. 4) to establish a Big Thicket National Park of "not less than 100,000 acres," this does not appear to be sufficiently comprehensive to protect all that should be protected of this unique area—as Senator Yarborough himself hopefully would agree. A proper test of public opinion both in Texas and in the Nation with regard to the comprehensive plan outlined above would undoubtedly be welcomed both by Senator Yarborough and by U.S. Senator Alan Bible of Nevada, who heads the Senate Committee on Interior and Insular Affairs, which is considering the Yarborough bill.

Time is running out for Big Thicket. The whole Nation stands to lose if this "biological wonderland" falls to the axe and the developer.

ADDITIONAL ALABAMA CASUALTIES IN THE VIETNAM WAR

Mr. ALLEN. Mr. President, on September 26 I placed in the RECORD the names of 908 Alabama servicemen who were listed as casualties of the Vietnam war through July 16. In the period from July 17 through October 3, the Department of Defense has notified 34 more Alabama families of the death of loved ones in the conflict in Vietnam, bringing the total number of casualties to 942.

I wish to place the names of these heroic Alabamians in the permanent archives of the Nation, paying tribute to them, on behalf of the people of Alabama, for their heroism and patriotism. May the time not be distant when there will be no occasion for more of these tragic lists.

I ask unanimous consent to have printed in the RECORD the names and the next of kin of 34 Alabamians.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

LIST OF CASUALTIES INCURRED BY U.S. MILITARY PERSONNEL FROM THE STATE OF ALABAMA IN CONNECTION WITH THE CONFLICT IN VIETNAM, JULY 17 THROUGH OCTOBER 3, 1969

ARMY

Second Lt. Dan B. Yarbrough, son of Mrs. Ralphina B. Yarbrough, 803 Osceola St., Wetumpka 36092.

Cpl. M. Beverly, son of Mr. and Mrs. Robert E. Beverly, 1605 North Ward St., Greensboro 36744.

Cpl. Daniel A. Bolduc, husband of Mrs. Linda N. Bolduc, 621 Borland St., Geneva 36340.

SSg. Raymond H. Hardin, husband of Mrs. Eula D. Hardin, 38 Gunter St., Riverside Drive, Montgomery 36104.

Sfc. George W. Pierce, husband of Mrs. Florence J. Pierce, Rt. 5, Box 40, Anniston 36201.

Pfc. Virgil L. Castle, son of Mr. Oza L. Castle, c/o Mr. Jackie Bass, 512 Glenndale Ave., Florence 35630.

Pfc. Billy W. Earp, husband of Mrs. Margie G. Earp, 1303, 5th Ave., SE Decatur 35601.

Sp4. James L. Johnson, son of Mr. and Mrs. William D. Johnson, Rt. 1, Eldridge 35554.

Sp4. Richard M. Wise, son of Mr. and Mrs. Marvin Wise, Box 125, Dora 35062.

Pfc. Thomas D. Jones, husband of Mrs. Barbara L. Jones, 6512 Court F, Fairfield 35064.

Sfc. William N. LaGrone, husband of Mrs. Betty M. LaGrone, Chalkers Trailer Court, Daleville, 36322.

Sp4. Bobby Riddle, husband of Mrs. Peggy J. Riddle, Rt. 2, Box 322–C, Selma, 36701.

Pfc. James C. Tosh III, son of Mr. and Mrs. James C. Tosh, Jr., 4801 Chaudron Dr., Mobile, 36618.

SSg. Sam J. Small, Jr., husband of Mrs. Georgia M. Small, 554 South Franklin St., Mobile, 36603.

Pfc. Carl C. Harris, son of Mrs. Hattie R. Williams, 1503 Hardaway St., Montgomery, 36106.

Pvt. Dennis L. English, son of Mr. Sammy English, Rt. 5, Box 274, Russellville, 35653.

WO1 Barry B. Coers, huband of Mrs. Patricia A. Coers, 107 Forrest St., Headland, 36345.

Sfc. Ralph E. Johnson, husband of Mrs. Mary L. Johnson, Rt. 2, Box 316–A, Jacksonville, 36265.

Cpt. Richard C. Miller, son of Mr. and Mrs. Richard L. Miller, 400 Gale St., Jacksonville, 36265.

Pfc. Gary C. Harwell, son of Mr. and Mrs. Herman L. Harwell, Rt. 2, Box 506, Athens, 35611.

SSg. Lewis E. Wood, husband of Mrs. Madeline J. Wood, Rt. 3, Guntersville, 35976.

Pfc. James D. Darwin, husband of Mrs. Martha J. Darwin, Rt. 1, Dutton, 35744.

Sgt. Donald W. Churchwell, husband of Mrs. Nancy Churchwell, Rt. N, Box 85, Birmingham, 35217.

Pfc. Johnnie R. Miller, son of Mr. and Mrs. J. D. Miller, Rt. 1, Box 148, Mt. Olive, 35117.

Pfc. David W. Smith, son of Mr. and Mrs. George W. Smith, Rt. 3, Box 280, Opelika, 36801.

WO1. David R. Jackson, husband of Mrs. Mary W. Jackson, 211 Terrace St., Sheffield, 35660.

MARINE CORPS

Pfc. Gwyman Stribbling, son of Mr. and Mrs. Evans Fox, 2228 29th Ave., North Birmingham.

Cpl. John C. Whiteside, son of Mrs. Gladys W. Whiteside, Rt. 5, Box 231, Fayette.

Pfc. John R. Watts, son of Mr. and Mrs. William E. Watts, 6152 Court M. Ensley, Birmingham.

Lcpl. William F. Davis, Jr., son of Mr. and Mrs. William F. Davis, Rt. 1, Vina.

Pvt. Johnny R. McKenzie, son of Mrs. Margaret Clapper, Rt. 5, Box 231, Phenix City.

1st Lt. Robert E. Lavender, husband of Mrs. Theresa M. Lavender, 3794 South Court St., Montgomery.

AIR FORCE

Capt. Kenneth J. Hamrick, husband of Mrs. Louise M. Hamrick, 620 Parkman, Selma, 36701.

NAVY

Fn. (Fireman) Lonnie R. Parker, son of Mr. and Mrs. Johnie Parker, 1029 Barnes Dr., Bessemer.

BITTERNESS IN VIETNAM

Mr. McGEE. Mr. President, in his continuing reports from Saigon, Crosby Noyes, of the Washington Evening Star Thursday spelled out a point which bears attention; namely, that to those on the scene, who are fighting for survival, the most extreme critics here in America are quite literally "The enemy." Those are strong words—almost as strong as those used by some of the more critical elements here at home. Those who hope for defeat in Vietnam advocate sheer lunacy from the standpoint of the overwhelming majority of people on the scene, no matter what their nationality, reports Noyes.

I ask unanimous consent that Mr. Noyes' report be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BITTERNESS IN VIETNAM MAKES WAR CRITICS "ENEMY"

(By Crosby S. Noyes)

SAIGON.—It is distressing, though not particularly surprising, that many of those who are fighting and working in Vietnam have come to refer to parts of the American press and some political leaders as "the enemy." They mean it, furthermore, just as literally as when they speak of the Viet Cong in the rice paddies and the government in Hanoi.

This is not a military-civilian or even a hawk-dove antagonism. The differences are much deeper than these terms would imply. And the enmity, quite certainly, is mutual.

The bitterness encountered in Vietnam is the bitterness of men who feel that they have been betrayed They have come to believe in the job that they were sent out here to do. Far beyond the rhetoric of any political speech or newspaper editorial, they understand what has been accomplished here—and at what cost—and what remains still to be done. For them, "the enemy" is anyone who stands between them and the objective.

Anti-war sentiment they understand well enough, particularly among the young people who are being asked to bear most of the sacrifices that the war entails. Other aspects of American policy such as the stopping of the bombing of North Vietnam, the peace talks in Paris, the Vietnamization of the war and the withdrawal of American troops, they have accepted dubiously as elements of a higher diplomacy.

But it has been hard for them to accept the fact that some Americans—including some who hold positions of authority—should be actively working against the success of the American effort here.

It is only recently that they have come to realize that there are a considerable number of Americans who pray that the war in Vietnam may be lost for what they consider to be the most high-minded and patriotic reasons. The main reason, quite simply, is the hope that a defeat in Vietnam will demonstrate once and for all the futility, if not the immorality, of using American power to change the political and military equations in such areas of the world as Southeast Asia.

This is perhaps a tenable point of view in Washington, but it is not congenial to people who are fighting a war of survival. And since the objectives of the two groups are directly contradictory, it is inevitable that they should have very different ideas about the course American policy should take in the future.

To the overwhelming majority of people in Vietnam—regardless of their nationality—the ideas of the American opposition add up to sheer lunacy.

As they see it, the United States, after four years and an immense sacrifice of blood and treasure, has achieved a position of clear military and political superiority over an implacable and determined enemy. To them, it is simply unthinkable that this position should be abandoned in the illusion that the chances of a peaceful settlement of the conflict would be improved.

Nor is the military position by any means the only one being threatened.

In the course of the same four years, the political strength of the government in Saigon has been significantly increased. After a long series of military coups following the assassination of Ngo Dinh Diem, the present government has remained in power since 1965.

During this time, a national constitution has been promulgated, a national assembly and other democratic institutions have been created, and elections have been held on both the national and local levels.

With all this, it may be that the regime presided over by Nguyen Van Thieu is something less than a model of liberal democratic government.

Below the top level, there is undoubtedly some corruption, as there is in most governments. Newspapers and politicians who have been sympathetic to communism have been dealt with severely. Nevertheless, in the opinion of the most competent observers here, the Thieu government is the most secure, the most effective and the most widely supported of any that South Vietnam has ever had.

And the result is that this same government is now the object of the most unbridled attack from opponents of the war that has been seen since the days of Diem. People in

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Washington who know literally nothing about Thieu or the realities of Vietnamese politics rise daily to denounce the Saigon regime as corrupt, repressive and unrepresentative.

The common theme is that it is the Thieu government, rather than the leaders in Hanoi, Peking and Moscow, who represent the real obstacle to peace in Vietnam. In order to remove this obstacle, it is suggested that the Saigon regime must somehow be coerced into stepping out of the picture to make way for a "coalition" with the Communists, who would then, presumably, conclude an honorable peace.

Fortunately, nothing of the sort is likely to happen. At this point, it is most improbable that the Thieu government can be forced by anyone into surrendering South Vietnam to Communist rule, no matter how loudly and insistently "the enemy" may demand it.

ADEQUATE POWER FOR THE PACIFIC NORTHWEST

Mr. MAGNUSON. Mr. President, I commend to all Senators a speech delivered by the senior Senator from Oregon (Mr. HATFIELD) before the Board of Realtors in Portland on October 1, 1969. I was particularly pleased to see the Senator's emphasis on what I consider to be one of the great problems in the Pacific Northwest—that is, the problem of providing adequate power to meet the needs of the future without damaging our environment or our ecology.

I think that the Senator from Oregon has spoken persuasively and with great insight on this pressing problem.

It is also of significance to notice the impact of the President's decision to curb construction projects; particularly as it affects the ability to meet our power requirements. I commend this speech to the Senate because it stresses the necessity for reexamining our national priorities in light of domestic demands. These are demands which must be answered now if we are not to seriously detract from our quality of life.

I ask unanimous consent that the speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

SPEECH BY SENATOR MARK O. HATFIELD BEFORE BOARD OF REALTORS, PORTLAND, OCTOBER 1, 1969

When I was elected Governor in 1958, Oregon was in an economic slump. We had a high unemployment rate; our people had less than the national average per capita income; we had a great outflow of our young brainpower from the State, and we were dependent, primarily, upon one industry for our livelihood.

My administration went forward vigorously with an economic development program and, I think, we proved that Oregon could make progress by diversifying and increasing employment opportunities and still improve the livability of our environment. Our industrial base had broadened, our per capita income has increased, and this has brought with it the means to enjoy more leisure time.

During the period I was Governor the Oregon State Sanitary Authority became increasingly active in both air and water pollution control.

The 1959 session of the Legislature gave responsibility to the Commission in air pollution control similar to what it had in water pollution control.

These laws were strengthened in each succeeding legislative session while I was Governor.

Air quality control programs were adopted in Portland and most of the Willamette Valley during this period. More than $6 million was invested in air quality control facilities; more than $86 million was spent in water pollution control during the same period.

The population of Oregon served by sewage treatment increased from 90% in 1958 to 98% in 1966. The pulp and paper industry installed year around primary treatment facilities and commenced installation of secondary treatment.

This was done during a period of extensive additions to our economic base.

I have continued to work for legislation which would provide for the outdoor recreation needs of all our people. Last year, I sponsored a bill (which passed the Congress) to create the Mount Jefferson Wilderness Area, composed of 100,000 acres in the Central Cascades. I have introduced legislation to create the Eagle Cap Wilderness Area in the Blue Mountains of Wallowa County. Hearings on this bill are planned for La Grange later on this year. I have introduced legislation to provide for a study of the Cascade region north of Crater Lake for the purpose of determining the feasibility of a national park in that region.

As a member of the Senate Interior Committee, I shall continue to work for the greatest development and use of our remaining lands for the recreational use of our growing population.

But today, despite the great progress Oregonians have made, despite the fact that Oregon has continued to enjoy economic advancement—along with increased opportunities for recreation and a way of life which has made our State the envy of the Nation—the dangers of which I have warned in the past are upon us.

Today, there are those who would place a moratorium on the continued growth of this area. Today there are those who would relegate Oregon to a role of playground for the rest of the Nation. There are many who seem willing to ignore the fact that with a loss of vital payrolls, we would also lose the money-in-pocket to enjoy such a playground.

Where are those among us with the vision to see that, with proper planning and money, Oregon can have economic advancement and maintain an environment that enhances the life of its citizens?

We are literally at a crossroads, a point in time where an improper turn will within a very short period affect each of you, as well as every other citizen of our state and nation.

You have read in recent weeks of the National Administration's announced intention, to curtail federally-funded public works and other new construction, and to withhold funds for these purposes by some 75 per cent.

The full impact of this announcement is difficult to assess in the absence of details applying to specific projects or programs. But it is clear that any curtailment of federal construction money at this time will irreparably damage both the economy and the environmental excellence of our state.

The Mayor of Salem was in my office recently pleading for federal funds for sewage systems so that the Willamette River could be made a decent waterway. I continually read in the newspapers of the crisis conditions in other cities of our State which just do not have the tax monies to make their rivers usable for either industry or private citizens.

If federal money is curtailed (which follows a three-year period of budget cuts and stretchouts) then our vital flood-control projects, power generation plants, navigation, irrigation, recreation, and all water quality control and other water resource facilities in the Columbia River Basin will be dangerously damaged. These cutbacks affect the economy; they affect the livability of our state, and not only the health of our people, but the esthetics—the quality of life in our state.

Because of the fact that the major part of our land is federally-owned, its forests and water resource development programs are largely federally-managed, Oregon perhaps to a greater degree than any other State will suffer from these federal cutbacks.

Our air is becoming unbreathable, our water is becoming unusable, our cities are rapidly becoming unlivable. But there is no reason why we must let our environment deteriorate in this way. Our nation's financial resources and technical knowledge are more than sufficient to prevent this—if we but use them wisely. We find ourselves presently confronted with this crisis because of our past folly and irresponsibility. Our own values and priorities must be reoriented if we are to renew the fabric of our society and its physical environment.

In the FY69 budget, only $250 million dollars were appropriated for programs of research and investigation relating directly to environmental quality. The sum total of money is equal to the cost of only three days of the war in Vietnam.

I certainly recognize the urgent necessity for halting the terrible inflationary spiral we are caught in. But I seriously question cutting back on the kind of federal investments which have in the past demonstrated tangible monetary returns and which have provided sound economic development—and at the same time they have allowed balanced and maximum use of our natural resources.

Consider one potential wealth-producing area of investment, alone.

The U.S. Army Corps of Engineers, for water resource development, had a backlog of some $8½ billion in construction work throughout the Nation; the total today is $10 billion. In the Pacific Northwest, the total authorized but unconstructed federal civil works programs amounts to about $40 billion. And construction costs keep going up. Any delay would add some $2 billion a year to the eventual total costs! Just in the interest of sound fiscal investment and management of our tax money, we cannot permit these cutbacks to happen.

Our national budget is dominated by military expenditures, and our Nation's internal strength is being severely depleted by the continuing war in Vietnam. Thirty billion dollars a year (or about one out of every five of your tax dollars) goes to pay for this effort. This means that today, alone, some $82 million is being spent on the Vietnam war.

The experts tell us it will cost the Nation from $12 to $15 billion to make our air again fit to breath, and that we should spend from $25 to $30 billion in the next five years to clean up our rivers, streams, lakes and bays.

Somehow we seem to find all the money necessary to spend in Vietnam, but we cannot allocate sufficient funds to meet our pressing environmental needs at home. As we spend billions to devastate the land of Vietnam, our own land suffers gravely from neglect. We just must reverse the present trend. In Oregon alone this will take billions of federal dollars.

We can spend $700 million for the initial stages of the multi-billion dollar Anti-Ballistic Missile system, but the Administration allocates a similar amount for the Nation's Corps of Engineers budget—when we have a $10 billion backlog of construction!

We can spend $1 billion dollars for a nuclear aircraft carrier (the U.S.S.R. has none) and provide a pittance for our model cities program—only $287 million has been authorized for 1971.

We allocate meager sums of money for housing at a time when the cry for decent

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housing for middle- and low-income families fills the land. Housing, without doubt, is one of our most serious domestic needs.

Mr. Edward P. Cliff, Chief of the Forest Service, has testified that current demand for timber products in the United States is over 13 billion cubic feet annually. He expects the demand to almost double by the year 2000 to 23 billion.

We are producing half of our national housing goal of 2.6 million houses a year. One billion cubic feet of lumber products produces about 100,000 houses.

Chief Cliff has also testified that with sufficient funds to manage our National Forests properly, they would be capable of producing 21 billion cubic feet a year. This, along with privately-owned forests, will meet our housing needs.

More than adequate funds for intensive forest management are generated from the sale of timber. Congress has not, however, appropriated a sufficient amount to permit the harvesting of timber up to the full capability of our forests. The instability of our lumber markets is due substantially to this.

These administration cutbacks for domestic programs leads me to keep pounding away in the Senate on the urgent need to reorder our spending priorities in this country.

We need this federal money for housing, we need money for water and power resource development in Oregon and in the whole country. We need to change our priorities for Government spending.

It is not difficult to establish a case for a revision of national priorities in spending. At the present time about $53 of every $100 paid in federal income taxes goes directly to the Department of Defense. Further, about $5 is devoted to veterans' payments, and almost $11 goes to pay interest on our national debt, incurred from past wars. (Incidentally, we have spent one thousand billion dollars on military spending since World War II.)

Thus we find our Government spending about $70 out of every $100 it collects in taxes to pay for the cost of past and present wars and for defense and military weaponry for the future.

The $30 remaining out of the $100 in taxes must be meagerly divided between housing, education, health, social services, space, agriculture, commerce, transportation, international assistance and natural resource development.

Only $1.26 of the 100 tax dollars goes to water resource development programs which are so vital to Oregon's economy.

There can be no question about the need for a strong national defense, and I am a strong believer in this goal. But let me remind you of the words of one of our Nation's greatest national and military leaders, Dwight David Eisenhower. He said:

"Every addition to defense expenditures does not automatically increase military security. Because security is based upon moral and economic strength as well as military strength, a point can be reached at which additional funds for arms, far above bolstering security, may weaken it."

When President Eisenhower left office, defense expenditures totaled about $45 billion annually. Today, the figure is in excess of $80 billion. Perhaps you will agree that the words of Eisenhower apply to our day, and that continued military expenditures must not be left unchallenged and unquestioned. I am pleased to note that the Chairman of the Federal Reserve Board just last Saturday said we should cut our military expenditures by 10 to 15 billion dollars.

Remembering the comparatively insignificant sum of money allocated to natural resource programs, it is ironic to note that almost without exception, such programs not only build the economy and enhance the environment, but make a profit for the federal treasury.

Therefore, is it not better to place priorities on the enhancement of life rather than its destruction?

[illegible]

Our federal forest programs annually return to the federal and local treasuries sums far in excess of expenditures.

The Federal Columbia River System power program can be similarly measured. The Nation is getting a good return on its investment, even when only cold dollars and cents are considered.

Power revenues have been in the past and will continue to be sufficient to amortize the federal investment, while at the same time paying the cost of other important benefits along the way.

Clearly this is a wealth-producing program for Oregon, even if we disregard myriad additional benefits, such as flood control, navigation, irrigation, recreation and water quality improvement.

The contribution of the federally-operated Columbia River Power System to the wellbeing of this area, and the Nation, is of such magnitude and importance that any thought of its diminution through neglect by the Federal Government is totally incomprehensible to me.

I very much fear a polarization of attitude is developing between Oregonians. The average citizen, the housewife and the wage-earner all have a tremendous stake in this matter. And it is unfortunate that this polarization of attitude is taking place.

Those of us who suffered from loss of jobs, the slowdown or shutdown of industries and businesses from a cutting off of our power resources during the Columbus Day storm of 1962 well know the meaning of a "brownout" or a "blackout". We need no reminder of the adverse economic impact which can result from the curtailment of electrical energy from these important public works.

We know, too, that the electroprocessing and other industries of this area which are direct customers of Bonneville Power are among our principal payroll producers. These industries both in the Northwest and across the Nation will be immediately and directly affected by any power curtailment.

Bonneville has warned that they cannot renew existing contracts with these firms. Unless there is a reversal in the current trend of government spending, the electroprocessing industry in the Northwest as we know it today may be gone by the late 70's.

The list of nationally and internationally known firms with home offices or substantial branch operations in our state is long and imposing. Tektronix, Field Emission, Omark, 3–M, Reynold, Harvey, Hanna, Weyerhauser, Georgia-Pacific—these are only a few of the industries who have found the quality of our environment powerfully attractive in encouraging executives and others to come to Oregon.

When I was governor, I warned in countless speeches about the continued need for sound long-range planning, lest the environmental factor be overlooked and diminished. The existing balance between the economy and the environment could be knocked askew—either through a disregard of fundamental facts or the unwillingness of government, business or individual citizens to jointly participate in programs designed to maintain Oregon's livability and to insure continued economic progress.

In my final address to the Oregon Legislative Assembly I spoke of the population increase, the advancement in our educational system, the job development programs which had resulted in more than 180,000 persons being added to our business and industrial payrolls, the new plans and expansions totalling over 700, the development of more than 30 new state parks and waysides, stronger pollution control, and initiation of a comprehensive long-range water study.

All of these programs combined during the period 1959 to 1967 when I was governor to help assure that our important economic-livability balance was maintained.

Today, despite the gains we have made, the dangers of which I warned then are upon us now.

In recent weeks I have written to and conferred personally with President Nixon on these matters, particularly stressing the magnitude of their importance—not just to Oregon, but to the entire Nation.

For instance, our Northwest aluminum plants produce ingots and other forms which are, in turn, shipped to plants in Michigan, Kentucky, Iowa, Ohio, Pennsylvania, Illinois, California, New Jersey, Indiana and Arizona. Any curtailment of production in Oregon—because of construction cutbacks and potential brownouts—would adversely affect other areas as well.

During 1967, Northwest electroprocessing plants served directly by Bonneville Power employed over 13,000 people with total wages and salaries of over $106 million. Total direct and indirect regional employment, attributable to industries served directly by BPA, is estimated at 41,000.

These industries bought materials and supplies totalling about $105 million from our Pacific Northwest industries. Freight payments were about $52 million. Payments for electric power purchased were about $46 million. State and local taxes paid by these plants approximated $10 million. Net plant additions during 1967 exceeded $97 million. In total, Northwest electroprocessing plants served by Bonneville spent $417 million within the region in the single year of 1967.

Clearly then, if Bonneville's forecast of cutbacks in electric power (which was announced even before the recent Administration threat of 75% curtailment in new construction), becomes a reality, Oregon, the Pacific Northwest and the entire Nation will suffer immense damage.

The warnings are clear, there is still time to reverse the trend, to take the right road and to avoid the consequences of shortsightedness.

We are not faced with an either-or situation on this matter of power-generating projects versus environmental protection or enhancement.

Aside from the necessity for proper planning, the compatibility of power generation programs and environmental protection has been reinforced through establishment of appropriate policies at all levels of government and throughout the private sector.

The Federal Water Quality and Clean Air Act guarantees this king of environmental protection and improvement. At the same time, if implemented by federal money, it can make possible the strengthening of our economy and the creation of new wealth—wealth which I maintain is necessary for the enjoyment of a higher than average standard of living, wealth which is necessary for purchasing new homes, as well as money for leisure and time pursuits so important to our way of life.

Unfortunately, because of military spending and the inflation which has resulted in such inordinate purchases of weaponry, the money has not been available in the federal budget to meet our important resource needs.

Spending for water resource and power-generating plants can go hand-in-hand with providing needed recreational development. On the mainstream of the Columbia, the building of dams and reservoirs has opened the great out-of-doors to additional millions of people. On tributary streams the private utilities have also made provisions for the recreation needs of our citizens.

But those who criticized and attempted to block plans for construction of Bonneville Dam 30 years ago have counterparts in our day. Just as in the early thirties, there was an unwillingness to face the facts of life which made the building of Bonneville a necessity. We find a similar unwillingness to face facts today.

The growth of Oregon, population-wise, to more than double its size in 1937, and the forecast of an additional increase over the next two decades to a point where Oregon alone will have nearly three million people (with corresponding increases in the de-

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mand for electrical energy for everything from toasters to irrigation systems) make inescapably obvious the course we must take. We just cannot take a pill and make these people disappear—they are here and their needs must be provided for.

In addition to the increase in costs which construction delays have brought to date, we must add losses which accrue through failure to meet timetables. The failure to make federal funds available, for instance, for Lower Granite Dam completion, or for the complete installation of additional generators at The Dalles Dam, will sacrifice flood control and power generation vitally needed and will compound total future costs not only to our region but the entire Nation.

In the case of the Dalles Dam, the Federal Government has invested almost a quarter of a billion dollars. Yet the present cutback on installation of final generating units comes at a time when the project is nearing the point of generating maximum returns on investment.

Instead, a lack of funds means that some of the turbines and generators now on order will have to be stored if delivered on schedule.

Budget matters, beyond the restoration of recent cuts and threatened curtailment by the Administration, are within the realm of Congress and its appropriations committees. I shall continue to fight the strongest battles before these committees. But this, in itself, is not enough.

We in the Northwest delegation must continue to make these administration budget-cutters realize that we in Oregon and the Northwest are not wholly provincial—that our water resource developments, our forest programs, our electical-generating capabilities are inescapably tied to other areas of the Nation and that the well-being of all of our citizens is at stake.

Therefore, there must be an increased public awareness, an increased public demand, if you will, an upswelling of public opinion directed toward the administration, demanding that America's needs be met financially in areas other than military.

There should be no pitting of one group against another through a blind ignorance of the facts or an absence of accurate data with which to support our cause.

There must be a recognition on the part of all of us that unless we move ahead now, confidently and vigorously, toward meeting our electrical energy requirements, we will have sacrificed this region's opportunity for greatness.

And at the same time we will have created unnecessary hardship for our Oregon citizens as well as in other areas of the Nation.

With sound planning and adequate financing, we CAN meet the environmental and economic needs of our people in Oregon.

But we cannot speak with divided voices. We must unite if we are to safely meet the crisis that we face. If we do we will move steadily towards economic stability and the maintenance of Oregon's livability which we treasure.

THE TONIC OF WILDERNESS

Mr. NELSON. Mr. President, for years this country, happily on its way toward urbanization, industrialization, and prosperity, saw nature as something to be conquered and exploited. Judging from articles I read in newspapers and magazines and from the mail I get from citizens who have seen the effects of this attitude on our streams and air, it is evident that there is grave public concern about this problem.

This concern over the environment has led me to propose a national "teach in" this spring that will enlist the energy and involvement of our young people in the solution to this national crisis.

An editorial published in the Madison, Wis., Capital Times indicates the particulars that concern the citizens of Madison, calls for a halt to the plunder of the American landscape, and points up the need for a Federal agency to oversee the environmental implications of all Federal policies and projects. I am optimistic that legislation now close to congressional enactment to create an Office of Environmental Quality and a Board of Environmental Quality Advisers will be a major step toward filling this need.

The article, although using local examples, hits upon a national concern. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IS AMERICA DESTROYING ITS "TONIC OF WILDNESS"?

"We need the tonic of wildness," wrote Henry David Thoreau. ". . . We need to witness our own limits transgressed, and some life pasturing freely where we never wander."

Whether our own children will experience that "tonic" is now an open question. For the American landscape, even that part which has traditionally been protected from commercial exploitation, is under assault from all sides.

The Sierra Club, that fierce guardian of the nation's dwindling wildlands, has been fighting an uphill battle for several years to keep the Walt Disney organization from turning Mineral King Valley in California's Sierra Nevada mountains into a year-round alpine ski resort.

The 1,500-acre tract of towering sequoias, crystal lakes and protected wildlife may yet succumb to the polluters and private profiteers, despite a recent federal court injunction which blocks development temporarily. The prospect is doubly outrageous, in view of the fact that Mineral King is publicly owned (officially designated the Sequoia National Game Refuge), and is in the stewardship of the National Forest Service.

The Everglades National Park in Florida, the last such aquatic wilderness on the Eastern Seaboard, also appears doomed by a jetport under construction just to the north.

In Michigan's upper peninsula, Sylvania, a 29-square mile wilderness tract which is part of the Ottawa National Forest, is threatened with permanent degradation by the U.S. Department of Agriculture, which wants to turn it into a recreation area.

Closer to home, a Navy Communications installation, ironically dubbed "Project Sanguine," promises to disrupt the beauty and the ecology of the Chequamegon National Forest in Northern Wisconsin.

Conservation groups, and aroused citizens who have never before been moved to action, have raised anguished cries of protest in all of these cases.

A mini-battle along the same lines is underway here in Madison to prod city purchase and preservation of an 11-acre glaciated park and pond on the city's Far West Side.

In each of these instances, and in hundreds of related battles across the country, the issue is basically the same: whether man will continue to gorge and gobble and pollute the land that sustains us all, until we have nothing left but a sterile desert of asphalt and throwaway cans.

Surely it is time to call a halt to such plunder of the American landscape.

We need to establish a federal conservation "ombudsman" agency, empowered to safeguard the nation's vanishing natural resources from further debasement.

And fundamentally, we need to develop a strong set of environmental ethics, to nurture an affection and respect for the natural landscape that will override our willingness to degrade it with cancerous Disneylands. The time is now.

IMPORTANCE OF SOUTHEAST ASIA AND THE INDIAN OCEAN

Mr. McGEE. Mr. President, the Washington Evening Star, on October 9, 1969, through correspondent Maxwell Grant, in Melbourne, published a significant dispatch reporting on a key foreign policy and defense address by Prime Minister John Gorton.

The Australian Prime Minister's remarks point up his government's continued emphasis upon the importance of Southeast Asia and the Indian Ocean. In his speech, a radio and television address to the Australian nation, the Prime Minister said his nation will continue to take a vital interest in the Southeast Asian region. I ask unanimous consent that the Star's report on the speech be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GORTON REAFFIRMS POLICY ON AUSTRALIA-UNITED STATES DEFENSE

(By Maxwell Grant)

MELBOURNE.—Prime Minister John Gorton, in a key speech for the Oct 25 national election, has placed heavy emphasis on Australian defense and foreign policy.

Speaking last night on nationwide radio and television, Gorton made it clear Australia—under his leadership—would increase her defense capacity and continue to take a vital interest in the Southeast Asian region.

The highlights of his speech were these:

Australian troops will remain in Vietnam until South Vietnam is assured of the right to choose its own government. Australian withdrawal with be phased in with a continued reduction of U.S. forces if it occurs.

Armed forces will be maintained in the Malaysia-Singapore area. The capacity for swift additional assistance for Australian regional security pacts in the Asian area will be supported, but Russian participation or establishment of Russian military or naval bases in the region will be opposed.

Australia will not sign the nuclear nonproliferation treaty until she is sure it is effective.

The Royal Australian Air Force will get new fighter, reconnaissance and strike aircraft. The Navy will get new ships, including light destroyers.

There will be continued cooperation with America to build bases in Australia.

The draft will be continued to keep the army up to at least its present strength of nine battalions.

Money spent on defense will be progressively increased in the year ahead "for to do less would weaken our security and invite the suspicion of our allies both within the region and without."

Several times Gorton referred to the importance of the Indian Ocean;

"We believe that broad considerations of Australia's geopolitical position and national development point to the conclusion that naval support facilities in Western Australia will also be required in the future.

"Our fleet numbers will increase and we will have to take an increasing interest in the Indian Ocean as the British withdraw."

He said that Learmonth Airfield, in Western Australia, is to be expanded to an operational base on the Indian Ocean.

PRAISES LINK TO UNITED STATES

Gorton praised the American-Australian alliance, saying "our alliance with the United States under the ANZUS pact is "vital to our defense. It requires that we should be true allies, that we should be prepared to give, as well as expect to receive, assistance.

"Therefore, we shall continue to cooperate with the United States in the construction of bases for our joint defense, bases of value to us both, in Australia."

The prime minister's defense statements contrasted sharply with those of the leader of the opposition Labor party, Gough Whitlam, who went on the election trail with his policy speech a week earlier.

Whitlam said a Labor government would withdraw troops from Vietnam before the end of June 1970.

A recent Gallup Poll showed more than 55 percent of Australians favor immediate withdrawal.

Whitlam said that if he were prime minister, Australia would sign the non-proliferation treaty.

There would be regional arrangements for the standardization of defense equipment, abolition of the draft, reform of conditions for the permanent army and negotiations to replace the F111C aircraft Australia has ordered from America.

MINORITY REASSURED

Gorton's statement will reassure the minority Democratic Labor party, which was alarmed at what was called External Affairs Minister Gordon Freeth's soft line towards Russia in a speech on Aug. 14.

Though lacking in detail, Gorton's speech will certainly satisfy the DLP and prevent their implied earlier threat to take second preference votes away from the Liberals. In this election, those preferences could be crucial in getting John Gorton and his Liberal-Country party coalition back into office.

OPPOSITION TO THE WAR IN VIETNAM

Mr. MONDALE. Mr. President, on Wednesday, October 15, many persons throughout the Nation will gather to express opposition to our continuing involvement in Vietnam. Not since the civil rights march of 1963 have so many Americans felt the need to express publicly and visibly their views on national policy.

An editorial published in the Minneapolis Tribune of October 12 eloquently expresses the hope that this moratorium on the war in Vietnam will hasten the end of a senseless and tragic war—a war which few Americans understand or support. I ask unanimous consent that the editorial, entitled "Wednesday's Demonstrations on Vietnam," be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Wednesday's Demonstrations on Vietnam

As Wednesday draws closer, one recalls the Civil Rights March of 1963 and how it touched the consciences and hearts of millions of Americans.

Across this land, on Wednesday, there will take place marches and demonstrations and vigils, this time not for civil rights but for peace.

The 1963 march, despite fears of violence, was peaceful—and successful. Various types of civil-rights and social legislation followed. The nonviolent nature of the protest was one reason for its success.

Despite the expected participation of radicals (such as members of the SDS) on Wednesday, we believe most demonstrations probably will be orderly and peaceful. We hope so, for violence can only detract from the purpose of the marches, that of demonstrating to fellow Americans and to the President the growing desire of many citizens to end the Vietnam War.

The President has said he won't be influenced by the demonstrations . . . but in a democracy can a President not be influenced by a large outpouring of the people?

More and more one hears across the land the voices of opposition to the war, a war from which our leaders now apparently would withdraw if a means could be found for saving face, a war which is hurting Vietnam more than it is helping a war no longer believed vital (if it ever was) to our basic national interests, a war whose casualties are being felt in neighborhood after neighborhood, town after town . . . a war which is causing the nation to postpone or reduce vital programs.

A war which has hindered efforts to close the gap between the races, between the generations and between the rich and poor.

A war which has brought serious inflation.

A war which has made more difficult any efforts to achieve an international easing of tensions.

President Johnson in March 1968 halted the escalation of American involvement in Vietnam. President Nixon has begun the process of disengagement. We support those troop withdrawals he has ordered. We wish they were larger.

Some of Wednesday's marchers will be demanding an immediate withdrawal of all U.S. troops. After 15 years of propping up South Vietnam, and even granting all the faults of that country's present leadership and efforts, we do not believe an instant pullout is a reasonable course for our nation. Indeed, such a pullout is not feasible in terms of logistics.

We believe that it is possible to draw up a timetable for a systematic withdrawal of all combat troops, and we believe such a timetable could encompass a period of 12 to 18 months.

It does not seem to us that a decision for such a timetable will be made by the American military or diplomatic establishments in Vietnam. They appear to be yet thinking in terms of victory—even though the President has said that victory is not our goal anymore. The decision to withdraw rests with the President.

But Mr. Nixon still seems to be listening closely to advisers like Gen. Wheeler, Gen. Westmoreland, Ambassador Bunker and others of the victory school. President Johnson did, too, but persuasive men like Clark Clifford came along to influence a change in presidential policy. We are not sure who will be the Clark Clifford of the Nixon administration. The tone and content of some of Mr. Nixon's statements, so similar to those of Mr. Johnson before he changed course, are greatly disturbing to millions of citizens.

Therein lies the importance of Wednesday's marchers, demonstrations and vigils. If conducted peaceably and with dignity, they can help lead other Americans to reconsider the course this country is on in Vietnam. They can help influence national policy.

To march for peace does not detract for one moment from the bravery and sacrifice of those nearly 40,000 Americans who have died in Vietnam. They died, as young Americans have died in generations past and may die in future generations, serving our country.

The question now is whether their sacrifice is served by hurling more young Americans into continuing combat in an Asian land war no longer considered vital to American security.

A majority of Americans, according to a recent Gallup Poll, believe it was a mistake to send troops to fight in Vietnam. The real question now is how to extricate our men from that mistake.

Present approaches to extrication—Mr. Nixon's three conditions for troop withdrawals—depend on responses from Saigon or Hanoi. We believe the time is here for a policy geared to the needs of our own country. This means an end to American participation in the fighting within a reasonable time.

President Nixon, like many others, has talked of "no more Vietnam." If this concept is good for tomorrow, it is good for today.

On Wednesday, the marchers will be telling the nation: Let's end what has become a wrong war in the wrong place at the wrong time. Will the nation and our President be listening? We hope so.

THE CHICAGO RIOTS

Mr. PERCY. Mr. President, the Senate Permanent Subcommittee on Investigations met today to hear testimony from Police Superintendent James B. Conlisk, Jr., of Chicago, regarding the transfer of weapons to the former provost marshal general of the Army. As a member of this subcommittee and as a Senator from Illinois, I wish to comment briefly on a matter that has taken the highest priority in the work of Superintendent Conlisk and his men, constituting the reason why he could not appear before our committee as originally scheduled; namely, the hit-and-run guerrilla forces who have sought to spread havoc in Chicago for the past week.

I wish to commend the Chicago police and the Illinois National Guard for the calm and professional manner in which they responded to repeated provocations from these Maoist "Red Guards." They have skillfully prevented widespread violence and destruction and at all times shown an unwavering devotion to duty.

The outrages that have occurred on the streets of Chicago this past week, and the alert manner in which they have been curbed, presents an essentially different pattern of challenge and response from the well-publicized and well-studied disorders that occurred during the Democratic National Convention of 1968.

The rights of free speech, peaceful protest, and lawful assembly are guaranteed by our Constitution and, as such, are inviolable and sacrosanct. Full freedom to espouse a cause or to denounce injustice is the hallmark of our democracy.

What happened in Chicago, however, is a perversion of these basic rights. Young people who destroy the property, seriously injure, and threaten the lives of innocent citizens, young people who seek to confront authority for the sake of confrontation, may indeed seem mad. But it is clear that their wanton behavior has a clear-cut purpose.

For surely it is the intent of the rioters to destroy, as the main victim of their criminal attack, the free institutions of our democratic society. This radical "Weatherman" element of the SDS is truly Students for the Destruction of Society. It is essential that we repulse this evil challenge to America.

Governor Richard B. Ogilvie and Mayor Richard J. Daley joined together to meet this challenge and have moved

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responsibly to insure that the right of our citizens to live just and orderly lives is preserved.

THE PSEUDO CONSERVATIVES

Mr. McGEE. Mr. President, whatever they may be, the solutions to this Nation's problems at home and abroad are not simple. No one needs to make that point—or, at least, we would think that no one needed to make that point. Yet, simplistic solutions to our problems seem to abound, especially at the far reaches, left and right, of our political spectrum.

A more expert commentator than I, Paul Goodman, recently observed that "alienation is a powerful motivation, of unrest, fantasy, and reckless action." It is, however, as he added, "a poor basis for politics, including revolutionary politics."

Yet alienation impels large segments of our population these days toward their reckless "solutions" to the problems which confront man in these United States. Dispose of one or two evil sources, or smash the forces behind civil commotion, and the job will be done, in their view. Ironically, the left and right extremists go about their tasks with much in common. While one strives to bring about the collapse of what it views as a corrupt and reactionary "establishment," the other campaigns day and night to shift power away from what it sees as an entrenched "liberal" and even "traitorous" power structure.

Why consider the complexities of any problem, the total ramifications of any decision, or the various people involved in any clash of ideas? There is no need, for the answers are obvious, at least to those who subscribe to the extremist line. At fault, it is obvious, is the establishment. Or is it the international Communist conspiracy?

Much comfort is to be gained, apparently, in the refuge of shibboleth and cant. One can draw the line easily between the good guys and those with corroded motives and impure purposes. It is nice, apparently, to have a handy whipping boy so you can look at the social disorders, minority problems, the polarities among our people and all the other uncertainties and dislocations in our political world and know who is to blame. Charge it off to an invidious plot by Reds or their unconscious dupes, or chalk it off to another manifestation of the stupidity and cupability of the establishment.

Simple approaches such as this, I want to emphasize again, are the stock in trade at both ends of the political spectrum. The extremists from the left and right are more like each other, it would seem, than any group of concerned citizens seeking to find their way to the solution of today's many problems in a reasonable, fair way.

For those of us who count ourselves as being somewhere in the middle, the irony entwining the two extremes is heightened by the realization that they are self-perpetuating in their pattern of operations. They feed on each other, with each act of extremism at one end being countered by a reaction. Sometimes, one might think they exist for no other reason than to supply adherents with an all-purpose refuge in a confusing world.

The deceptive element about these extremists is the facade of legitimacy surrounding them. On the left, many of the complaints about social injustices are valid and in need of action and change—but violent confrontation does not accomplish these ends.

On the right, the reality of the Communist threat gives their argument some plausibility. But to attribute all social unrest within the country to this one reason is nonsense and worse, providing no movement toward solutions that would remove the conditions of unrest.

In past weeks, a handful of radicals from the left have engaged the attention of an entire Senate Committee investigating their activities. I doubt whether the are worth the time and expense, but I must grant that some clarification of their activities is needed.

The left has received much attention—only some of it deserved. Therefore, Mr. President, I shall direct my remarks today to the radical activities of the rightwing, to those we could call the "pseudo conservatives."

These factions of the right have historically been with us, from the early frontier vigilante groups in the West, and the Ku Klux Klan in the South, to the Minutemen of today. They have tried to legitimize their causes with words like Americanism, Christianity, patriotism, liberty, conservatism, morality, and Constitutionalism, but their activities have scarcely ever earned such descriptive nomenclature for them. Anyone outside the limits of their brand of patriotism is suspect. They function in such a fundamental state of isolation that the answers to everything they see wrong with the Nation appear simple. Return to the "good old days" when things were cut and dried. But those days were never so simple. We cannot turn back the population clock. Runaway technology has contributed to the complexities of our times, yet we cannot give up the conveniences that technology has provided.

Until recently, one of the favorite targets of the pseudo conservative right was the Warren court. Now that it is gone, and student activism has been reduced during the summer, I wonder that the rightists did not run out of evil sources to blame. But, of course, they did not, finding a ready target in sex education programs coast-to-coast, injecting an unfortunate ideological competition into a subject which should at all times be considered more sanely and reasonably—not as a Communist plot.

Communist as a threat to the free world has been in the forefront of my attention ever since my entrance into the Senate. I made myself clear in a book I wrote and published last year, but I cannot believe that everything causing the unrest in this country is a direct result of actions taken by the leaders in Moscow or Peking.

Psychologists call this gullible way that the right has of thinking the paranoid style of thought. It is based on suspicion and conspiracy, fantasy, and fear. Everything and everyone opposed to them is immediately assumed to be part of a Communist plot to overthrow the Government—or at least to undermine America's will to resist takeover.

It should be obvious that this distorted style of thinking is indicative of a distorted judgment—the same sort of judgment common to fanatics who believe they can solve the Nation's ills by political assassination, or the suppression of legitimate protest, for character assassination, I submit, is but a step removed from the unspeakable crime which we have sadly been witness to too often in the turbulent 1960's.

An example of this way of thinking probably reaches the desk of every Member of Congress. I recently received a letter commenting on my book, "The Responsibilities of World Power." I should like to quote from the letter; some of the most blatant statements go like this:

> The horrible fact is, Mr. McGee, that most liberals in your party are truly and sincerely sympathetic to the supposed theoretical attributes of Communism . . . our entire foreign policy, is a fundamental sympathy towards—and a corresponding antipathy toward opposition against—Communism.

Generally, I suspect that this sort of argument is immediately seen through by the average American. Even this sort of "big lie" is hard to swallow. But one of the soft sells of the rightwing—the law-and-order theme—has been subscribed to by many American people anxious about the current wave of national unrest and the very real and appalling incidence of crime and violence.

There is an obvious connection between the candidates flaunting law-and-order themes and the fear of social revolution created in the mind of the American people. The argument is that we must have order by any means, regardless of the law protecting personal rights. Adolf Hitler promised pre-World War Germany as much—and delivered an order of sorts for a time.

Since the early 1960's, activities of the rightwing have increased, especially over the period of the 1964 elections. Today, the movement continues.

About the war in Vietnam, the rightwing argues, again apparently the simple and expedient solution; namely, that we could win if we wanted to win. Indeed, we could—I do not doubt we could crush our adversary if we were willing to risk mankind's survival in the aftermath.

On the domestic scene, the rightwing has been a consistent objector to civil rights, fair housing laws, and voters' rights laws. They claim that the riots in the cities and on the campuses are the result of Communist instigation.

Their far-right views are concerned with keeping full participation in American life limited to a chosen, privileged few. Any threat to their special interest is given an interpretation as a threat to the rights of everyone.

The "law and order" theme has fit into this rightwing interpretation as the mainstay in their current wave of fear. Whenever a threat can be pointed to, it follows that the right to reduce or eliminate that threat belongs to a group sanctioned by the majority of people.

In a war, the Armed Forces are given the sanction by the people to commit acts of inhumanity to protect the society and country threatened. This is a hard fact of life. Ordinarily, acts of violence by police and other official groups would not be condoned by many Americans, but with the right sanctions—violence can be "as American as apple pie," and can be exercised in lieu of reason.

This is one way radicals on both the left and the right work together to create the fear that causes millions of Americans to ally themselves, to one degree or another, with one extreme or the other.

The influence of the rightwing has extended to the mass media, and especially to the radio, where evangelistic rightwing radicalism is espoused throughout the Nation.

In a number of instances where the "fairness doctrine" of the FCC has been cited in complaints against the blatantly biased material on these programs, nothing has been accomplished to improve the programing.

A new group formed last year calls itself the "League for Liberty," a name inconsistent with its activities. It is this league's announced purpose to police the airwaves by pressuring advertisers to sponsor programs in line with its way of thinking.

A number of rightwing organizations have formed their own secret intelligence apparatus to collect histories on known "enemies" to their cause. The efficiency of J. Edgar Hoover's FBI to do its job must be in question in their circles.

One of the outgrowths of these activities is the so-called "Biographical Dictionary of the Left" which lists any liberal whose views might constitute a threat to the right's paranoid mentality.

Ironically, the radical right has not missed learning from the Communists—no doubt under the rule that "fire must be used to fight fire."

The Minutemen, one of the most extreme of the rightwing organizations, has built an organization patterned after the Communist "cell" structure. It involves an organizational safeguard system of small, independently administered groups which never know enough to destroy the entire organization if they should be caught.

The Hydra-like growth of the rightwing is shown by the splintering of new groups from old ones—forming some 17 new organizations last year alone.

One new movement reminiscent of nazism is the Francis Parker Yockey movement. It is reliably reported to have taken over the resources and membership lists of the Youth for Wallace political organization of last year.

After a political infight, Willis A. Carto, apparently the force behind the Liberty Lobby, emerged in control. Now some 17,000 young supporters of Wallace are, unknowingly, affiliated with the ranks of a secret group which sports relics of the Nazi regime, including SS uniforms and swatiskas.

Carto is a little known man who shuns interviews with reporters, refuses to have his picture taken, and does not participate in the open activities of the Liberty Lobby. Yet he knows the power of the purse strings he controls. The Liberty Lobby was among the top 25 reported lobbying spenders on the Hill last year.

Today, both the comforts of life and the problems in our country are shared by more people than ever before through the means of the mass media. But today, we can also suffer the uncomfortable feelings of the poor, the hungry, and the oppressed in our own homes whenever we pay attention.

If we sense shame for what we see, then it is time we did something to improve the conditions instead of fomenting ideological discord and fostering a system of thought that would perpetuate misery for the unchosen.

We should realize that if the capacity for success and wealth is passed from one generation to another, and it is, then so is the capacity for poverty and failure passed in the same way.

But before we can progress satisfactorily, we must do something about the balance of extremists in this country. We have got to stop this action-reaction cycle. We must remove the power these radicals have to rock the boat, and even dump us all in the drink.

Sydney Hook, professor of history at New York University, no softy on extremists, aptly put it when he said:

> A handful of men who are prepared to fight, to bleed, to suffer and, if need be, to die, will always triumph in a community where those whose freedom they threaten are afraid to use their intelligence to resist and to fight, and ultimately to take the same risks in action as those determined to destroy them.

The key is word in his statement is "intelligence"—the intelligent use of restraint on extremists. We must beware of becoming as bad as those we would restrain. As Hook puts it:

> There is always the danger that courage alone may lead us to actions that will make us similar to those who threaten us. But that is what we have intelligence for—to prevent that from happening! It is this union of courage and intelligence upon which the hope of democratic survival depends.

One of the facts of this great Nation is that no group of extremists have been able to gain control, or influence the Government for any length of time without a cry of protest from the people.

Hook concludes:

> Intelligence is necessary to overcome foolishness. But it is not sufficient to tame fanaticism.

I do not applaud the flagrant use of force to put down force, or violence to meet violence, but there must be limits to what the mass of people who occupy the great middle ground will take from the extremists. We must exercise the intelligence to preserve the right of freedom without threat from the way we choose to preserve it. A riot among the people does not justify a riot among the police, for example. Nor does a campus demonstration justify slamming the gates of the university to our young people.

For those of us who refuse the false security of a fanaticism, it will be a serious watch. Had there been a more diligent watch on the Rhine, Hitler may never have despoiled the world with his brand of fanaticism. Each of us must stand his own watch and stand ready to fight for reason.

TO CONTROL SPENDING CONGRESS NEEDS OFFICER OF ECONOMIC ANALYSIS IN JOINT ECONOMIC COMMITTEE

Mr. PROXMIRE. Mr. President, it is time for the creation of a top flight, highly qualified staff unit in the House-Senate Joint Economic Committee to produce for the Congress detailed studies of the relative costs and priorities of administration proposals.

I have written to Representative WRIGHT PATMAN, the committee chairman, asking him to seek funding in the House for such a unit in order to bolster congressional control over the Federal budget by making objective studies available.

I have based my proposal on the need of Congress for more highly sophisticated and higher quality information than is now available to it. For example:

Congress should make its own analysis of the economic costs and benefits of the SST. Is it worth the cost? Should it be built now? Should the taxpayer or private companies foot the bill? How do the benefits compare with the costs and with the benefits and costs of other programs such as air pollution programs, health clinics, or low cost housing?

We need to know whether the huge costs of manned space flights produce such large benefits as to be worth the vast differences in costs of instrument flights?

What is the annual cost of the operation of the Navy's eight antisubmarine warfare carriers? Could the funds be spent more efficiently for other military or civilian programs?

We desperately need a highly qualified group of analysts to provide the facts so that Congress can determine which programs should have the highest national priority, the costs and benefits to be gained from them, and the alternative programs and their costs.

I propose that the Joint Economic Committee set up a staff of about eight to 10 highly qualified economists, statisticians, and program experts to provide Congress and its Members with the economic and budgetary analysis it needs to make intelligent decisions and to judge executive branch proposals.

Congress has ceded far too many decisions to the executive branch. Indeed, Congress, with its modest staff resources, is too often at the mercy of executive department decisions. The bureaucracy, armed with enormous staff, reports, information, analysis, and studies, too often finds little difficulty in wresting policy initiatives from the legislative branch.

As our society becomes more complex and our technology more advanced, and as the Federal budget grows ever larger, the Congress must initiate or approve policies for which we, as individual legislators, have too little knowledge.

As the need for comprehensive and systematic analysis has grown, and as the need for public decisions on complex and highly technical matters has expanded, we have provided the executive branch with the staff and resources to deal meaningfully with many of these matters.

But we have failed to provide the Congress with the facts and resources necessary to make informed decisions based on an understanding of costs, benefits, and other important economic facts. My proposal, at almost no cost, is an important step in returning the policy initiative to the Congress where it belongs.

THE PESTICIDE PERIL—LXIV

Mr. **NELSON**. Mr. President, in the battle over the continued use of persistent pesticides, the agricultural industry has often taken the lead position in favor of chemical pesticides to control insects. The industry representatives have claimed that without DDT and other persistent pesticides, entire crop production could be seriously damaged.

However, more and more agricultural spokesmen are both becoming alarmed by the ill effects to our total environment from pesticides and seeking out alternative methods of control. In an article published recently in the Wisconsin Agriculturist magazine, a leading farm publication in our State, various nonchemical methods of pest control are suggested to the farmer as safe, effective alternatives. The article states:

> Chemical control of insects may someday be second best.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SEEK BETTER WAYS TO CONTROL INSECTS—PESTICIDES MAY NOT BE NECESSARY

Chemical control of insects may someday be second best.

Chemical insecticides are looked at as temporary and emergency insect controls, says Charles Koval, University of Wisconsin insect control specialist. Scientists are continuously searching for better ways.

An example of an insect control method to replace insecticides is the use of attractants. Attractants draw desired insects from large areas into traps. These may be food, habitat or sex attractants—or combinations of these.

Artificial foods can be substituted for natural foods. This food bait is treated with a non-tonic insecticide that kills insects drawn to the trap.

Habitat ammonia bait draws flies to a jar where they deposit their eggs, thinking it is a natural place for egg laying. With this method, millions of eggs can be destroyed, greatly reducing the population of the next fly generation.

Insects' natural mating instinct can be used to trap male insects. Lesser peach borers now cause much damage in Wisconsin cherry orchards. However, one female borer in a trap draws large numbers of males within a half mile radius.

This leaves few males to fertilize eggs and greatly reduces borer populations. With the development of synthetic materials to replace the live females in the traps, this will be one of the cheapest insect control methods available, says Koval.

WORKED ON SCREW WORM

The sterile male technique also offers hope of reducing populations of certain insect species. This method gained fame when it was used to control the damaging screw worm in the South.

With the sterile male technique, large numbers of male insects are sterilized with radiation. They are then released to mate. Since the males are sterile, none of the females they mate with lay fertilized eggs.

Sound waves can be used to kill insects that would be difficult to control with other methods. This method is used most to control insects in stored grain.

The volume of the sound is not important. But the frequency is. Sounds of certain frequencies kill some insect species.

Development of new plant varieties offers another method of insect control. Scientists can select varieties that are unfavorable for insects. Some plant varieties "taste bad." Others prevent young insects from developing.

An example of an insect resistant plant is the gingko tree. This tree is virtually free from insect attack, points out Koval.

Planting time control of certain crops avoids insect infestations. This method takes advantage of the knowledge of an insect species' life cycle.

Winter wheat planted before a certain date in the fall will not be damaged by the Hessian fly. Spacing radish plantings a week apart avoids loss of the whole crop to maggots.

Systematic insecticides are the preventive medicine of insect control, says Koval. They prevent a buildup of insect populations while most insecticides are applied after large insect populations are noted.

These insecticides are absorbed through the roots and kill the insects when they eat the plant material. They produce no surface residue or wind drift to damage other crops. And the insecticides do not persist in the soil. The systemic insecticides are selective so that they do not kill beneficial insects.

PHYSICAL BARRIERS

Aluminum foil laid around some plants controls aphids (plant lice). The method reduces aphid populations up to 95 percent more than chemical controls. Aluminum foil is now used experimentally with gladiola to control aphids that spread viruses.

Banding elm trees to control canker worms is no new method. Sticky bands are applied to elm trees, These bands trap and kill the female worms when they crawl up to lay their eggs.

A simple and cheap method of insect control for most homeowners is the washing method. A high pressure stream of water from a garden hose knocks insects off shrubs and bushes. It is particularly effective for aphids and spider mites, says Koval.

This untimely removal from their source of food often upsets the insects' life cycle so much that they die.

NOMINATION OF JUDGE CLEMENT F. HAYNSWORTH TO THE SUPREME COURT

Mr. **COOK**. Mr. President, for a better understanding of what much of America thinks, regarding Judge Clement Haynsworth, I ask unanimous consent that a number of articles and editorials be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Casper (Wyo.) Star-Tribune, Sept. 28, 1969]

CRITICS OF JUDGE HAYNSWORTH

The Senate hearing on confirmation of Judge Clement F. Haynsworth Jr., to be a Supreme Court Justice, has proved even more interestingly revelatory about his opponents than about the judge.

George Meany, AFL–CIO president, says Haynsworth is anti-labor and therefore unfit to serve. There are many judges who have rendered verdicts that Meany could interpret as against labor and doubtless Meany considers all of them unfit to serve. It sounds very much like the old stand—"if you are not for me, you are against me."

The American Bar Association endorsed Judge Haynsworth as "highly acceptable," and found no conflict of interest in his ruling in a controversial case in 1963.

Senator Ted Kennedy showed his prejudice in questioning whether the South Carolinian was enough of "a man of the times" for a court some view as "the last bastion for social change in America."

It may be a fact that in recent years the Supreme Court has been a powerful force for social change in America, a role that many judges and lawyers consider to be outside its judicial function under the Constitution.

It is plain that the foes of Haynsworth oppose him as a conservative. It seems equally plain that Haynsworth was appointed because he has a middle ground record and because President Nixon felt, we think rightly, that the people want judges, not lawmakers, on the court.

[From the Orlando (Fla.) Sentinel, Oct. 5, 1969]

THE LIBERAL U.S. SENATE

The nation should not be surprised that Judge Clement F. Haynsworth's nomination to the Supreme Court is running into a filibuster by liberal senators and the TV networks.

The United States Senate since the 1964 election that also saw Lyndon Johnson elected over Barry Goldwater in a landslide has been the most liberal political body ever inflicted on a non-Socialist country.

That same 1964 election swept into Senate office many ultraliberals. These are men whose whole political life is mortgaged to the hippie-yippie change-everything-for-the-sake-of-change element that has brought this country five years of chaos.

Richard Nixon pledged to slow down this mad march to the left in his presidential election campaign. The most effective tools at his command are Supreme Court appointments.

President Nixon merely fulfilled his promises to the Americans who voted for him last November in his two Supreme Court nominations. So it is not surprising that every liberal senator and every liberal lobby should jump with both feet on Judge Haynsworth.

After all, Haynsworth is a Southerner. The liberals fear and hate Southerners, the vast majority of whom are conservatives.

Haynsworth as a judge has handed down some decisions in the civil rights and labor union fields that—remarkable in this day and age—took into consideration the constitution of the United States and the rights of the majority. The liberals feel and hate anyone who stands up for middle America.

These ultra liberals of the United States Senate, supported almost hysterically by TV network news broadcasts and the great labor union and civil rights lobbies, may yet get their pound of flesh. They may yet deny the confirmation of Judge Haynsworth to the Supreme Court. We hope not.

But many of these same liberal senators who came to office in 1964 must face the voters again next year. We predict that the majority of the voters in this country are fed up with the mistakes of 1964 and will turn the rascals out in 1970.

[From the Seattle (Wash.) Post-Intelligencer, Sept. 30, 1969]

COURT VACANCY

A Post-Intelligencer View: Senate confirmation of Judge Haynsworth to the vacant seat on the U.S. Supreme Court should be accomplished without further delay so he may be present when the Court begins its Fall Term Oct. 6.

We wonder how many men of 56 years, which is the age of Judge Clement F. Haynsworth, could have survived so well the hostile and exhaustive probe to which he was subjected for eight days by the Senate Judiciary Committee. In the end, the inquisitors were able to produce nothing to shake President Nixon's confidence—or ours—in the "qualifications and integrity" of the man he nominated to fill the Supreme Court seat vacated by the resignation of Abe Fortas.

All kinds of slurs and innuendoes were cast at Judge Haynsworth by his critics. It was alleged he ignored the "appearance" of judicial purity in failing to disqualify himself from two cases in which he had a remote personal interest. It was alleged he showed apparent favoritism in cases involving former law clients. Liberal senators joined civil rights and labor leaders in contending his rulings proved him biased against their causes. It was hinted that his Supreme Court nomination was a post-election payoff to Sen. Strom Thurmond (R-S.C.).

None of the politically-motivated aspersions jelled into anything solid. We concede that Judge Haynsworth may have been less than discreet in the two cases mentioned, but not even his strongest critics charged that he did or could have profited personally from his decisions in them. And so far as the rest of his many decisions during 12 distinguished years on the Fourth U.S. Circuit Court of Appeals are concerned, nothing was proven at all except that he is a legal conservative who goes strictly by the book.

This is precisely the kind of judicial philosophy President Nixon was after in making his nomination. Judge Haynsworth has made a full, frank and convincing response to those who did their best to discredit him. He should be confirmed with no further delay so that he may take his seat as the ninth member of the Supreme Court when it begins its fall term Oct. 6, as the President hopes and expects him to do.

[From the Richmond (Va.) News Leader, Oct. 3, 1969]

HAYNSWORTH'S OPPONENTS PROVE PRESIDENT'S GOOD JUDGMENT

(By Holmes Alexander)

A handclasp acquaintanceship with Judge Clement F. Hanysworth, which is all that I have, is sufficient for some appraisal.

He is poised and self-contained, quick with quiet humor, fond of tested friendships, outgoing to vouched-for newcomers, distant to pushy strangers. He is an old-fashioned gentleman who knows that old-fashionedness and gentility are the ornaments of his race but also the targets of the plug-uglies.

At first it appeared that President Nixon, in nominating Judge Haynsworth to the Supreme Court, had rustled the magnolia leaves and come up wih an unwordly recluse, a grammarian of the archives, so steeped in founder fatherism and so sheltered from the crassness of the counting houses that his very unreality would make him invulnerable. In demand as a replacement for Justice Abe Fortas was somebody with the legendary character of Caesar's wife, above reproach and beyond gossip, however boresome and unbelievable such a somebody might be. Still, Haynsworth seemed to be such, and it appeared that Senatorial opposition was confounded in advance.

Not so, however, for the Judge from Greenville, S.C., had not taken to a monastery when he joined the Circuit Court, had not broken off community relations with the merchants and manufacturers of his town, had not salted his considerable family fortune in a vault where it would wither in airless inflation. He made investments, and kept his friends, and he didn't need anybody to tell him how to mind his private conscience.

All this came out as Democratic Senators Bayh and Tydings, Kennedy and Hart, discovered that they had human clay to dig in. The spade work had to be done with the instruments of inuendo and allusion. The point was to prove that Haynsworth was of a sort with Abe Fortas and ought to be given the same treatment, eye for an eye, tooth for a tooth. But Fortas had consorted with a crook, had sold his services as a lecturer, had played sidedoor White House politics and covertly practiced law while on the bench, and there was no such sludge in the Haynsworth clay. He invited the probing Senators to resolve any doubt about his fitness in favor of the Supreme Court, and not to confirm him if that would lower the tone of the high bench.

As the hearings went on, it no longer seemed regrettable that Haynsworth hadn't proved to be made of airy immunity. Had he been wholly unattackable, the true and intended points of attack might not have been so noticeable. Ted Kennedy, prompted by notes from his staff, complained that Haynsworth was not in the "mainstream" and couldn't understand the unhappiness of modern youth. Old George Meany called the Judge anti-Labor, and Roy Wilkins said he was anti-Negro.

Well, the cat was out. The opposition did not doubt Haynsworth's honesty. No, but Kennedy feared the generation gap. According to a study in the October issue of "Psychology Today" magazine, it amounts, in a large part, to a cult of "privatism" on the part of youth. This study, based on in-depth interviewing, shows youth as withdrawing into itself and away from society. The movement is called "less than heroic—at its logical extreme—selfindulgence. . . ." For a Supreme Court Justice to be out of sympathy with anti-social indulgence doesn't seem a disqualifying trait.

Meany was worried that Haynsworth would be an anti-union Justice, that is, not for the privileges that union bosses have but corporation managers don't; not for the Congressional right to limit crippling stoppages which companies couldn't get away with. Wilkins thought that Haynsworth on the Supreme Court might not agree that a utopian equality had commenced since the passage of recent Civil Rights laws.

This was what was left of the opposition to Haynsworth when he was opened to attack, and it was something that did him more credit than harm. I mean, how could an old-fashioned gentleman not have misgivings about antisocial youth, labor's special privilege and artificial racial equality? In the end, the opposition only proved how well and wisely the President had picked.

THE DILEMMA IN VIETNAM

Mr. YOUNG of North Dakota. Mr. President, like almost everyone else, I am deeply concerned about the war in Vietnam, particularly the forthcoming demonstrations and other actions which tend to make the President's task of finding an honorable and just conclusion to this war more difficult.

I was strongly opposed to getting involved in this war in the first place and spoke out against this possibility of our involvement as far back as 1954. How we got into thie war is no longer an issue, but the right way out is. An editorial entitled "We Can't Quit Vietnam at Expense of Bloodbath," published in North Dakota's largest newspaper, the Fargo Forum, on October 7, 1969, is an unusually good appraisal of the dilemma in which we find ourselves. It is one of the best editorials I have read on this subject.

I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WE CAN'T QUIT VIETNAM AT EXPENSE OF BLOODBATH

The enigma of Vietnam defies editorializing, but not to strive for opinion and solution is to despair.

We don't despair.

The war will continue until it is over; antiwar protests will continue until it is over; death and anguish will continue; so will debate. Political parties and ideologies will be fractionalized, and the fractions splintered.

President Richard Nixon wants to end the war. So does Sen. Eugene McCarthy, and Sen. William Fulbright, and Sen. Mike Mansfield, and all the rest.

We ask ourselves: Have we sacrificed the lives of 40,000 Americans and killed a vast number more of the Vietnamese people for nothing?

Should we pick up our men and leave Vietnam right now, admit we have made a horrible mistake, leave the South Vietnamese to the will of the Communists?

We do not know if the majority of the people in this country believe it has all been a grisly, horrible mistake, although many suspect it has been.

Those who protest the war are certain it has been. They are carrying out their convictions, as they must, but they may be making a horrible mistake, and helping to extend the war by giving the enemy false hopes of eventual military victory.

On Oct. 15 there will be a Vietnam moratorium. Students, clergy, businessmen and anyone who has the conviction that the United States is wrong in Vietnam will hold rallies, demonstrate, and try to make converts of the rest of us who hate the war as much as they do but do not have the same overriding conviction that this country is stupid and wrong-headed at the least, or war-mongering and purely imperialistic at the worst.

What many of us are afraid of is this: That if we walk out of Vietnam post-haste, South Vietnam will be over-run from the north. History has told us what happens to the losers in a Communist revolution. There is a blood bath, with men, women and even children murdered indiscriminately.

If we should make the admission that we have committed a horrible error in Vietnam, will history repeat itself in Vietnam? If those Vietnamese who have fought with us against the Communists or social revolutionists, or whatever name we want to give them, are lined up to be murdered, then what is our recourse?

Most of the arguments for immediate withdrawal stop short of answers to this eventuality.

Would we turn around again and attack the Communists, and would this then lead to a broadening conflict and World War III?

We do not believe that President Nixon was just mouthing words when he spoke of internationally-supervised election in Vietnam "in which we will accept the result of those elections and the South Vietnamese will as well, even if it is a Communist government."

The United States, we believe, has seized the peace offensive in Vietnam.

Would it be better to continue the peace talks, continue troop withdrawals, go to almost a purely defensive action in Vietnam, or would it be better to get out fast? Would the consequences of a quick withdrawal be worse than a gradual wtihdrawal?

If the "withdraw today" approach would not lead to a catastrophic lengthening of the war for the South Vietnamese, with an eventual blood bath and enforced Communist regime, we would all be marching with the Vietnam Moratorium group on Oct. 15.

President Nixon has scheduled withdrawal of troops at a rate which he believes will not sacrifice the safety of our men and the South Vietnamese.

Maybe he should be even more daring, take more chances for peace, even though our efforts so far have received nothing but derision at the Paris peace talks.

We hope that those carrying the "Peace now! not later" signs on Oct. 15 will have some influence on the Hanoi regime, even though they are aimed at our government. But we are afraid they will not influence Hanoi.

ALASKA PIPELINE

Mr. **NELSON**. Mr. President, Secretary of the Interior Walter Hickel has notified the Senate and House Committees on Interior and Insular Affairs that, if they do not disapprove, he will take action to permit the construction of an 800-mile pipeline to transport oil from northern Alaska—north of the Arctic Circle—to the shipping port of Valdez in the southwest part of the State. For the Secretary, two important steps will be involved: One, along the Alaska pipeline route, lifting the Federal freeze on public lands; and two, granting a permit to the Trans Alaska Pipeline System for construction rights-of-way across these public lands.

Preparatory to the proposed pipeline clearance, an interdepartmental task force led by Under Secretary of the Interior Russell Train has issued 34 pages of stipulations designed to assure that pipeline construction and operation will not damage the arctic environment. Secretary Hickel has approved the stipulations.

The Secretary and Under Secretary are to be commended for the effort they have undertaken to see that the environmental implications in this matter will be taken into account.

This Thursday, the Senate Committee on Interior and Insular Affairs will hold public hearings regarding Secretary Hickel's notification of intent to allow the pipeline to proceed, and the Senator from Washington (Mr. JACKSON), the committee chairman, is due a great deal of credit for his continuing efforts to assure that this crucial conservation matter has a thorough airing before the Nation. Such congressional review of industry proposals involving our public lands has long been needed, and in my view, must become a pattern for the future as an important part of a national policy to protect the quality of our environment.

The discovery of oil on the Alaska north slope and ensuing intensive plans for its extraction and shipment to market is a development of enormous environmental implications.

Already, 43 wells have been drilled on the ecologically fragile tundra in efforts to tap an oil reserve estimated to be in excess of 20 billion barrels. The timber need alone to provide material for piling and other oil-related construction may total up to 100 million board feet. Any marks of construction activity—such as roads, trash, buildings, oil rigs—that are not carefully removed after their purpose is served will remain for decades, perhaps centuries, in the "cold storage" arctic environment.

As another measure of the vast scale of the arctic development, the Prudhoe Bay-Valdez pipeline now proposed for clearance will have a capacity of carrying one-half million gallons a mile. Should soil erosion, an earthquake, or some other activity cause the pipeline to break, the resulting oil flood over thousands of acres of frozen arctic tundra could make the oil blowout in the Santa Barbara Channel pale by comparison.

Although the extensive Federal task force study has been undertaken, and as pointed out earlier, a set of stipulations made, there still appear to be some important unanswered questions. For instance, information apparently is still not complete on the question of whether the "hot" pipeline buried in permanently frozen arctic soil will cause serious erosion. In addition to the esthetic and ecological concerns, there is the possibility that an erosion-caused shift in the pipeline could cause a break in the pipe.

Furthermore, the Department of the Interior apparently has not yet been furnished a profile of the pipeline route, showing exactly where the pipeline will be buried and where it will be above ground.

In addition to the proposed Prudhoe Bay-Valdez line, a second such pipeline, from the north slope to the Mackenzie River, in Canada, extending to U.S. refineries, is also under study by the oil companies.

The search for means to get oil out of the Arctic also includes a proposal to utilize icebreaking supertankers to force their way through the Northwest Passage to the Eastern United States. A tanker breakup or leak could cause an environmental disaster reminiscent of the one that developed from the *Torrey Canyon* accident off Great Britain.

It is also abundantly clear that the oil development only marks a beginning for the opening of the Arctic on a gigantic scale. As an example, on September 10 the sale of oil leases brought the State of Alaska $900 million. The release of these massive new funds into a region rich in other natural resources is certain to have a dramatic and far-reaching effect on the pace of economic development.

In this broad context, the pending Alaska pipeline decision takes on a tremendous significance, not only in and of itself, but because of the beginning it represents for the opening of the Arctic. Completing and putting the pipeline into operation will be the action that, for better or for worse, flings open the door to vast and permanent change in Alaska and the Arctic.

Also, although they might appear to be separate issues, oil development and the settlement of the claims of Alaska's native people are closely related issues, and what happens on one is almost certain to affect the status of the other. In fact, the Alaska land freeze was established to provide time for Congress to define the rights of the native claimants. The claims matter is still pending in legislation before Congress.

As pointed out in a recent excellent series of articles written by Robert Cahn, a Pulitzer Prize-winning reporter, and published in the Christian Science Monitor, conservationists are not dogmatically opposing the Alaska oil pipeline. But, as he noted, they are "requesting that the go-ahead be held up until the potential environmental effects can be more adequately considered by the Government and the public."

On this point, it is worth noting that for millions of years, this gigantic oil deposit has rested undisturbed beneath the Arctic. In an incredibly short span of time—25 to 30 years—we can, and probably will, drain it off. But if we do not move with utmost caution now, to be sure that in the press for action, we do not overlook some aspect that holds the potential for future disaster, we could, in these few short decades, leave a trail of waste and destruction that will take centuries, perhaps thousands of years, to undo.

Thus it is essential that before going ahead with the pipeline, we be absolutely sure all the facts are in, and certain that a pipeline beginning will not put us on the road to tragic consequences. It is hoped that the hearings this Thursday will give a good indication of where this important matter stands, and will provide the public with the fullest possible picture, including the full report made to the President recently by the Federal task force.

I ask unanimous consent that Robert Cahn's Christian Science Monitor series of articles on Alaska oil development and the environmental, economic, and social implications be printed in the RECORD, together with his article of October 7.

Mr. Cahn recently spent 2 months looking into this important matter, including 4 weeks in Alaska, and his articles represent an extremely well done, comprehensive, and significant piece of work. Environmental reporters such as Mr. Cahn are performing a major public service in presenting to the Nation these illuminating reports on issues that are of grave and immediate concern to all of us.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

ALASKA'S OIL: A NATION'S DILEMMA—ALASKA SITS ON GREAT OIL GUSHER

(By Robert Cahn)

PRUDHOE BAY, ALASKA.—Inside the small blue shed, the gold-painted wheel on the wellhead glints in the Arctic sunlight. The wheel is turned tight now, shutting off the well before it can start into production. The needle of a gauge stands at the 1,500 mark, registering the pounds per square inch of pressure from the oil deep beneath the wooden floor.

Some time in the not-too-distant future, possibly by 1972, that wheel and others nearby will be turned on. The first surge of oil from what may turn out to be the largest field ever discovered on the North American continent will start flowing through a 48-inch pipeline that will extend 800 miles from Prudhoe Bay on the ice-filled Arctic Ocean to the all-year Port of Valdez on the Gulf of Alaska.

POLITICAL TIME BOMBS

From Valdez, tankers will carry the oil to the West Coast, while other tankers may ply the Northwest Passage, bringing oil from the Arctic to the eastern United States.

This, at least, is the projection of the oil companies.

Exactly when the oil will start flowing, what will be the route and construction details of the pipeline, what protections will be taken against pipeline breaks or tanker spills, what irreversible harm might be done to the land and the wildlife, are matters of utmost concern these days to the oil industry, conservationists, Alaska state officials and Alaskan natives (Eskimos, Indians, and Aleuts), the United States Department of the Interior, and several other federal agencies—not to mention the White House and a number of other oil-producing nations around the world.

The federal executive decisions inherent in opening up this last great national-wilderness section of America are political time bombs. The impact of a disastrous Alaskan oil spill, for instance, coming in the midst of the 1972 election campaign, could be a tremendous setback for a President who had preached environmental protection the previous four years.

It could be especially embarrassing to an administration which, at the time of the Santa Barbara oil spill, blamed the previous administration for allowing companies to open up the Santa Barbara offshore oil field without holding public hearings, making adequate geological studies, or weighing environmental hazards against potential benefits.

The pressure of Santa Barbara can already be seen in the hurried scheduling by the Department of the Interior of public hearings in Fairbanks Aug. 29 and 30 to let all sides in the Alaska pipeline controversy get their arguments into the record. Interior officials had indicated earlier that public hearings would not be necessary.

Additional pipeline hearings may be held in Washington by the Interior Department as well as by congressional committees.

PUBLIC APATHY RECALLED

In bygone years when the public was apathetic about the environment, and before "Santa Barbara," the formal application of a consortium of oil companies for a right of way across federal lands to build a pipeline undoubtedly would have received relatively quick favorable response from government. The nation's defense needs for additonal domestic oil, and the lure of lease bonuses and royalties to fatten federal income, would have run roughshod over any cries from conservationists—as happened at Santa Barbara.

The recent environmental awakening by the public has caught many people by surprise. An extensive article on the Arctic oil rush in Fortune magazine last April made matter-of-fact reference to the pipeline without even mentioning the growing controversy. And the oil companies were so confident of getting the permit that they placed orders with Japanese steel companies for $300 million worth of pipe, with the first delivery scheduled for this September in Valdez, the proposed terminus of the pipeline.

The Alaska oil situation is extraordinary in many ways.

The pipeline right-of-way application runs headlong into another controversy over land claims of Alaskan natives and a land "freeze" ordered by Stewart L. Udall, former secretary of the interior.

Mr. Udall banned development or change in ownership of the millions of acres of federal land in the state until the controversy over lands claimed by natives is settled.

COMPLICATION ADDED

Mr. Udall's successor, Secretary Walter J. Hickel, further complicated things at his nomination hearings last December. In his eagerness to please the Senate Interior Committee, Mr. Hickel promised that he would not take any action in lifting parts or all of the land freeze until he had discussed each proposed "exception" with the committee. Secretary Hickel is thus committed to bringing the pipeline proposal before the Senate committee, which may then decide to schedule hearings on its own.

President Nixon could, of course, abrogate the unprecedented commitment of Secretary Hickel as being against the traditional separation of powers between the executive and legislative branches. But the White House has chosen for the time being to let the situation continue. The Interior Department recently went before both Senate and House Interior Committees before lifting the freeze to allow construction of a 53-mile section of road along the proposed pipeline route north of Livengood.

The President first took official cognizance of the Alaskan oil situation last May 9 when he directed Secretary Hickel to expand an Interior Department Alaskan-oil task force into a governmentwide group, and to consult with people outside of government.

REPORT DEADLINE SET

"It is urgent that we consider now the ways in which we can explore and develop, without destruction and with minimum disturbance, the oil resources of northern Alaska," Mr. Nixon said in his memo to Secretary Hickel. A date of Sept. 15 was given for a preliminary report to the White House.

The President had received a telegram a few weeks earlier from a group of Alaskan and national conservation leaders assembled at the Sierra Club's wilderness conference, where Alaskan oil development was the central topic of discussion.

The conservationists urged the President to appoint "a blue-ribbon committee to review the impact on Alaska's environment of massive oil development and timber harvesting, along with the web of new transportation facilities they will bring. This committee should carefully study the effect these changes in the environment will have on the lives of Alaskans and all Americans."

Although a "blue-ribbon" committee has not yet been appointed by the President, the intergovernmental task force led by Interior Undersecretary Russell E. Train has worked diligently in the past two months seeking to spell out the technical and environmental regulations for oil companies to follow in building a pipeline without harming the environment.

Experience in the Arctic during the last 20 years has shown that those engaged in oil exploration have frequently produced harmful effects on the environment in the forms of erosion from seismic testing and gouging out of the tundra with heavy vehicles, or leaving thousands of 55-gallon oil drums scattered over the wilderness, or indiscriminate killing of wildlife.

The oil companies, currently on the defensive in their urgent push for the pipeline permit, have some strong arguments supporting their request for immediate approval. They gambled millions in wildcat oil exploration before the first strike in 1968. They are willing to invest more than a billion dollars in the pipeline and terminal facilities, even before the extent of the oil reserves is known.

They are spending large sums on ecological and technological research to minimize environmental damage and prevent a break or oil spill.

The development of this oil field will greatly aid Alaska's economy and relieve a shortage in domestic oil production which is expected to hit the West Coast in 1972, the year the proposed pipeline is scheduled for completion.

Secretary Hickel has taken the position that he has no other choice than to allow construction of the proposed pipeline once he is assured it can be done safely, without damaging the environment unduly and without abridging the rights of Alaskan natives.

The federal government has given no indication yet that it intends to consider the pipeline decision in the context of the larger question of the entire development of federal lands in the Arctic, whether or not a pipeline is the best or only practical way to get the oil out, or whether there is great urgency to use up these mineral resources now.

Alaska's Oil: A Nation's Dilemma—Oil Companies Tool Up for Plunge Into Alaskan Venture

(By Robert Cahn)

Prudhoe Bay, Alaska.—Our small amphibian plane had not shut down its engine before a uniformed security guard drove alongside in a pickup truck. Every unscheduled plane is checked immediately at Prudhoe Bay, where the "tight hole" security of the Arctic oil rush is specially rigid.

As soon as we identified ourselves and proved that the visit had been okayed by oil company officials, the guard became a guide. We would be allowed to see everything in the immediate vicinity, the guard explained. He would show us the Sag River State Well No. 1, where the oil strike announced in June, 1968, substantiated rumors that the Prudhoe Bay field might be one of the biggest in history.

But it was doubtful, the guard said, that we could visit any active operations. A number of VIPs were visiting on this day, so no officials were available to escort us to any rig site.

LAND SALE SCHEDULED

The reason for this tight security is that the first major Arctic North Slope lease sale on state land since the 1968 strike is scheduled for Sept. 11. The fiercely competitive bidding on 431,104 acres of potential oil-producing land may top $500 million—excluding royalties. All of the money will go to the State of Alaska, which at present has a total annual budget of only $200 million. "Who found what where" and even "who didn't find what where" are top secret matters.

The first estimates a year ago were that this oil field might reach 5 billion barrels, rivaling the east Texas field discovered in 1930. Current estimates range from 10 or 20 billion up to 100 billion barrels.

It is, of course, possible that these estimates are far too high. But any visitor to Prudhoe Bay rapidly realizes that someone must know something positive, or else the oil companies are throwing their money around just for the fun of it.

The area near the airstrip is base camp for the Atlantic Richfield Company (ARCO), which is in partnership with Humble Oil Company and the BP Oil Corporation (British Petroleum) to build the 800-mile pipeline across Alaska from Prudhoe Bay to Valdez.

WILDERNESS URBANIZED

A former high Alaska state official once said: "We are building a Fifth Avenue on the tundra." Prudhoe Bay may not yet be Fifth Avenue. But it has come a long way toward urbanization in a short time. Until recently, all that could be seen on the flat, barren Arctic coastland covered by snow and ice most of the year, was an occasional Eskimo fishing or hunting, and an abundance of migrating caribou, plus bears, wolves, birds, and other wildlife.

Today there are 15 oil rigs in the Prudhoe Bay area, with about 40 men at each rig, plus several hundred men on construction jobs at the base camp. Many other rigs poke out into the sky at widely scattered parts of the 56 million acres of land between the Brooks Range and the Arctic Ocean which has been labeled the North Slope.

ROUND-THE-CLOCK ACTIVITY

The bustle of construction pervades the 24-hour-daylight atmosphere in the summer days of midnight sun. The weather is mild, in the mid-50's. But there were snow flurries the day before—a reminder that in winter,

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temperatures here plunge to −50 or −70 degrees F.

At the airstrip cargo was being disgorged from two giant Hercules planes, each carrying 20 tons of equipment. Nearby stood a chartered jet plane which had brought in the board of directors of Atlantic Richfield, and a small plane carrying United States Sen. Mike Gravel (D) of Alaska and Birch Bayh (D) of Indiana.

As we drove through the area, our guide pointed out the construction under way: permanent quarters for 225 men ("with wall-to-wall carpeting"), a cement plant, a crude-oil topping plant, a hangar, garage, welding shop, recreation hall, and sewage disposal plant.

STEAK AND FRESH VEGETABLES

Graders leveled the gravel on the airstrip. Mammoth Sky Crane helicopters waited for their next assignment—they had just come back from lifting an entire derrick and rig across the marshy tundra to a new site.

At the mess hall, workers went through the cafeteria line. The food was many degrees above standard cafeteria fare. The men filled their plates with steak, turkey, fresh vegetables, fresh strawberries—the best that money can buy to stoke the mammoth appetites of those who work 12-hour shifts, seven days a week.

The only place where there was no activity was at the small blue building which covered the wellhead where Sag River State Well No. 1 had come in. Until the pipeline can be built to take the oil out, the valves will-remain shut.

EXPENSES COMPARED

At the invitation of Senator Gravel, this correspondent was able to accompany the two senators on a short helicopter ride to a new ARCO well just getting started. On the way we passed a number of oil derricks, several gravel pads for helicopter landings, another landing strip, and a gravel spit on Prudhoe Bay for unloading barges. Much of the marshy land below us was scarred where the landscape had been gouged by seismic exploration or by tracked vehicles moving across the tundra.

At the new Southeast Eileen well, we watched as a drill churned through the permanently frozen ground.

Oil drilling in the Arctic is difficult and expensive, oil company officials explained. Wildcat wells which in Texas might take three or four days to drill take three weeks or a month here. The first 2,000 feet of drilling on Southeast Eileen would give the most trouble. Once through the layer of ice-rich soil, drilling would be easier. They were hopeful that at the 8,000-foot level they would hit oil. But it could be a dry hole.

Forty-three wells have been started on the North Slope since 1963, most of them within the last year. Earlier drilling by the Navy in the 1940's and 1950's of 37 exploratory wells in the federal government's naval petroleum reserve No. 4 to the east, was unsuccessful in terms of large-scale commercial finds. ARCO's own exploration south of Prudhoe Bay along the Sagavanirkok River at Susie Unit No. 1 was a $4.5 million dry hole.

INITIAL TESTS RUN

In February, 1968, however, ARCO's Prudhoe Bay No. 1 well struck gas at 8,500 feet. Later, the company disclosed that in initial tests the Prudhoe well had flowed at a rate of 1,152 barrels of oil a day.

Then came the strikes at ARCO's Sag River State No. 1, and British Petroleum's Put River No. 1—all in the Prudhoe Bay area. All wells now are capped until a way can be found to get the oil to market economically.

"We figure the field can produce 150,000 barrels a day per billion barrels in the field," said Louis F. Davis, ARCO's executive vice-president for development. "The 48-inch pipeline we will build can take 2 million barrels a day. We are going to start with 700,000 barrels a day."

Mr. Davis and Senator Gravel both expressed dismay that the Department of Interior has delayed in lifting the land freeze and granting the right-of-way permit to go ahead with the pipeline which by 1972 is expected to carry oil from Prudhoe Bay to the year-round port of Valdez on the Gulf of Alaska. From Valdez, tankers will transport the oil to refineries on the West Coast.

COOPERATION PLEDGED

"The oil companies have hundreds of millions invested," said Mr. Davis. "One year's delay would be very costly, both in interest and in delayed profits." Mr. Davis said the oil companies were willing to cooperate with the government "in any reasonable way" regarding environmental and safety regulations set down by the government.

Senator Gravel said he saw no reason for the government to hold up the pipeline decision. "The federal government should be able to act as fast as industry," he said. "The pipeline can be supervised as we go along."

Some other members of Congress, and a number of leading national conservation leaders, are urging extreme caution before giving the go-ahead for the pipeline. They are not yet assured that it can be built without damaging much of the fragile Arctic wilderness. And they are requesting more research and public consideration of potential hazards of the pipeline, as well as its relationship to Alaska's plans for development of the entire Artic area, before any decision is made that irrevocably sets a pattern for the future.

ALASKA'S OIL: A NATION'S DILEMMA—ALASKAN PIPELINE ROUTE—THREAT TO WILDERNESS?

(By Robert Cahn)

ALONG ALASKA PIPELINE ROUTE.—Flying over the northern route of the controversial 800-mile pipeline which would move oil from the mostly icebound Arctic Ocean to a year-round port on the Gulf of Alaska, one can get a better perspective on the basic points of contention.

It is vast country, millions of uninhabited acres, certainly big enough to include a 48-inch diameter pipeline that is planned to be 95 percent underground.

The scars of exploration for a pipeline route, cutting through the forests or across the tundra, are easily visible from the air when you look for them. But in the scale of the Alaskan Arctic they are really, in themselves, insignificant.

"No one could object to a single road going through the length of California," comments Secretary of the Interior Walter J. Hickel, who as governor of Alaska authorized a temporary "ice highway" last winter for transporting supplies to oil-company installations up at Prudhoe Bay on the Arctic Ocean.

As governor, Mr. Hickel favored the pipeline. As Interior Secretary, his current position is that before a permit is issued, sufficient assurance must be given that no permanent damage be done to the land and the wildlife.

The vastness of the Arctic north, however, also provides the basis for opposition to the pipeline. This is wilderness, the largest continuous wilderness left in the nation. It has mountains, glaciers, tundra and taiga, pristine lakes and rivers, wolves, bears, hundreds of thousands of migrating caribou, and a great variety of birds and other wildlife.

Civilization, except for native villages (and the new North Slope oil activity), now ends at Livengood, 74 miles north of Fairbanks. From there on you can go for hours without seeing a person, or house, or store, or telephone pole.

It isn't the single 100-feet-wide right-of-way through this wilderness that is the chief danger, say pipeline opponents. To build a pipeline, a road is needed. Alaska is demanding that the road be built to all-year highway standards and turned over to the state.

Highways sprout motels, service stations, cafés, and connecting roads. They bring people in ever-increasing numbers. Some of the people will get off the roads and cut up the tundra with their jeeps and snow vehicles, and the erosion can quickly expand ruts into wide ditches in this fragile country. And wildlife will lose out to hunting, or poaching, or just to human intrusion.

WHAT OPPONENTS ARGUE

With all of this at stake, argue the opponents, why should there be such a rush for a decision, especially when it is going to be made for one industry and a few companies? Where, they ask, is the overall resource development and management plan for this northern sector of the nation's largest state?

There may be short-term economic gains in taking out all the oil over the next 20 years, they admit. But should not economic factors be weighed against what might be best for future generations?

A flying trip over the proposed pipeline route has become a priority item for government officials now involved in the controversial decision on the proposed pipeline. In recent weeks, Secretary Hickel, Interior Undersecretary Russell E. Train (who heads the intergovernmental task force on Alaskan Arctic oil development), Transportation Secretary John A. Volpe, and other high officials have flown over the Arctic to Prudhoe Bay, the center of the 1969 oil rush and starting point of the pipeline route.

My opportunity to have an on-the-scene view of the route came with an invitation to go along on an inspection trip with David M. Hickok, assistant to the chairman of the Federal Field Committee for Development Planning in Alaska.

"SWATH" FOLLOWED

Taking off from Fairbanks, we followed the swath cut northward through the taiga (coniferous forest) by the exploratory crews of the Trans Alaska Pipeline System, (TAPS). They have been seeking the stable soils in the permafrost (the term for water-rich ground below the surface that has remained below freezing two or more years).

Looking down on the wooded hilly area that lies north of Fairbanks to the Yukon River, you can see the route mostly because a bulldozer preceded the soil-drilling rig, knocking down the trees and brush and often scraping off the protective vegetative mat above the permafrost. Following the path of the bulldozers, a soil-rig crew has made tests with a small drill. What is learned from the samples taken from the permafrost is the basis for determining where the pipeline is to go.

ORDER MODIFIED

If the pipeline is to be buried, the soils must be stable enough to keep the mammoth, heavy sections of pipe with hot oil inside from sinking, or to prevent the soil around the sides of the pipe from eroding Thus the TAPS geologists must avoid extremely ice-rich permafrost and seek out areas that have high gravel content.

For a 53-mile route north of Livengood to the Yukon, Secretary Hickel has just modified the "land-freeze" order imposed by Stewart L. Udall, former secretary of the interior, to allow TAPS to build a road. Secretary Udall had ordered all federal land in Alaska withdrawn from development or change in ownership until disputes over Alaskan natives' claims on much of the land could be settled.

Secretary Hickel has publicly warned his successor as Governor of Alaska, Keith H. Miller, that inasmuch as the state has authority over the highway right-of-way, the performance on this road construction "will bear direct relevance to our subsequent response to the 800-mile pipeline application."

The road section "will be regarded as a showpiece to the nation that the fundamental questions arising from the impact of modern technology upon a delicate ecosystem can be resolved without detrimental effects upon the environment or the native peoples," Mr. Hickel said.

EXPENDITURE ESTIMATED

TAPS plans to spend $11 million on this 53-mile road section, build it to state-highway standards, and then turn it over to the state after the pipeline is completed.

The pipeline is supposed to be buried under the Yukon River, and no permanent bridge now is planned. North of the Yukon, we followed the route across the tundra to the middle fork of the Koyukuk River, and into the Arctic Circle.

Then we entered the magnificent Brooks Range, which crosses Arctic Alaska on an east-west line, and followed the pipeline route along the stream bed of the Dietrich River to its source land. Then up over a high pass to the Atigun River.

Now we were on the "north slope" of the Brooks Range, from which all the land, even the flat area near the coast, derives its name. Alongside a small lake a few colorful tents marked a campsite, and our pilot set the amphibian plane down for a stop. We were going to visit with a team of scientists hired by the TAPS to study the ecology of the area.

ALASKA'S OIL: A NATION'S DILEMMA—ALASKA PIPE PLAN SPARKS CRASH ECOLOGICAL RESEARCH PROGRAM

(By Robert Cahn)

ON THE NORTH SLOPE, ALASKA.—Dr. William W. Mitchell came walking across the tundra carrying a long, narrow cloth sack. Inside were specimens of plants, grasses, sedges, and dwarf willows. As part of an ecological study team he was returning to this base camp in the foothills of the Brooks Range after a day gathering specimens along the route of the oil pipeline proposed to cross Alaska from north to south.

In a small but significant way, Dr. Mitchell and a number of other scientists are playing an unusual role in what is becoming one of the nation's major resource development concerns over proposals to build a massive 48-inch pipeline 800 miles across Alaska to open up the recent North Slope oil discovery.

RESEARCH UNDERTAKEN

Oil companies are sitting on what may be the biggest oil field on the continent. But without a pipeline, they cannot get the oil out of the icebound Arctic and on its way to market. The application of the Trans Atlantic Pipeline System (TAPS), a subsidiary of one British and two American oil companies, to build this pipeline has drawn criticism from conservationists who believe that it will irreversibly damage the environment in this vast wilderness area.

TAPS has hired Dr. Mitchell and others to undertake basic and applied research on various problems associated with pipeline construction and operation and the potential effect on vegetation and wildlife in the Arctic.

On an Arctic inspection tour with David M. Hickok, assistant to the chairman of the federal field committee for development planning in Alaska, I had an opportunity to see some of this research firsthand. We had been flying over part of the pipeline route from Fairbanks to Prudhoe Bay, when Mr. Hickok asked pilot Theron Smith to set the two-engine Gruman Goose down on a small, unnamed lake about 130 miles south of Prudhoe Bay.

SLOW TO RECOVER

Here we found the TAPS ecological team at work. Dr. Mitchell, for instance, was seeking more knowledge of what takes place when natural disturbances occur in this wilderness country, such as rivers changing course. He was looking for species of plants or grasses that can pioneer under natural conditions.

Dr. Mitchell sends the specimens back to his laboratory at the University of Alaska agricultural experimental station at Palmer, Alaska. There some of the plants will be grown out and the seeds planted in test areas where the carpetlike tundra has been scraped off to stimulate disturbances such as might occur in pipeline construction.

His work is important for what it can contribute to solution of a major Arctic problem. Scars of erosion from damage done to the tundra 10 or 20 years ago can still be seen throughout the Arctic. The tundra, an entire ecosystem of plants, grasses, sedges and dwarf trees, is slow to recover from intrusion—especially when the permafrost below it is exposed and starts to erode.

The other members of this ecological team were Canadian and English. Dr. Peter W. Elliott, of the University of Lethridge in Alberta, was surveying small mammals, and Dr. Peter J. McCart and Vernon Pepper of Regina University in Saskatchewan, were studying fish. Dr. Bryan Sage, an expert on birds and leader of the team, was in Washington at the time of our visit. He is in charge of environmental studies for BP Oil Company (British Petroleum).

OTHER RESEARCHERS AT WORK

The team was put together hurriedly early in the summer, and Dr. Sage had not been able to get scientists for two key jobs—soil studies, and large mammals.

Dr. Mitchell and his associate were somewhat dubious as to how much could be accomplished in eight weeks this summer. They felt that about all they could do would be to describe the nature of the plant, fish, and wildlife communities they observed as a standard against which to measure potential damage after the pipeline is built.

Elsewhere on the North Slope and at the University of Alaska at Fairbanks, other environmental and engineering research is taking place, most of it sponsored by the oil industry.

"Oil companies have shown incredible determination to do a good job of conservation," says Dr. Kenneth Rae, vice-president for research of the University of Alaska, which is coordinating much of the research work. "I think that sufficient research is going on for safeguards in building the pipeline."

While Dr. Rae and many others are applauding the oil companies for spending hundreds of thousands of dollars on research, some individuals remain skeptical. Conservation leaders say the oil companies are just "running scared." The oil industry sponsored research is being done, conservationists add, largely to allay public fears that the building of the pipeline, a possible break or leak after it goes in, or the opening up of the area to development and wide public use could irreparably damage the Arctic wilderness.

Dr. David R. Klein, leader of the university's Alaska Cooperative Wildlife Unit, says of the million dollars spent by oil companies in the last year on research, that most of it has been for engineering studies connected with pipeline construction, and only $100,000 of it has been on studies oriented to ecology or biology.

MORE TIME URGED

"Engineers think of solving problems by the amount of time and money you put into it," says Dr. Klein. "But with ecology you are dealing with time cycles, and can't have a rush program. We shouldn't be rushed into such an important decision as the pipeline, and have to act fast to meet the pace set by the oil operations. It wouldn't hurt to delay the decision until the basic environmental problems have been solved."

Until early this year, the federal field committee had the responsibility for coordinating the activities of various government departments with regard to planning for Arctic resource development. Mr. Hickok had obtained agreements from federal and state agencies to cooperate with TAPS on phases of environmental research.

But lack of funding and manpower prevented extensive federal and state studies and coordination of activities. A crash program of research was started this summer after an inter-governmental task force on Alaskan oil development, headed by Interior Undersectretary Russell E. Train, assumed responsibility for coordinating federal programs.

ALASKA'S OIL: A NATION'S DILEMMA—ALASKA WILDS NOT BIG ENOUGH TO HIDE THE TRASH

(By Robert Cahn)

BROOKS RANGE, Alaska.—Visiting the north slope of the Brooks Range in the Arctic, it was easy to see why the conservation-minded are opposing the 800-mile pipeline sought by the oil industry to get its oil to market.

One can readily understand the theory that the vast, virtually uninhabited 100,000 square-mile area north of the Arctic Circle can include a single pipeline and the road necessary to build it.

But if past is prologue, the conservationists have good reason for concern over the increase of man's industrial activity in this Arctic wilderness.

The concern was brought vividly to mind for me after I had spent a night and day camping alongside a small lake in the foothills of the Brooks Range, which crosses Alaska just north of the Arctic Circle.

Probably fewer than 50 people had ever walked beside this lake, one of hundreds in the area. It had no name, but was dubbed "Lake 2900" (the elevation was 2,900 feet) by the scientists who were temporarily making camp alongside it as they did ecological research for the Trans Alaska Pipeline System.

BEAUTY READILY APPRECIATED

I had learned in my few hours here to appreciate the beauty of tundra, the carpet of mosses, sedges, grasses, wild flowers, and dwarf willows that in summer emerges from under a winter snow mantle to cover the treeless slopes, valleys, and flatlands. The tundra is really a miniature world of its own.

On a short walk just before leaving the camp, I discovered the marks of civilization. Less than a mile from the pristine lake, I came across the abandoned camp of an oil exploration crew. Oil drums, gasoline cans, wooden boxes, and other trash were strewn about on the tundra, where they had been discarded. The trash pile seemed to be saying: "What's the harm in a few old barrels among millions of desolate acres of land."

Later, in flying over the parts of the north slope, I saw other piles of trash. I was told by veterans of the Arctic that some of the trash had been there for years—in the Arctic deep freeze, oil drums and wood do not decay easily.

It was not all the responsibility of oil companies. Some of the trash was left by government study teams, such as the United States Geological Survey. And the Navy had never done anything about cleaning up the small mountains of trash left at Umiat and other places on the Naval Petroleum Reserve No. 4 during the oil explorations of the 1940's.

STREAM BEDS STRIPPED

I also saw the widening erosion caused by seismic exploration crews, or by heavy vehicles pushing across the soft tundra after the snow had left. I saw signs of pollution in the streams and in the ponds behind the oil construction camps.

And I had been informed by state and federal officials of how gravel for construc-

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tion had been taken out of stream beds without prior knowledge of how it might affect fish spawning.

Officials spoke of cases of grizzly bears being shot when attracted to garbage dumps near the oil construction camps, and how the wolf and white fox were hunted down in winter by the oil camp workers.

In perspective, of course, these comparatively few signs of civilization in such a large area were perhaps of minimal harm—so far. And I found signs to indicate that some oil companies, especially those seeking the permit for the pipeline, are trying to reverse prior practices and to set high standards for protection of the environment.

When I flew in a helicopter from the Atlantic Richfield Company (Arco) field headquarters at Prudhoe Bay to a new Arco oil well being drilled a few miles away, no litter of any sort could be seen on the Arco-leased state land. Arco uses helicopters to place freight pallets on the tundra, then sends men on foot to collect oil drums and other trash—much of which was left by others before Arco arrived on the scene.

EROSION UNDERESTIMATED?

Arco officials also pointed out to me a small tract of damaged tundra which was being seeded with 39 varieties of grasses in an experiment to seek ways of revegetation. The company is building a sewage disposal plant at Prudhoe Bay. And Arco is compelling strict enforcement of rules against vehicles getting off the few roads into the tundra.

Dr. Max C. Brewer, director of the Navy's Arctic Research Laboratory at Barrow, and one of the leading authorities on Arctic resources, feels strongly that some of the people planning the pipeline, and some federal officials involved in the pipeline decisions, may be underestimating the significance of the erosion problem in the Arctic.

He has pictures to show of 20-foot-deep ditches developing in a few hours out of what had been just a narrow scarring of the tundra by a heavy vehicle.

"STIPULATIONS" PROPOSED

Dr. Brewer also says that much of the damage has occurred in the past because the oil companies have not assumed responsibility for the activities of their contractors.

Geophysical companies which do the exploration for the oil companies have torn up much of the tundra with their rigs and explosive charges, and have left their litter behind. They are doing a job as fast as they can, and cutting costs where they can.

Once it appears that a good place has been found for drilling, construction people are given contracts to move in their massive equipment to prepare airstrips and erect buildings and put in roads.

"Unless control is obtained over the contractors, we can expect no change," warns Dr. Brewer.

The Department of the Interior, which has the power to issue the pipeline permit, believes it has the answer to this problem. A task force headed by Interior Undersecretary Russell E. Train has prepared a 117-page book of "stipulations" which it expects the pipeline system representatives to accept if a permit is to be issued.

Stipulation No. 4 requires that the pipeline permittee, the Trans Alaska Pipeline System (TAPS), "shall be liable for damages from many wrongful or negligent acts" done in building the pipeline. And the Interior Department is demanding that TAPS post a $50 million performance bond from which will be paid out whatever is necessary to restore and rehabilitate any damaged area.

The specific stipulations relating to timber cutting, pollution, cleanup of spills, construction, fire prevention, use of explosives, protection of wildlife, use of pesticides and damaging the ground are unusually severe. If agreed to, and if followed, they should go a long way toward preventing permanent damage to the Arctic environment.

The stipulations, however, do not satisfy the conservation leaders. They point out that no one yet knows if the tundra can be restored, or how much erosion will take place before it is restored. They know that even the best stipulations are unenforceable without the manpower to inspect the work continuously. And neither the state nor the federal government had a single employee continuously in the north slope last winter.

Interior Underscretary Train indicated to a Senate subcommittee earlier this month that the department is requesting 142 additional positions and a supplemental budget of $3,150,000 for studies and inspection work relative to the north slope oil development. But the administration has yet to agree to this additional employment and funding.

Alaskan's Oil: A Nation's Dilemma—Alaskans Contemplate Oil Impact

(By Robert Cahn)

Juneau, Alaska.—"When it crosses the Yukon River, the pipeline will be 25 feet under the surface, set into 10 feet of bedrock."

The lights had been turned off in the ballroom of the Baranof Hotel during the weekly meeting of the Juneau Chamber of Commerce. All attention was focused on the speaker, David Henderson, who was giving details of the 800-mile-long pipeline proposed to cross the main body of Alaska from north to south.

Anything connected with the new oil rush has great interest all over Alaska. And it held special significance for the many state employees included in the audience here in the capital. The pipeline, they realized, would hasten economic development of the North Slope oil. And it would pour into the depleted state treasury added millions, maybe billions, from sale of leases and from royalties.

Mr. Henderson, a tall, sparse Englishman, was appearing on this summer day in a public-relations role although he is really an engineer. His chief job is directing pipeline field development in the trans-Alaska pipeline system (TAPS), a consortium representing one British and two American oil companies which have extensive leases in the North Slope.

RIGHT-OF-WAY ASKED

TAPS applied last June to the Department of the Interior's Bureau of Land Management for a right-of-way across federal land to build the pipeline. And TAPS also asked that the "land freeze" imposed by Stewart L. Udall, former secretary of the interior, to protect native land claims be modified to allow construction of the pipeline. No action on either count has yet been taken by the federal government.

With a pointer, Mr. Henderson traced the route of the pipeline from Prudhoe Bay on the Arctic Ocean to the year-round Port of Valdez on the Gulf of Alaska, from whence the oil would go by tanker to the West Coast.

A geological team had bored holes every 1½ miles over the northern 600 miles, seeking the best soil conditions, Mr. Henderson told the audience. TAPS was especially concerned about avoiding "ice lenses," large sections of pure ice hidden under the tundra.

Soil conditions were the key to selecting the route. The requested route had avoided the 2,700-foot-high Anatuvak Pass through the Brooks Range in favor of the 4,700-foot-high Dietrich Pass, even though it would be more difficult and more expensive. The soils in Amatuvak Pass were not adequate for the heavy pipe.

INSULATION INCLUDED

The pipeline will be four feet in diameter, inner measurement, with special insulation to cut down the spread of heat. All except 50 miles of the pipeline will be buried, much of it in permafrost, and surrounded by gravel fill. The pipe that must go above ground will be supported by concrete piles and will be in relatively short sections so as not be become a barrier to the large herds of migrating caribou. Where necessary along migration routes, ramps or underpasses will be provided.

And extensive safety measures are being taken to detect and electronically "sense" major leaks along the route, and to automatically trigger a shutdown of the pipeline.

When the short talk ended, the lights came back on, and Mr. Henderson answered questions.

"How much will the pipeline cost?" (Answer: including the port facilities at Valdez, about $900 million.)

"How hot will the oil be inside the pipe?" (Answer: from 160 to 170 degrees, the temperature of the oil as it comes out of the ground.)

CONSTRUCTION SCHEDULE?

"What is the construction schedule?" (Answer: TAPS hopes to start building a road from Livengood to the Yukon River this September, preparatory to putting in the pipe next year. The road from the Yukon to Prudhoe Bay should be built in 1970. Some pipe will be arriving in Valdez this fall, and other sections will go by barge to Prudhoe Bay. TAPS hopes to have the pipeline in operation by 1972, when a shortage of oil is expected on the West Coast.)

"What will be the pipeline capacity?" (Answer: about 500,000 barrels a day at the start, with a maximum capacity of 2.6 million barrels.)

Surprisingly, no one in the audience asked about possible harm to the environment. Mr. Henderson admitted later in an interview that when he had given the same talk in Anchorage, he had been severely tested by conservationists wanting to know how the pipeline could be built without damaging the fragile Arctic tundra or endangering the wildlife.

SOLUTIONS SIGHTED

Mr. Henderson said that despite the fears of conservationists, he felt most of the environmental problems could be worked out satisfactorily.

"It is possible we will find points of conflict between conservationists and engineers which may need further study next year," he said.

He acknowledged that TAPS still had to deliver to the Bureau of Land Management more exact route information, and other technical data. And he expected that a good deal of negotiating would be necessary before agreement could be made on the construction stipulations which the Department of the Interior were planning to impose on TAPS.

He was also worried over the growing strength of conservationists who were seeking to have the pipeline permit delayed, or even denied, unless better assurances could be given that the Arctic wilderness would not be ruined by the impact of the pipeline.

Although most of the Juneau Chamber of Commerce members remained blissfully unconcerned with the controversy surrounding the pipeline proposals, many individuals in Fairbanks, Anchorage, and Washington are acutely aware that many obstacles remain to be worked out before—or even, if—pipeline construction gets under way.

Alaska's Oil: A Nation's Dilemma—Alaskan Oil Dollars Could Relieve Widespread Poverty

(By Robert Cahn)

Juneau, Alaska.—It's no wonder that Alaskan Gov. Keith H. Miller, most state officials, and the entire congressional delegation in Washington are so anxious to prevent any delay in approval of the application for a pipeline across the state that will start oil flowing from the Arctic to the marketplace.

Dollars. By the millions. Maybe even billions.

For a decade, the nation's biggest state in area has been one of the poorest in revenues. It has not been able to tap its large store of natural resources, nor build a large agricultural or industrial export base. Thus it has for years lagged in funds for schools, roads, and other public services.

The state's stopgap economy has been largely dependent on federal revenues. Most of the natives (Eskimos, Indians, and Aleuts), who constitute 20 percent of the population, are living in poverty. Alaska has never even been able to afford a capitol building—the Governor and his staff work out of the old federal building here (the federal government has a fancy new structure).

BONUS MONEY SIGHTED

Now all this is changing. The sale of oil leases this week on a small part of state land in the Arctic was expected to bring from $500 million to $2 billion in bonus money to the state treasury. When the pipeline is completed, more than $50 million is expected the first year in oil royalties and state taxes.

These figures are only the beginning. The state will lease more of the land it already holds and will select additional public land which in turn can be leased. And as a special provision of the Statehood Act, Alaska will get to keep 90 percent of all revenues from oil leases and royalties on federal lands (instead of the 37½ percent allowed to other states having public lands with mineral resources).

Every billion of oil revenue would be equivalent to about $3,600 for each of Alaska's 275,000 citizens. It is figures like this that have produced rumors and all kinds of wild schemes about what the oil bonanza will do to Alaska.

Although the state does not yet have firm long-range plans for resource development or for spending increased revenues, steps are being taken in several directions to remedy the situation.

TASK FORCE NAMED

Governor Miller has appointed an oil-impact task force to advise him on the challenges ahead. The Stanford Research Institute has been hired to make a comprehensive study of Alaska and come up with long-range plans for development, as well as recommendations based on economic and social needs of the state in the next three to five years.

At the same time, the state's Legislative Council, a bipartisan interim committee of the State Legislature, has contracted with the Brookings Institute of Washington, D.C., to manage an Alaska policy conference.

The Brookings staff will consult with knowledgeable Alaskans about major trends in the state and will hold four seminars in the effort to develop a program that can be acted upon at the next session of the Alaskan Legislature starting in January, 1970.

While the planning gets under way as to how to spend the oil money, Governor Miller and Alaskan members of Congress are seeking to expedite the application of the Trans Alaska Pipeline System (TAPS) for the 48-inch pipeline that is to run across Alaska from the Arctic Ocean to the Gulf of Alaska.

SCRUTINY CRITICIZED

Governor Miller feels that the Department of the Interior is being too stringent in its scrutiny of the application and in making excessive demands on the oil companies for construction requirements.

He says the issues of potential damage to the environment that have been raised by conservationists can be worked out satisfactorily as the construction takes place. The state can adequately supervise the construction and still protect the environment, Governor Miller contends.

DAMAGE PONDERED

The Arctic region of Alaska, which is the main concern of conservationists who fear the pipeline will damage the environment or open up wilderness to excessive use and exploitation, has been neglected by the federal government, which still controls most of the land. Although extensive research funds have been provided for the Antarctic, comparatively little money has been allowed for Arctic research or protection.

Thus when the need has arisen to make relatively sudden decisions about the future of this vast and mostly wilderness area, neither the federal nor state government has known enough to be able to give satisfactory answers as to how much the proposed 48-inch oil pipeline would damage the Arctic environment.

David M. Hickok, natural-resources officer of the Federal Field Committee for Development Planning in Alaska, says that the development of Arctic oil should provide a national focus on all the economic, social, and scientific values of this new national frontier.

It is imperative that there be a national statement of policy and goals for the Arctic closely correlate with Alaska objectives, says Mr. Hickok.

Other priorities, he adds, should include a vigorous, coordinated effort to solve rationally Alaska's transportation problems, and an all-out effort to identify, establish, and dedicate land and water areas for wilderness, park, and wildlife values.

Not the least of the concerns should be a just settlement of the claims of the natives, and the full participation of the indigenous population in Alaska's progress.

ALASKA'S OIL: A NATION'S DILEMMA—ALASKAN PIPELINE PUSH THREATENS MORE DELAY ON CLAIMS

(By Robert Cahn)

WASHINGTON.—While Alaska's spectacular sale of oil-field leases has the spotlight, the controversy continues over the oil companies' application to build a mammoth pipeline across the state.

But somewhere, lost in the shuffle, is the disputed claim of 55,000 Eskimos, Indians, and Aleuts to 90 percent of Alaska's land.

Since most of the natives have not been actively opposing the Arctic oil development or the pipeline, the tendency in Alaska and in Congress has been to consider the native claims and the pipeline controversies separately.

Yet the natives' desire for land settlement, after a century of delay, has become so strong that it may force a compromise or informal agreement with the natives on their claims before the pipeline application clears its congressional hurdles.

ISSUES CONNECTED

The two issues are definitely linked by the land "freeze". imposed by former Secretary of the Interior Stewart L. Udall in 1962 and strengthened just before he left office early this year. Mr. Udall issued administrative orders halting the transfer of federal lands to the state or individuals in areas covered by native protests—until such time as Congress defined the rights of native claimants.

This "freeze" blocked the state's program of acquiring by selection additional amounts of the 103 million acres of federal land that Alaska was granted by the Statehood Act.

In his confirmation hearings before the Senate Interior Committee last December, Interior Secretary-Designate Walter J. Hickel promised the committee he would not lift the freeze for the duration of the 91st Congress unless Congress settled the conflict. He also promised to bring before the Senate committee any proposed exceptions to the freeze. (The oil pipeline can be considered as an exception.)

WEDGE FOR CONSERVATIONISTS

Most observers say that if the freeze were not in force, the application for the 800-mile pipeline would have received administration approval with only slightly more fuss than that made over earlier major pipeline construction in the "lower 48."

But conservationists have made the most of the delay caused by the native-claims complication to state with vigor their concern over possible environmental damage to the Arctic. And it is the search for answers to the environmental issues that has in turn delayed Secretary Hickel's bringing before congressional committees the question of this exception in the land freeze.

The Alaskan natives have seen a hundred years of congressional buck-passing. In the 1867 purchase of Alaska from Russia (for $7.2 million), the United States gained sovereignty over the land but did not settle land ownership by individuals. The Alaska Organic Act of 1884 let Indians keep lands they claimed and were using but left to future legislation the problems of acquiring title.

STUDY ORDERED

Even the Alaska Statehood Act of 1958 left the issue unresolved. Meanwhile, a very few natives were able to get title to 160-acre allotments of nonmineral lands, and the Tlingit-Haida Indians were awarded $7.5 million in settlment when the government took their land for other uses.

Sen. Henry M. Jackson (D) of Washington made an effort to get a settlement moving early in 1968. As chairman of the Senate Interior Committee, he requested the Federal Field Committee for Development Planning in Alaska to make a thorough study of the native-claims issue, the social and economic conditions of the Alaska natives and the resources of Alaska and then propose a basis for settlement.

The 585-page field-committee report issued last February brought out in dramatic statistics the need for a settlement that would help improve conditions for the natives.

SETTLEMENT PROPOSED

Among the committee's findings were the facts that joblessness among native adults is 50 to 60 percent in spring and fall, as compared with 5 to 11 percent among all Alaskans; incomes of rural natives average $500 to $600 a year, including value of food gathered; and that health and housing are far worse for natives than for the nonnative population.

The settlement proposed by the field committee suggested giving native villages about 5 million acres, making available 160 acres of land to each nonvillage native who desired it, and having the federal government give to a native development corporation $100 million cash and up to $1 billion from leases or sales of minerals and land resources.

COMMUNAL GRANT LOOMS

Later, the U.S. Department of the Interior, the state, and the Alaska Federation of Natives (AFN) each put forth settlement plans. All parties generally agree that some sort of land grant will be given to villages, to be distributed communally rather than individually. The 40 million acres requested by AFN, representing a majority of the natives, undoubtedly will be compromised downward.

There is also agreement that there should be some kind of federal monetary settlement for native lands taken in the past and for sweeping the slate of all native claims. Both the state and the Interior Department go along with the AFN request for $500 million, which the natives maintain should go to a dozen regional-development corporations over a nine-year period.

The major obstruction appears to be over

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the refusal of the state to give the natives rights to the leasable minerals (oil, gas, and coal) on the lands they will get, though the state is willing to give up rights for locatable hard-rock minerals (such as gold). The AFN has demanded a 2-percent "override" on all revenue from state and federal oil leases.

BETTER BREAK URGED

Many members of Congress feel the state should be more generous with the natives, especially since Congress was so generous with Alaska in the Statehood Act. Not only was Alaska given the right to select 103 million acres of federal public lands, but the state was awarded 90 percent of the resource revenues from the remaining federal land (other states with large federal land holdings receive only 37½ percent).

The native leaders contend that without control of the minerals on the land they would have no adequate safeguard that the land would not be developed in a way that would be harmful to their interest.

From the various proposals, the Senate Interior Committee is expected to approve a compromise bill within a few weeks. The committee hopes to obtain favorable action on the floor this year. The House Interior Committee, however, has indicated that it wants to hold additional hearings this fall in Alaska and thus probably will not be able to take up the bill until next session.

LEGAL CLAIM TOUTED

A number of factors contribute to the positions of the various interested parties.

The natives, backed by their new attorneys, former Associate Supreme Court Justice and UN Ambassador Arthur J. Goldberg and former attorney general Ramsey Clark, maintain they have a good legal claim to the land based on an original use and occupancy.

The natives require large amounts of land for villages because of their hunting and fishing occupations. And the natives are asking for the royalties on the oil because, without it, they would be giving up claim to 90 percent of the wealth of almost of all Alaska for only $500 million.

That would average out at "somewhere in the neighborhood of $1.30 an acre," commented Emil Notti, president of the AFN, at last month's Senate committee hearings.

IRONY DESCRIBED

"If the state of Alaska gets the $1 billion that is being talked about for 431,000 acres [the Sept. 10 sale of oil leases actually brought the state $900 million] we would be accused of making another Manhattan Island deal," Mr. Notti added.

At the Senate hearings, Mr. Clark noted the irony of state and Interior offers of income from gold but not from oil.

"I wonder, if this were 1896 (the gold-rush period), whether the proposal would be that the natives could have the leasables—because no one knew of oil, then—but not the locatables, the gold," Mr. Clark said.

The native position was also toughened at the August congressional hearings by the statement from Mr. Notti that they had not given up their claims to lands already selected by the state, but for which the state had not yet obtained full title. This might include the oil-rich Prudhoe Bay area.

Other natives near the Yukon River have objected to the proposed pipeline because of their concern over the consequences a pipeline break might have on their fishing resources.

GOVERNOR REVERSES POSITION

At the Senate hearings, Gov. Keith Miller reversed an earlier position and came out against sharing of oil revenues with the natives. His attorney general had informed him it would be illegal, he said. The natives could share in revenues as citizens of the state. But to give them an overriding royalty would be unfair to the other citizens of the state.

"I find the $500 million compensation figure is commensurate to the native losses, and I can see no justification for additional compensation," he said.

The Nixon administration has two problems in trying to meet the proposals of the native federation. The Bureau of the Budget is always opposed to earmarking of revenue funds, as would occur if they were to agree to an override on federal oil revenues.

"REPARATIONS" ASPECT QUESTIONED

But of larger concern to the administration would be the example that might be set in giving a large cash settlement and royalties that could be considered a reward for past injustices. Some black leaders might then argue: "If all that money can be given to 55,000 Alaskan natives, what about the demands of 20 million blacks for two centuries of injustice and inequality?"

Secretary Hickel, who left the governorship of Alaska to become Interior Secretary, would like to see a settlement that will not harm his political future in the state. But he is under pressure to go along with the administration position.

With the conflicting positions, it is possible that either Senator Jackson or Mr. Goldberg will be required to serve as unofficial "brokers" to bring the factions together for a settlement acceptable to all.

ARCTIC LEASES MAY FUEL DEVELOPMENT OF ALASKA BEYOND FRONTIER ECONOMY

ANCHORAGE, ALASKA.—"Alaska will never be the same again," Gov. Keith Miller, a Republican, told 600 of the world's major oil tycoons after their bids for Arctic oil leases added $900 million to the state's coffers.

In the one hour of sealed bidding Wednesday, the state collected $100 million more than it had spent in the 10 years since it entered the Union.

The oil boom of record proportions may lift Alaska from a frontier economy. Among the problems which need to be solved:

Though Alaska is more than twice as big as any other state, it has only 4,000 miles of paved roads. Travel is expensive and difficult and many Alaskans never leave their native villages.

Many of its native children—Indians, Eskimos, and Aleuts—still are flown thousands of miles to the "lower 48" states to attend Bureau of Indian Affairs schools because schools in their own villages would be too costly and few teachers are available.

State taxes are extremely high, but the standard of living in many areas is very low. Southeast Alaska must bring milk by boat from Seattle because there is no land for livestock. The federal government owns 97 percent of Alaska's land.

High prices and a grievous housing shortage tend to inhibit population expansion, and only 280,000 people live in Alaska. Of those, 120,000 live in Anchorage.

Governor Miller cautions:

"There should be no mistaken impressions that all of Alaska's financial difficulties will disappear. We can't spend money just because we have it. The funds must first be appropriated by the Legislature."

ALASKA'S OIL: A NATION'S DILEMMA—ALASKAN OIL ACTIVITY POSES ENVIRONMENTAL QUESTIONS FOR NIXON

(By Robert Cahn)

WASHINGTON.—As if President Nixon didn't have enough problems these days, another one is about to be dropped on his desk.

And it's his own fault this time. Mr. Nixon asked to be cut in on this one last May when he requested an intergovernmental task force be set up to look into the problem of how the oil resources of the Alaskan Arctic could be developed without major disturbance to the environment. He said he wanted a preliminary report by Sept. 15. The report is not expected to be released to the public, however.

The immediate decision—on whether to lift an Alaskan land "freeze" and thus pave the way for an 800-mile-long, 48-inch diameter pipeline to get oil from the Arctic Slope to the ice free Port of Valdez—is not directly up to the President.

This decision will be made by Secretary of the Interior Walter J. Hickel. But the ultimate responsibility for future problems arising from lifting the freeze and for granting a right-of-way permit to construct the pipeline does lie with the President.

ENVIRONMENTAL ISSUES

These decisions deeply involve questions of conservation and the environment. So far, the administration's record in this area has been good, although it has been built on reactions to events set in motion under a previous administration. The Arctic oil problem presents a major environmental issue requiring a Nixon administration go-ahead which could later become a political liability.

The decisionmaking divides into two phases. The first involves ordering an exception to an administrative freeze which forbids changes in ownership or use of all federally held public land in Alaska until disputed native land claims are settled.

This freeze status imposed by former Interior Secretary Stewart L. Udall can be lifted, or exceptions to it made, by Secretary Hickel. Mr. Hickel has agreed to take up all such exceptions with the Interior committees of the Senate and the House of Representatives before making his actions final.

LAND "THAW" DEMANDED

A consortium of three oil companies comprising the Trans Alaska Pipeline System (TAPS) is demanding immediate action to lift the land freeze. TAPS also seeks a right-of-way construction permit to be issued as soon as it completes its required mapping surveys, expected within a month. It has already started building an $11 million access road, and the first section of pipe are due for delivery this month.

The oil companies are prepared to invest about $1 billion in the pipeline, which will be a common carrier to tap the Arctic Slope oil strike. Unless they can get the permit soon, say TAPS officials, they will be unable to supply oil to the West Coast of the United States by 1972, when a consumer shortage is supposed to occur.

The policy position already stated by Secretary Hickel, and accepted by most of the members of the intergovernmental task force led by Interior Undersecretary Russell E. Train, is that the development of Arctic oil and preservation of the quality of the Arctic environment are not necessarily incompatible.

RECOMMENDATION NOT EXPECTED

The preliminary task force report going to President Nixon, however, will not make recommendations or conclusions. It will be a detailed review of the entire situation with a summary of the environmental, social, and legal problems involved.

The report will point out that there are still a number of unknowns, especially concerning damage to the fragile tundra and potential erosion effects inherent in placing a hot pipeline in permanently frozen ground. A project of this magnitude has never been attempted in the Arctic.

PROCEDURES DRAFTED

No one knows, for instance, how great a problem earthquakes would be. The report will say that the proposed pipeline crosses seven major faults. Or what would happen if a mechanical failure, an earthquake, or some other cause produced a long breakdown or major pipeline break that would shut down the system for several days during —50 degree weather? At that temperature, the motionless oil would turn into plastic within three days.

Despite these unknowns, the task force has assembled a very stringent set of road and pipeline construction procedures (or "stipulatings" as they are called) which fill two inch-thick volumes. Task force officials feel that as long as the TAPS engineers agree to follow these proposed construction stipulations, there is no apparent legitimate reason to disapprove the pipeline application.

The oil companies have not yet agreed to accept all the proposed stipulations with the hundreds of specifications telling them how to operate.

The stipulations also provided that TAPS furnish in advance certain detailed information about how it will proceed with its work. And the stipulations say that the "authorized officer" (who will be the federal Bureau of Land Management field director or his representative) can shut down the construction at any time if he feels the stipulations are not being followed.

STANDARDS URGED

TAPS spokesmen say that in place of many of the specifications, the Interior Department should lay down general performance standards.

"Let them tell us the results they want as far as protecting the environment and building the pipeline safely, and leave us with the responsibility of deciding the means by which it should be done," says a TAPS official.

High Interior officials seem reluctant to accept the performance standards formula, and are still demanding agreement by TAPS to specific stipulations, along with strict Bureau of Land Management inspection for all phases of the construction.

The State of Alaska strongly backs the TAPS position and is concerned that the federal government will delay the Arctic oil development. Having scraped along as a poor "cousin" with little income since statehood, Alaska is eager to convert the buried treasure into a rich source of revenue. The North Slope oil field may be the largest ever discovered on the continent, possibly exceeding 20 billion barrels.

GOVERNOR ADDS VOICE

State officials charge that the federal government is trying to install a new colonialism under the guise of protecting the environment. Gov. Keith H. Miller says the state is perfectly able to supervise construction of the pipeline and protect the land and the wildlife, and can do the needed planning for the future of the Alaskan Arctic.

Many conservationists in Alaska and in the "Lower 48" are seeking a delay in granting the pipeline application. Several conservation group leaders are encouraging their members to write President Nixon urging him to appoint a "blue-ribbon" citizens committee on Alaskan development, which would consider the larger national interest involved in the pipeline decisions.

The conservation viewpoint is that not enough is yet known about potential damage to the environment for a pipeline decision to be made in a hurry. They also seek concrete evidence of federal and state planning to preserve the wildlife and potential wilderness or national park areas in the Arctic before industrial and commercial development makes too many inroads.

WHOLE PICTURE SOUGHT

The conservationists ask: Why the sudden rush to follow a schedule dictated by one British and two American oil companies? Let's take the time now to look at the whole picture, they say, before it is too late, and avoid repeating the environmental mistakes the nation made a century ago in the process of opening the West.

President Nixon has other task forces looking into the whole long-range picture of oil production and import quotas. It is probable that he will want to know: How urgent is the demand for oil to be delivered to the West Coast by 1972? How does this fit into the entire national and international oil situation with its important economic and political considerations?

And what about the possibility of other methods for transporting oil to market? The tanker Manhattan already is exploring the possibility of using the Northwest Passage to take the Arctic Slope oil to the east coast of the United States. Maybe new icebreaking tankers also could go through the Bering Sea to the West Coast? Maybe nuclear submarine tankers could be developed?

PRESIDENT MAY ORDER WAIT

It is considered probable that the White House will not object to a Hickel recommendation that the land freeze be lifted provided Congress is statisfied that native claims are not being endangered.

Mr. Nixon, however, may tell Mr. Hickel to wait a while before issuing the pipeline right-of-way permit, at least long enough so that policy studies of the national interest can be made. He might even want to have the new Cabinet-level Environmental Quality Council consider the long-term policy for Arctic development.

But with the huge investment already made in Arctic oil development, and with what may be the nation's richest oil strike waiting to be tapped and sped on to market, few observers believe that the pressures for development can be withstood for very long.

Conservationists are hoping, however, that for once development will be carried out with proper concern for the environment and that the natural heritage of future generations will not be endangered for a temporary gain during the 20 years it will take to drain this oil pool.

[From the Christian Science Monitor, Oct. 7, 1969]

ALASKAN OIL-LINE PLAN DRAWS RISING CONSERVATION DRUMFIRE

(By Robert Cahn)

WASHINGTON.—As the time for a decision on the 800-mile oil pipeline across Alaska nears, the voices of concern from conservation groups grow louder.

Conservation leaders are not dogmatically opposing the 48-inch pipeline that a consortium of oil companies proposes to construct across Alaska from Prudhoe Bay oil fields to Valdez. But they are requesting that the go-ahead be held up until the potential environmental effects can be more adequately considered by the government and the public.

A federal intergovernmental task force led by Undersecretary of the Interior Russell E. Train has issued its regulations for environmental protection in bulding the pipeline, and the Trans Alaska Pipeline System (TAPS) has agreed to abide by the 34 pages of "stipulations."

Interior Secretary Walter J. Hickel has given his approval of the stipulations and has formally notified the Senate and House Interior Committees of his intention to lift the land freeze on public lands along the pipeline route and to grant construction rights of way to TAPS.

OWNERSHIP FROZEN

The land freeze which prevents changes in use or ownership of public lands in Alaska was imposed by former Interior Secretary Stewart L. Udall to protect the claims of native inhabitants of Alaska. Mr. Hickel had promised the Senate Interior Committee in his confirmation hearings last January that he would submit to them any proposed exceptions to the freeze.

Mr. Hickel has sent the House and Senate Interior Committees a proposed public land order which would permit granting of rights of way to TAPS to construct the pipeline. The proposal states that "upon receiving a reply that you do not disapprove of this action, we will proceed to implement the attached land order."

The Secretary of Interior had previously said he would not grant the permits until he was satisfied that safeguards to the environment would be adequate and that rights of the native peoples would not be threatened.

The House Interior Committee, which had announced it would hold no meetings in October, reversed itself last Tuesday when it received word from Mr. Hickel that he was ready to lift the land freeze and issue the construction grant.

A special meeting of the committee is scheduled for Oct. 8, two days before members leave for Alaska to hold hearings on the native claims problems. A committee source said the committee planned to take action on the Hickel request before leaving for Alaska.

The Senate Interior Committee, however, is not in any rush to act on the request. Sen. Henry M. Jackson (D) of Washington, its chairman, says he is far from satisfied with the situation and will hold hearings prior to committee action. Scientists, conservation leaders, and Alaskan native leaders are expected to testify on the impact of the proposed pipeline.

NIXON ORDERED STUDY

"The pipeline raises very serious questions concerning safety, the need for statewide land use, the future development of the north slope of Alaska, and the impact oil development will have on the native people of Alaska and the land-claim legislation pending before Congress," Senator Jackson said.

It is possible that the White House may want to bring the matter before the Cabinet-level Environmental Quality Council before the permit has been issued. A study of the problem ordered by President Nixon was delivered to the White House Sept. 15.

The stipulations worked out by the Train task force are the most stringent set of regulations ever imposed by the government to protect the environment. After extensive discussions with representatives of the oil companies, Mr. Train stuck fast to his demands for point-by-point requirements rather than the general "performance standards" the oil companies desired.

TAPS wanted the Interior Department to set down its standards and leave to the oil companies the responsibility of deciding how the pipeline would be built to meet these standards.

Mr. Train also held the demands that the authorizing officer of the department (the head of the Bureau of Land Management in Alaska) be given the authority to suspend or terminate construction of the pipeline at any time the office believes provisions of the construction permit are being violated.

The stipulations, however, are still vague about one key point that concerns conservation groups—the possibility that a "hot" pipeline buried in the permanently frozen ground will cause widespread erosion. The regulations say that "construction methods shall be designed to prevent degradation of the permafrost in areas where such degradation would result in detrimental erosion or subsidence."

Interior Department officials admit that a joint committee of oil company and U.S. Geological Survey experts is still studying the permafrost situation. Also, TAPS has not furnished the Interior Department with a profile of the pipeline route, indicating exactly where the pipeline would be buried and where it would be above ground. It is not known whether or not TAPS will follow the original proposal that only 50 miles of the pipeline would be above ground.

The erosion effects could also be a factor in pipeline safety, which troubles many

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conservationists. Large-scale shifting of the pipe due to erosion could cause a break in the pipe which carries 500,000 gallons of oil per mile.

WILDERNESS THREAT SEEN

Stewart M. Brandborg, executive director of the Wilderness Society, says members of his group across the United States are aroused over the potential threat oil development poses to the nation's last great wilderness area.

"Even though the stipulations may be as good as might be expected after hurried preparations. I think it is a tragedy to lift the land freeze before the nation has had the opportunity to receive the results of intensive studies from scientists," Mr. Brandborg said. "We are going ahead to open the way for construction of the pipeline before we have had an adequate assessment of the facts. We don't know the effect on the Alaskan environment, its animals, its magnificent streams, and other answers to questions that have been raised by Alaskans and people throughout the country."

Other conservationists are questioning the need for such a rush in pushing the pipeline permit through. TAPS officials say they must get the permit immediately to let contracts so that construction can start next spring.

Michael McCloskey, staff director of the Sierra Club, is critical of the hasty action being taken by Mr. Hickel.

"No report has been issued by the interdepartmental task force which President Nixon set up to study the environmental impact of the pipeline proposal," Mr. McCloskey said.

"All we have is a set of stipulations. This pipeline will have a permanent effect on the entire ecology of Alaska. The possibilities for mistakes in engineering and construction are tremendous. Full public scrutiny of the proposals must precede any action."

The State of Alaska, which controls the Prudhoe Bay area and other sections along the pipeline route, was represented on the Interior Department task force but has not yet adopted any regulations to protect its areas.

In a related development, the Interior Department is preparing an order by the secretary aimed at preventing exploration for oil during thaw periods when the Arctic tundra can be damaged by vehicles. The department is also planning environmental protection regulations that could be applied to all oil exploration, drilling, and construction activity in Alaska's federal lands.

THE PROPOSAL TO MINT AN EISENHOWER SILVER DOLLAR

Mr. DOMINICK. Mr. President, the Senate will soon be considering my proposal to mint a 40-percent silver dollar coin, bearing the image of our late President Dwight David Eisenhower. I have previously introduced S. 2582 to mint 100 million Eisenhower silver dollars a year for 3 years. S. 2822 was then introduced which provided for the minting of a clad cupro-nickel coin containing 75 percent copper and 25 percent nickel. No hearings were scheduled or held on either of these proposals. On October 7, 1969, Senate Joint Resolution 158 was introduced. It provides for the minting of the cupro-nickel dollar coin bearing the image of our late President Dwight David Eisenhower. No hearings were held on this proposal, and it was reported by the Committee on Banking and Currency on the following day, October 8. I, therefore, proposed amendment No. 228, which is, in effect, a substitute for Senate Joint Resolution 158.

This substitute was cosponsored by the following 20 Senators, all of whom cosponsored S. 2582: Mr. MANSFIELD, Mr. ALLOTT, Mr. BIBLE, Mr. CANNON, Mr. CHURCH, Mr. CURTIS, Mr. DOLE, Mr. FANNIN, Mr. GOLDWATER, Mr. HANSEN, Mr. HRUSKA, Mr. JORDAN of Idaho, Mr. JACKSON, Mr. MAGNUSON, Mr. METCALF, Mr. MUNDT, Mr. MURPHY, Mr. STEVENS, Mr. THURMOND, and Mr. TOWERS.

I ask unanimous consent that my proposed substitute be printed in full at this point in the RECORD.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

AMENDMENT NO. 228

Strike out all after the resolving clause and insert the following:

"That (a) section 101 of the Coinage Act of 1965 (31 U.S.C. 391) is amended—

"(1) by inserting 'one-dollar pieces,' after 'pursuant to this section' in subsection (a);

"(2) by redesignating paragraphs (1), (2), and (3) in subsection (a) as paragraphs (2), (3), and (4), respectively, and by inserting before redesignated paragraph (2) a new paragraph as follows:

" '(1) the dollar shall have—

" '(A) a diameter of 1.500 inches;

" '(B) a cladding of an alloy of eight hundred parts of silver and two hundred parts copper; and

" '(C) a core of an alloy of silver and copper such that the whole coin weighs 24.592 grams and contains 9.837 grams of silver and 14.755 grams of copper; and

"(3) by inserting at the end of such section the following new subsections:

" '(d) The dollars initially minted under the authority of subsection (a) shall bear the likeness of the late President of the United States, Dwight David Eisenhower.

" '(e) Commencing on January 1, 1970, and until such time as the supply of silver available to the Treasury on January 1, 1970, for coinage purposes is exhausted, or December 31, 1972, whichever is earlier, the Secretary shall cause to be minted and issued dollars authorized by subsection (a) at a rate of not less than one hundred million coins annually.'

"(b) Effective on January 1, 1973, or on such earlier date as the President shall by proclamation declare that the supply of silver available to the Treasury for coinage purposes is exhausted, section 101 of the Coinage Act of 1965 is amended to read as follows:

" 'SEC. 101. The Secretary may coin and issue one-dollar pieces, half dollars or 50-cent pieces, quarter dollars or 25-cent pieces, and dimes or 10-cent pieces in such quantities as he may determine to be necessary to meet national needs. Any coin minted under authority of this section shall be a clad coin the weight of whose cladding is not less than 30 per centum of the weight of the entire coin, and which meets the following additional specifications:

" '(1) The dollar shall have—

" '(A) a diameter of 1.500 inches;

" '(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

" '(C) a core of copper such that the whole coin weighs 22.68 grams.

" '(2) The half dollar shall have—

" '(A) a diameter of 1.205 inches;

" '(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

" '(C) a core of copper such that the whole coin weighs 11.34 grams.

" '(3) The quarter dollar shall have—

" '(A) a diameter of 0.955 inch;

" '(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

" '(C) a core of copper such that the weight of the whole coin is 5.67 grams.

" '(4) The dime shall have—

" '(A) a diameter of 0.705 inch;

" '(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

" '(C) a core of copper such that the weight of the whole coin is 2.268 grams.'

"Amend the title to read as follows: 'A joint resolution to authorize the minting of clad silver dollars bearing the likeness of the late President of the United States, Dwight David Eisenhower.' "

Mr. DOMINICK. Mr. President, the proposed substitute provides for the initial minting of 100 million 40-percent silver dollars annually for 3 years, commencing January 1, 1970, or until "the supply of silver available to the Treasury on January 1, 1970, for coinage purposes is exhausted. Thereafter, the Eisenhower dollar may be minted from 75-percent copper and 25-percent nickel alloy. This substitute combines S. 2582 and Senate Joint Resolution 158.

Mr. President, I am concerned that this country will soon have no prestige coin with any intrinsic value. I am concerned that we might choose to honor a great American with a clad coin that will not only be unattractive but have no real value. In my opinion, we would do a tremendous disservice to the memory of this man by taking such action.

As Senators are aware, we are at present selling our remaining supply of silver at the rate of 1½ million ounces per week through GSA. We have sufficient silver remaining to mint up to 300 million Eisenhower silver dollars. When that silver is exhausted, a cupro-nickel coin could be minted, should the Department of the Treasury so desire, and a need in commerce is shown. We could make no better use of our silver which remains than to mint the Eisenhower silver dollar.

Mr. President, I point out that the last two sales brought a price of over $1.80 per ounce. If a 40-percent silver dollar coin were minted and issued over the counter of the Federal Reserve banks, it would yield $3.16 per ounce for our silver. This would mean a net increase to the Treasury and the taxpayers, to which this silver belongs, of over $120 million. This silver is going to be sold. The only question is whether we get $1.80 an ounce for it on the open market or $3.16 an ounce by minting the Eisenhower dollar. The American people own this silver and we should see that they get the highest possible return from the sale or use of their property.

I would further point out that under the GSA sales program conducted from May 27, 1969, through September 30, 1969, approximately one-half of all the silver sold went to brokers and speculators who in turn shipped and sold it overseas at a considerable profit. In the last 9 weeks of sales, from August 5 through September 30, 1969, a total of 13,713,000 ounces of silver was sold. Of this, only 5,100,000 ounces was sold for industrial use and 8,613,000 ounces was sold to brokers and speculators. Of this last amount, it appears 7,965,000 ounces has found its way overseas. It is clear that this silver is not being purchased to fill any gap in industrial use of our domestic production of silver. It is going to speculators and brokers.

Mr. President, in this country we consume approximately 100 million ounces more silver a year than we produce from our mines. These sales from the Treasury are supposed to fill this gap to prevent importation of foreign silver, which would cause a deficit in our balance of payments on this commodity. But this country is now and has been for the past few years a net exporter of silver. In 1968 we exported a net of 55 million ounces of silver. This includes refined bullion or base bullion and coins. The current silver sales are clearly increasing our net exports at an alarming rate.

Mr. President, the Treasury does not even know how much silver it has left for sales or coinage. Even the highest estimates show clearly that at the current rate of sales all our silver will be gone within 1 year. Over half of this silver that will be sold will be shipped out of this country. A year from now, we will have to repurchase all of this silver at two to three times the current price. This tremendous price increase will compound our balance-of-payments deficit two to three times. We do not have to suffer this loss. Simple arithmetic shows clearly we are going the wrong direction by continuing our silver sales. It has been charged that this silver coin will not circulate, and our experience with the Kennedy half-dollar would bear this out. This coin may not circulate freely. It will be, however, a treasured keepsake and memorial for many older citizens and children of the country who hold the memory of Dwight David Eisenhower in high esteem. This is no reason for failing to mint the coins, but is, in fact, an even greater argument in its favor.

A similar practice is used by the Post Office, which derives substantial revenue from the sale of numerous issues of commemorative stamps which are purchased by citizens. The Post Office makes a profit because it sells the stamps but is not compelled to perform a service in delivering mail.

Likewise, if the Treasury mints an Eisenhower silver dollar, which fails to circulate, it is in effect, collecting a voluntary tax from the citizens who hold these coins. These people are denying themselves the use of goods or services which the coins could otherwise command.

Mr. President, I wish to quote from the Treasury Task Force report submitted to the Joint Commission on the Coinage on May 12, 1969, which recommended minting a dollar coin:

> The chief argument against minting a clad cupro-nickel dollar coin is that for a number of decades there has been no commercial need for such a coin in major commercial areas outside the West. Moreover, the banks generally feel that they can operate satisfactorily with more half-dollar coins rather than a new dollar coin.
>
> Although the need for a dollar coin at this time is obviously not crucial, the steady expansion of the vending machine industry would indicate a potentially significant demand in the not too distant future. But whether or not there is an immediate commercial use for the coin, the almost certain strong public demand for the coin as a collector's item should make a very useful contribution to the Government's financing needs.

The Treasury concedes that the almost certain demand for the coin as a collector's item will add significantly to the Government's financing needs. There is not a drastic need for this coin in circulation in the immediate future. By the time that need arises, the Treasury, under my proposal will be authorized to mint a cupro-nickel dollar which should circulate freely. It will not compete as a commemorative coin because of the minting of the silver dollar.

Mr. President, every condition is right at this time for taking the action I propose. We will get over $120 million in additional revenues. We will honor a great man. We will not compound our approaching balance of payments deficit in this commodity and we will have the necessary circulation of coins when the need arises.

INTERNATIONAL DISARMAMENT AGREEMENTS

Mr. RIBICOFF. Mr. President, in view of the continuing concern over U.S. policy toward certain international disarmament agreements, I ask unanimous consent that a recent speech by Mr. William Foster be printed in the RECORD.

Mr. Foster, who served for 8 years as head of the U.S. Arms Control and Disarmament Agency, makes some critical recommendations. He urges that the United States ratify the Geneva Protocol, support the British draft treaty banning chemical and biological warfare agents, and move ahead in banning underground nuclear testing.

I support these recommendations. In a speech to the Senate on August 7, I expressed my concern that the United States had not, after 45 years, yet ratified the Geneva protocol prohibiting chemical and biological warfare.

At that time, Congress was involved in the passage of eight amendments imposing strict limitations on the production, stockpiling, and delivery, of chemical and biological warfare agents. The unanimous adoption of these amendments by the Senate should have established a sense of Congress to the administration.

But still the administration has not moved to ratify the protocol, nor has it voiced either its support or opposition to the British treaty banning biological warfare agents. Instead, the administration responded to the recommendations of many Congressmen and public leaders by making another "review."

In March, President Nixon directed the U.S. delegation to the 18-Nation Disarmament Conference in Geneva to "explore any proposal to prevent the use of and eliminate stockpiles of chemical and biological weapons."

In June, President Nixon directed the executive branch of the Government "to undertake a comprehensive review of all aspects of chemical and biological warfare."

We are still waiting for this review to be concluded. We are told that it will be finished in several weeks.

I urge the administration to act quickly in this area of concern to all mankind.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

UNFINISHED BUSINESS

(By Hon. William C. Foster, Former Director, U.S. Arms Control and Disarmament Agency, October 9, 1969)

First of all, I would like to express congratulations to our host on this tenth anniversary of his excellent initiative: the Strategy for Peace Conference. Mr. Stanley, I am sure that I speak for all of us in saying that we are most indebted to you for pursuing this manifestly worthwhile endeavor, which is a real stimulus to thought and imagination in important sectors of public life. And with our congratulations, please accept also our best wishes for continuing success.

Let me say also how pleased I am to participate in this program with Senator Pell, whom I have been privileged to know for a long time. He is a real authority on arms control, and he is a gentleman whose friendship I have always valued greatly, both professionally and personally.

Working in the arms control field, one is apt to acquire what the French call a *"déformation professonnelle,"* which in this instance takes the form of always looking forward the future—often in rather optimistic terms. The reason for this is quite simple: everything we have been able to achieve in arms control had previously been regarded with considerable skepticism, but somehow it managed to get done anyway. I don't mean to suggest that we have accomplished miracles in arms control—those lie ahead—but I do believe that progress has been made in a number of ways.

When the Arms Control and Disarmament Agency—or "ACDA" as we call it—got started, in 1961, there were many skeptics and many grave doubts, not only about Soviet policies and intentions but about arms controllers' intentions. And I confess that one of my own principal concerns, especially during those early years, was that ACDA should gain "respectability," first of all within the U.S. Government itself. In this connection I was rather pleased to note last year that we had been paid a compliment by none other than General Curtis Le May. It was a somewhat back-handed compliment, but after all you can't have everything in this life. In his book "America is in Danger" the General and then vice-presidential candidate recalled that when ACDA was established, there were some who feared it might become "a haven for reds and crackpots." And General Le May added: "Fortunately, I do not think this has happened." Well, as they say, one should be thankful for small blessings.

Anyway, I think it is apparent that ACDA has gained not only respectability but even a modest degree of renown. Nowadays it is common to find the name of ACDA in newspaper articles and editorials—sometimes even in abbreviated form—with no apparent need being felt to explain what it is.

During these years an educational process on our working with the Soviets evolved, so that finally, with Administration and Congressional support, we and the Soviets together led most of the rest of the world to certain agreements such as the Limited Test Ban, the non-armament of Outer Space, the nuclear Non-Proliferation Treaty, and perhaps soon, a treaty to keep the nuclear arms race off the seabed. Most important of all, of course, we led the Soviets from a position of outright refusal to discuss a 1964 U.S. proposal for a freeze on further expansion of strategic nuclear delivery vehicles, to where the Soviet government now seems intrinsically as much interested as we are in discussing limitations on strategic arms. I say "intrinsically". As we all know it is the Soviets who, most recently, have been delaying the start of these talks. But, if as a private citizen I may indulge in a little private speculation, I think the reason for their delay is not related to strategic weaponry but rather to their border problems with the Chinese. When they are hoping for productive discussions with the Chinese on this subject but are unsure whether such discussions are possible, I imagine the Soviets must feel that it is psychologically a bad moment to begin such a momentous and visible bilateral discussion with the United States. Anyway, I hope most profoundly that whatever the cause of delay may be it will soon be removed. It hardly seems necessary to say that every day which has gone by has made this problem a little more difficult to resolve; and I certainly wish my successor, Gerard Smith, all possible success in this historic but infinitely complex undertaking.

One of the most encouraging aspects of arms control agreements, of course, is the fact that even a small agreement makes additional measures easier because each side does thus acquire a certain additional measure of confidence that the undertakings will be lived up to. And the arms control agreements have been lived up to. This is not really surprising, because any agreement reached must necessarily have been in the basic interest of the parties. We cannot dictate agreements to the Soviets nor they to us.

Now, for most governments, arms control agreements are already beginning to form a pattern. I would cite as evidence of this fact that an arms control treaty for the seabed is widely regarded as a logical *sequel* to the Non-Proliferation Treaty, with its pledge to pursue negotiations toward ending the nuclear arms race. By the same token, almost all governments in the world have urged the United States and the Soviet Union to get started with the SALT talks—partly on the grounds that these too are a logical sequel to the Non-Proliferation Treaty and in fact are an obligation imposed by the NPT. Carrying this line of reasoning one step farther, a number of governments have urged us to get on with SALT because they believe that successful results in these bilateral talks will have a profoundly beneficial effect on the multilateral arms control negotiations which are conducted in the disarmament conference at Geneva. They have expressed the belief, for example, that if the United States and the Soviet Union can agree to place limits on certain weapons *systems*, the requirements for nuclear testing can thus at last be circumscribed and it will be possible to negotiate a treaty banning underground tests.

But needless to say, we cannot sit back and wait for the beneficial results of the SALT talks to be felt, for they may be a long time in coming; and there are arms control measures which are badly needed and on which action can and should be taken now.

Under the heading of "unfinished business," I would now like to list five specific issues related to arms control, in which I hope all of us here in this room will take a personal and active interest, bringing to bear as much influence as we can to promote their fulfillment.

No. 1: The United States should ratify the Geneva Protocol of 1925, which prohibits the first use in war of chemical and biological weapons. This is the principal international instrument related to chemical and biological warfare. The United States initiated it, and the United States signed it; but our pride of authorship became an embarrassment when the Senate failed to vote on it, in 1926. Indeed until recently our approach to the Protocol was for the most part one of awkward silence.

Now, after 45 years, there seems to be hope that the Protocol will be re-submitted to the Senate for its consent to ratification. Except for Japan, the United States is the only major power which has withheld ratification; and our adherence is needed to strengthen the Protocol and thereby reduce the likelihood that poison gas or germ warfare might be used in a future conflict. Ratification, also, would set a desirable precedent by making us a party to an arms control agreement that includes Mainland China as a party.

Other, more comprehensive measures related to chemical and biological warfare also are needed. But I believe that our ratification of the Geneva Protocol is the next logical step for us to take; and I most sincerely hope that President Nixon will submit it to the Senate.

No. 2: In July of this year, at the disarmament conference in Geneva, the United Kingdom presented a draft convention which would ban the production and stockpiling of biological warfare agents, as well as their use even in retaliation. The United States has reserved its position on the substance of this British proposal pending the outcome of the inter-agency review of CBW which has been going on in Washington this summer. I believe that the U.S. should give the British convention its full support. Biological warfare agents, because of the impossibility of predicting or controlling their action, are a danger to all mankind. Our biological warfare program adds nothing to our security. On the contrary, our security would be enhanced if we acted to discourage the proliferation of biological warfare capabilities, which we don't need but which others might seek to develop in the absence of treaty restrictions. The British proposal would enable us to divest ourselves of a useless and pernicious liability. It deserves, and needs, our full support.

No. 3: We should move ahead now, without waiting for the results of the SALT talks, on banning underground nuclear tests.

The Limited Test Ban Treaty, negotiated in 1963, does pose restrictions on nuclear test operations, and has been especially effective in alleviating the contamination of our environment with radioactive debris. As an arms control measure, however, it has not made, nor was it expected to make, a serious dent in the strategic arms race. Underground tests in unlimited numbers and sizes are still permitted, and the development and testing of nuclear weapons continues apace.

Agreement on a comprehensive test ban—which would effectively curtail nuclear weapon development—continues to be stymied on the verification problem. The Soviet Union maintains that national capabilities alone are adequate for verification purposes, while the United States insists that national capabilities must be supplemented by a small on-site inspection quota to give the necessary confidence that the treaty was not being violated. The U.S. has provided detailed data to show that below a certain yield level (some ten's of kilotons in rock) current remote detection techniques cannot unambiguously distinguish nuclear explosions from earthquakes. The Soviets, without refuting the U.S. technical data, still maintain that national capabilities are adequate. Here the matter rests, and the interesting and frustrating aspect of this dilemma is that neither side is necessarily wrong. The crux of the problem is how much assurance is adequate, and this is a political rather than a technical decision.

The Soviets' willingness to rely on their national capabilities undoubtedly is based on their greater access to information on activities in an open society like the U.S. and hence on a lesser need to rely on remote sensing techniques. Also weighing heavily in the equation is their inherent concern about the risk involved in permitting foreign inspectors into their country. In addition, they may see little military significance in the relatively small amount of cheating which might escape detection. On the other hand, the U.S., being a nation made up primarily of foreigners in the first place, is less concerned about inspection by outsiders. But we traditionally credit the Soviets with superman capabilities in the fields of deception and secrecy, and base our analyses on the worst possible contingency, however improbable it may be. Particularly in arms control matters, we devote most of our attention to verification provisions and the risk of undetected violations. Now there is nothing wrong *per se* in analyzing the risk of a possible treaty violation; the mistake lies in letting the analysis stop at that point and ignoring the security risk, which could be manyfold greater, of a situation without the arms control agreement. Few worthwhile enterprises are devoid of all risk, and arms control is no exception. What matters is not that there are risks associated with a particular measure, but rather how do these risks compare with the risks of not having the measure. In the case of the CTB, it is hard to believe that the security risk posed by the relatively few tests the Soviets might be able to carry out without being detected by national means would exceed the security risk of unlimited numbers of Soviet weapon tests that are permitted in the absence of a CTB.

Of course, it can be pointed out that without a CTB the U.S. also could continue testing and thereby counterbalance the Soviet tests. But would this really counterbalance the security risk or would it merely add fuel to the nuclear arms race? It is generally recognized now that this action/reaction approach, responding to bigger and deadlier weapon developments with still bigger and even more deadly weapons, provides less rather than more security and at a price that is staggering. Somewhere the spiral must stop, and a CTB would be a major step toward halting the qualitative nuclear arms race. Of course, it would make things much easier if the Soviets would attest to their interest in arms control by accepting a nominal quota of on-site inspections. But I believe that on our side the time has come for a hard look at the necessity for on-site inspections. Now is also the time for a hard and realistic look at the security risk of not having a CTB.

No. 4: It has been over a year since the Non-Proliferation Treaty was opened for signature. So far 91 countries have signed the treaty, and 21 have also ratified, but progress in recent months toward worldwide adherence has been slow indeed. I was pleased to note that the President in his United Nations speech on September 18 stressed the hope that the Non-Proliferation Treaty would soon enter into force. Of equal importance to the ultimate success of the Treaty is that countries with advanced industrial and technological capacity that have not already done so become parties to the Treaty at the earliest opportunity. Various factors may have contributed to their delay in acting on the Treaty—election campaigns in Germany, Israel and Australia, for example, or parliamentary considerations in Japan. In the interest of mankind, however, and the universal desire for continued progress in other fields of arms control, the decision dare not be put off indefinitely, but must be faced squarely and urgently. We should do everything we can to make our friends in those countries realize that the Non-Proliferation Treaty will promote the peaceful uses of nuclear energy, and that by enhancing the general security it will enhance their own.

No. 5: One element that augurs well for arms control is the increased Congressional interest in the subject.

Witness the extensive bipartisan sponsorship of resolutions calling for a mutual moratorium on the flight testing of re-entry vehicles such as MIRVs. There were over 100 sponsors or co-sponsors of these resolutions in the House, and almost half the Senate has sponsored them. Extensive hearings, particularly by the House Foreign Affairs Subcommittee on National Security Policy, contributed greatly to an increased understanding of the issues involved. These resolutions have yet to come up on the floor.

Witness the imaginative and helpful initiatives for arms control on the seabed, led by the distinguished Senator from Rhode Island who is here tonight.

Witness the depth of the Senate consideration this year of the Military Procurement Authorization Bill. The ABM fight, of course, attracted the most public attention. But the extent of Senate opposition to CBW was startling. Before the bill ever reached the floor, the Senate Armed Services Committee, in what is virtually unprecedented action, eliminated the entire FY 1970 DOD request for CBW research and development. Subsequently, during the floor debate, the McIntyre amendment, containing additional CBW restrictions proposed by several Senators, passed by a unanimous 91–0 roll call vote. Moreover, resolutions calling for resubmission to the Senate of the 1925 Geneva Protocol have extensive sponsorship in both Houses.

I would cite also Congressional awareness of the urgent need to begin the Strategic Arms Limitation Talks with the Soviet Union.

Never, since the Arms Control and Disarmament Agency was established in 1961, have I seen Congressional enthusiasm for arms control as an objective of national security policy at such a high pitch. Indeed, during the early years of the Agency, it was hard to persuade Congress that the pursuit of arms control was in our national interest. The effort was subjected to distorted and unjustified attacks from various segments of the public, leaving the lingering suspicion in the minds of some Members of Congress that our activity was a sellout of our security.

A number of factors have contributed to this change, including the dedicated and informed efforts of people like yourselves. It is extremely important that the enthusiastic pursuit of arms control objectives by the Congress be kept up. We should do everything we can to encourage this Congressional interest.

Having now said my five issues worth, I would just like to thank you again, Mr. Stanley, and ladies and gentlemen, for this opportunity to be with you, and to wish you an enjoyable and productive session, which I know you will have.

DOUBLE STANDARD MORALITY?

Mr. HANSEN. Mr. President, I wish to place in the RECORD—in pain, dismay, and, I admit, considerable anger—my thoughts about the abominable events of the past weekend in Chicago.

There, the Students for a Democratic Society ran shrieking through a part of the city, throwing rocks, wielding clubs, chains, pipes, and other weapons to destroy property and maim human beings.

I shall mention just one horrible result of their lawlessness, their havoc, their brutality. They clubbed down and left paralyzed the assistant corporation counsel of the city of Chicago, Richard Elrod.

Who are these people who have visited this disgrace upon the American scene? They give themselves the seemingly high-minded label of Students for a Democratic Society. What appalls me more than the vicious acts of the Students for a Democratic Society is the fact that this organization is encouraged and applauded by men of supposedly high intelligence and good judgment.

There is an incredible wave of opinion today in our so-called intellectual circles. It is the philosophy of the New Left. This "new morality" holds that it is moral to leave a city official of Chicago lying paralyzed on the sidewalk, but that it is immoral to take the position that the United States should continue to discharge its responsibilities to the people of South Vietnam. Can there be any logic in that kind of "morality"?

Today I ask those in positions of responsibility in Government and in the news media, along with all other friends of the Students for a Democratic Society, to look into their consciences and determine whether they want to continue to approve and applaud the actions of these young terrorists.

And I say to all who have encouraged or even tolerated these "Red guards" of our society: For God's sake, let us try to show the young people of America that the wave of the future does not lie in using rocks and clubs and chains and pipes for political purposes.

I know that the overwhelming majority of the young people of America abhor the brutality of the Students for a Democratic Society. It is time that we, who are supposed to be leaders, let them know that we, too, stand against such outrageous conduct and that we stand for decency and honor and reason and genuine concern for our country.

ADM. JOHN HARLLEE

Mr. THURMOND. Mr. President, recently Adm. John Harllee retired as Chairman of the Federal Maritime Commission, ending 37½ years of distinguished Government service.

Admiral Harllee was born in Washington, D.C., on January 2, 1914, to the late Mrs. Ella F. Harllee and the late Brig. Gen. William C. Harllee of the U.S. Marine Corps. He attended Western High School, Washington, D.C., and was graduated from the U.S. Naval Academy in 1934.

Mr. President, during World War II, Admiral Harllee served as a commanding officer in the Southwest Pacific. The Silver Star and the Legion of Merit were among the awards he received for his outstanding service to his country.

After the war, he served with the Navy's congressional liaison unit and was commander of the U.S.S. *Dyess*. He attended the Naval War College and was graduated with the grade of excellent from the senior course.

Admiral Harllee again served his country during the Korean war. Among his official duties were executive officer of the cruiser *Manchester*, commander of Destroyer Division 152 which included a month's tour as commander of the surface ships on the Formosa patrol, chief of staff of Destroyer Flotilla 3, and commander of the attack cargo ship U.S.S. *Rankin*.

Mr. President, in 1959, Admiral Harllee voluntarily retired from the Navy to become involved in the Ampex Corp., a private industry in Redwood City, Calif. Admiral Harllee then became vice president of E. I. Farley & Co., in New York City. He resigned this position in 1961 to accept an appointment by President John F. Kennedy to the Federal Maritime Commission. He was named Chairman in August 1963. In July 1965, he was renamed Chairman and was sworn in by President Lyndon B. Johnson for his second term, which was the first 5-year term granted by the Commission.

Among Admiral Harllee's awards for achievement are the Man of the Year Award, the Golden Quill Award, the Order of Maritime Merit, and the Honorary Port Pilot Award.

Admiral Harllee is married to the former Jo-Beth Carden and they have one son, John Harllee, Jr. His family is one of South Carolina's most prominent, and it is a great privilege for me to pay tribute to him today.

Mr. President, Admiral Harllee has proven himself a great leader and a dedicated patriot. He is a man whom we should all be proud to call an American.

THE WHITE REACTION

Mr. BYRD of West Virginia. Mr. President, growing racial tensions are evident in every part of our country. And, as the Evening Star of Washington noted in an article on Thursday, October 9, they are just as evident here in the Nation's Capital.

The article—the fourth in a five-part series entitled "The White Reaction"—was written by Mr. Woody West. It states that, with 70 percent of the population black, many of the whites in the District of Columbia "live in small enclaves, like the ethnic minorities of another era."

According to the article, there are many whites "who no longer talk of grand goals of integration." Instead, they worry about the increasing crime rate and the inadequate education provided by their public schools. The author states:

> The magnitude of those problems cannot be overstated. Each relates specifically to race.

This article, like the three that preceded it, is of paramount significance. It tells of problems that cry out for solutions.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD as follows:

[From the Washington Evening Star,
Oct. 9, 1969]

THE WHITE REACTION

(By Woody West)

In the Nation's Capital, where whites are the minority for the first time in a major American city and where the slightest racial friction reinforces fears in cities across the country, white attitudes today are complex, contradictory and intensely emotional.

There are whites in Washington who remain convinced race relations are becoming more honest, and therefore better.

There are white militants who identify with the black revolutionaries. "We burned, we were mad," said one white woman while recalling the April 1968 riots.

There are whites who continue to hold tenaciously to the principles of the past when integration and the civil rights movement made whites and blacks intimate allies. "I will not yield from integration as a goal," says Joseph L. Rauh Jr., the vice chairman of Americans for Democratic Action and long active in liberal causes. "I believe in integration as a religion. I'm not open-minded about it; it's my religion."

There are whites who live in small, tense enclaves, like the ethnic minorities of another era.

There are whites who no longer talk of grand goals of integration or civil rights objectives. Now they talk of crime and growing racial polarization.

There are whites who have given up and fled, carrying with them feelings of anger or sorrow at a city in which they no longer wish to live.

Yet there also are white couples, mainly young, who are moving into Washington. They reject the premises and the pessimism of their elders. They are confident about the future.

If these diverse groups make neat generalizations impossible, one thing is clear about whites in Washington today. They live in a city where racial questions are more immediate, more personal and more subtly complicated than anywhere else in America. And, like many whites across the country, they are asking new, highly subjective questions about their roles.

Perhaps the strongest impression after interviewing whites in all sections of Washington is a sense of the overwhelming problems in the city. Two are paramount—crime and the public schools. The magnitude of those problems, and the fear, concern and doubts they generate, cannot be overstated. Each relates specifically to race.

For middle-class whites—and for many middle-class blacks as well—schools are the key issue.

Despite significant increases in congressional support of public schools during the last five years, the payoff in terms of better quality is not apparent. Citywide reading scores continue to decline below national averages, although some individual schools maintain a superior level. Dropout rates are among the highest in the nation.

And, like schools around the nation, Washington's are afflicted with the larger problems of the society: unrest, tension, turmoil and crime. Many white parents and their children must cope with problems that grow out of association with blacks from impoverished neighborhoods and different cultural backgrounds.

Schools thus present a critical challenge along racial lines. Added to this are the genuine fears that exist among whites because of the increasing crime rate in Washington. It doesn't matter that the majority of victims are black; to a majority of whites in Washington, as in other cities, crime and the Negro appear synonymous.

Because of these problems and the preoccupation with black militancy, many whites face the future with an air of resignation, resentment or rejection. They find themselves in a difficult dilemma. They want to stay in Washington, they dislike suburban living, they believe in racial equality, but they feel engulfed in problems that defy immediate solutions—and problems that directly affect their families.

Listen, for instance, to one white professional man. He's living in the new Southwest section where the Negro slums were razed to make way for the townhouses and apartment buildings. Seven years ago, he was one of the first to move there. Now he and his family are leaving.

"I see no future for whites in the District of Columbia," he said. "I feel they're going to tax me to death. They're not going to raise assessments in ghettos because the landlords will just raise the rents.

"To me, it's the whole tone. Take the attitude toward our black mayor. White liberals say he's a 'Tom,' but I think he's a competent administrator and politician. To have the mayor deprecated is a very serious matter. The District will be a supplicant for a long time and spitting in the eye of white businessmen and Congress doesn't help.

"Whites feel the police aren't going to protect them. The police aren't going to trifle with blacks because they are afraid of touching off a riot."

Then he touched on an especially sore point for himself and others like him.

"For 20 years, most of the whites who don't want to live with Negroes have been moving out," he said. "The majority of those remaining are well disposed toward blacks. Now all they see are blacks wanting to get back at them. But they are getting back at the wrong whites who didn't move to the suburbs—and we resent that.

"I'm really sick and tired of living in Washington. I'm tired of the tension, the constant discussion, the din in the papers. Everything is tinged from the standpoint of race. I'm tired of that. I really want out. You're just too much in the thick of it here in Washington."

Others express similar thoughts, even if they have no plans to leave the city. Their withdrawal takes another form.

On Capitol Hill, a white woman who had been active in Democratic ward politics said, "I don't do anything in politics any more because I don't have any credibility." She explained:

"If Bruce Terris (the Democratic party city chairman) says to lick 14 envelopes and I do it, I get a call from some militant who says, 'What are you looking for, a confrontation?' They just don't want us.

"I get tired of facing the tensions. It's easier to opt out, finish furniture, take care of the kids, instead of trying to prove my credibility all the time.

"These days I'm more discouraged. Somehow, before the riots there was still a certain amount of hope. I thought the riots would cleanse everything, but it's made the middle-of-the-road person sort of sit back."

Or even retreat, she might have said. That's what has happened to some whites who have seen their communities drawing farther apart along racial lines.

The Torosians, Tom and Peggy, were talking about that kind of development in their section of Capitol Hill. He's a Presbyterian minister who helped develop the Capitol Hill Group Ministry, a co-operative effort of 10 predominantly white churches working for better relations with the largely black community.

"A lot has happened in the neighborhood since the riots," Mr. Torosian said. "Before, we had integrated community groups. Now when we have an integrated attendance at a meeting, there's very little communication. There are really two communities here, living side by side. A lot of whites are very afraid. They figure that last time they (the rioters) hit commercial areas and they think next time they will hit their houses. Everybody's got dogs."

Her husband had another thought.

"The polarization is not all negative," he said. "There is a feeling of dignity on the part of the blacks, a greater willingness to speak up as equals. Whites feel inadequate and terribly guilty these days. They can't lead, they don't know how to help. The blacks say, 'Well, give us your money,' and this just intensifies the whites' guilt."

Then Mrs. Torosian said: "There is really very little communication between low-income blacks and middle-class whites. The only thing we do now is shop together at the same Safeway. Three years ago, when we first came here, we had great parties thrown by the Emergency Recreation Committee (a group that played a key role in pointing up the inadequacies of the city's Recreation Department). Last summer, we went to a party at St. Mark's, I think it was for the community laundry project. There were black tables and white tables and very little mixing even on the dance floor."

Confronted with these kinds of neighborhood situations and other community problems, some whites have left. Yet even among those, there is an ambivalence. Looking back on their decision, they often express regret and a feeling that, no matter how bad the present, they should have stayed.

"I personally feel very badly about leaving because it's important for me to live what I preach—and I'm not doing it now," said one man who had left Washington two years ago for the Maryland suburbs.

He had been in the midst of a struggle to maintain a certain kind of city, a city of integration, and he had lost. More militant whites tend to look disparagingly on such people. They regard them as classic fair-weather friends, "phony liberals" who espouse noble principles but do not live them.

Yet whatever the personal reaction, or rhetoric, many whites in Washington have gone through agonizing decisions over whether to stay or leave, to keep a child in a virtually all-black public school or send him to a private one, to continue working actively in neighborhood groups or stay on the sidelines.

Probably nowhere in the city are these strains more easily identifiable than in the quiet, pleasant section of the upper Northwest, along 16th St. For more than a decade, that area has been the center for a group called Neighbors Inc. It was created by whites living there with two basic goals: to stop the flow of whites to the suburbs that began with the 1954 school desegregation decision and to demonstrate that integration was workable and desirable.

Neighbors Inc., which has attracted national publicity over the years, has had mixed success. The area remains highly desirable, but the degree of integration is lessening. All the schools now have black majorities, some of them overwhelmingly so.

"The prior question is, what were the odds, and what would have happened without Neighbors?" says Bob Green, a Labor Department official who has lived there for seven years. "They substantially slowed the rate of change against enormous odds. But this area will be completely black—and how long that will take, I don't know—and probably lower-income black.

"A group like Neighbors can defer, deflect, but how the hell are you going to contain the pressure? Where are those poor blacks from the inner city going to go. We, as a society, don't know how to span the cultural and economic gap. That's the problem."

At the moment, Green and his wife are facing a personal decision themselves. As with so many others, it involves the public schools.

"We only pass this way once," he said, "and I don't have the right to sacrifice my kid to a cause. If things are as grim at Paul Junior High as I have reason to believe they are in terms of the cultural gap, then I'll have two alternatives—private school or move."

Again and again, whites interviewed for this article expressed similar concerns. "There's very little problem with elementary schools for most white parents," one mother said, "but when you hit that junior high level, where the kids are beginning to hit this agonizing process of identification and who they are, then it gets difficult."

One of the best examples of the kind of anguished reflection that many white residents face can be seen in the Caplan family, Marvin and Naomi. Caplan was one of the founders of Neighbors Inc., and he and his wife spent a decade of work in the area and still live there.

"We support integration," said Mrs. Caplan, "not segregation, either for blacks or for whites." This year, they transferred two of their children from predominantly black schools to ones with a greater racial balance.

"If we could have showed that it did work—and I think we did—it would give the general principle greater impetus. We didn't win on school integration, and we went through a lot of hell on that. When you put 10 years into something, you want something to happen."

Caplan had the last word. "In something like this," he said quietly, "you have to keep your expectations minimal and expect no great victories."

Like so many others, they singled out the schools as a crucial factor in white attitudes about the city. Some whites spoke of the problems, emotional and otherwise, of white children in an overwhelmingly black school. They were experiencing what so many Negro children felt so long in similar racial situations where they were the tiny minority. Added to this are the problems that flow out of differing home and economic conditions, and black-white tensions within the schools themselves.

Because the schools are so volatile an issue, and attract so much attention, it isn't surprising to find whites who blame the press for exaggerating—and thus exacerbating—the situation.

"There's too much concentration on day-to-day kinds of reporting of the terrible things going on in the schools," one young white housewife said indignantly. "At Draper School, for instance, we read about policemen in the school, but we don't hear about the mothers volunteering to tutor kids in reading. People should not accept somebody else's judgment of a school, or the impression they get from newspapers or television. The should go to the school themselves, talk to parents with children there."

She was speaking as a concerned parent about immediate problems and attitudes of the present. When it comes to looking beyond today and assessing the future of a capital city that is becoming increasingly segregated, in reverse, the answers are even harder to find.

One who takes a longer view is Ben Segal, Mayor Walter Washington's special assistant and a veteran fair housing worker.

"So much of my life has been spent working for integration that I still have to see it as a necessary and important objective," he says. "Obviously, in a city like Washington where 70 percent of the population is black, integration in the old sense is gone. Separatism has taken over, but a change has taken place that is healthy. The whole paternalistic relationship has gone, and that's just as well.

"In a community like Washington, whites have to recognize they can't run the show and shouldn't. As long as they don't feel their honor is shattered by not being top dogs, whites can work—but not in a leadership capacity."

A different appraisal, with a wider focus, came from Dr. Michael Halberstam, a physician and writer who is particularly interested in such subjects as white racism and guilt. Halberstam looks toward the young as the hopeful key to the future.

"A great development is what I call the negrification of youth," he said, "even young white racists who are negrified and don't realize it. When white kids in the neighborhood play basketball, they use the patois of the black ghetto, they walk like hip black kids, they listen to the same songs, wear some of the same clothes.

"It's really significant how complete has been the acceptance of the Negro life style and how blase these kids are going to be in 10 or 20 years in things we consider significant now.

"That's all bound to have a tremendous effect in time."

SCIENTISTS FEAR NEW CUTS IN FEDERAL FUNDS

Mr. KENNEDY. Mr. President, today's Washington Post carries a detailed story which summarizes the concern of the American scientific community over the short- and long-range efforts of the cuts being imposed in Federal scientific research projects. The impact of these cuts appears far greater than was first imagined, and far greater than the Director of the National Science Foundation and the Chairman of the National Academy of Sciences said when they testified before our Subcommittee on the National Science Foundation last spring.

I have said many times before, and let me repeat today: We do ourselves grave damage as a nation if we shortchange the funding of our scientific enterprise. Scientific and technical knowledge is the major component in the engine of American technological success. If we shortchange it today, then tomorrow we suffer not only economically but also as a people, for the richness of our society will diminish.

I ask unanimous consent that this be printed in the RECORD at this point.

There being no objection, the story was ordered to be printed in the RECORD, as follows:

U.S. SCIENTISTS FEAR FURTHER CUTS IN AID

(By Victor Cohn)

"We are witnessing a mindless dismantling of the American scientific enterprise."

These words—spoken at a recent meeting of the American Chemical Society—represent a deep new fear among American scientists and medical researchers.

They fear that what a year ago still seemed a temporary "leveling off" in federal support of research and training in science and medicine has become an annual pole-axing.

They report that:

A combination of cuts, "hold-downs" and inflation has meant a 20 per cent cut in the last two years in academic research—basic and advanced studies at universities, hospitals and similar centers. In many fields, it means a more than 40 per cent cut since fiscal 1967, the year science budgets began leveling off.

Fiscal 1970, the budget year that began July 1, "will obviously be the worst year yet," though Congress has not completed action yet on any appropriation bills.

Fiscal 1971 budgets, by advance word, will be no better, or provide only "minimal increases." In fact, a five-year plan now being drafted at the Department of Health, Education and Welfare sees no research increases for nearly four years—not until mid-1973.

The greatest effect, leaders in science and medicine agree, will be on the future supply of Ph. D.s and M.D.s.

In recent interviews, Dr. Lee A. DuBridge, President Nixon's science adviser, Dr. William McElroy, director of the National Science Foundation, and Dr. Philip Handler, president of the National Academy of Sciences, agreed that the next 20 years will need armies of experts to clean up pollution, man health centers, staff university faculties and build new urban and industrial technologies—and that present federal policies will not provide them.

DuBridge, in testimony to the House Science Subcommittee, spoke of "our faltering scientific enterprise" and warned of "huge" and "serious" gaps in "fruitful and important fields."

A CRITICAL STAGE

"Our research in terms of real effort is declining," he said in an interview. "Our scientific corps is not growing as it needs to grow—when our population is increasing and the needs of the country are so clear and glaring. We're at a very critical stage."

Handler—new head of "the Academy," a group that advises the government on many issues—said, "A crisis is facing all American science. It is a very black picture."

McElroy—new head of the NSF, the government's main agency supporting basic research—said, "The crisis is not here. It can still be avoided if we start growing modestly. I think we're on the edge. The way things are going, I see a real possibility of collapse."

"Collapse" to McElroy means not just failure to build new buildings and buy new telescopes or medical electronics—"this has already been happening." It means "loss of young people," who are "already being forced to turn to other fields," and then loss of faculties, "which has not yet happened but will begin."

For "the way things are going," the scientists point to what has happened so far.

The Nixon budget asked $500 million this year for NSF—it provides nearly a fourth of the government's $2.1 billion support of academic science and training. A House Appropriations Subcommittee cut this to $420 million. With $20 million in left-over funds, this would make $440 million, compared with $420 million in fiscal 1969.

Even if NSF winds up with more, however, say $450 million out of a conference committee, this would mean just a 6 per cent increase. McElroy and many others say: "General inflation costs us about 5 per cent a year. Increasing scientific and medical sophistication costs another 5 per cent, and increasing salaries—because we mainly have young investigators—costs another 5 per cent. So we need about 15 percent more a year to stay even."

The Nixon budget allotted the National Institutes of Health just $1.64 billion compared to last year's $1.93 billion for biomedical and health projects, study and training. It allotted $462 million of this as "regular" research grants, which may wind up as $425 million, affected by the President's recent order to slice an extra $3.5 billion from federal budgets.

MEDICAL SCHOOLS HIT

"The main effect," says one health scientist, "is on medical schools. The entire medical school, not just the research labs. And on output of future doctors, teachers and researchers."

According to Dr. John Cooper, head of the Association of American Medical Colleges, these schools today get "upwards of 40 per cent" of their total income from federal research and training grants. For some the figure is "50, 60 or even 70 per cent." They are also being hit by cuts in Medicaid, which they need to help pay for low-income patients in their research and teaching hospitals.

Some specific effects:

Nine medical schools are now, Cooper states, "teetering on the edge of insolvency"—drawing on thin reserves or other university funds to stay open, unable to accept poor black students or obey demands to "expand" to provide the U.S. more doctors. Cooper declined to name affected schools. But in New York City last week the New York Medical College said its "continued existence is threatened." Medicaid cutbacks have caused a $1.3 million annual deficit at is Flower and Fifth Avenue Hospitals.

All NIH Sept. 1 grant renewals were cut by around 5 per cent to save $14 million. Funds for new grants were cut by 10 per cent, to save $18 million, and "I am concerned that even these cuts may go deeper," says Cooper. Some units are already making deeper cuts.

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The National Institute of Arthritis and Metabolic Diseases has been making 15 per cent slashes in many programs, to save funds for renewals and new awards.

In all, there will probably be less than 10,000 NIH grants in effect by the end of fiscal 1970, compared with 12,324 in 1965.

To save some $9 million a year, five major programs to attack chronic and crippling diseases—specifically, heart disease, stroke, cancer, arthritis, diabetes, neurologic and sensory diseases and lung diseases—are to be phased out. "Ironically," comments one doctor, "these programs were started by Congress to translate basic research into help for patients. These cuts will wipe out many unique staffs, staffs that took years to put together."

To save $4 million, 19 of 93 "clinical research centers"—small 4-to-10-bed advanced units in hospitals—are to be similarly abolished.

To save $400,000, a world-famous National Heart Institute program to study factors contributing to heart disease is being ended. This is "the Framingham study," following Framingham, Mass., men and women to learn how smoking, high blood pressure, obesity, blood cholesterol and other things affect the blood vessels and heart. "Heart researchers in and out of NIH are sick about this decision," said a recent issue of Washington Report on Medicine and Health.

Nearly 400 monkeys—carefully followed for five years to study virus-caused cancer—are to be killed by the National Cancer Institute. Animal centers at many hospitals and universities also will suffer.

Doctors at NIH's big Clinical Center, its own research hospital at Bethesda report that "in many wards we are so low on nurses and other workers that we are turning away patients we could and should care for."

Cuts in NSF and other federal support in the physical sciences—report professors in those fields—will have similar effects in physics, astronomy and other areas. "Studies of human behavior are on starvation rations," says one professor. Important work in organic chemistry—though it is basic to all medicine and biology—is being eliminated as "non-health-related" by NIH's National Institute of General Medical Sciences.

All this affects "knowledge we need for future technological progress," say men like Handler, McElroy and DuBridge. But "it is not merely a matter of support of research," McElroy emphasized—"It is a matter of the support of our universities."

"And of people," he added. "A research grant is the way you train a graduate student today."

Research grants, training grants and "clinical research" units says Dr. Cooper, are "really part of the training of future faculty, the people who go into academic medicine. These are the very people needed to produce the health manpower to meet the crisis President Nixon says will exist."

An $18 million cut in NIH training grants and fellowships—from a $196 million total last year—means training programs have already been "wiped out" in some medical school departments, according to a report in Science.

EFFECT OF DRAFT

The draft and cuts in scholarship and loan funds add to the problem. The total effects will be "catastrophic," says Dr. John Knowles of Massachusetts General Hospital. Nobel prize-winning biologist Dr. Albert Szent-Gyorgyi says "the cuts are having a demoralizing effect" on the young and "shutting the way to science for many."

Dr. John Siegel at one of the clinical research centers to be closed—an acute injury and illness unit at Jacobi Hospital in New York City—asked, "Who will be our researchers in 10 years when we need to learn more about disease?"

A Health Manpower Act was voted by Congress in 1968, but funds to help medical schools have never been approved. Cuts in "neurologic and sensory diseases," a specialist points out, mean lack of funds to train speech pathologists and audiologists to help children with speech, hearing and learning troubles.

REQUEST UNANSWERED

A University of California zoology professor reports that two professors trying to learn how to manage the polluted environment "have spent between them about 40 man-hours negotiating with a major U.S. agency for a joint program to train one graduate student. The request to date has not been answered. You cannot imagine the bitterness I feel at the absurd discrepancy between the demands made on our time by the press and by politicians, which contrast so sharply with out inability to get funds."

Alarm in the scientific community is growing. In the Sept. 26 issue of Science, organ of the American Association for the Advancement of Science, scientist-editor Dr. Philip Abelson called on scientists for "political action": "They have the wit and energy to develop the political clout necessary, and they should get about that business."

Many scientists, among them Harvard's Dr. George Wald, blame the country's defense and war bill for the problem. Dr. S. E. Luria, distinguished MIT biologist, contrasts the nearly $4 billion-a-year support for space exploration alone—which he considers "scientifically trivial"—with the tiny sums shared by "hundreds of projects."

Dr. Roger Egeberg, HEW's health chief, said at a recent House subcommittee hearing that "I will see if I can't make a crisis" over the low priority for health funds. NSF's Dr. McElroy has personally visited 25 senators and representatives, "and I ask them why don't they want to support the development of science and technology, and the exploration needed to keep young people, which are the future of America."

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

EXTENSION OF THE INTERSTATE OIL AND GAS COMPACT

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated by title.

The Assistant Legislative Clerk. A joint resolution (S.J. Res. 54) consenting to an extension and renewal of the interstate compact to conserve oil and gas.

The Senate resumed the consideration of the joint resolution.

Mr. MOSS. Mr. President, Senate Joint Resolution 54, which is sponsored by the distinguished and able senior Senator from New Mexico, (Mr. Anderson), would grant the consent of Congress to a 2-year renewal of the interstate compact to conserve oil and gas. The measure was the subject of public hearings by the Senate Interior Committee, and was reported favorably on May 23 by unanimous vote of the committee.

Senator Anderson's resolution is the latest in a long series of legislative measures giving congressional consent to renewal of the compact which was initially signed in Dallas, Tex., on February 16, 1935, by six of the oil-producing States. In fact, Senate Joint Resolution 54 is the 11th such measure.

The purpose of the compact, and the sole purpose of the compact, is to authorize the participating States to cooperate in prevention of the physical waste of oil and gas. Article II of the compact states in precise words:

> The purpose of this compact is to conserve oil and gas by the prevention of physical waste thereof from any cause.

All of its activities are under the direct supervision of the Department of Justice, and section 2 of Senate Joint Resolution 54 requires the Attorney General to make annual reports to Congress as to whether those activities have been consistent with article V of the compact. Article V provides:

> It is not the purpose of this compact to authorize the states joining herein to limit the production of oil or gas for the purpose of stabilizing or fixing the price thereof, or create or perpetuate monopoly, or to promote regimentation, but is limited to the purpose of conserving oil and gas and preventing the avoidable waste thereof within reasonable limitations.

The Attorney General consistently has given the compact operations a clean bill of health. The report filed in April of this year is no exception.

Mr. President, as I mentioned, the compact first came into being in 1935, with six States of Colorado, Illinois, Oklahoma, Texas, California, and New Mexico as charter members, so to speak. It was the direct result of the chaotic and wasteful conditions in domestic oil and gas production in the early 1930's. Petroleum was literally being pumped onto the surface of the ground, and with prices of 10 to 25 cents a barrel, often was allowed to sit there and waste away. Gas was being flared—that is, burned at the wellhead. Precious and vital natural resourcse were being wasted, profligately.

Joint action by the primary oil-producing States was essential, and the 74th Congress approved the proposed compact the States had worked out. Its purpose was then, and is now, the conservation of oil and gas by prevention of the physical waste thereof.

Since initial approval of the compact by the 74th Congress, successive Congresses have on successive occasions approved extensions for periods of 2 or 4 years, after having looked into and found that the activities of the States under the compact were achieving success in fulfilling the avowed mission of preventing physical waste through local State action.

Twenty-nine States, which account for the overwhelming bulk of oil and gas production within the United States, now are members of the compact.

The text of the provisions of the compact, and its legal history, are set forth in full in Senate Joint Resolution 54.

Member States agree to enact and enforce State legislation to prevent waste of oil and gas, and article VI provides for each member State to appoint one representative to a commission, designated the Interstate Oil Compact Commission, the duty of which shall be "to make inquiry and ascertain from time to time such methods, practices, circumstances, and conditions as may be dis-

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closed for bringing about conservation and the prevention of physical waste of oil and gas, and at such intervals as said commission deems beneficial, it shall report its findings and recommendations to the several States for adoption or rejection."

The Commission has no power of compulsion. Its sole purpose is to assist the States, industry, and the public in general in promoting the conservation program, the compact providing, by its terms, that—

> The commission shall have power to recommend the coordination of the exercise of the police powers of the several States within their several jurisdictions to promote the maximum ultimate recovery from the petroleum reserves of said States, and to recommend measures for the maximum ultimate recovery of oil and gas.

Thus, the only authority for carrying out the conservation program rests with the members States.

Any State may withdraw on 60 days' notice, but no State has ever exercised this privilege. Rather, membership has steadily increased from the original four sponsoring States to a total of 29 active States; that is, States in which oil or gas is now produced, and four associate members—that is, States in which there are excellent prospects that oil or gas will be produced.

In closing, Mr. President, I would like to say a word about the amendment that I understand is to be offered by the able Senator from Massachusetts (Mr. KENNEDY). This amendment is not germane to Senate Joint Resolution 54. The sole purpose of the resolution is to grant the consent of the Congress to a 2-year renewal of the compact. The compact and its operations have nothing whatever to do with the mandatory oil import program, to which the Senator's amendment is addressed.

The import program has not been the subject of hearings or committee consideration in the context of Senate Joint Resolution 54.

Therefore, I hope the amendment, if it is offered, will not be agreed to because I think it would impair the renewal of the compact. Congressional consent is necessary at this time for the 29 States to continue the program of conservation of oil and gas.

Mr. KENNEDY. Mr. President, I send to the desk an amendment and ask for its immediate consideration.

The **PRESIDING OFFICER** (Mr. MATHIAS in the chair). The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. KENNEDY. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The **PRESIDING OFFICER.** Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

> At the end of the joint resolution insert the following new section:
>
> "SEC. 4. Subsection (b) of section 232 of the Trade Expansion Act of 1962 (19 U.S.C. 1862) is amended to read as follows:
>
> "'(b)(1) Upon request of the head of any department or agency, upon application of an interested party, or upon his own motion, the Director of the Office of Emergency Preparedness (hereinafter in this section referred to as the "Director") shall immediately make an appropriate investigation, in the course of which he shall seek information and advice from other appropriate departments and agencies, to determine the effects on the national security of imports of the article which is the subject of such request, application, or motion. If, as a result of such investigation, the Director is of the opinion that the said article is being imported into the United States in such quantities or under such circumstances as to threaten to impair the national security, he shall promptly so advise the President.
>
> "'(2) If the President determines that the article is being imported into the United States in such quantities or under such circumstances as to threaten to impair the national security, he shall report to the House of Representatives and the Senate the action he deems necessary to take, and the reasons therefor, to adjust the imports of such article and its derivatives so that such imports will not so threaten to impair the national security. Such action of the President to adjust such imports shall become effective at the end of the 90-day period following the date on which such report is submitted to the House of Representatives and the Senate, unless before the end of the 90-day period either House adopts a resolution stating in effect that that House does not favor the action deemed necessary by the President. The President shall report to the Congress, one year after the date on which such action becomes effective, on the effectiveness of such action in achieving the objectives of this section.
>
> "'(3) For purposes of paragraph (2), in the computation of the 90-day period there shall be excluded the days on which either House is not in session because of adjournment of more than 3 days to a day certain or an adjournment of the Congress sine die. The report referred to in paragaph (2) shall be delivered to both Houses on the same day and shall be delivered to the Clerk of the House of Representatives if the House of Representatives is not in session and to the Secretary of the Senate if the Senate is not in session.
>
> "'(4) Any action of the President under paragraph (2) to adjust the imports of an article and its derivatives shall cease to be effective two years from the date on which such action becomes effective under such paragraph, except that, if before the expiration of such two years, the President submits another report under such paragraph with respect to such article and its derivatives, such action shall remain in effect until the expiration of the 90-day period applicable under such paragraph to such other report. For purposes of applying this paragraph to any action taken by the President under this subsection (or under corresponding provisions of prior law) before the date of the enactment of this paragraph, such action shall be treated as having been taken by the President one year before the date of the enactment of this paragraph.
>
> "'(5) The President may modify any action taken by him under paragraph (2) during the period such action is in effect except that no such modification may be made which substantially increases the restrictions on the imports of the article and its derivatives.'"

Mr. KENNEDY. Mr. President, I know the distinguished Senator from Utah has indicated that there is a question of gemaneness with respect to the amendment to the interstate compact which I have sent to the desk. I know in my informal discussions with the distinguished Senator and with other members of the Committee on Interior and Insular Affairs that they raise questions as to the germaneness of the amendment and whether it should be attached to this particular legislation or whether it should be attached to some measure which springs from the House of Representatives. I am prepared to enter into a discussion of the question of germaneness, as well as to discuss the substance of the measure which is before the Senate.

Mr. President, I wish to press for consideration of my amendment. I shall explain it to Members of this body. Obviously, any Senator who wishes to express his views in terms of its germaneness will be recognized.

Mr. President, the amendment which I have offered is a very simple amendment. It reaches to the heart of the oil import program, which has been on the books since the Presidential proclamation of 1959, and which has worked a particular hardship to those of us in New England. For although we comprise only 6 percent of the population of this great Nation, we consume about 21 percent of all heating oil.

I rise today to exercise the legitimate prerogatives of this body and the House of Representatives. We know that under the Presidential proclamation pertaining to the oil import program, there are very limited reviews of that program which so dramatically affects the cost of gasoline and oil to consumers of this Nation.

We know the Office of Emergency Preparedness is charged with the responsibility of reporting to the President when it finds that the oil import program is working in and of itself to increase the cost of oil to consumers. Yet we find that the OEP has been woefully negligent in making such reports to the President and to the American people.

Mr. MOSS. Mr. President, will the Senator from Massachusetts yield?

Mr. KENNEDY. I yield.

Mr. MOSS. I appreciate what the Senator's objective is. I would agree that this matter should be considered by Congress. However, I said in my opening statement, that I do not believe it is an appropriate amendment for this joint resolution before us. At an appropriate time, I will have to raise a point of order. But I do want the Senator from Massachusetts to have the opportunity to present his point of view.

I want to say one other thing to the Senator. This involves the import problem. There are other committees that would be involved, to some degree. But, I would assure the Senator that, to the extent that the Committee on Interior and Insular Affairs and the Subcommittee on Minerals, Materials, and Fuels, of which I am chairman, has jurisdiction, we would be willing to hold open hearings so that the whole matter will be laid out fully. In this way, this issue would not have to be taken up by way of an amendment directly on the floor without any basis of hearings, with what I think is probably a fatal lack of germaneness to the pending matter.

All we are doing in Senate Joint Resolution 54 is granting consent to the

States to continue a compact under which the States have been operating for 32 years; I do not think that an amendment to the Trade Expansion Act could be engrafted on it and not have the resolution fatally flawed.

I wanted to state this in advance to the Senator that he would understand the position taken by the committee.

Mr. KENNEDY. Mr. President, I express my appreciation to the Senator from Utah for considering and indicating that hearings would be held on this question. I realize that these may be jurisdictional in the Committee on Interior and Insular Affairs as well as in the Finance Committee.

Let me point out a few reasons why I think this amendment is relevant to the question now before us. As explained by the distinguished Senator from Utah, the compact is concerned with the conservation of oil and oil resources. Certainly, the question of the conservation of oil and oil resources is related to the oil import program, whose sole justification is to assure adequate supplies of oil to meet our national security needs.

Although I am certainly mindful and respectful of the Senator from Utah, let me also say that the amendment would not, in and of itself, affect to any extent the tariffs on oil, or the amounts of oil that could actually be imported. All we would really be doing is prescribing a procedure by which the executive would be given the responsibility of informing Congress as to the justifications for the continuation of an oil import program.

Mr. COTTON. Mr. President, the subcommittee of the Committee on Appropriations of which I am the ranking minority member is just about to meet, so I must leave the Chamber. I expect to be able to return before the amendment introduced by the able Senator from Massachusetts is disposed of, but for fear I might not be able to return, I commend the distinguished Senator for offering the amendment. I believe it is necessary and highly appropriate to the bill. There is no question it is desperately needed. We need to avail ourselves of the opportunity to focus attention on our problem and to make certain Congress is not bypassed and ignored. I associate myself fully with the remarks of the Senator from Massachusetts. The measure is vital to New England and to other parts of the country. I shall support it to the best of my ability.

Mr. KENNEDY. Mr. President, I wish to express my appreciation to the Senator from New Hampshire, who has been one of the real watchdogs in this body over the years, insuring that there will be a fair and equitable policy on the entire question of oil distribution and oil importation. Certainly, having his approbation and support this afternoon is heartening.

Does the Senator agree with me that it certainly is not inappropriate for Members of this body, in a program which reaches questions of national security, to expect the executive department of this country to file reports annually with the Congress and the Senate to justify extension of this program; and does the Senator agree with me that this would be helpful and useful in explaining to his constituents, my constituents, and the consuming public the national security implications of such a program and the reasons for it?

Mr. COTTON. I most emphatically agree with the Senator that this is an appropriate amendment to the bill and that these reports should be filed. There already is a moral obligation to file them, but this should be a directive by the Congress that we be kept informed, with special emphasis on the defense aspects of the problem.

I agree with the Senator. I think it is wholly germane, wholly appropriate, and highly desirable.

Mr. KENNEDY. Mr. President, would the Senator not agree with me, as well, that the thrust of the amendment introduced today is to keep Congress informed and in this way to keep the American people informed of the reasons for continuation of the old import program. Would we not agree that, by implication, President Nixon's appointment of a task force to study the whole problem assumes that there are not sufficient kinds of safeguards at present. My amendment, if it is successful, would really negate the reason to have a task force and special kinds of commissions established, because Congress would be informed of the program and would be made aware of its impact.

Mr. COTTON. I certainly do agree with the Senator. I recall that the Senator from New Hampshire, who has been in the Senate for 15 years, had as one of his first duties as a freshman Senator, to represent the New England Senators, on a committee of two, under the leadership of the most distinguished brother of the Senator from Massachusetts, later to be President of the United States, to seek, at that time, from the Eisenhower administration, action on the import problem. Where did we go? We went to the Office of Defense Mobilization, which indicates that this is vital to American defense. Through the years, as the Senator has so rightly stated, under both Democratic and Republican administrations, Congress has had a very difficult time attempting to assert itself, to be heard, and to be informed on this vital problem.

I most assuredly agree with the Senator and trust that his amendment will be adopted.

Mr. KENNEDY. I thank the Senator from New Hampshire.

Mr. HANSEN. Mr. President, will the Senator from Massachusetts yield?

Mr. KENNEDY. I yield.

Mr. HANSEN. If I may, I should like to say to the distinguished Senator from Massachusetts that I am not unmindful of the fact that a great many people are very much interested in the amendment he has proposed. Along with the distinguished Senator from Utah, I, too, would like to serve notice that, at the proper time, I should like to raise a point of order. It will be my contention that the Senate can amend a revenue measure, but that it cannot originate one. History in this regard is rather clear. That is substantially the contention that will be made. The national security provisions to the trade laws of the United States have been acted upon by Congress in 1954, 1955, 1958, and 1962. In each case, the legislation which continued the national security provisions, originated in the House of Representatives. As I have said before, the Senate can amend a revenue measure, but it cannot originate one. The Senator's amendment affects the tariff, and tariff legislation has historically been considered revenue legislation.

I think that perhaps the Senator from New Mexico (Mr. ANDERSON) may have—if this be not an inappropriate time—a message to bring to the floor, to our distinguished colleague from Massachusetts, from the Finance Committee, and that this would probably be the appropriate time.

Mr. ANDERSON. Mr. President, I have no wish to break into the speech of the Senator from Massachusetts. When he has finished his direct address, then I must raise a point of order against the inclusion of his amendment in the measure to grant the consent of Congress to a renewal of the interstate oil compact.

Mr. KENNEDY. I thank the Senator from New Mexico.

Mr. President, the thrust and purpose of the amendment, as I have stated, would provide a procedure by which the President of the United States would make an annual report to Congress about the reasons for continuation of the oil import program, and that every 2 years he would be required to submit his import control plan to the Congress with a demonstration that it was essential in the interests of national security. If neither Congress or the Senate acted within 90 days—a procedure which is followed routinely in the Executive Reorganization Act and elsewhere—then the import controls would be continued.

It is the position of the Senator from Massachusetts that it is important and essential that we have these periodic reviews, and that we in Congress and the Senate should be able to review programs, such as an oil import program, which costs consumers billions and billions of dollars. If there are arguably justifiable reasons for the continuation of the oil import program, we in Congress and the Senate should be informed of them and be given the opportunity to evaluate them. It is really only for that reason that the amendment is introduced, and it is for that reason that I would hope it would be considered.

Mr. MOSS. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. MOSS. Mr. President, as I said before, at the appropriate time I will have to raise a point of order.

I wanted to point out to the Senator that the resolution before us is a very simple matter of granting consent to States to adopt conservation practices on their own initiative. I would like to read just one, short paragraph from the report filed by the Interstate Oil Compact Commission. That is the commission which is set up by the compact among the States. This statement is from the official report of the Attorney General of the United States which was presented by Governor Docking, of Kansas, chairman of the commission, at the hearings, the subcommittee of which I am chairman held in May.

I quote that paragraph:

> It is clear that this Compact not only falls far short of earlier proposals for a central agency to control oil production, but in fact provides neither machinery nor power to coordinate State action. First, there is no Federal participation nor any coordination of oil imports associated with the plan. Again, the Compact does not provide for a uniform system of conservation laws among the States; its thrust is in the opposite direction. Each State, agreeing to conserve oil and gas by prevention of physical waste, binds itself only to enact laws to prevent certain generalized kinds of waste. But the substance and form of such laws are nowhere specified; each State is free to adopt whatever policy measures it deems best. And while the Commission established under the Compact may make recommendations on conservation practices, each State is explicitly left free to adopt or reject them in whole or part as it sees fit.

The reason I read that paragraph from the Attorney General's report is to point out that the amendment proposed by the Senator from Massachusetts is wholly alien to the compact, in that it endeavors to establish, as a part of the resolution, a measure whereby the President of the United States must report annually to the Congress on programs initiated under the Trade Expansion Act. Programs would expire every 2 years, and Congress would exercise a degree of control by having veto power. The amendment moves into a field entirely different from that of the resolution, since it has to do with imports of petroleum products.

I also want to underline that the kind of conservation we are talking about here is prevention of the physical waste of oil and gas, such as allowing the gas to be flared out and escape into the atmosphere, or allowing oil to stand and seep away or otherwise be destroyed. The resolution's purpose is simply to facilitate control by the various States of the physical conservation of oil and gas.

For that reason, and for the reason that the subject matter of the amendment properly belongs in the jurisdiction of another committee, at least in part—at least, the jurisdiction is shared with another committee—and for the reason that we have not held hearings on the proposal—and are perfectly willing to hold hearings—that I think the amendment must be rejected.

Although I think my other colleagues may want to address themselves to the point, I renew my assertion that I must raise a point of order at the appropriate time.

Mr. KENNEDY. Mr. President, on the question of conservation, I should like to read from the 1967 report of the Attorney General on the resolution consenting to the interstate compact to conserve oil and gas. It states, on page 43:

> In sum, the conservation regulatory system accomplishes an indirect and partial balancing of overall crude oil supply, which permits higher prices to be established than would normally prevail if no controls existed.

I think that very directly pertains to and is related to the whole question of the oil import program.

I think the amendment is relevant.

I am very appreciative of the expression by the Senator from Utah indicating that hearings would be held. I think such hearings would be extremely helpful and useful to the Members of the Senate.

I understand the Senator from Utah cannot speak for the Finance Committee. We have had some informal assurances that there would be consideration of this amendment in that committee when the Trade Expansion Act is considered. I was just wondering if the Senator from Wyoming, who is a member of the committee, could give us any kind of enlightenment on that suggestion.

Mr. HANSEN. I thank the distinguished Senator from Massachusetts.

Mr. President, on behalf of the Finance Committee and, more specifically, for the senior Senator from New Mexico (Mr. ANDERSON), a very distinguished member of that committee, I am privileged to report to my colleague from Massachusetts that just this afternoon the Committee on Finance has indeed indicated its willingness to consider the amendment that has been proposed by the Senator from Massachusetts.

I have in my hand a letter addressed to the chairman of the Finance Committee by the senior Senator from Massachusetts; and if I may, I would like to read the last paragraph of the letter. The letter states:

> I know that you are heavily involved with the tax reform measure at the present time and that the Finance Committee schedule is full, but there may very well be an area where you would like to hold hearings when the opportunity arose, and if such hearings were held I certainly would consider withdrawing the amendment.

The letter is signed, EDWARD M. KENNEDY.

This afternoon the Finance Committee indicated it would indeed be pleased to hold hearings on the measure of the Senator from Massachusetts. Hearings probably would have been held sooner, but inasmuch as the President sent his message on social security reform to the Congress before he submitted his message on trade, the priorities in the Finance Committee were fixed in that order.

With assurances on my side, and with the senior Senator from New Mexico, I am prepared to say now that the Finance Committee will be very pleased to hold hearings on the Senator's measure.

I may ask if, in light of those circumstances, it might be the intention of the Senator from Massachusetts to withdraw his amendment at this time.

Mr. KENNEDY. It would be my intention so to do.

I want to express my appreciation to the Senator from Utah, as well as the Senator from New Mexico and the Senator from Wyoming. I did, as the Senator from Wyoming mentioned, write to the distinguished chairman of the Finance Committee and indicated to him the scope of and the reason for the amendment, and tried to give him notification that this amendment would be forthcoming.

With the assurances of the Senator from Utah, as well as the Senator from New Mexico and the Senator from Wyoming on this question, I certainly feel that we have an opportunity for hearings in both those committees. If we can get such hearings within a reasonable period of time, taking into account that there are demanding measures before both of those committees. I would certainly be prepared to withdraw the amendment.

Mr. ANDERSON. Mr. President, I might point out that this amendment is subject to a point of order under the Constitution. It involves an amendment to the Trade Expansion Act of 1962, the subject of which is the raising of revenue. Such legislation should originate in the House, and would be in order only if offered to a House bill proposing to raise revenue.

I am sorry to differ with the Senator on this point. He came into my State a few days ago and made a very fine address before a wonderful audience. I hope we can work out our differences.

Mr. KENNEDY. Mr. President, if I may have the attention of the Senator from New Mexico, I am withdrawing my amendment. With the kind assurances that have been given by the members of the Committee on Finance and by the Committee on the Interior for hearings on this matter I am willing to withdraw the amendment.

Mr. ANDERSON. I think that is a very fine action on the Senator's part.

Mr. MOSS. I thank the Senator from Massachusetts.

Mr. President, I assume that the bill is open to amendment. If no amendments are to be offered, I ask for third reading.

The PRESIDING OFFICER The joint resolution is open to amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the joint resolution.

The joint resolution (S.J. Res. 54) was ordered to be engrossed for a third reading, and was read the third time.

Mr. MOSS. Mr. President, before the question is put on the joint resolution, it having been read the third time, I am happy to yield to the Senator from Wyoming, who has a brief statement he would like to make about the joint resolution.

Mr. HANSEN. Mr. President, I thank the distinguished Senator from Utah. I express my appreciation to him for his leadership in presenting again for the consideration and approval of Congress a matter that I think has worked extremely well, has served the best interests of the people of the United States and, I suspect, at the same time might also be accurately prescribed as one of the most misunderstood compacts we have ever had.

It has not been anything new for Congress to authorize several States, or two or more States, to get together and, by compact, seek to achieve goals and objectives that they might not otherwise be able to attain on an individual basis. The interstate oil compact is just such a compact. It came into being because of the concern, dismay, and frustration of people who were witnessing a great waste of our natural resources.

It was not uncommon, in the early

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years of the development of the great oil industry in the Southwest, to see natural gas being flared. It was being burned and wasted, its energy irretrievably lost. It was not uncommon, in times of surplusage of oil, to see oil pumped from the ground and left standing in pools. The pools would sometimes overflow, and there could be contamination of streams, and a great amount of waste would result because the price was so low as to make it most difficult to find any economic way of disposing of it.

These are some of the things that brought about a conviction among representatives of the oil States that steps should be taken to cut down on this unconscionable waste. As a consequence, Congress authorized several States to get together and, through a compact, set down rules and regulations by which such wasteful measures could be brought under control.

As a former Governor of the State of Wyoming, it was my privilege to participate as a representative of one of the 29 active State members in the Interstate Oil Compact Commission. We found that, though some people believed it to be the case that the commission was a vehicle whereby production could be curtailed and regulated, that was not true; and that, though some people considered it a vehicle whereby a certain price could be maintained, that also was not true.

Actually, all that the commission did was offer the participating States an opportunity to get together to review the specific pieces of State legislation which had been enacted from time to time, to find out what measures had been found suitable, desirable, and efficacious by State governments to meet a series of situations, no two of which may have been identical; and, out of the whole welter of State legislation, there came into being a very great volume of law, which has been useful to a number of States.

For example, I ask the Senator from Utah if it is not true that in recent years the State of Pennsylvania, in searching through all of the laws that had been passed by the participating States, found some guidelines that would be useful to that State in coping with a rather unique situation—which was not unique in that it had never been experienced, except for the State of Pennsylvania.

Under the IOCC, various conservation measures were made available to the different States. These measures served as recommendations which could or could not be adopted by each State. The recommendations of the commission were applicable to the States in varying degrees. Each State was able to use the suggestions of the commission which were applicable to its particular land situation and ownership pattern.

This concept provides a definite advantage over the situation that would occur if the Federal Government had taken it upon itself to impose national conservation measures. This, to my mind, would be an unworkable situation, because if the National Government holds complete control over each State's conservation measures, those practices could not be tailored to the particular land situation within the State. The specific local need could not be served.

So Pennsylvania drew upon the experience of some of the other States which were members of the compact, to come forth with regulations which would prevent the physical waste of these natural resources, and that has been the thrust, over the years, of the Interstate Oil Compact Commission.

As the Senator from Utah has so accurately stated, it has no authority to compel anybody to do anything. It cannot fix prices, and it cannot control production. All it can do is suggest, by example, what has been done among the various States in order to reduce physical waste.

In supporting the distinguished Senator from Utah this afternoon, it would be my purpose to urge the Members of this body to enact, without further delay, the authority which will permit the continuation, for these 29 States and such others as may wish to become members, of the authority to work together in an effort that, I submit, has been most successful. It has served our country well, and serves the purposes of national security well. It serves well that great body of conservationists who deplore the waste of any natural resource.

In 1955, Congress agreed to the extension of the Compact provided that the Attorney General would report periodically to the Congress as to whether or not the compact was living up to article V.

Article V states:

> It is *not* the purpose of the Compact to authorize the States joining herein to limit the Compact to limit the production of oil and gas for the purpose of stabilizing or fixing the price thereof or create or perpetuate monopolies or to promote regimentation, *but* it is limited to the purpose of conserving oil and gas and preventing the avoidable waste thereof within reasonable limits.

The eighth report of the Attorney General was made in April of 1969. The Justice Department made a detailed study of the files and records of the compact. Judicial staff members were present at all regular commission meetings.

The Justice Department report noted the continuing role of the commission as a forum for study and discussion on conservation, and as a convenient focal point of Federal-State liaison. Attorney General John N. Mitchell stated in the report that the termination of the compact would not significantly change the basic competitive effects of current Government regulation, although it would adversely affect State and Federal efforts at conservation in those areas most constructive and uncontroversial.

Although it is only natural that private industry be an intricate part of the compact, the 1968 report of the Attorney General pointed out that private industry performed a role of the expert adviser and that there was no cause for concern related to the role which private industry played in the work of the commission.

Mr. MOSS. I thank the Senator from Wyoming for his great contribution. He, having served as Governor of one of our great oil producing States, is well aware of the functioning of the compact from the point of view of the States as well as from his position on the Committee on Interior and Insular Affairs, of the U.S. Senate. What he has stated is of great importance here, and should be heeded by the Members of this body.

I, too, hope that we can proceed with all due speed today to continue this consent that we have granted to the States in years past.

I am happy to yield to the Senator from Kansas.

Mr. DOLE. Mr. President, first let me say briefly that I share the views expressed by the Senator from Utah, the Senator from Wyoming, the Senator from New Mexico, and others who have spoken in support of Senate Joint Resolution 54.

I am proud to say my State of Kansas is one of the major oil and gas producing States. The industry contributes much to the economy and welfare of the State of Kansas. In 1968, the value of oil and natural gas production in the State was about a half billion dollars and there were 27,800 people employed. Direct tax collections by Kansas counties from oil and gas production in 1966 totaled $17,144,000, which went primarily for the State's public schools.

The resolution we are now considering is important to the oil and gas industry, but it is also important to all Americans. The interstate compact to conserve oil and gas was originally signed on February 16, 1935. Twenty-nine States, which account for practically all of our oil production in the United States, are members of the compact. My State of Kansas was an early signatory of this compact.

During the 1930's, there was a needless waste of this valuable natural resource because of the depression and overproduction. The compact was formed to conserve our oil and gas reserves by the prevention of physical waste. At this time, when the problems of our environment are of growing interest to the American people, I think it fitting that we reaffirm our faith in early efforts to preserve our great natural resources.

So I concur in what has been stated by the Senator from Wyoming and the Senator from Utah, that this is a very important resolution which should be passed at the earliest possible time, and I am happy to support the efforts of the Senator from Utah.

Mr. MOSS. I thank the Senator from Kansas for his remarks. He does indeed represent one of the great oil and gas producing States of the Union, and it is most appropriate that we hear from him.

I yield now to the Senator from Oklahoma.

Mr. BELLMON. I thank the Senator from Utah, and congratulate him for the work he has done in bringing to a vote the measure to renew the IOCC for another 2 years.

As Governor of the State of Oklahoma, I worked actively in behalf of the IOCC from the inception of that fine organization. I realize that, for those who have not had an opportunity to observe the work of the compact at firsthand, it may be somewhat difficult to understand.

As is said in the report prepared by the Senator from Utah and others, this is a forum that serves a vitally important purpose, not only in oil States and oil-producing areas, but also in other parts of the country that depend upon petroleum as a major source of energy.

The existence of the compact and the adoption of the body of law which it has developed and promulgated among the various States has done a great deal to reduce the cost of petroleum production, and that lower cost is reflected in the lower costs the consumers pay.

I think it is important to dwell upon the fact, as the Senator from Wyoming has done, that the compact has no policing powers. It is strictly a voluntary body that serves as a place for States to gather and discuss mutual problems and arrive at workable solutions of problems.

The compact has no role in pricing or controlling imports or production.

I believe the Interstate Oil Compact Commission serves as an ideal pattern to follow with respect to products that cross State lines and produce wide-ranging benefits for all.

I commend the distinguished Senator from Utah for being able to bring the matter to a vote today.

Mr. MOSS. Mr. President, I thank the Senator from Oklahoma who represents one of our great petroleum producing States. He, too, served as a Governor of his State. He knows at firsthand of the operation of the compact and what it has meant to our country in the prevention of physical waste of oil and gas. He knows that it serves as a guideline to the States and that it acts only in a fact-finding and an advisory capacity. He knows that the Commission operates, and operates very effectively, in the public interest.

Mr. President, I wish to pay tribute to the great leadership displayed by the distinguished Senator from New Mexico (Mr. ANDERSON), the author of the pending resolution.

The Senator from New Mexico has displayed great statesmanship over the past two decades as a Senator not only in this field but also in the field of conservation. We acknowledge his leadership and our debt to him for the guidance he has given the matter now pending before the Senate.

I hope that we can now vote on Senate Joint Resolution 54 and that it will be passed by the Senate.

Mr. McGEE. Mr. President, passage of Senate Joint Resolution 54 to extend the consent of Congress an additional 2 years for the Interstate Compact To Conserve Oil and Gas is of utmost importance to my State of Wyoming, to the 29 member States, and to the national security of this country.

During its 34 years of existence, this interstate compact has grown from its initial six State membership to a membership of 29 petroleum-producing States. These States have executed an agreement to renew and extend the compact from September 1, 1967, to September 1, 1971.

This is surely a sufficient testimonial to justify congressional action granting consent to an extension and renewal of this interstate compact until September 1, 1971.

The purpose of the compact is to assist in the conservation of our valuable reserves of oil and gas by the prevention of waste. The Commission established under this compact provides a medium of exchange whereby the several States and the petroleum industry can share views and technical knowledge regarding conservation practices and related problems. The Commission not only provides a continuous forum for the study of State conservation laws and their administration, but also is equipped through its various committees to assemble technical information and recommendations for the benefit of the States and other interested parties. I, therefore, urge the enactment of Senate Joint Resolution 54 so that the work of this Commission may be continued without interruption.

I might add in closing that it is my hope that the Senate will pass this resolution as reported by the Committee on Interior and Insular Affairs. The primary objective of this measure is to promote and maintain effective conservation practices in the oil and gas industry and the participating States. Any amendments which would make substantive changes or additions to this resolution or which would add extraneous matters would likely cause further delay or possibly prevent its passage. I agree with the committee report on this resolution that this is not the proper legislative vehicle by which to require consideration of the extremely complex and far-reaching oil price structure and the mandatory oil import program.

The PRESIDING OFFICER. The joint resolution (S.J. Res. 54) having been read the third time, the question is, Shall it pass? (Putting the question.)

The joint resolution (S.J. Res. 54) was passed as follows:

S.J. RES. 54

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to an extension and renewal for a period of two years from September 1, 1969, to September 1, 1971, of the interstate compact to conserve oil and gas, which was signed in the city of Dallas, Texas, the 16th day of February, 1935, by the representatives of Oklahoma, Texas, California, and New Mexico, and at the same time and place was signed by the representatives, as a recommendation for approval to the Governors and Legislatures of the States of Arkansas, Colorado, Illinois, Kansas, and Michigan, and which prior to August 27, 1935, was presented to and approved by the Legislatures and Governors of the States of New Mexico, Kansas, Oklahoma, Illinois, Colorado, and Texas, and which so approved by the six States last above-named was deposited in the Department of State of the United States, and thereafter was consented to by the Congress in Public Resolution Numbered 64, Seventy-fourth Congress, approved August 27, 1935, for a period of two years, and thereafter was extended by the representatives of the compacting States and consented to by the Congress for successive periods, without interruption, the last extension being for the period from September 1, 1967, to September 1, 1969, consented to by Congress by Public Law Numbered 90–185, Ninetieth Congress, approved December 11, 1967. The agreement to extend and renew said compact for a period of four years from September 1, 1967, to September 1, 1971, duly executed by representatives of the States of Alabama, Alaska, Arizona, Arkansas, Colorado, Florida, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Montana, Nebraska, Nevada, New Mexico, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Texas, Utah, West Virginia, and Wyoming, as been deposited in the Department of State of the United States, and reads as follows:

"AN AGREEMENT TO EXTEND THE INTERSTATE COMPACT TO CONSERVE OIL AND GAS

"Whereas, on the 16th day of February, 1935, in the City of Dallas, Texas, there was executed 'An Interstate Compact To Conserve Oil and Gas' which was thereafter formally ratified and approved by the States of Oklahoma, Texas, New Mexico, Illinois, Colorado, and Kansas, the original of which is now on deposit with the Department of State of the United States, a true copy of which follows:

" 'AN INTERSTATE COMPACT TO CONSERVE OIL AND GAS

" 'ARTICLE 1

" 'This agreement may become effective within any compacting state at any time as prescribed by that state, and shall become effective within those states ratifying it whenever any three of the States of Texas, Oklahoma, California, Kansas, and New Mexico have ratified and Congress has given its consent. Any oil-producing state may become a party hereto as hereinafter provided.

" 'ARTICLE II

" 'The purpose of this compact is to conserve oil and gas by the prevention of physical waste thereof from any cause.

" 'ARTICLE III

" 'Each state bound hereby agrees that within a reasonable time it will enact laws, or if the laws have been enacted, then it agrees to continue the same in force, to accomplish within reasonable limits the prevention of:

" '(a) The question of any oil well with an inefficient gas-oil ratio.

" '(b) The drowning with water of any stratum capable of producing oil or gas, or both oil and gas, in paying quantities.

" '(c) The avoidable escape into the open air or the wasteful burning of gas from a natural gas well.

" '(d) The creation of unnecessary fire hazards.

" '(e) The drilling, equipping, locating, spacing or operating of a well or wells so as to bring about physical waste of oil or gas or loss in the ultimate recovery thereof.

" '(f) The inefficient, excessive or improper use of the reservoir energy in producing any well.

" 'The enumeration of the foregoing subjects shall not limit the scope of the authority of any state.

" 'ARTICLE IV

" 'Each state bound hereby agrees that it will, within a reasonable time, enact statutes, or if such statutes have been enacted then that it will continue the same in force, providing in effect that oil produced in violation of its valid oil and/or gas conservation statutes or any valid rule, order or regulation promulgated thereunder, shall be denied access to commence; and providing for stringent penalties for the waste of either oil or gas.

" 'ARTICLE V

" 'It is not the purpose of this compact to authorize the states joining herein to limit the production of oil or gas for the purpose of stabilizing or fixing the price thereof, or create or perpetuate monopoly, or to promote regimentation, but is limited to the purpose of conserving oil and gas and preventing the avoidable waste thereof within reasonable limitations.

" 'Article VI

" 'Each State joining herein shall appoint one representative to a commission hereby constituted and designated as "The Interstate Oil Compact Commission", the duty of which said commission shall be to make inquiry and ascertain from time to time such methods, practices, circumstances, and conditions as may be disclosed for bringing about conservation and the prevention of physical waste of oil and gas, and at such intervals as said commission deems beneficial it shall report its findings and recommendations to the several States for adoption or rejection.

" 'The Commission shall have power to recommend the coordination of the exercise of the police powers of the several States within their several jurisdictions to promote the maximum ultimate recovery from the petroleum reserves of said States, and to recommend measures for the maximum ultimate recovery of oil and gas. Said Commission shall organize and adopt suitable rules and regulations for the conduct of its business.

" 'No action shall be taken by the Commission except: (1) by the affirmative votes of the majority of the whole number of compacting States represented at any meeting, and (2) by a concurring vote of a majority in interest of the compacting States at said meeting, such interest to be determined as follows: such vote of each State shall be in the decimal proportion fixed by the ratio of its daily average production during the preceding calendar half-year to the daily average production of the compacting States during said period.

" 'Article VII

" 'No State by joining herein shall become financially obligated to any other State, nor shall the breach of the terms hereof by any State subject such State to financial responsibility to the other States joining herein.

" 'Article VIII

" 'This compact shall expire September 1, 1937. But any State joining herein may, upon sixty (60) days notice, withdraw herefrom.

" 'The representatives of the signatory States have signed this agreement in a single original which shall be deposited in the archives of the Department of State of the United States, and a duly certified copy shall be forwarded to the Governor of each of the signatory states.

" 'This compact shall become effective when ratified and approved as provided in Article I. Any oil-producing State may become a party hereto by affixing its signature to a counterpart to be similarly deposited, certified, and ratified.'

"Whereas, the said Interstate Compact to Conserve Oil and Gas has heretofore been duly renewed and extended with the consent of the Congress to September 1, 1967; and

"Whereas, it is desired to renew and extend the said Interstate Compact to Conserve Oil and Gas for a period of four (4) years from September 1, 1967, to September 1, 1971:

"Now, therefore, this writing witnesseth:

"It is hereby agreed that the Compact entitled 'An Interstate Compact To Conserve Oil and Gas' executed in the City of Dallas, Texas, on the 16th day of February, 1935, and now on deposit with the Department of State of the United States, a correct copy of which appears above, be, and the same hereby is, extended for a period of four (4) years from September 1, 1967, its present date of expiration, to September 1, 1971. This agreement shall become effective when executed, ratified, and approved as provided in Article I of the original Compact.

"The signatory States have executed this agreement in a single original which shall be deposited in the archives of the Department of State of the United States and a duly certified copy thereof shall be forwarded to the Governor of each of the signatory States. Any oil-producing state may become a party hereto by executing a counterpart of this agreement to be similarly deposited, certified, and ratified.

"Executed by the several undersigned states, at their several state capitols, though their proper officials on the dates as shown, as duly authorized by statutes and resolutions, subject to the limitations and qualifications of the acts of the respective State Legislatures.

"The State of Alabama
"By George C. Wallace, Governor
"Dated: Aug. 11, 1966
"Attest: Mrs. Agnes Baggett, Secretary of State (Seal)
"The State of Alaska
"By William A. Egan, Governor
"Dated: July 13, 1966
"Attest: Hugh J. Wade, Secretary of State (Seal)
"The State of Arizona
"By Samuel P. Goddard, Governor
"Dated: March 8, 1966
"Attest: Wesley Bolin, Secretary of State (Seal)
"The State of Arkansas
"By Orval E. Faubus, Governor
"Dated: May 3, 1966
"Attest: Kelly Bryant, Secretary of State (Seal)
"The State of Colorado
"By John A. Love, Governor
"Dated: January 13, 1966
"Attest: Byron A. Anderson, Secretary of State (Seal)
"The State of Florida
"By Haydon Burns, Governor
"Dated: June 28, 1966
"Attest: Tom Davis, Secretary of State (Seal)
"The State of Illinois
"By Otto Kerner, Governor
"Attest: Paul Powell, Secretary of State (Seal)
"The State of Indiana
"By Rodger D. Branigin, Governor
"Dated: May 31, 1966
"Attest: John D. Bottorff, Secretary of State (Seal)
"The State of Kansas
"By Wm. H. Avery, Governor
"Dated: December 1, 1965
"Attest: Paul R. Shanahan, Secretary of State (Seal)
"The State of Kentucky
"By Edward T. Breathitt, Governor
"Dated: June 6, 1966
"Attest: Thelma L. Stovall, Secretary of State (Seal)
"The State of Louisiana
"By John J. McKeithen, Governor
"Dated: November 22, 1965
"Attest: Wade O. Martin, Jr., Secretary of State (Seal)
"The State of Maryland
"By J. Millard Tawes, Governor
"Dated: October 10, 1966
"Attest: Lloyd L. Simpkins, Secretary of State (Seal)
"The State of Michigan
"By George Romney, Governor
"Dated: May 19, 1966
"Attest: James M. Hare, Secretary of State (Seal)
"The State of Mississippi
"By Paul B. Johnson, Governor
"Dated: April 27, 1966
"Attest: Heber Ladner, Secretary of State (Seal)
"The State of Montana
"By Tim Babcock, Governor
"Dated: Feb. 14, 1966
"Attest: Frank Murray, Secretary of State (Seal)
"The State of Nebraska
"By Frank B. Morrison, Governor
"Dated: Jan. 31, 1966
"Attest: Frank Marsh, Secretary of State (Seal)
"The State of Nevada
"By Grant Sawyer, Governor
"Dated: June 17, 1966
"Attest: John Koontz, Secretary of State (Seal)
"The State of New Mexico
"By Jack M. Campbell, Governor
"Dated: Nov. 8, 1965
"Attest: Alberta Miller, Secretary of State (Seal)
"The State of New York
"By Nelson A. Rockefeller, Governor
"Attest: John P. Lomenzo, Secretary
"Dated: Nov. 28, 1966
of State (Seal)
"The State of North Dakota
"By William L. Guy, Governor
"Dated: Dec. 19, 1966
"Attest: Ben Meier, Secretary of State (Seal)
"The State of Ohio
"By James A. Rhodes, Governor
"Dated: July 25, 1966
"Attest: Ted W. Brown, Secretary of State (Seal)
"The State of Oklahoma
"By Henry Bellmon, Governor
"Dated: November 15, 1965
"Attest: James M. Bullard, Secretary of State (Seal)
"The Commonwealth of Pennsylvania
"By William W. Scranton, Governor
"Dated: Sept. 16, 1966
"Attest: W. Stuart Helm, Secretary of the Commonwealth (Seal)
"The State of South Dakota
"By Nils A. Boe, Governor
"Dated: Sept. 26, 1966
"Attest: Alma Larson, Secretary of State (Seal)
"The State of Tennessee
"By Frank G. Clement, Governor
"Dated: April 18, 1966
"Attest: Joe C. Carr, Secretary of State (Seal)
"The State of Texas
"By John Connally, Governor
"Dated: October 11, 1965
"Attest: Crawford C. Martin, Secretary of State (Seal)
"The State of Utah
"By Calvin L. Rampton, Governor
"Dated: April 11, 1966
"Attest: Clyde L. Miller, Secretary of State (Seal)
"The State of West Virginia
"By Hulett C. Smith, Governor
"Dated: July 14, 1966
"Attest: Robert D. Bailey, Secretary of State (Seal)
"The State of Wyoming
"By Clifford P. Hansen, Governor
"Dated: Jan. 18, 1966
"Attest: Thyra Thomson, Secretary of State" (Seal)

Sec. 2. The Attorney General of the United States shall continue to make an annual report to Congress, as provided in section 2 of Public Law 185, Eighty-fourth Congress, for the duration of the Interstate Compact to Conserve Oil and Gas as to whether or not the activities of the States under the provisions of such compact have been consistent with the purposes as set out in article V of such compact.

Sec. 3. The right to alter, amend, or repeal the provisions of the first section of this joint resolution is hereby expressly reserved.

Mr. MOSS. Mr. President, I move to reconsider the vote by which the Senate passed the joint resolution.

Mr. HANSEN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States, submitting a treaty, was communicated to the Senate by Mr. Leonard, one of his secretaries.

ORDER OF BUSINESS

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATOR SCOTT CALLS FOR REFLECTION ON NATURE OF VIETNAM WAR CRITICISM

Mr. SCOTT. Mr. President, we are all aware, and I know President Nixon is most of all aware that the feeling of the American people is increasingly of the view that our involvement in Vietnam was a tragic mistake. Disillusionment over this war—which must be ended—is admittedly and justifiably great. Again, no person is more aware than the President that six out of 10 Americans, according to one recent poll, think the United States made a mistake in sending troops to fight in Vietnam. The President is acutely aware of this judgment. The American people know how we got into this. They know that the President inherited it as the greatest challenge which he faced, and is facing.

We spent 6 years moving into this war; and the Nixon administration has had only 8 months to move out. The American people recognize that the President is doing all he can in a most difficult situation, which is not being made any easier for him.

Nevertheless public opinion, approving the way the President is handling the quest for peace, according to the above recent poll, has moved up 7 percent—from 45 percent to 52 percent—since mid-September, to a point where it soon may become an even more significant majority. In mid-September 40 percent of the people disapproved of the way the war was being handled. Since that time that figure has dropped to 32 percent. I am certain that the American people will continue to approve the significant moves toward peace by way of deescalation and other avenues, and will continue increasingly to support our President's very real efforts toward peace.

With regard to the October 15 moratorium, I want to make my feelings quite clear. I have expressed my concern that the debate which often ensues from such marches or confrontations takes on the form of an ultimatum, an unwillingness to understand the significance of our deescalation. That type of activity, in the form of demands or arbitrary timetables, has the effect of telling Hanoi that they have nothing to talk about at Paris. It may run counter to our efforts, and the American people's desire to end this war just as quickly as possible. Instead it may well prolong our involvement.

We will take note of the events of October 15. I will listen; I wall watch. The inheritance of this war, this terrible war, should give us all reason to be deeply concerned. Certainly there are reasons which many, many Americans may see as cause to demonstrate peacefully for peace. I understand the frustrations—for 7 long years—which have led up to this event. I have suggested, and I suggest again, that most Americans will want to demonstrate against our true enemy—Hanoi.

I am concerned that this event and the hearings which will follow in the Foreign Relations Committee, will attempt to unload responsibilities for an inherited war on the wrong administration. I am concerned that this moratorium may take on political aspects which high-level debate ought to be careful to avoid at this time.

I am concerned about, and support, constructive debate and suggestions. The President has listened, and is listening, to all sides. But he, and only he, is our prime negotiator. I think the debate must take place in this context. There is every reason to demonstrate concern. No one is more concerned than the President. He knows that this war must end. He has demonstrated his desire for a quick end to the war. He has acted.

So I think it proper to pose a question: to those who will march, to those who would attempt, through, in some cases, political motives, to put the onus on the only President who has begun to move us out of this war:

Which side are you hurting? I think it is proper to ask the 32 percent of the American people who disapprove of our efforts toward peace to reflect on the nature of their criticism. Some of those who disagree feel, of course, that 60,000 troops withdrawn is "tokenism." Some feel this stopping of future draft calls for October and November is "tokenism." The answer to these critics is that there is much to these significant moves toward deescalation. There is a lull, the casualties are down to a 2-year low, the infiltration from North Vietnam is down. These are realities.

Those who speak out in harsh criticism of our present and continuing efforts have no monopoly on the cause of peace. They have no means to help attain that peace. But there is great danger that they may hinder our search for a final and just solution to the war. Every time we are hopeful that diplomatic or military developments toward that peace we all seek are on the horizon, there appears on that horizon statements or activity which lead Hanoi to believe she can wait a little longer; that there is a chance that this Nation will totally surrender. This is a difficulty we must accept to a great degree in an open society involved in confrontation on the battlefield and at the negotiating table with a closed sysem. Hanoi does not have the same problem, and may well misinterpret our free use of our freedom of speech, our American democratic way of debating issues, as a sign that we are weakening. I am quietly asking the American people, the students, my colleagues, to consider whether they are not contributing to Hanoi's misinterpretation. I asked last week for 60 days of quiet and solitude for the President to seek peace. I was not attempting to shut off debate or discourage peaceful demonstrations for peace. But I was asking all concerned—distinguished Senators, Members of the other body, student leaders, and all American people, to stop and think, to consider the effects and the nature of that criticism.

I ask that we be responsible in our discussions, tolerant of our negotiators, and more understanding of the very real problem they face—Hanoi.

It is hardly the time to attempt to embarrass an administration which has done so much more to end this war than previous administrations. Infinite care must be taken so that those who criticize, those who enjoy the right of free speech and demonstration, do not damage the cause for which we all work—an end to this war, with honor, with justice for all sides, and most of all, with all the speed which the situation permits.

We are moving toward peace. I, too, want to move faster; but let us try to understand what is at stake. Let us all reflect, and perhaps, hesitate, before we hasten to add more to the burdens and challenges which President Nixon now faces.

ECONOMIC OPPORTUNITY AMENDMENTS OF 1969

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of calendar No. 449.

The PRESIDING OFFICER. The bill will be stated by title.

The BILL CLERK. A bill (S. 3016) to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, to authorize advance funding of such programs, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts?

There being no objection, the Senate proceeded to consider the bill.

LEGISLATIVE PROGRAM

Mr. SCOTT. Mr. President, if the distinguished acting majority leader will yield, I should like to ask him at this time concerning the further order of business for today and thereafter.

Mr. KENNEDY. Mr. President, it is the intention of the leadership, now that the Economic Opportunity Amendments of 1969 have been laid before the Senate and is the pending business; that after it has been disposed of, the Senate proceed, in accordance with the recommendation of the leadership as the distinguished majority leader indicated last Thursday, to the consideration of Senate Joint Resolution 158, the minting of the Eisenhower dollar.

I believe that we will then consider two other measures, S. 1181, and S. 2214 which deal with potatoes. They should be disposed of shortly. That will leave the calendar quite clear.

ORDER OF PROCEDURE

Mr. MURPHY. Mr. President, is it the intention to have or will it be possible to have an agreement that the vote not take place before noon tomorrow? This would give me time to prepare some objections to one section of the bill.

Mr. KENNEDY. Mr. President, I hope that we can make a good beginning on this matter this evening. We could perhaps come in earlier than noon tomorrow.

I think that the determination of when the first vote might come is a matter on which the chairman of the subcommittee (Mr. NELSON) should be consulted. However, I think the request is not unreasonable. I would not suggest that we propound a unanimous-consent request, but I think we could give such assurance, if it were agreeable with the distinguished Senator from Pennsylvania, the minority leader.

Mr. MURPHY. I wish the RECORD to show that I asked that the measure not be taken up at this time because the majority report appeared in my office only a few days ago, at a time when several Members of the majority were out of the city. Inasmuch as it is impossible for me to be in the city beginning at 3 o'clock tomorrow afternoon, I ask that consideration of it be held off.

In order to accommodate the concern for speed which has suddenly arisen on the opposite side of the aisle, I withdraw my objection to bringing up the measure. If there is to be a vote before noon, I ask unanimous consent that my remarks may be made part of the RECORD in the appropriate place.

Mr. KENNEDY. In response to the distinguished Senator from California, I wish to say that the majority leader, the Senator from Montana (Mr. MANSFIELD), announced on Monday, October 6, that the OEO bill would be coming up as soon as reported indicating that perhaps it would be by the end of that week. He reiterated this on Wednesday, October 8. On Thursday, October 9, when it was determined to have no session on Friday, he said it would come up today, if it had been reported by then, and it was in fact reported on Friday.

This was notice to the Members of the Senate, of at least 1 week's standing. Some Senators have changed schedules to be present for this debate, as the schedule had been announced by the majority leader, and on reliance upon that announcement.

It is also relevant that the Appropriation's Subcommittee on Health, Education, and Welfare, of which the chairman is the Senator from Washington (Mr. MAGNUSON), is now preparing to wind up its hearings; therefore, this adds a sense of expedition to Senate consideration of the OEO amendments.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. HOLLAND. I call the Senator's attention to the fact that the two potato bills, so-called, have been on the calendar since September 18, and that the committee and the Senator from Florida have several times requested their consideration. We are ready for their consideration at any time. When does the acting majority leader expect to take up those bills?

Mr. KENNEDY. I think the majority leader, at the suggestion of the distinguished Senator from Florida, indicated that they would be considered, hopefully, in the early part of this week. I would think action would be taken thereon within the next day or two.

The potato bills will be the pending business following the OEO amendments and the Eisenhower coin authorization.

Mr. SCOTT. If the Senator will yield to me, I would like to press a bit for action on the Eisenhower coin measure, which I do not think should take too long. Tomorrow is the late President's birthday, and I have had some discussions with the majority leader in regard to the hope of bringing the measure up at least on or before the late President's birthday; and I was hopeful that we could dispose of it.

I understand the Senator's concern with respect to the potato bills, and we are all concerned in getting them disposed of.

Mr. KENNEDY. I have just indicated to the Senator from Florida that they will be the business following the Eisenhower coin measure.

Mr. HOLLAND. So far as the Senator from Florida is concerned, he certainly supports the Eisenhower measure and would not want to stand in its way. He does call attention to the fact, however, that these two bills have been on the calendar a long time. They both have bipartisan support. They came out of the Committee on Agriculture and Forestry with a unanimous report, and I think they have been held up too long already. I would hope that the acting majority leader would let us have action on these bills at the earliest possible time.

Mr. KENNEDY. I think the question is well taken. I agree with the distinguished Senator from Florida, and I can, again, give him every assurance that after the Eisenhower coin measure, they will be the order of business.

Mr. SCOTT. I would like to point out that on October 9, the Senator from Montana (Mr. MANSFIELD) stated that following the oil compact bill he intended to turn to the Eisenhower dollar, and to take up the OEO matter following that. We have now agreed to lay down the OEO bill, and I would not want the Eisenhower dollar to be further deferred. But I think the potato bills should follow immediately after that.

Mr. KENNEDY. It is the leadership's intention to so proceed.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield to the Senator from California.

Mr. MURPHY. I have not had the question resolved that I asked the acting majority leader. I would like to propose a parliamentary question.

Mr. KENNEDY. As I understand the Senator's request, it is that no votes on the pending measure be taken prior to noon tomorrow.

Mr. MURPHY. That was my request, yes.

Mr. KENNEDY. Let me just say that while it is difficult for the leadership to give any definite assurances on what the Senate will do in any given set of circumstances, if it is agreeable to the Senator from Pennsylvania and the manager of the bill, I think that we could pretty much assure the Senator from California that no votes will be taken prior to noon tomorrow.

Mr. MURPHY. I think the chairman of the subcommittee could give that assurance, if he so desired, and I do not think it is an undue request.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. JAVITS. I will give that assurance to the Senator from California. I am the ranking minority member of the committee, and, if necessary, I will debate the bill until noon tomorrow. So the Senator has his assurance.

Mr. KENNEDY. That is the prerogative of any Member of the Senate; and if the Senator from New York wants to give that assurance, he can do so, as can any other Member of the Senate. I will guarantee there will be no vote before noon tomorrow, even if that means a colloquy with the Senator from New York.

Mr. MURPHY. I thank the Senator.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. SPARKMAN. Mr. President, I want nothing to happen to prevent our consideration of the Eisenhower measure tomorrow, and I will state why.

I received a letter from President Nixon a week or 10 days ago urging us, if we possibly could, to get the bill out of the committee and to the floor of the Senate. He said he hoped that he could sign it into law not later than the 14th. The Committee on Banking and Currency reported the bill immediately after that, and it was placed on the calendar Wednesday or Thursday, and I would hope that we could take it up and dispose of it.

This was originally a part of the coinage bill generally. The Senator from Utah (Mr. BENNETT) and I prepared a joint resolution taking the Eisenhower coinage out of the bill, and that is what will be before the Senate. That is what we are asking for.

The Senator from Montana (Mr. MANSFIELD) told me the other day that the Senator from Colorado (Mr. DOMINICK) was going to offer his substitute on the floor. We discussed it in the committee, but we reported the measure without it. The Senator from Colorado is going to offer it on the floor, and it will come up on Tuesday, which is the late President Eisenhower's birthday. I do, by all means, want to dispose of that matter before the Senate adjourns tomorrow night.

Mr. SCOTT. I hope the Senator from Colorado may be heard on that, but that he would not wish to be heard at too great length, so that we could dispose of it tomorrow.

Mr. DOMINICK. We cannot dispose of it tomorrow, so long as the OEO bill is pending. I made this point to the Senator from Massachusetts earlier. If we could get to the silver dollar measure first tomorrow, we could dispose of it.

XUM

Mr. SPARKMAN. Senator DOMINICK told me that he thought an hour would be sufficient for his substitute.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. JAVITS. Mr. President, we are faced with a situation, not a theory.

Mr. President, the Senator from California is exercising the right of any Senator. He is not delaying the bill. He had made other arrangements. We will protect him until tomorrow. There is going to be only a general statement on the OEO bill this afternoon. Why not dispose of the silver bill now?

Mr. DOMINICK. I am not ready.

Mr. JAVITS. I am sorry.

Mr. President, I withdraw that suggestion because the Senator from Colorado informs us he is not ready.

Mr. DOMINICK. I will be ready tomorrow.

Mr. JAVITS. Perhaps we could dispose of it tomorrow if the Senator from Colorado would cooperate to that extent.

Mr. SCOTT. Mr. President, who has the floor?

The PRESIDING OFFICER. The Senator from Massachusetts has the floor.

Mr. SCOTT. Mr. President, will the Senator yield to me briefly.

Mr. KENNEDY. I yield.

Mr. SCOTT. Mr. President, I would like to sound out the possibility of our convening tomorrow at 10 o'clock and then proceeding to an agreement for 2 hours debate on the OEO bill, with the vote to occur not later than 12:30 tomorrow.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, it is the intention of the leadership to have the Senate convene at 10 o'clock tomorrow morning.

Mr. BYRD of West Virginia. Mr. President, may we have order so we can hear the Senator?

The PRESIDING OFFICER. The Senate will be in order.

Mr. KENNEDY. Mr. President, I would like to ask the indulgence of the ranking minority member of the Committee on Labor and Public Welfare. It is the intention of the leadership to have the Senate convene at 10 o'clock tomorrow morning to continue the debate on the OEO bill, to make every effort to accommodate the request of the Senator from California, and it is hoped to have votes in the early part of the afternoon. It is my hope we can complete action on the OEO bill tomorrow afternoon. Next we would bring up the Eisenhower coin authorization bill. As we proceed through the day, I wish to indicate to the distinguished minority leader, we certainly want to be accommodating in terms of the birthday anniversary of President Eisenhower. We are hopeful we can complete the business before, but if by midafternoon we find we are unable to do so, I can give my assurance to the distinguished minority leader that I will be flexible in its consideration, although it should be remembered that unanimous consent will be required to set the OEO bill aside if it is not concluded. I hope we can finish the OEO bill early in the afternoon.

Mr. SCOTT. Mr. President, I appreciate the statement of the acting majority leader. I would like to take advantage of the suggestion of the acting majority leader that if we find progress to be slow on the bill now pending, we might ask that it be set aside temporarily and take up the Eisenhower dollar, and, of course, accommodate those who have any concern.

Mr. JAVITS. Mr. President, I would not wish by my silence to agree to that arrangement. The Senator from Alabama (Mr. SPARKMAN) and I are under great time pressure, too. In the face of reality, the Senator from Wisconsin (Mr. NELSON) will go ahead; and I will speak on the bill tonight. Let us see how we get along. I will try to work out something to present to our leader, the Senator from Pennsylvania (Mr. SCOTT).

ORDER FOR ADJOURNMENT TO 10 A.M. TOMORROW

Mr. KENNEDY. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

ECONOMIC OPPORTUNITY AMENDMENTS OF 1969

The Senate resumed the consideration of the bill (S. 3016) to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, to authorize advance funding of such programs, and for other purposes.

PRIVILEGE OF THE FLOOR

Mr. MONDALE. Mr. President, I ask unanimous consent that Mr. Sidney Johnson be permitted on the floor during the consideration of the OEO bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I make the same request for Mr. John Scales.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON. Mr. President, I ask unanimous consent that the professional staff members of the Committee on Labor and Public Welfare be admitted to the Chamber during the consideration of S. 3016, the proposed Economic Opportunity Amendments of 1969.

The PRESIDING OFFICER. Without objection, it is so ordered.

A BROAD CONSENSUS ON EXTENDING OEO

Mr. NELSON. Mr. President, the Labor and Public Welfare Committee has reported to the Senate a truly bipartisan bill to extend the Office of Economic Opportunity through June 30, 1971, as the administration has requested.

This is a responsible and realistic bill, which represents a meeting of minds of widely differing shades of opinion.

Through painstaking work in subcommittee and committee, the differences have been progressively narrowed down to the point where the bill before the Senate today represents a broad consensus, acceptable to many Senators in both the majority and minority, to the broad range of organizations interested in this legislation, and consistent with the goals which the administration has developed itself.

Obviously, a bill which seeks to achieve such a broad base of acceptance cannot be totally satisfactory to any one group. But at the same time, if we are to continue in a responsible way to deal with the problems of poverty which concerns all Senators and which concern the Nation, we must design legislation which can command the support of persons of many different points of view.

This is such legislation. We will outline it in detail to the Senate, and we hope the Senate will then ratify it and send it on to the House.

A 2-YEAR EXTENSION

Briefly summarized, the bill reported to the Senate by the Labor and Public Welfare Committee is a straight 2-year extension of the Office of Economic Opportunity, with no major substantive changes in its programs. It authorizes the budget which the administration requested, program by program, and then proposes modest additional authorizations for eight selected programs, based on testimony before the Subcommitee on Employment, Manpower, and Poverty during our public hearings.

For fiscal 1970, the bill authorizes $2.048 billion as requested by the administration, plus $292.1 million in additional authorizations, for a total of $2.34 billion.

For fiscal 1971, the bill authorizes $2.148 billion plus $584.2 million in additional authorizations, for a total of $2.732 billion.

The administration had requested an open ended authorization for the second of the 2 years, using the phrase "such sums as may be necessary" for the authorization. Senators in both the minority and majority felt that a definite authorization was preferable. Representatives of OEO suggested a basic second year authorization 10 percent higher than the first years, or about $2.253 billion. However, the committee after, careful consideration agreed on the figure of $2.148 billion as a suitable second year basic authorization.

Each of the funding items in the bill has already been the subject of careful negotiation and compromise. There are no "pie in the sky" figures in this bill. Each can be carefully justified, and the Senate can be assured that these funds, if appropriated, can be responsibly and productively spent.

EARMARKING WITH FLEXIBILITY

The bill also steers a careful middle ground between the twin goals of giving the administration administrative flexibility while at the same time preserving the right and the responsibility of the Congress to direct how public funds shall be spent. This, too, was accomplished through careful negotiation and compromise.

The administration would have preferred a simple, lump sum authorization with no directive from the Congress as to how the money would be allocated within the eight titles of the Economic Opportunity Act. The committee felt that to grant such a lump sum authorization would be to fail to meet the responsibilities of the Congress, and would lead to confusion and uncertainty as to the future of the various programs operated by OEO, by its local agencies, and by other Federal agencies to which it has delegated programs. A lump sum authorization, the committee felt, would make legislative oversight extremely difficult.

The committee resolved this difference by specifically earmarking funds for many of the the successful OEO "special emphasis" programs.

However, for each program, the amount earmarked by the committee is the precise amount which the administration requested in its budget presentation. Any additional authorizations in the bill are handled separately and clearly identified as additions.

Furthermore, in two major areas, the committee's earmarking is so broad as to leave the administration considerable latitude in deciding precisely how the funds shall be allocated. These areas are in community action and in work and training programs, both areas where it seemed desirable to give the administration an authorization ceiling and then let it decide how best to allocate the funds within the various activities operated under that title.

A 15-PERCENT FLEXIBILITY GIVEN

Most important of all, in resolving this matter we combined the earmarking of funds with a new flexibility feature which both the minority and majority in the committee, and representatives of the administration, found to be very desirable.

Under this feature, the Director of OEO is authorized to reduce any earmarked authorization figure by up to 15 percent, and reallocate the funds saved in that manner to any other authorized program within his agency. Furthermore, the director may make a number of such reductions, group the savings together, and allocate them to other authorized programs.

In this manner, for instance, he could greatly increase funds for research, pilot programs and evaluation, an area which the administration has said it wants to emphasize, by reducing other programs by up to 15 percent.

WHAT BILL DOES NOT DO

It might be helpful to discuss some of the things which this bill does not do.

It does not attempt to revoke the reorganization of OEO recently ordered by the President. The committee intends to maintain legislative oversight over OEO and its programs as a part of its continuing responsibilities, but this bill does not seek to deal with the reorganization question.

It does not seek to change any orders which have been issued to delegate OEO programs to other agencies, such as the delegation July 1 of the Job Corps to the Labor Department and the Headstart program to the Department of Health, Education, and Welfare.

It does not seek to restore funds for the Jobs Corps or the Neighborhood Youth Corps programs which were cut by the administration.

It does not preclude or prejudge the welfare reform or comprehensive manpower proposals which the administration recently sent to Congress.

It does not make any major substantive changes in OEO programs, or direct OEO into any major new areas. Programs on alcoholism and drug rehabilitation, already mentioned in the act, are more sharply defined as special emphasis programs, as proposed by Senator DOMINICK and Senator HUGHES, and protection against delegation of the legal services program to another Federal agency is written into the bill. Other than that there are no changes in OEO programs.

In short, this bill is essentially what the administration requested—a 2-year extension of OEO with no major substantive amendments. The principal changes in the bill merely involve funding levels. The administration itself revised the funding levels from previous years; such revisions are inevitable whenever a program is extended and should not be considered substantive changes in the act.

AREAS OF AGREEMENT

As I said at the outset, this bill has been progressively revised, section by section, in an effort to reach the broadest possible consensus.

So far as I know, the only areas of difference remaining among Senators who have participated in discussions on the bill involve the question of how much should be added to the basic administration authorization request for the various programs.

Even these additional authorizations have been repeatedly compromised in committee, so I believe the range of differences is extremely narrow.

We members of the committee who requested the additional authorizations are prepared to justify them here on the floor.

The Senate will, of course, have a further opportunity to review the precise authorizations when the appropriations bill comes to the floor.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. NELSON. I yield.

Mr. BYRD of West Virginia. Does the bill leave with the Governors of the several States the prerogative of vetoing the list of workers?

Mr. NELSON. We leave the veto power that is in the bill in the hands of the Governor of a State, without change from the current provision.

FIVE YEARS OF OEO

Mr. NELSON. Mr. President, we have now had 5 years of experience with the Office of Economic Opportunity. We all know that this new agency, which was given an extremely difficult task which no other agency had been able to resolve, encountered a great many difficulties in the early years of its life.

Two years ago, our committee made an unusually exhausive review of the OEO, and our committee made quite a few amendments in the act. The benefits of these revisions, and the benefits of 5 years of practical experience, are beginning to be felt in OEO.

The comprehensive audit of OEO, conducted by Comptroller General and the General Accounting Office under a 1967 amendment sponsored by Senator PROUTY, has further increased our understanding of this agency working in this challenging area. The GAO audit will lead to further improvements.

The administration has made an impressive argument in favor of a 2-year extension of OEO.

As the new Director of OEO, Mr. Donald Rumsfeld testified before our subcommittee:

> A 2 year extension, the President believes, will improve the management of this program by allowing longer range planning and making possible more orderly and efficient allocation of funds. It will lead to better recruiting by guaranteeing to those whose talents are needed that the commitment to deal with these problems exists. It should improve the potential for results by insuring the continuity and flexibility that an innovative agency needs. The extension will give greater assurance to those who initiate experiments that even though a particular program may not prove successful, the lessons learned will be put to use, and the larger effort will continue.

Mr. President, I am impressed by the statement, "the lessons learned will be put to use."

I think this is exactly what Congress had in mind for OEO. And of course if the lessons learned are to be put to use, it is important not to terminate worthwhile programs abruptly before they have had a chance to demonstrate their potential.

The new Director of OEO has provided our committee with strong assurances of his desire to strengthen the administration of OEO, and to emphasize research, evaluation, and experimentation.

THE DIMENSIONS OF POVERTY

In assessing the justification of the various funding authorizations contained in this bill, it is helpful to compare the real needs of the Nation with the relatively small number now being served. I think anyone reviewing the testimony as to the needs would come to see this bill as a very modest investment toward helping to correct some of the deepest ills of our society.

For example, the latest figures developed by the Budget Bureau and the Census Bureau tell us that there are 25,400,000 Americans living in poverty. This bill would invest approximately $100 for each such person, and would use the money largely for job training, medical and dental care, remedial education, and legal counseling. It is important to remember that more than 75 percent of this OEO budget goes for the highly acceptable purposes of job training, health, and education.

To cite another example, a total of 667,000 children were served by the Headstart program in 1969. Unless we increase the authorization as proposed in this bill, the number served in 1970 will drop to 488,000 because the administration wants to shift over to more effective—but more costly—year round programs. But experts have testified before our subcommittee that there are about 6 million disadvantaged children who really need the kind of help Headstart can give them.

Mr. PERCY. Mr. President, will the Senator yield for a comment?

Mr. NELSON. Yes; I yield.

Mr. PERCY. I very much appreciate your permitting this interruption. I must leave the floor, but I would not like to do so without commending the committee for the exceptionally fine work that has been done in carefully reviewing the OEO program. The committee has unemotionally looked at the program, the innovations, and the reforms that have been proposed by the administration, and is supporting what I consider to be a well thought-out program.

We know that the war on poverty has been the butt of criticism, some of it justified, because it has been a new program. I think the committee, in supporting the bill, however, has strengthened the war on poverty and its administration. It has demonstrated its dedication to eradicating poverty in this country to the extent we possibly can. It has strengthened the existing programs that have proven themselves of value by transferring, and intending to continue to transfer, these programs and others to agencies that are permanently established to fulfill their purpose thus leaving OEO as the innovative and creative body designed to pioneer and break new ground.

The distinguished chairman has mentioned the Director of the OEO and his appearances before the committee. Mr. Donald Rumsfeld served as Congressman from my district for many years and is a longtime friend of mine. Almost more than any other man in Government, I admire him for taking on this job, for the administrative skill he brings to it, and his sense of dedication.

Those who have criticized him—and there have been some since none of us in public life are free from criticism—I think have not seen him from the standpoint or the vantage point that I see him. I have observed the deep feeling of conviction in Don Rumsfeld needed for carrying forward a program that has now been, well thought through. In its reform features, this program can perform better in the future than it could perform in the past.

Also, I believe we, and OEO are very fortunate to have Mrs. Carol Khosrovi serve as Director of Congressional and Intergovernmental Relations. She has served with the minority whip in the past, with Representative ROBERT TAFT, and with me for 2½ years as my legislative assistant.

Mr. NELSON. Mr. President, let me interject that the committee has been very pleased with the cooperation of Mrs. Khosrovi, who is a very talented person, and very helpful to the committee.

Mr. PERCY. I had fought hard not to lose her, but am pleased that, again, a woman has been placed in a very high position of responsibility.

She is a perfectly amazing person from the standpoint of her knowledge of government, her dedication, her administrative skill, and her soft heart and hard head as she carries these programs through. So I believe administratively we and OEO now have the tops in fine people.

I think Congress can now play a very important role. It is right for us to oversee and criticize, but it is wrong for us not to commend and point out programs that have been successfully executed. I hope that from time to time, in our oversight responsibility, we will give attention to those programs that are being successfully carried forward, because morale within the organization is a very important factor. That is why the 2-year extension, giving a degree of permanency to OEO that it has not had in the past and would not have with a 1-year extension, is extremely important to OEO in attracting good people.

I again commend the committee for the fine work it has done, and pledge my support for this report and for the bill, and any assistance that I can offer in these areas of great need.

Mr. NELSON. In behalf of the committee, I thank the senior Senator from Illinois.

This bill is the result of a good many days of cooperative, bipartisan effort on the part of both the minority and the majority, with each side making substantial and important contributions; and, on the whole, I think it is an excellent bill.

Mr. PERCY. Mr. President, if I might make one further remark. I noticed a comment in a syndicated column recently that the Director of the OEO had refurbished an office. The article gave the impression that the office was now rather elaborate. I believe that statement was based on total misinformation. The offices of the war on poverty are, at least some of them, threadbare. They are certainly not lavish by any standards; and I did want to the opportunity simply to assert that, from my standpoint, there has been no expenditure on behalf of the executive staff that is not fully warranted. Certainly the description that I read and my knowledge of the office that the Director maintains are 180 degrees opposed.

Mr. NELSON. I thank the Senator.

Mr. President, the Follow Through program can serve less than one-fourth of the children eligible for it.

A hunger expert told our subcommittee that there are 15 million chronically hungry or malnourished poor people in America. The emergency food and medical services program in this bill, even if fully funded, would invest slightly over $10 for each of those hungry people, in the hope of bringing them into some established food program, tiding them over an emergency, and accumulating some new knowledge on how to prevent such hunger in the future through better nutrition programs and more nutritious food.

The increased funding we have recommended for the legal services program is described by the American Bar Association as "absolutely the minimum acceptable."

The OEO estimates that 5 million medically indigent women would like family planning assistance. This bill would enable OEO to serve 280,000, and that would bring the number served by all such family planning programs, public and private, to an estimated 750,000—once again, just a fraction of the need.

And you could go through this bill program by program and make similar comparisons. These authorizations are the bare minimum needed to make some impact on a desperate nationwide problem, the minimum needed if we are even to measure the effectiveness of such programs to make intelligent decisions on what to do in the future.

In summary, let me say to the Senate again:

This is moderate, responsible legislation, which has gone through the traditional process of public hearing, debate, discussion, negotiation and compromise. The result is a new bill which will meet the minimum requirements which the administration and the committee have determined to exist.

I hope that the Senate will act promptly on this legislation, and send it over to the House of Representatives.

Mr. President, I ask unanimous consent that a section-by-section analysis of the bill be printed in the RECORD at this point, together with tables listing the programs for which funds are earmarked, the amount requested by the administration, and the amount earmarked for each of the 2 fiscal years.

There being no objection, the requested items were ordered to be printed in the RECORD, as follows:

TABLE 1.—ECONOMIC OPPORTUNITY ACT BUDGET FOR FISCAL YEARS 1969 AND 1970
OFFICE OF ECONOMIC OPPORTUNITY

[In millions of dollars]

	Fiscal year 1969 program distribution	Fiscal year 1970	
		Johnson budget	President Nixon's budget
Title I:			
Pt. A (Job Corps)	280.0	280.5	180.5
Pt. B (work and training)	632.7	721.8	709.8
Pt. D (special impact)	22.0	46.0	46.0
Title II (community action programs)	933.0	1,032.7	1,012.7
Sec. 222(a)(1), Headstart	(322.9)	(338.0)	(338.0)
Sec. 222(a)(2). Follow Through	(30.0)	(60.0)	(60.0)
Sec. 222(a)(3), legal services	(42.0)	(50.0)	(58.0)
Sec. 222(a)(4), comprehensive health services	(54.2)	(90.0)	(80.0)
Sec. 222(a)(5), emergency food and medicaid services	(23.5)	(17.0)	(25.0)
Sec. 222(a)(6), family planning	(12.6)	(15.0)	(15.0)
Sec. 222(a)(7), senior opportunities and services	(4.9)	(3.8)	(8.8)
Title III:			
Pt. A (rural loans)	6.0	12.0	12.0
Pt. B (mirgant and seasonal farmworkers)	27.3	34.0	34.0
Title VI (administration and corodination)	15.0	16.0	16.0
Title VIII (VISTA)	32.0	37.0	37.0
Total	1,948.0	2,180.0	2,048.0

TABLE 2.—PROPOSED "ECONOMIC OPPORTUNITY AMENDMENTS OF 1969" APPROPRIATIONS AUTHORIZED FOR FISCAL YEAR 1970

[In millions of dollars]

	Fiscal year 1970 allocations based on President's budget (sec. 3(b))	Fiscal year 1970 additional appropriations authorized (sec. 3(c))	Fiscal year 1970 total authorization if fully funded
Title I, pts A and B (work and training)	890.3		890.3
Title I, pt. D (special impact)	46.0	7.0	53.0
Title II, Community action programs:			
Headstart	338.0	120.0	458.0
Follow Through	60.0		60.0
Legal services	58.0	16.0	74.0
Health services	80.0	40.0	120.0
Emergency food and medical services	25.0	75.0	100.0
Family planning	15.0		15.0
Senior opportunities and services	8.8	1.6	10.4
Funds not earmarked	427.9		412.9
Funds reserved for new programs:			
Alcoholic counseling and recovery		(10.0)	10.0
Drug rehabilitation		(5.0)	5.0
Title III, pt. A (rural loans)	12.0		12.0
Title III, pt. B (migrant and seasonal farmworkers)	34.0	7.5	41.5
Title IV, pt. B (day dare projects)		25.0	25.0
Title VI (administration and coordination)	16.0		16.0
Title VII (VISTA)	37.0		37.0
Total	2,048.0	292.1	2,340.0

TABLE 3.—PROPOSED "ECONOMIC OPPORTUNITY AMENDMENTS OF 1969" APPROPRIATIONS AUTHORIZED FOR FISCAL YEAR 1971

[n millions of dollars]

	Fiscal year 1970 allocations based on President's budget (sec. 3(b))	Fiscal year 1971 additional authorized appropriations (sec. 3(c))	Fiscal year 1971 total authorization if fully funded
Title I, pts. A and B (work and training)	$890.3		$890.3
Title I, pt. D (special impact)	46.0	$14.0	60.0
Title II—Community action programs:			
Headstart	338.0	240.0	578.0
Follow through	60.0		60.0
Legal services	58.0	32.0	90.0
Health services	80.0	80.0	160.0
Emergency food and medical services	25.0	150.0	175.0
Family planning	15.0		15.0
Senior opportunities and services	8.8	3.2	12.0
Title II funds not earmarked	427.9		397.9
Funds reserved for new programs:			
Alcoholic counseling and recovery		(15.0)	15.0
Drug rehabilitation		(15.0)	15.0
Title III, pt. A (rural loans)	12.0		12.0
Title III, pt. B (migrant and seasonal farmworkers)	34.0	15.0	49.0
Title V, pt. B (day care projects)		50.0	50.0
Title VI (administration and coordination)	16.0		16.0
Title VII (VISTA)	37.0		37.0
Total	2,048.0	584.2	2,632.2
Additional unearmarked portion of fiscal year 1971 authorization if fully funded to be used in Director's discretion			100.0
Total			2,732.2

SECTION-BY-SECTION ANALYSIS OF ECONOMIC OPPORTUNITY AMENDMENTS OF 1969

SECTION 1. SHORT TITLE

Section 1 of the bill provides that this legislation may be cited by the short title of "Economic Opportunity Amendments of 1969."

SECTION 2. EXTENSION OF ECONOMIC OPPORTUNITY ACT

Section 2 extends the duration of the authority of the Director of the Office of Economic Opportunity to carry out programs under the Economic Opportunity Act for 2 years beyond the existing law's expiration date of June 30, 1970.

SECTION 3. AUTHORIZATION OF APPROPRIATIONS

Section 3(a) authorizes appropriations of $2,048 million for fiscal year 1970 and $2,148 million for fiscal year 1971 for carrying out the Economic Opportunity Act. (For authorization of additional appropriations for specified programs, see sec. 3(c).)

Section 3(b) sets forth the basic amounts to be earmarked for specific programs under the Economic Opportunity Act out of appropriations made pursuant to subsection (a). Amounts are earmarked by title or parts thereof; and, in the case of title II, part of the amounts for that title are earmarked with portions to each of the special emphasis programs set forth in section 222(a). For both fiscal years 1970 and 1971, the same amounts are earmarked for each of the items each year. (The amounts earmarked add up to a total of $2,048 million, earmarked for each of the 2 fiscal years. With respect to fiscal year 1971, this would leave $100 million unearmarked if the appropriations authorization of $2,148 million is fully funded.)

If the sums appropriated fall short of the total ($2,048 million) necessary to fund fully each earmarked category, then the amounts specified for each item must be prorated by reducing ratably each of the amounts.

All of the bill's provisions with respect to earmarking are subject to section 616 of the Economic Opportunity Act, which (as **amended by section 4 of the bill, described below) authorizes up to 15 percent of the funds earmarked for any category to be transferred to any other program or activity under the Economic Opportunity Act.**

Following are the amounts which subsection (b) earmarks for the various purposes of the Economic Opportunity Act.

(1) $890,300,000 for parts A and B of title I (work and training programs).

(2) $46 million for part D of title I (special impact programs).

(3) $1,012,700,000 for title II (urban and rural community action programs), of which $338 million shall be for the Project Headstart program, $60 million for the follow through program, $58 million for the legal services program, $80 million for the comprehensive health services program, $25 million for the emergency food and medical services program, $15 million for the family planning program, and $8,800,000 for the senior opportunities and services program.

(4) $12 million for part A of title III (rural loan programs).

(5) $34 million for part B of title III (assistance for migrant, and other seasonally employed farmworkers and their families).

(6) $16 million for title VI (administration and coordination).

(7) $37 million for title VIII (domestic volunteer service programs—VISTA).

Section 3(c) authorizes these additional appropriations (over and above appropriations authorized above) for specified programs under the Economic Opportunity Act.

(1) $7 million for fiscal year 1970, and $14 million for fiscal year 1971, for special impact programs (title I–D).

(2) $120 million for fiscal year 1970, and $240 million for fiscal year 1971, for Project Headstart.

(3) $16 million for fiscal year 1970, and $32 million for fiscal year 1971, for legal services.

(4) $40,000,000 for fiscal year 1970, and $80,000,000 for fiscal year 1971, for comprehensive health services.

(5) $75,000,000 for fiscal year 1970, and $150,000,000 for fiscal year 1971, for emergency food and medical services.

(6) $1,600,000 for fiscal year 1970, and $3,200,000 for fiscal year 1971, for senior opportunities and services.

(7) $7,500,000 for fiscal year 1970, and $15,000,000 for fiscal year 1971, for assistance for migrant and seasonal farmworkers (title III–B).

(8) $25,000,000 for fiscal year 1970, and $50,000,000 for fiscal year 1971, for day care projects (title V–B).

SECTION 4. AMENDMENT TO PROVIDE INCREASED FLEXIBILITY IN USE OF FUNDS

Section 616 of the Economic Opportunity Act provides that, notwithstanding any limitation on appropriations for any program or activity under this act or any act authorizing appropriations for such program or activity, up to 10 percent of the amount appropriated, or allocated from any appropriation, to carry out any such program may be transferred to be used in carrying out any other program or activity under the act.

Clause (1) of section 4 of the bill would amend the above-described provisions by increasing the percentage which may be transferred from 10 to 15 percent of the allocation for any program.

In addition, clause (2) of section 4 of the bill would remove the existing law's restriction which prevents the transfer of funds to other programs in such a manner as to result in increasing by more than 10 percent the amounts otherwise available for any program or activity.

SECTION 5. ADEQUATE LEADTIME

Section 5(a) amends the Economic Opportunity Act to provide for advance funding of programs under the Economic Opportunity Act by authorizing the inclusion of the appropriation for a particular fiscal year in the appropriation act for the preceding fiscal year.

Subsection (b) of section 5 of the bill makes clear that, in the transition from the present funding pattern to the advance funding pattern, the amendment made by subsection (a) (as described above) is applicable even though during the first year of the changeover the appropriation bill or bills may contain two separate appropriations—one for the then current fiscal year as well as another making the advance appropriation for the succeeding fiscal year.

SECTION 6. PARTICIPATION OF CHILDREN IN HEADSTART PROJECTS

Section 6 adds language to section 222 (a) (1) of the act to provide that persons who are not members of low-income families may be permitted to receive services in Headstart projects. That provision would be implemented pursuant to regulations prescribed by the Director. The amendment further provides that, where a family's income is, or becomes through employment or otherwise, such as to make payment appropriate, a family which is not low income may be required to make payment, in whole or in part, for services provided in a Headstart project.

SECTION 7. TECHNICAL AMENDMENT REGARDING OBLIGATION OF APPROPRIATIONS

Section 7(a) contains a technical amendment to the Economic Opportunity Act to make clear that a proposed contract, agreement, grant, loan, or other assistance under the act shall be obligated, if finally approved, out of the appropriation for the fiscal year current at the beginning of the 30-day period afforded the Governor for his consideration, rather than at the end of the review period.

Subsection (b) confirms past practice in accordance with the above-described amendment.

SECTION 8. NEW SPECIAL EMPHASIS PROGRAMS AUTHORIZED

Section 8 amends section 222(a) of the Economic Opportunity Act by adding two new programs:

The proposed new paragraph (8) establishes an "Alcoholic Counseling and Recovery" program designed to discover and treat the disease of alcoholism. The program should be community based, serve the objective of the maintenance of the family structure as well as the recovery of the individual alcoholic, encourage the use of neighborhood facilities and the services of recovered alcoholics as counselors, and emphasize the reentry of the alcoholic into society rather than the institutionalization of the alcoholic.

The Director shall reserve and make available for carrying out the Alcoholic Counseling and Recovery program not less than $10 million for fiscal year 1970 and not less than $15 million for fiscal year 1971 out of the sums appropriated, or allocated from appropriations, for title II of the Economic Opportunity Act.

The proposed new paragraph (9) establishes a "Drug Rehabilitation" program designed to discover the causes of drug abuse and addiction, to treat narcotic and drug addiction and the dependence associated with drug abuse, and to rehabilitate the drug abuser and drug addict. Such program should deal with the abuse or addiction resulting from the use of narcotic drugs such as heroin, opium, and cocaine, stimulants, such as amphetamines, depressants, marihuana, hallucinogens, and tranquilizers. Such program should be community based, serve the objective of the maintenance of the family structure as well as the recovery of the individual drug abuser or addict, encourage the use of neighborhood facilities and the services of recovered drug abusers and addicts as counselors, and emphasize their reentry into society rather than their institutionalization.

The Director shall reserve and make available for carrying out the Drug Rehabilitation program not less than $5 million for fiscal year 1970 and not less than $15 million for fiscal year 1971 out of the sums appropriated, or allocated from appropriations, for title II of the Economic Opportunity Act.

SECTION 9. AMENDMENT WITH RESPECT TO DIRECTOR'S AUTHORITY TO DELEGATE FUNCTIONS

Section 9 provides that the authority of section 602(d) of the Economic Opportunity Act (authorizing delegation of the Director's powers to the heads of other Federal agencies) shall not apply to the legal services program authorized under section 222(a) (3) of such act. Section 9 further provides that the Director of the Office of Economic Opportunity shall not delegate the legal services program to any other existing Federal agency.

SECTION 10. CREDITING SERVICE OF A VISTA VOLUNTEER

Section 10(a) of the bill amends subsections (b) and (j) of section 8332 of title 5, United States Code, to provide that, if a person who has been a VISTA volunteer later becomes a Government employee subject to civil service retirement, the period of service as a VISTA volunteer shall be credited (i.e., the time is credited if the employee pays into the fund to cover such period).

Section 10(b) amends section 833 of the Economic Opportunity Act by adding a new subsection providing that any period of service as a VISTA volunteer shall be credited in the same manner as civilian employment by the U.S. Government for subsequent service to which the Foreign Service and civil service retirement systems are applicable, and, except as otherwise determined by the President, for the purposes of determining seniority, reduction in force, and layoff rights, leave entitlement, and other rights and privileges based upon length of service under the Civil Service and Foreign Service laws.

Section 10(c) provides that amendments made by this section shall be effective as to all former volunteers employed by the U.S. Government on or after the effective date of this legislation.

SECTION 11. AUDIT REQUIREMENT

Section 11 of the bill amends section 243 of the Economic Opportunity Act for adding a new subsection providing that the Comptroller General of the United States or his representatives shall have access for the purpose of audit and examination to any books, documents, papers, and records that are pertinent to the financial assistance received by any agency under title II of the act.

SECTION 12. USE OF CLOSED JOB CORPS CENTERS FOR SPECIAL YOUTH PROGRAM

Section 12(a) provides that the Director of the Office of Economic Opportunity shall establish procedures and make arrangements designed to assure that facilities and equipment at closed Job Corps centers will be made available for use by State or Federal agencies and other public or private agencies, institutions, and organizations for special youth programs.

Such agency must have satisfactory arrangements for utilizing the facilities and equipment for conducting programs, especially for low-income disadvantaged youth, such as the following examples: Special remedial programs; summer youth programs; exemplary vocational preparation and training programs; cultural enrichment programs, including music, the arts, and the humanities; training programs designed to improve the qualifications of educational personnel, including instructors in vocational educational programs; and youth conservation work and other conservation programs.

Subsection (b) provides that the Director of the Office of Economic Opportunity shall consult with, elicit the cooperation of, and utilize the services of the Administration of the General Services Administration, and the Secretaries of Agriculture, of the Interior, and of Labor, to achieve the objectives of this section.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. NELSON. I yield.

Mr. MONDALE. As a majority member of the Committee on Labor and Public Welfare and the Subcommittee on Poverty and Manpower, I know I speak for all of the members on our side of the table when I express our appreciation to the distinguished Senator from Wisconsin for the remarkable way in which he conducted the hearings and developed the legislation which enjoys such broad bipartisan support here today. I think the committee bill advances the objectives underlying the Economic Opportunity Act objectives which we continue to work for, and hopefully achieve. To achieve these objectives we are acting on this measure today and hopefully will pass it tomorrow. I wish personally to join other Senators in commending the Senator from Wisconsin for his gifted and creative leadership.

Mr. President, I rise to express my support for S. 3016, a bill reported by the Senate Labor and Public Welfare Committee to extend the Office of Economic Opportunity. This bill, which extends the authorizations for the Economic Opportunity Act for 2 years, and provides increased funds for its most successful programs, will strengthen and improve desperately needed antipoverty efforts. It provides the administration with substantially increased flexibility, and with the 2 year extension it requested, while authorizing modest, yet vitally needed increased funding for programs such as Headstart, legal services, comprehensive health services, and emergency food and medical services.

The need for this legislation was graphically portrayed by witness after witness testifying before the Subcommittee on Employment, Manpower, and Poverty, and is perhaps best summarized in the following passage from the report of the Committee on Labor and Public Welfare on this bill:

> Despite the apparent affluence of the Nation as a whole, poverty, and the social problems which go with it, remains a deeply serious problem in America and demands the urgent attention of the federal government. . . . Although there are (and perhaps always will be) differences of opinion as to the precise manner in which to attack the problems of poverty, there is almost universal agreement that vigorous governmental action is needed, and that substantial resources must be committed to the fight.

While other problems and other programs such as the war in Vietnam, inflation, and the moonshot compete for the Nation's attention and the Nation's resources, we cannot afford to ignore the problems of poverty. Although important progress has been made in recent years, over 25 million Americans are still mired in poverty and deprivation. Our country simply cannot tolerate this tremendous destruction and waste of human resources. We need to invest more into efforts to prevent and remedy the conditions of malnutrition, cultural deprivation, financial need, ill health, that plague the poverty stricken. I believe that S. 3016 will strengthen and improve our efforts to eradicate poverty in America, and I ask my colleagues to support it.

The committee bill adopts President Nixon's budget proposals for OEO and then adds additional funds for Head-

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start, legal services, comprehensive health services, emergency food and medical services, migrant and seasonal farmworker programs, senior opportunities, day care, and special impact programs. I support the increased authorizations for all these programs, and would like to discuss several of them in particular.

HEADSTART

In addition to the $338 million requested by President Nixon for Project Headstart, the committee bill adds a $120 million extra authorization for fiscal year 1970 and a $240 million extra authorization for fiscal year 1971.

The need for these immediate yet modest authorization increases for Headstart became evident during recent hearings which the Employment, Manpower, and Poverty Subcommittee held on S. 2060, a bill I introduced entitled "The Headstart Child Development Act of 1969." These hearings revealed the crucial effects of the first years of life, the ways poverty and deprivation can prevent children from reaching their full potential, and the effectiveness of Project Headstart and other early childhood programs which provide health care, nutritional aid and education stimulation to impoverished children. They clearly indicated that while we may not have discovered all the solutions to all early childhood problems, we do know how to prevent a great deal of nutritional, health, and intellectual damage from occurring.

During these hearings the subcommittee learned about the effectiveness of current Headstart efforts, and about the administration's plans to substitute full year Headstart programs for many of the summer Headstart programs which are currently being funded. The hearings further revealed the pilot-like nature of the Headstart program. It became evident from testimony presented that Headstart is barely scratching the surface of need by serving only about 10 percent of the 6 million disadvantaged children under age 6 who should be offered Headstart opportunities.

In its congressional presentation, further supported by the administration's testimony on S. 2060, OEO said:

> Evaluative evidence gathered so far suggests that full year programs are more effective than summer in fostering sustained developmental gains.

On the basis of this knowledge, the administration proposes, and I strongly support, plans to substitute full year Headstart programs for many of the summer Headstart programs currently being funded. This proposal is based at least in part on one of the major recommendations of the Westinghouse Learning Corp.'s study on Headstart effectiveness. That recommendation states that summer programs "should be phased out as early as feasible and converted into full year or extended year programs."

However, because Headstart programs cost approximately $800 more per child than summer programs, if this substitution occurs without increasing the budget, a sustantial reduction in Headstart opportunities will be required. The administration estimated, for example, that approximately 180,000 fewer Headstart opportunities would be available during fiscal year 1970 if conversion progresses as they expect and if no more funds are provided.

The committee concluded that a cutback in the number of children served by this program cannot be justified. Increased authorizations recommended by the committee are designed to permit the conversion of summer programs to full year programs to occur without requiring a decrease in the number of children served. I strongly urge my colleagues in the Senate to retain this very important provision, and then work with me to gain the necessary appropriations so that Headstart program is not cut back any further.

Mr. President, I think it will be observed that this is a modest objective. We are not asking that the number of children being served by Headstart be increased at all. We are simply struggling to keep the same number within the program. Despite the admitted and unargued need for a program that reaches some 6 million children who are estimated to be disadvantaged, this program, even with the increased authorization, would reach only about 600,000 children in this country.

I applaud President Nixon for helping to draw national attention to the critical importance of the first 5 years of life by pointing out that most of our institutions do little or nothing to furnish nutritional, educational, cultural, health, or any other kind of assistance to children who are in their most formative years of life.

Thousands and perhaps millions of American children now start school in the kindergarten or the first grade so far behind that they will never catch up or have a chance for a meaningful life.

If we really want to defeat poverty, reduce welfare loads, bring assistance to those who are poverty stricken, and afford an equal opportunity for all Americans, as we have said so often, we must begin a real effort in the first 5 years of life and give every child a real chance.

We are not doing so today. Fortunately, there are long overdue efforts, of which Headstart is one, to begin to do this. Surely this is no time to roll back our efforts and reduce the number of children being served.

I hope, therefore, that the increased authorization recommended by the committee will be adopted and will be matched by full funding so that we may sustain the effort now underway with the current number of children being served.

Mr. President, I would like to turn now to the legal services recommendations contained in the pending legislation.

LEGAL SERVICES

In addition to the $58 million requested by the administration for legal services, the committee bill adds an extra $16 million authorization for fiscal year 1970 and an extra $32 million authorization for fiscal year 1971.

I believe it is extremely important that the legal services program—perhaps the most successful of the OEO programs—be improved and strengthened. The American Bar Association, the National Bar Association, and the National Legal Aid and Defender Association have stated in testimony before the subcommittee in regard to the need for increased authorizations for legal services that "it has been and remains our opinion that a level of $90 million is necessary to meet the immediate need for legal services."

The committee report discussing these increased authorizations reveals very clearly the need for an expanded program. It notes, for example, estimates that only 15 percent of the poor have access to legal services' or VISTA's lawyers, and that many of the country's metropolitan areas have no organized legal aid services. It shows, moreover, that last year OEO received applications from over 100 communities, totaling $40 million, for new legal services programs which it had to turn down for lack of funds. I urge the Senate to retain these authorization increases for legal services so that the work of this program can be expanded and improved, and so that the Council on Legal Education Opportunity can receive more adequate funding for its programs designed to make available to disadvantaged students opportunities for law study and to facilitate their entry into the legal profession.

One of the remarkable efforts we have in this country today is that being undertaken by the American Association of Law Schools in cooperation with the American Bar Association to expand OEO legal services, to maintain and insure its integrity, and to bring into play the remarkable abilities and qualities of American law schools and their faculties to make legal representation for the poor a reality.

The attitude and the spirit of this effort is perhaps best summarized in the committee report on pages 19 and 20. It is a statement by Mr. John D. Robb, chairman of the American Bar Association's Committee on Legal and Indigent Defendants. He said this:

> I think one of the very important concepts of the legal services program, Mr. Chairman, is the idea of broad services to the poor. We are trying to convince the poor that in these legal services offices they have a true advocate who will take on anyone who opposes them and who picks on them unjustifiably. That includes everybody from the corner merchandise house that sells a shoddy TV, to General Motors, if necessary. It includes everybody from the welfare case worker who makes an unlawful recommendation to discontinue benefits to the Department of Health, Education, and Welfare itself, if necessary.
>
> I think this is terribly important. *I cannot really get across to the committee our sense of urgency about the need for expansion of legal services to try to repair the divisions that are taking place in our society.* We know from documented reports by various presidential commissions and by hearings that you yourself have participated in *that the poor by and large have little confidence in our society, in its structure, in its institution, in lawyers, in the law, in the court system and as a result, when their own rights are not honored it is not too surprising I think that they riot in the streets and that there is violence on our campuses.* (Italic supplied.)
>
> What we are trying to do in this program is to have a peaceful vehicle where these disputes can be taken from the strife torn campuses in the streets and the fire and burnings that are taking place and give these people a peaceful forum in which the grievances that they have against society can

> be aired, where their position can be set forth and where nobody can interfere with that lawyer's sole obligation to represent his client, not a local city, not a local unsympathetic mayor who may not believe in their cause and not an unsympathetic chief executive of a State government.

Mr. President, these are the words of the official representative of the American Bar Association. I congratulate him, and I congratulate the American Bar Association for its spirited and inspired advocacy of the size, the integrity, and the spirit of the program.

Mr. DOLE. Mr. President, will the Senator yield for a question?

Mr. MONDALE. I am glad to yield for a question.

Mr. DOLE. I am sorry that I have not heard all the remarks of the Senator from Minnesota, but I am wondering if he knows what percentage of the money in this program is used to pay attorney's fees in divorce cases and separate maintenance cases?

Mr. MONDALE. We had extensive hearings. I would have to check the record to see if it specifies the percentages in that area. I do not know.

Mr. DOLE. The point I make is that much of what the Senator from Minnesota has said is true. The lawyers perform a very specific service. But in effect we have the Federal Government subsidizing home wrecking. I think in some States it is very high. We have had 70 to 80 percent of the funds used for divorce cases and separate maintenance cases. So we had the Federal Government involved not in keeping people together but in breaking up families. I am wondering if this is the purpose of the program.

Mr. MONDALE. Is the Senator's question whether the purpose of the act is to break up families?

Mr. DOLE. The legal services portion, yes.

Mr. MONDALE. If that is the main purpose?

Mr. DOLE. I am asking the Senator the question because we subsidize lawyers to file divorce cases; and I recognize that in some instances, in order to get support, it is necessary to file a case for divorce or separate maintenance. While the Senator is lauding the program, I think it is well to point out that it is not quite all that rosy.

Mr. MONDALE. I think there are a few programs which have inspired the support of the public at large and of both political parties more than the OEO legal services.

Mr. DOLE. I know the lawyers like it.

Mr. MONDALE. I point out to the Senator that this is one of the few programs which the President, himself, asked to be increased in the budget which he sent to Congress. He asked for a $16 million increase in the budget for legal services.

The American Bar Association, which is not known as an extreme left wing, anarchical, or socialist organization interested in breaking up homes, sent this letter today, and I should like to read it to the Senator from Kansas:

> DEAR SENATOR MONDALE. In behalf of the American Bar Association and its affiliate, the National Legal Aid and Defender Association, I strongly urge the passage of S. 3016 as reported by the Committee on Labor and Public Welfare. The bill provides a significant increase in the authorization for the program for legal services to the poor and recognizes the unique character of the program's mission in prohibiting delegation to any existing Federal agency where serious questions regarding possible conflict of interest might arise. These provisions are consistent with the positions of the ABA and NLADA.
>
> The American Bar Association has consistently opposed amendments to the Economic Opportunity Act which would restrict the independence of legal services lawyers providing a full range—

I emphasize that.

> of legal services to the poor. In appropriate cases, such services might involve legal action against government agencies in seeking significant institutional change, commonly described as law reform. We should not deny to the poor access to the courts in any legitimate area affecting their interests.

I emphasize that.

I do not want to stand on the floor of the Senate and advocate divorce, but it is a rather common aspect in the normal litigation of the courts. The American Bar Association has said:

> We should not deny to the poor access to the courts in any legitimate area affecting their interests.

They conclude:

> I hope you will oppose any amendments to S. 3016 which would result in exposing legal services lawyers to inhibiting political pressures or otherwise restrict the range or scope of cases in which poverty lawyers may represent the poor.
>
> Sincerely yours,
>
> BERNARD G. SEGAL.

Mr. Segal is the president of the American Bar Association.

Mr. President, if this country and its institutions, including the U.S. Government, are to have any credibility with the poor, surely we must begin with the principles of our system of justice. Our court systems and our laws should mean the same to all people, rich or poor. All citizens should have the same chance to have their cases advocated independently and fully, regardless of their capacity to pay for a lawyer. This is true not only in terms of personal, individual litigation which directly affects the health and the future of a family, but also in terms of law reform.

I was pleased when I asked Mr. Rumsfeld, the Director of the Office of Economic Opportunity, whether he agreed with the OEO legal services programs as they affect law reform. He said this, as set forth in the hearings on his nomination, at page 28:

> Mr. RUMSFELD. As you know, I support the legal services program. I am pleased with the recommended increase. I also agree with you when you suggest that there have been and will be instances where, by providing proper legal service for the poor, suits may result which might involve, for example, the Federal, State or local government if in fact the attitude of the individuals involved in this suit is that level of Government has not been responsive and has not been fulfilling its statutory obligations.
>
> That can be controversial. In my judgment that does not make it bad. In fact, there are many of our institutions that are not perfectly responsive to the needs of the individuals they serve, and that they go through a process continuously of change. This might be one of the kinds of things that might help an agency of the Federal Government to recognize that what they are doing in fact at the point of contact does not compare with what they thought they were doing.

Mr. President, I ask unanimous consent that the letter from the president of the American Bar Association, to which I referred earlier, be printed at this point in the RECORD.

There being no objection, the ordered to be printed in the RECORD, as follows:

> AMERICAN BAR ASSOCIATION,
> *Washington, D.C., October 13, 1969.*
>
> Hon. WALTER MONDALE,
> *Old Senate Office Building,*
> *Washington, D.C.*
>
> DEAR SENATOR MONDALE: In behalf of the American Bar Association and its affiliate, the National Legal Aid and Defender Association, I strongly urge the passage of S. 3016 as reported by the Committee on Labor and Public Welfare. The bill provides a significant increase in the authorization for the program for legal services to the poor and recognizes the unique character of the program's mission in prohibiting delegation to any existing Federal agency where serious questions regarding possible conflict of interest might arise. These provisions are consistent with the positions of the ABA and NLADA.
>
> The American Bar Association has consistently opposed amendments to the Economic Opportunity Act which would restrict the independence of legal services lawyers providing a full range of legal services to the poor. In appropriate cases, such services might involve legal action against government agencies in seeking significant institutional change, commonly described as law reform. We should not deny to the poor access to the courts in any legitimate area affecting their interests.
>
> I hope you will oppose any amendments to S. 3016 which would result in exposing legal services lawyers to inhibiting political pressures or otherwise restrict the range or scope of cases in which poverty lawyers may represent the poor.
>
> Sincerely yours,
>
> BERNARD G. SEGAL.

Mr. MONDALE. Mr. President, this is not the time, it seems to me, to go into detail about the most impressive OEO program which is being undertaken today by the law schools of this country. I would simply ask unanimous consent that as this point a review of the COEO programs, as set forth in the committee report, be printed in this point in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

> The committee has heard excellent testimony about the work of the Council on Legal Education Opportunity, called "CLEO." CLEO is conducting programs designed to make available to disadvantaged students opportunities for law study and to facilitate the entry into the legal profession of members of disadvantaged groups. This will increase the availability of legal services to the poor by members of those groups. The committee is very impressed with these efforts, and feels that it would be highly appropriate for the Office of Economic Opportunity to continue supporting the summer remedial institutes and to begin exercising its existing authority to help the students meet the costs of the subsequent phases of their studies. Part of the reason the committee earmarked and increased authorizations for the legal service program was to make additional funding available for these purposes. The committee believes, therefore, that a portion of any increased appropriations for legal services should be used for CLEO.

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Mr. MONDALE. Mr. President, of equal importance to the integrity and effectiveness of the legal services program is the provision of the committee bill which would prohibit delegation of legal services from OEO to any existing Federal agency or department. This nondelegability provision is based on the committee's conclusion that legal services' attorneys must be free to represent their clients in actions against Government agencies, and that by retaining legal services in OEO possible conflict-of-interest problems and constraints are held at a minimum.

As the committee report indicates, the idea of the delegation of legal services to the Department of Health, Education, and Welfare or the Department of Justice presents grave conflict of interest possibilities. The American Bar Association, the National Legal Aid and Defender Association have urged the administration to retain legal services in OEO in order to assure the professional quality and independence of the program. The committee bill would assure this independence, and I hope the Senate will retain this nondelegability provision in the bill.

The administration says it has no intention of delegating these OEO legal services into any other existing agencies and this provision merely ratifies the current policy of the administration.

Mr. President, I would now like to turn to the migratory labor provision of the act.

MIGRATORY LABOR

In addition to the $34 million requested by the administration for migrant and seasonal farmworker programs under title III-B of the Economic Opportunity Act, the committee adds $7.5 million for fiscal year 1970 and $15 million for fiscal year 1971.

The story of migrant and seasonal farmworker exclusion from most Government programs is known too well. It is documented in the committee report. Title III-B of the Economic Opportunity Act is one of the promising Government programs providing assistance to migrant workers, yet it reaches barely 20 percent of the 1 million migrant farmworkers and their families.

The work of the Subcommittee on Migratory Labor, which I am privileged to chair, has indicated the need for strengthened programs for migrant and seasonal farmworkers, particularly for programs focusing on reemployment, readjustment, and resettlement attempts by migrant workers who face job displacement in the future. I am hopeful the Senate will retain this needed authorization increase for title III-B, and work for adequate funding of this program during the appropriations process.

EMERGENCY FOOD AND MEDICAL SERVICE

Mr. President, I have had an opportunity to visit many migrant camps in Texas, Florida, California, in my own State, and elsewhere. I had an opportunity over the last year to hold extensive hearings on the conditions of the migratory labor force of this country. I do not think any section of our society works harder and receives less in pay and security than does the migratory work force of this country. One of the few things this country has done to be of minimal assistance is the funding under section 3(b) for programs of assistance for migrant and seasonal farmworkers. It is a modest program and surely inflation dictates improvement in the funding level of the 3(b) program. The authorization increase not enough but it continues some progress and momentum in this most important program which is often overlooked but for which there is profound and compelling need.

Mr. President, another very important improvement in this measure is to increase funding for the emergency food and medical services program. The committee bill adds $75 million to the administration's $25 million request for this program for fiscal year 1970, and an additional $150 million for fiscal year 1971.

This program is desperately needed. The President has wisely pointed to the widespread hunger and malnutrition in this country, and it is a national disgrace.

We have agreed to legislation in the Senate which needs to be passed by the House of Representatives, and needs to be funded, to make a substantial step forward in meeting the problems of malnourishment in this country. I am glad we took that step but all of these programs depend on the existence of workers to help find and bring food assistance to the poor. Those who need help most are the last ones who receive help. They are the aged who suffer in silence, the mentally ill, the disabled, the people who have been so suppressed and denied that they are disoriented and unable to state their cases. They are the ones who lead what might be called a shadow life.

We have seen how the present programs work. Although we have had food stamps for years, seven States still have no food stamp program, 400 counties still have no food stamp program, and of the 1,140 counties that do have a food stamp program, over 700 of them have only token programs which deliver food stamp assistance to fewer than 20 percent of those who need food assistance.

We have had some experience with outreach programs under the emergency food programs which shows that where there is an ability and a commitment to find and qualify persons who need food stamp assistance, that the percentage of those participating rises dramatically. Without that help, even with a good theoretical national program, it remains a token effort at feeding the hungry.

LEADERSHIP OF PRESIDENT CHUNG HEE PARK IN THE REPUBLIC OF SOUTH KOREA

Mr. MILLER. Mr. President, an excellent article by columnist Jack Anderson appears in today's Washington Post on the Korean situation.

He points out that President Chung Hee Park has led the Republic of South Korea to a remarkable economic expansion rate, which last year was second only to that of Japan.

Under his leadership, moreover, South Korea has attained one of the finest armies in Asia; and the two ROK divisions which have been fighting side by side with United States and South Vietnamese ground forces against the Communist aggressors from North Vietnam have acquitted themselves most capably and with great honor.

When I first met President Park nearly 4 years ago, during my visit to our military forces in South Korea, I was especially impressed by his realism and his dedication to a just and lasting peace in the Far East. He, along with President Marcos of the Philippines, exercised great leadership in calling the Manila Conference of the seven nations fighting as allies in South Vietnam—a conference which held out hope that all peace-loving nations of the Far East would some day join together to secure a just and lasting peace.

Meanwhile, however, the warlike attitude of the leaders of North Korea has, as in the case of the intransigience of the leaders of North Vietnam, continued to prevent peace-loving peoples from living in peace. President Park's realism has kept the people of his country alert to the dangers of renewed Communist aggression, while, at the same time, they have moved steadily ahead toward the goal of good government and economic self-sufficiency. In fact, upon my return to the United States in 1966, I pointed out that South Vietnam could, indeed, have a bright future after Communist aggression had been stopped, and I pointed to South Korea as an example of why such optimism was justified.

It requires strong and imaginative leadership to inspire a people, recovering from a costly war and invasion of their homeland and threatened by a renewal of more of the same tragedy, and to cause them to lift themselves up by their own hard work and dedication. That leadership President Park has brought to his people. I know many of us, who have had an opportunity to witness what it has meant, hope that it will be continued.

I ask unanimous consent that the article, "New North Korean Move Hinted," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEW NORTH KOREAN MOVE HINTED

(By Jack Anderson)

TOKYO.—While world attention is riveted on Hanoi, Americans in Asia are keeping a wary watch also on remote Pyongyang, where North Korea's obstreperous Kim Il Sung no doubt is planning some new humiliation for the United States.

Intelligence estimates warn that, even now, he is probably preparing a new provocation. The next incident, indeed, may be more serious than anything he has pulled in the past—perhaps the slaughtering of a few hundred American GI's in their beds at one of the base camps near the DMZ.

Such an outrage not only is possible but probable, in the view of those who study the intelligence that leaks out of Kim's tight little dictatorship.

His aim, they say, is to pressure the U.S. to pull its forces out of South Korea and to organize a Vietnam-style uprising against the Seoul government. As in Vietnam, the resistance would be waged in the name of freedom and democracy, complete with a liberation front made up of non-Communist figureheads.

Once the liberation front takes over the South, if Kim's strategy can be implemented, "peaceful unification" of the country would

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be negotiated between Pyongyang and Seoul. This would be followed, of course, by the communization of Korea.

TWO-BIT MAO

Kim Il Sung is a moonfaced, bush-league Mao Tse-tung, who has imposed a ruthless Communist rule upon his bleak, mountain citadel. Every time he can get away with humiliating the U.S., it magnifies his importance in world eyes.

The continuing incidents also have the strategic purpose of making the American presence in South Korea as painful as possible, thus bringing pressure upon Washington to pull out. His calculated strategy, say the analysts, is to stage harassments that will cause the U.S. maximum embarrassment without provoking military retaliation.

After the seizure of the spy ship Pueblo, the U.S. command took elaborate precautions to prevent another incident. But the calculating Kim easily downed an EC–121 spy plane on one of its milk-run missions when he was ready to tweak Uncle Sam's whiskers again.

Frantic new precautions have been taken, but intelligence experts warn that he probably has another outrage ready to spring whenever the timing is right. The only question, in their opinion, is how President Nixon will respond. If he lives up to the bold words of his campaign—when he implied that he would never as President endure a Pueblo humiliation—there could be serious fighting again in Korea.

KIM'S REVOLUTION

Kim Il Sung is encountering considerable difficulty, meanwhile, fomenting revolution in the South. He has trained 39,200 guerillas, by U.S. intelligence count, in the subversive skills necessary to mount a resistance movement across the 38th Parallel. They belong to elite North Korean military units, such as the 124th Army unit, 283d Army unit, Foot Reconnaissance Army unit, 17th Reconnaissance Brigade and Guerilla Guidance unit.

As fast as they have infiltrated into South Korea, however, they have been killed and captured by alert border and coastal patrols. An intelligence report estimates that "over 85 per cent of their separate infiltration attempts" have failed.

The report warns, however, that "one alternative course of action they may resort to in the future is simultaneous multiple strikes at the major installations in coastal areas by large-size teams, when the political developments in ROK (Republic of Korea) seem to be favorable to them."

Their purpose, according to the report, would be "to create maximum social disorder."

To whip up a Vietnam-style revolution in South Korea, however, the Communists really require a Saigon-style government in Seoul. The heartening fact is that the Seoul government is strong, stable and, aside from a small vocal minority, popular.

Under President Chung Hee Park, the once-backward South Korea has achieved a remarkable economic expansion rate which last year was second only to Japan of the world's 130 nations. He has set a personal example of austerity to encourage his people to pull themselves up by their sandal straps.

KOREANS IN VIETNAM

At the same time, he has fashioned one of the finest armies in Asia. Few American units have been more rugged in combat than the two divisions he has sent to Vietnam. He has indicated privately, by the way, that he is willing to leave his South Koreans in Vietnam to help facilitate the American withdrawal.

It is hardly surprising, therefore, that the North Korean dictator is eager to expedite Park's departure from the Seoul government. Because of the Communist threat, Park has been persuaded to seek a third term. This requires a constitutional amendment, which is now grinding through the democratic processes. The final decision will be up to the South Korean people who will vote on the issue in a few days.

Kim has been bombarding South Korea with radio appeals calling upon the people to thwart the constitutional bid.

"It is inevitable," cries Radio Pyongyang, "for students and youth in the South to engage in the struggle against the plot of the government for prolonged political power."

"The people of the South," screamed another typical broadcast from the North, "can put an end to the plot of the constitutional amendment and overthrow the lackey of American colonialism only by means of force."

Backing up his words, Kim has also sent infiltrators into the South to stir up the people against the constitutional amendment. The North Korean efforts, however, are more likely to increase rather than decrease the vote for the controversial constitutional amendment.

BROOKLYN, IOWA—A TYPICAL SMALL TOWN

Mr. MILLER. Mr. President, what is a small town?

It is where human values are to be found—and appreciated.

It is where, in the words of one historian:

"To be an American is almost a moral condition."

It is where human relationships, with their warmth, their agonies, their cohesiveness, still exist.

It is where the sources of spiritual energy still flow.

It is where the importance of knowing, trusting, and helping your neighbor is a way of life.

A small town is people, traditions, and roots.

Mr. President, one such small town is Brooklyn, Iowa, the subject of a warm and understanding feature article by Sid Moody of the Associated Press. In the article, reprinted widely in the Nation's press, Mr. Moody caught the essence of the small town when he wrote:

> Brooklyn is roots. For its own people. And Brooklyn and the other small towns like it are roots for much that has nurtured the strength of the American character.
>
> That is a comforting thing to know.

Mr. President, for the benefit of those who have never known what a small town is like, or perhaps have forgotten, I ask unanimous consent that the article, entitled "Brooklyn People Are Kind, Decent, Helpful," which was published in the Columbus, Ohio, Dispatch of September 28, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

This Is the Iowa Bunch, in America's Heartland—Brooklyn People Are Kind, Decent, Helpful

(Editor's Note.—Under the high Western sky, on the limitless plains the town of Brooklyn, Iowa, like many another small town, plays out the ancient cycle of life. Children are born; they grow up and raise their own families; old people die, leaving behind legacies of hard work, compassion and help. Old values may be questioned elsewhere in an age of despair, but here in the heartland of America, a stability remains. Here is a place for roots in a time of rootlessness.)

(By Sid Moody)

Brooklyn, Iowa.—Population: 1,415 persons. Or maybe 1,414.

Floyd Griffith was buried the other day at 74. They saved the funeral flowers for the Sunday services the next day at the Presbyterian church.

Or maybe still 1,415. Kenneth Brannian down at the implement store and his wife, Esther, had a baby about the same time. A boy.

Nobody's really counted noses since the last census. But nobody thinks it will change much.

Ebb and flow. Of time. Of people. And a balance. A stability.

The corn the first settlers planted in the 1850s to break the virgin sod of the prairie still grows row upon row, clothing the hills in emerald corduroy.

Out beyond the fields, a doubting nation searches for the ideals and innocence of its youth. In Brooklyn, Iowa, they know about riots and urban rot and the fury of the young and the folly of war. But somehow these things sound as distantly as the thunder drumming dully along the horizon.

Brooklyn's problems are tied up with the cycle of life, with the music of time. Raising crops. Raising a family. Living. Solutions: hard work, concern, fellowship. Brooklyn is coping not unlike the way its grandfathers did and probably not unlike the way its grandchildren will.

In an age of despair and anxiety, that is refreshing.

Brooklyn, Iowa is where . . . candy boxes for the four-times-weekly picture show at the old Opera House lie unmolested all day on the sidewalk until someone bothers to bring them inside; where most houses have an American flag, where, one resident said, "Infidelity is the worst thing you can do here. I guess. And don't go to an out-of-town barber."

Brooklyn is also people.

Mrs. E. J. Stirniman: "I was born in Brooklyn in 1893. You can't keep that a secret in your home town."

Dressed in a blue print dress and white apron, white-haired, eyes intent behind her glasses as she pricked a banana cream dessert on the stove with a toothpick, she looked like vintage Norman Rockwell.

"They paved the street in town in 1919, and they haven't needed much fixing since. Electricity was about 1916. We had gas before. It kept going out."

Her husband, a retired engineer who had traveled the world for the Caterpillar Tractor Co., was playing pinochle in the next room with a grandson.

"I've lived everywhere," she said. Berlin. Sydney. Hawaii. Russia. I came back home during the war. The center of the country seemed safest. And the eats are about the best in the country. And we had been uprooted so many times, I thought the kids ought to have roots."

Brooklyn is where . . . you can stand on a corner at 10 p.m. and watch the lights go out after the television weather forecast. "This is a farm town," says Frank Morlan, 33-year-old publisher of the weekly Brooklyn Chronicle.

"They've either lived on the farm, have family on it or make part of their living off the farmers. When the weather is bad, people start getting edgy. Advertising even falls off."

Brooklyn is where . . . the Rev. Bernard Kamerick, pastor of St. Patrick's Catholic church, gave this very very brief sermon the other Sunday when it hit 99 degrees: "Hell, it's hot and that's where we'll all go if we don't behave ourselves."

Richard Frantz: One of Brooklyn's two lawyers, age 33, was born in an Iowa town smaller than Brooklyn.

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"When I got out of law school, I didn't consider Iowa at all. I wanted to go to the big city. One thing is the wage difference and people want to see what's over the hill."

Frantz took a job with Standard Oil of Indiana in the Chicago general offices and moved into a bedroom suburb 35 miles from the Loop: Park Forest, one of William Whyta's anthill targets in his book "The Organization Man."

"You could have lived there 15 years, but no one thought of it as home. At best it was a permanent motel, a place you stopped on your way someplace else. At first, though, we had a ball. But after six years, I wanted to get out and go into my own practice. I was commuting three hours a day on the Illinois Central. It took a while to adjust to the way people treated women. If you gave up your seat, they looked at you like some oddball.

"It was hard to get people involved. Interracial things, for instance. It wasn't so much people were against it. They just didn't want to get involved. Here, if you see the church door needs fixing, you do something about it. There's pride in the community.

"Brooklyn doesn't have all the answers. You lose the ability as a professional man here to do what you please. Oh, you could sit on the porch with a scotch and soda in your hand, but you'd better not.

"But I firmly believe—and I didn't in my time—that growing up in a small town enables an individual to develop his fullest potential. That's a bunch of words, but take my son. He plays Little League not because he's a great athlete, but because there aren't many teams. He's not competing against 1,000 kids. There or in class, and isn't going to be pigeonholed, isn't predetermined as not college material. His possibilities aren't cut off. You aren't killing somebody early in his life.

"No, this isn't paradise. But if you want to feel like a place is home, to feel if you put in time to work you'll be successful without worrying whether your boss likes you, if you're willing to take a gamble, this is a place to find out your capabilities.

"Yes, gamble. I'd come back home from Chicago and tell my father, who's a farmer, about all the deals and speculation, and he'd say: 'Gee, those fellas really gamble.' But he's the biggest gambler in the world. He plants his corn, gambles it will rain, not hail and the price stays up. And weather can wipe out a year's work in minutes."

So "Rich" Frantz came home to Small Town U.S.A. to gamble on being his own man.

Brooklyn is where . . . if there are less than six persons at the movie, the show is canceled and where one night a man dashed out into the street and called a friend inside so there could be a quorum in the audience; where if you have money, you don't put it in Cadillacs "because," Morlan says, "people will think you have it made and will give their business to someone else they think needs it more."

Clem DeMeulenaere: The mayor, 82 last Fourth of July, born in Belgium. There are a number of Belgians around Brooklyn—townspeople call them "Belgiums." They are immaculate farmers.

"In Belgium if you're born poor, you stay poor all your life. When my family got here, they called us greenhorns. We weren't good enough for American girls. They thought we were too dumb to hold office. I went through the seventh grade and then three months in the winter. That's all us big farm lugs ever got. I used to have an inferiority complex.

"Now I think I'm as good as anybody. One of my son's a doctor over in Grinnell and pays more income tax than I ever made in my life. My son-in-law bought a combine for $15,000. That's more than I paid for all the machinery I ever bought."

A widower, Clem—what everyone calls him—has been in 48 states since retiring from the lush farm in back of his large house on Des Moines St. An old photo of his parents, mother in lace and father with handlebar moustache, hangs in a huge gilt frame in the parlor next to pictures of Presidents Roosevelt, Kennedy and Johnson. Clem's one of the Brooklyn Democrats, which didn't keep him from being elected county supervisor several times. He flew the flag for several days after the moon landing.

Brooklyn is where . . . the churches have a night men's softball league. The Presbyterians were short and the Catholics loaned them some players—but not their best ones.

Mrs. Laverne Hand: A tornado smashed a barn, hog house and grain bin on the Hand farm one Sunday evening recently when the family was in Waterloo on an outing. When they got back, neighbors had already gathered. Forty men pitched in to clean up the rubble and 22 women brought food. It's an old tradition, as old as the frontier. They call them "good neighbor deeds."

When Mrs. Hand lost her father-in-law of a heart attack two years ago, neighbors tractored over to cultivate his corn.

"I don't know what we'd do without them," said Mrs. Hand. She put an ad in the Chronicle thanking everybody after the tornado. Frank Morlan refused to take any money for it. "You've had enough trouble," he told her.

Junie Mannatt: Brooklyn's success story. Age 43. Usually in work shoes and pants and open-neck shirts, but about the only man in town who reads the Wall Street Journal, except for Clint Fowler, president of the town bank, who is also one of the few who wears a business suit to work.

"I always wanted to drive a truck," says Mannatt, so he quit college after one year and, with $60 of his own and the rest borrowed from his grandfather (he was too young to get a loan from the bank), bought one. He paid for it in eight months and bought another. And another.

He hauled grain, coal, livestock. Once when there was a local shortage of baling wire, he drove to Missouri, stopping at every town he came to, to buy up wire. Then he'd phone one of his trucks following him and say where to pick up a load.

"Farmers were so hungry for wire back home they bought it right off the truck.

"In 1954 some guys over in Victor got together $100,000 to put up a cement plant. I only had about $25,000, but by mixing bag by bag I got mine in first. I even sold the concrete to the Victor guys for their foundation." He bought them out in 1960 and now has eight plants in eastern Iowa.

"I'm not smart, but I can hire the brains. It takes a banker who believes in you, but you can't be afraid to work. Forget about having 50 cents in your pocket, and be honest and sincere with the people you deal with.

"If I was afraid of sticking my neck out, I'd still be driving that old truck. I still have the fever, though. I bought a $35,000 rig the first of June. I got in it and drove it up to Tama just to hear that Diesel purr."

Junie Mannatt now has 100 trucks, grosses $4 million in cement hauling and mixing a year, has several farms with more than 1,000 head of cattle—he bought one farm when he went to a farm auction since he'd never seen one and decided to buy the farm because the price seemed ridiculously low—which it was—and thinks "if you stand still you're dead."

Faith and Chester Hess: He farms more than half a square mile—farms are getting bigger and require as much as $100,000 in machinery. Hess plowed with horses until 1946. He now has two big tractors—with radios playing music to plow by—and wants to buy a third. Faith thinks the last time Chester sent her to Las Vegas it was to get her out of town so he could buy the last tractor.

Chester was smiling in the living room, one end of which was covered with trophies the children had won in 4–H. Faith had some friends in for home-made apple pie and ice cream after dinner. The talk was gossipy and good-humored. They mentioned a friend who had married a woman after courting her 35 years.

"And you know," said Faith, "she can't cook."

Outside the moon shone down on the cornfields and fireflies twinkled in the dark and a heifer stirred down by the barn.

Brooklyn is where . . . people say there isnt much crime except hot rodding kids, but Lyle Ziegler says there is, "just like everywhere else. Breaking and entry. Someone peeled a safe the other night." The last time he fired his bone-handled revolver was last fall, a warning shot at a drunk he was chasing through the Odd Fellow's Cemetery.

Brooklyn is where . . . people worry about the youth drain. Of the eight couples Father Kamerick has married since he came to Brooklyn last summer only one settled in town. Of Clem DeMeulenaere's 22 grandchildren, only one farms.

Blair Barclay: A 1967 graduate of Brooklyn's high school. There were 67 in his class; 32, including Barclay, went to college. He wants to be a veterinarian like his father, whose death of a heart attack last year was a community loss still felt.

"If anything happens to the country, I can always live off the farm. You can't live off a piece of cement. I've seen the cities. A small town guy can go to town and see what it's like. A city guy can't the other way. You can make yourself out here. There are going to be a lot of developments in agriculture. A normal family can live off 80 acres. People here have four and five hundred. The pioneering's not over yet."

Drugs here are not a problem, but a junior high boy caught with a cigaret is. Sex education not an issue, since farm children know the facts of life about the same age they learn to add one and one. Blair Barclay can snort at talk of generation gaps since the man he goes to when he has a problem is Gene Bush, a former blacksmith, now a metal worker, who is over 90.

And Brooklyn is where not everything is rosy. One woman, at least, said if a Negro walked into her church, she'd walk out. Not everyone was happy when a local girl joined a nude group—in protest over at Grinnell College, even though the protest was against Playboy magazine.

And there is the future. Some small towns in the Midwest are dead or dying. The signs are obvious: empty store windows, rusting gas pumps, grass in sidewalk cracks.

Brooklyn's stores, on the other hand, are leased. It's hard to find a house even remotely shabby. There may be two families in town receiving welfare and they had to be found: They didn't come looking for a handout.

What saved Brooklyn from the fate of some of her doomed neighbors are things tangible and intangible. For one, the new Interstate just south of town brings in a few big city tourists curious to see a rural Brooklyn. It means you can live in Brooklyn and still get to Des Moines and Iowa City, where the jobs are. The town is finding itself with a new species: the commuter.

Survivial means little things. "Like the town owning its own utilities," says Burt Gilette. "That gives us 15 jobs instead of one man from Iowa Southern coming into town Saturdays to collect bills."

"It may take only five or six people," said Junie Mannatt. "Boosting the town. Working for a park. Or a town pool." Or being a Junie Mannatt, who encouraged a young doctor to open his practice, who put up a garage for young Larry Anderson when he came to town back from Vietnam and said he wanted to open a body shop because, even though he was a college graduate, he could be his own boss that way.

It takes things as unsophisticated as "Booster Tuesday" when at 9 p.m. the announcer over at KGRN in Grinnell draws a number. If the holder of the number is in a store in Brooklyn when it is read on the air, he wins whatever is in the jackpot.

The money is actually credit at Brooklyn stores. The merchants used to give cash until one winner took the money and said:

"Now I can go over to Iowa City and buy some things."

And it takes pride. Pride in self. In community. In effort.

And it takes a sense of heritage. An awareness, articulated or not, that there are certain things one is expected to do for and with one's neighbor in a small community, and these things have long been known.

Dorothy and Maynard Lang: They farm the same land her great-grandfather bought in 1862 when he walked out from Ohio. They live in the rambling home he built in 1882. Her grandfather remembered seeing Indians race their ponies across the field near where Maynard Lang now milks his herd of Ayrshire cows.

The Langs are frugal. They are remodelling their house, a room at a time, each winter. Mrs. Lang sews her own clothes. "I haven't been in a dress shop in two years."

Her husband buys second-hand equipment and instead of erecting a silo for $6,000 or $7,000, he put up a concrete silage bunker for a fraction of the cost. They work hard 365 days of the year.

"I guess I'm independent," Lang said. "I want to be my own boss. I can't see riding around and around in a tractor all day. I want to see what I can do to improve the quality of my herd. My net worth isn't in my pocket, but I'm putting three kids through college, so I must be doing something right."

"We don't have all of the things our city friends do," his wife said. "But we have quiet. Birds. Lightning bugs. A boy running in and out of the house with no fat on him, all muscle."

Her youngest boy, barefoot and blond, had just raced into the house crying "Mom! Mom! Smokey got out!" and then dashed out into autumn in search of the missing family dog.

He is the fifth generation on the Lang's farm. Roots.

Brooklyn is roots. For its own people. And Brooklyn and the other small towns like it are roots for much that has nurtured the strength of the American character.

That is a comforting thing to know.

ECONOMIC OPPORTUNITY AMENDMENTS OF 1969

The Senate resumed the consideration of the bill (S. 3016) to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, to authorize advance funding of such programs, and for other purposes.

Mr. JAVITS. Mr. President, I believe it appropriate, in opening the debate on the extension of the Economic Opportunity Act, that the minority have an opportunity to be heard on the questions which have been raised in respect of this bill.

First, Mr. President, I would like to pay my tribute to Senator GAYLORD NELSON, chairman of our subcommittee, for the fairness, conscientiousness, and senatorial courtesy which he exhibited throughout, and which I hope will carry through to the enactment of the bill.

I am particularly impressed with the fact that the chairman of the subcommittee, recognizing that the 2-year extension was offered by the administration—which I introduced as the ranking minority member—was willing to espouse that and any aspect of the administration's program or approach which was consistent with the philosophy adopted by the majority, without any concern that it might be "credited" to the administration. That is a very creditable attitude when we have a divided affiliation between the administration and the Senate, and I wish to compliment my colleague on it.

There may be, as the debate goes on, much more emphasis on the negative than on the positive. Therefore, to get the record clearly in focus, I would like to lay out the tremendously important areas where we agree and where there is no contest.

First, the bill would provide for a 2-year extension of the authorization for appropriations beyond June 30, 1969, when the previous authorization expired. The leadership taken by the President on June 2 in recommending a 2-year extension and the fairness of Mr. NELSON and other members of the majority have been crucial factors in reaching the broad accord represented by the bill before you. Such an extension is clearly required. As the President stressed in his statement of June 2:

> A two-year extension will have a number of advantages. From a management standpoint, by allowing longer-range planning it will make possible a more orderly and efficient allocation of funds. From a recruiting standpoint, it will guarantee to those whose talents are needed that the Nation's commitment is a continuing one. Furthermore, an innovative agency has a special need for both continuity and flexibility. It is in the nature of experiments that some succeed, and some fail: a two-year extension will give greater assurance to those whose function it is to experiment that even though a particular program may fail, the lessons learned will be put to use, and that the larger effort of which it is a part will continue.

Second, there has been basic agreement as to the general role that the Office of Economic Opportunity should play in the total antipoverty effort. The President expressed that role in his June 2 message as follows:

> The primary role of the Office of Economic Opportunity should be innovative: to search out new knowledge and initiate new programs, serving as an "incubator" for experimental efforts.

The report of the majority of the committee accepts that role. On page 5, thereof, it states:

I think that these last words of the report are especially important ones: "to prod other agencies into action." When he appeared for confirmation, I asked the Director if he would consider himself as the advocate for the poor in other agencies. He agreed that he would.

> The OEO is supplemental and experimental. Despite claims which may have been made for it, it was never designed to be an all-inclusive program to abolish poverty. Neither the programs which it operates, nor the funds which Congress has appropriated to it have the capacity to lift 25 million American citizens out of poverty.

A corollary to the axiom that OEO is to be primarily an innovative office is the concept that it is healthy and normal for programs begun in OEO to be subsequently delegated or transferred to other agencies for operation. Under previous administrations, approximately 10 programs or activities were delegated to other agencies, a major portion of them to the Departments of Labor and of Health, Education, and Welfare. The present administration has followed that practice with respect to the Headstart program and the Job Corps program. As the committee report notes, on page 6:

> OEO was not intended to be a traditional agency and there are many who feel that it should not retain responsibility for operating established programs on a permanent basis. In this view, if it were to become simply another permanent operating agency, it would lose its vital character as an innovator and as a goad, assigned to probe into new areas and to prod other agencies into action on neglected problems.

Third, there appears to be basic agreement that community action agencies should continue to have a crucial role in antipoverty efforts undertaken by the Office of Economic Opportunity and by other agencies and departments of the Federal Government. While there has been understandable concern over the future of these agencies—especially in light of the absence of the authorization of funds that this bill would provide—the commitment of the administration to a continued and expanded role for the community action agencies has been made clear by statements of the President and actions taken by the Office of Economic Opportunity. That commitment was most recently confirmed in a response to a letter to the President which Senator NELSON and I joined in sending early last month. The President's reply to me which was expressed in an identical letter to Senator NELSON, reads as follows:

> DEAR JACK: Thank you for your September 9 letter. I welcome the opportunity to reaffirm this Administration's determination to conduct meaningful OEO programs.
>
> As stated in my February 19 message, I intend to see that "the vital Community Action Programs (are) pressed forward." Nothing since that time has altered the Administration's resolve to improve and strengthen the Community Action Agencies now serving throughout the country. These Agencies will be improved to play a more vital role in mobilizing local resources, involving the poor in program planning and operation, and in training new neighborhood leadership.
>
> The Office of Economic Opportunity must be an advocate for the poor within the Federal agency structure. To effectively perform this function, I have instructed the Director to establish a research and evaluation office capable of government-wide evaluation. Facts that will come out of this office will assist all agencies within the Administration in evaluating the effectiveness of their programs for the poor.
>
> It is my determination to strengthen the Office of Economic Opportunity and its community action arm in contributing to the goal of providing full economic opportunity for every American.
>
> Sincerely,
>
> RICHARD NIXON.

It seems to me, Mr. President, that this is both for Senator NELSON and for myself a most important confirmation with respect to the community action agencies and their continued role.

XUM

The fourth matter, Mr. President, as to which we are of one mind, relates to the basic authorizations for appropriations set forth in section 3(a) of the bill. Interestingly enough, both the administration's positions for fiscal 1970 and for fiscal 1971 were, in substance, accepted. The amount authorized for fiscal 1970 is $2,048,000,000; and for fiscal 1971, the committee added an unallocated $100 million for a total of $2,148,000,000.

Those are the areas of broad agreement, Mr. President. The areas of disagreement relate to three, perhaps four, major subjects.

The first is as to the question of the earmarking. An effort has been made to earmark, by titles, and, in some cases, by programs, the $2.048 billion authorized for 1970, and the same amount of $2.048 billion—leaving $100 million unallocated—for fiscal year 1971. The administration objects to the earmarking, Mr. President, notwithstanding—and I say this in all fairness—that not all of the funds for community action under title II are specifically earmarked. However, the administration objects to the earmarking on the ground that it wants the greatest possible freedom of action, especially in the second year, because by then it expects the innovative and developmental aspects of the new character of OEO to come out, and it wants the agency to have the opportunity to express it in terms of its requests for appropriations.

Mr. President, in sustaining my position as representing the administration on its bill on the Senate floor, I shall move to strike the earmarking for the second year.

The second item of importance, Mr. President, are the so-called add-ons in what are, generally speaking, the same categories for which there was earmarking of specific programs covered by title II. The majority of the committee, against the votes of the minority, has added on for programs which they consider to be of special interest, $292,100,000 for fiscal 1970, and $584,200,000 for fiscal 1971. Mr. President, the minority will move to strike some of those add-on provisions. I do not know that I shall be able to join the minority in respect to the second year, but in any case, the minority will move to strike the add-on provisions for the first year.

The third item, Mr. President, which immediately stems from the earmarking and the add-ons, is the so-called flexibility section. That will be found in section 4 at pages 5 and 6 of the bill; section 4 of the bill was included because—as a result of the earmarking and the add-ons—the minority sought higher figures for flexibility, both as to what could be taken out of one program, and as to what could be added as a maximum to another. I think the case for greater flexibility under this section 4 is very strong, Mr. President, in view of the innovating character of the OEO which has now been accepted.

Finally, Mr. President, there may be some differences of view between the majority and at least one Member of the minority, perhaps supported by many others, with respect to the legal services aspect of the poverty program.

I know of no other differences, and it seems to me, in sum, that the areas of agreement far exceed the areas of disagreement; but I do not wish in any way to derogate from the importance, also, of the areas in disagreement, upon which the Senate will have an opportunity to pass.

Finally, Mr. President, I think it is most creditable, and a really splendid demonstration of the development of thinking here in the Senate, that we have pounded into reasonable form the concept of the war on poverty; that we have found ourselves in accord with the administration in the major concept of the innovative nature of this agency, and in agreement upon the fact that, as programs matured and were ready, they should be transferred to line agencies and departments.

On the broad concept of the order of magnitude, and the amounts of money which should be involved, I know all of us feel that much more should be involved, and we look to appropriations to deal with hunger and food programs and many other programs to supplement this effort.

But, considering the character of our budget situation and our views as to priorities, we apparently have achieved a general meeting of the minds on the order of magnitude, in any event, which should go into the particular programs under the Economic Opportunity Act in a direct way.

Mr. President, I close as I began, by emphasizing the positive, the broad areas in which we agree as to the nature of the agency, the funding of the agency, and the length of time for which the agency should be extended. I also would like to add to the very creditable and satisfactory areas of agreement the role of the community action agency, which we agree is critically important. We wish to see those agencies continued to innovate and involve the poor in a way which I think is unique and very creditable to our country.

As to the areas of difference, I am sure the Senate will speedily deal with them, and I am confident that the end result will be a bill of which the Senate can really be proud in respect to the war on poverty, which was so auspiciously inaugurated and was so long overdue in the United States.

Mr. NELSON. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. NELSON. I would like to say that, as chairman of the subcommittee, it has been my pleasure in working with the distinguished senior member of the Poverty Subcommittee and the Labor Committee, to find that it has been possible to weld together this very constructive measure because of the genuine dedicated cooperation of the senior Senator from New York, and because of his genuine capacity to make sensible compromises in the interest of the accomplishment of the end we all seek.

I think it is correct to say that though there remain some differences about the bill, I do not think any of them involve any major, fundamental principle, in that, by and large, they are simply details over which each of the members may have minor differences. But I want to take this opportunity to thank the senior Senator from New York. It would not have been possible to put this bill together and get it before the Senate without his very important cooperation.

Mr. JAVITS. I certainly thank my colleague, and I agree with him that our differences are not to the basic fundamentals of the bill. We are greatly in agreement, and I credit him very heavily for his tact, diplomacy, and skill in bringing that about.

Mr. President, I ask unanimous consent that the entire letter from the President of the United States addressed to me be printed in the RECORD, and I note that a counterpart of the same letter, dated September 16, 1969, was sent to Senator GAYLORD NELSON.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
September 16, 1969.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR JACK: Thank you for your September 9 letter. I welcome the opportunity to reaffirm this Administration's determination to conduct meaningful OEO programs.

As stated in my February 19 message, I intend to see that "the vital Community Action Programs (are) pressed forward." Nothing since that time has altered the Administration's resolve to improve and strengthen the Community Action Agencies now serving throughout the country. These Agencies will be improved to play a more vital role in mobilizing local resources, involving the poor in program planning and operation, and in training new neighborhood leadership.

The Office of Economic Opportunity must be an advocate for the poor within the Federal agency structure. To effectively perform this function, I have instructed the Director to establish a research and evaluation office capable of government-wide evaluation. Facts that will come out of this office will assist all agencies within the Administration in evaluating the effectiveness of their programs for the poor.

It is my determination to strengthen the Office of Economic Opportunity and its community action arm in contributing to the goal of providing full economic opportunity for every American.

Sincerely,

RICHARD NIXON.

AMENDMENT NO. 241

Mr. JAVITS. I send to the desk an amendment for printing under the rule.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. JAVITS. I ask unanimous consent that the supplemental views of certain Senators and the individual views of the Senator from California (Mr. MURPHY) on the bill as reported to the Senate be printed in the RECORD as a part of my remarks.

There being no objection, the supplemental and individual views from the committee report (No. 91–453) were ordered to be printed in the RECORD, as follows:

SUPPLEMENTAL VIEWS OF MESSRS. JAVITS, PROUTY, DOMINICK, MURPHY, SCHWEIKER, SAXBE, AND SMITH

The bill reported by the committee would extend the authority for appropriations under the Economic Opportunity Act for 2 years beyond June 30, 1969, as recommended by the President. A bill to implement the President's recommendation was introduced by Senator Javits on June 12, 1969.

In his statement of June 2, 1969, the President reaffirmed the administration's commitment to the continuation of the Office of Economic Opportunity and stated his determination to make the Nation's antipoverty efforts function more efficiently and serve the poor more effectively. He stressed that a 2-year extension would provide a "better framework within which the necessary improvements in the antipoverty program can be made."

The initiatives taken by Director of OEO Donald Rumsfeld and others responsible for the programs authorized under the Economic Opportunity Act signal an expansion and improvement, rather than a dilution, of the efforts of the Federal Government to combat poverty.

The administration has properly viewed the Office of Economic Opportunity as an innovative agency, willing to experiment with and serve as a proving ground for new programs to benefit the poor. While OEO is the only Federal agency whose special concern is the poor, other Federal departments and agencies have given increased attention to the problems of poverty.

The recent breakthroughs by the administration in proposing major welfare reforms and in efforts to combat hunger and malnutrition are testimony to that fact. Moreover. programs delegated from OEO by this and previous administrations have found a secure and sympathetic home in other departments of the Federal Government.

The administration has taken care to insure that OEO will have a continuing role in the emerging governmentwide strategy against poverty: the Director will retain an overview of delegated programs; community action agencies will continue to be involved in programs at the local level; the placement of OEO regional offices has been undertaken with a view toward coordination with similar offices of other agencies involved in programs for the poor; and OEO will have the authority and capacity to conduct governmentwide evaluation of programs affecting the poor.

The establishment of the Urban Affairs Council and the designation of Director Rumsfeld as special assistant to the President with Cabinet rank are further indications that the poor will have an increasing voice in national councils. In light of these developments, it is appropriate that the agency focus its resources on innovation so that new programs can be developed and, upon maturity, be given an established place in the total Federal antipoverty effort.

While the Office of Economic Opportunity should be free to innovate, we share the commitment of the administration to a continuing operational role for community action agencies and endorse efforts now underway to make those agencies more efficient and responsive to the needs of the poor. The administration has made it clear that community action agencies will continue to be involved in the operation of existing programs such as Headstart and in providing outreach and education, as a part of a new, coordinated attack on hunger and malnutrition. The monitoring and evaluation of community action agencies now being conducted is long overdue. In order to assume an expanded role in the total antipoverty effort, community action agencies must be strengthened; as the President has emphasized, it is the poor who are hurt most when poverty funds are stolen or programs are inefficiently administered.

We support the administration's current efforts and proposed plans to give the States a greater role in antipoverty programs. For too long they have been denied the meaningful participation authorized under the Economic Opportunity Act, with the result that the Federal Government has lost important allies in the fight against poverty. As Director Rumsfeld has noted, existing legislation provides in numerous instances for an active State role. We are encouraged by the Director's plans to give life to those provisions by appropriate regulations. We note favorably his creation of a new division of State and local governmental relations in the Office of Economic Opportunity and the budget increase requested by the administration for the funding of State economic opportunity offices. We believe that the Economic Opportunity Act includes adequate provision against arbitrary actions in the course of State administration.

We commend the Director for conducting a reorganization of the agency in order to improve efficiency, clarify missions, improve management controls and permit the flow of work from the research stage through the development and program stages. We are pleased that programs for rural areas and for older persons will be brought into the mainstream of program development. We note also that the Director of Legal Services will be directly responsible to the Director of OEO and that the agency is making efforts to give further definition to the mission of the legal services program. In that connection, we question the necessity of section 9 of the committee bill preventing the delegation of that program to any existing agency, in light of Director Rumsfeld's testimony before the Subcommittee on Employment, Manpower, and Poverty to the effect that no such delegation is contemplated.

While the actions taken thus far by the administration suggest that much can be done to improve the poverty program without special amendment to the Economic Opportunity Act, we have taken the initiative in proposing and supporting amendments where we felt that they were required to authorize new programs or to improve further the administration of existing programs. An amendment introduced by Senator Dominick to establish a special emphasis program for the discovery and treatment of drug abuse and addiction is included as a part of section 8 of the committee bill. Senator Prouty's amendment to authorize the Comptroller General to audit and examine books, documents, papers, and records pertinent to financial assistance received by any agency under title II of the act is included as section 11 of the bill. We have given our support in committee to amendments introduced by other members authorizing advance funding, establishing a new special emphasis program on alcoholic counseling and recovery, providing civil service credit for VISTA volunteers, providing that children who are not members of low-income families may be permitted to receive services in Headstart projects, clarifying existing Law, and insuring that closed Job Corps centers are used for special youth programs.

We are deeply concerned with several aspects of section 3 of the committee bill. The section provides for authorization of appropriations as follows: Under subsection (a) there would be authorized $2,048 million for the fiscal year ending June 30, 1970, and $2,148 million for the fiscal year ending June 30, 1971. Under subsection (b), $2,048 million of the sums authorized under subsection (a) would be earmarked for certain programs and activities for each year. Under subsection (c) (as an addition to the amounts authorized for all programs under subsection (a)) amounts would be authorized for each of eight specific EOA programs of special interest to committee members.* These add-ons would total $292.1 million for fiscal year 1970, and $584.2 million for fiscal year 1971.

We support the ceiling of $2,048 million for fiscal year 1970, the amount requested by the administration for that fiscal year. It represents an increase of approximately $100 million over the estimated expenditures for fiscal year 1969. We also support the authorization of $2,148 million for fiscal year 1971, representing a further increase of $100 million over the previous year.

We submit that the earmarking provisions of section 3(b) are inconsistent with the concept of the Office of Economic Opportunity as the principal innovative agency in an emerging governmentwide antipoverty effort. OEO must be free to develop new programs and to determine for each fiscal year which existing programs should be emphasized to accomplish the purposes of the act.

The necessity for flexibility has been recognized to a limited extent, by a majority of the members of the committee in section 4 of the bill. That section would amend the law to permit the Director to transfer 15 percent of funds allocated or appropriated for a particular program or activity to another program or activity. It would also eliminate any restriction on the total amount that can be transferred into another program or activity. Under present law, transfers from a program are limited to 10 pecent of the amount allocated or appropriated and no program may be increased by more than 10 percent.

However, when combined with earmarking, the transfer provisions will still not operate to permit meaningful changes in programing, especially in the case of fiscal year 1971: In each case where the bill earmarks a program at a certain level for fiscal year 1970, the bill provides for earmarking at the same level for fiscal year 1971. Under the 15-percent transfer provision, the Director could operate a program earmarked at $100 million at a level of $85 million during fiscal year 1970 and add $15 million to one or a number of other activities. Subsequently, the Director might consider it advisable to operate the earmarked program at a level below $85 million for fiscal year 1971, in order (*a*) to provide funds for a new program, (*b*) substantially increase funds for a particularly successful existing program, (*c*) to avoid duplication of effort between the earmarked program and activities undertaken by other public or private agencies from additional funding sources, or (*d*) because of a combination of such considerations. However, he would be powerless to do so since the 15-percent transfer authority would once again be applied to the earmarked amount of $100 million.

We submit that the administration must be permitted to make programing decisions in the light of previous experience and the total Federal anti-poverty strategy, not on the basis of the previous year's budget request.

As noted above, section 3(a), which we support, would authorize a total of $2.048 billion for fiscal year 1970. We do not consider advisable the authorization of additional amounts for specific programs for fiscal year 1970 under section 3(c) since as a practical matter we doubt that the administration would be able to make effective use of such amounts by the time they would actually become available later in this fiscal year. In this connection, we point out that the administration's budget submission (covered by the authorization contained in section 3(a) of the committee bill) already requests $89 million more for these specific programs for fiscal year 1970 than provided in fiscal year 1969.

We recognize that the administration may require additional authorizations for fiscal year 1971 (beyond the $2.148 billion authorized under section 3(a)) in order to take further initiatives during that year in the specific program areas covered by section 3(c). Accordingly, while we have differed with other committee members as to the amounts of some of those increases, we have generally given our support to that section as it applies to fiscal year 1971.

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* Special Impact, Project Headstart, Legal Services, Comprehensive Health Services, Emergency Food and Medical, Senior Opportunities, programs for migrant and seasonal farmworkers and Day Care.

We share the commitment of the administration to a renewed, revised, and expanded attack on poverty in the framework of a 2-year extension of the authority under the act. Subject to the exceptions we have noted, we consider the committee bill as a general expression of bipartisan support for the President's recommendation for such an extension and of confidence in the administration's ability to make the new tenure a meaningful one.

JACOB K. JAVITS.
WINSTON L. PROUTY.
PETER H. DOMINICK.
GEORGE MURPHY.
RICHARD S. SCHWEIKER.
WILLIAM B. SAXBE.
RALPH T. SMITH.

INDIVIDUAL VIEWS OF MR. MURPHY

I am deeply concerned over the direction in which the legal services program has been allowed to move. In many States, including California, legal services organizations have diverted their major thrust from legal aid and assistance to the needy and turned that thrust toward political activism through the filing of law suits against governmental agencies and departments. I believe the issues presented in these law suits can and should be raised through legally constituted political channels.

I am considering introducing an amendment to the bill that directs the program toward legal assistance and away from law reform.

Mr. JAVITS. Mr. President, I yield the floor.

OEO IS WORKING

Mr. YARBOROUGH. Mr. President, very shortly we will be considering the authorization bill for the Office of Economic Opportunity for 1970. As we all know, the OEO program is vital to millions of underprivileged Americans throughout the Nation. Unfortunately, all too often the critics of OEO obtain more attention than do the many successes of this very important program. This is why I was pleased to receive a letter from Mrs. R. E. Conner, president of the Galveston, Tex. chapter of the League of Women Voters, supporting the OEO programs.

Because of the great respect I have for the views of the League of Women Voters, I ask unanimous consent that the letter to which I have referred to dated October 2, 1969, be printed in its entirety at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

LEAGUE OF WOMEN VOTERS,
Galveston, Tex., October 2, 1969.

Hon. RALPH W. YARBOROUGH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR YARBOROUGH: We want to urge your support for the continuation of programs authorized under the Economic Opportunity Act of 1964 (S. 1809). We also strongly urge that you vote to renew these programs for two years.

As you know, the League does support the O.E.O. and we do not consider its activities in the past as failures. The Agency has had a relatively short time to work on ways to improve opportunities for people. Much more time is expected to be used up in working with medical research problems. It has been and should continue to be an experimental agency and this aspect of its work is one of its greatest assets. It is necessary to find out what will *not* work as well as programs that succeed.

Here in Galveston, our C.A.C. is just off and running after a series of false starts, and with one-quarter of our population in the under $3000 per year bracket, we really need the C.A.C.

Sincerely,

MRS. R. E. CONNER,
President.

TAX CONVENTION WITH THE NETHERLANDS—REMOVAL OF INJUNCTION OF SECRECY

Mr. KENNEDY. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from Executive G, 91st Congress, first session, the tax convention with the Netherlands, transmitted to the Senate today by the President of the United States, and that the convention, together with the President's message, be referred to the Committee on Foreign Relations and ordered to be printed, and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the convention between the United States of America and the Kingdom of the Netherlands for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on estates and inheritances, signed at Washington on July 15, 1969, and the related protocol signed on the same date.

I transmit also, for the information of the Senate, the report of the Secretary of State with respect to the convention and protocol.

The purposes of this convention are the same as those of the twelve other estate tax conventions now in force between the United States and other countries, namely, to minimize the burdens of double taxation at death and to prevent fiscal evasion with respect to taxes on estates and inheritances. In accomplishing these purposes, the convention departs from the pattern of our existing estate tax conventions in order (a) to take into account problems which employees of international businesses assigned to foreign countries have encountered under previous conventions, (b) to follow the direction indicated by the Foreign Investors Tax Act of 1966 in assisting our balance of payments by minimizing deterrents to foreign investment in the United States, and (c) to conform to the extent practicable with the provisions of the Draft Double Taxation Convention on Estates and Inheritances published in 1966 by the Organization for Economic Cooperation and Development.

The convention contains four principal innovations:

1. The seven year domiciliary rule, whereby a decedent who is considered by each country as having been domiciled therein at death will generally be deemed to have been domiciled only in the country of which he was a citizen if he had been resident in the other country for less than seven years without the intent to remain there indefinitely.

2. As a corollary of the seven year domiciliary rule, the convention provides that if a citizen of one country was resident in the other country seven or more years, the country of citizenship grants a credit for the death taxes of the other country. In these cases, jurisdiction to tax real property and business assets will be retained by the country in which such property is situated, with the other country providing appropriate credits.

3. The convention exempts tangible and intangible personal property (to the extent such property is not a business asset of a permanent establishment) from taxation by either country if the decedent is neither a domiciliary nor a citizen of such country. This exemption complements on a bilateral basis the liberalized treatment afforded foreign investors in the United States by the Foreign Investors Tax Act of 1966, aids our balance of payments by removing deterrents to investments in the United States, and reduces estate tax formalities for Dutch investors in the United States.

4. Under the convention, the Netherlands provides treatment analogous to the relatively liberal United States exemptions which the Federal estate tax law grants to estates of foreigners, by granting Americans who are not residents of the Netherlands (and who are taxable only on real estates and business assets situated in the Netherlands) an exemption for small estates and an exemption which corresponds to our marital deduction.

The related protocol, containing ten numbered paragraphs, sets forth understandings concerning certain matters of interpretation and application of the convention.

The convention and protocol have the approval of the Department of State and the Department of the Treasury. The Treasury will provide a detailed technical explanation of the convention at the time of the hearings before the Senate Foreign Relations Committee.

I recommend that the Senate give early and favorable consideration to the convention and protocol with the Netherlands.

RICHARD NIXON.

THE WHITE HOUSE, *October 13, 1969.*

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. KENNEDY. Mr. President, if there be no further business to come before the Senate, I move in accordance with the order previously entered that the Senate stand in adjournment until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 51 minutes p.m.) the Senate adjourned until tomorrow, October 14, 1969, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate October 13, 1969:

Diplomatic and Foreign Service

Lewis Hoffacker, of the District of Columbia, a Foreign Service officer of class I, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Cameroon.

In the Air Force

The following-named officers for promotion in the Regular Air Force, under the appropriate provisions of chapter 835, title 10, United States Code, as amended. All officers are subject to physical examination required by law.

LINE

To be major

Abbey, Edward F., 726100956.
Abbey, Wayne T., 567400844.
Abbott, Charles E., 551366622.
Abel, Richard F., 282249932.
Abram, Gerald D., 440320580.
Achor, John N., 309322027.
Acosta, Javier F., 557367065.
Acres, Robert D., 415389057.
Adamek, Eugene A., 069260936.
Adams, Floyd P., 226467050.
Adams, Francis R., Jr., 048268043.
Adams, James E., Jr., 238460150.
Adams, Paul P., 409521550.
Adams, Ralph E., 533308516.
Adams, Richard B., 229408685.
Adams, Robert S., 004347237.
Adkisson, Robert B., 552420553.
Adsit, Guy D., Jr., 433462396.
Aicher, Thomas E., 484364976.
Aiken, James R., 326309292.
Ainsworth, James, Jr., 022247662.
Albers, Bernard F., 513328530.
Albers, Robert J., 505468454.
Albright, Townsend L., 142221949.
Album, Hyman H., 119263256.
Alder, James W., 173243141.
Aldrich, Richard B., 024285313.
Aldrich, William S., 237423388.
Aldrich, William B., 487343215.
Alexander, Michael H., 481349617.
Alexander, Robert M., III, 420362238.
Alexander, Ronald S., 207241041.
Alexander, William D., 415506063.
Allee, Robert S., 437406486.
Alleman, Donald L., 208200012.
Alleman, Fred L., 504341082.
Allen, Marshall E., 252400088.
Allen, Maurice W., 464500503.
Allen, McVerlin, 332242517.
Allen, Theodore J., 003221803.
Allfrey, William D., 424344065.
Allison, Paul J., 011264910.
Allison, Thayer W., 296282822.
Allred, Ralph L., 528325186.
Almeter, Francis J., 096309717.
Alser, Donald J., 347328821.
Altieri, Michael A., 215284530.
Ames, Donald L., 213286668.
Ames, Frederick P., 445265091.
Amesbury, Harry A., Jr., 542283776.
Amundson, John D., 470349830.
Amundson, Vernon H., 469340252.
Anastasio, Emil R., 072266894.
Anderson, B. C., Jr., 421422885.
Anderson, Billy W., 450488563.
Anderson, Bruce D., 477324438.
Anderson, Charles T., 559421124.
Anderson, Darrell L., 572401864.
Anderson, George M., 422404429.
Anderson, James R., 158225615.
Anderson, Jerry B., 482347148.
Anderson, John M., 259504844.
Anderson, Kenneth D., 214409476.
Anderson, Neil R., 506348095.
Anderson, William G., 223409417.
Ando, Joe K., 457520149.
Andraitis, Arthur A., 289268079.
Andrews, Herbert L., Jr., 208263927.
Angel, Harvey D., 568280202.
Ankenbrandt, Gerald D., 228423869.
Ankerstar, Bradley D., 483344477.
Ansberry, Thomas H., 297261729.
Anthony, Alexander E., Jr., 245386342.
Appel, Bernard, 106246566.
Apperson, Earl A., 492340148.
Applebaugh, Robert G., 137262504.
Archer, James B., 544289921.
Armand, Fredrick M., 140265302.
Armstrong, Dwight A., 336285374.
Armstrong, Spence M., 526542957.
Arnet, Charles D., 298282877.
Arnold, Albert G., 565362941.
Arnold, Carrol B., 355260848.
Arnold, Edwin A., 001266683.
Arnts, Donald F., 107267176.
Arundel, Lawrence C., 215389126.
Ashburn, Richard J., 299265411.
Ashcraft, Robert G., 459526185.
Ashley, Clifford B., 230366841.
Ashley, Paul D., 556383769.
Ashley, Wendell R., 424426725.
Ashlock, Larry I., 484260878.
Attebury, John C., 340268465.
Aunapu, Donald S., 267423721.
Austin, Larry M., 415427378.
Avery, Beatrice B., 070229348.
Avey, Donald B., 559389620.
Avila, Miguel A., 582600035.
Aviles, Arturo, Jr., 561387589.
Axelton, Larry E., 485366826.
Aycock, James W., Jr., 257464432.
Babin, Shirly A., 570404626.
Bachman, Kenneth J., 393305921.
Bacik, James J., 048261387.
Bacik, Joseph D., 282269282.
Backhaus, Murray D., 507348341.
Baechle, William, 121260148.
Baertsch, Robert J., 502260067.
Bagwell, William L., 410486870.
Bailes, Onnie L., Jr., 457485499.
Bailey, William L., Jr., 418420531.
Baird, David M., 286343954.
Baird, Kenneth R., 365326651.
Baird, Sidney A., 455446630.
Baird, William F., Jr., 453524581.
Baker, Charles L., 457521700.
Baker, Thomas P., Jr., 454425106.
Baldasari, Paul., 010289855.
Baldwin, Charles C., 134208254.
Balish, Donald G., 199266399.
Balko, Curtis P., 393305923.
Ball, Thomas V., 140246281.
Ballard, Arthur T., Jr., 249442908.
Ballentine, William G., 399246143.
Baltzell, Robert E., 382324850.
Bandarrae, Frederick J., II, 556424771.
Banick, Theodore J., 333269600.
Banks, Marlon C., 413461628.
Banks, Webb F., 409422207.
Bannon, John P., 047221547.
Barger, Philip J., 233564039.
Barker, Ronald L., 369326465.
Barnard, Michael W., 400449407.
Barnes, Donald W., 423327133.
Barnes, Gordon L., 385327704.
Barnes, Robert C., 182227569.
Barney, Robert L., 542306122.
Barnum, Dale C., 577360445.
Barott, Philip J., 469349442.
Barron, Richard A., 256449951.
Barry, William R., 479340044.
Bartek, Adelbert P., 460526525.
Bartek, Albert C., 460526526.
Bartels, Allan E., Jr., 298264381.
Bartels, Peter H., 554429989.
Bartenetti, John G., 537261210.
Bartholomew, Owen, 528326857.
Bartolutti, Leonard F., 395266839.
Barton, Larry K., 496342842.
Bartosh, John F., 203227237.
Baskett, Silas R., 406402180.
Bass, Gordon, 463469049.
Bass, Jackie N., 444301571.
Bass, Thomas D., 264429173.
Bassett, James R., 088269587.
Bates, Bobby J., 415543294.
Bates, Charles T., 382328849.
Bates, Wayne E., 577387850.
Batson, Billy W., 430580055.
Batson, Clinton E., 012281702.
Bauer, Eugene L., 305322016.
Baugh, William J., 289285585.
Bauman, Judson T., 549429830.
Baumgartner, Daniel J., 121266980.
Baxter, Edward G., 392324703.
Baxter, James L., 207244696.
Bayless, Thomas H., 415463417.
Beall, Charles B., Jr., 521365676.
Beall, George S., 256527518.
Beamer, Harold P., 230382094.
Beardall, James H., 104285472.
Beardsley, Ralph J., 384303894.
Beberstein, Robert G., 296261511.
Beck, Robert J., 397300804.
Beckers, Lyle L., 503342981.
Beckley, Jerry S., 197262916.
Beer, Carl N., 214301913.
Berry, Raymond E., 573328821.
Beezley, Marvin H., 484305136.
Behrend, Curtis L., 482326148.
Belcher, John T., 478325032.
Belden, David L., 477321927.
Belinne, Francis, 058281039.
Bell, Clarence P., 428560923.
Bell, William D., 479342853.
Belli, Robert E., 159288127.
Belton, Waddie L., Jr., 161246448.
Bendell, Donald D., 524222578.
Benedict, Ronald J., 175263378.
Benet, Lorenzo P., Jr., 032248162.
Bengston, Don S., 318264754.
Bennett, Robert J., 187228810.
Benson, Albert E., Jr., 536289126.
Benson, Edgar C., Jr., 326229886.
Benson, Lonnie D., 534325102.
Benson, Ronald N., 473326183.
Benson, Walter C., 123248977.
Berardo, Arthur M., Jr., 051265609.
Berg, Allan G., 310323504.
Berger, Lawrence W., 287283817.
Bergman, Arthur J., 040289005.
Bergstein, Robert A., 128260425.
Bernal, Albert M., Jr., 573422973.
Berrier, John D., 237440787.
Berrigan, Robert B., 567446279.
Berroth, Karl G., Jr., 457640805.
Berry, Bobby L., 451389240.
Berry, Richard L., 497347984.
Berry, Richard C., 041262190.
Bertrand, Clarence J., 460540773.
Beyer, Robert C., Jr., 056265469.
Bianco, Frank A., 149263790.
Bibb, Kenneth C., 458465750.
Biehn, Paul T., 405344405.
Biehn, Roland E., Jr., 543361954.
Biggar, Kaye H., 536302013.
Biggs, Gerald L., 343284857.
Biggs, Richard J., 527323433.
Bill, Donald E., 515306581.
Billings, Wilbur D., 215281885.
Billingsley, Vincent H., 258341415.
Billington, George R., 228365548.
Billman, Charles M., Jr., 279303681.
Bills, Alfred E., 348262398.
Billy, George J., 083247437.
Bilott, Raymond L., 155240220.
Birchman, Clifton A., 457406978.
Bird, John R., 411440263.
Bird, Lewis L., Jr., 025284177.
Birt, Joseph A., 206286733.
Bischoff, Keith M., 298288109.
Bissell, Nolan A., Jr., 579444924.
Bittaker, Joe R., 261445082.
Bitton, John B., 519284048.
Bittrolff, Eugene E., 026264759.
Bjorkman, Paul H., 475324644.
Black, William H., 511324540.
Blackwell, Eldred E., 433465050.
Blackwell, Pat L., 549465630.
Blackwell, William B., 410509542.
Blahauvietz, Kay G., 479401017.
Blair, Richard L., 313328024.
Blake, Donald P., 318282024.
Blake, Jule J., 336286882.
Blakely, Norman D., 415506302.
Blaker, William A., 515267174.
Blanchard, Lawrence C., Jr., 438344683.
Blandford, James C., 250449686.
Blasl, Duane B., 550445707.
Blaufuss, Philipp R., 478340224.
Bliss, Alonzo O. III, 217288495.
Bliss, Theodore E., 010265669.
Blocher, Robert M., 288287159.
Block, Emil N., Jr., 281223930.
Blood, Robert E., 021269258.
Bloom, James M., 505381106.
Blussman, Eugene S., Jr., 434442904.

Blue, Donald M., 309325890.
Blum, Joseph J., 485367292.
Bobbitt, Jack W., 266425594.
Bock, Lowren A., 286304208.
Bockelman, Harold L., 284286347.
Boe, Harold T., 485283637.
Boggess, Lawrence L., 480344036.
Bogiages, Christos C., Jr., 101287572.
Boice, Russell T., Jr., 179269350.
Boivin, Richard H., 152262764.
Boland, Joseph F., 135267442.
Bolstad, Richard E., 470240837.
Bolte, Wayne L., 481342410.
Bond, Doyle H., Jr., 257483736.
Bonderer, Lawrence F., 497383568.
Boockholdt, John C., 416420438.
Boone, Joe, 447282006.
Boone, Orville B., Jr., 183268730.
Boone, Roland T., 459560081.
Boos, Albert G., III, 116261247.
Borel, James C., 435445899.
Borkholm, Christian A., Jr., 450427976.
Borne, Louis F., Jr., 434448640.
Bors, Joseph C., 082284357.
Borthick, Roy C., Jr., 444289525.
Boshoven, Bernard W., 363340796.
Bott, Ernest G., 371340915.
Bouldin, Ronnie D., 363305418.
Bourgeois, James E., 438386550.
Bourque, Roland G., 025223003.
Bowden, John W., 452340060.
Bowen, Stuart W., 224524252.
Bower, Hobart R., 512202882.
Bowers, Robert N., 307368016.
Bowles, John E., 460364325.
Bowman, Alfred C., Jr., 579460896.
Bowman, Peter R., 113269694.
Bowman, Robert U., 365329837.
Bowman, Robert M., 557486232.
Boyd, Denzil H., Jr., 403423526.
Boyd, Harry V., 347260797.
Boyd, Jack L., 257484205.
Boydstone, James B., 429564183.
Boye, Duane E., 509324594.
Boykin, Richmond T., Jr., 238560894.
Boyland, John S., 525624071.
Boyle, Thomas E., 378300797.
Bozzetti, Teodoro, 262468309.
Brabson, George D., Jr., 275328494.
Bradfield, Sidney C., 572383918.
Bradley, Bruce V., 022261781.
Bradley, James P., Jr., 255406437.
Bradshaw, Claude J., Jr., 231400407.
Brady, Conal J., Jr., 203243201.
Braeden, Cecil H., 321303909.
Brame, Albert W., 420408120.
Brandt, Paul E., 577462892.
Brandt, Thomas C., 204269199.
Branson, Duane C., 527380428.
Brashear, William J., 547461207.
Braswell, Steve, 252465509.
Brattkus, Arthur L., 535320038.
Bray, John R., Jr., 235506316.
Bregman, Morton, 230420417.
Breslin, Leo H., 180241123.
Brewer, Allen J., 008205196.
Brewer, David P., 573402187.
Brian, Donald R., 332248627.
Bridewell, Joseph A., 437428208.
Briggs, Roger M., 458480934.
Brigman, David A., 413466316.
Brimm, James S., 413501960.
Brindley, Gary W., 417404488.
Brinson, Alfred C., 243364523.
Bristow, John L., 543322424.
Britt, Benjamin W., 240469076.
Brittain, Charles R., 238425304.
Brittain, Charles C., Jr., 264302710.
Britton, Alonzo G., 443329758.
Broberg, Paul W., 530189044.
Brockman, Lawrence E., Jr., 458441303.
Brocks, James H., 419289019.
Brodie, Richard N., 461561762.
Bronner, Richard E., 144266790.
Brooks, Donald L., 521427262.
Brooks, Jerrell W., 213328645.
Brooks, Kenneth L., 113265133.
Brooks, Richard L., 395280658.
Brooks, William O., 266386944.
Brooks, William W., 231208254.
Broten, Paul, 397307386.
Broussard, William F., 315301168.
Brown, Bevan H., 555482432.
Brown, Charles J., 452442958.
Brown, Charles R., 369342175.
Brown, David M., 472328074.
Brown, David R., 258483834.
Brown, Donald N., 254481148.
Brown, Gerald T., 407409993.
Brown, Harris S., 728018482.
Brown, Luther J., 319221250.
Brown, Melvin F., 092228801.
Brown, Ralph L., 214289363.
Brown, Richard C., 389328414.
Brown, Robert A. W., 499325767.
Brown, Robert E., 080220725.
Brown, Tommy M., 259542261.
Browning, Donald G., 507300331.
Broxterman, David C., 514320278.
Broyles, George D., 278269004.
Bruckner, Donald G., 078249782.
Brug, Walter J., Jr., 272248338.
Bruner, Gordon C., 466401740.
Bryan, Leslie A., Jr., 338283811.
Buchert, Ronald V., 298286572.
Buck, Irving L., 173303808.
Buck, Norman C., 187267660.
Buckelew, Jesse W., 526360328.
Bucko, Edward P., 202266703.
Buehler, Daniel W., 183288764.
Bull, Ernest R., Jr., 248489426.
Bulmer, Gail T., 158246334.
Bumgardner, Mark L., 479282008.
Bunn, Eustace M., Jr., 259502657.
Bunn, Lionel D., Jr., 246368139.
Burch, Charles L., 461404986.
Burch, John T., 411509034.
Burcham, Roy D., 466463593.
Burchard, John C., 454527229.
Burdsall, Gary E., 158221932.
Burger, Arthur F., 156248813.
Burger, Donald W., 521381740.
Burhans, Edmund D., II, 102247045.
Burington, Jesse H., 476222264.
Burke, David P., 559440212.
Burke, Donald M., 293287603.
Burke, Michael D., 437360689.
Burnett, James L., III, 431529464.
Burnfield, Watson D., 287281935.
Burns, Charles D., 380327787.
Burns, Ralph W., Jr., 522403597.
Burns, Theodore A., Jr., 577447061.
Burr, Daniel S., 379309039.
Burr, Myron W., 044266473.
Burt, John W., 339284001.
Burton, Conrad L., 311269410.
Burton, Richard W., 570401996.
Bussey, Richard J., 022243007.
Butler, Alva J., 528446469.
Butler, Dennis L., 519320130.
Butler, Samuel L., 059260774.
Butler, Samuel M., 205246161.
Butler, William N., 180287013.
Butt, Robert A., 446303187.
Butterfield, Robert L., 564403428.
Butts, Clinton E., 429549911.
Buxton, Harris H., II, 105269378.
Buyher, Loren L., 526402382.
Buys, Earl M., Jr., 456483849.
Byarlay, Starr A., 509341542.
Byrum, Paul B., Jr., 249446229.
Cagle, Ned L., 526365838.
Cahill, Harley R., 439426637.
Cahoon, John E., Jr., 414466607.
Calbi, Vincent D., 115265635.
Caldwell, Robert W. Jr., 455563095.
Calhoun, Cecil O. Jr., 258462625.
Calkins, George W., 097265591.
Calkins, Ronald R., 525581236.
Callahan, Hiram J., 289289804.
Callahan, Joseph T. Jr., 026267942.
Cameron, Alex D., 308283700.
Camille, John S., 444320784.
Cammalleri, Joseph A., 112281139.
Campis, Joel R., 420406819.
Canady, Robert M., 256408397.
Cannon, Floyd L., 555342925.
Cannon, Howard R., 497268127.
Canon, David B., 440267353.
Canon, Truman L., 267320681.
Canterbury, George A. Jr., 278283421.
Cappel, Richard J., 026281077.
Capper, Calvin W., 533307833.
Carew, Gene A., 501261519.
Carey, William C., 228404544.
Carino, James P. Jr., 120266281.
Carlino, Victor J., 437484637.
Carlson, Eugene R., 501261190.
Carlson, Keith T., 726098564.
Carlson, Philip D., 477322665.
Carner, Paul R., 445284069.
Carpenter, Robert L., 223408545.
Carroll, Malcolm H. Jr., 492345829.
Carroll, Robert P., 453346883.
Carson, David P., 012266318.
Carson, James D., 291261757.
Carter, George M., 340283077.
Cartwright, James W., 538288982.
Carwile, Elford L., 227368423.
Casey, Robert E., 311308883.
Cassell, Jack R., 284300616.
Cassiday, Donald M. Jr., 482361556.
Cassingham, Delmar E., 562442592.
Casteel, John H., 277304320.
Castner, William R., 229387375.
Caulkins, Donald S., 018247398.
Cavanaugh, Donald E., 512284137.
Caylor, Ronald N., 521440647.
Celand, Alfred J., 282289920.
Chaffee, Philip, 184269849.
Chaikin, Howard M., 479343841.
Chain, John T. Jr., 161285418.
Chambers, John L., 505361641.
Chamblee, Thurman, Jr., 243504726.
Chambless, Loyd E., 453425469.
Chan, Keylor, 526407141.
Chandler, Charles M., 578442152.
Chapin, Richard C., 126260283.
Cheney, Everett A., 484383678.
Cherry, Billy O., 419388637.
Cherry, Don T., 282304742.
Cherry, Donald N., 549423084.
Cherry, James L., 346242365.
Chess, William E., 309306458.
Choate, Robert N., 414488151.
Chrisman, Clifford C., 329289666.
Christensen, Lowell H., 385321737.
Christensen, Allan R., 157285717.
Christensen, John J., 478368194.
Christensen, Robert B., 117266202.
Christian, William C., 266421204.
Christianson, Perry A., 519200041.
Christopher, Archie D., 241544667.
Chumard, Robert L., 206282750.
Ciemniecki, Leonard F., 152260483.
Clark, Arthur C., 553441390.
Clark, Clifford D., 335266244.
Clark, Henry F., 452405780.
Clark, James C., 492302583.
Clark, Richard R., 505341649.
Clark, Richard H., 279281566.
Clark, Robert M., 408503769.
Clark, Zack C., 242466540.
Clary, Richard B., 063266578.
Clayton, Robert B., 261469762.
Clemens, Donny D., 524285253.
Clemens, Ralph O., Jr., 336248799.
Clements, Ronald M., 256502418.
Cleveland, Edward Y., 266448769.
Cleveland, Raymond H., 247506424.
Cleveland, Stuart E., 202263091.
Clever, Larry A., 554444712.
Clinger, Harold C., 286300888.
Clinton, James W., 068225965.
Clonts, Darold W., 526323167.
Coan, Richard H., 397262299.
Cobb, Billy J., 261481880.
Cobb, Jerry D., 466461153.
Cockayne, William A., 057268885.
Cody, Thomas J., Jr., 577464519.
Coffee, Richard, 409584624.
Coffield, Dallas B., Jr., 228366569.
Coker, Charles L., 403427920.
Colburn, Ned D., 512228633.
Cole, James L., 543364604.
Cole, Norman S., 024268210.
Cole, Ronald, 089221031.
Colebaugh, Norman L., 545424524.
Coleman, Charles D., 314363937.
Coleman, Gary L., 531309715.
Coleman, James D., Jr., 263443789.
Collins, Charles W., 265489255.

Collins, Gerald J., 518344480.
Collins, Jesse E., Jr., 443326896.
Collins, John B., 577462014.
Collins, Michael J., 314306131.
Colman, Thomas M., 522408989.
Coltman, William C., 198245729.
Colvin, Alfred E., 305321845.
Combee, Harbin D., 253481276.
Comfort, Earle H., 091249705.
Comley, Ronald E., 184261034.
Compton, Jack B., 568362796.
Conklin, Philip W., 723017131.
Conley, Edward C., 201261076.
Conley, John L., II, 579449996.
Conn, Donald N., 562426503.
Connelly, Gerald H., 533307621.
Conoor, Lester E., 414426675.
Conover, Charles B., 334167628.
Conroy, James E., 477325467.
Conry, James M., 245469789.
Constantine, William M., 496345511.
Coody, Leslie H., Jr., 426522731.
Coogan, Charles O., 074269749.
Coogan, Edward R., 210223191.
Cook, James, 536227279.
Cook, James A., 565440246.
Cooke, William M., 265242541.
Cooney, Wilson C., 209242396.
Coons, Ezra D., 527388214.
Gooper, David D., 467389318.
Gooper, James W., 401403339.
Cooper, James M., 511227142.
Coppi, Quintin J., 022248633.
Corbell, Robert R., II, 450489830.
Corbett, Lon P., 466409489.
Corbin, Richard B., Jr., 211260123.
Cordle, Robert L., 253480544.
Corey, Charles J., 364344348.
Cork, Clifford D., 497348643.
Corlett, Robert M., 051287727.
Cornett, James E., 442221316.
Cornett, Paul, 381307671.
Corrigan, William J., 269305897.
Coryell, Kendrick S., 443323326.
Cosentino, Henry J., 500282559.
Cotter, John P., 059281523.
Cotter Lawrence R., 563429079.
Coulter, Richard P., 116263946.
Courington, George D., 416449971.
Coutlakis, Gus P., 237407423.
Coville, David W., 049245975.
Cox, Clyde D., 462522214.
Cox, Eldon W., 231381414.
Cox, Kenneth L., 015245933.
Cox, Roy L., 524424048.
Crabb, James W., 445307533.
Crabtree, C. L., 413440835.
Crafton, William T., III, 406443392.
Craig, John E., II., 487385349.
Craig, Michael P., 291284153.
Craig, William P., 438500926.
Crandall, Edmund H., 132287932.
Crane, William M., 529383576.
Crase, Roland B., 362308108.
Craton, Karl L., 254541223.
Crawford, Jack R., 199241531.
Crawford, Michael B., 545441121.
Cregger, Arthur E., 235449416.
Crew, Jerald L., 484405765.
Crews, Marvin A., 553402465.
Crider, Manley W., Jr., 452485052.
Crist, Richard A., 513303578.
Criswell, Robert L., 566406191.
Crooker, Clifford R., 007306794.
Crotty, Patrick B., 102247985.
Crotty, Paul V., 491282608.
Crouch, James L., 449505201.
Crowell, William R., 508368881.
Crowley, Harry L., Jr., 267421330.
Crowley, Lawrence W., 277289481.
Crum, Arthur F., Jr., 184261696.
Crum, William P., 540346209.
Cruson, James E., 519342906.
Cullen, Edward R., 488322113.
Cummings, James T., 244464242.
Cummings, Richard L., 360260238.
Cummings, William F., 052267925.
Cunningham, Lawrence R., 201260531.
Cupka, Albert G., Jr., 027267603.
Curney, John M., 186240586.
Curtis, Donald R., 507347494.
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Curzon, Daniel J., 577441694.
Cushing, Stanley R., 093204159.
Cushwa, Phillip C., 490306548.
Cusick, Paul B., 302248507.
Czech, Donald R., 290287316.
Dabrock, William M., 491346274.
Dahl, Arne M., 728076188.
Dailey, Robert R., 421421843.
Dailey, William R., 224405435.
Daily, James H., 446227168.
Daisley, Roger W., 534308213.
Dale, Howard C., 516360300.
Dale, Jack N. M., 499322875.
Daleski, Richard J., 375300642.
Daley, Thomas S., 391302447.
Daloia, Silvio, Jr., 148269441.
Dalrymple, Ronald K., 410462390.
Dalton, Windal K., 237483672.
Daly, Gerald J., 026262843.
Daly, Joseph M., 162285313.
Dame, Jan G., 528289461.
Dander, Vernon A., 526524947.
Daniel, Billy B., 463129345.
Dannenbring, Robert E., 504286638.
Darbyshire, Walter G., Jr., 362344478.
Darcy, Gerald P., 455520891.
Darrow, Lyle E., 271285847.
Dater, Walton F., Jr., 044285493.
Dauten, Frederick W., Jr., 032244594.
Davey, Thomas E., 306281819.
Davis, Charles T., Jr., 064264228.
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Davis, Frank R., 546422413.
Davis, James C., Jr., 369361239.
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Davis, Larry L., 518340997.
Davis, Laurence R., 568420772.
Davis, Lowell J. K., 419422171.
Davis, Robert F., 293303114.
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Davis, Ronald S., 305349306.
Davis, Roy L., 276229335.
Davis, William R., 463488140.
Davison, Russell L., 084285123.
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Day, Jay B., 486320599.
Dayley, James H., 518327195.
Dean, David S., 561443549.
Dean, Jon W., 364348421.
Dean, William F., Jr., 514262749.
Deberry, Charles W., 450488576.
Debus, David L., 392285914.
Decell, George M., III, 428344720.
Decordova, Kenneth E., 447307480.
Dede, Vernon L., 504181695.
Degenhardt, Norman A., 376267043.
Degraaf, Jan W., 073282032.
Delauter, Donald R., 217286201.
Delk, Derrill R., 264469925.
Dell, John J., 142261706.
Delong, George W., 282303748.
Delorenzo, Robert A., 559422890.
Demarino, Rocco A., 118262899.
Demianovich, Max, 178284778.
Demke, John F., 528368874.
Dempster, David P., 073282536.
Dencklau, Everett E., 484344521.
Denezza, Eugene J., 183263743.
Denham, Walter S., Jr., 002301360.
Dennany, James E., 380325498.
Denninger, Valentine L., 079269892.
Dennis, Lawrence V., 532308884.
Denniston, Joseph F., 577500584.
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Denson, Lee A., Jr., 048263226.
Dent, Frederick R., III, 293306304.
Derbin, Anthony W., Jr., 126260133.
Desaulniers, Eugene R., 024266167.
Desroches, Robert R., 003247640.
Dethlefsen, Merlyn H., 481381093.
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Devick, James H., 539282233.
Deviney, Alton H., 464487433.
Devoll, Nathaniel O., 387300473.
Dewilde, David A., 139262964.
Dewitt, Robert D., 360284376.
Dewitt, William T., 524381368.
Dezutter, James E., 320285058.
Dick, Gary L., 501342327.
Dick, John N., Jr., 223400017.
Dickerson, Orville E., 571387852.
Diebolt, Mark T., 1012880451.
Diehl, William C., Jr., 448303085.
Diessner, Oscar G., Jr., 560440839.
Dietz, Arthur H., 535306846.
Dilger, Robert G., 536287696.
Dillard, Billy L., 415464394.
Dillard, Edward, 427522582
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Dixon, William D., 467345185.
Dockins, Orme L., 543325948.
Dodd, Claude S., Jr., 246460479.
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Donald, William R., Jr., 010269786.
Donath, Harold M., Jr., 040263159.
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Donohue, Charles F., 336289312.
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Doub, Logan J., 265466182.
Dougherty, Joseph M., 402364942.
Dougherty, Paul G.. 158206412.
Douglass, William W., Jr., 001242006.
Dowd, Theodore, 056286222.
Dowell, Richard P., 579489004.
Downey, Clark H., Jr., 417367293.
Downs, Robert A., 259507618.
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Dramesi, John A., 143266658.
Dreyer, Christian F., Jr., 577460193.
Drislan, John J., 026261971.
Dromsky, Boleslaw J., Jr., 175264386.
Drumheller, Ernest C., 228482274.
Drury, Richard T., 348247777.
Dudgeon, Cecil E., 494325572.
Duff, Clarence M., 404348356.
Duffack, William C., 505326394.
Duffer, Harold E., 309260840.
Duffy, James F., 035205318.
Duffy, Robert T., 070309979.
Duke, Robert R., 380307725.
Dulong, Perry L., 386322565.
Duncan, John H., Jr., 248408719.
Dunham, Richard A., Jr., 062269565.
Dunn, Richard F., 401400996.
Dunn, Robert D., 538229199.
Dunsavage, William P., 211265472.
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Durio, Donn L., 526369609.
Durning, Patrick F., 148281690.
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Dutton, John A., 031220403.
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Duvall, William D., 362326000.
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Eastabrooks, Willis E., 512286924.
Easton, Lester E., 293303746.
Eaves, William L., 456460487.
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Edwards, Richard C., 254567777.
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Eibling, Joseph H., 165261812.
Eigel, Thomas J., 494365327.
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Elliott, John E., 342248945.
Elliott, Joseph, 192228029.
Ellis, Bobby M., 408485709.
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Ely, Frank E., 452545541.
Embry, James C., 400405417.
Emery, Eugene E., Jr., 228321406.
Emmons, Robert H., Jr., 268289395.
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Engelbeck, Ranald M., 478326465.
Enger, Earle M., Jr., 476342086.
Engle, Joe H., 509321098.
Erb, Eugene A., Jr., 077288951.
Eri, James P., 501289182.
Ericson, Bill D., 511367846.
Ernst, Donald L., 443288062.
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Ernst, William L., 128261766.
Erp, Glen D., 477367531.
Erp, James F., 525625285.
Espenshied, John L., 295282020.
Estes, Thomas B., 400429073.
Evans, Donald L., 311324823.
Evans, Jack A., 288327549.
Evelan, Gerald S., 187247777.
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Everley, Carl B., 186245292.
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Evers, Robert L., 215305296.
Eversole, Donald L., 297289961.
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Faha, Frank T., 543361223.
Fair, Roy V., 255542022.
Fales, Philippe B. V., 526542952.
Falk, Neil R., 065289386.
Fall, William A., 289280625.
Fantaski, James F., 168267239.
Farmer, Norman L., 464488506.
Farrell, Gerald J., 378288668.
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Farrimond, George F., Jr., 528387739.
Farris, Robert H., 006226954.
Faurer, Theodore M., 179267649.
Fava, Donald G., 331284432.
Fay, Elvir A., 452502207.
Fay, Peter G., 023262185.
Feaster, Richard V., 534323524.
Feldmann, John E., 102280844.
Felock, Joseph W., Jr., 115289647.
Feltman, Gordon, 156242708.
Fender, Johnny C., 235520864.
Fenerty, Walter G., 100266143.
Ferguson, William R., 557424427.
Fernald, Richard T., 020268736.
Fernow, Austin O., 481323239.
Ferrell, Floyd J., Jr., 305328888.
Ferrell, Robert O., 224442063.
Ferrier, James E., 310306313.
Ferry, Charles D., II, 151245862.
Fetherston, David E., 336204866.
Fickling, Ralph L., 579469452.
Fidler, Joseph E., 233504924.
Field, Edsel R., 472329068.
Field, Kenneth W., 274260805.
Fields, Thomas E., 454526531.
Figge, Freddie W., 513322124.
Filbey, Hugh L., 197222190.
Fillmore, Leland R., 528344110.
Finch, Charles L., 446321236.
Finck, George C., 097266868.
Fine, Frederick R., 519360929.
Firmin, Wade E., 433469068.
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Fiser, John E., 726099214.
Fisher, Duane W., 540344861.
Fisher, Edward J., 048265219.
Fisher, Philip R., Jr., 412508199.
Fisher, Robert F., 237443596.
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Fitzsimmons, James M., 111247628.
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Fleming, Raymond J., 379325785.
Flemings, Frederic J., Jr., 014261225.
Flentje, Stanley K., 506325844.
Fletcher, Markwell A., Jr., 262480604.
Fletcher, Robert M., 253383765.
Flood, Donald A., 236487983.
Flournoy, Dale R., 463460498.
Fluty, William L., 557385952.
Foeh, Adolph W., Jr., 452485843.
Foisy, Donald B., 533302636.
Foley, Brendan P., 107245219.
Folts, Lavens D., 259525975.
Forbrick, John W., 565307872.
Ford, Clifford G., 472228589.
Ford, Douglas J., 544282910.
Fordham, Wyndell F., 252423963.
Foreman, Martin P., 202268001.
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Forgas, James A., 348248796.
Forman, Richard T., 144261818.
Fornia, Robert F., 536265599.
Forrest, James C., 518283345.
Forshee, Loahman E., 435361968.
Fortenbury, John S., 431522322.
Fortmann, Morris K., 470329067.
Foster, James P., Jr., 251529704.
Foster, Raymond L., 449487225.
Foster, Warren W., 001266857.
Fouts, Joe C., 266387889.
Fowl, Alvin F., 300360229.
Fowler, Leo E. 539261029.
Fowler, Samuel R., Jr., 579405714.
Fox, Charles R., 282306494.
Fox, Robert S., 317287841.
Fraker, Donald D., 520305261.
Francis, Bob L., 525506183.
Francis, James R., 509301308.
Francisco, Jack L., 227405329.
Frankenberg, Raymond, 037209004.
Franklin, Irl L., 510287152.
Franscini, Lucien S., III, 561442712.
Frantz, Harry R. 208265254.
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Frasca, George A., 063268409.
Frazee, Donald W., 028263425.
Frazier, William J., Jr., 451647424.
Fredeen, Lowell A., 395281876.
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Freer, Allen C., 084266135.
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Frise, James R., 524369452.
Frogge, James H., 410507157.
Frost, Alan C., 542348179.
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Fulk, James W., 308326137.
Fulton, Robert H., Jr., 236484215.
Funston, Neal L., 502307784.
Furukawa, Stanley Y., 575260950.
Gaasch, Kenneth H., 487387238.
Gabel, Grant E., 375302862.
Gage, Howard D., 426481670.
Gagliano, Joseph A. N., 394301787.
Gaillardetz, Roger P., 012268643.
Gallop, Richard W., 027229612.
Gamlin, Richard A., 490303376.
Gangol, Anthony J., 494341022.
Gannon, Patrick T., Sr., 264308712.
Garber, James F., III, 268300429.
Garber, Meyer, 260405306.
Gardella, Stephen G., Jr., 726094799.
Gardner, Harvey S., Jr., 053280916.
Gargus, John, 297287963.
Garland, John G., Jr., 226322246.
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Garrett, Clarence M., Jr., 563469963.
Garrett Lewis E., 535305415.
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Garrison, John L., 079260414.
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Gavitt, William F., Jr., 039209883.
Gebhardt, Richard F., 074245919.
Geiger, Robert B., Jr., 563385520.
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Genadio, Frank, 089261289.
Gennaci, Ignatius J., 130263355.
George, Benjamin W., 187248985.
Gerard, Richard C., 348268400.
Gerblick, Paul, 398286091.
Geren, Billy G., 430547149.
Gibbons, James R., 177264372.
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Gilbert, Sid E., 296287325.
Gilchrist, John R., 204262046.
Gilfillan, Joseph, III, 196248994.
Gilhooly, David P., 532264840.
Gillespie, David W., 143268742.
Gillespie, Ronald W., 217306421.
Gillett, Arthur J., 114241172.
Gillory, Byron M., 723121594.
Gilmore, Robert F., 049247079.
Gilmore, Wiley C., 452486015.
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Glamm, David W., 123247075.
Glenn, Lloyd F., Jr., 224344670.
Glenny, Clinton M., 562445240.
Glock, Ronald R., 397281005.
Glover, John A., 401402851.
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Goble, Joseph H., 259501524.
Goble, Lloyd N., 442344992.
Goddard, Dean S., 458449875.
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Godstrey, Kenneth H., 149263885.
Goertz, Robert D., 539282765.
Goldberg, Norman, 114246675.
Golder, Theodore W., 550424019.
Goldfarb, Levi, 028265054.
Goldhamer, Morris M., 183265851.
Goldsborough, Larry G., 728059131.
Goldstein, Stanley E., 105263019.
Golemboski, Richard R., 112282529.
Golka, Chester R., 176282497.
Gollehon, George B., 392282472.
Gollnick, William H., 469261414.
Gomez, Kerry, 580446481.
Gonzales, Don T., 525568685.
Good, Paul R., 282305989.
Goodall, Sim W., 457605492.
Goodhart, Thomas C., 287283154.
Goodreau, Richard J., 375301968.
Goodwyn, Robert T., III, 424509225.
Gordon, Bruce E., 123283850.
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Gorgas, William S., 400405385.
Gorman, Charles A., 457521449.
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Gossett, Robert W., Jr., 464361417.
Gould, Gerald L., 537308549.
Graber, Jack L., 514261508.
Grabowsky, Richard F., 025248094.
Grace, Joe B., 457466085.
Grachek, Joseph E., Jr., 347269459.
Gradyan, Frank J., 300226408.
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Grammer, George E., Jr., 224363917.
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Grassberger, Robert E., 493321117.
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Gray, Allen W., 489345216.
Gray, Charles W., 577445270.
Gray, Jay D., 499241853.
Gray, Russell W., Jr., 248522092.
Graybill, Paul V., Jr., 306301414.
Greco, Joseph J., 524347025.
Green, Joe B., 459520112.
Green, Merrill A., Jr., 205260650.
Green, Roy L., 465824127.
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Greene, Howard J., 025240197.
Greene, Robert M., 568380738.
Greenley, Charles H., 572400226.
Greenwood, Charles D., 543286836
Gregan, James E., 372284351.

Greig, Cyril L., 133222909.
Greisen, Paul H., 524306036.
Greseth, Bendyne S., 473300950.
Gresham, Elwin L., 536243572.
Grice, Robert H., 250626789.
Griffies, William H., 437424307.
Griffith, Earl L., 168268862.
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Griffiths, Robert B., 215325049.
Griggs, Francis V., 314368064.
Griggs, James L., Jr., 284308169.
Grigsby, Donald E., 424449247.
Grill, George W., Jr., 484327023.
Grillo, Thomas Jr., 208247291.
Grimaud, Maurice L., 554440097.
Grimmig, Paul L., 262460705.
Grimsley, Phillip W., 254546461.
Grischkowsky, Edgar R., 518349398.
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Grosh, Karl H., 429627050.
Gross, David I., 015242848.
Gross, William J., 306301965.
Grubb, Roderic R. 509301173
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Grygotis, Joseph E., Jr., 137264697.
Guemmer, Arthur P., 504282633.
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Guimont, Roy A., Jr., 042240881.
Guinchard, Claude J., 215388333.
Guinn, Gregory S., 467309971.
Gulley, Charles B., 428543252.
Gumbrecht, George E., 064267756.
Gunn, Hugh T., 480363297.
Gunter, Eugene B., Jr., 243422540.
Gunter, Lucian A., III, 224388509.
Gurkin, David C., Jr., 244483369.
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Hall, Wilson J., 462385925.
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Halsey, Samuel A., Jr., 238209759.
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Hamann, Robert A., 055285915.
Hamel, Norman A., 030244061.
Hamer, Breeden F., Jr., 250405773.
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Hammett, Bobby F., 428563959.
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Hancock, Murray J., Jr., 550409917.
Hancock, Pascal E., 406446245.
Haney, Robert E., 344209367.
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Hanley, Edward E., III, 004326993.
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Hannah, Gerald J., 481367365.
Hanrahan, Edward B., 055263545.
Hansen, Charles J., Jr., 255483926.
Hansen, Edmund L., 143248034.
Hansen, Lowell K., 542343740.
Hansen, Russell K., 478405160.
Hansen, Walter, 075243324.
Hanson, Jerry L., 481328452.
Hanson, Troy L., 388343787.
Harbour, Charles R., 526265032.
Harclerode, Donal W., 509281168.
Harding, Donald E., 441269523.
Harding, James C., 126266821.
Harding, Ralph M., Jr., 542349864.
Hardister, Joseph E., 239503751.
Hargis, Rex D., 511284728.
Hargrove, Donald R., 516340667.
Harlin, William F., Jr., 459525182.
Harlow, Carlos D., 450469626.
Harms, William R., 065289930.
Harner, Everett D., 358288497.
Harper, Dennis M., 538300778.
Harrington, Neal J., 033243697.
Harris, Frederic J., 475306944.
Harris, Jerry L., 483287872.
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Harrison, John M., 282264499.
Harrison, Paul L., 546424106.
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Harrop, Steve J., 519363591.
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Hartman, Roy E., 162289870.
Hartnett, John D., 021245910.
Harvey, Charles E., 249463857.
Harwell, Aubrey L., 462343252.
Harwood, Robert K., Jr., 26447805.
Hashimoto, Richard A., 511284881.
Haskett, William R., 386306649.
Hass, Paul H., 249460324.
Hastings, Grover W., 306363255.
Hatfield, Wesley J., 234443957.
Hathcock, James R., 460641984.
Hathorn, Reginald H., Jr., 438504291.
Hawkes, Joseph M., 518289389.
Hawkins, Benjamin R., 213320736.
Hawkins, Douglas W., 030241843.
Hayes, Harry D., 243360010.
Hays, Cloyd A., 458528640.
Hazard, Richard F., 059222536.
Head, Richard H., 459500082.
Head, William, 437502331.
Healea, Fred E., Jr., 507365190.
Healy, Charles M., Jr., 113266487.
Healy, Francis V., 312328420.
Heap, Larry A., 529484731.
Heard, Allan P., 262446849.
Heath, Charley W., 506342786.
Heath, Gerry C., 303385552.
Heathcute, James A., 298282465.
Hebenstreit, Karl F., 053268906.
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Heberly, Elwood A., 541341225.
Hedges, Eugene M., 072265145.
Heermann, Henry W., 114260018.
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Hejde, Daniel I., 503322880.
Helinski, Florian D., 396287705.
Helm, Walter L., 057269886.
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Hicks, George T. E., 074289490.
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Holme, Melvin R., 386304334.
Holmes, Irvin W., 267401015.
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Ingram, Campbell B., 240489523.
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Januska, Charles J., 258284758.
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Jones, Ricker H., 519308916.
Jones, Rowland E., 539301710.
Jones, Wilbur R., 579469136.
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Judd, Frederick A., 040266533.
Julius, Ronald J., 473368859.
Jumper, Howard D., 467501428.
Jundt, Charles H., 058286850.
Juneo, Robert A., 477308110.
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Kadera, Ronald R., 559427422.
Kalbfeisch, Darrel K., 518381711.
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Kamp, James J., Jr., 559426423.
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Kane, Raymond A., 101224040.
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Karch, Clifford A., 344260608.
Karimoto, Mickey M., 575367624.
Karras, Nicholas P., 088289825.
Kasbohm, James R., 367249664.
Kasper, Richard L., 160287611.
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Kauffman, Richard H., 277284266.
Kautz, James G., 507382897.
Kean, Hubert T., Jr., 024202112.
Kean, Jerry J., 356267101.
Keating, John E., 135282578.
Keating, Robert S., 196223380.
Keeney, Donald R., 404446044.
Keesee, Dennis E. A., 557343845.
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Kellum, Donald A., 267449194.
Kelly, Charles A., 304328676.
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Kemps, Robert R., 245486199.
Kendall, Lisle G., Jr., 447263917.
Kenefick, Loren L., 396281164.
Kennedy, Eugene C., 354264007.
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Kennedy, Terry A., 514266280.
Kern, David C., 485405611.
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Kerr, Henry F., Jr., 026268984.
Kerr, John B., Jr., 046248100.
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Kessler, Alan, 566429081.
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Kiefer, Herman E., III, 135262284.
Kilborn, John M., 145263911.
Killen, Carrol W., 402300198.
Kimball, Harry H., 003164719.
Kimber, Bruce, 397325931.
Kimsey, Harvey L., 510302756.
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Kinder, Morris B., 493363824.
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King, Cliff, A., Jr., 531309536.
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King, Norwood J., 246480375.
King, William J. L., 378349982.
Kinkele, John W., 572346377.
Kinnebrew, Robert K., 526268523.
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Kippenberger, Jerome A., 489348341.
Kirchgessner, Thomas E., 363308728.
Kirker, Kenneth A., 024245336.
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Klein, John E., 524407127.
Klepper, Stanley D., 439446240.
Klimek, Robert A., Jr., 321265862.
Kline, Wilson J., 162242975.
Kling, David P., 164289013.
Kludnicki, Richard H., 381322564.
Knagenhjelm, Ludvig W., Jr., 064222758.
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Kobelas, Stephen G., 146246871.
Koelling, Richard W., 118264485.
Koentop, Preston E., 289340400.
Koerkenmeier, Leo J., 526542967.
Koestner, James E., 182221393.
Kolm, Fred S., 508324527.
Konyn, Bernard J., 395261066.
Koontz, Esco G., 344244091.
Kopf, John R., 577500213.
Kopp, Donald G., 462442145.
Koppen, Eldridge C., Jr., 353289459.
Koppin, John A., Jr., 361265502.
Korte, Quentin W., 291229849.
Kossler, David J., 183280234.
Kotellos, Harry, 288280068.
Koval, Frank N., 284280706.
Kowalewski, Casimir L., 072268930.
Kowalewski, Stephen L., 204269043.
Kozuma, Harry T., 576285769.
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Kraus, Edwin J., 500323561.
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Kreider, Bruce N., 184280680.
Kristic, Norman, 362326043.
Kristoff, Edward J., Jr., 133226766.
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Krumback, Randall L., 505386253.
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Kuiper, Richard L., 481343017.
Kulla, Vernon M., 55042621.

Kulp, Charles G., Jr., 229367780.
Kurrus, Elmer E., Jr., 408466851.
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Laffitte, Morgan B., 264403157.
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Lally, John J., 570382216.
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Land, Charles P., 313307008.
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Langston, Donald W., 486345820.
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Lee, Gary A., 249428202.
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Lee, Robert L., 529364382.
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Legrand, Alphonse F., III, 433489517.
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Lejk, Richard A., 216308843.
Lemley, Roy, 426485182.
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Lippincott, Henry F., Jr., 185283656.
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Lovering, Peter B., 001242032.
Lowe, Bobby F., 411540111.
Lowery, Donald A., 213246244.
Lowrey, Keith W., 339289317.
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Lundin, Robert L., 505328025.
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Mack, Jerold R., 728096144.
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Mackey, Leo P., 028244578.
Mackinnon, Donald S., 313322560.
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Mackrell, Roy J., 166247308.
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Maggard, Harold C., 400388412.
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Mangum, George S., 436449890.
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Marble, Vern L., 528325283.
Marchant, Joe F., 461467609.
Margiotta, Franklin D., 137267206.
Markey, Frank N., 535269570.
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Markey, William L., 002225146.
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Martin, John T., Jr., 463528564.
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Martinez, Gilbert, 567423968.
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Mashaw, Lawrence A., 415488341.
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Mason, Charles R., 316340044.
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Mathias, Lawrence D., 215389128.
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Mattiucci, John E., 116200571.
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Maturo, Jimmy L., 405320548.
Maupin, Robert E., 452522241.
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Maxwell, Robert D., 230403514.
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May, William T., 202247549.
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Maynard, Byron D., 551386514.
Mayne, Robert L., 508323592.
Mays, Kenneth W., 459442383.
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McAdoo, William T., 549400245
McAneny, John D., 129260835.
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McBride, J. Lynn, 519307163.
McCachren, Robert J., 27930917
McCain, James M., 462560022.
McCarthy, James D., 578340140.
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McCarthy, George F., 513326259.
McChristian, Lester S., Jr., 431527946.
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McClure, Roger E., 272289699.
McConnell, James R., 479347706.
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McGlone, Ronald G., 557486573.
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McGowan, Patrick T., 399242425.
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McGrath, Daniel H., 085267075.
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Meine, Frederick G., 335281009.
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Munro, Robert D., 003226507.
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Murphy, Gerald, E., 241460400.
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Murray, James R., 428524983.
Musgjerd, William A., 501280125.
Musgrove, William D., Jr., 532303551.
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Negri, Robert P., 103287468.
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Nellis, Raymond C., 283300603.
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Newhart, William H., Jr., 210224149.
Newnham, William F., 302281585.
Nichols, Clayton S., Jr., 258422848.
Nicholson, Eddie N., 454560396.
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Nicks, William L., 525641361.
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Nix, Billy G., 457640804.
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Nixon Richard R., 243420936.
Noble, James H., 554426911.
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Nolan, Robert E., Jr., 111208314.
Noonan, Richard A., 048245595.
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Norris, Darrell E., 280304744.
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Notman, William R., III, 263606263.
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Novetzke, William E., 502264370.
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Oakley, Ronald K., 290289686.
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O'Connell, William T., 144220054.
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Odell, Jesse K., 465342387.
Oderman, Dale L., 534328500.
Oelke, Robert J., 475343730.
Officer, Lyn R., 262480064.
Ogles, George W., 411428321.
Oglukian, Raymond L., 241380009.
Ohnemus, John J., 282260942.
O'Keefe, John P., 541385376.
Oken, Arthur J., 078305525.
Okimoto, Frederic S., 352265911.
Oldham, Roy L., 404406895.
Olds, Ernest A., 339282027.
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Oliver, George W., 145246744.
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Oliver, Marvin E., 267420787.
Olman, Lothar A., 354222414.
Olsen, Martin G., 368326274.
Olsen, William A., 361264726.
Olson, Robert E., 483387853.
O'Malley, Edmund P., Jr., 331266246.
Opitz, Stephen J., Jr., 144244549.
Orbock, Edward J. C., Jr., 208244219.
Orenic, Edward J., 353202387.
Oryall, Orland O., 399189419.
Osborne, Clement D., 521364743.
Osborne, Edwin N., Jr., 229365393.
Osgood, Jerry W., 426585203.
Oshima, Raymond M., 576246402.
Osinski, Charles A., Jr., 141267867.
Oswald, John H., 483287931.
O'Toole, William F., 491342102.
Ott, Emmett E., 519304205.

Overby, Ronald C., 517327500.
Overland, Richard M., 473366343.
Overstreet, Roger D., 553426331.
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Owen, Richard A., 009205125.
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Oyama, Robert E., 575322036.
Pachura, William S., 330284656.
Pack, Boyce G., 572402610.
Padgett, James P., 262461992.
Paige, Forrest W., 015265117.
Painter, Charles E., 246467123.
Pair, Lee R., 457541852.
Palmberg, Roger V., 388305740.
Palmer, Edward J., Jr., 151228529.
Paluso, Charles F., 446306995.
Panarese, Edward R., 025225866.
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Pate, John C., 429567391.
Patrick, Paul C., 264525225.
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Pokrant, Edmund R., 175245457.
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Potter, Dudley M., 190281221.
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Prowell, James S., 328266593.
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Riddlebarger, Samuel E., 577460909.
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Reaves, Charley E., 239320951.
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Ward, James E., 380320264.
Warne, Evans E., 393280616.

Warner, Glenn A., 208240621.
Warnock, James L., 541363812.
Warren, Richard H., 064280318.
Waskiewicz, Norman P., 199262708.
Waters, Joseph P., 099241563.
Watkins, Frederick L., 253465888.
Watkins, George T., 407381187.
Watson, Gerald D., 254444032.
Watson, Robert H., 398300271.
Watts, George O., 541343594.
Watts, Keith P., 291306558.
Waugh, Jimmie G., 420527362.
Weatherford, Roscoe L., Jr., 466528423.
Weaver, Kenneth L., 572385788.
Weaver, Philip A., 241446623.
Weaver, Richard C., 390269746.
Weaver, Robert W., 303321506.
Weaver, Robert L., Jr., 266444701.
Weaver, Ronald E., 307326543.
Weber, Lee E., 387325134.
Weeks, Richard V., 570421171.
Weida, Ralph E., 440300502.
Weigel, Robert D. P., 308303833.
Weiss, Bernard L., 146246060.
Wejroch, Joseph L., Jr., 367325616.
Welles, Harrison D., 265461291.
Wellford, Hugh P., 230382982.
Wellons, Phillip R., 238447906.
Wells, Edwin V., 361240033.
Wells, Harold L., 214349123.
Weltman, Bernard I., 116202873.
Wendel, Gary C., 478342209.
Werbel, Jerome H., 124263613.
Weseman, Henry E., 050262747.
Wesselman, Donald W., 219300105.
West, Charles W., 442328471.
West, Charles J., 297260690.
West, Dennis G., 262481510.
West, James M., 232464435.
Westcott, Lawrence P., 025229378.
Westhausen, Gary H., 477303830.
Wetzel, Richard W., 208262236.
Wetzel, Wilbert J., Jr., 434442244.
Wetzel, William T., 521385021.
Weyant, Terry P., 165247033.
Whalen, James P., 059265643.
Whatley, Bill D., 572487174.
Wheeler, Robert E., 579461756.
Whitaker, William E., 005284925.
White, Alford M., Jr., 231362895.
White, James W., Jr., 244427379.
White, Joseph T., 246442989.
White, Milton E., 478361436.
Whitener, James C., 535320473.
Whitman, John F., 356268803.
Whitney, Richard K., 138282011.
Whittaker, Loyal M., 721140066.
Wickwar, Richard N., 482321843.
Wilby, Walter L., 186226671.
Wilde, Thomas A., 476269479.
Wildt, Joseph L., 289240924.
Wilkerson, Clarence Y., Jr., 415462704.
Will, Kenneth J., 315240995.
Williams, Billie J., 450524816.
Williams, Bob F., 539300437.
Williams, Chester Y., 476303525.
Williams, David M., 195248016.
Williams, Douglas L., 270223254.
Wililams, Frederick R., 328283961.
Williams, Leroy S., 101241625.
Williams, Oscar E., Jr., 421424501.
Williams, Perry, 543261090.
Williams, Richard L., 303368972.
Williams, Stanley P., 214327765.
Williams, Walter C., 418387686.
Williamson, Alan R., 529403274.
Williamson, James E., 452369315.
Williamson, Thomas C., Jr., 465482731.
Willingham, James F., Jr., 414429984.
Wilmot, Charle L., Jr., 162289987.
Wilson, Bobby J., 257322283.
Wilson, Charles A., 403408011.
Wilson, Edward N., 511281742.
Wilson, Juandell W., 464408982.
Wilson, Powell J., Jr., 521328483.
Wilson, Samuel W., 518309523.
Wilson, Thomas E., 245486426.
Wilson, Thomas, 439366226.
Wilson, William R., 450601197.
Wilson, William C., 429646480.
Wiltse, George A., 566425584.
Wilz, John P., 502161452.
Wimberly, Johnie H., 144264982.
Winborn, Sam R., Jr., 258482560.
Wing, Richard L., 133308469.
Wingertzahn, James R., 198244842.
Wink, Frank R., 063287074.
Winkler, Roy N., 136267905.
Winter, John R., 528408033.
Winters, Edgar J., 024242368.
Wise, Robert J., 573404365.
Wissert, James L., 504261397.
Witte, Robert E., 313327446.
Woche, Pal R., Jr., 387305504.
Wojahn, John R., 397329134.
Wolfe, John W., 315407972.
Wolfe, Richard H., 290282492.
Wolford, George F., Jr., 561445812.
Wolverton, James R., 444306181.
Womack, John H., Jr., 728011828.
Womack, Vernon L., 446280351.
Wood, David B., 471309687.
Wood, John H., 525589500.
Woodcock, Gerald E., 346241828.
Woodhull, Richard G., Jr., 263429599.
Woodnal, Robert F., 394246799.
Woods, John D., 302223559.
Woods, Thomas W., 515260898.
Woodson, Sidney B., 463540781.
Woodworth, Richard D., 358269211.
Wooley, Patrick V., Jr., 438167161.
Woolwine, David F., 230367745.
Worrick, Mark J., 184243219.
Wortman, Llewellyn F., Jr., 006306260.
Wray, Billy E., 458341823.
Wright, Duggins, F. L., 408502908.
Wright, William H., 116260496.
Wyant, Dalbert B., 281265950.
Wyatt, James G., 284262215.
Yamada, Hisao, 575302224.
Yamamoto, Toru, 575282987.
Yankowski, Nicholas, 191269050.
Yarrington, Arthur, 156243439.
Yates, Mannifred, 405440851.
Yeabower, John A., 725091345.
Yeager, James A., 369328248.
Yeatman, Robert E., 420362315.
Yelton, William V., 521520694.
Yingst, H. Sheldon, 168265579.
Yiskis, Norman L., 566348934.
Young, James G., 093266929.
Young, John F., 402429478.
Young, Perry R., 577464228.
Youngstedt, Gene L., 511306562.
Yunker, Marie D., 521322991.
Zacharias, Jon E., 395283076.
Zahhos, Danny, 473322408.
Zampino, Robert J., 276280827.
Zani, Robert C., 030242094.
Zarndwiec, Felix L., 490305817.
Zeitler, Frank J., 140285218.
Zeller, Eldon W., 509289246.
Ziel, George R., 728055825.
Zieleziensk1, Joseph A., 139281903.
Zielinski, Chester A., Jr., 361248835.
Ziker, Allan A., 183244561.
Zimmerman, Robert G., 308289174.
Zinnecker, Bennet H., 505360892.
Zopf, William D., Jr., 309342712.

CHAPLAINS

Barcome, Earl W., 457681823.
Barrett, Bruce E., 407403391.
Bartos, Francis J., 167348053.
Bause, George H., Jr., 173261644.
Bizer, Waldemar A., 336200882.
Black, Bobby C., 406420576.
Braun, Serran R., 272240088.
Brown, Preston C., Jr., 250286919.
Browne, Vincent T., 116264463.
Bubb, Wilbur W., 190222602.
Buckalew, Lester T., 252407619.
Chilton, Donald O., 094209598.
Condon, Thomas W., Jr., 466344153.
Czarnota, Reynold A., 176207206.
Doonan, John A., 034181173.
Elliott, Francis L., 129183215.
Francis, Donald K., 579346346.
Hall, Darrell E., 414185835.
Halloran, Jerome D., 470225391.
Hayes, Harold E., 567388234.
Hines, Dale A., 367287893.
Jay, Mearle H., 205124078.
Landers, Allen G., 491265037.
Leonard, John F., 018226170.
Madden, Wayne E., 201247804.
McDonald, Paul F., 481240045.
McManus, Robert T., 158322076.
Moreau, Ernest P., 017208591.
Mundinger, Carl S., Jr., 408428596.
Myers, James T., 206120663.
Nason, Howard E., 029241806.
Nebiold, Emilio, 075124139.
Nelson, Sigurd J., 337226727.
O'Connor, Maurice J., 064204419.
Reed, William H., 407200532.
Rice, Frank A., 438380355.
Roberts, John B. G., Jr., 159226333.
Schneider, Edward L., 453248636.
Smith, Eldon R., Jr., 305220550.
Smith, Malcolm E., 267226206.
Sprowl, Richard E., 100221401.
Wragg, Paul H., Jr., 266428899.
Wyzykowski, John M., 114209429.

DENTAL CORPS

Amy, Donald H., 161289583.
Baer, Marvin L., 466484072.
Battock, Richard D., 522386830.
Beardslee, Eric E., 426648416.
Berte, Joseph J., 098306452.
Boyle, William D., Jr., 519343246.
Burch, Robert A., 408487937.
Calem, Herbert M., 117264203.
Costley, Albert W., Jr., 451648203.
Dertien, Donald C., 508362355.
Franciose, Angelo, 233621604.
Fracis, Evan D., 519343919.
Gibson, Ronald M. E., 218308316.
Goldberg, Paul L., 219349096.
Granger, Dale T., 079265152.
Grayson, Frank W., 451504536.
Grochowski, Daniel C., 193303491.
Infeld, Paul, 276300412.
Krenzel, Daniel J., 501349126.
Krusee, Paul A., 516362385.
Labarge, Robert L., 380325135.
Lee, Lawrence M. H., 575301748.
Lehman, Carl A., 419580242.
Leichtman, William S., 384362356.
Marks, Thomas C., 459582161.
McKinney, James F., 512289078.
Miller, Charles D., 504300272.
Morgan, John P., 310248790.
Orman, Albert G., 133329839.
Richardson, William D., 402466335.
Shiller, Edwin B., 261507698.
Skweir, Michael J., Jr., 175265985.
Steed, Donald L., 430469613.
Wee, Clifford G. H., 576306715.
Wysocki, Stanley F., 121263600.

MEDICAL CORPS

Beard, Jeff H., 421424714.
Bell, Eldon E., 533343497.
Bennett, Raymond S., Jr., 296302247.
Biggs, Howard E., 548404221.
Bratton, Jack L., 315305195.
Burney, Robert E., II, 265406854.
Casanovaroig, Ramon, 300384532.
Christensen, Dennis W., 529347897.
Clemenz, Frederick W., 304327760.
Dehart, Roy L., 412549957.
Epstein, Leonard I., 167260630.
Evans, Robert E., 529409023.
Felton, Owen L., 389303683.
Flamm, Melvin D., Jr., 571346971.
Franks, Bert M., 458481711.
Gams, Richard A., 077309022.
Heimbach, Richard D., 334302219.
Hodgson, Corrin J., 470340792.
Johnson, Floyd G., 723031952.
Markham, Sanford M., 513305642.
Martins, Albert N., 081263496.
Mauk, Bryant D., 421423063.
McLelland, Claude A., 456464545.
Morrison, Robert C., 465462825.
Olson, Ross G., 503340725.
Panettiere, Frank, 104286473.
Peck, Sander, 069289569.
Perez, Guerra Francsico, 580581425.
Plecha, Fred R., 269263248.
Price, Richard R., 526406953.
Reynolds, Ralph D., 302288758.

Rogers, John R., 394321076.
Self, Robert G., 403465081.
Shapiro, Stephen R., 060281600.
Shirley, Louis A., 426388147.
Stell, Joe S., 456480371.
Turk, Robert P., 147240896.
Urban, James G., 391326596.
Vanvonderen, Vernon R., 390320281.
Vause, David., 245467082.
Voyagis, Constantine M., 185283835.
Weber, Carl H., Jr., 244503881.
Whitcomb, Ned J., 395320819.
Williams, Ariel L., Jr., 361204357.
Wood, Edward H., 266441386.
Workmon, Frederick C., Sr., 567422816.
Wyatt, Wendell I., 513288642.

NURSE CORPS

Abeles, Lila R., 117265787.
Bailey, Mary J., 185245424.
Ball, Evelyn F., 439468457.
Barry, Mary E., 519282729.
Bennett, Leland R., 069246112.
Boatright, Mary A., 236387760.
Borden, Mary B., 043225957.
Byron, Lois J., 299229572.
Calvert, Dorothy C., 352264930.
Cantwell, Martha E., 426505455.
Cater, Lucy R., 220301968.
Conroy, Sara J., 178301370.
Corbett, Joan E., 113240066.
Dean, Charlene R., 443340601.
Deffner, Mary R., 187207419.
Ellis, Pauline V., 267521676.
Engle, Raye C., 170241610.
Farrell, George E., II, 091246488.
Farrell, Patricia A., 120249506.
Florence, Susie A., 406425628.
Flowers, Patricia M., 050223290.
Frederick, Brooks V., Jr., 514262471.
Furfure, Joseph A., 131163942.
Garza, Juanita, 463425823.
Gilbertson, Joan C., 397309155.
Giniewski, Mary T., 170243322.
Googe, Marjorie C., 193205390.
Harris, Nancy Susan, 538285181.
Hause, Helen E., 382303553.
Health, Lois M., 001242457.
Hettinger, June M., 180205891.
Hosmer, Marilyn E., 002249610.
Huffman, Marcia C., 502363856.
Jones, Florence L., 222128940.
Jorgenson, Mary C., 475245533.
King, Norda M., 535265003.
Kirby, Dennis J., 112289422.
Klajnowski, Martha G., 194224366.
Lane, Jerry, 074240441.
Lawrence, Annie L., 065265495.
Logan, Bertha A., 541248879.
Lynch, Mary C., 032248568.
Maine, Hugh C., 102266233.
Martinsen, Margaret M., 535266073.
Matheson, Billie G., 24534408.
Matheson, Joan A., 121228933.
McAllister, Biddie R., 420366009.
McFarlin, Margaret R., 030189315.
McIlquham, Corrine J., 353162257.
McLaughlin, Mary L., 027222581.
Merrow, Jean T., 181264554.
Miyagawa, Cora H., 576280788.
Moran, Barbara M., 037206558.
Moyer, Donald S., 132222704.
Mumper, Monna L., 162264303.
Nakatani, Lilly A., 419526707.
Navarro, Pete, 460525244.
Newman, Lawrence S., 119167666.
Obarr, Joyce E., 430527658.
Ohrt, Valerie A., 052226668.
Overacre, Robert C., 722017146.
Parcells, Phyllis P., 047269889.
Pratt, Leroy O., 113240628.
Richardson, Evelyn G., 420444966.
Santacroce, Anthony F., 053264805.
Sargent, Arlene M., 472242672.
Spirek, June J., 374307381.
Staudenmaier, Herbert V., 503264592.
Steiner, Marion H., 403320848.
Swansburg, Russell C., 297280688.
Thornburg, Colleen, 491303379.
Watson, Herbert T., 074187379.
Welsh, Dorothy M., 198247262.
Wetherby, Shirley M., 101267303.
White, Betty J., 490408517.
Whittemore, Earl C., Jr., 112166215.
Williams, Ethel M. B., 247581601.

MEDICAL SERVICE CORPS

Bauer, Robert A., 339228724.
Collom, James D., 316286272.
Corley, Horace A., 437306671.
Corum, B. H., 422407522.
DeMuth, William J., Jr., 393263868.
Dickson, Lonnie J., 433380294.
Dunn, Norwood C., 242524619.
Farringer, John R., 188209775.
Garron, Leonard J., 441281568.
Grady, Eddie L., Jr., 432509705.
Graves, Frederick J., 005264328.
Greaser, Robert C., 233427674.
Harman, George W., 205165438.
Hegele, Jack D., 290184316.
Hentz, David E., 033224585.
Kaplan, Burton, 030226609.
Kelley, Ronald L., 563404451.
Kelsey, Donn R., 482241324.
Kratzsch, Paul F., 034224536.
Lensch, John P., 573367112.
Lund, Richard A., 469322060.
McAfee, Charles A., 409385199.
Pence, James M., 407342588.
Penner, Norman R., 549383074.
Pomeroy, Gary J., 3326281901.
Reevesman, Sanford L., 381286045.
Rosenbaum, Samuel F., 426581201.
Schusselle, Jerry H., 512327494.
Snyder, Richard A., 074243841.
Tager, Robert M., 444223331.

VETERINARY CORPS

Blackman, Daniel A., 256541194.
Britz, William E., Jr., 330285609.
Brown, Richard J., 523324770.
Jones, Norman D., Jr., 341224893.
McKinney, Hubert E., 418385100.
Olson, Roland C., 475344138.
Pryor, William H., Jr., 232529740.
Shannon, Robert D., 257309793.
Smith, Malcolm C., Jr., 449520641.
Sturges, Dewey V., 521420670.
Tom, Henry K., Jr., 460448092.

BIOMEDICAL SCIENCES CORPS

Burns, Carol H., 051285786.
Casimiro, Paul S., 558362925.
Chipser, Joseph F., 163208827.
Gallagher, James T., 233485785.
Gunter, James J., 427527755.
Hartley, James E., 265340038.
Hill, Sherwood S., 205265702.
Kellogg, Robert S., 578420209.
Margolis, Hannah S., 075287435.
Maxwell, Muriel O., 011243494.
McKinney, Vernor L., 317262978.
Meade, John P., 106245106.
Page, Carolyn T., 373282468.
Rubin, Martin G., 011260943.

HOUSE OF REPRESENTATIVES—*Monday, October 13, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

There will be glory and honor and peace for everyone who does good.—Romans 2: 10.

Eternal God, our Father, without whose blessing all our labor is in vain, grant that in the decisions we make we may be mindful of Thy presence and eager to do Thy will. Inspire us with a faith that never falters, a faithfulness that never fails, and a fidelity that never fades as we endeavor to do our duty for the good of our country.

Kindle in the hearts of all men a true love for peace, a sincere desire for the triumph of truth, and an increasing concern for the welfare of all mankind. So may Thy kingdom go forward, Thy will be done, and love live in the hearts of Thy children.

In the spirit of Christ we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, October 9, 1969, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries, who also informed the House that on October 10, 1969, the President approved and signed bills of the House of the following titles:

H.R. 4152. An act to authorize appropriations for certain maritime programs of the Department of Commerce; and

H.R. 10420. An act to permit certain real property in the State of Maryland to be used for highway purposes.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 12829. An act to provide an extension of the interest equalization tax, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 12829) entitled "An act to provide an extension of the interest equalization tax, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. LONG, Mr. ANDERSON, Mr. GORE, Mr. WILLIAMS of Delaware, and Mr. BENNETT to be the conferees on the part of the Senate.

REQUEST FOR APPOINTMENT OF CONFEREES ON H.R. 12829, EXTENSION OF INTEREST EQUALIZATION TAX

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 12829) to provide an extension of the interest equalization tax, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. CELLER. Mr. Speaker, reserving the right to object, this bill has come over from the other body and it provides principally for interest equalization, but there has been tagged onto it an utterly irrelevant provision. That is a practice that has been used by the other body on quite a number of our bills; that is, the other body frequently takes a bill we passed in the Chamber and adds to it, as an amendment, another bill which has nothing to do with the measure we passed.

When that is done, when an utterly irrelevant bill is tagged onto a bill we have passed, the bill then goes to conference. By this technique this House is deprived of the opportunity of holding hearings, for example, on the bill that was offered as an amendment to the measure we originally passed.

The appropriate committee that would have jurisdiction over the amendment is bypassed. The Members, in a certain sense, buy a pig in a poke. They do not know exactly what is contained in the amendment offered, which is really a new bill offered by the Members of the other body.

This kind of a practice has been going on for quite a number of years. It is time to call a halt. We should strike a blow for liberty, as it were, rebel against this practice. We are either men or mice. We are either lions or sheep. We should not be any longer dumb-driven cattle to bow under and knuckle to this kind of a practice. The two bodies are coequal. This is not equality. It is making us vassals and the Members of the other body masters.

I have spoken with the chairman of the Rules Committee, the distinguished gentleman from Mississippi (Mr. COLMER), and he agrees with me that the rules of the House should be changed so that we would not be presented with a bill which we passed, on which there was added an utterly irrelevant and nongermane provision.

We provide in this Chamber that one cannot amend a bill unless the amendment has some relevancy. That rule does not, unfortunately, prevail in the other body. The fact that it does not prevail is used by Members of the other body to put their pet measures into bills that we have passed.

For that reason, Mr. Speaker, I must reluctantly object to the bill going to conference. I hope the chairman of the Ways and Means Committee will reject the so-called ammunition amendment, which has naught to do with interest equalization and refers to a change in the Gun Control Act.

Let the process be normal. If the chairman rejects the so-called gun control amendment, I pledge here and now suitably to hold hearings on that ammunition amendment and permit the House to work its will normally and not in the contemplated "shotgun" manner.

I therefore object.

The SPEAKER. Objection is heard.

APPOINTMENT OF CONFEREES ON H.R. 12781, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS, 1970

Mrs. HANSEN of Washington. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 12781) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1970, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentlewoman from Washington?

Mr. ANDERSON of Illinois. Mr. Speaker, reserving the right to object, I make the reservation merely for the purpose of asking the gentlewoman from Washington whether or not this request has been cleared with the ranking Republican member of the subcommittee, the gentleman from South Dakota (Mr. REIFEL).

Mrs. HANSEN of Washington. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentlewoman from Washington.

Mrs. HANSEN of Washington. In reply to the distinguished gentleman from Illinois may I say that the ranking minority member conferred with me at some length. We went over all matters to be discussed. The gentleman is in his district today or would be present. It has been cleared with the ranking minority member and all members of the subcommittee.

Mr. ANDERSON of Illinois. Mr. Speaker, I thank the gentlewoman from Washington for that explanation, and I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentlewoman from Washington?

Mr. GROSS. Mr. Speaker, further reserving the right to object, may I ask the gentlewoman from Washington if, within her knowledge, there are any amendments attached by the other body to this bill which may not be germane to the bill?

Mrs. HANSEN of Washington. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentlewoman from Washington.

Mrs. HANSEN of Washington. In reply to the distinguished gentleman from Iowa, there are no nongermane amendments proposed by the other body which are pending for consideration by the conference committee.

Mr. GROSS. I thank the gentlewoman.

Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentlewoman from Washington? The Chair hears none, and appoints the following conferees: Mrs. HANSEN of Washington and Messrs. KIRWAN, MARSH, FLYNT, MAHON, REIFEL, MCDADE, WYATT, and BOW.

APPOINTMENT OF CONFEREES ON S. 1689, CHILD PROTECTION ACT OF 1969

Mr. FRIEDEL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S.1689) to amend the Federal Hazardous Substances Act to protect children from toys and other articles intended for use by children which are hazardous due to the presence of electrical, mechanical, or thermal hazards and for other purposes, with House amendments thereto, insist on the House amendments, and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Maryland? The Chair hears none, and appoints the following conferees: Messrs. STAGGERS, MOSS, MURPHY of New York, SPRINGER, and KEITH.

TAX REFORM

(Mr. VANIK asked and was given permission to address the House for 1 minute and to revise and extend his remarks).

Mr. VANIK. Mr. Speaker, the average taxpayer of America must be chagrined at the "happenings" on the Senate Finance Committee on tax reform. The first decisions protect tax privilege at every turn.

It would be a shame if the reasonable efforts of the Ways and Means Committee and the House of Representatives to close tax loopholes were subverted. If our efforts to close loopholes are imperfect— the burden for creating acceptable alternatives must shift to the Senate Finance Committee.

The entire Nation is watching.

PERMISSION FOR COMMITTEE ON EDUCATION AND LABOR TO FILE REPORT

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor may have until midnight tonight to file a report on H.R. 13950, the Coal Mine Safety Act.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

DISTRICT OF COLUMBIA GOVERNMENT REFORM

(Mr. ADAMS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ADAMS. Mr. Speaker, this weekend I received a message from President Nixon urging that Congress and the administration work together on a series of programs.

On page 5 of his message he says:

> The Federal city has been a federal colony far too long. Months ago I presented to Congress a program to bring about the orderly transfer of political power to the people of this community.

The President then goes on to state that he has presented to Congress bills for a nonvoting delegate, for a charter commission on self-government and a proposal for a constitutional amendment to grant to the city representation in Congress.

I have joined with a number of my colleagues in support of the constitutional amendment to give voting representatives in Congress to the District of Columbia and this bill is presently pending in Judiciary Committee.

I was particularly concerned, however, with his statement that work should be

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completed before the end of the year on the nonvoting delegate bill and the charter commission bill, both of which have passed the Senate.

There are 25 members authorized on the District of Columbia Committee. On the nonvoting delegate bill, I joined with four of my Democratic colleagues on the committee and 10 Republican members on the committee to introduce this bill. This makes 15 votes for the bill, which I count as a majority.

On the charter commission bill, six of us Democratic members on the committee joined on this bill with 11 Republicans on the committee which made 17, and I count that as a majority of 25.

Since receiving the message this weekend, I have been attempting to contact my colleagues to be certain their position is still the same. I want to state this morning to the President and to the Republican leadership that I have already been able to reach the gentleman from Indiana (Mr. JACOBS), the gentleman from Minnesota (Mr. FRASER), and the gentleman from Michigan (Mr. DIGGS) and we publicly state today that we will vote this day or any other to pass out the charter commission bill and the nonvoting delegate bill from the House District of Columbia Committee.

There is presently one Republican vacancy on the committee so there are only 24 members. As I count, there are at least 10 Republicans for each bill, and therefore if the gentleman from Minnesota (Mr. FRASER), the gentleman from Indiana (Mr. JACOBS), the gentleman from Michigan (Mr. DIGGS), and I vote for this bill, that gives a majority this morning for each of these bills if the Republican leadership wants to pass them.

Rule 4 of the rules governing procedures of the Committee on the District of Columbia provides:

> No bill or other matter shall be brought up for hearing or other consideration except with the approval of the chairman or by a majority vote of a quorum of the committee. A majority of the committee shall constitute a quorum, except that less than a quorum shall be competent to hold hearings.

I would suggest to the President that he contact the Republican members of the committee and tell them they can pass the bill this week. In fact, if he gives me a little more time, I am certain I can obtain support from three or four more of my Democratic colleagues and he will have an overwhelming majority.

Mr. President, the next move is up to the Republican leadership.

CONFERENCE REPORT ON H.R. 13194, HIGHER EDUCATION ACT AMENDMENTS ON INSURED STUDENT LOANS

Mr. PERKINS submitted the following conference report and statement on the bill (H.R. 13194) to amend the Higher Education Act of 1965 to authorize Federal market adjustment payments to lenders with respect to insured student loans when necessary in the light of economic conditions, in order to assure that students will have reasonable access to such loans for financing their education:

CONFERENCE REPORT (H. REPT. 91–560)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 13194) to amend the Higher Education Act of 1965 to authorize Federal market adjustment payments to lenders with respect to insured student loans when necessary in the light of economic conditions, in order to assure that students will have reasonable access to such loans for financing their education, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That this Act may be cited as the 'Emergency Insured Student Loan Act of 1969'.

"INCENTIVE PAYMENTS ON INSURED STUDENT LOANS

"SEC. 2. (a)(1) Whenever the Secretary of Health, Education, and Welfare determines that the limitations on interest or other conditions (or both) applicable under part B of title IV of the Higher Education Act of 1965 (Public Law 89–329) to student loans eligible for insurance by the Commissioner of Education or under a State or nonprofit private insurance program covered by an agreement under section 428(b) of such Act, considered in the light of the then current economic conditions and in particular the relevant money market, are impeding or threatening to impede the carrying out of the purposes of such part B and have caused the return to holders of such loans to be less than equitable, he is hereby authorized, by regulation applicable to a three-month period specified therein, to prescribe (after consultation with the Secretary of the Treasury and the heads of other appropriate agencies) a special allowance to be paid by the Commissioner of Education to each holder of an eligible loan or loans. The amount of such allowance to any holder with respect to such period shall be a percentage, specified in such regulation, of the average unpaid balance of disbursed principal (not including interest added to principal) of all eligible loans held by such holder during such period, which balance shall be computed in a manner specified in such regulation; but no such percentage shall be set at a rate in excess of 3 per centum per annum.

"(2) A determination pursuant to paragraph (1) may be made by the Secretary of Health, Education, and Welfare, on a national, regional, or other appropriate basis and the regulation based thereon may, accordingly, set differing allowance rates for different regions or other areas or classifications of lenders, within the limit of the maximum rate set forth in paragraph (1).

"(3) For each three-month period with respect to which the Secretary of Health, Education, and Welfare prescribes a special allowance, the determination required by paragraph (1) shall be made, and the percentage rate applicable thereto shall be set, by promulgation of a new regulation or by amendment to a regulation applicable to a prior period or periods.

"(4) The special allowance established for any such three-month period shall be payable at such time, after the close of such period, as may be specified by or pursuant to regulations promulgated under this Act. The holder of a loan with respect to which any such allowance is to be paid shall be deemed to have a contractual right, as against the United States, to receive such allowance from the Commissioner.

"(5) Each regulation or amendment, prescribed under this Act, which establishes a special allowance with respect to a three-month period specified in the regulation or amendment shall, notwithstanding section 505 of the Higher Education Amendments of 1968, apply to the three-month period immediately preceding the period in which such regulation or amendment is published in the Federal Register, except that the first such regulation may be made effective as of August 1, 1969, and notwithstanding other provisions of this section requiring a three-month period, may be made effective for a period of less than three months.

"(6)(A) The Secretary of Health, Education, and Welfare shall determine, with respect to the student insured loan program as authorized under part B of title IV of the Higher Education Act of 1965 and this Act, whether there are any practices of lending institutions which may result in discrimination against particular classes or categories of students, including the requirement that as a condition to the receipt of a loan the student or his family maintain a business relationship with the lender, the consequences of such requirement, and the practice of refusing to make loans to students for their freshman year of study, and also including any discrimination on the basis of sex, color, creed, or national origin. The Secretary shall make a report with respect to such determination, and his recommendations, to the Congress on or before March 1, 1970.

"(B) If, after making such determination, the Secretary finds that, in any area, a substantial number of eligible students are denied a fair opportunity to obtain an insured student loan because of practices of lending institutions in the area which limit student participation, (i) he shall take such steps as may be appropriate, after consultation with the appropriate State guarantee agencies and the Advisory Council on Financial Aid to Students, relating to such practices and to encourage the development in such area of a plan to increase the availability of financial assistance opportunities for such students, and (ii) he shall, within sixty days after making such determination, adopt or amend appropriate regulations pertaining to the student insured loan program to prevent, where practicable, any practices which he finds have denied loans to a substantial number of students.

"(7) As used in this Act, the term 'eligible loan' means a loan made on or after August 1, 1969, and prior to July 1, 1971, which is insured under title IV–B of the Higher Education Act of 1965, or made under a program covered by an agreement under section 428 (b) of such Act.

"(b) The Commissioner of Education shall pay to the holder of an eligible loan, at such time or times as are specified in regulations, a special allowance prescribed pursuant to subsection (a), subject to the condition that such holder shall submit to the Commissioner, at such time or times and in such manner as he may deem proper, such information as may be required by regulation for the purpose of enabling the Secretary of Health, Education, and Welfare and the Commissioner to carry out their functions under this Act and to carry out the purposes of this Act.

"(c)(1) There are hereby authorized to be appropriated for special allowances as authorized by this section not to exceed $20,000,000 for the fiscal year ending June 30, 1970, $40,000,000 for the fiscal year ending June 30, 1971, and for succeeding fiscal years such sums as may be necessary.

"(2) Sums available for expenditure pursuant to appropriations made for the fiscal year ending June 30, 1969, under section 421(b) (other than clause (1) thereof) of the Higher Education Act of 1965 shall be available for payment of special allowances under this Act. The authorization in paragraph (1) shall be reduced by the amount made available pursuant to this paragraph.

“INCREASED AUTHORIZATION FOR THE NATIONAL DEFENSE STUDENT LOAN PROGRAM

“Sec. 3. Section 201 of the National Defense Education Act of 1958 is amended by striking out ‘275,000,000 for the fiscal year ending June 30, 1970, and, $300,000,000 for the fiscal year ending June 30 1971’ and inserting in lieu thereof ‘$325,000,000 for the fiscal year ending June 30, 1970, and $375,000,000 for the fiscal year ending June 30, 1971’.

“INCREASED AUTHORIZATION FOR THE EDUCATIONAL OPPORTUNITY GRANT PROGRAM

“Sec. 4. Section 401(b) of the Higher Education Act of 1965 is amended by striking out ‘$100,000,000 for the fiscal year ending June 30, 1970, and $140,000,000 for the fiscal year ending June 30, 1971’ and inserting in lieu thereof ‘$125,000,000 for the fiscal year ending June 30, 1970, and $170,000,000 for the fiscal year ending June 30, 1971’.

“INCREASED AUTHORIZATION FOR THE WORK-STUDY PROGRAM

“Sec. 5. Section 441(b) of the Higher Education Act of 1965 is amended by striking out ‘$250,000,000 for the fiscal year ending June 30, 1970, and $285,000,000 for the fiscal year ending June 30, 1971’ and inserting in lieu thereof ‘$275,000,000 for the fiscal year ending June 30, 1970, and $320,000,000 for the fiscal year ending June 30, 1971’.”

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same with an amendment as follows: Amend the title so as to read: “An Act to authorize special allowances for lenders with respect to insured student loans under title IV–B of the Higher Education Act of 1965 when necessary in the light of economic conditions in order to assure that students will have reasonable access to such loans for financing their education, and to increase the authorizations for certain other student assistance programs.”.

And the Senate agree to the same.

Carl D. Perkins,
Edith Green,
John Brademas,
Hugh Carey,
William D. Hathaway,
Phillip Burton,
Frank Thompson,
James H. Scheuer,
Louis Stokes,
William L. Clay,
William Ayres,
Albert H. Quie,
Ogden Reid,
John N. Erlenborn,
Marvin L. Esch,
John Dellenback,
William Steiger,
Managers on the Part of the House.

Claiborne Pell,
Ralph W. Yarborough,
Jennings Randolph,
Harrison Williams,
Edward M. Kennedy,
Walter F. Mondale,
Thomas F. Eagleton,
Winston L. Prouty,
J. Javits,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 13194) to amend the Higher Education Act of 1965 to authorize Federal market adjustment payments to lenders with respect to insured student loans when necessary in the light of economic conditions, in order to assure that students will have reasonable access to such loans for financing their education, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment struck out all of the text of the House bill and inserted in lieu thereof a new text. It also amended the title of the House bill. The House recedes from its disagreement to the amendments of the Senate and agrees to the same with amendments to the text of the bill and to the title. This statement describes the recommendations of the committee of conference with respect to each of the substantive differences between the House bill and the Senate amendment.

The House bill and the Senate amendment differed as to the type and manner of computing the allowances to be paid under the bill. The House bill made the payments dependent on a determination by the Secretary that the limitations on interest or other conditions have caused the return to the lender “to be less than equitable.” The Senate amendment made the determination of the Secretary depend on whether limitations on interest or other conditions “are impeding or threatening to impede the carrying out of the purposes” of the insured student loan program. The agreement reached in conference requires that the criteria in both the House bill and the Senate amendment must be met.

The House bill provided that the allowances which will be paid would be called market adjustment allowances. Under the Senate amendment, they would be called incentive allowances. The substitute agreed upon in conference provides that they will be called special allowances.

Under the House bill, the amount of the allowances would be fixed retrospectively with respect to the 3-month period preceding the publication in the Federal Register of a regulation prescribing the amount of the allowance. The Senate amendment provided that the amount of these allowances would be prescribed prospectively for the 3-month period beginning with the first day of the calendar month following the publication in the Federal Register of a regulation prescribing them. The conference substitute provides that these allowances will be prescribed retrospectively as in the House bill.

The House bill and Senate amendment differed as to the duration of the period during which the program would be in effect. The House bill provided that an allowance could be paid on loans made after June 30, 1969, and before the regular expiration date of the Higher Education Act of 1965—that is, June 30, 1971. The Senate amendment provided that payments could be made with respect to loans made after August 15, 1969, and prior to July 1, 1970. The conference substitute provides that the beginning date of such period shall be August 1, 1969, and that such period would have a duration coextensive with that of the Higher Education Act of 1965, as in the House bill. The House bill, unlike the Senate amendment, authorized the continuation of allowances for loans made during such period for the duration of such loans. This authorization is retained in the conference substitute. The Senate amendment authorized the appropriation of $15 million for payment of allowances during fiscal year 1970. The House bill authorized for fiscal year 1970 and succeeding fiscal years such sums as are necessary to carry out the program. The conference substitute authorizes the appropriation of $20 million for fiscal year 1970, and $40 million for fiscal year 1971. In addition, as in the House bill, appropriations are authorized to pay allowances over the life of loans made during such period.

The House bill amended the existing Higher Education Act of 1965. In contrast, the Senate amendment was a new and independent enactment. The conference substitute adopts the approach of the Senate amendment in this regard, which results in a number of minor technical differences. For example, the Senate amendment, unlike the House bill, did not explicitly state that the right to receive a market adjustment allowance is a contractual right. This provision of the House bill is contained in the conference substitute. The House bill relied on the authority already contained in the Higher Education Act of 1965 with respect to the right of the Commissioner to require the submission of information. The Senate amendment contained a new provision. The conference agreement adopts the Senate provision on this matter.

The Senate amendment contained a provision requiring the Secretary of Health, Education, and Welfare to prescribe procedures which would prohibit lenders from requiring as a condition, precedent or subsequent, for making an insured student loan that the student or a member of his family must carry out any other business activity with the lender. The House bill contained no comparable provision. The conference substitute provides that the Secretary of Health, Education, and Welfare must determine whether there are any practices of lending institutions participating in the insured student loan program which may result in discrimination against particular classes or categories of students. The Secretary's review of lending practices is to be comprehensive and include, but not be limited to, determinations with respect to practices which may result in discrimination on the basis of sex, color, creed, or national origin and determinations with respect to the practice of requiring a student or his family to have a business relationship with the lender, and to the practice of refusing to make loans for a student's freshman year. The Secretary will make a report to the Congress with respect to his determinations and his recommendations on or before March 1, 1970. In addition to any recommendations for legislative or administrative action, the managers on the part of the House expect the Secretary's report to provide a detailed analysis of such lending practices and the consequences of such practices. If after making his determination with respect to such practices the Secretary further finds that there are a substantial number of eligible students who are denied a fair opportunity to obtain an insured student loan because of such practices, he is required to take appropriate steps (after consulting with appropriate State guarantee agencies and the Advisory Council on Financial Aid to Students) relating to such practices, and to encourage the development in the area of a plan to increase the availability of financial assistance opportunities for students. He is also required, within 60 days after making the determination referred to above, to adopt appropriate regulations pertaining to the student insured loan program to prevent, where practicable, practices which he finds have denied loans to a substantial number of students.

The Senate amendment amended title II of the National Defense Education Act of 1958 to raise the amount authorized to be appropriated for contributions to student loan funds from $275 million for fiscal 1970 to $325 million; and for fiscal 1971 it raised the present authorization of $300 to $375 million. The conference substitute adopts this provision of the Senate amendment.

The Senate amendment also amended title IV of the Higher Education Act of 1965 to raise the authorization of appropriations for college work study programs from $250 million for fiscal 1970 to $275 million, and also raised such authorization for fiscal 1971 from $285 to $320 million. The substitute agreed upon in conference adopts the Senate provision.

The Senate amendment also amended title IV of the Higher Education Act of 1965 to raise the authorizations of appropriations for educational opportunity grants from $100

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million for fiscal 1970 to $150 million. For fiscal 1971, it raised such authorizations from $140 to $200 million. The conference substitute raises the authorization for fiscal 1970 to $125 million, and for fiscal 1971 to $170 million.

The committee of conference amended the title to reflect the above-described action of the committee.

Carl D. Perkins,
Edith Green,
John Brademas,
Hugh Carey,
William D. Hathaway,
Phillip Burton,
Frank Thompson,
James H. Scheuer,
Louis Stokes,
William L. Clay,
William Ayres,
Albert H. Quie,
Ogden Reid,
John N. Erlenborn,
Marvin L. Esch,
John Dellenback,
William Steiger,
Managers on the Part of the House.

IS A LITTLE BIT OF PREGNANCY ACCEPTABLE TOO, MR. PRESIDENT?

(Mr. PODELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PODELL. Mr. Speaker, I fervently hope that the 515,000 Americans who lost their jobs in the last 60 days paid close attention to the recent Senate testimony by Secretary of the Treasury Kennedy. He stated that a 4-percent rise in unemployment was "acceptable" to the administration. He also said the administration believed it was necessary to continue its disastrous policies that might force unemployment even higher.

Here we have a picture of more than half a million Americans thrown out of useful employment in a very short period, and the Government of our country blandly dismisses this as acceptable. What would we say if a doctor dismissed a little bit of cancer as acceptable? Or a smidgin of cholera morbus? Or a touch of heart disease? Or just a teensy-weensy bit of pregnancy? How does a 4-percent rate of leprosy strike you?

I wonder if our profound Secretary of the Treasury has any realization of how his "acceptable" level of unemployment will strike people who have lost their jobs. Well, after all, the men now running our Government have little knowledge or understanding of the daily struggle for life. The unemployed are only working people, are they not? Forgotten Americans, I believe the President called them during his campaign. They are forgotten, all right.

One representative of the Government, Mr. Weidenbaum, expressed his pleasure over soaring unemployment figures, while a White House spokesman says, "We are not happy with the increase in unemployment." Take your choice. Both are as solid as empty jugs.

Are they unhappy or happy over the highest interest rates in a generation? Are they dancing joyfully in the White House over the disaster overtaking housing, the stock market, and the average worker? Or do they sit in sackcloth and ashes, dolefully mourning such turns of events? Do they clink champagne glasses as unemployment lines lengthen? Is it all part of their master plan? Let us in on the secret. Perhaps it is just like the President's secret method for ending the war.

In the President's war against inflation, the only casualties are working people across the land. Their wounds and agony are his success in the battle against too much prosperity. Some war. Some success. We shall end inflation, all right. And when millions upon millions of Americans are without work, money or hope, President Nixon will triumphantly bestride the ruins of our economy and joyfully proclaim "We have won the war against inflation." And against full employment and national well-being, too. And the massed bankers, corporation presidents, and boards of directors will cheer him to the echo. And the average working person? What will they say in their millions? Why, they will be too busy to say anything. There is no time when you are on your way to the polls to vote.

CAPT. JAMES M. SPRAYBERRY, THIRD ALABAMIAN TO RECEIVE CONGRESSIONAL MEDAL FOR HEROISM IN VIETNAM WAR

(Mr. NICHOLS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous material.)

Mr. NICHOLS. Mr. Speaker, last Thursday President Nixon awarded the Nation's highest military award to four Army men. One of those who received the Congressional Medal of Honor was a young man from my hometown of Sylacauga, Ala. Capt. James M. Sprayberry is only the third Alabamian to receive the Congressional Medal for heroism in the Vietnam war, and the first to live to receive it.

I know I speak for all Alabamians and all Americans when I say we are proud of this young man and the part he has played in the fight against communism. The actions for which Captain Sprayberry received the Congressional Medal are outlined in the citation which accompanied the award. Mr. Speaker, I include that citation in the Record at this point, and also editorials from the Sylacauga Advance and the Birmingham News lauding Captain Sprayberry:

Citation

The President of the United States of America, authorized by act of Congress, March 3, 1863 has awarded in the name of The Congress the Medal of Honor to Captain James M. Sprayberry, United States Army for conspicuous gallantry and intrepidity in action at the risk of his life above and beyond the call of duty:

Captain (then First Lieutenant) James M. Sprayberry, Armor, United States Army, distinguished himself by exceptional bravery on 25 April 1968 in the Republic of Vietnam while serving as Executive Officer of Company D, 5th Battalion, 7th Cavalry, 1st Cavalry Division (Airmobile). On this date his Company Commander and a great number of the men were wounded and separated from the main body of the company. A daylight attempt to rescue them was driven back by the well-entrenched enemy's heavy fire. Captain Sprayberry then organized and led a volunteer night patrol to eliminate the intervening enemy bunkers and to relieve the surrounded element. The patrol soon began receiving enemy machine gun fire. Captain Sprayberry quickly moved the men to protective cover and without regard for his own safety, crawled within close range of the bunker from which the fire was coming. He silenced the machine gun with a hand grenade. Identifying several one-man enemy positions nearby, Captain Sprayberry immediately attacked them with the rest of his grenades. He crawled back for more grenades and when two grenades were thrown at his men from a position to the front, Captain Sprayberry, without hesitation, again exposed himself and charged the enemy-held bunker killing its occupants with a grenade. Placing two men to cover his advance, he crawled froward and neutralized three more bunkers with grenades. Immediately thereafter, Captain Sprayberry was surprised by an enemy soldier who charged from a concealed position. He killed the soldier with his pistol and with continuing disregard for the danger neutralized another enemy emplacement. Captain Sprayberry then established radio contract with the isolated men, directing them toward his position. When the two elements made contact he organized his men into litter parties to evacuate the wounded. As the evacuation was nearing completion, he observed an enemy machine gun position which he silenced with a grenade. Captain Sprayberry returned to the rescue party, established security, and moved to friendly lines with the wounded. This rescue operation, which lasted approximately seven and one-half hours, saved the lives of many of his fellow soldiers. Captain Sprayberry personally killed twelve enemy soldiers, eliminated two machine guns, and destroyed numerous enemy bunkers. Captain Sprayberry's indomitable spirit and gallant action at great personal risk to his life are in keeping with the highest traditions of the military service and reflect great credit upon himself, his unit, and the United States Army.

[From the Sylacauga (Ala.) Advance, Oct. 9, 1969]

Our Medal of Honor Recipient

All Sylacauga can indeed be proud of its first Medal of Honor winner, Capt. James Michael Sprayberry. Wednesday he received the nation's highest award for valor from President Nixon at the White House.

Capt. Sprayberry, 22, is a graduate of B. B. Comer School and attended Alexander City Junior College. His parents are the O. H. Sprayberrys and his wife is the former Nancy Herd.

Already a recipient of the Silver Star and Purple Heart medals, Capt. Sprayberry was recommended for the Congressional Medal of Honor for his efforts in Vietnam April 25 and 26, 1968.

His daring night rescue of an ambushed platoon was called by the 1st Cavalry Division's commanding general, "the bravest single act that I have heard of during the time I have commanded the 'First Team'."

A report of the incident stated:

"The action began late in the afternoon when the company's 1st Platoon and the company post (CP) started down a thickly vegetated finger of a steep mountain. The platoon had almost reached a major enemy supply route, when enemy automatic weapons fire rang out from two sides.

"Sprayberry, working on a Medevac pad some 300 meters east of the pinned-down platoon, sent the 3d Platoon forward to relieve pressure on the 1st Platoon. Murderous enemy fire drove the platoon back and Sprayberry decided to attempt the rescue under darkness.

"Around 8 p.m., the young lieutenant loaded himself down with as many fragmentation grenades as he could carry, and led a volunteer rescue party up the road. They moved only a short distance before they came under machinegun fire from a bunker alongside the road.

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"Sprayberry spotted the flashes and, after making sure his men were under cover, he crawled toward the bunker. When he got within 15 meters of the bunker, he hurled a grenade at the enemy. He then spotted several spider holes along the road and threw grenades into these until his supply ran out.

"Without Sprayberry's personal courage and his initiative the entire first platoon and the command element would have been in a critical situation."

Capt. Sprayberry lay down his life for his friends just as surely as if he had lost it . . . and "greater love has no man." We applaud him for his valor and rejoice with his family and friends that it is being recognized in a fitting manner. Sylacauga will also want to honor him when he returns home.

[From the Birmingham (Ala.) News]

ABOVE AND BEYOND

Most men, when called to the service of their country, serve it honorably and courageously. Now and then, cast into a role which the heat of combat dictates, a man in uniform will perform acts of valor which surface without premeditation, but are a measure of the human instinct to survive and to protect those nearby.

Sheer chance, more often than not, casts a man into circumstances from which particular acts of courage emerge. Few men become heroes by deliberate choice. But a special few do respond in ways, when the heat of battle rises, that set them ever so slightly apart from their fellows.

Such a man is Capt. James M. Sprayberry of Sylacauga, decorated this week by President Nixon with the Medal of Honor, the nation's highest award for valor in combat.

Capt. Sprayberry, we would guess, did not set out to become a hero. But he was a willing one when the need arose for him to perform acts which mark him as an honored member of a legion that has answered above and beyond the call of duty.

MANIFESTATIONS OF DISLOYALTY: AMERICANS ARE WATCHING

(Mr. RARICK asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. RARICK. Mr. Speaker, I rise to call attention once again to the Red-directed general strike called for Wednesday. This shameful betrayal of our fighting men in Vietnam is weakly camouflaged as a "moratorium" or a "protest" or a "dissent," but it all adds up to a deliberate effort to give aid and comfort to the enemy.

The Vietcong "foreign minister" in Paris joins other Communists to praise the organized disruptions.

Americans are not fooled. The great silent majority who work, who pay taxes, who fight our wars, and who elect public officials, are watching. They understand that when Americans are dying in combat, aid to the enemy is immoral and treasonable—not patriotic. Let us all understand that Wednesday marks a polarization, when those who support our fighting men and those who aid the enemy are sorted out and identified.

The Veterans of Foreign Wars have called on loyal Americans to fly the flag on Wednesday in a silent show of support of our men in Vietnam. The American War Dads have called on President Nixon to demand unconditional enemy withdrawal from South Vietnam, and in the alternative to remove the political handcuffs from our forces and permit them to end the war and bring peace through victory—in the American tradition.

I include current news clippings summing up these very plain divisions between Americans and the enemy as part of my remarks:

[From the Washington (D.C.) Evening Star, Oct. 9, 1969]

BITTERNESS IN VIETNAM MAKES WAR CRITICS "ENEMY"

(By Crosby S. Noyes)

SAIGON.—It is distressing, though not particularly surprising, that many of those who are fighting and working in Vietnam have come to refer to parts of the American press and some political leaders as "the enemy." They mean it, furthermore, just as literally as when they speak of the Viet Cong in the rice paddies and the government in Hanoi.

This is not a military-civilian or even a hawk-dove antagonism. The differences are much deeper than these terms would imply. And the enmity, quite certainly, is mutual.

The bitterness encountered in Vietnam is the bitterness of men who feel that they have been betrayed. They have come to believe in the job that they were sent out here to do. Far beyond the rhetoric of any political speech or newspaper editorial, they understand what has been accomplished here—and at what cost—and what remains still to be done. For them, "the enemy" is anyone who stands between them and the objective.

Anti-war sentiment they understand well enough, particularly among the young people who are being asked to bear most of the sacrifices that the war entails. Other aspects of American policy such as the stopping of the bombing of North Vietnam, the peace talks in Paris, the Vietnamization of the war and the withdrawal of American troops, they have accepted dubiously as elements of a higher diplomacy.

But it has been hard for them to accept the fact that some Americans—including some who hold positions of authority—should be actively working against the success of the American effort here.

It is only recently that they have come to realize that there are a considerable number of Americans who pray that the war in Vietnam may be lost for what they consider to be the most high-minded and patriotic reasons. The main reason, quite simply, is the hope that a defeat in Vietnam will demonstrate once and for all the futility, if not the immorality, of using American power to change the political and military equations in such areas of the world as Southeast Asia.

This is perhaps a tenable point of view in Washington, but it is not congenial to people who are fighting a war of survival. And since the objectives of the two groups are directly contradictory, it is inevitable that they should have very different ideas about the course American policy should take in the future.

To the overwhelming majority of people in Vietnam—regardless of their nationality—the ideas of the American opposition add up to sheer lunacy.

As they see it, the United States, after four years and an immense sacrifice of blood and treasure, has achieved a position of clear military and political superiority over an implacable and determined enemy. To them, it is simply unthinkable that this position should be abandoned in the illusion that the chances of a peaceful settlement of the conflict would be improved.

Nor is the military position by any means the only one being threatened.

In the course of the same four years, the political strength of the government in Saigon has been significantly increased. After a long series of military coups following the assassination of Ngo Dinh Diem, the present government has remained in power since 1965.

During this time, a national constitution has been promulgated, a national assembly and other democratic institutions have been created, and elections have been held on both the national and local levels.

With all this, it may be that the regime presided over by Nguyen Van Thieu is something less than a model of liberal democratic government.

Below the top level, there is undoubtedly some corruption, as there is in most governments. Newspapers and politicians who have been sympathetic to communism have been dealt with severely. Nevertheless, in the opinion of the most competent observers here, the Thieu government is the most secure, the most effective and the most widely supported of any that South Vietnam has ever had.

And the result is that this same government is now the object of the most unbridled attack from opponents of the war that has been seen since the days of Diem. People in Washington who know literally nothing about Thieu or the realities of Vietnamese politics rise daily to denounce the Saigon regime as corrupt, repressive and unrepresentative.

The common theme is that it is the Thieu government, rather than the leaders in Hanoi, Peking and Moscow, who represent the real obstacle to peace in Vietnam. In order to remove this obstacle, it is suggested that the Saigon regime must somehow be coerced into stepping out of the picture to make way for a "coalition" with the Communists, who would then, presumably, conclude an honorable peace.

Fortunately, nothing of the sort is likely to happen. At this point, it is most improbable that the Thieu government can be forced by anyone into surrendering South Vietnam to Communist rule, no matter how loudly and insistently "the enemy" may demand it.

[From the Washington (D.C.) Post, Oct. 13, 1969]

VC WOMAN ENCOURAGES U.S. PROTEST

PARIS, October 12—Nguyen Thi Binh, who serves as foreign minister for the Vietcong, said today that President Nixon had reneged on his pledge to the American people to bring peace to Vietnam, and that American antiwar forces were fighting to save the honor of their nation.

"I am sure that American mothers and women whose sons and husbands have been pushed into this unjust war of aggression in Vietnam and all other people will never accept President Nixon's tortuous arguments" that he cannot announce in advance details for the U.S. troop pullout, she said in an interview with United Press International.

She said American troops must leave "totally and unconditionally" and that this was a "legitimate demand conforming with our national rights as well as with the aspirations for peace of the American people and other peoples."

"Monsieur Nixon declared during the presidential campaign that if he were elected President, he would end the war in Vietnam in six months," she said: "Now eight months have elapsed and Monsieur Nixon has spared no effort to violate the security and sovereignty of the Democratic Republic of (north) Vietnam.

"Nixon's promise to end the war is no different from the words of Monsieur Johnson some years back when he claimed that he could 'see the end of the tunnel.' "

Mme. Binh hailed the antiwar movement in the United States as standing "for the happiness of the American youth and the honor of the United States."

NEWS RELEASE OF DEPARTMENT OF LOUISIANA, VETERANS OF FOREIGN WARS

Veterans of Foreign Wars Department of Louisiana today urged that all citizens fly the United States Flag on Oct. 15 as a "silent" counteraction to demonstrations planned that date by a vocal minority of

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dissidents opposing President Nixon on the issues of the Vietnam war.

Speaking for V.F.W., Department Commander Leonard Gray, Alexandria explained that "the 'Vietnam Moratorium Committee Movement for Student Protest Throughout the Nation' has asked for student protest, disruptive actions and other demonstrations keyed toward immediate capitulation to the Communist demands in Vietnam."

Commander Gray said "these demonstrations will seek to undermine the bargaining position of the President in the Paris talks and thus will further endanger the lives of our fighting men in Vietnam. The demonstrators will be joined by a minority coalition of Senators and Congressmen who will deliver the dissenters' message of surrender in the halls of Congress."

Terming the planned demonstrations as "shameful", Commander Gray urged "the 'silent majority' of patriotic Americans to prominently display the Flag of the United States before their homes, at their business and on the streets."

"The Flag has always been a symbol of patriotism, loyalty and courage. By flying it on Oct. 15, Americans will be showing they still have confidence in our government and are willing to show it publicly."

[From the Washington (D.C.) Sunday Star, Oct. 12, 1969]

End or Widen Vietnam Role, War Dads Ask

St. Joseph, Mo.—The national convention of The American War Dads has adopted a resolution calling for a speedy end to the Vietnam war.

The resolution urges President Nixon to demand a ceasefire and immediate withdrawal of North Vietnamese and American troops from South Vietnam.

If a cease-fire and troop withdrawal are not agreed to within a specified time, the resolution says, military action should be taken to crush Communist aggression against South Vietnam.

Failing that, the resolution suggests blockading the Communist port at Haiphong and resumption of U.S. bombing of military targets in North Vietnam.

Delegates attending the organization's 27th annual convention yesterday also urged the President not to yield to those advocating a coalition government for South Vietnam.

The new national president of the organization, Charels Hodges of Macomb, Ill., has been empowered by the convention to seek the cooperation of other patriotic groups and veterans organizations to seek a conference with President Nixon and present the resolution to him in person.

THE RISING TIDE OF FOREIGN FOOTWEAR IMPORTS

(Mr. BURKE of Massachusetts asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BURKE of Massachusetts. Mr. Speaker, I take this time to report to the Members of the House that the August imports of leather and vinyl footwear totaled 13.9 million pairs, an increase of nearly 15.5 percent ahead of last year.

Leather and vinyl imports were 28.9 percent of an estimated domestic output of 48 million pairs. Shipments from Japan and Italy, in excess of nearly .7 million pairs each over last August, counted for most of the gains in men's and women's leather and vinyl footwear.

Mr. Speaker, I am including in this statement the statistics put out by the Foreign Trade Committee of the National Footwear Manufacturers Association, Inc., which indicates where these imports are coming from and the high percentage of imports generally from Spain that have risen by 62 percent, and Taiwan by 72 percent, and other countries by 20.4 percent.

The growing problem of the importation of footwear is a real threat to the footwear industry in this Nation, and I trust and hope and pray that the meeting we had with President Nixon at the White House a few weeks ago will bear fruit, and bring some relief to the footwear industry in our country.

The statistics follow:

U.S. Footwear Imports, January–August 1969

August imports of leather and vinyl footwear totaling 13.9 million pairs were nearly 15 and a half percent ahead of last year. Leather and vinyl imports were 28.9% of an estimated domestic output of 48.0 million pairs. Shipments from Japan and Italy, in excess of nearly .7 million pairs each over last August, accounted for most of the gains in men's and women's leather and vinyl footwear.

To-date imports of leather and vinyl footwear of 139.1 million pairs have increased to nearly 14% ahead of last year. Average value per pair (f.o.b.) increased by 15.7% to $2.06 per pair. Shipments from foreign ports were 36% of domestic output, estimated at 390.8 million pairs and 26% of new supply (domestic output plus imports).

August gains of 23% for Spain and 7% for Taiwan indicate a softening of pace. Italy's increase of 24% indicates her grip continues strong in the market place. Japan's increase of 13% over last August has moved her another notch closer to last year's record. Details are shown below.

Shoes and slippers (leather and vinyl)	January–August				
	1969 pairs (thousands)	1968 pairs (thousands)	Percent change pairs 1969–1968	Percent share of total	
				1969	1968
From—					
Japan	45,212.4	45,770.9	−1.2	32.5	37.4
Italy	44,329.3	42,361.3	+4.6	31.9	34.7
Spain	14,513.5	8,948.3	+62.2	10.4	7.3
France	2,144.2	2,210.4	−3.0	1.5	1.8
China T. (Taiwan)	17,457.0	10,149.3	+72.0	12.6	8.3
Other countries	15,425.5	12,812.6	+20.4	11.1	10.5
Total pairs	139,082.0	122,252.7	+13.8	100.0	100.0

TOTAL IMPORTS OF OVER-THE-FOOT FOOTWEAR

[In thousand pairs; thousand dollars]

Type of footwear	August 1969 pairs	Percent change August 1969/August 1968	8 months, 1969			Percent change 1969/1968	
			Pairs	Dollar value	Average dollar value per pair	Pairs	Dollar value
Leather and vinyl, total	13,238.8	+13.9	134,438.6	282,248.2	$2.10	+13.0	+31.3
Leather excluding slippers	6,227.3	+20.3	69,628.1	231,543.9	3.33	+15.4	+32.3
Men's, youths', boys'	2,111.0	+15.7	20,480.8	84,466.0	4.12	+29.1	+42.0
Women's, misses'	3,654.7	+27.4	43,238.3	132,723.7	3.07	+6.8	+25.8
Children's, infants'	181.6	−6.8	4,086.8	6,338.3	1.55	+94.2	+115.1
Moccasins	61.4	+30.1	450.9	547.0	1.21	−2.5	+9.1
Other leather (including work and athletic)	218.6	−9.7	1,371.3	7,468.9	5.45	−2.1	+13.6
Slippers	44.6	−.4	224.3	443.1	1.98	+3.2	−6.5
Vinyl supported uppers	6,966.9	+8.9	64,586.2	50,261.2	.78	+10.5	+27.5
Men's and boys'	797.3	+31.7	6,608.6	7,465.0	1.13	+22.1	+40.8
Women's and misses'	5,454.2	+7.0	50,989.9	38,243.5	.75	+6.9	+24.0
Children's and infants'	551.0	−2.5	5,753.1	3,918.8	.68	+35.4	+42.8
Soft soles	164.4	+28.3	1,234.6	633.8	.51	+13.7	+17.3
Other nonrubber types, total	652.8	+55.1	4,643.4	4,677.0	1.01	+41.2	+87.6
Wood	88.9	+391.2	662.7	1,578.7	2.38	+271.9	+300.6
Fabric uppers	468.9	+25.0	3,435.3	2,477.1	.72	+22.2	+33.2
Other, not elsewhere specified	95.0	+245.5	545.4	621.2	1.14	+82.8	+160.0
Nonrubber footwear, total	13,891.7	+15.4	139,082.0	286,925.1	2.06	+13.8	+32.0
Rubber soled fabric uppers	3,252.0	−12.9	30,773.0	23,028.1	.75	−11.0	+10.3
Grand total, all types	17,143.7	+8.7	169,855.0	309,953.2	1.82	+8.3	+30.1

Note: Details may not add up due to rounding. Figures do not include imports of waterproof rubber footwear, zories, and slipper socks. Rubber soled fabric upper footwear includes non-American selling price types.

Source: National Footwear Manufacturers Association estimates from census raw data. For further detailed information, address your inquiries to the association, room 302, 342 Madison Ave., New York, N.Y. 10017.

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THE AMERICAN FLAG SHOULD BE FLOWN ON MORATORIUM DAY

(Mr. FINDLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FINDLEY. Mr. Speaker, I urge that on Wednesday, October 15, all citizens fly the American flag, including those who participate in moratorium day events.

In addition to display at all homes and business places, our flag should be given the greatest possible prominence in parades and gatherings related to Vietnam policy.

This would demonstrate visibly the unity that exists among almost all Americans in support of troop withdrawals from Vietnam. While some differ over the timetable and other details, they are united behind the basic objective.

Each march protesting the war and calling for disengagement should be led by someone carrying the flag, and as many following as are able should also carry flags. By this means, every marcher would proclaim that the withdrawal of American troops from Vietnam accords with our highest patriotic traditions, and reaffirms all that the flag stands for.

Americans gathering in prayer for our young men who have been killed by hostile action should certainly have in their midst the flag of the country for which these men sacrificed all. The courage, conviction, determination, and devotion of these young heroes should be honored by displaying the colors of the country which elicited the supreme sacrifice from them. If these men are not to have died in vain, it is because America will live on all the stronger, renewed, and secure in the knowledge of her limited but vital role in the world.

Each American should also display the flag at home. Traditionally, we have reserved this for Independence Day, Memorial Day, and Veterans Day, when we honor others who have sacrificed on behalf of their country. We cannot do any less for the brave men of the Vietnam war who have certainly given nothing less.

As on so many occasions in our history, our National Emblem would thus become the unifying symbol of national will and purpose in a time of critical decision.

The flag display I suggest would bring under common bond our President, who has clearly expressed his own determination to withdraw all combat troops at the earliest practicable date, and those who wish to encourage him in the fulfillment of this objective.

Those who support troop withdrawal act in the highest patriotic traditions of America. Therefore they should proudly display the flag that, through the years, has been recognized worldwide as the standard of peace.

I have today wired this suggestion to the moratorium committee.

THE 12TH OF OCTOBER

(Mr. CÓRDOVA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CÓRDOVA. Mr. Speaker, historians the world over have long engaged in controversy over who was first to cross the ocean from what is now Europe to the Western Hemisphere. But who first crossed the Atlantic is obviously not as important as who first left Western man's footprint definitely marked upon the sands of our shores. There is no question that this was done by a man who was born and bred in Genoa, who sailed the Atlantic under the sign of the Cross, leading the Spanish crews of a Spanish fleet of three vessels sailing under the flags of Ferdinand and Isabella. This man, known to his contemporaries and to all of the Spanish-speaking world as Cristóbal Colón, and to most of our countrymen as Christopher Columbus, not only crossed the Atlantic and discovered this hemisphere on October 12, 1492, but he founded the first settlement in the island of Hispaniola.

Our fellow citizens of Italian ancestry are rightly proud of the Italian birth and breeding of Cristóbal Colón, and annually commemorate his feat. All of the Hispanic peoples of America, including millions of American citizens celebrate October 12 annually as the "Día de la Raza", the "Day of the Race." The race that they are talking about is not ethnic, it is cultural. It includes blacks, Indians, whites, and yellows. They are speaking of the Hispanic race, which simply means the peoples of Spanish language and culture, the descendants of the men and women whom Cristóbal Colón first brought to America, and those who for centuries have followed him across the Atlantic to settle in what were once the domains of Spain and the descendants of the people who were already here.

The 12th of October, thus, is not only an anniversary of the extraordinary feat accomplished almost five centuries ago under the leadership of a man of great tenacity and faith, but also a day in which hundreds of millions of people of different nationalities and colors, throughout the world, can rejoice in the bonds of a common culture and a common language: the language and the culture which Cristóbal Colón and those who followed him brought to this Hemisphere. Among these hundreds of millions are my constituents, your fellow-citizens from Puerto Rico—the only place under the American flag, incidentally, where Columbus ever trod—and the many thousands of constituents of dozens of my colleagues in this body, in the Southwest and the Northeast, in the South, and the Middle West, and in the Rockies and the Pacific coast. Theirs is a language and a culture which enriches the heritage of our Nation, a language and culture of which we are proud, which now contributes, in a measure, but can contribute immeasurably, if only we would make use of it, to the mutual understanding and the mutual respect of all of the peoples of the Western Hemisphere.

AMERICAN BAR ASSOCIATION REAFFIRMS SUPPORT OF JUDGE HAYNSWORTH

(Mr. EWARDS of Alabama asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. EDWARDS of Alabama. Mr. Speaker, the American Bar Association's Committee on the Judiciary has reaffirmed its position in support of the nomination of Clement F. Haynsworth to the U.S. Supreme Court. This apparently came as something of a shock to the press which has appeared to take great joy in viewing the nomination with alarm. The action of the bar should also undercut those in the other body who continue to deal in innuendo and unfounded accusations.

But, Mr. Speaker, some members of the press do not give up easily. All the way to town this morning I heard the WTOP–CBS news announcers continue to refer to the fact that the bar committee had "reluctantly" approved Haynsworth. What kind of yellow journalism is that? What is "reluctant" about a "substantial majority" of a 12-man bar committee approving a nominee? When did the bar committee ever say anything about being "reluctant?"

It has been no secret that the flaming liberals have been disappointed because Judge Haynsworth has been unwilling to bend the Constitution to suit every radical who comes into court. Consequently, they have been out to get him ever since the rumor leaked out that he was being considered.

Mr. Speaker, the only real crime of which Judge Haynsworth stands guilty is the plain and simple fact that he is a moderate from South Carolina in the heart of the southland. For this crime he is being made to suffer the worst character assassination imaginable.

The whole episode is disgraceful and sickening. The bar committee has approved him twice. The Senate Judiciary Committee has approved him. It is now time for the Senate to promptly affirm Judge Haynsworth and allow him to take his seat on a Supreme Court that is in great need of his services.

BILL TO AMEND NATIONAL CAPITAL PLANNING ACT OF 1952

(Mr. BROYHILL of Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROYHILL of Virginia. Mr. Speaker, I address the House today on a most urgent matter.

Last Thursday and Friday, several articles appeared in the Washington Post and the Washington Evening Star concerning another attempt by the executive branch to usurp the powers of the Congress by Presidential Executive order.

These articles report the plans of the administration, drawn up by Mr. Daniel P. Moynihan, the President's adviser on urban affairs; Mr. Philip G. Hammer, recently resigned Chairman of the National Capital Planning Commission; and Mr. James Banks, the principal housing adviser to the Commissioner of the District of Columbia, to dissolve the National Capital Planning Commission.

The Commission these gentlemen propose to dissolve by Presidential edict or by "fait accompli" was established by

Federal statute in July of 1952. As cited in section 1–1001 of the National Capital Planning Act of 1952, the purpose of the act is to "aid in providing the Congress from time to time with information and advice requisite to legislation." It says further:

> The general objective of this chapter is to enable appropriate agencies to plan for the development of the Federal establishment at the seat of government in a manner consistent with the nature and function of the National Capital and with due regard for the rights and prerogatives of the adjoining States and local governments to exercise appropriate to their functions.

The act directs the Commission to develop a comprehensive plan for the Nation's Capital, which plan shall include the Commission's recommendations or proposals for Federal and District developments or projects in the District of Columbia and its environs. It also requires the Commission to report to Congress annually on the first Monday of December the lands acquired during the preceding fiscal year, the method of acquisition, and the cost of each tract.

Mr. Speaker, in preparing the National Capital Planning Act of 1952, the Congress in its wisdom also provided that the Commission be composed of, in addition to other designated persons, the chairmen of the Committees on the District of Columbia of the Senate and House of Representatives, and five eminent citizens appointed by the President.

It appears that it was clearly the intent of Congress in creating the National Capital Planning Commission that it should be an instrument to serve the purposes of the Congress to insure that the city retained a Federal character.

The announced purpose of Mr. Moynihan and company, on the other hand, is to remove the congressional influence on preserving the character of the city by planning for the Nation's Capital. Instead, they propose to turn over the bulk of the planning powers to the purely local District of Columbia government.

Mr. Moynihan has not yet decided the fate of the Federal interest. His concern, it seems, is to redefine the intent of the Constitution and the acts of Congress and to put his own brand of government in control of the planning affairs of the Nation's Capital.

It is this kind of reasoning that disturbs me, Mr. Speaker. Does not Mr. Moynihan realize that the purpose of this city is unlike that of all other cities in the United States? Washington, D.C.'s main business is government; it is the Seat of Government of the United States. Washington, D.C., is a city designed as the Capital City, not a business city like New York or San Francisco, or an industrial city like Birmingham or Detroit. People in Oshkosh, Wis., or Albuquerque, N. Mex., have no desire to plan the city of Boston or Seattle, but they do have a definite interest in the city of Washington, D.C. It is their city; their Capital City. It was established by the Constitution, not for the citizens of Washington, but for all the people of this Nation.

Mr. Speaker, most of the Members of this Congress know too well the problems besetting this city. We know them better than Mr. Moynihan. We represent the interest of citizens all over this country, and we are charged by our electorate to know what goes on here. Those of us on the District of Columbia Committees are vitally concerned with what goes on here. We are concerned, Mr. Speaker, about this proposal for several reasons.

First, we know that we have tried to give the citizens of this city more voice in their own local affairs. A good example is the act of Congress which created an elected School Board for the District of Columbia. The antics of this Board has been a shock to the Congress and a sad experience personally to me, as I sponsored the legislation which created it.

Second, we have had the bitter experience of trying to separate the Federal functions from local functions. We know that planning for this city is an extremely frustrating and confusing affair. Based on the present ineptness of the local city government, we cannot foresee the wisdom of turning over more responsibilities to a government that has yet to master the affairs it presently has. I feel that my views on this point are shared by many of my colleagues.

Mr. Speaker, I can appreciate the anxiety of Mr. Moynihan to make bold social changes in urban life and to use Washington, D.C., as a model. But I would suggest that Mr. Moynihan first study the history of the Federal City, examine the problems of other capital cities, and finally come to the Congress and consult with some of the Members here who are charged with the responsibility of providing funds for his pet social projects, before he goes off into left field again.

In a letter to the President on Friday, October 10, I urged him to cancel Mr. Moynihan's project to dissolve the National Capital Planning Commission. Today, I am introducing a bill to amend the National Capital Planning Act of 1952 to provide for additional ex-officio Members of Congress on the Commission. I have long been of the opinion that new life should be breathed into the Commission, and that this infusion should come from area Congressmen from Maryland and Virginia. My bill will provide for two Members from each State, from the two specified congressional districts in each State closest to the Nation's Capital, whose congressional districts are now included in the planning district included in the act. The bill also provides for changes in redistricting and elections at large of these Congressmen, should that come about.

Mr. Speaker, it is my firm belief that the proposed action to dissolve the National Capital Planning Commission should be nipped in the bud. I see no better way to express the opposition of the Congress to this proposed arbitrary change in the law, than a strong interest by the Congress in strengthening the Commission as embodied in my bill.

Mr. Speaker, I urge early consideration and adoption of this legislation.

PRESIDENT OUTLINES NATIONAL NEEDS WHICH MUST BE MET

(Mr. KLEPPE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KLEPPE. Mr. Speaker, in his call for a "working partnership between a Congress heavily Democratic and a Republican administration," President Nixon has set forth in detail the need for early action on a long list of urgently needed programs. Tax reform, social security benefit increases, draft reform, and reform of the welfare system deserve the very highest priority now.

Although the President did not say it in his even-tempered message, the Congress has been dragging its feet on the administration's requests for the tools which are needed now to fight the Nation's shameful and growing crime rate. The law-abiding citizens of America are outraged at the shocking rate of crime, both organized and unorganized. They want the illicit narcotics trade stopped and the "pushers" placed in prison. They are tired of the flood of pornographic mail which finds its way into their mail boxes. The people want an all-out war on crime and the criminal now.

Because the present farm program runs through 1970, the President may have decided not to include a plea for new or revised agricultural legislation. Nevertheless, it is not too early to start putting together a farm program for the 1970's. The House Agriculture Committee, of which I am a member, has been working diligently on this and I am hopeful that we can report out a sound, workable program within the next few months.

All in all, I think the President has done an excellent job of cataloging the national needs which must be met. It is a call for action which must not be ignored.

ELECTORAL COLLEGE REFORM

(Mr. MACGREGOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MACGREGOR. Mr. Speaker, President Nixon's influence on the question of electoral college reform is being seen as an important factor in the outcome of that vote in the Senate.

An editorial in the Baltimore Sun for October 2 cites reasons for that paper's support of the reform proposals, and discusses the President's role in this issue.

I insert that editorial in the RECORD:

ELECTION AMENDMENT

President Nixon's endorsement of the constitutional amendment providing for the election of the President and Vice President by direct popular vote may help some of his fellow Republicans in the Senate to make up their minds in favor of it, too. The House of Representatives has approved the proposal by the strong vote of 339–70, well above the required two-thirds majority. The House majority, moreover, was drawn from Republicans as well as Democrats.

The amendment now is in the Senate Judiciary Committee, and its sponsors intend to bring it before the entire Senate within the next several weeks. It is clear, as Mr. Nixon said, that unless the Senate follows the House's lead "all opportunity for reform will be lost this year and possibly for years to come."

The direct election amendment is clearly preferable to the proposal to count electoral votes by congressional districts, which was advanced in the House as an alternative to the popular vote and was rejected. It is preferable also, in our view, to the proposal to divide each state's electoral vote in proportion to the popular vote in the state, a method which Mr. Nixon had first supported as the amendment most likely to be ratified by the states. The manner in which Mr. Nixon now has revised his position to one of full support for the direct election plan indicates that it is gaining momentum steadily.

3M ITEM'S A STAR-SPANGLED SELLER

(Mr. MacGREGOR asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MacGREGOR. Mr. Speaker, for the benefit of those few who would like to have us believe that patriotism is dead in America, I am placing in the Record today the text of an article from the Minneapolis Tribune last week entitled "3M Item's a Star-Spangled Seller." This article provides considerable evidence that the patriotic spirit is still very much alive in America.

The Minnesota Mining & Manufacturing—3M—Co., using only a word-of-mouth advertising campaign, has sold in 5 months almost 1.26 million small reflectorized American flags suitable for sticking on car windows or bumpers.

These flags, which have been distributed at cost, were originally produced as a gift for the 3M Co.'s 37,000 domestic employees. But the word soon spread and others expressed an interest in obtaining quantities of the flag sticker.

As President Harry Heltzer said in his personal message to the 3M employees which accompanied the flag:

> It is not old-fashioned to be patriotic.

Given the tremendous demand for this item, most Americans would seem to agree with Mr. Heltzer's judgment.

The article follows:

3M Item's a Star-Spangled Seller

(By Dick Youngblood)

Good old-fashioned patriotism is alive and doing a land-office business at Minnesota Mining and Manufacturing (3M) Co.

Without benefit of any but word-of-mouth advertising, the company since late May has sold upwards of 1.26 million little reflectorized American flags suitable for sticking on car windows or bumpers.

It hasn't meant a lot of money, mind you—3M says it's selling the flags for cost—but a gross of nearly $60,000 in less than six months is nothing for anybody to dissent about.

What's more, 246,570 copies of a small brochure containing the words of the "Star-Spangled Banner" and the Pledge of Allegiance, along with statements of some famous Americans about the flag, have brought in another $2,000 or so.

"The results amazed us," said J. C. Landen, head of the traffic-control products department in 3M's Reflective Products Division. Why the hefty response, he was asked?

"People are taking a position for or against something more than ever before," he reasoned. "I think a lot of people who have taken this country for granted for so long are now saying, 'Put me on record, I love America'."

Whatever the reason, something that started strictly as an internal employee program has blossomed into a going, nationwide operation.

Each spring, all of 3M's 37,000 domestic employees receive some kind of sticker, bearing such messages as "Safety Pays," from the company.

What with "the flurry of American-flag activity this spring," Landen said, including Reader's Digest's successful program of sending a small flag with each of one month's issues, it was decided that the flags would be nice for the employee enclosure this year.

President Harry Heltzer sent along a personal message:

"It seems to me that it is not old-fashioned to be patriotic," the message said in part. "I invite you, as an American, to display the enclosed American flag as an expression of respect for what the flag signifies."

More than 500 letters of appreciation poured into 3M headquarters in St. Paul.

"It gives me personal gratification to know I am employed by a leader, not only of industry, but also in promoting America," wrote one female employee.

Largest purchase was made by a major aircraft and missile manufacturer, Lockheed Aircraft Corp. in California, which bought an initial 24,000 flags and had so much employee response that it ordered another 30,000.

Based on such response, the company determined in May to make the flags generally available. The only advertising was spread word-of-mouth by the sales force and other employees.

Within three weeks, sales had mounted to about 850,000.

NATIONAL BLOOD DONOR MONTH

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROWN of Ohio. Mr. Speaker, on September 24, the gentleman from Kentucky, Tim Lee Carter, introduced House Joint Resolution 911 which would authorize the President to proclaim January of each year as National Blood Donor Month.

I am reintroducing the resolution, with cosponsors, for him today, as he found it necessary to be in Kentucky.

One of the most vital community services millions of our citizens perform is donating blood through the American Red Cross and other blood donor programs.

When blood is needed, following natural disasters, accidents, or during the treatment of diseases, time is paramount. If blood is not available, and has to be brought in from elsewhere, the few hours can often mean the difference between life and death.

Fresh blood has a short life—21 days. Although it can then be fractionalized and its component parts used in the treatment of various medical problems, the large new supplies of fresh blood must be supplied constantly. Its need cannot be anticipated—it must be available when disaster or illness strike.

By giving the President authority to proclaim 1 month of each year as National Blood Donor Month, attention can be focused on this need, to make Americans aware of the obligation they have to keep the blood banks supplied. January is a month which normally finds many donors unable to give blood because of colds and the like. But, because of accidents and illness, it is a time of great need. So it was selected as the month which should be designated as the National Blood Donor Month.

To show my support for this resolution, I donated a pint of blood this morning at the District of Columbia Blood Donor Center, 2025 E Street NW. I encourage my colleagues to also support this resolution with action, as well as your votes.

VIETNAM

(Mr. HAYS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAYS. Mr. Speaker, the President of the United States has asked for 60 days, as I understand it, for a sort of respite in order to give him time to try to work out a solution in Vietnam. As one of the ranking members of the Committee on Foreign Affairs on the Democratic side, I am going to support the President in his request. I think he has a right to have some time to work on this. Frankly, I am debating. I am supposed to leave very shortly for Brussels, as chairman of the House delegation to the North Atlantic assembly, and I am debating whether I should go or whether I should stay here and singlehandedly break up the design of a few self-appointed emissaries of Hanoi to make it appear that the House of Representatives is on their side; that is, on the side of Hanoi, and if I decide to go, I hope that somebody is left behind who will make a test vote as to whether the House supports this position by simply moving to adjourn when the time comes.

Mr. MIKVA. Mr. Speaker, will the gentleman yield?

Mr. HAYS. Yes, I yield to the gentleman from Illinois.

Mr. MIKVA. I happen to be one of the people who expect to take part in the special orders tomorrow. Is the gentleman suggesting that I am an emissary of Hanoi?

Mr. HAYS. No, I would not suggest that. I think you are just an unwitting tool in an effort which is to their advantage, because the only people who can get any benefit out of this kind of performance, trying to make it appear that the majority of this House supports that position, are the North Vietnamese, because it is certainly doing something that Hanoi wants done. The proof of the pudding is in the eating.

Mr. MIKVA. That is the gentleman's opinion.

Mr. HAYS. I suggest that the gentleman should get his own time.

Mr. RIVERS. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from South Carolina.

Mr. RIVERS. As a member of the NATO delegation and as a member of the distinguished gentleman's committee or delegation to the North Atlantic Treaty Organization, if you cancel your plans, count me in with you.

Mr. HAYS. I thank the gentleman. I do not think it will be necessary because I think there are a few Members here who will make sure that if this performance goes on, there are 218 Members who are here to listen to them at all times, and I do not think there are 218 of them in this Congress who want to listen to it.

CRITICISM OF VIETNAM WAR

(Mr. FRASER asked and was given permission to address the House for 1 minute.)

Mr. FRASER. Mr. Speaker, I listened with interest to the preceding speaker, who seems to be the self-appointed guardian of the House with respect to the motives of Members when they get up to speak their convictions. I have listened to that Member before, and I know the House is able to judge his words appropriately.

I just want to say that is the kind of plea we have heard before that has left this Nation in the situation it is today. We have heard this kind of statement made for the last 4 years, that if anybody criticizes the conduct of this war or questions the premises of the war, what he is doing is helping the other side.

I think the time has come for us to accept our responsibility as representatives of the people of the United States by speaking our minds honestly and without fear of those who react as the gentleman who just spoke here in the well of the House reacted.

I, for one, was uncertain as to the role I would play tomorrow afternoon, but the gentleman has settled it for me. I shall participate and say what I think needs to be said in order to help protect the security and protect the interests of the people of this Nation.

PRESIDENT SHOULD BE SUPPORTED IN HIS EFFORTS TO OBTAIN PEACE

(Mr. ARENDS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ARENDS. Mr. Speaker, in order that Members of the House who are so gung ho about what is going to happen tomorrow evening might better understand the situation, I want to show the other side of the coin. I do this by reading a letter that came to my desk this morning, from a constituent. The writer speaks as one who really has something at stake in this business:

October 10, 1969.

Representative Leslie Arends,
Washington, D.C.

Dear Representative Arends: We are the parents of three sons—two of them of prime draft age and one currently serving in the Air Force. This tells you that we are vitally concerned in the swift termination of the Vietnam War.

However, neither we nor our sons feel that a unilateral withdrawal from Vietnam is any solution to the problem, nor does it do anything to ensure the peace and freedom of either Americans or other nations. We are strongly opposed to the stand of some senators and representatives to support the protest for peace next week, especially the activities for Wednesday. This is tying the hands of our president and weakening whatever strength our government may have had at the peace talks. Hanoi interprets this peace pressure on our president as a clear indication that they can demand any terms they want and afford to wait for them. We have much greater confidence in the wisdom, understanding, and integrity of the president in this trying situation than we do in the many self-styled experts in and out of Congress who undertake to undermine his position and sabotage his efforts. We urge you not to be among those who are either so undiscerning as to be inadvertently helping the enemy or so unethical as to use this vital issue as a political screen.

We do not know what your stand on next week's protests is. The papers merely mention the numbers of senators and representatives who are supporting it, but do not list names. However, no doubt a careful reading of the news coverage next week will reveal them. We would like you to know that we do not intend to support at the polls you or any other senator or representative from the state of Illinois that knowingly or unknowingly persists in playing into the hands of the Communists or anarchists by trying to force a peace-at-any-price settlement in Vietnam. Had our president been given the support he should have, we feel he could by this time have negotiated an acceptable peace, or at least been much closer to it. Only a very stupid enemy would make any concessions at the peace table with a vociferous minority working as a fifth column within the country accomplishing its purposes for it.

We see in these peace protests at best an unreasoned, unthinking, unintelligent pressure that can ruin any real progress towards peace, and at worst a determined and wilful participation the insidious plans of the subversives, radicals, anarchists, and Communists who are so much in control of things in our country these days. We urge you to take a constructive, patriotic stand on this and all other issues.

Sincerely,

——— ———.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Speaker, I think that is a good letter.

I think it is fair to say that the so-called student leaders, the protesters, the SDS crowd do not want peace in Vietnam, and when they say they do, they are lying through their teeth. They want something to raise hell about. If there were to be peace in Vietnam tomorrow, they would be protesting something else, because they are Communists and anarchists and want to bring down this Government.

Mr. ARENDS. I could not agree more with the gentleman.

I want to say this letter came from a very dedicated and patriotic American. These parents have something at stake—they have three boys. Who else can say the same thing?

THE PRESIDENT'S LEGISLATIVE PROPOSALS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore (Mr. Albert). The Chair lays before the House a message from the President of the United States.

CALL OF THE HOUSE

Mr. HUNGATE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 216]

Abbitt
Anderson, Tenn.
Annunzio
Ashbrook
Ashley
Aspinall
Barrett
Beall, Md.
Berry
Bevill
Biaggi
Biester
Blatnik
Bolling
Bow
Brademas
Brasco
Brinkley
Brock
Broyhill, N.C.
Burke, Fla.
Burleson, Tex.
Burton, Utah
Button
Byrne, Pa.
Cabell
Cahill
Camp
Carey
Carter
Casey
Cederberg
Chappell
Chisholm
Clancy
Clausen, Don H.
Cleveland
Cohelan
Collier
Collins
Conte
Conyers
Corbett
Coughlin
Cowger
Culver
Cunningham
Dawson
Delaney
Dent
Dickinson
Diggs
Donohue
Dorn
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fallon
Fascell
Feighan
Fish
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Foreman
Fountain
Frelinghuysen
Frey
Fulton, Pa.
Fulton, Tenn.
Galifianakis
Gallagher
Garmatz
Gaydos
Giaimo
Gibbons
Goldwater
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Grover
Hagan
Haley
Halpern
Hanna
Harrington
Harsha
Hastings
Hathaway
Hechler, W. Va.
Helstoski
Henderson
Holifield
Hosmer
Howard
Hull
Hunt
Hutchinson
Jarman
Johnson, Calif.
Jones, Tenn.
Kee
King
Kirwan
Kluczynski
Koch
Kuykendall
Kyros
Landrum
Lennon
Lipscomb
Long, La.
Long, Md.
Lowenstein
Lujan
Lukens
McCarthy
McDonald, Mich.
McEwen
McKneally
Macdonald, Mass.
Madden
Mailliard
May
Meeds
Melcher
Miller, Calif.
Minish
Mizell
Mollohan
Moorhead
Morse
Murphy, N.Y.
Myers
Nelsen
Nichols
Nix
O'Hara
O'Konski
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Philbin
Pickle
Pollock
Powell
Pucinski
Quillen
Railsback
Randall
Reifel
Rhodes
Roberts
Rogers, Fla.
Rooney, N.Y.
Rostenkowski
Roth
Roudebush
Roybal
Ruth
St Germain
St. Onge
Sandman
Saylor
Scherle
Shipley
Skubitz
Smith, Iowa
Snyder
Staggers
Steiger, Ariz.
Stokes
Sullivan
Symington
Taft
Taylor
Teague, Calif.
Thompson, N.J.
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vander Jagt
Vigorito
Waggonner
Watkins
Watson
Watts
Weicker
Whalley
White
Wilson, Charles H.
Wold
Wolff
Wydler
Wylie
Wyman
Zion
Zwach

The SPEAKER. On this rollcall 220 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE PRESIDENT'S LEGISLATIVE PROPOSALS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91–178)

The SPEAKER laid before the House the following message from the President of the United States; which was read and was referred to the Committee of the Whole House on the State of the Union and ordered to be printed:

To the Congress of the United States:

In the nine months since Inauguration, a number of issues have arisen clearly calling for the Congress and the Administration to work together.

One such issue was the extension of the surtax, where our economic security was involved. Another was authority to build the Safeguard ballistic missile defense, where the national safety was the issue. On both occasions, when the time came to be counted, Congress subordinated partisan concerns and voted the country's interest.

The continuance of this working partnership between a Congress heavily Democratic and a Republican Administration, on occasions where great issues are involved, is imperative for the good of our country. I hope this partnership will survive the "spirit of party" that grows more evident weekly in the national capital. Yet, in recent days, the call to partisan combat has grown more compelling.

I am aware that members of the Administration have criticized the Democratic-controlled Congress for "dragging its feet" in the enactment of legislation, for holding hearings thus far on only half the Administration proposals before it, for having enacted but a single appropriations bill for fiscal 1970, a full quarter of the way through the fiscal year. From Capitol Hill there have come similar charges—that the Administration has been laggard in proposing legislation, that the Executive Departments have been slow in giving the Congress the reports it has requested, that some of the most far-reaching Administration proposals have only lately been sent to the Congress, and so cannot be acted upon by the end of the year.

If a working partnership between men of differing philosophies and different parties is to continue, then candor on both sides is required. There may be merit in both charges; neither the Democratic Congress nor the Republican Administration is without fault for the delay of vital legislation.

But, in my view, the American people are not interested in political posturing between the Executive Branch and Capitol Hill. We are co-equal branches of government, elected not to maneuver for partisan advantage, but to work together to find hopeful answers to problems that confound the people all of us serve.

Both the President and Congress have been commissioned by the same American people, for a limited time, to achieve objectives upon which the great majority agree. For our part, we are willing to travel more than half-way to work with Congress to accomplish what needs to be done. The time for staking out political claims will come soon enough.

Let us resolve, therefore, to make the legislative issue of the 1970 campaign the question of who deserves greater credit for the 91st Congress' record of accomplishment, not which of us should be held accountable because it did nothing. The country is not interested in what we say, but in what we do—let us roll up our sleeves and go to work. Before us are urgent legislative priorities.

The legislative program of this Administration differs fundamentally from that of previous administrations. We do not seek more and more of the same. We were not elected to pile new resources and manpower on the top of old programs. We were elected to initiate an era of change. We intend to begin a decade of government reform such as this nation has not witnessed in half a century. Some months ago, a Washington columnist wrote in some pessimism that if ours is not to be an age of revolution then it must become an age of reform. That is the watchword of this administration: *REFORM*.

REFORM OF THE DRAFT. I have asked Congress to make the most extensive changes in the way we select young men for military service since the draft became an accepted feature of American life. We have the administrative power—and we will exercise it if Congress fails to act—to make far-reaching reforms in the selective service system, reducing the period of prime vulnerability for young Americans from seven years to 12 months. However, we need Congressional approval to shift from the inequitable requirement of choosing the "oldest first" to the more just method of random selection. I asked Congress five months ago for this power; I ask again today. Basic fairness to our young people is the prime reason for this recommendation. I see no reason why this vital piece of legislation cannot be enacted *now*.

REFORM OF THE WELFARE SYSTEM. Last summer I asked Congress to make the most sweeping changes in the American system of welfare since the beginning of the New Deal. Last week legislation went to Congress outlining the proposal I have made for a new family assistance system to replace the demeaning and bankrupt system that now exists.

Under the present system, sometimes a father must desert his wife and children to make them eligible for benefits. Under the present system, some mothers with three children must survive with only $39 a month for the entire family to live on.

The family assistance system is built on a different set of principles. It provides incentives for families to stay together. It provides economic rewards for men and women on welfare who enter training programs and search out jobs. It provides a floor under income that assures the minimum necessary for food and clothing and shelter.

The present system has led this country into a morass. It has laid a heavier and heavier burden on the American taxpayer. It has loaded the relief rolls with more and more families even in times of rising prosperity and low unemployment. I ask that Congress begin hearings on the new family assistance system at once. The welfare system should be abandoned as quickly as we can discard it and a new system established in its place.

REFORM OF THE TAX CODE. In April I recommended to Congress the most comprehensive set of tax reforms in many years. Subsequently the House of Representatives responded with an even more far-reaching proposal of its own. The national momentum behind tax reform—to make the code more fair and equitable, to shift part of the burden from those who have borne too much for too long to the shoulders of others who have not carried their fair share—must not be allowed to dribble away while a partisan wrangle goes on over who deserves the political credit. We will give Congress as much assistance and as many hours of labor as it requires to enact extensive and responsible reform in this calendar year.

I do ask, however, that Congress, in acting on this major reform, not compromise this administration's effort to combat the most unjust tax of all, inflation. Specifically, I ask that Congress not convert this historic tax reform legislation into a sharp tax reduction that would unbalance the Federal budget and neutralize our campaign to halt the rising cost of living. I ask again that Congress repeal the seven percent investment tax credit, and extend for another six months the income tax surcharge at one-half the present rate. To fail to take these steps would be an abdication by Congress of its vital role in controlling inflation.

REVENUE REFORM. For the first time in the history of this government, we have recommended a national policy of permanent sharing of the Federal income tax revenues with the States and lesser political units in the country. For years, political students and leaders have contended that governments at the State, county and local levels have lost their creativity and lost the capacity to respond because they lack access to the great source of growing revenues available to the Federal government. I have recommended that Congress set aside a rising portion of Federal revenues each year and transmit them directly back to the States and communities to spend as they see fit and not as Washington sees fit. This concept has been debated by both parties and recommended by their majorities for years. The time has come to move it off the plain of discussion to make it a reality. I urge the Congress to move.

POSTAL REFORM. For more than a decade the American people have complained increasingly of the rising cost of postal service accompanied step by step with declining service. Today the United States postal system is inferior to that of many countries of Western Europe; it is grossly inadequate to the needs of our society. The nation has known this for years. I have acted in that knowledge—recommending that the existing postal system be scrapped, that a government-owned corporation replace the United States Post Office, that business principles replace partisanship in its management, and that merit and performance—rather than political affiliation—be the new criteria for appointment and advancement. Three years ago this month the Chicago postal system, a microcosm of the national system, collapsed under a flood of mail. The rapid delivery of mail is not a partisan issue. Distinguished leaders, of both parties, have endorsed the precise reform I have recommended. There is no reason why the Congress cannot enact the most complete reform of the United States Post Office in the nation's history—by the close of this session.

I am aware of the setback which postal reform sustained in a House Committee on October 8. That action must be reversed. I shall persist in behalf of both the taxpayers and the mail users in this country to press for this urgently needed reform. I still believe enactment should come by the end of this session of the Ninety-First Congress.

Here I must again urge responsible congressional action, and promptly, on the proposed increase in postal rates for all three classes of mail. When this Administration entered office in January, it confronted a deficit in the postal budget for fiscal year 1970 of more than $1.2 billion. We are already three months into that fiscal year—and this deficit is being underwritten by the taxpayers, rather than the users of the postal service, who should rightly bear the cost. I recognize that such a measure is hardly a political delight. Yet it is required in the interest of equity and fiscal integrity. I request the Congress to face up to this task.

MANPOWER REFORM. The history of the 1960s chronicles an intense political debate that has resulted in the old centralism of the thirties losing converts to the new federalism of the seventies. More and more progressive men in both parties have become convinced from the failures of programs run from Washington that important areas of government decision-making must be returned to the regions and locales where the problems exist.

I have attempted to take that conclusion out of the forum of debate and into the arena of action—Congress. I have recommended that management of a Federal program—the multi-billion dollar manpower training program—be consolidated, and turned over in a three-stage operation to the States and communities to run in a way that fits the needs of the immediate areas involved. No reform of this magnitude has been attempted since centralism became the dominant national trend at the depths of the depression. This recommendation represents the beginning of a revitalized federalism, the gradual transfer of greater power and responsibility for the making of government decisions to governments closest to the people. I urge swift Congressional action.

SOCIAL SECURITY REFORM. I have requested an across-the-board increase of ten percent in Social Security benefits to compensate elderly Americans for the losses they are suffering because of an inflation they could do nothing either to prevent or avoid. In addition, I have proposed a new reform, an escalator in Social Security to insure that benefits will rise correspondingly whenever the cost of living goes up. When this reform is enacted never again will those Americans least able to afford it be made to bear the brunt of inflation. These necessary steps can and should be taken by Congress before the end of this year.

One word of caution. I know the political temptations here. Why not balloon the benefits now, far above 10 percent, for political rewards in 1970? I remind the Congress that it is long since time that we stopped the political over-reactions which fuel the inflation that robs the poor, the elderly, and those on fixed incomes. I urge Congress to hold to this ten percent figure—and let the new escalator protect older Americans against the possibility of future inflation.

A second reform I have proposed is to alter the system of social security to encourage and reward the workers who want to go on working past age 65—rather than discourage them. I ask Congress to enact this measure without delay.

REFORM OF THE GRANT-IN-AID SYSTEM. Among the first major pieces of legislation I asked of Congress was authority to make uniform the requirements for participation in many grant-in-aid programs that have proliferated in the last five years. If we are granted the power to draw these programs together, to group them by function—setting far more simple regulations—then States and communities will participate more and Congress' original purposes will be better served. We need that authority *now*. I know of no reason for delay.

ELECTORAL REFORM. While I originally favored other methods of reforming the electoral college system, I have strongly endorsed the direct popular election plan approved by the House. I hope the Senate will concur so that final favorable action can be completed before the end of this session. This must be done if we are to have this needed reform amended to the Constitution in time for the presidential election of 1972.

D.C. GOVERNMENT REFORM. For years there has been broad support for granting the people of Washington, D.C. the same right to Congressional representation other Americans have always prized, and the right to conduct their public business themselves. The Federal city has been a federal colony far too long. Months ago I presented to Congress a program to bring about the orderly transfer of political power to the people of this community. I recommended a constitutional amendment giving the District of Columbia at least one representative in the House and such additional representatives as Congress may approve, and providing for the possibility of two United States Senators. I urged Congress further to grant the city one non-voting Congressional representative in the interim, and recommended creation of a commission to prepare and present to Congress and the President a program to improve the efficiency and competence of the District Government—looking to the day of complete self-government. Favorable action has been taken by the Senate. I ask that this work be completed before the end of the year.

OEO REFORM. I have provided the Office of Economic Opportunity with a new director, a new structure, and added responsibilities as the research and development arm of the nation's effort to deal with the problems of the poor. OEO is now strengthening its present operating programs, including the Community Action Agencies, VISTA, Legal Services, Neighborhood Health Centers, Family Planning, Emergency Food, Rural, Older Persons, Indian and Migrant Programs. In addition, there is new emphasis on research, the evaluation of existing Federal social programs, and developing and testing new approaches in community and economic development, manpower and education, to assist the poor to move into the economic life of the nation. I have asked for a two-year extension of the existing legislation, without crippling amendments. I believe that a reformed OEO has a major and continuing role to play in our national life. Here again, there is no need or justification for further delay.

In recent years the Federal Government has suffered a precipitous decline in public confidence. The reason can be found in the chronic gap that exists between the publicity and promise attendant to the launching of a new Federal program—and that program's eventual performance. If confidence in government is to be restored, the gap must be closed.

This is the purpose of the foregoing proposals and great goal of this Administration—not to establish some new arithmetical record for the number of programs proposed, but to do more than other Administrations have done—to devise new approaches, to make the worthy old programs work, and to make old institutions responsive. It is for this that we prize the mechanics and engineers of government who retool and improve its machinery as much as we do the planners and the idea men who develop new programs and new agencies. There is little publicity and less glamor in the labor of the mechanics and engineers of government but, with billions in tax dollars invested in scores and scores of ongoing Federal programs, the need is certainly greater. Let us together make government's performance and responsiveness more commensurate with its size.

REFORM OF FOREIGN AID. Our foreign aid program, sent to Congress in May, differs from earlier programs in three significant ways. First, it would place greater emphasis on technical assistance, especially in the areas of agriculture, education, and family planning, where the return would be greatest when measured in terms of national and human development. Second, the new program would create an Overseas Private Investment Corporation to provide a greater thrust for the channeling of private investment to the low-income countries. Third, it would increase the share of our assistance contributed through multilateral institutions.

I know of the economic miracles which foreign aid has helped create in Western Europe and in parts of Asia. I know also that our program is far from perfect. With this in mind, I have recently appointed a Presidential Task Force on International Development, charged with proposing new approaches to aid for the 1970s.

One fundamental question must be faced as Congress prepares to vote on this issue: will we in the United States live out our lives in comparative affluence, while denying reasonable help to those who are our neighbors in the world community and who are struggling to help themselves achieve a better life? To enable us to answer this question positively, I have requested $2.7 billion—the smallest request in the history of the U.S. aid program but an amount vitally needed to maintain our relationship with the developing world.

In addition to the reforms already cited, I have made other recommendations that call for new commitments by the Federal government, and offer more hopeful avenues of progress than the paths of the past.

Specifically, I have asked Congress to:

—establish a national computer Job Bank, which would enable the unemployed and the employer to come together through a computer matching system. The bank would have "branches" in every major labor market in the country. No longer would men have to go without work solely because they did not know where to find jobs.

—commit this country to the most extensive improvement of the Nation's air facilities in history. Under this program, the annual Federal appropriation for improving air facilities will rise from $93 million a year—the average of the last decade—to $250 million annually over the next decade. I have proposed further aid for airport development of $2.5 billion in Federal funds in the next ten years to be matched dollar-for-dollar by the States and local governments. This will mean an added $5 billion in funds for airport development. It will mean a running start on the national effort to build for the doubling of airline traffic expected by 1975 and its tripling by 1980.

—commit this country to the redevelopment of the nation's deteriorating public transportation system by providing an unprecedented measure of Federal support. In the six-year period ending with fiscal 1970, some $800 million will have been authorized by Congress to aid the nation's deteriorating public transit industry. I have proposed raising that commitment to $3.1 billion over the next five years and to a total of $10 billion over the next twelve.

—enact the most extensive improvements in the Federal-State unemployment system in a decade, with coverage extended to an additional 4.8 million workers, mostly low-income, with an automatic extension of benefits to workers during times of high unemployment.

—enact the strongest mine health and safety bill in history, one which empowers the Secretary of the Interior to upgrade health and safety standards for coal mines as the technology develops.

—establish a national occupational health and safety board, with power to set standards to protect workers.

—empower the Equal Employment Opportunity Commission to bring suit in a Federal District Court to enforce federal laws against discrimination.

—ban literacy tests as a prerequisite for voting throughout the United States.

NEW INITIATIVES

THE HUNGRY. For many years, in this richest of societies, we have heard rumors of malnourished children and hungry men and women. Now we know these rumors are true. This realization has prompted us to a commitment—that we eliminate every vestige of hunger and malnutrition from America. I have asked Congress to help us assure that every American family can have a nutritionally complete diet; I have asked that the poorest members of our national community be provided with food stamps free of cost.

The Senate has shown a willingness to join in this commitment and has acted with dispatch. I urge the House to move so as not to prolong any further the day when the ancient curse of malnutrition and hunger is eliminated in this most modern of nations.

POPULATION. There is a widely-recognized correlation between population growth and poverty in the under-developed nations of the world. I have asked Congress to support our endorsement of those individuals and organizations seeking voluntary answers to this global question in other lands.

To approach this question as it applies at home, I have called on Congress to create a national commission to undertake now a study of how the nation is to provide for the 100 million new Americans expected before the turn of the century.

Beyond this, I have asked that a new philosophy become American government policy. We will interfere with no American's freedom of choice; we will infringe upon no one's religious convictions; but we shall not deny to any American woman the family planning assistance she may desire but cannot afford. That is the goal I ask Congress to support.

THE CONTROL OF CRIME

There is no greater need in this free society than the restoration of the individual American's freedom from violence in his home and on the streets of his city or town. Control and reduction of crime are among the first and constant concerns of this Administration. But we can do little more unless and until Congress provides more tools to do the job. No crisis is more urgent in our society. No subject has been the matter of more legislative requests from this Administration. Yet, not a single one of our major recommendations on crime has been acted upon favorably. I have not even received yet the budget appropriation for the Department of Justice for this fiscal year which is three months old. In light of the rising crime statistics in the country—and in the nation's capital—I again call upon Congress to become a full-fledged ally in this national campaign.

ORGANIZED CRIME. To intensify the national effort against organized crime, I have asked for an arsenal of new legal weapons:

—a doubling of existing resources for the organized crime effort;

—authority for Justice Department agents to enter any community and shut down large-scale gambling operations;

—a modern general witness immunity statute under which witnesses in Federal criminal cases could be compelled to testify under threat of a prison sentence for contempt;

—finally, because organized crime would shrivel up without its enormous gambling resources, and because illegal gambling on a large scale cannot go on without cooperation of corrupt law enforcements, I have asked Congress to make corruption of local authorities who are tied in with such gambling operations a Federal crime. I must stress the great urgency of these measures. Let the Congress act—*now*.

D.C. CRIME. To deal with the increase in crime in the District of Columbia I have asked for an expansion and strengthening of the entire system of law enforcement and criminal justice, including a fundamental reorganization of the courts. I have stressed the urgent need for more police, more judges, more prosecutors, more courtroom space, a new public defender's office, better penal and rehabilitation facilities and reform in the procedures for dealing with juvenile offenders. Crime in the District of Columbia continues to rise to new records with each month. We cannot contain or control it with existing resources; we need more men and money; we need a speedier trial system and, as important as any other measure, the power to keep hard-core criminal repeaters in the District of Columbia off the streets, so they are not committing five and six crimes before they are ever brought to trial. The Congress should act—*now*.

NARCOTICS. In the Federal effort against the illicit narcotics trade, I have submitted a major revision of all Federal narcotics laws and requested more men and money to deal with a problem that long ago outstripped the capacity of government at every level. Existing manpower and resources are stretched to their elastic limits—they are demonstrably inadequate. We have to have the cooperation of Congress to attack this terrible problem. Let's get at it—*now*.

PORNOGRAPHY. To prevent the use of the nation's postal system for the mailing of unsolicited sex-oriented materials to families that do not want the material and to children to whom it might do psychological harm, I offered three legislative proposals that will protect American citizens from the barrages of the filth peddlers, and will also be consistent with the decisions of the U.S. Supreme Court interpreting the First Amendment. These bills are still in Congress. I ask that they be promptly enacted.

These are among my major legislative proposals in these first nine months in office. I believe they speak directly to the needs of a nation in distress. I can see no legitimate reason why—with good will and cooperation between us—we cannot make the great majority of these urgently needed programs law before the end of the year. We should have all of them—as well as the others now pending—on the statute books well before the Ninety-First Congress enters the history books.

To that end, I again pledge the cooperation of this Administration.

RICHARD NIXON.

THE WHITE HOUSE, *October 13, 1969*.

PRESIDENT'S MESSAGE

Mr. GERALD R. FORD. Mr. Speaker, Sunday was Columbus Day, but it should be with no sense of discovery that Congress receives President Nixon's message detailing the tremendous amount of work yet to be done by the 91st Congress.

It should, however, be with a sense of public-minded cooperation and a spirit of deep determination that Congress considers the tasks remaining as spelled out by the President.

I personally pledge that I will bend every ounce of my energies to the goals enunciated by the President, and I fervently hope that the Democratic leadership of the Congress will do likewise in a spirit that eschews partisanship in favor of what is best for the country.

I think the President has set a splendid example for the Congress by displaying in his message exactly the kind of nonpartisan spirit now needed to get the Congress moving on the President's program and to get this country moving ahead.

I agree with the President that—

> Neither the Democratic Congress nor the Republican Administration is without fault for the delay of vital legislation.

It is because I wished to proceed affimatively and positively with the President's program that I have repeatedly refused to call the 91st Congress a "do-nothing Congress" and have counseled waiting until the final scorecard is in before we judge the 91st.

The 91st Congress is potentially a great Congress, and the President has made clear how the 91st can achieve greatness.

The route to greatness for the 91st Congress is to enact President Nixon's excellent reform proposals—his proposals which would turn the country into new directions, away from centralism to a new federalism and away from recognized failures to new successes.

I have spoken of the Nixon administration throughout the country as a reform administration—and that is what we must have at this juncture in our history. But we cannot have those reforms unless the Congress implements the President's program.

I therefore join with President Nixon in urging the 91st Congress to act on the administration program—and act now.

(Mr. ARENDS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ARENDS. Mr. Speaker, we have just heard an appeal from our President for cooperation from this Congress effectuating his program of reform. I hope that this Congress will heed his appeal and be responsive by expeditious action on his recommendations. As he so well said, all of us were "elected not to maneuver for partisan advantage, but to work together to find hopeful answers to problems that confound the people all of us serve."

At the conclusion of the last Congress the majority leader of the other body said:

> I think perhaps we have passed too much legislation, spent too much money. I think it is time to reorganize and tighten our belts.

This is precisely what the Nixon administration proposes we do. The premise of President Nixon's program is to do that which is fundamental. It is to revise, to eliminate, to consolidate and to coordinate that we may have a more efficient and more economical government responsive to the needs of our people.

Let us do that which is fundamental. Let us put first things first. While we may have our differences in matters of detail, there should be no difference between us for achieving the much-needed reforms that our President has recommended to us. On many of his recommendations there is no reason why we cannot proceed without further delay. I refer particularly to what needs to be done to combat inflation and to combat crime.

(Mr. ANDERSON of Illinois (at the request of Mr. ARENDS) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ANDERSON of Illinois. Mr. Speaker, the President has sent us a message outlining a vast legislative area in which this Congress needs to get down to work.

He has done it without rancor and without partisanship, recognizing that the slow pace of this Congress can be blamed not only on the Democratic majority of this Congress, but also, to some extent, on the approach of his administration, which has been reasoned and careful; certainly less frantic than the opening sessions of recent administrations.

But, Mr. Speaker, regardless of who is at fault for the slow pace of this Congress, the fact remains that little has been accomplished in the way of substantive legislation.

And much remains to be done.

Without question, the President is right when he says:

> The American people are not interested in political posturing between the executive branch and Capitol Hill.

And when he says that he and we "have been commissioned by the same American people to achieve objectives on which the great majority agrees."

Mr. Speaker, we now have much, in fact most of the President's legislative program for this year. We have had a great deal of it for quite a while.

I urge that the entire Congress be allowed to work its will on most of that legislation before the end of this session. The Nation will be better off and the Congress will have lived up to its obligations.

Mr. BROWN of Ohio. Mr. Speaker, the President has sent to this Congress a list of national priorities, priorities which if acted upon will benefit our Nation for decades to come.

They are measures on which reasonable men will find it difficult to disagree in principle.

They recognize that new problems and changing conditions in this age of rapid change demand new answers and new solutions.

Mr. Speaker, this Congress has a great opportunity. It can help the President chart the new directions this Nation must take or it can continue to attempt to cope with the challenges of the seventies using the outmoded and never very successful methods of the thirties.

It can deal realistically with the needs of the people or it can continue to drift along the same old path, substituting new funds for new answers and bigger programs for better ideas.

Mr. Speaker, the times are too perilous, the need for new answers too great for any of us to be willing to settle for only a bigger status quo, for any of us to drag our feet, for any of us to put political considerations first. I urge that we join with the President now—today—and get on with the job the people have entrusted both to him and to us.

Mr. MACGREGOR. Mr. Speaker, by now most of us have read the message the President has sent to the Congress over the weekend outlining the issues he deems to be of greatest significance.

Mr. Speaker, there can be little disagreement over the importance of these issues, though reasonable men may differ over how best to deal with them.

It is the duty of the President to inform us of what he considers to be the Nation's problems, to send us the proposed legislation he thinks can solve these problems.

This he has done.

In some cases he has done it only recently. In others we have had that legislation for a considerable period.

Regardless, we now have it before us.

It is now up to this body to consider the proposals most carefully, and to send to him for signing as expeditiously as possible the legislation we think can best meet those needs.

Now is no time for partisan recriminations or dilly-dallying.

Now is the time to put our shoulders to the wheel and get on with the job.

Mr. STEIGER of Wisconsin. Mr. Speaker, in a most conciliatory manner the President of the United States has asked the Congress to get on with the job of legislating the best answers he and we can devise to the problems besetting our land.

I earnestly hope this body can respond in kind, recognizing that the needs of the people come before politics or partisanship.

Mr. Speaker, there are grave problems to be solved in our land, and grave questions that seek meaningful answers.

We do need to reform the draft system to make it fair and equitable; we do need to reform the welfare system to provide incentives to work and incentives to keep families together, we do need to provide the States and localities with revenues adequate to meet their growing needs, we do need new answers to the problems of hunger, and population, and crime.

We do need to end the inflation.

We do need to reform our postal service.

We do need to extend OEO and enable the agency to fulfill its innovative role as set by the President.

We need to do these things and we need to do much more.

Mr. Speaker, the time is growing short. I urge that we get on with the tasks before us.

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(Mr. McCLORY (at the request of Mr. ARENDS) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. McCLORY. Mr. Speaker, I have been most interested to review carefully the message of President Nixon which we have received today in the House of Representatives. The President has drawn attention to a large number of legislative proposals upon which the Congress has failed to act. I am pleased to know, however, that the subject of tax reform and electoral college reform have already received action by the House. The delays which these measures are encountering in the other body require it to take action.

In reviewing the programs to which the President has made reference, I have taken particular note of those subjects which are pending before the House Judiciary Committee upon which I serve. While my committee has been diligent in covering the usual subjects to which it is assigned, I wish to call attention to the extensive hearings on such subjects as conglomerate mergers, the Newspaper Preservation Act, extension of the Voting Rights Act, and electoral college reform.

However, I am hopeful that in response to the President's message the committee can take up those bills relating to organized crime to which the President made reference. Also, I hope that revision of the Bail Reform Act may be considered, and that bills relating to pornography and to the District of Columbia government may receive early attention.

The subject of crime in America deserves top priority. In that respect, Mr. Speaker, I note that the President's budgetary request for $20.9 million for operation of the National Institute of Law Enforcement and Criminal Justice was reduced by the House $7½ million. It is my hope that the Senate will restore the full amount which the administration requested.

In connection with our efforts to reduce crime we must not lose sight of the fact that adequate funding of existing programs is perhaps even more essential than the establishment of new programs. Indeed, the President alluded to this subject in his message when he stated:

> I have not even received yet the budget Appropriation for the Department of Justice for this Fiscal Year which is three months old.

The reduction of crime in America is essentially the task of local and State law enforcement officials. The National Institute provides the guidance and cooperative link between the Federal Government and local and State governments which can serve this objective.

Mr. Speaker, the President has spoken convincingly and fairly in outlining the tasks which lie ahead of him and us before the 91st Congress adjourns in December. I am confident that the Judiciary Committee will do its part in taking action on measures which the administration deems essential in fulfilling its commitment to the national interest.

SCHEDULED TRANSPORTATION SYSTEM IN DANGER

(Mr. HAYS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HAYS. Mr. Speaker, you will recall that on several past occasions I have brought to your attention the fact that our scheduled transportation system is in grave danger. You are well aware and join me in being justly proud that our country has the finest air transportation system in the world. However, I am most fearful that we will lose this leadership, and even in time destroy this system if we do not learn to live by the rules.

Supplemental airlines, so-called "nonskeds," are a great and growing threat to our aviation leadership. A broad authorization containing many loopholes, lax enforcement of regulations by Government agencies, and illegal promotional sales activities by tour and travel promoters have allowed these supplementals to skim the cream off some of the most profitable scheduled airline markets. With no schedules to meet, and no unprofitable routes to maintain, the "supplementals" have ceased to be supplemental to our scheduled airlines. They are now competitors for most of the world's air traffic on a most favored basis. And the continuing violations of CAB regulations by them have reached such a magnitude that organized crime—the Mafia—is alleged to have become involved.

Concern in this accelerating crisis has now spilled over into the international scene as evidenced by an article written by Robert Porter in the London Sunday Telegraph of September 28, which follows:

PROFIT OF £5,000 BY SHADY FLIGHTS

(By Robert Porter)

An intensive Government inquiry is taking place into the alarming growth of air charter flights running close to the law. I understand that at least six charter flights have been stopped on the tarmac in the last two weeks by Board of Trade inspectors who have discovered irregularities.

Some flight operators and shady air brokerage companies are flouting the laws regarding group charter flying and are making up to £5,000 profit on each trip.

The companies are breaking the law because they totally disregard the strict regulations governing charter flying.

SPURIOUS CLUBS

Legally, these cheap group affinity flights are available only to clubs formed for at least two years, whose main purpose must be something other than flying. People taking part must have been members for at least six months.

The illegal operators run spurious clubs and allow individual travellers to join at any time. They issue back-dated membership cards and have networks of agents throughout the country who pass on to them the names of people wishing to join a charter flight.

They operate from back-street offices. These have no staff and only a telephone answering device on which would-be passengers leave details of their requirements.

MAFIA BACKING

The Association of British Travel Agents and the International Air Transport Association are also conducting searching inquiries into the whole structure of charter flying operations. In Italy and America Mafia racketeers are reported to be involved.

One American charter airline is said to be financed by Mafia money. In Italy, International Air Transport Association investigating offcers have helped crush a charter racket based in Rome that was also Mafia backed. The most common form of charter flying in Britain is group affinity travel.

The cost is remarkably low. The cheapest scheduled airline fare to New York is £125 return and at certain times of the year this can rise to as much as £212.

Compared with this, some travel groups offer flights for as little as £49 return.

Charter flying now accounts for between 25 and 35 per cent of transatlantic air travel. One British charter line already has five Boeing 707s, each able to seat 186 people, fully booked from May to September next year.

UNUSUAL TITLES

Clubs have sprung up all over the country with all kinds of unusual titles. An example of this is the Trowbridge Caged Bird Society, which arranged about a dozen charter flights to America last year on Boeing and V.C.-10 jets. For £74 return, passengers had free meals and free use of the bar.

The Canadian, American and Overseas Re-Union Association, operating from Manchester, is running more than 20 flights to America next year and other flights to Israel, Australia and South Africa.

The Midland Football and Sports Club has at least 20 flights to America planned next year.

These clubs and many others are all run properly and stay strictly within the law.

The boom in charter flying is so great that the crooked element has moved in to other clubs.

A leading London group travel organizer said to me that he had been approached by crooked agents and brokers. They sent him details of charter flights and asked him to refer passengers to them.

The passenger would receive his airline ticket, with a spurious club membership card backdated six months. The agent would have chartered the aircraft for about £52 a seat and would be selling these seats for up to £85.

AIRLINES WORRIED

An International Air Transport Association spokesman in Geneva said to me: "We are very concerned at the way the law is being flouted. We are on to these rackets and we are taking action.

"It may well prove necessary to tighten international regulations governing this kind of travel."

Airline members of the Association are meeting in New York this week to discuss the charter question. Many travel agents, who feel that group charter flying has provided wonderful opportunities for people with limited incomes, hopes that the reputable clubs will not be made to suffer because of the actions of racketeers.

PROFILE OF GEN. CREIGHTON J. ABRAMS, A GREAT FIELD COMMANDER

(Mr. STRATTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. STRATTON. Mr. Speaker, I have long been an admirer of Gen. Creighton J. Abrams, our top field commander in Vietnam. He is a down-to-earth, nononsense, soldier's general, who believes in getting the job done efficiently, and without fanfare. He has been most effective in Vietnam, though he has received a minimum of press attention or credit for his achievements.

It has been especially unfortunate that General Abrams should have received far more press attention, and that his name should have become far more of a household word, in connection with the recent Green Beret case, than in connection with the very sizable achievements he has made in bringing a difficult and unpopular war at a successful conclusion.

I have been particularly distressed to read some recent press accounts that are suggesting that now that the Green Beret case had been dropped—as I emphatically agree it should have been dropped—General Abrams may be sacked because of his role in pressing the original charges in this case.

I sincerely trust this will not be the case, Mr. Speaker. Whether General Abrams was right or wrong in this instance—and none of us still has all the facts, even in our Armed Services Committee—it would be a monumental mistake to pull him out of his field command just at the time when his special knowledge and skills are most desperately needed; that is, as we begin the very complex and dangerous retrograde movement of bringing our troops home from Vietnam without at the same time impairing the ability of the South Vietnamese people to defend themselves against aggression from the North and to determine by themselves the shape of their own political future. We would be cutting off our nose to spite our face to fire General Abrams.

Mr. Speaker, at the very moment this question is being mentioned in the press stories, it is perhaps providential that there should have appeared in the Sunday New York Times magazine section, for October 5, 1969, a brilliant article on General Abrams' accomplishments in Vietnam, and the unique contribution he has made to this difficult problem. Even the Green Beret case itself is mentioned.

I strongly recommend this article, by Kevin P. Buckley, to my colleagues as required reading, and under leave to extend my remarks, insert it at this point in the Record:

GENERAL ABRAMS DESERVES A BETTER WAR

(By Kevin P. Buckley)

Saigon.—A highly placed American civilian official sat talking with some friends recently after a day's work in Saigon. He was vaguely bothered—even more so than usual. Earlier in the day, he had taken part in a conference attended by Gen. Creighton A. Abrams, known in the military tongue as COMUSMACV, or Commander, U.S. Forces, Military Assistance Command Vietnam. Abrams had been only one of several Saigon luminaries at the meeting but hours later the general still fascinated the official. "Abrams is one of the most impressive men I've ever met," he said, swirling a martini. "You know, it's too bad. Abrams is very good. He deserves a better war."

That is an apt assessment of the man and his problem. There is a universal opinion in Vietnam that Abrams is an exceptional man. Even civilians who harbor a visceral mistrust of anyone in uniform are struck by his candor, humor, self-effacement and common-sense skepticism.

These qualities are especially striking considering the rough, tough, top-sergeant aura that Abrams, at 55, projects. Sitting or standing, there is nothing of the ramrod about him. He slouches in a chair and fixes people with a beetle-browed stare from a weathered face. He moves about with a hunched gait that accentuates his short stockiness. There is always cigar smoke nearby. Physically, he evokes the military men of the "Grin and Bear It" cartoons. A former colleague at MACV said affectionately:

"Chances are, if he was in civilian clothes, sitting on a park bench, a cop would tell him to move along:"

Quite apart from his personal characteristics, he has displayed considerable brilliance in conducting the war. But at the stage at which he inherited command the problems were so thick and tangled that even brilliance could only dent them. Solutions demanded much more—indeed, the impossible: an undoing of all the wrong approaches, mistakes, and betrayals, military and political, going back to the early fifties, which constituted his legacy.

Abrams is not a man to complain about his inheritance. He insists that problems be faced in the present tense, without recourse to hindsight or regret. But recently he did comment privately on his difficult task. A close friend suggested to him that of all American commanders, going back to George Washington, he had the most awkward problems. Abrams grinned, drew on his cigar and said: "I try not to think about that too much. I have to avoid chronic depression."

If a West Point seminar were to examine present conditions in Vietnam, especially compared with conditions in June, 1968, when Abrams took over after more than a year as Gen. William C. Westmoreland's deputy, it would have to conclude that things are going well: American units—increasingly assisted by South Vietnamese forces—have the upper hand almost everywhere throughout the country. Nearly everywhere the enemy has been splintered into small groups. Constant allied pressure in the form of ambushes, interdiction of infiltration routes, raids on ammunition and supply caches and more accurate air strikes makes it increasingly difficult for enemy forces to group for an attack. Increased night patrolling has deprived (though hardly completely) the Vietcong and the North Vietnamese Army (NVA) of hours which they once owned completely. Even the gloomiest prophets agree that there is much less chance now that the enemy could duplicate the countrywide military trauma he inflicted at Tet, 1968—at least in the near future.

Indeed, one measure of progress some commanders here like to cite is that the same North Vietnamese Army unit which fought inside Hue for a month in January-February, 1968, was last seen defending Hamburger Hill last May. From Hue to Hamburger Hill—that is certainly progress, military style. But is it really progress?

A high-ranking officer at MACV recently tried to explain how, in fact, the war had improved. He said that at the beginning of the American build-up American forces had to operate like fire brigades—dashing from one trouble spot to another. Now, he explained, there were forces everywhere and without hopscotching around the country they could inflict great damage on the enemy. He was asked what difference that made if the fire still smoldered—and occasionally flared—and could often kill 150 or more firemen a week. Was there a time in sight when the fire in any one place would be out for good?

No, he said, and explained: "You must realize this is a bottomless pit. It will take 10 years to finish it."

Abrams' tactical decisions as commander have changed the war very much. His personality and intellectual bearing have done so even more. The whole tone of the war—in Vietnam at least—has changed since Abrams has been running it. Westmoreland's war was a monolithic, ever-growing, ever-confident enterprise filled with optimistic generalities. Westmoreland, a Central Casting West Pointer, set the tone for the whole chain of command. Critics of the war were "nigglers," who would be proven wrong when "victory was achieved," which was just around the corner. Tet shattered that illusion. Abrams became commander six months later.

His personality suited the new era. In style, he was as typical of a squared-away West Pointer as U.S. Grant. He did not make optimistic predictions. The critics were even more plentiful and better-armed, but Abrams disarmed them by nodding slowly when they made their points, shrugging and saying, yes, there were plenty of problems. He talked about the importance of "price indices" in the city marketplaces, even though people were used to hearing only about "kill ratios" as measures of progress. One of his first rulings as commander was that there would be no air strikes by U.S. planes in urban centers without his personal approval. During the Tet and May offensives, officers far down the chain of command had called in air strikes in Saigon as if a block of civilian homes were a row of trenches. It was not his idea alone—nor completely altruistic. When things that had been going on elsewhere for years happened in Saigon they drew attention around the world. Civilians in Washington, joined by the Embassy in Saigon, had pressed for the ruling soon after Tet and again after the heavy bombing in May. But Abrams implemented these desires with a flat, no-exception order.

Soon the story went around about the briefing he had attended in I Corps for a recap of the Tet attacks. As usual, the briefers emphasized the positive. Abrams listened, then said: "Gentlemen, we got our —— handed to us," and left the room.

His skepticism, his broad approach to the complicated war began slowly to sift down through the whole structure. As time went on, it was clear that, for the first time, everyone in Vietnam had a hero.

The U.S. approach to the war has changed drastically since Abrams first arrived in May, 1967. Then, the rallying cry was Lyndon Johnson's exhortation to "bring back the coonskin." Now, thousands of deaths and billions of dollars later, the aims are less triumphant and the rhetoric is chastened. President Nixon has pledged self-determination for the people of Vietnam, even if the "enemy" is to have some say in the determination. When Abrams arrived, U.S. troops were still pouring in. Now that tide has turned, 25,000 have been withdrawn, another 35,000 soon will be, and Nixon has expressed the "hope" that one-half of the original U.S. troop strength will be withdrawn by the end of next year.

The Abrams era is marked by a new rallying cry for the war, the latest in the long succession of magic-ingredient terms such as "strategic hamlets," "winning the hearts and minds of the people," "war of attrition" and "coonskin." The word is "Vietnamization," or the gradual (and the pace is crucial) handing over of the burden of fighting the war from the Americans to the Vietnamese.

No one can say at this point exactly what it means because it is still in many ways a slogan. Its eventual content is being determined daily in the White House as the President weighs the immediate political cost at home of prolonged U.S. bloodshed against what something a good deal less than "victory" in Vietnam would mean eventually—both to the balance of world power and to U.S. domestic attitudes. (Will a national magazine, for example, someday run 12 pages of passport photos of the people who "sold out" Vietnam?)

At one extreme, "Vietnamization" is de-

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fined as a disguised U.S. defeat—an attempt, as one observer here has put it, "to pull away the tablecloth and leave the whole table setting in place—on the first try. If something goes wrong, you can blame the wreckage on the instability and flimsiness of the crockery." At the other extreme, "Vietnamization" is interpreted as a cover word for an even longer American involvement than Washington apologists now imply—a disguised affirmation of the supposedly forsaken policy of total military victory. The final resolution will probably be somewhere in the middle. And Abrams is at the center of the debate.

Abrams runs the war from a windowless office in the rambling prefabricated steel building which houses MACV headquarters, about 3 miles from downtown Saigon and adjacent to Tansonnhut Airport.

The headquarters complex, popularly known as "Pentagon East," was built in 1965. Like the war, it is being constantly adapted. One can never be sure an office will be in the same place it was on the last visit. The baffling lettered corridors are filled with officers carrying attaché cases of sheaves of paper, striding briefly in starched fatigues. Vietnamese janitors dozing in the stairwells at lunch time are all that jar the otherwise perfect ambience of air-conditioned efficiency. The war can seem far away in some of the offices where desks are heaped with readouts from the computers which keep track of reports flowing in from the field. But a glance out the window at the concrete-coated, sand-bagged bunkers brings back the fact that MACV is the nerve center for a gigantic war, even if there are portable barbecue grills on the carefully tended grass.

The MACV over which Abrams presides is surely as efficient a headquarters as the U.S. can contrive at this time for a war effort. It embodies the might and sophisticated technology of the whole Vietnam war, which is, of course, waged against an enemy whose rudimentary headquarters are constantly on the move deep in the jungles of Vietnam or Cambodia. If wars were won on the basis of modern management, the coonskin would have been on the walls years ago. Publicly, MACV exudes nothing but optimism. Privately, there is considerable frustration.

Not long ago one staffer completed his tour at MACV and summed up his feelings: "Often it reminded me of the caucus race in 'Alice in Wonderland.' Everyone runs in circles, no one really gets anywhere, and when the race is over, everybody gets a medal."

Abrams's office is Spartanly simple: an Army-issue desk, a long wooden conference table, flags of the U.S. and Vietnam and his own four-star flag. The walls are bare except for large maps of the four corps areas of Vietnam and an black and white aerial photograph of the instant of impact of a bomb on a bridge.

Abrams spends much of each working day (seven days a week) in that office and most of the crucial tactical decisions of the war are made there. His schedule is rarely firm. Fluid developments in the field usually keep a day from working out as it has been planned. But virtually every day he leaves MACV by helicopter or a small jet for short-notice visits to American or South Vietnamese Army (ARVN) bases in the field where he examines local conditions in great detail.

In the evenings, he sometimes has dinner in an officers' mess at MACV. More often, he dines in the small, sparely decorated villa just off Tansonnhut which he shares with a colonel and a warrant officer on his staff. There, clad in sport clothes, he often entertains friends from the military and the diplomatic and press corps as well as visiting V.I.P.'s.

Abrams has a reputation as an excellent host and the dinners are usually distinguished by a good deal of humor originating with him. He enjoys ridiculing military foibles. Once he entertained a group of visitors with a long story about a budget meeting he had attended at the Pentagon. One participant had to leave for the lavatory during the discussion, "and while he was away, he lost several million dollars."

His humor is often self-deprecating. He had to cut short an interview recently with a journalist to go to a meeting with Ambassador Ellsworth Bunker. He jumped up, grabbed his hat and brief case and stormed out the door, saying he was sorry but he had to rush. Then he stepped back into the office and deadpanned: "If you'll excuse me." (Abrams and Bunker, despite widely different lifestyles, enjoy a cordial relationship and agreement about approaches toward the war.)

Abrams's principal indulgence, aside from cigars, is music. He has an extensive, thoroughly indexed stereo collection at his villa—with plenty of Beethoven, Tchaikovsky and Mozart, as well as opera and Mahalia Jackson. Though he calls himself an "alley cat," his taste is predominantly classical. Soon after he became commander, the Armed Forces Radio Network doubled its classical music programing. A diplomat who welcomed the change asked Abrams if he had been responsible for it.

"No, I wasn't responsible," Abrams said, "I just gave them the benefit of my unwelcome advice."

He also relaxes by reading. Recent favorites include "Responsibilities of World Power" by Senator Gale McGee, "The Lessons of History" by Will and Ariel Durant, "The First Circle" by Alexander Solzhenitsyn, "Never Call Retreat" by Bruce Catton, and an exotic cookbook by William C. Roux called "Fried Coffee and Jellied Bourbon."

But his real love is music. "Listening to music relaxes me," he says. "I can sit there and listen while all the fractious things of the moment subside and I can think without the pressures of all these things—just think, try to look ahead, try to look back and try to interpret what's happening."

He often uses terms such as "orchestrate" and "achieve a harmonious blending" when talking about the way he runs the war. Soon after he became commander, he visited the Delta on an inspection tour and at the end of the day got together with his staff and the local commanders in an officers' mess. It was a vintage Abrams scene. The men discussed the patterns and techniques of the war, what was going right and what was going wrong. After a short silence, Abrams, with a gin and tonic in one hand, a cigar in the other, spoke: "You know, before I came over here this last time I was in Boston and saw Leinsdorf conduct Beethoven's Fifth," he said. "Now that's the way the war should be run. He calls on his strings," he said, gesturing with one hand, "and he gets a little bit of strings. He calls on his drums," he went on, gesturing with the other hand, "and he gets a little bit of drums. That's the way we should do it. "A little bit or air support just when it's needed, not a ——— hour of air support, A little bit of artillery, not a ——— hour of artillery."

But the musical comparison has its limitations, as Abrams is quick to point out: "It's very different. The war is pretty vicious, certainly noisy . . . and it's different because of the sorrow and anguish."

Abrams will not have the luxury of most battlefront commanders in being judged solely as a tactician. Given the terms of the war in Vietnam, that would be challenge enough, but he must also cope with the enormously complicated and risky problems of the broader context of Vietnamization. Thus he is like a conductor who must strive for excellence against great odds and, at the same time, supervise the replacement of his best musicians with others of inferior training and uncertain capacities.

On the battlefield, Abrams has succeeded in bringing the war under control to a degree it never was before. He has accomplished this largely by developing flexible tactics that are adaptable to the different kinds of warfare that go on in different parts of the country. When he took over, tactics were very much of a one-note variety from the whole orchestra: Kill the enemy. Abrams has altered the pitch for different places and different problems, and has even developed something like solo capabilities.

He did not invent the new tactics. They evolved over a period of time, sometimes as outgrowths of techniques begun by Westmoreland. In the jargon of MACV, Abrams has benefited from a variety of "rising curves." For example, he has had considerably more helicopters at his disposal than his predecessor had, and therefore greater troop mobility. He inherited a rising curve of improved intelligence, which he then proceeded to develop. In the past, because of grievously imperfect intelligence, there was considerable "blind bombing"—targets were often selected days in advance of delivery, almost on a regional allocation basis. "It was like Orvieto in 'Catch 22,' " said one civilian who worked in the provinces three years ago. "They missed the target, but had a great bombing pattern." Abrams recast the whole system so that now the B–52's can be redirected in flight to hit targets very soon after intelligence information produces them. They still often hit nothing, but much less often than in the past.

But Abrams has done far more than ride the crest of the rising curves. His greatest accomplishment has been to break the basic logic by which the war had been fought. Despite the rhetoric about its being a political war and a contest for people's hearts and minds, MACV usually went about it in strictly conventional military terms—as if they were fighting World War II all over again. Tactics were based on finding enemy forces, preferably in large groups, and fighting them. The kill count was all-important. Invariably, more enemy than Americans would be killed in the pitched battles, so all battles were judged as victories.

Abrams altered the basic approach. He discerned that there were several different wars going on in Vietnam. In each of them, the enemy had different objectives which must be answered by different tactics.

Thus when Abrams visited 101st Airborne Division units which were operating in the lightly populated flatlands outside Hue, he asked novel questions: How successful was tax collecting by the Vietcong? How many terror incidents, such as assassinations of hamlet chiefs, had there been? What success, or failure, had there been in identifying members of the Vietcong infrastructure? In turn, these units moved away from classical military operations to "cordon" tactics. They would seal off a large area and just wait while Vietnamese police combed the hamlets and barren surrounding countryside looking for hidden VC.

When he visited the 101st Division units which were operating in the thickly jungled mountains along the Laotian border, or the First Air Cavalry and First Infantry Divisions in the jungles along the Cambodian border west of Saigon, his questions usually concerned intelligence: Which enemy units were maneuvering in the area? What were their routes? What supplies had been found? What could be known about their whole system of movement from discoveries in the jungle, even when no enemy soldiers were seen?

Attempting to fight the war on terms that count often proves frustrating. Some months ago, Abrams visited a Marine unit in I Corps. The briefer set out with great enthusiasm to describe how Marine armored vehicles had cornered a group of Vietcong in a paddy field and killed them all, thus producing a good "body count." There were even photographs to prove it. As Abrams scanned the photographs, he saw armored vehicles arrayed across a wide expanse of paddy and it was obvious that their caterpillar tracks had ruined a substantial harvest.

"How are the people in that area going to eat?" he demanded. There was no answer, of course. Abrams then assailed their "victory," telling them that killing a dozen Vietcong was not worth the damage they had done to the civilians whose food they had destroyed.

His fiat could not, of course, change the whole system abruptly. But officers tend to pay attention to the criteria of the commander. Col. George S. Patton III, commander of the 11th Armored Cavalry Regiment, for example, had as his motto: "Find the ——— and pile on," meaning, "Find the enemy and bring in reinforcements to destroy them," but one day he sullenly told his staff the rules had been changed. The new motto, he said, was: "Find the ——— and win their hearts and minds."

(There is, however, such a thing as invincible ignorance. Last Christmas, Patton sent out cards which read: "From Colonel and Mrs. George S. Patton III—Peace on Earth." Glued to the cards were color photos of dismembered Vietnamese soldiers stacked up like cordwood. Abram's card was in the first mailing. He stopped Patton before he did it again. Patton likes to say he doesn't hate the enemy, but, "I do like to see the arms and legs fly." At his farewell party before leaving Vietnam, he frolicked with a peace medallion around his neck while he cradled the polished skull of a Vietcong with a bullet hole above the left eye in his arms. Patton, after only a year and a half as a colonel, is on the latest generals' list, and Army insiders say he is a sure bet to get his star.)

Abrams disdains the popular—but mostly outdated—terms that describe tactics such as "search and destroy" because they no longer fit the war as it is fought. Over the last year, a fairly constant pattern has developed. Much of the time, there is only "light and scattered action" reported in the MACV communiques. At times, the shooting matches are so rare that a military spokesman confirms that there is a "lull." At such times, peace hopes flare, the lull is discussed in Congress—and when it ends, there are the inevitable recriminations. Most of the hopes and the recriminations are baseless.

Even when there is little or no shooting, there is furious activity on both sides—mostly in the border areas or on infiltration routes leading toward cities or bases. In the populated areas of Vietnam, something like peace prevails most of the time. More accurately, it is stillness—in which the eventually conclusive political struggle is taking place. In the field, small bands of enemy soldiers constantly attempt to throw out forward supply lines by planting caches of ammunition, food and medicine. Other small groups maneuver through the countryside, trying to pick up the supplies and eventually coalesce into groups that are large enough to attack a town or a U.S. position.

Abrams calls his tactics "getting into the enemy's system," and they involve maneuvering just as intensive as that of the enemy. Indeed, "getting into the system" means matching enemy activity as much as possible, finding and destroying the supply caches before they can be used, extrapolating from the cache sites the routes used by the enemy, and then ambushing these routes.

In the past, U.S. battalions virtually joined arms with other battalions and swept through large areas often finding nothing, or just a few enemy soldiers who could not get out of the way. The target was always the enemy soldier and not so much the system which sustained him. Abrams has broken the patrolling units down into companies (of about 100 men) or even squads (of as few as six men). He has sprinkled the busy areas of the country with hundreds of small "fire support bases" and "landing zones" (called LZ's). Carved out of the jungle or scrub underbrush in the middle of no man's land, these camps—enclosed by barbed wire and bunkers and equipped with artillery and mortars—serve as bases for patrols. The surrounding countryside for at least 100 yards is usually scraped clean of foliage so that enemy motion can be detected.

Other ground patrols originate from larger, more permanent bases. In all, hundreds of patrols fan out each day. This constant harassment all over the country usually succeeds in preventing the enemy from amassing enough strength for significant attacks. In all the clouds of semantics that emanate from the Pentagon and MACV, "preemption" probably comes closer than anything else to describing the effect of the Abrams tactics.

When the two milling forces, like giant insects with thousands of probing antennae, collide there is one of those obscure but bloody "contacts" that rarely attract any attention unless a correspondent happens to be along. But with thousands of troops involved in so many patrols each day—all necessary to prevent the enemy from starting something big—there are many collisions. Inevitably, there are many casualties, as well. Even in a week of "lull," more than 150 Americans have been killed. This slow accretion will soon put the total of U.S. dead over the 40,000 mark.

"The basic price of admission to this war is well over 100 U.S. casualties a week," said one of Abrams's fellow generals. He touched on one of the most important bitter truths of the war. Merely to stave off big trouble, casualties must run at a level that more and more Americans find insupportable.

It may seem paradoxical—or impossible—outside Vietnam, but Abrams's tactics, given the framework of the war, actually keep casualties at the barest minimum. Abrams has said that, if ordered to, he could reduce casualties to 50 per week—but he would insist on the option of resigning after a few weeks because the cost of abruptly lowering casualties by reducing American patrolling would very shortly be enormous casualties.

The case of Hamburger Hill illuminates the dilemma. The battle was consistent with prevailing tactics to the degree that, as usual, U.S. troops fought the enemy when they found him. It was just another collision—possibly harder than most because the enemy troops were fresh and strongly dug into almost unassailable positions atop a precariously steep hill—but basically the same. It was different—just as chain-reaction auto wrecks involving dozens of cars are different—in that vastly more troops than usual were involved on both sides. It was like 10 or 15 of the normal "contacts" compressed into one. Heavy casualties occurred in one small place in a brief time—and therefore the otherwise typical, obscure battle in the distant jungle became notorious.

Abrams is very sensitive to public reaction to episodes like Hamburger Hill. In its wake, he told his field commanders to persist in their hard fighting tactics, but he also ordered them to skirt, if at all possible, similar occasions of compressed "contact" which arouse strong passion in the press and the Congress and further erode the patience he feels is required for a satisfactory solution in Vietnam.

His tactics in defending the cities, especially Saigon, are also tuned to public opinion. Another enemy offensive into the capital or incessant rocketing from a distance would be disastrously embarrassing in the United States and in Paris—and could be calamitous in terms of public confidence in the Government here.

About the time he became commander, Saigon was being rocketed in many locations fairly regularly. There were dire rumors, unfounded but believed, about an enemy plan for "a hundred rockets a night for a hundred nights." People were jittery and sandbag entrepreneurs made a quick killing.

On Westmoreland's last day in Vietnam, several Soviet-manufactured 122-mm. rockets, wtih 41-pound warheads, crashed into Tu Do Street. Others landed near the Presidential Palace and in working-class neighborhoods. Westmoreland was consistent to the last. He brushed them aside, saying the attacks were "of no military significance." They were not—to the extent that they did not hit military installations, just civilian homes. A few days later, in his single public prediction as commander in Vietnam, Abrams promised that the rocket attacks on Saigon would stop. Soon after, they did, though an occasional lucky round still comes in.

Abrams quickly revamped the defense organization for Saigon by creating a joint U.S.-Vietnamese command. He also directed sweeping military operations all around the city and on its approaches as part of what the Army calls a "zero risk" defense system. Zero will never be achieved, but Abrams has reduced the risk to a fraction of what it once was.

The war is filled with paradox. At present, the military tactics which sustain the U.S. position against disaster can also be accused of undermining America's best interests. Thus one of Abram's best tactical moves became one of his most controversial in political terms.

About the time of the total bombing halt last November, several North Vietnamese regiments withdrew from I Corps area into North Vietnam. At the same time, Abrams received firm intelligence that other enemy units were massing on the western approaches to Saigon. He hurriedly moved the entire First Air Cavalry Division with its more than 400 helicopters from I Corps, where it had been operating since the Tet offensive, to positions along the Saigon approaches.

That move was later denounced by Averell Harriman, who said that it strongly contributed to missing a chance for getting substantial peace talks started. In Harriman's view, the North Vietnamese withdrawal from the north should have been somehow reciprocated. Instead, Abrams had taken advantage of the NVA withdrawal to bring the First Air Cavalry south for more fighting.

In Vietnam, Harriman's view seemed uninformed. Abrams himself never commented on it. But one officer at MACV said: "We were bewildered. We sent him all the reports but I guess he just didn't believe them. He still doesn't." Bewilderment often became hostility. Diplomats shared in the resentment. They felt betrayed because they believed that Harriman knew better but glossed over facts to make his point. The controversy is an illuminating example of the contrary motions of U.S. diplomacy in trying to achieve a solution in Vietnam.

Abrams's tactics of "getting into the enemy's system" surely have succeeded for the most part in damping down potential trouble spots, but they are far from perfect. From time to time, the enemy troops succeed in eluding U.S. pressure enough to bring about what has come to be called a "high point." A "high point" means concerted attacks by rockets and mortars against many positions for two or three nights. Sapper attacks and ground probes often accompany the shellings. The shellings rarely do much damage, but consistently inflict enough casualties—a few here, a few there, in addition to the basic "price of admission"—to make the war all the more costly in American blood.

The ground assaults against hamlets, especially those recently pacified have often

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been more successful. Local militia defend these hamlets, while U.S. units are posted near the border, and ARVN units are in between, bringing more hamlets under Government control. The ground attacks against heavily defended U.S. positions are invariably one-sided slaughters. In one case, almost 300 NVA were killed and only one American was wounded. But on most occasions, the sappers who try to breach the ferocious perimeter defenses succeed in killing a few Americans—and push the weekly death total that much higher.

However brilliant and rational the tactics, their execution in combat is basically not susceptible to reason. During one of the first large-scale American operations in the Ashau Valley, Saigon briefers marked the area on wall maps with their gleaming silver pens, which telescope out to become yard-long pointers. The purpose of the operation was to "devalue an enemy supply and staging area." In the Ashau, the maps were often propped against sandbags. Battalion commanders marked them with clean lines showing which hills the 1st Air Cav recon patrols would ascend.

On those hills themselves, things weren't so pat. The briefers rarely, if ever, cared to describe such scenes as the one when the young soldiers went about "devaluing" the place. One saw an NVA soldier emerge from a bunker yards ahead of him and dart off into the green darkness. Instinctively, as if he were throwing a rock, the soldier threw a hand grenade at the mouth of the bunker. It exploded on the lip—and he took the blast of his own grenade in his groin. The most carefully drawn plans often go askew, as when combat squads are inserted by helicopter into canals where the water is neck-deep on the tallest soldier and fatally deep for his shorter companions.

Indeed, battles in Vietnam often seem ancient, despite the centuries of military history studied by the men who designed them. In small-unit actions in thick elephant grass, the men often might as well be fighting with swords, and sometimes they do fight with knives. Flak jackets are little more than suits of armor with a different design because of improved metallic technology. When fire bases are attacked, the U.S. Army, the most modern, scientific and well-equipped in the world, must engage in sieges that have been repeated since the beginning of warfare—with some modern but basically unessential variations. The bases are all equipped with "starlight scopes" and PSP radar, which Abrams says have been the most helpful bits of technology to be developed during the war. These costly products of laboratories very often do spot enemy. More often they do not. The NVA or VC run at the barbed-wire ramparts under cover of barrages from "catapults," the most modern mortars developed by China and the Soviet Union. Instead of scaling ladders, they carry wire-cutting shears. The U.S. fights them off with boiling oil—and virtually pours sheets of hot lead on their heads. The defenders ignite "phu gas," 55-gallon drums of jellied gasoline resembling napalm, planted just outside the wire. Overhead, there are "cauldrons" in the form of helicopters and airplanes armed with "miniguns." The miniguns can saturate an area the size of a football field with bullets in a matter of seconds. Artillery inside the camp fires cannister rounds at point-blank range, filling the air with the equivalent of millions of hot darts.

The slaughters are often the source of amazement to American field commanders. "I don't know why they want this place so badly," said one colonel after a two-day siege in which hundreds of NVA and 17 Americans had been killed. "They must want it. There must be something important about it. So we'll stay here and they'll never get it."

Will this "attrition" break the enemy? Sooner or later it must. But the best intelligence analysts say that if the Hanoi leadership is willing to take the losses, it can go on for a long time. Indeed, it may happen that the "attrition" of American will to go on fighting the war may outrace the "attrition" of the enemy's ability to go on waging it.

The American leadership in Vietnam, both civilian and military, believes it has a winning strategy—with the familiar caveat of "just a little more time." "We can still pull this off if we don't have a French reaction at home," said one senior U.S. diplomat.

When Abrams was named commander, the pessimists were jubilant. Most of the evidence indicated that his tactics would demand a bigger orchestra, with beefed-up trumpets, cymbals and bass drums. In World War II, he had snarled his way across Europe with Patton's Third Army in a tank called "Thunderbolt." He was Patton's star pupil, and he had been Westmoreland's understudy. Was this the man for a political war?

But things had changed, Abrams, who had seen fit to employ certain tactics in Germany, thought others were necessary in Vietnam. He had been through some instructive experiences, such as commanding Federal troops at the integration battles in Alabama and Mississippi in the early nineteen-sixties. "I cannot recall any situation when the opportunity was greater to slip off the gangplank into the quicksand," Abrams said recently. "There couldn't be too much force, or too little. It was a time when you didn't use a sledge hammer when a tack hammer would do better."

Abrams was different in another way. He was not part of the "Club" which had been running the war. The Club was a collection of officers of similar personal style and professional approach. Personally, they were gleaming and "squared away." Professionally, they favored quick strikes and stunning blows which inflicted huge damage on the enemy in set-piece battles. The password was "Airborne" and the badge the "jump wings" worn above the heart which attest that a man has endured arduous physical training and has jumped from an airplane at least five times. In the ranks, the wings amount to a virility symbol. In the higher echelons, they are the badge of an American military version of an "old boys' " network. One of its graybeards is Maxwell Taylor, who was one of Westmoreland's strongest patrons in the military establishment. The Airborne Club was in its ascendency in the early sixties—at the same time "counterinsurgency" was a phrase Army careerists repeated into their shaving mirrors in the morning. Around that time, the club and some members of Special Forces (the Green Berets) realized they spoke with the same accent. In its original conception, Special Forces was to be a very small, highly trained band of specialists who would work in great secrecy in true guerrilla style. Then the Airborne Club, intoning counterinsurgency, embraced Special Forces, which, with John F. Kennedy's blessings, mushroomed into anything but its original design. It became a sort of super Ranger group with bastardized counterinsurgency rhetoric. The "Airborne" part of Special Forces suddenly took on great importance, though in its original conception a parachute was just a way of getting somewhere to begin work.

When Col. Robert B. Rheault (Airborne) was relieved of command of Special Forces in Vietnam recently, and charged with murder along with seven other Green Berets, some observers noted that his successor was not Airborne. He tried to become Airborne, but broke his ankle badly on his fourth jump in one hour. He was subsequently sent home for medical reasons, and replaced by a longtime, Airborne, Special Forces officer. Some observers saw a pendulum swing, somewhat erratically, in those-moves.

Abrams is known to have been insistent in bringing about the prosecution of Rheault and the others. His reasons are not yet known—and may be asked of him in court. One certainty is that as a square-shooting, traditional soldier, he was shocked when some of the "dirty tricks" customary in Green Beret activity became known to him forcefully. He has his own club—"The Old Scruffies"—who believe battles should be fought with feet planted firmly on the ground and that making a fetish out of jumping out of airplanes is puerile. Rheault could never join The Old Scruffies. When the case broke in the newspapers, Westmoreland intervened from Washington to order that the men be allowed to telephone their families. There may be trouble in Clubland.

It may well be much more than that. Abrams is said to have threatened to resign if the charges were dropped. Army apologists say his purpose involved enhancing the sense of law in Vietnam. Others say the motive was less noble. Whatever his reasons, Abrams has committed his prestige to the prosecution of the case—which has already grown helter-skelter into the most embarrassing, at least, episode of the war. The Army seems to have proceeded with little sense of consequences. Each step in the case has blown the case even bigger. Now much more could be at stake than was originally necessary—while the alleged death of a man recedes into unimportance. The similarities in process between the Green Beret case and the blundering, Topsy-like growth of the war are easily apparent.

Quite apart from this episode, one effect of the changing of the clubs was an opening toward a new approach to the war by the less dashing, more fundamental Abrams. His original single assignment as deputy in Vietnam had been to study the Vietnamese fighting forces and say how they could be improved. That task continues with even more urgency now.

Abrams quickly realized that most Vietnamese military problems were really political problems. In many ways, the ARVN has always been more of a political party than a fighting force. Until very recently, a requirement of all ARVN officers was a baccalaureate, which restricted military careers to a tiny crust of the society. The only military career for peasants, or even lower-middle-class men, who were opposed to the VC and wanted to do something was in the Regional Forces or Popular Forces (R.F.-P.F.), essentially the militia or national guard. They should have been a major factor in the armed services, certainly in a civil war. But the ARVN considered them politically untrustworthy yokels, and U.S. advisers consistently took their ARVN counterparts' lead and ignored "those funny little Ruff-Puffs." Thus the country's militia never had any training worth the name, received decades-old weapons—if any at all—and was almost completely cut out of air support, artillery support and even ground reinforcements when attacked. It was no wonder that their military efforts were comic.

There was never any lack of dismay at this state of affairs among some Americans, but no one ever listened to them seriously until Abrams. His study convinced him something had to be done about the R.F.-P.F. They have been getting training, weapons and better logistics, and their improvement has been enormous. But past neglect is easily overcome, and the capabilities of the crucial Ruff-Puffs still leave much to be desired.

Their neglect was symptomatic of all the wrong approaches to the war which have resulted in the present unpredictable state of the ARVN and the continuing inability of the Government to cope with its political threat. Abrams has demanded so much that the ARVN has improved considerably, but no one, Abrams included, dares promise very much. The roots of trouble are too deep.

"I know all I can expect from that guy is good news," Abrams said recently about an American adviser to an ARVN division. "That guy has been lying to me for two years, but if the news is bad, I'll hear about it through some other channel." Another time, Abrams said: "Some of those guys just tune out on me," as he described the frustrations involved in conveying his urgency about the problems to U.S. officers.

There was a major tuning-out of the advisory effort in 1965 when the ARVN had lost the war and U.S. combat units began arriving. But even after the crisis passed, the ARVN was not tuned in again. The reason was U.S. over-confidence—in which the ARVN basked.

One high-ranking officer who was close to the problem said: "We thought, hell, we're here in strength, and we'll finish it. The idea of bolstering the ARVN was always there, but no one ever did much about it. There was a feeling that with all that American strength, we really didn't have to bother with building up the ARVN that urgently."

At a recent MACV meeting, Abrams and his staff discussed the increasing North Vietnamese infiltration into the Delta area of Vietnam, where they never before had gone and where there was only one remaining American brigade. A worried aide asked what could be done about this threat: Would American troops have to return? Abrams slammed his fist on a table and emphatically said the U.S. would not do anything about it, and that the ARVN could cope with the threat if they wanted to.

The Americans fighting the war now were small children when the old mistakes were made. Many of the troops were too young for the Army when negotiations to end the war began in Paris. More and more, the American troops in Vietnam share, in even stronger manner, the feelings of the U.S. about the war. Their bitterness is even more intense now when some units are being withdrawn—but not all. "I'm in favor of letting the Vietnamese fight the war," said one soldier recently, "But I'm still here."

Thus Abrams was deeply concerned when Alpha Company's temporary refusal to fight made headlines around the world. He visited the area the day after the story broke in the newspapers to see what had gone wrong firsthand.

There is probably nothing that can be done about G.I. attitudes toward the war. If anything, the cynicism will probably increase in the future, but chances are that the Alpha Company incident will not be repeated very often nor surpassed. There is little or no threat of mutiny in the U.S. Army because of several factors which control the unhappy feelings: firm leadership, loyalty to buddies and the recognition that one's chances of being a free and healthy man after Vietnam are best developed by doing things the Army way. "They can have my body for a year but they can't have my mind," said one soldier recently at a fire base near the Cambodian border. His attitude is typical.

Abrams has had two sons serve in Vietnam and he has a genuine interest in the welfare of his fighting men. Recently, he was reviewing action during a "high point" and mentioned that U.S. casualties had been modest. He interrupted his narrative to interject: "No casualty is modest, no casualty is modest."

Abrams can be ferocious at briefings, especially at the stagy, formalized variety, which are as staple a part of military life as prayer is in monastic communities. One MACV officer who has witnessed many scenes of outrage offered three ruless for pleasing Abrams: "Be informal; be prepared; be to the point." The rules provide good insight into Abrams's style of operating.

"Just tell me something I can use," Abrams once thundered at two MACV briefers who had begun what promised to be a long contrapuntal dissertation, filled with what he considered extraneous information—bolstered by a slide show.

He is not the kind of man who believes everything he hears. "Whenever we get a report of some good news, we wait 24 hours and then, if we're really lucky, it turns out to be 25 per cent correct," he said recently.

"He is not at all reluctant to raise his voice at briefings," said an officer who has attended quite a few, "and he can needle people. He can be very sarcastic in a funny way, and sometimes he can appear to be funny when he is being very serious. You have to get tuned to his manner."

A case in point was a routine daily briefing some time ago in which the briefer, in running through a long list of the day's incidents, mentioned that a river patrol boat had strayed into Cambodia. This was the second time that a boat had strayed so far off course—and the case was found to have the same embarrassing political repercussions, if not worse.

"Now, wait a minute, wait a minute," Abrams interjected. "Now, isn't there something we can do about that?" he asked, his voice rising slightly. "Can't we put a sign up on the river, or maybe a big red light right at the border—to stop this?" A witness recalled that "there were titters at first, but then people caught on that he was quite angry and they stopped."

What Abrams does with the information is as important as the demands he makes on its quality. "He grapples with problems," said a former associate. "You can almost see him wrestling with questions. This is fairly uncommon. Most of the time if any of the generals have any uncertainty about something, they look at one shoulder, then the other, reassure themselves all the stars are there, and plunge ahead.

"Abrams has doubts. He knows he is fallible, and that the system is fallible. He takes his time. But then, *pow*—when the decision is made there is no doubt about it."

Abrams maintains daily communication with the Pentagon by phone or cable and frequently talks to the White House—though Nixon does not share in the day-to-day quarterbacking of the war as Johnson did. His reports to the President are technically only reports—data on which policy decisions can be made. But the reports necessarily become advocacy as well. Abrams surely has strong feelings about what should happen. His job is to win a war—or, at least, euphemistically, to bring about a satisfactory military solution. He could not live with a policy decision that militated against these ends, or he would risk contradicting his whole career and conscience.

Abrams prefers to keep his feelings and opinions private. He has never sought to explain himself or the war to the American people. He considers himself a public servant, working within the system, who realizes that the Government's problems are bigger than his. A former colleague at MACV said: "Abrams could be the commander of the legions, but never the proconsul. It's not his style. He is the soldier doing a job, following orders." The details of his reporting—and the nature of his advocacy—remain secret. To what degree his advice has been overruled, if it was at all, cannot be known precisely now. He has surely advised caution in U.S. withdrawals, just as the Saigon Embassy consistently has. He participates in drafting the Embassy telegrams on topics which involve fighting. If he cannot sign the Embassy telegram on some point, he sends his own, and Henry Kissinger gets two from Saigon that day.

Not long ago, Abrams was guest of honor at a dinner party at the Caravelle Hotel in downtown Saigon. After dinner, he stood with one of his Vietnamese friends, another military man, on the terrace, 10 flights up, overlooking Saigon. Abrams gazed at the city and said that it was beautiful at night: "Much too beautiful to give to the Vietcong."

THE RISKS OF TOO HASTY WITHDRAWAL FROM VIETNAM

(Mr. STRATTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. STRATTON. Mr. Speaker, in the next day or two we will see here in Congress and around the country a massive demand for faster troop withdrawals from Vietnam, a public protest against the phased and deliberate withdrawal procedures, based on South Vietnam's ability to defend its own future, which are being followed by President Nixon.

Before we get too much colorful rhetoric on this floor and elsewhere in connection with this so-called Vietnam moratorium, it might be well for those who call for these hasty withdrawals to realize the risks and harm their course entails, how it could easily throw away all that 39,000 American men have given their lives to insure.

Under leave to extend my remarks, I include a column by Mr. Joseph Alsop that appeared in this morning's Washington Post:

VIETNAMIZATION WORKING WELL BUT LIMITS MUST BE UNDERSTOOD

(By Joseph Alsop)

At this strange juncture, President Nixon is actually being denounced for saying that he does not wish to be the first American President to lose a war. Maybe, therefore, truthfulness is tactless.

Yet the hard, on-the-spot facts in Vietnam make it a duty to tell the plain truth, which is that the President can perhaps lose the war if he handles his "Vietnamization" program in the wrong way. It is a fine program, and it is working very well indeed, so far. But it has its own clear limits, and these must be understood.

This reporter had better confess at the outset that he went to Vietnam unhappily convinced that the U.S. troop withdrawals already made, in the name of "Vietnamization", must certainly have caused heavy military setbacks. Happily, however, that pre-judgment turned out to be entirely erroneous.

No troop withdrawal, of course, can ever be a net plus until a war has been successfully ended. The now-withdrawn brigade of the 9th Infantry Division, for instance, that had been operating in Dinh Tuong province in the delta, had genuinely become superfluous in Dinh Tuong. But there were other provinces where this brigade of the 9th Infantry would surely have greatly accelerated the terrible erosion of the whole VC structure, which is now the key feature in Vietnam.

On the other hand, there is much more to be said for making the South Vietnamese feel they must carry the main burden on their own, without big brother to come to their aid at all times. And above all, the two troop withdrawals to date have not exceeded prudent limits.

If the President is not over-hasty, moreover, further very massive withdrawals of U.S. units in Vietnam will eventually become both safe and prudent. The test, in all cases, must be whether erosion of the local VC structure has finally reached the point of no return.

But there are also two big fakes in the announced theory of "Vietnamization", as distinguished from the practice to date. To begin with, it is faking to pretend that providing M–16 rifles has given the South Vietnamese army's divisions the same fighting power as American divisions.

Even with the aid of the U.S. helicopter companies left behind after Vietnamization, the ARVN divisions have far less mobility than the better U.S. divisions. They also have only about one-quarter of the mobile artillery support; for the other three-quarters of every ARVN division's artillery is tied down in fixed positions. This tied-down artillery in fact supports the territorial forces, rather than the division's regiments and battalions. That is the first fake.

The second fake, which is much more dangerous, lies in the fact that the enemy now has 233 maneuver battalions in South Vietnam, against only 168 ARVN maneuver battalions. The numbers are about even in the delta. But in the other corps areas, accordingly, the disproportion ranges from about five-to-three all the way up to nearly two-to-one. The disproportion, therefore, means that some (though not many) U.S. units will have to stick around until Hanoi ceases its massacre of the south.

Where Hanoi has two maneuver battalions against one ARVN battalion, after all, nothing on earth will prevent an eventual breakthrough by Hanoi's battalions. And the worst of it is that the President is obviously strongly tempted to leave ARVN to fight on these terms, in precisely the provinces where the situation is now most favorable.

Some key people in the administration, reportedly including the State Department leaders, are apparently arguing, in effect, that you cannot vietnamize without accepting some setbacks. But these people plainly are unable to envision the kind of setback they are talking about.

In the provinces in question, the VC structure has been almost wholly uprooted from the populated areas. The people are living in peace for the first time in many years, with their own elected hamlet and local governments, under the sole protection of the little RF companies and PF platoons of the territorial forces. But let big enemy units once break through into these new areas of peace; and everything that has been built up will be smashed down for good.

It will be smashed down for good because the people have put their confidence in their government and the U.S. government; if they see the territorial forces and the elected hamlet and village governments massacred before their eyes, that confidence will never be restored again. So the other test of prudent American troop withdrawals until Hanoi ceases to invade the south is whether the people who have given us their trust will still be adequately protected.

IF WE ARE GOING TO PROTEST, WHY DON'T WE PROTEST TO HANOI?

(Mr. STRATTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. STRATTON. Mr. Speaker, with all the busy little preparations now afoot for our day of national protest on October 15, I wonder why it is that nobody in charge has ever thought about protesting to Hanoi instead of to President Nixon.

Why is it that with these professional protesters, our country is always wrong, and the other side always right? If these protesters seek a more rapid end to the tragic fighting why do they not ever address the other side, why do they not ever find something amiss in the other side to find fault with? Why is it always us?

Roscoe Drummond raises that point very succinctly in his column in the October 11 issue of the Christian Science Monitor, and I believe Members may find it interesting reading:

WHY NOT PROTEST TO HANOI?

(By Roscoe Drummond)

WASHINGTON.—All the protests don't have to be made by those who blame the President for not withdrawing faster from Vietnam.

Most Americans know that it takes two to make peace, and that thus far the North Vietnamese and Viet Cong have shown no interest in it. This is why Mr. Nixon suggests that the Oct. 15 student protesters ought to aim at Hanoi which is the real barrier to peace, not at Washington.

Is this suggestion a tactical retort or is it serious?

Obviously the peace-at-any-price student and senatorial protesters are not going to make an equal protest to Hanoi because they want instant, unilateral United States withdrawal regardless of the consequences. That's their right, good judgment or not.

But is there a valid, meaningful, significant protest which other Americans could make to Hanoi?

There is.

Why shouldn't the Congress of the United States lead a massive protest against North Vietnam's illegal and inhuman mistreatment of American prisoners of war?

PRISONER MISTREATMENT

The first step would be for the Senate and the House to pass—and, one would hope, unanimously—a joint resolution demanding that Hanoi cease its cruelties and crimes against enemy prisoners in proven violation of the Geneva convention by which it is bound through its signature in 1957.

Could it be passed unanimously—or nearly unanimously—so that it would be impressively expressive of the unity of the nation? Why not? Such a resolution has been introduced in the House by Rep. William L. Dickinson (R) of Alabama, and already has more than 200 cosponsors.

Are those senators like Fulbright, McGovern, McCarthy, Cooper, Muskie and others, who applaud the peace-at-any-price Oct. 15 protest, going to refuse to join in supporting a congressional resolution bringing home to Hanoi that the American people are acutely revolted at its inhumane and continuing maltreatment of captured United States servicemen?

NEEDLESS IGNORANCE

Surely those who want the President to get out of Vietnam faster than he deems prudent are not indifferent to the cruel, unneeded suffering of American servicemen in North Vietnamese hands and to the painful anguish of American wives, parents, and children who are kept in needless ignorance of the fate of their husbands, sons and fathers.

Here are the precise commitments of the Geneva convention and how North Vietnam is violating them:

1. It is required to identify the prisoners it holds. Hanoi refuses.

2. The treaty requires that sick and injured prisoners be returned. Hanoi has returned nine in five years.

3. The convention provides that impartial inspections of prisoner-of-war facilities by such a body as the International Red Cross be permitted. Hanoi refuses. Washington and Saigon welcome such inspections.

4. There is supposed to be a free exchange of mail. Hanoi refuses.

The records show 1,350 United States servicemen listed as prisoners or missing in action, and many missing in action may be in North Vietnamese prison camps. Some 200 of them have been unaccounted for longer than three and a half years without their families even being allowed to know whether they are alive or dead.

IMPATIENT

Many Americans are divided and impatient, about getting out of the war, but most Americans are united and increasingly impatient with this cruel and callous maltreatment of American prisoners.

Congress should speak out. The voice of the American people ought to be heard through the voice of Congress, and it wouldn't hurt if we let every senator and congressman know that this is what most Americans would like.

Would this be a meaningless gesture?

Not necessarily.

It is evident that Hanoi is sensitive about American public opinion, especially when it thinks it can manipulate it to its own needs. Therefore, it might consider doing something about prisoners rather than to keep building a resentful and revolted opinion in the United States.

It was the prisoner-of-war issue which long prevented serious negotiations on the Korean peace, and it was a breakthrough on the prisoner issue which made ultimate agreement possible.

COLUMBUS—THE SUPREME PATHFINDER COMMEMORATED

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PODELL. Mr. Speaker, in view of the very recent triumph in the form of Apollo 11, it is altogether fitting to place special emphasis on Columbus Day this year, for all great ventures since his epochal discovery have been compared to what he accomplished. Time has only added luster to his deeds, enriching our own modern ventures accordingly.

Just as the astronauts set forth on a supremely dangerous venture into the unknown, so did he. Just as they braved uncounted perils and prevailed, so did he, laying the foundation for the world and society we enjoy today. By his actions, he set an example of courage, adventure, and pioneering which have always been emulated and never surpassed.

We have been able to follow on almost a minute-by-minute basis the course of the flight to the moon. Can we begin to imagine what it was then, as this irrepressible explorer put his faith, reputation, and life on the line in the interests of pushing back man's frontiers ever further? Mocked, abused, and vilified, he persevered, without a national effort behind him. There was no mission control, thousands of technicians, and the wealth of an entire society backing him. There were those who had a vested interest in the failure of his attempt. Among those closest to him there was vile treachery. And even then, after his success was attained, he reaped a harvest of imprisonment, poverty, and disappointment. Not for him a future of triumph and acclaim.

So it is that any society or group of explorers must take a cue from and defer to this incomparable man from Genoa. It is directly due to him that the Western World took its earliest shape and form. Every great leap into the unknown springs from his pathfinding and quests. If ever the spirit of one man rode along with the astronauts, it was that of Christopher Columbus.

If ever we are to continue such successful treks into the unknown, it will be with the full knowledge of the debt we owe him. It is well to recall that he was motivated by faith in what too many ignore today. We could do much worse than recall his example and do more than pay lipservice to it.

IT IS TIME FOR ACTION

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, I find no grounds to quarrel with President Nixon for his message urging greater activity from Congress. It was moderate in tone rather than critical, and offered cooperation rather than censure. Let us not cloud the issue by attempting to read something which does not exist into the record of this year's session of Congress. Hopefully by the end of the session we will have a much more imposing record to point to but at the moment, the session is a disappointing one. The House has passed a number of important measures, but legislative action has not been completed on most of them.

It is an inexcusable fact that passage of appropriations bills is delayed more than ever before in history and that practically every agency of Government is operating under serious handicap because of budget uncertainties. There is no way to dress this up and make it appear other than it is—a very disappointing situation.

The Congress still has an opportunity to develop an acceptable year's record but time is very short. I think it important to look at the facts and realize the President is right in asking for action. He has correctly accepted a part of the responsibility because his programs were late in reaching Congress. Cooperation now is important for everyone.

NEW FARM AND FOOD-AID PROGRAMS

(Mr. FINDLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FINDLEY. Mr. Speaker, in major respects our Federal food programs, those relating to both production and distribution, fall short of their potential in terms of both public service and the more narrow interests of agriculture.

Food production programs are currently oriented almost exclusively to individual commodities. They are very high cost for the results achieved, and at the same time have caused farmers to rely upon Government for a major part of crop income. This trend, in my view, impairs the long term health of American agriculture. It is high time to embark on a definite planned phaseout of these individual commodity programs.

In their place I recommend two separate but complementary approaches: First, a general cropland adjustment program not tied to individual commodities; second, a program of personal assistance available only to farmers of low income.

Food distribution programs for low-income families have now emerged from a trial period nationally and are ready for expansion and reform. The need is self-evident. Although food is so abundant in this country that the Federal Government spends many millions of dollars a year to curb production, Federal food-aid programs for poor families succeed in serving only a small percentage of those eligible.

This situation in our bounteous land is a national disgrace. We have spent billions of dollars to feed the hungry of the world with food from U.S. larders, while at the same time not even recognizing the hunger of our own people. It is a sad commentary on the governing institutions which permit such a situation to develop.

What is needed now is a firm commitment, as President Nixon stated, "to put an end to hunger in America itself for all time." Such a commitment can succeed only if we in Congress are willing to recognize the existence of hunger and malnutrition—both nationally and in our own districts—and act in an adequate manner.

In this respect, Illinois, my home State, is hardly a paragon of virtue. I do not speak representing a State which has solved its own hunger problems and is ready to offer advice to those who have been derelict.

I am sorry to report to you that Illinois has a lower average percentage of participation by the poor than all other States. Meanwhile, last year 4,248 Illinois farmers received over $34.8 million for participating in Federal programs to restrict the production of food. See CONGRESSIONAL RECORD of May 21, 1969, page 13287, and June 26, 1969, pages 17462–17471, for data on each county in the United States.

Nationally, where the food stamp program operates, only 16 percent of those eligible on an average are served. Where the surplus distribution program operates, only 22 percent of those eligible are served. These figures show that we have hardly begun; they also show the magnitude of the job yet to be done.

It is a strange paradox that many people are in want nutritionally in our land of abundance. Perhaps its most shocking aspect came to light last spring. At that time, 424 counties, some with very high concentrations of poverty, were discovered not to be participating in either the food stamp or surplus distribution programs. Among them were counties in which payments to farmers not to grow food were extremely high. See CONGRESSIONAL RECORD of May 12, 1969, pages 11977–11983, for list of counties. This, despite the fact that free food under the surplus food program is immediately available from the Department of Agriculture to any county willing to distribute it.

The low percentage of poor families served is especially shocking in some of the leading food-producing States in our country, such as Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Ohio, and Wisconsin.

In these very States where the poor simply are not reached, both the number of farmers receiving Federal checks in excess of $5,000 and the total amounts received last year skyrocketed—in one case by as much as five times the previous year.

In many counties where participation in Federal food-aid programs was abysmally low, payments to farmers for nonproduction was unconscionably high. Thirty-one counties which purport to have food-aid programs actually feed less than 1 percent of those who are poor; yet at the same time, wealthy farmers in these counties receive millions of dollars in farm payments.

The low percentage of participation in counties where Federal food-aid programs do exist results from several factors.

The surplus distribution program provides for the distribution of surplus foods to accredited recipients. The Federal Government pays for the food for delivering it to county warehouses. The county or other unit of local government needs only pay for warehousing the food and distributing it to those who are hungry. Yet as Secretary Hardin has pointed out in his testimony before this committee, problems abound with the program and it can by no means be adjudged a success.

Usually there is only one warehouse in each county. Access to a family may be granted only once a month during limited, specified hours. It is difficult for the poor to get there on time at the right time. A strong man might be able to load into his car the bulky 34 pounds of food which make up the average monthly supply distributed. But most of the poor in this country are not strong men, nor do they have cars. The sick, the aged, the infirm, women and children find it difficult to find transportation to the warehouses, and next to impossible to get back with their burdens. Often they must pay others to drive them to the distribution points and pick up the heavy commodities, thus even further depleting what little money they have.

A poor person who gets the surplus food packages home must deal with still other problems. A family depending upon this food for its total monthly supply will find that it generally runs out on the 22d day of the month.

Furthermore, the food is presented in unappetizing, Government-issue packages. Some powdered milk items are widely disliked because they taste bad and are lumpy. Some of the contents of the food package are difficult to prepare and instructions are often difficult to understand.

Finally, the contents of the food packages vary greatly from season to season, among the States, and even among counties. Poor families often do not know what will be in the package until they pick it up. State and county officials may refuse certain items included by the Department of Agriculture, even though the poor recipient might desire the food. Few counties give out all 22 items of food.

Food stamps represent a big improvement over surplus distribution because they utilize the merchandising convenience of private food stores, but here, too, participation by those in need is extremely low.

The food stamp program is designed for those with a small, but steady income. A family must participate in the program on a regular monthly basis in order to continue to receive benefits. Thus, those whose incomes fluctuate from

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week to week are prohibited from participating.

The poor who can afford to participate generally must spend between 37 and 50 percent of their monthly income for the food stamps. This compares with 17 percent spent by the average American for food. Such an expenditure for the entire month's allocation of stamps must be made all at one time, rather than every 4 or 5 days as most housewives do. Since many must spend as much as 50 percent of their income for food, saving this much money for a monthly expenditure constitutes an extreme additional financial burden upon the poor, a burden which most Americans do not have to face.

Although a poor family must often spend a large proportion of its income for food stamps, it will receive sufficient stamps to provide it with only two-thirds of the food supply needed for the month. This incredible situation can only be described as Government-mandated hunger.

Finally, since the accreditation process for those eligible to receive food stamps is closely linked to welfare eligibility requirements, the food stamp program suffers from many of the same deficiencies and variations which plague State and local welfare systems.

Even in homes served by stamps or surplus distribution, the nutrition level still may be unsatisfactory. Education on how to purchase and prepare nutritious meals may be lacking and the source of many problems.

To help meet these immediate major problems in our food distribution programs to poor people, I have six specific suggestions. Except for the first one, which I feel should be acted upon immediately, I suggest that pilot studies of the others be authorized as a means of measuring their practicality for national applications.

My suggestions are:

First. Require that benefits be made available uniformly throughout each participating State. This would effectively bring all counties of the United States under Federal food-aid programs.

Second. Discontinue Government warehousing of surplus food items and Government-issue packaging and utilize private food stores as points for the distribution of items on a surplus list. Under my proposal, vouchers would entitle those eligible to select approved items from regular merchandise stocks. Stores would be reimbursed by the Government.

Third. Utilize private food stores for the sale of food stamps and delivery of surplus food vouchers. Private food stores are readily accessible to every area, urban and rural, and by their very nature constitute a highly efficient distribution and service system. All are open at least 8 hours a day, 6 days a week and are well situated for customer convenience. Furthermore, they have demonstrated their ability efficiently and conveniently to handle all types of coupons redeemable for merchandise.

Supplementing the distribution of stamps and vouchers at food stores, we should provide those who are in poverty and regularly receiving monthly Government or retirement checks—thus having a set income—with food stamps through the mail. This part of the system could thus be automated, reducing costs and allowing the concentration of our limited manpower on those whose incomes fluctuate monthly.

Elimination of special Government-issue packaging and warehousing would serve two important purposes. It would partially reduce costs, and it would remove a stigma experienced by child and adult alike, the stigma associated with the presence of "poor people" food packages in the home and standing in "poor people" lines at Government warehouses.

Fourth. Require that the local unit of government certify those eligible for food stamps and/or surplus distribution quarterly and in some cases at greater intervals, with vouchers or stamps issued more frequently to the poor than at present. Under this system, weekly purchase of food stamps could readily be accomplished.

Fifth. Permit concurrent operation of both the food stamp and surplus distribution programs in counties. All poor people would be eligible to purchase food stamps, but those of extremely low income would also be made eligible for surplus food vouchers.

This would serve two important purposes; It would give extra free food to those who have the greatest need for it; it would create a highly flexible means of stimulating consumption of selected items that may from time to time become in heavy surplus. To illustrate, a price-depressing glut of potatoes, apples, rice, wheat, or butter could readily be put to good use by this means. This would also, I feel, make it unnecessary to provide some food stamps without charge, as many have called for, while at the same time assuring the poor an adequate diet.

Sixth. Require that each eligible family must include at least one person with competence in food purchasing and preparation. Those already competent could meet this requirement by passing a written test. Others could establish eligibility by attending special courses offered through local schools or classes similar to those now being sponored on a pilot basis by the U.S. Department of Agriculture.

These suggestions, hopefully, would help to assure that benefited families get maximum nutrition from these programs.

When Secretary Hardin testified before this committee earlier this year, he stated his own awareness and that of the Department of Agriculture of many of these problems which I have discussed today, and he presented many suggestions for coping with them, several of which are similar to those I have listed and in a few cases are already underway on a pilot basis.

In one instance, a group of Illinois State and local officials and representatives of the private retail foodstores in the Chicago area sought my help in setting up an appointment for them to meet with Secretary Hardin and Assistant Secretary Lyng so that they could present a plan for a program which will utilize vouchers permitting those qualified to shop at regular retail food stores. Subsequently, other meetings were held in Chicago between these officials and USDA specialists, and I am glad to report that a forward-looking pilot program is now being developed for testing in the Chicago area. This pilot voucher system would permit expectant mothers, or mothers with infants, who were qualified to participate in the supplemental food program, to shop for selected nutritious foods at their neighborhood food stores and "pay" for their purchases with vouchers. Thus, the program would use the considerable experience, know-how and efficiency of retail foodstores to distribute nutritious foods to needy mothers.

H.R. 9009

My second set of recommendations deals wtih long-term farm legislation. Even with expanded food-aid programs for needy families, general adjustment legislation assisting agriculture generally and marginal farmers particularly will be needed for the next few years at least.

Present programs are not satisfactory in terms of cost-effectiveness, impact on the agricultural economy, and assistance to marginal farmers. Despite very high cost, they do not effectively control production. At the same time, they have caused direct Government payments to represent an inordinately high portion of crop income.

Cotton farmers now get about half their crop income from the U.S. Treasury, wheat farmers one-third, and feed grains farmers one-fourth.

I believe there is a better way. A suggestion I have made is embodied in H.R. 9009, and I hope this committee will be able to give it serious consideration. Identical legislation has been introduced by 24 other House Members and 20 Senators.

It has three primary objectives:

First, to provide special assistance to the farmer whose income is low because his farm operation is very small. There are over half a million farmers whose individual gross annual sale of farm products is no more than $5,000 and whose off-farm income is no more than $2,000 according to the latest census statistics. From this gross income must come all the expenses of running a farm. These people need help, and present programs do not adequately provide it.

H.R. 9009 provides for retraining grants of up to $1,000 for these farmers, and also adjustment assistance of up to $2,500 a year for not more than 2 years; loans under existing credit programs to ease the transition to off-farm employment; and compensation for acreage allotments surrendered to the Secretary of Agriculture for permanent cancellation. These aids would help submarginal and marginal farmers gain skills to secure off-farm income and thus to better themselves whether they continue to farm part time or not.

Second, to phase out acreage controls, base acreages marketing quotas processing taxes, and direct payments for wheat, feed grains, and cotton over a 5-year period. Total payments under these programs would be limited in 1971 to 80 percent of the amount spent in 1969, and each succeeding year thereafter would be reduced by 20 percent of the present level of spending so that by 1975 no payments would be made.

During this period, and in the future, marketing loans for wheat, feed grains, cotton, and soybeans would be available at 85 percent of each commodity's average market price over the 3 previous years. Thus, the Commodity Credit Corporation would once again function as was originally intended, as a convenience to orderly marketing. At present, CCC acts more as a permanent storage center for surplus crops which have piled up year upon year, causing immense storage problems and costs, much waste, and adverse influence on market prices.

Third, to phase-in an extensive program of land retirement emphasizing the retirement of entire production units. This program would be operated by the Secretary of Agriculture on a competitive bid basis in order to obtain the maximum benefit for the taxpayer's dollar. As annual limitations gradually eliminate present commodity programs, all of which involve annual retirement of only a percentage of the land on each farm, cropland will be pulled out of production under competitive long-term contracts.

The cost of implementing H.R. 9009 would obviously depend upon the scale of land retirement undertaken by the Secretary of Agriculture. By the end of the 5-year phaseout, I would estimate that the new farm program would cost less than half of the present level of spending.

If, as I recommend, extensive reforms and expansion of the food stamp and surplus distribution programs are undertaken, utilization of food would increase. This in turn would reduce the need for cropland adjustment.

H.R. 9009 is people-oriented. Present programs are crop-oriented. My proposal provides effective adjustment aid to farmers who have the most pressing personal financial need. Present programs give income support to commodities and yield many payments of astronomical size to individual farmers, which in turn, give the big operator resources with which to get still bigger, often at the expense of the small farmer.

In my opinion, H.R. 9009 makes sense both political and economically, and is in tune with the times. It affords a sensible way for the Congress to resolve a serious dilemma.

An extension of the Agricultural Act of 1965 without substantial change is most unlikely. At the same time a radical change of existing law would be very difficult for many members of the Committee on Agriculture to support, in light of the individual constituencies served. My proposal provides a way out.

Because it is long term, my proposal gives individual farmers and the agricultural economy abundant time to make adjustments. At the same time it provides assurance of substantial reform within the 5-year term.

All of us, I am sure, want to see the day when farmers get all their crop income from the private market, instead of getting a major part from the U.S. Treasury. All of us want farmers to be free to plant whatever crops they wish, without the influence of Government inducements.

All of us want the abundance of our farmland made available to low-income people. We cannot countenance hunger in a land of plenty.

The proposals I have made here today would, over a 5-year period, restore American agriculture to a sound private-market base and crop-selection freedom to the farmer.

My proposals on food-aid to poor families would cost money, perhaps a great deal of money. But they would end the unconscionable paradox which finds our Government spending millions to curb food production while many of its citizens go hungry.

TO REDESIGNATE THE DEPARTMENT OF THE INTERIOR AS THE DEPARTMENT OF RESOURCES, ENVIRONMENT, AND POPULATION

The SPEAKER. Under a previous order of the House, the gentleman from Texas (Mr. Bush) is recognized for 15 minutes.

Mr. BUSH. Mr. Speaker, I requested a special order today so that members of the Republican Task Force on Earth Resources and Population could discuss the merits of H.R. 12000 to redesignate the Department of the Interior as the Department of Resources, Environment, and Population. This bill was cosponsored by the distinguished gentleman from Connecticut, Congressman Daddario, and the gentleman from Ohio, Congressman Mosher, a member of our task force. These gentlemen are to be commended for recognizing the significance of the interrelationship of our environment, natural resources, and the population growth rate.

Members of our task force have submitted an identical bill. H.R. 12000 has been referred to the Subcommittee on Executive and Legislative Reorganization of the full Committee on Government Operations.

The chairman of that subcommittee, the gentleman from Minnesota (Mr. Blatnik), is well known for his leadership and concern in correcting the abuses of our environment and we are hopeful that his subcommittee will give this bill a high priority.

I would like to enter into the Record at this point, Mr. Speaker, a section of the report of the Subcommittee on Science, Research, and Development to the Committee on Science and Astronautics, entitled "Managing the Environment." This section is entitled "Human Ecology," and the most significant part states:

> It is apparent to the subcommittee that the population explosion is fundamental to the requirement for environmental management.

The article on "Human Ecology" follows:

HUMAN ECOLOGY

Environmental quality management is a political issue today in the Western World because of our affluence. The standard of living is high and the plethora of things which money can buy serves to accentuate the values in the landscape which cannot be purchased but must be planned for.

In the world as a whole, including the emerging nations with their great expectations and populations, environmental management is essential to food supply and rapid economic development. A tailoring of management practice to each situation will be required. In fact, control of environmental quality which is too rigid or too elaborate may set back the emerging countries.

It is apparent to the subcommittee that the population explosion is fundamental to the requirement for environmental management. Population must come under control and be stabilized at some number which civilization can agree upon. Otherwise, the best use of natural resources will be inadequate and the apocalyptic forces of disease and famine will dominate the earth. In an epilog to his recent book "Ecology and Resource Management" (McGraw-Hill, New York, 1968) Kenneth E. F. Watt states:

"It would be tragic if readers of this book conclude that the problem of expanding human populations versus finite resources can be solved merely by increasing the efficiency of utilization of the resources. Ultimately, such a one-sided approach would reduce men everywhere to the role of pitiful scavengers, constantly combing the litter of a ravaged biosphere in search of scraps overlooked in prior searches by vast hordes of fellow scavengers. Increase efficiency of resource management, unaccompanied by internationally practiced birth control, can only lead our species rapidly down a one-way street to oblivion. Unless a massive worldwide program of birth control is begun *now*, no amount of efficiency in resource management will suffice for the needs of humanity."

Finally, environmental quality is an issue because of our richness in technology. Despair might be warranted in facing these complex problems, if this were not an age of greatly increased scientific knowledge to understand, management skills to organize and operate, and technology to accomplish virtually any task, once it is identified. The fortuitous situation of having the power to cope with the problem should stimulate the courage and willpower to get on with the job.

Our task force, Mr. Speaker, has conducted informal hearings since early June. We have made available to our colleagues the highlights of these hearings. Twenty-two hearings were held. These hearings have been very meaningful and educational. The first action the task force took was to cosponsor the bill to establish a Commission on Population and the American Future requested by President Nixon. The support of H.R. 12000 is the second action of the task force.

The task force is not wedded to the specific reorganization recommendations of this bill, but recognizes the bill as an excellent vehicle with which to conduct hearings for the record.

The young people of this country are mad and militant over our priorities. They realize that we are chewing up our environment at such a pace that they may not have the joys of nature to share with their children that we all enjoyed.

We need to focus more attention on the environmental consequences of all our activities inside and outside of government. We need public awareness and we need congressional awareness. It must be recognized that our inability to manage our environment is due largely to our lack of understanding the significance of our rapid population growth rate.

No one can honestly say how many people the earth can accommodate but we certainly can say that we have proven incapable of managing our environment and our society at the rate at which the population is presently increasing.

Obviously we cannot change direction overnight. Solving this problem is going to take significant planning. It will take new attitudes. It will mean, for many of us, biting the bullet.

The inquiries and responses of subcommittee hearings on this legislation could be the most salient thrust this Congress and the public receive in learning what should and can be done to correct the imbalance of our ecological system.

I encourage Mr. BLATNIK's subcommittee to conduct hearings as soon as possible and offer the research work of our task force to his subcommittee.

Mr. **MOSHER.** Mr. Speaker, I am pleased to associate myself today with the remarks of the distinguished gentleman from Texas (Mr. BUSH) and the other Members of his Republican Task Force on Earth Resources and Population, of which I am a member.

As one of the original sponsors of this legislative initiative, it is especially gratifying to me that the Task Force has chosen as one of its first policy recommendations to support the concept and rationale as outlined in H.R. 12000.

Before proceeding, Mr. Speaker, it is proper that we should recognize and acknowledge the fact that the first impetus for this legislative proposal came several months ago from my good friend and colleague on the other side of the aisle, the gentleman from Connecticut (Mr. DADDARIO), with the able staff assistance of Mr. Phil Yeager, counsel to the Science and Astronautics Committee. It was Congressman DADDARIO, whose judgment I greatly respect, who originally put this legislation together to dramatize the need for viewing the problems of environment, resources, and population together as a whole, and to reorganize our Federal Government structure to that end.

Mr. Speaker, it is clear that environmental, natural resource and population problems are intimately interrelated, so that policymaking and management, including support of research and technological development should be coordinated for all three of those areas.

So crucial have become these problems, genuine coordination is now imperative. The need is immediate.

And that need obviously implies some very significant restructuring and reassignment of missions in our Federal agencies.

Therefore, our task force is introducing a bill which would concentrate responsibility for environmental, natural resource and population problems in a renamed and reorganized Department of the Interior.

We propose the transfer of several existing functional units to the new, enlarged Department of Resources, Environment, and Population, in addition to those functions already being performed by the Interior Department.

Those which our bill would transfer to the new Department are the Bureau of Census, the Environmental Sciences Services Administration, the Forest Service, the Soil Conservation Service, the Appalachian Regional Commission, the Atlantic-Pacific Oceanic Canal Study Commission, the Tennessee Valley Authority, the Environmental Control Administration, and the National Air Pollution Control Administration.

Of course, Mr. Speaker, we recognize that adequate hearings and discussion may indicate why there should be other transfers, or that some of these changes we are proposing may not be necessary, to achieve the ultimate purpose of the bill we are introducing today.

Thus, we do not pretend that this legislation is perfectly conceived in its introductory form.

Moreover, we fully recognize the many, many difficulties always faced in any such major reorganization proposal. We obviously may be stirring up a bureaucratic hornets nest, and we are raising very difficult questions as to consolidation of congressional committee jurisdictions.

So be it. I repeat that the need for some such coordination is imperative in the Nation's interest. It is already past due.

Our bill may not be the precise or final answer to this crucial need, but we submit it is an important, necessary first step.

Mr. **HORTON.** Mr. Speaker, the President sent a message to the Congress today asking us to roll up our sleeves and to get to work. One of the new initiatives of this administration has been the visible attention given to population matters. The President said:

> There is a widely-recognized correlation between population growth and poverty in the under-developed nations of the world. I have asked Congress to support our endorsement of those individuals and organizations seeking voluntary answers to this global question in other lands.
>
> To approach this question as it applies at home, I have called on Congress to create a national commission to undertake now a study of how the nation is to provide for the 100 million new Americans expected before the turn of the century.
>
> Beyond this, I have asked that a new philosophy become American government policy. We will interfere with no American's freedom of choice; we will infringe upon no one's religious convictions; but we shall not deny to any American woman the family planning assistance she may desire but cannot afford. That is the goal I ask Congress to support.

I believe that hearings on H.R. 12000 would add significant substance to this goal.

Mr. Speaker, much has been said in this Chamber over the last 9 months about the quality of our environment. Many of us have felt rather frustrated in developing meaningful legislation that would effectively correct our misuse of our environment.

The task of improving the quality of our environment is infinitely complex and that is due to the fact that our environment is a complex system made up of highly interrelated parts. There is no single solution but the bill, H.R. 12000 that we are discussing today does make visible a very important fact. The fact that our environment, our natural resources, and our population growth are interrelated; that our inability to manage our environment is a result of our misuse of natural resources in satisfying the increased demands of our rapid population growth.

The gentleman from Connecticut (Mr. DADDARIO) and the gentleman from Ohio (Mr. MOSHER), the original sponsors of this legislation, are to be congratulated on their awareness of this interrelationship. The increase and urbanization of our population has created new and larger demands for goods and services. These demands have stimulated greater industrialization and new technology, further whetting the individual appetite for a higher standard of living.

It is difficult to believe that individual demands for more and better goods and services will diminish. Nor can we expect that individual demands for freedom of movement, fresh air, clean water, and a chance to be with nature will diminish. Fulfillment of these human desires is dependent upon our ability to live within nature's ecological boundaries and a recognition of the fact that the earth's resources are limited. The world cannot go on indefinitely expanding both its demands upon the earth's resources and its total population. Since individual demands cannot be expected to diminish, then the number of individuals must be limited.

The President has a Cabinet-level Council on Environmental Quality and this Congress has passed legislation to form an independent Council on Environmental Quality. We will also be considering a Commission on Population Growth and the American Future, requested by the President in his population message. All these are good and necessary but we as a Congress cannot afford to sit back and wait for council reports and Commission reports. We owe our constituents a continuing pursuit for solutions to these problems that create the deterioration of our environment.

I wish to encourage the Government Operations Subcommittee on Executive and Legislative Reorganization to conduct hearings on H.R. 12000 just as soon as possible. We need to get moving fast and this would be an excellent beginning.

For the benefit of my colleagues I offer the following article for the RECORD:

[From the Science Teacher, January 1969]

THE FUTURE OF MAN'S ENVIRONMENT [1]

(By Robert W. Lamson)

In thinking about and acting to influence man's future environment, we must consider many factors—the physical, biological, and social; the "man-made" as well as the "natural." Man's future environment will include the human populations, the cities and institutions which man has created, as well as the physical, chemical, and non-human biological systems—the oceans, continents, river basins, and the populations of various species of plants, fish, insects, birds, and animals upon which man depends for his survival and well-being.

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[1] This article represents only the views of the author and not those of the Department of the Interior.

If we wish to protect and improve the social, physical, and biological aspects of our environment, we must attempt to answer and act upon the answers to the following three critical questions:

What are the trends which are helping to modify or create the natural and man-made environments which man will inhabit during the next half century?

What is the possible range of these alternative future environments?

What might be done to influence these trends so as to shape the future in desired directions?

This article discusses these questions, specifically as they concern the United States.

TRENDS AND CONDITIONS CONFRONTING THE UNITED STATES

Important trends which will affect man's future environment include population growth and distribution, resource supply and use, output of wastes, and growth and use of technological and organizational power.

Population growth and distribution. The current world population of about 3.5 billion could double and reach 7 billion or more by the year 2000 if current trends continue. Projected United States population for the year 2015 ranges between 325 and 483 million. In just 50 years, the nation's population could grow by 125 to 280 million over today's population of about 200 million.

Throughout the world, people have been moving from rural areas to more densely populated urban areas, and in the United States, a very large percentage of the growing population lives and is projected to live on a very small percentage of the land.

Supply and use of resources. The United States contains a supply of renewable and non-renewable natural resources which is not unlimited, which can be depleted, but which can also be expanded and upgraded through application of scientific research, and used more efficiently through better management.

Use of many resources in the United States is projected to increase even more rapidly than population, due to increased per capita demand for resources caused by increased industrialization and use of technology, urbanization, rising levels of income and individual expectations, increased leisure, and outdoor recreation. Increasing demand for resources sometimes involves a requirement for higher quality resources, for instance, water.

Output of wastes. Output of wastes—solid, liquid, and gaseous—is increasing for the nation and per capita, thereby intensifying the threat of pollution to our air, land, and water. Sources of pollution include cities, industries, farms, heat from power generation, automobiles, recreation, mining, boating, and commercial shipping. The types, sources, and amounts of wastes will tend to increase with the growth of population, industry, and use of technology and resources. Many types of wastes are also projected to increase more rapidly than will population.

The factors which help to increase demands for resources, for clean water, pure air, and unlittered land, also help to increase the output of wastes, thereby making demands more difficult to satisfy. While we have placed increasing demands upon the environment, we have also increased our dumping of wastes into it.

Although we may not be in immediate danger of exhausting our supply of many types of resources, we are in danger, because of declining quality, of jeopardizing our usable supply.

Growth of technological organizational power. By applying our knowledge and experience to solve practical problems, we are increasing our technological and organizational ability to:

1. Push back many of the contraints of nature, of distance, time, and disease, and of our formerly low capacity to manipulate the environment;

2. Shape and create widespread, intense, and long-lasting changes in the natural environment; some of these changes could be irreversible and adverse to man's long-term survival, health, and well-being;

3. Create "artificial" or man-made environments (for instance, cities and manned satellites), and to live in new environments (under the ocean and on the moon);

4. Perceive, predict, and monitor as well as to control, influence, or manage environmental changes, for example, via new techniques (systems analysis), tools (microscopes, telescopes, satellites, and computers), laws (domestic rules as well as international agreements concerning conservation, use of resources, and technology), and institutions (river basin commissions);

5. Increase rapidly the production of food and energy, transform raw materials into finished products through industrial processes, and transport people, goods, energy, and information.

Changing proportion of "natural" and "man-made" aspects of the environment. As a result of population growth and of using our increased technological and organizational power, more and more of man's environment is becoming man-affected or man-made, except where special provision has been made to keep the influence of man and his machines at a minimum (for example, in wilderness areas and natural areas created to provide a base line for ecological studies).

The primary threats to man's physical and psychic survival, to his health and well-being, now increasingly stem from his own creations, from the environments which he has created or altered, from the natural forces which he has harnessed, and from the institutions, techniques, and tools which he has invented in order to remove the constraints of space, time, and low capacity to manipulate the environment.

Man no longer has the margin for error which space, time, and his relative lack of power once provided for his ecological mistakes.

He must, therefore, take care, in his relation to the environment and in his actions to shape it, that he does not make himself and his society more vulnerable to sabotage, disruption, and disaster—for example, if a small element of the system which he designs does not perform perfectly, if his shaping of the environment should have adverse effects, or if disturbances in the environment, such as floods, earthquakes, and hurricanes, should affect the areas in which he has settled.

We have had some sharp, recent experience with systems which created potentially disastrous effects when a small part of the system failed—for instance, the Northeast power failure and the Torrey Canyon tanker disaster.

In attempting to use our power to influence the environment, we should design for a range of contingencies—for the optimist when all works well and for the pessimist when must goes wrong. The test of our technical creations is not how well they perform when all parts work are designed, but how well the system runs and how widespread the damage is when a part of the system fails.

Since the environment influences man himself, and since man has increased power to influence his environment, man is, in many ways, through intent as well as inadvertence, and perhaps in ways he does not understand, increasingly influencing his own genetic, physical, and psychological nature—and that of his children—through the environments which he creates.

Because man's increased power to manipulate the environment has created a total environment which is increasingly man-made and in which man's margin for error is reduced, his only protection now is knowledge and wisdom in using his technological and organizational power. Man's ability to create adverse effects may be greater than his ability to perceive, judge, prevent, and control them. As a result of his inability to control wisely the purposes to which he puts his power, man may find that he is creating effects in his "natural" and "man-made" environments, as well as in himself, which he cannot control and which are adverse and irreversible.

RANGE OF ALTERNATIVE FUTURE ENVIRONMENTS

In attempting to look at the "natural" as well as the "man-made" aspects of man's future environment, one can project a number of possible alternatives, ranging from optimistic to pessimistic.

The many elements which will make up man's future environment vary with respect to: (1) probability of occurrence; from impossible to inevitable or zero to 100 percent; (2) popularity, or the extent to which the event is desired by the public or by specific groups, today or in the future; and (3) desirability.

The actual future environment which man will inhabit depends upon the nature and enfolding of the various trends which are helping to shape the environment and upon man's actions to influence these trends.

The crucial problem in looking at the future is to decide what is desirable among the range of possible future events and then to work for it, taking into consideration the probability that the future event will occur, the difficulty and costs of bringing it about, and the consequences of not doing so.

Within the range of possible future social and ecological environments, many pessimistic possibilities could be realized in the absence of adequate policies to prevent their occurrence.

For example, problems of external defense, international order, and war could become worse, with general nuclear war one pessimistic possibility for rapidly decimating our population, and, at the same time severely damaging our natural environment and our cities.

Large-scale loss of life due to ecological and technological disasters is not impossible, particularly if large and densely concentrated populations depend upon an ecology and large-scale systems of technology and organization which are highly vulnerable to disruption, breakdown, and misuse.

In the absence of adequate policies to protect against such natural hazards as storms, earthquakes, and floods, larger numbers of people could become vulnerable to disaster.

Other possible adverse effects of misusing our technological power have been mentioned, for example, global ecological imbalances and more intense and widespread disasters caused by:

1. Environmental pollution which upsets the chemical-thermal balance of the earth's atmosphere because of increased burning of fossil fuels, pollution of the upper atmosphere, and impairment of the cycle by which the carbon-oxygen balance in the atmosphere is maintained, through photosynthesis, by plants on land and in the ocean;

2. Soil depletion and increased salinity of the soil;

3. Poorly planned, large-scale, environmental engineering projects which trigger world-wide ecological effects—rapid or slow—which are adverse to man and irreversible.

Increasing pressures to mass produce and construct, in a short time, large numbers of new buildings and housing units could cause a decline in diversity, quality, and choice in our cities. Without proper protection, the quality of the countryside, also, could continue to deteriorate because of junkyards, billboards, power lines, overenriched lakes ruined by algae growth fed by wastes from cities and farms, polluted streams, and erosion of hillsides and of the many new inadequately protected construction sites.

The cumulative and mutually reinforcing effects of many environmental changes on the ecology and on man's physical and pyschic health are potentially dangerous but not well known.

For example, we do not know enough about the long-term ecological, somatic, and genetic effects of various chemicals used in fertilizers, pesticides, and herbicides; of such environmental contaminants as radioactive wastes and lead; of the concentration of various poisons through the food chain, or of their cumulative and interactive effects. Nevertheless, the outpouring of toxic materials into the environment is already great and increasing.

Even though the nation's economy, our gross national product, and our per capita income will continue to grow, individual standards of living could decline because of inadequate policies and programs to protect the environment. Since the social, physical, and biological aspects of man's environment interact, deterioration of the non-human environment could help to create economic and social decline.

Moreover, failure on the social and political level could, in turn, contribute to deterioration of our physical and biological surroundings. For example, the educational system could fail to transmit to succeeding generations the cultural values which underlie the nation's political system as well as the attitudes and skills essential to maintaining environmental quality.

Internal order as well as ecological balance and environmental quality could break down or become more difficult to maintain. Or, their maintenance could be based more and more on "external controls" and repressive measures, on the threat of punishment and constriction of freedom.

Man's actions to avert the various environmental threats which now confront him will help to determine whether or not his future environment will be one in which he can thrive as well as exist.

Depending on his actions to prevent the occurrence of future pessimistic possibilities, and to realize optimistic ones, man could enjoy more widespread and heightened values of, for example: natural beauty, clean air, water, and unlittered land; cities which are beautiful, exciting, and a joy to live in; rising levels of living; tranquility and silence; privacy as well as sociability; diversity, individuality, and choice; justice and security; political freedom, the opportunity to influence and participate in the decisions which affect his welfare and that of his children; democratic, representative government; and the opportunity to develop his personality to the maximum extent.

We must remember that the optimistic projections will not automatically come about without human effort. Nor will we prevent the pessimistic projections from coming true if we do not work at it. In fact, projections can become self-denying or self-fulfilling prophecies, depending upon their effect on human attitudes, effort, and will.

When people view any particular future alternative as necessarily inevitable, such an attitude tends to generate self-fulfilling or self-denying prophecies, depending on whether we see the inevitable as optimistic or pessimistic. For example, a pessimistic projection which is viewed as inevitable can become a self-confirming prophecy through reducing any effort to prevent its occurrence, thereby increasing the probability that it will come true. An optimistic projection which is viewed as inevitable can become a self-denying prophecy through reducing the effort devoted to bringing it about, thereby reducing the probability of its coming true.

On the other hand, if the future is regarded as open and subject, to some extent, to human manipulation, then this will tend to leave room for the creative exercise of human wisdom, will, and effort.

CONTROL OR INFLUENCE OF TRENDS

Having outlined some of the important trends confronting the United States, and a range of alternative environmental outcomes associated with these trends, the question arises: Should we attempt to "adjust" to the trends, or to "influence" and "control" them, or both?

Assuming that "adjustment," by itself, is not an adequate guide if we wish to promote economic growth, individual well-being, and environmental quality, we then need to consider what can be done to "control"—or at least to "influence" the various trends which will affect man's future environment. What can be done to make more probable the optimistic rather than the pessimistic projections?

Technological and organizational power. It is crucial that we control the uses of our increasing technological and organizational power to affect our environment since to date, we have used this growing power in an unbalanced way:

To limit deaths, but not, at the same time and in the same degree, to limit births. As a result, no matter how efficient the technology, skill, and organization devoted to producing, expanding, and making more efficient use of resources, population now outpaces production in many parts of the world, with tragic results.

To use, destroy, and deplete resources for immediate benefit, without sufficient regard for the resource needs of future generations and without providing adequate knowledge and skills to compensate for the depletion.

To pollute our land, air, and water, but not to prevent pollution, clean it up where it occurs, and restore the damaged environment.

To promote economic and population growth, but not to protect and promote environmental quality.

To create and apply new knowledge and powerful technologies without, at the same time, acting to prevent and limit the damaging side effects of using this knowledge and technology.

There is a need now to restore the balance in our use of science and technology—in our attitudes, laws, and institutions. For science and engineering, by themselves, cannot save us from our lack of wisdom and vision in using science and in managing our technological power.

Additional technological power and efficiency, applied in the same manner that we have applied them in the past to our environment and to the forces of nature, will not necessarily save us from our lack of balance and wisdom in using that power.

We need, therefore, to perceive, predict, evaluate, influence, and control the effects of using our technological and organizational power so that the optimistic rather than the pessimistic possibilities will come to pass.

To carry out the research, planning, and operational programs to perform those activities, we need to create the necessary laws and institutions, in government, at the federal, state, and local levels, as well as in the private sector, in universities and industry.

We need to use our technological power in such a way as to affect the trends which, if unchecked, would realize the pessimistic possibilities. In other words, we need to influence population growth and distribution, the supply of and demand for resources and services, and the output of wastes.

Population growth and distribution. Problems of population increase as well as density could seriously jeopardize the ability of this and other nations to meet, concomitantly, their national goals for security, economic growth, welfare and well-being, resources, conservation, and environmental quality.

There is, therefore, a need to develop a population policy based on analysis to determine:

1. What, if various alternative projections for future population growth and distribution were to come true, the effects would be on the success and costs of our policies:

A. *To supply and conserve resources* (land, water, air, food, minerals, energy, timber, wildlife, wilderness, outdoor recreation and park areas, open spaces, natural beauty, silence, etc.)

B. *To provide services* (transportation, health, welfare, housing, sanitation, education, etc.); and

C. At the same time, *to protect and promote environmental quality;* that is, to prevent further pollution of our land, air, and water, to clean up what pollution remains, to restore the damaged environment, to rebuild our deteriorated cities and to create new ones;

D. To solve these problems within the existing framework of government and political and personal values (to protect and strengthen freedom of choice and representative, popular government and to limit the extent of intrusion of government into the personal lives of citizens).

2. Which, if any, of the various alternative projections for future population growth and distribution we should regard as goals for population policy, and the costs and benefits of achieving each; and

3. How, by what methods, we could achieve each goal. Programs for action to influence population growth rates and distribution could be based on such analyses.

Alternative goals for population growth might include, for example: (1) to insure that all American families will have access to information and services that will enable them to plan the number and spacing of their children, and thereby, to insure that any future American child will be a "wanted child"; (2) to achieve population growth in the United States which would increase more rapidly or more slowly than is projected; and (3) to stabilize United States (and world) population at less than its present size, or double its present size, or greater by a factor of 2.5, 3, or 4. Here, the question arises: At what level and when should this stabilization occur—in 40, 60, 75, 100, or 200 years?

Supply and use of resources and services. To help satisfy the increasing demands for resources, there is a need to increase the available supply, through research and exploration programs, and to make more efficient use of the existing supply through improved conservation, management, and pricing.

Moreover, if our aim is to increase individual well-being and standards of living, access to resources and services, as well as to promote overall economic growth, then the question arises whether we should attempt to limit the rate at which demand grows as well as to "satisfy" increasing demands for resources and services. This would require us to limit the rate at which population grows and puts pressure on our not unlimited ability to provide resources and services.

Control of waste output. If we are to protect the environment adequately, we must bring under control and manage the wastes of our society which threaten to poison and bury us and to destroy the ecological systems upon which we depend. We must, therefore, prevent, limit, manage, and control waste and pollution at each step in the process by which our economy and industry transform energy and materials, from raw materials through to finished products, to ultimate use and disposal.

This requires us to create more efficient and less wasteful industrial and economic processes, and to provide for use, reuse, recovery, and recyling of the waste products—solid, liquid, and gaseous—which are generated at each stage in our economic system.

PERSONAL AND POLITICAL VALUES AND CONTROL OF TRENDS

To control and influence the trends outlined above requires "management" and control of people and institutions as well as of the environment. What is the relation between: (1) "management" of the environment and of the "trends" which will affect the environment, and (2) personal and political values?

"Environmental management" involves the monitoring and manipulation of physical, chemical, and non-human biological systems—the oceans, river basins, watersheds, airsheds, industrial, agricultural, and municipal wastes, and populations of various species of fish, birds, animals, insects, and plants.

But such objects are only part of the environmental quality problem. Human persons, their attitudes, ideologies, practices, social systems, and institutions are also part of the problem of maintaining environmental quality. They must also be part of the cure.

If more "efficient environmental management" involves human persons, attitudes, and institutions, then what are the implications of "efficient environmental management" for such values as freedom, privacy, autonomy of personality, dispersal of power and pluralism (particularly under conditions of rapidly increasing population), industrialization, urbanization, and use of technological power to manipulate the environment?

How can the United States promote environmental quality, and, at the same time, protect and promote various important personal and political values under conditions in which an additional 100 million people are projected to be added to the United States population in a short 30 years?

If the United States is to control the effects of its citizens' actions on the environment, and at the same time, to protect their personal and political values, there will be a need to rely, to a large extent, on internal psychological controls—rather than on the external threat of law or punishment. And, if such internal controls are to be used with a rapidly expanding population, then great reliance must be placed on education for conservation and environmental quality—at each stage of a person's life—in the home, through school, and in other areas of activity.

The need to promote and to reconcile "environmental quality" and "environmental management" with such values as freedom, privacy, and autonomy of personality, dispersal of power, and pluralism is one which places a critical responsibility on the educational system in general, and on the teachers of science in particular.

CONCLUSION

Our current environmental crisis is due to man's misuse of power—to one-sided use of his capacity to control the forces of nature and to his lack of understanding of himself and his lack of wisdom in using his power.

Much remains to be done for environmental quality—in many areas—in terms of attitudes and education, laws and institutions, research, planning, and operational programs.

Science teachers who convey the attitudes and skills needed to protect and promote environmental quality are on the forefront of man's effort to restore balance and harmony—within himself, within nature, and between himself and nature.

We must restore wisdom and balance in our actions, in the use of our power, and in nature. Time is short. Much of our damage to the environment is irreversible what we destroy cannot be restored and is lost forever.

The accelerating damage which we do to nature and to ourselves will not wait for us to catch up, nor will it wait while we refine our understanding of this damage.

We must learn, and science teachers must help future generations to learn, to restore the balance:

Between our power and our wisdom in using that power

Between our power to create and our power to destroy and disrupt

Between our efforts to prevent injury and our efforts to heal the damaged environment

Between our efforts to understand environmental problems and our actions to prevent and correct these problems

Our power has exceeded our wisdom.

Our power to destroy the environment has surpassed our power to correct the damage, to conserve and create.

Our efforts to prevent have lagged behind our efforts to cure.

Our cures have been too little and too late.

And, we have often allowed the quest for more perfect knowledge to deflect us from acting now with what knowledge we have.

Mr. LUKENS. Mr. Speaker, I wish to reemphasize the point made by the distinguished gentleman from Texas (Mr. BUSH) regarding the attitudes of young Americans. We were part of the Republican campus study tour group last spring and we know just how upset our young people are about our deteriorating environment. It is encouraging that so many young people seem to understand the complexities of our environment.

However, we need more than just understanding. We need more young people involved in the science of ecology. Dr. William McElroy, Director of the National Science Foundation, testified at one of our Earth Resources and Population Task Force hearings. Dr. McElroy expressed hope that the Foundation would be able to play a more aggressive role in creating more interest among young people to pursue the science of ecology.

Education is a marvelous cure for many ills. It seems to me that we could make some significant strides in overcoming our environmental quality problems by increasing the educational input on the subject to our young people. Our secondary schools should consider adding curriculum on the problems of our environment and the relationships of population growth and resource depletion. Our colleges and universities should consider adding environmental studies to their basic college requirements. Personally I would like to see more scholarships offered in this field of study.

I do not believe that there is much dispute over the fact that environmental degradation, depletion of natural resources, and rapid population growth are all interrelated. This whole conglomerate of problems offers an ecological epitaph of the world that needs to be avoided. We can solve these problems with more education and participation of our young Americans. Let us stimulate this education and participation.

Mr. WOLD. Mr. Speaker, I would like to make a point in regard to the significance of the interrelationship between mineral resources and population growth.

There is a direct relationship between the depletion of mineral supplies on the one hand and the increased rate of population growth and the demands for a higher standard of living and improved quality of life on the other. Presently the United States contains 6 percent of the world population, but uses about 30 percent of the world's mined minerals. With the world population expected to double in the next 30 years and the intensified effort of the developing countries to improve their living standards, there will be increased demands for minerals during the remainder of this century. As this demand for minerals increases, the quality of ores can be expected to decrease. This will create the necessity for more energy output to extract needed minerals from their ores, further depleting available energy fuels. Increased population and technology will create more demands for power.

I believe it is important that we become very aggressive in our search for solutions to living within this entire phenomena of ecology. Immediate hearings on this legislation would definitely be a step in the right direction.

I offer for the RECORD at this time an article entitled "The World Is Running Out of Raw Materials" from the New York Times of June 22, 1969:

THE WORLD IS RUNNING OUT OF RAW MATERIALS

(By Water Sullivan)

Those who wish to dramatize the population explosion point out that, if present growth rates continue, the mass of humanity in a few centuries will exceed the entire mass of the earth. What that shows, of course, is that there is a limit to the population that this planet can support. But what is that limit?

At a recent committee meeting of the American Association for the Advancement of Science a leading government scientist pointed out that there has never been a broad scientific study of this essential problem in all of its ramifications.

The psychic effects of crowding are often mentioned. It is known that some mammals under crowded conditions undergo hormonal changes that cut their birth rate. But if we can make the deserts bloom and thin out our more congested cities, we can greatly increase world population without this becoming a limiting factor.

Perhaps our political institutions are incapable of bringing about such a revolutionary redistribution of the population. This is uncertain, but what is definitely known is that the raw materials needed to support modern civilization are limited.

If we are to rebuild our economy, irrigate the deserts, industrialize the underdeveloped nations, vast amounts of energy will be required and, unless we can harness the power of the hydrogen atom, that energy depends on limited supplies of fuel.

To what extent, then, is world population limited by our finite reserves of fuel, metallic ore and other raw materials? A book recently published by Dr. Charles F. Park Jr., professor of geology and of mineral engineering at Stanford University, indicates that the world population may already be far beyond the level that, in the future, could be supported by this planet's resources.

Dr. Park's analysis is featured in the current issue of "Focus," a publication of the American Geographical Society. It is entitled: "Affluence in Jeopardy."

He says that we have taken false comfort in the argument that ample mineral resources lie under the sea or deeper in the ground. The world is already beginning to

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run short of some materials of great importance to a technological society, such as mercury, tin, silver and cobalt. The big drain, however, will come if and when the world population reaches its projected level for the year 2000 (roughly double that of today) and the nations of Asia, Africa and South America become fully industrialized.

In 1967 the United States had a per capita consumption of about one ton of iron. If global consumption reaches that level by the year 2000 and the population has doubled, the world's annual demand for iron will be 12 times what it is today.

In 1967 the American per capita use of copper was 18 pounds. If, by the year 2000, world requirements reach this level, the global demand will be 11 times what it is today, which Dr. Park, as an ore specialist, calls "staggering."

If the same formula is applied to lead, the needs will rise 16-fold. As it is, readily accessible lead ore in this country has fallen to such a level that most lead for American industry has to be imported. By the year 2000, according to Dr. Park, it "would be a difficult and probably an impossible task to obtain the indicated amounts of copper and lead."

Furthermore, he points out, these projections do not allow for any increase in per capita consumption by highly technological societies, such as that in the United States. Such stagnation is highly unlikely.

Those who believe atomic energy will prevent disastrous poverty, starvation and civil unrest during the coming century note that cheap electric power could be used to desalt seawater, irrigate the deserts and extract minerals from our waste materials. Our daily refuse would be sent to special plants for sorting by electric and other means, instead of being buried, burned or dumped at sea.

Dr. Park concedes that iron could be salvaged in this way, but he despairs of recovering such critical substances as silver and mercury. Some 31 per cent of American silver consumption (46.5 million ounces) goes into photographic film. The second most important industrial use is in electrical and electronic equipment (24 per cent). Other uses include silverware and jewelry (17 per cent), brazing alloys and solder (12 per cent) and batteries (7 per cent).

Mercury is used in temperature and pressure recording devices. Such substances, Dr. Park argues, are irretrievably lost in the vast amounts of daily refuse. "One cannot conceive of the reclamation of mercury from broken thermometers."

He also is pessimistic about substances. Mercury is unique in being the only metal that is liquid at room temperature. It is possible, however, that photosensitive plastics may some day replace the silver nitrate used on film. Aluminum, which is comparatively plentiful, can repace many uses of copper. There are substitutes for some uses of cobalt, but only cobalt is suited to the making of permanent magnets.

Thus Dr. Park argues that the popular concept of a constantly expanding economy and an upgrading of other nations to our living standards is a sure path to disaster, unless radical checks in population can be achieved. Ocean resources and deep-lying deposits can be exploited but only at high cost, not only in dollars, but in energy, and our fuels are limited.

He scoffs at the export of people to other planets as impractical. Some believe mineral resources on the moon can be brought to earth, but this will depend on whether the moon has undergone the internal heating and differentiation that, on earth, has extracted from the primordial mixture of materials the veins of pure ore found on earth.

His argument also leads one to conclude that the long-term destiny of mankind depends, not only on halting the growth of population, but learning how to extract energy from the fusion of hydrogen isotopes. This fusion releases the unruly power of the hydrogen bomb.

Those in this country and abroad seeking to harness the fusion reaction are optimistic, but the solution to this problem is not in sight. Success would provide ample energy for the remaining lifetime of the earth and should enable man, under wise leadership and assuming some method of population control, to work out ways to live in equilibrium with his environment and its resources.

Mr. REID of New York. Mr. Speaker, today I am introducing, with the gentleman from Texas (Mr. Bush) and nine other members of the Republican Task Force on Earth Resources and Population, a bill which would require the Federal Government to apply space age systems techniques to solve the national problems of environmental pollution, national resource development, and population. The legislation was originally introduced by the gentleman from Connecticut (Mr. Daddario) and the gentleman from Ohio (Mr. Mosher).

Under our legislation, the Department of Interior would be radically restructured and expanded, renamed the Department of Resources, Environment, and Population, and given principal Federal responsibility in all three areas. Although it has been apparent for several years that population and environmental quality are inextricably related, this bill is the first major congressional initiative for considering the population problem as part of the overall environment-resource crisis facing America today.

At the present time, responsibility for population planning, environment quality, and pollution control is distributed among several agencies of the Federal Government, including the Bureau of the Census, the Environmental Science Services Administration, the Soil Conservation Service, the Environmental Control Administration, the National Air Pollution Control Administration, and a variety of independent agencies. Our bill would centralize responsibility in these areas within the new Department of Resources, Environment, and Population. I would hope that the reorganized Department could work closely with the President's Environmental Quality Council and that the Council and the Department could together launch a coordinated attack on environmental problems.

Too often, we assume that the problem of feeding an additional 70 million persons per year is the only problem we face as the world's population increases. In fact, it has been predicted that the shortage of mineral resources will become serious sooner than the food shortage.

As the population of the United States increases and the standard of living in this country rises, the demand on our natural resources—coal, mineral ores, even water—may outgrow our supply. It is possible, through modern agricultural techniques, to increase the productivity of our farmlands; but not even modern science can make it possible to dig coal or mine iron ore where the supply has been exhausted. Before the supply of certain metals is actually exhausted, we will be forced to use lower and lower quality ores; as the refining process becomes more complicated, we will undoubtedly place increasing demands on our supply of water and energy fuels in our effort to extract the metals we need and then dispose of the resulting pollutants.

Clearly, we must begin planning, and acting, now if we are to prevent the creation of a vast garbage dump in America and restore the environment of this nation to the high quality we once enjoyed. If we are to accomplish our goals, consideration of all the problems involved—population, natural resources, control of pollution—must be the responsibility of one agency. I support this legislation enthusiastically, and I would hope that the Committee on Government Operations and the Congress will give it early consideration.

Mr. BUSH. Mr. Speaker, I have some additional articles here that I feel will be of real interest to my fellow colleagues. These articles offer some of the best commentary on this entire subject and I recommend that they be read. I offer the articles for the Record at this time:

PEOPLE, POLLUTION, AND RESOURCES

(By Dr. John C. Calhoun, Jr., vice president for programs, Texas A. & M. University)

It doesn't make much difference whose predictions you take about population growth. All of them indicate a rather dramatic increase in numbers of people. The more conservative estimates put the U.S. figure in the year 2000 at something like 340,000,000. It was only a few years ago that our population was just one half that amount and one way to look at the problem in a relative sense is to visualize that every city in our country as of about 1965 will have to be duplicated by about the year 2000.

One of the major concerns before our planners and thinkers is the magnitude of this growth. Where will these people live? Where will we obtain the raw material to sustain them? How many people can we effectively handle on our globe? After all, we live on a finite planet having fixed resources, a limited atmosphere and other finite dimensions. Although most of the predictions seem to be optimistic about our ability to cope with this situation, it may mean some changes in our entire social system, not only with respect to population itself, but with respect to the use and management of resources.

Numbers of people, of course, are the key to our transition. When we had fewer people it was much easier to make allocations of land for parks or homes, for dams or mines, for recreation or highways. So long as populations were scattered, the various uses did not interfere with one another. Now they do. Interactions become important only when the different demands upon resources come into conflict and this is first of all a function of the numbers of people. The numbers of people and their increasing needs raises the question of allocating resources to a new level.

The effect of this growth is felt by all parts of our economy, not just by those who are in favor of park lands or wilderness areas. In a speech two years ago, Mr. James Boyd, President of the Copper Range Company, noted that the mineral people also were having problems in this area. I quote him, ". . . The rapidly increasing population is steadily encroaching on the mining domain. In the past, the availability of land in the more highly mineralized parts of the world was not a particular problem. Today, competing uses for land are becoming more and more urgent . . . Populations are taking up more and more of the land surface, thus limiting the areas in which prospectors can operate . . ."

But, the numbers of people is only part of the question. People are motivated in one way or another by two basic forces which must be noted. One of these is the urge to a higher standard of living and the second is an urge to a higher quality of living. To a degree, these two goals are interlocked and there was a time when most of us may have equated a higher standard of living with a higher quality of life. Today, however, these two issues definitely are separated in our thinking, and there are those who argue that our higher standard of living has produced a lesser quality of life.

What these two issues recognize are two different kinds of uses for our resources. The use of a resource for energy production, for construction material, or for industrial sites may produce the most effective, means of advancing our gross national product. Using the same resource for a recreational area or for aesthetic enjoyment may most effectively enhance our living. In some cases, we might be able to do both with the same resource, but many times these uses represent a conflict.

Throughout man's long history he has expressed a continuing desire to know and possess nature. This force had its origin in our dimmest beginnings and has grown to the point where it now absorbs a considerable portion of our energies. In fact, we now have this usage organized. It is a goal of our research. We travel even though the wind doesn't blow and the soil produces not just by the chance of nature but by the organized use of genetics, fertilizers, and irrigation. Man cannot yet command a sunny day but he stands on the threshold of modifying the weather in a very real way. Even the ordinary appearing rocks of the earth have succumbed to man's manipulation and we make use of the nuclear forces than bind them together.

This kind of progress is imperative and essential. All nations on the earth wish to emulate our nation in the development of their technology and industrial economy. They, and us too, desire also to achieve the more mundane aspects of this development—the city blocks of concrete and the hard-surfaced roads between them, and air filled with radio waves and television signals, labor saving devices in our homes and offices, and refrigerators filled with packages of frozen foods.

Essentially all of this is a part of our production economy. The system which we have established is one which gathers resources from many places, changes them into machines, usable materials and goods, and passes them on to the consumer. Society is, in effect, an enormous organism with a prodigious consuming ability which our industrial capacity serves.

The production of these needed goods is highly organized and economically motivated. Our production and manufacturing system has evolved to its present efficiency and sophisticated because of years of research, development and operational improvements. Industrial and economic complexes exist for providing this consumption input. In magnitude and interaction these systems are very important to our culture. We have an instrumentation complex, a chemical manufacturing complex, a food processing complex and a defense industry complex to name a few. They are institutionalized to a high degree and together they make up our stable economy.

This is one side of the picture and we cannot continue to have a growing standard of living without continuing to feed resources into this technological organism. The United States has, in fact, a resource accumulation effort which not only encompasses the nation, but straddles the earth. With six percent of the world's land area and six percent of the world's population, for example, we use on the average about twenty percent of the world's total mineral production and twenty-five percent of the world's consumption of energy. I am sure similar statistics could be quoted in other resource areas.

This marvelous system for producing consumer goods and using technological advances has brought about our focus upon the second issue, a concern for the quality of life. Although this issue has been pinpointed in terms of pollution, what we ordinarily think of as pollution is only part of the problem. Our concern for this question includes not only water pollution and air pollution, but such things as sonic boom noise and other noises, automobile safety, excessive use of drugs, the loss of individual privacy, the loss of natural wildlife areas and similar subjects. As was said earlier, the increasing numbers of people brings the problem up because these people have to have some place to live and work. If we build highways for them to communicate we must tear down trees and go through park areas. If we build up cities for them to live along the shore, we may perhaps destroy bays or marine breeding areas. One part of the quality of living issue, therefore, derives from the mere pressures of numbers of people.

Secondly, however, there are a large number of by-products, wastes, and negative impacts which accompany the resource production and manufacturing process which I described. The smelting of ore produces large clouds of particulates; the generation of power creates a thermal by-product. Fuel combustion and power generation yield sulphur dioxides as part of the combustion process. Sulfide wastes are a by-product of paper production and a gaseous residues of many refinery operations. One of the most alarming side effects is the DDT dissemination which has accompanied agricultural production. In general, industries have done much to reduce undesirable by-products and waste effluents. Their actions are limited, however, by the economics of production and manufacturing. A single company cannot afford to adopt waste control measures if its competitor does not do likewise. An action to control an undesirable effluent may be acceptable to one industry but may be a disadvantage to another. For example, a decision to limit the burning of fuels to those having low sulfur content could have an adverse effect upon whole segments of the economy not engaged in burning fuel. Our industrial complex interlocks so well that waste control decisions in one part may have a leverage action to affect many other parts.

In any event, the adoption of operations to control industrial waste or eliminate by-products will add to the cost of production. Sometimes the technology for waste control doesn't exist or needs to be improved. Who is to pay for the research? Is the total cost of control to be passed on to the consumer? Perhaps the question should be, "Is the consumer ready to accept this added cost?"

My basic point is that there are waste effluents or undesirable by-product activities associated with almost all parts of our resource production and manufacturing system. In some places the elimination of these wastes and by-products have been woven into the economic structure and into industrial competitive positions, but we have not done this on an across-the-board basis.

A third aspect of this issue is that our consuming society doesn't consume completely. Society doesn't quite use any of the inputs that come to it from our producing and manufacturing system. Part of the effluent is in the form of human waste, part of it is in the form of material waste and cast-offs from consumptive goods and services. As standard of living and per capita consumption goes up, per capita waste product will go up also and this has been well documented.

The exhaust from the automobile or the worn out automobile itself, the cellulose material from our vast packaging economy, the large volume of food and animal waste accompanying industrialized food production and processing—all contribute to the five pounds of solid waste per day per person that go out to our disposal systems.

Now, in contrast to the highly organized industrial and economic complex for providing the input of goods to society, the handling of the waste is largely a service operation. We have not developed a system for gathering waste, treating it, and placing it back in the environment which matches the complex distribution and marketing system that exists for producing consumer goods. We need "supermarket" waste disposal just as we need supermarket retail outlets and department stores.

And because waste handling is primarily service oriented while the production of goods is profit oriented, there is a dichotomy between these two activities. In only a minor way does recovery from waste go back into our production system. We need to consider better ways to tie the handling of waste into our economic system. Perhaps we ought to contract waste services to profit-making concerns, subject to publically determined specifications and thereby place waste handling on a competitive basis. Maybe we ought to handle waste disposal systems the same way we handle public communication and transportation services.

Overriding the whole problem of waste handling, of course, is the matter of how we fit this into our political system. Several years ago Arthur S. Miller had a comment which is germane to this. He said, "What technology has done is to create a true national economy through the development of rapid communication systems and even more importantly through the growth of huge industrial combines which straddle the continent and which are the main units of functional federalism. But that national economy is superimposed upon a decentralized political system—the fifty allegedly 'sovereign' states." The situation with respect to handling of wastes is even worse because not only do we have a waste disposal system that is disjointed with respect to our political system, it is also separated from the economies of production.

There is a fourth aspect to the quality of life problem which arises from the uses we make of our technological capabilities. We drive our automobiles for pleasure as well as for profit. We are not charged individually for the carbon dioxide or other effluents we put into the atmosphere. The television set is there and even though we do not like to have our entertainment interrupted with large numbers of advertisements, it is served to us that way so that's the way we take it. Machines are noisy and because the machines exist we accept the noise along with the machine. In short, as we move ahead in our technological age, even the individual makes a contribution to the negative aspects of the quality of life by some of the things he does. They may not be negative so far as he himself is concerned but they can be negative to society as a whole. Those of us who are non-smokers know the meaning of this problem when we sit in a smoke-filled room in which we give those who smoke the privilege of enjoying themselves.

These then, it seems to me, are the three fundamental forces at work with which we must deal and for which we must find satisfactory rationalizations. First, the pressures of the numbers of people, second the continuing urge to advance our standard of living and, third, the urge to increase and enhance the quality of our living, which carries with it a commitment to an improved quality of our environment.

The rationalization of these forces lies in the question of managing natural resources. In the final analysis, the only thing we have to work with are the resources that were provided on the earth, although we may rear-

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range them into new forms. We may take the resources from the rocks and forests and translate them into the resources of the city, but all we have done is to move resources from one place to another, perhaps upgrading them in the process. Somehow, we must manage our limited resources to satisfy the space demands of people, the standard of living demands, and the environmental quality demands. Although I do not have answers for rationalizing the forces at work, I can suggest a few steps that need to be taken.

The first thing we must do is to clarify all of the many uses that we may need for our resources and attempt to place these uses in perspective with respect to overall national and social goals. We are just now recognizing all of the uses that ought to be considered. We have tended to limit our concern to providing living space, to resources for producing the essentials of life, and to maintaining our technological economy. We are now willing to admit that parts of our environment must be reserved for life forms other than man, for recreation and aesthetics and even for scientific experimentation. At least one of the things we have accomplished in the last few years is to bring these many uses into open discussion and recognize their value.

A second step we need to take is to examine our overall resources situation and assess what we have. We know too little about our total resource system and its ecological relationships. Because we do not know the current state of many environmental situations, we have no way of evaluating what has happened after we undertake alterations. It is past time to establish base line measurements for our natural evnironment so we will know where we have been and what we have done. Because we do not have sufficient understanding of ecological relationships, it is almost impossible to analyse a projected course of events and predict what might occur. It is as though we were trying to embark upon a cross country trip without a road may, compass or roadsigns or without knowing where we started from. Although in recent years we have started a few overall inventories, such as the public land law review commission and the evaluation of public lands for wilderness areas, we have not undertaken a total assessment of what is available for satisfying the total uses we recognize.

As a third step we need to examine our system for making decisions with respect to resource allocations. At the present time, our decision making structure is highly decentralized. Individual decisions with respect to pieces of large resource systems are placed in the hands of different mission agencies or political entities. When the people in the San Francisco Bay area a few years ago approached the problem of waste effluent into the Bay they found a very large number of individual political and other units having some decision making capacity. In some places, we have organized regional groups such as the river basin planning groups, port authorities, and other action agencies. We are also beginning to construct some checks and balances such as those between the Department of Interior and the Corps of Engineers relative to estuarine problems. We have not yet arrived, however, at a general working procedure that will consider all potential uses, all kinds of alternative resource management routes backed up by a generally accepted moral position that we will use each and every part of our environment and its resources for the highest possible good.

We do not have a history of considering many alternative developments to a given resource situation. We do not have a history of spending the energy and funds needed to evaluate alternatives. Generally speaking, we place decisions in the hands of mission oriented action groups who rightly consider each resource with respect to their own mission. But most of the missions are relatively narrow. This generally puts us in the situation of arguing the pros and cons of a single resource management program rather than the merits of several alternative programs. The decision maker usually makes a commitment based only on a single proposed course of action. Although I do not have specific organizational recommendations to make in this area, I think the problem needs attention both at the federal and local levels.

One of the things that would help is the proposed Office of Ecology at the federal level. This unit could carry forth the necessary investigative and inventory work with respect to our environment and resources so that we would have some yardsticks against which to measure our actions. Another possible favorable action would be the creation of an overview federal group to consider all the plans and proposals that are advanced for the use of our resources with approval authority for the more general recommendations of all mission agencies related to resources management.

As a third step, we must move in the direction of making the side effects of resource production processes and the adverse byproducts a part of the cost of production. Whether we do this by a taxing system, use charge or some other device is a matter to be decided by analysis and perhaps by trial and error. We must make these desirable actions a part of our system of economics. Coupled with this, we need to take steps to devise technological systems and managerial systems for developing a sophisticated waste disposal complex that will match the resource production and utilization system.

These kinds of steps will not, of course, provide us with the answers to each and every detailed question in every individual local situation of resource management. Whether we use a particular valley as a wild river or as a waste disposal stream can be decided only in the context of the individual situation and its particular characteristics. Likewise, there will be no general panacea for determining whether a particular tract of land should be maintained as a recreational forest or be open to commercial forest development. No formula will give us a means of computing whether a particular aquatic habitat should be devoted to recreation or to fish breeding. These determinations can be made only after all parameters have been considered and all possible uses have been examined. The important thing, it seems to me is that we recognize the need to consider all possible used, all possible valued, all possible alternatives, and to hear all voices, both majority and minority, as to what can be done for any particular situation.

In summary, I see our present situation as bringing to the surface three basis parallel issues which combine to make our resource management decisions much more complex and much more important. These issues are: first, the increasing numbers of people and their need for space and a proportionate share of the earth's environment; second, a continuing urge to improve our standard of living; and third, a growing awareness that we must maintain and enhance our quality of life. All of these pressures bear upon the resource itself and upon the job of the resource manager. This management has been done historically from mission bases which consider generally only a relatively narrow spectrum and uses and priority within the boundary conditions of a highly sophisticated economic and industrial complex. The future must consider all kinds of uses, all kinds of values, and all kinds of alternatives. Somehow, we must develop a system of decisions which will allow us to handle each individual problem within the context of total environmental goals and a review system that provides the maximum end use.

[From the New York State Conservationist, December 1967]

NATURAL RESOURCES AND THE CULT OF EXPANSION

(By Durward L. Allen, professor of Wildlife Ecology, Department of Forestry and Conservation, Purdue University)

As proprietors of North America, we have custody of a great freehold. How we handle it will identify us in times ahead. Probably the most exacting demands on our skill and conscience are in dealing with replaceable natural assets, those that can be improved in use through biological processes—soils, waters, forests, ranges, wildlife, and scenic beauties.

Historically, the management of renewable resources has been a threshold of frustration and delay. Accomplishments, often good in themselves, fitted only by chance into any reliable outlook for tomorrow. There has seemed to be no plan at work, nor even a comforting philosophy.

Despite the difficulties, we must invoke what foresight we can in resource use, and in terms of major issues I think we have much to work with. Our context is the field of human, or resource, ecology. This is a developing scientific discipline concerned with relationships of humanity to the total environment. Characterististically, it involves synthesis and generalization. Inevitably it includes conceptual trial and error.

The ecologist is aware of his limitations, but he is learning to distinguish rights from wrongs. I suspect he knows considerably more now than anyone can apply. If this is true, then a weak link in our resource management effort is the information function that should be telling the customers what they need to know. Information people strive with great diligence to sell the conservation idea. But it probably is good for anyone to have an occasional review of premises and a more critical focus on the issues.

WHAT IS THE OBJECTIVE?

To put first things first, what is the objective of our concern with the resource environment? What do we want for mankind now and in the future?

I suppose the only reasonable answer is this: *We are after the best possible living standard for every individual.* Such a statement identifies a worthy goal but does not define it. How could anyone describe an idealized life pattern for the future? This involves personal attitudes, and for each of us standards are likely to change with time. For my part, I cannot accept a common viewpoint: I doubt that the output and consumption of material goods is a satisfactory measure of living standard. It is part of our well-being, but there probably are more fundamental things. Surely, good health is the greatest beneficence that modern science has to offer. No doubt a quality existence includes being well fed, well clothed, and well housed; but space and pleasant surroundings must also be high on the list. In social terms, we take for granted all the freedoms that are a part of human dignity. Freedom from work is not one of these.

SOLVING RESOURCE PROBLEMS

Resource problems are characteristically a national concern. At local level they frequently are obscured and fragmented by provincial attitudes and politics. It seems right to expect of any government that it consider responsibly the needs of the whole public and use our unmatched technology to plan ahead for human welfare. Surely a century hence is not beyond our limits of responsibility.

Assuming that there is a science of environmental relationships, how does it go about its problem solving? Probably you could not get the same answer from any two people. However, I think there are basic aspects of the population-resources equation on which many thoughtful persons could agree:

First, we are dealing with a strictly limited quantity, the finite earth, its space and raw materials.

To this we apply our atom-age culture, a variable of bewildering complexity that includes our industry, science, and all we do to make resources useful.

Another variable is the number of people who divide the benefits, today's steeply ascending curve of population.

Finally, a living standard is resolved from relationships of the other three. The concept can be represented this way:

$$\frac{\text{Resources} \times \text{Culture}}{\text{Population}} = \text{Living Standard}$$

It is common knowledge that over half the earth's inhabitants are perpetually hungry, and that on this continent we have the highest living standard of any major area. The relationships I have cited are inherent in some calculations by sociologist Philip M. Hauser, of the University of Chicago. Hauser states that all the goods and services now available in the world would support about half a billion people at our level of living. Yet the total population of this planet now numbers 3.4 billions!

Since the resource professional is trying to raise living standards, and since he is working with an earth whose space and raw materials are fixed, it behooves him to consider how many people he is trying to serve. He must be concerned with what is happening to human numbers.

WHERE TO PUT POPULATION

Gross trends of this kind are illustrated by some figures the United Nations published several years ago: In 1700, the earth's population was growing at such a rate that it would double in 178 years. By 1800, the gain had stepped up a bit; numbers were doubling in 154 years. By 1875 the rate was 98 years and in 1960 it had declined to 41 years. If the trend continues, by the year 2000, the people of the earth will be doubling their number in 23 years.

Obviously this is geometric expansion, an exponential curve, numbers building at compound interest. The biologist recognizes it as the kind of increase expected in any animal population that invades an unoccupied area or finds access to a new resource base. In North America we have done both. The continuing availability of usable resources is primarily a result of today's burgeoning technology. In addition, we are hard at it, draining, irrigating, filling, cutting, bulldozing—making huge investments to "develop" and populate the blank spaces on our map.

That the demographic results of this process are not fully appreciated was impressed on me vividly several years ago. A group of resource specialists were standing on Hoover Dam, looking down into the partially filled reservoir that is Lake Meade. In response to a philosophical question, a civil engineer who was our guide said this:

"With the population of this country doubling in 35 years, don't we have to keep ahead of the game and see that what those people will need is ready for them? Here in the Southwest that means making available every acre-foot of water that can be stored for use. I think we can't fall down on this one almost regardless of what it costs."

A voice in the rear took issue with him. "You're leaving out something important. Because every time you carry out one of these big developments, with each new acre you irrigate and make habitable, you're adding to the total population and to the demand it will make on all resources. You are developing a bigger problem that will take more billions in public money on the next go-around!"

Strangely enough, this relationship of the population to the resource base is sometimes denied—which seems something like a claim that two human beings can occupy the same space at the same time.

Our great cultural advances have been influential around the world. Most significant are those in medical science. We know that birth rates may vary regionally and periodically, but the overshadowing cause of population increase has been the decline in death rates. A single discovery—the use of DDT to control the insect vectors of typhus and malaria—brought about a spectacular population build-up in the tropics after 1945. Nearly all our help to "have-not" nations has contributed to their population problems.

We are keeping people alive, even if we cannot feed them or make them comfortable. Last year there were about 125 million births, and roughly 60 million deaths. This is a worldwide gain of 65 million people—or is it a gain?

THE NATURAL MAN

In natural communities of living things, there are automatic checks on the numbers of any species. These controls may operate with some lag, but they are effective. It is said of most mortality factors that they are "density dependent," a characteristic that is evident as we watch the ills develop in high populations of animals—food depletion, the spread of disease, fighting and social breakdown, pollution of the habitat. Various causes of mortality interact and may be mutually reenforced. The most basic and predisposing factor is social stress itself, which tends to increase as the square of the population.

One of the rapidly growing fields of biological endeavor is that of animal behavior. Such studies are richly rewarding in revealing the key to many ecological adjustments. Individuals in a population are organized and socialized according to patterns fixed in the germ plasm quite as realistically as are structural features. Orderly social relationships are a means of spacing individuals and dividing up the habitat for efficient use. They are a mechanism for mitigating strife within a species and holding competition to useful levels. They have a highly critical survival value.

THE POLICY OF EXPANSION

Possibly some will claim that man is an entirely different kind of being, largely immune to biological controls. This is implicit in our common attitude toward population and the economic system. Particularly here in North America, we appear to be embarked on a policy of more and more of everything from now on. Every small town wants to be a big city, and every chamber of commerce is dedicated to bringing in more customers, attracting more industry, getting more land taxed for more dollars, and developing every natural asset for more business.

This outlook, of course, originated from the unquestioned fact that these activities built the strength of our nations. Part and parcel of the expanding economy has been the expanding population, acted upon by an elaborating technology. Economists commonly take a short-term view in their recommendations to promote growth in business activity and an annual increase in Gross National Product. This, of course, is what every office holder requires during his own tour of duty.

The result is a general assumption that expansion is forever, and that science will provide the material means of outrunning the increase of human numbers. In 1965 a survey for the Population Council of New York showed that barely more than half of U.S. citizens feel any real concern about the nation's population growth. Their complacency feeds, no doubt, on daily exposure to the outlook for "progress"—food from the oceans, which could nourish billions of hothouse humans; the desalination of sea water to turn every desert into cropfields; the industrialization of all "backward" areas via unlimited nuclear energy. Orthodox specialists and purblind writers commonly issue their stirring forecasts in terms of the vast numbers of people that can be served. *This thinking could lead to the epic folly of our time.*

NOTHING EXPANDS FOREVER

The truth is that nothing expands forever, and that continuing strength in our industrialized society will depend on a new outlook. Attitudes that seemed to work in our earlier history no longer apply in a well-populated continent.

Ahead, we may confide, is a time when social and political progress will catch up with and direct our applications of biological and physical science. By intelligent choice we will have an optimum world population living on a pay-as-you-go regime of resource use. This somewhat visionary prospect has, in reality, no respectable alternative. Professional endeavors in every applicable discipline need to get oriented toward such a goal. The time is now because exponential curves wait for no man, and, degradation of habitat is in many cases irreversible.

In the seethe of overgrown cities we see abundant evidence of biological disruption. The signs are social, psychological, physiological, pathological. Increasing crime rates, the befuddlement of youth, soaring costs of government, the growth of every kind of insurance and welfare plan—a basic ecological response is suggested in all these trends. They bespeak a social adaptation syndrome quickened by population stress.

Overcrowded man must be specialized, organized, controlled, and protected from his fellow men. He gets little gentling in a worn and soiled environment. He seems more content and thrifty when having access to variety and distance, even silence and solitude. The mass production of anything—even human beings—means standardization. There was respect for his own kind of Robert Frost's statement, "I'm against a homogenized society because I want the cream to rise."

CURBING POPULATION

It is unthinkable that we should fail to cope with the population problem in decades ahead. Our only approach is through the birth rate—it must be effectively reduced over most of the world, as we continue to promote good health and prolong life among all peoples. There is reassuring evidence that once a high level of education and material prosperity is attained, a lowering of the birth rate will be automatic. Hence, such accomplishments will be, in a measure, self-perpetuating.

Today's challenge is to make known at home and abroad the overriding urgency of what must be done. A few far-sighted people have fought on this front for several decades. They deserve an uprising of support that can originate only in North America.

If a downward trend in population could be achieved, the imperative demands of our proliferating economy should ease. This need not be a disaster in any sense. Economists are becoming increasingly interested in the mechanisms that such situation would involve. Economist-demographer Joseph J. Spengler of Duke University points out that favorable economic trends are not dependent on steadily increasing numbers of people. In effect, a limited population could stimulate demands for goods and services almost indefinitely through better living. Spengler ended an address to the Industrial Conference Board in New York this way:

"In the future, economic growth will depend mainly upon invention, innovation, technical progress . . . Population growth will probably play an even smaller role than I have assigned it in earlier discussion. It is high time, therefore, that businessmen cease looking upon the stork as a bird of good omen."

QUALITY CONTROL OF ENVIRONMENT

It goes almost without saying that the best anyone can possibly do in damping the population boom will not be soon enough. Meantime a line is to be held; there is a program of quality control to be applied with judgment and courage to the human environment. In North America we have great possessions that will cost us little to keep but much to lose.

The most perishable amenities of this world are its open spaces and quietudes, its greenery, pure waters, natural rivers, wetlands, wildlife, and choice scenery, its dwindling modicum of true wilderness. Substantially, these are what President Johnson has characterized as "natural beauty." Nationally they are the out-of-doors we use for recreation. Locally they may be the charm of a pleasant countryside or well-groomed city.

Since pioneer times this landscaping has graced our inherited estate as a luxury we could afford. Its dollar value is difficult to pin down. It is vulnerable to attrition by piecemeal decisions, which assume that a little more of one thing or a little less of another won't really matter.

NEEDED: CITIZENS CONSERVATIONISTS

This public attitude is an honest one. Our leadership in resource affairs is largely a thin line of mercenaries, where there should be backing in depth by citizen volunteers. Most of today's universities are centers of technology, rather than philosophical thought. The vast majority of young people go through school with no exposure to the biological realities of human existence or the natural world. They assume the duties of citizenship with little understanding or feel for the order among living things—a necessary basis for workable attitudes toward human and resource husbandry.

Holding or salvaging the most fragile values in our environment has become an emergency issue—first in time because the headlong impetus of our makework enterprise has no built-in controls. Our history and success has fostered a certain arrogance toward the native wildness of our homeland. North Americans are commonly so bemused with the charm of bringing straight lines and square corners to the chaos of nature—our bulldozerkampf—that they have no idea where it should stop. Among choices to be made, it seems essential to dissipate our wasteful momentum in doing more of everything we know how to do, useful or not. In the resolution of values, man's mastery of the earth will pay him greatest tribute when he achieves the forbearance to leave some of it alone.

LOOK SKEPTICALLY AT GREAT PROJECTS

The essence of resource planning is to identify investments of lasting worth. Important strategy probably is to look skeptically at great public projects calculated to change the face of the land, replumb river systems, and make new areas "productive." Water projects are notoriously destructive of flora and fauna and the natural scene. They require our grandest gorges and pristine rivers, the winter range of big game, the drowning of geological and archaeological treasures, the loss of recreational open space. People in our great Northwest may well ask themselves a particular question:

"What is a salmon run worth for all time to come?"

A common motive in impounding waters is flood control. Yet the temporary nature of such benefits on silt-laden streams is seldom recognized. As reservoirs fill with sediment, their storage capacity is lost. In the floodplain below a dam, temporary protection from overflow encourages a build-up of structures and settlement. What problems are being created for solution at public expense when spring runoff can no longer be contained in the silted-up reservoir? Hopefully, the Water Resources Planning Act of 1965 can bring a more long-range appraisal to bear on projects of this kind.

One may say realistically that the essence of good research management is not so much in costly works as in avoiding mistakes. Much of today's necessary investment is for overdue clean-up of pollution and repair of damage—a situation that should change as our estate becomes more orderly.

POLICY OF PINCHOT AND ROOSEVELT

It might logically be assumed that the doctrine of conservation would be sufficient guide in the management of our natural wealth, and perhaps it should be. More than sixty years have gone by since Chief Forester Gifford Pinchot and his colleagues developed this idea with the encouragement of President Theodore Roosevelt. They said it was to be a new government policy providing for ". . . use of the natural resources for the greatest good of the greatest number for the longest time."

The good of the majority and the longest time—this viewpoint assigns our generation a limited equity in resource property. It says that people of the future have a right to use what we leave, and thereby our children many times removed should have a share in critical decisions. They will be at least as well qualified as we are to dam the Grand Canyon, cut old-growth redwoods, and subdivide the last seashore.

It was the short-range view that stirred Pinchot and Roosevelt. They saw the sackage of a continent taking place under an assumption that everything belongs to the first-comer. The pelf of the land was being burgled off, with profits-in-our-time the only criterion of success. We know now that some of those early gains were borrowed from capital, with the debt left to a later generation. We ourselves have made payments on this account in reclaiming damaged lands and sickened waters.

The first decade of this century is recognizable as the period of changeover to a new outlook and a new morality in the management of national assets. It was also a notable action period. In the face of bitter opposition, Roosevelt set aside many areas from the public domain for use as forests, parks, and wildlife refuges.

The conservation idea caught on as a principle and slogan. Semantics became much involved in its ideology. For half a century we have argued about the difference between exploitation and development. One is bad and the other good, by someone's definition. In our latter-day sophistication, almost any operation may be labeled righteously as conservation. The farther we get from the Pinchot-Roosevelt era, the easier it is to say that, after all, conservation means different things to different people.

History is witness that major accomplishments in the natural resources field have depended in gross disproportion on the inspiration of a few. Great works have not been the option of political parties, but of men whose common ground was a feeling for their own kinship to the earth. Through the years, there have been such people in government and in citizen organizations. We have made fitful progress toward national controls—even international efforts, as in our migratory bird regulations.

THE ACTION OF F. D. R.

The presidency of Franklin D. Roosevelt was our second period of great concern and action on behalf of responsible resource use. During the thirties, Roosevelt brought men like Ding Darling and Hugh Bennett to Washington and gave them encouragement to do their jobs. An economic crisis demanded new adventures in public works. A devastating drought brought home to all the plight of ailing soils and watersheds, impoverished wildlife, mistreated grasslands and forests.

Congress and the president acted, and the public approved. But the technology of the day was found wanting. The ecology of living resources was little understood; needed facts and techniques were not to be had. Largely on a trial and error basis, management projects muddled ahead.

What Pinchot had perceived thirty years before was now evident to many—that we have continuing incentive to study and improve the soils, forests, grasslands, waters, commercial fish, and other sources of supply for our industrial brawn. Of course, something similar can be said for making best use of nonreplaceable wealth.

The great awakening of the thirties was lost in a world of conflict, and thereafter it recovered only briefly before the budgetary competition of the cold war caught up. During the forties and fifties, despite inadequate support, resource management technology made progress in our governments, in states and provinces, and in educational institutions. Local and national conservation organizations continued to build their memberships, and public awareness of important problems showed steady gain.

In the United States, the Outdoor Recreation Resources Review Commission was created in 1958. It submitted its special report to the President and Congress in 1962. In its philosophical tenets the report suggested that:

"Leisure is the blessing and could be the curse of a progressive, successful civilization." And again that, "The fact that we live in a world that moves crisis by crisis does not make a growing interest in outdoor activities frivolous, or ample provision for them unworthy of the Nation's concern."

NEW LIGHT ON POPULATION

The most significant happening of the past twenty years has been the emergence of the population issue into full high-level acknowledgment. For long the going was hard; but able technical leadership, crusading citizens, and growing editorial confidence brought it off.

The portent of a changing attitude in government came in 1961. In March, following his inauguration, President Kennedy made it clear that he understood the problem and favored its open discussion.

On January 4, 1965, in his State of the Union Message, President Johnson declared a policy of far-reaching significance: "I will seek new ways to use our knowledge to help deal with the explosion of world population and the growing scarcity of world resources." This statement was the basis of administrative communications to embassies and all missions of the Agency for International Development.

In his speech commemorating the twentieth anniversary of the United Nations, the President made a forceful appeal to the world:

"Let us in all our lands, including this land, face forthrightly the multiplying problems of our multiplying populations and seek the answers to this most profound challenge to the future of the world. Let us act on the fact that less than five dollars invested in population control is worth a hundred dollars invested in economic growth."

This statement defined the issue clearly. It committed the United States to domestic action and world co-operation. As a new departure in the quest of mankind for peace, decency, and the abundant life, there is little question that it ranks with the founding of the conservation concept itself in 1907.

THRESHOLD OF THE FUTURE

The way is opening ahead, but the vast bulk of humanity is not informed. In fact, on this continent the best educated people in the world are bumbling ahead under an expanding economy slogan that still largely ignores space values, fails to distinguish between quantity and quality, and regards overflowing masses of human beings as a consumer base essential to "prosperity." We still have the hang-on attitude toward land that the "highest use" for any acre is to make it yield dollar tribute in the form of something that can be used up and replaced.

This is our wastrel era, which people of the future are unlikely to admire. On a different plane, and under a different rationale, it is as much a me-first, dollars-for-today program as was that of the exploiters in the late 19th century.

We have conned ourselves into a state of mind whereby it is popular to dignify the "user" and deride the "preservationist." It seems a doubtful hazard that too much of anything is going to be preserved; many things could be over-used.

Economic projections by Joseph L. Fisher and Neal Potter of Resources for the Future are commonly accepted as essentially favorable. These indicate that the predicted doubling of population by the year 2000 will not be accompanied by major shortages of material goods in North America. As for the world, these authors ". . . venture the view that living levels in most countries can increase over the coming years, with diets improving slowly and energy and mineral use more rapidly. The process depends heavily on education, motivation, favorable government policies, and social adaptations."

The importance of the latter qualifications is evident when we consider a statement by the Food and Agriculture Organization of ~~the United~~ Nations in the Third World Food ~~Survey of~~ 1963. "By 1975 world food supplies would need to be increased by over 35% merely to sustain the world's population at its present unsatisfactory level of diet."

Raymond Ewell, Vice-President for Research at the State University of New York, says that if present trends continue, mass starvation can be expected in several far-eastern countries by the early 1970's and that it will be widespread over Asia, Africa, and Latin America by 1980.

It is evident that there are grave hazards on the one hand and possibilities for great technological progress on the other. It should be remembered that the projections previously referred to are for "resources and raw materials," and that supplying the world as they suggest would require what amounts to an international pooling of capital and natural assets. It would entail the total mobilization of science and the intensive development of all lands and waters for maximum yield of subsistence products. . . .

What such a program would do to this earth as a quality habitat can only be left to the imagination. And if we actually could work our way through to the year 2000 by such heroic measures, what then? Does anyone think the process might be repeated from the new population level?

In our forecasting and analyses we give great emphasis to material goods and dollar values—things we know how to measure. One wonders if it really is asking too much for us of the present generation to share the enlightenment of John Stuart Mill in 1848:

"A population may be too crowded, though all be amply supplied with food and raiment. It is not good for man to be kept perforce at all times in the presence of his species."

MAN MUST COPY NATURAL WORLD RELATIONSHIPS

Inevitably we come back to the proposition that in man's future there is to be an ecosystem whose basic relationships will resemble those in the natural world. In our world too, the healthy developments will be toward stability—a state in which input equals output. It is evident that we are going to have population control. The question is how soon, and how much we will have left to work with when it becomes effective. Our science can rise to its potential as the boon and salvation of mankind only when the frantic demands of the population emergency are abated.

As a general guideline, if we are able to muster the control to preserve and improve in reasonable degree the esthetic features and recreational open space of this continent, it is likely that many other aspects of the resource management program will fall into place. As a critical reality, any major accomplishment of this kind will require support by millions of informed citizens; and on that score, the difficulties are increasing.

In reflecting on his mission, Secretary of the Interior Stewart Udall expressed the qualms of an outdoorsman:

"We have developed a whole new generation of sedentary city-bound citizens, wheedled by spectatorship and the air-conditioned advantages of glassed-in living into acquiescing to the diminution of the spaciousness, the freshness, the green splendor of the American earth."

This is indeed a basic jeopardy in efforts to preserve and restore the quality and variety in our habitat. The prime obstacle of decades past, a stone wall of disregard, could easily become the roadblock of complete unfamiliarity.

We have a vital problem of communication. People must be kept in touch with the out-of-doors and conscious of their privileges as owners of it. Our up-to-date conservation story tells of human numbers, quality living, quantities of resources. It describes how we monitor our status and progress by careful inspection of our range. The story will have to be told by spokesmen who know whereof they speak. I have no doubt that all of us who take on this critical information job can be most effective if we hold ourselves keenly aware of a fateful mission—that the message concerns the greatest challenge with which mankind has yet had to deal.

[From the New York Times Magazine, Jan. 9, 1966]

THREE HUNDRED MILLION AMERICANS WOULD BE WRONG

(By David E. Lilienthal)

By the year 2000, just one generation away, the population of the United States will probably be about 300 million—100 million higher than it is now and 200 million higher than it was in 1920. Yet, in comparison with many undeveloped nations, population growth would not seem to be a serious problem in America.

Certainly this vastly increased population will not lack for food. While population growth in Latin America, for example, has brought per capita food production below pre-World War II levels, we in the U.S. worry about overweight, spend huge sums to restrict farm production and give away enough food to prevent famine in poor nations throughout the world. In contrast to less developed nations, we have enough space, too. Just fly over this country and see the huge, sparsely populated areas that could easily accommodate additional tens of millions.

Great differences in resources, technology and education help explain why Americans regard overpopulation as a menace only to other peoples. It can't happen here, they think. I used to think so, too; I don't any more.

During the past 10 years, much of it spent overseas, I came to the easy conclusion that if we succeeded in tripling or quadrupling food production in hungry nations—and in some areas in which I worked we did just that—the problem of overpopulation could be solved. But gradually I learned I was mistaken to believe that increased food production was the complete answer to the crisis of population abroad. Gradually, I also learned that America's overflowing cornucopia has obscured a deeper crisis developing here: a population of at least 300 million by 2000 will, I now believe, threaten the very quality of life of individual Americans.

An additional 100 million people will undermine our most cherished traditions, erode our public services and impose a rate of taxation that will make current taxes seem tame. The new masses, concentrated (as they will be) in the already strangling urban centers, cannot avoid creating conditions that will make city life almost unbearable. San Francisco, to take a still tolearble example, once was one of my favorite cities—cosmopolitan, comfortable, lovely. Now the high-rise buildings have sprouted like weeds and suburban blight is advancing on the Golden Gate. The value of real estate has increased while people's enjoyment of life declines.

Historically the United States owes much of its vigor and power to population growth. (Only 50 million people rattled around in America in 1880.) Large markets, skilled manpower, huge factories, a country able to spend billions on war, space and social welfare—all this, plus 75 million passenger cars—is surely a consequence of rising population. But no economy and no physical environment can sustain infinite population growth. There comes a point at which a change in quantity becomes a change in quality—when we can no longer speak of "more of the same." And another 100 million people will, I fear, make just that change in the joy of life in America.

It is probably true as the population will grow, so will the dollar value of our output. U.S. wealth, measured by Gross National Product, is now $670 billion; barring a major economic setback, total output will be doubled in about two decades. With G.N.P. climbing at the rate of $40 billion a year, the U.S. probably can afford to build the schools, housing projects, roads and other necessities of life for 300 million Americans.

But if our resources are mainly spent merely to survive, to cope with life in a congested America, then where is the enjoyment of living?

Our teeming cities are not pleasant places today; imagine them by the middle of the next century when the areas of some might be 100 times larger than they are now. This is the real possibility envisioned by Roger Revelle, director of the newly established Center for Population Studies at the Harvard School of Public Health. And it will be to the cities that tomorrow's millions will flock. Or consider the picture, drawn with characteristic wit, by economist John Kenneth Galbraith: "It is hard to suppose that penultimate Western man, stalled in the ultimate traffic jam and slowly succumbing to carbon monoxide will be especially enchanted to hear from the last survivor that in the preceding year Gross National Product went up by a record amount."

Nor does the nightmare consist only of traffic jams and a bumper-to-bumper way of life. As we have seen in the history of the last 25 years, public services only the Federal Government can provide will continue to expand. Moreover, state governments, until now unable (or unwilling) to pay their share of the bills, show signs of awakening to their responsibilities. But bigger government efforts do not produce better results for human beings: they are simply a way of getting a job done where no more feasible methods exist.

Even today, most of the nation's most serious problems are caused largely by the pressures of a too rapidly rising population. In the next generation, the problems may become unmanageable. Take four basic needs: education, water, air and power.

The quality of education is closely related to the problem of numbers. Within the next five years, we are told, the number of high school students will rise to 15 million (a 50 per cent increase over 1960), forcing hundreds of communities to consider imposing stiff new taxes. Many taxpayers will refuse to accept the added burden and their children will attend even more crowded classes. Farsighted citizens will approve new school bond issues, but the increased financial drain probably will not result in an improved education.

Our standard of democracy entitles everyone to free schooling through high school. But our educational standards are rising.

Two-year junior colleges, many of them supported by cities and states, loom as the next step in our system of free, universal education. Along with the surge in enrollment at traditional four-year colleges and universities, higher education is expected to attract about 12 million students in 1980 (triple the 1960 figure).

Merely building the physical facilities for such huge increases is a formidable prospect. Creating a sympathetic atmosphere for education, and filling the need for qualified teachers is a much more staggering problem. Of course, we may argue for the radical reform of U.S. education. We may plead for overhauling the existing system of teacher training, as James B. Conant has eloquently done. But I see few signs we are about to undertake such vast changes in the machinery of U.S. education; nor does it seem possible, even if the mood for drastic reform was overwhelming, simply to order new procedures, new goals and new solutions and then put them into practice. Good teachers cannot be turned out by fiat. We do not live in a planner's paradise. Ask Robert Moses.

With increased urbanization and industrialization, demands on the water supply will be much greater than most Americans have remotely imagined. The drought in the northeast United States last summer was an indication of shortages even greater to come. And though engineers and scientists can, and will, tap new sources of water and devise ways to purify polluted rivers like the Hudson, the cost will be fantastic—hundreds of billions of dollars. Add to the current strain the pressure of a 50 per cent increase in population and the result may well be a chronic water shortage that can hardly be solved at any tolerable price.

Imaginative but impractical water schemes have been proposed, such as one to bring to the United States the almost limitless supply of far northern water, carrying it a thousand miles and more to our own boundaries. Assuming that Canada would agree to the politically prickly diversion of her waters, the cost is estimated in the neighborhood of $100-billion. But it has taken more than a generation of hot dispute and interminable litigation to decide priorities of water among our own sister states of the West. How much greater the difficulties of diverting Canada's water to care for U.S. needs?

As for nuclear-powered desalination plants, quite apart from the cost of constructing the huge installations we would need and the pipelines to carry the water inland, there is the additional problem of safety in disposing of radioactive waste. Technicians may solve the problem, but at what social cost? The conversion of precious open spaces into atomic garbage dumps?

Just as easily accessible water supplies dwindle, air pollution will increase. Air pollution is the result of congestion, industrialization and the multiplication of automobiles—factors in direct relation to population density in urban areas. Los Angeles is not an industrial city, yet at times its air is hardly fit to breathe. And with the spread of industry in the sprawling cities of the nation, more and more places will be Los Angelized.

We have long assumed that at least the air we breathe is free. It won't be for much longer as we expand our efforts to purify the atmosphere. In California, for example, an aroused public finally insisted that automobile manufacturers install exhaust filters to trap toxic chemicals. Keeping automobile fumes and industrial poisons out of the air we breathe is going to be an increasingly costly business. By the year 2000 the high cost of breathing will be a real issue, not just a phrase.

Packing too many people into an urban area increases the cost of providing still another essential of everyday living; electric power. Even more serious, such concentrations of people may make absolutely reliable electric service more and more difficult to maintain. I doubt if it was a mere coincidence, for example, that New York City needed 10 hours to restore electricity after the recent Northeast power failure while smaller communities were able to turn on their lights in a much shorter time. Growth is desirable up to a point; then the advantage of size diminishes and the multiplication of complexity multiplies the headaches. And by 1980 we can expect at least a 300 per cent increase in the nation's electrical energy needs. Most of this will flow into urban areas. The present difficulties of maintaining absolutely reliable service to such concentrations of people and industry, and holding down costs, will thus be magnified.

As chairman of T.V.A. and the Atomic Energy Commission, and in my present work in Asia and Latin America, I have become familiar with the problems of producing and distributing electricity on a large scale. Indeed, it was T.V.A. a generation ago that pioneered the concept that the greater the use of electricity the lower the cost per kilowatt hour. This is still generally true. But for great cities the exact contrary is coming to pass. To *distribute* electricity in a large densely populated area such as New York is more costly than in smaller urban markets. Huge generating power plants produce ever lower generating costs; but to bring this power to the consumer in massive concentrations of population grows more and more expensive. Consequently, the price of this essential of modern life probably will go up in the great cities as population growth continues.

Without realizing it, we are fast approaching what may be called the population barrier beyond which lie unpredictability and, I fear, problems of unmanageable size. Consider, for example, the relationship between population growth and the poor.

The Federal Aid to Dependent Children program has doubled to more than four million cases during the last decade, while the costs have soared from about $600 million to more than $1.8 billion. Even more depressing than the numbers of families who cannot survive without welfare assistance is the phenomenon known as the "cycle of dependency."

More than 40 per cent of parents whose children receive A.D.C. funds themselves had parents who received relief checks. This cycle is sad but not surprising. Poor people tend to have more children than they want or can afford, and the children have less chance to receive the education and training they need to break the pattern. Thus, even the third generation appears on relief rolls in the U.S., the most socially mobile nation in the world. In America, reports the National Academy of Sciences in a recent study, "The Growth of U.S. Population," "the burden of unwanted children among impoverished and uneducated mothers . . . is much like that experienced by mothers in underdeveloped countries."

Since the poor cannot contribute their share of the mounting costs of education, medical care, public housing and similar necessary government enterprises, the money must be supplied by the rest of the population through taxation. But the most painful loss is not measured in dollars but in human resources. And one measure of the potential loss is the fact that one-fourth of America's children are the offspring of poor parents.

Belatedly, we are helping poor couples who need and want financial and medical help in family planning. The White House Conference on Health in November gave high priority to birth control as part of Federal efforts to halt the cycle of dependency and poverty. Tax-supported activities in 40 states, combined with such large-scale private efforts as Harvard's Center for Population Studies and the $14.5 million grant by the Ford Foundation for basic research by the Columbia-Presbyterian Medical Center and the Population Council, herald new progress in a long-neglected field.

We tend to patronize the poor by preaching to them about birth control; though poverty-stricken parents with four, five or six children are the most publicized aspect of population growth, they are by no means the most important numerical aspect of the problem. As a matter of simple arithmetic, the four-fifths of the nation's families who earn more than the poverty-line income of $3,000 a year—and who can afford two, three or four children—produce a greater total of children than the one poor couple out of five which may have six youngsters.

In fact, the latest census information reveals that though poor families may have more children than do better-off families, the difference is much smaller than many people believe. According to the National Academy of Sciences analysis, in 1960 married women 40 to 44 years old in families with incomes below $4,000 and above $4,000 differed in the average number of children by less than one. The postwar baby boom, for example, was more pronounced among middle- and upper-income families than among the poor.

Thus, these relatively well-off families are the ones mainly responsible for our rapidly rising population curve. They and their children are the ones who will account for most of the 100 million additional Americans by the end of the century.

How many children a couple should have is a decision only they should make; a government inducement or deterrent—a tax, for example—is morally repugnant and politically impossible. We cannot penalize the poor in order to limit the size of their families while we allow more prosperous parents to have as many children as they want. The large majority of middle- and upper-class parents need no birth control help from government, nor will they welcome outside advice on so personal a matter. Yet it is this group of families who will want to have three, four or more children for the very natural reason that they like children and can afford to support them. The question is, can the *country* support them?

Any notion that The Pill or some other scientific device is the sole and complete answer is very dubious. At a symposium on birth control not long ago, Dr. Stephen J. Plank, a professor in the Harvard School of Public Health, cautioned against "the facile assumption . . . that we may be able to contracept our way to the Great Society." Birth control, he said, is a question of motivation rather than technology alone.

The neglected arithmetic of the population problem facing us is depressing. Look at this table showing the birth and death rates over the past quarter-century in the United States:

Year	Births	Rate (per 1,000 pop.)	Deaths	Rate (per 1,000 pop.)
1940	2,360,399	17.9	1,417,269	10.8
1945	2,735,456	19.5	1,401,719	10.6
1950	3,554,149	23.6	1,452,454	9.6
1955	4,047,295	24.6	1,528,717	9.3
1960	4,257,850	23.7	1,711,982	9.5
1964	4,027,490	21.0	1,798,051	9.4

Although the birth rate has been declining since the mid-50's, while the death rate has remained relatively stable, the drop in the birth rate is too little and too late to prevent an oversized population. The surge in the number of births over deaths continues (2.3 million were added to the population in 1964).

Or examine these low and high population projections prepared by the Census Bureau:

Year	Low	High
1970	206,000,000	211,000,000
1985	248,000,000	276,000,000
2010	322,000,000	438,000,000

The high figure would be reached if birth rates returned to the levels of the early 1950's. The low estimate—enormous as it is—is based on the possibility that the rates may decline by 1985 to the comparatively low levels of the early World War II years.

One theoretical way out of the dilemma would be to say that since America can no longer sustain complete "family freedom," some form of compulsory birth control is, regrettably, necessary. It would not be the first time in our history that government intervened to restrain individual impulse in the name of collective welfare. Yet, where children and parents are concerned, I do not believe we can yet advocate the sacrifice of one freedom for the sake of preserving another. Such a "solution" would make no sense at all, theoretically, practically or ethically.

Government policies and private programs must make plain the kind of life we all face if economically comfortable families reproduce at rates they personally can afford. With equal urgency we must make plain the dangers if poor families have children in numbers they cannot afford.

Obviously, a stationary population—one in which the birth rate matches the death rate—is out of the question for many years to come. It is probably not feasible, nor even desirable. All we can hope to achieve is a slower rise in the size of our population rather than the present steep increase. What is needed is a far more drastic cut in the birth rate—a voluntary curtailment of the right to breed. It is needed, but I have no great conviction that it will happen.

For though scientific ingenuity may be able to solve many of the technological problems we are only beginning to understand people always change more slowly than technology. It is easier, after all, to design a new industrial process than redesign a cultural tradition. Yet that is the order of change we face if we are to preserve life's dignity and quality. Confronted by the crisis of population growth, we must, at present, appeal to private conscience for the sake of the general good.

FECUND FUTURE

At the estimated 1965 U.S. birth rate of 19.5 per 1,000 of population, a woman who reaches the age of 45 will have an average of three children. To achieve a stationary population, in which parents only replace themselves, the average number of children would have to drop to about 2.1. If childbearing gradually declined to this level by 1980—a highly unlikely possibility—the U.S. population would then be about 250,000,000, and by 2020 the population would hit 300,000,000 and remain unchanged thereafter. At that point the birth rate would have declined to 14 per 1,000 and the death rate would have climbed to 14 per 1,000 (because a nongrowing population includes a much higher percentage of the aged).

On the other hand, if present fertility and mortality trends continue, a long-range projection by the National Academy of Sciences foresees that in about 650 years there will be one person per square foot throughout the United States, and in less than 1,500 years the weight of the U.S. population will exceed the mass of the earth—that is, 6,588,000,000-000,000,000,000 tons!

[From the Washington (D.C.) Post, July 20, 1969]

It's the Rich Doing Crowding

(By Jean Mayer)

(Note.—Professor of nutrition, lecturer on the history of public health and member of the Center for Population Studies at Harvard, Dr. Mayer has been chosen by President Nixon to organize the October White House Conference on Food, Nutrition and Health. His article is excerpted from the Columbia University Forum.)

One theme of this essay is that food is only one of the elements in the population problem. Admittedly, at present, it is a major factor in some parts of the world, but there are large areas where the national food supply is a minor factor and others where it is not a factor at all. Furthermore, considering the world as a whole, there is no evidence that the food situation is worsening and there is at least a likelihood that food may at some time (20 or 30 years from now) be removed altogether as a limiting factor to population.

Yet to deny that the population problem is basically one of food for survival is not to deny that there is a population problem; it is in fact to remove the appearance of a safety valve and also to reveal the problem in its generality. For were we really to starve when the population reaches a certain magic number, this in turn would cause a drastic increase in child and infant mortality, decreased fertility and a shortening of the average life span.

In other words, it would cause the increase in population to be self-limiting. If the world can continue to feed—however badly—an ever-increasing number of people, this safety valve (however unpalatable, it *would* be a safety valve) is missing. And if lack of food is not a component of the definition of overpopulation, rich countries become candidates for overpopulation.

Another theme is that there is a strong case to be made for a stringent population policy on exactly the reverse of the basis Malthus expounded. Malthus was concerned with the steadily more widespread poverty that indefinite population growth would inevitably create. I am concerned about the areas of the globe where people are rapidly becoming richer.

For rich people occupy much more space, consume more of each natural resource, disturb the ecology more and create more land, air, water, chemical, thermal and radioactive pollution than poor people. So it can be argued that from many viewpoints, it is even more urgent to control the numbers of the rich than it is to control the numbers of the poor.

That the magnitude of the population problem has increased dramatically in recent years is well publicized. Scholars have estimated that after hundreds of thousands of years of slow growth, the population of the world reached the quarter billion mark some time around the beginning of this era. It doubled to 500 million by 1650. Two centuries later, it reached the billion mark.

The next doubling took 80 years, with a population of two billion in 1930. It would appear that the world is on its way to the next doubling, to four billion in 45 years, by 1975; and a population of eight billion may well be reached within the following 30 or 35 years unless rates of growth are drastically decreased. The present growth rate would lead to a population of 500 billion by the year 2200 and give the surface of all continents a population density equal to that of Washington, D.C. at present.

This increase has been due not to an increase in birth rates but to a decrease in death rates. Around 1700, life expectancy at birth of European populations was about 33 years, and had increased little in the previous 300 to 400 years. By 1950, life expectancy in Western and Central Europe and in the United States had increased to 66–69 years, an crease of over 100 percent.

This decrease in mortality rates is no longer confined to populations of European stocks. In 1946, the death rate of the Moslem population of Algeria was higher than that of Sweden in 1775. In 1954, in spite of generalized guerrilla war on its territory, the death rate of this population was lower than that of Sweden in 1875. A similar telescoping of the drop in death rates is going on all over the world.

From a demographic point of view, it must be noted that a drop in the death rate, with birth rate unchanged, not only results in an increase in the rate of population growth but also produces an acceleration in the rate of growth itself: a decline in age specific mortality rates in ages prior to the end of the childbearing age has the same demographic effect as an increase in the birth rate. In the United States, 97 out of every 100 newborn white females reach the age of 20; 91 reach the age of 50. In Guatemala, only 70 reach the age of 20; 49 that of 50. If the death rate in Guatemala fell within the next decade to somewhere near the 1950 United States level, a not unlikely development, this alone would increase the number of women reaching the beginning of the childbearing period by 85 per cent.

Because of the high proportion of young people in underdeveloped countries generally—a country like Costa Rica has twice the proportion of people under 15 that Sweden has—this drop in the death rate in the prechildbearing period has now and will have in the next few years a gigantic effect on the birth rate. Brazil had 52 million people in 1950, 71 million in 1960 and 83 million in 1966. If present rates prevail, it should have 240 million by the year 2000, or 14 times the 1900 population. With a drop in mortality in the young age groups, the increase could be even more spectacular.

DEPRESSION A FACTOR

The significance of the demographic trends within this country is not generally appreciated. The United States, with a population of 200 million, has at present 1/16th of the earth's population on 1/16th of the land area. Though a number of underdeveloped areas are piling up population faster, we are accumulating about 2.2 million people per year, more than any increase before 1946. The rate of growth seems unimpressive, 1.1 for the year 1967 (the highest rate reached was 1.8 in 1946 to 1957). If the rate prevailing over the past five years persists, the population of the United States will reach 300 million by the year 1990.

What most of us have tended to ignore is that the so-called baby boom of the postwar era followed a period of depression and very low birth rates: from 1920 to 1933, the birth rate had fallen steadily from 27.7 per 1000 in 1920 to 18.4 in 1933. The absolute decline in births was less steep, because the numerical base of women of childbearing age was still growing. When the birth rate started rising in the early '40s, the increase was applied to the still large number of women born between 1916 and 1924. Since 1945, the baby boom that has been so well publicized had actually been taking place on the basis of the shrinking group of women of childbearing age born since 1924.

As of 1963, the last of the undersize groups had entered the reproducing age. From 1964 (when the first girls born in the big postwar years reached the age of 18), the number of women in the childbearing age has started increasing rapidly. While in 1940 there were 32 million women 15 to 44 years of age, in 1950, 34 million, and in 1960, 36 million (a very slow increase), there will be 43 million in 1970 and 54 million in 1980

While the birth rate is declining (and while a better index, the age-standardized general fertility rate based upon women of childbearing age only, is also declining), the sheer existence of the number of women and girls alive now means that even in the unlikely event that the fertility rate fell to the historical lows of the depression years and never departed from it, the population of the United States would still more than double in the next century The reader will, I trust, give me credit for not minimizing the problem of total population either at home or for the world at large

DENSITY MEANS LITTLE

With this picture of ever-increasing numbers of people, the first reaction among a portion of the public is that we are running out of space, that the "population density" is becoming dangerously high.

This concept of "population density"—number of people per unit surface—has underlain the concept of "overpopulation" in the past. It is not very useful except where the primary resources are extractive (mining) and where the most primitive types of agriculture (independent of industry for fertilizers, machines, etc., and hence essentially dependent on area) and forestry prevail. It also presupposes that there is no industry to absorb surplus manpower.

It is a concept of dubious value where nonextractive industries are dominant and where trade is possible. The high density band from Boston to Washington has an area of 14,000 square miles, an aggregate population of over 30 million (or over 2000 persons per square mile) and very limited natural resources. The median family income is $1000 more than for the United States as a whole. Can this area be said to be overpopulated from a material standpoint?

To those who object that this area is part of a larger and less densely populated whole, one might point to prosperous Holland, or Belgium, or even Hong Kong, which, although trade with its hinterland is very meager (imports from mainland China represent only 17 percent of total imports), not only houses 3.1 million people on 398 square miles (12,700 per square mile) but has shown an unexcelled increase in national product of 7 to 10 per cent per year—a doubling of real output within ten years.

Once one argues that a certain population density should be preserved, such as density with respect to capital, for example, one is dealing with a much more complex concept. From it follows the idea that some sparsely settled countries need rapid increases in population, preferably through immigration, for optimal use of resources. The mental image of population density entertained by most people is, in any case, complicated by esthetic and social considerations, and "high density" is more likely to be ascribed to Calcutta than to Paris, to Costa Rica than to Denmark.

This leads us to the second and more popular concept, that overpopulation can best be appraised with respect to food resources and that the present rate of increase in the world's population is rapidly carrying us to the brink of or to actual starvation. It is my contention that this is not happening.

Furthermore, I do not consider that my belief, which I shall now endeavor to justify, makes me an "optimist" as compared to the legions of conservationists, social scientists, etc., who have embraced a Malthusian "pessimism." If anything, this view makes me even more pessimistic about our chances of limiting the world's population at an early date: famine or the threat of famine is perhaps the worst method of limitation, but it would work.

A SHORT-LIVED THREAT

World War II was not a Malthusian check. In spite of the horrendous numbers of soldiers and civilians killed, in spite of the massive genocide perpetrated by the Nazis, food production decreased much more than population. By 1945, intake per capita was 16 per cent lower than the 1934–38 average. The creation of the Food and Agriculture Organization, a specialized United Nations agency that was endowed during its first years with particularly articulate spokesmen, dramatized the worldwide concern over the food situation.

The difficulties inherent in getting agriculture going while industry and the means of communication were not yet rebuilt led to a generalized feeling of pessimism. Cereals, oils, meat, dairy herds were, in succession, the objects of great attention, the conclusion being in each case that prewar levels of production and consumption were not going to be reached for years. The chaotic state of international trade accentuated shortages, which UNRRA and various emergency agreements attempted to cope with on an ad hoc basis.

And yet very quickly the situation improved. The oil shortage vanished first; while the gigantic ground nut scheme of the British government, which was supposed to mitigate it, was taking off to a very slow start, the reappearance in the channels of trade of adequate amounts of fats and oils eliminated the motivation for the scheme itself.

U.S. production of cereals and animal products, which had grown during the war in spite of the lack of abundant manpower and the diversion of the chemical industry to military purposes, had to be slowed down as surpluses started accumulating and, with their appearance, the threat of a collapse of agricultural prices loomed. By 1952–3, the worldwide rate of per capita production of food had overtaken prewar rates.

Since then, the average rate of increase in the production of food for the world at large has been 3 per cent per year while the population has increased on the average 1.7 per cent. In document No. 8148, the State Department estimates that if individual consumption levels remained at the 1955–7 level, the world at large would show by 1975 an annual surplus of 40 million tons of wheat and 70 million tons of rice. (This estimate is based on the postulate that there will be no increase in rice production in Europe and North America and no increase in wheat production in North America.

Actually, this slight but steady gain of food production over population is part of a secular trend. E. S. and W. S. Woytinski, in their monumental "World Population and Production," estimate that since 1850 the increase in output has been more rapid than the increase in population.

MALNUTRITION WIDESPREAD

As chairman of the National Council on Hunger and Malnutrition in the United States, I have been talking of these evils at home for years. I have done extensive work in malnutrition in Asia and Africa and have just returned from a trip to Nigeria and Biafra, where I went to study the famine and the means to alleviate it. I am, therefore, as well aware of the widespread character of malnutrition as anyone in the world.

Caloric undernutrition is still found in many parts of the world, and not always as a result of war or civil disorder, earthquakes or floods, invasions of insects and other parasites or abnormally prolonged droughts. Protein deficiency—kwashiorkor where it occurs without accompanying caloric deprivation; marasmus when both caloric and protein intakes are inadequate—is encountered in varying degrees of prevalence among the young children of most countries of Asia and Africa and in many of Central and South America.

Vitamin A deficiency is perhaps underestimated as a threat to the life, and the sight, of children of most of the same areas where protein deficiency is also seen. Riboflavin deficiency, thiamine deficiency (beriberi in its various forms) and a number of other deficiencies are still very much with us. Still, there is no evidence that the situation is getting worse.

The food balance sheets on which postwar pessimism was based are imperfect instruments. As an officer of FAO, I spent considerable time attempting to gauge such unknowns as figures for waste at the retail level and within families, and that portion of the food supply that does not move within the channels of trade (food grown by the farmer for his family is very inaccurately known, particularly as regards fruits and vegetables, which tend to be underestimated). The nutritional standards against which available supplies are gauged are themselves being refined.

As the results of additional experimental and clinical work become available, it is realized that a number of such standards—those for protein and calcium among others—were probably unnecessarily high. Even without such re-evaluation, the evolution of food balance sheets, the only instruments we have to judge the race between food and population, make it apparent that most regions do show the same slow increase of per capita supplies exhibited by the world at large.

It must be recognized, of course, that many of the worst nutritional scourges of mankind have been historically due as much to ignorance and to callousness as to lack of nutrients as such. Thousands of children die of protein deficiency in areas where the proteins which would save them do in fact exist and are often consumed in sufficient amounts in the very households where infants and toddlers die for lack of them. A faulty understanding of a child's needs may be the main reason he is denied some of the food consumed by his father and older siblings.

As for man's inhumanity to man and its contribution to starvation, it could be illustrated by thousands of examples: cereals being shipped from Ireland under the protection of naval guns during the famine; stocks being withheld during the Congo famine to keep prices up; crop destruction policies in South Vietnam; the food blockade of Biafra.

LAND KEPT IDLE

Certainly, as far as food is concerned, ours is not one world. The U.S. Government rents 20 million acres from our farmers so that they will not grow food on them. A study made at Iowa State University a few years ago suggests that 62½ million acres ought to be similarly retired so that surpluses will not continue to be created in relation to the present market, Australia, Canada, New Zealand, Argentina and France have been, or are at present, involved in similar efforts to restrict production.

Nor is this idling of food production restricted to highly developed countries. A recent study estimates that Ghanaian farmers work only an average of two hours a day in the cocoa area, the wealthiest agricultural area of the country.

It is fair to say that in most areas of the world, the race between food and population would be more favorable to the development of adequate nutrition if the rate of population growth was decreased. But I believe that there are no grounds for saying in 1969 that the nutritional state of the world is getting worse. It is not.

And I believe that improvement in communication, availability of surpluses in certain countries, the existence of solid international organizations and the gradual improvement in international morality make large-scale famines, such as the Irish or the Bengali famines, less likely to occur in this era—except perhaps in Red China, because of its alienation from the two richest blocs of countries. (It appears, moreover, that the food situation in China has improved considerably in the past two years, making the recurrence of famine there, as in India, more remote.)

Bad as it is, the present is no worse than the past and probably somewhat better. But what of the future? In absolute numbers, the increase in population is likely to accelerate for some time. Can the food supply be kept up? My contention is that, for better or for worse, it can and will.

First, let us consider conventional agriculture. FAO's figures indicate that 3.4 billion acres are at present under cultivation. This represents less than 11 per cent of the total land area of the world. Some experts— Prasolov, Shantz, Zimmermann—estimate the area that can eventually be made arable at from 13 billion to 17 billion acres. Colin Clark, director of the Agricultural Economics Research Institute of Oxford, uses the figure of 19 billion acres, but counts double-cropped tropical lands twice, (He considers, incidentally, that if the lands were farmed as well as the Dutch farmers work their acres today, it would support 28 billion people on a Dutch diet; if Japanese standards of farming and nutrition were used, this area would support 95 billion people.)

THE FERTILIZER PHENOMENON

The biggest potential increase of food production does not, however, come from extension of the area under cultivation, but from the increase in the use of fertilizers. The phenomenal increase in food production in this country has actually been performed with a reduction in acreage farmed.

By pre-World War I standards of cultivation, it took 1½ acres to support an American. If such standards prevailed today, we would need to add at least 40 million acres to our farm area every ten years, or the equivalent of an additional Iowa every decade.

In fact, we use fertilizers instead. One ton of nitrogen is the equivalent of 14 acres of good farmland. The use of between 200,000 and 300,000 tons of nitrogen (and corresponding amounts of other necessary elements) per decade has obviated the need to discover another Iowa.

And our use of fertilizer is less intensive than it is in Japan, where it is well over twice ours, or in Western Europe. (Incidentally, in spite of its already high standards of cultivation, Japan is still increasing its agricultural production at a rate of 3 per cent per year.)

India, Africa and most of Latin America use only an infinitesimal fraction of Japanese or Western amounts of fertilizer, or none at all. Garst has estimated that an expenditure of $10 an acre per year for fertilizers would alone add 50 to 100 per cent to the low yields in underdeveloped countries. Applying this investment to an area of 1.5 billion acres would be equivalent to adding at least 750 million acres to the crop areas of these countries, the equivalent of a continent bigger than North America.

It is interesting to note that this primacy of fertilizers was recognized relatively late. In this country, the recognition dates back only to World War II, and has accelerated since the Korean conflict. In Japan, it dates back to 1950 or thereabout. And the leaders of the U.S.S.R. only recently realized that a large-scale increase in fertilizer output would be easier and more rewarding than the extension of cultivation to the "virgin lands."

There are many other advances in agriculture that have yet to be applied on a large scale. The identification of necessary trace elements and their incorporation into fertilizers and feeds have opened vast areas to cultivation and husbandry in Australia and elsewhere. Selective breeding of plants and animals has permitted the development of species with superior hardiness and increased yields. In the greater part of the world such work has hardly begun.

Advances in animal health and nutrition have permitted the mass production of milk and eggs in indoor conditioners on a scale that was unimaginable a few years ago. The City of Los Angeles, for instance, is now an important and efficient dairy area. In some large installations, computers programed to calculate the cheapest method of providing a diet of known energy and known content in ten essential amino acids, total protein and other nutrients automatically set the controls that will mix basic staples providing the cheapest adequate poultry diet as they are informed of the latest commodity prices.

Herbicides increase yields; pesticides prevent losses from rodents, insects and fungi. In many underdeveloped countries, one-quarter of the crop is lost before it reaches the consumer. Certain methods of preservation of foods by radiation have just been approved by the Food and Drug Administration. The control of weather by seeding clouds for rain, speeding cloud formation by heating lakes by atomic energy, the desalinization of brackish water by various methods are entering the realm of practical feasibility.

FOOD FROM PETROLEUM

Powerful though these methods of "classical" agriculture are, I believe that they will, within the lifetime of most present inhabitants of this planet, be left far behind as methods of food production. The general public is still unaware of some new developments, their promise and the extent of the means likely to be expended in the next decade in bringing the results of research to practical application.

Large-scale manufacture of food from petrochemicals started during World War II, when the Germans manufactured synthetic fats to feed forced labor groups. These fats did not conform to desirable standards of taste or safety (they contained a high proportion of branched-chain fatty acids not normally found in nature and probably not fully metabolized, and retained a petroleum-like odor). After the war, interest in "synthetic" fats persisted for a while during the years when it appeared that a shortage of natural fats was likely to be protracted.

During the '50s, little or no work was done in this field, but recently some of the larger international oil companies have again become actively interested, and pilot plants are now in operation. Fatty acids, triglycerides (the constituents of our common oils and fats) and fully metabolizable simpler compounds, such as 1.3-butanediol, may soon be manufactured at very low cost for human food and animal feeds. While the promise of abundant and cheap atomic power, widely heralded for the morrow in the more immediate postwar period, has shown itself slow to be realized, it is coming, and it may well be that oil will be increasingly a raw material for food and plastics rather than a fuel.

As a potential source of food production, photosynthesis can be used much more efficiently in algae than in higher plants. With proper mineral fertilization and with the proper rate of removal of the finished products, one square meter may serve to support algae production sufficient to feed one man. And a large proportion of the calories produced—as much as one-half—are derived from protein; vitamins are also produced into the bargain. Several universities are working with a number of species, chlorella in particular, and large industrial firms are yearly becoming more interested.

The problems entailed in passing from the theoretically feasible to the economically feasible are formidable, but their solution is likely to be hastened for an unexpected reason. Interplanetary travel of long duration and the organization of distant stations require not only recycling of oxygen and waste water; they necessitate the fabrication of food and its integration into the recycling of oxygen, water and excreta.

Over the next two decades, an increasing fraction of the several billion dollars that the United States and the Soviet Union will spend every year for space travel is going to be channeled into life support systems. The money spent in the aggregate on new methods of food production will probably, during that period, dwarf the cost of the Manhattan Project.

In many ways, we may have in space exploration what William James called "the moral equivalent of war." We will probably also have in it the technological equivalent of war without the corresponding losses in men and resources. The usable "fallout" of such research is likely to be enormous. Certainly, if economically harnessing of photosynthesis, through biological units or directly, can be realized under the hostile interplanetary, lunar or martial conditions, it should become relatively easy to put it into effect on earth.

All this is no longer science fiction. It is as much of a reality as the Federal income tax. Obviously, a breakthrough in this field could for centuries altogether remove food as a limiting factor to population growth.

A POOR BATTLEGROUND

I hope I have said enough to show how dangerous it may turn out to link the population problem so closely to food, as so many writers have done. These have generally been conservationists and social scientists rather than agricultural or nutritional scientists, concerned—rightly—with the effects of crowding which they had observed. At the same time, not sure that the public and governments would agree with them that there was cause for concern and action based on these grounds, they have turned to the threat of a worldwide shortage of food as an easily understood, imperative reason for a large-scale limitation of births.

Had they consulted nutritionists, agriculturists and chemists, they might have chosen a more appropriate battleground. For if we can feed an ever-increasing number of people—even if we feed them as badly as many of our contemporaries are fed—their argument fails. And yet there is a need for the establishment as soon as possible of a sound population policy for the world at large.

There is, of course, another good reason for not tying population control to food. This tie eliminates from contention rich countries, and in particular surplus countries such as ours. Our population is increasing faster than it ever has; our major nutrition problem is overweight, our major agricultural problem is our ever-mounting excess production.

Does anyone seriously believe this means that we have no population problem? Our housing problems; our traffic problem; the insufficiency of the number of our hospitals, of community recreation facilities; our pollution problems, are all facets of our population problem.

I may add that in this country we compound the population problem by the migratory habits of our people: from rural farm areas to urban areas and especially to "metropolitan" areas (212 such areas now have 84 per cent of our population); from low-income areas to high-income areas; from the East and Midwest to the South and Southwest; from all areas to the Pacific Coast; from the centers of cities to suburbs, which soon form gigantic conurbations, with circumstances everywhere pushing our Negroes into the deteriorating centers of large cities. All this has occurred without any master plan, and with public services continually lagging behind both growth and migrations.

Let us conclude with one specific example: Four million students were enrolled in U.S. colleges and graduate schools in 1960; six million in 1965. The Census Bureau estimates that eight million will seek admission or continued enrollment in 1970; six million in 1975; 12 million in 1980. No one questions our ability to feed these youngsters. But are we as a Nation at all prepared for a near doubling of the size of our colleges and universities in 11 years?

PARKS REFLECT TRENDS

Let us now examine the other argument, that in certain ways the rich countries are more immediately threatened by overpopulation. A corollary of this is that the earth as an economic system has more to fear from the rich than from the poor, even if one forgets for a moment the threat of atomic or chemical warfare.

Consider some data from our own country. We have already said that "crowding" is certainly one of the pictures we have in mind when we think of overpopulation. The increased crowding of our cities and our conurbations has been referred to, but what of the great outdoors?

In 1930, the number of visitor-days at our national parks was of the order of three million (for a population of 122 million);

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by 1950, it was 33 million (for a population of 151 million); by 1960, it was 79 million (for a population of 179 million); by 1967, 140 million (for a population of 200 million). State parks tell the same story: a rise in visitor-days from 114 million in 1960 to 179 million in 1960, an increase in attendance of over 125 per cent for a rise in population of less than 20 per cent.

Clearly, the increase in disposable income (and hence in means of transportation and in leisure) becomes a much more important factor in crowding and lack of privacy than the rise in population.

Not only does the countryside become more rapidly crowded when its inhabitants are rich; it also becomes rapidly uglier. With increasing income, people stop drinking water as much. As a result, we spread 48 billion (rustproof) cans and 26 billion (nondegradable) bottles over our landscape every year. We produce 800 million pounds of trash a day, a great deal of which ends up in our fields, our parks and our forests. Only one-third of the billion pounds of paper we use every year is reclaimed.

Nine million cars, trucks and buses are abandoned every year, and while many of them are used as scrap, a large though undetermined number are left to disintegrate slowly in backyards, in fields and woods and on the sides of highways. The eight billion pounds of plastics we use every year are nondegradable materials. And many of our states are threatened with an even more pressing shortage of water, not because of an increased consumption of drinking fluid by the increasing population but because people are getting richer and using more water for air-conditioning, swimming pools and vastly expanded metal and chemical industries.

That the air is getting crowded much more rapidly than the population is increasing is again an illustration that increase in the disposable income is perhaps more closely related to our own view of "overpopulation" than is the population itself. From 1940 to 1967, the number of miles flown has gone from 264 million to 3334 billion (and the fuel consumed from 22 million to 512 million gallons).

The very air waves are crowded. The increase in citizen-licensees from 126,000 to 848,000 in the brief 1960–7 interval is again an excellent demonstration of the very secondary role of the population increase in the new overpopulation. I believe that as the disposable income rises throughout the world in general, the population pressure due to riches will become as apparent as that due to poverty.

I trust that I have demonstrated how dangerous it is to link constantly in the mind of the public the concept of overpopulation with that of undernutrition. I believe that it is dangerous to link it necessarily with poverty. It is absurd on the basis of any criterion of history, economics or esthetics.

Some countries are poor and densely populated. A few countries are poor and so sparsely populated that economic development (e.g. road building, creation of markets) becomes very difficult. It is easy to demonstrate that a couple with many children will be unable to save and invest.

It is perhaps also true that, as the comparison to 19th century France, England and Germany suggests, at a certain stage of development, too low a birth rate (as in France then) decreases the ambition and labor of part of the population so that the savings expected from the decreased birth rate never materialize. (Losing wars because of a smaller population and having to pay a heavy tribute, as happened to the French at the conclusion of the 1870–71 war, also nullified this advantage.)

TAXING THE ECOLOGY

The fact is that we are not yet in one world and that while in general it is true that population increases make improvement in nutrition and in delivery of social services more difficult, the relation of changes in wealth to changes in population has to be examined in each area on its own merits.

We have seen, furthermore, that there is more to the problem of population than the decrease in income consequent to over population. We have seen that the increase in disposable income creates a population problem that is becoming every day more acute. The ecology of the earth—its streams, woods, animals—can accommodate itself better to a rising poor population than to a rising rich population. Indeed, to save the ecology, the population will have to decrease as the disposable income increases.

If we believe, like Plato and Aristotle, in trying for excellence rather than in rejoicing in numbers, we need a population policy now for the rich as well as the poor. Excellent human beings will not be produced without abundance of cultural as well as material resources and, I believe, without sufficient space. We are likely to run out of certain metals before we run out of food; of paper before we run out of metals. And we are running out of clear streams, pure air and the familiar sights of Nature while we still have the so-called "essentials" of life.

Shall we continue to base the need for a population policy on a nutritional disaster to occur at some hypothetical date when it is clear that the problem is here, now, for us as well as for others? Shall we continue to hide the fact that a rational policy may entail in many countries not only a plateauing of the population to permit an increase in disposable income, but a decrease of the population as the disposable income rises?

[From U.S. News & World Report, Mar. 17, 1969]

World's No. 1 Worry—Too Many People

In a world full of dangers, one danger is coming to be feared more than any other.

The danger is overpopulation.

The chart on these pages shows why alarm is rising.

The world today contains about 3.5 billion people. That is double the population of 50 years ago and three times that of a century ago.

By the year 2000, according to projections made by the United Nations, the world's population will be about 6 billion.

That means that in the next 31 years the world will acquire 2.5 billion additional people—an increase of more people than existed on this earth only 20 years ago.

How to feed these added billions of people is only part of the problem that such a startling population explosion presents.

Increasing upheaval: What officials and experts are beginning to realize is this: The more people there are and the more crowded their living conditions become, the greater grows the likelihood of violence and upheaval.

Riots, revolutions and wars are foreseen as almost inevitable products of the overpopulation that lies ahead.

This is noted: Most of the huge population growth will occur in those parts of the world that already are overcrowded, that are poorest and least able to feed and support more people.

These also are the areas where unrest is greatest today, and where pressures of expanding population already are contributing to revolution or aggression.

At present, 2.5 billion people—or 70 per cent of the world's population—live in underdeveloped regions of Asia, Africa and Latin America.

By the year 2000, there will be about 4.7 billion people—or 77 per cent of the world's population—in such regions. China, which is already bursting at the seams with nearly 740 million people, will have more than 1 billion. India, hungry and riotous with 540 million today, will have a billion people by the turn of the century.

Asia will contain, all told, 3.46 billion inhabitants, which is almost as many as the world contains today.

Africa, even less developed than Asia, will have a total population of 768 million by 2000—more than double its present population.

Latin America, struggling now to support 280 million, will have about 638 million.

Developed areas: By contrast, the more developed areas of the world—Europe and North America—will grow much more slowly in population than the already crowded and underdeveloped areas.

Europe, now supporting some 450 million people fairly comfortably, will have about 527 million by the year 2000. The United States, where some 200 million people live in relative affluence today, will have about 318 million by that time. Soviet Russia, growing at about the same percentage rate, will see its population increase from about 240 million now to 353 million.

The noncontributors: Along with rapid population growth in underdeveloped countries will come another significant change: a growing proportion of young people. Thus a larger share of the population will be dependent and nonproductive—demanding food and other necessities of life but contributing little to producing those necessities. The result will be to limit the ability of backward economies to meet the needs of their expanding populations.

Lauchlin Currie, once an official of the U.S. Government and now an adviser to the Government of Colombia, recently said this:

"I regard the rate of growth in the population of the underdeveloped countries as the single most important obstacle to development and, hence, the single most important problem of the world, even outranking the threat of nuclear warfare in terms of ultimate dread possibilities."

[From U.S. News & World Report, Mar. 17, 1969]

Birth Control Now, Country by Country

Concern over an ever-expanding population is turning worldwide attention to diverse aspects of a growing debate—the argument over "artificial" birth control and family planning.

For example: Just how widespread is the practice of limiting births, whether legal or illegal? Do laws for or against contraception mean much, actually? What is the attitude of people in other countries toward self-regulated family planning, regardless of religious or governmental directives?

For answers, members of the staff of "U.S. News & World Report" in world capitals checked into the situation. Their findings:

LONDON

Big social changes—including the legalization of abortion—recently have been introduced in Britain.

The Abortion Act, which went into effect in 1968, makes it possible for a woman to have a free abortion in a National Health Service hospital. The only requirement is that two physicians must first agree that such treatment is necessary to the woman's physical or mental well-being.

In essence, medical cricles agree, this makes it possible for almost any woman to have an abortion, since it is nearly always possible to find two doctors who would agree on such a course.

In the past, abortions were theoretically illegal, but were permitted in many cases. Latest estimates are that from 15,000 to 50,000 abortions a year are being performed in Britain.

Another big change is the increasing presence of Family Planning Association centers. These give free advice—and free supplies such as the birth-control pill—to applicants. Today there are 780 such clinics throughout the country, paid for by voluntary subscriptions but often supplied with free offices by local governments.

About 500,000 women and men received advice from these centers last year. Tens of thousands of others sought advice from doctors.

It is estimated that more than three fourths of British married couples practice some form of birth control. Reliance on the pill, now used by about 1 million British women, is increasing rapidly. Only half of that number had used the pill in 1966.

Interest also has been expressed in Britain about an "abortion pill," which is under development. Medical circles say such a pill is expected to be ready for distribution in a few years.

PARIS

Since 1920, France has had a law making it a criminal offense to give out birth-control information, and putting contraception and abortion on the same criminal footing. This law was revised last year to permit the sale of contraceptives.

The French Movement for Family Planning, founded in 1956, is credited with the recent growth of popularity of the birth-control pill. It is estimated that 500,000 women in France now use this form of contraception and that 1 million will be using it by 1970.

A recent book by a group of young doctors says that the most important step toward birth control is education. They say: "Everyone has heard of the pill, but only one woman in 1,000 knows exactly what contraception is about."

There is no real sex education in French schools, and contraception remains largely a taboo subject.

After the pill, the next most favored method of contraception in France is the intrauterine loop. Women who prefer the loop do so because it can become a permanent method once it has been inserted by a doctor. However, the loop has to be checked every six months, and cannot be used by all women.

A recent test of loop insertions revealed 8.4 per cent expulsions, 0.2 per cent infections, 4.1 percent heavy bleeding, and 2.22 per cent pregnancies. Other tests indicated that pregnancies during use of the pill were only 0.15 per cent.

Abortion is forbidden in France. However, official figures show that there are about 250,000 induced abortions annually. Unofficial sources put this figure at a total of 1 million.

The Conseil National de l'ordre des Medicins, France's highest medical authority, last year rejected proposals from a commission on population problems to liberalize the law against abortions. The law is even less likely to be changed since the latest Papal Encyclical on birth control.

BONN

Contraceptives of all kinds are easily available in West Germany. The pill has been in use since 1962 and is gaining in popularity. About 1.4 million women—13 per cent—in the age group from 16 to 45 take the pill.

Abortions are illegal, except when decreed by doctors to save the life of a mother or for other ethical reasons. Nevertheless, the abortion rate in West Germany is described as alarmingly high. For every 1 million live births, unofficial estimates indicate that there are 200,000 to 1.5 million abortions annually.

Sprays, the loop and other devices are no longer in favor, since they are considered too bothersome and not 100 per cent effective.

Recent polls show that the majority of all young West German couples desire at least two children, but prefer to space them according to their professional and family plans. Even young Catholic couples say: "We prefer to have the pill and not play Roman roulette."

ROME

In Italy—right on the Vatican's doorstep—any kind of "artficial" birth control is illegal, but the practice flourishes just the same.

In a nation where nearly 100 per cent of the people are at least nominal Roman Catholics, abortion is widespread and use of the pill is becoming more and more popular. There is no evidence to show that the papal encyclical on birth control has caused any diminution of these practices.

In fact, it is noted by an official of the Italian equivalent of the Family Planning Association that the encyclical produced such a flood of publicity in the Italian press—where the actual advertising of contraceptive devices is also illegal—that it might have even acted as a spur to their use.

Despite the ban on contraceptive devices, the pill is easy to get in Italy. This is because it can legally be prescribed as a remedy for any woman suffering from any gynecological disorder. There are at least eight different brands of the pill on sale in Italian drugstores.

Doctors appear in general to have no compunction about prescribing the pill, even when they know it will be put to contraceptive use. Drugstores are similarly permissive. It is not uncommon for pharmacists to sell the pill across the counter without a prescription.

Use of the birth-control pill still tends to be confined mainly to the more educated, middle-class Italians. The loop is relatively unknown here.

Abortion, though outlawed, has been practiced for centuries among rich and poor alike. One source estimates that at least 1 million abortions are carried out in Italy each year. An illegal abortion is said to cost about $128 at current rates, and clinics where such operations are performed are easy to find.

Thus, despite the church ban on birth-control devices—and the ostensible illegality of them—Catholic Italy has a birth rate not much higher than Britain's.

STOCKHOLM

Birth-control methods, including legal abortion and sterilization, have long been used in Sweden and elsewhere in Scandinavia.

Experience in Sweden shows clearly that sex education in schools and easy access to contraceptives at low cost do not guarantee effective birth control. Social misfits, mentally retarded people and many youngsters fail to use contraceptives—often under the influence of liquor.

Widespread use of the pill in recent years has been charged with an alarming increase in venereal diseases. Reported cases of gonorrhea after the vacation period in 1968 were running up to 50 per cent higher than a year ago. Syphilis, too, is spreading again.

At the same time, the pill has failed to reduce the number of illegitimate births and abortions. In Sweden, the total of illegitimate births rose from 11,500 in 1960 to 18,000 in 1966.

Under a liberal abortion law, applications for legal abortions climbed from a temporary low of 4,085 in 1960 to 7,380 in 1967. As many as 95 per cent of all applications were granted last year, as against 62 per cent in 1960. Legal abortions are free under Government welfare programs.

Contrary to popular belief, Sweden does not permit abortions for foreigners except in emergency cases. Many American women who have tried to get legal abortions here have been rejected.

Despite the liberal attitude prevailing in Scandinavia, the number of illegal abortions is surprisingly high—up to 20,000 a year in Sweden.

A Swedish law of 1941 also permits sterilization for eugenic, social or moral reasons. Over the past 15 years, about 25,000 persons have been sterilized—90 per cent on medical grounds.

BUCHAREST

Communist governments in Eastern Europe encourage people to have more children by paying subsidies to mothers of big families, and by providing nurseries and kindergartens where working mothers may leave their children. In Russia, for example, more than 3.5 million mothers of four or more children are drawing monthly state subsidies.

Many different kinds of contraceptives are available. So is instruction in their use by gynecologists and midwives. However, contraceptives often are of poor quality and are not produced in sufficient quantity.

Accordingly, there is widespread incentive to resort to abortion. Recognizing this, and hoping to keep down the number of abortions performed on the sly under dangerous medical conditions, most Communist governments have adopted easy abortion policies. The one exception is Rumania, where—in 1966—abortions were outlawed except for rare cases.

Except in Poland and East Germany, a fee is charged for voluntary abortions, while abortion on medical grounds is free in all countries.

The Soviet Union recently decided to begin mass manufacture of intrauterine devices, after its Health Ministry ruled against the pill as a contraceptive for health reasons.

CAIRO

Despite having one of the world's most serious population problems, Egypt's Government has not given birth control high priority.

And, without Government action, little can be done in this field, since the masses of people with the largest families—the peasants—do not have the knowledge or means to act on their own.

At present, both the pill and intrauterine devices are slowly being introduced. About 300,000 women are taking the pill, but this is still less than 4 per cent of the "target group"—fertile women with at least two children—that the program is trying to reach. Experts say it is unlikely that this number will ever increase very much, because of shortages in the supply of pill ingredients, and because so little is being done to promote the desirability of birth control. Use of the loop also is on a very modest scale.

Unlike the situation in Catholic countries, there is no major religious obstacle to overcome in mainly Moslem Egypt. But there are superstition and suspicion to cope with. Many Egyptians—including "intellectuals"—believe that Western emphasis on the desirability of birth control is just a plot to keep underdeveloped countries such as Egypt from becoming big countries.

OTTAWA

Growing use of the pill and other birth-control measures, in spite of strong laws against the sale of contraceptives and against the dissemination of birth-control information, is believed to be a major cause of Canada's declining birth rate in recent years.

The laws are generally disregarded, except in areas where the Catholic Church is strong, such as in rural parts of Quebec Province. No one has been prosecuted in Canada for the illegal sale of contraceptives since 1961.

The birth-control laws, as well as Canada's law prohibiting abortion, are being changed. New provisions of the Food and Drugs Act will permit sale and dissemination of birth-control medicines, instruments and information.

A new law on abortion will permit establishment of a "therapeutic-abortion committee" in each hospital. The committee would be empowered to approve abortions in any case where continued pregnancy "would or would be likely to endanger life or health."

MEXICO CITY

Birth-control work in Mexico consists of training and research programs and clinics throughout a country where the population is growing at a rate of 3.5 per cent a year. Control methods are the pill, intrauterine devices, injections and the rhythm method—for those who prefer it, and their number is small.

It is estimated that 1 million women are using the pill. Results are described as highly satisfactory, with only minor side effects which decrease with use.

The programs are sponsored by private organizations. The Mexican Government, anxious to avoid conflicts with the Roman Catholic Church, is not involved.

Use of the intrauterine loop is growing, although one doctor describes it as "good for some women and not for others."

Clinics in Mexico now are working with three types of contraceptive injections—effective for one month, two months or three months. The results are reported good, especially with women who are incapable of remembering to take pills regularly.

The rate of abortion in Mexico is estimated at one for each live birth.

RIO DE JANEIRO

Latin-American women are showing increasing determination to limit the size of their families by whatever means are available.

Abortion is the most common form of birth control, especially in the big cities, but the pill is catching up, particularly in the middle and upper income groups. Intrauterine loops are the most controversial, and the rhythm system is the most discredited.

The Brazilian Family Welfare Society estimates that 4,000 abortions a day—about 1.5 million annually—are performed in Brazil. This works out to be one abortion for three live births.

The ratio is reversed in neighboring Uruguay, where there are three abortions for each live birth. Other South American countries fall in between.

Brazil has a constitutional ban on the distribution of contraceptives or birth-control information through the mails or in public. But doctors say that family-planning clinics are allowed to operate without interference, in the hope that they will reduce the abortion rate.

The loop is widely used in Chile, where one doctor devised a low-cost loop made of nylon fishing line. The pill is described as the overwhelming favorite among Argentine women, most of whom use some form of birth control.

The Family Welfare Society in Rio de Janeiro estimates that 1.5 million Brazilian women—almost 10 per cent of the 18 million women of childbearing age—use the pill and many other contraceptives.

TOKYO

In Asia, most countries are trying to contain populations which are increasing 3 per cent or more a year. But finding effective ways is proving difficult.

Two or three years ago, the intrauterine device was hailed as revolutionary—the cheapest, easiest way to cut the number of births to reasonable levels. Asia, with at least 2 million insertions, has become the largest market in the world for the loops.

Today, enthusiasm for the loops has waned. Results have been less than satisfactory. Some programs have been supplemented with the more expensive, more controversial pill.

Experts ask, what are the alternatives? Older contraceptive methods are unreliable. Injections and experiments with "immunization" are inadequately tested. The conclusion now being reached by leaders in family planning:

Induced abortion may be the only effective means of reducing population, particularly in areas of the world where education standards are low and poverty is widespread.

In three Asian countries, abortion is already considered the most dependable check on spiraling populations.

Japan pioneered, legalizing the operation in 1948. Abortion by qualified doctors gets major credit for reducing the birth rate to a modest 1 per cent gain per year—one of the lowest in the world.

In two neighboring countries, abortion is illegal but widely practiced. An estimated one out of every three pregnancies in South Korea is now terminated by abortion. The cost is $3 to $8. In Taiwan, abortion—costing about $6—is at least as important as the loop in curbing population growth.

Family-planning programs have been under way in Taiwan since 1964, with the aim of reducing the population growth rate from 3 to 2 per cent a year. Results of a program to insert 600,000 loops by 1970 have been mixed. Many women complain about them for one reason or another, and the retention rate is only 60 per cent after 18 months.

The Republic of Korea has had comparable experience with a program begun in 1962. Over 1 million loops have been inserted, but at least 2 out of every 10 are removed for various reasons.

Both countries are supplementing their IUD programs with pills, a more complicated and costly procedure.

BANGKOK

In South Asia, the world's most critical area of population growth, only three countries—India, Pakistan and Singapore—have national programs aimed at controlling births. Malaysia is beginning one.

The Philippine Republic has no program, and is further inhibited because about 85 per cent of its population is Catholic and leans toward the "conservative" wing of the Church.

Thailand, a relatively underpopulated country by Asian standards, but one which is beginning to feel the pinch of population versus agricultural productivity, has no program yet. Indonesia, a nation of more than 110 million people and a high-density population in some areas, has no program worth mentioning.

Pakistan and India—both growing rapidly—have had major birth-control programs for years. But neither has made much of a dent in its birth rate.

Pakistan aims to have 5 million couples of childbearing age practicing birth control regularly by 1970. Right now, it looks as if the goal will be met. Some 2.4 million couples have begun some form of birth control: the loop, the pill or conventional contraceptives. In addition, 180,000 men and women have been sterilized.

India's program is 15 years old, but the population is nevertheless growing at a rate of about 2.5 per cent a year—and threatens to climb to 3 per cent, which could mean disaster.

At first, the loop was seen as the answer to India's control needs, but results have been disappointing. Now, sterilization is being stressed, and a "finder's fee" of $1.33 is being offered to anyone who brings a person to a clinic for the simple operation.

CONGRESSIONAL RESPONSIBILITY FOR DEFENSE AND NATIONAL PRIORITIES

The SPEAKER. Under previous order of the House, the gentleman from Michigan (Mr. Conyers) is recognized for 15 minutes.

Mr. CONYERS. Mr. Speaker, this morning at a news conference our colleague, George Brown, spoke for myself as well as for Congressmen Phillip Burton, Bob Eckhardt, Don Edwards, Don Fraser, Bob Kastenmeier, Abner J. Mikva, Benjamin S. Rosenthal, and William F. Ryan in announcing the forthcoming introduction of legislation to create an Office of Defense Review, a Joint Committee on National Priorities, and a Temporary Commission on National Security.

As one of the first Members of this House to vote against military appropriation increases, George Brown conveyed eloquently the urgency we all feel in making the Congress more responsive to the needs of his Nation and capable of reasserting a leadership role. Since his statement articulately describes the immediate events surrounding the need for structural change in Congress, I would like at this point to place his remarks in the Record:

Remarks of Congressman George Brown

The most urgent challenge confronting Congress today is the reassertion of its constitutional function controlling the power to declare war. Over the next few days great attention will focus on Vietnam and the insanity of the tragic adventurism which seems to be our major national pursuit. Many Congressmen endorsed resolutions supporting current efforts to redirect thinking on Vietnam and overall military/foreign policy. Yet last week many of these same men stood mute when the House of Representatives went through the motions of debating and passing a military authorization bill of $21.3 billion. During general debate the procurement bill was discussed at a rate of $5.3 billion per hour. Efforts to cut the bill were repeatedly defeated. The military authorization bills make up 70% of Congressional control over Federal expenditures. If Congress gives up 70% of its power, it obviously is unable to bring decisive weight on other areas and programs that so desperately need support.

At a time when at least ten million Americans are victims of hunger or chronic malnutrition and at least double that number exist in substandard housing, we wonder about the order of priorities in this "most affluent nation". We see something gravely wrong when the supposed representatives of the people can devote only one and one quarter minutes to an amendment eliminating purchase of twenty-three additional planes which have serious defects and are part of an overall strategy which was rejected by many military analysts. One Congressman found that just *one* of these planes, the $43 million C5A, would build four and one half schools in his district each capable of educating 1,000 people annually for 30 years.

At a time when a recent Gallup Poll indicated that a majority of American people feel that the military budget is too large, we must seriously question a Congress which approves almost exactly what the Pentagon requests. Indeed Congress tends towards extreme overgenerosity; in the House, an extra billion dollars for ship procurement was added to the original DOD request.

Who are we to be making these statements? We are men who have opposed involvement in Vietnam and S. E. Asia from its very beginning. We have consistently voted against appropriations for that war and against an escalating military budget.*

However, votes are not control. We can no longer remain silent about the inability of Congress to assert its constitutional responsibilities.

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* 1966 Vote in Vietnam Supplemental 393–4, Brown, Burton, Conyers, Ryan voting Nay. 1967 Military Procurement bill 401–3, Brown, Edwards, Fraser voting Nay. 1968 Military Procurement bill 363–15. 1969 Military Procurement bill 311–44.

Despite the greatest outcry since World War II about the size and content of the military budget, many members have remained almost totally oblivious to the growing malaise and increasing dissent outside the insulated halls of Congress. We can no longer ignore the need for structural change which would make Congress responsible to the needs of our society and capable of providing leadership. As men in public office we bear special responsibility to address ourselves to problems of institutional failure. For these reasons we have authored these bills.

The three bills which are being introduced in the House by Representatives Mikva, Ryan, Eckhardt and in the Senate by Senators Nelson and McGovern would create three new informational and auditing bodies directly responsible to Congress rather than to the Executive Branch. They result from a meeting last March of the Congressional Conference on Military Budget and National Priorities which brought together scholars, economists, former government leaders and members of Congress to assess the fundamental nature of change in American government and to ask some basic questions about economic, political and corporate institutions.

Because of the urgency of these questions and the crucial need to link the generalities surrounding the Vietnam war and military policies to the specifics of institutional change we have published the complete deliberations of the Conference. The book titled *American Militarism 1970*, will be released tomorrow by Viking Press.

A chapter dealing with new leadership in Congress discusses the necessity for a Congressionally-responsible Office of Defense Review, for a Joint Committee on National Priorities to examine total demands on the Federal budget, and for a Temporary Commission on National Security to determine the real security components of this nation.

The need for such new structures can no longer be ignored. Last week five dissenting members of the Armed Services Committee made a responsible effort to cut or slow down programs which are excruciatingly expensive and are extremely dubious in effectiveness. The results of their efforts are important for anyone interested in the future of representative government.

The House Armed Services Committee did not furnish its printed hearings—2,666 pages in length—to the House membership until three days before debate began. With barely any time to become acquainted with the voluminous material Congressmen consistently voted on items they knew nothing about. Crucial material was either "classified" or "top secret". Arguments on weapons systems which are of critical importance in the arms race were decided on emotional arguments such as the distinguished Chairman's argument that "if we can go to the moon we can build the ABM". Debate on an amendment to cut back on the controversial air defense system was allotted 45 seconds per man. Virtually all votes on these amendments were by division or teller—a means by which no record is kept of how individual members acted.

The simple fact is that responsibility for our enormous military budget, larger than China's total GNP, results not from uniformed military but from civilian leadership. The military-industrial establishment is not a conspiracy. It is an enormous, self-perpetuating institutional organism receiving such a disproportionate amount of Federal funds that it overwhelms all opposition. Decisions on issues such as the war in Vietnam and the ABM are generated from institutional momentum rather than as a result of conscious policy. Reassertion of control over this enormous bureaucracy is certainly not the job of Congress alone. But it must start here. Congress must translate public anxieties into political understanding. It is why we are here today—to try to begin that process.

The three bills which have been introduced today by Congressmen Bob Eckhardt, Abner Mikva, and William F. Ryan with 29 cosponsors would create an Office of Defense Review, a Joint Committee on National Priorities and a Temporary Commission on National Security.

The bills are being offered in the other body by Senators Gaylord Nelson, George McGovern, Walter F. Mondale, and William B. Saxbe.

GENESIS OF NEW PROPOSALS

The genesis of the three bills goes back to a conference on the military budget and national priorities that was held in Washington on March 28 and 29 of this year. Many Members of the House and also Members of the other body served as sponsors of the conference. Many scholars participated, eminent in the fields of political science and pure science. A consensus of the conference developed amongst the congressional sponsors. On June 1, 36 of the Members of this body and nine of the other body issued a report which outlined the problems of the military budget and offered six recommendations for reasserting control of that budget and providing congressional leadership. In attempting to implement the recommendations of that report, we undertook a comprehensive review of the need for structural change within Congress. We found that Congress itself has by inaction contributed to Executive growth, to inflation of the Defense Department and to congressional decline. I would like to include parts of that study in the Record:

Restoring Congressional Prerogatives

It is our purpose to re-assert the function of Congress as a co-ordinate branch of the government. We believe that the intention of the Founding Fathers, when they devoted Article I to the Congress, was to establish this body at a level no less than that of the Executive or the Judicial.

Unfortunately, many signs point to the dismal fact that Congress does not today enjoy that eminence.

An acute observer of our government today is Professor Alfred deGrazia. In his monograph, "Toward a New Model of Congress," published by the American Enterprise Institute in 1966, he stated:

"It is the consensus of the men who have undertaken the present study of Congress that the institutions of American government are currently being changed in a manner that is unsatisfactory. They believe, indeed, that in the course of the very attempt to cope with the major issues of our age three additional problems have been created.

"The first of these is the danger represented by an excessive reliance for the handling of all issues on an escalating bureaucracy, consisting of huge agencies of permanent civil servants who are not made effectively responsible to the larger society. The second is the danger of the kind of militarism that arises in the course of efforts to solve the issues of foreign affairs and their related domestic aspects. The third problem results from the increase of presidential personalism: the exaltation of an office above its stated powers and the capacities of the incumbent, which poses a veritable threat of dictatorship—or whatever one may wish to call the phenomenon of the people's overly great dependence upon the magical qualities of a person occupying an outstandingly prominent office.

"Thus to the list of the major problems of our age must be added these three problems of government, which are uniquely characteristic of contemporary times. As these problems worsen, the fate of Congress and the whole concept of the legislative way of life are thrown into jeopardy. But on the other hand, the very solution to these problems lies in the strengthening of Congress. For if Congress can be made to work well—that is, if it can be sufficiently powered, properly staffed and financed, and rationally directed—then not only will the American democratic republic continue to stand, but it will prove fully adequate to its tasks of government both now and in the future."

Dr. James A. Robinson, a notable authority on the subject of Congress, observed that "Much of the decline must be attributed to the profound change in the requirements of public policy making, and to the failure of Congress to alter its organization to cope with the new demands made upon it." Further, he says, "It is not known what Congress' primary sources of information were at the beginning of this century, but as already noted it is clear that today its primary source is the executive branch. Indeed, Congress has no independent information sources." ("Decision making in Congress" American Enterprise Institute 1966.)

Today it is commonplace for a Secretary of the Department of Defense to hand down pronouncements on U.S. foreign policy. At the same time, on matters of defense, Congressmen are expected to vote on details that they are not supposed to know about. Deliberations of the Congressional committees on defense affairs are constantly conducted in executive session, preventing public scrutiny of many defense problems. Requests to the Congress for authorization of expenditures for weapons systems contain little reference to policy. At least this is true of the committee reports that finally enlighten Congressional members in advance of their voting. Here, if anywhere, the relationship of weapons systems to policy should be plainly stated.

It is highly significant that the Executive Branch operates about 4,000 computers, many of them in the area of defense, while Congress has but one or two.

Congress should reassess the posture of our national defense and national security, and examine the several agencies and departments active in those areas. We want national priorities to be defined so that defense does not secure an irretrievable first priority, monopolizing our national resources, both human and material.

There is no doubt that the three legislative proposals come at a time when many abuses, errors and shortfalls have disclosed numerous and substantial faults in the area of defense and national security.

If it appears that they take advantage of a weak moment in the history of defense in the U.S., they certainly occur during a weak period in the history of the Congress. They are intended to redress that weakness.

Reasons to question activities in the area of defense and national security are not hard to find. We will not dwell on the recent sinking of the submarine "Guitarro" at her dock in Vallejo, or the tragic landing in the Bay of Pigs, or the evident effort to cover up billions of dollars in over-spending for the C–5A transport plane, or the U.S.S. Pueblo and EC–111 plane incidents. In a recent subcommittee report on the precipitate mass production of the tank and missile system, the following observation appears, "Under such circumstances the Project Manager became more of a captive than a manager of his project, . . ." How characteristic that observation is of the widespread subordination of individual decision to the inertial force of the defense Frankenstein. This condition is deplorable enough when it occurs at the technical level of project management. Yet the condition is even more so when it touches on selection of a massive weapons system such as the FDL, fast deployment logistics vessels, which would have a great deal to do with national policy. In this case, the system was plainly chosen without any national decision to proceed with the highly provocative national policy that the FDL vessels would have implemented.

Even at the top-most levels where the very broadest decisions of national policy are supposedly to be made, there is very little evidence that individual leaders express judgments independent of the institutions to which they are attached.

Needless to say, the diminution of individuals in the face of institutional immensity, and the paralysis of independent judgment have consequences that go far beyond the disposition of our military resources. To a great extent the totality of our national resources, both human and material, have been subordinated to military priorities. Thus the whole subject of national priorities is laid wide open.

TEMPORARY NATIONAL SECURITY COMMISSION

The SPEAKER. Under previous order of the House, the gentleman from New York (Mr. RYAN) is recognized for 15 minutes.

Mr. RYAN. Mr. Speaker, civilian control over the military is a fundamental precept of a democracy. Yet, since World War II civilian control has eroded as American society has become increasingly militarized, and the military-industrial complex, of which President Eisenhower warned, has achieved greater and greater power.

In the belief that Congres must exercise control over military policy and use available technical and scholarly expertise in analyzing the military budget and the policies which determine our priorities, two Senators and eight Members of the House initiated the congressional conference on the military budget and national priorities which was held in Washington last March 28 and 29.

Our conference set the stage for the debates on the military budget which later occurred in both the Senate and the House. Upon the conclusion of the conference we issued a report which made a number of recommendations for restoring democratic control over the military budget. The report of the congressional sponsors and excerpts from the conference deliberations have been published in book form by the Viking Press. The title is "American Militarism 1970," and I commend it to my colleagues.

We have put certain recommendations of the conference into legislative form and have introduced three bills today intended to reassert civilian control over the military.

Today I have introduced, together with 28 of my colleagues in the House and four Members of the Senate, a bill to create a Temporary National Security Commission. Simultaneously, the same Members of Congress have introduced two other bills. One would create an Office of Defense Review. The other is a joint resolution to create a Joint Congressional Committee on National Priorities.

The establishment of the Temporary National Security Commission will enable Congress to assert its proper role in the determination of foreign and military policy. The post-World War II assumptions upon which our national security establishment is predicated need to be reassessed. The world has been radically transformed since the late 1940's. The Temporary National Security Commission would examine the institutional structure of the military-industrial complex, the relation between military policy and the economic interests which depend on the Military Establishment, and the economic and social impact of the military-industrial complex.

Although the United States has a greater military influence around the world than any other country, we feel insecure. While we have been powerful militarily, our prestige and our position of leadership have suffered because of our misguided intervention in Vietnam. It is time for a complete reevaluation of the foreign policy considerations upon which military decisions have been made.

This legislative package should provide Congress with the means to analyze the national security establishment and reassess the role of the military within the overall framework of national priorities. The tragic war in Vietnam and the ABM issue have awakened the American people to the imbalance in our national priorities, and they are deeply concerned about the magnitude of the military budget and the neglect of urgent domestic needs. The military-industrial complex, powerful as it is—in this fiscal year some 56 percent of controllable Federal expenditures are budgeted for it—is no longer sacrosanct. The long fight in the Senate over the ABM and other weapons systems and the serious effort in the House to amend the military procurement authorization bill, although they did not succeed, made it clear that Congress is beginning to reassert its constitutional role.

On October 15, there will be a day of moratorium to protest the continued sacrifice of life and treasure 10,000 miles from our shores in a war which has never been justified to the American people. The outpouring of citizen concern over Vietnam, the ABM, and our distorted priorities, makes it imperative that Congress bring under control the vast array of executive agencies which are responsible for our national security.

The first step is to study all aspects of national security and military policy including the agencies established in the National Security Act and subsequently. That is the purpose of the bill to set up a Temporary National Security Commission.

The Temporary National Security Commission would consist of 17 members, five Senators and five Members of the House of Representatives, who would then appoint six eminent citizens to serve with them. These should be persons of the highest professional and technical capacity, some scientifically trained in matters relevant to defense, and others who are experienced in international affairs. The Commission would include no more than a single member of any one standing committee of either the House or the Senate. A representative of the Comptroller General would be the 17th member so that his fiscal knowledge would be available to the Commission.

The Temporary National Security Commission would cease to exist at the end of the 92d Congress and make its final report before January 1, 1973.

It is expected that the Commission members must necessarily be privy to some classified material and intelligence, and the bill cautions that on sensitive matters of national security the Commission shall heed the counsel of the Director of Central Intelligence.

The Commission would be expected to make a widespread study of defense and security areas. The bill does not stipulate exactly which agencies and departments are to be encompassed, for it is wise not to handicap any investigation by prior judgment which would limit its scope. However, the bill does specifically require a study of those agencies and departments established in the National Security Act of 1947. These include the National Security Council, the Central Intelligence Agency, and the one-time National Security Resources Board, predecessor of the Office of Emergency Preparedness. Likewise, all components of the National Military Establishment provided in the 1947 act would be included.

The Commission would study the foregoing agencies and their activities with a view to determining—

First, what are the current national policies and objectives in the area of defense and security and, in view of such policies and objectives, whether the national interest is being properly served by the existing agencies of Government;

Second, whether existing and projected weapons systems, military installations, management procedures, and fiscal performance of such agencies conform to national policy in the area of defense;

Third, to what extent the defense establishment as an institution affects individual judgment in the making and execution of policy; and

Fourth, whether the relationships between agencies of the Federal Government responsible for procurement and suppliers of goods and services require modification.

The Commission would be required to make recommendations—including suggested legislation—to the Congress particularly with regard to the improvement of policy for national security and the effectiveness of procedures and organization in those agencies of the Federal Government which function in the area of defense.

In sum, it is our thought that no aspect of defense or national security should be overlooked.

The concept of such a temporary Commission of investigation springs from the celebrated Temporary National Economic Committee set up in 1938 under Senator O'Mahoney, which conducted a study into the concentration of economic power. The extensive reports that resulted from that investigation are still admired.

The findings of the temporary Committee of 1938–41 gave impetus to the antitrust prosecutions of that period. They generated the atmosphere for judicial decisions which achieved reforms in such areas as resale price maintenance, the basing-point system of pricing and the patent system. The Committee studied the process of corporate mergers which were dealth with in later legislation such as the Celler-Kefauver Act of 1950.

We have not overlooked the fact that

the President on June 30 announced the establishment of a blue-ribbon panel to conduct a year's study of the Department of Defense. It is significant that the President perceived the need for such a study, and it should be useful to him. However, it is our considered view that Congress must be involved in any review of the Department of Defense. Congress has a constitutional duty in this area. Unfortunately, Congress has failed to exercise to the fullest extent its responsibility—a failure which has contributed to the present crisis.

The Temporary National Security Commission would be in a position to conduct a more objective and detached analysis than the President's blue-ribbon panel which is responsible directly to the President and the Secretary of Defense.

Furthermore, our proposed commission would have a more extensive mandate than the President's panel which would survey only the Department of Defense and would concentrate on such activities as organization and management, research and procurement policies and practices.

The Temporary National Security Commission would serve a broader purpose, for it would examine defense policy in relation to foreign policy objectives, military performance, and the capability and relevance of weapons systems to their purpose. All aspects of national security would be scrutinized.

Certainly Congress not only has the right to know, but it must be fully informed in the areas of national security and defense policy. This is basic. The proposed Temporary National Security Commission is a minimal instrumentality to assist Congress in this vital area of national concern.

The following is a list of Senators and Members of the House of Representatives who have joined in sponsoring the bill to create a Temporary Commission on National Security:

List of Sponsors

SENATE SPONSORS

George McGovern (S. Dak.).
Walter Mondale (Minn.).
Gaylord Nelson (Wis.).
William B. Saxbe (Ohio).

HOUSE SPONSORS

William F. Ryan (N.Y.).
George Brown, Jr. (Calif.).
Phillip Burton (Calif.).
Shirley Chisholm (N.Y.).
William L. Clay (Mo.).
John Conyers, Jr. (Mich.).
Charles C. Diggs, Jr. (Mich.).
Bob Eckhardt (Tex.).
Don Edwards (Calif.).
Donald M. Fraser (Minn.).
Jacob H. Gilbert (N.Y.).
William J. Green (Pa.).
Augustus Hawkins (Calif.).
Henry Helstoski (N.J.).
Robert W. Kastenmeier (Wis.).
Edward I. Koch (N.Y.).
Robert L. Leggett (Calif.).
Allard K. Lowenstein (N.Y.).
Abner J. Mikva (Ill.).
Patsy T. Mink (Hawaii).
William S. Moorhead (Pa.).
Richard L. Ottinger (N.Y.).
Bertram L. Podell (N.Y.).
Benjamin S. Rosenthal (N.Y.).
James H. Scheuer (N.Y.).
Louis Stokes (Ohio).
Robert O. Tiernan (R.I.).
Lester L. Wolff (N.Y.).

Mr. Speaker, I include at this point in the Record the text of the bill to establish a Temporary National Security Commission:

H.R. 14323

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DECLARATION OF POLICY

Section 1. The Congress finds that the immense demands upon our national resources for purposes of defense and security have become a matter of deep concern in our society and that there is evidence that institutional momentum, rather than conscious policy, governs decisions relating to defense and national security. The Congress also finds that there is increasing criticism being made of the Federal agencies responsible for national defense and security with respect to their choices of weapons systems and procurement policies and practices. The Congress further finds that the rising costs of the military and the changing international situation, as well as the factors previously mentioned, require that a complete study and review of the national defense sector be immediately undertaken as a first step toward the solution of these problems.

ESTABLISHMENT

Sec. 2. There is established a commission to be known as the Temporary National Security Commission (hereafter referred to in this Act as the "Commission").

DUTIES OF COMMISSION

Sec. 3. It shall be the duty of the Commission—

(1) to make a full and complete study and investigation of all activities with respect to national security and defense, including, but not limited to, the operation of all agencies established in the National Security Act of 1947, and any legislation subsequent thereto providing for the coordination for national security or constituting the national Military Establishment, with a view to determining—

(A) what are the current national policies and objectives in the area of defense and security and, in view of such policies and objectives, whether the national interest is being properly served by the existing agencies of Government;

(B) whether existing and projected weapons systems, military installations, management procedures and fiscal performance of such agencies conform to national policy in the area of defense;

(C) to what extent the defense establishment as an institution affects individual judgment in the making and execution of policy; and

(D) whether the relationships between agencies of the Federal Government responsible for procurement and suppliers of goods and services require modification; and

(2) to make recommendations (including suggested legislation) to the Congress with respect to subjects covered in paragraph (1) particularly with regard to the improvement of policy for national security and the effectiveness of procedures and organization in those agencies of the Federal Government which function in the area of defense.

MEMBERSHIP

Sec. 4. (a) Number and Appointment.—The Commission shall be composed of 17 members as follows:

(1) Five Members of the House of Representatives to be appointed by the Speaker of the House of Representatives, three from the majority party and two from the minority party.

(2) Five Members of the Senate to be appointed by the President of the Senate, three from the majority party and two from the minority party.

(3) Six individuals from private life to be appointed, with due regard given to insuring a balance of political viewpoint, by the members of Congress appointed under paragraph (1) and (2).

(4) One representative of the General Accounting Office to be appointed by the Comptroller General of the United States.

A vacancy in the Commission shall not affect the power of the remaining Members to execute the functions of the Commission and shall be filled in the same manner as the original appointment was made. At no time may any one standing committee of the Senate or the House of Representatives be represented by more than one individual chosen pursuant to paragraph (1) or (2). Individuals from private life appointed under paragraph (3) shall be appointed for the life of the Commission and shall be of acknowledged eminence in fields of study or activity of national importance.

(b) Compensation and Travel Expenses.—(1) Except as provided in paragraph (2), Members of the Commission shall each be entitled to receive $150 for each day (including travel time) during which they are engaged in the actual performance of duties vested in the Commission.

(2) A Member of the Commission appointed under paragraph (1), (2), or (4) of the subsection (a) shall receive no additional compensation on account of his service on the Commission.

(3) While away from their homes or regular places of business in the performance of services for the Commission, Members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as the expenses authorized by section 5703(b) of title 5, United States Code, for persons in the Government service employed intermittently.

(c) Quorum.—Nine Members of the Commission shall constitute a quorum, and actions by the Commission shall be determined by a majority vote of the Members present.

(d) Chairman.—The Chairman and Vice-Chairman of the Commission shall be elected by the Members of the Commission from among those Members appointed under paragraph (1) and (2) of subsection (a).

(e) Meetings.—The Commission shall meet at the call of the Chairman or a majority of its Members.

(f) Any Member of the Commission may, if unable to attend a meeting of the Commission, authorize another Member to act and vote for him in his absence.

STAFF OF COMMISSION

Sec. 5. (a) Staff.—The Commission may appoint and fix the compensation of such personnel as it deems advisable.

(b) Applicability of Civil Service Laws.—The staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(c) Security Requirements.—The Commission shall establish such security requirements, restrictions, and safeguards as it deems necessary in the interest of national security. The Commission may arrange with the Civil Service Commission for the conduct of such security or other personnel investigations of the Commission's employees, consultants, and contractors, actual or prospective, as it deems appropriate. If any such investigation develops any data reflecting that the individual who is the subject thereof is of questionable loyalty, the matter shall be referred to the Federal Bureau of Investigation for the conduct of a full investigation, the results of which shall be furnished to the Commission.

POWERS OF COMMISSION

Sec. 6. (a) Hearings and Sessions.—The Commission may for the purpose of carryin out this Act hold such hearings, sit and

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act at such times and places, take such testimony, and receive such evidence as the Commission may deem advisable. The Commission may administer oaths or affirmations to witnesses appearing before it.

(b) Subpena Power.—

(1) The Commission shall have power to issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter which the Commission is empowered to investigate by section 3. Such attendance of witnesses and the production of such evidence may be required from any place within the United States at any designated place of hearing within the United States.

(2) If a person issued a subpena under paragraph (1) refuses to obey such subpena or is guilty of contumacy, any court of the United States within the judicial district within which the hearing is conducted or within the judicial district within which such person is found or resides or transacts business may (upon application by the Commission) order such person to appear before the Commission to produce evidence or to give testimony touching the matter under investigation. Any failure to obey such order of the court may be punished by such court as a contempt thereof.

(3) The subpenas of the Commission shall be served in the manner provided for subpenas issued by a District Court under the Federal Rules of Civil Procedure for the United States District Courts.

(4) All process of any court to which application may be made under this section may be served in the judicial district wherein the person required to be served resides or may be found.

(c) Immunity.—No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to a subpena, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

(d) Powers of Members, Subcommittees and Agents.—When so authorized by the Commission, any Member, subcommittee, or agent of the Commission may take any action which the Commission is authorized to take by this section.

(e) Obtaining Official Data.—The Commission may secure directly from any department or agency of the United States information necessary to enable it to carry out this Act. Upon request of the Chairman or Vice-Chairman of the Commission such department or agency shall furnish such information to the Commission. During the course of its investigations and deliberations, and in making its reports, findings, and recommendations, the Commission shall exercise due care to protect classified information, sensitive intelligence sources and methods, and, in this regard, shall seek the advice of the Director of Central Intelligence. For the purposes of this subsection, the term "classified information" means information which is, for reasons of national security, specifically designated by a department or agency of the United States for limited or restricted dissemination or distribution.

(f) The Commission is authorized to enter into contracts with qualified educational institutions, other public or private organizations or agencies, or individuals for the preparation of studies related to the Commission's duties, except that any contract entered into under this subsection shall require that the services contracted for be completed before January 1, 1973.

AUTHORIZATION

Sec. 7. There are authorized to be appropriated such sums as may be necessary to carry out this Act.

REPORTS

Sec. 8. Before January 1, 1971, or as soon thereafter as is practicable, the Commission shall transmit to the President and to the Congress preliminary reports of the studies and investigations carried on by it, together with its findings and recommendations, and shall transmit to the President and to the Congress before January 1, 1973, the final reports on the studies and investigations carried out by it pursuant to this Act, together with its final recommendations transmitted by it pursuant to this section at the time of such transmittal, except that the Commission shall withhold from the text of reports and recommendations made available to the public or transmitted to the Congress any part thereof the release of which, in the Commission's judgment, would be detrimental to national security.

TERMINATION

Sec. 9. The Commission shall cease to exist on December 31, 1972.

OFFICE OF DEFENSE REVIEW PROPOSED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. Mikva) is recognized for 15 minutes.

Mr. MIKVA. Mr. Speaker, today I am introducing for myself and 27 of my colleagues in the House a bill to establish an Office of Defense Review. A similar bill is being introduced in the other body. The bill is designed to meet a need which House Members of both parties have been feeling increasingly since the beginning of this year, and which was demonstrated most vividly 2 weeks ago when we considered the military procurement authorization bill for fiscal year 1970. That need is for a source of independent, technically qualified evaluation of Defense Department programs, planning and weapons systems as represented in the DOD requests presented to the Congress. It is our hope that a statutorily authorized Office of Defense Review will adequately meet that need.

PURPOSE OF OFFICE OF DEFENSE REVIEW

The Office of Defense Review, as contemplated in the bill we are introducing today, would be an agency of the legislative branch of Government, reporting directly to a joint congressional board, the Joint Board of Defense Review. It is envisioned as a permanent part of the congressional machinery, with permanent responsibility for evaluating for Congress the defense proposals of the Pentagon. Its responsibilities would not overlap those of the Armed Services Committees of each House, since its work would be more basic—a combination of the Bureau of the Budget in the executive branch and the General Accounting Office which now functions as the permanent investigating arm of Congress. The ODR would have specific responsibility for preparing for Congress alternative defense budget proposals, based on a range of planning assumptions about United States foreign policy and military posture. It would provide a range of choices from which Congress could select, rather than the present take-it-or-leave-it approach.

PROVIDE INFORMATION TO CONGRESS

One of the most important functions of the Office of Defense Review would be to furnish to interested Members of Congress a detached, objective evaluation of weapons systems proposals advanced by the Department of Defense. In this respect, it would serve as a kind of augmented legislative reference service, concentrating specifically on legislative proposals relating to the national security community and national defense policy. Hopefully, the ODR would be able to furnish to Congressmen who are not members of the Armed Services Committee enough information on Pentagon proposals—and enough in advance of the consideration of those proposals—to make intelligent evaluation and debate possible. The staff of the Office of Defense Review would be trained in much the same techniques as employees of the Pentagon's Systems Analysis Office, and would be cleared to deal with material of the highest security classification. The ODR would work not for any one Member of the House or for any one committee, but would make its services available to any Member who desired to use them.

SCOPE OF INQUIRY AND CONCERN

It is proposed that the scope of the ODR's inquiries and investigations would be limited not merely to evaluating the finished product of the Pentagon—its budgetary and weapons systems proposals—but would include more fundamental concerns such as strategic planning, the validity of planning assumptions, the relations of military planning assumptions to overall U.S. foreign policy goals, and the contribution of individual weapons systems to U.S. national security. These are the kinds of fundamental questions which, all too often, no individual Congressman and no committee has had the time to ask. These are the kinds of unexamined assumptions which have led to the tremendous overemphasis on defense spending at the expense of both other elements of foreign policy and our domestic social and economic programs. One of the purposes of the ODR would be to help correct this imbalance in our national priorities.

JOINT BOARD OF DEFENSE REVIEW

The Office of Defense Review would not be left to operate on its own and wage its own battles with the behemoth of the executive branch. It would receive both support and guidance from a joint Board composed of three Members from each House of Congress. The members of the Board would select their own Chairman and Vice Chairman, and both parties would be required to be represented among the Members from each House. One of the continuing functions of the Board would be the supervision of the operations of the Office of Defense Review. Presumably it would also make known to the Congress the need for any necessary changes in the ODR's statutory charter.

GENESIS OF THE OFFICE OF DEFENSE REVIEW

The idea of creating an Office of Defense Review originated in the conference on the military budget and national priorities which was held in March and was attended by Members of the House and Senate. At that conference it became clear that the responsibilities of Members of Congress and of the existing Armed Services Committees precluded the in-depth, comprehensive review of the assumptions behind national defense programs which was a direct constitutional responsibility of the Congress. Because of the lack of searching, comprehensive investigation, many programs were being carried out which either did not serve the purposes of U.S. foreign policy or which were so expensive and contributed so little to our security that their cost was not justified. The once-a-year look which Congress was able to give these programs simply was not sufficient, it was concluded, to provide the necessary check on defense activities.

THE CENTRAL QUESTION OF NATIONAL PRIORITIES

The real arm of the Office of Defense Review is the development of a cadre of technically qualified, career civil servants who will help the Congress evaluate defense policies and programs in terms of their overall contribution to the Nation. The ODR would not become an advocate for defense programs. Rather it would act as the Congress' representative in scrutinizing and evaluating these programs in terms of their real contribution to national security. As a permanent established arm of Congress, the ODR could give a continuity and expertise to this function which is not now possible. Most important, it would provide Members of Congress with the kind of objective information which they need if they are to weigh intelligently the requirements of national security against the pressing needs here at home. By providing this information in the form of alternative budget proposals, the ODR would enable Congress to pick and choose among programs and policies, and would enable it to balance the requirements of defense spending against the priorities of education, health, environmental quality, and general welfare.

We believe that the establishment of an Office of Defense Review could bring back into focus the true purposes of this Union. We formed this alliance of States, which has long since become one Nation, not only to provide for the common defense. Equally important in the eyes of the Founders were the responsibilities to "establish justice, insure domestic tranquility, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity." The Office of Defense Review can help to give us the perspective and objectivity which we need to balance the demands of national defense against those other pressing national purposes.

A copy of our bill follows:

H.R. —

A bill to create an Office of Defense Review

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DECLARATION OF POLICY

SECTION 1. The Congress finds that expenditures for military purposes are ever mounting and constitute a large fraction of total government outlays and, therefore, that it is greatly in the national interest that provisions for defense and national security be subject to continuous Congressional review to insure, for example, that arm's length relations prevail between defense procurement agencies and suppliers of goods and services, that defense procurement costs be properly estimated in advance of commitments and reported currently, and that the performance of weapons systems and the merit of military installations be evaluated before and after procurement in order that there can be a determination as to whether they serve national policy in the area of defense and national security. To effectuate such a review, the Congress needs the assistance of an office with a continuing mission to provide reports giving independent evaluations of defense and national security matters. Such an agency could also significantly aid the Armed Services Committee of the Senate and of the House of Representatives in meeting their immense responsibilities with respect to evaluation and oversight in the area of defense.

ESTABLISHMENT OF THE OFFICE OF DEFENSE REVIEW

SEC. 2. (a) There shall be created an establishment of the Government to be known as the Office of Defense Review (hereafter referred to in this Act as the "Office"), which shall be independent of the executive departments and under the control and direction of the Director of Defense Review (hereafter referred to in this Act as the "Director"). The Director is authorized to adopt a seal for the Office.

(b) There shall be in the Office the Director and an Assistant Director of Defense Review (hereafter referred to in this Act as the "Assistant Director"), each of whom shall be nominated by the President from a slate of candidates submitted to him under section 5(d)(4) of this Act by the Joint Board of Defense Review, and appointed by him with the advice and consent of the Senate. The Assistant Director shall perform such duties as may be assigned to him by the Director, and during the absence or incapacity of the Director, or during a vacancy in that office, shall act as the Director.

(c) The annual compensation of the Director shall be equal to the annual compensation of the Comptroller General of the United States. The annual compensation of the Assistant Director shall be equal to that of the Assistant Comptroller General of the United States.

(d) The Director and the Assistant Director shall be an "employee" within the meaning of such term as used in section 8331(1) of title 5, United States Code, and service performed by them shall be creditable service for all purposes of subchapter III (relating to civil service retirement) of chapter 83 of such title.

(e) The term of office of the Director and the Assistant Director shall be four years and, unless removed under subsection (f), an individual appointed to such office is not ineligible for selection under section 5(d)(4) of this Act.

(f) The Director or Assistant Director may be removed at any time by joint resolution of Congress after notice and hearing, when, in the judgment of Congress, the Director or Assistant Director has become permanently incapacitated or has been inefficient, or guilty of neglect of duty, or of malfeasance in office, or of any felony or conduct involving moral turpitude, and for no other cause and in no other manner except by impeachment.

FUNCTIONS OF THE OFFICE

SEC. 3. It shall be the function of the Office, under the direction of the Director—

(1) to determine whether projected weapons systems and military installations accord with national policy in the area of defense;

(2) to determine whether the actual performance of procured weapons systems and installations in the area of defense is in accord with originally declared objectives and national policy in the area of defense and national security;

(3) to prepare for the Congress a defense budget for each fiscal year which shall be independent of that prepared by the executive branch and shall be available in the course of the appropriations process in Congress, for comparison with the executive defense budget;

(4) to prepare optional defense budgets based on alternative assumptions concerning policy and weapons systems for defense and national security;

(5) to report to the Armed Services Committees of the Senate and the House of Representatives, to other appropriate Congressional committees, and to the Joint Board of Defense Review on all of the matters listed in paragraphs (1) through (4), together with (A) recommendations for conduct of national defense and security, and (B) one summary annual report to be submitted in advance of the submittal to the Congress of the annual budget of the executive branch;

(6) to provide information to individual Members of Congress, upon request, concerning matters of defense and national security; and

(7) to recommend to the Joint Board of Defense Review improvements in the operating efficiency of executive departments of the Government in the area of defense and national security.

POWERS OF THE OFFICE

SEC. 4. (a) In the performance of its functions under this Act, the Office is authorized—

(1) to make, promulgate, issue, rescind and amend rules and regulations governing the manner of the operations of the Agency;

(2) subject to the civil service and classification laws, to select, appoint, employ and fix the compensation of such officers and employees as are necessary to carry out the provisions of this Act and to prescribe their authority and duties;

(3) to use, with their consent, the services, equipment, personnel, and facilities of Federal and other agencies with or without reimbursement, and on a similar basis to cooperate with other public and private agencies and instrumentalities in the use of services, equipment and facilities; and

(4) to establish such security requirements, restrictions, and safeguards as it deems necessary in the interest of national security, exercising due care to protect classified information, sensitive intelligence sources and methods, and, in this regard, shall seek the advice of the Director of Central Intelligence, and

(A) to arrange with the Civil Service Commission for the conduct of such security or other personnel investigations of the Office's employees and contractors, actual or prospective, as it deems appropriate, and

(B) if any investigation under paragraph (A) develops any data reflecting that the individual who is the subject thereof is of questionable loyalty, to refer the matter to the Federal Bureau of Investigation for the conduct of a full field investigation, the results of which shall be furnished to the Office.

(b) Upon the request of the Director—

(1) the head of any department or agency in the executive branch shall furnish to the Director copies of any report submitted by such department or agency to the Comptroller General of the United States if the Director deems such report to be of consequence in the area of defense and national security, and

(2) the Comptroller General of the United States shall furnish to the Director copies of analyses of expenditures prepared by the General Accounting Office with respect to any department or agency in the executive branch if the Defense Review Director deems such analyses to be of consequence in the area of defense and national security.

(c)(1) The Comptroller General of the United States shall submit to the Director reports of all exceptions taken by the Comptroller General to the financial or other activities of any department or agency in the executive branch in the area of defense and national security, and also reports of

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any settlements or conclusions reached by the Comptroller General with respect to such exceptions.

(2) The Comptroller General shall transmit to the Director copies of all reports prepared by the Comptroller General pursuant to section 283 of the Revised Statutes (31 U.S.C. 103).

JOINT BOARD OF DEFENSE REVIEW

SEC. 5. (a) There is hereby established a Joint Board of Defense Review (hereafter referred to in this section as the "Board") to be composed of three Members of the Senate to be appointed by the President of the Senate and three Members of the House of Representatives to be appointed by the Speaker of the House of Representatives. In the case of the Members appointed from each House of the Congress, the majority party shall be represented by two Members and the minority party represented by one Member.

(b) Members of the Board shall serve for terms of no longer than a total of five sessions of Congress. The Board shall select a chairman and vice chairman from among its members. Members of the Board shall receive no additional compensation on account of their service on the Board but shall be reimbursed for travel and other expenses incurred while performing work as Members of the Board.

(c) A member of the Board may, when unable to attend a meeting of the Board, authorize another such member to act for him in his absence. A vacancy in the Board shall not affect the power of the remaining members to execute the functions of the Board, and shall be filled in the same manner as the original selection. Four members shall constitute a quorum of the Board. Decisions of the Board shall be taken by majority vote and a tie vote shall be decided according to the vote of the chairman, or, in his absence, the vice chairman.

(d) It shall be the function of the Board—

(1) to receive reports from the Director relating to his activities,

(2) to aid the Director in the interpretation of national defense policy,

(3) otherwise to counsel and advise the Director in the performance of his duties, and

(4) in the event of a vacancy in the office of Director or Assistant Director, to submit to the President the names of five individuals who, in the judgment of the Board, are qualified to hold such office.

JOINT CONGRESSIONAL COMMITTEE ON NATIONAL PRIORITIES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. ECKHARDT) is recognized for 15 minutes.

Mr. ECKHARDT. Mr. Speaker, I am introducing today a joint resolution to create a Joint Committee on National Priorities. This resolution recognizes the intense conflicts caused by competing demands for the country's limited tax resources, and seeks a more intelligent rationalization of these conflicts by Congress.

The resolution authorizes the joint committee to suggest national objectives and the allocation of resources needed to obtain those objectives; and to suggest legislation and other governmental actions needed to better serve the Nation's priorities.

The need for such a joint committee arises from the fact that we do not have enough tax dollars to do all that we want our Government to do. Our present deficiencies in such vital areas as health, education, and transportation make clear that we cannot fight a war in Vietnam, be profligate in military hardware build every dam that can be dreamed up, and still provide the social progress demanded of a rich and civilized Nation. The people will not stand for higher taxes, and they should not have to. The tax dollar is now a poor investment for the American taxpayer. It is our task to make it a good investment.

A Joint Committee on National Priorities would help to correct the often unintentioned displacement of values and national demands that now plagues our government. We are now faced with such spectacles as the Executive's simultaneously cutting back research on cancer and children's diseases and spending millions for a "main battle tank" that is obsolete even if it can be made to work. Development continues on a fantastically expensive supersonic transport which will reduce the flying time from New York to Paris by a few hours; but we have not even begun to solve the problem of efficiently transporting Americans to their daily jobs. Congress appropriates tens of millions of dollars for chemical and biological weapons, but is niggardly in its funding of food programs for the hungry.

Such distortions of our national values result in large measure from our fragmented approach to governmental policies, and in particular to governmental spending. Many programs continue to be funded simply because they exist. Virtually every area of governmental spending has its constituency of bureaucrats and special interest groups.

When we do respond to a critical need, we do so by drafting new promises and new programs, not by considering a reallocation of resources. The result is illustrated by the fate of the Clean Water Restoration Act. That act recognized the crisis presented by the pollution of our Nation's lakes and rivers by municipal wastes, and sought to provide our cities with $1 billion per year to deal with this crisis while there was still time. Congress has since found that it is very difficult to appropriate that $1 billion without cutting back other programs of less value to the country. Rather than considering the place of clean water in our national priorities and acting accordingly, we have simply failed to come through with the money authorized by the Clean Water Restoration Act.

Establishment of a Joint Committee on National Priorities would help us make the hard decisions that are needed if we are to act according to the urgency of our needs rather than according to which needs have been around the longest or pushed the strongest. The joint committee would give us the benefit of an informed overview of national needs and national resources. It would be a valuable first step in more intelligently matching our needs and our resources.

The text of the joint resolution follows:

H.J. RES. 949

Joint resolution to create a joint congressional committee to review, and recommend changes in, national priorities and resource allocation

Whereas national objectives, to the extent that they are affected by action of the Federal Government, ought to be more clearly formulated; and

Whereas national objectives can be realized only if all competing demands for priority in the allocation of resources disposed of by the Federal Government can be reconciled on a continuing basis; and

Whereas the immense demands upon national resources for purposes of defense and national security have become a matter of deep concern in our society; and

Whereas the Congress can meet its constitutional obligation as a coordinate branch of the Government more fully if it will consider the overall relationship of the many separate legislative demands: Now, therefore, be it

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled, That there is hereby created a joint congressional committee to be known as the Joint Committee on National Priorities (hereafter referred to in this joint resolution as the "joint committee") to be composed of seven Members of the Senate to be designated by the President of the Senate and seven Members of the House of Representatives to be designated by the Speaker. Of the seven Members appointed from each house of the Congress, the majority party shall be represented by four members and the minority party shall be represented by three members. No one standing committee of the Senate or the House of Representatives may be represented by more than one Member on the joint committee at any time.

SEC. 2. (a) The joint committee, acting as a whole or by subcommittee, is authorized—

(1) to suggest national objectives and, on a current and continuing basis, to examine these objectives as they are affected by actions of the Federal Government;

(2) in the light of the examinations undertaken in paragraph (1), to suggest national priorities and to recommend, on a continuing basis, the allocation of resources disposed of by the Federal Government to such national priorities;

(3) to obtain from the departments and agencies in the executive branch annual posture statements on the operations and objectives of the departments and agencies as they relate to such national priorities and to assess such statements;

(4) to suggest legislation that will contribute to the attainment of national objectives; and

(5) to recommend courses of action, based on its findings and investigations, in the national interest to departments and agencies in the executive branch, to the States and political subdivisions thereof, and to regional agencies.

(b) The joint committee shall, before the close of each calendar year, submit to the Congress a posture statement on national priorities, which shall include a proposed Federal budget of income and expenditures covering a period of not less than the five consecutive fiscal years next succeeding the calendar year in which the posture statement is submitted.

SEC. 3. (a) A vacancy in the membership of the joint committee shall not affect the powers of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as the original appointment was made. The joint committee shall select a chairman and a vice chairman from among its members; except that no member may serve as chairman or vice chairman for longer than one Congress.

(b) An individual is not eligible to be a member of the joint committee after such individual has served as such a member for a total of eight sessions of Congress. For the purpose of the preceding sentence, service on the joint committee for a full session of Congress or part of a session shall count as one session of service.

Sec. 4. In addition to the reports required under section 2, the members of the joint committee who are Members of the Senate shall from time to time report to the Senate, and the members of the joint committee who are Members of the House of Representatives shall from time to time report to the House of Representatives on the results of the joint committee's studies and investigations, together with their recommendations with respect to matters within the jurisdiction of the joint committee.

Sec. 5. In carrying out its duties, the joint committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings or investigations, to sit and act at such places and times, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, to make such expenditures as it deems advisable. The joint committee may make such rules respecting its organization and procedures as it deems necessary. Subpenas may be issued over the signature of the chairman of the joint committee or by any member designated by him or by the joint committee, and may be served by such person or persons as may be designated by such chairman or member. The chairman of the joint committee or any member thereof may administer oaths to witnesses. The provisions of section 192 and 194 of title 2, United States Code, shall apply in case of any failure of any witness to comply with any subpena or to testify when summoned under authority of this section. The cost of stenographic service to report public hearings shall not be in excess of the amounts prescribed by law for reporting the hearings of standing committees of the Senate. The cost of stenographic service to report executive hearings shall be fixed at an equitable rate by the joint committee. Members of the joint committee, and its employees and consultants, while traveling on official business for the joint committee, may receive either the per diem allowance authorized to be paid to Members of Congress or its employees, or their actual and necessary expenses provided an itemized statement of such expenses is attached to the voucher.

Sec. 5. The joint committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and staff employees as it deems necessary and advisable. The joint committee is authorized (1) to utilize the services, information, facilities, and personnel of the departments and establishments of the Government and (2) to contract with educational institutions, public or private agencies or organizations, or individuals for the conduct of research or studies with respect to matters within the jurisdiction of the joint committee.

Sec. 7. The joint committee shall establish such security requirements, restrictions and safeguards over its records as it deems necessary in the interest of national security, exercising due care to protect classified information, sensitive intelligence sources and methods, and, in this regard, shall seek the advice of the Director of Central Intelligence. All committee records, data, charts, and files shall be the property of the joint committee and shall be kept in the offices of the joint committee or other places as the joint committee may direct under such security safeguards as the joint committee shall determine in the interest of the common defense and security.

Sec. 8. The expenses of the joint committee shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers signed by the chairman of the joint committee or by any member of the joint committee duly authorized by the chairman.

REPORT ON NATO TOUR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. Gubser) is recognized for 15 minutes.

Mr. GUBSER. Mr. Speaker, recently I was privileged to represent the United States on the biennial military tour of the NATO Assembly. For a period of 10 days I inspected NATO military installations in the company of legislators and members of parliament from several NATO countries. I found the experience to be worthwhile and most interesting. I returned with definite ideas and conclusions regarding our NATO defenses which I have reported to the chairman of the Armed Services Committee, the Honorable L. Mendel Rivers.

Because my conclusions are that we should drastically reduce our commitment of men and materiel in the defense of Europe, and in light of the current national debate regarding our military posture, I thought the substance of my report would be of interest and thought provoking to all Members of Congress. The report follows:

The Military Committee of the NATO Assembly (formerly NATO Parliamentarians) conducts a biennial tour of Allied military installations in Europe. On alternate years the tour is conducted in the United States. Its purpose is to formulate reports and recommendations for consideration of the North Atlantic Assembly. This group, an unofficial body with no statutory powers, provides an important platform for discussions between parliamentary delegates from all NATO countries. It also serves to improve liaison between the North Atlantic Treaty Organizations and the legislative bodies of NATO countries.

PARTICIPANTS

U.S.A.—Congressmen Paul Findley and Charles S. Gubser.

Germany—Dr. Herman Kopf and Mr. Josef Felder of the West German Bundestag.

Belgium—Mr. Paul De Vlies, Mr. Andre Bricout, and Mr. Wim. P. Geldolf.

Canada—Senator Alexander Hamilton McDonald and M.P.s Alastair W. Gillespie, Patrick Mahoney, and Howard R. MacEwan.

Denmark—M.P.s Adam Moeller and Kjeld Olesen.

France—Senator Auguste Billiemaz.

Italy—Senator Giuseppe Vedovato and Deputy Luigi M. Galli.

Luxembourg—Deputy Romain Fandel.

Norway—Storting Members Finn Moe and Leif Kolflaath.

Netherlands—C. E. P. M. Raedts and F. J. Goedhart, members, Chamber of States-General

United Kingdom—Mr. John Peel, M.P.

Turkey—Senator Sirri Atalay and Deputy Nurretin Ok.

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The tour assembled at Brussels on September 1 and visited Supreme Headquarters Allied Powers Europe in the afternoon, conducting a discussion with the Supreme Allied Commander for Europe.

On September 2 we were briefed at Headquarters for Allied Forces Central Europe in Brunssum. In the afternoon we visited the NADGE programming and training center at Glons.

On September 3 we were in Frankfurt at Rhine-Main Air Base and next went to Mannheim-Seckenheim for a briefing by the Central Army Group and U.S. Army Europe.

On the morning of September 4 I briefly left the tour to witness a firing of the Sheridan-Shillelagh weapons system at Grafenwoehr tank range. I rejoined the group for a briefing by the Central Army Group and another program sponsored by U.S. Army Europe.

September 5 found us at Munich for a continuation of the Central Army Group and U.S. Army Europe program at Oberammagau and a briefing at the school conducted by these groups in that area.

After a free day on September 6, we spent time at Lahr with the First Canadian Air Division on September 7. The rest of the day was spent en route to Muenster, Germany.

On September 8 we were at Bergen-Nohne to witness a brigade-size firing demonstration which began a large exercise conducted by the German Army called "Grosser Roesselsprung".

On September 9 we were at Bergen, Norway, at Headquarters for Allied Forces Northern Europe. After a briefing and tour of the Haakomsvern Naval Base, we departed Bergen for Northolt RAF Station near London.

On September 10 we visited the Headquarters of the Western Fleet and were briefed by the Commander of the Channel Command. Following this day, I departed the tour.

FINDINGS

The concentrated exposure to NATO military problems for a period in excess of one week and extended discussions with military personnel of all participating nations presented an excellent perspective of the threat facing NATO forces and the requirements for meeting that threat. However, the great benefit was more political than military. Constant close association with legislators from other NATO countries gave each participant a "feel" for the political problems which will inevitably have their effect upon military policy.

It is my considered view that the threat to Free Europe from the Soviet Union has not diminished to any extent. Quite to the contrary, I believe the recent Czechoslovakian incident has underscored the determination of the Soviet Union to maintain a high and superior level of military force which can be directed against Europe. I personally believe that Russia has superior air power, armor, and a superiority in numbers of trained troops. In the event of invasion by Communist forces, Russia would possess the advantage of picking an invasion route and timing the aggression to achieve maximum surprise and inconvenience to Allied defenders. This means that the defenders must be prepared to defend against any one of several possible invasion plans. To thoroughly prepare for all eventualities would be expensive and difficult.

While I do not consider myself sufficiently competent to draw a firm military conclusion, I cannot admit to holding much confidence that present NATO forces can stand up against a determined Russian aggression.

The military organization of SHAPE is excellent. Obviously it is manned by competent officers who have developed workable plans, but what concerns me is what appears to be a serious deficiency in military materiel, equipment, and personnel required to implement those plans. When France was an active military partner of NATO, we at least had geographic depth, but today we have neither geography nor the men and equipment with which to offer a conventional response to a Soviet invasion.

One hears a great deal of the new theory called "flexible response" which has been developed as a reasuring symbol of our ability to defend Europe without France as a full-fledged NATO military partner. In theory, "flexible response" would commit conventional forces and weaponry in the degree required to meet the threat against us. This is a fine theory, but it is worthless without the men and materiel to back it up. NATO has neither.

Under such circumstances, the alternatives

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which NATO commanders and leaders of NATO nations would have in the event of aggression are limited to the extremes. Since I have no confidence that the present degree of conventional commitment by NATO nations could hold against a determined aggression, the alternatives would be (1) accept the fact that Russia can overrun Europe, or (2) resort immediately to the use of tactical nuclear weapons and the grave risk of escalating an invasion of Europe into a general war.

It is obivous that if the words "flexible response" are to be more than a cliche or an idle phrase and if the alternatives are to be broadened to include more than the extremes, a much greater commitment to NATO must be made by all nations and particularly by the European nations whose countries will be at stake.

While this latter problem was not directly discussed with NATO parliamentarians, it was clear to me that most of them felt that even their present commitment to NATO was either beyond what they could afford or what the present day political climate would allow them to commit. Learning this fact has led me to the conclusions and recommendations which appear below:

CONCLUSION

Unless European nations and other members of the NATO alliance are willing to make commitments of men, materiel, and money to the extent necessary to make "flexible response" more than a myth, the tremendous U.S. presence and expense to the taxpayer is a waste. Frankly, for political reasons, I foresee no possibility of this happening in the immediate future.

To be sure, the United States must "show the flag" in Europe, but this can be done with an Air Force wing and far less than a division of troops. Materiel can be stored and the pipe line kept open which would allow troops to be quickly airlifted if needed. The bulk of our force in Europe should be brought home, resulting in a considerable saving to the U.S. taxpayer.

While other countries withdraw, the United States, which is already overcommitted, cannot be expected to fill the vacuum they leave. The time has come for a complete reassessment of our NATO military policy. We must stop "whistling in the dark". We do not have an adequate defense, we will not get it until other NATO nations assume a just share of their responsibility and, without it, we are wasting our money.

I strongly recommend that a complete reassessment of our policy in Europe be undertaken at the highest possible Congressional and Executive Branch levels.

COLUMBUS DAY, 1969

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. Rodino) is recognized for 15 minutes.

Mr. **RODINO**. Mr. Speaker, this year marked a very special commemoration of October 12, Columbus Day, the anniversary of the great Genovese navigator's landfall in our New World.

For in this year men first landed on the moon, and this has been compared with Columbus' discovery of America. In fact, in honor of the great explorer, our American astronauts—Neil Armstrong, Edwin "Buz" Aldrin and Michael Collins—named their command ship "Columbia" in tribute to the admiral of the ocean seas.

At the time when our astronauts first set foot on the moon, the dean of American historians and definitive biographer of Christopher Columbus, Adm. Samuel Eliot Morison, commented on the validity of the comparison. He stated:

> I think there is validity in the fact that as Columbus' voyage was a tremendous breakthrough in modern history, the astronauts' voyage to the moon may well prove to be a breakthrough in our history with similar and beautiful results. But of course the technique of the two voyages was so very different, you can hardly compare the two.

Obviously, Mr. Speaker, one of the key differences is incomparably greater scientific and technological resources of the 20th century. If the scientists of Columbus' time had had their way, he might never have made his voyage. For, as Admiral Morison stated:

> He appeared before three different scientific commissions in Portugal and Spain and they all said he couldn't do it—and the amusing thing is they were right. He was aiming at the eastern coast of China and they all said it was twice as far as he thought it was and he could never get there and back in a sailing ship. Columbus went ahead just the same, but America happened to be where he thought China was.

It is interesting to note that the space effort that made our moon voyage possible cost the United States some $25,000 million. And contrary to popular belief, Columbus' voyage was by any standard inexpensive. It is only a popular legend that Queen Isabello of Spain had to pawn her crown jewels to raise money for Columbus. As Admiral Morison explained:

> I once made a careful computation of what Columbus' first voyage cost—it was fourteen thousand dollars in gold to outfit the fleet or at least two ships of the fleet. The cost of the other one was picked up by some of Columbus' friends and their monthly payroll was sixteen hundred dollars in gold for thirty-two months. You see, that is probably what the astronaut project cost in about five minutes.

Admiral Morison also contrasted the role of the astronauts and Columbus as individuals. And in spite of the necessity for collective effort and scientific precision on the part of thousands in space exploration, he stressed his firm conviction that individuality and initiative are as important today as they were in Columbus' time.

The admiral stated:

> It was Columbus who had the big idea. The astronauts didn't have the idea; they were spearheads. Nonetheless they are to be honored for their courage. I think all three young men are essentially rugged individualists. There are millions more in our country. There is an enormous future for the rugged individualist in this country and all over the world.

During Columbus' time, Admiral Morison noted, there was a gloomy religious atmosphere that pervaded the 15th century because of the imminent expectation of the day of judgment and the horrors that were to accompany it. He compared it to the general feeling of pessimism in our own time.

So the historic voyage of Columbus was a unique and a shining beacon during those difficult years. And Admiral Morison's conclusion has significant implications for us today:

> Columbus had really opened up something, a breakthrough that counted—that meant that Europe was not going downhill to eventual destruction, but that there was something fresh coming up. So I hope we will feel about the astronauts and their visit to the moon. Something new and fresh and extraordinary is coming up. We are not going to allow the atomic bomb to wipe us out. I hope, pray and believe that civilization in our day will be greatly affected for the good by the astronauts' work just as civilization in the fifteen hundreds was affected by Columbus' discovery.

Mr. Speaker, I had the great privilege at our celebration of Columbus Day in Newark yesterday to participate in the parade and festivities and I was particularly pleased that Capt. Robert Marasco, the courageous Green Beret officer from Bloomfield, was able to attend the ceremonies and was honored by receiving the key to the city. I include two articles from the Star-Ledger and the Evening News of October 13, 1969, which describe the occasion, in the Record following my remarks:

[From the Newark (N.J.) Star-Ledger, Oct. 13, 1969]

Given Key to City—Columbus Cheer for Beret

(By Barbara Kukla)

The Mets took second place in the hearts of thousands of Essex County residents who lined Newark's Broad Street yesterday for the 61st annual Columbus Day parade.

With the temperature a summerlike 79, the throngs withstood the humidity for activities which began with a wreath-laying ceremony at Washington Park before the march down the main thoroughfare.

Probably the biggest ovation of the day was for Green Beret Capt. Robert Marasco of Bloomfield, who was presented with the Key to the City.

GREAT HONOR

Accompanied by Rep. Peter W. Rodino, who helped to engineer his release after the alleged killing of a Vietnamese espionage agent, Marasco looked rested and happy, posing for dozens of pictures and signing autographs.

"It's a great honor to be presented the Key to the City," Marasco told the audience in front of City Hall. "I never expected it. In fact, I didn't expect to be asked to speak."

He then thanked the American people, "and especially Congressman Rodino," for the support given him.

"There hasn't been much chance to rest yet," Marasco said later. "I've had to go to Washington and am still not sure when things will slow down."

Greetings also were extended by Gov. Richard J. Hughes, Sen. Clifford Case, former Gov. Robert B. Meyner, Newark Deputy Mayor Paul Reilly and Newark Police Chief Anthony Barres.

Mayor Hugh Addonizio, who presented a Columbus Day speech in the morning at the Robert Treat Hotel, sepnt the day with Meyner, turning over parade duties to Reilly.

Led by Grande Marshal Edwin Albano, state medical examiner, and Anthony J. Bartolotto, general chairman, the parade marched on.

BANDS, FLOATS

Following the first marching contingent, the Newark Police Department, were 15 bands and 20 floats with Miss Columbus Day, Linda Gialenina of Maplewood, and Miss New Jersey, Linda Wilmer, aboard two.

Danny Hope, president of Musicians Local 16, served as master of ceremonies and said "this is the largest crowd ever in front of City Hall." His musicians had performed for two hours before the parade, a tradition which Hope began in 1927.

For Newark teen-agers in the crowd, it was a day to cheer their school bands and boo the "rivals."

"We came because our school was represented," agreed a quartet of South Side High freshmen, Vicki Gawthney, Laverne Craddock, Nita Jackson and Elaine Cooper.

A group of boys from Weequahic, who had taken the bus downtown, had other reasons (or non-reasons) for coming.

"It was just something to do," said 15-year-old Alphonso Davis. "We would have listened to the Mets, but my transistor radio is broken."

Much of the crowd, however, was more enamored with the Columbus Day spirit.

With folding chairs already set up alongside the Court Street curb an hour before parade time, Mr. and Mrs. Harold Esannason of Newark listened to the chatter of their children, intrigued more with balloons, soda and hot dogs than the official doings.

"We haven't missed a parade like this in 20 years," said Esannason. "I guess you could say it's sort of a tradition."

Columbus Tops TV for Many

(By J. Brian Smith)

Despite the television attractions of the World Series Mets and the World Champion Jets, more than 25,000 persons turned out yesterday to witness the 60th annual Columbus Day Parade along Broad Street in Newark.

A host of New Jersey, Essex County and city officials, including former Gov. Robert B. Meyner, joined the spectators, many of them youngsters, to view some 30 floats and bands, that marched through downtown Newark during the hour-long parade.

In pre-parade ceremonies, Army Capt. Robert F. Marasco of Bloomfield, recently freed of murder charges in the Green Beret case in South Vietnam, received the key to the city of Newark from Deputy Mayor Paul Reilly.

Marasco, who was in full uniform, received a standing ovation from guests on the City Hall reviewing stand. He was acclaimed a "hero" by several speakers, including Rep. Peter Rodino Jr., D-10th Dist., who was instrumental in winning the release of the eight Green Berets who had been accused of killing a double agent.

An unusually warm October day, accented by a near-cloudless sky, enhanced the excitement of the watchers and boosted the profits of soda and hotdog venders.

TALKS BY DIGNITARIES

Ceremonies in recognition of Christopher Columbus, who 477 years ago set out to find a western way to India but instead discovered the New World, got under way shortly after 1 p.m. with a series of speeches by visiting dignitaries at the reviewing stand in front of City Hall.

Even the recent publicity given reports that the honor of finding America does not really belong to Columbus did not deter Columbus, notoriety were of Italian extraction.

Meyner, a Democrat seeking the governorship again this year, took note of that fact. "Today is the day that all people of Italian ancestry can throw out their shoulders and be proud that they are part of this country," he said.

"Columbus Day pays tribute to a stream of immigrants who have come to this country since 1492," he continued, "and have contributed much, whether in science, the arts or industry."

RODINO HOPE

Rodino, noting that Congress recently declared Columbus Day a national holiday beginning in 1971, said he hopes the measure will bring about "a rededication in the spirit of discovery of one another."

"Columbus is the father of immigration," Rodino said, "and we hope that the national holiday in his honor will be a springboard for a greater tomorrow . . . to heal the wounds, to bind the hurts between all ethnic groups and all blacks and whites."

The parade itself, whose route stretched from Lincoln Park to Washington Park, began about 2:15.

TEN BANDS IN LINE

Members of the Newark Police and Fire departments, including the Police Band, took part in the march. Bands from the city's eight high schools and the 21st Air Force Band from McGuire AFB provided musical interludes between the passing cars carrying the various parade dignitaries and celebrities.

Among those traveling the parade route were Miss New Jersey, Cheryl Carter; Miss Columbus Day, Linda Gialanella of Maplewood; Anthony J. Bartolotta, the event's general chairman; Newark Police Chief Anthony Barres, the parade's chief of staff, and Dr. Edwin H. Albano, New Jersey state medical examiner, who served as the grand marshal of the parade.

STEPAN BANDERA, UKRAINIAN MARTYR—OCTOBER 15, 1959

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana (Mr. RARICK) is recognized for 15 minutes.

Mr. RARICK. Mr. Speaker, Saturday afternoon here in Washington, D.C., at the statue of the renowned Ukraine patriot, Shevchenko, the Ukrainian National Memorial Committee commemorated their martyred leader, Stepan Bandera on the 10th anniversary of his assassination carried out by the Russian Secret Police—KGB.

At the time of his death, Bandera was 50 years of age and had suffered merciless persecutions in his unswerving dedication to lead his people to freedom by throwing off the yoke of Bolshevik colonialism. His lifelong goal was to regain independence and restore the Ukraine as a self-governing nation.

The Ukrainians, like their Polish neighbors to the North, are a people with a long history of independent culture. Also like the Poles they have been repeatedly engulfed and divided by stronger neighbors. In the early 1920's Ukrainian independence was crushed by Lenin and his Bolshevik horde. The basic motivation of Ukrainian resistance to Communistic imperialism is deeply rooted in their firm adherence to Christianity and the universal desire to be self-governing and free.

Bandera's threat to the international Communists was that he was an able organizer and disseminator of the truth of the annihilation and genocidal practices perpetrated against his people and other minority groups behind the Iron Curtain.

Bandera's murder—his martyrdom—inspired the free Ukrainians worldwide in their struggle to regain self-government and free their homeland from Soviet colonialism and exploitation.

Rallying behind the ideals of their fallen hero, Ukrainians in exile are more determined than ever to perfect the organization of the Ukraine Nationalists which he led. Bandera's death led to the development of close ties and cooperation of exiles of other nationalities, always striving to regain their liberty under God.

Following the memorial service some 300 orderly, well-dressed Americans of Ukrainian descent paraded through Washington carrying signs dramatizing the enslavement of their people at the hands of the Russians—that 5 million Ukrainians had been murdered in an artificially created famine by the Soviets to force collectivization—calling for self-government for their 40 million people behind the Iron Curtain and calling for the arrest and trial of Alexander Nikolaievich Shelepin, member of the Politburo, and the murderer of Stepan Bandera.

Mr. Speaker, it was while observing the Ukrainian protest against Soviet atrocities that I first learned that our Government will permit no pickets or demonstrations within 500 feet of the Soviet Embassy which is located at 1125 16th Street NW. The Washington police in charge of restricting the Ukrainian demonstrators advised that they could not be permitted to picket or demonstrate within view of the Soviet Embassy for fear it might be exploited as an incident and embarrass the United States.

It is bitterly distasteful to Americans to know that our national leaders, who are so concerned over the Bolsheviks' feelings, permit pickets and protesters in front of the White House, on the steps of the U.S. Capitol, even inside the Pentagon, and at every national patriotic shrine, including Arlington Cemetery.

Free speech apparently stops short of offending Soviet sensibilities.

Evidently cooperating with the theory of not hurting Soviet ego, the Washington news media, so quick to front-page every minor leftwing protest, disposed of this genuine cry for justice in two sentences on an inside page.

Mr. Speaker, I insert the "Wanted for Murder" poster on Alexander Nikolaievich Shelepin and the Soviet listings from the District of Columbia telephone directory following my remarks. It is obvious that the Soviets enjoy special benefits and privileges in Washington, D.C. I think it is only fair the American taxpayers should know the size of the Soviet bureaucracy in our Nation's Capital.

The material referred to follows:

WANTED FOR MURDER—Alexander Nikolaievich Shelepin

Age—51.

Height—6 feet.

Weight—185 pounds.

Hair—Black (balding).

Eyes—Steel Gray.

1940—Joined Communist Party and Russian Secret Police.

1952—Central Committee of Communist Party.

1954—Director of Slave Labor.

1957—Order of Lenin and Order of the Red Star—Russia's highest decorations.

1958—Chief of Russian Secret Police.

1966—Appointed to Politburo—Russia's highest authority.

1969—"Advisor" to Russia's Arab allies on "Jewish problems."

Alexander N. Shelepin is an international professional murderer.

When Shelepin was barely out of his teens, Stalin spotted his talent for sadistic killing and made him an officer in the Russian Secret Police.

He learned murder under Stalin and became an expert at it under Khrushchev.

In 1954, when he was Russia's slave labor chief, he ordered tanks to crush 500 Ukranian women prisoners to death. They sang

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as the steel treads mauled their bodies. Their "crime" was asking Shelepin to stop the inhuman treatment of slave laborers.

Krushchev was so pleased with this that he made Shelepin chief of the Russian Secret Police (KGB).

In that job, Shelepin specialized in political assassination, particularly directed against the leaders of the 45 million Ukrainians who were trying to break the shackles of Russian slavery. In 1959, he ordered the murder of Stepan Bandera, leader of the Organization of Ukrainian Nationalists. This was very nearly the perfect crime. In fact, Hollywood copied the murder weapon, a poison gas pistol, in the James Bond movie, "Thunderball."

For killing Bandera, the one man Moscow was most afraid of, Shelepin was promoted to the Politburo, the most powerful group in the Soviet government.

But this was too tame an assignment. Shelepin gets restless when he isn't killing.

So a few months ago, Kosygin sent him to "advise" Russia's Arab allies.

Alexander Shelepin masterminded the savage public hangings of innocent Jews in Iraq as "spies for Israel and the United States." And he is the force behind the recent outbreaks of Arab terrorism, including the hijacking of Israel-bound airplanes.

This demonstration is sponsored by Ukrainian-Americans who think that Shelepin and his Russian masters have done enough killing.

We are here, on the tenth anniversary of Stepan Bandera's assassination, to focus attention on this sadistic killer and the Russian Bolshevik colonial system he represents.

Shelepin's murder of Bandera was an official act of the Soviet government. In passing sentence on the KGB agent who pulled the trigger of the gas gun, West Germany's Supreme Court branded the murder as having been "carried out at the explicit orders of the (Soviet Russian) government. Political murder has now . . . become an institution."

We want this and Russia's other crimes against humanity to be a matter of world record.

Shelepin's activities in the Middle East are a clear threat to world peace. And we want our ambassador to the United Nations to say so.

Will you help us?

Write to the U.S. Ambassador to the United Nations and tell him that you want Shelepin's criminal record exposed before the General Assembly, and charges lodged against the Soviet Government at the International Court of Justice at The Hague.

The Ambassador's address is: Hon. Charles W. Yost, United States Mission to the United Nations, 799 United Nations Plaza, New York, New York 10017.

Write today.

Let's stop this killer now.

UKRAINIAN NATIONAL MEMORIAL COMMITTEE.
315 EAST 10TH STREET,
NEW YORK, N.Y. 10009.

[From the District of Columbia edition, Washington metropolitan area telephone directory, page 499]

Soviet Embassy—	
Ofc. 1125 16th Nw------	NAtl. 8–7550.
Ofc. 1125 16th Nw------	NAtl. 8–8548.
Secty. to Ambassador, 1125 16th Nw---------	NAtl. 8–8549.
Military & Naval Attache ofc, 2552 Belmnt, Rd. Nw ----------------	DEctr. 2–3741
Miltry, & Naval Attache ofc., 2552 Belmnt. Rd., Nw -----------------	DE. 2–3743.
Visa & Consular Ofc., 1609 Decatr. Nw----------	882–5829.
Res. 1706 18th Nw------	AD. 2–3092.
Coml. Div. 1706 18th Nw -----------------	AD. 2–2917.
Inf. 1706 18th Nw------	AD. 2–3426.
Ofc. 1706 18th Nw------	AD. 2–3756.
Soviet Life Magazine 1706 18th Nw--------	AD. 2–7768.
Ofc. 1706 18th Nw------	CO. 5–2607.
Press Dept. 1115 16th Nw -----------------	347–1347.

TRANSPORTATION OF HAZARDOUS MATERIALS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Iowa (Mr. CULVER) is recognized for 10 minutes.

Mr. CULVER. Mr. Speaker, the House Government Operations Subcommittee on Government Activities of which I am a member, recently held hearings on the problems involved in the transportation of hazardous materials. These hearings focused attention on the alarming increase in accidents involving explosives, poisonous gas, and other hazardous material. The hearings provided an opportunity for Members of Congress to learn about the causes behind this increase.

As the citizens of Iowa know, there is no room for delay in taking steps at the State and Federal level to improve and correct our transportation systems where hazardous cargoes are involved. Action is needed now on the Federal level to provide the basic information to the Department of Transportation that is needed to prevent dangerous accidents and catastrophes. Action in the Congress is needed to pass safety legislation governing our railroads. A large part of our railroad system is now uncovered by any safety legislation.

Radio station KYW, of Philadelphia, recently broadcast a series of reports on the transportation of dangerous material. Reporters Kirk Gardner and Dick Standish have done an outstanding job in highlighting for their listening public the many problems involved. They point to the very excellent job that my colleague, Representative R. D. MCCARTHY, of Buffalo, N.Y., has done in urging corrective legislation. I wish to commend my colleague for his good work in this field. I also wish to commend station KYW for their contribution.

I am including the KYW reports in the RECORD for the information of my colleagues.

TRANSPORTATION OF DANGEROUS MATERIALS

(By Kirk Gardner and Dick Standish)

PART I

When the Army announced that it intended to ship the World War I poison gas phosgene across the country, public concern over the possible danger that might result forced railroad officials to take elaborate precautions to protect against an accident. The Canadian Government felt the threat was so strong that it refused to allow the train to take a shortcut across southern Ontario. KYW News has been told that at the same time that attention was focused on that Army shipment, a private industrial shipment of phosgene gas nearly became involved in an accident in Lackawanna, New York, that could have endangered the lives of thousands of people. That report comes from Congressman Richard McCarthy who had this account of the incident:

"On August 15 of this year two carloads of phosgene by mistake ended up in a rail yard in heavily populated Lackawanna, New York, the city immediately south of Buffalo. Because of this mistake they were put on a track and allowed to just sit there. While they were sitting there a hundred and twenty-five feet away, a derailment occurred on an adjacent track. The car was thrown right off its wheels and thrust into another car on the same track that these two cars of phosgene were sitting. Now, if that had occurred a hundred and twenty-five feet the other way and the wind was blowing at 10, 15 or 20 miles an hour, well, you would have had an absolute disaster."

Both the Penn Central and the Erie Lackawanna Railroad deny any knowledge of the incident. The Lackawanna city police say they have no report of the accident. But Congressman McCarthy says he has a copy of the accident report, pictures of the wrecked cars and an eyewitness account. The importance of the incident is that along with the publicity surrounding the Army shipment, it has aroused public concern over the potential danger that may exist on every railroad and highway in the country from the daily shipments of millions of pounds of dangerous industrial material.

This is Kirk Gardner reporting.

PART II

Crete, Nebraska; Laurel, Mississippi; Dunreith, Indiana, three of the towns that have known tragedy this year. All three of them victims of the industrial age, victims of railroad accidents that involved hazardous substances that resulted in injury, widespread destruction, and death. The railroads say the sudden rise in the number of accidents this year that involved such hazarous materials is just a quirk, a coincidence, that so many should occur in so short a period of time. But many officials see the story differently. They see a grave threat posed to public safety by the daily transfer of high concentrations of tons of hazarous materials on our highways, and our railroads. Some describe it as a potential holocaust. Jim Conman of the New Jersey Department of Labor and Industry is one of those who has warned of the dangers:

"There is real danger in this state to the public from the dangerous materials that are transported over our highways and on our railroads."

Governor William Reed, former Governor of Maine, with the National Transportation Safety Board has stirred federal concern in this area:

"The National Transportation Safety Board feels there isn't any doubt that there is a serious hazard existing because of the transportation of these highly toxic and flammable materials. There's no question about it. Its been borne out in a number of accidents that we've investigated so far."

In coming reports we will try to examine further the question of how much of a threat may be posed by the transportation of hazardous materials both by rail and on the highways.

This is Kirk Gardner reporting.

PART III

The people who live on part of East Broad Street in Burlington City are fifty feet from the sidings where the Penn Central stores chemical tank cars which carry vinyl chloride. The railroad maintains it can't afford to build new storage tracks elsewhere in the general area. As I walked along the rails with a couple of residents, a tank car was giving off a white mist. Our eyes burned. The men talked about what it's like living here and each week hearing of chemical disasters elsewhere in the country.

"It doesn't give you a great feeling of safety, to say the least.

XUM

"Every now and then the length of the car is mistaken by an engineer and he really rams into it and you think that's it. You think you're gonna get the same dose the other people got in the other places."

They complained poor maintenance could lead to a derailment. On one siding the rails looked warped:

"You don't need no experts to see the conditions of these tracks around here."

The man speaking stopped, reached down, and with one hand yanked up a big chunk of wooden tie. It was rotten all the way through.

In Burlington City, Dick Standish, KYW Newsradio.

PART IV

Millions of pounds of potentially hazardous chemicals are transported each day here in the United States by rail. With the increasing rate of accidents on the railroads, many officials have become concerned that an accident in a city involving such chemicals might result in a holocaust. There were eight thousand twenty-eight accidents on the rails last year representing an increase of nearly 100% in just eight years. Derailments in particular are up 80% in three years. A spokesman for the men who work the rails each day says that in his opinion a principal cause of these accidents is bad upkeep of equipment and roadbed. Al Chesser, the United Transportation Workers Union in Washington:

"This is caused by a deferred maintenance problem of the track, the roadway, by old equipment that has not been properly inspected and allowed to operate in a bad condition which it should have been repaired before the car was ever placed back on the train, and our people have called this to the attention of management on different railroads, a car that was what we call bad ordered because of some defect and they've been instructed to take the car and operate it anyway."

Chesser and the Transportation Union have called for government action to require tighter maintenance by the railroads.

"I had said down through the years if something is not done for maintenance of these railroad tracks and the roadbeds, if there's not better inspection of the equipment and the equipment repaired when it should be, that we're gonna face disaster after disaster, and its coming to pass. Look what's happened within the last year of all these wrecks. Now I'm sorry to say but it seems to me that it has taken these accidents to wake the public up to this fact."

Chesser feels that the recent tragedies involving the release of lethal chemicals in Dunreith, Indiana; Laurel, Mississippi; and Crete, Nebraska may have finally brought Congress around to seriously consider new rail safety laws.

This is Kirk Gardner reporting.

PART V

Congressional attention has centered recently on the issue of rail safety, in part because of a number of tragedies this year resulting from the release of hazardous chemicals after a train wreck. The rising accident rate, especially the rising rate of derailments in the past year or so, have been blamed by many observers on faulty maintenance. The railroad companies deny that charge, saying that the rise in the accident rate is more apparent than real, and results in part from increased reporting of minor accidents. Lloyd George of the Association of American Railroads:

"I think some of it is merely chance, other parts of it are probably due to weather conditions that have affected right-of-way more than usual. Now just why that should be so I don't know, but I am quite aware of the fact that since the first of the year there has been a rather marked increase in the number of derailments occurring."

The companies do not deny that many of the materials transported through the cities of the country potentially could cause havoc if they escaped but they stress they are safe if properly handled. George points out that many of the basic materials of our complex industrial society involve potentially lethal components.

"I think that there is some danger to the public. I think it's a minimum danger considering the values to be gained by transporting these materials. It's a small risk compared to many others we take in our daily life."

Despite the opposition to government action by the railroads, many observers say that action probably will be taken in Washington soon to increase rail safety regulations.

This is Kirk Gardner reporting.

PART VI

A number of accidents have occurred in recent months involving the release of hazardous chemicals that resulted in damage, injury and death. As a result of these accidents many public officials have called for a review of the laws covering the transportation of hazardous materials. Although the greater part of these chemicals are transported by rail, many officials say that the greatest danger exists on the highways. William Reed of the National Transportation Safety Board in Washington:

"There's no question about it. This has been one of our major concerns is that we've seen it happen that fortunately so far in relatively rural uninhabited areas. However, there's no reason to think that we will always be as lucky, that you're quite apt to . . . could happen in a large metropolitan urban area, and the destruction could be very widespread and there could be many fatalities as a result of it. There's no question that these materials are hazardous and they've amply demonstrated that they cause widespread havoc and we have to be concerned."

The problem, according to officials, is their relative inability to determine which trucks may have hazardous cargos on board, and to control the movement of those trucks. Danger on the highway is the intimacy between those trucks and the general public as well as the relatively high probability of an accident.

This is Kirk Gardner reporting.

PART VII

Millions of pounds of potentially lethal chemicals are shipped daily here in the United States and for most people the possible threat, should something go wrong, is most intimate on the nation's highways. Although there are a great number of laws and regulations covering the transportation of hazardous materials by truck, both at the state and federal level, many officials say there is a good chance that the truckers who ignore these rules will get away with it. The problem, especially at the state level, is the inadequate number of inspectors available to properly enforce the law. In New Jersey, one of those who have continually fought for more manpower for road inspections is Jim Conman of the Department of Labor and Industry:

"There are certain laws which we make no attempt at enforcement, for example, the transportation of dangerous articles Act is not enforced by this bureau. There are other agencies in the state which may or may not enforce it, but we do not perform the function that the law gives us because we do not have the personnel to do that work."

Last year Conman's office asked for 60 men to beef up its inspection staff and were given two clerks.

This is Kirk Gardner reporting.

PART VIII

A number of major accidents involving the release of hazardous chemicals in recent months have attracted the attention of Congress to the problems of the transportation of such chemicals. Among those who have taken particular concern in this area is New York Congressman Richard McCarthy, who has called for new laws to regulate the safety of such shipments of lethal chemicals but McCarthy points out care must be taken not to unduly interfere with commerce:

"This is one of the biggest issues of modern society. This is the whole environmental question. I mean how can an urbanized, industrialized, overpopulated society live in harmony with nature when we are threatening our entire environment with air pollution, water pollution, the erosion of our soil and our land. Now you add this other hazard of the transportation of lethal materials through these heavily populated areas. We can't turn the clock back. After all, many of these chemicals are essential to our society as it exists. The obvious thing, you know, we have to do is to recognize the danger and apply a strict safety standard that must be adhered to."

A number of bills stiffening the rules on the transportation of hazardous materials have been introduced in Washington, and their supporters say they have a good chance for passage.

This is Kirk Gardner reporting.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. **FARBSTEIN**, for October 13, 1969, and the balance of the week on account of official business.

Mr. **DEVINE** (at the request of Mr. **ARENDS**), for October 14 through October 24, on account of official business as U.S. delegate to the NATO Parliamentary Conference.

Mr. **ADAMS**, for October 14 through October 17, on account of official business.

Mr. **ARENDS**, for October 14 through October 22, on account of official business as U.S. delegate to the NATO Parliamentary Conference.

Mr. **COHELAN** (at the request of Mr. **ALBERT**), for the week of October 13, 1969, on account of official business at The Hague International Peace Corps Conference.

Mr. **MARTIN** (at the request of Mr. **GERALD R. FORD**), for October 14 through October 24, on account of official business as U.S. observer to the NATO Parliamentary Conference.

Mr. **HOSMER** (at the request of Mr. **GERALD R. FORD**), for week of October 13, on account of death in family.

Mr. **FINDLEY** (at the request of Mr. **ARENDS**), for October 14 through October 24, on account of official business as U.S. delegate to the NATO Parliamentary Conference.

Mr. **QUIE** (at the request of Mr. **ARENDS**), for October 14 through October 24, on account of official business as U.S. delegate to the NATO Parliamentary Conference.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. **FRASER**, for 60 minutes, tomorrow.

Mr. **RYAN**, for 15 minutes, today.

Mr. **CONYERS** (at the request of Mr. **RYAN**), for 15 minutes, today.

Mr. **MIKVA** (at the request of Mr. **RYAN**), for 15 minutes, today.

Mr. Eckhardt (at the request of Mr. Ryan), for 15 minutes today; to revise and extend his remarks and include extraneous matter.

Mr. Podell, for 60 minutes, tomorrow.

Mr. Hechler of West Virginia, for 15 minutes, tomorrow.

Mr. Yates for 60 minutes, on Tuesday, October 14.

(The following Members (at the request of Mr. Mann); to revise and extend their remarks and include extraneous matter:)

Mr. Rodino, for 15 minutes, today.

Mr. Rarick, for 15 minutes, today.

Mr. Culver, for 10 minutes, today.

(The following Members (at the request of Mr. Hogan); to revise and extend their remarks and include extraneous matter:)

Mr. Gubser, for 15 minutes, today.

Mr. Halpern, for 1 hour, on October 14.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Brown of Ohio, Mr. MacGregor, Mr. Steiger of Wisconsin to extend their remarks following the President's message today.

Mr. Anderson of Illinois, Mr. Gerald R. Ford, and Mr. McClory (at the request of Mr. Arends) to follow the President's message today.

(The following Members (at the request of Mr. Hogan) and to include extraneous matter:)

Mr. Steiger of Wisconsin in two instances.
Mr. Burton of Utah in 10 instances.
Mr. Fish.
Mr. Bush.
Mr. Dellenback.
Mr. Wold.
Mr. Pirnie in two instances.
Mr. Keith.
Mr. Derwinski in two instances.
Mr. Gude.
Mr. Schwengel.
Mr. Adair.
Mr. Denney.
Mrs. Heckler of Massachusetts in two instances.
Mr. Landgrebe in three instances.
Mr. Scott.
Mr. Horton in three instances.

(The following Members (at the request of Mr. Mann) and to include extraneous matter:)

Mr. Rodino.
Mr. Corman.
Mr. Powell.
Mr. Van Deerlin.
Mr. Blatnik.
Mr. Murphy of New York.
Mr. Hays in two instances.
Mr. Philbin in three instances.
Mr. Hébert.
Mr. Vanik in two instances.
Mr. Minish.
Mrs. Griffiths.
Mr. Eilberg.

ADJOURNMENT

Mr. MANN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 48 minutes p.m.), the House adjourned until tomorrow, Tuesday, October 14, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1245. A letter from the Secretary of the Army and Under Secretary of Agriculture, transmitting notice of the intention of the Departments of the Army and Agriculture to interchange jurisdiction of civil works and national forest lands at Libby Dam and Reservoir, Mont., pursuant to the provisions of 16 U.S.C. 505 a and b; to the Committee on Agriculture.

1246. A letter from the Secretary of Defense, transmitting a report of disbursements for "Contingencies, Defense," during fiscal year 1969, pursuant to the provisions of Public Law 90–580; to the Committee on Appropriations.

1247. A letter from the Deputy Assistant Secretary of Defense (Installations and Housing), transmitting notification of an increase in excess of 15 percent in the projected cost of a construction project proposed to be undertaken for the Army Reserve in New Orleans, La.; to the Committee on Armed Services.

1248. A letter from the Acting Assistant Secretary of Defense (Installations and Logistics), transmitting a report on Department of Defense procurement from small and other business firms for fiscal year 1969, pursuant to the provisions of section 10(d) of the Small Business Act, as amended; to the Committee on Banking and Currency.

1249. A letter from the chairman, National Advisory Council on Education Professions Development, transmitting a portion of the 1969–70 annual report of the council; to the Committee on Education and Labor.

1250. A letter from the Comptroller General of the United States, transmitting a report on U.S. policies and procedures for obtaining NATO cost sharing of military construction projects in Europe, Department of Defense; to the Committee on Government Operations.

1251. A letter from the Comptroller General of the United States, transmitting a report of the review of internal audit activities in the Department of the Treasury; to the Committee on Government Operations.

1252. A letter from the Secretary of Defense, transmitting a report on the Federal voting assistance program, for the period from September 1967, through September 1969, pursuant to the provisions of Public Law 296, 84th Congress; to the Committee on House Administration.

1253. A letter from the chairman, Advisory Council on Historic Preservation, transmitting a draft of proposed legislation to amend the act of October 15, 1966 (80 Stat. 915), establishing a program for the preservation of additional historic properties throughout the Nation, and for other purposes; to the Committee on Interior and Insular Affairs.

1254. A letter from the Deputy Administrator of Veterans' Affairs, transmitting a draft of proposed legislation to liberalize the provisions of law governing the payment of increased disability compensation as the result of examination or hospitalization in a nongovernmental hospital; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PERKINS: Committee of Conference. Conference report on H.R. 13194 (Rept. No. 91–560). Ordered to be printed.

Mr. TAYLOR: Committee on Interior and Insular Affairs. H.R. 13767. A bill to authorize the appropriation of funds for Fort Donelson National Battlefield in the State of Tennessee, and for other purposes; with an amendment (Rept. No. 91–561). Referred to the Committee of the Whole House on the State of the Union.

Mr. TAYLOR: Committee on Interior and Insular Affairs. H.R. 9163. A bill to authorize the disposal of certain real property in the Chickamauga and Chattanooga National Military Park, Ga., under the Federal Property and Administrative Services Act of 1949 (Rept. No. 91–562). Referred to the Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee on Education and Labor. H.R. 13950. A bill to provide for the protection of the health and safety of persons working in the coal mining industry of the United States, and for other purposes (Rept. No. 91–563). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABBITT (for himself, Mr. McMillan, Mr. Jones of North Carolina, and Mr. Stubblefield):

H.R. 14306. A bill to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

By Mr. BROYHILL of Virginia:

H.R. 14307. A bill to amend the National Capital Planning Act of 1952 to provide that the Members of Congress who represent the counties of Maryland and Virginia adjacent to the District of Columbia shall be ex officio members of the National Capital Planning Commission; to the Committee on the District of Columbia.

By Mr. BUSH (for himself, Mr. Carter, Mr. Frey, Mr. Gubser, Mr. Horton, Mr. Lukens, Mr. McCloskey, Mr. Pettis, Mr. Reid of New York, and Mr. Wold):

H.R. 14308. A bill to redesignate the Department of the Interior as the Department of Resources, Environment, and Population, and to transfer to such Department certain programs and functions currently being carried out by other Federal departments and agencies; to the Committee on Government Operations.

By Mr. CHAMBERLAIN:

H.R. 14309. A bill to amend the Internal Revenue Code of 1954 to provide that certain tuition payments be treated as charitable contributions; to the Committee on Ways and Means.

By Mr. CORMAN (for himself, Mr. Burlison of Missouri, Mr. Conable, Mr. Denney, Mr. Dent, Mr. Edwards of Alabama, Mr. Galifianakis, Mr. Jacobs, Mr. Latta, Mr. Mathias, Mr. McCloskey, Mr. Shipley, and Mr. White):

H.R. 14310. A bill to amend title 10 of the United States Code to provide that Medal of Honor winners be presented with United States and service unit flags; to the Committee on Armed Services.

By Mr. DELLENBACK:

H.R. 14311. A bill to amend title II of the Social Security Act to permit an individual receiving benefits thereunder to earn outside income without losing any of such benefits; to the Committee on Ways and Means.

By Mr. FISHER:

H.R. 14312. A bill to amend section 1401a(b) of title 10, United States Code, relating to adjustments of retired pay to reflect changes in Consumer Price Index; to the Committee on Armed Services.

By Mr. FRASER:

H.R. 14313. A bill to amend the District of Columbia Teachers' Salary Act of 1955, as amended; to the Committee on District of Columbia.

By Mr. FRIEDEL:

H.R. 14314. A bill to provide increased annuities under the Civil Service Retirement Act; to the Committee on Post Office and Civil Service.

H.R. 14315. A bill to amend chapter 83, title 5, United States Code, to eliminate the reduction in the annuities of employees or Members who elected reduced annuities in order to provide a survivor annuity if predeceased by the person named as survivor and permit a retired employee or Member to designate a new spouse as survivor if predeceased by the person named as survivor at the time of retirement; to the Committee on Post Office and Civil Service.

By Mr. MacGREGOR:

H.R. 14316. A bill to amend title II of the Social Security Act to provide that service performed by an individual during World War II under a war service indefinite appointment in the Post Office Department shall constitute covered employment for purposes of determining such individual's entitlement to disability insurance benefits and the disability freeze; to the Committee on Ways and Means.

By Mr. MARSH:

H.R. 14317. A bill to provide for a study of weather modification activities, for the coordination and reporting of such activities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MIKVA (for himself, Mr. Burton of California, Mr. Brown of California, Mrs. Chisholm, Mr. Clay, Mr. Conyers, Mr. Diggs, Mr. Eckhardt, Mr. Edwards of California, Mr. Fraser, Mr. Gilbert, Mr. Green of Pennsylvania, Mr. Hawkins, Mr. Hechler of West Virginia, Mr. Helstoski, Mr. Kastenmeier, and Mr. Koch):

H.R. 14318. A bill to create an Office of Defense Review; to the Committee on Armed Services.

By Mr. MIKVA (for himself, Mr. Leggett, Mr. Lowenstein, Mrs. Mink, Mr. Moorhead, Mr. Ottinger, Mr. Podell, Mr. Rosenthal, Mr. Ryan, Mr. Scheuer, Mr. Stokes, Mr. Tiernan, and Mr. Wolff):

H.R. 14319. A bill to create an Office of Defense Review; to the Committee on Armed Services.

By Mr. QUIE:

H.R. 14320. A bill to amend the Federal Water Pollution Control Act, as amended, to provide adequate financial assistance and to increase the allotment to certain States of construction grant funds; to the Committee on Public Works.

By Mr. REID of New York:

H.R. 14321. A bill to prohibit the sale or shipment for use in the United States of the chemical compound known as DDT; to the Committee on Agirculture.

By Mr. RIVERS:

H.R. 14322. A bill to amend section 405 of title 37, United States Code, relating to cost-of-living allowances for members of the uniformed services on duty outside the United States or in Hawaii or Alaska; to the Committee on Armed Services.

By Mr. RYAN (for himself, Mr. Brown of California, Mr. Burton of California, Mrs. Chisholm, Mr. Clay, Mr. Conyers, Mr. Diggs, Mr. Eckhardt, Mr. Edwards of California, Mr. Fraser, Mr. Gilbert, Mr. Green of Pennsylvania, Mr. Hawkins, Mr. Hechler of West Virginia, Mr. Helstoski, and Mr. Kastenmeier):

H.R. 14323. A bill to establish a Temporary National Security Commission; to the Committee on Armed Services.

By Mr. RYAN (for himself, Mr. Koch, Mr. Leggett, Mr. Lowenstein, Mr. Mikva, Mrs. Mink, Mr. Moorhead, Mr. Ottinger, Mr. Podell, Mr. Rosenthal, Mr. Scheuer, Mr. Stokes, Mr. Tiernan, and Mr. Wolff):

H.R. 14324. A bill to establish a Temporary National Security Commission; to the Committee on Armed Services.

By Mr. CARTER (for himself and Mr. Pepper, Mr. Frey, Mr. Kuykendall, Mr. Haley, Mr. Buchanan, Mr. Montgomery, Mr. Mayne, Mr. Denney, Mr. Whitehurst, Mrs. Mink, Mr. Chappell, Mr. Griffin, Mr. Gallagher, Mr. Moss, Mr. Gibbons, Mr. Scott, Mr. Button, Mr. McDade, Mr. Rooney of Pennsylvania, Mr. Fuqua, Mr. Cowger, Mr. Matsunaga, Mr. Pollock, and Mr. Brown of Ohio):

H.J. Res. 945. Joint resolution to authorize the President to proclaim the month of January of each year as "National Blood Donor Month"; to the Committee on the Judiciary.

By Mr. CARTER (for himself, Mrs. Heckler of Massachusetts, Mr. Don H. Clausen, Mr. Friedel, Mr. Erlenborn, Mr. McEwen, Mr. Mize, Mr. Watson, Mr. Smith of New York, Conable, Mr. Davis of Wisconsin, and Mr. Conyers):

H.J. Res. 946. Joint resolution to authorize the President to proclaim the month of January of each year as "National Blood Donor Month"; to the Committee on the Judiciary.

By Mr. COHELAN (for himself, Mr. Fallon, Mr. Galifianakis, Mr. Cunningham, Mr. Jacobs, Mr. Stubblefield, Mr. Lloyd, Mr. Tiernan, Mr. Dent, Mr. Diggs, Mr. Broyhill of Virginia, Mr. Barrett, Mr. Pucinski, Mr. Stanton, Mr. Schwengel, and Mr. Carter):

H.J. Res. 947. Joint Resolution to supplement the joint resolution making continuing appropriations for the fiscal year 1970 in order to provide for carrying out programs and projects, and for payments to State educational agencies and local educational agencies, institutions of higher education, and other educational agencies and organizations, based upon appropriation levels as provided in H.R. 13111 which passed the House of Representatives July 31, 1969, and entitled "An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1970, and for other purposes"; to the Committee on Appropriations.

By Mr. ECKHARDT:

H.J. Res. 948. Joint resolution to supplement the joint resolution making continuing appropriations for the fiscal year 1970 in order to provide for carrying out programs and projects, and for payments to State educational agencies and local educational agencies, institutions of higher education, and other educational agencies and organizations, based upon appropriation levels as provided in H.R. 13111, which passed the House of Representatives July 31, 1969, and entitled "An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1970, and for other purposes"; to the Committee on Appropriations.

By Mr. ECKHARDT (for himself, Mr. Brown of California, Mr. Burton of California, Mrs. Chisholm, Mr. Clay, Mr. Conyers, Mr. Diggs, Mr. Edwards of California, Mr. Fraser, Mr. Gilbert, Mr. Green of Pennsylvania, Mr. Hawkins, Mr. Hechler of West Virginia, Mr. Helstoski, Mr. Kastenmeier, and Mr. Koch):

H.J. Res. 949. Joint resolution to create a joint congressional committee to review, and recommend changes in, national priorities and resource allocation; to the Committee on Rules.

By Mr. ECKHARDT (for himself, Mr. Rosenthal, Mr. Leggett, Mr. Lowenstein, Mr. Mikva, Mrs. Mink, Mr. Moorhead, Mr. Ottinger, Mr. Podell, Mr. Ryan, Mr. Scheuer, Mr. Stokes, Mr. Tiernan, and Mr. Wolff):

H.J. Res. 950. Joint resolution to create a joint congressional committee to review, and recommend changes in, national priorities and resource allocation; to the Committee on Rules.

By Mr. BINGHAM:

H. Con. Res. 404. Concurrent resolution on withdrawal from Vietnam; to the Committee on Foreign Affairs.

By Mr. MURPHY of New York (for himself, Mr. Halpern, Mr. Powell, Mr. King, Mr. Biaggi, and Mr. Farbstein):

H. Con. Res. 405. Concurrent resolution expressing the sense of the Congress that the Federal Power Commission should render a decision in the matter of the application in project No. 23–38, Consolidated Edison Co. of New York, Inc., to erect an electric generating station in Cornwall, N.Y., no later than 90 days after passage of this concurrent resolution; to the Committee on Interstate and Foreign Commerce.

By Mr. MURPHY of New York (for himself, Mr. Halpern, Mr. Powell, Mr. King, and Mr. Biaggi):

H. Res. 578. Resolution providing for a study and investigation by the Committee on Interstate and Foreign Commerce of the procedures of the Federal Power Commission; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURTON of California:

H.R. 14325. A bill for the relief of Wing Chong Lee; to the Committee on the Judiciary.

By Mr. MacGREGOR:

H.R. 14326. A bill for the relief of Mrs. Dorothy M. Kapsen; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

287. By the SPEAKER: Petition of the Association of Chairman of City, Town, and Village Assemblies in Okinawa, relative to removal of poison gas weapons from Okinawa; to the Committee on Armed Services.

288. Also, petition of Henry Stoner, York, Pa., relative to creation of a national institution of higher learning; to the Committee on Education and Labor.

289. Also, petition of the city council, Boston, Mass., relative to ending the war in Vietnam; to the Committee on Foreign Affairs.

290. Also, petition of the City Council, Worcester, Mass., relative to the creation of a

"Postal Corporation"; to the Committee on Post Office and Civil Service.

291. Also, petition of Walter C. Grunthal, Lone Pine, Calif., et al. relative to pensions for World War I veterans; to the Committee on Veterans' Affairs.

EXTENSIONS OF REMARKS

THE VIETNAM MORATORIUM DEMONSTRATIONS

HON. LEN B. JORDAN

OF IDAHO

IN THE SENATE OF THE UNITED STATES

Monday, October 13, 1969

Mr. JORDAN of Idaho. Mr. President, the Vietnam moratorium demonstrations set for October 15 could be of great value to the Nation if their focus was on provoking a thoughtful discussion of the problems involved in ending this war. I would hope that this moratorium be used not merely to denounce our involvement in Vietnam, but to consider seriously some of the implications of ending that involvement. An excellent article on this point was recently published in the Christian Science Monitor. As its author, William H. Stringer, points out:

> The United States is accused of blundering into the war in Vietnam. It should not blunder out.

Some of the important questions which the article raises are these: What will be the fate of middle- and low-echelon Vietnamese officials after an American withdrawal? Should provisions be made to guarantee their safety or to grant them freedom to leave South Vietnam if they wish? And what will be the impact of an American withdrawal on the rest of Southeast Asia? Will it leave Peking and Moscow free to dominate the governments of that region?

Another point that merits discussion is what effect demonstrations such as these have on the Paris peace talks. While I would not question the propriety of these expressions of opinion, I do believe that responsible critics must do some thinking about how their actions will influence the speed with which a negotiated settlement is reached.

In short, I hope that October 15 will prove to be a day of constructive discussion—a true teach-in—rather than a purely emotional demand for an immediate end to the war. I ask unanimous consent that the article be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TEACH-IN?

(By William H. Stringer)

It would be useful if the Vietnam moratorium demonstrations set for Oct. 15 were to be "teach-ins"—candid discussions—of just what can and should be done to get the miserable war over as quickly as possible. There should be something more than mere "downing tools" that day, more than just calling the war "obscene," more than advocating, as does Dr. Spock, "immediate withdrawal" without any major conditions.

The United States is accused of blundering into the war in Vietnam. It should not blunder out.

Everyone should know precisely what is being advocated. For instance, what is to be done about those thousands of middle and low echelon Vietnamese officials who might well be murdered if the United States should quit Vietnam tomorrow? Not the Kys and Thieus, who presumably could quit the country—some top figures have bank accounts stashed away in Switzerland. But many city and village officials like those honorable citizens of Hue who were murdered for being there and being neutral, when the Communists briefly held that ancient citadel. Can guarantees be obtained from Hanoi? Would anyone wishing to leave South Vietnam be free to go? Where to?

Or what about the impact of a swift American retreat on the rest of South and Southeast Asia? Does the United States pull out of Thailand, and Laos? It is considered to be factually correct that the Indonesian leaders found courage to frustrate the bid of Peking-style communism to take over their country, thanks to the presence of the Americans in Vietnam and the British in Malaysia. It is rather useful that all of Southeast Asia is not now in the grip of a communism oriented in Peking. Would total American withdrawal aid Peking, or Moscow, or whom?

A great and responsible nation does not bug out of an area which it has penetrated, with whatever mistaken motives, without considering more than the feelings of outrage felt by some citizens.

The major culprit here, it would seem, is the government in Saigon. It hasn't by any means broadened its base, brought in neutral and civilian viewpoints, cleaned out corruption, widened its public support. President Nixon thought that his slow pace of American troop withdrawals would pressure Saigon to see the light. There are those who fault Mr. Nixon for not pacing American troop withdrawals to the pace of Hanoi's reduction of its infiltration into South Vietnam. Certainly if the President were visibly tougher on Saigon, he would win further breathing space for his peacemaking.

But what Mr. Nixon's strategy is up against is the fact that some young Americans understandably want the United States to get out of the war, totally and right now, without considering the consequences on Hanoi of the protest movement they have set in motion. Those who dealt with Communist negotiators in Korea, or in the interminable meetings which finally moved the Russians out of Austria, know that such negotiations depend on many complex factors. These include, right now at Paris, the state of American opinion.

We are told that Henry Kissinger, at the White House, argued to several young Republican congressmen—who would move to repeal the Tonkin Gulf resolution—that every political protest which advised Hanoi of rising American antiwar sentiment, would be one more blow to the President's hope of compelling North Vietnam to *negotiate* an end to the conflict.

It surely must be obvious that if the United States should set a date—such as the end of 1970—to be out of Vietnam, bag and baggage, all Hanoi has to do is sit tight and await the day. This would be about as sensible as for General Eisenhower to have advised Hitler, on D-Day, that if the Americans weren't in Paris in two months, they would quit World War II and go home.

When the students go ringing doorbells on October 15, they should bring with them estimates, as accurate as possible, of the total consequences of what they propose.

NEW LEMINGTON DEVELOPMENT: 18-MONTH FIGHT BRINGS HOUSING

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. MOORHEAD. Mr. Speaker, I would like to call to the attention of this House the fine efforts of a group of Pittsburgh citizens, who in their own way sought a solution to our national housing shortage. Acting independently, this group built their hopes of more housing for more Americans, into reality, an 87-unit moderate-income apartment building.

Their pioneer efforts were undertaken at great personal sacrifice as well as financial risk.

Their efforts and results are described in the following article which appeared in the October 6 issue of the Pittsburgh Post-Gazette:

NEW LEMINGTON DEVELOPMENT: 18-MONTH FIGHT BRINGS HOUSING

(By Bohdan Hodiak)

A group of civic-minded Pittsburgh residents closed a $1.7 million deal with federal officials last week for an 87-apartment housing development in Lemington Heights, in the Lincoln Avenue-Lemington District of the 12th Ward.

The non-profit, moderate-income development took 18 months to arrange.

It was suggested and nursed by David Horwitz, a McKees Rocks optometrist who lives in Squirrel Hill and describes himself as "an absolute and complete amateur" in housing.

NEARLY CANCELED

To pass safely through the bureaucratic meat grinder took several thousand hours of work, the risk of thousands of dollars, and the help of a congressman and two U.S. senators, he said.

Even then the project was nearly cancelled several times.

The local Federal Housing Authority (FHA) originally turned it down, the land purchase option ran out, there was not enough money, the contractor had second thoughts about taking on the project, and all the experts said, "We told you it couldn't be done."

It started in March 1968 at a meeting of the United Jewish Congress (UJC) in Squirrel Hill. "Everybody says the city needs housing," said Dr. Horwitz of 6316 Bartlett St.

"Why can't we form a corporation, get an FHA guarantee, and build some homes?"

AGREED TO HELP

Three men at the meeting agreed to help: Daniel Berger, an attorney, Jacob J. Gzesh, an architect, and William Behrend, a realtor, who said he knew of 6.5 acres of land that might be suitable. The UJC voted its approval.

The Metropolitan Pittsburgh Non-Profit Housing Corporation was organized with Horwitz as president; I. Martin Wekselman, an attorney, as vice president; Alma Fox of NAACP as executive secretary; and the Rev. David Malone, former pastor of the Lemington Presbyterian Church, as members.

They went to the local FHA and were turned down. They were told the immediate area of Lemington Avenue and Missouri Street did not need moderate income housing.

"But Pittsburgh does," Horwitz said and went to Rep. William Moorhead, Shadyside Democrat, for help. He also went to the state's two federal senators. The decision was reversed.

PUT UP OWN MONEY

Horwitz then put up $7,800 of his own capital to get an option on the land which was offered for $75,000.

The Urban Affairs Foundation of the UJC put up $9,322 and then the housing group managed to get $35,280 in Appalachian Funds. (The federal government considers Pittsburgh a part of Appalachia.)

This was the seed money. Gzesh designed the project; Berger went to work on the legal maze. About this time they found out they would have to buy additional land to satisfy FHA requirements.

The parcels cost $19,850 more but the FHA would not cover them.

The choice was between dropping the project or hope that later contributions would cover the difference. They decided to take a chance on contributions.

PUT OUT FOR BIDS

The development was designed and put out for bids. Every bid that came in was over the FHA limit. Then the group found American Modulars Corp., a wholly owned subsidiary of U.S. Steel.

Modulars built pre-fabricated housing that reduced construction costs around 15 percent. Ryan Homes Inc. agreed to build the development using the pre-fab housing.

Then the group discovered that because the housing development had winding streets instead of straight streets it would have to seek approval of the project from the City Planning Commission and the City Council, Horwitz said.

They went to the Housing Authority of Pittsburgh and begged it to take the project off their hands.

Two authority members said they had questions about the project's density and wanted time to study it.

SEVERAL PROTESTED

Because the option was close to running out the group went back to the Planning Commission. At the public hearing several protesters showed up. Several claimed they were not notified in time. The hearing was postponed.

The following month the same protesters showed up. Their objections were similar to those the commission hears every time a new housing project is proposed.

"We're not against this project or against housing," they said, "but we don't want it in our neighborhood."

The Planning Commission approved the project. The option ran out. The City Council approved the project.

The attorney for the land owner called in Horwitz and told him the rezoned land was now more valuable and asked $100,000. There was a flurry of meetings.

Horwitz told the attorney that they couldn't raise the extra money and that the project was dead. The price went down to $85,000.

The project's architect, realtor, the attorney all agreed to take a cut to make up the $10,000 difference. Then the contractor had second thoughts because the summer months had passed.

The project would be more costly to start in the fall and winter. Last Monday at 9 p.m. Horwitz received a call from the contractor saying he would accept the project.

The following day, after a nine-hour closing session the development was approved by the FHA. There was a foot-high stack of paperwork.

Land clearing should begin in two weeks with completion in Jan. 1971. Most of the apartments will have three bedrooms and 20 per cent will be rent subsidized for low income families.

A MESSAGE TO CONSERVATIONISTS

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Monday, October 13, 1969

Mr. SCOTT. Mr. President, as a member of the Subcommittee on Natural Resources and the Environment of the Committee on Commerce, and as a sponsor of several measures aimed at preserving and reclaiming our natural environment, I took interest in James J. Kilpatrick's "Call for Action" for conservationists.

I ask unanimous consent that Mr. Kilpatrick's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CALL FOR ACTION

(By James J. Kilpatrick)

WASHINGTON.—Several hundred leading conservatives gathered at the Sheraton-Park last weekend to take the waters and toast the Republic. The occasion was an awards dinner sponsored by American Conservative Union, Human Events, National Review, and Young Americans for Freedom, honoring Senator John Williams of Delaware and Congressman H. R. Gross of Iowa.

The sponsors of the clambake invited me to make a few remarks. I am not at all certain that this is what I said, but it is what I had in mind to say:

On the record, gentlemen, our cause goes well. In both the House and Senate, the number of conservatives gradually increases. The same modestly encouraging picture may be seen in statehouses across the land. Our peerless leader in the White House may not be a true-blue conservative—not as true-blue as Messrs. Williams and Gross—but he is far more congenial to our views than, say, Hubert Humphrey. He is as conservative a President as we had any hope of electing, and we are lucky to have him.

Yet the conservative cause, if it would continue to prosper, must in some fashion overcome its image as the negative party. Dammit, gentlemen, when will conservatives apply their talents to affirmative answers to American problems?

One of the most serious problems in American society goes to the quality of life in the world around us. Our rivers and lakes are dying of pollution. Our greatest cities stifle in smog. Our littered streets insult the eye. Concern mounts at the residual damage done to man's environment by such pesticides as DDT. Year by year, our loveliest countrysides are yielded up.

The problem essentially is a problem of conservation—of conserving some of the great values of America; and conservatives, of all people, ought to be in the vanguard of the fight. Yet if one were asked to name quickly the political figure most identified with pollution, it would be Muskie of Maine. If beautification of the highways is identified with a single person, it is identified with Ladybird Johnson. Think of pesticides, and one thinks of Nelson of Wisconsin. Where lies the leadership in preserving wild rivers, redwood forests, wilderness areas? Gentlemen it is not to be found on our side of the aisle.

Ours is the party most identified with commerce, business and industry. We defend their interests well. But isn't something more demanded in the name of an affirmative conservatism? Why do we let Ralph Nader monopolize the duties of right conscience? Do we not have an obligation to wage our own war upon fraud, shoddy merchandise, and exploitation of the poor?

One of the great principles of our philosophy goes to the right of privacy—to man's right to be left alone from the harassments of the state. Yes, we have done better here. Ervin of North Carolina, for one, has been in the forefront of an admirable effort to protect the privacy of federal workers. Yet conservatives, by and large, are not identified with this effort. Liberals have beaten us to it.

What are we doing—really doing—about our cities? Where are our leaders in relieving racial tensions? What effective answers have we offered for the housing of low-income families? Do conservatives have a program for elderly Americans, caught in the vise of inflation? We are bold and fearless, to be sure, in the cause of law and order. But where are our voices for penal reform?

It is a feeble response, my brothers, to insist that of course conservatives are "for" something: We are for the greatest personal freedom consistent with ordered liberty. We are for the proposition of limited government under a federal system. We are for balanced budgets, sound dollars, strong defense, and honest work. We are for the church, the home, the flag. We are keen on clean movies. Our strength is as the strength of ten, because our hearts are pure. Great! But if I had only one political wish, conservatively speaking, I would wish to see us translate broad conservative principles more frequently into specific, affirmative action.

ENDING THE VIETNAM WAR

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. LANDGREBE. Mr. Speaker, I would like to draw the attention of my colleagues to a letter I received recently from the Honorable Roy H. Hibner, a member of the house of representatives in Indiana. His comments on the statements of some Members of Congress on ending the Vietnam war bear our attention and concern. I urge my colleagues to give it their careful consideration:

STATE OF INDIANA,
HOUSE OF REPRESENTATIVES,
Michigan City, Ind., October 1, 1969.

Representative EARL LANDGREBE,
House of Representatives,
Washington, D.C.

DEAR EARL: I was very much upset to read some of the statements made by some of your colleagues in the House and Senate relative to ending the Vietnam War on a certain date and cutting it off as if it could be turned off like a water faucet! I wrote to some of these senators and representatives, and I really expressed my opinion in a very strong language to them.

If we are not fighting for a principle in Vietnam, then where were these people a few years ago? They should have impeached President Johnson if we were fighting without any purpose.

These irresponsible statements are unpatriotic and give aid and comfort to our enemy, prolong the war, and increase the casualties.

I believe if the entire Congress would back

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the President to the hilt, it would give him a very strong hand at the negotiating table, and this war would end in a very short time. This is the feeling of many people with whom I have talked.

You have my permission to present or read this letter to any other congressman you so desire.

Sincerely,

Roy H. Hibner,
State Representative.

OCTOBER 15—AIDING THE ENEMY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. RARICK. Mr. Speaker, recently I called to the attention of our colleagues and inserted in the Record—page 29367—the full text of the Radio Hanoi broadcast praising the disloyal or misled Americans who are planning the so-called moratorium next Wednesday.

Today's column by David Lawrence discusses fully the benefits which the enemy will gain by these activities. He reports quite correctly that prolonging the war will cost American lives, and that irresponsible statements being made both inside and outside of the Congress are unquestionably encouraging the enemy to prolong the war.

I insert his column in my remarks at this point:

Critics Asking United States To Surrender

(By David Lawrence)

For the first time in American history, some members of Congress as well as a number of protesting groups are demanding that the United States run up the white flag and yield to the enemy in Vietnam after many American lives have been sacrificed for a great principle—to repel aggression and aid weaker nations to determine their own destiny.

No public opinion poll has directly asked the question whether the American people favor surrender. The customary queries have been whether the war is being handled properly or if it should be brought to an end, without reference to how this could be achieved. The issue has not been clearly put to the people. If it were, undoubtedly Americans would reject any humiliating policy amounting to "peace at any price."

Resolutions are being offered in Congress and are being supported by various organizations which plan "demonstrations" in many cities on October 15 to insist that the United States make peace at once. Not a single one of these proposals requires as a condition any reciprocal action to be taken by the North Vietnamese. In Paris this week, both North Vietnam and the Viet Cong have deliberately ignored peace efforts made by the United States, and are offering no concessions whatsoever.

The forthcoming "Protest Day" in the United States—next Wednesday—is being hailed by the Communists as a sign that the American people are willing to surrender. Seventeen senators and 47 House members are supporting the projected "demonstrations."

The chief American delegate at Paris, Henry Cabot Lodge, has been pleading in vain for talks that would accomplish constructive purposes, but the opposing delegations at the Paris conference have been turning a deaf ear. The negotiators of the North Vietnamese government instead are placing great hopes on the signs of American opposition to the war. One of the Hanoi representatives says that support is snowballing in the United States in behalf of the Communists.

Almost every week some members of the Senate and the House call for a more and more rapid pullout of American forces by President Nixon, but not one of them imposes any condition on the enemy to take the action necessary to assure peace in South Vietnam. Timetables are being specified by senators for the withdrawal of the American troops, yet no stipulation is made that the enemy must also remove its military forces from South Vietnam.

Meanwhile, there is much talk about a "coalition government" being set up which could replace the present government in South Vietnam and make it easy for North Vietnam to move in and assume command. Secretary of Defense Melvin Laird recently stated President Nixon's policy as follows:

"We hold firmly to a single objective for Vietnam: permitting the people of South Vietnam freely to determine their own destiny. We want peace as speedily as possible, but we cannot acquiesce to a peace that denies self-determination to the South Vietnamese."

The advocates of peace at any cost would in effect, allow the South Vietnamese government to be destroyed. Yet it has mobilized a large army, and what some members of Congress seem to be asking is that this force surrender to the enemy.

A Gallup Poll recently showed 52 percent approval when the question concerned "the way President Nixon is handling the situation in Vietnam." One wonders how much bigger the percentage would be if an answer were obtained on the following questions:

"Do you want the United States to surrender in Vietnam, and thereby ignore the sacrifices that have been made by tens of thousands of troops of the United States and our allies who have been killed or wounded in an effort to protect the right of peoples to select their own form of government?"

All the so-called "antiwar" statements being made inside and outside of Congress are unquestionably encouraging the North Vietnamese and the Viet Cong to prolong the war. If this fact, which has been stated by high authorities, were to be reiterated and made plain to the American people, they would surely not support any resolution in Congress that could mean surrender. For to do so would tell the Soviets and the Red Chinese that America would no longer help countries to resist aggression whether in Asia, Europe or Latin America.

The Washington Post has published a handy schedule of events planned by those who are aiding the enemy. I insert this article at this point in my remarks:

Moratorium Plans Include Teach-Ins And Sleep-Ins

(By Gordon Pettey)

Thousands of students, professional men and women, religious leaders and government officials are expected to participate in one or more of the many Washington area antiwar activities planned for the Oct. 15 moratorium on "business as usual."

In cooperation with the Vietnam Moratorium Committee's national plans, local opponents of the Vietnam war are planning memorial services, teach-ins, marches, rallies and even a sleep-in, in an effort to promote community discussion of war-related issues and convince President Nixon to withdraw all U.S. troops from Vietnam.

The moratorium movement has begun to build a broad-based support in the Washington area, with professionals, businessmen and high school students planning their own activities independent of college campus projects.

Planners of the moratorium hope to culminate the day's activities with a massive candlelight march around the White House beginning about 5 p.m.

Michael Driver, the 23-year-old Washington coordinator for the moratorium, said a folk group is expected to entertain the marchers at the Sylvan Theater, near the Washington Monument, before Coretta King, widow of civil rights leader Martin Luther King Jr., leads the marchers in the candlelight procession.

DRAFT HEADQUARTERS

A demonstration is also planned at Selective Service national headquarters at 1724 F St. NW at about 2 p.m. following the local activities on high school and college campuses and in area communities.

Perhaps the most ambitious local activities are planned at the area's colleges and universities.

American University students plan to begin their activities at 7 p.m. on Oct. 14 with a list of speakers that includes Seymore Hirsch, a vociferous opponent of chemical warfare, Sanford Gottlieb, of The Society for a Sane Nuclear Policy (SANE), and speakers from the National Council to Repeal the Draft.

The following day, a program will begin at 10 a.m. with scheduled speakers including Andy Young, local secretary of SCLC, according to Doug Goodfriend, one of the student organizers at American University. The students will then join the demonstration at the Selective Service national headquarters.

At Georgetown University, an even more ambitious program is planned, beginning next weekend with a leaflet-distributing campaign in Georgetown to elicit business support for the moratorium.

SUBSISTENCE DINNER

According to Timothy Russell, campus coordinator for the moratorium, Georgetown University students are planning a "meal of reconciliation" at 6 p.m. on Oct. 14 at which soup and bread will be served. They will then lead a candlelight procession through Georgetown, followed by a sleep-in on the front lawn of the University.

On the morning of Oct. 15, students will participate in a teach-in, with about 50 different classes on war-related issues scheduled to be taught by faculty members, Russell said.

At 2 p.m. * * * is scheduled to speak at a rally, followed by Frank Mankiewicz, columnist and former aide to Sen. Robert F. Kennedy. The university's president, Rev. Robert J. Henle, will offer a mass for peace at 4 p.m. and then lead a march to the Sylvan Theater to join the mass rally.

George Washington University students are concentrating on the planning of the Selective Service demonstration, according to Michael Mazloff, a senior who is organizing the moratorium at GW.

MASS FOR PEACE

Mazloff said GW students hope to hold a rally in the early afternoon with Dr. Benjamin C. Spock as the main speaker. Persons from other communities and campuses will then join the GW students in the march to the Selective Service building, he said.

Catholic University students are planning a "Day of Dialogue and Discussion" Oct. 15, beginning with a 10 a.m. mass for peace on the steps of the university's library. The mass will be celebrated by 13 priests, according to student organizer Linda Rodriques, president of the junior class.

She said * * * is scheduled to speak after the mass, followed by seven workshops and discussion groups led by faculty members. After the workshops, there will be two showings of the British Broadcasting Corp. film, "The War Game", Miss Rodriques said.

University of Maryland students have already begun door-to-door canvassing to encourage community participation in the moratorium, according to Ilsa Pinkson, a 21-year-old junior. She said students and faculty are planning workshops Oct. 13 and 14 with speakers like Gottlieb and Arthur Waskow, of the Institute for Policy studies.

On Oct. 15, the day of the moratorium, the students will be able to participate in an all-day teach-in, while a guerrilla theater group gives performances around the campus focusing on "the school and the war machine," Miss Pinkson said.

Students at both campuses of Montgomery College, at Dumbarton College, Johns Hopkins School for Advanced International Studies, Columbia Union College and Trinity College, are also planning similar activities.

PROTEST AT JUSTICE

The moratorium has also spawned a movement among Georgetown University law students "to change the legal and penal standards of this nation," according to Barry Wilner, a 22-year-old law student and organizer of the movement.

The law students plan a demonstration at the Justice Department Oct. 15, with speeches from I. F. Stone, author and newsletter publisher, and Marcus Raskin.

Wilner said the issue of legal standards "is of national importance. Free speech against Vietnam and U.S. involvement abroad is being denied to America's dissident leaders," he said.

Area high school students are planning activities to be incorporated into the regular school schedule. None of the schools will be closed for the day.

The Washington Teacher's Union and the Montgomery County Teachers' Union have already endorsed the moratorium and are planning to focus classroom discussion on war and peace issues, where the subject matter is appropriate.

John C. Albohm, Alexandria's school superintendent, said, "We've had no formal petitions from students yet. But if they occur, we have suggested that the principals give students time to air their points of view." He said students planning to miss classes for antiwar activities Oct. 15 would be required to have a note from their parents.

Moratorium activity in Arlington County schools will "be at the discretion of the principal," according to Timothy O'Connor, of the office of public information. He said, "The students have the responsibility to help plan and participate in any assemblies or forums," and it will be left up to teachers "in appropriate subjects to discuss relevant issues."

In Montgomery County, where the most student organization has taken place, Superintendent Homer O. Elseroad said that schools will take note of the moratorium in a variety of ways to be determined by the principal, staff and students at each school.

He said schools may have class discussions, schoolwide assemblies or after-school forums "for presentation of both sides of the Vietnam war issue."

Thomas Quinn, a junior at Bethesda-Chevy Chase High School, said, "Student support is just phenomenal." He said students plan to invite a prominent speaker to be followed by a lunch-hour memorial service. Students will also wear black arm-bands to class Oct. 15.

About 72 per cent of the Walt Whitman High School student body approved a referendum last week endorsing the moratorium and opposing the present conduct of the war. Plans are still tentative, but include a student assembly devoted to war-related issues, according to senior John Bernton.

ASKS CLASS SUSPENSION

The D.C. moratorium coordinator, Michael Driver, said, "We don't want students to leave classes on Oct. 15, but we urge high school administrators to suspend classes in the afternoon and keep students on campus to conduct a day of inquiry." He said he was in the process of setting up a speaker's bureau for high school programs.

Washington high schools have had no request for permission to organize moratorium activities, according to George R. Rhodes, assistant superintendent in charge of secondary schools. "My office would not oppose any assemblies or forums if they were requested," he said.

In the business community, members of the Montgomery County Alliance for Democratic Reform plan to distribute leaflets at shopping centers next Saturday to encourage community participation in the moratorium, according to Ray Pinkson, a local electrical contractor. He said he has also sent letters to over 100 area businessmen asking for their support.

The Mustard Seed, a community service center at the Presbyterian Church of the Pilgrims at 22d and P Streets NW, plans to reopen Oct. 14 with a program to promote the moratorium. The center is part of an experimental ministry in the Dupont Circle community.

LAWYERS' CONVENTION

The D.C. Lawyers Committee will sponsor a convocation for attorneys at Farragut Square at noon on Oct. 15, according to Gladis Kessler, a local attorney. She said other professionals will be welcome at the convocation, which is being held "to encourage the President and Congress to do everything possible to bring about a speedy end to American military involvement in Vietnam." Miss Kessler said, "The whole purpose is to make it very clear that the 'respectable' bar is opposed to the war, not only the hippies in beads."

Federal employee unions will be sponsoring speakers at some government agencies, according to the moratorium's labor organizer Roy Morgan. He said Dr. Spock is scheduled to speak to a lunch-hour rally at the National Institutes of Health and later at the Department of Health, Education and Welfare.

Dr. George Wiley of the National Welfare Rights Organization, is scheduled to address Department of Agriculture employees, and other speakers are scheduled at the Equal Employment Opportunities Commission, the Civil Rights Commission, the Office of Economic Opportunity and the Department of Housing and Urban Development, Morgan said.

Employees at a number of other agencies, such as the Pentagon, the General Services Administration and the Library of Congress will pass out leaflets to fellow workers, he said.

Congressional staff members are planning a vigil on the Capitol's west front steps on Oct. 15.

Finally, the Washington Teachers Union has published and distributed for use in the indoctrination of public school children a study guide encouraging disloyalty. I insert the story from today's Evening Star detailing this shameful treachery to American fighting men at this point in my remarks:

TEACHER UNION SUPPLIES "STUDY GUIDE FOR PEACE"

(By John Mathews)

The Washington Teachers Union has included a detailed "study guide for peace" in the current issue of its newspaper distributed to all teachers in District schools today.

Drawn up by a committee of teachers, the guide suggests that teachers raise questions about the "problems of the city vs. war expenditures" and about the U.S. goal of free elections in Vietnam contrasted with the lack of home rule in Washington.

Some classroom "role playing" situations are described to involve students in the issues. "You are a Vietnamese youngster and you awaken one morning to find your village destroyed. How will you react?" is one possibility offered for a classroom drama.

Students could also act out "a draft board situation in which a pacifist is trying to get a conscientious objector status," the guide suggests. The teacher is advised to "help the student playing the pacifist review what his beliefs are."

VOTE IMPLEMENTED

The study guide implements a recent vote by the union membership to support next week's Vietnam Day Moratorium by remaining in the classroom and teaching about "peace and the reordering of this nation's priorities."

Charles Cheng, a teacher union official, said today that the guide is not intended as an objective lesson plan. "If you support the moratorium—as we do—this indicates you're not supporting the war," he said. "I don't think anyone has to be objective about an immoral and racist war."

The guide, however, does include some statements supporting the war made by former President Johnson and the military editor of the New York Times. Anti-war statements listed include those of Corliss Lamont, Sen. Edward Kennedy, Sen. Frank Church and Muhammad Ali, who is quoted as saying "the war for black people is here at home and not in Vietnam."

QUESTIONS RAISED

Several questions raised by teachers in a "brainstorming session" are listed as possible discussion topics. They include:

"Why did some people—including a Congressman—say Ho Chi Minh was the George Washington of Vietnam after he died last month?"

"Why are more black men killed proportionately in Vietnam fighting than white men?"

The lesson plan begins with a quotation from Martin Luther King Jr., made several days before his assassination. It reads in part:

"Now, it should be incandescently clear that no one who has any concern for the integrity and life of America today can ignore the present war. If America's soul becomes totally poisoned, part of the autopsy must read, Vietnam."

CONGRESSMAN BILL SCOTT REPORTS

HON. WILLIAM LLOYD SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. SCOTT. Mr. Speaker, we send monthly newsletters to all of the people in the Eighth District of Virginia who express a desire to receive it, and I would like to share our October issue with the Members of the House, a copy therefore is inserted in the RECORD at this point:

CONGRESSMAN BILL SCOTT REPORTS

SALEM CHURCH DAM

The House recently passed the 1970 Public Works Appropriations Bill which included $35,000 for a restudy of the Salem Church Dam project to determine the extent plans can be modified to minimize the adverse effects on natural values in the area. The Committee felt that both the Department of the Army and the Department of the Interior should further review plans relating to the recreational aspects of the area. You will recall that this project was authorized by the Congress last year and the President included $150,000 in his budget for preconstruction planning funds. However, many conservationist groups have expressed concern that the beauty of the Rappahannock might be marred and the Secretary of the Interior, apparently yielding to these views, requested a further study. When the matter was considered, I offered an amendment on the floor of the House to restore the funds in accordance with the President's budget but it is almost impossible to have the House overrule the recommendations of the Committee. The measure was defeated, but with the assurance from members of the Committee that the Salem Church Dam is a good project which has the support of the Committee and should be constructed in the immediate future. This matter has been studied continually since 1933 and I hope that both Army and Interior will agree on what changes, if any, should be made and that a favorable recommendation can be obtained from the Committee. Public works projects of this magnitude require a great deal of consideration in both the authorization and funding process.

FEDERAL EMPLOYEES HEALTH BENEFITS

It is expected, in the near future, that the Committee on Post Office and Civil Service will hold hearings on a bill to increase the government's share of the cost of the Federal Employees Health Benefits Program. As you may know, all 36 of the plans participating in the program will have changes in benefits or premium rates and at least thirty of these will show definite increases by January 1. Some federal employee organizations have urged that the government pay all the cost of health insurance premiums. However, it is unlikely that a bill to that effect will be enacted. It seems reasonable to me that government and employees share equally in the cost of health insurance programs.

CREDIT CARDS

Hearings are scheduled near the end of the month before a Subcommittee of the Post Office and Civil Service Committee on measures to prohibit the mailing of unsolicited credit cards and similar documents. In the event you would like to relate any experience you have had with regard to unsolicited credit cards, please let me know so that your thoughts may be reflected in my testimony before the Subcommittee.

VIETNAM

Individual members of the Congress and some groups of members are expressing their views and introducing resolutions of various types regarding the war in Vietnam. Some have suggested a sense of Congress resolution that all troops should be withdrawn by December 31, 1970. While we all would like for the conflict to be terminated at the earliest possible date, it does appear that telling the communists that Congress wants all troops out of South East Asia by the end of 1970 would seriously handicap the President and the peace negotiators in their efforts to terminate the conflict. These views and a statement of support for the President are contained in my remarks a few days ago on the House floor which we, of course, will share with you if you would like a copy.

CENSUS BILL

The House has passed the Confidentiality of Census Information Bill. This legislation required many hearings over a three-month period and 630 pages of testimony. Over 80 bills were introduced before the Committee came up with a final measure which all members of the Subcommittee on Census and Statistics joined in sponsoring and which was adopted. The measure eliminates the jail penalty for refusing to answer or falsely answering census questionnaires, yet retains the provision for a fine. It increases the penalty for any employee of the Bureau of the Census disclosing information obtained from census questionnaires and endeavors to strengthen the confidentiality to insure the census information will only be used for statistical purposes. Perhaps the most important feature of the bill, however, provides Congressional oversight of the number and nature of questions asked of citizens in the dicennial census after 1970.

RETIREMENT BILL

The House agreed to the Senate amendments and sent the Government Employees Retirement Bill to The White House for consideration. In all probability, it will be signed into law within a few days. Of course, the bill serves the dual function of stabilizing the retirement fund so that money will be available when needed to provide annuities for employees by providing for payment of interest by the government on the unfunded liability and raising the contributions of both government and employees from 6½ to 7% effective January 1, 1970. It permits future annuities to be computed on the basis of salaries for the highest 3 consecutive years of service rather than the highest 5 years as in the past. There are a number of other minor changes in the retirement law and, of course, we can forward a copy of the bill to you if you would like but most government departments will probably furnish employees with information regarding the changes soon after the measure becomes law.

POSTAL REFORM

All members of the Post Office and Civil Service Committee want postal reform. The Committee, however, is evenly divided as to whether it should be accomplished by reform within the existing Post Office Department or by establishing a postal service corporation. At the present time, we are considering a bill, H.R. 4, to bring about reform within the existing department. But a motion was made a few days ago to substitute the corporation concept which failed to carry by a 13/13 vote. At the next meeting, an amendment will be proposed which will substitute the first 11½ pages of a bill I introduced on postal reform. This substitute provides that the Postmaster General be appointed for 12 years and his principal assistants for 6 years, bringing about a continuity in the leadership of the Post Office Department, which many believe is essential for more efficient operation of the Department. The amendment provides for the filling of postmaster and rural carrier positions by promotion or competitive examinations and removes the requirement for Senate confirmation for postmaster appointments. It would also prohibit political influence in the appointment and promotion of persons within the postal field service. While the amendment to be considered is the major portion of my bill, some of it was obtained from measures introduced by other members and consultation with the Committee staff. Therefore, the prospects are favorable for its adoption.

MANASSAS CEMETERY

The Committee on Veterans Affairs recently held a public hearing on the proposal to establish a national cemetery adjacent to the Manassas National Battlefield Park. A large portion of the testimony came from veterans groups although a number of individual citizens and members of the Prince William County Board of Supervisors also appeared and testified. The Subcommittee appeared to be generally favorable to the proposal and will probably favorably report the measure to the full Committee in the near future.

SOCIAL SECURITY

Retired persons and those with fixed incomes are suffering from the rise in the cost-of-living and our mail has reflected a desire of our senior citizens for an increase in Social Security benefits. In August, I joined a fairly large number of Congressmen in requesting the Chairman of the Ways and Means Committee to hold hearings on measures to increase these benefits and the President has recently renewed his request and raised his recommendation from 7 to 10% effective next April. It does seem, however, that January 1 would be a more desirable effective date and this is provided in a bill a number of us have co-sponsored. However, there seems to be some conflict among experts as to how large a raise in benefits can be granted without raising contributions to the fund or using tax revenue. Payments to date have been from a trust fund maintained by contributions of both workers and employers and I would oppose having annuities paid out of general tax revenues. While it would be desirable to provide cost-of-living increases in Social Security benefits without raising the contributions, a decision on this will probably be made in the Ways and Means Committee after hearings and obtaining facts regarding the extent of the surplus in the trust fund.

PUBLICATIONS AVAILABLE

Our office has received some revised editions of booklets that have been popular in the past. One is entitled "Our American Government" and contains questions and answers explaining how government functions. The second, entitled "How Our Laws Are Made", explains the role of Congress. I have a smaller personalized booklet entitled "This Is Your Government In Action" describing briefly and by way of cartoons the various steps for a bill to become law. Another booklet contains a literal print of the Constitution and Declaration of Independence with related notes and resolutions. All of these booklets are current and individual copies can be sent to you upon request. However, we have also obtained a rather large supply of a booklet published in 1966 on The Constitution which can be made available in quantity to schools or student groups.

SOMETHING TO PONDER

Are you old enough to remember when pay dirt was gold bearing ore instead of best selling literature?

INDEPENDENCE DAY SPEECH FOR UGANDA, OCTOBER 9, 1962

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. POWELL. Mr. Speaker, there is in East Africa a small but wonderfully intriguing country of great contrasts and physical beauty. I am speaking of Uganda, where the landscape varies greatly from the lush, fertile areas lining Lake Victoria's northern shores to the arid semidesert sections of the northern province to the snow-covered Ruwenzori Mountains of the west. Though Uganda lies like a blanket across the Equator, its altitude of 3,500 feet tempers the tropical heat.

The people of Uganda are as intriguing as the landscape they inhabit. A country of 7 million in an area comparable to that of Oregon, Uganda belongs to its people, for there are few permanently settled foreign populations. Only a scant 11,000 Europeans make Uganda their home, along with approximately 80,000 Asians. The indigenous population falls into two distinct groups—the Bantu of the south and the Nilotic northerners. The Bantus are made up of peoples of the four "Agreement Kingdoms," the traditional ruling authorities with whom the British signed treaty agreements.

Uganda independence came on the 9th of October in 1962 after a 60-year association with the British—an association which Uganda has continued as an independent member of the Commonwealth. Despite internal constitutional problems, Uganda has made steady progress toward the resolution of her difficulties under the able leadership of Dr. Milton Obote, leader of the Uganda People's Congress and President of the country.

Under Dr. Obote's direction the Ugandans have expanded their foreign political frame of reference. The past 7 years have brought increased contacts with the East in many forms, particularly in trade and student exchanges.

The trends today in Uganda point toward increased and expanded contacts with both East and West, and Africa. She is a recent member of the East African Community, and hosted in July and August of this year a visit from Pope Paul.

It is with a keen appreciation of her beauty and potential that we salute Uganda on the anniversary of her independence, and wish her prosperity and success.

AMERICAN CONCERN FOR ADEQUATE DEFENSE

HON. ALEXANDER PIRNIE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. PIRNIE. Mr. Speaker, the concern of Americans for adequate defense is deep and real. The following speech by Lt. Gen. J. W. Carpenter III reveals very significant information and analysis in the field of national security and I commend it to my colleagues:

SPEECH BY LT. GEN. J. W. CARPENTER III, ASSISTANT VICE CHIEF OF STAFF, U.S. AIR FORCE, AT THE NEW YORK STATE AIR FORCE ASSOCIATION CONVENTION, MCALPIN HOTEL, NEW YORK CITY, OCTOBER 4, 1969

In his very kind invitation to this event, your President asked that I come prepared to discuss the Air Force of the future—5, 10, 20 years ahead.

My experience in the planning business has convinced me that those in and around defense matters *normally* should be able to look about five years into the future with reasonable clarity—say 20/30 correctible to nearly 20/20. I say "normally" because these are not normal times. We are fighting a war, cutting the budget, and dealing with some very serious domestic problems simultaneously. The figurative defense eye-chart showing what is in the future could have a couple of letters cut off while we're looking at it, or a "W" turnside upside down to make an "M"—or other surprising things.

On the other hand, none of these things may happen. If they don't, our five year vision is pretty good because the major weapon systems we will be using then are, for the most part, already in the program and are under development or are known to be attainable within five years.

The period ten years ahead is something else. Here, visual acuity drops off considerably to maybe 20/60, correctible to 20/40. We don't know with any certainty what the threat to our security and that of our allies will be in 1979. Also, there is a chance that science and technology will come up with innovations that lead to weapons somewhat different, or perhaps quite different. We don't know what our national priorities will be, what progress may have been made in arms control, what will be the condition of the world economy, what shifts may have taken place in strategic concepts, and so on.

Beyond ten years, reading the defense eye chart is like telling a very nearsighted man: "The first letter of the bottom line is D. Use your intelligence and experience to deduce what are the next six letters." He would have one chance in 25 of being right on a given letter, or one in 128 million of getting all six correct. Our long-range planning odds aren't quite that long. I exaggerate to make a point.

So going beyond the first relatively stable five years of futures to a ten and twenty year projection gets one solidly into the business of prophesy.

As I thought about your President's guidance, I thought also of H. L. Mencken's observation that "the prophesying business is like writing fugues; it is fatal to everyone except the man of absolute genius." I know of very few men who fall in that category.

So I decided to take a somewhat more modest approach than that suggested by Mr. Rapp. Rather than talking about what the Air Force will *look like* in an uncertain future, I'm going to talk about some capabilities we believe will be needed to carry out assigned Air Force missions.

Thinking about the Air Force future can't be done in a vacuum. A starting-point always has to be the military forces of potential opponents whom we must defend against—primarily the USSR; secondarily Communist China. Military planners must base their judgment of the forces and equipment this country needs on an evaluation of the kinds of equipment an opponent will be able to produce in the future and what he could do with it. This is true no matter who the direct opponent might be. In most cases where U.S. military forces could be useful in solving a problem, the opponent—if not a major power—would be supplied by, and at least tacticly backed by, one of the two large Communist states.

These two items—near-term Communist capability and future potential—can be determined with some accuracy. We cannot determine with much accuracy what an opponent will *actually* develop and deploy several years from now or what he may plan to use his military forces for—in other words, his intentions. Very likely he doesn't know himself what his intentions may be ten or twenty years hence. They will be influenced by what we do in this country.

For example, if we were to allow our strategic forces to become very considerably smaller and less capable than those of the USSR, Soviet intentions might become the military defeat of this country or the enforcement of demands that could amount to a significant loss of our freedom.

At a lesser level of imbalance, but still one favorable to the USSR, their intention could be that of preventing the U.S. from using its military forces—nuclear or conventional—for *anything* but retaliation for an attack on our home land. In that situation, the USSR would feel relatively free to use its conventional military forces in a variety of ways inimical to our interests and those of our allies.

We *do* know that announced long-range Communist objectives have not changed from the consistently held goal of world domination. We *do not* know what their specific intentions might be under the set of circumstances, unfavorable to the United States, that I have just outlined. We don't know because we have no experience in an environment where the USSR held an advantage in the strategic area and at the same time had the ability to project conventional military power beyond the frontiers that it now controls. *We* have always held the advantage in strategic nuclear power, but our margin of advantage is far less wide now than it was two or three years ago. *We* have been the only nation that had global mobility on a large scale, but now that advantage is being reduced by the Soviet trend toward more and longerranging mobility.

The consequences could be very grave if present trends continue. The United States is closer to the unfavorable environment I've described than it has been in the generation since nuclear weapons and mobile conventional forces became the keys to either Communist expansion or to a relatively peaceful, largely free world. Who will hold the keys in the future—the Communist States or the U.S. and its allies? I think that is an open question today.

Consider these facts:

Today the Soviets have more ICBM launchers in place or under construction than we have. At least 230 of these launchers are for SS–9s, that have been tested with three reentry vehicles, each able to carry a five megaton warhead. Secretary Seamans, in his testimony before the Senate Appropriations Committee this past July said, "If this system (the SS–9 with multiple warheads) is perfected and deployed, by the middle 1970s the Soviets could have the capability of destroying most of our land-based missile force."

The Soviet ICBM force together with their *existing* submarine launched ballistic missiles has more than twice the missile payload of the entire U.S. land and sea-based missile force. Their ballistic missile-carrying submarine force is expanding rapidly, to a current total of 45.

The USSR has developed and deployed on a limited scale a ballistic missile defense system. They are working on improving that system before the U.S. has deployed its first piece of missile defense equipment.

It is important to remember that whatever margin of superiority the U.S. now holds in terms of deliverable megatonnage rests on its bomber force. The Soviet heavy bomber force is about one-third the size of our SAC bomber force, but the USSR shows no signs of reducing its heavy bomber inventory, while we have cut ours by nearly a third in the past four years. It sometimes is forgotten that the Soviets also have more than 700 medium bombers that are capable of attacking the United States with refueling or on a one-way mission.

Our present numerical advantage in heavy bombers is reduced by the size and sophistication of Soviet bomber defenses. Those defenses have not declined in extent or quality. Ours have been reduced in size—from 775 interceptors in 1965 to 368 in 1969, for example. This reduction was made in anticipation of replacing older interceptors with an improved aircraft, but we have not had the funds to do that. By the end of this fiscal year, our force of aging interceptors will have been further reduced to 252, or less than one-third the number we had in 1965.

In the general purpose area, the USSR has developed at least nine new fighter aircraft during the 1960s. Not all have been produced for operational units. In that same period, the U.S. has not developed and deployed a single new fighter designed for air-to-air combat; that is, an air superiority fighter. The MIG–21—not the newest Soviet fighter—is in some respects the equal of our best air superiority fighter, the F–4E. It's worth noting that the USSR has provided MIG–21s to 19 other countries.

The Soviets now have about 3,600 aircraft in tactical aviation—about twice as many as the Air Force has. However, except for the air superiority role, our tactical fighters are generally superior. Red China's air force has some 3,200 aircraft, most of them fighters but the majority inferior to our tactical fighters.

During the past year, the size of Soviet tactical aviation and ground forces has increased and their quality has improved. Soviet naval growth in both surface and subsurface craft—including ballistic missile submarines—has been significant. These developments give Soviet military forces a greater degree of long-range mobility than they have had in the past.

Air Force modernization has been cut back drastically by the demands of the Vietnam War. This is particularly true in the case of aircraft. The average age of Air Force aircraft is now more than nine years. The Fiscal Year 1970 budget includes funds for the purchase of 662 aircraft. Of these, 205 are for our allies, leaving 457 for Air Force units, 169 of which are first-line fighters. This is the smallest buy since World War II.

In one category of aircraft—long-range transports—we still are well ahead of the USSR. The C–5s and C–141s put us in very good shape there, but we are less well-off when it comes to tactical transports.

Finally, Dr. John Foster, Director of Defense Research and Engineering, recently pointed out that the United States is in danger of losing its technological superiority if present trends in U.S. and Soviet research and development continue. For the past few years, Soviet R&D has shown an annual increase of about 10% compared to a 4% annual growth in U.S. R&D—just about enough in our case to offset inflation. Dr. Foster believes that the U.S. and USSR currently spend about the same amount on research and development and that sometime last year, this year or next year their R&D programs will exceed ours in total investment. He warned that, "Research and development shortcomings are overcome not in a few years but in many years—provided the other fellow eases off and lets you overcome them." There is no evidence that "the other fellow" intends to ease off.

In his last appearance before a Congressional Committee shortly before he retired, General McConnell said: "There is still the simple truth that if the other fellow has more and better weapons than you—and the will to use them—then you had better get busy or you are lost." That warning is worth listening to, for if present trends in U.S. and Soviet military preparedness continue we will soon reach a point of military inadequacy. We had better get busy.

"Getting busy" implies the establishment of very tight priorities. We in the military are well aware of the domestic problems which have a legitimate claim on national resources. Those problems must be faced up to. Under the circumstances it is incumbent on the military to establish an order of priorities against which their requests for equipment may be judged. I believe Air Force priorities should go something like this:

First, the things that are needed for national survival in this often hostile world. This could be called the survival imperative.

Next, those weapons and forces that assure not only survival but also the ability to conduct our relations with the community of nations freely, in order to improve the economic, social and cultural life of the country. This could be called the fulfillment imperative.

Then—and to some extent overlapping the second priority—the arms that are necessary to meet treaty obligations. This could be called the legal imperative.

Finally, military forces and equipment that we may need to back up other forms of assistance in helping smaller nations help themselves to attain freedom and advancement. This could be called the moral imperative, although of course the United States is acting in its own self-interest in helping the development process in smaller nations.

Now how do these priorities apply to the Air Force in the world environment of rapidly shifting military balance which I described in my comparison of U.S. and Soviet trends? How do they apply in an environment where our deterrent ability is being challenged and our ability to dominate in conventional war through control of the air is being brought into question?

I'll begin with the first priority—survival. One can hardly conceive of this country being destroyed by conventional warfare—something on the order of World War II fought with modern conventional weapons. The oceans still provide protection against that contingency. The physical destruction of the United States is possible—so far as we now can see—only through nuclear attack. Under some circumstances, the United States could survive a nuclear war, but the cost would be so terrible that our first priority must be deterrence of a nuclear attack on the United States.

At a minimum level, this capability calls for forces that could retaliate against an attacker to a degree that would set his cost high enough to raise doubts in his own mind as to whether the gain would be worth the cost. This minimum level of deterrence very likely would prevent a direct attack on the United States. But since it could be used only in extremes, it would have little or no influence in many other situations where another country's intentions were prejudicial to our interests.

A minimum level of deterrence, then, probably would assure survival, but would deprive our forces of a role that military power has played throughout history—that of a negotiating tool to support the attainment of national goals through peaceful means. Nevertheless, it is the essential foundation on which our total military posture must rest.

The second priority—our ability to conduct freely our relations with the rest of the world—implies a military posture that removes the threat of nuclear blackmail and enables the United States and its allies to influence—perhaps to limit—the intentions of a potential aggressor in the direction of peaceful competition. I am not talking about a so-called first strike capability. I am not talking about that indefinable quantity "nuclear superiority" which means so many different things to different people. What I am talking about is strategic forces properly sized and equipped to assure that this country can ride out a nuclear attack, retaliate and emerge from a nuclear conflict with a relative advantage in surviving military forces, people, and industrial capacity.

This kind of strategic deterrent force—the kind we have had for many years—is a very potent instrument for peaceful negotiations, a very persuasive counter to the threat of large scale conventional war, and a constraining influence on those who might consider starting a small war or escalating it to higher levels. It is an asset that a great power, the head of an extensive alliance system and de facto leader of the Free World should not give up lightly or let slip away through neglect. It should not be dissipated while world conditions are as unsettled as today.

Our actual experience with deterrence, and the great majority of empirical evidence derived from civilian and military studies of nuclear war, support that fact that deterrence at either of the levels I have described is best assured by a mixed force of bombers and missiles.

The *third priority*—our treaty obligations—is, of course, influenced by the relative nuclear postures of the U.S. and USSR. If our nuclear deterrent forces are in good order, the chance of large scale conventional war is greatly reduced. The primary objective of our alliances—NATO being the foremost in size and development—is deterrence of attack on any member of the alliance. Another important objective is that of holding hostilities that might occur to the level of conventional warfare.

In modern, mechanized warfare, all the evidence points clearly to this fact: The side with air superiority holds such an advantage that its opponent could win only at tremendous cost, if at all. This was true in every theater during World War II. In a considerably different context, it was true in Korea. The Middle East War of June, 1967, was a classic demonstration.

We must, therefore, see to it that our surface forces are *never deprived of air superiority*. In any war, control of the air must be gained and held in order to assure freedom of maneuver and to enable us to conduct other Air Force tasks—reconnaissance, interdiction, close support and airlift—at an acceptable cost.

The *fourth priority*—helping smaller nations help themselves toward independent viability—calls for rapid mobility of forces that are tailored to operate in an austere environment, with freedom of maneuver assured by air superiority.

I think it is obvious that the priorities I have discussed are not to be followed in sequestial order. All have to be met—as best they can be met—simultaneously. But priorities do act as a guide—determining the extent of effort that should be placed on a particular weapon system within the limits of a feasible budget.

In the strategic deterrent area, our missile force is in relatively good shape from a technical point of view. The major development and production problems have been solved for propulsion and guidance systems, warheads, penetration aids and to some extent systems for survival. Once these types of problems have been overcome, force levels can be adjusted to meet a known threat with relative ease, if the funds are available.

The bomber component is less well off. Although a great deal of preliminary research and development has been done on sub-systems for the AMSA or B–1, full scale development hasn't yet been approved. If it is funded this year, the earliest we could have the B–1 in operational units would be 1977. By that time, the technology of the B–52 will be more than 20 years old, and maintenance costs will be tremendously high. The B–52's effectiveness as a deterrent system will be greatly reduced by the technical advances the Soviets have made and probably will continue to seek, in their air defense system. We would not expect the B–36, which was retired in 1959 to be able to penetrate Soviet defenses today. There are reasonable doubts as to whether the B–52 could penetrate effectively ten years from now.

Again, in the matter of the B–1, this is a case where *quantity* can be adjusted fairly rapidly once the much slower work of solving development and production problems has been done. If we are to achieve the overall *quality* that will be needed in our deterrent forces of the late 1970s, we must consider the B–1 a top priority project.

Generally, Air Force tactical equipment for close support, interdiction and reconnaissance is in an acceptable state from the *quality* viewpoint. If funding is approved by Congress, the A–7D will be coming into our operational inventory as a close support attack aircraft. The F–111 is the best all-weather interdiction aircraft in the world. We are, however, in a precarious position so far as an air superiority fighter is concerned. For the next five years, until the F–15 becomes operational, the Air Force will have to depend on a very fine but aging aircraft—the F–4E—for air-to-air combat. If it is necessary to compete against an opposing fighter that is newer and more effective than the MIG–21, we will have to depend on the skill and experience of our pilots to offset technical advantages of the opposition.

To be fully effective in a combat role where we do not have ground-based radar control, our tactical fighters should be teamed with an advanced Aircraft Control and Warning plane—the AWACS. The AWACS could also increase the effectiveness of our small and obsolescing interceptor force in defense of the continental United States. AWACS enjoys a high priority in Air Force eyes but suffers from a lack of funding.

What I have tried to do in these remarks is outline some of the rationale that underlies Air Force thinking about its role in national defense. I've painted a picture of where we stand today in relation to our major opponent, indicated the functional areas that must have priority attention and illustrated with a few current examples the weapon systems that are needed to maintain an acceptable Air Force capability to carry out its part of the over-all defense job.

In doing this, I have partially fulfilled Mr. Rapp's request for a look at the Air Force 10 to 20 years ahead. The B-1 probably will be still in use in 1990. The average life of our fighter aircraft is 12 years, so the F-15 should be around until the late 1980s. Transports retain the effectiveness for a good many years, which means C-141s and C-5s probably will be with us until around 1990.

There are two elements that I can't describe. The first is force levels. They will depend on the size and nature of threats to our security, and on how the officials of future administrations and members of future Congresses interpret those threats. The progress of disarmament negotiations between the Free World and the Communist World will also be a factor.

The second unknown is the kinds of weapon systems that will evolve as follow-ons to those I've just mentioned. Even the most competent scientists and engineers—in or out of uniform—have been notoriously shortsighted in predicting long-term scientific and technical progress. In 1959, it was the consensus of leading aerospace scientists and engineers that a man could be put in earth orbit by 1970 and maybe on the moon by 1990. Twenty years from now, the Air Force may be using—or at least building—equipment that we haven't yet thought of.

Despite the phenomenal advances of the last twenty years, it still takes from 5 to 10 years to develop, test, produce and deploy a major weapon system. Quality comes hard and slowly, but in the final analysis it is quality that counts. It can be assured only by an active research and development program and imaginative application of the resulting technology to defense requirements. Quantity, as I have pointed out, can be achieved more rapidly by a nation with our unequaled production resources and know-how.

I do not believe this country is in peril today. I do believe that a continuation of the present Soviet trend of rapid defense modernization, as contrasted to our much more limited modernization, soon could have undesirable results. It could reduce considerably the constructive influence on world affairs that the United States has exercised for twenty-five years by virtue of its recognized strength, and its attachment to the ideals of free men.

Recenly, General Ryan said, "I have great confidence in the common sense of the American people and in our system of government. I do not believe the Air Force will be put in the impossible position of having to meet a growing threat with inadequate resources." I think we all share his feeling.

We have always counted on the understanding and support of the Air Force Association in meeting our defense commitments. I know that we can continue, with confidence, to rely on your support in these trying times.

THE COUP IN LIBYA: A SETBACK FOR THE WEST

HON. ALBERT W. WATSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. WATSON. Mr. Speaker, one of the most astute observers of international politics in this country, Mr. Anthony Harrigan, has written an excellent article on the recent tragic events in Libya which appeared in the American Security Council's Washington Report. Tony Harrigan has demonstrated a unique ability to foretell what effects a change in the government of a foreign nation will have on this country, and had his advice been followed in the past I believe that we could have avoided many mistakes in our foreign policy. I commend his article to the attention of the Congress and the Nation as follows:

THE COUP IN LIBYA: A SETBACK FOR THE WEST

(By Anthony Harrigan)

The military coup which ousted King Idris of Libya and installed a socialist government, controlled by the 27-year-old strongman, Colonel Muhamed al-Quadhati, is an ominous development for the free world.

Libya, a vast desert land with less than 1.7 million people, long has been the target of the pro-Soviet regimes in Cairo and Algiers. The Arab revolutionaries have had the continuing objective of consolidating revolutionary rule over the "Maghreb," meaning in Arabic the western land between the borders of Egypt and the Atlantic coast of Morocco. The success of the leftist army and air force officers in seizing power from the 79-year-old monarch is a tremendous victory for Colonels Nasser and Boumedienne. They now are in a position to apply massive political pressure against the moderate government of little Tunisia.

The United States has enjoyed excellent relations wtih the Libyan government since the establishment of the North African nation in the late 1940's. The Soviet Union had sought to acquire Libya, which had been under Italian control since 1911, as its first protectorate or satellite in the Mediterranean. On November 21, 1949, however, the U.N. General Assembly passed a resolution to the effect that Libya would become independent on January 1, 1952. The USSR opposed the resolution but failed to thwart Libyan independence. In fact, Libya was the first African nation to gain independence after World War II.

Since the 1950's, Libya has played a vital role in U.S. defense planning. The giant Wheelus Air Base near Tripoli in the western part of the country provides American fighter aircraft in Western Europe with essential gunnery and bombing ranges. Approximately two thousand U.S. Air Force personnel are based in the country. This is the last air base the U.S. has in Africa.

The British also maintain an air base at El Adem near Tobruk and the country's eastern border with Egypt. In addition, British ground forces periodically hold exercises in desert areas near the coastal city of Banghazi.

The existence of U.S. and British bases in Libya has been the focus of innumerable attacks by Nasser who many times sought to supplant King Idris. The proclamation of the Revolutionary Council in Libya which pledges support for "Arab unity, socialism and freedom" strongly indicates that Colonel Nasser now has the Libyan government he desires. The Egyptians have had a built-in advantage in recent years as they supplied Libya with large numbers of teachers and government administrators and trained many Libyan army officers. Radio Cairo reaches more Libyans than any other broadcasting service.

In 1964, the Libyan government, yielding partially to Colonel Nasser, agreed to negotiations for the closing of U.S. air base facilities. The negotiations have been protracted, and it seemed that the U.S. would continue to enjoy use of Wheelus Air Base for a number of years. But prospects of the U.S. staying at Wheelus have virtually disappeared as a result of the coup. Indeed the United States now has every reason to fear that Wheelus may become a Soviet air base in the next few years. If the Soviets occupied Wheelus, they would be able to dominate the air over the Mediterranean. The continued operation of U.S. aircraft carriers in the restricted waters of the inland sea would be endangered by Soviet aircraft based in Libya.

In the early 1950's no one suspected the economic developments that lay ahead in Libya. The country is 90 percent desert, with a population density of only 2.3 persons per square mile. The small population is concentrated in seven per cent of the land along the Mediterranean shore. In fact, two-thirds of the population is within an 80-mile radius of Tripoli.

Along the Mediterranean coast there is a series of oases divided from one another by stretches of wilderness. Inland, the desert assumes a variety of forms. Sometimes it is a rocky plateau. In other places, it is a gravel plain broken occasionally by low hills. There also are large depressions and shifting sand dunes. In the south, Libya is a waterless wasteland. Along the Egyptian border is the so-called Great Sand Sea, six hundred miles long and 150 miles wide.

The name Libya was given to the easternmost part of the North African coast by the Greeks. In Roman times, it was part of Africa Proconsularis, and was protected by the Third Legion. The Emperor Septimius Severus was born in Libya in the year 146 A.D., of the Romanized ruling class. In 642, the Arabs conquered Libya. With the breakup of the North African territories ruled by the Cairo and Baghdad Caliphs, Tripoli was, for many years, the capital of a corsair state.

The first U.S. involvement with Libya came in 1805 when the U.S. Consul in Alexandria, Egypt, collected a mercenary force and marched into Libya. With the help of a Marine detachment, he captured the town of Derna. From this incident originated the Marine hymn, "From the halls of Montezuma to the shores of Tripoli."

Libya's history changed dramatically in 1957 when a major oil field was discovered in the southwest near the Algerian border. At the end of a decade after the find, Libya had become the world's seventh largest producer of oil. Oil and Gas Journal said in 1968 that in another decade Libya would become the free world's top oil producer outside North America. The country has been supplying oil to 22 free world countries. Forty-one companies have been active in the Libyan oil fields. Closure of the Suez Canal during the Six Day War in 1967 emphasized Libya's position as the closest major oil source to the expanding West European energy markets. With a revolutionary, pan-Arab socialist regime in power, it is questionable whether Libyan oil would continue to move to European countries in the event of another Arab-Israel war. The Libyan government has used the oil revenues in an effort to uplift the country's population and to modernize a land that is bigger than California and Alaska

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combined. The per capita income has increased from $35 in 1951 to approximately $800. The United States has contributed heavily to the improvement of the country, spending $207 million for economic assistance to Libya, plus devoting $27.5 million in surplus agricultural commodities. The British government has been making annual payments to Libya of about $9.3 million. The U.S. and Britain also have supplied equipment for the 7,000-man Libyan army.

Dr. Edwin M. Wright of the Institute of International Studies at the University of South Carolina recently pointed out that "today Libya exports 3.3 million barrels of oil a day to Europe and will receive as her share of the profits around one billion dollars. One third of this is handled by U.S. companies who earn over $300 million, thus supporting the American balance of payments with a neat contribution." Obviously, any interruption in Libyan oil production would have a serious effect on the U.S. balance of payments problem. The history of dealings with Arab socialist states is such that there is not much ground for optimism in the U.S.

This April, Lt. Colonel C. L. Baker, USAF, warned in the Military Review that, "there is no doubt that the communists are engaged in a slow-longrun penetration (of Libya), making contacts and sorting out opportunities for further exploitation." But the U.S. public certainly wasn't given the slightest inkling of a major change in the making in Libya. The question of a U.S. intelligence failure in the Libyan situation ought to be explored. With a large base in operation in Libya, the U.S. had unusual opportunities for on-the-scene surveillance of the political situation. It would seem that these opportunities weren't utilized. The United States had a tremendous stake in the status quo—in the quiet, steady progress of Libya under King Idris, with the prospect of an orderly, constitutional succession.

Given the fact of revolutionary Arab solidarity with the Soviet Union, and the spread of Soviet arms and advisers through the socialist states of North Africa and the Middle East, the development in Libya can only be viewed as a grave setback for the United States and its NATO allies.

Other states in the Mediterranean may conclude that the "wave of the future" lies with the revolutionary states and their patron, the Soviet Union. The little island-country of Malta, which lies between Libya and Sicily, already is resentful and fearful because of the gradual withdrawal of British aid and is increasingly mindful of the Soviet interest in the island's ship-repair facilities. To the south is the vast, empty land of Chad, which has had an insurgency problem this year. With a revolutionary regime on the Libyan side of the border, Chad may pull away from its relationship with France.

The developments in Libya are fresh proof of the decay of the Western position in the Mediterranean. The Soviets, using client Arab states, are extending their influence year by year. The USSR has only to force Tunisia into its camp and entrench a socialist regime in Morocco, and communism will influence or control all the Mediterranean littoral and the western entrance to that strategic sea.

The apparent lack of U.S. and Western awareness of what was developing in Libya reflects a growing tragic indifference to vital geopolitical areas. The West, as F. O. Miksche, the Franch military writer has observed, seems "driven by events instead of determining them by means of active policy." The sudden transition of Libya from a friendly, constitutional state to a revolutionary socialist nation is alarming evidence of the West's inability to recognize hurtful developments and act to prevent them.

DIRECT ELECTION OF THE PRESIDENT

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. CORMAN. Mr. Speaker, the Valley Times, a daily newspaper published and widely read in my congressional district, on September 22 carried an editorial which speaks to one of the most important issues before the country—the need to change the electoral college system.

I agree with the editor's belief that the direct popular vote is the best method of selecting a President, as it guarantees each voter an equal voice in the electoral process. And, I appreciate the reference to the overwhelming favorable vote that the House recently gave to the joint resolution abolishing the electoral college in favor of direct election.

I compliment the Valley Times on its commitment to public service. The editor's suggestion that its readers participate in the democratic process by letting California's Senators know their views on election reform is most commendable. As the elected lawmakers of the citizens of California, we do need and appreciate their counsel.

Mr. Speaker, this timely editorial is most worthy of my colleagues' attention and will, I am sure, be of interest to them. The editorial follows:

NEED FOR CHANGE SEEN

In a recent editorial, we proposed that the antiquated Electoral College system be replaced by a direct popular vote.

We used as an argument some facts as outlined by Sen. Birch Bayh, Dem., Ind., who has sponsored a bill in Congress urging the popular vote. He pointed out that if there had been a change in less than 42,000 votes in three states, the people of America would not have elected a President on election day in 1968.

Sen. Bayh is confident the direct popular vote proposal can pass in Congress and, when this is done, would be ratified by three-fourths of the states. He said a recent poll showed that 81 per cent of the American people support direct popular vote. The U.S. Chamber of Commerce, the American Bar Association, the AFL–CIO, the UAW, the National Federation of Independent Businessmen, and leading civic groups all across the country have endorsed the direct popular election bill.

The House of Representatives passed the Joint Resolution 681 to abolish the Electoral College last week by a surprisingly large margin, 339 to 70. This was 66 votes more than the two-thirds required. The resolution now is before the Senate for debate.

In the final analysis, polls notwithstanding, the true test will come only when the matter is put to a vote in the whole Congress and then, hopefully, in the state legislatures.

California's two senators are agreed something must be done about the system of electing a president, but they may differ in approaches to the problem.

Sen. Alan Cranston, Democrat, has aligned himself with Sen. Bayh as a co-sponsor of the Indianan's bill.

Sen. George Murphy, Republican, pointed out that in the first action of the year, the 91st Congress reluctantly agreed that a North Carolina elector could cast his vote for his choice, George Wallace, rather than for Richard Nixon, the choice of the voters of the state of North Carolina.

"Although I deplore and believe the action of this elector was unethical and a flagrant disregard of the people's wishes," Sen. Murphy said, "I nevertheless was convinced that both present North Carolina law and the U.S. Constitution allowed this elector to make an independent choice and to refuse to follow the will of the people. This year's unusual election, plus the action of the North Carolina elector, makes it crystal clear that electoral reform be undertaken immediately."

He added that there are various proposals pending before the Congress ranging from the reform or modification of the present electoral system to the complete abolishment of the system and the installation of a direct popular vote. "I have not reached a final decision on which approach I shall endorse," he added.

It seems everybody is agreed something must be done about the present voting system, so something ought to be done—and quickly.

This newspaper still believes the direct popular vote to be the best method of selecting a president, guaranteeing each voter an equal voice in the electoral process.

If you believe this to be so, tell your senator. Write to him in care of the United States Senate, Washington, D.C. 20510. Even if you have an opposing view, write to him. He needs your counsel.

A TRIBUTE TO CHRISTOPHER COLUMBUS

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. MINISH. Mr. Speaker, on October 12, in 1492, the great Italian navigator, Christopher Columbus, discovered the new world. Columbus was only 24 years of age when he set out to prove the theory that land lay beyond the uncharted, untraveled, and unexplored waters west of Europe. That day is well known to every man, woman, and child in America, and the name of Columbus is as well known as the names of Washington or Lincoln.

Columbus Day is an appropriate time for us to recall that there was an Italian culture long before there was an America. As the heirs of western civilization, we are also the heirs of that Italian culture. It was Christopher Columbus who provided the connecting tie between the old civilization and the new world. After Columbus, Italian explorers were among the first to follow his voyage to the new world. Amerigo Vespucci, whose name still endures, explored the coast of South America only 7 years after Columbus. John Cabot, whose real name was Giovanni Cabota, sailed for the King of England to explore the mainland of the North American Continent. Giovanni de Verrazano explored the coast of North America in the early 1500's, from Cape Breton Island to the Carolinas, and in the process discovered New York Bay. The exploration of the west was led by Italians. Allessandro Malaspina was the first white man to explore Alaska, Vancouver, and the coast of California. Fra Marco da Nizza led Coronado's expedition throughout the west and as far east as what is now known as Kansas.

The concepts of liberty, justice, and equality brought many Italians to these shores. There were Italians building a glass factory in Virginia before the Pilgrims landed in Massachusetts, and Italian colonies were flourishing in Georgia, Florida, Delaware, New York, and elsewhere before the Revolution. Several hundred Italians also fought and died in the American Revolution. When the fate of our Northwest territories hung in the balance, the land that is now Michigan, Illinois, Wisconsin, Indiana, and Ohio was won in the battle of Vincennes in 1779 by Gen. George Rogers Clark, thanks to money and information provided by an Italian fur trader, Francesco Vigo.

Christopher Columbus is known in America as the father of immigration. Were he here, he would be proud of his many fine sons and daughters.

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HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mrs. GRIFFITHS. Mr. Speaker, at this time, I would like to insert into the RECORD a letter received from a constituent, Mr. Thomas Brady, of Detroit. Mr. Brady questions the use of the taxpayers' money to support the development of the supersonic jet transport in view of other pressing national needs. His reference to urban traffic congestion as one of our major problems certainly can be appreciated by millions of Americans who must face and fight daily the rush hour traffic to and from work. The following is Mr. Brady's letter:

SEPTEMBER 24, 1969.

Hon. MARTHA W. GRIFFITHS,
Rayburn Building,
Washington, D.C.

DEAR CONGRESSWOMAN GRIFFITHS: I would like to strongly express my opposition to development at taxpayers expense of the supersonic transport plane as announced yesterday by President Nixon.

The development cost which appears will exceed over one billion dollars is an outrageous sum to pay to merely keep abreast of France, Britain and Russia. Our needs for high speed mass transportation in the urban areas of this country far surpass the needs for an aircraft that will fly 1800 miles per hour. This need would certainly be obvious if you were to drive on Detroit's Lodge Expressway or Grand River Avenue the morning or evening of any working day.

Using Grand River Avenue, it takes 40 minutes to go from downtown to Southfield Expressway during rush hours either by car or bus. This is a 9 mile distance and the average speed is therefore approximately 13 miles per hour. I am sure this condition is common to many large cities and a billion dollars spent to improve this average would certainly benefit more taxpayers and have more far-reaching domestic benefits than a supersonic transport.

Certainly the development and construction of high speed ground transportation networks would provide just as many jobs and stimulate the economy of the nation generally, rather than just in the state of Washington where such transport plane would be built.

I am not opposed to the theory of the supersonic transport. However, I feel there are more pressing transportation needs that deserve first consideration and action.

If the airlines feel they must have the above aircraft to compete on trans-oceanic routes with similar craft of European design and operation, then let the airline industry underwrite the cost. Further, in view of mid-air plane collisions and near disasters of recent years, it is evident that there still is much to be desired in the way of air space safety. It would seem that this is the direction in which the airline industry and governing agencies should be directing their attention and resources.

Respectfully,

THOMAS BRADY.

TANZANIA—HEART OF COMMUNIST EAST AFRICA

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. RARICK. Mr. Speaker, the administration is said to be conducting a full-scale review of our African policy.

It is certainly to be hoped that the result of the review will be to change our shortsighted policy to one of American self-interest. I have previously pointed out the striking parallel between the United States, the Republic of South Africa, and Rhodesia. In each case, the civilized settlers of these countries severed their ties with the British crown in order to protect their civilization.

Tanzania, on the other hand, is a blend of the old British colony of Tanganyika, and the protectorate of Zanzibar. It was born in a bloody revolution, inspired, armed, and led, by Communists. Hundreds upon hundreds of Arabs were savagely mutilated and murdered solely because they were Arabs. Atrocities inconceivable to civilized man, including large-scale cannibalism were commonplace. Out of this racist violence was created the so-called emerging nation of Tanzania. Dar-es-Salaam—in Arabic, "the City of Peace"—its capital, is the city from which guerrilla warfare on Portuguese Mozambique and Rhodesia was waged for years.

Tanzania is uniformly recognized as the heart of Communist east Africa. Only today we read where private schools, meaning church and missionary schools, have been seized and nationalized.

We should acknowledge the true threat to world peace which this situation entails. We should formulate a foreign policy in this area designed to promote the interests of the people of the United States—not the lackeys of Moscow.

Mr. Speaker, I insert an article from the October 1969, issue of Triumph magazine and a news clipping following my remarks:

[From Triumph magazine, October 1969]

MEANWHILE, HERE ON EARTH

(By Thomas Molnar)

South Africans, no less than Americans, have been preoccupied lately with Apollo 11's moon flight, and the fact that there is no television in this country assumes, in the eyes of the liberal press, the dimensions of a national tragedy: the absence of idiot boxes to watch the flight and landing has become a whip with which to beat the Nationalist Party government, still opposed to the introduction of this medium because of its high potential for dangerous propaganda.

The sensational moon adventure forced all other news to the back pages, including the weighty events in Kenya and Zambia. In the first, the assassination of Tom Mboya, the Westward-looking politician, fair-haired boy of the AFL–CIO's foreign political arm, has put Oginga Odinga, openly pro-Chinese, next in line of succession to old Jomo Kenyatta. If Odinga one day occupies the presidency of Kenya, then the shores of East Africa, from Somaliland to the borders of Mozambique, will be solidly in Communist hands. This fact would have a decisive influence on Zambia, the focus of African news when a white supreme court justice was brutally attacked by the president, Kenneth Kaunda, for annulling the sentence of a lower court with regard to the arrest of two Portuguese soldiers lured across the Angola into Zambia. Encouraged, chanting youth mobs went on a rampage against all seven white judges, demanding their dismissal, beating up white men, and proclaiming that "the only good white man is a dead white man." Zambia, somewhat like Nigeria farther up in the north, used to be London's answer to skeptics disbelieving in the possibility of mixed societies in Africa peacefully progressing to democracy, prosperity, and racial harmony. Now that Kaunda has drawn the line between black and white and "Zambianized" the supreme court (a measure to which the constitution does not entitle him), Western illusions are suffering the final shipwreck.

On the surface there is no reason to consider a completely "Africanized" Zambia as a cause for Western alarm. But in reality, Africanization most often means a green light for internal unrest, Communist interference, economic hardship, and permission to anti-white terrorists and saboteurs to pass through the country freely and establish bases there. The focus of Communist penetration in southern Africa has so far been Tanzania; a decisive gain for the Communist design would be the extension of their foothold of Kenya up north, and, even more, to Zambia, in the very heart of south-central Africa.

Mentioning the Communist menace now, in year number one of President Nixon's "era of negotiations," may appear old-fashioned; modernity (including Republican modernity) demands obeisance to coexistence with the Kremlin, and to the prospect of joint launching of moonships with Russian cosmonauts. Yet, while America submits to changing fashions in political-military thinking, Americans traveling abroad undergo a different experience and are compelled to reach other, unfashionable conclusions. Whether Americans travel to the moon, like Neil Armstrong, or to Southern Africa, like the writer of this report, they inevitably find the Kremlin's boys on their trajectory. Let Armstrong tell his story about the encounter with Luna 15; my story involves the evidence, suggested above, of the slow and patient build-up of Communism in this area. By "area" I mean not only the African landmass and the relentless guerrilla fighting it now witnesses against Portugese and Rhodesians, but also the Indian Ocean. Warships, merchant marines, oceanographic research, submarines, fishing fleets—the Russians have appeared in force, simultaneously with their similar achievement in the Mediterranean. The long coastlines of Mozambique and Souht Africa—in other words, the eastern defenses of the Cape sea route—are now exposed to Russian spying, and even to the landing of sabotage material and saboteurs, as on the north-east coast of South America, in Venezuela—and for the same reasons. The British withdrawal from east of the Suez, announced for 1971 but already underway, opens both South Asia and southeast Africa to Russian naval forces; our own withdrawal from Vietnam (an operation in which our future Kremlin allies are helping us "save face") leaves the Communists sole masters of this enormous mass of sea and land, whose governments are mostly too weak to resist strong pressures.

One would imagine that Washington, worried about this situation, would be encouraging the creation of a south-seas alliance, and meanwhile, strengthening, with arms and a cooperative attitude, the naval defenses of South Africa and Portugal. But the fact is that—even with the Suez Canal unusable, and quickly becoming obsolete, anyway, thanks to the new super-tankers—the U.S. government is ignoring the importance of the sea route around the Cape, the five excellent ports of South Africa, and the Soviet build-up in the Indian Ocean. American ships are under orders to avoid South African ports; our factories and shipyards cannot sell naval weaponry, from coast guard boats to submarines, to the South Africans; our Navy may not train South African crews; instead, we are now thinking of building new Indian-Ocean bases in the newly independent Maldive Islands—from where, as from Okinawa, we may be ejected one day.

True, we have now a foothold, literally a foothold, on the moon, and our eyes focus on that one spot. Presidents Kennedy and Nixon have been right in lauding American skill and will in achieving that objective; but great enterprises may lift other, less spectacular but more important ones, out of focus. From Armstrong's and Aldrin's angle of vision, this corner of the Indian Ocean area may seem insignificant; yet a war is going on here 365 days a year, a relentless war in which the enemy, with a variety of methods, is endeavoring to eliminate moonstruck Americans everywhere from southern Africa to Vietnam.

[From the Washington Post, Oct. 10, 1969]

NATIONALIZING SCHOOLS

DAR ES SALAAM.—Tanzania announced plans to nationalize all private schools and to transfer their teachers into the civil service. Under a bill to be presented to parliament Oct. 21, the government will take over management and administration of all the private schools and eliminate all entry requirements based on race or religion.

INDIANA DUNES NATIONAL LAKESHORE

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. LANDGREBE. Mr. Speaker, I wish to bring to the attention of my fellow colleagues in the Congress a situation in the National Park Service which deeply concerns me.

The Indiana Dunes National Lakeshore, a proposed Federal park in the district I represent, was created in 1966. Present plans of the Park Service call for the purchase of more than 6,000 acres of land, some of it noncontiguous and much of it filled with more than 500 homes and businesses. These plans of the Park Service I have vigorously opposed, not only because of the destruction of homes and the displacement of people that it will cause, but also because of the enormously expensive operation of buying up highly developed land in one of the fastest growing areas of the Midwest. For example, the Park Service recently obtained four deeds to property for the Indiana Dunes: $32,960 was paid for a 5.75-acre tract; $9,150 for a 0.4-acre tract; $1,700 for a 0.4-acre tract; and $6,908 for a 0.7-acre tract.

These figures show that the Park Service is paying as high as $22,000 an acre to acquire land for a Federal park—a Federal park that will eventually mean the destruction and displacement of more than 500 homes and businesses and thousands of people. This land was sold at an average of $10,672 an acre. Based on these exorbitant prices, the final cost for the Federal park to the American taxpayer will be $64,032,000. I remind my colleagues that the original cost estimate was $29,000,000.

While I am not opposed to a Federal park in my district, I feel that it can and should encompass only the large, undeveloped areas that lend themselves to conservation and recreation and that are available at a reasonable cost. My bill, H.R. 11084, cosponsored by the gentleman from Pennsylvania (Mr. DENT) and the gentleman from New Jersey (Mr. HOWARD) would exclude from acquisition these highly developed and costly areas of homes, businesses, and people, and would provide, I believe, a reasonable and responsible solution to acquiring land for the Indiana Dunes National Lakeshore.

WYOMING'S REPLY TO THE WALL STREET JOURNAL

HON. JOHN WOLD

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. WOLD. Mr. Speaker, I would like to call the attention of my colleagues to the response by Senator CLIFFORD P. HANSEN, Republican of Wyoming, and myself to an article entitled the "Lonesome Land" which appeared in the October 3, 1969, edition of the Wall Street Journal. The response is prompted by the need to correct the negative and misleading impression conveyed by the article. I include the joint letter of Senator HANSEN and myself and pertinent press accounts in the RECORD, as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 10, 1969.

Mr. VERMONT ROYSTER,
Editor, the Wall Street Journal,
New York, N.Y.

DEAR SIR: In contrast to the headline "The Lonesome Land" which appeared above the article by Dennis Farney in the October 3, 1969 edition of the Wall Street Journal, we would have entitled it "Wyoming, Land of Opportunity and Quality Growth."

Wyoming has some problems, but fewer than most states and far less than the staggering obstacles of over-populated areas which has as many as one out of seven, or more, on welfare rolls. The fact that Wyoming is on the threshold of economic growth that will bring opportunities unlimited for persons of courage and vision should not be obscured.

Wyoming is a land of apparent contradictions. It is a land of open prairies and virgin mountain wildernesses, but also a land with a treasure-house of natural resources. It is the most beautiful country in North America. It is a land with few people and few of the problems of crime, pollution and hypertension, faced by other states. It is the home of people who want progress.

Historical factors are now working to bring growth and progress to Wyoming.

A crisis of America today is the concentration of too many people into too little space. The crisis has not struck Wyoming, nor will it. Wyomingites have been blessed with the right blend of land and people, resources, space and time. We do not have to undo the pillages and ravages of man. Planning development that allows for maintaining natural beauty is a luxury afforded to few, but Wyoming can afford it.

American society is dependent upon energy consumption for its high standard of living. It is estimated that the nation's energy needs will double by the year 1985.

Wyoming has the natural resources to make it the energy capital of the nation. It ranks first in coal; second in uranium; third in oil shale; fifth in petroleum and seventh in natural gas.

These factors point to what we call quality growth. By quality growth we mean economic development and businesses with a high ratio of capital to employees. Their incomes are high because their productivity is high.

The elected leaders of Wyoming have always shown a willingness to work with private enterprise for economic development and progress in Wyoming. Indeed, it has been shown many times that Wyoming has provided the type of business climate which is attractive to industry. An example is the recent announcement by two electric power companies that they will construct a $300-million steam electric generating plant near Rock Springs.

If we were starting anew, we would pick Wyoming to rear a family because of the opportunity and because it is the best place in America for children to grow up.

"It seemed as if nature had collected all her beauties together in this one chosen place," was John C. Fremont's description of Wyoming in 1842. The original splendor has not diminished.

Wyoming, the land of opportunity, is a place where the challenge of America can be renewed. It is a place where oportunity is so great; where the people are so few, that a man can choose his fate.

Sincerely,

CLIFFORD P. HANSEN,
U.S. Senate.
JOHN S. WOLD,
Member of Congress.

[From the Cheyenne (Wyo.) State Tribune, Oct. 7, 1969]

HATHAWAY DENOUNCES WSJ'S WYOMING SURVEY

Governor Hathaway today described as "distorted and negatively one-sided" an article which appeared in the Oct. 3 issue of the Wall Street Journal.

The article, by a WSJ staff reporter, Dennis Farney of New York City, referred to Wyoming's "dying towns, disappearing ranches and a state economy that while booming in some areas, is stagnating in others." Farney, in his piece, asked, "Can Wyoming itself afford the luxury of a declin-

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ing population amid its scenic, wide-open spaces?"

"If he (Farney) had taken the time to look further around Wyoming, and talked to more people who are better informed, he could not possibly have written the distorted picture of Wyoming 1969 that he did," the governor said.

"While much of what Farney said in this article is true," he said, "it is manifestly obvious that he emphasized the negative aspects of Wyoming's economy, while ignoring the positive."

"A writer can go into any state in the union today and find examples of rundown neighborhoods, deteriorating buildings and decay, and by ignoring new construction, new commercial developments and new highways, present a picture of economic stagnation," Hathaway said.

Hathaway said it is true that Wyoming agriculture, like agriculture across the nation, has been in the economic doldrums in recent years.

"But," the governor added, "this is changing. Wyoming ranchers and farmers are enjoying an upturn in 1969, largely because of their cooperative efforts in improving their methods—seeking new markets and utilizing modern, progressive technology in their industry."

The chief executive said that although, as Farney stated, there are those in Wyoming who prefer the state the way it has been until recent years, he believes the majority of Wyoming citizens who recognize the need to live and compete in today's world are ready to meet the challenge of change, growth and progress.

In his article Farney quoted Wyoming citizens in several small, way-side establishments as well as at least one person in a town who indicated a desire that Wyoming stay "as is."

The governor said he, too, has spoken with "many, many people in every single town in this state, from border to border."

"I find the great majority of them," he said, "anxious to work with private industry, public officials and agencies like the State Department of Economic Planning and Development in attracting quality industry to Wyoming and planning for the arrival of such industry in a manner that will assure orderly growth, economically and socially."

Hathaway noted that facts and figures concerning Wyoming's economic progress are available to anyone for the asking, particularly journalists seeking information for factual, objective features or economic or social articles on Wyoming.

He said such information from state agencies shows Wyoming leading all other Western states in uranium exploration, increasing uranium production, among the leaders in production of trona, a tourist industry that in 1968 showed a more than 15 per cent increase and this year promises to reach nearly 9 million visitors to the state—visitors who will spend in excess of $150 million, and will show that Wyoming leads the Rocky Mountain states in oil exploration and production. He added that the population decline mentioned in the Wall Street Journal article is known to have been reversed and that the state is now gaining in population through the advent of new industry and development.

"More than $120 million was invested in new industrial expansion in Wyoming last year," he said. "Several new manufacturers located in Wyoming in 1968 and several have announced plans to come to the state this year, among them: Control Data Corporation; Datel, Inc.; Dwight and Church; Georgia Pacific Company; Walker Manufacturing; Polaris Industries; Daveco, Inc.; Nutron Electronics; Hines Lumber Co.; High Country, Inc.; Western Manufacturing; Wycoa; Century Manufacturing; Donnavista; Northern Seed Co.; Reda Pump; Cannon Aeronautical, not to mention the $300 million steam generating plant just announced to be constructed near Rock Springs."

"It is difficult to understand how a person can say Wyoming's economy is stagnating if he has really researched the matter," Hathaway commented. "However, Mr. Farney, apparently, did not know that Wyoming's total assessed valuation for 1969 climbed to $1,236,958,572, a 4.7 per cent increase over 1968, the largest percentage increase since 1961."

"If Farney had checked," he continued, "he would have found that bank deposits in Wyoming on June 30 this year totaled $680,307,782, nearly $69 million above the same date last year. He would have found that sales and use tax collections in the 12-month period ending June 30, 1969, totaled $29,482,196, some $4,212,956 above the 12-month period ending June 30 last year—a 16½ per cent increase."

Hathaway said he is extremely optimistic, in the short and long term, about Wyoming's economic potential, as economic indicators all show gains are being made.

The chief executive noted that while Wyoming "cannot accommodate a sudden, large-scale influx of new residents, this state must have growth in order to keep pace with the demands of today's society and economy—and such growth is coming. It is our responsibility to insure that such growth is balanced with the need to maintain the state's vast store of scenic wonders and beauty."

"The Wall Street Journal article is unfortunate," he said, "as it may do damage at a time when we are making important strides. I hope the article will not nullify or set back efforts and work being done by private enterprises and public officials to promote and advance Wyoming's economy."

"Finally," the governor stated, "in answer to Farney's question concerning whether Wyoming can afford to lose population, which he termed a luxury—I think the answer is obvious, Wyoming people realize they cannot stand still—their efforts and the results of those efforts disprove his mistaken assumption that they are sitting back and allowing time and change to pass them by."

[From the Cheyenne (Wyo.) Tribune, Oct. 7, 1969]

Weep Not for Our "Empty" Land

Several years ago a proposal was being kicked about locally to buy a page in the Wall Street Journal with two illustrations, one showing a crowd trying to battle its way into a New York subway car, and the other a photo of the Grand Tetons.

The proposed caption would have read: "Do you want this?" pointing to the subway; "Or this?" indicating the Tetons. The thrust of the ad would have been to the effect that Wyoming is people- and problem-free and wants to keep it that way. It was a reverse-type selling job, of course, the basic message being that if one wanted to live in comfort or operate an industry relatively free of big urban core problems, come to Wyoming.

The ad never was bought, but some of the people who considered it now think they got what amounts to the same thing without paying a cent, in Dennis Farney's Page 1 Wall Street Journal piece of Oct. 3 about "empty Wyoming." That the message is being studied by many is evident from the reaction reported by the director of the State Department of Economic Planning and Development, Roy Peck. Mr. Peck is a newspaperman and less likely to lose his cool over what appears to be adverse publicity; there being an old theory in the latter that there is no bad publicity so long as one's name is spelled correctly.

Of this latter, there are opposing theories; but it does seem that the Wall Street Journal piece probably has a greater number of plus factors than minuses, and that it well illustrates that old saw about "never mind what you say, just so you spell my name right." The Farney article essentially says one thing: Wyoming is a land of empty space that is getting emptier. No matter that this is a distortion, for in a lot of spots as Mr. Farney admits there is economic growth and development, which is something that might be said of any state. Furthermore, it must be pointed out that every state in this country has its Hilands, small rural communities that have grown smaller rather than larger, over the years, because of the drift away from the rural areas to the urban centers.

While the Journal piece makes a point of the absence of urban centers in "Wyoming which hasn't even one big city to provide an economic and cultural center for the hinterlands," one must question whether this would be regarded by industrial prospects as a serious deterrent particularly since most of our "cultural centers" have proven breeding spots for the most dramatic rise in crime as well as civil disorder in American history these past six years, commencing with the year 1963.

Recently a man from Washington who holds a responsible post with a major national organization related to one of our local citizens the terror that life in the nation's capital holds for him and many who reside there. He said his organization maintained its headquarters in a large office building patrolled around the clock by a corps of security guards, yet even with these, in one week there had been several major incidents in that parking lot in daylight hours including robberies, muggings and the slaying of a man discovered by one of the guards in the act of rifling a car; the thief assaulted the guard who found him and was attempting to kill the guard when another security patrolman shot the assailant dead.

Some of our people apparently are disconcerted and disturbed by Mr. Farney's scarcely concealed sneers about our rural backwash; yet if one accepts the theories of some critics of the American scene, Mr. Farney and his kind who by their condescending attitude toward such as our state are in effect defenders of the discredited megalopolises of America, then it is these latter who are behind the times.

For the new town theorists have a ready-made social experiment in the community Kerr-McGee now is building in the Shirley Basin; it is these new towns, some believe, that are going to have to replace the human ant heaps of the fetid and socially-cancerous urban cores that have produced the riots and massive physical destruction to say nothing of human casualties within the past six years.

Despite such obvious concern about our future as manifested by the Journal, Wyoming will survive; and whether it does as an economic "colony" or not will also be debatable for it must also be recalled that much of the vice-regal authority for the business empires of America may reside in Manhattan, it also is a place of absentee landlords. Their majesties for the most part and most of the time, reside elsewhere. Sometimes they even live in poor, desolate, windswept and empty Wyoming.

[From the Wall Street Journal, Oct. 3, 1969]

The Lonesome Land: Wyoming Is Emptier and Its Economy Lags as People Move Away, but Many Love the Solitude and Bristle at Campaign To Attract New Industry—Dancing to Polly and Her Posse

(By Dennis Farney)

HILAND, Wyo.—West of Casper the land empties and the highway thrusts ahead. Across the dry hills of grass and sagebrush, past decrepit filling stations and lofty buttes, the road unfolds beneath the big Western sky.

Halfway to Shoshoni the road comes here—to a handful of building on the plain, a deserted schoolhouse, an abandoned motel, a

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graveyard in the gray-green sage. Only three persons live here now, although once there were more than 50.

Mrs. Betty Evenson is still here. A lively 59, she still hammers out articles for True Confession Magazine on her old black Underwood when she isn't tending "The Bright Spot," Hiland's combination general store, filling station, bus stop, cafe and post office (fourth class). Mrs. Evenson loves the solitude here. But she concedes: "We can't afford the luxury of having only three people in town much longer."

LONESOME COUNTRY

Can Wyoming itself afford the similar luxury of a declining population amid its scenic, wide-open spaces? Events are forcing that question upon the 300,000-plus rugged individualists here; that's all the people there are in a vast domain almost 20 times the size of Connecticut.

Wyoming is the quintessence of a vast arc of country, beginning in the Dakotas and sweeping southward through the High Plains, where long-term economic trends are thinning out the population. These trends bring the problems of urbanization and explosive population growth to much of the nation. But here the problems are different: Dying towns, disappearing ranches and a state economy that, while booming in some areas, is stagnating in others.

This state is one of only four that have lost population since the 1960 census, which recorded about 330,000 people here. (The other three are the two Dakotas and West Virginia.) An out-migration of people seeking jobs and a declining birth rate both contributed to the loss. A Census Bureau study puts the current Wyoming population at 320,000, but another authoritative study concludes it may have slipped as low as 313,000 in 1968—roughly the number of municipal employes in New York City. Only Alaska has fewer people, and that gap is narrowing.

The population downturn is only one reflection of a state economy that in many areas is faltering. Railroad employment—a key factor in a state that owes much of its settlement to the Union Pacific—has dropped to less than 4,000 from about 10,000 in 1953. The number of Federal employes in Wyoming has declined slightly while the number in Colorado has skyrocketed. Wyoming's per capita income, $48 above the national average in 1960, had slipped by 1967 to $157 below the national figure of $3,159.

A RENDEZVOUS IN NEW YORK

Gov. Stanley K. Hathaway is stumping for additional industry. He's led delegations into New York and Los Angeles, courting industrialists there with a "Wild Game Rendezvous." (The menu: Wyoming moose and elk steaks, followed by a promotional blitz.) A third foray is planned into Houston.

But most Wyomingites probably wish the Governor would stay home. When they think of industrial development they get visions of traffic-clogged freeways, smog and hordes of newcomers cluttering up the landscape. They'd like to keep Wyoming as it is.

Right now, Wyoming remains a place apart—so out-of-the-way that few people really know it. "The myths about this state are fantastic," says Mr. Pikl. "People still think we're locked in a mountain fastness with glaciers everywhere. They have the impression that everybody in the state walks around in Levis and a cowboy hat saying, 'Howdy, stranger.' "

A long drive across the state indicates there are a lot of cowboy hats in Wyoming (where cattle and sheep outnumber people about 10 to one) and a lot of colorful individualists wearing them. It also reveals that most of Wyoming looks nothing at all like its two main tourist attractions, Yellowstone National Park and the majestic Grand Teton Mountains.

Down from the western mountains and their cool forests of spruce and fir, the land changes. It is stark, almost desolate at times—a vast expanse of rugged uplands, or flatlands gray with sagebrush and dotted with waterholes where antelope come to drink. Diesel trucks strain to make the long grades, and the car radio advertises a dance somewhere with "toe-tapping Western music by Polly and Her Posse."

The road unfolds for miles, the Union Pacific sometimes running alongside, without passing a single ranch house. And then the road will come upon a lonely white frame house beside some stunted, wind-whipped trees, or upon a deteriorating town like Bosler: A few buildings, a brick schoolhouse and an abandoned clapboard restaurant with a sign saying "EAT."

Armand Picard, 62, ranches amid such country. He's a stocky man, and beneath the brim of his rolled-up Stetson his face is sun-reddened and covered with white stubble. He leans against his battered truck, the treeless plain rolling away from him in all directions, and talks of winter nights where temperatures drop to 40 degrees below zero.

Rising costs and fluctuating profits haven't forced Mr. Picard off the land, although they've defeated many smaller Wyoming ranchers. But he says he's operating now on a 1% profit margin. "Cattle prices are just about up again to what they were in 1951 (a good year)," he says, "but everything we buy now costs three times what it did then. All the smaller operators are selling out."

Mr. Picard will stay "I'm not much of a town boy," he says slowly. "This little old town of Shoshoni (population about 750) is big enough for me." A freight train whistles, far away, and he hurries to drive a wayward cow from the tracks. Driving away, he soon seems dwarfed by the land and the distant Owl Creek Mountains, blue-black beneath the drifting clouds.

Mr. Picard is one Wyomingite who's dubious about the desirability of bringing more industry to the state. "You'd get a lot of undesirable people," he says. Another man who agrees wholeheartedly with that is Gail Hightower, 64, a Riverton barber.

"As far as I'm concerned, there are all the g— d— people here now that I care about," he bristles. His customer in the barber's chair nodding vigorous agreement. "If we can stop some of these people who are polluting the air with this that and the other, this will be pretty good country."

TALES OF NEW YORK

Down the street, Lowell Morfeld, a self-made uranium millionaire, looks up from a leisurely breakfast at the Teton Hotel and describes a harrowing business trip to New York. "Do you know," he asks incredulously, "that it's a regular thing for commuters on the Long Island Railroad to ride to work with the blinds drawn because people throw rocks at the railroad cars?" Mr. Morfeld was once a "roughneck" (laborer) on a Wyoming oil rig; despite his wealth, he wouldn't think of living anywhere else.

Neither would Robert and Dorothy Huckfeldt, a young married couple who moved out to Cody (population about 5,000) because Cheyenne was getting too big for them. Now they're happy running the "Cody Corral," a big souvenir shop that offers everything from a stuffed moose head ($375) to a wooden sign: "Fight Smog—Buy Horses." "People in big cities (like Cheyenne) are all out for themselves," Mrs. Huckfeldt says. "Here in Cody they're a lot more friendly."

Mrs. Evenson isn't about to pull out of Hiland, either. "I love this place and I love the people," she says. "It's just paradise for a writer." And so it is. Bus drivers passing through tell her tales to replenish her supply of True Confession-type stories. (There is a formula for writing such stories, she says: "Sin, suffer and repent; end on a hopeful note, but not always.")

And when the bus drivers run out of material, Mrs. Evenson just heads into Casper, 60 miles away, and gets her ideas from a different source. "I like to hang around bars," she explains.

Declining populations are posing severe problems for some of the state's small towns and school districts, because their basic operating costs remain about the same even though the economic base is shrinking. One veteran Wyoming political observer calls the whole subject of population loss and economic growth "political dynamite." He expects it to be an issue in elections next year, when Sen. Gale McGee, a Democrat, will be among those seeking reelection.

THINKING SMALL

The bleak economic statistics provide ammunition for some native critics—including state officials and economists at the University of Wyoming—who believe the state hasn't tried hard enough to diversify its economy and stem the outflow of some of its most talented people. The critics lay at least part of the blame for that to some fundamental traits of the Wyoming character: A deep seated suspicion of "outsiders" and a seemingly ingrained tendency to think small.

"I think Wyoming missed the boat in the postwar years," says James Pikl, head of the state university's economics department. He says Wyoming remained complacent while other Western states were going after industry and pushing tourism. He and other economists agree that today Wyoming's main role in the regional economy is to supply raw materials to out-of-state firms—which process them and pocket much of the profit. "I tend to think of this state as an underdeveloped nation," says one economist.

The analogy fits. In many ways Wyoming is a classic kind of colonial region, dominated economically and culturally by the outer world. A small case in point is Harry Hoffman's liquor store.

Any Wyomingite can tell you about Harry's place. For years the cut-rate prices there have been drawing in carloads of thirsty people from places like Laramie and Cheyenne. They stock up for themselves and haul more home for friends. Organizers of Wyoming's biggest social event of the year, the Cheyenne Frontier Days, bought all the liquor for a big staff party from Harry's, says one insider. Harry Hoffman's is a Wyoming institution.

And that's rather odd, because Harry Hoffman's is in Denver, Colo.

LOOKING FOR A CITY

But that's the way it goes in Wyoming, which hasn't even one big city to provide an economic and cultural center for the hinterlands. (Cheyenne, population about 47,000, is the state capital and biggest town.) And so folks in southeastern Wyoming regularly drive 60 miles to shop in Fort Collins, Colo. A widely used hospital for southwestern Wyomingites is Holy Cross Hospital in Salt Lake City. Similarly, northwest Wyoming looks to Billings, Mont., and northeast Wyoming to Rapid City, S.D.

Economically, out-of-state concerns dominate the economy. Wyoming's largest oil produced is Pan American Petroleum Corp., a subsidiary of Standard Oil Co. of Indiana. Its largest uranium producer is Utah Construction & Mining Co., San Francisco. Despite huge deposits of natural gas, Wyoming has no home-grown gas utility; people here buy their gas from Pacific Power & Light Co., Portland, Oreg.

"Our (late) Sen. Frank Barrett once said that 'Wyoming oil put the lace on the windows of Denver clubs,' " says Frank Clark Jr., a state administrator and a well-known participant in state Democratic politics. "He was about right."

Of course, there's a good reason outside capital finances most big projects—a lack of Wyoming capital. "One bank in Denver has

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more assets than all of Wyoming's banks put together," says one state official. Other obstacles to Wyoming's industrial development are its geographic isolation and scarcity of people.

Nevertheless, economists at the University of Wyoming believe the state could be doing a lot more in several areas: Developing a more specialized agriculture, processing more raw materials within the state and pursuing light industries, like computer-related concerns, that aren't deterred by Wyoming's liabilities.

Says Dwight Blood, one of the economists: "I wish there were a few more people here who were willing to do more for Wyoming than just ship the oil and minerals out to places like Bartlesville and Denver."

Predictably, that kind of criticism often raises the hackles of people who think the state is doing just fine. After Mr. Blood coauthored a rather critical analysis of the state economy a few years ago, he and the other author "were roasted from one end of the state to the other," he recalls ruefully.

A BRAINWASHING JOB

One man who frequently finds himself at odds with Mr. Blood and his colleagues is Roy Peck, Wyoming's foremost salesman and an indefatigable booster. Mr. Peck is executive director of a state agency that oversees to lure industry to Wyoming. Although the natural resource development and attempts and the university economists remain friends, he admits he's "in a running battle with them" most of the time.

"The boys at the university—I'm brainwashing them, don't worry," he declares.

Mr. Peck predicts that oil and mineral activity "will provide 5,000 new jobs in the next five years, directly causing a growth of 15,000 in the state's population." Indeed, a number of concerns are rushing to exploit Wyoming's tremendous reserves: Hundreds of billions of tons of low-grade coal, an estimated $2 billion worth of uranium, and vast reservoirs of oil and gas, among other things.

Already an influx of uranium miners has transformed Jeffrey City, once a fading hamlet in the middle of nowhere, into a trailer court that sprawls out into the sagebrush. In the uranium-rich Shirley Basin of south-central Wyoming, concerns like Kerr-McGee Corp. are laying out a brand-new town for more than 2,000 people. Oil activity has made Gillette, in the northeast part of the state, a boom town whose population has almost tripled (to more than 10,000) since 1960.

SHUTTING OFF THE DRUG FLOW

HON. JOHN DELLENBACK

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. DELLENBACK. Mr. Speaker, there have been wails of anguish over Operation Intercept, the effort to stop the flow of narcotics and dangerous drugs from Mexico to the United States.

Fortunately, more reasonable voices have spoken up in its favor. I wish to insert in the Record two of those voices—those of the Oakland Tribune and the Houston Chronicle—both recognize that it is important to end this vicious traffice, even at the expense of a few hours' time of some tourists. The articles follow:

[From the Oakland (Calif.) Tribune, Sept. 23, 1969]

A Small Price To Pay

To reverse the epidemic course of promiscuous use, the Nixon administration has embarked upon an ambitious program to halt the flow of almost 2½ million pounds of marijuana a year from Mexico into the United States.

Operation Intercept was launched last weekend along our porous border with a massive land, sea and air patrol that netted thousands of pounds of contraband.

The operation aims toward cutting off the drug from the eager U.S. market, thereby pushing the price of available marijuana so high youngsters cannot afford it.

Although the campaign successfully resulted in the drugs seizures and the turning back of countless would-be smugglers, the real measure of its profit may come from one significant side effect—the delaying of tourists for up to six hours at U.S. customs checkpoints.

Tourists already have been discouraged from entering Mexico because of the delays to such an extent that business has fallen off by as much as 75 per cent in some border cities.

Therefore, the pressures which may be brought to bear on the Mexican government by the suffering merchants could bring about enforcement of its laws against marijuana.

Presently Mexico's mini-force of 40 narcotic agents is hard-pressed to control the harvesting of lucrative marijuana patches which, on many farms, have replaced traditional crops.

So far, the Mexican government has done too little to end this open flaunting of the law. The government has not seen fit to bolster its staff nor has it experimented with use of chemicals which, when sprayed on marijuana, would nauseate users who later smoked it.

Regardless of the inconveniences and hardships, there should be no letup in the operation until Mexico moves to dry up this vast source.

Even if Operation Intercept must be continued indefinitely to accomplish its goals, it still would be a small price to pay for elimination of a drug market which some have said has reached as many as 20 million people.

[From the Houston (Tex.) Chronicle, Sept. 29, 1969]

Shutting Off Drug Flow

The federal crackdown on drug smuggling at the U.S.-Mexican border is causing inconvenience to many innocent travelers. Over the weekend over-worked immigration officials could not keep up with the returning crowds of visitors. At some points traffic was backed up six miles, and there were delays of hours as officials carefully checked for illegal pills, marijuana and other illegal drugs.

This is part of Operation Intercept, the government's drive to cut off drugs from Mexico. The campaign seems to be paying off, for customs agents turned up thousands of pills and thousands of pounds of marijuana.

Undoubtedly Operation Intercept is going to hurt tourism in the border towns. Maybe this will make the Mexican people and government realize how serious this problem has become in the United States. If it begins to hurt tourism in Mexico, then this could have the beneficial effect of prompting Mexico to act more aggressively in the control of both pills and drugs. They have been notoriously easy to acquire south of the border.

GREEN THUMB, INC.

HON. ROBERT V. DENNEY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. DENNEY. Mr. Speaker, I would like to express my appreciation to an organization that is presently engaged in two commendable goals—providing work for retired low-income people in rural communities and accomplishing recreational and beautification projects.

Green Thumb, Inc., sponsored by the National Farmers Union, was established under a grant by the Office of Economic Opportunity to make use of the desire by many of our retired and older citizens to contribute in a meaningful way to their livelihood and community, and they have been highly successful in this endeavor.

Green Thumb now operates in 14 States in 150 counties, employing over 2,100 workers. At the present time, the demand is high in Nebraska for additional job openings over the 70 now filled. And, according to Nebraska Green Thumb Director Delbert Niemeier, there have been numerous requests for Green Thumb crews to help improve and develop park facilities and other projects.

For 1969, the contract with Green Thumb was for $4,653,050. Although the Nebraska Green Thumb participation is small, only $156,750, it contributed mightily toward conservation and beautification in the Cornhusker State.

Seldom have I had the inclination to wholeheartedly commend and support a program coming out of the Economic Opportunity Act. But in the case of the Green Thumb program, where administrative costs are at an encouraging low figure, about 13 percent, and the benefits to workers and communities so high, praise is well placed.

So that other Congressmen can become better informed on what Green Thumb does, I place in the Record a narrative report on its activities in the First Congressional District of Nebraska for the month of August 1969:

Nebraska Green Thumb Projects in First Congressional District of Nebraska, August 1969

LANCASTER COUNTY

The one crew is painting all the rest rooms and bath houses at Wagon Train Lake, Stagecoach Lake, Bluestem Lake and at Olive Creek. They have also painted the four foot bridges at Wagontrain Lake.

The other crew dug the footings for two picnic shelter houses and poured the concrete foundations and slab floors for the shelter houses at Pawnee Lake near Emerald. The first week in August was spent on repairing and painting picnic tables at this lake. Some time was also spent on anchoring the tables to the ground. This was necessary because of vandalism that occurred at this park.

GAGE COUNTY

The crew at Rockford Lake have been cutting weeds on the dam site and around the boat dock area. The last few days they have been cutting brush, trimming trees and burning the brush in the areas that will be camping sites later on.

The other crew has been cutting brush, weeds and undesirable trees along the river banks in Chautauqua Park in Beatrice. Some time was spent on patching the holes in the roads running through the park. They also hauled dirt and did landscape work around the new bath house at the swimming pool. Part of the crew spent some time hoeing and watering the flowers, shrubs and trees that were planted earlier this year.

JOHNSON COUNTY

One crew has been repairing and erecting bleachers at the Syracuse ball park. They have also been painting the board fence around the ball diamond. Some time was devoted to hoeing and watering the flowers and trees that were planted in the parks.

The other crew has been hauling dirt around the new fire house in Sterling. The rest of the time they have been working around the ball diamond in Adams. Here they have finished getting the board fence around the ball diamond and are busy painting same.

KNOX COUNTY

The one crew there has been painting posts and picnic tables at the Miller Creek and Bloomfield areas and have also been cutting brush and trimming trees in the Wiegand area along the Lewis and Clark Lake.

OTOE COUNTY

The crew at Arbor State Park has been busy tending the flower gardens and trimming the hedges in the gardens. They are still devoting some time, when the weather has been cooler, hauling dirt into the holes from which the dead tree stumps were removed. This will be leveled and seeded.

The crew at Wildwood Park has built a swinging pedestrian bridge across the creek. This past week they have built a rock retaining wall and making a drainage ditch for the excessive rainfall.

PAWNEE COUNTY

One crew has been painting rest rooms in the Burchard Lake area. They have also rebuilt the steps and guard rails leading up to the dam. They have constructed another "blind" in the Grouse Stomping area. At the present time they are constructing a rustic "trail fence" at the park camping entrance.

The other crew has been removing the block foundation from the old Governor Butler House and hauled them to the historical site. There they have poured the concrete footings and are presently relaying the block foundation. Soon this old house will be moved to its new site at the historical park.

ROTC

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. **HÉBERT**. Mr. Speaker, every Member of the House knows of my keen interest in the Reserve Officers Training Corps. In fact, my subcommittee recently issued a report on the program concerning the problems confronting it on our college and university campuses.

However, today I want to go to the heart of ROTC—the young man who participates in the program. Mr. James D. Hittle, Assistant Secretary of the Navy for Manpower and Reserve Affairs, has called to my attention a matter about which I think everyone should be aware.

Hittle, during a visit to the Reserve Officers Association convention last June, heard a speech given by Midshipman Charles C. Hooper on the problems encountered by the NROTC at UCLA. Following his talk, Mr. Hittle had a private meeting with Midshipman Hooper and at the end of the conversation requested that he provide the Navy with a report on what had been done at UCLA in protecting the ROTC's on campus and supporting the retention of ROTC courses with full credits.

In providing me with this report, Mr. Hittle says that it is "one of the finer evaluations of the problems the ROTC faces on campus. Also, it shows what can be done when strong leadership and spirit are present.

After reading the report, I heartily concur with Mr. Hittle's opinion.

I was so impressed that I wanted everyone to receive Midshipman Hooper's thoughts in an area which is of grave concern to me. After reading what Midshipman Hooper has to say, however, I am firmly convinced that ROTC will weather the attacks which are being thrust upon it. And as I have said time and again, I will do everything in my power to see that ROTC remains strong where wanted and is removed where it is not wanted.

Mr. Hittle informs we that Midshipman Hooper's ideas have been of tremendous use to the NROTC program nationwide. I am inserting them at this point in the RECORD:

SUMMARY OF COMMENTS DELIVERED AT THE ROA ANNUAL CONVENTION, LAS VEGAS, NEV., JUNE 28, 1969

INTRODUCTION

This informal report on campus confrontations relating to the ROTC is being presented on the basis of the unique situation at UCLA, an independent branch of a land grant University. The experience behind its presentations qualify it as such. With the realization that the contents cannot become convincing or of applied value without being fully understood, a simple workbook approach on the student political implications is taken in lieu of a more literary or academic tack. Part I presents the basic problems confronting ROTC Units on campus. An attempt is made to collect the fragmented parts of these problems and place them in a relative perspective as to bases for existence and possible potentialities. Part II is a case study of the UCLA NROTC Unit. This study is a detailed outline of the combined efforts of its staff and midshipmen which were and still are being employed with some degree of success to maintain a firm and functionally compatible position for this unit in the face of these problems in its university environment. Part III draws a summary and conclusions based on these unique efforts. This summary is presented with the hope that sharing the experiences encountered may provide a basic framework to develop some viable policies which other ROTC units may employ, as applicable, to some of the particular and unique confrontations which they now or may soon have to face. Part IV extends the nature of this report to include the candid comments and personal recommendations of its author. These are based only upon his personal thoughts and experiences to provide a particular student viewpoint on the matter.

PART I. PROBLEMS CONFRONTING ROTC

Introduction

It must first be understood that there can be no standard list of all of the specific problems that face every ROTC Unit. The list varies in nature and degree as does the prominence of the political environment inherent in each particular campus. It is of paramount importance to have some basic idea of just what these problems can be before an ROTC Unit can attempt to effectively deal with them. Drawing upon experiences that seem to generate recurring trends in these problems, three basic situations are presented that should be understood in order for an ROTC Unit to even begin to evaluate what it may be or is already up against.

Nature of criticisms

"War-relatedness" is the political case against the ROTC. However, it is the academic case that must be presented to the academicians who decide on the academic fate of ROTC. The crux of this issue, then, is *academic freedom*. In reality, the student/political criticisms presented against ROTC break down when evaluated from this standpoint. The opposition knows this. Therefore, the organizations trying to abolish or discredit ROTC try to hit as close to the issue as possible and try the next approach by making their main stand against "academic credibility". Their underlying reasons for moving against ROTC, however, is not at all academic or in the purient interest of an open campus or society. Only the emotional support drawn from the faculty and students even relate to these reasons. Yet, these activist groups know that academic credibility is the only argument against ROTC that the faculty might buy.

The general selling point to the "authoritative bureaucracies" that anti-ROTC groups use is on the basis of "an obvious lack" of course academic quality, qualifications and status of military instructors and compatability of a military career oriented program with the aims of liberal education. In a more zealous effort to back their argument these groups have listed several other reasons to withdraw credit for or cancel ROTC programs. One reason is "because non-academic factors such as appearance, obedience and political beliefs count in ROTC grades". Another reason cited is "because admission to ROTC is limited by such factors as sex, citizenship, and physical qualifications". It is the basic idea that ROTC is repugnant to the fundamental principles of a liberal education, and that the quality of its curriculum expose it as such, that is sold to the decision-making bodies with the potential to oust ROTC. But this is basically a front which anti-ROTC groups use to gain recognition and status in the eyes of the students and eventually the administrators as well meaning crusaders for the true preservation of academic quality on campus. Nonetheless, every potental criticism against ROTC along these lines of "academic credibility", no matter how general or unreasonable they may seem, must first be understood and realized. This must be in order to be able to answer any of these at any moment. The instantaneous ability of the members or staff of any ROTC unit to sense these criticisms and set them down before students and faculty, in the context and dialogue in which they were issued, is paramount. Once the wherewithal to deal with the main issue is established, effort may shift into dealing with the force behind the issue—the student and faculty support. It is the over supposed amount of this support as seen by administrators that causes the universities to feel that they "must act" in the "conscience of its community". The imperative action, then, must be to assure that 1) this conscience is informed by being provided a solid answer, within the context of the university, to every criticism concerning ROTC. 2) channels of communication are established and readily available to allow dialogue with those who speak most for or authoritatively determine this "conscience", 3) no action regarding ROTC matters is taken by the university without prior knowledge of it and preparation to handle it.

Ideologically the need, worth and compatability of ROTC speaks for itself. But in the face of preserving its programs, its members and staff as students and professors must speak for it with knowledge, with clarity and with conviction. Reason is the best weapon.

Drawing student and faculty support

For all that has been said about the impetuousness of youth and the so-called "generation revolt", a few campus confrontations are spontaneous. This seems to be particularly true in the enlisting of anti-ROTC support. It is at this stage, outside of the halls of the academic senates, that the issue turns from academic to moral in nature,

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from reason to emotion. On the surface there is a moral connation that "ROTC is an evil within the confines of the university. It feeds the war machine. It makes the university an accomplice in the war . . . and everybody knows that war is bad".

Behind the scenes, the case against ROTC is initiated by a small group. This action is often timed to coincide with a larger social grievance which currently is being aired, or to use one, should it arise. This cadre establishes itself in another group or series of groups already protesting some grievance. The new cause, higher on the "moral" ladder than the previous one, is substituted or draws major support by the spokesmen.

Next, meetings are arranged on or off campus, to discuss the issue and what should be done about it. Small contributions are sought to help the cause. Attention is drawn to already established support as espoused in writings in the underground student newspapers which "happen to deal with this very same subject". Volunteers are enlisted to distribute leaflets and posters. It is at this point that the issue comes out in the open. Bigger, public meetings are organized; rallies and forums are held to call wider attention to the issue. An immediate link between ROTC and the war machine is established. Other "immoral" implications concerning the existence of the program are made. The main intention is to stir up as much discontent as possible and win *sympathizers* to stage an impressive demonstration.

It is also at this stage that additional support is enlisted from some liberal faculty members. Some professors have already taken part in the proceedings. A lucid professor who is popular with students can be of enormous help to the cause and add "dignity" to the proceedings. These professors and student activists have injected the anticipation into the crowd that they can each have a part in the struggle that has already been waged successfully by a few.

The implication here is that the majority of the support for the case against ROTC (the force behind the issue) is drawn from an abundance of emotion stemming in considerable amount from an over eagerness of many faculty and students to maintain their own "moral purity."

Actions against ROTC

Once this emotional appeal takes hold, the issue is dramatized by calling a mass meeting or demonstration and appealing for active support from other groups. An emotional frenzy results by appealing to the moral judgements of the crowd on the "unjust war in VietNam", "University as an accomplice to the War", and the "existence of a trained killer camp on campus." Chanted repeatedly to the accompaniment of waving banners, such phrases have an effect similar to repeated suggestions at a hypnosis session.

The time for individual participation is set. This is a direct confrontation. It calls for disruption of any or all of the functions of the "military establishment" on campus. This disruption is often in the form of sit-ins at the unit staff and administrative offices, a harassing barrage of phone calls to the offices and a disruption of drill periods. Demands are also made to the university to halt activities such as an upcoming annual dress review or parade. Often universities bow to these demands with the rationalization that, for the safety of your (ROTC) students, the event should be cancelled. These actions are undertaken first so that a "meaningful symbology" can be seen in the minds of the participants for what they are doing.

From this point there is a major shift in emphasis. The previous actions receive less emphasis as the majority of the effort goes behind the scenes. The stage for political manipulation is set. These anti-ROTC groups are really just part of the larger political movement that has already established itself within the university. Their "people" have already been "setting the political table", so to speak. It is not often a coincidence that the policy making or influential "advisory" committees are "stacked". The "conscience of the consensus of the students" is presented with the upmost professionality at an official meeting that few people even know about. Credibility is established by informing ROTC offices about the meeting place just prior to the occasion. Here, with all the trappings of a sanctioned decision-making affair, the "pros" and "cons" of the ROTC are presented and a vote of proposed action is taken. By the end of the week the student body and faculty may very well be voting on the reduction of credit or withdrawal of ROTC—both of which are unacceptable. Timeliness is important for the ROTC has virtually no time to inject any reason into the still ripe emotion about the issue. Hardly a detail is laid to waste. Mail "sense votes" may be solicited immediately on the issue to the presiding members of the academic senate. If slipped through unnoticed they may contain only one statement for which to vote. Wording may be as follows: "I do/not support the ROTC program at this university" (please check). The majority of the professors do not consider ROTC a burning issue in the face of the deeper matters of "academic concern". Some have given little or no thought to the issue. But now they must "vote". Many may read the question analytically and reason that they do/not support the program in the sense that they do not do anything for it—others act out of "conscience". The box is checked, the results are presented and a basis for larger action is "established". Those ballots not checked can either be thrown away or returned. Those returned do not necessarily indicate the opposite vote (maybe it is an abstention?). At any rate, the students and especially the faculty really have only an exposure to one side of the coin. By not knowing enough about the other how can they vote positively for it? They have heard one voice.

PART II: CASE STUDY: UCLA NROTC

Introduction

The main assumption from Part I as to why certain ROTC units have had difficulty in dealing with the problems mentioned is that these units did not become aware of the political and adademic confrontations until it was too late. At the time of awareness they were not conditioned to assert their position so that it would be defended or maintained. The following case study of the UCLA NROTC is presented as an example of how one unit has continuously conditioned itself to assert and maintain its position as an integral part of its university in the face of considerable effort to remove or discredit it.

Anti-ROTC activity

Anti-ROTC activity at UCLA has been most notable since October 1968. Activity initially mentioned in section titled "Action Against ROTC" gradually gained momentum and reached its most vocal peak in May 1969. It must first be qualified that the thrust of the activity was aimed at the Army program since its curricula could be more easily construed to match the criticisms made by the activists. This concentration on the Army was with the idea that as goes the Army, so will go the Navy and the Air Force. Having laid the groundwork since October to deal with the expected criticisms and confrontations, the NROTC initiated action and proceeded on three levels to effect active support for the ROTC programs at UCLA.

Student level

The student level consisted of political action aimed at the crux of the issue of academic freedom. This was the "gut" level powerhoused by the midshipmen. The behind-the-scenes meetings of activists and policy groups in May suddenly issued notice that a student referendum, proposing abolishment and withdrawal of credit of ROTC programs at UCLA, would be put out for vote in one week. This was conveniently timed to draw upon the very high emotional state that was present on campus in sympathy for the students at Berkeley who were "facing the barbed-wire and bayonet suppression of the militant National Guard." The People's Park situation was drawing sympathy from many less-than-liberal students who normally do not take part in any campus activism. The ROTC link to the "force and brutality of the military" was printed on posters showing bayonets being held to the faces of "the brothers and sisters" at Berkeley. The emotional tide was tremendous for several days. Yet, through this the unit had only one week to bring the real issue forward. The midshipmen as students went into high gear. The battalion commander and several senior students effected, a *contingency plan they and the staff had prepared previously*. Participation by other midshipmen was spontaneous. They were confronted with this issue as students and directed their efforts as such. The older students spent the daytime in faculty-student conferences about ROTC to insure that all sides of the ROTC view were presented and maintained. In the evenings they drew up a petition, wrote position papers and designed leaflets which were to be passed out expressing the *student view* of ROTC. A core of three individuals were able to keep operations moving. The other older students were used to head up the various phases undertaken with the underclassmen providing the majority of the manpower. The phases included having students: (1) speak with every fraternity and sorority house 2) contact members and friends on each dorm floor and conduct a general "rap" session to get those who silently approve of ROTC to speak for it 3) circulate petitions and leaflets to all living groups and continuously on the walks of campus all week 4) write articles for the news media and enlist support of local prominent T.V. commentators 5) arrange to speak with the Chancellor and other administrators to present the student view of ROTC 6) inform alumni and public about the issue 7) enlist the support from the student organizations that they either belong to or direct 8) coordinate actions with the other ROTC units.

The most important aspect to be realized in these efforts is that the issue was presented from a student viewpoint. Midshipmen were speaking for UCLA students and not the military. They spoke candidly and not from prepared outlines. They used the terms of activists in making their points. Their points were directed at clearing up some of the emotional smoke, not answering to "charges" and at making a case for ROTC. Most importantly, the effort on the student level was directed so as to convince the students that they, not just the ROTC cadets, had a stake in the ROTC issue. The point of academic freedom to choose courses and a career was driven home hard. Even more to the point was the fact that it was shown that voting against the ROTC programs would help to continue to put strength behind the active political faction that was trying to drive out ROTC and influence the administration. Why couldn't they exert the same pressure for any other program they either "approved" or "disapproved?" This was a big selling point. The results of the undergraduate voting were as follows:

Should ROTC be permitted on Campus:

	Number	Percent
A. Yes, with academic credit	3,217	42.5
B. Yes, with no academic credit	2,416	31.8
Total yes		74.3
C. No, under any circumstances	1,882	24.8
D. Don't know, no response	72	.9
Total voting	7,587	

The totals represent less than ⅓ of the total student (graduate and undergraduate) enrollment. However, this is about double the interest in annual student elections. Several interpretations are obvious—a clear majority agree in principle that ROTC should be on campus, and its structure should be changed.

The student NROTC effort was directed at VOTE A. If every ROTC cadet or midshipman voted for A there would still be approximately 2700 non-ROTC students supporting the program. The main effort is getting these students to take time to vote in the issue. This was a special referendum with only two proposals, the other considering a $1.00 per quarter student fee increase. It is a personal interpretation that VOTE C represented the student block that occupied the administration building and was trying to effect a shutdown of UCLA all week. VOTE B represented the social choice for non activists whose conscience was somewhat satisfied by voting in some manner against ROTC. Many close friends voted for B saying "it won't hurt ROTC or my friends in it," but the Berkeley situation and the war indicate that "change" is necessary. Herein lies an area for further work—educating the student body as to the nature of ROTC programs. The vast majority are completely unaware that the programs *have been* restructured. ROTC again represented a symbolic means through which some change in these two situations could occur through student opinion.

Considering the climate in the prior week when it seemed certain that ROTC would fall totally into an emotional-political pit, the results were very positive and reaffirming in nature . . . far more than expected. Conditioning and readiness paid off.

It should be noted that the effect of the results of the student vote is to present to the chancellor some type of "student concensus" to present to the Regents on the campus issues. In effect, the effort by the NROTC left the Chancellor with no reason to act against ROTC and took much of the starch out of the activist effort.

Faculty level

Concurrent with the student effort, the unit staff officers effected increased efforts to support the ROTC programs at the faculty level. These officers, the commanding officer and the freshman instructor, in particular, had prepared the unit since their arrival in the fall to cope with potential campus difficulties. They had established many lines of communication with administrators and faculty that they used fully at this point. They kept in touch with the varying political climates as they changed so as to provide a base of guidance and information to the midshipmen in their efforts. The emphasis by the officers was on the academic side of the issue. They were aware of the decision-making chain of command on campus, how decisions could be effected and affected, and the procedures by which to most effectively participate in this process as faculty members themselves. They personally attended the committees on educational policies and academics, to repeatedly assert that the course relevance and content of NROTC courses were determined by the duly constituted academic processes and that they met the standards in the context of other university courses as to "academic credibility". Many misconceptions and false statements would have affected faculty opinion if it were not for this effort. This effort is still in progress.

Additional time was spent in discussion with individual professors and department chairmen. Midshipmen also talked at length with the professors they knew. The purpose of these talks was to reason, and to provide professors a positive base of information with which they could formulate a positive and knowledgable attitude about ROTC. The Academic Senate voting results are as follows:

	Yes	No	Percent
A. Abolition of ROTC courses	191	624	76.5
B. Withdrawal of credit, ROTC	297	509	63
C. Inquiry re ROTC programs	752	249	75

Solid support is shown for maintaining ROTC programs with credit and for an inquiry into ROTC programs with the possibility of effecting some minor improvements or recommendations.

Regents (political) level

The efforts on this level are of a wider and more general nature. Being a state owned university campus, UCLA and the other eight University of California campuses is ultimately controlled by a Board of Regents who manage the statewide university system and are accountable to the taxpayers. This is where public relations efforts come into focus. Public support can ultimately effect the views of the members of this board regarding the ROTC if it were strong enough in either direction.

The NROTC unit was in the public eye continuously throughout the year. There was a blanket drive service project conducted by the midshipmen in the surrounding communities which was a door to door effort in uniform to collect blankets for war refugees in Vietnam for Christmas. A Veterans Day presentation and program was conducted by midshipmen for the neighboring town of Santa Monica. The NROTC unit was a major participator in every campus activity in which the public participated—blood drives, charity drives, Open House, to name a few. Community support was also enlisted through the Navy League. Midshipmen had been donating their services to the sea cadet programs sponsored by the Navy League as classroom and drill instructors for a year and a half. The list of participation continues far past this and ranges from projects with Color Guard for the dedication of a new hospital to drivers for university guests. Attention was drawn to each activity by putting it before the public eye through newspaper articles or T.V. coverage. When the going got tough, the Navy League stepped in and enlisted community support to present a resolution to the Governor who is a member of the Board of Regents.

An unusual student—Regent interface also existed. Several midshipmen applied for jobs *as special drivers for the Regents* in the *early* fall. By midyear the *entire driving staff for the Regents* consisted of *midshipmen*. When the Regents would come to UCLA for meetings, these midshipmen accompanied them everywhere during the duration of their stay. Many opportunities for personal conversations were possible. Personal friendships even developed. It would not be uncommon to go to dinner with a Regent or to spend many hours in conversation about campus issues, especially ROTC. Consequently, the friendliness, appearance and intellectual exchanges of midshipmen with the Board had much potential in maintaining a good image of ROTC students and their program on a statewide level. This type of impression cannot be reflected numerically due to its unprecedented value.

The continuing effort

Having won the battle, so to speak, the main efforts at this moment are directed at not losing the peace. The activist groups, having lost their chance to build support for their case through the student and faculty votes, have continued their efforts politically behind the scenes to try to get around the realities of faculty-student support for ROTC. At present UCLA has a quasi-legal body called the University Policies Commission (UPC) which has set up several Task Forces to study areas of campus concern. One such Task Force is that on "war-related activities and ROTC". This writer is presently a member of this "study group" and was appointed to "represent a balanced view on the committee". There are four other student voting members who will spend all summer on salary "researching" to come up with some "qualified conclusions" on the matters of war-related activities and ROTC on campus. Open condemnations and proposals for abolishment of ROTC are declared continuously by the other members. The student members are campus activists who are on this task force with the purpose of placing the university approval stamp on their proposals. It is another way to gain political status and to play the university against itself. This writer has just recently been "voted" off of this force because he "has not the proper background" and is "holding up the progress of the committee". This vote has personally been discredited on its non-legality. Current effort is being undertaken to expose the background nature of the task force and the invalidity of some of its proposals. There have been similar complaints on the other task forces that the majority of members are student activists. The result comes about partially by the fact that this type of activity or "involvement" is the occupation of these students. They work at their goals on a full time basis. This is the type of effort a unit can be up against. One thing can be assumed . . . that is, that the effort will continue and an ROTC unit in this type of situation has to be able to recognize these efforts and stay in the game.

PART III: SUMMARY AND CONCLUSIONS

It is believed that the issues and situations presented here are not merely local case studies but have profound and real consequences and applications. The increasing role call of ROTC units facing or receiving either being discredited or discontinued bears this out. Like buffaloes being shot, these units have looked on with interest when another of their number goes down, without seriously thinking they may be next. The example of the UCLA NROTC gives some idea what may be done in the face of the concerted political moves to eliminate ROTC. The sister NROTC units at Stanford, Berkeley and Washington have been physically attacked throughout the active attempts to remove or discredit it. We have maintained a positive orientation—some of the tools to maintain positivism: Vision . . . Leadership . . . Moral courage of the planning of its midshipmen . . . Communication . . . Public Relations . . . Gut Effort.

PART IV: PERSONAL COMMENTS AND RECOMMENDATIONS

It was tremendously encouraging to see the importance of ROTC-campus situations be so prominent at the recent ROA Convention in Las Vegas. Speaking before the convention and with many distinguished civilians and military officers, brought the need into the open for a coordinated effort on a national level to evaluate and aid each ROTC program. I realized a need is to provide continuous input from the field (from each particular ROTC unit) of the nature of current campus situations and what is being done about them. Unfortunately, until now we have been so busy dealing with the situation that we have been unable to report it. Briefly I would like to propose the following: 1) A task force might be considered to be comprised of well spoken junior officers who would maintain a continuous liaison between the ROTC units and Washington. They could serve as an advisory group in helping to establish better lines of communications or public relations for a unit. They could collect much of the vast amount of anti-ROTC literature for reference and review. They could relate the experiences, organizations and strong points of other units that have faced campus confrontations in an effort to determine what are the most effective policies for each particular unit to employ. No two units are alike in their campus-political environments. This could eliminate a fruitless search to create on paper one policy to be followed by all. It is suggested that these young officers serve a mobile function by moving about where needed. They could provide Washington with a timely base of information so that its actions can be timed to meet individual unit needs when they exist. It is true that ROTC units are autonomous in nature, but they often are ill equipped to accept the additional administrative load, or can they divert faculty from *teaching* to react to criticism from untoward sources. 2) In ROTC units where the greatest potential threats are envisioned, it might be worthwhile to select the next incoming PNS and instructors on the basis of ability to fulfill the increasing demands of those positions. Often outgoing or retiring officers are assigned who will be less capable to handle the situations. I feel personally that the UCLA NROTC Unit would not be the strong and proud unit it is today without the new and very effective leadership it was assigned in the fall. Colonel Warren and LCDR Jones are the reasons that the NROTC Unit at UCLA is what it is today. The actions presented of their unit in anticipating situations and providing guidance in their solutons should be well reviewed. 3) It would be helpful to request other such papers as this from other midshipmen. Nobody possesses privileged access to the entire picture from the student view. This paper is contented only to represent my immediate personal views (and no one else's) on the situation as I've been able to see it. 4) The basic policies of those evaluating and working within the ROTC-campus situations should be policies of vision, not policies of crisis. The former must be coordinated on a timely basis and applied before it is too late for concern. The latter is too late. 5) I would like to acknowledge the Navy Department's vision in revising its curriculum for the past year. It is deemed a much more constructive one and makes it possible for us to come back to many ROTC criticisms with the opening statement "But in the Navy for example . . ."

I am honored to have the opportunity to express my personal views on this subject of maintaining ROTC and am proud to be able to say, anywhere, "in the Navy for example . . .".

Respectfully submitted,

CHARLES C. HOOPER.

TWENTY YEARS OF TYRANNY: COMMUNIST CHINA 1949–69

HON. E. ROSS ADAIR

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. ADAIR. Mr. Speaker, the Committee of One Million has just issued a very timely booklet to coincide with the 20th anniversary of Communist rule over China. The booklet, entitled "Twenty Years of Tyranny: Communist China 1949–69," dramatically and incisively examines how China has faltered and even gone backward in some respects under Communist rule.

The introduction to this booklet was written by my friend and former colleague, Dr. Walter Judd, and, in my view, is worthy of the attention of the Members of this body. Therefore, I commend it to the attention of all:

INTRODUCTION

(By Dr. Walter H. Judd)

October 1, 1969, marked the 20th anniversary of Mao Tse-tung and the Chinese Communist Party coming to power on mainland China. What has been their record over the last 20 years? Where have they succeeded—and failed? How have the Chinese people fared under Communism? What does the future hold for the Chinese people—and Chinese Communism?

To obtain the answers, the Committee of One Million asked three distinguished experts to examine the political, military and economic trends of Communist China since 1949. Their findings are contained in this booklet whose title sums up their conclusion: *Twenty Years of Tyranny: Communist China 1949–69*.

Politically, Mao has used every stratgem and intrigue available to a tyrant to retain power, including terror and murder. Today, Mao and his associates are uncertain rulers of an uneasy country rife with rebellion. As Professor James T. Myers states:

"The Maoists' grand schemes, such as the Great Leap Forward and the Great Proletarian Cultural Revolution, have wreaked havoc with the Chinese political, economic and educational systems . . . one sees overall a record of squandered human resources and political resources of support both within the Party and without, which if not unprecedented, must still be recorded as gross political ineptitude or outright stupidity. China still needs today, as she needed in 1949, political leaders who are able to bring internal peace, stability and a measure of prosperity to this vast and potentially great nation and great people."

Militarily, Communist China is becoming a paper tiger, capable of making threats, but incapable for the most part of carrying them out except against weaker Asian neighbors. Significantly, the most pressing responsibility of the military today is to guarantee the political stability of the Mao regime. It has created a military dictatorship or *junta* on mainland China. As Professor Jurgen Domes states:

"With the establishment of the PLF (People's Liberation Forces) as the dominant political force in Communist China, two results appear possible: (1) Communist China might be heading for a period of centralized military rule under Lin Piao; (2) A new period of military regionalism—albeit qualitatively different from that which prevailed in the early decades of this century—may soon begin."

Economically, Communist China is exporting opium to get foreign exchange with which to buy wheat to feed its people, while it exhorts its citizens to 10- and 12-hour work days. As journalist John F. Lewis states:

"Red China's agricultural base and industrial plant may be in worse shape than at any time since October 1, 1949 . . .

"The diet now of the average peasant at best is not better than it was in 1939—not 1949 . . .

"Since 1965, Peking's import-export activity has dropped off fifteen to twenty percent . . .

"Many public works projects carried out with great fanfare and haste during both the Great Leap and Cultural Revolution periods are falling apart . . ."

Clearly, Communist China under Mao Tse-tung is a weak, divided and chaotic nation. It is held together today only by military force under the leadership of Mao's chosen successor, Lin Piao. The Communist Party has been reduced to a secondary role. In fact, it can be argued that what prevails in mainland China today is revolutionary anarchism. As a result, no one can predict Communist China's future with any real confidence.

Such uncertainty is precisely why the Committee of One Million now opposes, as it has since 1953 when it was formed, any concessions by the United States which would aid the Peking regime.

American opposition to the admission of Communist China to the U.N. or any other steps which would build the power and prestige of Mao's government has always enjoyed broad bi-partisan support, including that of five American presidents and seven U.S. Congresses. Furthermore, American opposition to admission or recognition has been based on the realities of the situation on mainland China and Asia.

The realities have never been better expressed than by the former U.S. Ambassador to the United Nations, Adlai Stevenson, when he told the General Assembly:

"The *first* reality is that the regime in Peiping does not in any meaningful way represent those 700,000,000 people of whom we have heard so often these past two weeks: the mass executions, the iron controls, the total suppression of all personal freedom and civil liberties, the two million Chinese refugees in Hong Kong—these are proof enough.

"The *second* reality is that the Communist Chinese regime has already made a record of aggression and hostility toward its neighbors in Korea, in Tibet, in India and in Southeast Asia.

"The *third* reality is that the Chinese Communists are dedicated today—and as a matter of high policy—to war and violent revolution in other countries.

"The *fourth* reality is that the Republic of China is a Founding Member of the United Nations—that the Government of the Republic of China exists, and so do 11 million people of Taiwan—that its Delegation which sits here now has performed honorable service to the United Nations and its Charter.

"The *fifth* reality is the Charter of the United Nations—which sets forth explicitly the requirements for membership and the terms for expulsion.

"The *sixth* reality is the proposal which is put to us in the Soviet draft resolution—which is this: that by our own deliberate action we are first to throw out a Founding Member who is guilty of nothing, in order to empty a seat in this Hall; we are then to invite another delegation to enter this body on its own terms, to fill that empty seat; and we are to present the new delegation with a special license to commit armed aggression against the member we have just ejected illegally."

Since that address, Peking has unleashed the Red Guards, encouraged revolutionary activities in Laos, Cambodia, Thailand, Malaysia, Indonesia, Africa, and even the United States, provided logistic and moral support to North Vietnam, promised in April 1969 to "bury" the United States and continued to express its contempt and hostility toward the United Nations.

The President of the United States in 1966 said, "A lasting peace will not be possible as long as the 700 million people on the Chinese mainland remain isolated from the outside world."

This Committee disagrees with that statement on two counts. First, the problem is not the isolation of the 700 million people in mainland China, but the lawless behavior of the self-imposed Communist tyranny that controls those 700 million people. Second, the statement implies that bringing that Communist tyranny into the community of nations is a way to encourage improvement in its behavior. All experience indicates the opposite. If by belligerence and turbulence it succeeds in getting what it wants, why should it abandon them and become conciliatory?

If the statement had been, "A lasting peace will not be possible as long as the 700 million people on the Chinese mainland remain under *Communist control,*" we would agree wholeheartedly.

The objective of American policy must be the return of the 700 million Chinese people to control of their own destiny. If free, they will be friendly and peace will be possible.

Therefore our government must refrain from any action—such as diplomatic recognition, trade, admission to the United Nations—that would inevitably strengthen the Communist tyranny, both at home and abroad, and would correspondingly weaken the resistance of the 700 million Chinese and the hope of the world for peace in that area.

In the face of Red China's deliberate and consistent policy of revolution and subversion, the United States must continue its present policy of no concessions to Communist China until the Peking regime abandons its aggressions and its tyrannies in fact and in deed.

Until such time, the Committee of One Million will continue to publish special reports like *Twenty Years of Tyranny: Communist China 1949–69,* with the conviction that if the American people have all the facts they will make the right decisions and support the right policies for their country and the world.

RESULTS OF QUESTIONNAIRE

HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. LANDGREBE. Mr. Speaker, I recently received the results of a postcard questionnaire poll I conducted a few months ago in the Second Congressional District of Indiana.

I present these results now for the enlightenment and information of my respected colleagues. Particularly, I invite the attention of all Members to the response to question one, regarding the war in Vietnam. The results clearly show that a substantial majority of the people in my district, despite what we may have heard from those who would have us surrender, are certainly not ready to abandon Vietnam to communism. They prefer to stay the course and fight to win the battle against the Communist slavemasters by a margin of nearly 3 to 1.

About 43 percent actually want our Nation to increase the military pressure on the enemy, while another 16 percent who gave miscellaneous "write-in" responses called for some measure of increased pressure on the enemy.

Less than one-fourth of my constituents desire abandoning the people of South Vietnam to the uncertain mercies of the Communists.

The results of my poll, representing the sentiments of 30,782 persons, including 15,906 men and 14,876 women, are as follows:

1969 PUBLIC OPINION QUESTIONNAIRE

1. If present peace negotiations concerning the Vietnam War are not successful, do you recommend:

[In percent]

	Husband	Wife	Combined
a. Immediate withdrawal of U.S. forces?	21.8	25.2	23.4
b. Increased U.S. military pressure	43.4	41.5	42.5
c. Present military effort with continued negotiation attempts?	16.0	16.7	16.3
d. Other alternatives? If so, what?	18.8	16.6	17.8

Under "other alternatives," a multitude of sentiments were written in, sometimes singly, sometimes in conjunction with other responses. There were too many different responses to list them all, but a few stood out. Of those answering to Question 1.d., the percentages looked like this:

[In percent]

	Husband	Wife	Combined
Win it or get out	32.0	31.7	31.9
Gradual withdrawal	20.7	20.7	20.7
Increased military pressure with continued negotiations	8.1	7.4	7.8
Let the South Vietnamese assume a greater share of the fighting	12.4	14.3	13.2
Stop trade with Communist countries	2.9	3.4	3.1
Resume bombing of North Vietnam	15.2	16.2	15.6
Other	8.7	6.3	7.7

2. Do you favor a Constitutional Amendment allowing Congress to override a Supreme Court decision by a two-thirds vote?

[In percent]

Husband		Wife		Combined	
Yes	No	Yes	No	Yes	No
68.8	31.2	70.0	30.0	69.4	30.6

3. Do you favor legislation limiting the number and type of questions to be asked in taking the 1970 Census?

[In percent]

Husband		Wife		Combined	
Yes	No	Yes	No	Yes	No
71.9	28.1	73.3	26.7	72.6	27.4

4. Do you believe that inflation will be controlled by continuing the surtax?

[In percent]

Husband		Wife		Combined	
Yes	No	Yes	No	Yes	No
12.5	87.5	11.2	88.8	11.8	88.2

5. Do you favor a government guaranteed minimum annual income?

[In percent]

Husband		Wife		Combined	
Yes	No	Yes	No	Yes	No
17.7	82.3	18.9	81.1	18.3	81.7

6. Are you satisfied with President Nixon's performance to date?

[In percent]

Husband		Wife		Combined	
Yes	No	Yes	No	Yes	No
74.4	22.6	76.0	24.0	73.3	26.7

7. Do you want stricter gun control legislation?

[In percent]

Husband		Wife		Combined	
Yes	No	Yes	No	Yes	No
38.9	61.1	47.8	52.2	43.1	56.9

HOW USEFUL IS THE MOON? A PRACTICAL ANSWER

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. TEAGUE of Texas. Mr. Speaker, a recent edition of the U.S. News & World Report carried an instructive article on the value of the moon to this Nation and the world in the future. As we expand our horizons beyond the earth it is important to consider the ideas examined in this informative article. The article follows:

HOW USEFUL IS THE MOON? A PRACTICAL ANSWER

Of what use is the moon? Can man colonize it, mine it for hidden riches, use it for a military base? Answers to these questions are among many given in a 256-page book, "U.S. on the Moon—What It Means to Us," just published by "Books by U.S. News & World Report." Here are excerpts from one of the book's 12 illustrated chapters—this one entitled "Our Lunar Base":

Getting sufficiently established on the moon to do extensive exploration and research will be as difficult as getting there in the first place.

In the initial years of moon exploration, landing vehicles will serve as shelters, scientific laboratories, living quarters, and radio stations. In far years ahead, visitors to the moon will work in underground stations covered over by the moon's surface material to shield them from heat and cold.

Provided an atmospheric cocoon, the inhabitants of these stations will be able to live in comfort, moving in air-pressurized tunnels through an underground network of laboratories. Dressed in pressurized space suits, they will go above ground for excursions of days or weeks into the lunar badlands.

The stations may well be international colonies, much like scientific stations in the Antarctic. . . .

The exploration for usable natural resources in the moon's crust will begin early. Perhaps these will be gold or diamonds, but moon explorers will be far happier if they find water or substances they can use for rocket fuel.

Water is needed not only for drinking, but for cooling electrical equipment, for heating and air conditioning, and for growing food. The electrical generating devices called fuel cells used in manned space vehicles produce some water. They generate electricity through a chemical reaction between hydrogen and oxygen, and water is a by-product.

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Permanent moon stations will probably require nuclear power plants because they can generate large amounts of electricity over long periods with a very small amount of uranium or plutonium fuel.

It is possible that there is water on the moon. If, for example, the moon was once a part of the earth, it could have taken a huge amount of water with it when it was spun away. If it passed very near the earth and was captured, its gravity could have siphoned water away from the earth's oceans. Today the moon's gravity, weak as it is, is still strong enough to pull the earth's seas and oceans, thereby causing our tides.

Some scientists believe that there is a layer of ice—like permafrost in the Arctic—not far beneath the moon's surface, insulated well enough that it does not melt under the searing midday sun. Others have suggested that there is boiling water deep within the moon, and that even today steam is escaping through lunar fissures. This suggests the possibility of steam-powered, steam-heated and cooled moon colonies.

Or it may be possible to extract water from the moon's rocks. Scientists have detected evidence of sulphur at some places on the moon's surface. On earth, sulphur is invariably associated with water-bearing rocks. But to extract water from the rock itself will require enormous sources of energy.

Bizarre schemes have been suggested. One idea is to place huge, metal-foil mirrors at places in space called "libration points," where the gravity of the earth and the gravity of the moon are balanced. Theoretically, objects placed at these points would remain there, drifting neither toward the earth nor toward the moon. Giant mirrors so located would require only tiny control jets to keep them oriented so they could concentrate and focus the sunlight on a desired point on the moon. That would drive the temperature as high as 800 degrees, enough to chemically break down the rocks, making it possible to capture their water.

Growing food on the moon is an especially interesting problem. What we call moon soil may be extremely poor or void of plant nutrients, but we might turn to a science called "hydroponics" to produce vegetables.

Years ago, scientists found they could grow plants without soil. The technique involves using tanks filled with chemically treated water. Wire-mesh screens are placed over the surface of the water and covered with rocks or cinders. Such materials merely hold the plants in place; the roots stick down into the water and grow there. Some plants flourish this way, producing more and better fruit than they do growing in rich soil. . . .

Until ways are found to develop resources on the moon, explorers will have to make more and more efficient use of what they have. Even human waste materials will have to be carefully saved. Some of it, urine for example, will be treated to extract fresh drinking water.

The successful search for sources of oxygen or hydrogen would be as important as the discovery of usable water on the moon. This would raise the possibility of one day refueling rockets on the moon for their return trip to earth, or even for missions deeper into the solar system. . . .

As we look ahead to the time when man will establish himself as a resident of the moon, we might ask about the moon's potential for military uses. Can operations on the surface of the moon do anything to enhance our national security back on earth?

In the early days of the space age, there were real fears that the Soviet Union's lead would enable the Russians to establish control of the moon. When any potential adversary can operate in an environment where we cannot, it is a matter of great concern to military planners.

Now, an international treaty, signed by both the United States and the Soviet Union, forbids placing weapons in space or on the moon. It also prohibits a country from making territorial claims on the moon.

From a technical viewpoint, it would be possible to establish missile-launching pads on the moon to send bombs against targets on earth. The best insurance we have against this happening is the moon's great distance from us. If an intercontinental missile were fired at the United States from the Soviet Union, we might have no more than 15 minutes' warning, because the approaching warhead is shielded from radar detection by the horizon until it is in the latter phase of its flight.

On the other hand, a missile launched from the moon to the earth could probably be detected two or three days before arrival, giving time for defensive missiles to be launched to intercept it in space.

By the same token, it offers no advantage to use the moon for spying on earth when this can be done infinitely better by satellites in low earth orbit. Looking at the earth from the moon one cannot see evidence that our planet is inhabited. But satellites in earth orbit can even spot missile sites and detect rocket firings.

Satellites can be placed in stationary orbits so they observe the same point on the earth's surface all the time. At an altitude of some 23,300 miles, such satellites travel around the earth in the same time it takes the earth to turn on its axis; the result is that the satellite stays in the same place in relation to landmarks on earth.

Such constant surveillance can never be possible on the moon, even if some magical devices could be built which would allow observation of small objects. A given area on the earth would be in view only half the time because of the earth's rotation.

Nevertheless, weapons on the moon could have blackmail potential, just as a nuclear power could intimidate other nations by placing a bomb in earth orbit. It might be psychologically intimidating.

As for nonmilitary aspects, scientists have planned an exhaustive search for any evidence of life. They would be most surprised if they found any, but the possibility cannot be altogether discounted. If there is not life in the form of viruses or bacteria, there might conceivably be molecules left over from the process of life formation on earth. . . .

If the possibility of finding some crude form of life on the moon is farfetched, the idea of using the moon as the site for exciting new astronomical laboratories is not.

Just as the atmosphere filters out most of the radiation sent our way by the sun, it forms an opaque window which lets us see only a little of the energy coming from the stars. So, despite the advances of modern astronomy, scientists still have to do a great deal of guesswork about the characteristics of stars and their life and death.

In recent years, some of the most exciting discoveries of science have come from the field of radio astronomy. Gigantic telescopes which collect radio energy are making it possible to study the universe in an entirely new way.

But radio telescopes miles in diameter are needed to really take advantage of the opportunity to study the noise from the stars. It is difficult to find sites for such laboratories because of their susceptibility to interference from electronic equipment on earth. The back side of the moon is an ideal place. Protected from all interference, a radio telescope could gather information unobtainable either on earth or in earth orbit. Here again, the low gravity on the moon would offer an advantage. It would be possible to put up a gigantic receiver like a child's erector set. The structure could be built without the massive support required on earth, where gravity would make it topple.

In recent years, astronomers have discovered objects called quasars which seem to be so far away that their radiation we are now receiving was emitted before the solar system was formed. Even now they appear to be moving away from us at velocities approaching the speed of light.

Radio energy is being studied from other objects called pulsars, which seem to be extremely small, yet generate incredible amounts of energy. They send out pulses so accurately timed that when they were first discovered it seemed that they might be intricate radio signals from another civilization somewhere.

Our lunar base, then, will extend our vision and hearing so we may perceive a greater part of the universe than has ever before been apparent. At the same time, it will enable us to look back closer than ever toward the day of creation.

MSGR. CHRISTOPHER J. McCORMACK—A GOLDEN ANNIVERSARY

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 9, 1969

Mr. MURPHY of New York. Mr. Speaker, on the evening of September 21, I had the honor to attend a unique and touching testimonial dinner at the Columbian Lyceum on Staten Island. The ceremony was held to honor Rt. Rev. Msgr. Christopher J. McCormack, pastor of the Church of St. Ann, Dongan Hills, Staten Island, who is commemorating his 50th anniversary in the priesthood. Under leave to extend my remarks in the RECORD, I would like to include the following tribute to this eloquent and dedicated man, including a congratulatory letter from Francis Cardinal Cooke, archbishop of New York:

> A man dedicated to a life of love and service to God and the Church. Monsignor Christopher J. McCormack has reached an apex in a career so well chosen. To participate in a celebration with him on his fiftieth anniversary as a priest is certainly a joyous occasion and one that will be so warmly remembered by his St. Ann's parishioners, family and friends. A man of sensitivity and compassion, steadfast in his approach to the work of God, so humble and modest in approach, demanding so little, this good priest truly exemplifies the best in man.
>
> In his divinely inspired career, Monsignor McCormack has served faithfully and well in a number of assignments, the first being to the Church of Mount St. Mary, Wappinger Falls, following his ordination on September 20, 1919. Subsequent duties were assumed at the Church of St. Stephen, Manhattan, October 14, 1921 to October 22, 1940. After serving at the Church of St. Brigid in Manhattan for an approximate period of two and one-half years, Cardinal Spellman, in recognition of his idealistic work, appointed Monsignor to his first pastorship at the Church of the Holy Name of Mary, Croton-on-Hudson, on August 21, 1943. It was our good fortune to have Monsignor designated Pastor of St. Ann's on May 18, 1946 and in the past twenty-three years we all have gotten to know and belove this good priest.
>
> There is no need to recount the accomplishments achieved by Monsignor, with which we are all familiar, but a singular aspect deserves comment, and that is the complete holiness which surrounds his being and which affects us all in our quest to be better Christians. He so well fulfilled the attributes of the phrase he so often used, "noblesse oblige", for never has a parish been blessed with a man of such honor and good-

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ness. Our joining together on this festive occasion in a very warm way expresses our love and devotion to a man who will be in our hearts forever.

NEW YORK, N.Y.,
August 20, 1969.

RT. REV. MSGR. CHRISTOPHER J. MCCORMACK,
St. Ann's Rectory,
Dongan Hills, Staten Island, N.Y.

DEAR MONSIGNOR MCCORMACK: I am delighted to learn that on the 21st of September, you will observe the Golden Anniversary of your Ordination to the Sacred Priesthood and I wish to add my congratulations to those of your many friends who will celebrate this joyful occasion with you.

May it be for you a day of happy memories, as you recall the many blessings which have filled these golden years since your Ordination. My prayer is that Almighty God may continue to bless you and keep you in our midst.

I wish to take this opportunity to express my deep appreciation for all that you have done for the Church during these years. Your priestly dedication, as well as your loyalty and devotion, have been a great source of encouragement to all of us.

With renewed congratulations and prayerful good wishes, I am

Devotedly yours in Christ,
TERENCE CARDINAL COOKE,
Archbishop of New York.

ADDRESS BEFORE WALTHAM FRENCH-AMERICAN VICTORY CLUB

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. PHILBIN. Mr. Speaker, under unanimous consent to revise and extend my remarks in the RECORD, I include herewith a summary and synopsis of my remarks Saturday, October 4, 1969, before the French-American Victory Club at Waltham, Mass., on the occasion of the 25th anniversary of this outstanding organization.

The banquet was largely attended, most enthusiastically celebrated, and was a very impressive and inspirational experience for those privileged to attend.

The summary follows:

Speaking before the French-American Victory Club at Waltham last night, Congressman Philip J. Philbin said that our national leadership must do everything in its power to bring the war in Vietnam to an honorable end at the earliest possible time, and keep our nation strong in every respect, militarily, economically, financially and spiritually, so that all of our people can enjoy the fruits of our prosperity and the equality of treatment under our laws which our great Constitution guarantees.

Philbin assailed the high interest rates, which he said were causing great hardship to many veterans, workers and others, and threatening current prosperity.

He also deplored current government cutbacks in social, economic, educational and health areas, which he termed unwarranted, wasteful and destructive, and were impeding many fine programs of great value to some of our most pressing, social needs.

The Clinton Congressman also paid great tribute to the Franco-American people of Waltham and the Commonwealth and credited them with a loyalty to the ideas and principles of American government which has won for them the high regard and esteem of all their fellow countrymen, irrespective of race, color or creed.

"Yours is indeed a proud heritage," said Philbin. "Your race springs from the richness of a glorious past, replete with acccomplishment in art, literature, music, science, politics, religion and, in fact, virtually all the things that make life worthwhile.

"From the sunny fields of France, and from the woodland fastness and fertile valleys of Quebec and Canada, you and your ancestors have poured a stream of manhood and womanhood imbued with great humanitarian qualities, unquestioned loyalty to our country, fine citizenship, faith and industry which through the years has been an invaluable support to the government as well as to our community and national life."

The Congressman touched upon the great contributions of the French people throughout history—their fight for liberty, fraternity, equality.

"This struggle for equality," said Philbin, "goes on today all over the world, where people are oppressed or threatened by the ruthless tyranny of powerful nations striving to dominate them, and destroy their liberties.

"The Franco-Americans have magnificently carried out the great traditions of your race.

"You realize too, as we all must, that equality right here in this country in this crucial time in world history, and I mean total equality under the law, and equal treatment for all, must be guaranteed and assured in every sense of these words."

Philbin also touched on current world and national affairs.

"Let us not be deluded, and let us not be passive or unmoved, by the dangers that threaten us in the world and in this country," he said. The enemies of freedom, the individual rights of man and the liberties that we enjoy as Americans are growing stronger by the minute.

"Let no one make a mistake about that. They are fast developing a strength of arms and destructive weapons that is not only coming up to our own armed strength, but increasingly, in very important respects, has gone ahead.

"Unfortunately, some of these nations turn their backs on peace, and block and delay every effort that this government and other free governments are making to limit and control destructive weapons, and to put the affairs of this world on the firm foundation of the 'rule of law' and universal peace.

"Until that peace has come and is assured and pray it may be soon, the dangers of international disaster are dispelled, and solid international understandings and agreements have been reached that will free us all from the threats of nuclear destruction, we must keep this nation strong and prepared.

"Meanwhile, we must not allow current disappointments and delays to swerve us from our resolution and efforts to make an enduring peace for this world that will permit all nations and all peoples to live in brotherhood and understanding.

"Above all, let us realize that we are the greatest, richest, most powerful nation in all history, and we must do everything we can to strengthen the principles of freedom, enterprise and justice that made this possible.

"With malice toward none, with justice toward all, with the hand of friendship, peace and brotherhood extended to every nation and group, let us go forward until we make this nation, yes and the world, not only a better place to live but a place of opportunity, plenty, promise and hope for the oppressed, the poor and the lowly, wherever they may be. The amelioration of social, political and economic injustice must be a great goal, which I know we can reach sooner than some think, if we unite and work together.

"On this day of celebration of this great club, it is an opportunity for us to rededicate ourselves to the high purposes of those who built and developed this great land of ours, the leaders who fostered and advanced it by their wisdom and tenacity, and all those who fought and did to sustain our nation.

"At the same time, we may well rededicate ourselves today to the spirit of the great French leaders who helped to lay down the foundations of our country and civilization—the great law-giver, Montesquieu, Lafayette, who fought with us, Pasteur and Curie, who purged us of killer disease, the memorable discoverer, Father Joliet, and other great French figures who gave life and hope to the human family, instead of the sting of disruption we see around us in some places today.

"One more thought. Let us renew our faith and our love of American democracy, the American free way of life, our freedoms, so that we may continue to live as free men and women here in America, so that our liberties may be protected against enslavement and debauchery, whether it comes from foreign aggressors who would impose the slave state on all, or from the influences in our own country that would destroy our family life, our moral structure, American institutions, and replace them with the collectivist state.

"In doing this, we will be adding lustre to the contributions of the French people to America, and all the other rich cultures of every group, and we will be proclaiming our confidence and faith that we of this great country, not only have the opportunity born of freedom to make this nation and government serve the cause and the needs of ordinary people for whom it was created, but that we also have the determination, strength, power and resolution to solve every problem that may arise, present and future, and, God willing, build and develop this nation to greater heights than ever and use our great influence to establish lasting peace and mutual help in the nation and world.

"Heartiest congratulations and many happy returns of your birthday."

RECOUNTS UNHAPPY EXPERIENCE

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. KASTENMEIER. Mr. Speaker, today, I am asking to have printed in the RECORD an article written by Mr. Miles McMillin, the editor of the Capital Times, the most prominent newspaper in my district.

Mr. McMillin recounts an unhappy experience he has had in dealing with the credit department of the Standard Oil Co. I, too, have had a similar experience and have discontinued my own credit account with this company because of its greediness in the handling of its credit accounts and the additional exorbitant revolving account charges. Furthermore, because of the time lapse in billing, it is literally impossible to return one's payment in time to avoid these finance charges. I have gotten to the point that I refuse to trade with companies whose interest charges are so scandalously extortionate and whose credit departments are utterly unresponsive to appeals to revise their billing procedures.

I know that this frustration is shared, not only by myself and Mr. McMillin, but by countless other Americans and therefore, I include his remarks in the RECORD at this point:

[From the Capital Times, Oct. 8, 1969]

HELLO WISCONSIN

(By Miles McMillin)

I have this day written and posted the following letter to Standard Oil, Division of American Oil Co., Central Credit Card Office, P.O. Box 6783, Chicago, Ill., 60680: "Dear Sirs: In the course of the relationship established between us by your credit card 550–438–680–5 I have received from you two statements. One, dated 8–29–69, shows a balance of '84.62 cr.' It bears this notice: 'This is a credit balance. Do not pay.' The other statement, dated 9–30–69, shows a balance of '62.02 cr.' and bears this notice: 'This is a credit balance. Do not pay.'

"On line 7 of the statement where it says 'Finance Charge' in bold face caps both statements include this figure: '.00' May I ask why it is that when I owe you money line 7 is not filled with zeros, but when you owe me money it is? Line 13 tells me that you charge me interest at 12 per cent per annum on the money I owe you. But there is no line to tell me how much interest you pay me when you have the use of my money. Are you somehow under the impression that I do not need the money as badly as you do; that I can afford to make gifts of this nature to Standard Oil? I am sure that you will understand—being the good businessmen you are—that I must either deduct interest from the next payment to you at the same rate you charge me or report in my next income tax return a gift from me to you of that amount? And since I am sure you would not want it known in the trade that you are accepting gifts I will make the deduction"

WIRED FOR DOOMSDAY: VERY UNWILLINGLY

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. OBEY. Mr. Speaker, many Wisconsin citizens have been concerned for some time about a Navy-sponsored project called Project Sanguine.

The possible consequences of Project Sanguine for the ecology of this beautiful area could be disastrous. As a recent article in the Washington Post pointed out, conservationists, biologists, and other knowledgeable and concerned citizens view the project with suspicion and concern.

Living on an electrical grid is something fine for James Bond or the Mission Impossible team, but it is considered a very unpleasant prospect by many residents of the area. They fear that important questions concerning the project may not be asked until it is too late.

For the benefit of my colleagues, I enclose a copy of the Post article at this point in the RECORD:

[From the Washington Post, Oct. 12, 1969]

FOREST IN WISCONSIN WIRED FOR DOOMSDAY

(By George C. Wilson)

CLAM LAKE, WIS., October 11.—The Navy in the wondrous North Woods just outside this crossroads of a town is wiring Wisconsin for Doomsday.

The idea—named Project Sanguine—is to bury a backup nuclear "button" in the forest floor in case other communications are knocked out by enemy H-bombs.

If Sanguine goes all the way—it is in the test stage now—the button would be in the form of a huge grid of underground wires covering up to one-third of the State of Wisconsin.

The longest radio waves ever produced by man would be sent out of the grid—a huge underground sending antenna—and reach Polaris submarines hidden in the ocean depths. The Sanguine signal could be the one ordering the subs to fire their missiles.

Many conservationists, biologists and others view the whole project with utter horror. They fear timber will be slashed, trout streams silted and animals and plants hurt or killed by the electric currents which the Navy admits will leak out of the Sanguine system.

The opposition is becoming increasingly vocal. It is similar in tone, though not yet volume, to that which prompted President Nixon to relocate the Safeguard anti-ballistic missile system.

"It's too high a price to pay," Kent D. Schiffert, chairman of the State Committee to Stop Sanguine, said of the Navy insurance scheme for war communication.

Schiffert, a history instructor at Northland College in Ashland, Wis., plans to meet with committee leaders today to see how Sanguine can be blocked in the courts.

Sen. Gaylord Nelson (D.-Wis.), opposing Sanguine from the Washington end, said Congress has never taken a good look at the project to see if it is needed. He has been briefed by the Navy on Sanguine and estimates its eventual cost at $2 billion.

"The Navy admits," Nelson said, "that the network will give off electrical currents that will affect some 26 counties in the North Country . . . Thousands of miles of Wisconsin farm and forest will be dug up to install some 6,000 miles of cable under the ground over a 25,000-square-mile area . . . There has been no debate in Congress to prove that, even if the system will work, it is a necessary or a justifiable expense."

The Navy, in explaining Sanguine to people in Wisconsin, states that "the purpose of the test facility" at Clam Lake "is not to demonstrate the feasibility or the effectiveness of the communications technique involved. That has already been demonstrated.

"But before such a facility is constructed," the Navy continues, "we are going to show you, not tell you, that the facility will not adversely affect the area." The Navy has built what it calls an "interference mitigation laboratory" to keep electrical currents from Sanguine from disrupting the area.

After the Clam Lake demonstration, the Navy intends to move south to Park Falls, Wis., to conduct more experiments. This will mean more digging and building—regarded as a boon by job hungry residents and a bane by the concerned conservationists. So far, about $27 million of a $50 million set aside for Sanguine has been spent.

Official Navy press releases steer clear of the Doomsday nature of Sanguine. The "fact sheet" on the project states that "Sanguine calls for the development of a single transmitter complex located in the United States that could provide communications with forces deployed worldwide."

The unmentioned fact that Sanguine is another nuclear button comes through clearly only in the explanations given at Sanguine's fenced-in command post here in the breath-takingly beautiful Chequamegon National Forest.

A "POST-ATTACK" CENTER

W. R. Hayford, site manager for RCA, which got the contract to run the test, said in an interview that Sanguine "is a post-attack communications system." He added that the American forces could only receive the signal—not talk back to Sanguine.

To the person standing on the ground over Sanguine's long electrical cables, the setting seems all wrong for a Strangelove system. White birches lean over the 30-foot-wide rights-of-way the Navy has cut through miles of forest. Spruce trees can be heard whispering in the quiet of the forest. And other tree tops are aflame with the reds, golds and oranges of autumn. A ruffled grouse stood a little way down the road pecking up gravel—his form of teeth.

Why here? Why here of all places? It turns out that the military believes upper Wisconsin is the only place in the world where the Sanguine electronic trick can be performed well. The reason is the peculiar properties of the rock shield running underneath the swampy ground of this forest and the rolling farm land outside it.

Called the Laurentian Shield, the rock is about two billion years old and extremely dry. It lies under the upper third of Wisconsin. The dryness means that electrical currents will not move through it easily. The rock acts like a huge insulator. Electrical current in the Sanguine sending antenna, because of this rock insulator, would not be drawn off deep into the earth at those places where the system is grounded. The rock, as Hayford explained it, assures maximum sending power for the giant Sanguine antenna.

To send out an extremely low-frequency radio wave, which is thousands of miles long, the sending antenna itself must also be thousands of miles long—much too big to be put on a ship or plane.

The required length of antenna, the Navy believes, can be achieved through crisscrossing wires over the thousands of square miles of the Laurentian Shield. The resulting signals would go from Wisconsin around the world.

GLOBULAR CAVITY

The cavity formed between the earth and the ionosphere is known as the Schumann cavity after W. O. Schumann, the German scientist who explored its possibilities for radio work. Extremely low-frequency signals going through this cavity, according to scientists, will remain strong as they go around the world. They cannot be jammed.

Also, the longer a radio wave is the deeper it penetrates water. Therefore, a long wave from Sanguine could get down to American Polaris submarines hiding in the ocean depths. They have to come near the surface to communicate now—a real danger in wartime where survival depends on stealth.

Hayford said Sanguine will generate radio signals of 40 to 80 cycles per second—called Hertzes. One unofficial calculation is that a signal of 100 Hertz—a much longer radio wave than any in use today—would penetrate 400 feet into the water.

If that calculation is correct. Sanguine could mean making American Polaris submarines less vulnerable to detection and attack in a war. Their mission is to clobber any nation which attacks the United States first. Sanguine, then, could be linked by its supporters to the credibility of the American deterrent to anyone contemplating nuclear war.

NOT A PRIME TARGET

Looking at that proposition from another angle, an operational Sanguine system (it is not operational at present) could be a target for enemy H-bombs. Navy leaders concede Sanguine could become a target but doubt the spread out system would ever be a prime one. The existing command and control centers for launching American ICBMs are considered prime targets. Weapons leaders long have feared that nuclear effects in a war would black out those systems.

The Sanguine fight at the moment is focused not on such longer-range strategic

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questions, but on what a vast communication system would do to Wisconsin's countryside.

The Sanguine antenna now in existence consists of two 14-mile-long stretches of wires which intersect at the middle to form a cross. There is a transmitter at the intersection.

If Sanguine went all the way, such crosses would be repeated over and over again until there was a gigantic grid over the Laurentian Shield in upper Wisconsin.

The present test site has the antenna wires strung above the ground on telephone poles. In the next construction phase at Park Falls and theater, the sanguine wires will be buried in the ground.

The Navy asserts that the wires will be burned with surgical precision so the land above them can be restored to its former use, including farming. Only "scattered two-acre sites," the Naval Electronic Systems Command states, would be needed for the transmitters.

"There will be no need to denude large areas of forests land or cut wide swaths through the forest," the Navy contends.

BIOLOGICAL EFFECTS

As for how the electrical currents going out from Sanguine will affect animal life and plants, the Navy has awarded a contract to Hazleton Laboratories of Falls Church, Va., to assess such dangers.

Schiffert said "the whole Hazleton contract is a smokescreen to quiet the conservationists." He said Hazleton is too heavily dependent on military work to do an objective analysis and that the study contemplated will not cover enough of the animals and plants in the range of Sanguine's currents.

Lowell Klessig, an environmental science specialist, active in the Stop Sanguine committee, said, "Every biologist knows that the nervous system and other biological processes operate on the principal of internal electrical fields. To put an organism in an external electrical field, such as is proposed by the Navy in Sanguine, may very well alter these processes . . .

"The electromagnetic field may even influence the guidance system of migratory birds, such as ducks and geese, and cause them to lose or change their flyway patterns," Klessig said.

The Sanguine test site falls in the congressional district of Rep. Alvin E. O'Konski (R-Wis.) who sees the project as an economic lift to the area and argues that the Navy should be allowed to complete the phase now under way.

REVOLUTIONARY REFORM IN THE BEST SPIRIT OF '76

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. GUDE. Mr. Speaker, Senator CHARLES McC. MATHIAS, JR., of Maryland, wrote a very perceptive article about the Nixon administration in the Suburban Record of Silver Spring, Md., on September 26, 1969. In his article Senator MATHIAS gives particular insight into President Nixon's administration, its goals, its strategies, and its recognition of the roots of the crisis in the Nation today. I commend its reading to my colleagues, as follows:

A REPUBLICAN VIEW—NIXON: A PROGRESSIVE VERDICT?

(By Senator CHARLES McC. MATHIAS, JR.)

Do you remember our friends who slept so well with the famously activist Administration of Lyndon Johnson in the White House? Some of them are now tossing and turning through the night in worry that Richard Nixon is trying to sleep the Nation's problems away. But one of these days the country may wake up to discover that the new Republican Administration—despite the desperate problems it faces at home and abroad, despite the quiet style, despite the accusation of somnolence—is launching changes in Federal policy which in historical perspective may well be viewed as revolutionary.

Americans often mistake the symbols for the substance of meaningful political change. The Johnson Admiinstration often assumed the postures of radical change. The President declared wars on poverty, crime, disease, hunger and even on war, itself. And the Great Society did have some impressive accomplishments. I supported many of its initiatives. But in general, Johnsonian rhetoric, patterned on FDR's, and his continual crashing of the symbols of progress, disguised an Administration that wasn't really getting very far, either in Viet Nam or in the United States.

Many Americans now recognize that Johnson's great purposes and proclamations—however highly motivated or well intentioned—were not fulfilled by great accomplishment. But some of us then reach the wrong conclusion. If a President who invoked all the symbols—a veritable diapason of liberalism—could achieve relatively little, they despair entirely of the Nixon Administration which adopts many of the symbols of conservatism. Yet the Nixon Administration, in its quiet way, has developed a comprehensive strategy to attack most of the most serious problems facing the country. If it succeeds, history may well record that Richard Nixon during the first years of his tenure initiated a major progressive shift in the course of American politics. Among the victims of his effort may well be the prevailing notion that the Republican Party cannot be effectively progressive.

MAJOR GOALS

Although I have had some disagreements with the Nixon Administration, I believe that its major goals and strategies show a clear appreciation of the roots of the crisis in America today. The five major objectives are: (1) End the war, (2) Curb inflation, (3) Reform welfare, (4) Share Federal revenue with the states and localities, and (5) End the draft.

If the Nixon Administration can substantially achieve these five objectives, I believe that Nixon's first term accomplishments could rank him very high among our Presidents. He will have achieved, in fact, what other Presidents have only proclaimed in rhetoric: national unity behind a comprehensive program directed against the sources, rather than merely the symptoms of our national crisis.

Let us consider briefly, what the problems and their sources are:

PROBLEMS

One is the estrangement of youth. If the President can end the war and the draft—two of his key commitments—he will remove two of the principal grievances of young people.

A second problem is the fiscal crisis of the cities and states. This crisis was caused in large degree by decades of maldistribution of Federal revenue, resulting from southern and rural control of key Congressional committees. The northern cities, emphasizing the property tax, have strained their revenue sources and the patience of metropolitan taxpayers to the limit—while services deteriorate and immigration of the poor continues from the south. This problem explains much of the resentment of white homeowners, which is sometimes directed unreasonably against blacks and expressed in high vote totals for "law and order" candidates. These men exploit anger but do not offer answers for urban problems.

A key answer of the Nixon Administration is to share Federal revenues, without strings, with the states and localities. Nixon's proposal contains a passthrough requirement for the cities, and the distribution formula is based not on the distribution of political power at the Federal level, but on objective criteria of population and tax effort. I am cosponsoring his bill in the Senate. This approach will eventually allow municipal governments to address the terrible problems of the ghetto without making the overall problems of the cities worse—i.e., by excessive taxes that drive property owners to the suburbs. This investment of faith in the principle of government close to the people is a key step in fulfilling a long term Republican pledge.

Another traditional Republican commitment is to alleviate the special grievances of blacks. One of their key problems has been the welfare trap. Six out of 10 black children are at one time or other in their lives involved in the welfare program. It has long contributed to family breakdown, created an attitude of dependency, provided incentives against work, and outraged city homeowners and taxpayers. These city residents bear the brunt of the burden, though they in no way created the problems, which originated in the South.

WELFARE REFORM

Nixon was criticized for delaying submission of welfare reform proposals. But he made welfare reform one of his top priorities, while previous Administrations did more to publicize poverty—and their own experimental wars on it—than to take real steps to relieve it. Welfare reform is crucial. If it is achieved, and organically connected with a streamlined job program as Nixon proposes, the U.S. Government will have at last initiated a major campaign in its war on poverty. It will have established in practice if not in rhetoric the principle of a Federal income floor, proposed by Sen. Robert A. Taft, 20 years ago and by Vice President Agnew last year.

Affecting all these problems and interrelated with them is inflation. The President's caution is in part attributable to his recognition that a continuation of the inflationary spiral could cause a recession in which all his Administration's goals could be lost. This recognition explains his determination to extend the surtax before entering a quagmire debate on tax reform in which many of his so-called liberal opponents hope the surcharge—and the Nixon Administration—will founder. Nonetheless Nixon is committed to the first comprehensive tax reform in a generation.

As a Marylander, moreover, I can welcome not only the Administration's goals but also its grants. The previous Administration was a kind of Grant's tomb for our state. We ranked 50 out of 51 in Federal aid. Now, however, things are beginning to change. Baltimore, which had had applications pending up to 18 months, got a total of $54 million in one month.

SIGNIFICANT STEPS

In declaratory terms, and in symbolic choice, the Nixon Administration has been conservative. Its law and order rhetoric, its Supreme Court choices, its excessive caution on school desegregation, its frequent indication of a southern strategy, all bespeak a right wing cast. Yet in terms of its substantive proposals, rather than its symbolic postures—in its distribution of money and legislation rather than the direction of its speeches—the Administration has been taking significant steps to help those for whom previous Administrations have expressed sympathy but done little—the young, the poor, and the black.

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Nixon's welfare program, for example, as much as quintuples the amount of help currently available for southern Negroes. If this reform and a volunteer military are in fact achieved as planned and if the Viet Nam war is concluded—I would not be surprised if Nixon makes major inroads among blacks in the south, among youth everywhere, and among a great many of his current detractors.

I, for one, predict he will succeed in these goals. Crucial will be establishment of a two party system in the south with blacks divided between the two parties; elimination of real poverty, through national welfare standards; and relief of the cities through Federal revenue sharing. Take a good look! What is brewing in Washington is revolutionary in the best spirit of '76.

EVERETT McKINLEY DIRKSEN

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. BURTON of Utah. Mr. Speaker, the September 22, 1969, issue of U.S News & World Report contained an article entitled, "If a Man Die, Shall He Live Again?" Editor David Lawrence, in a note preceding the article, explains that it is a eulogy that the late Senator Everett Dirksen delivered 4 years ago during a memorial service for his departed friend, Robert Humphreys. As I read this beautiful tribute, I could almost hear the eloquent voice of its author; and inasmuch as it reflects the deep faith and great wisdom of Everett Dirksen, I would like to bring it to the attention of my colleagues who may have missed it:

"IF A MAN DIE, SHALL HE LIVE AGAIN?"

(Everett Dirksen delivered on Oct. 20, 1965, at the New York Avenue Presbyterian Church in Washington, a eulogy during a memorial service for Robert Humphreys, a former newspaperman and in previous years a staff member of the Senate-House Republican Leadership Conference. Mr. Dirksen read from a manuscript he had personally written. I asked him for his copy, and it was printed on these pages in the issue of Nov. 8, 1965.

(Now that the Illinois Senator has passed away, the text may well be read once more.—David Lawrence, Editor.)

(By Everett Dirksen)

What mortal being, standing on the threshold of infinity, has not pondered what lies beyond the veil which separates the seen from the unseen?

What mortal being, responding to that mystical instinct that earthly dissolution is at hand, has not contemplated what lies beyond the grave?

What mortal being, upon whom has decended that strange and serene resignation that life's journey is about at an end, has not thought about that eternal destination and what might be there?

Centuries ago, the man Job, so long blessed with every material blessing, only to find himself sorely afflicted by all that can befall a human being, sat with his companions and uttered the timeless, ageless question, "If a man die, shall he live again?" In the Easter Season, when all Christendom observes the Resurrection and seeks answers to many questions, there in the forefront is the question raised by Job, "If a man die, shall he live again?"

If there be a design in this universe and in this world in which we live, there must be a Designer. Who can behold the inexplicable mysteries of the universe without believing that there is a design for all mankind and also a Designer?

Consider what is recorded in the Book of Genesis. First, the Designer created Heaven and Earth, void and formless. There was darkness on the deep. Only darkness and ocean and no light. Let there be light said the Grand Designer of the universe, and there was light. Let there be a firmament, said He, and there was a firmament. Let there be grass, said He, and herb, yielding seed. How could an earth continue without the seed of continuity? And there was.

Two lights He made, sun and moon. Came the stars by His design. He called for living creatures in the water and fowls to fly above the earth. And it was so, even as it is now. He called for earthbound life—cattle, beasts, and creeping things. The design was nearly complete, but not quite.

He created man with dominion over all other living things. And then this seemingly incredible thing—every green herb for meat. Yet it is every green thing which sustains all living things from the day of the first man until this very moment.

Man alone, of all living things received intelligence—a brain, a mind, and a soul. He alone, with these attributes, had the capacity for faith and hope, for inspiration and ambition, nobility and dignity, and the capacity to remember and to forget.

In a world of scientific wonders and achievements, no atom with all its force to destroy, to frighten, and annihilate could conceive an idea, build a structure, write a document, utter a spoken word, entertain compassion of charity or hope. Only to man came this endowment of intelligence, dignity, divinity, and dominion over all living things.

Who would persuasively contend that this work of the Great Designer could end in oblivion, in destruction without a trace? Who will contend that this—the noblest work of the Great Designer—man, with dominion over all livings things, man, with a brain and a will, with a mind and a soul, man, with intelligence and divinity, should come to an end when the spirit forsakes its earthly temple?

Except for the handiwork of the Great Designer, nothing in this world is created and nothing is destroyed.

The Eiffel Tower is but the fashioning, forming, and shaping of materials already here.

The pyramids, which have stood for centuries, are but the craftsmanship of men on stone already here.

The atom—author of both joy and misery—was always here. It remained only for time and intelligence to isolate it and lay bare its awesome power.

The glory and beauty of the nation's Capitol is but the work of gifted men upon materials already here.

All this from the hand and grace of the Great Designer, whose handiwork is everywhere.

How could His work be destroyed? Not by fire, for that but transmutes what man put together into other forms such as light, heat, energy, and gases. Not by earthquakes, which but tumble man's work but do not destroy the elemental substance. Not by storms and tidal waves, which only rearrange what the Great Designer placed here.

The gaily colored leaves fall so gently to earth in this autumn season not to be destroyed but to be embraced by nature for future use. The falling leaves are a reminder that winter will soon be here to embrace the earth in wintry sleep. Comes the inevitable caress of spring, also from the hand of the Great Designer, to bring life and color, fragrance and beauty to the eager earth.

It is the Resurrection of spring. It is an answer to the ageless question of Job, "If a man die, shall he live again?" Surely he shall, as surely as day follows night, as surely as the stars follow their courses, as surely as the crest of every wave brings its trough.

Five hours before Bob Humphreys' spirit left its earthly, pain-wracked temple, I shook his hand. Somehow I knew that the Great Designer would spare him until I could return to the Capitol and say good-by. We spoke but little. It was not necessary. His last word to me was his request that I make this testament to him. There were no tears. I was borne up and comforted by the unquenchable faith and belief that, even as the hands of Heaven already reached out to embrace him, he would soon be in a higher, nobler realm where neither pain nor anguish could touch him.

I admired him. I respected him. I loved him. In him were those glorious attributes which I have seen so often—a fidelity that one can scarcely put in words—a devotion to his country unsurpassed by that of any patriot whose name glows from the pages of history—a sense of perfectionism that impelled him ever to find perfection—an affection for her who was his devoted companion and who was the force that sustained him in his hours of agony—a faith that could move mountains—an inextinguishable belief that man's course must be ever onward and upward. He will be long remembered because he is enshrined in so many hearts.

And now he has gone to labor in the larger vineyard of eternal life. All this is because the Great Designer made it a part of the grand design for life on Earth and in Heaven, Farewell, Bob.

COLUMBUS DAY

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. FISH. Mr. Speaker, October 13, my State, the State of New York, celebrated Columbus Day. This day has been set aside to honor the men who discovered America. It also serves to honor those Americans of Italian ancestry who have done so much to build this land. We are a nation of immigrants from every corner of the globe. The American landscape is a vast mosaic composed of many cultures and heritages, each contributing individually and collectively to our great Nation.

As this is true of our great Nation, also is it true of my Hudson Valley district, the 28th District of New York, which I have the honor of serving here in Congress. For our Hudson Valley is the result of the mixing of many cultural patterns, with one of the most important being the contribution made to our area by our citizens of Italian descent. In business, the professions, in political life, they have been leaders. They have fought gallantly in our wars. They have helped build our economy. They have contributed incalculably to the social richness which makes the Hudson Valley.

Mr. Speaker, I feel I would be remiss on this day set aside to honor that great navigator, Columbus, to not also pause to pay tribute to the thousands of those dedicated citizens of Italian ancestry. America is richer for their coming.

SWEDEN LOSES $35 MILLION AMERICAN ORDER

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. RARICK. Mr. Speaker, from time to time I have suggested that Americans know their friends and their foes, even if those responsible for the operations of our State Department are confused on this point.

When Sweden intentionally became a haven for deserters, draft dodgers, and assorted misfits, the American people took notice of the fact. When Sweden commenced a program of collaboration with North Vietnam, the American people understood that this was not a friendly gesture to the United States. When Sweden announced its intention to make large sums of money available to North Vietnam, the people of the United States recognized that such aid to the enemy was a downright unfriendly gesture toward us.

Although the Government failed to act, I am pleased and proud to note that some Americans have done so—and in the sensitive money nerve, Sweden, donating money to our enemy, has just received notice of the cancellation of a $35 million American order.

Mr. Palme, who says he is not anti-American, will surely understand that the cancellation was not anti-Swedish.

I include two Stockholm reports as part of my remarks:

[From the Washington Post, Oct. 9, 1969]

CANCELED ORDER

STOCKHOLM.—A Swedish firm said it lost a $35 million American order because of the Swedish government's plan to send aid to North Vietnam.

Erik Sundblad, director of the Stora Kopparberg Mining Co., Sweden's oldest industrial enterprise, said that after announcement of a recent government decision to give Hanoi $40 million in aid he got a call from the United States canceling the $35 million order, which was ready for signature. Sundblad declined to identify the caller.

[From the Washington Star, Oct. 12, 1969]

SWEDES NOW PRO-UNITED STATES, ACCORDING TO U.S. INFORMATION AGENCY

(By Robert Skole)

STOCKHOLM.—This may come as a surprise to the Nixon administration and conservatives in Congress, but the U.S. Information Agency figures Swedes are friendly toward America. And they are so convinced, they're putting more taxpayers' money on it.

The American library here—now tucked away out of sight and out of demonstrators' way on the fifth floor of an office-hotel building in downtown Stockholm—will move next month to a new ground-floor location just a stone's throw (pardon the expression) from Stockholm University and the main Stockholm public library, a gathering place for local students.

Unlike American libraries in many other countries, the library here has not been a target for demonstrations—even though countless anti-Vietnam war parades have streamed past. The library has been in an inconspicuous place.

Now, however, it's another story. The new library is going to be located in a former consumer cooperative supermarket, and will have large, tempting plate glass windows.

"We want the exposure," says Robert Plotkin, young, cultural attache at the U.S. Embassy. "We have an excellent periodicals collection that should be most attractive. We expect the library will be used more by students than it was in the old location."

What about demonstrations?

"No, we're not worried about them. Things have been pretty quiet in Stockholm recently."

However, judging from reports in the Swedish press from the United States, one gets the impression here that many Americans are firmly convinced otherwise. Especially after the announcement the other day by Foreign Minister Torsten Nilsson that Sweden will give $40 million in economic aid to North Vietnam during the coming three years.

Many Swedes—particularly nervous businessmen—get the impression that if Americans had only been very annoyed with Sweden up to now, then they are absolutely furious today. Anti-Swedish speeches by irate congressmen are well-reported here, and each one adds grey hairs to the heads of Swedish firms' North American region export managers.

BUSINESS BOOMS

Ironically, however, business is booming—as usual—for American companies in Sweden.

The Swedish government recently went into a partnership with an American firm, Combustion Engineering Corp., in a firm to manufacture large steel pressure tanks for the nuclear industry.

The company is owned half by the Swedish state and one quarter by Combustion Engineering and one quarter by a private Swedish steel corporation. When the Swedish steel corporation asked the government to help it set up the new plant, the government urged that Combustion Engineering be brought in as a partner.

Representatives of the Swedish Ministry of Industry have been talking with a number of companies in the United States with an aim at establishing similar joint ventures.

"We don't want the American money," a ministry official said, "We want the American know-how."

He said that the American companies he talked with were not at all disturbed about the cool Swedish-American relations caused by Sweden's acceptance of U.S. Military deserters and her granting diplomatic recognition to North Vietnam.

"The Americans were interested in business—not politics," he said.

And well they should be. On a per capita basis, Sweden is America's best customer. Swedes import far more from the United States ($511 million worth in 1968) than they export to the United States ($451 million worth in 1968).

Even though American businessmen are not worried about the political situation's affect on their sales here, Swedes definitely are concerned about their sales on the American market.

So far. the cool relations have not had an effect: Swedish exports to the United States are up by about 15 percent over last year. But Swedes fear that the latest "Issue"—the promise of economic aid to North Vietnam—might do the trick. They recall how last year the longshoremen's union threatened to halt unloading Swedish goods in American ports.

(A definite move in the direction of lessened U.S. imports from Sweden came in an Associated Press story on Friday that a Swedish firm had lost an American order worth $35 million because of the Swedes' economic aid to North Vietnam. Erik Sundblad, director of the Stora Kopparberg Mining and Industrial Co., at Falun, declined to identify the U.S. firm. "We received a short, tart telephone call from the United States cancelling the order," he said.)

STUDYING LOANS

One ironic piece of the picture is that on the very day that Foreign Minister Nilsson announced the economic aid plan. The U.S. Tennessee Valley Administration announced it had awarded a $2 million order for electrical transformers to ASEA, a Swedish heavy electrical equipment company.

Making biggest headlines here on the subject of Swedish-American trade were reports that the Export-Import Bank was studying loans to Sweden. But businessmen are not especially worried over this since there are only a few loans, the largest being some $50 million in credit guarantees for purchase of Douglas and Boeing aircraft by the Scandinavian Airlines System.

"Do you think Boeing and Douglas would let this order be affected?" commented one Swedish official. "Not a chance."

He also said that Sweden only holds a minority interest in the airline.

Adding to the irony of the Swedish-American "conflict" is the fact that some Swedish firms have been criticized by leftist newspapers here for assisting the American "war machine."

The American affiliate of SKF, the Swedish bearing giant, was pointed out as supplying vital ball bearings to helicopters used in Vietnam. And it's not unlikely that every American aircraft in the war has equipment that uses high-quality special Swedish steel.

Newspapers last year sharply criticized the government for allowing Swedish scientists to work on Pentagon-financed contracts.

(Olof Palme, who has been elected head of the Social Democratic party and who will be prime minister, said the government did not halt these contracts because they involved only basic research, and they were only a small part of research at universities here. He said one study involved research on young doves—and he suggested a counter study of old hawks.)

Oddly enough, under Swedish law, this research cannot be secret—which means that anyone here—including Russians, Red Chinese, or North Vietnamese—can get copies of the research reports simply for the asking.

The North Vietnamese, obviously, are now more interested in products more useful than research reports. It is expected that on the top of their shopping list, under the proposed economic aid, will be paper for schoolbooks and fertilizers. Under Swedish policy, a country that receives foreign aid is not bound to buy products in Sweden.

The North Vietnamese Embassy here had no comment on the Swedish aid announcement.

Because of many Swedish connections with America, the official was asked if the North Vietnamese feel Sweden is unfriendly, just as many Americans feel Sweden is unfriendly to America because of their connections with North Vietnam.

He laughed and replied "No, we don't think Sweden is unfriendly."

STAFF MEMBERS INTIMIDATED ON PLANNED VIGIL

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. BROWN of California. Mr. Speaker, I am both alarmed and saddened by tactics now being employed by some misguided individuals relating to efforts of congressional staff members who plan to show their concern over the Vietnam war on the upcoming moratorium day.

It has come to my attention that certain people opposed to the planned silent vigil upon the east front steps are spreading rumors that any staff member

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who participates in the vigil will be arrested.

Not only is that a false statement, but it is also blatant intimidation of the rights of citizens to free speech and to petition the Congress.

As a result of Judge Greene's ruling in the case of the Quakers who attempted to read war dead names upon the Capitol steps, orderly nondisruptive gatherings can be held here on the Capitol Grounds. The staff members who initiated the idea of the peaceful silent vigil have made it a point to emphasize their wishes to adhere to the standards laid down by Judge Greene. The Capitol Police have been advised of the vigil.

I endorse the concept behind the moratorium day as a valuable means of conveying to the leaders of this Government that the people of America are tremendously concerned over our tragic adventurism in Southeast Asia, and that actions must be taken to speed up our disengagement from Vietnam.

The proposed vigil on the Capitol steps by congressional employees must be regarded as a meaningful indication of concern over our national policies, and I deplore the "scare schemes" being used to dissuade staff members from joining the vigil.

DESEGREGATION WILL BE ENFORCED

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, in recent weeks a storm of controversy has surrounded the Assistant Attorney General for Civil Rights, Jerris Leonard. Much of the criticism in my view has been unfounded and based on politics rather than substance.

The thoughtful Washington correspondent for the Cincinnati Post, Richard Starnes, has performed a service by interviewing Mr. Leonard, and I want to include as a part of my remarks the candid, forthright remarks of Jerry Leonard so that the record can be clear:

[From the Cincinnati (Ohio) Post Oct. 10, 1969]

CIVIL RIGHTS OFFICER VOWS: DESEGREGATION WILL BE ENFORCED

(By Richard Starnes)

WASHINGTON.—The nation's chief enforcer of civil rights laws insists that "the court orders on desegregation are going to be complied with even if we have to use federal muscle to do it."

Jerris Leonard, assistant attorney general for civil rights, who last week aroused a storm of criticism by what seemed to be a temporizing, yes-but approach to desegregation delays, was at great pains to make his meaning clear in an exclusive interview in his freshly decorated, blue-carpeted Justice Department corner office.

"I believe strongly in the rule of law that says community attitudes cannot determine whether the law will be complied with," he said. "The fact that some people don't like radar speed traps does not mean the courts are going to declare them illegal.

"But"—and this is the kernel of Leonard's battle with the all-out, do-it-now desegregationists—" community attitudes do have an important bearing on the methods you follow."

Leonard, 38, occupant of one of the chronically hottest hot seats in Washington, came to the Justice Department after 12 years in the Wisconsin legislature and an unsuccessful attempt to unseat Sen. Gaylord Nelson (D., Wis.). In spite of six children (the oldest 15) and a week end of being skewered with right-thinking editorials heated cherry red with indignation, Leonard says he has developed a comforting philosophy that prevents ulcers:

"The facts of life tell me that the decisions I make will be too much for some people and not enough for others. Of course, a person has a visceral reaction when he feels his position is being misunderstood, but I have no lingering disagreement with the press."

Leonard's office walls are decorated with the ikons of the successful young sub-cabinet appointee—an autographed photograph of a smiling relaxed President Nixon, and another autographed photograph of Attorney General John N. Mitchell, who looks to be a relaxed and affable as a man sitting for his third consecutive root canal job. Leonard himself is easy-going and forthright.

"I read over the transcript of the press conference last week that got me into hot water," he said with disarming candor, "and I can see now what I said could be subject to misinterpretation. But there never has been so much as a hint that we were not going to enforce specific court orders."

Leonard last week fell into a trap that has claimed many a bright young man not yet wise in avoiding all of the manifold deadfalls with which Washington abounds.

In trying to explain why the civil rights division had gone along with a Department of Health, Education, and Welfare (HEW) plea to federal courts in Mississippi for more time for pre-integration work in 33 counties, Leonard simultaneously said too much and not enough. When a hell-for-leather approach to integration is adopted, he told his press conference, "the only thing that changes is the resistance that you run into." He added that critics of Administration desegregation policies, implicitly including at least one civil rights division lawyer who resigned in protest, were running off at the mouth" and were "misinformed."

Patiently Leonard retracted his words and tried to make it clear what he had meant. "My point was that unless you had more resources available, you would not be taking more cases to court, even if the court did change the time schedule."

Although he made it clear he would continue to try to achieve school integration by peaceful means, Leonard repeatedly and forcefully insisted that de-segregation is "the law of the land and it is not going to be changed."

"But we are talking about a fundamental change in the mores of a great many people. There is no question but that we must desegregate the school systems, but we have an obligation to the children to try to keep it together while we do it. I can say this—with preparation programs, and in-service training and the seminars and all the rest of what we are trying to do in Mississippi that the possibilities of resistance are being diminished.

"There are things you can do before you have to call in the marshals and—God help us if it comes to that—the troops. Mostly sweat, I guess I'd describe it."

Leonard dismissed one of the capital's most durable bogey-men this political season. "If there is a deal between the Administration and the South to delay integration," he said, "then nobody has told me about it."

Characteristically, however, he added that it "isn't surprising for certain elements of the community to be somewhat suspicious. But it is unfortunate for rational, intelligent elements in the national community to put upon us simply because we are trying to find better techniques.

"So far as I am concerned, that's all we are trying to do. It is a question of methods, techniques and pace. School desegregation is the law of the land, and it is going to be complied with."

CHICAGO'S COLUMBUS DAY PARADE

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. ANNUNZIO. Mr. Speaker, this year I am especially pleased to join my colleagues in the Congress and my fellow Americans in commemorating Columbus Day because the Congress has passed a law providing that in 1971 and thereafter Columbus Day will be observed as a national legal holiday throughout the United States.

At long last, Christopher Columbus, the courageous Italian navigator who discovered America 477 years ago, will receive appropriate recognition for his role in opening the door to the future of the Western Hemisphere and in paving the way for the development of our own great country.

Each year, my own city of Chicago celebrates Columbus Day with a series of specially planned events culminating in a gigantic parade on State Street. The Joint Civic Committee of Italian Americans, comprised of more than 40 Italo-American civic organizations, in cooperation with other groups, sponsors the Columbus Day parade and many of the other festivities planned to honor the great explorer. Mr. Anthony Sorrentino has ably served for many years as consultant for the Joint Civic Committee of Italian Americans and coordinated the various events scheduled in celebration of Columbus Day.

On October 4, 1969, the Third Annual Columbus Day Debutante Cotillion was held in the Grand Ballroom of the Conrad Hilton Hotel in Chicago under the auspices of Our Lady of Pompeii Church. This year it was my privilege to serve as the honorary chairman of this event, and I want to extend my congratulations to the board of directors of the cotillion—Rev. Gino Dalpiaz, Mrs. Mary Curran, Mrs. Ralph Davino, Mr. and Mrs. Matthew DelPrincipe, Mrs. Angela DeVito, Mrs. Sam DiBuono, Mr. and Mrs. Gabe Ditore, Mr. Salvatore J. Guardino, Mrs. Sam Iazzetto—and to the chairmen and members of the various committees who worked so hard to make this a highly successful occasion.

The general chairman and cotillion coordinator was Mrs. Mary Curran, who did an outstanding job, and assistant chairman was Mrs. Matthew DelPrincipe. The chairmen of the various committees were as follows: Finances, Mr. Salvatore Guardino; congratulatory expressions and program, Mrs. Angela DeVito; special guests, Mr. Matthew DelPrincipe; tickets, Mrs. Sam Iazzetto; debutantes, Mrs. Ralph Davino; secretarial, Mrs. Gabe Ditore; and publicity, Mr. Gabe Ditore.

The prelate of honor at the cotillion was the Very Reverend Monsignor Edward M. Pellicore, and the guests of honor included Mrs. Frank Annunzio, the Italian Consul General in Chicago, Honorable Giuseppe Avitabile, and Mrs. Avitabile. The honored sponsors were Mr. and Mrs. Victor J. Failla, Mr. and Mrs. William Gage, Mr. and Mrs. Frank Pantaleo, and Mr. and Mrs. William Valentino.

Sixteen lovely debutantes were presented at the cotillion. They were: Denise Annoreno, Maryann Belmont, Joanne Calafiore, Lynn Cerone, Pamela Cerone, Marie Cuzzone, Cathy D'Ambrosio, Kathleen Ann De Farno, Rosemarie De Vito, Lorie Dolce, Linda Ann Durante, Carla F. Giampa, Karen A. Ippolito, Darlene A. Jenero, Theresa Nicastro, and Rochelle Pantaleo. Once again, I want to congratulate these debutantes and their proud parents on this happy occasion in their lives.

Seventeen-year-old Cheryl Rose Gliosci, of 4927 Twining Avenue, Bellwood, Ill., was chosen from 12 semifinalists to reign as queen of the Columbus Day parade. The prizes awarded to the queen included two tickets to the ABC Great States Theater, given with the compliments of Henry G. Plitt, dinner for two at the Italian Village Restaurant, 79 West Monroe Street, Chicago, Ill., donated by the Capitanini family, two tickets for the opening night at Pheasant Run Theater, given with the compliments of Carl Stohn, Jr., and a free 21-day trip to Italy, sponsored by the Joint Civic Committee of Italian Americans via Alitalia Airlines.

Members of the queen's court were Diane Benedetti, 25 West 200 Denise, Naperville, Ill.; Sherry Marie Sparacino, 2923 South Haynes Court, Chicago, Ill.; Charlotte Luporini, 1612 South 51st Avenue, Cicero, Ill.; and Palmira Johnson, 1329 Hazel Court, Des Plaines, Ill. Prizes for the queen and the queen's court included gowns, shoes, and bags, donated by Gamble-Aldens Department Store, and two tickets each to the ABC Great States Theater.

The judges for the queen's contest were Mr. John Fischetti, Pulitzer Prize-winning cartoonist for the Chicago Daily News, 401 North Wabash, Chicago, Ill.; Mr. Mike Rotunno, photographer at Metro News Photos, O'Hare International Airport, Chicago, Ill.; Miss Jory Graham, columnist for the Chicago Sun-Times, 401 North Wabash, Chicago, Ill.; Mr. Gianandrea Montanarella, district sales manager, Alitalia Airlines, 36 South Wabash, Chicago, Ill.; and Miss Grace Zalecke, fashion coordinator, Gamble-Aldens Department Store, 5000 West Roosevelt Road, Chicago, Ill.

Winners of the citywide "Legacy of Columbus" essay contest conducted in both the public and parochial schools were: First prize, Nancy Haley, 1551 South Wolf Road, Hillside, Ill., Immaculate Heart of Mary High School; second prize, Charles Doyle, 11000 South Lowe Avenue, Chicago, Ill., St. Ignatius High School; third prize, Margaret Murphy, 5244 South Laflin Street, Chicago, Ill., St. Augustine High School. First prize was a $250 U.S. savings bond, second prize was a $50 U.S. savings bond, and third prize was a $25 U.S. savings bond which were donated by the Joint Civic Committee of Italian Americans. Additionally, Sister Mary Alexandra, 10900 West Cermak Road, Westchester, Ill., was awarded a $100 U.S. savings bond for her contribution to the prize-winning essay as teacher of Nancy Haley.

Judges for the essay contest included a committee of educators who are members of the Gregorian Society. The committee was headed by Joseph J. Sirchio, principal, Chicago Vocational High School, 2100 East 87th Street, Chicago, Ill., and his committee members were Mrs. Ann Knapp, Rudy Alfano, Mrs. Josephine Ortale, and Mrs. Ida D'Indri.

Also in conjunction with the Columbus Day celebration, the Joint Civic Committee of Italian Americans sponsored a Festa Della Moda fashion show held at the Sheraton Chicago Hotel on October 5. More than 150 persons, including children and adults, participated in the fashion show, and displayed authentic handmade Italian costumes depicting the native dress of the various regions in Italy.

Additionally, the 45th Annual Columbus Banquet sponsored by the Grand Lodge of the State of Illinois, Order Sons of Italy in America, was held on October 11 in the Grand Ballroom of the Sherman House in Chicago. More than 1,000 people were present at the banquet to hear the principal speaker, Hon. Philip J. Romiti, judge of the Circuit Court of Cook County, and to participate in this gala event.

General chairman of the banquet was Amedeo A. Yelmini, and the cochairman was John G. Spatuzza. The toastmaster was Grand Venerable Martin R. Buccieri. Also participating in the banquet for her first appearance was the Columbus Day Queen.

This year, because Columbus Day fell on Sunday, the gigantic Columbus Day parade was held on Monday, October 13, which is a legal holiday in Illinois. Leading the parade were the honorary chairmen of the parade, Hon. Richard J. Daley, mayor of Chicago, and Hon. Giuseppe Avitabile, Consul General of Italy in Chicago.

The Governor of Illinois, Hon. Richard Ogilvie, and Lt. Gov. Paul Simon joined in leading the parade, and following them in the line of march were political dignitaries, civic leaders, members of the judiciary and businessmen from the community including: Congressman ROMAN PUCINSKI; Federal Judge Alexander J. Napoli; Attorney General William J. Scott; Secretary of State Paul Powell; Senator Sam Romano; State Representative Lawrence DiPrima; Alderman Fred Roti; Alderman John Aiello; Alderman Dominic Lupo; Alderman Joseph Jambrone; Alderman Vito Marzullo; Hon. Anthony Laurino; Hon. Louis Garippo, Sr.; Hon. Anthony Girolami; Col. Frank Chesrow; Director of Public Works and Buildings William Cellini; Chairman of the Parole and Pardon Board Lawrence Pusateri; Cook County Superintendent of Schools Robert P. Hanrahan; County Treasurer Edmund J. Kucharski; George M. Keane and Bernard J. Korzen of the county board of tax appeals; City Treasurer Marshall Korshak; City Clerk John C. Marcin; Chairman of the Metropolitan Sanitary Commission John E. Egan; President of the County Board George W. Dunne; County Commissioner Charles S. Bonk; County Assessor P. J. Cullerton; County Clerk Edward J. Barrett; clerk of the circuit court, Matthew Danaher; County Coroner Dr. Andrew J. Toman; County Recorder of Deeds Sidney R. Olsen; County Sheriff Joseph I. Woods; and State's Attorney Edward V. Hanrahan.

Some of the leaders in the Italian community in Chicago who participated in the parade were Victor J. Failla, president of the Joint Civic Committee of Italian Americans; Anthony Bottalla, first vice president; Arthur S. Pullano, second vice president; Charles Porcelli, third vice president; Dr. Nicholas J. Bruno, fourth vice president; Dr. James F. Greco, fifth vice president; Ettore Di Vito, secretary; and John G. Rovetto, treasurer. Also participating were past presidents, Peter R. Scalise, Anthony Paterno, and Dr. Mario O. Rubinelli, and Rev. Armando Pierini, P.S.S.C., director of Villa Scalabrini, the Italian Old Peoples' Home in Melrose Park, Ill.

The general chairman of the 1969 Columbus Day Parade was James Coli. Special assistants to the general chairman included Frank Catrambrone, Charles Porcelli, Dr. Mario O. Rubinelli, Dr. Mary Ellen Batinich, and Mrs. Anthony Sorrentino.

The cochairmen for the parade were Congressman FRANK ANNUNZIO of the Seventh District of Illinois, Frank Armanetti, Fred Bartoli, Anthony Bottalla, Martin R. Buccieri, Dominick Di Matteo, Victor J. Failla, Nello V. Ferrara, Anthony Paterno, Arthur S. Pullano, and Dr. Mario O. Rubinelli.

Also participating were Louis P. Farina, cochairman of the speakers platform committee; Hon. John D'Arco and Hon. Peter C. Granata, cochairmen of the public officials committee; Anthony Paterno, chairman of the television and radio sponsors committee; Mrs. Anthony Sorrentino, president of the women's division of the Joint Civic Committee of Italian Americans; Mathew J. Alagna, chairman of the finance and souvenir book committee; Frank N. Catrambone, Sr., Mrs. Serafina Ferrara, and Joseph DeLetto, cochairmen of the finance and souvenir book committee; Dominick Dolci, chairman of the business and professional committee; Hon. Victor A. Arrigo, chairman of the program and arrangements committee; Domenick DiFrisco, chairman of the publicity and queen contest committee; Joseph DeSerto, chairman of the religious program and organizations committee; Dr. Mary Ellen Batinich, chairman of the authentic Italian costumes committee; Mrs. Frank Amico and Mrs. Elena Frigoletti, cochairmen of the authentic Italian costumes committee; John G. Rovetto, chairman, and Sam Canino, cochairman of the floats committee; Lawrence Spallitta, chairman of the float personnel committee; Dr. James F. Greco, chairman of the bands, marchers, and transportation committee; John Leto, chairman of the labor committee, and Marco DeStefano, grand marshal of the parade.

The other members of these committees are: Joseph Fusco, Joseph Nicoletti, Anthony Apa, Dominick M. Alberti, William Boschelli, Peter Lavorata, Fred Mazzei, Vincent Lucania, Tom Ardino, Joseph Bottalla, Sam Cerniglia, Carl Cipolla, Charles P. DeVito, Anthony J. Fornelli, Albert Litterio, Vincent F. Lucchese, Gerald L. Sbarboro, Horatio Tocco, Jerry Zurla, Joseph Comella, Dr. Joseph H. DiLeonarde, William Fantozzi, Rosario Lombardo, Amedeo Yelmini, Charles Carosello, Joseph Sirchio, Joseph Alagna, Charles Cannon Giannone, Dominick Gentile, Vincent Saverino, Daniel A. Becco, Carl Ferina, Michael R. Fortino, Louis Moretti, John Spatuzza, Mrs. Stella Boschelli, Mrs. Ann Brody, Mrs. Maria DeSerto, Mrs. Carmella Giacomina, Mrs. Adelaide Janz, Mrs. P. Lavorata, Mrs. A. Menconi, Mrs. Marie Pedi, Mrs. A. Parisi, Mrs. A. Salvatore, Mrs. A. Sorrentino, Mrs. T. Romano, Mrs. A. Tufano, Mrs. A. Yelmini, Mrs. M. Nuzzo, Mrs. G. Guidice, Joseph Pope, Russell Bonadonna, Stephen Fiorentino, Mrs. Lawrence Spallitta, Joseph Tolitano, Peter Barbero, Rudolph Bilotta, Frank Bottigliero, Joseph Fontana, Peter Realmuto, Paul Iaccino, Edward Coco, Henry L. Coco, John Parise, Bruno Fillipini, and Alfred Rota.

The highlight of the Columbus Day celebration, the Columbus Day parade, began on State Street at 1 p.m. Immediately before the parade, a wreath-laying ceremony took place at 10:30 a.m. at the Columbus Statue in Vernon Park, and prior to this ceremony, Solemn High Mass was celebrated at Our Lady of Pompeii Church in Chicago at 9:00 a.m.

The theme of the 1969 parade was the statement made by Astronaut Neil Armstrong when he first walked upon the moon:

> One small step for a man, one giant leap for mankind.

More than 60 floats took part in the procession and traced the contributions of Italians who have aided the progress of civilization from Galileo and Vespucci to Marconi and Fermi.

Over 225 units marched in the parade, representing every branch of the United States military forces. Drum and bugle corps, school bands, and scores of marchers participated in the parade. Women and children wearing authentic native costumes of Italy rode on the floats, and Mr. Louis Espiscope, 7401 West Winnemac, Chicago, Ill., depicted Christopher Columbus on one of these floats.

The parade, which attracts over 1 million spectators, was televised over WGN-TV for 1½ hours. The telecast of the parade generally attracts an estimated television audience of an additional 2 million people. State Representative Victor A. Arrigo narrated the parade for the television audience. Sponsors of the telecast were Frank Armanetti of Armanetti Liquors, Anthony Paterno of Paterno Imports, and Dominick Di Matteo of Dominick's Finer Foods.

At the conclusion of the parade, another wreath-laying ceremony took place. The second wreath-laying ceremony was at the Columbus Monument in Grant Park in Chicago at 3 p.m.

Columbus Day festivities were brought to a close at a reception at 4 p.m. at the Chateau Royale, 5743 West Chicago Avenue, Chicago, Ill. Mrs. Serafina Ferrara was the official hostess at the reception which was held in honor of all of the committee chairmen and committee members who participated in making the 1969 parade a tremendous success. Leaders of the Italo-American organizations from Illinois were present at the reception, as well as officials from the city of Chicago, from Cook County, and from the State of Illinois.

It is a source of great personal pride to me to know that in every State of the Union, all of our people, regardless of age, race, or creed, have joined together to celebrate Columbus Day and to honor the memory of the courageous Italian navigator who discovered America 477 years ago. I am certainly pleased to participate in this observance of Columbus Day, and I look forward to 1971 when the citizens of our beloved country will observe this special day as a national legal holiday.

Mr. Speaker, in conclusion, I want to commend all of the officers and members of the Joint Civic Committee of Italian Americans in Chicago for sponsoring this gigantic patriotic celebration on our main street in Chicago—State Street—and for demonstrating to the world that all Americans are proud of our democratic institutions. And I am especially proud of these people who have made a genuine contribution to our democratic way of life.

HUBERT HUMPHREY COMMENTS ON THE NIXON RECORD AND THE FUTURE

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. BLATNIK. Mr. Speaker, at this time last year, we all watched the closing month of the presidential campaigns with boundless interest. We heard promises from both sides of the end of the surtax, a revised tax system, a sharp decrease in crime, an end to the inflationary spiral. Now, 9 months after inauguration of the Republican administration, we have the surtax extended, a tax reform bill passed under House Democratic leadership but sharply attacked by the administration, a crime rate which has risen 10 percent in just 1 year and monthly sets new records in the Nation's Capital, and inflation which shows few signs of stopping. What happened to last year's promises?

I am privileged today to enter in the RECORD the comments of former Vice President Hubert H. Humphrey on the Nixon administration's record of performance. A man of broad experience in domestic problems, particularly those of the metropolis, Mr. Humphrey's comments are valuable, I believe, for the insight he brings to those issues which should command our attention. His concern is for the quality of American life, for the safety of the American city dweller, for the health of our divided society. Let us take these articles to heart, and translate those promises of a year ago into action today.

The articles follow:

[From the Washington (D.C.) Daily News, Sept. 22, 1969]

NO WAY TO RUN AN AIRLINE, A RAILROAD, OR A NATION

(By Hubert Humphrey)

A year ago, six weeks before the election, Richard M. Nixon told the American people of his concept of the presidency. He said: "The next president must take an activist view of his office. He must articulate the nation's values, define its goals and marshal its will."

All thru the campaign, candidate Nixon said he would stop crime and inflation and rising taxes. He promised peace at home and abroad.

In his acceptance speech at Miami, he said: "The wave of crime is not going to be the wave of future of the United States of America."

He said: "Let us build bridges, my friends, build bridges of human dignity across that gulf that separates black America from white America."

And he said: "I see the day when our senior citizens and millions of others can plan for the future with the assurance that their government is not going to rob them of their savings by destroying the value of the dollar."

The Republican theme in 1968 was a special concern for the silent American, the forgotten American. They pay most of the taxes. It is their dollar being eroded by inflation. They suffer from increasing costs of higher education for their sons and daughters. They are the victims of spiraling medical costs. They are being squeezed by tight credit and high interest rates. Their neighborhoods are threatened with violence and crime.

Their pain and suffering was to be eased. A new administration would set America on a new course. Let's take a look at the record.

Crime is still out of control. FBI figures for 1969 indicate a 10 per cent increase in the crime rate. After all the campaign rhetoric, Attorney General John N. Mitchell now says: "Basically, street crime is outside the jurisdiction of the federal government."

Food prices are rising 8 per cent a year. In most cities, hamburger and bacon have gone up 10 cents a pound.

Parents who sent their children to college this fall found costs up $100 to $200 per year. The average increase was 8 per cent.

Families who hoped to buy a new home this year have found interest rates rapidly rising, with the average rate for a new home now 8 per cent.

While the nation's housing needs are estimated at 2.5 million units per year for the next 10 years, new housing starts have dropped from an annual rate of 1.8 million in 1968 to 1.4 million this year, and the rate may drop even more.

The cost of living, which went up 3 per cent in 1967 and 4 per cent in 1968, is increasing at an annual rate of 6½ per cent under President Nixon.

The White House sat idly by while the big banks increased the prime interest rate to 8½ per cent, and there is talk of another increase.

Despite a campaign promise to the contrary, President Nixon demanded extension of the 10 per cent income tax surcharge.

A tax reform bill finally passed the House of Representatives, but it was the work of Democrats in Congress, not the Nixon administration. The bill provides $9 billion a year in tax relief for low and middle income families, but the Nixon administration says the House bill gives too much tax relief to the low and middle income families and not enough to business. So the administration proposal is to hand corporate business, which is already enjoying record profits, $2 billion in extra tax relief.

Hospital and medical costs continue to rise at an alarming rate. Budget cutbacks are forcing reductions in medical research, hospital construction and neighborhood health centers.

Candidate Nixon's "black capitalism" program no longer is mentioned at the White House. "Black capitalism is a shambles," according to Whitney Young, Jr., executive director of the National Urban League.

During the campaign, candidate Nixon also emphasized that they did not want a government of "yes men." He promised an administration of "open, candid dialogue."

One of President Nixon's first nominations was that of Dr. Franklin Long to head the National Science Foundation. President Nixon called Dr. Long "a man of eminent credentials," but then when it was discovered Dr. Long opposed the Nixon ABM plan, the nomination was withdrawn. After withering criticism from the scientific community, President Nixon again reversed himself and offered the job to Dr. Long, who by this time wanted no part of the administration.

Then HEW Secretary Robert Finch selected Dr. John Knowles to be his assistant secretary for health. But top officials of the American Medical Association, which had contributed heavily to the Nixon campaign, objected. After six months of political infighting, Secretary Finch finally had to back down. Senator Goodell (R-N.Y.) concluded: "The choice was between filling the nation's top medical post on the basis of merit or politics. Politics won."

In March, Clifford L. Alexander, Jr., chairman of the Equal Employment Opportunities Commission, was warned that businessmen were complaining of "being harassed" by the commission. He was told "it is going to stop or somebody is going to lose his job." The next day, Alexander was replaced as chairman, and in April Alexander resigned from the commission, saying: "The public conclusion is inescapable: vigorous efforts to enforce the laws on employment discrimination are not among the goals of this administration."

After eight months, it is beginning to look as if the Nixon administration may not only be veering to the right as part of a "southern strategy" of re-election, but it may not get off the ground at all.

We were told the Nixon years would be a beautiful flight into the future. What's happened? The plane made it to the end of the runway, but its engines are sputtering and it's not moving. I think one of the problems is that the pilot is looking over maps that were good in the 1950s but are out of date in 1969.

As we head into the 1970s, the flight into the promised land probably will be cancelled and passengers will be taken back to the terminal for a safer, slower horse and buggy. The forgotten American has been forgotten.

I say this is no way to run an airline, a railroad, or a nation.

[From the Washington (D.C.) Daily News, Sept. 29, 1969]

As We Enter the 1970's, We Must Take a Fresh Look at Where We Are Going

(By Hubert Humphrey)

For the past 25 years, the United States has been in the hands of a generation shaped by depression and war. Much of what we have tried to do has centered around expanding the economy at home and containing communism abroad.

Our nation has developed the means for producing an unparalleled quantity of consumer goods while searching for and achieving some stability in the world.

Now as we enter the 1970s, we must take a fresh look at where we are going. We must reorder our priorities around the imperative that government must improve the quality of life for all Americans.

You do not have to look far for evidence that we have much to do and undo.

The air in most of our urban areas is a menace to health. Air pollution is so bad in cities such as New York, Chicago, Philadelphia, and Los Angeles that on some days up to 40 per cent of the sunlight is blocked out.

Industry pollutes the air, not because technology has failed to provide a way to clean the air, but because many businessmen say it is too expensive to install air pollution control equipment. Jet planes pollute the air, not because we cannot build cleaner jet engines but because the airlines have been slow to adopt new pollution control devices.

Autos pollute the air worst of all, because we have neglected mass transit in favor of lane after lane of freeways. The auto industry finally, under government edict, installed air pollution control devices on new cars, but state and local governments do a haphazard job of inspecting the devices to make sure they are properly maintained and working.

There is a lack of concern and commitment and co-ordination running thru all of our environmental problems. For instance, we know the number of autos on our streets and highways will continue to increase rapidly as our population and standard of living increase. We know we must develop cleaner fuel combustion engines. Yet after the Senate in July passed a bill calling for $90 million in research on pollution from fuel combustion engines, the Nixon administration asked the House to cut the research funds to $18.7 million. We get rhetoric, but not enough research.

Water pollution is the same story.

The excuse is not always money. In the case of pesticides, we simply have not insisted that new chemicals be adequately tested before they are marketed. The Federal Government has failed to co-ordinate even its own use of pesticides.

Look at the food we eat.

The food industry is a $100 billion a year business, yet it spends only $12 million a year on research and nutritional testing. We get fancier and more expensive new food products, but little is done to improve the quality of the diet of the American people.

The Food and Drug Administration admits it does not have the resources necessary to control the safety and quality of the food we eat, the drugs we take, the cosmetics we buy. Americans spend $7 billion a year on cosmetics, yet the Food and Drug Administration spends less than a million dollars a year to make sure these new cosmetics are safe and pure.

Federal regulatory agencies in general have not lived up to their responsibility to the public. A special committee of the American Bar Association recently reported that the Federal Trade Commission might just as well be put out of business if it cannot do its job more effectively.

Some regulatory agencies have become either so political or so close to the industries they regulate that they are nothing but paper tigers. The Federal Communications Commission, for instance, which recently has shown signs that it will require performance as well as promises from those who use the public airwaves, now has two new appointees. One is Dean Burch, an Arizona lawyer and the 1964 campaign manager for Barry Goldwater. The other is Robert Wells, a Kansas broadcaster.

The Federal Aviation Administration is working on 1950-type solutions to 1970 problems. The public pays the price in loss of time and loss of life for our inadequate airports and inadequate air traffic control. It is intolerable that in this age of the jumbo jet we have so many over-crowded airports jammed so close in to our cities.

The list could go on and on. If we are going to improve the quality of life in America, we must have better law enforcement, better health care, better schools, better housing, more green areas, more mass transit, and more metropolitan planning.

And it isn't as if all of this will use up all our resources. Much can be done with a modest increase for research and testing and enforcement of adequate standards.

The quality of life in America will be improved if each of us insists—that it be improved.

Find out what is happening in your community. If you care, you will not be alone. Many citizens groups are already at work.

Let your city councilman and your congressman know how you feel.

We must not accept pollution as the price of progress. We need not tolerate congestion and haphazard planning. We can get effective regulation if we demand it.

We must put an increasing emphasis on a decent life for all Americans, on the creation of neighborhoods where there is a feeling of community, where people know one another, where there are community and educational and cultural resources.

In particular the young people, who will inherit the earth, must protest the pollution of our air and water with the same fervor they protest the production of napalm and the shipment of nerve gas across the country.

We cannot be a civilized and happy people in a jungle of steel and concrete. We need the good earth—trees, flowers, and open space. We need clear air to breathe, clean water to drink, good food to eat.

We must make the quality of life the central issue of the 1970s.

THE ADMINISTRATION IS TRYING TO PASS THE BUCK—AGAIN

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. EILBERG. Mr. Speaker, I rise today to announce with pleasure that I have cosponsored the resolution which my good friend, the gentleman from New York (Mr. Ottinger), introduced last Thursday to require the executive branch to respond within 60 days to requests from committees of this Congress for reports on legislation.

We have all heard the President, his obedient Cabinet members, the newly elected Senate minority leader, and yes, I know it is hard to believe, the minority leader of the House rise up and point an accusing finger at this Democratic Congress and rail that we are holding up the earth-shattering legislative proposals of the Nixon administration. Yes, Mr. Speaker, if we did not know it was only fall, I am sure many of us would swear it was snowing outside. The tremendous amount of snow which this administration and its obedient servants are hurling at the American people to cover up their own ineptness staggers the imagination. I am sure, from the display of sleight-of-hand which the administration is trying to foist on the American people, that the President has decided

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that the buck must be passed beyond his desk at all costs. This certainly is not the responsible leadership which the American people have every right to expect from their President.

While the administration goes about weeping and gnashing its teeth over the inaction of the Congress, I suggest a look at the record for those who would like to know the facts rather than the fabrications of the Nixon "Madison Avenue" approach to government. The facts show that the administration has not yet finished submitting its legislative proposals to the Congress for this year. I wonder if the President has forgotten that the Congress has a habit of studying Executive proposals—not rubberstamping his wishes. I see no way that the Congress could act on his proposals without having the opportunity to study them carefully, allow interested Members and private citizens to have their views heard, and then, if they warrant consideration by the House or the Senate, bring them before the full membership. The committees cannot operate in a vacuum. We must have the cooperation of the executive branch just as they must have ours. First, we need to know what the President's program is. Second, we need to know what the administration's position is on legislation which is pending before the committees. It is this inability of the administration to submit the needed reports to the committees at which the resolution I have sponsored today is aimed. If we hear nothing from the executive branch within 60 days after a report has been requested, according to the resolution, the committee chairmen can assume that there is no objection to the bill in question and proceed accordingly.

I have been advised, for example, that the Merchant Marine and Fisheries Committee has requested administration reports on 124 bills which the committee considers priority legislation. Yet to date the Budget Bureau has cleared and forwarded to the committee only 15 reports. I am sure that you will be hearing more about this in the near future but now I would like to comment on the deplorable lack of cooperation which the Bureau of the Budget has evidenced toward the Judiciary Committee Subcommittee on Immigration of which I am a member.

In May of 1968, the State Department submitted an executive communication to the Speaker of the House recommending the introduction of legislation to modernize certain provisions of the Immigration and Nationality Act relating to nonimmigrants. One of the provisions was to delete a section of the law and take out the word "temporary" from that section so that an alien henceforth be admitted to the United States temporarily to undertake work that may be permanent in nature rather than undertake work which would be limited in nature. Of course, in order to effect such a temporary entry, it is essential that it be established that Americans are unavailable to do the type of work required.

This provision was incorporated, in the present Congress, in both H.R. 445, by Mr. Feighan and H.R. 9112 by Mr. Celler. Reports were requested from the Departments of Justice, State, and Labor on February 10, 1969, on H.R. 445 and on March 24, 1969, on H.R. 9112. To date, reports have not been received by the committee on these bills. The committee has made continuous inquiries at the Bureau of the Budget as to why these reports were being held up. The only response received was that reports from Justice and State were before the Bureau of the Budget but the Department of Labor had not submitted a report. As of yesterday, October 13, the Department of Labor had not submitted a report to the Bureau of the Budget, notwithstanding the fact that the Bureau of the Budget advised the committee that reports on H.R. 445 and H.R. 9112 would be presented in advance of the hearings scheduled to commence on this legislation on October 6, 8, and 9.

The Bureau of the Budget negligently or intentionally failed to respond to the numerous requests of the committee for reports on the pending legislation and for an executive policy relative to the import of the proposed amendments.

Although the Secretary of State was requested 2 weeks in advance to designate a witness to appear before the committee, and was requested to submit statements in advance, the Department's witness was unable to get her statement cleared until sometime around 5 p.m. on Friday, October 3. The Department of Justice had similar difficulty in having a witness cleared to appear before the committee. As a consequence, it was necessary for the Subcommittee on Immigration and Nationality to cancel future hearings since it would serve no useful purpose to have department witnesses appear before the committee with their hands tied and unable to state their endorsement or opposition to the proposed amendments or to offer appropriate changes.

The proposed changes in law affect the labor certification which, since the 1965 amendments, has been the heart of our immigration policy. The lack of interest in the Bureau of the Budget to respond to comments on these proposals is not only an insult to the Congress but demonstrates the complete disregard for effective Government cooperation.

The job of passing the buck that this administration is trying to put over on the American people is to be much admired. If I did not know better, I would be inclined to think that the administration has Joe Namath, John Unitas, and Sonnny Jurgensen on retainers as advisers in passing.

The patterns of the administration receivers are a wonder to behold. But, let me remind the administration that to complete a pass the quarterback must first have the ball. Mr. Nixon will not have the ball until he lights a fire under the Bureau of the Budget as they turn loose the information which the Congress must have to act on legislation pending before it. If the President needs a match for his fire, I hope the resolution which I and others have cosponsored will serve him well. If this administration would cut down on the rhetoric and get on with the business of governing the Nation, we all would be better off.

UNITED STATES DEEP IN MAZE OF INDIA AID

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. DERWINSKI. Mr. Speaker, serving as I do on the House Foreign Affairs Committee, I have been disappointed over the ineffectiveness of the foreign-aid program and the tremendous waste in the huge amounts poured into India.

Since the new administrators of the aid program have been, as expected, made captives of the agency structure, they continue to look upon India as a "sacred cow" and again assign a very extensive share of aid funding to India.

An editorial in the San Diego Union, Saturday, October 4, hits the nail on the head on this subject. The editorial follows:

A Problem for Congress: United States Deep in Maze of India Aid

> As Congress turns to the subject of foreign aid, it might give serious thought to the nettle called India.
>
> Since June 1952, the United States of America has given this massive and strategic Asian nation more than $9 billion, about two-thirds of its entire outside assistance.
>
> In those same two decades an increasingly militant brand of Socialism has continued to squander that aid. The masses of India are poorer than ever, industry languishes and an increasing trend toward nationalization does not improve the outlook.
>
> Externally, India's turn to the left has been even more dramatic.
>
> The death of Ho Chi Minh in North Vietnam brought effusive eulogies from top Indian officials, including Prime Minister Indira Gandhi—at a time when Hanoi was bent on aggression and death in South Vietnam.
>
> India is talking about raising its relations with North Vietnam to the ambassadorial level after a break of seven years. There even is a movement in the governing circles to recognize the illegitimate liberation government which the Communists are seeking to establish in South Vietnam.
>
> India was heavy-handed in seeking entry into the Islamic conference of Arabs who talked about war, not peace, in the Middle East. El Fatah Arab guerrillas were not only officially received in New Delhi recently, they were showered with flowers at the airport.
>
> India consistently opposes the United States in the United Nations, particularly regarding the seating of Red China, which has designs on Indian territory. In fact, India now adopts a conciliatory position toward Communist China and in return receives silence instead of diatribes from Peking.
>
> And not the least concern of Congress should be a paradox raised by our aid to India. The Indians see nothing wrong in using American aid funds to reinforce their own multi-million dollar foreign aid programs—the Colombo Plan and the African Assistance Plan.
>
> The Indian aid goes to the Himalayan countries of Nepal, Bhutan, Sikkim; to Indonesia, Ceylon and Burma; to Europe and even to the United States! India is actually assisting us with a bagasso paper-making plant in Hawaii.

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India feels it can provide such aid to further its own interest even through millions of its own citizens are jobless, homeless and starving. Congress must ask if this arrangement, over which it has no control, is a legitimate use of American funds.

And Congress should ponder even more deeply what we have actually achieved in our own national interest by supplying two-thirds of India's foreign aid in the last two decades compared to what Communists have achieved on the basis of Russia's supplying 5.5 per cent of that same total.

HOUSTON'S ANTIPOVERTY PROGRAM—GOING UP OR DOWN?

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. BUSH. Mr. Speaker, Saturday, October 11, the Forward Times, a leading Texas Negro owned and operated newspaper, carried an editorial describing the Harris County Community Action Association's progress—or lack of it. In doing so the Forward Times highlighted a very serious national program—for the ever-present struggles within HCCAA are, unfortunately, prevalent all over the country.

So that all Members of the House of Representatives can have the benefit of the views expressed by the Forward Times, I would like at this time to submit it for the RECORD:

HOUSTON'S ANTIPOVERTY PROGRAM—GOING UP OR DOWN?

If Houston ever becomes the scene of a major riot, our feeling is that it will have its beginning within the official ranks of the local poverty program.

The little people are angry, frustrated, and making little noises. But they still exist each day with hope against hope that one day the program will begin to function as it was designed to in the beginning.

The struggle for money and power has a strange way of bringing out the worst in people and almost from the very beginning, the officials of the local poverty program have constantly made the news with their nearly all night internal squabbles over positions of power.

Some day we expect these long verbal battles of the past and present to take a turn toward violence. For a program designed for the upgrading of the poor, there seems to be a play for high stakes at the top.

The local poverty program has become a political football and as always, the poor end up being kicked around.

First there were employee strikes, then a merger, then mass resignations and firings. Then came a dispute about the Concentrated Employment Program, and who should run it.

In the latest developments, it turns out that the Harris County Community Action Association is on probation. They have been told to shape up over there or else by their bosses in the U.S. Department of Labor.

Some people in the community and on the HCCAA board seem to feel that Executive Director, Francis Williams, is the wrong man for the job. Others feel that he is the ideal man to head the program. The latter was the feeling of Forward Times at the time Williams took over the reins of the $14 million program.

It was our contention at the time that Williams had stepped into a fire he did not start, and while we hoped that by this time, Williams would have been able to quench the flames and get the job done. It seems that he has grabbed hold to something akin to the California brush fires. As soon as one is put out, two pop up somewhere else. So instead of being effective in the community as he would like to be, Williams finds himself in the role of "fire chief" forever putting out fires.

During the latest behind the scenes bickering, Mrs. Joan Bowers, who has headed the local Concentrated Employment Program for the past eight months, resigned.

Mrs. Bowers came into Houston with two strikes against her. As soon as she was named to head the program, signed petitions protesting her appointment were circulated here and there. Mrs. Bowers was a foreigner coming in to do a job that some local wheels had their eyes on. The pattern was set and Mrs. Bowers could do nothing right from the time she first occupied her desk.

Our dealing with Mrs. Bowers was quite different from those we have had with other anti-poverty officials. She placed people that we sent over in a matter of a few days without getting bogged down in a lot of agency red tape.

Her parting shot was that she wanted the bigger hunk of the anti-poverty money to go to the poor and not employees.

Some of the things we have never been able to understand about the operations of the local programs, designed to aid the poor, stand out. For example, we can cite two occasions where officials announced a cut back in operating expenses were necessary.

Certain staff members are cut, other staff members receive salary increases at the same time the cut is being made and a large number of trainees are scratched from the program.

It turns out now that Mrs. Bowers, who fought just a little while back to keep CEP separated from another state organizaion, says she was forced out.

It seems to us that every time an employee of the Program expresses an earnest desire to give the poor the benefits of the program, they are forced out. Be it the little neighborhood developer or a VIP, they are canned.

It is about time they revamped the whole program or close it down. It's about time, the politicians, and the political hustlers leave the program alone. It's about time for all the night squabbling and petty jealousies be shelved and all people involved get down to the business of upgrading the poor and reducing the welfare rolls of this city.

Even though Francis Williams avoids Forward Times like the plague, we still believe he is the best man for the job. We feel that he can and will straighten out the problems that beset the HCCAA and its problem child, CEP.

The fires within the organization are still dangerous and could well destroy the program. This must not happen. Too many people in the community need HCCAA and CEP. They need what it may offer in terms of jobs, training and dignity in years to come.

Those fires need to be quenched and the time is now. Perhaps others connected with the poverty program, the board of directors, community centers, could become fire fighters like Williams and get down to the business of working for the poor.

Others are doing a good job of upgrading the poor. They are not receiving any grants at all. Surely HCCAA and its children with their $14 million annually could knock a small dent in Houston's condition of poverty. Forward Times hopes so.

I would like to point out that this article was not written by a conservative or by a paper with an anti-OEO bias but rather, as I stated before, by a leading Texas Negro newspaper. In maintaining the hope that the "program will reach the poor," the Forward Times echoes the hope of America and, surely, the hope of this Congress.

REMARKS BY DONALD RUMSFELD

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, the new Director of the Office of Economic Opportunity, Donald Rumsfeld, appeared this morning before the National Association for Community Development Conference and presented an excellent discussion of the opportunities available to community action agencies across the country, as a result of the new direction given to OEO by President Nixon and Director Rumsfeld.

I would like to include at this point in my remarks the text of Mr. Rumsfeld's statement:

REMARKS BY DONALD RUMSFELD

I welcome this opportunity to meet with you. As participants in a joint national, state and local enterprise, I hope we can build a strong, effective partnership for Community Action.

I appreciate the staggering difficulties you've encountered in building these programs and the reasons for your fears about their survival. From the beginnings of Community Action in 1965, the plight of the Community Action director has been an unenviable one. He was promised vastly increasing funding—and he was told to plan for it, and he promised it to the poor—and instead received little more after three years than at the beginning. He was assigned to mobilize participation of the poor, so that the dispossessed would help make decisions, and he and OEO were then criticized for these decisions or the unaccustomed style of self-expression by the poor. Finally, the ultimate humiliation, he was informed that a new program would be established to cure poverty in the cities—a program named Model Cities with goals and rhetoric barely indistinguishable from his own, to operate in the same cities, among the same people, through separate organizations.

To attempt an objective evaluation of community action before this group would require more audacity than even *I* have—and it took plenty to take this job. To judge the success or failure of a program you must have a set of goals against which to measure results. But Community Action has never had only *one set* of goals—it has many *different sets*. The founders of Community Action had differing theories about how to achieve social change. Instead of making choices, they wrote *all* of their theories into Title II of the Economic Opportunity Act, and set up a program flexible enough to accommodate and serve them all at different times and places. To really *know* Community Action, you almost have to *live* it. It is different things in different places, and evolving all the time.

Few programs were ever so unformed at birth and few were so completely and broadly defined, for good or ill, by the times in which they were implemented. Perhaps the story of Community Action must be told by a poet or mystic rather than a politician or historian.

The *public image* of Community Action has been mixed, the product of rumor and rumination, a source of fear and resentment among many citizens whose support is vital to your work. Community Action has been in many ways a victim of its own rhetoric. Its vocabulary and syntax have spawned massive expectations among the poor—unfortunately unfulfilled, and massive fears among the non-poor. We have operated too long on the assumption that the poor have natural enemies with whom it is useless to talk. The prophesy has been self-fulfilling: we have created enemies, many of whom might have been natural friends if we had sought them out.

The poor have been denied not only income and dignity and self-determination but, as a further impediment, they have been barred from natural alliances with many who share their aching despair about the quality of life in this country. They have been isolated, treated as a separate nation at war with the rest, as if only they were the ones calling for improved services, as if only they were pointing to the dizzying blight of our cities, as if only they felt institutions were unresponsive to their needs, as if only they wanted social change.

Those who live at the margins of poverty, and even above, share some of the same desperation with schools and cities and institutions. It is not just the poor who will benefit from change. It is in the interest of the whole Nation that the deep harm of poverty be eliminated. So it is time that we begin bridging the chasms between these groups, building more effective communication, sharpening and explaining our goals in terms that build alliances, rather than alienation.

Given the history of Community Action this Administration might have found it expedient to abolish the program. But it did not. The President announced less than six weeks after assuming office that the vital work of Community Action would be pressed forward. He sent to Congress a bill that would extend for two years, rather than one, the present legislation, without crippling amendments. He gave the agency added responsibility for experimental and research activities, and for innovating and developing new social programs. He increased the budget allocations in Fiscal 1970 for such activities and in critical advocacy programs like legal services. We have reorganized the agency to clarify and more clearly assign its different functions. Throughout, we have emphasized the importance of involving the poor in local decision-making, and making local institutions more responsive to the needs of all citizens.

Today the President has sent a message to the Congress reiterating for the third time his request for a two-year extension of the OEO legislation without crippling amendments. In this message he stated "OEO is now strengthening its present operating programs, including the community action agencies . . ." and pointed out the difficulty of running programs when with one-fourth of the fiscal year already gone, the Congress has still not acted on the authorization or the appropriations.

As I look ahead I see four critical things which you and I must do to strengthen our partnership and assure greater success:

First, we need to clarify what Community Action is all about—what we are trying to accomplish and communicate it better or risk loss of public support.

Second, we must focus our program activities more sharply on basic objectives.

Third, we must substantially increase the capabilities of CAAs to perform their functions effectively.

Finally, we need to increase OEO's own capacity to provide effective support for local Community Action Agencies.

The achievements of CAAs across the country over the past five years have been substantial. In the CAA, local citizens have built the foundations of a new American institution. It embodies some of our best national traditions: local initiative; self-help; concern with what works in practice, not just in theory; and creative interaction between government and private sector initiatives. There is enormous potential in this still young local institution. Where it is being used most effectively, it is producing results. We all recognize, however, that in some instances the CAA is falling short of its potential.

While I am a relative newcomer to this business compared with some of you, I speak not as an outsider who has come to criticize. I speak now as one who has taken the problems faced by Community Action as my own, accepting the responsibility to try to help develop effective solutions and to promote the success of this program.

In that spirit, OEO will expect more from CAAs in the years ahead. You also have a right to expect more effective help from us. I believe that, together, we can make some important things happen. Let me turn briefly to the four items I listed:

First, *sharpening the objectives of Community Action*. CAAs have suffered from conflicting demands on them. Massive expectations have been built into their national and local mandates. They have been expected to be all things to all men, from comprehensive planners and coordinators, to efficient operators of wide-ranging service programs, to developers of creative new approaches, while serving as advocates, negotiators, and communication channels.

It is simply unrealistic—and unfair—to expect CAAs to solve the whole range of interrelated problems of poverty in this country.

The resources and the powers of many other institutions—public and private, national, state, and local—must be applied to the problem. Other planners and coordinators, and other program operators have important responsibilities—and valuable resources.

Where does this leave the CAA? Threatened, uncertain, dwindling in significance? That is possible if we pursue Community Action as a vague, diffuse enterprise, reaching tentatively in all direction with inadequate resources.

But it can be—and *will* be—a different story if we decide what our specific objectives are—not as the whole anti-poverty show, but as a vital *part* of it—and then concentrate our energies on doing our part with maximum effectiveness and impact.

Our purpose—yours and mine—is to help to move a whole system of public and private institutions in this country toward finding and applying the means to deal with poverty. That's a lot different—and more "do-able" than trying to do all the planning and coordinating, providing all the services, and solving all the problems ourselves.

Let's be more specific about the kind of leverage we are trying to exert. What kinds of impact do we want to achieve? When you clear away the mass of program and administrative detail, and get down to the basic question of why we are in business, you find five essential goals for Community Action:

First, we are in the business to *mobilize and help channel the human and financial resources* of government and private groups at all levels into action. There have been noteworthy achievements on this front. But CAAs must increase their efforts to tap, or gain redirection in the use of other public resources—federal, state and local—and to mine the vast resources of the private sector.

Second, we are in business to *generate new and better approaches* to solving problems. We have to stimulate not only new program designs and techniques, but also improvements in institutional habits and practices, planning and decision-making processes, laws and regulations to make them *more responsive* to the needs of the poor.

CAAs must play a major role in the search for better answers. They are in a unique position to tap the experience, imagination and initiative of local citizens and groups who are close to the problems, in widely different communities throughout the country. Drawing on these local assets, CAAs must be actively developing, testing, demonstrating, and promoting the broader adoption of new approaches. This effort includes what has been called—somewhat vaguely—"institutional change." It is a term that warms the hearts of some, and scares others to death. Call it what you will, the fact remains that CAAs are not in business to supplant other agencies, but to help improve their effectiveness and their responsiveness to the poor.

Many CAAs have shown that they can stimulate new program approaches and constructive institutional change. But some have yielded to pressures that turn their attention inward to their own program operations, neglecting their responsibilities in the larger community. And some have administered the same programs year after year, without change or experimentation. We should break out of this mold.

Third, we are in business to increase both the opportunities and the capabilities for effective *participation of the poor* in the planning, conduct, and evaluation of programs which affect their lives. Both the form and the substance of that participation are important to the success of our efforts.

We should move beyond establishing seats for the poor on board committees, and concentrate on *strengthening the quality and effectiveness* of their participation in the deliberations of these councils.

Fourth, we are in business to *build effective communications bridges* between those who should be working together to solve poverty problems: the poor and the non-poor; government and the private sector.

The CAA board is a unique institution where government officials, leaders in the the private sector, and the poor can jointly assess how well the community is responding to its problems, exchange experience and "know-how," and mutually stimulate new thinking about ways to lick the stubborn problems that keep people poor.

An important part of this communication function is the CAA's role as an advocate for the interests and needs of the poor. Let me cite an example of an effort that probably requires more attention by CAAs. A CAA which assists neighborhood-based organizations should also be working to educate the broader, non-poor community to understand the character and value of such self-help organizations. The CAA—board members as well as staff—should help the non-poor recognize that the efforts of poor people's organizations to influence programs affecting the residents are legitimate counterparts of the similar functions long performed by citizens' associations and other organized groups of the non-poor.

In its role as advocate, the CAA must measure its effectiveness by its achievements—its success or failure in gaining support and resources for its goals. Obviously, CAAs can not long pursue forms of advocacy which are self-defeating—which go beyond the scope of the statute or which lead to a withdrawal of support.

One of the most difficult tasks faced by CAA boards and staffs is to make judgments as to the effects of their activities. CAAs can strengthen their legitimate efforts to influence the policies of community institutions. But if CAA efforts are dominated by the kind of confrontation tactics which divide communities and further isolate the poor from other groups instead of bringing them into closer relations with the community, Community Action will soon be without the broad support it must have. And the really good efforts of CAAs could go down the drain. The results would be tragic for this country—the poor and the nonpoor alike.

Finally, we are in business to *strengthen the process of planning and coordinating* anti-poverty programs so that the resources invested will produce maximum progress. Experience has shown that it is difficult for many CAAs to try to be *the* master planner and coordinator of all anti-poverty programs in the community. But to perform its other role effectively the CAA must work closely *with* other agencies that have planning and coordinating responsibilities.

The delivery of services to the poor is often an important part of a CAA's work. But I have not included this as part of our basic mission. The name of the game is to get those services provided responsively by the agencies which should bear the responsibility. CAA service programs are simply one important way to redirect the community response to poverty problems—in short they can help to produce a "multiplier effect."

The Administration has recently proposed a reform of the welfare system, the $4 billion Family Assistance Program that makes OEO's budget look like a midget. Along with increased funding for services in job training, day care, and food programs, this is the most sweeping and significant piece of social legislation since the Social Security Act in 1935. The real task then for OEO, the most difficult and challenging work, is not to maintain people or operate a large service bureaucracy. Rather, it is to find new ways of opening economic opportunity, of raising the capacity of individuals to participate in the economic life of the Nation. The Family Assistance Program frees OEO to experiment with new programs, to do research on problems, to evaluate the effectiveness of all government programs affecting the poor, to encourage institutions to be more responsive to the people they serve, and to perform responsible advocacy. An income maintenance program will keep people alive, but it will not solve the basic problems that keep people poor and dependent. Nor will it provide the new programs and knowledge we need to give those people new skills and confidence and dignity.

The second major item on our agenda must be to make sure that our *day-to-day activity is focused directly on the performance of our mission*. Many things need to be done to assure this. Let me emphasize only a few points today.

In working *toward all of our goals:*

1. OEO must clarify and formalize the kinds of directions I have been discussing, so that everyone concerned will have a clearer understanding.

2. In developing a greater range and depth of program models and techniques for adaptation by CAAs, OEO must give more emphasis to programs which directly promote our goals as their primary purpose, not merely as side effects.

3. More attention must be given to development and use of effective *non-program techniques* by which CAAs can stimulate a better local response. For example, staff and board negotiations, public education, provision of local training or technical assistance, and coordinated planning and evaluation of local programs.

Some special things need to be done *to promote the development of new approaches* through Community Action. OEO must structure its program development activity so that it draws upon the results of CAA efforts.

Through evaluation feedback and other means, OEO will help expand the exchange of experience—both successes and failures—among CAAs, so that each can learn more from a wider range of experience.

Significant CAA successes may be picked up and tested more broadly through national demonstration projects.

Selectively, R&D as well as local projects which demonstrate the broadest potential applicability may be further expanded for more extensive demonstration as National Emphasis Programs.

This approach clearly recognizes that we cannot develop all of the new ideas we need in Washington. CAAs must serve as hundreds of laboratories, generating a wealth of experience using different approaches under widely varying community conditions.

Other special efforts will help in *stimulating both new approaches and mobilization of resources:*

1. CAAs must be encouraged to follow a policy of local delegation of well established programs. The human and financial resources of the CAA itself must not be bogged down in the permanent delivery of services that other agencies should be providing.

2. OEO must place less emphasis on negative controls and sanctions, and greater emphasis on offering positive incentives and rewards for excellence, which make sense to those who carry the burden of performance at the community level. Aside from various forms of public recognition, outstanding CAA performance should be rewarded by allocating back to CAAs funds released by local spin-offs and project terminations. Funds should also be augmented on a competitive basis for innovative or resource mobilizing projects.

The specific strategy for improving the community response to poverty must vary, of course, from CAA to CAA based on local circumstances. Problems which have posed particularly difficult issues for Community Action are Model Cities and rural areas.

There is a need to clarify the role and responsibilities of the CAA in a *Model Cities* situation. The relationship between the CAA and the Model Cities Agency will depend largely on the local context and the kind of working agreement that can be reached among the responsible individuals locally. I doubt that the Executive Branch will or should try to dictate the character of this local relationship in detail. Yet at the Federal level we cannot in good conscience wash our hands of the problems faced by the CAA and the Model Cities Agency in sorting out their responsibilities under the conflicting statutes passed by Congress. We have to be concerned, and we should assist in developing solutions.

While there are several alternatives which might recommend themselves in particular local circumstances, I suspect that the most productive course in many cases may turn out to be a division of functions between the two agencies, preserving and capitalizing on the natural assets and strengths as well as the basic missions of CAAs. It is worth thinking this possibility through at least.

Community Action in *rural areas* needs substantial improvement. Compared to the cities, many rural CAAs got off to a slow start, and have generally developed more slowly since.

This situation reflects not only the inherent, unique difficulties faced by Community Action in rural areas; it reflects also a failure of the Federal government, including OEO, to come to grips with rural poverty.

In this context, rural Community Action efforts should be built around a strategy to promote economic development and income improvement. By coordinated involvement in local and regional efforts to generate business and industrial expansion and create self-help enterprises, the rural CAA can have a major impact in mobilizing resources of the Farmers' Home Administration, Economic Development Administration, and other federal, state, and local agencies, as well as the private sector. This is necessary to gain the maximum anti-poverty results from the way other resources are allocated and used to increase economic opportunity in rural America.

Experience emerging from some of our most effective rural CAAs indicates that this is a feasible strategy which can produce important results.

Our third major need is to help *increase the effectiveness of CAAs*. Everything I have discussed thus far will be meaningless without the solid capacity for performance in CAAs. For that reason, the most crucial investment OEO makes in Community Action is not in one program or another but in CAAs as local institutions that can do a job.

The full development of CAA effectiveness must include at least three basic elements:

1. Clear understanding of the needs and the CAA's mandate, and a commitment to pursue them.
2. Technical program know-how.
3. Administrative competence.

Fundamentally, all of these must grow from within the community, but there are important things OEO can do to help. For example:

1. OEO recognizes that the prime teacher in Community Action today is experience, and that the experience is in the field, not in Washington. OEO must help CAAs understand and share the lessons which are being learned from experience in communities throughout the country.

2. On the basis of knowledge emerging from field experience, from research and demonstration, and from all other available sources, OEO will intensify its effort to develop program guidance and models and feed them into the system for your use. Emphasis will be on describing what works and setting overall standards of quality, not on prescribing a single version of the program which must be followed in detail everywhere. The latter approach would destroy the basic effort to keep the whole Community Action system open to local experimentation.

3. In expanding and sharpening the training and technical assistance available to CAAs, OEO will again avoid the temptation to think it knows all the answers. Our role is to help locate or develop sources of high quality assistance, orient them toward Community Action, and help you hook up with them. But the determination of needs and the selection of sources should increasingly be a CAA responsibility, to assure that the assistance is relevant and used most effectively.

4. OEO must do more to help CAAs develop sound management capability. We are expanding our effort to help in such areas as executive recruitment and training, Project Upreach for nonprofessional career development, and the comprehensive approach for the Concentrated Management Improvement Project (CMIP).

5. We have a largely unmet responsibility to see that the vast potential of the CAA board is developed and that it becomes a powerful force behind the goals of Community Action. The broad-based board is central to the concept of the CAA and its role in the Community. Those who accept the responsibilities of CAA board membership, must carry the function of the CAA out into the broader community, playing important roles in mobilization of resources and other facets of the CAA's effort.

6. If OEO is to provide significant help in developing CAAs with limited resources, we must concentrate assistance where it will do

the most good. That means we must be prepared to reduce funding where the investment is not paying off. In the long run, I think that most CAAs—and the poor—stand to gain from this approach.

7. In rural areas, single county CAAs may be strengthened by consolidation with others, to pool limited resources and apply their efforts to a broader area which is more susceptible to an integrated economic development approach.

8. In the past two years, CAAs have generally strengthened their effort through closer involvement of local government officials. There is a great deal which can still be done to improve the local government contribution, and to involve the state governments, which control large and important resources. We must work to strengthen state and local government support of CAA efforts. We are already working to strengthen the contribution that can be made by SEOO's. This does not mean that it would be desirable to amend the Act to turn over the program to the States—and I have consistently opposed such amendments in the Congress.

9. Finally, OEO can help build the stature and effectiveness of CAAs by operating at the national level as an advocate for your needs and an interpreter of the work you are doing. I hope that we can improve our own effectiveness on this front.

Which brings me to the fourth and last point: *Increasing OEO's Capacity To Provide Support for Community Action.*

1. We have just completed a major reorganization of OEO Headquarters, which will strengthen our capacity to carry out our responsibilities.

2. A re-shaping of Regional Offices is in progress, including expansion from 7 to 10 offices, and co-locating them in the same cities with the Regional Offices of the other major domestic agencies.

3. We plan to increase and strengthen the internal staff training for OEO employees, to increase their effectiveness in support of local Community Action.

4. I have already referred to the increased attention which is being given to evaluation and program development work in OEO.

5. I have also mentioned the increased emphasis on positive incentives, in our relations with CAAs. This should include not only recognition and funding but, perhaps more important, the freedom to experiment and to tailor local strategies to local needs.

The joint effort which I have been discussing requires much from all of us. The problems are urgent, the mood restive, and the pressures great. We can complain, look inward, or quit—or we can set about the job and arrive down the road having achieved something worthy of the people we are here to serve. I'm taking the latter road.

DISPUTES CLAIM OF INSUFFICIENT ENGINEERING MANPOWER

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. DINGELL. Mr. Speaker, I am in receipt of a news release from the Consulting Engineers Council which was issued on October 9, 1969. So that my colleagues may have an opportunity to read of the views of the Council on the availability of engineering resources, I insert the text of the news release at this point in the Congressional Record:

News Release From the Consulting Engineers Council

Washington, D.C.,
October 9, 1969.

U.S. Consulting Engineers today are taking strong issue with the Federal claim that there is insufficient engineering manpower available to handle the design of much-needed waste treatment facilities. This claim was a major factor in the defeat of a House effort to appropriate $1 billion in grant money for waste treatment plant construction, as called for in the Clean Water Act of 1966.

An Administration request for a repeat of the 1969 waste treatment appropriation of $214 million was boosted to $600 million in House action on Wednesday. Coordinated by Rep. John Dingell (D. Mich.) and introduced by Rep. William Minshall (R. Ohio), the $1 billion appropriation would have pumped nearly $2 billion in state and local funds into a program which is now running well behind its legislative authorization.

Federal Water Pollution Control Administration officials opposed the larger appropriation, contending that it was more than could be spent this year because of a lack of available qualified engineers to perform the necessary design of up to $3 billion worth of waste treatment plants.

The nation's independent engineers, headed by the Consulting Engineers Council, scorned this claim, labeling it "totally" inaccurate and without foundation." Basing its argument on a sampling of 114 of its more than 2,200 member firms, the CEC asserts that U.S. consultants can assimilate design work covering more than $5 billion in fiscal 1970 waste treatment plant construction without adding a single man to existing staffs. (In the past twelve months, two CEC member firms alone have designed $350 million in waste treatment facilities.) The Council's survey indicates that firms in only five states—Missouri, New York, Massachusetts, Illinois and Michigan—could produce the necessary engineering for at least $1 billion in waste treatment plant construction.

As rebuttal to FWPCA claims of insufficient engineering manpower, the Consulting Engineers Council points out that $3 billion worth of treatment plants, divided among fifty states, comes to only $60 million per state. With at least fifteen engineering firms qualified in waste treatment design in virtually every state, that is an average $4.5 million worth of construction per firm. This is well within the capability of most U.S. consultants, and certainly within the capability of the more than a dozen firms that last year designed for treatment facilities with a construction value of $50 to $150 million.

As a final argument, the CEC points out that not only are there engineers available, but they are looking for work. Consultants in the fields of water and sewage system public works particularly are beginning to feel the effects of higher interest rates on municipal bonds. One Denver firm told the CEC that it was reassigning a number of sanitary engineering employees to other civil engineering work in order to keep them busy. With many communities unable to obtain funds for design work, engineering projects are being stalled in the preliminary planning stage for lack of state and Federal assistance. (Last year the Minnesota State Pollution Control Agency accepted applications for $15,325,078 in grant requests, covering $46,733,902 in total construction. Because of limited funds, only $3.92 million, or one-fifth of the total request, was made available.)

Although the Consulting Engineers Council does not specifically support Congressional effort to boost Federal assistance to $1 billion, the engineers are adamant in their protestation that the much-needed facilities, if they had been generated by the defeated appropriation, could easily have been designed with existing engineering resources.

DEVELOPMENTS IN SOUTH AFRICA

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. KEITH. Mr. Speaker, the Standard-Times of New Bedford, Mass., recently ran a three-part series on the governments of southern Africa. Written by Edward D. McGlynn, assistant professor of history at the Salem (Mass.) State College, these articles outline in an objective and forthright manner recent political and diplomatic developments in southern Africa. In order that my colleagues may have the benefits of Professor McGlynn's analysis, I include the series from the Standard-Times at this point in the Record:

Southern Africa: The White Governments—Development, Potential and Race Relations

(By Edward D. McGlynn)

Southern Africa consists of the Republic of South Africa, Rhodesia, the Portuguese "overseas provinces" of Angola and Mozambique plus several small black states—Lesotho, Malawi, Swaziland, and Botswana—all more or less economically dependent upon South Africa, the richest and most industrialized nation on the African continent.

Some 45 million people live in Southern Africa of whom about 10 per cent are of European stock. The region is about two-thirds the size of the United States, and although much of it is undeveloped it abounds in riches—coal, iron, gold, diamonds, asbestos, manganese, zinc, copper, and chrome ore.

The recent discovery of oil in Angola added the one major industiral element that the region had hitherto lacked.

American, European, and Japanese businessmen visiting Southern Africa wax enthusiastic over the area's great economic potential. In September an international consortium of European and South African firms announced plans for the development of Mozambique's remote Cahorra Bassa, a territory rich in coal and iron, into the "Ruhr of Africa."

COMMON PROBLEMS BRING UNITY TO SOME

Because of a commonality of problems and the hostility of much of the outside world, South Africans, Rhodesians, and Portuguese have moved closer together politically and economically. South African police units support Rhodesian troops along the Zambian frontier, and thanks to the cooperation of South Africa and Portugal the Rhodesians have been able to survive the UN-imposed economic sanctions.

But cooperation among the three powers does not mean that Southern Africa can be treated as a monolith. There are considerable differences that cannot be ignored. South Africa and Rhodesia are sovereign states capable of pursuing their own national interests whereas Angola and Mozambique are answerable to distant Lisbon.

The Republic of South Africa, including South West Africa, is three times the size of Texas, and leads the world in the production of gold and diamonds. It is a modern industrial state with a sound economy and one of the world's hardest currencies.

XUM

Its cities are comparable to those of the United States and Europe. Its origins go back to 1652 when Dutch settlers founded Cape Town as a halfway stop—"a tavern of the seas"—between Holland and the Dutch East Indies.

The descendants of the Dutch settlers and the French Huguenots and Germans who later joined them are the Afrikaners, who now number about 2 million. The Afrikaners along with the 1.6 million English-speaking white South Africans control the Republic. The Afrikaners are not the least embarrassed by the fact that they are a minority among the 18 million people in South Africa. South Africa is theirs, they will quickly inform the visitor, and they intend to see it remains so.

RACIAL POLICIES DIFFER

The racial policies and attitudes of the South Africans, Rhodesians, and Portuguese greatly differ. In South Africa the policy is apartheid, on separate development, which in effect means rigid segregation.

"Slegs vir Blankes"—"Whites Only"— is the ubiquitous sign throughout South Africa, and transportation, employment, housing, education, entertainment, and sport are all segregated. Miscegenation is a crime, and non-whites may not vote in national elections.

The Afrikaners are well-routed in South Africa, and their name for themselves means "of Africa." Their language, Afrikaans, although derived from Dutch, is spoken nowhere else in the world. South Africa is their only home, and they are no more Dutch than the descendants of the Pilgrims in Massachusetts are English.

Their historians claim that their ancestors arrived in South Africa before the Bantu (Negro), and that it was not until the 1770's that Afrikaner frontiersmen encountered Bantu coming from the northeast.

The British annexed the Cape of Good Hope during the Napoleonic wars, and sought unsuccessfully to Anglicize the Africaners. The 19th Century saw a struggle for control of South Africa between the Africaner, the Briton, and the Bantu with the primitive Bantu finishing last.

During the Boer War (1899–1902) the numerically superior British forces eventually wore down the tough Afrikaner commandoes, as they called their military units. In 1910, London deemed it wise to grant South Africa its independence, and since then every South African prime minister has been an Afrikaner.

MINISTER-POLITICIAN LED NATIONALISTS

In 1948, the Nationalists came to power led by Dr. Daniel Malan, a Calvinist minister turned politician. The Nationalists initiated apartheid as a means of insuring continued white rule. The Afrikaners have a tradition of allegiance to a stern brand of Calvinism, and to this day their politicians still speak of their "divine mission" to preserve "white civilization" in South Africa.

The Catholic Portuguese also refer to their historic mission, that of "civilizing the African." The Portuguese were the first Europeans to enter Black Africa way back in the 15th Century when they established themselves in Angola and elsewhere. It was from Angola that slaves were found for the plantations of Brazil.

By the early 16th Century the Portuguese were in Mozambique where their sailing ships would await the prevailing winds that would take them across the Indian Ocean to India.

Portugal declined in the 17th Century and Angola and Mozambique became unimportant backwaters. When Dr. Salavar came to power in Lisbon in 1928 a new era dawned for Portugese Africa as immigration and economic development were officially encouraged.

Angola, 14 times the size of Portugal, has 6 million people of whom 300,000 are Europeans. Mozambique, three-fifths as large as Angola, has 8 million inhabitants including 200,000 Europeans.

Unlike the South Africans, the Portugese approach to the Bantu is cultural rather than racial.

While the South Africans emphasize the tribal divisions among the Bantu so as to prevent the development of a black national consciousness, the Portugese tend to ignore tribalism and seek to assimilate the Bantu. The use of the Portugese language and the spread of Catholicism are encouraged by the Portugese.

RHODESIA SPARSELY POPULATED

Rhodesia was founded in 1890 and although equal in size to all six New England states plus New York, New Jersey, and the Canadian province of New Brunswick has only 5 million people, of whom 230,000 are Europeans.

On racial matters Rhodesia falls midway between South Africa's apartheid and Portugal's assimilation policy.

There is segregation in Rhodesia, primarily in housing and education but, unlike South Africa, the Bantu may vote providing they meet the educational and property qualifications, and Bantu members sit in the Rhodesian Parliament.

Rhodesians do speak of eventual black-white parity, and sports and transportation are integrated. In Rhodesia racial segregation rests primarily upon custom; in South Africa it is the custom and the law.

The South Africans, Rhodesians, and Portuguese cooperate with each other because to do so is mutually advantages but their histories, cultures, and outlooks differ considerably.

Revolt or Invasion Are Unlikely

George Orwell once wrote that political language is "designed to make lies sound truthful and murder respectable, and to give an appearance of solidity to pure wind."

An example of this kind of political language was the charge that Rhodesia constituted a threat to world peace.

This was the view of the United Nations following Rhodesia's seizure of independence from Britain in 1965. The charge was echoed by the American ambassador to the world body, Arthur Goldberg, and by the assistant secretary of state for African affairs, John Palmer.

This view was based upon the belief that the enraged black states would hurl their armies at white-ruled Rhodesia. Ghana, Kenya, Zambia and other African nations talked tough, and President Nasser in Cairo, about 4,000 safe miles to the north, declared war upon Rhodesia.

Well aware of the limitations of the black states and familiar with the war record of Nasser's Egypt, the Rhodesians were not unduly worried.

Four years later the febrile imaginations of Goldberg and Palmer no longer help shape American policy, and Kwame Nkrumah, the tough-talking dictator of Ghana, is now in exile writing his memoirs. Prime Minister Ian Smith is still in office in Salisbury, Rhodesia's attractive capital.

There have been some minor guerrilla incursions—the last was in August 1968—but the "threat to world peace" never materialized. The economic sanctions imposed by the United Nations against Rhodesia are still in effect even though they were initiated on the now obviously mistaken notion that Rhodesia constituted a threat to the peace.

SANCTIONS SEEN AS FAILURE

Sanctions are now universally recognized as a failure. They have inconvenienced the Rhodesians but they have neither crippled the country's economy nor the will to resist. George Ball, Goldberg's successor at the United Nations, accurately described the supposed political efficacy of economic sanctions as a "romantic delusion."

Rhodesia a threat to peace? The very idea is ludicrous to anyone who has driven through the Rhodesian countryside, or walked the broad streets of Salisbury and Bulawayo that are policed by smartly turned-out African constables who are unarmed.

Imagine unarmed police officers in American cities!

Rhodesians and South Africans point out to the visiting American that their cities have not witnessed such violence as have Los Angeles, Detroit, Newark, Cleveland, and Chicago.

The widespread belief in the United States that Rhodesia and South Africa are on the brink of revolution is quite unfounded.

If internal disorder should materialize, the efficient police of both lands seem quite capable of handling matters. Invasion may be ruled out altogether as the military capacity of South Africa and Rhodesia is quite formidable in the African context.

South Africa's secure position precludes any serious action by the United Nations with respect to South West Africa. This diamond-rich territory, twice the size of California, is a former German colony taken by the South Africans during World War I.

After the war the League of Nations granted the territory as a mandate to South Africa. The United Nations has long sought to pry the area away from South Africa but to no avail. In 1966, the World Court in effect threw out a case brought by Liberia and Ethiopia against South Africa's occupation.

U.N. ORDER IGNORED

The United Nations in a rage ordered South Africa out of South West Africa. Three years later the South Africans still hold the territory, and administer it very much as if it were an internal part of the Republic.

This year the world body gave the Republic of South Africa until Oct. 4 to surrender control. South Africa's foreign minister, Dr. Hilgard Muller, publicly retorted: "We have been in South West Africa for 50 years and we intend to remain in South West Africa."

The deadline date will come and go and South Africa, not the United Nations, will control South West Africa.

Prof. John Barrett, formerly with the South African delegation to the United Nations and now director of the Institute of International Affairs in Johannesburg, declared earlier this month that the world body will just have to learn to face reality about South West Africa.

"Only the United States or the Soviet Union is strong enough to dislodge us from the territory," according to Prof. Barrett, "and neither power wishes to get involved."

While internal disorder is minimal in South Africa and Rhodesia there are active revolutionary movements in Angola and Mozambique.

When a bloody revolution broke out in Angola in 1961 many foreign observers predicted the speedy departure of the Portuguese. Eight years after the Angolan outbreak the Portuguese presence is stronger than ever.

A less serious uprising occurred in Mozambique in 1964, but the assassination of its most prominent rebel leader, Eduardo Mondlane, earlier this year was a serious blow to the lagging revolution. Both revolutions were in many respects tribal uprisings, that of the Bakongo in Angola and of the Makonde in Mozambique, dressed-up as modern political movements.

BOTH OUTBREAKS CONTAINED

Both outbreaks have been contained and neither has impeded the economic advance of Angola and Mozambique.

The success of the Portuguese in localizing the conflicts has surprised many observers. Portugal, perhaps Western Europe's poorest state, may well accomplish what France could not do in Indo-China or Algeria and what the powerful United States apparently cannot do in South Vietnam—crush a guerrilla-led "war of national liberation."

One reason why guerrilla movements have foundered in Southern Africa is because South Africa and Rhodesia have made known the fact that if necessary their forces will follow a policy of "hot pursuit" chasing guerrilla bands across international frontiers right into neighboring black states.

To underscore these warnings Rhodesian jets not infrequently violate Zambian air space, and Portuguese army units have pursued rebels into the Congo and into Zambia.

The disinclination of the white powers to recognize "privileged sanctuary" has led to a marked decline in enthusiasm among the Congolese and Zambians for harboring "liberation movements."

In Zambia, President Kenneth Kaunda seized dictatorial powers this summer in an effort to thwart any attempt to oust him from power.

An attempt on his life was reported late this summer, and interested observers in South Africa and Rhodesia believe that Kaunda, an implacable foe of Rhodesia, may not long last in power.

His removal from the scene may possibly lead to better relations between Zambia and Rhodesia, thereby further reducing tensions along the Southern African frontier.

FOREIGN POLICIES AMBITIOUS, AFFECT UNITED STATES

The announced British withdrawal from "East of Suez," scheduled for late 1971, has thrown a fright into many of the states along the shores of the Indian Ocean.

The increased activity of the Soviet fleet in that vast sea clearly indicates that the Russians intend to replace the departing British as the area's dominant influence.

To prevent this the Republic of South Africa has proposed to Australia that the two nations join together to police the region. However, in late August Canberra rejected the proposal and announced that the growth of Soviet influence in the Indian Ocean was inevitable and posed no threat to Australia.

The South Africans hope that the Australians will rethink their position but still intend to keep the Russian influence as far from their shores as possible. To do this South Africa is wooing the Indian Ocean states of Mauritius and the Malagasy Republic (formerly Madagascar).

The Malagasy Republic possesses the naval base of Diego Suarez, now leased to France. Now that De Gaulle is gone and France no longer is concerned with "grandeur," the French fleet may follow the British out of the Indian Ocean. In such an eventuality, the South Africans will offer to lease the base for their own small but smart navy.

URGING INCREASED ECONOMIC TIES

Pretoria is encouraging South Africa businessmen to seek ties with Mauritus and the Malagasy Republic and tourists from the republic are encouraged to visit the islands on the premise that increased economic ties will lead to closer political connections.

The two island-states would benefit economically from closer ties with South Africa, but it remains to be seen if they would leave naval and air bases to the republic.

The South African interest in the Indian Ocean is but one aspect of a three-pronged "outward policy" initiated by Prime Minister B. John Vorster and his defense minister, Dr. Hilgard Muller.

This policy seeks to lessen South Africa's isolation by improving economic and political connections between South Africa and neighboring states. The middle prong of the outward policy is concerned with the states to the north of South Africa.

While relations with Rhodesia and the Portuguese territories of Angola and Mozambique are understandably quite good, relations with neighboring black states are also satisfactory. Malawi, Lesotho, Swaziland, and Botswana are all on good terms with the republic, and even Zambia, led by the anti-Rhodesian Kenneth Kaunda, does considerable business with South Africa. Further afield, francophone West Africa is being courted by the republic with good results at least with the tiny Republic of Gabon.

ANTICIPATE COOPERATION WITH BLACK STATES

The South Africans neither expect to be loved by the black governments nor to win converts to apartheid, but they anticipate winning cooperation from many black African states based upon the fact that the republic is Africa's most economically sophisticated state, and the South Africans are willing to share their knowledge and expertise with their less developed neighbors to the north.

How successful the South African policy will be only time will tell, but Pretoria is confident that economics will triumph over ideology in the final analysis.

The third prong of the outward policy is concerned with the South Atlantic Ocean. In this area the republic is seeking to reach an agreement with Argentina similar to that which it had sought with Australia.

The reception in Buenos Aires has been much more encouraging to Pretoria in comparison with that received in Canberra.

Last spring ships of the South African navy called at South American ports, and even engaged in a joint exercise with ships of the Argentine navy. Buenos Aires has officially denied any plans for a pact with the republic, but in Pretoria the feeling is that as the two nations are concerned with keeping order in the South Atlantic then eventually an understanding will be reached.

"We do not expect a formal pact," one South African put it, "but we do want an understanding with Argentina regarding the activities of outside powers in the South Atlantic."

Not too many years ago the late Eric Luow, then South Africa's foreign minister, remarked that his country, because of its racial policies, was the pariah of the world community. Luow was not opposed to apartheid. He was merely expressing a fact of diplomatic life.

Quite aware of their international reputation, the South Africans expect to be publicly rejected by many of the governments they court, but remain confident that they will achieve many of their ends on the quiet.

So far as Argentina is concerned, a naval "arrangement" with South Africa designed to forestall Soviet influence in the South Atlantic seems quite likely, as evidenced this year by the point naval operation and the exchange of visits to South Africa and Argentina of high-ranking naval officers.

PORTUGAL COURTED BRAZIL

A similar effort by Portugal to obtain closer ties with Brazil saw the mother country publicly rebuffed by her South American offspring.

This year Brazil received official visits from the Portuguese prime minister, Dr. Marcelo Caetano, and the South African foreign minister, Dr. Muller, both intent upon wooing the Latin giant. Brazil's foreign minister, Maghalaes Pinto, issued a public statement to the effect that his country intends to maintain good relations with Portugal and South Africa but is not prepared to enter into a pact with them.

Pretoria and Lisbon, nevertheless, remain quite hopeful.

The foreign policies of the Southern African powers are ambitious and show considerable initiative. They are designed, like all foreign policies, to serve the national interest, but it is also to the best interest of the United States that the policies of Pretoria and Lisbon succeed in creating an orderly and prosperous area in the Southern Hemisphere.

Such a development will diminish the necessity of American involvement in that part of the world thereby lessening the possibility of future "Vietnams."

COLUMBUS DAY

HON. LEONARD FARBSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. FARBSTEIN. Mr. Speaker, Columbus Day honors more than one man. It honors every Italian who has come to our shores since that first brave and persistent explorer.

The Italians who came to America seemed determine to live up to the standard that Columbus set for them. From the first days of our discovery, the sons of Italy were to play an important role and become an inseparable part of America. Giovanni Cabota, better known as John Cabot, was the first European to explore the mainland of the North American continent. Amerigo Vespucci, for whom "America" is named, explored the coast of South America and was among the first to recognize that the new continent was not a part of Asia. Giovanni di Verrazzano was the discoverer of New York Bay and the Straits which bear his name.

Some of our earliest settlers came from Italy; in fact, there were Italians building a glass factory in Virginia before the Pilgrims landed in Massachusetts. An early Italian settlement was in my own city of New York.

Italians played a major role in our Revolution, Civil War, and in the two World Wars. Filippo Mazzei was among the first men to urge publicly that the American colonies split with England. William Paca of Maryland was a signer of the Declaration of Independence, and several hundred Italians gave their lives in the Revolutionary War. Over 200 Italian officers served in the Civil War, and many more in the two World Wars. Several have been awarded the Congressional Medal of Honor for outstanding bravery and service to their country.

It would be impossible to list all of the contributions that citizens of Italian descent have made in American society. In commerce, names like Amadio P. Giannini, founder of the Bank of America, Sebastian Poli, of Fox Movie Corp., and Gino Pualucci, of Chun King Corp., stand out. In politics and government, Italians have distinguished themselves as Congressmen, Senators, Cabinet officials, mayors, aldermen, and just about every other public office in the land. In the field of music, Italian Americans like Enrico Caruso, Ezio Pinza, and Anna Maria Alberghetti have enthralled American audiences. Musicians, singers, and actors, like Frank Sinatra, Tony Bennett, and Perry Como, lead a long list of Italian Americans who have brightened the land with their entertainment. The same can be said for Italian Americans in the field of sports.

But the real contribution that Italian Americans have made to our society comes not from the few whose names will go down in the history books, but from the citizens who are known only to their neighbors through their perseverance, hard work, and good citizenship.

I am privileged to represent that part of the city of New York which has always been referred to affectionately as "Little Italy." It is here that so many of the finest "sons of Italy" live and contribute to the rich cultural heritage of our city. The warmth and closeness of Italian families, and the joy which they take in sharing what they have, has always made me feel welcome when I have visited my constituents there. It is to these people, the heirs of the dream which Columbus unfolded, to whom Columbus Day is truly dedicated.

THE OBSERVANCE OF COLUMBUS DAY

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. ROONEY of New York. Mr. Speaker, to those of us who might be rightly designated as the "Senior Citizens" of this body, the observance of Columbus Day has real significance. To those of us who struggled year after year to obtain due recognition for Christopher Columbus by having his birthday proclaimed a national holiday, October 12 has deep meaning indeed. Each of us feels a very personal connection with the impressive ceremonies which our fine Italo-American organizations will conduct throughout our land. We shall join with them with genuine enthusiasm as they pay tribute to that great Genoese navigator who so bravely commanded his followers in his tiny armada to "Sail on, Sail on and on."

Once again, Mr. Speaker, I repeat my plea that this special day, honoring the name and achievements of Christopher Columbus, be used to pay tribute to the thousands upon thousands of staunch men and women who came to our shores as did Columbus but who remained to give this country greatness. Certainly, this national holiday should remind us of the magnificent contribution which the countrymen of this great navigator have made to this Nation.

A few weeks ago I had the pleasure of meeting with an impressive number of Italian press representatives in Naples and alluded to the Italian contribution to America with this statement:

> Because of being brought up in Brookyln with its large Italian American population, I soon learned the importance of the contribution which Italian immigrants have made and are still making to the life and welfare of our country.
>
> More recently as I watched, almost in holy awe, our astronauts making their historic explorations of the moon, I could not help but wonder how significant it would have been to have seen Christopher Columbus step ashore in the New World. I wonder how the world in the 15th and 16th centuries would have reacted to Amerigo Vespucci's first landings on the continent later to bear his name.
>
> As our courageous spacemen moved about the moon's surface leaving the first footprints of mortal man and as I watched them follow a flawless schedule reduced to mathematical perfection I could not help but think of the host of men of science over the ages who made this "Impossible Dream" possible. I thought of men like Galileo, like Enrico Fermi. I thought, too, of Fillippo Mazzei, the physician and counselor to Thomas Jefferson, who gave the framer of our Declaration of Independence those immortal words "that all men are created free and equal," for had not man at long last been made free of his earthly bondage and given equality of the universe?

I was pleased to have the Italian press give extended coverage to these remarks and to publish my praise of the Italian people for their great contribution to our social, cultural, and economic growth. All papers stressed my remarks concerning the debt of gratitude which the people of the United States owe to the people of Italy, as well as to the ties of friendship which bind together the people of our two countries.

It was my good fortune while in Rome to be once again accorded an audience with His Holiness, Pope Paul VI, and to receive from him a greeting of deep affection and appreciation of my fellow Americans.

Mr. Speaker, as we join with our fellow citizens who take just pride in their Italian relationship to the great Christopher Columbus and who on Sunday will honor him with moving ceremonies, I suggest that we contemplate the message given my associates and me by His Holiness at Castel Candolfo on August 17, 1969, which reads as follows:

> DEAR FRIENDS: To receive a visit from persons of such distinction is an honor which We appreciate, and We are grateful for this opportunity of meeting with you.
>
> With the whole world We watched as two of your fellow countrymen made mankind's first footsteps on soil outside this planet. We are constantly aware of the assistance your country is giving to other lands struggling to develop their resources. Indeed, few countries can have had similar weight in deciding the fortunes of the whole human race.
>
> Because of this importance, We ask you to encourage your fellow citizens to use their nation's power and influence wisely and generously, with a view to the true welfare of all men. We pray that they may be inspired by such noble idealism, and We invoke upon you, on your dear ones, and on your country God's richest blessings.

TYRANNY'S MODERN FORM: BUROCRACY

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 13, 1969

Mr. DERWINSKI. Mr. Speaker, the Chicago Tribune's world renowned columnist Walter Trohan has just returned from an extensive study of political conditions in Western Europe and it is, therefore, intriguing that his first column upon returning to Washington is to express frustration with the Washington bureaucracy.

The point made in Mr. Trohan's column of Wednesday, October 8 in the Chicago Tribune is, in my opinion, a very fair commentary on the unholy power which bureaucrats wield over the taxpayers.

The article follows:

> TYRANNY'S MODERN FORM: BUROCRACY
>
> (By Walter Trohan)
>
> WASHINGTON.—Burocracy, a vast faceless mechanism, which pulses from Washington to every city, town, and house by the side of the road in America has become the modern form of tyranny.
>
> Federal burocrats have developed a finely honed strategy, according to William Morrow, professor of political science at DePauw university, for wringing solid appropriations out of recalcitrant appropriations committees in order to perpetuate themselves and their aims.
>
> In his book, "Congressional Committees," Prof. Morrow contends Congress has "lost its legislative initiative" to "a burgeoning burocracy," even tho many congressmen still have a "psychological desire" or craving to do what the constitution mandates—legislate.
>
> Not only have burocrats captured legislative initiative, but they have also captured some measure of control over every phase of American life and even death. One of the most entrenched strongholds of burocracy is the Food and Drug administration, which literally controls citizens from the cradle to the grave.
>
> The FDA refuses to sanction use of a glue which has been proven successful in thousands of operations abroad in binding metal joints on bone shafts. Senior citizens, who cannot afford to go abroad, must wait FDA approval here, before they can expect to walk or walk without pain.
>
> The FDA has approved the use of L-Dopa, a new drug for Parkinson's disease by some 200 institutions. But there are a million sufferers from the disease who are begging for help, who cannot get into the institutions for years, because of the lack of available beds. The FDA will not authorize use of the drug on an outpatient basis, altho many doctors insist this should be done.
>
> The FDA undoubtedly has done much good, but many accuse it of arresting the development of new drugs and stifling the use of new drugs by those who may need it most.
>
> Bureaucrats in the department of justice, who had no knowledge of the newspaper business, are telling two Arizona newspapers how to operate their advertising and circulation departments. The Supreme court last March found that the two papers were engaged in a joint operating agreement that violated anti-trust laws.
>
> The papers bowed to the agreement and worked out a system of separation. But bureaucrats, who know nothing about the newspaper business, are dictating, not refereeing, the operation of the system. It is possible the dictation may force one of the newspapers out of business.
>
> The instances of bureaucratic dictation are too numerous to mention. They seem to multiply. It may be possible to understand bureaucratic playing of politics as evidenced by criticism of the Nixon administration's civil rights program from bureaucrats, who are largely Democrats; or statements from Democratic bureaucrats seeking greener pastures in the outer world that inflation will continue, but bureaucratic playing God with every facet of life is open to question.
>
> Bureaucracy is jealous of money and power. It is possible that bureaucratic power is so great that bureaucrats may be able to spawn their own leader, who will most certainly be a dictator.
>
> "Bureaucracy as bureaucracy is impregnated thru and thru with the spirit of mediocrity," said Leon Trotsky. "Stalin is the most outstanding mediocrity of the Soviet bureaucracy."

SENATE—*Tuesday, October 14, 1969*

The Senate met at 10 o'clock a.m. and was called to order by the President pro tempore.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, whose kingdom is everlasting and whose power is infinite, we thank Thee for our fathers who through peril, toil, and pain brought forth this Nation, "Conceived in liberty and dedicated to the proposition that all men are created equal." Make us worthy of this high heritage and fit to follow in their labors unafraid. Lift our spirits now above the frenzied noise of the world into the light and calm of Thy presence.

To the guidance of Thy wisdom and the keeping of Thy love we commend our Nation. We beseech Thee so to rule the hearts of Thy servants, the President, the Vice President, the Members of Congress, and all others in authority that they may know whose servants they are, and may above all things seek Thy honor and glory. Grant them strength for their burdens, wisdom for their responsibilities, insight for our times, and faith sufficient for each day's duties. And may they walk in the steps of Him who was the way, the truth, and the life.

In whose name we pray. Amen.

THE JOURNAL

Mr. KENNEDY. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, October 13, 1969, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. KENNEDY. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ECONOMIC OPPORTUNITIES ACT OF 1969

Mr. KENNEDY. Mr. President, I ask unanimous consent that, at the conclusion of morning business, the unfinished business, S. 3016, the Economic Opportunities Act of 1969, be laid before the Senate.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. KENNEDY. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

NATIONAL INDUSTRIAL HYGIENE WEEK

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 448, Senate Joint Resolution 150.

The PRESIDENT pro tempore. The joint resolution will be stated by title.

The Legislative Clerk. A joint resolution (S.J. Res. 150) to authorize the President to designate the period beginning October 12, 1969, and ending October 18, 1969, as "National Industrial Hygiene Week."

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S.J. Res. 150

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in recognition of the need to preserve the Nation's primary natural resource—its employed population—and in recognition of those individuals and organizations seeking to protect and improve the health of the Nation's work force through the coordinated scientific measures, technological and engineering controls which characterize industrial hygiene, the President is authorized and requested to issue a proclamation designating the period beginning October 12, 1969, and ending October 18, 1969, as "National Industrial Hygiene Week," and calling upon the people of the United States and interested groups and organizations to observe such week with appropriate ceremonies and activities.

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–452), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the joint resolution is to authorize and request the President of the United States to issue a proclamation designating the period beginning October 12, 1969, and ending October 18, 1969, as "National Industrial Hygiene Week."

STATEMENT

Industrial hygiene is that part of occupational health concerned with the anticipation, evaluation, solution, and prevention of health problems arising out of industrial operations. It reflects the attempt of industry to work in concert with scientists and engineers from related fields to develop sound scientific knowledge and to aid in the application of this knowledge to the protection and conservation of the health of workers in all types of industry.

The leader in the research in this large and growing field is the Industrial Hygiene Foundation of America, a nonprofit research organization with headquarters at Mellon Institute in Pittsburgh, Pa. This organization was organized originally in 1935 because of a concern over the silicosis problem in industry. Since that time the organization has a greatly broadened agenda that addresses itself to the ever-expanding list of recognized industrial health problems, including air quality, noise abatement, mental health, and other matters related to the total industrial and community environment.

This joint resolution designating the period beginning October 12, 1969, and ending October 18, 1969, as "National Industrial Hygiene Week" coincides with the foundation's annual meeting which will be held in Pittsburgh, Pa., on October 14–15 of this year. This resolution would focus public attention to the field of industrial hygiene so that the average citizen could better understand and appreciate the past and present benefits he and his family may be receiving. Such knowledge will provide the basis for improved public confidence in the willingness and ability of American industry to solve not only current health problems, but such new problems as may be expected to arise out of future industrial technological progress.

The committee is of the opinion that this joint resolution has a meritorious purpose and accordingly recommends favorable consideration of Senate Joint Resolution 150, without amendment.

ORDER OF BUSINESS

Mr. DOMINICK. Mr. President, is the pending business now S. 3016?

The PRESIDENT pro tempore. It has not been laid down, but it will be the pending business at the conclusion of the morning hour.

S. 3025—INTRODUCTION OF THE URBAN LAND IMPROVEMENT AND HOUSING ASSISTANCE ACT OF 1969

Mr. JAVITS. Mr. President, I introduce today, for appropriate reference, the Urban Land Improvement and Housing Assistance Act of 1969.

This bill is cosponsored by the Senator from Michigan (Mr. Hart) and the Senator from Pennsylvania (Mr. Scott).

This omnibus bill would authorize Federal incentive grants to State and local governments to strengthen their capacity to utilize land more productively and, thereby, to increase housing opportunities within their jurisdictions.

In the Housing Act of 1968, Congress established a national housing goal. In the past several years, we have enacted numerous housing and urban development programs. Yet, we seem to be further and further away from our objective of providing every American family with a safe, sanitary, and decent place in which to live.

The housing crisis is particularly serious in the central cities where the available land is most limited and most expensive. The poor are effectively locked into a decaying inner-city housing stock through fragmented, outmoded, and restrictive suburban zoning ordinances. These conditions impose ever-increasing burdens on urban services and make it increasingly difficult for the cities to meet necessary demands with ever-shrinking financial resources.

However, as the National Commission on Urban Problems—the so-called Douglas Commission—reported the "urban problem" is not essentially a "slum problem." It is a problem of deteriorating central cities and sprawling suburban growth. "What is happening in the slums and the rest of the central city cannot be separated from the kind and the pace of growth in the suburbs," the report said.

Under these circumstances it is crucial that States and localities be encouraged to reform their laws in institutions and be assisted in overcoming the obsolescence and fragmentation in zoning, taxing, and building standards which have effectively inhibited full utilization of land in metropolitan areas, have contributed to the contrasting picture of decaying urban slums and sprawling suburbs, and have prevented the establishment of a true housing market and fredeom of choice within a metropolitan area.

The bill I introduce today would not inhibit the States and localities in the implementation of their land use and taxing powers. Rather, it would utilize Federal supplementary and incentive grants to strengthen local will and capacity to modernize those laws and practice which have such an enormous effect on land use and development.

In addition to strengthening local capacity to utilize land and to expand housing opportunities, title I of the bill would seek to stimulate a greater commitment of State and local funds to the housing and land development areas and, thereby, would establish a pattern of shared governmental responsibilities.

Section 101 of the bill would establish supplementary Federal grants—to pay 50 percent of the local share—for those assisted local programs and services which would be affected by more intensive land utilization and expanded housing. To be eligible for such supplementary assistance, a locality would have to reform its zoning or tax laws, or undertake a program to develop new construction systems and materials in order to increase the supply of low-cost housing. A locality would also be eligible for such an incentive grant if it were to adopt and enforce a building code comparable to nationally accepted standards. Under these circumstances, supplementary Federal grants would be available for such impacted local services as transportation, education, water and sewers. This section also would permit Federal grants, in addition to supplements, for up to 50 percent of the amount of local tax abatement for low and moderate income housing. Such tax abatement would permit substantial reductions in per unit costs and rental rates for such housing.

Section 103 would deny Federal assistance under certain HUD programs to those localities which exclude publicly-assisted housing for low- and moderate-income persons through restrictive land use practices. Federal support would thus not be available to subsidize land development in localities with overly restrictive, unreasonable, and discriminatory patterns of land use control.

These programs, aimed at eliminating through incentives unreasonable and discriminatory restrictions on the use and development of land, are essential if the Department of Housing and Urban Development's "Operation Breakthrough" is to establish a workable program of technological progress in low-cost housing and if national housing goals, particularly for low- and moderate-income persons, are to be achieved.

Section 102 of this bill would assist localities in making full use of vacant and abandoned units.

As has been testified to before various committees of both Houses of Congress and special study commissions, thousands of such units exist in our major cities. In New York City, alone, it has been reported that there are 13,000 abandoned buildings, containing over 250,000 units.

The present administration contemplates a major effort to expand the stock of housing through a program of rehabilitation. No such program could ignore these vacant buildings—or the thousands of buildings throughout the Nation which cities have acquired through code enforcement, condemnation, tax proceedings, and otherwise. In many instances the city does not have the available capital to make use of these properties, and they simply sit idle.

Accordingly, section 102 authorizes Federal grants for the "write-down" of such properties, provided they are turned over to a nonprofit cooperative or limited dividend institution which would rehabilitate and use them for low- and moderate-income housing. This section would also provide for incentive supplementary grants to localities to upgrade the neighborhoods in which such properties are located.

Section 104 of the bill seeks to increase significantly State participation in the effort to rebuild our cities. This would be accomplished through matching Federal grants to those States which establish State housing agencies, programs of assisting local tax abatement for low- and moderate-income housing, programs for the training and employment of low-income persons and for the utilization of minority enterprises in connection with housing and urban development projects, and research and demonstration projects of new low-cost construction materials and techniques.

All of these programs seek to plan and guide urban growth. Almost three out of every four Americans live in metropolitan areas, but, as both the President's Commission on Civil Disorders and the Douglas Commission have reported, that population is increasingly divided into crowded, poor, decaying, and often predominantly black cities—and more affluent white suburbs. Certainly, Federal assistance to cities and towns should aim at ending—or at least minimizing—this division. We must aim at complete utilization of urban land and structures and at rehabilitation and low-cost housing techniques in order to reverse the process of decay and overcrowding in the housing stock of the central cities. But, beyond that, land must be made available for balanced housing and related facilities in other parts of metropolitan areas.

Inevitably, this requires a greater involvement of the States, not only in specific housing assistance programs, but also in broader programs for the acquisition, assembly, and planned development of land. The National Committee on Urban Growth Policy noted:

> The process of spontaneous urbanization by which metropolis has been formed is both wasteful and destructive of natural resources. The most precious of them—land—has been treated not as a resource at all, but as a commodity to be bought, sold, and speculated upon just like any other.

Population growth is an opportunity—and vacant land is a resource with which we can meet that opportunity. To put these two elements together and to establish viable and balanced new communities, we will require new mechanisms at the State level.

Accordingly, section 105 of the bill would authorize Federal assistance and loans to States for the establishment of land development agencies—which may be corporations. Such State agencies must be empowered to acquire, assemble, hold, plan, and develop land so as to create new communities. Moreover, in order to attract industries and employees to such new developments, grants for land "write-down" for commercial and industrial infrastructures purposes and employee recruitment and training would be authorized.

This program, if implemented by the various States, would go far to carry out the recent recommendations of the National Committee on Urban Growth Policy.

The total funds authorized to be appropriated for the programs established by title I are $50 million for the present fiscal year, $100 million for fiscal year 1971, and $150 million for the fiscal years thereafter. It is the objective of these programs to stimulate the expenditure of far more money at the State and local level. Thus, the amounts authorized could have a considerable multiplier effect.

Title I proposes few changes in existing law. Rather, the objective of these programs is to stimulate such change at the State and local level as will make the success of existing Federal housing and urban development programs more realizable. Only in the area of "new communities" does this title add significantly to an existing program—title IV of the 1968 Housing Act, a program of Federal guarantees for the financing of private new community developments. The bill I introduce today would approach this problem in a different way—that is, by stimulating States to establish public development corporations empowered to acquire, hold, and develop land.

Title II of the bill would establish other Federal programs.

Section 201 authorizes grants for technical assistance and training for tenant management, operation, and services. A similar program for tenants in public housing was authorized in the 1968 Housing Act, but it has never been funded. Such programs should receive adequate Federal support, since they represent a way of meeting legitimate demands for community control and of stimulating a sense of tenant responsibility for the buildings which they occupy. Given the absentee landlord status of so many slum structures, a tenant services program of this nature can be a significant step in upgrading the safety, appearance, and conditions in central city neighborhoods.

Section 204 authorizes the multi-development and multiuse of air rights and land in the right-of-way, in connection with the construction of facilities in

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urban areas, so as to provide housing and related facilities for persons of low and moderate income.

Two sections would make technical amendments to existing housing laws—the first, would amend the section 235 and 236 programs so as to determine income eligibility with the same deductions from minors as are presently available in the public housing program; and the second would authorize the conversion of entire public housing projects to cooperatives.

Finally, in recognition of the fact that the direct activities of the Federal Government cause and affect urban growth, this bill would require two reports to the Congress: The first, by the President, for the establishment of a national policy on the location of Federal buildings and offices which shall give consideration also to social impact; and the second, by the Secretary of Housing and Urban Development, after consultation with the Secretary of Defense, on the possible use of military installations located in urban areas for housing and related community facilities.

Under present law, decisions on the location of Federal agencies are made on cost grounds, alone. However, in many cases, a move by a Federal agency to a particular urban area can contribute to its future stability, renewal and growth. It can create new opportunities for minority enterprise and for jobs for the unemployed and the underemployed.

I note, with approval, that the Administrator of the General Services Administration has amended the Federal Property Management Regulations to make availability of low- and middle-income housing a key factor in selecting sites for new Federal buildings and in leasing office space for Federal agencies. Certainly, there is every reason to believe that GSA and this administration would seek to bring these broader considerations to bear in making decisions as to location. However, the power and the necessary expertise may be lacking under present statutes. Accordingly, I believe that the administration should make a thorough study of this matter and make recommendations for the necessary statutory and administrative amendments as will permit these social factors to be considered.

Recent proposals to permit the use of Federal property for housing and related facilities are quite appropriate. However, such recommendations do not deal with the status and possible use of military installations located in or near urban areas which have not yet been declared "surplus" by the Federal Government. In New York City alone, there are hundreds of acres of land owned by the Federal Government and supposedly used for national security reasons. Given the very great shortage of land in our cities, I believe it crucial that the Federal Government be certain that it must maintain the military status of such land and that such facilities could not be relocated without impairing the national security. Just as we must establish priorities for the use of funds, so we should establish priorities for the use of that most scarce resource—vacant urban land. Accordingly, section 203 of this bill would require the Secretary of Defense to report to the Congress as to the status of military installations located in or near urban areas and the possible usefulness of any installation determined to be no longer necessary for national defense purposes as sites for housing and related facilities.

In conclusion, Mr. President, Congress has repeatedly established goals and objectives for the provision of housing and the renewal of our cities. We must recognize, however, that even if the funding were adequate—and it has not been—the achievement of these objectives has been and will be frustrated by significant institutional obstacles. The Federal Government must be more sensitive and farsighted in judging the impact of its own construction programs on the pattern of urban growth and of the effect of the use—and misuse—of the land that it owns. Local zoning ordinances, building codes, and taxing powers must be significantly reformed, so as to promote maximum housing opportunity and proper land utilization. And the States must play a more aggressive role in the full utilization and planned development of land, so as to meet the population explosion, not with programs which contribute to contrasting patterns of decaying cities and suburban sprawl, but with those which guarantee orderly urban growth.

The consideration and enactment of such programs should not detract from efforts to support housing in other ways. Existing housing and urban development programs must be fully funded. We must develop the means to insure that housing will not always bear more than its share of the burden of anti-inflationary monetary and tight credit policy. And we must adopt new tax incentives for the construction and rehabilitation of low-cost publicly-assisted housing.

The urban crisis and the housing and development programs which have been enacted over the past several years will and must have an early and high priority claim on the "peace dividend" which will be available as a result of the reduction of our forces in Vietnam and the eventual end of the war. For too long we have starved the housing and urban programs we have enacted, and today our goals for the city seem farther away than ever.

Nevertheless, new programs must be established to create the authority for action in those areas in which such authority is now lacking. Certainly, State and local governments must receive greatly expanded Federal assistance—assistance which will stimulate them and enable them to implement necessary housing and urban land utilization programs.

Our expanded population and our exploding cities represent a challenge to our commitments and to our innovative energies. I remain confident that we can meet that challenge, that we can provide every American with a decent shelter and, in so doing, preserve and enhance our urban environment.

Mr. President, I ask unanimous consent that the text of the bill I introduce today be printed in the Record.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the text of the bill will be printed in the Record.

The bill (S. 3025) to assist the States and their localities in utilizing land resources more effectively and in providing housing to meet present and future needs, and for other purposes, introduced by Mr. Javits (for himself and other Senators), was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the Record, as follows:

S. 3025

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Urban Land Improvement and Housing Assistance Act of 1969".

DEFINITIONS

Sec. 2. As used in this Act—

(1) The term "Secretary" means the Secretary of Housing and Urban Development.

(2) The term "locality" means any State, or any county, municipality, or other political subdivision of a State.

(3) The term "State" means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, or any possession of the United States.

ADMINISTRATIVE PROVISIONS

Sec. 3. (a) In the performance of, and with respect to, the functions, powers, and duties vested in him by this Act, the Secretary shall have (in addition to any authority otherwise vested in him) the functions, powers, and duties set forth in section 402, except subsection (c)(2), of the Housing Act of 1950.

(b) The Secretary shall include in his annual report to the Congress a comprehensive and detailed review of his operations under this Act.

TITLE I—GRANTS TO ENCOURAGE IMPROVED LAND UTILIZATION AND EXPANDED HOUSING PROGRAMS

SUPPLEMENTARY GRANTS TO LOCALITIES

Sec. 101. (a) The Secretary is authorized to make grants to any locality for not to exceed 50 per centum of the aggregate amount of local contributions otherwise required to be made by such locality to all projects or activities assisted by Federal or State grant-in-aid programs which are carried out in connection with a substantially improved program of land utilization and expanded housing assistance for persons of low or moderate income, subject to the following limitations:

(1) No such grant shall be made for the general administration of local governments.

(2) No such grant shall be made with respect to any project or activity carried out in connection with an approved comprehensive city demonstration program and for which assistance is available under section 105 of the Demonstration Cities and Metropolitan Development Act of 1966.

For purposes of this section, "a substantially improved program of land utilization and expanded housing assistance for persons of low or moderate income by a locality" (hereinafter referred to as the "program") may include (A) a restructuring of the real estate tax laws of the locality by granting tax abatements for low and moderate income housing, and by assessing and taxing real property so as to provide incentives for the improvement of property to increase the supply of housing; (B) the adoption of zoning ordinances which will effectively afford an opportunity for persons of all income levels to have decent, safe, and sanitary housing; (C) the adoption and enforcement of building codes conformable to nationally accepted standards and approved by the Secretary; or (D) the establishment of a program of research and demonstration for the development of new construction systems and materials for low cost housing.

(b) In the case of any locality the program of which includes a restructuring of local real estate tax laws in the manner described in clause (A) of subsection (a), the Secretary is authorized to make annual grants to the locality of sums equal to 50 per centum of the amount by which the real estate taxes received or receivable by the locality were reduced in any taxable year as a result of the implementation of that part of such program which involves the granting of tax abatements. Grants under this subsection to any locality shall be in addition to any grants as to which the locality is eligible under subsection (a). No grants shall be made under this subsection with respect to any such program unless—

(1) the tax abatements provided by the program apply only to real estate utilized solely for low and moderate income housing and such related facilities as may be necessary or desirable to serve the occupants;

(2) such abatements are provided only for so long as the real estate is used for such housing and related facilities;

(3) under the program there is an abatement of at least 90 per centum of the real estate taxes otherwise payable with respect to such housing and related facilities; and

(4) the benefits under the program are available to all persons, in accordance with such reasonable regulations as the locality may prescribe, who own or otherwise provide such housing and related facilities, and who are subject to real estate taxes imposed by the locality.

GRANTS TO ENCOURAGE THE UTILIZATION OF CERTAIN UNUSED OR LOCALLY-HELD LAND

SEC. 102. (a) The Secretary is authorized to make grants to any locality for not to exceed two-thirds of the cost to the locality (1) of acquiring unimproved and abandoned real property and disposing of such property for a nominal consideration, and (2) of disposing for a nominal consideration of real property acquired by the locality as the result of code enforcement activities or otherwise, in any case where the disposition of such property is made to a private nonprofit corporation or other private nonprofit entity, a limited dividend corporation or other limited dividend entity, or a cooperative housing corporation, which is receiving assistance under any Federal, State, or local program in order to provide rental housing for persons of low and moderate income, and which has entered into a binding agreement with the locality to repair, rehabilitate, or improve such property so as to provide housing and related facilities for such persons.

(b) In addition to grants under subsection (a), the Secretary is authorized to make grants to any locality equal to—

(1) 50 per centum of the aggregate amount of non-Federal contributions otherwise required to be made by such locality to all projects or activities assisted by Federal grant-in-aid programs which are carried out in connection with a program being carried out by the locality to increase the supply of rental housing for low and moderate income persons with assistance under subsection (a); and

(2) 50 per centum of the aggregate costs incurred by the locality in arresting decline in an area in which low or moderate income rental housing is to be provided with assistance under subsection (a), including any demolition and removal of improvements, or the installation, construction, or reconstruction of streets, sidewalks, utilities, or other facilities designed to enhance the liveability of such area.

DENIAL OF CERTAIN BENEFITS

SEC. 103. Effective upon the expiration of one year after the date of enactment of this Act, no grant shall be made (except pursuant to a commitment made prior to such date) to any locality, or instrumentality thereof, under title VII of the Housing and Urban Development Act of 1965, or title VII of the Housing Act of 1961, unless there exists under the zoning ordinances or other land use regulations in effect in, and as administered by, such locality a reasonable opportunity, as determined by the Secretary, for carrying out in such locality a program of publicly-assisted housing for persons of low and moderate income.

INCENTIVE GRANTS TO THE STATES

SEC. 104. The Secretary is authorized to make grants to any State for not to exceed 50 per centum of—

(1) the administrative costs of any agency of the State which is designated and empowered under State law to carry out a program for financing the construction and operation of low-income public housing at such places within the State as may be determined by the agency without regard to local jurisdictional boundaries;

(2) the aggregate cost to the State of carrying out a program of reimbursing municipalities and other political subdivisions of the State for not more than 50 per centum of the amount by which the real estate taxes received or receivable by the local jurisdictions concerned were reduced as a result of tax abatements granted by such jurisdictions for the purpose of increasing the supply of housing for low and moderate income housing;

(3) the aggregate cost to the State of carrying out a program of recruiting, training and employing in connection with any publicly-assisted housing and urban development project lower income persons residing in the area of such project or of carrying out a program of assisting and utilizing to the greatest extent feasible in connection with any publicly-assisted housing and urban development project business concerns, including but not limited to individuals or firms doing business in the fields of design, architecture, building construction, rehabilitation, maintenance, or repair, located in or owned in substantial part by persons residing in the area in which such project is being carried out; and

(4) the aggregate cost to the State or carrying out a program of research and development of new construction systems and materials for low-cost housing.

ASSISTANCE TO STATES FOR LAND DEVELOPMENT

SEC. 105. (a) The Secretary is authorized to provide technical asistance to any State land development agency, and to make grants to such agency, during the first three years of its operations, for not to exceed 50 per centum of its administrative costs incurred in carrying out such operations. As used in this section, the term "State land development agency" means any public corporation or other entity established under the laws of any State and empowered (1) to carry out the planning, financing, and development of land in the State without regard to local zoning ordinances or other land use regulations, or local building codes; (2) to assemble land for planned and balanced development through condemnation or otherwise without regard to local jurisdictional boundaries; and (3) to acquire and hold land for use in new community development which meets the objectives specified in section 402 of the Housing and Urban Development Act of 1968, and the requirements (relating to feasibility, contribution to orderly growth and development, and planning) specified in section 404 of such Act.

(b) In order to encourage the timely acquisition of land needed for future development, the Secretary is authorized to make loans to any State land development agency for use by such agency in acquiring land to be held for a period of at least five years prior to development. Any such loan shall be repaid with interest upon commencement of the development of the land with respect to which the loan is made. Interest on any such loan shall accrue at the rate of one per centum per annum.

(c) The Secretary is authorized to make grants to any State land development agency for not to exceed two-thirds of the net cost to such agency of (1) conveying land assembled and acquired by it for planned and balanced development (including new community development) to commercial or industrial enterprises for purposes consistent with the development plan at a price which is not less than the value of the land for the use contemplated, (2) providing public facilities (including water, sewer, streets, and utilities) for any land so assembled and acquired in order to make possible the location in the area developed of such commercial or industrial enterprises as may be consistent with the development plan; and (3) making payments to commercial or industrial enterprises located in the development area to defray some portion of the costs incurred by such enterprises in recruiting and training personnel for employment in such enterprises, such portion to be determined in conformity with such standards and criteria as the Secretary shall by regulation prescribe.

(d) Any area comprised of land assembled by a State land development agency for planned and balanced development and with respect to which assistance under this section is provided shall be deemed a "redevelopment area" for purposes of section 202 of the Public Works and Economic Development Act of 1965.

AUTHORIZATION FOR APPROPRIATIONS

SEC. 106. (a) There are authorized to be appropriated for grants and loans under this title not to exceed $50,000,000 for the fiscal year ending June 30, 1970, not to exceed $100,000,000 for the fiscal year ending June 30, 1971, and not to exceed $150,000,000 for any fiscal year thereafter. Any amounts appropriated under this section shall remain available until expended, and any amounts authorized for any fiscal year but not appropriated may be appropriated for any succeeding fiscal year.

(b) The Secretary is authorized, notwithstanding the provisions of section 3648 of the Revised Statutes, to make advance or progress payments on account of any grant made under this title.

TITLE II—MISCELLANEOUS TENANT MANAGEMENT, OPERATION, AND SERVICES

SEC. 201. (a) The Secretary is authorized to enter into contracts with public or private organizations to pay all or part of the costs of projects designed to provide technical assistance and training for tenant management and operation of, and services for, rental and cooperative housing. The Secretary may make advances or progress payments on account of any contract, notwithstanding the provisions of section 3648 of the Revised Statutes.

(b) Such sums as may be necessary to carry out this section are hereby authorized to be appropriated. The aggregate amount of payments made pursuant to such contracts shall not exceed $------ in any fiscal year.

LOCATION OF FEDERAL OFFICES

SEC. 202. The President shall report to the Congress not later than January 1, 1971, setting forth recommendations with respect to the establishment of a national policy on the location of new Federal buildings and the leasing by the Government of space in privately owned structures for Federal purposes giving due consideration to social and community priorities, including the affect of such Government activities on patterns of urban growth and the stability or renewal of urban areas.

USE OF FEDERAL LANDS

SEC. 203. The Secretary shall, after consultation with the Secretary of Defense, report to the Congress not later than January 1, 1971, on the status of appropriate Federal military installations which are located in or near metropolitan areas and indicate whether (1) such installations are currently being utilized for national defense purposes, and (2) any installations which are no longer necessary for national defense purposes may appropriately be sold or otherwise transferred for use as housing and related educational, community, or industrial purposes for persons of low and moderate income.

MULTI-USE DEVELOPMENT

SEC. 204. The Secretary shall consult with all agencies of the Government which construct or assist in the construction of facilities in urban areas to determine the feasibility of the multi-development and use of such facilities for housing and related facilities for persons of low and moderate income. Whenever the Secretary determines, after such consultation, that such multi-development and use is feasible in the case of any such facilities, he shall notify the agency concerned and such agency shall cause the project site to be developed, by the provision of air rights, land in the right of way, or otherwise as may be appropriate, so as to provide housing and related facilities for persons of low and moderate income. Land and interests in land, including air rights sites, so developed for such purpose may be transferred by sale, lease, or otherwise by such agency to any State or local public agency, or any private nonprofit, limited dividend, or cooperative entity which agrees to develop and use the same only for such housing and related facilities. Any such transfer shall be made subject to a reversionary interest in the Government in the event the property or rights transferred are ever put to a use other than that for which the transfer was made.

INCOME LIMITATIONS UNDER SECTIONS 235 AND 236 OF THE NATIONAL HOUSING ACT

SEC. 204. Section 235 (h) (2) and 236 (i) (2) of the National Housing Act are amended by inserting after the first sentence of each such section the following: "Any part of the income of any family which is excluded for purposes of applying the income limitations prescribed pursuant to such sections 2 (2) and 15 (7) (b) (ii) shall be excluded in determining family income for purposes of applying the limitations of this paragraph."

SALE OF PUBLIC HOUSING PROJECTS TO CERTAIN COOPERATIVES

SEC. 205. Paragraph (9) of section 15 of the United States Housing Act of 1937 is amended by inserting "(a)" after "(9)" and by adding at the end of such paragraph the following:

"(b) Notwithstanding any other provisions of this Act, but subject to the provisions of any contract with the Authority, any public housing agency may permit a cooperative to enter into a contract for the acquisition of a low-rent housing project from the public housing agency upon the terms set forth in subparagraphs (A), (B), and (C) of paragraph (a); except that for the purposes of this paragraph (b) the term 'purchaser', as used in such subparagraphs, refers to the cooperative acting on behalf of its members, and the term 'dwelling unit', as used therein, refers to the housing project in its entirety. Admission to membership in any such cooperative shall be limited:

"(A) to those who intend to reside in the project which is to be owned and operated on a nonprofit basis; and

"(B) to those whose incomes do not exceed the limits prescribed by the Secretary for occupants of projects financed with a mortgage insured under section 221 (d) (3) which bears interest at the below-market interest rate prescribed in the proviso of section 221 (d) (5).

In such admissions to cooperative membership, preference shall be given first to eligible present residents of the low-rent housing project being acquired by the cooperative, and second, to residents of other low-rent housing projects under the jurisdiction of the public housing agency involved whose incomes have increased beyond the approved maximum income limits for continued occupancy in such low-rent housing.

"(c) Before approving the disposition of any dwelling unit or project pursuant to paragraph (a) or (b), the Authority shall make a finding that such disposition will not adversely affect the low-rent housing program of the public housing agency involved.

"(d) The Authority shall continue to pay up to the amount of the guaranteed annual contributions pledged to payment of a public housing agency's outstanding obligations issued in respect to any dwelling unit or project acquired or contracted to be acquired pursuant to paragraph (a) or (b) until such obligations together with interest thereon have been fully paid."

SENATE JOINT RESOLUTION 161—INTRODUCTION OF A JOINT RESOLUTION DESIGNATING NATIONAL SCHOOL BUS SAFETY WEEK

Mr. JAVITS. Mr. President, I introduce for myself and Senators CRANSTON, MURPHY, PELL, and PROUTY, a measure to designate the period of April 20 through April 25, 1970, as School Bus Safety Week.

Each day some 18,000,000 American youngsters—one out of every four school children—travel to and from school in more than 200,000 school buses. This total may be expected to mount as suburban education systems grow and as our population expands. However, as the number of school bus passengers increases, the accident rate climbs still faster. The Senate Committee on Labor and Public Welfare, commenting on my schoolbus safety study amendment to the Elementary and Secondary Education Act, declared in 1967 in its report that "school bus safety standards throughout the Nation are spotty, substandard, and lax." This finding gives further force to the statement of the president of the Physicians for Automotive Safety who observed that in the area of school transportation, not a single State is doing all that safety authorities believe must be done to protect human life on the highway. He also indicated shock in discovering that safety measures to safeguard young people in school vehicles are largely being ignored at the local level.

The National School Bus Safety Week Committee is seeking to focus needed public attention on improved school bus safety.

President Nixon endorsed the week earlier this year; and his words are worthy of note. The President said:

> This week focuses public attention on the need for skilled, responsible drivers, and on the importance of effective inspection and reliable repair services for these vehicles. And finally, it reminds each of us that it is the duty of every motorist to cooperate with school bus drivers to make our highways as safe as possible for the one out of every four American pupils who ride buses to and from school every day.

I am not suggesting that school bus transportation is unsafe. It is not. School bus drivers have by and large a good safety record. However, the increasing accident rate and the fact that each year more and more children travel on school buses makes it imperative that the safety record of school buses be as near perfect as humanly possible—indeed, the safest form of transportation in the Nation. The lives of our children are at stake.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 161) to authorize and request the President to proclaim the period April 20, 1970, through April 25, 1970, as "School Bus Safety Week," introduced by Mr. JAVITS, for himself and other Senators, was received, read twice by its title, and referred to the Committee on the Judiciary.

THE PROBLEM OF LOCAL CUTBACKS IN THE FEDERAL SCHOOL LUNCH PROGRAM

Mr. JAVITS. Mr. President, President Nixon has proclaimed this week, October 12–18, as National School Lunch Week. As the ranking Republican on the Select Committee on Nutrition and Human Needs, I am pleased that the President has once again reaffirmed his commitment to end hunger and malnutrition. Our school lunch program is a most important and crucial factor in bringing nutritious meals to needy children.

The school lunch program, just as the breakfast and nonschool feeding programs, must be greatly expanded to meet the needs of the many millions of poor children who do not yet participate in these programs. It is for this reason that I recently introduced the Child Nutrition Act of 1969, S. 2982, to establish national eligibility standards for children to participate in free and reduced price meals in our child feeding programs. The Federal Government must take a leadership role in this area.

However, there is also a great responsibility at the local level to implement school lunch programs and to maintain them once established. Recently, I have become quite concerned because many communities—including some in my own State of New York—have been voting down local school board budgets, which include funds for the school lunch programs. Unfortunately, the school lunch programs often suffer as a result of this "tax revolt." Many children—especially needy children—are being forced out of the program because of higher charges to them for meals or because of outright elimination of the programs.

In New York State, the law is such that if a local school district votes down a school budget, then the special milk and the school lunch program cannot be operated unless the voters subsequently vote either to restore the budget or act favorably on separate provisions which include school lunch. I have been informed by the New York State Department of Education, School Lunch Division, that many of the State's school districts have this problem.

As of September 5, 137 or approximately 20 percent of New York's 690 school districts had voted to defeat school board budgets at least once this year, which also meant defeat of school lunch proposals. Of these 137 districts, 71 approved the budgets on the second vote,

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31 approved the budgets on the third vote, and one approved the budget on the fourth vote. Twenty other districts subsequently approved propositions relating to school lunch but did not approve the total budget, 11 districts were on a contingency budget and will not have lunch programs, and three other districts will vote again. In New York, a school district may have from 5 to 200 schools, and this makes the school lunch situation even more grave for the children—especially needy children in these districts.

I can understand the economic pressures which are causing taxpayers to "tighten their financial belts." However, I cannot too strongly urge both my fellow New Yorkers and residents of States which face similar situations, to give close scrutiny before imposing such blanket defeats. The school lunch program must not become a "scapegoat" of the "tax revolt," and I am hopeful that in the future, voters will look closely at the school lunch proposals before them and demand that, if the entire budget is just too great a fiscal burden, that at least the school lunch proposals may be given a lease on life.

Our school lunch programs must be considered a crucial part of our educational process.

It has been stated that "a hungry child cannot learn" and that "an empty stomach leads to an empty mind." Let us strive, especially in our local school budget balloting, to see that we meet the nutritional needs of our children. They are our hope for the future, and they cannot and must not be sacrificed.

When school lunch programs are cut or substantially reduced, facilities lie idle, children no longer are able to receive the benefits of a nutritious meal at least once a day—unless they bring lunch from home or go home for lunch—and many dedicated people, who work in school lunch service, are put into the streets. In New York, there are approximately 50,000 school food service employees. Each and every one is making an outstanding and valuable contribution to their communities and to the children of those communities. All school food service employees throughout the United States are to be commended during this National School Lunch Week.

I am hopeful that taxpayers will place school food service at a priority equal to that of the quality of education in their schools, for this is truly where it belongs.

Mr. President, I ask unanimous consent to have printed in the Record the President's proclamation and an article from the October 20 issue of U.S. News & World Report which further illustrates the problems of growing protest against school costs.

There being no objection, the proclamation and article were ordered to be printed in the Record, as follows:

October 3, 1969.

A Proclamation

Our land has been blessed by an abundance of food and by the genius and industry of our food-producers. Yet, despite the rich and varied diet available to us, there are still many Americans who are malnourished, whether due to poverty or to uninformed purchase and preparation of food.

It is one of the major tasks confronting the American people to eliminate malnutrition whether it be caused by the curse of poverty or the blight of ignorance.

A vital step toward this goal is the provision of ample food and proper nutrition for the American child. Safeguarding the health and well-being of school children has been a hallmark of the National School Lunch Program during its 23 years of operation. Last year it provided nutritious lunches to more than 20 million youngsters, including some three million from low-income families who were served at no cost or at a greatly reduced price.

It is unfortunate that many thousands of children seriously in need of better nutrition do not now have the benefit of either the school lunch or school breakfast service. All of us—professional and volunteer workers alike—at federal, state and local levels must use our abilities and resources in an effort to bring better nutrition to these children. There can be no more important or far-reaching use of the abundance of food produced by America's farmlands than to feed our children.

To recognize the value and achievements of the National School Lunch Program the Congress, by a joint resolution of October 9, 1962 (76 Stat. 779), has designated the seven-day period beginning on the second Sunday of October in each year as National School Lunch Week, and has requested the President to issue a proclamation annually calling for the observance of that week.

Now, therefore, I, Richard Nixon, President of the United States of America, call upon the people of the United States to observe the week beginning October 12, 1969, as National School Lunch Week.

In witness whereof, I have hereunto set my hand this third day of October, in the year of our Lord nineteen hundred sixty-nine, and of the independence of the United States of America the one hundred ninety-fourth.

Richard Nixon.

Growing Protest Against School Costs

America's public schools are in deep and growing trouble with the taxpayer.

In one local election after another, voters are turning down proposed issues of school bonds. Pleas for increases in school levies and budgets are being rejected. Dissatisfaction also is coming to the surface over lack of discipline in schools and the quality of education being offered.

The rising wave of disaffection is prompting educators to review their relationship with the public at large. What they find is a situation that promises even more troubles ahead.

Gallup survey of 1,505 adults, conducted for CFK, Ltd., an educational group headed by Charles F. Kettering, Jr., showed this:

FAILURES OF DISCIPLINE

The problem of school facilities, long uppermost in the minds of educators and taxpayers, now has been replaced by discipline—or lack of it—as the major worry of America's adults.

Of those questioned, 49 per cent thought discipline in the public schools of their community was not strict enough—compared with 44 per cent who considered it "just about right" and 7 per cent who either thought it too strict or offered no opinion.

Disapproval ranged significantly higher among key elements within the general community.

Belief that discipline in public schools was not strict enough was voiced by 58 per cent of those with children in parochial schools, 52 per cent of adults without children in schools, and 69 per cent of all nonwhites. Contrarily, a majority of parents with youngsters in public schools thought the present state of discipline satisfactory.

Fifty-six per cent agreed that a classroom shortage existed in their community—and 52 per cent admitted that the local school system was having a hard time getting good teachers.

Yet, dissatisfaction showed up strongly—in views and deeds—when it came to providing money for the schools.

Only 41 per cent of the interviewees voted in their last school-bond election. Only 26 per cent voted for the bond issues. In both categories, persons without children in school were even more lukewarm than others toward bond proposals.

The most significant answers came in response to the question: "Would you vote to raise taxes if schools said they needed more money?"

Saying they would approve such a request were 45 per cent of all those interviewed, but 49 per cent said no. Negative answers rose to 53 per cent among adults with no children in school, and 56 per cent among parents with children in parochial schools, compared with only 44 per cent of parents with children in public schools.

Regionally, strongest indications of support came in the South—50 per cent—and weakest in the Midwest—40 per cent. Support tended to dwindle with advancing age, but to increase with a rise in occupational status and schooling. Opposition ran as high as 64 per cent in towns with population between 25,000 and 49,999—and as low as 46 per cent in cities from 50,000 to a half million in population.

TROUBLE IN SEVENTIES

This survey and others like it made in recent years are suggesting to many educators that the nation's schools are entering a new era, financially.

In the years after World War II, a "baby boom" and big shifts in population forced taxpayers to spend lavishly on buildings and to hire teachers as enrollments soared.

During the fiscal year 1949–50, when the enrollment squeeze was just starting, the national outlay on public schools—elementary and secondary—came to 5.8 billion dollars. This represented an increase of 150 per cent over school spending per year a decade earlier.

The 1950s brought even bigger jumps in spending, as outlays nearly tripled to a figure of 15.6 billion dollars in 1959–60. By 1965–66, as declining birth rates brought signs of the first tapering-off in enrollment gains, spending on public schools totaled 26.2 billion.

Today, with elementary-school enrollment showing an actual decline, the figure comes to around 30 billion. And it is expected to pass 40 billion by 1975, even with the expected tapering off in high school enrollment.

Why is this so?

EXPENSIVE SCHOOLING

Educators provide a variety of explanations. Inflation is adding heavily to building costs year by year. Pressure grows to provide more and more "compensatory" schooling for children of the poor, especially in cities. The rising costs of interest rates on bonds is a big factor. So are innovative programs ranging from computerized instruction to physics laboratories.

These explanations for spiraling costs appear not to satisfy voters. As the chart on these pages shows, proposed issues of school bonds are winning less and less acceptance at the polls. Voter approval, which was given to 74.7 per cent of the issues submitted in 1964–65, dropped to 56.8 per cent of issues offered in the last fiscal year.

Bigger issues are fairing worst of all, with the result that the approval rate in terms of total dollar value of bond issues submitted to voters nationwide came to only 43.6 per cent last year, compared with 79.4 per cent in 1964–65. In Missouri, only 6.1 per cent of the total dollar value of bond issues submitted to voters won approval.

DEFERRED HOPES

There is little hope that this trend will reverse itself in voting on 465 million dollars' worth of school bonds nationwide between now and December 31. Hostility of voters coupled with the rising rates of interest on the bond market, is prompting many school districts to forgo plans to submit issues to the electorate—especially in districts where a two-thirds majority is required for approval.

Voters are taking a harder line on school finances in other ways. In the State of New York alone, local voters have rejected proposed school budgets in more than 100 districts so far this year—compared with 76 such rejections in all of 1968 and only 69 turndowns in 1967.

Increases in tax levies are meeting with defeat in one community after another. Latest instance has provoked a crisis in Fremont, Ohio, where city officials are closing school doors to 7,000 pupils starting in mid-November—with the promise of keeping them closed unless voters approve a twice-rejected increase in school taxes when they go to the polls on November 4.

"INSTANT REFERENDUM"

A U.S. Office of Education authority noted this:

"Many voters see these elections as an instant referendum on policies and tax burdens that they don't like, and which they blame on State or federal agencies over which they have little or no influence."

Federal spending on public schools has gone up from 1.4 per cent of the total cost of those schools in 1945–46 to about 8 per cent at present. This spending often is tied to compliance with guidelines on integration or educational policies—a situation causing deep resentment among some voters.

The State role in public schools has increased somewhat, too, largely with the aim of equalizing standards of poor and rich districts. On September 30, Michigan's Governor William G. Milliken proposed that the State take over the local share of costs entirely.

Some educators are saying that even greater reliance on State and federal help is necessary to avoid periodic crises in school financing.

A NEW ALIENATION

Population shifts and the race issue, it is argued, have damaged if not destroyed the sense of identification that citizens once felt with their schools. In that situation, the argument goes, local support henceforth will remain rather unreliable.

Other experts, however, insist that educators and school boards themselves can do far more to win greater understanding and support from the voters.

An Indiana University study of bond-issue defeats in the Far West in 1966–67 noted that many citizens complained of being left out of basic decisions related to their schools. The report noted:

"Informed community leaders perceived that decision making had often taken place with little or only token involvement of the citizen and patron. Decisions had been announced after discussions in which [citizens] had not been involved. Channels of communication too often were one-way streets."

This feeling gets some backing from the Gallup poll for CFK, Ltd., which found that 61 per cent of adults interviewed said they had not received any informational material from schools on what they were doing in the previous year. A majority—57 per cent—of parents with youngsters in public schools said they had received such material. But the proportion declined to 16 per cent of adults without children in school. And more than 80 per cent of adults in all categories said they had never attended a meeting of the school board. This study concluded:

"A better way must be found to reach those persons in the community who do not happen to have children in the public schools. . . . The future of the schools to a great extent depends on success in achieving this goal."

ORDER OF BUSINESS

Mr. JAVITS. Mr. President, I wish to address myself momentarily to the distinguished Senator from West Virginia (Mr. BYRD), who is the representative of the leadership at this time in the Chamber.

The Senator from Rhode Island (Mr. PELL) and I have a resolution in connection with Vietnam. I would like to have 10 minutes at the convenience of the leadership. That time could be in the next 10 minutes or later; whatever the Senator from West Virginia finds convenient.

Mr. BYRD of West Virginia. Mr. President, in response to the query by the able Sentaor from New York I would suggest that he and the Senator from Rhode Island (Mr. PELL) take their 10 minutes as soon as possible.

Mr. JAVITS. I thank the Senator.

Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may be recognized for 10 minutes and that the Senator from Rhode Island (Mr. PELL) may be similarly recognized after I have completed my remarks

The PRESIDENT pro tempore. The Senator from New York asks unanimous consent that he be recognized for 10 minutes in the morning hour, and that at the conclusion of his remarks the Senator from Rhode Island (Mr. PELL) be recognized for 10 minutes. Is there objection? The Chair hears none and it is so ordered. The Senator from New York is recognized for 10 minutes.

SENATE CONCURRENT RESOLUTION 40—SUBMISSION OF A CONCURRENT RESOLUTION REPEALING THE TONKIN GULF RESOLUTION, WITHDRAWING U.S. TROOPS FROM VIETNAM BY THE END OF 1970, AND ARRANGING ASYLUM FOR SOUTH VIETNAMESE POLITICAL REFUGEES

Mr. JAVITS. Mr. President, I submit for myself, and the Senator from Rhode Island (Mr. PELL), a concurrent resolution relating to the struggle in Vietnam, and I ask that it be appropriately referred; and I ask unanimous consent that the concurrent resolution be printed in the RECORD.

The PRESIDENT pro tempore. The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution will be printed in the RECORD.

The concurrent resolution (S. Con. Res. 40) to terminate Public Law 408 of the 88th Congress—Tonkin Gulf Resolution—was referred to the Committee on Foreign Relations, and is printed in the RECORD, as follows:

S. CON. RES. 40

Whereas the armed forces of the United States have been involved in warfare in Vietnam, pursuant to Public Law 408 of the 88th Congress, on a scale resulting in the third highest combat fatalities in United States history, and:

Whereas the Army of the Republic of Vietnam is being trained and equipped to take over from the United States forces in Vietnam, and;

Whereas domestic and world conditions do not warrant further prolongation of the present United States combat involvement in Vietnam, and;

Whereas the moral obligation the United States bears to the people of South Vietnam is to provide asylum for those whose lives would be endangered by our withdrawal: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the President should withdraw all American combat troops by the end of 1970; and be it

Resolved further, That upon such withdrawal, unless the President shall have previously determined that peace and security in Southeast Asia is reasonably assured pursuant to Section 3 of Public Law 408 of the 88th Congress, such Joint Resolution shall terminate on December 31, 1970; and be it

Resolved further, That it is the sense of the Congress that the remaining United States forces should be withdrawn in a reasonable time thereafter and that during this period steps should be taken by the United States in cooperation with the United Nations or other international organizations to provide asylum for those in South Vietnam whose lives would be endangered by such action.

A WAY TO TERMINATE U.S. COMBAT INVOLVEMENT IN VIETNAM

Mr. JAVITS. Mr. President, the public is not confident that the Nixon administration's present policy will bring an early end to the Vietnam war. There is a growing danger that the division between the people and the administration, which characterized the last 18 months of the Johnson administration, may be developing between the people and the Nixon administration. Administration appeals for a period of moratorium in the debate will not help, nor will assertions that the administration will pursue its course whatever the people may think.

The Nation is not prepared to accept the stalemate in the Paris negotiations as a block to other means of ending the intolerable continuation of this war. The United States cannot rely on policies which are dependent upon the cooperation of both Hanoi and Saigon. Primary emphasis must be placed upon measures which the United States can effect unilaterally. In essence, this means the phased withdrawal of U.S. combat troops.

The resolution which I am introducing today with the Senator from Rhode Island (Mr. PELL) would provide the President with an outside time limit of December 31, 1970, to complete the disengagement of U.S. combat troops. Cer-

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tainly that provides ample leeway to effect an orderly withdrawal, and to prepare the South Vietnamese forces—insofar as it is in our capacity to do—to assume the full combat responsibility if a negotiated settlement has not been achieved. The withdrawal of American combat troops is the key to ending the war.

The effect of the Javits-Pell resolution is to return the situation to the status quo before the Tonkin Gulf resolution. It terminates the authorization given to the President by Congress in the Tonkin Gulf resolution to engage U.S. forces in combat in Vietnam, as of December 31, 1970. Following that date, the President would have no congressional authority for combat operations but there would be no change with respect to providing assistance, training, and logistical support to the South Vietnamese forces.

Another important provision of the Javits-Pell resolution deals with the so-called blood bath thesis by assuming a moral obligation to arrange asylum for South Vietnamese citizens whose lives might be endangered consequent to the termination of U.S. combat participation in the war.

The real issue now is whether we are to follow the line indicated in the resolution introduced by the Senator from Kansas (Mr. DOLE)—to shape our Vietnam operations with the hope of inducing, influencing, or coercing North Vietnam and the NLF to negotiate along specified lines; or whether to follow the course indicated in the Javits-Pell resolution. It is our view—and that of many others—that the United States at this stage must rely on measures which are in our power to carry out unilaterally.

In my judgment, this is properly the issue for debate. I am deeply convinced that the only path after all these years of struggle and sacrifice is to phase our troops out of the combat responsibility in accordance with a definite timetable—coordinated with a timetable for the assumption of the combat responsibility by the South Vietnamese forces.

This is a course which I have advocated for a long time. More than 2 years ago, in a Senate speech of July 13, 1967, I said:

> We need to begin phasing out of the major responsibility for fighting the war . . . a beginning must be made following the September 1967 Vietnamese elections.

The question of timing has become all the more urgent in the ensuing 2 years.

A recognized timetable for the withdrawal of U.S. troops from combat is necessary if we are to avoid a repetition of the kind of domestic strife which we witnessed in 1967 and 1968. It is also necessary as a means of letting the Saigon government know in unmistakable terms that it must rely on itself for combat and must decide to seek a compromise political settlement with the NLF. Yet, the intransigence of the Thieu government on the question of peace negotiations has increased over the past several months.

There is mounting evidence that President Thieu has chosen to pursue policies which challenge basic tenets of President Nixon's Vietnam peace strategy, and it is becoming apparent that the Saigon government is a major roadblock to a compromise settlement of the war. Recently, we witnessed the long-awaited South Vietnamese cabinet reorganization which the Nixon administration hoped would significantly broaden the base of government support, but which in fact narrowed the government base and concentrated its support within the military and the supporters of former President Diem. Following the decision to aline his regime even more closely with the military, President Thieu has articulated a harder line on the conduct of the war and the Paris peace negotiations. In recent public statements Thieu has opposed a cease-fire, ruled out any political role for a Vietcong party in South Vietnam and predicted a breakup of the Paris negotiations.

The moment of truth with the Saigon government has arrived. President Thieu and his colleagues must be disabused of the idea that the United States will continue to fight the Vietnam war in the same old way for the same old objective of a military victory. The refusal of the Saigon government to accept this—and its apparent confidence that it can win a test of political will with the Nixon administration—force the conclusion that the Thieu government will not cooperate in the Nixon peace strategy.

We have long heard the contention that Hanoi believes it can manipulate U.S. public opinion for its own ends. It is now apparent that Saigon seems equally confident that it can manipulate political decisions in the United States for its purposes. There have been many reports over the past months that President Thieu believes his refusal to join the Paris peace talks before the election last November was responsible for President Nixon's election. It is not surprising, therefore, to read that he feels that the Nixon administration is in debt to him politically and that its peace strategy can be opposed with impunity.

The main point now is that President Thieu must understand that the United States is not committed to the perpetuation of his government and that it will no longer provide the combat shield to protect a government unless it enjoys the support of its own people.

It is for this reason that I again urge President Nixon to announce the withdrawal of an additional 40,000 troops this year and to announce his intention to withdraw at least another 100,000 troops by the end of 1970, bringing the total by that time to 200,000. Only when it is clear that the United States has a timetable for withdrawal of a significant proportion of the American combat troops in Vietnam can we expect either Saigon or Hanoi to believe that the United States is, in fact, committed to a prompt compromise solution of the war.

With the mood of the Nation once again outpacing the actions of the Congress, the time has come to move beyond mere exhortations. The Congress must face up to its responsibilities and capabilities for bringing an end to the war. It is for this reason that I have introduced a resolution which links the withdrawal of U.S. combat troops with a termination of the Tonkin Gulf resolution, according to a fixed timetable.

The Tonkin Gulf resolution has been the subject of much retrospective debate and controversy. In my judgment, the Congress will not be fully free to bring its powers and influence to bear until it has faced up to the fact that as it passed this resolution by an overwhelming vote—and the resolution remains in force to date—it must terminate it according to its terms to have any real effect on ending the war.

Section 3 of the resolution provides for its own expiration "when the President shall determine that the peace and security of the area is reasonably secured." The resolution also states: "that it may be terminated earlier by concurrent resolution of the Congress."

The Tonkin Gulf resolution provides the only congressional authorization for U.S. combat participation in the Vietnam war. While the resolution would never have passed had the course been known that President Johnson would subsequently follow with respect to Vietnam, it is true that the resolution does give the President a virtual free hand for the use of U.S. troops in Southeast Asia.

It is becoming increasingly apparent that there is no conceivable settlement to the Vietnam war which is worth the cost in lives and treasure to the United States of continuing the war to attain it. The Vietnam war has been extravagantly costly in these terms. And another great cost has been in terms of the things it has prevented us from doing at home and abroad—and in the wounds it has opened in the body politic of our Nation.

It is inconceivable to me that the Government of the United States can continue to be more solicitous of the views and interests of the Saigon generals than of the young people of our own country, who feel the burden and the agony of this war most acutely. They are the ones most anxious and determined to get on with the unfinished business of our society—to make a reality of the ideals of dignity and worthy for all our citizens.

The unresponsiveness of the Johnson administration to the burning and anguished idealism of the student generation gave birth to the passions of radicalism which have not previously been a part of the American tradition. Radicalism and polarization of our society will find deeper roots in this country if the Nixon administration should fall into the errors of the Johnson administration and continue to place a higher priority upon continuity of Vietnam policy than upon fulfilling its mandate to achieve an early end to the war. That mandate must be met so that the vital task of restoring domestic tranquillity and national unity can begin in earnest.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Rhode Island (Mr. PELL) is now recognized for 10 minutes.

Mr. PELL. Mr. President, I am very pleased and proud to be cosponsoring this resolution with the Senator from New York. I hope the fact that we are on different sides of the aisle and both members of the Committee on Foreign Relations bodes well for our efforts.

The resolution which the Senator from New York and I have presented today provides, I believe, for a responsible and realistic course of action for the United States in Vietnam.

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The resolution takes cognizance of the training of South Vietnamese forces to assume the combat role in their own country and provides for the withdrawal of all U.S. combat forces by the end of next year—a goal earnestly desired by the great majority of the American people, and, I believe by the administration.

At the same time, the resolution specifically places upon the United States an obligation to see to it that no bloodbath ensues from the withdrawal of U.S. forces. I am confident that the forces of the Republic of Vietnam, properly trained, equipped, and above all, properly motivated, can protect the true interests of the people of South Vietnam. But, as stated in the resolution, I believe the United States should take steps, in cooperation with the United Nations, to provide asylum for those in South Vietnam whose lives might be endangered by such a withdrawal.

And finally, the resolution provides for a termination by the end of next year of the excessively broad authority we granted the President of the United States in the Gulf of Tonkin resolution. The authority granted in that resolution should not, at any rate, be allowed to stand indefinitely, and the existing conditions of the U.S. involvement in Vietnam make an early termination of that authority most timely and desirable.

It also gives us an opportunity to take action as the congressional arm of the Government. This is a strange war, in that it is a war that has never been declared by the Congress. It is not unique in that regard, because we have had other wars and other actions in which Congress has not declared war, either. But, the fact remains that, if Congress has not declared the war, then it is difficult for it to declare the peace.

One way of resolving the legal dilemma is through this resolution which, as the senior Senator from New York has pointed out, would be a means of bringing about a state of legal peace, prior to even the wishes of the Executive, if this were the judgment of the Congress. In fact, this is the only way we can do it.

I would emphasize that I have believed—and this is a belief I have expressed for several years now—that our only real obligation to the people of South Vietnam is to make sure that they are not slaughtered, that their throats are not cut, that a bloodbath does not result, when we depart from that unhappy country.

We have no real obligation, in my view, to the Ky-Thieu government. We have more than carried out our obligations to the SEATO alliance when you consider the fact that not another allied nation, at least of the Western World, has participated with us in actual action in South Vietnam to any great extent in that alliance.

It does not matter that the South Vietnamese who, if we left, would be slaughtered had sided with us for reasons of patriotism or cupidity. The result is the same. Their throats would be cut. And because of that, we have this obligation.

Some will say that, if they have sided with us only for reasons of cupidity or greed, we should not be too concerned. I disagree. The opportunity for the expression of their cupidity or greed would not have arisen if we had not been where, in my view, we should not have been. When we provided this opportunity for the satisfaction of cupidity on their part, then even so we have the obligation to look after the people when they leave.

Let us think also what asylum means. It does not mean asylum only in the United States, where I understand we have taken in almost three-quarters of a million Cubans. It could mean a safe haven elsewhere in the world. There were times before when this happened. I recall the resettlement of the Greeks from Anatolia after World War I. I participated, as Vice President of the International Rescue Committee, in the resettlement of Hungarians after their short and aborted revolution.

We could buy some land elsewhere. Once I suggested Borneo, which had a similar climate and is not too far away. In fact, I would think that for 1 month's cost of the war, $2.5 billion, we could buy several Borneos. So it is not inconceivable that this would be a far less expensive course than the cost of continuing the war.

It seems to me that if we carried this policy out, we could carry our heads high, because I think Americans place more emphasis on "face" or prestige than do the Orientals, or certainly as much. What we want to do is to extricate ourselves from the war so we can do it and hold our heads high. If we can get out without Vietnamese being slaughtered, we can hold our heads high.

This is another reason why I feel we should do it. It is our real responsibility. This is what we can do. Yet, we see, from the way we are moving now, with the moratorium coming up tomorrow, with the growing pressure of American public opinion toward which the thought of extrication, we find again that Congress is a couple of years behind our people.

I remember when I ran for election in 1966 as one who opposed our Vietnam war policy. I felt very lonely. Now I find myself rather almost American public opinion. I think we are rather emotional people at times. I see dangerous things happening as the pendulum swings, because we can well respond with isolationism; we can well respond by turning inward. That is the danger we face. If that pendulum swings too much and too far, we can witness the dissolution of our social fabric. We would then see—God forbid—all our young men refusing to serve—a step which brought about the final dissolution of the Russian empire during World War I.

Before public opinion is brought to that point, we must make sure that we extricate ourselves, and more rapidly than we are doing now. If we keep up at the present rate of extrication, it will be too many years—it will be 7, 8, or 9 years—and that would be too long a time, looking at the fact of the force and the speed with which the pendulum of public opinion is swinging.

Our President faces the same problem as his predecessor. He is surrounded by the same men. He has the same Ambassador to Vietnam. He has the very loyal and able Cabot Lodge, but who is also committed to the same old policy. He has the same generals and the same officials in the State Department, all giving him the same advice.

Only we, the American people, can give him counterveiling advice. We would be very remiss in not doing it, because if we did not do it, there would be no way for him to realize that, not only was the policy he had been following a mistake, but the American people will not stand for it indefinitely.

The burden of the decisions made about Vietnam does not rest only on President Nixon. It does not rest alone on President Johnson, or President Kennedy, or President Eisenhower. It is a composite mistake made by all of us. We are all equally responsible. Some of us spoke up opposing the war long ago, but even we did not speak up in 1962 or 1961 when we should have.

I think for these reasons, if we can extricate ourselves and hold up our heads proudly—and this we can do by making sure no Vietnamese are murdered—then we can follow that course. But let us not fool ourselves. We have no obligation to President Thieu or Vice President Ky and their corrupt regime.

I would hope this resolution, offered by the senior Senator from New York—a man I much admire, whose principles are very much the same as mine—will be one of the centers of focus of the Foreign Relations Committee.

I yield the floor.

Mr. JAVITS. Mr. President, I just wish to express my satisfaction to the Senator for speaking as he has. I think he puts his finger on the problem when he says the pendulum could swing far beyond what we hope will be the moderate voices here. That is one thing that may be happening already.

One of the things that deeply disturbs me is a tendency to lump together and downgrade our military leaders for what has happened in Vietnam.

The **ACTING PRESIDENT** pro tempore. The time of the Senator has expired.

Mr. JAVITS. Mr. President, I ask unanimous consent to have 2 additional minutes.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered.

Mr. JAVITS. That is aided and abetted by the way in which we have seen fit to go after certain weapons systems on the floor of the Senate. I think that would be a loss of perspective of the professional military people themselves. I think they, too, must appreciate the consequences to the American system. I think that, as an added consideration, lends even more force to the Senator's view that on our side of the debate, moderate voices will become a real necessity as the pendulum swings from one side to the other.

Mr. PELL. I thank the Senator from New York. In this regard, I think we should bear in mind that our criticism is not directed to the military officers, the generals. I said the same generals are there. That is correct. But the job of a general is to advise in regard to military

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solutions and to carry out the policy that is laid down for him.

But we must remember that the policy they have been following—though it may occasionally seem that different generals follow different policies—has been a civilian policy. And our criticism has not been directed at the military officers, but of the administration policies they have been ordered to follow.

I represent a State which has one of the largest military installations in the United States. I have sought to make this point to my friends and constituents there; we have nothing against the military leaders or officers. What we are criticizing is the civilian policies they are being asked to follow. When we on the civilian side set forth a policy, then they have no choice but to carry it out. For example, referring to the aircraft carrier debate, if the Navy wants 14 or 15 attack aircraft carriers to fulfill our present national policy, that may well be justified. It is our job to cut the policy to fit the cloth of our real national interests.

So I would emphasize the point the Senator from New York has made, that the changes in policy that justify criticisms are not directed at the generals or the admirals; they are directed at us, the civilian leaders in this country who have not expressed strongly enough in the past the convictions and views that we hold. However, the recent shifts in Vietnam toward deescalation are the results of the changing views of the composite civilian leadership of our country.

Mr. **METCALF** subsequently said: Mr. President, I had the privilege of presiding when the distinguished Senator from New York and the distinguished Senator from Rhode Island introduced the concurrent resolution. It was introduced with eloquence, with logic, and with strong and forceful arguments.

I was especially impressed by the argument of the Senator from Rhode Island that in concluding our efforts in Vietnam we have to protect our friends and we have to prevent a blood bath. We have to withdraw those people who have been friendly to us, in those areas in the villages, and so forth, to some area that is safe, so that as some other group might approach, the disaster, assassination, and throat cutting that would inevitably follow would be avoided.

I was so impressed by the arguments of both the Senator from New York and the Senator from Rhode Island that I ask unanimous consent that I may be included as a cosponsor of the resolution.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **JAVITS**. I am very grateful to the Senator. I know it is very gratifying to me and to Senator PELL that the Senator from Montana heard us and was persuaded by what we said.

Mr. **METCALF**. I thank the Senator.

Mr. **PELL**. Mr. President, I share the honor and gratification of the Senator from New York, and I am delighted that the Senator from Montana feels this way.

Mr. **JAVITS**. Mr. President, I suggest the absence of a quorum.

The **ACTING PRESIDENT** pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. **ALLEN**. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered.

Mr. **ALLEN**. Mr. President, I ask unanimous consent that I be permitted to speak for 15 minutes.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered.

HEW THREATENS DESTRUCTION OF CHOCTAW COUNTY, ALA., SCHOOL SYSTEM

Mr. **ALLEN**. Mr. President, the public school system in Choctaw County, Ala., has a responsibility for educating close to 5,000 children and it is threatened with destruction. This tragic situation is one wholly contrived by Federal Courts and the U.S. Department of Health, Education, and Welfare.

Congress has an interest and a responsibility in this matter because many of the unbelievably wierd things which have taken place in Choctaw County are supposedly authorized by legislation enacted by Congress and are being financed from funds provided by Congress. Let me briefly state the background.

Mr. President, most Federal courts in the South have washed their hands of responsibility for destructive effects of their racial edicts and decrees relating to public school education in the Southern States. This washing of hands is typified in the language used by the Court of Appeals for the Fifth Judicial Circuit in absolving the court of blame for consequences:

> The Department of Health, Education, and Welfare, with its staff of trained educational experts with their day to day experience with thousands of school systems is far better qualified to deal with such operational and administrative problems than the court presided over by judges who do not have sufficient competence—they are not educators or school administrators—to know the right questions much less the right answers.

This is from the Court of Appeals for the Fifth Judicial Circuit—the court that has passed on many of these questions in the Southern States.

Mr. President, Federal courts now request the Department of Health, Education, and Welfare to accept responsibility for working out plans to overcome racial imbalance in particular school jurisdictions which are already desegregated but which fail to produce the racial balance demanded by Federal courts.

Mr. President, this procedure might appear at first glance to be reasonable and one suggested by consideration of the education of the children involved. However, experience demonstrates that agents of the Department of Health, Education, and Welfare who undertake this role for Federal courts are neither education experts nor are they experienced in planning sound education programs. As a matter of fact, it has been made abundantly clear by now that these people are concerned only with devising plans to achieve racial balance in the schools.

Mr. President, one of these so-called experts was sent by HEW into Choctaw County, Ala., to prepare a plan on request of the Federal district court. Let us take a look at the procedures used by the HEW experts and examine the plan to see if it can be justified in terms of education standards or criteria.

This expert spent all of one single day riding over the county viewing schoolbuildings and collecting enrollment figures for the prior school year. None of his valuable time was spent in consultation with any member of the local board of education. No time was wasted with such mundane things as inquiring about the sources of school revenue and school budgets or determining whether or not funds were available to the local board to implement any sort of plan. Transportation facilities were not inspected or even considered. Neither parents, pupils, nor teachers were consulted or even interviewed. No thought or effort was given to determining whether or not the public might support the plan.

The plan was presented to the Federal district court as one prepared by an education expert paid for and approved by the U.S. Department of Health, Education, and Welfare, and it was panned off on the public as the work of an education expert and one that presented a sound plan from the standpoint of educational considerations. In doing so, the people were deceived, and it is my judgment they were defrauded. In support of this judgment, I submit the following facts for consideration by the Senate and the public.

First of all a question concerning the qualifications of the expert must be disposed of. There is reason to believe that his education might have been deficient in geography if nothing else because in the plan presented to the court he referred to Choctaw County, Ala., as being a Louisiana parish and to a Louisiana university as the source of assistance to local boards of education in implementing the plan. At another place in the plan, Choctaw County, Ala., is referred to as being located in Mississippi. Of course, this is not conclusive evidence of a deficiency in the expert's knowledge of geography, it could be evidence of a disorientation as to time and place. This last conclusion is supported by a substantial amount of additional evidence throughout the plan.

On the other hand, I have been assured by the Department of Health, Education, and Welfare that this particular expert is not deficient in his knowledge of geography and that he is in touch with reality. If we accept these assurances, there is but one remaining conclusion assessable from the facts. That is that the plan presented by this expert as being one designed to meet the local education requirements of the schoolchildren of Choctaw County, Ala., was not that at all but rather a plan drawn up by somebody for Louisiana and Mississippi schools and panned off on the Federal district court and the public in Alabama as the result of an indepth study of local conditions by an education expert.

I think this last explanation to be most likely. It demonstrates conclusively that

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the plan was not designed on the basis of education considerations in Choctaw County, Ala., but only as a sham to meet the single racial balance criteria.

This is the point I want to emphasize. The so-called plans submitted by so-called education experts of the Department of Health, Education, and Welfare in Alabama and in the South are not even remotely concerned with improving educational opportunities for anyone but have the sole objective of overcoming racial imbalance in the public schools. Yet, Mr. President, Federal statutes forbid such activities by the Department. Even a disoriented education expert in the Department of Health, Education, and Welfare can understand the plain language of the statute which states that the Department shall not spend funds appropriated to it by Congress for the purpose of seeking to overcome racial imbalance in schools.

Mr. President, if the Department were merely violating the law, a remedy would be readily available. But the Department is doing more than that. It is also rejecting education standards in formulating plans it submits to Federal courts and because of that the Department is systematically destroying public school education in the South.

Mr. President, let me demonstrate just how completely these disoriented education experts disregard sound education criteria in formulation of plans to be enforced by Federal courts.

Two high schools in Choctaw County, Ala., are—or were—accredited by the Southern Association of Secondary Schools and Colleges. The association is the highest accreditation agency in the South. Four additional high schools in the county were accredited by the State of Alabama. One school was not accredited by either of these agencies.

Now, the expert submitted his plan, supposedly the result of an indepth study and evaluation, and proposed abandonment of the two high schools enjoying the highest accreditation and recommended to the court that the one school with no accreditation should be retained. Such idiocy can be understood only when it is realized that these people are not concerned about educating the children but only with plans to achieve racial balance in the schools.

Mr. President, this is a type of plan which no Senator would tolerate in his own State. It is the type of plan which no Federal judge and no education expert in the Department of Health, Education, and Welfare would recommend for a school system for their own children. This is the type of plan which the U.S. Attorney General sends so-called civil rights lawyers into Federal courts to defend as educationally sound and in the best interest of all the children of the school district.

This is the type of plan which the Department of Health, Education, and Welfare brags about as representing "the services of professional educators at the Office of Education in the Department of Health, Education, and Welfare." And this is the disgraceful sham of a plan which is being imposed upon the schoolchildren of Choctaw County, Ala., and upon schoolchildren throughout the Southern States. The injustice and stupidity of it makes the blood boil.

Mr. President, that is not all. The evidence of willful, reckless, and wanton disregard for the education and welfare of children in the South continues to unfold in one sorry episode after another. These demented experts from the Department of Health, Education, and Welfare come up with plans which are physically impossible of implementation. How are school boards supposed to bus pupils all over the county without school buses? How are they to buy school buses without the money to pay for them? How are they to borrow money without authority to borrow it? Who is going to lend a school board money when anyone can see that the board is being driven to bankruptcy and ruin? Where is a school board to get the money to tear down and rebuild, and convert schools as recommended by HEW incompetents posing as education experts?

The truth is that these helpless school systems are dealing with people who do not care enough about education or the welfare of the children involved to consult with local school officials, or even inquire about the financial resources of the county. They slap down a fantastic plan as a temporary expedient without a second thought about the future of public education in the areas.

Consider this. To implement the plan submitted for Choctaw County, Ala., would unconditionally bankrupt the school system. Let me show why this is so.

In Alabama the major portion of the public school funds for rural schools comes from the State. State funds are allocated under an equalization formula which takes into account a number of factors, but the amount received is largely determined by the number of pupils in average daily attendance. In round figures Alabama provides close to $400 per pupil in average daily attendance. Consequently, if a school system loses half of its enrollment, it will lose half of its support from the State. Fixed operating expenses of the system remain fairly constant so any loss of operating funds must be absorbed by reduced operating expenses. That means fewer teachers and less equipment, supplies, and less money for transportation. It means no more capital expenditures which would add fixed costs.

Since September of this year, the Choctaw County school system has already lost close to 1,000 pupils. As a result, it stands to lose approximately one-fifth of its operating funds. As the cutback is applied more and more will drop out because of the inability of the system to maintain an adequate education program.

Under these circumstances, the idea of trying to compel local boards to buy more buses and to assume the added cost of the fantastically expensive business of busing pupils hither, thither, and yon over the county—is the epitome of absurdity.

Mind you—all of this for the sole purpose of overcoming racial imbalance in the schools. These people are not talking about desegregation, a term which after 15 years the Supreme Court has never gotten around to defining and which Congress has not defined except to say that whatever it means, it does not mean that Congress delegated to the Department of Health, Education, and, Welfare the power to overcome racial imbalance in public schools. These people are not talking about a unitary school system. Alabama has a unitary school system and it has desegregated schools. These racials experts in the Department of Health, Education, and Welfare and sociologists in the Federal courts are concerned with but one thing and one thing only, and that is racial imbalance in schools and both have demonstrated that they do not care about alienation of public support of education or the ruin and wreck they leave behind.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. ALLEN. Mr. President, I ask unanimous consent that I be permitted to continue for an additional 5 minutes.

The ACTING PRESIDENT pro tempore. Without objection, the Senator from Alabama is recognized for an additional 5 minutes.

Mr. ALLEN. Mr. President, unless the Department of Health, Education, and Welfare gets rid of its quacks and disoriented experts and unless some evidence of commonsense and human compassion can be demonstrated by these people—the public schools of the South are on the way out. It is only a question of time. It is difficult to convey in words a sense of the depth of the feeling of the people on this subject, dealing as it does with matters relating to the health, safety, and welfare of their children. In most rural areas of the South the public schools are community schools. Most contain the first through the 12th grades in a single school building. In most, the parent-teacher associations and civic clubs and other organizations contribute substantial funds and services to provide improvements in school programs and facilities.

Children in the same family naturally attend the same school from the first grade through the 12th grades. Under the irrational racist plan submitted by the befuddled HEW expert, some children in the same family would have to be bused to four separate schools before they finish the ninth grade. Some children would be compelled to ride buses for distances up to 90 miles and spend up to 4 hours a day riding a school bus. Under the bankruptcy producing plan sponsored by and recommended by the Department of Health, Education, and Welfare, school libraries, science laboratory facilities and fixtures, improved playing fields would be abandoned and converted to other uses. School bands, glee clubs, and honorary societies would be disbanned. High school seniors who have already purchased their class rings would be scattered and bused into different high schools. Many teachers who have invested life savings in homes in local communities would be displaced and ordered to accept dictation as to

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where they will teach or else quit teaching. Cherished teacher tenure rights secured by law are ordered sacrificed.

Local school board members are ordered to abandon their sworn duty and moral obligation to children and the communities and to implement plans and decrees imposed by total strangers and which are contrary to reason and commonsense and contrary to their best judgment under pain of confiscatory fines and imprisonment. In short, the will and wishes of parents and teachers are overridden and conscientious public servants are compelled to preside over the liquidation of the public school system to which they have dedicated their lives. That an agency of Federal Government is the author of this ruin is a tragic fact.

Yes, Mr. President, it is a tragedy. It is an appalling tragedy. That a situation such as this could have developed in our Nation is cause for grave concern.

One cause for concern lies in the fact that Federal officeholders claim a power to impose racial solutions and another concern is the readiness to use calloused means to impose and enforce those solutions in local public schools.

Consider the weapon of deprivation used against innocent children by Federal officials. Federal funds used to provide hot breakfasts and lunches and education benefits for children of the poor are ruthlessly withheld by the Department as a means of enforcing its racial solutions. These HEW brutalitarians have become immune to the use of this hideous weapon and like a vice in the words of Pope, "We first endure, then pity, then embrace," it. The weapon of deprivation is embraced by the Department and its use is stoutly defended by the Department. Just a week or two ago, Secretary Finch announced his intention to oppose efforts of Congress to deprive him of this weapon.

Yes, Mr. President, this is a matter of deep concern, and the role Federal courts play in this experiment in racism is cause for concern, and resort by Federal district courts to injunctions to enforce racial decrees is a cause for concern. And it is cause for concern when Federal district courts threaten elected public officials with confiscatory fines and imprisonment without benefit of trial by jury to compel unwilling pubic officials to execute racial decrees handed down by the courts.

Of course, some will say that there is a vast difference between compulsory integration of races and compulsory extermination of races. Indeed, there is a vast difference. But there are also similarities. In both instances the decrees are racial and the end is rationalized by a social collectivist theory. In both instances the decrees are enforced by the coercive powers of Government. In both instances there is an attempted evasion of moral responsibility for the consequence by washing of hands by courts and shifting the responsibility to the collective will of the State. In both instances there is a ruthless disregard for the custom, tradition, and belief of a minority. In both instances the methods of implementation—deprivation of innocent children, confiscatory fines, imprisonment of public officials—are inhumane and barbaric. Furthermore, one might reasonably ask if the principal difference between State enforced extermination and State enforced integration is not in the long run but a difference in the time it takes to achieve the same end.

Yes, Mr. President, these are causes for concern. We had better back up and take a hard look at these sad, tragic, and dangerous trends.

American people are beginning to ask once again, where do we draw the line on Federal powers? When do we draw the line? Are we prepared to accept as a principle of constitutional law the right of Federal agencies to withhold necessities of life from citizens of this Nation as a legitimate means to any end? Are 12 million more Americans to be placed under the mercy of HEW brutalitarians who withhold food from the mouths of children as a means of enforcing regulations? Are we prepared to accept the principle of rule by injunction over the lives of our children?

Mr. President, much more could be said on this subject and much more should be said. Doubtless, much more will be said. I am going to close these remarks by saying that the Department of Health, Education, and Welfare has demonstrated incompetence and stupidity in its performance in Choctaw County, Ala., and throughout the South.

It is clear to me that Federal courts and these HEW incompetents are hung up on the silly absurdity of the racial balance as some kind of panacea that will instantly equalize educational opportunities.

Mr. President, the people of no civilized nation on the face of this earth believe it. And there is no evidence or other reason to believe it. Other nations considered racial balance and the idea has been rejected as both irrational and impractical. More and more black citizens are also beginning to realize that racial balance is not worth a row of beans from the standpoint of improving education opportunities. In fact, there is no responsible evidence from any source to indicate that racial balance contributes anything constructive in the way of equalizing education opportunities. On the other hand, there is overwhelming evidence from throughout the United States that arbitrary actions to achieve racial balance in schools are dismal flops and costly failures.

Mr. President, the U.S. News & World Report, in its issue of October 13, 1969, has published the results of a nationwide survey on the subject of busing to achieve racial balance. The survey shows conclusively that this arbitrary and artificial device is being rejected throughout the United States as too costly, impractical, and devoid of education benefits.

Mr. President, I ask unanimous consent that the article from the U.S. News & World Report be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the U.S. News & World Report, Oct. 13, 1969]

WHY SCHOOL BUSING IS IN TROUBLE

The school bus is running into trouble as a vehicle for racial integration.

Once, only a few years ago, busing was being hailed by civil-rights leaders as the answer to Northern-style segregation—the so-called *de facto* segregation that occurs when children living in all-black or all-white neighborhoods attend neighborhood schools.

The idea was to bring about racial mixing in the classroom by busing children back and forth—bus Negro youngsters out of their black neighborhoods to schools in white areas, and bus white youngsters to schools in black areas.

There was opposition, often bitter. Battles over busing split many communities. But opponents, frequently denounced as racists, lost in city after city. And the idea spread. Busing has been adopted as an integration method in scores of cities around the U.S.

Now, however, attitudes are changing. The tide of the battle appears to have turned—against busing.

This new trend shows up in a nationwide survey by members of the staff of "U.S. News & World Report." According to that survey:

Among civil-rights leaders, educators and Negroes themselves, doubts are growing about the value of busing, either as a method of integration or as a method of improving education.

Interest is growing in a different idea—that Negroes may benefit more from an improvement of schools in their own neighborhoods than they do from being bused into white schools.

You find this change in many cities.

"A definite change." In Baltimore, Associate Superintendent of Schools William Tinderhughes told "U.S. News & World Report":

"There has been a very definite change in thinking about busing for integration in recent years. A few years ago, there was demand for busing. But not now.

"Parents now are more concerned with the quality of the education that their children are getting. The same group that at one time was speaking for integration now is speaking about curriculum, about teachers and about the quality of the educational program."

In Chicago, Assistant School Superintendent David J. Heffernan said this:

"The integration battle now has taken a different turn. Busing, as such, is almost completely out of the picture. It has proved effective neither for integration nor for better education."

In Minneapolis, this comment came from Floyd Amundson, school-board consultant in community relations:

"The trend here is away from busing because it doesn't solve anything. The blacks themselves apparently would prefer to have their own schools improved rather than have their children bused to mostly white schools."

On the West Coast, a school official in Los Angeles reported:

"Fewer blacks have been showing up at board meetings to demand integrated schools this year. The 'Black Power' movement, with its emphasis on the isolation of black people, may have something to do with it."

"Climate has changed." The trend toward racial "separatism" shows up in several places. In Pittsburgh, John March, director of public relations for the board of education, said this:

"The climate has changed. The most militant, outspoken blacks are not interested in integration. They want separation. You wonder how you can justify busing under these conditions.

"This puts the school boards right in the middle. We are under pressure from the State Human Relations Commission to desegregate. But the militants don't want it. The children even segregate themselves in our high-school cafeterias. We have separate black and white areas that the blacks are mostly responsible for creating. The old rules just don't seem to work any more."

Black separatists, however, are far from being the chief causes for the diminishing popularity of busing.

Civil-rights leaders with long and strong commitments to the cause of integration are questioning the value of the bus. One is James Farmer, former head of the Congress of Racial Equality (CORE) who now, as Assistant Secretary of Health, Education and Welfare, is the highest-ranking Negro in the Nixon Administration. Mr. Farmer announced last March that he had changed his mind on integration by bus. He said:

"Our objective should be to provide a high-quality education. The real problem is not integration or segregation. It is the quality of education. Busing is not relevant to high-quality education. It works severe hardships on the people it affects. In the South, I found blacks complaining of being bused to school."

Where busing works. All this does not mean that busing is being abandoned as a way of integration.

In a number of smaller cities, where black pupils are a minority, busing has worked with considerable success in improving what educators call "racial balance." It has been accepted without serious protest in many such cities.

One city which advocates of busing cite as an example is Berkeley, Calif. There, in a city of 121,000 population, 3,500 pupils—whites and blacks—are "cross-bused" to achieve in each school a racial mix that is almost in exact proportion to the city's school-age population: 49.6 per cent white, 42.8 per cent black and 7.6 per cent Oriental or American Indian. Complaints are mostly over the cost: $530,000 a year for the total integration program, with $204,000 for the actual busing.

Another success story is told in Elmira, N.Y., a city of approximately 50,000 population, with 1,000 Negroes among 14,000 school students. There some 300 white and 200 black pupils are bused outside their home areas to balance enrollments racially. Elmira's Superintendent of Schools Charles E. Davis reported:

"Our troubles have been few. Our over-all conclusion is that no one has suffered and many people are gaining.

"I think that in any moderate-sized city with a relatively small black population, some plan similar to ours could be made to work."

The New York story. It is in larger cities or in cities with big proportions of Negroes in the schools that busing encounters its greatest problems.

New York City, where the whole busing experiment started a dozen years ago, has had more turmoil than success.

That city has tried almost every integration device known—busing, school "pairing," "open enrollment," redrawing of school-attendance districts, even elimination of junior high schools and substitution of new "intermediate" schools to draw youngsters from wider areas of the city at an earlier age.

Busing alone costs New York City some 3 million dollars a year.

After all this effort there is more segregation, not less. There are more all-black or nearly all-black schools in New York today than there were before. And tests have shown no clear academic gains among children who are bused.

New York's integration attempts have stirred massive protests, have been the targets of numerous lawsuits. Many thousands of white parents have moved out of the city to suburbs.

Now Negroes and Puerto Ricans outnumber white in the city's schools.

New York, however, is still trying. About 14,500 pupils are riding chartered buses under "free choice—open enrollment" programs designed to improve "racial balance."

In New York State, outside New York City, the State education department reports that 30 to 35 school districts have systems for correcting "racial imbalance." Most involve busing.

Much of New York State's integration effort is made under pressure of a policy laid down by former State Commissioner of Education James E. Allen, who now is U.S. Commissioner of Education in the Nixon Administration. For New York, he defined any school more than 50 per cent Negro as "racially imbalanced," and ruled "there must be corrective action in each community where such imbalance exists."

New York State's general assembly, however, put restrictions on forced integration with a so-called "antibusing" law which was passed last spring and went into effect September 1.

That law forbids appointed school officials or boards to change district boundaries or pupil-assignment plans for the purpose of changing racial balance without consent of parents. This requires programs to be voluntary in many cities, including New York City.

Massachusetts is another State that requires local action against "racial imbalance." State aid can be cut off from schools over half Negro.

Boston, with a number of predominantly Negro schools, is busing about 2,000 pupils at public expense to comply with this law. About 5,000 other pupils are riding buses at their parents' expense in a program of "open enrollment."

Boston also has a new "magnet" school in a Negro area that draws 340 white children—by bus—to take advantage of the special facilities it offers.

All of Boston's bus riders for integration are volunteers. Parents have protested angrily against busing in the past. Mrs. Louise Day Hicks, a leading opponent of busing while head of the school board, recently led all candidates in a preliminary election for the city council.

Cities that balk. Several large cities with districts that are heavily Negro have refused to follow New York's example of massive busing.

Despite years of heated demands by civil-rights groups, the Chicago school board has insisted on maintaining the "neighborhood school" concept, which results in dozens of schools being nearly all-white or all-black.

The sole busing program there is a small one to relieve overcrowding.

Instead of busing, the school board plans to erect a series of "magnet" schools where specially trained teachers will use the latest methods and equipment to teach a cross-section of children of all races and economic levels.

In Philadelphia, this report came from Oliver Lancaster, assistant director of the board of education's office of community affairs:

"We have no pressure—from either whites or blacks—for massive desegregation. It isn't possible to make the massive shifts it would take to accomplish that quickly. Our trend is toward quality schools."

At present, Philadelphia's only busing is to relieve overcrowding in some black schools. A proposed program for integration would involve some busing. But it stresses improved schools—and some specialized schools—in Negro areas to attract white pupils.

Pittsburgh and Baltimore also bus primarily to relieve overcrowding. But the result usually is the mixing of more Negroes into white schools.

California opposition. In California opposition to compulsory busing for integration is mounting steadily. A Statewide campaign is under way to place on the November, 1970, ballot a proposal to prohibit such busing.

San Francisco may win the right to elect its school board, mainly as a result of opposition to an integration plan recently adopted by the city's appointive board. That plan calls for busing 4,500 pupils next year.

The Concerned Parents Association has succeeded in putting the proposal for a school-board election on the November 4 ballot. Its hope is to elect enough advocates of "neighborhood schools" to block the busing program.

San Francisco's Mayor Joseph Alioto is on record against the busing plan, saying:

"I don't believe the black community wants it. I don't believe the white community wants it."

In nearby Richmond, voters last April elected three school-board members who campaigned against a forced-busing plan. The new board has replaced the force plan with one which calls for voluntary busing on a smaller scale.

In Pittsburg, Calif., five Negro families have sued to block busing of their children to white schools. They say they prefer an integration plan that does not put "the entire burden on the Negro pupils."

Sausalito has integrated its schools by a program of busing both white and Negro pupils. School costs have skyrocketed, and some families have sought to transfer out of the district.

Los Angeles has a voluntary busing program which some hail as a success, others as a failure. It affects fewer than 1,000 pupils and was adopted under pressure of threatened suit.

California's State board of education has ruled that any school is "imbalanced" if its minority enrollment varies more than 15 per cent from the percentage of minority students in the school district.

In Los Angeles, school authorities estimate that 160,000 students would have to be bused at an initial cost of 100 million dollars, followed by a yearly cost of 20 million, to comply with the letter of that ruling. Most school officials take the position that the State board's ruling has no force as law.

Colorado controversy. Denver has been torn by a controversy over busing. The school board adopted an integration program calling for transfers of several thousand children—both black and white. Voters then elected two new board members who swung a vote to rescind the program. But advocates of busing sued and won the program's temporary reinstatement. Now the busing is being done despite continued protests.

Michigan's problems. In Michigan, there may be as many as 70 school districts that bus for racial balance.

One city that does is Grand Rapids. There, about 1,500 black students ride buses from their black-neighborhood homes to schools that are mostly white. And busing has become a focal point of discontent with the school system.

White parents helped elect three opponents of busing in a bitter school-board election last spring.

When classes opened this autumn, a group called Blacks United for Survival (BUS) organized a temporary boycott of the schools. Busing was not the only issue. Some Negroes demand a complete return to neighborhood schools. Some object to "one-way busing" and want whites bused, too. Others complain that the plan does not provide enough integration. Still others demand more emphasis on quality of education.

Here, in a single community, you find most of the problems and controversies that beset busing as a means of integrating Northern schools.

Views in Washington. It is not only in cities that busing is losing favor. It has acquired some powerful opponents in the Federal Government, too.

President Nixon recently said, "It's never been the policy of the Administration to impose busing as a way to achieve racial balance." In his 1968 election campaign he criticized busing as "forced integration rather than putting emphasis on education."

Congress has forbidden the Department of Health, Education and Welfare to require busing in order to overcome "racial imbalance."

Representative Edith Green (Dem.), of Oregon, a member of the House Education and Labor Committee, is known as a civil-rights supporter. In an interview in "The Urban Review," she said:

"I seriously question busing for social reform—taking a youngster from a disadvantaged home in a ghetto area . . . transporting him to another school where he spends five or six hours of the day and then is picked up and taken back to the same disadvantaged home, the same tenement area. I have serious questions of how much we're really helping that child."

What Negro parents "are entitled to," Representative Green suggested, is "quality education for their children in the area in which they live."

SENATOR WILLIAMS OF NEW JERSEY OBSERVES HOW ISRAEL TREATS ITS ELDERLY

Mr. JAVITS. Mr. President, a very interesting article about the activities of the Senator from New Jersey (Mr. WILLIAMS), in respect of his work in the Special Committee on Aging, of which he is chairman, appeared in the New York Sunday News magazine issue of October 12, 1969. As he is my colleague on the Committee on Labor and Public Welfare, I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOW A YOUNG NATION TREATS ITS ELDERLY

(By Jack Leahy)

The chairman of the U.S. Senate Committee on Aging, Sen. Harrison A. Williams (D-N.J.), feels that Americans have a lot to learn from the people of Israel about the respect and services which should be accorded to senior citizens. A country which has a tough enough job creating cropland from desert while being on constant guard against military conquest, Israel somehow finds the resources to care for a rapidly increasing aged population.

"I was deeply moved by what I saw and by what I was told in Israel," says Sen. Williams, who recently attended a United Nations symposium there. "Despite the fact that many elderly immigrants came from many nations to a place which offered them few amenities, there is a cohesiveness among both the old and the young of Israel in terms of their attitudes toward advanced age.

"Israelis seem to think that it is only natural for the elderly to have secure and satisfying lives. What's more, they are willing to contribute to a national effort to achieve that laudable objective."

According to Sen. Williams, the following were among the major items of interest about Israel and the aged which emerged from symposium discussions:

In 1948, those over the age of 65 represented only 3.8% of the Jewish population or 30,000 people. By 1980, these figures will be 8% and 300,000.

First immigrants to arrive in Israel after World War II were mainly young people. Nevertheless, a comprehensive Old Age Insurance program was established and pensions became payable more than a decade ago.

In some respects, U.S. Social Security coverage is inferior to its Israeli counterpart.

A program know as "Hameshakem" (Rehabilitation) has had remarkable success in finding thousands of jobs for people whose employability is limited by age or illness.

The immigrant nature of Israel's aging population poses some unique problems. One survey found that oldsters who came from African and Middle Eastern countries tended to segregate themselves from those who came from Europe. This creates difficulties in setting up housing projects and nursing homes for the aged.

The loneliness which seems to be a universal complaint of all older people is apparently even more severe in Israel. In their flight from persecution, a majority of older Israelis lost or were separated from families and friends. In the struggle to survive and make a new life in a foreign land, many were not able to adjust by forming new and lasting friendships.

These and other problems have been taken into consideration, however, by government planners. Their innovations and experiments are worthy of careful analysis by sociologists everywhere, in the view of Sen. Williams.

"We in the United States seem quite often to have a guilt complex about our older population," says the lawmaker. "We think we should do more, but somehow we don't. I didn't sense that feeling among the people of Israel."

To Sen. Williams, the standard bearer of senior spirit in Israel is Golda Mier, the pioneer state's 71-year-old Premier.

"She's as impressive and as young in outlook as the nation she leads," asserts the legislator. "We on the Senate Committee on Aging have found that adjustment to the later years depends very much on the individual, and that there is no norm for aging. Some people feel old and act old in their 50s. Others, like Golda Mier, find something new in each day."

ORDER OF BUSINESS

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. METCALF. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ALLEN in the chair). Without objection, it is so ordered.

ECONOMIC OPPORTUNITY ACT AMENDMENTS OF 1969

Mr. PELL. Mr. President, I rise in support of the measure to extend the economic opportunity program for 2 years.

As a member of the Subcommittee on Employment, Manpower, and Poverty which considered this legislation, I am proud of the bipartisan effort which was undertaken by my colleagues on the Committee on Labor and Public Welfare in reporting this bill. I hope that this spirit of bipartisan concern for the Office of Economic Opportunity will be continued in debate here on the floor.

I believe that the measure which the Labor and Public Welfare Committee has brought to the floor represents a reasonable and moderate bill designed to foster experimentation in the application of our many social programs. The bill which we are considering contains both the flexibility which the administration has requested and additional funds for those successful programs, such as Headstart, which have shown particular promise for the future. As chairman of the Education Subcommittee, I am particularly proud of the success of the Headstart program, although I realize there are still many unanswered questions with regard to it.

In conclusion, I would extend my congratulations to the chairman of the subcommittee, the Senator from Wisconsin (Mr. NELSON), for the very levelheaded and equitable way in which he conducted the meetings of the subcommittee concerned with this problem, and also extend my congratulations to the ranking minority member, the Senator from New York (Mr. JAVITS), who did all he could to bring out as unified a bill as possible; and when it was agreed to disagree, he always did so in the greatest of good spirits.

I hope that the Economic Opportunity Act of 1969 will receive the full support of the Senate.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON DEPARTMENT OF DEFENSE PROCUREMENT FROM SMALL AND OTHER BUSINESS FIRMS

A letter from the Acting Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report on Department procurement from small and other business firms for fiscal year 1969 (with an accompanying report); to the Committee on Banking and Currency.

REPORT OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the audit of the Federal Savings and Loan Insurance Corporation supervised by the Federal Home Loan Bank Board for the year ended December 31, 1968, dated October 14, 1969 (with an accompanying report); to the Committee on Government Operations.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A resolution adopted by the City Council of Wayland, Mich., praying for the rejection of any proposals that would change the present tax exempt status of municipal bonds; to the Committee on Finance.

A resolution adopted by the Little Red School House, and Elizabeth Irwin High School, New York, N.Y., supporting an immediate end to the war in Vietnam; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JORDAN of North Carolina, from the Committee on Public Works, without amendment:

S. 2910. A bill to amend Public Law 89–260 to authorize additional funds for the Library of Congress James Madison Memorial Building (91–454).

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare, without amendment:

S. 2452. A bill to amend section 211 of the Public Health Service Act to equalize the retirement benefits for commissioned officers of the Public Health Service with retirement benefits provided for other officers in the uniformed services (Rept. No. 91–455).

BILLS AND A JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. JAVITS (for himself, Mr. Scott, and Mr. Hart):

S. 3025. A bill to assist the States and their localities in utilizing land resources more effectively and in providing housing to meet present and future needs. and for other purposes; to the Committee on Banking and Currency.

(The remarks of Mr. Javits when he introduced the bill appear earlier in the Record under the appropriate heading.)

By Mr. PELL:

S. 3026. A bill for the relief of Nicola Violante; to the Committee on the Judiciary.

By Mr. BYRD of West Virginia:

S. 3027. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Finance.

By Mr. CRANSTON:

S. 3028. A bill to authorize the Secretary of the Interior to study the desirability of establishing a national wildlife refuge in California and/or adjacent Western States for the preservation of the California tule elk; to the Committee on Commerce.

(The remarks of Mr. Cranston when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. JACKSON (for himself and Mr. Allott) (by request):

S. 3029. A bill to amend title I of the Act of October 15, 1966 (80 Stat. 915); to the Committee on Interior and Insular Affairs.

(The remarks of Mr. Jackson when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. FONG:

S. 3030. A bill for the relief of Romeo Farley Tanjuaquio;

S. 3031. A bill for the relief of Angel Gamo Enriquez; and

S. 3032. A bill for the relief of Mrs. Leonarda Buenavendura Ocariza and daughter, Lucila B. Ocariza; to the Committee on the Judiciary.

By Mr. JAVITS (for himself, Mr. Cranston, Mr. Murphy, Mr. Pell, and Mr. Prouty):

S.J. Res. 161. Joint resolution to authorize and request the President to proclaim the period April 20, 1970, through April 25, 1970, as "School Bus Safety Week"; to the Committee on the Judiciary.

(The remarks of Mr. Javits when he introduced the joint resolution appear earlier in the Record under the appropriate heading.)

S. 3028—INTRODUCTION OF A BILL ON A TULE ELK WILDLIFE REFUGE

Mr. CRANSTON. Mr. President, I introduce, for appropriate reference, a bill to authorize the Secretary of the Interior to study the feasibility of a national wildlife refuge in the Western United States for the preservation of the California tule elk.

Among the many rare and endangered species listed by the Bureau of Sport Fisheries and Wildlife is the tule elk or dwarf elk. The Bureau's brief summary of the elk's current status is a good outline, and I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the summary was ordered to be printed in the Record, as follows:

Summary on Tule Elk by the Bureau of Sport Fisheries and Wildlife

Tule elk or dwarf elk: Order, Artiodactyla; *Cervus nannodes*, Merriam; family, Cervidae.

Distinguishing characteristics: Slightly smaller, paler, and with more narrow rump-patch than Rocky Mountain elk.

Present distribution: Three scattered herds in California; two of these—one in the Cache Creek area (Colusa, Lake and Yolo Counties) and one in Owens Valley (Inyo County)—are free-roaming. The third herd is fenced in the Tule Elk State Park near Tupman (Kern County).

Former distribution: Common prior to 1860 in nearly the entire San Joaquin and Sacramento Valleys, California (Butte to Kern Counties); restricted to the Buttonwillow Ranch, western Kern County by 1905; total in 1932, 170.

Status: Rare. Restricted in range, reduced in numbers.

Estimated numbers: In the wild, 1964, about 300 in Owens Valley, Inyo County, and about 80 in the Cache Creek area, Yolo County.

Breeding rate in the wild: One (rarely two) calves per cow annually. Gestation period approximately 250 days.

Reasons for decline: Hunted for meat and hides during Gold Rush of mid-1800's; total population about 28 in 1885; encroachment of civilization and cultivation have reduced available range, and cattlemen and farmers claim competition with stock and damage to crops.

Protective measures already taken: Herds are carefully managed and protected from indiscriminate hunting by State law; establishment of Tule Elk State Park; organization of the Committee for the Preservation of the Tule Elk, dedicated to the protection of this species. Livestock grazing on portion of Inyo National Forest used by Goodale segment of Owens Valley herd restricted since 1965.

Measures proposed: The Committee for the Preservation of the Tule Elk is attempting to set aside 240 square miles in Owens Valley (owned by the City of Los Angeles, but leased to cattlemen) as a refuge; initiate studies to determine the optimum numbers of elk that a given habitat can support.

Number in captivity: In semi-domestic state, in 1964, are 35 on the Tule Elk Reserve, Kern County. In addition, 5 males and 5 females are in 3 American zoos.

Breeding potential in captivity: Good.

Remarks: Transplants to Sequoia National Park (1904), Yosemite Valley, Monterey County, the Alvord Ranch, Harney County, Oregon, were abandoned because of low calving percentages. Transplant to Owens Valley (1933) succeeded. Today supplemental feeding of hay pellets is necessary on the Tule Elk Reserve, and 10 or 15 are shot yearly to guard against overpopulation; since 1943, in the Owens Valley, legal hunting has cropped the surplus over 300, regarded as the maximum the range can support. In the Owens Valley range, an adjudication of livestock numbers by the Bureau of Land Management (U.S. Dept. of the Interior) will be completed in 1965, which should result in lessened livestock on the elk range. The Cache Creek herd, while low in numbers, periodically causes depredation on several large ranches within its range.

REFERENCES

Allen, G. M., 1942: 273–275.

Amaral, Anthony A., 1964. Struggle in Owens Valley. Amer. Forests, 70 (8): 26–27, 53–55.

Hall & Kelson, 1959: vol. 2, p. 1003.

Rintoul, William T., 1964. Last of the ghost herd. Westways, 56 (1): 8–9. January.

Mr. CRANSTON. Mr. President, it should be obvious why there is controversy associated with the tule elk. With less than 400 animals alive today, numerous conservationists, particularly including the Committee for the Preservation of the Tule Elk, believe that it is dangerously unrealistic for the California Fish and Game Commission to allow 20 percent of the Owens Valley wild herd to be killed in an annual authorized hunt. While the tule elk is protected under California State law, annual hunts have been permitted during the past few years to keep the Owens Valley herd within the range limit of 250.

Others, including some responsible Government officials, point to the tule elk's amazing survival record. From a minimum of 28 animals in 1885, the species has grown to its present size. Given this remarkable resurgence, it is difficult to criticize the classification of the tule elk as not endangered, but only rare.

The fact remains that an animal can become extinct only once. No theory about an animal's tenacity can excuse our failure to plan for the long-range preservation and propagation of a rare animal.

The key to the tule elk's preservation is obviously range. The purpose of my bill is to investigate the possibilities of other suitable range areas where one or more new herds might be established. At present, with only one existing herd, an epidemic might easily end the species overnight. There is much vacant land in the West, and I am asking to know whether any of it is suitable for tule elk conservation.

In mentioning only the tule elk in the bill itself, it is not my intention to preclude other uses for the wildlife refuge. However, normally wildlife refuges preserve a habitat where the protected animals are indigenous. Since this will not be the case in the areas to be considered, I believe the thrust of the study must be to seek out lands where the tule elk can adapt and survive.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3028) to authorize the Secretary of the Interior to study the desirability of establishing a national wildlife refuge in California and/or adjacent Western States for the preservation of the California tule elk, introduced by Mr. Cranston, was received, read twice by its title and referred to the Committee on Commerce.

S. 3029—INTRODUCTION OF A BILL TO AMEND TITLE I OF THE ACT OF OCTOBER 15, 1966 (80 STAT. 915)

Mr. JACKSON. Mr. President, on behalf of my self and the Senator from Colorado (Mr. Allott), I introduce, for

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appropriate reference, a bill submitted by the Secretary of the Interior to amend title I of the act of October 15, 1966, relating to national historic preservation.

This bill has been submitted and recommended by the Department of the Interior, and I ask unanimous consent that the text of the letter accompanying the legislation be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 3029) to amend title I of the act of October 15, 1966 (80 Stat. 915), introduced by Mr. JACKSON (for himself and Mr. ALLOTT), by request, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The letter, presented by Mr. JACKSON, is as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., October 10, 1969.

Hon. SPIRO T. AGNEW,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed herewith is a draft of a bill "To amend Title I of the Act of October 15, 1966 (80 Stat. 915)."

We recommend that the bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

The Act of October 15, 1966 (80 Stat. 915, 16 U.S.C. 470), broadened the scope of the national historic preservation policy enunciated in the Act of August 21, 1935 (49 Stat. 666, 16 U.S.C. 461 *et seq.*), as amended. Among the principal features of the newer law are (1) Grants to the States for three purposes: (a) statewide surveys contributing to the expansion of the National Register, (b) statewise preservation plans, and (c) individual preservation projects; and (2) Grants to the National Trust, which bring together 827 public and private preservation groups throughout the Nation, for acquisition and development of Trust-owned properties and expansion of Trust educational and technical assistance programs. One major purpose of the Act—substantive Federal aid in the preservation of individual historic properties—cannot proceed until the surveys are well underway and preservation plans completed.

The Act of October 15, 1966, *supra,* authorized a total of $32 million to be appropriated over a 4-year period which terminates in 1970. No appropriations were made in the 1967 fiscal year. In the 1968 fiscal year, $447,000 was appropriated for the new programs authorized by the 1966 Act, of which $147,000 was for the Advisory Council on Historic Preservation and administrative overhead; and $300,000 for grants-in-aid to the National Trust for Historic Preservation. Appropriations for the 1969 fiscal year remained at the same level for all items except grants-in-aid, for which $100,000 was provided.

Legislative and professional activity stimulated by the Act have raised the level of State appropriations for preservation. Thus, in 1967, approximately $300,000 in new non-Federal funds was made available in seven States in support of accelerated historic site surveys and related planning activity. The level rose at an accelerated rate in 1968, with 38 States seeking or receiving appropriated funds to the total of $1.5 million. Total figures for 1969 are not yet available but promise to continue upward based on expectation of Federal support. Similarly, National Park Service activity has increased substantially to meet actual and anticipated demands.

Within the next 12 months, we expect that 25 States will nominate up to 200 historic sites and buildings each while another 20 anticipate nominations to the National Register in larger numbers to a total of 16,000 properties during the 1-year period.

In sum, a mechanism has been put in motion by the National Historic Preservation Act to which the States and the National Trust for Historic Preservation have responded with increasing interest and activity. Continuing Federal support becomes necessary as the effort matures from an initial survey activity to the financially more demanding project phases.

State capacity to match Federal funds may be expected to expand as the initial, less costly survey and planning phases give way to individual preservation projects. We have requested information from the States as to their projected 5-year program for meeting their historic preservation needs. Their responses demonstrate an ambitious interest in pursuing the preservation of what are often the too fragile physical indicia of the heritage.

On the basis of information supplied by the States, we anticipate a National Register exceeding 100,000 properties representing the substance of the Nation's heritage of historic sites and buildings.

The Department of the Interior would expect to present, in the budget request and appropriations hearings, firm data gathered from the States and the National Trust in justification of the funding level needed for the coming fiscal year together with evidence of accomplishments yielded by the appropriations of the preceding fiscal year.

The proposed legislation thus provides the necessary flexibility to anticipate the pattern of growth in State participation in historic preservation.

We believe that this method represents a logical way to insure the culmination of national aspirations regarding historic preservation.

The Bureau of the Budget has advised that there is no objection to the submission of this legislation from the standpoint of the Administration's program.

Sincerely yours,
RUSSELL E. TRAIN,
Acting Secretary of the Interior.

ADDITIONAL COSPONSORS OF BILLS

S. 338

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Ohio (Mr. SAXBE) be added as a cosponsor of S. 338, a bill I introduced to increase the rates paid to veterans for educational assistance.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 1279

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from New Mexico (Mr. MONTOYA), I ask unanimous consent that, at the next printing, the names of the Senator from California (Mr. CRANSTON), the Senator from New Hampshire (Mr. MCINTYRE), the Senator from Ohio (Mr. SAXBE), and the Senator from New Jersey (Mr. WILLIAMS), be added as cosponsors of S. 1279, to provide that any disability of a veteran who is a former prisoner of war is presumed to be service-connected for purposes of hospitalization and outpatient care.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 1607

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from New Mexico (Mr. MONTOYA), I ask unanimous consent that, at the next printing, the name of the Senator from New Hampshire (Mr. MCINTYRE) be added as a cosponsor of S. 1607, to deem veterans who were prisoners of war to have service-connected disabilities.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2986

Mr. GRIFFIN. Mr. President, on behalf of the Senator from Pennsylvania (Mr. SCOTT), I ask unanimous consent that, at the next printing, the name of the Senator from Maryland (Mr. MATHIAS) be added as a cosponsor of S. 2986, the Family Assistance Act of 1969.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2993

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from California (Mr. CRANSTON), I ask unanimous consent that, at the next printing, the names of the following Senators: Mr. YARBOROUGH, Mr. EAGLETON, Mr. HUGHES, Mr. JAVITS, Mr. KENNEDY, Mr. MONDALE, Mr. NELSON, Mr. SAXBE, Mr. SCHWEIKER, and Mr. WILLIAMS of New Jersey be added as cosponsors of S. 2993, a bill to amend title 38, United States Code, in order to provide educational assistance to veterans attending elementary school; to provide special assistance to educationally disadvantaged veterans; to provide for a predischarge education program and a veterans' outreach services program; to reduce under certain circumstances the number of semester hours that a veteran must carry in an institutional undergraduate college course in order to qualify for a full-time educational assistance allowance; and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, in conjunction with this request, I ask unanimous consent that a statement prepared by the Senator from California (Mr. CRANSTON) be printed at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The statement of Mr. CRANSTON is as follows:

STATEMENT BY SENATOR CRANSTON

On October 6, 1969, I introduced S. 2993, a bill to amend title 38, United States Code, in order to provide educational assistance to veterans attending elementary school; to provide special assistance to educationally disadvantaged veterans; to provide for a predischarge education program and a veterans' outreach services program; to reduce under certain circumstances the number of semester hours that a veteran must carry in an institutional under-graduate college course in order to qualify for a full-time educational assistance allowance; and for other purposes.

As I indicated on that day, that bill, which would be entitled "The Veterans Education and Training Assistance Amendments Act of 1969," incorporates the principal provisions of eight other bills.

Such a consolidated bill was reported to the Labor and Public Welfare Committee on October 2 by the Veterans Affairs Subcommittee and was unanimously ordered favor-

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ably reported to the Senate on October 9 with a nonsubstantive amendment.

The text of S. 2993, as amended, will be incorporated in an amendment in the nature of a substitute to H.R. 11959 as that bill will be reported to the Senate this week.

Accordingly, I ask unanimous consent that at the next printing of this bill the names of the Senator from Texas (Mr. Yarborough), the Senator from Missouri (Mr. Eagleton), the Senator from Iowa (Mr. Hughes), the Senator from New York (Mr. Javits), the Senator from Massachusetts (Mr. Kennedy), the Senator from Minnesota (Mr. Mondale), the Senator from Wisconsin (Mr. Nelson), the Senator from Ohio (Mr. Saxbe), the Senator from Pennsylvania (Mr. Schweiker), and the Senator from New Jersey (Mr. Williams) be added as cosponsors of S. 2993.

SENATE CONCURRENT RESOLUTION 40—SUBMISSION OF A CONCURRENT RESOLUTION TO TERMINATE PUBLIC LAW 408 OF THE 88TH CONGRESS—GULF OF TONKIN RESOLUTION

Mr. JAVITS (for himself, Mr. Pell, and Mr. Metcalf) submitted a concurrent resolution (S. Con. Res. 40) to terminate Public Law 408 of the 88th Congress—Gulf of Tonkin resolution—and for other purposes, which was referred to the Committee on Foreign Relations.

(The remarks of Mr. Javits when he submitted the concurrent resolution appear earlier in the Record under the appropriate heading.)

SENATE CONCURRENT RESOLUTION 41—SUBMISSION OF A CONCURRENT RESOLUTION URGING THE ADOPTION OF POLICIES TO OFFSET THE ADVERSE EFFECTS OF GOVERNMENTAL MONETARY RESTRICTIONS UPON THE HOUSING INDUSTRY

Mr. SPARKMAN (for himself, Mr. Allen, Mr. Eastland, and Mr. Ervin) submitted the following concurrent resolution (S. Con. Res. 41); which was referred to the Committee on Banking and Currency:

S. Con. Res. 41

Whereas, the use of monetary restraint as the principal device with which to curb excessive inflation has had and is now having the effect of curtailing and postponing the construction of residential and commercial buildings normally subject to mortgage financing; and

Whereas, the consequent substantial reduction in the annual rate of new housing starts has produced a corresponding decline in the requirements for products and commodities, such as, ceramic tile, manufactured in the United States principally for consumption and use in newly constructed units; and

Whereas, products and commodities so utilized are also in certain instances imported in large quantities from foreign countries, the consumption and utilization of said imports not being affected by restrictive monetary policies in the same manner and to the same extent as products of domestic manufacture; and

Whereas, as a consequence of these factors, domestic industries, whose continued strength and viability is essential to this Nation's pursuit of the housing goals enunciated in the Housing and Urban Development Act of 1968, are being forced to operate with substantial idle production capacity:

Now, therefore, be it resolved by the Senate of the United States (the House concurring), That it is the sense of Congress that the public interest requires emergency measures to prevent elimination of, or serious injury to, United States firms as a result of the current serious contraction of the housing market;

It is further the sense of Congress that during periods of monetary restraint, the Government of the United States should exercise other statutory powers to prevent injury to United States industries and to offset advantages accruing to firms and industries in foreign countries engaged in exporting to the United States;

It is the further sense of Congress that, as to the aforesaid domestic industries so affected, such as ceramic tile, where (a) imports in the most recent years have accounted for twenty percent or more of the United States market, and (b) the industry currently has idle capacity, specific steps should be taken to preserve the competitive opportunity of United States firms that bear the brunt of import competition while the United States construction market remains artificially restricted;

It is further the sense of Congress, that, the Executive Branch shall take immediate steps to effect a reduction in imports of products and commodities, such as ceramic tile, whose principal use is in such construction, and such reduction shall be sufficiently great to assure the continued existence and viability of United States firms in the domestic industry affected.

HOUSING CONTRACTION IMPERILS AMERICAN MANUFACTURERS FACING HEAVY IMPORTS—OFFSETTING ACTION NEEDED

Mr. SPARKMAN. Mr. President, today, I submit a concurrent resolution expressing the sense of Congress that the executive branch should take steps to negotiate voluntary quota arrangements with foreign countries to effect such reductions in imports as are necessary to protect the ceramic tile industry and others, until such time as free market conditions are restored to the U.S. housing market.

The industry we are discussing is a small one—consisting of slightly more than two dozen companies. Most of the tile plants are located in small communities where the impact on the local economy is significant.

For example, in my State of Alabama, Mosaic Tile Co. has a plant in Florence which employs 429 area citizens and had a payroll in 1968 of $2,370,728.

Historically, the U.S. ceramic tile industry has faced fierce competition from foreign manufacturers. Far too often, this competition has consisted of unfair competitive practices, which, if engaged in by domestic firms, would result in prosecution under our statutes dealing with antitrust and unfair trade.

Unfortunately, these practices have taken their toll. Through widespread violations of the Antidumping Act and failure to comply with assurances given to avoid increases in tariffs on ceramic tile, the Japanese were able to capture over two-thirds of the floor tile market and 20 percent of the wall tile market in this country by the mid-1960's.

Customs Bureau action finally brought a halt to Antidumping Act violations by the Japanese. However, no sooner had this been accomplished than the British manufacturers, spotting an opportunity to make significant inroads in the American market, launched a major export campaign featuring widespread violations of this same act.

Having been formally charged, the two major British manufacturers, doing business as a giant cartel, are now being investigated by the Customs Bureau. In the meantime, during the past year these manufacturers doubled their share of the U.S. ceramic tile market.

The nature and extent of competition from foreign manufacturers has taken on new significance as a result of the recent serious contraction in the housing market.

As my colleagues no doubt know, new housing starts have plunged from a level of 1.9 million in early 1969 to what Housing Secretary Romney and others indicate could be a level of under 1 million by year's end. This is compared with a national housing goal averaging 2.6 million units per year for the next 10 years.

The same forces within the money market which have produced this contraction have tended to encourage apartment development as opposed to individual residence construction. Apartments are the principal market for foreign-made ceramic tile—while builders of private, single-family dwellings prefer U.S. tile. The result—Government-imposed monetary restraints have, in a very real sense, produced a situation in which foreign manufacturers of tile are not sharing equitably in the burdens resulting from our fight against excessive inflation.

Domestic manufacturers do not seek to avoid competition. They do, however, feel that fairness dictates foreign manufacturers should not be given unfair competitive advantages traceable to Government actions.

Through adoption and implementation of the resolution which I today introduce and in which I invite each of my colleagues to join, this unfair advantage can be offset.

ADDITIONAL COSPONSOR OF A RESOLUTION

SENATE RESOLUTION 245

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from New Mexico (Mr. Montoya), I ask unanimous consent that, at the next printing, the name of the Senator from New Hampshire (Mr. McIntyre) be added as a cosponsor of Senate Resolution 245, calling for the release of American prisoners of war.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAX REFORM ACT OF 1969—AMENDMENT

AMENDMENT NO. 245

Mr. SPARKMAN submitted an amendment, intended to be proposed by him, to the bill (H.R. 13270) to reform the income tax laws, which was referred to the Committee on Finance and ordered to be printed.

AMENDMENT NO. 247

Mr. HART submitted amendments, intended to be proposed by him, to House bill 13270, supra, which were referred to the Committee on Finance and ordered to be printed.

AMENDMENT OF THE TARIFF SCHEDULES RELATING TO TAX ON PARTS OF STETHOSCOPES

AMENDMENT NO. 246

Mr. **JAVITS** submitted an amendment, intended to be proposed by him, to the bill (H.R. 7311) to amend item 709.10 of the Tariff Schedules of the United States to provide that the rate of duty on parts of stethoscopes shall be the same as the rate on stethoscopes, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSOR OF AN AMENDMENT

AMENDMENT NO. 228

Mr. **DOMINICK**. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Kansas (Mr. PEARSON) be added as a cosponsor of Amendment No. 228 to Senate Joint Resolution 158, to authorize the minting of clad silverless dollars bearing the likeness of the late President of the United States, Dwight David Eisenhower.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

ANNOUNCEMENT OF HEARINGS ON THE FREDERICK DOUGLASS HOME

Mr. **BIBLE**. Mr. President, for the information of the Senate and those interested I wish to announce that hearings have been scheduled before the Parks and Recreation Subcommittee on S. 835 and H.R. 5968, bills to increase the authorization for the establishment of the Frederick Douglass Home as a part of the national park system in Washington, D.C. on Friday, October 17, 1969, room 3110, New Senate Office Building at 10 a.m.

Anyone interested in testifying should advise the staff of the committee.

MASSACHUSETTS LOCAL BOARD 114, SELECTIVE SERVICE SYSTEM

Mr. **KENNEDY**. Mr. President, the Boston Herald Traveler of Sunday, October 12, contains an informative article about Massachusetts Local Board 114 of the Selective Service System. Local boards play a central role in the structure of the Selective Service System, as the hearings before the Subcommittee on Administrative Practice and Procedure will attempt to show; therefore, the decisionmaking process at this level should receive close attention.

Local Board 114 is of particular interest since the U.S. Supreme Court yesterday agreed to hear United States against Sisson, a case involving a conscientious objector registered with this particular board.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LOCAL BOARD NO. 114—AND ITS PROBLEM REGISTRANTS

(By Jack Reed)

There are 128 Selective Service Boards in Massachusetts. Their records list 1,800,388 men, of whom 23,000 are classified 1–A, subject to immediate callup for service wherever the Pentagon chooses. Most go to Vietnam.

Each month every Selective Service Board is notified by the state office of the number of men it must provide for the armed forces. Last month in Massachusetts it was 566; the October quota is down to 285. In all, Massachusetts has drafted 21,896 men into the armed forces since 1963.

Members of the individual Selective Service Boards are appointed for no more than 25 years (or until such time as they reach 75) by the President. They are not paid for their work. If they can be classified in any general way, they are mostly middleaged or retired men and World War I or II veterans. They are sincere, conscientious and generally a-political. They realize theirs is a thankless task—and becoming more so as opposition to American participation in the Vietnam war grows.

This is the story of one such Selective Service Board—and some of the men who come under its jurisdiction.

Local Board No. 114 of the Selective Service System operates out of a plateglass storefront on West Commonwealth avenue, West Concord. Its power reaches over six outlying western suburbs of Boston: Concord, Lincoln, Sudbury, Maynard, Acton and Wayland.

The office is shuttered from the street by Venetian blinds. You'll have to step inside, therefore to meet Miss Agnes Grudinski, the diligent, rather shy and soft-spoken clerk who keeps tabs on the 10,000 men—give or take a few—within the board's jurisdiction.

It is Miss Grudinski and Michael Gormely, the chairman of the board, who sign the orders which deliver the young men of this area to the Army.

As this is written, the Pentagon has not announced the local October quota, but in September it extracted 12 men from Local Board No. 114. Forty-nine men, classified 1–A, "qualified and examined," were up for grabs. How were the dozen selected?

"Standard operating procedure," answers Gormely, who becomes annoyed by more than two questions in a row. He did allow that there was a vacancy on the board, that it would be filled by the President's appointment—and that was all.

His reluctance is understandable. Members of Selective Service Boards are not the most popular people in town in these days of draft resistance, student demonstrations and growing demands for our withdrawal from Vietnam.

Gormely, a gray-haired and granite-jawed man, has been chairman of Board No. 114 since its inception in 1949. A World War II veteran himself, he is the senior municipal examiner for the State's Bureau of Accounts. He is married, and both of his sons have served their military duty.

His fellow members on the board are Laurence Smith, William McMahon and Howard Schreiber.

Altogether Selective Service Board No. 114 has sent 251 men into the armed services since 1963. It seems safe to say that most of them wound up in Vietnam.

How many failed to return? How many were killed in Vietnam?

I put the question to Col. Paul F. Feeney, Deputy State Director of the Selective Service System. The colonel is a trim, happy man who hums to himself between sentences. Although he said he would be glad to be of service, he could not help me.

"No records are maintained in this area," said the Colonel.

"Six dead," Mrs. Pam Shea will tell you. Mrs. Shea, an energetic, blonde Concord housewife and mother and an admitted admirer of the late Cuban revolutionary Che Guevara (she proudly displays a poster of him in her home), is the organizer of the Bedford Draft Information Center at 140 Great Road. The quizzical tones of her voice merely blur the outrage she feels. "Five deaths and a suicide," she says. "You oughta ask about that one. Frederic Brown."

I asked Mr. Gormely.

"I don't remember individual cases," he said.

It seems unlikely, however, that he could forget Frederic Brown, 20 years old, dead by his own hand in protest against the war.

"He applied for a C.O. (deferment as a conscientious objector)," Mrs. Shea says. "They turned him down, and then they turned him down again."

After Brown's death, his parents, by then living in Placerville, Calif., wrote a letter to Local Board No. 114. The letter was published in the Concord Journal on October 3, 1968.

"He was not afraid of death for himself, as he has demonstrated," the letter said in part, "but he would not be driven to inflict death on another. He knew that you would pursue him relentlessly, and finally corner him in prison, and that the end of this shameful slaughter in Vietnam would not be the end of the evil military machine that you blindly serve . . .

"You gave him only three choices—to become a trained killer of his fellow men, or a fugitive from what you call justice, or imprisonment for refusing to be part of your highly organized 'Murder incorporated.' How can we hope for a better world when this is the harshly imposed destiny of our young men?

"Has your conscience become so distorted, so taken with what you imagine to be a patriotic duty, that you continue to play at this terrible game as if it were merely chess or checkers?"

Despite the Browns' letter, Local Board No. 114 had no choice but to continue sending young men under its jurisdiction into the armed services. It was the law. And the vast majority of those called up went off to the fighting forces with no more than the routine grumbling that always accompanies such a summons.

But now more and more of those called before the board are seeking deferment. And most of these visit or are visited by Mrs. Shea or her colleagues.

"When we began going down to the draft board on pre-induction physical morning," says Mrs. Shea, "to explain to the boys their rights and to give them coffee and doughnuts, I'd say less than half the kids were friendly to us. Now it's ninety per cent. But there are always two or three who haven't learned good manners, and they make it hard for everybody."

For two years, with such volunteers as she can muster, Mrs. Shea has maintained her insurgent outpost, five miles down the road from Local Board No. 114. On her desk is a box of colored pencils inscribed "Don't Wait Until the Last Minute . . . there are 13 legal deferments to the draft."

Those listed include:

1—Dependency—you are supporting someone else. "You have to be literally supporting someone," explains Mrs. Shea. "Suppose you're married, with a little kid, and both the wife and the kid need you—a psychological dependency, it's called. In other words, you'd rather have a good family than a ruptured one. Forget it at Board No. 114. They don't give psychological dependencies."

2—You have one of several physical or psychological ailments.

3—Your job is important to your community's health, safety, or interest. (Such deferment might cover teachers, doctors, dentists, policemen, veterinarians.)

4—You conscientiously believe that the Vietnam war is wrong and feel that you do not want to fight in it. (A few men from the area—no more than six—have obtained a 1-O (C.O.) status and are serving their alternate duty. "They never give it to you on the basis of an application," says Mrs. Shea. "They hassle you, call you up for a personal appearance. Of the last five C.O.'s, four were obtained by making appeals over the board to the State Director. Over the last fifteen years you could count the C.O. applications on one hand. Now, they're getting several a week.")

5—You are on parole, probation, or have served time in jail. (Recall "Alice's Restaurant".)

6—Your father or brother was killed in the armed forces and you are the only surviving son.

7—You are a high school or college student, or a minister.

8—You work on a farm.

9—You are an alien.

Slightly more than 200 men from the Board have obtained a deferment on these various grounds.

Thousands of others of the Board's registrants are still in school, protected by their 2-S deferment, and slightly more than 200 men have obtained a deferment on other grounds.

"Sure, I'm cool until I graduate," says a Brandeis student from Concord. We met in the barber shop next door to Board No. 114.

"I'm cool, but what about the kids who aren't in the national interest? I mean, that's kinda fascist, isn't it?

"Some people are necessary. We'll spare them—but you and you, put your boots on and get your ass out there. That's the way they do things in Russia. The whole thing stinks.

"And what about us . . . the college students? After we've learned so much, after they give us four years of being more or less free to follow our dreams, then they try to haul us into the last stronghold of primitive and superstitious men. Now what's the sense in that? If we've been trained as rational men, if we've been set aside in the national interest, how does it happen that it becomes part of the national interest to expend us?"

A Harris survey indicates that, although adults over 30 favor the draft by a narrow margin, those under 30 are dead-set against it. And Concord is no exception to the falling chips. The kids there do not wave to each other; they signal with the first two fingers. V for Victory. War on war.

Thomas Dickey, son of Mr. and Mrs. Robert S. Dickey, Concord, was killed a few months ago in Vietnam. He received the Silver Star posthumously. Mrs. Dickey, who prefers not to suffer through interviews, said only: "We are terribly proud of Tom. We have flown the flag since he joined the Marines, even during the sad days after his death."

But Tom's friends and contemporaries aren't so quick to forgive. Standing in front of a local ice cream shop, I talked to some who had known him. "What can you say?" said one whose pre-induction physical will occur later this month. "Tom had guts and they shot him up. There's no glory in being a veteran. Bunch of old men pat you on the back and crunch your hand. What are they trying to prove? I'm as brave as the next, I think, but nuts to this."

With the attitude of youth hardening against the draft, it will be a crucial fall season, and sometime this month the Supreme Court will be hearing a crucial court case: United States of America versus John Heffron Sisson, Jr.

Not an ordinary case, this one: it seeks to have the highest court in the land rule on the legality of our military involvement in Vietnam.

On April 17, 1968, John Sisson, a Harvard graduate, son of a Lincoln doctor, refused an order from Local Board No. 114 to report for induction into the Army.

A month earlier Sisson had asked the Board to send him SSS Form No. 150 so that he might make his claim as conscientious objector. That form requires an applicant to demonstrate that "religious training and belief" have developed his objection to killing. "As used in this subsection," Selective Service law states, "the term 'religious training and belief' does not include essentially political, sociological, or philosophical views, or a merely personal moral code."

Sisson decided that his objection was not based on religion. He returned the form and called his lawyer, John Flym of State street, Boston.

In a trial before Federal District Court Judge Charles Wyzanski of Boston, Flym argued—and Wyzanski agreed—that the religious stipulation "violates the provision of the First Amendment that 'Congress should make no law respecting an establishment of relgion, or prohibiting the free exercise thereof.' "

In his opinion, the judge wrote, "There is not the slightest basis for impugning Sisson's courage . . . He was as genuinely and profoundly governed by his conscience as would have been a martyr obedient to an orthodox religion.

"On the stand he was diffident, perhaps beyond the requirements of modesty. But he revealed sensitiveness, not arrogance or obstinacy. His answers lacked the sharpness that sometimes reflects a prepared mind. He was entirely without eloquence. No line he spoke remains etched in memory. But he fearlessly used his own words, not mouthing formulae from court cases or manuals for draft avoidance."

The defendant's father, Dr. John Sisson, is a reserved man, a Vermont Yankee who normally keeps close counsel. When the judge had delivered his opinion, Dr. Sisson was moved to rise and kiss his son on the cheek.

The government has appealed. John Sisson, by no means a victim, though not yet a free man, passes the time working at a variety of jobs in Lincoln.

If Wyzanski's ruling is upheld by the Supreme Court, it could mean that any sincere American youth, with some documentation of his pacifist attitude, would legally qualify for C.O. status.

Over at the Draft Center, Mrs. Shea can picture a more civilized future for the moment. "No more soldiers," she says. "Just one C.O. form after another. Thousands of them flowing into the board. A peaceful revolution. Come the evolution."

But the soulful, black-haired Flym—can you imagine Elvis Presley as a lawyer?—is playing a thin wire chess game, and the bishop is not the brunt of his attack.

"Congress has no constitutional power to compel military service in Vietnam without a declaration of war."

There you have it, another of Flym's arguments in his Supreme Court brief. In the Boston trial, Wyzanski rejected this contention. "This court," he wrote, "until otherwise authoritatively instructed, assumes that Congressional power to conscript for war embraces Congressional power in time of peace to conscript for later possible war service."

Citing a long list of Americans who have written about the Constitution and what it means, Flym will press the Supreme Court to concede that the historical record "raises the gravest of doubts about the power of Congress to conscript at any time," and certainly not when there is no "clear and present danger" to render "necessary and proper" the draft.

What Flym is arguing here is that, while the Second Amendment to the Constitution makes provision for "a well-regulated militia, being necessary to the security of a free state," it is by no means clear that the draft is necessary. "If a sufficiently clear and present danger existed, either Congress could declare war or Congress could raise the revenues necessary for an all-volunteer army through additional taxes," Flym says. And how can there be such a danger when President Nixon is withdrawing troops from Vietnam?

In the past, the courts have avoided the ultimate question of the war's legality by saying that Vietnam is a political matter, not a legal one, and therefore not subject to the court's review.

To close this loophole, Flym argues that, because one of Sisson's prime reasons for disobeying the induction order was that he had a reasonable belief in the illegality of war, the courts should rule on this issue in order to give him a fair trial.

That is the Sisson case, so constructed as to force the court to come to grips with the draft law and Vietnam. It is entirely possible, however, that the court will consider only the first argument—which contends that the Selective Service requirements for a conscientious objector are unconstitutional—and avoid the rest.

In that case, the then slightly modified Selective Service law would still require Sisson to serve for two years in "such civilian work contributing to the maintenance of the national health, safety, or interest as the local board pursuant to Presidential regulations may deem appropriate."

"Appropriate"—that's the hook on which Sisson could be caught in his second go-around with Local Board No. 114, just as his friend and neighbor, Richard Boardman, was caught.

Boardman, son of an Acton doctor, applied for C.O. status and, after the customary hassle, received it. For his service he chose to work for the Chicago office of the American Friends—in the capacity of draft counselor!

Quite understandably, his Local Board wasn't about to approve Boardman's activities. Go to work for Massachusetts General Hospital, they said. No, he said, and since you won't let me do what I want, here's my draft card and registration too. In a letter to Local 114, Boardman explained his stand:

"When I applied for recognition of my job as a draft counselor with American Friends Service Committee as suitable civilian work in lieu of military service, I found myself trying to defend my request in terms of my work there being 'in the national interest.' I had tried to defend my work on false grounds. False, not because my work is not in the 'national interest,' but because work in the interest of all humanity has a prior claim to work 'in the national interest' . . . Resisting evil, in whatever form it takes, is in the best interest of mankind."

In sentencing Boardman to three years imprisonment, Judge Francis J. W. Ford of the U.S. District Court said bluntly, "Good or innocent personal motives alone are never a defense where the act committed is an intentional violation of law."

Unless Boardman wins his appeal, he will have to go to jail.

It's not enough to say that the draft wears heavily on the ready, steady, and go soldiers of this area. In more than two weeks of living here, I've met many college students who would like to leave school, but won't for fear of being drafted. I've met doctors who've been ordered to leave their wives and practices and go to war.

I've also met Charlie Q.—"I prefer to remain nameless," he says. He graduated from an Ivy League school in June.

Charlie Q. has a job, working for a small Berkshire newspaper, but because of the enormous pressure he feels, he has taken a leave of absence while he prepares a case of his own against the draft.

"I thought it over pretty carefully," he says, "because it is a pretty big organization I'm bucking. But finally I said to myself, 'Look, man, who are you kidding? You don't even like cutting down trees and killing cockroaches . . . so why do they want you?' That's the point. They don't know that they don't want me. That's what I'm telling them. I'm having the all-time longest physical of my life—a complete overhaul, you might say. And nobody's perfect, right? So me and the doctors have turned up a few defects—my knees, my eyes, and possibly my blood. They're still debating over the strange engine in my head.

"Enough said," said Charlie Q., turning to leave. "I'm going to do battle for the life of my country."

And his first engagement would be with Mr. Gormely and his associates of Local Board No. 114.

OPEN SEASON ON THE PRESIDENT

Mr. GOLDWATER. Mr. President, I am sure that all Senators are well aware that there are in American journalism certain fads which have to do with the political or philosophical orientation of the editors in question.

Currently, the fad in liberal publications can be loosely defined as an open season on the President of the United States with special reference to his policies in Vietnam. I am happy to join other Senators who have already noted that David Broder, the chief political writer of the Washington Post, is not joining in this particular fad.

The Wall Street Journal takes full note of this today in its editorial entitled "Fads in the Fourth Estate." I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FADS IN THE FOURTH ESTATE

We're especially happy to see David Broder, whose Washington Post column is reprinted nearby, raise some pointed questions about the current onslaught against President Nixon. Ever since Mr. Nixon took office, the establishment-liberal media have been terribly faddish in their attitude toward him, and it's encouraging to see someone of Mr. Broder's standing bucking the current trend among his peers.

As anyone who reads or listens to television can scarcely have failed to notice, it's currently open season on the President in the establishment media—loosely defined as the Post, the New York Times, Newsweek, Time, the TV networks, Mary McGrory and certain other syndicated columnists. The Nixon-hunting season has periodically opened and closed, and after a bit of research we are able to pinpoint the exact dates.

On January 20, Inauguration Day, the media started their "no horns and tail" period. The pundits discovered, contrary to what they suggested during the campaign, that the President was after all no demon. Some of them even made the startling discovery that "crime in the streets" was something more than a racist codeword.

This period ended on April 7, when everyone returned from Easter holiday. Then started the period of the "do-nothing President" and the "swing to the right." The pundits seemed unable to understand that to have priorities means you don't do everything at once, but they were quite able to put together ideological trends from such events as the replacement of one liberal medical appointee by another of identical stripe.

The next period dawned August 8, with the delivery of the President's welfare-reform speech. Commentators started to talk about a "swing to the left" and a "towering" domestic program. As the media criticism abated, so did the uneasiness in the nation. We remember Max Frankel of the Times appearing on television to say he was beginning to think that the President had a bit more time than he had been given credit for before Vietnam became "Nixon's war."

The period of euphoria ended September 25, when Senator Charles Goodell rose to propose capitulation in Vietnam, and Senator William Fulbright announced that the Senate Foreign Relations Committee was sharpening its ax for the President's Vietnam policy. The tenor of the commentary since was quickly caught by Mr. Frankel's article that weekend, "Now It Is 'Nixon's War'."

These changes are suspiciously abrupt, even allowing that you could see some of them coming awhile before they popped. It scarcely seems that the real world—which the press is supposed to reflect—can change so suddenly. There are of course new developments such as a change in the position of the President or key Senators, but some of the commentators overreact to the point of artificiality, blowing up each new development into a transcendent trend.

This in turn has, in a sort of Heisenberg effect, its own impact on the real world, typically strengthening and intensifying any trend on which the establishment press chooses to concentrate. Recently this effect has become more pronounced than ever, because the changes in mood have been not only abrupt but nearly unanimous among the leading media, as the list above suggests.

One reason for the faddishness is that most correspondents are immersed in the same personal and social circles in Washington; a degree of peer-group interreaction is inevitable. Like Mr. Frankel and Miss McGrory, Mr. Broder has long ago established his credentials as a man who thinks for himself—a leader of the fads, no follower of them. Yet we cannot escape wondering if his stark questioning of the latest fad is somehow related to the fact that he is temporarily residing at Harvard rather than in Washington.

A more fundamental explanation, though, has to do with the competitiveness of the media. Each is trying to be the first to discover the next trend. A correspondent becomes prestigious among his peers and invaluable to his publication by exhibiting a superior "feel for news." Increasingly, however, this comes to mean little more than an instinct for the line the rest of the press corps is about to take—if you will, an ability to spot the next fad.

A further explanation, and the one that makes accurate predictions possible, is that the correspondents of the leading media tend to be cut from the same mold politically, socially and intellectually. Being so alike, they react to any given stimulus in highly similar and highly predictable ways.

If these reactions can be predicted by the smartest correspondents, so can they be predicted by the smartest among those who seek to exploit the correspondents. When Mr. Broder talks about learning how to "break a President," he is talking about learning how to manipulate the fourth estate's faddishness. If fascination with this sport does the damage Mr. Broder worries about, the lack of critical and independent thought in the leading media will have played no small part in the breakdown.

AMERICAN HEALTH CARE SHORTCOMINGS

Mr. YARBOROUGH. Mr. President, the columnist who writes under the initials T.R.B. has written on a timely subject in today's Washington Daily News. His column is headed: "We Are a Backward Country in Health, Though We Have the Best Physicians."

In recent months, the budget squeeze and cuts in Federal expenditures for health care, education, and research have contributed to a crisis in medical education. Soaring hospital costs have contributed to a crisis in paying for health care. T.R.B. rightly calls American health care a "nonsystem" and suggests that we are a backward country needing some expert technical advice from Sweden or elsewhere in Western Europe on how to furnish more and better health care to all the American people.

I ask unanimous consent that the column be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

T.R.B.: WE ARE A BACKWARD COUNTRY IN HEALTH THO WE HAVE THE BEST PHYSICIANS

My daughter had a baby in Helsinki two years ago and the total hospital bill was $7.50 for five days at $1.50 a day.

Seven of the 10 provinces of Canada now have compulsory health insurance and it will be dominion-wide soon. Every industrial nation in the world today, save one, has some form of compulsory health care. The one exception is the United States. In the United States the cost of hospital and medical care has risen faster than any other item on the cost of living chart; the upward slope is so steep that it is questionable whether an auto could climb it.

The crisis in health care is so severe that it seems worthwhile to turn momentarily from the deepening crisis of President Nixon with Congress, with the campus and with the enlarging segments of the rest of the country to look at it.

Mr. Nixon, at a press conference on health care July 10, said that "the problem is much greater than I had realized. We face a massive crisis in this area and unless action is taken both administratively and legislatively . . . we will have a breakdown in our medical care system affecting millions. I don't think I am overstating the case."

Or, as a Mexican-American in San Antonio, Texas, told a Louis Harris health survey for a recent Blue Cross report, "I went to the county hospital and saw a girl have her baby in the hall. They didn't have the room to take care of her."

Some of the doctors in the District of Columbia General Hospital, which treats mainly poor people, are currently in revolt over crowding and obsolete equipment. In Lincoln Hospital, New York City, some doctors are out picketing current cutbacks. Conditions are near-intolerable in many institutions over the country and this is odd, when you come to think of it, because this is the richest land on earth, and it is all of 86 years old since Otto von Bismarck introduced a national health service in Germany.

So instead of noting the anti-Vietnam war demonstration this Wednesday we just thought we would consider the conference of the Committee for National Health Insurance (CNHI) in New York City, in mid-week, with 35 or 40 organizations represented.

We believe, quite simply, that compulsory national health insurance is an idea whose time has come. Or, at least that the hand points to five minutes of the hour. The point is that it's suddenly respectable to favor national insurance and that it is gathering considerable momentum. We've quoted Mr. Nixon, and the epithets he threw at our lamentable welfare system (before proposing his widely acclaimed family income assistance plan) could go double for America's crazy nonsystem for health care.

The National Governor's Conference just

adopted overwhelmingly a proposed new universal health plan. The Group Health Association of America has come out for national health insurance. The AFL–CIO offers a plan, and so does UAW president Walter Reuther who, incidentally, is chairman of the CNHI conference. On his Committee of 100 are academic, union, church and political representatives, the latter including Senators Cooper, Kennedy and Yarborough.

Even the venerable American Medical Association has a plan. It cried "socialism" in 1953 at federal requirements for state diagnostic services for crippled children, and in 1962 labeled Medicare for the elderly "a cruel hoax and a delusion." Its current proposal seems to be a feint. It is introduced by conservative Sen. Fannin, R-Ariz., and the Medical World News (Sept. 19) says of it: "Hoping to stem the tide toward a government program, the AMA endorses an income-tax-credit health plan similar to one it advocated 10 years ago . . . Lines are being drawn for what could be the bloodiest battle yet between the AMA and liberal forces in the nation."

In fiscal year 1969 the United States spent an estimated $60 billion for health purposes. Despite this huge sum our system is so wobbly that our hospitals would collapse except for the import of foreign medical manpower. Half a dozen of the 91 U.S. medical schools are near closing for lack of funds, while thousands of students can't get funds for the long and arduous course. They graduate only 7,400 physicians a year which is no where enough. So we currently add about 7,000 foreign graduated physicians a year to America's 287,000 doctors in active practice. Many come on temporary visas for training, and foreign trainees hold 30 percent of the filled medical residencies in the country and 27 percent of the internships. "We could not operate our hospitals without them," one hospital head says.

At home we have a tight medical system that is a lot like the white Chicago builders trade union. One-sixth of the active physician manpower pool in the United States consists of graduates of foreign medical schools. A British official said recently that high medical pay in the United States has "affected every country in Africa." It seems strange, doesn't it, to send U.S. foreign aid abroad and drain away its physicians. Some of these underdeveloped countries have only one doctor to 200,000 people; we import him here and make him rich in a land where there is about one doctor per 700.

But never mind Africa. Is our own $60 billion system efficient? No, it's terrible. Private health insurance has done all it could. Millions of poor are cut off from all health services except in serious emergency. Over one-fifth of draftees are rejected for medical reasons. Fees are soaring, and hospital cost per day is $56 and skyrocketing. And the world's richest country ranks behind 13 other industrial nations in infant mortality; ranks 18th in life expectancy of males, and its death-rate among middle-aged males is higher than anywhere in Western Europe.

Really, little Sweden ought to send over teams of tactful Peace Corps volunteers to show us what to do, because we are a backward country in health though we have the best physicians in the world.

This anomaly can't last. It's preposterous. We give it five more years; less, maybe.

WALL STREET JOURNAL ARTICLES DOCUMENT MIGRANT FARMWORKER PROBLEMS

Mr. MONDALE. Mr. President, two excellent articles concerning migrant farmworkers, written by James MacGregor and Raul Ramirez, were published recently in the Wall Street Journal. The articles focus on the working and living conditions of the migrants who harvest crops in the Middle Atlantic and the Middle Western States.

As chairman of the Subcommittee on Migratory Labor, I have visited migrant camps and home base areas in California, Texas, and Florida. From these experiences, I know that the deplorable conditions so clearly described in the articles exist throughout our generally affluent Nation.

The subcommittee is at present conducting a series of hearings in migrant and seasonal farmworker "powerlessness." In the hearings, we have invited migrants themselves to come to Washington to tell their own story "like it is." So I have seen, I have heard, and I know of the despair, the hopelessness, and the poverty, illiteracy, poor health, and injustice which thousands of our hardest working citizens are powerless to change.

Articles such as the two published in the Wall Street Journal are of immeasurable value in informing the public of the irony of the tragic plight of the men, women, and children who harvest our Nation's abundance of food.

Mr. President, I ask unanimous consent that the articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Sept. 15, 1969]

MIGRANT WORKERS FIND THEIR LIVES CONTROLLED BY FARM CREW LEADERS—SOME OVERSEERS GET $50,000 A YEAR; KEEPING WORKERS IN DEBT A COMMON TACTIC—A LITTLE WINE, MUCH WORK

(By James MacGregor)

EASTVILLE, VA.—It was a long, hard summer for the vegetable growers of Northampton County, what with low prices, a drought that hurt early strawberries and cabbages and, finally, 17 consecutive days of thundershowers. To cut their losses, some farmers let whole fields of waterlogged potatoes and tomatoes go unpicked.

The farmers aren't the only victims, however. Abandoned crops also mean hard times for the Negro migrant workers who pick crops every summer on Virginia's flat, sandy Eastern Shore. Some have found only two or three days work a week this year. Others, working more regularly, are making less money than usual, because muddy fields make vegetables hard to pick.

"I can't recall a year as bad as this one," says Leon James, a 40-year-old Negro who has been traveling here from Florida with the harvest for two decades. While disappointed, Mr. James doesn't seem to be particularly worried, and with some reason. He is neither farmer nor worker.

Mr. James is a migrant worker crew leader, officially called a "farm labor contractor." Vegetable farmers here, in Florida and New Jersey pay crew leaders such as Mr. James for recruiting, transporting, paying and supervising the Negro workers who pick or grade the crops. In good years and bad, farmers need migrant workers—supplied by the labor contractors. Startlingly enough, in good years a crew leader can make up to $50,000. Farmers here contend that this year the crew leaders "are the only ones even breaking even in farming."

Mr. James says he will be lucky to clear $200 a week in Virginia this summer. But, back home in Fort Lauderdale, Mr. James and his brother Louis have "a few investments" which he says with a thin smile, "ought to see us through." They include three small apartment buildings, a fleet of 16 taxicabs and a bus service that delivers domestics to and from work. The seed money for these businesses came from the migrant worker enterprise.

The crew leader is a singular figure in American agriculture. To many a farmer he is indispensable, as the primary—or only—source of labor at harvest time. To the worker he employs, he is an absolute authority. In the labor camp, the crew leader is foreman, paymaster, Dutch uncle, money lender, grocer, policeman, judge and jury. Police and other local authorities leave the operation of the shabby, isolated labor camps almost entirely to the crew leaders.

THE WAYS OF POWER

Wielding that kind of power, crew leaders live very well indeed. Most are former field hands themselves. At best, the crew leader seems to be a benevolent despot, using his control of work, money, housing and transport for the benefit of his workers as well as himself. As crew leaders go, Mr. James is favorably regarded.

But Harvey Robuck, a thin, weathered Negro of 32 in another crew, is unhappy about his crew leader. "He picked me up in Bonita (Florida), where I was drunk at the time," says Mr. Robuck. "When we got to this place, he told me I owed him for driving me up here and for my keep. Then I had to borrow some dollars so I could eat and buy a little wine. Then comes Saturday, and he says I only got $4 coming. Five days I worked, and I only got $4 coming. I went out and had me a good time, and Monday I got to borrow a few more dollars."

Mr. Robuck finds himself trapped in the migrant debt cycle. Only the crew leader can find him work or give him a ride back to Florida. The crew leader also has him constantly in debt, furnishing wine and cigarets on credit ($1.50 for an 89-cent bottle of port and 50 cents for a 35-cent pack of cigarettes). The crew leader's two assistants have warned Mr. Robuck that he will be "cut bad" (with a knife) if he tries to leave the camp while he owes money.

BETTER THAN MOST

Mr. James says he doesn't operate that way. His workers get $1.50 an hour, average for potato graders. And he shuns the petty usury and wine sales used by some crew leadesr to inflate their incomes. Nor does he charge for lodgings and transportation to the fields, as some leaders do.

His workers also enjoy relative comfort and sanitation. They live in a red cinder-block compound put up by Eastville farmer Rob-Hoeffner at a cost of $30,000 last year. Mr. Hoeffner employs the James crew each year. The compound replaced an old, dilapidated labor camp. The Spartan 10-foot-by-12-foot rooms are no cozier than Army barracks, but they are clean, dry and free from bugs and rats. Mr. James insists on periodic cleanups and on keeping the compound neat. When a worker recently broke down a door during a dispute with his wife, Mr. James made him pay the $38 repair bill. Some camps have dismal accommodations: one crew leader has housed his charges in an abandoned potato shed.

The James crew benefits also from the help of outside agencies in the area. Day-care centers tend the workers' infants, and each day a yellow bus hauls children to a special school for migrant families in nearby Accomack County. There is some dispute about the school's quality but it keeps the children out of the fields and feeds them solid, balanced meals to supplement a diet that often consists only of pork, beans, cabbage, rice and bread.

The migrant health project in Nassawadox, 10 miles north of Eastville, sends Dianne Diaz, a young nursing student, to visit the camp every few days to check for sick persons who should visit the project's mobile clinic. "Mr. James is awfully cooperative," she says. "The first time I went there, he went through the camp and shouted, 'We got a nurse outside. Any of you need help, get on out there.' I've had no trouble at all since then."

Mr. James' relative benevolence contrasts with the approach of Ozell Suggs, who has a 47-man potato-grading crew. Mr. Suggs feels he "doesn't need to worry much" about health and sanitation. "If they want to live like animals, I let them," he says. His formula for success: "You keep them happy. You get them work and you pay them. Some of them like a little wine, so you give them some money and let them go get it."

How many of his crew members owe him $20 or more for wine? "I guess pretty much most of them." Does he always get his money back? "I get my money back. I don't have no trouble I can't take care of." Mr. Suggs is six feet, two inches tall, and weighs 285 pounds. The Wellington boots he wears make him look even bigger.

Crew leader Ray Gordon also has an offhand attitude toward the welfare of his workers. The migrant health project recently determined that one of them had tuberculosis and arranged admission to a sanitarium in Charlottesville. Mr. Gordon balked at letting the man—"my best worker"—go for treat-treatment during the harvest, even though the worker's positive sputum test made him a hazard to the other laborers. Only when the county sheriff intervened was the man taken for treatment.

Leon James spends much time recruiting workers, traveling to "the places where migrants hang out" in Norfolk, Baltimore and Philadelphia. But the supply is short. In desperation, he hired 10 local Negroes to help out the crew this year.

"KEEP THEM PRISONER"

Ironically, hard-bitten crew leaders like Mr. Suggs seem to have less trouble keeping workers than "humane" ones like Mr. James, who reports a high turnover. Since May 1, he has employed more than 100 different workers in his 35-to-40-man crew. "To keep migrants today, you've virtually got to keep them prisoner," says one veteran Eastern Shore farmer.

This old hand might have added that he, and the other farmers relying on migrant labor, are in something like economic bondage to the crew leaders themselves. The five trucks that haul potatoes from Mr. Hoeffner's fields belong to Mr. James. For every 100 pounds of potatoes unloaded from the trucks, Mr. James gets 29 cents. The price doesn't change, regardless of the price that Mr. Hoeffner gets for the produce on the market.

This summer Mr. James showed up at the Hoeffner farm a week late and a few workers short. That cost Mr. James and his crew of potato graders some money, but it hurt Mr. Hoeffner and Raymond Briggs, the other local farmer using Mr. James' crew, far more. Most of their potatoes had to be shipped in bulk by the truckload, fetching a lower price than if there had been time to grade out the better-quality potatoes in 50 or 100 pound bags.

Mr. Hoeffner acknowledges that Mr. James "has his faults," but, he says, "I don't think I could find a better crew leader." That was a reason for the new housing that Mr. James' workers got, and it also accounts for the 29 cents per hundredweight paid Mr. James. Some crew leaders offer to work for as little as 15 cents a hundredweight.

Mr. James and his brother Louis started the crew in 1946 when they respectively were 17 and 19. The business now includes the five potato trucks and a green and black school bus used to transport the workers. Louis, now 42, has retired from crew leading to manage the other family enterprises in Florida. Now Leon is accompanied by his father Allen, a garrulous, 250-pound former field worker, aged 60, who handles many of the dealings with the laborers.

"He cusses at you a lot," says one field hand, "but he don't mean it."

LIVING WITH THE TROOPS

Both father and son live modestly. They stay in the compounds with their crew (Allen is separated from his wife, and Leon leaves his wife and 11-year-old son in Florida during the harvest), drives old-model cars and usually dress in rumpled green work uniforms. "They're kind of like grandpappies to all of us," says crew member Roosevelt Buchanan, to whom the Jameses lent $283 for an auto repair bill before coming north to Virginia.

Not all crew leaders live modestly. On a recent evening, Roscoe Simmons, a Negro crew leader, was observed in a chauffeur-driven, air-conditioned white Cadillac, roaring past a farmer in a battered pickup truck on a local highway.

However, crew leaders, flamboyant or modest, find themselves in a dwindling industry. Migrant labor is fading from the Eastern Shore. A decade ago, there were 14,000 migrant workers in Northhampton and Accomack counties each year; now there are about 6,000.

The families that have grown vegetables here since the days of slavery now find that the sandy soil and unpredictable weather won't support crops large and uniform enough to compete with produce grown by mechanized methods and trucked in from other regions. Many large farmers and farming corporations are switching to rye or soybeans, which don't need migrant labor. Some smaller farmers are quitting the business altogether and using their land for more profitable enterprises, like tourist camping grounds.

Adding to the crew leaders' problems are the unscrupulous "free lance" crew leaders who ignore Federal regulations governing migrant labor. These contractors arrive without a work contract, house their crews wherever they can find a roof and seek work by undercutting the usual prices.

Leon James estimates that migrant laborers—and crew leaders with them—will have vanished from the Eastern Shore within 10 years. But the Jameses will keep at it until the end. Leon says simply, "I like crew leading," and his father Allen says, "I do it to keep busy. It's all I got to do now."

[From the Wall Street Journal, Sept. 19, 1969]

MIGRANT FARM HANDS STRAIN FOR $1 AN HOUR HARVESTING CUCUMBERS—A REPORTER FINDS THE WORK DREARY, HOUSING SQUALID; WORKERS ACCEPT THEIR LOT—"MOTHER SAID I'D BE POOR"

(By Raul Ramirez)

KEELER, MICH.—The migrant farm worker tends to dream of the "nice field" or the "$100 deal" ($100 a week) that lies ahead in a rosier future. "Just wait until we get to Ohio," says an aging Mexican-American laborer. "The tomatoes will be as big as pumpkins, and we'll have work every day."

Listening to such talk is dispiriting, for the plentiful crops, good living conditions and generous pay never seem to materialize. The old worker concedes that he got to the Michigan fields too late last year to do well. "But this year—you wait and see," he says smilingly.

I saw. In a week-long stint as a cucumber picker, I found that the $100 wage is more likely to be $40 to $60 a week, with grinding labor, dreary housing, inadequate food, and an economic system that fixes the worker in bondage to his crew chief. The hopeful chatter in the evenings comes to seem like idle dreaming indeed.

Nobody knows precisely how many migratory farm workers there are in the U.S.; the Senate subcommittee on migratory labor has estimated that there are 276,000, most of them originating in Florida, Texas and southern California. The migrants at my camp came mostly from three distinct groups: Mexican-American families that make a yearly circuit from Florida through Michigan, Indiana and Ohio back to Florida; white Americans who head north from Tennessee and Kentucky in their dilapidated autos each summer in search of temporary work; and rootless single men who roam the countryside working long enough at each stop to buy food and drink. At my camp they ranged in age from five to more than 70.

In this portion of Michigan the crops are cherries, apples, cucumbers and an array of other fruits and vegetables. Picking cucumbers, I found that you have to scramble to make $1 an hour.

On the first morning, a burly Mexican-American overseer thrust a plastic half-bushel basket into my hands and informed me that I would be paid 45 cents for each time I filled it. "Get to work," he snapped, repeating the command in Spanish to make sure I understood.

It turned out that the field in question already had been picked once. The big cucumbers were gone. Left on the vines were the smaller vegetables, and over-ripe ones. A cheerful 13-year-old girl showed me how to beat the system, putting the less desirable vegetables in the bottom of the basket and the acceptable ones on top.

TWO AN HOUR

"That will fool them at the truck," she said smilingly. It did. My baskets were accepted without comment and emptied into a big crate. Even so, I only managed to deliver six baskets in the first three hours of work, for earnings of 90 cents an hour. Occupational hazards included scratches from the prickly vines, cramps in the lower back and eventual aching of the thigh muscles. Other workers said I was proving quite productive, however.

Jesus Flores, the crew leader who had recruited and transported most of the workers to Keeler to work as a team, said that he only got paid 10 cents for each basket of cucumbers delivered by his laborers. "It isn't as easy for me as you think," he said.

Mr. Flores was a better than average crew chief. For instance, he didn't charge for transportation to the field each day, as some chiefs do. But he had extra sources of income. On payday, he deducted 20 cents from my wages, "for the Government." But he never asked for my Social Security number. And I had difficulty collecting from him for my last day's work—90 cents for two baskets of cucumbers. Finally he pulled a $1 bill from his pocket and handed it to me. "Keep the change," he said.

Home for me in this labor camp was a nine-by-12-foot cabin, one of 10 such structures standing back to back in a double row. Fire had blackened part of the walls and roof, but my cabin had two rusty metal beds, a decaying couch, and an old refrigerator and stove—amenities lacking in many camps.

However, it lacked plumbing, shelves and closets. Old paper bags and newspapers had been used in an unsuccessful attempt to plug cracks in the walls and ceiling. It was stifling hot in the daytime, freezing cold at night. On the walls were momentos of earlier residents—drawings of cars, mountains and houses, and the penciled message "Ignacio loves Maria."

AN OLD HAND

One of my roommates, a veteran on the migrant labor circuit, had had the foresight to bring a faded blanket with him. This was Jess, a 24-year-old Mexican-American whose right arm and leg are withered from a childhood disease. Jess has worked in the fields since quiting school in the sixth grade.

My other roommate and I made do without blankets or other bedding. He was Steve, a 19-year-old Tennessean who recently spent 37 days in jail for driving a stolen auto. Now a drifter, he has been trying to save enough money to head for Detroit, Chicago, or back to Tennessee. "Anywhere," he said, "just to get out of here."

The cabinet stank of sweat, grease and rotting fruit. Fully clothed for warmth, I slept on a torn and fetid mattress above springs fastened to the bed with bits of rope, old electrical cord and coat hangers. Flies and mosquitoes circulated freely.

It is an existence that a young single man can endure. For families, it is grim. The camp's four crude privies stand in a nearby apple orchard. They smell awful, and many workers simply wander into the orchard. Water, for bathing, drinking and cooking, comes from two taps at one end of the row of cabins.

Next door a family of nine was crowded into a cabin the same size as ours. Ignacio, eight years old, told of the routine in the cabin: "We just turn off the light to keep mosquitoes away and go to bed. My mother then tells us stories about herself and our family. Then we pray together for a while and go to sleep."

Beans and pork chops were my diet for the week I was at the camp, although my roommates and I occasionally slipped into nearby fields in the early morning or late at night and snitched a few peaches, apples or potatoes. Jess and I ate from a single plastic plate, using the only spoon in the cabin to scoop the food onto pieces of bread. We shared an old water jar.

For medical problems there was a clinic in Keeler, two miles from the camp. But crew leaders weren't eager to have workers take time off for the excursion. Next door a five-year-old boy had received 11 stitches for a cut in his foot, but hadn't returned to the clinic for removal of the stitches. The foot was infected and swollen. "I was supposed to take him back to have the stitches out," said his mother. "I've mentioned it to Jesus (the crew leader) a couple of times, and he's changed the subject."

So resigned are migrant workers to their situation that they often fail to seek out existing facilities. Church groups and state agencies offer various kinds of assistance that the migrants seem not to know about. For instance two miles from the camp the Michigan Migrant Ministry has an office that provides canned food and clothes to migrant families at little or no cost. But most migrants were ignorant of this service.

One reason is that some growers and crew leaders make it difficult for outside agencies to establish communications with the workers, viewing such visits as a possible challenge to their authority. Most of the camps in this region are surrounded by signs reading "Keep Out" or "No Trespassing." One local farmer recently beat up an employe of the United Migrant Opportunity Inc., a Federal Office of Economic Opportunity agency. The agency has vowed to move against attempts to isolate workers from outside help.

The fatalistic outlook of the workers is evident in the words of a Puerto Rican woman, a mother of six: "There just isn't enough work around here, and the pickles are too scarce when we do work. When I was little, my mother told me that we were poor, and no matter how hard I tried, I would always be poor. You know what? She was right. That's why I don't kill myself working. It isn't worth it."

Why don't the workers unionize? "I don't mess around with that," said one Mexican-American man. "Look, the minute you start talking of unions and strikes you'll get kicked out of the camp. And how the hell are you going to feed yourself and your family if you don't have any money, no work and no place to go? It's bad enough the way it is, but it could be worse."

The camp where I worked is owned by Ferris Pierson, a grower member of Michigan Gov. William Milliken's commission on agricultural labor. "I'll be the first to admit that some of this housing isn't the best in the world," Mr. Pierson says. But he believes his cabins are above average. "At least we provide them with bottled gas, stoves and refrigerators," he remarks.

Mr. Pierson says he even allowed some cucumber pickers working for another grower to stay in his cabins. "They literally came to me with tears in their eyes," he says, adding, "What are you going to do with these people? What I want to know is what the Government is going to do with these people—what anybody is going to do for them."

He sees hard times ahead for growers, who are faced with rising costs and diminishing profits. "The farmers are just about at the end of their rope," Mr. Pierson claims. And, he says, the crew leaders are apprehensive too. "I think a lot of them are more worried about what's going to happen three years from now than about the conditions today."

FAMILY PLANNING: PUBLIC PRIORITY AND PRIVATE RIGHT—I

Mr. TYDINGS. Mr. President, I was delighted by the announcement of the Senator from Missouri (Mr. EAGLETON) that he will be the chairman of hearings of the Health Subcommittee of the Committee on Labor and Public Welfare on S. 2108, a bill I introduced with 23 cosponsors to expand, improve, and better coordinate the family planning service and research activities of the Federal Government. The hearings are scheduled to take place on November 12 and 13.

The population problem has become a priority of enormous national and international importance. For, as I shall seek to document in the RECORD each day for the next month, it bears a direct causal relationship to much of the human deprivation and discontent we confront today in this country and throughout the world.

On a global level, the population explosion represents one of the greatest crises currently confronting mankind. Presently, the world's populace is doubling every 35 years. There are approximately 3.5 billion people inhabiting this planet today. By the year 2000, there will be 7 billion. Were this rapid rate of population increase to persist for another 600 years—an insignificant time span in man's million year history—there would be one human being for every square foot of the earth's surface, land and sea.

Needless to say, such a world would hardly be a pleasant place in which to live; it might not even be livable at all. However, for better or for worse, we will never have to contend with such a situation. Nature will not permit this "standing room only" condition to materialize.

Man's day of reckoning with this problem cannot be put off 600 years, or even 50 years. Whether we wish it or not, the present imbalance between births and deaths will be redressed within our lifetime. Either the nations of the world will act in time to defuse the population bomb with humane programs to reduce birth rates sharply, or nature will ruthlessly restore the balance with her traditional culling tools of war, famine, and disease—the feared Horsemen of the Apocalypse. Either a "birth rate" solution, or a "death rate" solution. The choice is still ours, though not for very long.

America's contribution to this global problem must begin right here at home. For the fact is, the United States also has a serious population problem of its own. If we cannot cope with our population problem, we will hardly be in a position to lead the other nations of the world in the fight to preserve the planet for future generations.

The bill on which the Health Subcommittee's hearings will be conducted, S. 2108, will deal primarily with the domestic aspects of the population problem—although there are certainly important international implications as well.

In 1950, 151 million people were living in the United States. Today there are 202 million. By the year 2000—30 years from now—that number will swell to 300 million. In short, the population of this country will have doubled in the last half of the 20th century.

What will the addition of 100 million people over the next three decades mean to us as individual Americans? The very quality of life in this Nation will be threatened. Our already critical environmental and pollution problems will be exacerbated; slums will spread; the crime rate will rise; our public services will be eroded.

This is the problem of aggregate population growth in this country; and it represents the most serious long-term aspect of the population problem. But it is not the most pressing aspect.

The most immediate and pressing aspect is a structural or family problem. It affects particularly that segment of the population which has not followed the national pattern of reduced fertility but rather has continued with high birth rates and has therefore not shared to the full extent in the national prosperity.

Surveys have revealed, popular wisdom to the contrary, that low-income families in the United States desire fewer children than their middle- and upper-class counterparts. But they end up with larger families. Chicago's poor, for example, are saddled with a birth rate which equals that of India. The reason: More than 4 million low-income women who want and would use family planning services and contraceptives are not receiving them.

And the price these women pay is not merely the inconvenience of more children than they desire. The price is increasingly long odds that they and their families will ever escape from the poverty that oppresses them. For family size is a cause of poverty as well as an effect.

The dilemma facing the impoverished family is much like that confronting a developing nation. As the National Advisory Commission on Rural Poverty explained it:

> A vicious cycle of poverty and fertility is at work . . . Because they [the poor] do not limit the size of their families, the expense of raising unwanted children on inadequate incomes drives them deeper into poverty.

The results are families without hope and children without futures.

In other words, any effective campaign to eliminate poverty in this country must include programs which make family planning information and contraceptive devices on a voluntary basis to all who desire them. For the right to be able to plan one's family is as essential a part of full freedom of opportunity as the right to a decent home, the right to an education fully commensurate with ability, and the right to a good job.

Before discussing the status our current family planning service and research programs and the shortcomings S. 2108 is designed to correct, I would like to devote the next few days to a careful description of the related problems of population and poverty in this country. Therefore, I ask unanimous consent that the excellent article entitled "Unwanted Births and Poverty in the United States," written by E. Sherman Adams, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Conference Board Record, April 1969]

UNWANTED BIRTHS AND POVERTY IN THE UNITED STATES

(By E. Sherman Adams)

(A vicious circle of poverty and fertility is at work . . . Because they [the poor] do not limit the size of their families, the expense of raising unwanted children on inadequate incomes drives them deeper into poverty. The results are families without hope and children without future.—National Advisory Commission on Rural Poverty.) [1]

Most Americans are not yet aware that unwanted births are a major factor perpetuating poverty in this country. Moreover, this is an evil which, if we decide to, we can cure—and at small cost.

Reports, speeches, books, articles and TV panels discuss at length other aspects of poverty—squalid housing, decayed neighborhoods, hunger and disease, unemployment, social barriers, and inferior schools. And many billions of dollars are expended annually on programs to alleviate these problems.

In sharp contrast, you rarely hear any reference to the high birth rate among the poor. Seldom does a writer or speaker mention that this intensifies and prolongs poverty in both urban and rural America. And the government spends the merest pittance on family planning services.

One recently published book includes 19 essays on various aspects of poverty in this country. You would search in vain to find a single reference to the birth rate or birth control. This is not unusual; it is typical.

Even the voluminous report of the National Advisory Commission on Civil Disorders contains only one brief paragraph on the subject. One of the three sentences in that paragraph does state that broader provision of family planning services that could make "a significant contribution" to breaking the cycle of want and dependency, but the rest of this 174,000-word report deals with other matters.

IN THE UNDERDEVELOPED COUNTRIES—AND HERE

Considerable attention has been given in recent years to the alarming implications of the population explosion in underdeveloped nations, and there is increasing recognition that rapid population growth breeds destitution, disease and ignorance in those countries. But few realize that the same process is at work in our own disadvantaged areas.

Not long ago, an assemblage of distinguished intellectuals gathered at Arden House, New York, and spent four days discussing "The Population Dilemma" both in the U.S. and elsewhere. But the published report on this convocation hardly even hints that unwanted births among the needy are one of the basic causes of chronic poverty in this country.

Actually, the linkages between fertility and want in the United States are very much the same as in Latin American, Asian and African countries. They are more obvious in those nations primarily because a much larger proportion of the people are poor, their deprivation is greater, and large numbers of poverty-stricken children are much more in evidence than in this country.

In South American cities for example, the visitor is always conscious of the surrounding *barrios* swarming with ragged waifs. But in the United States, poverty is less visible. Many of us rarely see the squalor of slum areas; we keep to the superhighways that bypass them. Most Americans have never visited any of the South's miserable Tobacco Roads.

And there are some who, in their concern about the underdeveloped countries, completely dismiss the problem in this country.

An eminent Stanford professor of demography recently cited the overall population growth rate of about 1.2% in the U.S. and observed: "Surely our affluent society has the resources to cope with this level of growth." [2] The critical problem, however, is not among the affluent, but among the poor. This is not a question of the overall growth rate for the nation as a whole; it is a problem of literally hundreds of thousands of unwanted babies born each year to poor families who become trapped in a subculture of despair.

Economists see plainly that in other parts of the world the disastrous famines predicted by Malthus may materialize, but they are confident that in this country, population will not outrun the food supply—at least not in the immediate future. The urgent problem here is admittedly not famine; it is the role of the high birth rate in perpetuating poverty. And this is something which is not discussed at all in economics textbooks.

"AND THE POOR GET CHILDREN"

There can be no doubt about the seriousness of this poverty-fertility circle. In the first place, there is ample data to document the saying that the rich get richer and the poor get children. Chicago's poor, for instance, have a birth rate on a par with India's. For the nation, the fertility rate—defined as the number of children born per 1,000 women in the 15–44 age group—is 55% greater among the poor than among the nonpoor. It inevitably follows that there is a much higher proportion of large families among the poor.

A recent Census Bureau report shows that 38% of all poor families with children, white and nonwhite, have four or more children, contrasted with only 17% of all nonpoor families. Indeed, among the poor, 24% have five or more children, contrasted with only 7% of all nonpoor families.

And, of course, in a high percentage of needy families, the mother today is still of child-bearing age and will have more children. Many of the poverty-stricken families which presently have fewer than four children will eventually have four or five or six or more, unless they receive family planning assistance.

To put it somewhat differently, less than 10% of all families with only one or two children are poor, whereas 35% of all families with five or more children are poor. And again, the prospect today is that many of the poor families who now have only one or two children will eventually be in the five-or-more category.

According to Census Bureau statistics based on criteria established by the Social Security Administration, approximately 26 million persons in the United States today subsist in poverty. This figure is calculated on the basis of minimum nutritional standards and estimated minimum incomes required by various-sized families.

Some contend that this formula exaggerates the number of persons who really should be classed as being poor, and there would seem to be some validity in certain of these criticisms. On the other hand, one can hardly shrug off Census Bureau figures which show that the 26 million persons classified as poor have an average of only 70 cents per day for food for each member of the family. Moreover, there are almost a million more persons whose incomes would be below the poverty line if they were not receiving welfare.

In any event, the Census Bureau data are the best available, and even though the 26 million figure is debatable, percentage breakdowns based on these data are undoubtedly representatives of very low-income families and individuals, however defined.

One such breakdown shows that of the 26 million poor persons in the country, 10½ million, or 41%, are children under 18, and most of these poor children are in large families. Of all children who are poor, 63% are in families which already have four or more children, and 45% are in families with five or more. And the plight of many of these children will become progressively worse as more unwanted babies arrive.

It is clear that a very high proportion of all poor persons are poor primarily because they were born to poverty. This obviously applies to virtually all of the 41% who are children. It also applies to millions of poor adults who were reared in poverty. Millions who are born poor are doomed to life-long poverty.

To be sure, some who are born to poverty are eventually able to improve their economic status. But many do not, and this is particularly true for those who grow up in large families. These account for a large percentage of the 15½ million adults who are poor. In their case, poverty and unwanted births have led to continuing poverty.

It is plain that if the birth rate were no higher among the poor than among the nonpoor, there would be far fewer poor persons. For one thing, of course, this high natality is responsible for the fact that so many of these persons were born. But there is much more to it than that. Children in large poor families have far less chance of ever escaping from the cycle of want than those in smaller families.

HANDICAPPED CHILDREN

Research shows conclusively that children in large poor families receive less attention from their parents, are less healthy, and are relatively less stable and confident than children in smaller families. In school, they show appreciably lower levels of mental development and therefore have less chance of ever rising themselves from poverty. A higher percentage of them become school dropouts, and some who do sit through high school receive, not diplomas, but "certificates" which are evidence that the recipients never attained eighth grade reading level.

In many instances, truancy and juvenile delinquency are side effects which further reduce the child's chances for economic betterment. All of these factors have psychological consequences which increase the odds that by the time the child reaches adulthood, he will be virtually beyond redemption.

A high percentage of these children will eventually join the ranks of the unemployed. Many will have no qualifications for holding a job. A substantial proportion will go on relief, which has become an inherited way of

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life in an increasing number of localities—a family tradition. Among their number will be some alcoholics, dope addicts, and criminals.

Planned Parenthood Federation tells of a case in point. A court in Brooklyn sent for the father of three juvenile delinquents in trouble with the law. The father told the policeman he could not come; he was too busy taking care of his eight other small children—and his wife was in the hospital giving birth to their 12th. The family was on relief.

Many unwanted children suffer from deep emotional problems. A prominent child psychiatrist writes that a deficiency in maternal care can lead to serious disturbances in mental health and development; unwanted children are subject to such a deficiency. He feels more planned parenthood is needed to prevent this emotional crippling. Unwanted births are, in this sense, a public health hazard of the over-population problem.

And as these children in large families grow up, the vicious cycle of fertility and poverty is repeated. Most of them marry young and immediately start having offspring at a rapid rate, thus insuring a large new generation of seriously disadvantaged children.

The more children poor families have, the poorer many of them become and the less chance they have of escaping from the bondage of poverty. One obvious reason is because each additional child means another mouth to feed and another body to clothe. Resources per child are reduced by every birth even if the family's income does not decline.

But in many cases, income actually declines. In 1966, 35% of all poor children were in households headed by women, the poorest of all the groups among the poor The main source of income of most of these families is what the mother can earn and the more children she has, the less chance she has to work. Census data show that the average income of female-headed households is highest for those with only one child and that it declines sharply in direct proportion to the number of additional children.

A major reason why so many women and children are in this trap is desertion by the father, and a principal reason why many husbands abandon their families is because they have so many unwanted children. Census data indicate that poor female-headed households contain more children, on the average, than male-headed families. The Commission on Rural Poverty asserts:

"Unwanted pregnancies can, and often do, wreck any chance for a better life for either parents or children . . . The resulting stress and disorganization of family life are often too much for the father. In thousands of cases he gives up and deserts the family."[3]

A report by a member of a team of doctors who conducted a study in the Delta counties of Mississippi states:

"The homes visited were usually occupied by mothers, worn and tired and looking much older than their actual ages. Their children would range in number from four to ten. Most often there was no father. Questioned as to his absence the responses would be 'we are separated' or, simply, 'I don't know where he is.'"[4]

FERTILITY AND UNEMPLOYMENT

The high birth rate among the poor is also a major cause of their high rate of unemployment and underemployment. The great majority of disadvantaged youths cannot find employment except in unskilled jobs. Progress in industrial technology has been rapidly reducing the percentage of unskilled jobs in the U.S. economy. This is as true on the farm as in the city. In the span of only seven years, 1959–1966, unskilled jobs as a percentage of total civilian jobs declined from 30% to 23%. The lower rungs of the economic ladder are being lopped off.

Meanwhile, because of the high birth rate among the poor, there has been a correspondingly rapid increase in the number of unskilled youths.

This imbalance between supply and demand in this part of the labor market is a basic reason for the high rate of subemployment among disadvantaged youths. In all probability, it has also tended to hold down wages in unskilled occupations.

This situation will become progressively worse over the years ahead, even under conditions of sustained general prosperity. In New York City, for instance, over half the ghetto unemployed were formerly employed, if at all, as laborers, but less than 1% of the new job openings expected to become available in the city between 1965 and 1975 will fall into this nonskilled classification.

The underprivileged are being left ever farther behind by rising national educational norms. It is estimated that during the 1960's alone, about 7½ million youngsters will have left school without a high school diploma. In a study on *Effects of Family Planning on Poverty in the United States*, Dr. Harold L. Sheppard, an authority in the field of industrial sociology, states:

"One of the results of continued high fertility rates among impoverished families is that a disproportionate number of youths entering the labor force from such families cannot be adequately employed in an economy such as that in the United States of the 1970's and beyond."[5]

Increased efforts will undoubtedly be made to improve the education and training of the disadvantaged, but this is a herculean task that will require many years to accomplish. If natality among the poor remains as high as it is now, the efforts of educators, business and government to alleviate poverty will continue to be largely cancelled out by unwanted births.

A HALF MILLION UNWANTED BIRTHS A YEAR

The number of unwanted births among the poor and near-poor is much larger than is generally supposed. Even if one were to assume that the poor want as many offspring as the nonpoor—which they do not—then the number of unwanted births among the poor would be the number in excess of what would have been produced at the fertility rate desired by the nonpoor. On this basis, it has been calculated by the Natality Statistics Branch of the U.S. Public Health Service that in 1966, the 8.2 million poor and near poor women of reproductive age had 451,000 unwanted births which might have been avoided. Another estimate places the number of unwanted births at 545,000.

One reason for the lack of public concern about this whole problem is the widespread assumption that the poor have large families because they want them, or perhaps do not care how many children they have. This upper-class notion is utter nonsense. Its falsity has been repeatedly proven by careful research.

One authoritative report prepared by three eminent experts in this field was based on interviews with a representative national sample of married women in 1960. The study showed that lower-income couples wanted somewhat *smaller* families than higher-income couples. On the average, nonwhite poor couples wanted even fewer children than whites.

Similarly, a study in 1961 by a Princeton research team showed that most blue collar wives want *fewer* children than white collar wives. A survey by a prominent sociologist among Chicago families substantiated the preference of nonwhites for smaller families than whites. Further corroboration was provided in a 1965 survey by the Florida State Health Department.

An official of the Southern Regional Council who surveyed conditions in Mississippi reports:

"No program of birth control is available to the poor, although every mother with whom I talked expressed a desire for help in limiting her family. A few who did know about 'the pill' had not been able to afford it."[6]

The place of family planning in the hierarchy of needs of the poor is indicated by a survey among 2,081 very low-income families in Detroit, about half of whom were white and half nonwhite. Interviewers found that birth control ranked sixth among the myriad services required by these families, ranking below only such pressing needs as financial assistance and job training.

FAMILY PLANNING DOES WORK

Another common misconception is the belief that little or nothing can be done about the high natality of the poor. Talk with a few doctors, social workers or Planned Parenthood volunteers and you will hear a different story. These people know at first hand that the availability of birth control facilities makes a tremendous difference in the lives of low-income families.

A number of other countries, including some which, ironically, Americans sometimes refer to as being "backward," are more advanced than the U.S. in providing subsidized family planning services. A number of them can already present impressive evidence of the effectiveness of these programs.

For example, South Korea succeeded in reducing its growth rate from 3% per year in 1962 to 2.5% in 1966. Taiwan has seen its annual growth rate drop from 4.5% in 1955 to 2.3% at the end of 1967. In Singapore, the birth rate declined 39% in the decade from 1957 to 1967. In Puerto Rico, natality was reduced nearly 20% from 1956 to 1966.

Official birth control programs are also being developed in India, Egypt, Kenya, Pakistan, Tunisia and Turkey. Some of these have so far been handicapped by the lack of trained personnel. Also, in some of these countries, many of the poor apparently *want* large families—partly from fear that some of their children will not survive—and birth control programs are viewed with deep suspicion.

In the United States, however, it is certain that unwanted births among the poor could be substantially reduced by an adequately funded family planning program. The evidence is overwhelming that in this country, the poor do want help and that they do respond effectively to family planning services.

For instance, analysis of results of Planned Parenthood and Health Department programs in Baltimore, New Orleans and Washington, D.C., as well as in rural areas from Kentucky to Texas, showed significant declines in the birth rates among the poor—in one case, as much as 36%. And comparable results are reported elsewhere.

In a low-income section of Chicago, the birth rate declined more than 20% within four years after the introduction of a planned parenthood program. A program in a rural county in Louisiana resulted in a 32% drop in the birth rate in one year's time, compared with a 6% decrease in the four surrounding counties which lacked a program.

In Mecklenburg County, North Carolina, the health and welfare departments have combined to make birth control services available to the needy. In the first year of this program, 732 women enrolled and no pregnancies were reported. These same women previously had a total of 3,440 pregnancies. The cost of welfare in the county has been sharply reduced. In human terms, the savings are far greater.

A doctor who initiated a family planning program among the rural poor in Appalachia reports that the response has been "overwhelming." One of the public health nurses

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there wrote: "Words cannot express the joy and pleasure these women show on being offered this help."[7]

The fact is that millions of poor and near-poor in this country have for generations desperately needed family planning services. According to the Commission on Rural Poverty: "Because these people are poor, they do not know how to plan their families nor do they know where to turn for help in planning."[8] It is a shocking commentary on our affluent and supposedly humanitarian society that we permit this situation to continue to contribute to the perpetuation of poverty in the midst of plenty.

FAMILY PLANNING VS. ILLEGAL ABORTIONS

Contrary to the popular notion that abortion involves mostly illegitimate pregnancies, it is actually more a problem of married women who have several children. The present dearth of family planning services is a major reason for the large number of illegal abortions in this country, estimated to be around 1,000,000 a year—one for every four live births.

Most state abortion laws are severely restrictive and so is their application by hospital boards. In Colorado, the first state to liberalize the law, boards approved only 398 hospital abortions between January 1 and October 31, 1968. Nineteen out of 20 requests were turned down. A "liberalized" California law has not worked any better.

A large percentage of these 1,000,000 illegal abortions are performed under unsanitary, unsafe conditions. The great majority of women must seek "underworld" abortions from hacks, medical butchers or midwives with little or no gynecological training. No one knows how much harm is caused to the women forced to resort to this dangerous expedient. Nor is it known how many women die each year from self-induced abortions.

One approach to this problem would be to make abortions safe by giving them official sanction. Japan did this primarily as a means of population control and with spectacular success. Its birth rate was cut in half between 1947 and 1958.

In the United States, however, attempts at reform meet strong opposition. In most states, truly liberal abortion laws appear to be many years away. The obvious alternative, and one which is far more easily attainable in the near future, is Federal action to reduce unwanted pregnancies by making family planning services more accessible. This would not solve the problem completely, but it would go a long way toward it.

A BASIC HUMAN RIGHT

Some persons apparently assume that family planning programs might involve coercion and feel that this would violate human rights. However, the Planned Parenthood Federation has always emphasized the voluntary character of its programs. It seeks only to make family planning services accessible to those who need and want them.

At the annual conventon of Planned Parenthood-World Population last November, delegates adopted a resolution stating: "No one should be forced to use birth control . . . We must be especially vigilant to preserve freedom of choice about family size for welfare recipients and other Americans dependent on public assistance." Actually, in the case of most of the poor, it is really not a matter of *preserving* freedom of choice about family size, but a matter of *giving* them that freedom of which they are presently deprived because they are not receiving the assistance they need.

Indeed, it is a fundamental right of all parents to plan their families. The International Conference on Human Rights which met last year in Teheran adopted the following resolution with no "nay" votes: "Parents have a basic right to determine freely and responsibly the number and spacing of their children."

Family planning is now practiced by an overwhelming majority of middle- and upper-income couples in this country, whites and nonwhites as well. Among the poor, however, it is estimated that 36% of all births are unwanted. Unless we make family planning services available to these people, we will continue to deny them one of the most important human rights. This right is particularly vital to them because its dential condemns many of them to unending poverty.

Moreover, voluntary limitation of family size carries a strong moral sanction. Parents have responsibilities to the children they bring into the world. In the case of parents who are poor, the most urgent of these responsibilities is to see to it that their youngsters have the best opportunity they can give them someday to escape from poverty.

THE FINANCIAL COSTS

We have been discussing mostly the human costs of unwanted births among the poor, the costs in terms of misery, deprivation and degradation. Let us look at the financial, social and economic costs. They are enormous.

One of the more obvious effects is on the cost of public assistance. Despite the biggest business boom in history, welfare rolls have been expanding and relief costs soaring in recent years. One of the largest and fastest growing segments of the welfare program is known as Aid to Families with Dependent Children. Between 1955 and 1968, the number of AFDC recipients skyrocketed by 3.4 million persons, more than 150%. Today the number on AFDC—over 5.6 million—is more than twice the combined total of all others on relief, such as the old, the blind and the disabled. Half of the children receiving this aid were the result of unwanted pregnancies.

But unwanted births have a far greater impact on relief costs and on other public expenditures than just on the AFDC program, because they are partially responsible for the continuing existence of poverty. In 1968, total outlays for public assistance by all levels of government—Federal, state and local—amounted to $10 billon, an increase since 1960 of almost $6 billion, about 150%. In New York City alone, welfare expenditures now exceed $1 billion annually and are burgeoning at the fantastic rate of 20% per year.

And there are other expensive Federal programs which constitute aid to the poor, such as public housing, education, employment and health services, and other forms of income maintenance assistance. In 1968, expenditures for programs of this type totaled $17 billion.

Since unwanted births among the poor are a major reason for the perpetuation of poverty, they must also be a major reason for the magnitude of total welfare payments and other outlays for the poor and for their continuing growth.

By the same token, the high birth rate among the poor contributes to many other costs of government, especially at the local level. It increases the demand for all municipal services—sanitation, health facilities, law enforcement, programs to combat delinquency, alcoholism and addiction, and so on. It adds enormously to the cost of public education, the largest item in all city budgets. At the state level, it means need for more mental, penal and health institutions, and for more thruways to enable suburbanites to flee the city at the end of the day.

THE SOCIAL COSTS

It is impossible even to estimate some of the social costs involved, such as the extent to which the rapid growth of population in the ghetto exacerbates racial tensions and social unrest. Many observers believe that continuing poverty constitutes a very real and growing threat to our social order.

The overcrowding of central city schools by an influx of children from deprived backgrounds has been causing a sharp deterioration in the quality of public education in these areas. This has accelerated the migration of middle-class families to the suburbs to find better schools for their children, thereby widening the gulf between the central cities and the suburbs.

Over the years ahead, most of these many costs, both financial and social, will in all probability increase substantially. Take welfare. The great majority of those in want are presently either receiving no public assistance whatever or allowances which are utterly inadequate—$34.55 per month for the average family in Mississippi, for example. More than three-fourths of all poor children are in families who are not yet on AFDC. This situation is not likely to continue indefinitely.

Moreover, the income of most families on relief is still below the poverty level, and increasing attention is being given to various plans of income maintenance, such as the negative income tax, to bring all Americans up at least to the poverty line. In addition, there is the possibility of a system of wage supplements for low-paid workers.

It is clear that the Federal government will also greatly expand its outlays on urban housing. The Housing Act of 1968 calls for the rehabilitation or construction of six million shelter units for the needy over the next ten years. And construction costs, already rising at the rate of 5% a year, will be under increased pressure in coming years. Rent supplements and interest subsidies are scheduled to increase sharply.

Similarly, expenditures on public education have been mounting rapidly in recent years and there is every indication that this will continue. Indeed, they are likely to accelerate wherever serious efforts are made to provide disadvantaged children with the quality of education they need. And so it is with many other governmental programs.

THE ECONOMIC COSTS

From the standpoint of the economist, one of the big costs of poverty is that the poor are a drain on the economy. Many produce nothing whatever, except children they cannot provide for, and the productivity of those who do work is very low. Most of them pay no taxes and never will.

During the Industrial Revolution, many of the well-to-do owed their affluence in part to the exploitation of the productive labor of the poor—the "downtrodden masses." But in our era, most of those who are productive are comparatively well off. And the poor, instead of being a source of wealth, are mostly unproductive and are a heavy burden to society.

In fact, the high natality among the poor results in a large-scale diversion of resources to support children who were unwanted in the first place and who are fettered with great handicaps. These offspring constitute new, continuing claims on the meager incomes of their unfortunate parents and on the funds of the community available for social betterment.

At birth control clinics, the cost of providing family planning services averages only $20 to $25 per patient per year. The saving to society from not having to support unwanted children and provide them with all kinds of public services would be far in excess of the negligible cost of helping the parents to avoid births they do not want. Estimates of the benefit-cost ratio of family planning programs range from 50-to-1 up to 100-to-1.

Indeed, no other program that is politically feasible would even begin to compare with family planning in effectiveness in reducing poverty and the costs related to poverty. Until we make an adequate investment of this kind, the unfettered stork will continue to frustrate increasingly expensive programs to alleviate poverty. And the greatest return on

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such an investment would be not in dollars but in human terms.

WHAT IS BEING DONE?

How much is being done in the United States at the present time to help the poor in limiting the size of their families? The answer, in general, is: Nowhere near enough compared with the need.

It is estimated that about 800,000 medically dependent women are presently being served by family planning facilities, public and private, and that there are almost four and a half million others who still need to be reached, about two-thirds of whom are white, one-third nonwhite. And there are many more families hovering above the poverty line who urgently need these services too.

Planned Parenthood groups sponsor some 470 birth control clinics throughout the U.S. These centers certainly deserve merit badges for dedication and quality of service, but most of them are small, understaffed, and lacking in adequate funds.

In relation to the need, governmental action to date has been far from adequate. Although, at long last, the Federal government has recognized that it has some responsibility for the problem and has from time to time acknowledged its seriousness, actual progress has been slow and cautious. Money and staff committed to deal with it still rank below a hundred less urgent projects.

Six Federal agences are involved in one way or another in family planning. Of these, Health, Education and Welfare and the Office of Economic Opportunity are the most active. Some agencies which should be leaders in this field, such as the Public Health Service, have done comparatively little.

Although in the past the total amount expended by the government was almost negligible, $31.5 million has been earmarked for fiscal year 1969 and President Johnson's budget calls for a token increase in 1970. To be sure, this represents some improvement over previous years, but it can easily be put into perspective. For instance, HEW's 1969 budget is about $14½ billion, and the birth control/planning part represents only one-eighth of 1%. Professor Paul R. Ehrlich, professor of biology at Stanford University, calls this "less than a drop in the bucket, not even a good micro-drop."[9] In comparison with the immense costs of poverty—human, financial, social and economic—it is indeed a paltry sum.

Moreover, the Federal agencies involved have not yet adopted formal decisions to initiate programs as a matter of policy. Except for a recent requirement that family planning services must be made available to AFDC recipients, the government leaves the initiation of programs to state and local agencies and many of these are doing little or nothing about the problem. Many hospital boards are still indifferent or even hostile toward family planning. Only about one-fifth of the hospitals with large maternity services operate clinics where birth control services are available for needy patients. If state and local agencies entitled to Federal assistance happen to have such programs and request funds for them, HEW does not object, provided funds are available.

But available funds are inadequate, and some of the local programs that do exist need more money. The director of the Georgia Department of Public Health states: "There needs to be a great increase in the level of support from the Federal government for this very necessary activity."

Dr. Alan Guttmacher, president of Planned Parenthood-World Federation, in his testimony before the Senate Subcommittee on Employment, Manpower and Poverty in 1967, stated:

"The question that faces us today is *not* whether or not family planning services are needed; it is *not* a question of beneficial results; it is not even a question of individual or societal acceptance—rather it is a question of the degree of priority we are willing to place on family planning services for the medically impoverished and how far we are willing to go to implement that priority."[10]

The President's Committee on Population and Family Planning, whose report was issued in November, 1968, concluded that "the Federal government must undertake a much larger effort if this nation hopes to play its proper role in attaining a better life for its people."[11]

FOOTNOTES

[1] President's Advisory Commission on Rural Poverty, *The People Left Behind*, Washington, D.C., September 1967, p. 75.

[2] Dudley Kirk, *World Population: Hope Ahead;* based on a paper prepared for a conference on fertility and population planning held at the University of Michigan, November, 1967.

[3] President's National Advisory Commission on Rural Poverty, *loc. cit.*

[4] Southern Regional Council, *Hungry Children*, Atlanta, Georgia, *ca* 1968, p. 13.

[5] Harold L. Sheppard, *Effects of Family Planning on Poverty in the United States*, W. E. Upjohn Institute for Employment Research, Kalamazoo, Michigan, 1967, p. V.

[6] Southern Regional Council, *op. cit.*, p. 17.

[7] Frederick S. Jaffe (ed.), *Rural Family Planning Programs*, papers prepared for the National Advisory Commission on Rural Poverty, Planned Parenthood-World Population, New York, December 1967, p. 53.

[8] President's National Advisory Commission on Rural Poverty, *loc. cit.*

[9] Paul R. Ehrlich, *The Population Bomb*, Sierra Club-Balantine Books, New York, 1968, p. 89.

[10] "Examination of War on Poverty," hearings before the Subcommittee on Employment, Manpower and Poverty, U.S. Senate, 90th Congress, 1st Session, Part 7, June 8, 1967.

[11] President's Committee on Population and Family Planning, *Population and Family Planning*, Washington, D.C., November 1968, p. 43.

ADDRESS BY WILLIAM C. FOSTER BEFORE STRATEGY FOR PEACE CONFERENCE

Mr. PELL. Mr. President, on Friday October 9, I had the honor to participate with William Foster, former Director of the U.S. Arms Control and Disarmament Agency, at the excellent 10th anniversary of the Strategy for Peace Conference, organized by the Stanley Foundation.

I thought Mr. Foster's speech singularly knowledgeable, concise, and well expressed.

I thought particularly well taken his stressing of the five points of unfinished business in the U.S. Arms Control and Disarmament Agency. They were: First, the United States should ratify the Geneva protocol of 1925; second, the United States should move on the United Kingdom's draft convention which would ban the production and stockpiling of biological warfare agents, as well as their use even in retaliation; third, we should move ahead now, without waiting for the results of the SALT talks on banning underground nuclear tests; fourth, the Nonproliferation Treaty should be reopened for signature; and fifth, urgent need to continue congressional interest in the strategic arms limitation talks with the Soviet Union.

I ask unanimous consent that the address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

UNFINISHED BUSINESS

(By Hon. William C. Foster, Former Director, U.S. Arms Control and Disarmament Agency, October 9, 1969)

First of all, I would like to express congratulations to our host on this tenth anniversary of his excellent initiative: the strategy for peace conference. Mr. Stanley, I am sure that I speak for all of us in saying that we are most indebted to you for pursuing this manifestly worthwhile endeavor, which is a real stimulus to thought and imagination in important sectors of public life. And with our congratulations, please accept also our best wishes for continuing success.

Let me say also how pleased I am to participate in this program with Senator Pell, whom I have been privileged to know for a long time. He is a real authority on arms control, and he is a gentleman whose friendship I have always valued greatly, both professionally and personally.

Working in the arms control field, one is apt to acquire what the French call a "*déformation professionnelle,*" which in this instance takes the form of always looking toward the future—often in rather optimistic terms. The reason for this is quite simple: Everything we have been able to achieve in arms control had previously been regarded with considerable skepticism, but somehow it managed to get done anyway. I don't mean to suggest that we have accomplished miracles in arms control—those lie ahead—but I do believe that progress has been made in a number of ways.

When the arms control and disarmament agency—or "ACDA" as we call it—got started, in 1961, there were many skeptics and many grave doubts, not only about Soviet policies and intentions but about arms controllers' intentions. And I confess that one of my own principal concerns, especially during those earlier years, was that ACDA should gain "respectability," first of all within the U.S. Government itself. In this connection I was rather pleased to note last year that we had been paid a compliment by none other than General Curtis Le May. It was a somewhat back-handed compliment, but after all you can't have everything in this life. In his book "America Is In Danger" the General and then vice-presidential candidate recalled that when ACDA was established there were some who feared it might become "a haven for reds and crackpots." And General Le May added: "Fortunately, I do not think this has happened." Well, as they say, one should be thankful for small blessings.

Anyway, I think it is apparent that ACDA has gained not only respectability but even a modest decree of renown. Nowadays it is common to find the name of ACDA in newspaper articles and editorials—sometimes even in abbreviated form—with no apparent need being felt to explain what it is.

During these years an educational process on our working with the Soviets evolved, so that finally, with administration and congressional support, we and the Soviets together led most of the rest of the world to certain agreements such as the limited test ban, the non-armament of outer space, the nuclear non-proliferation treaty, and perhaps soon, a treaty to keep the nuclear arms race off the seabed. Most important of all, of course, we led the Soviets from a position of outright refusal to discuss a 1964 U.S. proposal for a freeze on further expansion of strategic nuclear delivery vehicles, to where the Soviet Government now seems intrinsically as much interested as we are in discussing limitations on strategic arms. I say "intrinsically". As we all know, it is the Soviets who, most recently, have been delaying the start of these talks. But if, as a private citizen I may indulge in a little private speculation, I think the reason for their delay is not related to strategic weaponry but rather to their border problems with the Chinese. When they are hoping for productive discussions with the Chinese on this subject but are unsure whether such discussions are possible, I imagine the Soviets must feel that it is psychologically a bad moment to begin such a momentous and visible bilateral discussion with the United States. Anyway, I hope most profoundly that whatever the cause of delay may be it will soon be removed. It hardly seems necessary to say that every day which has gone by has made this problem a little more difficult to resolve: And I certainly wish my successor, Gerard Smith, all possible success in this historic but infinitely complex undertaking.

One of the most encouraging aspects of arms control agreements, of course, is that fact that even a small agreement makes additional measures easier because each side does thus acquire a certain additional measure of confidence that the undertakings will be lived up to. And the arms control agreements have been lived up to. This is not really surprising, because any agreement reached must necessarily have been in the basic interest of the parties. We cannot dictate agreements to the Soviets nor they to us.

Now, for most governments, arms control agreements are already beginning to form a pattern. I would cite as evidence of this the fact that an arms control treaty for the seabed is widely regarded as a logical sequel to the non-proliferation treaty, with its pledge to pursue negotiations toward ending the nuclear arms race. By the same token, almost all governments in the world have urged the United States and the Soviet Union to get started with the SALT talks—partly on the grounds that these too are a logical sequel to the nonproliferation treaty and in fact are an obligation imposed by the NPT. Carrying this line of reasoning one step farther, a number of governments have urged us to get on with SALT because they believe that successful results in these bilateral talks will have a profoundly beneficial effect on the multilateral arms control negotiations which are conducted in the disarmament conference at Geneva. They have expressed the belief, for example, that if the United States and the Soviet Union can agree to place limits on certain weapons systems, the requirements for nuclear testing can thus at last be circumscribed and it will be possible to negotiate a treaty banning underground tests.

But needless to say, we cannot sit back and wait for the beneficial results of the SALT talks to be felt, for they may be a long time in coming: and there are arms control measures which are badly needed and on which action can and should be taken now.

In fact, I would like to list five specific issues related to arms control, in which I hope all of us here in this room will take a personal and active interest, bringing to bear as much influence as we can to bring about their fulfillment.

No. 1: The United States should ratify the Geneva Protocol of 1925, which prohibits the first use in war of chemical and biological weapons. This is the principal international instrument related to chemical and biological warfare. The United States initiated it, and the United States signed it: But our pride of authorship became an embarrassment when the Senate failed to vote on it, in 1926. Indeed until recently our approach to the protocol was for the most part one of awkward silence.

Now, after 44 years, there seems to be hope that the protocol will be re-submitted to the Senate for its consent to ratification. Except for Japan, the United States is the only major power which has withheld ratification: and our adherence is needed to strengthen the protocol and thereby reduce the likelihod that poison gas or germ warfare might be used in a future conflict. Ratification, also, would set a desirable precedent by making us a party to an arms control agreement that includes mainland China as a party.

Other, more comprehensive measures related to chemical and biological warfare also are needed. But I believe that our ratification of the Geneva Protocol is the next logical step for us to take: And I most sincerely hope that President Nixon will submit it to the Senate.

No. 2: In July of this year, at the disarmament conference in Geneva, the United Kingdom presented a draft convention which would ban the production and stockpiling of biological warfare agents, as well as their use even in retaliation. The United States has reserved its position on the substance of this British proposal pending the outcome of the inter-agency review of CBW which has been going on in Washington this summer. I believe that the U.S. should give the British convention its full support. Biological warfare agents because of the impossibility of predicting or controlling their action, are a danger to all mankind. Our biological warfare program adds nothing to our security. On the contrary, our security would be enhanced if we acted to discourage the proliferation of biological warfare capabilities, which we don't need but which others might seek to develop in the absence of treaty restrictions. The British proposal would enable us to divest ourselves of a useless and pernicious liability. It deserves, and needs, our full support.

No. 3: We should move ahead now, without waiting for the results of the SALT talks, on banning underground nuclear tests.

The limited test ban treaty, negotiated in 1963, does pose restrictions on nuclear test operations, and has been especially effective in alleviating the contamination of our envirionment with radioactive debris. As an arms control measure, however, it has not made nor was it expected to make, a serious dent in the strategic arms race. Underground tests in unlimited numbers and sizes are still permitted, and the development and testing of nuclear weapons continues apace.

Agreement on a comprehensive test ban—which would effectively curtail nuclear weapon development—continues to be stymied on the verification problem. The Soviet Union maintains that national capabilities alone are adequate for verification purposes, while the United States insists that national capabilities must be supplemented by a small on-site inspection quota to give the necessary confidence that the treaty was not being violated. The U.S. has provided detailed data to show that below a certain yield level (some ten's of kilotons in rock) current remote detection techniques cannot unambiguously distinguish nuclear explosions from earthquakes. The Soviets, without refuting the U.S. technical data, still maintain that national capabilities are adequate. Here the matter rests, and the interesting and frustrating aspect of this dilemma is that neither side is necessarily wrong. The crux of the problem is how much assurance is adequate, and this is a political rather than a technical decision.

The Soviets' willingness to rely on their national capabilities undoubtedly is based on their greater access to information on activities in an open society like the U.S. and hence on a lesser need to rely on remote sensing techniques. Also weighing heavily in the equation is their inherent concern about the risk involved in permitting foreign inspectors into their country. In addition, they may see little military significance in the relatively small amount of cheating which might escape detection. On the other hand, the U.S., being a nation made up primarily of foreigners in the first place, is less concerned about inspection by outsiders. But we traditionally credit the Soviets with superman capabilities in the fields of deception and secrecy, and base our analyses on the worst possible contingency, however improbable it may be.

Particularly in arms control matters we devote most of our attention to verification provisions and the risk of undetected violations. Now there is nothing wrong *per se* in analyzing the risk of a possible treaty violation: the mistake lies in letting the analysis stop at that point and ignoring the security risks, which could be many-fold greater, of a situation without the arms control agreement. Few worthwhile enterprises are devoid of all risk, and arms control is no exception. What matters is not that there are risks associated with a particular measure, but rather how do these risks compare with the risks of not having the measure. In the case of the CTB, it is hard to believe that the security risk posed by the relatively few tests the Soviets might be able to carry out without being detected by national means would exceed the security risk of unlimited number of Soviet weapon tests that are permitted in the absence of a CTB. Of course, it can be pointed out that without a CTB the U.S. also could continue testing and thereby counterbalance the Soviet tests. But would this really counterbalance the security risk or would it merely add fuel to the nuclear arms race? It is generally recognized now that this action/reaction approach, responding to bigger and deadlier weapon developments with still bigger and even more deadly weapons, provides less rather than more security and at a price that is staggering. Somewhere the spiral must stop, and a CTB would be a major step toward halting the qualitative nucelar arms race. Of course it would make things much easier if the Soviets would attest to their interest in arms control by accepting a nominal quota of on-site inspections. But I believe that on our side the time has come for a hard new look at the necessity for on-site inspections. Now is also the time for a hard and realistic look at the security risk of not having a CTB.

No. 4: It has been over a year since the non-proliferation treaty was opened for signature. So far 91 countries have signed the treaty, and 21 have also ratified, but progress in recent months towards worldwide adherence has been slow indeed. I was pleased to note that the President in his United Nations speech on September 18, stressed the hope that the Non-proliferation Treaty would soon enter into force. Of equal importance to the ultimate success of the treaty is that countries with advanced industrial and technological capacity that have not already done so become parties to the treaty at the earliest opportunity. Various factors may have contributed to their delay in acting on the treaty—election campaigns in Germany, Israel, and Australia, for example, or parliamentary considerations in Japan. In the interest of mankind, however, and the universal desire for continued progress in other field of arms control, the decision dare not be put off indefinitely, but must be faced squarely and urgently. We should do everything we can to make our friends in those countries realize that the Non-proliferation Treaty will promote the peaceful uses of nuclear energy, and that by enhancing the general security it will enhance their own.

No. 5: One element that augurs well for arms control is the increased congressional interest in the subject.

Witness the extensive bipartisan sponsorship of resolutions calling for a mutual moratorium on the flight testing of re-entry vehicles such as MIRVs. There were over 100 sponsors or co-sponsors of these resolutions in the House, and almost half the Senate has sponsored them. Extensive hearings, particularly by the House Foreign Affairs Subcommittee on national security policy, contributed greatly to an increased understanding of the issues involved. These resolutions have yet to come up on the floor.

Witness the imaginative and helpful initiatives for arms control on the seabed, led by the distinguished Senator from Rhode Island who is here tonight.

Witness the depth of the Senate consideration this year of the military procurement authorization bill. The ABM fight, of course, attracted the most public attention. But the extent of Senate opposition to CBW was startling. Before the bill ever reached the floor, the Senate Armed Services Committee, in what is virtually unprecedented action, eliminated the entire FY 1970 DOD request for CBW research and development. Subsequently, during the floor debate, the McIntyre amendment, containing additional CBW restrictions proposed by several Senators, passed by a unanimous 91–0 roll call vote. Moreover, resolutions calling for resubmission to the Senate of the 1925 Geneva Protocol have extensive sponsorship in both Houses.

I would cite also congressional awareness of the urgent need to begin the strategic arms limitation talks with the Soviet Union.

Never. since the Arms Control and Disarmament Agency was established in 1961, have I seen congressional enthusiasm for arms control as an objective of national security policy at such a high pitch. Indeed, during the early years of the agency, it was hard to persuade Congress that the pursuit of arms control was in our national interest. The effort was subjected to distorted and unjustified attacks from various segments of the public, leaving the lingering suspicion in the minds of some Members of Congress that our activity was a sellout of our security.

A number of factors have contributed to this change, including the dedicated and informed efforts of people like yourselves. It is extremely important that the enthusiastic pursuit of arms control objectives by the Congress be kept up. We should do everything we can to encourage this congressional interest.

Having now said my five issues worth, I would just like to thank you again, Mr. Stanley, and ladies and gentlemen, for this opportunity to be with you, and to wish you an enjoyable and productive session, which I know you will have.

SANITY ON THE CAMPUS

Mr. GOLDWATER. Mr. President, amid all the clouds of emotionalism being thrown up by the mass media concerning the Vietnam moratorium day set for October 15, a cleansing breath of fresh air has come from the clear skies of Arizona.

Dr. Richard A. Harvill, president of the University of Arizona, has written to me a message which cuts through the hyperbole surrounding this impending national demonstration and highlights the probable damaging effects which this day of agitation will have on its student participants if it is conducted in a completely uncontrolled way.

Too often the individual students have been considered to be little else than pawns to be moved at the whim of the professional pacifists who organize and incite these mass demonstrations. Too often the national news media have ignored the impact of these occasions on the lives of the human beings who are misled and manipulated into crossing the line between permissible dissent and unreasoned rebellion.

The thrust of Dr. Harvill's letter is that the administrators and officials governing our colleges and universities must plan and implement ways by which dissent and protest can be channeled into methods that take account of the future careers of the individual students involved, at the same time that they are encouraged to think independently and enabled to participate in sensible discussion of vital issues.

In the words of Dr. Harvill:

> The boycotting of classes is the height of asininity, whether done at the University of Arizona, or at any or all other universities throughout the country. By this I simply mean that it is almost a certainty that little will be learned by the students that is new or valuable enough to be offsetting to what they would lose by not attending classes. Actually, there is ample time in the evenings, as the programs have been arranged at the University of Arizona, to concentrate then on the Vietnam War.
>
> I have seen too many students lose out in their academic careers and virtually go to pieces because of the emotional pitch to which they have been raised and kept under the guise of "involvement" in "relevant" issues of the day. They have done this to the point that they have forfeited or lost the opportunity to spend time learning and tryto get perspective which cannot be gained simply by dialogue among students who have not lived long enough and applied themselves well enough to have mature judgments about compelling issues of the day; hence, a substitute of emotional reactions for rational thinking.

Mr. President, the faculty of the University of Arizona stands with President Harvill in these views. The faculty senate, the legislative body of the university in regard to academic matters, has voted overwhelmingly in support of maintaining classes as usual on October 15. They have utterly rejected the concept of an all-out disruption of the normal requirements of courses of study so that students may do nothing but steam off about the war in Vietnam.

The same vote, however, showed tolerance and respect for the individual student's interest in this vital issue and encouraged discussion of the war at proper times outside of the regular classroom schedule.

In my opinion, the approach being taken at the University of Arizona is the correct way to handle the problem of coping with the right of students to participate in legitimate activities of criticism, protest, and demand for change, while at the same time preserving the limits of reasonableness and law which are essential to an organized society. I hope that the president of every university and the mayor of every town will show the backbone and sanity being displayed at the local level in Arizona. If several university presidents would have the plain old guts to think and to act with courage, and if they would be backed by the faculties and boards of regents and Governors of our States, then I believe we would see an end to anarchy on the campus.

Mr. President, I ask unanimous consent that the letter sent to me by Dr. Harvill be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE UNIVERSITY OF ARIZONA,
Tucson, Ariz., October 9, 1969.

DEAR FRIENDS: As you are well aware, next Wednesday, October 15, has been designated by many groups in many places as Vietnam National Moratorium Day. In some universities, plans are being made to stretch the one day observance into a greater period extending in some instances to as much as a week.

Boycotting of classes seems to be the rage of the day in universities, and in a few of them classes are being virtually dismissed. Here at the University of Arizona, the Faculty Senate, the legislative body of this University with reference to academic matters and having a membership numbering a little more than 72, most of whom were present on Monday of this week, voted overwhelmingly in support of maintaining classes as usual. The resolution of the Senate took account of the importance of the issue and encouraged students to be deeply concerned about the Vietnamese War.

You are well aware, I am sure, that there are two factions at the University of Arizona among the students. One wants an all-out cessation of normal class work at least one day and virtual concentration of effort and interest on the Vietnam War for two other days, almost to the exclusion of any serious thought about other matters that are a part of the normal requirements of courses of study for which students are enrolled.

The other group deplores what they regard as the "excesses" of the first group. This, of course, is a division between the so-called conservatives and radicals. The point of this letter to you is a simple one; namely, that the students are quoting each of the members of Congress to suit their particular philosophy and point of view regarding these contentious matters. Many of the faculty are gravely disturbed. Some are predicting dire conflict between the contending groups. I do not believe that open conflict between students of these differing points of view is really a prospect. However, the University is attempting preparedness in a quiet, discreet manner.

It is understandable that the students of the contending forces would quote members of the Congress from Arizona in what they think supports their views. The conservatives, of course, are quoting Senator Fannin and Senator Goldwater, while the liberals are quoting Representative Udall. Of course, I know that all three of you are absolutely dedicated to the same purposes to which the administration and other faculty of the University of Arizona are dedicated.

I do hope and pray that all references that you may make will be confined to fundamentals and not to procedures. The boycotting of classes is the height of asininity, whether done at the University of Arizona, or at any or all other universities throughout the country. By this I simply mean that it is almost a certainty that little will be learned by the students that is new or valuable enough to be offsetting to what they would lose by not attending classes. Actually, there is ample time in the evenings, as the programs have been arranged at the University of Arizona, to concentrate then on the Vietnam War.

I have seen too many students lose out in their academic careers and virtually go to pieces because of the emotional pitch to which they have been raised and kept under the guise of "involvement" in "relevant" issues of the day. They have done this to the point that they have forfeited or lost the opportunity to spend time learning and trying to get perspective which cannot be gained simply by dialogue among students who have not lived long enough and applied themselves well enough to have mature judgments about compelling issues of the day; hence, a substitute of emotional reactions for rational thinking.

The University of Arizona has opposed

onerous acts by State Legislature and Federal Legislature because we believe that we can handle these problems within our own group and prevent discord and conflict on the campus. We have succeeded reasonably well, and we want to continue to maintain peaceful order on the campus. I know that you share these same views.

Respectfully yours,

Richard A. Harvill,
President.

NATIONAL BUSINESS WOMEN'S WEEK

Mr. **SPARKMAN.** Mr. President, because I shall be absent from the Senate attending a NATO meeting next week, I invite attention now to National Business Women's Week which begins on October 19. During this week, the members of the National Federation of Business and Professional Women's Clubs will be saluting the achievements of business and professional women in communities throughout the United States.

I wish to join in this tribute to the accomplishments of women in business and the professions. The number of women in the work force has increased remarkably over the last half century and women at last are being recognized as equal citizens capable of making equal contributions to the growth and welfare of the Nation. I am happy to salute the women of the Business and Professional Women's Clubs on this occasion.

REGULATION OF PRIVATE PENSION PLANS

Mr. **JAVITS.** Mr. President, the Oakland Tribune has published an interesting front-page series of articles on private pension plans. Upon the completion of that series, it has just published an editorial concerning the need for Federal regulation of private pension plans. In that connection, it has commented favorably upon my bill, S. 2167, the Pension and Employee Benefit Act of 1969.

I ask unanimous consent that the editorial be printed in the Record. I also ask unanimous consent to have printed in the Record a front-page column published in the Oakland Tribune concerning, among other things, a speech I made recently before the AFL–CIO on this subject.

There being no objection, the items were ordered to be printed in the Record, as follows:

[From the Oakland (Calif.) Tribune, Sept. 28, 1969]

Private Pension Plan: Protection From the Predators

The disquieting operations of a giant Teamsters Union pension fund—examined in a current Tribune series—should convincingly demonstrate the need for more stringent federal regulation of such private pension plans.

In 1964, Teamsters leader James R. Hoffa and five other persons were convicted on charges of having defrauded a union's pension fund by making false statements to obtain loans from the fund. That particular conviction is still on appeal.

Hearings conducted by the Senate Permanent Investigations Subcommittee in 1965 and 1966 disclosed that assorted union leaders had managed to divert millions of dollars of pension funds to corporations controlled by themselves, to set up other corporations explicitly to manage—for exorbitant fees—the pension funds under their control, and to take other action to milk pension funds.

Yet, then as today, most of what was done was not barred by either federal or state laws.

The Tribune's six-month investigation into the operations of the $628 million Teamsters Central States, Southeast and Southwest Areas Pension Fund, headquartered in Chicago, can lead to no conclusion but that stronger governmental regulations are needed if a repetition of the abuses uncovered in past years is to be averted.

Instances were found of cronyism, kickbacks, payoffs and questionable pension fund loans. So were extremely casual methods of handling loans, highly questionable of public and private entanglements of public officials in various aspects of pension fund loan activities and—perhaps most disturbing—a far too common pension plan association with members of organized crime.

Ideally, the 359,685 union members in 20 states to whom the Central States pension fund belongs would demand a more circumspect handling of their dollars. But, for whatever reason, no such effective demand has come from the rank and file union membership in the Central States area. They are nonetheless entitled to assurances that their pension funds will be protected from mismanagement.

Today they have no such legal assurances. There is an absence of any comprehensive federal regulation over the conduct of the giant pension plans.

The particular Central States Teamsters Union pension fund in question is only one, albeit one of the largest, of some 160,000 private pension plan funds in the nation today. Their total assets are now in excess of $100 billion. By 1980 these reserves are expected to reach some $225 billion.

(It should be noted that the Central States Pension Fund is based in Chicago and draws its participants from the Midwestern and Eastern parts of the United States. California Teamsters belong to the Western Conference which has its own pension fund and prudently handles its own investments through a vastly different method of operation).

It can be—and has been—successfully argued that the federal government has no business interfering with the discretion of pension plan managers in making legitimate investment decisions. We agree.

But the tax exempt status of pension plans alone offers ample justification for federal regulation—not to mention the Federal Government's general responsibility to the more than 25 million Americans now in such pension plans.

The boundaries between private interest and public purpose can be sufficiently respected through enactment of legislation such as the "Pension and Employee Benefit Act of 1969," introduced by Sen. Jacob Javits, R–N.Y.

The Javits bill would establish only minimum funding standards to assure that pension funds are operated on a sound and solvent basis. It would also lay down standards of conduct, restrictions on conflicts of interest and other ethical criteria to be followed by the trustees of the pension plan funds. The Federal Government would be given sufficient investigatory and enforcement power to see those standards are met.

The very existence of such enormous sums of money available for investment without strict control is an open invitation to further abuse and irregularity.

It will remain impossible to crack down on those who take advantage of the law's laxity until specific legislation is enacted assuring pension plan beneficiaries in particular and the nation in general of a fair and honest administration of the vast pension plan funds.

[From the Oakland (Calif.) Tribune, Sept. 28, 1969]

Javits Asks Overhaul of Pension Law

(By Jeff Morgan and Gene Ayres)

A major overhaul of laws governing private pension plans which would prevent abuses such as "conflicts of interest, kickbacks and payroll padding" was urged by U.S. Sen. Jacob Javits, R–N.Y., in a major speech to the AFL–CIO.

"My investigation of private pension programs, which has been going on for a number of years now, leads me to believe that there are a number of major changes which need to be made—either voluntary or by law—in the structure of private pension plans in this country," Javits told the giant federation's Industrial Union Department in Atlantic City.

". . . This trust money—now over $100 billion in reserve assets (for all pension plans) is, I believe, the largest aggregate of essentially unregulated money in the nation. What is being done with it?"

The senator, author of a sure-to-be controversial pension reform bill, appealed Friday for support of the measure at the IUD's annual convention.

It is now questionable whether the full bill will be reported out of the Senate Labor Committee during the current congressional session.

However, during a six-months investigation by The Tribune into the management of the Teamsters Central States, Southeast and Southwest Areas Pension Fund headquartered in Chicago, it was learned some action could be taken this fall if the Administration makes an expected recommendation to tighten the responsibilities of trustees of retirement plans.

The Tribune's exclusive series of articles last week disclosed instances of cronyism, kickbacks, payoffs and questionable loans involving the $628 million Teamsters Central States fund and associates of imprisoned union boss James R. Hoffa. That pension plan covers 359,685 union members in 20 Midwestern and Southern states.

The Javits bill, like earlier proposals, would impose a "prudent man" requirement on fund trustees to make reasonably sound investments, and would prohibit loans, fees or kickbacks to employes or trustees of pension funds, participating unions or employers.

It also would reduce the number of years before workers get a vested interest in their retirement benefits, provide government reinsurance of funds, create a new federal policing agency called the U.S. Pension and Employment Benefit Plan Commission, and give the government power to seize and preserve funds if there is evidence of mismanagement.

One of the most important provisions of the bill is pension reinsurance, under which the government would guarantee retirement benefits for workers if a company or pension fund goes out of business.

Javits told the unions the plan would cost the government nothing, but would be financed by insurance premiums from participating pension plans.

But, he added, "No government is going to issue this sort of insurance policy without inspecting and regulating and, to some extent, controlling the funds it insures—any more than the government's Federal Deposit Insurance Corporation would insure banks without imposing strict standards of conduct . . . and without inspecting them regularly.

"In fact, without (inspection and regulation) such an insurance program would make insolvency attractive," he said.

"Why not promise the pension plan members more than can be delivered? Why not take imprudent risks? If the fund cannot deliver, the government will.

"Realistically," the senator warned, "that kind of reinsurance is not going to happen." Of the most fundamental forms of regulation—so familiar in the banking field . . . is the establishment of basic standards for the administration of these funds.

"Conflicts of interest, kickbacks, payroll padding, etc., have to be prohibited. We have seen example after example of abuse in a series of investigations on Capitol Hill.

"While this kind of abuse is clearly not widespread in any percentage sense, it is substantial enough to require tough standards of conduct and tough enforcement . . ."

Javits said he believes pension plans should, among other investments, try to supply capital "to help eradicate the conditions which pervade our slums," and pointed out some unions which have taken that course.

Maintaining that "it is an essential fact of modern life that more and more workers tend to change jobs, to move around the country," he spoke of the need for portability, the right of workers to transfer their pension entitlement from one fund to another.

In an interview conducted during The Tribune's investigation, Einar Mohn, chief of the Western Conference of Teamsters said, "I wouldn't be opposed to government guidelines on portability and vesting."

However, he said, "I'd hate to see the government get involved in correcting defects we could find other ways of correcting."

The $400 million pension fund of Mohn's Western Conference, which covers Teamsters in the Western United States and Canada, is an "insured plan" administered entirely by Prudential Life Insurance Co., and totally separate from the Chicago-based Teamsters Central States Fund.

"If we had a funded plan (similar to the one in Chicago) I would want it to be an irrevocable condition of the trust that the decisions on investments be made by a bank or some other financial institution," Mohn said, "perhaps even a blue ribbon committee of financial experts, and that the trustees only be free to direct investments into areas beneficial to our members.

"I don't think a layman has any business trying to sweat out the markets," he said. "Our pension fund trustees aren't qualified to make those kinds of decisions, and I think they'd agree with me."

The Javits bill would give federal courts jurisdiction in lawsuits involving pension funds.

We prefer that system—civil remedies—to criminal penalties," a spokesman for Javits told The Tribune. "In a criminal case nothing can be done to save a fund until there's a conviction, and that can take years."

The U.S. Justice Department is more worried about the links between some labor leaders and organized crime. It hopes some criminal provisions eventually will be included in the law, to dry up a prime source of working capital to some underworld figures.

More than new regulations, many federal attorneys argue, the government needs manpower to investigate the violations of existing laws against embezzlement, conflict-of-interest loans and illegal kickbacks to trustees and agents of pension plans.

"With modern computers and bookkeeping methods, these people are in the jet age," one government lawyer said. "We're still driving horses and buggies."

A TRIBUTE TO SENATOR MATHIAS

Mr. TYDINGS. Mr. President, last month our distinguished colleague from Maryland, Senator CHARLES McC. MATHIAS, was selected as the Statesman of the Year by the Argo Lodge, B'nai B'rith. The citation reads:

Argo Lodge #413, B'nai B'rith, has chosen Senator Mathias as the recipient of its annual Statesman of the Year Award for the courage and compassion he constantly exhibits in fighting for human betterment, for his leadership in promoting the causes of civil rights and liberty, for his energetic battle against organized crime, for his tireless efforts to conserve our national resources, and for his humanitarian deeds on behalf of the underprivileged and oppressed.

Senator MATHIAS has a long record of public service, including membership for one term in the Maryland House of Delegates and then 8 years as a member of the U.S. House of Representatives, which he left last year to join this body.

Senator MATHIAS' acceptance address displays his characteristic humility and courage, and states clearly again, in well-honed words, his championship of the individual liberties and our democratic system.

Mr. President, I ask unanimous consent that Senator MATHIAS' acceptance speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ADDRESS OF SENATOR MATHIAS

I do not accept this award as a measure of any personal merit, but rather I accept your honor as a tribute to the cause of civil liberty which your organization has served so splendidly and which transcends all our efforts. For civil liberties are not a political concern; in real sense, they are the prerequisite of all democratic politics. An assault on civil liberties is thus in effect an attack on politics itself. In the defense of civil liberty I do not feel that I have earned any special honor. On the contrary, I have acted in self-defense—defense of the processes of my profession.

So I would return the tribute with gratitude. For it is the work of organizations like yours that ultimately makes my work possible. By maintaining the openness of our society and our politics, the statesmen of liberty at B'nai B'rith reduce the violence and disruption that is the inevitable ultimate result of civil repression.

A good case in point is recent experience in the South. Because civil rights and liberties were denied to blacks, the political process was closed and stultified. In this one party paralysis, the crucial issue of the region was excluded from politics. Our current racial crisis was the ultimate result. Similarly the exclusion of youth from the political processes which shaped the present selective service law contributed substantially to current campus unrest. Our experience teaches us inexorably that civil rights and liberties are indispensable to law and order.

I would like to draw your attention here to some major threats to their maintenance. Currently before the country are several dangers which together pose a grave threat to our liberties. One is misuse or abuse of the national data bank, which is assembling for ready availability all the information about individuals known to the Government in any capacity—prior to the adoption of any national policy for its use especially ominous in conjunction with proposals for punitive legislation covering various groups that do not provide due process of law, and proposals for a national security czar with arbitrary powers to harass victims of unproven security charges. This approach represents a most untimely return to the attitudes of the McCarthy era. At this time of strife, when demands for repression are at their peak, the maintenance of civil liberties becomes both more difficult and more important.

I know that in this battle, as in so many others in the past, I can count on your support. I assure you here of my continued commitment to the causes for which B'nai B'rith exists, and to the spirit of that covenant which is symbolized by this brotherhood.

MISINTERPRETED UNEMPLOYMENT FIGURES

Mr. GOLDWATER. Mr. President, probably the most distorted and misguiding figures offered as statistics in this country are the figures on unemployment. We read with concern last week that unemployment had crept up, and already the believers in a Government-controlled economy are blaming it on President Nixon's efforts to curb inflation and to free the economy.

Unemployment is a dreadful thing, and no one in either party wants to see it increase. I remember very well the days of the early 1930's, in a depression that was ended only by the Second World War, when unemployment approached 20 percent; and regardless of what the boosters of the New Deal might have claimed, nothing they did ever curbed unemployment.

Dr. Milton Friedman has written a most thoughtful article in which he explores unemployment figures. While I know that many Senators probably have read the article in Newsweek, nevertheless, for the benefit of the tens of thousands who read the CONGRESSIONAL RECORD, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNEMPLOYMENT FIGURES

(By Milton Friedman)

Few figures are watched with more fear and trembling than those reported each month on the percentage of the labor force unemployed. The jump from 3.5 to 4 per cent reported last week has been seized on by some as the first real sign of success in the battle against inflation, by others, as a portent of economic collapse.

Yet few figures are more misunderstood and misinterpreted.

The unemployment percentage is currently 4 per cent. This corresponds to roughly 3.2 million unemployed. Does this mean, as one might suppose from most news stories on unemployment, that more than 3 million families are wondering where the next paycheck is coming from?

WHO ARE THE UNEMPLOYED?

Not at all. Roughly 1 million unemployed are teen-agers, about half of whom are looking for their first job. Of the remaining unemployed, half are females, many of whom are not regular earners. Of the million unemployed males 20 years and older, only about half are married men.

More important, unemployment is mostly a brief period between jobs—or between school or housework and a job. Nearly two-thirds were either working in the prior month, or not looking for a job. Only slightly more than a million were unemployed.

Put differently, fewer than half of the currently unemployed have been unemployed for as long as five weeks; only 5 percent—about 150,000—for as long as six months. This is the hardcore group that leaps to mind when we talk about "the unemployed." Their plight is certainly serious—but 150,000 persons in that position is a far cry from 3 million.

Many persons are unemployed by choice. Some quit one job to look for a better job—more than a third of those who leave jobs in any week do so voluntarily; others have refused a job offered in the belief that a better

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one will be along; still others left an earlier job some time ago to go to school, or to make a home for their husbands, or to have or raise children and have only just reentered the labor force. A rise in unemployment may be a good thing as well as a bad thing—if it means that people have so much confidence in finding another job that they do not hesitate to leave one they do not like.

In some ways, a more meaningful figure than the number of persons unemployed at any one date is the average length of time that persons who become unemployed remain unemployed—the average time between jobs for those who change from one job to another, or the average time it takes to get a job for those who go from school or home to the unemployment rolls. Until the most recent jump in the unemployment rate, that average has been about five and a half weeks—hardly a period long enough to cause acute distress.

What this meant was that each week about 530,000 people started to look for work—because they left or lost a job or because they had just entered or re-entered the labor force. Simultaneously, about 530,000 people each week found jobs or stopped looking. Of the 530,000 people who started to look for jobs each week, about one-fifth found a job within a week; about three-quarters, within a month; and all but about 1 per cent, within six months. During a year as a whole, not 3 million people but around 20 million separate individuals were unemployed at some time or other—the bulk for trivial periods.

TIME BETWEEN JOBS

Cries of horror go up when it is suggested that the slowing down of the economy as a by-product of policies to stop inflation may mean a rise from 3.5 per cent to around 4.5 per cent in the unemployment percentage. What, it is said, throws more than a million additional people out of work?

In fact, the number who each week start to look for work would be raised very little—from 530,000 to perhaps 560,000. But these job-seekers would spend on the average an extra week or so finding an acceptable job—the average duration of unemployment would go from about five and a half to about six and a half weeks. The most serious effect would be to raise the number of persons unemployed at any time for more than six months from 180,000 to perhaps 300,000.

These changes are not desirable. But they are not a major catastrophe. They do not spell acute distress. And their avoidance does not justify letting inflation run rampant—which would in any event only postpone higher unemployment temporarily. We badly need less hysteria and dogmatism and more perspective, proportion and balance in judging these matters.

VIETNAM MORATORIUM

Mr. McGEE. Mr. President, tomorrow is the so-called Moratorium Day—a day to protest Vietnam and America's involvement there. It is a day to protest much more, it seems, among some of the more radical elements in the movement. Their call for total immediate withdrawal from Southeast Asia is ill-timed, it occurs to me, when the Government is moving steadily in the direction of previous, more-reasoned policies put forth by protestors.

The moratorium, in fact, involves a diverse group of individuals and groups. All, I suspect, do not accept the demand for complete, total withdrawal put forth in these Chambers and on the streets. The moratorium has become a conglomerate, encompassing those on the far left and even those on the far right. But I think we, as Senators, dare not legislate on the basis of such emotion-ridden movements, for our deliberations must involve a sense of responsibility which the demonstrators, for all their good intentions and sincerity, do not bear. They are not answerable for the consequences of their acts—not as we are. Certainly they are not answerable as is the President of the United States.

Senators and Representatives would do well today to reassess the implications of the impending demonstrations—all of them. They should consider the fact that, by endorsing such a movement, they may be helping to uncork the bottle which will let loose a genie which may never be recaptured. That genie may be the national impulse toward a new isolationism. It could even be a precedent for barricade-style street politics in America.

Mr. President, I ask unanimous consent that two newspaper columns, authored by Richard Wilson, of the Evening Star, and David Broder, of the Washington Post, both commenting upon the political ramifications of tomorrow's moratorium, be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

VIET PROTESTORS DELUDE POLITICIANS, SURVEY SHOWS

(By Richard Wilson)

President Nixon says that he will not be affected by antiwar demonstrations and he has very sound ground for ignoring them. They do not represent significant political opinion even among the young.

It is possible to say this with more than impressionistic assurance on the basis of indepth surveys of the 1968 presidential election by staff members of the highly respected Institute for Social Research at the University of Michigan.

Members of Congress, college presidents and government administrators who, because of expediency or intimidation, have aligned themselves with the war protest have joined an anemic, if rowdy, company with no political clout. The protestors are a small fraction of the young. Most of the young who oppose the Vietnam war disapprove their tactics. Others oppose not only their tactics but everything they stand for.

Such conclusions flow naturally from the findings of the Michigan researchers on the phenomena of the 1968 election which have upset a great many preconceived ideas of the mass media, especially television, on what happened in that dark and confused year, viz: Gene McCarthy's support came as much from hawks who hated Johnson for bungling the war as from the peaceniks who wanted him to end it.

Other astonishing conclusions bear on the present resurgence of war protest which has unhinged so many members of Congress, probably to their future regret.

One such astonisher is that George Wallace got more than his share of the support of the young. "One of the major ironies of the election," the Michigan researchers wrote, "was that Wallace made his appeal to the old but mainly received the vote of the young."

The Michigan academicians saw it this way: "Although privileged young college students angry at Vietnam and the shabby treatment of the Negro saw themselves as sallying forth to do battle against a corrupt and cynical older generation, a more head-on confrontation at the polls, if a less apparent one, was with their own age mates who had gone from high school off to the factory instead of to college, and who were appalled by the collapse of patriotism and respect for law that they saw about them."

The vanguard of youthful revolution, the researchers found, is numerically swamped even within its own generation. The wave of the future for 1970 and 1972 promises several times more votes to politicians by leaning toward George Wallace than by leaning toward Gene McCarthy, the researchers found.

If the Michigan researchers are right (they support their conclusions with the most advanced sociological techniques) the Vietnam Moratorium is more likely to create an unfavorable reaction than to advance the cause of peace. But even if the researchers have been so scientific as to mislead themselves, common observation supports their initimation that great masses, young and old, do not like this kind of thing.

President Nixon's problem is to marshal this mass reaction on his side, which he has not been too successful in doing. If he is to pursue his course of measured disengagement without sacrificing his ultimate goals then he probably will have to speak and act in more blunt terms.

He will have to ask and answer what the consequences will be if he withdraws abruptly from Vietnam, as the peace elements demand.

Will such an abject surrender create strong undercurrents of resentment which will fester in American life for generations? It will not be enough to say that he will not be the first American president to preside over a military defeat, nor that he will not be influenced by the anti-war demonstrations. He will have to spell out why in the most direct and simple terms, not sparing the members of his own party whose political courage in these circumstances is not equal to his.

The reason the President will have to speak this way is so that he can command the respect and support of the middle America he supposes he represents. Nixon will have to demonstrate that the noisy manifestations of dissent are those of a minority who will be satisfied with nothing less than abject and apologetic defeat as a lesson against such involvements in the future and irrespective of the fate of the Vietnamese people, the prestige of America and the future of Asia.

If the President does not wish to do this, if he wishes to continue to be ambivalent so as to appease those who are trying to destroy him, he will sooner or later discover that they cannot be appeased short of total American humiliation in Vietnam. That does not go for the great numbers who are sick of the war but want an honorable settlement. It does go for radical activists, their academic and intellectual sympathizers, and frightened politicians.

COULD SET A RISKY PRECEDENT

(By David Broder)

CAMBRIDGE, MASS.—The larger the plans for Wednesday's Vietnam moratorium, the more the central message and tactic of the demonstration have been obscured. If the event is to be gauged properly, it is important to uncover its original premises from the debris of cliches and endorsements in which they have lately been buried.

A number of men active in the moratorium have taken time to point out what they consider the errors of the argument in this column last week that it is a plan for "the breaking of the President." With sincerity and conviction, they have asserted that, far from breaking the President, they are out to save him, by persuading him to make the peace the nation craves and, incidentally, to save the political system by keeping the antiwar movement out of the hands of the radicals and in control of those with a commitment to peaceful forms of protest.

Their conversations and correspondence

have helped to define three questions which might be borne in mind by those planning to participate in the moratorium.

First, what is the target of this protest? Sam Brown, the able spokesman for the moratorium, says it is not an anti-Nixon move because "we learned in 1968 that what we must oppose are not personalities but policies."

But if the Nixon administration is following the very policies recommended in 1968 by the antiwar faction, as I believe, then their moratorium is mobilizing public opinion against its own policy recommendation to the President. The minority plank at the Democratic convention, endorsed by all the leading doves, called for a halt in the bombing of North Vietnam. This has been done. It recommended a reduction in offensive operations in South Vietnam. The President has ordered this and it is in effect.

It asked for "a phased withdrawal over a relatively short period of time" of all foreign troops. The Nixon administration has begun pulling Americans out of Vietnam without waiting for North Vietnam to agree to mutual withdrawals, as the doves thought necessary.

Finally, it recommended that the United States use the leverage of troop withdrawals to "encourage" the Saigon government "to negotiate a political reconciliation with the National Liberation Front" looking toward "a broadly representative government" but recognizing that "the specific shape of this reconciliation will be a matter for decision by the South Vietnamese."

If this is not precisely the policy of the current administration, as enunciated by the President and the Secretary of State, then words have lost their meaning. And if the moratorium sponsors want to argue—as some have—that the President is lying about his purpose, their suspicions must be weighed against the facts of reduced fighting, reduced troop levels and reduced casualties, which his policies have brought about.

Second, what is the alternative they recommend? It has been described in moratorium publicity as everything from a negotiated settlement to immediate, total American withdrawal from Vietnam, but Brown said Sunday on "Face the Nation" that it is the latter that the moratorium has "consistently" demanded.

If that is the case, then the elected officials, clergymen and educators who have lent their prestige to the moratorium can properly be asked if this is the program they endorse. Many of these sponsors were involved in the fight for the minority plank at the Chicago convention which specifically said the war "will not be ended by military victory, surrender or unilateral withdrawal by either side."

It might be well for those men to explain Wednesday when and why they concluded that their opposition to unilateral withdrawal was wrong. It would be even more useful if they could explain why a one-dimensional plan to pull out troops is any more likely to be wise policy than the one-dimensional plan that sent the troops in. Have we not learned yet to examine the political consequences of military decisions?

Third, and most important, what about the method of the moratorium? Is it compatible with the maintenance of representative democracy or does it substitute the rule of the street?

The sponsors say the same "moratorium," rather than "strike," was chosen to emphasize that the protest is to be peaceful and non-coercive. It is a nice distinction. The noncoercive feature may be almost invisible to the thousands of students whose colleges will shut down Wednesday. If the moratorium continues, as planned, for two days in November, three days in December, and so on, it will more and more come to resemble the general strike so familiar to European politics.

And if it succeeds in its aim, what is to prevent other majorities or sizable minorities in the country from using the same technique to force their views on agencies of the government? The moratorium sponsors say Vietnam is an extraordinary issue, but they must know it is not the only issue which agitates millions of people.

One wonders what the moratorium sponsors would say if Billy Graham were to ask all the parents who want prayers restored to public schools to withdraw their children from school for one additional day each month until the Supreme Court reverses its school-prayer decision.

Suppose pro-prayer teachers agreed to meet the pupils in private homes on moratorium days to discuss "the overriding significance of religion in human life." Would the Vietnam moratorium sponsors cheer? What would they say if landlords and real estate man opened to integrated housing declaring moratorium until Congress repeals the open-housing law?

My view, just to be clear, is not that the Vietnamese moratorium is un-American, illegitimate, meanly partisan or personally vindictive in its motivation. My view is that it is an ill-timed, misdirected protest, vague in its purpose and quite conceivably dangerous in its precedent.

As was said last week, its immediate result may be the breaking of the President. In the serious weakening of his power to negotiate peace or to achieve any of the other purposes for which he was elected, its longer term effects may be to subvert a system of democratic government I happen to believe is worth preserving.

ELECTORAL COLLEGE

Mr. **BAKER**. Mr. President, the House of Representatives has recently passed a bill to provide for the abolition of the electoral college in favor of the direct election of the President and Vice President. I support this fundamental reform of our electoral process. The trend of the last few years has been to strip away conditions to full participation in the electoral process; the time has now come when we must institute a direct vote of the people for their President.

There was a time when the concept of an electoral college served a desirable and necessary function. The public at large was poorly educated and had little or no access to the kind of information on which an intelligent choice could be made. It was sound public policy for the citizen to vote for a group of men in his own State who were educated and experienced and capable of choosing wisely men to lead the Nation.

But the situation today is radically different from that which made the system appropriate at the time it was devised. The people today are widely educated and, due largely to the advent of electronic communications, generally well informed on the issues that confront our society and the persons who seek to lead it. The machinery of the electoral college remains; its reason for being has passed. The machinery itself must be eliminated. The system is more than a harmless anachronism; it represents a dangerous impediment to the voice of the people, an unnecessary barrier interposed between the voting citizen and the highest office in the land.

For many years, several different proposals for reform of our presidential electoral system have been suggested. Both the district system and the proportional system have been advanced and found wanting, either because of basic defects or because they would have resulted in substantial changes in the political power processes of the country. The choice today, in my judgment, is between the existing electoral college system and a direct popular vote.

The advantages of a direct vote are many; I shall not enumerate them, as they have often been discussed. Rather I would like to give my attention to two of the principal arguments that have been advanced aaginst direct election.

The first of these arguments is that direct election, if adopted, would be disruptive of our two-party system in that it would cause the creation of numerous ideologically oriented parties which would in turn undermine the moderate political tone that has generally prevailed in our country. The underlying basis of this contention is that ideologically oriented splinter parties are presently discouraged because they rarely, if ever, can win a plurality of the popular vote in any State and thus capture the electoral votes.

Considered analysis indicates that a direct vote for the President would not endanger the present workings of our two-party system. Mr. Neil R. Peirce, in a recent book entitled "The People's President," enumerates an extensive body of political research identifying many reasons for the country's adherence to the two-party system, and the electoral college is not among them.

There are many institutional factors which discourage third parties. Electoral laws, campaign practices, social patterns, the high cost of political campaigning, statutory obstacles to getting on the ballot, and the legal status of the two major parties as supervisors of elections in many States all contribute to the difficulty which minor parties have in attaining any degree of national influence or support.

Prof. V. O. Key contends that since the institution of the Presidency, unlike a multiparty cabinet, cannot be divided among numerous parties, the presidential institution is itself a major reason for our two-party system. Other authorities assert that our system of electing Representatives by a plurality vote in single-member districts is the underlying basis of our political party system.

In summary, the contention that our two-party system is significantly sustained by the electoral college overlooks these other more substantial factors that are involved.

A second contention made by some opponents of direct election is that a direct vote would be disruptive of our Federal system in that it would inevitably bring irresistible pressures for national laws governing qualifications for voting and the conduct of elections. This would, it is argued, constitute a threat to State control of voting for Representatives, Senators, and possibly State and local officials and would, as a result, violate State sovereignty.

In discussing reform of our election machinery, I want to make immediately and abundantly clear my deep reverence for an independent two-party system and for the fundamental right and privilege of the various States to make their own election laws and determine their own election procedures within the framework of constitutional federalism. The stability and longevity of our political system and the splendid success of our great experiment in democratic government have been largely due to the concept and the fact of federalism on the one hand and the existence of two broad-based, popular, partisan political parties on the other hand. I would neither propose nor support any reform that would interfere with or in any way endanger either the rights of the States to control elections or the freedom of the two national parties to transact their business.

On the other hand, I must say in all frankness that I do believe that in national elections it is both proper and equitable that some national qualifications be enacted along with the adoption of direct election of our President. For example, I am firmly committed to the reduction of the voting age to 18 years. Not only is it unfair that today's active and educated young Americans should have no voice in the future of the country; it is also true that the country will benefit from their participation.

I further believe that immediate provision must be made in our national laws to permit the transient citizen to vote in national elections. In today's highly mobile society, many qualified Americans are denied the right to vote for the Presidency and Vice-Presidency because of residency requirements. This is a patently unjust impediment, and it must be removed.

Another badly needed reform is provision for 24-hour voting coordinated between time zones. In other words, polling places should be open for a full 24-hour period, and that period should begin and end at the same Greenwich mean time across the Nation. This would have two salutary effects: it would make voting a great deal easier for many Americans who now find polling hours inconvenient or impossible to meet, and it would also eliminate the bothersome question of whether early returns from eastern States and network computer predictions influence voting patterns in the West where polls are still open.

I would like to make one further point. Closely connected to the question of reform of the electoral college system is the intelligent controversy over the proper role and function of the presidential preferential primary election. Thoughtful proposals have been made by good men for nationwide presidential primaries. I myself would prefer to see primary elections held in each of the 50 States. Such a system of State primaries—in which each candidate for the Presidency might enter as an individual and in which delegates to the national nominating conventions would be directly elected by the rank-and-file—would have several advantages over a single national primary. It would reinforce rather than weaken the essentially Federal nature of our Government, greatly strengthen party structures in each of the States, involve many more citizens in the vitally important work of partisan political activity, and provide clear and unequivocal indicators of a given candidate's merit and of his ability to move the people.

I certainly do not favor replacing cumbersome, anachronistic electoral machinery that has served reasonably well with new machinery that might prove disruptive of our form of government or our political processes. I am confident, however, that the direct election of our President will not have these effects. I am hopeful that this subcommittee and the 91st Congress will take prompt and incisive action.

VIETNAM MORATORIUM DAY

Mr. INOUYE. Mr. President, in response to the deep concern of our fellow Americans over the Vietnam issue, many have set aside October 15, 1969, as Vietnam Moratorium Day. This seems altogether a fitting and proper exercise not only of their rights but of their concern. One can only hope and pray that their purpose will not be tarnished by acts of violence or demonstrated lack of respect for the rights of those who hold varying views on American policy in Southeast Asia.

Mr. President, in preparation for, and in support of this day dedicated to illustrate our concern over Vietnam, I issued the following statement:

> For our young people to ask that a special day be set aside for the consideration of Vietnam is surely not asking too much. And for those in position to cooperate in this moratorium I urge participation.
>
> One shortcoming in our society has been our inability to listen—an inability which sometimes results from the techniques utilized in delivering the message. This day can be a day of learning and of hope—or it can become but another symbol of our failure to communicate. While I am here "doing my thing" I urge you in Hawaii who seek a resolution to the problem which is Vietnam, to speak with clarity without being abusive, to speak forcefully without being violent, to speak to the future and not to the past, and to listen as well as to express to those in positions of responsibility your deep concern and desire for change.
>
> Dissent, discuss, and decide. Dissent from the course which led us astray. Discuss the alternatives which are now before us. Decide how you in your way can help chart a future of hope.
>
> Some 39,000 young Americans have died in Vietnam with an additional 130,000 wounded. We do them no honor by pursuing any course which adds to their number—neither can we dishonor them by displaying no regard for the future of our relationship to that portion of the world which has claimed so much of them.

Mr. President, I wish today, as a part of the Vietnam moratorium observance, to expand on this statement and share my thoughts on this subject.

Vietnam has been a major—I think we could say the major—concern of those of us who have shared the responsibility for guiding the affairs of our Nation for almost a decade. It has been much on our mind and has affected every major decision we have made in recent years.

Vietnam is a matter which most of us would like to forget—we just wish it would go away. A satisfactory solution seems so uncertain, so agonizingly slow to achieve, and the complexities of the problem of such magnitude that we are tempted to close our eyes, our ears, and our minds, and just hope we will awaken one day and find Vietnam a thing of the past. But we cannot wish it away—we cannot ignore our Vietnam problem as long as we call on American soldiers to risk their lives there.

In response to the grim statistics which are Vietnam, to the fears and pressures they generate, and to the problems left unresolved because of Vietnam, we witness almost daily riots on our campuses and in our cities, and we see the possibility of a real revolution developing in our land.

This war has been expensive, and it is unpopular. Wars always are. Even World War II became unpopular as it continued and as victory proved neither quick nor easy. Certainly the Civil War and the War of 1812 had very limited support. Unpopularity of the American Revolution in Britain may have had more to do with our victory than the level of support for revolution in our colonies.

As we draw historical comparison, however, I do believe that the Vietnam war is the most unpopular in our history.

A President who waged it was moved to retire.

A major political convention was made a shambles, the party torn to shreds and consigned to defeat, because of the unpopularity of this war.

Draft card burning; draft board offices invaded and records destroyed; nonnegotiable demands to end ROTC; priests, ministers, and young people in jail—and recently a young lad committing suicide on the steps of our Capitol—all these attest to the lack of support for this conflict.

We have now been actively engaged in this conflict for more than a decade. First as advisers and later carrying the major combat burden.

It is the longest war in our history—and we Americans are an impatient people. For a year and a half we have been engaged in peace talks in Paris seeking a resolution to this war. We spent weeks debating the shape of the table, and many more discussing who shall speak—and with what authority. We have suffered some 15,000 dead while these "talks" continue.

Yes, we are tired of war—and we are tired of talking peace which brings no end to war.

But our people look to their elected leaders for an answer—as properly they should. What are we going to do to solve this most vexing problem?

We must first painfully recognize that we are in Vietnam and that we cannot start over as if we had that decision to make anew.

But our policy for settling this dispute must also be clear. It must be an American policy.

The decisions which will end this conflict will be made in Washington and Hanoi, not in Saigon. I was, therefore, much concerned when the administration announced that the decision on accepting Hanoi's request for a cease fire to honor the passing of Ho Chi Minh was going to be left up to the Saigon government. Initial rejection of the cease fire by President Thieu further compounded the problem and it was only by a quick reversal of position that we avoided making a most serious blunder.

I feel that the administration has been justly criticized for letting Saigon call the signals. We should continuously seek to promote an extended cease fire and demonstrate our sincere desire to bring this shooting war to an end as we pursue unrelentlessly our efforts to achieve a negotiated settlement to this conflict.

I, therefore, encouraged this administration to inform Hanoi that we would not be the first to initiate a resumption of hostile actions. We should have assured Hanoi that we wished to extend the truce for as long as it was reasonably observed by the other side. It has been our practice to pursue the battle aggressively the moment a cease fire was scheduled to end.

While we cannot have a unilateral cease-fire—a total cease fire without enemy cooperation—we can cut down the level of our losses—and our costs—by limiting our action—by letting the enemy know that we will hold our positions and use our full military force only if threatened or attacked, or if the cities and area under our control are threatened or attacked. It is inconsistent to talk about resolving the war and searching for peace while we fight for hilltops and see how many we can kill—at what favorable ratio.

A byproduct in such a policy would be a major reduction in the number of our casualties inflicted by our own friendly forces. The well-known military writer, S. L. A. Marshall, has estimated that 40 percent of American casualties are the result of such "friendly" errors or accidents.

The enemy has demonstrated his willingness to accept heavy losses. Will our demonstration of a like disregard for human life lead to peace or to an atmosphere which will bring more fruitful discussions? I think not.

I know what I have said on this matter will be strongly opposed by the military command. They are there to fight, and to win. But they are first and foremost there to protect and further American interests. We civilian leaders, particularly the President and his advisers, must in fact be in charge.

Mr. President, as further evidence for the need to adopt these recommendations I wish to bring to the attention of the Senate an article, published in the Washington Post of October 11, concerning the 173d Airborne Brigade under the command of Brig. Gen. John W. Barnes. The article entitled "Brigade Spurns Killing, Finds Pacification Brings Results," illustrates pointedly what I and other Senators, notably our distinguished majority leader (Mr. MANSFIELD), have been advocating.

The orders under which General Barnes' troops operated, that they were to fire only at uniformed enemy soldiers, or men who were clearly not friendly forces, and at persons engaged in hostile acts such as throwing a hand grenade, accompanied by a cessation in routine harassment interdiction fire at night, should be standard policy and should have been standard policy in Vietnam.

The effects of some change in American policy are already evident in the casualty lists which found American dead at 64 last week—the lowest total in 3 years.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BRIGADE SPURNS KILLING, FINDS PACIFICATION WINS RESULTS

(By Richard Homan)

Convinced that the United States "is not a nation of killers" and acting largely on his own initiative, the general commanding the 173d Airborne Brigade in South Vietnam last April took his 7,000 men out of combat role and put them to work pacifying an area that had been in the Communist grip since World War II.

"No orders to do this were given me," Brig. Gen. John W. Barnes said yesterday. "The situation at the time led me to believe this was the best way to achieve success."

It was the first time, according to the Pentagon, that an American unit the size of the 173d had been committed entirely to a pacification effort and told, in effect, to ignore the enemy.

At one time the unorthodox program would have raised eyebrows at the Pentagon, where kill ratios and body counts were once the measure of a battlefield commander's effectiveness.

But the Pentagon became aware of the results of Barnes' program about the time the Nixon administration began pushing its new policy of "Vietnamization."

His briefing for newsmen yesterday was arranged by Defense Secretary Melvin R. Laird, who endorsed it in advance for reporters on Thursday. "I think that this briefing can show you some concrete results of the new emphasis that we have placed on Vietnamization," Laird said. Barnes unabashedly told reporters yesterday, "I'm really sold on it. I'm an evangelist, I guess."

When the operation began in the four districts of northern Binhdinh province in the II Corps area of South Vietnam, about one-third of the 350,000 population was under government control and the rest under Communist control, much of it since the Vietminh days of the mid-1940s.

But the major North Vietnamese army unit in the area had been badly battered by the U.S. 1st Cavalry in earlier fighting and its remnants had scattered into the mountains, leaving only guerilla units in the villages and hamlets.

"Committing the brigade 100 per cent to pacification was a calculated risk, made possible by the absence in Binhdinh of any major threat by organized large North Vietnamese Army forces," Barnes said.

Past practice would have been to pursue the remaining enemy into the hills, Barnes did not.

"As the starting date of April 15 approached," Barnes said, "I initiated a campaign to re-orient my commanders and troops."

Almost all the actual fighting in the area was done by South Vietnamese troops or local militia and after April 15, most of the scattered U.S. casualties were from booby traps, not gunfire.

Barnes give the U.S. troops simple instructions about firing their weapons. "They did not shoot at anyone unless he was recognizable as a uniformed or armed enemy or unless he was engaged in a hostile act. We realized we could lose a lot more by killing or injuring the wrong persons than by letting an enemy get away."

He directed that his battalion commanders establish their headquarters jointly with a Vietnamese district chief's headquarters, a move he said "has been the key to our success" in the cooperative operation.

Freed from combat, "in effect, several thousand soldiers of the brigade became advisors to the Vietnamese militia, Barnes said.

After three months, 72 per cent of the population were under government control, effective Vietnamese militia units were carrying out missions formerly left to U.S. troops, deserted fishing villages were flourishing again, congregations rebuilt churches destroyed by Communists and each of the more than 100 hamlets in the area had established an operative, resident governing body.

Mr. INOUYE. Mr. President, we now have a change in the government in Hanoi. Despite the announced intention of that government to continue the policies of Ho Chi Minh, we should pursue every opportunity toward a reduction in that conflict and toward a change in the policy of their government. This is an opportunity we cannot afford to let pass and our message must be clearly transmitted not only to Hanoi but also to Saigon.

Both President Johnson and President Nixon have stated that there is no possible military solution to the war in Vietnam, and yet the war continues and the killing of our sons and the sons and daughters in South Vietnam goes on.

While we seek a solution, we should also seek to reduce the cost in life and suffering to the absolute minimum. Each death of an American boy is a loss which tugs at our conscience. That loss is particularly poignant when it serves to bring peace no nearer or the end of his tour of duty is close at hand. Recently a small town in New Hampshire lost five of her sons in a single action within weeks of the time they were due to return home.

While each life is precious, those which are expended in a conflict which we say cannot be won on the field of battle are particularly hard to bear.

It is for this reason I called for a cease-fire in June, and again last month, or if that proved impossible, at the very least the maximum reduction in military action, while we seek a political settlement. I reiterate that call now.

There are those who feel that no clear treaty of peace will ever be concluded in Paris; that the war will merely "peter out." This may be so.

But the war will never so end if we insist on constantly maintaining the pressure on the enemy, although this may be sound tactics were we seeking a military solution. Nor will it end if we give to President Thieu the decision-making power. While we must strengthen the government of Saigon and transfer to them a greater share of the burden of providing for the security of their people, this is not achieved by letting Thieu determine whether American soldiers shall fight and die or participate in a truce. We cannot permit his power to govern to be secured solely by American military power. It is time, indeed long overdue, that we forced the government of Thieu and Ky to act to increase their support from the people of South Vietnam for it is to the people we have made our commitment. It is, therefore, time that we forced the government in Saigon to take meaningful action to increase their capacity to govern.

It is time they took meaningful action on land reform, for to the Vietnamese common man, no single factor is more important than ownership of his land. We encouraged and assisted the two most successful land reform programs in Asia—in Japan and in Taiwan. We must do no less in Saigon if we are to develop stable and free institutions.

It is also time that we forced an end to official corruption and governmentally condoned corruption. While this continues, the people will have no faith in their government—nor should they.

It is also time we insisted on freedom for the political prisoners being held by the government of Saigon. Free governments cannot develop under either the threat or actuality of imprisonment for those who contest for public support through peaceful means.

Our commitment is to their people—and to ours. The time is overdue when that fact should be made clear to all. We have too long confused the trappings, the courtesies, and the ceremonies of authority with the realities of leadership. This can no longer continue.

We do not build a stable government in Saigon nor find peace in Paris by letting Thieu beat the drum to which American boys must march. We do not answer the charge in Hanoi, or in Peiping, that Thieu is our puppet, by our becoming his.

Meanwhile the withdrawal of American troops must continue. This can occur only as we pursue every opportunity for a reduction in the scale of the fighting and every chance at a ceasefire or truce.

Our policy must be clear and it must be consistent. Unfortunately, this administration has sounded an uncertain trumpet.

Fancy footwork is no substitute for policy. While the forces at work are complex and the pressures at play contradictory, our response must be clear and unequivocal. Each time policy is contradicted by rhetoric, the strength of our position is diminished. We must be consistent.

We want out of Vietnam. We should continue a planned and phased combat troop withdrawal.

We should and must not seek to impose a military solution on the political problems of Vietnam.

The South Vietnamese Government must prove its capacity to govern. They cannot rely on our military might as a substitute for their need for political support from their own people.

We want the fighting to end—the shooting to stop—and we must pursue every opportunity to clearly demonstrate that fact.

The problems of Vietnam will be solved neither by public relations gimmicks nor rhetoric. Neither will it respond to wishful thinking. It will not just go away.

Vietnam has been a tragic experience. That tragedy must not be further compounded.

While history and strategy define our national interest, this is only part of our concern. The other is human. We must use our place in the Pacific world to make it truly pacific—peaceful—for our children—and for theirs.

OVERSEAS PRIVATE INVESTMENT CORPORATION

Mr. JAVITS. Mr. President, in the near future the Senate will have before it the administration's foreign assistance bill. Title II of the bill proposes the establishment of an Overseas Private Investment Corporation.

I invite the attention of Senators to the recently released report of the Pearson Commission, entitled "Partners in Development." The report strongly recommends that "developed countries should strengthen their investment incentives schemes wherever possible." This is, of course, precisely what the OPIC purports to do.

I ask unanimous consent that the pertinent sections of the Pearson Commission's report be printed in the RECORD.

There being no objection, the sections were ordered to be printed in the RECORD, as follows:

PRIVATE FOREIGN INVESTMENT

HOW TO INCREASE THE FLOW OF PRIVATE INVESTMENT

We have received the definite impression that most low-income countries would welcome a larger flow of foreign investment, sharing our belief that such flows would contribute to their faster growth. How can that flow be stimulated?

There is probably very little more that needs to be done to encourage the flow of foreign capital into extractive sectors. By its very nature, such investment will be attracted to ore bodies and oil deposits. Investment climate plays some part in this decision, but there are probably not more than a handful of countries in the world where that climate is bad enough to deter investment in a really attractive mineral project. What can be hoped for is perhaps that countries with rich natural resources will be able to use their resultant bargaining power to increase foreign investment in internationally competitive processing and/or fabricating facilities.

How can direct investment in other sectors be fostered? A first step is surely for developed countries to remove remaining restrictions on the flow of foreign investment to developing countries. However, these restrictions do not now appear to be a major obstacle to that flow. A more fundamental issue concerns the widening of the domestic markets in developing countries. However, in this chapter we confine our attention to four areas of action.

First, a start must be made on improving the general climate for all private investment, foreign and domestic.

As mentioned in Chapter 3 too few of these countries recognize the tremendous contribution which private enterprise can make to economic development, and in an environment unsympathetic to all private entrepreneurship it is hardly surprising that foreign investors sense danger. Changing this environment will require many specific actions, some of which we enumerated in our earlier discussion. Measures to strengthen financial institutions and to encourage entrepreneurship are especially important, but their form must be tailored to the particular situation. As a general proposition, it is almost certainly true that improving the position of the private sector as a whole is the most important single step to improving the climate for foreign investment in developing countries. *We therefore recommend that developing countries take immediate steps, where consistent with legitimate national objectives, to identify and remove disincentives to domestic private investment.*

The poor image of developing countries in business circles is also the result of the cumbersome administrative procedures and inefficient decision-making processes which companies often encounter when planning an investment in such a country. We recognize that many of these obstacles are often themselves a result of underdevelopment, but we also feel that many governments could even now streamline their procedures considerably. As an absolute minimum *we recommend that developing countries preserve the greatest possible stability in their laws and regulations affecting foreign investment.*

In some countries there is also a strong case for more balanced policies toward foreign investment. But if these are to emerge, there must be some de-fusing of the politically explosive forces which foreign investment can generate. One important way of doing this would seem to be to make more extensive use of the "joint venture" form. We note below that exerting pressure on international corporations to share ownership in this way may involve certain real costs, but foreign investors would also be wise to realize the political cost that may be incurred by reluctance to accept local investors into partnership.

There are other ways of improving the relationship between governments and foreign companies and forestalling disruptive and costly conflicts between them. In particular, developing countries and international corporations alike could make specific provision, when initially negotiating the terms of investment agreements involving politically sensitive activities, such as mining and public utilities, for mutual reconsideration of those terms after a minimum period of years and for adequate compensation and freedom to repatriate such compensation if no accord can be reached at that time. This arrangement, already used by a few developing countries, has the advantage of recognizing the changes in relative bargaining power which are likely to take place over time, of reducing political tensions by giving the host government an agreed basis on which to change terms, and of increasing the likelihood that these terms will not be changed during the agreed period. It is preferable to most schemes of "planned nationalization" in that it provides an orderly procedure for re-examination of foreign holdings. Thus, it reduces the company's incentive to "milk" the operation and avoids prejudging whether it will be in the country's interests to assume ownership of a particular foreign-owned property in the future. Present arrangements only too often compound uncertainty.

The attitudes of foreign investors to the aspirations of host countries, and their willingness to cooperate with development policies, are also crucial to harmonious relations. Foreign investors who in their home countries are subjected to a plethora of legislative and regulatory measures cannot expect to operate in conditions of nineteenth-century capitalism in the low-income countries.

The governments of the richer countries too must be aware of their role in improving the investment climate. Interventions by the large industrial powers on behalf of their investors have a long history, the memory of which looms large in hostility toward private investment. Respect for the sovereignty of the host country is indispensable to the creation of mutual confidence. It is of course unrealistic to expect governments of capital-exporting countries to remain passive when the property of their citizens is subject to discriminatory or confiscatory treatment by other countries, but intervention should take a form, whenever possible, which will not jeopardize long-term relations. Specifically, we believe that developed countries should, as far as possible, keep aid policy and disputes concerning foreign investment separate.

Another suggestion relates to the problem of extraterritoriality, or the intrusion of the jurisdiction of one country into that of another. In the past, this issue, has arisen primarily in connection with U.S. investments in other industrialized countries and with attempts to enforce U.S. anti-trust law or U.S. policy with respect to trade with Communist countries. Recently, the problem has come to be of more general concern with the introduction of regulations designed to assist the U.S. balance of payments by requiring the foreign subsidiaries of American companies to repatriate specified proportions of their earnings. While we have not been able to study this question exhaustively, we believe that an appropriate solution might be the renunciation of the principle of extraterritoriality by all member states of the United Nations and, for the long term, the eventual creation of a system of international incorporation of companies doing business in more than one country.

A second major area where action is required concerns measures which promote investment by offsetting the poor investment climate and the disadvantages of the limited markets in developing countries. Some of these measures involve the governments of developed countries, which offer incentives such as tax advantages, guarantees against political and commercial risks, and special credit facilities to those investing in developing countries. The relative importance of each of these incentives differs from country to country, as does the appropriate improvement. However, taken together they certainly reinforce the favorable decisions of potential investors and should be strengthened whenever possible.

Large tax concessions, perhaps investment credits of 30–40 per cent, would probably be required to increase substantially the flow of investment, but more modest steps may be highly useful with respect to some countries. For example, added incentive could result from lowering the fees now charged by governments or their affiliated agencies for investment guarantees. Consideration should also be given to the creation or strengthening of schemes which provide special credit facilities to firms which desire to invest in developing countries. None of these steps will transform the flow of investment unless accompanied by basic changes in the investment climate, but each is worth careful study by donor governments. *Therefore, we recommend that developed countries strengthen their investment incentive schemes, wherever possible.*

Tax concessions extended by developing countries are sometimes a useful way of temporarily shielding foreign companies from the full impact of an antiquated tax system, thereby providing governments with time to revise the basic structure. But only in a few cases do they seem to draw an investment opportunity to the attention of a foreign company, and they are generally reported to be of very modest importance in the final investment decision. On the other hand, they restrict the growth of the host country's tax base, sometimes quite seriously. Accordingly, we would recommend that general tax concessions to attract foreign companies be used sparingly. In any event, developing countries should seek to stop the competition in tax concessions by international cooperation.

Tax concessions by developing countries raise the subject of "tax-sparing," that is, tax credits for international companies in their home countries to ensure that tax concessions in host countries are not offset by increased taxation at home. The value of such provisions is not as obvious as it might seem. On the one hand, it is true that they may give slightly more teeth to tax concessions which developing countries find worth trying. On the other hand, in the absence of tax-sparing, companies have an incentive to reinvest profits earned during the concession period and this may be a more valuable result. On balance, tax-sparing does not seem to be a policy which can be firmly prescribed, although it may be quite useful as an inducement to invest in lagging sectors or areas of developing countries.

We do, however, recommend that developing countries structure their tax system to encourage profit reinvestment by foreign companies. Profit reinvestment is a form of foreign capital which is more readily attracted by tax incentives than new capital, and positive incentives to reinvest are greatly to be preferred to penalties for remitting. The latter tend to be counterproductive by discouraging new capital inflow.

Third, at the international level, talks leading to the establishment of a multilateral investment insurance scheme should be pursued vigorously, as such a scheme could be very helpful in mitigating the impact of an uncertain investment climate. In saying this, we do not dispute the value of the bilateral programs now operated by eight developed countries. Some of these, such as the extended-risk scheme operated by the United States, are especially useful in permitting corporations to gear-up their equity investments by tapping fixed interest funds from institutional investors in developed countries. But a soundly based multilateral system could: (a) permit insurance of investments made by companies based in countries not now operating bilateral systems, such as France and the United Kingdom, (b) permit insurance of multi-national projects, (c) permit small bilateral insurance programs to reinsure large risks, and (d) involve both developed and developing countries in the insurance risks. It might even be appropriate eventually to link the scheme to the Convention on the Settlement of Investment Disputes, by providing for higher coverage and/or lower premiums for insuring investments in countries which accede to it, or to provide for recourse to equivalent regional arbitration facilities.

Serious consideration should also be given to concluding bilateral agreements on the treatment of foreign investors of the sort already concluded with some developing countries by the Federal Republic of Germany, Switzerland, and other donor nations. This might eventually lead to a network of such agreements which could be consolidated into a uniform multilateral agreement such as has been suggested by the Council of the OECD.

The fourth area in which action to stimulate the flow of private capital would be useful is that of project identification and investment promotion. Existing bilateral programs with this objective include the subsidization of investment surveys and the publicizing of known investment opportunities. These are useful programs, but they are often too small and imperfectly geared to the investor's needs (for example, the surveys subsidized are sometimes too general to be of real value in promotional work). They should also devote more attention to inducing small, and medium-sized investors to take up projects in developing countries, providing them, when necessary, with the required technical assistance. Programs of this kind are currently operated by the German Development Company and the Commonwealth Development Corporation.

Similar change should be encouraged with respect to the International Finance Corporation (IFC), which has in the past interpreted the clause in its Articles requiring it to finance only projects "where sufficient private capital is not available on reasonable terms" to mean that it should leave all project initiative to others. There are some signs that IFC and bilateral institutions of similar type are now beginning to appreciate the role they could play in actively identifying new investment opportunities and bringing together domestic and foreign partners to execute them. Certainly, *because of their links with the private sectors of both developed and developing countries, IFC, and organizations like it, are logical agents for project identification and investment promotion work, and we accordingly recommend that they become much more active in this field.*

PRIVATE CAPITAL: AN ALTERNATIVE TO AID?

There can be no doubt about the contribution which private capital can render to economic development. Indeed, dollar for dollar, it may be more effective than official aid both because it is more closely linked to the management and technology which industrial ventures require, and because those who risk their own money may be expected to be particularly interested in its efficient use.

In most industrialized countries there are influential voices advocating that for these reasons private investment could and should replace official aid flows. In the present state of affairs, however, this is an illusion. To begin with, given the present limited access of developing countries to the capital markets of the world, private capital flows are simply not available to finance many of the investment which are a prime need in developing countries—schools, roads, hospitals, irrigation, et cetera. Even through the mediation of the World Bank, such needs cannot be met on the basis of capital that can, in the near future, be raised in capital markets. Second, the flow of private capital tends to be highly concentrated in countries with rich mineral resources and fairly high incomes. Many of the countries of Africa and Asia receive almost no private capital. It is precisely because private capital flows cannot meet the extraordinary demands posed by the imperatives of development that large government efforts have been called forth. Another basic consideration is that it is only through public aid that the developed countries assume any burden on behalf of the weaker members of the international community.

It is fundamental to our strategy that the need for aid should eventually subside. Direct investment and access to capital markets would then increasingly meet the demand for development finance. But, for most developing countries, this is not possible in the short term. On the contrary, for many countries, official aid for investment in infrastructure is a prerequisite for private investment and tends to stimulate it. Far from being alternatives, private investment and public aid can complement each other and it is to this end that immediate efforts should be made, both in bilateral and multilateral aid operations.

RECOMMENDATIONS

1. Developing countries should take immediate steps, where consistent with legitimate national objectives, to identify and remove disincentives to domestic private investment.

2. Developing countries should preserve the greatest possible stability in their laws and regulations affecting foreign investment.

3. Developed countries should strengthen their investment incentive schemes wherever possible.

4. Developing countries should structure their tax systems so as to encourage profit reinvestment by foreign companies.

5. Because the IFC and organizations like it have links with the private sectors of both developed and developing countries, they are

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logical agents for project identification and investment promotion work, and they should become much more active in this field.

6. Governments of developing countries which attach great value to domestic ownership of industry should establish positive incentives for all companies, foreign and domestic, to share ownership with the public by sale of equity in suitable forms.

7. International institutions, such as the World Bank and UNIDO, should expand further their advisory role regarding industrial and foreign investment policies.

8. Developed countries should remove legal and other barriers to the purchase by institutional investors of bonds issued or guaranteed by governments of developing countries.

9. Developed countries should remove balance-of-payments restrictions presently inhibiting the bond issues of developing countries in international capital markets.

10. In regard to the possible excessive use of export credits, a strong "early warning system" based on external debt reporting should be evolved by the OECD and the World Bank.

ENVIRONMENTAL QUALITY: THE CHESAPEAKE IN TROUBLE

Mr. TYDINGS. Mr. President, Maryland's greatest natural resource is the Chesapeake Bay. One of the world's most productive estuaries, the bay provides an economic and recreational bonanza to the people of Maryland.

Yet like many natural resources, the Chesapeake is in danger. The heavy hand of man has polluted its waters and neglected to provide a planning mechanism suitable for its protection.

The bay is threatened by thermal discharges from nuclear power plants, by industrial and municipal wastes, and by major problems of siltation.

Many things are needed to protect the Chesapeake. Sufficient money, proper planning, stiffer laws, and tougher enforcement are all required.

Yet these all presume public concern. If the people of Maryland do not recognize in time the threat to their bay, the Chesapeake will in the long run be lost to pollution. One of the encouraging developments recently has been a growing awareness on the part of Marylanders that their most valuable natural resource is in jeopardy. In yesterday's Baltimore Evening Sun an article entitled "The Chesapeake—Still at Bay," written by Wayne Hardin, points up the threat to the bay and notes the growing public concern over the great estuary. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AWARENESS OF BAY PROBLEMS GROWS

(By Wayne Hardin)

After a spring and summer of discontent and bickering and name calling that continues, the Chesapeake is still at bay—threatened by pollution.

How imminent the threat is probably depends on whom you listen to, and plenty of people are talking.

The ordinary citizen, the man who carries the vote around in his hip pocket, the man who likes his crabs and drinks his beer, the man who has been asleep, suddenly seems to care about water pollution.

Throughout the summer, the tumult and the shouting were heard, mostly from public officials and politicians.

Everybody agreed that, "Yes, this is a horrible situation."

But unfortunately, much of what came out of the agreement was the attitude, "Now who can we blame?"

POLLUTION REMAINS

The pollution in its various forms—sewage, silt, erosion, heat, industrial, chemical, eutrophication (over enrichment)—remains.

Waiting, waiting like a condemned man wondering if reprieve, pardon or death is to be his fate, is the Chesapeake Bay, fed by polluted tributaries, fought over by special interests, ravaged by greedy developers—the queen of the bays at the mercy of men who can love it or leave it, save it or lose it.

The queen is 190 miles long, varying in width from 6 to 30 miles, in depth down to 175 feet with an average of 20 feet.

It has a surface area of 4,300 square miles, a shoreline of 4,500 miles, and contains about 18,250 billion gallons of water.

POLITICAL BATTLEGROUND

It is mostly Maryland, but partly Virginia, and it is unique and worth saving.

In the past few months, it has become a political battleground, maybe in future times to be recalled in war terminology: the Battle of Jones Falls, the Baltimore harbor conflict, the Calvert Cliffs bombardment, the Piscataway fray, Bear Creek raid, St Michael's siege, the Potomac campaign, the Choptank action, wherever an oil slick, a fish kill, an overflowing sewage treatment plant happens to pop up, causing another eruption.

The Jones Falls affair managed to consume a large amount of time and get Baltimore city, county and the state all involved in a squabble.

It has produced, among other things, a state proposal that the long neglected hitherto unregulated Baltimore harbor be made safe enough to swim in. The battle on that one will continue later this month.

PRESSMAN ATTACK

Summer got off to a slow start, marked by an attack or two by City Comptroller Hyman A. Pressman on the Maryland Port Authority over how its debris collecting boom on the Jones Falls could be used. Then Governor Mandel got the ball rolling by accusing the city and a few others of doing little or nothing to control water pollution and, indeed, even contributing to it.

Pressman defended the honor of the city by calling the Governor "all wet," and likened state controls on pollution to a "paper tiger."

In a report, Pressman's pollution committee charged the state had "surrendered the harbor to outright unlimited pollution." Mandel fired back that "local government failures" were "perpetuating and intensifying pollution of Baltimore harbor."

WATERSHED BUILDING BAN

In the meantime, Dr. Neil Soloman, new head of the new State Department of Environmental Health and Mental Hygiene, imposed a building ban in the Jones Falls watershed because of overflowing sewage from the Jones Falls pumping station.

This brought a howl from developers and city and county governments.

Although some relief was found in a "lost sewer line," Dr. Solomon extended the ban until 1971, with exemptions to be allowed to capacity.

The crossfire reached its climax when Paul McKee, director of the State Department of Water Resources, announced the proposed water quality standards to make the harbor safe for swimming. A public hearing on the proposal is scheduled October 20.

LOCALIZED PROBLEM VIEW

The harbor is what some state officials like to call a "localized pollution problem," with the harbor counted as part of the Patapsco River. A bay expert, Dr. L. Eugene Cronin, director of the University of Maryland's Natural Resources Institute, disagrees.

"Because of its nature, the harbor area is more like a finger or an arm of the bay than an ordinary tributary," Dr. Cronin said. "It is unlike any of the other tributaries."

One battleground that is strictly bay is the Baltimore Gas and Electric Co's Calvert Cliffs nuclear power plant, now under construction.

Probably no issue in recent years has united more conservation and scientific souls into a common, if somewhat haphazard, effort against it.

PUBLIC FUROR

Television debates have been held on the subject. A moratorium was asked and ignored.

Many prophecies of doom were made. But the united effort against the plant has been one mainly of spiritual togetherness, with an effect of BB guns against an atomic cannon.

One of the most adamant foes of the plant has been Jess W. Malcolm, executive director of the Chesapeake Bay Foundation. On the same day last summer when he released a report in which he asked for a moratorium on construction of the plant, the Atomic Energy Commission announced it had issued a construction permit, and Malcolm's plea was dead before it lived.

GIVING FIGHT FULL TIME

But that hasn't stopped him.

"Fighting this thing is taking up all my time," he said, one day recently, sitting in his Annapolis office among a huge pile of books on AEC hearings and peaceful-use-of-the atom literature. "I guess you might call it my passion.

"It's sort of a David and Goliath campaign, but I've never been so fired up about anything in my life."

The fears concerning the plant are twofold—thermal, or overheating of the water which will be used for cooling the plant generator, and the possible escape of radioactivity into the water and atmosphere.

"The whole issue really boils down to a bet with the public," Malcolm says. "The Gas and Electric Co. and the AEC are betting that they can use the atom to produce electricity and that they can control it.

OTHER SIDE

"The other side of the argument is from people who say they cannot do it, and if the Gas and Electric Co. loses the bet, millions of people could be killed.

"The thing is, nobody really knows what effect the plant will have."

Other groups opposing it include the Chesapeage Environmental Protection Association, scientists from the Johns Hopkins University and the University of Maryland, and the Sierra Club.

On the other side, support for the plant has come from such people as state Senator Edward T. Hall (D., Calvert), who recently branded foes of the plant a "band of irrational malcontents," who should turn their attention to solving "existing major conservation problems" such as pollution caused by raw sewage, chemical wastes, oil spills and DDT.

MADISON AVENUE CAMPAIGN

But Hall has been a little firecracker compared to the big boom from the Gas and Electric Company itself.

The utility has come on with a slick, professional, Madison avenue campaign in newspapers and on television, replete with pretty pictures and well-written copy assuring the public that everything is all right.

One recent advertisement told of a family named Nixon who just purchased a "new California home less than 3 miles from the San Onofre nuclear power plant, a plant similar in type to the one at Calvert Cliffs."

"The Gas and Electric Company has flubbed two ways with this campaign," Malcolm says. "First, they are bringing the problem to the attention of a lot of disinterested persons, and, second, they have dignified the protesters."

BATTLE GOES ON

The battle over the bay goes on and on smaller fronts as well.

The Calvert Cliffs bombardment is not over, although the opponents definitely are at a disadvantage for now.

But the summer was not all one of warfare. There were some signs of encouraging change amid the outrage. Admittedly, most of it was of the paper variety.

Some of the signs:

The long overdue announcement by Bethlehem Steel Corp., one of the largest polluters of the harbor, that it would spend $9.5 million on a 2½-year program to control water pollution at its Sparrows Point plant.

Dr. Solomon's building ban in the Jones Falls watershed.

Governor Mandel's avowals that curtailment of water pollution shall be a major goal of his administration, the appointment of interagency committees to plan and coordinate the effort, and his decision to halt the sale of state wetlands, so necessary as a nursery for wildlife on the bay.

Increased seafood production in the bay, which has been the highest this year it has been in 50 years, according to Chesapeake Bay Affairs statistics.

Increased public awareness of pollution which has created a better climate for vote-conscious state officials and legislators to push forward with water pollution control programs.

CATCH PHRASE

As the time bomb in the Chesapeake ticks on, waiting to be disarmed or exploded, a little catch phrase often used by conservationists keeps coming back.

It has a little rhyme and not much meter, and it goes: "You are the solution to water pollution."

SENATOR HARTKE SEEKS NEW APPROACH TO PEACE IN VIETNAM

Mr. NELSON. Mr. President, over the weekend, the distinguished senior Senator from the State of Indiana (Mr. Hartke) delivered a brilliant and compelling address on the subject of Vietnam. The Senate should take careful note of his candid proposals for peace in that ravaged country, for Senator Hartke was among the first who counseled the United States against its ill-advised policy in Vietnam. So that the Senate might benefit from the remarks the distinguished Senator made in Indiana on Sunday, I ask unanimous consent that his speech be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

A New Approach to Peace in Vietnam

(Remarks by Vance Hartke, U.S. Senator, to the Temple Beth-El, South Bend, Ind., October 12, 1969)

While dining at one of London's finest restaurants in the late 1940s, Sir Winston Churchill is reported to have returned a dish of watery rice pudding to the kitchen after admonishing the waiter: "Take it away; it has no theme."

Were he alive today and were he asked to comment on the Vietnam war, Mr. Churchill might have said the very same thing. If a rice pudding or a government policy has no coherent theme or structure, the result will not be satisfying. During the last fifteen years, our policy in Vietnam has suffered because of the lack of a clear cut theme. Today we would be well-advised to reprimand those who prepared it; and we should no longer hesitate to offer a recipe for its improvement.

I am aware that President Nixon has requested a sixty day moratorium on all criticism of his handling of the war. But at a time when American soldiers continue to die at the rate of 150 to 200 a week, I believe that public silence would be a retreat from personal responsibility. The cause of peace will not be served by asking Americans to hide their discontent behind a mask of complacence. And I do not think the cause of peace will be advanced if the President remains stubbornly indifferent to the arguments of reasoned dissent.

We must all feel a sense of astonished horror when we consider how long the United States has been engaged in this senseless struggle. For most of the decade Vietnam has been an exasperating preoccupation for this country. More than four years have passed since former President Johnson consigned the first quarter of a million men to that remote corner of Southeast Asia. It is almost two years since the Tet Offensive made the futility of our military effort apparent to countless Americans. And although we have been fighting in Vietnam longer than we did in defense of Europe during World War II, no one can predict when the hostilities will end.

Vietnam is a ravaged battlefield, devastated by millions of tons of American bombs. The survivors, as well as the unknown dead, are the scarred casualties of the war. The Vietnamese peasants are refugees in their own land—the helpless victims of forces they cannot control.

The terrible toll of the conflict has been paid beyond the confines of that embattled country. Within our own land, thousands of families mourn the loss of their sons. But even those of us who have escaped unscathed have had our confidence in the national purpose shaken. We have seen the morality of the nation compromised for questionable objectives. We have watched as the tranquility of the United States was replaced by bitterness and frustration. It is undeniable that violence begets violence, and we have learned that the brutality in Vietnam is a contagion that cannot be confined to the battlefield. The war has been one agent in the degeneration of restraint that recently has disturbed our society.

There is not one among us who can adequately explain how the United States became so hopelessly involved in the quagmire of the war. The road to the stalemate in Vietnam, as it is to an equally disreputable destination, has been paved with good intentions and bad advice. The most cynical of French revolutionaries, Fouché, would have declared that the debacle in Vietnam "is worse than crime. It is a mistake."

The time has come for us to stop making mistakes. There is nothing we can do about the past except learn from it. We must abandon the policies and attitudes that have led us directly to the brink of national disaster.

It would appear that the Administration finally recognizes the need for a change in our policies toward Vietnam, for it has assured us that it realizes that the war is not winnable "in the military sense." But I am not convinced that President Nixon understands the logical implications of that conclusion—that the war is not winnable in the diplomatic sense either.

We must reconcile our ambitions and pride to the grim realities that this nation confronts in Vietnam. We must be satisfied with, in the words of Woodrow Wilson, a "peace without victory." The armed forces of the United States have wrestled those of North Vietnam and the National Liberation Front to a deadlock. We are not negotiating from a position of strength but from one of equality. Therefore, we should not expect them to accept in a Paris hotel the type of settlement that they have withstood on the battlefield.

The war will continue as long as the United States stubbornly continues to defend the interests of General Thieu and General Ky. If progress toward peace is to be made in the Paris peace talks, our government must make it clear that it does not consider their leadership to be an indispensable element of South Vietnam's future. Both reality and reason impel us to declare our support for the formation of a coalition government that will include the significant participation of the National Liberation Front.

In recent months it has become clear that the principal obstacle to the disengagement of American forces from Vietnam is our marriage to those most unattractive political bed-fellows, Generals Thieu and Ky. I am disturbed by the fact that our policies are influenced so greatly by two men whose government has been a consistent disappointment and embarrassment. Their rigorous application of repressive laws which are reminiscent of the Diem dictatorship reduces to a farce our announced intention to bring democracy to South Vietnam.

Their implacable resistance to the formation of a coalition government indicates that such an interim regime could best be led by a political figure who is known to favor a compromise until free elections determine the final character of the South Vietnamese government. If the coalition is to work, it would have to be led by a man who enjoys the respect of a wide spectrum of political groups. Truong Dinh Dzu, who finished second in the Presidential elections in South Vietnam two years ago—and was sent to jail for his success—might be the type of man who could preside over a coalition government.

I think that the President should bear in mind that the original premise of our involvement in Vietnam was to assure its people a free choice of political leaders, rather than to perpetuate the military dictatorship of Thieu and Ky.

President Nixon has recently stated that he will not be the first American President to "preside over a military defeat." If the President is sincere in his assertion that he is not attempting to decide the issue in Vietnam by force of arms, I do not see why he is indulging in that sort of rhetoric. His concern at this point, recognizing that military victory is no longer our objective, should be to scale down the level of violence in Vietnam.

I believe we could take a great step in that direction if the President would order the halt of all American offensive military operations. The search and destroy missions should be halted, and we should engage the enemy only if he attempts to penetrate the territory that is currently under our control. The idea of maintaining our military presence only in strategic enclaves was proposed long ago. The immediate adoption of that concept would greatly reduce the level of fighting. Furthermore, it would provide a direct challenge to the Communists to deescalate their military efforts. We must demonstrate to the Communists and the world that we are willing to accept the territorial status-quo in Vietnam. Such an action would place the burden of responsibility for continued bloodshed upon the North Vietnamese and the National Liberation Front. I would hope that our initiative would lead to the establishment of an official cease-fire.

In conjunction with these two important actions in behalf of a resolution of the war, the support of a coalition government and the cessation of all offensive military operations, the President should consider the implementation of the following additional measures:

First, the United States should withdraw its offensive units from South Vietnam with the greatest deliberate speed while giving careful attention to the safety of troops remaining in Vietnam. After so many years of American assistance, the armed forces of South Vietnam should be able to reinforce the defensive enclaves that had been supported with American units.

Second, in order to demonstrate our willingness to abide by the results of the internationally supervised elections, the Administration should announce its intention to grant diplomatic recognition to the Government that arises from these elections.

Third, the greatest demonstration of this nation's concern for the destiny of South Vietnam would be to lend our assistance to its economic recovery from the devastation of war. We should make a special effort to ease the burdens of Vietnamese refugees. It is this "other war" in that unhappy country that deserves the attention of the United States.

Fourth, the Administration should continue its efforts to find a lasting settlement for the war through the talks in Paris. Recognizing that the United States entered this war without legislative sanction, the President should invite Congressional participation in its conclusion by assigning a bipartisan delegation to attend the Paris peace talks.

Finally, in deference to the ideals to which this nation has always been committed, the Administration should bring pressure upon the Saigon regime to release the countless political prisoners who are incarcerated without legal justification.

I offer these suggestions in the absence of more concrete proposals by the President. The danger is great that President Nixon will fall victim to the disease of Vietnam. During last year's campaign, he asserted that he had a plan to end the conflict. The time has come for him to offer a solution more compelling than the withdrawal of a limited number of American troops whenever public opinion demands some sort of action.

We have not progressed very far toward peace during the nine months of the Nixon Administration. Even with the cancellation of draft calls during November and December, nearly the same number of young men will have been inducted into the armed services during 1969 as were drafted during the last year of the Johnson Administration.

The patience of the American people, when the issue of justice is not involved, cannot be expected to last forever. In the past we have gone to war to preserve the human values that we treasure during peace. But morality and ethics cannot be argued in behalf of our senseless entanglement in Vietnam.

The fault for failure lies not with the soldiers who have fought and died so courageously, but rather with the cause they were asked to defend. Americans, who voted for peace in 1964 and for a settlement of the war in 1968, realize that the United States is not fighting in behalf of moral imperatives.

Although President Nixon may refer at times to Vietnam as this nation's finest hour, there are few in the government who still believe that democracy is making its last stand in South Vietnam. It is the absence of purpose in our efforts in that country that makes the great loss of life so horrifying and absurd.

Shortly before his death, President John F. Kennedy noted that the war against the communists would have to be won by the Vietnamese themselves. It is high time that the army of South Vietnam assumes the full brunt of fighting.

No one can safely predict what the future will bring to Vietnam after the last contingent of American troops will have left that country. Dr. Howard Zinn addressed himself to the unforseeable in the conclusion of his book, *Vietnam: The Logic of Withdrawal*. He observed: "We may see a period of turmoil and conflict in Vietnam. But this was true before we arrived. That is the nature of the world. It is hard to imagine, however, any conflict that will be more destructive than what is going on now. Our departure will inevitably diminish the fighting. It may end it."

That statement, written in 1967, is more compelling today than it was two years ago. Now more than ever, it is clear that the price of war becomes harder to bear with each month. While we continue to follow the unwise policy of spending good money to save a bad investment, the true ills of our country go uncared for, the forgotten citizens remain unnoticed, the violence in our streets increases. And in an effort to contradict commonsense, we are told that it is more important to save face than save lives.

The American people would be well-advised to ask what perversion of the national purpose allowed the energies of this country to become so committed to the destiny of Vietnam and why the United States finds itself unable to detach itself from the conflict. The answer lies, to a degree, in the psychology created by our form of government. George Kennan wrote in *Russia and the West Under Lenin and Stalin:*

"There is . . . nothing in nature more egocentrical than the embattled democracy. It soon becomes the victim of its own war propaganda. It then tends to attach to its own cause an absolute value which distorts its own vision on everything else. Its enemy becomes the embodiment of all evil. Its own side, on the other hand, is the center of all virtue. The contest comes to be viewed as having a final, apocalyptic quality. If we lose, all is lost; life will be no longer worth living; there will be nothing to be salvaged. If we win, then everything will be possible; all problems will become soluble; the once great source of evil—our enemy—will have been crushed; the forces of good will then sweep forward unimpeded; all worthy aspirations will be satisfied."

If there is anything that we can take from the bitter experience of Vietnam, let it be a more sophisticated appreciation of our role in world affairs. The tragedy of the war should finally disenthrall this nation from the tired myths and dogma that have invited our knee-jerk reactions to international politics.

We should test the assumptions developed during the hysteria of the fifties against the realities that confront us as we enter the seventies.

Above all, we should take from Vietnam a new awareness of the potential and limitations of American might. We are the most powerful nation in the world, but we are not all-powerful. Misfortune can come from the failure to exercise with caution and restraint the strength that is this nation's inheritance.

For as Shakespeare warned in the First Part of King Henry the Sixth:

"Glory is like a circle in the water
Which never ceaseth to enlarge itself
Till by broad spreading it disperse to nought"

A JUST RESOLUTION OF THE VIETNAM WAR

Mr. BAKER. Mr. President, public discussion in the United States about the war in Vietnam appears to be increasingly concerned with ending American involvement in that conflict and not with a just resolution of the conflict itself. In fact, it seems that many no longer make such a distinction, although it is very real, particularly to the people of South Vietnam, who were at war long before the United States became involved.

It is appropriate that American lives and American resources should be of primary concern to us as Americans. But it is not appropriate that the future of the people of South Vietnam should play no part in our deliberations. Some say that the only responsible course open to the Government of the United States is immediate withdrawal of support from the Government of South Vietnam.

Mr. President, if any responsibility has been incurred by successive Governments of the United States it is for the encouragement of dependency by South Vietnam on American economic and military power. If the Government of South Vietnam is not as responsive to the diversity of political persuasion in South Vietnam as we would like for it to be, much of the responsibility for that fact lies not in Saigon but in Washington. As Senator AIKEN tellingly observed at Norwich University on October 11:

> The tragedy of Vietnam is that we have prevented self-determination through the weight of our intervention even while proclaiming the preservation of self-determination as our goal.

The new policy of the Government of the United States in Vietnam is called "Vietnamization." This policy involves much more than the assumption by ARVN troops of the combat effort. "Vietnamization" also means that the Government of South Vietnam must at last become increasingly dependent for its continued incumbency not on American power and support as it has in the past but on genuine institutional and economic reforms that will win the legitimate support of a broad segment of its own population.

Mr. President, I have just read an article written by Robert Shaplen on September 10 for the September 20, 1969, issue of the New Yorker. It is a long article, and it is with some apologies to the Public Printer that I ask unanimous consent that it be printed in the CONGRESSIONAL RECORD at the conclusion of my remarks.

Mr. Shaplen has been reporting on the war in Vietnam for a number of years. He is intimately acquainted with the people in Saigon, Washington, and Paris who are involved daily in the prosecution of the war and in the political activities that surround it. The most striking aspect of the article for me is its utter lack of dogma. It seems to me that for Mr. Shaplen the men in Saigon and the people of that country are not pawns or statistics but living men and women with all of the aspirations and the prejudices of the species. I, for one, am pleased to read that something very much like genuine political activity seems to be going on in Saigon, that leaders of various political viewpoints are talking to each other, that seemingly meaningful elections and government are taking place in the hamlets and the districts where the people are, and that the United States appears to be doing things that perhaps it should have done years ago to promote political flexibility.

As I read this excellent article, Mr. Shaplen does not really talk about who is winning or who is losing. I do not believe that his vision has been as narrowed as that of some in this country.

XUM

What he seems to be writing about is a situation, a very real and human situation, as he sees it now. I commend this "Letter from Saigon" to the careful attention of Senators.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LETTER FROM SAIGON

(By Robert Shaplen)

SEPTEMBER 10.

Over the last two months, an unduly prolonged Cabinet crisis and other political and psychological shock waves have further threatened what remains of this weary capital's equilibrium. Most important, there has been a sudden realization that the Americans are indeed determined to pull out a large number of troops as soon as possible, and that, although Washington will try to fulfill its pledges of continued military and economic aid, the burden of carrying on the war will fall more rapidly than had been expected on the still—and, it seems, perpetually—unprepared South Vietnamese. Unfortunately, they remain as sharply divided and as suspicious of each other as they have always been, and it seems quite possible that they will end by figuratively throwing themselves into the sea like lemmings. This potential for self-destruction must be taken seriously, despite the existence of a number of countervailing factors, including the increasing difficulties that the Communists have admitted experiencing. These difficulties may, of course, be exacerbated by the passing of the illustrious and irreplaceable Ho Chi Minh, for now a serious power struggle could take place in the North—though such a struggle does not seem likely to take place in the immediate future, and the probability is that Ho's memory will be resoundingly invoked as a rallying cry for victory.

The difference between the two sides all along has been that the Communists have usually known what ailed them and done their best to cure it—as they now are trying to do with the agricultural ills in the North while initiating in the South a new strategy of "great victories with limited strength," in the phrase of their Deputy Prime Minister, Defense Minister, and Commander-in-Chief, General Vo Nguyen Giap. Saigon, by contrast, is still flailing around ineffectively in dealing with most of its problems. Everything seems to hinge on organization and conviction. Even though there is evidence that the Communists' mass support has diminished in South Vietnam and is under severe strain in the North, the disciplined Communist leaders have managed to keep most of their followers convinced that their side is ultimately bound to win the war, throw the "neo-colonialists" out, and unite the two halves of Vietnam, whereas the disorganized and disgruntled leaders in the South, lacking any widespread backing beyond their own and the American bureaucracy, continue to rely on words and formulas as substitutes for true conviction. The new magic word is "Vietnamization," which may be defined as a process surrounded by difficulties comparable to those of carrying out a successful heart transplant. In a sense, the Americans, having failed in what once seemed a revivifying infusion of new strength are now being rejected by the Vietnamese body politic, and it may be that the main thing we have succeeded in doing in Vietnam over the past fifteen years—or, anyway, the past ten—has been to inhibit a natural revolutionary development that might have evolved on its own to its own success or failure irrespective of the pressures from the North.

What seems almost inevitable is that the war in Vietnam will continue, one way or another, and that, as Ignazio Silone once forecast in another context, the final conflict will pit the Communists against the ex-Communists. Perhaps, as Asians, the Vietnamese, North and South, will make special, Asian-style accommodations with the inevitable and live happily—or else unhappily—ever after, but one somehow begins to doubt whether accommodation itself will be more than a phase. It is true that the average Vietnamese peasant traditionally wants only to be left alone to till his fields, but by now, in the North at least as much as in the South, he has been kicked around and shunted back and forth for so long that he has become a political person whether he wants to be or not, having been forced to form some definite ideas about social justice and about what his prerogatives are or ought to be. Over the years, I have talked to peasants and peasant-soldiers, including North Vietnamese prisoners, and their political convictions, whether pro- or anti-Communist, are quite strongly defined. One certainly also finds this to be true among the scattered religious elements in the South—the Buddhists, the Catholics, the Cao Dai sect and the Hoa Hao sect—and among the Montagnards as well, and these groups account for most of the population of South Vietnam. Deep-rooted political convictions also move people like Vice-President Nguyen Cao Ky, a French-trained but fiercely patriotic and xenophobic Vietnamese (he once told me that if he had had the choice over again he might have sided with Ho Chi Minh), and many members of the earlier resistance—those who fought against the French in the Communist-dominated Vietminh between 1946 and 1954. Ky, with whom I have spent some time during this trip to Vietnam, is one of the ardent anti-Communists who might stay around after some of their fellow-generals and office-holders have fled the country with their fortunes, but if the likely initial period of accommodation gives way to another conflict, it will not be Ky and his dashing young friends in the Air Force and the Army who will carry the fight to the Communists but, rather, the ex-Vietminh nationalists, who have their roots among the people, and who are potentially capable of rallying a new peasant force that would reject both the tyranny of the landlords and that of the Laodong (Workers') Party, the ruling Communist party of the North. Some of the former Vietminh leaders I know are Northerners, as Ky is, or come from central Vietnam, and they claim, as Ky does, that they could raise a guerrilla division in North Vietnam right now. They also claim that they could rally support among the *hoi chan*, or returnees, from Communist areas in the South, who have averaged twenty-five thousand a year over the last three years, and even among some of the five thousand North Vietnamese prisoners being held in the South. They may simply be boasting, and if so, and if the South does become "Vietminh-ized," these ex-Vietminh types will probably be the first to be eliminated, but if they are right, a new resistance in the South, opposed both to Communism and to a sellout peace, could spread to the already beleaguered and economically shackled North. No longer inspired by the organizing genius of Ho, faced with an apathetic and latently hostile population kept in line by carrot-and-stick measures, and held together politically by Ho's companions in the Politburo and by a still powerful Army, North Vietnam today is probably confronting its greatest challenge in its two and a half decades under Communism.

The events of the last two months here, seen against the backdrop of the talks in Paris, where I spent the month of June, have certainly seemed to offer scant hope that peace is any closer. The six-point invitation to the National Liberation Front to take part in elections, which President Nguyen Van Thieu issued on July 11th, was quickly denounced by the Communists as more "perfidious trickery," and both sides have since remained adamant. "We have gone as far as we can or should go in opening the door to peace, and now it is time for the other side to respond," President Nixon said on July 30th as he stood on the steps of Independence Palace in Saigon. Two weeks before that, Vice President Ky had told a group of officers at the National War College that "to retreat one more inch would amount to unconditional surrender," and added that, in view of the Communists' intransigence, "I should think there is no more reason for us to maintain and prolong the Paris talks." This was, of course, part of the propaganda war between Saigon and Hanoi that is fought weekly in Paris; although neither side is ready yet to talk seriously about making peace, neither side has any desire to break off the negotiations. Some progress could still come late this year, but it seems far more likely that the conflict, both military and political, will continue through at least part of 1970—at a reduced level of violence but at a higher and more critical level on the political front. The offers and counter-offers made so far will meanwhile sit on the shelf, not altogether ornamental but not yet the useful instruments they could become. They do, in fact, contain the shape, if not the substance, of ultimate accommodation and agreement, and so what has happened here and in Paris in the past few months cannot be dismissed as utterly futile. The Communists, taking a more consistent approach, have moved ahead logically in their declarations over a longer period. The South Vietnamese and American strategy has been wobbly and, for the most part, defensive. Thieu's July 11th election offer—which the day before he had told a group of Saigon legislators he was submitting at the behest of the Americans—was a maneuver he obviously knew would be rejected, yet he ran a real risk in making it. The risk lay in the effect it would have on South Vietnamese morale, and particularly the morale of soldiers in the field, for in one breath he was talking peace and in the next exhorting them to go on fighting. For this reason, many Vietnamese I have spoken with believe that the Americans gave Thieu poor advice, and that in this case he should have exhibited his characteristic caution—above all, by discussing his peace plan behind the scenes before publicizing it.

The offer did have the predicted effect on the South Vietnamese soldiers—most notably, the younger officers. Why, they asked themselves, should they go on fighting and dying and urging their men to do the same if tomorrow the shooting might stop and their Vietcong opponents might emerge among them as "brothers"—and perhaps more praiseworthy ones in the people's eyes, because of their long absence from villages where the South Vietnamese have made themselves unpopular by stealing chickens and pigs? The question was a valid one. What was required as a prelude to any peace offer, many South Vietnamese feel, was a series of moves to reorganize the armed forces, to reeducate them, and to motivate them to continue fighting, and an effort to balance such a reorganization with reforms in the central government, so that it would cover a broader spectrum of the important religious and political forces, and there should also have been a more decisive move toward decentralization at the lower administrative levels, which has now just begun. Thieu himself, once he had made his offer, was aware of the trouble it might cause. When I saw him late in August, he was exuding confidence that the crisis was past, but he admitted, "The atmosphere for two weeks after July 11th was very heavy."

Just how heavy it was became apparent on July 22nd, when a group of nineteen retired general officers held a three-and-a-half-hour luncheon meeting at the home of Senator Tran Van Don, who as a general in 1963 had been the key figure in planning the coup that overthrew the late Ngo Dinh Diem. A number of other heroes of the coup were at the meeting, including General Duong Van Minh, a still popular man who has been frequently mentioned as the logical choice to head a special advisory body, or brain trust, that could create the broader consensus everyone admits is needed. The meeting, Senator Don announced at the outset, had been called to "judge the situation of the nation, politically, militarily, economically." The guest of honor was Ky. During the discussion, Ky was his blunt self, but it cannot be said that his views were unrepresentative of those of the majority of the country's discontented young officers. He said he had advised Thieu to postpone the July 11th offer, telling him that "regarding the matter of the last and final concession [the election offer], I have to explain it to the citizens and the military clearly and let the Americans know that we won't concede any more."

Ky repeatedly voiced contempt for the Americans during the session. He referred to Ambassador Ellsworth Bunker as "Governor General Bunker" (the French administration in Indo-China was headed by a governor general), and said that the Americans had all along been "wrong in their evaluation of the abilities and capacities of the Vietnamese people" and wrong in their belief that within the limits they had set they could bomb the North into submission. He charged that "the Americans have threatened us many times, saying that if we did not accept their conditions they would reexamine the matter of military aid to us," and he also charged that the United States had supplied the South Vietnamese with, among other things, "disgracefully ancient aircraft." At another point, he said, "I have brought up the matter of Vietnamization of the war with the American leaders. If they really give us enough weapons to fight, then even if we lose and die we will laugh up our sleeves in Hell. According to reports by American advisers, a number of Vietnamese units are ineffective, and it will be difficult for them to replace American units. But I told the advisers that when there is a possibility of our doing the job they should let us do it, so we can win the respect of the people." If not enough aid is received soon enough, "the only thing to do is to try to separate ourselves from that influence, even though we are poor and starving," Ky said, and he continued, "We must strive to become self-sufficient, and to greatly reduce the influence of the Americans—the sooner the better." Although he stressed the need for a unified national policy and his own willingness to support Theiu and work with him, he also expressed fear of a coup by company-grade officers and soldiers, and toward the end of the session he declared that he had enough support to lead a coup himself, "because the people are confused and the government does not follow a clear policy line." He added, however, that if such a move were to be made it "would have to be at exactly the right time and be supported by everyone."

Although most Vietnamese and most Americans here doubt that Ky is strong enough or rash enough to try any such thing, he represents a viewpoint that has to be taken into account. Ky, who in recent months has either languished in idleness or halfheartedly carried out occasional tasks, including his "supervision" of the Paris peace talks, is playing what he calls "the waiting game," and it's the game that a number of ignored, discontented elements in the country today, including the Buddhists and various other religious and political groups, are also playing. The Americans have taken to pointing out to their Vietnamese friends that a lot of people in the United States didn't like Franklin D. Roosevelt at the start of the Second World War but supported him anyway in a time of national crisis, and that the Vietnamese ought to do the same with President Thieu. But the Vietnamese don't think that way, and it is a misreading of the Vietnamese mind to suppose that they could or would.

The thirty-one-man Cabinet that President Thieu recently selected—to replace a twenty-three-man Cabinet headed by the civilian Prime Minister Tran Van Huong—is led by Tran Thien Khiem, who, like Thieu, is a former general, and who has retained the important post of Minister of the Interior, which he held in the previous Cabinet. Although Khiem has played an increasingly important administrative role over the past year, Thieu has run the government virtually by himself, and, in fact, this was one of the sources of conflict between him and Huong, whom the Americans wanted to see stay on, chiefly because he was a respected Southerner and not a military man. Thieu is expected to dominate the new Cabinet—a mixture of politicians and technicians, including nine holdovers—at least as strongly as he dominated the old one. Despite his comradeship-in-arms with Khiem (actually, Khiem outranked the President militarily, four stars to three), the two men have some long-standing differences, involving earlier political rivalries and loyalties, and the Vietnamese, who tend to remember such things, and who think along divisive lines anyway, are already envisaging a new power struggle. This does not seem likely to occur immediately, but it may come about in time, depending on how pliant Khiem proves to be as Prime Minister—a position that, under the constitution, makes him, in effect, only the executor of the President's policies.

In announcing the formation of the new Cabinet, Thieu declared that the step had three objectives: to enlarge the Cabinet, thereby increasing political representation; to make it more efficient; and to improve relations between the executive and the legislative branches. It promises to be more efficient in some respects—particularly in the areas of finance and economy, where two men regarded as experts in their fields, plus two able new undersecretaries, have been named, and in foreign affairs, where Senator Tran Van Lam, a wealthy Southerner with previous diplomatic experience, replaces Tran Chanh Thanh, who was neither very effective nor very popular. Another important Southern addition is Nguyen Luu Vien, who for the third time in the last five years has been named both Deputy Prime Minister and Minister for Education. In what is largely a pro-Thieu lineup, and has strong overtones of the former Diem regime, there are only two well-known men who can be said to represent a liberal outlook—Dr. Phan Quang Dan and Nguyen Tien Hy, who are both Ministers of State Without Portfolio. There are also a few liberals in lesser posts, such as the Minister of Land Reform, Agriculture, and Fisheries, Cao Van Than, a holdover from the previous Cabinet. Dr. Dan is something of a maverick; last year, he was ousted as Minister of Open Arms—the department in charge of returnees from the Communist areas and defecting Vietcong and North Vietnamese—when he advocated direct peace talks with the National Liberation Front prior to Thieu's adopting much the same policy. It seems doubtful, however, whether Dr. Dan will do much more than contribute some liberal window dressing, and an announcement by Thieu that former Prime Minister Huong will remain an adviser to the President seems a mere sop to the Southern group that supported him and to the Americans. As for Thieu's desire to better his relations with the National Assembly, relations between the executive branch and the legislature were until recently downright bad, and while they have begun to improve, they are still far from good. At Thieu's behest, an attempt to form a majority bloc in both houses of the Assembly is being made by Senator Dang Van Sung, a newspaper publisher and veteran politician, but it has so far failed, chiefly because Sung has run into trouble among Thieu's own friends in the House, and because he himself and some other senators are skeptical about Thieu's willingness to cooperate on a practical give-and-take basis.

The word one hears most often nowadays in Vietnam is "sincerity," and it is used mostly about Thieu. Many politicians, whether in or out of office, and a number of prominent independent men, like General Minh, feel that Thieu's main purpose at present is to guarantee his reelection as President in 1971 (assuming that there isn't an election sooner, under a different dispensation, as a result of some sort of compromise with the Communists). Such people almost unanimously mistrust Thieu's advances to them as being hedged by his wanting, in effect, to sign them up as part of his "team" without either explaining his program or making it clear whether they will be allowed to retain their own independent voices. Thieu has done this, inadvertenly or purposely, even with members of the National Social Democratic Front, which is a six-party group he created as a pro-government force, and which has so far proved ineffective, as Thieu himself admits, because of rivalries and jealousies among the six party leaders—rivalries that he himself could resolve if he really wanted to. One American observer said recently, "Thieu has developed the clay-pigeon technique to a fine art—he makes a public show of dealing with men whose cooperation he says he wants but of whom he is basically afraid, and he shoots them down by arousing their skepticism and then putting out rumors of their unwillingness to cooperate." This happened a few weeks ago with General Minh (or Big Minh, as he is known, because he is unusually large for a Vietnamese). The Palace let it be known that Minh had come to see Thieu, whereas Thieu had actually paid Minh a visit at the latter's home in Saigon, at which time Minh's participation in the possible advisory council was reportedly discussed. In reality, Minh later revealed that Thieu did not say a word about such a job, and the two men did little more than exchange amenities for three-quarters of an hour. It may be that Thieu—who, it should be said, has just as much right to mistrust the sincerity of others as they have to mistrust his—was testing Minh's willingness to work with him, and it may be that he was "clay-pigeoning" Minh by floating reports that would inevitably place Minh in an embarrassing position. It is still possible that Minh may play some sort of role in the government, but, like several other Vietnamese I have talked with who are willing to work with Thieu, he is reluctant to take on some ill-defined assignment unless Thieu not only is serious about listening to advice but is genuinely willing to change his mind on such vital questions as the strategy for negotiations and for peace. "If he is simply looking for yes-men, whom he can listen to or ignore at will, then I want no part of it," one of these men has said. "On the other hand, if he is sincere, and is not simply trying to neutralize me in case I want to run for President, then I'm ready to join him, because right now it's more important than ever to stand behind a unified policy."

When I spoke with Thieu at the end of August, a few days before he announced the formation of the new Cabinet, he seemed much more self-confident and open in his attitude than the last time I had seen him alone—in January, 1968, not long after he took office. The President is a man who at best is difficult to read, but then so are most Vietnamese, who carry their mutual suspicions to a point beyond the comprehension of Westerners. I observed that if he wished to win the confidence of the American public and also of more of the Vietnamese, it seemed apparent that he would need to broaden the base of his government, including in it representatives of as many different religious and political groups as possible, and especially groups like the Buddhists, who had mass support. Thieu agreed.

He also agreed that it was important to move quickly to improve his relations with the National Assembly, and to create an advisory council for negotiations which would include some American advisers, so that a consistent policy for peace could be devised. He planned to do this "as soon as possible," he said. The trouble was, he explained, that he had to be convinced of other people's "good intentions." We spoke specifically of the Buddhists of the An Quang Pagoda, whose political leader, Thich Thien Minh, had been jailed by Thieu's police for harboring deserters and pro-Vietcong elements in his Buddhist Youth Headquarters, and whose spiritual leader, Thich Tri Quang, I had spoken with a few days earlier.

Tri Quang had made it clear to me, in a characteristically elliptical fashion, that the Buddhists of the An Quang group had no intention of collaborating with the Thieu government under any circumstances—whether Thich Thien Minh was released or not, or whether Thieu gave An Quang a charter of its own under which to operate, or met any of its other conditions, such as a Cabinet post for a man designated as a friend of the pagoda. "You Americans simply do not understand," Tri Quang had told me. "It is a matter of lack of trust, of our having no hope of anything from this government. It is not a matter of making conditions. After all the money you have spent, and all the men you have had killed and wounded here in Vietnam, you still fail to realize that Thieu and his people are removed from the masses, that you have lost the revolution you thought you were helping win for us in 1963." (At that time, Tri Quang was the man who sparked the Buddhist revolt that led to the overthrow of Diem, and eventually, when Diem's brother Ngo Dinh Nhu ordered military and police attacks on the pagodas, he took refuge in the American Embassy.) When I left Tri Quang, there was no doubt in my mind that, like Ky, though for altogether different reasons, he was determined to sit things out—to wait for the government to fall in one way or another and for a fresh revolutionary opportunity to occur. His own position, however, seemed to have changed since the Struggle Movement of 1966, when Ky, then Prime Minister, defeated and dispersed the Buddhists. Whereas Tri Quang had then been willing to cooperate with the Communists, and had even allowed his movement to be openly infiltrated by them, he now seemed a true independent neutralist.

President Thieu, as I spoke with him about the An Quang problem, seemed willing to release Thich Thien Minh from prison if the An Quang bonzes were "sincere," and he intimated that he would even free Truong Dinh Dzu, the man who ran second to him in the Presidential election of 1967, and who had then been in jail for more than a year because he recommended a coalition government. Dzu, who has become at least as much of a *cause célèbre* in America as he is in Vietnam, could go free, Thieu indicated, if he would write a letter of "clarification"—by which he obviously meant "apology," since the world "coalition" is still taboo in South Vietnam, and any newspaper that uses it can be banned and any person advocating it can be jailed. (The word "reconciliation" is permissible, however.) I left Thieu with the word "sincere" ringing in my ears.

The official American establishment in Vietnam, which was more responsible than the Vietnamese themselves for what many consider the premature creation of the "legal," constitutional Second Republic in 1966–67, feels that Thieu has come a remarkably long way since he took office, and it is reluctant to push him hard now. "If you demand too many things too quickly, he just backs away and moves more slowly," one high-ranking American says. Ambassador Bunker has a close personal relationship with Thieu, and, in the opinion of a number of Americans, is too sympathetically aware of Thieu's problems and too attuned to his personality. Some of these same Americans, and a great many Vietnamese as well, firmly believe that at this eleventh hour the United States should take the utmost advantage of its leverage—threats of faster troop withdrawals, promises of future aid—to force Thieu to do things that are necessary. They feel that since he lacks both a firm policy and a strategy for negotiations, and has not succeeded in establishing anything remotely resembling a national consensus, he must at least be persuaded to let others help him achieve these things, or let them make the effort on their own, under his supervision. A Vietnamese senator who is both consistently critical of us and deeply pro-American said to me the other day, "The trouble with you Americans is that you have confused legality with legitimacy. These are two different things, and it's something the Communists know much better than either of us. Legality is simply a form. Legitimacy is based on the formulation of a sound national policy—which we lack—and the ability to get it approved. We have produced some ideas and many plans and projects—for pacification, for land reform, for village autonomy, and so on—and some of them have begun to work, on a limited scale. But we still have no philosophy of government, no fundamental sense of the direction in which we are going, and above all, no system of political organization, which must inevitably begin at the bottom."

The Americans have tended to compound the problem with their computers, grinding out data on how many hamlets and villages are in what category of combined security and development, ranging in scale from A (the best) to E (the worst, except for V, which means Communist-controlled). Thus, it is officially proclaimed today by both the South Vietnamese government and the Americans that nearly eighty-five per cent of the country's population is under either complete or partial government control, and it is true that in the last few months increasing numbers of people have left Communist-dominated areas and—for whatever combination of reasons, which may include higher Communist taxation, insufficient food, and the conscription of young people into Communist military or labor ranks—moved into regions that are more or less controlled by the government, or where there is at least some government presence. It is also true that the roles of the chiefs of nineteen hundred villages (there are about twenty-five hundred villages in South Vietnam) where elections have now been held, under government auspices, have been so greatly enhanced that these chiefs and their councils operate locally with near autonomy; they have been given their own locally elected development teams and have also been given control over those trained and sent in from outside, such as rural-development workers, and over the so-called Popular Forces, organized by the government at the provincial or district level. During the village and hamlet elections, which were held over two separate three-month periods during the last two years, some difficulty was experienced in getting enough people to run who were both qualified to serve and willing to take the risk of serving (such officials are highly vulnerable to Vietcong terrorism), but, by and large, the results have been encouraging, and the new degree of spontaneous political participation has proved—as nothing else has had a chance to prove in the six years since the anti-Diem coup—that such measures should have been taken long ago.

Yet all this does not work well enough, because not enough else has been done. As Yeats wrote, "Things fall apart; the center cannot hold;/Mere anarchy is loosed upon the world." The district chiefs—the echelon between village and province chiefs—are extremely jealous of the new prerogatives given to the village officials, and the district chiefs, who used to be the local bosses, and the province chiefs are still under the thumbs of the cumbersome Saigon bureaucracy or of the generals in their areas. These difficulties were compounded by the too hastily arranged 1967 national elections; neither the sixty senators, chosen on separate slates-at-large, nor the hundred and thirty-seven representatives, who theoretically represent certain areas but mostly paid for their votes at the provincial or district level, have had any sense of responsibility toward specific constituencies. The legitimate questions, then, are: What price the political parties and blocs in Saigon, which are essentially urban intellectual or bourgeois salon organizations, and what price constant Cabinet reshuffles involving faceless men who may have some good ideas but represent no one except themselves and their small circle of friends? This is what the average Vietnamese in the villages and towns is asking himself, and this is one of the principal reasons so many people wonder where their future lies—whether in the rural areas, in the cities, or in limbo. Whatever the weaknesses of the Communists, and however true it may be that in a national election today they would garner only twenty or twenty-five per cent of the total vote, their organizational advantage and their ideological appeal might enable them to win many of the old or new and still uncommitted voters, since they have been forced to remain in a political no man's land. Even after Ho's death, many of these people might still prefer to vote for him—or his heirs—out of respect rather than for Nguyen Van Thieu out of apathy.

Belatedly, but perhaps not too belatedly, some Vietnamese and a handful of Americans are trying to build up new popular mass movements in various ways, with modest degrees of success. After long deliberation, Tran Quoc Buu, the head of the Confederation of Vietnamese Workers, has determined to launch a peasants'-and-workers' party. There are a hundred and eighty-five thousand members of Buu's Tenant Farmers' Union, which is the largest of a number of federations that make up the parent body, and there are several hundred experienced organizers among the peasants, who could furnish the nucleus of a solid new political organization at the hamlet and village level. Buu himself has considerable influence among some elements of the Hoa Hao sect and, to a lesser extent, in the Cao Dai. He is one of those national leaders who have been willing to cooperate with Thieu, but, like so many of the others who have regularly visited the Palace, he has felt his relationship with Thieu to be restricted by the members of the President's inner entourage, a group of half a dozen men who have been accused of creating a "fogbank" between Thieu and the many Vietnamese leaders who are more ready to help him than he imagines.

Buu is not the only man who is trying to get a popular movement or party started. Senator Don, who is one of the heads of the Free Veterans' Association (there is now, for the first time, a Ministry of Veterans, headed by a friend of Don's, the retired General Pham Van Dong), has decided to turn his National Salvation Front, established after the 1968 Communist Tet offensive, into a political party. Don, who is currently visiting the United States in his capacity as head of the Senate's Defense Committee, has been setting up chapters of his organization in each province. He also has a chapter of the National Salvation Front among Vietnamese émigrés in Paris, and not long ago this one showed signs of moving toward a pro-French neutralist position—advocating the overthrow of Thieu and the establishment of a Peace Cabinet such as the Communists have demanded. Don quickly dispatched an aide to France, and the move was halted. However, the possibility of a French neutralist ploy, backed financially by a considerable number of Frenchmen who want to return to Vietnam after a peace settlement, continues to be a favorite subject of café conversation in

Saigon. The importance of the veterans, of whom there are now some four hundred thousand, is bound to increase, and Senator Don has taken a special interest in trying to work out programs to obtain housing, rice, and schooling for their families and some assurance of economic survival for their widows. Because so many members of the regular Vietnamese armed forces have behaved in less than exemplary fashion in the villages, and are thus likely to find themselves in a peculiar void when they are demobilized, some American and Vietnamese officials are eager to start a program of "reëducating" these returning soldiers as soon as possible. Their future relationship with the Vietcong soldiers who will also someday return to their native villages gives this program a particular significance. Its political overtones, indeed, are likely to have considerable influence on the unfolding process of accommodation and the ensuing one of competition and possible renewed conflict.

A problem that plagues South and North Vietnam equally, if in different ways, is agriculture. Last February, after years of procrastination, far-ranging land-reform measures were finally introduced, largely at the urging of Americans, in Saigon's National Assembly, but the landlords are fighting back, and the legislation will probably go through in severely modified form, if and when it is passed. In the North, where full-scale agrarian reforms based on the Chinese system of collectivization led to the killing of many thousands of rebellious peasants in the early and middle nineteen-fifties, a new program to spur agricultural production through the establishment of revived coöperatives has run into multiple snags, and these are causing the North Vietnamese rulers their greatest headache at the moment. The agricultural crisis in North Vietnam is exacerbated by the fact that, owing to bad weather, the last really good harvest was a decade ago. Other important factors are the lack of trained administrative personnel, the deterioration of irrigation systems, a drastic shortage of equipment, and finally, the ideological differences between Le Duan, the Party's First Secretary, and Truong Chinh—who, as Chairman of the Standing Committee of Hanoi's National Assembly, has been generally regarded as No. 3 man—the two most likely antagonists if there is a new power struggle. The North Vietnamese press and radio have not hesitated to admit, with astonishing frankness, the existence of the worsening problems and shortcomings. A recent editorial in the official Party newspaper, *Nhan Dan*, for example, acknowledged that "the technical revolution has not been properly and comprehensively developed, little improvement has been achieved in management tasks, no great results have been obtained from capital investments, the collective economy has not been properly strengthened, and democratic activities have not been fully developed." An earlier editorial noted that "the revolution in implements is a basic, lasting problem." Despite the fact that almost all local industry, and some centralized industry in the Hanoi area as well, has been diverted to the manufacture of agricultural equipment, agricultural production has continued to lag, and, for that matter, industrial production has made such small gains as to be negligible, especially when the inflation plaguing both North and South Vietnam is taken into account.

In the South, the whole agricultural crisis has come to a head at the very time that the price of rice in Saigon has soared to an unprecedented high of close to four thousand piastres per hundred kilos of the most commonly used variety. (At the official rate, the piastre is worth a hundred and eighteen to the dollar, but the black-market rate is currently about two hundred and twenty to the dollar, so a pound of rice costs a family about ten cents.) The latest price rise has been due chiefly to a shortage of rice, which, in turn, was due to mismanagement and bad warehouse practices. Actually, the price of rice, as of other commodities, began rising sharply three years ago, and last year the Americans began removing their subsidies on imports in an effort to stimulate agricultural production in Vietnam and to do away with the false consumer-goods economy that Washington had earlier supported in an effort to sop up piastres—most notably the huge wartime profits that were being made as a result of large American expenditures in Vietnam. In that earlier period, it had been felt that the best way to keep the wartime inflation from getting out of hand was to let the Vietnamese buy all the Hondas and TV sets they wanted, but this, it turned out, simply encouraged the rich to buy more and kept the poor from having enough money to buy anything. The Vietnamese are still annually importing goods worth eight hundred million dollars, about two-thirds of them consumer products. The government has considerable foreign-exchange reserves, amounting to some two hundred and seventy-five million dollars, and has been loath to use them as long as it could make money off the Americans. Now the subsidies are being cut further, as part of the Vietnamization process, and the word has gone out that, as one high-ranking American put it, "the Vietnamese have to become convinced that they can't go on living off the fat of the land." The consequence is a rising tide of resentment among the Vietnamese, who feel they are being left in the lurch too precipitately.

Beyond the fact that, in the words of another American, "instant unemployment may lead to instant unrest," the Vietnamese who are in charge of trying to straighten out the economy are resentful because, as one of them said to you, "You created an economic Frankenstein monster here by making this a big war, and now you are telling us that we have to learn almost overnight to be austere and to take care of ourselves, when we all know this is a long process and that there is no such thing as instant Vietnamization." He went on, "Instead of trying to understand our economy and help us plan rationally, you kept giving us temporary, stopgap panaceas. The situation was bound to get out of hand, to the detriment mostly of the poor and the middle classes. After the shock of the 1968 Tet offensive, we tried to let supply and demand guide the situation. There was still a lot of mismanagement and corruption, and prices kept rising, but instead of helping us deal with our fundamental need to improve our bureaucracy and our management techniques you remained solely interested in winning the war. So the bureaucracy became swollen, engineers became politicians, and austerity became a mere catchword. It's fine to talk about long-term plans for agricultural production, forestry, fishing, and so on, but we're in trouble right now. You've never thought of really teaching us instead of just building things, and in that respect you've done us as much harm as the French did."

The sudden bitterness expressed by this man, who is ordinarily mild and pro-American in his sympathies, may convey some idea of the near schizophrenia that is developing among the Vietnamese today as the Americans begin to leave. Since we have failed for so many years, to help build a functioning political system or an efficient army in Vietnam, there is considerable reason to doubt that the transplantation process called Vietnamization can now be accomplished in a year or two, or even three or four. The problem far exceeds the simple matter of handing equipment over to South Vietnam. Militarily, the Vietnamese have already received most of their "legitimate requirements," as the Americans put it. Modern M–16 rifles, for example, are now in the hands of all regular South Vietnamese Army troops—officially, a total of about four hundred thousand men, but actually, given the still high desertion rate and battle losses, considerably less than that. By the end of this year, the two hundred and fifty thousand members of the improved Regional Forces will also have them; most, if not all, of the hundred and eighty thousand members of the Popular Forces will get their rifles by the middle of 1970. Of the more than a million local self-defense forces in the hamlets, villages, and towns, two-thirds have received brief training courses, and three hundred thousand now have modern arms—mostly carbines. Other essentials, such as mortars, light artillery, and transportation equipment, have recently been turned over to the regular armed forces, as have the first of several hundred helicopters and some modern jet fighter-bombers. The real nub of Vietnamization, however, is the time needed for training and indoctrination. Obviously, the Communists are deeply aware of this time factor, and are taking it into consideration when debating their own strategy, both in the field and in Paris. They unquestionably realize that an early settlement, leading to an accelerated withdrawal of American forces, would shorten the time in which Americans could train south Vietnamese to use such intricate machinery as radar networks, electronic devices, and communications equipment, or even to see to the upkeep of modern diesel vehicles and of the patrol boats that have vastly strengthened the riverine forces in the Delta.

The prospects for successful Vietnamization of the armed forces vary greatly from one part of the country to another. In the north—the I Corps area—where the United States Marines have stressed combined American-Vietnamese operations almost from the outset of their tour in Vietnam, considerable progress has been made in teaching the Vietnamese both how to use American equipment and how to plan operations on their own, including the coördination of fire support, ground-to-air facilities, and inter-unit maneuvers. There has been progress elsewhere, too. In the III Corps area, above and around Saigon, General Do Cao Tri, considered by many to be the best South Vietnamese general, told me the other day that now that two of his poorest division commanders have finally been replaced (they were friends of Thieu's, and it took a year of American prodding to get Thieu to remove them), he thinks he can accomplish a full takeover from the Americans in a year and a half. Tri may be overconfident—especially since he has plenty of problems on his hands, including the ubiquitous one of poor or uncertain morale—but some of his troops have done quite well in recent engagements against tough North Vietnamese outfits. Lieutenant General Nguyen Van Vy, the Minister of Defense, who is one of the holdovers from the previous Cabinet, hopes by the end of this year to give each Regular Army regiment its own independent artillery and tank support. But there are still many weak spots, the most serious being poor leadership in the officer corps, from generals down through captains and lieutenants to noncoms. Most of the regular divisions are still badly led at all levels, and although it is true that there has been some slight improvement, it has certainly not been substantial enough to cope with American withdrawal. And although the Americans have begun to teach the Vietnamese the techniques of battlefield coördination, the question remains: What will happen when the American officers in the field who are still pressing the buttons and calling the shots in combined operations leave Vietnam? One top-ranking American commander remarked to me, "The shift from coöperation to liaison on our part is still some years away." In many places, the Americans have already dropped back from a directory to an advisory role, and in some instances they are performing only a liaison function. But most American officers feel that the process of Vietnamization, to be really successful and produce the kind of force the Americans should have started building here back in

1954, let alone in 1965, needs from five to ten years. There are those who doubt this can *ever* be achieved, because of the differences of approach that are endemic in the American military establishment and other American agencies in respect to the nature of the war and the whole problem of counter-insurgency and anti-guerrilla combat. And this problem—no matter how many Americans stay out here, or for how long, or in what capacity—is certain to be aggravated by the system of annual rotation of personnel. General Creighton W. Abrams, the American military commander in Vietnam, has attained near perfection in the development of his strategy and tactics of maximum pressure and quick response to any Communist action, and his large deployments of artillery and B–52 bombers have annihilated the enemy in virtually all large- or medium-scale engagements. Long-range and night-time patrolling by the Americans—tactics that the Vietnamese have only just begun to adopt, and not yet very satisfactorily—have led to some improvement in the gathering of intelligence, and by keeping the Communists on the run have interfered with their battlefield preparations, so that when they have chosen to stand and fight, or have made suicidal assaults, they have suffered severely. But Abrams' way of fighting the war is still essentially orthodox, and what will happen when all that heavy artillery and all those heavy bombers are removed is at the moment unknown.

The Vietnamization of the war worries Hanoi—a fact that is being sharply revealed in propaganda both mocking and condemning it. Speaking on September 1st at a ceremony commemorating the twenty-fourth anniversary of the founding of the Democratic Republic of North Vietnam in Hanoi, Premier Pham Van Dong described Vietnamization as "puppetization" of the war, which, he said, was "a return to the special war defeated long ago," meaning by "special war" the war as it was fought prior to 1965. He went on to say, "It is nothing but hackneyed juggling. To use Vietnamese to fight Vietnamese is indeed an attractive policy for the United States! When one has money and guns, can there be a better way to reach one's aims than simply to distribute money and guns? Unfortunately, in the present epoch, such a parodoxical move is flatly impossible. . . . Certainly there is no means, no magic way, to 'ize' the war into something other than the most atrocious and most abominable colonial war in history."

The Politburo in Hanoi, in determining its military strategy and relating this to the two other prongs of its offensive—its political and diplomatic strategy in South Vietnam and in Paris—is engaged today in something very much like a poker game for huge stakes. Hanoi's main interest lies in getting as many American troops as possible out of Vietnam as quickly as possible. The easiest way to achieve the rapid troop reduction would be for Hanoi to reduce the level of activity in South Vietnam and simultaneously reduce the number of replacements infiltrated into the South from the North. Hanoi has repeatedly been told by Washington that this would hasten the pace of American withdrawals and would be considered a basis for agreement. However one wants to interpret the recent eight-week lull, its ending in mid-August, followed by heavy rocket and mortar assaults on Danang two days after Ho Chi Minh's death, showed that the Communists believed that they could not afford to do nothing for very long. Furthermore, since the Communists are not certain what President Nixon wants to do—whether he has made up his mind, as some observers believe he has, to withdraw virtually all American forces from Vietnam by the end of 1970 whatever the circumstances, or is planning to move more slowly and gauge the withdrawals to the moves made by the Communists—they are still thinking in terms of killing between a hundred and fifty and two hundred Americans a week. They figure that this will force Nixon's hand politically at home so that the option of gradual withdrawal will be denied him.

The Communists are obviously eager as soon as possible to score some resounding victories in key battles with the South Vietnamese forces fighting on their own, so as to prove to the South Vietnamese people that their troops have no chance against the North Vietnamese and the Vietcong. The sooner the Communists have a chance to do this, the less likely the South Vietnamese are to have made sufficient improvement to stand on their own, and the better the Communists figure it will be for them, so the guess here is that such a major showdown or series of showdowns will come late this year or early next year. What the Communists do not want, despite the fact that they are preparing themselves for it, is a return to the special, or pre-1965, war. Their own weakened situation, in both the North and the South, renders that a hazardous undertaking. They would undoubtedly rather try to Vietminhize, or Communize, the South politically than take chances on draining their own resources any longer in a protracted conflict. For that reason, if they decide that their situation in the North is too shaky to let them continue to sustain the major burden of the war in the South, they may settle for a series of regional cease-fires under some system of international supervision, followed by regional or provincial elections and then by a national election. This would presumably give them control over a number of areas—mostly sparsely populated ones along the Laotian and Cambodian borders, and some of the more populated places in the Delta and in the Central Plateau region. Such a compromise would make sense to them, not only because of their war-weariness and their dwindling manpower but because of their current military and political campaign in Laos, which is proving successful. In effect, though Washington doesn't like the term, this would mean a *de-facto* partitioning of South Vietnam, at least temporarily, as a prelude to an eventual election there. Unless the South Vietnamese government is really strong enough politically and militarily to resist such an offer, Saigon would find it difficult, in the face of American and world opinion, to reject it. A number of American experts who believe that Saigon is neither sufficiently strong nor sufficiently aware of the dangers it faces are urging a far faster rate of political preparation for potential regional contests. This would entail some knocking together of South Vietnamese heads. For example, in a specific area where the Hoa Hao or the Cao Dai or the Southern Buddhists or the peasant-labor forces or the old nationalist parties are the strongest single community force, that group would have the best chance of commanding regional or local respect and should be given the go-ahead. As for the cities where the degree of political divisiveness is worse than in the countryside some serious effort should be made to unite all the contending forces. Ultimately, there would have to be a tradeoff of some degree of rural control by the Communists for government control over the more populous areas, in order to avoid handing the Communists the sort of coalition deal they want on a silver platter.

Saigon remains the No. 1 objective of the Communists, and any temporary deals they may make in Paris and Vietnam won't change that situation. It was not recently renamed Ho Chi Minh City in their propaganda for nothing. Bad planning and bad execution of plans lost them their chance of capturing it during the Tet offensive in 1968, and today their chances of taking it either by force or through subversion have dwindled. Having infiltrated only half as many men into South Vietnam so far this year as they had up to this date last year, and having suffered almost as many casualties as they had up to this date in 1968, they are facing a serious problem of attrition, which has forced them to make some cold recalculations. The new Communist military methods, as enunciated a few weeks ago by General Giap, call not for "offensives" in the old sense but for "campaigns," each one of which is a fairly fluid affair consisting of "low" and "high" points. Because the Communists have had an attrition rate—that is, losses exceeding replacements from the North—for the last half year of five thousand men a month, no sustained attack is now anticipated unless Hanoi puts more men into South Vietnam. At the current level of fighting, American military experts feel that the North Vietnamese and the Vietcong will run out of steam by the end of this year, particularly if they decide to take on the South Vietnamese in a large-scale engagement somewhere. Between engagements, the main Communist forces have followed their custom of moving across the Cambodian border to jungle sanctuaries. In Paris, the Americans have made it clear that if Hanoi wants to offer any serious signal of an intention to cut the total of its forces, it will have to withdraw some of them northward from base areas in both Cambodia and Laos as well as continue to decrease the rate of infiltration.

To the best of their ability, which is still considerable, the enemy forces have made the necessary military adjustments, using smaller, more compact units with heavier firepower to attack selected government and American targets, and, as at Danang, making heavy mortar and rocket assaults on major bases, especially Allied artillery centers. The foundation of their new order of battle is the sapper unit, consisting of regular assault troops specially trained for demolition and sabotage and of so-called "special-action" teams, which are paramilitary organizations used for assaults on urban areas. The latter most often wear civilian clothes and concentrate on terrorist activity, setting off satchel charges and other explosives at police stations, military installations, and so forth, and throwing grenades from vehicles. For planned major attacks on Saigon, which they haven't been able to carry out, the Communists last April set up special-action teams called *cac cum*, which are broken down into companies, squads, and, in some cases, three-man cells. Some of these units were ordered into the capital in June, but only a limited number—about a hundred men—succeeded in penetrating the city. Since then, with the assistance of teen-age terrorists who live here, they have been responsible for the series of explosions that have occurred over the past weeks. Other *cum* units, hiding in the suburbs or farther out, presumably will be the spearheads of the action following the next lull, perhaps late this month or sometime in October. This new offensive tactic is based on following up a sapper thrust, if it is initially successful, with larger reinforcements—a scheme that failed during the 1968 Tet offensive because of poor coordination by supporting units. In Vietnamese, the tactic is known as *mui* (nose) *nhon* (pointed) *duoi* (tail)—the pointed nose of the sapper unit or special-action team being supported by the spreading peacock tail of a battalion or a regiment.

As if Saigon had not had enough problems and perplexities over the past weeks, it has had to live through the embarrassment of two major espionage scandals, one involving the American Special Forces, or Green Berets, and the other involving a spy ring that reached right into the Presidential Palace. The Green Beret case arose from the alleged murder of an alleged Vietnamese double agent named Thai Khac Chuyen, who was working for the Special Forces. For various reasons—the primary one being that Chuyen's body has not been recovered—there is no indication so far that the eight accused

Green Berets, including the former commanding officer of the Special Forces in Vietnam, Colonel Robert B. Rheault, will be brought before a court-martial. Whether Chuyen was a double agent or not, if he was murdered it was a mistake, whatever the exigencies of the wartime situation, and an inexcusable one, as almost all Americans here seem to agree.

The other spy case is actually far more important, being said by both American and Vietnamese specialists to involve the largest espionage ring uncovered in ten years. This organization was under investigation for seven months before the first arrests were disclosed, in July, and since then about a hundred persons, including perhaps a score of women, have been taken into custody by the Vietnamese Special Police, and at least two-thirds of these are still in jail. The C.I.A. collaborated closely with the Vietnamese in breaking the spy network, and is said to have opened up the first leads. Operating within several ministries as well as within the Presidential Palace, the ring reported directly to the Strategic Intelligence Branch of the Central Office for South Vietnam (COSVN), the top Communist echelon in South Vietnam. This branch is known as B-22 and is run by one of Hanoi's main agents in South Vietnam. He is Dang Van Huong, alias Mat Ro, and he has not been apprehended. The Saigon network was handled by Vu Ngoc Nha, a Catholic, who was sent South by Hanoi in 1955, and who had close Palace connections as a result of being introduced there by some unwitting priests. Nha's principal agent at the Palace was one of President Thieu's assistants for political affairs, Huynh Van Trong. Trong is said to be a former French agent who pretended to work for the late Ngo Dinh Diem. When his pro-French activities became known, in 1958, he was arrested, but he was released two years later, with the assistance of some French Redemptorist fathers, and fled to Cambodia. He returned to South Vietnam after the 1963 coup and, having been introduced to Thieu by the French, who were ostensibly unaware of his Communist connections, became a Palace aide in 1967, after Thieu's election to the Presidency. Thieu is said to have been told about the existence of the spy ring early this year, and to have instructed the police to continue their investigation and uncover further ramifications of the case. The ring is said to have done considerable damage, especially in reporting to Hanoi on the progress of pacification programs and on the political activities of various religious groups in the South. In the course of their investigation, the Special Police came across a second, smaller Saigon spy ring, which was attached to a military intelligence unit also working for COSVN. The main spy-ring case is still under investigation, and there are indications that at least two more such organizations exist.

In the midst of these turbulent events, Saigon has been besieged by more than the usual number of visiting firemen from America—a state of affairs that has scarcely made life easier for harassed Allied officials. Among the visitors was a delegation of nine members of the Citizens Committee for Peace with Freedom in Vietnam, which is a group of a hundred and thirty distinguished Americans that former Senator Paul Douglas, of Illinois, organized in October, 1967, and whose founding honorary chairmen were former President Harry Truman and the late President Dwight Eisenhower. The committee is in favor of obtaining a peace in Vietnam that will not be what they consider a sellout to the Communists and will guarantee the South Vietnamese the right to determine their own future through safeguarded elections. Next came five members of the National Committee for a Political Settlement in Vietnam, which seeks an immediate, standstill cease-fire, supported by an international peace-keeping force to supervise withdrawal of all troops; prompt free elections, under the supervision of a joint electoral commission; complete land reform; and extensive postwar economic aid, under the auspices of the United Nations. This committee has the support of Cyrus Vance, the former Deputy Secretary of Defense, who was W. Averell Harriman's deputy at the Paris talks. Before, between, and after these committee visits, there was a stream of members of Congress. All these visitors went through the customary top-level briefings and tried to see as many Vietnamese as they could during their stays, which varied from a day or two to two weeks, and all of them left apparently as bewildered or more bewildered than they were when they arrived. The trouble seems to be that too many such Americans, thoroughly concerned though they are, are seeking answers without knowing the right questions. Perhaps this has been our trouble in Vietnam all along. —ROBERT SHAPLEN

OCTOBER 15 IS PATRIOTISM DAY IN SYLACAUGA, ALA.

Mr. ALLEN. Mr. President, I do not believe that the so-called Vietnam moratorium represents the views of the people of Alabama and of the Nation.

The vast majority of people of my home State of Alabama are not willing to retreat at the noise of the mortorium. As a matter of fact, the mayor of Sylacauga, Ala., has declared October 15 as "Patriotism Day," when the people of this fine, progressive, peace-loving, and God-fearing community will let the world know that it is no disgrace to stand and fight for their country.

Mr. President, Alabamians want peace. They are sick of the tragedies of war. They want the United States out of Vietnam under honorable conditions.

But they believe, as I do, that the Vietnam moratorium only serves to encourage Hanoi and to divide the American people when we need a united front if peace is ever to be gained.

Mr. President, I believe that the spirit that inspired Patriotism Day in Sylacauga, Ala., represents the true feelings of the great majority of Americans.

MERCHANT MARINE: CONGRESS ACTS

Mr. TYDINGS. Mr. President, I fully support the recent action of the Committee on Commerce and its subcommittee on the merchant marine in initiating hearings on congressional proposals to revitalize our merchant fleet.

For too long we have waited for the administration's own proposals. These have been much heralded but strangely absent. Last September, Mr. Nixon strongly advocated a concerted effort to rebuild our merchant fleet. Last January, President Nixon placed the administration squarely behind these efforts. Maritime proposals were to be sent to the committee by April or May then by early summer, and finally by mid-September.

It is now October, and the Nixon proposals have yet to reach Congress.

Further delay no longer can be tolerated.

Days of delay now will means months of delay later on before the new ships we so desperately need can be authorized and constructed. The failure of the President to send forth concrete proposals is clear evidence of loss of leadership and a most unsettling indication that maritime affairs do not in fact enjoy top priority within the administration.

Congress must now assume this leadership and insure that the United States regains its position of maritime preeminence.

There can be no doubt that this position has declined. Our merchant fleet has deteriorated to a degree shocking for a maritime nation so dependent on the seas as we are for economic prosperity and national security. Two-thirds of the fleet is over 20 years old. Less than 7 percent of our ocean trade is carried in U.S.-flag vessels. The decline of our fleet must be reversed.

In considering the maritime proposals presently before Congress, in particular S. 1915 which the distinguished chairman of the full committee introduced last April, the Commerce Committee will confront the key issue of shipbuilding within the United States. The revival of our fleet to a large extent depends on the health of our shipyards. Recently, these have been subject to considerable criticism. It is my strong belief that the American shipbuilding industry can hold its own against foreign competitors. Our yards can deliver the ships if the Government will deliver a program. The ability of our shipyards to build the 150 ships we will need in the next 5 years was confirmed by a 1969 report of the Center for Maritime Studies at the Webb Institute of Naval Architecture. This report noted that the productivity of American shipyards increased considerably in the last 10 years and that U.S. yards are presently more efficient than either Japanese or British yards.

Throughout the world shipbuilding is a heavily subsidized industry. Forty-seven maritime nations provide governmental assistance to their industries. I, therefore, fully support the continuation of and increase in our construction differential subsidy.

I do hope, however, that the committee will consider carefully the need to increase the operating differential subsidy. The recent decision of two major American lines to withdraw their application for the operating subsidy on a transpacific route is an encouraging indication that with more productive ships our operators will increasingly be able to go it alone without Government help.

Two other major issues will confront the committee in considering the maritime proposals. The first concerns nuclear-powered commercial vessels. While these may be ultimately desirable, the current need for ships is so great that major emphasis on the early development of nuclear vessels will divert our resources from the more immediate concern. We need ships, and we need them quickly. Nuclear ships pose special problems of construction, operation, and public acceptance. To expend our energies on their extensive development now would be a misdirected effort. We should continue a modest research and development program regarding nuclear vessels but, for the moment at least, concentrate our resources on the more basic problem of building conventional ships.

The second issue concerns U.S.-flag passenger liners. It is probably too late to restore the operation of these ships. However, I hope that in considering the maritime proposals, the committee will make a final determination on both their ultimate desirability and the length to which we should go to maintain them. The time has come for us to decide once and for all if we are to maintain passenger ships.

MORATORIUM

Mr. NELSON. Mr. President, this week, tens of thousands of Americans, perhaps millions, will pause in an impatient but peaceful protest of a prolonged war in Vietnam that has cost some 40,000 American lives, more than one-half a million enemy lives, untotaled casualties to civilian populations, and billions of wasted dollars.

There has been unnecessary concern over the coming nationwide demonstrations. A column on the moratorium written by Nichols von Hoffman for the Washington Post has best captured the constructive spirit of this youth movement. Mr. von Hoffman has written the necessary description of a youth movement led and directed by the youth that must be concerned with the issue of a prolonged war.

I ask unanimous consent that the article, published on October 13, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MORATORIUM

(By Nicholas von Hoffman)

The alcove where the TV set stands was crowded with people. They squinched next to each other on the floor and crowded into the door frames. The girl at the reception desk kept answering the telephone and Sam Brown stood on the couch so he could see. Every so often from around a corner in the Moratorium Headquarters an excited voice would call out, "Are we on TV? Did we make it?"

The answer was yes, but it's hard for the people to believe it. The leading personalities, Sam, David Hawk, David Mixner and Marge Sclencar—the ones who get interviewed on the tube—have known for three or four weeks that the Moratorium would be big, but it's still a shock to be taken seriously. They've been big before, but they come out of a tradition of losers. For 10 years young people have made peace, poverty and racism big, but they haven't been taken seriously. Now coming over the tube was a different vibration. Howard K. Smith sounded nervous. He had the old Battle of Britain tone in his voice.

The tube showed Congressman Rogers Morton being interviewed. "Then this demonstration could boomerang?" he was asked. "Sure it can," the Congressman replied and there's laughter in the room because they know it can't boomerang. The worst that can happen is that the war will go on as it has since they were in grammar school.

Then the TV announced that two Catholic Cardinals, one in Boston and one in Detroit, would take part in the moratorium. The news was greeted with a not quite believing gratitude. Each new expression of solidarity by a famous person gets the same small bursts of grateful amazement. Pitcher Tom Seaver says he plans to put an ad in the paper declaring. "If the Mets can win the World Series, then we can get out of Vietnam;" Actor Woody Allen announces he will not perform Wednesday in observance of the Moratorium . . . there is a rumor that Johnny Carson intends to do likewise.

Next the TV voice is introducing the "politically ambitious Sam Brown." "I am?" Sam answers, looking at himself on the screen. The announcer's implication is that its indecorous for a person to be both principled and ambitious. Sam, the two Davids and Marge are supposed to be disembodied spirits devoid of recognizable human motivation if they wish their peace politics to be taken seriously. Only stock-jobbing judges and oil-depleting senators may evince less than Christ-like motivations with risk of disapprobation from the American Broadcasting Company.

The voice out of the tube turned grimmer. "The Justice Department," it said "is watching the Moratorium but won't comment." The threat of another conspiracy indictment was in the room but nobody minded. They know there is that danger, but youth is fighting for its life. If America is run as well in the next ten years as it was in the last, nobody now aged twenty will live to celebrate his thirty-fifth birthday. One danger has to be balanced off against another.

The tube switched topics. A riot in front of the United States Embassy in Manila. As it yatters on, Marge announces that sixteen schools in the Chicago area alone are closing on Wednesday. News of school closings and other demonstrations come in on every phone line. The papers say that this eighth floor office in an old building at 1029 Vermont Avenue is the headquarters, the place where the moratorium is being organized, but that's not true. To organize something of this size would require a staff of hundreds and hundreds of full-time people. In fact there are only thirty people on the staff and twenty of them were just hired. There's lots of volunteers, of course, but no money. You can see them opening the checks and it's all small "grass roots money," as David Hawk calls it. Postal money orders for a dollar, two dollars. Checks for twenty-five are tops, except for a few hundred dollar contributions from people who "could easily add another zero to the figure if they wanted," or so David says.

The moratorium is organizing itself. The phenomenon is the same as that which went over the black community a couple of years ago or what happened in the factories during the thirties when people simply started their unions and then called up the CIO and announced their collective existence. "This is a thing with a life of its own," says Sam Brown. "We're not organizing it. We're just riding the wave."

That's very hard for chaps like Howard K. Smith to get through their heads. For them everything must have a hierarchy; nobody does anything he hasn't been told to by a superior. He was on the screen sounding portentious, talking about constructive criticism and the dangers of sinking a president. There's a lot of talk now. The other David Broder wrote, ". . . there is no great trick in using the Vietnam issue to break another President. But when you have broken the President, you have broken the one man who can negotiate the peace."

So it may look to life's structuralists, to the people who believe all important decisions are made quietly in sumptuous rooms by persons holding the formal titles of power. The structuralists focus on the personalities of the men who hold these titles of power and miss what the simple-minded and unsubtle can see: the last five years have shown that the one man who *can't* negotiate peace is the President.

Sam shook his head. He had a when-will-they-ever-learn expression on his face. "People aren't into personality politics. They don't want to get Nixon. Everybody expected him to be a fascist. With Johnson people were disappointed. That's why they got so mad at him."

ABC News went off the air and there was knob turning to another network where the cycle of newsclips would re-circle. Hubert Horatio Humphrey was now shown in the White House with what's his name.

A girl sitting on the floor said, "Oh, God!" Another squeaked, "My favorite person—yeech!"

In the hall the elevator doors opened and a new infusion of students came into the office. They looked like high schoolers, the generation many people say will make Mark Rudd look like a member of the Union League Club. They settled down all over the place to address and stuff envelopes, run the mimeograph machine and trundle boxes of material from room to room. They were too busy to appreciate the wall poster that told them, "Let's Win This War And Get The Hell Out'—George Armstrong Custer."

BEAR RIVER MIGRATORY BIRD REFUGE

Mr. MOSS. Mr. President, for some time I have been trying to get funds written into the Department of the Interior appropriation bill so that the Fish and Wildlife Service can bring the spillage waters from the Weber River Water Conservancy Reservoir in the Bear River Migratory Bird Refuge in northern Utah. This would measurably increase the nesting grounds for wild fowl there. Our tight budget has made it necessary to defer this project again and again.

On October 5, the New York Times published an article on the Bear River Refuge, written by Jack Goodman which helps to make my case for expanding and making the best use of this incredibly beautiful area, now the nesting grounds of millions of birds in their flights south in the fall and then north in the spring, grounds which could well accommodate many more.

I ask unanimous consent that the Goodman article, entitled "A Million Migrants Wing to Utah's Green Marshland," be printed in the RECORD. It portrays the lure and magnificence of the area, as well as stressing its growing importance in our bird migration pattern.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A MILLION MIGRANTS WING TO UTAH'S GREEN MARSHLANDS

(By Jack Goodman)

BRIGHAM CITY, UTAH.—Fifteen miles west of this ranching and orchard center, the fresh waters of the Bear River spread across thousands of acres of low-lying marshland before reaching the shores of Great Salt Lake. And just east of this same pleasant town, the 10,000-foot-high peaks of the Wasatch Range raise an almost unbroken barrier extending from the Idaho border off into the autumn haze far south of the 75-mile-long saline area.

This is a region of vast spaces and satisfying sunsets, a land where glinting rays and towering clouds enhance the all-points-of-the-compass view of sparkling water, green marshland and distant peaks.

On cool autumn evenings, the visitor can enjoy another splendid sight, one increasingly crowded nation. Heralded by the distant sound of quacking and gabbling, great V-shaped formations of ducks, geese and swans come winging in from the north. Well aloft at first, they edge farther and farther west on the Wasatch before splashing down into the clear-water lagoons of the Bear River marshes.

IN—AND OUT

By September's end, the parade of incoming waterfowl had dropped off, leaving fully a million birds bobbing, feeding and resting on the 65,000 acres of the Bear River Migratory Bird Refuge, a Federal preserve. Then, on some unannounced but chilly morning in late October, as frost coats the cottonwoods and hardwoods just upstream, there will be a considerable rustle of wings out in the marshlands.

Quacking and signaling as they rise, the pintails, teal and canvasback ducks, the Canada and snow geese and the whistling swans will circle aloft, "forming up" in geometric patterns. Circling away from the shotgunners at inshore blinds and gun clubs, the birds follow their leaders south, continuing their annual journey from Alaska and Canada to their wintering grounds in Southern California and Mexico.

Then, except for a few thousand canvasbacks and other diving ducks, plus an occasional whistling swan choosing to winter here, the Bear River marshes will be almost empty.

FASCINATING STOP

For the bird-watcher, amateur ornithologist, camera enthusiast or reader of American history who recalls that our skies were once "darkened by the passage of millions of birds," the Bear River refuge will prove a fascinating stopping place on a Western vacation.

One of the few in the West readily reached by paved highway, it was established in 1933. Surprisingly, much of the diking, damming, road building and improvement work was handled by young men from the Bronx and Brooklyn, members of the all-but-forgotten Civilian Conservation Corps.

Aside from harmless midges, the refuge is largely free of insect life during late summer and early fall. Spring visitors can be plagued by mosquitoes and flies, but the situation was far worse when C.C.C. workers were placing impounding dikes and sluice gates and erecting the few buildings on the refuge.

Driving almost due west from Brigham City's tidy downtown area, the visitor reaches the refuge on a well-paved, two-lane road that leaves farm fields behind and crosses grass-covered marshland not unlike the terrain that flanks Long Island's Great South Bay or the coastal inlets of New Jersey.

A lofty, steel-ribbed observation tower—it is 100 feet high—and a small cluster of buildings are the first indications of the location of the refuge. However, motorists heading toward it should carefully observe speed limits, since the road to and on the dikes makes sudden right-angle turns that can prove hazardous.

Essentially, the refuge is surrounded by a broad earthen dike that circles some 20 miles around the feeding grounds, thereby impounding the freshwater delta of the Bear River and barring ingress of saline lake water to the marshland. A series of lesser dikes cuts the refuge into five units, with a paved and graveled roadway traversing the three dikes that form the South Bay section.

CIRCLE ROUTE

A 12-mile road circles this South Bay unit, starting and ending at the 100-foot-high headquarters tower.

Visitors must register at headquarters, but they can tour the refuge daily from 8 A.M. until 4:30 P.M. The best routine to follow is to register first and then climb the tower, after picking up an illustrated guide pamphlet available from the Fish and Wildlife Service ranger-naturalist stationed at headquarters. Staff members will gladly tell interested vacationists where such spectacular birds as great blue herons, white pelicans and snowy egrets can be observed.

Since specified fringes of the refuge are open to hunting during the October shooting season, the rangers ban all cars from the dikes whenever necessary. Several duck clubs—private shooting preserves—are situated near the refuge entrance, and so tourists may be delayed as they leave the delta country by state wardens assigned to check licenses, duck stamps and the like.

Before making the 12-mile tour of the South Bay dike, visitors should inspect both the research laboratory and the "bird hospital," at which the refuge staff treats injured waterfowl. Scientists have long studied feeding habits, migration routes and plagues such as botulism, a ptomainelike disease that recently killed thousands of waterfowl in California.

Botulism has periodically been a problem in the Utah marshlands, but in recent years the freshening of the Bear River delta waters, by means of diking and controlled freshwater releases, has eased the disease toll.

While driving around the dike of the refuge's south embayment, motorists should carry cameras or binoculars at the ready; they also should keep a wary eye out for birds strolling across the roadway, as well as for those in the canals and marshes.

Illustrated pamphlets showing silhouettes and line drawings of waterfowl, and another mimeographed leaflet listing birds by season and rating them as abundant, common, occasional and rare, are available for the asking at headquarters. They will prove useful to first-timers on the dike.

OBSERVATION POINTS

Low towers at three points on the dike provide good vantage points for waterfowl-watchers, but visitors can pull off to the side of the road virtually anywhere to observe such giant birds as the pelican, great blue heron and whistling swan, as well as the great flocks of pintail, teal and canvasback ducks.

As many as 500,000 pintail and green-winged teal have been counted in the refuge during fall migrations, while up to 100,000 canvasbacks and mallards have been reported. Those who keep tally sheets often concentrate on spotting the region's avocet, curlews, Western grebe, phalarope and ibis.

Even those who cannot differentiate between a ruddy duck, a shoveler or a redhead find the Bear River refuge fascinating to visit and revisit. Children are frequently entranced by the ponderous size and slow gait of such species as pelicans and herons as they become airborne.

Visitors to the refuge should fuel their cars, and themselves, before making a journey to the dikes. There are no service stations, restaurants or campgrounds, although one will find drinking water and restrooms at the refuge headquarters.

Brigham City, about 50 miles north of Salt Lake City, has a half-dozen excellent motels and restaurants.

OUR NATIONAL HEALTH GOAL—ARTICLE BY SECRETARY OF HEALTH, EDUCATION, AND WELFARE, ROBERT H. FINCH

Mr. JAVITS. Mr. President, among the Nation's many goals, few if any are more significant than the availability of high-quality medical care for each and every American.

Secretary of Health, Education, and Welfare, Robert H. Finch, has addressed himself to this objective in an article entitled "Our National Health Goals." It appears appropriately enough as the feature of the first issue of a new publication for the Nation's laymen, Family Health.

Secretary Finch points out critical shortcomings in our present health care services; he outlines remedial programs by the administration; and appeals for cooperation by all segments of the health industry toward meeting the crisis.

I ask unanimous consent that that article, published in the October 1969 issue of Family Health, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OUR NATIONAL HEALTH GOALS

(By Robert H. Finch)

The present condition of the nation's health-care industry must be termed "critical". Unless immediate and concerted action is taken by government at every level and, most important, by the health professions and the private sector, we face a virtual breakdown in the delivery of health services. One way to pinpoint our goals in health care is to spell out some of our unmet needs. The bare statistics are appalling.

To provide quality health care for every American, it has been estimated that right now we need 52,000 additional physicians, 9,000 additional dentists, and 145,000 additional registered nurses. To support them, and extend their expertise, we need tens of thousands of paraprofessional aides and technicians, many in totally new health careers.

Not only is the supply of medical manpower short, but what we do have is severely maldistributed. In New York State, for example, there are 212 physicians for every 100,000 persons; in Mississippi, by contrast, the ratio is a scant 73 per 100,000.

Shortages and maldistribution are just as critical in our hospitals. We now have 723,000 acute-care hospital beds; and of these, 200,000 need modernization. We still need 164,000 new beds. Moreover, we should have at least 900 new ambulatory-care facilities and 200 rehabilitation centers to relieve pressure on these high-cost facilities.

These critical shortages of health personnel and facilities mean that millions of Americans, particularly the low-income groups, are receiving inadequate care. In 1950, for instance, the United States ranked fifth among the nations of the world in infant-mortality rates; today we rank fourteenth. The infant-mortality rate among nonwhites is twice that of whites. Between one third and one half of the women who have babies in public hospitals have had absolutely no prenatal care. More than 20 percent of all persons in families with incomes under $3,000 a year have never seen a dentist or received dental attention. And these statistics barely suggest the full extent of the nation's health-care gap.

Against this canvas, the overriding goal of our national health policy is clear. It is to make available to every American the quality and quantity of health care to which he should have access. The demonstrated capabilities of the medical arts and sciences, and their limitless potential, make no lesser goal permissible.

It is this very capability, along with rising affluence and expectations, that is creating an upsurge in public demand for health services. Medical wonders are now commonplace. On an even larger scale, landing men on the moon has shown our incredible ability to mobilize human and technological resources and to harness them in the service of any goal we may set ourselves.

Can it then be doubted that the improvement of life on earth lies well within our capacities? Surely the question answers itself.

Urgent priority must be given to transforming our present network of diverse services—our present "nonsystem"—into purposeful, well-articulated, well-understood *systems* for the delivery of health services. I do not have in mind an imposed monolith. What we need is a unity of *purpose* and a mutual *partnership* in one all-embracing effort. Unless this partnership is mobilized, our delivery of health services will ultimately break down.

The reasons are clear. Current demand for these services, particularly since the Medicare and Medicaid programs were established, far outstrips the capacity of the present system to respond. The inevitable result is a crippling inflation in medical costs.

Some health practitioners have abused these programs; peer-group self-discipline within the health professions has not always been rigorous. And there has been a shocking lack of tight administrative control within the government. These factors, and others, have multiplied the upward cost pressures.

But beyond spiraling costs of health care, our basic health resources—primarily health-care facilities and health manpower—are being wastefully utilized. Our priorities are critically out of balance. While increasingly the need is for lower cost, extended-care facilities, all our incentive systems—and our inherited, long-standing programs of federal assistance—emphasize high-cost, acute-care facilities.

We stress spectacular achievements in the healing arts but shortchange preventive and early care, which must constitute the central thrust if our health problems are ever to be resolved.

The demand is also urgent for every category of health professional. Because of the long training period for physicians, dentists, and other medical specialists, we must place particular and immediate emphasis on the development of new health careers. We must train paraprofessional aides and technicians who can greatly extend the reach of the scarce professionals.

The crisis is many-sided. To meet it we have begun to re-examine all our traditional assumptions, to redirect all our ongoing governmental programs, and to rechannel the efforts of the private and independent components of our health system through the leverage of federal assistance and incentives.

We are tightening administrative and cost controls in Medicare and Medicaid. We propose to retarget the Hill-Burton program toward neighborhood health centers, extended-care facilities, and inner-city clinics. Our Office of New Careers is placing top priority on programs to utilize the skills of medical corpsmen returning from Vietnam. These are just a few of the initiatives we have put in motion.

But the major portion of the nation's health-care dollar is not spent by government. The heaviest burden of actual services rests with the many independent health components—with insurance carriers, hospitals, state and local agencies, and especially with the health professions. That is why we have challenged each of these groups to take the initiative, to make its own firm commitment to the goals we all share; it is up to them to assume leadership and responsibility for crucial innovations in the delivery of health services.

We are asking the health-care industry to redouble its own initiatives, to accept the burdens of self-discipline—and thus to respond to the rising public demand for dignified and effective health care.

We are asking them to understand what ultimately is at stake—and that is the perpetuation of our pluralistic, independent, voluntary health-care system. We will lose it to pressures for a government-dominated monolith—unless, together, we can make that system work *effectively* and work for *everyone* in the nation.

Can it, I repeat, possibly be doubted that the improvement of the human condition lies well within the capacities of our technology, of our total social resources? But wonders do not just happen. They begin with clearly defined purpose—and they call for soaring ambition and for unwavering commitment. Which constitute, of course, apt descriptions of the motivations of our health professionals.

And so I am confident—with every component of the nation's health team working as one, and with a single sense of purpose—that there is no task on this good earth that lies beyond the reach of our mutual dedication. Together, we will not fail.

THE PESTICIDE PERIL—LXV

Mr. **NELSON**. Mr. President, the current controversy over the use of DDT and related persistent pesticides received its first major public airing since Rachael Carson's "Silent Spring" during the recent Wisconsin State Department of Natural Resources hearings on a citizens' petition to ban the use of DDT in Wisconsin.

This public confrontation between the pesticide industry and concerned conservationists spread the growing alarm about the threat to our environment from chemical poisons to citizens throughout the country.

Representing the citizens' petition during the hearings was the Environmental Defense Fund, an alliance of concerned lawyers and scientists. Dr. Charles F. Wurster, an organic chemist at the State University of New York at Stony Brook who is associated with EDF, has been an outstanding leader in the effort to improve the controls on the use of persistent pesticides. In a recent issue of BioScience magazine, he has written an excellent summation of the Wisconsin hearings.

I ask unanimous consent that his article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

DDT Goes to Trial in Madison

(By Charles F. Wurster)

SCIENTISTS FOCUS ON AN ENVIRONMENTAL PROBLEM

An increasing groundswell of involvement by scientists in issues of social relevance has become evident recently, especially where matters of environmental quality are concerned. The feeling seems to be—act now, for tomorrow may be too late. The DDT problem has become a focus of this increased activity, and seldom has the confrontation been more intense and involved more scientists than at the DDT hearings before the Department of Natural Resources in Madison, Wisconsin.

It is not accidental that DDT is the focus or spearhead of scientists' concern. Mounting evidence now indicates that the persisting residues of DDT have become one of the world's most serious pollution problems, affecting many species of nontarget organisms on a global basis. Furthermore, the scientific literature on DDT is now voluminous, and it is probable that no man-made environmental contamination problem can be quite so thoroughly documented.

DDT is well known from its glamorous past, having undoubtedly saved millions of lives during and shortly after World War II when alternative insecticides were unavailable. The chemical is staunchly defended by some segments of the agricultural community and the chemical industry, and by a dwindling number of scientists. They insist that there is a continuing need for DDT in agriculture and public health and express concern that if DDT is banned, the use of several other chlorinated hydrocarbons with similar properties will also be curtailed.

Moreover, a battle over control is one of the central issues. *Who* is going to control pesticides? Historically, complete control has been in the hands of agriculture. Now that certain pesticides are affecting nonagricultural interests and values, a growing chorus of other voices, including the environmental science community, demand to be heard. If the environmentalists win on DDT, they will achieve, and probably retain in other environmental issues, a level of authority they have never had before. In a sense, then, much more is at stake than DDT.

HISTORY OF EDF

The events in Madison evolved from years of mounting concern among environmental scientists over the chlorinated hydrocarbon issue. Their initial involvement in courtroom litigation came in 1966 when a citizen's class action was supported against the Suffolk County Mosquito Control Commission to prevent continued degradation of the natural resources of Long Island by the use of DDT (Carter, 1967; Woodwell et al., 1967). The need for scientists to take speedy and effective action against environmental degradation resulted in the incorporation of the Environmental Defense Fund (EDF) in October, 1967. Only a few days later, at the request of EDF trustee H. Lewis Batts of Kalamazoo College, EDF filed suit against the Michigan Department of Agriculture (MDA) to prevent a proposed application of dieldrin, and against numerous Michigan municipalities that were still using DDT for attempted control of Dutch elm disease.

While MDA was ruled immune from suit, EDF was successful in obtaining court orders against the use of DDT by 55 municipalities. The strength of the scientific evidence convinced the Michigan Department of Natural Resources that it, too, should take a firm stand against DDT, and this ultimately resulted in the cancellation of the registration of DDT in that state. In October of 1968, EDF again filed suit against MDA, this time in a Wisconsin federal court, but another jurisdictional ruling of sovereign immunity limited the hearing to a few hours. These Michigan actions, presented more only the briefest of hearings, presented more evidence against DDT, and involved more scientists, than did the Long Island case, and resulted in further strengthening of EDF's scientific position.

EDF takes action only when a position can be thoroughly supported by scientific evidence, which is organized and presented by EDF's Scientists Advisory Committee. Both sides of an issue are evaluated. This volunteer, informal, interdisciplinary committee serves without fee or obligation; there is free exchange of information, and witnesses may be chosen from its ranks.

The Scientists Advisory Committee, with more than 200 members and including some of the world's foremost environmental scientists, had evaluated the DDT issue several times. An extensive bibliography on chlorinated hydrocarbon insecticides, including many hundreds of references, had been prepared, and more than 50 of the most relevant papers had been reprinted. Most of this evidence had never before been adequately presented in any judicial forum.

By November of 1968 it was evident that DDT would finally stand trial in a judicial proceeding before the Department of Natural Resources in Madison (Carter, 1969). The Madison hearings followed a petition by the Citizens Natural Resources Association (CNRA) and the Izaak Walton League requesting a declaratory ruling by the department on whether DDT is, or is not, a pollutant of the state's waters under the definition in the unique water pollution laws of Wisconsin. EDF, being specifically organized for litigation, was invited by these two Wisconsin conservation organizations to handle both the legal and scientific aspects of the case.

The necessary funds for travel, food, telephone, transcripts, secretarial aid, and other expenses were raised from private contributions, mainly within Wisconsin, by CNRA. During the course of the hearings, scientists and graduate students, mostly associated with the University of Wisconsin (UW), searched the literature and prepared exhibits. Many local volunteers handled transportation, lodging, fund-raising, and other essential details. The EDF team and all out-of-town scientists were housed in private homes. The magnitude of the defense of DDT, in the form of the well-financed Task Force for DDT of the National Agricultural Chemicals Association (NACA), forced EDF to restructure its organization in order to survive the lengthy hearing. Until April, EDF's trial counsel, Victor J. Yannacone, Jr., had served without fee; since then, the Rachael Carson Fund of the National Audubon Society has agreed to support his activities on behalf of EDF. The new structure includes an enlarged board of trustees, an executive committee, an executive director, and a director of legal research.

THE JUDICIAL PROCESS

Although formally the Madison hearings must be classified as administrative, conduct of the proceedings was quasi-judicial. Filling a role equivalent to that of judge was the Chief Hearing Examiner, Maurice Van Susteren, a man of considerable capabilities in both law and science. The rules of evidence—relevance, materiality, and competence of testimony—were rigorously observed, and the eventual decision, whichever way it goes, is appealable to higher courts. Testimony could be presented without time limitations, all of it subject to cross-examination.

Cross-examination played a vital role in the Madison story. Conducted by a skillful attorney who understands science in addition to trial law, cross-examination can separate fact from fiction by "sweating the truth out of a witness." Without well-directed, expert cross-examination, all kinds of testimony may sound about equally valid; this is often true when legislative committees lack the scientific expertise to ask the relevant questions or to judge the competence of a witness. Their reports and resultant legislation may therefore fail to grasp the problem and be ambivalent in response. Cross-examination is the acid test of relevance and competence.

Victor J. Yannacone, Jr., the Environmental Defense Fund's (EDF) trial attorney, has an impressive grasp of scientific material, especially the environmental sciences. His cross-examination is usually aggressive and may be devastating where a witness takes a position that is scientifically weak. Cross-examination can be a very rough business. It gives prospective witnesses an incentive to be well prepared and confident of the validity of their testimony—or not testify at all. The specter of cross-examination thereby "selects" witnesses in advance, tending to separate fact from fiction.

EDF had available far more scientists without fee than it could present as witnesses. The Task Force for DDT of the National Agricultural Chemicals Association (NACA), on the other hand, apparently had difficulty finding sufficient scientists to uphold its position. It seems curious that many of those who continue to promote the use of DDT, claiming that it is *not* a serious environmental hazard, did not appear at the well-publicized Madison hearings. One would think they would have welcomed the opportunity to test the validity of their opinions in a forum where each scientist was afforded ample time to present scientific evidence for his position.

The scene of action over DDT among the Citizens Natural Resources Association (CNRA) and EDF) people in Madison was by no means restricted to the hearing room. To the contrary, a vigorous, occasionally heated scientific dialogue usually involving a considerable number of scientists and several attorneys occupied all mealtimes and many evenings. The value of these sessions cannot be overstated. Scientific positions were tested and eliminated if weak; stronger positions were discovered, tested again, and sometimes demolished, then reconstructed. Only after the stimulation and probing of such an interdisciplinary group did scientists take the stand. They sometimes remarked later that this intensive dialogue was more rigorous than the cross-examination of the opposing attorneys.

THE "ENVIRONMENTAL SCIENTIST"

The Madison case was remarkable for the great diversity of disciplines that played a role in its organization and presentation. Not only were most of the biological and medical sciences involved, but the physical sciences including physics, chemistry, mathematics, meteorology, and even engineering played vital roles as well. The EDF approach was strongly problem-oriented, thereby requiring interdisciplinary cooperation, rather than being restricted to an orientation by discipline. The testimony by Orie L. Loucks, plant ecologist from the University of Wisconsin (UW) and the final witness of the hearing, was preceded by a week of intensive work involving mathematicians, various ecologists, systems analysts, mechanical and control engineers, and the searching probes of Yannacone. The result was a summary of the available data on DDT transport, uptake, and metabolism in the form of a complex, modern systems analysis that left the Task Force for DDT incapable of critical cross-examination.

A basic element of the EDF position has been to emphasize the complexity of the environmental sciences and the need for interdisciplinary cooperation, then to demonstate through cross-examination that the DDT proponents are narrow specialists out of touch with the rest of the scientific community. The "environmental scientist" capable of evaluating the *total environment*, rather than its separate components, was repeatedly defined as a scientist with his own specialties who is in constant communication with other scientists of different disciplines.

TESTIMONY BEGINS

The hearing was opened in the State Capitol Building on 2 December 1968, with Senator Gaylord Nelson as the first witness for the petitioners. Louis A. McLean, the attorney originally representing the Task Force for DDT of the NACA who was later replaced by Willard D. Stafford, was then called as an adverse witness by Yannacone for questioning about his article in *BioScience* (September, 1967, p. 613) in which he gave his views on "anti-pesticide people" and their preoccupation with "sexual potency" and various forms of "quackery." Another adverse witness called early was Ellsworth H. Fisher, entomologist from UW and an outspoken DDT advocate. The intent was to put into the record a rough outline of the opposition's case to come, "you can't shoot at empty air," says Yannacone.

The initial EDF approach was to describe the "Wisconsin Regional Ecosystem" with emphasis on its interconnections and interrelationships, prior to presenting any testimony about DDT and its role when injected into that system. Hugh H. Iltis, UW botanist, described these plant-animal-environment relationships in detail. Loucks followed with testimony about air currents, weather fronts, long distance pollen dispersal, and nutrient cycling, again emphasizing how events in one region could have distant effects. Iltis and Loucks both showed the inseparability and interrelationships between agricultural regions and the overall ecosystem of which they are but a part. They thus set the stage for the final systems analysis summation on the last day of the hearings 6 months later.

With these ecological relationships established, I took the stand to describe the physical, chemical, and biological properties of DDT (Wurster, 1969), testifying that DDT combines in a single molecule the properties of broad biological activity, chemical stability, mobility, and solubility characteristics that cause it to be accumulated by living organisms, thus presenting an environmental situation that is almost unique among major pollutants. DDT not only enters food chains from the inorganic environment, but it is increasingly concentrated toward the top of food chains, thereby posing a particular threat to carnivores (Woodwell et al., 1967).

My direct testimony took about one hour, but was followed by nearly 3 full days of wide-ranging cross-examination by McLean. Many aspects of the pesticide controversy were probed, as well as my background and that of EDF. All of the expected arguments that were used 10–20 years ago against scientists who first reported environmental degradation by DDT were raised, but it was surprising to hear almost none that were new. EDF soon learned that the Task Force was not fully prepared with regard to the current scientific literature on DDT.

Early in the trial, there were repeated attempts to equate DDT with pesticides in general to create the impression that EDF was an "anti-pesticide" organization. References to "pesticides" were invariably met by objections from Yannacone. These were usually sustained by Van Susteren, who reminded McLean to confine his questioning to "DDT," not "pesticides."

In its presentation, EDF emphasized those effects of DDT that affect a whole species and are world-wide in magnitude, rather than the more local, though more spectacular, fish or bird kills. The use of DDT for attempted control of Dutch elm disease, however, has long been of special concern in the Middle West, and the dramatic bird mortality caused by this usage was described by George J. Wallace (1959), zoologist from Michigan State University, and Joseph J. Hickey, wildlife ecologist from UW, both among the early scientists reporting such damage. William Gusey of Shell Chemical Company and a DDT Task Force witness said that winter spraying of elms, before birds are in the area, eliminates robin mortality, but Wallace contradicted this by telling how robins continued to die for years after the last DDT spraying because they ate contaminated earthworms.

Wallace described the tremors he observed in birds dying of DDT poisoning. He was followed on the stand by Alan Steinbach, neurophysiologist from Albert Einstein College of Medicine, who gave a comprehensive description of the mechanisms of nerve transmission and their disturbance by DDT. He discussed the Hodgkin-Huxley equation and the effects of various toxins on transmission of the nerve impulse, indicating that the effects of DDT are irreversible as compared with these other toxins. "The known mechanism of action of DDT on nerves . . . can account for . . . the observations outlined by Dr. Wallace, both today and in his earlier paper," Steinbach concluded.

During the early weeks of the hearing there was objection by McLean to the term "biocide" when used by several scientists in reference to DDT. Included among the pro-DDT witnesses, however, was Taft A. Pierce of the Orkin Exterminating Company, who testified that DDT is especially useful for killing mice and bats. Pierce said that without DDT, he would have to use "poison" more frequently to control mice.

The almost ubiquitous distribution of DDT residues in the world environment was the subject of testimony by many scientists. Robert W. Risebrough, molecular biologist from the Institute of Marine Resources, University of California at Berkeley, called DDT and its metabolites "the most abundant synthetic pollutant(s) in the global ecosystem" (Risebrough et al., 1968b). He described their dispersal by currents of air and water, and his discovery of these materials in the air over Barbados (Risebrough et al., 1968a). His analyses showed oceanic fish and birds from various parts of the Pacific to be contaminated, often to "very high levels," and Hickey gave analytical data on residues of DDE (a DDT metabolite) in the Lake Michigan ecosystem showing exceptional contamination of many organisms (Hickey, et al., 1966). "Lake Michigan, in spite of its size, "Hickey said. "is one of the most polluted (with DDE) lakes in the world."

DDT, THIN EGGSHELLS, AND REDUCED REPRODUCTION

Enzyme induction by chlorinated hydrocarbons, including DDT, was for several years primarily of interest to biochemists, but recently environmental scientists have discovered that the phenomenon may be of enormous ecological significance. Richard M. Welch, biochemical pharmacologist from Burroughs Wellcome and Company, told how DDT induces the synthesis of hepatic microsomal enzymes in a variety of test animals (Conney, 1967). These liver enzymes have a broad spectrum of activity that includes the ability to hydroxylate the steroid sex harmones testosterone, progesterone, and estrogen when DDT is administered to test animals at concentrations described by other scientists as common in the environment. Welch told how, in the course of these experiments, he and his colleagues had accidentally discovered that DDT can itself also function as an active estrogen (Welch et. al., 1969), thus presenting yet another mechanism of action for the material.

It took the testimony of several scientists to clarify the environmental importance of enzyme induction. Earlier, Risebrough and I had pointed out that estrogens affect calcium metabolism and eggshell formation in birds, and that elevated estrogen metabolism caused by DDT-induced enzymes could depress estrogen levels and result in birds laying egges with thin shells (Peakall, 1967; Wurster, 1968). Hickey (1969) then described the great population collapses among several species of carnivorous birds, particularly the peregrine falcon, on two continents during the past 15 years.

Characteristic of these population declines, Hickey related, was reproductive failure associated with various symptoms, especially egg breakage, suggesting disturbed calcium metabolism in these birds. The mystery has only been solved since 1967 through the close collaboration and discoveries of a diverse team of environmental scientists. Hickey told how Ratcliff (1967), he, and Anderson (1968) found that the eggshell thickness for these species, as measured in museum collections, had been stable for half a century, then underwent a sudden reduction simultaneously in Europe and North America during the late 1940's—shortly after the introduction of DDT into the world environment. He also pointed out that there was a statistically significant inverse correlation between concentrations of DDT in herring gull eggs and the thickness of their eggshells.

If this remarkable pyramid of circumstantial evidence involves a casual relationship between DDT, thin eggshells, and diminished reproductive success, then controlled feeding experiments with DDT or its metabolites should produce these effects. Exactly such experiments were described by Lucille F. Stickel, Patuxent Wildlife Research Center, Bureau of Sport Fisheries and Wildlife, U.S. Department of Interior, testifying only a few days after their completion. Groups of mallards were fed three parts per million (ppm) of DDE. Eggs from ducks receiving DDE, when compared with controls, had shells that were 13.5% thinner, were cracked or broken six times as often, and produced less than half as many healthy ducklings. DDT gave results that were comparable to those of DDE, but DDD did not affect shell thickness at this dosage (Heath et al., 1969).

In another experiment, kestrels, close relatives of the peregrine falcon, were fed 2 ppm of DDT plus ⅓ ppm of dieldrin. Dosed hawks laid eggs with shells that were 15% thinner than the controls, and their reproductive success was impaired (Porter and Wiemeyer, 1969). Although probably the shortest, Stickel's testimony was among the most important of the hearing because it established that thin eggshells and reduced reproduction among carnivorous birds are directly caused by residues of DDT at current environmental levels.

The Task Force for DDT made but one attempt to rebut the avian reproduction evidence. Frank L. Cherms, Jr., UW Department of Poultry Science, told of his experiments with Japanese quail, where 200 ppm of DDT in the diet had caused no effect on eggshell thickness or reproductive rate. He also described a variety of factors that can affect shell thickness, including heredity, nutrition, diseases, temperature, and humidity; "if you frighten them," he added, "you can scare the shell out of them." Under cross-examination, however, Cherms agreed that he was an expert on poultry but was not competent to discuss wild birds, their eggshell formation, or reproduction. Earlier, Stickel had pointed out that this quail lay eggs continuously throughout the year and differs from wild carnivorous birds that lay only in the spring. Robert L. Rudd of the Department of Zoology, University of California at Davis, also indicated that graminivorous pheasants could not be compared physiologically with carnivores at the top of a food chain.

Evidence that DDT reduces reproduction in fish, presented by Kenneth J. Macek of the Fish-Pesticide Research Laboratory (Columbia, Mo.), U.S. Department of Interior, was not contested by the DDT Task Force. Macek (1968a) described experiments in which 1 mg/kg/week of DDT in the diet of brook trout did not kill any adult fish, but caused increased mortality of fry from the residues stored in the egg yolk. He said that DDT residues accumulated in his experimental fish were comparable to those in fish from several freshwater lakes, including the Coho salmon from Lake Michigan, where abnormal fry mortality has been occurring. Risebrough gave similar analyses for fish from the Pacific Ocean, suggesting that important marine fisheries are threatened. In another experiment, Macek (1968b) found susceptibility to stress, as measured by associated mortality, increased from 1.2% in control fish to 88% in those fed diets contraining 2 mg/kg/week of DDT.

DDT AND HUMAN HEALTH

The original petition for the Wisconsin hearings made no mention of a relationship between DDT and human health, but the subject inevitably became the center of much testimony. Wayland J. Hayes, Jr., toxicologist from Vanderbilt University, said that DDT was "absolutely safe" for the human population at current exposure, based on studies of men exposed to much higher levels of DDT who showed "no clinical symptoms" (Hayes et al., 1956; Laws et al., 1967). Hayes' conclusion, however, was founded on tests for gross nervous system disorders and the assumption that DDT is a nerve poison, while other mechanisms, such as the enzyme effects described by several witnesses, were not investigated. He admitted that many biochemical and other sophisticated tests had not been made on these subjects, and that women, children, and infants had not been studied, yet he remained firm on his "absolutely safe" opinion.

The testimony of several scientists did not agree with Hayes'. Theodore L. Goodfriend of the UW School of Medicine said that "one cannot conclude that DDT is absolutely safe for human use." He described a variety of possible hormonal effects that have not been investigated and suggested they should be, since DDT is known to interfere with endocrine systems. Earlier, Welch had indicated that DDT at concentrations currently found in human fat was associated with elevated levels of steroid hormone hydroxylases in rats, and "if one can extrapolate data from animals to man, then one would say that a change in these liver enzymes probably does occur in man." He said that a controlled experiment had not been done in man, but an uncontrolled experiment "should not be done on the worldwide population." Hayes admitted he had done no such liver tests.

On 27 March 1969, Sweden announced a moratorium on several chlorinated hydrocarbon insecticides, including DDT, that was reached following the extensive literature research of a team of scientists—the Working Group on Environmental Toxicology, Ecological Research Committee of the Swedish Natural Science Research Council. Chairman of the scientists' team was Göran Löfroth of the Royal University of Stockholm, a surprise witness at the hearings appearing by invitation of the Public Intervenor and Assistant General of Wisconsin, Robert B. McConnell.

Löfroth discussed the ubiquitous worldwide distribution of DDT residues in human tissues and mentioned especially its presence in human milk (Curley and Kimbrough, 1969). He indicated that women excrete a higher proportion of ingested DDT into their milk than do cows, and that nursing infants receive about twice the maximum daily intake of DDT-compounds recommended by the World Health Organization.

Löfroth agreed with other scientists that the safety of DDT had not been demonstrated and that its use in the environment should therefore be discontinued. He also quoted publications suggesting that DDT interferes with normal body biochemistry, that it causes tumors in mice (Kemeny and Tarian, 1966), and that there is a correlation between higher than average residues of DDT and the frequency of human deaths from various disorders including liver cancer (Deichmann and Radomski, 1968).

POSSIBLE PCB INTERFERENCE

As an important part of its defense, the Task Force for DDT tried to demonstrate that analyses by environmental scientists were in error because there was interference from polychlorinated biphenyls (PCB's), industrial compounds that are also widespread in the environment. In an apparent attempt to cast doubt on the analyses of several scientists who had testified on behalf of EDF, the DDT Task Force presented Francis B. Coon, Head of the Chemistry Department of the Wisconsin Alumni Research Foundation (WARF) where many of these analyses had been performed, who testified that there was interference with DDT and DDD, and that he could not be certain there was no interference with DDE.

Since Hickey had presented only DDE analyses in his testimony because of the interference problem at WARF with DDT and DDD, the status of DDE became the object of much testimony. During a highly technical, day-long cross-examination by Yannacone, Coon changed several positions he had taken on direct examination, finally admitting that there was no significant PCB interference with the DDE analyses.

Further testimony on analytical techniques and PCB's was presented by Paul E. Porter of the Shell Development Company, who said that DDT, DDD, and DDE can be distinguished in the presence of PCB's using gas chromatography. Porter also expanded on earlier testimony about physical and chemical properties of DDT, its degradation, and its transport mechanisms. EDF considered Porter's testimony to be competent, accurate, and in no conflict with the petitioner's position; therefore he was not cross-examined.

Stafford also called Risebrough as an adverse witness for additional questioning about PCB's and their role in the thin eggshell phenomenon (Risebrough et al., 1968b), even though he had been cross-examined for 3 days by McLean in December. Risebrough, who attended almost all sessions of the hearing, told how DDE, and not PCB's, is largely responsible for the widespread occurrence of thin eggshells among carnivorous birds. He also used the opportunity to present new evidence on the almost complete reproductive failure early in 1969 of the brown pelicans in California, whose eggs collapsed when the birds tried to incubate them.

Appearing on behalf of the U.S. Department of Agriculture (USDA) was Harry W. Hays, Director of the Pesticides Regulation Division. Hays described USDA's procedures for the registration of a pesticide, indicating that his division within USDA has complete responsibility for registration, and that other federal agencies, including the Departments of Health, Education, and Welfare, and Interior, have only an advisory capacity without authority. He said that the chemical company applying for the registration supplies that data to USDA, but under cross-examination Hays revealed that USDA makes no independent check of these data, other than for internal consistency.

Yannacone led Hays through a complicated tangle of bureaucratic processes and responsibilities within USDA. Hays said that during the past few years there have been new registrations for DDT, but that new data on sublethal effects on animals or mobility of DDT has not been required of the applicants. Yannacone repeatedly asked about procedures for cancelling the registration of DDT, and was told that only the Secretary of Agriculture could initiate cancellation proceedings.

Another DDT proponent was Samuel Rotrosen, president of Montrose Chemical Corporation, the largest DDT maker in the United States. Rotrosen said that the Montrose plant in Los Angeles makes about half of the U.S. total, and that the other chemical companies manufacturing DDT are Diamond-Shramrock, Olin-Mathieson, Allied, and Lebanon. Of 114 million lb. made last year, about two-thirds was exported, and Rotrosen described its various domestic and foreign uses. In carload lots of 60,000 lb., DDT costs 17¢ per lb., and total production last year was valued at about $20 million.

INTEGRATED CONTROL OF INSECT PESTS

Testifying on behalf of the Task Force for DDT were two entomologists, R. T. Chapman of the UW Department of Entomology and Bailey B. Pepper of the Department of Entomology of Rutgers University. Chapman said that DDT is still needed to prevent insect damage to certain crops, especially cabbage and carrots in Wisconsin. Pepper also mentioned several agricultural needs for DDT, as well as the threat of mosquito-borne encephalitis. Under cross-examination by Yannacone, Pepper agreed that malathion is an alternative for mosquito control and DDT is not recommended on salt marshes.

In its presentation, EDF emphasized not only the deleterious effects of DDT, but alternative insect control techniques as well. Three top scientists in the sophisticated field of integrated control, the blending of biological and chemical insect control techniques in an integrated system, testified at length on the effectiveness and desirability of this approach to agricultural pest problems.

Robert van den Bosch, entomologist in the Division of Biological Control, University of California at Berkeley, described ways in which an agro-ecosystem can be manipulated "to manage pest populations so that they do not cause economic loss" (Smith and van den Bosch, 1967). He discussed the role of entomophagous insects (insects that are parasites and predators of other insects) in controlling potential pest species and pointed out that DDT often causes eruptions of the pest populations by elimination of those entomophagous insects.

Van den Bosch told how for many years he had recommended DDT for some purposes, but that more recent knowledge of its enormous ecological impact had caused him to discontinue these recommendations. He described DDT as an "ecologically crude material . . . developed by chemists and toxicologists . . . with no ecological thought whatsoever," and "exploited largely by people who were thinking in terms of the economics . . . Most entomologists eargerly seized" the material "totally ignorant of the . . . ecological implications" of its use; of those implications, he said, "I'm scared."

Testifying on 21 May, Paul DeBach of the Department of Biological Control, University of California at Riverside, and Donald A. Chant, Chairman of the Zoology Department, University of Toronto, reiterated van den Bosch's position. DeBach (1964) described DDT as a highly disruptive material in an agro-ecosystem and told how it causes outbreaks of mites and scale insects by killing their natural enemies. Chant (1966) discussed the concept of economic threshold, pointing out that insecticides are often used when the pest population is below a level of economic damage, or even totally absent from the area. "DDT," he said, "has no place in integrated control."

DDT IN THE ECOSYSTEM

Summation testimony was given both by Loucks and Rudd. Following his systems analysis presentation, Loucks concluded that DDT concentrations at higher trophic levels in the Wisconsin ecosystem can be expected to increase, with further decreases in numbers of important predator species leading to instability and degradation of the ecosystem.

Rudd (1964) summed up the problem by saying that pest control operations too often have been restricted to a consideration only of a particular pest and a particular crop. "The pest control operator, once the applications have been made, pretty well forgets the problem . . . The ecologist, on the other hand, is concerned with entire . . . ecosystems. He has no particular restrictions." Both Rudd and Loucks said that DDT fits the definition of a pollutant in Wisconsin law since is it "deleterious to fish, bird, animal or plant life."

The Madison DDT hearings involved 27 days of testimony from 32 witnesses, filled nearly 3000 pages of transcript, included 208 exhibits, and adjourned on 21 May 1969, nearly 6 months after they had begun. The decision is pending.

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NEEDED: ADVICE AND COUNCIL

Mr. HANSEN. Mr. President, one of the very real needs of our time is for meaningful and responsible leadership. This leadership is important in a number of areas, not the least of which should be that evidenced by the heads of our great labor oganizations in the matter of domestic affairs.

We sorely need the reasoned advice and counsel these powerful and prestigious labor organizations can provide. The temper of the times should call for nothing less than a united effort by all of us who are interested in the welfare of our country. I know all of us are, indeed, interested in that welfare and want to serve the general interest.

Unfortunately, labor's national leadership has not, as yet, responded to the rather overriding need for unity—that contribution they can make by urging a commonality of purpose whenever possible, rather than a divergency of viewpoint.

One of the grand old men of the labor movement, George Meany, who is leader of the AFL–CIO, recently has seen fit to heap a significant amount of criticism on the President for his stewardship of our country's domestic affairs, without really much of an effort to be constructive or to offer any responsible alternative plans for action.

George Meany, to my mind, is a well-meaning, hard-working patriot who stands foursquare with this Nation in its dealings with the enemy abroad. And for that, he deserves high marks. George Meany puts his country first. And for that, he deserves the thanks and respect of his countrymen.

But when we leave the foreign field and talk about the domestic front, Mr. Meany parts company with President Nixon in a rather sharp and disturbing way.

Mr. President, let me respectfully point out that while Mr. Meany has been pointedly critical of the President in three specific areas—civil rights, inflation, and Judge Haynsworth—he must also stand accountable for some of his actions and those of his union.

For example, Mr. Meany talks about a slowdown in civil rights progress under President Nixon when the fact is, organized labor quite frankly has done less for minorities than any single segment of the American economy. This is a well documented fact. Criticism of the President's efforts cannot dispel the situation of the minorities in that regard.

Mr. Meany also talks about inflation, when the fact is that those he supported so strongly for the past 8 years were instrumental in developing and pushing the policies that led to runaway inflation.

And Mr. Meany opposes the nomination of Judge Clement Haynsworth to the U.S. Supreme Court on the grounds that he is antiunion. The fact is that Judge Haynsworth, whenever the law was on a union's side, ruled in its favor.

His opposition to the President's domestic programs are fulsome; his reasoning behind that opposition, to my mind, is sometimes shrouded by purely political considerations.

I do not question his sincerity, nor do I want to be accused of seeking to demean his motives. What I would like to point out, however, is that Mr. Meany just must face up to the fact that the average union member is infinitely better educated and better informed than were his forbears, and that he will not long continue to accept the rather perpetual effort to convince him that this is still 1936 and that we should all continue to inveigh against the real—or imagined—policies of Herbert Hoover.

The working men and women of this country are too well informed to pay much attention to that line of questionable reasoning, I am sure.

And the working men and women of this country also know full well that the best place to make their personal views known is at the polls. And that is just where they made those views known last November—in a clear and forthright fashion. Mr. Nixon was elected President of the United States. It is my hope that Mr. Meany will soon recognize this and be responsive to it.

Now is the time for Mr. Meany and a number of the other national labor leaders to give the President the opportunity to discharge his responsibilities to the best of his ability. Certainly, a grace period of a few more months is not too much to ask.

Constructive advice and counsel is always welcome. But unnecessary and sometimes unfair criticism serves no one—especially our great country.

FAILURE TO FIND A CURE FOR MULTIPLE SCLEROSIS

Mr. CRANSTON. Mr. President, the decline of Federal support for scientific and medical research can be overlooked as a lifeless statistical casualty of the war on inflation. It is only when these cutbacks are translated into the pain and suffering of our family and friends that we begin to comprehend the human misery and despair which are the shrouded companions of our blithe economies.

In a plea for a more sensible and compassionate national policy, Mr. Sheldon Rosenthal, of San Francisco, explained to me in the simple eloquence of a human life what our failure to find a cure for multiple sclerosis has meant to his wife and his family. The letter speaks for itself.

I ask unanimous consent that Mr. Rosenthal's letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SAN FRANCISCO, CALIF.,
October 8, 1969.

Hon. ALAN CRANSTON,
U.S. Senator,
Washington, D.C.

DEAR SENATOR CRANSTON: I have seen news reports of budget cuts in the field of medical research contemplated by H.E.W. In particular, it would appear that research in the fields of neurology, cancer, and heart disease is being abated.

Surely this is a false economy. Leaving aside the humanitarian considerations of the plight of those unfortunates who now suffer from these maladies, please consider the effect of a break-through that would offer a cure to any one of the illnesses under study. I am most familiar with multiple sclerosis since my wife has that disease. If a cure could be found, this would free two people for other productive work—my wife and the person who must look after her. From a purely selfish standpoint, the Government would gain additional tax dollars from this new earning power, as well as ending the colossal tax deductions for medical purposes which we presently are taking and the payments from OASDI. Multiplying this several hundred thousand times, merely for multiple sclerosis where restoration of physical ability seems achievable, means millions of additional tax dollars for the Treasury each year.

Certainly this monetary benefit is the least essential, but I mentioned it first since it appears to have immediate relevance. On the human level, have you ever seen your loved one lying in bed pleading to die because she cannot see and cannot feel and cannot move? Has anyone in your family been terrorized of travel away from the house for fear that a bladder condition will cause embarrassment in public? Have you ever tried to explain to children why their Mommy can't hold them when they are tired, comfort their hurts or attend their basic needs? I am not talking about such luxuries as taking them to the playground or going shopping. One could live without these. One can't live without being a person, and this requires the ability to have basic contact with others.

The only hope for multiple sclerosis victims, both present and future, is in the field of medical research. Only the Government has the resources to support this research. Private donations, though helpful, are only supplementary.

I am well aware that some cutbacks must be made, and that decisions as to which program to reduce are not easy, but how many of H.E.W.'s endeavors are *vital*, in the true sense of that word?

Please help. Don't permit a miniscule reduction in total Government spending to consign my wife and others like her to human warehouses where they will be stored ("cared for" is a nicer euphemism) until dead. If sufficient indignation over this false and inhuman economy measure can be mustered, I believe that the proposed reduction in Federal financial support for medical research can be cancelled. I beg you to use whatever means are at your disposal to reverse the new policy of H.E.W.

Thank you for taking the time to read this plea. May your memory be for blessing.

SHELDON ROSENTHAL.

DISMAS HOUSE, ST. LOUIS, MO.

Mr. EAGLETON. Mr. President, Dismas House, in St. Louis, Mo., a halfway house for ex-convicts, has recently completed 10 years of service to newly released felons. Its occupants come from all over the country for help in making the transition between prison and the outside world.

A decade ago, Dismas House was a pioneer in this field. Since that time nearly 300 halfway houses have sprung up, some federally assisted.

I ask unanimous consent that a feature story about Dismas House, published in the October 10, 1969 issue of the St. Louis Review, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DISMAS HOUSE READY TO START ITS SECOND 10-YEAR STRETCH

(By Stephen Darst)

Dismas House, the halfway house for ex-convicts at Ninth and Cole sts., has just completed a stretch of ten years, flat time, and like the newly released felons that it serves, the house faces the future in a suit of old clothes, wallet short on cash, in need of friends on the outside.

There is no crisis; things have always been that way with Dismas House. The institution began spectacularly with articles in national magazines, $100 a plate dinners, star-studded benefit extravaganzas and a famous founder, Father Dismas Clark, S.J. After the initial attention, Dismas House has faded from the glare of the spotlight but it is still quietly doing time. And like the ex-convicts it serves, the institution has undergone rehabilitation.

For one thing Dismas House has opened its doors to drug addicts alcoholics and men convicted of sex crimes, three categories of criminal excluded in its first years of operation. Dismas House is also participating in a federal program involving the pre-release of prisoners to halfway houses.

"Under the pre-release system I am really the warden," Father Fred L. Zimmerman, S.J., executive director of Dismas House, said last week. "The federal prisoners are released from 90 to 120 days ahead of time and they finish that time here by starting their rehabilitation. They sign in and out. If they violate any of the rules we turn them over to the parole officer." The idea, he said, is to let the men out ahead of time to see how they handle themselves.

The pre-release prisoners come from all over the country. Besides Dismas House there are now 275 halfway houses in the world, many of which contract to take pre-release prisoners. The government pays $7 per day for each man. The government also operates eight halfway houses on its own, giving some idea of the official approval of the idea of halfway houses that has developed in the past ten years. All the government houses are less than 10 years old.

Father Clark and his work with ex-convicts at Dismas House was the subject of a 1961 movie entitled "The Hoodlum Priest." The movie brought home to countless thousands of persons the needs of ex-convicts.

In 1963 Father Clark died but the work has gone on. The former rule against admission of addicts, alcoholics and sex offenders was originally put in because Father Clark felt that Dismas House would be unable to provide the special care that these men needed. James Toner, associate director of Dismas House, said that the rule was changed several months ago because it is now possible to provide this special care.

One difficulty that halfway houses have encountered is only now being remedied, Toner said. It has been impossible in the past to check on what happens to ex-convicts after they leave Dismas House. Nearly 4,000 of them have been through the installation during the past 10 years. Father Clark once claimed that of the first 1,000 men who came to Dismas House, only five to ten were known to have returned to prison for subsequent crimes. This would be a remarkable record: the recidivism rate is usually 60 to 70 per cent.

The difficulty is that no one really knows what happens to men after they leave Dismas House (or the 275 other halfway houses around the world). A 10 per cent recidivism rate has been claimed, higher than Father Clark's estimation, but still very low. The problem is that most experts do not believe this. In the past the Federal Bureau of Investigation would not give the facts necessary to arrive at an intelligent appraisal.

Now the information is being made available and some reliable statistics on the effects of halfway houses should be forthcoming within the next six months. Federal officials expect it to be an encouragement to the development of more such houses, even if it does not reflect a recidivism rate as low as 10 per cent.

One fact that all experts think should be pointed out is that halfway houses get the ex-convict with the worst chance for rehabilitation. The ex-convict would not be at the halfway house in the first place if he had a job or family or friends on the outside to help him adjust to post-prison life.

"The essentials that we offer are food, shelter and clothing," Father Zimmerman said. "We have an employment office to help them get a job, there is counselling during the adjustment period and support during the first 60 days which are so crucial. We help to provide integration into the community through educational programs."

For non-residents there are additional services—information about prisoners for their families, help to families having difficulties while the father of the family is in prison, employment services for ex-convicts who have their own homes.

In addition, the essential function of halfway houses is changing. The idea of such institutions has always been to care for prisoners who are halfway "out" of the penitentiary, either on probation or parole or pre-release. With recent changes in federal rehabilitation practices, halfway houses are now increasingly being used as halfway "in" houses—persons convicted of crimes whom a judge believes might benefit from being sent to a halfway house rather than prison are being given this opportunity, on a probationary basis. One mistake and they are sent to the penitentiary to serve their sentence. Dismas House has not received any of these probation cases yet but other institutions in the country have and the practice is spreading.

TOWARD A MORE ADEQUATE SOCIAL SECURITY—II

Mr. WILLIAMS of New Jersey. Mr. President, in earlier statements I have described my disappointment at President Nixon's proposal for a 10-percent social security increase.

One of the reasons for my attitude is that the Special Committee on Aging, of which I am chairman, has conducted hearings and received reports clearly indicating that most elderly individuals in this Nation have lamentably inadequate retirement income.

It is no exaggeration to say, in fact, that Americans in later years are burdened with an income crisis which is worsening, not slackening.

The committee has received a task force report clearly calling for major upward revisions in social security levels. In addition, the knowledgeable witnesses have told the committee of the need to make major benefit increases and other improvements in social security.

The administration's plan for a 10-percent increase—which would fail to meet cost-of-living increases which have occurred since the last benefit revisions—would do nothing at all to raise minimum benefits upward closer to adequacy.

Fortunately, there is new evidence indicating that the social security trust funds are capable of supporting benefit increases and other reforms of far greater magnitude than that proposed in the administration bill of September 30. The AFL–CIO and the National Council of Senior Citizens have analyzed actuarial data and have concluded that modernization of the social security program is as feasible as it is imperative.

Accordingly, Representative JACOB H. GILBERT, of New York, today announced that he has a plan which would make maximum use of the higher actuarial surplus. His new bill, now under preparation, would, among other things, provide two 20 percent across-the-board benefit increases: the first on January 1, 1970, the second on January 1, 1972. Minimums would be raised in two steps to reach $120 a month by the beginning of 1972.

In addition, Representative GILBERT would abolish the premium for medicare part B—now $4 monthly—and make other much-needed improvements in that program.

It appears to me that the AFL–CIO, the National Council of Senior Citizens, other supporters, and Representative GILBERT have presented a noteworthy, solid package which should receive careful consideration and widespread cosponsorship.

For an advance view of its major provisions, I ask unanimous consent to have printed in the RECORD a news release issued by Representative GILBERT today.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

CONGRESSMAN GILBERT DRAFTS NEW BILL TO MODERNIZE SOCIAL SECURITY PROGRAM

Rep. Jacob H. Gilbert (D.-N.Y.) today announced that he will shortly introduce a revised Social Security bill that would raise Social Security benefits overall more than 50 per cent.

The new Gilbert bill will provide for a 44 per cent general increase in Social Security benefits and a $120 monthly minimum benefit to be accomplished in two steps by January 1, 1972.

Thereafter, the new Gilbert bill provides for automatic increases in Social Security benefits tied to the cost of living.

The new Gilbert bill would also abolish the $4 monthly premium payment for Medicare Part B (doctor) insurance, extend Medicare health insurance to an estimated 1,500,000 disabled Social Security beneficiaries below age 65 and would pay for out-of-hospital drugs under Medicare (only drugs administered in a medical institution are now covered).

Altogether, the new Gilbert bill would make 15 important changes in the Social Security law.

MUCH HIGHER SURPLUS REVEALED

Additional benefits incorporated in the new Gilbert bill reflect a substantially higher actuarial surplus than had been reported earlier in the Social Security Trust Fund.

Gilbert's first Social Security measure was introduced in the House of Representatives September 17. Gilbert said: "Since the introduction of my bill last month, the actuaries of the Social Security Administration have reevaluated the actuarial status of the social security program. This reevaluation shows the cash benefits part of the program to have an actuarial balance of 1.16 percent of taxable payroll instead of 0.53 percent as previously anticipated. As a result, my earlier bill is considerably over-financed. I am therefore planning to introduce a revised bill which takes account of this favorable actuarial balance."

Social Security experts and observers agree that Gilbert's new bill will be one of the most comprehensive ever to be submitted to the Congress. In addition to increasing benefits substantially and tying them to the cost of living, it would finance the medical insurance part of Medicare through contributions paid during the beneficiary's working years in the same way hospital insurance and cash benefits are now financed.

This change alone, by relieving beneficiaries of the Part B Medicare premium, would be the equivalent of about 5 percent benefit increase for the average beneficiary and considerably more for a couple.

"The bill I plan to introduce would go a long way toward maximizing the potential of social security for the benefit of more people and for the benefit of the nation as a whole," Gilbert said.

The new Gilbert bill will contain these improvements:

The 20 percent across-the-board benefit increases—the first on January 1, 1970, and the second on January 1, 1972, and a two-step boost in the minimum benefit bringing it to $120 a month by the beginning of 1972.

Base a worker's Social Security benefit on his highest ten years' earnings out of any 15 consecutive years after 1950.

At age 65, provide a widow's benefit amounting to 100 per cent of the deceased spouse's benefit (The present law limits it to 82½ per cent at age 65).

For beneficiaries who continue working, increase the income a person can earn and still get full Social Security benefits.

Raise the lump sum death benefit to $500.

Reduce the disability benefit waiting period from six months to three months and liberalize the definition of disability.

Eliminate the age-50 limitation for disabled widows and increase the benefit for them to that of regular widows' benefits.

Do away with the requirement that men who retire at age 62 must compute their average earnings by including years up to age 65, thus lowering their retirement benefits excessively.

Gilbert said the contribution base, now $7,800 will, under his new bill, increase in two steps to $15,000 by 1972. This and the current actuarial surplus in the Trust Fund, a one-tenth of one per cent increase in the presently scheduled employee and employer contribution rates, and a gradually increasing Government contribution eventually approximating one-third of the total program cost would pay for the proposed improvements, Gilbert said.

PROBLEMS ARISING FROM VIETNAM ENTANGLEMENT

Mr. EAGLETON. Mr. President, the Gallatin North Missourian is an outstanding newspaper published in the northwest section of my home State. It is edited by Mr. Joseph R. Snyder, and has been serving the people of Daviess County for over a century. In it are consistently found perceptive and constructive editorials. I ask unanimous consent to have printed in the Record two such editorials from recent editions regarding the problems facing this country because of the Vietnam entanglement.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Gallatin North Missourian, Oct. 2, 1969]

We've Admitted Our Mistake, Let's Get Out

Maybe it's because this writer spent some time in Vietnam himself that he so vigorously rues the day that the U.S. government decided to fight in Vietnam. Until recently we had believed, along with countless others, that the Americans pitched in out there because the South Vietnamese government requested it. Not that we should ever have acceded to the request under any circumstance, but being asked threw a kindlier light on the matter. Now, it turns out, the South Vietnamese government never made any such request. The decision was made by the U.S. government, on the advice of its civilian and military minds then in South Vietnam, to keep a shaky and corrupt Saigon regime from going down the drain. That really compounds the felony.

There never has been a Saigon government, and never will be, worth one American life, much less 40,000. Any U.S. official, in or out of uniform, who served any length of time in South Vietnam, should, in his right mind, know that. Somehow the officials we send to Vietnam get caught up in that weird web and start believing that the place can be made into a decent democratic establishment. That's what happened in 1964, when it was decided that Americans, to save the Saigon government, should fight the war for the South Vietnamese. It was a face-saving move on the part of the U.S. government, which boomeranged into the bloodiest and costliest boondoggle ever concocted.

Since we weren't asked to fight in Vietnam, why the delay in getting out? There can be only one reason for staying on in South Vietnam and that is to, once again, save a Saigon government, which dosn't deserve it now anymore than it did back in 1964.

Since we're on record as no longer committed to a military victory, let's get back our boys as fast as they can be loaded up. It's a bitter dose for the U.S., but we've already swallowed one pill, we might as well swallow another and get out now.

[From the Gallatin North Missourian, Oct. 9, 1969]

The War Must End

President Richard Nixon has declared he will not be the first president to preside over an American defeat. This may be reassuring to some but we recall that is exactly what President Lyndon Johnson said and he was forced out of office.

Such a statement reflects the same kind of egotism that caused Johnson to escalate the war. He was so sure that all he had to do was send a sizeable force of U.S. troops to Vietnam and the Viet Cong would fold their tents and steal silently away.

What happened, of course, is a painful continuing chapter in our history.

It is disappointing to hear Mr. Nixon make such a statement. What it really means is that no matter how many lives it takes, or how much of our resources it requires, it will be tolerated as long as he is convinced the historians will record him as being stern and steadfast at a time of military confrontation.

This country has already suffered enough in Vietnam—to say nothing of the hapless people of Vietnam. The lives lost, the men wounded and the huge sums of money it is costing, should make any president ponder the wisdom of further folly there. This is a conflict that is poisoning the whole of American life.

Mr. Nixon has plenty of problems to solve at home. Many of them he cannot be blamed for, but the time for solving problems is at hand. He has been in office eight months and the American people want the Vietnam war ended one way or another so that pressing problems at home can be properly approached.

We have been told that it has cost this country $322,000 to kill one Viet Cong soldier. By comparison, in this year's Federal budget, we are allowing $44 for each child for educational purposes. That is just one example of the warped priorities that war produces—and this is one of the most senseless wars we have ever fought.

The United States does not have to worry about a loss of face in Vietnam—our presence there in the first place cost us the respect of much of the world—and our continued insistence of staying there has aroused serious questions about our national sanity.

U.S. participation in the Vietnam war must end soon or President Nixon will begin to undergo the same kind of pressure that broke one of the strongest willed men ever to sit in that high office.

The people want their boys home! How much plainer can they make it short of tearing the country completely apart?

AMERICAN SOCIALIST PROFESSORS ADVOCATE TOTAL BREAK WITH AMERICAN SYSTEM

Mr. MUNDT. Mr. President, the September 15, 1969, issue of Barron's contains a lead article entitled "Total Break With America." It discusses in full the efforts of the Socialist Scholars of America to indoctrinate the youth in our universities and colleges on the alleged evils of capitalism and of what must be done to destroy our system of government.

The article points out that on campuses throughout the Nation, socialist scholars are training our young people to break with the traditions of America which have brought us to the pinnacle of leadership in the world today. The article indicates that in virtually all our academic communities, socialist scholars are studying, researching, and teaching the most effective means for the violent overthrow of the U.S. Government and the destruction of the American way of life.

With what is happening on our campuses, in our streets, and throughout America today it makes one wonder if this group of Socialist Scholars and agitators will be successful. "Total Break With America" is a frightening article on the basic domestic problem of today in our country. I ask unanimous consent that it be printed in the Record at this point of my remarks. I urge that every Senator, Representative, and State legislator study carefully this eyewitness report on the dangers to our system of government which threaten us today.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Fifth Annual Conference of Socialist Scholars: "Total Break With America"

Openly proud of their rapid progress toward destruction of the American way of life, the Socialist Scholars—Marxist revolutionary braintrust in the United States—gathered together at Hofstra University, Hempstead, N.Y., on September 5–7, to hold a Fifth Annual Conference. Even if television cameras had been grinding and wire service reporters had been taking notes at the panel discussions, which they were not, no Socialist Scholar would have minced words this year about his revolutionary role in "the Movement."

Members of the tax-exempt Socialist Scholars Conference (SSC) know they face no effectively organized anti-socialist or anti-revolutionary opposition today. They knew in 1965, when they formed the SSC, that their intellectual foes had been disarmed by the accusatory slogans "McCarthyism," "Red-baiting" and "witchhunt"; the Socialist Scholars knew, too, that the U.S. Department of Justice had been legally disarmed by a series of decisions favorable to Communists handed down by a Warren Court practicing lax interpretation, not strict construction of the First and Fifth Amendments to our Constitution.

Moreover, the Socialist Scholars were certain this year, as they have been during the past half-decade, that almost nobody among the bewildered majority of Americans asking "How do they get that way?" about violent young revolutionaries in the U.S., France, Japan, Mexico and other countries, would come up with the only correct answer: "Because they were taught that way."

Why should the Socialist Scholars mince words? They didn't. Take Socialist Scholar Martin Jay, for example, at present a Teaching Fellow in Social Science, School of General Education, Harvard University. He told a large audience of Socialist Scholars and radical students in the Multipurpose Room, Student Center, Hofstra University, during a morning panel session on Friday, September 5: "Our movement is a movement which, in effect, is a total break with America."

The topic of the SSC panel discussion in which Martin Jay took part was "Marcuse (Herbert): His Works and Influence." The panelists included Ronald Aronson, Assistant Professor of Humanistic Studies, Wayne State University; Paul Breines, University of Wisconsin; and Stanley Aronowitz, columnist for the radical news-weekly, *Guardian*. The very long paper presented by Ronald Aronson was in the form of an open letter headed "Dear Herbert." It shows precisely why Professor Herbert Marcuse of the University of California at San Diego, a Socialist Scholar and author of "One Dimensional Man" and "Eros and Civilization," is the internationally recognized intellectual mentor of "Red" Danny Cohn-Bendit, who played a key role in the 1968 May-June rebellion in France, and of "Red" Rudi Dutschke in West Berlin. Ronald Aronson's paper shows too, in a vivid, personal way, why and how Marcuse, an Old Leftist, has become the intellectual idol of the so-called New Left in influencing youths toward hedonism and anarchism.

For the Second Annual Conference of Socialist Scholars in 1966, Herbert Marcuse, then 70 years old, wrote a paper saying "the Marxian idea of socialism is not radical enough." He wrote to the Socialist Scholars, "We must develop the moral-sexual rebellion of the youth." Marcuse's pupil, Ronald Aronson, stated in the paper he delivered at Hofstra University, September 5, 1969: "Dear

XUM

Herbert: . . . I want to begin by emphasizing that for myself and a few friends, studying with you was one of the decisive experiences of our lives. Your thought, personality, style of teaching and writings were overpowering. . . . You helped us to take our stand in Western thought and still be Marxists. . . . You introduced us to a perspective which was new and revolutionary, which made sense of our lives and helped us find our way as radicals. . . ."

Any non-Marxist who is appalled at or mystified by the anarchism and violence of revolutionary youth in our country and abroad need only read Ronald Aronson's own account of his own life in the paper "Dear Herbert" to gain full understanding of why they are that way. Rhetorically, Aronson asks how it is possible for him to be himself "and live in America." Answering himself, he writes, "The only answer that makes sense to me is this: creating my identity *and* becoming political . . . Seeing revolution as the way to liberate us all to live a life that is truly our own." He continues: "What a leap I just took! A whole account of a life-search which doesn't once mention politics, and suddenly I proclaim the necessity for revolution."

He then calls on scholars to write a study—written "as Marx did"—to show "that fully-developed capitalism is necessarily totalitarian. . . . I mean that the corporations' pursuit of profits through the mass production and sale of commodities has spread to every geographic area, every inch of land, every population subgroup, every activity, every hour of the day."

Does the First Amendment to the Constitution prevent Michigan taxpayers from trying to protect youth at Wayne State University from indoctrination by an assistant professor such as Ronald Aronson? Are the Governor of Michigan and regents and administrators of Wayne State University under the same illusion as were their counterparts in New Jersey in 1965? That is, do they really believe that a radical socialist professor or instructor seeking the overthrow of the capitalist system can keep, or is willing to keep, his own "political beliefs" separate and apart from his classroom teaching?

Let's take a look at the Socialist Scholars' record. In 1965, New Jersey State Senator Wayne Dumont, Jr., called for removal from the Rutgers University faculty of Professor Eugene D. Genovese for having declared at a Rutgers campus "teach-in" on Vietnam, April 23, 1965, "Those of you who know me know I am a Marxist and a Socialist. Therefore, unlike most of my distinguished colleagues here this morning, I do not fear or regret the impending Viet Cong victory in Vietnam. I welcome it."

Largely on the assertion strongly put forth by Professor Genovese and his defenders that his teach-in remarks were not made in a classroom, and that his campus political life and personal views were one thing, his academic role another, the Governor of New Jersey declared on August 6, 1965, that "however offensive" Genovese's statement may have been, it did not constitute grounds for dismissal.

A month later, Professor Genovese told the First Annual Conference of Socialist Scholars (McMillin Theater, Columbia University): "We must evert the moral leadership we are prepared to give young radicals. . . . The political separation—activist and academician—is a matter of convenience. *That, we all know.*"

Now in 1969, the Socialist Scholars—among whom Assistant Professor Ronald Aronson of Wayne State University is a leading member—are so confident of being able to play their real campus role with total immunity that they have formally abandoned the "convenience" of professing to separate their political and classroom activities.

The official invitation to the Fifth Annual Socialist Scholars Conference, issued in May, stated that the organization is expanding its functions by recognizing that "any socialist organization—even one limited to intellectual work—is a political organization." The official SSC program for the conference at Hofstra University states: "When the SSC was founded five years ago it declared purpose was to 'bring socialist scholars together in order to stimulate analysis, theory and criticism'. . . . the organization welcomed all who call themselves socialists. . . .

"During these years . . . the need for an expansion of purpose and function has been general. . . . The SSC now seeks to provide an organizing focus for the effort to identify and establish the intellectual's role in the development of a socialist culture. . . . An expanded definition gives rise to additional activities." One of these will be the widespread reproduction and distribution of SSC papers in pamphlets "for assignment in the college classroom of materials written from an explicitly socialist perspective. . . ."

There you have it. Sure of immunity, the Socialist Scholars no longer need the "convenience" of dissimulation concerning aims, methods and acts. They no longer need put on a false front of academic objectivity; they no longer need pretend that there is a separation between activities off-campus and on-campus, out-of-classroom and in-class.

Ronald Aronson's "Dear Herbert" probably will become a classroom assignment for students taught by Socialist Scholars who—as listed in the 1969 conference program—have infiltrated or penetrated the faculties of Wayne State University; University of Wisconsin; Harvard University; University of Maryland; Washington University; New School (for Social Research), New York City; Boston University; Hofstra University; John Jay College; McGill University (Montreal); Douglass College, Massachusetts Institute of Technology; University of California; Long Island University; Essex County College; University of Pennsylvania; State University of New York at Stony Brook; Amherst College; Yale University; Federal City College; Brandeis University; Richmond College; City University of New York; Brooklyn College.

Doubtless undergraduates studying with Socialist Scholars at the foregoing academic institutions, and at dozens of others, will be given a classroom assignment to study Ronald Aronson's maxim that "revolutionaries need to engage the whole person: his activity, his imagination, his sense of lost hopes. Not tracing the structure of capitalism, but blowing people's minds."

That's what the Socialist Scholars are all about—blowing people's minds, especially those of young people. At SSC panel sessions, the devastating path of the intellectual hurricane blowing thousands of young American victims into a mindless culture of drugs, obscenity, pornography and anarchy was as discernible as the weather map path of hurricane Camille on its way to destroy Gulfport, Biloxi and Pass Christian.

At a panel session on "The Student Response to the American Century," Socialist Scholar James O'Brien of the University of Wisconsin traced the historic development of American Socialism in this century, praising all socialists, regardless of faction, for the role they played in trying to destroy capitalism, from Walter Lippmann, of the Intercollegiate Socialist Society (Harvard, 1913), to Mark Rudd, of Students for a Democratic Society (Columbia, 1968); from John Dewey, author of "progressive education," to Herbert Aptheker, of the present Communist Party, U.S.A. and Institute for Marxist Studies; from the late Norman Thomas, of the Socialist Party and Social Democratic Federation, to Michael Harrington, author of "The Other America" and a present leader of Americans for Democratic Action.

All socialists—Communist, Trotskyite, Democratic, Christian or Maoist—explained James O'Brien, have made invaluable contributions to the downfall of middle class ("bourgeois") culture and to impairment of the American corporate structure. Had his historically accurate paper been written by an outsider, it probably would have been shouted down by the Socialist Scholars as a guilt-by-association tale told by a "McCarthyite" or "Bircher."

On concluding his paper, James O'Brien boasted: "Capitalism is in its death period, and some progressive capitalists acknowledge it." Indeed some do, even as some wealthy German, French and British capitalists—Catholic, Protestant and Jewish—backed National Socialist Adolph Hitler during the early 'Thirties, hoping to ride on the crest of "the wave of the future."

In the U.S. today, many "progressive capitalists" are financing socialist attacks on our great corporations—from producers of ethical drugs to insecticides, from cigarets to lipsticks, from automobiles to transistors, from computers to television sets and toys.

It is true that no human institution, including the corporation, is perfect, but muckraking against American business always has been a socialist business. From it has sprung the current fad for "consumerism," which had its origin in the Communist-organized Consumer's Union. Founded in 1935, Consumer's Union remained under Red control until 1953, when changes in personnel were made and the organization was removed from the list of subversive organizations of the House Committee on Internal Security.

There is no question that the American consumer needs legal protection against fraud, injury, unfair business practices and other criminal activities. But there is also no doubt that there exists in this nation today a deliberate campaign of vilification against U.S. corporate enterprise by socialists, especially Socialist Scholars, who are turning thousands of young men and women into members of a student-worker alliance such as nearly brought down France last year.

The American corporation, indeed, was the main target of the Fifth Annual Socialist Scholars Conference. And the scholars linked the radical student movement closely with the anti-corporate campaign. All Marxist-Leninists believe (as SSC guest of honor Robin Blackburn, editor of *New Left Review* in London, reiterated): "The theory of the weakest link is the theory of the decisive link."

At the panel on "The Student Response to American Century," Bruce Brown of Washington University said, "The university is the weak link of the capital corporate structure." Brown explained that the corporation is the "nuclear institution" around which U.S. capitalism is organized, and he charged that in the United States "affluence is only attained through the surrender of control to corporate bureaucracy."

Describing himself as a "revolutionary," Bruce Brown told the Socialist Scholars: "We must begin an anti-corporate struggle on its own terrain and not wait for a crisis." He went on to say that the term "youth" should be used to define "a group only in part defined by age, that is, a modality of society free of bureaucratic (capitalist) control."

Bruce Brown's statement explains the seeming paradox in a "New Left" American radicalism that professes rejection of "anyone over 30," but takes direction from Old Leftist septuagenarian Herbert Marcuse, and from middle-aged Herbert Aptheker of the Communist Party, U.S.A. To make sure of not being misunderstood, Bruce Brown explained, "The student movement is the catalyst for extending revolution outside the campuses."

What the Socialist Scholars mean by saying they will introduce into the classroom teaching materials written from "an explicitly socialist perspective" was made clear in Bruce Brown's remarks. This "scholar" declared, "Marxism is the only theory of capitalistic development. To deny Marxism is to deny that capitalism still exists."

It won't exist much longer in the U.S., and neither will the American corporation, if the Socialist Scholars have their way. A year ago, I reported after attending the Fourth Annual Conference of Socialist Scholars, at Rutgers University, that they regard students as the detonators for setting off revolutionary explosions, and that the Socialist Scholars were moving into "phase 2" of their operations, in which they would take Students for a Democratic Society (SDS) out of undergraduate leadership, fragment the student movement and merge it into a much more sophisticated, better disciplined, more militant international Marxist-Leninist apparatus, designed to overthrow capitalism in all the advanced industrial nations.

All is taking place on schedule. Control of SDS and rival factional radical student groups has been removed from undergraduates' hands and centralized in graduate student and adult organizations. The official Socialist Scholars conference program, September 1969, announces that SSC will join forces with the Bertrand Russell Peace Foundation in a series of public meetings on "Toward a Revolutionary Strategy for Advanced Industrial Countries." The first meeting, scheduled for late November in New York City, will discuss "Agencies for Social Change."

Main speakers will include Andre Gorz, author of "Strategy for Labor" and editor of *Les Temps Modernes;* James O'Connor of San Jose (Calif.) State College; and Ernest Mandel, author of "Marxist Economic Theory" and editor of *La Gauche.* (A Belgian instigator of the 1968 May-June rebellion in France, Mandel is banned from that country but was guest speaker at the Fourth Annual Conference of Socialist Scholars, Rutgers University, September 1968.)

On Saturday, September 6, 1969, the guest of honor at the Fifth Annual Conference of Socialist Scholars, Robin Blackburn, British editor of the influential *New Left Review,* spoke at length in a panel session on "Recent European Theory and the American Left."

Mr. Blackburn explained, "Lenin is not difficult to accept by us Western revolutionaries." It is a mistake, he said, to allege that Lenin taught the necessity of one single revolutionary party. At certain stages of development—Blackburn said—Lenin favored the expediency "of a number of competing revolutionary groups." Blackburn continued, "If the revolution is a complex totality, so must be the revolutionary party." He called for overthrow of "the hegemony of bourgeois culture and creation of a genuinely revolutionary counterculture." There must be a decisive break with middle class (bourgeois) culture, he said, a break that is "the reverse of Puritanism." He said such a socialist culture "is impossible to achieve without the violent overthrow of the capitalist regime." As I said earlier, the Socialist Scholars no longer mince words.

However, even Blackburn's call for "violent overthrow" was not explicitly socialist enough to suit him and his listeners, and so he went into great detail, putting current affairs in such clear perspective that there is no longer the slightest necessity for continued discussion in general academic, government or law enforcement circles about the significance of the "youth movement" and its role in the affairs of our nation.

"Youth culture," said Robin Blackburn, "takes out a segment of society from bourgeois society." He praised the hippies and yippies and all manner of freak-out youth, including the 300,000 at the Woodstock Festival in New York last month. He lauded the American "underground" culture because "its explicit themes are anti-capitalist."

And so they are. There is not a single underground newspaper or magazine in the U.S. which does not carry anticapitalist political propaganda along with the obscenity and pornography.

The Socialist Scholars in Adams Hall at Hofstra University, September 6, loudly applauded Robin Blackburn's appraisal of youth culture. But they gave still more enthusiastic approval to his analysis of current "anarcho-populism" in the advanced industrial nations. In the U.S. and elsewhere, he explained, anarcho-populism should be favorably regarded because it is undermining "the archaic institution of private property."

To foster anarcho-populism in our nation, the Socalist Scholars—aware of the multiracial, culturally diverse nature of the U.S. population—strongly favor a multiplicity of radical groups and organizations among us. Indeed, the Socialist Scholars are assiduously promoting as many radical groups as possible. That is why they accorded as much attention to Ralph Schoenman, passionate Trotskyite and head of the Bertrand Russell Peace Foundation, as they did to Robin Blackburn, Marxist-Leninist who praises Stalin and Mao Tse-tung.

At the SSC panel session on "Recent European Theory and the American Left," Mr. Schoenman opened his remarks with the salutation, "Comrades, friends, and all of us who are revolutionaries: . . ." Perhaps the most interesting thing about his appearance at the Socialist Scholars Conference was the presence there of his associate in the Bertrand Russell Peace Foundation, U.S.A., its executive secretary, Arthur J. Felberbaum, Jr.

Several times, during discussion periods following panel sessions, Mr. Felberbaum went to the microphone to ask questions and offer comments. He is not an eloquent speaker, being more an activist than a scholar. He proved as much during an appearance at the "Pretty Boy Floyd Memorial Lecture" sponsored by Students for a Democratic Society and Movement for a Democratic Society (MDS) at The New School (formerly New School for Social Research) in New York City, October 3, 1968.

The lecture took place in a closed-off section of the fourth-floor cafeteria. Newspaper headlines throughout the world were reporting the terrible violence of the student revolt in Mexico City. Speakers at the Pretty Boy Floyd lecture were an innocent looking little blonde, Sara Murphy, who talked cold-bloodedly in favor of the bloody Mexican student rebellion as a means of "bringing down the repressive Mexican Government," and a Spanish-speaking "Comrade Rafael" who was accompanied by two other Spanish-speaking activists.

Miss Murphy said that all had recently taken part in the violent student struggle as a means of forcing Mexican police and troops to discredit themselves in the eyes of Mexican workers, peasants and "petite bourgeoisie." Arthur Felberbaum, recently returned from Mexico City, added that the rebellious students went into a new housing development in the city to force the troops and police "to shoot at unarmed students," and thus discredit themselves in front of uninvolved housing development residents "and bring the petite bourgeoisie into rapport with the revolution."

(That same evening, October 3, 1968, on the 11 p.m. CBS news, reporter Bert Quint, broadcasting from Mexico, fell into the revolutionists' propaganda trap; during filmed scenes of the housing development shooting in Mexico City, he denounced the Mexican authorities' "senseless shooting at unarmed students." There was not a hint in his news report that the revolutionary students had deliberately planned things that way.)

All during the lecture, Mr. Felberbaum and other participants made the ugliest possible remarks about the FBI and about the U.S. and Mexican police. This was to be expected by anyone familiar with the sinister significance of the lecture title, "Pretty Boy Floyd." On June 17, 1933, murderous gangster "Pretty Boy" (Charles) Floyd took part in the "Kansas City Massacre," in which two detectives, the chief of police and an FBI agent were killed, and two federal agents wounded.

What has the Pretty Boy Floyd lecture incident of last year to do with the Fifth Annual Conference of Socialist Scholars? Only that Ralph Schoenman, head of the Bertrand Russell Peace Foundation, and its executive secretary, Arthur J. Felberbaum, militant activist have teamed up with the Socialist Scholars to devise "a revolutionary strategy" for the advanced industrial countries.

Among the industrial nations, the United States is the most advanced. Thus it is the main target of the socialists' revoluionary activities. The bull's-eye in that target is exactly what the Socialist Scholars say it is—the American corporate structure. At the very center of the bull's-eye is the American citizen's right, under the Constitution, to own private property. That right is essential to our life and liberty, and to our pursuit of happiness. These the Socialist Scholars wish to destroy.

Now, for the fifth time in a row, I have been alone among members of the nonradical press in reporting on the annual conference of the Marxist braintrust in America. There is no mystery at all about their movement; it is what Martin Jay of Harvard University says it is—"a total break with America."

On campuses throughout the nation, Socialist Scholars are training our children to make that break. In virtually all our academic communities, Socialist Scholars are studying, researching and teaching the most effective means for the violent overthrow of the U.S. government and destruction of the American way of life.

Is anyone, anywhere, going to do anything to thwart their plans? Or, is it possible that the Socialist Scholars and their predecessors have already succeeded in "blowing" the minds of the American people?

Mr. MUNDT. Mr. President, I also feel that Americans generally should seriously ponder the question of how we are to preserve our great free institutions and opportunity system when taxpayers permit professors in tax-supported institutions to use their influence to destroy the taxpaying capacity of citizens and corporations engaged in profitmaking activities. One might also ponder why individual citizens made wealthy through the diligent utilization of our profit system should continue to give generous endowment gifts to colleges and universities to be used to pay salaries to those who would totally destroy the economic and political system making those gifts possible from the profits enjoyed by the donors of such gifts.

CRISIS IN THE AMERICAN UNIVERSITY

Mr. JACKSON. Mr. President, I recently read an address delivered to the entering class at Rice University by Dr. Charles Garside, Jr., associate professor of history at Rice. The address, entitled "The Vanished Tower: Reflections on the Crisis in the University Today," contains some stimulating comments on the critical problems confronting our institutions of higher education. Because of its originality and relevance, the address deserves a wider audience. I, therefore, ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

XUM

THE VANISHED TOWER: REFLECTIONS ON THE CRISIS IN THE UNIVERSITY TODAY

(By Charles Garside, Jr.)

I

Ladies and Gentlemen of the Class of 1973: May I first offer all of you present my sincerest congratulations. During the past four days you have been subjected relentlessly to what might best be called, in good mediaeval fashion, ordeals. I think, for example, of the ordeal of first meeting your roommate, hopefully not a belligerent one; the ordeal of placement examinations, hopefully a successful one; the ordeal of the mixers, hopefully most promising for the future; the ordeal of counselling, hopefully not too inconsistent; the ordeal of registration, hopefully a satisfactory one; and, most aggressively and consistently mediaeval of all, the ordeal of the Food Service. After 96 hours of unremitting trial, you are still alive and well in Houston—or so it would seem, and now you face the last of your ordeals, the Faculty Address. This, too, I trust, you will survive, and to that end I shall be as brief, certainly not as my subject allows, but as I dare to.

II

When I was invited to speak to your predecessors in the Class of 1971, I elected to discuss the role of the humanities in the university, in terms of the specific problem of their relevance to a rapidly changing society. Now, after two more years of teaching and working at Rice, I have chosen as my topic the problem of university education and the university itself.

This is the morning of your fifth day at Rice. If you continue at Rice, as I earnestly hope you will, you will spend much the greater part of four years here, some of you five. In the days and months to come your convictions will waiver and they will change, but all of you, right now, are doubtless wholeheartedly convinced of why you are here: you are here to receive an education from Rice. I want, therefore, to pose as early as possible, two basic questions for your consideration: what kind of an education do you want and hope to get? And to what have you come: To what are you committing such a significant portion of your lives? To Rice University, indeed, but what is Rice? From one point of view simply a cluster of buildings set upon what President Lovett wryly described as "a tract as irregular in form as if purchased in Boston." But I am not concerned with the physical aspects of Rice. I am concerned, rather, and deeply so, with the intellectual and spiritual questions. What kind of educational activity is conducted on this tract and in these buildings, and beyond that, what is a university?

That these questions now are commonplace is obvious; that I shall say something, any thing, you have not already heard or read is quite unlikely. But the problem of education within the university and the unversity itself has reached such a magnitude, and, more importantly, such critical urgency in recent years that I believe it not inappropriate to Freshman Week that you be exposed to the thinking of at least one person who has committed himself to the University, not merely for four or five years, but for a life time. Bear in mind, too, that as I reflect upon these subjects with you this morning, I do so as an individual. I speak for myself alone. I was invited by the University, but I do not speak for the University. Indeed, many in the University may disagree with what I have to say, even those who asked me to speak. I cannot stress the fact too heavily, for, as I shall hope to demonstrate, not simply the invitation, but the delivery of this address is essential to my understanding of what a University should, indeed, must be.

III

My preparation for this morning began at Sammy's at approximately 10:00 in the morning of Friday, April 25, 1969. I was reading an exhaustively detailed account in The New York Times of the then recent upheaval at Harvard, and, as is typical of that most solemn of newspapers, there were appended extensive interviews with Harvard students and faculty as well as a variety of comments from educators at other institutions of the higher learning. One among these last immediately caught my eye, a paragraph from a speech by Malcolm C. Moos, the President of the University of Minnesota:

"This, he said, is 'a moment of national peril for higher education,' and 'the war between society and our children cannot continue.' Otherwise . . . the ivory tower might become a dark or 'burning tower.' "

It was the coupling of two phrases which so impressed me—on the one hand "the war between society and our children," and on the other, "the ivory tower"—the former very nearly repellent in its acuity and candor, the latter almost pathetically nostalgic. Side by side with what I take to be a profound insight into contemporary society was a remarkable blindness to the nature of the university in that society, for war between society, and its children does exist; the ivory tower does not. Malcolm Moos, is an educator of rare distinction, yet on that occasion, at least, he could find no other verbal image for the university than a cliché, a creation of the nineteenth century, an outmoded, indeed hopelessly anachronistic phrase, "the ivory tower." This inability to characterize the twentieth-century university with a twentieth-century image expresses most exactly my understanding of one of the major problems confronting us: we, you and I, have no apt verbal image for the university today because today we simply do not know what the university is. The ivory tower has vanished.

IV

This does not mean, of course, that the university has vanished. Far from it. I venture to suggest, as a matter of fact, that never before in its history has the university been the subject of so much continuous and continuing attention, of so much discussion, of so much anxiety and so many fears, and, not least, of such dangerously exaggerated hopes and expectations. When I maintain that the ivory tower has vanished, I mean by that that the nineteenth-century conception of the university has been obliterated by the unprecedented changes which have been, and are, bending and buckling the structures of civilization into a new order.

Archimides, the great mathematician and engineer of ancient Greece, is reputed to have said on one occasion: "Give me a place to stand and I will move the world." In the nineteenth century the university had its Archimedean point; it knew precisely where it stood. It stood not at the center of human activity, but on its periphery; far from being involved in the turbulence of society, it was aloof from, and even alien to it, remote, serene, an untroubled and unclouded haven into which the scholar and the student withdrew for their own uses. The picture is overdrawn, of course, but purposely so, purposely to indicate the bewildering degree to which the situation of the university has altered. The university stands now in the center, the most important institution in American society, thrust there brutally by a succession of events over which it had little, if any, control. It is now intimately, inextricably involved, and it is certainly no longer serene. For instance, between September 1967 and June 1968 there were in this country 45 major industrial sit-down strikes. During that same period there were, on American university campuses, 250 disturbances and disruptions serious enough to attract notice by news media.

But despite its centrality in society, the university today has lost its Archimedean point, and that is a still graver problem for it: the university of the nineteth century, despite, or perhaps even because, it knew where it stood, had no intention whatsoever of moving the world. The contemporary university does not know where it stands, yet the various and onerous tasks laid upon it amount in their driving force to a single, monumental demand: transform society, or put otherwise, move the world.

The university does not now know what it is; the university does not now know where it stands. Wracked by turmoil and weakened by faltering morale, I am not sure even that the university now knows what it is doing, let alone what it should be doing. And that leads me to some consideration of my first question for you: what kind of an education do you want, and hope to get?

V

In the historical development of the university in the western world, many elements, obviously, play a contributing role, and I need not alert you to the fact that I am, to put it softly, over-simplifying when I isolate only one of these for discussion, and one, moreover, which emerges so late chronologically. I refer to the tradition of highly specialized research which developed in the nineteenth century, especially in German universities, the so-called Hauptwissenschaft. From this approach to education, this specalized research, came some of the most stupendous and permanently influential achievements of the human mind, but together with these indisputable triumphs there came trivia as well, trivia which may best be epitomized by an anecdote told about two great German philologists, both experts in the study of the Greek language. Both were retiring, and one day they met on the street. One of them said, "Hans, are you not sorry now that you spent your entire life studying Greek prepositions?" And Hans replied sadly, "Yawohl, Karl, I should have studied them only when they governed the dative."

Now this concern for specialized and ever more specialized research was brought from Europe to America at the end of the century and soon began to play a major role in the American university, so much so that Alfred North Whitehead felt constrained to warn strenuously against it in his Lowell lectures as early as 1925, five years before the Spanish philosopher Ortega decried its increase on the continent in 1930. But since then the so-called knowledge explosion has merely fed specialization, encouraged it, intensified it, proliferated it, making specialization and the specialist more and more indispensable to society, and propelling both more and more into the center of university education.

In this accelerating process, another great educational tradition was being correspondingly displaced. It is a tradition which antedates the foundation of the medieval university, which goes back, indeed, to Socrates, and this is, put as simply as possible, dialogue conversation between two persons, and not necessarily master and pupil in the formal sense to which we have become accustomed. This, too, was education, a speaking, a sharing between two persons, always a dialogue, always working toward answers to the great questions of life and death that ultimately matter. An education which required for its method and its purpose no university, but when the university emerged, this Socratic tradition, as I shall call it, at once became an essential part of it. The tutorial system at Oxford and Cambridge is aptly illustrative of its stubborn continuity. But the Socratic tradition and the German tradition are, at the very deepest level of their understanding of the *final* aims of education, profoundly hostile to one another. The aim of the Socratic tradition is general; its perspective is always one of wholeness, of totality. The aim of the German tradition is special; its perspective is never on the whole, but rather on one part of the whole, and one part alone, and an increasingly narrow part of that one part alone, producing, in Whitehead's minatory phrase, "minds in a groove." Seen even from that point of view, the chasm between the two points of view is difficult to bridge, but the deepest and most significant antithesis between them has been put most bluntly, to my knowledge, by Harold Laski. "The expert," he once wrote "tends . . . to make his subject the measure of life, instead of making life the measure of his subject. The result, only too often, is an inability to discriminate, a confusion of learning with wisdom." The Germanic tradition ultimately seeks learning; the Socratic tradition ultimately seeks wisdom. Now ideally speaking, these two educational traditions can coexist within the university, albeit always in a mighty tension, sometimes creative, sometimes self-defeating and self-destructive. I suggest, however, that such a tension no longer exists today. The perilous balance has collapsed, and the School of Berlin and the School of Athens are locked in internecine warfare, a warfare which only quite recently has begun to receive the attention it deserves. It is a war within the university which is destroying the university, and it is now truly one of the central issues in higher education, because behind virtually all of the ferment on our campuses today you will, I believe, discover hidden at some decisive point this struggle between the German and the Socratic traditions, between a specialized and a general education, and it is a struggle which no one of you can escape. I have oversharpened the antithesis, but to set purpose. You are here to get an education from Rice. I leave it to you this morning—will you decide to receive an education finally in learning or in wisdom?

VI

I have spoken to the first of my two questions. I should like, again briefly, to reflect upon the other, namely, to what have you committed yourself to, that is to say, what is a university? What is there which binds Rice to, let us say, Harvard, or Berkeley? May we point to a single denominator, one which all have in common, or more properly, is there some quintessence, some spirit, which we may clearly recognize and affirm so that, laying all else aside, we may say, yes, there is a university. I believe that there is in fact such a quintessence, and that it resides in the concept of civility.

Civility is not easy to define with any precision; like so many words bequeathed us by Rome it is rich in centuries of connotations. But at its core civility is quite simply, and most difficultly, a quality of mind and spirit, an exquisite flexibility, an intellectual and spiritual stance, as it were, which enables the individual always to think and always to say, both to himself and to others, not only: "I may not be entirely right," but also, and even: "I may be wrong." It is the quintessence of the Socratic tradition. It is that quality of mind and spirit, for example, for which in the seventeenth century Oliver Cromwell pled so powerfully and so passionately when he exclaimed: "My brethren, by the bowels of Christ, I beseech you, bethink you that you may be mistaken." It is that quality of mind and spirit which has been insisted upon again for us in our century by one of its most eloquent spokesmen, in language less exuberant, to be sure, but no less emphatic, when Albert Camus wrote: "I am against all those who think they are absolutely right." A statement: "I may be wrong;" nothing more. A quality of mind; nothing more. Intangible, invisible, impossibly fragile, yet on and in this the university rests, and civilization as well, and not merely by definition.

With respect first to civilization, civility, as I would have you understand it, is the only force, I believe, which can bring to an end the war between society and its children. It is, too, perhaps, the only force which can close and heal the monstrous fissures which have so violently riven contemporary society. Violence, it has been argued, is the prime characteristic of our society in the 1960's, and much, too much in fact, has been written on the play and superintending influence of violence throughout America and the world today. To dwell on it at any length is not my intention. The surface manifestations are very nearly infinite in their variety and issue, some of them truly appalling, some of them merely banal. But I would pose for you a single question. What, after all, is the fundamental source of violence? It may arise from our own self-righteous conviction that we are absolutely right, and all others wrong, or it may result from our reaction to those who are speaking and acting as if they, and they alone, were absolutely right. On neither side is there the slenderest margin for tolerance. Seen from that perspective, the root source of violence, all violence, not simply now, but at any time in human history, is nothing other than a total loss of civility, and without civility, we lose civilization.

With respect to the university, civility expresses itself in what we have come to designate "academic freedom," and the necessity for such freedom arises from three great facts which are basic to the ideal functioning of the university.

First of all, it is a fact, too easily forgotten, or too lightly dismissed, one, moreover, which makes the university so precious to us, that professors are appointed to the University, when it is truly a university, to teach ideas and values with which the University may by no means be in agreement. So to cite but one obvious example, Rice University may not necessarily subscribe to Communist doctrine; not to teach it would be simply ludicrous.

Second, the university is the only institution which I know of, which, when it is truly a university, undertakes not simply to tolerate grudgingly, but to protect and even to encourage actively those professors who are teaching ideas and values which are disagreeable or inimical to, or even openly subversive of, the university.

And third, students most assuredly are not invited to come here or to any other campus merely to assent to what they read and see and hear. Ideally, you are here to disagree, to engage us, willing or unwillingly, in dialogue.

Given these three great factors, the centrality of the idea of academic freedom to the university is clear.

But I referred above to the ideal existence of the university. The realization of that ideal depends upon academic responsibility, a responsibility which devolves upon all of you as well as it does upon all my colleagues. Responsibility, after all, means nothing more than a response, in other words, an answer. And when we ask ourselves, what shall be our response, our answer to the fact of academic freedom, we are returned at once to the imperative of civility, for if students disagree among themselves, or faculty with faculty, or students with faculty, or, I must add, administration with faculty or students, all of us must always be prepared to say: "I may be wrong." "We may be wrong." "You may be right." Academic freedom and academic responsibility both mean, fundamentally, always dialogue, never diatribe; both deny dogmatism.

I argued earlier that warfare between the Socratic and the Germanic traditions was destroying the university. To that factor I would add now another. Much of the violence on campuses all over the world today may be attributed in no small degree to the displacement of flexibility by fanaticism, to the replacement of open minds with closed ones, to the enthronement of an absolute self-righteousness in all contending parties, in a world, to the rejection of civility. Precisely in this rejection of civility we reject the University, and yet one of the most obscene aspects of the crisis in the university today is that there are those within it, students and faculty alike, who are rejecting the university while at the very same time demanding that it move the world. No institution, whatever its strengths, can long sustain, let alone survive, such a total contradiction in the understanding of its ends.

VII

As an historian I am accustomed by both training and instinct to observe and to analyze current events with reference to the past, and throughout the summer, as I was thinking about this address, the recollection of a brusque and justly famous conversation hovered continuously at the edge of my thoughts. I could not understand why it was so persistent; as a matter of fact, it seemed altogether irrelevant, and only when I began to write did its meaning for my purpose this morning become clear.

It is a conversation which took place in Paris on the evening of July 14, 1789. The Bastille had fallen earlier that day, and the royal troops, menaced by the enormous crowds milling about the city, had defected. News of the disaster was brought to Louis XVI by the Comte de Liancourt. "C'est une révolte," the King exclaimed. "Non, Sire," replied Liancourt, "c'est une révolution." When the King used the word "révolte," he meant by it a simple defiance of authority, a rebellion, merely, which, once successfully suppressed, would do no irreparable damage to the social order. Liancourt saw further. He realized that what had happened was not short-lived, but lasting; that suppression was impossible, beyond the power of kings; that the historical thrust of the events of that day was irresistible and irrevocable. It was not a revolt. It was a revolution.

That conversation may serve as a paradigm for my final observation on the crisis in the university today, namely, that the two most basic ways of looking at it and assessing it are at present irreconcilable. I suspect that the generality of administrators, boards of trustees, and faculty members within our universities, to say nothing of a vast majority of our citizens without, are convinced that they face only a student revolt. It is, to be sure, a nightmare, but regardless of its length and intensity, when the earliest rays of the sun have driven the harrowing darkness before them, they will fall on the ivory tower, neither dark nor burning, but unscathed and unchanged.

I find myself unable to agree with this point of view. To the contrary, I am wholly persuaded that the crisis in the university today is an authentic revolution, as irresistible and as irrevocable as that of 1789. In the exactest sense of the word, radical change is transforming the university, and transforming it completely. We stand, you and I, only on the verge of that transformation, if we have come even that far, and the aims of the new education and the shape of the university to come are not as yet even faintly visible on the horizon. Its twentieth-century image will be in part of our making, for it is daylight, and we are all wide awake, and the ivory tower has vanished.

To this exigent condition reaction will, of course, vary, but I should dare to hope that you above all, as the newest members of this University, but I and my colleagues as well, indeed all of us here in this hall, would feel much as did the hero of John Fowles' novel The Magus, when he decided to leave his native England. With his words I conclude; I can express myself no better.

"I was filled with excitement, a strange exhuberant sense of taking wing. I didn't know where I was going, but I knew what I needed. I needed a new land, a new race, a new language; and, although I couldn't have put it into words, then, I needed a new mystery."

XUM

ENVIRONMENTAL QUALITY: POLLUTION AND POPULATION

Mr. TYDINGS. Mr. President, late last month I had the pleasure of addressing the Federated Garden Clubs of Maryland at the Sheraton Belvedere Hotel in Baltimore. The theme of the meeting was "Traditions and Visions."

In my remarks I tried to point out that the conservation and industrial traditions of this Nation have been unequal to the task of achieving the vision of environmental quality that many of us, past and present, have had for this country.

The failure of our traditions is evident wherever we look. Our waters are poisoned, our skies filled with garbage, and our soils poisoned with pesticides. Yet the most alarming danger of all is the growing rate of population. Unless voluntary and effective family planning is recognized as both a private right and public necessity, our environment will suffer as never before.

I ask unanimous consent that my speech to the garden clubs be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ENVIRONMENTAL QUALITY: POLLUTION AND POPULATION

This evening I would like to share with you some thoughts about a problem that is of great concern to me and one that I believe is a major problem confronting our nation today.

I think it fair to say that at the present time our way of life is threatened as never before. The threat does not come from internal disorders, be they within a ghetto or a university campus. Nor does it come from a foreign ideology determined to destroy our system of government.

Rather, the threat stems from the increasing decline in the quality of our environment.

As a nation and as a society we have permitted the intolerable abuse of our natural resources.

Evidence of this abuse need not be sought in books. We have but to look around us to see the degree to which our environment has been desegrated.

All our rivers are in part polluted. The Hudson and Potomac are particularly dirty and constitute a national disgrace. We seem to have forgotten what the Supreme Court once said—that "a river is more than an amenity, it is a treasure."

Each year Americans pour over 142 million tons of toxic matter into the sky. We have transformed our beautiful and spacious skies into aerial garbage dumps.

And we continue to apply tons of toxic and persistence pesticides to our soils, threatening plants and wildlife, and most probably our own health.

Robert Frost once said that "what makes a nation in the beginning is a good piece of real estate."

We have had the real estate, but not the wisdom or common sense to take care of it.

The result is a crisis in environmental quality, a crisis that has not been prevented by the conservationist movement in this country. The sad fact of the matter is that the traditions of this movement have been unequal to its vision. The conservationist's strength has not matched the strength of those who seek to exploit our natural resources.

The tradition of ruthless, careless exploitation of our land, water, and air resources is a major part of our national heritage. In the race across a continent and in the desire to build a modern nation, we took these resources for granted and treated them as if they were limitless. They are not and our nation is now paying the price for 200 years of careless abuse.

This is not to say that the conservation movement is without strength. It's not, and as a member of the Senate I can attest to the growing influence of environmental quality concerns within Congress. In 1962 Stewart Udall could write about the "quiet crisis." In 1968 his successor, Mr. Hickel, would have his doubts as to exactly how quiet this crisis is.

Yet the fact remains that the crisis still exists. The air is still filthy, the waters remain polluted.

One example will graphically illustrate the extent to which we've abused our environment. One of the Great Lakes is biologically dead. It is incapable of supporting life. In 1955 Lake Erie provided 75 million pounds of commercial fish. Today there are no fish to be found. The Lake, the scientists tell us, has eutrophied. It is so polluted that all the oxygen has gone and without oxygen, on both the land and in the water, no living thing—man or fish—can survive.

A central feature of our environment is its sensitivity to change. Modify one aspect and the affect will be felt throughout the system. Nature is a delicate balance and the ecological implications of change are great.

Construct a road carelessly and the rivers will flow brown from siltation. Spray persistent pesticides into the ground and watch the harm done fish and wildlife.

Perhaps the best example of the interrelationship between different aspects of the environmental system is the Aswan Dam in Egypt. The dam is being built to supply water and energy to the Nile Basin, and to bring additional land under irrigation. Yet its effect will be to prevent the deposit of nutrient-rich soils that used to accompany the annual floods. This will destroy the fertility of the Basin land. Aswan might well prove to be a disaster for Egypt.

A second central feature of our environment is the priviledged position technology seems to occupy.

Technology is how we do something. It is a tool, a technique, a method. It is how we apply the knowledge science has given us. It is not knowledge itself. It is not science.

Nor is it always progress. Too often we confuse the two. We assume that what is technologically feasible is also desireable. This is not necessarly the case. Technology cannot be equated with progress.

Unfortunately we tend to do this in our society. In America today technology appears as an irresistible force, with a momentum of its own, beyond human direction and restraint. If it's feasible, it's desireable as well.

We would do well to listen to the words of the Swedish ambassador to the U.N.: "The risks inherent in the uncontrolled application of modern technology are very real and very frightening."

Or to our own Admiral Rickover: "Technology cannot claim the authority of science. It has proved anything but infallibly beneficial. Much harm has been done man and nature because technologies have been used with no thought for the possible consequences of their interaction with nature."

Just because we can build an S.S.T. doesn't mean we should.

Just because we can build a dam, or fill in a Bay, or strip mine an entire county doesn't mean we should.

The technological feasibility of nuclear power plants doesn't mean we can forget—as we seem to—the possible damages of thermal pollution.

Here again the tradition does not meet the vision. The view of Gifford Pinchot and Teddy Roosevelt that our natural resources deserve protection and proper development was crushed in a fifty year effort to make America the No. 1 industrial power of the world. The emphasis was on technology and production, on the tradition of build and be damned. The vision of these two early conservationists was lost in the process.

Yet the most disturbing indeed frightening dimension of the decline in environmental quality involves neither technology nor the more obvious forms of pollution. Someone once said that the only problem with our environment was that human beings were involved in it.

He was in part correct for the key feature of today's environmental crisis is the simple fact that the world's population is expanding far beyond the capacity of our planet to accommodate all these people.

As Dr. Fraser Darling, Vice President of the Conservation Foundation, told a UNESCO conference last year: "The biggest danger of all is our inability to control the explosive rate of growth of human population."

The survival of much of the earth's population, as well as the realization of man's hopes for peace and the elimination of human misery, the achievement of a pollution free environment, and the elimination of human misery will be largely determined by our ability to curb our burgeoning birth rate.

This can be achieved only through proper, and voluntary, birth control and family planning, defined by Dr. Paul Ehrlich as "the conscious regulation of the numbers of human beings to meet the needs, not just of individual families, but of society as a whole."

Excessive population growth is a problem that is only slowly being understood by Americans. For too long it was considered a problem unique to underdeveloped nations, particularly India and those nations of Latin America.

Let me assure you, however, that it is our problem as much as theirs.

In 1950 there were 151 million Americans. Today there are 202 million. By the year 2000, 31 years from now, that number will swell to 300 million, a staggering fifty percent increase. In short, the population of the U.S. will have doubled in the last half of the 20th century.

Consider the problem in terms of density. In 1776, there were 4.5 people per square mile in the new Republic. In the year 2000 there will be more than 120 Americans per square mile.

The impact of this was graphically described by David Lilienthal, former chairman of T.V.A. and the A.E.C.: "An additional 100 million people will undermine our most cherished traditions, erode our public services and impose a rate of taxation that will make current taxes seem tame."

The problem is exacerbated by the fact that 70 percent of our population is presently concentrated in cities of over 50,000—which is precisely where most of the projected population growth will occur. It takes little imagination to comprehend what this means for our already overtaxed urban schools, parks, highways and other public services.

The problem is heightened by the strong correlation between poverty and family size in the United States. Family size is now perceived as a cause of poverty as well as an effect.

Popular wisdom to the contrary, poor families desire less children than their wealthiest counterparts. They end up with larger families due to the general unavailability of family-planning information, services, and materials to low income women.

This no longer can be permitted to continue.

Information on family planning and contraception devices must be available on a voluntary basis to all who desire them. We must give our citizens, regardless of income, the right to plan the size of their families.

This is essential if the poor are to defeat the poverty that oppresses them.

We must begin to realize that the right to plan one's family is as essential as the right to a decent home, the right to an education, and the right to a good job.

The basic environmental question now before this nation is whether we are capable of determining a reasonable level of population and then carrying through a program necessary to achieve it.

Put it another way, are the traditions of this country—seemingly contrary to any attempt at widespread, voluntary family planning—stronger than a vision of a nation where people are not stepping on people, where there's room to breathe and where a man has a reasonable chance to work and play in a livable environment.

In terms of pollution and technology our traditions have not matched our vision. In terms of population our traditions *must* be equal to the vision, for at stake is the very survival of the American nation as we now know it.

All of us must keep this vision in view. All of us must now work toward it.

It is a noble task, it is an exceedingly crucial one. It is nothing less than the enlightened conservation of the natural heritage of a free people.

VIOLENCE ON TELEVISION

Mr. PELL. Mr. President, I invite attention to the report on violence in television which was made public by the National Commission on the Causes and Prevention of Violence some days ago. We may do well to recall that this Commission was created after the assassination of Senator Robert Kennedy to study elements of our society which may nurture the kind of irrational outbursts of violence that in recent years have erupted so tragically among us.

To blame on any one cause all of the manifestations of violence, whether assassination, or riot in the ghettos, or mugging on the streets, would be foolish indeed. The fact is that we live in a time of questioning and conflict that reach to the heart of our lives and our beliefs. The restless demands for change prove the vitality of our society; they are also too often the catalysts of fear and the messengers of hate.

There is no one cause nor one single happy panacea for the violence in our society. Nonetheless, it has long been self-evident to many that any medium of communication as powerful as television cannot shrug aside responsibility for how that medium may influence its listeners. I am delighted to see that the Commission has concluded, as have similar studies in other countries, that the preponderance of the evidence suggests that violence in television does have adverse effects, particularly among some child audiences. In an article I wrote on this subject last winter for TV Guide, I said that it was untenable for the television networks to claim that television commercials motivated the audience to buy products and at the same time claim that program content does not influence the viewer.

I am glad to have expert support for what would seem to be elementary logic. I hope, too, that all of the careful work and study done by the members of this Commission does not meet the usual fate of such reports: to contribute an illusory sense of action taken, and thereafter to molder in the dead files of government. This study should be a beginning, and not an end, for when we talk about violence in television we are not, I believe, discussing whether any one program at any one time contains violence of an offensive nature. In a larger sense we are talking about the continuing responsibility for the networks for the vast power they exercise simply by reason of their control of this form of instant and mass communication.

Is such power to be responsible only to the balance sheet? Or is there a larger trust imposed on the use of an asset which in truth is part of the common heritage of the American people?

Some of my fellow Senators may recall that over a year ago at the Democratic Convention I introduced, and the platform committee adopted, a plank condemning violence in television. That plank went overboard en route to the floor of the convention, nonetheless I am confident that it was one of the those small flurries of activity which I hoped would grow into a careful and reasonable balancing of private freedoms and the public interest. Lest there be any misunderstanding, I also said in the same article in TV Guide that I would be the last to advocate the judging of the quality or content of any television programs by the safe and cautious standards of bureaucrats.

I am pleased that the Commission also rejected the course of external censorship, and in fact the existence of the Commission has had the effect that I had hoped for—that the industry itself would be compelled to police itself. Cries of "foul" were heard from network executives on the grounds that many of the objectionable shows had been changed this season. One wonders if they would have changed had not this and other efforts been made to call attention to the potential dangers of endless hours of programing in which violence is routinely dispensed as acceptable to conduct to the most vulnerable in our society—the young, the poor, and the black. I applaud the changes whatever their motivation.

The question is what now? Will this effort too fade from the public interest and then from the networks calculations of what is acceptable? How do we insure that the industry does not continue to evade responsibility imposed by the exercise of such power? The networks cry censorship at any suggestion of outside program review and I would agree. I doubt that anything perpetrated by the television industry in its worst moments is a match for the dangers inherent in censorship of what some might consider controversial. But is not the same dead hand of censorship imposed by the networks themselves when the survival of a program is determined by the sheer numbers of the audience it attracts? Or the content is adapted to the sensibilities of a sponsor?

It has always been a matter of some mystery to me that if one accuses a newspaper of suiting its news content to the political social or moral persuasions of its advertisers one is met with outraged denials—correct or not. Yet the networks defend their vast desert of mediocrity by the economic need to reach the largest audience for their sponsors money, surely a most peculiar interpretation of the first amendment.

In recent years the networks by and large have done a superb job in discharging their public responsibility in the broadcasting of news and public events. They are a long way from exhibiting the same high quality in entertainment which may not lead the ratings. I think it fairly evident that there is substantial and justifiable demand for quality programs which can be enjoyed with reasonable freedom from interruption by clinical dissections of the nasal passages. I hope consideration will be given to the Commission's recommendations to provide permanent financing for the Corporation for Public Broadcasting, and that we will keep open the path for the various proposed alternatives or competitors to network commercial television.

Mr. President, I ask unanimous consent that a story on the panel's report, published in the New York Times of Thursday September 25, be printed at this point in the RECORD. I wish to express to the members of the panel the hope that they will continue to serve as spokesmen and watchdogs for the public interest in quality television.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TV VIOLENCE IS ASSAILED, BUT DROP IS SEEN

(By Jack Rosenthal)

WASHINGTON, September 24.—Violence on television must be reduced because it encourages emulation in real life and strengthens, among low-income youth, "a distorted, pathological view of society," the National Commission on the Causes and Prevention of Violence said today.

Violence on television already has been reduced, officials of all three television networks immediately responded, citing extensive program changes—the replacement, for example, of a children's program about monsters with one about a courageous carrier pigeon.

The commission acknowledged substantial improvements in programing for the new television season.

"It is easy to make television a scapegoat," it said. But it called, nonetheless, on the industry, the public and Congress for a broad series of reforms.

The commission does not have enforcement authority. It was established by President Johnson June 10, 1968, following the assassination of Senator Robert F. Kennedy, as a study and advisory body. The 13-member body is headed by Milton S. Eisenhower, president emeritus of Johns Hopkins University.

The statement on violence in television entertainment issued today does not relate to violence and the news, which is to be covered in a separate statement expected next month.

Perhaps the most significant aspect of the entertainment statement is that it adopts one of three theories about the relationship between television and violence.

One school maintains that televised violence stimulates actual violence. Another school maintains that televised violence drains off aggressive tendencies of viewers. A third view, which has been expressed by the networks, is that the relationship between television and violence is not proved.

The commission, supporting the first view, declared:

"Each year advertisers spend $2½-billion in the belief that television can influence human behavior. The television industry enthusiastically agrees with them, but nonetheless contends that its programs of violence do not have any such influence.

"The preponderance of the available evidence strongly suggests, however, that violence in television programs can and does have adverse effects upon audiences—particularly child audiences. Television enters powerfully into the learning process of children and teaches them a set of moral and social values about violence which are inconsistent with the standards of a civilized society."

None of the networks, in their responses to the commission statement, took issue with this central conclusion. All three called attention to substantial changes in programing in their 1969–70 schedules, both with respect to Saturday morning children's programs and to prime evening viewing times.

Julian Goodman, president of the national broadcasting corporation, said there was a second defect in the statement—that it used statistics based on a definition of violence as "the overt expression of force intended to hurt or kill."

Mr. Goodman said that definition would require classifying a program as violent "regardless of the dramatic circumstance or the program's quality and value."

The commission statement repeatedly acknowledged improvements in programing this year. Mr. Eisenhower took pain today to say that while it was too early in the television season for a new study, "on personal observation, the networks have reduced violence, especially during prime time; I hope this is a trend for private, independent stations."

Despite such improvements, a commission source said the panel considered its recommendations as still necessary.

In addition to calling for elimination of violence on Saturday morning children's programs and the reduction of prime-time programs containing violence, the commission recommended:

More effective efforts to change the context in which dramatic violence is presented—to avoid implying that violence is a routine way in which people in the real world solve their problems.

Far more research by the industry on the effects of violent programs.

Appropriate antitrust clearances, to permit industry representatives to mount effective joint action.

Permanent public financing for the Corporation for Public Broadcasting, to permit it to develop quality alternatives to present commercial programing.

Mr. **PELL**. Mr. President, I ask unanimous consent also that a column, entitled "TV May Be Compelled To Improve Its Fare," written by Mr. Ernest Cuneo for the North American Newspaper Alliance, be printed in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

TV MAY BE COMPELLED TO IMPROVE ITS FARE

(By Ernest Cuneo)

WASHINGTON, October 2.—As a national problem, the pollution of the air dwindles into insignificance when compared with the pollution of the Nation's mind by TV violence. These are the appalling facts reported by Milton S. Eisenhower, chairman of the Commission on the Causes and Prevention of Violence: 95 per cent of American homes have at least one TV set which is in use about 40 hours per week; eight out of ten dramatic programs contain violence, about 478 episodes a week in 1968 and 394 in 1969.

Violence is portrayed at the rate of 9 brutal acts an hour. Children's cartoons portray 20 violent scenes an hour. These are only samples of a massive presentation of crime unparalleled in any other civilized country. The effect upon children in the formative years is catastrophic. The theory that TV is a harmless "catharsis" for violence is false.

VIOLENCE BEGETS VIOLENCE

The decision of the commission crashes this theory. Chairman Eisenhower reports, "The vast majority of experimental studies on this question have found that observed violence stimulates aggressive behavior, rather than the opposite.

"Violence on television encourages violent forms of behavior, and festers moral and social values about violence in daily life that are unacceptable in a civilized society."

Since many questions will come before the Supreme Court, the decision of Chief Justice Burger in the case of a Mississippi TV station is of tremendous importance. WLBT presented programs urging racial segregation but refused to grant equal time for the opposed point of view.

The United Church of Christ asked the Federal Communications Commission to cancel WLBT's license.

It is of highest legal significance that the church filed not only for itself, but as representatives of "all other television viewers in the State of Mississippi." The Federal Communications Commission held against the church and the church appealed to the Circuit Court of Judges Tamm, McGowan and Burger.

CHURCH HELD COMPETENT TO SUE

In reversing the Commission, Judge Burger's opinion held that the Church of Christ was legally entitled to apply on behalf of all TV viewers in Mississippi. The meaning of Judge Burger's decision, therefore, is that such organizations as parents-teachers associations have a right to appear before the FCC not only for themselves, but on behalf of the general public in applications for the cancelling of the broadcasting license of the station.

The present Chief Justice came close to striking down the free press provision of the first amendment as not applicable to TV in these words:

"TV is not a public utility, but neither is it a purely private enterprise like a newspaper. A broadcaster has much in common with a newspaper publisher, but he is not in the same category in terms of public obligations imposed by law. A broadcaster seeks and is granted the free and exclusive use of a limited and valuable part of the public domain; when he accepts that franchise it is burdened by enforceable public obligations.

"A newspaper can be operated at the whim or caprice of its owners; a broadcast station cannot."

RIGHTS OF LISTENERS DEFINED

Still more remarkably, Chief Justice Burger ruled that the public has the right to assist the FCC in monitoring TV stations. He said, "the theory that the Commission can always effectively represent the listener's interests in a license renewal proceeding without the aid and participation of legitimate listener representatives fulfilling the role of private attorneys general is one of those assumptions we collectively try to work with so long as they are clearly adequate. When it becomes clear that it is no longer a valid assumption, as it does to us now, neither we nor the Commission can continue to rely upon it."

The Chief Justice then suggested broadcast rules by the Commission allowing community opposition to renewal of TV licenses.

In view of Chairman Eisenhower's findings, the opinion of Justice Burger must cause grave concern to the TV networks. The Chief Justice said, "when past performance is in conflict with the public interest, a very heavy burden rests on the renewal applicant to show how a renewal can be reconciled with the public interest. Like public officials charged with a public trust, a renewal applicant must literally "run on his record."

According to the "Report on Violence," the networks have very poor records indeed.

TESTIMONY OF MERRIMON CUNINGGIM AND HOMER C. WADSWORTH BEFORE COMMITTEE ON FINANCE

Mr. EAGLETON. Mr. President, on October 6, two distinguished citizens of my State of Missouri testified before the Committee on Finance on the section of the House-passed tax reform bill which would limit the permissible activities of foundations.

I ask unanimous consent that there be printed in the RECORD the statements of Merrimon Cuninggim, president of the Danforth Foundation, of St. Louis, and Homer C. Wadsworth, president of the Kansas City Association of Trusts & Foundations.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

EFFECT OF PROGRAM LIMITATIONS

STATEMENT OF MERRIMON CUNINGGIM[1]

Mr. Chairman and Members of the Committee: This part of our testimony has to do with those portions of H.R. 13270 that, if finally adopted, would impose serious limitations on the programs of many foundations.

Three of us will speak to the *program limitations* implicit in the Bill: Mr. Russell Arrington, President Pro Tempore and Majority Leader of the Illinois State Senate, testifying on behalf of the Citizens Conference on State Legislatures, and Mr. Homer Wadsworth, President of the Kansas City Association of Trusts and Foundations, and myself, testifying concerning the effect on foundations.

My name is Merrimon Cuninggim, President of the Danforth Foundation of St. Louis.

We have *four major points* to make:

1. The prohibition against "any attempt to *influence legislation* . . ." would inhibit or prevent presently approved activities by foundations that would adversely affect their freedom to contribute to the general welfare. This is the most serious program limitation of the Bill, and from our different perspectives all three of us will speak to this point.

2. The partial prohibition against *grants* to *individuals* might still handicap unduly some worthy programs of fellowships and awards. I will elaborate on this position.

3. The definition of *"expenditure responsibility"* is either difficult or impossible to fulfill. Mr. Wadsworth will deal with this problem.

4. The language of the Bill on these three subjects seem occasionally to be unclear and imprecise, though we feel that the Report reflects the intention of the House Committee. As all of us will indicate, it is our belief that modifications in the language of the Bill could make its provisions consistent with the purposes of the Committee as expressed in the Report, and thereby could eliminate the dangers we see.

To the extent to which representatives of various foundations feel that H.R. 13270 imposes serious program limitations on their work, they must of necessity speak not with one unified voice but as individuals, each having his own perspective. Most foundations are local or regional in their outreach, and the implications of the Bill are necessarily limited to the geographical and topical areas they serve. Even the national, "general purpose" foundations have their distinctive program emphases, and the testimony of each would differ from that of every other. Yet common threads of concern are discernible. I can speak with assurance only for the foundation I represent, but it is my hope to be illustrative rather than simply unilateral in the treatment of the matters I want to mention.

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[1] President, Danforth Foundation, St. Louis, Missouri.

So that you may know the particular position from which I speak, let me say a brief word about the Danforth Foundation. Our work, since the Foundation's beginning in 1927, has been largely in the field of education. In the past year and a half we have become active also in the field of urban affairs, chiefly in the St. Louis area. No such limitation applies, however, to our educational efforts; for through our grants, fellowships, workshops, conferences, and by other means we have intimate contacts of one sort or another with eight hundred to a thousand colleges and universities, hundreds of secondary schools and other educational organizations, and upwards of fifteen thousand persons in educational occupations, all across the country. In market value of portfolio we rank 16th in size among national foundations; in amount of annual expenditures—a truer measure, we think, of a foundation's activity—we are 9th. Like many another similar foundation, we believe in and practice full public disclosure of our activities. If it hadn't been for these hearings our new Annual Report might already have been off the press!

A. Prohibition against grants to individuals

Let me direct your attention, first, to the prohibition against grants to individuals. Sec. 4945(b)(3) on p. 44 and (e) on pp. 46–47 of the Bill. This section is less restrictive than, and thus in our view a considerable improvement on, the "tentative decision" announced by the House Ways and Means Committee in its press release of May 27. The "tentative decision" prohibited all grants to individuals, whereas the Bill as it now stands would allow such grants when the conditions of sub-paragraph (e), pp. 46–47, are met.

It appears to us, however, that the language of the Bill may still be more restrictive than fulfillment of the intention of the House Committee would require. The Committee means to put an end to grants "to enable people to take vacations abroad, to have paid interludes between jobs, and to subsidize the preparation of materials furthering specific political viewpoints." (Report, part 1, p. 33.) We of the Danforth Foundation, along with other foundations that sponsor carefully planned and administered programs of fellowships and awards, would heartily applaud this aim. But the language of the Bill outruns this intention and may do considerable harm to reputable programs. I shall draw my illustrations from among the ten or a dozen programs that the Danforth Foundation sponsors or supports, though I beg you to remember that these are only a few among the scores, perhaps hundreds, of such admirable programs sponsored by other foundations.

The first problem is that the language might unintentionally force the cessation of useful programs of awards and prizes, given to recognize excellence or achievement in various fields. Such awards are indeed grants to individuals, and thus would fall under the prohibition of such grants; but they would not qualify as approved exceptions to that prohibition because they are not scholarships or fellowships and do not aim "to achieve a specific objective . . ." Recipients are not applicants, expected to "produce a report" or perform some other service, but are simply honorees.

For example, our own Harbison Awards for Gifted Teaching might have to be terminated, even though in recent times both the White House and the Office of Education have expressed keen interest in the Program and a desire to emulate it. These Awards, usually ten per year, are for $10,000 each; the purpose is not merely to honor teachers of unusual competence but also, and by that means, to emphasize the importance of teaching in the academic process. It is ironic that, whereas the Bill would seem to allow this Program to continue only if it is to "achieve a specific objective . . . ," the Internal Revenue Service has ruled that the Award will be tax free to the recipient (under section 74(b) of the Internal Revenue Code), only if he does *not* have to fulfill some requirement of the Foundation. Perhaps a clause could be added at an appropriate place in the Bill, to indicate that awards coming within section 74(b) are to be excepted from this provision.

A second problem has to do with the wording in lines 22–24 of subparagraph (c), p. 46. We agree fully with the Bill's intention to allow approval of those grants to individuals that are "awarded on an objective and nondiscriminatory basis pursuant to a procedure approved in advance by the Secretary or his delegate. . . ." It occurs to us, however, that lest enforcement be more time-consuming and restrictive than was intended, something needs to be said as to how clearance could be secured in advance, how decisions could be reached rapidly when necessary, and what criteria should be used in making judgments. Clearance would be streamlined, to the benefit not merely of the foundations involved but also of the human needs they seek to serve, if the regulations were to spell out the kind of "procedure" that would be judged to be "objective and nondiscriminatory."

It appears to us that "objective" should mean that applicants will be judged on the basis of credentials submitted in compliance with publicly announced eligibilities and instructons; that the various steps in the selection process, also publicly announced in advance, will be such as to provide fair consideration for all applicants; and that final decisions will be in the hands of people, publicly identified, whether in or outside the foundation (and perhaps both), who are qualified by their own experience to make such judgments.

Similarly, "nondiscriminatory" should mean that no irrelevant distinctions of race, creed, color, sex or age will be imposed in the selection. The addition of "irrelevant" is important, for some worthy programs discriminate purposely in order to overcome some current imbalance. For example, our program of Graduate Fellowships for Women is directed to the lack of qualified women in college teaching; and a requirement that this particular program admit men would defeat its central aim. Taking note of this Program, the Advisory Council on Graduate Education on the U.S. Office of Education recommended this spring that the Office of Education explore the possibility of establishing a similar discriminatory program. Various programs by a number of foundations, Danforth included, on behalf of minority groups would also benefit from a clarification of "nondiscriminatory."

"Procedure" should mean that, on the one hand, "the Secretary or his delegate" will undertake to review only a defined program of grants, not the individual grants themselves; and that, on the other hand, foundations will not make episodic grants to individuals outside the framework of some defined program. As is true for all our fellowship programs, and for the host of excellent programs sponsored or supported by other foundations—Commonwealth, Guggenheim, Hazen, Markle, Woodrow Wilson, etc., etc.—the sponsoring agency would be quite prepared, and should be expected, to hold to the terms of its defined, publicly announced program and to refrain from subsidiaries to individuals, individually determined. Even the small foundation, making only a few grants to individuals, would not be handicapped if it were allowed to describe in advance the terms under which such grants would be made.

Lastly, "approved in advance" should mean the clearance will be expeditious and unequivocal. Long delays and peculiar requirements or conditions for approval would cut the nerve of foundations' efforts in this regard. Most helpful would be regulations stating that programs coming within the list of requirements enumerated therein need not have a separate ruling in advance. In those instances in which rulings must be sought, a time limit could be specified—say, six weeks—at the end of which, if the appropriate government official had raised no objection, the foundation's program would be considered approved.

The final problem in respect to grants to individuals turns on the unnecessarily and, we think, unintentionally restrictive language of that part of paragraph (e) in lines 1–6 on p. 47. The wording provides that, to escape the prohibition, the grant must be "a scholarship or fellowship grant at an educational institution . . . or that the purpose of the grant is to achieve a specific objective, produce a report or improve or enhance a literary, artistic, musical, scientific or other similar capacity, skill, or talent." At first look the words seem to be broad enough to include any legitimate program; but on more careful examination such questions as the following arise: Must the recipient of a scholarship or fellowship be enrolled as a regular student? What about part-time? What about an auditor? What about study outside the United States? What about independent study? How specific must a "specific objective" be? Do the adjectives, "literary, artistic, musical, scientific," include any *educational* "capacity," the "skill" of the administrator or the "talent" of the teacher?

I do not mean to carp. Most of the fellowship programs of the Danforth Foundation, as well as those of other foundations, are nicely covered by the Bill's enabling phrases as they now stand. Let me give two brief examples, however, of programs that might be adversely affected by the present language. First is the Danforth Associate Program, an extensive effort to provide various forms of encouragement and support to faculty members on hundreds of campuses throughout the country, for the purpose of fostering what has been called "the personal dimension" in higher education. These faculty members are committed to the high aim of reversing the trend toward anonymity in campus life. The Foundation makes modest grants to them, to be used for the benefit of their students, and sponsors regional and national conferences for them for the discussion of pertinent issues. Competent outside evaluators have praised this Program for the understanding and constructive action it has quietly brought to bear on problems of student unrest in every section of the country. But those chosen to be Danforth Associates do not hold fellowships, are not expected to "achieve a specific objective," and the quality they "improve or enhance" is not so much peculiarly "literary, artistic, musical, scientific" as it is generally humane, related to their professional vocation as teachers and educators. On the basis of the Bill's present wording, what would happen to this Program is not clear.

Again, our Program of Short-term Leaves for College and University Administrators would be suspect. To provide the kind of support that able, yet harried, university presidents need today, a fortification of body, mind and spirit, the Danforth Foundation insists that recipients, twenty per year, do *not* undertake "a specific objective" or "produce a report," or "improve or enhance" anything at all except their ability to cope with their immensely demanding duties. Recipients do not go on vacations, but undertake reading programs, write lectures, study the problems of other institutions, or otherwise fit themselves for the better performance of their own jobs.

Other foundations provide similar programs whose value often turns on the fact that their purposes, and their expectations of recipients, are less specific and more flexible than the language of the Bill now allows. The intent of the bill, as we understand it, would be well served if modifications of language so as to take these considerations into account were adopted.

B. Prohibition Against Any Attempt to Influence Legislation

The second major limitation of program to which I wish to speak is the prohibition against *"any attempt to influence legislation"* as defined in section 4945(c), on pp. 44–45 of the Bill, and as commented on by the Report, part 1, p. 33. In my view, this is potentially the most serious issue raised for foundations by any part of the Bill. Each of my fellow witnesses will also testify on this matter.

A host of foundations are understandably and inevitably alarmed by the language of the Bill as it now stands. The wording seems to suggest that "an attempt to affect the opinion of the general public or any segment thereof" (lines 5–6, p. 45), on any matter that might relate to legislation, would be a taxable expenditure incurring heavy penalties. What, then is left for foundations to do? To play safe, they would feel that they must eschew working in any field of the social sciences, perhaps also the humanities, and even the natural sciences, at least in their applicability to human problems. Conservation of our national resources? Air and water pollution? Beautification of our highways? Such innocent-sounding activities would be too dangerous, for they would sooner or later touch on legislation.

Take the grants of the Danforth Foundation as a case in point. We work, by choice, in the fields of education and urban affairs, because we believe that problems in these fields are crucial for our time, and that even though our efforts are bound to be minuscule in comparison with those of government, it is important that private as well as public energies and resources be brought to bear. In our work we have in mind the molding of public opinion, local or national, not merely on behalf of the project itself that is supported by one of our grants, but also on behalf of the purposes or goals that the project seeks to serve. To support a socially purposeless project would be wasteful and thus preposterous. The pursuit of these purposes could and often does lead to a recognition that changes are needed in regional or national life, and thus eventually to new legislation. To disavow "an attempt to affect the opinion of the general public" would mean, for us, to withdraw from the fields of education and urban affairs, at the very time that private as well as public efforts in these fields are most needed.

To be explicit, let me mention a few of the recent grants of the Danforth Foundation, as representatives of those of other foundations, that would be called in question by the current wording of the Bill:

To the American Assembly, in cooperation with the American Bar Association, for a series of conferences, based on preparatory studies, of the theme "Law and the Social Order." This program will undoubtedly result in numbers of specific recommendations by the Assembly for new, though non-partisan, legislation.

To the American Bar Association, for support of a program of its Special Commission on Housing and Urban Development Law, to involve lawyers in solving urban problems and "to attack outmoded laws by working with federal, state and local legislatures."

To the American Council on Education, in support of a National Conference on Law and Higher Education, to examine the adequacy of present understandings on the legal status of students, due process, and campus freedom and order.

For the Cooperative School Board Project, involving four metropolitan school systems (Boston, Chicago, Los Angeles and New York) four neighboring graduate schools of education and two other organizations to coordinate and disseminate the findings. This ambitious study of the present and desirable functioning of large city school systems will, we hope, have many repercussions, including legislative ones.

To the Education Commission of the States a formal compact of over forty states for the purpose of bringing governors, legislators and other political leaders into closer association with educators, for the benefit of state systems of education at all levels across the country. Growing out of ideas advanced by Governor Terry Sanford, Dr. James Conant, and United States Commissioner of Education James Allen, the Danforth Foundation has shared equally with the Carnegie Corporation in furnishing the seed money for this organization, until such time as the states themselves assume its full support. The very establishment of the organization required specific legislative action in each participating state, to join and to appropriate its membership fee.

For the Governor's Conferences on Education in Missouri: We have joined with the Kansas City Association of Trusts and Foundations and other groups in supporting these state-wide, nonpartisan gatherings to study and make recommendations as to desirable changes in the state's system of public education. Recent legislation on behalf of Missouri's public schools has been based directly on the work of these Conferences.

To the Missouri Bar Association, to provide for an examination of procedures in juvenile courts and, as a hoped-for result, beneficial changes in such procedures.

To the New York State Education Department: This was a many-faceted grant to enable the New York State Education Department to work cooperatively with both public and private institutions, large and small: Brooklyn College of the City University of New York, Colgate University, Cornell University, State University of New York College at Fredonia, and Vassar College. The aim was to upgrade programs of teacher training and revise standards of certification for teachers, and expected results will call for changes in legislation or in decisions of governmental bodies affecting public schools.

To the St. Louis Board of Aldermen, to draw together all the leading individuals and agencies concerned with housing, both public and private, in the St. Louis area. Though the grant was made to the Aldermen, the planning committee for the two major conferences, and for the studies that went into their preparation, was composed of representatives from four universities and from other community agencies. If the recommendations of these conferences are to be accepted, changes in legislation will occur.

To the Southern Association of Colleges and Schools: For over ten years the Danforth Foundation has been working with the Southern Association on behalf of the upgrading of predominantly Negro colleges in particular and strengthening educational opportunities for minority groups in general. A particular series of grants to the Southern Association in recent years have been for the support of their Education Improvement Project, a program of many parts represented by projects in many places throughout the South, both urban and rural. Too complex to be described in a brief sentence or two, the EIP has received support from several governmental agencies, such as the Office of Economic Opportunity, as well as from many foundations; and since the boards of education of nearly every Southern state are cooperating, the result of this program will eventually be felt by legislatures and executive offices of government throughout the South.

These are only a few that might be mentioned. Illustrations could be furnished by countless foundations from many other fields of social concern and human endeavor—population, quality of environment, the arts, public broadcasting, regional planning, the administration of justice, and on and on. Rare would be the foundation, small as well as large, that could not give a multitude of examples—not the support of politically partisan efforts but of rational, impartial studies and projects. Such grants are not aimless but are directed toward making a difference. Differences are brought about in our society in many ways, to be sure, but one of the important ways which we would be loath to give up is through the changed attitudes and opinions of the public, which ought to, and do, get incorporated eventually in legislative changes, locally or nationally. It would be tragic for America if this kind of activity by foundations were to have to be discontinued.

It is my impression, however, that such an unhappy development for foundations in general was not the intent of the House Committee. In fact, in their Report, Part 1, p. 33, they affirm a much more modest and realistic intention. Referring to this provision of the Bill, they explain that it "applies specifically to expenses incurred in connection with grassroot campaigns or other attempts to urge or encourage the public to contact members of a legislative body for the purpose of proposing, supporting, or opposing legislation." In other words, the aim is to prevent foundations from engaging in partisan politics. With this aim we of the Danforth Foundation are in full accord; and we have reason to believe that the overwhelming majority of other foundations share this conviction. If the Committee's main purpose is to keep foundations from using the old substantiality test of Section 501(c)(3) in order to engage in propaganda, a purpose to which we gladly subscribe, then the dire results of the sweeping language of subparagraph (c), p. 45, can be escaped without doing violence to the laudable intention back of the language. That the Committee itself may have thought so is suggested by a further sentence from the Report, Part 1, p. 33: "This prohibition is substantially similar to the provisions of present law (Sec. 162(e)), which prohibits business deductions for grassroots lobbying activities." It is my conviction that modifications of the present provisions of subparagraph (c) could be made so as to enable the language to reflect more accurately the desires of the House Committee, and in the process to leave room for the legitimate functioning of foundations on behalf of the general welfare.

In closing my testimony I wish to reiterate that I do not believe the House Committee meant to impose severe program limitations on legitimate philanthropic agencies. That the Bill's wording in certain places does so is, in each case, an instance in which the language inaccurately reflects the intent. But, though the problem may be more semantics than substance, it is nonetheless serious in its implications for both foundations and their beneficiaries. I thank you gentlemen for the opportunity to present my concern to you.

SUMMARY OF STATEMENT OF MERRIMON CUNINGGIM

My testimony is confined to the subject of program limitations. Among the unfortunate and, we believe, unintended handicaps that H.R. 13270 imposes on the work of private foundations are:

1. Restrictions on programs of fellowships and awards: The present language of the Bill, though not the intention of the House Committee, would call in question some worthwhile programs, carefully defined, publicly announced and impartially administered. Modifications in the wording of the Bill could eliminate the difficulty.

2. Implications of the prohibitions on "any attempt to influence legislation. . . .": Foundations are alarmed that if the present

wording of the Bill in Sec. 4945, para. (b)(1) and (c) is retained, the effect will be that grants in any area of current social importance would be off bounds, because of the likelihood that sooner or later projects supported by such grants would point toward a need for new legislation. The House Committee seems to have intended only to make sure that foundations do not engage in partisan political action. (Report, Part 1, p. 33). This laudable purpose can be achieved, and proscriptions of worthy foundation activity can be avoided, by judicious changes in the wording of the paragraphs indicated.

STATEMENT OF HOMER C. WADSWORTH [2]

The testimony which I wish to present relates mainly to those provisions of H.R. 13270 which define the limits of foundation effort in matters touching upon public policy. I wish also to comment upon those sections which define the responsibilities that foundations assume under the terms of this statute for the expenditures made by agencies receiving grants.

I do wish to associate myself and the parties I represent with the general position taken by other spokesmen on the main features of H.R. 13270. We do not oppose provisions of the bill that outlaw self-dealing. We do not oppose requirements that would assure that private foundations spend their income for charitable purposes. We do not oppose provisions that would require full disclosure of all foundation activities.

On the other hand, we object to the proposed tax on private foundations as fundamentally punitive and totally inconsistent with the effort of our government over many years to encourage private giving and private effort to accomplish worthy public purposes. We join with others in support of a fee payment to provide the Treasury with sufficient funds to maintain an adequate staff for review annually of all foundation activities to assure compliance with the law.

A. Foundations and public policy

The proposed changes in the law governing foundations, and especially section 4945 (c)(1) and (2), seem strangely out of touch with the nature of things in this period of our history. Foundations exist to serve the public interest. Their justification derives from the view that the public interest is best served if private citizens and our agencies of government work together to meet human needs and to advance human knowledge. Thus, we have public and private universities and colleges; public and private institutions to serve the sick and the disabled; public and private agencies administering welfare services; public and private organizations that sponsor a broad range of cultural activities.

These agencies are by no means separate entities that may be distinguished from one another by the way they meet their bills. The contrary is the present condition. This era is marked by the rapid growth and development of mixed enterprises, each quite as dependent on various forms of public support as well as income from gifts and endowment and the like.

A few examples come quickly to mind. There is no longer to be found in this nation a purely private university. Our most affluent universities, each guided by private citizens serving as Boards of Directors or Trustees, receive from 30 to 50 per cent of their income from governmental sources. Many of our medical schools, including those which function under church-related auspices, make up more than half of their annual budgets from government grants and contracts. Many of our symphony orchestras and art galleries and museums receive substantial and indispensable assistance from governmental sources, either directly or indirectly.

Foundation efforts are clearly marginal to governmental programs in most fields of endeavor. They are minor activities in dollar terms, too, in relation to private giving by individuals. The total spending of all foundations in the United States is much less than the annual budget of the Office of Education—a single office among many in the Department of Health, Education and Welfare. This is just as clearly seen at community levels as it is in national terms. HEW spends about 100 million dollars per year in Jackson County, Missouri (Kansas City); the total spending of our Association which is the only organized general purpose foundation group in the community is on the order of $750,000 per year.

The United Fund effort in Greater Kansas City produces $7,500,000 per year, to which must be added the considerable income of United Fund agencies from fees and memberships and the like. Therefore, foundation effort in local terms dwindles to very minor proportions—less than one per cent of the spending of one Federal department among many; less than 10 per cent of the amount available to United Fund agencies.

This condition in the country at large has forced many foundations, and especially those which work mainly in our communities, to regard their function as increasingly one of providing research and development assistance to programs designed to help all agencies, public and private, to better cope with constantly changing conditions. To accomplish this task we need full information about the range and quality of current effort. We need good working relations with those who carry the heavy burdens of community services, whether they be government officials or employees of private agencies. It is necessary frequently for foundation officials to join with other parties to create new institutions to meet needs that go beyond the scope of existing programs.

Many examples come to mind from our experience along these lines in Kansas City over the past twenty years. The Association took the initiative in 1951 at the request of City authorities in creating a non-profit corporation to manage and develop the public services to indigent persons in need of psychiatric care. This effort has produced a wide range of coordinated programs now available to qualified parties in the western third of Missouri, and operates clinical, teaching and research programs on an annual budget in excess of five million dollars per year.

The successful management of the psychiatric program led the officials of Kansas City to request in 1961 that the Association take the leadership in creating another non-profit corporation to operate the City hospital system. This was accomplished under the terms of a contract between the non-profit corporation and the City government. The City's annual payment of seven million dollars has been doubled by drawing in private support as well as Federal grants for specified purposes. New buildings are under construction, aided by private gifts as well as state appropriations and Federal grants. The University of Missouri recently announced that it would develop a new medical school for the state as an integral part of the program, and has moved its dental school to a new location within the complex.

Quite frequently foundations make grants to public agencies to accomplish useful and important purposes best achieved in this way. For example, our member trusts made a grant of $480,000 to the School District of Kansas City, Missouri, in 1962 to enable the District to operate a college scholarship program for young people from families with limited means. More than 500 students entered college through this program and many have returned to teach in the Kansas City system. The format and practices of the agency created to manage this activity have now been incorporated into a major Federal program.

Our member trusts created an independent social research agency in 1950, the Institute for Community Studies. This agency receives annual grants. It also performs a wide variety of research services for many parties—agencies of government at all levels as well as private, non-profit agencies. One of its recent contracts was with the sub-committee on Employment, Manpower and Poverty of the Senate Committee on Labor and Public Welfare.

The foregoing indicates from our experience the basis for our concern with the changes in the tax law proposed in H.R. 13270, and especially Section 4945(c) (1) and (2). We work very cooperatively with many governmental agencies to accomplish useful ends. We find that precisely this kind of joint effort is needed to achieve the results desired. Quite clearly, many of the things we do through grant support are calculated "to affect the opinion of the general public or any segment thereof." Once a task is completed it often becomes legislation, for, in a government by law, acts, many times, must be ratified by statute or ordinance. In addition every appropriation is an act of legislation. We do not live in a sterile world, and we doubt that any such world exists outside of research laboratories.

We are quite aware that there exists a wide range of opinion on many current public questions, and that foundations will be criticized for grants issued that provide for experimental effort along lines that some people oppose. We respect the open marketplace for ideas, ask that others do so, too, and believe that the democratic system functions best under such conditions. We have always published full reports on what we do, and have made our records available to anyone who wanted to have a look at them.

Section 4945(c)(2) would restrict severely our contact with government officials. This portion of the bill reads as follows: "(taxable expenditures includes but is not limited to) . . . any attempt to influence legislation through private communication with any member or employee of a legislative body, or with any person who may participate in the formulation of legislation, other than through making available the results of non-partisan analysis and research." Are we to refuse to answer letters from legislators? Are we to exclude grantees from answering such letters or conversing with elected officials or "any other person who may participate in the formulation of legislation"? Are those of us who serve on Federal advisory councils—and I have served on many, and currently hold a seat on the National Advisory Health Manpower Council—to resign on the ground that our participation is in violation of this provision?

It seems to me that there are serious discrepancies between the Report of the House Ways and Means Committee on this subject and the actual language of this section of H.R. 13270. The Report states the following on page 33, beginning on line 10: "Your committee has determined that a tax should be imposed on expenditures by private foundations for various activities that it believes either should not be carried on by exempt organizations (such as lobbying, electioneering, and 'grass roots' campaigning) or more appropriately are carried on by the other organizations."

I know of no private foundation that would take exception to this position. I know of no private foundation that would not subscribe to penalties for error in this regard. On the other hand, I see no correlation between this statement of purpose and the actual language of Section 4945(c) (1) and (2).

The same sort of discrepancy is to be noted between the Ways and Means Committee Report and the Bill on the matter of communications with legislative officials and other persons. The Committee report states on page 33, beginning on line 22, that Section 4945(c)(2) "precludes direct attempts to persuade members of legislative bodies or

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governmental employees to take particular positions on specific legislative issues. *It does not extend to discussions of broad policy problems and issues with such members or employees.*" (emphasis mine). The section referred to does not make explicit this point. In fact, the language simply prohibits any attempt to influence legislation by whatever means, and extends the prohibition to "any other person" other than legislators "who may participate in the formulation of legislation." Once again, it seems to me, a limited objective is taken with an arsenal of weapons sufficient to kill off all but the most hardy of foundation officers and grantees who dare to have an opinion that might conceivably play some part in the formulation of legislation.

The provisions of this section of the Bill, together with the harsh penalties provided for failure to comply with the law, can only have the effect of numbing foundation effort and driving foundation money away from the areas in our national life that currently give us most concern. Trustees are quite human in that they tend to avoid areas of controversy in the normal course of events. They serve in most instances without any compensation, and give freely of their time to consideration of the matters that come before them in the form of requests for aid. They are not likely to risk penalties, nor are they likely to permit their officers to take risks in areas where the law and the regulations are distinctly unclear. This would appear to be the general situation that we shall confront if H.R. 13270 is passed without significant amendments.

I am aware that some of the officials of the Treasury Department do not believe that the penalties set forth in the Act will be operative unless private foundation trustees or their managers "knowingly" act in support of partisan ends. It has been suggested that having available an opinion of counsel will protect any foundation board or its officers from assault at this point.

This seems to me a very uncertain reed upon which to lean. Quite obviously, an opinion from counsel on such a point is arguable from the standpoint of the facts in the case rather than the law. I doubt very much that the use of the word "knowingly" in the statute will give any aid and comfort to either trustees or officers faced with the kinds of decisions involved. As in the earlier instance cited, the normal disposition of trustees faced with such a dilemma is more likely than not to do nothing rather than take the necessary risks—with or without the benefit of advice of counsel.

It is of some importance, I believe, for this Committee to take into account that much of the business that comes to foundation offices these days originates in legislative action in the Congress. Hardly a day passes without a petition for aid from an agency that is in a strong position to ask a Federal grant if local sources of support for the matching requirement can be cited. This applies to local agencies of government, and even to state governments on occasion, as well as private agencies in the health, welfare and education fields. I have a dozen such requests on my hands at this moment, ranging from requests for a rehabilitation agency program to the building plans of one of the leading medical schools in the nation.

The nub of this particular matter is simply that the government must either permit private foundations and private persons to continue to serve public purposes to the maximum extent possible or the government must revise its matching requirements and fund more generously the costs of facilities and services very much in demand. Tax reform as it relates to foundations will come down in the final analysis to simply this.

No foundation officer or trustee is opposed to prohibitions against *partisan* activity by private foundations or by grantee organizations. We are well aware that the present law prohibits lobbying, electioneering, and grass-roots campaigning. We know, too, that proper enforcement of the law as it now stands would root out quickly any infractions. We are confident that full disclosure of all foundation activity is the appropriate way to achieve the purposes set forth in the House Ways and Means Report, and without endangering the crucial role that foundations must play in our national and local affairs.

What is not so evident, and is entirely missed by both the House Ways and Means Committee Report and the text of H.R. 13270, is that private foundations and other exempt organizations have *less* sanction in present law and regulations for presenting their views to public bodies than business organizations. Mortimer M. Caplin, former Commissioner of Internal Revenue, offers the following comment on this matter:

"Today, the policy justification of the present limitations on exempt organizations' legislative activities s questionable. Since 1962, profit-making businesses have been permitted to claim income tax-deductions—as 'ordinary and necessary' business expenses—for financing legislative appearances and related activities which are closely connected with their business operations. The 1962 amendment to the Internal Revenue Code overruled the well-established case of *Cammarano v. United States* (358 U.S. 498), which had previously denied income tax deductions for this type of lobbying. As the Senate Finance Committee pointed out, it was felt to be desirable 'that taxpayers who have information bearing on the impact of present laws, or proposed legislation, . . . not be discouraged in making this information available to the Member of Congress or legislators at other levels of Government.'

"Congress thus recognized in 1962 that it was legitimate for business entities and the trade organizations they support to participate in lobbying for legislation of direct interest to them. Yet, if this is true for business entities, why isn't it equally valid for education and charitable organizations? This 1962 income tax relief for business suggests that Congress should reexamine the entire area of legislative activities of exempt organizations with a view to granting them a broader measure of freedom in the legislative sphere." (Foundation News: November 1968, pp. 162–163.)

It comes down to this in the most simple and direct terms. Business interests may lobby for their ends, secure tax deduction for the expenses involved, and may live comfortably with the view of the Senate Finance Committee that it is desirable that they do so. Private foundations and other exempt organizations do not have comparable privileges under present law and regulations. If H.R. 13270 is passed without amendments the rights of such exempt organizations will be further limited, perhaps to the point where they cannot make a significant contribution to the national interest.

B. Foundation responsibility for agencies receiving grants

Section 4945(f) (1) (2), and (3) set up the terms of private foundation responsibility for funds issued to non-profit agencies other than public charities. Severe penalties are provided for non-compliance for such foundations and for their managers.

The terms of this section suffer mainly from ambiguity. To continue to make grants to many of the organizations which are now our grantees, the Bill would require us to exercise "*expenditure responsibility*." This means that "the private foundation is fully responsible—1) to see that the grant is spent solely for the purpose for which made, 2) to obtain full and complete reports from the grantee on how the funds are spent, and to verify the accuracy of such reports, and 3) to make full and detailed reports with respect to such expenditures" to a designated government official.

Foundations request reports from agencies receiving grants, and would not hesitate to share such information with Treasury authorities. Every legitimate foundation, of course, wants to know whether its money has been spent wisely and faithfully, in line with the purposes for which the grant was given. But the amount of follow-up and inspection which the Bill requires is excessive, and perhaps even impossible to provide. How could the foundation in every instance "verify the accuracy" of the "full and complete reports from the grantee"? Moreover, the provision is unwise, for what would such supervision do to the hallowed and sound policy of non-manipulation of the grantee that every well-run foundation practices? To fulfill this requirement in full, a foundation would have to exercise a degree of continuing surveillance of a grantee's affairs that would be paternalistic and immensely expensive for any foundation and intolerable for any self-respecting grantee. It is surely a great way to enlarge foundation influence precisely at the point where foundations do not wish to exercise power.

Bearing in mind that the Federal Government and responsible foundations have a common goal—that of preventing irresponsibility—let us apply a rule of reason. Do not make us an insurer, with absolute liability for our grantee's conduct. Charge us instead with the responsibility of applying reasonable diligence to our relations with our grantees.

CURRENT STATUS OF BILINGUAL EDUCATION

Mr. YARBOROUGH. Mr. President, the October issue of American Education carries a description and statistical summary of the bilingual education program, authorized by title VII of the Elementary and Secondary Education Act.

As the author of this major innovation in American education, I am deeply interested in its development. One of the major deficiencies in the budget of the Office of Education is for title VII, because bilingual education is being operated at only one-fourth the level authorized by Congress. Bilingual education will not accomplish much as a token program. It is not intended to be a token program. It is intended to be carried into every classroom where instruction in the language they speak at home can profit a substantial number of children.

Yet, bilingual education has been started in only 76 school districts in 22 States, and will serve 25,000 children in the 1969–70 school year.

I ask unanimous consent to have printed in the RECORD the article entitled "Projects Under the New Bilingual Education Program" and the accompanying table showing the location and nature of each project funded in bilingual education for the new school year.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PROJECTS UNDER THE NEW BILINGUAL EDUCATION PROGRAM

This fall, 76 school districts across the country have initiated pilot projects as part of a new national program of bilingual education. Support for the innovative program—$7.5 million in Federal funds—is being provided under title VII of the Elementary and Secondary Education Act.

The Bilingual Education Program is designed to meet the special educational needs of children and youth, age 3 to 18, who are limited in school because they understand little or no English. Most come from low-income families where English is rarely spoken. This new program will help these students develop greater competence in English and in their own tongue, and thus expand their educational opportunities.

During the 1969–70 school year, approximately 25,000 youth are being taught factual knowledge and skills in both their native language and English under programs that encompass part or all of the school curriculum. In Arizona's Nogales Elementary School District No. 1, for example, students may receive 75 percent of their classroom instruction in Spanish and 25 percent in English. As they become more proficient in English, instruction will be more evenly balanced between the languages.

A student's study of the history and culture associated with his native language is also considered essential to the program. The Laredo Independent School District in Texas emphasizes developing original instructional materials based on local folklore, history, art, and music. At the San Juan School District in Monticello, Utah, instruction in the history and culture of the Indians, stressing the Navajo, has been added to the curriculum.

The Bilingual Education Program recognizes that a child's mother tongue can have a beneficial effect upon his total education. When used before a child's command of English can carry the whole burden of his education, the mother tongue can prevent retardation in school performance. Moreover, the development of literacy in a non-English language results in a more broadly educated adult.

In addition to programs directed toward children, title VII often serves adult groups, chiefly parents of children participating in the bilingual programs. At the Ukiah Unified School District in California, for example, Mexican-American and Indian parents are being trained to serve as program aides. They help identify the problems and educational needs of their children and encourage other parents to attend adult-education classes. In La Joya, Tex., mothers of participating children are being hired as teacher aides and will be prepared to teach their own preschool children at home.

Sixty-seven of the bilingual projects apply primarily to Mexican-American children whose mother tongue is Spanish. Five are concerned with American Indian languages, two with Chinese, two with Portuguese, and one each with French and Japanese.

Other Federal programs that can be coordinated with the Bilingual Education Program include titles I, II, III, and VIII of the Elementary and Secondary Education Act; the research and development centers and regional laboratories funded under title IV ESEA; the Head Start and Follow Through programs; and the Education Professions Development Act.

For more information on the Bilingual Education Program, or a copy of the 1970–71 guidelines for submitting a proposal, contact: Division of Plans and Supplementary Centers, Bureau of Elementary and Secondary Education, U.S. Office of Education, Washington, D.C. 20202.

State and city	County	Grantee (school districts or agencies)	Second language	Grade	Served	Amount (estimated)
Arizona:						
Nogales	Santa Cruz	Nogales Elementary No. 1	Spanish	1	107	$41,500
Phoenix	Maricopa	Phoenix Union High No. 210	do	9	100	76,500
Do	do	Wilson Elementary No. 7	do	1	100	26,500
Tucson	Pima	Tucson Elementary No. 1	do	K–1	450	80,302
Arkansas: Gentry	Benton	Gentry No. 19	Cherokee	K–1	50	41,500
California:						
Artesia	Los Angeles	ABC Unified	Portuguese	K–12	392	41,854
Barstow	San Bernardino	Barstow Unified	Spanish	7–12	259	47,851
Brentwood	Contra Costa	Brentwood Union	do	3–4	25	27,426
Calexico	Imperial	Calexico Unified	do	7–9	180	128,402
Chula Vista	San Diego	Sweetwater Union High	do	Preschool–12	595	442,216
Compton	Los Angeles	Compton City	do	K–1	166	76,485
El Monte	do	El Monte Elementary	do	K	30	64,206
Fresno	Fresno	Fresno County schools	do	K–6	200	114,889
Do	do	Fresno City Unified	do	K–7	110	81,000
Gonzales	Monterey	Gonzales Union High	do	7–12	50	41,078
Healdsburg	Sonoma	Healdsburg Union Elementary	do	1	25	36,500
La Puente	Los Angeles	Hudson	do	K–3	1,120	134,324
Los Nietos	do	Los Nietos Elementary	do	Preschool	30	10,000
Marysville	Yuba	Marysville Joint Unified	do	1–8	200	70,502
Pomona	Los Angeles	Pomona Unified	do	7–8	105	30,500
Redwood City	San Mateo	Redwood City	do	1	30	27,200
Sacramento	Sacramento	Sacramento City Unified	do	Preschool–1	260	118,900
St. Helena	Napa	St. Helena unified schools	do	9–12	55	25,515
San Francisco	San Francisco	San Francisco Unified	Chinese	1	25	51,500
Sanger	Fresno	Sanger Unified	Spanish	K–1	45	58,200
Santa Ana	Orange	Santa Ana Unified	do	Preschool	90	244,560
Santa Barbara	Santa Barbara	Santa Barbara County schools	do	K–8	170	79,864
San Jose	Santa Clara	Santa Clara County Office of Education	do	Preschool	40	81,500
Santa Paula	Ventura	Santa Paula	do	do	1,200	71,439
Stockton	San Joaquin	Stockton Unified	do	do	695	139,060
Ukiah	Mendocino	Ukiah Unified	Pomo, Spanish	K–6	35	63,851
Colorado: Denver	Denver	Denver public schools	Spanish	K	80	101,500
Connecticut: New Haven	New Haven	New Haven Board of Education	do	K–6	80-100	75,000
Florida: Naples	Collier	Collier County Board of Public Instruction	do	1–2	240	55,000
Hawaii: Honolulu	Honolulu	Hawaii Department of Education	Japanese	7–12	80	57,947
Illinois: Chicago	Cook	Chicago Board of Education	Spanish	1–8	800	154,000
Massachusetts:						
Boston	Suffolk	Boston School Department	do	1–12	325	108,000
Springfield	Hampden	Springfield Public Schools	do	K–6	297	80,000
Michigan:						
Lansing	Ingham	Lansing	do	7–12	120	94,000
Pontiac	Oakland	City of Pontiac	do	K–12	100	91,000
Nebraska: Scottsbluff	Scottsbluff	Education Service Unit No. 18	do	K	344	59,000
New Hampshire: Wilton	Hillsborough	Supervisory Union No. 63	French	1–3	149	70,000
New Jersey: Vineland	Cumberland	City of Vineland	Spanish	1	791	275,000
New Mexico:						
Albuquerque	Bernalillo	Albuquerque public schools	do	K–1	270	140,059
Artesia	Eddy	Artesia public schools	do	1	110	101,500
Espanola	Rio Arriba	Espanola municipal schools	do	Preschool–6	90	26,500
Grants	Valencia	Grants municipal schools	Spanish, American Indian.	1	220	36,500
Las Cruces	Dona Ana	Las Cruces No. 2	Spanish	K–6	900	65,500
New York:						
Bronx	Kings	New York City Board of Education	do	1–6	525	230,000
New York	do	Two Bridges model	Chinese, Spanish	Preschool–2	270	139,000
Rochester	Monroe	Rochester City	Spanish	Preschool–1	262	169,000
Ohio: Cleveland	Cuyahoga	Cleveland public schools	do	7	177	69,000
Oklahoma: Tahlequah	Cherokee	Cherokee County schools and N. Eastern State College	Cherokee	K	268	98,500
Pennsylvania: Philadelphia	Philadelphia	Philadelphia	Spanish	Preschool–12	810	200,000
Rhode Island: Providence	Providence	Providence School Department	Portuguese	1–2	100	110,000
Texas:						
Abernathy	Hale, Lubbock	Abernathy Independent	Spanish	K	120	51,500
Amarillo	Potter	Peso Education Center, region XVI	do	1	417	101,500
Austin	Travis	Education service center, region XIII	do	1	210	101,250
Del Rio	Val Verde	Del Rio Independent	do	K–4	726	51,500
Do	do	San Felipe Independent	do	K–1	450	51,500
Edinburg	Hidalgo	Education service center, region 1	do	K–6	800	151,500
Fort Worth	Tarrant	Fort Worth Independent	do	K–1	1,007	201,500
Houston	Harris	Houston Independent	do	K–2, 7–12	585	200,850
La Joya	Hidalgo	La Joya Independent	do	K–3	861	51,500
Laredo	Webb	United Consolidated Independent	do	K–6	650	51,500
Do	do	Laredo Independent	do	1–6	420	76,500
Lubbock	Lubbock	Lubbock Independent	do	K	110	151,500

State and city	County	Grantee (school districts or agencies)	Second language	Grade	Served	Amount (estimated)
Texas:						
McAllen	Hidalgo	McAllen Independent	do	1–3	420	55,900
San Angelo	Tom Green	San Angelo Independent	do	K	140	117,170
San Antonio	Bexar	San Antonio Independent	do	K–1, 6–7, 9–12	1,650	201,500
Do	Bexar, Hays	Harlandale Independent	do	1–3	1,320	161,500
Do	Bexar	Edgewood Independent	do	1	405	151,500
Weslaco	Hidalgo	Weslaco Independent	do	1	200	51,500
Zapata	Zapata	Zapata Independent	do	K–2	309	47,500
Utah: Monticello	San Juan	San Juan	Navajo	1–2	160	66,500
Wisconsin: Milwaukee	Milwaukee	Milwaukee Board of School Directors	Spanish	K–2, 7–12	220	45,258

THE SITUATION AT DISTRICT OF COLUMBIA GENERAL HOSPITAL

Mr. MATHIAS. Mr. President, on October 3 I took the floor to discuss the critical situation at District of Columbia General Hospital. I urged the Subcommittee on District of Columbia Appropriations to consider promptly the additional $6 million to $10 million which District of Columbia General Hospital staff members assert is urgently needed to alleviate the conditions there.

During the colloquy, the distinguished Senator from West Virginia (Mr. BYRD) requested certain information which I have obtained from Dr. Murray Grant, Director of the Department of Public Health of the District of Columbia.

I ask unanimous consent to have printed in the RECORD a list of all Hill-Burton projects in the District of Columbia for the fiscal years 1967 through 1969; a summary of admissions criteria at District of Columbia General Hospital; and a table showing District of Columbia General Hospital admissions, costs, and collections for 1963 through 1968.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

GOVERNMENT OF THE DISTRICT OF COLUMBIA, DEPARTMENT OF PUBLIC HEALTH.
Washington, D.C., October 9, 1969.
Attention: Mr. John Hough.
Hon. CHARLES McC. MATHIAS, Jr.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MATHIAS: In response to your telephone request of October 6, I am submitting the enclosed information.

For your convenience and information, I am enclosing copies of material submitted to the House and Senate Committees on Appropriations on the subject of D.C. General Hospital. If I can be of further assistance, please let me know.

Very sincerely,
MURRAY GRANT, M.D.,
Director of Public Health.

D.C. GENERAL HOSPITAL ADMISSION COSTS AND COLLECTIONS, 1963–68

No figures are available on exact number of persons not indigent or medically indigent who receive care at D.C. General Hospital. The admission requirements are:

1. D.C. resident for one year (except for Medicare patients who do not need to meet the one year requirement).

2. Indigent (as determined by D.C. Department of Public Welfare) or Medically Indigent (with an income of less than $3,560 for family of four with provisions for part-pay on the basis of a sliding scale of resources and income for those above $3,560 for family of four.)

Exceptions to the above criteria may be made when:

1. Patient is brought in emergency situation.

2. Patients brought in by D.C. Police Department.

3. Other exceptions as outlined in Department of Public Welfare policies and procedures for receiving free services from D.C. agencies.

4. Under Medicare legislation the patient is entitled to select the hospital for his care and since the Medicare Program will pay full reasonable cost, patients with this coverage may be admitted with subsequent reimbursement from the Federal government.

Since D.C. General Hospital operates on the above policy, there should be no patients admitted who do not qualify for eligibility under one of the above categories.

Many patients will be admitted in an emergency situation and subsequently discharged before a complete eligibility determination can be made. These patients are billed as if they were full-pay patients and accounting records are so established even though these patients may be indigent or medically indigent. Therefore a total figure for accounts receivable is not a valid measure of the amount of care provided to patients not medically indigent or indigent.

You will notice from the attached table that the collections at D.C. General Hospital have been increasing.

A study was done in 1965 on the outpatient clinic at D.C. General Hospital, and it was determined that 90% of the patients were either indigent or medically indigent and therefore qualified for free care. Applying this same percentage to the in-patient figures indicates that we could have expected with excellent collection techniques to recover 10% of our cost. The attached table indicates our actual collections from 1963 to 1969. You will note that the percentage exceeds 10% in 1967 and 1968, due primarily to Medicare beginning in 1967 enabling us to be reimbursed in part for patients who are indigent or medically indigent. We expect this will continue in 1969 due to Medicaid reimbursements.

DISTRICT OF COLUMBIA GENERAL HOSPITAL ADMISSION COSTS AND COLLECTIONS 1963–68

Year	Patients	Patient days	Total cost	Collection	Percent of costs	
					Recovered	Not recovered
1963	28,013	357,440	$12,992,045	$890,662	6.9	93.1
1964	29,030	406,911	14,290,988	970,467	6.8	93.2
1965	28,624	438,582	14,976,625	1,110,333	7.4	92.6
1966	26,276	344,327	15,822,987	1,209,909	7.6	92.4
1967	[1] 23,190	[1] 263,487	16,472,999	[2] 2,302,042	14.0	86.0
1968	22,031	242,903	17,303,617	[2] 2,762,285	16.0	84.0

[1] Acute psychiatry transferred to Directorate for Mental Health and Retardation on Oct. 8, 1966.
[2] Includes medicare payments.

GOVERNMENT OF THE DISTRICT OF COLUMBIA, DEPARTMENT OF PUBLIC HEALTH,
Washington, D.C., October 6, 1969.
Attention: Mr. John Hough.
Hon. CHARLES McC. MATHIAS, JR.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MATHIAS: In response to a telephone request from Mr. John Hough of your office, we are forwarding herewith a chart listing Hill-Burton projects in the District of Columbia which were completed during the years 1967, 1968, and 1969.

You will note that some of those projects listed were begun prior to the periods indicated. Allocations over a period of years during the construction have been necessary because of the small amount of Hill-Burton funds allotted to the District of Columbia.

Please advise us if we can be of any further assistance.

Very sincerely,
MURRAY GRANT, M.D.,
Director of Public Health.

LIST OF HILL-BURTON PROJECTS FOR 1967 THROUGH 1969

Project				Cost			
No.	Title	Starting date	Completion date	Hill-Burton	Sponsor	Total	Year of funds allocated
DC-21	Cafritz Memorial Hospital	January 1963	December 1968	$1,220,858.00	[1] $9,239,167.00	$10,460,025.00	1962, 1963, 1964, 1965, 1966.
DC-22	George Washington University Hospital	June 1964	July 1969	708,965.00	[2] 6,832,844.00	7,541,809.00	1963, 1964, 1965, 1966.
DC-25	Hearing and Speech Center	June 1966	May 1969	145,744.57	161,039.20	306,783.77	1965, 1966, 1967.
DC-24	Hillcrest Children's Center	June 1965	August 1967	595,963.00	1,227,560.14	1,823,523.14	1964, 1965.
DC-27	Georgetown Hospital, oxygen piping	April 1968	July 1969	36,700.00	73,500.00	110,200.00	1967.
DC-28	Washington Hospital Center	June 1967	August 1969	62,209.33	124,418.67	186,628.00	1967.
DC-33	George Washington University Hospital	May 1968	December 1969 [3]	675,536.43	822,850.57	1,498,387.00	1967, 1968.
DC-35	Georgetown Hospital, exit stairwell	March 1968	November 1969 [3]	34,433.00	68,867.00	103,300.00	1967.
DC-36	Sibley Hospital	June 1968	September 1969	105,000.00	211,000.00	316,000.00	1967, 1968.
DC-26	Children's Convalescent Hospital	November 1966	June 1968	616,563.00	899,230.08	1,515,793.08	1967, 1968.
DC-29	Columbia Hospital	April 1967	April 1968	17,699.24	35,398.49	53,097.73	1967.
	Total			4,219,671.57	19,695,875.15	23,915,546.72	

[1] State aid $3,375,000.
[2] $2,500,000 provided under Public Law 87–460 (direct Federal grant).
[3] Estimated.

GEN. LEONARD F. CHAPMAN, JR. SPEAKS UP

Mr. MUNDT. Mr. President, last Friday night I had the pleasure of attending the banquet of Defense Orientation Conference Association—DOCA—and hearing Gen. Leonard F. Chapman, Jr., Commandant of the Marine Corps address that distinguished group on the problem of American defense. General Chapman delivered an excellent speech directed to the problems of our time. I wish that every American could have heard him that evening. Since that was not possible I ask unanimous consent that his speech be printed in the Congressional Record. I commend it to the reading of all who have access to the Congressional Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Remarks by Gen. Leonard F. Chapman, Jr.

Ladies and gentlemen, I was extremely pleased when I received the invitation to address you this evening. And I am honored and delighted to be here. At this point in time there are many things that need to be said, and I can think of no better gathering for an exchange of those words.

This is a complex and demanding period of our history. There are many problems that surround us as Americans, and as human beings. New questions face us, old questions flank us, and even older questions—long thought answered—seem now to have resurrected themselves and demand new answers. None of these can be ignored. No one problem is any less important than another. They are American questions and they required American answers.

Now, we are together at this conference to address the case of American defense. It is an old question, and it is a constant need. How, when, where, and with-what are the attendant sub-questions. Almost two hundred years ago when thirteen separate and diverse colonies struggled and groped to join together as a nation, those same elements on the question of defense were present. And it is significant, I think, that some of the same arguments for and against defense—as used almost two centuries ago—are still exercised in the national debate of today. But this isn't thirty years ago. It is *now*. This is a new era, an era of compressed space and a racing clock. Our vast oceans no longer present the obstacles they once did. Our isolation from threatening corners of the globe is a memory, not a physical fact. This is a new time with new demands.

In this new time, when the question of defense is examined—or any question for that matter—two causes become absolute in their effect: the war in Vietnam, and the new generation of Americans. No matter what is said, what rationale is put forth, everything still points back to these two primary causes: America at war, and young Americans.

This evening I intend—as much as possible—to avoid the hardware and organization of American defense. Instead, I am going to address the two subjects that have the greatest influence on American thinking and attitudes toward American defense today, and planned American defense of the future. I am going to talk about the war in Vietnam, and I am going to talk about the Americans who fight that war—the young Americans of this generation.

War, any war, is a monstrous exercise in human imperfection. This is an old truism. The war in Vietnam did not originate that fact, but it is the war we fight now, and we have been fully committed to this current edition of imperfection for more than four and a half years. That is a long, wearisome time. And it has changed little tactically and operationally, this long, fatiguing war. It is that kind of war. It is a guerrilla war, a new kind of war for Americans.

In the long years of fighting there have been no graphic lines of battle, no simple diagram of advancing or retreating forces to follow on a map. There is a country: the Republic of Vietnam. There are people: the South Vietnamese. And there is an enemy: the North Vietnamese. Our intention has never been to destroy the aggressor nation, only to keep that aggressor from destroying his intended victim.

We fight a limited war, but only *our* prosecution of the war is limited, not the enemy's. The enemy moves to and from the sanctuary of his homeland as he chooses. It is up to him if there is to be a war at all. To stop the war, even for a short rest, he merely removes himself. The only means we have to stop the war is to destroy or preempt the enemy in the area of our limited operations.

From the time we entered this war, Hanoi has known that it could never achieve a military victory. In early 1968 a maximum effort was exerted by North Vietnam in their Tet offensive, and the determined effort to seize Khe Sanh. These efforts were a military disaster for them. But even then they were not seeking a true victory in the field. The successes they were denied, were intended to dishearten the South Vietnamese people. Enemy strategy, as stated in the beginning of this war, has not changed. He is willing to suffer ten times the number of our casualties to force the issue of American patience. He gladly trades the lives of North Vietnamese soldiers and the Viet Cong for that patience.

But the weapon of time, like a fused bomb held too long, can destroy its user. It appears now that the vortex of that effort has almost been reached. Time, the weapon employed so well by the enemy, is beginning to work against him now. His raids and attacks against allied forces have lessened. He has cut down his input of replacements and material to his forces in the south; and since his major defeat during Tet of 1968, he has not been able to gain enough momentum to try other major actions. But since his defeat in 1968, he has firmly rebuilt his badly mauled regular divisions, and he holds them in readiness out of the area of operations.

Now we are injecting a new element into this war. We have recently begun a process called "Vietnamization." It goes much deeper than merely strengthening the Armed Forces of the Republic of Vietnam, it goes to the very heart of the conflict. It means much more than just leaving the people of the Republic of Vietnam with a greater military responsibility so that we can withdraw our own forces. It means building a stronger economy, a stronger internal security capability, a stronger government, and a stronger military. It *is* practical, and it *will* work. And the enemy knows this.

He knows what the explosion of the fused bomb of time will cause, if held too long. He knows that the government of the Republic of Vietnam grows stronger with each passing day. He knows that the armed forces of that country grow more efficient, more capable, and that they take on more of the fighting. He knows that as time goes on, and while we continue to fight, he is running out of options. Will he continue to press for an unconditional withdrawal of American forces from the Republic of Vietnam, or will he actually negotiate a settlement? Only the determination of the American people will decide. The outcome of this war depends on that central question. Militarily, time is on *our* side. But will our determination provide the time needed to complete the job?

But in this war, there are other battlefields besides those in South Vietnam. Right here, in this country, a great conflict rages between Americans over that war. You know, I think objective historians of the future will have a difficult time in trying to summarize the actions, and the motives of the participants. Because, at this time, the main point of contention is the one thing all Americans want above all else: an end to the war in Vietnam.

This war is well into its fifth year. The battles being fought over the same ground as the battles of last year and the year before. Americans grow weary of war, and not just this war, but the very idea of war—and the need to be prepared for war. But preparedness for war is synonymous with preparedness for defense. How many wars have not been fought because of this preparedness? And because Americans have been willing to fight on foreign shores, how many times have we avoided fighting here, on our own ground?

So good Americans, gentle people who have never seen war, tyranny or terror call themselves doves. Americans who have never known the shock of violent death at close quarters, or the heavy foot of an invader call themselves "the people of peace." And somehow in this monologue, those who fight tyranny, who seek to eliminate terror—are labeled hawks. These are good people, good Americans who abhor war. But they seek peace at any price.

There is another group against our participation in this war. A group of anti-everything organizations who oppose our involvement only because they are in accord with the principles of the enemy. They employ some of the vocabulary of the pacifists in speaking of this war; but from the very beginning, they have waved the flag of the enemy, burned our own flag, practiced violence, and preached their own war as a means to destroy our present society.

The first group is a traditional interchange of our free society. They disagree, and as Americans they are making every effort to do something about it. They dissent, and it is this right *to* dissent that we fight to preserve. And it is because we believe in such a right that we must be prepared to fight other aggression.

Now, the second group hides behind this right of dissent. Like our enemy in Vietnam, they fight a guerrilla war. They too have a freedom of movement, and the advantage of doing battle when and where they choose. Their sanctuary is the honesty and integrity of the responsible dissenters. That, and the knowledge that this is truly a free country.

How many are there? I don't know, but I do know they are a minority, and they use the methods of sensationalism to carry their fight. Because they offer instant and theatrical violence, because they affect a bizarre appearance, and because they shout obscenities—they are news. Their images march across television screens throughout the nation. Their slogans and actions are chronicled in every newspaper and magazine. And they have had a strong effect. Now some of the words and phrases they have chanted with machine-like dogmatic regularity, have found their way into the national vocabulary: "imperialism," "Militarism," "the American military machine." And their choice of adjectives and text have turned other words and phrases into sinister threats.

Through a hard campaign, and a fluke of timing, these people have become identified with the youth of this nation. They have invaded and squatted on college campuses, and now their latest efforts are directed toward high schools. But they are not young, because their ideas are old: destruction, terror, and tyranny. Their efforts to disrupt normal academic and student activities, to destroy institutions are—it must be remembered—directed against young people, the large majority of young Americans.

Through the attendant publicity, and the tremendous organizational efforts of this group, they have become accepted as representative of today's generation. Like the enemy in Vietnam, they have managed to turn opinion and labels completely around.

But they are not representative of this generation of young Americans. The majority of our youth, in and out of uniform, continue to work and hope—and fight and sacrifice for a better world, a better time.

I am not saying that today's generation is *not* new, is *not* different. It is indeed. But the idea that they have abandoned old values, old morals, and seek destruction of American ideals is false. If anything, they have reached for those ideals more than any others before them. They are bigger, stronger, and have more endurance than ever before. Because of education and the improved field of communications, they are better informed, more alert, and less impressed by strange places, people, and situations. But these are physical facts. I think the most significant quality of today's young American is his individualism.

In uniform, he continues to serve his country, and serve it well. But it is not the same as in the past. From the very beginning of his military service, this young man has made a decision, individually, without the intimidation of screaming, hate-filled crowds; or an inner compulsion to conform. When he enters the service, he is not simply fulfilling a duty of citizenship. Bombarded by anti-military dialogue and presented daily examples of evasion of obligation, his enlistment or acceptance of induction is not a popular act of conformity. It is an act of faith. An act of faith in the morals and values of this country, and an act of hope in its future.

He certainly harbors no illusions, this young American in the uniform of his country. He has a ringside seat at the contest of polemics. He hears the virtues of patriotism, duty service to country, honor among fellowmen, and courage in the face of danger rendered suspect as to value, and modified in meaning by a generous application of turnabout statistics and reasoning. He doesn't like being referred to as a tool of "American imperialistic aggression," especially when those words are delivered in American accents, but he doesn't really pay too much attention. In Vietnam he is too busy searching for enemy mines, and caches of rockets and mortar ammunition. Enemy mines, rockets, and mortar projectiles that he knows have killed more Vietnamese civilians than they have American troops.

He further observes a nation, a free nation, now tired of war and its expense, question all forms of defense and preparedness for defense. On the one hand he hears men of other nations make clear statements of intent to meet us in a war of destruction, and on the other he listens to our internal debate over the need for protection.

And still these young men serve. They fight a war no one wants. A war that is not glorified in movies, on television, or in print. It is called an *unpopular war*. That statement, in itself, is one of the greatest contradictions of our time. Has there ever been a popular war? Certainly not to the men who fight it. No one wants this war to end more than the young American who puts his life on the line every day—but still they fight.

Where do these young men come from? What are the origins of these men who have fought and are fighting a very hard war? I'm sure you know some of them personally. They are the young men who have chosen to serve their country and they come from the same homes, schools, and neighborhoods they have always come from. Happy homes, broken homes; farms, houses in the suburbs, ghettoes of the inner city; school yards of hot asphalt, and campuses of green lawns and cool ivy. But they all share the quality of individualism—a very rugged and self-sufficient brand of individualism. They will not be intimidated, and when joined together, they are magnificent.

They are Americans, but more important they are participating Americans. What do they think of this country and its institutions? Last November, of all Marines eligible, 74.5 per cent cast their ballots in the national election. This is compared to a Gallup rating of 60 per cent of the entire population.

And what do they think of the war they have fought and are fighting? Since June of 1966, when the first Marines into Vietnam became eligible for rotation back to the United States, a total of 39,000 Marines—officers and enlisted—have requested to serve an additional six months beyond their assigned tours in that country, in that war. That is almost an infantry battalion a month. This is what the young Americans think of the war in Vietnam.

I think the last statement deserves some discussion. A great deal has been said about this war and the fact that it is being fought by professionals. This is true, to some degree, certainly the quality of service by all ranks has been and continues to be highly professional. But in truth, only the senior officers and senior noncommissioned officers can be classified as *career professionals*. And very few of these career Marines extend their tours of duty in Vietnam. They haven't had to. They have known that they would be back for a second tour—and in fact, many of them are doing that now, and some have even begun their third period of assignment to that war. In the Marine Corps, the greatest majority of Marines who ask to stay in Vietnam an additional six months are young privates and corporals—who fire the weapons and carry the ammunition—and young officers who lead platoons and fly the aircraft. As always, these young men are our strength.

What is the quality of the performance of these young Americans? We have one word we use in the Marine Corps to describe maximum performance. It is the only word I can use to describe their service: *outstanding*.

And why does this young man perform so well in Vietnam? Why do so many ask to stay in the face of segments of public opinion that would dictate otherwise? Well, I think it is the same quality that made him choose to serve: individualism, and the ability to find answers himself. His own brand of self-determination.

I could present examples of what our young men are doing in Vietnam by reading some of the many citations that have accompanied decorations in this war. They certainly chronicle countless acts of selfless courage. I could recite endless deeds of well planned programs to assist the Vietnamese in building their country, and eliminating their suffering. Those projects would certainly prove official and collective American compassion. But it is not the large acts that count so much, it is the day to day application of the qualities of courage and compassion that tell.

More than six months ago Marine Sergeant Robert Eaton wrote his family in California, that he wanted to stay in Vietnam another six months. He felt he still had a job to do. Sergeant Eaton was the commander of a Combined Action Platoon—14 Marines who work at the grass roots level in one village, with 30 local Vietnamese militiamen.

When Bob Eaton took over his small, but important command, 1,500 farmers lived in one third of the area supported by the village. Now 2,500 farmers are spread out over the whole countryside, living by night where 8 months ago they wouldn't even venture during the day.

In the commercial part of the village there is a new well, blacksmith shop, better tools for the carpenters, and a rice machine run by a gasoline engine and used by all of the people. But more important, the people have built and are building permanent homes. They have faith in their future. Eight months ago the women wouldn't go near the market place. Now, every morning, 500 ladies of the village complex gather to sell the family produce and wares.

How did Sergeant Eaton accomplish all of this? Where did he get the material to give these people? It's quite simple—he didn't. What he did do was convince the people that the Viet Cong would not bother them because he and his Marines wouldn't let them. And he did this by leading his small unit in standing steady and setting an example of backing the people up. Then, when they were convinced that the Marines could stop the Viet Cong, the local militia took lessons in the matter of village defense—and they learned, and their confidence grew. Sergeant Eaton and his Marines conducted their own "Vietnamization" of their part of this war, and it worked.

Now the Marines of that village are alert, they conduct patrols, and they're ready to assist the local militia in any fight—but the village belongs to the South Vietnamese, and that part of the war belongs to the village.

Sergeant Eaton came home last week. He felt his job was done.

Ladies and gentlemen, I have boundless faith in our great American people—faith in the fact that they do have the patience coupled with the determination necessary to stick out our effort in Southeast Asia as Vietnamization of that conflict progresses to a successful conclusion.

And I see the future of our country in the faces of young Americans who—serving willingly—go to war quietly and efficiently. And when he comes home, he can be sure there will be no national show of emotion to turn his head. He returns as quietly as he left.

The benefits provided our veterans are proper payment for service rendered. But in a free country, where free will is the key to honorable service—money can't be full compensation. The American people must show their faith in these men—must honor them—must give them the dignity of recognition and appreciation.

These young men are the flower of this generation. These are the men who will inherit this country. It is not enough to merely accept their hearts and their sacrifices with a nod—I ask you to actively seek to win their hearts and minds. They have offered them, it is up to you, it is your choice.

Thank you.

PROPOSED RETENTION OF SILVER CONTENT IN THE EISENHOWER DOLLAR

Mr. CANNON. Mr. President, I believe that the issue of whether silver should be included in the proposed Eisenhower dollar comes down to the issue of whether we have or can expect a sufficient supply of silver. I believe that the Treasury has available to it a supply ample to mint a 40-percent clad silver dollar. The absence of these coins from Nevada—the Silver State—has had its economic effect. It is not a nostalgic or sentimental coin, but one that serves the needs, particularly, of Westerners who have grown up in the silver hard-money tradition.

As of a month ago, the Treasury had a silver inventory of 146.9 million ounces, of which 84.6 million ounces was in the form of bullion, and 62.3 million ounces was contained in currency awaiting melting.

Under a program adopted by the Joint Commission on Coinage, the Treasury has continued the sale to the public of 1.5 million ounces per week. It seems to me that this procedure really uses the Treasury as a bank for the silver manufacturers. I submit that it is a practice which lulls the Nation to sleep so far as silver is concerned, for at this rate we will soon find ourselves without any silver whatever. I believe that the Secretary of the Treasury would be taking a very wise course if he would cut by half the amount of silver offered for public sale.

If the proposed legislation is adopted, less than one-third of an ounce of silver would be used in each dollar coin minted. At the present price range, the small amount of silver would have to have a monetary value of $3.16 per ounce to make it worth while to think about extracting the silver from the proposed Eisenhower silver dollar.

Recently it was pointed out by the American Mining Congress that 14 separate silver commemorative coins were minted during the month following the lunar landing with silver obtained from Treasury sales. I would be interested in knowing by what logic we permit private industry to use silver for such commemorative pieces on the one hand and on the other prohibit the Government from using silver in our currency.

It has been estimated that the United States has approximately 2 billion ounces of silver outstanding in U.S. coinage. Even though a great many ounces never will be recovered, surely more than 1 billion ounces will find their way back into the silver market. This constitutes a very great present and future supply, and I believe it is a fact which successfully contradicts the argument that we do not have a sufficient amount of silver to continue a limited use of this metal in our coinage.

It may be true that the Eisenhower silver dollar may not circulate freely. Certainly this has been the case with the Kennedy half dollar. If so, it will be perfectly understandable that the American people will want such mementoes because of the high esteem in which they hold the late President. But let us not forget that the silver was purchased at a much lower price by the Government, and in such a transaction as the one which Senator DOMINICK and I support, the Government would make a substantial profit on the minting of the silver dollar. We would not be finding a new use for this silver, but we would be putting this precious metal to the use for which it was intended and for which it was originally acquired by the Treasury. Industry and the silver manufacturers would not be deprived from obtaining silver, for I believe there is enough silver to supply industrial needs now that the melting ban has been lifted.

Mr. President, in 1965 Congress overturned the tradition of minting silver coins which had served this Nation well since 1792. Certainly the decline of the purchasing power of our currency would support my position then that we were making a mistake, and to remove silver from coinage would cheapen our money.

History has shown that all nations that resorted to fiat money dealt in a currency that showed the greatest weakness. In the debate of 1965, Congress did decide to retain silver in the Kennedy half dollar, so that we did not completely abandon our faith in the intrinsic value of the U.S. coinage. That certainly was a very wise move, in my opinion, and I believe that the Eisenhower dollar with silver content also will be a small step in the right direction.

Progress since 1965 in the extraction of precious metals from the ground has been slow, but important strides have been made in the recovery of gold. It is my hope that new mining and technological concepts will bring forth new breakthroughs not only in the recovery of gold but of silver, too, so that our supply will not only enable us to use some silver content in the dollar and half dollar, but in other denomination coins as well.

It seems to me that it would be a fine decision on the part of the Congress to preserve the memories of our two late great Presidents in a metal of real value, particularly when we can do so in the knowledge that the Nation's strategic stockpile and the vast quantities of unmelted silver can take care of both emergency and governmental needs for some time to come.

ADDRESS BY DEPUTY SECRETARY OF DEFENSE PACKARD

Mr. MURPHY. Mr. President, I have just read an address delivered by the Honorable David Packard, Deputy Secretary of Defense, at Loyola University in Los Angeles on September 17.

Secretary Packard in his remarks sets forth clearly how well the Department of Defense is at present performing its mission both in the United States and around the world. He also details the strides which this administration has made in 1969 to operate that vast Department as we all would wish.

Mr. President, I am very proud of the outstanding job which Secretary Packard, a California citizen, is doing in a most demanding position. I believe that his remarks at Loyola University will be of interest and benefit to people across our country. I ask unanimous consent that his speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ADDRESS BY THE HONORABLE DAVID PACKARD, DEPUTY SECRETARY OF DEFENSE

I am happy to have the opportunity to participate in the Citizenship Day Dinner sponsored by Loyola University. Not every university forum today would extend to a visitor from the Pentagon the warm welcome that I have received here.

I shall talk about matters that should be of great concern to us all—about universities, and youth, and the defense of our nation.

These are appropriate topics of discussion in a forum sponsored by a university that bears the name of Ignatius Loyola, soldier and educator.

Incidentally, I discovered, reading the *Autobiography* of St. Ignatius, that he has special relevance—to use the currently fashionable word—to the youth today. For he tells us that, while at Manresa groping for the kind of life to which he could commit his dynamic energy after his military career, for almost a year he let his hair "grow wild, without combing or cutting it. . . ."

The subjects I propose to discuss are also appropriate to the occasion, the 182nd anniversary of the signing of the Constitution of the United States. It is well to remember that the spark and the energy of the second American Revolution, which gave our nation its Constitution, came from younger men dissatisfied with the *status quo*.

Nor should it be forgotten that national defense needs had much to do with the bold decisions made in the Constitutional Convention.

In fact, the only aspect of this talk that may be inappropriate is that I should be the one to talk about youth. I confess that I speak from the far side of the generation gap. Although, as the years go by, I find some comfort in the French proverb that the fifties are the youth of old age, I cannot honestly claim any relationship to youth beyond that of a spectator. Nevertheless, I have had a good vantage point for my observation of youth, both as a former university trustee and as Deputy Secretary of Defense.

Today's youth want to change the world—and to do it in a hurry. They are dissatisfied with much of what their elders are bequeathing to them. They are impatient to rid the society of evil and injustice, to establish peace, eliminate slums, and poverty, uproot racial and ethnic discrimination, cure disease, abolish ignorance, terminate pollution, and to strike down hundreds of other wrongs.

The impulses are generally noble, and the commitment to the well-being of their fellow man is admirable. Though they will not achieve all they hope to do, they will remove many of the blemishes of the social and political order which have been tolerated for too long. Some are over zealous, but there is nothing wrong with this that living a little longer will not solve.

The young people that I know best at the present time are those in our armed forces. I cannot praise them too highly.

I know what President Nixon meant when he used the words, "one of America's finest hours," with reference to our men in Vietnam. If you could hear, as I do every day, tales of the courage, the dedication, the self-sacrifice, the compassion, the generosity that our men in Vietnam are exhibiting, you would understand why the President was moved, while visting American troops there, to use the phrase he chose.

No one, whatever his feelings about why or how we are fighting in Southeast Asia, should feel anything but pride and gratitude toward the gallant young Americans there. And it may not be amiss to note that there, white and black Americans set an example for the home front by living and working and fighting together in harmony, in mutual respect and trust.

The vast majority of the nation's young people, the kind whom I have been describing, the kind of young people in the uniform of their country, receive too little notice. There is, on the other hand, a surfeit of publicity for the nihilistic minority whose aim is destruction and whose tactics are threats, violence, and disorder. These tactics have no place in the United States where the Constitution guarantees orderly procedures for peaceful change. Above all, they have no place on the university campus where reason—not violence—ought to dwell.

Knowing that the disrupters do not speak for their generation, I am less disturbed about their antics than I am about certain currents of public opinion that in the long term could have more serious consequences for the nation. There is a danger that national defense will be neglected in the future, and this danger is heightened by irresponsible attacks on the nation's military forces.

President Nixon noted some of the disturbing current tendencies in his commencement address at the Air Force Academy in June when he said:

"It is open season on the armed forces. Military programs are ridiculed as needless, if not deliberate, waste. The military profession is derided in some of the best circles. Patriotism is considered by some to be a backward, unfashionable fetish of the uneducated and unsophisticated. Nationalism is hailed and applauded as a panacea for the ills of every nation—except the United States."

We all should remember that twice in the lifetime of the generation to which I belong our nation has suffered grievously as a result of irrational reaction against our military forces. In the 1930's, and again in the late 1940's, our military capability was reduced too far. In the wars that followed each of these experiences, the nation paid, in both American lives and American resources, the frightful price of unpreparedness.

The campaign against the military has had repercussions on the campus—notably in protest against the ROTC. At Loyola, which boasts one of the best ROTC units in the Air Force, the relationship between the university and the military has been exemplary. At some other universities, our experience has been far different. In a few, the climate has become so inhospitable that we have had to terminate ROTC programs.

I view these developments with dismay. The ROTC furnishes about half of the new officers commissioned each year. Without it, we would be deprived of the leavening influence that these young men fresh from civilian educational institutions bring to the armed forces. And without it, an important link between the military and the schools of the nation would be broken.

As one reads the nation's periodicals and newspapers—and listens to the hearings of some of the Congressional committees—one can easily get the impression that the Department of Defense does nothing right. We do have some problems—and whenever you have an organization as large as the Department of Defense with 3.5 million military people and over a million civilians, there will always be cases where people make mistakes. Unfortunately, it is only the mistakes that make the headlines, and mistakes are fair game for Congressional hearings. The Pentagon has also done a lot of things right, and, in order to give some balance to the discussion, these are the things I would like to talk to you about.

I submit that the Department of Defense should be judged in terms of its essential function—providing the armed strength to keep the nation and its citizens secure against all external threats—to protect our citizens and vital interests—and to meet our obligations to support our friends throughout the world.

The Department of Defense has served this country well in each of these all-important areas of responsibility.

In the final analysis, it has been the Armed Forces of our country, including our strategic nuclear capability, which has kept Western Europe free. Our military capability has preserved the freedom of the peoples of West Berlin—of South Korea—of Taiwan—and even with our anguish about our involvement in South Vietnam—American military forces there have eliminated the threat of a Communist military victory, which was imminent when they were dispatched there in force in 1965.

The Defense Department has maintained the military strength to enable this country to meet its international responsibilities well—and to deter an all-out attack on both the United States and its Allies.

Our critics, in fact, have complained about an excess amount of strength. I submit to you it is infinitely better to have a little too much than not quite enough.

Two further common criticisms of the military establishment are that our strength is being used for the wrong purposes (as in Vietnam, some would say), or that this strength is purchased at too heavy a cost.

Discussing the first of these two criticisms would take me far from the topics of this address. It is important, however, to remember that the use to which our military strength is put is not determined by the Department of Defense, but rather by the White House and on Capitol Hill.

Those who say defense costs too much sometimes are referring to waste and inefficiency. I grant that there is need for improvement in the efficiency of our operations—in our weapons systems procurement procedures—and in other areas. There is waste and inefficiency which must be eliminated, and I will speak a little later of some of the things we are doing toward this end.

Sometimes those who regard defense costs as excessive are arguing that defense absorbs so much of the nation's output that not enough is left for urgent domestic objectives such as health, education, and welfare. This complaint is exaggerated. Defense spending amounts to about 8 per cent of the nation's Gross National Product, and it is shrinking, not growing. Those who allege that defense gobbles up a major part of the increases in federal revenues or expenditures have not examined the facts. Fiscal Year 1969, which ended last June 30, brought an increase in federal revenues of $35 billion above the previous year. Federal spending was up $6 billion. Defense spending in this year increased by about $500 million while federal expenditures for health, education, and welfare went up by $6 billion.

My purpose here tonight, however, is not to refute the critics. Rather, I want to point out a few of the positive things about the Defense Department that the critics seem to miss. I limit myself to five things that we're doing right.

First, we are progressing in our efforts to train and equip the forces of South Vietnam to assume greater combat responsibility, which permit reduction of American forces in Southeast Asia. Since the present Administration assumed office, building up the strength of the South Vietnamese has had first priority. As a result, the replacement of American troops is under way.

This is a break from the policy of the past that dictated a constant increase in American forces in the theater of combat and assumption by the United States of the major responsibility for the conduct of the war.

We shall not leave South Vietnam in the lurch. We continue to provide a strong and adequate shield against escalation from the North. But, as the combat capability of the South Vietnamese forces continues to grow, the war will become less and less an American war.

Hanoi has responded negatively to our repeated and generous peace offers. While we continue to seek to end the war by negotiation, the policy of Vietnamization is not being held up awaiting a breakthrough in the Paris talks. It is moving forward.

Second, we are progressing in our effort to bring the Defense budget under better control. As a result of painstaking review of that budget, Secretary Laird has announced preparations for cuts during the current fiscal year which will reduce spending by more than $4 billion below the level recommended by President Johnson. This reduction, though somewhat more abrupt than we would like it to be will not seriously reduce our military capability, but will provide added resources for non-defense needs of the country, and will reduce inflationary pressures.

In order to keep the defense budget in proper relationship to non-defense national objectives, we are working on detailed plans for our post-Vietnam forces, and these plans include close control of expenditures as our involvement in Vietnam is lessened.

One of the most important innovations of the new Administration is the recent appointment of a Blue Ribbon Panel headed by Gilbert W. Fitzhugh, Chairman of the Board of the Metropolitan Life Insurance Company, which is engaging in a thorough study of the mission, organization, and operation of the Defense Department. From the results of this study, the first of its kind in more than a decade, we expect valuable guidance in effecting reorganization of structure and improvement in operation. We are fortunate in the exceptional talent assembled to serve as members of this Panel.

Third, we are doing a number of things to improve the procurement system for major weapons. There has been substantial waste in devoting resources to the development of weapons which Defense officials have concluded at some later stage in the process should not be deployed. To avoid this kind of false start in the future, we have instituted new procedures to determine what new weapons systems are required. We are proceeding to make sure that we have eliminated as many technical uncertainties as possible before full-scale development is begun, and that development is complete before production is started.

We are placing more responsibility on the program manager and cutting out some of the layers of managers that have been looking over each other's shoulders.

We have instituted new reporting procedures so that both the Department of Defense and the Congress can verify accomplishment and detect at an early stage lags in performance or excessive costs.

All this may sound dull, but let me assure you that the changes in procuring weapons which I have been describing are important. They will guard against profligate use of the taxpayers' money.

Fourth, we are progressing in reforming the management of manpower in the Department of Defense. We are keenly aware of the fact that people are our most important asset.

We have given particular attention to the problems of ROTC and have worked closely with the universities and colleges of the nation to rectify any shortcomings in the present program.

President Nixon has asked Congress to change the selective service system so that a young man will normally be subject to the draft for only one year of his life and selectees will be chosen by lottery. These changes, along with others which the President has proposed, will eliminate the major inequities of the present selective service system. For a more remote future, we are studying the possibility of making the military a completely volunteer force.

Fifth, we are progressing in using the resources of the Defense Department in a vigorous campaign against such evils as poverty, ignorance, and discrimination. Secretary Laird has given direction and emphasis to such activities by creating within the Department of Defense the Domestic Actions Council which stimulates and guides this aspect of our work. It is impossible in a few words to convey adequately the scope of our activity that contributes directly to the solution of the nation's social and economic problems. We have done much to eliminate discrimination in housing. We run one of the nation's largest school systems in non-military subjects and probably the biggest occupational skill training program in the world. In securing the goods we need, we give special attention to procurement from small business firms and minority enterprise. In addition, we have begun to make our facilities available to disadvantaged youth of nearby communities for learning and recreation.

Millions of young Americans have secured through service in the armed forces the chance to learn that was denied them in civilian life. Millions, as a result of their military service, leave the armed forces with the skills needed to pursue successfully a civilian career or with the basic education required for continuation of their studies in civilian institutions as well as with an attitude that I can commend to my friends in business and industry. For millions of young Americans, the promise of equal opportunity has been made real as a result of their service in the armed forces.

Our Constitution, the signing of which we are gathered here to commemorate, reflected the cautious attitude of eighteenth-century America toward military power. It established civilian control over the military forces and sought thereby to guarantee that the military would always be the servants of the American people.

No military leader of our country would want it any other way. The subordination of military to civilian authority is fully recognized and wholeheartedly supported by those who wear the uniform.

On the other hand, those who framed the Constitution recognized that the system of government which it established required military power if it was to endure. They selected, after all, as their presiding officer at the Constitutional Convention, the man who had been commander in chief of the armed forces in the Revolutionary War.

Some of the delegates of the Philadelphia Convention had little confidence that the nation they were building would last. One delegate, Nathaniel Gorham of Massachusetts, asked in the course of debate, "Can it be supposed that this vast country . . . will 150 years hence remain one nation?"

They built better than they knew. We have remained one nation far beyond the time span that Nathaniel Gorham predicted.

The proudest responsibility of the armed forces is to support and defend the Constitution of the United States. They will continue to discharge this responsibility with fidelity. And this vast country shall remain one nation under this Constitution as long as our armed forces discharge this responsibility with the trust and confidence of the people whose freedom they guard.

TAX REFORM ACT OF 1969—SUMMARY OF ACTION OF COMMITTEE ON FINANCE

Mr. LONG. Mr. President, yesterday, October 13, the Committee on Finance acted on that part of the House-passed tax reform bill which relates to charitable contributions.

So that Senators might follow the progress of these executive sessions, I ask unanimous consent that a press release be printed in the RECORD.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

[A press release from the Committee on Finance, U.S. Senate, Oct. 13, 1969]

TAX REFORM ACT OF 1969—CHARITABLE CONTRIBUTIONS

ACTIONS IN EXECUTIVE SESSIONS

Honorable Albert Gore (D., Tenn.), who presided during the afternoon session of the Committee on Finance, announced today that in considering the Tax Reform Act of 1969 the tax treatment of charitable contributions was taken up by the Committee. In deliberation on this portion of the bill, he reported that the Committee had taken action with respect to the different categories of transactions that are set forth below:

Fifty Percent Limitation.—The Committee agreed to the provision in the House bill which would increase the overall limitation on the deduction of charitable contributions from 30 to 50 percent for gifts to "public" charities. In accepting the House provision the Committee also approved a Treasury Department suggestion that a taxpayer's basis for property contributed to public charities be eligible for the 50 percent limitation, and that only the appreciation element in the donated property be limited to 30 percent. (Under the House bill the entire value of the gift of appreciated property would have been limited to 30 percent.)

The Committee also agreed to modify the House provision (and the existing law) to allow contributions to private operating foundations, and private non-operating foundations which distribute the contributions they receive to public charities within one year, to qualify for the 30 percent and 50 percent limitations. This action involved approval of a suggestion made by the Treasury Department.

Unlimited Charitable Contribution Deduction.—The Committee agreed to repeal the unlimited charitable contribution over a 5-year period. This is the same period provided for the House bill.

The Committee did modify the 5-year phase-out rule, however, so that the following features of the House bill would not apply in the case of the unlimited charitable contribution deduction:

(a) The inclusion of appreciated charitable gifts as tax preferences within the limit on tax preferences and allocation of deduction rule,

(b) the allocation of the charitable deduction,

(c) the 30 percent limit on gifts of appreciated property,

(d) the appreciated property rule in the case of property which would give rise to a long-term capital gain if sold.

The Committee was advised that these rules (if applied) would often render the special phase-out for the unlimited charitable deduction meaningless, in effect causing the immediate repeal of this deduction rather than a phase-out.

Gifts of Appreciated Property.—The Committee generally agreed to the provisions of the House bill which require that the amount of appreciation in value of property donated for charitable objectives be taken into account for Federal income tax purposes. However, the Committee modified the House rules in a number of respects, as follows:

(1) In the case of gifts of capital gain property to private foundations, the Committee adopted a simplified rule for taking the appreciation into account. Under this rule, the donor would be allowed a charitable deduction equal to his cost or other basis for the property, plus one-half of the appreciation. This rule is a susbtitute for the dual House rule which involved either deducting only the cost of the property or retroactively deducting the value of the property by including the appreciation in income. The Committee's rule achieves substantially the same net effect as if the donor had included the appreciation in income and claimed a charitable deduction for the fair market value of the property.

(2) The Committee removed gifts of future interest in property (which is not tangible personal property or ordinary income property) from the types of property to which the appreciation rules of the House bill apply. The Committee felt the inclusion of future interest within the appreciation rules could have a substantial adverse effect on charitable giving to public charities and schools, since future interest gifts are a common form of charitable giving.

(3) The bargain sale provision of the House bill was deleted. Under this action, sales to charity of appreciated property for less than its fair market value would not give rise to any allocation of basis between the portion of the property sold and the portion given away. Stated differently, under this Committee decision, no gain would be recognized for tax purposes because of the making of the bargain sale.

With these changes, the Committee approved the appreciated property rules of the House bill. Specifically, it approved the amendments which require that appreciation in value of gifts of tangible personal property (such as art works and books) be subject to the appreciation rules.

Two-Year Charitable Trusts.—The Committee approved the House provision without change.

Charitable Contributions by Estates and Trusts.—The Committee adopted the House provision which would eliminate the deduction for amounts set aside for charity, which is presently allowed non-exempt trusts, subject to certain modifications.

(a) *Set-Aside Deduction.*—First, the Committee restored the set-aside deduction in the case of estates, since it may often be impractical or contrary to probate law for an estate to make current distributions. The Committee also restored the set-aside deduction in the case of pool arrangements under which a person transfers property to a public charity which places it in an investment pool and pays the donor the income attributable to the property for life. This set-aside deduction, however, would be limited to the amount of the pool's capital gain income. The Committee took this action in order to prevent a significant adverse effect on the use of these arrangements which have been increasingly relied on by public charities.

(b) *Irrevocable Trusts; Wills.*—The Committee also restored the set-aside deduction in the case of certain types of existing arrangements which were established in contemplation that the deduction would be available. The set-aside deduction will continue to be available under the Committee action in the case of existing irrevocable trusts (established before August 1, 1969). The deduction also would continue to be available, as recommended by the Treasury, for trusts established pursuant to a will in existence on August 1, 1969, which cannot be changed under State law prior to the person's death because of his incompetency or other disability. In the case of trusts provided for in wills in existence on August 1, 1969, the set-aside deduction will continue to be available if the person dies within three years.

(c) *Effective Date.*—The Committee also adopted the Treasury recommendation that the elimination of the set-aside deduction apply only with respect to taxable years beginning after 1969.

Gifts of the Use of Property.—The Committee adopted the provision of the House bill which denies a deduction for gifts of the use of property with a modification to insure that this provision does not have unintended effects such as denying a deduction for an outright gift of a fractional interest in property. Generally, the Committee's action would restrict this provision to gifts of terminable interests in property or future interests in property.

Charitable Remainder Trusts.—The House bill provided that the charitable contribution deduction (for income, estate, and gift tax purposes) would be allowed for a charitable gift of a remainder interest in trust only where the trust was an annuity trust (i.e., it specified the annual amount to be paid the noncharitable income beneficiary in dollar terms) or was a unitrust (i.e., the specified amount was expressed as a fixed percentage of the value of the trust's assets).

The Committee, in general, accepted this provision of the House bill but adopted a series of modifications of the provision to provide persons with greater flexibility in making this type of gift and to reduce the potential adverse effect of the provision on established forms of giving, while at the same time protecting against the abuses to which the provision is directed.

(a) *Pooled Arrangements; Gifts of Real Property.*—First, the charitable deduction would continue to be allowed in the case of gifts to pool arrangements even though the

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annuity trust or unitrust requirement was not met. In this case, however, the amount of the charitable deduction would be determined with reference to the highest rate of return from the particular pool or fund during the three years prior to the contribution. A similar situation in which the Committee decided to allow a charitable deduction, even though the annuity trust or unitrust requirements are not met, is in the case of gifts of real property to charity where the donor and/or his spouse reserve the right to live on, or receive the income from, the property for life. Where appropriate, straight-line depreciation or cost depletion would be taken into account in valuing the charitable gift.

(b) *Unitrusts and Annuity Trusts.*—The Committee also adopted a modification of the unitrust rule in order to provide greater flexibility with regard to this type of gift. Under this modification, a unitrust would be required to pay the noncharitable income beneficiary only the amount of the trust income where this is less than the percentage amount stated in the trust. In addition, deficiencies in income distributions (i.e., where the trust income was less than the stated percentage amount) could be made up in later years when the trust income exceeded the stated percentage amount. As under the House provision, however, the percentage amount would continue to be used in determining the amount of the deduction allowed for the charitable remainder.

The Committee also modified the definitions of an annuity trust and a unitrust to permit these trusts to have more than one noncharitable income beneficiary.

(e) *Effective Dates.*—The Committee also adopted certain modifications of the effective date provisions of the charitable remainder trust rules. For purposes of the income tax charitable deduction, the new rules are to be applicable only to transfers in trust after October 9, 1969. For estate tax purposes, the new rules are not to apply in the case of trusts created before October 9, 1969, which provide an irrevocable gift to charity. In addition, the new rules are not to apply with respect to trusts created by wills in existence on October 9, 1969, if the person dies within three years. Finally, the new rules are not to apply with respect to trusts established in wills in existence on October 9, 1969, which may not be changed under State law prior to the person's death because of his incompetency or other disability. The Committee took these actions since they involved situations where the new rules could not have been taken into account and, therefore, the Committee felt it inappropriate to deny a charitable contribution deduction in these cases.

Charitable Income Trust with Noncharitable Remainders.—The Committee adopted the House provision regarding the allowance of a charitable deduction for a gift of an income interest to charity in trust with minor modifications. Generally, under the House provision a deduction would not be allowed in these cases except where the grantor is taxable on the trust income. The purpose of this rule is to prevent the taxpayer from receiving a double benefit (i.e., a charitable deduction and also an exclusion from his tax base of the trust income). Since the possibility of this double benefit is present in the case of the income tax charitable deduction but not the estate and gift tax charitable deductions, the Committee decided to make the new rules (other than the requirement of an annuity trust or unitrust format) inapplicable for estate and gift tax purposes.

The Committee also decided to make the new rules for purposes of the income tax charitable deduction applicable to transfers in trust after October 9, 1969.

Repeal of 7 Percent Investment Tax Credit.—As previously announced by the Committee (on October 10, 1969) the provisions of the tax reform bill repealing the 7 percent investment tax credit were modified to conform to the actions taken on September 19 when it considered this matter. In its announcement of October 10, the Committee reported a single modification of the earlier decisions—a modification narrowing the type of equipment eligible for the credit under the special transitional exception for "rolling stock" of railroads.

Today the Committee gave final approval to one further modification urged by Senator Goodell of New York. Under this modification a contract between members of an affiliated group entered into before April 18, 1969 (which under the House bill would not be treated as a binding contract) will be treated as a binding contract where the affiliation between the parties to the contract is ended before June 30, 1969.

THE STRATEGY OF DEFEAT

Mr. MUNDT. Mr. President, I have just read in the Daily Plainsman, published in Huron, S. Dak., the column written by Roscoe and Geoffrey Drummond on the issues in the Vietnam debate.

This column spells them out clearly and concisely. The article is short enough for anyone to read and to understand. I hope that the people who sit on the Capitol steps tomorrow will read what these men have to say.

If there is one thing on which there are more arguments based on improper assumptions than the Vietnam situation, I do not know what it is. President Nixon has shown the way. He has withdrawn troops, he has cut the draft call for 3 months, and he has invited Hanoi to show some like action. Thus far, the Communists have not done much to deescalate the war.

But the final warning in this column is the one devastating point that all should consider, supporters and critics alike:

> If the critics of careful and staged withdrawal of American troops keep mounting new pressures to force the United States to break every deadlock with new proposals, that is the tactic by which the United States makes all the concessions and the other side none. The end of that road is to throw away the peace before negotiations are ever started.

I ask unanimous consent that the column be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

FACTS OUTLINED TO CLEAR UP DISTORTIONS IN VIET DEBATE

(By Roscoe and Geoffrey Drummond)

Washington.—Debate on Vietnam is so distorted that it is urgent to get the facts into the open.

The nation is surfeited with conflicting arguments which neither meet nor answer each other.

The purpose of this column is to bring out the pertinent facts in order to judge better where good sense lies.

THE CRUCIAL ISSUE

Argument—Many Vietnam critics claim the only thing that counts is for the United States to pull out completely now, certainly far faster than President Nixon is moving. That's easy, isn't it? Why not?

Answer—There are two goals, not just one. They are to turn more and more of the fighting over to South Vietnam and to do this in a way and at a pace to bring about serious negotiation and a peaceful settlement of the war. Both are crucial.

If you believe that surrendering the peace in South Vietnam to Hanoi is acceptable, then mass withdrawal, whatever the consequences, is the way to do it.

If you believe that the shape of the peace is vital, then careful, prudent, staged withdrawal is the way to do it.

FAIR ELECTIONS

Argument—Critics argue that "there can be no fair elections in South Vietnam under the supervision of the South Vietnamese regime."

Answer—The free elections proposed by Washington and Saigon would not be under the supervision of the South Vietnamese regime. They would be internationally supervised, and Hanoi has opposed such free elections because it doesn't want international supervision.

COALITION

Argument—It is argued that Hanoi and the Viet Cong cannot be assured free elections unless a new "coalition government," including the V.C., replaces the present elected government before any new election is held.

Answer—If the purpose of Hanoi and the V.C. in demanding a pre-election coalition is to ensure elections fair to all, this condition has already been met.

Presidents Nixon and Thieu have already proposed a "coalition commission" on which the NLF and the Saigon government would be equally represented along with international supervisors.

HANOI'S REAL PURPOSE

Argument—It is often argued that the demand of the Communists for participation in the government of South Vietnam prior to elections is a reasonable, innocent precondition to holding elections.

Answer—This demand is made to sound innocent and reasonable by not stating what the Communists are really demanding. They are demanding that the elected Thieu government be ousted. They are demanding that the organized non-Communists be removed from office. They are demanding that the Viet Cong through the NLF be allowed to create a new government (without elections) in coalition with unorganized non-Communists who would be without any political structure, without leaders and without any military force.

The objective of such a coalition is a negotiated Communist takeover.

PEACE VERSUS COUNTERFEIT PEACE

Argument—It is often argued that the way to get serious peace negotiations moving in Paris is to make more concessions to Hanoi and the V.C.

Answer—If the critics of careful and staged withdrawal of American troops keep mounting new pressures to force the United States to break every deadlock with new proposals, that is the tactic by which the United States makes all the concessions and the other side none.

The end of that road is to throw away the peace before negotiations are even started.

TESTIMONY OF STANLEY SURREY BEFORE COMMITTEE ON FINANCE

Mr. KENNEDY. Mr. President, as the current debate on tax reform in the Senate enters the new phase of executive sessions in the Committee on Finance, many of us are already beginning to anticipate the long-awaited opportunity to participate in the debate when the committee bill reaches the Senate floor.

I have recently had the opportunity to read the testimony of Prof. Stanley Surrey of the Harvard Law School, formerly Assistant Secretary of the Treasury in

the administrations of Presidents Kennedy and Johnson, and one of the foremost experts on Federal tax policy in the Nation. In his testimony, which was given before the Finance Committee at the end of last month, Professor Surrey deals clearly and succinctly with almost all of the most controversial issues in the tax reform bill passed by the House. I believe that his testimony will be of interest to all of us in the Senate who are interested in the cause of tax justice. I ask unanimous consent that the testimony be printed in the Record.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

SUMMARY OF STATEMENT

(By Stanley S. Surrey)

The Tax Reform Act of 1969 is a very significant step forward in the accomplishment of the vital task of reform of the Federal tax structure. It is not the end of the road, but it is a major beginning that takes us a considerable way forward. In the area of tax reform, major beginnings are certainly major events.

INDIVIDUAL INCOME TAX

The House Bill is a major step forward in beginning to meet the problems of tax reform under the individual income tax:

As to *low-income taxpayers*, the Bill fully meets the problem of the present system, that of taxing those below the poverty level and placing unfair burdens on those low-income families above that level.

As to *middle-income taxpayers*, the Bill meets the major goal of restoring tax simplicity and tax equity in the case of the personal deductions by significantly increasing the standard deduction. The Bill could be improved by revising the tax treatment of the elderly and disallowing the gasoline tax deduction.

As to *high-income taxpayers*, the Bill commences in a significant way to restore tax fairness through its elimination of the unlimited charitable contributions deduction; its removal of the alternative rate on capital gains and the extension of the six months holding period to a year; its provision for future issues of taxable state and local bonds; its partial cut-back on the tax preferences accorded real estate—a cut-back which should be pushed further; and a number of other special matters. Its adoption of the minimum tax or limit on tax preferences and allocation of deductions provisions provides a partial offset to the remaining preferences that will, if properly implemented, serve to prevent the gross escapes from tax that are now prevalent. But these two provisions as presently structured have serious omissions which should be corrected.

The Bill *falters seriously* in its treatment of farm tax losses and embarks on an unwise approach in placing a 50% limit on the top marginal rate applicable to earned income. It also unwisely introduces a new tax incentive in the five-year amortization of certain rental housing rehabilitation expenditures.

CORPORATION INCOME TAX

The House Bill is a significant step forward in beginning to meet the problems of tax reform under the corporate tax:

With respect to the industries with the present lowest effective rates:

As to *financial institutions*, the Bill brings the effective tax rates of the commercial banks, mutual savings banks and savings and loan associations closer to those paid by business generally, and also reduces the range of differences within these institutions themselves.

As to *natural resources*, the Bill reduces the percentage depletion rates by about 25% and ends the abuses associated with mineral production payments. But it fails to deal with the aspect of intangible drilling expenses in the oil industry and the tax preference accorded to timber.

With respect to *other preferences:*

The Bill ends the tax escape now provided for multiple corporations.

The Bill cuts back on the tax preferences accorded to real estate.

The Bill strengthens the rules governing foundations and other tax-exempt organizations.

But the Bill has a *serious weakness* in the addition of new tax incentives:

The five-year amortization for pollution control facilities.

The five-year amortization for housing rehabilitation expenditures.

The seven-year amortization for railroad cars.

PESSIMISM AND TAX BENEFITS

There is no one so pessimistic about the future of the country as an industry or taxpayer faced with losing a tax preference. These Hearings seem replete with industries and taxpayers who can see only gloom ahead. The correlation between pessimism and tax benefits is indeed high, for these prophets of gloom assert that their pessimism for the future should be reflected in continued or increased tax preferences.

Most of the pessimism is self-assertion, for there are few, if any, studies that document the beliefs. All see the tax system as a device to pour out financial assistance to industries and activities that do not want to trust to the marketplace. The accent is not on private enterprise, but on private enterprise plus tax assistance. None is willing to pull back on the preferences so we can see if the pessimism is really warranted and to see if Government assistance is really needed. And then, if the assistance is really needed, to see it provided through direct expenditure programs.

It should be clear by now that this tax incentive rationalization, this infusion now of social goals into tax provisions adopted long ago without any thought of incentive or social programs or the like, can only be destructive of an equitable tax system and an efficient use of Government resources. It is the proper course now to cut back these tax incentives and await the future. The House Bill is a good start and should be pushed forward, not stripped back.

RATES OF TAX AND REVENUE COST

Those first in line for tax relief when reduction is considered feasible, are the low-income taxpayers. Those next in line are the middle-income taxpayers not itemizing deductions for personal expenses. The House Bill fully meets these two claims for relief. It then goes on to reduce tax rates throughout the rate schedule. The result is a total long-run revenue loss of $2.4 billion.

Looking ahead to 1979, such a loss is hardly significant, considering the hazards of revenue estimates. In all likelihood such a tax reform bill cannot provide a net revenue gain, even though an appraisal of national priorities would put more emphasis on expenditure programs than such a large tax reduction. But aside from this thought, the margin for concern about the revenue aspects, i.e. the $2.4 billion loss in 1979 considered as an absolute matter, is small. The Treasury appears to recognize this, for its changes would leave a revenue loss of $1.3 billion—the difference of $1 billion is hardly cause for major economic judgments.

The important matter is the composition of the tax reductions. The Treasury approach to the House Bill is to make the across-the-board individual rate reduction paramount and to strip back the relief for low and middle-income families. This is an upside-down view of the priorities for tax relief, a misstating of priorities, and a negation of the essential task of tax revision. The House Bill approaches that task properly by giving full relief to those first in line for it.

The tax liability reduction under the Treasury approach shows a large reduction in the $0–$3000 bracket and then proceeds to a relatively flat decline from $5000 on to $100,000. In contrast, the House Bill shows significantly larger reductions up to the $20,000 bracket than the Treasury approach, and the slope of the tax reduction is far from flat. There is no question but that the House Bill has a fairer distribution of the tax reduction.

The Treasury approach, after cutting back the reductions in the low and middle-income brackets, is then to use the revenue so obtained to reduce the corporate tax rate by two points. Such a change is not defensible on tax equity grounds or on economic stabilization grounds. The Treasury desire to remove the investment credit was based on the ground that capital formation was at a high level now and no general investment incentive was needed. From a stabilization standpoint there is no point in substituting a corporate rate reduction for the investment credit.

As to future growth and the relative balance between consumption and investment, we can afford to wait a bit until the present inflationary pace really wears away to see if capital formation will then lag. If it does, a resort again to an investment credit can be more meaningful than corporate rate reduction. There is no point now in choosing weaker devices on the assumption that capital formation may later need strengthening.

CONCLUSION

The Ways and Means Committee and the House have taken a significant step forward to the goal of a fairer and simpler Federal income tax. It is now up to this Committee and the Senate to make that step a decisive one. The House Bill is a fine structure to build upon. It can be strengthened in a number of ways and these weaknesses should be corrected. But its many, many strengths should be retained.

STATEMENT BY STANLEY S. SURREY BEFORE THE COMMITTEE ON FINANCE, U.S. SENATE, ON THE TAX REFORM ACT OF 1969, H.R. 13270, SEPTEMBER 25, 1969

I appreciate the opportunity to appear before this Committee in the Hearings on the Tax Reform Act of 1969.

The Tax Reform Act of 1969 is a very significant step forward in the accomplishment of the vital task of reform of the Federal tax structure. It is not the end of the road, but it is a major beginning that takes us a considerable way forward. In the area of tax reform, major beginnings are certainly major events.

Major tax bills are bulky, complex documents replete with technical language. It is often difficult to obtain an overall perspective regarding the basic aspects of such a bill—the significant changes that are involved, the degree of progress or retrogression in improvement of the tax structure, the swing of the pendulum toward tax simplicity or tax complexity. I believe it would be helpful in obtaining perspective on the effectiveness of this bill in achieving tax reform to consider first the dimensions of tax reform—that is, what are the problems or issues of tax reform—and then to see what the bill actually does in meeting those problems and issues.

INDIVIDUAL INCOME TAX

I will start first with the individual income tax. A consideration of the dimensions of tax reform under the individual income tax indicates that several distinct factors are involved. Some factors are paramount for one group of taxpayers, while other factors predominate for the remaining groups. These different factors, of course, call for different approaches. Hence, I will separate these considerations into three broad taxpayer classes—low income, middle income and high income—and discuss the factors that are relevant to each group and the pertinent provisions of the House Bill.

LOW-INCOME TAXPAYERS

The significant factor regarding low-income taxpayers is that the individual income tax is imposed on people whose incomes fall below the poverty line, and also bears heavily on those close to the line. Since that line is intended to measure the levels of income, by family size, which are barely sufficient to provide the necessities of life, there is justification for concluding that the income tax should not reach down below those levels. While poverty line definitions are to some extent arbitrary, so also is any cut-off utilized under the income tax, and the poverty line classification can well be used as a presumptive point for fixing the line of exemption from the income tax. The present income tax exemption levels, based on the combination of the $600 per person exemption and the minimum standard deduction, are considerably below the poverty line levels, especially for single persons and married persons with no or few children. Thus, a single person with income above $900 is subject to income tax, and yet the poverty line for single persons is around $1700; a married couple pays tax if their income is above $1600, whereas the poverty line is about $2200. There are about 2.2 million families in poverty who are now subject to tax.

The income tax change best designed to relieve this situation is to increase the present *minimum standard deduction*. Revision in the amount of that deduction will concentrate the revenue involved in the lowest income group and among single persons and married persons with small families, where, as stated above, we find the widest disparities between the present income tax exemption levels and the poverty line. No other tax change—increase in personal exemption, decreases in tax rates, etc.—will accomplish this purpose with the same effectiveness. The revenue cost depends on the amount of increase that is made in that deduction and the manner of its application.

The House Bill fully meets this problem of tax reform for the low-income taxpayers. It raises the present minimum standard deduction from $200 (plus $100 for each personal exemption) to $1100 per taxpayer, effective in 1971. (The name is changed from "minimum standard deduction" to "low income allowance.") The effect of the change is to place the start of the income tax at essentially the poverty level—thus fully exempting those below that level—and to give substantial tax relief to low-income families in the area above the poverty level.

This approach is far preferable to that contained in the earlier version of the low-income allowance (H.R. 12290) which involved a scaling-down of that allowance, so that it eventually disappeared and only the present minimum standard deduction remained. Such a scaling-down is retained in the current House Bill for 1970 and a modified permanent scaling-down has been recommended to your Committee by the Treasury Department. But a scaling-down approach is decidedly undesirable in meeting the problems of low-income taxpayers. While the initial allowance does exclude those below the poverty level from the income tax, the scaling-down has the effect of providing less relief to those low-income families above the poverty levels and far less overall relief to the lowest brackets than does the undiluted approach taken in the House Bill for 1971. Thus, that Bill achieves $2.6 billion of tax relief for these low-income families as compared with only $625 million under the scaling-down approach in 1970 (the original Treasury approach) and only $920 million under the latest Treasury scaling-down proposal.

The scaling-down approach also has the decided disadvantage and unfortunate effect of providing a high rate of tax for all low-income taxpayers who remain subject to tax. Thus, in 1970, under the general rate scale in the House Bill (which is the same as present law) the first bracket rate on income above the exempt level is 14% on the first $500, 15% on the second $500, 16% on the next $500, and so on. Under the scaling-down approach in the Bill, however, the rates in effect for 1970 are much higher—for example, the starting rate really becomes 21% instead of 14%. Thus, under the new table for that year, a single person is exempt if his income is below $1700. As he earns income in excess of $1700 his tax rate is 21% on the first $500 earned, 22½% on the next $500, and 24% on the next $500. The same effect exists for married persons. This is because the taxpayer not only pays tax on each dollar he earns, but each such dollar also adds $.50 more to his taxable income because his low-income allowance is sliced $.50 for each $1 of income. These high rates do not show up in the law or tax returns because the tax is stated only in table form—nor are they discussed in the House Committee's Report or the Treasury proposals. But the disadvantage of very high marginal rates for these brackets exists under the scaling-down approach. Fortunately, the House Bill in 1971 eliminates the scaling-down and thus eliminates these high marginal rates for that year and thereafter.

However, under the permanent scaling-down approach now recommended by the Treasury, the aspect of high marginal rates would persist. The scaling-down is slower—the low-income allowance would be sliced $.25 for each $1 of income—and the marginal rates would not be as high as in 1970, but they would be high. Thus, in 1971, when the general rates are stated to be 13% on the first $500, a low-income person subject to tax would under the Treasury approach actually have a rate of 16¼% on *his* first $500 of taxable income; when the general rate is 14% on the next $500, the low-income person would actually have a rate of 17½% and so on. Thus, for low-income taxpayers, the tax tables under the Treasury scaling-down really involve actual tax rates 25% higher than the rates used in the general rate tables and which people presumably think are the rates applicable.

It is right to exempt from tax completely those persons whose incomes are below the poverty level. It is not right—as the Treasury would do—to tax at high rates those persons whose incomes are just above the poverty levels. The House Bill in rejecting a permanent scaling-down is thus distinctly preferable to the Treasury recommendation to use that device.

MIDDLE-INCOME TAXPAYERS

In 1944 the Congress took a major step to improve the simplicity and fairness of the individual income tax when it adopted the standard deduction—at 10% of gross income up to a maximum deduction of $1000. This standard deduction was then used on about 82% of the tax returns. This action had two consequences: From the standpoint of simplicity, for the great mass of taxpayers the computation and record keeping under the income tax were greatly simplified. From the standpoint of fairness, for this group variations in deductions for personal expenses would not affect tax liabilities so that the tax burden was the same within the range of the average for these deductions. Only those taxpayers with personal expenses above the average could affect their tax liabilities through those expenses.

Since 1944, however, these important gains in simplicity and equity have steadily eroded away. In 1969, it is estimated that only 57% of tax returns will utilize the standard deduction. In the intervening years, average deductions have risen, making the 10% figure inappropriate, and incomes have also risen, making the $1000 limit inappropriate; yet those two aspects of the standard deduction have remained unchanged. The result is increased complexity for taxpayers, and a greater spread of actual tax liabilities for taxpayers largely similarly situated.

It must be remembered that many taxpayers who actually bear the burdens of these personal expenses cannot obtain the itemized deductions for those expenses since they do not directly pay the items, such as tenants who in their rent bear the costs of property taxes and interest. In these cases, the purpose of the standard deduction is to prevent serious unfair distinctions in tax burdens. And even where there are actual variations in personal expenses, the precise reflection of those variations in many cases would produce only small tax differences, whose reflection in tax liability is out of all proportion to the complexity involved in keeping track of the items. This is especially so where the deductible personal expenses themselves raise qualitative judgments on which people differ. In these cases, the standard deduction serves to prevent taxpayers from being involved in excessive costs to obtain at best minor equity advantages.

As a result, our goals of simplicity and fairness point in the case of this group of taxpayers—those with incomes from about $7000 to $25,000—to a revision which would restore, as far as possible, the effectiveness of the *standard deduction*. This step requires both an increase in the 10% figure and the $1000 limit, and the revenue cost involved depends on the extent to which these amounts are increased.

The House Bill here also meets the problem of tax reform for this group of taxpayers. It increases the standard deduction to 15% by 1972 and raises the limit to $2000. The effect, in combination with other changes in the Bill, would be that about 80% of returns would again be using the standard deduction. This is clearly a major gain in both tax fairness and tax simplification.

The Treasury recommendation to your Committee to increase the standard deduction only, to 12% and $14000 is a decidely inferior approach and should not be adopted.

A word as to revenue costs and the priorities for tax reduction may be appropriate here. The $1100 uniform minimum standard deduction or low-income allowance with no scaling-down costs $2.7 billion under the House Bill. The 15%–$2000 standard deduction costs $1.3 billion. The revenue is well spent, however, and goes to the persons under the individual income tax who held the top priority for tax relief when revenues for that relief became available, as they do under this Bill. These are the people who are first in line for tax relief, for they are treated unfairly and less favorably than other taxpayers under the present law—the low-income groups who can least afford the income tax burden and the middle-income groups who do not benefit from itemized deductions.

The Treasury, however, seems to have an upside-down view of the priorities for tax relief. It gives top priority to the across-the-board rate reduction under the House Bill in the individual tax of $4.5 billion, stating that it "represents reasonable, equitable tax relief" because it "does not discriminate between itemizers and non-itemizers, between homeowners and tenants" and so on—"it provides even-handed non-discriminatory relief."

But the task of tax reform and tax revision—when taxes are being reduced—is to see whether the present treatment is fair or unfair and to correct injustices first rather than simply uniformly to change tax rates. Such a uniform adjustment is appropriate in a temporary measure adopted for economic stabilization reasons—a 10% surcharge (though even here the lowest brackets were exempted) or a 10% reduction to avoid a recession. There the task is not to change existing relationships and not to consider basic tax policy issues—these are to be left to permanent tax recision. But now we are engaged in just such a revision where the task is that of examining just who is treated more favorably and who less favorably under the tax system. To approach such a fundamental revision by saying, as does the Treasury, that the first tax priority is across-the-board rate reduction would mean we would never really ever deal with the basic issues in an adequate way. The Treasury approach is thus a misstating of priorities and a negation of the essential task of tax revision. The House Bill approaches the matter properly by giving full relief to those first in line for it.

Several additional matters not in the House Bill may be mentioned with respect to the middle-income groups. Another step that can achieve simplicity, and also is in keeping with tax fairness, would be to eliminate the deduction for *state gasoline taxes* where the item is a personal and not a business expense. Like the non-deductible federal gasoline tax, the state gasoline tax is essentially a charge for the use of highway facilities and, therefore, should not be deductible. This step is now recommended by the Treasury.

Simplification and fairness for this group also call for a complete revision in the *tax treatment of the elderly*. The present rules are a maze of complexity adding up to a full page on the tax return. They also involve unjustifiable discriminations among the elderly through differing tax treatment for different sources of income, here bearing adversely on those elderly who need to continue working after reaching age 65. Further, they provide unneeded tax relief for those elderly who are well-to-do. The February Treasury Proposals involved a complete revision of present rules, with a revenue cost of $80 million.[1]

HIGH-INCOME GROUP

Breakdown in Fairness. The problem presented in the high-income group is a complete breakdown in the fairness of the individual income tax. A few examples will illustrate this:

In 1967 there were 155 tax returns with adjusted gross income above $200,000 on which no income tax was paid, including 21 returns with incomes above $1 million. But these figures do not measure the full degree of tax escape at this level. If *actual* incomes were used rather than *adjusted gross income*—so that items such as tax-exempt interest, full capital gains, excess percentage depletion, farm "tax losses", excess real estate depreciation, and intangible drilling expense deductions were included in the total amount of income—the number of individuals with incomes above $200,000 and $1 million who are paying no tax would be higher. This figure would provide a more accurate description of the escape from tax in this group. Thus, some individuals who now show up in Statistics of Income below $200,000 and even in the $0–$3000 bracket or with a loss, and who are paying no tax, would—if these excluded items were added to their adjusted gross income—be in the above $200,000 group and even above $1 million—and still, of course, be paying no tax. Present data, however, presumably do not permit a statistical reclassification on this basis.

For those who pay tax, in the group with over $1 million of *actual income* (before personal expense deductions), the effective rate of tax for about 75% of the group clusters in the area between 20% and 30%.[2] This may be compared with taxpayers in the group between $20,000 and $50,000 of actual income, where about 60% [3] cluster in the same effective rate area between 20% and 30%, yet the $1 million and over group per taxpayer have probably over 50 times as much income.

For taxpayers up to the level of $50,000 of *actual income,* although there is dispersion within each group, the central range of effective rates moves upwards as income rises; for groups above $50,000, this upward movement in effective rates begin to flatten; and above $100,000 the central range of effective rate moves backwards to produce the results described for the $1 million and over group.

The obvious departure from the ability to pay concept and from elementary standards of fairness is self-evident in these statistics. Whether a person is below the poverty line, whether he is in the group between $20,000 and $50,000, or whether he is in-between, he is certainly warranted in feeling that the income tax is not working fairly.

Causes of Unfairness. I would like to turn from these overall evidences of unfairness to the causes of high incomes showing these low rates or complete absence of tax, since the causes will point the way to possible approaches for correction.

In overall effect, the causes lie in a combination of *excluded income items* and the *method of applying itemized deductions*.

As to the *excluded items,* looking at the significant ones, the list covers:

The excluded half of realized capital gains;

Interest on state and local bonds;

Accelerated depreciation largely on buildings;

Deduction for unlimited charitable contributions; (almost entirely of appreciated securities whose gain is not taxed);

Farm "tax losses";

Excess of percentage depletion over cost of investment; and

Intangible drilling expenses of oil wells.

For many persons, these items singly or in combination bring the tax to zero. Thus, for somewhere around 50 to 75 persons, the unlimited charitable deduction benefit simply eliminates tax.[4]

For others, percentage depletion or intangible drilling expenses; [5] real estate deductions, mainly accelerated depreciation; [6] or farm "tax losses" [7] are the factors that produce a zero tax.

For a large group, the effect of these items while not completely eliminating tax, is to reduce the taxable income considerably below the actual income. Then another factor enters—these persons usually have *large personal expense deductions* which they itemize. These itemized deductions are offset against the remaining *taxable income,* and in no way are allocated to the *excluded income,* although excluded as well as taxable items are a source for the itemized deductions. Hence, the full force of the *itemized deductions* is concentrated against the *taxable income* and the result is a very low or even zero tax.[8]

The interest deduction, usually arising from loans to carry capital assets which result in excluded income or no current income, is here an important factor. So also is the general charitable contributions deduction, which for this group usually involves not cash gifts but gifts of securities whose appreciation is not taxed though the appreciated value measures the deduction.

This steady deterioration of income taxation in the case of high-income individuals has been hastened by the "institutionalization" of tax escapes. The "packaging of tax shelters" by investment houses, brokerage organizations, and others has made these shelters readily available to those with incomes high enough to utilize their attractions. Just as in the case of the stock market, geography is not a factor—the possessor of a tax shelter can live thousands of miles away from his cattle or his oil well or his orchard or his post office and in fact may never see them at all. It is clear that whatever may have been the origin of these shelters, it was no one's intent—in the executive branch or in the Congress—that this supermarket era of tax shelters was to be the end result.

These are the causes of unfairness—what are the solutions adopted in the House Bill?

HOUSE BILL SOLUTIONS—MATTERS DEALT WITH DIRECTLY

Some of the items permitting escape from tax are dealt with directly in the House Bill.

Unlimited Charitable Deduction. The House Bill would, and properly so, eliminate the unlimited charitable deduction after a transitional period. While superficially this deduction may seem to have a certain appeal when loosely described—a person must give away 90% of his income—in actual effect the individual is not giving away income or assets but giving away his tax. The assets actually contributed are nearly always appreciated securities whose gain is untaxed and the income made tax-free is generally dividend income otherwise subject to a rate around 70%. I see no reason why one group of persons is permitted to give their tax to any charity they choose while others are required to pay their tax to the Federal Government. If all of us could choose either to pay our income tax to the Government or give it to our favorite charity we would have tax anarchy. This being so, no special group should be permitted this choice. The question of how large a tax subsidy should be given to charitable organizations under the income tax is one to be decided by the Congress. For most everyone this is controlled through the limit, now 30% of adjusted gross income, on the charitable deduction. This limit can be changed; the House Bill uses 50%. But the limit should apply across the board. All who have ability to pay should pay some tax to the Federal government, rather than be permitted to select a charity to the exclusion of the Federal government. Certainly, if only for the reason of tax morality, this should be true for our wealthiest persons. The House Bill properly ends the unlimited charitable deduction.

Capital Gains. The House Bill would reduce the tax preference for capital gains by lengthening the holding period from six months to a year and eliminating the 25% alternative rate. These changes are proper improvements in the treatment of capital gains and their justification in terms of tax equity is clear. Most economists have for years urged at least changes along these lines. Equally, most economists who have studied the matter would find unconvincing the assertion that such moderate changes would have the calamitous effects on investment that critics of the changes usually charge.

The Treasury's objection to these changes is also cast in terms of effects on investment: "These changes . . . impose too great a burden on capital investment. The effect of the Bill would be to remove a large measure of the incentive for private capital to engage in new and expanded business ventures. Present capital investments would tend to be frozen and the economy as a whole would suffer." But these dire forebodings are strange indeed when placed alongside its actual recommendations. For the Treasury is obviously aware that the capital gain preference is the single most important factor in permitting high income persons greatly to reduce their effective rate of tax, so that the equity and fairness of the tax system are markedly reduced. Hence, it recommends a complex limitation on the use of the 25% alternative rate which is in effect a special minimum tax applicable to capital gains. Under this approach the revenue gain in the capital gain and loss area would be $425 million—or about 66% of the House Bill gain of $635 million. It is hard to see how this $210 million additional gain under the House Bill—less than 1% of the present yield from capital gains

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taxation of individuals—can have the adverse effects on investment painted by the Treasury. In this light, the House Bill approach, which is direct and far simpler, is to be preferred.[9]

We should recognize that the most serious aspect of our present capital gains policy is the permanent escape from tax of appreciation in assets transferred at death. Correction of this defect remains a matter of top priority. The House Committee Report states that reform measures relating to revision of the estate and gift tax laws and the related problem of the tax treatment of property passing at death will be studied as soon as possible, with a bill to be reported in this Congress. The accomplishment of this objective will move us considerably further along the road of meaningful tax reform.

State and Local Bond Interest. The House Bill begins to come to grips with the difficult matter of state and local bond interest—difficult because of its history and its place in federal-state relationships. The issue is clear: The present exemption for interest on state and local bonds has the general effect of a blanket, no strings attached, federal grant-in-aid to the issuing governments. It is achieved by giving tax favoritism to high-bracket individuals with conservative investment instincts, to commercial banks, and in lesser degree to some other financial institutions. The state and local governments clearly desire the general effect to continue. Those interested in the federal tax structure deplore the method of achieving this effect because of both the tax favoritism and the inefficiency or wastage involved in resorting to the technique of favoritism, in that more federal tax revenue is lost than the local governments obtain in aid. The federal revenue lost annually through the exemption is about $2.63 billion. The aid annually obtained by the states and local governments—the amount saved through the lower interest rates on tax-exempt bonds—is about $1.9 billion. (Parenthetically, to put this form of federal aid in perspective, the total amount of grant aid to states and localities is about $25 billion.)

The state and local governments carry no brief as such for the federal tax windfalls and the wastage. Up to now, however, they have not seen any other mechanism which can achieve for them the general effect that the tax exemption produces. But the future heavy financial demands on state and local governments will diminish for them the amount of the grant-in-aid that the tax exemption mechanism produces. The restraint on the scope of the market for their bonds that tax exemption involves will cause their interest rates to rise. At the same time, the tax favoritism perversely is increased.

The inefficiency inherent in the use of the tax exemption mechanism to achieve the grant-in-aid will thus hurt all the governments involved. They now have a common interest in finding a better path to the grant-in-aid.

The House Bill provides the solution of taxable bonds issued on an optional basis by state and local governments. The federal taxation of these bonds would remove the present tax unfairness. Since the interest costs on taxable bonds would be higher than on tax-exempt issues, the Bill continues the aid to the states and localities by authorizing the Treasury to pay from 30% to 40% of the interest cost (25% to 40% after 1975). The payments would be to the issuing governments periodically as interest falls due. The payments would be automatic, with no strings attached. Hence, the automatic non-Federal control of the present aid would continue. The issuance of taxable bonds would be optional, so that the privilege still to issue tax-exempt bonds would remain.

It is difficult to see how states and localities can lose under this arrangement. On the contrary, depending on the level of the Treasury's interest payments, they could readily gain much through actual interest costs on their part becoming less for most localities than the interest costs on their existing tax-exempt bonds. The Treasury could even make its payments around 45% or 50% of the interest without losing any money. It would then simply be turning over fully to states and localities the amount that today goes wasted—the difference between the earlier figures of $2.63 billion federal revenue lost and $1.9 billion state and local interest savings annually.

There can be improvements in the provision, perhaps fixing on a definite percentage of aid rather than letting the Secretary vary the figure. There can be problems of transition and adjustment. These are inevitable and all should work together to meet them. Also the present difficulties plaguing bond issuers, growing out of the unusually high interest levels reflecting inflationary forces and counter measures, should not cause us to lose perspective on the long-run aspects. Further, while there may well be shifts in the traditional patterns of investment dealer relationships and mechanisms, these shifts are hardly a matter on which to base policy objectives. There can be other alternatives to pursue, such as an Urban Development Bank. But these alternatives need not be competitors, but complementary solutions.

The matter must be kept in perspective. The House Bill offers a present, rational approach regarding future issues of state and local bonds. It should be accepted in this light and efforts made to perfect it rather than seek to tear it apart and strike it down. A solution of this character would both materially lessen the federal tax unfairness as future issues go out on a taxable rather than a tax-exempt basis and provide greater interest savings to states and localities without any federal control of their debt obligations.

Farm "Tax Losses". The House Bill unfortunately falters severely when it comes to the matter of farm tax losses. The abuses in this area have been well publicized. Essentially, Treasury regulations permit farmers to expense items which are capital items and so treated under commercial accounting principles—items such as the costs of raising livestock and the costs involved in the pre-operation stage of orchards and ranches. (There are other departures from financial accounting, such as the ability to use the cash method though inventories are involved). The ability to expense items that are capital in nature gives rise to current deductions that are in excess of the current income from the cattle or orchard or other activity. These excess deductions—"tax losses"—are quite valuable when other non-farm income is present, since the farm "losses" can then shelter that non-farm income from tax and thus leave the non-farm income—be it executive salary, investment house or brokerage commissions, dividends and so on—free of tax. The tax picture is made all the sweeter by the statutory treatment of the sale of the products involved—the cattle or the orchard—as a capital gain transaction, so that at the end of the road can be 25% tax rates and not ordinary income rates. And the main road of tax shelter need have no end—one herd of cattle can be sold and another started, one orchard sold and another planted.

Wealthy non-farmers have been made increasingly aware of the wonders of this tax system, under which the Government actually pays the non-farmer money just to own the cattle or orchard and the wealthier he is the more it pays him. These farm rules are thus a "negative income tax" for well-to-do non-farmers. The absurdity of the present rules is disclosed by data that show that as people rise in the income scale they would appear to have a remarkable propensity to run their farm operations at a loss—the greater the income from non-farm sources, the greater the loss from farm operations. Since the data also indicate that people with high incomes do not show losses on other business ventures, we can hardly conclude that when they go into farming, they uniformly stumble around and actually lose money due to mismanagement or bad investment decisions. Rather, when we observe the extensive literature which explains how wealthy people can save after-tax dollars through showing "tax losses" on farm operations, which really involve an actual net investment in the farm, and then shielding other income with those "losses", it is obvious that the prevalence of these "losses" is evidence of extensive use of a tax abuse.

The House Bill essentially does very little about this—it raises $20 million when an adequate approach would produce at least $150 million. Its defects are two-fold: It continues to allow these artificial farm "tax losses" to be used *currently* but then would recapture them (the "excess deduction account") on any later sale of the assets by treating the gain on sale as ordinary gain rather than capital gain to the extent of the prior losses. The House Bill, by allowing artificial losses *currently* to be offset against and thus shelter non-farm income, permits the tax on that income to be *deferred* until a later date. For people in the upper brackets, tax deferral by itself is a valuable asset—the Government in effect makes an interest-free loan of the tax amount and such loans in these days of 9% and 10% money are quite beneficial. In addition to this basic defect of structure in its solution, the House Bill imposes severe limits on the use of the solution: the farm loss must exceed $25,000 and the non-farm income exceed $50,000.

In contrast, Senator Metcalf and others have suggested a far better approach. This approach would not allow these artificial "tax losses" to be used currently, so that there would be no shelter of non-farm income. On any sale of the farm assets, the losses could then be used to offset any gain on that sale. His bill uses a limit of $15,000 of non-farm income, and this exclusion is phased out.[10]

The proper course in the farm area is to reject the House Bill approach and follow Senator Metcalf's approach.[11]

Real Estate. In many respects the real estate area is like the farm area, except that "real estate tax losses" are used as the shelter rather than "farm tax losses." The present tax laws grant excessively favorable accelerated depreciation to buildings, which provides far more rapid write-offs than straight-line depreciation. This excessive depreciation deduction, on top of the other expense deductions for interest and taxes, not only relieves real estate rentals from tax, but is so large that it spills over and shelters non-real estate income tax.

The investor is in many cases not interested in "cash flow" from the building but in "tax flow"—how much by way of deductions for interest on the mortgage, real estate taxes, and accelerated depreciation will the building generate so that the resulting "tax losses" (deductions in excess of rental income) can offset dividend income, professional fees, salaries, etc., and thus "shelter" the latter from tax. The real estate shelter is especially attractive because all these deductions belong to the equity investor. Generally the equity investor can obtain a high leverage effect. Further, through deductions of interest and taxes during the construction of a building, he can often recover his equity investment before the rental lease even starts, so that the deductions available during the lease are all a return on investment. The rental under the lease will take care of the mortgage and real estate taxes.

For these reasons, the real estate shelter—office buildings, motels, shopping centers, post offices, high rise apartment houses, in-

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dustrial buildings and so on—has had a broad attraction. Thus the announcement of the Government's decision to build a major post office is also a major event in the halls of those institutions that package tax shelters. Post Offices are privately owned and leased to the Government, thus making the real estate shelter available to the syndicate members who own the facility. The data, though not as complete as one would like, point to a far wider— and still rapidly widening—use of the real estate shelter than is generally realized. In fact, the use of this escape route may rank just after the capital gain factor in magnitude.

The House Bill makes a start on attacking this problem. It reduces accelerated depreciation on all new buildings, except new rental housing, to 150% declining balance depreciation instead of 200% declining balance and it limits used buildings to straight-line depreciation. It also applies the present recapture rules of personal property to real property, so that depreciation in excess of straight-line depreciation is recaptured on sale by converting capital gain to ordinary income to the extent of the excess.

The allowance under the House Bill of 150% declining balance depreciation for new buildings is still on the over-generous side, and straight-line depreciation is more appropriate. Another desirable step would be to require the capitalization of interest and taxes paid during construction. The present option to expense these costs is at variance with proper accounting procedures and operates to accentuate the real estate shelter. The current deduction of these capital costs often returns to the investor nearly all of his equity investment at the outset. With nothing in effect at risk, the benefits of excessive depreciation are pure tax profit to him.

The House Bill does not change the depreciation provisions applicable to rental housing, though no reason for the exception is advanced. The Government does have an interest in encouraging rental housing. Government non-tax programs to aid such housing, however, do not indiscriminately apply to all housing, but focus instead on housing for low and middle income families. The House Committee Report itself criticizes the use of tax benefits for luxury housing:

"In the housing field the tax stimuli are more effective for luxury- and moderate-income rental housing where profitability and appreciation prospects relative to risk are inherently more attractive than in lower-income housing.

The "trickle down" supply effect for the lower income rental housing market is slow and uncertain in a growing general housing market.

Capital and other resource demands engendered by the existing tax stimuli tend to expand luxury housing, commercial, office, motel, shopping center, and other forms of investment, squeezing out lower income housing."

And yet the Bill retains tax benefits for all housing, including luxury housing. There is no Government expenditure policy to aid luxury, high cost housing. Why, therefore, should we have a tax policy that in effect spends Government funds for such housing instead of concentrating Government financial assistance where it is needed. At the least, the benefits of accelerated depreciation should be retained only for the type of rental housing that is assisted under direct expenditure programs.

Even as to such housing it would be desirable to phase out the tax assistance and allow the funds which that assistance represents to be used directly by HUD in its programs. A termination date should therefore be put on this tax incentive for such housing, and arrangements explored to achieve a transfer of the funds involved at that date from the "tax expenditure budget" to the regular Budget for housing.

The House Bill introduces a distinctly unwise tax policy when it provides for five-year amortization of certain costs incurred in the rehabilitation of low-cost rental housing. This is an expensive tax incentive—the revenue cost is put at $330 million. There is no discussion in the House Report, and no study referred to, indicating that if the Government is suddenly to spend $330 million more on housing, it should be spent in this fashion. There is no indication that rehabilitation of low-cost buildings has this high a priority or that this type of program and assistance is the most effective that can be devised. Because of the difficulties involved in rehabilitation, HUD up to now seems to have given it a low priority. Scarce funds must be allocated over many needs and apparently the economics of rehabilitation are such that the money is better spent in new construction. If HUD and the Congressional Committees concerned with housing have come to this conclusion, it would seem irrational for the Treasury and the Ways and Means Committee suddenly to start spending Government funds on a different basis. Surely with other established housing programs not fully funded, a better use for this $330 million exists. It is one thing for HUD to accept money from any source and not turn down such gifts, but this is hardly a wise use of scarce Government resources.

The Treasury itself seems to have reservations on tax incentives in the housing area, for it states:

"We are concerned with the continued heavy reliance upon tax incentives as a means of achieving our national housing goals, and believe that consideration should be given in the near future to other additional methods of doing so."

Given this concern, it is difficult to perceive the wisdom of suddenly launching a new tax incentive with no study behind it and in an area that seemingly has been regarded by housing experts as having a low priority when it comes to spending Federal funds.

Together with the continued accelerated depreciation assistance for all rental housing, we presumably will be spending over a half-billion dollars through the tax system on such housing. It would be far wiser to turn these funds over to the non-tax expenditure programs of Government.

Natural Resources. I will discuss the matter of percentage depletion and other natural resources tax changes in connection with consideration of the corporate tax.

Other Items. The House Bill in a number of areas has desirable corrective provisions that will strengthen the equity of the individual income tax, which I will here merely list:

The requirement that corporate earnings and profits be computed on the basis of straight-line depreciation, thereby ending the present system of creating tax-free dividends to shareholders, especially in the public utility area, through computing earnings and profits on the basis of accelerated depreciation.

The taxing of distributions to beneficiaries of accumulation trusts and multiple trusts at the tax brackets applicable to those beneficiaries rather than, as at present, at the lower tax rates applicable to the trusts.

The tightening of the rules regarding restricted stock compensation plans.

The tightening of the rules regarding the treatment of stock dividends when two classes of stock exist and the rules regarding stock dividends on preferred stock, the changes in effect largely embodying existing regulations in the statute.

The revision of the treatment of employee deferred compensation so as to allocate its consequences for tax purposes to the years in which the compensation was earned.

HOUSE BILL SOLUTIONS—OVERALL APPROACHES

In addition to the above direct approaches, the House Bill has two overall approaches, or back-up provisions, designed to increase the fairness of the tax. These two approaches are a *minimum individual income tax* or *limit on tax preferences,* and *the allocation of deductions.*

Limit on Tax Preferences. The limit on tax preferences—or minimum income tax—is premised on the position that whatever may be the merits of the major tax preferences that are retained, of overriding importance is the principle that every individual with substantial income should pay a minimum tax toward the cost of Government that itself bears a relationship to the economic income involved. To achieve this, under the House Bill a 50% ceiling is imposed on the amount of a taxpayer's total income (taxable items plus tax preference items) that can be excluded from tax. In other words, speaking generally, if the tax preferences exceed 50% of total income, the excess becomes taxable.[12]

The tax preferences covered by the House Bill are state and local bond interest (included gradually over 10 years); one-half of capital gains; appreciation in value of property contributed to charity; excess depreciation on real estate; and farm tax losses.

Two important items are missing from this list: percentage depletion and intangible drilling expenses. These omissions are serious aspects, since for those engaged in natural resources activities, the effect of the limit on tax preferences is fully negated. There is no reason to omit these items. The theory of a minimum tax—or a limit on tax preferences—is not to pass judgment on any particular tax preference. The theory instead accepts the view that for one reason or another the particular preference is to remain. But the theory asserts an overriding concept of tax equity that there must be scope for the principle that each individual with significant amounts of income must pay some tax to the Government. Any preference, no matter how meritorious it is considered by its adherents, must make accommodation to this competing principle of tax equity. In this light, percentage depletion in excess of capital investment and intangible drilling expenses should be covered as preference items. The Treasury so suggests, though it would still exclude intangible drilling expenses of individuals whose principal business is exploration for oil and gas. Obviously such an exception is at variance with the principle of the limit on tax preferences and is unadvisable.

The Treasury suggests three additions to the list of tax preferences: interest and taxes paid during the period of construction of a building; excess depreciation in the case of a lease of equipment and other personal property; and the new five-year amortization of rehabilitation outlays for low-cost housing. The first two additions are desirable assuming the matters are not dealt with directly, which would be preferable—the interest and taxes should be capitalized as stated earlier; the lease abuse could be handled, even administratively, by a better delineation between what is really a sale by the purported lessor accompanied by a loan, since many of these leases are essentially financing arrangements, and what is a real lease. The third addition indicates the error of embarking at all on the new tax preference for rehabilitation.[13]

Allocation of Deductions. As stated earlier, income excluded because of tax preferences provides in effect a double benefit—the income is excluded and the taxpayer is then permitted to reduce his remaining income by the *full* amount of his itemized deductions. To eliminate this double benefit, the House Bill contains an *allocation of deductions* requirement. Under this provision itemized deductions must be allocated between

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taxable income and excluded income. The portion allocable to the excluded income would not be allowed as a tax deduction.

The proposal is clearly appropriate. The policy issue involved is the content of the tax preferences that are taken into account in determining the excluded income. The House Bill parallels the limit on tax preferences proposal by covering the same preferences, with two exceptions. It here does cover percentage depletion and intangible drilling expenses, which is proper (and with which the Treasury agrees, without any of the exceptions as to intangible drilling expenses of those engaged in the oil business). It here excludes, however, interest on *existing* state and local obligations, which is wrong. The Treasury here recommends existing obligations be covered, without any ten-year phase-in. The Treasury here also recommends the additional three matters mentioned under the limit on tax preferences.

The proper course is to make the two provisions, allocation of deductions and limit on tax preferences, parallel in scope. Moreover, the two provisions should be given a wide scope, in keeping with their back-up objective to maintain a degree of tax equity despite the various factors which require the continuation of some tax preferences. Hence the proper course is to provide a parallel treatment by including the wider coverage in each case where there is a difference in the House Bill.

A word should be added as to two items. In the case of *state and local bond interest,* the Treasury urges that the interest not be covered under the limit on tax preferences because of doubts as to the constitutional validity of that step. No legal opinion has been provided by the Treasury or the Department of Justice stating that the inclusion would be unconstitutional. Moreover, both Departments in the past have published opinions affirming the constitutionality of the taxation of such interest. It would appear to be the proper course on this record to at least allow the Supreme Court to render its judgment. Others have urged that under both LTP and Allocation that interest on *existing* obligations not be covered (and the House Bill so provides as to Allocation), presumably so as not to defeat expectations of existing holders. This argument goes too far, for it would sanction the assertion of a vested interest in a tax preference and in a situation even where full taxation is not involved.

Moreover, the argument overlooks the effect of the provision under the House Bill for subsidized future issues of taxable state and local obligations. Under that provision, if a significant amount of such taxable bonds are issued—and there is no reason why this should not result—tax-exempt bonds will begin to become a relatively scarcer commodity and the value of existing obligations will accordingly rise. Thus a windfall benefit would be granted to existing holders. The inclusion of existing obligations under the LTP and the Allocation provisions is thus but an offset—and not too strong an offset—to this windfall benefit. It is hard in this light to see any ground for complaint by existing holders. There is also no reason for any slow phase-in, as under the House Bill. Further, the coverage of existing bonds cannot as such affect state and local governments, for the bonds have been issued. The rates they must pay on their future issues will be determined far more by the effect of the taxable bond option than by inclusion of obligations, existing or future, under LTP and Allocation.

A second aspect concerns *appreciated property given as a charitable contribution.* The House Bill treats the non-inclusion in taxable income of the appreciation as a tax preference—which it is—and therefore covers such appreciation under the LTP and Allocation proposals. The Treasury now suggests that this coverage be deleted because it believes it would unduly restrict public support of charitable institutions. Such exclusion, however, would clash with the basic rationale underlying these two back-up provisions, for their operation as stated earlier is not dependent on the reasons for the tax preference. In the final analysis, all tax preferences exist because the Congress decides that financial assistance is to be given through the tax system to the activities involved. The LTP and Allocation proposals set up a balancing principle, that the financial assistance be tempered by some adherence to the principles of tax equity. This balancing principle is applicable to appreciated property given to charity as well as to the other tax preferences.

Moreover, there is no reason why donors of appreciated property should have a greater opportunity to place Government resources at the disposal of charities—which is the effect of the tax benefits given to gifts of appreciated property—than donors of cash. I very much doubt that the Congress would provide directly that if a person contributed $100,000 in fully appreciated property he could deduct say 135% of the gift but if he contributed $100,000 in cash, he could deduct only 100% of the gift—yet such a discriminatory result is the general effect of our present rules. The existing law does discriminate in favor of the donors of appreciated property and their value judgments as to which institutions and charitable functions to support. The issue is a troublesome one, not because of its tax aspects because the tax answer is clear, but because of the values we ascribe to our charitable institutions. But one can well fear that an exception on this ground can lead to other exceptions in favor of those who will argue—and they will—that their tax preferences also serve worthwhile purposes, and soon the LTP and Allocation provisions would be eroded away.

OTHER PROVISIONS IN HOUSE BILL

Limitation on Interest Deduction. The House Bill contains a limitation on the deduction of personal interest on funds borrowed for investment purposes. The limit would be that of investment income including capital gains plus a $25,000 floor. The limit would not extend to interest on funds borrowed for business purposes or for a home mortgage.

Studies of the tax returns of high-income individuals underscore the importance that the interest deduction plays in permitting these individuals to achieve low or non-existent tax liabilities. Long ago it was recognized that the interplay between deductible interest on borrowed funds and favorable tax treatment of the activity in which the funds were invested would play havoc with the fairness of the individual income tax. Present law thus disallows the deduction of interest when it is connected with tax-exempt bonds. But to confine the restraint on the interplay to this narrow area is obviously inadequate to meet present day tax-escape sophistication. The House Bill approach is especially important in the case of growth stocks and other assets which appreciate over time without a current cash flow. Our present law does not tax current appreciation in value until it is realized by sale, and this deferment of tax is in itself valuable. The denial of a current interest deduction would thus match the deferment of the inclusion in income of the appreciation. Further, if the asset is retained until death, the appreciation entirely escapes income tax.

The Treasury argument that the provision discriminates against the person with earned income, no investment income, but borrowings invested in growth assets is hardly an adequate reason to drop the provision. In a sense, interms of the ratio of borrowings to tax-sheltered property, such a person has the highest ratio, 100%, and in that sense is maximizing the use of the interest deduction. Nor would such a person be hampered by the Allocation of Deductions proposal. In the case of the interest deduction, it has become clear that a direct limitation is needed, in addition to the Allocation provision, and the House Bill provides this strengthening.

Earned Income Maximum Rate. The House Bill provides that the tax rate on earned income shall not exceed 50%, so that this figure becomes the maximum marginal rate for earned income. I believe this provision to be unwise and the wrong approach to setting limits on the progression of the income tax.

A principal reason advanced for its support is that it will cause executives and self-employed persons to be satisfied with the lower tax result on their earnings and not seek tax shelters. This does seem a peculiar way to reward the past pursuit of tax shelters. Moreover, the top rate of 50% would remain even if these individuals continue to pursue tax shelters. Under the House Bill, for example, an executive can have his lower tax on earned income and also his tax shelter of depletion and intangible drilling expenses, which are not covered by LTP, or of interest on existing state and local bonds under the Treasury approach. More important, the executive or self-employed person can have his lower tax on earned income and also have securities which are appreciating in value and which appreciation will not be taxed at his death.

If we are to set limits on the progression of the individual income tax, we should at least follow two principles: one, the limit should be in terms not of a marginal rate but an overall effective rate of tax; two, the effective rate should be in terms of an individual's total economic income and not just in terms of taxable income without regard to his untaxed income. Nor should we rush into limits on progression until we have really covered all the serious avenues of tax escape, and that of appreciated securities transferred at death remains wide open. We may when the serious escape avenues are closed be ready for a properly tailored maximum effective rate on all income. But we are still a long way from the point where we should so seriously blunt the progression of the tax as does the House Bill and the Treasury proposal respecting earned income.

SUMMARY AS TO INDIVIDUAL INCOME TAX

The House Bill is a major step forward in beginning to meet the problems of tax reform under the individual income tax:

As to *low-income taxpayers,* the Bill fully meets the problem of the present system, that of taxing those below the poverty level and placing unfair burdens on those low-income families above that level.

As to *middle-income taxpayers,* the Bill meets the major goal of restoring tax simplicity and tax equity in the case of the personal deductions by significantly increasing the standard deduction. The Bill could be improved by revising the tax treatment of the elderly, setting a threshold for charitable contributions and allowing them outside the standard deduction, and disallowing the gasoline tax deduction.

As to *high-income taxpayers,* the Bill commences in a significant way to restore tax fairness through its elimination of the unlimited charitable contributions deductions; its removal of the alternative rate on capital gains and the extension of the six months holding period to a year; its provision for future issues of taxable state and local bonds; its partial cut-back on the tax preferences accorded real estate—a cut-back which should be pushed further; and a number of other special matters. Its adoption of the minimum tax or limit on tax preferences and allocation of deductions provisions provides a partial offset to the remaining preferences that will, if properly implemented, serve to

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Footnotes at end of article.

prevent the gross escapes from tax that are now prevalent. But these two provisions as presently structured have serious omissions which should be corrected.

The Bill *falters seriously* in its treatment of farm tax losses and embarks on an unwise approach in placing a 50% limit on the top marginal rate applicable to earned income. It also unwisely introduces a new tax incentive in the five-year amortization of certain rental housing rehabilitation expenditures.

THE CORPORATE INCOME TAX

The corporate income tax presents a different set of problems. We are not dealing with a progressive tax and the ability to pay concept that underlies such a tax. Nor, in the large, are the pressures for simplification so intense, though the less complex the tax, the better. The goal under the corporate tax should be to apply its rate as uniformly as possible to all business net income. Departures from this uniformity will have the effect of pushing resources into the favored areas. We should at all times be aware of these departures and the revenue costs involved, so that we can determine whether the resulting allocation of resources is in the direction we want and, if so, it is being achieved effectively with the least expenditure of Federal funds. For, as has been pointed out many times, revenues lost through tax preferences for certain activities are expenditures which should at least meet all the tests applied to direct budget expenditures.

DEPARTURES FROM UNIFORMITY

We can approach the question of the extent and nature of departures from uniformity under the corporate income tax through an examination of effective tax rates. The corporate income tax can generally be regarded as requiring corporations to pay tax at a 48% rate (apart from the 10% surcharge) on their total net income as net income is usually defined for business purposes. This is what *would happen* if there were no surtax exemption (under which the first $25,000 of income is taxed at 22%), no investment credit, no special capital gain rate, and no special deductions or exclusions. Without these items, the effective rate under the corporate tax would be 48%. The actual effective rate for all industries on total net income, however, is only 37.5%. The question is, therefore, what factors reduce the actual effective rate from 48% to 37.5%?

Looking at all industries together, if we consider only the effect of the surtax exemption and the investment credit—matters of general application—the expected effective rate would be lowered to 43.4%. For manufacturing, generally, the expected effective rate would be 44.9%. The actual effective rate on total income for manufacturing is 43.3%. This is so close to the expected rate of 44.9% that, as a general proposition, we can say that the tax applies with reasonable uniformity to manufacturing activities. The cause of the reduction from the *expected rate of 43.4%* for *all industries* to the *actual rate of 37.5%* must, therefore, lie in lower effective rates on certain types of activity. The data show this to be the situation.

The effective rates for those activities that vary most significantly from their expected rates are:

	Expected effective rate (percent)	Actual effective rate (percent)
Natural resources:		
Petroleum	44. 8	21. 1
Other mineral industries	42. 7	24. 3
Lumber	41. 2	29. 5
Financial institutions:		
Commercial banks	43. 4	24. 4
Mutual savings banks	42. 4	5. 3
Savings and loan associations	40. 4	14. 5

The major aspects of unevenness of the corporate tax are thus primarily a matter of the tax preferences applicable to two industries—natural resources and financial institutions.

HOUSE BILL SOLUTIONS

Financial Institutions. The House Bill takes important steps in cutting back on the tax preferences accorded financial institutions. It would eliminate the existing excessively generous and artificial bad debt reserve granted by Internal Revenue Service rulings to commercial banks and instead apply the rule of actual experience, which governs all other business activities. It would also eliminate the present treatment of the losses of banks on bond sales as ordinary losses while the gains are regarded as capital gains, by making both losses and gains ordinary in character.

The Bill, however, still permits commercial banks to have full exemption from tax of the interest on state and local bonds while also allowing full deduction of the expenses involved in obtaining that interest. The retention of this tax preference will permit commercial banks still to enjoy tax rates below those applicable to business generally.

There is no persuasive reason why commercial banking should have a lower tax rate than other business activities. Certainly the argument of banks that they must have excessive bad debt reserves to meet a possible serious decline in the economy are without merit. Their pessimistic outlook for the future should not be rewarded by tax favoritism. There are mechanisms at hand to allow full scope to that pessimism without its providing tax benefits for bank shareholders year after year. Thus the Bill provides a ten-year carryback of bad debt losses. The banks say that this is not a current asset for financial purposes. The answer then for this problem is to use the provision Congress adopted in 1967 to solve a similar assertion by the mortgage reinsurance companies (Code Section 832(e)). The present law here allows the deduction of a larger reserve than experience would dictate but requires that the tax benefit of that deduction be invested in special Federal Government "tax and loss" bonds that are non-interest bearing. These bonds would be redeemable and the reserve restored to income in ten years and then taxed (unless it were earlier required to use the reserve). In this fashion, an asset—the Government bond—is available as an asset on the balance sheet to meet the pessimistic possibilities seen in the future, but that pessimism is not rewarded with a tax benefit.

The Bill reduces the over generous and artificial statutory bad debt reserve deductions accorded to mutual savings banks and savings and loan associations, though leaving the deductions higher than those permitted commercial banks. It gears these higher deductions to investments in certain types of assets, principally residential real estate. Here it unduly favors mutual savings banks through a lower investment requirement (72%)—the difference in treatment is not justified and the mutual savings banks should be placed at the level of the savings and loan associations (82%). Moreover, it would be appropriate for tax purposes to place both institutions on the same bad debt actual experience reserve approach applied in the House Bill to commercial banks. Studies in 1961 showed this to be the proper course. Any requirements as to investment could then be handled in non-tax legislation. And any assistance deemed needed for residential and multi-unit housing could equally be handled through the non-tax measures.

The Treasury recommends that all these institutions should equally be limited to a bad debt reserve based on actual experience. But it couples its suggestion with a recommendation for a special deduction of 5% of the gross income obtained from certain loans, including residential real property loans and student loans. Here also, this resort to special tax incentives for special purposes is unwise. If these loans are to be assisted by Government funds, it should be done outright—as in the example of student loans where the Government directly meets part of the interest cost. (Any aspect of high risk on certain loans is adequately met through a bad debt reserve based on actual experience). The Treasury recommendation is really the start of a percentage depletion system for financial institutions and has all the potentiality for the development that has marked such an approach in the natural resources area.[14]

Natural Resources. In the natural resources area the House Bill reduces by about 25% the present rates of percentage depletion. It eliminates the tax abuses possible through the use of mineral production payments and ABC transactions. It tightens the rules applicable to mining exploration expenditures. It does not, however, change the present liberal treatment of intangible drilling expenses for oil and gas wells. And it does not deal with the capital gains tax preferences granted to timber, except as it increases the capital gain rate generally for corporations from 25% to 30%.

This Committee has before it the results of a study prepared for the Treasury Department, the Consad study, relating to the effectiveness of the present tax treatment for oil and gas. One would suspect that the results of that study—which concludes that the present tax mechanism for assistance to these activities, if assistance is needed, is quite wasteful—would be duplicated in the case of the percentage depletion accorded to other minerals.

The Treasury recommends a recapture rule on the transfer of an oil or gas well under which any gain on the transfer would be ordinary income to the extent of intangible drilling expenses previously deducted, and this recommendation is appropriate. It also disagrees with the provision in the House Bill extending the cut-off point for percentage depletion on oil shale to include non-mining process. This disagreement is well taken. Tax history has shown that persistent efforts to extend the cut-off points for the various minerals receiving percentage depletion have been quietly effective in amplifying the depletion advantage, and often more effective than any likely upward change in the depletion rates themselves. A Treasury report to this Committee on the varying cut-off points applicable today, and the differences in value (to which the depletion rates apply) between those points and cut-off points more consistent with an effort to stop at the mine would be quite constructive.

The Bill changes the rules applicable to the treatment of foreign minerals, some of the changes occuring through changes in the foreign tax credit rules. The thrust of the changes is to insure that U.S. companies do not, through deductions for the development of mineral interests abroad and through excess foreign tax credits arising in the foreign mineral operations, reduce the U.S. tax on their U.S. income or the U.S. tax appropriate to other foreign income. The Treasury has suggested improvements in the foreign tax credit provision, which would make the determination of the excess credit turn on the effect of the availability of the depletion deduction under U.S. law [15]

Multiple Corporations. The House Bill would end, over an eight year transition period, the present tax favoritism granted to those businesses which operate through the use of multiple corporations rather than a single corporate unit. The result is sound, and long delayed. Whatever may be the reason why a business chooses to use multiple corporations, be it tradition, business reasons, state laws, or pure tax avoidance, there is no tax justification for providing it with a lower tax than an enterprise with similar to-

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Footnotes at end of article.

tal income but fewer corporate units. The efforts to rationalize this tax preference, which efforts often are a tribute to the imagination and resourcefulness of the legal and accounting professions, have over the years reached new heights in the defense of this provision—a provision which in reality has no sound argument for it at all. One would think the beneficiaries of the provision would feel grateful that it has been kept alive so long. Moreover, the House Bill is exceedingly generous in allowing a phase-in of the intercorporate dividend deduction and pre-consolidated return loss benefits during the phase-out of the multiple corporation benefit; it would be more appropriate to deny these benefits until the multiple corporation benefits end.

New Tax Incentives. When one looks at the House Bill overall, one sees that most of the reform efforts are directed at reducing the impact of the various tax incentives that have entered our tax law gradually over time, either through statutory provision or administrative action. There are relatively few provisions in the Bill directed at remedying mistakes in tax structure, that is mistakes in which there was no intention deliberately to confer a tax benefit for incentive or other reasons but rather matters in which the technical tax structure just didn't work correctly. Examples in the Bill of such structural repair are the corrective rules applicable to multiple corporations, accumulation trusts and multiple trusts, mineral production payments, restricted stock, tax free dividends, deferred compensation and stock dividends.

The major part of the Bill, in substantive scope and revenue impact, relates to tax provisions which, whatever their origins, are supported by their adherents on tax incentive grounds. The fact that the task of tax reform today really consists of a scaling-back of all these tax incentive provisions—because of their ineffectiveness, their waste of Government resources, their misallocation of Government resources, and their effect on tax equity—is underscored by the House Bill. Its major provisions relate to existing tax incentives for real estate, financial institutions, natural resources, investment, state and local government assistance, farm activities, and so on. These Senate Finance Committee Hearings indicate that once a tax incentive takes root in the tax law it is a very difficult matter to restrict or eliminate it, especially if it has the protective coloration of being cast in a traditional jargon and structure indistinguishable to most persons from the jargon and structure that mark most of our Internal Revenue Code.

All this being so, it is indeed unfortunate that the House Bill opens up three new tax incentives, and that the Treasury would also seek to adopt others. The House Bill provides five-year amortization for pollution control facilities; five-year amortization for rehabilitation expenditures on housing; and seven-year amortization for railroad cars. It appears that "amortization" is now the magic word and we may be witnessing the beginning of a wide schedule of amortization periods for various businesses and activities akin to the schedule of percentage depletion rates.

The Treasury deplores the railroad car amortization, probably doesn't want the pollution facility amortization and would certainly cut it back in scope, and seems responsible for the rehabilitation amortization. As stated earlier, it would introduce a new type of tax incentive for certain loans by financial institutions.

In all, the House Bill in its amortization incentives has a revenue cost of $830 million. If to this is added the retained excessive depreciation for housing, especially luxury and high cost housing, the Bill involves over $1 billion of tax incentive expenditures. If one is seeking to reduce the net revenue cost of this Bill, these are areas in which one could properly start. If funds of this magnitude are to be spent for social and other programs, they ought to be spent directly as Government expenditures and in accordance with carefully selected priorities in the various programs.

I have previously discussed the weaknesses of the housing rehabilitation provision. The Treasury has described the weaknesses of the railroad car provision. As to the pollution facilities provision, which will cost $400 million, the Treasury has described some of its weaknesses in urging that it be cut back. But more can clearly here be said.

Legislative committees have struggled long and hard to find the most efficient ways to expend Government resources in the battle against pollution. There are many claimants for Government dollars and those concerned about combating pollution have found it difficult to secure the funds they desire. Interested legislators speak of scrounging a few more millions here or there to add to an inadequate Budget figure. Yet now, at one stroke, the Ways and Means Committee decides to spend $400 million (by 1974) in the pollution control area by allowing five-year tax amortization of the cost of installing pollution control facilities. But the Committee does not refer to any study which indicates that—if the Government is to allocate an additional $400 million to pollution control—the particular device and particular approach chosen by the Ways and Means Committee would have top priority. Instead, $400 million is allocated to this purpose without any coordination with other planning or expenditures in the pollution control area and without regard to what are the priority needs once it is decided to add $400 million to pollution control expenditures. It is quite likely that the top priority lies in assistance to municipalities and not to industry.

If these tax incentive provisions are to remain, they should at least have a definite termination date and, as suggested earlier, arrangements made to transfer the funds involved to the direct expenditure programs of the agencies concerned.

Foundations and Tax Exempt Organizations. The House Bill contains extensive changes in the treatment of foundations. A number of the provisions deal with abuses that have been documented earlier by the Treasury Department—self-dealing; failure to make adequate current distributions; ownership of businesses; utilization of the foundation by the donor as an instrument to facilitate control of a business; and speculative investment of assets. Provisions correcting these abuses are sorely needed. They would be of material assistance in rescuing private foundations from the cloud that now hangs over them.

The financial assistance given foundations through the tax system can be justified only if their sole purpose is to function as genuine philanthropic institutions. If the foundations want to serve other purposes besides philanthropy, then they should not receive that assistance and should not complain if the Congress and the public regard them with unfriendly suspicion. Thus those who urge that foundations are useful institutions to perpetuate family business or to keep particular businesses from being absorbed in merger investments, may perhaps be wisely serving the business involved, but they are not wisely serving either the foundation as an institution or the purposes of philanthropy. These purposes of protecting businesses are not the functions of philanthropy. Our colleges and our other charitable institutions do not concern themselves with these non-philanthropic goals. If our foundations wish to merit and fulfill a useful institutional role in our society, they should and can do so only by functioning solely as philanthropic institutions.

For these reasons the House Bill provisions concerning these matters should not be weakened as many are urging. Nor should there be special exceptions for any foundation, such as the provision in the House Bill allowing the Kellogg Foundation to own over 50% of the Kellogg Company.

Other provisions of the House Bill in the foundation area deal with different matters. One, the 7½% tax on investment income, is unadvisable, if the provisions countering abuses are strong enough to insure that foundations are functioning solely as philanthropic institutions. If it is determined that there should be a modest fee to meet the cost of administration, it should be based either on asset value or income distribution (including the 5% minimum)—to use only net investment income would favor the foundation that invests in non-income producing assets.

Other provisions deal with the operational activities of foundations and are designed to maintain a philanthropic posture as contrasted with political activities, lobbying activities and the like. These provisions require careful articulation and drafting lest the pursuit of the goals involved, which in general purpose are appropriate, does not in the day-to-day operation of the provision hamper the basic philanthropic functions of these institutions.

The provisions in the House Bill relating to other tax-exempt organization problems, such as the strengthening of the unrelated business income tax and the taxing of the investment income of social, fraternal and similar organizations, are all improvements.

SUMMARY AS TO CORPORATE TAX

The House Bill is a significant step forward in beginning to meet the problems of tax reform under the corporate tax:

With respect to the industries with the present lowest effective rates:

As to *financial institutions*, the Bill brings the effective tax raises of the commercial banks, mutual savings banks and savings and loan associations closer to those paid by business generally, and also reduces the range differences within these institutions themselves.

As to *natural resources*, the Bill reduces the percentage depletion rates by about 25% and ends the abuses associated with mineral production payments. But it fails to deal with the aspect of intangible drilling expenses in the oil industry and the tax preference accorded to timber.

With respect to *other preferences:*

The Bill ends the tax escape now provided for multiple corporations.

The Bill cuts back on the tax preferences accorded to real estate.

The Bill strengthens the rules governing foundations and other tax-exempt organizations.

But the Bill has a *serious weakness* in the addition of new tax incentives:

The five-year amortization for pollution control facilities.

The five-year amortization for housing rehabilitation expenditures.

The seven-year amortization for railroad cars.

A WORD ON PESSIMISM AND TAX BENEFITS

There is no one so pessimistic about the future of the country as an industry or taxpayer faced with losing a tax preference. These Hearings seem replete with industries and taxpayers who can see only gloom ahead. The correlation between pessimism and tax benefits is indeed high, for these prophets of gloom assert that their pessimism for the future should be reflected in continued or increased tax preferences.

Thus the Stock Exchange sees a pessimistic future for investment and asserts that its pessimism be met by keeping the preferences unchanged for capital gains. The financial institutions are pessimistic about a possible depression and therefore seek higher bad

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debt reserves—and higher tax benefits—to match that pessimism. The mutual savings banks and savings and loan associations are pessimistic about the future of housing and seek tax benefits that reflect that pessimism. Wealthy non-farmers worry about the future for cattle and horses and orchards, and seek to retain farm "tax loss" shelters to house their pessimism. The natural resources industry is alternatively pessimistic about national security and the price consumers of gasoline will have to pay, and seeks tax benefits to dispel that pessimism. And so it goes as to almost every provision in the House Bill, even as to the "small businesses" housed in the multiple corporations of an enormous multi-state enterprise.

Most of the pessimism is self-assertion, for there are few studies, if any, that document the beliefs. No one wants to see if his view of the future is wrong, for that course means the loss of tax preferences. All would prefer to be gloomier, for that course could mean increased benefits if their view of the tax system is accepted. For all see the tax system as a device to pour out financial assistance to industries and activities that do not want to trust to the marketplace. The accent is not on private enterprise, but on private enterprise plus tax assistance. None is willing to pull back on the preferences so we can see if the pessimism is really warranted and to see if Government assistance is really needed. And then, if the assistance is really needed, to see it provided through direct expenditure programs.

It should be clear by now that this tax incentive rationalization, this infusion now of social goals into tax provisions adopted long ago without any thought of incentive or social programs or the like, can only be destructive of an equitable tax system and an efficient use of Government resources. It is the proper course now to cut back these tax incentives and await the future. The House Bill is a good start and should be pushed forward, not stripped back.

RATES OF TAX AND REVENUE COST

My principal purpose is to discuss the structural tax reform provisions of the House Bill and hence I wish to say only a few words regarding the rate structure.

As stated earlier, those first in line for tax relief when reduction is considered feasible, are the low-income taxpayers. Those next in line are the middle-income taxpayers not itemizing deductions for personal expenses. The House Bill fully meets these two claims for relief. It then goes on to reduce tax rates throughout the rate schedule. The result is a total long-run revenue loss of $2.4 billion.

Looking ahead to 1979, such a loss is hardly significant, considering the hazards of revenue estimates. In all likelihood such a tax reform bill cannot provide a net revenue gain, even though an appraisal of national priorities would put more emphasis on expenditure programs than such a large tax reduction. The House Bill before the last round of tax reduction added after the Bill was reported, was in this respect a better balanced bill—from the expenditure-tax reduction aspect—than the Bill as it finally passed the House. And even the Committee Bill could be regarded as too generous in some of its rate reduction in the brackets above the middle. But aside from these thoughts, the margin for concern about the revenue aspects, i.e. the $2.4 billion loss in 1979 considered as an absolute matter, is small. The Treasury appears to recognize this, for its changes would leave a revenue loss of $1.3 billion—the difference of $1 billion is hardly cause for major economic judgments.

The important matter is the composition of the tax reductions. The Treasury approach to the House Bill, as described earlier, is to make the across-the-board individual reduction paramount and then to strip back the relief for low and middle income families.[16]

As a consequence, the tax liability reduction under the Treasury approach shows a large reduction in the $0–$3000 bracket and then proceeds to a relatively flat decline from $5000 on to $100,000. In contrast, the House Bill shows significantly larger reductions up to the $20,000 bracket than the Treasury approach, and the slope of the tax reduction is far from flat. There is no question but that the House Bill has a fairer distribution of the tax reduction.

The Treasury approach, after cutting back the reductions in the low and middle-income brackets, is then to use the revenue so obtained to reduce the corporate tax rate by two points. Such a change is not defensible on tax equity grounds or on economic stabilization grounds. The Treasury desire to remove the investment credit was based on the ground that capital formation was at a high level now and no general investment incentive was needed. From a stabilization standpoint there is no point in substituting a corporate tax rate reduction for the investment credit.

As to future growth and the relative balance between consumption and investment, we can afford to wait a bit until the present inflationary pace really wears away to see if capital formation will then lag. If it does, a resort again to an investment credit can be more meaningful than corporate rate reduction. There is no point now in choosing weaker devices on the assumption that capital formation may later need strengthening.

One could point out that if the various new tax incentive devices in the Bill are not to be scrapped in favor of a resort to direct expenditures in the areas involved, then a preferable course is to drop those devices and use the revenue to lower the corporate rate. Such a step, together with a further cut-back of accelerated depreciation for real estate and more tightening of the remaining corporate tax preferences, would readily produce the revenue to support two-point reduction in the corporate rate.

CONCLUSION

The Ways and Means Committee and the House have taken a significant step forward to the goal of a fairer and simpler Federal income tax. It is now up to this Committee and the Senate to make that step a decisive one. The House Bill is a fine structure to build upon. It can be strengthened in a number of ways and these weaknesses should be corrected. But its many, many strengths should be retained.

FOOTNOTES

[1] Another desirable change, recommended in the February Treasury Proposals, was in the *charitable deduction*, under which that deduction would be allowed outside the standard deduction (i.e. allowed together with the standard deduction), but would be available only where the contributions exceeded 3% of adjusted gross income. This threshold would apply to taxpayers using either the standard deduction or itemized deductions. These changes in the charitable deduction, combined with the standard deduction changes, would reduce significantly the number of returns requiring record keeping and audit for personal items, while maintaining for all taxpayers, even those using the standard deduction, an incentive for charitable gifts above routine giving. The charitable organizations apparently oppose such changes. But they presumably overlook or misjudge its advantages. Under the House Bill, with its increase in the standard deduction, and no other change as respects charitable contributions, only about 15 million returns would be left to use itemized deductions and to claim a charitable deduction. Under the above proposals, however, with the ability to claim a charitable deduction whether other deductions are itemized or not, even with a 3% threshold about 26 million returns would claim a charitable deduction. These proposals would thus provide a wider base for charitable support than simply changing the standard deduction.

[2] 36.6% in the range 20%–25%, and 37.8% in the range 25%–30%. The $500,000–$1 million group reflects a similar cluster, 64.7%. Even these figures are an understatement, since the actual or total income data do not include excess real estate depreciation, farm "tax losses", and intangible drilling expenses.

[3] 45.3% in the range 20%–25%, and 13.5% in the range 25%–30%. 27.9% are in the range 15%–20%.

[4] See specific cases 1–4 in the February Treasury Proposals, pp. 90–91, involving persons with actual incomes of $10 million, $6 million, $8 million, and $6.5 million.

[5] See specific cases 8 and 9, p. 93, involving persons with $1 million and $1.3 million.

[6] See specific case 10, p. 94, involving a person with $1.4 million, and table 1, p. 452.

[7] See specific case 11, p. 94, involving a person with $700,000.

[8] See specific cases 5, 6, and 7, pp. 92–93, involving persons with $5.3 million, $935,000 and $1.3 million.

[9] The definitional changes in the House Bill in the capital gain area—as to collections of letters, papers, and memoranda; the treatment of lump sum pension distributions (still inadequate as to appreciated property); franchises; casualty gains and losses; and sales of life estates (why is the income still considered capital gain?) are improvements over present law, as are the changes in the capital loss rules.

[10] Senator Metcalf's bill could be strengthened by offsetting the disallowed losses against the full gain on any sale, before the application of the 50% capital gain deduction rather than after that application, as the bill now appears to provide.

[11] The House Bill provides for recapture of any excess depreciation deduction that may show up on a sale, as is done under present law with other tangible property generally, and this change is desirable. The Bill also strengthens the "hobby loss" provision (the Treasury suggestion of including anticipated increase in the value of the property as an indication of a non-hobby would seem a weakening of the House Bill). But these provisions are not substitutes for an adequate solution to the main problem; they are desirable complements to Senator Metcalf's approach to the main problem.

[12] The technique is similar to Senator Harris' minimum tax bill, except that Senator Harris' bill would apply the regular tax rates to any part of the 50% of capital gain that is reached by the minimum tax, thus not making the 25% alternative rate applicable to that part. This was the effect of the February Treasury Proposal for a minimum tax. The House Bill version does not alter the 25% alternative rate. This is done under the direct changes in capital gains.

[13] The House Bill applies a five-year carryover rule to the limit on tax preferences. This seems unwise and to improperly dilute the application of the limit.

[14] There are other problems with the proposal. Thus, it would mean both lower taxes and less assistance to housing in the use of the savings and loans associations. It would also permit stock savings and loan associations to pay out the tax benefits to their shareholders, which is not permitted today in the case of the artificial bad debt reserve deductions. Also, the amount of the deduction—and thence the assistance to the borrower—depends on the extent to which the institution has certain tax shelters, such as tax exempt bonds. But if the borrower needs assistance, why should he be denied the assistance because the bank has a tax shelter—it is a curious system that would deny a needy student a loan because the bank has bought tax-exempt securities. Of course, tax equity explains the connection. But the result underscores the undesirability of re-

sorting to the tax system at all as a mechanism to assist borrowers.

[15] These recommendations are similar to those made by the Treasury in 1963. The Treasury in its suggestion does not include the availability of the deduction for intangible drilling expenses or other development costs in the determination of the excess credit. It would seem this should be covered, unless the interplay with the recapture provision applicable to such expenditures provides sufficient protection.

[16] The House Bill has a considerable revenue loss—$650 million—through a change in the treatment of single persons. I would not give this matter such a high priority, especially since the relief for lower and middle-income taxpayers will to a very large extent meet the problems of single persons in these brackets. If we are to give further relief to single persons, the Treasury suggestion in this area is an improvement over the House Bill.

LINKS WITH THE LEFT

Mr. **FANNIN**. Mr. President, tomorrow there will be demonstrations in support of our President's policy in Vietnam and there will be those who express their opposition.

Already in the RECORD are the sentiments of spokesmen for Hanoi and the Vietcong who are hailing the "progressive" elements in the United States who are "launching a broad and powerful offensive to demand that the Nixon administration put an end to the Vietnam aggressive war and immediately bring all American troops home."

Pham Van Dong's message ends, "May your Fall offensive succeed splendidly."

Mr. President, Pham Van Dong is representative of the government and political forces that make it needful for American troops to be in Vietnam. He and his cohorts are the ones who are keeping American boys from coming home. They are the recalcitrants in international negotiations. And, Mr. President, as long as they receive support from what they consider the "progressive" elements in our Nation, just so long will they continue the fighting and the killing. That, Mr. President, is the message which should be apparent to those supporting this movement.

Just yesterday I received in my office a newsletter from the organization of Clergy and Laymen Concerned about Vietnam of 475 Riverside Drive, New York.

This newsletter gives its lead article over to the planned massive demonstration scheduled for November 13–15 here in Washington. It says for additional information to contact the national CALCAV office of the New Mobilization Committee, 1029 Vermont Avenue NW., suite 900, Washington, D.C.

So I began checking, Mr. President, and I find the director of CALCAV, as listed on the newsletter, is Rev. Richard R. Fernandez. Cross checking this with a list of the New Mobilization steering committee, I find Rev. Fernandez' name appearing thereto, along with Arnold Johnson, public relations director of the Communist Party USA, David Hawk of the Vietnam moratorium and David Dellinger, leader of last year's march on the Pentagon.

Mr. President, more and more connections of the October 15 and November 15 movements are turning up which link these organizations with elements which are admittedly antagonistic to the United States.

I ask unanimous consent that the newsletter to which I have referred along with a list of names, addresses and telephone numbers of the steering committee of the New Mobilization Committee to End the War in Vietnam, and a similar list of the members of the Washington Action Committee be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ISSUES & ACTIONS: CLERGY AND LAYMEN CONCERNED ABOUT VIETNAM—A NATIONAL EMERGENCY COMMITTEE

CO-CHAIRMEN

Dr. John C. Bennett, President, Union Theological Seminary.

Rabbi Abraham J. Heschel, Professor, Jewish Theological Seminary of America.

Mrs. Coretta Scott King, Atlanta, Georgia.

Mr. Philip Scharper, Vice-President, Sheed & Ward, Inc.

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Rev. Richard Killmer.
Mr. Michael O. Sedore.

CONSULTANTS

Dr. Peter Berger.
Marie M. Runyon.

MASSIVE DEMONSTRATION PLANNED FOR NOVEMBER

The major feature of a massive national demonstration against the war in Vietnam will be a March Against Death to be held in Washington, D.C. This march will start at midnight on Thursday, November 13, and continue for thirty-six hours through November 14 and into the morning of Saturday, November 15. The March Against Death will be a single-file solemn procession of 43,000 to 45,000 persons, each representing one American killed in the war. Each will carry the name of a dead American and will call out that name as he passes the White House. In addition, the names of Vietnamese villages destroyed by the United States will be carried and called out.

The March will begin at Arlington National Cemetery and proceed past the White House and end at the Capitol Building where the names will be deposited in caskets to be later returned to the White House. The intention of this March Against Death is both to mourn and to protest the meaningless slaughter and at the same time to demand that all further killing cease.

Following the March Against Death, there will be a Mass March to the White House, led by G.I.'s and those who took part in the March Against Death. This larger march will conclude with a rally featuring prominent speakers near the Washington Monument at 2:00 P.M., Saturday, November 15.

CALCAV considers the March Against Death to be an extremely important antiwar activity. It is a demonstration in which every participant is crucially important. CALCAV urges its constituents to participate.

The March Against Death and the Rally to follow it are being coordinated by the New Mobilization Committee to End the War in Vietnam, an amalgam of a large number of peace and kindred organizations. Further information on these activities is available from the National CALCAV office or from: The New Mobilization Committee, 1029 Vermont Avenue NW., Suite 900, Washington, D.C. 20005—202/737-8600.

HARVEY AND DANIELS RELEASED

The case of George Daniels and William Harvey was discussed in detail in the last edition of ISSUES AND ACTIONS. Briefly, the two Black Muslim Marines were involved in a bull session at Camp Pendleton, California on July 27, 1967. They stated there that the war in Vietnam was a "white man's war" and that black people should not participate in it. The group decided to request meetings with their Commanding Officer to discuss this matter.

The two were charged with making disloyal statements and with attempting to undermine discipline and morale within the Marine Corps. They were sentenced to ten years (Daniels) and six years (Harvey). Two months ago these sentences were reduced to four and three years respectively. The two have spent the last twenty-five months in prison, mostly at the Naval Disciplinary Center in Portsmouth, New Hampshire.

On September 3, 1969, they were released pending appeal. They were the first to be so released under a provision of the recently enacted Military Justice Act. Further, it is believed that they are the first to be released in this fashion in the history of the armed services.

Following their release, they were given ten days leave and on September 13 reported for duty at two different military installations. Until their appeal is heard sometime in December, they will be treated as any other Marine, drawing full pay and privileges as well as holding the same rank they had before imprisonment.

The significance of this case is that the two were tried and imprisoned solely for statements they made. No evidence was given that their words resulted in any illegal action. Nor were the two ever involved in any disciplinary cases before their imprisonment. For this reason, their lawyers are prepared to argue this case in civilian courts—ultimately the Supreme Court—because it indicates a clear violation of First Amendment rights by the military judicial system.

For the moment, there is little concerned persons can do to assist these two men. Once the appeal is heard, however, a letter writing effort may be helpful. In the meantime, it would undoubtedly be helpful for letters to be written to officials in the Army, asking that the same procedure of release pending appeal be afforded other imprisoned men, especially those of the Presidio 27. Future editions of ISSUES AND ACTIONS will contain more information about Harvey and Daniels, as well as other servicemen who attempt to speak out while in the Armed Forces.

REGIONAL MEETINGS PLANNED

CALCAV plans two regional mettings in October to discover how the peace movement may be made more effective in certain regions of our nation. The conferences will explore what attempts at peace eduction are being made and how their effectiveness might be maximized.

One meeting will be held in Rapid City, South Dakota on October 14–15, covering Montana, Wyoming, South Dakota, North Dakota, and Nebraska. The other will be held in Dallas on October 6–7 with representatives from New Mexico, Arizona, Texas, Arkansas, Oklahoma, and Louisiana participating. Anyone from these states who is interested in attending should contact this office.

CALCAV PLANS ITS FUTURE

Last spring the national Steering Committee of Clergy and Laymen Concerned agreed

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that its task would not be over when the war in Vietnam ended and that the organization should continue to exist. The destructiveness of militarism and its accompanying economy of death, the errors of Cold War thinking, the brutalization within the military, and the paternalism and oppression of U.S. foreign policy, especially as it relates to the Third World, are dynamics which led to Vietnam and are factors which must be changed if future Vietnams are to be prevented.

A strategy meeting was held in Boston to concretize plans for the future of CALCAV. The question of the nature and constituency of the organization, the question of what issues should be emphasized, the question of our relationship to organized religious bodies were priorities on the agenda.

Though no policy decisions were produced at the Boston Conference, several important suggestions were made. Foremost among these was the reminder that the Vietnam war continues, destroying scores of lives daily. Ending this carnage MUST remain our chief priority.

Concern was also expressed that the needs of G.I.'s who have concluded that their consciences prevent them from participating in the Armed Forces should be met.

Work on foreign policy as it relates to the Third World was also mentioned as a priority. However, frustration was felt because of the difficulty of the task. It is difficult primarily because it is impossible to understand the dynamics of the U.S. presence in the Third World without doing extensive research into all of the obvious ambiguities involved. It was suggested that a research arm of Clergy and Laymen be established to produce the necessary analysis for our actions in this area.

A packet of materials prepared for the conference, including the final report is available from the National CALCAV office. Single packets are free. Additional packets are available at the rate of four for $1.00.

REPORTS ON SWEDEN MINISTRY

An extremely comprehensive report was submitted recently by the Rev. Thomas Lee Hayes, CALCAV's Staff Associate in Stockholm, Sweden. Rev. Hayes' ministry among the more than 350 deserters in Sweden is now in its sixth month. For this reason his report presents a more complete picture of the situation in Stockholm and his work than was available before. If you wish this complete report, it may be ordered from the National CALCAV office. Single copies are free. Additional copies are available at the rate of ten for $1.00.

This summer, Mrs. Bea Seitzman, a professor at the Columbia University Graduate School of Social Work, spent eight weeks working with Father Hayes in Stockholm. She prepared a report for the CALCAV conference in Cambridge in August of her experiences. This is also available from the CALCAV office. Single copies are free. Additional copies are available at the rate of ten for $1.00

ACTIVITIES AT DENOMINATIONAL CONVENTIONS

Raising the question of the war in Vietnam and its related issues with the religious bodies of our nation has always been one of the chief tasks of CALCAV. The annual conventions of these bodies have been excellent opportunities to witness to our concerns.

Two G.I.'s who had gone AWOL because of their opposition to the war and who had been at the G.I. Sanctuary in the Church of the Crossroads in Honolulu were brought by CALCAV to the Episcopal Convention in South Bend, Indiana, in early September. There, after the Rt. Rev. C. Kilmer Myers, Bishop of California, introduced them, the two men explained their actions and asked for sanctuary. Louis Parry, one of the two G.I.'s told the convention, "We want our arrest, when it comes to take place in a church and we want the moral support of our fellow Christians."

Rev. Richard Fernandez, National Director of CALCAV, asked those who recognized the actions of the G.I.'s as conscientious and who supported their right of conscience to come forward. Over 500 delegates, one-half of the convention, came forward. The men remained in the sanctuary with representatives of their support group for most of the convention.

In July, the Missouri Synod-Lutheran Church met in Denver for their annual convention. The Lutheran Action Committee, a group of Lutherans concerned about raising the issues of Vietnam, human rights and church renewal, made several attempts to make their concerns known. CALCAV supported and participated in these activities.

The Missouri Synod bars those of other denominations from joining with them in the Eucharist. CALCAV brought Father Malcolm Boyd, an Episcopalian priest, to Denver. Father Boyd joined the Lutherans in the Eucharist and later in a separate service con-celebrated with a Missouri Synod pastor and a Roman Catholic priest. Father Boyd also led in the reading of the names of the war dead in the convention center. Later that week the Lutheran convention passed a statement recognizing the Selective Conscientious Objector position and agreed to permit communion with the American Lutheran Church.

The General Synod of the United Church of Christ met in Boston in June. CALCAV supported and helped the United Churchmen for Change raise the issues of war and human rights. The United Church passed statements on the war and in favor of amnesty for men of conscience who are in prison or exile for the opposition to the war in Vietnam. The U.C.C. is currently developing a program responding to the needs of young men who in conscience are unable to participate in the Armed Forces.

VIETNAM MORATORIUM

The Vietnam Moratorium is an effort to maximize public pressure to end the war in Vietnam by encouraging a broad cross-section of Americans to work against the war. The method is a recurring moratorium on "business as usual" to allow concerned citizens to spend that day participating in antiwar programs in their local communities. The first day of the moratorium is scheduled for October 15, and the work of that day will be directed towards building an enlarged and lengthened moratorium for November.

Generally, the Vietnam Moratorium will expand by one day each month. It is focused on ending the war, but allows for related issues such as conscription, militarism, taxes, etc. to be included on a local level. The Moratorium at its optimum level encourages a complete break with normal activity on this day. At the same time, however, it encourages activities in which those unable to take an entire day off from work or classes can participate.

CALCAV urges its members to consider participation in the Vietnam Moratorium. Further information is available from the National CALCAV Office and from: Vietnam Moratorium Committee, 1029 Vermont Avenue, NW, Suite 806, Washington, DC 20005, 202/347–4757.

NEW MOBILIZATION COMMITTEE TO
END THE WAR IN VIETNAM,
Washington, D.C., September 17, 1969.

STEERING COMMITTEE: (IN FORMATION)

Norma Becker, Irving Beinin, Barbara Bick, Abe Bloom, Irwin Bock, Allan Brick, Katherine Camp, Marjorie Colvin, Bill Davidon, Rennie Davis, Dave Dellinger, Douglas Dowd, Gerhard Elston, Al Evanoff, Myrtle Feigenberg.

Richard Fernandez, Gene Gladstone, Jerry Gordon, Bob Green, Robert Greenblatt, Dave Hawk, Dave Herreshoff, Fred Halstead, Betty Johns, Arnold Johnson, Donald Kalish, Gloria Karp, Sylvia Kushner, Sidney Lens.

Carol Lipman, Brad Lyttle, John McAuliff, Stewart Meacham, Joe Miles, Joe Miller, Allan Myers, Otto Nathan, Sidney Peck, Ann Peery, Max Primack, Carl Rogers, Irving Sarnoff, Lawrence Scott, Larry Siegle, Arthur Waskow, Cora Weiss, John Wilson, Ron Young.

DEAR FRIENDS: What follows is the most complete list of the Steering Committee that we were able to assemble as of September 17. There are undoubtedly ommissions—we apologize. If you note any ommissions, please let us know immediately so we can make the necessary addition(s). There will also undoubtedly be mistakes and inaccurate information—please let us know about them right away also. You will also note that there are some names for whom there is no information or incomplete information—if you can help us with that, please do. In the near future, we will also prepare a similar list of all those who have attended meetings of the Washington Action Committee.

For the Washington Action,
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New Mobe staff.

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HUMAN RIGHTS ARE THE BIRTHRIGHT OF ALL

Mr. PROXMIRE. Mr. President, the United States, in successive administrations of both political parties, has taken the lead in working for a world in which human rights are the birthright of all. Nevertheless we have ratified only two of the more than a score of human rights conventions. There should be no greater emphasis for international concern than the guarantee of the human rights of mankind. The human rights conventions on genocide, political rights of women, and forced labor, guarantee such rights.

Mr. President, yesterday I spoke of the report recently published on the treaty-making power of the United States in human rights matters. This report was prepared by the Special Committee of Lawyers of the President's Commission for the Observance of Human Rights Year 1968. The distinguished and able W. Averall Harriman was the chairman of the President's Commission for the Observance of Human Rights Year 1968. I would like to bring to the attention of my colleagues the very moving letter signed by Mr. Harriman as an acceptance of this report. The point is made that by participation in these human rights conventions "we will demonstrate to countries throughout the world, who look to us for leadership, that we truly accept the universality of basic human rights." Mr. President, I ask unanimous consent that Mr. Harriman's letter to former Supmere Court Justice Tom C. Clark, the chairman of the Special Committee of Lawyers, be inserted in the RECORD at this point:

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEAR JUSTICE CLARK: It is with sincere pleasure that I have received and accepted your report on the Human Rights Conventions. The question of U.S. ratification of Human Rights Conventions was at the very heart of all our efforts throughout 1968—the International Year for Human Rights.

The report of your Committee justifies the emphasis which the Commission placed on the question of the Human Rights Conventions. In your conclusion, you state that: "Treaties which deal with the rights of individuals within their own countries as a matter of international concern may be a proper exercise of the treaty-making power of the United States." This is an unequivocal rejection of the arguments of those who would seek to elevate the concept of the sovereignty of the state above personal human values and the common aspirations of mankind for liberty and dignity.

Little need be said beyond this except that now we must summon-up the will to participate in these Conventions. In that way we will demonstrate to countries throughout the world, who look for us for leadership, that we truly accept the universality of basic human rights.

Your Committee has performed a signal service for the Commission and I believe this report will lay the foundation for a reappraisal of international human rights within the legal profession and eventually within the Congress of the United States.

With my warm personal regards.

Sincerely,
W. AVERELL HARRIMAN,
Chairman, the President's Commission for the Observance of Human Rights Year 1968.

THE WHITE REACTION

Mr. BYRD of West Virginia. Mr. President, on Friday, October 10, the Evening Star of Washington concluded its five-part series entitled "The White Reaction." In that conclusion, Mr. Haynes Johnson notes that the reporters who wrote the series found "disquieting evidence of new tensions between whites and blacks."

The final article states that skepticism about the prospects for integration is not prevalent just among lower income whites. According to the article, "doubt exists among all groups from white-collar liberals to blue-collar workers."

Each time the demands of black militants are met, racial tensions increase; and the Evening Star reporters found that, "in such an emotional context, some thoughtful whites view the future with increasing pessimism." The tensions that produced the pessimism among whites has also produced what the article calls "an apparent further drawing apart of whites and blacks."

This informative series has described in detail the reaction of the white majority in America to the demands of a minority comprised of black militants. It has warned of the polarization of attitudes among whites and has given voice to their grievances. The series of articles should not be ignored, Mr. President.

I ask unanimous consent that the final part of the series be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE WHITE REACTION

(By Haynes Johnson)

Much has been made recently of that "forgotten American" of whom Richard Nixon spoke during his presidential campaign. Assuming he exists at all, he is the "little man" of modest income who struggles for survival and worries about law and order. He is also the white American most identified as harboring antipathies toward Negroes.

But that supposed "common man" isn't the only American skeptical about the prospects for an integrated society. Doubt exists among all groups from white-collar liberals to blue-collar workers.

A team of white reporters assessing attitudes of white Americans today returned from their trips around the country with disquieting evidence of new tensions between whites and blacks.

The attitudes of the whites they met are adding another chapter to the pervasive story of the 1960s—the Negro's effort to achieve the equality that has been promised him in theory, but denied him in reality.

It has been a story of anguish and hope, achievement and frustration, reconciliation and rebellion. And now, in part, it is a story of reaction.

The current mood should come as no surprise. It is an inevitable response to strife and sudden change. It is the price of progress. It also reflects concern over other unresolved national questions, indeed, over the very complexity of American life.

For some whites, the Negro and race relations have become convenient scapegoats for a host of other grievances.

One result is an apparent further drawing apart of black and white. "Polarization" is the current operative word—and cliche or not, polarization does exist.

It can be detected by even the most casual observer in a number of ways—in the reports of black-white conflict in the military, in the public schools, in the issues dominating municipal election campaigns, and in the often unsuccessful and bitter attempts of whites and blacks to work together on poverty programs and other self-help community projects.

Even among the traditional civil rights organizations, a new questioning is apparent. One detects a tone of resignation, a sense that the goal of an integrated society is easier to express than to achieve. This week, for instance, the American Civil Liberties Union issued a defensive statement saying it has not abandoned integration "as an ideal for educational quality." Then the ACLU added the gloomy forecast:

"In many communities, particularly the urban ghettos, we will continue to have segregated public schools for the foreseeable future. New strategies for equalizing educational opportunities are imperative lest we write off still another generation of minority children."

Beyond the specific problems lies a more intangible and difficult question—one of attitude.

The black director of a Pittsburgh anti-poverty program expressed the thought best when he remarked that some Negroes are being taught the same kind of racial prejudice that sustained white society, in reverse, for so many years. "Love black, hate white," he had said was the lesson for some. His words recalled a comment in Alan Paton's "Cry the Beloved Country," where the black African says sorrowfully, "I have one great fear in my heart, that one day when they (whites) turn to loving they will find we are turned to hating."

In such an emotional context, some thoughtful whites view the future with increasing pessimism.

"A lot of people now fear and hate Negroes who neither feared nor hated Negroes 10 years ago," said one man, a scholar in Washington, D.C. "It's not the color of his skin that's done him in. There's much less residual color prejudice in this country than we think. But the lawlessly aggressive militant has done the whole black race in.

"I'd have to say I'm pretty pessimistic. We are beset by the same sort of pressures which destroyed the German Republic in the '20s and brought Hitler to the fore. Don't forget that we've had vigilantism in this country for a long time."

"There's no question that the lines are being drawn, and numerically there just aren't that many revolutionaries to fight against the establishment. Labor is going to provide the shock troops. It isn't going to be called fascism, either. It'll have a good name. We can call it law and order.

"And one of these days somebody will come along with some personal magnetism and you're going to have a consolidation of the right. It may not be altogether a black-white confrontation, but sooner or later the middle class—primarily white middle class—is going to rise up against what it considers outright lawlessness."

Like other whites, he attributed a white reaction of fear and anger to the cumulative effect of the black militant's ultimatums and demands. Feeding this reaction is a belief that the turmoil pictured on the television screen is becoming greater. It leads to the conclusion that race relations have never been worse.

Yet, while the voice of the angry radical commands attention today (unfairly and inaccurately as the true representative black), other hardly noticed developments of greater significance are occurring.

In no other decade has an oppressed minority made greater, and more dramatic, gains. Throughout the 1960s, America has been undergoing something approaching its second revolution—a revolution of taste, style, manners, morals, expression, education, economics, politics.

The black protest movement, standing at the center of that revolution, has affected virtually ever aspect of American life—from the young white students who journeyed South in the mid-60s to Mississippi and Selma and then returned to their college campuses to begin their own challenge to the system, to the contemporary music, the dress and the language of today that stem directly from the blacks.

Even the numbers are changing.

At present, there are nearly 23 million black Americans, an increase of more than 20 percent over the 1960 census figures. (In the same period the white population increased by about 12 percent.)

By every statistical measurement, blacks, as a group, have advanced: Some 38 percent of black families now own their homes; the number of black professional, technical and craft workers increased by nearly 1.5 million since 1960; the proportion of blacks in colleges also has risen dramatically.

Here are other indications of change.

In education—Nine years ago, only 43 percent of young black men and women in the central cities were high school graduates; now that percentage has risen to 61. School dropout rates have declined sharply among blacks.

In incomes—Today, some 20 percent of Negro families in the largest metropolitan areas have income of $10,000 a year and over, double the number in 1960.

One of the most important changes involves the migration patterns of blacks.

Since World War I, blacks moved in ever greater numbers out of the old rural South and headed North. That pattern continued to accelerate through the 1950s and into the 1960s. Today, it has almost stopped.

Negroes are remaining in the South, partly because of better conditions there, but also out of a harsh recognition that life in the North may even be worse for them. The urban riots undoubtedly were a factor altering this pattern of movement.

From 1960 until 1966, for example, the cities were growing by about a quarter of a million persons a year. White population in central cities declined by about 141,000 a year. The black population in the cities was increasing by about 370,000 a year.

Then, about 1967, there came what the Census Bureau describes as "a distinct change."

City population dropped by nearly 400,000 a year. The movement of whites out of the central cities "rose sharply" to nearly 500,000 a year. Black migration into those cities dropped to 110,000 a year.

In other words, whites are leaving the cities in far greater numbers than before and blacks are replacing them at a slower rate than at any time in the past 20 years. That last development leads government analysts to conclude that the black concentrations in the cities may not increase much in the future. Coupled with this is the prospect of another kind of move by blacks: from the cities to the largely white suburbs.

As Conrad Taeuber, associate director of the Census Bureau, sees the trend:

"With the growth of a black middle class of major proportions, we may find that more blacks, as well as whites, will shun the cities until they provide more of the kind of life people want."

But that cuts both ways. It means the rest of the black population—the poor, uneducated, ill-equipped, ill-served black population—is left to itself in the decaying central cities. They are increasingly separated not only from white society, but from blacks. They are the festering sores in this rich land.

During research for this series, a recurring theme was sounded: that the racial problem in this country is a problem also of culture and economics. The greatest potential for violence comes when blacks and whites compete at the working level—and clash. That is happening today.

Although racial stereotypes have been altered in this decade, many white people still think of Negroes as an angry, hostile minority who, from time to time, set the torch to their own neighborhoods and throw America into a convulsion of fear. The whites haven't yet begun to notice those other blacks—the blacks now on their television commercials and dramas, the blacks in their offices, restaurants, theaters, airports, neighborhoods—who have been assimilated into the predominant middle-class white culture. Today those blacks, not the slum dwellers, are the real invisible Americans.

Yet they are proof that integration, or assimilation, can work. They are also the source of optimism in this story.

Joseph L. Rauh Jr. of Washington, vice chairman of Americans for Democratic Action and a veteran fighter for civil rights causes, struck neither an optimistic nor a pessimistic note when he said:

"I'm too old to change. I'm absolutely adamant when it comes to integration. I'm against separatist blacks and whites. I still believe in integration, but I wish I knew the answer on how to achieve it in a practical way.

"What has happened in America, what we have accomplished in the civil rights fight, is that we have made a system of legal racial equality. But we haven't made a system of practical racial equality. That hasn't been possible because of the economic situation."

Others, looking to the future, point to other developments. In Los Angeles, John A. McCone, the man charged with assessing the reasons for the riot in Watts and a former CIA director, takes another view. The riots, he thinks, have produced some beneficial results. "What has evolved out of the riots is a public awareness of the problem," he said.

Then he added:

"Examine what has taken place in the last 20 years; a period of intense technological development, a revolution in communications which has changed the scope of knowledge. I think this has a lot to do with the changes we are seeing. This period is the first time in history when man has the power to destroy civilization."

He might have said that America today contains the potential for self-destruction from within, or for creating a more equitable society.

Of that eventual outcome, you can hear voices of gloom and voices of optimism in traveling the country these days. A reporter prefers to recall one incident.

It was in Pittsburgh, in a private, closed-door meeting between a cross-section of the black community and the new public safety director, who is white. The exchange was frank—even blunt. The blacks laid out their grievances. They were explicit about problems in their community; they spoke of police—community tensions, of allegations of bribes and payoffs. One thing they needed to reduce the tensions was a new police-community relations division operating directly under the safety director. Were they going to get that? they asked.

"I don't know," the policeman said. "You know, we're pretty new at this."

For a moment, there was silence. Then a black spoke up.

"So were the Mets," he said.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

ECONOMIC OPPORTUNITY AMENDMENTS OF 1969

The PRESIDING OFFICER. Under the previous order, the Chair lays before the Senate the unfinished business, which will be stated.

The Assistant Legislative Clerk. A bill (S. 3016) to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, to authorize advanced funding of such programs, and for other purposes.

The Senate proceeded to consider the bill.

THE POVERTY BILL—OUR UNFULFILLED OBLIGATION

Mr. YARBOROUGH. Mr. President, we are frequently reminded that this Nation's technological superiority, military might, and economic abundance is unparalleled in the history of civilization. I think it is significant, however, that our spectacular accomplishments have not blinded us to our failings and that our democratic political process forces us to consider matters overlooked in the rush toward greatness. Today we are required to face the unpleasant fact that there is still poverty in America. We do so because our political institutions remain sensitive to the demands of a concerned citizenry which is aware of the debilitating effects of poverty on the quality of life and the economic well-being of the Nation. I see this as a sign of strength and of political maturity. It suggests to me that democracy is still flourishing as we near our 200th anniversary as a Nation.

Therefore, I strongly support S. 3016, a bill which authorizes new initiatives in several areas heretofore neglected.

Senator Nelson, as the chairman of the Subcommittee on Employment, Manpower, and Poverty, labored long and hard to bring to the subcommittee a reasoned and balanced approach to the problem of where the poverty program should go now. He worked with great skill in bringing before the Senate a poverty bill that has the most widespread acceptance of any poverty bill that has ever come out of the Committee on Labor and Public Welfare. I believe that I speak for the committee when I express to the Senator our appreciation for his consideration and understanding of our individual views as the bill moved through the committee.

The dimensions of the poverty problem have become increasingly familiar to those of us who have been given special responsibilty for examining and acting on poverty matters as members of the Senate Labor and Public Welfare Committee.

THE PROBLEM

Twenty-five million Americans who live in a land of affluence must support a family on less than $75 a week.

XUM

Five million Americans are chronically hungry and 10 million suffer from chronic malnutrition.

Then there are the forgotten rural poor; up to 14 million people living in isolated little communities and settlements where they hover in despair and grow bitter toward that which is far away, urban, and hard to understand.

Finally, I should add that the statistics we now see show us that this is not a regional or a sectional problem; poverty knows no geography in this country. Nor is it a racial phenomena. The statistics show that two out of three people who live in poverty are white. In other words, this is a national problem and its solution will require a national commitment of energy and resources.

COMMITTEE ACTION

The Labor and Public Welfare Committee, which I have the honor to chair, has carefully reviewed this bill and, has adopted the recommendation of the Subcommittee on Employment, Manpower, and Poverty which is headed by my distinguished colleague Senator NELSON. While we have sought to be responsive to the administration's request, we have had to recognize certain realities about poverty in America. The ongoing successful programs must be expanded while initiative is given for new ideas which will strengthen the program where it is weak, expand it where there are gaps, and assure the integrity of those programs whose continuity is vital to successful execution of a meaningful war on poverty.

The bill meets the administration's request for a 2-year authorization of OEO funds and the new OEO Director's request that we provide the administrative flexibility he seeks in order to undertake some reforms and improvements in his agency. This includes a provision which will permit the OEO Director to cut the budget of any program by up to 15 percent and to reallocate the funds to other programs within the agency. This will allow him to forestall financial crises for critical programs by taking idle money from stalled efforts and putting it to work where it is needed and can do the most good.

The President's budget proposal for the OEO was examined carefully by the committee and after due consideration it was the judgment of the committee that some of the more effective programs required additional funds to be truly effective weapons against poverty. Authorization for eight separate programs were expanded. These include the following:

Headstart: The committee voted additions of $120 million for 1970 and $240 million for 1971 to the President's request of $338 million per year. This is important if the already small number of children served by this program is not to be cut back. The headstart experience to date has shown us that the assistance provided to the youngsters in the summer often would be more effective if it were extended over a full year. Additional funds are needed to permit conversion of summer headstart sessions into year-long programs. The additional funds allocated for this program will achieve that purpose. They will allow all enrolled children to take advantage of the program for the entire year.

Legal services program: The President requested $58 million each year for OEO legal services. After examining the program and hearing compelling testimony on its progress and its promise by such prestigious groups as the American Bar Association, the National Bar Association, and the National Legal Aid and Defenders Association the committee voted to authorize an additional $16 million for 1970 and $32 million more for 1971. By 1971 the program would have an authorized funding level of $90 million—the minimum recommended by the American Bar Association. I shall discuss this matter more fully later in my statement.

Comprehensive health services: The administration's request for an $80 million authorization has been supplemented by an additional $40 million for 1970 and another $80 million for 1971. This reflects the committee's realization that families with poor health are canceling out any gains made in the employment, manpower educational fields. These services need to be expanded into many more communities as a vital complement to the other antipoverty programs which are based on assumptions that minimal health conditions prevail among those who are being helped to help themselves.

Our failure to recognize and act upon our health needs is a national disgrace. As chairman of the Health Subcommittee, I have found that as a Nation we are not paying enough attention to our growing health problems. We fail to provide sufficient doctors and technicians, we cutback our research funds thoughtlessly, and we fail to recognize that in our land of abundance, our newborn infants have less chance of life than children born in 15 other countries in the world. The comprehensive health services program is an attempt to bring medical services to the people who need them most. An investment in the health of these people is the most valuable investment we can make. For without health all the education and job training is doomed to failure.

Mr. President, this is a most important addition to the President's program, and I support it wholeheartedly.

Emergency food and medical service: The administration's request for $25 million in authorized expenditures would have the effect of holding back growth of this program in the face of disturbing new knowledge about the scope and severity of hunger in America. Some 20 million poor Americans who currently receive no family feeding assistance and the 5 million poor children who are denied school lunches would remain outside the program. The committee, cognizant of these facts, and sympathetic to the compelling need to abolish hunger and malnutrition in this land of abundance has recommended a substantial increase in the authorization. We are recommending an additional $75 million in 1970 and another $150 million in 1971.

Migrant worker programs: The administration has requested an authorization of $34 million for this program. The committee recommended increases after becoming aware of a number of disturbing facts. First, only one out of five migrant worker families is served by the program. Second, only about 4 percent of the programs' funds are being used to assist migrant farmworkers' families move out of the migrant stream and settle into nonfarm occupations. This is occurring in the face of reports that by 1980 nonfarm jobs must be found for some 40 percent of the farm labor force. In order to carry out its responsibilities to these hardworking people who harvest our crops and pick up their homes and move in diligent pursuit of work, the committee has recommended that the OEO be authorized an additional $7.5 million for 1970 and $15 million more for 1971.

Economic opportunities for senior citizens: The President requested authorization for $8.8 million for this program of assistance to low-income senior citizens. This would hold the program at its current level of operations and force the OEO to defer action on approximately 300 additional program requests. To assist the OEO in meeting some of the demand for services among the 5 to 8 million oldsters whose economic condition is precarious the committee has voted an expansion of the requested authorization—adding $1.6 million for 1970 and $3.2 million for 1971.

Day care centers: As we come to better understand the culture of poverty we uncover new problems to be met. One of these is nursery care for the children of working mothers whose income and family situation do not permit them to make satisfactory arrangements. Many low-income mothers are torn between the need and desire to work and a responsibility to their infants and young children. Some simply do not seek work. Others suffer the consequences of absenteeism, tardiness, and erratic or part-time employment. Children are left to the street, to the vacant lot, or to the neighbor or relative who is often a poor substitute for a mother. There are 4.5 million children under 6 years of age with working mothers, yet there are only 531,000 spaces in licensed day-care centers. In 1967, I sponsored a bill which would allow management and labor to bargain and establish such child-care centers without violating the National Labor Relations Act. This bill will become public law this year. As part of this effort, the committee at that time also established a day-care program within OEO, but so far, there has been a failure to implement the authorization. In this year's presentation the new administration also failed to request funding for programs to care for these children. After careful consideration and research, the committee has concluded that the importance of the matter commands action. We have taken the initiative of authorizing funds to initiate these day-care projects—$25 million for 1970 and $50 million for 1971.

Special impact projects: The administration has requested an authorization of $46 million for this program to provide funding for special social and economic development projects in particularly poor areas. This is well below the $75 million authorized back in 1966 when the program began and represents a step backward from a program whose success is ever more evident. If indeed, we are to emulate the successful experience of the Bedford Stuyvesant project and others in both rural and urban areas and if we are to back up the promise to give minorities a "piece of the action" in economic development then we must provide adequate funds to meaningfully move ahead with this job. The opportunities abound. Some 81 proposals totaling over $90 million are already pending before OEO with twice that many forthcoming. Not all of these may meet the standards that must be maintained, but it is clear from our examination of the program that the amount requested is insufficient to meet the needs of the program. Therefore, the committee has recommended an additional $7 million for 1970 and another $14 million for 1971.

Mr. President, the total of these increases amounts to $292 million for 1970 and $584 million for 1971. With their inclusion, the authorizations for 1970 would total $2.34 billion. For 1971, the total authorized would be $2.732 billion. Considering the size, scope, and complexity of the problem of poverty in this Nation this is hardly a beginning. It is, however, another step forward in developing a battle plan for a meaningful war on poverty.

LEGAL SERVICES

Mr. President, I would like to make special mention of an amendment offered by Senator MONDALE—my distinguished colleague and fellow member on the Senate Labor and Public Welfare Committee. He has provided us with a significant proposal for strengthening the legal services division of OEO and protecting the integrity of the advocates it provides for the poor in their dealings with State and Federal authorities. This program has been lauded by distinguished attorneys and scholars, by major professional associations such as the American Bar Association and has won wide acceptance and trust among the poor people of this country. In a time when so many are demanding respect for the law, it is essential that we assure ourselves that the law is being applied equally to the protection and benefit of all Americans. This program, which provides legal assistance to those who cannot otherwise obtain counsel, is indispensible in building respect for and confidence in our legal institutions.

In order to protect the program from any possible conflicts of interest in cases involving suits against Federal agencies, Senator MONDALE has recommended with concurrence by the majority of the committee that the OEO Director should be expressly prohibited from delegating this program to the Department of Justice or any other Federal agency. His view was endorsed by the American Bar Association in its recent meeting in Dallas, Tex. Adoption of this amendment is essential to protecting the integrity of this important program.

I would again like to lend my voice in support of Senator MONDALE's views. If we are to have order in this country, Mr. President, we must have respect for law by all of the people. And if we are to sustain that respect for our legal institutions, we must make certain that they serve all Americans equally and fairly whether they be landlord or tenant, employee or employer, lender or borrower, welfare chief or welfare recipient. I urge, therefore, that the proposed expansion and strengthening of the legal services program be adopted.

ALCOHOLISM PROGRAM

Mr. President, another significant outcome of our study of the OEO program is recommendation that a new national program of alcoholism counseling and recovery be undertaken in conjunction with the war on poverty. Small authorizations of $10 million in 1970 and $15 million in 1971 are included to set this effort underway. Such an addition is necessary if the assistance provided through the other programs is to have any effect on those families suffering the ravaging effects of alcoholism. It is clear that a worker, a housewife, a family cannot fully benefit from services provided by OEO or community agencies if each step forward is to be canceled out by debilitating effects of alcoholism or problem drinking. My distinguished colleague from Iowa, Senator HAROLD HUGHES, chairs a special Subcommittee on Alcoholism and Narcotics, which as committee chairman, I created this year. He is an internationally recognized expert in this field. It is through his diligent work on the relationship between alcoholism and poverty that we have come forward with language that authorizes the Office of Economic Opportunity to forthrightly direct its attention to the problem of alcoholism and recovery. I would like to take this opportunity to thank Senator HUGHES' initiative in directing the attention of the Senate and the administration to this problem.

NARCOTICS PROGRAM

My distinguished colleague, Senator DOMINICK, who serves as the ranking minority member with Senator HUGHES on the Alcoholism and Narcotics Subcommittee, has provided a companion program to the one on alcoholism—directed toward rehabilitating drug users.

It is becoming increasingly clear to those of us who are continually concerned with the causes of poverty that drug addiction provides emotional, physical, and financial drains on many people who have no way to take advantage of any economic opportunity provided them as long as they are afflicted by the drug habit. Although the administration proposal did not take note of these problems or make recommendations on how to deal with them, the committee hearings and research have clearly indicated that Senator DOMINICK's proposed program to create a new special emphasis program to help rehabilitate drug addicts is a vital complement to a realistic economic opportunity program. I, therefore, repeat my strong endorsement of this amendment.

AMENDMENT NO. 241

Mr. JAVITS. Mr. President, I call up my amendment No. 241 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 2, lines 15 and 16, strike out "and for the next fiscal year".

On page 2, line 18, strike out "each".

On page 4, line 1, strike out "any such fiscal year" and insert in lieu thereof "the fiscal year ending June 30, 1970".

Mr. JAVITS. Mr. President, for the information of the Senate, I shall not debate my amendment until we have had a quorum call.

The PRESIDING OFFICER. Does the Senator from New York ask unanimous consent that the amendments be considered en bloc?

Mr. JAVITS. I do.

Mr. NELSON. Mr. President——

Mr. JAVITS. Mr. President, I withhold the request.

Mr. NELSON. Will the Senator explain the amendment briefly?

Mr. JAVITS. It is simply that the words come in different places; it seeks solely to eliminate earmarking.

Mr. President, I renew my unanimous-consent request.

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

Mr. JAVITS. Mr. President, for the information of the Senate, I would hope the Senator from Wisconsin (Mr. NELSON) would give me his close attention so that we can chart a course so that Senators will have some idea of what we are about.

I shall bring the amendment to a vote. I expect a rollcall vote on the amendment around noon, if Members of the Senate are willing to cooperate in that respect.

Mr. NELSON. Would the Senator like a unanimous-consent agreement?

Mr. JAVITS. No, I would rather not.

Mr. President, second, I am hopeful that other members of the minority, and I know some of them have amendments, will propose their amendments immediately after this rollcall, and I hope that Members will lend their help to the problems of so many of us so that we may conceivably have action on the bill by tonight. Whether that will happen no one knows, but at least that is the aspiration of the Senator from Wisconsin and me, and we humbly invoke the cooperation of the Senate.

Mr. President, if attachés will advise Members that the pending amendment relates to striking from the bill the provision which earmarks amounts of the authorized appropriation for the fiscal year ending June 30, 1971, Members who are interested might come over to hear the debate.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PROUTY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Vermont addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Vermont.

XUM

Mr. PROUTY. Mr. President, I offer the following comments in connection with S. 3016, a bill now before the Senate to extend the Economic Opportunity Act. As a member of the Committee on Labor and Public Welfare which voted favorably to report the bill I intend to support the bill on the floor of the Senate.

Before I make specific comments on the bill, however, I would like to note that I do not think the hurried manner in which the bill has been presented is in any way conducive to proper passage because it does not lead to adequate understanding of the need for this legislation. At a time when the Nation is making great strides in meeting the needs of the poor it is essential that we in the Congress give full attention to a discussion of all the issues so that every citizen can be fully informed. The causes of poverty are so many and so varied that we cannot hope to succeed unless all citizens of the country cooperate in this endeavor.

As was stated in the committee report and the supplemental views of the minority Members, there are many aspects of the bill which should be of great benefit to the Office of Economic Opportunity in its future operations.

Perhaps most important is the recognition that OEO must be extended for another 2 years. This will give continuity to existing programs and flexibility to the Director in evaluating and reorganizing the total OEO structure.

The needs for such evaluation and reorganization have been outlined by the President and the new Director to reflect a desire to learn from the past and to make the future more successful.

In the past 5 years we have learned much from OEO's successful programs as well as those that did not achieve the desired results. We have learned the value of certain programs and even delegated some to other agencies where they can be implemented better. We have learned about the role that various State and local agencies can play in solving the problems of the poor. On the basis of this, the community action concept has been strengthened and the role of the States is now being improved. I heartily endorse this kind of evaluation and refocusing effort, and for these reasons, I think the 2-year extension will be most helpful.

With regard to the flexibility that will be given to the Director in this effort, however, I think the bill has several potential drawbacks. One of these is the specific earmarking of funds. Such earmarking is not based on proper evaluation of priorities or previous successes. Earmarking will only limit the flexibility of the Director in establishing his own priorities or in strengthening certain desired programs more than others. Another drawback is the limited flexibility given the Director in transferring funds from one program to another. I think we have improved the situation greatly by now allowing up to 15 percent of any program's funds to be diverted to another without placing a limit on the total to be added, but I think this should be increased to 20 percent. However, once having done so for the first year, and that we should increase the flexibility to at least 30 percent in the second year so that the Director, if the situation warrants it, can shift the emphasis even more. If the 15-percent transferability rate is kept the same for both years, it does not allow the Director to continue a change in focus once it has been started.

One other aspect of the bill that disturbs me is the level of funding that we have authorized. I fear it is in excess of that requested by the President and thus may limit his flexibility in determining priorities and balancing the budget. Specifically, in the first year the basic authorization is $2.048 billion as he requested, but the second year is for $2.148 billion, and this may not be warranted. More importantly, however, I think the addons proposed for specific programs each year are greatly unwarranted. They will add $292.1 million and $584.2 million for each year respectively and yet little basis can be found for adding or expanding each such program so disproportionately.

Although I have gone to some length in enumerating my hesitant feelings with regard to certain portions of the bill, I still feel it is worthy of support. I think the strengths enumerated here on the floor and in the committee report warrant its approval by the Senate. I further hope that the House will complement the work that we have done here.

The new direction of OEO that we all so heartily endorse deserves instant attention and commitment. I thank my colleagues on the committee for their interest and thank our chairman, the distinguished Senator from Wisconsin, who has worked most diligently and effectively to produce a bill worthy of bipartisan support. I hope my colleagues in the Senate will look favorably on these efforts and give solid approval to the bill.

Mr. JAVITS. Mr. President, will the Senator from Vermont yield?

Mr. PROUTY. I yield.

Mr. JAVITS. We have had an absolutely extraordinary degree of unity of opinion among the minority members of the Committee on Labor and Public Welfare, especially on very trying questions like the war on poverty and the OEO.

It is well known that we are not men of necessarily parallel views. My views are not necessarily those of other members of the minority. There are some exceptions to that. But I really credit my colleague from Vermont with exercising enlightened influence which has enabled me to point with such pride—and I do—to the degree of unity which we have been able to attain.

Time and again the able Senator from Vermont has subordinated what he has felt to be deeply held views to try to come, as far as he could, to meeting mine and that of other members of the committee.

It is characteristic that in his statement today he includes the administration's approach insofar as we were able to carry it through, even for some of the things the committee did itself; but the general outline of the bill is characteristic of the very, very constructive influence which has helped to hold the minority together and give it such a constructive position. It has made my work as ranking member, with the duties that carries, tenable and practicable. I am very grateful—speaking personally, and I mean it—I am very grateful to the Senator from Vermont.

Mr. PROUTY. Mr. President, may I say to my colleague from New York that I am, indeed, grateful for his most generous remarks. We may differ somewhat with respect to details but the overall objective is the same. I have supported this program throughout the years, and have made suggestions, some of which have been accepted and some rejected; but we have, nevertheless, made real progress.

Certainly, without the able assistance of the very distinguished Senator from New York, we would not now be well on the road to facing up to some of the serious problems we have in this field.

I pay my highest respect and tribute to the Senator from New York for his selfless help and encouragement.

Mr. JAVITS. I thank my colleague from Vermont.

Mr. NELSON. Mr. President, will the Senator from Vermont yield?

Mr. PROUTY. I yield.

Mr. NELSON. I concur with what the Senator from New York has just said about the helpfulness and cooperativeness of the able Senator from Vermont, as well as the minority. I do not think that I have ever served on a committee—in the legislature of my State or here in Congress—which had to deal with issues that are as complicated, as volatile, and represent such diverse philosophical viewpoints. I have never seen better cooperation by the minority or whenever I was on the minority, by the majority, than the minority on the Subcommittee on Employment Manpower and Poverty.

It would not have been possible for this bill to be completed and now before the Senate if it had not been for the genuine spirit of cooperation and compromise that has been expressed and followed by members of the minority, including specifically the Senator from Vermont and the Senator from New York who are here today.

As chairman of the subcommittee, I want the Senator from Vermont and the Senator from New York to know that I appreciate very much their cooperativeness and their helpfulness in getting the bill before the Senate, even though I consider that there are Members on both sides who have specific and strong feelings and did not wish to compromise; but they were willing to do so, so that we could come out with a bill which I think, overall, represents a genuine bipartisan effort.

Mr. PROUTY. I am very grateful to the Senator from Wisconsin for his comments.

Mr. BYRD of West Virginia. Mr. President, will the Senator from Wisconsin yield?

Mr. NELSON. I yield.

Mr. BYRD of West Virginia. Mr. President, I should like to call to the attention of the able Senator from Wisconsin, the Senator in charge of the bill, an article published in today's Washington Post, written by Eve Edstrom, entitled "Rumsfeld Warning Miffs Poverty Unit."

I read some paragraphs from that article:

> The Nixon administration asked the nation's community action leaders yesterday to avoid "tactics of confrontation" but was promptly denounced as the "enemy of the poor."

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> The confrontation occurred at the Sheraton-Silver Spring where Office of Economic Opportunity director Donald Rumsfeld addressed 1,000 antipoverty workers from across the nation who had gathered for a three-day conference of the National Association for Community Development.
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> They debated and adopted a position paper that accused the Nixon administration of being the "enemy of the poor" and urged all Americans to join the "army of dissenters." The paper also urged OEO to establish a national advisory council of poor persons and to seek a strong role for community action agencies in the operation of manpower training programs.
>
> The conference had been opened with a warning from Rumsfeld against the "tactics of confrontation."

Quoting from Mr. Rumsfeld, I read as follows:

> If community action agency efforts are dominated by the kind of confrontation tactics which divide communities and further isolate the poor from other groups instead of bringing them into closer relations with the community, community action will soon be without the broad support it must have.

The article continues:

> Before Rumsfeld could answer questions from the audience, Theodore T. Taylor, a New Jersey community action worker, demanded and received time to speak.
>
> Taylor told Rumsfeld that "I consider your remarks to be an insult to us" . . .

Mr. President, I call this news story to the attention of the Senate and to the attention of the manager of the bill and other members of the committee, who are, of course, supporting this bill, for the purpose of asking whether or not there was concern on the part of the committee with respect to the tactics that have been used by some of the antipoverty workers throughout the country from time to time, tactics leading toward "confrontation," and, if so, what recommendations are being made by the committee, if any, that will serve to prevent use of the taxpayers' money by poverty employees, many of whom are misguided, to foment unrest and incite revolution and insurrection and stir up trouble.

I wonder if the able Senator would respond.

Mr. NELSON. Mr. President, let me say first that Mr. Rumsfeld is moving to eliminate those community action programs which have not been effective. He has authority to do it. If they are not performing the responsibility that he believes they have under the law, effectively, in getting a fair return for the taxpayer's dollar, he is eliminating them. I understand he is eliminating about 30 community action programs which he does not think are effective, or at least if they do not measure up in a very short period of time.

Second, as to that article, I would like to say to the Senator that I spoke there a couple of hours after Mr. Rumsfeld did. There were 1,100 delegates at that nationwide conference. They were behind schedule when I arrived, so I was there through the lunch hour and for about 1 hour and 15 minutes before I spoke. In the course of that period, I visited with a number of people there, including a couple of members of the board of directors, and a number of delegates, some from my State, some from California, and some from other States.

Though many of the people did not agree 100 percent with what Mr. Rumsfeld said, everyone I talked with said that he made a very fine presentation and handled himself well. I understand they had a question-and-answer period. Several of them said, using almost the same words, "He handled himself very well," though they did not agree with everything he said.

The Senator from West Virginia has been in politics for a long time. He knows that if you get 1,100 people in one place, even if 97 percent of them agree, 2 or 3 percent may get the floor and make it appear that there is great dissent.

Many of these people are concerned about the community action programs and about assurances that they will continue—which they have—and that at the local level they can develop sound, effective, locally managed programs.

I can assure the Senator that I was impressed with the fact that a number of people there said they thought, though they did not agree 100 percent, that Mr. Rumsfeld had presented his case and handled himself very well before that group.

I thought it was a very fine, representative group of people, during the 1 hour and 15 minutes I had a chance to be there before I spoke.

Mr. BYRD of West Virginia. I have no concern about those who may wish to express differing opinions about matters. The able Senator has referred to the fact that I have been in politics long enough to know that in an audience of this size there will be those who wish to express their own differing opinions. I know that to be the case. But I am concerned when the taxpayers' money is used by individuals who are employed in the antipoverty programs to stir up unrest and to foment disorder and to disrupt school board meetings, disrupt city council meetings, and so on. There has been a great deal of this all over the country. We have had some of this in my own State, where school board meetings have been disrupted and the board of education members have been forced to adjourn the meetings. City council meetings have been disrupted here in the Nation's Capital.

In so many of these cases, those who have disrupted meetings by duly constituted bodies have been individuals employed in the antipoverty programs.

I have had considerable correspondence from people in West Virginia who have expressed great concern at the misdirection of some of the antipoverty programs in that State.

I voted for the basic legislation which established the programs. I have voted for most of the appropriations to fund most of those programs. On the other hand, I have supported reductions in appropriations for certain programs. I have been quite critical of some of the programs, particularly the VISTA program as it has operated in my State. I do not know how it is operated in other States, but my State has had some unfortunate experiences with some of the VISTA workers.

I do not condemn all the VISTA workers; I do not say they are evil. Undoubtedly, many of them are well intentioned. But often they come into West Virginia knowing nothing about the State and nothing about West Virginians. They know nothing about being poor. By their conduct and their appearance and their activities they have done injury to the antipoverty program. They have performed a disservice to the poor, and they have created a bad image of a program which is funded by the Federal Government.

In some instances, some of the community action programs have operated in the same way. There have been instances in which some of the community action programs have worked to the detriment, in my judgment, of small business enterprises in my own State. There have been charges that Federal moneys have been used to foster competition with some of the small business establishments in West Virginia. The owners of the small businesses are taxpayers; they help to pay for these programs, programs which, in their judgment, are being used to destroy them.

Situations have occurred in the District of Columbia in which so-called poverty workers have contributed to demonstrations. For example, they have been involved in demonstrations against the Welfare Department and against the Police Department.

I just cannot help being concerned when I see one agency of the Federal Government making war on other agencies of the Federal Government.

Yesterday, the Washington Post published an article which indicated that 5 percent of the population of Washington is now on welfare. The Director of the District of Columbia Welfare Department expressed concern about spiraling caseloads, and concern about where the money was going to come from to finance the growing welfare caseloads in the District of Columbia. It was also indicated in the story that some of the neighborhood legal services, that are being funded by poverty moneys, are contributing to the upsurge in the welfare caseload, and there were indications, and have been indications all along, that some of these individuals who are paid through the antipoverty programs make it their business to attack the Welfare Department regulations, in an attempt to get such regulations relaxed or eliminated, and thus get more people on the welfare caseload.

Mr. President, I am not against welfare. I am not against helping people who need help. I am not against helping people who are in poverty. I want to see poverty eliminated, as much as possible. I want to help people to help themselves. But I do not think government should finance it's own destruction. I do not think any Federal agency should attack the regulations governing eligibility for welfare in an effort to increase welfare spending.

I think the basic ideas behind the war on poverty were good, but in actual experience they have not worked out too well in all too many instances.

I had a personal experience with some of these VISTA workers who came to Washington from West Virginia in the summer of last year at the time when Resurrection City was here. I suppose

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there were a hundred or more persons who came here from West Virginia, but they were encouraged to do so by some of the antipoverty workers.

They demonstrated on my lawn over in Arlington. I do not think it is the intent of Congress to fund programs to encourage demonstrations against duly elected public officials.

I had another experience in which three of these so-called VISTA workers came to my office, asking for an appointment, at a later date, with a group of the poor people from West Virginia. The conversation went something like this:

I said to the young lady who was in the trio, "What part of West Virginia are you from?"

She said, "Well, I am not from West Virginia."

I said, "How long have you been in West Virginia?"

She indicated that she had been there several months.

I asked, "What have you been doing in West Virginia?"

She said, "I am with VISTA."

I said, "How much pay do you get?"

She said, "Forty-five dollars a day, as a consultant."

I asked, "How much education have you had?"

She said, "I am a graduate of Dominican College," which she indicated was in Louisiana.

I asked, "What have you been doing in West Virginia in your work?"

She said, "Well, the last few weeks I have been helping to organize this visit to Washington by poor people."

So I asked the second one, "How much education have you had?"

He said, "Well, I have had 1 year at the University of Colorado."

I asked, "Why are you not in school? Why are you not taking some summer classes?"

He said, "Well, I am getting some credit for being attached to Resurrection City."

I asked the third, "What does your father do?"

He said, "He is a doctor."

I said, "Do you have brothers and sisters in college?"

He said, "Yes, I have one who is a graduate of the University of Arizona."

I asked, "Have you graduated from college?"

"I am a junior at the University of New York," I believe he said. I am not sure as to the name of the educational institution; this conversation took place more than a year ago.

I asked, "Why are you not in school this summer?"

He said, "Well, I will get 9 hours of credit for working with Resurrection City."

Then I said, "Not one of you knows anything about being poor. Not one of you. And here you are, up here leading the poor."

I asked, "Were you in that demonstration over on my lawn a few days ago in Arlington?"

The response was, "Yes, we were there."

"Well," I said, "you did not convince me of anything by conducting that demonstration. You went over there and tried to intimidate my wife. She told you you could see me in my office. My doors were open for you at the office. I was there, but you were not interested in coming to my office."

This is a thing, Mr. President, that I resent. I resent poverty moneys being misused in such activities, and I resent poverty moneys being misused by those who use the poor, oftentimes to advance their own ends, while no real help ever gets down to the poor people for whom the programs were designed.

So, Mr. President, I take the floor today just to say that, while I want to do everything possible to help people to help themselves, I would hope that the committee would be concerned—as I am sure it is—and I hope Congress will be concerned about moneys that fall into the hands of extremists, radicals, and troublemakers, who misuse the poor to stir up strife, foment rebellion and insurrection, and make war on other Government agencies.

I have this concern, Mr. President. I wanted to voice it at this point. At an appropriate time—not during the debate on this measure—I shall place in the RECORD the correspondence that has come to me from my constituents expressing their viewpoints, and explaining how some of the war on poverty activities have indeed not been for the benefit of the poor, but have accrued to the creation of suspicion and antipathy for the poverty programs.

On the other hand, I have had considerable correspondence complimenting certain segments of the antipoverty programs. I have had correspondence complimenting the Headstart program and the Neighborhood Youth Corps program. So not all of the correspondence has been adversely critical; but, with particular reference to some—not all, but some—of the community action programs, and in large measure with reference to VISTA as it has operated in West Virginia, I have not had much in the way of correspondence from my constituents that would recommend the continuation of these programs.

I asked the manager of the bill yesterday whether or not the legislation would take away the prerogative of the Governor of a State to veto VISTA, and I was assured that the legislation does not do that. I have in the past urged the Governor of West Virginia—the former Governor, not the present Governor, though I may also have urged the present Governor, I do not exactly recall—to get VISTA out of West Virginia. I am glad that the legislation does not take away that prerogative of a Governor, because I think that is a proper responsibility of the chief executive of a State.

Mr. President, I trust that the committee will continue to look into these matters. I intend, as a member of the Appropriations Subcommittee which handles supplementals and deficiencies, to take a very close look at any requests for moneys from the Office of Economic Opportunity—not that I am out to cripple it or kill it, but I just want to see these programs used for the benefit of the poor, and I want to see the approach in the right direction. I do not want to see the taxpayer's money used to destroy the taxpayer himself and to undermine law and order in this great Republic of which we are all so proud.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. JAVITS. Mr. President, the Senator from Wisconsin (Mr. NELSON) has spoken to this point. I would like to do so also.

It is not an easy matter to reconcile because when people are poor—and I am sure that the Senator from West Virginia, whose origins are as humble as mine, knows this as well as I do—they want to rebel and complain to someone about their position.

We had a very interesting point of view expressed by the American Bar Association. I would like the Senator from West Virginia to read it. It is printed in the committee report at page 20.

The representative of the American Bar Association, testifying before the committee, said:

> I cannot really get across to the committee our sense of urgency about the need for expansion of legal services to try to repair the divisions that are taking place in our society. We know from documented reports by various presidential commissions and by hearings that you yourselves have participated in that the poor by and large have little confidence in our society, in its structure, in its institution, in lawyers, in the law, in the court system and as a result, when their own rights are not honored it is not too surprising I think that they riot in the streets . . .

He then goes on to say that the legal services are rendered under very serious pressure.

The Senator has been a Senator and a lawyer for too long to believe for 1 minute that we can run a placid society. It is a difficult situation for this reason.

Every case involving legal services, even if it involves what is called law reform—which is a kind of trade term applied to broad reform as contrasted to an individual case for goods sold and delivered—involves a case in controversy. It is a case. It may be a precedent making case. It may invalidate a law, but it is a case. It starts with A suing B, even if B happens to be the State.

I understand the Senator's point of view. He does not want to pay the money of the United States to disrupt the United States.

We must think about the matter. We thought about it very seriously. The Senator from California (Mr. MURPHY) is a very eloquent and effective advocate of this course.

If we try to put it "in haec verba," we run into the difficulty of cutting too much or too little.

Everything is a case. We do not want to cut legal services where an injustice has been done by the Government. I suppose that the Senator has had occasion to run into that situation.

I think that, in the administration of the legal services program particularly, the thrust might be to discourage the utilization of the legal services program as an instrument of social reform.

That is really what the Senator has in mind. I think he is right about the fact that we have to look at it on an opera-

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tional basis. We are doing that. And I think we are satisfied with the result.

The Senator from Wisconsin (Mr. Nelson) has expressed himself on the matter.

The administration understands the matter and has a very clear concept of the perimeter within which they can operate without restricting individual liberty.

One cannot guarantee 100 percent that there will not be confrontation. That would defeat the program. However, one can use his head in the administration of the program in a very effective way.

I thought I would like to add my assurances to those of the distinguished Senator from Wisconsin and point out that we are sensitive to this matter, that we have looked into it and will continue to do so.

We consider it a proper area of legislative oversight to check to see what is going to be done with the Government's money in this very sensitive field. We thought about it. We tried to offer some restriction or phrase of statutory language. We run into the fundamental problem that it ceases to be the escape valve that the ABA feels very strongly that it is. Second, if it is a case in controversy, it might get into court. It is hard to draw a distinction except on a case-by-case basis. That substantially is what the Senator from Wisconsin had in mind. I am the ranking minority member of the committee, and I want to join in explaining this matter to the Senate.

Mr. BYRD of West Virginia. Mr. President, I appreciate very much the comments of the able Senator from New York. And I feel that they have been offered as assurance that the committee is concerned and that it has weighed these problems that it has had called to its attention before today—the matters which I have discussed.

I reiterate my concern, however. I do agree with the Senator that perhaps the ills can best be rectified in the administration of the program. And I have a feeling based on what the Senator has said that this has been discussed and that the administration of the program is going to travel in that direction. I hope it will.

I will make this comment about the quote which appears on page 20, to which the able Senator alludes. It is a quotation from Mr. John D. Robb, chairman of the American Bar Association's Committee on Legal and Indigent Defendants.

I am not against the poor having access to legal services. I want the poor to have their day in court as much as anyone else. But, Mr. President, I just want to reiterate and emphasize what I said earlier, that this, too, is an area of concern. And if it is not rectified and corrected by those who administer the program, then I have a feeling that the people will demand some kind of correction by Congress, perhaps an elimination of such program. And we may go too far when we start eliminating programs.

As to the quotation itself, Mr. Robb is speaking of the legal services offices and the fact that their effort has convinced the poor that in the legal services offices they have a true advocate who will take on anyone who opposes them and who picks on them unjustifiably.

He then goes on to say:

> That includes everybody from the corner merchandise house that sells a shoddy TV, to General Motors, if necessary. It includes everybody from the welfare case worker who makes an unlawful recommendation to discontinue benefits . . .

Mr. President, I was chairman of the Appropriations Subcommittee on the District of Columbia for 8 years. I do not know of one instance, not one, in which I recall an "unlawful" recommendation being made by any "welfare caseworker" to discontinue benefits.

I followed the welfare situation in the District pretty closely. Perhaps the great increase in welfare caseloads in the past 6 months is to be attributed, in part at least, to the fact that I am no longer chairman of the subcommittee.

As I stated, I followed the welfare situation pretty closely. And not once do I recall an unlawful recommendation being made by any welfare caseworker to discontinue benefits.

I would like Mr. Robb, if he has evidence of the fact that welfare caseworkers have "unlawfully" recommended discontinuation of benefits, to present the evidence of the committee. Perhaps he did. I do not know.

I will not let that statement by Mr. Robb go unchallenged. And he is quoted in a further statement which I shall not allow to remain unchallenged. His statement is as follows:

> The poor by and large have little confidence in our society, in its structure, in its institution, in lawyers, in the law, in the court system and as a result, when their own rights are not honored it is not too surprising I think that they riot in the streets . . .

Mr. President, there are too many people making excuses for those who riot in the streets. There is no excuse under our republican form of constitutional government for anyone to riot in the streets.

I have seen more poor people when I was a lad growing up in the coal mining communities of southern West Virginia than this country has today. I have seen millions walking the streets with holes in their shoes and in the seats of their pants looking for work. I have seen people hungry, with no work, and in debt. My own foster father used to work from daylight to dark in the mines, 6 days a week, and be overdrafted on payday.

Mr. President, when we talk about poverty, I have seen grinding poverty, and a lot of people who are sitting in this Chamber today have seen it and experienced it, and a lot of people in the gallery have experienced it. They know what grinding poverty is. The poverty of today is nothing compared to the poverty of the early thirties.

Many of us lived at a time when there was no running water in the house. We had our outside toilets, no radios, no television sets, no automobiles, no food stamps, no social security programs, no unemployment compensation programs, no public assistance, no welfare. Yet, the poor did not riot. Yet, a man in the position of Mr. Robb, the chairman of the American Bar Association's Committee on Legal and Indigent Defendants, would have the gall to excuse riots in the streets by saying of the poor that "it is not too surprising, I think, when they riot in the streets."

Mr. President, I do not recall ever having seen a Hungarian or a Pole or a Greek or a German or a Jew or a Lebanese or an Italian on welfare. I do not say that there have not been some on welfare, but I do not know of it. The early immigrants were poor, and they were crowded into cities. They were discriminated against, but they did not riot in the streets.

So I hope we will get away from trying to substantiate every program and support every program on the basis that it might prevent riots in the streets. We have had many, many millions of poor people in my time, in the time of the Presiding Officer, and in the time of every Senator, but those people did not set the torch to city block after city block. They did not drag motorists from automobiles and beat them and set their cars afire. They did not turn in false fire alarms and then throw bottles and bricks at the firemen who answered the false calls. They did not stomp policemen to death in the streets. They did not rape and murder and burn and loot.

Mr. President, I am concerned when quotations like this appear in substantiation of this or any program. I intend to vote for the extension of this program because I think there is much good in it, even with the bad, and I also feel that Mr. Rumsfeld will try to correct and improve the administration of the programs and weed out the bad, but I simply wanted to voice this concern today so that the administration downtown will know that there are those of us who want to see the eradication of the waste and inefficiency and an end to the abuses that have surfaced in some of the programs. I want to see the good programs continue; but I simply am against the use of the taxpayers' money by hoodlums—I have seen this in Washington—who head up some of the antipoverty activities and who make it their business to foment unrest and rebellion.

Mr. President, I as unanimous consent to insert the two newspaper stories to which I have referred.

There being no objection, the stories were ordered to be printed in the Record, as follows:

Rumsfeld Warning Miffs Poverty Unit

(By Eve Edstrom)

The Nixon administration asked the nation's community action leaders yesterday to avoid "tactics of confrontation" but was promptly denounced as the "enemy of the poor."

The confrontation occurred at the Sheraton-Silver Spring where Office of Economic Opportunity director Donald Rumsfeld addressed 1,000 anti-poverty workers from across the nation who had gathered for a three-day conference of the National Association for Community Development.

Conference planners came in for as much heat as Rumsfeld because the conference was located in affluent suburban Maryland instead of downtown Washington and because program speakers were "Nixon's come fetch boys" who "come here to give us no information."

Conferees were so dissatisfied that they forced the scrapping of the afternoon agenda, which had called for Commerce Department spokesmen to discuss minority businesses.

Instead, they debated and adopted a position paper that accused the Nixon administration of being the "enemy of the poor" and urged all Americans to join the "army of dissenters." The paper also urged OEO to establish a national advisory council of poor persons and to seek a strong role for community action agences in the operation of manpower training programs.

The conference had been opened with a warning from Rumsfeld against the "tactics of confrontation."

"If community action agency efforts are dominated by the kind of confrontation tactics which divide communities and further isolate the poor from other groups instead of bringing them into closer relations with the community, community action will soon be without the broad support it must have," he said.

Before Rumsfeld could answer questions from the audience, Theodore T. Taylor, a New Jersey community action worker, demanded and received time to speak.

Taylor told Rumsfeld that "I consider your remarks to be an insult to us" because they did not center on key problems.

OEO, Taylor continued, "has not carried out its mandate for maximum feasible participation of the poor." The administration. Taylor said, "has sold OEO down the river," and has "sold out the poor."

Rumsfeld observed that national priorities "already are shifting" toward meeting more of the needs of the poor. And he insisted that the administration is strongly committed to community action and participation of the poor.

He emphasized that President Nixon has urged Congress to act promptly on the administration's bill to extend OEO's life for another two years without crippling amendments.

On Capitol Hill, the House Education and Labor Committee scheduled another markup session on the poverty bill today. The Senate began debate on the bill yesterday and is scheduled to vote on it today.

WELFARE AIDS 5 PERCENT OF D.C. RESIDENTS

(By Carol Honsa)

Washington's welfare rolls increased so dramatically during the past fiscal year that nearly 5 per cent of the city's population now receives some sort of public assistance.

By the end of July, 43,202 persons here were on relief. Welfare officials said there is no indication that the upward trend will level off, and fears were expressed that there might not be enough money to go around.

A jump of 33 per cent in the biggest and most controversial welfare program in the city—Aid to Families with Dependent Children—accounted for much of the overall increase.

"We're very concerned," said Winifred G. Thompson, city welfare director.

"We don't know where the money is going to come from, quite frankly," she said.

The latest statistics illustrate the reason for her concern. "The 33 per cent increase in dependent children rolls for the year ending in June, 1969, compares with 8 to 12 per cent increase in preceding years.

In June, there were 32,957 persons enrolled in the AFDC program. By July, 1,094 names had been added, bringing the total to 34,051.

The growing caseload means that the city, which spent $11.8 million in fiscal 1968 for aid to families with dependent children, had to spend $14.6 million in fiscal 1969.

Under the program, a family of four gets $2,300 a year—and this figure is $1,000 below the government-defined poverty standard for families of that size.

Officials at public and private welfare agencies cite a number of causes for the increase in relief dependency:

Special programs are making more poor persons aware that welfare is available to them, and antipoverty workers are seeing that they apply for it properly.

Rising costs of living and inflation, which make it difficult for families to continue struggling on sub-welfare incomes, are moving them to apply for relief.

Washington's large young population is coming of age and forming families, but job opportunities are not expanding to meet the demand.

Elimination of the one-year residence requirement. Welfare officials found the largest group of newcomers seeking aid had lived here less than one month.

A new simplified, or declaration, method of making applications eliminates routine investigations and relies on the applicant's word. After the new method was inaugurated in July, the Welfare Department received a record 1,141 applications the same month and 1,123 in August, compared to 669 and 836 in the two preceding months.

Court decisions removed some more restrictive welfare policies, which has tended to make welfare less "degrading" than it once was. Relief clients no longer must admit welfare investigators into their homes, for example.

Medicaid. The medicaid program has no direct ties to public assistance, but it is having an effect on the relief case-load, according to Miss Thompson. Persons in the medical aid program have become more conscious of their eligibility for other services, she explained.

Last year's dramatic increase in aid to families with dependent children caught the welfare department by surprise, officials there acknowledge. The department had anticipated new cases would continue to be added at the old rate of about 50 to 80 a month. Instead, they averaged 245 new cases a month.

This year the department again underestimated. It sought money in the fiscal 1970 budget, which took effect in July, for an average caseload of 7,830 families. By July, the first month, 8,002 families were already on the rolls.

And Miss Thompson sees nothing to stop the upward spiral in caseloads.

Isadore Seeman, director of the National Capital Area Health and Welfare Council, estimates that only a third of the families eligible for relief actually receive it, both here and nationwide.

"We've got a pool of potential families all the time," Seeman said.

Richard Carter, head of the Neighborhood Legal Services Program law reform unit, said he is "proud" of the group's efforts to get former restrictive welfare policies changed. If the caseload is going up, "maybe we're just beginning to approach the number of people who should be getting assistance," he said.

Mr. MURPHY obtained the floor.

Mr. JAVITS. Mr. President, will the Senator yield so that I may ask for the yeas and nays?

Mr. MURPHY. I have the floor. I have not been able to get the floor for over an hour.

Mr. McCLELLAN. Mr. President, will the Senator yield to me?

Mr. MURPHY. I am glad to yield.

Mr. JAVITS. Will the Senator withhold for a minute, because we have sufficient Members present for the yeas and nays to be ordered.

Mr. McCLELLAN. Very well.

Mr. JAVITS. I ask for the yeas and nays.

The yeas and nays were ordered.

RESOLUTIONS AGAINST ORGANIZED CRIME

Mr. McCLELLAN. Mr. President, Federal and State agencies striving to develop programs for curbing organized crime have just received a significant contribution from one of the oldest and most respected associations of law enforcement officials.

The International Association of Chiefs of Police, at its 76th annual conference in Miami Beach, recently adopted an integrated set of resolutions on measures against organized crime. Those resolutions should be of great interest to Congress and the President as we work together to enact and utilize effective laws against organized crime.

The resolutions include a broad call for a strengthening of efforts at all levels against organized crime and a number of specific plans and recommendations. The association adopted programs to improve public awareness of organized crime conditions, to evaluate antiorganized crime techniques used by police departments, to foster regional police cooperation against organized crime, and to assist in developing model organized crime intelligence units, and resolved to join with related professional associations in an effort to eradicate corruption in the criminal justice system.

The association further resolved to support the enactment and use of legislation aimed at organized crime, such as electronic surveillance laws, and concurred with a number of specific organized crime bills now in the final stages of processing by the Subcommittee on Criminal Laws and Procedures: S. 30 and S. 976 on organized crime evidence gathering and penalties, S. 1624 on wagering taxes, S. 1861 and S. 1623 on infiltration of legitimate organizations, S. 2022 on gambling and corruption—with two amendments proposed by the association—and S. 2122 and S. 975 on witness immunity.

The leaders of our Nation's police agencies have joined together to summon, with a single voice, the strong and immediate action, by this body as well as other arms of government, which the crisis of organized crime demands. We must answer that summons: it is nothing less than the call of duty.

Mr. President, I ask unanimous consent to have the text of the resolutions printed in the RECORD at this point.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

ORGANIZED CRIME—PENDING LEGISLATION

Whereas, The International Association of Chiefs of Police considers organized crime a problem of great urgency; and

Whereas, The Federal Government has a special responsibility and a special competence to deal with the interstate nature of organized crime; and

Whereas, There is now pending before the Congress of the United States legislation to make more effective the Federal Government's effort against organized crime, now, therefore be it

Resolved, That the International Association of Chiefs of Police, duly assembled at its 76th Annual Conference in Miami Beach on this date, concurs with the following legislative recommendations:

S. 30, a comprehensive revision on strengthening of the evidence gathering process in organized crime investigations.

S. 1623, prohibiting the investment of certain illegally gained income in any business enterprise affecting interstate or foreign commerce.

S. 1624, eliminating the self-incrimination hazards which embodied the Supreme Court's decisions in *Marchetti* v. *United States* and *Cross* v. *United States*, facilitating collection of taxes on wagering.

S. 976, providing increased sentences of up to 30 years for persons convicted of felonies which are part of a continuing criminal activity in concert with one or more persons.

S. 1861, prohibiting the infiltration of legitimate organizations by racketeers or the investment of proceeds of racketeering activity in such organizations where interstate or foreign commerce is involved.

S. 975 and/or S. 2122, endorsement of the principle of a general immunity statute.

S. 2022, making it unlawful fcr two or more persons to obstruct the enforcement of the criminal laws of a state to conceal an illegal gambling business if one of the persons is an employee charged with executing the criminal laws of the state.

Be it further resolved, That the International Association of Chiefs of Police mandate its staff to urge that Congress, when it considers S. 2022 amended to include the crimes of prostitution, loan sharking, narcotics and extortion, and to limit the jurisdiction of the legislation to organized crime activity.

Organized Crime—A Comprehensive Program

Whereas The International Association of Chiefs of Police represents professional law enforcement; and

Whereas, Organized crime is a problem of such deep concern to the public and law enforcement; now, therefore be it

Resolved, That the International Association of Chiefs of Police, duly assembled at its 76th Annual Conference in Miami Beach on this date, mandates the staff to develop under the leadership of the Organized Crime Committee a comprehensive program on organized crime including:

Preparation of public information materials on organized crime to be distributed to members for local use;

Assignment of at least one staff member full time to organized crime programs;

Conduct surveys on request to evaluate criminal intelligence, internal inspection, and other anti-organized crime efforts by police departments;

Sponsorship of regionalized police conferences of organized crime appropriately staffed;

Cooperation of Law Enforcement Assistance Administration in the development and implementation of model intelligence units;

Operation of a national clearing house for public information on organized crime activities;

Communication to Congress of the International Association of Chiefs of Police's support for legislation now before it, and endorsed by this Committee.

Organized Crime—Prosecution of Criminals

Whereas, the difficulties of prosecuting organized criminals clearly point up the deficiencies in our system of criminal justice; now, therefore be it

Resolved, that the International Association of Chiefs of Police, duly assembled at its 76th Annual Conference in Miami Beach on this date, recommends that the Legislation, Criminal Law and Procedures Committee of the International Association of Chiefs of Police work with the American Bar Association, National Commission on Reform of the Federal Criminal Code, and other relevant organizations to re-examine jointly those aspects of the law in criminal procedures which retard the prosecution of organized criminals.

Organized Crime—Integrity Within Criminal Justice System

Whereas, the ability of the people to achieve justice depends on the integrity of those who administer the criminal justice system; and

Whereas, organized crime seeks the nullification of government through systematic corruption of those institutions which comprise the criminal justice system and exists, in part, because of its success in corrupting the components of said system; now, therefore be it

Resolved, That the International Association of Chiefs of Police, duly assembled at its 76th Annual Conference in Miami Beach on this date, affirms its determination to eradicate corruption, and calls on other professional associations representing other components of the criminal justice system, to join in our efforts to eradicate corruption throughout the system.

Organized Crime—Electronic Surveillance

Whereas, The proven effectiveness of the electronic surveillance provisions of the Omnibus Safe Streets and Crime Control Act of 1968 (Title III) make desirable a more general application; and

Whereas, Some states have enacted implementing legislation along the same lines; now, therefore be it

Resolved, That the International Association of Chiefs of Police, duly assembled at its 76th Annual Conference in Miami Beach on this date, recommends that all states not now having such authority enact or amend their laws to permit the use of electronic surveillance devices as stipulated in Title III and that, as Congress intended, the statute be used by all relevant federal agencies.

Organized Crime—A Strengthening of Police Efforts

Whereas, The law enforcement effort against organized crime has suffered in the past from lack of cooperation, fragmentation, and diffusion; and

Whereas, An effective law enforcement effort against organized crime requires a coordinated effort by law enforcement at all levels; now, therefore be it

Resolved, That the International Association of Chiefs of Police, duly assembled at its 76th Annual Conference in Miami Beach on this date, calls on law enforcement agencies at federal, state, and local levels to strengthen law enforcement efforts against organized crime.

JUDICIAL PROCEDURE FOR OBTAINING EVIDENCE OF FINGERPRINTS

Mr. McCLELLAN. Mr. President, on October 7, 1969, I introduced S. 2997, which was based on the recent decision of the Supreme Court in *Davis* v. *Mississippi*, 394 U.S. 721 (1969). S. 2997 provides a judicial procedure for obtaining evidence of identifying physical characteristics such as fingerprints, footprints, hair fibers and the like. During my introductory remarks, I emphasized that I wanted this proposed legislation subjected to close scrutiny by those knowledgeable in the area of criminal law.

I was very pleased, therefore, when I received last week a letter from Justice Edward E. Pringle of the Colorado Supreme Court, who made reference to S. 2997 and enclosed a copy of the new Colorado rule of criminal procedure under which warrants may be obtained for fingerprinting. I have directed the staff to study the Colorado rule, and it may be that it contains some provisions that would improve S. 2997. At any rate, this will give us something with which to compare our bill; and, I should hope that in the future we will receive additional information that will be as helpful as Justice Pringle's correspondence. I urge each Senator to study and compare these two procedures and give me the benefit of his criticisms.

Mr. President, I ask unanimous consent to have printed in the Record immediately following my remarks a copy of the Colorado procedure for issuing court orders for fingerprinting.

There being no objection, the material was ordered to be printed in the Record, as follows:

Rule 41.1—Court Order for Fingerprinting

(a) *Authority to Issue Court Order for Fingerprinting*. A Court Order for fingerprinting authorized by this rule may be issued by any judge of the Supreme, District, Superior, or County Court, (or of the Court of Appeals upon the creation of that Court).

(b) *Issuance of Order*. A Court Order for fingerprinting shall issue only on affidavit sworn to or affirmed before the judge and establishing the grounds for issuance of the order. The order shall be directed to any peace officer of this State. If the judge is satisfied that grounds for the application exist, he shall issue the order naming or describing the person to be fingerprinted. Grounds for the issuance of a Court Order for fingerprinting shall exist when it be shown by facts alleged in an affidavit of a peace officer that:

1. A known criminal offense has been committed, and
2. There is reason to believe that the fingerprinting of the named or described individual will aid in the apprehension of the unknown perpetrator of such criminal offense, or that there is reason to suspect that the named or described individual is connected with the perpetration of the crime, and
3. The fingerprints of the named or described individual are not in the files of the agency employing the affiant.

(c) *Contents of the Order*. The order shall state:

1. The name or description of the individual to be fingerprinted, and
2. The names of any persons making affidavit for the issuance of the order, and
3. The criminal offense concerning which the order has been issued, and
4. A command to the officer to whom the order is directed to detain the person to be fingerprinted for only such time as is necessary to obtain the fingerprints and to compare such fingerprints to the fingerprints thought to be related to the perpetrator of the criminal offense, and
5. The typewritten or printed name of the judge issuing the order and his signature thereon.

(d) *Execution and Return*.

1. The Order may be executed and returned only within ten days after its date.
2. The Order shall be executed in the daytime unless the issuing judge shall endorse thereon that it may be served at anytime because it appears that the suspect may flee the jurisdiction if the order is not served forthwith.
3. The officer executing the order shall give to the person fingerprinted a copy of the order.
4. No search of the person to be fingerprinted under the Order may be made except a protective search for weapons, unless

a separate warrant has been issued for such search under Rule 41.

5. A return to the issuing judge shall be made showing whether the person named or described has been (a) detained for fingerprinting or not, and (b) released or arrested.

(e) *Motion to Suppress.* A person aggrieved by an Order issued under this Rule may file a Motion to Suppress fingerprints seized pursuant to such Order and the said motion shall be granted if there were insufficient grounds for issuance or the Order was improperly issued. The motion to suppress the use of such fingerprints as evidence shall be made before trial unless opportunity therefor did not exist or the defendant was not aware of the grounds for the motion, but the Court, in its discretion, may entertain the motion at the trial. [Effective October 1, 1969]

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

ECONOMIC OPPORTUNITY AMENDMENTS OF 1969

The Senate resumed the consideration of the bill (S. 3016) to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, to authorize advance funding of such programs, and for other purposes.

Mr. MURPHY. Mr. President, first I would like to congratulate the distinguished Senator from West Virginia for expressing experiences and feelings which coincide with mine. I, too, have had some experiences working in the coal mines, having been what might be called today, "underprivileged."

I, too, have objected over the years to some of the methods used with regard to the so-called war on poverty. I recall that at the very outset I tried to take the political activity out of the war on poverty, by an amendment which passed in this body and passed in the other body and was finally eliminated at the 11th hour. I felt that anybody who was receiving more than 50 percent of his salary from the poverty program should be precluded from political activities and should be subject to the provisions of the Hatch Act.

I have been concerned over the years with what has started out as a great idea, a badly needed idea, which seemed to go afoul of the mark so far as I am concerned; and, unfortunately, I think that billions of dollars, taxpayers' dollars, have been wasted and misdirected. Every year—this is my fifth year on the Labor and Public Welfare Committee—we say that, hopefully, we will fix the poverty program up next year. My concern has always been the same—that the money get to the poor people, to those who need it, and to eliminate many of the services I consider unnecessary.

I concur with the Senator from West Virginia in his remarks. I think that from time to time great damage has been done to this most needed and excellent idea, because of bad management, bad administration, and misdirection. I am hopeful that now, under the new administration, many of these things will be rectified.

Mr. President, I rise this morning to register a mild objection at the hurried manner in which this bill was brought to the floor today when there was other pending legislation which I was given to understand would be heard first. I am not prepared as well as I would have wished. However, since it is the desire of the majority, we will go along with it. Because of a prior commitment that requires me to leave the city this afternoon, and because of my great concern with respect to one particular aspect of the OEO program to which I will speak shortly, and most importantly because of the significance of this legislation, I had asked that debate on the bill be delayed 1 week. I was supported in this request by my colleague, the distinguished senior Senator from New York. We were led to believe the delay would be granted, until last evening when the decision was made to call up the bill this morning.

On a matter of such importance, which has been under consideration for so many months, it is amazing that the majority must suddenly find it necessary to start this matter in such a hurry. By working late last night with my staff, I was just about able to get copies of amendments printed. I am not certain this is the proper way to legislate. I think anything as important as this bill should have proper time for consideration and that it should be done in an unhurried manner.

We are talking about changes in a bill and in an operation that has been in existence for 5 years. As we have heard this morning, the operation in the past leaves a great deal to be desired. It is our hope we can give a better report of taxpayers' dollars in years to come. That is why we held such lengthy committee hearings. However, this is not my main purpose for addressing the Senate today.

As I pointed out in my individual views, printed in the committee report, and as mentioned by the distinguished Senator from West Virginia, I am seriously concerned over the direction in which the OEO legal services program has been allowed to move. At the outset I would like to point out that I was one of the original supporters of the legal services program, a program that I understood was intended principally to provide legal aid and services and assistance to the needy. We would provide a lawyer for the fellow who cannot afford to get a lawyer. I know that is important because there have been many times in my life when I needed a lawyer and could not afford one. And now the irony of life is that I find myself surrounded by 86 lawyers and too many of them are available.

However, in California, and I understand in many other States such as Arizona, Vermont, Colorado, and Florida, the major thrust of the project has been diverted from legal aid and assistance to so-called law reform. Law reform to this Senator means something entirely different. In most cases, this law reform has taken the aspect of the "class action" suit against government officials and agencies, from the superintendent of schools for Madeira Unified School District to the California State Assembly, to the Secretary of Health, Education, and Welfare, and the Secretary of Labor.

Many of the actions are based upon new and sometimes unique theories of law that have required time, imagination, and study in their preparation by OEO attorneys. Because many of the legal services projects have limited budgets to employ lawyers, something has to give. What is it? It is the availability of legal assistance to the poor person. For instance, I have been informed that 11 legal services offices have been closed recently in Los Angeles County and that there has been an announcement that a San Francisco legal aid program will be terminated. All this while the "class action" cases are on the increase.

At the same time, the overburdened taxpayer loses "coming and going" so to speak, as his tax dollars are used both to initiate the suits and to defend them—all when he may not agree with, and has no say in the political philosophy being advocated by the plaintiffs bringing the suit. Recently hearings have been conducted before the Senate Subcommittee on Migratory Labor on the "powerlessness of the migrant worker." I think this is a prime example of the powerlessness of the American taxpayer.

One so-called law reform example is the recent petition filed requesting the Food and Drug Administration to set a zero tolerance level for the use of DDT on raw agricultural products. No matter whether one supports or does not support the efforts of the United Farm Workers Organizing Committee to unionize the table grape pickers in California and Arizona, it is clear that UFWOC is presently employing the pesticide usage issue—particularly as it relates to DDT—to assist its boycott of table grapes. One aspect of this campaign to to attack the FDA and other established governmental institutions as being derelict in their duties to protect the farmworker and the consumer. Thus, on October 1, UFWOC supporters picketed the FDA and distributed a handout which said in part:

> Every day it becomes more and more clear that the FDA is more interested in protecting the growers and not the consumers and workers.

In this background, at a press conference last week presided over by a local organizer for UFWOC, the action against the FDA that I alluded to before was announced. However, the action was not filed on behalf of the union, but on behalf of a number of individuals and a substantial New York foundation. Who is representing these petitioners? None other than the California Rural Legal

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Assistance, an OEO-funded legal services organization. It is also interesting to note, Mr. President, that on October 6, the same California Rural Legal Assistance issued a press release announcing, that it was representing farmworkers who have filed six major law suits and workmen's compensation complaints concerning reoccurring pesticide injuries against allegedly negligent growers.

Mr. President, this is not the appropriate place or time to decide the validity of such claims. It is important only to note that California Rural Legal Assistance, a tax-supported organization, is being employed for political gain by a private group. I suggest that this is a new form of Federal subsidy.

Certainly, this was not envisioned or imagined by this Senator when the legal assistance program was instituted. Mr. President, you can rest assured that I object to the political involvement of a federally funded organization, no matter to whose benefit its involvement runs, whether worker, grower, corporation, or otherwise.

Mr. President, I believe the issues involved here are succinctly expressed in a letter I received recently from the Governor of my State, Ronald Reagan. He stated, in part:

> We are satisfied that it was not the intent of the authors of the Economic Opportunity Act, or of Congress, to provide for taxpayers' funding of entities preoccupied with political issues under the guise of so-called "social reform" through the courts, rather than through the normal channels of legislative and executive action in which all segments of the public have equal representation.
>
> Nor do we feel that it was the intent of Congress to fund entities whose tools include harassment of individuals and groups, both public and private, and solicitation of some clients to the neglect of others at the door.

Mr. President, how do we direct this program back to its original and proper course?

Director Rumsfeld and the Director of Legal Services, Terry Lenzner, have asked for time and a chance to put their house in order. I suggest that we give them both, but I propose that we first make it crystal clear to them the intent of Congress in establishing the legal services program and that we are dissatisfied in part with its past performance—and, may I say, a great deal of its present performance.

Therefore, Mr. President, I submit my first amendment that eliminates the authorization of so-called add-on funds of $16 million for the fiscal year ending June 30, 1970 and $32 million for the fiscal year ending June 30, 1971. And, in addition, eliminates $10 million of the earmarked authorization. As a result the legal services program would receive an authorization of $48 million, $6 million in excess of what it received for fiscal year 1969. This I propose is a measurable expression of congressional displeasure at the course the legal services program has been allowed to progress. If a substantial improvement is seen in the direction of the program by next spring, the cuts could be restored for fiscal year 1971.

My second amendment is one which will provide the Governors of the various States with an item veto over legal services projects submitted for their approval. In testimony given before the subcommittee, Mr. James Martin of the National Governors Conference requested an item veto on all projects. However, it is my belief that it is only necessary now in relation to the legal services program. In addition, this amendment eliminates the Director's right to override the Governors' veto on legal services programs.

Mr. President, it will be recalled that at the outset of this program the Governors of the respective States had the right of veto. Gradually, the right of veto was taken away from them. Gradually, after objections, some of it was put back. But it could always be overridden by the Director.

I should like to restore the power of the veto to the Governors, it is in keeping with the dealings of the new administration that more and more of the determination be placed at the local level and at the State level, based on the theory that people within the States, as so well expressed by the distinguished Senator from West Virginia, know more about State problems than some of us in Washington or in other States.

I further believe that an item veto will allow a Governor to direct a legal services program to be more responsive to local needs and will allow him a means to express to the Director of the Office of Equal Opportunity his belief in the type of legal services program that should be undertaken. As we are now aware, a Governor must veto an entire program—a most difficult political act to undertake.

Mr. President, I am not happy about authorizing any amendments at a time when the President of the United States has asked that the program be continued for 2 years with no substantial changes. However, since the majority has made substantial changes in the bill as it has emerged from committee—matters already raised by the distinguished senior Senator from New York and the distinguished Senator from Vermont, and to be discussed by the distinguished Senator from Colorado, I felt it appropriate to raise the issues I have. More important, Mr. President, I sincerely believe, as I have from the beginning, that the legal services program is one of the most significant parts of the poverty program, and if it is implemented in the manner intended by Congress it can be of great benefit not only to the individual who so bady needs this service, but also to our entire society.

Mr. JAVITS. Mr. President, I think that all of us have been very well served by the statement just made by the Senator from California. I wish to attest to his fidelity to the programs generally. He has frequently raised this problem with the legal services program and its utilization. It is not necessary to agree with every aspect of what he has put before us in order to appreciate his concern, as developed in the colloquy with the Senator from West Virginia (Mr. BYRD), and to feel that a considerable amount of judgment must be exercised in the interest of the whole program in the day-by-day administration of the legal services program.

Whether or not I support the amendments which the Senator from California has proposed, I do not think we can eliminate from cases in controversy the question of challenge to an individual law or anything like that, but I do think that, on the whole, we have to try to exercise a specific rather than a revolutionary interest in the way in which the program is used.

I shall do my utmost, as the ranking member, in deference to the Senator from California's views, to support myself to that kind of administration.

Mr. MURPHY. I believe that my distinguished colleague from New York understands that it is not my desire to eliminate their activities. It is my feeling that their present activities belong in a different and possibly special category.

Based on the experience we have had in California, I believe that the original purpose of the legal assistance has been diverted to something entirely different.

I should like to see the program at the service of the individual, who so badly needs that service.

Possibly at some later date, the committee can take up a proposal to set up new machinery to carry out the other aspects, as expressed so ably by my distinguished colleague, and by the American Bar Association report, which we all believe and understand are needed; but it seems to me it would be difficult to express to my constituents why they are being asked for their tax dollars to pay for both sides of a legal case when they may have no interest in the case, or may be completely opposed to the purposes of the case.

That is the main thrust of my amendments which I have sent to the desk.

I thank the Senator from New York.

Mr. JAVITS. I thank the Senator from from California.

Mr. MONDALE. Mr. President, I should like to make a few comments. Although I understand the amendment of the Senator from New York is now pending, the question Senator MURPHY has raised relates to the structure of the OEO legal services program.

The Senator from New York will recall that I was planning, in committee, to offer an amendment to strike any Governor's veto of legal services. We consulted with Director Rumsfeld and the administration and they asked that the present structure which permits the Governor to veto, but the OEO Director, under special circumstances, to override that veto, should remain as it now is in the law.

Based upon the administration's interpretation, I reluctantly withheld my amendment.

Further, it was my understanding, and it is my understanding now, that the administration's position would essentially support the structural arrangement for OEO legal services as it is now in the bill.

Also, I should like to refer to and call the attention of the Senator from New York to a significant letter which appears on page 29682 of yesterday's CONGRESSIONAL RECORD, a letter from the president of the American Bar Association, Mr. Segal, which was addressed to me.

That letter spells out very clearly that the American Bar Association stands strongly behind the OEO legal services program both in structure and amount of money as was recommended by the Senate Committee on Labor and Public Welfare. I shall not read the whole letter, but I would recommend it for the reading of all my colleagues. In this letter the president of the American Bar Association, Mr. Segal, says, in part:

> DEAR SENATOR MONDALE: In behalf of the American Bar Association and its affiliate, the National Legal Aid and Defender Association, I strongly urge the passage of S. 3016 as reported by the Committee on Labor and Public Welfare. The bill provides a significant increase in the authorization for the program for legal services to the poor and recognizes the unique character of the program's mission in prohibiting delegation to any existing Federal agency where serious questions regarding possible conflict of interest might arise. These provisions are consistent with the positions of the ABA and NLADA.

One final item: The proposed cut recommended by the Senator from California would reduce the funds authorized for OEO legal services below the amount recommended by this administration. The Senator from California proposes authorizing only $48 million. The administration, through its budget, has recommended $58 million. The American Bar Association, in its testimony before the committee, has strongly recommended an appropriation of $90 million. The committee bill is a compromise. The amounts for the first year is less than I would like to have. Only in the second year do we come up to the $90 million figure we feel is required.

Mr. JAVITS. Mr. President, I am very grateful for these comments from both my colleagues. I think they will come to the fore as the Senator from California moves his amendment. I prefer to discuss it then.

I should like to take 5 minutes to complete my statement on my own amendment. I think Members of the Senate would like to vote before 1 o'clock.

The amendment I offer would eliminate earmarking for fiscal year 1971. Earmarking is essentially by title and applies for both years.

There is a difference between the 2 years, which is the essence of why I offer this amendment. I am the principal sponsor of the administration's bill, which had no earmarking at all. For the year 1970, the President has, for all practical purposes, already earmarked. The earmarking of the committee in the bill is substantially the same as in the President's budget. The only increased item is an emergency food and medical services item, and the amount of the increase there is only $8 million.

So the fundamental concept of saying in law what the President has said in his budget, although the President did not call for earmarking, I certainly cannot, as the sponsor of the President's bill, object to. But for the second year I believe it is very unwise to earmark, notwithstanding the provisions that allows transferability of 15 percent from any program, because we would really be defeating ourselves as to the whole concept which we and which the President intend with respect to the OEO. The intention is that it shall now become in essence a staff rather than a line agency; that it shall have the opportunity for innovation, for new programs, for concentrating on particular programs that look the most promising; and that it shall spin off seasoned and ongoing programs at a rate which is much more accelerated from what it was under the previous administration and to existing line agencies of the Federal Government, and free the OEO to make the antipoverty program really meaningful and original. This is an excellent concept, and certainly the committee strongly subscribes to it.

The President has stressed this in his statements on the poverty program. Director Rumsfeld has emphasized it in his appearances before the Committee and the Subcommittee on Employment, Manpower, and Poverty. And the majority, in its report, has accepted it. The report notes, on page 54:

> At the same time, there is no question that OEO has achieved sufficient success to merit its continuation as what it was meant to be—a program which is both supplemental and experimental, serving as an advocate of the poor within the agencies of government and in the Nation at large, facing up to the unmet needs and seeking the answers to the riddle of poverty which have eluded us in the past.

Mr. President, I submit that earmarking provisions are inconsistent in principle with this established concept of OEO as innovator, and an advocate and will act in practice to prevent full implementation of these roles, which all who support the poverty program have endorsed.

The earmarking provisions will act most detrimentally in the second year, that is fiscal year 1971. If those provisions are allowed to remain in this bill, the Director will be forced to make programing decisions on the basis of fiscal year 1970's budget submission, not on the basis of that year's experience. Earmarking provisions will stifle new approaches, limit OEO in providing supplemental programs, and dilute its ability to act as advocate for the poor, especially in the second year.

Mr. President, the committee may argue that the Director will not be shackled by earmarking in light of the committee's adoption of amendments to transfer provisions of the act, as set forth in section 4 of the bill. It is true that that section provides some relief as a general matter. That section would amend the law to permit the Director to transfer 15 percent of funds allocated or appropriated for a particular program or activity to another program or activity. It would also eliminate any restriction on the total amount that can be transferred into another program or activity. Under present law, transfers from a program are limited to 10 percent of the amount allocated or appropriated and no program may be increased by more than 10 percent.

But looking more closely, note how that the more liberal transfer provision when combined with earmarking, will still not operate to permit meaningful changes in programing, in fiscal year 1971: In each case where the bill earmarks a program at a certain level for fiscal year 1970, the bill provides for earmarking at the same level for fiscal year 1971. Under the 15-percent transfer provision, the Director could operate a program earmarked at $100 million at a level of $85 million during fiscal year 1970 and add $15 million to one or a number of other activities. Subsequently, the Director might consider it advisable to operate the earmarked program at a level below $85 million for fiscal year 1971, in order, first, to provide funds for a new program; second, substantially increase funds for a particularly successful existing program; third, to avoid duplication of effort between the earmarked program and activities undertaken by other public or private agencies from additional funding sources; or fourth, because of a combination of such considerations. However, he would be powerless to do so since the 15-percent transfer authority would once again be applied to the earmarked amount of $100 million.

Mr. President, I do not doubt that those who favor earmarking are motivated by a general concern for the preservation of the community action programs. That concern is evidenced by the fact that most of the specific earmarking has pertained to the title II "special emphasis" programs.

While I share the commitment of these Members to the programs, I submit that the statements and the actions of the administration should leave no cause for concern as to their futures, so long as the programs continue to constitute successful approaches to the solution of the problems of poverty. I think that these statements and actions suggest what might be regarded as a favorable disposition, if not a presumption, that in these programs lie much of our hope of dealing with poverty.

We have first the repeated statements of President Nixon that the vital community action programs will be pressed forward.

As further evidence of this commitment, we have only to look at table 1, set forth on page 46 of the committee report. That table shows the amounts requested by the Nixon administration for this fiscal year 1970 in each of the categories to be earmarked. Looking at the amounts indicated for community action programs under title II, it is seen that in every case, the Nixon budget requests exceeds the amount programed for fiscal year 1969.

In sum, Mr. President, the total amount for these special emphasis programs which the majority has earmarked is $1,597.5 million, or $174.4 million more than the amounts programed for fiscal year 1969.

Those who favor earmarking may say that if that is the administration's commitment, then why be concerned with earmarking. The fact is, Mr. President, that while it appears on October 14, 1969, that these programs provide the best promise, it may not be the case next year when the administration reviews its budget. What can change? Despite our expectations, the program as originally conceived may not be the best approach as to all of the poor or all of the areas covered. Or just as likely, the administration may, in other departments, launch new programs from additional sources of funding. For example, health services in the Department of Health, Education, and Welfare might provide the local outreach that only the neighborhood health centers of the OEO can now provide. The Department of Agriculture or the Department of Health, Education, and Welfare might receive substantial moneys for nutrition education outreach and delegate some of those funds for use by community action agencies. In light of the substantial breakthroughs of this administration, in programs to benefit the poor, we must anticipate these possibilities. This, I think, is what is meant when we say that the programs of the Office of Economic Opportunity are supplemental. In short, OEO must be free to cover the "ground" not covered by established departments and agencies of the Federal Government. And to cover that ground, further flexibility is needed.

Ironically, many of the programs which the majority would hasten to protect by earmarking sprang from the local initiative to which we now look for new approaches to solve the problems of poverty. We must not arrest the evolution of new ideas and approaches from their beginnings in poverty areas to an established and secure place in an evolving antipoverty effort.

The committee report and the Director and the President have all stressed the role of OEO as an advocate for the poor within the agencies of Government. But earmarking will serve to undermine that role as the Federal Government approaches fiscal year 1971. Without earmarking, the Director might have some leverage with department heads on how much money should go to such agencies in respect to delegated programs, and, therefore, how those programs should be better administered to benefit the poor. Earmarking programs will, in effect, tell those agencies that irrespective of how well or how poorly they do, they will get a certain cut of the "antipoverty" pie. The result will be that the Director will have less of a voice for innovation and improvement.

Mr. President, the funds which have gone into the programs under the Economic Opportunity Act represent a small portion—less than 10 percent in 1969—of Federal funding for all antipoverty efforts. The aggregate of all Federal programs for assistance to the poor amounted to approximately $24.4 billion in fiscal 1969. The funds distributed in fiscal year 1967 under the Economic Opportunity Act are an estimated $1.9 billion. We are considering this bill at a time when the administration has taken the initiative in allocating additional Federal resources to solve the problems of hunger, and to reform the welfare system. It is essential that this agency with its unique participation of the poor and its unique authority and ability to innovate, be unshackled in applying its relatively small resources to those programs and approaches that have shown to be most effective in dealing with poverty and to those new approaches that give promise of maturing into programs that may spin off and become part of the system.

Adoption of this amendment would enable OEO to face the future with freedom to wage the aggressive and sustained and flexible attack on poverty which this administration has so clearly indicated that it will wage—if given the chance.

I would like to point out that there are funds, even for the second year, which are not earmarked, and those funds amount to about $500 million. They consist of the added $100 million which is authorized for the second year as against the first year, plus, under title II of the bill, which is the community action programs, an unallocated amount consisting of approximately $430 million.

This contributes to the ideas which I have espoused, but I think we really have to fish or cut bait in this matter of the second year. If we really want to give OEO an opportunity to move with innovative capacity and experimentation based on the proven record for the first year, for which there will be earmarking, then we have to unshackle it and untie it as far as the second fiscal year is concerned.

We want the most for our money. We want the greatest private participation. We want the best programs we can get. We want local participation. We want the most appropriate response to the needs of the poor and to social needs in the second year.

If we are going to go with this agency under this new director and administration, let us go with them, at least for the second fiscal year, all the way.

Mr. President, that is the case. There are many other facts and figures which I could use to buttress the case, but that is essentially the case for my amendment, and I hope very much the Senate will consider it favorably.

Mr. NELSON. Mr. President, the distinguished Senator from New York presented this position to the committee—very eloquently, I might add—and the committee discussed it at some length, and voted against accepting the concept of having no earmarking the second year of the bill. In my opinion, if we did that, the result would be that we would, in effect, give a blank check authorization for a minimum of $2.148 billion. As I have repeatedly emphasized earlier, the majority on the committee recognizes the need for flexibility in administering this program; we recognize the desire of the administration to innovate and experiment. But this bill gives the administration all the flexibility and all the freedom, I think, that it could possibly desire. What it does not do, and what I think the Senate must not do, is simply grant the OEO Director a blank check to do whatever he wants with the $2.148 billion basic authorization, not counting what possible add-ons may be included.

All education and health bills have authorizations earmarked by titles and parts. We think that the OEO Director should have some similar directive.

The only argument which has been advanced to support no earmarking for OEO is the argument that we would somehow "tie the hands" of the OEO Director or "lock him in" to programs. I do not think that is the case.

In the first place, the earmarking in this bill was drawn up by the OEO Director himself. That is, in their budget justification, they enumerated the earmarking of the programs for which they intended to expend the money. We merely took the OEO budget presentation and put it into the bill. These figures represent the OEO Director's own best judgment of how the money should be spent.

A special argument is made by the Senator from New York against earmarking in the second year of the 2 years covered by this bill. The fact is, by the time the agency receives any appropriations authorized under this bill, the first year will have passed for all practical purposes. At least 6 or 7 months of the first year will have passed.

That means that in 1 more year, OEO will be back before us asking for a new authorization. If they wish to revise their budget figures at that time, they will be free to do so. This bill will merely guide the operations of the agency in the intervening 14 to 18 months.

We do not think it is too much for Congress to specify how an agency shall spend $2.148 billion in such a period of time.

Furthermore, those who argue that the OEO Director is being "locked in," or at least many of them, I think, do not understand the tremendous freedom and flexibility that has already been written into this bill.

For example:

Take the whole category of "work and training" programs authorized in this bill. That alone accounts for $890 million of the slightly over $2 billion authorization in this bill. For that money there is no earmarking whatever beyond the fact that it be used for "work and training" programs.

A list of those "work and training" programs is as follows:

Operation Mainstream.

Neighborhood Youth Corps—out of school.

Neighborhood Youth Corps—in school.

Neighborhood Youth Corps—summer.

Job Corps.

Concentrated employment programs.

JOBS—job opportunities in the business sector.

PACE—public and community employment.

New careers.

This $890 million may be spent in any way the OEO Director desires, within the work and training programs, so his hands are not tied in that respect at all, except that the money must be spent within title I.

In arguing against congressional earmarking, OEO says, "But what if the JOBS program is not as successful as we hoped it would be? What if we want to take more money out of the Job Corps or out of the Neighborhood Youth Corps and put it into some other job training program?"

These are the questions raised by the OEO. The answer is that this bill allows them to do exactly that. The bill provides for $890 million with no earmarking other than that it is to be used for work and training programs.

I think the OEO Director has adequate flexibility within that program to expend that $890 million in any way he desires.

In addition to that $890 million, there is a lot of other unearmarked money in this bill.

For example, the bill earmarks $1.012 billion for title II community action. There is approximately $400 million in unearmarked money in that title. The Director has great latitude in how he may use this money. He can use it for research and experimentation, he can divert it to any of the other programs under title II such as Headstart, legal services, health services, emergency food programs, family planning, senior opportunities, and so forth. So this gives him $400 million, unearmarked in title II.

Finally, we wrote into this bill a completely new feature, allowing the Director to cut any program—or all programs—by 15 percent and reallocate the money as he sees fit to any authorized program within the agency. If this bill was fully funded, this would give the Director as much as $351 million in the first year and $409 million the second year which he could allocate within his agency any way he chose.

When we grant him $400 million of unearmarked money under the broad title of community action, and when we give him additional flexibility to reallocate $409 million within his agency, it seems to me that that is a substantial and liberal flexibility that we have granted to the Director of the Office of Economic Opportunity, a flexibility such as never before has been in the bill.

Personally, if we have erred in working out a compromise bill, I fear we may have made a mistake in giving the OEO Director too much flexibility.

The majority of the committee started out with the position that we were prepared to give 10 percent flexibility—that is, that the OEO Director could take 10 percent from any and all programs, reallocate it to any programs he saw fit, or all of it to one program. The minority wanted 20 or 25 percent flexibility. We ended up compromising at 15 percent, which I think was a good compromise.

Mr. JAVITS. Mr. President, I think the Senator from Wisconsin has stated the classic basis of the argument by which the committee decided that it did wish to earmark—that is, the majority did. I have stated the administration's position. I should simply like to add one other thing: I would not be here taking the position that I am taking if I believed it represented the remotest jeopardy to the community action agencies or their programs. I think that this is the really innovative and creative aspect of the antipoverty program.

On the contrary, every expression which we had from the Director, and the letter of the President of September 19, 1969, which I read into the Record yesterday testify that the community action agency program will do much better without earmarking.

That is my purpose and intent in trying to free the hands of the agency, because the really innovative programs will depend heavily upon self-help and local activity, which are epitomized by the community action agencies and their programs.

So I wish to affirm that offering this amendment represents an expression of confidence by me in the community action agencies, and in what the President, in his letter of September 16, and the Director in his testimony have affirmed to us as their confidence in the community action agencies.

Now, Mr. President, I am prepared to vote if the Senator from Wisconsin is. So that Senators may be notified that we are about to vote on this issue, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Hollings in the chair). Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from New York. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. KENNEDY. I announce that the Senator from Idaho (Mr. Church), the Senator from Connecticut (Mr. Dodd), the Senator from Mississippi (Mr. Eastland), the Senator from Oklahoma (Mr. Harris), the Senator from Montana (Mr. Mansfield), and the Senator from Maine (Mr. Muskie) are necessarily absent.

I further announce that the Senator from Arkansas (Mr. Fulbright) is absent on official business.

Mr. GRIFFIN. I announce that the Senator from Massachusetts (Mr. Brooke) and the Senator from New York (Mr. Goodell) are necessarily absent.

The Senator from Kentucky (Mr. Cook), the Senator from Kansas (Mr. Dole), the Senator from Illinois (Mr. Percy), and the Senator from Alaska (Mr. Stevens) are absent on official business.

The Senator from Illinois (Mr. Smith) is necessarily absent because of death in his family.

If present and voting, the Senator from Massachusetts (Mr. Brooke), the Senator from Kansas (Mr. Dole), the Senator from New York (Mr. Goodell), the Senator from Illinois (Mr. Percy), and the Senator from Alaska (Mr. Stevens) would each vote "yea."

The result was announced—yeas 36, nays 50, as follows:

[No. 120 Leg.]

YEAS—36

Aiken
Allott
Baker
Bellmon
Bennett
Boggs
Case
Cooper
Cotton
Curtis
Dominick
Fannin
Fong
Goldwater
Griffin
Gurney
Hansen
Hatfield
Hruska
Javits
Jordan, Idaho
Mathias
Miller
Mundt
Murphy
Packwood
Pearson
Prouty
Saxbe
Schweiker
Scott
Smith, Maine
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—50

Allen
Anderson
Bayh
Bible
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Cranston
Eagleton
Ellender
Ervin
Gore
Gravel
Hart
Hartke
Holland
Hollings
Hughes
Inouye
Jackson
Jordan, N.C.
Kennedy
Long
Magnuson
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Mondale
Montoya
Moss
Nelson
Pastore
Pell
Proxmire
Randolph
Ribicoff
Russell
Sparkman
Spong
Stennis
Symington
Talmadge
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—14

Brooke
Church
Cook
Dodd
Dole
Eastland
Fulbright
Goodell
Harris
Mansfield
Muskie
Percy
Smith, Ill.
Stevens

So Mr. Javits' amendment (No. 241) was rejected.

The PRESIDING OFFICER (Mr. Burdick in the chair). The bill is open to amendment.

Mr. MURPHY. Mr. President, I call my amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be read.

The assistant legislative clerk read as follows:

At the end of the bill add the following new section:

"AMENDMENT WITH RESPECT TO THE GOVERNOR'S VETO

"Sec. 13. Section 242 of the Economic Opportunity Act of 1964 is amended by—

"(1) striking out 'In' and inserting in lieu thereof 'Except as provided in the second sentence of this section, in'; and

"(2) inserting after the first sentence thereof the following: 'No portion of any contract, agreement, grant, loan or other assistance made with, or provided to carry out the provisions of section 222(a)(3) of this Act (relating to the legal services program) shall be made with or provided to any State or local public agency or any private institution or organization for the purpose of carrying out such provisions within a State unless a plan setting forth such proposed contracts, agreement, grant, loan or other assistance has been submitted to the Governor of the State, and such plan has not been disapproved, in whole or in part, by the Governor within 30 days of such submission.'"

Mr. MURPHY. Mr. President, I shall explain the amendment.

Mr. BYRD of West Virginia. Mr. President, may we have order in the Senate so we can hear the explanation?

The PRESIDING OFFICER. The Senate will be in order.

Mr. MURPHY. Mr. President, this is a very simple amendment. The thrust of the amendment is to restore more control with respect to legal services to the Governors. This is based on the understanding that the Governor of a State may know more about the problems of that particular State and may be more responsive to its particular problems. He can channel legal service programs into productive areas, rather than, as in the past, into areas that have created great dissatisfaction and confusion.

Mr. President, the amendment is very simple. It makes it possible for a Governor to have a line veto. As the law stands now the Governor has to veto the entire program. This amendment gives him the opportunity to have a line veto or a select veto so that the good elements of the program can go forward and the elements to which the objects can be vetoed. That is the gist of the amendment, Mr. President.

Mr. NELSON. Mr. President, will the Senator yield?

Mr. MURPHY. I am happy to yield.

Mr. NELSON. Mr. President, I wish to ask the Senator precisely how the amendment would change the current law. Do I understand correctly that the Governor now has a veto over any program?

Mr. MURPHY. The Senator is correct.

Mr. NELSON. And the OEO Director may override the Governor's veto. Is that correct?

Mr. MURPHY. I am unclear on that. There are great discussions about it. Whether or not the Director may override the Governor, this particular amendment would merely authorize the Governor to veto line items in the overall program.

In the speed of writing the amendment, I have not had a chance to even read the language which the staff has included in the amendment, but that was my desire, as I suggested the amendment.

In other words, the Governor would have 30 days to disapprove and he would not have to disapprove the entire program. He could disapprove line items in the program and in this way permit the body of the program to go forward and merely exercise his veto on line items.

Mr. President, I understand the Senator from Minnesota (Mr. Mondale) wanted to speak with reference to the amendment and I did not intend to have the amendment called up without him being present.

Mr. NELSON. The Senator from Minnesota has been sent notice to be here. In the meantime, I wish to ask the Senator a question. It was my recollection that when the issue was before the subcommittee the Senator from Colorado (Mr. Dominick) stated that the administration was opposed to any amendment on the legal services program. That is my recollection.

Mr. MURPHY. I believe the Senator is correct.

Mr. NELSON. It is also my recollection that the Senator from Minnesota (Mr. Mondale), based on that statement, withdrew his own amendment. Am I correct in that?

Mr. MURPHY. I am not certain because I was not present at that meeting. However, I am told that was the gist of the discussion between the Senator from Minnesota (Mr. Mondale) and the Senator from Colorado (Mr. Dominick). I now see the Senator from Minnesota (Mr. Mondale) in the Chamber.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. MURPHY. I am glad to yield to the Senator from Minnesota.

Mr. MONDALE. Mr. President, I believe the Senator from California is aware of the discussion which took place on this issue in the Subcommittee on Employment, Manpower, and Poverty. I had proposed the adoption of an amendment which would strike the Governor's veto power entirely from the OEO legal services program. That matter was discussed with the administration, with the Director of the Office of Economic Opportunity, Mr. Rumsfeld, and it was the position of the administration, and I assume it is today, that the program structurally, as it relates to the veto, should remain as it has been and now exists in the law.

Being anxious to contribute to an OEO measure that would have the support of the administration and the support of a broad bipartisan cross section of the Senate, I withdrew my amendment.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. MONDALE. I am glad to yield to the Senator from California.

Mr. MURPHY. Mr. President, I just want to make it clear that I heard something of the discussion but I was not present that day. Unavoidably, I had to be absent. I want to make it clear that I was not a party to that understanding.

Mr. MONDALE. The Senator is correct. My recollection is that he was not at that meeting, but my understanding is that the administration does not advocate or want any changes in the pending law as it stands, and as it affects the Governors' veto. Of course, insofar as the specific line items for OEO legal services are concerned, today the OEO Director has full power to determine the amount of the funds which any OEO legal service will have. That is entirely within the control of Director Rumsfeld and under the control of President Nixon.

The line item amendment as proposed by the Senator from California, in a sense, is redundant insofar as control over the Director and the administration are concerned over those funds.

The main point is that the American Bar Association and, really, the President of the United States, are proposing expansion of this program and have endorsed the broad outlines of the program as it now exists.

One of the key and indispensable elements of the program is not alone the funding but also the integrity of the program.

If we do not permit the poor to have attorneys who can present their cases free and unfettered from outside interference, which compromises the role of the law, we are in effect, even if we provide the funds, robbing the program of its greatest promise.

The American Bar Association which, to my knowledge, has never been charged with extreme leftwing irresponsibility, has repeatedly spoken out for the integrity and independence of the OEO legal services program. At its last convention, it passed a resolution strongly urging, in clear terms, continuing independence of the program.

In the letter placed in the Record yesterday, written by Mr. Segal, president of the American Bar Association, the ABA once again renewed the hope that OEO legal services would not only be adequately funded but would also be permitted to be a program which would provide the poor with independent, adequate, and competent legal services.

One of the interesting aspects of the OEO legal services since its founding is not only its impressive victories and the unique kinds of law reform cases brought, but also that it has significantly, subtly, and pervasively been subject to attacks attempting to try to destroy the program in terms of its integrity and independence in the kinds of lawsuits that should be brought. It has been subject to interference by local bar associations, Governors, and by the power structure generally trying to control it.

If we want to have a program of integrity, one that truly represents the poor, the present structure is the least we can accept.

Mr. President, I ask unanimous consent to have printed in the Record the resolution adopted at the annual meeting of the American Bar Association in Dallas, Tex., last August.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

RESOLUTION

Whereas, attacks against Legal Aid and Legal Services lawyers and other lawyers threaten the rights of clients to have independent advocates;

Now, therefore, be it resolved, That the American Bar Association supports and continues to encourage every lawyer in the exercise of his professional responsibility to represent any client or group of clients in regard to any cause no matter how unpopular; and

Further resolved, That the American Bar Association deplores any action or statement by any government official who attempts to discourage or interfere with the operation or activities of any properly constituted organization which provide legal services to the community because the lawyers associated therewith, or any lawyer acting in good faith and within the confines of ethical conduct, zealously represent clients in matters involving claims against a government entity or individuals employed thereby.

Mr. YARBOROUGH. Mr. President, will the Senator from California yield?

Mr. MURPHY. I yield.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent to have printed in the Record a letter written to me on October 13 by Bernard G. Segal, of the American Bar Association and its affiliate, the National Legal Aid and Defender Association, urging strongly passage of S. 3016 as reported by the Committee on Labor and Public Welfare.

There being no objection, the letter was ordered to be printed in the Record, as follows:

AMERICAN BAR ASSOCIATION,
Washington, D.C., October 13, 1969.

Hon. RALPH W. YARBOROUGH,
Chairman, Committee on Labor and Public Welfare, New Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: In behalf of the American Bar Association and its affiliate, the National Legal Aid and Defender Association, I strongly urge the passage of S. 3016 as reported by the Committee on Labor and Public Welfare. The bill provides a significant increase in the authorization for the program for legal services to the poor and recognizes the unique character of the program's mission in prohibiting delegation to any existing Federal agency where serious questions regarding possible conflict of interest might

arise. These provisions are consistent with the positions of the ABA and NLADA.

The American Bar Association has consistently opposed amendments to the Economic Opportunity Act which would restrict the independence of legal services lawyers providing a full range of legal services to the poor. In appropriate cases, such services might involve legal action against government agencies in seeking significant institutional change, commonly described as law reform. We should not deny to the poor access to the courts in any legitimate area affecting their interests.

I hope you will oppose any amendments to S. 3016 which would result in exposing legal services lawyers to inhibiting political pressures or otherwise restrict the range or scope of cases in which poverty lawyers may represent the poor.

Sincerely yours,

BERNARD G. SEGAL.

Mr. MURPHY. Mr. President, it is my view that the American Bar Association is a party of special interest to this matter. I generally go along with the recommendations of the American Bar Association. I know how diligently my colleagues follow its recommendations and I hope they will be as sensitive to its recommendations when the case of Judge Haynsworth comes before the Senate. I believe that the American Bar Association now has twice recommended approval of Judge Haynsworth.

If I may try to explain my position: I have not questioned the propriety or the need for law reform. However, it was my understanding at the time the legal services program was proposed, that it was to provide individual legal services for some poor fellow who could not afford a lawyer. This is why I so enthusiastically joined in its support.

The program was not to set up a bank of lawyers to enjoin the California State Legislature, or the Secretary of Labor, or the Governor of the State, or to come in and try to attempt to write complete legal reform. That is a different field of operation so far as I am concerned. That is the tack that has been followed by the California Rural Legal Assistance.

I believe that the legal service program should be returned to the purpose for which it was designed at the outset. Then, at a subsequent date, if the Labor and Public Welfare Committee wants to hold hearings and decides the matter of law reform is an important one, it could frame the appropriate legislation.

I have the greatest regard for the views of the American Bar Association, but the experience in my State makes it necessary in the area of legal services that the Governor have the right to a line veto and not to be overriden by the Director.

I am sensitive to the administration's request. I know the new Director very well. However, in my judgment in my State of California, from which I have the honor to represent one-twentieth of all the citizens of the United States, the legal services program will operate much better with this amendment.

As my colleagues know, I am the most pliable fellow in town. If a program is working well, I believe that it should be left alone. This program has not worked well. That is the reason I want to give it a reasonable chance by going back to its original concept. This was the condition under which the original program was sold to the Congress.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. MURPHY. I am glad to yield.

Mr. MONDALE. Do I understand the Senator's amendment to apply only to the OEO legal services program?

Mr. MURPHY. That is exactly right.

Mr. MONDALE. In other words, of all the titles in the OEO Act, the only one that would give the Governor veto power over a line item as distinguished from a whole program would be the OEO legal services program?

Mr. MURPHY. That is right.

Mr. MONDALE. Does it worry the Senator from California that that might be used by a Governor to discourage lawsuits that might be unpopular, yet necessary to defend and assert rights of the poor? In other words, if a rural service wanted to do something about illegal Mexican migrants who crossed the border to break a strike and depress working conditions, and the rural legal service thought they ought to bring action in that kind of case, and the Governor did not think so, could the Governor then veto that lawsuit?

Mr. MURPHY. Yes; he could. If my distinguished colleague will permit me, that type of lawsuit might properly be brought, but it should not be brought under the guise of a provision that was put in there originally to provide legal services on an individual basis for some poor fellow who just cannot afford a lawyer. I know a great deal about the problem of the illegals as a result of Public Law 780 going out of existence. I would have fought for that law before it went out. We now would have legal farmworkers rather than illegal ones. I would hope that sometime in the future we might get back to that. But in this case, on basic principles, on my philosophy of government, I would have to say that a Governor is more sensitive to the needs in his particular State. That is the philosophy of the new administration. of renewed federalism. I would think it would be preferable that the Governor, if he were doing something contrary to the wishes of the majority, were quickly replaced. On the other hand, if it were the purpose to make this operation function more properly for the benefit of an individual, rather than some mass action, or some highly financed labor union, rather than in the case I mentioned this morning of a foundation from New York, I would think this would be a proper amendment and might work for the general benefit of the poor, who are the ones I am concerned with.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. MURPHY. I yield.

Mr. MONDALE. Did I understand the Senator to draw a distinction between personalized legal services for individuals who are impoverished, on the one hand, and so-called law reform suits, on the other hand?

Mr. MURPHY. Yes; that is exactly my point.

Mr. MONDALE. Did I understand the Senator to say he supports legal services for individual purposes, but opposes them in the broad——

Mr. MURPHY. I must intervene. I did not oppose them. I oppose them in this particular piece of legislation, because it was not designed for that purpose. I have said that several times. I think hearings should be held. I think possibly another amendment to take care of so-called law reform, to take care of bracero problems, might be proposed. But under this statute, according to my understanding—and I was one of the developers of the concept—this was for legal services for some poor fellow who cannot afford a lawyer, and it was not to take up some extravagant move by social reformers, labor unions, or other organizations of that kind. That is why I draw the distinction.

Mr. MONDALE. Will the Senator yield?

Mr. MURPHY. I yield.

Mr. MONDALE. When the then nominated Director, Mr. Rumsfeld, appeared before the Employment, Manpower, and Poverty Subcommittee, I asked him his view about the proper role of the OEO legal services, and particularly whether he felt the OEO had a function to perform in the law reform field and whether it should be used for that. I must say I was very pleased by his answer. I quote a part of it, which appears on page 29682 of yesterday's CONGRESSIONAL RECORD. He said:

> As you know, I support the legal services program. I am pleased with the recommended increase. I also agree with you when you suggest that there have been and will be instances where, by providing proper legal service for the poor, suits may result which might involve, for example, the Federal, State or local government if in fact the attitude of the individuals involved in this suit is that level of Government has not been responsive and has not been fulfilling its statutory obligations.
>
> That can be controversial. In my judgment that does not make it bad. In fact, there are many of our institutions that are not perfectly responsive to the needs of the individuals they serve, and that they go through a process continuously of change. This might be one of the kinds of things that might help an agency of the Federal Government to recognize that what they are doing in fact at the point of contact does not compare with what they thought they were doing.

In other words, the Director of the Office of Economic Opportunity, Mr. Rumsfeld, I think quite clearly recognizes the importance of law reform services and underscores the need from time to time to make government more responsive and to permit lawsuits to be brought against various levels of government. Does the Senator from California disagree with that, for example?

Mr. MURPHY. I have said three times in the last 12 minutes that I am not in disagreement with it, but I am in disagreement with the use of a statute that was established to provide legal services for individuals being turned over to law reform, which is an entirely different operation and which should possibly be set up under a special provision in the bill. Perhaps at a later

XUM

time, the Director may agree with me. He is a new Director, who has just come in. I must say he comes in under the best auspices. I had the opportunity of knowing him. I think he will do an excellent job. But I also know that when he appears before a committee and is cross-examined by distinguished, great, trained legal minds, such as my dear friend from Minnesota, he might possibly not think as deeply as he should in order to have his logic catch up with the fluidity of his expression.

Mr. MONDALE. Will the Senator yield?

Mr. MURPHY. To get back to the proposition, with all respect to the American Bar Association and the administration's suggestion and to the feelings and the wishes, as described and read, of the new Director, I am not in great disagreement that there should be law reform. That is not my purpose. I disagree that a statute that was enacted to provide legal services for some poor individual who cannot afford a lawyer, the poor man we worry about, should be used for another purpose. If my distinguished colleague wants to institute hearings with regard to law reform, I would welcome them. I think he would probably be on sound ground.

Mr. MONDALE. Will the Senator yield?

Mr. MURPHY. I yield.

Mr. MONDALE. I respect the position of the Senator from California, but I think I am fair in saying that both the OEO Director, Mr. Rumsfeld, and the Director of Legal Services, Mr. Lenzner, have not only endorsed the concept of legal reform lawsuits being brought by the OEO legal services program, but, in fact, have underscored it as the key, and one of the fundamental aspects, of the entire program.

We have seen cases where, for example, it is very difficult to define what is the difference between an individual need and a broad general need. For example, there was a State which had many counties in which there was no food stamp program. A lawsuit was brought requiring the Department of Agriculture to make food-stamp programs available in all counties. That lawsuit was won. The Department of Agriculture has not responded yet, but this shows how difficult it is to differentiate the individual situation from the broad public policy.

Mr. MURPHY. Mr. President, will my distinguished colleague yield?

Mr. MONDALE. I am happy to yield.

Mr. MURPHY. I should like to point out how difficult it was to decide whether or not there was need for food stamps. As I recall, it was almost 2 years ago now.

Mr. MONDALE. That has been settled.

Mr. MURPHY. Yes, but it took a year. It took a year, between members of the committee and the former Secretary of Agriculture, to decide whether or not there was a need for food stamps in one of our Southern States.

I think if we proceed with consideration of the amendment, and get underway quickly in setting up the instrument for legal reform, we would be making great progress and at the same time preserving the integrity of this piece of legislation.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California.

Mr. MURPHY. Mr. President, I suggest the absence of a quorum. I ask that a quorum call be instituted, if it is agreeable, so that we may ask for the yeas and nays. I see no purpose to be served by continuing this dialog.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MURPHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURPHY. After apologizing to my colleagues for interrupting their lunch, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California.

Mr. JAVITS. Mr. President, I am well acquainted with Senator MURPHY's amendment, and I am very sympathetic to the feelings which dictate it. There are, without any question, just grievances reflected in the position which he has put before the Senate.

As I introduced the administration's bill, and am in a sense handling it on the Senate floor as ranking minority member of the Committee, I deliberated, frankly, whether to say anything about this matter, because I am sympathetic with with Senator MURPHY's position.

But in all fairness to the administration, I think it is my duty to say that this is a provision which takes a positive step about a matter which the administration did not include in its bill, and which I did not introduce.

I was the architect of the compromise which resulted in dealing with the Governor's veto question, and in conscience, I must tell the Senate that I believe that, as to any part of the program—and I do not pick out this part, that is, legal services, particularly—I would not have favored and I do not think I would have introduced the administration's bill if it had favored giving the Governor an absolute veto.

I would state to the Senator from California that it was in legislative vigilance that we had that debate with the Senator from West Virginia (Mr. BYRD). In every way, I shall do my utmost to keep the feet of the administration to the fire on this question of what the Senator calls law reform—that is, endeavoring to lend themselves to these broad questions of governmental policy through the new initiative and new energy of the poor in the OEO.

Also, if there are specific situations which come up in which a Governor's veto is not getting the proper weight and proper consideration, again I would lend myself, whether it is my State or any other, as the ranking minority member of the committee, to doing everything possible to get the utmost evaluation for the Governor's point of view.

Mr. President, with all fairness and with all due respect, I simply must say that I could not bring myself to go against the compromise which was so very hard to work out in our previous conference with the House on the question of the absolute power of the governor to exclude a program from his State.

That is all I wish to say about the matter, again expressing the deepest respect and understanding for what the Senator from California is trying to do, and promising him that I will lend myself in every way to assist him in any case in which the OEO has taken a questionable direction.

Mr. MURPHY. Mr. President, I thank the distinguished Senator. I am ready to vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from Idaho (Mr. CHURCH), the Senator from Connecticut (Mr. DODD), the Senator from Mississippi (Mr. EASTLAND), the Senator from Oklahoma (Mr. HARRIS), the Senator from Montana (Mr. MANSFIELD), the Senator from Minnesota (Mr. MCCARTHY) and the Senator from Maine (Mr. MUSKIE), are necessarily absent.

I further announce that the Senator from Arkansas (Mr. FULBRIGHT) is absent on official business.

Mr. GRIFFIN. I announce that the Senator from Massachusetts (Mr. BROOKE) and the Senator from New York (Mr. GOODELL) are necessarily absent.

The Senator from Kentucky (Mr. COOK), the Senator from Kansas (Mr. DOLE), the Senator from Illinois (Mr. PERCY), and the Senator from Alaska (Mr. STEVENS) are absent on official business.

The Senator from Illinois (Mr. SMITH) is necessarily absent because of death in his family.

If present and voting, the Senator from Massachusetts (Mr. BROOKE), and the Senator from Illinois (Mr. PERCY) would each vote "nay."

On this vote, the Senator from Kansas (Mr. DOLE) is paired with the Senator from New York (Mr. GOODELL). If present and voting, the Senator from Kansas would vote "yea" and the Senator from New York would vote "nay."

The result was announced—yeas 45, nays 40, as follows:

[No. 121 Leg.]

YEAS—45

Aiken
Allen
Allott
Baker
Bellmon
Bennett
Boggs
Byrd, Va.
Byrd, W. Va.
Cooper
Cotton
Curtis
Dominick
Ellender
Ervin
Fannin
Fong
Goldwater
Griffin
Gurney
Hansen
Hatfield
Holland
Hollings
Hruska
Jordan, N.C.
Jordan, Idaho
Long
McClellan
Miller
Mundt
Murphy
Packwood
Pearson
Prouty
Russell
Smith, Maine
Sparkman
Spong
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS 40

Anderson
Bayh
Bible
Burdick
Cannon
Case
Cranston
Eagleton
Gore
Gravel
Hart
Hartke
Hughes
Inouye
Jackson
Javits
Kennedy
Magnuson
Mathias
McGee
McGovern
McIntyre
Metcalf
Mondale
Montoya
Moss
Nelson
Pastore
Pell
Proxmire
Randolph
Ribicoff
Saxbe
Schweiker
Scott
Symington
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—15

Brooke
Church
Cook
Dodd
Dole
Eastland
Fulbright
Goodell
Harris
Mansfield
McCarthy
Muskie
Percy
Smith, Ill.
Stevens

So Mr. Murphy's amendment was agreed to.

Mr. WILLIAMS of Delaware. I move to reconsider the vote by which the amendment was agreed to.

Mr. BYRD of West Virginia. I move to reconsider the vote by which the amendment was agreed to.

Mr. MURPHY. I move to lay the motion on the table.

The motion to lay on the table was agreed to.

EXTENSION OF CLEAN AIR ACT

Mr. RANDOLPH. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 2276.

The PRESIDING OFFICER (Mr. Hughes in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 2276) to extend for 1 year the authorization for research relating to fuels and vehicles under the provisions of the Clean Air Act which was to strike out all after the enacting clause, and insert:

> That the first sentence of section 104(c) of the Clean Air Act (42 U.S.C. 1857b–1(c)) is amended by striking out "and", and by striking out the period at the end thereof and inserting in lieu thereof ", and for the fiscal year ending June 30, 1970, $18,700,000."

Mr. RANDOLPH. Mr. President, I move that the Senate disagree to the amendment of the House on S. 2276 and ask for a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Muskie, Mr. Randolph, Mr. Bayh, Mr. Montoya, Mr. Boggs, Mr. Cooper, and Mr. Dole conferees on the part of the Senate.

REPORT OF THE ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION—REFERRAL

Mr. RANDOLPH. Mr. President, I ask unanimous consent that the report of the St. Lawrence Seaway Development Corporation for the year ending 1968, which was referred to the Committee on Public Works on September 24, 1969, be re-referred to the Committee on Commerce.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RANDOLPH. Mr. President, I also ask unanimous consent that all future proposed legislation and matters relating to the St. Lawrence Seaway Development Corporation be referred to the Committee on Commerce for consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RANDOLPH. Mr. President, on July 14, 1969, a number of nominations affecting the St. Lawrence Seaway Development Corporation were re-referred by the Senate to the Committee on Commerce. It was my intention at that time that all future proposed legislation affecting the St. Lawrence Seaway Development Corporation be within the jurisdiction of the Committee on Commerce.

In this connection, I ask unanimous consent that my statement which appears in the Record of July 14, 1969, be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

STATEMENT OF SENATOR RANDOLPH

For some time I have been of the opinion that legislative matters relating to this corporation properly come within the jurisdiction of the Commerce Committee. That Committee, as you know, is directly concerned with matters relating to foreign and domestic commerce, and, of course, the Seaway Authority is an important link in this country's foreign and domestic trade. Also, the Commerce Committee recently established a special subcommittee to study transportation on the Great Lakes-St. Lawrence Seaway which will be directly involved with the activities of the Seaway Corporation.

For the information of the members of the Senate, the St. Lawrence Seaway Development Corporation is a wholly owned Government corporation which was authorized and directed by the act of May 13, 1954, (33 USC 981), to construct, operate, and maintain deep-water navigation works in the International Rapids section of the Saint Lawrence River together with the necessary dredging in the Thousand Island section. The act also directed the Corporation to coordinate its construction and maintenance activities with the Saint Lawrence Seaway Authority of Canada. Management of the Corporation is vested in an administrator and a deputy administrator appointed by the President by and with the advice of the Senate. In addition, the Act established an Advisory Board to review the general policies of the Corporation, including its policies in connection with design and construction of facilities and the establishment of rules of measurement for vessels and cargoes, and rates of charges or tolls, and is required to advise the Administrator with respect to these matters. The Board is composed of five members also appointed by the President, by and with the advice of the Senate.

In the past, legislation relating to the St. Lawrence Seaway has been handled by three Senate Committees; Commerce, Foreign Affairs, and Public Works. The Committee on Public Works first considered Seaway legislation in July of 1957, when a bill to designate the "Wiley-Dondero Lock" was referred to the Committee for consideration. Subsequent Seaway legislation has also been referred to the Public Works Committee. However, for the reasons previously stated, I recommend that the pending nominations and future legislation affecting the St. Lawrence Seaway Development Corporation again be referred to the Committee on Commerce for appropriate attention.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. AIKEN. I wish to ask the Senator if this matter has been cleared with the Committee on Public Works.

Mr. RANDOLPH. Yes, and with the Committee on Commerce.

Mr. AIKEN. And it is agreeable?

Mr. RANDOLPH. It is agreeable.

Mr. AIKEN. I thank the Senator.

ECONOMIC OPPORTUNITY AMENDMENTS OF 1969

The Senate resumed the consideration of the bill (S. 3016) to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, to authorize advance funding of such programs, and for other purposes.

Mr. WILLIAMS of Delaware. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be read.

The bill clerk read as follows:

> At the end of the bill insert the following new section:
>
> "AMENDMENT WITH RESPECT TO WITHHOLDING CERTAIN FEDERAL TAXES BY ANTI-POVERTY AGENCIES
>
> "Sec. 13. (a) Upon receipt of any amount of a payment made pursuant to a grant, contract, agreement, loan or other assistance made or entered into under the Economic Opportunity Act of 1964 the recipient shall set aside a portion of the amount so received sufficient to satisfy the expected liability of the recipient for the taxes imposed by chapters 21 and 23 of the Internal Revenue Code of 1954.
>
> "(b) Upon notice from the Secretary of the Treasury or his delegate that any person otherwise entitled to receive a payment made pursuant to a grant, contract, agreement, loan or other assistance made or entered into under the Economic Opportunity Act of 1964 is delinquent in paying or depositing (1) the taxes imposed on such person under chapters 21 or 23 of the Internal Revenue Code of 1954, or (2) the taxes deducted and withheld by such person under chapters 21 and 24 of such Code, the Director of the Office of Economic Opportunity shall suspend any portion of such payments due to such person and shall not make or enter into any new grant, contract, agreement, loan or other assistance under such Act with such person until the Secretary of the Treasury or his delegate has notified him that either such person is no longer delinquent in paying or depositing such taxes or that adequate provision has been made for such payment."

Mr. WILLIAMS of Delaware. Mr. President, I shall be very brief. I understand the managers of the bill have no objection to the amendment.

I merely wish to state that this matter was called to my attention a couple of months ago. It seems that some community action groups, while withholding their employment taxes, have not been forwarding them to the Treasury as required by law in operations of this type.

I felt by all means that subdivisions of the Government, and they are subdivisions of the U.S. Government, should be complying with the law as it relates to all other type operations; namely, that they should pay their taxes.

Mr. President, the purpose of the Economic Opportunity Act is to educate and train certain groups in order that as citizens, they may move out into useful employment and meet their obligations to society. The best training that could be extended to any group would be to impress upon them their responsibilities as citizens to meet their tax obligations to the Federal Treasury when they become due.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a letter dated August 29, 1969, signed by the Acting Commissioner of Internal Revenue, along with attachments thereto, pointing out this problem as it relates to these delinquencies, followed by an explanation of the amendment as furnished by the legislative counsel which explains the manner in which the amendment would operate.

It will be noted that many of these groups which were first classified as delinquent show that the delinquency has been eliminated.

However, it should be pointed out that in far too many cases these delinquencies were paid with new grants from the Federal Government.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. TREASURY DEPARTMENT,
INTERNAL REVENUE SERVICE,
Washington, D.C., August 29, 1969.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: This refers to your inquiry of June 20, 1969, concerning past and present Federal employment tax delinquencies on the part of the Neighborhood Youth Corporation of the Kent County Community Action Agency and similar organizations in Delaware and throughout the country.

We are unable to furnish you complete information on all Anti-Poverty organizations which are now or have been delinquent in payment of Federal employment taxes. As you know, our field offices are responsible for identifying and handling all taxpayer delinquencies, and it would be necessary for all 58 districts to research every open and closed case in every open and closed file in order to secure the data you have asked for. I am sure you will appreciate that, with our limited manpower and money, I cannot authorize such a costly undertaking. However I can give you information on those delinquencies in the Anti-Poverty area which field officials have specifically brought to our attention. Lists of these delinquencies are enclosed.

The liabilities shown on the lists may include income tax withholding, FICA taxes and FUTA (Federal unemployment tax). All of the organizations listed incur liability for income tax withholding, of course, even though they may be exempt from income tax as an organization described in section 501(c)(3) of the Internal Revenue Code. If the organization has not established tax-exempt status, liability is also incurred for FICA and FUTA taxes. However, if the organization has established exemption as a 501(c)(3) organization, it is automatically exempt from FICA taxes unless it has specifically waived its FICA exemption.

As to Kent County Community Action Agency, specifically, the enclosed list of open cases shows an employment tax balance due from this organization in the amount of $860. This represents FICA (social security taxes). However, the organization has applied for tax exemption, as a 501(c)(3) organization, and if exemption is granted, the organization will have no liability for FICA taxes unless it chooses to waive the FICA exemption. This seems unlikely, considering that the organization is no longer active. Thus, it appears probable that some part of the taxes which have already been paid by the organization will be refundable in an amount which may exceed the liability now shown on our books.

It may be that cases, in addition to those shown on the enclosed lists, have been or are now pending in the field and, indeed, delinquencies may exist of which the field is not yet aware. As I am sure you will appreciate, this entire area is one which is very difficult to monitor, considering the many funding Federal agencies which are involved, the many thousands of organizations which are funded, the variety of programs being undertaken and, quite often, the tax unfamiliarity of the persons undertaking them.

Ever since enactment of the Economic Opportunity Act of 1964, we have been aware of the need for educating the Anti-Poverty organizations to the tax responsibilities confronting them upon receipt of a grant and institution of the program for which the grant was given. Our aim has been to prevent delinquencies, an objective which, unfortunately, we have not fully realized. In attempting to do so, however, we have been working with the Office of Economic Opportunity, the Department of Labor, the Department of Agriculture and the Department of Health, Education and Welfare. We have obtained lists of grantee organizations from these agencies with the understanding that the lists will be kept current. Our field offices have been and are now checking these lists against our own lists of persons filing Federal employment tax returns. This cross check enables us to contact those organizations not appearing on our lists and to keep a close watch for delinquencies which may arise in the future. We feel that this is a good beginning, but we are convinced that much more can be and should be done. Bearing in mind that the United States is the source of the funds with which these organizations operate, we believe that the funding Federal agencies may be in a position to assist us further in assuring that all taxes due the Federal Government are paid in full and on time. We are continuing, therefore, to work with these agencies in hopes of developing a fully coordinated program, looking toward timely payment of all tax obligations incurred by each and every grantee organization. As you suggest, delinquencies in this area should be and are of major concern to the Internal Revenue Service.

I appreciate your interest in this matter, and assure you that we will continue to watch the situation carefully.

With kind regards,
Sincerely,

——— — ———,
Acting Commissioner.

[Enclosures]

The information given below reflects collection status as of August 18, 1969. It does not necessarily reflect the current status of the case since collections may have been effected by the field office concerned in the meantime.

Closed cases	Original delinquency liability	Outstanding balance
1. Dallas County and City of Selma Opportunity Board, Inc., City Hall, City of Selma, Selma, Ala	$1,681.30	0
2. Inner City Cultural Center, 1615 North Washington, Blvd., Los Angeles, Calif	94,697.98	0
3. Inland Area Urban League, 3792 Main St., Riverside, Calif	7,442.34	0
4. Monmouth Community Action Program, Inc., Garfield Grand Bldg., 279 Broadway, Long Beach, N.J	69,780.48	0
5. Fayette County Community Action Agency, Inc., 50 East Main St., Uniontown, Pa	$20,785.80	0
6. Interfaith-Interracial Counsel of the Clergy, 1528 Walnut St., Philadelphia, Pa	29,177.76	0
7. Neighborhood Youth Corps, New York City, N.Y	3,589,288.00	0
8. New Opportunities for Waterbury, Inc., trading as Now, Inc., 769 North Main St., Waterbury, Conn	124,930.00	0

Open cases	Original delinquency liability	Outstanding balance
1. Opportunities Industrialization Center, 1225 North Broad St., Philadelphia, Pa	$751,702.94	$28,395.25
2. O.I.C. Institute, Inc., 100 West Coulter St., Philadelphia. Pa	193,328,66	89,487.13
3. Allied Builders Union, Inc., 611 Division Ave. NE., Washington, D.C	31,387.94	9,469.85
4. Kent County Community Action Agency, Inc., Dover, Del	8,344.85	860.42
5. Business Training Center–Paterson Task Force, 367 Broadway, Paterson, N.J	1,816.36	1,816.36
6. Haryou-Act, Inc., 2092 7th Ave., New York, N.Y	([1])	([2])
7. Black Youth Movement, Inc., 43 North Main St., Waterbury, Conn	$39,142.00	$38,926.00
8. Opportunities Industrialization Center, 2947 North 3d St., Milwaukee, Wis	78,870.42	14,728.79
9. Archdiocesan Opportunity Program, 2140 East Canfield, Detroit, Mich	987,053.70	216,698.76

[1] Unknown at this time. Investigation being conducted to verify credits claimed. Earlier delinquency amounting to $208,986 has been fully paid.

[2] Unknown at this time. Investigation being conducted to verify credits claimed.

MEMORANDUM FOR SENATOR WILLIAMS OF DELAWARE

The attached draft sets forth the obligation of a recipient of a payment made pursuant to any grant, contract, agreement, loan, or other assistance made or entered into under the Economic Opportunity Act of 1964 to set aside a portion of the amounts received sufficient to satisfy the expected liability of the recipient for taxes imposed by chapter 21 (relating to Federal insurance contribution) and chapter 23 (relating to Federal unemployment tax) of the Internal Revenue Code of 1954.

Upon notice from the Secretary of the Treasury that any recipient of such a payment is deliquent in paying or depositing (1) the taxes imposed under chapters 21 and 23 of the Internal Revenue Code of 1954, or (2) the taxes deducted and withheld by such recipient under chapters 21 and 24 (relating to collection of income tax) of such Code, the Director of the Office of Economic Opportunity shall not make any further payment due the recipient and he shall make or enter into no new grant, contract, agreement, loan, or other assistance under the

Economic Opportunity Act of 1964 until the Secretary of the Treasury has notified him that the recipient is no longer delinquent in paying or depositing the taxes referred to in the section or that adequate provision has been made for such payment.

The requirement set out in your proposed amendment is an addition to the "Economic Opportunity Amendments of 1969", the pending business of the Senate.

Respectfully,

A. Blair Crownover,
Assistant Counsel.

October 14, 1969.

Mr. WILLIAMS of Delaware. Mr. President, I shall request a record vote on this amendment, but I am willing to proceed as expeditiously as possible.

Mr. NELSON. Mr. President, I would like to say as to this amendment that I think the objective sought by the Senator from Delaware is correct. I have not had a chance to study the language. I assume the language that is in the amendment reasonably accomplishes the objective the Senator seeks.

I understand the deputy counsel of the Office of Economic Opportunity believes the language is satisfactory but he has not had a chance to study it either.

I shall vote for the amendment. I may wish to modify my position, depending on the legal interpretation of the OEO. I do agree with what the measure seeks to do.

Mr. WILLIAMS of Delaware. I appreciate the statement of the Senator.

The amendment will be in conference and if it needs to be perfected I would want it done because there is no disagreement on the objective.

Mr. President, I have also discussed the problem with the Senator from New York. I understand that he also agrees with the objective. On that basis, I am willing to proceed to vote.

Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. JAVITS. Mr. President, I wish to join the Senator from Wisconsin (Mr. Nelson) in saying that I, too, shall vote for the amendment. I feel that the way the matter has been worked out is probably the way which will prove generally agreeable to the Office of Economic Opportunity.

As the Senator from Wisconsin (Mr. Nelson) has stated, we will undertake in conference to make sure the purpose is retained, without any extraneous effect. I had hoped we could dispose of the matter without a rollcall vote this afternoon in view of the position of the Senator from Wisconsin of my position. However, the Senator from Delaware feels we should have a rollcall vote and I see nothing that we can do about it. That is his right. My purpose will remain as it would have been otherwise: to do our utmost to retain in conference a provision accomplishing this result.

Mr. WILLIAMS of Delaware. Mr. President, I am satisfied with the Senator's statement. I thank the Senator from New York.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. RANDOLPH. Mr. President, we have had expressions on this issue from the Senator from Wisconsin (Mr. Nelson) and the Senator from New York (Mr. Javits). As a member of the Committee on Labor and Public Welfare, I wish to commend our colleague, the senior Senator from Delaware (Mr. Williams) on the presentation of the amendment. I think it is inconceivable that there would be opposition to the proposal as it is presented here this afternoon. It is my belief that it is not only proper but necessary to incorporate into this bill the amendment of the Senator from Delaware (Mr. Williams). I agree that amendment should impress upon antipoverty agencies receiving grant funds their obligation to comply in a timely manner with requirements of our tax laws. This will be an assurance of tighter procedures.

Mr. WILLIAMS of Delaware. Mr. President, I thank the Senator. I think the importance of the rollcall vote would be so that the agency, which has been perhaps a little dilatory in previous matters in enforcement, will know the Senate means business.

I am willing to proceed to the vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Delaware (Mr. Williams). On this question the yeas and nays have been ordered, the clerk will call the roll.

The bill clerk called the roll.

Mr. KENNEDY. I announce that the Senator from Idaho (Mr. Church), the Senator from Connecticut (Mr. Dodd), the Senator from Missouri (Mr. Eagleton), the Senator from Mississippi (Mr. Eastland), the Senator from Oklahoma (Mr. Harris), the Senator from Montana (Mr. Mansfield), the Senator from Minnesota (Mr. McCarthy), and the Senator from Maine (Mr. Muskie) are necessarily absent.

I further announce that the Senator from Arkansas (Mr. Fulbright), is absent on official business.

I further announce that, if present and voting, the Senator from Missouri (Mr. Eagleton) would vote "yea."

Mr. GRIFFIN. I announce that the Senator from Massachusetts (Mr. Brooke) and the Senator from New York (Mr. Goodell) are necessarily absent.

The Senator from Kentucky (Mr. Cook), the Senator from Kansas (Mr. Dole), the Senator from Illinois (Mr. Percy), and the Senator from Alaska (Mr. Stevens) are absent on official business.

The Senator from Illinois (Mr. Smith) is necessarily absent because of death in his family.

If present and voting, the Senator from Massachusetts (Mr. Brooke), the Senator from Kansas (Mr. Dole), the Senator from New York (Mr. Goodell), the Senator from Illinois (Mr. Percy), and the Senator from Alaska (Mr. Stevens) would each vote "yea."

The result was announced—yeas 84, nays 0, as follows:

[No. 122 Leg.]

YEAS—84

Aiken
Allen
Allott
Anderson
Baker
Bayh
Bellmon
Bennett
Bible
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Cooper
Cotton
Cranston
Curtis
Dominick
Ellender
Ervin
Fannin
Fong
Goldwater
Gore
Gravel
Griffin
Gurney
Hansen
Hart
Hartke
Hatfield
Holland
Hollings
Hruska
Hughes
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy
Long
Magnuson
Mathias
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Montoya
Moss
Mundt
Murphy
Nelson
Packwood
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Russell
Saxbe
Schweiker
Scott
Smith, Maine
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—16

Brooke
Church
Cook
Dodd
Dole
Eagleton
Eastland
Fulbright
Goodell
Harris
Mansfield
McCarthy
Muskie
Percy
Smith, Ill.
Stevens

So the amendment of Mr. Williams of Delaware was agreed to.

Mr. GOLDWATER. Mr. President, on behalf of my senior colleague from Arizona (Mr. Fannin) and myself, I send to the desk an amendment, and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read the amendment, as follows:

On page 5, between lines 18 and 19, insert a new subsection as follows:

"(d) Notwithstanding any other provision of this Act or any other provision of law, none of the amounts appropriated pursuant to the section for the fiscal year ending June 30, 1970, and the fiscal year ending June 30, 1971, and none of the amounts appropriated pursuant to any other provision of law for any fiscal year prior to the fiscal year ending June 30, 1970, shall be expended on or after the date of enactment of this Act for use in carrying out the Legal Services program described in section 222(a)(3) on the Navajo Indian Reservation or on behalf of the Navajo people, unless the use of such amounts for such purposes is specifically approved by a resolution duly passed by the Advisory Committee of the Navajo Tribal Council for each such fiscal year, respectively."

Mr. GOLDWATER. Mr. President, I shall try to be as brief as I can with this presentation, and I would appreciate the attention of Senators, because this is a very, very peculiar situation. Some might argue that the passage of the Murphy amendment, which gave the Governors the right to veto, would take care of this situation. It will not, because the Navajo Reservation actually lies in three States. Most of it is in Arizona; part of it is in New Mexico; and a small part of it is in Utah.

The amendment is not complex. It is offered to carry out the express wishes of the Navajo Indian Tribal Government and to prevent the Office of Economic Opportunity from riding roughshod over the rights of the individual Navajo Indians and the sovereignty of the Navajo Nation.

This situation is a very peculiar one. At this point I would like to mention a few of the unusual features of the reservation situation. They have their own democratically elected self-government. The laws of the State of Arizona do not apply. They pay no State taxes or Federal taxes or sales taxes, nor can the Governor impose them. My colleague, Senator FANNIN, was Governor when this matter was tested. They have their own police force, their own courts, and operate under their own laws. What they are asking, in effect, is to have some say in the operation of this program.

Mr. President, my amendment simply says that none of the funds appropriated to OEO can be spent hereafter for the operation of the legal services program on the Navajo Reservation unless the program has the approval of the Navajo Indians themselves.

There should not be any need for this amendment. It amazes me that it is necessary to add a requirement into the law in order to bind OEO to live by the letter and spirit of the existing law.

But, the agency has it in its head to jam a ridiculously high funded legal services project down the throats of the Navajo people whether they want it or not. And, I can tell you that they do not want it. Nor do the people living adjacent to the reservation want it.

Permit me to review the history of this bizarre situation which is serving to accomplish nothing but the division of the Navajo people into separate camps.

In April of 1965, the advisory committee of the Navajo Tribal Council passed a resolution creating the Office of Navajo Economic Opportunity. This organization was to be responsible to the Advisory Committee and was established for the purpose of administering the OEO community action programs for the Navajo Tribe.

Many of the programs implemented by ONEO have been of lasting benefit to people on the reservation, who have been encouraged to strive toward self-sufficiency and to become employable.

But, difficulties arose quickly with one component of the ONEO program. In October of 1967—a little after a year from the time that the legal aid program was approved for the reservation—problems began cropping up with DNA, Inc., the delegate agency for these services. For 3 months relations between the Navajo Office and DNA were so strained that the two were unable to agree to a new contract.

The matter was settled temporarily in January of 1968 when the contract was renewed. By June of 1968, however, conditions had reached storm proportions again. On June 28 of last year, the advisory committee of the Navajo Tribal Council voted its disapproval of the manner in which the legal services program was being handled by DNA under the direction of Mr. Theodore R. Mitchell. In fact, the advisory committee actually demanded the removal of Mr. Mitchell from his post.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. GOLDWATER. I am happy to yield.

Mr. KENNEDY. Did the matter that was being considered at that time refer to the question of the water rights of the tribe itself?

Mr. GOLDWATER. No; that did not enter into it, although Mr. Mitchell at times tried to swing the tribe on it. Of course, this is of great concern to the water rights of the Lower Colorado River Basin. I must say the Indian rights in the basic contract have been recognized as being primary, above all other rights. The rights we are talking about are involved in the 50,000 acre-feet allotted to Arizona. Some of the works have been built. Others are in process of being built to enable the Navajos to utilize a portion of the 50,000 acre-feet.

Mr. KENNEDY. Could the Senator enlighten Members of the Senate with respect to the matter that brought about the dispute between the legal services office and the Navajo Tribe, and also the tribal attorneys? Would the Senator enlighten us about that conflict, or was he planning to do so?

Mr. GOLDWATER. I am planning to do so, but I can say that, very basically, these people have their own government, elected under democratic processes. They have law and order on the reservation. Having complete control of what goes on with respect to contracts for gas and oil, contracts for trading purposes, and so forth, they feel they should not be circumvented in this matter. In other words, the pending amendment merely recognizes and says that at the time when the tribal council votes to have the DNA on the reservation under its control, they have no objection to it. In fact, before the DNA came on the reservation, the tribe had its own legal program.

I think they were spending something like $100,000, as far as we can find out. That has been expanded now to $1.1 million under the OEO, which is over twice as much as the State of Arizona is spending on 1,600,000 people. We are talking about 100,000 Navajos in my State.

I think I can answer the Senator's question as I go along. If I do not, do not hesitate to ask.

By August, when the Navajos saw that this man Mitchell was not going to leave on his own, the advisory committee permanently excluded him from all Navajo lands for his personal obnoxious conduct before the tribal council.

Following his exclusion, Mitchell, who was still running the legal services program—ostensibly to assist the Navajo community—brought a lawsuit against the chief executive officer of the Navajo Tribe in which he challenged the right of the Navajos to evict a non-Navajo from the reservation. Taking advantage of civil rights principles, he succeeded in obtaining a court order forcing himself back onto the Navajo Reservation.

Under these circumstances, which were but the culmination of many earlier acts of adventurism and agitation by the staff of DNA, the advisory committee of the Navajo Tribal Council directed the chairman of the tribe to refuse to accept the grant of funds offered by OEO for the operation of the OEO legal services program in the Navajo Reservation for the 1969 fiscal year. The advisory committee further directed the Office of Navajo Economic Opportunity to refuse Federal funds to continue the operation of DNA and to return the grant offer to OEO. This resolution was approved by a vote of 12 to 1 on March 13 of this year.

The action failed to stir OEO, however. Regardless of the mandate given to OEO to extend financial assistance only for community action projects which are approved by the duly designated community action agency—in this case the advisory committee of the Navajo Tribal Council acting through the Office of Navajo Economic Opportunity—OEO has decided to pass over the Navajo agencies and fund DNA directly for the performance of the legal services program.

Such an incredible action is nothing short of a major affront to the governing bodies of the Navajo Nation. It is tantamount to the direct interference by the Government of the United States with the government of the Navajo Indian Tribe in a matter that involves the sovereignty of the Navajos over operations within the boundaries of their own reservation.

Mr. President, to illustrate by another point why this is a most unusual situation, the Navajo Indian Reservation does not operate directly under the Bureau of Indian Affairs. This tribe constitutes a little more than 25 percent of all the Indians who come under the jurisdiction of the United States. Its reservation is so vast and encompasses so great an area that there has been established a subbureau at Gallup, N. Mex., which operates for this tribe individually, and no other reservation comes under its jurisdiction.

On October 1, by a unanimous vote of 15 in favor and none opposed, the Navajo advisory committee strongly condemned the OEO action as "a direct rebuff of the wishes of the Navajo Tribal Council and a circumvention of the sovereign powers of the Navajo Tribe." In addition, the resolution caustically noted:

> Such action is in direct opposition to the express policy of the President of the United States and the Secretary of the Interior that tribal governments be granted more responsibility in handling their own affairs.

In these circumstances—where the Navajo Tribe itself has repeatedly determined that the continuation of DNA as the unit operating the OEO legal services program "is not in the best interests of the Navajo people"—I find it to be remarkable that OEO is acting in complete disregard of the wishes of the Navajo tribal government.

I might add, Mr. President, that the entire Arizona delegation backs up the Navajo tribal government in this matter. We are unanimous, both Democrats and Republicans, that this is an affront to the dignity of the Navajo. It is an affront to everything we are trying to do for the Indians in our part of the country who still live on the reservation.

If this is what is happening in regard to OEO programs, I think it is entirely uncalled for and that a check must be put on it by Congress. On top of this outrageous situation in which OEO is ignoring the democratically selected political authorities on the Indian reservation, the amount of money allocated to DNA for the fiscal year is ridiculous. OEO wants to spend $1.1 million to handle the legal aid program for 120,000 Navajos.

As I mentioned earlier, the State of Arizona spends less than $500,000 to take care of the legal problems of 1.6 million people.

No wonder DNA is putting its hand into every conceivable kind of venture. No wonder that it has been stirring up individual Navajos and injuring relations with non-Navajos such as the reservation traders and residents who live near the reservation.

One incident occurred only last month when the annual ceremonial dances were conducted at Gallup, N. Mex., by the Intertribal Indian Ceremonial Association. DNA, supposedly the legal aid service for indigent Navajos, is bringing suit against the ceremonial on behalf of a group of young men who were distributing a hate sheet labeled "When Our Grandfathers Had Guns." I think that this incident is a typical example of some of the unseemly ways that this group has put its nose into cases which rise far afield from its proper duty of aiding the poor on the reservation.

Mr. President, all my amendment will do is to require that before any more money is spent by OEO for the legal services program on the Navajo Reservation that it shall be approved by the community action group operating under the governing body of the Navajos.

The amendment will not cause any reduction in the amounts authorized in the committee-reported bill.

The amendment will permit the appropriation of the full amounts authorized in the committee bill.

The amendment will not affect the operation of any program in any community or State other than this one alone.

All it does is to prevent the expenditure of moneys for a program on the Navajo Reservation unless this program has the consent of the Navajo people.

This will simply require that OEO lives up to the express rules set forth in subchapter II and part B of the Economic Opportunity Act of 1964, which creates the community action and related programs, and which, I remind my colleagues, was further strengthened this afternoon by the tabling action on the amendment of the Senator from California (Mr. MURPHY).

The Navajo tribal government, acting through ONEO, has been officially designated as the community action agency for the Navajo people. This was done in accordance with the provisions of section 104 of subchapter II.

The Navajo office is thereby made the legitimate body through which OEO projects must be administered on the reservation, and I cannot see why anyone would object to making OEO use it.

Mr. President, there has been much talk in this Chamber at various times this year about the concern that the American Indian should be allowed and encouraged to control his own destiny. I am giving the Senate a chance to put this concept to the test. If my amendment is approved, we will have demonstrated to the Navajo citizens that we are willing to respect the decisions made by their democratically chosen leaders as to what is in the best interests of the Navajo Nation.

Mr. President, I ask unanimous consent to have printed in the RECORD two resolutions adopted by the advisory committee of the Navajo Tribal Council in protest of the operations of DNA.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

THE NAVAJO TRIBE,
Window Rock, Ariz., March 13, 1969.

DIRECTOR,
OEO Legal Services Program,
Washington, D.C.

DEAR SIR: Enclosed is a copy of a resolution adopted today by the Advisory Committee of the Navajo Tribal Council.

As you will see the Advisory Committee has determined that the continuation of DNA, Inc. as the organization operating the OEO Legal Services Program in the Navajo Nation is not in the best interests of the Navajo people. Therefore, the Advisory Committee has instructed me to refuse to accept your grant of funds for DNA's operation in 1968–69, and to return the grant offer to you.

In accordance with these instructions, I hereby refuse your grant and return the Grant Offer papers to you.

Yours truly,

RAYMOND NAKAI,
Chairman, Navajo Tribal Council.

PROPOSED RESOLUTION OF THE ADVISORY COMMITTEE OF THE NAVAJO TRIBAL COUNCIL, DIRECTING THE CHAIRMAN OF THE NAVAJO TRIBAL COUNCIL TO REFUSE OEO REFUNDING OF DNA, INC.

Whereas:

1. The Advisory Committee of the Navajo Tribal Council, on April 7, 1965, established the Office of Navajo Economic Opportunity (10 NTC 701) for the purpose of insuring that the full benefits of the Economic Opportunity Act of 1964 "shall accrue to the Navajo people," with the full cooperation of all divisions, committees and individuals of the Navajo Tribal Government, and

2. The Advisory Committee has been authorized by the Navajo Tribal Council to approve general policies, plans of operation, and programs which are beneficial to the Navajo Tribe and Navajo people under titles I–VI of the Economic Opportunity Act of 1964 (6 NTC 7), and

3. On June 28, 1968, the Advisory Committee (ACJN–119–68) expressed its disapproval of the manner in which the Legal Services Program of ONEO was being handled by the delegate agency, DNA, Inc., under the direction of one Theodore R. Mitchell. The Advisory Committee further demanded the removal of Mr. Mitchell from his position as Director of DNA, and

4. On July 17, 1968, the Navajo Tribal Council (CJY–88–68) authorized and directed ONEO to submit the Legal Services Program refunding application to the Office of Economic Opportunity in Washington, D.C., and further directed the Executive Board of ONEO "to continue to conduct and administer all community action programs on the Navajo Reservation in accordance with the guideline of the Office of Economic Opportunity and the wishes of the Navajo people," but took no action concerning the position of Mr. Mitchell as Director of DNA, and

5. On August 8, 1968, the Advisory Committee permanently excluded Mr. Mitchell from all lands of the Navajo Tribe for his personal obnoxious conduct before the Advisory Committee, and

6. Following his exclusion, Mr. Mitchell brought a lawsuit against the Chairman of the Navajo Tribal Council in Federal Court, in which he challenged the right of the Navajo Tribe, under the Treaty of 1868, to evict non-Navajos from the private property of the Navajo Tribe, and

7. As a result of this lawsuit, the sovereignty of the Navajo Tribe, and the absolute right of the Navajo people to be secure from outsiders on their reservation, has been placed in jeopardy, and

8. This lawsuit has injured not only the Navajo Tribe, but every individual Navajo, and

9: Under these circumstances, it is the opinion of the Advisory Committee that DNA is not operating in the best interests of the Navajo people.

Now therefore be it resolved that:

1. The Advisory Committee of the Navajo Tribal Council, in its capacity as the supervisory body over all economic development projects for the Navajo people, hereby authorizes and directs the Chairman of the Navajo Tribal Council, as Chief Executive officer of the Navajo Tribe and as Chairman of the Executive Board of the Office of Navajo Economic Opportunity, to refuse to accept the grant of funds offered by the Office of Economic Opportunity for the operation of the OEO Legal Services Program in the Navajo Nation for the program year 1968–1969.

2. The Executive Director of the Office of Navajo Economic Opportunity is hereby authorized and directed to cooperate with the Chairman of the Navajo Tribal Council in refusing federal funds to continue the operation of DNA, and in returning the grant offer to OEO in Washington.

3. The Chairman of the Navajo Tribal Council is further authorized and directed to seek a new organization to conduct OEO legal services for the Navajo people, and to submit such organization and its program to the Advisory Committee for approval. This new organization shall provide for a governing board to be composed of ⅓ elected officials of the Navajo Tribe, ⅓ representatives of the Navajo people selected at large, and the remainder to be members of major groups in the Navajo community, such as the Public Health Service, the Bureau of Indian Affairs, the Courts of the Navajo Tribe, the Navajo Police Department and local lawyers.

4. The Chairman of the Navajo Tribal Council is further authorized and directed to take any and all steps he deems necessary to carry out the intent of this resolution, and the Executive Director of ONEO is authorized and directed to cooperate with the Chairman in such efforts.

Certification:

NELSON DAMON,
Vice Chairman, Navajo Tribal Council,
Presiding Chairman.

RESOLUTION OF THE ADVISORY COMMITTEE OF THE NAVAJO TRIBAL COUNCIL

Whereas:

1. The Office of Economic Opportunity has deemed it advisable to fund directly to DNA, Inc., for the performance of legal aid service on the Navajo Reservation, and

2. The Navajo Tribal Council, by Resolution CAP–28–69, has requested that such funding of legal aid service be through the Navajo Tribal Council to the Office of Navajo Economic Opportunity, and

3. The advisory committee of the Navajo Tribal Council deems the action of the Office of Economic Opportunity a direct rebuff of the wishes of the Navajo Tribal Council, and a circumvention of the sovereign powers of the Navajo Tribe, and

4. Such action is in direct opposition to the express policy of the President of the United States, Mr. Nixon, and the Secretary of the Interior, Mr. Hickle, that tribal governments be granted more responsibility in handling their own affairs.

Now therefore be it resolved that:

1. The Advisory Committee of the Navajo Tribal Council hereby respectfully request a meeting with Mr. Donald Rumsfeld, Director of the Office of Economic Opportunity, for the purpose of reviewing the Office of Economic Opportunity's direct funding of DNA, Inc., thus disregarding the express wishes of the Navajo Tribal Government, and the expressed policy of the President of the United States and the Secretary of the Interior.

2. The Advisory Committee further instructs the legal department of the Navajo Tribe to make the necessary arrangements for a meeting of a subcommittee of the advisory committee with Mr. Rumsfeld in Washington, D.C.

Certification:

NELSON DAMON,
Vice Chairman, Navajo Tribal Council.

Mr. GOLDWATER. I hope, Mr. President, that the chairman will accept the amendment.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. GOLDWATER. I am happy to yield to the Senator from Minnesota.

Mr. MONDALE. One of the difficulties we have in dealing with the pending amendment is that hearings have not been held on it. I have checked, however, as quickly and closely as I could with the OEO legal services office, and they have advised me that this particular program has been the subject of a thorough analysis by the OEO legal services branch, and that a few months ago, the program was refunded through August of 1970, and thus the program is in operation. The OEO administration, under the present Director, has reviewed it, has listened to all the arguments pro and con, and has issued a contract to the present DNA board and to the attorneys whom they hire.

Would the amendment which the Senator from Arizona proposes abrogate that contract, or what would be its purpose?

Mr. GOLDWATER. It is my understanding—and I talked with the Director last week—that this contract has not been settled, that there are no funds in effect for it.

As I mentioned earlier, the mere amount of the money requested for this item, $1,100,000, is ridiculous.

The Tribal Council are still of the opinion that they do not want a contract entered into that they have had no opportunity to discuss. The whole thrust of my amendment is to give these people the right to determine whether or not they want it.

Mr. MONDALE. Will the Senator yield further?

Mr. GOLDWATER. I yield.

Mr. MONDALE. I think this illustrates the difficulty of dealing with an amendment such as this, that has not been heard or discussed. Our information, obtained 10 minutes ago, is that the contract was let to the DNA board some weeks ago. It has been funded through August 1970. If that is true, it would be my opinion that the amendment now pending would abrogate that contract.

Also, if my information is correct, I think it would lead reasonably to the position that the OEO office and its Director had reviewed all the conflicting arguments and determined that the DNA board should be refunded and that they should have the independence they were granted under that contract through August 1970.

Apparently the Senator from Arizona has different information. It would be very difficult for the Senate to act when it cannot resolve a question like that.

Mr. GOLDWATER. Mr. President, I have tried to call the attention of the Senate to the fact that this is a most unusual situation. We have roughly 120,000 people involved, 100,000 of whom live in Arizona. I am not talking about those living in New Mexico or elsewhere. I am merely talking about Arizona. These people would like to have their say on what goes on on the reservation.

It is necessary to have tribal permission to do business on the reservation. It is necessary to have tribal permission to construct anything on the reservation. They have their own police force. They have their own schools. They are now experimenting with their own schools. They have a junior college. They are conducting experiments in things that will make them even more self-sufficient.

The surprising thing to me is that people are opposed to making the Indians more dependent upon themselves. This is what this tribe is trying to do. I am amazed that people should oppose this measure. Frankly, I do not care what the review board says about it. They have not reviewed this with the people who are concerned with it, the Navajo people.

If they had reviewed it with them, they would have found that the program is not wanted. In fact, I was told over a month ago by OEO that the chairman of DNA, Mr. Mitchell, was being removed.

The Senator might be interested in some of the reasons why they oppose an outside group coming in to handle legal matters which they feel they were handling adequately before.

Mr. Mitchell got all mixed up in a school board vote. There was certainly nothing legal about that. He has threatened from time to time to upset a very delicate relationship between the tribal council and the Upper and Lower Colorado Basin.

At the last intratribal celebration in Gallup, N. Mex., which has been going on for 50 years, some literature in very bad taste was distributed by militants who are now suing the ceremonial through DNA.

This organization is now trying to incite the young Navajos into committing actions similar to that which we see around the country.

I ask unanimous consent that a copy of the paper to which I have referred that was distributed on the streets in Gallup be printed at this point in the RECORD.

There being no objection, the paper was ordered printed in the RECORD, as follows:

WHEN OUR GRANDFATHERS CARRIED GUNS

When our grandfathers carried guns, they were free and they were people. The Anglos had to reckon with them and the Anglos were careful not to anger our People. Our grandfathers stood up for what they felt was right and they condemned what they knew was wrong. If we the Indians of today were like our grandfathers, we would not allow this Ceremonial to be held year after year in this manner and at this place.

The Ceremonial does not give a true picture of the Indian. Just because Indians sing and dance for you, that does not mean that they are happy. The City of Gallup calls the Ceremonial "A Tribute to the American Indian." Do not believe it. At the night performances, you will hear what a proud and happy people we are. Do not believe that either. Do not think that The City of Gallup respects the Indian because it gives them a free barbeque.

Do not let the Ceremonial let you forget that Indians have the highest unemployment rate in the country, the highest infant mortality rate in the country, the lowest average income of any group in the United States, the highest suicide rate in the country, the highest dropout rate in the U.S., and don't forget that many of the Indians you see are suffering from malnutrition. You will see many drunk Indians. Ask yourself why you see so many. Is it because they are happy and proud?

You should also ask yourself why the Ceremonial is held to benefit the City of Gallup, N.M. Ask yourself why Indians are not in charge of the Ceremonial. Ask yourself why the Ceremonial is not moved to an Indian reservation; since there are so many of them in the area. If you are brave enough to see what the City of Gallup thinks of the Indian, find out where the Gallup Indian Community Center is located and see it for yourself. Note that it is dirty and in need of repair. In a study made of the economy of Gallup last summer it was learned that about 72% of the business was carried on with Indians as customers. It was also learned that the merchants of Gallup contribute very little to the Indian Center.

Gallup provides little in the way of public services to the Indian. The City policemen are seen many times savagely beating helpless drunk Indians. But Gallup continues to call itself the "Indian Capital of the World." Recently Gallup decided it needed a flag. Most of the entries so far make use of Indian designs and figures and most are designed by non-Indians. The Ceremonial is only one example of how Gallup capitalizes on the Indians.

You will see many Indians at the Ceremonial and you will ask, "Why don't they protest?"

The answer is that we have learned that it is useless to ask for better things and so we settle for what we are given.

As you look at the drunk Indians and as the Indians dance and sing for you and as you hear what a happy people they are, say to yourself: "They were people . . . when their grandfathers had guns."

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. KENNEDY. Mr. President, perhaps the Senator could enlighten us a bit on this matter so far as the organization of legal services on the Navajo Reservation is concerned.

As I understand it, a contract is let through a DNA board which is comprised of Indians. Is that correct?

Mr. GOLDWATER. No, that is not exactly correct.

The Tribal Council has authorized the advisory committee of the tribe to work through the Navajo Economic Office in making these contracts. The ONEO in turn has always entered into the contract with DNA, which is a private corporation. ONEO has not made a new contract as yet.

Mr. KENNEDY. Are there not 10 elected Indians on the DNA board?

Mr. GOLDWATER. The Senator is correct. There are some.

Mr. KENNEDY. Are they not the contracting agency for the legal services provisions?

Mr. GOLDWATER. The advisory committee of the Navajo Council has been delegated the complete say-so. And the advisory committee of the Navajo Tribal Council is entirely made up of duly elected Indians.

The board of directors of DNA, unless the situation has changed since I have been there, is made up both of Indians and not non-Indians.

Mr. KENNEDY. The Indians evidently are the ones who desire the legal services provisions that are contracted for. Is that correct?

Mr. GOLDWATER. No. Elected representatives of the Navajos do not want these services to be provided by DNA. The community action agency of the Navajos does not want DNA to handle this program. They are objecting to OEO going around them, so to speak, and establishing on the reservation legal services over which the Navajo governmental agencies have no control. That is in essence the whole thing.

Mr. KENNEDY. Mr. President, the question is whether the tribal council has a right to veto these provisions. Certainly, as I understand it, the DNA board, which consists of the Navajos elected from across the reservation and others whom they select including seven members of the tribal council, believe that the legal services are necessary and useful and that DNA has been instrumental, in raising important questions about the water rights of the Navajo Tribe, the highly questionable practices that have been alleged to exist among the trading post operators, and may other serious problems confronting the Navajo Tribe.

They have been extremely active, as I understand it, in trying to serve as an ombudsman, so to speak, for the Navajo people. I understand that DNA has provided legal counsel for over 11,000 Navajo clients since its inception.

I think that it is misrepresentation to suggest that we have a legal services program here that is operated on the Navajo Reservation with virtually no Indian support or interest in the kind of services provided.

I think it is quite clear that the legal services have served an extremely important function and purpose and do have broad support among the Navajo Indians themselves.

They have raised many different kinds of questions which have been overlooked for far too long and simply swept under the rug. I think we are oversimplifying the matter by saying that the matter before the Senate is whether we will give autonomy to the Indian tribes.

I ask whether we have had any complaints among other Indian tribes that the Senator is familiar with. I ask this with a great deal of respect because of the Senator's background and knowledge of Indian tribes. I know that the Senator has a very deep interest in the matter.

Does the Senator know of other situations similar to the one existing in the Navajo Tribe, or is that a special situation? Are we trying to suggest special legislation to meet this Navajo situation, or will we have amendments offered with respect to all other Indian tribes with legal services programs?

If so, should we not have the benefit of the head of the legal services who could come before the Judiciary Committee or the Committee on Labor and Public Welfare and talk about these charges and allegations?

There have been no public hearings to date on this matter.

It seems to me that we are skating on very thin ice.

Mr. GOLDWATER. Mr. President, I am rather amazed to hear my friend, the Senator from Massachusetts, speak against the democratic process. However, to try to answer some of his questions, the advisory commission of the Navajo Tribe voted the first of this month 15 to nothing that they did not want the legal services on the reservation without some agency of the tribe having some say about it. This is the way the OEO projects have been administered every year up to the present moment.

I do not know where the Senator gets his information. I happen to know a little about the Navajos. I have lived with them. I was a licensed Indian trader for 25 years. I can tell the Senator that one does not get away with anything on that reservation. Traders are policed. People are watched when they come there.

I wish that we had as good law and order in the non-Indian courts of our country.

The DNA is a separate private body. All the tribal council is asking is that we continue to allow some unit of the Navajo Tribe play a role in the conduct of OEO programs on the reservation. The tribal council operates, we might say, outside the usual principles of law. Neither the Federal nor the State Government can tax them. As I have mentioned many times, they have their own democratically elected government. And they are just as susceptible to election appeals as we are. They are elected to office.

If people in their district think that some Indian trader is on the wrong side of the fence and the council is doing nothing about it, that man does not get reelected.

I have attended many of their tribal meetings. They conduct themselves as well as does this body. They do not permit any actions on the reservations that would be detrimental to the Indians themselves.

All I am asking here is for this body to be consistent with the new movement toward giving these Indians more autonomy.

I might answer my friend the Senator from Massachusetts by saying that this is an unusual tribe. It is 25 percent of all the Indians. I think there is a problem like this on the Papago Reservation in southern Arizona, but I am not certain. I think I read something about it in the newspapers, but I am not absolutely certain.

This is also a very wealthy tribe, so far as tribal resources and tribal funds go. They have a $10 million educational fund. They have now graduated two doctors, and they have five more coming up this year, with 50 seeking their master's. I think it is safe to say that approximately 1,000 Navajos will receive their basic degrees this year.

These people are very proud. They have great dignity. They are a seminomadic people who have not yet learned to live in towns. We hope they will some day.

So far as legal services go, there was no demand for this OEO project from the people. The people always had free legal services from the tribe itself. I think they spent approximately $100,000 a year.

Mr. KENNEDY. Could the Senator tell me how many individual Navajo have been represented by DNA? Have they been providing service to any individual members of the tribe?

Mr. GOLDWATER. Yes. I cannot cite the number, because I do not know.

Mr. KENNEDY. I understand it is about 11,000, which is the information I have been given.

Could the Senator envision a situation in which the interests of individual Navajos might not be in conflict or run contrary to the interests of the tribal government?

Mr. GOLDWATER. I might say that we have people in this country who do not feel that their interests run parallel with our interests, and under the democratic processes we do not have to be reelected, and, they do not have to be, either. I have talked with Navajos who like the program. I have talked with Navajos who do not like the program. But all of them feel that the tribal government, being their government, should have the last word on what goes on on that reservation.

Mr. FANNIN. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. FANNIN. I commend the distinguished Senator from my State of Arizona for the great interest he has given our Indian people. He is recognized as one of the most knowledgeable men in this Nation so far as Indian affairs are concerned.

I would like to answer the distinguished Senator from Massachusetts, if I may have his attention.

Mr. KENNEDY. Yes.

Mr. FANNIN. I certainly appreciate the interest that the Senator from Massachusetts has in the Indian people, and I commend him for the work that is involved in their activities.

But I think that what we are talking about in this amendment is simply to bring an understanding out of confusion. For the past couple of years we have had a great deal of confusion. We have had quarrels; misunderstandings have been very unpleasant. I have attended meetings at which these expressions of dissatisfaction have been voiced.

It is certainly not proper for the Navajo Indians not to understand whether they are working with the BIA, the OEO, or just what is going on, because the right hand does not know what the left hand is doing. I have been on the

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reservation when the leaders have discussed this problem with me and have asked me what can be done. It is only their desire to try to expend this legal services money properly, if it is needed—and certainly it is needed—in a way that would do the most good and be of greatest benefit to the people.

The Senator has inquired as to how many cases they have handled. This depends on what is called a case. I have previously explained how many cases may come up in one night, when a group has gone to a party and there are eight, 10, or 12 cases to be settled the next morning. I think the Senator understands what would be involved.

We are not talking about just how many cases are handled. I think it is a question of whether or not these people, who want to have jurisdiction, and who certainly are entitled to that jurisdiction, should be given the opportunity to carry on their own affairs. Here we are expending money through the BIA and other agencies to get them to assume responsibility, and now we put a barrier in their paths.

I commend the distinguished Senator from Arizona for offering this amendment, because it is a needed clarifying amendment. All it will do is make possible greater accomplishments and bring about greater understanding between the tribe and the government.

Mr. NELSON. Mr. President, will the Senator yield for a question?

Mr. GOLDWATER. I yield.

Mr. NELSON. Has this amendment been submitted to Mr. Rumsfeld, and do we have any comment from the OEO Director on it?

Mr. GOLDWATER. Frankly, I did not expect this bill to be called up this week. It was not until yesterday, when I returned from a trip, that I found out it was to be the order of business today.

I have discussed this matter at great length with Mr. Rumsfeld, as has the entire Arizona delegation—Democrat and Republican. I feel rather certain that he would approve of this, although we can take it and find out how he feels about it in conference, if that is necessary.

I might say that if a contract has been signed by DNA, I have strong doubts that it is legal. The Economic Opportunity Act requires coordination between the legal services program and the other community action programs. There is no coordination or cooperation here.

The Navajo community action agency has rejected the contract with DNA and returned the papers to OEO.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. MONDALE. In conferring with Mr. Leach of the OEO services program, I am informed that a grant has been signed and has been funded through September 1970. So that this amendment, if it is adopted, would in effect abrogate an existing contract.

The OEO legal services program, the OEO Legal Director has sifted through the debate we are talking about, and have decided that the DNA board should be funded if the impoverished Indians of the Navajo are going to have legal counsel to represent them in the cases that they have. Therefore, one wonders whether this amendment can legally affect an existing contract. As I understand constitutional law, certain rights cannot be abrogated.

Mr. BYRD of West Virginia. Mr. President, may we have order?

The PRESIDING OFFICER (Mr. PACKWOOD in the chair). The Senate will be in order.

Mr. MONDALE. Certain contractual rights cannot be abrogated retroactively in this fashion.

Second, may I say this: We have heard much about the validity of duly-elected representatives in the local government. I think all of us agree with elected local government. But the point is that with the Navajo, the Tribal Council is city hall. This would be the first legal service in the country where city hall controlled the legal services program, which, among other things, from time to time, would have to sue city hall or the State government or other government.

This is not just a detail. This is a fundamental principle which, if adopted, and expanded to other legal services would destroy the whole independence of the OEO legal services program. Indeed, it raises a conflict of interest, as the American Bar Association points out. These lawyers are supposed to be representing their clients. If they have to serve city hall as well as the impoverished people on the reservation, which master do they serve?

This is not just any amendment. This is a serious amendment which establishes a principle which, if spread throughout the OEO legal services program, will destroy it.

Mr. GOLDWATER. I am glad the Senator puts so much faith in the ABA decision. I hope he will be able to hold that same faith when the Haynsworth nomination comes before us.

Mr. MONDALE. I feel very strongly about the ABA ethics.

Mr. GOLDWATER. If a contract has been signed, it has not been signed with the Navajo government or the Navajo community action body. It has been signed by the United States directly with a private corporation. I believe this is against the economic opportunity law.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. MONDALE. We have checked further on that. The OEO legal services program on the Navajo Reservation is controlled and conducted by what is called a DNA board. That board is elected by the Navajos on the reservation, not picked by "city hall," as is the advisory council, but elected by the Navajos on the reservation. The board consists of 10 Indians elected by the Navajos. They, in turn, pick other members of the board and select the lawyers and the staff which represent them. That is the DNA board. It is this board which has been selected by the Director of OEO, Mr. Rumsfeld, and which has been funded to provide legal services for the impoverished Navajos through September 1970.

Mr. GOLDWATER. Mr. President, again, I am mystified by some of the statements being made. The DNA has always contracted with the Navajo economic office in the past. My amendment would restore the original situation. ONEO is not city hall. It is the community action agency of the Navajo Nation. I want to get back to the basic principle involved.

Are we going to deny an Indian government the same right we have just given the States; namely, the right to veto the legal program or any other program that comes on the reservation? This is not a complicated amendment. I think it falls within the bounds of what we all should believe in. I shall not raise the arguments that have already been raised again and again that these young lawyers on the reservation have not been confining themselves to legal services. They have disrupted the relationship between Utah, New Mexico, and Arizona in the field of water. They have threatened to take to court the tribal ceremonials that have been going on for 50 years. They have incited trouble on the reservation. I told Mr. Rumsfeld that in the interest of safety he should remove these people, for that reason, if for no other reason.

We have given the States the right of veto. Why not give it to an Indian tribe whose reservation covers more area than some of our States?

The tribe basically is not opposed to these people coming on the reservation. They want some control over who they are and where they go.

I hope the committee accepts the amendment.

Mr. President, to me the amendment makes commonsense. Frankly, I am amazed at people who classify themselves as liberal being opposed to extending the same rights to the tribal government that we insist on.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. MONDALE. This is one of the most basic principles in the entire OEO program. There is no reason to be confused about it. The reason is that if we are going to have lawyers who serve the legal interests of the poor and who are able to do so not only in individual lawsuits but in a law reform sense, they have to be free to sue city hall as well as others. This is the same principle we have in any community where there is an OEO program. The only difference is that with the Navajo, city hall is the tribal council.

In this case, to have an independent lawyer capable of suing on behalf of the impoverished on the reservation, a new board was created by the people. The Indians hire their lawyers and decide what lawsuits will be brought against other Indians, and sue city hall from time to time, which is why I think this amendment is pending.

This is not a simple matter. Running all through the OEO legal services program, through the Governor's veto, through the manipulation of funds, there are attempts to make it appear that the poor have legal representation, when in fact that representation is compromised and restricted. It is like going to a major corporation and saying, "You have legal counsel and he may bring the lawsuits I say he may bring."

Let us say they are lawyers for the poor, let us not require that the suits which are brought must be approved by city hall, because if that is the principle—and that is the principle in this amendment—there is no OEO legal services program left that is worthy of the name.

In addition, I cannot understand how this amendment would deal with the fact that the DNA program has already been funded through November 1970.

Mr. GOLDWATER. Under the language of the act I think it is illegal and the question of the legality will be tested in court. The DNA is only a private group of Indians and non-Indians partially appointed and partially elected. We have a State organization comparable to this making an effort to develop resources on the reservations for the Indians. But the language of the act itself calls for community interest. I quote from the subchapter for the purpose of this discussion:

> A tribal government of an Indian reservation shall be deemed to be a political subdivision of a State.

This language means that the tribal council or a subdivision of it can act as the community action agency of the Navajo people for purposes of the Economic Opportunity law.

It has acted under this provision of law and has created a Navajo office of economic opportunity to administer and implement OEO programs. I believe this group should continue to participate in contracts for legal services as they always have up to now.

Turning to the matter of past legal services, I contest strongly the suggestion they have not been receiving legal services. Legal services have always been available. One who has not been on the reservation would find it difficult to understand.

If we do not agree to this amendment we are not complying with the law. All I am asking is that we go back to the original intent of the law and allow the Indian tribal government to make the judgment just as we are allowing the Governor of any State to make this judgment. The Indians are asking for what we give the white man.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. MONDALE. There is a third distinction. In the Murphy amendment we do not give the Governor the power to run a program. We give him more power than I wish he had but all we give him is the power to delete certain funds. Certain powers run from that.

The thing which is unique about the amendment of the Senator from Arizona is that it would make the first city hall-run-OEO legal services program in the country.

It would be run by city hall and the Navajo tribe. The reason there is an alternative DNA Indian board running the legal services program is that if there is going to be a legal program with integrity, one free to bring the kind of lawsuits the poor need to have brought, it must be independent from them.

For example, one of the issues now before the legal services program is whether a lawsuit should be brought for certain water rights of Navajos which may be of vital importance to the future of that locality. The officials of the tribe disagree. What is wrong with letting the Indians bring suit in court to determine who owns that water and under what circumstances?

It seems to me that under this entire national controversy, malaise and frustration, those of us representing the establishment are pleading to the poor to get out of the streets, to quit resorting to violence, and to use the institutions provided for them to get fair and equal power. But everyone knows that if the normal processes of justice are to be available to us but not to the poor because they cannot afford a lawyer, or worse, because the lawyer they have really works for city hall, then we make a mockery of our system of justice.

As to the "city hall" amendment proposed by the Senator from Arizona (Mr. GOLDWATER), first I do not know how it can work with a funded program and, second, it would be the first of its kind in the Nation and would be a principle which, if it extends nationwide, would destroy and corrupt the OEO legal services program.

Mr. GOLDWATER. The Senator is not talking to the point of the amendment. He keeps talking about city hall. This is not city hall. This is a tribal government elected democratically to pursue its own duties. This is a community action agency duly created to administer OEO programs.

Indians do not live in cities. They do not even live in small towns. They are a seminomadic people, wandering around constantly. If in the past they wanted a legal service, they have been able to get it without any trouble or expense.

Mr. DOMINICK. Mr. President, will the Senator from Arizona yield?

Mr. GOLDWATER. I yield.

Mr. DOMINICK. As stated by the Senator from Arizona, we are dealing with a separate government; are we not?

Mr. GOLDWATER. We are dealing with an entirely separate government over which the Federal Government has practically no control. The State government has no control, and neither has the county government. The Indians run their own show, so to speak.

Mr. DOMINICK. Is it not true that when we began dealing with the Peace Corps, we made a rule that we could not go into any country unless we had been invited?

Mr. GOLDWATER. That is correct.

Mr. DOMINICK. It seems to me that we have the same kind of situation here, that if they do not want us to come in, I do not see any reason why the Federal Government should do so, that we should not force them to do something against their will. Does not the Senator agree they are in effect a separate and sovereign government?

Mr. GOLDWATER. This is a big question, in my mind. Who are the "we's"? Who are the "we's" to decide the question, that the tribe needs legal help? Who are they?

This has been long ago, I might remind my distinguished friend, established as a principle of legal representation. They have done it at a cost of $100,000 a year, with no complaints at all.

The Senator talks about water rights. I see the distinguished Senator from New Mexico (Mr. ANDERSON) sitting over here listening to this colloquy. He probably had as much to do with the writing of the compacts covering the Colorado Basin as any man. I served with him on boards which drew up the compacts. The first thing in those compacts referred to the rights of the Indians to their water, that it was not arguable, that they have the right to a portion of the 50,000 acre-feet of water, and so forth; and there has been no question about that. I do not know exactly how much water they are using now, but they are using it as fast as they can. This is another case of a nosy young lawyer who does not know the trouble he can uncover when he gets into this very peculiar field in the Far West.

Mr. NELSON. Mr. President, will the Senator from Arizona yield?

Mr. GOLDWATER. I was going to suggest the absence of a quorum for the purpose of calling for the yeas and nays on the amendment.

Mr. NELSON. Will the Senator withhold that momentarily?

Mr. GOLDWATER. Yes. I yield.

Mr. NELSON. As chairman of the subcommittee, this is the first time this matter was called to my attention. I recognize that Arizona and New Mexico—Arizona in particular—has the largest number of Indians of any State in the Nation. I also recognize that the Senator from Arizona (Mr. GOLDWATER) has been interested and concerned about their interests for a good many years and knows a lot about them.

The problem that bothers me is that I am not prepared, really, to have an independent opinion on the merits of this matter. I know that the Senator does, because he comes from the State of Arizona and has looked at it and has reached a judgment on it. But I certainly do not feel that I have enough information to come to an independent judgment about this matter.

The Senator does raise an important issue. I introduced a bill on April 15, and the Senator from New York (Mr. JAVITS) introduced the administration's bill on June 6. We conducted rather extensive hearings. A number of matters of various kinds, not comparable to this one, were called to our attention, and the committee addressed itself to them. We had an opportunity to hear testimony and bring it before the subcommittee. This is by way of saying that the Senator may be 100 percent right. I am not qualified to say to anyone, as the Senator in charge of the bill, whether the amendment of the Senator from Arizona, in its present form, or any form, should be accepted. I am not prepared to say what Mr. Rumsfeld's, the OEO's, or the council's position is.

I am just wondering—the Senator has

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raised an important question—whether the Senator would be willing to present this to the committee. If so, I would be prepared within the next 4 weeks, if necessary in the next 2 weeks, to conduct a 1-day hearing. I will do it myself. I will set a day aside and the Senator can come in with any other representatives of whatever differing viewpoints there may be existing on the reservation and the OEO, and conduct a hearing; and, based upon that, either recommend an amendment or a bill. Would that meet with the Senator's approval?

Mr. GOLDWATER. Before I answer, I might explain that in June—I think that was the month the Senator mentioned—there were hearings.

Mr. NELSON. On April 15 I introduced a bill and then on June 6 the Senator from New York (Mr. Javits) introduced the administration's bill. We held a series of hearings over a period of time.

Mr. GOLDWATER. The question of why we did not bring in an amendment at that time I can easily explain. The delegation has been devoting itself, in meeting after meeting, to this problem, which is a sticky and touchy problem in Arizona. We had been in contact with Mr. Rumsfeld and up until yesterday that was the first time I heard that the bill was coming up today.

Today is the first time I heard that any contract has been signed. Mr. Rumsfeld told us to the contrary, that this was not going to happen. He told us that Mr. Mitchell, under the recommendations of the lawyers, was going to be removed from the reservation. I was a little surprised. I hate to say this about an official in the Republican administration, but he has not kept in touch with the boys down here who are most vitally interested in this. Had we had any idea that Mr. Rumsfeld was going to go around us, and the Governor of Arizona, and so forth, we would certainly have been before the Senator's committee. But we were caught on this by surprise, so to speak.

Mr. NELSON. I am not critical of the Senator for not having brought this before the committee. I know how these problems arise. We did not have it before the committee. I cannot make an independent judgment. So, at present, I would have to vote against the amendment. But I will conduct hearings.

The Senator from New York (Mr. Javits) just went by and stated he would cooperate with me on that. We could pick a time in which the majority and minority members of the committee could be present, and I will guarantee to the Senator a hearing within the next 30 days. If he thinks it is very important, I can look at the calendar and guarantee a hearing to the Senator on this issue in, perhaps, 2 weeks.

Mr. GOLDWATER. I have just conferred with my colleague (Mr. Fannin), who is cosponsoring the amendment. With that promise and assurance from the distinguished chairman of the subcommittee, we will withdraw the amendment and I will have my staff get together with the Senator's staff on this matter.

Mr. NELSON. I will make sure that the Senator can bring anyone he wishes to the hearing, the OEO, and anyone else.

Mr. GOLDWATER. Would it be confined to 1 day? I ask that question because Arizona is a long way from Washington and it takes a little while to get the people together. In all fairness, I think both sides should be represented. I think it would be wise to have a hearing on this matter and then, if a bill is indicated, we can look forward to the Senator's insistence on getting it through.

Mr. NELSON. We will. I would suggest that the Senator pick a day—have his staff meet with mine—and on a day that I have an opening available that will be satisfactory to him, to the Governor, to the Navajos, to the OEO, and so forth, we will then set the date.

The Senator from New York (Mr. Javits) has just assured me that he will join in cooperating.

Mr. JAVITS. If the Senator will yield, yes, I should like to join with the Senator from Wisconsin (Mr. Nelson).

But, as I listened to the argument, it did seem to me to be a problem very susceptible of administrative handling, instead of getting caught in a House-Senate conference, and opposition, and so forth. I think we can give the Senator satisfaction, and I will undertake, with the Senator from Wisconsin (Mr. Nelson), to do my utmost to do that.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that my amendment, which I offered on behalf of myself and my colleague from Arizona, be withdrawn.

The PRESIDING OFFICER. The Senator has a right to withdraw the amendment. The yeas and nays have not been ordered.

The amendment is withdrawn.

Mr. MONDALE. Mr. President, I ask unanimous consent that a memorandum on the DNA legal services program be printed in the Record.

There being no objection, the memorandum was ordered to be printed in the Record, as follows:

DNA Legal Services Program—A Community Action Program

TRADER PROBLEMS IN DISTRICT 19 ARE BEING SOLVED

We settled the case of a woman (the case where the trader came to her home with her welfare check, waved a knife at her and took her hand and endorsed the check with her thumbprint) with a return of the check in question and a hundred dollars in cash for signing a release in an action for assault, battery and conversion. Our release had an express condition written in it, that no force of threat or fear of any kind were to be taken against our client, her family or friends for seeking help from DNA.

In a second case, we are supporting a man in a criminal action for assault and battery. When the village policeman refused to serve the warrant against the Cuba trader who is the adverse party, he was fired. This is a welcome extent, since, according to a Cuba official, "the Indians were his prey before we made him leave them alone." According to the village official magistrate, a former justice of the peace, it is the first time in over twenty years of his court experience that an Indian had been a plaintiff in this kind of action in Sandoval County.

The trader who is owner of Tinian, Torreon and Pueblo Alto Trading Posts has been warned of the illegality of his former practice of holding pawn until all food merchandise bills had been paid.

It is extremely important that all of this trader's customers are made aware of this shift in policy so that they can remove pawn as soon as they can tender the pawn price without fear of refusal by the trader or his agents.

All Crownpoint DNA representatives should explain the following in their chapter meetings and post it as a notice.

Crownpoint DNA attorney, Stephen Conn, and DNA director, Ted Mitchell, have met with Morris Tanner, the owner of Torreon, Tinian and Pueblo Alto Trading Posts. They explained the law regarding pawn to Mr. Tanner and he has agreed to revoke the old rule of his trading posts that pawned goods could not be taken out until food debts and other bills were paid. Mr. Tanner now understands that when a customer presents the amount loaned for the pawned item and the legal interest, he must release the pawned goods, whether or not the customer still owes him money on other items.

So the new rule for all customers of Torreon, Tinian, and Pueblo Alto Trading Posts and the rule for all other trading posts is that pawn can be removed from the trading post by payment of the pawn price and legal interest. No Navajo has to wait until he has paid other bills that he owes the trader unless he signs a special agreement that states that he must wait. DNA representatives must warn their chapter members not to sign such an agreement unless it expressly says the legal period for goods to be pawned will be suspended until the customer is allowed by the agreement to pay for and to withdraw his pawn.

The safest rule is to sign no agreement.

If any trader or his employee refuses to release pawn upon attempted payment by a Navajo, he should report this to his DNA representative at once. The DNA representative should report this to Stephen Conn, Crownpoint DNA, Post Office Box 116, telephone number, 786–5277 (Collect).

An example of a case handled after the rule changed:

A lady at Torreon Chapter House told Mr. Conn that the trader at Torreon Trading Post would not release her family car. When Mr. Conn inquired, he found that the car was pawned for $6.25 and remove the car, until her grocery bill was paid. Under the new policy, she could pay the $6.25 and drive her car away without further delay.

Mr. Conn explained the change in policy to this happy lady. It is up to DNA representatives to explain it to their neighbors so that everyone may be helped by it.

LOCAL EFFORTS MADE TO EXTEND BENEFITS OF SCHOOL LUNCH PROGRAM

The *Tuba City DNA Office* has recently joined in local efforts to extend the benefits of the school lunch programs in the Tuba City Public Schools. Children unable to pay for their lunches at school have either gone without lunch, had lunch and been sent bills and reminders, or have felt obligated by the pressure of the bills and reminders to pay for their lunches. Often those paying for their lunches have done so from the meager family welfare checks when this money could be better spent on other necessities.

A DNA Attorney met with the local Welfare Advisory Committee and presented an explanation of the laws governing the National School Lunch Program. The Welfare Advisory Committee developed a proposal designed to improve operation of the existing local next meeting. It requested that students unable to pay for their lunches receive them free and not be billed. The proposal further suggested that the school board adopt as a criterion for eligibility all children of welfare recipients.

The school board heard the proposal and

discussed it at their meeting with members of the Welfare Advisory Committee and three Tuba City DNA Attorneys. The school board has not yet taken formal action on the proposal, but the principal of the high school has privately agreed that he will implement the proposal in the high school if he is supplied with a list of children who wish to qualify.

FLAGSTAFF SCHOOL DISTRICT DENIES WELFARE CHILDREN TO ATTEND PUBLIC SCHOOL

Flagstaff School District No. 1 enacted and enforced a policy which excluded from a State Public Elementary School within the district, children whose parents or guardians were recipient of State Welfare assistance. The policy allegedly makes the State public school available only to children whose parents are "gainfully employed" or have "visible means of support."

The parents of children who were not permitted to attend local public school in Leupp, Arizona contacted the DNA Legal Services Office in Tuba City, Arizona, for assistance in combating the unreasonable and unjustifiable discrimination against them and to secure the enrollment of their children in their public school.

The legal services attorneys filed a petition for an alternative writ of mandamus to compel the school district officials to admit all children to the Leupp Public School who were legally eligible to attend without regard to their family financial status. The alternative or temporary writ was issued by Judge Thomas Brooks of the Coconino County State Superior Court; and a hearing in the same court is presently scheduled for October 14, at which hearing it will be determined whether the temporary writ of mandamus should be made permanent.

The Petitioners allege among other things that their children have a constitutional, as well as a contractual right, to attend State Public Schools, that respondents' actions denied Petitioners of equal protection of the law and violated due process requirements.

Although the respondents have not yet filed an answer, they have indicated that the Indian children could receive an education at the Bureau of Indian Affairs Boarding School in Leupp (Leupp is located on the Navajo Indian Reservation).

Copies of the pleadings and briefs have been sent to National Clearinghouse for Legal Services.

1962 DEAD ANIMAL CASE SOLVED BY DNA

Client came in for assistance on a dead animal case (motorist striking and killing an animal on the highway in open range county). While we were discussing this recent accident the client mentioned a similar accident in *1962* where he had gone to Navajo Legal Aid Service in Window Rock for assistance. He stated that he had executed a release at Navajo Legal Aid Service (NLAS), but never received a check. The client executed a Discharge of Attorney and Authorization for letter in NLAS file was dated October 12, 1965, and asked for the check.

We wrote the insurance company and requested that they honor the release (also sent copies of all correspondences). Received a reply that the insurance company would be unable to help us unless we furnished them with policy number. We informed them that our file did not disclose the policy number and that the policy number of their insured should be more readily available to them. In all correspondence, we stressed that the crux of the matter was that they had received the executed release without tendering the settlement agreed upon. In our last letter, we advised them that if reparation was not forthcoming immediately, we would report this unfair practice to the Insurance Commission of the State of Arizona pursuant to ARS § 20–441. The check for $125.00 was sent by return mail.

Our client was very pleased to receive his check, even though it was six years after the accident.

DNA HELPS A LADY

A young woman came into the office on a Friday morning, asking for a divorce. When asked about her reasons, she said what she really wanted was to get her marriage back together again. After four (4) years of a very happy marriage, she became sick. Her mother-in-law demanded that her son abandon his wife, saying that she was no good for him. The son obeyed his mother, and for the past two years had abandoned his wife. After telling this, the client broke down and wept. The DNA attorney attempted to locate the husband in order to talk to him, but several phone calls produced no results. Finally, the client grew angry at this and walked out of the office, shouting that she knew the lawyer didn't want to help her.

The following Monday, she came back and the whole scene was repeated, except that this time as she began to walk out, she threatened suicide by running in front of a truck. The attorney stopped her and told her to sit down and that she had to trust DNA to help her, but that it took time. She was crying hysterically and did not seem to understand. At this point, the attorney called on Leo Haven, who spoke to the client in Navajo for several hours, and finally calmed her down and convinced her to trust DNA.

When the client left the office that day, she appeared much happier and even apologized to the attorney for walking out on him.

To date, we are still trying to find the husband, and to get a job for the client in the meantime.

UNLAWFUL PAWN PRACTICES IN HOLBROOK

This woman pawned a very valuable concho belt to a trader in Holbrook during the big snow. When she came to redeem the belt, he refused to return it unless she paid an amount of interest that was almost greater than the loan. She refused and saw a DNA lawyer. He called the trader and told him that the maximum interest on a pawn was 2% per month, and that the trader was unlawfully charging 10%. The trader said he was going to his lawyer. The DNA attorney met with the trader's lawyer, who had advised the trader of the unlawfulness of his actions. The trader's lawyer agreed to waive all interest on the belt and return it to the client for just the amount of loan still unpaid.

The Navajo County Attorney was also informed of the unlawful pawn practices going on in Holbrook, Arizona.

RAMAH HIGH SCHOOL CASE

DNA's suit against Gallup-McKinley County School Board and its Superintendent, Dr. E. B. Fitzsimmons, was heard in open court in Gallup, New Mexico on October 14 and 15, 1968.

After two days of testimony, the defense attorney for the school board and for Dr. Fitzsimmons made motions to dismiss the case. Two of his motions were granted, but the Judge, Frank Zinn of Gallup, denied the motion to dismiss the Equal Protection argument submitted by DNA. He suggested that DNA amend its original complaint to focus on the issue of whether the school board has extended its school bus routes far enough into Ramah Navajo area in order to bring Ramah Navajos into Gallup-McKinley County public schools. DNA plans to amend its complaint forthwith.

After the amended complaint is submitted, the judge will set a date for another court hearing. This time the only issue will be school bus routes. In making his order, Judge Zinn agreed with DNA that the school board must, as a matter of law, use every ounce of energy it has to get as many Ramah Navajos into its public schools as possible. The school board, said the judge, "must beat the bushes for every Navajo school aged child it can find so that he can attend a public school." The judge stated further that it makes no difference whether Gallup-McKinley County schools have no legal responsibility to educate Ramah Navajos who live outside the school district boundary in Valencia County. The fact that the school board has taken some of these children into its schools for ten years or more and has taken them partly because of an agreement it has with Grants Municipal School District, which covers Valencia County, prevents them from asserting their legal responsibility as a reason for not extending the bus routes.

Judge Zinn's decision is significant for Ramah Navajos for these reasons: 1) It means that, although the Ramah High School will remain closed, there is a very strong chance that the bus routes to Gallup-McKinley public schools will be extended. If that happens, which is likely, Ramah Navajos will no longer have to send their children to off-reservation BIA boarding schools or bordertown dormitories. 2) Aside from the question of how many Ramah Navajos attend public school in McKinley County, Judge Zinn's decision marks the first time, as far as we know, that Ramah Navajos have come to Gallup, told a story about governmental injustice against them to a white judge from the Gallup community, convinced the judge that they were right, and persuaded the judge to order the government to do something differently for the benefit of Ramah Navajos.

The Ramah School Case is not closed. But the issues are now different. Now DNA must prevail in its assertion that busses can go further than they do now. DNA stands a very good chance of getting the routes extended. The next hearing in the case has not been set. It will probably occur within six weeks. After that the school board, if DNA wins, will have to go to Santa Fe to petition the State Transportation Division to contract for more busses and longer routes in the Ramah area. If all go well, the busses may be running this year.

DNA PREVENTIVE LAW AND COMMUNITY EDUCATION

During the month of September, the DNA staff has talked to 3,576 people at 36 community meetings and conferences. The DNA staff in the five agency offices have talked to chapter residents about knowing the law, understanding the law, respecting the law and to encourage others to maintain respect for laws within their chapter areas. A special legal educational leaflet has been prepared for local residents to understand and know the necessary agreements they make when they sign a conditional sales contract, to buy furnitures, appliances or automobiles. The residents are also informed in Navajo that they must have the contract explained to them in detail, so they can understand and know the figures of the financial negotiations very plainly before they sign the contract.

Oral presentations are made to residents that they must know the federal and tribal laws that regulate the traders, who have stores and deal with Navajos on the Navajo Reservation. A legal educational leaflet is being prepared for the public, which explains in simple English the tribal and federal laws that apply to trading posts.

All DNA staff attorneys, counselors and interpreters/investigators have attended two OEO legal services conferences where they were informed about consumer laws, consumer fraud, consumer lawsuits, consumer conseling, consumer practices, and consumer education. The purpose for the DNA staff attending these conferences was to acquire more knowledge about consumer laws, so the staff can better understand and effectively serve DNA clients. DNA staff members who attended these conferences also talked to many conference participants about

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DNA's legal services, preventive law, community consumer education programs, and exchanged ideas on the types of legal cases processed on the reservation and other programs. DNA education staff talked to tribal fair visitors about DNA's preventive law and community education program, showed legal educational films, slide pictures, played tape recordings on legal educational program, handed out educational brochures and distributed information on the activities of DNA legal services program to thousands of residents and visitors at the Navajo Tribal Fair.

Mr. MILLER. Mr. President, I send an amendment to the desk, and ask to have it stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Iowa will be stated.

The assistant legislative clerk read the amendment, as follows:

On page 4, line 20, it is proposed to add at the end thereof the following:

"*Provided*, that no part of any such funds shall be used to make any payment to any lawyer during the period that he is disbarred or suspended from the practice of law;".

Mr. JAVITS. Mr. President, I have one question to ask of the Senator from Iowa. Is the understanding that such a lawyer shall not be employed in any way in the legal services program?

Mr. MILLER. That is correct.

Mr. JAVITS. That is the purpose of the amendment?

Mr. MILLER. Yes.

Mr. JAVITS. Mr. President, I see no objection to it, though I know of no such case, and, so far as I know, neither does the OEO. I ask the Senator if he can tell us of one. I am not saying that challengingly, but apparently he does not know of any. However, it is a precautionary measure, and I would have no objection to it.

Mr. NELSON. Mr. President, I accept the amendment.

Mr. MILLER. Mr. President, I thank my colleagues. I make the observation that the legal services activity is a comparatively new one and there is a great deal of hope for its future. I feel strongly that we must make sure nothing is done that will impede it. I believe the amendment will satisfy the desire of a great many people who are concerned about such a thing happening.

Mr. NELSON. Mr. President I agree with the Senator.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. MONDALE. I have no objection to the Senator's amendment. The one problem I have is this: Suppose there is a State which unfairly disbars an attorney. Under the amendment of the Senator, would the Senator say that the Director would have authority to review that matter and consider it as a special circumstance? I do not see the likelihood of it, but should that occur, what would happen?

Mr. MILLER. Frankly, I had not thought about that, but it seems to me that if there is such an occurrence—and I can understand how there could be—certainly there should be a way handling it through the Federal courts or through the Civil Liberties Union, which I know takes cases like that.

Mr. MONDALE. In the opinion of the Senator, could the OEO Director take cognizance of that possibility?

Mr. MILLER. Let me say that I would hope the OEO Director in such a case would see to it that a person whom he felt to be unlawfully disbarred was appointed to some other office until such a matter could be taken care of. I do not think that would be a problem.

Mr. MONDALE. Mr. President, I have no objection to the amendment.

Mr. MILLER. Mr. President, I move adoption of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Iowa.

The amendment was agreed to.

EDUCATIONAL TELEVISION AND RADIO AMENDMENTS OF 1969

Mr. PASTORE. Mr. President, I call up a privileged matter and ask the Chair to lay before the Senate a message from the House of Representatives on S. 1242.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1242) to amend the Communications Act of 1934 by extending the provisions thereof relating to grants for construction of educational television or radio broadcasting facilities and the provisions relating to support of the Corporation for Public Broadcasting which was to strike out all after the enacting clause, and insert:

That this Act may be cited as the "Educational Television and Radio Amendments of 1969".

THREE-YEAR AUTHORIZATION FOR PUBLIC BROADCASTING FACILITIES

SEC. 2. (a) Section 391 of the Communications Act of 1934 (47 U.S.C. 391) is amended by inserting after the second sentence the following new sentence: "There are also authorized to be appropriated for the fiscal year ending June 30, 1971, and for each of the two succeeding fiscal years, $15,000,000 per fiscal year."

(b) The last sentence of such section is amended by striking out "July 1, 1971" and by inserting in lieu thereof "July 1, 1974".

ONE-YEAR EXTENSION OF FINANCING OF CORPORATION FOR PUBLIC BROADCASTING

SEC. 3. (a) Paragraph (1) of subsection (k) of section 396 of the Communications Act of 1934 (47 U.S.C. 396) is amended by inserting ", and for the next fiscal year the sum of $20,000,000" after "$9,000,000".

(b) Paragraph (2) of such subsection is amended by inserting "or the next fiscal year" after "June 30, 1969,".

Mr. PASTORE. Mr. President, the pending measure involves the extension of grants for construction of educational television or radio broadcasting facilities and the support for the Corporation for Public Broadcasting created by the Public Broadcasting Act of 1967.

The bill was passed by the Senate on May 13, 1969. The House made certain perfecting modifications, but the bill is substantially as passed by the Senate.

I would like to point out the modifications made. The Senate provided authorization for a 5-year period for educational facilities, with the general authorization of such sums as may be necessary for each of the next 5 fiscal years.

The House amended that provision by cutting down the 5-year period to 3 years and putting a ceiling on the amount to be authorized of $15 million for each of the 3 years.

I further want to state that this matter has been taken up by my Republican counterpart on the subcommittee, and it meets with his approval.

I therefore move that the Senate concur in the amendment of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Rhode Island.

The motion was agreed to.

ECONOMIC OPPORTUNITY AMENDMENTS OF 1969

The Senate resumed the consideration of the bill (S. 3016) to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, to authorize advance funding of such programs, and for other purposes.

Mr. DOMINICK. Mr. President, I call up my amendment, which I have already sent to the desk.

The PRESIDING OFFICER. The amendments offered by the Senator from Colorado will be stated.

The assistant legislative clerk proceeded to read the amendments.

Mr. DOMINICK. Mr. President, I ask unanimous consent that further reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments proposed by Mr. DOMINICK are as follows:

On page 4, lines 9 and 10, strike out "7,000,000 for the fiscal year ending June 30, 1970, and".

On page 4, lines 13 and 14, strike out "$120,000,000 for the fiscal year ending June 30, 1970, and".

On page 4, lines 17 and 18, strike out "$16,000,000 for the fiscal year ending June 30, 1970, and".

On page 4, lines 21 and 22, strike out "$40,000,000 for the fiscal year ending June 30, 1970, and".

On page 5, lines 1 and 2, strike out "$75,000,000 for the fiscal year ending June 30, 1970, and".

On page 5, lines 6 and 7, strike out "$1,600,000 for the fiscal year ending June 30, 1970, and".

On page 5, lines 10 and 11, strike out "$7,500,000 for the fiscal year ending June 30, 1970, and".

On page 5, lines 15 and 16, strike out "$25,000,000 for the fiscal year ending June 30, 1970, and".

Mr. DOMINICK. Mr. President, I think I can explain the amendments very quickly.

First of all, I want to say I have enjoyed working on the committee and I have enjoyed working on a bill which I think has a real significance in our national structure.

I was particularly pleased that the committee was willing to take, and did take, the provision that I offered, which gives us, for the first time, a national program for rehabilitation of drug addicts and drug abuses. I think that this will be extremely helpful.

I have had the opportunity of serving

on the Subcommittee on Alcoholism and Narcotics with the Senator from Iowa (Mr. HUGHES) and the Senator from Ohio (Mr. SAXBE), and other Senators, studying alcohol and drug abuses. It is apparent that both of these fields need attention, and need national attention. So the effort which was made by the committee to put both the alcoholism and drug programs into the bill are of real significance in the national picture.

With regard to my pending amendment, we have a rather peculiarly structured bill. President Nixon requested $2.048 billion for OEO in the 1970 fiscal budget. That $2.048 billion is contained in the bill in total.

The Senator from New York (Mr. JAVITS) attempted, by his amendment, to strike the earmarking of these funds. He was unsuccessful in that effort. Therefore, the money requested by the administration for OEO for fiscal year 1970 is now tied down.

That $2.048 billion is not effected by my amendment at all. What we have, in addition to the $2.048 billion, can be found in the bill, starting on page 4, in line 6, and going through page 5, on line 19. In the committee we referred to this as "add-ons." They are additional authorizations for eight specific programs over and beyond the $2.048 billion, and in the first year they total $292.1 million.

My amendment would strike all authorizations for the first year "add-ons."

I know we had extensive testimony in the hearing record indicating that, first of all, the OEO is designed, under its new reorganization plan, to be an innovative agency, not an operating agency. OEO will not operate proven programs on a nationwide basis, but will innovate by way of pilot programs and then, when they are proven, turn them over to existing agencies which would have jurisdiction for actual operation.

The $292.1 million in this bill is, once again, earmarked for the first year and for the second year. $292.1 million is added to the $2.048 billion in fiscal year 1970, at the very time when Congress has put a limit on what the President is allowed to spend in this fiscal year.

So here we go once again, with a law from Congress, passed by both Houses and signed by the President, putting a limit on the maximum amount that he is entitled to spend, and then we go right on from there, as Congress, and authorize the expenditure of a considerable amount of taxpayers' funds, over and beyond the budgetary figures.

Not only do we propose to do that by this bill, unless my amendment is accepted, but we are also doing something which the administration does not want: We are earmarking more money for specific programs, and, in addition to that, authorizing the expenditure of funds which the administration itself has said that it cannot spend fruitfully this year.

Let me state the position we are in. Here we are, in the middle of October. The Appropriations Committee is just starting hearings on the Labor and HEW appropriation bill. It probably will not be marked up, because of a jurisdictional question involved, until late November, and it will probably be about the middle of December before it ever gets to the floor. We have yet to go to conference on whatever the House of Representatives may do on this bill. We are not possibly going to be able to get something into fundamental legal condition for passage and for the President's signature until considerably later this year.

As a result of this situation, we were successful, in committee, after some strenuous arguments, in getting the sponsors of these various amendments to reduce the amounts as originally proposed to one-half for fiscal year 1970. Even so the add-ons total $292.1 million. What in the world are we doing, authorizing this amount of money, when the agency says it cannot spend it fruitfully, when the administration has said it does not want it, and when we have already put a budgetary limit on the President, limiting what he can spend for this fiscal year?

It seems to me that we are going about it the wrong way, no matter how nice, how pleasant, and how sincere the people are in presenting the need for expanding these programs.

What are the programs? One of them is one I happen to be deeply interested in: the Headstart program. My amendment will not cut back the Headstart program. The fact of the matter is that we have $338 million for Headstart in the $2.048 billion which will remain in the bill, so we are not in fact cutting down Headstart at all. As a matter of fact, we are increasing it over last year's estimated expenditures, and over the actual expenditures in 1968, and we are leaving in the very amounts that President Johnson and President Nixon suggested: a total of $338 million.

So if we strike this from the Headstart program—as I say, I am deeply interested in that—we will still have $338 million left in the program as authorized spending for this year. That, I think, is very important to keep in mind. More than that cannot be spent.

And so on, in each one of these programs. For the special impact programs, there is $46 million in the original bill. As I say, we have $338 million for Headstart. There is $58 million for legal services, $80 million for comprehensive health services, and $25 million for the emergency food and medical services.

Mr. NELSON. Mr. President, will the Senator yield?

Mr. DOMINICK. In a moment, when I finish with this list.

There is $15 million for family planning programs, $8,800,000 for senior opportunities, and a lot of other things, including $34 million for migratory workers, $12 million for rural loans, $16 million for administration and coordination, and $37 million for VISTA.

This amendment would not cut back any of these. They are not affected at all. What I am doing is cutting out the authorization for the add-ons.

I am happy now to yield to the Senator from Wisconsin.

Mr. NELSON. Mr. President, my question is this: If I understood the Senator correctly, he stated that the Agency, or some of the agencies, would not be able to spend the amount of money that is authorized in the bill if it were appropriated? Is that correct?

Mr. DOMINICK. That is correct, fruitfully. We had testimony as to that in the hearings.

Mr. NELSON. The biggest add-on of all is the $240 million for Headstart.

Mr. DOMINICK. Yes. That is for the second year. I am not touching the second year. My amendment would cut only the first year "add-on," which is $120 million.

Mr. NELSON. So $120 million is the add-on the first year. Now, in fiscal year 1969, 667,600 children were in Headstart. Under the budget proposed by the administration, with their movement, now, to the year-round Headstart program—on the ground that that is much more effective than the limited summer program—they could handle only 488,100 children. That would mean 179,500 children would have to be dropped from Headstart.

The staff asked the OEO how much money it would take to maintain the same number of children in the Headstart program as are in the Headstart program in fiscal 1969. The OEO gave us the figure of $240 million. We cut the $240 million in half for the first year, on the perfectly logical ground that by the time we get the bill passed, something approaching a half year will be gone. So it is perfectly clear that as to the largest add-on, if we are to maintain the 667,700 who are already in the program, we will have to have that money. Is that not correct?

Mr. DOMINICK. No, I do not really think it is, because it is my understanding that the administrative capability is lacking to put together and approve year-round programs for the first year for Headstart, to serve the number of children that the Senator is talking about. Nor do they have the community support to be able to do it on a year-round basis.

So what they are saying is that if everything were fair in a fair world, this is what they would like to do. That is not the case.

So how are we going to balance these things? We are going to spend $338 million, and we have not received an appropriation for even that money yet. If we are going to spend that amount, it would seem we would need all the time we could get in order to make logical plans for a year-round Headstart program.

Also some of these children have probably been counted twice. Some of them are from families which are not low-income families. Under the bill they would be permitted to go ahead, but they would have to pay for it.

When I say that some of them are counted twice, I am talking about some of the kids who have gone to summer Headstart programs and then go to the school year program afterward. I do not know whether they have been counted twice or not. I am surmising that they have.

Mr. NELSON. Mr. President, will the Senator yield further?

Mr. DOMINICK. I yield.

Mr. NELSON. If the Senator's amendment prevails and no additional money is provided for the first year—I assume the statistics are correct—when they get into the year-round program, there would have to be less children in the Headstart program than now. I do not suppose that anyone really knows how many less.

We do know that if we were on a full year-round program, with the amount of money that the administration has asked for, about 179,000 children would have to be dropped from Headstart. That is the best estimate we can get from the OEO.

Mr. DOMINICK. Mr. President, let me reply that the $338 million which would still be included is the amount that President Johnson asked for. It is also the amount that President Nixon asked for. It is the amount now in the bill.

The question about the year-round program is interesting.

Part of the problem, as the Senator knows, is due to the fact that the summer programs were using facilities which would have to be used for the regular schools in the school year.

Consequently, the facilities are not available under the present circumstances. They will have to find other facilities, set them up, get community support behind them, and find out how much local money can be put into programs of this type which we are authorizing in the bill. This is needed.

I say that we should go ahead and spend the $338 million which can be spent meaningfully. After that I would be happy to go along with the Senator from Wisconsin and say for fiscal year 1971, let us have more money for Headstart if it can be used properly.

We are only talking about 1 year. We have a lot of other items which I think are important. For the purpose of the RECORD, I would like to mention some of them.

Let me just take the emergency food and medical services. This add-on provides $75 million for the first year. I am offering to strike that.

On the emergency food and medical services in 1968, we spent $12.8 million. In 1969, it is estimated that we spent $16.6 million.

President Johnson asked for $17 million. President Nixon asked for $17 million. And we put $25 million into the $2.048 billion. So we are already $8 million over what both administrations asked for on that item alone. And here we come along and have an add-on of $75 million for this year just after we have recently passed the most generous bill, I guess, in history in order to try to help people get food. We have just finished doing that.

Mr. NELSON. Mr. President, it is correct that we had $17 million in the "emergency food and medical services" for fiscal 1969. And the administration does intend to spend $25 million for fiscal 1970. However, the problem is that there are 400 community action agencies now involved in the emergency food program, 95 percent of which are rural community action programs.

There are 600 urban community action programs which have no emergency food programs because no money was available. We asked how much money it would take to bring the 600 urban community action programs under the emergency food program. They gave us the figure $150 million which we put into the budget.

It is not a question that they cannot spend it. The question is that there was not any money to spend. We do not have any programs in 600 urban areas where they are as urgently needed as they are in the rural areas.

Mr. DOMINICK. Mr. President, that is a good argument. However, I would not agree for the reason that the OEO is not an operating agency. The OEO is now an innovative agency.

I have asked the Director—and I am sure it is in the record—whether he wants to go forward with an operating emergency food and medical services program around the country. His answer is that they are not equipped to do that.

Mr. NELSON. Who said that?

Mr. DOMINICK. The Director of the OEO said that they are not equipped to do that.

Mr. NELSON. But they are the managers of the program.

Mr. DOMINICK. We reported that we have conversed on this matter. They are not equipped to cooperate on emergency food and medical services program around the country. We are trying to get funds on an emergency basis where it is needed and other agencies cannot get to them.

Mr. NELSON. Is it not correct that it was never intended that the OEO would directly operate the program? It is being operated at the local level through community action agencies.

The program responsibility is with the OEO. We know that 600 urban communities are without emergency food and medical services programs and that 400 rural areas do have them.

When we asked how much money it would take to put the program into the urban areas in the same fashion as in the rural areas, the OEO gave us the figures. We put them in the budget.

If Congress wants to decide that it will run the emergency food and medical services program for hungry people in rural America but not for hungry people in urban America, that is a decision it will make. However, I do not think that is the position Congress wants to take.

Mr. DOMINICK. Mr. President, again I do not want to be put in the position of saying on the floor that I am against emergency food and medical services programs. We have $25 million in the bill for that purpose out of the $2,048 million in the first portion of the bill.

I want to go through some of the other items to show what we are doing. Let us talk about legal services. We have been battling about that all afternoon in one form or another. It seems to be perfectly evident that some people are against it. I happen to think it is a pretty good idea by and large. I would like to see it continue providing we can keep it in focus rather than have it as a political mechanism as happens in some areas.

There was $35.9 million for legal services in 1968. There was $42.0 million for legal services in 1969. President Johnson asked for $50 million for this program. President Nixon asked for $58 million. That is an increase of $8 million, and an increase over fiscal year 1969 spending of $16 million.

The bill provides $58 million for legal services out of the $2,048 million. Now, we come along again and add on another $16 million for this year and $32 million for next year.

My point is that we should get some of these problems straightened out before we start authorizing the spending of the whole Federal Treasury on a group of programs some of which are good and some of which are not. Until we get the programs ironed out, I think it is perfectly ridiculous to tell the President to hold the budget down to the amount we said and then go ahead and authorize appropriations way beyond that amount.

I could go on with a lot of interesting items in the add-ons. However, the net effect is to keep the $2.048 billion that President Nixon requested. Let us cut out the $292 million add-ons which have been put in the bill and which cannot be spent if appropriated.

Mr. NELSON. Is the Senator prepared to vote?

Mr. DOMINICK. I am prepared to vote. First, however, Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The **PRESIDING OFFICER.** The question is on agreeing to the amendment of the Senator from Colorado. On this question the yeas and nays were ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. KENNEDY. I announce that the Senator from Connecticut (Mr. DODD), the Senator from Mississippi (Mr. EASTLAND), the Senator from Oklahoma (Mr. HARRIS), the Senator from Iowa (Mr. HUGHES), the Senator from Montana (Mr. MANSFIELD), and the Senator from Maine (Mr. MUSKIE) are necessarily absent.

I further announce that the Senator from Arkansas (Mr. FULBRIGHT) is absent on official business.

Mr. GRIFFIN. I announce that the Senator from Massachusetts (Mr. BROOKE), the Senator from New Jersey (Mr. CASE), and the Senator from New York (Mr. GOODELL) are necessarily absent.

The Senator from Kentucky (Mr. COOK), the Senator from Kansas (Mr. DOLE), the Senator from Illinois (Mr. PERCY), and the Senator from Alaska (Mr. STEVENS) are absent on official business.

The Senator from Illinois (Mr. SMITH) is necessarily absent because of death in his family.

If present and voting, the Senator from Massachusetts (Mr. BROOKE), the Senator from Kansas (Mr. DOLE), and the Senator from Alaska (Mr. STEVENS) would each vote "yea."

On this vote, the Senator from New York (Mr. GOODELL) is paired with the Senator from Illinois (Mr. PERCY). If present and voting, the Senator from New York would vote "yea" and the Senator from Illinois would vote "nay."

The result was announced—yeas 47, nays 38, as follows:

[No. 123 Leg.]

YEAS—47

Aiken
Allen
Allott
Baker
Bellmon
Bennett
Boggs
Byrd, Va.
Cooper
Cotton
Curtis
Dominick
Ellender
Ervin
Fannin
Fong
Goldwater
Griffin
Gurney
Hansen
Hatfield
Holland
Hollings
Hruska
Javits
Jordan, N.C.
Jordan, Idaho
Long
McClellan
Miller
Mundt
Murphy
Packwood
Pearson
Prouty
Russell
Saxbe
Schweiker
Scott
Smith, Maine
Sparkman
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—38

Anderson
Bayh
Bible
Burdick
Byrd, W. Va.
Cannon
Church
Cranston
Eagleton
Gore
Gravel
Hart
Hartke
Inouye
Jackson
Kennedy
Magnuson
Mathias
McCarthy
McGee
McGovern
McIntyre
Metcalf
Mondale
Montoya
Moss
Nelson
Pastore
Pell
Proxmire
Randolph
Ribicoff
Spong
Symington
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—15

Brooke
Case
Cook
Dodd
Dole
Eastland
Fulbright
Goodell
Harris
Hughes
Mansfield
Muskie
Percy
Smith, Ill.
Stevens

So Mr. DOMINICK's amendment was agreed to.

Mr. DOMINICK. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. ALLOTT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

PREMIER PHAM VAN DONG'S LETTER TO THE AMERICAN PEOPLE

Mr. TOWER. Mr. President, if the Senate will indulge me for a moment, we have just received notification of some rather interesting support for the moratorium tomorrow. Here is a letter from Premier Pham Van Dong of North Vietnam to the American people. The letter states:

HANOI,
October 14, 1969.

DEAR AMERICAN FRIENDS: Up until now the U.S. progressive people have struggled against the war of aggression against Vietnam. This fall large sectors of the U.S. people, encouraged and supported by many peace- and justice-loving American personages, are also launching a broad and powerful offense throughout the United States to demand that the Nixon administration put an end to the Vietnam aggressive war and immediately bring all American troops home.

Your struggle eloquently reflects the U.S. people's legitimate and urgent demand, which is to save U.S. honor and to prevent their sons and brothers from dying uselessly in Vietnam. This is also a very appropriate and timely answer to the attitude of the U.S. authorities who are still obdurately intensifying and prolonging the Vietnam aggressive war in defiance of protests by U.S. and world public opinion.

The Vietnamese and world people fully approve of and enthusiastically acclaim your just struggle.

The Vietnamese people demand that the U.S. Government withdraw completely and unconditionally U.S. troops and those of other foreign countries in the American camp from Vietnam, thus allowing the Vietnamese people to decide their own destiny by themselves.

The Vietnamese people deeply cherish peace, but it must be peace in independence and freedom. As long as the U.S. Government does not end its aggression against Vietnam, the Vietnamese people will persevere in their struggle to defend their fundamental National rights. Our people's patriotic struggle is precisely the struggle for peace and justice that you are carrying out.

We are firmly confident that, with the solidarity and bravery of the peoples of our two countries and with the approval and support of peace-loving people in the world, the struggle of the Vietnamese people and U.S. progressive people against U.S. aggression will certainly be crowned with total victory.

May your fall offensive succeed splendidly.

Affectionately yours,

PHAM VAN DONG,
Premier of the DRV Government.

Mr. BYRD of West Virginia. Mr. President, those who participate in the moratorium have a right to do so as long as they break no laws. Many of those who participate undoubtedly will do so out of good motives; others may not.

I want to see our country get out of Vietnam as much as anybody. But national policy—while it must take into account public opinion—cannot be made by demonstrations in the streets. I am convinced that the President is doing the best he can to withdraw our forces and negotiate a workable solution.

My concern is that the moratorium may undercut his efforts and encourage Hanoi to think that if it holds out a little longer it will get everything it wants without the need for reciprocal action.

I have no quarrel with anyone's desire to end this war, but I hope the participants will direct some of their energies to the enemy who stands in the way of peace.

I ask unanimous consent to insert in the RECORD a news story which appeared in the October 9, 1969, edition of the Morgantown, W. Va., Post entitled "Hanoi Ignores U.S. Peace Plan, Asks October 15 Support," together with an editorial from the October 13, 1969, Fairmont, W. Va., Times, titled "The Vietnam Moratorium."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Morgantown (W. Va.) Post, Oct. 9, 1969]

HANOI IGNORES U.S. PEACE PLAN, ASKS OCTOBER 15 SUPPORT

PARIS (UPI)—North Vietnam and the Viet Cong today went over the head of U.S. negotiators and appealed directly to the American public to increase its opposition to President Nixon's Vietnam policies.

The Communists ignored allied peace proposals and zeroed in on next Wednesday's Vietnam protest day in the United States.

Col. Ha Van Lau, the Hanoi deputy negotiator, and Mme. Nguyen Thi Binh, the Viet Cong's "foreign minister," appealed to American citizens to increase their resistance and force Nixon to accept their negotiating proposals in Paris.

Today's skirmishing at the 37th weekly session of the eight-month-old talks indicated that Hanoi and the Viet Cong will make no concession from their own 10-point peace package until after they have assessed the scope of popular opposition in U.S. universities.

U.S. Ambassador Henry Cabot Lodge vainly pleaded for immediate talks on how to insure the national rights of the South Vietnamese people through free elections.

Madame Binh scorned the renewed U.S. plea and said: "The so-called free election plan amounts to asking the Vietnamese people to lay down their arms in exchange for a ballot—that is to say, to accept fraudulent elections organized by the Saigon administration under the control of American and puppet troops."

The two Communist delegations likewise turned a deaf ear to a statement by South Vietnamese delegate Pham Dang Lam. He formally laid before them President Nguyen Van Thieu's Oct. 6 declaration in which he offered to discuss "any matter whatsoever, including the question of a ceasefire, provided they wish to end the war through serious negotiations."

Though no progress was expected to emerge from today's session, observers watched closely two developments related closely to the talks.

Lodge denied several side assertions of the Communist delegation including one contention that the Allies were responsible for the failure of the conference to make any progress.

"We are intent on setting the record straight," Lodge said. "We are willing to negotiate on the basis of the fundamental rights of the Vietnamese people."

Lodge's remarks indicated U.S. negotiators were anxious to try to overcome the Communist side's opposition to free and internationally controlled elections in South Vietnam.

The Allied delegation expected little progress until the return from Hanoi of Xuan Thuy, North Vietnam's chief delegate to the talks.

Thuy went to Hanoi Sept. 4 for the funeral of President Ho Chi Minh and has remained in the North Vietnamese capital for what diplomatic sources said were extensive talks with the new leaders of the nation.

[From the Fairmont (W. Va.) Times, Oct. 13, 1969]

THE VIETNAM MORATORIUM

Neither advocates of Wednesday's Vietnam Moratorium nor those who oppose it can find fault with the attitude toward the proposed school "holiday" taken by President Eston K. Feaster of Fairmont State College. He, like President James G. Harlow of West Virginia University and the heads of most other state-supported schools, have taken the position that they can coerce no student into either agreeing or disagreeing with the movement.

The idea of a moratorium in protest against this country's continuing involvement in the Vietnam war originated at the student level. It has received support on campuses across the country and now has the backing of many public officials, some of whom see a chance for political favors from the youths whose cause they espouse.

As Dr. Feaster pointed out when the subject of institutional participation in the moratorium was laid before him, every student and faculty member must decide on his own whether he wants to participate or ignore the event. The college has never, and

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will not in the present instance, take an official position on a public issue like the moratorium, President Feaster said, reaffirming a long-standing policy in West Virginia institutions of higher learning.

James Butcher, student body president who is organizing Fairmont State's participation, has not sought sanction of the movement from the student council and has wisely and reasonably accepted the school's policy declaration. He and a Student Moratorium Committee have arranged for a march from the campus to the courthouse and a speech there by Dr. Wesley Bagby of West Virginia University, a history professor often identified with liberal causes.

Unlike the University's Daily Athenaeum, which has come out editorially in favor of the moratorium and has devoted much space to stunts designed to publicize it, the Columns at Fairmont State takes the position that each student should weigh the facts pro and con and only then make up his own mind about attending or staying away from class on Wednesday.

Patty Vandergrift, editor of the Columns, who is working on The Times while attending school, raises an interesting point in her discussion of the moratorium. "How will the people of Fairmont and especially contributors to school funds such as the Student Loan Fund react to FSC's participation?" she asks.

It would be safe to assume that most of the affluent supporters of the various funds raised to help students at Fairmont State are something less than left-wingers. Some of them already have voiced objections to the participation of certain athletes, whose education is being financed in part from publicly raised scholarship funds, in recent picket demonstrations in downtown Fairmont.

Others who give annually to the Student Loan Fund, where a dollar likely brings a greater return than any other investment in education, may take a dim view of a holiday from school called to protest a war in which this country is morally and legally involved however wrong it now seems.

We believe it is only natural for the younger generation to want a share of the decision-making process. College students are especially zealous to join protest movements of every kind and character. The male portion of the student population has a very real concern, for most of them face induction in the armed services as soon as their student deferments expire.

But we are experiencing some difficulty in deciding just who the students expect to convince with their nation-wide moratorium. Certainly it will not be President Nixon, who made his feeling "crystal clear" at his Sept. 30 press conference in reply to an inquiry on the moratorium.

Anti-war senators and other public figures already are doing just about as much as they can to bring about American disengagement in Vietnam. The student protest may provide them moral support in their endeavors, but its practical effect must be open to serious question.

ECONOMIC OPPORTUNITY AMENDMENTS OF 1969

The Senate resumed the consideration of the bill (S. 3016) to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, to authorize advance funding of such programs, and for other purposes.

The **PRESIDING OFFICER**. The bill is open to further amendment.

Mr. **DOMINICK**. Mr. President, I send an amendment to the desk and ask that it be stated.

The **PRESIDING OFFICER**. The amendment will be stated.

The LEGISLATIVE CLERK. The Senator from Colorado proposes an amendment, as follows:

On page 4, line 10, strike "$14,000,000" and insert in lieu thereof "$7,000,000".

On page 4, line 14, strike "$240,000,000" and insert in lieu thereof "$120,000,000".

On page 4, line 18, strike "$32,000,000" and insert in lieu thereof "$16,000,000".

On page 4, line 22, strike "$80,000,000" and insert in lieu thereof "$40,000,000".

On page 5, line 2, strike "$150,000,000" and insert in lieu thereof "$75,000,000".

On page 5, line 7, strike "$3,200,000" and insert in lieu thereof "$1,600,000".

On page 5, line 11, strike "$15,000,000" and insert in lieu thereof "$7,500,000".

On page 5, line 16, strike "$50,000,000" and insert in lieu thereof "$25,000,000".

The **PRESIDING OFFICER**. Does the Senator ask unanimous consent that the amendments be considered en bloc?

Mr. **DOMINICK**. I do.

The **PRESIDING OFFICER**. Is there objection to the Senator's request? The Chair hears none, and the amendments will be considered en bloc.

Mr. **DOMINICK**. Mr. President, I do not know whether I am going to need the yeas and nays on this but, in effect, what this does is to take the second year add-ons and reduce them by 50 percent. This would save $292 million in terms of authorization as opposed to $584 million which was put on by the committee. There is $2.048 billion authorized for fiscal 1970. There is $2.148 billion authorized for fiscal 1971. These add-ons would add 584.2 million on top of $2.148 billion for fiscal year 1971. It would be, in effect, a net increase of $684 million in 1971.

It seems to me that we are completely out of the ball park on this type of figure. What I am suggesting is that we take the $292.1 million, which is one-half the sum total proposed for "add-ons," and leave that in for 1971. This would mean an increase of approximately 10 percent over what the authorization will be in the main part of the bill for that same year.

Mr. President, I am ready to take it to a vote with that kind of explanation. I will be happy to answer any questions.

Mr. **NELSON**. Mr. President, I think it was unfortunate that the Senate accepted the amendment of the Senator from Colorado to remove from the bill all of the add-ons that the committee approved. I point out that roughly half the Republicans supported the add-ons we put on in the committee, and that the Democrats were unanimous. I further point out that on the Headstart program alone, as the OEO now converts to a year-round program—as I think every one agrees it should—and makes full conversion under the administration's budget, 179,000 children who are now covered in the Headstart program will go out of the program.

The Headstart program now is taking care of only 10 percent of the children in this country who need the benefits of the Headstart program. So what we would be doing would be to reduce the number of children who would be covered by the Headstart program. I am informed that the conversion of Headstart to a year round program, without the new funds the committee has proposed, means that in Alabama approximately 4,700 children now under Headstart would be dropped from the program.

In Arkansas, an estimated 4,300 kids who need the benefits of the Headstart program would go off the program.

In California, 4,700 would go off.

In Florida, 3,400 would go off.

In Georgia, 5,700 would go off.

In Illinois, 9,300 children who are in the Headstart program now, a program in which we are trying to take disadvantaged children and give them an opportunity in life, will be taken off the program.

In Kentucky, 6,100 children would go off the program.

In Louisiana, 5,000 would go off.

In Michigan, 5,900.

In Minnesota, 2,700 would go off.

In Missouri, 3,600 kids would go off.

In New York, 10,600 children would go off.

Mr. President, is that what the U.S. Senate stands for?

Does it stand for taking kids off the Headstart program just to save a handful of dollars?

If that is what it stands for, I do not want any part of it.

Mr. President, let us look at the emergency food and medical services program. There are 400 community action programs in this country which have an emergency food and medical services program—almost every single one of them rural.

There are 600 urban programs—600 CAP programs—which have no emergency food and medical service programs at all.

The $150 million would give them that program.

Does the U.S. Senate stand for not feeding kids who are hungry in the cities?

If that is what it stands for, then stand on the rollcall.

Mr. **YARBOROUGH**. Will the Senator from Wisconsin yield?

Mr. **NELSON**. I yield.

Mr. **YARBOROUGH**. I ask the distinguished Senator, is it not a fact that the budget of President Nixon has asked for more money for OEO this year than Congress appropriated last year? I invite the attention of the Senate to the table on page 46 of the report, showing that fiscal year 1969 program expenditures were $1,948,000,000.

In April, the administration revised those figures and asked for $2,048,000,000.

The President has, therefore, asked for more money than was asked for last year. Is that not a fact?

Mr. **NELSON**. That is correct.

Mr. **HOLLAND**. Mr. President, if I may interject there, is that not the amount in the bill?

Mr. **DOMINICK**. That is correct.

Mr. **NELSON**. Yes.

Mr. **HOLLAND**. He so states. Therefore, I do not understand the question of the Senator from Texas, indicating that he thought we had cut that amount.

Mr. **NELSON**. Mr. President, I want to make one more point. There is $50 million in the committee bill for fiscal 1971 for day care projects. This amendment would cut that in half, to $25 million. We authorized day care projects—title V–B—in 1967. We have people all over the country saying, "Why do not people work and earn a living?"

There are women all over the country who have dependents. They are asking to work. They are dying to work. They want to make a contribution. They do not want to sit home all day long, but they have little children to take care of. Yet we have not funded that program since it was enacted in 1967.

We passed a bill a few weeks ago in which we authorized employers and employees to join in making contributions to opening day-care centers at their plants. Under the committee bill, we could use this money to match the cost, so that mothers who want to get off welfare, who want to go out to the plant and make a contribution—or wherever they may want to go to work and earn a living—will find a place to leave their children. But here we are, being asked to cut the program by $25 million.

All, right, cut it $25 million, but let us not run around the country saying, "Let us get people off welfare. Let us have people work. Let us have people work and earn their living," but at the same time make it impossible for them to do so.

If that is what the Senate stands for, let us have a rollcall vote. Let Senators live with their consciences. I will live with mine.

Mr. MONDALE. Mr. President, one of the things that I have commended the President for is his frequent public support of programs to help children in the first 5 years of life. He has pointed out—and correctly, I think—that the institutions of this country, by and large, ignore children suffering from cultural and emotional deprivation until at least the age of 6, and for most of them it is then too late. They are already at the point where only a unique, costly, and personal effort can save them.

Thus, we have the anomaly in this country where, in a rich and powerful nation, millions and millions of children never have a chance. I have applauded the President for his statement. I have applauded him for saying we must redeem the promise of America for children in the years before they enter school, the years of dynamic growth and development.

Do we in the Senate say that the words of the President are hollow rhetoric? Are we going backward or forward? Is the Senate to believe the President and fight for a program which gives children, in the first 5 years of life, some chance for nutrition, some chance for reading and education, some chance for emotional and other kinds of strength which children must have, to avoid being destroyed?

The pending amendment would not only fail to add new positions, but would also strike approximately 180,000 children from the Headstart programs of this country. This reduction would occur even though now only 10 percent of the disadvantage children under age 6 are receiving any benefits under the Headstart program.

It seems to me to respond in that way is to regard the President's words as mere rhetoric, to take away those opportunities for many children in their first 5 years of life, to go backward rather than forward. That certainly makes a mockery of the President's words, and it denies to thousands and thousands of American children any hope for a meaningful opportunity in life.

Mr. President, I ask unanimous consent that a table which estimates the approximate number of children that may be stricken from the Headstart program, together with the committee proposal, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NUMBER OF CHILDREN SERVED BY HEADSTART, BY STATE, BY TYPE OF PROGRAM IN FISCAL YEAR 1969, AND ESTIMATED NET LOSS OF HEADSTART OPPORTUNITIES UNDER THE ADMINISTRATION BUDGET, BY STATE

State	Summer program	Full-year program	Estimated decrease under administration proposal for fiscal year 1970
Alabama	14, 290	5, 676	4, 700
Alaska	375	1, 141	125
Arizona	4, 315	1, 062	1, 150
Arkansas	13, 014	3, 045	4, 300
California	14, 194	16, 623	4, 700
Colorado	3, 383	3, 747	1, 100
Connecticut	3, 255	2, 130	1, 100
Delaware	1, 191	643	400
District of Columbia	3, 515	2, 405	1, 200
Florida	10, 364	6, 724	3, 400
Georgia	17, 047	3, 135	5, 700
Hawaii	1, 630	960	550
Idaho	1, 145	1, 130	350
Illinois	28, 007	9, 218	9, 300
Indiana	6, 485	4, 198	2, 150
Iowa	4, 325	1, 717	1, 450
Kansas	2, 338	1, 999	770
Kentucky	18, 348	3, 689	6, 100
Louisiana	15, 076	4, 893	5, 000
Maine	3, 573	647	1, 200
Maryland	5, 478	1, 853	1, 800
Massachusetts	5, 046	4, 467	1, 700
Michigan	17, 604	3, 464	5, 900
Minnesota	7, 999	1, 738	2, 700
Mississippi	325	29, 253	100
Missouri	10, 911	6, 293	3, 600
Montana	360	976	100
Nebraska	1, 475	1, 568	500
Nevada	675	140	225
New Hampshire	2, 567	229	850
New Jersey	10, 924	4, 731	3, 600
New Mexico	3, 744	1, 685	1, 200
New York	31, 855	10, 458	10, 600
North Carolina	24, 428	3, 870	8, 100
North Dakota	1, 441	60	500
Ohio	20, 834	7, 691	7, 000
Oregon	1, 690	810	580
Oklahoma	8, 653	4, 737	2, 900
Pennsylvania	12, 510	10, 186	4, 200
Rhode Island	1, 003	725	350
South Carolina	16, 855	3, 283	5, 600
South Dakota	1, 407	477	450
Tennessee	20, 578	4, 889	7, 000
Texas	30, 744	13, 360	10, 000
Utah	728	1, 011	250
Vermont	1, 443	500	500
Virginia	9, 760	1, 916	3, 300
Washington	2, 632	2, 659	900
West Virginia	8, 983	2, 430	3, 000
Wisconsin	4, 132	2, 444	1, 400
Wyoming	1, 539	495	500
Puerto Rico	6, 715	6, 013	2, 200
Virgin Islands	500		200
Guam		250	
Trust territories	2, 690	280	850
Indian grants	2, 011	6, 991	700
Migrant	760		250
Total	446, 899	216, 714	

COMMITTEE BILL PREVENTS HEADSTART CUTBACKS

The Committee bill seeks to prevent an impending cutback of 180,000 Head Start opportunities by increasing authorization by $120 million in FY 1970 and $240 million in FY 1971.

Background

There are 6,000,000 disadvantaged American children under age six. Last year only 668,000 of them were able to participate in Head Start and receive the nutritional, educational and health services they need. A cutback in this program—which currently serves only about 10% of the preschool children in need—cannot be justified.

Impending cutback

Administration proposals call for substituting full-year Head Start programs for many of the summer Head Start programs currently being funded. This substitution, which the Committee supports, is based on OEO's conclusion that "evaluative evidence gathered so far suggests that full-year programs are more effective than summer in fostering sustained developmental gains."

But because full year programs cost about $800 more per child than summer programs, if this substitution occurs without increasing the Head Start budget, there will be 180,000 fewer Head Start opportunities this year than there were last year.

NUMBER OF CHILDREN SERVED BY HEADSTART IN FISCAL YEAR 1969, AND UNDER ADMINISTRATION BUDGET FOR 1970

	Fiscal year 1969	Estimate, fiscal year 1970	Increase or decrease under administration budget
Full year	214, 000	249, 800	+35, 800
Summer	450, 000	225, 000	−225, 000
Experimental	0	9, 700	+9, 700
Parent and child centers (families)	3, 600	3, 600	0
Total	667, 600	488, 100	−179, 500

Committee proposal

The authorization increases in the Committee bill would permit the shift from summer programs to full year programs to occur without requiring a cutback in the number of children served.

Based on estimates that 300,000 of the current 450,000 summer Headstart slots could be converted to full-year programs in the next two years, at a net Federal cost of about $800 per slot, this conversion would ultimately cost approximately $240 million. The Committee authorizations are intended to permit sufficient funding to cover the initial costs of conversion in FY 1970, and the full cost of converting 300,000 slots in FY 1971.

The Committee believes it would be unwise and unfair to force a 27% reduction in the number of children served by Headstart by denying these needed authorization increases.

Mr. DOMINICK. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. DOMINICK. Mr. President, I do not want the RECORD to stand as though the Senate of the United States is acting like some kind of heartless fascist stepping on the heads of poor children. I think both the Senator from Wisconsin and the Senator from Minnesota know better than that.

Mr. NELSON. Mr. President, did I suggest anywhere here that Senators are a bunch of fascists stepping on the heads of children?

Mr. DOMINICK. I would say the Senators left the general impression that what we were doing was cutting off funds for poor children all over the place.

Mr. NELSON. Does that make somebody a fascist stepping on children's heads?

Mr. DOMINICK. The Senator from Wisconsin did not use those words; I did.

Mr. NELSON. I will say the Senator did, and he had better learn what the words mean.

Mr. DOMINICK. The $2.048 billion we have for fiscal 1970 was increased in committee by $100 million for fiscal 1971. We have $2.148 billion, an amount that is not even being touched by this amendment; in addition to which, if my amendment is adopted, we will be adding another $292 million to the $2.148 billion.

So we are adding to the money authorized for expenditures for fiscal 1971, $392 million over what it will be for this year, fiscal 1970.

Anybody who says that we are not supplying children and other facilities with needed funds and authorizations for funds just really is not looking at this amendment the way he ought to. A strong emotional appeal has been made against this amendment but it ignores practical realities. We cannot spend that much money.

We are talking about adding $7 million for special impact programs; $120 million for Headstart; $16 million for legal services; $40 million for comprehensive health services; $75 million for emergency food and medical services; $1,600,000 for senior opportunities; $7.5 million for migrants; $25 million for day-care centers; in addition to the $100 million which the administration can use anyway it wants to in fiscal 1971.

So I do not take very kindly to the idea that we are depriving children of one thing after another.

What is the effect of the amendment? It has the net effect of saying we are going to add on to the authorization for fiscal 1971 a total of $392 million.

Mr. JAVITS. Mr. President, I would like to speak to the Senate with the greatest feeling of confidence in my colleagues, because this is a very human and deep thing that we are discussing now. Some of you may have been surprised that I voted with Senator DOMINICK on the last amendment. It is not of character for me, as the Senate knows; but I am handling the bill, on this side, for the administration, and having put the bill in under certain concepts, which I will explain to the Senate, I felt it was my duty, if I were to be trustworthy, to be faithful to those principles.

I know the Senator from Rhode Island (Mr. PASTORE) is smiling at me. He has been in this position many times before, himself.

The position of the administration was, and is, that $2.048 billion, which is the authorized amount, and which Senator DOMINICK's amendment did not challenge, represents its allocation of national priorities for the purpose of a poverty bill.

I am satisfied that within the administrative framework they have erected, in which the OEO is now a staff agency, essentially, rather than a line agency—and that most of the programs, as they mature and develop, are going to be turned over, as they have been in the case of the Job Corps and Headstart, to line agencies of the Federal Government—the $2.048 billion is about the right figure that they can handle and spend intelligently.

The add-ons, coming as they would, with only about 6 or 7 months left to put additional amounts into programs made me question whether they could be put to meaningful use.

That is coupled with the fact that we have big problems in education, which can use more money, which helps roughly the same people, the poor. We have massive problems with hunger and malnutrition, for which the Senate has voted a much bigger amount than the House may be willing to support. Appropriations may be competing, as it were, with poverty appropriations.

For all those reasons, I thought the network of money which would be available to the poor would be improved and benefited by the fact that I tried to encourage the administration rather than discourage it in respect to the plan which it has with regard to the OEO.

I do not believe, however, that these considerations apply to the amendment which the Senator from Colorado (Mr. DOMINICK) has now proposed to the bill; and I shall vote against it. There it is possible, and entirely practicable, to gear the OEO to higher standards in terms of its ability to utilize the amounts of money involved in the second year. I deeply believe the amounts are justified by the needs to be met.

I think the arguments which our colleagues have made, with respect especially to resources which go to children, are important, and can be deployed and well used as this type of administration—as I say, the OEO is now a different kind of agency—settles down and gets going.

The orders of magnitude are large. The Senator from Colorado (Mr. DOMINICK) is absolutely right when he says $300 million is a lot of money; but we have also enormous needs to fill, in critical areas such as Headstart and day-care centers. Day-care centers tie into the whole welfare plan which the administration itself has authored.

In addition, it is very significant, it seems to me, that notwithstanding my sponsorship of the administration's bill, I feel perfectly free to be against this amendment, because I think that, as to the year 1971, the plans of the administration—though I am not speaking for them in my opposition to this amendment—can accommodate intelligently, feasibly, and usefully the sums which have been added on here.

Therefore, Mr. President, I believe that at least for the authorization phase—after all, as the entire Senate knows, this matter still has to run the gauntlet of appropriations in due course—we ought not to cut off these opportunities which are available in the war against poverty at this particular point, in respect to fiscal year 1971; and I believe that that is a consistent position, in view of the approach which the administration has now taken with respect to OEO. I see nothing inconsistent, and I shall vote accordingly. I voted for the Dominick amendment insofar as it related to 1970, where I think there is a real question of practicability during changeover. On the other hand, by fiscal 1971 the changeover will have been made and I am satisfied that the resources which we would authorize may be very effectively, feasibly, and practically used.

Mr. BYRD of West Virginia. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. BYRD of West Virginia. I ask that the Chair direct attachés to take seats or leave the Chamber.

The PRESIDING OFFICER. The attachés will please be seated.

Mr. JAVITS. Mr. President, I said when I began that I was speaking in a most intimate way to the Senate, and I feel that way. I know it is very public, and there is nothing secret here, but in the sense of personal feeling and personal warmth on the subject, I did wish to communicate this point of view to the Senate.

To give just one example that happens to be, in my judgment, one of the most relevant, in March of 1967 there were 4½ million working mothers with children under 6 years of age. There are today only 531,000 spaces in licensed day-care centers and family homes which are equivalent to day-care centers—roughly speaking, as Senators can see, but between 10 and 12 percent of the need is actually being served.

Those of us who have had experience in government know that it takes time to get organized for a job; that when you change over an agency such as the OEO, there is a time lag in adjusting it to its new responsibilities. But I believe 1970 gives adequate time for that process to take place, and that in 1971 we ought to begin to endeavor to more nearly accomplish many of these things which need to be done. That is the purpose of the add-ons and that is why I feel constrained to vote "no" on the amendment proposed by the Senator from Colorado.

Mr. DOMINICK. Mr. President, I shall be very brief.

If adopted, this amendment, will combine the additional $100 million with the $292 million that will be there. We will be providing about 15 percent additional funds for 1971 over those authorized for 1970. It strikes me that this is a pretty substantial improvement.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Colorado. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KENNEDY. I announce that the Senator from Connecticut (Mr. DODD), the Senator from Mississippi (Mr. EASTLAND), the Senator from Oklahoma (Mr. HARRIS), the Senator from Iowa (Mr. HUGHES), the Senator from Montana (Mr. MANSFIELD), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Wyoming (Mr. MCGEE), and the Senator from Maine (Mr. MUSKIE) are necessarily absent.

I further announce that the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Georgia (Mr. RUSSELL), and the Senator from Mississippi (Mr. STENNIS) are absent on official business.

I further announce that, if present

and voting, the Senator from Georgia (Mr. RUSSELL) would vote "yea."

Mr. GRIFFIN. I announce that the Senator from Massachusetts (Mr. BROOKE), the Senator from New Jersey (Mr. CASE), the Senator from New York (Mr. GOODELL), and the Senator from California (Mr. MURPHY) are necessarily absent.

The Senator from Kentucky (Mr. COOK), the Senator from Kansas (Mr. DOLE), the Senator from Illinois (Mr. PERCY), and the Senator from Alaska (Mr. STEVENS) are absent on official business.

The Senator from Illinois (Mr. SMITH) is necessarily absent because of death in his family.

If present and voting, the Senator from Massachusetts (Mr. BROOKE) and the Senator from Illinois (Mr. PERCY) would each vote "nay."

The result was announced—yeas 33, nays 47, as follows:

[No. 124 Leg.]

YEAS—33

Allen
Allott
Baker
Bellmon
Bennett
Boggs
Byrd, Va.
Byrd, W. Va.
Cotton
Curtis
Dominick
Ervin
Fannin
Goldwater
Griffin
Gurney
Hansen
Holland
Hollings
Hruska
Jordan, N.C.
Jordan, Idaho
Long
McClellan
Miller
Mundt
Pearson
Spong
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—47

Aiken
Anderson
Bayh
Bible
Burdick
Cannon
Church
Cooper
Cranston
Eagleton
Ellender
Fong
Gore
Gravel
Hart
Hartke
Hatfield
Inouye
Jackson
Javits
Kennedy
Magnuson
Mathias
McGovern
McIntyre
Metcalf
Mondale
Montoya
Moss
Nelson
Packwood
Pastore
Pell
Prouty
Proxmire
Randolph
Ribicoff
Saxbe
Schweiker
Scott
Smith, Maine
Sparkman
Symington
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—20

Brooke
Case
Cook
Dodd
Dole
Eastland
Fulbright
Goodell
Harris
Hughes
Mansfield
McCarthy
McGee
Murphy
Muskie
Percy
Russell
Smith, Ill.
Stennis
Stevens

So Mr. DOMINICK'S amendments were rejected.

PROGRAM

Mr. SCOTT. Mr. President, I should like to inquire of the distinguished acting majority leader whether he knows of any other amendments and also what will be the next order of business.

Mr. KENNEDY. As I understand, the Senator from Vermont (Mr. PROUTY) has an amendment. I do not know at this time whether there will be a rollcall vote on that amendment.

Mr. PROUTY. There will not be.

Mr. KENNEDY. The leadership does not know whether any Senator is going to request a rollcall vote on final passage.

Mr. NELSON. We will ask for a rollcall vote on final passage.

Mr. KENNEDY. It is my understanding that at this point in time the Senator from Vermont has an amendment and that there will not be a rollcall vote on the amendment. There will be a rollcall vote on final passage.

Mr. JAVITS. There may be one other amendment.

Mr. KENNEDY. There may be one other amendment.

Then following final passage tonight, we will lay before the Senate the Eisenhower dollar minting measure, which will then be the pending business. That bill will be brought up for debate tomorrow. The Senate will convene at 12 noon tomorrow. After the disposition of that measure, the Senate will proceed to consideration of the two measures on the calendar dealing with potatoes, orders Nos. 412 and 414.

Mr. SCOTT. I understand that no votes are expected on the Eisenhower dollar matter tonight.

Mr. KENNEDY. There will be no votes on the Eisenhower dollar matter this evening.

Mr. DOMINICK. There will be a vote tomorrow.

Mr. SYMINGTON. Will there be a vote on the amendment that the distinguished Senator from New York mentioned?

Mr. JAVITS. We really do not know. We hope not, but we do not know.

Mr. KENNEDY. So there definitely will be a rollcall vote on final passage of the pending bill. There is the possibility of a vote before, and then we will lay before the Senate the Eisenhower dollar matter.

NATIONAL SCIENCE FOUNDATION APPROPRIATIONS AUTHORIZATION

Mr. KENNEDY. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 1857.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1857) to authorize appropriations for activities of the National Science Foundation pursuant to Public Law 81–507, as amended, which were to strike out all after the enacting clause, and insert:

That there is hereby authorized to be appropriated to the National Science Foundation for the fiscal year ending June 30, 1970, to enable it to carry out its powers and duties under the National Science Foundation Act of 1950, as amended, and under title IX of the National Defense Education Act of 1958, out of any money in the Treasury not otherwise appropriated, $474,305,000.

SEC. 2. Appropriations made pursuant to authority provided in section 1 shall remain available for obligation, for expenditure, or for obligation and expenditure, for such period or periods as may be specified in Acts making such appropriations.

SEC. 3. Appropriations made pusuant to this Act may be used, but not to exceed $2,500, for official reception and representation expenses upon the approval or authority of the Director, and his determination shall be final and conclusive upon the accounting officers of the Government.

SEC. 4. In addition to such sums as are authorized by section 1 hereof, not to exceed $3,000,000 is authorized to be appropriated for expenses of the National Science Foundation incurred outside the United States to be paid for in foreign currencies which the Treasury Department determines to be excess to the normal requirements of the United States.

SEC. 5. Notwithstanding any other provision of law, the authorization of any appropriation to the National Science Foundation shall expire (unless an earlier expiration is specifically provided) at the close of the first fiscal year following the fiscal year in which the authorization was enacted, to the extent that such appropriation has not theretofore actually been made.

SEC. 6. Notwithstanding any provision of the National Science Foundation Act of 1950, or any other provision of law, the Director of the National Science Foundation shall keep the Committee on Science and Astronautics of the House of Representatives and the Committee on Labor and Public Welfare of the Senate fully and currently informed with respect to all of the activities of the National Science Foundation.

SEC. 7. If any institution of higher education determines, after affording notice and opportunity for hearing to an individual attending or employed by such institution—

(a) that such individual has, after the date of the enactment of this act, willfully refused to obey a lawful regulation or order of such institution and that such refusal was of a serious nature and contributed to the disruption of the administration of such institution; or

(b) that such individual has been convicted in any Federal, State, or local court of competent jurisdiction of inciting, promoting, or carrying on a riot, or convicted of any group activity resulting in material damage to property, or injury to persons, found to be in violation of Federal, State, or local laws designed to protect persons or property in the community concerned;

then the institution shall deny any further payments to or for the benefit of such individual which (but for this section) would be due or payable to such individual and no part of any funds appropriated pursuant to this Act shall be available for the payment of any amount (as salary, as a loan or grant, or otherwise) to such individual.

SEC. 8. This Act may be cited as the "National Science Foundation Authorization Act, 1970."

And amend the title so as to read: "An Act to authorize appropriations for activities of the National Science Foundation, and for other purposes."

Mr. KENNEDY. Mr. President, I move that the Senate disagree to the amendments of the House on S. 1857 and ask for a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. KENNEDY, Mr. PELL, Mr. EAGLETON, Mr. NELSON, Mr. PROUTY, Mr. DOMINICK, and Mr. SCHWEIKER conferees on the part of the Senate.

ECONOMIC OPPORTUNITY AMENDMENTS OF 1969

The Senate resumed the consideration of the bill (S. 3016) to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, to authorize advance funding of such programs, and for other purposes.

Mr. JAVITS. Mr. President, I ask for the yeas and nays on final passage.

The yeas and nays were ordered.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. PROUTY. Mr. President, I send an

amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

> On page 5, strike out line 25, and insert in lieu thereof the following: "15 per centum for the fiscal year ending June 30, 1970 and 20 per centum thereof"; and.

Mr. PROUTY. Mr. President, section 616 of the Economic Opportunity Act of 1964, as amended, provides that up to 10 percent of the funds earmarked for one program may be transferred to another program. It also specifies that no program may be increased by a transfer of funds of more than 10 percent.

Realizing the restrictiveness of these original provisions, the committee made some very significant changes by allowing for a 15-percent transferability rate and by removing the limitation on funds that can be added to any particular program.

However, I do feel that the revision of section 616 now in the committee bill does not go far enough, especially in relation to the second year. This is so because it does not give the Director any additional flexibility in the second year to continue a shift in focus already started through a transfer in funding from one program to another.

As the committee bill is now written, the same level of funds is earmarked for the first and second year. Section 616 as revised would allow up to 15 percent of any program's funds to be transferred to another program. This would be done at the discretion of the Director to indicate a desire to strengthen certain programs that have proved successful or that are in need of reinforcement. However, once the Director had made such a decision, the revised version of section 616 would not allow him to carry through this change in emphasis during the second year. The Director would be forced to look at the level of funds earmarked which are the same as the first year and would again only be allowed to transfer up to 15 percent. This would mean that virtually the same level of funding would be locked in even if the Director wished to shift the focus more during the second year than the first. If we are to make OEO truly an innovative agency capable of meeting the needs of the poor, I think we must give the Director our full support by allowing him additional flexibility.

Mr. President, this amendment simply provides for a 15-percent transferability for the current fiscal year and 20 percent thereafter. I, therefore, propose that we change to 20 percent the rate by which the Director could transfer funds during the second year.

Mr. NELSON. Mr. President, we debated this issue in the committee at some length. The Senator took the same position in the committee. We insisted on 15 percent the first year and 20 percent the second year. There is some rationale in support of the Senator's position I am prepared to accept the amendment.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. JAVITS. Mr. President, I think this is a most constructive amendment. Now that we see the shape of the bill, including the retention of the earmarking and the disposition we just made of the amendment on the add-ons, the Prouty amendment really becomes essential to intelligent administration. I believe that the manager of the bill has come to the right conclusion, and I join him in it. We will do our best to retain it in conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Vermont.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. NELSON. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

> At the end of section 242 of the Act add the following new subsection:
>
> "(b) Nothing in subsection (a) of this section shall be construed to deny the President the authority to reconsider any plan disapproved by the Governor if the President finds the plan to be fully consistent with the provisions and in furtherance of the purposes of this title."

Mr. NELSON. Mr. President, let me make a brief explanation.

When the amendment offered by the Senator from California (Mr. MURPHY) was adopted, it provided for veto power by the Governor over any item in the legal services program, with no appeal from that whatever. This amendment simply proposes that the President of the United States shall have the authority to reconsider any plan disapproved by the Governor if the President finds the plan to be fully consistent with the provisions and further purposes of this title.

It seems to me that there ought to be some escape valve; and if that authority is given to the President, rather than to the Director of the Office of Economic Opportunity, we are sure that it will only be exercised in cases of compelling necessity.

Mr. JAVITS. Mr. President, will the Senator yield

Mr. NELSON. I yield.

Mr. JAVITS. Mr. President, the Senator from Wisconsin has explained the essence of the amendment. The real impact of the amendment is this: If we did nothing before the bill leaves here, this would be the only OEO program which is subject to absolute veto by the Governor. When it was proposed to me that this just ought to be revised—the suggestion was made that the Director again be given this authority. I vetoed that. I do not think that would be fair to the Senator from California (Mr. MURPHY), and I am a little embarrassed that he is not here. But we are about to lock up the bill, and nothing can be done about it.

So I felt that by making it the President, especially this President, every Member would feel some assurance that this is not going to be handled lightly. But I do feel that there is force to the argument that inasmuch as this is the only program in the OEO that a Governor can absolutely veto, at least somewhere there ought to be a way of avoiding a really unjust solution. Obviously, there is no higher authority in our land. Considering the attitude of President Nixon with respect to this program—it is a 2-year program, so that it expires within his term—it seems to me that should make Members feel a sense of assurance with respect to the effort of dealing with a manifest injustice.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. HOLLAND. Has the Senator from California (Mr. MURPHY) been advised that this emasculating amendment is being offered?

Mr. JAVITS. I have no way to advise him. I think he is on a plane. I am embarrassed about it. The bill is about to be locked up. I have done the best thing I can think of and that is to put the authority in the President. There is no higher authority. It inspires confidence. I have explained the situation.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). The question is on agreeing to the amendment.

Mr. ALLEN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. ALLEN. Mr. President I wish to ask the Senator from New York a question. This amendment giving the power to the President to override the decision of a Governor would that not be a delegable authority? Could he not then delegate that authority to the head of the department and we would then be back where we started?

Mr. JAVITS. I do not think that he could escape the responsibility in that way. He could call up the Director and say "should I override the Governor."

Mr. ALLEN. Would it not be possible, as soon as this measure is enacted and becomes law, for him to issue an Executive order placing the authority back in the hands of the Director?

Mr. JAVITS. I will be a conferee on the bill and if this amendment is agreed to and there is any legal question about that, I will do my utmost to lock it in. I could not see any President delegating to any other official the authority to override a Governor. Therefore, I can assure the Senator the intent is clear. It must be a decision made by and signed by the President.

Mr. ALLEN. Would the Senator object to adding the words "the nondelegable authority"?

Mr. JAVITS. I would not object. I am very embarrassed. If the Senator from Alabama and the Senator from Florida feel that is a fair disposition and we would not have a rollcall vote on it, I would accept it.

Mr. ALLEN. I think that is prudent. I feel the Senator from California (Mr. MURPHY) felt so strongly about this matter. I heard him on the floor of the Senate speak with considerable emotion when he discussed the fact that he had asked for a postponement of the bill for 1 week and he did not get that postponement. He felt very strongly about the amendment, and I would hate to see the Senate emasculate the amendment that the Senate adopted by a rollcall vote.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. MONDALE. Mr. President, I have a copy of the transcript. I cannot speak for the Senator from California. I am sure he would be the first person to agree with that. Earlier in today's debate, the manager of the bill asked the Senator from California how his amendment related to the Director's ability to override a Governor's veto and the Senator from California said, "I am unclear on that." The key point is that the Murphy proposal as presented earlier dealt with the line item veto legal service proposals.

Mr. HOLLAND. Mr. President, not only do I feel that the Senate should not act to emasculate the amendment of the Senator from California in his absence and without his knowledge, which we just voted on a little while ago before he left, but it seems to me that those of us who voted for it are left in a completely difficult situation by the offering of this amendment.

I discussed this matter with the Senator from Wisconsin at noon. The one feature of the OEO which has been most aggravating to the people of our State has been this legal setup. The Senator spoke of the fact that our bar association is very strongly against it. They are against it after they have seen it work. I see my colleague in the Chamber and I am sure he will recall that has been the case.

I do not think we should emasculate the Murphy amendment when he is not here. I do not think it is fair and we should not do it.

Mr. NELSON. Mr. President, I wish to say as to that that the Senator from California (Mr. MURPHY) is a very distinguished and helpful member of the committee that drafted the bill and conducted the hearings. This bill has been pending before the committee since April 15 of this year. He is on the committee. We had extensive hearings and markup sessions. Ten days ago we voted to report the bill to the Senate. It is not as though it was a Senator who is not a member of the committee.

Mr. HOLLAND. Will he be on the conference?

Mr. NELSON. He will be on the conference.

Mr. HOLLAND. Will the Senator agree with me that if he does not agree to that in conference this will come off the bill?

Mr. NELSON. I, speaking for myself, do not think I could. I do not know if anyone else would do that. I did not agree with him in the first place.

We discussed and debated legal services in the committee. I never saw the amendment until the moment it was brought to the floor of the Senate, so it was brought to my attention at the last moment.

I regret the Senator had commitments in California during the business week. He had them and he kept them.

I do not think it is unfair to the Senator any more than it was to me when I saw the amendment for the first time today. It is just one of those things that happen. We debated this in committee; that is, the Legal Services aspect.

I think it is really pretty strong language when it is said that only the President could override a Governor. He would never do that for trivial reasons. This is the only program within the entire OEO bill in which he could override the Governor's veto. So the amendment which makes it nondelegable only allows the President to act in a very important case in which the President thought that he was prepared to override the veto of the Governor of a State. That is pretty strong action, but it is a safety valve for some circumstances that might arise.

Mr. GURNEY. Mr. President, I came in at the end of the colloquy, but I heard my senior colleague from Florida mention something about some experiences we had in the State of Florida with Legal Services. I support him in what he said. It was an unholy mess all the way through. It satisfied no one except the legal staff of the OEO. Both Republicans and Democrats opposed it and finally we had to get the bar association to bail it out. It was more in the way of agitation and stirring up trouble than lending legal services to others. I strongly support the statement of my colleague. It was a complete disaster.

Mr. HOLLAND. If the Senator will yield to me, I thank my distinguished colleague for his statement. I was sure he would recall the experience because the matter became quite notorious in Florida.

This bill was reported during the adjournment of the Senate on Friday afternoon. Yesterday was the first day it could have been brought up. It seems to me that when the Senator from California stayed here, offered his amendment, it was debated and then voted upon in a rollcall vote on the floor of the Senate and then adopted and he left, and while he is still in the air, for Senators to offer an amendment which, in effect, can emasculate what the Senate has already done is not fairplay and not the way the Senate would want to work. So far as I am concerned, I cannot support the amendment. I hope it will be withdrawn. I would support it on only one assurance, that the conferees were to assure the Senate, in the event the Senator from California would not agree to this, or some rewriting of it in conference, where he will be a conferee, that they, too, will take that position. It seems to me, under the circumstances, that is the only way we would be justified in reversing what we have done already.

Mr. NELSON. I would not want to be in the position of suggesting that I was being unfair to the Senator. Everyone has a right, when we are in business in this Chamber, to be here and participate in the business pending before the Senate, and if he has a commitment elsewhere in his State, and he goes out to it, he cannot complain because another Senator thinks we are being unfair to him because he presented something to the Senate for action, which was a complete surprise to me, and then after action is taken, he leaves town. I do not believe that to be unfair at all.

I respect the inclination of the Senator from Florida to protect the interest of the Senator from California. I would be pleased to have him on my side under a similar circumstance. I am prepared to change what I said to him. I will, if the Senator will not agree to any modification in conference, support his position on it.

Mr. HOLLAND. With that assurance, I will withdraw my objection. I hope the request for a rollcall vote will be rescinded, and I ask unanimous consent that that may be done.

The PRESIDING OFFICER (Mr. PACKWOOD in the chair). Is there objection?

Mr. JAVITS. Mr. President, let me say that I am the ranking member and——

Mr. ALLOTT. Mr. President, I want to reserve the right to object, when the Senator from New York has finished.

Mr. JAVITS. I will be happy to yield now. I appreciate what the Senator from Wisconsin (Mr. NELSON) has said. I will sustain that position. I am very much embarrassed by the situation. We do face a situation and not a theory. Unless there is something in the bill on which the conferees can act, even if the Senator from California (Mr. MURPHY) would agree, the situation would help none of us because it is hardly likely that a matter like this would be handled specially. Therefore, I think that the Senator from Wisconsin (Mr. NELSON) has shown a spirit of splendid comity in taking the position he has and I join him and believe that in that way, the rights and sensibilities of the Senator from California will be fully protected.

Mr. HOLLAND. I want to thank the Senator from Wisconsin and the Senator from New York.

Mr. President, I again renew my unanimous-consent request that the rollcall vote decision of the Senate of a few minutes ago be rescinded.

The PRESIDING OFFICER. Is there objection?

Mr. ALLOTT. Mr. President, reserving the right to object—and I do not know whether I shall or not—first let me say that since the Senator in charge of the bill was facing in the other direction, we could not hear him.

As I understand the situation, the Murphy amendment was agreed to by a rollcall vote and we are now confronted with an amendment which, in effect, would emasculate it.

Now I should like to ask the Senator in charge of the bill whether he would state clearly what the understanding is. As I understand it, number one, the Senator from California (Mr. MURPHY) will be one of the conferees and, second, that if——

Mr. JAVITS. He is already one, as chairman of the subcommittee.

Mr. ALLOTT. If the Senator from California does not agree with the present form of the amendment upon which it is now desired to recall the yeas and nays, the Senator in charge of the bill and the conferees—that being the Senate's position—will revert to the Murphy amendment and that will be the position of the Senate in the conference. Is that correct?

Mr. NELSON. That will be my position. I do not know whether all the conferees are here now, but if the Sen-

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ator from California (Mr. MURPHY) does not want any modification and wants to stick with his amendment as is, I shall support him in conference.

Mr. JAVITS. Mr. President, I shall do the same. The Senator from California will be a conferee because he is the ranking minority member of the subcommittee. And the Senator from Vermont (Mr. PROUTY) feels the same way, I know.

Mr. ALLOTT. Mr. President, I know that I cannot yield to the Senator from West Virginia (Mr. RANDOLPH), but I can yield the floor and then I may object, but first I wish to find out what the Senator from West Virginia has to say.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Florida?

Mr. JAVITS. Let us withdraw the request.

The PRESIDING OFFICER. The Senator from Florida has the floor. Is there objection to the request of the Senator from Florida?

Mr. PASTORE. Reserve the right to object and then talk.

Mr. RANDOLPH. Mr. President, reserving the right to object, and I reserve the right to object, I will be a member of the conference. Senators joined with the House in consideration of the two measures that will be before us.

I have heard that the distinguished Senator from Wisconsin has said, that he binds himself but does not bind other Senators who will be conferees.

I want to assure Members of the Senate that I would also wish to bind myself in the agreement that has been made here this afternoon.

Mr. HOLLAND. Mr. President, I thank the Senator from West Virginia. Mr. President, I renew my unanimous-consent request.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Florida?

The Chair hears none, and it is so ordered.

Mr. NELSON. Mr. President, I do not know whether the distinguished Senator from Alabama (Mr. ALLEN) offered an amendment.

Mr. ALLEN. Mr. President, I understood that the Senator from Wisconsin accepted the position, making the amendment read, nondelegable.

The PRESIDING OFFICER. Does the Senator request that his amendment be so modified?

Mr. NELSON. I request that it be modified, yes.

The PRESIDING OFFICER. The amendment will be so modified.

The question is on agreeing to the amendment, as modified, of the Senator from Wisconsin.

The amendment, as modified, was agreed to, as follows:

At the end of section 242 of the Act, add the following new subsection:

"(b) Nothing in subsection (a) of this section shall be construed to deny the President the nondelegable authority to reconsider any plan disapproved by the Governor if the President finds the plan to be fully consistent with the provisions and in furtherance of the purposes of this title."

Mr. KENNEDY. Mr. President, in total wealth and in individual opportunity, no nation in the world's history can match the United States. In 1968, our gross national product was $861 billion. Median family income has reached $8,000 a year—almost $2,000 higher than in the country with the next highest standard of living. We are surrounded by the trappings of material wealth—60 million automobiles, 70 million television sets, homes owned by two-thirds of our families.

Despite our aggregate prosperity and national wealth, however, an estimated 25 million Americans still live in serious poverty—without necessities such as food, clothing, shelter, and medical attention which the fortunate of us take for granted; and without the opportunities for education and employment required to enjoy a satisfactory standard of living.

For the last 4 years, the Office of Economic Opportunity has been the focal point for a concentrated Federal effort to combat poverty in America. The problems it has faced have been great. The results it has achieved have been encouraging.

From 1965—when the OEO program began—through 1967, 7 million Americans escaped from poverty status. In 1968 approximately 4 million more Americans rose above the poverty line for that 1 year alone. OEO programs have been an important influence in achieving these results.

In my own State of Massachusetts, OEO programs have meant opportunity and advancement for hundreds of thousands of citizens. As of December 31, 1968, a total of $121 million in OEO funds have been granted to the State.

Massachusetts has 25 community action agencies—organizations formed by local people to help solve problems they have defined for themselves. In Boston, Action for Boston Community Development—ABCD—has developed several area plans and action councils to carry out OEO programs and sponsor economic development. Half of those who govern the CAP agency in Boston are poor, although the national requirement for such participation is only one-third.

In Berkshire County, the community action agency convinced the public schools to hire nonprofessional teacher aides. In Brockton, the CAP increased employment possibilities by getting a revision of civil service regulations so as to allow people lacking high school diplomas to get Government jobs.

Approximately 30,000 preschool children from disadvantaged backgrounds have been enrolled in Headstart since 1966. Five thousand and forty-six children participated in summer Headstart programs this year.

In Boston's Columbia Point housing project, 6,000 poor persons receive comprehensive medical service from three family health care teams at a neighborhood health center. The project is operated by the department of preventive medicine of Tufts University School of Medicine. Columbia Point's poor residents are being trained at the center and employed as medical assistants and family health care workers. Using the expertise developed at Columbia Point, Tufts is also operating a similar project in Bolivar County, Miss. In the Roxbury district of Boston, another neighborhood health center is operated by Boston University's School of Medicine.

Fourteen legal services programs in Massachusetts have received OEO funds. They include 11 community legal services projects—in Boston, Brockton, Cambridge, Chelsea, Fitchburg, Hyannis, Lowell, Lynn, New Bedford, Springfield, and Worcester. They also include a statewide experimental defender program in criminal law, and research and demonstration projects on poverty law conducted by Harvard and Boston Universities. Close to 300,000 low-income citizens have received legal assistance.

Over 1,900 young men and women—persons who were once hard-core social dropouts with no productive future—were trained by the Job Corps.

About 60 VISTA volunteers are now working in Massachusetts—helping Spanish-speaking school parents to organize in Boston's South End, organizing consumer cooperatives and credit unions, helping the handicapped in Fall River, working with delinquents in Worcester, and so forth. Close to 200 Massachusetts residents presently are working as VISTA volunteers throughout the Nation.

These and many other successful projects, in Massachusetts and across the Nation, have shown the potential and the effect of OEO. Much has been accomplished by Federal antipoverty programs. But more, much more, remains to be done.

In the United States today, 5.1 million Americans live in families whose yearly household income is less than the equivalent of $1,200 for a family of four. According to OEO, 1.3 million of these very poor have no cash income at all.

Another 9.3 million Americans live in families whose incomes are less than the equivalent of $2,400 per year for a family of four.

An additional 10.6 million have incomes between $2,400 and $3,600.

Even in Massachusetts, which has one of the highest per capita incomes among the States, one person in 10 lives in poverty. In 1965, Massachusetts had a per capita income of $3,050, and ranked ninth among the 50 States. The number of poor was estimated at 539,000, of the State's population at that time of 5,361,000. Two years ago Lowell, Fall River, and New Bedford were classified as areas of persistent unemployment—with an average of 6.2 percent compared to the national average of 3.8 percent. Massachusetts ranks 26th in the Nation in the number of persons below the poverty line.

For the Nation as a whole, the latest estimate of the Census Bureau is that 25,400,000 Americans—13 percent of the population—are living in poverty. Forty-two percent are children under 18. Eighteen percent are senior citizens over 65. The estimate is based on a newly established poverty line of $3,553 per year as the minimum income needed by a non-farm family of four to live above the poverty level.

If anything, the line seems low. For the above figure of $3,553 works out to be only $2.42 a day per person for all of his personal needs—food, clothing, housing, medical care, and all other expenses. More realistically, perhaps 40 million Americans are poor or near poor.

Once caught in the poverty cycle, it is difficult to escape. As psychologist Ira Goldenberg has said:

> Poverty is a psychological process which destroys the young before they can live and the aged before they can die. It is a pattern of hopelessness and helplessness, a view of the world and oneself as static, limited and irredeemably expendable. Poverty, in short, is a condition of being in which one's past and future meet in the present—and go no further.

It is a paradox of our times that the richest nation the world has ever known has so many of its people living in serious poverty. It is also an outrage. It is a situation which we must continue to give our highest priority.

I am sure that all of us in this Chamber agree on the need for strong and effective Federal antipoverty programs. I am sure that most of us agree on the need for extension of the Economic Opportunity Act. If there is disagreement, it is not on whether to have the bill, but rather on what the bill should contain.

I support S. 3016 as it has been reported from the Committee on Labor and Public Welfare. As a member of that committee, and of the Subcommittee on Employment, Manpower, and Poverty, I have followed the bill closely. I think that it is a good bill. I would like to comment briefly on several aspects.

First, I support the funding level of $2.34 billion for fiscal year 1970 and $2.732 billion for fiscal year 1971. When we consider the extent of poverty, this is a modest sum indeed. It works out to be approximately $100 per year for each of our Nation's 25 million poor.

Just a few weeks ago, the Senate passed a military procurement authorization of $21 billion to protect our people from military aggression. The Senate authorized going ahead with an antiballistic-missile system which eventually will cost a minimum of $15–$20 billion and probably much more.

Authorizations of $2.3 billion and $2.7 billion are equally justified to protect our people from poverty. Antipoverty programs deserve as high a priority as the military programs recently acted on by the Senate. If we cannot solve our problems at home; if we cannot give every American the opportunity for a fair, decent living; if we cannot meet the challenge of poverty in our cities and our rural areas—if we fail in these endeavors, we will have failed as a nation.

Second, I support the approach of earmarking specific funds for specific programs. We in Congress have had an opportuntiy to follow OEO, and to assess the success or failure of particular programs and approaches. It is appropriate that we give the Director of OEO guidance as to how Congress thinks the money can best be spent. By the time this bill passes both Houses of Congress and is signed by the President, there will be perhaps 1½ years left to run on the Economic Opportunity Act. The earmarkings will guide the Director for that period of time.

The bill also gives the Director flexibility. Several hundreds of millions of dollars are unearmarked at all, and the Director has discretion to transfer up to 15 percent of the funds earmarked for any program to any other program or activities.

Third, I favor increasing the authorization for comprehensive health services to $120 million for fiscal 1970 and $160 million for fiscal 1971. I offered the amendment in committee to raise these authorizations. Much higher levels can be justified, but I think that these compromise levels are a good first step in strengthening one of the most effective OEO contributions.

At present, there are 49 neighborhood health centers serving 1 million persons. 350,000 persons have actually received benefits.

But it is estimated that over 15 million persons could be served by the traditional neighborhood health center facility. Millions of others could be served by innovations and variations on that basic approach.

OEO has received applications from over 200 communities for traditional neighborhood health centers. To be fully operational, each center would require a Federal outlay of $2 million a year.

In addition, OEO could use an additional $100 million not for traditional centers but for innovation and experimentation in expanding the neighborhood health center concept. Work is necessary to adapt the approach to rural areas, to encourage medical schools to provide neighborhood health services, and to bring the approach into hospital inpatient and outpatient programs.

S. 3016 will permit modest expansion of the comprehensive health services.

Fourth, I favor expansion of the special impact program of title I D of the Economic Opportunity Act. I offered an amendment which was accepted in committee and is contained in the present bill to authorize funding levels of $54 million for fiscal 1970 and $60 million for fiscal 1971.

The special impact program has been immensely successful in mobilizing community resources and promoting community development. One of the most constructive features has been attracting outside business to locate in poverty areas and supply jobs and training for residents of those areas. The successes of the Bedford-Stuyvesant project in Brooklyn and the Hough project in Cleveland have set an example which has been duplicated in several cities and rural areas and can be applied much more broadly.

At present, OEO has applications for $93 million for 81 communities. One-hundred and seventy other community groups intend to submit proposals. Increased authorizations will allow a few of these requests to be funded.

Fifth, I support the specific authorization of $10.4 million in fiscal 1970 and $12 million in fiscal 1971 for the senior opportunities and services program. Again, I offered in committee the amendment which set these authorization levels.

In the United States today 20 million Americans are 65 or over. Forty percent of them are poor or near poor. Five million fall below the poverty line.

Two hundred and seventeen programs are funded at the present time. However, OEO has received over 300 new proposals, totaling in excess of $12 million. The new authorizations would allow a few of these additional requests to be funded.

Sixth, I think that the funding levels of $100 million for fiscal 1970 and $175 million for fiscal 1971 for emergency food and medical services is extremely important.

As a member of the Select Committee on Nutrition and Human Needs, I have seen and heard extensive testimony on the seriousness of the hunger and malnutrition problem. It is clear that Federal efforts to date have been insufficient. The food stamp and commodity distribution programs each serve only 3.2 million poor persons, for a total of 6.4 million of the currently estimated 25 million poor and 13 million near poor. Thus these programs reach only 26 percent of the 25 million below the poverty line—whose incomes place them in substantial danger of being malnourished. The select committee has estimated the "food income gap" to be $5.2 billion.

The initial Senate bill to extend the Economic Opportunity Act called for an expenditure of $1 billion for emergency food and medical services. This was later reduced in committee to $300 million, and finally to these authorization figures. There is evidence that OEO could use far greater sums. I hope that the Senate will at least approve the more modest figures in S. 3016.

Seventh, I support expansion of the legal services program. These projects have been extremely helpful in bringing free legal counsel to poor and minority groups—persons who, without such assistance, would be precluded from exercising their legal rights. But at the present time, still only 15 percent of the poor have access to legal service or VISTA lawyers. Last year over 100 communities had applications turned down for lack of funds. The authorizations in the present bill would enable the program to reach a size which was called by the American Bar Association to be "absolutely the minimum acceptable."

Eighth, I support expansion of the Headstart program. At present, Headstart serves only 10 percent of the disadvantaged children under six who should be offered child development opportunities. We have received increasing evidence that the first few years of life are critical if a child is to reach his full potential later on. The program has been a success. It should be continued and expanded.

Ninth, I am disturbed that the day care program under title V B of the Economic Opportunity Act has never been funded. If we are going to encourage mothers to work, we should offer satisfactory child care arrangements while they are on the job. That is why Congress passed title V B in the first place. And that is why I support funding of the program which we passed 2 years ago.

Finally, Mr. President, I would like to stress my own very great interest in evaluation of Federal antipoverty efforts. I am pleased that Mr. Rumsfeld, the current Director of OEO, feels that "the evaluation of programs must be one of the most important activities of the Office of Economic Opportunity." Mr. Rumsfeld has indicated that he feels evaluation has been one of the most neglected aspects of OEO, and that broad evaluation of all Federal antipoverty efforts is important. President Nixon indicated that he shares this concern in a recent letter to the chairman and ranking minority member of the Labor and Public Welfare Committee in which he says:

> The Office of Economic Opportunity must be an advocate for the poor within the Federal agency structure. To effectively perform this function, I have instructed the Director to establish a research and evaluation office capable of government-wide evaluation.

The committee report on S. 3016 discusses the importance of evaluation, the need for overall planning, the need for cross-agency evaluation and coordination, the concern of Congress that we be informed about the 5-year national poverty plan, and the importance of strengthening the National Advisory Council on Economic Opportunity. I strongly endorse the committee views on these points, and hope that the administration will be responsive.

Mr. President, the other sections of S. 3016 which I have not elaborated on are also important. Children who are not from low-income families would be able to participate in Headstart projects, if adequate private payments were made. As a member of the Special Subcommittee on Alcoholism and Narcotics, I also endorse the two new special emphasis programs—"Alcoholic Counseling and Recovery" and "Drug Rehabilitation." I agree that the legal services program should be protected from delegation to any other existing Federal agency. I support the other provisions in the bill.

Mr. President, poverty can be eliminated or very subtantially reduced. We have seen impressive gains to date. We must continue to move ahead to insure equal opportunity and hope and a chance for a better living for all Americans. With this spirit and with this commitment, I support S. 3016 and hope that it will be passed by the Senate.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that a letter from the Resident Commissioner of Puerto Rico be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

> Congress of the United States,
> House of Representatives,
> *Washington, D.C., October 13, 1969.*
>
> Dear Senator: During floor debate early this week the Senate will consider the Economic Opportunity Amendments of 1969.
>
> As Resident Commissioner, I represent nearly 2.7 million U.S. citizens living in Puerto Rico, and I want to express my support and endorsement of the concepts contained in the legislation reported by the Senate Labor and Public Welfare Committee.
>
> Two features of the legislation, in particular, provide authority which, if enacted, would be of significant benefit to government personnel in Puerto Rico working on human resources problems.
>
> The first of these is Project Head Start which already provides needed educational, nutritional and health services for our preschool children.
>
> When this is combined with Follow Through, authorized by Title II of the legislation, Puerto Rico has the available means to bolster services at the pre-school and early childhood educational levels.
>
> The second is the reservation of funds under Title II of the legislation to provide $5 million for drug rehabilitation programs. These reserved funds, if added to existing and proposed authorizations, would give authorities in Puerto Rico additional and effective means in our continuing effort to control illicit drug traffic.
>
> I am grateful for your interest in your fellow-citizens in Puerto Rico.
>
> Sincerely,
>
> Jorge L. Córdova.

Mr. McGOVERN. Mr. President, I rise in support of S. 3016, the economic opportunity amendments of 1969. S. 3016 is a bill which will continue and expand the war on poverty for the next 2 years. It will expand those programs administered by the Office of Economic Opportunity which have been the most successful and the most needed by the poor—Headstart, legal services, neighborhood health services, opportunities and services for senior citizens, day care projects, programs for migrants and seasonal workers, and the emergency food and medical services program.

It is this latter program which has received the greatest expansion in funding under this year's poverty bill.

The emphasis which has been placed upon this program in the bill before us is both well deserved and necessary, for the EFMS Program has helped provide hungry families in hundreds of counties with thes assistance they need to buy food stamps and secure commodities.

In 1964 we declared, in the words of President Johnson, "unconditional war on poverty in America." We launched a campaign to educate, train, employ, house, clothe, provide legal services, a Headstart, health care and family planning for nearly 40 million poor Americans. But what we failed to do in 1964 was to declare war on what is now recognized as the most fundamental aspect of poverty: hunger and malnutrition. We left out of the battle plan for the war on poverty its most important single campaign—the elimination of hunger and malnutrition which afflicts between 10 and 15 million of our 25 million poor.

We passed the Food Stamp Act the same year we passed the Economic Opportunity Act, but we did not think of the food stamp program as part of the war on poverty. We thought of it as a way to help supplement but not meet the food needs of a few poor people and as a way to help the food business. But we did not design it and it has never been administered to fill the food-income gap which is the primary reason for the existence of hunger.

We even defined poverty, in 1964, using the cost of food as the base. Then as now, we say that a family of four whose income is less than three times the amount of money they need for food is a poor family. But when we declared war on poverty we focused upon the two-thirds of that income not related to food.

The Poverty Subcommittee discovered our error in 1967, almost 3 years later. It discovered that no effort to eliminate poverty can ignore the fact that people without enough to eat cannot hold a job or be educated.

We also discovered, in 1967, that the food stamp and commodity programs together served less than 5 million out of 30 million poor. We found that none of those 5 million received an adequate diet and that millions of others could not afford to participate in the food stamp program because they could not afford the cost of stamps. We discovered that most of the poor did not even know about food stamps or commodities and that the administration of those programs was so encumbered by bureaucratic redtape that many who did know could not become certified to participate.

The EFMS program was passed in response to these findings.

As a result, millions of Americans have benefited because the OEO had a mandate to do what the Congress did not give the Department of Agriculture authority to do under its food programs. The emergency food program was designed as both a stop gap and an experiment. As the committee points out, it now operates more than 400 projects covering about 1,000 counties. It has provided food aid in the form of cash or vouchers to purchase food stamps to those who could not afford the food stamp program; it has assisted in the distribution of commodities in commodity counties; and it has provided food in counties without family food assistance programs. It has provided services such as outreach and transportation and done all these things for the poorest of the poor who are the hungriest and the most desperate in need of help.

Let us look at the record. In its studies and field trips this year, the Select Committee on Nutrition and Human Needs has repeatedly found that the number of poor families who are actually participating in our family food assistance programs is abysmally low. Incredibly, only one of every five poor famiiles that live in counties which have a food stamp program are benefited by that program.

The problem of nonparticipation, even when a program is theoretically available, is particularly acute among families who do not receive welfare. These families are often the poorest of the poor. They do not receive even a modest welfare check. Many of them have never heard of our food programs, and those who have, lack the cash or transportation to do anything about it.

It is a tremendous tribute to the EFMS program that in the counties where it operates, participation by these abjectly poor families is 200–300 percent higher than in non-EFMS counties. I ask unanimous consent that a short table showing that program is doing just that—helping the poorest and hungriest of our citizens, be inserted in the Record at this point.

There being no objection, the table was ordered to be printed in the Record, as follows:

PARTICIPATION BY POOR FAMILIES IN FAMILY FOOD PROGRAMS: EFMS COUNTIES VERSUS NON-EFMS COUNTIES[1]

	Food stamp program participation by—		Commodity program participation by—	
	All poor	Nonwelfare poor	All poor	Nonwelfare poor
Counties with EFMS program	33	30	47	40
No EFMS program—poor counties	15	10	32	24
Nonpoor counties	13	6	24	27

[1] Based on participation in median county in each category as of February 1969. Poor county means 1 of 1,000 poorest counties in United States.

Mr. McGOVERN. Mr. President, it will no doubt be contended that even though the EFMS program has successfully provided emergency assistance to those most in need there is no longer a need for this program since the Senate has already passed a food stamp reform bill.

But that bill has not been enacted into law, and even if it is, there will still be a need for the specific services and experimentation which are at the heart of the EFMS program.

As the committee report points out, the Senate passed food stamp bill provides no funds specifically for the outreach, counseling and instruction of either food stamp or commodity program recipients.

The committee report stated:

> The Senate enacted Food Stamp Bill would by no means eliminate the need for OEO's emergency food program.
>
> Success of the reformed food stamp program will depend largely upon the ability of Federal and local agencies to provide outreach—to seek out eligible families, inform them of the program and their right to participate, and see that they are given the opportunity to become certified.
>
> The Senate Food Stamp Bill requires the Food Stamp Program be administered to insure that participants receive the necessary instruction and education so that they can spend their food stamps wisely. It also requires that it be administered to insure that all eligible families are informed of the program and assisted in becoming certified. This outreach and education effort would be conducted through existing Federal, State local and private agencies. The Senate Food Stamp Bill does not, however, provide funds for outreach and education services. Nor does it allocate funds authorized for the program for these purposes.

There is no better mechanism to provide outreach and education services than locally based community action agencies. These are the agencies best equipped to find the poor, inform them of the benefits of food programs, and see that those benefits are provided.

I shall not take further time to detail the other vital functions of the EFMS program. They are fully set forth in the committee report which describes in detail its research and development projects, seeking new ways to combat hunger and malnutrition. As the committee report states, EFMS is not merely a program designed to facilitate the use of other existing food assistance efforts, it is also a creative instrument finding new experimental approaches to feeding the poor and assuring their nutritional well being. This is a function which is performed by no other Federal agency including the Department of Agriculture. Even if there were no further need for emergency food assistance to fill the gap in our food stamp and commodity programs there is no doubt that the increased funds provided by S. 3016 for the EFMS program are needed for research and experimentation alone.

I commend the members of the Senate Labor Committee and particularly the chairman of the Poverty Subcommittee, for they have provided in this bill funds for a successful program which needs expansion and which as much as any other has helped eliminate hunger and malnutrition in this country.

SENATOR RANDOLPH ENDORSES S. 3016, THE OEO EXTENSION BILL, AS HELPFUL IN REDUCING POVERTY

Mr. RANDOLPH. Mr. President, a decade ago West Virginia was being characterized to the Nation as an abysmal pocket of poverty in an otherwise affluent America. Many of the descriptions presented a distorted picture, but it is also true that we were faced with a number of severe economic problems. People came to know how the transition of our principal industry, coal mining, to a highly automated procedure and the effects of a nationwide recession had caused unemployment, social dislocation and a lack of adequate public resources with which to attack these problems.

I am gratified to report that the situation of 10 years ago does not exist in West Virginia today. The unemployment rate has been substantially reduced, new and expanding industry has strengthened our economy, there has been widespread diversification to provide a more resilient base, and heavy public investment has aided in improving the quality of life. Our State still has problems, just as every other State does, but the West Virginia of 1969 is not the West Virginia of 1959. We are a better State.

Much of the progress we have achieved is due to the determination, resourcefulness and diligent work of the people of West Virginia. But they could not have achieved the very difficult turnaround and begun the strenuous uphill climb without the assistance afforded by a number of governmental programs. Such unique ventures as the Appalachian regional development program and the accelerated public works program have been of tremendous importance.

A leading role in ameliorating the problems of West Virginia has been performed by the Office of Economic Opportunity, through its war on poverty Creation of the Office of Economic Opportunity was a bold and venturesome step that generally has brought tangible dividends to the Nation and its people.

Thousands of West Virginia children have profited from the experiences of the Headstart program. Medical programs have helped improve the health of many. People have become involved in public decisions affecting them, and other aspects of the OEO's multifaceted attack on poverty and deprivation have made a direct impact in West Virginia and elsewhere.

There have, of course, been problems encountered in organizing and executing programs of the OEO. This is not unusual in any endeavor of such a magnitude and which approaches its task with the spirit of innovation that has characterized the OEO. The shakedown period is now completed, and the smoothing-out of administrative rough spots is reflected in the proposed legislation now before us. There are safeguards in effect and proposed that will preclude abuses of the humanitarian purposes of the effort to reduce poverty.

The proposed authorizations lean heavily toward provision for programs directly affecting people. Activities like Headstart, programs for migrant workers and elderly citizens and those providing medical services, food and legal services, all cope specifically with the needs of people.

Extension of the Office of Economic Opportunity as provided in S. 3016, a measure I helped to draft in the Labor and Public Welfare Committee, is essential if we as a people are to continue to be responsive to the needs of the less fortunate. I shall hope for the day when there is no need for the Office of Economic Opportunity, but until that time there must be an unstinting national effort to end the cycle of poverty by eliminating the root causes of economic hardship.

Mr. CRANSTON. Mr. President, I support S. 3016, a bill to provide for continuation of programs authorized under the Economic Opportunity Act of 1964.

There is overwhelming evidence that the extension and expansion of the Office of Economic Opportunity's programs is sorely needed. An August 1969, Census Bureau report showed 25,400,000 Americans living in poverty, redefined to mean less than $3,553 yearly income for a nonfarm family of four. OEO figures indicate that the present level represents a one-third reduction in poverty since OEO began its war in 1964. But statistics can be interpreted many ways and methods of measuring poverty have changed several times during that period.

Despite the significant achievements of OEO over the past 5 years, this staggering number of impoverished Americans, almost 13 percent of our population, makes manifest that our effort to eradicate the blight of poverty, especially among the 42 percent of the poor who are under 18, must continue and be vigorously pursued.

This is the crux of the recent dramatic report, "One Year Later," which stated:

> The cycle of poverty in the slums and ghettos has been slowed by the counterforce of the whirring economy. Unemployment is down and income is up, even in the hardest-to-reach places and categories of people. But the cycle of dependence, measured by the number of welfare recipients, has accelerated more than the (Kerner) Commission anticipated. . . . Progress in dealing with the conditions of slum-ghetto life has been nowhere near in scale with the problems. Nor has the past year seen even a serious start toward the changes in national priorities, programs and institutions advocated by the Commission. The sense of urgency in the Commission report has not been reflected in the Nation's response. One Year Later, published by Urban America, Inc., and the Urban Coalition, March 1, 1969.

In short, we are still committing far too few of our resources. We are still doing much too little, much too late. This

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lack of response to the inequities and inequalities deeply imbedded in our way of life is a substantial cause of much of the major unrest we have seen across the country—in our inner cities and on our campuses. The cost of doing the job well can be shown to be far less, in pure economic terms, than doing it badly or not doing it at all. And cost data is only part of the story. At least as vital is the cost in human misery, human values, and the human spirit. Although these are impossible to quantify, we should have little difficulty in recognizing the results of our failure to commit ourselves fully to the type of war on poverty first envisioned by President Johnson.

S. 3016 authorizes the appropriation of $2.34 billion for OEO programs during fiscal year 1970 and $2.732 billion for fiscal year 1971. This is, frankly, not enough to do the job well. But it continues and expands the efforts which have been helping to hold the line. And it does not seem to me that it is in any way excessive to call for an annual level of Federal expenditures to fight poverty at home roughly equal to what our Government spends in 5 weeks to fight a war in Southeast Asia.

More specifically, I wish to add my enthusiastic support to the proposed significant increase in authorization for the Headstart program. Last fiscal year $327 million was authorized for Headstart. The authorization levels in S. 3016 represent an increase of one-third above that level for fiscal year 1970 and two-thirds for fiscal year 1971. Even then, the number of Headstart children served will be only about 10 percent of the 6 million disadvantaged children under 6.

That is why I was a cosponsor of Senator MONDALE's excellent bill, S. 2060, the proposed Headstart Child Development Act of 1969, which would authorize a comprehensive approach to child development for disadvantaged infants and youngsters.

As the testimony on this bill so powerfully illustrated, Headstart, as presently constituted in the fourth and fifth year of a child's life, may more aptly be termed "catchup." And, as the Westinghouse Learning study indicates, it may well be too late at that point in life to make up the gap in a child's development—to overcome the debilitation and learning impairment which a disadvantaged environment may produce.

If "Headstart" or even a "fair start" is the goal, and I think it must be, the emphasis on prenatal care and the first several years of life which Senator MONDALE's bill makes is, I feel, urgently needed. Thus, S. 2060 would authorize approximately four times the amount of funds as were appropriated last fiscal year for Headstart.

What is really at stake as we consider the future direction of poverty programs is our national security; no less. Our survival as a great, democratic nation is, I believe, challenged at this point in time by our failure to establish the proper priorities to achieve security and opportunity for all our citizens.

No Federal investment promises more far-reaching and, hopefully, enduring effects than total commitment to a program at a level over 5 years sufficient to reach the full child population so badly in need of assistance, and to do so in the crucial earliest years. Thus, I hope that passage of the Headstart provisions of S. 3016 will not in any way preclude or postpone consideration of the type of comprehensive approach to child development as proposed in S. 2060.

I would like to focus specifically on one other poverty program—the legal services program—which I believe is absolutely vital to any meaningful effort to fight poverty, its causes, and manifestations. S. 3016 would authorize a two-thirds increase over the fiscal year 1969 level in appropriations for fiscal year 1970—to $74 million—and more than double the fiscal year 1969 level in fiscal year 1971—to $90 million.

The fiscal year 1971 authorization level, which the American Bar Association recommended in 1967, would permit hiring of 2,000 more attorneys and the opening of 200 new offices. Presently, there are at least 41 metropolitan areas—two of them in California, Glendale and Chico—with populations of over 75,000 persons without any organized legal aid services.

If the poor are to become meaningful participants in our society, they must have the same access to the courts and other tribunals as those able to hire attorneys to prosecute their claims and vindicate their rights through the judicial process. Providing for redress of grievances within legally constituted channels is the very stuff of which democracy is made. Gideon against Wainwright has settled once and for all that the right to counsel cannot be predicated upon a person's pocketbook. Certainly, life, liberty, and property are as involved in certain civil cases—such as those involving welfare payments, consumer fraud, pure food, housing conditions, air pollution—as they are in most criminal cases. Yet, on the civil side of our legal system, the poor are generally denied legal counsel as defendants and similarly have no one to prosecute their legitimate rights when an affirmative action is warranted.

Day after day all of us are becoming increasingly aware of a great need in this country to make our governmental and social institutions more responsive to the needs of the people. To a significant degree, all Americans—regardless of economic status or cultural background—feel a growing frustration in their attempts to cope with or affect the huge and impersonal institutions of our times. This lack of power or response creates an attitude of hopelessness which saps our strength and limits our horizons.

In no area of our society is this hopelessness so pervasive as with the poor. Frustrated by lack of job opportunities, degraded by racial discrimination, and often educationally deprived these persons are the least able to assert the rights and benefits accorded by our society.

Mr. Justice Douglas in a dissent to a dismissal of an appeal in Hackin against Arizona in 1967 stated:

> Rights protected by the first amendment include advocacy and a petition for redress of grievances . . . and the fourteenth amendment ensures equal justice for the poor in both criminal and civil cases . . .
>
> But to millions of Americans who are indigent and ignorant—and often members of minority groups—these rights are meaningless. They are helpless to assert their rights under the law without assistance. They suffer discrimination in housing and employment, are victimized by shady consumer sales practices, evicted from their homes at the whim of the landlord, denied welfare payments, and endure domestic strife without hope of the legal remedies of divorce, maintenance, or child custody decrees.

In recent years, legal services programs funded by OEO have had a significant impact, not only on the law, but on their clients and the surrounding community. For the first time, large numbers of poor persons have been able to redress grievances through the use of counsel. The courts and the law became friends and protectors rather than a system to be loathed or feared.

Some of the finest, brightest, young legal minds produced by our law schools are applying to legal services programs each year. Because of funding limitations many of these persons must be turned down. Attorneys who are accepted must battle unbelievable caseloads while attempting to unravel years of procedure, neglect, and discrimination in pursuing their clients' causes.

Despite these handicaps these lawyers and programs have won the hard earned respect of judges, private attorneys, and bar associations across the country. They have obtained significant victories for the poor in the areas of welfare, housing, and consumer abuses. In the process they have been able to prosecute these actions at a remarkably low cost per case.

In no State has the impact of legal services programs been more significant—or more successful—than my State of California. The California rural legal assistance program provides services for the rural poor and was the recipient of the first award made by the National Advisory Committee to OEO legal services as the most outstanding legal services program in the country. The impact of this program on its client population can be measured by the results of a recent survey which indicated that 64 percent of potential clients in three California counties were aware of the program. Only the name of the late President Kennedy drew a heavier recognition factor. Also, 57 percent of those surveyed—who had received CRLA Services—felt that the courts treated the poor fairly, whereas only 40 percent of those surveyed—who were not CRLA clients—had this same view.

I ask unanimous consent, Mr. President, that the following three reports detailing important work of legal services programs in California be printed in the RECORD in full at the conclusion of my remarks: An August 1, 1969, report of the Berkeley Neighborhood Legal Services; a report entitled "Rural California: Hope Amidst Poverty" by California Rural Legal Assistance; and on August 27, 1969, report prepared by the San Francisco Neighborhood Legal Assistance Foundation.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CRANSTON. Finally, Mr. President, I wish to note that section 9 of S. 3016 contains an amendment I offered in the Poverty Subcommittee and which was unanimously adopted by the Labor and Public Welfare Committee. That amendment would extend to former VISTA volunteers the identical length-of-service credit now accorded former Peace Corps volunteers who later gain Federal employment. This provision is fully explained on pages 44 and 45 of the committee report. I am grateful that the amendment, which is noncontroversial in nature, received the support of my colleagues on the committee and I commend it to the Senate.

I think it worthy of note that this disparity of treatment between former VISTA and former Peace Corps volunteers was called to my attention by one of my younger constituents—a former VISTA volunteer—Linda A. DeCoss of Ed Cerrito, Calif. And I wish to add to the private commendation I have already extended to her this public recognition of her contribution.

Thus, Mr. President, I urge all Senators to vote for S. 3016, to place the Senate squarely behind continuing the tremendously important fight to assist 25.4 million Americans in breaking the bonds of poverty.

Exhibit 1

Report to the Board of Directors of Berkeley Neighborhood Legal Services

BNLS LAW STUDENT PROGRAM EFFECTIVE IN INCREASING QUANTITY AND QUALITY OF SERVICE TO THE COMMUNITY

This summer Berkeley Neighborhood Legal Services has had on its staff part and full-time student volunteers, and also full-time students provided by the Law Students Civil Rights Research Counsel and the federal work-study program. The students are from Columbia University in New York City, Stanford University, Hastings College of Law, Boalt Hall (University of California at Berkeley), and the University of Chicago.

With this available manpower, BNLS has cleared up the backlog on its appointment list, has handled an average of 74 cases per week, and has given better and more service to more people in the community than has ever been possible before.

Under the program any client who calls or walks in is seen immediately by the student on duty that day (except divorce cases, which are still being handled on a special appointment-only list). The student takes sufficient information to determine whether the client is financially eligible. If the client appears financially eligible the student then takes in detail the information regarding the client's problem.

At 5:00 o'clock p.m., all of the students and all of the BNLS attorneys meet to discuss the problems that have come in that day. The student presents each client's legal problem in a short statement (written and oral) and the attorneys then engage, with the students, in a collective application of legal knowledge and analysis. If more investigation or further information is needed, the student is instructed to take care of it the following day and report back at the 5:00 o'clock p.m. conference. If the client's problem is determined to be non-legal, or to be a matter which should properly be referred to another attorney or to another agency, the student is instructed to make the referral by letter or by telephone.

If the legal problem is one which involves litigation or an extensive commitment of the resources of BNLS, the attorneys discuss the legal issues throughly to decide whether or not BNLS has resources available to take the case. They then determine which attorney shall handle it, and how it shall be handled.

This system has many advantages. Firstly, it permits law students to gain valuable experience and knowledge. Secondly, it saves the time of the attorneys and permits the handling of a much larger number of cases than has ever been possible before. Thirdly, the discussions among the attorneys permit the application of any given problem of maximum quantity of legal talent and experience for the sclution of every problem. Finally, it permits a quality control over the work of BNLS, in that any action or inaction by BNLS on the case of any individual must be agreed upon after full discussion.

BNLS WELFARE CASE DOCKETED IN SUPREME COURT OF THE UNITED STATES

On the 7th of July, 1969 Berkeley Neighborhood Legal Services docketed in the Supreme Court of the United States an appeal in the case of *Lewis v. Montgomery*, appeal No. 560 Misc., U.S. Sup. Ct. Berkeley Neighborhood Legal Services attorneys representing Mrs. Lewis are contending that a California statute is unconstitutional. Welfare and Institution Code Sec. 11351 permitted the Alameda County Welfare Department to deduct from the welfare budget of Mrs. Lewis and her needy children amounts which the welfare department claimed were "available" from the income of a male friend of Mrs. Lewis. The Welfare Department claimed that even if the amounts were not available, under the statute Mrs. Lewis's welfare grant could be reduced.

DIRECTOR OF BNLS SELECTED FOR LEGAL SERVICES COLLOQUIUM

The executive attorney of BNLS, Miss Carol Ruth Silver, has been chosen to attend a legal service colloquium at Vail, Colorado in August. As stated in the announcement of the award, the Colloquium will ". . . address the causes and possible remedies for certain of the fundamental institutional injustices victimizing poor communities throughout the nation. The colloquium has been undertaken as one response to both the complexity of those problems and the diverse competing demands ordinarily made upon the attention of legal service lawyers."

OEO GRANTS SUPPLEMENTAL FUNDS TO BNLS

BNLS has received a supplemental grant of $2,977 from the office of Economic Opportunity. This sum is granted out of an amount previously returned to OEO by BNLS for "B" year. It does not represent any increase in the size of the program, but permits BNLS to wipe out a deficit which has been carried along since the closing of the "B" year books.

FBI REQUEST AID OF BNLS IN FINDING PERSONS WILLING TO COMPLAIN ABOUT POLICE MISCONDUCT

The Justice Department and the FBI have requested the assistance of Berkeley Neighborhood Legal Services attorneys in finding persons who are interested in complaining about their treatment by peace officers during the recent disturbance in Berkeley. Any person wishing to make such a complaint is requested to speak with Mr. Koenig at the BNLS office.

STATISTICS ON CASELOADS FOR QUARTER ENDING JUNE 30, 1969

During the quarter ended the 30th of June, 1969 BNLS saw a total of 277 new cases, of which 251 were accepted. The breakdown of kinds of cases is as follows:

Cases accepted; quarter ending June 30, 1969:

Consumer and employment	32
Administrative (including welfare)	36
Housing	55
Family problems (including divorce)	58
Miscellaneous (including complaints against the police)	70
Total new cases accepted	251
Cases rejected	26
Total cases	277

During the same period 282 cases were closed, as follows:

Referred	27
Advice only	110
No litigation necessary	65
Litigated (include 64 domestic cases)	80
Total	282

Rural California: Hope Amidst Poverty

(By Cruz Reynoso, Director, California Rural Legal Assistance)

Poverty is not just a lack of money or education;
it is racial discrimination,
it is cultural difference,
it is a state of mind.
Most of all, it is a position of non-participation,
the symptoms of which are apathy,
fear,
lack of organization and involvement,
divisiveness,
resentment.
It is self-denigration.
The poor see the law and lawyers as oppressors.
They come in contact with lawyers when they are being sued,
when they have been arrested,
or when their children are in trouble.
The poor see the law as benefitting those with money
and with power.
The poor have little faith that the agents of the law
—the judges, police, lawyers—
will protect them,
the poor.
The poor see laws meant for their benefit ignored and unenforced.
Most of us see a different world—
Lawyers are officers of the court;
the judges (who sit on courts) uphold the law.
The policemen enforce the law.
The law is meant to be a protector of the weak
and of the common good.
Society cannot exist without laws
and without the enforcers of these laws
including lawyers.

California Rural Legal Assistance. . . .

The poor whom we have represented
have seen that the law can be a friend;
that the law can be a vehicle for protecting the rights of the poor;
that the laws meant for the protection of the poor can be enforced;
that the powerful, too, can be accountable.

These insights can be the beginning of hope among the poor
that the law and lawyers
will serve man
irrespective of station or wealth.

A FEW OBSERVATIONS

Rosendo Montana, farm worker, McFarland: "Growers and contractors should be made to have sanitary facilities out in the field for the workers. If there is such a law that these facilities have to be provided, I can't understand what the hang-up is. If it's a law, it's a law. And it should be obeyed. CRLA should help here. Mostly the law is to protect the growers and the rich. Most of the time, when a farm worker is in contact with the law it is because he is in trouble with the law, or the law is being used against him. And that isn't right."

California has one of the most extensive series of laws designed to protect the health and safety of farm workers in the nation. Government agencies charged with their enforcement have been derelict in their enforcement duties. CRLA has brought a number of suits, only some of which have been successful, seeking to compel the government to apply the standards set by the law to the rich as well as the poor.

Antonio Dorado, farm worker, Castroville: "I have worked for the same employer for more than a year. He grows artichokes, and I have no complaint with him. He is fair with me. Last year because of the rains I could not find work for about three months during the winter. This year when the rains come, I guess I won't be able to find work again. I don't like to have to get help from welfare. I want my self respect. I need unemployment insurance before the rains come so that I can have enough to give food and shelter to my eight children."

Every major occupational group but farm workers is covered by unemployment insurance. CRLA has a pending case seeking to provide this basic protection to every American farm worker.

Hector Reyes, community organizer, El Centro: "The government has a lot of programs, like the War on Poverty. I do believe that they are going wrong because they are trying to cure poverty without getting rid of the thing that causes povery. Can you see what I mean? Like you're trying to cure cancer with an aspirin. I think that one of the biggest problems is we got to take into consideration the people as a people, and we should try to teach the people their rights as a human being."

Most Federally-funded programs perpetuate dependence rather than encourage independence. Although most of CRLA's cases are service-oriented and designed solely to treat the symptoms of poverty, a number of its class action cases seek to deal with the causes of poverty. In addition, it has helped design various farm worker controlled corporations to produce housing and jobs.

CHARACTERISTIC PROBLEMS ENCOUNTERED BY CRLA

Rural poor need better educational opportunities

College for Farm Workers

In Gonzales, California, in a school district with a 50% student enrollment of Mexican descent, a young Mexican-American National Teacher Corps teacher was fired, and her husband's job as a school-home liaison representative eliminated, when she helped local high school students form a chapter of the Mexican-American Youth Association (MAYA). The primary function of MAYA was to encourage in Mexican-American students a pride in their cultural heritage, and to stimulate interest in further education among some who previously had accepted farm work as an end in itself. In part, the program attempted to awaken the students' interest in professional careers, such as medicine and law, and at least to encourage them to secure their high school diplomas. As a result of this dual emphasis, farm worker parents, who had always assumed that their children would be farm workers by the age of 17, began to encourage them to apply for college. A record number of Mexican-American students (35) thereafter applied under special minority-group programs at several local colleges. CRLA, after failing to convince the local school board to reinstate the fired teachers, was successful in securing a Federal Court order of temporary reinstatement.

(*Alavarez v. Force*, U.S. District Court for Northern California, No. 51089.) CRLA was joined in this suit by the Mexican-American Legal Defense and Education Fund.

Equal Education for Rural Poor

Although an equal education for all children is guaranteed by California's Constitution, local taxpayers are forced to absorb 70% of the costs of this state-guaranteed education without regard to their financial ability. Beverly Hills taxpayers, therefore, are able to provide their children with free musical instruments, intensive medical and psychiatric care, and remedial education, while rural taxpayers do not even have sufficient funds to secure an adequate number of teachers or to provide children with school transportation even when they reside three hours walking distance (10 miles) from the school. CRLA filed suit to alter this by requiring a more equitable rate of taxation and distribution of such sums throughout the state. However, as the result of a recent U.S. Supreme Court case, it dismissed its lawsuit without achieving the desired result. The Governor of California has recently proposed a plan whereby some of these tax inequities will be eliminated.

(*Silva v. Atascadero*, California Superior Court, San Francisco County, No. 595954.)

Majority Rule on School Facilities

California school children are denied adequate school facilities unless their parents can convince two-thirds of the voters in the school district to approve such facilities. As as result of this requirement, the will of the majority of voters favoring additional school facilities has been frustrated in 155 out of 218 instances in the last two years. In reliance on the Supreme Court's "one man, one vote" principle, CRLA has brought suit seeking to prevent a small minority from frustrating the education needs as determined by the majority.

(*Larez v. Shannon*, California Superior Court, Sutter County, No. 2657.)

Farmworker failure to participate in the community stems from a lack of stable, adequate employment.

Unemployment Insurance

Every major occupational group in the United States is covered by unemployment insurance benefits with the exception of one: farmworkers. A combination of Federal and State legislation precludes one of America's poorest and most seasonal occupational groups from these benefits. As a result of a CRLA lawsuit, a three-judge Federal Court is presently considering whether to declare that exclusion unconstitutional and order unemployment benefit coverage for farm workers. Should the Court so order, farm workers throughout the United States could receive approximately $250 million dollars per annum, and hundreds of thousands of them would be removed from dependence upon welfare assistance. Most important, job security would partially eliminate the need to be migratory, thereby keeping children in school throughout the year, and encouraging their parents to become involved in community affairs.

(*Romero v. Wirtz*, U.S. District Court for Northern California, No. 50213.)

Illegal Foreign Competition

Virtually every occupational group has restrictions, either by statute or professional code, on the number of persons who can practice their occupation. Farm workers are not only denied such benefits, but are faced with a continuous supply of cheap foreign labor competition. A number of CRLA lawsuits have sought to prevent illegal and unfair foreign competition without obstructing growers from securing an adequate supply of labor. Until CRLA brought a successful lawsuit on September 8, 1967, hundreds of thousands of foreign laborers (braceros) had been imported into California each year to compete with local farm workers. As a result, American citizens were forced upon welfare and deprived of work. Subsequent to CRLA's success in Federal Court, the U.S. Department of Labor on September 11, 1967, entered into a formal agreement with CRLA in which for the first time domestic farm workers were given a voice in determining future farm labor policies. Thus, in 1968 for the first time in 25 years, the U.S. Secretary of Labor announced that no foreign workers (braceros) would be imported into the United States. It is estimated that this decision provided $3 million dollars in additional income for local farm workers, a minimum of $1 million dollars in additional income to local merchants, and $750 thousand dollar savings to local welfare departments.

(*Alaniz v. Wirtz*, U.S. District Court for Northern California, No. 47807.)

Working Conditions

In 1965, California passed legislation which for the first time protected the farm worker's health and safety. Because of the inability of the appropriate government agencies to enforce the law, farm workers were compelled to go to court in a series of suits seeking what the law ordered: toilets, handwashing facilities, and drinking water for farm workers. As of the summer of 1969, neither the law of four years before, nor the conditions that the law sought to improve, had substantially changed.

(*Manriquez* v. *Mosesian*, California Superior Court, Kern County, No. 105175; *Garcia* v. *Kovaceirch*, California Superior Court, Kern County, No. 105072; *Perez* v. *Morales*, California Superior Court, Stanislaus County, No. 100602.)

Both local communities and the poor are often ignored by big government

Food and the Hungry

Congress has provided two Federal food programs to assist the poor; the Food Stamp and the (surplus) Commodity Distribution programs. As of December, 1968, 16 of California's 58 counties had refused to institute such programs. CRLA secured an injunction, before a three-judge Federal Court, to compel the U.S. Secretary of Agriculture to institute Federal food programs in each of these counties. On June 2, 1969, State Superintendent of Schools Max Rafferty joined CRLA in contending that the U.S. Secretary of Agriculture was discriminating against poor people and violating President Nixon's mandate that all hungry persons be afforded an opportunity for a minimal adequate diet. The State of California joined CRLA in this action primarily because the U.S. Secretary of Agriculture ignored the law and refused to comply with a binding Court Order to make food available for hungry persons in every California county. By the summer of 1969, California became the first large state in which every county was operating a Federal food program—CRLA, therefore, voluntarily dismissed its suit.

(*Hernandez* v. *Hardin*, U.S. District Court for Northern California, No. 50333.)

Federal Government Encourages Fathers Not To Work

Perhaps the most striking example of the Federal Government's failure to be responsive to the needs of the states, local communities, and the poor, is a CRLA case presently before a three-judge Federal Court seeking to abolish the "Don't Work" rule, a Federal welfare rule which discourages fathers from seeking employment and encourages them to desert their families. (Fathers can secure assistance for their children only if they refuse to work or desert their families.) U.S. Housing, Education and Welfare Secretary Robert H. Finch is at least equally concerned, and has submitted certain proposals to the President which could achieve legislatively the results CRLA seeks in its lawsuit:

(*Macias* v. *Finch*, U.S. District Court for Northern California, No. 50956.)

Divorce or Deprivation Welfare Rule

The Federal welfare structure encourages divorces, and frequently makes assistance for children dependent on the securing of a divorce without regard to the desires of the parents. Presently pending before a Federal three-judge Court is a CRLA action seeking to abolish this "Divorce or Deprivation" rule, which annually destroys thousands of California marriages and compels a similarly high number of persons to file fraudulant divorce proceedings. A preliminary order on behalf of the clients has been issued in this case.

(*Jenisch v. State of California*, U.S. District Court for Northern California, No. 48462.)

The "Divorce or Deprivation" case is presently before the three-judge Federal Court as a result of a prior CRLA case which was the first successful Legal Services case ever brought before the U.S. Supreme Court.

(*Damico v. State of California*, U.S. Supreme Court, No. 629 misc., Oct. term, 1967.)

The poor need to be able to speak for themselves, not to depend upon others to do so

The Right To Vote

Only one major group in America is denied the right to vote: the American of Mexican ancestry who is literate only in Spanish. As the result of special Congressional legislation, even illiterates are permitted to vote in certain states. In addition, Americans of Puerto Rican ancestry, despite being literate only in Spanish, are permitted to vote in most states. The irony and the irrationality of this is graphically illustrated in California. Despite the State's long and uniquely rich Spanish-Mexican heritage, and its 11% Spanish-surnamed population, Spanish literacy has not been sufficient as a basis for eligibility at the polls. The result of this inequitable exclusion has been an increasing loss of interest in community affairs by a group that helped write the California Constitution (in both Spanish and English) and which continued to be a real part of the California community until recent decades when the California Constitution was changed. CRLA presently has before the District Court of Appeals in California a case contending that it is unconstitutional to discriminate against persons who are literate in Spanish, especially since a large number of Spanish-language newspapers and radio stations serve these people. U.S. Attorney General John Mitchell recently suggested legislation (nation-wide abolition of literacy tests) that might achieve the same result.

(*Castro v. State of California*, California Court of Appeals, No. 33529.)

Water in the Desert

Imperial County lies at the southeast corner of California. It is part of the Colorado Desert, one of the most geologically arid regions in North America. The Imperial Irrigation District, through its control of waters from the Colorado River, has made this land into the fifth most productive agricultural county in the United States. On the other hand, it still has one of the highest percentages of poor anywhere in California. This paradox has occurred partially as a result of the Irrigation District charging abnormally low water rates to the grower and unusually high rates to the consumer. The Irrigation District has been successful in continuing this inequitable system solely because it has been unconstitutionally apportioned. The voters residing in districts serving growers have 5 times more voting power than their numbers would justify. As a result, CRLA, on behalf of Imperial County consumers, has brought suit to compel the Irrigation District to permit majority rule. The case was on appeal at the beginning of summer, 1969.

(*Girth v. Thompson*, California Superior Court, Imperial County, No. 40096.)

Right to Freedon of Association

Federal law guarantees to every major occupational group except farm workers the right to join a labor union. California is one of the few states that does protect farm workers. It prohibits employers from firing any worker, including a farm worker, merely for exercising his freedom of association by joining a labor union. Some growers have recently commenced to negotiate with such farm worker unions. On the other hand, at least a few growers have not only refused to negotiate with farm worker unions, but have proceeded to summarily fire workers who have exercised their legislatively-protected right to join a labor union. In one case, 9 skilled farm workers were fired when their employer discovered that they had joined the United Farm Workers Organizing Committee, AFL–CIO. CRLA filed a lawsuit on their behalf, and within four months the men were rehired and a full settlement was reached. As part of the settlement the farm workers were guaranteed a minimum annual salary of $4,500, protected from future firing by an arbitration clause, and their rights to join a labor union were fully recognized.

(*Wetherton v. Martin Produce*, California Superior Court, Monterey County, No. 63696.)

Farmworkers Need To Have a Share in the Free Enterprise System

The problems confronting farm workers and the rural poor cannot be resolved by litigation alone. The vast housing shortage in California is one graphic illustration of the limitations of lawsuits which, at best, can only serve to redistribute qualitatively and quantitatively inadequate housing. Another example is the shortage of job opportunities for seasonally employed farm workers. CRLA; in conjunction with a number of other community organizations, has attempted to use and cooperate with the vast business acumen and financial resources available within California to resolve some of these problems without resort to conflict or litigation. Described below are two free enterprise oriented programs CRLA has participated in—the first already in operation, the second recently proposed.

Rural Development Corporation

In 1968, California's U.S. Senators jointly announced the funding of a corporation to provide technical expertise and seed money for the construction of low-income housing in rural areas. The corporation, RDC, while operating in a fashion similar to other corporations, would seek to develop new methods of design and construction in order to facilitate housing at a cost within the reach of families at the poverty level. Predicated on the philosophy that home ownership encourages family stability and community interest, most of the corporation's efforts have been in the area of home ownership. A major project, involving relatively unique design and construction methods, has been started in Calexico, a California town bordering on Mexico and heavily populated by farm workers.

Economic Development Corporation

The fertile San Joaquin Valley has one of the highest unemployment rates in the nation—it exceeds 16% during the winter and is as high as 40% for minority groups. CRLA, in conjunction with a local community action program, has submitted a proposal for an Economic Development Corporation to be operated and owned by a combination of farm workers and local businessmen. It would attempt to capitalize on the seasonal nature of employment in this agricultural area by establishing seasonal manufacturing operations, requiring minimal capital investments, in which semi-skilled and unskilled labor is necessary. The business community would contribute its business and financial expertise, and the low-income persons their labor. An example of the type of light manufacturing item that would effectively utilize unskilled and semi-skilled workers without a substantial capital investment would be the manufacture of simple furniture such as garden furniture. Common stock with voting power in the corporation would be offered to all employes in combination with a public offering to the low-income community at large. The remainder of the capital investment would be from the local business and financial community. The expectation is that in the initial year a corporation would be formed employing approximately 30 persons, which would commence work on five similar-sized and related enterprises.

Statistical overview

CRLA has a potential client community of 577,000 persons. The percentage of poor families in rural California is over three times greater than in the urban areas of the state.

	Percent
Urban poor	13.2
Rural poor	43.1

Minority groups constitute a disproportionately high percentage of all California farm workers.

[In percent]

Anglos:	
Population	78.8
Farm workers	12
Mexican-Americans:	
Population	11.1
Farm workers	67
Non-white:	
Population	10.1
Farm workers	21

California agriculture is perhaps today's most profitable business. Revenue in 1968: over $4 billion dollars. Although only 2% of nation's farms produce 10% of national cash gross receipts from farming. 75% of state's workers employed on 7% of state's farms. 79% of agricultural land owned by 7% of the farms.

Average farm workers earnings in 1967: $2,024.

Industrial workers average 2,000 hours of work a year.

Farm laborers average 1,100 hours a year.

Four out of every 5 California farm workers live in sub-standard, dangerous housing.

One out of every 3 has no toilet facilities.

One out of every 4 lacks even running water.

Farm workers have the highest occupational disease rate in California.

Twenty-five percent more farm workers than workers in general are hospitalized for serious injuries on the job.

Thirty-six percent more babies born to farm worker mothers die than is true of other occupational groups.

Farm workers are not protected by unemployment insurance or collective bargaining legislation.

Despite laws protecting children, some rural school boards have closed schools at peak harvest to provide child labor for the fields.

The percentage of family heads in rural California with only a grade school education is over three times greater than in urban areas of the state.

Urban family heads: 12.7%.

Rural family heads: 41.7%.

Almost half of California's 58 counties have no free legal assistance programs.

CRLA provides legal services in 17 counties including 7 where it is the sole legal services program.

WHAT CRLA IS

History

California Rural Legal Assistance is a statewide law firm, funded by the Office of

XUM

Economic Opportunity to provide free legal services to many of California's rural poor. It was the first OEO program designed to assist farm workers, and its initial funding in June of 1966 in the amount of $1.276 million dollars represented the largest grant ever made by the OEO office.

During the first year of its existence, its central administrative office was established in Los Angeles, with nine regional law offices throughout the state. Despite often strong political pressures, the program has been refunded each year since. For two years, CRLA also maintained a special office to represent Indians in their peculiarly Indian problems. Recognizing the enormity and the uniqueness of these problems, CRLA was successful in securing independent funding for a program to exclusively serve Indians—"California Indian Legal Services."

In 1968, the central office was moved from Los Angeles to San Francisco as an efficiency-economy measure. As a result, the central office was placed substantially closer to a majority of the clients served by CRLA's nine regional offices and to the agencies and courts where most of their problems are sought to be resolved. An office was also opened in Sacramento to conduct an advocacy and legislative information program which would serve administrative agencies, the Legislature, and other rule-making bodies on issues affecting CRLA's client community.

In the same year, the firm was named the outstanding Legal Services Program in the nation by the Office of Economic Opportunity's National Advisory Committee for Legal Services "for its service to the cause of justice for the poor, through innovation, law reform, legislative work, and test cases."

Organization

Legal services are most effective in rural areas if they are provided on a statewide basis. This is true, partly because in the sparsely populated regions of the state there is often no single county with a population large enough to support a program of its own. It is also true because clients are frequently compelled by their work to migrate from one area of the state to another, repeatedly crossing county lines, and thus losing touch with attorneys whose operations are restricted by jurisdictional boundaries. A statewide organization provides a unique opportunity for correlation of activities for maximum efficiency, and for specialization in problems of particular concern in the rural population.

The CRLA staff, statewide, consists of approximately 120 persons, of whom about 40 are attorneys and 25 are liaisons with the local community (investigators, community workers), plus appropriate secretarial and clerical staff. The central office coordinates legal and agency matters throughout the state and houses the administrative staff for the entire organization.

Caseload and costs

During the calendar year, July 1, 1967, to June 30, 1968, CRLA accepted 10,351 new cases. Despite this average of 1,000 new cases per office, the median number of open cases per office was less than 150, indicating that there was a reasonably rapid resolution of the majority of the cases. Approximately 85% of CRLA's cases have been and continue to be conventional "service" cases—such as adoptions, wage attachments, and used car problems.

According to the monthly reports of CRLA regional offices, 25,877 clients were directly benefitted by these cases during the same calendar year, with indirect benefits being extended to as many as one million more persons because of the statewide effects of some of the cases handled.

The average cost per case during the same time span was under $100 ($96.26). This low cost was partially attributable to CRLA's low attorney-per-hour costs—$10.93 including overhead per hour as compared with a minimum of $25 per hour for associate attorneys in most California law firms. It is estimated that CRLA annually has produced income, or secured savings, to the California taxpayer in an amount in excess of one hundred times its yearly appropriation.[1]

Philosophy of service

Since its inception, the philosophy of CRLA has been to provide to the poor the same high quality of service that the wealthy client would expect from the law firm representing his interests. The poor, like the rich, are entitled to good lawyers who take the time to serve their needs. Just as the best large law firm represents business associations and groups of wealthy clients, because those groups have similar interests, so CRLA has acted as "house counsel" for groups of poor people. The problems which a poor person faces are not just his individual problems; all too often they are problems common to all the poor.

The wealthy have traditionally used the lawyer as an adviser—on what is best regarding his business, on what is best regarding his children's education, and on what is best regarding his employees. CRLA attorneys have attempted to be that type of resource for the poor—to advise regarding schools, jobs, housing and government. Those clients which CRLA has been able to serve, for it is only able to serve a fraction of those who need its services, have come to see the law as a vehicle for their betterment.

Poverty often brings despair and cynicism toward the possibility of change, individual and collective, through the legal order. The philosophy of CRLA has been and is that the poor, when served by vigorous, competent and high-minded lawyers, can have hope amidst poverty. Our short history confirms that this philosophy works.

LOCATION OF OFFICES

Central office

San Francisco, 1212 Market Street (415) 863–4911.

Regional offices

El Centro, Professional Building, Fifth and Maine Streets, Room 228 (714) 353–0220.

Gilroy, 22 Martin Street (408) 842–8271.

Madera, 529 South "D" Street (209) 674–5671.

Marysville, 116 7th Street (916) 742–5191.

McFarland, 335 Perkins Street (805) 792–2157.

Modesto, 405 "H" Street (209) 529–8452.

Salinas, 328 Cayuga (408) 424–2201.

Santa Maria, 109 East Cook, (P.O. Box 425) (805) 922–4563.

Santa Rosa, 1049 4th Street (P.O. Box 879) (707) 545–4610.

Legislative office

Sacramento, 901 "F" Street (916) 446–7901.

SAN FRANCISCO NEIGHBORHOOD LEGAL ASSISTANCE FOUNDATION

The San Francisco Neighborhood Legal Assistance Foundation averages 1130 new cases a month in its 6 offices throughout San Francisco. The following cases are representative of major litigation currently being handled by Foundation attorneys. However, the examples do not in any way cover all the substantive areas of law and types of activity in which the Foundation is engaged.

WACO v Weaver, US District Court No. 49053.

On December 26, 1968, Federal District Court Judge William Sweigert issued a preliminary injunction halting the $100 million renewal project in the Western Addition A–2 Area, until an acceptable plan had been approved, by the United States Department of Housing and Urban Development (HUD) and the Court, for relocating uprooted families. Federal law requires that HUD have satisfactory assurance that the local Redevelopment Agency will be able to relocate displaced persons into safe, decent and sanitary housing at rents which they can afford before the Agency can proceed with the project. Judge Sweigert's decision not only restrained HUD from further funding of the project, but also prohibited the local Redevelopment Agency from proceeding with the enforced displacement of residents by condemnation or threats of condemnation or by eviction or threats of eviction. It did not, however, halt demolition of buildings already acquired by the Agency and vacated by tenants. The injunction was to remain in effect until a plan could be agreed upon which, in the words of Judge Sweigert, would be "satisfactory . . . at least (in) that it assures reasonable and present availability of safe, decent and sanitary housing."

Following the decision there was extensive organizing activity in the Western Addition resulting in the formation of a Western Addition Project Area Committee (WAPAC) representing WACO and many other neighborhood organizations. WAPAC worked with the local Redevelopment Agency in preparation of a revised relocation plan which was acceptable to the community and allowed the resumption of redevelopment at the earliest time.

The suit had additional significance in that it was a class action brought on behalf of poor individuals and families residing in the project area. Previously the courts generally had held that persons who were about to be displaced from a renewal area did not have standing to sue on such issues, moreover, that such issues were not subject to judicial review.

The WACO decision produced reactions across the country; it can aid the urban poor in enforcing Federal law wherever redevelopment and urban renewal are scheduled. Its significance was noted in a New York Times article of December 28, 1968, which commented that urban renewal—"urban removal"— has traditionally been the enemy of the poor who are evicted from their homes and neighborhoods; new buildings are eventually constructed in their old neighborhoods at rents far above their means while no adequate alternate housing is provided for them.

Burns v. Montgomery, U.S. District Court, Northern District of California Civil Action No. 49018.

This was a companion case to *Thompson v Shapiro*, the Connecticut case decided in April, 1969, in which the United States Supreme Court held unconstitutional State's requirements that an applicant for welfare must have resided for at least one year in the state in which he is making his application, before he can be considered eligible. On June 20, 1969, Judge Alfonso J. Zirpoli granted plaintiffs' motion for summary judgment, thus enforcing the Supreme Court decision in California. Plaintiff Burns had filed this class action on behalf of applicants for welfare in California in October, 1967.

Ivy v Montgomery, San Francisco Superior Court Civil Action No. 592705.

August 11, 1969, Superior Court Judge

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[1] For example, $9 million per annum saved by the elimination of county subsidies to landlords, *Phillips v. Davenport*, California Superior Court, Monterey County, No. 64125; $3 million generated in income in 1968 through restrictions on foreign workers, *Alaniz v. Wirtz*, U.S. District Court for Northern California, No. 47807; $250 million saved in 1968 by the suit to prevent Medi-Cal cuts, *Morris v. Williams*, California Supreme Court, No. SAC–7817; and $10 million per annum saved by the food stamp case, *Hernandez v. Hardin*, U.S. District Court for Northern California, No. 50333. On the other hand, CRLA's annual budget is only $1½ million dollars.

Alvin E. Weinberger found for the plaintiffs in this class action challenging the adequacy of rental allowances for families receiving Aid to Families with Dependent Children (AFDC). The class action was filed in June, 1968, by two San Francisco AFDC mothers and one from Alameda County on behalf of all California AFDC recipients whose housing allowances fall short of the actual amount they have to pay for safe, healthful housing.

The court found invalid the cost schedules promulgated for each county in California as violating due process as they were drawn up without any prior notice or hearing to afford recipients an opportunity to present evidence of their actual housing costs. These schedules also violate State Department of Social Welfare (SDSW) regulations, by not being based on the actual current costs of housing in each county. Both the schedules and the SDSW regulation on which they are based were found invalid as in conflict with Welfare and Institutions Code Section 11452, which requires the State Director to promulgate housing schedules regulations which provide for safe and healthful housing.

The counties must immediately pay AFDC recipients the difference between the amount of their rental allowances and the amount they pay for safe healthful housing, up to the maximum. These payments must be made pending the adoption of a new cost schedule by the State Director, which will be based on the actual cost of safe healthful housing in each county.

Alvarado v. Orr, Supreme Court of California.

In early June, the California Supreme Court upheld the decision of Superior Court Judge Robert Drews in requiring the Department of Motor Vehicles to determine whether an uninsured driver might be at fault prior to suspending his driver's license, after his involvement in an auto accident.

The unanimous decision of the Supreme Court also indicated that such drivers are entitled to a court review of the Department's determination. When there is no reasonable possibility of the driver being held responsible for damages arising out of the accident, the reviewing court must order the Department to reinstate the license.

Prior to the Supreme Court decision, the Department made no effort to determine culpability. To keep his license, a driver was required to put up security covering the injury and property loss of the other driver. If unable to do so, his license was suspended. Since an automobile is an absolute necessity—for work, emergency medical care, etc.—the loss of the right to drive created a severe hardship for drivers who could not afford to post security.

McCallop v Universal Acceptance Corporation, Superior Court, No. 605038.

In June, 1969, the U.S. Supreme Court in a Wisconsin case, ruled that prejudgment garnishment violated an individual's right to due process of law and that he must have a chance to be heard in court before his wages can be attached.

The Foundation filed suit in San Francisco Superior Court in July, 1969, on behalf of San Francisco debtors whose wages had been attached prior to judgment. On July 11, 1969, Superior Court Judge John W. Bussey ruled that the Supreme Court decision applies to California debtors and that all debtors whose wages have already been attached are entitled to have their money refunded until there is a judgment against them for this amount. The San Francisco Sheriff, who holds the attachment money in a trust fund, was ordered to refund the money until the cases are decided.

This decision will affect many indigent debtors whose wages have already been attached, and will protect countless others from similar deprivation.

Santos v Alioto, San Francisco Superior Court, Civil Action No. 604203.

Two of the Hotel's residents filed suit in District Court on March 27, 1969, on behalf of all the residents, against the Mayor, various city agencies and owners of the hotel. The suit asked for injunctive relief against the demolition of the hotel and the eviction of its residents.

The Hotel has long served as the center of the Filipino Community. Many of the 196 residents have lived there for 20 years or more. Two thirds of the residents are over 65 years old. The majority are Filipino and most of the others are Oriental. Demolition of the Hotel would mean the destruction of the Filipino community and would cause most of the residents to relocate outside the City, thus losing their employment and generally causing a tremendous emotional upheaval in their lives. Neither the Milton Meyer Company nor the City had at any point assisted in the relocation of the tenants, an extremely difficult task in San Francisco, where low income rentals for minority group members is practically non-existent.

The saga of the Hotel began in June, 1968, when a demolition permit was issued for the Hotel, without any notice to the tenants. A week later the owners had a hasty informal hearing before the City Planning Commission, which approved a permit to create a parking lot on the land upon which the International Hotel is located. Again, there was not notice to the tenants. The hearings were held two days before the relevant sections of the City Code were changed to necessitate a formal conditional use hearing rather than the informal review granted to the Milton Meyer Company, which has title to the Hotel.

In November, the tenants were notified that they must vacate the Hotel by January 1, 1969. The climax was reached, however, on March 16, 1969, when a fire in the hotel caused the death of 3 persons, and seriously damaged the property. However, 4 days later, the Superintendent of Building Inspection stated at a Human Rights Commission Meeting that in his opinion there was no hazard that would require vacating the building.

The next week a hearing was held before the Director of the Department of Public Works concerning a complaint of the Superintendent of Building Inspection that the building was in violation of City codes. The Director found that building unsafe and ordered the owner to apply for a permit to begin repairs of the Hotel within 10 days or else the Director would, by a subsequent order, direct that the building be vacated and demolished.

It was at this point that the tenants filed suit. There were several other alternatives open to the Director. It was obvious that the owners would not spend money to repair a building which they wished to demolish, if they were given any alternative. The City could have ordered the repair of the building. It is also within the power of the City to assume the cost of repair itself to bring the building up to code standard. By virtually ordering its demolition, the City assumed the responsibility for the eviction of the tenants, thus passing the matter into the hands of the Sheriff who can bring criminal actions against non-compliant tenants. This would save the company the delay, trouble and expense of bringing unlawful detainer actions against each tenant.

After the filing of the suit, there were many public meetings at which the Foundation attorneys represented the tenants. At a Coroner's Jury on April 17, it was ruled that the deaths in fire were accidental, but that there was cause for further inquiry. At the Coroner's hearing, the Superintendent of Building Inspection testified that although substandard, the hotel was not on the priority list of some 1,000 multiple unit dwellings which are far below code, but which are not scheduled for demolition.

The problem of the International Hotel was finally resolved in the form of a stunning victory for the Filipino community. A three-year lease was signed on July 10, 1969, between the United Filipino Association and the Milton Meyer Company. The Center for Community Change, a Ford Foundation funded organization which assists community organizations signed as guarantor of the lease for the United Filipino Association. Under the terms of the lease, the UFA will pay the lessor a flat monthly sum. The UFA will be responsible for repairing the damage caused to the Hotel in the fire in March, 1969, and of gradually bringing the building up to code standard. The UFA will ensure that the Hotel maintains its central role in the Filipino community and that rents charged to tenants are based on the individual tenant's income. A rent schedule has been formulated designating the percentage of income to be charged for rent. This varies from 15% to 20%, according to the amount of income. At the same time as managing the Hotel and living up to the terms of the lease, the UFA is working on the building of a permanent home for elderly Filipinos to be completed before the lease expires in 1972. The Mayor has agreed to provide an acceptable site for the permanent facility as well as staff assistance in planning. The City has also agreed to cooperate in sensible code enforcement. The UFA now has all the rewards and responsibilities of a "ghetto business," and is actively engaged in learning how to run a hotel. This resolution of the problems surrounding the Hotel and its elderly residents was reached largely by negotiation and direct political action in the face of substantial political forces and after the legal machinery of the City had implicitly condoned the demolition of the Hotel and the displacement of its tenants. The Foundation, through its Director of Litigation, Sidney M. Wolinsky, and other attorneys, has been involved throughout the lengthy proceedings as attorney for the residents of the Hotel. Numerous other agencies and individuals have been involved, including planner Marshall Kaplan, the Human Rights Commission, Self Help for the Elderly, and the Center for Community Change.

Rios v. Rudolph, San Francisco Superior Court, Civil Action No. 599285; *Davis v. Rudolph,* San Francisco Superior Court, Civil Action No. 141588; *Gomez v. Rudolph,* San Francisco Superior Court, Civil Action No. 599286.

In January, 1969, the Foundation filed 3 suits against Rudolph Ford and Ralph Williams Ford, two major car dealers in the Bay Area. Each of the class actions attack a separate fraudulent practice or pattern.

The first suit alleges that defendants deliberately and repeatedly wrote into the contract a false monthly installment figure, and then altered the figure after the contract was signed. The second suit contends that the car dealers used a false warranty to entice buyers, but that the warranty was not binding and not honored. The third suit alleges that Rudolph Ford, Ralph Williams Ford and the other dealers had an overall plan to cheat the public. This plan included refusing to sell the advertised vehicle and attempting instead to sell a higher priced car, advertising vehicles for sale after they have in fact been sold, charging excessive rates on insurance, frequently requiring insurance to be purchased when not necessary, and pressurizing plaintiffs by means of "sweat-box" techniques. These techniques consist of passing the customer from salesman to salesman, having the buyer initial a large number of documents, and negotiating in a tiny and hot office—all techniques designed to confuse and put pressure on the customer.

Certain charges in the Foundation's suits parallel the attorney general's suit of December 16, 1969, against Rudolph Ford, which charged the firm with "fraudulent deceptive and unfair business practices . . . designed to confuse, mislead and through pressure, induce customers to sign a sales contract.

The Foundation's suits expanded upon the attorney general's suit by calling for rescission ("rollback" or "unwinding") of each of the car sale contracts, at the buyer's option they name individual defendants, such as Robert Rudolph and Ralph Williams, and allege still more fraudulent practices by the car salesmen and dealers.

Vanslayke v Williams Bayshore Chrysler Plymouth, San Mateo Superior Court Civil Action #146654.

In a suit filed July 17, 1969, in San Mateo Superior Court, customers of Ralph Williams Bay Shore Chrysler-Plymouth charged Williams and other Bay Area auto dealers with fraudulent sales and deceptive advertising.

The complaint charges the auto dealers offered to sell cars at monthly rates far lower than payments actually required by the purchase price, to get the customer to sign a sales agreement. Once the agreement is signed, the customer is told a mistake was made in figuring the monthly payments and the payments will have to be increased. The dealers are accused of similar price manipulations in calculating the costs of auto insurance. These practices, according to the complaint, are regularly used by dealers "to confuse, deceive and mislead customers in order to obtain their down payments and then trick and intimidate them into buying automobiles at higher monthly figures."

The suit also charges Williams and other dealers with making false and misleading statements in television advertisements and televising partial "views of automobiles which grossly misrepresent their actual physical condition."

Plaintiffs are seeking to enjoin Williams and other Bay Area auto dealers from continuing the alleged fraud and misrepresentation, and are asking for damages of $5,000 each from Williams. The suit, if successful, could directly affect auto dealers throughout the State.

Discovery is under way in all four auto cases, but none have as yet come to trial.

Mr. NELSON. Mr. President, have the yeas and nays been ordered on the passage of the bill?

The PRESIDING OFFICER. Yes. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

On this question the yeas and nays have been ordered, the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from California (Mr. CRANSTON), the Senator from Connecticut (Mr. DODD), the Senator from Mississippi (Mr. EASTLAND), the Senator from Oklahoma (Mr. HARRIS), the Senator from Michigan (Mr. HART), the Senator from Iowa (Mr. HUGHES), the Senator from Montana (Mr. MANSFIELD), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Wyoming (Mr. MCGEE), the Senator from Maine (Mr. MUSKIE), and the Senator from Alabama (Mr. SPARKMAN) are necessarily absent.

I further announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Georgia (Mr. RUSSELL), and the Senator from Mississippi (Mr. STENNIS), are absent on official business.

I further announce that, if present and voting, the Senator from California (Mr. CRANSTON), the Senator from Connecticut (Mr. DODD), the Senator from Oklahoma (Mr. HARRIS), the Senator from Michigan (Mr. HART), the Senator from Iowa (Mr. HUGHES), the Senator from Montana (Mr. MANSFIELD), the Senator from Wyoming (Mr. MCGEE), the Senator from Maine (Mr. MUSKIE), the Senator from New Mexico (Mr. ANDERSON), and the Senator from Arkansas (Mr. FULBRIGHT) would each vote "yea."

I further announce that if present and voting, the Senator from Georgia (Mr. RUSSELL) would vote "nay."

Mr. GRIFFIN. I announce that the Senator from Massachusetts (Mr. BROOKE), the Senator from New Jersey (Mr. CASE), the Senator from New York (Mr. GOODELL), the Senator from California (Mr. MURPHY), and the Senator from Texas (Mr. TOWER), are necessarily absent.

The Senator from Kentucky (Mr. COOK), the Senator from Kansas (Mr. DOLE), the Senator from Illinois (Mr. PERCY), and the Senator from Alaska (Mr. STEVENS), are absent on official business.

The Senator from Illinois (Mr. SMITH), is necessarily absent because of death in his family.

If present and voting, the Senator from Massachusetts (Mr. BROOKE), the Senator from Kentucky (Mr. COOK), the Senator from Kansas (Mr. DOLE), the Senator from New York (Mr. GOODELL), the Senator from California (Mr. MURPHY), the Senator from Illinois (Mr. PERCY), the Senator from Alaska (Mr. STEVENS), and the Senator from Texas (Mr. TOWER), would each vote "yea."

The result was announced—yeas 72, nays 3, as follows:

[No. 125 Leg.]

YEAS—72

Aiken
Allott
Baker
Bayh
Bellmon
Bennett
Bible
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Church
Cooper
Cotton
Curtis
Dominick
Eagleton
Ellender
Ervin
Fannin
Fong
Gore
Gravel
Griffin
Hansen
Hartke
Hatfield
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy
Long
Magnuson
Mathias
McClellan
McGovern
McIntyre
Metcalf
Miller
Mondale
Montoya
Moss
Mundt
Nelson
Packwood
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Saxbe
Schweiker
Scott
Smith, Maine
Spong
Symington
Talmadge
Thurmond
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—3

Allen
Goldwater
Gurney

NOT VOTING—25

Anderson
Brooke
Case
Cook
Cranston
McGee
Murphy
Muskie
Percy
Dodd
Dole
Eastland
Fulbright
Goodell
Russell
Smith, Ill.
Sparkman
Stennis
Harris
Hart
Hughes
Mansfield
McCarthy
Stevens
Tower

So the bill (S. 3016) was passed, as follows:

S. 3016

An act to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, to authorize advance funding of such programs, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Economic Opportunity Amendments of 1969."

EXTENSION OF ECONOMIC OPPORTUNITY ACT

SEC. 2. (a) Section 161 of the Economic Opportunity Act of 1964 is amended (1) by striking out "for which he is responsible", and (2) by striking out "three" and inserting in lieu thereof "five".

(b) Sections 245, 321, 408, 615, and 835 of such Act are each amended by striking out "three" and inserting in lieu thereof "five".

(c) Section 523 of such Act is amended by striking out "two" and inserting in lieu thereof "four".

AUTHORIZATION OF APPROPRIATIONS

SEC. 3. (a) For the purpose of carrying out the Economic Opportunity Act of 1964, there are hereby authorized to be appropriated $2,048,000,000 for the fiscal year ending June 30, 1970, and $2,148,000,000 for the fiscal year ending June 30, 1971.

(b) Notwithstanding any other provision of law, unless expressly in limitation of the provisions of this section, the amounts appropriated pursuant to subsection (a) of this section for the fiscal year ending June 30, 1970, and for the next fiscal year shall be allocated, subject to the provisions of section 616 of such Act, in such a manner that, of the amounts so appropriated for each such fiscal year—

(1) $890,300,000 shall be for the purpose of carrying out parts A and B of title I (relating to work and training programs);

(2) $46,000,000 shall be for the purpose of carrying out part D of title I (relating to special impact programs);

(3) $1,012,700,000 shall be for the purpose of carrying out title II, of which $338,000,000 shall be for the Project Headstart program described in section 222(a)(1), $60,000,000 shall be for the Follow Through program described in section 222(a)(2), $58,000,000 shall be for the Legal Services program described in section 222(a)(3), $80,000,000 shall be for the Comprehensive Health Services program described in section 222(a)(4), $25,000,000 shall be for the Emergency Food and Medical Services program described in section 222(a)(5), $15,000,000 shall be for the Family Planning program described in section 222(a)(6), and $8,800,000 shall be for the Senior Opportunities and Services program described in section 222(a)(7);

(4) $12,000,000 shall be for the purpose of carrying out part A of title III (relating to rural loans);

(5) $34,000,000 shall be for the purpose of carrying out part B of title III (relating to assistance for migrant and seasonal farmworkers);

(6) $16,000,000 shall be for the purpose of carrying out title VI (relating to administration and coordination);

(7) $37,000,000 shall be for the purpose of carrying out title VIII (relating to VISTA). If the amounts appropriated pursuant to subsection (a) of this section for any such fiscal year are not sufficient to allocate the full amounts specified for each of the purposes set forth in clauses (1) through (7) of this subsection, then the amounts specified in each such clause shall be prorated to

determine the allocations required for each such purpose.

(c) In addition to the amounts authorized to be appropriated pursuant to subsection (a) of this section, there are further authorized to be appropriated the following:

(1) $14,000,000 for the fiscal year ending June 30, 1971, to be used for the Special Impact programs described in part D of title I;

(2) $240,000,000 for the fiscal year ending June 30, 1971, to be used for the Project Headstart program described in section 222 (a) (1);

(3) $32,000,000 for the fiscal year ending June 30, 1971, to be used for the Legal Services program described in section 222(a) (3): *Provided*, That no part of any such funds shall be used to make any payment to any lawyer during the period that he is disbarred or suspended from the practice of law;

(4) $80,000,000 for the fiscal year ending June 30, 1971, to be used for the Comprehensive Health Services program described in section 222(a) (4);

(5) $150,000,000 for the fiscal year ending June 30, 1971, to be used for the Emergency Food and Medical Services program described in section 222(a) (5);

(6) $3,200,000 for the fiscal year ending June 30, 1971, to be used for the Senior Opportunities and Services program described in section 222(e) (7);

(7) $15,000,000 for the fiscal year ending June 30, 1971, to be used for the program of assistance for migrant and seasonal farmworkers described in part B of title III; and

(8) $50,000,000 for the fiscal year ending June 30, 1971, to be used for Day Care projects described in part B of title V.

AMENDMENT TO PROVIDE INCREASED FLEXIBILITY IN USE OF FUNDS

Sec. 4. Section 616 of the Economic Opportunity Act of 1964 is amended by—

(1) striking out "10 per centum" the first time it appears in the section and inserting in lieu thereof "15 per centum for the fiscal year ending June 30, 1970, and 20 per centum thereafter"; and

(2) striking out the following: "; but no such transfer shall result in increasing the amounts otherwise available for any program or activity by more than 10 per centum".

ADEQUATE LEADTIME

Sec. 5. (a) Part A of title VI of the Economic Opportunity Act of 1964 is amended by adding at the end thereof the following new section:

"ADVANCE FUNDING

"Sec. 622. For the purpose of affording adequate notice of funding available under this Act, appropriations for grants, contracts, or other payments under this Act are authorized to be included in the appropriation Act for the fiscal year preceding the fiscal year for which they are available for obligation."

(b) In order to effect a transition to the advance funding method of timing appropriation action, the amendment made by subsection (a) shall apply notwithstanding that its initial application will result in the enactment in the same year (whether in the same appropriation Act or otherwise) of two separate appropriations, one for the then current fiscal year and one for the succeeding fiscal year.

PARTICIPATION OF CHILDREN IN HEADSTART PROJECTS

Sec. 6. Paragraph (1) of section 222(a) of the Economic Opportunity Act of 1964 is amended by adding at the end thereof the following new sentences: "Pursuant to such regulations as the Director may prescribe, persons who are not members of low-income families may be permitted to receive services in projects assisted under this paragraph. A family which is not low income may be required to make payment in whole or in part for such services where the family's income is, or becomes through employment or otherwise, such as to make such payment appropriate."

TECHNICAL AMENDMENT REGARDING TIME OF APPROPRIATIONS OBLIGATION

Sec. 7. (a) Section 242 of the Economic Opportunity Act of 1964 is amended by inserting after the first sentence thereof the following new sentence: "Funds to cover the costs of the proposed contract, agreement, grant, loan, or other assistance shall be obligated from the appropriation which is current at the time the plan is submitted to the Governor."

(b) All obligations under the Economic Opportunity Act of 1964 which have been heretofore recorded substantially as provided in the amendment made by subsection (a) of this section are hereby confirmed and ratified.

NEW SPECIAL EMPHASIS PROGRAMS AUTHORIZED

Sec. 8. Section 222(a) of the Economic Opportunity Act of 1964 is amended by adding at the end thereof the following new paragraphs:

"(8) An 'Alcoholic Counseling and Recovery' program designed to discover and treat the disease of alcoholism. Such program should be community based, serve the objective of the maintenance of the family structure as well as the recovery of the individual alcoholic, encourage the use of neighborhood facilities and the services of recovered alcoholics as counselors, and emphasize the reentry of the alcoholic into society rather than the institutionalization of the alcoholic. Of the sums appropriated or allocated for programs authorized under this title, the Director shall reserve and make available not less than $10,000,000 for the fiscal year ending June 30, 1970, and not less than $15,000,000 for the fiscal year ending June 30, 1971, for the purpose of carrying out this program.

"(9) A 'Drug Rehabilitation' program designed to discover the causes of drug abuse and addiction, to treat narcotic and drug addiction and the dependence associated with drug abuse, and to rehabilitate the drug abuser and drug addict. Such program should deal with the abuse or addiction resulting from the use of narcotic drugs such as heroin, opium, and cocaine, stimulants such as amphetamines, depressants, marihuana, hallucinogens, and transquilizers. Such program should be community based, serve the objective of the maintenance of the family structure as well as the recovery of the individual drug abuser or addict, encourage the use of neighborhood facilities and the services of recovered drug abusers and addicts as counselors, and emphasize the reentry of the drug abuser and addict into society rather than his institutionalization. Of the sums appropriated or allocated for programs authorized under this title, the Director shall reserve and make available not less than $5,000,000 for the fiscal year ending June 30, 1970, and not less than $15,000,000 for the fiscal year ending June 30, 1971, for the purpose of carrying out this program."

AMENDMENT WITH RESPECT TO DIRECTOR'S AUTHORITY TO DELEGATE FUNCTIONS

Sec. 9. The authority of section 602(d) of the Economic Opportunity Act of 1964 shall not apply to the Legal Services program authorized under section 222(a) (3) of such Act. The Director of the Office of Economic Opportunity shall not delegate the program authorized under such section 222(a) (3) to any other existing Federal agency.

CREDITING SERVICE OF A VISTA VOLUNTEER

Sec. 10. (a) Section 8332 of title 5, United States Code, is amended as follows:

(1) in subsection (b)—

(A) strike out "and" at the end of clause (5);

(B) strike out the period at the end of clause (6) and insert in lieu thereof a semicolon and the word "and"; and

(C) add at the end thereof the following new clause:

"(7) a period of service of a volunteer under part A of title VIII of the Economic Opportunity Act of 1964 only if he later becomes subject to this subchapter."

(2) in subsection (j)—

(A) after "1956," in the first sentence, insert "the period of an individual's services as a volunteer under part A of title VIII of the Economic Opportunity Act of 1964,";

(B) before "volunteer or volunteer leader" in the second sentence, insert "volunteer under part A of title VIII of the Economic Opportunity Act of 1964 or as a"; and

(3) Before the period at the end of the last sentence, insert a comma and the following: "and the period of an individual's service as a volunteer under part A of title VIII of the Economic Opportunity Act of 1964 is the period between enrollment as a volunteer and termination of that service by the Director of the Office of Economic Opportunity or by death or resignation".

(b) Section 833 of the Economic Opportunity Act of 1964 is amended by—

(1) striking out in subsection (a) "subsection (b)" and inserting in lieu thereof "section 8332 of title 5 of the United States Code, and subsections (b) and (c) and this section"; and

(2) adding at the end thereof the following new subsection:

"(c) Any period of service of a volunteer under part A of this title shall be credited in connection with subsequent employment in the same manner as a like period of civilian employment by the United States Government—

"(1) for the purposes of section 852(a) (1) of the Foreign Service Act of 1946, as amended (22 U.S.C. 1092(a) (1)), and every other Act establishing a retirement system for civilian employees of any United States Government agency; and

"(2) except as otherwise determined by the President, for the purposes of determining seniority, reduction in force, and layoff rights, leave entitlement, and other rights and privileges based upon length of service under the laws administered by the Civil Service Commission, the Foreign Service Act of 1946, and every other Act establishing or governing terms and conditions of service of civilian employees of the United States Government: *Provided*, That service of a volunteer shall not be credited toward completion of any probationary or trial period or completion of any service requirement for career appointment."

(c) The amendments made by subsections (a) and (b) of this section shall be effective as to all former volunteers employed by the United States Government on or after the effective date of this Act.

AUDIT REQUIREMENT

Sec. 11. Section 243 of the Economic Opportunity Act of 1964 is amended by adding at the end thereof the following new subsection:

"(e) The Comptroller General of the United States or any of his duly authorized representatives shall have access for the purpose of audit and examination to any books, documents, papers, and records that are pertinent to the financial assistance received by any agency under this title."

USE OF CLOSED JOB CORPS CENTERS FOR SPECIAL YOUTH PROGRAMS

Sec. 12. (a) Notwithstanding any other provision of law, the Director of the Office of Economic Opportunity shall establish procedures and make arrangements which are designed to assure that facilities and equipment at Job Corps centers which are being discontinued will, where feasible, be made available for use by State or Federal agencies and other public or private agencies, institutions, and organizations with satisfactory arrangements for utilizing such facilities and equipment for conducting programs, especially those providing opportunities for low-income disadvantaged youth, including, without limitation—

(1) special remedial programs;

(2) summer youth programs;

(3) exemplary vocational preparation and training programs;

(4) cultural enrichment programs, including music, the arts, and the humanities;

(5) training programs designed to improve the qualifications of educational personnel, including instructors in vocational educational programs; and

(6) youth conservation work and other conservation programs.

(b) To achieve the objectives of this section, the Director of the Office of Economic Opportunity shall consult with, elicit the cooperation of, and utilize the services of the Administrator of the General Services Administration, and the Secretaries of Agriculture, of the Interior, and of Labor.

AMENDMENT WITH RESPECT TO THE GOVERNOR'S VETO

SEC. 13. Section 242 of the Economic Opportunity Act of 1964 is amended by——

(1) striking out "In" and inserting in lieu thereof "Except as provided in the second sentence of this section, in";

(2) inserting after the first sentence thereof the following: "No portion of any contract, agreement, grant, loan or other assistance made with, or provided to carry out the provisions of section 222(a)(3) of the Act (relating to the Legal Services program) shall be made with or provided to any State or local public agency or any private institution or organization for the purpose of carrying out such provisions within a State unless a plan setting forth such proposed contracts, agreement, grant, loan or other assistance has been submitted to the Governor of the State, and such plan has not been disapproved, in whole or in part, by the Governor within thirty days of such submission."; and

(3) by adding the following new subsection:

"(b) Nothing in subsection (a) of this section shall be construed to deny the President the nondelegable authority to reconsider any plan disapproved by the Governor if the President finds the plan to be fully consistent with the provisions and in furtherance of the purposes of this title."

AMENDMENT WITH RESPECT TO WITHHOLDING CERTAIN FEDERAL TAXES BY ANTIPOVERTY AGENCIES

SEC. 14. (a) Upon receipt of any amount of a payment made pursuant to a grant, contract, agreement, loan or other assistance made or entered into under the Economic Opportunity Act of 1964 the recipient shall set aside a portion of the amount so received sufficient to satisfy the expected liability of the recipient for the taxes imposed by chapters 21 and 23 of the Internal Revenue Code of 1954.

(b) Upon notice from the Secretary of the Treasury or his delegate that any person otherwise entitled to receive a payment made pursuant to a grant, contract, agreement, loan or other assistance made or entered into under the Economic Opportunity Act of 1964 is delinquent in paying or depositing (1) the taxes imposed on such person under chapters 21 and 23 of the Internal Revenue Code of 1954, or (2) the taxes deducted and withheld by such person under chapters 21 and 24 of such Code, the Director of the Office of Economic Opportunity shall suspend any portion of such payment due to such person and shall not make or enter into any new grant, contract, agreement, loan or other assistance under such Act with such person until the Secretary of the Treasury or his delegate has notified him that either such person is no longer delinquent in paying or depositing such taxes or that adequate provision has been made for such payment.

Mr. NELSON. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to make technical and clerical corrections in the engrossment of S. 3016.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. JAVITS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HOLLAND. Mr. President, I voted "yea" for the passage of this bill largely because of the fact that I do strongly support the Headstart program. I want it distinctly understood that there are other portions of the bill which I do not favor, and that I reserve the right, in the hearings on appropriations, to consider them on what I think are their very small merits.

I might state also that I voted for this bill, in some measure, because of the cordial and conciliatory way in which the matter has been handled on the floor, particularly in the most recent discussions. I want it to be clear that I do favor Headstart, and that much of the rest of the bill I do not favor.

Mr. NELSON. Mr. President, I should like to say, first, that as chairman of the subcommittee I appreciate very much the wonderful cooperation that I have received from the Senator from New York (Mr. Javits) and all the members of the minority who have worked with us over the past 6 months, off and on, through the hearings and in the markup, in order to develop what I think is a genuinely bipartisan bill. It could not have been done without the kind of spirit of cooperation that was manifested by the minority at all times; and, though we had differences from time to time, I think we resolved them with honest and fair compromise on each occasion.

I also wish to thank the members of the majority who worked so hard and cooperated so fully in getting this bill together, and as well the hard-working members of the staff on both the minority and the majority sides, who did the yeoman work of researching and putting the details of the committee report and the bills together, and performed all the various kinds of work without which we could not have gotten any bill before the Senate at all. I particularly wish to thank the majority staff of the subcommittee—William Bechtel, William Spring, Richard Johnson, Carol Williams, and Carole Dunn, and the minority staff—John Scales, Jo Ann Newman, Betty Noble, and Whitney Stewart.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. NELSON. I yield.

Mr. JAVITS. I realize that whenever a difficult and important bill is over, these things are said; but the amount of work that goes into getting a job like this completed by committee members and staff is so great, and the degree of public spirit which is displayed in the compromise of views very deeply and sincerely held is so great, that it must be credited.

I had the invaluable assistance of Mr. Scales, the minority counsel on this particular subcommittee.

The Senator from California (Mr. Murphy) is the chairman of the subcommittee. I am the ranking member of the whole committee and a member of the subcommittee. Senator Murphy would be speaking if he were here today. He did a remarkable job himself. He was most understanding and cooperative.

I wish to express my real satisfaction to the Senator from Wisconsin (Mr. Nelson), who epitomized the attitude he has exhibited toward members of the committee by the graciousness with which he handled the problem we had about an amendment following Senator Murphy's necessary departure for California.

I compliment also the majority staff for the very hard work they have done, particularly William Bechtel, Richard Johnson, William Spring, Carole Dunne and Carol Williams. The satisfaction from these efforts comes through the realization of what is done for millions of Americans by virtue of the bill we have acted upon; and I think the members of the staff can very well feel that they have had a really creative part—as much as we—in the final result.

Other members of the majority who were very active on this bill included the Senator from Minnesota (Mr. Mondale), the Senator from West Virginia (Mr. Randolph), and the Senator from Massachusetts (Mr. Kennedy); and, of course, without our chairman, the Senator from Texas (Mr. Yarborough), the bill would never have come to the floor; for the cooperation and leadership of the chairman of the committee is indispensable.

On the minority side, this debate on the bill could have been extended interminably by the Senator from Colorado (Mr. Dominick), the Senator from Vermont (Mr. Prouty), and the Senator from California (Mr. Murphy); but, feeling that they wanted the bill expedited, they handled the parts where they disagreed with great understanding and expedition, with the result of getting the bill passed in a day and a half. I am very grateful to them, and again I state I feel that the reward will come in the realization of the good we do.

Mr. YARBOROUGH. Mr. President, as chairman of the Committee on Labor and Public Welfare, I congratulate particularly the Subcommittee on Manpower and Poverty for their fine work on this bill, as exhibited on the floor of the Senate today. There has been great cooperation on the subcommittee between the majority and minority members, as cited by the distinguished ranking minority member of the committee, the Senator from New York (Mr. Javits), in bringing out a bill that authorizes the appropriation of more money, despite all the attacks on the poverty program, than was spent last year, and we think to better purposes. There have been some transfers and a shaking out of the less successful programs, with better support for the more successful programs. I believe the bill as passed represents a consensus of the views of both parties.

I particularly congratulate the distinguished Senator from Wisconsin, the chairman of the subcommittee (Mr. Nelson), who held long and arduous hearings, and the members of the minority who participated in them. As chairman of the full committee, I thank the members who attended the hearings and gave us their support. It is not easy to obtain a quorum these days. We have a rule in our committee that it can vote only with a majority of the committee present. Some committees do not have that rule. It was sometimes difficult, due to the absence of Senators for illness and other reasons, to obtain a quorum.

I believe we brought out a good bill, which, with the mine safety bill, the construction safety bill, and a number of other bills, adds up to a very significant record of accomplishment for the committee this year. I feel privileged to serve on the committee with the other 16 members, all diligent men, from both parties. The passage of this bill is another significant achievement they have attained through winning the confidence of the Senate on all but, I beileve, two amendments. After 2 years of one of the most controversial programs in the history of the Nation, to bring this major bill before the Senate and achieve its passage with only two contested amendments is, I think, a wonderful achievement for the committee.

Mr. KENNEDY. Mr. President, first of all, I commend the chairman of the Subcommittee on Manpower and Employment, as have the rest of my colleagues. I think few pieces of legislation which have come before the Senate have had a more direct effect on the lives and well-being of the people than will this measure.

As we all know, the history of this program has been that of a program which has done great good. It has been the subject of significant controversy as well. But any kind of endeavor which addresses itself to really meeting critical human needs and human problems would naturally engender some controversy.

I believe the chairman of the subcommittee has performed an extremely and sensitive service to the Senate. I commend the Senator from Wisconsin (Mr. Nelson) for his work on the legislation.

I commend the minority Members who have performed so well in the development of the legislation.

Mr. BYRD of West Virginia. Mr. President, I add my comments to those Senators who have expressed appreciation and admiration for the excellent work of the able Senator from Wisconsin (Mr. Nelson) in managing the bill on the floor today. I commend also the ranking minority member of the subcommittee, the senior Senator from New York (Mr. Javits).

It was a very fine display of work on the part of the Senator from Wisconsin and a very fine display of leadership with respect to a difficult bill to manage.

I voted for the bill, although there were certain aspects of the poverty program which I do not support on the basis of our experience in the operation of the program. However, I expect to vote to support reductions in appropriations when the time comes. And I reserve my right to do so with respect to those programs which I do not fully support.

I again compliment the able Senator and the members of the Subcommittee on Employment, Manpower, and Poverty.

AGREEMENT WITH CANADA RELATING TO ADJUSTMENTS IN FLOOD CONTROL PAYMENTS TO THE CANADIAN GOVERNMENT—REMOVAL OF INJUNCTION OF SECRECY

Mr. KENNEDY. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from Executive H, 91st Congress, first session, the "Texts of Notes Constituting Agreement with Canada Concerning Adjustments in Flood Control Payments," dated August 18 and 20, 1969, transmitted to the Senate today by the President of the United States, and that the agreement, together with the President's message, be referred to the Committee on Foreign Relations and ordered to be printed, and that the President's message be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the approval of the Senate, I transmit herewith the texts of two notes, signed at Washington and dated August 18 and 20, 1969, constituting an agreement between the Government of the United States of America and the Government of Canada concerning adjustments in the flood control payments by the United States Government to the Canadian Government as a result of early completion of projects (Arrow Dam and Duncan Dam) contemplated by Article II (2)(b) and (c) of the Columbia River Treaty.

It is provided in the agreement that it will enter into force upon notification by the United States Government to the Canadian Government that all internal measures necessary to give effect to the agreement for the United States have been completed.

Pursuant to the treaty relating to cooperative development of the water resources of the Columbia River basin signed at Washington on January 17, 1961, Canada constructed the Duncan Dam and the Arrow Dam in British Columbia. The treaty provides that the United States shall pay to Canada specified sums with respect to each of the dams for the flood control benefits. The sums specified were based on a period of 55 years of flood control benefits, and it was expected that the projects would be completed subsequent to the spring of 1969. The dams actually commenced operation well in advance of the expected dates, so that the United States has received additional benefits for two years in the case of Duncan Dam and one year in the case of Arrow Dam.

The treaty provides that the United States would pay less if full operation of the storage were not commenced within the time specified, but does not provide for additional payments if such operation were commenced prior to the time specified. By an exchange of notes dated January 22, 1964, prior to the entry into force of the treaty, the two Governments agreed to consult with a view to adjustments in the payments if there should be an early completion of the dams. The agreement transmitted herewith has resulted from such consultation. It provides for a payment to Canada of a total of $278,000 for the additional flood control benefits resulting from early completion of Duncan Dam and Arrow Dam.

The treaty of 1961 does not without modification provide a basis for authorizing the additional payments. It is desirable, therefore, that in effect the treaty provisions be modified so that there may be an adequate legal basis for an authorization for appropriations. The notes of August 18 and 20, 1969 have been exchanged for this purpose.

I also transmit for the information of the Senate a report by the Secretary of State relating to the agreement effected by that exchange of notes.

I urge that the Senate give early and favorable consideration to the agreement concerning adjustments in the flood control payments by the United States Government to the Canadian Government.

Richard Nixon.

THE EISENHOWER DOLLAR

Mr. KENNEDY. Mr. President, I move that the Senate proceed to the consideration of calendar No. 447, Senate Joint Resolution 158. I do this so that it will be the pending business.

The PRESIDING OFFICER. The measure will be stated by title.

The Assistant Legislative Clerk. A joint resolution (S.J. Res. 158) to authorize the minting of clad silverless dollars bearing the likeness of the late President of the United States, Dwight David Eisenhower.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Massachusetts.

The motion was agreed to; and the Senate proceeded to consider the joint resolution.

Mr. DOMINICK. Mr. President, at the appropriate time tomorrow I will offer a substitute for the resolution which would provide for a dollar with 40 percent silver in it for 3 years, followed by the cupro-nickel clad type.

For the Record, there will be a vote tomorrow as soon as I can get it after we have had a chance to debate the matter.

Mr. KENNEDY. Mr. President, by agreement there will be no vote on this matter today. It will be unfinished business when the Senate convenes tomorrow.

ORDER FOR ADJOURNMENT

Mr. KENNEDY. Mr. President, I ask unanimous consent that when the Senate adjourns this evening, it stand in adjournment until noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADMINISTRATION ACCEPTS INCREASED UNEMPLOYMENT

Mr. PROXMIRE. Mr. President, it is time for the Nixon administration and its economic policymakers to specify the detailed plans and policies they have prepared to deal with added unemployment if the rate should continue to rise.

I have sent a letter to Secretary of the Treasury Kennedy asking for the administration's detailed plans to deal with such an adverse economic situation.

Secretary of the Treasury Kennedy testified before the Joint Economic Committee last week that the 4-percent jobless rate was acceptable. But he and Budget Director Mayo indicated that they had no plan or program to deal with a further rise in unemployment. They have no plans to deal with joblessness if it becomes a more serious problem than the present inflation.

Later the Secretary recognized the serious consequences of this position and said the administration is unhappy with any increase in unemployment including that suffered last month.

He also said the administration is prepared to act decisively if unemployment rises too sharply. But the administration was unable to give our committee any specific program to combat rising unemployment other than a termination of the President's public works cutback order. This termination as Mr. Mayo admitted would have a minuscule effect on employment.

This is both a shocking and disheartening situation. Joblessness and unemployment are the most shameful wastes of all. They waste time, skills, and human resources which can never be recouped.

Furthermore, the Nation will be far less willing to take the unpopular steps to deal with the serious problem of inflation and the continuing steep rise in prices if there is no plan or no policy to head off a higher level of unemployment than now exists.

I have addressed my letter to the Secretary in the hope that it may induce some long overdue planning on the administration's part.

Any administration should be thoroughly prepared with specific plans for adverse economic eventualities. This is especially true for a problem as highly sensitive as increasing unemployment.

We no longer operate in the climate of the early 1930's. The Nation is as unwilling to purchase price stability at the expense of full employment as it is equally unwilling to purchase full employment at the expense of high prices.

But according to the testimony of two of its chief economic policymakers, Secretary Kennedy and Budget Director Mayo, the administration has no major program to halt inflation except high interest rates and tight money. Equally, they testified the administration has no plans to stop unemployment if the jobless rates continue to go up.

We now face a twofold danger. Not only does inflation exist but we also face the prospect that it will be combined with excessive unemployment.

That would be the worst of both worlds. We need leadership from this administration to combat both problems.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT

Mr. KENNEDY. Mr. President, I move in accordance with the previous order that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. The motion was agreed to; and (at 5 o'clock and 59 minutes p.m.) the Senate adjourned until tomorrow, October 15, 1969, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate, October 14, 1969:

IN THE MARINE CORP

The following-named officers of the Marine Corps Reserve for permanent appointment to the grade of major general:

Douglas J. Peacher
Charles T. Hagan, Jr.

The following-named officers of the Marine Corps Reserve for permanent appointment to the grade of brigadier general:

John R. Blandford
William J. Weinstein
Harold L. Oppenheimer

HOUSE OF REPRESENTATIVES—*Tuesday, October 14, 1969*

The House met at 12 o'clock noon.

Rev. Richard T. Gaul, S.J., director of development and alumni, Jesuit High School, El Paso, Tex., offered the following prayer:

Unless the Lord guard the city, they labor in vain who build it.—Psalms.

Heavenly Father, teach our lawmakers to hear their constituents but to heed their own consciences, to make laws the people can accept because You, Father, have already blessed them. Teach them to consult You on Capitol Hill as Moses consulted You on the hill of Sinai, that so You may deliver into their hands laws filled with Your knowledge, Your wisdom, and Your fatherly love.

Teach them that a public office is a public trust but that America puts all its trust in You who alone give us reason to trust one another as brothers of a common Father. Heavenly Father, bless our President, the Speaker of this House, and all its Members, as together we pray: Direct all our actions by Your holy inspirations, help us to carry them on by Your gracious assistance so that every word and work of ours may begin in You and happily find its completion in You, our Father in Heaven. Amen.

FATHER RICHARD T. GAUL, S.J.

(Mr. WHITE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WHITE. Mr. Speaker, today this House is honored to have Father Richard T. Gaul, S.J., deliver the invocation. It is apparent from the depth of the prayer and its poetic and theological balance that Father Gaul is a human being of considerable substance. His background, reflected in this prayer, is witness to the depth and insight resulting from years of dedication to mankind.

He was born 1903 in the western hills of Massachusetts at Pittsfield, where he was reared and was educated in his early years. From these solid beginnings of his New England upbringing, his motivations led him, after his graduation from Holy Cross college in Massachusetts to enter the Society of Jesus, in Macon, Georgia, in August 1921 to dedicate his life to his fellow man. The course of his life has taken him crisscross through the Southland and Southwest of the United States, each position being one of responsibility and service to men of all faiths. Among other positions, he served as dean of men at Springhill College, in Mobile, Alabama, during the trying years of World War II. He then was made pastor of the Church of Immaculate Conception, in El Paso, Tex., and while in that capacity served as the first superintendent of Catholic Schools in El Paso, Tex.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 1471. An act to amend chapter 13 of title 38, United States Code, to increase dependency and indemnity compensation for widows and children, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 13194) entitled "An act to amend the

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Higher Education Act of 1965 to authorize Federal market adjustment payments to lenders with respect to insured student loans when necessary in the light of economic conditions, in order to assure that students will have reasonable access to such loans for financing their education."

The message also announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S.J. Res. 54. Joint resolution consenting to an extension and renewal of the interstate compact to conserve oil and gas.

TO DECLARE A NATIONAL DAY OF PRAYER AND CONCERN FOR AMERICAN SERVICEMEN BEING HELD PRISONER IN NORTH VIETNAM

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from the further consideration of the joint resolution (H.J. Res. 910) to declare a National Day of Prayer and Concern for American servicemen being held prisoner in North Vietnam, and ask for immediate consideration of the joint resolution.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. Res. 910

Whereas the inhuman treatment of our military men who are prisoners of war in North Vietnam is now well documented; and

Whereas the families of many of these men are not sure whether or not these men are alive; and

Whereas the citizens of this Nation have a moral obligation to assure these families that they have not been forgotten: Now therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That November 9, 1969, be declared a national day of prayer and concern on behalf of the American servicemen being held prisoner by the North Vietnamese.

Mr. WHITEHURST. Mr. Speaker, I am heartened today that the House has seen fit to pass the resolution calling upon President Nixon to declare Sunday, November 9, a National Day of Prayer and Concern for our airmen who are prisoners in North Vietnam.

Mr. Speaker, several weeks ago several hours were devoted on this floor to the plight of these men. Their wives and loved ones filled the gallery listening to our words of concern. We cannot let that be an isolated incident to be quickly forgotten in the face of those voices being raised for an immediate pullout. We need to call the attention of all Americans to the fate of these brave men. Here is an opportunity for people, no matter what their view of the war, to unite in prayer for the safety of these men. Here is an opportunity for us to bring this issue to the attention of the world and perhaps cause Hanoi to divulge the names of those men whom they hold captive.

I am pleased to note that the House leadership has unanimously endorsed this move, and I am writing to President Nixon at once urging him to take action as he has been requested.

Mr. DOWNING. Mr. Speaker, I am tremendously pleased that today the House will pass House Resolution 910, which was introduced by my colleague, the gentleman from Virginia (Mr. Whitehurst), and myself. I would like to take this opportunity to thank the Speaker and the leadership on both sides of the aisle, and certainly nothing along this line could have been accomplished without the cooperation of the able chairman of the House Judiciary Committee, the gentleman from New York (Mr. Celler), and the equally able chairman of the subcommittee, the gentleman from Colorado (Mr. Rogers). I would sincerely hope that the other body works as expeditiously so that we can meet the November 9 deadline.

Mr. Speaker, the authors of this resolution, as well as all the other Members of this body, were deeply moved when the wives and mothers of our men imprisoned in North Vietnam came to the Congress last month. With tearful eyes they came to us, not in anger, not in protest, but with feelings of concern and frustration. Their actions could never be deemed unpatriotic or un-American. No, indeed; they were in the finest traditions of Americanism. These young wives, some of whom have not seen or heard from their husbands for 3 or 4 years, were brave and understanding—and we were proud of them.

Our country is at war, whether it is formally declared so or not. But our war is one of defense and not one of invasion. We do not seek—and we never have—the lands or peoples of any other country. We are simply trying to aid the South Vietnamese in the defense of their country. We are honoring an international commitment made many years ago. Again, I emphasize we have no desire to conquer the country of North Vietnam and to decimate its people in so doing. I have no doubt that we have this capability. I have no doubt that we could literally destroy all that in North Vietnam in a very few days if this were our wish.

In the honoring of our commitment, it has been necessary to send over one-half million of our finest young men to Southeast Asia. Those brave human beings did not wish to be involved in the bloodshed of war, but they answered their country's call, as patriotic Americans have since the dawn of our country's existence.

Some of these men have been killed, wounded, or captured. This is the price of war, we know. But it is the status of the captured Americans that we cannot understand. If our enemy was a nation of barbarians, savages, or crazed people, it would not lessen our sorrow, but it would be more understandable. But North Vietnam is not such a nation. And how she can permit this inhumane treatment of her prisoners, I cannot understand.

I sympathize deeply with the wives and loved ones of our boys who are imprisoned in North Vietnam. They have been brave and patient and there is no question that they love their country as deeply as their men.

This resolution simply states that November 9, 1969, be declared a National Day of Prayer and Concern on behalf of the American servicemen being held prisoner by the North Vietnamese. We hope it will give those brave young men encouragement and assurance that a grateful country still cares. We hope it will give them strength to endure their ordeal. We hope that somehow it will give them hope.

If it does those things our efforts will not have been in vain.

AMENDMENT OFFERED BY MR. ROGERS OF COLORADO

Mr. ROGERS of Colorado. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Rogers of Colorado: On page 1, strike out all "whereas" clauses.

The amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the joint resolution just passed.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 12781, DEPARTMENT OF INTERIOR AND RELATED AGENCIES APPROPRIATIONS, 1970

Mrs. HANSEN of Washington. Mr. Speaker, I ask unanimous consent that the managers on the part of the House have until midnight tonight to file a conference report on H.R. 12781, the Department of the Interior and related agencies appropriation bill for fiscal year 1970.

The SPEAKER. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Conference Report (H. Rept. No. 91–570)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12781) "making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1970, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 22, 27, 31, 38, 42, 43, 54, and 55.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 5, 7, 8, 10, 11, 12, 13, 14, 17, 21, 26, 28, 29, 32, 33, 36, 39, 46, 47, 48, 49, 50, and 51; and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree

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to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,899,000"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$176,703,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$3,750,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$24,000,000"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$15,300,000"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$48,850,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$5,800,000"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment insert: "and including not to exceed ninety-seven for police type use, which may exceed the general purchase price limitation for the current fiscal year by the cost of air-conditioning and not to exceed $300 for police type equipment; purchase of two aircraft, one of which shall be for replacement only, and acquisition from excess sources without reimbursement of two additional aircraft; and to provide, notwithstanding any other provision of law, at a cost not exceeding $50,000, transportation for children in nearby communities to and from any unit of the National Park System used in connection with organized recreation and interpretive programs of the National Park Service"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$192,810,000"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$99,481,000"; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert $13,790,000"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$6,050,000"; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$700,000"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$192,500"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 15, 16, 20, 24, 35, 40, and 41.

Julia Butler Hansen,
Michael J. Kirwan,
John O. Marsh, Jr.,
George Mahon,
Ben Reifel,
Joseph M. McDade,
Wendell Wyatt,
Frank T. Bow,
Managers on the Part of the House.

Alan Bible,
John L. McClellan,
Robert C. Byrd,
Karl E. Mundt,
Milton R. Young,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12781) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1970, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

Public Land Management

BUREAU OF LAND MANAGEMENT

Amendment No. 1: Technical correction as proposed by the Senate.

Amendment No. 2: Technical correction as proposed by the Senate.

Amendment No. 3: Appropriates $52,573,000 for management of lands and resources as proposed by the Senate, instead of $52,600,000 as proposed by the House.

Amendment No. 4: Appropriates $2,899,000 for construction and maintenance instead of $2,925,000 as proposed by the House and $2,873,000 as proposed by the Senate.

Amendment No. 5: Technical correction as proposed by the Senate.

BUREAU OF INDIAN AFFAIRS

Amendment No. 6: Appropriates $176,703,000 for education and welfare services instead of $176,000,000 as proposed by the House and $177,503,000 as proposed by the Senate. The amount provided includes $1,500,000 for kindergartens in public schools; $392,000 for a college work-study intern program; and $253,000 for community development programs. The conferees agree that none of the funds provided for kindergartens in public schools shall be used for administration by the Bureau of Indian Affairs. The conferees further agree with the Senate Report language which stipulates that $300,000 of funds provided for the improved curriculum program shall be utilized for additional dormitory personnel as indicated in the House Report.

Amendment No. 7: Appropriates $55,242,000 for resources management as proposed by the Senate instead of $55,692,000 as proposed by the House. The conferees agree that $100,000 of funds available for repair and maintenance of buildings and utilities shall be used for the work-learn program.

Amendment No. 8: Appropriates $26,264,000 for construction as proposed by the Senate instead of $25,373,000 as proposed by the House.

BUREAU OF OUTDOOR RECREATION

Amendment No. 9: Appropriates $3,750,000 for salaries and expenses instead of $3,500,000 as proposed by the House and $4,090,000 as proposed by the Senate. The conferees agree to the continued use of not to exceed $50,000 for expenses of the Citizens' Advisory Committee on Environmental Quality pending action on authorizing legislation now in Congress.

Land and Water Conservation

Amendment No. 10: Appropriates $62,000,000 for payments to states as proposed by the Senate instead of $75,000,000 as proposed by the House. The conferees are in agreement that payments to states should be accelerated when the backlog of Federal acquisition has been materially reduced. It is also the opinion of the conferees that those states which charge higher admission prices for out-of-state visitors to enjoy local recreation areas contravene the sense of the national recreation program.

Amendment No. 11: Appropriates $28,572,000 for the National Park Service cash program as proposed by the Senate instead of $17,772,000 as proposed by the House. The amount provided includes the following: Assateague Island National Seashore, $2,789,718; Biscayne National Monument, $2,500,000; Delaware Water Gap National Recreation Area, $2,000,000; Indiana Dunes National Lakeshore, $5,000,000; North Cascades National Park, $250,000; Ozark National Scenic Riverway, $558,100; Guadalupe Mountains National Park, $115,000; Glen Canyon National Recreation area, $150,000; San Juan Island National Historic Park, $476,300; Pictured Rocks National Lakeshore, $743,100; Inholdings, $674,182; Grand Teton National Park (JY Ranch), $1,050,000; Court awards (Padre Island National Seashore), $12,115,600; Wild and scenic rivers, $100,000; and National trails system, $50,000.

The conferees are in agreement that the fiscal year 1970 contract authorizations for the National Park Service be reexamined and resubmitted for Committee approval at a later date.

Amendment No. 12: Appropriates $13,700,000 for Forest Service acquisitions as proposed by the Senate instead of $11,500,000 as proposed by the House.

Office of Territories

Amendment No. 13: Appropriates $14,921,400 for administration of territories as proposed by the Senate, instead of $14,700,000 as proposed by the House.

Amendment No. 14: Appropriates $40,612,000 for trust territory of the Pacific Islands as proposed by the Senate, instead of $41,612,000 as proposed by the House.

Geological Survey

Amendment No. 15: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur with an amendment providing $95,755,000 for surveys, investigations and research instead of $95,628,000 as proposed by the House, and $95,115,000 as proposed by the Senate. The increase over the Senate allowance includes $240,000 for artificial ground water recharge, and $400,000 for initiation of a program to evaluate exploratory geophysical data of unleased Outer Continental Shelf areas.

Bureau of Mines

Amendment No. 16: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur with an amendment providing $39,-

331,000 for conservation and development of mineral resources instead of $39,000,000 as proposed by the House and $38,536,000 as proposed by the Senate. The increase over the Senate allowance includes $100,000 for research on synthetic fuels; $600,000 for research on development of technology for mining methane laden coal deposits; and $95,000 for initiation of a program of mine subsidence inventories and mine mapping.

Amendment No. 17: Appropriates a $14,332,000 for health and safety as proposed by the Senate instead of $14,782,000 as proposed by the House.

The conferees' action in this connection is based solely on the fact that the reductions of $130,000 for hiring and training of mine inspectors and $320,000 for research on dust production and control made by the Senate were predicated on the unusual budgetary situation whereby the identical amounts for these activities were fully funded in the Second Supplemental Appropriation Act of 1969 in order to accelerate these activities. Since the supplemental funds did not become available until July 22, 1969, provision was made in the supplemental appropriations act for the funds to remain available until September 30, 1969. In other words, the sums in question represented a duplicated budget request. The conferees are keenly aware of the urgent need for early and incisive action to make the nation's mines a safer place in which to work. With the concerted emphasis now being directed in this connection, it is expected that a supplemental budget request will be received in fiscal year 1970 for mine safety work, in which case the conferees will be inclined to give it favorable consideration.

Amendment No. 18: Appropriates $24,000,000 for the helium fund instead of $21,000,000 as proposed by the House and $26,200,000 as proposed by the Senate.

OFFICE OF COAL RESEARCH

Amendment No. 19: Appropriates $15,300,000 for salaries and expenses instead of $13,300,000 as proposed by the House and $15,800,000 as proposed by the Senate. The amount allowed provides $1,000,000 for the lignite gasification project at Rapid City, South Dakota, instead of $1,500,000 as proposed by the Senate.

BUREAU OF COMMERCIAL FISHERIES

Amendment No. 20: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur with an amendment providing $26,600,000 for management and investigations of resources instead of $26,400,000 as proposed by the House, and $26,345,000 as proposed by the Senate. The increase over the amount approved by the House includes $200,000 for initiation of research on a pesticide problem developing in the Great Lakes.

The Conferees are in agreement that $150,000 of S–K funds shall be used to study conflicting Federal and State legislative and regulatory restrictions on commercial fisheries and to submit recommendations for bringing them into conformity and uniformity.

Amendment No. 21: Appropriates $2,325,000 for construction as proposed by the Senate instead of $2,025,000 as proposed by the House.

Amendment No. 22: Appropriates $4,590,000 for federal aid for commercial fisheries research and development as proposed by the House instead of $4,027,000 as proposed by the Senate.

The Conferees direct that the full amount available for disaster relief under Section 4(b) of the Federal Aid for Commercial Fisheries Research and Development Act shall be allocated as determined by the Secretary of the Interior on the basis of priority requirements.

BUREAU OF SPORT FISHERIES AND WILDLIFE

Amendment No. 23: Appropriates $48,850,000 for management and investigations of resources instead of $48,503,000 as proposed by the House, and $48,870,000 as proposed by the Senate. The amount provided deletes the $100,000 for additional program needs at the Eastern Fish Disease Laboratory, Leetown, West Virginia, and $50,000 for technical assistance in sport fishery management at Valentine, Nebraska as proposed by the Senate, and restores the $100,000 for visitor services at the Witchita Mountains National Wildlife Refuge, Oklahoma, and $30,000 for the Cortland Fishery Center, New York, which were deleted by the Senate.

While the conferees recognize the need for additional funding for sport fishery management activities at Valentine, Nebraska, the dictates of budgetary restrictions made it impossible to give this item favorable consideration along with many other worthwhile activities that did not receive conference approval.

Amendment No. 24: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur with an amendment providing $1,959,000 for construction, instead of $1,686,000 as proposed by the House and $1,773,000 as proposed by the Senate. The amount provided includes $180,000 for additional facilities at the Lahontan National Fish Hatchery, Nevada; $203,000 for repair of Lake Darling Dam, North Dakota; $136,000 for the Wolf Creek Hatchery, Kentucky; and $100,000 for the San Marcos Hatchery, Texas.

Amendment No. 25: Appropriates $5,800,000 for the migratory bird conservation account instead of $5,000,000 as proposed by the House and $7,200,000 as proposed by the Senate.

NATIONAL PARK SERVICE

Amendment No. 26: Appropriates $49,100-000 for management and protection as proposed by the Senate instead of $49,000,000 as proposed by the House.

Amendment No. 27: Appropriates $40,000,000 for maintenance and rehabilitation of physical facilities as proposed by the House instead of $40,037,000 as proposed by the Senate.

Amendment No. 28: Appropriates $7,700,000 for construction as proposed by the Senate, instead of $7,600,000 as proposed by the House.

The Conferees agree that $100,000 of funds available for the Blue Ridge Parkway shall be used for establishing the center line of the extension of the Parkway from the vicinity of Beach Gap, North Carolina to the vicinity of Kennesaw Mountain National Battle Field Park north of Atlanta and Marietta, Georgia.

Amendment No. 29: Provides for the purchase of 46 passenger motor vehicles as proposed by the Senate, instead of 47 as proposed by the House.

Amendment No. 30: Amends language substituted by the Senate for original House language.

OFFICE OF THE SOLICITOR

Amendment No. 31: Appropriates $5,530,000 for salaries and expenses as proposed by the House, instead of $5,555,800 as proposed by the Senate.

OFFICE OF THE SECRETARY

Amendment No. 32: Appropriates $9,912,700 for salaries and expenses as proposed by the Senate, instead of $9,887,000 as proposed by the House.

Amendment No. 33: Deletes the $25,000 proposed by the House for the special foreign currency program.

TITLE II—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

Amendment No. 34: Appropriates $192,810,000 for forest land management instead of $195,042,000 as proposed by the House and $191,985,000 as proposed by the Senate. The increase over the Senate allowance includes $200,000 for range resource management; $150,000 for land classification; and $475,000 for the Ozark (Blanchard Springs) Visitor Center, Arkansas.

The Conferees direct that recreation funds available as a result of deferred construction be used to the extent necessary for preliminary work programmed for the Ouachita (Kerr Memorial Arboretum) Visitor Center, Oklahoma.

Amendment No. 35: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur with an amendment that will provide $42,137,000 for forest research instead of $41,880,000 as proposed by the House, and $41,326,000 as proposed by the Senate. The increase over the amount provided by the Senate includes $500,000 for the Forest Sciences Laboratory, Corvallis, Oregon; $71,000 (planning) for the Forest Service Timber Marketing and Utilization Research Laboratory, Duluth, Minnesota; $90,000 for timber and watershed research, Arcata, California; and $150,000 for initiation of a new periodic appraisal of the timber situation and outlook.

Amendment No. 36: Appropriates $22,729,000 for state and private forestry cooperation as proposed by the Senate, instead of $22,529,000 as proposed by the House.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION

Amendment No. 37: Appropriates $99,481,000 for Indian Health Services instead of $98,581,000 as proposed by the House and $100,221,000 as proposed by the Senate. The reduction below the Senate allowance includes decreases of $250,000 for patient medical care; $150,000 for field health services; $125,000 for operation of the Phoenix Medical Center; $40,000 for registered nurse training; and $175,000 for contract dental care.

The Conferees agree that $100,000 of funds available for field health services shall be utilized for additional community health representatives.

The conferees further agree that within available funds, an additional $20,000 shall be earmarked for registered nurse training.

The conferees are in agreement that the program to train additional registered nurses needs to be accelerated on a nationwide basis. It is therefore suggested that the agency give this activity a high priority in the formulation of the 1971 budget estimate.

Amendment No. 38: Appropriates $19,000,000 for Indian Health Facilities as proposed by the House instead of $19,345,000 as proposed by the Senate. The $345,000 reduction below the Senate allowance shall be applied against the $872,000 budgeted for special projects in all areas.

The Conferees are in agreement with regard to the use of $1,025,000 previously appropriated for stabilization of the Anchorage Hospital for construction of Indian Health Facilities programmed in the 1970 budget submission.

INDIAN CLAIMS COMMISSION

Amendment No. 39: Appropriates $850,000 for salaries and expenses as proposed by the Senate instead of $800,000 as proposed by the House.

NATIONAL CAPITAL PLANNING COMMISSION

Amendment No. 40: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur with an amendment appropriating $222,700 for salaries and expenses instead of $922,700 as proposed by the House, and $300,000 as proposed by the Senate.

Amendment No. 41: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur with the Senate language which provides for use of funds previously appropriated for land acquisition.

Amendment No. 42: Deletes $77,300 proposed by the Senate for the temporary commission on Pennsylvania Avenue, and restores House language.

The Conferees are in agreement that since this activity does not have congressional authorization, continuance of the program should be contingent upon the use of special funds available to the President that could be allocated for this activity.

Amendment No. 43: Restores House language.

National Foundation on the Arts and the Humanities

Amendment No. 44: Appropriates $13,790,000 for salaries and expenses instead of $14,000,000 as proposed by the House and $13,690,000 as proposed by the Senate.

Amendment No. 45: Appropriates $6,050,000 for the National Endowment for the Humanities instead of $6,250,000 as proposed by the House and $5,950,000 as proposed by the Senate. The increase of $100,000 over the Senate allowance is for the Bicentennial of the American Revolution Program.

Amendment No. 46: Appropriates $1,490,000 for administrative expenses as proposed by the Senate instead of $1,500,000 as proposed by the House.

Smithsonian Institution

Amendment No. 47: Appropriates $28,134,000 for salaries and expenses as proposed by the Senate instead of $28,200,000 as proposed by the House.

Amendment No. 48: Appropriates $2,316,000 for museum programs and related research (special foreign currency program) as proposed by the Senate instead of $3,000,000 as proposed by the House.

Amendment No. 49: Technical correction as proposed by the Senate.

Amendment No. 50: Appropriates $525,000 for restoration and renovation of buildings as proposed by the Senate instead of $425,000 as proposed by the House.

National Gallery of Art

Amendment No. 51: Appropriates $3,390,000 for salaries and expenses as proposed by the Senate instead of $3,350,000 as proposed by the House.

National Council on Marine Resources & Engineering Development

Amendment No. 52: Appropriates $700,000 for salaries and expenses as proposed by the House instead of $760,000 as proposed by the Senate.

Federal Field Committee for Development-Planning in Alaska

Amendment No. 53: Appropriates $192,500 for salaries and expenses instead of $150,000 as proposed by the House and $235,000 as proposed by the Senate.

Lewis and Clark Trail Commission

Amendment No. 54: Appropriates $5,000 for salaries and expenses as proposed by the House instead of $10,000 as proposed by the Senate.

General Provisions

Amendment No. 55: Provides language proposed by the House instead of that proposed by the Senate.

Julia Butler Hansen,
Michael J. Kirwan,
John O. Marsh, Jr.,
George Mahon,
Ben Reifel,
Joseph M. McDade,
Wendell Wyatt,
Frank T. Bow,
Managers on the Part of the House.

CONFERENCE REPORT ON H.R. 11039, PEACE CORPS ACT AMENDMENTS

Mr. MORGAN, from the Committee on Foreign Affairs, submitted the following conference report and statement on the bill (H.R. 11039) to amend further the Peace Corps Act (75 Stat. 612), as amended.

Conference Report (H. Rept. No. 564)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11039) to amend further the Peace Corps Act (75 Stat. 612), as amended, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 2.

That the House recede from its disagreement to the amendments of the Senate numbered 3 and 4, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1 and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "$98,450,000"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5 and agree to the same with amendments as follows:

Page 2, line 17, of the Senate engrossed amendments, strike out "program" and insert in lieu thereof the following: "register".

Page 3, line 11, of the Senate engrossed amendments, strike out "or" and insert in lieu thereof the following: "of".

Page 3, line 16, of the Senate engrossed amendments, strike out "programs" and insert in lieu thereof the following: "registers".

And the Senate agree to the same.

Thomas E. Morgan,
Clement J. Zablocki,
Wayne L. Hays,
E. Ross Adair,
W. Mailliard,
Managers on the Part of the House.

J. W. Fulbright,
John Sparkman,
Albert Gore,
George D. Aiken,
Karl E. Mundt,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11039) to amend further the Peace Corps Act (75 Stat. 612), as amended, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The following Senate amendments made technical, clarifying, or conforming changes: 3 and 4. With respect to these amendments the House recedes. The remaining Senate amendments are discussed below.

Amendment No. 1: The House bill authorizes $101,100,000. The Senate amendment authorized $95,800,000.

The committee of conference agreed to an authorization of $98,450,000—splitting the difference between the House and Senate figures.

Amendment No. 2: The House bill provided that no Peace Corps funds could be used to carry on the Volunteers to America Program conducted under the Mutual Educational and Cultural Exchange Act, or any similar program involving the service or training of foreign nationals in the United States.

The Senate amendment authorized the use of Peace Corps funds for the Volunteers to America Program.

The Senate receded.

Amendment No. 5: The Senate amendment authorized the use of not more than $300,000 to encourage the development of and participation in any international program which seeks to provide volunteers to serve in less developed countries or areas.

The House bill did not include a similar provision.

The committee of conference agreed to a provision limiting any contribution to an international program to the financing of an international register of volunteers which would provide information to interested organizations or governments as to the availability of volunteers.

It is the understanding of the managers on the part of the House that the language agreed to does not authorize support for any international Peace Corps other than for such a register.

Thomas E. Morgan,
Clement J. Zablocki,
Wayne L. Hays,
E. Ross Adair,
W. Mailliard,
Managers on the Part of the House.

WITH REFERENCE TO THE MORATORIUM ON VIETNAM

(Mr. STUCKEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STUCKEY. Mr. Speaker, my position on the war in Vietnam has been clear to my colleagues since my election 3 years ago. The United States should seek an honorable peace in Vietnam and bring our boys home.

Mr. Speaker, I have noted where a small group of my colleagues intend to keep this body in session throughout the night in order to put their positions on Vietnam on record.

In the history of this Congress, only in the case of national emergency or in the instance of legislation which was of absolute urgency have the lights in this Chamber burned through the night.

As I said, Mr. Speaker, I, myself, am for peace and for bringing the troops home. And I certainly recognize the right and need of every Member to state his position on Vietnam. And I will support any request by my colleagues to revise and extend his remarks at the end of the day, but I will not support keeping this body in session throughout the night—a gesture which could be construed by the people of this country and by the world that the entire Congress is in sympathy with an ultimatum to the President of the United States for an immediate withdrawal of all our troops from Vietnam.

Therefore, I serve notice now that after a reasonable amount of time at the close of today's business, I intend to move that the House be adjourned until noon tomorrow.

BIRTHDAY OF THE LATE PRESIDENT OF THE UNITED STATES DWIGHT DAVID EISENHOWER

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GERALD R. FORD. Mr. Speaker, I take this time to call to the attention of this body the fact that today is the birthday of the late Dwight David Eisenhower. It is a most appropriate time to draw inspiration from our memories of this great man, this beloved leader of

America whose steadfast character was the rock to which our country anchored itself during the 8 years he spent in the White House.

It is most appropriate that we speak today of Dwight David Eisenhower for we are even now plunging into a crisis of the spirit in America, a test of our determination to stand up for principles of international justice, a test of our ability to achieve peace with honor in Vietnam.

I hope desperately that we will meet and survive this test, just as Dwight Eisenhower met and conquered so many crises during his years in the Presidency.

I know that, as we mark the birthday of General Eisenhower, he would most have us remember him as a man of peace. He would also have us know that to be a man of peace does not mean to lie down supinely before our foes.

One of my most vivid recollections of President Eisenhower concerns his decisiveness, his determination to demonstrate this Nation's strength in time of stress, his wisdom in employing America's strength on behalf of peace.

Not since the 1930's had America enjoyed so long a period of peace as this Nation was blessed with under Dwight David Eisenhower, renowned though he was as World War II commander of the greatest expeditionary force for freedom and peace ever assembled by man.

Dwight Eisenhower ran for the Presidency as a man of peace. He was first and foremost a peacemaker in his conduct of the Presidency. His was the gift of peace—and it was peace through strength that he gave to a grateful nation.

I am sure that all Members of this House join with me today in saluting the memory of Dwight David Eisenhower, a great citizen, a great human being, a great patriot, a great American, a great President.

(Mr. McCORMACK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. McCORMACK. Mr. Speaker, October 14 of this year would have marked the 79th birthday of Dwight D. Eisenhower, the 34th President of the United States. It is appropriate, then, that we take a few moments to review and pay honor to the remarkable career of General Eisenhower.

We found in him more than a supreme commander, more than a U.S. President. We found a model citizen, a patriotic, dedicated, loyal American who was devoted to service to his country.

If any doubts existed about President Eisenhower's talents as an organizer and administrator, the success of the Allied invasion of France dispelled them. He made the cumbersome command arrangements of SHAEF function smoothly. According to one American commentator, his "friendly and dynamic personality" was the key to his success. He said:

> Probably no one but Eisenhower could so rapidly have welded together such diffuse and often clashing groups of personalities and nationalities.

This achievement—the conduct of the French campaign without a major public disagreement between Britons and Americans—represents perhaps the most successful practice of coalition leadership in military annals.

Yet mere command arrangements and physical preparation alone could not have assured success of the invasion. Eisenhower had to create the morale conditions of victory. He had to install in millions of Americans and British fighting men his own strong conviction that the hazardous stroke would be carried off.

The memory of Dieppe was still strong in many minds. Even Churchill was doubtful about the prospect of success until he saw the completeness of Eisenhower's preparations and the morale of the troops who shared the general's faith that the enterprise would succeed.

Because of his great attainments as a military administrator, there has been a tendency to disregard Eisenhower's role as a strategist or general. His studied "selfishness" doubtless encourages this tendency, but it does not do him justice. He was not simply a good-natured chairman of the SHAEF board of directors.

For, as supreme Allied commander, he alone was responsible for the major decisions of the campaign in France. Given General Eisenhower's qualities, it seems in retrospect that the outcome could not have been otherwise.

General Eisenhower grew in stature immensely after leaving Washington in 1942.

Those who frequently saw him say that he was almost totally unaware of the fact that he was a world figure. When he was made a five-star general he purposely waited until some time after Senate confirmation before wearing his new insignia. Modesty and commonsense were so genuinely a part of his makeup that they protected him from the most baleful and insidious influence in modern life—the publicity racket. He was not only a great soldier but a great man as well.

He brought warmth and compassion to the Office of the President of the United States. It is hardly necessary to review all the events of his 8 years in the White House to be convinced that his firm and patient leadership were of immediate as well as enduring value to this Nation he loved so much.

This type of leadership, more persuasive than coercive, was exerted by a man who on at least two occasions during his Presidency was close to death. Americans of all parties will long remember and pay tribute to the courage with which Dwight Eisenhower decided to go on with his job, even at the risk of his life.

As President, he had enlisted for the duration, and was determined to serve out his tour of duty. As people come to look back on the two administrations of President Eisenhower, I predict that they will remember them not only as an "era of good feeling" but as a time during which our people were led by a man whose whole career symbolized fortitude, patience, and a high sense of honor in the administration of the presidential office.

He will go down in history as one of the most dedicated patriots of this or any other era.

GENERAL LEAVE TO EXTEND

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

THE YOUTH OF OUR TIME

(Mr. MAHON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAHON. Mr. Speaker, to many people across this great land the dangers and difficulties confronting us today seem, at times, overwhelming. We are confronted with challenges at home and abroad. This is a testing time for all Americans of all age groups, for all our institutions.

There is now the utmost need for stability and strength, for adherence to the fundamental traditions and precepts which have made this country great. Restraint and discipline on the part of not just some of us but all of us are indispensable cornerstones of the success of our form of government and our way of life.

I am placing in the Extensions of Remarks of today's RECORD an address by a young woman, Miss Nonette Mayes, a senior at the Crosbyton, Tex., High School, made by her to a service club in my hometown of Lubbock, Tex. Miss Mayes speaks eloquently in behalf of our youth and in defense of stability and strength. We must remember that with our precious rights go heavy responsibilities.

REQUEST FOR SPECIAL ORDER

Mr. LEGGETT. Mr. Speaker, I ask unanimous consent that I be given 60 minutes for a special order either this afternoon or tomorrow morning immediately after the time allotted to the gentleman from New York (Mr. HALPERN), my time to expire prior to the regular time that the House will convene tomorrow.

The SPEAKER. Will the gentleman from California please repeat his request through the microphone so that all Members may hear the gentleman's request?

Mr. LEGGETT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and I ask unanimous consent that I be given unanimous consent—rather, I ask unanimous consent that I be allowed to address the House for 60 minutes, either this afternoon or tomorrow morning immediately after the time allotted to the gentleman from New York (Mr. HALPERN), my said 60 minutes to expire prior to the regular time set for the convening of the House tomorrow morning.

The SPEAKER. Is there objection to the request of the gentleman from California?

PARLIAMENTARY INQUIRY

Mr. HALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman from Missouri will state his parliamentary inquiry.

Mr. HALL. Mr. Speaker, is it possible to allocate time on this basis, whereas unanimous consent has already allotted time for other individual Members thereafter?

The SPEAKER. The Chair will state that it is the understanding of the Chair that the gentleman from California is asking unanimous consent to follow the special order of another Member who has already received unanimous consent for his special order.

Is the Chair's understanding correct?

Mr. LEGGETT. That is correct, Mr. Speaker.

The SPEAKER. And that this special order would be prior to the time of other Members who have already received unanimous consent for special orders?

Is the Chair's understanding correct?

Mr. LEGGETT. No, Mr. Speaker. This would be immediately after the last special order that has been scheduled.

The SPEAKER. After the last special order?

Mr. LEGGETT. After the last special order, but prior to the regular convening of the House tomorrow morning, my special order to terminate.

The SPEAKER. The gentleman from California is then asking unanimous consent to proceed for 1 hour subject to the other special orders that have been heretofore obtained. Is that correct?

Mr. LEGGETT. That is correct.

Mr. HALL. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HALL. As I understand from the Speaker's inquiry and the gentleman's request, this would not intersperse in other previously allocated time periods, but might impinge on the next calendar day if the legislative day is extended; is that correct?

Mr. LEGGETT. No, I have asked that my time terminate prior to the commencement of the calendar day tomorrow.

Mr. HALL. I thank the gentleman.

Mr. GROSS. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GROSS. Mr. Speaker, would the gentleman's request amount to 22 or 23 hours of special orders?

The SPEAKER. The Chair is unable to speculate on that.

Mr. PUCINSKI. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PUCINSKI. Mr. Speaker, can the granting of this unanimous-consent request conceivably delay the convening of the House at 12 o'clock tomorrow?

The SPEAKER. The Chair is not going to speculate on that question.

Is there objection to the request of the gentleman from California (Mr. LEGGETT)?

There was no objection.

VIETNAM

(Mr. ROSENTHAL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROSENTHAL. Mr. Speaker, I am one of those among a group of our colleagues who have received special orders to speak today. It is our intention to speak about the war in Vietnam and the situation in Southeast Asia. We hope that all Members will have an opportunity and will choose to participate.

One point I would like to make clear is that all of us have obtained these special orders with legitimate intentions to discuss the great and important issues of the day. My own view is that it would be a reflection on the integrity of the House for a motion to adjourn to be made that might preclude Members from the opportunity to speak. I hope that we will remain faithful to our traditions. Since my 7½ years in this House, I have never once voted to cut off debate or deny any Member the right to talk regardless of what he was going to say. I hope others will follow that tradition this afternoon.

VIETNAM MORATORIUM DAY

(Mr. FLOWERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FLOWERS. Mr. Speaker, up to this point, I have withheld comment on the so-called Vietnam moratorium day, but this I can do no longer.

Thanks to the promotional expertise of the national news media, this matter has gotten completely out of hand. What started out as an attempt at a nationwide strike or protest in the European tradition sponsored by the regular radicals of our Nation now is being made out as a patriotic display of the highest order. We even see Members of this House joining with the anarchists and disrupters, and thereby condemning orderly democratic process in favor of mob pressure.

Mr. Speaker, the right of legitimate protest is very broad indeed and it is just possible, barely possible, that this comes under that heading. It is also possible, barely possible, that the participants in the October 15 "Crusade Against America" are proving their support for our great Nation and the cause of world peace.

However, I should hope that any loyal American would have second thoughts about participation in a movement receiving such universal acclaim from the Communist world and those international gangsters in Hanoi.

SHOE INDUSTRY NEEDS TARIFF RELIEF

(Mr. BURKE of Massachusetts asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURKE of Massachusetts. Mr. Speaker, I have learned that the U.S. Tariff Commission has sent an undisclosed number of questionnaires to certain members of the domestic footwear industry, asking them to submit additional information. We all know, Mr. Speaker, the extent of the study, investigation, examination, and analysis to which the footwear industry has been subjected over the past months. My preliminary examination of this questionnaire indicates that there is nothing new here which can be added to the information already on hand, and I hope, I sincerely hope, that this will not delay by 1 hour the relief which the shoe industry must have on this terrible import problem.

I am disappointed to note, however, that this new questionnaire makes no inquiry into the principal cause of the import problem in the footwear industry—the enormous wage-rate differential between the domestic and foreign shoe worker. The Tariff Commission report of January 15, 1969, completely ignored this factor, and I should think that if any further questioning of the industry is to be conducted, it would at least come to grips with this basic point.

Mr. WYMAN. Mr. Speaker, will the gentleman yield?

Mr. BURKE of Massachusetts. I am happy to yield to the gentleman from New Hampshire.

Mr. WYMAN. I wish to compliment the distinguished chairman of the House footwear steering committee for his statement, and join with him in this effort to get this agency to take some positive action so we can at long last get the kind of quota limitation on shoe imports for the protection of the industry that we need in this country.

Mr. BURKE of Massachusetts. I thank the gentleman.

WINSTON CHURCHILL'S MAGNIFICENT REMINDER THAT "SLAVERY IS MORE HORRIBLE THAN WAR"

(Mr. PUCINSKI asked and was given permission to address the House for 1 minute.)

Mr. PUCINSKI. Mr. Speaker, tomorrow thousands of Americans will participate in programs designed to manifest opposition to America's involvement in Vietnam. Perhaps it would be wise to remind our Nation, on the eve of the moratorium on Vietnam, of Winston Churchill's gallant words when England was facing her darkest moment. The people of London were despairing. The war had reached its ugliest moment. Many in England, just as they will in America tomorrow, agonized over the horror of war, when Winston Churchill, in his finest moment, asked this question:

> Nothing is more horrible than war?

Then majestically he replied:

> Slavery is more horrible than war.

IDEAS TERRIFY DICTATORS

(Mr. JACOBS asked and was given permission to address the House for 1 minute.)

Mr. JACOBS. Mr. Speaker, Winston Churchill also said:

> You see these dictators surrounded on all sides by the truncheons of their police and

> the bayonets of their soldiers. Yet within their hearts is fear, unspeakable fear. They are afraid of words and thoughts, and words spoken abroad and thoughts stirring at home all the more dangerous because forbidden. These terrify them. A little mouse, a tiny mouse of thought appears in the room and even the mightiest potentate is thrown into panic.

Mr. Speaker, as one of the comparatively few Members of this body who has, as a combat infantry soldier, faced a Communist enemy on the battlefield, I ask regular order in calling into question my patriotism, because I do not believe one more American life should be wasted in defending a dictatorship against a dictatorship in Vietnam.

We ask our citizens to act within the system. And we mean it.

But what are we to tell them if the system is choked off from Members of Congress who have secured the right to speak tonight?

MORATORIUM INJURES THE CAUSE OF PEACE

(Mr. DORN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DORN. Mr. Speaker, those who are sponsoring this moratorium, sitdowns, and demonstrations against the Government are really against peace. They are encouraging a continuation of the war. They are encouraging a continuation of aggression. They are encouraging the massacre of Christians, and they are encouraging slavery for all Southeast Asia. Should the international forces of freedom hastily withdraw from South Vietnam, it will be followed by the bloodiest massacre in the modern history of the world since Hitler's concentration camps and gas chambers.

Mr. Speaker, the sponsors of the moratorium are advocating unilateral withdrawal of the American forces without any thought or regard for the future or the inevitable consequences. The Communists in Hanoi advocate the same thing. They want America to totally withdraw now.

Should we knuckle down to the demands of these agitators? What will they advocate next? Would they demand our withdrawal from the road to Berlin? Would they demand our withdrawal of the 6th Fleet from the Mediterranean? Would they demand a free hand for Castro in South America and the Caribbean, What is behind this sinister movement?

The President and the responsible leaders in the Congress are entitled to know now what the real objective is of these moratorium leaders. Of course we want peace. President Nixon and our State Department are exerting every honorable means for peace. Our President last year halted the bombing and agreed to peace talks in Paris. Our President today is conducting an orderly withdrawal of our Armed Forces. The Communists have manifested no desire whatsoever for peace. They have stalled in Paris; they have argued and quibbled over inconsequentials. The Communists could stop this war in 1 hour by agreeing to a cease-fire. This they will never do as long as they are encouraged by moratoriums and demonstrations in the United States which offer them complete victory and slavery for Southeast Asia.

MORATORIUM IDEA SUPPORTED BY MANY

(Mr. MIKVA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MIKVA. Mr. Speaker, I listened to my colleague, the gentleman from Alabama, talk about the people he does not like who are involved in the moratorium.

I thought of some of the other people also involved in supporting the moratorium. There are some 47 Members of this body and 17 Senators and such disparate people as Cardinal Cushing and the former Ambassador to the Paris peace talks and Governor Sargent of Massachusetts and thousands and thousands and thousands of leaders of all walks of life throughout the country.

It seems to me the gentleman's complaint is that there are many responsible people supporting the moratorium, and somehow this is bad, because there may be some people who are not responsible who are also supporting it. I suggest that it will be a sad day in our history if we were ever to walk away from a right course of action or a right idea because somebody in Hanoi or some local Communist, for nefarious reasons or otherwise, also decided to join in supporting such an action or idea.

THE DIGNITY OF THE CHAMBER OF THE HOUSE OF REPRESENTATIVES

(Mr. THOMPSON of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Georgia. Mr. Speaker, I, for one, certainly would protect the right of any American to free speech. However, Mr. Speaker, I, as a Member of this body, resent the attempt of a small number of this body to misuse this body for a purpose for which it was not intended.

This body was intended to be a legislative chamber with all the dignity which goes therewith. I will not support any effort for the misuse of this body such as the effort to make it a part of a demonstration directed against the administration now representing the American people.

Therefore, Mr. Speaker, if the gentleman from Georgia (Mr. STUCKEY) is recognized for the purpose of making a motion to adjourn, as he has announced he intends to, I will ask for a vote on that motion in order to place the Members on record.

Let it be known that those who vote in favor of adjournment will be voting to retain the dignity of this Chamber and the purpose for which this Chamber was intended, that of a legislative body and not a place for public demonstrations and in support of actions directed against the Government of this country.

REMARKS ON THE OCTOBER 15 VIETNAM MORATORIUM

(Mr. ANDERSON of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ANDERSON of Illinois. Mr. Speaker, I have been disappointed that in all the discussion about the Vietnam moratorium very little effort has been made to draw a clear distinction between the means that will be used and the objective sought to be obtained.

Very few of us in this Chamber, I believe, certainly, would not favor the right of full debate and public discussion, but not enough attention has been paid to the objective of that moratorium.

Yesterday I asked the moratorium organizers for a formal statement of their objectives. I called Mr. David Mixner, one of the committee leaders down on Vermont Avenue, and this is the reply he gave:

> We want to show that it is politically possible, and desirable—politically possible, and desirable, to support complete, immediate and unilateral withdrawal. We want out now, and this is not contingent on anything that Hanoi or the Vietcong might do.

I read a statement yesterday that maybe in 30 days, maybe in 3 weeks, we could pull a half million men remaining in Vietnam out of that country.

Is that what you want? Is that the objective you are supporting?

I hope that those who have formally endorsed this will make it clear, when the proper time comes, whether that is a fact and what they are asking this country to do.

This morning the House Republican conference, which I have the honor to chair, adopted a resolution in which they supported the President in the efforts that he is now making to bring that war to the earliest practicable conclusion. I think that his efforts will win the support of all of us Democrats and Republicans, or at least the vast majority of Americans.

REACTION OF NORTH VIETNAM TO PEACE MORATORIUM

(Mr. DUNCAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNCAN. Mr. Speaker, today we have been hearing quotations that were made by Winston Churchill and others who are planning to participate in the moratorium tomorrow. I would like to quote what Hanoi has had to say this morning about the moratorium. This was just taken this morning from the United Press International ticker out in the lobby, and I would invite those who wish to do so to read it. The United Press International said:

> The struggle of the American people extends so deep it is supported even by Senators and Congressmen of the President's own party.
>
> They said in Hanoi, "We warmly welcome and wholeheartedly support the great struggle of the American people against the unjust aggressive war being waged against the Vietnamese by the Nixon clique."

XUM

Mr. Speaker, I choose to stand back of my country and our fighting men. It does not take an intelligent person to know that the confusion of the past and that planned for tomorrow has already caused this war to be extended. The cost of such action can only be measured in the lives and bodies of American men.

ADDRESS AT EARLHAM COLLEGE, INDIANA, ON THE MORATORIUM

(Mr. DENNIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DENNIS. Mr. Speaker, Earlham College of Richmond, Ind., which is located in my district and of which I am a graduate, has invited me to appear on the campus tomorrow, October 15, the so-called day of moratorium, for the express purpose, as stated in their invitation, of giving the student body the point of view of those who generally support the national administration's program and who oppose the idea of immediate and unilateral withdrawal from Vietnam.

Mr. Speaker, I would not have agreed to return to Earlham College tomorrow on any other understanding, but I believe that this point of view which I have been asked to express and which I hold, is a point of view which very badly needs to be expressed on our college campuses, and therefore I think that I ought to take this opportunity to express it. Moreover, I think Earlham College is to be commended for seeking to substitute a balance discussion for the one-sided protests which have been planned for some college campuses.

So far as I am concerned, I want to emphasize that I am opposed to the immediate and unilateral withdrawal from Vietnam. I am also strongly opposed to proposals of fixing and announcing a deadline for withdrawal.

Moreover I believe, Mr. Speaker, that protests, moratoriums, and other actions favoring a policy of immediate withdrawal and surrender do a very real disservice to our country.

Whether these sentiments are popular with my audience or not, they are the sentiments which I shall express tomorrow to the student body of my old college.

MORATORIUM

(Mr. CLEVELAND asked and was given permission to address the House for 1 minute.)

Mr. CLEVELAND. Mr. Speaker, the October 15 moratorium, although supported by many well-meaning people, can only have harmful effects on our continuing commitment in South Vietnam, which, starkly stated, is to defend freedom against aggression. The moratorium will once again send false signals to Hanoi—it will undermine the efforts of our President to end the conflict. It will in all probability prolong the conflict. It will certainly add to the uncertainties that have undermined and plagued our efforts from the outset to bring the conflict to an end.

The people who are supporting the moratorium seem to forget the sacrifices of those whom we have already lost in battle. They appear to forget the safety of those who are fighting there now. They also forget the millions of South Vietnamese who have fought with us and depended upon us and who would be murdered in cold blood in the event that we pull out as quickly as those who support the moratorium seem to feel we should.

PROMOTING AND ENCOURAGING YOUTH ACTIVITIES

(Mr. HUNT asked and was given permission to address the House for 1 minute.)

Mr. HUNT. Mr. Speaker, I want to commend to my colleagues two outstanding men from my congressional district in New Jersey whose dedicated efforts have been responsible for promoting and encouraging youth activities in our area for a number of years. Both men are associated with the Woodbury Daily Times—Bob Shryock as managing editor and Stan Boody as sports editor. While giving fine coverage of activities in the First Congressional District and maintaining one of the most outstanding sports sections in the Delaware Valley, they have devoted their untiring efforts in organizing and developing activities for the benefit of the young people in our locale. They are an inspiration to all who have the pleasure of knowing them and an excellent example of selfless community spirit. I was delighted to note that Mr. Boody was recently named "Coach of the Year" by the Tri-County Midget Football League in recognition of his valuable time and service to the league. It was a well-deserved tribute to one of my most outstanding constituents from a grateful community.

NATIONAL STRIKE IDENTIFIED AS A MORATORIUM

(Mr. STEIGER of Arizona asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEIGER of Arizona. Mr. Speaker, we are about to engage as a nation in a national strike identified as a moratorium by the conceivers of this operation.

It is my firm conviction that this operation was conceived by relatively immature minds whose sole purpose was to focus attention upon themselves. What really concerns me is that it has been embraced by politicians who apparently are willing to put their own temporary political profit above country at a time when it was never more critical.

Mr. Speaker, there can only be one predictable result of a national strike or moratorium at this time in protest against the war in Vietnam and that is to give aid and comfort to the enemy.

I submit, Mr. Speaker, that we are a nation that is sorely troubled. But an attempt to rule by mob demonstrations can only deepen those troubles.

WE SHOULD SUPPORT PRESIDENT NIXON'S POSITION ON THE WAR IN VIETNAM

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. GERALD R. FORD. Mr. Speaker, I have heard observations made here this afternoon concerning the special orders that are scheduled for tonight and tomorrow morning. I gather there will be some sharp criticism of the President's plan to bring an end to the war in Vietnam.

Some who have been critical might do well to talk to a former Member of this body from the Democratic side of the aisle, a Member whose credentials as a liberal will match those of anybody on that side of the aisle today—our former colleague from the State of Michigan, Neil Staebler.

Neil Staebler has just returned from a personal-expense trip to Vietnam.

Those urging that we withdraw unilaterally from Vietnam should talk to Neil Staebler.

Neil Staebler said unilateral withdrawal would end up in the worst blood bath that you could imagine in South Vietnam. Three million Catholics who fled from the Communist dictatorship in North Vietnam are now in South Vietnam.

Neil Staebler will tell you that the South Vietnamese people today are turning in active support to the government in Saigon, and that it would be disastrous for the United States to unilaterally withdraw because this would mean the end of a responsible government that is getting broader based all the time.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to proceed for 30 additional seconds, if I might.

The SPEAKER. The Chair will state to the gentleman from Michigan that we are operating under the 1-minute rule, and that cannot be done.

WE SHOULD SUPPORT PRESIDENT NIXON'S POSITION ON THE WAR IN VIETNAM

(Mr. PELLY asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. PELLY. Mr. Speaker, I yield to the gentleman from Michigan (Mr. GERALD R. FORD).

Mr. GERALD R. FORD. Mr. Speaker, I appreciate the gentleman from Washington yielding me this time. I understand the distinguished Speaker's problem, insofar as extension of time under the 1-minute rule is concerned.

Mr. Speaker, just let me say in conclusion that the President of the United States is acting affirmatively to end the war in Vietnam. Twelve percent of the troops assigned to Vietnam when he took office in January 1969 are either home or on their way home. Twenty percent of the combat military personnel who were there when the President took office are now out of Vietnam.

The President is working hard for peace, and we will get peace, either at Paris or through the phasing out of our troops and phasing in of South Vietnamese troops. I believe the American people support this plan for peace, and anything that undermines it will be most unfortunate for our men who are in Vietnam, and those who are fighting for freedom around the world.

PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORTS

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION FOR SUBCOMMITTEE NO. 5, COMMITTEE ON THE JUDICIARY, TO SIT DURING GENERAL DEBATE TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that Subcommittee No. 5 of the Committee on the Judiciary may sit during general debate tomorrow, Wednesday, October 15.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. POFF. Mr. Speaker, reserving the right to object, may I ask the distinguished majority leader if the request has been cleared with the minority leader?

Mr. ALBERT. It has been cleared with the distinguished ranking Republican member of the committee, the gentleman from Ohio (Mr. McCulloch).

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. POFF. I yield to the minority leader.

Mr. GERALD R. FORD. The matter has been cleared with me also. I strongly urge that the unanimous consent be granted. The subcommittee is working on the anticrime bill. We want it out, and this is one way to get it out.

Mr. POFF. I thank the gentleman. I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

LEGISLATIVE PROGRAM—RAISING INTEREST RATE ON SERIES E AND H BONDS

(Mr. ALBERT asked and was given permission to address the House for 1 minute.)

Mr. ALBERT. Mr. Speaker, I take this time to advise Members that the distinguished gentleman from Arkansas (Mr. Mills), chairman of the Committee on Ways and Means, has requested me to announce that sometime during this week he will seek to call up, under unanimous-consent agreement, the bill, H.R. 14020, to amend the Second Liberty Bond Act to increase the maximum interest rate permitted on U.S. savings bonds, a bill which has been unanimously reported by the Committee on Ways and Means.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 217]

Abbitt
Adams
Arends
Ashbrook
Ashley
Aspinall
Berry
Blatnik
Bow
Brock
Brooks
Brown, Calif.
Burton, Utah
Cahill
Camp
Carey
Casey
Cederberg
Celler
Clark
Cohelan
Collier
Collins
Corman
Daddario
Dawson
de la Garza
Delaney
Devine
Diggs
Dingell
Eckhardt
Edmondson
Edwards, Calif.
Fallon
Farbstein
Fascell
Findley
Fish
Fisher
Flynt
Foley
Ford,
William D.
Frey
Fulton, Tenn.
Gray
Green, Oreg.
Griffin
Haley
Hansen, Wash.
Hastings
Hays
Holifield
Hosmer
Jacobs
Jonas
Jones, Ala.
Jones, Tenn.
Karth
Kirwan
Kuykendall
Kyros
Lloyd
Lujan
McMillan
Martin
May
Meeds
Nedzi
Nelsen
O'Konski
Ottinger
Patman
Pollock
Powell
Quie
Reid, N.Y.
Rivers
Rodino
Rooney, Pa.
Roybal
St Germain
St. Onge
Saylor
Scheuer
Sisk
Smith, Calif.
Steed
Steiger, Wis.
Sullivan
Taylor
Teague, Calif.
Tunney
Vander Jagt
Watson
Whalley
Wold
Wright

The SPEAKER. On this rollcall, 333 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

FEDERAL SALARY COMPARABILITY ACT OF 1969

Mr. O'NEILL of Massachusetts. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 576 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 576

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13000) to implement the Federal employee pay comparability system, to establish a Federal Employee Salary Commission and a Board of Arbitration, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Post Office and Civil Service, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Post Office and Civil Service now printed in the bill as an original bill for the purpose of amendment under the five-minute rule. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER. The gentleman from Massachusetts (Mr. O'Neill) is recognized for 1 hour.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I yield myself such time as I may consume and at the conclusion of my remarks yield to the gentleman from Illinois (Mr. Anderson) one-half hour.

Mr. Speaker, House Resolution 576 provides an open rule with 2 hours of general debate for consideration of H.R. 13000 to implement the Federal employee pay comparability system, to establish a Federal Employee Salary Commission and a Board of Arbitration, and for other purposes. The resolution further provides that it shall be in order to consider the committee substitute as an original bill for the purpose of amendment.

There are two basic purposes of H.R. 13000:

First, the setting up of a permanent method of adjusting the pay of Federal employees who are paid under GS, PFS, Foreign Service schedules and the schedules relating to doctors, dentists and nurses under the Veterans Administration; and

Second, the elimination of inequity requiring postal employees to serve 21 years before reaching maximum pay for their work. Under this bill they would reach top pay in 8 years.

A Federal Employee Salary Commission would be set up, composed of four representatives from the executive and four from employee organizations. For purposes of voting, the employee groups have only three votes; however, in the event of arbitrary behavior, aggrieved employees will have recourse through the Board of Arbitration.

The Board of Arbitration will be composed of four Members of Congress—two from each body—one representative each of the executive and the employees, and an impartial chairman selected by the other six. The Board will decide whether the decision of the Commission is in agreement with policy directives in the law.

In order to create more incentives in the postal service, the present system of in-step promotion before reaching the top step in grade will be reduced from 21 years to 8 years. All lower grade employees—PFS 1 to PFS 11—are given a 2-step advancement effective October 1, 1969. The higher levels—PFS 12 and above—will be given earned step advancement on July 1, 1970, as their first step in the acceleration program.

An allowance of not more than $10 per day for commuting would be allowed employees of executive and independent establishments assigned to duty at remote worksites.

Corps of Engineers employees engaged in floating plant operations, when the employees cannot board vessels due to weather conditions or while a vessel is in the yard for repairs will be paid an allowance.

Premium compensation will be permitted for certain employees for Sunday, night, holiday, and overtime pay.

Mr. Speaker, I urge the adoption of House Resolution 576 in order that H.R. 13000 may be considered.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, as is sometimes the case, I believe that the title of this particular bill, H.R. 13000, is somewhat deceptive in that it is called "the Federal Salary Comparability Act of 1969." I am certain that in the debate we have on this bill today, this afternoon, that much will be said about the pledge that the Congress made in 1962 to afford full comparability to those who are employed by the Federal Government, and particularly those in the Federal postal service.

However, I think that when I voted for comparability in 1962, along with, I believe, virtually the entire House of Representatives, I had no idea we would come to the point to which we have come in this legislation—to remove completely from the authority of the President to have an input on salary schedules for those in the executive branch and to so circumscribe the authority of the Congress that we have literally nothing left to say about the manner in which Federal salaries and Federal compensation is fixed. Therefore, I would suggest that we ought to examine with some care the provisions of this legislation, relating as they do to a Federal Salary Commission and to a Federal Arbitration Board, because I asked one of the witnesses who appeared before the Committee on Rules, the distinguished gentleman from Arizona (Mr. UDALL) just exactly how the President could ever frame a meaningful budget, considering, as we must, that we have something like 2 million Federal employees that would be brought under the purview of this legislation—I do not have the exact figure on the tip of my tongue, but the Federal payroll a few years ago was $18 billion. I am sure it is much more than that today—how is the President of the United States ever going to be able to submit meaningful budget estimates when we take out of his hands completely, I repeat—anything to do or to say about the setting of Federal compensation.

Of course, if you have read the report and if you have read the views that were submitted on this bill by the Deputy Director of the Bureau of the Budget and by the Postmaster General, you will find that it is precisely for this reason that they are in opposition to this legislation. I do not, for one, oppose what my friend from Massachusetts (Mr. O'NEILL) said that for a long time we have neglected particularly those in the postal service, and I think my record is good in that regard.

Since I came to the Congress 9 years ago, I have voted, I believe, without exception for increases for postal workers. But I do object, and I do object very fundamentally to the means that the Post Office Committee now seeks to employ as far as the fixing of Federal salaries and compensation is concerned.

Let me make one other point. I received a wire, as did all Members of the House, a few days ago signed by the president of some of the postal unions. The first line in that wire read:

> H.R. 13000 is a significant first step toward postal reform.

I think this bill is going to move us farther away from the objective of postal reform. I think once this legislation becomes law, if it does become the law of the land; once we set up permanent machinery for the annual review and fixing by this Federal Salary Commission of salaries for postal employees and other Federal employees, we are going to be moving, not toward, but away from the goal of postal reform.

I noted also a document that came to my desk just over the weekend, a publication put out by the United Federation of Postal Clerks, the Federation News Service, in which is reported the granting of a rule on this particular bill H.R. 13000 and in which, referring to the 13-to-13 vote in the House Post Office and Civil Service Committee which, in effect, defeated the administration's postal reform measure, the following is said:

> Therefore, we must continue our efforts with PO&CS Committee Members and all Congressmen in support of the Dulski Postal Reform bill, H.R. 4, and remain "on guard" continually against H.R. 11750 and all corporation amendments!

Make no mistake about it. The people who are supporting this bill today are against postal reform. They are against the postal corporation and they are satisfied that once this bill becomes the law of the land and they have this commission fixing salaries, nobody is even going to talk any more about the kind of fundamental far-reaching basic reform of the postal system that not only I think we need, but also the people of this country are speaking of today with a rather loud voice to their Representatives in Congress, saying they are dissatisfied with the way the affairs in this department are being run. They want basic, far-reaching postal reform.

I feel this bill simply is not going to advance us one step in the direction of that reform.

The purpose of the bill is to set up a permanent method of adjusting the pay of Federal employees and to provide pay increases for postal workers.

The bill creates a Federal Employee Salary Commission of eight members, four appointed from the executive departments and four from Federal employee groups. The Commission shall make studies and draw up salary schedules. For voting purposes, the employee group will have only three votes so that the executive will control the Commission.

Also created by the bill is the Federal Employee Salary Board of Arbitration composed of two Senators and two Representatives, appointed bipartisanly, one member appointed by each of the Chairman of the Civil Service Commission and the employee groups, and one member appointed by a majority of the Board, who shall serve as chairman.

If any member of the Salary Commission shall disagree with the recommendations of the Commission, he can appeal to the Board, whose decision shall be binding and have the effect of law unless specifically overridden by the Congress within 30 days of the submission of such pay schedule recommendations. This is the only place where the Congress would become directly involved with the operation. The President is actually not involved at all in any direct manner. There is only one Executive-appointed member on the Board. Since the Executive has voting control of the Salary Commission and since any minority member of the Commission may appeal to the Board, the Board will almost always have the final say. Unless Congress would take affirmative action to stop such recommendations as the Board may submit, they become effective.

The bill also provides pay raises for postal employees. Current law requires 21 years for a postal employee to reach the top step in his grade. The bill reduces this period to 8 years.

All lower grade postal employees—grades 1 to 11—are given two-step advancement effective October 1, 1969. Higher level employees—grades 12 and above—will be given earned step advancement on July 1, 1970. The estimated cost of the advancement for lower grade employees in fiscal 1970 is $244,000,000. This is not in the budget. The 1971 additional cost is estimated to be $544,000,000.

There are several minor provisions contained in the bill. A $10 per day payment is authorized to Federal employees working at remote locations to defray commuting expenses. The payment of premium compensation is also authorized for certain employees who must work holidays, Sundays, and at night. These include border patrolmen, customs officials, and agents of the FBI. These features are estimated to cost about $100,000 per year.

Separate views are filed by the gentleman from Virginia (Mr. SCOTT). He supports the concept of a permanent Salary Commission but believes it should be advisory to the President and the Congress and should not have its recommendations become effective until affirmative action by the Congress approves them. Nor does he believe the President should be bypassed because of the budgetary impact of salary increases. He opposes giving some Federal employees a raise when others do not receive equal treatment.

The gentleman from Iowa (Mr. GROSS) and the gentleman from Illinois (Mr. DERWINSKI) have filed minority views strongly opposing passage. They believe the bill destroys the President's authority and responsibility to participate in determining pay schedules. They likewise believe the bill substantially removes the Congress from any effective voice in the same determination, leaving it about in the same position with respect to Federal employees as it now is with respect to the salaries of Members, judges, and executive-level employees in the departments downtown. They oppose this.

They note that none of the pay increases for 1970 are budgeted and could easily reach $2,000,000,000 in calendar 1970 if all Federal employees are given only a 5-percent increase.

They expect employee-members of the Salary Commission who do not get all they want to immediately appeal to the Salary Board. Board decisions are binding, on Congress and on the President. They believe that the resopnsibility of the Congress and the President must be maintained. They want the bill defeated.

The administration does not support the bill. There are two principle reasons: unbudgeted funding, and the loss of Executive authority in the area.

The bill is a committee substitute; the rule will have to reflect this.

Mr. DULSKI. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the distinguished chairman of the committee, the gentleman from New York (Mr. DULSKI).

Mr. DULSKI. Mr. Speaker, first of all, I have always had the greatest respect and admiration for the gentleman in the well, but when the gentleman says that postal reform is dead, I wish to inform the gentleman that today the Committee on Post Office and Civil Service met in executive session and the first section of an amendment giving the Postmaster General 9-year term of office to provide continuity in the top postal management.

Last but not least, the gentleman talks about what the bill will do, but is it not true what the gentleman in the well just said a few moments ago is the same thing the corporation would do? The corporation would take over the entire function of the Congress on rates and wages. A postal corporation would take pay out of the hands of the Congress, just the same as this bill does.

Mr. ANDERSON of Illinois. Mr. Speaker, in response to the gentleman from New York, I would make this reply, and this is one thing I am sure his committee did not do in the executive session that the gentleman refers to. The bill is not going to leave it to free collective bargaining between representatives of the postal workers and other Federal employees and those who represent management on the Federal level. The gentleman is not willing to leave it to the process of free collective bargaining on the setting of these wage rates. If the gentleman was willing to do that I would be with him, because then I think we would bring the whole business of the Post Office Department down to the kind of working arrangement that is feasible and has been feasible for 180 years in the private sector. I cannot see why it would not work in the public sector.

I cannot for the life of me understand these people who are wiring me and the people who are signing their names to the communication I read a moment ago, who are exponents of the right of free collective bargaining for Federal employees, I cannot understand why they resist with every ounce of their strength apparently the idea that we ought to have free collective bargaining in this area. It seems to me that ought to be the very function and purpose of these unions, to represent people in the setting of wages and terms and conditions of employment. Yet this is one thing they do not want.

What they want to set up is a Salary Commission. We are inevitably going to have an appeal from the Commission, and the gentleman knows that as well as I, and then whom do we have on the Arbitration Board? We have a majority of the Board consisting of Members of Congress, two from the House, and two from the Senate, appointed by the Speaker and the President pro tempore of the Senate. These four people are going to be under the heaviest imaginable pressure to yield to the demands that will then be made to arbitrate the differences about areas of wages and compensation in the postal service and the Federal employment. I would suggest this is scarcely the best way to arrive at an objective determination of those questions.

Mr. DULSKI. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from New York.

Mr. DULSKI. Mr. Speaker, I will not argue on the point about the Commission. I feel just as well as the gentleman does, that we must have real postal reform. In H.R. 4 we have the mechanism that will achieve real reform within the confines of the responsibilities of Congress. But let me tell the gentleman this much. I started hearings on April 22, and I have been working on these questions. When H.R. 4 comes out of the committee, with perfecting amendments added, it will provide truly meaningful postal reform.

I assure the gentleman that postal reform will not be killed so long as I stay as chairman of the committee.

Mr. ANDERSON of Illinois. I am sure the gentleman is both sincere and honest in the convictions he has expressed. I do not for a moment impugn the sincerity of his position.

If I could believe, I say to the gentleman from New York, that the amendments he says inevitably will come and will be attached to this bill, H.R. 4, would include collective bargaining so far as wages are concerned, and if they would include taking the ratemaking process out of the Congress and putting it under the kind of ratemaking board the Postmaster General has asked for in H.R. 11750, then I think you would have a good bill. I have very little reason to believe that kind of bill will come from the committee.

Mr. BRASCO. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from New York.

Mr. BRASCO. I just want to point out that I believe the gentleman in the well is mistaken on two accounts here.

First, the gentleman indicated if we were to pass this bill today we would take away from the President and the Congress any role in the fixing of salaries. That is true in terms of the salary-fixing Commission. However, under the corporate setup the President and the Postmaster General have asked for the same kind of concept.

Mr. ANDERSON of Illinois. If the gentleman will permit me to continue, it would be done by the process of free collective bargaining. That is my whole point.

Mr. BRASCO. That is not so. If the gentleman will take a look at the bill encompassing the corporate form, there is set up a disputes panel to complement the process of collective bargaining. The unfortunate part is that there is no true collective bargaining, because if there is an impasse, the disputes panel must say OK before an item can come before it. There is no guarantee to labor that the disputes panel will OK discussing any item, when there is an impasse, it must be resolved. So under the corporate bill there is no true collective bargaining. That is why labor could not support it.

Mr. ANDERSON of Illinois. I cannot agree with the gentleman's statement there is no collective bargaining under that bill. I believe there is.

I shall not take time to continue this debate further, except to suggest, as I have already indicated, that this is not just a salary comparability bill. This bill represents a very fundamental change, and I think a total abdication of responsibility by the Congress. It takes the President out of the decisionmaking process altogether.

We ought to look very carefully and very closely at our action today before we vote finally on this measure.

Mr. BROYHILL of Virginia. Mr. Speaker, I rise in support of H.R. 13000.

The elimination of the longstanding inequity which has required postal employees to serve 21 years before reaching maximum pay for their work is long overdue. The best distribution clerks and letter carriers, the backbone of our postal service, can expect under existing law, is $1,864 less than the minimum standard of a so-called moderate standard of living after 21 years, and at mid-range, PFS 5, step 4, they receive only $111 more than the standard set by the Bureau of Labor Statistics for a low standard of living.

This is patently unfair to thousands upon thousands of loyal devoted career employees, Mr. Speaker, and I urge our colleagues to correct it here today by adoption of this legislation.

I also support enthusiastically the creation of a Federal Employee Salary Commission, and of an Arbitration Board to resolve any conflicts which might develop within the Commission. I feel it is particularly important that representation on the arbitration board by afforded Members of the House and Senate.

The semiautomatic adjustments we effected in 1968 and 1969 were based on a survey done by the Bureau of Labor Statistics under the control of the Civil Service Commission and the Bureau of the Budget, and I understand my colleagues on the committee are gravely concerned about whether or not true comparability was actually achieved under these adjustments.

The creation of a Federal Employee Salary Commission will eliminate in the future any bias which may have existed in the conduct of these surveys in the past. The Commission can also prevent future recurrences of the position, which has often been taken by the executive branch, that the congressional policy of comparability should be implemented only when a budget surplus permits. The Commission can guarantee once and for all that Federal employees will not be the first to suffer from budget limitations and that adequate compensation will be provided in order to maintain the high level of competence we need in the Federal Government. Further, we will establish once and for all the regular adjustments in salaries of Federal employees are an automatic cost of Government rather than an act of generosity.

I regret, Mr. Speaker, that this legislation in its present form does not provide also for a comparability increase at the date of enactment for other Federal employees. By not including some adjustment at this time, we will, in effect, make it necessary for other employees to wait for consideration of such an increase until the Federal Employee Salary Commission the legislation creates can become operable and afford them relief.

It is my understanding that an amendment will be offered today which will include other Federal employees, and I shall certainly support that amendment when it is offered.

Mr. Speaker, I also support the provisions of this measure which provide for payment to defray commuting expenses of employees assigned to duty at remote worksites; for payment to employees engaged in floating plant operations who are prevented from boarding their vessels under circumstances beyond their control; and for payment of premium compensation to certain groups of employees who are not now compensated for work on Sundays, nights, holidays, and overtime.

Mr. Speaker, most of the provisions of this legislation are desperately needed, and I am therefore supporting it. As I said earlier, I sincerely feel we should include other Federal employees in its salary adjustment provisions, and I shall support an amendment to do so. However, regardless of whether or not the amendment is adopted, I shall support the bill on final passage.

Mr. O'NEILL of Massachusetts. Mr. Speaker, does the gentleman have any further requests for time?

Mr. ANDERSON of Illinois. I have no further requests for time.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. UDALL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13000) to implement the Federal employee pay comparability system, to establish a Federal Employee Salary Commission and a Board of Arbitration, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Arizona.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 13000, with Mr. PRICE of Illinois in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Arizona (Mr. UDALL) will be recognized for 1 hour, and the gentleman from Pennsylvania (Mr. CORBETT) will be recognized for 1 hour.

The Chair recognizes the gentleman from Arizona (Mr. UDALL).

Mr. UDALL. Mr. Chairman, I yield such time as he may consume to the chairman of the full committee, the gentleman from New York (Mr. DULSKI).

Mr. DULSKI. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, enactment of H.R. 13000 will represent the final step in carrying out one of the chief long-range legislative programs of the Committee on Post Office and Civil Service.

It achieves an objective that the committee has shared with the vast majority of our colleagues—the establishment of a permanent system for adjusting the pay of all Federal employees under the principle of comparability adopted by the Congress in 1962.

That is the chief—in fact the overruling—purpose of the bill.

A second most important advance in pay-setting also is accomplished by H.R. 13000.

The bill eliminates a serious inequity which now makes most of our postal employees serve an "apprenticeship" of 21 years before he is paid the "journeyman" top pay rate.

The bill reduces the 21-year apprenticeship to 8 years.

Mr. Chairman, our Subcommittee on Compensation, under the able leadership of the gentleman from Arizona (Mr. UDALL), is to be commended for its fine work on this legislation.

Mr. UDALL. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, this is really an historic pay bill in every sense of that perhaps overworked term. To put it into focus, let me begin by summarizing for the Committee some of the features of the Government salary systems that the Federal Government has. I think there has been some confusion on this point.

The taxpayers of this country will pay out this year in salaries about $41 billion. This is almost equally divided between civilian salaries and military salaries. I will insert the precise figures in the extension of my remarks in the table that I have here, but the military salaries are $21 billion and the civilian salaries are about $20 billion. I insert the following in the RECORD at this time:

PERSONNEL PAY INFORMATION

	Dollar amounts paid (billions)	Number of employees	Annual pay	Hourly pay
General schedule	11.03	1,300,000	$8,648	$4.16
Postal field service	4.42	735,000	6,932	3.44
Wage board	4.05	740,000	6,802	3.27
Military	21.103	3,458,000		
Other	.948	120,000	7,407	3.56

	Millions	Billions
Total civilian	2.75	$20.448
Total military	3.458	21.103
Personnel	6.208	41.551

The civilian salaries are really divided into perhaps four main categories. It is important to keep them separate, because some of the features of this bill deal with one or another of the various salary systems. The general schedule is the largest of the civilian salary system. It is the so-called classified service. There are 1.3 million or 1⅓ million Federal employees in this classified service. The payroll for this year for these people will be roughly $11 billion. Next we come to the postal field service. This service has 735,000 employees. The payroll for them this year will be about $4.4 billion. Next we have a number of miscellaneous systems that are covered in this bill. We have the Veterans' Administration and the doctors, dentists, and officials who work for the Veterans' Administration. We have the Foreign Service, with the two Foreign Service salary systems. These miscellaneous systems amount to a little under $1 billion and employ something on the order of 120,000 Americans.

On top of this we have the military where we have about 3.5 million men in uniform in the military. Their pay, as I indicated, this year will be about $21 billion.

You simply cannot do the things this Government has undertaken to do and you cannot have the Military Establishment and you cannot have the Post Office Department that we have and a $900 billion economy without a lot of employees, and you cannot have employees without salaries.

A continuing problem for the Congress has been how do you fix salaries; What are adequate salaries? These are the problems my subcommittee and our great full committee have wrestled with. In fact, because of an act passed in the last Congress, we now fix the policy, as it were, for the whole Federal Government, because there is a statute which says that once you adjust Federal civilian salaries in any specific amounts, then the military service automatically gets the same increases in proportion in the different grades of the military service.

So the decisions we make today in this bill and the decisions which we have made previously are vital decisions that involve billions of dollars, that involve fundamental government both with regard to the treatment of its employees and the service which they perform for their Government.

Mr. Chairman, I think it is well that this House consider these decisions and consider them very carefully.

What does this bill do? This is not just another pay bill. You have all been here, the oldtimers, and voted against the various pay bills. However, this is a very different bill. Indeed, the gentleman from Illinois (Mr. ANDERSON) has put his finger upon some of the key aspects of the bill. This may be the last pay bill you ever vote for if you stay here for another 20 years. This is not a change; it is a fundamental change. It is not a change that has been ill considered and a change that was not made without deep and careful thought.

Mr. Chairman, the change advocated in this bill represents an achievement for me over the period of about a 5-year program because I have been personally working to bring about some kind of rational, sensible, permanent way of approaching the problem of the adjustment of Federal salaries. I say this because this problem is going to be with us every year. This is a plan of machinery, a method of adjusting the Federal, civilian, postal, classified, and military salaries. If you support this bill today, and I urge you do so, and if it passes, you will have, I think, made a historic achievement and brought to this whole problem a rationality and a permanence that it never had before.

Mr. Chairman, what does the bill do? The bill really does two major things. First, it deals with the postal people only; and, second, you are dealing generally with the Federal employees across the board. There are inequities and I shall first deal with the postal provisions because there was some controversial thought but was supported widely in our committee when finally understood and that is the plight of the letter carriers, the plight of the clerks, and there are over, I think, nearly one-half million of these people. These are men engaged in dead end employment. The statistics show that over 90 percent of them begin and end their careers—their 20 to 30 years of service careers—in the same grade. They begin at level 4 or 5 and end their careers at that level. It is a dead end employment. Less than 1 percent of them in any one year expect a promotion in their grade level.

Mr. Chairman, the postal field service is constructed so that there are 12 steps and in order to become a full-fledged letter carrier one must serve a minimum of 21 years, until they are appointed to the top level. In other words, they serve an apprenticeship, really, for 21 years before qualifying for the top salary step.

Take for example, if I am a carpenter, at the end of 2 or 3 or 5 years I then become a full-fledged carpenter. If I am a policeman employed under most city or State governments, I am a full-fledged policeman at some point in 2 or 3 or 4 or 5 years. But if you are in the postal field service, you are still classified as a rookie.

Mr. Chairman, this bill shortens the time of such service from 21 years to 8 years during which it takes a new man coming into the postal field service to reach the top step. This is crucial, because we must begin to recruit the good people we need. The turnover has been something frightening for the whole postal service because next year one man out of every four working for the postal service will be gone from some type of postal activity. The substitute clerks, for example, the turnover is 45 percent. How would you like to run an efficient business with a turnover of 45 percent in a category of employees who sort the mail, who know the streets and addresses and all the rest that goes with the proper and efficient handling of the mail?

Mr. Chairman, the first thing this bill does is to change the structure and to correct a longstanding injustice and to shorten the period of that service from 21 years to 8 years.

The second major feature of this bill——

Mr. GROSS. Mr. Chairman, will the gentleman yield before he goes to the other feature?

Mr. UDALL. Yes, I yield to the gentleman from Iowa.

Mr. GROSS. Is it not true that only a couple of years ago or, maybe, 3 years ago an effort was made to reclassify the postal workers and the majority on the committee voted it down?

Mr. UDALL. We reclassified the grade 4's in 1967; we made them grade 5's so we did reclassify in that sense, it was not a full grade 5, as the gentleman knows.

Mr. GROSS. That may well be, but the attempt was made at that time to reclassify and, as far as I am concerned, it should have been passed. I supported it, but for some strange reason it was voted down. I am not going into the particulars of what happened on that occasion, the gentleman is well aware of them, and so were others on this committee.

Mr. UDALL. The gentleman from Iowa always attempts to keep me on the straight and narrow path, so I certainly appreciate his contribution because he always corrects me if I make an error, and if in the future I make an error he will correct me or call me to account.

The second major change this bill makes is the most vital one, and is the most controversial, and the gentleman from Illinois, a member of the Committee on Rules, spoke about it just a few moments ago.

What this bill does is to take Congress out of the nonsensical position of fighting year in and year out a Federal pay bill. Each year since 1962, with the exception of the last 2, we have had pay rallies in Washington, the corridors have been filled with postal employees coming to Washington to petition for redress of their grievances. We have argued and battled whether or not the budget would stand for it, and we have fought the White House, and the employee unions, and we have been caught in the middle of this thing year in and year out.

So now for the first time we are going to put this on a rational basis, and establish a salary commission. This commission is not given a blank check. Congress does not abdicate its responsibility. The President is not taken out of the picture as it has been alleged.

This Commission will carry out the policies that Congress makes.

Let me give you an example. Suppose you are the president of a very busy bank——

The CHAIRMAN. The time of the gentleman has expired.

Mr. UDALL. Mr. Chairman, I yield myself 5 additional minutes.

As I started to say, suppose you are the president of a very important and busy bank, and you find that you are spending about two-thirds of your time attempting to haggle with every bookkeeper, teller, and clerk in the bank on whether their pay should be increased, and as a result you find you cannot attend to the really important problems of the bank.

As a result, I think what you might do would be to call in a trusted lieutenant, and you would say to him that it is the policy of this bank to pay the tellers in this bank what the tellers are paid in other banks in this city, and to pay the janitors in this bank what the janitors in other banks are paid, and to pay the bookkeepers what other bookkeepers in other banks are paid. Do not bother me with all these problems. You take some time and attempt to find out what the salary schedules are for bookkeepers in other banks, or companies, or industries, that are comparable to the banking industry, and bring those in to me and I will put them in effect; lay them on my desk for my consideration, and then I will check them, and if I like them I will put them in effect.

That is what we do here. Congress fixes our policy, and we say that a bookkeeper in the Veterans' Administration or a bookkeeper in NASA or a bookkeeper in the Defense Department ought to get the same pay that a bookkeeper receives in private industry who has that kind of responsibility.

We do not take the time of the Congress to do this; we put it in the hands of experts who go out and study it and find out what it is, and who then come in and lay it before us, and we can take it or leave it.

This is the delegation that some will object to. This is the abdication of congressional responsibility that some will object to.

I emphasize that under this bill the House and the Senate will still have the veto authority. We will set the policy, as I have indicated.

Let me ask you a question or two about this: During 1968 and 1969 did any of you feel like you had abdicated your responsibilities? Did any of you feel lonely because we did not have pay rallies? 1968 was the first year on record when we have not been confronted with a pay bill. The last was in 1967 when we wrote a bill as kind of a test where we said, let us test a new idea, we can work out a formula, and we said to the President when July 1968 comes, you take a look at private enterprise and with the BLS statistics, and all the other information that is available, and let us put them together and come up with the results.

This the President did, and it was the fairest and best, most rational and least cumbersome pay raise we have ever had.

The President did the same thing this year. Did any of you feel guilty? Did any of you feel lonely? Did any of you feel like we had abdicated our responsibilities? Or did you feel like I felt, that we in the Congress had set the policy in 1967, and set up the mechanics and the details of carrying it out?

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman.

Mr. ABERNETHY. Would this Commission be comparable to the Commission that now regulates or really fixes salaries of Members of Congress, the judiciary, and so forth?

Mr. UDALL. It would be quite comparable in its purpose. In fact, they would work together. This is part of the whole idea to have a rational construction of the federal systems.

Mr. ABERNETHY. Would it be the same Commission?

Mr. UDALL. It would be an entirely different commission.

Mr. ABERNETHY. How would this Commission be designated?

Mr. UDALL. The Commission would be designated as follows: There would be really seven votes on the Commission—four would be controlled by the President—and I say that to those who are saying that you are taking the President out of the picture. The four are appointed as follows: the Bureau of the Budget, the Postmaster General, the head of the Department of Defense, and the Civil Service Commission. These are four votes.

The other three votes are to the two largest postal union employees, so it is a half vote each. Then you have one for the classified union and then the independent Federal union representative is to be picked by the Civil Service Commission—and there you have seven votes.

Mr. ABERNETHY. Then the Commission will be quite different from the present congressional Commission but it will still be a salary determining commission.

Mr. UDALL. Oh, indeed.

Now that brings us to the second step. The employee unions were very afraid they were giving up what they thought to be the ultimate protection that they had.

Mr. ABERNETHY. Did the gentleman say there would be three union members on the Commission?

Mr. UDALL. Three out of seven.

They were most apprehensive that they were giving up their access to the Congress and felt that in the final analysis the Congress had to pull them out, when the present Postmaster General would not come up with a raise. We said, All right, if the Salary Commission does not carry it out—and that is the only question before the Salary Commission, to make proper petitions giving them comparability—then the employee unions can appeal to the Board of Arbitration and the Board of Arbitration has seven votes. Four of those votes are Members of Congress, two Members of the House and two Members of the Senate.

There is one Government representative selected by the Civil Service Commission—and one union representative and a chairman from the American Arbitration Society.

So these people, seven members of the Arbitration Board finally determine whether the Salary Commission is applying the policy that the Congress lays down.

Mr. ABERNETHY. If they do not like it, they would still be coming back? If they do not like the recommendations of the Commission, of course, you anticipate that they will still be back walking the Halls, do you not?

Mr. UDALL. In any event, the findings of the Commission or the Board of Arbitration come back to the Congress for veto or for other action. In my opinion, based on 1968 and 1969 experience, I do not think so very much because this is exactly what we did in the last 2 years. They will not be back at all. They will accept this.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman.

Mr. GROSS. Did I understand the gentleman to say that congressional, executive, and judicial pay raises are dovetailed with this bill?

Mr. UDALL. Yes in a sense, that has been my aim, to get Congress out of this hassle.

As I pointed out, the Congress has already raised its salary eight times in 108 years and Congress never got around to this. So my judgment is that this is now rational, orderly, and regular review every 4 years, and the Congress approved this.

If you get a rational and orderly and annual adjustment of these other systems tied into it, then you have a whole pay system of the Federal Government dovetailed together. Then they will be working together on a rational and orderly basis. This has been my goal as my colleague knows, and I am sorry the gentleman does not share it.

Mr. GROSS. Then you favor this dovetailing of legislation?

Mr. UDALL. Indeed, it dovetails very nicely together and I hope the gentleman will help to put in order these joints so we can finally put this into place.

Mr. RUPPE. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman.

Mr. RUPPE. The gentleman will recall that 3 years ago the subcommittee did a great deal of work preparing a salary schedule level in line with the rate increase proposed by this and other subcommittees at the time.

I recognize the need to bring the two in order. I understand that this present legislation will cost about $500,000,000 in the next year. In the fiscal year now ending is there any revenue measure that will be brought along to achieve the same revenues we are quite anxious to reach? Does the gentleman think we are going to secure the necessary revenue in 2 years to cover the cost of this legislation?

Mr. UDALL. The President sent some days ago, my friend will recall, urging a rate increase on first-class mail which has been before our committee, and this bill by the President would produce around $600,000,000 in additional revenue.

The distinguished gentleman from Montana chairs that subcommittee and has been holding hearings on that bill. I am prepared to face up to my responsibility on the question of postal reform and other things but I regret that we have not been able to be together on this bill.

It was a rather unprecedented thing. The gentleman was a very valuable member of that subcommittee and the committee. It was kind of unprecedented to combine a pay bill and a rate bill.

Mr. RUPPE. They were acted on very much in parallel at that time.

Mr. UDALL. There was very little enthusiasm for a marriage between these two bills at that time.

Mr. Chairman, I make this final point to those who are troubled, as some may be, about the delegation of authority, the abdication of congressional responsibility, and so on. If you feel badly about it, you might reflect that this is—in fact, the gentleman from Iowa stated in the Rules Committee, or someone up there, that it is unconstitutional. I said:

> There are $5 billion or $4 billion that is going to be paid out this year in the same unconstitutional fashion. There are 740,000 Federal employees who are paid under a system called "Wage Board."

In that Wage Board system the President plays no role. The Congress plays no role. I hear no complaints on those when adjustments have been made, and we have not had a chance to vote on them. The President did not know about them. This Wage Board has been in existence since the time of Ulysses S. Grant. For more than 100 years we have had the Wage Board. It has worked. It has been delegated with authority by Congress to determine how much carpenters are paid in the building industry, in order to pay Federal carpenters in the same way. That is what we are doing in this bill.

Mr. Chairman, I speak today in support of H.R. 13000, the Federal Salary Comparability Act of 1969.

For over 5 years I have been working toward this day. It has been my longheld belief that the employees of our Government deserved and needed a dependable, rational method of pay adjustments in order to plan their careers in the Federal Service. For too many years we have tried to hire and retain competent employees by saying to them, "give us the best years of your life in return for an unknown system of pay adjustments." In accordance with the best-accepted private enterprise policies, we are today going to pass an act that says to the Federal employee, "From now on you can be assured that each year your pay will be adjusted in line with any changes in private enterprise."

No longer will the almost 2 million employees covered by this bill have to sit back and hope or pray, that their salaries will be adjusted.

We in Congress began this process in 1967 by passing that historic pay bill which allowed the Executive, in partnership with the Congress, to automatically set pay in 1968 and 1969. During that debate, there were objections which raised a variety of ominous problems. During 1968 and 1969, those straw men were laid to rest. Now the members have seen how smoothly and efficiently that law worked.

The employees of all branches of Government are satisfied with the principle established in that act.

Now we come before you with the natural extension of that act. Naturally, there are some changes—experience has shown us that certain structural modifications were necessary—but the principle remains the same. Congress must set the policy and establish the machinery for its smooth enactment. The Executive must administer that policy—not make it—and the Congress must continue the review and control of the policy.

In addition to this policy of congressional control, we will reinterate today the fundamental personnel policy of comparability. This policy simply says that Government workers doing the same work as their counterparts in private enterprise must be paid substantially the same amount of money. This policy was established in 1962, restated in 1967, and repeated again today in this act. A computer programer in the Department of Defense should get the same amount of money as a computer programer working for IBM, if they do the same kind of work.

These two fundamental policies—congressional review and comparability of pay—form the bedrock of the act we vote on today.

The act itself is fairly simple—it has two major parts—one affects all Federal workers, and the second adjusts the promotion policy concerning postal workers.

The major provision of this act concerning all Federal employees sets up a Federal Employees Salary Commission. This Commission is established to annually recommend to the Congress adjustments in the pay of employees under the general schedule, the postal field service, the Veterans' Administration, and the Foreign Service. This Commission is composed of a regular representative of the President from each of the following: Civil Service Commission, Bureau of the Budget, Defense Department, and Post Office Department. In addition, the employees are represented by four members as follows: one representative for general schedule employees, two representatives for postal employees, and one representative from independent unions on a rotating basis.

Each of the Presidential members will have one vote—a total of four—and the employee representatives will have three votes—(postal representatives will have one-half vote each. Thus, the Presidential members will have a majority of the Commission. This is a deliberate policy so that the President can make sure his personnel policy is carried out. At the same time, the employees will have representation so that the employees will have some voice in this policy of setting pay.

In addition to these eight regular members, there are three associate members. These associate members are selected by the Chairman of the Civil Service Commission and do not have a vote. They will be selected to present the views of the specialized employee groups, such as the Air Traffic Controllers or the Federal Professionals and will be rotated annually by the Civil Service Commission.

In the event that any regular member of the Commission feels that the congressional policy of comparability has not been carried out, this act provides for an appeals procedure.

The appeal is made to an Arbitration Board composed of four Members of Congress—two from the House and two from the Senate—one Presidential representative, one employee representative, and an impartial Chairman selected by the first six. This arbitration board will review the decisions of the Salary Commission and decide if the congressional policy has been carried out. If it has not, the board will make the necessary changes, and send the revised changes on to Congress for final approval. If it finds that the recommendations of the Commission are in accord with the principle of comparability, it will so certify to Congress—again for final approval.

This entire procedure is designed so that it should not take more than 60 to 90 days each year to adjust Federal salaries. This is in vivid contrast to the months and months it previously took under the old system.

This, then, is the historic and precedent-setting comparability system we vote on today. I believe it will become a landmark act in progressive personnel policymaking for Federal employees.

POSTAL PROMOTION POLICY

A second major provision of this act rectifies a longstanding and major problem facing postal employees, particularly clerks and letter carriers.

The Post Office Department has long complained of the difficulty in hiring, training, and retaining competent employees. All of the Members of the House have heard from their constituents on the deteriorating service in the post office. A primary cause of these problems lies in the fact that it takes over 21 years before a postal employee reaches the top step in his grade. This is similar to being a rookie after 20 years.

All available evidence indicates that the postal employee is stymied on two fronts in trying to get ahead in the Post Office Department:

First. There are not enough promotions to go around. For instance, only one employee in every 100 gets promoted to a different position each year in the post office. The average for all other Government agencies is one in four.

Second. The vast majority of postal employees thus remain in the same grade level throughout their career. It is in this grade level—usually grade 5—that the 20-plus years are spent.

This problem is resolved in the following manner: We reduce the 20 year problem to a maximum of 8 years. Thus, the new employee will know that he will make top grade in his pay by the eighth year rather than by the 20th.

Second, we begin this process by advancing the lower grade postal employees by two steps, effective October 1, 1969. This will provide an additional $412 per year. Add this to the average $298 per year already allotted, and you have the postal employee getting a total of $59 for the months of October, November, and December of this year, up from $24.80 per month. This is in contrast to the average General Schedule employee who has been—since last July—and is currently receiving an additional $69 per month.

This problem has been a grievance that both management and the employees of the Post Office Department have been mentioning to our committee for some time. We believe that our solution should assist the Department in retaining and recruiting additional quality employees for the foreseeable future.

In addition to resolving this particular problem facing the postal employees, H.R. 13000 has three other sections.

These sections also resolve specific problems facing particular groups of employees serving in other branches of the Government. The first of these authorizes the payment of an allowance, not to exceed $10, to defray the cost of commuting to remote worksites. Many times an employee must travel to a remote worksite, perhaps to build or repair a facility, and presently must pay his own way from his normal work place. This bill will help defray part of this additional expense. This bill is identical to H.R. 12881, which passed the 90th Congress unanimously.

Another provision provides a living allowance for certain employes who work on floating plants operated by employees of the Corps of Engineers. This section is identical to H.R. 7406, which passed our committee in the 90th Congress.

The final special problem is one that affects various agents employed by the FBI, the Border Patrol, and others. It allows for them to be paid for regularly scheduled overtime, Sunday and holiday duty that is presently not received. This inequity is removed by this section and is supported by the administration.

All of these three miscellaneous provisions are estimated to cost less than $100,000 per annum.

Mr. Chairman, there have been a variety of objections raised to this legislation. Many of them are a rehashing of previous pay legislation. In order to alert my colleagues to these "straw men," I will outline and rebut some of them.

First. This act will bypass the President and take away from him his constitutional authority.

This is patently inaccurate. In 1967, the same opponents objected to that bill for precisely the opposite reason—we were giving the President too much power and taking it away from Congress. We now provide for more congressional review in this act and the same opponents now say, "Let the President keep his longstanding authority." Exactly what is the President losing? According to my reading of this act, he has four Presidential representatives on the Salary Commission, with the controlling votes. As is well known, the President does have something to do with appointing his Cabinet, the Director of the Bureau of the Budget, and the Chairman of the Civil Service Commission. In addition, he will be represented on the Arbitration Board.

Furthermore, Congress has delegated authority to set wages totaling $4.05 billion under the coordinated Wage Board system. The President does not have a personal representative sitting on those boards—he does have agency representatives, however. This act continues and expands on that same principle.

Second. This act places Congress in a meaningless and subordinate position.

Again, this is the same argument that has been used over and over again by the same opponents. This act strengthens and expands the congressional role in setting pay policy as compared to the 1967 act. This is the primary reason why the President opposes this act. The Chief Executive's idea of a good law is to give the President complete authority to set employee pay. I would be interested to know the viewpoints of the opponents of this bill to that proposal.

Let me quote the Deputy Director of the Bureau of the Budget on this matter of congressional versus Presidential control:

> Although the *Congress* would be given the opportunity for review of the commission's pay determinations and those of the board through procedures similar to those contained in the reorganization statute . . . the President would . . . have no authority or responsibility to deal with this vital executive function. We believe this would be highly objectionable and unwise.

My position is clear: I believe the President has ample representation on the Salary Commission and Board—much more than he has under the coordinated Wage Board system. Furthermore, Congress has additional mechanisms for review through the Appeals Board and the final vote. This is a balance that should be maintained and continued.

Third. This act is discriminatory against certain employees under the general schedule.

This allegation deals with the section revising the step-advancement policies within the postal service. This change in policy is to attack a particular problem unique to postal employees.

It is a fact that the vast majority of postal employees remain in the same grade throughout their careers. The same cannot be said of classified employees. Further, only one in 100 postal employees gets promoted out of his grade annually. The comparable figure for classified is one in four. Thus, the facts are completely different for these two groups of employees when it comes to in-step advancement. In-step advancement is simply not relevant for advancement in the classified service—the same cannot be said for postal employees.

Therefore, a different policy is called for and this bill makes that policy. We provide for a particular solution for a particular problem. This is exactly the same situation in sections 6, 7, and 8 of this bill where we provide particular solutions to particular problems for other employees concerning remote worksites, overtime pay, and hardship allowances. These provisions do not affect postal employees but no one claims discrimination in these cases.

As a direct result of this change in instep advancement policy, postal employees will receive an additional $412 per annum effective October 1, 1969. In July of this year, postal employees received an average of $298 per year raise. Classified employees received an average of $825 per year raise. Even when we add the $412 from the month of October onward, no one can believe that the classified employees under the general schedule will be shortchanged.

No representatives of the classified employees have ever said that the instep advancement policies have been a serious detriment to hiring and retaining personnel. The reverse is the truth—all available evidence indicates that the movement within the civil service is very good and the advancement opportunities ample. If a different position is taken and the case made for that position, I am sure the Post Office and Civil Service Committee will give sympathetic consideration to a proposal to alleviate such a situation. To this date, no such action has occurred. It was for this reason that the allegations of unfairness toward general schedule employees was such a surprise to the members of the committee. It was assumed that we were alleviating a longstanding grievance that everyone agreed should be eliminated.

It must be clear to all Members that we cannot have a shotgun approach to solving personnel problems. We must solve specific problems with specific solutions. We cannot apply blanket solutions that do not apply to everyone. This is precisely what would occur if the instep advancement policies were changed for the entire civil service. We would be solving a problem that does not exist.

Fourth. We have also discriminated against middle- and top-level supervisors.

This is untrue. In committee we resolved the major problems in conjunction with representatives of the supervisor employees. I refer my colleagues to page 42, lines 1 to 20 of this bill. This section rectified any temporary inequities that might occur. Furthermore, if any such problems do develop, I have been told that they will not number more than a few hundred from the more than 735,000 postal employees. This is a minor problem indeed.

Fifth. It is alleged that irregular committee procedures were followed in bringing this bill to the floor.

The identical complaint was lodged against this committee during debate in 1967. We find it repeated again. Let me just outline the procedures during which all kinds of testimony was heard, both pro and con, and during which time the opponents of this bill had an opportunity to be heard—and were in many cases.

On September 16, 17, 18, and 20, 1968, the Compensation Subcommittee heard testimony which was completely directed toward potential legislation during the 91st Congress.

Then, on June 16, 17, and 26, 1969, additional testimony was heard. This was continued on July 15, 16, 18, and 19, 1969. After 11 days of open, public hearings on this subject, the subcommittee reported the bill on July 22 to the full committee. This bill was before the members until August 7, at which time, by a vote of 22 to 2, it was reported for floor action. I do not believe that this action is indicative of haste or unfair activity. It is a typical record for any responsible committee of this House and I am sure my colleagues are aware of the work done by our committee over the years. We produce good legislation, notwithstanding the views of opponents of this bill.

Sixth. It is alleged that this bill is unduly inflationary and should not be passed for that reason.

This question has been raised every time Congress prepares to raise the salary of the Federal employee. The Federal employee is always the first to feel the effect of the inflationary spiral and the last to get relief. We too often forget that these are human beings—with wives, children and the same costs of living as the rest of us. Further, the Federal employee does not cause inflation. The causes, whether governmental or private in nature, are due to the war in Vietnam, the current lack of wage-price guidelines and an infinite number of related actions. All this bill does is say, "If inflation occurs in the private economy, and its effects are measured in the wages paid in the private sector, then the Government employee should have wages affected in the same manner and to the same degree."

This bill says we should help the employee offset the ravages of inflation—it is the least we can do as the employer.

One additional point should be made clear on this issue: The administration witnesses indicated that they would be willing to have two additional salary increases during the next 2 years. Their suggestion was July of 1970 and then January of 1971 and each January thereafter. We are proposing the same thing in this bill, with one exception: The first increase would be in January 1970, rather than July, a change of 6 months. So there is no substantial departure from the administration's position on this matter.

I would hope that my colleagues would review this bill carefully—in doing so, they will see the great care and work that went into this bill and will ultimately support it.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania (Mr. CORBETT).

Mr. CORBETT. Mr. Chairman, the bill which we are now considering is one that is of major importance and critical concern to all postal and other Federal employees. It is a real milestone in the long and often rough road we have had to travel here since 1945 in attempting to see that our Federal employees are paid decent salaries.

As one who has actively participated in every legislative pay raise effort for the past 25 years, I am very proud to be a cosponsor of this particular bill and I urge its prompt passage.

In brief, H.R. 13000 would accomplish two very important objectives which those of us who are charged with responsibility for Federal pay matters have long been trying to achieve.

First, the bill would set up a permanent system for adjusting the pay of all Federal employees, except those now covered by the so-called wage board system, in accordance with the principle of pay comparability which this Congress adopted in 1962.

Second, the measure would eliminate

a very serious inequity in existing law which, in effect, requires a postal employee to serve an apprenticeship of 21 years before he can be paid the top pay for his work. The waiting period for receiving top pay is reduced in this bill to 8 years.

In addition, H.R. 13000 will give most postal employees a two-step pay increase effective this month to make up for their failure to receive an adequate adjustment last July when other Federal employees received far more, on the average, than the 4 percent which was given to postal workers.

Mr. Chairman, the problem of devising some type of permanent system for setting the pay scales for our large Federal workforce in a responsible, rational, and orderly manner is one that has concerned me and the members of our committee for many years.

For all practical purposes, all pay raises since the end of World War II until 1967 were awarded as separate acts of Congress on a "shotgun" type approach and most often only after long, bitter fights. The first significant milestone was reached in 1962 when Congress adopted the very sound principle that the pay rates for Federal employees should be comparable to the pay rates of employees in private industry for the same types and levels of work.

However, it was really not until 5 years later—in our act of 1967—that we made a significant start in implementing this principle.

The Federal Salary Act of that year provided for a three-phase pay raise what was intended to bring Federal employees automatically closer to full comparability by July 1 of this year. Nevertheless, because of the timelag in gathering and assessing the pay statistics, Federal employees are still more than a year behind in achieving full current comparability.

The 1967 act set an extremely good precedent. It also proved that an orderly system for adjusting Federal salaries automatically and without excessive congressional involvement was not only workable but a much more preferred system.

In essence then, the establishment in H.R. 13000 of the Federal Employees' Salary Commission is a result of the successful operation of the Federal Salary Act of 1967 and H.R. 13000 also embodies most of the principles laid down in that act.

Mr. Chairman, I should like to emphasize that what we are attempting to do with this legislation is to keep the pay of Federal employees on the same level as the pay of employees in private industry. This is not a big giveaway in which Federal employees are being singled out for some type of preferred treatment. H.R. 13000 only establishes the machinery that will permit Federal workers to catch up and stay caught up with their counterparts in the private economy.

I recognize, Mr. Chairman, that some Members have valid questions with respect to the mechanics involved in the operation of the Salary Commission and the Board of Arbitration. However, I believe that we should proceed as the bill is now written and, after a reasonable trial period of operation, if improvements and refinements are deemed to be in order, I am confident that our committee will promptly initiate them.

I would urge then that we enact this bill since it will go far in solving one of the most vexing problems that has consistently faced our committee and the Congress.

Mr. BRASCO. Mr. Chairman, will the gentleman yield?

Mr. CORBETT. I am happy to yield to the gentleman from New York.

Mr. BRASCO. Mr. Chairman, I strongly endorse H.R. 13000 and urge my colleagues to give this important piece of legislation their wholehearted support.

In 1962, the Congress enacted a landmark pay bill which established the principle that Federal employees should receive salaries comparable to their counterparts in private industry. It would be difficult to see how anyone could disagree with this sound policy because, to me, it is axiomatic that if we are to have good, efficient Government agencies we must provide adequate incentive to attract the best employees.

Unfortunately, in the years which followed, the principle of comparabilty was honored more in the breach than in the observance. It became clear to us that we must devise some system of pay setting which was isolated from the day-to-day exigencies of political maneuvering.

While it is incumbent upon us in Congress to establish basic pay-fixing policies, we are not well suited to the administrative task of determining and fixing pay schedules.

In 1967, we established a semiautomatic pay-fixing mechanism designed to bring Federal salaries up to comparability by this year. With a few exceptions, we were successful. However, we are now again faced with the prospect of exhausting and time-consuming annual fights over pay bills. It is my opinion that these annual fights are of no real benefit to Congress, the Federal employee, or the taxpayer.

Therefore, I am very enthusiastic about the approach contained in H.R. 13000. For the first time, we are presented with an opportunity to provide a mechanism for the automatic adjustment of Federal pay schedules.

The bill is carefully drafted to protect both the interests of the taxpayer and of the Federal employee. The Salary Commission established by the bill will consist of representatives from the administration and employee organizations. If any member of the Commission representing employee organizations disagrees with the findings, that member may refer the disagreement to a Board of Arbitration consisting of Members of Congress, and representatives from employee organizations, the Civil Service Commission, and the American Arbitration Association.

Congress will maintain ultimate control by retaining the right to veto recommendations of the Commission or Board within 30 days after the proposed salary rates are submitted.

There is another important aspect of this bill, Mr. Chairman. When the final adjustment of the three-step increase was announced earlier this year, postal employees were left out in the cold. Through the outdated process of the construction of pay schedules, postal employees were shortchanged by as much as $800 a year. We all know that an emergency situation exists in the postal field service. Part of this emergency exists because of the low pay received by letter carriers and clerks, as well as other employees in the middle and lower levels of the postal service. This bill, therefore, provides emergency relief to those employees who were discriminated against in the last pay raise by providing that all postal employees in levels 1 through 11 be advanced by two pay steps. Simple equity demands that this be done.

The bill will also reduce the amount of time it takes for a postal employee to rise to his top salary step. This provision is necessary in view of the extremely limited promotional opportunities in the postal field service, where some 80 percent of the employees retire in the same level they entered.

Taken as a whole, Mr. Chairman, this bill represents a tremendous step forward in Federal pay-fixing policies. I am proud that I had a part in developing this legislation, and its passage will be a proud moment in the history of congressional concern for the dedicated employees of the Federal Government.

Mr. CORBETT. Mr. Chairman, I yield whatever time he requires to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Chairman, the gentleman from Arizona (Mr. UDALL) never spoke truer words when he said that this may be the last bill of this nature on which you will vote because the committee has written into this bill the same formula for voting on pay increases that were contained in the congressional, executive, and judicial pay bill. I do not need to remind any of you of the fate of those of us who attempted to obtain a vote on that bill earlier this year—in February to be more specific. We were defeated at every turn in our efforts to get a record vote in the House on that salary grab.

Mr. Chairman, I rise to oppose the enactment of H.R. 13000, which, by any objective standard, defies fiscal integrity and administrative commonsense. I point out to you in passing that if this bill is enacted, it will be the ninth pay raise for postal employees in 7 years.

The views that I express are detailed in the minority statement which accompanies the report on this bill. I take this time only to reemphasize features of the legislation which I feel are especially offensive. The principle of pay comparability for Federal employees was established by the Congress in 1962. It is reasonable that employees of the Federal Government be paid salaries comparable to their working counterparts in private industry. In addition to stating this policy and incorporating it into law, the 1962 statute also provides for annual review of rates of pay in private industry to determine whether Federal employees remain on a comparable level and it instructs the President to

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make such recommendations for the revision of statutory pay schedules as he deems advisable. Now, for all practicable purposes, the President is to be written out and made a nonentity in this matter.

Since enactment of the 1962 law, there have been seven salary adjustments, all of them upward, for Federal employees. The final adjustment in July 1969, placed Federal workers at full comparability in keeping with the Bureau of Labor Statistics figures then available.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Arizona.

Mr. UDALL. Mr. Chairman, the gentleman from Iowa chided me earlier just a little bit and I wanted to return the compliment. In the 1967 bill we gave to the President the power to make these computations in 1967 and 1968. I was quite moved by the words of the gentleman from Iowa in that debate here in this Chamber just 2 years ago. The gentleman said in that debate:

> The committee would have Congress completely abdicate its obligations and responsibilities in the field of Federal salaries and it would, in effect, be giving the President a postdated blank check to be cashed in the future in any amount. In view of what has happened here lately, we cannot afford the luxury of such irresponsibility.

Today the gentleman says we are cutting the President out of this.

I wonder if the gentleman would comment on this seeming inconsistency.

Mr. GROSS. Mr. Chairman, I do not see any inconsistency at all. How many years ago was that?

Mr. UDALL. This was in 1967, in which bill we gave the President the power to fix the 1968 and 1969 pay raises, and the gentleman thought that was an outrageous thing. Now the gentleman says we are taking the President out of it entirely.

Mr. GROSS. I do not think I voted for the bill.

Mr. UDALL. The gentleman did not vote for it.

Mr. GROSS. I do not see anything inconsistent in my position.

Mr. Chairman, the bill we have before us carries the principle of comparability one step further. It is an important step which I urge all of my colleagues to consider. While the legislation restates in substantial form the present policy of pay comparability, it also states that it shall be the policy of Congress that "rates of pay shall be adjusted annually."

This departure from the policy of pay comparability is one which I regard as tremendously important and one which we should carefully examine.

Under the language of this legislation, should it be enacted, the pay of each Federal employee in the four statutory pay systems would be adjusted each and every January 1, from this day forward. I might add that, while the "adjustment" can conceivably be downward, I choose to regard it as a euphemism for an annual salary increase.

The fact of the matter is, that under current law, each employee in the first three grades of the General Schedule receives an annual step increase in pay providing his service is satisfactory. And, under postal law, employees in the first six levels of the Postal Field Service also receive an annual step increase, also based on satisfactory service.

Why, then, is it necessary to destroy this incentive step advancement by replacing it with an automatic round of pay advancement each and every January 1?

Mr. Chairman, I call attention to other provisions of this legislation which recommend its defeat.

It denies the President any authority or responsibility in Federal employees' pay determinations. Under this bill, the Chief Executive would be powerless to deal with this vital executive function. The final recommendations of the Federal Employee Commission or the Board of Arbitration under this bill become effective without the President's recommendation and without regard to the national priorities established through his annual budget.

I do not subscribe to the proposition, advanced by the chairman of the Subcommittee on Compensation, that pay increases for Federal employees should be as "automatic as the payment of interest on the national debt." To suggest this analogy shows an unfortunate disregard for the role of the President, who is the head of the Federal Establishment and is responsible for managing the national debt and curbing inflation.

This legislation places the Congress in a subordinate and almost meaningless role in governing the tremendous expenditures required for Federal salary adjustments. The current annual expenditure for civilian and military payrolls is $42 billion. This legislation will add to that figure in untold amounts, for even its proponents cannot foresee what the additional cost in January 1970 will be, and every January thereafter.

It is argued, Mr. Chairman, that under this bill the Congress has the final say on pay adjustments. I submit that the provisions which relate to congressional disapproval of salary increases are a sad rehash of the same scheme under which the salaries of Members of Congress can be increased without any opportunity for a congressional vote.

The pending bill provides for the submission of proposed salary adjustments to the Congress on February 1 of each year, and then gives either House 30 days in which to adopt a resolution or disapproval. In the opening days of a new Congress, the House committee having jurisdiction of such a resolution might not even be organized within this time period and, therefore, could not even consider a resolution—as we all learned when the recommendations of the Commission on Executive, Legislative, and Judicial Salaries were submitted early this year to the 91st Congress.

Mr. SCOTT. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am glad to yield to my colleague from Virginia.

Mr. SCOTT. As I understood the gentleman, he said this recommendation would come to the Congress on February 1. I call his attention to the statement that it is not later than February 1, and ask if it is his understanding that it could be submitted earlier than February 1?

As I look at page 32 of the bill I see the language:

> Not later than February 1, 1970, and subsequent reports pursuant to such paragraph (5) not later than February 1 of each year thereafter.

The CHAIRMAN. The time yielded by the gentleman from Iowa has expired.

Mr. GROSS. Mr. Chairman, I yield myself 2 additional minutes.

Mr. SCOTT. I submit this could be submitted on January 1, and then we would have 30 days in which to veto the proposal. That makes it even worse than the gentleman just said.

Mr. GROSS. Yes. Under the terms of the language the gentleman cited that is so. I take it, however, that we would expect some time to be consumed in January in the preparation of the recommendations. But the whole ball of wax might be put together before January 1 and announced immediately thereafter. It is entirely possible.

Mr. Chairman, by authorizing windfall pay increases retroactive to the first of January of each year, this legislation will require annual supplemental appropriations of hundreds of millions of dollars and will adversely affect any annual budget of the President.

I call attention to the fact that in only one bill, the congressional housekeeping bill, among those that have been passed by the House thus far in this session, has there been any provision for the salary increases. Not one other appropriation bill has included the salary increases that went into effect the first of this year, and thereafter.

Mr. Chairman, this legislation is so defective and poorly conceived that I will not reiterate all of the comments which the gentleman from Illinois (Mr. DERWINSKI) and I have set forth in our minority views, as part of the committee report.

I would emphasize that on July 23, 1969, the Civil Service Commission expressed firm opposition to the enactment of this legislation citing some of the reasons which I have already stated. The Bureau of the Budget furnished similar views at the same time.

I would hope, Mr. Chairman, that the House would reject this legislation. Should it be approved by both Houses and sent to the President, he would, in my estimation, have more than sufficient reasons for exercising his veto powers.

Mr. UDALL. Mr. Chairman, I yield such time as he may desire to the gentleman from Montana (Mr. OLSEN).

Mr. OLSEN. Mr. Chairman, I think this is probably the most practical pay bill that has been presented to the Congress. I recollect with our subcommittee chairman, the gentleman from Arizona (Mr. UDALL), that great objection was made that the President was setting the salaries for people in the 1967 Pay Act. I can understand that that had to be done in 1967, but we were talking about higher salaries then than the comparability salaries here. We were talking about the rank and file of the Federal employees as well as the Congress there,

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but in that instance of the Congress we felt that the President should be the one to make the recommendation on our pay. In this instance, however, in this bill, the pay of the letter carriers and postal clerks and other employees in the Post Office Department and the classified workers in the general service can be a much more mechanical thing. There is nothing so urgent about whether the date should be February 1 when the decision must be made. However, I think that is convenient enough, because the mechanics are that the Bureau of Labor Statistics sends these proposals to this Commission and it must be done by January 1. It can easily be done. The Bureau of Labor Statistics is working every day at the proposition of what the pay should be in these classifications. The Commission can only meet for a very few days in January to determine that they will adopt the mechanical findings of the Bureau of Labor Statistics. Now, the real quality of this system is that it is absolutely mechanical and has been every year. It has all of the emotion taken out of it where there is a really big increase. Our big fault in the Congress is we have delayed pay raises for such lengthy periods that the increase becomes big and it becomes so big that it becomes a big political issue and a very hot one. What we want to do is make it a very logical thing if we are being truthful with our employees, and I hope we are. If we are really being truthful with our employees, we are telling them that they will be paid comparably to private enterprise.

That being so, we should engage the mechanical facilities of the Bureau of Labor Statistics to do this. I do not find that far removed from the very system we have in the Committee on Public Works. In that committee when we talk about highways, do we talk about the thickness of the concrete? No. Do we talk about the width of the highways? No. The mechanical thing about what we appropriate for the highways of America is decided by the Department of Transportation. We do not go into these details in the Congress. I think we ought to make the salaries of Federal employees just as remote, that is, that they be dependent upon the Bureau of Labor Statistics findings and that we say and do today exactly what we have said for at least 6 years in my time here; namely, that we are going to compete at comparable salaries for employees in the Federal Establishment with those in the private establishment.

Now, Mr. Chairman, there has been some conversation about revenue, the revenue particularly in the Post Office Department.

I want to advise this House that we proceed as much and as often as we can with the postal rate recommendations of President Nixon. I want you to know that I am there but on occasion I do not get a second member. When I do not have a second member at committee hearings, I adjourn the hearing. Now, when there are two people at the hearing, we shall proceed and we will have a Revenue Act. This is a message to the Postmaster General as well as to my colleagues here. All we have to have is two people at postal rate hearings and we will proceed and we will clean it up rapidly and then we will proceed to a mark-up of the bill, depending upon the question of a quorum in that subcommittee.

Mr. DERWINSKI. Mr. Chairman, will the gentleman yield?

Mr. OLSEN. Certainly I yield to the gentleman from Illinois.

Mr. DERWINSKI. Perhaps the gentleman would agree with me that what he should do is recommit this bill back to the committee and cooperate with the gentleman so that his Rate Subcommittee will move a rate package that will at least partially defray the cost of this bill.

If that was the gentleman's suggestion, I would be glad to join him in that sort of maneuver.

Mr. OLSEN. That is a very rank suggestion, because we have had meetings now since June on this question of revenue and there is not any enthusiasm on your side of the aisle for that revenue increase. When you get some enthusiasm over there, we will continue to meet and we will pass a bill. But you have got to get some enthusiasm generated on your side of the aisle.

Mr. DERWINSKI. We have had enthusiasm.

Mr. OLSEN. It has not reflected itself in the attendance at the hearings.

Mr. DERWINSKI. If the gentleman will permit me to compliment him on one other point he made, the gentleman pointed out the need for comparability with private enterprise. We are trying to do this with the postal corporation concept. We have been heartbroken that we have not been able to reach this wonderful goal in the House committee.

If the gentleman would have cooperated we could have had that enacted a long time ago.

Mr. OLSEN. I think that through Postmaster General Blount's proposed corporation it would defeat the best interest of the employees in the manner of pay for the postal employees. Over the years there has always been opposition to an increase in pay and improvements in working conditions of the postal employees. It is only because the Post Office and Civil Service Committee has voted for the employees that we have as good Post Office Department as we have right now.

Mr. WALDIE. Mr. Chairman, will the gentleman yield?

Mr. OLSEN. I am happy to yield to the gentleman from California.

Mr. WALDIE. Mr. Chairman, I want to comment that to the extent that there is generated enthusiasm on the other side of the aisle for a postal rate increase, you will have to offset that in terms of this one Member.

Mr. DERWINSKI. Mr. Chairman, will the gentleman yield further?

Mr. OLSEN. Yes, I yield further to the gentleman from Illinois.

Mr. DERWINSKI. I have asked the gentleman to yield for one polite observation.

Mr. OLSEN. Certainly.

Mr. DERWINSKI. I wish to help the gentleman clear up today's Record. I hope the gentleman was not inferring when he said that no officials of the Post Office Department had ever been interested in this matter, that he was not casting aspersions at outstanding men such as former Postmaster Generals O'Brien, Gronouski, and others who have served in that capacity?

Mr. OLSEN. No; I included them. They opposed all improvements, too. It was only the committee and the Congress of the United States that came to the rescue of the postal employees and the others by way of across-the-board increases for them and the classified employees of this Government.

Mr. GROSS. Mr. Chairman, I yield 10 minutes to the gentleman from Virginia (Mr. Scott).

Mr. SCOTT. Mr. Chairman, I find myself in somewhat of a dilemma over this bill because I do not wish to vote against any salary bill for Government employees. Yet, I do not think, in its present form, this is a good bill.

We have a recommendation against the bill from the Bureau of the Budget, from the Post Office Department, from the Civil Service Commission, and I have discussed the matter with the president of one of our big unions, and he feels that Government employees, other than postal workers are being discriminated against in this bill, as I do. And yet I hate to oppose any salary bill as far as Government employees are concerned. Therefore, it does constitute a dilemma.

Mr. OLSEN. Mr. Chairman, will the gentleman yield?

Mr. SCOTT. I yield to the gentleman from Montana.

Mr. OLSEN. Mr. Chairman, I might say to the gentleman from Virginia that not very long ago I spoke to the head of the American Federation of Government Employees, and he told me that I could quote him as saying that he is not supporting and does not advocate a single amendment to Mr. Udall's bill.

Mr. SCOTT. It is my understanding that you are talking about John Griner, and that John Griner told you he favored the postal employees getting a pay increase, but not the classified workers; is that right?

Mr. OLSEN. I am telling you just exactly what he said to me. He said he was not opposing and was not proposing a single amendment.

Mr. SCOTT. Obviously he is not proposing any amendment, he is not a Member of this body, he does not have any authority to propose amendments.

Mr. OLSEN. Let me put it in the absolute context in which he gave it to me: He wanted me to know that he did not ask anybody to put in an amendment, and that he was not lobbying for an amendment, and that he was not in any way going to lobby for the support of an amendment to Mr. Udall's bill.

Mr. SCOTT. Mr. Chairman, I thank the gentleman.

Mr. Chairman, this bill includes the establishment of a Salary Commission. Under the bill the Salary Commission reports to the Congress not later than February 1, 1970. It could be that its report would be submitted as early as January 1, and its recommendations as to salary adjustments become effective as of the first of the year, or earlier. Adjustments can be made retroactive if the Commission in its discretion decides to do this. And they become effective unless vetoed by one or the other of the bodies of Congress.

Mr. Chairman, we do not work that fast, especially on the odd years, when we are attempting to organize the Congress. It is my recollection that this year the House Committee on Post Office and Civil Service did not hold any meetings, prior to February 20 when an organizational meeting was held.

If the same situation should exist 2 years from now, and a report be submitted as of the middle of January, we would not have met by the time that the 30 days provided in the bill within which we could veto the proposal.

Now, any raises that might be authorized under this bill, any raises that the Commission might recommend, would not be budgeted, because the budget is prepared prior to the beginning of the calendar year.

We are talking about more than 2 million civilian Federal employees. We know that the law provides that the military shall have pay increases when the civilian employees are increased. We have 3.4 million military employees. So we are talking about adjustment of salaries of 5.4 million people without any amount being budgeted, and this would be done each year.

It seems to me that this Congress over the years has delegated too many functions to the executive branch of Government. It seems to me that we should retain our authority over the budget and over the appropriation process, to permit a commission to establish salaries that effect 5.4 million employees, civilian employees as provided in this bill, and military personnel because of other legislative acts without the Congress acting upon it just appears to me to be unwise.

Mr. Chairman, this bill provides for increases in pay for postal workers over and above what might be recommended effective the first of each year for all Government employees.

Let us just look back for a minute at the postal workers. Actually, they have not done badly.

They received a 6-percent pay increase on October 1, 1967; a 5-percent increase on July 1, 1968; a 4.7-percent increase on July 1 of this year. Under the bill, they would receive a two-step increase on October 1 of this year. It would be retroactive back until October 1. They would receive any increase provided by the Commission as of January 1, 1970, and accelerated within-grade raise as of July 1, 1970. In other words, the time for the step-within-grade raise would be reduced from 1 to 3 years, to 26 weeks or half a year or to 52 weeks or 1 full year.

Mr. Chairman, I am considering two amendments to this bill.

One amendment would be to provide that the report of the Commission shall be recommendations only and not binding upon the Congress and would not have the force of law until the recommendations went through the regular legislative process.

I think it is a fine thing to have a commission which will advise the Congress, but I do not want to see the Congress delegate its authority over Government salaries, over the budget and over the appropriations. This is a legitimate function of the Congress which I feel should be retained. In my opinion it is in the interest of the people of the country. I believe it is in the interest of the Government employees for them to be able to come to us, their Congressmen, to present us their views and then have us be responsible to them and to the people who sent us here to the Congress to represent them.

The second amendment which I am hesitant to offer would delete the provisions for postal pay raises. I feel that all Government employees should be treated in the same manner.

I had considered offering an amendment to give the same increase provided for postal workers to the classified workers, to medical personnel in the Veterans' Administration and Foreign Service employees. But this would not be fiscally responsible. It would involve too much money going out of the Treasury and could not be justified to the public. If it is not fair to give it to all Government employees—additional pay increases—then in my opinion it is not fair to give these extra increases to the postal workers.

I shall speak briefly when the amendments are offered, but gentlemen let us be fair to all Government employees and fair to the taxpayers when we are considering this legislation.

Mr. UDALL. Mr. Chairman, I yield 3 minutes to the gentleman from Hawaii (Mr. MATSUNAGA).

Mr. MATSUNAGA. Mr. Chairman, I rise in support of H.R. 13000, the Federal Salary Comparability Act of 1969.

As a member of the Committee on Post Office and Civil Service in the 89th Congress, I was privileged to be in the vanguard of the fight to bring full comparability to our loyal Federal workers across the country. The Federal Salary Act of 1967, which projected the principle of comparability for a limited period into the future and provided for automatic pay adjustments in 1968 and 1969, was a direct result of that early effort to bring Federal employees' salaries in line with private industry pay rates.

Experience has clearly demonstrated, however, that comparability is not a static goal, which, once achieved, may be forgotten. Whether we accept the fact or not, ours is a dynamic and growing economy. This means that the workers in private industry will share, along with management, the increased fruits of their labors as time lapses. To keep our Federal employees abreast of their counterparts in the private sector, we must institute a program whereby full comparability will be a continuing objective.

H.R. 13000 provides for just such a program. Through an 11-member Federal Employee Salary Commission, Federal employees who come under the four statutory pay schedules, general, postal, foreign service, and physicians, dentists and nurses hired by the Veterans' Administration, would have their pay rates adjusted as necessary under a permanent method. The Commission would be empowered to make salary comparisons, determine salary schedules and submit them to Congress. A proposed salary adjustment plan would be submitted to Congress on February 1 of each year, and the House and Senate would have 30 days in which to reject or revise it. If Congress does not act, the plan would become effective without further action after the 30-day period expires.

The proposed Commission would be composed of representatives from the executive branch and from Federal employee organizations. In the event of disagreement over any Commission decision on the adjustment of the rates of Federal employees' pay, a seven member Board of Arbitration, made up of two House Members and two Senate Members and representatives from the executive branch and employee organizations, would review the disputed decision. The decision of this arbitration board would be final and binding.

Mr. Chairman, the legislation we are considering is also designed, in a sense, to accomplish comparability within the Federal service. It would provide for the acceleration of step increases for postal workers. If the Post Office Department is to meet the increasingly heavy demands placed upon it, something must be done, and soon, to halt the alarming separation rate that has plagued the Department. Although the reasons for the 1967–68 separation rate of 45 percent for postal workers may be many and varied, the low level of pay and the discouraging system of advancement probably is the principal reason for the high turn-over rate. It now takes a postal worker 12 steps and over 21 years before he finally reaches the top pay level for his grade. After he gets there, the postal worker has little to make him happy, for the Bureau of Labor Statistics will tell him that he is earning about $1,900 less than the minimum standard for a moderate standard of living.

H.R. 13000 would permit a postal employee to move up to the top of the pay schedule in 8 years. It would also provide a pay increase, effective October 1, 1969, by advancing every postal worker below grade PFS–12 two steps. Higher level employees—PFS–12 and above—will be given earned step advancement on July 1, 1970, as their first step in the acceleration program.

It is for this equity, if none other, which H.R. 13000 will accomplish that this bill deserves our support.

Mr. GROSS. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia (Mr. BROYHILL).

Mr. BROYHILL of Virginia. Mr. Chairman, I rise in support of the pending legislation. I associate myself with the remarks made by my colleague from Virginia (Mr. SCOTT) in that I, too, regret that we seem to have discriminated somewhat in this legislation insofar as the classified employees are concerned. But I do not begrudge the additional pay raise that is being granted for the postal employees. In fact, they need help. They are most deserving, and I commend them, and particularly their efficient organizations for the effective work they have done in bringing this matter to the attention of the Congress, in order for us to perform the work that we have been able to do so far.

I do hope, however, that in due course we can perfect this legislation, particularly when this Commission meets, as soon as it meets, in order to correct the inequities which already exist in the classified schedule, particularly those in the lower grades, 1, 2, and 3, that did not receive a proper increase the last two times around.

Mr. Chairman, the main objection to this legislation—in fact, the only real objection to the legislation—is that of cost.

Of course we have some objection so far as the distribution of the benefits, but the real problem concerning the legislation is the cost itself. The cost of government obviously is of concern to all of us—or it should be of concern. The dangers to our economy are real. We do not need to be reminded of the problems of inflation, high interest rates, tight money, and high taxes. We have been debating those problems for many months.

But, Mr. Chairman, the legislation we have before us is not the type of legislation that created these problems. This bill is a result of these economic problems. In fact, the problems of inflation and high cost of living have necessitated the legislation which we have before us.

Mr. Chairman, we can liken ourselves to the managers of any business, and we are managers of a big business. The Government is the biggest business we have. We are playing the role of personnel managers, and we have the responsibility and the problem of competing with other businesses, or private industry, insofar as employees are concerned and of obtaining efficiency and adequate qualifications in employees. We cannot compete properly with low wages. Any successful businessman can tell us that. We have to compete for the efficient and more qualified employees, and we cannot do it at bargain-basement prices for those employees.

The Congress has recognized this many years ago. We have stated it in legislation many years ago. In fact, in 1967 in the pay act of that year, we directed the executive branch to come up with pay scales that would be comparable with those in private industry.

So, Mr. Chairman, if we want to cut costs, and I think all of us recognize that is a problem of Government, the way to do it is to cut out personnel, to cut out the agency, or reduce the number of Government programs, or do not create the new agency and new programs to start with. Every time we vote for a new program, we cause new employees to be hired, we cause new costs to be involved. If we want to economize after creating those programs, after we vote for new agencies, we cannot then do it by holding down the proper wages and salaries of the employees, by paying so-called sweatshop wages. To me, Mr. Chairman, this would be simply pennywise and pound foolish.

We have had this same argument over and over again every time a pay raise proposal has come up. We have had our colleagues in all sincerity saying that we cannot afford the increase, that we should vote down the bill, or that we should cut it down. This has happened several times during my years as a Member of this body. Yet I wonder what would have happened if the wishes of the opponents of such legislation in the past had prevailed. I think there is no question but that we would have had real chaos so far as the personnel structure of our Federal Government is concerned.

Mr. Chairman, if we can help many people in this country who are unemployed, and many of whom are not willing to work, then, certainly, we can afford decent wages for the employees of our Government who are willing to get out of bed and go to work in the morning.

Mr. Chairman, I think it is deplorable that in our postal service we would permit a person after working 21 years to receive a salary that is $1,864 less than what is considered a minimum standard of living. According to the committee report, a father of a family of four after 21 years of service could not afford a new suit of clothes once every 4 years. An employee after 4 years of service would receive only $111 more than what is considered a low standard of living.

I submit, Mr. Chairman, the American people are willing to pay a proper wage and salary for employees. They can well afford it. I am in complete agreement with the gentleman from Illinois that insofar as postal salaries, the users of the postal service should be willing to pay. I would hope the committee will report out a bill sufficient to raise the rates so as to pay for the cost of this pay increase. If we want to economize and we want to cut Federal costs, I suggest we do so in many other places, but not in the standard of living and the living conditions of our Federal employees.

Mr. GROSS. Mr. Chairman, I yield such time as he may consume to the gentleman from Washington (Mr. Pelly).

Mr. PELLY. Mr. Chairman, again the House must consider legislation, part of which I find fully justified, meaning the increase in pay for Federal workers, but part of which I strongly oppose, such as establishing a Commission to adjust salaries of certain Federal employees on the basis of comparability with private industry.

Mr. Chairman, I think previous speakers have fully justified the need for a pay increase in line with the cost of living and in line with comparable industry salaries, so I will not address my remarks to this.

On the other hand, as I did on a previous occasion in 1967, I must express my strong opposition to having Congress abrogate its constitutional responsibilities on Federal pay rates.

In 1967 I voted to recommit the bill because of the Commission to set congressional salaries, and in due course what I feared would happen did indeed occur. Members received a substantial pay increase without going on record as to how they voted, which would have been the proper way to have acted.

Therefore, Mr. Chairman, when an amendment is offered to strike the Commission portion of the bill, I shall support the move. However, if such an amendment does not prevail, I shall support any move to recommit the bill to induce the committee to come back without such a provision for a salary commission.

Frankly, Mr. Chairman, I do not think the President of the United States will approve of this legislation with such a commission included in it. In no uncertain terms he has indicated his opposition.

As I say I will vote for recommittal, but if that motion does not prevail, I will vote for final passage of the bill as necessary to sustain the livelihood of our Federal workers, but I shall remain opposed to the proposed Commission. In addition, Mr. Chairman, if the President vetoes the bill on this one provision, I shall vote to sustain his veto.

Mr. GROSS. Mr. Chairman, I yield 1 minute to the gentleman from Maryland (Mr. Hogan).

Mr. HOGAN. Mr. Chairman, I should like to associate myself with the remarks of my colleagues from Virginia (Mr. Broyhill and Mr. Scott).

I believe it is extremely unfortunate that the other classified Federal employees are not included in this pay raise. I hope that, if an amendment is not carried today to effect that result, Congress will promptly correct this inequity.

I share the concern expressed about inflation. I agree also that Government spending is one of the chief causes of inflation. But it seems to me to be grossly unfair that Federal employees be called upon time after time to bear the brunt of inflation without relief while no one else does.

I am a stanch advocate of reduced Government spending, but I believe it is unfair for Federal workers to be called upon to make sacrifices when no other segment of the economy is.

Mr. Chairman, I am pleased to be a cosponsor of this bill and a member of the subcommittee headed by Mr. Udall, I support H.R. 13000 because I consider it a major milestone in civil service legislation.

Just a few weeks ago, this body overwhelmingly approved the civil service retirement bill, H.R. 9825—of which I was also a cosponsor—to assure a decent retirement income to career civil servants. After telling these Government workers that we think they are valuable, dedicated, and deserving of these retirement provisions which will assure them a decent income after retiring, it would be sadly ironic if we were now to turn around and reject H.R. 13000, in effect, saying we do not think they are deserving of assurances of a decent wage during their period of active service to the Government.

I support all of the provisions of the bill before us, including the immediate pay raise to most postal workers; reduction of the period postal workers must wait for within-grade increases, permitting them to receive maximum pay in their grade in 8 years instead of 21; premium pay for certain employees for Sunday, night, holiday, and overtime hours; $10 a day allowance for employees commuting to remote worksites;

and an allowance to Corps of Engineers employees who are prevented from carrying on their operations by circumstances beyond their control.

However, I am particularly proud of the features of this bill which provide for a permanent method of pay adjustment which will assure all Government employees a fair and just wage, in line with their counterparts in private industry and taking into consideration inflationary trends.

As a member of the Subcommittee on Compensation, I have had an opportunity to hear firsthand the details of numerous arguments in favor of the annual review and adjustment of pay rates for Federal employees, as well as alternative recommendations for the implementation of such a program. The results of the subcommittee's assessments and those of the full committee of these recommendations are in the bill before you.

Briefly, an established Salary Commission and a Board of Arbitration would perform the functions relating to the establishment of pay comparability which are now performed by the Bureau of the Budget and the Civil Service Commission.

The Salary Commission, whose members will be designated by the administration and employee organizations, would be responsible for prescribing the scope of the comparability survey to be conducted annually by the Bureau of Labor Statistics, and on the basis of that survey, would recommend exact rates of pay for each of the several salary schedules.

The Board of Arbitration, comprised of Members of Congress, representatives from employee organizations, and the Civil Service Commission, with a member of the American Arbitrary Association as chairman, would review the Commission's recommendations as well as any disagreeing views, and make the final decision on the rates of pay to be recommended for the particular year involved.

The rates recommended by the Commission and the Board would be reported to the Congress, and will go into effect automatically in January of each year unless vetoed by the Congress.

On behalf of all U.S. Government employees, I urge your favorable vote on H.R. 13000.

Mr. UDALL. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey (Mr. DANIELS).

Mr. DANIELS of New Jersey. Mr. Chairman, I rise in support of H.R. 13000, the Federal Salary Comparability Act of 1969. I wish to associate myself with the distinguished gentleman from Arizona, the chairman of the Subcommittee on Compensation and the floor manager of this bill. He did a very outstanding job. He explained in detail and with much clarity the most important parts of this bill. Anything I might say in addition thereto would be superfluous.

This legislation will, once and for all, provide the method by which Federal employees will receive salaries comparable to salaries in private industry; thereby satisfying the promised pay policy of 1962 and 1967 of equal pay for equal work.

Although the policy was set in the Pay Act of 1962, it was not until the Landmark Act of 1967 that a precedent was set for a system to establish true comparability.

However, it was apparent from the testimony presented to the committee during hearings this year that three major problems existed under the 1967 method of ascertaining private industry salaries. The time lag between the time that the Bureau of Labor Statistics survey was taken and the reflection in salary was approximately an 18-month lag. The second complaint was bias that was built into the survey by the Civil Service Commission and the Bureau of Labor Statistics by not properly comparing equal positions in the Federal Government with those in the private sector. Finally, one of the greatest inequities that has ever plagued a Federal employee is the inability of the postal employee—letter carriers and clerks—to advance in his profession.

Mr. Chairman, the Pay Act of 1967 was a major triumph, and I believe with H.R. 13000 we can remedy the shortcomings of the 1967 act.

H.R. 13000 provides a permanent means for the automatic annual adjustments of the rates of pay of Federal employees under the general schedule, the postal field service schedule, the Foreign Service schedules, and the schedules for physicians, dentists, and nurses in the Veterans' Administration.

A Salary Commission and a Board of Arbitration is created to perform the functions relating to the establishment of pay comparability which now are performed by the Bureau of the Budget and the Civil Service Commission.

The Commission will have members designated by the administraion and employee organizations. The Board will be made up of Members of Congress and representatives from employee organizations, the Civil Service Commission, and the Chairman, who will be selected from among the membership of the American Arbitrary Association.

The Commission shall be responsible for prescribing the scope of the comparability survey to be conducted annually by the Bureau of Labor Statistics, and on the basis of that survey, will recommend exact rates of pay for each of the several salary schedules.

Any member of the Commission representing employee organizations, who disagrees with the rates recommended by the Commission, may ask that the matter be sent to the Board of Arbitration. The Board of Arbitration is responsible for making the final decision on the rates of pay to be recommended for the particular year involved.

The rates recommended by the Board or the Commission will be reported to the Congress and will go into effect automatically unless vetoed by the Congress. The rates will go into effect in January of each year.

A report on the proposed rates of pay is to be submitted annually to the Congress by February 1, but shall become effective in January each year unless Congress, within 30 days after such rates are submitted, vetoes the proposal.

Mr. Chairman, as I stated earlier, the postal employee has suffered gross inequities. It is important to remember that opportunities for advancement for the majority of the postal workers are extremely limited. Practically all letter carriers that remain in the postal service retire as letter carriers. Shocking as it may seem, the same letter carrier must serve a 21-year appenticeship before he can be paid the top salary. I challenge anyone to show me an employee who has as limited a chance for advancement and also cannot receive top pay for his trade or profession in at least an 8-year period.

We must remedy this serious problem before it is too late, I cannot but help think that one of the major reasons for the shortcomings in the Post Office Department today is the lack of employee morale and harmony. It is vital for an employee to know that he has an opportunity to advance in position or at least to the top of his position in order for him to accept and initiate responsibilities.

According to the Bureau of Labor Statistics, a letter carrier, PFS–5, level 4, earns $111 a year more than the standard set for a low standard of living. Unless we provide a system for these employees to establish self-esteem and pride, we will never solve the problems of employee morale and turnover.

Mr. Chairman, section 4 of H.R. 13000 will reduce the within-grade waiting time for advancement of postal employees, steps 2 through 7, for 52 calendar weeks to 26 calendar weeks. The period for employees in steps 8 and above is reduced from 156 calendar weeks to 52 calendar weeks. This provision will become effective on July 1, 1970.

Section 5 of the bill would grant postal employees in levels 1 through 11 an advancement of two steps, effective the first pay period of this month. This would help make up for the inadequate pay raise of 4 percent that postal employees received in July, while other Federal employees received a much larger percentage. Ironically, the postal employee raise was not as much as the cost-of-living increase this year—is this reasonable or fair?

Mr. Chairman, with all candor, we must compensate our loyal Federal employees in a manner that is responsive to their needs and comparable with salaries in private industry.

I, therefore, cannot be overzealous when I say this legislation is immediately needed.

Mr. GROSS. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois (Mr. DERWINSKI).

Mr. DERWINSKI. Mr. Chairman, I associate myself with the gentleman from Iowa (Mr. GROSS) and call the attention of the Members to our minority views.

Since those views were prepared some time ago, I took the occasion, over the weekend, to review them. Everyone of us has a pride of authorship.

Just to be objective, however, I glanced over the report itself, written by the majority, and I found those views quite revealing. As a matter of fact, the deeper I probed through the report the more I was convinced our minority position was correct.

There are some interesting statements I should like to point out.

For example, the very basic purpose of the bill should cause us to stop and think. We are told in the very opening paragraph of the purpose of the bill, that this sets up a permanent method of adjusting the pay of Federal employees.

What we are really saying is—this is one of the key issues—we are taking from any Chief Executive, regardless of his political party, the control over wage scales of Federal employees.

I wonder how many corporate presidents find themselves in the position where they would have no control whatsoever over the pay scales in their companies.

All through the report the majority keep referring to "adjusting" pay scales.

The real wording that should have been used is "raising pay scales."

Adjusting is merely a diplomatic word. Can you imagine the situation, the furor, in the House Committee on Post Office and Civil Service, if this Commission which is to be created, and the arbitration board between them produce a recommendation that the pay scales should be adjusted downward? At that point you would have an eruption that would make Mount Vesuvius look like a piker. I mention this because it is merely a fact of life.

Also, Mr. Chairman, having worked long and hard and struggled as a minority member of the Committee on Post Office and Civil Service, I have often advocated that what we should do especially in the Post Office Department but also in any other department or agency is for some formula to be determined on a regional basis, taking into account the regional variation in the cost of living. It may be true—and it is true—that the Post Office employees in New York City, Washington, and in the Chicago area, which I represent, suffer adversely in comparison to people in similar positions in private industry. However, this is not necessarily true in most of the rural and sparsely populated areas of the country. In fact, in many of the small towns the postmaster and the one or two post office employees are among the upper-middle-class citizens in terms of income. Yet there is no practical adjustment in any phase of the Federal pay scale in order to allow for the cost-of-living difference in high-cost areas such as Chicago, New York, and other cities.

Mr. WILLIAM D. FORD. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. Yes. I yield to the gentleman.

Mr. WILLIAM D. FORD. I would like to compliment the gentlemen for once again, as he did in 1967, supporting our proposal for area pay differentials for postal employees. The gentleman will recall with his support we did pass such a provision in the pay bill of 1967. We lost that provision of the bill in the other body with the explanation that the authority was already in the law to provide pay differentials for high-cost-of-living areas and that the administration, if it chose to do so, could exercise this authority, thereby relieving employees in districts such as the gentleman and I represent, in relatively high wage areas. I wonder if the gentleman will indicate to us what the current administration's attitude is toward using the power it has under the law now to afford relief to employees in big cities such as Chicago, Detroit, and New York.

Mr. DERWINSKI. In answer to the gentleman's question, I cannot speak for the Postmaster General or the administration as to whether or not their interpretation of the situation is the same as the gentleman from Michigan provides. However, it is accurate to point out, I believe, that the Postmaster General, the overworked, frustrated man he is, has been so preoccupied in trying to produce his version of postal reform that perhaps this potential adjustment has not been properly called to his attention. I think we should appoint ourselves as a committee of two to call on him shortly and see if we cannot make this adjustment. It might be a good argument to stop this bill in the Senate.

Mr. WILLIAM D. FORD. I thank the gentleman for that observation. I would be very happy to join with him in his suggestion that we appoint ourselves as a committee of two to do this and suggest that if we were successful as a committee in getting the Postmaster General to take a position on this issue, we would be establishing a new first for this administration.

Mr. DERWINSKI. I think this administration has taken a lot of positions. The only problem this administration really suffers from is that its unusual diplomatic and governmental concepts are not completely appreciated by the majority which controls the Congress. After all, it is a frustrating thing that we all go through. I know myself, serving on this committee for 7 years, and rarely on the prevailing side. Everybody cannot take the easy road to popularity.

However, Mr. Chairman, I am being distracted from my main point, which is that H.R. 13000 is hardly the finest bill ever produced by our committee. I hope in the process of attempting to amend it we can do something to it. I must add that the gentleman from Iowa (Mr. GROSS) and I are not too optimistic as to that possibility. In fact, in our minority views we stated it was so defective it could not be amended. I think that is a statement everyone would admit is quite honest and forthright. However, I feel we will test the people handling the bill with some amendments. Perhaps a few of them will suddenly strike them as being worthy of some attention.

I do not think you could improve this bill to the extent to make it passable. I also have no illusions though as to what the final vote would be.

Mr. Chairman, one other point that I think has to be made and that is the tendency of members of the legislative branch to indulge in inconsistencies ever so often. We hear this big hue and cry about surrendering our prerogatives to the Executive and we also hear the same complaint about the Executive surrendering its powers to the legislative and vice versa.

In this bill we ask both the Executive and the legislative to give up control over Federal salaries, wages, and further adjustments to this Board. And, even though the Board would have some relationship to political reality, it is really a double abdication of authority. In other words, the Congress is willing to surrender and the administration would be forced to surrender and I cannot help but wonder what success, if any, this bill would have had in the case had the occupant of the White House had the initials H. H. H. I have a sneaking suspicion that this bill would not have been subject to hearings and I have a sneaking suspicion that a rate change which has been held captive in the Rate Subcommittee but which should have been cleared by this time—there would have been an entirely different picture.

I want to emphasize that I would not think of casting any political aspersions upon the distinguished gentleman from Arizona.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Arizona.

Mr. UDALL. I regret the cynicism of my friend, the gentleman from Illinois. It is unbecoming. It is unlike him. He knows as well as I know the fact is that every administration and every Postmaster General, Democrat or Republican, has voted against enacting pay raises for postal employees. The budget considerations have always prevented them from being for comparability.

I was called down to the White House 2 years ago because I helped draft the 1967 pay bill and was chastised and castigated at some length and, in effect, accused of budget busting. I suggest that if the same thing had been true this year and if the President's initials were H. H. H., I still would have been chastised and castigated again. I do not think the President has any business in fixing the policy. I think the Congress ought to fix the policy and that is what this bill does.

Mr. DERWINSKI. In recognition of the gentleman's tremendous ability and the logic which he usually shows, it seems that we should heed the suggestion of the gentleman from Virginia (Mr. BROYHILL) and take into consideration the huge numbers of Federal employees in the Federal bureaucracy——

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. GROSS. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. DERWINSKI. We have this growing bureaucracy. Perhaps if we had an administration undertaking a bipartisan attempt here in the Congress in its treatment of Federal employees, the power and troublemaking activities of most of the departments and agencies could be phased down in size and the savings which would be made available as a result of that action spread in a more equitable manner to those Federal employees who remain on the job and who do an effective job. I would suggest this to the Members as a whole but perhaps overall to that very enlightened group called the Democratic Study Group, because I think at this point they should rally behind the question of treating employees more equitably by accepting the principle of fewer employees who would do a good job and we could get more done and they could be more adequately compensated, although that almost sounds like utopia.

Mr. ADDABBO. Mr. Chairman, I rise in support of H.R. 13000 and commend the chairman of the committee and the sponsor of the bill for bringing forth this long-needed legislation.

Mr. Chairman, I was a member of the Committee on Post Office and Civil Service during the 87th Congress when Public Law 87–793 was enacted. That law was designed to provide Federal salaries comparable to salaries in private enterprise, but we have not provided salaries in keeping with the intent of that law. The bill before us today is a step in that direction but it falls short of the goal.

In closing, Mr. Chairman, may I say that the intent of this bill, I believe was enacted in our bill of 1962 but much to my regret has never been implemented. I sincerely hope upon passage of this bill that finally our Federal employees may receive some measure of proper compensation for their dedication and work.

Mr. TIERNAN. Mr. Chairman, it is high time that we bring order to the Federal payrolls. The Federal Salary Act of 1967 started us on the road to permanently and adequately systematizing the adjustment of salaries for Federal employees. This set the precedent by having the Executive adjust the salaries of those Federal employees in four categories: General schedule, postal field service schedules, Foreign Service schedules, and the schedules relating to many in the Department of Medicine and Surgery of the Veterans' Administration. Congress would review his adjustments and maintain overall control.

H.R. 13000 would give permanence to adjusting Federal salaries, by establishing a Federal Employee Salary Commission and a Board of Arbitration.

This bill has many ramifications, but one of the most important is that we will no longer have to use so much valuable time here in Congress bickering over payroll adjustments. This would mainly be the job of the Federal Employee Salary Commission. The Congress would then vote within 30 days to reject or revise their proposal. No longer would there have to be time-consuming hearings, granting of rules from the Rules Committee and a host of other procedural matters here in Congress. This time would be spent working in other needed areas.

H.R. 13000 would assure annual review and adjustments of the pay rates for Federal employees. The Commission and Board of Arbitration would better insure that there will be comparable pay between and among the various pay systems.

This bill will also give an equitable wage to the postal workers of America. Postal employees should receive fair pay and benefits. Today their income is still below the national standard. We have a post office system that is in trouble because of backlog and overwork. If we expect to upgrade it and keep it efficient we must give incentives for qualified men to join its ranks and remain on the job for a long period of time. H.R. 13000 would permit an employee to move up to top pay in 8 years, compared with the present schedule of 12 steps over 21 years. This would be comparable to the steps in other industries and Federal employee classifications.

Mr. Chairman, I support this bill because I believe it is a sound move to permanently establish a commission to deal with the problem of Federal salaries. I also feel we must grant the postal workers their just due.

Mr. DONOHUE. Mr. Chairman, I urge and hope that the House will accept and approve this bill before us—H.R. 13000—which is principally designed to implement the Federal employee pay comparability system and establish a Federal employee Salary Commission and a Board of Arbitration. The measure also provides for an equitable comparability pay rate increase for postal employees, and attempts to modernize and tune-in with our current economy an in-step promotion system that now requires a minimum of 21 years' service in order to reach the highest bracket of salary grade.

As all Members of the House know, the Federal Salary Act of 1967 provided that the President would adjust salaries in 1968 and 1969 so that all Federal employees would have full comparability with private industry pay rates by July 1969. This act also projected automatic adjustments of Federal employees' salaries over a 2-year period, so that meanwhile the Congress would have the opportunity of exploring avenues and means by which it could retain final supervision and authority, but avoid the occurrence of repeatedly long and drawn-out involvements in an annual review and determination of the question of raising the pay of Federal employees.

After 2 years of intensive study, hearings and consultations, with all parties concerned, the Post Office and Civil Service Committee has found that there is widespread agreement for some method that will allow and arrange for an annual review and adjustment of Federal employee pay rates.

Based on all the evidence and authoritative testimony placed before it, the committee further found and has recommended that the best way to set up this annual review and adjustment of pay rates would be to establish a Federal Employee Salary Commission, composed of executive branch and employee representatives, with the opportunity for arbitration if conflicts develop. It is recognized, in this measure, that Congress should participate in this area of arbitration and, therefore, it is provided that Members of the House and Senate will sit on the proposed Board of Arbitration.

Mr. Chairman, in this turbulent period in our domestic history, it is obviously vitally important to provide reasonable encouragement for the maintenance of a high morale, for continued loyalty and efficiency, among our Federal employees.

This measure is primarily intended to reassure these employees that the country, the Congress, and the executive department of the Government are interested and concerned in their objectives of obtaining fair pay and fair treatment in accord with comparable standards of our American free enterprise system.

I again urge the adoption of this bill because I believe it is a prudent investment in the national interest, and represents a most earnest congressional effort, based on long and careful study, toward strengthening the integrity of the most essential part, the human part, of our Federal Government structure.

Mr. FARBSTEIN. Mr. Chairman, I vigorously support, H.R. 13000, the Pay Comparability Act of 1969. This legislation establishes a permanent method of bringing the pay of Federal employees up to a level comparable with that of private enterprise. It eliminates the long-standing inequity requiring postal employees to serve 21 years before reaching maximum pay for their work. In addition, 740,000 postal workers would get a badly needed emergency 5.4 percent cost-of-living rise in salary.

The reason for my support of this legislation is that any legislation which we enact for the purpose of raising Federal employees' salaries is based on reports which are outdated by the time we complete the legislative process. This problem is met by H.R. 13000 through the establishment of a permanent method of adjusting the pay of Federal employees who are under the general schedule, the postal field schedules, the Foreign Services schedules and the professional medical schedules.

Congress will play a vital role in the adjustment of these salaries because we will have a representation on the Federal Salary Commission and because the Commission will report directly to Congress. Through this Commission, congressional representatives will work closely with representatives of the executive branch and, of course, with representatives of employee organizations.

The Commission will conduct and maintain a current salary survey. This procedure will eliminate, or at least minimize, the comparability gap. And, because the Commission will be dealing directly with salary figures immediately affecting the relationship of Federal to private salaries, a more accurate comparability will be developed.

I have become aware of the inequities existent in the present Federal salary system. None of us in Congress should have missed the point being made this year by the postal unions that the 4.1-percent pay raise effective for postal employees July 1, was a pittance in relation to the services performed and the cost of living experienced by postal employees.

We cannot pass the issue off on the basis that no similar service is performed in the private sector and therefore comparability is impossible. The union representatives outlined, in hearings held this summer, the need for a meaningful change in the postal salary system.

Under the provisions of H.R. 13000, the time in service necessary for postal employees to reach the top level of a grade will be cut by 13 years. The present system has discouraged qualified people from coming into the postal service and has encouraged an alarming rate of employee turnover. No system can operate effectively when its employee separation rate is approximately 45 percent, as it was in 1967–68.

Because the Federal Salary Comparability Act of 1969 is drafted for the purposes of creating a permanent method of salary adjustment for Federal employees; of creating new incentives in the postal recruitment and retention programs through a new instep promotion plan; of enabling the full-fledged postal employee to soon enjoy the fruits of this legislation through special two-step advancements this year; and of increasing the ability of the postal employee to maintain his family at a reasonable standard of living, I urge all Members to strive to enact this necessary and meaningful legislation as soon as possible.

Mr. BUCHANAN. Mr. Chairman, the House of Representatives has before it today a bill—the Federal Salary Comparability Act of 1969—which affects a very important segment of our Nation's population, the many thousands of Federal and postal employees. I do not believe that there is any Member of Congress who is not aware of the vital importance of the fine work contributed by these employees or of the necessity to provide equitable and adequate compensation for this work. Because of my own longstanding concern about providing adequate compensation, I have already joined the introduction of two bills in this Congress toward this end. The Postal Service Act of 1969, in addition to implementing the administration's proposed creation of a separate self-supporting postal system, gives postal employees the important right to bargain collectively directly with management over wages and working conditions. The civil service retirement bill—H.R. 9825—which has now been passed by both Houses of Congress, provides both a liberalization in retirement benefits and an improvement in the financing of the retirement system.

I have also fully endorsed the principle of comparability and it had been my intention to support the legislation now being considered as a further step towards comparability. After careful study of the Federal Salary Comparability Act, however, I have come to the conclusion that its passage by the Congress at this time would not be in the best interests of the Nation or even of those directly affected by the bill.

First, in my judgment the Federal Salary Comparability Act faces a certain Presidential veto, with the result that postal and other Federal employees would receive no benefit at all from its passage by the Congress. In his letter of this date to House minority leader, Congressman GERALD R. FORD, the President indicates that—

> In its present form H.R. 13000 would add approximately $4.3 billion a year to federal expenditures. It would balloon expenditures in the remainder of this fiscal year by $1.5 billion.

The President pointed out that expenditure increases of this magnitude will nullify many of the steps which have recently been taken to stabilize the economy and seriously undercut the vital national effort to contain inflation. He indicates, furthermore, that the passage of H.R. 13000 would bring about additional deep cuts in Federal services which have already been greatly reduced because of expenditure ceilings passed by this very body. According to the President, this would require a reduction in postal services and in the number of postal and other Federal employees.

Second, upon reflection I believe that placing Federal salary determinations in the hands of a Federal Employee Salary Commission would prove to be an unwise step—both for Federal employees and for our country. I opposed this system of salary determination for Members of Congress and believe that it presents the same drawbacks when applied to any Federal employees. The collective bargaining procedure which is proposed in the Postal Service Act of 1969 presents, in my judgment, a more equitable and more responsible method of arriving at wage and salary decisions.

Third, there are serious questions in my mind with respect to the way in which this legislation was handled by the House Post Office and Civil Service Committee. Not only did the committee refuse—on October 8—to even consider the administration's postal reform legislation, but it did not see fit to provide Postmaster General Blount the extra time he requested of the committee to give H.R. 13000 his complete study. He was not even given the opportunity to testify on the measure before final committee action. As a member of the House Post Office and Civil Service Committee earlier in my congressional tenure, I did not participate in any such treatment of a Democratic Postmaster General and oppose it now in the case of the present Republican Postmaster General.

Many believe, furthermore, that if this bill is passed there will be no remaining impetus toward the comprehensive postal reform which is so desperately needed. Under the present postal system many postal employees never have a real chance for advancement and the postal service itself has become increasingly inefficient. I firmly believe, therefore, that immediate and comprehensive reform in the postal system is mandatory.

Finally, it is no secret among Members of Congress that there are other Federal employees who consider this bill to be inequitable toward them in that it provides greater increases for postal clerks and letter carriers than for other Federal employees in comparable positions.

For these reasons, Mr. Chairman, I must regrettably oppose this legislation at this time. This decision has been a painful one, and one which I have reached only after much soul searching. I remain completely determined, however, to work through postal reform and other legislation to achieve full comparability for postal and other Federal employees.

Mr. GILBERT. Mr. Chairman, I rise in support of H.R. 13000. Historically it is a fact that postal employees have always received too little too late. With regularity, my office receives the justified complaints of postal workers and their families about inadequate salaries and the spiraling cost of living. My mail these days is full of statements from postal employees who remind us that because of inflation, the 4.1-percent increase they received in July of this year gives them less purchasing power than they had a year ago.

H.R. 13000 will not correct the admitted inadequacies of the postal pay schedules, but it certainly will help in resolving the perennial problem of what Congress is to do about the pay of these workers. I am impressed by the section of H.R. 13000 which establishes a Federal Wage Commission and I am glad to know that the unions which represent the workers will have a voice on that Commission.

Congress has on several occasions considered legislation to raise salaries of postal and other Federal workers to a level comparable with wages being paid in the private sector. Because of budgetary restrictions, our intent has never been carried out.

In my opinion, postal workers should not have to carry the Nation's economy on their shoulders as well as the tremendous mail volume for which they are responsible.

It is most discouraging for the Government workers who reside in my congressional district to note the tremendous gains made by their neighbors and those to whom they deliver the mail, and then to be denied a justified increase in their wages.

Mr. Chairman, I fully support H.R. 13000 and in so doing I agree that wage adjustments of Government employees should be automatic and not be delayed by the redtape which accompanies passage of a new law each year.

Mr. RUPPE. Mr. Chairman, President Nixon has clearly and specifically indicated that he will veto the Federal Salary Comparability Act of 1969 as reported out that the Committee on Post Office and Civil Service. Any veto of this desirable, needed legislation for postal employees must necessarily invite a comparison with similar legislation passed by Congress in 1967. At that time, the Post Office and Civil Service Commission, of which I was a proud member, voted rate increases to fully cover the salary increases specified in the bill. This was responsible action that permitted President Johnson to sign that bill into law. Yet, 2 years later the committee has completely failed in its responsibility to increase postal revenues to cover necessary postal pay increases. This failure to act is clearly responsible for the President's projected veto and in my view has done substantial disservice to this Nation's dedicated postal employees.

Mr. Chairman, I will vote to recommit this bill so the committee will face its responsibility and come up with a postal revenue package to guarantee the President's support of this needed comparability legislation.

Mr. DICKINSON. Mr. Chairman, I regret that I cannot support H.R. 13000, the Federal Salary Comparability Act of 1969.

No one disagrees with the fact that we must have competent, dedicated employees if the Federal Government is to

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function smoothly and efficiently, and we must be able to offer adequate compensation if we expect to attract the caliber of personnel we need. There is no question in my mind that we have the finest merit system and Government employees of any nation in the world.

However, Mr. Chairman, I have serious reservations regarding the passage of H.R. 13000. The approval of this legislation will add $4.3 billion a year to Federal expenditures—$1.5 billion during fiscal year 1970. In view of our fiscal condition and the inflationary period we are experiencing at the present time, I believe it is very unwise to add this burden to our fiscal troubles.

The legislation under consideration is, I believe, discriminatory—it discriminates against classified employees, Foreign Service employees, and physicians, dentists, and nurses in the department of medicine and surgery of the Veterans' Administration. It excludes these employees from the October two-step increase granted postal field service personnel.

Mr. Chairman, this measure destroys the authority and responsibility of the President in Federal employees' pay determinations. If the bill is enacted, the Chief Executive of our Government would be powerless to deal with this important executive function. In addition, it places the Congress in a subordinate role in governing the tremendous expenditures required for Federal salaries. Even though the Gross amendment relating to positive congressional action has been approved, the concept of delegating the responsibility for setting salaries to a commission is, I believe, contrary to the wishes of the American people. This role has traditionally been retained by the Congress, and it should continue to exercise this function.

Mr. Chairman, I reiterate my support of fair and equitable salaries for Federal employees, but I do not believe that H.R. 13000 is the answer to this problem. I, therefore, must vote against the Federal Salary Comparability Act of 1969.

Mr. DENNIS. Mr. Chairman, had the Committee on Post Office and Civil Service seen fit to bring in a simple and reasonable increase in pay for postal workers, not encumbered by other provisions, I should have been happy to give such a measure sympathetic consideration consonant with essential budgetary considerations.

The committee did not do this. It brought in a bill largely depriving the Congress of its legitimate jurisdiction over Federal salaries, and turning this authority over to a Federal commission. It provided further for virtually an automatic appeal from every decision of the Salary Board to a Board of Arbitration. The power of the President in the matter of setting Federal wage rates was largely abolished. The adoption of the Gross amendment improved this situation, but did not remove these objections to the bill; nor can we have any assurance that this amendment will be left in the bill after action by the Senate.

In addition to all the foregoing, the bill discriminates in favor of postal employees as against other Federal employees, and also discriminates, as I understand it, within the postal service itself.

Finally, and perhaps most important, the bill, according to the President of the United States, will very seriously and adversely affect the Federal budget by adding a cost of some $4.3 billion a year, and $1.5 billion for the remainder of the current fiscal year alone, to our Federal expenditures. This, according to the President, will result in a decrease of Federal services and Federal employment, and will further have a serious inflationary impact. The money to pay for these increases will, as always, increase the already heavy burdens of all our taxpayers; and, to add to the irresponsibility of this measure, no effort is made in the bill to secure any part of these funds by any sort of postal rate increase.

I am informed that, because of these considerations, the President will, in all probability, veto this measure if it is passed by the Congress. The bill was opposed not only by the President, but also by the Bureau of the Budget, the Postmaster General, and the U.S. Civil Service Commission.

For all the foregoing reasons I felt, regretfully, compelled, as a responsible legislator, to vote against H.R. 13000.

Mr. UDALL. Mr. Chairman, I have no further requests for time.

Mr. GROSS. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, pursuant to the rule, the Clerk will now read the committee substitute amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Salary Comparability Act of 1969".

SEC. 2. Sections 5301 and 5302 of title 5, United States Code, are amended to read as follows:

"§ 5301. Policy

"(a) It is the policy of Congress that rates of pay for employees within the purview of this section be based on the principles that—

"(1) there be equal pay under each pay system for substantially equal work;

"(2) pay distinctions be maintained in keeping with work distinctions; and

"(3) rates of pay be comparable, on a national basis, with private enterprise rates of pay for the same levels of work.

"(b) Rates of pay shall be adjusted annually, in accordance with the policy set forth in subsection (a) of this section and the procedures prescribed by section 5302 of this title, for those employees subject to—

"(1) section 5332 of this title, relating to employees under the General Schedule;

"(2) part III of title 39, relating to employees in the postal field service;

"(3) sections 867 and 870 of title 22, relating to officers, staff officers, and employees in the Foreign Service of the United States; and

"(4) section 4107 of title 38, relating to physicians, dentists, and nurses in the Department of Medicine and Surgery, Veterans' Administration.

"§ 5302. Federal Employee Salary Commission; Federal Employee Salary Board of Arbitration

"(a) There is established, as a permanent agency of the Government, a Federal Employee Salary Commission, referred to as the 'Commission'.

"(b) The Commission shall be composed of 8 members and 3 associate members, as follows:

"(1) the Chairman of the Civil Service Commission or, in his absence, his designee, who shall be Chairman;

"(2) 1 designated by the Director of the Bureau of the Budget;

"(3) 1 designated by the Secretary of Defense;

"(4) 1 designated by the Postmaster General;

"(5) 1 designated by the organization of employees having the largest number of members in the General Schedule;

"(6) 2, one designated by each of the 2 employee organizations having the largest number of members in the postal field service;

"(7) 1 designated by an employee organization, other than an organization designating a member pursuant to paragraph (5) or (6) of this subsection, selected each year by the Chairman of the Civil Service Commission on a rotating basis after consultation with representatives of such employee organizations as the Chairman determines appropriate; and

"(8) 3 associate members, one each designated by employee organizations, other than organizations designating members pursuant to paragraph (5), (6), or (7) of this subsection, selected each year by the Chairman of the Civil Service Commission on a rotating basis after consultation with representatives of such employee organizations as the Chairman determines appropriate.

A member of the Commission has—

"(A) 1 vote, if designated under paragraph (2), (3), (4), (5), or (7) of this subsection;

"(B) one-half vote, if designated under paragraph (6) of this subsection; or

"(C) 1 vote to be cast only to break a tie vote of the Commission, if serving under paragraph (1) of this subsection.

Each associate member of the Commission is entitled to attend all meetings of, consult with, and be heard by, the Commission, on all matters, but does not have a vote.

"(c) The Commission shall, in accordance with the policy set forth in section 5301(a) of this title, after consultation with representatives of such agencies and employee organizations as it determines appropriate—

"(1) prescribe, and revise from time to time as it deems appropriate, a comparability pay survey—

"(A) which will develop valid comparisons of (i) the rates of pay for employees within the purview of section 5301(b) of this title and (ii) the rates of pay for the same levels of work in private industry; and

"(B) which shall be conducted annually by the Bureau of Labor Statistics in the Department of Labor;

"(2) prepare annually a comparative statement of the rates of pay for such employees and the rates of pay for the same levels of work in private industry as disclosed by the comparability pay survey;

"(3) determine and prescribe, on the basis of information and data disclosed by the annual comparability pay survey, the exact national rates of pay for such employees which are necessary to effect the policy set forth in section 5301(a) of this title;

"(4) review, annually, the comparability of the rates of pay and step increase policies within and between the various pay systems for such employees, taking into consideration such matters as the Commission determines have affected or may affect the comparability, including, but not limited to—

"(A) within-grade rates of pay employees are receiving due to differing length of service requirements for step increases, step increase without regard to length of service, or different number of within-grade steps;

"(B) different rates of pay under the various pay systems for the same level of work;

"(C) pay distinction not being maintained in keeping with work distinction, the degree of responsibility placed, the scope and variety of tasks involved, or the extent of decisionmaking authority required; and

"(D) premium pay policies; and

"(5) except as provided in subsection (e) and subsection (g) of this section, prepare and submit annually to the Congress a report setting forth—

"(A) the comparison of rates of pay prepared pursuant to paragraph (2) of this subsection;

"(B) the exact national rates of pay for such employees prescribed by the Commission in accordance with paragraph (3) of this subsection; and

"(C) recommendations for legislation as may be necessary to achieve the comparability policy set forth in section 5301(a) of this title or to achieve comparability within and between pay systems for employees within the purview of section 5301(b) of this title.

"(d)(1) In the exercise of the authority and the performance of the duties vested in and imposed upon the Commission by this section, the Commission—

"(A) shall seek the views, in such manner as the Commission may provide, of such employee organizations as the Commission considers appropriate; and

"(B) give thorough consideration to those views.

"(2) All decisions of the Commission shall be by a majority vote. The votes shall be recorded. A record shall be maintained of the views, assenting or dissenting, of the members of the Commission. The record of votes and views shall be available for public inspection and copying pursuant to section 552 of this title.

"(e) If a member of the Commission determines, and advises the Commission, that the rates of pay applicable to the appropriate pay system, as the rates are prescribed by the Commission, are not in conformity with the policy set forth in section 5301(a) of this title, the Commission shall submit, not later than February 1 following that determination, the rates of pay to the Board established by subsection (f) of this section for consideration by the Board.

"(f)(1) There is established, as a permanent agency of the Government, a Federal Employee Salary Board of Arbitration, referred to as the 'Board', which shall be composed of 7 members as follows:

"(A) 2 Members of the United States Senate designated by the President pro tempore of the Senate, each from a different political party;

"(B) 2 Members of the United States House of Representatives designated by the Speaker of the House, each from a different political party;

"(C) 1 designated by the Chairman of the Civil Service Commission;

"(D) 1, who may serve not more than 2 consecutive years, designated by a majority vote of the presidents of the four employee organizations which have designated members currently serving on the Commission under paragraph (5), (6), or (7) of subsection (b) of this section with each president of the employee organization under paragraph (5) or (7) having one vote and each president of the organizations under paragraph (6) having one-half vote; and

"(E) 1 designated by a majority of the members of the Board referred to in paragraphs (A) to (D), inclusive, of this subsection from the membership of the American Arbitration Association, who shall be Chairman of the Board.

"(2) The Board shall consider the rates of pay submitted to it by the Commission pursuant to subsection (e) of this section and determine whether or not the rates of pay conform with the policy set forth in section 5301(a) of this title. If the Board determines that the rates of pay do not so conform, the Board shall prepare the rates of pay as will conform with that policy. The Board shall transmit to the Commission not later than the 30th day following the date the Board received the rates of pay submitted to it by the Commission, a report setting forth—

"(A) the decision of the Board with respect to the rates of pay submitted by the Commission;

"(B) the reasons for the decision of the Board; and

"(C) such rates of pay as the Board shall have determined to be necessary to conform with the policy set forth in section 5301(a) of this title.

The decision of the Board, and such rates of pay as it may prepare in accordance with this paragraph, shall be final and conclusive.

"(g)(1) Except as provided in paragraph (2) of this subsection, the Commission shall submit to the Congress the first report pursuant to paragraph (5) of subsection (c) of this section, based on the 1969 national survey of professional, administrative, technical, and clerical pay, not later than February 1, 1970, and subsequent reports pursuant to such paragraph (5) not later than February 1 of each year thereafter.

"(2) In the case of the submission of rates of pay by the Commission to the Board pursuant to subsection (e) of this section, the Commission, immediately upon receipt of the final and conclusive decision of the Board, shall submit to the Congress the decision of the Board and such rates of pay as the Board shall have determined to be necessary to conform with the policy set forth in section 5301(a) of this title.

"(h)(1) Except as provided in paragraph (2) of this subsection, all or part (as the case may be) of the rates of pay submitted to the Congress as provided in subsection (c)(5) or subsection (g) of this section become effective at the beginning of the first pay period that begins on or after the first day of the year in which the rates of pay are submitted; but only to the extent that, within 30 days after the rates of pay are submitted to the Congress—

"(A) there has not been enacted into a law a statute establishing rates of pay other than those proposed by all or part of such recommendations,

"(B) neither House of Congress has passed a resolution specifically disapproving all or part of the recommendations, or

"(C) both.

"(2) Any part of the recommendations, in accordance with express provisions of the recommendations, may be made operative on a date earlier than the date on which the recommendations otherwise are to take effect.

"(3)(A) The rates of pay of United States attorneys and assistant United States attorneys whose annual salaries are fixed pursuant to section 548 of title 28 shall be increased, effective on the first day of the first pay period which begins on or after the first day of the year in which increases become effective pursuant to this section, by amounts equal, as nearly as may be practicable, to the increases provided pursuant to this section for corresponding rates of pay.

"(B) Notwithstanding section 665 of title 31, the rates of pay of employees of an Executive agency and of the government of the District of Columbia whose rates of pay are fixed by administrative action pursuant to law and are not otherwise increased pursuant to this section are hereby authorized to be increased, effective on the first day of the first pay period which begins on or after the first day of the year in which increases become effective pursuant to this section, by amounts not to exceed the increases provided pursuant to this section for corresponding rates of pay in the appropriate schedule or scale of pay.

"(C) This section does not authorize any increase in the rates of pay of employees whose rates of pay are fixed and adjusted from time to time as nearly as is consistent with the public interest in accordance with prevailing rates or practices.

"(D) This section does not impair any authority pursuant to which rates of pay may be fixed by administrative action.

"(4) Retroactive pay shall be paid by reason of this section only in the case of an individual in the service of the United States (including service in the armed forces) or the government of the District of Columbia on the day immediately following the close of the 30-day period specified in subsection (h)(1) of this section, except that such retroactive pay shall be paid—

"(A) to an employee who retired, during the period beginning on the first day of the first pay period which began on or after January 1, and ending on the day immediately following the close of the 30-day period specified in subsection (h)(1) of this section, for services rendered during that period, and

"(B) in accordance with subchapter VIII of chapter 55 of this title, relating to settlement of accounts, for services rendered, during the period beginning on the first day of the first pay period which began on or after January 1, and ending on the day immediately following the close of the 30-day period specified in subsection (h)(1) of this section, by an employee who died during that period.

Such retroactive pay shall not be considered as basic pay for the purposes of subchapter III of chapter 83 of this title, relating to civil service retirement, and any other retirement law or retirement system, in the case of any such retired or deceased employee.

"(5) For the purposes of paragraph (4) of this section, service in the Armed Forces, in the case of an individual relieved from training and service in the Armed Forces or discharged from hospitalization following such training and service, includes the period provided by law for the mandatory restoration of the individual to a position in or under the Government of the United States or the government of the District of Columbia.

"(i) Each member and each associate member of the Commission and each member of the Board is entitled to travel expenses, including a per diem allowance in accordance with section 5703(b) of this title. Each such member or associate member who is not a Member of Congress or an employee is entitled to pay at a rate equal to the per diem equivalent of the maximum rate of basic pay of the General Schedule for each day he is engaged in the performance of services for the Commission or the Board, as the case may be, except that the member from the American Arbitration Association may be paid the usual fees prescribed by that association.

"(j)(1) Without regard to the provisions of this title governing appointments in the competitive service and of chapter 51 of this title and subchapter III of this chapter, relating to classification and General Schedule pay rates—

"(A) the Commission and the Board each may appoint an Executive Director and fix his basic pay at the rate provided for level V of the Executive Schedule by section 5316 of this title; and

"(B) with the approval of the Commission or the Board, as appropriate, the Executive Director may appoint and fix the basic pay (at respective rates not in excess of the maximum rate of the General Schedule) of such additional personnel as may be necessary to carry out the functions of the Commission or of the Board, as applicable, and may obtain services of experts or consultants in accordance with section 3109 of this title, but at rates for individuals not to exceed that of General Schedule 18.

"(2) Upon the request of the Commission or of the Board, the head of any department, agency, or establishment of any branch of the Government of the United States may detail, on a reimbursable basis, any of the personnel of such department, agency, or establishment to assist the Commission or the Board, as appropriate, in carrying out its functions.

"(k) The Commission and the Board may use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States.

"(l) The Administrator of the General Services shall provide administrative support services for the Commission and the Board on a reimbursable basis.

"(m) The rates of pay that take effect under this section shall modify, supersede, or render inapplicable, as the case may be, to the extent inconsistent therewith—

"(1) all provisions of law enacted prior to the effective date or dates of all or part (as the case may be) of such rates (other than any provision of law enacted in the 30-day period specified in paragraph (1) of subsection (h) of this section with respect to such rates); and

"(2) any prior recommendations or adjustments which took effect under this section or prior provisions of law.

"(n) The rates of pay that take effect under this section shall be printed in—

"(1) the Statutes at Large in the same volume as public laws;

"(2) the Federal Register; and

"(3) the Code of Federal Regulations.

"(o) Any increase in rates of pay that takes effect under this section is not an equivalent increase in pay within the meaning of section 5335 of this title or section 3552 of title 39.

"(p) Any rate of pay that takes effect under this section shall be initially adjusted, effective on the effective date of such rate of pay, under conversion rules prescribed by the President or by such agency as the President may designate.

"(q) The rates of pay of personnel subject to sections 210 and 213 (except subsections (d) and (e)) of the Federal Salary Act of 1967 (81 Stat. 633, 635; Public Law 90–206), and any minimum or maximum rate, limitation, or allowance applicable to any such personnel, shall be adjusted, effective on the first day of the first pay period which begins on or after the first day of the year in which increases become effective pursuant to this section, by amounts which are equal, insofar as practicable and with such exceptions as may be necessary to provide for appropriate relationships between positions, to the amounts of the adjustments made pursuant to this section, by the following authorities—

"(1) the Director of the Administrative Office of the United States Courts, with respect to the judicial branch of the Government; and

"(2) the Secretary of Agriculture, with respect to individuals employed by the county committees established under section 590h (b) of title 16.

Such adjustments shall be made in such manner as the appropriate authority concerned deems advisable and shall have the force and effect of statute.".

SEC. 3. The table of contents of subchapter 1 of chapter 53 of title 5, United States Code, is amended by striking out—

"5302. Annual reports on pay comparability."

and inserting in lieu thereof—

"5302. Federal Employee Salary Commission; Federal Employee Salary Board of Arbitration.".

SEC. 4. Section 3552(a) of title 39, United States Code, is amended to read as follows:

"(a)(1) Each employee subject to the Postal Field Service Schedule and each employee subject to the Rural Carrier Schedule who has not reached the highest step for his position shall be advanced successively to the next higher step as follows:

"(A) to steps 2, 3, 4, 5, 6, and 7—at the beginning of the first pay period following the completion of 26 calendar weeks of satisfactory service; and

"(B) to steps 8 and above—at the beginning of the first pay period following the completion of 52 calendar weeks of satisfactory service.

"(2) The receipt of an equivalent increase during any of the waiting period specified in this subsection shall cause a new full waiting period to commence for further step increases.

"(3) An employee subject to the Postal Field Service Schedule who returns to a position he formerly occupied at a lower level may, at his request, have his waiting periods adjusted, at the time of his return to the lower level, as if his service had been continuous in the lower level.".

SEC. 5. (a) Each employee in levels 1 through 11 of the Postal Field Service Schedule and each employee subject to the Rural Carrier Schedule—

(1) who is in a step below the 2 top steps of his level shall be advanced 2 steps; or

(2) who is in either of the 2 top steps of his level shall receive basic compensation at a rate equal to his rate of basic compensation in effect immediately prior to the effective date of this subsection plus the amount of 2 step increases of his level.

Changes in levels or steps which would otherwise occur on the effective date of this subsection without regard to the enactment of this subsection shall be deemed to have occurred prior to adjustments under this subsection. Each such employee who receives an adjustment under this subsection shall commence a new full waiting period, for further step increase purposes under section 3552(a) of title 39, United States Code, on the first day of the first pay period which begins on or after July 1, 1970, and service by such an employee on or after the effective date of this section and prior to the beginning of such pay period in July 1970 shall not be credited for such step increase purposes.

(b) For the purposes of the initial application of section 3552(a) of title 39, United States Code, as amended by section 4 of this Act, credit for satisfactory service performed by an employee in levels 12 or above of the Postal Field Service Schedule since his last step increase prior to the effective date of section 4 of this Act, shall be granted in an amount not in excess of the amount of service required for a one step increase applicable to the step category of the employee.

(c) The Postmaster General shall advance each employee in level 12 or above of the Postal Field Service Schedule—

(1) who was in level 12 or above on the effective date of this section and who did not receive a two-step increase pursuant to this section;

(2) who is senior with respect to total postal service to an employee in the same post office (A) who received a two-step increase pursuant to this section and (B) who is promoted to the same level on or after the effective date of this section; and

(3) who is in a step in the same level below the step of the junior employee described in clauses (A) and (B) of subparagraph (2) of this subsection.

Such advancement by the Postmaster General shall be to the highest step which is held by any such junior employee. Any increase under the provisions of this subsection is not an equivalent increase within the meaning of section 3552 of title 39, United States Code. Credit earned prior to advancement under this subsection for advancement to the next step shall be retained for step increase purposes under such section 3552.

SEC. 6. Section 5545(c)(2) of title 5, United States Code, is amended to read as follows:

"(2) an employee in a position in which the hours of duty cannot be controlled administratively, and which requires substantial amounts of irregular, unscheduled, overtime duty with the employee generally being responsible for recognizing, without supervision, circumstances which require him to remain on duty, shall receive premium pay for this duty on an annual basis instead of premum pay provided by other provisions of this subchapter, except for regularly scheduled overtime, night, and Sunday duty, and for holiday duty. Premium pay under this paragraph is determined as an appropriate percentage, not less than 10 per centum nor more than 25 per centum, of such part of the rate of basic pay for the position as does not exceed the minimum rate of basic pay for GS–10, by taking into consideration the frequency and duration of irregular unscheduled overtime duty required in the position.".

SEC. 7. (a) Section 5942 of title 5, United States Code, is amended to read as follows:

"§ 5942. Allowance based on duty at remote worksites

"Notwithstanding section 5536 of this title, an employee of an Executive department or independent establishment who is assigned to duty, except temporary duty, at a site so remote from the nearest established communities or suitable places of residence as to require an appreciable amount of expense, hardship, and inconvenience on the part of the employee in commuting to and from his residence and such worksite is entitled, in addition to pay otherwise due him, to an allowance of not to exceed $10 a day. The allowance shall be paid under regulations prescribed by the President establishing the rates at which the allowance will be paid and defining and designating those sites, areas, and groups of positions to which the rates apply.".

(b) Notwithstanding section 5536 of title 5, United States Code, and the amendment made by subsection (a) of this section, and until the effective date of regulations prescribed by the President under such amendment—

(1) allowances may be paid to employees under section 5942 of title 5, United States Code, and the regulations prescribed by the President under such section, as in effect immediately prior to the effective date of this section; and

(2) such regulations may be amended or revoked in accordance with such section 5942 as in effect immediately prior to the effective date of this section.

(c) The table of contents of subchapter IV of chapter 59 of title 5, United States Code, is amended by striking out—

"5942. Allowance based on duty on California offshore islands or at Nevada Test Site."

and inserting in lieu thereof—

"5942. Allowance based on duty at remote worksites.".

SEC. 8 (a) Subchapter IV of chapter 59 of title 5, United States Code, is amended by adding at the end thereof the following new section:

"§ 5947. Quarters, subsistence, and allowances for employees of the Corps of Engineers, Department of the Army, engaged in floating plant operations

"(a) An employee of the Corps of Engineers, Department of the Army, engaged in floating plant operations may be furnished quarters or subsistence, or both, on vessels, without charge, when the furnishing of the quarters or subsistence, or both, is determined to be equitable to the employee concerned, and necessary in the public interest, in connection with such operations.

"(b) Notwithstanding section 5536 of this title, an employee entitled to the benefits of subsection (a) of this section while on a vessel, may be paid, in place of these benefits, an allowance for quarters or subsistence, or both, when—

"(1) adverse weather conditions or similar circumstances beyond the control of the employee or the Corps of Engineers prevent transportation of the employee from shore to the vessel; or

"(2) quarters or subsistence, or both, are not available on the vessel while it is undergoing repairs.

"(c) The quarters or subsistence, or both, or allowance in place thereof, may be furnished or paid only under regulations prescribed by the Secretary of the Army.".

(b) The table of sections of subchapter IV of chapter 59 of title 5, United States Code, is amended by adding—

"5947. Quarters subsistence, and allowances for employees of the Corps of Engineers, Department of the Army, engaged in floating plant operations."

immediately below—

"5946. Membership fees; expenses of attendance at meetings; limitations.".

(c) The Act entitled "An Act to authorize the furnishing of subsistence and quarters without charge to employees of the Corps of Engineers engaged on floating plant operations", approved May 13, 1955 (69 Stat. 48; Public Law 35, Eighty-fourth Congress) is repealed.

Sec. 9 (a) This section, the first section, and sections 2 and 3 of this Act shall become effective on the date of enactment of this Act.

(b) Sections 5, 6, 7, and 8 of this Act shall become effective on the first day of the first pay period which begins on or after October 1, 1969.

(c) Section 4 of this Act shall become effective on the first day of the first pay period which begins on or after July 1, 1970.

Mr. UDALL (during the reading). Mr. Chairman, I ask unanimous consent that the further reading of the committee amendment be dispensed with, and that it be printed in the Record in full and be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

AMENDMENT OFFERED BY MR. UDALL

Mr. UDALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Udall: On page 38 strike out all of subsection (q), beginning with line 15 down through line 11 on page 39, and insert in lieu thereof the following:

"(q) (1) The rates of pay of personnel subject to sections 210 and 214 of the Federal Salary Act of 1967 (81 Stat. 633, 635; Public Law 90–206), relating to Agricultural Stabilization and Conservation County Committee employees and to certain employees of the Legislative Branch of the Government, respectively, and any minimum or maximum rate, limitation, or allowance applicable to any such personnel, shall be adjusted, effective on the first day of the first pay period which begins on or after the date on which adjustments become effective under this section by amounts which are identical, insofar as practicable, to the amounts of the adjustments under this section for corresponding rates of pay for employees subject to the General Schedule, by the following authorities—

"(A) the Secretary of Agriculture, with respect to individuals employed by the county committees established under section 590h(b) of title 16;

"(B) the Financial Clerk of the Senate, with respect to the United States Senate;

"(C) the Finance Clerk of the House of Representatives, with respect to the United States House of Representatives; and

"(D) the Architect of the Capitol, with respect to the office of the Architect of the Capitol.

The provisions of this section shall not be construed to allow adjustments in the rates of pay of the following officers of the United States House of Representatives: Parliamentarian, Chaplain, Clerk, Minority Clerk, Sergeant at Arms, Minority Sergeant at Arms, Doorkeeper, Minority Doorkeeper, Postmaster, Minority Postmaster.

"(2) Notwithstanding section 665 of title 31, the rates of pay of employees in and under the Judicial Branch of the Government, whose rates of pay are fixed by administrative action pursuant to law and are not otherwise adjusted under this section may be adjusted, effective on the first day of the first day of the first pay period which begins on or after the date on which adjustments become effective under this section, by amounts not to exceed the amounts of the adjustments under this section for corresponding rates of pay. The limitations fixed by law with respect to the aggregate salaries payable to secretaries and law clerks of circuit and district judges shall be adjusted, effective on the first day of the first pay period which begins on or after the date on which adjustments become effective under this section, by amounts not to exceed the amounts of the adjustments under this section for corresponding rates of pay.".

Mr. UDALL (during the reading). Mr. Chairman, I ask unanimous consent that the further reading of my amendment be dispensed with, and that it be printed in the Record and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. UDALL. Mr. Chairman, this amendment is a simple amendment which I believe will arouse no great controversy.

In the 1967 act we provided a system by which comparability raises were given to the Federal classified employees, the postal employees, and so on. We also had a section which permitted and required that the employees of the legislative branch be given the same proportionate increases once other determinations were made.

In the bill the committee reported, because of some confusion, and because of some additional study on the mechanics that I had wanted to make, there was no such provision. This is a simple amendment which will require the disbursing officer and financial clerk in the House and Senate to determine what adjustments have been made in the classified pay of the Federal executive departments, and then take the same adjustments for the employees in the legislative branch.

This would mean that if a $10,000 clerk downtown received a 3-percent increase on some January, then a $10,000 staff employee or committee employee in the Congress would receive a 3-percent increase. It also includes in the machinery two types of employees in the Federal branch, law clerks of circuit and district judges, and secretaries who were omitted from the regular machinery in the bill.

Mr. Chairman, I do not know of any great opposition to the amendment, and I would hope that it would be agreed to.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Chairman, I appreciate the gentleman's statement, and in line of clarification might I ask the gentleman—as the author of the bill—one further question pertaining to page 24, lines 22 through 25, where it says in effect that the rates of pay shall be adjusted annually, and then it refers to the physicians, dentists, and nurses, in the Department of Medicine and Surgery, Veterans' Administration.

Is there any particular reason why these particular categories of talented and scarcely trained personnel were picked out in the Veterans' Administration specifically, rather than in any other, for example, the dentist and physicians in the Public Health Service?

Mr. UDALL. The dentists, physicians, and so forth in other departments are covered in the classified service; they are in the classified salary system. The Veterans' Administration has a separate salary system for these particular people, and we simply bracketed them into the automatic machinery so that a nurse or dentist or physician in the Veterans' Administration would get the same increase as a nurse or a doctor or dentist in the Public Health Service, who are already included.

Mr. HALL. Mr. Chairman, if the gentleman will yield further, do I understand then that the intent, insofar as the Commission is concerned, and the various boards of appeal, or arbitration, that are set up in this bill, is so that there will be some equalization of pay for those of like talents, and equal quality of skills, who are throughout the entire Government by this proposal?

Mr. UDALL. This is basically the intent of this proposal. We have had some incidents where we have had some nurses and nurses' assistants, as I am sure the gentleman is aware of, in one branch of the Government who are getting less than the same comparable people in other branches.

Mr. HALL. Carrying the colloquy one step further, there has actually been proselyting between the various branches of the Government because of inequities so far as this particular area is concerned, but the ones singled out here have apparently been the leaders in income and have experienced those activities, and as to their amount of income to date, and I wondered if it would work in the reverse, or if the others would be brought up to those even though they are covered by other pay acts?

Mr. UDALL. The intention is to equalize them, I will say to the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. Udall).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 32, beginning with line 14, strike out all of line 14 and all that follows down through the end of line 7 on page 33 and insert in lieu thereof the following:

"(h) (1) The rates of pay submitted to the Congress as provided in subsection (c)(4) or subsection (g) of this section shall become effective at the beginning of the first pay period which begins on or after the adoption by both Houses of Congress (within the 60 day period following the date on which the rates of pay are submitted to the House of Representatives and the Senate), by the yeas and nays of a concurrent resolution stating in effect that the Senate and House of Representatives approve such rates of pay."

"(2) For the purposes of paragraph (1) of this subsection, in the computation of the 60 day period there shall be excluded the days on which either House is not in session because of adjournment of more than 3 days to a day certain or an adjournment of the Congress sine die. The rates of pay submitted to the Congress shall be delivered to both Houses of the Congress on the same day and shall be delivered to the Clerk of the House of Representatives if the House of Representatives is not in session and to the Secretary of the Senate if the Senate is not in session."

On page 33, line 12, strike out "first day of the year" and insert in lieu thereof "date on";

On page 33, line 22, strike out "first day of the year in" and insert in lieu thereof "date on";

On page 38, line 21, strike out "first day of the year in" and insert in lieu thereof "date on".

The CHAIRMAN. The Chair recognizes the gentleman from Iowa (Mr. GROSS) in support of his amendment.

Mr. GROSS. Mr. Chairman, in support of the amendment that I have offered, may I say it conforms with the policy expressed by the gentleman from Arizona (Mr. UDALL) in the hearings before his compensation subcommittee.

The purpose of this amendment is to require that Congress take affirmative action, not negative action, in connection with the approval of pay increases recommended to it by the so-called Federal Employee Salary Commission.

The Congress should not under any circumstances avoid its responsibility in this matter, as it did in connection with increasing the salaries of Members earlier this year. We were led then to believe that we would be able to vote on that issue in an orderly manner, but it certainly did not work out that way.

As the Members of the House well know, the executive, congressional, and judicial pay bill went into effect early this year while the House of Representatives was conveniently on vacation. My proposal would require that both Houses of Congress, by a yea-and-nay vote, shall approve a concurrent resolution within 60 days after the Commission report is received and before pay increases for Federal employees could possibly become effective.

My amendment further provides that there will be no retroactive pay increases as provided for in the present language of the bill, H.R. 13000.

There is precedent for the amendment I am proposing. A similar provision is contained in the Trade Expansion Act of 1962, title 19, section 1981, where the procedure I suggested in my amendment is used in connection with the imposition of duties or other import restrictions.

Mr. WILLIAM D. FORD. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. WILLIAM D. FORD. Did I understand the gentleman to say that in his opinion, if a provision such as he is now proposing in this bill had been included in the bill covering pay for the executive branch, the judiciary, and Congress, it would be unlikely that we would have received the pay raise that we got this year?

Mr. GROSS. No, that is not my understanding. Certainly, I would have liked to have seen a vote on it, and tried in every possible way to get it. The responsibility of Members of the House, the presumed responsibility, dictated that there be a vote on that pay increase. But there was no vote, as the gentleman knows.

Mr. WILLIAM D. FORD. Then do I clearly interpret your position as being that you do not intend by the amendment you are offering to make it less likely that there will be an annual increase in pay comparable or commensurate with increases in the cost of living and other factors, that would be the case under the bill offered by the gentleman from Arizona (Mr. UDALL).

Mr. GROSS. I cannot say what position the House will take. I doubt very much that had House Members voted on a rollcall vote they would have passed the congressional pay increase earlier this year. That is my personal opinion.

Mr. WILLIAM D. FORD. Then I gather that you do believe there is at least a strong possibility that Federal employees chances of an annual raise would be at least in jeopardy if your amendment is passed, to a greater extent than the provision of the Udall bill; and with that in mind, I ask the gentleman if he really believes this House could in good conscience pass a salary commission bill that treated the employees of the Federal Government less generously than we have treated ourselves?

Mr. GROSS. I do not know what the House would do. I should like to see a test. I want to see a yea-and-nay vote on pay increases and all of them. That is what my amendment provides, that the House be compelled to vote on pay-increase legislation.

Let me say to the gentleman that looking down the road 18 months hence, this legislation, we are told, will very likely cost $2.5 billion exclusive of the military pay increase, which is semiautomatic, being based upon the passage of pay-increase legislation for other Federal employees. The House has the obligation to the citizens of this country, the taxpayers of this country, to vote on all pay-increase legislation.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

(On request of Mr. WILLIAM D. FORD, and by unanimous consent, Mr. GROSS was allowed to proceed for 5 additional minutes.)

Mr. WILLIAM D. FORD. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Michigan.

Mr. WILLIAM D. FORD. The point that I am trying to examine the gentleman in the well about—and I fully appreciate the good faith of his amendment—I want to say that I agree with you, and I would have been very happy to vote on the issue of pay, and that we needed it. I feel it is fully justified, and I went on record publicly. I would be most happy to do that in this Chamber. I think wherever possible we should vote.

The point I am trying to raise with the gentleman, however, is the fact that we have established a salary procedure for the top-pay executives in the Government, for the judiciary, and for the legislative, and what the gentleman's amendment would now do would be to set a double standard. We would have a different approach, perhaps less advantageous for the general employees of the Government than that which we have provided for ourselves, and this does not seem to me to be consistent with fair play, that we treat ourselves in any way better than other employees in the Federal Government.

Mr. GROSS. With the influential help of the gentleman from Michigan—and he can be a very helpful influence in the committee—I will be glad to offer legislation in the committee to provide for a mandatory vote on any further increases in pay for the executive, legislative or judicial branches of Government.

Mr. WILLIAM D. FORD. I will give that my sympathetic consideration.

Mr. HENDERSON. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman from North Carolina.

Mr. HENDERSON. I wish to commend the gentleman for presenting to the House a most important amendment to this legislation. The provision of the bill that your amendment seeks to amend is the one that gives most of us great trouble. That is the question whether or not the pay raises are going to be automatic unless Congress vetoes the recommendation of the Salary Commission, or whether Congress is going to face up to what many of us think is our responsibility and affirmatively vote for the raises as recommended by a commission. That is what the gentleman's amendment does. It affords us an opportunity to go on record at this point that if we want to increase the salaries of the employees as the Commission finds they are entitled to be increased, we would then vote to do that. I commend the gentleman for this opportunity to vote on that issue.

Mr. GROSS. I thank the gentleman from North Carolina for his concurrence in and help with this amendment.

Mr. HENDERSON. Mr. Chairman, will the gentleman yield further?

Mr. GROSS. I yield to the gentleman from North Carolina.

Mr. HENDERSON. I urge Members of the House to give very serious consideration to the amendment offered by the gentleman from Iowa. If the amendment is adopted, I am sure passage of the bill, at least by the House, will be assured.

Mr. GROSS. I thank the gentleman but I hope it will not assure passage of the bill for many other of its provisions are totally unacceptable.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Minnesota.

Mr. MACGREGOR. I rise to commend the gentleman from Iowa. His amendment obviously has great merit, and I would be pleased to support it. I should like to say to the gentleman who questioned the gentleman from Iowa a moment ago about the double standard that obviously, if the House were to adopt this amendment now offered by the gentleman from Iowa on this legislation, we would subsequently adopt the same amendment with respect to a Commission's recommendations for congressional, legislative, executive or judicial pay raises.

Mr. GROSS. The gentleman is exactly right. If we put it in this bill, as we should, then we certainly ought to put it on the other legislation. I will offer legislation to that end.

Mr. MACGREGOR. I would be pleased to support the gentleman in that legislation. I join with him.

Mr. GROSS. I thank the gentleman.

I was pleased to read in the hearings on this legislation the statement of Mr. UDALL in connection with providing for affirmative congressional action on pay increases when he said:

> This would insure that there would be an actual vote on these new pay schedules developed through the machinery I am talking about.

However, the language of the bill, H.R. 13000, does not conform to his statement.

It occurs to me that if we are going to enact permanent law on this subject, we should remove any question as to whether the Congress has acted affirmatively with respect to pay increases for Federal employees. To do otherwise, as provided for in the present language of the bill, merely leaves us in a position of having to take the blame for any action of the Salary Commission without an opportunity to exercise any affirmative action with respect to its recommendations.

Mr. Chairman, I urge approval of the amendment.

Mr. UDALL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I told the gentleman from Iowa frankly and I told the members of the Rules Committee that I had no really strong feelings on the amendment. I am inclined to oppose it. I do not think we should adopt the amendment, but I do not think it would destroy what we are trying to do.

But, Mr. Chairman, let us make very clear what is involved before we vote on it. We are trying to set up a semiautomatic procedure in which Congress does not have to hassle every year about pay raises. We are not giving up the policymaking. The Congress sets the policy in this bill. The bill tells a group of mechanics and bookkeepers every January to go out and check comparability of wages and bring in a proposal, which is then laid before the Congress, and it lays there for 30 days, and, if we do not veto it, it takes effect.

What happens is that every year in January or February we will have a chance to vote and say, "we love the Federal employees." I cannot imagine one of these things being voted down when a bipartisan group of labor and management has studied and said these things are necessary. I cannot imagine Congress voting it down. So we will be simply going through an act every year to say we love the Federal employees.

Now, as to the amendment—the main reason the labor unions are against it is that it brings in delays. The recommendation will be made in January or February, and if there is arbitration it lays there until March of each year, and if there is further delay, it will be May, and then it may be voted upon. So this will leave the budget and the pay situation in doubt between January 1 and May 1. For these reasons, I believe it would be unwise to adopt the amendment, but I did tell the gentleman from Iowa it was not vital. If the Congress wants to do this and waste the time each year confirming that our policy has been carried out, then let us do it, but we still have a chance to veto it. The mechanics of the bill permit Congress to take up the bill and vote against it, if Congress wishes.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, this amendment writes out the retroactivity provision.

Mr. UDALL. Then this is an even stronger reason to oppose the amendment, and the employee unions would be even more bitterly opposed. I did not understand that feature.

Mr. Chairman, the problem is the lag we have of 15 months. We are behind in comparability now. We have tried to shorten that time, and it will still be more than 5 months behind. Each January we will catch it up to the previous August, but now the gentleman's amendment is going to make the lag even greater.

Mr. GROSS. Mr. Chairman, if the gentleman will yield further, is the gentleman saying we should tailor whether we vote on a bill, any bill, in accordance with whether the bankers' association, the bar association, or any other group wants us to vote? Is this the way the gentleman is suggesting the House should proceed on other legislation?

Mr. UDALL. No. What I am saying is that we ought to vote on important things. There are $5 billion worth of Wage Board adjustments made each year. We do not fix these things, because we have set down the policy and we have told the group of technicians and bookkeepers to check on the pay for a carpenter and find out the situation in the particular area and pay that, and we do not vote each year on that.

Mr. GROSS. But we could participate in it if we wanted to do so.

Mr. UDALL. Of course we could.

I am simply suggesting it is not all that important to saddle Congress with taking one afternoon or one day each year to vote on, and we do have a chance to vote if some outrage has been perpetrated.

Mr. GROSS. I have not reached the point where a $2.5 billion bill is inconsequential from the standpoint of my vote.

Mr. UDALL. Of course, we have not. But if the policy is fixed by the Congress, it can be carried out by the technicians.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Texas.

Mr. WHITE. Mr. Chairman, was not one of the major contentions of Postmaster General Blount for postal reform through setting up a Corporation this argument, that without a rate board outside Congress there is a time lag and a lack of control in wages in the postal system?

Mr. UDALL. Indeed. One of the purposes of the Postal Corporation is to get our hands out of the pot, to let us stop stirring the stew, and to have wages fixed in a different method than by having Congress fix them.

Mr. WHITE. So by the committee amendment we still have oversight over the wages, yet the Rate Commission speeds up and streamlines the process?

Mr. UDALL. Absolutely.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. GROSS).

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 49, noes 45.

Mr. UDALL. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. GROSS and Mr. UDALL.

The Committee again divided, and the tellers reported that there were—ayes 65, noes 51.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. SCOTT

Mr. SCOTT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. SCOTT: On page 24, line 12, strike out "adjusted" and insert in lieu thereof "reviewed"; and
>
> On page 28, lines 14 and 15, strike out "except as provided in subsection (e) and subsection (g) of this section,"; and
>
> On page 29, beginning with line 17, strike out all of line 17 and all that follows down through the end of line 19 on page 35 and redesignate the succeeding subsections accordingly; and
>
> Delete each reference to the Federal Employee Salary Board of Arbitration and members of such Board in the remaining text of the bill.

Mr. SCOTT. Mr. Chairman, I did not anticipate the action of the Committee just taken in adopting the amendment proposed by the gentleman from Iowa (Mr. GROSS). Indeed I supported his amendment, but thereafter considered for a moment whether mine should be offered in view of the action of the Committee in adopting the Gross amendment. On comparison of the two amendments, however, it is still considered worthwhile for the Committee to consider and adopt this amendment.

Esssentially, what it does is it provides that the Commission shall be advisory only and that the report which it makes will have to be acted upon by the House. The Gross amendment adopted by the Committee would require a rollcall vote. The amendment now before you, however, would place the Salary Commission in an advisory role. It also eliminates the arbitration board. If the Salary Commission is going to be advisory only and if the Congress will have to act, as the Committee has just said it should. I see no purpose in having a board of arbitration. A Board of Arbitration to which any member of the Salary Commission can appeal if he is dissatisfied with the decision rendered by the Salary Commission is something that is not necessary in view of the adoption of the Gross amendment.

It seems to me we should ask ourselves a number of questions in the consideration of this legislation.

First, Mr. Chairman, we should ask ourselves do we want the President and the Congress to control the budgetary and the appropriation process, or do we want a commission to determine this. It seems reasonable to me to retain these processes within the control of the Congress and the President. It seems reasonable that when the President submits his budget to the Congress it should include salary adjustments for Government employees to be made during the fiscal year.

Mr. Chairman, it seems to me we might ask ourselves to whom the Government employee should turn. Should he turn to a commission for the adjustment of his salary or should he contact his Congressman as he has in the past?

What will we say to the employees or their representative if they come to us? Will we say, "Talk it over with the Commission"? Will we be bound by what the Commissioner reports, or will we treat him in the same manner as all of our other constituents at the time we consider pay adjustments?

Mr. Chairman, if we look at page 32 of the bill we can see that the findings of the Commission go into effect within 30 days after submission to the Congress. If, ultimately, the Gross amendment does not become the law—and I hope that it does become law—but in the event the other body or a conference between the two bodies strikes it out, I feel this amendment will be good insurance to take two bites at similar proposals. My amendment would make the Salary Commission advisory only. I think we show our concern for the Government employee when we say to him that the Congress will retain jurisdiction over the salaries of Government employees.

Mr. LATTA. Mr. Chairman, will the gentleman yield?

Mr. SCOTT. I yield to the gentleman from Ohio.

Mr. LATTA. As I understand the gentleman's amendment, he proposes to give the Commission only review powers. Is that correct?

Mr. SCOTT. I would knock out the Commission being able to determine the salary of a Government employee. My amendment would change the word "adjusted" on page 24 to "review." In other words, it would not adjust the salaries. The Commission would review the salaries and make its recommendation to the Congress.

If the Gross amendment does become law it would take away a lot of the thrust of my amendment. I think, however, the two are consistent. My amendment would abolish the Arbitration Board. The Arbitration Board is a review board that is set up in the bill. First, the Commission determines the salary and this would be a recommendation only. Then we would have the Board of Review. The Congress under my amendment would do that rather than a Board of Arbitration. I see no need for a Board of Arbitration in view of the adoption of the Gross amendment, or if this amendment is adopted. My amendment would remove the Board of Arbitration but not the Salary Commission. In other words, we have two separate instrumentalities contained in this bill.

Mr. LATTA. Mr. Chairman, if the gentleman will yield further, I agree with what the gentleman is attempting to do. I do not think that as Members of Congress we ought to let any board or any commission do the job that we are sent here to do. I opposed the Salary Commission created to set salaries for Members of Congress. In my opinion this bill attempts to do the same thing for postal and other Federal employees. I think it is proper and fitting that we increase the salaries of postal and Federal employees but not to set up a commission to do it for us. This is our function as a legislative body—we should not delegate it.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

(By unanimous consent, Mr. Scott was allowed to proceed for 1 additional minute.)

Mr. SCOTT. Mr. Chairman, I thank the gentleman for his comments. Let me say that I believe this Congress and this House over the years has abdicated a large measure of its responsibility. I think it is time that we reversed that trend and did the things that the people have sent us here to the Congress to do.

Mr. UDALL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment. I make two points against the amendment. As a matter of fact I should have raised a point of order to the amendment although I did not, because it really does some of the things or undoes some of the things that were covered in the Gross amendment and as a result thereof it is my opinion that we would have a confused hodgepodge if both were approved.

Mr. Chairman, I am really appalled that a distinguished Member who represents as many Federal employees as does the gentleman from Virginia (Mr. Scott) would offer this amendment, because it guts the entire work of the committee in salary fixing and the entirely new system of fixing pay which this bill sets up and establishes would be ruined, vetoed and rendered totally ineffective.

Mr. Chairman, all this bill provides for is salary-fixing machinery and provides for study machinery. We have had study machinery since 1962, and under that system the Federal employees got further and further and further behind in Virginia until in 1967 we passed an act that set up some timetables and comparability guidelines that brought Federal employees up to full comparability.

If you want to ruin the postal and classified employees and put us right back in the committee and begin all over again and knock out the Federal salary fixing, just approve this amendment, because this is what it does.

If there is any Federal employee or any Federal employee organization that is in favor of this kind of amendment I cannot imagine who it would be.

Mr. Chairman, I strongly urge the defeat of the amendment offered by the gentleman from Virginia (Mr. Scott).

Mr. SCOTT. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I will yield briefly to the gentleman from Virginia.

Mr. SCOTT. Mr. Chairman, is the gentleman saying, when he talks about the amendment gutting the bill, and as being against the interests of the Federal workers, is the gentleman asking this body to believe that the Bureau of the Budget, that the Post Office Department, that the Civil Service Commission, that the Department of the Army, all of whom have representatives on the Commission, are more interested in the welfare of the individual employee than this body is? I do not believe that these agencies are more interested in the welfare of Government employees than their elected representatives.

Mr. UDALL. No; I am not saying that. What I am saying is that the Federal employee was 2 years, 3 years, or even 4 years behind in comparability. I have heard the gentleman say how terrible this is. The reason that situation existed was because we had no machinery for regular, annual, periodic adjustments in pay. We had some study machinery that the gentleman says we should have now. But this bill would establish the automatic machinery whereby it will make sure that we can carry out the policies that we determine we believe in. If we were to continue with the study machinery as suggested, and this study were completed next January, the way this Congress works there would not be a raise until many months later. It would be maybe August or September before we would get around to coming up with a pay bill based upon that study so again that would be a year or two behind. That is what this bill is trying to avoid.

Mr. SCOTT. You are saying that the Commission would be more effective than this Congress, and I would submit that that is quite an indictment of the Congress, and the representatives of the employees and the people.

Mr. BIAGGI. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from New York.

Mr. BIAGGI. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I do not rise too often to speak on the floor of this House. As the Members know, I am a relatively new Member. However, I must rise on a matter so vital and on which I am intimately acquainted.

Before I arrived here as a Member of the Congress I served for many, many years as a policeman, but prior to that I served as a postal employee for some 5 years. I personally regard my departure from that postal system as an escape. I regard it in this fashion facetiously, but the fact of the matter is that it is a proper characterization of my departure; it was an escape from a medieval system and a medieval approach to salaries.

Be assured the Commission, with executive powers, is necessary. The advisory nature of this amendment would emasculate the very purpose of such machinery which is so necessary to overcome omissions over the decades where Congress has not done its job, and that is the fact of the matter. Congress has failed to do its job and discharge its moral responsibilities to the Federal employees, and also to the neglected employees of the postal system of our Nation. That is why we find ourselves confronted with the most abysmal postal service and where we find ourselves confronted with a situation where postal employees are required in some areas of the country to engage in other endeavors in order to maintain a living wage.

Gentlemen, we have seen the unrest, we have seen the activities on the part of the postal employees of this Nation, and they are responsible people, they are dedicated, they are loyal Americans, but they are charged with the responsibility of fiscally maintaining our postal service. We only have to look across the Atlantic Ocean to Italy, where not too many months ago we found a postal strike in existence that tied up that nation before they obtained their benefits. Should we in the Congress be responsible for driving the postal employees of America to that same end in order to ultimately obtain the required benefits?

You and I know that if we permit these inadequacies to approach crisis proportions in this country then we are responsible for any similar job action. It is irresponsibility on our part to drive the employees to that point. Let us discharge our duties and our responsibilities here today by defeating this amendment—and fulfill our moral commitment to the postal as well as Federal employees.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

(By unanimous consent, Mr. UDALL was allowed to proceed for 1 additional minute.)

Mr. DULSKI. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from New York (Mr. DULSKI).

Mr. DULSKI. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I know of the great contributions that the gentleman from Virginia (Mr. SCOTT) has made to the Committee on Post Office and Civil Service, but I am sure he is mistaken in presenting this amendment.

As the chairman of the full committee, I have sat on many of the hearings, and have listened attentively to the proceedings. I have always thought that we should bridge the gap of comparability within the period of about 3 or 4 months.

I think it was explained by our able subcommittee chairman, the gentleman from Arizona (Mr. UDALL) when he said that if we delete that one provision from the bill and abolish the Arbitration Board, we will be more than 15 months away from comparability. So I rise in opposition to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia (Mr. SCOTT).

The question was taken; and on a division (demanded by Mr. SCOTT), there were—ayes 27, noes 59.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. HUNGATE

Mr. HUNGATE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HUNGATE: On page 46, insert a new section 9 immediately following line 13, and renumber section 9 as section 10, as follows:

"SEC. 9. (a) Any person paid from a clerk hire allowance of the House of Representatives who travels to a Congressional district in a State other than the State of the member by which he is employed for the purpose of influencing in any manner the outcome of a Congressional election, including any future Congressional election, shall be paid for only one-half the pay period during which the Clerk of the House is informed of the activities as provided in subsection (b) of this section.

"(b) Any person paid from a clerk hire allowance who engages in activities described in subsection (a) of this section shall report such activities to the Clerk of the House no later than five days following the commencement of such activities.

"(c) If full pay for the pay period during which the Clerk of the House is informed of activities prohibited by subsection (a) of this section has been received by a person reporting as required by subsection (b) of this section, the Clerk of the House shall withhold one-half of said person's pay for the following pay period.

"(d) Any person paid from a clerk hire allowance failing to comply with subsection (b) of this section shall forfeit all right to any pay from the House of Representatives for a period of six months.

"(e) It shall be the duty of the employing member of a person paid from a clerk hire allowance who engages in activities prohibited by subsection (a) of this section to report the activity to the Clerk of the House if the activity is not reported as required by subsection (b) of this section."

The CHAIRMAN. The Chair recognizes the gentleman from Missouri (Mr. HUNGATE) in support of his amendment.

Mr. SCOTT. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Virginia rise?

Mr. SCOTT. Mr. Chairman, I make the point of order that the amendment is not germane to the bill that is being considered.

The CHAIRMAN. Does the gentleman from Missouri (Mr. HUNGATE) desire to be heard on the point of order?

Mr. HUNGATE. Mr. Chairman, I can hardly imagine anything more germane than this amendment relating to Federal employees pay in this bill having to do with the payment of Federal employees.

The CHAIRMAN. The Chair is ready to rule. The Chair would like to point out that the amendment offered by the gentleman from Arizona (Mr. UDALL) that was adopted, goes to the point of clerk hire in the House and also in the Senate. The bill having been opened up on that subject by the adoption of that amendment, and since the amendment offered by the gentleman from Missouri (Mr. HUNGATE) also addresses itself to the matter of clerk hire in the House, the Chair holds that the amendment is germane and therefore overrules the point of order.

Mr. HUNGATE. Mr. Chairman, I urge support of this amendment. It is designed to prohibit campaigning by congressional staff paid from a clerk-hire allowance for candidates in congressional elections held out of the State of their employer's district. The amendment will accomplish this goal by penalizing those staffers in violation of the provision 2 weeks of pay, and in those instances where a staffer fails to report his activities, 6 months of pay.

Mr. Chairman, as President Nixon told those of us who were here yesterday.

> The spirit of party grows more evident weekly in the National Capital . . . the call to partisan combat has grown more compelling.

I have in my hand the following letter dated August 27, 1969, which reads as follows:

> DEAR BULL ELEPHANT—

I presume that refers to those in the cow districts—

> Our Congressional Campaign Committee chairman, Bob Wilson, has asked me to head up our reactivated R.S.V.P. program (Republicans Speak on Vital Problems), concentrating our efforts in Democratic-held districts.

Last year it was constructive Republican alternative programs—I am not sure what we should make of that. Continuing:

> We plan to send out three-member teams of Republican Congressmen into these districts on successive week ends between September 26 and November 8.
>
> To make these visits a success, we need a number of topflight advance men to precede the panels into these districts, conferring with local party leaders, setting up the agenda for the visits, arranging for press conferences, et cetera. And that's where you come in.
>
> If you can arrange it with your boss to get away from your office for a total of about 8–10 days during this period (the first 4–5 days coming several weeks in advance of the panel's departure and the second 3–4 days immediately preceding the group's departure), we can use you. Ideally, we're looking for administrative and/or press aides with the maturity and experience to deal with party leaders at the state and local level and with the news media in these areas.
>
> The Congressional Committee will pick up the tab on all your expenses, of course.

I interject here that this amendment would afford a further opportunity to pay their salaries as well.

> Because this will be a sizable undertaking, involving planning, logistics and timing, we

XUM

> are trying to line up experienced advance men as soon as possible—and would appreciate it very much if you would advise me of your availability to advance one or more of the panels.

Now, it is no secret that the Republicans need all the help they can get in running for elective office, Mr. Chairman. But taking staff members, paid with tax dollars, to pursue the interests of the taxpayers in their employing Congressman's district, and sending them to campaign for candidates for elective office in completely unrelated districts is not justifiable.

For example, why should the taxpayers meet the salary of a staff member employed by a California Congressman while that California staff member is working in a South Carolina political campaign?

Mr. Chairman, we knew the Republicans were hard up for ideas, but we never knew they were hardup for money.

It may be argued that the amendment is not needed because of the sensational lack of success the Republicans have had in recent special congressional elections. But, Mr. Chairman, this may simply be part of the "southern strategy," which involves losing congressional races in Montana, Wisconsin, and Massachusetts.

Mr. Chairman, those not engaging in this practice would not be affected. I am sure the Members would agree with me that any who are engaging in this practice should be stopped.

I therefore urge adoption of this amendment, and a vote to support it is a vote to save tax dollars.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. HUNGATE. I yield to the gentleman from Iowa.

Mr. KYL. Would the gentleman's amendment apply also to employees of the Doorkeeper's office, the office of the Clerk of the House, and other such offices who are paid by taxpayers generally?

Mr. HUNGATE. This amendment is limited, as I think the Clerk read.

Mr. KYL. I do not disagree with the gentleman's amendment at all. Would the gentleman join with me sometime and try to get a similar amendment to control those other offices?

Mr. HUNGATE. I have tried to adopt a policy of giving conscientious consideration to all amendments offered. I will do the same for any amendment offered by the gentleman from Iowa.

Mr. HOGAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the amendment as drafted has a broad brush effect which the author of the amendment does not intend. I happen to represent a district in metropolitan Washington and there are probably more employees of Members of Congress residing in my district than in any other district.

The result of the amendment as written would deny the individuals living in this district an opportunity to work for me or for my opponent in a political campaign. I do not think that this is the intention of the author of the amendment.

Mr. HUNGATE. Mr. Chairman, will the gentleman yield?

Mr. HOGAN. I yield to the gentleman from Missouri.

Mr. HUNGATE. Mr. Chairman, I believe the gentleman misconstrued the amendment. The employee actually can work any place in the same State, but the employee simply cannot go out into any other State in a political campaign. There is no harm in working for a Congressman.

Mr. HOGAN. But the employee who might be a legal resident of Missouri might live in Prince George's County, in my district, and might like to work for me or my opponent in a campaign. As I see it, the gentleman's amendment would preclude him from doing that.

Mr. HUNGATE. I appreciate the gentleman's suggestion. I believe he refers to something they do on their own time. I think with respect to the time they are paid for by the Government, for 3 or 4 days or 4 or 5 days out of State of the employing Member, that would be above and beyond donated time one may expect. I suppose they could take vacation time.

Mr. LONG of Maryland. Mr. Chairman, will the gentleman yield?

Mr. HOGAN. I yield to the gentleman from Maryland (Mr. LONG).

Mr. LONG of Maryland. Mr. Chairman, I think the amendment offered by the gentleman from Missouri would not do any great harm, but it opens up a Pandora's box. I oppose the amendment offered by the gentleman.

Mr. HOGAN. I thank my colleague from Maryland.

I urge the defeat of the amendment.

Mr. WAGGONNER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think the gentleman from Maryland (Mr. LONG), who engaged in the previous colloquy, hit the nail on the head when he said an amendment such as this would open up a Pandora's box. Consider in part for a moment what this proposed amendment does—and I know the gentleman from Missouri offers it with good intentions.

First of all, for example, the amendment prohibits under any circumstances a member of my staff, but not a member of a Senate staff, or a member of a committee staff, from going into a congressional district in any congressional district other than my home State, or in the instance of one of the gentleman's employees, in the gentleman's home State—unless at a sacrifice or penalty: It costs the employee one-half of his pay for that pay period.

I think it is probably unconstitutional. If he does not report to the Clerk of the House, as this amendment requires, he will lose 6 months' pay.

Consider some of the circumstances wherein every franchised and free American ought to have the privilege of doing what he wants to do politically. Every other Federal employee we are talking about giving raises to today has that privilege. Suppose a man is on a legitimate vacation, one that has been scheduled for months. He ought to have the privilege of doing what he wants to do on that vacation. He at least ought to be able to use that offduty time to engage in politics.

Mr. HUNGATE. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. I yield to the gentleman from Missouri.

Mr. HUNGATE. Mr. Chairman, the gentleman would recognize the Hatch Act does prohibit some activities for Federal employees that other people may engage in?

Mr. WAGGONNER. It absolutely does not when they are not on duty. They can engage in partisan politics when they are off duty.

Mr. HUNGATE. But the gentleman will agree there is a Hatch Act which affects Federal employees and not other employees.

Mr. WAGGONNER. Yes. But what the gentleman proposes here is far in excess of what the Hatch Act imposes on other Federal employees. Consider this. Consider the announcement just made by the Department of Defense the other day about the ability of the military to participate while off duty in elections. Suppose my administrative assistant is not a resident of the State of Louisiana, for example, but he is a resident of the State of Virginia, and he lives in the State of Virginia.

Are you going to tell me that in his authorized period of vacation he cannot participate in a congressional election in the State of Virginia? This amendment says he cannot.

If it is right for the Members of the House, why are we not going to put the same restriction on Senate elections or on presidential elections, just for an example?

This opens a can of worms nobody in this House wants to fool with.

Mr. Chairman, we are all engaged in the game of politics and we might as well recognize it. Let us not try to restrain people to this extent. It does not make sense. Vote this amendment down. It is totally unworkable.

Mr. UDALL. Mr. Chairman, I move to strike the requisite number of words.

I should like to express two or three thoughts to the Members.

One is, the committee did not study this amendment. It takes no position as a committee on it.

My own view is that the Republican campaign committee had a rather ill-conceived program to send out staff people, who are paid some pretty handsome salaries, to go out for several days at a time into the congressional districts of our own colleagues.

I had the honor of one of them from a colleague of our own State (a Member of this body) sending out paid staff people into my hometown to tell my voters perhaps they were making a mistake keeping me in the Congress.

This would not be outlawed under the amendment. The amendment would permit this practice to continue. It would permit Members to send AA's all over the State. It would simply say I could not send my staff people into Louisiana or into Michigan or into some other State to campaign.

I recognize the practicalities. We are all in politics. It is hard to draw the line between what staff people do in politics and out of politics.

I would hope that the practice of this kind, that gave rise to this amendment, would be given a pretty hard look by the members of the other party. Two can play this game. It is a very poor policy to have the taxpayers pay their money for this. I pay my share of taxes, and I resent paying to have a man go 2,000 miles to another State to help defeat a Member of the House.

I am going to vote against the amendment. As I say, the committee has not taken a stand on this.

Mr. DERWINSKI. Mr. Chairman, I move to strike the requisite number of words.

This is a fascinating amendment. It really ought to intrigue all Members of the House. It is not as one sided as it might appear.

May I say in passing, I have the greatest of respect for the gentleman from Missouri, who offered the amendment. I remember the day when, with great courage, he marched into the well of the House and took on the entire Press Gallery, which few of us would have the courage to do. It is not surprising he will today take on the entire House membership with such a proposal.

Mr. HUNGATE. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Missouri.

Mr. HUNGATE. I would say the gentleman is paying tribute to my courage but certainly not to my judgment. I appreciate his comments.

I do mean this to apply equally to both sides of the aisle. I recognize what the gentleman says. On this side of the aisle I am sure he can recognize it more easily than I can.

Mr. DERWINSKI. I want to commend the gentleman for his judgment. I do not believe his judgment is any worse in offering this amendment today than it was when he took on the press.

I do wish to point out that we just have to appreciate what goes on in reality. We do not suppose for a minute, when Senator KENNEDY traveled about the country, that staff has not been involved. I even have a sneaking suspicion that some of the more brillant statements issued by the Democratic Study Group are the work of staff people, just as their other activities obviously are the work of staff people.

I would think, if we want to prohibit staff people from any participation in politics at all, we had better shake up this entire operation of ours. Even the press releases that will be flowing into the galleries all night long this day are politically prepared by staff people, going far beyond the district of an individual Member.

This is not really too bad an amendment. I would not mind supporting it on the ground it would confuse this bill and make it less acceptable further down the line.

I believe, in all reality, the political facts of life being what they are, this amendment would not help Democrats and would not help Republicans. It would just upset the present rules of the game.

If the gentleman from Missouri gets clearance from the leaders on that side I will have a few amendments to try to clean up his amendment, but really I think we ought to appreciate the unusual significance of this imaginative amendment.

Mr. HUNGATE. Mr. Chairman, will the gentleman yield further?

Mr. DERWINSKI. Yes. I will yield to the gentleman from Missouri.

Mr. HUNGATE. Mr. Chairman, I appreciate the statement of the gentleman that it would not be helpful to Democrats or Republicans, but I submit it might help taxpayers.

Mr. DERWINSKI. By gosh, if I thought we would do anything to help taxpayers, I would rally to the cause. But just think of the damage we are doing to the taxpayers with this bill to which the gentleman is offering an amendment. If we postponed the entire bill, we might be doing the taxpayers a real favor.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

The question was taken; and on a division (demanded by Mr. HUNGATE) there were—ayes 48, noes 55.

So the amendment was rejected.

COMMUNICATION FROM NORTH VIETNAM

Mr. MORTON. Mr. Chairman, I move to strike the last word.

(By unanimous consent Mr. MORTON was allowed to speak out of order.)

Mr. MORTON. Mr. Chairman, a few moments ago there was handed to me by a messenger from the White House a letter from the Premier of North Vietnam, Pham Van Dong. The letter was sent from Hanoi in Vietnamese to Paris and transmitted from Paris to the United States, 1317 Greenwich mean time, October 14, 1969. It says:

> DEAR AMERICAN FRIENDS: Up until now the U.S. progressive people have struggled against the war of aggression against Vietnam. This fall large sectors of the U.S. people, encouraged and supported by many peace- and justice-loving American personages, are also launching a broad and powerful offensive throughout the United States to demand that the Nixon Administration put an end to the Vietnam aggressive war and immediately bring all American troops home.
>
> Your struggle eloquently reflects the U.S. People's legitimate and urgent demand, which is to save U.S. honor and to prevent their sons and brothers from dying uselessly in Vietnam. This is also a very appropriate and timely answer to the attitude of the U.S. authorities who are still obdurately intensifying and prolonging the Vietnam aggressive war in defiance of protests by U.Y. and World Public opinion.
>
> The Vietnamese and world people fully approve of and enthusiastically acclaim your just struggle.
>
> The Vietnamese people demand that the U.S. Government withdraw completely and unconditionally U.S. troops and those of other foreign countries in the American camp from Vietnam, thus allowing the Vietnamese people to decide their own destiny by themselves.
>
> The Vietnamese people deeply cherish peace, but it must be peace in independence and freedom. As long as the U.S. Government does not end its aggression against Vietnam, the Vietnamese people will persevere in their struggle to defend their fundamental national rights. Our people's patriotic struggle is precisely the struggle for peace and justice that you are carrying out.
>
> We are firmly confident that, with the solidarity and bravery of the people's of our two countries and with the approval and support of peace-loving people in the world, the struggle of the Vietnamese people and U.S. progressive people against U.S. aggression will certainly be crowned with total victory.
>
> May your fall offensive succeed splendidly.
>
> Affectionately yours,
> PHAM VAN DONG,
> *Premier of the DRV Government.*

Mr. Chairman, all of us in this House have vigorously supported the right of dissent. We have supported the right of people to express themselves in assembly. I think we had better in this case—in the so-called moratorium—be very careful that we do not fall into a trap which has been set here so cleverly by the Communist leader of North Vietnam.

We had better think a long time if we use this moratorium for any other purpose than to rededicate ourselves to the support of the President of the United States and the national policy of this country which he so eloquently and so magnificently has articulated.

Mr. DOWDY. Mr. Chairman, as a preface to these few words, I would relate that I was one of those who felt at the time we got involved in Vietnam, and so stated, that it was a mistake to involve American troops in a land war in Asia. That has been an American military maxim since the 19th century. However, that is water under the bridge. We did become so involved. We are there. Our country is at war, and we ought not forget it.

With that out of the way, I will proceed to the point of my remarks today.

Mr. Chairman, many words will be spoken today and tomorrow in fawning support of our North Vietnamese and Vietcong enemy. This may even cause some wonder whether patriotism is dead in America. I say it is not. I shall give just one example; I know there are countless others.

Five years ago we had a page on the floor of this House from Conroe, Tex. Many of you will remember him, Jimmie Edwards. I have known Jimmie since he was 10 years old. He would rather these remarks not be made, but because of the current pro-Vietcong demonstrations, I believe I should speak, and he will forgive me.

After service as our page, he returned to Conroe to complete his high school education. He then enrolled in college, making excellent grades. But his country was in trouble—it was at war in Vietnam. As a university student, the draft was not pressing him; he was 20 years old, a junior in the university. But his country needed him; he heard the call. He was eligible for officer training, but turned it down to voluntarily enlist in the U.S. Marine Corps as a private.

He felt the need for fighting men, and that the need was current, and in Vietnam. Last February he enlisted; on August 5 he arrived in Vietnam as a Marine private; on August 6 he celebrated his 21st birthday at An Hoa, 27 miles southwest of Da Nang.

During the ensuing days, Jimmie participated with valor in the military action. On one occasion he prevented the death or capture of himself and his buddies by an enemy officer who had approached to within 10 feet of where they were resting from exhaustion. The enemy had already raised his gun to shoot when Jimmie shot faster. Jimmie was not afraid to do his duty for his country.

Then, on August 19, Jimmie and several other marines were hit by enemy rockets. I understand all were killed, save Jimmie and one other. Jimmie lost both legs, and received other wounds. He is now in the U.S. Naval Hospital, Oakland, Calif. Corporal Edwards has been awarded the Bronze Star with valor, for his service rendered during his 2 weeks in Vietnam.

Jimmie is not discouraged. He is a man. He does not feel sorry for himself. He will walk again, and will feel that he is still on his own two feet, even if they will be artificial. Jimmie would return to Vietnam, if the Marine Corps should feel he could serve.

Jimmie hopes to be home for Christmas, and perhaps walking. Knowing him, I believe he will. And when he is able, I want him to visit us in Washington in order that those of you who knew him as a page may renew your acquaintance with a real square, a patriotic young American.

And I believe Jimmie would join with me in recommending a poem, author unknown to me, to those who are in sympathy with the demonstrations favoring the Vietnamese Communists:

No man wins when freedom fails—
Good men rot in filthy jails;
And those who cry, Appease! Appease!
Are hung by those they tried to please.

Mr. Chairman, I include as part of my remarks the article by Joe Parsley concerning Cpl. Jimmie Edwards, which appeared in the August 27 issue of the Conroe, Tex., Courier:

JIMMIE C. EDWARDS WILL WALK WITH COURAGE, WISDOM, GLORY

(By Joe Parsley)

Jimmie C. Edwards III is a square.

He's the kind of square that makes the hackles on the back of your neck stand at attention . . . the kind that makes the tears well up in your eyes and shout to your maker, "Thank God he's a square . . . just give us more like him."

Jimmie is the kind who wears his heart on his shirt sleeve rather than buried from other people in his chest. He feels. He knows others feel, and he pours forth compassion for their feelings.

Jimmy knows obligation for the many blessings which have come his way. He knows a better world is possible, and he was willing to take a chance to find that better world for all of us.

So he went forth when he didn't have to. With all the love, help and influence of this nation's capital at his disposal, he set it aside and volunteered at the very bottom as a U.S. Marine.

His reasons? Jimmie had a number of them, and all of them were good. They were based on sound logic. They were based on love of his country. They were based on his country's needs. All of them boiled down to patriotism.

The principal who knew this young man so well through high school said yesterday, "Jimmie undoubtedly was the most patriotic youngster I've ever known." Everything he added after that sounded insignificant.

Jimmie went into the Marines as a lowly buck private about the middle of last February. He left a promising career as an attorney while a junior student at the University of Maryland to volunteer as a Marine. There was no pressure on him.

He underwent basic training at Parris Island, then on to Camp LeJeune before his transfer to Vietnam.

"I'm a grunt," he wrote mom and dad, Mr. and Mrs. Jimmie C. Edwards Jr. of Conroe. "That's the lowest thing there is. But I love it."

Jimmie was offered officer training school three times. He shook his humble head from side to side each time. "I know where the need is, and I want to be there."

Yep. Jimmie is a square. So square in fact that in April of 1964 he was appointed as a Page in the U.S. Congress by Rept. John Dowdy. By June he had worked his way up to the envied post as assistant overseer in that famous lawmaking body. And in early July he was elevated to the position of Overseer of other Pages.

Jimmie was so square that admiring Congressmen insisted he serve them during the Democratic National Convention at Atlantic City, N.J. starting August 24, 1964.

He served them well. This slip of a lad numbered among his close friends the men whose faces and names we read about daily as shapers of history and our destiny. To them, Jimmie was "something special" because you see, Jimmie is a square.

The lad was happy and delighted with his pre-law course at the University of Maryland. It was aiming him in the direction he wanted to travel. Toward law, toward politics.

As a student, Jimmie also held a good job by Presidential sanction in the U.S. Post Office in this nation's capital. And not only did he carry his full college course after working from 4 a.m. to 9 a.m., he also worked weekends at a stable. He was quite a horseman on the side, and held many trophies which commemorated his equestrian accomplishments.

But this was not enough for Jimmie. He was a square. And as a square his soul burned with an obligation which he felt was "now."

That need was in Vietnam. He was so very close, both logically and emotionally with this nation's need in that faraway country. The full life around him seemed hollow, so long as that need existed.

We're sure he fought the demands of that command within him. That's only human nature. But some commands are so strong you can't ignore them.

You must set aside the fears, hopes and desires of parents and other loved ones. Obligations must be fulfilled.

So Jimmie volunteered. There was no other course. After training, this square reached Vietnam on August 5. He was sent immediately to An Hoa, which is 27 miles southwest of Da Nang, and arrived there on August 6, his 21st birthday.

"It was a helova celebration," he wrote. His outpost went under siege that same day.

The rocket blasts which scream warnings at you were almost continuous. And the mortar barrages which slip upon you silently terrorized the group. But Jimmie lucked out until August 19 . . . two short weeks after his arrival.

Then it happened.

The rocket was almost a direct hit. It knocked this square's legs out from under him. Shrapnel wounded his hands, tore at one ear and penetrated his lungs.

He and one buddy were the only survivors of 10 or 12 in his bunker.

His buddy was left blind, one-armed and without legs.

All this time a terrifying premonition had been haunting both Mr. and Mrs. Edwards here in Conroe. "I know something's wrong," they told friends before the Marine sergeant reached their home on August 21.

"I knew what he had come for before we reached his car," Jimmie's father said. "I only wanted to know the truth at that moment, and I insisted on it.

"And he told me that Jimmie was wounded critically. He also told me he would face a series of serious operations, that he had been evacuated to the Philippines for further treatment and would be sent on to where the best medical services would be available for his particular needs."

The parents have talked to their son by phone in a conversation which required the ultimate in self-control. You can imagine how they treasure that conversation.

"When our son walks again," his parents said, "it won't be on his own feet. But he will walk with courage, and wisdom, and glory . . ."

AMENDMENT OFFERED BY MR. ABERNETHY

Mr. ABERNETHY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ABERNETHY: Strike out section 2 and section 3 in their entirely and remember the succeeding sections accordingly.

Mr. ABERNETHY. Mr. Chairman, first, I would like to associate myself with the remarks made by the gentleman from Maryland (Mr. MORTON). I think it is very unfortunate that this "talk-in" has been scheduled in the House for today or for any other day. The same applies to the demonstrations that have been scheduled to take place over the country tomorrow. I cannot help but feel, in fact, I know, that such will do nothing more than strengthen the dedication of North Vietnam to continue this war. It will prolong the war and result in the killing of more American sons. I hope that what has been planned here for tonight will be called off. It cannot help our cause but will give a big lift to North Vietnam.

Mr. Chairman, it is not often that I intervene and offer amendments to legislation that does not come from my own committees. But this is an amendment that I could not let go by.

If there is anything that this Congress has been criticized severely for it was the enactment of the Congressional, Executive and Judicial Pay Commission which was included in the last pay bill that came before this body.

I dare say, Mr. Chairman, that if a poll had been taken of the people of this Nation when that provision was included in the bill a few years ago, it would have been overwhelmingly disapproved. It was very unpopular. It was regarded by the people of the Nation as a means of ducking our responsibility in passing upon our salaries as well as the salaries of the Cabinet and of the judicial branch. And, indeed, I regarded same as just that—a duck, a dodge, an unwillingness to face up to our responsibility.

I realize that the amendment which was offered by the gentleman from Iowa (Mr. GROSS), considerably improved the situation insofar as this Commission is concerned. It requires that the Commission report come back to the Congress and that the Congress may approve or disapprove that which has been recommended by the Commission. May I also point out that this Commission is stacked to begin with. Its makeup will be such that the employees will almost have complete control of determining their own salaries. If we are to have a commission then certainly it should be unbiased.

Leaving the Commission in the bill even as amended by the Gross amendment—which I concede is an improvement—exempts the committees of the Congress from making their own studies and from taking testimony and denies the Congress the right to amend the Commission's recommendations. In my judgment, Mr. Chairman, this Commission is a mistake. And do not forget it, the people will let you know about it.

Striking the Commission from the bill will not hurt it. The employees who are intended to be helped by the bill will still be helped. The bill will still retain the present language contained in sections 5301 and 5302 of title V of the United States Code under which the policy of pay comparability is established, and under which annual reports on pay comparability are submitted by the President. The amendment will retain in the bill the sections dealing with the two-step advancement for postal employees in the first eleven levels, the accelerated advancement for postal employees, remote worksite allowances and subsistence and allowances for the Corps of Engineer floating plant operations.

All the amendment does is just get rid of the Commission. Let us take it out and continue to face up to our responsibility.

Mr. UDALL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment essentially strikes out all the operative parts of the bill. The bill is designed to have an automatic salary fixing method by next January. If this amendment is adopted it means there will be be no pay increase in January. It would wipe out a year's hard work by the committee, and it violates the aims and hopes of every employee organization, including the postal employees and the classified employees.

If you want to improve the postal service, then support the committee in the fine work it has done in producing this bill and vote the amendment down.

Mr. Chairman, I hope that the amendment will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi (Mr. ABERNETHY).

The amendment was rejected.

AMENDMENT OFFERED BY MR. DERWINSKI

Mr. DERWINSKI. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. DERWINSKI: On page 46, line 19, strike out "October 1, 1969" and insert in lieu thereof "the date of enactment of this Act".

Mr. DERWINSKI. Mr. Chairman, this amendment is so brief that I do not believe it will be necessary for me to use the 5 minutes.

All this amendment does is to postpone the effective date of this act from October 1, 1969, until the date of enactment. This applies to the October 1 two-step pay increase that would be granted to post office employees only.

The reason for offering this is quite practical. We are now in the third week of October. We have no idea how rapidly or how slowly the other body may pick up this measure. Certainly, it is not the intention, I do not think, of even the most militant supporters of this bill to find a situation where it may not be processed until next February or March and then have a 5- or 6-month retroactive pay increase. That is not really a sound procedure. At the time October 1 was selected, we were working on the bill in committee at the end of July and early August and I do not at this point see how we could in a rational manner maintain the October 1 date.

In the interest of injecting more rationality into this proposal, I offer my amendment.

Mr. UDALL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, last July the postal employees received an increase of about 4 percent. The classified employees received a pay increase of some 9 percent. A great flurry occurred and many of us promised some emergency action. The action we designed in committee was expressed by the two-step increase which would give them some relief.

As the gentleman from Virginia (Mr. BROYHILL) pointed out, the pay of the postal worker in the Washington metropolitan area is now more than $1,000 below what the BLS statistics indicate it takes to provide a low standard of living for a family of four. But the gentleman from Illinois' amendment would delay this even further.

I strongly urge that this amendment be defeated. It is unfair and inequitable.

Mr. DERWINSKI. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman.

Mr. DERWINSKI. Just for the sake of the record, I would point out that under the leadership of the gentleman from Arizona, the postal employees received a pay increase in the first two steps under the 1967 Salary Act in excess of the classified employees. The third-step figure was really a basic adjustment to cover the pay of classified employees for extra increase that the postal employees received earlier. I do not believe they are being discriminated against.

Mr. COLMER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have hesitated all afternoon to refer to this matter, but I just cannot in good conscience refrain from doing so now.

I do not know whether these figures have been brought out or not, but I think in fairness and in justice they should be. I refer to the additional cost to the taxpayers of this country of this bill—and they are the only source that we have for getting the revenues for this bill.

Now like everybody in this House, I love my postman. I like his vote. I like his good will and I like the organization as such. But when I am faced with the fact that we are now paying $42 billion for salaries of Federal employees, and I hasten to add that $16 billion of that is for the military—$26 billion of that is for Federal employees, civilian employees. I think it is time to consider the impact on our fiscal affairs and particularly on the inflationary situation. When this bill was up before my committee, I called the director of the Bureau of the Budget and asked him if he could give me the figures about what this bill would add to the existing cost. Here is his reply.

> The cost of the pay increase for 1969—$3.3 billion.
>
> The cost of the pay increase for last year, July 1968—$1,800,000,000.

The cost of the bill H.R. 13000 for fiscal 1970 is $1,539,000,000—the increase—and for fiscal 1971, $4,351,000,000, or a total of $5,910,000,000. That is the increased cost of this legislation for the next 2 years. Now add to that an anticipated deficit of $1.5 billion and you have a grand total of some $7.5 billion.

We talk about inflation. The greatest enemy that this country faces today, I want to repeat, is inflation. It is greater than communism. It is greater than the trouble we have in Vietnam. It threatens the Republic itself.

What are we going to do about it? We are either going to destroy the economy of this country through inflation, or we are going to do something about it.

Mr. Chairman, I hate to repeat the statement, but the 1939 dollar today has purchasing power of less than 39 cents. How long can you continue that? When inflation finally deals its death blow, then the wheels of industry stop. Everything stops—the postal employees, the Federal employees, Members of Congress—everybody. And everything stops. Chaos ensues.

I know it is not adding to any popularity that I might have, if any, in this body, nor in the galleries, nor at home to make this speech over and over again. But I still repeat that we are either going to apply the brakes somewhere—and I do not want to apply them here any more than I do anywhere else. We will be driven to wage and price controls. I wanted to apply the brakes back there when we raised our salaries through some kind of—I do not want to use the word "gimmick" but the provision in that bill, that is, in this bill that did not permit a vote on the increase. We made ourselves vulnerable to every group in the country when we did that, and we are making ourselves more vulnerable now.

I apologize to my colleagues in the House for going over this again and again, but I just could not sit here without at least permitting those who are not familiar with this situation to know what we are doing here.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the requisite number of words.

A short time ago a gentleman from New York, a relatively new Member, said he was a former postal employee, and the Congress had neglected to do much for the postal employees. I must challenge him on that statement and point out to him that from 1955 through October of 1967 there have been 10 postal employee pay raises that this Congress has enacted and have become law. The last one was a three-phase increase.

In addition, there have been many fringe benefits that have come out of our committee. One of the most attractive for Federal employees has been the health benefits plan, and I could name dozens of others.

We cannot do this job all at once. Maybe the raises should be higher than they have been in the past, but we were careful to write a bill that would pass and become law. We have made a great deal of progress, however, particularly under the leadership of our friend Jimmie Morrison, who was a great champion of the postal workers—the greatest champion they ever had and would have become chairman of the committee, but he was defeated.

I might say, sitting here and listening, I have heard a great deal of talk about the raises for the postal employees and not enough on the fact that we also have a large number of classified employees. As a matter of fact, approximately only about one out of every four employees is a postal worker, and the vast majority of Federal employees are classified people, and they are not at all satisfied with this bill.

The president of the classified employees' union, that is, the American Federation of Government Employees, John Griner, is not at all satisfied with this bill, because it does not treat the classified employees he represents on an equal footing.

I might say there had been some bidding between the various Government employee unions to be members of the executive committee of the parent AFL-CIO, and the two largest postal unions were fighting for that appointment. But in the last few days, Mr. John Griner was elected to that post. It is the fastest growing union and represents at least three out of every four Government employees. They are not satisfied with this bill. I think this should be brought to the attention of the House. Regardless of how some of the Members vote, those are some facts the Members should know.

I will reiterate that we have worked long and hard in drawing up these pay bills. I voted for all of them in the 13 years I have been here. I helped write them. Jimmie Morrison and I and a couple of other Members and clerks and staff wrote many of these bills in the Congressional Hotel at night over dinner or at a breakfast meeting in the morning. We worked and sold other members of the committee. We got the necessary votes lined up to get these bills passed.

Mr. MYERS. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from Indiana.

Mr. MYERS. Mr. Chairman, I ask the gentleman for information. There have been many statements about this particular bill being discriminatory against other Federal employees. Could the gentleman be more specific and tell me just how this bill is going to be discriminating against classified employees and others?

Mr. CUNNINGHAM. Mr. Chairman, the author of the bill and Members of that subcommittee probably could better answer that than I, but I do know Mr. Griner, the President of the AFGE, and his associates do feel that definitely it is discriminatory against the classified people. That is about as much as I can say.

Mr. MYERS. But this is only a general and broad statement. Is the gentleman not able to be more specific then?

Mr. CUNNINGHAM. No, other than a general statement that the bill does discriminate against the classified workers.

Mr. SCOTT. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from Virginia.

Mr. SCOTT. Mr. Chairman, in reply to the request of the gentleman from Indiana for information, this bill provides within-grade increases for postal workers effective on the first of October and also provides a step increase for postal workers next July. No such provision is made for classified workers or any other Government employees, so the postal workers get increases over and above any raises provided in the annual reports of the Salary Commission established by the bill.

Mr. MYERS. If the gentleman will yield further, it is my understanding the postal workers have not been raised previously when other workers have been. Is this true?

Mr. CUNNINGHAM. It is just the opposite.

Mr. MYERS. I thank the gentleman.

Mr. BIAGGI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, in responding to the gentleman from Nebraska, I congratulate the gentleman for having voted for the postal increases over the years. My observation, however, remains steadfast. Congress has failed to discharge its obligation to the postal employees of the Nation. I would like to point out those increases have been many, but they have been small.

It is a perfect illustration of too little and too late, that is perfectly demonstrated by instances where postal employees in the city and State of New York have applied for and have been eligible for and have received welfare payments in order to eke out a meager existence, and provide for their loved ones.

The point is raised that an increase of this type, the passage of this bill, would contribute to inflation. My good friend, the gentleman from Mississippi, cites it as the primary problem of the day. I could not agree with him more.

However, what is even more important is the continued existence of employees and their families and providing them with a decent salary.

We talk about efficiency in the postal service. There is an exodus that is frightening—losing our most experienced personnel. The future holds no promise, except that we pass this bill and provide economic stability, economic motivation for remaining in the postal service.

What the real problem has been over the years is that there are regional differences, regional variances in motivation. In some areas postal employees have the support of their Congressmen because the economics of the area mandates it. In other areas the postal employee has enjoyed a superior position. As a result of this dichotomy, this division in the Nation, Congress failed to respond properly. It responded, but failed to respond properly.

This is an occasion when Congress can respond and perform a service for the Nation and to postal employees as well as the other deserving Federal employees.

Mr. OLSEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I wish to address a question to the chairman of the subcommittee, the gentleman from Arizona (Mr. UDALL).

I would ask the gentleman to explain the operation of the Wage Board and tell how many employees are governed by Wage Board salary controls on an annual basis, and describe that with relation to his bill.

Mr. UDALL. Mr. Chairman, there are 740,000 Federal workers, paid by the United States whose pay is fixed by the Wage Board system.

These are regional boards which are designed to have representation from management and labor. They are based upon a congressional policy that is a hundred years old, formed back in the 1860's.

The congressional policy is that a carpenter, a sheet metal worker, or a plumber who is a Federal employee ought to make the same hourly wage as a carpenter, sheet metal worker, or a plumber in private enterprise. So these boards meet and determine what is the prevailing wage for that particular skill in that area.

These decisions never come to Congress. Over $4 billion will be paid out this year under the Federal Wage Board system.

This bill now before us has a Federal Salary Commission for the remaining Federal workers which is designed to have labor representation on it. This is one of the complaints they have had—that they have never been consulted on the mechanics of making pay comparable. It has management representatives from the Department of Defense, the Bureau of the Budget, the Postmaster General, and the Civil Service Commission. They sit down and determine what figures are necessary, what pay scales are necessary, to carry out this great congressional policy of comparability.

So they are very analogous. They work in the same way. There is no delegation here that is not in the Wage Board system. In fact, under the bill here they would have to come back to the Congress, and we would have an opportunity to veto, something we do not have under the Wage Board system.

Mr. OLSEN. I thank the gentleman.

I believe every Member ought to get this clear. This is not something new. This started under President Lincoln. That is how long ago it was that the Wage Board policy was established, that carpenters be paid the same working for the Federal Establishment as they would be paid in private enterprise.

We want to do that sort of thing with all the rest of the Federal employees, so that we do not have to climb this hill ever year, or worse, to climb it every 4 years when the increase would be so much higher. We would like it to happen once every year, so that it would be much more manageable than at the less frequent time. We want it handled using the mechanics of the statistics coming out of the Bureau of Labor Statistics.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. OLSEN. I certainly will.

Mr. GROSS. Many, many things have been blamed upon Abraham Lincoln. Is the gentleman going to blame the Wage Board on him, too?

Mr. OLSEN. The program commenced under his administration.

Mr. GROSS. Will the gentleman yield further?

Mr. OLSEN. Yes.

Mr. GROSS. Is it not true one Member of Congress tinkered with the Wage Board last year and he is no longer among us here in the Congress?

Mr. OLSEN. I have not any knowledge of that at all. There were a number of Members of Congress who were beaten at the polls and some who died since the last wage bill.

Mr. UDALL. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto cease in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. UDALL. Mr. Chairman, I ask unanimous consent to withdraw my request.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

COMMUNICATION FROM NORTH VIETNAM

Mr. FRELINGHUYSEN. Mr. Chairman, I move to strike the requisite number of words.

(Mr. FRELINGHUYSEN asked and was given permission to proceed out of order.)

Mr. FRELINGHUYSEN. Mr. Chairman, I am very reluctant to interrupt a discussion of this bill, but I did want to call the attention of the membership to a UPI news item. It has a time of 4:10 p.m., which confirms the fact that an open letter has been sent by North Vietnam Premier Pham Van Dong to the American people. It also shows that this moratorium has been enthusiastically endorsed by the Foreign Minister of North Vietnam, Madam Binh. Let me read the account from Paris.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman, of course.

Mr. UDALL. I have promised a number of Members who have problems to try to complete this bill as expeditiously as possible. I did not expect when the same subject was broached earlier and the entire communication was read by the distinguished gentleman from Maryland that it would again be introduced here. There are some who are going to have a discussion of this matter later tonight. I am very fond of the gentleman from New Jersey and I am reluctant to object——

Mr. FRELIINGHUYSEN. I very much appreciate the gentleman's kind comments. However, I have apologized for speaking out of order, and I did receive unanimous consent to do so.

Mr. UDALL. I did not hear the gentleman's request.

Mr. FRELINGHUYSEN. And I can yield no longer, because the gentleman is taking up my time.

The CHAIRMAN. The Chair will state that the gentleman did receive unanimous consent to speak out of order.

Mr. FRELINGHUYSEN. As I was saying, Mr. Chairman, this is the article. North Vietnamese Premier Pham Van Dong, whose regime is banking on U.S. public pressure to force Washington into accepting Hanoi's negotiating demands, acclaimed the Vietnam moratorium day in an open letter today to the American people:

> The Viet Cong's Foreign Minister Madame Nguyen Thi Binh, in a separate statement, also hailed the moratorium scheduled for Wednesday and renewed standing communist accusations that Washington is bent on prolonging the war.
>
> Madame Binh, in her statement, cheered the day of protest and issued a new call for the total and unconditional withdrawal of U.S. troops from South Vietnam and the toppling of the Saigon regime.

The news item then continues, and I quote:

> "Your struggle is a noble reflection of the legitimate and urgent demands of the American people, which is to safeguard the honor of the U.S. and save its children and brothers from a useless death in Vietnam," Dong said to antiwar demonstrators.
>
> He praised the moratorium as a "worthy rebuff to the obstinate attitude of the U.S. administration in intensifying and prolonging the war in Vietnam, ignoring the protest of public opinion in the U.S. and in the entire world."
>
> The Premier's letter, apparently prepared in advance of his current trip to Moscow, was sent from Hanoi and released in Paris by the North Vietnamese delegation to the Vietnam Peace Conference.
>
> "The people of Vietnam and the people of the world wholeheartedly approved and acclaim the just struggle" of American war protesters, Dong said.

Mr. MIZELL. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman from North Carolina.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. Derwinski).

The amendment was rejected.

AMENDMENT OFFERED BY MR. DERWINSKI

Mr. DERWINSKI. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. Derwinski: On page 46, after line 22, insert a new section to read as follows:
>
> "Sec. 10. Section 225 of the Federal Salary Act of 1967 (81 Stat. 642; Public Law 90–206), which established the Commission on Executive, Legislative, and Judicial Salaries, is hereby repealed.
>
> "(b) Section 216 of such Act (81 Stat. 638; Public Law 90–206) is amended by striking out 'and subject to the operation of section 225 of this title,'.
>
> "(c) Section 220(a)(1) of such Act (81 Stat. 639; Public Law 90–206) is amended by striking out '224 (a) and (b), and 225' and inserting in lieu thereof 'and 224 (a) and (b)'.
>
> "(d) Section 220(b)(1) of such Act (81 Stat. 639; Public Law 90–206) is amended by striking out '219, and 225' and inserting in lieu thereof 'and 219'."

Mr. UDALL (during the reading). Mr. Chairman, I ask unanimous consent that further reading of the amendment be dispensed with, that it be printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

POINT OF ORDER

Mr. UDALL. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The gentleman will state his point of order.

Mr. UDALL. Mr. Chairman, the amendment offered by the gentleman from Illinois seeks to amend section 225 of Public Law 90–206. This was the 1967 Salary Act. That Salary Act created a 4-year Commission to make recommendations on legislative, congressional, judicial, and executive salaries. This is an amendment to that act and would abolish that Commission.

There is nothing in this bill now pending before us, the present bill dealing with the Salary Act of 1967, or with the section to which the amendment refers—and the pending bill was very carefully designed so it would not affect that law in any respect whatever—and I suggest that the amendment is not germane and insist upon my point of order.

The CHAIRMAN. Does the gentleman from Illinois wish to be heard on the point of order?

Mr. DERWINSKI. I do, Mr. Chairman.

Mr. Chairman, the gentleman from Arizona is correct when he points out that this amendment would repeal the Commission on Executive, Legislative, and Judicial Salaries. But we had anticipated the point of order and in response to the point of order made by the gentleman from Arizona I cite section 2935, volume 8 of Cannon's Precedents of the House of Representatives:

> The rule on germaneness does not necessarily require that an amendment offered as a separate section be germane to the preceding section of the bill or to any other particular section of the bill, but it is sufficient that it is germane to the subject matter of the bill as a whole.

Earlier in this discussion there was a colloquy between the gentleman from Iowa and the gentleman from Arizona in which I understood him to acknowledge the fact that this bill before us was certainly locked into the 1967 Federal Salary Act.

This section I would strike by this amendment was in the 1967 Salary Act.

Further, Mr. Chairman, another point in favor of the precedent is that in the ruling in the first session, 66th Congress by Chairman Simeon D. Fess a point of order was made that an amendment was not germane to the section of the bill which it was proposed to follow. The Chairman ruled as follows:

> The Chair stated in the preceding ruling that the rule governing germaneness of amendments required that amendments be not only germane to the bill but to the section under consideration. This amendment is offered as a new section and stands not in the same relationship as if it were an amendment to the section. * * * It is not a part of the preceding section and does not need to be germane to it, and therefore the Chair overrules the point of order.

And, since I offered an amendment to the Federal Salary Act of 1967, the provisions of this bill clearly relate to this act and this proposed legislation addresses itself to the matter of Federal employees pay, employees of the House of Representatives, and so forth. I believe that my amendment falls within this context.

I submit, Mr. Chairman, that the amendment is germane and that the point of order be overruled.

Mr. GROSS. Mr. Chairman, may I be heard briefly on the point of order?

The CHAIRMAN. The Chair recognizes the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, I would point out that the gentleman from Arizona himself admitted earlier in the debate this afternoon that the pending bill dovetails into the Legislative, Judicial, and Executive Pay Act.

The CHAIRMAN (Mr. PRICE of Illinois). The Chair is ready to rule.

The amendment offered by the gentleman from Illinois (Mr. DERWINSKI) does seek to establish a new section of the pending bill.

The Chair will point out, however, that the purposes of the bill under consideration are to set up a permanent method of adjusting the pay of Federal employees who are paid under one of the four statutory pay schedules—general schedule, postal field service schedules, Foreign Service schedules, and the schedules relating to physicians, dentists, and nurses in the Department of Medicine and Surgery of the Veterans' Administration, and the elimination of the longstanding inequity in relation to the pay schedule of postal employees.

The amendment offered by the gentleman from Illinois (Mr. DERWINSKI) repeals section 225 of the Federal Pay Schedule Act relating to the Commission on Executive, Legislative, and Judicial Salaries. That Commission determines salary of Senators, Members of the House, Cabinet officers, Justices, and judges. This particular bill deals with the setting up of a commission that has to do with the regulation of salaries for employees, and does not relate to the Commission established by section 225 of Public Law 90–206.

For these reasons the Chair rules that this amendment is not germane, and therefore sustains the point of order.

AMENDMENT OFFERED BY MR. DERWINSKI

Mr. DERWINSKI. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DERWINSKI: on page 46 after line 22 insert:

"SPECIAL SALARY RATE RANGES FOR POSTAL FIELD SERVICE EMPLOYEES

"SEC. 10 (a) Section 5303(a) of title 5, United States Code, is amended by inserting immediately before the semicolon at the end of subparagraph (2) thereof ", except positions in the postal field service which are unique to the service".

"(b) That part of the text of chapter 45 of title 39, United States Code, under the heading "SALARY STEPS AND PROMOTIONS" is amended by adding at the end thereof the following new section:

" '§ 3561. Higher minimum rates; Presidential authority

" '(a) When the President finds that the pay rates in private enterprise for one or more occupations in one or more areas or locations are so substantially above the rates of basic compensation of those positions in the postal field service which are unique to that service as to handicap significantly the Government's recruitment or retention of well-qualified employees for such positions, he may establish for such positions in the areas or locations higher minimum rates of basic compensation for one or more levels and may make corresponding increases in other step rates of the pay range for each such level. A minimum rate so established may not exceed the maximum rate prescribed by statute for the level. Increases above the maximum rate may be made only to the extent that the minimum rate is increased to an amount greater than the fourth step of the level. For the purposes of this section, the word "level" includes occupational groups and subdivisions of levels and occupational groups.

" '(b) Within the limitations of subsection (a) of this section, rates of basic compensation established under that subsection may be revised from time to time by the President.

" '(c) An increase in rate of basic compensation established under this section is not an equivalent increase in compensation within the meaning of section 3552 of this title.

" '(d) The rate of basic compensation established under this section and received by an individual immediately before a statutory increase, which becomes effective prior to, on, or after the date of enactment of the statute, in the compensation of employees in the postal field service, shall be initially adjusted, effective on the effective date of the statutory increase, under conversion rules prescribed by the President.

" '(e) All actions, revisions, and adjustments under this section have the force and effect of statute.

" '(f) The President may authorize the Postmaster General to exercise the authority conferred on the President by this section.'.

"(c) The table of contents of chapter 45 of title 39, United States Code, is amended by inserting

" '3561. Higher minimum rates; Presidential authority."

immediately below

" '3560. Salary protection.'."

Mr. UDALL (during the reading). Mr. Chairman, I ask unanimous consent that the further reading of the amendment be dispensed with, that it be printed in the RECORD in full and be considered as open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. DERWINSKI. Mr. Chairman, I hope I do not have to use the full 5 minutes. Since I have offered one amendment that was actually lost in a discussion on Vietnam, and the second amendment which did not stand the test of germaneness, I get to feeling like the Chicago Cubs when they faced the New York Mets this season: I am not too optimistic as to what will happen on my third swing.

However, this amendment would establish a special rate range for postal field service employees. This would permit the Postmaster General to establish in high cost of living areas in large metropolitan centers, an adjustment, an increase in salary to cover the obvious adverse impact of a higher cost of living. It would help to stop the wholesale turnover of personnel in our large metropolitan area post offices.

This would have the effect of giving the Post Office Department long-needed flexibility in personnel handling. It would provide a practical means of inducing and keeping skilled personnel in the large city post offices, and would not discriminate against other post offices across the country, because it would in a positive way take care of the areas where the need is obvious.

It has been discussed sympathetically but without an approving vote in our committee. But I would hope that with the extreme attention the Committee of the Whole is showing this afternoon that this amendment would receive the support which it merits, because it is in the interest of the postal field service employees, and in the interest of the Post Office Department, and it is in the interest of the many users of the Post Office all over America. I would hope to receive favorable support for this amendment.

Mr. UDALL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I just want to say I oppose this amendment because it would simply establish an authority that the President already has, the authority to increase starting rates where recruitment is difficult.

The President has now delegated this to the Civil Service Commission. There has been no evidence before our committee that he wants this additional authority or that the Postmaster General wants it; or that it would be used.

This kind of authority has existed for many years and has never been used. I would hope that the amendment would be defeated.

Mr. Chairman, I take this time now to discuss one other thing because apparently we have reached the end of the amending process.

The only amendment which carried today from the other side was one offered by the gentleman from Iowa (Mr. GROSS) which was carried on a teller voter of 65 to 51.

It is my intention to ask for a separate vote on that amendment. It needs not necessarily be a separate vote by the yeas and nays if it is the will of the House to do otherwise. But upon further reflection on that amendment, I think it is sufficiently dangerous, unwise, and violates the basic things we are trying to do in this bill that I would urge the members of the committee, when we go back into the House, to defeat this amendment either on a division or by tellers or by a rollcall vote if need be.

Let me tell you why. The Federal employees, that most of you are familiar with, and they have been in your office, the great majority have been told that you support their position on this bill—they were always extremely reluctant to give up the right to come to Congress and have the Congress fix their pay.

Finally, this year, after the experience with the semiautomatic 1968–69 pay raise, the union said: "All right, we will give up coming to Congress. We made an arrangement that they considered satisfactory."

But one of the things they got, one of the crucial things in return for giving up the right to have Congress fix their pay, was that once and for all we would end

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this lag. There is probably not a Member of this Chamber who has not made a speech on how terrible it is to have this lag. We did shorten this lag in the committee down to about 5 or 4 months. That is the shortest we can get it because it takes time to process this survey.

The thing about the Gross amendment which I really did not fully realize at the time he offered it is that it would destroy the premise on which the unions are willing to try this other way and to give up the right to have the Congress have a pay battle every year. We can now be sure that in addition to the minimum 5-month lag that we now have another 5-month lag added to so that under the Gross amendment they will permanently be about 10 or 12 months behind the times in fixing Federal pay.

As I say, I think this is crucial to the employee union. I think the names of those who really favor that much lag on a permanent basis ought to be spread upon the record. I will ask for a separate vote when the Committee rises and goes back into the House.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman.

Mr. GROSS. I really did not know that reluctant dragons grew so tall in Arizona.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. DERWINSKI).

The amendment was rejected.

Mr. GERALD R. FORD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise at this time to indicate what the motion to recommit will be.

It will be a straight motion offered by the distinguished gentleman from Iowa (Mr. GROSS), a motion to send the bill back to the Committee on Post Office and Civil Service for more comprehensive and consideration than it got in the past, and I would hope for some improved language and substance.

Mr. Chairman, it seems to me this bill ought to be recommitted for several reasons. First, as the gentleman from Arizona indicated, in this legislation Congress is giving up one of the prerogatives it has, which is the setting of salary schedules for Government employees.

Over the years, I have heard speeches from that side of the aisle and I have heard speeches from this side of the aisle that we should keep these prerogatives and the responsibilities we have and not give any of them up. Furthermore, we ought to get back some that we have previously given up.

It seems to me that this legislation goes in just the opposite direction.

Second, this legislation in effect makes the future role of the President meaningless in any pay-increase legislation involving Federal employees.

Third, it seems to me that, as you read the bill, there are obvious discriminations between Federal Civil Service employees and Post Office Department employees.

I heard the figure quoted that 75 percent of the total employees of the Federal Government who will not get a pay increase out of this bill will be discriminated against, while the postal employees, who constitute roughly 25 percent, will be the beneficiary of pay-increase legislation by this act.

This discrimination I do not think can be justified. Furthermore, it is alleged that the bill discriminates within the postal employees themselves.

So when you add up that total package, it seems to me that this bill, because it is inequitable and discriminatory, ought to go back to the committee for further consideration.

Mr. Chairman, I would like to read a letter from the President of the United States, which I think adds another reason why this bill ought to be recommitted to the Committee on Post Office and Civil Service:

> DEAR JERRY: I must frankly advise that our critically important national effort to contain inflation is bound to be seriously undercut if the federal employee pay bill now before the House were to become law.
>
> In its present form H.R. 13000 would add approximately $4.3 billion a year to federal expenditures. It would balloon expenditures in the remainder of this fiscal year by $1.5 billion.
>
> Spending increases of this magnitude cannot avoid nullifying many of the steps we have recently taken to stabilize the economy.
>
> Less than three months ago, the Congress reflected the nation's determination to control inflation by imposing an expenditure ceiling on the current fiscal year. I gave a commitment at that time to restrict expenditures for this fiscal year to $192.9 billion. In keeping with this limitation I am cutting federal expenditures for this year by an additional $3.5 billion. But if H.R. 13000 should become law, additional deep cuts in federal services would have to be made.
>
> The increase which the Post Office Department alone must absorb, for example, would require cut-backs in a variety of services. They would include the elimination of Saturday deliveries and window service for rural, city and suburban areas alike.
>
> Since our total expenditures must be limited, a new round of heavy pay increases for federal employees would be in effect a mandate to reduce, abruptly, the number of federal employees.
>
> The national interest clearly requires reconsideration of H.R. 13000 because of its inflationary impact. Furthermore, it would grant disportionate benefits to postal employees. These increases should be reexamined in light of another major legislative proposal now before Congress. Improvements in the condition of the postal worker are long overdue, but they ought to be secured through total reform of the present outmoded, inefficient and costly postal system.
>
> The postal reform I have urged provides for the setting of wage levels for postal employees through collective bargaining. Any major increase in postal worker benefits should be secured through this process, or as part of legislation establishing a government-owned postal corporation which will have the means of operating, ultimately, on a self-sustaining basis.
>
> I solicit your personal leadership in urging the House to recognize that, however appealing H.R. 13000 may appear politically at this moment, the consequences of its enactment would surely generate strong resentments throughout the public far outweighing presently anticipated political gains.
>
> RICHARD NIXON.

Mr. Chairman, obviously from the content of this letter, this legislation as it presently is written is unacceptable. I strongly urge, therefore, that the Members of this body support a straight motion to recommit so that this legislation can go back to the committee on Post Office and Civil Service for reconsideration.

Mr. UDALL. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I just want to respond to the distinguished minority leader on the motion to recommit. Let me quickly make two or three points.

Let us make it very clear that a vote for the motion to recommit is a motion to kill this bill—it is a vote to make sure there is no pay raise in this session of Congress, and I think it is a breaking of faith at least on the part of those who have told the Federal employees that the Members are with them.

There were over 200 Members—the gentleman from Montana (Mr. OLSEN) can confirm this—a majority of the House who introduced the bills H.R. 10000 and H.R. 11000 earlier this year. If Members think this bill is a budget buster, they ought to go out and pull out those bills they introduced and see what they would have done to the budget. They provided substantially more, and more quickly.

Those Members who promised the Federal employees they were for those bills or for this bill had better take a good look at the motion to recommit. I am one of those who worked with the Members by and large on postal reform, but, as we have done for so long, we cannot ask postal employees to wait for justice until next year.

It is like the old quip. Someone says "How is your health?" The response is, "Compared to what?" Now on this $4 or $5 billion expenditure the minority leader talks about, I would ask, "Compared to what?" In the official report of the administration on pay this year—and we had a hard time getting any report out of them—when it finally came out, the administration agreed we ought to have a pay raise on a comparability formula not in January, but in July of 1970, and another one in January of 1971. This bill provides two pay raises, one in January 1970, and one in January 1971. What the President proposes is two pay raises—one in July 1970 and one in January 1971. So we are arguing about 6 months.

Let me tell the Members the cost of this bill is an additional $4 billion, and the cost of the President's proposal which he sent up to us is about $3.5 billion or $3.9 billion, but just spread out in a little different fashion.

One other thing. If indeed the administration is saying, when they pull the $4 billion or $5 billion estimates out of the air, that this is what it will cost, then what we are saying is—if an impartial commission is put together, Mr. Chairman, if we are saying that this commission is going to find it takes $4 billion to bring employees up to comparability, then we ought to hang our heads in shame, because we have been cheating the employees out of $4 billion. We are saying the burden of fighting inflation ought to be on the Federal employee, and not on the banker, not on the steelworker, and not on the carpenter. But we are saying, if we are going to fight inflation, the people who are going to have to fight it again will be the Federal employees.

So, Mr. Chairman, I hope the motion to recommit will be soundly defeated.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the gentleman from Arizona, my dear friend, said a motion to recommit would be a vote to kill the bill. I have heard that phrase used for many years. The only reason that it would be killed is if the gentleman and his subcommittee and the full committee failed to have another go-round on this bill, so if a motion to recommit is carried, and the gentleman does not hold additional hearings, then, of course, the bill would be dead. I would be hopeful the gentleman would hold additional hearings.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from Arizona.

Mr. UDALL. Is the gentleman for the motion to recommit?

Mr. CUNNINGHAM. Yes, I am for the motion to recommit.

Mr. UDALL. I am shocked, because the gentleman is one of the sponsors of H.R. 13000.

Mr. CUNNINGHAM. That was before it was changed from the way it was to what we have before us today.

Mr. DERWINSKI. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from Illinois.

Mr. DERWINSKI. There is one point which has to be clarified, if the gentleman from Arizona will bear with me, since he may wish to make a retort.

Earlier in the year, when Members were flooded with mail against H.R. 13000, it was not quite the bill presented to us today. If Members will read the minority views the gentleman from Iowa and I prepared, they will note that the bill appeared before our full committee and was sent back to the subcommittee, and was reported back without any real study by that group. At the time it was passed by the full committee, there were few Members who had the opportunity to study it.

Furthermore, even the Postmaster General did not have an opportunity to testify on such a far-reaching measure.

So this bill in its handling as well as in its content has many dubious factors.

Mr. CUNNINGHAM. I would say this: Although I was a cosponsor of the original bill, the one we have today is not the same bill. It only has the same number.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from Iowa.

Mr. GROSS. This bill was ordered by the full committee to be sent back to the subcommittee for further study. It never went back to the subcommittee.

The CHAIRMAN. The question is on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Price of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 13000) to implement the Federal employee pay comparability system, to establish a Federal Employee Salary Commission and a Board of Arbitration, and for other purposes, pursuant to House Resolution 576, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment?

Mr. UDALL. Mr. Speaker, I demand a separate vote on the so-called Gross amendment, which begins on page 32, line 14.

The SPEAKER. Is a separate vote demanded on any other amendment to the committee amendment? If not, the Clerk will report the amendment on which a separate vote has been demanded.

The Clerk read as follows:

On page 32, beginning with line 14, strike out all of line 14 and all that follows down through the end of line 7 on page 33 and insert in lieu thereof the following:

"(h)(1) The rates of pay submitted to the Congress as provided in subsection (c)(4) or subsection (g) of this section shall become effective at the beginning of the first pay period which begins on or after the adoption of both Houses of Congress (within the 60 day period following the date on which the rates of pay are submitted to the House of Representatives and the Senate), by the yeas and nays of a concurrent resolution stating in effect that the Senate and House of Representatives approve such rates of pay."

"(2) For the purposes of paragraph (1) of this subsection, in the computation of the 60 day period there shall be excluded the days on which either House is not in session because of adjournment of more than 3 days to a day certain or an adjournment of the Congress sine die. The rates of pay submitted to the Congress shall be delivered to both Houses of the Congress on the same day and shall be delivered to the Clerk of the House of Representatives if the House of Representatives is not in session and to the Secretary of the Senate if the Senate is not in session."

And, on page 33, line 12, strike out "first day of the year in" and insert in lieu thereof "date on";

And, on page 33, line 22, strike out "first day of the year in" and insert in lieu thereof "date on";

And, on page 38, line 21, strike out "first day of the year in" and insert in lieu thereof "date on".

Mr. UDALL (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the amendment be dispensed with and that it be printed in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The SPEAKER. The question is on the amendment to the committee amendment.

Mr. DERWINSKI. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 191, nays 169, not voting 71, as follows:

[Roll No. 218]

YEAS—191

Abbitt
Abernethy
Adair
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Ashbrook
Baring
Beall, Md.
Belcher
Bell, Calif.
Bennett
Betts
Bevill
Blackburn
Blanton
Bow
Bray
Brinkley
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Buchanan
Burke, Fla.
Burleson, Tex.
Bush
Byrnes, Wis.
Cabell
Caffery
Carter
Casey
Chamberlain
Chappell
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Colmer
Conable
Corbett
Coughlin
Cowger
Cramer
Cunningham
Daniel, Va.
Davis, Ga.
Davis, Wis.
Dellenback
Denney
Dennis
Derwinski
Dickinson
Dorn
Dowdy
Downing
Duncan
Dwyer
Edwards, Ala.
Erlenborn
Esch
Evins, Tenn.

Fish
Flowers
Ford, Gerald R.
Foreman
Fountain
Frelinghuysen
Fuqua
Galifianakis
Goodling
Gross
Grover
Gubser
Hagan
Hall
Hammerschmidt
Hansen, Idaho
Harsha
Harvey
Hébert
Henderson
Hull
Hutchinson
Ichord
Jarman
Johnson, Pa.
Jonas
Jones, N.C.
Jones, Tenn.
Keith
King
Kleppe
Kuykendall
Kyl
Landgrebe
Landrum
Langen
Latta
Lennon
Long, La.
Lukens
McClory
McClure
McCulloch
McDonald, Mich.
McEwen
MacGregor
Mahon
Mailliard
Mann
Marsh
Mathias
Mayne
Meskill
Michel
Miller, Ohio
Minshall
Mize
Mizell
Montgomery
Morton
Mosher
Myers
Nichols

O'Neal, Ga.
Passman
Pelly
Pettis
Pickle
Pirnie
Poage
Poff
Price, Tex.
Railsback
Randall
Rarick
Reid, Ill.
Reifel
Rhodes
Riegle
Roberts
Robison
Rogers, Fla.
Roth
Roudebush
Ruppe
Ruth
Sandman
Satterfield
Schadeberg
Scherle
Schneebeli
Schwengel
Scott
Sebelius
Shriver
Sikes
Skubitz
Smith, Calif.
Springer
Stafford
Stanton
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Taft
Talcott
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Utt
Vander Jagt
Waggonner
Watkins
Watson
Weicker
Whitehurst
Whitten
Widnall
Williams
Wilson, Bob
Winn
Wyatt
Wydler
Wylie
Wyman
Zion
Zwach

NAYS—169

Addabbo
Albert
Alexander
Anderson, Calif.
Anderson, Tenn.
Annunzio
Ashley
Barrett
Biaggi
Biester
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Brock
Broyhill, Va.
Burke, Mass.
Burlison, Mo.
Button
Byrne, Pa.
Carey
Celler
Clark
Clay
Conte
Conyers
Corman

Culver
Daniels, N.J.
de la Garza
Delaney
Dent
Diggs
Donohue
Dulski
Edwards, La.
Eilberg
Evans, Colo.
Feighan
Flood
Foley
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Gaydos
Giaimo
Gibbons
Gilbert
Gonzalez
Gray
Green, Pa.
Griffiths
Gude

Halpern
Hamilton
Hanley
Hanna
Hansen, Wash.
Harrington
Hathaway
Hawkins
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Hogan
Horton
Howard
Hungate
Jacobs
Johnson, Calif.
Jones, Ala.
Karth
Kastenmeier
Kazen
Kee
Kluczynski
Koch
Leggett
Long, Md.
Lowenstein
McCarthy
McDade
McFall

Macdonald, Mass.
Madden
Matsunaga
Melcher
Mikva
Miller, Calif.
Mills
Minish
Mink
Mollohan
Monagan
Moorhead
Morgan
Morse
Moss
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
Obey
O'Hara
Olsen
O'Neill, Mass.
Ottinger
Patten
Pepper
Perkins
Philbin
Pike
Podell
Preyer, N.C.
Price, Ill.
Pryor, Ark.
Pucinski
Purcell
Quillen
Rees
Reid, N.Y.
Reuss
Rogers, Colo.
Rooney, N.Y.
Rosenthal
Rostenkowski
Ryan
St Germain
St. Onge
Scheuer
Shipley
Sisk
Slack
Smith, Iowa
Snyder
Staggers
Stokes
Stubblefield
Stuckey
Sullivan
Symington
Thompson, N.J.
Tiernan
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waldie
Wampler
Watts
Whalen
White
Wiggins
Wilson, Charles H.
Wolff
Wright
Yates
Yatron
Young
Zablocki

NOT VOTING—71

Adams
Arends
Aspinall
Ayres
Berry
Bingham
Brooks
Brown, Calif.
Burton, Calif.
Burton, Utah
Cahill
Camp
Cederberg
Chisholm
Cohelan
Collier
Collins
Daddario
Dawson
Devine
Dingell
Eckhardt
Edmondson
Edwards, Calif.
Eshleman
Fallon
Farbstein
Fascell
Findley
Fisher
Flynt
Frey
Gettys
Goldwater
Green, Oreg.
Griffin
Haley
Hastings
Hays
Holifield
Hosmer
Hunt
Kirwan
Kyros
Lipscomb
Lloyd
Lujan
McCloskey
McKneally
McMillan
Martin
May
Meeds
Nelsen
O'Konski
Patman
Pollock
Powell
Quie
Rivers
Rodino
Rooney, Pa.
Roybal
Saylor
Smith, N.Y.
Steed
Taylor
Thompson, Ga.
Tunney
Whalley
Wold

So the amendment to the committee amendment was agreed to.

The Clerk announced the following pairs:

Mr. Aspinall with Mr. Arends.
Mr. Brooks with Mr. Lipscomb.
Mr. Rodino with Mr. Saylor.
Mr. Kyros with Mr. Ayres.
Mr. Holifield with Mr. Hunt.
Mr. Hays with Mr. Devine.
Mr. Daddario with Mr. McKneally.
Mr. Dingell with Mr. Berry.
Mr. Rooney of Pennsylvania with Mr. Lloyd.
Mr. Taylor with Mr. Martin.
Mr. Patman with Mr. Cederberg.
Mr. Griffin with Mr. Lujan.
Mr. Haley with Mr. Burton of Utah.
Mr. Farbstein with Mr. McCloskey.
Mr. Edmondson with Mr. Hosmer.
Mr. Fallon with Mrs. May.
Mr. Kirwan with Mr. Cahill.
Mr. Fascell with Mr. Nelsen.
Mr. Tunney with Mr. Eshleman.
Mr. Adams with Mr. O'Konski.
Mr. Gettys with Mr. Camp.
Mrs. Green of Oregon with Mr. Pollock.
Mr. Burton of California with Mr. Quie.
Mr. Meeds with Mr. Collier.
Mr. Cohelan with Mr. Smith of New York.
Mr. Steed with Mr. Hastings.
Mr. Flynt with Mr. Thompson of Georgia.
Mr. Bingham with Mr. Findley.
Mr. Rivers with Mr. Whalley.
Mr. McMullen with Mr. Collins.
Mr. Fisher with Mr. Wold.
Mr. Brown of California with Mrs. Chisholm.
Mr. Edwards of California with Mr. Frey.
Mr. Eckhardt with Mr. Powell.
Mr. Roybal with Mr. Goldwater.

Mr. JONES of Alabama changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the amendment adopted by the Committee of the Whole.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. GROSS. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Gross moves to recommit the bill, H.R. 13000, to the Committee on Post Office and Civil Service for further study.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 81, nays 281, answered "present" 1, not voting 68, as follows:

[Roll No. 219]

YEAS—81

Abbitt
Abernethy
Anderson, Ill.
Andrews, Ala.
Ashbrook
Beall, Md.
Betts
Blackburn
Bow
Bray
Brown, Ohio
Buchanan
Burleson, Tex.
Bush
Byrnes, Wis.
Chappell
Colmer
Conable
Cowger
Cramer
Cunningham
Daniel, Va.
Davis, Wis.
Dennis
Derwinski
Dickinson
Edwards, Ala.
Erlenborn
Fish
Ford, Gerald R.
Frelinghuysen
Goodling
Gross
Hall
Hammerschmidt
Hansen, Idaho
Hutchinson
Jarman
Jonas
Keith
Kleppe
Kuykendall
Kyl
Landgrebe
Langen
Latta
McClure
Mahon
Mann
Marsh
Mayne
Michel
Montgomery
Morton
Mosher
Pelly
Poff
Price, Tex.
Rarick
Rhodes
Robison
Roth
Roudebush
Ruppe
Ruth
Satterfield
Schadeberg
Scherle
Schneebeli
Scott
Sebelius
Skubitz
Smith, Calif.
Springer
Stanton
Steiger, Ariz.
Steiger, Wis.
Talcott
Thomson, Wis.
Whitten
Wilson, Bob

NAYS—281

Adair
Addabbo
Albert
Alexander
Anderson, Calif.
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Ashley
Baring
Barrett
Belcher
Bell, Calif.
Bennett
Bevill
Biaggi
Biester
Blanton
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Brinkley
Brock
Broomfield
Brotzman
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Burke, Fla.
Burke, Mass.
Burlison, Mo.
Button
Byrne, Pa.
Cabell
Caffery
Carey
Carter
Casey
Celler
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Clay
Cleveland
Conte
Conyers
Corbett
Corman
Coughlin
Culver
Daniels, N.J.
de la Garza
Delaney
Dellenback
Denney
Dent
Diggs
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Dwyer
Edwards, La.
Eilberg
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Feighan
Flood
Flowers
Foley
Ford, William D.
Foreman
Fountain
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gaydos
Giaimo
Gibbons
Gilbert
Goldwater
Gonzalez
Gray
Green, Pa.
Griffiths
Grover
Gubser
Gude
Hagan
Halpern
Hamilton
Hanley
Hanna
Hansen, Wash.
Harrington
Harsha
Harvey
Hathaway
Hawkins
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Hogan
Horton
Howard
Hull
Hungate
Ichord
Jacobs
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Karth
Kastenmeier
Kazen
Kee
King
Kluczynski
Koch
Landrum
Leggett
Lennon
Long, La.
Long, Md.
Lowenstein
Lukens
McCarthy
McClory
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
Macdonald, Mass.
MacGregor
Madden
Mathias
Matsunaga
Melcher
Meskill
Mikva
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Mizell
Mollohan
Monagan
Moorhead
Morgan
Morse
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nichols
Nix
Obey
O'Hara
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patten
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Podell
Preyer, N.C.
Price, Ill.
Pryor, Ark.
Pucinski
Purcell
Quillen
Railsback
Randall
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Riegle
Roberts
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rosenthal
Rostenkowski
Ryan
St Germain
St. Onge
Sandman
Scheuer
Schwengel
Shipley
Shriver
Sikes
Sisk
Slack
Smith, Iowa
Smith, N.Y.
Snyder
Stafford
Staggers
Stephens
Stokes
Stratton
Stubblefield
Stuckey
Sullivan
Symington
Taft
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Tiernan
Udall
Ullman
Utt
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Wampler
Watkins
Watson
Watts
Weicker
Whalen
White
Whitehurst
Widnall
Wiggins
Williams
Wilson, Charles H.
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Yatron
Young
Zablocki
Zion
Zwach

ANSWERED "PRESENT"—1

Mailliard

NOT VOTING—68

Adams
Arends
Aspinall
Ayres
Berry
Bingham
Brooks
Brown, Calif.
Burton, Calif.
Burton, Utah
Cahill
Camp
Cederberg
Chisholm
Cohelan
Collier
Collins
Daddario
Davis, Ga.
Dawson
Devine
Dingell
Eckhardt
Edmondson
Edwards, Calif.
Fallon
Farbstein
Fascell
Findley
Fisher
Flynt
Frey
Gettys
Green, Oreg.
Griffin
Haley
Hastings
Hays
Holifield
Hosmer
Hunt
Kirwan
Kyros
Lipscomb
Lloyd
Lujan
McCloskey
McKneally
McMillan
Martin
May
Meeds
Nelsen
O'Konski
Patman
Pollock
Powell
Quie
Rivers
Rodino
Rooney, Pa.
Roybal
Saylor
Steed
Taylor
Tunney
Whalley
Wold

So the motion to recommit was rejected.

The Clerk announced the following pairs

On this vote:

Mr. Martin for, with Mr. Hunt against.
Mr. McCloskey for, with Mr. McKneally against.
Mr. Arends for, with Mr. Pollock against.
Mr. Nelsen for, with Mr. Cahill against.

Until further notice:

Mr. Hays with Mr. Ayres.
Mr. Aspinall with Mr. Berry.
Mr. Brooks with Mr. Camp.
Mr. Rodino with Mr. Burton of Utah.
Mr. Kyros with Mr. Collins.
Mr. Holifield with Mr. Cederberg.
Mr. Daddario with Mr. Collier.
Mr. Dingell with Mr. Devine.
Mr. Rooney of Pennsylvania with Mr. Findley.
Mr. Taylor with Mr. Frey.
Mr. Patman with Mr. Hastings.
Mr. Griffin with Mr. Lloyd.
Mrs. Green of Oregon with Mr. Hosmer.
Mr. Farbstein with Mr. Lujan.
Mr. Edmondson with Mr. Lipscomb.
Mr. Fallon with Mrs. May.
Mr. Kirwan with Mr. Saylor.
Mr. Fascell with Mr. Whalley.
Mr. Tunney with Mr. Wold.
Mr. Adams with O'Konski.
Mr. Gettys with Mr. Eckhardt.
Mr. Burton of California with Mrs. Chisholm.
Mr. Meeds with Mr. Davis of Georgia.
Mr. Cohelan with Mr. Haley.
Mr. Steed with Mr. Roybal.
Mr. Flynt with Mr. Edwards of California.
Mr. Bingham with Mr. Powell.
Mr. Rivers with Mr. Fisher.
Mr. McMillan with Mr. Brown of California.

Mr. PASSMAN and Mr. MIZE changed their votes from "yea" to "nay."

Mr. MAILLIARD. Mr. Speaker, I have a live pair with the gentleman from California (Mr. BURTON). If he had been present he would have voted "nay." I voted "yea." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 311, nays 51, answered "present" 1, not voting 68, as follows:

[Roll No. 220]

YEAS—311

Adair
Addabbo
Albert
Alexander
Anderson, Calif.
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Ashley
Baring
Barrett
Beall, Md.
Belcher
Bell, Calif.
Bennett
Betts
Bevill
Biaggi
Biester
Blackburn
Blanton
Blatnik
Boggs
Boland
Bolling
Bow
Brademas
Brasco
Brinkley
Brock
Broomfield
Brotzman
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Burke, Fla.
Burke, Mass.
Burlison, Mo.
Bush
Button
Byrne, Pa.
Cabell
Caffery
Carey
Carter
Casey
Celler
Chamberlain
Chappell
Clancy
Clark
Clausen, Don H.
Clawson, Del
Clay
Cleveland
Conte
Conyers
Corbett
Corman
Coughlin
Culver
Daniel, Va.
Daniels, N.J.
de la Garza
Delaney
Dellenback
Denney
Dent
Diggs
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Dwyer
Edwards, Ala.
Edwards, La.
Eilberg
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Feighan
Fish
Flood
Flowers
Foley
Ford, William D.
Foreman
Fountain
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gaydos
Giaimo
Gibbons
Gilbert
Goldwater
Gonzalez
Gray
Green, Pa.
Griffiths
Grover
Gubser
Gude
Hagan
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harrington
Harsha
Harvey
Hathaway
Hawkins
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Hogan
Horton
Howard
Hull
Hungate
Hutchinson
Ichord
Jacobs
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Karth
Kastenmeier
Kazen
Kee
King
Kluczynski
Koch
Kyl
Landrum
Langen
Latta
Leggett
Lennon
Long, La.
Long, Md.
Lowenstein
Lukens
McCarthy
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
Macdonald, Mass.
MacGregor
Madden
Mailliard
Mann
Mathias
Matsunaga
Melcher
Meskill
Mikva
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Mizell
Mollohan
Monagan
Moorhead
Morgan
Morse
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nichols
Nix
Obey
O'Hara
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pike
Pirnie
Podell
Preyer, N.C.
Price, Ill.
Price, Tex.
Pryor, Ark.
Pucinski
Purcell
Quillen
Railsback
Randall
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Riegle
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roudebush
Ruppe
Ruth
Ryan
St Germain
St. Onge
Sandman
Satterfield
Schadeberg
Scheuer
Schwengel
Scott
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Snyder
Stafford
Staggers
Stanton
Stephens
Stokes
Stratton
Stubblefield
Stuckey
Sullivan
Symington
Talcott
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Tiernan
Udall
Ullman
Utt
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Wampler
Watkins
Watson
Watts
Weicker
Whalen
White
Whitehurst
Widnall
Wiggins
Williams
Wilson, Charles H.
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Yatron
Young
Zablocki
Zion
Zwach

NAYS—51

Abbitt
Abernethy
Anderson, Ill.
Andrews, Ala.
Ashbrook
Bray
Brown, Ohio
Buchanan
Burleson, Tex.
Byrnes, Wis.
Colmer
Conable
Cowger
Cramer
Cunningham
Davis, Wis.
Dennis
Derwinski
Dickinson
Erlenborn
Ford, Gerald R.
Frelinghuysen
Gross
Hall
Jarman
Jonas
Keith
Kleppe
Kuykendall
Landgrebe
Mahon
Marsh
Mayne
Michel
Montgomery
Morton
Pickle
Poff
Rarick
Rhodes
Roth
Scherle
Schneebeli
Sebelius
Smith, Calif.
Springer
Steiger, Ariz.
Steiger, Wis.
Taft
Thomson, Wis.
Whitten
Wilson, Bob

ANSWERED "PRESENT"—1

Poage

NOT VOTING—68

Adams
Arends
Aspinall
Ayres
Berry
Bingham
Brooks
Brown, Calif.
Burton, Calif.
Burton, Utah
Cahill
Camp
Cederberg
Chisholm
Cohelan
Collier
Collins
Daddario
Davis, Ga.
Dawson
Devine
Dingell
Eckhardt
Edmondson
Edwards, Calif.
Fallon
Farbstein
Fascell
Findley
Fisher
Flynt
Frey
Gettys
Goodling
Green, Oreg.
Griffin
Haley
Hastings
Hays
Holifield
Hosmer
Hunt
Kirwan
Kyros
Lipscomb
Lloyd
Lujan
McCloskey
McKneally
McMillan
Martin
May
Meeds
Nelsen
O'Konski
Patman
Pollock
Powell
Quie
Rivers
Rodino
Roybal
Saylor
Steed
Taylor
Tunney
Whalley
Wold

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Hunt for, with Mr. Martin against.
Mr. Ayres for, with Mr. Arends against.

Until further notice:

Mr. Hays with Mr. Pollock.
Mr. Aspinall with Mr. Berry.
Mr. Brooks with Mr. Devine.
Mr. Rodino with Mr. Cederberg.
Mr. Kyros with Mr. O'Konski.
Mr. Holifield with Mr. Burton of Utah.
Mr. Daddario with Mr. McKneally.
Mr. Dingell with Mr. Collier.
Mr. Brown of California with Mr. Dawson.
Mr. Taylor with Mr. Collins.
Mr. Patman with Mr. Camp.
Mr. Griffin with Mr. Lloyd.
Mrs. Green of Oregon with Mrs. May.
Mr. Farbstein with Mr. Findley.
Mr. Edmondson with Mr. Lujan.
Mr. Fallon with Mr. Cahill.
Mr. Kirwan with Mr. Hastings.
Mr. Fascell with Mr. Frey.
Mr. Tunney with Mr. Hosmer.
Mr. Adams with Mr. McCloskey.
Mr. Gettys with Mr. Goodling.
Mr. Burton of California with Mrs. Chisholm.
Mr. Meeds with Mr. Nelsen.
Mr. Cohelan with Mr. Lipscomb.
Mr. Steed with Mr. Quie.
Mr. Flynt with Mr. Whalley.
Mr. Bingham with Mr. Wold.
Mr. Rivers with Mr. Saylor.
Mr. McMillan with Mr. Roybal.
Mr. Haley with Mr. Eckhardt.
Mr. Edwards of California with Mr. Powell.
Mr. Davis of Georgia with Mr. Fisher.

Mr. POAGE. Mr. Speaker, I have a live pair with the gentleman from Texas (Mr. ECKHARDT). If the gentleman from Texas (Mr. ECKHARDT) had been present, he would have voted "yea." I voted "nay" in accordance with my convictions. Therefore, I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. UDALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on the bill, H.R. 13000, and include extraneous matter during debate on the bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AUTHORIZING CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 13000

Mr. UDALL. Mr. Speaker, I ask unanimous consent that the Clerk, in the engrossment of the bill, be authorized and directed to make such changes in section numbers, cross-references, and other technical and conforming corrections as may be required to reflect the actions of the House.

The SPEAKER. Without objection, it is so ordered,

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks announced that the Senate disagrees to the amendment of the House to the bill (S. 2276) entitled "An act to extend for 1 year the authorization for research relating to fuels and vehicles under the provisions of the Clean Air Act," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MUSKIE, Mr. RANDOLPH, Mr. BAYH, Mr. MONTOYA, Mr. BOGGS, Mr. COOPER, and Mr. DOLE to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S.J. Res. 150. Joint resolution to authorize the President to designate the period beginning October 12, 1969, and ending October 18, 1969, as "National Industrial Hygiene Week."

NATIONAL INDUSTRIAL HYGIENE WEEK

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate joint resolution (S.J. Res. 150) to authorize the President to designate the period beginning October 12, 1969, and ending October 18, 1969, as "National Industrial Hygiene Week" and ask for immediate consideration of the Senate joint resolution.

The Clerk read the title of the Senate joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the Senate joint resolution as follows:

S.J. RES. 150

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in recognition of the need to preserve the Nation's primary natural resource—its employed population—and in recognition of those individuals and organizations seeking to protect and improve the health of the Nation's work force through the coordinated scientific measures, technological and engineering controls which characterize industrial hygiene, the President is authorized and requested to issue a proclamation designating the period beginning October 12, 1969, and ending October 18, 1969, as "National Industrial Hygiene Week," and calling upon the people of the United States and interested groups and organizations to observe such week with appropriate ceremonies and activities.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the Senate joint resolution just passed.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

THREE O'CLOCK IN THE MORNING—VIETNAM

(Mr. WALDIE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WALDIE. Mr. Speaker, I am also one of those who requested 1 hour on special orders today to express my disapproval of our present Vietnam policy. I also am in support of the October 15 moratorium. I want to stress that I do not hold any brief that my views will offer much contribution to this problem, or that the President will pay much attention to my views. But I do think that I should have the right to express them. Perhaps a measure of that right and, if you will, a measure of the esteem with which my colleagues hold me is that I am assigned time to deliver my remarks for 3 o'clock this morning, if all goes well, to express my views to those who might be present. Those views probably are not significant and I think tremendously important. But it would be tremendously significant and I think tremendously important if I were denied the right to deliver those views to this particular body, and the dissemination of those views to the public through this forum.

I would expect that deprival of this right of those who desire to express our views would be interpreted by many as indicating a belief and a fear that criticism of administration policy cannot be tolerated in the greatest legislative body of the land.

I am particularly puzzled by a seeming inconsistency in the remarks of many relative to the impact of my views, and those who possess similar views, on Hanoi's leaders. Our President has told us he will not be persuaded "in the slightest" by our expressions on October 15. Am I to believe that Hanoi's leaders will be more responsive to my views than will my own President? I doubt it. But then I doubt that the President was accurate when he said he would not be influenced by American opinion. He will be—he should be—and he must be.

Mr. Speaker, vituperation and excesses in emotion that callously designate Americans who are desperately tired of the Vietnam tragedy as "Hanoi sympathizers" detract greatly from this debate. I venture to say that those who today have so intemperately maligned their colleagues and their fellow Americans are simply and sorrowfully unaware of the depth of their constituency's anger and dismay with Vietnam.

I would suggest that on October 16 they review the activities of October 15 and I am certain they, along with our President, will have been the witness to the peculiar magnificence of a free government and to the ability of a free citizenry to express disapproval with its leader's policies.

Their efforts to castigate manifestation of that disapproval with vague accusations of lack of patriotism or loyalty have only served to intensify those efforts and have only served to display their own insensitivities to the procedures by which a free people make their will known to their Representatives and to their President.

ECONOMIC PROGRESS AND THE FORGOTTEN AMERICAN

(Mr. ANDERSON of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ANDERSON of California. Mr. Speaker, unemployment in our Nation has risen to 4 percent. This is the largest rise in unemployment in 9 years. The Nixon administration, in the words of Secretary of the Treasury Kennedy, believes that unemployment will go even higher. What amazes me is that they apparently believe that an increasing unemployment rate is good—that it is "economic progress."

I would remind Mr. Nixon that these statistics represent people unemployed and I would call such a policy heartless.

During the presidential campaign, President Nixon frequently alluded to a "forgotten American." I might ask: Who is this mystical person? Is he the one who is taking the brunt of the administration's so-called economic progress? Is he the guy who was just laid off? Or perhaps he is the person who will be hit the hardest by the administration's proposed policy on taxes?

Is the "forgotten American"—the person with a small fixed income who is being affected most by inflation or the one taking it on the chin from excessively high interest rates?

Perhaps he is the person who knows that the administration's proposed increase in social security benefits is too little and too late?

If this is the "forgotten American," then it appears to me that the administration's policy forecloses, without question, opportunity for those who need it the most. Yes, the "forgotten American" appears to have been really forgotten only 9 months after he was induced to vote for the man who said he was going to remember the "forgotten American."

Does the administration realize the effects of this so-called "economic progress" on the individual as well as the Nation? There are approximately 3.2 million Americans who are out of work. It is going to be extremely difficult to convince these "forgotten Americans" that such a policy could be labeled by anyone as "economic progress." If a man cannot get a job, if he has been laid off, if he is underemployed, he is not going to be pleased with Secretary Kennedy's assertion that a 4-percent rate of unemployment is "acceptable." Surely it

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is not "progress" when nearly 3.2 million people are jobless.

Does the administration realize the effects of this heartless scheme on the wives and children of the jobless?

Does the administration realize the effects of this negative policy on the business and industry that are forced to curtail production?

Does the administration realize the effects it will have on the community? If a man does not have an income he is certainly an economic burden to the community. The gas station owner, the grocer, the local banker, the farmer, the people who deal in services—all are affected by unemployment. All must agree that a real economic progress does not go hand in hand with unemployment.

Does the administration realize the effects that this economic downturn will have on the local and State government? When men are unemployed, welfare rolls are increased. It seems to me that it is "economic progress" when we have more people employed and less people dependent on welfare checks.

If an intolerable level of unemployment, together with continuing high prices and interest rates, is "acceptable," then I do not believe the "forgotten American" can stand much more of this kind of "economic progress."

PUTTING KOREA'S PRESIDENTIAL POLITICS IN PRAGMATIC PERSPECTIVE

(Mr. HANNA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HANNA. Mr. Speaker, in recent weeks our popular press has been critical of the events which have surrounded South Korea's President Park's bid for a third term. It has been charged that the ruling Democratic-Republican Party flaunted democratic processes in clearing the way for a national referendum on the provision to amend the Constitution to allow a candidate to seek a third term. It has been implied that President Park's quest for the third term is animated by a drive for personal power and standing. I think it is well that we who know Korea, its leaders and its problems, pause to address ourselves to these indictments before the referendum on October 17. It was for this reason that I requested this time. I invite my colleagues on both sides of the aisle to contribute their comments on this issue.

It would be unthinkable for us to endeavor to influence the outcome of the national referendum. This is an issue for the people of the Republic of Korea. However, as Korea's longtime friend and ally it is both appropriate and necessary that those in our Government endeavor to understand what is happening in Korea and why it is happening. The understanding of which I speak is, in my judgment, best born of an analysis of the history of other similarly situated nations. What is Korea's current condition? The Republic of Korea has, at best, a tenuous political, economic, and defense posture. On the political front, we note that the Republic has existed less than a decade. The country and its people have little experience in self-government and no tradition of strong democratic institutions. In addition, the country has not existed long enough to develop a large number of individuals experienced in the art and science of governance. The old nostrum that "you can beat somebody with nobody" is clearly applicable to the current situation. Even those who contend that President Park should not be allowed to succeed himself are hard pressed to suggest a suitable alternative.

Korea has undergone an economic transformation in the last 20 years. It is experiencing an enviable rate of economic growth. The man on the street is well fed, and well clothed. All this economic progress has been achieved in scarcely a score of years. The glowing record of recent progress and the rapid rate of growth should not obscure the fundamental fact that Korea's economy is still in its infancy. The nation is plagued by problems endemic to developing countries. There is a glaring shortage of development capital; skilled management and technical expertise remain a scarce commodity; agricultural self-sufficiency is problematic; the infrastructure essential to true nationhood is still developing, and the gulf between rich and poor is still vast. These facts are neutral. They state a simple truth; Korea—for all its progress—is only nearing its economic "takeoff" point. It is just now approaching the point at which it can truly say it can meet its internal needs and enter the world market as an effective competitor.

The security of the Republic of Korea is a source of constant concern. Forty miles from the capital of Seoul, the armies of North and South Korea face each other. Rarely does a day pass when there is not an act of hostility at the demilitarized zone or an attempt by the North to infiltrate by the sea. This situation has required that the country remain constantly mobilized. Korea has one of the largest standing armies in the world. Per capita, it and its adversary in the north probably have more men under arms than any other country in the world. Truly it can be said that Korea's political, economic, and defense situation is highly volatile.

A pragmatic perspective of Korea's presidential politics must encompass an analysis of history. The parallels between the Korea of today and the United States of 1940 are inescapable. In 1940 our Nation was teetering on the brink of war and we were just emerging from a depression which had shaken our economy to its very roots. At that juncture, the American people were faced with deciding whether to shatter a 150-year tradition and allow President Roosevelt to seek a third term. A review of the popular press reveals that the central issue which concerns Koreans today was much the same as that in the minds of Americans during the dark days of 1940. There was, in the United States of 1940, a grave concern over the consequences of any change in national leadership. The New Republic of July 22, 1940, said:

> The conflict (in the world) is one of ideas, of economic power, of resolution and elan . . . It is a question of being ready for drastic changes and supreme effort, of fertilizing the imagination and intelligence with a deep seated cause and a destiny.

This article and many others appearing during the year 1940 suggested that only President Roosevelt could supply the leadership needed.

In the twoscore years since the Second World War, we have witnessed a number of Western democracies maintain a single national figure as their leader. The West Germans saw in Conrad Adenauer the leader they needed to rebuild their broken nation. For this reason, they perpetuated his control for several years. The British turned to Winston Churchill—who dominated their political scene for virtually 2 decades—to provide the charisma required to restore England to the glory of old. "Le Grande Charles" became a legend in his own time while serving as the President or popularly elected "king" of France. In short, the people of four advanced Western Nations have, in the span of our recollection, chosen to put their trust in a single man to lead them in times of tension and travail. In each of these nations the decision to perpetuate the leadership of a single man was subjected to sharp criticism. The Saturday Evening Post of October 26, 1940, castigated the events preceding Roosevelt's nomination for a third term in an article entitled "How to Rig an Election." It said America was adopting a "demautocratic process."

Much has been written about the midnight session of Korea's National Assembly which cleared the way for the popular vote on a third term. I very much doubt whether the maneuvering which has led to Korea's referendum on the third term was any more carefully contrived and efficiently orchestrated than the nomination of F. D. R. to a third term. One need only recall the reports of Thomas G. Garry, whipping the delegates into a fever pitch of support for Roosevelt with ringing cries of "We Want Roosevelt" which redounded through the hall as Garry shouted into a clandestine public address system.

One final point should be considered. What are President Park's motives? What does he stand to gain from a third term? Nothing, I would suggest. Most Koreans and outsiders seem to agree that the President of the Republic of Korea has constructed a superlative record. Surely any man would be proud to rest on such laurels. President Park must risk his fine record in seeking a third term. He has already subjected himself to sharp criticism from former supporters who oppose him not for any personal reasons, but because they object to the President seeking a third term. He faces a long and hotly contested campaign which, if successful, will require 4 more years of agonizingly hard work. I see in this little opportunity for personal engrandizement.

We trust it is clear to all that American policy, expressed and exercised, is to provide people with the freedom of choice. That choice is now being exercised. It still remains true that conditions in Korea and the position of our interests in the country dictate that a strong leader should emerge from the choice, a leader the whole nation can unite behind. We look for and hope for such a result. We believe that that will be the choice of Korea's people.

Mr. KLEPPE. Mr. Speaker, at a time when Vietnam dominates the news concerning U.S. policy in the Far East, we tend to overlook what is going on in another most important frontier of freedom, South Korea. Here we have a friendly country which is strong politically, economically, and militarily but one which has a most serious problem in the constant threat of aggression from Communist North Korea.

In many respects, there is a parallel between the wars in Korea and Vietnam—both were touched off by naked Communist aggression and in both instances Communist victory would have been assured had it not been for support of South Korea and South Vietnam by the United States, with both men and materiel.

Today South Korea is strong enough militarily to protect itself, with some continuing help from the United States. I look forward eagerly to the day when South Vietnam will be in a position to do the same.

It was my privilege to visit South Korea earlier this year, along with several of my House colleagues, at the invitation of the South Korean Parliament. I was enormously impressed not only by the physical and economic growth which was apparent everywhere but also by the spirit of the people and their obvious friendship toward the United States.

Despite all of this evident progress, South Korea has not only challenging economic problems which must be met but also some political problems still to be resolved.

It will probably take considerable time to see Korea reflect the qualities of democratic government as they exist in the more advanced nations. The experience of our own Nation would indicate that when national survival is at stake, progress in the development of democratic institutions is retarded. In fact, Korea is still under quasi-war conditions and the achievement of self-sustaining readiness in national defense and economy is so paramount that progress in the other aspects of social development must, of necessity, be slow.

It is in our own best interests not to meddle in the internal affairs of other nations. South Korea is proud of the progress made in building its institutions and we should be constructive in our criticism, lest this brave little nation and strong ally shrink from the common cause which binds us.

The people of South Korea have come a long way in their search for freedom, economic advancement, and security. I wish them continuing success in fully achieving all of these important goals.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I commend the distinguished gentleman from California for his remarks regarding the present political situation in South Korea. I was fortunate to be a part of the delegation headed by the distinguished majority leader that visited Korea earlier this year. I was extremely impressed by the growth and development of the economy and political system of South Korea.

On April 1, I addressed the House and said:

> I am overjoyed to report to the Congress that our aid to the Republic of Korea is one of the most worthwhile investments ever made. From the ruins of the Korean war, the people and Government of Korea have developed a strong, diversified and progressive economy. For the 5-year period, 1962 to 1967, the per capita gross national product has increased 7 percent each year. Agriculture production increased 25 percent in the 5-year period 1962 to 1967. The Central Government's domestic revenues increased 49 percent each year from 1964 to 1966, and what is definitely significant for our consideration is that the share of the Government budget supported by the U.S. aid program declined from 35.3 percent in 1964 to 11.8 percent in 1968.

The dedication of the freedom-loving people of South Korea and the industriousness and integrity of its leaders are responsible for its tremendous growth. It is because of the amazing sacrifices made by the people of Korea in order to insure their freedom that I take the time to address myself to the question of the proposed Korean constitutional amendment. There can be no question about the great role that President Chung Hee Park has played in the development and stability of the Republic of Korea. He has inspired his countrymen, encouraged them and led them to make the great gains they have. His personal example of austerity and simplicity have done as much to produce a similar reaction in the people of Korea as have his great leadership and inspired economic programs.

The people of South Korea on October 20 will decide in a referendum whether or not to amend the Constitution of their Government so that President Park may be allowed to seek a third term. I think this is a very commendable course of action. Whether or not one is a supporter of President Park's, and I admit that I am, it is extremely admirable that the people and the Government of South Korea, operating as a free and democratic nation, seek only the constitutional and democratic method to change their laws. For those who view this action as an attempt to impose any kind of personal leadership, I say this is obviously false. We, ourselves, have chosen the path of constitutional amendments throughout our history, and the supporters of President Park have chosen the same method. It cannot be denied President Park's leadership has been greatly responsible for the growth, stability, and continued independence of South Korea. He and his supporters hope that he may be allowed to seek a third term so that his leadership might continue and help South Korea continue to develop into the 1970's.

Whether this referendum passes or fails, the people and Government of South Korea can only be commended for seeking this democratic method and constitutional form for expressing their views and their wishes.

Mr. GALLAGHER. Mr. Speaker, the free nation of South Korea will soon choose a new President. The current head of state, President Park, is seeking an unprecedented third term of office.

I think that it would be appropriate for us to pause and recognize the manner in which democracy has thrived and strengthened in South Korea. Perhaps there is no finer example of a working, living democracy than an election: a peaceful regeneration of leadership in which the people choose their governors.

There is no doubt that free men everywhere wish South Korea well in its current election. This nation, under inspired leadership, has become a fountain of freedom in a perilous Asia. The brave people of South Korea live each day under the threat of outside aggression—but there is no faltering of purpose, no destruction of morale.

I had the privilege to serve as a member of the congressional delegation which visited Korea last year. What I saw on that trip convinced me that we have a true ally, a true friend, and a true partner in progress in the nation of South Korea.

Certainly, those Americans and Koreans alike who sacrificed so much for the freedom of South Korea did not make their sacrifices in vain.

GENERAL LEAVE

Mr. HANNA. Mr. Speaker, I ask unanimous consent that others desiring to do so may extend their remarks immediately following my own remarks on putting Korea's presidential politics in pragmatic prospective.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

DISCUSSION OF THE TRAGIC VIETNAM WAR

(Mr. BINGHAM asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BINGHAM. Mr. Speaker, I had planned to take part in the discussion of the tragic Vietnam war which will continue through the coming night and had obtained unanimous consent for an hour's special order.

Yesterday, however, I received an urgent appeal from the students at Hamilton and Kirkland Colleges in my home State of New York that I attend and speak at a meeting they are holding this evening. They were particularly anxious to obtain a speaker from the Congress and had been unable to do so. I agreed to go because I consider the student meetings to be central to the whole Vietnam moratorium idea. I have also agreed to speak at other student meetings tomorrow in New York State. Accordingly I will not be on the floor this evening or tomorrow.

I think it highly appropriate that those Members who wish to do so take the opportunity this evening to express in a dramatic way the depth of their feelings in the matter. For this purpose, the House should remain in session.

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Apparently, an effort will be made to choke off this discussion by motions to adjourn, in spite of the fact that a series of 1-hour special orders have been agreed to. Not only would this be in violation of the traditions of the House, but it would be an affront to the basic principle that duly elected Members of this body are entitled to be heard when they seek to speak within the rules and customs of the House.

Of course there are members who disagree with the views of those who have arranged for special orders. May I respectfully suggest that they come and debate the issues on the floor during the course of the evening, instead of trying to muzzle their colleagues. Those who have obtained the special orders have indicated they will be glad to yield to those who disagree, as well as to those who hold the same or similar views.

Allow me to turn now briefly to the substance of the matter.

In the present situation, with the Saigon regime able and anxious to veto any steps toward a reasonable political settlement, the United States has no alternative but to withdraw troops from Vietnam as fast as possible, consistent with the safety of our troops, the need for obtaining the release of our prisoners of war and the provision of asylum for those Vietnamese who would be endangered by our disengagement.

Along with Senator McGovern and other Senators and various Members of Congress I have introduced a resolution calling upon the President to take such action. The text of that resolution follows:

> Whereas the war in Vietnam has resulted in the loss of more than forty thousand American lives, in some two hundred and fifty thousand American casualties, in the depletion of American resources to the extent of over $100,000,000,000 and in inestimable destruction of Vietnamese life and property; and
>
> Whereas the war stands today as the greatest single obstacle to efforts to focus the country's financial, human and spiritual resources upon urgent domestic needs; and
>
> Whereas spokesmen for the present administration have recognized that military victory cannot be achieved in Vietnam and have specifically defined United States policy to exclude that unattainable goal; and
>
> Whereas the painful history of United States involvement in Vietnam exposes the futility of external attempts to create and sustain a viable, indigenous government, particularly when its leaders resist political and social reforms aimed at inspiring popular confidence and support; and
>
> Whereas the leaders of South Vietnam have indicated, by action and deed, that their ambitions conflict with the interests of the United States in a prompt settlement of the conflict, and that they are unlikely to adopt a negotiating posture which might end the war so long as they are assured of all the United States support they need to prosecute it; and
>
> Whereas the dominant result of policies relating the level of American presence to the capability or willingness of the South Vietnamese to fight the war themselves can only be the continued daily loss of life and limb by American servicemen, with no foreseeable conclusion: Now, therefore, be it
>
> *Resolved by the House of Representatives (the Senate concurring)*, That it is the sense of the Congress of the United States, that all United States forces should now be withdrawn from Vietnam, the pace of the withdrawal to be limited only by steps to insure the safety of our forces, the mutual release of prisoners of war, and the provision of safety, through arrangement for amnesty or asylum in friendly countries, for those Vietnamese who might be endangered by our disengagement.

In addition, there are other steps which our Government should take immediately.

First, every effort should be made to bring the killing to an end immediately by means of a standstill cease-fire along the lines recently proposed by Cyrus Vance. Such a cease-fire could be inaugurated by us and continue as long as observed by the other side.

Second, in the hope of persuading the Saigon Government to move in the direction that would make a peaceful settlement possible, we should also press much more vigorously than we have in the past for a broadening of the Thieu-Ky government so as to have a representative regime in South Vietnam capable of negotiating a peaceful settlement through elections or otherwise. To this end, Ambassador Bunker should be replaced and a tough spokesman like Averell Harriman sent out to Saigon to make clear to Messrs. Thieu and Ky in no uncertain terms that American boys are not going to go on dying to keep them in power.

From the actions of the Nixon administration as well as those of the Thieu-Ky regime, I see no hope that either a cease-fire or a basic broadening of the Saigon regime will take place. If this estimate proves to be unduly pessimistic and a basic change in the situation in South Vietnam occurs, then the timetable for U.S. withdrawal could be reexamined.

Let no one say that for the United States to withdraw its troops now is in any sense a sellout. In the past almost 5 years we have done more to protect South Vietnam than anyone could have expected, especially since our obligation to do so was, to say the least, unclear. If after all this time and effort, after all the lives lost and bodies mangled, after the extensive training to Vietnamese forces and after the enormous amounts of materiel that we have given them and will give them, the Republic of South Vietnam would collapse upon the departure of American troops, then I say we have been engaged in propping up a shell of a regime with no strength of its own and should recognize the task as not only hopeless but useless.

ADMINISTRATION'S TIGHT MONEY POLICY SPELLING DISASTER FOR PHILADELPHIA SCHOOLCHILDREN

(Mr. BARRETT asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BARRETT. Mr. Speaker, we are all too well aware that this country is witnessing the highest interest rates since the Civil War. In every sector of the financial market interest rates have reached historic high levels. The administration's attempt to deal with inflation by tight money and high interest rates has all but destroyed the housing industry this year. Mortgage credit is unavailable, builders are laying off their workers, and families cannot buy homes. We are all too well aware of the effects of tight money on the home building industry, but in another area we are just beginning to see what effects this severe economic prescription by the administration has affected the country.

In my city of Philadelphia in 1966 the city began an ambitious program to get rid of 65 schools which were built before 1907 and were terrible firetraps. This program is going to cost the city half a billion dollars. Twenty-three of these old schools were replaced but the attempt to complete the rest of these needed new schools was halted because of high interest rates. So we have 42 old schools in Philadelphia attended by 30,000 boys and girls who are trying to learn in firetraps. I might add that Philadelphia's problem in replacing their schools is typical of most of our cities problems today. In order to build these schools the citizens of Philadelphia voted for floating bonds to finance the program.

In May of this year the city tried to float $30 million of the already authorized bonds, some with a maturity of 25 years, but the city received no bids. Bankers refused to purchase the bonds because under State law the city could not pay more than 6 percent interest on them and in effect Philadelphia was left out in the cold. A second attempt was made to float a bond issue by reducing the amount from $30 million to $17.5 million. Again the bankers, who had just raised the prime interest rate, refused to purchase this issue. The kind-hearted bankers then stated that they would lend to Philadelphia, on a short-term basis, funds totaling $27.5 million at the prime rate which was 8½ percent.

The price of high interest rates is too great for this Nation and States and cities to bear and until the administration realizes this our cities and States are going to be unable to finance the needs of their citizens. Yet the administration can afford to waste $600 million on supersonic aircraft that will never fly over the continental United States and billions of dollars on an ABM system which the experts tell us will not protect the United States from foreign missiles. Our priorities simply need to be restructured.

Mr. Speaker, I include the story appearing in the New York Times, October 12, 1969, following my remarks:

Money Woes of U.S. Cities May Slacken

(By John H. Allan)

> Philadelphia has 42 firetrap slum schools it would like to tear down and replace, but finding the money has been tough this year. Now, however, the tangle of financing difficulties confronting the city—and many other local governments as well—may become less snarled.
>
> In Philadelphia, the school system is antiquated and half the schools are overcrowded. In 1966 the city embarked on an ambitious half-billion-dollar program to get rid of 65 schools, built before 1907, that aren't fire-resistant.
>
> Twenty-three of these old schools were replaced but the program this year slowed down because of financing difficulties. There are still 42 old schools in the city, and 30,000 pupils attend classes in these hazardous buildings.

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Besides this, four junior high schools and four senior high schools operate on double shifts. Some 25,000 students go to class either from 7:30 A.M. until noon or from 12:30 P.M. until 5 P.M.

PROBLEMS TYPICAL

Philadelphia's problems are typical of those of many municipalities. High interest rates, caused by the Government's anti-inflationary tight money policy and by fear Congress would end the traditional tax-exmept status of municipal bonds, have seriously damaged the local government bond market. Last week each of these problems took a turn for the better.

To eliminate substandard conditions, Philadelphia school officials wanted to move ahead with their capital improvement program. Last May, however, the city's taxpayers voted down a $90-million bond authorization, largely because they were sick and tired of local property tax increases. In addition, some citizens objected to a school desegregation plan and some thought the bond issue would pay for too many "frills" such as swimming pools.

SALE ATTEMPTED

Later in May, Philadelphia tried to sell $30-million of already authorized bonds, some with a maturity as long as 25 years, but it received no bids. Bankers shied away from the bonds because Pennsylvania law then would not permit paying interest higher than 6 per cent, and the curb, in effect, priced Philadelphia out of the market. Other cities were able to pay more.

The city cut the length of maturity of its bond issue and reduced it to $17.5-million, from $30-million. Unfortunately, however, major commercial banks raised their basic lending rates just before the issue was to be sold, and so banks did not bid even for the smaller amount.

The school district was able to get short-term loans totaling $27.5-million, but it needs long-term funds.

Last Tuesday, the Pennsylvania Legislature raised the interest rate ceiling for local government bonds to 7 per cent for one year. The action, together with the change in the bond market last week, likely will enable the city to sell a $60-million bond issue now scheduled Oct. 21.

Furthermore, the city has a $65-million bond authorization up for approval on Election Day, Nov. 4, and the outlook for its passing is brighter. If it passes, the city will be able to keep its building program moving ahead next year.

"It's been a long, tough road," J. William Jones, director of information of the Philadelphia School District, remarked last week as he reviewed the year.

When Mr. Jones was driving from work last Thursday, he heard the news that the Senate Finance Committee had moved to maintain the tax-exempt status of municipal bonds. The news pleased him, he acknowledges.

If Congress votes down the House-passed proposals to change the traditional tax-exempt status of state and city bonds and if the Federal Government succeeds in its program to stifle inflation, the municipal bond market could be restored to better health.

Last week there were indications that both these developments could take place. It was still far too early to make such a forecast on both points with any real conviction, but bond market dealers and investors appeared to be toying with the idea a little more seriously, at least.

PANEL VOTES ON DELETION

On Thursday, the Senate Finance Committee tentatively voted to delete from the House-passed tax reform bill all provisions aimed at taxing the interest from state and local government bonds, Senator Albert Gore disclosed. The panel's action was nearly unanimous, the Tennessee Democrat said.

Earlier in the week, victory in the battle against inflation seemed more plausible after the Labor Department reported that unemployment had jumped half a percentage point in September—its biggest increase since 1960.

The bond market accepted the statistic as impressive evidence that the tight monetary policy instituted back in December finally is beginning to get results.

Bond prices rose and interest rates declined throughout the money and capital markets and the trend was evident in the municipal bond market even though the supply of new issues for sale was the largest since May. Normally, a large volume of offerings tends to push prices down and interest rates up.

INDEX MOVES DOWNWARD

The Bond Buyer yield index, the most commonly used gauge of tax-exempt bond interest rates, moved down to 6.14 per cent last week from 6.19 per cent a week earlier. In view of the $780-million of notes and bonds offered for sale, investment bankers found the slight decline in the index impressive.

Nevertheless, few finance men in Wall Street were willing to predict any runaway rise in municipal bond prices over the weeks just ahead.

For one thing, they are concerned that the House-passed version of the tax-reform bill may prevail when the Senate and House attempt to reconcile their differences in conference committee.

For another, investment bankers are well aware that some $2.5-billion of bond offerings have been delayed while the House worked out its version of the bill to reform taxes.

This heavy volume of disrupted financing was also caused partly by the Federal Reserve System's program to restrict credit conditions.

If rates decline, these blocked sales will be brought back to the market and that will tend to keep interest rates from declining as much as they otherwise would.

If the bond market is being restored to its former vigor, it isn't happening too soon. Last week alone, local governments from coast to coast continued to have their plans to build all sorts of new facilities blocked by the failure to sell bonds.

FRESNO CITY PLANS SALES

Fresno City, Calif., failed to sell $1.3-million of school bonds.

Hondo, Texas, could not sell $1.2-million of bonds Wednesday and will continue to conduct classes in a noisy auditorium to solve its overcrowded conditions.

Columbia, Mo., wanted $200,000 for its fire department and $4,575,000 for water and power facilities. Riverview, Mich., wanted $4,115,000 for a new community center. Carroll County needed $2.2-million for sanitary district facilities, Santa Clara, Calif., $1.35-million for sewers.

For these cities, all the arguments about taxing the rich who have avoided taxes appear academic. Because of Congressional proposals and inflation, these local governments have found it difficult to provide the facilities their citizens want.

It was the fact of disrupted financing plans that drove so many local government financial officials to Washington to protest the House-passed bill.

PROPOSAL HELD "REGRESSIVE"

Arthur Levitt, New York State's Controller, labeled "regressive" the proposal to tax investors in municipal bonds, and he said it would increase the borrowing costs in the state by $100-million a year.

"I cannot believe that the Federal Government's added revenue from the minimum income tax and the allocation of deductions combined would amount to anything more than a fraction of the total increase in state and local interest costs," the New York official stated.

Ivy Baker Priest, Treasurer of California, a state kept out of the bond market because rates generally exceed its 5 percent, has spoken out against the tax-reform bill. New Jersey Treasurer John Kervick found the House-passed bill "destructive."

William E. Simon, a partner of Salmon Brothers & Hutzler and chairman of the municipal securities committee of the Investment Bankers Association, presented the case against the bill for the men who underwrite municipal bonds.

After the decision of the Senate Finance Committee was announced Thursday, the Investment Bankers Association applauded the panel's action.

A spokesman for the association warned, however, that unless the Senate and, ultimately, the Senate-House conference committee act quickly to uphold the Senate Finance Committee's action "market conditions for municipal bonds will not improve sufficiently in the near future to permit states and municipalities to procure vitally needed funds."

In his testimony, Mr. Simon calculated that the issuance of taxable municipal bonds would push up the interest rates across the board by three-quarters of a percentage point.

The increased borrowing costs for states and cities would go up 1 percentage point, Mr. Simon predicted.

"This means an increased financing cost of at least $150-million per year, all of which hard-pressed states and municipalities will be forced to raise from taxpayers already groaning under the burden of state, local and Federal taxation," he said.

The Treasury has estimated that the municipal bond changes in the House-passed bill would produce $45-million in revenue.

Raymond J. Saulnier, professor of economics at Barnard College and member of President Eisenhower's Council of Economic Advisers, criticized the Tax Reform Act of 1969 as "seriously counterproductive" in its over-all economic impact.

Speaking of its effect on tax-exempt bonds, Dr. Saulnier declared: "One is impressed again and again that what we have here is a massive example of throwing the baby out with the bathwater—in this case a whole family of babies, with a few cups of bathwater."

As William F. Staats, economist for the Federal Reserve Bank of Philadelphia, warned in an article in the September issue of his bank's Business Review, "the reform package may not achieve desired objectives and may, in fact, have perverse impacts."

A CONSTITUENT'S VIEWS TOWARD AN HONORABLE SOLUTION TO THE VIETNAM CONFLICT

(Mr. SATTERFIELD asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. SATTERFIELD. Mr. Speaker, in view of the publicity that is being given to the "moratorium" which seeks an unconditional surrender in Vietnam, I have obtained consent to insert at this point in the RECORD a letter I have received from a constituent. I believe it reflects the sentiments of the majority of our citizens who do not seek to cripple our efforts to find an honorable solution to the Vietnam conflict:

RICHMOND, VA.,
September, 22, 1969.

HON. DAVID E. SATTERFIELD III,
House of Representatives,
Washington, D.C.

SIR: On August 22 of this year my 21-year old brother was killed in action in Viet Nam.

Since he didn't get back to express his wishes in such matters, I am writing for him and for myself, since our feelings are the same.

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He didn't like the Army, especially since he had just married and finished business school, and it prevented him from being with his wife and earning a good living.

However, he felt strongly that he owed his country two years, and he believed that our presence in Viet Nam is just.

If he were here, he would have two requests; so, I will make them for him.

Please do your best to see that the 33,000 men who have given their lives there didn't do so in vain. When my little girl, who loved her uncle very much, reads in history 15 years from now about the war, let there be a good reason for these men's deaths, let it have been a good cause, let them win.

Also don't let these draft dodgers who have left the country back in without receiving their due punishment, for they would be making a mockery of every man who has served this country in this or any other war.

We are a strong people and can do without this scum.

I realize you are only one man, but I know you will do what you can. Thank you for your time.

Very truly yours,

C. D. TAYLOR.

OCTOBER 15 MORATORIUM—BACKGROUND FOR AMERICAN REVOLUTION

(Mr. RARICK asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous material.)

Mr. RARICK. Mr. Speaker, the President of the United States has publicly announced that he has a duty to all of the American people, including the fighting men serving their country in Vietnam, and that he will not be intimidated by the rabble rousing tactics of loudmouths.

When public policy is made by mobs in the streets, anarchy prevails. Neither the President nor any other public official can countenance anarchy.

Continuation of the "moratorium," since it can have no effect on the public policy of the United States, must be for another purpose. For this reason it becomes more and more important to determine who are the true planners of tomorrow's proposed disloyalty. The current Don Bell report has performed a great public service in collecting, not from secret sources, but from public documents, the true story and the real names of the leaders—including identified Communists.

If these people are promoting peace it must be the Communist definition of peace—worldwide surrender to Communist tyranny.

I, for one, will not remain silent and allow my silence to be construed as condonation of betrayal.

So that our colleagues may have the benefit of this information, I include the Don Bell report and a news clipping which follows:

[From Don Bell Reports, Oct. 10, 1969]

VIETNAM WAR—BACKGROUND FOR AMERICAN REVOLUTION

(It often happens, too, both in courts and in cabinets, that there are two things going on together—a main plot and an underplot—and he that understands only one of them will, in all probability, be the dupe of both.—From Colton's "Lacon," published in 1820.)

(The following, which appeared in the Oct. 15th issue of "Newsweek," may have been overlooked, or its significance underestimated. We therefore quote at length from the article.)

MOBILIZING FOR "M-DAY"

The atmosphere on the eighth floor of 1029 Vermont Avenue, a nondescript office building less than half a mile from the White House, was frenetic—phones jangling, staffers scurrying from room to room, Very Important Persons drifting in and out. Surrounded by the paraphernalia of protest (mounds of antiwar literature, bumper stickers, "Work for Peace" buttons), Marge Sklencar, a 22-year-old political skirmisher who earned her stripes in the McCarthy-for-President campaign, placed long distance calls to former comrades-in-arms across the country. Long past midnight, another ex-McCarthy organizer spoke quietly into the telephone: "Hello, Reverend Brown? I'm Helen Shreves, the Western area organizer for the Vietnam Moratorium Committee." Then, scarcely giving Reverend Brown a chance to respond, she launched into her low-keyed pitch—a search for support for a nationwide demonstration on Oct. 15 designed to pressure President Nixon into immediate unilateral withdrawal of American troops from Vietnam.

Originally, Oct. 15 was to have been a campus-oriented protest involving a moratorium on normal academic activities. But it has quickly spread beyond the campus. And, if everything goes according to the evolving plans, the combination of scheduled events could well turn into the broadest and most spectacular antiwar protest in American history.

As of last week, at least, the protest was clearly gathering steam and speed, especially in the Northeast and on the West Coast. The big names of the antiwar Establishment (Harvard's John Kenneth Galbraith, MIT's Noam Chomsky, University of Chicago and CONY's Hans Morganthau) were rallying round—and more business and professional groups were being recruited with each passing day. "At first I thought it would flop," said David Mixner, one of the moratorium leaders. "I thought people were beyond this. But now I see it's going to be very successful. People have just had it with the war and they are willing to try just one more reasonable thing to stop it."

By the middle of next week—'M-Day'—the organizers of the event expect students on 1,000 campuses to turn out for the day-long protest. The demonstrations promise to be more or less standard antiwar fare—teach-ins in school auditoriums, fasts in school cafeterias, mass meetings in local football stadiums. Where the demonstrations spill off campuses, they will take on more dramatic overtones: massive afternoon rallies on the Boston Common and in New York's Bryant Park; a mock funeral cortege through downtown Milwaukee at mid-day; candlelight memorial services in small New England towns; a subdued vigil in front of the state capitol in Denver, Colo., during which the names of every one of the servicemen from Colorado killed in Vietnam will be read.

The idea of a nationwide moratorium originated in Massachusetts where a peace group called "Mass. Pax", headed by envelope maker Jerome Grossman, began casting around for ways to revitalize the antiwar movement. In short order, the idea reached Sam Brown, a one-time Harvard divinity student and the former chief student organizer for the McCarthy campaign. Brown in turn called in David Hawk of the National Student Association, one of the original students in the McCarthy entourage. In mid-June, Brown and Hawk opened a small office in Washington and quickly set to work laying the groundwork for the Oct. 15 moratorium.

Since then, the pace has picked up considerably. The original shoestring operation has spread across the entire eighth floor, and the handful of organizers has mushroomed into a general staff of 31 full-time workers and a network of some 7,500 adult organizers from coast to coast. Their efforts have produced a flood of contributions—from $5 and $10 bills to checks as high as $1,000. "We're seeing one of the benefits of the McCarthy campaign," explained Mixner, himself a veteran of the McCarthy movement. "You call four people in Iowa, and you don't have to tell them what to do. They know how to organize, get up literature, deal with the press, rent halls. They know how to handle it."

The Oct. 15 moratorium, however, is only the beginning. Brown and company plan to escalate their war on war with a two-day moratorium in November and a three-day demonstration in December. A more radical group, committed to the October protest, the New Mobilization Committee to End the War in Vietnam, is organizing a massive march in Washington to augment the November moratorium effort. Even with all this activity, the antiwar movement is concerned about maintaining its movement. But Adam Walinsky, a former legislative assistant to Robert Kennedy and the New York coordinator for the Oct. 15 moratorium, vows that the protestors will not be appeased by announcements from the White House of additional troops withdrawals. "Doses of sugar candy are not what the moratorium is about," Walinsky said last week. "This is everybody's war. We are all in it and we will have to work to stop it."

(End of article in Oct. 13 *Newsweek*.)

In reading the preceding article, one gets the general impression that this is a more or less respectable assemblage of "doves" who are doing nothing more dramatic than invoking and acting upon the First Amendment "right of the people peaceably to assemble, and to petition the government for a redress of grievances." Hence, *Newsweek* lists only those who might be classified as "respectable" leaders of this movement.

Newsweek refers to an activist group which it says is cooperating with the Vietnam Moratorium Committee, a group calling itself *The New Mobilization Committee to End the War in Viet Nam*. The name being a mouthful even for a pseudo-intellectual, it is generally shortened to *New Mobe*.

What *Newsweek* does not tell us is that *New Mobe* occupies the same offices as the VMC (Vietnam Moratorium Committee). The two organizations, one of them "respectable" and the other Maoishly militant; use the same telephone number, the same staff, hand out the same literature.

While the steering committee of the VCM is composed of McCarthyites, the New Mobe steering committee includes such people as:

Arnold Johnson, public relations director for the U.S. Communist Party;

Irving Sarnoff, a 5th Amendment Communist;

Sylvia Kushner, an activist in her own right and for many years the wife of Sam Kushner, Los Angeles editor of the *People's World* and at one time a member of the Communist Party's National Committee.

Otto Nathan, another 5th Amendment Communist;

Dave Dellinger, now being tried in a federal court in Chicago on grounds of violating the U.S. anti-riot law during the 1968 Democratic National Convention.

Rennie Davis, also being tried in Chicago on charges same as above;

Fred Halstead, an avowed Trotskyite;

Robert Greenblatt, who went to Paris in 1968 bearing a letter of introduction from Tom Hayden to North Vietnamese Col. Lao who is a dignitary at the so-called Paris Peace Conference. In the letter Greenblatt was hailed as a trusted worker, the letter ending with this wish for Col. Lao: "Good fortune! Victory!"

Commenting on this bedfellowship, *Human Events* of Oct. 11, reports:

"While the VMC itself is not Communist-controlled, it nevertheless is working hand-in-glove with 'New Mobe', whose steering committee is rife with Communists and pro-Communists. . . . the ironically named David Hawk, a leader in the VMC, appears on the steering committee of 'New Mobe.'

"VMC leader Sam Brown, moreover, holds vigorous anti-American sentiments. . . . Yet, despite the ideology of the protest leaders, despite the fact that 'New Mobe' and its affiliates are making common cause with the Communists and the Viet Cong, the leadership in the Democratic party has elected to join the 'peace movement'. . . . In brief, the Democratic party which sent American boys to die in Viet Nam to prevent South Viet Nam from being taken over by the Communists, would now join the Communist-endorsed and infiltrated peace movement to achieve a Communist objective: the Communist conquest of South Viet Nam caused by a precipitous withdrawal of U.S. troops."

(What *Human Events* neglected to mention is the fact that the Democrats are no more guilty than the Republicans in this respect: the *liberal* Democrats—not the Democratic Party as such—are promoting this Moratorium. By the same token, the Republican Party's liberal Ripon Society is also backing the moratorium. If *Human Events* wants to accuse the pot, it should also mention the kettle, else its readers may be brainwashed into believing that all Democrats are Red, that all Republicans are White, and that some of the latter are also true Blue.)

MAIN PLOT AND UNDERPLOT

Three target dates are established:

Oct. 15—one day of protest;

Nov. 15—two days of demonstration;

Dec. 15—three days of antiwar activity.

Since we are writing before the events, it would be foolhardy to predict what may happen when 1,000 campuses are being used as virtual battlefields. But we should like to repeat the quotation with which we began this letter:

"It often happens, too, both in courts and in cabinets, that there are two things going on together—a main plot and an underplot—and he that understands only one of them will, in all probability, be the dupe of both."

In this instance, the main plot is to get us out of the Vietnamese war. There is but little doubt that almost every American is sick and tired of this foreign struggle, and is eager to end the Vietnamese involvement as soon as possible, and with honor if that is still possible. No longer are the facts hidden from the Average American: (1) It was wrong for us ever to enter this war by Presidential Proclamation, and without clear and unmistakeable declaration of a state of war by the Congress of the United States; (2) It was wrong, once having entered the war, not to have fought and won it in a matter of weeks or months, not years; (3) It was wrong to adopt a no-win policy for economic reasons; (4) It was wrong to permit the war to become a political football; (5) It was wrong for many other reasons, not the least of which having to do with the killing and maiming of over a million American men for no purpose consistent with the best interest of the country or of its citizens.

Every patriotic American will agree with James Madison, who wrote in 1795:

"Of all the enemies to public liberty war is, perhaps, the most to be dreaded, because it comprises and develops the germ of every other. War is the parent of armies: from these proceed debts and taxes: and armies, and debts, and taxes are the known instruments for bringing the many under domination of the few. In war, too, the discretionary power of the Executive is extended; its influence in dealing out offices, honors, and emoluments is multiplied; and all the means of seducing the minds, are added to those of subduing the force of the people. . . . (There is also an) inequality of fortunes, and the opportunities of fraud, growing out of a state of war, and . . . degeneracy of manners and of morals. . . . No nation could preserve its freedom in the midst of continual warfare.

"The Constitution expressly and exclusively vests in the Legislature the power of declaring a state of war . . . the power of raising armies . . . the power of creating offices. A delegation of such powers (to the President) will strike, not only at the fabric of our Constitution, but at the foundation of well organized and well checked governments. The separation of the power of declaring war from that of conducting it, is wisely contrived to exclude the danger of its being declared for the sake of its being conducted. The separation of the power of raising armies from the power of commanding them, is intended to prevent the raising of the armies for the sake of commanding them. The separation of the power of creating offices from that of filling them, is an essential guard against the temptation to create offices for the sake of gratifying favorites or multiplying dependents."

Liberals and present day politicians would not subscribe to James Madison's reasons for dreading war, but they, too, are against the Vietnamese war, for different reasons. So: almost everybody wants to get the war ended and get the boys home.

But—to use the Vietnam antiwar sentiment to stir up an American Revolution is the most abominable political trick ever perpetrated upon the American people!

Because ending the war is a popular cause, gullible and sentimental people who seldom look beneath the surface before leaping, will be out in full force to support the protests, demonstrations, and activities of Oct. 15, Nov. 15, and Dec. 15. And leading and directing them will be communists and socialists, nihilists and Trotskyites, anarchists and revolutionaries of every hue.

By appealing first to the campuses, the *New Mobe* enlisted a bewildering assortment of student and youth protest organizations who await but an invitation or an excuse to go into their acts of destruction and spoliation. To name just a few, there are the Third World Liberation Front, the Progressive Labor Movement, the New Left Forum, W.E.B. DuBois Clubs, Students for a Democratic Society, Young Socialist Alliance, Young People's Socialist League, Student Non-Violent Coordinating Committee, the Technocrats, SLATE, Advance, the Trotskyites Social Workers, the Black Panthers and other black militant groups, and dozens of others.

These protests don't just happen. As *Newsweek* indicates in the article quoted at the beginning of this letter, there is careful planning, the gathering of a staff of expert agitators to direct the movement, appeals for money to finance the operations, and always there is the *underplot* with aims entirely different from the stated objective; which in this case is to end the Vietnam war—while the underplot promotes anarchy, revolution, destruction of society and the eventual creation of a Socialist Dictatorship.

Listen to the radical Saul Alinsky, as he teaches the first crop of *Robert F. Kennedy Fellows,* a newly formed group of young activists, specially selected and specially financed with Kennedy Foundation money: "In the world as it is, man moves on the basis of self-interest and not on the basis of mythical ideals. Those come later as justification. Try to organize people around things, not issues; around their self-interests, not around what is right or wrong. People do the right things for the wrong reasons. So one of the things an organizer tries to do is look for the wrong reasons. . . . Never once have I approached a priest or minister or rabbi on the basis of Judaic-Christian principle because to do so would be to go outside their experience. As for businessmen, I could persuade a capitalist on Friday to bankroll a revolution on Saturday that will bring him a profit on Sunday, even though he will be executed on Monday. Even though he will be executed, he can't pass up that Sunday profit. . . . Reconciliation is when you get power and the other guy gets reconciled to it." (Quotation from an article appearing in the *Washington Post* of Sept. 22, 1969).

This is what these organizers of protests are taught to think of, and do to, the gullible but warm hearted and well meaning people who contribute money and time to such protest movements as the antiwar rallies. "For there is no faithfulness in their mouth; their inward part is very wickedness; their throat is an open sepulchre; they flatter with their tongues" (Psalm 5:9). They "are like unto whited sepulchres, which indeed appear beautiful outward, but are within full of dead men's bones, and of all uncleanness" (Matthew 23:27).

Because we all detest the Vietnamese war, it seems good and patriotic to join in an antiwar movement. But, before lending yourself to any mass movement, *look beneath the surface*. The road to hell still is paved with good intentions, and hell is filled with those who believed a lie.

[From the Washington Sunday Star, Oct. 12, 1969]

Four Moratorium Leaders Are Headquartered Here

There are four major leaders of Wednesday's Vietnam Moratorium activities headquartered here. The four are:

Sam Brown, a Harvard University fellow. Brown had been one of the principal organizers of college students and other young people for Sen. Eugene McCarthy, D-Minn., in last year's presidential campaign. Brown, 26, was born at Council Bluffs, Iowa; attended the University of Redlands, Rutgers University and Harvard Divinity School. He was a Kennedy fellow at Harvard.

David Hawk, 26, born in Allentown, Pa., attended Cornell University and Union Theological Seminary in New York City. Hawk worked in the college student movement for McCarthy, and was active in the antidraft programs of the National Student Association. He currently is awaiting trial in Scranton, Pa., for refusing induction into the Army.

Marge Sklencar, 23, was born in Milwaukee, studied government and history at Mundelein College, Chicago. She also worked in the McCarthy campaign, and has taught second grade in a Chicago school.

David Mixner, 24, a native of Bridgeton, N.J., attended the University of Maryland and Arizona State University. He has been a union organizer, and handled McCarthy campaigns in Georgia and Texas.

The Moratorium Committee has its headquarters in eighth floor offices of a building at 1029 Vermont Ave., NW.

DEFENSE DEPARTMENT STANDS ON WEAK BUDGET CRUTCH IN CUBAN MIG SITUATION

(Mr. ROGERS of Florida asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ROGERS of Florida. Mr. Speaker, since a Cuban Mig fighter plane penetrated American airspace and landed at an Air Force base last week, the military has been using the budget as a crutch to explain away the fact that the Southeastern part of this Nation is obviously vulnerable to attack or invasion.

But once again, it appears that this crutch is a weak one at best. Even this excuse is another example of penny wise and pound foolish philosophy which has pumped the Defense Department budget to $80 billion, yet which leaves me wondering just how effective our defenses really are.

The Pentagon told me yesterday that it costs approximately $1.9 million per year to fly and maintain an EC–121 aircraft which was used as an air picket in the Straits of Florida. This includes, I was told, personnel, spare parts, and every other phase of the operation of this plane. That means that the three planes used on picket patrol cost a total of $5.7 million. I do not think that is too great a price to pay to insure the security of Florida and the Southeastern United States.

There are many areas I feel are less important than the actual defense of this Nation. If a Cuban plane can fly undetected into an Air Force base, then the defense of this Nation is not very complete. Indeed, it casts a shadow on the entire defense system of this Nation.

There is a second point which should be made here. We have heard over and over again—starting years ago when a crop duster flew from Cuba to Florida undetected—that radar is unable to pick up low-flying aircraft.

This is only partially true. Existing radar cannot do the job, as witnessed by the Cuban Mig situation. But industry has a radar system which can, if installed in Key West for example, pick up a Mig-sized plane or missile, from the runway in Havana when it takes off.

The Navy is now conducting tests on this system, but the Air Force cut its funds which were earmarked for this project.

I have been told that the installation of such a radar system at Key West would cost about $3 million.

Written reports say that, indeed, there were two Mig's headed for Florida and that one turned back. The Pentagon said this morning they do not know of a second Mig. But, of course, they did not know about the first Mig until it landed. I have urged that the House Armed Services Committee will investigate this matter in the immediate future, at which time I hope this question mark will also be resolved.

At this time, I include in the RECORD an editorial from the Miami Herald and the Pompano Beach Sun-Sentinel which points out the concern of south Florida citizens in this matter:

BILLIONS FOR DEFENSE—BUT NO WATCH ON CUBA?

To support the mightiest defense system the world has ever known taxpayers of the United States will be asked this fiscal year for $76.6 billion, a sum which is 40 per cent of the whole federal budget.

For all of this might and all of this money, however, the defense establishment appears unable to man the only frontier where an avowed enemy—if only a feeble one—sits close at hand.

On Aug. 21 Defense Secretary Melvin Laird announced that spendings for Air Force training and other flights not connected with Southeast Asia would be reduced by a sum later estimated at from $35 million to $50 million. The cuts took effect last Friday.

On Sunday the Air Force ceased its 24-hour picket patrol of the Florida Straits opposite Cuba, grounding two of three surveillance planes and sending a third on nine-hour random missions.

That same day a Russian-made MIG jet fighter with Cuban markings skimmed over the water from Cuba and asked to be allowed to land at Homestead Air Force base. We are told the pilot claimed political refuge.

On that day President Nixon's Air Force One was parked on the Homestead strip and the President himself was in temporary residence only a few miles away.

The Cuban plane was not identified by radar or otherwise until it was within seconds from Homestead AFB.

We cannot believe, as some have suggested, that this event was contrived to persuade the taxpayer he was treating the military establishment with untoward stinginess.

If deliberate economy was the excuse for failing to man the battlements, however, it is even stupider than a staged act of poverty. Had the pilot of the Cuban plane intended something other than defection the country could have been at war Sunday afternoon.

Perhaps this hypothesis is farfetched, but it has not escaped the minds of concerned Floridians and many Americans elsewhere. Ground radar cannot "see" beyond the horizons. Picket planes can detect any movement near the surface. Since every military pilot knows that extreme low altitude can escape ground radar, higher altitude surveillance is mandatory to any coastal system of defense.

We suppose that the picket planes are back on patrol—belatedly. Pearl Harbor, too, has been restored.

Who is responsible for this bureaucratic folly? We trust that Congress will find out. He, or they, ought to be drummed out of the Air Force.

THE NEED TO SUPPORT THE PRESIDENT IN HIS EFFORT TO ACHIEVE PEACE IN VIETNAM

(Mr. EDWARDS of Alabama asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EDWARDS of Alabama. Mr. Speaker, tomorrow's demonstrations in protest against the war will no doubt continue to receive ample coverage in the news media. And, no doubt, many superlatives will be used in describing the goings-on, such as, "the largest" or "most effective" or "most far-reaching"—in the typical fashion of the modern-day journalism.

But what worries me is that despite President Nixon's disclaimer that he will be unswayed by street demonstrations, the press and other news media will interpret every action he takes toward peace in Vietnam as a response to this moratorium. Already such indications are being given. They are saying that the withdrawal of troops was a "token" effort to stave off protest demonstrations; that cancellation of the draft for November and December and reinstatement of the Johnson-removed, end-of-year graduate student deferrment were mere numerical ploys tossed to the college-age protester; that the announcement of a changed status for General Hershey and a meeting with top Vietnamese war advisers were last ditch efforts to take the steam out of the moratorium tomorrow. The press never once mentioned that maybe these actions were in fulfillment of President Nixon's pledge to end the war as fast as possible. The press just has not given the President credit for any initiative in his efforts to find a just peace.

And now the White House has announced that the President will address the Nation on November 3 to discuss the state of the war in Vietnam at that time. No doubt, whatever he says then, will be construed as a response to the moratorium of October 15 and an effort to forestall the planned March on Washington scheduled for November.

What is the matter with some of our people today? Have we lost faith in the American principle to give credit where credit is due? Or is it just that it is more fashionable to criticize the President than to congratulate him.

As I have said before, I firmly believe the President is making every effort to bring this terrible war to a swift and honorable conclusion. I hope that all Americans will realize the need to support this effort.

THE ENEMY WITHIN

(Mr. WYMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WYMAN. Mr. Speaker, whether we like it or not, the United States is at war with Vietnam, declared or undeclared. We have half a million troops there fighting for their lives, being attacked by a Communist enemy, mortared, sapped, mined, booby trapped, poisoned. It is a serious business.

President Nixon did not send these men to fight in Vietnam. He wants to get them out of there. But he knows that they cannot be withdrawn without a commitment from the enemy not to attack while American forces grow ever smaller. Lacking such a commitment, God save the last 100,000 Americans left in Vietnam.

Meanwhile, here in the relative safety of the United States, those who should know better, including some who are in a position of public elected office, seek further domestic unrest by supporting the so-called Vietnam moratorium protest tomorrow, which, of course, merely encourages the enemy to believe that if they wait long enough the Americans will withdraw without a commitment.

Mr. Speaker, such activity when America is at war is not mere dissent. It is awfully close to subversion. It certainly is aiding the enemy in time of war. It is contemptible, whether the actor is a yippie from Haight-Asbury or a Member of the Congress of the United States.

The record should show now, today, before tomorrow, what is going on here. Dissent is one thing. Undermining the President of the United States while he is attempting negotiations with an enemy government with whom the United States is at war is quite another.

Mr. Speaker, no one wants this war. No one in his right mind wants Americans to continue to die in Vietnam. We all want out of there. The Commander in Chief is trying his level best to obtain the necessary commitments from a determined and attacking enemy to get us out of this tragic situation. But, Mr. Speaker, you cannot simply withdraw—lock, stock, and barrel—when you are under attack or you invite slaughter. Those who urge a precipitous course of wholesale retreat would take Americans down that road.

Such action should be recognized nationwide for what it is—outright political expediency tainted with timidity and outrageously harmful to our country. If this be the portent of leadership in tomorrow's United States, then our legacy from America's Revolutionary heroes has been lost indeed.

Mr. Speaker, I do not believe it has been lost. I believe the overwhelming majority of Americans support President Nixon in his efforts to resolve the Vietnam impasse honorably and I am convinced that they deplore tomorrow's exercise in infamy masquerading as dissent that is, in fact, inspired and directed by the enemy within.

LEGISLATION INTRODUCED TO PROVIDE FOR THE FISCAL YEAR OF THE UNITED STATES TO COINCIDE WITH THE CALENDAR YEAR

(Mr. MICHEL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. MICHEL. Mr. Speaker, on October 7 I introduced legislation to provide that the fiscal year of the United States shall coincide with the calendar year. After my statement our colleagues, Mr. HOLIFIELD and Mr. Bow and I engaged in a colloquy during which we agreed on the need for some improvements in the current procedures for handling authorizations and appropriations bills.

Because of the interest expressed to me by other colleagues I sent a letter to the entire membership asking for cosponsors and I am happy to report that 27 Members have responded indicating their desire to support this approach and I, therefore, offer this proposal again in conjunction with these cosponsors. In addition I expect to contact all 50 Governors as well as mayors of some of our larger cities asking for their comments and views regarding this proposal.

At this point in my remarks I would like to insert a statement by Secretary of the Navy, Samuel L. Southard, written in 1825. The situation he describes in that long-ago era certainly applies now and his words could have been written today:

STATEMENT BY SAMUEL L. SOUTHARD

One of the most serious inconveniences under which the Department labors in the administration of the concerns of the navy, is the time at which the appropriation bills are passed by Congress. They are passed, in the short session, late in February, and, in the long session, generally in May, so that, during a period of from one-fourth to a third of the year, the Department is left without funds previously appropriated, and must, of necessity, permit expenditures not yet legally authorized. Another evil results: It is the will of Congress often to change the wording and character of the appropriation, and, after the bill is passed, it is a month or six weeks before the instructions under the new appropriation can be given to and acted upon by the agents. It consequently follows, that for nearly one-half of the year, the Department acts in perfect ignorance of the law under which it is bound to act. Expenditures are made, under one form, when they ought to have been made under another. The law is, necessarily, not complied with, because it is passed after the act is performed. Infinite confusion is created in settling the accounts, and it is impossible for any talent or any industry ever to have them rendered and settled, in that plain and simple manner in which they ought always to be exhibited if any efficient control is to be had by Congress or the Department, over that branch of the service. The accounting officers do all that capacity and labor can accomplish, but they cannot settle an account according to the forms of a law not yet in existence; nor can they, every year, alter the items, open new books, meet the errors resulting from this cause, in accounts transmitted from a distance, and yet settle the accounts of the year within the year.

VARIOUS CONTROLS OF DANGEROUS AND ADDICTIVE DRUGS

(Mr. KYL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KYL. Mr. Speaker, we are currently studying various controls of dangerous and addictive drugs. No one kind of control is going to achieve our purpose. First, we must mount a realistic education program for all segments of the population. It is important that this educational material include the realization that there are psychological causes of addiction and that in very many cases, drug use is symptomatic of deeper psychological problems.

New laws must be extremely tough on the commercial seller, but must give consideration to the fact that there are varying degrees of guilt below that category of purveyor.

The public must offer treatment of addicts through private efforts and government expenditures. Larger government spending can be justified. In the Nation's Capital, there were 46 percent more robberies the first 6 months of 1969 than there were last year in the same period. A study of D.C. jail inmates shows that nearly one-half of the prisoners are addicts. If the estimated 10,000 addicts in the area must each steal at least $50 a day to support their habit, it is easy to explain the increased robberies. It can also be said that this total expenditure for drugs exceeds the entire District of Columbia budget. We cannot equate these costs dollar for dollar, but the figures do represent not only dollar figures but also social costs, danger to victims, and human misery.

Narcotics control is a most important part of general crime control, from street crime to organized syndicates. Smaller cities across the Nation note increasing "on the street" solicitation for prostitution, caused in large part by need for funds to buy drugs. Narcotics are part and parcel of many organized crime syndicates.

It may be necessary to give addicts a choice of penalty or treatment. Present treatment facilities range from none to inadequate. We need much more research on treatment methods. Widely heralded methadone is certainly not a panacea for drug ills.

So far as I am personally concerned, case histories indicate clearly that we must stop excusing the use of certain nonaddictive drugs as harmless. Almost without exception, the heroin users I have had a chance to study started on the so-called harmless drugs, and in many cases they continued to use them as supplements to the addictive drugs.

SUPPORT FOR PRESIDENT NIXON'S VIETNAM POLICY

(Mr. NICHOLS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. NICHOLS. Mr. Speaker, I rise today to add my support to President Nixon in his efforts to bring about an honorable and lasting peace in Vietnam. No one wants to see this war ended more than I do yet I cannot agree with those who advocate a "Peace at any Price" policy.

Although the news media is playing up the antiwar demonstration planned for tomorrow, I firmly believe that the vast majority of the Members of Congress and citizens of this great Nation support the President as I do. A small percentage of the Members of Congress will make speeches tomorrow, a small number of congressional staff members will hold their vigil and a small percentage of the people of our country will demonstrate in their own way. They will receive the attention of the news media. The rest of us who constitute an overwhelming majority in this country, will go about our daily business and will be the forgotten Americans.

While there is no organized effort to show support for the administration, I would hope that each community and each individual might, in his own way, express to President Nixon and to our fighting men in Vietnam, his true feelings. This could be done in a very small way such as turning on car lights, as someone has suggested, or displaying the American flag or just simply stopping for a moment during the day and saying a little prayer for our servicemen and for those who must make these important decisions.

My own hometown of Sylacauga, Ala., has declared tomorrow Patriotism Day. No special program has been planned but flags will be displayed and each individual will acknowledge the day in his own way.

Mr. Speaker, my further sentiments concerning tomorrow's antiwar demonstration is contained in an article by David Lawrence which I insert in the RECORD at this point:

SURRENDER DEMANDS

WASHINGTON.—For the first time in American history, some members of Congress as well as a number of protesting groups are demanding that the United States run up the white flag and yield to the enemy in Vietnam after many American lives have been sacrificed for a great principle—to repel aggression and aid weaker nations to determine their own destiny.

No public-opinion poll has directly asked the question whether the American people favor surrender. The customary queries have been whether the war is being handled properly or if it should be brought to an end, without reference to how this could be achieved. The issue has not been clearly put to the people. If it were, undoubtedly Americans would reject any humiliating policy amounting to "peace at any price."

NO CONDITIONS

Resolutions are being offered in Congress and are being supported by various organizations which plan "demonstrations" in many cities on October 15 to insist that the United States make peace at once. Not a single one of these proposals requires as a condition any reciprocal action to be taken by the North Vietnamese. In Paris this week, both North Vietnam and the Viet Cong have deliberately ignored peace efforts made by the United States, and are offering no concessions whatsoever.

The forthcoming "protest day" in the United States—next Wednesday—is being hailed by the Communists as a sign that the American people are willing to surrender. Seventeen senators and 47 House members are supporting the projected "demonstrations."

The chief American delegate at Paris, Henry Cabot Lodge, has been pleading in vain for talks that would accomplish constructive purposes, but the opposing delegations at the Paris conference have been turning a deaf ear. The negotiators of the North Vietnamese government instead are placing great hopes on the signs of American opposition to the war. One of the Hanoi representatives says that support is snowballing in the United States in behalf of the Communists.

Almost every week some members of the Senate and the House call for a more and more rapid pullout of American forces by President Nixon, but not one of them imposes any condition on the enemy to take the action necessary to assure peace in South Vietnam. Timetables are being specified by senators for the withdrawal of the American troops, yet no stipulation is made that the enemy must also remove its military forces from South Vietnam.

Meanwhile, there is much talk about a "coalition government" being set up which could replace the present government in South Vietnam and make it easy for North Vietnam to move in and assume command. Secretary of Defense Melvin Laird recentlv stated President Nixon's policy as follows:

"We hold firmly to a single objective for Vietnam: Permitting the people of South Vietnam freely to determine their own destiny. We want peace as speedily as possible, but we cannot acquiesce to a peace that denies self-determination to the South Vietnamese."

The advocates of peace at any cost would, in effect, allow the South Vietnamese government to be destroyed. Yet it has mobilized a large army, and what some members of Congress seem to be asking is that this force surrender to the enemy.

DIFFERENT WORDING

A Gallup poll recently showed 52 per cent approval when the question concerned "the way President Nixon is handling the situation in Vietnam." One wonders how much bigger the percentage would be if an answer were obtained on the following question:

"Do you want the United States to surrender in Vietnam, and thereby ignore the sacrifices that have been made by tens of thousands of troops of the United States and our allies who have been killed or wounded in an effort to protect the right of peoples to select their own form of government?"

All the so-called "antiwar" statements being made inside and outside the Congress are unquestionably encouraging the North Vietnamese and the Viet Cong to prolong the war. If this fact, which has been stated by high authorities, were to be reiterated and made plain to the American people, they would surely not support any resolution in Congress that could mean surrender. For to do so would tell the Soviets and the Red Chinese that America would no longer help countries to resist aggression whether in Asia, Europe or Latin America.

AN HONORABLE SOLUTION TO THE WAR

(Mr. SCHADEBERG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHADEBERG. Mr. Speaker, it is with a sense of sadness, rather than one of anger, that I view the plans of some Members of the House of Representatives to keep the House in session through this night and up until the time of tomorrow's session. I certainly would not deny the right of any Member of this House to speak about a subject with which I may violently disagree, for the simple reason that this would prevent meaningful dialog in the House Chamber and would censor the legislative process that keeps the people back home informed about matters that concern them. While I would not judge the motives of the Members who are staging the all-night session, it appears to me that what is unsaid, will have far more importance and long range effect than what will be said. There is no valid reason for keeping the House in session for 22 hours after the business of the day in order to support the national strike that is taking place tomorrow.

Mr. Speaker, the efforts of these Members in keeping the House open throughout the night will have the effect, whether intentional or not, of making it look like this legislative body is in support of attempts being made through the national strike to label the war "Nixon's War," and making it appear that we as a body favor the Communist demand that we unilaterally withdraw our troops immediately. For us to lend such support will be to take a position without regard for the safety of the American men presently in Vietnam, without regard for the blood bath that will surely follow the creation of a power vacuum on the battle field resulting from unrealistic withdrawal procedures, and without providing necessary protection of the citizens of South Vietnam.

Our President is taking the most realistic and practical approach to this war at his disposal. His actions reflect the will of the majority of the American people to de-Americanize the war. The President cannot in good conscience allow himself to be affected by the demonstrations planned for tomorrow or to allow Government policy to be made in the streets by those who bear none of the responsibilities of the alternative they choose. I therefore submit that the Congressional support for the demonstrations set for tomorrow will be to support the proposition that those persons with the loudest voices and with the best slogans will be able to determine public policy. This is not in keeping with the legitimate processes of the democratic republic. It is anarchy.

Mr. Speaker, argument is made that to deny any person to speak on the floor of the House concerning the Vietnam war would be to deny him the right to express his views on this situation. I submit however, that these Members of Congress have been making their statements about Vietnam with freedom every day for the past number of years and I see no indication that they will not be allowed to continue to do so in the years ahead.

I support the President in his attempts to bring about an honorable and lasting solution to the war without surrender to the enemy.

VIETNAM

(Mr. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BLACKBURN. Mr. Speaker, of course my topic is the same as that of many others who have spoken here and that is the subject of Vietnam. I want to make this observation.

Many of the people who are participating in the demonstration tomorrow are well intentioned. But I equally suspect that many of them are not well intentioned but that their purpose is to undermine the very security of the United States by forcing us into an impossible position in our international relations.

But I ask those who are participating to keep in mind, it is not the intention behind our actions but it is how our actions are accepted that is important. The leaders in Hanoi have made it very clear that this demonstration is being interpreted by them as support for a Communist victory in Southeast Asia.

Look for a moment at the position of the leaders in Hanoi. Their armies have not won a major battle in 3 years. Their venerated leader, Ho Chi Minh is no longer available to them to give inspiration to the people in North Vietnam, or to many sympathizers in South Vietnam. Their chief suppliers of weapons, the Chinese and the Russians, have seen fit to engage in actual combat on their adjoining borders. General Giap has admitted the loss of over 500,000 of their finest troops.

Indeed it would be a very dismal picture that presents itself for the leaders of North Vietnam. There is only one source of hope for the Communist leaders and that is the continuing demand in the United States for an immediate and complete withdrawal of American forces. Those who are participating in the demonstration tomorrow are giving the North Vietnamese the only source of hope still available to them and that is the prayer that American determination in Vietnam will collapse.

Mr. Speaker, I, for one, do not stand for such a withdrawal—I stand behind my President and I stand behind my country. Let the leaders in North Vietnam not be mislead by the noise of the few but but let them be aware of the steel and strength in the hearts of the many.

OCTOBER 15 STUDENT DEMONSTRATIONS

(Mr. FOREMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FOREMAN. Mr. Speaker, unfortunately, the demonstrations of October 15 demanding a "peace moratorium" is another one of these steps that lends heart to the enemy and undercuts the President's efforts in seeking a meaningful, honorable end to the Vietnam war. I would hope those well-meaning persons involved would seriously consider what they are doing to hurt our chances for peace, prolong the war and actually lose more American lives.

Nobody wants the war ended more than I do—or more than most Members of Congress. Students have no monopoly on a love for peace. Many of the so-called older generation have been through a war and know its horrors. But this does not mean we favor complete surrender, which seems to be the line many of the students are taking. America never has run up the white flag in the face of defeat. Neither do we sympathize with the cause of the North Vietnamese aggressors which many of the students seem to, and finally, neither do we advocate the betrayal of our allies.

As President Nixon so ably stated:

> On October 15, many are simply saying: "I am for peace." I ardently join with all Americans in working toward that goal . . . but the road is not easy. It is not simple. There is no problem to which I have given more of my time and thought. For nine months, we have worked every day for a just end to a conflict which has been building for more than eight years. We have drastically altered the policies we inherited. We are on the road to peace. The policies we are now following reflect our own best judgment, based on exhaustive study of all the available evidence, of how to achieve that goal. To abandon that policy merely because of a public demonstration would therefore be an act of gross irresponsibility on my part.

Whether we wholeheartedly agree with it or not, there is a new direction in the war in Vietnam. Consider carefully the facts:

In 1960, at the end of the Eisenhower-Nixon administration, there were only 793 Americans in South Vietnam, and in an advisory capacity only.

In 1963, when Johnson took over from the Kennedy administration, there were over 25,000 Americans in Vietnam, driving tanks, flying planes, and actively engaged in the conduct of the war.

In January 1969—8 long years later—when the Nixon administration assumed the reins of Government, there were 549,500 Americans doing the fighting in the mud and swamps and jungles of Vietnam.

Now, after less than 9 months in office, Nixon has initiated a program of turning this war over to the South Vietnamese themselves—helping them to help themselves, to defend their own country and fight their own battles—and the American troop level has been reduced to approximately 511,000, is reducing every day, and should be down to 484,000 by December 15.

The President has very substantially reduced the number of our men who are directly exposed to the possibility of enemy casualty and that's why our casualty rates are dropping—in fact, we have comparatively few troops now exposed to enemy fire, and there will likely be only very few so subjected by the end of the year. However, the United States will probably need to maintain some support forces and Air Force strength there for some time yet.

Basically, there are three primary options in Vietnam:

First. Continue the endless-winless, vacillating conflict as during the previous 8 years,

Second. Utilize our air and other military superiority to win this war promptly, or

Third. Turn the war over to the South Vietnamese to do their own fighting and proceed with an orderly withdrawal of our troops as rapidly as possible.

While the second alternative has been my first choice and recommendation, I will support any honest effort to end this costly, deathly, destructive conflict, and I will continue to work with the Nixon administration toward such a goal. Rather than continued dissension and protest, our countrymen need to demonstrate bipartisan determination and resolve to support our national administration in seeking an honorable end to this war.

VIETNAM DISENGAGEMENT

(Mr. MOSS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MOSS. Mr. Speaker, I am today introducing a resolution which would express the sense of the House that because of the unequivocal statement of the President of the United States a military victory is neither possible nor sought in Vietnam, it becomes incumbent upon us as a government to act to bring about disengagement at the earliest possible moment.

Mr. Speaker, so long as doubt remained as to whether this Nation would seek an end to its engagement in Vietnam through negotiations or through a dominance of military power, it was appropriate to continue to build and utilize military forces of the United States. However, the decision of the President requires the Vietnamization of the war at the earliest possible moment. Obviously this cannot be fully accomplished with the presence of major American military units in the country. Accordingly, the resolution I have introduced would express that sense of the House. I include it herewith:

H. CON. RES. 581

Resolved, The House of Representatives of the United States takes cognizance that:

(1) It is the duty of the House of Representatives to give expression to its concerns and to so inform the Public and the President. In view of the continuing war in Vietnam, the exercise of such responsibility is the highest form of service to be performed.

(2) The war in Vietnam was caused by no one man and no one party, but it is the responsibility of all men and both parties to bring the war to an end. In the past five years, some forty thousand American soldiers have died. Since the beginning of this year, more than eight thousand American fighting men have been killed. In light of the thousands of lives being lost, there can be no moratorium on discussion and no halt to the necessity for leadership in terminating further American participation in the combat.

(3) The President has taken a step in the right direction by his announced withdrawal of sixty thousand American troops. But this is only a small beginning to what must be done to extricate the United States from this war. At the present rate of withdrawal, American troops will be engaged in Vietnam for the next eight to ten years. The policy of the United States can no longer wait upon the pleasure of either Saigon or Hanoi.

(4) The future of South Vietnam must be shaped by the will of the South Vietnamese. The continued presence of United States military forces can only postpone the political accommodations essential to ending the conflict; and be it further

Resolved, That in the sense of the House of Representatives that, having furnished South Vietnam with an American shield for the past five years to allow for the development of its political and military capacities, the time has arrived for the people of South Vietnam to take charge of their own destiny; and be it further

Resolved, That this can be accomplished only through a more rapid withdrawal of American troops, and a commitment by the United States to fully disengage from South Vietnam, pending such reasonable interval as may be necessary to provide adequate provisions for the orderly and secure withdrawal of American troops and those who may wish to leave with them.

VIETNAM

(Mr. BROOMFIELD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROOMFIELD. Mr. Speaker, I share the deep concern of my colleagues about the tragedy of Vietnam. It is fair to say, I believe, that there is not one Member of this distinguished body who feels otherwise. We all have been sincerely troubled by the duration, the cost, and the thousands of lives which have been poured into that frustrating conflict.

Without a doubt, that same deep feeling is shared by millions of our fellow countrymen. Each of us has a right and an obligation to express our concern in responsible and realistic ways and to offer constructive alternatives.

It goes without saying that those planning and participating in this national demonstration of concern about the war have an obligation to assure their activities are peaceful, relevant, and restrained.

They also have an obligation, I believe, to make their objectives crystal clear and their alternatives to present policy fully understood.

I do not believe they have succeeded in this latter undertaking.

Leaders of the national protest contend their effort is not directed at President Nixon but at extracting us from Vietnam. They say that 1968 demonstrated to them they must oppose not personalities but policies.

If that is true, then frankly, I am con-

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fused about the objectives of the demonstration.

As one who has been deeply concerned for a long time about our policies in Southeast Asia, I have been much more encouraged by the policies of President Nixon than by those of the previous administration.

There are fundamental differences in these policies, but they are differences which are easily obscured or forgotten.

In contrast to the previous administration, which committed 550,000 combat troops to Vietnam, President Nixon has ruled out attempting to impose a purely military solution on the battlefield.

President Nixon has not continued to escalate the war but has offered withdrawal of U.S. and allied troops over a 12-month period.

More than 60,000 U.S. troops are already home or on their way.

He has proposed free elections organized by joint commissions under international supervision.

He has declared that we will retain no military bases in Vietnam.

He has offered to negotiate supervised cease-fires under international supervision to facilitate the process of mutual withdrawal.

He has made clear that we would settle for de facto removal of North Vietnamese troops from the South.

He has said publicly—and persuaded the Government of South Vietnam to do likewise—that we are both prepared to accept the outcome of free elections, regardless of what that outcome is.

He has announced his willingness to discuss the 10-point program of the other side along with plans put forward by the other parties to the conflict.

He has halted the bombing of North Vietnam and he has reduced the level of offensive combat operations.

In short, the President has offered to bargain on any point except the right of the people of South Vietnam to self-determination.

He has virtually taken over many of the policies of those who demonstrated so vigorously last year against President Johnson. To that extent, many of those who protest this week will be demonstrating against their own policies.

More important than pronouncements and even unilateral actions, in my view, is the growing array of undisputed evidence that these policies are having the practical effect of scaling down the war.

There can be no disputing that American troops are coming home—more than 60,000 of them by December.

It is a fact that the level of fighting has fallen off and that American, South Vietnamese, and North Vietnamese casualties are occurring at the lowest rates in years.

The enemy has lowered the level of its combat troops in South Vietnam by 25,000 to 35,000.

And, infiltration from the North to the South is down by two-thirds this year as compared to last year.

These are important facts which no fair-minded person can ignore in a careful and calm review of the situation. They are the most encouraging signs I have witnessed in many years.

What then do the critics of the President's policy propose as a more constructive alternative? They have not spelled out their positions clearly.

It may be they are recommending immediate and unilateral withdrawal of all U.S. forces from Vietnam—for that is the only alternative that the President has resisted.

Yet, I feel certain there are many in this body and across the Nation participating in the current demonstrations against the war who would not—or at least who have not in the past—endorsed this drastic step.

There are, I am sure, very few Members of the minority party who would support such a precipitous change of course.

And, as David Broder of the Washington Post reminded us today, the Democratic platform adopted at Chicago last fall specifically said the war "will not be ended by military victory, surrender, or unilateral withdrawal by either side."

Mr. Broder went on to make some interesting observations about that policy statement which bear on this discussion. He said:

> It might be well for those men to explain Wednesday when and why they concluded that their opposition to unilateral withdrawal was wrong. It would be even more useful if they would explain why a one-dimensional plan to pull-out troops is any more likely to be wise policy than the one-dimensional plan that sent troops in. Have we not learned yet to examine the political consequences of military decisions?

We are, I believe, in a very critical period concerning the war. The decisions the President will make during the next few months—and only he can make them—will go a long way toward determining the value of our 6-year investment in Vietnam and the course of our future policy in Southeast Asia.

But it is clear also that we are in a critical period of domestic turmoil concerning Vietnam—approaching national hysteria, caused perhaps partly by the first signs of a change in policy in 6 years.

So, we must pick our way very carefully through this crucial time keeping in mind the long range as well as the short range results of our actions. We must strive to rely wherever possible on the guideposts of sober judgment and experience.

Some of that valuable guidance, I believe, was contained in a speech last Saturday by Senator GEORGE D. AIKEN of Vermont, who embodies the standards I just mentioned.

Although he has long been a critic of the war, Senator AIKEN called on the Nation to give President Nixon more time to work out an orderly withdrawal of American troops.

He said:

> We cannot achieve instant gratification through a precipitate withdrawal of our troops. The President needs time and, I for one, will do my best to see that he gets it.

Senator AIKEN, a student of war and a man who long ago established his desire for peace, clearly believes President Nixon has changed our policy in Vietnam and is on the right course.

We heard similar counsel from former Vice President Humphrey.

He said:

> We have only one President at a time. One of the worst things we could do is undermine the President. I think the President is proceeding along the right path.

The practical, commonsense logic in those simple statements is perfectly clear to me. We have only one President at a time and I do not believe in tying his hands in negotiating an honorable settlement.

Statements and resolutions which seek to set a time limit on such things as troop withdrawals or which would impose other artificial restraints on the President certainly do not recognize these basic considerations.

In my view, they are really just disguised arguments in favor of immediate and unilateral U.S. withdrawal. Setting the deadline a year or 6 months in advance does little to change that fact.

Whatever the target date, it is obvious to the opposition they need only to bide their time and the effect will be the same. If this is what the sponsors of such resolutions really mean, why postpone the inevitable disaster for 6 months or a year? Why waste another American life or spend another American dollar? Why not face the chaos that must follow such a policy today?

I do not pretend to understand the motives or the complex logic of those advocating this position.

I am clear in my own mind, however, that this approach makes no sense in terms of well-considered, long-range American policy.

Much more reasonable, I believe, is a very brief resolution cosponsored by a bipartisan group of 113 House Members, myself among them. It states very simply:

> *Resolved*, That it is the sense of the House of Representatives that the substantial reductions in U.S. ground combat forces in Vietnam already directed are in the national interest and that the President be supported in his expressed determination to withdraw our remaining such forces at the earliest practicable date.

The true, bipartisan nature of this resolution is illustrated by looking at its sponsors among the Michigan congressional delegation; in addition to myself and fellow Republican EDWARD HUTCHINSON, there are three members of the other party, Representatives JOHN CONYERS, JR., CHARLES C. DIGGS, JR., and MARTHA W. GRIFFITHS.

Writing in the Washington Star last Sunday columnist Carl T. Rowan made this interesting and I believe accurate assessment of the President's efforts in Vietnam:

> President Nixon has taken a more conciliatory stand on the Vietnam war than almost any American would have dreamed a year ago.
>
> Any fair-minded observer must admit that it is Nixon who has made the concession to peace and that it is the Communists who have remained obdurate—except for a possible silent decision in Hanoi to let the scale of fighting subside.
>
> Anyone with any knowledge of the situa-

tion knows that Mr. Nixon is right when he says that the flamboyant American protests that are coming up soon will only encourage North Vietnam to remain stubborn and hopeful of total American capitulation.

The President is clearly the only man who can negotiate the meaningful and lasting settlement of this tragic war which we all so earnestly seek. My prayers, my hopes, and my support are with him in that difficult endeavor.

MORATORIUM

(Mr. RIEGLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RIEGLE. Mr. Speaker, I think it is clear as we study the facts as they have been presented to us with respect to the war in Vietnam that we sent our men there on an impossible mission. We have never decided either formally or informally to give our men what they needed to have any reasonable chance of success.

And we as a body apparently never thought this conflict was important enough to declare war, although the Constitution of the United States says if we are to go to war, that we, as a body, ought to convene and make that decision. However, we have not seen fit to do so.

Mr. Speaker, should we now stand up and tell others how they ought to behave after we have ignored our own constitutional responsibility. We have heard many statements here today but I have not heard any stand up and say that they think the Congress was wrong in sitting on the fence for 8 long years without making such a decision. And we continue to sit on the fence today.

Mr. Speaker, this has been the longest war in our history, a war which is an undeclared conflict. We have lost 40,000 men. We have expended $110 billion. We have knocked all of our other national priorities out of whack. We have experienced higher and higher taxes, higher interest rates, and inflation as a result of this tragic war in Vietnam. We talk about it but what action have we taken as a body—what formal action?

Well, Mr. Speaker, we have the Gulf of Tonkin resolution which was passed in 1964. However, I do not think anyone would argue that the Gulf of Tonkin resolution was meant to authorize the massive U.S. commitment that occurred in Vietnam. This conflict spiraled out of control, and we here in the Congress share the responsibility for failing to face up to this issue long ago.

So I think it is proper and responsible for students and for other concerned citizens to pause for a time tomorrow to reflect upon how it is that this country could drift into a war without it being declared by the Congress.

Mr. Speaker, tomorrow I am going to appear on three college campuses to discuss the questions of how this war came about, how we might wind it up, and what the lessons are for the future. I hope to insure that the discussion I participate in will be rationale and thoughtful and nonviolent. But I think these are the kinds of a question that the country has every reason to consider at this point—particularly when we in the Congress still appear to have little stomach for facing up to the war.

DEBATE OF THE FOREIGN POLICY OF THE UNITED STATES

(Mr. YATES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YATES. Mr. Speaker, there have been some questions raised as to whether those of us who propose to speak here tonight on Vietnam will be able to do so. It is stated that an effort will be made to adjourn the House before the time for special orders. Some on the minority side have indicated their support for such an effort, and I should like to call the attention of those Members who question our right to debate to a statement made in another body on January 5, 1951, by the distinguished and eminent Senator from Ohio, the late Robert A. Taft. This is what the Senator said:

> During recent years the theory has developed that there shall be no criticism of the foreign policy of the Administration, that any such criticism is an attack on the unity of the nation, that it gives aid and comfort to the enemy, and that it sabotages any idea of a bipartisan foreign policy for the national benefit. I venture to state that this proposition is a fallacy and a very dangerous fallacy threatening the very existence of the nation.

Then he goes on to say—

> As I see it, Members of Congress, and particularly Members of the Senate, have a constitutional obligation to re-examine constantly and discuss the foreign policy of the United States. If we permit appeals to unity to bring an end to that criticism, we endanger not only the constitutional liberties of the country, but even its future existence.

The right, the responsibility for free debate in this House, is well stated by the distinguished Senator.

Mr. Speaker, I hope that those who are thinking of adjourning the House before the debate begins will think again and let those of us who want to debate the foreign policy of the United States do so tonight.

CUTBACK IN MEDICAL RESEARCH

(Mr. VIGORITO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VIGORITO. Mr. Speaker, I was greatly disturbed to read that this administration's actions may force the cutback of numerous research programs involved in fighting against and finding cures for heart disease, cancer, diabetes, and lung disease.

To use the words of the Washington Post, the planned administration cuts, if applied, "will practically wipe out the chronic disease control program of the Department of Health, Education, and Welfare."

This is a sad situation, to say the least. We can fund chemical warfare research, studies for more missiles and more tanks, but we cannot find money to fight disease.

The five programs to be eliminated, according to HEW, are those in heart disease and stroke, cancer, arthritis and diabetes, neurologic and sensory diseases—such as Parkinson's disease and multiple sclerosis—and respiratory disease—such as pulmonary emphysema.

Even more disturbing is that these planned cutbacks, required because of the administration's order to cut $3.5 billion from the budget, come on top of news that the National Institutes of Health is forced to cut funds for new medical research grants by some 10 percent and grant renewals by 5 percent. I can fully understand why medical colleges and hospitals are upset. I share their concern.

To quote Newsweek magazine of September 22:

> To be against medical research these days seems akin to opposing motherhood or the (American) flag. But that is the position the Nixon administration apparently put itself last week when the U.S. National Institutes of Health said it might have to close down 19 of its 93 clinical research centers across the U.S.

To the senior citizen with arthritis or to the young boy or girl with multiple sclerosis, it is difficult to tell them that they have second priority after a new nuclear aircraft carrier or a supersonic airplane. This Congress should make up its mind as to which is most important. We have a responsibility to our Nation's citizens first and foremost.

DISSENT CARRIES A RESPONSIBILITY

(Mr. STEIGER of Wisconsin asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEIGER of Wisconsin. Mr. Speaker, the statement of the distinguished gentleman from Maryland (Mr. MORTON) is timely.

The letter from Pham Van Dong wishing the "fall offensive" success is disturbing.

I believe strongly in the constitutionally granted right to dissent and protest. I cannot support any effort to subvert the right of free people to freely express their views.

But, Mr. Speaker, I must also share the view expressed by Mr. MORTON on the need for caution.

I say this having stated my opposition to both a moratorium on debate regarding Vietnam and one aimed at breaking the President of the United States.

Expressions of dissent do not take place in isolation. An expression in the United States no longer sways the audience solely at the right. Modern communications today carry a message across the country and around the world.

Thus dissent carries a heavy responsibility lest it be misunderstood or misrepresented. Our process of self-analysis by which we arrive at a reasoned judgment has apparently been misread by the Premier of North Vietnam.

This tragic turn of events has placed upon all who wish for peace the heavy burden of making sure their expressions are not calculated to inhibit the search

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for peace by the one man who can bring peace, President Nixon.

As David Broder of the Washington Post wrote this morning:

> In the serious weakening of his power to negotiate peace or to achieve any of the other purposes for which he was elected, its longer term effects may be to subvert a system of democratic government I happen to believe is worth preserving.

Tonight, tomorrow, and in the future these words are worth heeding and remembering.

BE THE FIRST ON YOUR BLOCK TO KILL OR MAIM ANOTHER HUMAN BEING

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PODELL. Mr. Speaker, it is now fairly common knowledge that certain industries operate in a totally irresponsible manner constantly. The well-being of the public seems meaningless to them as they pollute, profiteer, and pour dangerous products into the hands of millions of consumers.

Our auto insurance industry is a coast-to-coast scandal. Drug companies spend $2 on advertising for every Government-given dollar they lay out for research. Papermaking operations vie with steel mills for the title of worst polluters. Yet the unquestioned champion of cumulative corporate irresponsibility has to be our auto industry. A damning indictment is being created as more facts come to light.

Automobiles are not only constructed to become obsolete in ever-shorter periods of use, but are deliberately built in such a manner as to crumple at the slightest impact. Collisions at speeds as low as 5 miles per hour have been proven to cause extensive damage. The Insurance Institute for Highway Safety conducted tests which reveal this and more. Striking at a speed only equal to that of a man walking caused damage ranging from $134 to $200. At 10 miles per hour damage varied from $485 to $814. Bumpers which are mainly decorative and sheet metal a person can bend with their hands are major causes of such phenomena. Impact-absorbing devices seem to be as foreign to Detroit as safety and economy.

Billions of dollars in repair costs result and are passed on to the driving public. Most damage results from such low-speed contacts. Of the overall dollar insurance losses 39 percent emanate from claims of $200 or less; 64 percent from claims of $400 or less. Technology is immediately at hand to rectify this appalling situation. Yet, all America's drivers continue to receive are millons of chromeplated, overpowered, gas-gulping coffins on wheels.

Which brings us to the next item of our indictment, in the form of a flood of so-called muscle cars. Masses of horsepower on light chassis, these motorized missiles are responsible for 56 percent more accident losses than standard cars. Insurance rates on them are about to rise 50 percent, a sure indication of their deadliness. Why must we be menaced by such overpowered bullets, possessing horsepower far exceeding normal requirements? Listen to their names, which callously appeal to the most violent, repressed human instincts—Mustang Mach I, Cougar Eliminator, Road Runner, Tempest, Cyclone, Charger, and others.

Named after violent storms, projectiles and vicious animals, they puff the egos of any person, especially younger ones, who, once behind the wheel of such a cannonball on wheels, feel free to use our roads and streets as horsepower proving grounds.

Thousands of Americans are being crushed and maimed by these blasting monsters. A lightly constructed body on oversized wheels and a massive engine makes no sense. Demands for style above engineering have produced an ever-lower auto silhouette, but at a terrible price. Instead of weight placement up front, where power is concentrated, it is centered mainly at the rear of autos, with disastrous results. The entire package, from name, build, useless chrome appendages, and ads pitched at a minimal mentality, add up to one message.

Be a racing driver. Hold your own Indianapolis 500 race. See how fast you can go. Floor that pedal. Be the first one on your block to murder or maim another human being. Wow. Does anyone not wonder whether it makes sense to pour these juggernauts onto our highways?

As if this were not enough, we have the looming shadow of air pollution, more than half of which is caused by internal combustion engines. Antipollution devices exist which are increasingly effective. Where are they? Ask the manufacturers. Make them install such controls. Not if the Justice Department has anything to say about it. It refused to take these companies to court after evidence had been accumulated showing they may have conspired to suppress development and installation of such devices. Surely, a thorough airing of the issue would have benefited the public.

So there we have it up to now. Remember a few of these gems when next the automakers shed crocodile tears over foreign imports. When cars are made deliberately flimsy, dangerous, and pollution-prone, can the driving public be blamed? When they are uneconomical to operate and dangerous to drive, can there be any consumer faith in specious advertising claims? We are choking on these monsters, as a despairing effort to travel in any urban area will prove. Yet there is not a scintilla of responsibility of awareness of this situation on the part of the manufacturers. All they can do effectively is raise prices, which all of them did quite recently. Give a passing thought to these arguments next time one of those little whizz-bangs zips past you, crunches your heap, or leaves you behind in a cloud of zesty fumes.

What is good for Detroit is beginning to be bad for America. America cannot change too much further to accommodate Detroit. We simply cannot absorb further impacts of this sort indefinitely.

In closing, I offer the following figures. Last year 55,200 Americans died on our highways; 2 million Americans were injured. Why?

VIETNAM SOLUTION—BIPARTISAN SELLOUT

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, in the course of the debate over the so-called moratorium, I have taken note of two significant facts, which I believe it well to call to the attention of the House once again.

First, there seems to be absolutely no disagreement between the President and the peaceniks over the question of American withdrawal from Vietnam. The disagreement seems to be only whether such retreat should be a hasty abandonment of our allies, as a result of leftist pressure, or a more sedate retreat after a semblance of face-saving negotiation. The decision to forgo victory seems to have been made.

American prisoners held by Hanoi have been abandoned. Korea taught us that there is no way to recover prisoners short of victory.

Second, the raucous voices of a tiny minority, totally without regard for the consequence of their activities, are the only ones who have been heard. Even in this House, those who have announced their intention to conduct an all-night session number less than 10 percent of the membership. The voices of the great majority of Americans, who are loyal and patriotic citizens, have not been heard. The voices of our fightingmen overseas, whose blood will pay for any delay won by the peaceniks, have not been heard. The voices of Americans who are captives of the enemy cannot be heard.

This evening's newspapers carry interesting comments, truly relevant to the debate over the so-called moratorium.

In order that our colleagues—and through the activities of this House this evening, the American people—may observe the thinking of these other Americans, I call them to the attention of all Members.

A story from Saigon describes "politicians who sound like Hanoi radio" and "well-meaning but awfully uninformed students" and "ivory tower doves would not dirty their hands over here." These are the views of Americans engaged in combat with the enemy.

Twelve letters to the editor in tonight's Star show the temper of the Washington people. Their vote is 11 to 1 against the show of disloyalty, which they recognize for what it is. The one favorable letter plainly indicates the confused passion of its writer and his aim to obtain other people's money for his favorite projects, regardless of the cost to decent citizens.

A wire service story quotes Hanoi radio, the North Vietnam Communist newspaper, and the Vietcong leader in Paris—all effusively praising the antiwar activities of their allies in the United States.

The same newspaper carries an interview with responsible field commanders, indicating that the enemy is beaten in Vietnam—that victory on the battlefield is in sight. But in Washington the serviceman's enemies seek to mobilize public opinion for surrender.

Mr. Speaker, I include these news clipping as part of my remarks:

[From the Washington (D.C.) Evening Star, Oct. 14, 1969]

VIETNAM MORATORIUM

SIR: We have some things in common with tomorrow's protesters. We agree that the war in Vietnam is tragic and unfortunate. But all wars are. We, also, would like to "get out of Vietnam," but we'd like them out, too.

We'll "protest" tomorrow, but ours will be less noticeable and press coverage will be sparse—no banners, no speeches, no marches or sit-ins—we'll be too busy with the responsibilities of life. Those of us that are students will go to school and study hard; the workers will be on their jobs putting in a good day's work and the housewives will perform their chores—all of us with a bit more enthusiasm tomorrow.

Tomorrow isn't our day—ours is coming next month at the polls, and in the Novembers following that will be upon us sooner than the ———, ———, and ——— might realize.

WILLIAM J. HOF.

ARLINGTON, VA.

SIR: I suggest to the peace demonstrators that on their National Day of Meditation they mediate on the following:

The North Vietnamese have killed over thirty-five thousand Americans and the peace demonstrators are responsible for needless thousands killed by encouraging the enemy to prolong this war instead of entering into meaningful negotiations.

Isn't it time the peace demonstrators refocused their demands and insisted that the North Vietnamese stop fighting and insist that the North Vietnamese withdraw from South Vietnam (as we do) so this war will end?

HARVEY L. HUSTON.

SILVER SPRING, MD.

SIR: Since most of the people who demonstrate tomorrow will be flying the colors or flags of the Viet Cong and, yes, the Communists, could you please suggest to all the quiet Americans who love their country and their President, no matter what their politics, that they fly the American flag wherever they can.

MRS. R. C. BACON.

FALLS CHURCH, VA.

SIR: So tomorrow is the day set for university students and some lawmakers to demonstrate their opposition to our continued involvement in the Vietnam war. The noted Senator from New York says that the nation will be impressed. I promise you that I, for one, will not be impressed. How is it possible for our nation to put a man on the moon one year and the next year quit the fight for freedom in Asia. Are we a nation of cowards? Do the children of the heroes of World War II really believe that the nation will stand for such a dishonorable peace?

MRS. WM. ROSNER.

INDIANAPOLIS, IND.

SIR: For the uninformed, who are throwing themselves so enthusiastically into the so-called Vietnam Moratorium, I feel only pity—pity that anyone could be so uninformed. For the political prostitues, such as —— and ——, I feel nothing but contempt.

JOHN S. PERILLOUX.

ALEXANDRIA, VA.

SIR: The proper name for the demonstration tomorrow is "Support Aggression Day."

L. COGGESHALL.

ADELPHI, MD.

SIR: Sen. —— has made a fine suggestion for all patriotic Americans. Demonstrate in favor of our armed forces (and against Hanoi).

Drive with your headlights on all day tomorrow.

CARLTON C. HOLMES.

SILVER CREEK, N.Y.

SIR: To keep the "Vietnam Moratorium" as much as possible fair and square, I think the marchers should carry as many signs and make as many speeches denouncing the Communist aggression that already existed in Vietnam prior to our going to the aid of the South Vietnamese as they will against our intervention.

Since a march is to be made on the White House, I believe the march, in all fairness, should go a stone's throw farther and demonstrate before the Soviet embassy with placards denouncing the refusal of the Russians to try to influence their brothers, the Viet Cong, from further aggression in the South of Vietnam. Can't these stupid marchers, past and present, realize that we wouldn't have gone to Vietnam in the first place if the Viet Cong hadn't started the war?

S. V. S.

SIR: There is a wide agreement that Vietnam is a mess. Indeed the belief that war is always a mess is not a recent discovery. Most people want an acceptable out and no one more than the President of the United States. He is under enormous pressure to solve the number one problem. The protest marchers only add pounds to the tons of this pressure.

The marchers do little constructive for the United States except provide the kicks of excitement and help fill in news space and TV time. They are, however, worth several divisions of troops marching for Hanoi. The image of a violently divided people, coupled with well-meaning U.S. troop withdrawals, must convince the Communists that time is on their side. They therefore sit at the Paris poker table with a pat hand while the killing goes on, waiting for us to toss in our cards.

G. W. HALLGREN.

SIR: Should wanting peace with all your heart make you lose your head attempting to gain it?

Crosby Noyes, in the Oct. 9 Star made clear the awful burden the peacemongers are placing on our soldiers and our country.

It is incredible that responsible people can truly believe that bringing our troops home immediately will bring peace to anyone, ourselves included. Or, are the congressmen, governors, mayors, etc., who support tomorrow's protest playing politics in its worst form?

M. L.

SIR: Those who dissent, including congressmen, claim they oppose the war. Sincerely, do you know of anyone who doesn't? We may even safely include our President and those three who preceeded him. The sixty-four-dollar question is: Do they oppose it with meaningful effect? The sad fact, which is at the root of this trouble, is that they actually oppose, above every other consideration, existing policy with reference to the conduct of the war; for all practical purposes it must be ended their way, and no other will do.

Even if this were the most immoral war ever, by compromising the situation, they forfeit the right to sit in judgment on any question of morality and must bear their rather heavy share of responsibility in this situation. Their hands are not clean.

P. J. LEVINGTON.

SIR: Tomorrow's march is more than a march by those who participate. It reflects also the desires of the silent Americans, those that have lost a son, a husband or a loved one in a conflict which should not be.

It is more than a march against war; it is a march against poverty, disease, and ignorance. The march is for those that face death in the poverty areas of America as well as those that face death on a battlefield.

This march seeks solutions for today's problems, solutions which build a bright future for those that have a future, and open a door for those that seek, in faith and works, the future.

In a time of national disillusionment concerning the illicit Vietnam war and living conditions of 30 million Americans, this is a much needed march. Let us hope this message is heard.

JAMES M. WOLF.

[From the Washington (D.C.) Evening Star, Oct. 14, 1969]

HANOI HAILS WAR MORATORIUM, SEES PRESSURE PUT ON NIXON

SAIGON.—Radio Hanoi today hailed the Vietnam Moratorium protests in the United States and said it had put the Nixon administration in "a very difficult and confused situation."

The broadcast said the demonstrations show that the Communist fight in Vietnam was "for peace, justice and the right cause."

"The present autumn struggle wave of the American people is putting the Nixon administration into a very difficult and confused situation," the broadcast said. "It has uncovered all of the bluffing and treacherous methods of the Nixon administration on the Vietnam question.

"We believe solidly that the autumn struggle wave of the American people will bring magnificent successes."

SAME THEME SOUNDED

A Hanoi broadcast yesterday sounded the same theme.

The broadcast heard in Saigon quoted Prof. Hoang Minh Giam, chairman of the Vietnam Committee for Unity with the American people, as saying:

"The Vietnamese people heartily welcomes and entirely supports the October wave of struggle.

"The whole world is standing on your side and acting in coordination with you."

(The Associated Press quoted North Vietnam's Communist party newspaper Nhan Dan as saying that "the struggle of the American people extends so deep that it is supported even by senators and congressmen in Nixon's own party.")

Viet Cong agents meanwhile infiltrated Saigon's central market today and passed out leaflets urging the South Vietnamese to hold anti-war demonstrations to coincide with the Moratorium in the United States tomorrow.

CEASE-FIRE URGED

Police sources said the leaflets called for a cease-fire and a coalition government to include the Viet Cong.

The government sent soldiers in full combat gear to the central market and to smaller markets in the Cholon section with orders to use "strong measures" against citizens who try to demonstrate.

In Paris, Mrs. Nguyen Thi Binh, head of the Viet Cong's provisional revolutionary government delegation to the Paris peace talks, addressed an open letter to American youth planning to take part in the Moratorium.

She denounced what she called "contradictions between the words and the acts" of President Nixon and repeated her delegation's demands for a rapid and total withdrawal of U.S. and allied forces and for the formation of a coalition government in Saigon.

[From the Washington (D.C.) Evening Star, Oct. 14, 1969]

GENERALS SEE REDS SLIPPING

(By Orr Kelly)

The Vietnam war is "gradually winding down"—not because the enemy wants it that way but because he has no other choice, the American general responsible for areas around Saigon says.

"He is just being screwed into the ground and he doesn't seem to be able to do anything about it," Lt. Gen. Julian Ewell, a commander of the II Field Force, said yesterday at the annual meeting of the Association of the U.S. Army.

"The enemy is thrashing around, trying to find some initiative, no matter how small," Ewell said. "We are not only beating his brains out but pulling the rug out from under him at the same time."

CHANGED ON READING PRESS

Ewell is home on leave from Vietnam and he came home with his mind made up that he would not get trapped into the optimistic comments on the war that hang over the heads of so many other political and military leaders.

"But when, after reading some of the informed comments from the press, I decided I might as well say it like I see it," he said.

"The coalescing of a real favorable trend is very recent," he said. "It wasn't until June and July that pacification took a real spurt. It was not until after the Communists made a real effort (in late July and early August) and fell on their kazoos that we sensed their deterioration.

"It was not until September and October that we saw how bad off they were."

The panel discussion featured, besides Ewell, three other men long associated with the Army's role in Vietnam: Lt. Gen. Richard G. Stilwell, until recently commander of American forces in the northern areas of South Vietnam and now deputy chief of staff of the Army; Maj. Gen. George S. Eckhardt, former commander of U.S. forces in the Mekong Delta and now commandant of the Army War College; and George Jacobson, assistant to Gen. Creighton W. Abrams for pacification in South Vietnam.

JACOBSON BACKS VIEW

Ewell's optimistic assessment of the situation in Vietnam was reinforced by Jacobson.

"The Viet Cong has not only given up trying to win the war militarily but they have given up trying to win it ideologically as well," he said.

In trying to convert the peasants to their viewpoint, he said, the Communists are using "sheer terror."

A careful kind of American withdrawal from Vietnam is now possible, the four men agreed, because of the military success achieved there in the last four years.

In a sense, their message was directed to those who plan to demonstrate against the American involvement in the war tomorrow.

"Our progress is so substantial as to make possible the first steps in the withdrawal," Stilwell said in opening the panel discussion. Later, he added:

"In 1965, all the trends were wrong. Today, as far as the eye can see, all the trends are right. Nothing can reverse these trends except precipitate action that destroys the government of South Vietnam."

[From the Washington (D.C.) Daily News, Oct. 14, 1969]

HAVEN'T SHED A NOSEBLEED—"OTHER WAR" IN THE UNITED STATES RILES GI'S

(By Don Tate)

SAIGON, October 14.—As tomorrow's war "moratorium" will demonstrate, there are two Vietnam wars—the one Americans fight in Vietnam, and the one Americans fight in the U.S. Observers here say the decisive battlegrounds is in the U.S.

They point out that short of a highly successful Communist offensive, which is extremely unlikely, or a dramatic allied strategy change, such as renewed bombing of North Vietnam, the killing war in South Vietnam is apt to rock along in its fight-lull-fight rhythm much as it has been, at least until many more U.S. troops are withdrawn.

Meanwhile, the war to win American public opinion and, particularly, the mind of Richard M. Nixon, is waxing hotter. What happens in the U.S. will determine what happens here. As the President warns Americans not to buckle and run, protesters prepare to hit the streets, many of them demanding immediate, unilateral withdrawal of all American troops. That translates here as "bugout."

GI DISDAIN "BUGOUT"

It is difficult to find an American soldier here who wants to leave Vietnam that way, or as one GI puts it, "with our tails dragging." It is difficult to find one—even among those most disgusted with the war—who wishes simply to abandon the South Vietnamese to a Communist bloodbath.

It is difficult to find one who thinks the value of the American word would be worth a dime anywhere in the world if they did, or that a humiliating U.S. defeat by a blustering Communist midget would do anybody but the Communists any good.

These consequences are apparent to most Americans here, and they are not acceptable. It is largely a matter of national backbone. Most express hope that President Nixon sticks to seek a reasonable solution to the war.

There are, of course, many critics of war here. They charge that a number of war critics in the U.S. are using the same tactics Hanoi has shown—the more you give them the more they demand, and they both demand total, immediate and unconditional everything.

In the two wars—one group of Americans is convinced of the rightness and necessity of bringing this bitter war to a conclusion by presenting a united front to Hanoi, the other protesting group is more or less convinced the only way out of Vietnam is to get out fast regardless of consequences.

MYSTERY IN VIETNAM

There is often the feeling here that the war is only a secondary feature to the show of exposed nerves going on in the U.S. What the war has done to the U.S. is the biggest mystery of all here.

"It seems like any American who ever wanted to protest anything has found his cause in the Vietnam war", one veteran analyst contends, "and yet 95 per cent of them have suffered little direct personal hardship because of the war.

"You hear so much of the war-weary American, and how exhausted he is by the war. Yet this exhaustion of the mightiest power on earth is a relative thing. It hasn't been bombed, or invaded, or lived under the Communists a single day. It's manpower loss has been a drop in the bucket compared to that of either North or South Vietnam, and its suffering has been a thousand times less. Many Americans would hardly know the war was going on if it wasn't for newspapers and TV. Suppose Americans had to face what the South Vietnamese people have yet to face? America's exhaustion is a self-induced state of mind, composed mostly of confusion."

One rankled American, with invested years and effort in Vietnam, condemned some of the rantingest protesters as the "most confused of all."

WEARY OF "POPPING OFF"

"Soldiers do the dying," he said, "and these others do the popping off. I'm tired of hearing these so-sure people who haven't shed a nosebleed in this war scream pig this and obscene that and run around protesting for the hell of it.

"I'm tired of hearing what politicians who sound like Hanoi radio demand, what well-meaning but awfully uninformed students demand, what ivory-tower doves who wouldn't dirty their hands over here demand. I'm weary of hearing how much Sen. (J. William) Fulbright, D., Ark. wants out. We all want out. We all protest the war. We all want peace. But not by saying: 'Here Hanoi, take 17 million people. We'll pretend we were never involved. We quit.' "

Many here feel that some of the protesters would do well to focus their moral wrath less on President Nixon and more on the Communists.

It is the Communists, they stress, who are killing Americans. It is the Communists who butchered, as a matter of policy, the civilians of Hue and so many other places, and it is the Communists who will murder methodically thousands more Vietnamese if the U.S. totally, immediately and unconditionally abandons them, as many protesters advocate.

To Americans who have put in their time here, it is not good enough to dismiss blandly such realities with an: "Oh, well, it is up to the Vietnamese to work out their own problems."

Many here, eyewitnesses to the war, have become anti-war in the truest sense, but they have also become resolutely anti-bugout.

THE DOVE GAME: BAD NEWS FOR PEACE

(Mr. CLEVELAND asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, an editorial in the Washington Evening Star published October 9 came to my attention and I thought it appropriate to put it in the RECORD and comment on it on this eve of the so-called moratorium exercise.

The Star correctly points out that the flood of resolutions setting deadlines for withdrawals, and specifying certain conditions for the Government of South Vietnam add up to an almost hysterical clamor. This is surely not a good or favorable stance for the leader of the free world to take. I agree with the Star's concluding paragraph and point it out to my colleagues as a matter of urgency. I am as desirous of peace with honor as anyone in this Hall. Creating a panic or crisis atmosphere is no way to win this goal. The editorial follows:

THE DOVE GAME

There's a new fad these days up on Capitol Hill. It's a game in which the contestants seek to out-dove one another by issuing directives to the President on how and when to get out of Vietnam.

Everybody's doing it. Senator Goodell was first on the bandwagon with his bill that would cut off funds for troops in Vietnam as of December 1, 1970. Then along came Senators Church and Hatfield with a "sense of the Senate" resolution calling for "a more rapid withdrawal of American troops" and a solemn pledge that the United States will "fully disengage." Senator McGovern, meanwhile, was whipping up his own resolution telling the President to get a move on. And there was an entry by Senators Hughes and Eagleton calling for an end of all commitments to the present Saigon government unless Thieu and Ky institute major reforms—specified by the senators—within 60 days.

The evident motive behind these separate proposals—the desire to score political Brownie points—is not intrinsically wrong. The senators have read the polls, studied their mail and decided that the public wants an end to the war. Proposals demanding total disengagement at some unspecified early date are certainly within the area of responsible action.

But taken together with the Goodell strategy of forcing evacuation by economic strangulation, and coupled with the puppet-master philosophy implicit in the Hughes-

Eagleton proposal, the proliferation of resolutions takes on a different coloration.

The impression that comes through is that of a country verging on panic, looking for some way—any way—to get out of Vietnam and to dissolve the partnerships that exist with other nations of Southeast Asia. That is a dangerous impression to create. It is harmful to the delicate process of disengagement that is now under way. It is dangerous to the American troops that must remain until the withdrawal is complete. It is dangerous to the future of Southeast Asia. And it compounds existing dangers of future involvement of the United States in that troubled area of the globe.

OCTOBER 15 PEACE MORATORIUM

(Mr. DUNCAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DUNCAN. Mr. Speaker, tomorrow, October 15, will be a big day for some, but to me it will be a day of shame.

I am sorry that we have in this country leaders who can be swayed by breezes of sentiment toward a path that can only lead to a weakening of the U.S. position in world affairs.

There is no easy way out of Vietnam. We did not get into Vietnam in a well-planned, orderly fashion. President Nixon has had only 8 months to try to unwind what took 8 years to tangle into a mess beyond description.

May I say here that I am for peace. I know from personal experience the hell and fury of war. No one wants peace more than I. No one wants peace more than President Nixon, who, for 24 hours a day, must face this great international problem.

I am not, however, for giving aid and comfort to the enemies of everything we hold dear. I am not for pulling the rug out from under the thousands of young Americans who have been sent to Vietnam on order of their country.

It is my opinion that the actions such as those planned for tomorrow are created by the stupidity of political opportunists, and the confusion created by the ignorance of amateur theorists. The cost of such actions in the past, and tomorrow, can only be measured in the lives and bodies of American men.

It is also my opinion that the war in Vietnam would have been over long ago had not such groups for the past 2 or 3 years urged Hanoi to hang on.

President Nixon did not send us into Vietnam, but he is sincerely trying to get us out. He is trying all approaches, and he is making progress. Since he has been in office American troops have come home for the first time. More will come home before the end of this year. Casualty totals are down, and hopefully will continue downward.

No matter what the approach the administration uses to end the Vietnam conflict, the results are going to be weakened by such protests as the October 15 peace moratorium, the November march on Washington, and the November and December moratoriums.

Those who support the protest set for tomorrow seem to ignore the obvious—they are playing into the hands of the enemy. It is Hanoi, not Washington, who will benefit tomorrow. It is Hanoi, not Washington, who will gain prestige, and, most of all, bargaining power at the Paris peace talks. The moratorium will be a valued addition to the North Vietnamese propaganda arsenal.

I urge students to go to classes and to study tomorrow, instead of giving aid and comfort to the enemy—taxpayers are working hard to help pay for their educations. We have schools and colleges for the express purpose of educating our youth. Campuses were not established as political entities.

I urge teachers and professors to stand before their classes tomorrow as brave, patriotic Americans and to teach as usual. We are paying them for teaching, not demonstrating and rioting.

I think it should be recorded that those who are participating are toward the left in our society and do not represent mainstream America.

The moratorium was called by a newly organized Vietnam Coordinating Committee which was formed, I am told, by workers in the presidential campaigns of Senator EUGENE J. MCCARTHY.

Although they claim the militant groups are not the leaders, and that this will be a peaceful occasion, militants will be there, and who knows what the results? The protests may by no means remain low-keyed.

Furthermore, the October 15 protest has the endorsement of such militants as the baby doctor, Dr. Benjamin Spock, who no doubt may be seeing some of his "babies" in action and perhaps will nudge them along if they do not follow "the book." Spock too, is working on plans for the November 14 "march against death" for Washington.

Senator MCCARTHY also said he would take part actively, and I understand that Senator MCGOVERN will be the main speaker at one of the rallies.

Who started the plans for tomorrow? Dave Hawk, a national coordinator of the Moratorium Committee, credits its beginning to Jerry Grossman, a businessman member of the Massachusetts Peace Action Council who was active in Senator MCCARTHY's 1968 campaign.

Hawk has said:

> We are introducing the war as the focal issue. Our total purpose in being is to end the war. We are demonstrating that the sentiment is already there. This will be the most sustained and evolved movement in history.

No doubt the antiwar demonstrations in Chicago last week will carry over into tomorrow's gatherings. Organized by the Revolutionary Youth Movement, the Chicago plans did not call for quiet and nonviolence. Mark Rudd now heads the Revolutionary Youth Movement which he formed after a split in the militant Students for a Democratic Society—SDS. "Bring the war home" has been their theme.

These protestors claim they want to convince President Nixon that the majority of Americans want to end the war. I have news for them. All Americans want the war to end.

But, all Americans do not want us to turn our backs on a commitment and run out on responsibility.

We are loyal people and we are brave when it comes to protecting freedom and our Nation from threats.

Another theme of the new groups who will protest tomorrow is that they are not necessarily antiadministration, nor anti-Nixon, nor antiestablishment. Their actions, however, speak louder than their words. If they wanted to be helpful and if they really wanted peace, they would do nothing to hinder the progress we are now making.

I am convinced that President Nixon will not be intimidated by these politically misguided leftists, just as he maintains the dignity of his office in confrontations with pacifists and militants who try pressure measures through arousing public sentiment.

The antiwar protests will not influence this Vietnam policy.

They will not end the war. They will not create peace. They will serve only to hinder and harm. Nothing the protestors say and do, however, will cause our President to sacrifice abroad what he considers to be the best interest of the United States. He will not let threats and blackmail overrule reason and patriotism. He has all the facts about Vietnam, and he knows the score there and here.

Since the President is trying very hard to end the war, and since he is the only person in the United States with the power to do so, it really seems ridiculous for these groups to attack him. They are, in a sense, trying to destroy the one channel to their goal—if their goal is really peace.

The Moratorium Committee's expressed purpose is "to maximize pressure to end the war by encouraging a broad cross section of Americans to work against the war."

If I were a student, I would walk into my class tomorrow with pride in America. I would not be counted as a protestor. As a Congressman I will be here on the floor of the House of Representatives doing what the people of the Second District of Tennessee elected me to do—represent them—not demonstrate.

Statesmanship speaks for itself, perhaps more in this matter than in other situations.

There are times when we must think of America above all else—above party, above personal gain, and personal ambition. I think Senator MIKE MANSFIELD illustrated this a few days ago on a national television interview. Having seen the battlefields of Vietnam, as I have, he said:

> I think the President is doing everything he can, according to the best advice he can get, to get out of Vietnam. It is not a partisan issue. It is something we must all try to work toward a solution of and I am hopeful that it can be accomplished in the not too distant future, though I am not too encouraged by the events up to this time.

Former Vice President Hubert Humphrey, voicing praise for President Nixon's peace efforts, said he "is proceeding along the right path" and "has made some progress" toward peace. He also said:

> We only have one President at a time, and I think the worst thing we can do is try to undermine the efforts of the President.

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The organizers of the moratorium claim that President Nixon has taken enough time to settle the war. They say they have waited long enough and have decided to strike up the old antiwar demonstrations once again. The truth of the matter is that they have been planning for October 15 since spring. They organized a staff who has been raising funds and organizing campuses throughout the country for months.

Now there are those among us who would have the United States announce a definite timetable for the withdrawal of American troops from Vietnam. That would merely be telling Hanoi to just wait a little while and we will be completely out of there and it will be yours to conquer and to keep. It would give Hanoi little reason to make concessions. It would be necessary only for Hanoi's delegation in Paris to sit out the interval until the deadline.

Why would Hanoi want to cooperate in peace talks if they knew we would be gone from Vietnam in 12 or x number of months. They would need only to wait us out and take South Vietnam by default.

As you know, Secretary of State Rogers said this weekend that the President does have "a schedule" for troop withdrawals which "may vary" with events and that he "contemplates the complete removal of the troops in Vietnam," but "he does not plan to announce it to the enemy."

Secretary Rogers mentioned that while the President "has carried out his promise to deescalate" the war, "the dissent in the country seems to be accelerating" even though "we have made every concession that it has been suggested we make in the past 9 months."

In editorial comment the Wall Street Journal gave these words well worth repeating:

> The Administration's evident course obviously is no happy one, but it looks a little better when you also look clearly at the alternatives. It makes more sense if you understand there is no magic combination of levers, that there is no easy way out, that this war is indeed a tragedy in the full sense of that word.

During the Johnson administration, the President had my backing on his handling of the Vietnam war. Certainly there were times when I disagreed with some minor functions, but he had my full loyalty and support when it came to supporting our boys who were carrying out the fight in Vietnam.

My feeling is that the President has far more facts and far more influence than the average politician who comes up with a new solution each week.

The Vietnam war brought President Johnson many hardships, and some say, caused his retirement from the Presidency. Neither his escalation of the war nor his final attempts to deescalate brought appreciable results.

If we compare his first 8 months—without harassment—with these first 8 months of the Nixon administration we find a great contrast to the war activity.

During the 8 months between December 1964 and July 1965 the Johnson administration began the bombing of North Vietnam, raised the authorized troop levels in Vietnam five-fold from 23,000 to 125,000, and gave the fateful go ahead to our military commanders to send American ground troops into combat. President Nixon during his first 8 months, has again reassessed the Vietnam situation and he has started bringing boys home and de-Americanizing the war.

Because I feel a great threat will ensue if we are committed to a definite timetable for troop withdrawal, I have joined other colleagues in a resolution that supports President Nixon's withdrawal program. We believe that the substantial reductions in U.S. ground combat forces in Vietnam already directed are in the national interest and that the President should be supported in his expressed determination to withdraw our remaining such forces at the earliest practicable date.

The President has told us:

> I do not want an American boy to be in Vietnam for one day longer than is necessary for our national interest.

While Vietnam is the big issue that overrides all others, its accompanying revolt by the new left and by the militant groups may be as dangerous a threat to our society as the war is to freedom in Asia.

For this reason, again I say that I do not condone any activity that leads us into the hands of the enemy, directly or indirectly. I realize that there will be those among tomorrow's gatherings who are sincere, though perhaps a little misguided; others just following the action, running to the sound of a noisy gang, whether it is Chicago, a California campus, or Washington, D.C.; and still others who are dangerous, hard-core militants.

The public needs to know the tactics by which militant groups can turn a nonviolent gathering into chaos and destruction. SDS, the Black Panthers, and other militants have been holding top secret strategy meetings to plan more violence. The extremists, black and white, have the common goal of destroying American society by violence.

Operating these new left groups is expensive and the money comes from many sources, mostly contributions because the organizations do not bring in any great amounts in membership dues. One example of operational costs is the $80,000 a year necessary to run the SDS national office.

Wealthy individuals and tax exempt foundations sometimes give substantially to the new left. Student fees at some colleges go to help the new left when the students elect as their campus leaders new left activists.

These contributors are certainly not helping peace. They are making payments on the destruction of America. They should be classed with the demonstrators and rioters. I do not condone them, and I fear that they do not have respect for our great country. They are contributing to the disrespect shown by many youth, and thus many young people go in search of the new left as though they are following a new pied piper.

The administration needs our support on Vietnam now more than ever. I think Secretary of Defense Laird expressed this very well when he told the AFL–CIO meeting in Atlantic City last week:

> Make no mistake about it. To carry out his policy the President needs the support of a united people. The young Americans in Vietnam need that support. Hanoi's strategy is clear: the leaders in Hanoi expect to achieve victory by waiting for us to abandon the conflict as a result of anti-war protest in this country.
>
> From their experience with the French and from their reading of events in the United States last year, they are encouraged to believe that they can get all they want if they merely wait long enough. The President will not bow to acts and utterances by these Americans who seek to pressure him in capitulation on Hanoi's terms. Those acts and utterances serve only to encourage the enemy to keep on fighting in South Vietnam and to keep on stalling in Paris.

Thus, it is alarming to see leaders of prominence in this Chamber, from campuses, in business, and other fields supporting the moratorium tomorrow. I feel that they are misguided in this approach. There is room for many opinions in this society without causing disruptiveness that could weaken this Nation.

When American boys are asked to give their lives we owe them our complete support, whether or not we believe in the reason for their being in a conflict.

I want to be counted among those who urged the students to remain in class and boycott the boycott. I want to be counted among those who encouraged the workers to attend to their jobs as usual. I want to be counted among those who stood faithfully behind their country, behind their President, and, most of all, behind their soldiers. My prayer and my hope are for peace. I support President Nixon in his dedication to peace with honor.

You will not find my family and me giving encouragement to the enemy and discouragement to our fighting men. This is something that all should not forget tomorrow.

ADDRESSES CAPITOL HISTORICAL SOCIETY

(Mr. SCHWENGEL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SCHWENGEL. Mr. Speaker, last month we held the seventh annual meeting of the U.S. Capitol Historical Society. As the founder and president, it fell my lot to develop with our staff and executive committee a program for this meeting.

As you know, the Capitol Historical Society has become a working component of Capitol Hill, providing both Congress and the public with a variety of services that help us better understand the history of our country. Anticipating an attendance of approximately 200 Washington leaders at the meeting, I endeavored to build a constructive program, and, from the remarks later, it appears we were successful.

The principal speaker was Dr. James Robertson, Jr., professor of history at Virginia Polytechnic Institute in Blacksburg, Va. Also on the program were Senator MARK HATFIELD and Congressman JAKE PICKLE.

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In brief remarks, Mr. PICKLE spun a delightful historical yarn about a colorful piece of Texas' turbulent history. He recounted with authority and eloquence the 2-day, bloodless Texas Archive War of 1842. In this story he illustrates brilliantly how some of the little known historical items are often the most interesting and very significant. Although few people know of the Texas Archive War, this was perhaps the single most important factor in choosing the location for the capital of Texas therefor should be better known by Texans as well as by all Americans. I include his remarks at this point in the RECORD.

TEXAS ARCHIVE WAR OF 1842

(Speech of Congressman J. J. PICKLE)

Let me add my welcome to each of you. I like this group . . . we are here to talk about the Capitol, not about politics. We are here to talk about history, not to try to make it. It is a refreshing exchange for each of us.

History is the records-keeping of little instances that later prove to have bigger-than-life meanings. For example, everytime I gaze across the street at the Library of Congress or the National Archives—and everytime I take a group of my constituents through the Nation's Capitol and pass by the statue of Sam Houston, who was President of the Republic of Texas, I cannot help but remember one of the better stories that illustrates how the history of Texas and the history of the nation are intertwined.

Let me tell you about it briefly. . . . in 1842, we had one of the most unusual wars of all time. . . . it is called the Texas Archive War. Texas has had many unusual internal wars with unusual names. . . . most were caused by money or politics. We had the Fence Cutters War, the Hoodoo War and the Jaybird-Woodpecker War, to name a few. But the most unusual of all was the Archive War. This historical skirmish was limited to a period of two days, twenty miles and included some one hundred men and one very important woman. This war was one of the most significant factors in making Austin the Capital of Texas.

This was during the time of Sam Houston's second term as President. For reasons known only to himself and to his ego, he wanted to move the Capitol 168 miles south and east to Houston, which was named after him. Sam Houston was one of our state's greatest leaders and I certainly don't want to take anything from him . . . but in 1842 there were people in Austin who thought him to be a scoundrel and a scalawag . . . some even called him a Republican, although not to his face.

Austin had been chosen the capital as an expansionist move . . . at that time Austin was on the very edge of the frontier and the city was vulnerable to attacks from Indians and the Mexican Army. But a capital in the interior of the state would force growth in that direction.

But when Sam Houston was elected to his second term with ¾ of the votes, he took this to be an endorsement, even a mandate, of his expressed desire to move the capital and the archives to safer quarters—like to his namesake city. Houston tried several times to get the Texas Congress to pass a proposal to move the Capital and the archives. But Texas congressmen exhibited their stubborn streak—today, we call it independence—and refused to budge. Only an emergency would give Houston the power to make that move.

He got his wish, a state of emergency was declared when the Mexican Army staged a brief attack on nearby San Antonio. Houston decided to make the move. But Sam Houston had been repeatedly warned by the people of Austin that he would have a fight on his hands if he tried to move the Archives.

A man named John Welch wrote Houston a pretty mean letter laced with the rawhide expressions of the times. He told Houston—quote—"you sed you never was going to move it . . . now Sam, you told a damn lie." He even called Houston a "damn old drunk Cherokee" and promised to back Austin's claim to the Archives with guns and men.

But Houston wouldn't be scared off. He sent secret orders and three wagons, and about 30 men were dispatched to Austin to get the Archives. They nearly had the job completed before the brave citizens of Austin knew what they were up to.

A Texas version of Carrie Nation caught the troopers red-handed. She spread the alarm in a hurry—like a one-man wrecking crew, Mrs. Angelina Eberly mustered up some stout-hearted men with rifles. On Congress Avenue, she spied a Howitzer that was always loaded in case of Indians. The cannon was conveniently aimed at the Land Office Building. Without a by-your-leave, Mrs. Eberly sized up the situation and took charge . . . as some women tend to do. She grabbed a torch and jammed it to the powder charge setting off the cannon and sending grape shot all over everywhere. Her intention was good, but fortunately her aim was bad . . . she didn't hit any people, but she did manage to hit the broad side of the Land Office Building. In the confusion and gun smoke, Houston's troopers rode off with the Archives and their wagons.

The good people of Austin were quick to the saddle and gave chase. For extra measure, they took Mrs. Eberly's cannon along. Next morning, the raiders woke up in the midst of a blue norther—and they were looking down the throat of the cannon again. But this time a keen-eyed frontiersman was taking aim. After a short parley, Houston's men wisely agreed to haul the Archives back to Austin where they have been ever since.

Rumor has it that the ladies of Austin prepared a covered dish dinner that night and invited Houston's raiders . . . the meal was so good and the music so fine that the hard feelings melted away and everybody left happy.

I want to emphasize that Sam Houston was one of our greatest leaders and all-time heroes. I am one of his admirers. Houston just made a judgment error in going up against the people of Austin.

Thus ended a bloodless war . . . the Archives are still in Austin, and Austin is still the Capital of Texas . . . and if they ever try again to move it, I know where the cannon is and how to use it. And I hope my aim is about as good as Mrs. Eberly's.

Most of all, I have a greater appreciation now of the Texas Archives, and of our national Archives, because of stories like this one about the Texas Archive War of 1842.

C. Y. STEPHENS AUDITORIUM AT IOWA STATE UNIVERSITY

(Mr. SCHWENGEL asked and was given permission to extend his remarks at this point in the RECORD and include extraneous matter.)

Mr. SCHWENGEL. Mr. Speaker, an event has taken place in my State which has fired the imagination of Iowans and gained the admiration and acclaim of citizens throughout a widespread area of the Nation.

In what has been described in the Los Angeles Times as "the cultural coup of the year"—"Vaudeville Isn't Dead—It's Going to College," by Fredd Wayne, June 22, 1969—Iowa State University attracted the Nation's oldest and finest orchestra, the world-renowned New York Philharmonic, to Ames, Iowa, to perform a festival of concerts inaugurating the C. Y. Stephens Auditorium in the Iowa State Center.

It was the first time in the philharmonic's 127-year history that the orchestra consented to perform such a series of concerts outside New York City.

The unique festival has attracted nationwide attention, but no more than has the magnificent building in which the orchestra performed.

The Stephens auditorium, first of four buildings in the Iowa State Center, is an architectural masterpiece constructed at a cost of nearly $5 million by alumni and friends of Iowa State University and given to the State of Iowa for the cultural enrichment of all Iowans. It is especially noteworthy that no appropriated funds, State or Federal, are involved in the project.

The late C. Y. Stephens—for whom the auditorium is named—was an Iowa State University graduate and a prominent dairy industrialist here in the capital city. Mr. Stephens provided an initial gift of more than $1 million toward the auditorium's cost and, with the support of thousands of additional contributors, made the center dream a reality.

The qualities of the building were in part responsible for attracting the philharmonic to a site which, just a few years earlier, had been a cornfield. The auditorium was the subject of a film report on the "Today" show—Friday, September 12, 1969—on the NBC television network and a representative of the New York Times was on hand to record the philharmonic's appearance.

Critics were unanimous in their praise of the building. Among them were the following:

> It is safe to predict that the auditorium will become a rallying point for people from every corner of the state. (Nick Baldwin, Des Moines Register, September 12, 1969.)
>
> It seemed fitting that the nation's premiere orchestra was on stage to dedicate Iowa's premiere auditorium named for the late C. Y. Stephens. It was a first-class night and both the musicians and the building lived up to advance billing. Doug Looney, Omaha World-Herald, September 11, 1969.)
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> The hall itself was as interesting to the opening night audience as anything going on in it. It is an impressively bold and uncluttered architectural statement on the outside, and the interior, despite its size, establishes a rather surprisingly intimate atmosphere. (John Haskins, Kansas City Star, September 14, 1969.)
>
> I also know that I was captivated by the building, the manner in which it was related to its environment, the feast it furnished my eye and the wonderful sound it provided my ear. (Lew Reeve, Minneapolis Tribune, September 15, 1969.)

The Iowa Board of Regents, in a departure from tradition, passed a resolution unanimously commending Iowa State University, President Emeritus James H. Hilton—who first had the center dream—Mr. and Mrs. C. Y. Stephens and the friends and alumni of Iowa State for their imagination and perseverance in providing such a showplace for the performing arts for the benefit of all Iowans.

Even those closest to the situation cannot foretell the full impact of the Stephens auditorium upon the quality of life of the countless persons who will be in-

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spired, entertained, and informed within its walls.

Already recognized as one of the finest buildings of its kind, the Stephens auditorium, in the wake of its historic introduction to the public, has been christened the cultural center for the State of Iowa and perhaps for a far broader area of the Midwest.

Yet the auditorium is but the first of the center buildings. A 14,000-seat coliseum is now under construction and is scheduled for completion a year from next spring. Efforts are now being made to attract funds for a continuing education building which will serve more than 50,000 persons per year through short courses and conferences alone. A small, experimental theater will complete the Iowa State Center complex.

It is with great pride, and in the name of my State and its citizens, that I make a part of the CONGRESSIONAL RECORD this recognition of a significant event in the history of Iowa and Iowa State University and the addition to our Nation's culture of an asset whose value is immeasurable.

MUST READING FOR PLANNERS IN GOVERNMENT: HON. THOMAS B. CURTIS' ANALYSIS OF BASIC FINANCIAL POLICY AND CURRENT ERRORS IN THOUGHT REGARDING INFLATION AND UNEMPLOYMENT

(Mr. CLEVELAND asked and was given permission to extend his remarks at this point in the RECORD and include extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, our former colleague, the Honorable Thomas B. Curtis of Missouri recently addressed the National Tax Association at its annual meeting in Boston, October 1.

The members of that association were privileged to hear an analysis by one of the finest and most experienced economic thinkers in the country today.

The address he gave, which I include following these remarks, is must reading for the top policy makers in our Government.

I am sending a copy to the President and to others in key policymaking roles in the administration.

Tom Curtis is one of the outstanding public servants in America today. He was a leader for congressional reform during his many years as a Member of the House. He was, of course, second-ranking Republican on the Ways and Means Committee. He brought to that position great knowledge, experience, and dedication. Outside Congress he continues to contribute the weight of his scholarship for the benefit of his country.

I believe the writings and career of Tom Curtis are now, and will come to be regarded generally as, a profound textbook on the intricacies of the modern industrial democracy.

Here is a fragment from the address to illustrate the currency of his thinking and its importance to us:

> The economy is slowed down and inflated because of a shortage of skills. This doesn't seem to deter either the economists of the administration who are now out of power or the economists who have come into power with the new administration from telling the people and the Congress that the price of solving inflation lies in slowing the economy down and accepting a higher rate of unemployment, and that the level of federal spending, not the quality of it, is the governor.
>
> This blind attitude keeps us from zeroing in on expenditure policy and expenditure discipline, and from really going all out to treat unemployment as frictional, structural and, I would add, thinking of the American Negro, institutional. There are more jobs going begging than there are unemployed. . . .

This address is full of thought-provoking, meaty, succinct observations and recommendations.

Tom Curtis is sorely missed in the House these days. I consider it a privilege to bring at least this much of his thought before us by inserting the following address in the RECORD:

BEYOND OUR ABILITY TO CONTROL: GOVERNMENT AS MASTER, NOT SERVANT?

(By Hon. Thomas B. Curtis)

One important dimension to determine the relative size of government in respect to other institutions and to the total society is expenditure. Governmental expenditures may be financed by tax revenues, by borrowing, by selling capital assets, by user fees, by corvee, and by inflation. I note in Webster's international dictionary after defining corvee as "unpaid or but partially paid labor exacted by public authority," it is stated "Corvee was formerly exacted in various countries, but is now largely abolished." The studies of the President's Commission to develop a voluntary armed force following up on Milton Friedman's and others' studies reveal that corvee is very much a factor today in the United States, measured in the billions of dollars in the federal government's utilization of manpower for national defense.

It may be assumed that borrowing money to finance governmental expenditures is merely deferred taxation. However, this is an assumption that needs examination. The federal public debt in the United States has become a basic and essential part of our monetary system. The Federal Reserve System uses its Open Market Committee for purchasing government securities as its primary mechanism for increasing the amount of money and credit extant in the society. It is the roll over or refinancing of the federal debt which enables this mechanism to operate. I have speculated as to what range the ratio of total federal debt to gross national product should be in order to permit monetary policy to be effective and noninflationary, and have come up with a guess of about 15% to 20%.

The ratio of debt to Gross National Product is around 45% which represents a continual decline from the peak of 140% in 1946 at the end of World War II. Most of that decline in that ratio is the result of inflation, a form of taxation which I shall discuss later. The British use consoles, government debt securities with no maturity date, which illustrates the point I am making that some portion of the federal debt is not deferred taxation, but a form of capitalization.

Selling off governmental capital assets to finance current governmental expenditures has become an important factor recently in federal financing as the Congress has sought to use the Federal Debt Ceiling legislation as a cumbersome technique for controlling governmental expenditures.

NO U.S. CAPITAL BUDGET

Federal governmental accounting does not include a capital budget. Nor is there a federal balance sheet listing and giving the market values of the federal government's capital assets. The Government Operations Committee of the U.S. House of Representatives has, over the period of the last decade, attempted to maintain such a balance sheet. However, items tend to be entered with their acquisition costs with no amortization. Real estate is entered with periodical revisions to reflect market values. Military installations and equipment are entered as capital assets, when surely most of these items should be treated as current expenditures.

On the other hand, expenditures for capital assets such as public works are treated no differently than current expenditures, even items like defense highways, which are financed by earmarked taxes. Revolving funds, which total in the billions, are largely outside the federal budget. Governmental guarantees and commercial paper owned by the government as a result of its many financing and loan guarantee programs are likewise mostly out of the budget. But so are the contingent governmental liabilities resulting from the guarantees.

In recent years, the Federal Government budgetary officials have talked in terms of "uncontrollable" expenditures, meaning primarily expenditures resulting from open-end programs established by law to which the Federal Government is committed. Of course, the laws can be changed and so these expenditures are controllable. Whether they will be controlled depends upon the very executive officials and the people's representatives in the Congress, who use the term "uncontrollable" to avoid discussion.

For the purpose of this paper, however, which seeks to examine the relationship of government to the total society—is it master or servant—these expenditures which are presently committed on the books, in an expansionary fashion usually, are an important aspect in measuring the size and scope of government.

I shall illustrate the importance of this item by a brief discussion of the OASDI social security program. Annual expenditures from this program now run around $30 billion a year, and the projections show a steady annual increase of many billions of dollars. Theoretically, this is a pay as you go program, where the revenues derived from the earmarked payroll taxes cover the annual expenditures. The trust fund of around $25 billion is merely a contingent fund to protect against fluctuations. Increasingly, the contingent fund is a less ratio of the annual payout. The earnings from the contingent fund are not calculated in the actuarial computations to determine long range solvency. For contrast, if the Social Security Program was set up on the same actuarial assumptions as those required by our federal tax laws for the private pension plans, primarily the assumption that earnings from the trust funds will provide a large part of the revenues to pay the benefits, over $350 billion in the Social Security trust fund would be required. For further contrast, the private pension plans have over $120 billion in their trust funds covering the contractual retirement benefits of 30 million people as opposed to $25 billion in the Social Security trust fund covering the non-contractual but politically committed benefits of about 120 million.

The assumptions which make the Social Security System actuarially sound are that the Congress will continue to impose the social security tax, and its rate, that the labor force will continue to increase in size, and that the average wage will continue to increase in dollar amount to approximate the dollar limit in the statutory wage base. To a large degree the Social Security System has benefitted from post World War II inflation in that it effectively increased wage scales and so raised the average wage base for the payroll tax. Of course, benefits have been increased to keep step with inflation and increased living standards in the society. So, periodically, the Congress has increased both the payroll tax rates and the wage base.

The point I am seeking to make is that such commitments into the future to finance present government programs must be measured if we are to realize the full extent of government expenditures in present day society. The expectations of the citizens, though not enforceable in the courts, are enforceable through the Congress. Social Security is the largest item of this sort, but the civil service retirement system is another such item; and although it is set up on actuarial assumptions comparable to private pension plans, not those of the Social Security System, it is woefully underfunded. The Veteran's benefit programs are likewise commitments passed on to the future taxpayers, and there are many other commitments to finance current benefits out of future revenues.

CAPITAL BUDGET IMPERATIVE

It is imperative that we develop a capital budget for the Federal Government. State and local governments, to a large degree, have capital budgets. Most capital improvements of state and local governments are financed through bonds and debt, not current revenues. Furthermore, a relationship is maintained in local and state governments between debt and capital assets. In fact, very little financing of current programs can be or is done through debt and bonds at these levels of government.

It is interesting to note that of the five institutions or groups in our society, federal government, state government, local government, private businesses and families, only the Federal Government has a minus ratio of capital assets to debt. The next poorest in debt/asset ratio, although a healthy plan, is state governments; the next, local governments; the next, private businesses, and the healthiest of them all are the American families. Their assets amount to $2.4 trillion compared to $500 billion debt, leaving a net wealth of about $1.9 trillion.

The failure to maintain an inventory of federal governmental wealth is part of the failure to maintain the development statistics on national wealth. What wealth statistics had been developed were largely abandoned in the 1920s and we have now gone through five decades without paying much attention to our lack of wealth statistics. And yet, one of the great factors in the emergence of the American corporation in economic and social importance has been its development of cost accounting. The development, if you please, of the science of distinguishing current expenditures from capital expenditures.

This leads me to restate one of my favorite definitions. A nonprofit organization is one with a poor accounting system.

Without proper cost accounting, it is difficult to have sound expenditure policies, as well as proper expenditure discipline. When a charitable organization like a hospital runs out of money or depletes a capital asset, it engages in a capital fund drive. When government—a non profit organization—runs out of money or depletes a capital asset, it increases its taxes, or, if it is the Federal Government, it inflates the dollar. The former technique, a capital gifts campaign, is a little more healthy than the latter because it still relies on voluntary giving; increasing the taxes relies only on the majority wanting to give, thus binding the minority; frequently, if not always, it is the majority which pays less and binds the minority which pays more.

NEW STATISTICS

One of the reasons for the downgrading of governmental and social wealth statistics has been the important development of statistics measuring economic activity. Certainly, the amount of economic activity going on is the more important economic factor to be concerned with. Furthermore, the amount of economic activity reflects to some degree the amount of wealth and capital available in the society. But when economists measure economic growth by looking to the incremental differences in the gross national product series instead of developing wealth statistics, they are dangerously oversimplifying the economic picture.

During periods of war, economic activity rises quite markedly and shows up in increased figures of gross national product. However, the increased economic activity can well be, if not usually is, eating up capital assets rather than augmenting them. Furthermore, a major economic mistake can show up in increased gross national product, such as Russia's heavy investment in hydroelectric dams under Stalin, instead of utilizing coal burning steam generators as Khrushchev did, but end up depleting, not increasing, wealth. Cutting off a ten mile curve will reduce the amount of future economic activity as does any productivity increase. This will distort the picture of economic growth if measured in terms of GNP apart from wealth statistics.

It is dangerous to measure a nation's wealth after a war to its wealth before a war in GNP statistics on the assumption that the economic process produced this result, not the defeat of the enemy and the taking over of its wealth and markets.

The process of measuring economic growth in terms of GNP with a disregard to a capital inventory has had a deleterious impact on federal governmental expenditure policies and expenditure discipline. Indeed, it is undermining our political institutions.

If increased economic activity is the goal, rather than what the economic activity is producing, then what difference does it make what the money is to be spent for, as long as it is spent?

Coupled with the overemphasis of GNP statistics and the neglect of maintaining and developing wealth statistics has been the wide acceptance of the theory of the Philips curve. The assumption that the Philips curve reveals a true economic law has also contributed greatly to minimizing expenditures policy and expenditure discipline as a major factor in establishing federal fiscal policy.

The Philips curve relates economic activity to unemployment, which is quite accurate. Indeed, one test of economic activity is the amount of employment. However, certain economists go on in extrapolating from the Philips curve to equate economic activity with economic growth, which may or may not be accurate. The extrapolation goes on to equate economic activity with total expenditure in the society. It equates total spending with total purchasing power, of which the federal government through direct spending, financed with a disregard of whether by current taxes or increased debt or through monetary policy, maintains the total purchasing power. The Philips curve theorists disregard, among other things, the factor of "discretionary purchasing" power which is now being measured statistically and is an increasingly important factor in an economy, like ours, based upon plenty, not scarcity.

The net result of the various assumptions in the Philips curve, many of them important variables, some certainly questionable, is the final assumption that inflation and unemployment interact. If we want less inflation, we can have it only at a sacrifice of higher unemployment. If we want full employment, we must accept a modicum of inflation. The federal politician, always seeking excuses for voting to increase spending has absorbed this like a sponge.

The fact is we have heated up the economy to a point where we have serious inflation and equally, if not more serious, high interest rates, more serious because we know little about the economic consequences of interest rates, which are now the highest in our history. Yet we still have pockets of very high unemployment. The economy is slowed down and inflated because of a shortage of skills. This doesn't seem to deter either the economists of the administration who are now out of power or the economists who have come into power with the new administration from telling the people and the Congress that the price of solving inflation lies in slowing the economy down and accepting a higher rate of unemployment, and that the level of federal spending, not the quality of it, is the governor.

MORE JOBS THAN JOBLESS

This blind attitude keeps us from zeroing in on expenditure policy and expenditure discipline, and from really going all out to treat unemployment as frictional, structural and, I would add, thinking of the American Negro, institutional. There are more jobs going begging than there are unemployed. But the unemployed do not have the skills to fill these jobs, nor are they the ones necessarily to be trained in these skills. The process of treating frictional and structural unemployment is a bit more complicated. People with good jobs are probably the ones who should be trained for the jobs in demand requiring higher skills, which if they will do, then leaves their jobs available for those below them on the ladder of skills who can then be trained. Somewhere along the ladder of skills, the unemployed are trained and fitted in.

If we have rapid technological advancement, and we have been having it, we will have concomitantly an increased rate of obsolescence, not just of equipment and buildings, but of skills. I add buildings because our IRS and Treasury authorities haven't caught up with the times to realize that today, buildings, so many of them being single purpose, can become just as obsolete and sometimes as rapidly as a piece of equipment. No one in the IRS or Treasury or the Council of Economic Advisors or wherever in government tax policy is set seems willing to recognize that skills are likewise made obsolete by rapid technological advancement, and that our tax laws that relate to expenditures for education and training are 50 years out of date, and are one of the greatest impediments to economic growth and sound money in our society.

Today a man must be retrained three or four times from 19 to 68, the years he is in the work force, if he is to maintain a marketable skill. Our tax laws work against this phenomena. Those who relate inflation to unemployment distract our attention from frictional and structural unemployment and the proper tax reforms and programs needed to eliminate it.

If we had been in the business of maintaining capital budgets and understanding a nation's wealth as we should have been, we would by now realize that the knowledge and skills of the people are the greater part of the nation's wealth, and the tangible wealth—the equipment, the buildings, even the so-called natural resources are the lesser part. We haven't even kept up our statistics to measure the nation's tangible wealth, let alone get into the business of measuring this more important component. This wealth is called intangible only because you cannot touch it, and because it is not real and powerful.

AUTOMATION MAKES JOBS

The new economists are now interjecting another red herring to bolster the misinterpretation extant in respect to GNP and the Philips curve, and to keep the attention diverted from federal expenditure policy. The new myth being promulgated is that renders certain people economically unusable, and that as time goes on this will be increasingly the case. Therefore, government, the master not the servant, will provide for their livelihood. All objective studies made on this matter reveal just the opposite

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to the case. Automation, instead of rendering certain people economically unusable through its concomitant feature, specialization, is rendering people who were unusable because of physical handicaps or whatever, economically usable. Automation creates many more jobs than it destroys, better jobs in the sense that they require more brains and less brawn; better paying jobs, in that automation (marketplace automation, that is, subject to expenditure discipline) is synonymous with productivity increase.

Furthermore, rapid technological growth places added emphasis on initial training and retraining. The new economist, fighting against these cold facts, has raised another bugaboo, namely, that we will have so much leisure time we will not know what to do with ourselves. Much of this leisure time is not leisure time. It is study time, retooling time and re-creating time. Just as we have found that the 8-hour day, the 5-day week improves labor efficiency, so we are finding that the 11-month year will do the same. And so, I argue, will we find the 7-year sabbatical will increase human efficiency. Furthermore, the average age of entering the labor force is now over 19 years 6 months, and is continuing to increase. It was just a few years ago that we changed our BLS statistics to measure the labor force by raising the age of entry from 14 to 16. We are still out of date. On the other end of the life span, the average age of retirement continues to move down from 70 to 65, and we are witnessing an increased efficient use of older employees through the use of their knowledge and skills, part time and out of the chain of command.

It is fortunate that the federal government remains highly inefficient; that is, in one sense. Its very inefficiency keeps it from moving into the private sector more than it presently has. Government in our society, measured in dollars expended, takes up about ⅓ of our endeavors, the private sector ⅔. If we can reestablish expenditure policy and expenditure discipline at the federal level, we can cut the ratios back to ¼ government ¾ private, and in doing so we will increase our wealth and productivity immeasurably. We can also start on a 20-year program of systematically reducing our federal income tax rates. These reductions in rates will cut costs and increase efficiency in the private sector. When the tax rates are sufficiently low, then and only then can we have comprehensive tax reform.

We are not yet at a state where the government is other than a servant, although some of the new economists, in anticipation, speak of it as a partner. But if we continue this foolish approach of ignoring wealth, capital, and cost accounting and continue to neglect expenditure policy and expenditure discipline, the servant can well become the master—a master of a scarce pantry. There is historical significance in the many instances where the major domo became the sovereign. The Stuarts of Scotland were once royal stewards, not kings.

SECRETARY STANS ON FOREIGN TRADE

(Mr. MIZE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MIZE. Mr. Speaker, Secretary of Commerce Maurice H. Stans has marshaled the resources of his Department to promote U.S. exports. Calling the effort to help businessmen maximize their export opportunities "our Department's No. 1 job," the Secretary has worked at home and gone abroad to promote a more favorable balance of trade.

Mr. Stans recently delivered an excellent speech before the International Trade Club of Chicago on the occasion of its 50th anniversary dinner. His comments summarize the commitment of the Nixon team to an era of more profitable trade.

Because an improved export position is a major goal of this administration, and because of the universal interest in the topic, I wish to call attention to the address Secretary Stans made on October 1 in Chicago:

ADDRESS BY HON. MAURICE H. STANS, U.S. SECRETARY OF COMMERCE, BEFORE THE 50TH ANNIVERSARY DINNER OF THE INTERNATIONAL TRADE CLUB OF CHICAGO, OCTOBER 1, 1969

I am twice honored tonight.

First, I have the honor to bring you a message from the President of the United States.

"To the members of the International Trade Club of Chicago: It gives me great pleasure to extend my warmest congratulations and best wishes on the occasion of your Club's golden anniversary. You have helped to make Illinois our leading export state. You have helped to create new jobs for our growing work force and the additional profit required for technological research and industrial progress. Most important you have demonstrated a commitment to trade expansion that has helped to strengthen the free world economy and enriched the lives of people on every continent. But your greatest opportunity for service lies ahead as we lift our sights toward a national export goal of $50 billion by 1973. Under the dynamic leadership of men like yourselves, we not only can reach it, we can exceed it. And I pledge your government's assistance in every way. Let us lift our sights in the greatest export drive in history.

"RICHARD NIXON."

My second honor is to be your speaker on this notable occasion. Anyone would be proud to be asked to join in celebrating this distinguished Club's 50th anniversary. But because Chicago was my home for so many years, I am especially pleased to be here, and to be with so many of my oldest and best friends. I thank you for your gracious invitation.

TRIBUTE TO PAST

One of our pleasures tonight is to pay tribute to the past. We honor the men of vision and daring and faith who built this area into one of the world's greatest international trade headquarters.

When this Club was formed a half century ago, Chicago was the capital of a landlocked heartland. Today it is a thriving port on the shipping lanes of the world, with direct access to markets on every continent.

Your Club was a prime mover in this historic achievement. And I am proud to say that among those who joined in making this possible was one of the greatest Americans of all time and whom I had the honor to serve, President Dwight D. Eisenhower. His far-sighted leadership in the development of the St. Lawrence Seaway is a legacy of progress that challenges us all.

President Nixon has called on us tonight to respond to that challenge when he says that we must "lift our sights in the greatest export drive in history."

GOVERNMENT ASSISTANCE

But let me assure you that this will not be simply another exercise in which government's main role is to exhort you businessmen to get out there and export. You've been hearing that tired line for about eight years, like a stuck needle on a phonograph record.

We are going to ask you to work harder at it, but you will note that President Nixon pledges government's full assistance. And you are going to get it. The President himself is personally involved in developing this aid, and we at the Commerce Department have the responsibility for following through on the plans. It is our Department's number one job.

THE PROBLEM

The reason it has priority over everything else is the sudden critical nature of the problem. Let me outline it briefly.

Through the 1960's we sailed blithely along with a trade surplus of $5 billion or more annually. And then suddenly in 1968, the roof caved in. There was a tremendous surge in imports of about 24 percent, while exports were rising only about 10 percent. On the balance of payments basis the trade surplus dropped to the lowest point in ten years, to about $600 million.

It will not be much better this year, in 1969. It will not be much better in 1970. It will not be much better by 1973—unless we find new ways to stimulate exports and to reduce overseas barriers to our exports.

I am confident we can do it. Some countries export up to 30 and 35 percent of their Gross National Product. We export only 4 percent of ours. If we could raise this, as the GNP increased, to only 4½ percent, we would have solved almost all our problems.

OBSTACLES

But success will not come easy. There are formidable obstacles, especially overseas. But we are working to dismantle them. The main purpose of my recent trips to Europe and the Far East was to begin this work.

In Europe, you exporters must contend with a rising wall of what the trade specialists call nontariff barriers. These include:

Border taxes—while exporters from those countries receive tax rebates.

Limitation or exclusion from participation in procurement by government entities.

Protectionist aspects of the Common Market agricultural policy.

Artificial technical restrictions placed on imports.

European subsidies which take away American markets in third countries.

For the first time in history, we are mounting a full-scale attack on these open and covert restrictions, which threaten to wipe out the gains of the Kennedy Round of tariff reductions.

OPEN TABLE

On my trips abroad I proposed the Open Table Policy, under which all nontariff barriers would be brought into the open, measured, probed, diagnosed and dealt with on a reciprocal basis.

We in the United States have some restrictions of this kind, but we are convinced that those of other nations are of much greater significance than ours. Our proposal for frank discussions of them has met a favorable response in both Europe and the Far East. We have already exchanged lists of such barriers with Japan, and discussions on them will go forward in the coming weeks.

EXPORT CREDIT

A second part of our program of assistance to exporters is in the credit area.

You have been losing sales abroad for lack of adequate credit facilities. This has to stop. We have in this Nation the greatest accumulation of capital in the world, the greatest system of credit, the greatest money markets. Why we haven't been using our financial muscle to make our exporters competitive in this field is beyond me.

So we are going to do it. We're going to do it through the Export-Import Bank, whose principal job is to spur exports. The new head of Ex-Im Bank, Henry Kearns, is the most dynamic leader this institution has ever had, and he is going to see to it that you exporters meet the competition everywhere.

We're going to say to other nations of the world, "From now on we are going to be competitive with you on any financing terms you offer. You can name the terms. We will meet them."

And that will be that. You exporters are not going to be at a disadvantage in this area any longer.

COMMERCIAL REPRESENTATION ABROAD

A third part of our assistance program will be to strengthen our overseas commercial representation. In the field of govenment, our commercial attaches around the world are the eyes and ears of you exporters. Their job is to provide you with intelligence and leads on sales opportunities.

These men work in the Foreign Service, which comes under the State Department, and we are cooperating with State on upgrading their services. In this matter, we need guidance from you exporters on how these commercial representatives can be most helpful. We need from you specific examples of where our services are deficient, and how you would like to see them improved.

If you have suggestions in this area, please let me hear from you. Your comments will receive the most careful attention.

PROMOTION ACTIVITIES

Fourth in our program is to strengthen the whole array of our export promotion activities. We are stepping up the number of our commercial exhibitions in major foreign markets. We are working with the National Export Expansion Council in targeting industries which offer the greatest export potential. We are sponsoring a new and highly effective program of industry-government trade missions abroad. We are increasing our Joint Export Association program to help develop foreign markets for groups of small and medium-sized firms. And we are strengthening our field offices throughout the Nation, and stepping up their export activities.

EXPORT DOCUMENTATION

Fifth, we have streamlined export documentation procedures.

Some of the paperwork in exports had its origins back in the 19th Century. Nobody ever bothered to do much about it.

This Administration has slashed it to the bone. We've made several changes that greatly simplify the whole documentation process and will sharply cut the delays involved in a major share of U.S. export shipments. This will bring substantial benefits to business and government alike in time, money and efficiency. And it will free you to put more effort into the real business at hand—increasing exports, increasing profits, increasing jobs.

MERCHANT MARINE

Sixth, we are going to rebuild the American merchant marine.

President Nixon and this entire Administration recognize the importance of American shipping to our foreign trade. A highly productive U.S.-flag fleet guarantees us access to foreign sources of raw materials and to markets for our manufactured goods. This assures you exporters and importers that there will be ships available to carry cargoes at reasonable rates on reasonable schedules.

Today, many of our ships are aging derelicts left over from World War II. We are going to replace them with high-speed, containerized, highly productive ships with quick turn around time. We need them for our national security.

To do it we must have a workable, sensible government maritime program. I hope we can announce this program in the next few weeks.

We also must use the vast research and development capabilities of this Nation. During the summer we held an intensive, three-week meeting on the subject that included representatives of industry, government, science and engineering. They went over every possibility that could help modernize the fleet. And in the end they came up with a five-year research and development program that will help us achieve the goal we all seek: the rebirth of a strong, productive, healthy American merchant marine.

INFLATION

And finally, we are attacking a home-grown thorntree that is one of the toughest barriers you exporters face. It is one whose wild seed was planted more than four years ago and which has grown right to the sky. I'm talking about inflation, which makes your products less competitive in the world market.

Today the leaves on the thorntree of inflation tell us it's October 1. They are dry. They are beginning to turn. And sometime in the not too distant future, they're going to shrivel and drop off.

I'm confident of this because President Nixon has had the courage to attack the roots of this wild plant, instead of just hacking at the branches. He has joined prudent fiscal policies with the Federal Reserve Board's policy of monetary restraint. Together they are restoring order and balance to economic growth. This not only will assure our continued domestic prosperity, it will help clear the way for you exporters to get our fair share of the burgeoning world market.

So these are the obstacles, the barriers, the hurdles. Your government is working day and night to lower or eliminate them altogether.

FREER TRADE

The Nixon Administration, I can assure you, has an unswerving commitment to freer trade. We want to widen the markets for the goods produced by working people everywhere. We want to share the growing markets of the U.S. with our trading partners, and we ask them to let us share in their growing markets.

In this way, we develop a climate of mutual cooperation that fosters the growth of trade, not the growth of protectionism.

Our idea of mutuality of interest in the growing export market turns on freeing up competitive forces through reduction of nontariff barriers and artificial export subsidies.

But the Nixon Administration's approach to problems is pragmatic and not doctrinaire. And there is one special problem that requires exceptional treatment. I refer to the growing flood of imports into our country of wool and man-made fiber textiles and apparel products.

TEXTILES

We are the only open and free market for these products in the world. We want to share this market with our trading partners. But we have asked them to voluntarily limit their exports of these products so that our own textile industry, as well as theirs, can continue to flourish. Under our proposal, there would be no cutback in foreign jobs, no closings of foreign textile plants. In fact, their exports of these products to the U.S. would continue to grow at an orderly rate.

Our proposed solution is eminently fair and reasonable, and I am confident that it will be adopted by our trading partners.

CONCLUSION

So tonight, we celebrate the past. We mark 50 years of outstanding achievement by a great organization.

We also aim toward the future. We look forward to the invigorating challenges ahead, determined to build on the past.

But in a larger sense, we celebrate the spirit of man. We celebrate the spirit of cooperation in him, the one essential for peace and progress on earth.

That's what international trade is—the highest tangible expression of cooperation among men of every nationality, every race, every creed. Every day it affirms the faith, the trust, the unity and the interdependence of men everywhere.

Tonight, on another celestial body a quarter of a million miles in space, there is a plaque which reads, "We came in peace for all mankind."

Here on earth, in this hall and on every continent, there are the international traders whose daily work expresses that same high purpose: "We came in peace for all mankind."

Let us resolve to strengthen this spirit of brotherhood and cooperation which your organization has so nobly advanced through trade. That is our real challenge. Let us go forward in confidence to meet it.

THE FRATERNITY CRISIS

(Mr. WAGGONNER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WAGGONNER. Mr. Speaker, as you know, I have taken the floor on a number of occasions in defense of the fraternities and sororities of our colleges and universities, most often during those times when the harassment of the Department of Health, Education, and Welfare becomes intolerable. This will be another of those occasions, but I will be brief.

Two items have come to my attention which I think are worthy of the time it will take to read them and I shall insert them here in the RECORD.

The first is an article which appeared in Banta's Greek Exchange, written by Mr. William Zerman, and the other is a column by the distinguished writer, Mr. Jenkin loyd Jones, which appeared in the Washington Star on September 13.

I urge those who share my concern over the crisis that is today threatening the very existence of fraternities and sororities to pay heed to these two timely and appropriate articles, as follows:

FRATERNALLY YOURS

(By William S. Zerman)

There is evidence that the unit rule which is used by many fraternities for electing men to membership is under attack by some segments of college and university communities because the unit rule, which has been used by many fraternities for years, is thought to be "discriminatory."

Some of the ammunition for this attitude has come about because of a misinterpretation of correspondence from one or more officials of the Health, Education and Welfare Department of our Federal Government. As the months go on, it is certain that this will be clarified because of meetings which are currently being held with members of Congress who developed the Civil Rights and Aid to Education Laws.

Some college presidents feel that the Compliance Provisions of H.E.W. are a form of blackmail. This has been told to me off the record by college administrators. They feel that Federal funds will be withheld if H.E.W. personnel are not satisfied that there is no racial discrimination in any campus organization.

Colgate has gone so far as to require that its fraternities reduce the voting requirement to around 50 per cent of the undergraduate members of each chapter. There is strong feeling within the Colgate community that this is the only democratic way to operate a fraternity system. On the other hand, there is honest and sincere concern that because of the nature of fraternity, a 50 per cent vote will soon tear apart the fraternal aspects of the fraternity chapters.

I fall into this latter category. We must not confuse "discrimination" with our voting

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system. Even with the unit rule, all members of each undergraduate chapter are not compatible. By reducing the vote to around 50 per cent, it seems to me that we will develop greater incompatibility and therefore, in direct ratio, less fraternity.

I have discussed the matter of "recognition" in another column. It was suggested that there may well be good reason to follow the University of Texas plan which provides that the fraternity system there is not recognized by the University. The interference by Colgate University into the private affairs of fraternity strengthens my feeling that we should return to making fraternity our business, rather than everyone else's business. And, we can do this by operating on some campuses without recognition. There are few administrators of the 600 colleges and universities on whose campuses fraternities are located which concern themselves to the extent that Colgate has.

As one of the regents of a Big Ten University said recently, "Fraternities should be allowed to determine their own membership practices in convention at which time the undergraduates have the predominant vote." If our conventions vote to allow each chapter to determine its own method of election to membership, then there should not be interference from any segment of the college or university. If at a convention, the fraternity votes to maintain a standard election procedure for all chapters, the college or university authorities have some responsibility for supporting that fraternity's democratic process if it wishes to maintain a general fraternity system. There is far too little understanding on the part of university authorities of the democratic process our fraternity system has in determining its policies. If the college or university interferes with this due process, then it will weaken the fraternity system. Perhaps this is what some people want. If it is, then the fraternity system should either work to change the thinking of those responsible or remove the fraternity system from that particular campus.

I know of no general fraternity whose membership does not consist of all races, creeds, and colors. Social change in our society will continue to be reflected within the membership of each of the general fraternities. I am highly suspicious that there is more involved than a concern for "discrimination." It is time for fraternity members to stand up and be counted. When we see copies of the letters which Health, Education and Welfare personnel have written to over 250 colleges and universities, we will be able to determine for certain if this correspondence has encouraged colleges and universities to become concerned with fraternity voting structure. Those letters we have seen imply that there has been H.E.W. pressure implied to modify fraternity voting procedures.

Institutions which are demanding that voting requirements be watered down to a majority vote will find themselves without general fraternities, if the fraternities themselves are interested in maintaining solid fraternity relationships within their chapters. A majority of college and university administrators see the fraternity system today as an important adjunct to the campus scene. More than one university president has told me that the fraternity system is most important to him and his Student Personnel Deans, as they carry out their responsibilities. If there is an attack on the fraternity voting system on your campus and the excuse is communication from Health, Education, and Welfare, I suggest that you contact those Congressmen who were responsible for developing the Civil Rights and Aid to Education Laws so that there will not continue to be misunderstanding as to the intent of Congress in developing laws which specifically have excluded any Federal employee from meddling with fraternity membership requirements. If you feel that an attempt to modify your voting requirements is going to hurt your fraternity system, then I suggest that you move toward operating in that campus community without college or university recognition. At the same time, you should make it known that the fraternity system will continue to be a part of the goals and objectives of your college or university.

[From the Washington (D.C.) Evening Star, Sept. 13, 1969]

Anarchy an Abhorred Vacuum

(By Jenkin Lloyd Jones)

On August 27 the board of directors of the national college fraternity, Phi Gamma Delta, unanimously passed the following resolution:

"Whereas, this fraternity views with strong disapproval the tendency of some colleges and universities to acquiesce in a general lowering of standards of conduct among their students; and

"Whereas, the affirmative action of some college and university administrators in approving the use of intoxicants on the campus, abolishing curfew time for women students, permitting visitation by members of the opposite sex in sleeping rooms and condoning the use of narcotics results in the destruction of morals; and

"Whereas, some of these same administrators have allowed anarchy to prevail on the campus to the irreparable loss and damage to the college or university and the majority of the students;

"Now, therefore, be it resolved that this fraternity calls upon these administrations to recognize that morals are not out of date, but that they are basic standards of human conduct, divinely inspired to promote the dignity of man and the sanctity of the family relationship."

Square? Sure. Thirty years ago who would have thought college fraternities would be looked upon as square?

But that was before the age of swinging professors and militants bearing guns. It was before the idea that the administration should serve as servants to ad hoc committees and the theory that pot and casual sex were extensions of the Bill of Rights. In contrast to this high trapeze work, the average college fraternity swings low.

The Phi Gamma Delta directors have put their fingers on a truth. A college that succumbs to the bullying of the loud, the violent and the ignorant gets out of the education business. And the majority of students, who came not to confront the "pigs" but to learn a lot of pretty complicated stuff in a very short time, are robbed of the promise of the catalog.

The college that is bluffed out of laying down reasonable rules of conduct peddles the idea that at the animal level of behavior there is happiness, fulfillment and a flowering of the personality. If so, the court of Caligula was the golden age of Rome and the alleys of the Ginza represent the acme of Japanese civilization.

You've got to have rules—even if you are bent on revolution.

For most interesting is the discovery by the New Left, itself, that anarchy doesn't work.

The September issue of Ramparts magazine, the voice of what is hopefully described as a Third World (something about communism with complete humanity), carries an article about this summer's riotous convention of the Students for a Democratic Society at the Chicago Coliseum.

The writer, Paul Glusman, a Berkeley SDS activist, sadly described the three days of splits, secessions, excommunications and walkouts.

According to Glusman, the Progressive Labor Party had been infiltrating the SDS and planned to seize the convention. Alarmed, the SDS National Office formed something called the Revolutionary Youth Movement to give PL battle.

At the Chicago affair, PL sympathizers kept drowning out SDS speakers by chanting "Mao, Mao, Hao Tse-tung!" Whereupon RYM shouters bawled "Ho Ho Ho Chi Minh, Dare to Struggle, Dare to Win!"

This intelligent debate ended only after SDS threw out PL by resolution, but then marched huffily away, leaving PL in possession of the hall.

Criticizing the SDS for lacking discipline and often behaving merely "as a debating society," Glusman expressed worry that PL might drain away many SDS members because it offered the iron regimentation of the old Communist parties.

It is worth noting that the archons of Phi Gamma Delta and Mr. Glusman of SDS, although they have utterly conflicting aims, seem to agree on one fundamental thing: Chaos is a temporary condition that must destroy itself.

Man abhors confusion. He can take it only for a little while. Either our colleges are going to have to show the guts to teach school in the face of patent sabotage and lay down some reasonable value judgments for the guidance of the young, or a confused and rudderless generation will look around for its new Hitler.

Anarchy is just for today.

THE VIETNAM MORATORIUM IS VERY DANGEROUS BUSINESS

(**Mr. STRATTON** asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. STRATTON. Mr. Speaker, last Friday I issued a statement from my office with regard to the so-called moratorium scheduled for tomorrow. In that statement I criticized the proposed moratorium as an example of trying to influence public policy by street demonstrations rather than by reasoned argument and following the legal parliamentary process. I pointed out that this kind of approach toward influencing public policy was all too reminiscent of the approach of the Nazis in the 1930's.

The same point was made in a thoughtful column that appeared this morning in the Washington Post by David S. Broder. Mr. Broder also points out—and it is a point that has been largely overlooked in all the recent discussions on this proposed moratorium—that the Vietnam course which President Nixon is now pursuing, and which they are attacking with their moratorium demonstrations, is the very same program for Vietnam advocated in the minority platform plank in the Democratic National Convention last summer. Those behind the moratorium fought for that plank last year; now they are trying to destroy the President for carrying out their own proposal. One wonders just what's going on.

The Broder column follows:

[From the Washington Star, Oct. 14, 1969]

Ill-Advised Viet Moratorium Could Set a Risky Precedent

(By David S. Broder)

Cambridge, Mass.—The larger the plans for Wednesday's Vietnam moratorium, the more the central message and tactic of the demonstration have been obscured. If the event is to be gauged properly, it is important to uncover its original premises from the debris of cliches and endorsements in which they have lately been buried.

A number of men active in the moratorium have taken time to point out what they consider the errors of the argument in this column last week that it is a plan for "the breaking of the President." With sincerity and conviction, they have asserted that, far from breaking the President, they are out to save him, by persuading him to make the peace the nation craves and, incidentally, to save the political system by keeping the antiwar movement out of the hands of the radicals and in control of those with a commitment to peaceful forms of protest.

Their conversations and correspondence have helped to define three questions which might be borne in mind by those planning to participate in the moratorium.

First, what is the target of this protest? Sam Brown, the able spokesman for the moratorium, says it is not an anti-Nixon move because "we learned in 1968 that what we must oppose are not personalities but policies."

But if the Nixon administration is following the very policies recommended in 1968 by the antiwar faction, as I believe, then their moratorium is mobilizing public opinion against its own policy recommendation to the President. The minority plank at the Democratic convention, endorsed by all the leading doves, called for a halt in the bombing of North Vietnam. This has been done. It recommended a reduction in offensive operations in South Vietnam. The President has ordered this and it is in effect.

It asked for "a phased withdrawal over a relatively short period of time" of all foreign troops. The Nixon administration has begun pulling Americans out of Vietnam without waiting for North Vietnam to agree to mutual withdrawals, as the doves thought necessary.

Finally, it recommended that the United States use the leverage of troop withdrawals to "encourage" the Saigon government "to negotiate a political reconciliation with the National Liberation Front" looking toward "a broadly representative government" but recognizing that "the specific shape of this reconciliation will be a matter for decision by the South Vietnamese."

If this is not precisely the policy of the current administration, as enunciated by the President and the Secretary of State, then words have lost their meaning. And if the moratorium sponsors want to argue—as some have—that the President is lying about his purpose, their suspicions must be weighed against the facts of reduced fighting, reduced troop levels and reduced casualties, which his policies have brought about.

Second, what is the alternative they recommend? It has been described in moratorium publicity as everything from a negotiated settlement to immediate, total American withdrawal from Vietnam, but Brown said Sunday on "Face the Nation" that it is the latter that the moratorium has "consistently" demanded.

If that is the case, then the elected officials, clergymen and educators who have lent their prestige to the moratorium can properly be asked if this is the program they endorse. Many of these sponsors were involved in the fight for the minority plank at the Chicago convention which specifically said the war "will not be ended by military victory, surrender or unilateral withdrawal by either side."

It might be well for those men to explain Wednesday when and why they concluded that their opposition to unilateral withdrawal was wrong. It would be even more useful if they could explain why a one-dimensional plan to pull out troops is any more likely to be wise policy than the one-dimensional plan that sent the troops in. Have we not learned yet to examine the political consequences of military decisions?

Third, and most important, what about the method of the moratorium? Is it compatible with the maintenance of representative democracy or does it substitute the rule of the street?

The sponsors say the name "moratorium," rather than "strike," was chosen to emphasize that the protest is to be peaceful and noncoercive. It is a nice distinction. The noncoervice feature may be almost invisible to the thousands of students whose colleges will shut down Wednesday. If the moratorium continues, as planned, for two days in November, three days in December, and so on, it will more and more come to resemble the general strike so familiar to European politics.

And if it succeeds in its aim, what is to prevent other majorities or sizable minorities in the country from using the same technique to force their views on agencies of the government? The moratorium sponsors say Vietnam is an extraordinary issue, but they must know it is not the only issue which agitates millions of people.

One wonders what the moratorium sponsors would say if Billy Graham were to ask all the parents who want prayers restored to public schools to withdraw their children from school for one additional day each month until the Supreme Court reverses its school-prayer decision.

Suppose pro-prayer teachers agreed to meet the pupils in private homes on moratorium days to discuss "the overriding significance of religion in human life." Would the Vietnam moratorium sponsors cheer? What would they say if landlords and real estate men opposed to integrated housing declared a moratorium until Congress repeals the open-housing law?

My view, just to be clear, is not that the Vietnamese moratorium is un-American, illegitimate, meanly partisan or personnally vindictive in its motivation. My view is that it is an ill-timed, misdirected protest, vague in its purpose and quite conceivably dangerous in its precedent.

As was said last week, its immediate result may be the breaking of the President. In the serious weakening of his power to negotiate peace or to achieve any of the other purposes for which he was elected, its longer term effects may be to subvert a system of democratic government I happen to believe is worth preserving.

HOUSING START DECLINE AND HISTORIC IMPORT LEVELS THREATEN CERAMIC TILE INDUSTRY

(Mr. TAFT asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. TAFT. Mr. Speaker, all of us have become increasingly concerned as the full impact of anti-inflation measures, such as monetary and credit restraints, have been felt by the housing industry and its suppliers. Secretary of Housing and Urban Development George Romney underscored this concern when he expressed fear recently that new construction might fall below 1 million units in 1969—down from a rate of nearly 1.9 million units early this year.

The vulnerability of the housing industry to such restraints was acknowledged by Federal Reserve Chairman William McChesney Martin, Jr., when he appeared recently before the Senate Banking and Currency Committee to comment on the report of the Commission on Mortgage Interest Rates. He said:

> At the outset, it should be recognized that monetary and credit restraints inevitably have their largest effects on sectors of the economy most dependent on credit financing. Housing is particularly susceptible.
>
> Over the longer run, housing will be best served by a mix of fiscal and monetary policies which, as the Commission states, makes "greater use of fiscal policy as a stabilizing force, so that monetary policy is freer to maintain an even flow of credit at reasonable rates of interest that American families can afford." To permit changes in the fiscal-monetary policy mix when needed, there is much to be said for procedures that would lead to greater flexibility in setting Federal tax rates as is recommended by the Commission.

President Nixon's recently announced 75-percent cut in Federal construction was also an acknowledgment of the seriousness of this problem. His proposal, according to news reports, was designed to effect a shift in funds to the housing market, which has been artificially depressed because of the insufficient availability of long-term credit.

Mr. Martin has also recognized "that special public measures may at times be required to aid housing without sacrificing the overall objections of public economic policy."

Appropriate steps are clearly needed to assist the beleagured ceramic tile industry, for the shift in private resources away from housing toward more lucrative investments has deprived this industry of its principal market—new residential construction.

Comprised mostly of small individual firms, this industry has suffered not only from the shortage of available mortgage funds and other forms of long-term credit, but the nature of the competition it encounters from a rising tide of foreign imports. These importers have captured over one-third of the U.S. market, primarily through various predatory practices which would result in prosecution under our statutes if engaged in by domestic firms. A few examples of these practices include marketing through giant international cartels—a practice which is proving especially useful to the British—price fixing, unlawful territorial restrictions, and improper use of standard grade labels.

It is essential to note that the shift in distribution of private resources referred to by Chairman Martin has also resulted in a shift in the type of housing units being built. Last year for the first time in history, apartment units represented more than 50 percent of residential construction and it is in this market that foreign-made tile finds its most receptive market.

In order to offset the adverse effects of these monetary restrictions on this industry, I am pleased to join with my colleagues in sponsoring a concurrent resolution designed to express the sense of Congress that the executive branch should take steps under its existing powers to negotiate voluntary quota arrangements with foreign countries to effect such reductions in imports as may be necessary to protect the ceramic tile industry, and others, until such time as free market conditions are restored.

Mr. Speaker, if the economists are correct in their forecasts, the current situ-

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ation is a temporary one. There will be an urgent need for housing, particularly if we are going to meet the national housing goal of 26 million housing units over the next decade. America will need strong and viable industries if we are to have adequate sources of supply to meet our housing goals. This concurrent resolution is designed as a step in that direction:

WHAT'S AT STAKE FOR OHIO

1. Ohio's ceramic tile companies employed 1677 workers in 1968.

2. Their total payroll was $9,677,000.

3. These companies' total sales were $21,342,000.

4. This meant a total economic benefit to Ohio of $53,355,000. (Derived by assuming an income multiplier of 2.5.)

5. Ohio's ceramic tile companies could have contributed significantly more to the State's economy. Because of import competition, these companies used only 74 percent of their capacity.

6. At full capacity, therefore, they could have had a total economic benefit to the state of over $60,000,000.

7. The average age of Ohio tile companies is 67 years. This is a traditional and well-established industry in Ohio.

BERNARD P. "DICK" CASEY HONORED BY CITY OF BOSTON

(Mr. BURKE of Massachusetts asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BURKE of Massachusetts. Mr. Speaker, I should like to bring to the attention of the Members of the U.S. Congress the recently conferred honor on Bernard P. "Dick" Casey of Dorchester, Mass. Dick, who is loved by everyone who knows him, was honored by the city of Boston in dedication ceremonies renaming the Town Field at Fields Cornor, "Dick Casey Field."

Dick, as everyone in Boston knows, is the Red Sox's No. 1 fan. Having been an expert baseball player in his own right as a youth, Dick has worked among youngsters in the Dorchester area of Boston promoting athletics.

Dick is presently attending the world series games between the Baltimore Orioles and the New York Mets. Being an avid American league fan, I know Dick is having mixed emotions on this series. However, he is very likely rooting part of the time for Baltimore while at the same time he greatly admires the underdog Mets.

Mr. Speaker, Dick Casey, Congressman "TIP" O'NEILL, JR., Congressman "EDDIE" BOLAND, and I worked together in the Massachusetts State Legislature for several years, and since that time my admiration for Dick Casey continues to grow. Bernard P. "Dick" Casey is truly deserving of this salute from the city of Boston.

At this point I include a statement by the distinguished Speaker of the House:

STATEMENT BY SPEAKER MCCORMACK

Mr. MCCORMACK. Mr. Speaker, Bernard P. (Dick) Casey is one of the most prominent authors in Massachusetts, a dear friend of mine whose dedicated life of constructiveness has been an inspiration to countless of thousands to follow and particularly to the youth Dick Casey is "one of God's noblemen."

It was a pleasure for me to be present when the Town Field at Field's Corner, a famous athletic field in oBston, was dedicated in his honor which honor he richly deserved. There were thousands of persons present to show their friendship and esteem for "Dick" Casey.

The wonderful life of "Dick" Casey will always inspire others to lead a better life.

I am proud of my friendship with "Dick" Casey. I am so happy the Town Field at Field Corner in Boston has been named in his honor.

At this point I include a statement by my distinguished colleague from Massachusetts (Mr. BOLAND).

STATEMENT BY MR. BOLAND

Bernard P. "Dick" Casey of Dorchester, Mass., celebrated in the Boston area as one of the Red Sox' most ardent fans, has received a signal honor from the City of Boston.

The city has renamed the Town Field at Fields Corner, "Dick Casey Field." An outstanding baseball player in his youth, Dick promoted athletics and athletic leagues among youngsters in the Dorchester area after his own playing career ended. His lifelong interest in baseball—and his many contributions to the sport—make highly appropriate the honor bestowed on him by the City of Boston.

Dick opened his playing career more than a half century ago, serving as first baseman for the Neponset Wanderers of the Dorchester Catholic League. He later played semi-pro baseball for St. Ann's of Dorchester, Boston Navy Yard, Greater Boston Twi League, Chelsea Millstreams and Moncton, New Brunswick, of the old Canadian League. The famous Dick Casey Club he formed in the Boston Park League 45 years ago won the league championship 11 times within 14 seasons.

A charter member and director of the Bosox Club, Dick is generally recognized as the Red Sox' number one fan.

Congressmen "Tip" O'Neill, Jimmy Burke and I served together in the Massachusetts Legislature with Dick. A four term member of the Legislature and Sergeant-At-Arms for the Massachusetts Democratic Party at national conventions for forty years, Dick has made significant political contributions to his state and nation as well as to the sport he loves. I join my colleagues in paying tribute to him.

I submit for the RECORD tributes that appeared in the Boston papers.

[From the Dorchester (Mass.) Argus Citizen]

TO RENAME TOWN FIELD TONIGHT FOR "DICK" CASEY—DEDICATION RITES START AT 7 P.M.

The City of Boston will honor Bernard P. (Dick) Casey of Dorchester by renaming the Town Field at Fields Corner "Dick Casey Field". The dedication ceremonies will take place tonight (Thursday evening) August 28, at 7 p.m. at the ball park.

Dick Casey has been a resident of the Neponset section of Dorchester for seventy-five years. He served four terms in the Massachusetts Legislature and is retired from the New England Telephone Company with thirty-seven years service. Dick served on the staff of Maurice J. Tobin while Tobin was Mayor, Governor and Secretary of Labor. He has served for forty years as the Sergeant-At-Arms for the Massachusetts Democratic Party at the National Conventions.

Dick is best known for his life-long interest and participation in baseball. His own career began in 1911 playing first base for the Neponset Wanderers of the Dorchester Catholic League at this same Town Field. One of his teammates at the time was John W. McCormack, Speaker of The House of Representatives, and they have remained lifelong friends.

During his many years in semi-pro ball. Dick has played for St. Ann's of Dorchester, Boston Navy Yard * * *.

Years later, he formed the Dick Casey Club and joined the Boston Park League in 1934, winning the championship eleven times in fourteen years. His influence on Park League baseball helped make it the best known semi-pro league in the country.

He has been a Red Sox fan since starting as an usher in Fenway Park in 1915 and is a charter member and director of the Bosox Club. He has been a familiar figure at Red Sox training camps and world series for over thirty years.

It is indeed appropriate that the City of Boston salute Bernard P. (Dick) Casey in this manner.

A ball game between the Wolf Club and the Craven Club will follow the ceremonies.

[From the Boston Herald Traveler]

CITY TO HONOR "DICK" CASEY

(By Jim Morse)

Off the cuff: Bernard P. "Dick" Casey of Dorchester will be honored by the City of Boston Thursday night when the town field at Field's Corner will be renamed "Dick Casey Field." Casey, a resident of the Neponset section of Dorchester for 75 years, served four terms in the Massachusetts Legislature and is retired from the New England Telephone Co. with 37 years' service.

He served on the staff of Maurice J. Tobin while Tobin was mayor, governor, and Secretary of Labor. And for 40 years he has served as the sergeant-at-arms for the Massachusetts Democratic Party at the national conventions. Dick is perhaps best known for his lifelong interest and participation in baseball. He's been a Red Sox fan since starting as an usher at Fenway Park in 1915 and is a charter member and director of the Bosox Club.

ILLEGAL TRAFFIC IN DRUGS AND NARCOTICS

(Mr. DE LA GARZA asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. DE LA GARZA. Mr. Speaker, for the past several days much has been written and said about Operation Intercept—one phase of our Government's war on the illegal traffic of drugs and narcotics.

Emotions ran high. There was widespread dissatisfaction on both sides of the Mexican border, not with the intent of the operation but with the manner in which it was implemented.

Everyone agreed that the dope problem should be stopped because it is like a cancer—eating at the very heart of our society—our young people. But here the unanimity ended. Even within the administration for example, there were those who had different opinions as to the harm done by and penalties for the use of marihuana.

Operation Intercept also caused concern to many, because it was not merely an internal or purely domestic endeavor, but by the very nature of its implementation a foreign country was involved. Our good neighbors to the south were involved—the Government and the people of Mexico with whom we have had the highest level of relations and for whom vast numbers of our people have great admiration and respect. That is why many of us were concerned, that what had been built by so many would be severely damaged by a few.

We can now use hindsight and see that our concern was natural, but that the friendship, the good will and understanding for which so many of us had worked diligently for so long was indeed a monument to that mutual respect and admiration between our two peoples. This good will was stronger than any minor disagreement, or misunderstanding. This, I am satisfied, is what prompted our two Governments to initiate talks and reach an agreement on a joint effort to combat the dope menace.

It was the desire and hope of our two peoples that our Governments join hands in this endeavor. That they did should be a tribute to the spirit of solidarity which exists between our two peoples and which should exist between our two Governments.

So now we have a joint effort known as Operation Cooperation, and we have the task of repairing what damage might have been done. We must return our border country back to its normal way of life. We must return to an unarmed frontier where we live in brotherhood and friendship. We must return now because of Operation Intercept, more conscious of our responsibilities to deal with the illegal dope traffic, joining our efforts to rid our countries of this menace to our youth.

We have done this with our problems in the past. I am satisfied we can do so again. Together the people of Mexico and the people of the United States can continue to be an example to the world of how we can live, work, and play together, as brothers and as friends.

Let us not look backward, let us continue on the road we have traveled now for many, many years—the road of mutual respect and trust, of friendship and understanding, of love and admiration.

We have come too far to stop now. Our history demands we continue.

PRESIDENT NIXON DESERVES SUPPORT OF ALL WHO SEEK VIETNAM PEACE

(Mr. McCLORY asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. McCLORY. Mr. Speaker, the so-called Vietnam war moratorium has gained nationwide attention. Many Members of this body are giving support to the students and others who are staging demonstrations, vigils, and other activities urging an end to the war—now.

Many, who are participating in the moratorium, have given little thought to the consequences of unilateral withdrawal—and a unilateral cease-fire.

Several Members of this House and of the other body have gained widespread publicity in behalf of plans for ending the war in Vietnam. One plan would set a precise timetable for troop withdrawal. Other proposals call for immediate withdrawal and for a unilateral cease-fire. These also have attracted nationwide attention. However, the only person capable of action is the President of the United States who as Commander in Chief is entrusted with the decisionmaking authority regarding our Armed Forces.

Together with more than 100 other Members of the House of Representatives I have cosponsored a resolution in support of the President's decision to reduce our ground combat forces in Vietnam and in behalf of withdrawing our remaining forces at the earliest practicable date.

It seemed to me that the President's decisions to withdraw troops, to Vietnamize the war, and to suspend the draft calls for November and December are consistent with a policy to restore peace at the earliest possible date. Also, the President's request for unified support in behalf of his efforts appeared to be reasonable and proper, and I do not intend to try to outdo the President with regard to a subject for which he has the principal responsibility.

In recent weeks I have been reminded of the President's inaugural speech delivered just 9 months ago when he said:

> I shall consecrate my Office, my energies and all the wisdom I can summon to the cause of peace among nations.

This language was voluntarily added by the President to his constitutional oath and I am confident that he meant it as he said it.

It is in this spirit that I am regarding the various public expressions and demonstrations in behalf of peace in Vietnam—and in this spirit I will continue to regard all public action as being in support of, and not in derogation of, our Chief Executive's moves for peace.

CONGRESSIONAL REORGANIZATION

(Mr. SISK asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. SISK. Mr. Speaker, at 4 p.m. tomorrow, in 2247 of the Rayburn Building, I will have a statement for the press on the subject of congressional reorganization and will also conduct a press conference on the subcommittee's work to date and its plans for the future.

THE ROAD TO PEACE: BRING OUR BOYS HOME NOW

(Mr. CHARLES H. WILSON asked and was given permission to revise and extend his remarks at this point in the RECORD.)

Mr. CHARLES H. WILSON. Mr. Speaker, we are all familiar with the expression: "Hell no, we won't go." We are familiar with it because we have heard it shouted by students throughout the country. We are familiar with it because we are aware that it is the wish of a large number of young people confronted with the draft and the specter of serving in Vietnam. We are familiar with it because we are all aware of the horror of war shown daily on our television sets, the horror that is Vietnam. But for all their shouting and for all their wishing these youngsters for the most part do go. They go into the Army or the Navy or the Air Force or the Marines, and they are taught to fight and to kill and, if the present rate of troop withdrawals continues, they will probably be sent to Vietnam. And just as likely, many them will not return. But I know that I do not have to remind you of these facts. I am sure that they are on your minds daily.

Mr. Speaker, I have been a Member of this body for almost 7 years. I am a member of the Armed Services Committee. I have toured Vietnam to observe our operations there firsthand. I am against continuation of the war and American military involvement in Vietnam. I am against the present draft system that messes up the lives of our youngsters so needlessly. I am against token troop withdrawals aimed at placating our youth at home without seriously reducing the levels of hostilities of our troops overseas. I am against supporting a corrupt, dictorial government which does not have the support of its people with the lives and blood of American boys. Simply put, I am for peace; peace as soon as possible.

Senator WILLIAM FULBRIGHT in the book "The Arrogance of Power" stated that we are well on our way to becoming a traditional great power—an imperial nation if you will—engaged in the exercise of power for its own sake, exercising it to the limit of our capacity and beyond, filling every vacuum and extending the American presence to the farthest reaches of the earth. As with the great empires of the past, as the power grows, it is becoming an end in itself—governed, it would seem, by its own mystique—power without philosophy or purpose. Without philosophy or purpose, is not that how many people in the older generation describe the youth of today? Maybe they cannot see the forest for the trees?

I originally supported our involvement in Vietnam. At that time I accepted the premise that U.S. assistance was needed to prevent a centrally directed Communist conspiracy aimed at subjugating an unwilling people. I accepted the premise that the security and welfare of the United States would best be served by our involvement there. I accepted the premise that the people, not only the leaders, but the people of South Vietnam wanted our help. Today, I must reject all these premises and by rejecting them I must do all within my power to see the withdrawal of all U.S. troops from Vietnam as quickly as possible.

President Nixon, speaking about de-Americanizing the war when he was Candidate Nixon, said that it was a new kind of war which, and I quote: "Is not primarily a military struggle in the conventional sense. It is primarily a political struggle, with the enemy conducting military operations to achieve political and psychological objectives. It is a war for people, not for territory. The real measure of progress is not the body count of enemy killed, but the number of South Vietnamese won to the building and defense of their own country—this kind of war can actually be waged more effectively with fewer men at less cost." That was Candidate Nixon talking. More effectively—fewer men—less cost.

Query: token troop withdrawals? I hope not. I hope the President is sincere in his efforts to bring about a halt to this

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tragic war. Our original reasons for involvement have proven to be incorrect. We are not dealing with a worldwide centrally directed Communist conspiracy. We are dealing with a South Vietnamese Communist national uprising aided and abetted by Vietnamese in the north. The two Communist giants that pose threats to the United States are literally engaged in an undeclared border war with each other. The Soviet Union is having trouble keeping its own backyard in order—witness the uprising in Czechoslovakia, the Rumanian rejection of Russian communism, and the grumblings among other Eastern European captive nations.

Red China is just ending a period of a bloody counterrevolutionary attempt that was squelched by Mao Tse-tung and his Red Guards. It appears, however, that thousands and thousands of Chinese lost their lives in this purge of the Chinese Communist Party. In addition, it is now a well-known fact that the Vietnamese, both North and South, hate and fear the Chinese. Hanoi has shrewdly played off Moscow against Peiping and has thereby kept its independence. A national brand of communism has been accepted by the United States with Yugoslavia being the prime example. We should allow the South Vietnamese to freely choose any form of government that they truly desire to live under. After all, were we not originally fighting to allow them to have the opportunity to determine their own destiny? The presence of about 500,000 U.S. troops certainly does not give them much of a chance to do that.

Some advocates of slow withdrawal will claim that in order to insure free elections, we must build up the South Vietnamese Army and not pull out before that or else there would be a large-scale blood bath. I consider it true that we now have a large-scale blood bath, but it is not only South Vietnamese blood, nor Vietcong blood, nor North Vietnamese blood, but also American blood. It is the blood of our friends, of our children, of our relatives. Fifty thousand Americans have now died in Vietnam. What does it take to classify a war as a blood bath? War is a blood bath.

Theodore Draper, historian and author of "Abuse of Power" stated, quote:

> In the new worship of power, we are squandering our power by using too much too frequently and too maladroitly. All great powers which have overestimated, overindulged and overextended their power have come to grief. Whatever one may think about the present military imperatives, we cannot go on failing politically and "succeeding" militarily without ultimately inviting disaster beyond anything yet known to mankind.

Scary words are they not? But these are scary times and the United States is threatened with disaster.

Where are we going? What are we doing to ourselves? We pollute our air, destroy our streams, endanger our bodies, and threaten our minds. We expound high ideals and principles, but when viewing reality, we see hypocrisy and selfishness all about us and the credibility gap has become the credibility gorge when it concerns communication between the generations.

According to a report recently issued by the Ninth Strategy for Peace Conference held at Airlie House in Warrenton, Va., the dominant characteristic of world politics is the rapidity with which fundamental and qualitative changes occur due to the impact of technology, expanding population, the widening disparity between poor and wealthy states, the weakened allegiance of postwar blocs, the corresponding multiplicity of power centers, the emergent nationalism of Asia, Africa, and Latin America, the resort to subnuclear revolutionary conflict, the proliferation of statehood, and the varied perspectives of national leadership between the generation now in power and the people of the next. Or in other words, as Bob Dylan put it "for the times they are a changin'."

I say it is time to change our role in Vietnam. Our men over there have fought valiantly for this country. Make no mistake about that. The United States has never had better trained nor better led men in our entire history. Our officers are not only dedicated and brave, they are also exceptionally well-educated and informed men to whom our country owes a great debt. Most were called to go and went reluctantly but they all went in the service of the United States and let us never forget that.

But times have changed. The people of South Vietnam will never be able to determine their own destiny as long as we remain in their land. Why should their army get ready and fight when they know U.S. boys will fight and die for them? Why should they fight for a corrupt government which is, whether we like to admit it or not, a puppet of our own Government? Why should they fight, when they feel they have nothing to fight for? And why should we send our young men to that far-off land when we recognize that the realities of the situation have changed, and we can avoid further death and destruction without endangering U.S. security interests by withdrawing now? These are questions that I have asked myself over and over again. As a member of the Armed Services Committee, I have studied many reports and papers dealing with the war. I have questioned generals and admirals. I have argued and debated with both Senators and Congressmen. I have listened to hawks and doves and visited the cities, villages, and towns of Vietnam. And after a long, soul-searching analysis, I have concluded that we should work to meet an established deadline to withdraw all our forces from South Vietnam. That deadline, I feel, should be December 31, 1970. We can do it; we should do it; we must do it.

The price of this war is truly incalculable. American deaths total over 50,000 men but this figure is deceiving. Due to fantastic medical advances, lives of U.S. troops are being saved that would have been lost during the Korean war or World War II. But many of those saved are no longer whole men. Many have lost arms, and legs, and eyes. Others have lost more, their minds. How many G.I.'s are now going to spend the rest of their lives in veterans hospitals, existing as vegetables, oblivious to all that goes on about them, needing constant medical attention? I tried to find out how many, but even, as you all know only too well, Members of Congress cannot get all the information they need at times.

The price of the war is not calculable in terms of the inflation that it has spurred. It is not calculable in terms of the frustration of our own poor who see a military budget of $70 billion per year and a poverty program for 14 million Americans, of less than a tenth of that. That is right, about 14 million Americans fall below the present poverty level. Education funds and student financial loan programs are slashed due to financial priorities that feed our military machine. Health activities such as cancer studies are curtailed due to the quote scarcity unquote of funds. I do not find it strange that many of the youth today are disillusioned with our Government.

I do not find it strange that high school and college students are raising their voices in protest against a war that seems lost, against a draft system that is unfair, against a society that seems to have placed emphasis on the wrong areas. No, I can understand it because I feel the same way too and I am not alone in my views. More and more Members of the Congress are raising their voices in dissent and protest, possibly not as dramatically as some students on campus, but nevertheless with conviction and sincerity.

I, personally, am introducing legislation that would abolish the present Selective Service System and replace it with a lottery method with age 19 being the year of eligibility. I am proposing legislation that would forbid the use of draftees in combat zones without the express authorization of the Congress. This is in line with the grants of power contained in section 8 of article I of the Constitution and will avoid the United States rushing into wars without it first receiving the consideration of the elected representatives of the people.

I want U.S. troop withdrawals by the end of next year. I feel that it is the only way to convince the South Vietnamese that they cannot indefinitely use American men to do what it is their duty to do. That knowledge hopefully will force them to shape up and meet their responsibilities. We have lived up to our commitments. We have paid a terrible price. It is now time to bring our boys home.

Nobody in their right mind defends war. Vietnam has seen nothing but war for almost 30 years—30 years—it's incredible. How many have died? Half a million? A million? I believe the loss of one life that could be avoided is one too many. I promise to you, as I have promised to my wife and to my sons, to work in the best interest of our country. And the best interests of our country now demand that we make the fastest possible withdrawal of our men from Vietnam.

Today we gather as free Americans to represent our constituents, to show that our Government can be responsive to the will of its people. We want peace and we want it now. Let none of us rest until we achieve it. Let us bring our men home.

ENDING THE VIETNAM WAR

(Mr. OTTINGER asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. OTTINGER. Mr. Speaker, it is time to speak out again to end the war in Vietnam.

The new President has had 9½ months now to unveil his promised plan to end the war. In that time, more than 4,000 Americans, 19,000 South Vietnames and 81,000 North Vietnamese have been killed in the war. And still the end is nowhere nearer in sight.

It is, indeed, time to speak out again, and past time to end the war. I, therefore, wholeheartedly support this day of moratorium and exhort every citizen, every business, every civic group, every political leader, to put maximum pressure on the administration to stop the war and stop it now.

Look at the damage this war has caused America.

We have now lost 44,798 American lives and left 227,754 Americans wounded. Our casualties have exceeded those of World War I and will soon exceed those on both sides of the Civil War, making this the second costliest war in U.S. history, second only to World War II.

Look at the damage we have wreaked on South Vietnam, with 93,738 killed, 271,102 wounded and 1,212,000 stranded as refugees in their own country, huddled miserably in makeshift camps, barely sustained in life. What other country in the world is ever going to want to be so generously "saved" by the United States?

Look at the damage to our national prestige. There is not a major country of the world that supports us, including most of our staunchest allies.

Look at the drain of our resources—some $110 billions now siphoned from programs desperately needed at home and abroad. The economic impact in this country alone is staggering. Our Government is spending, for every man, woman, and child, more than $142 per year on this war. For every $100 of our Federal tax dollars, only $1.26 is spent on protecting our environment, $1.84 for housing and community development, $4.04 for education, $8.63 for health, but $52.96 for the Defense Department, of which $19.50 goes directly for the war in Vietnam.

To use yet another yardstick, we spend $82 million a day on direct Vietnam war expenses. The entire model cities program for 140 urban areas could be sustained for a full year on what we spend in 8 days on the war. The Federal Water Pollution Control Administration's annual budget represents 3 days' military activities in Vietnam. And our entire Federal investment in air pollution abatement is only $78 million a year, less than 1 day's Vietnam costs. A more distorted set of national priorities could hardly be imagined.

Look at what this war has done to our most precious resource, our youth. It has undermined their confidence in America. It has embittered thousands of them. For the great majority who have not succumbed to the extremes of militancy or hedonism, it has spelled disillusionment, disgust, and disinterest.

Let us put the matter clearly. There is no way to convince our young people that this is not an absurd war—for it is absurd. There is no way to argue for patience in the face of continuing senseless destruction—for it is senseless.

Truly, a nation that has lost its youth, has lost it future.

We must stop the war before this ill fate besets us.

Let us look at our proclaimed original goals in this war. Have we discouraged the Communists from similar wars of national liberation? Quite the contrary; we have demonstrated clearly our inability to deal with them.

Have we saved South Vietnam for freedom and self-determination? Hardly. Conservative estimates indicate that there are at least 20,000 non-Communist political prisoners jailed by the Thieu regime, including student leaders, newspaper editors, Buddhist priests, and political opponents. Generals Thieu and Ky and their military-dominated regime can hardly be called the voice of freedom in South Vietnam.

These are the two goals we have proclaimed as our justification for being in Vietnam, and they have been shattered.

We fight on, apparently for fear of stopping, to save face after such a large expenditure of our most precious resources, and to save the face and hides of the military junta in Vietnam.

I submit that these new objectives are not worth the loss of a single American life. Continuing the war can only amount to throwing more lives away in a senseless cause and throwing good money after bad.

We had no business taking over the war in Vietnam. We have no business now in perpetuating our error.

How, then, do we extricate ourselves from this most tragic error in our history?

Not, I think, by the Nixon approach of limited pullouts and so-called "Vietnamization" of the war. I regard that as a formula for continuing our participation in the war indefinitely, not as a formula for extrication. What it means in truth is a prolonged U.S. commitment to supply the South Vietnamese with arms and to support them with perhaps a quarter of a million troops and airpower in the hope that the South Vietnamese with this help can win militarily where we failed. The goal here would seem to be to perpetuate the Thieu-Ky regime. though at minimum loss of U.S. lives. This, in turn, would seem to be predicated on a notion put forward continually by our military that the Vietcong and North Vietnamese are close to the end of their rope, demoralized, desperate.

There is no evidence, however, that this is the true state of events. The Vietcong and North Vietnamese have been fighting now for 18 years, and their aggressiveness and determination seems if anything greater. On the other hand, the South Vietnamese seem even less interested in or capable of pursuing the battle. Just look at their ineffectiveness with a million and a half men under arms as against 135,000 Vietcong and about 90,000 North Vietnamese troops now in the south. And consider the continued corruption that pervades their activities.

Most important of all, I believe that the basic premise of this Nixon approach is wrong. I do not think the Thieu-Ky regime is worth fighting to save—I do not believe they represent principles we should be defending.

We simply have to learn, starting in Vietnam, that we cannot determine the future of other nations. It is not our proper role to intervene in the internal struggles of other countries around the globe, nor are we capable of doing so. If the South Vietnamese Government is not strong enough to command the support of its people, to cause them to wage an effective battle against the North, then the South Vietnamese Government does not merit our support. It will lose despite our efforts. It may be replaced by a government we like less, but it is not for us to try to determine that result.

The fact is, however, that we have intervened massively in South Vietnam. We have caused vast destruction throughout Vietnam. We have caused thousands of South Vietnamese to become crippled, homeless, and dependent upon us. We have laid down the gauntlet to China, albeit falsely I think, that we would prove in Vietnam that we can stop wars of liberation, and we have successfully prevented North Vietnam from overrunning the South militarily. We have not been defeated militarily in South Vietnam any more than have the Vietcong and North Vietnamese.

These considerations rather than any motive of promoting Generals Thieu and Ky argue for settlement rather than abandonment. If we define our goals properly, I think we can achieve them.

Our goal in South Vietnam should be to withdraw completely in as short as possible a time, leaving a mutually agreed upon temporary international structure to supervise the withdrawal of all foreign troops and to assure the safety and self-determination of the South Vietnamese along the lines set forth in the 1954 Geneva Accords.

Settlement means accepting the conditions that actually exist in South Vietnam, not trying to get in the settlement gains not actually achieved on the battlefield as we have continually been trying to do.

This necessarily involves acceptance of coalition government. The North Vietnamese and Vietcong, still controlling about half the South Vietnamese population and two thirds of its territory, cannot be expected to accept in settlement an arrangement that does not give them an accurate share of the power they actually control. To talk otherwise is to negate settlement, for more simply has not been won.

I believe we could settle the war tomorrow on these principles. The North Vietnamese have so proclaimed. It is certainly at least worth putting them to the test of their declarations. It is worth taking this risk for peace after taking so many greater risks of war.

I thus reject the proposal for unilateral withdrawal put forward by Senator GOODELL—because it would be tantamount to assuring the murder of thousands of South Vietnamese for whom we have assumed responsibility, because it would invite future adventurism, and because it would hand too clear a victory to the hawks in the Communist world. I think the Senator's proposal is well-intentioned but unrealistic.

I think, instead, that we should try for a realistic settlement in Paris offering complete mutual withdrawal, an internationally supervised coalition government to arrange South Vietnamese elections, eventual elections throughout Vietnam for reunification, and an immediate stand-still cease-fire while these arrangements are being made.

Anticipating the possibility that no such formal settlement may be possible, as was the opinion of such architects of our Vietnam policies as Dean Rusk, who thought the war would just fade away, we should match the North Vietnamese battlefield lull with our own, withdrawing our troops in proportion to their withdrawal, and receding to a posture of defending U.S. positions and South Vietnamese centers of population rather than seeking out combat. I would also try a unilateral cease-fire to test the willingness of the enemy to respond to it. I would do everything within our power to promote mutual scaling down of the war rather than maintaining it.

The end is within our reach if only we have the wisdom and strength to act on realities, admit our mistakes, and move on to constructive efforts to rebuild in Southeast Asia and in the world.

The last thing we should do is remain silent as the war continues, as the President has demanded.

Can anyone really believe at this stage of the war that we will achieve a better settlement by continuing the fighting for another 60 days, or 90 days, or any other period?

That has been the unsuccessful line for far too long—that we are just about to turn the corner—if only the critics would be silent.

Indeed, the new President has adopted the rhetoric of his predecessor toward criticism. Those who were branded "nervous Nellies" are now called "neo-isolationists." Where Lyndon Johnson exhorted his critics not to "tuck tail and run," Richard Nixon urges us not to "cut and run" or "buckle under."

The military tells us for the thousandth time not to respond to the enemy lull as a sign of peace but as a sign of weakness.

The President and even some prominent Democrats now call on us to refrain from criticism under the banner of national unity.

Let us be united in ending the war, not in its continuation.

Let us be united in peace, not in bloodshed.

And let us speak out to achieve this unity

MILITARY JUSTICE IN VIETNAM

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, the Secretary of the Army, Stanley R. Resor, has dropped the charges against the Green Berets. But, it is not so easy for the people of this country, while relieved that the Green Berets will not be made scapegoats for possible interservice rivalry, to dismiss their questions about what happened. Why the abrupt conclusion of the case? Why the clemency in this instance, but not for the Presidio offenders? Indeed, even the *Pueblo* crew had to undergo more questioning and public scrutiny.

Most important, however, are the questions that have been raised about military justice in Vietnam. There was the initial killing of Chu Yen Thai Khac; the severe pretrial confinement of the arrested Green Berets; the delay in the appointment of defense attorneys; the lack of information in the Pentagon during the months of July and August and then the subsequent withholding of information; and the promise of a closed trial by field officers—secret trials are reminiscent of medieval star chamber proceedings rather than our American way of public trial by jury. Is this the nature of military justice in Vietnam?

Our distinguished colleague from New York (Mr. BINGHAM) has introduced a concurrent resolution providing for the establishment of a Joint Investigating Committee on Justice in Vietnam. The committee's examination would extend beyond the case of the Green Berets; it would include a complete investigation of that judicial system affecting many young Americans and yet for so long free from public, and even congressional, review. I agree with my colleague that such an investigation is needed; and perhaps, in view of the recent article in Life magazine describing some most severe and unacceptable treatment given to prisoners in our stateside stockades, perhaps this examination should be extended to include all operations of military justice. It is my hope that this Congress will hasten in approving such a study for we have allowed the Military Establishment's treatment of its soldiers to operate under cover—under the guise of "security"—for too long.

I am introducing for the RECORD a column which appeared in the October 13, 1969, issue of the Nation entitled, "The Green Beret Scandal." This piece underlines the need for the investigating committee proposed by Mr. BINGHAM, as follows:

THE GREEN BERET SCANDAL

When Mendel Rivers announced in the House of Representatives that the Army's murder case against eight men of the Special Forces (Green Berets) had been dropped, some members rose and cheered. They might better have wept. No doubt the damage to the Army, the Green Berets and the Central Intelligence Agency was less than if military justice had been allowed to take its course, but all three came out with grievous injury to their reputations, already considerably debased by the inherent vice of the Vietnamese War.

The Green Berets' image has been tarnished, although the returning officers will no doubt be greeted as heroes in John Wayne quarters. However irrelevant considerations of morality in war may be in the eyes of the Green Beret officer corps and many civilians, some Americans retain the quaint notion that there is a difference between killing in combat and in gangster fashion. Indeed, Secretary of the Army Stanley R. Resor, in announcing the conclusion of the proceedings, reiterated that "the acts which were charged, but not proved, represent a fundamental violation of Army regulations, orders and principles." His wording could be construed as implying that such violations had in fact occurred but that the manner and circumstances precluded a successful prosecution.

In the issue of September 8 *The Nation* said editorially that it was most unlikely that any of the Green Berets would be court-martialed or, if tried, that they could be convicted. The crucial question was why, assuming they were guilty as charged, they should be punished for the murder of an obscure South Vietnamese alleged to be a double agent. Why this sudden squeamishness? To be sure, a case could be made out against the accused on the basis of the Nuremberg principle of individual responsibility, but in organizations like the Green Berets this is hardly more applicable than it was in the Nazi SS.

The background for the scandal seems to be that the CIA, the Green Berets and the Army headquarters in Vietnam have been at one another's throats. Once the charge of murder was in the open, the CIA even took the unprecedented step of trying to exculpate itself by holding a press conference at which it presented its side of the story, naturally on a no-ascription basis. Accusations and counter-accusations flew all over the place, presenting a picture of the participants which belied the traditional patriotic portrait of the military as honest, disciplined guardians of the national security.

As just one sidelight, William Beecher wrote in *The New York Times* (September 28) that on June 21 Gen. Creighton W. Abrams, commander of all American forces in Vietnam, was in touch with Col. Robert B. Rheault, commander of the Green Berets in the area where the alleged double agent disappeared. The General asked for a status report on the case and reportedly was told that the man was on a dangerous mission, when supposedly he had been killed the day previously. Beecher continues, "Why he (Colonel Rheault) said that remains a mystery to this day." Still without the protective "it is alleged," "it is said," etc., Beecher writes that Sgt. Alvin L. Smith, Jr., told his story of the killing to the CIA a few days later (in other accounts Smith is said to have been in fear of his life at the hands of his comrades in the Green Berets) "causing, among other things, General Abrams to become furious at being lied to and to order a no-holds-barred investigation."

The lawyers for the accused then proceeded to try the case in the newspapers and in Congress, and the scandal mounted. After first denying, for two days, that the President had approved the decision of the director of the CIA not to permit its personnel to testify—because of "national security" of course—the White House finally admitted that Mr. Nixon had endorsed, if indeed he had not ordered, the CIA refusal. The affair thus takes its place as an inglorious episode in an inglorious war.

VIETNAM

(Mr. POAGE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. POAGE. Mr. Speaker, treason against the United States shall consist of—giving aid and comfort to the enemies of the United States.

Today I received an invitation to encourage our enemies. No matter how sincere the motives of those who support this encouragment of our enemies, I shall give them no aid or comfort.

I have just replied to the above mentioned invitation.

My letter follows:

OCTOBER 14, 1969.

Miss KATHERINE L. CAMP,
President, Women's International League for Peace and Freedom, Philadelphia, Pa.

DEAR MISS CAMP: Your multityped letter addressed to all Members of Congress was just received, along with the miniature Flag-draped casket, which you described as being "a symbol of mourning for America's dead in Vietnam." You then stated: "If our nation's leaders truly mourned these dead, they could not continue to pile up the grim body-count week by week in a futile effort to impose political objectives by military means."

I don't want to join with you in trying to measure the sincerity of other people. I am not going to charge anybody with insincerity, but I must suggest that it seems to me that the most charitable appraisal that I can give of those who would have the United States pull out and abjectedly run for home is that their judgment as to how they can help American fighting men is unrealistic. I think that all Americans would like to avoid any further loss of life, but some of us who are old enough to have observed previous wars (I was an enlisted man in World War I) feel that the most certain way to assure continued loss of American life is to run from Vietnam. Certainly, such ill-conceived invitations to the North Vietnamese to hold on as is going to be conducted in the Capitol Building tonight can have no other effect than to encourage these people to keep shooting American boys, and certainly, the withdrawal from Vietnam is but an open invitation to the Communists to conduct the same kind of ruthless and brutal attack in the Philippines, in Taiwan, in Korea, and Japan that they have conducted in South Vietnam.

I realize that there are those who say that "this is none of our business—let them torture and kill these people of distant lands just as they have tortured and killed hundreds of thousands of innocent civilians in South Vietnam." There are those who say they don't like the government of South Vietnam—that it is not truly democratic. Just what is so desirable about the government of North Vietnam? How truly democratic is it? As a matter of fact, can you remember in what election the rulers of North Vietnam were selected? Or for that matter, how much democracy is there in Mainland China?

I am not trying to pass judgment on anybody's government. But I have been amazed that so many American citizens would find the moat in the eye of our allies and overlook the beam in the eye of our enemies. But the really important question seems to me to be is: Would these people have us fight when the "war of liberation" is carried to the State of Hawaii, or would they have us wait until they land in San Francisco Bay?

As far as I am concerned, I am extremely anxious to bring this war to a prompt ending and to prevent as many future wars as possible. I know of no way of doing this except to show the enemy that it is not profitable to him to keep "picking off" American boys. I know of no reason why Hanoi should be given greater consideration than was Berlin. I believe most everybody will agree that the Germans fought a more nearly civilized war than have the North Vietnamese. But we were able to put a stop to the slaughter in Europe only by destroying the German capital, and I think it saved many American lives to do it. Why not put a stop to this war just as quickly and effectively? In short, the way to end any war is to win it. I have no apologies to offer for the brutality of the Viet Cong and the North Vietnamese. They are indeed a crude and brutal people. I have no criticism to offer of our allies, the South Vietnamese. They are no more perfect than we are, but I know of no reason for magnifying their shortcomings and glossing over the brutality of those from the North. It has been the North Vietnamese and their Viet Cong allies who have been killing American boys—not the South Vietnamese.

I am not going to be a party to conducting any kind of treasonable or seditious gatherings either in the United States Capitol or elsewhere. I don't believe that those who do are serving their country or protecting the lives of our young men—but they are clearly giving aid and comfort to our enemies.

Yours sincerely,

W. R. POAGE,
Congressman.

COLUMBUS DAY

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, last year, Congress fulfilled the hopes of millions of Italian Americans by making Columbus Day a Federal holiday, effective in 1971. This entirely worthy objective was achieved by enactment of the statute known as the National Monday Holiday Act, which provides that the second Monday in October of each year, beginning the year after next, will be observed as a Federal legal, public, holiday. In the meantime, many of the States celebrate Columbus Day as a legal holiday, and we in Congress pause to pay appropriate tribute to the great discoverer of our Western Hemisphere and to praise the achievements of his countrymen, the Italian Americans in our midst.

We have shown the high regard in which we hold the contributions to the United States of Italian Americans by reforming the immigration system by which Italian immigrants to these shores are admitted to the land of their hearts' desire, the Nation for whom their countrymen who preceded them here have done so much for so long. Prior to the new Immigration and Nationality Act of 1965, less than 6,000 persons could be admitted to the United States from Italy each year under the infamous national origins quota system. Since President Johnson signed the new Immigration Act at an unprecedented ceremony at the Statue of Liberty, more than a hundred thousand have been welcomed from Italy. Under today's immigration system, 20,000 Italians, who yearn to become Italian Americans, can be admitted each year.

Of all the famous Italians whose deeds have made an imperishable record in the hearts and minds of men and women through the ages, it is Columbus whose fame will last forever. Perhaps his achievement in sailing into the trackless Atlantic is more meaningful for us today than it was for previous generations, because we face the vastness of outer space beyond the moon in the same way that Columbus faced the expanse of the uncharted ocean.

Even the varied ethnic pattern of the future United States was foreshadowed in Columbus' voyages. Here was an Italian who used Spanish ships and Portuguese charts in achieving the most spectacular and important geographical discovery in the history of this planet. Despite all obstacles and hazards, despite primitive navigational aids, he found land and successfully returned to Spain.

Columbus Day is the right time to note the achievements of Italian Americans. In their early days in this country, Italian Americans performed backbreaking toil in heavy industry and in construction. Yet Italian Americans, in remarkably few years from the period of their early migration here in large numbers, during difficult times and under severe handicaps, have come to take their place in the leadership of our free American society. During the past half century, Italian Americans have been holders of public office as judges, mayors, executive branch appointees, and Members of Congress. We all know how strong the Italian-American contribution has been in music and the other arts; it is the contribution most often described in paying tribute to Italian-American culture.

An Italian, Christopher Columbus, discovered America, and Italian Americans now help lead it and preserve its freedom.

THOUGHTS OF THE VERY YOUNG

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, it is hard for many of us older people to realize how much the very young of the younger generation understand about our world and our problems.

I had the thrilling experience recently of spending an evening with an eminent Boston lawyer and devoted friend, Mr. Jerome Medalie, and his family at their lovely home in a suburb of Boston. At dinner the subject of the war and some of our disturbances upon the campuses and in the streets arose in conversation.

The father told me about a poem that his 11-year-old son, David, had written about these subjects. I asked to see the poem, and David read it to me. I thought it surprisingly good and perceptive, revealing an understanding about the war and the riots I did not realize an 11-year-old young man had.

I asked the father to send it to me so I could put it in the CONGRESSIONAL RECORD, so that my colleagues and those who read the RECORD might share the appreciation that I have of it.

Here is what David wrote:

I WANT TO BE FREE

(By David Medalie)

Riots, riots, riots,
Inflation, wars,
Fighting on campuses—
What is this place turning into?

Can things continue like this?
Heck, no.
They can't!
The world's turning in a mass of violence.

I want to get away from this land.
I can't endure this.
I can't, I can't, I can't!
I've got to get away from this damn place.

I want to live with peace
See the beautiful flowers stand up straight
forever.
May this world be a world of peace—
And only peace.

David's poem reminded me of a line from Longfellow's "My Lost Youth":

> A boy's will is the wind's will, and the thoughts of youth are long, long thoughts.

And, too, Isaiah 11: 6:

And the little child shall lead them.

It may be that many of our youth, unseared by tragedy and unscarred by frustration, have what Carlyle said Mirabeau had—"an eye which enabled him to see."

It could be that we would profit from talking less to youth and listening more to what it has to say.

GRAVES OF RICE

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, a rather touching and beautiful tribute to those gallant men who have given their lives in Vietnam was penned by a very distinguished and able friend of mine, Gene Griener, of Virginia Gardens, Fla. I insert the poem, "Graves of Rice" in the body of the RECORD following these remarks:

GRAVES OF RICE

(By Gene Griener)

A green beret was worn with pride
and rode upon a young man's head;
then telegraph clacked in the night
the words they read—your son is dead.

New boots had waded deep in mud
and through minefields where old boots lay
on those faced down in graves of rice
where mourners could not stop to pray.

Dogtags and chain reflect the sun,
no tarnish to obscure the name,
the number and the grade stamped there
upon these tags someone would claim.

A Bible marked with prints and sweat,
it rode inside a soldier's shirt
'til sniper's aim cut short the span
that poured out in the Viet Nam dirt.

MOTION TO ADJOURN OFFERED BY MR. STUCKEY

Mr. STUCKEY. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The question is on the motion offered by the gentleman from Georgia (Mr. STUCKEY).

Mr. YATES. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 99, nays 210, answered "present" 1, not voting 121 as follows:

[Roll No. 221]

YEAS—99

Abbitt
Abernethy
Andrews, Ala.
Ashbrook
Belcher
Bevill
Blanton
Bow
Brinkley
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson, Tex.
Burton, Utah
Casey
Clancy
Clark
Colmer
Corbett
Cramer
Daniel, Va.
Denney
Dennis
Dickinson
Dorn
Dowdy
Downing
Edwards, Ala.
Edwards, La.
Eshleman
Flowers
Foreman
Fountain
Fulton, Pa.
Fuqua
Gibbons
Gross
Gubser
Hagan
Hall
Hansen, Idaho
Harsha
Hébert
Henderson
Hogan
Hutchinson
Ichord
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Kee
King
Kyl
Landgrebe
Landrum
Langen
Lennon
Long, La.
Mahon
Meskill
Miller, Ohio
Mizell
Montgomery
Nichols
O'Neal, Ga.
Passman
Poage
Price, Tex.
Quillen
Rarick
Reid, Ill.
Reifel
Roberts
Roudebush
Ruth
Sandman
Satterfield
Schadeberg
Scherle
Scott
Sikes
Snyder
Steiger, Ariz.
Stratton
Stubblefield
Stuckey
Teague, Tex.
Thompson, Ga.
Utt
Waggonner
Watkins
Watson
Whitehurst
Whitten
Williams
Wylie
Wyman
Young

NAYS—210

Addabbo
Albert
Alexander
Anderson, Calif.
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Beall, Md.
Bell, Calif.
Bennett
Betts
Biaggi
Biester
Blackburn
Boggs
Boland
Brademas
Brasco
Bray
Brock
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Burke, Fla.
Burke, Mass.
Burlison, Mo.
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Caffery
Carey
Carter
Chamberlain
Clausen, Don H.
Clawson, Del
Clay
Cleveland
Conable
Conte
Conyers
Corman
Coughlin
Cowger
Culver
Daniels, N.J.
Davis, Wis.
de la Garza
Delaney
Dellenback
Diggs
Donohue
Dulski
Duncan
Eilberg
Erlenborn
Esch
Evans, Colo.
Feighan
Fish
Flood
Foley
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Friedel
Galifianakis
Gallagher
Gaydos
Giaimo
Gilbert
Gonzalez
Gray
Green, Pa.
Gude
Halpern
Hamilton
Hammerschmidt
Hanna
Hansen, Wash.
Harvey
Hathaway
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Horton
Howard
Hungate
Jacobs
Johnson, Calif.
Jonas
Karth
Kastenmeier
Kazen
Keith
Kleppe
Kluczynski
Koch
Latta
Leggett
Lowenstein
Lukens
McCarthy
McClory
McClure
McDade
McDonald, Mich.
McEwen
McFall
Macdonald, Mass.
MacGregor
Madden
Mailliard
Marsh
Mathias
Matsunaga
Mayne
Melcher
Michel
Mikva
Miller, Calif.
Mills
Minish
Mink
Minshall
Moorhead
Morgan
Morse
Morton
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Obey
O'Hara
Olsen
O'Neill, Mass.
Ottinger
Patten
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Podell
Poff
Preyer, N.C.
Price, Ill.
Pryor, Ark.
Pucinski
Purcell
Randall
Reid, N.Y.
Reuss
Rhodes
Robison
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Roth
Ruppe
Ryan
St Germain
St. Onge
Scheuer
Schwengel
Shipley
Sisk
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Stafford
Staggers
Stanton
Steiger, Wis.
Stokes
Symington
Talcott
Thompson, N.J.
Thomson, Wis.
Tiernan
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waldie
Wampler
Watts
Weicker
White
Widnall
Wilson, Charles H.
Wolff
Wright
Wyatt
Wydler
Yates
Zablocki

ANSWERED "PRESENT"—1

Grover

NOT VOTING—121

Adair
Adams
Arends
Ashley
Aspinall
Ayres
Baring
Barrett
Berry
Bingham
Blatnik
Bolling
Brooks
Brown, Calif.
Burton, Calif.
Cabell
Cahill
Camp
Cederberg
Celler
Chappell
Chisholm
Cohelan
Collier
Collins
Cunningham
Daddario
Davis, Ga.
Dawson
Dent
Derwinski
Devine
Dingell
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Evins, Tenn.
Fallon
Farbstein
Fascell
Findley
Fisher
Flynt
Frey
Fulton, Tenn.
Garmatz
Gettys
Goldwater
Goodling
Green, Oreg.
Griffin
Griffiths
Haley
Hanley
Harrington
Hastings
Hawkins
Hays
Holifield
Hosmer
Hull
Hunt
Jarman
Kirwan
Kuykendall
Kyros
Lipscomb
Lloyd
Long, Md.
Lujan
McCloskey
McCulloch
McKneally
McMillan
Mann
Martin
May
Meeds
Mize
Mollohan
Monagan
Mosher
Nelsen
Nix
O'Konski
Patman
Pelly
Pirnie
Pollock
Powell
Quie
Railsback
Rees
Riegle
Rivers
Rodino
Rostenkowski
Roybal
Saylor
Schneebeli
Sebelius
Shriver
Skubitz
Springer
Steed
Stephens
Sullivan
Taft
Taylor
Teague, Calif.
Tunney
Whalen
Whalley
Wiggins
Wilson, Bob
Winn
Wold
Yatron
Zion
Zwach

So the motion to adjourn was rejected.

Mr. TEAGUE of Texas changed his vote from "nay" to "yea."

Mr. GROVER changed his vote from "nay" to "present."

The result of the vote was announced as above recorded.

VIETNAM

The SPEAKER. Under a previous order of the House, the gentleman from Indiana (Mr. JACOBS) is recognized for 60 minutes.

GENERAL LEAVE TO EXTEND

Mr. JACOBS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of my special order.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

Mr. PUCINSKI. Mr. Speaker, reserving the right to object, and I shall not object, I would like to make this observation. I voted for this debate, because I believe it is important for Members of this House to have a chance to discuss the alternatives to Vietnam, but I made this point, and I serve notice, and I reserve the right to make a point of order of no quorum at any point if debate is denied us and if there is no opportunity to ask questions and make this a meaningful discussion. So if this is to turn into a one-sided monolog on Vietnam, then I shall, of course, exercise my right.

Mr. Speaker, I withdraw my reservation of objection.

Mr. ICHORD. Mr. Speaker, reserving the right to object, I would like to inquire of the gentleman from Indiana as to how broad the unanimous-consent request is: Does the request include the right to include extraneous material?

Mr. JACOBS. Mr. Speaker, I think that is the tradition.

Mr. ICHORD. Mr. Speaker, I would like to ask the gentleman as to what affect this unanimous consent, if it is granted, will have upon the length of the session tonight. It has been announced in the newspapers that the gentleman from Indiana and others participating in these discussions intend to hold the House in session until noon tomorrow. Will this have any effect upon the length of the session?

Mr. JACOBS. Mr. Speaker, I would say to the gentleman the only effect it might have would be to shorten it. Some people might opt to revise and extend their remarks.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. ICHORD. Mr. Speaker, I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, of course the unanimous-consent request of the gentleman from Indiana includes all Members of the House desiring to participate in the subject matter the gentleman will discuss. It is not limited to those Members of the House who have asked for special orders.

Mr. ICHORD. Mr. Speaker, the gentleman from Indiana has answered that it might limit the time we will stay in session. Therefore, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. JACOBS. Mr. Speaker, I might observe it never was intended on the part of those who asked for special orders this evening to extend the debate into the legislative business tomorrow.

Mr. Speaker, "I may not agree with a word you say, but I shall defend to death your right to say it."—Voltaire.

In the 1956 election, Governor Stevenson, speaking at an eastern university or trying to speak at an eastern university, was shouted down by the crowd repeatedly. Each time he began to address the crowd, he was shouted down again. After 10 minutes of this, Governor Stevenson said:

> Will you please be quiet?

For some reason the crowd was quiet. Then Governor Stevenson said:

> "Thirty years ago this year when I visited as a tourist in the Soviet Union, the most distinct impression I received was that those who wished to speak in disagreement with the government were not permitted to do so. Good night.

And he left.

Disagreement with the Government policy on war would not be tolerated in the Soviet Union. It would not be tolerated in Hanoi. Indeed, it would clearly not be tolerated in Saigon.

I stood in this well not 2 weeks ago and expressed my opprobrium and shame over the action of the House in limiting debate to 45 seconds on a very important question involving expenditures of billions of taxpayers' dollars in this country.

I stand here tonight as proud now as I was ashamed then.

I think there is a message in what happened in this last rollcall vote, a message to all those in our society who say that we can no longer operate within the system to bring about change.

I am talking about the people during the 1968 campaign, whether I agreed or disagreed with the point of view they claimed to hold, who stood in crowds and shouted like Fascists so that the speaker, regardless of whether he was George Wallace, President Nixon, or Vice President Humphrey, was not given the opportunity to speak.

I would say of those people, there are kindred souls in this Chamber who do not understand or seem not to understand the basic and essential qualities of a democracy without which it will fall apart and die.

But I would say to my young friends from one end of this country to the other that on this night this House for the record and for history has said that people who do not believe in democracy are not in a majority in this Chamber.

"It is sometimes easier to die for your country than to tell her the truth"—Lord Chesterton.

If this country ever goes to war it should be because we have to, not just because we have a chance to—me.

In 1956 President Eisenhower, a man who knew war, refused to take this country into war in Hungary and the John Birch Society said that he was aiding the Communists and aiding the enemy. I suppose in a sense the Communists were grateful that the United States did not intervene in that clear act of overt aggression across international borders. Maybe the Soviet Union applauded the nonintervention of the United States in the case of Czechoslovakia.

But I hope that history will record that always only a minority of our citizens would ascribe sympathy with totalitarian principles of government or with foreign dictatorships simply because a President of the United States would hold with John Quincy Adams that America does not go abroad in search of monsters to destroy. She is the vindicator of her people, of her own people.

I realize that those of us who for years now have objected, as unnecessary, to our involvement in the Vietnam war do not speak for all the people of the United States, and 4 or 5 years ago when we began we spoke for far fewer than we speak for tonight. Tonight, according to the latest Gallup poll, we speak for 58 percent of the American people, and only 36 percent of the American people speak up against our position.

Nor do any of the Members I know of who are participating in this discussion, and who hold the general view that I hold, favor stirring resentment or hatred for our President. We have had too much hatred in this country, hatred based on childishness that does not tolerate the other fellow's right to an honest point of view.

President Nixon is my President.

President Nixon, I believe, is sincere in his views about the Vietnam war. President Nixon has changed his mind about the war in Vietnam. President Nixon was sincere in his views about the Vietnam war, and no one has heard me say any less of President Johnson than that I had an honest disagreement with him. I respected him for his point of view as I respect President Nixon for his point of view tonight; and as I applaud President Nixon and President Johnson for moving closer to a point of view which I believe is commonsense and practical for our country. I do not want this country ever to make decisions based on the mobs in the streets as such, but I think it only right that the President of the United States and all of the Members of the Congress at least consider the orderly parishioners in churches, the people who are in orderly assemblage about the country in schools and other public and private places. In considering those people, the policies on Vietnam, my dear friends, have changed and changed radically.

My honorable and learned friend has truly said that the present is a new era in the war. The honorable Secretary of State feels the justice of the remark; for by traveling back to the commencement of the war, and referring to all the topics and arguments which he has so often and so successfully urged to the House, and by which he has drawn them on to the support of his measures, he is forced to acknowledge that, at the end of a 7-year conflict we are come but to a new era in the war, at which he thinks it necessary only to press all his former arguments to induce us to persevere. All the topics which have so often misled us—all the reasoning which has so invariably failed—all the lofty predictions which have so constantly been falsified by events—all the hopes which have amused the sanguine, and all the assurances of the distress and weakness of the enemy which have satisfied the unthinking, are again enumerated and advanced as arguments for our continuing the war. What, at the end of 7 years of the most burdensome and the most calamitous struggle that this country was ever engaged in, are we again to be amused with notions of finance and calculations of the exhausted resources of the enemy as a ground of confidence and of hope? Gracious God. Were we not told, 5 years ago, that North Vietnam was not only on the brink, but that she was actually in the gulf of bankruptcy? Were we not told, as an unanswerable argument, that she could not hold out another campaign—that nothing but peace could save her—that she wanted only time to recruit her exhausted finances—that to grant her repose was to grant her the means of again molesting this country, and that we had nothing to do but persevere for a short time in order to save ourselves forever from the consequences of her ambition and her communism? After having gone on from year to year upon assurances like these, and after having seen the repeated refutations of every prediction, are we again to be seriously told that we have the same prospect of success on the same identical grounds? And without any other argument or security, are we invited, at this new era of the war, to carry it on upon principles which, if adopted, may make it eternal?

Mr. Speaker, I did not say that. Charles James Fox said that on February 3, 1800, with reference to the war between England and France. I changed only two words in it.

Mr. REID of New York. Mr. Speaker, will the gentleman yield?

Mr. JACOBS. I yield to the distinguished gentleman from New York.

Mr. REID of New York. Mr. Speaker, first I want to commend the gentleman for the spirit in which he has opened the debate. I think he has shown clearly that the Congress of the United States is now prepared to discuss the war in Vietnam thoughtfully, prudently, and carefully.

I think tonight's debate and tomor-

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row's moratorium are an expression of the nonviolent and deeply felt yearnings of the American people from all walks of life to secure an end to the war.

The moratorium which we are observing tomorrow is an effort to take antiwar sentiment out of the hands of the radicals who seek destructive political aims rather than an end to the war. There can be no moratorium on dissent in a democracy—to do otherwise is to betray our tradition of the free exchange of ideas.

Any policy that does not enjoy broad and deep support and the participation of Americans as a matter of conviction will be neither viable at home nor respected abroad.

So I would say that the argument that Americans will quicken the end of the war by remaining silent is just not true. Silence, I think, will only confirm the fact that there is nothing imperative about concluding a peace.

We will have peace only when we make clear privately in negotiations that there will be a definite date for all U.S. troops to be withdrawn and when we make clear the character of a peace settlement to Saigon, Hanoi, and the NLF.

We applaud the President's determination to withdraw American troops, but we feel that a new and compelling priority must be given to the pursuit of peace. Our country, I think, is always strengthened by responsible public dialog that bespeaks the national will. We are saying we have had enough of death and destruction. We want the war in Vietnam ended and we want no more Vietnams.

Once, it seemed, General Thieu was prepared to say that American forces could be withdrawn by 1970, leaving the South Vietnamese Army to fight what is surely its war. But now General Thieu has changed his mind and indicates that he does not foresee the time when we can leave the South Vietnamese to themselves, even with American military equipment and, perhaps, even American air and artillery support.

I quote President Thieu when he said recently:

> The replacement of troops is not a one-year problem. It is a problem that will take years and years.

But I ask my colleagues tonight, are we prepared to wait? I say we are not.

The fact is that our war in Vietnam has not enhanced our national security but weakened our national foundations.

Since the Vietnam war began in earnest 4 years ago, our society has been subject to strains that have virtually torn it apart. Yet the resources—monetary, intellectual, spiritual—that should have gone to head off those strains have, in fact, gone elsewhere. Look at what has happened to us:

First, the campaign to end poverty has ground to a virtual halt.

Second, our inequitable and undemocratic draft system has become an unconscionable burden to us all and a source of justifiable discontent to young men of all backgrounds. In fact, we have drafted over 20,000 more men this year than last. The Executive and the Congress still pass the buck and fail to act. General Hershey's removal was about a decade overdue—but it will not reform the draft.

Third, inflation has ravaged our economy, sparing no American, and hurting those most who are in direct need. Tax reform and tax equity still languish in the Congress.

Fourth, our educational system from grade school to graduate school has fallen progressively behind, with 400,000 classrooms unbuilt and 2 million teachers untrained, and more and more children functionally illiterate;

Fifth, our air and water have become more polluted;

Sixth, our cities are in crisis, and we can only watch them decay until we come forth with a new national commitment and dollars to match; and

Seventh, our preoccupation with Vietnam has led to serious neglect of our relations with Africa and Latin America.

We have experienced social discord greater than at any time in our history—traceable, perhaps, not directly to the war in Vietnam, but surely to the general crisis in faith in the justice, morality, and responsiveness of the American social system.

We need to end the arms race and begin by stopping construction of the ABM system and the testing of the MIRV. We need mutual agreement with the Soviets at the SALT talks subject to verification. We have got to end racism and assure equal opportunity to all. In short, we must redirect our national priorities, to assure a rational, progressive society.

We will never get peace, in my judgment, if we allow General Thieu a veto, permit him to call the tune. We will never have peace if we allow a government of uncertain legitimacy to persuade us to pledge its perpetuation until time immemorial.

Mr. Speaker, it was just a few days ago that President Thieu said in Saigon:

> I do not have any further peace initiatives in mind.

He further dismissed the concept of a standstill cease-fire as unrealistic. He pledged never to cede so much as a hamlet to the Vietcong, and he promised he would make no further concessions in the Paris talks.

He reportedly stated, according to the New York Times, that in his view it will be 20 to 30 years before the Vietnamese Communists modify their brand of politics into a form acceptable to the South Vietnamese Government.

But I would ask my colleagues to consider that we used to be told that we had sent our Armed Forces to protect the right of the South Vietnamese people to choose their own government. And, to be sure, after a long series of military coups, there was an election in South Vietnam.

Of course, some Vietnamese were allowed neither to vote nor to run.

And, of course, no one who favored a coalition government was allowed to run.

And, of course, the newspapers were censored and the opposition was harassed.

And the system for electing the National Assembly was rigged to favor the rich, absentee landowners, whose exploitation was at the very heart of the revolution.

And, despite all of this, the government of General Thieu received only a third of the vote—which was enough to get him into power and enable him to throw his remaining serious opponents and dissenters into jail where they remain today.

And that is the free government that our Armed Forces are defending in South Vietnam.

I think that what must be negotiated is the character of the postwar settlement and not just the token or phased withdrawal of troops. One of the first requirements for the success of such negotiations is that our Government insist that Saigon change its constitution and agree to participate in the kind of election machinery essential to a totally free election.

I believe that we will have peace, therefore; only when the NLF and leaders in Saigon and Hanoi and Washington recognize the futility of continuing the war. Peace will only come when we take firm steps to indicate that we will get out of Vietnam on a date certain; and that we are prepared to negotiate a cease-fire in place, the release of all prisoners of war, and amnesty for all peoples.

Lastly, I would mention to the Members of the House that I was in Paris during the period of the negotiations of 1954, and I well remember the actions of Mendes-France before he assumed the responsibilities of premier. And he made it abundantly plain that he would take office only if he could end the war within 30 days. And he lived up to that promise. And the same arguments that are now being raised were raised then.

I think we can end the war faster than we are doing.

Finally, I would say that to take certain of these actions is to recognize that a settlement is possible, and that a negotiated end to the war will raise America's stature in the world, not lower it, as the French learned in Algeria.

Mr. Speaker, I thank the gentleman for yielding.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. JACOBS. I will yield just briefly to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Speaker, the gentleman from New York and the gentleman from Indiana have both spoken eloquently on dissent. We had an example and a good taste of this dissent in Chicago over the weekend. There was a brilliant young lawyer, Richard Elrod, who is today fighting for his life with a broken neck, broken by one of these hoodlums who came to Chicago to exercise dissent. What assurances do we have that these hoodlums who are churning up young people all over this country to exercise dissent that there is not going to be more of this kind of violence? And what do my two colleagues recommend in the wake of this kind of violence, which is not dissent, but outright anarchy?

Mr. JACOBS. I might say to my colleague from Illinois that I know of no man in this House who advocates that kind of senseless violence.

As far as the assurances are concerned, I can give the gentleman no more assurances than he could give me that certain speeches against civil rights would not lead to violence by Klansmen.

That is the problem with political debate. The conservatives are sometimes embarrassed by the far right. The liberals are sometimes embarrassed by the far left. Neither reasonable view—liberal or conservative—should be blamed for the antics or violence of extremists.

I would say that the honest and dispassionate expression of one's viewpoints should not be called a cause for violence in this country.

I will recall for the gentleman the words of Kipling:

> And sure keeps their honor clean
>   The learned court believes,
> They never gave a piece of plate
>   To murderers or thieves.
>
> They never told a ramping crowd
>   To card a woman's hide,
> They never marked a man for death,
>   What fault of theirs he died?
>
> They only said "intimidate",
>   And talked and went their way.
> By God, the boys who did the work
>   Were better men than they.

No person that I know participating in this special order tonight is going to say "intimidate." We speak from a spirit not of hate, but of understanding and reasonable discussion. If violence is drawn from that, then the Christian faith will have to go out of business.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman yield?

Mr. JACOBS. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Mr. Speaker, I appreciate the gentleman yielding. I believe the gentleman knows that I hold no brief for those who would limit the very basic right of free debate in this House, for I was one of those who joined with the gentleman a week ago when we spoke out against those who would limit debate on the military procurement bill. And yet, as I said earlier today when I addressed the House, I have been troubled—and deeply troubled—by all the discussion that has surrounded the so-called Vietnam moratorium in that it seems to me that those who have endorsed this moratorium—and let me parenthetically add that the gentleman now in the well knows that I hold him in high regard and great esteem and great affection, and I make no charge of disloyalty or anything else against the gentleman or anyone else in this body who may participate in this debate tonight.

I was just as shocked as you were by some of the comments that were made in the House, I think, on yesterday charging Members with being "emissaries of Hanoi" and I will have no part of that kind of comment this evening. But what troubles me deeply is, much as I applaud the right of debate and of free discussion, and I hold these rights as precious as I know the gentleman now in the well does—but what troubles me deeply is that those who embrace this moratorium apparently also support the objective of this Vietnam moratorium, which as I understand it, is the absolute unconditional immediate withdrawal of American forces from Vietnam, and that this could conceivably be done as I understood in 3 weeks or 30 days. I base this conclusion on a call which my office made to the office here in Washington of the moratorium committee where we spoke to a Mr. Mixner. To me that kind of pellmell retreat to the beaches could result, if not in the annihilation of our own forces could certainly result in the slaughter perhaps of hundreds of thousands of innocent civilians in South Vietnam. There were 900,000, I am told, who fled to South Vietnam from North Vietnam way back in 1954 and 1955 because they did not want to live under a Communist government.

I just cannot believe that the gentleman, great libertarian that he is, could countenance the objective of this moratorium to make an unconditional withdrawal of our troops regardless of what the National Liberation Front do and regardless of what the North Vietnamese do—that we should pellmell make a rush for the beaches, it seems to me, not only from the standpoint of what that would do in Vietnam itself, but the incalculable harm that this might do to the American psyche itself. We ought to pause before we adopt such advice.

I was at the White House this morning and I listened to the President of the United States and I am as convinced in my heart tonight as I ever was that his yearning for peace is not exceeded by anyone in this Chamber and he believes that a patient process of Vietnamization and a patient process of trying to negotiate an honorable settlement is the real way to lasting peace in this situation.

I simply cannot believe that the gentleman now in the well and others who support this particular moratorium really believe in the objective that some have stated, namely that we should within 30 days or within a relatively brief time literally rush to the beaches and leave the South Vietnamese people to whatever fate may befall them.

Mr. JACOBS. I would respond by first saying, as the gentleman well knows, that there is no Member of this House whom I hold higher in my esteem than the gentleman from Illinois who so far as I am concerned is one of the most thoroughly honest men, both intellectually and otherwise, I have ever known in public life.

In response to the gentleman's question, I have here a photocopy of a page from a newspaper dated December 28, 1950. It is a wire photo of a sign that was placed by the 1st Marine Division, when we withdrew from Hangnam after the Chinese field armies came across the Yaloo River late in 1950.

The poster was put up by the Marines and it reads: "We don't want the damn place anyway."

Now before the gentleman raises his ire at the simplicity of this, let me say that I acknowledge, and I think most people who share my view of the war acknowledge that the matter is not so simple in Vietnam.

My own judgment is that the resettling of hostages in Vietnam, hostages who undoubtedly would be subject to brutalization and death were they left to the national process of the revolutionary aspect of that country—a process followed in a majority of countries in the world in changing governments, and I would say these hostages in Vietnam should be resettled. I would say that our Government has an obligation to see that they are protected and resettled in a safe place and get assistance from us.

They depended on our involvement in Vietnam, an involvement few Americans now would say was fortunate and necessary.

I would suspect that the cost to us of such a program would be about that of a day or two of the war itself. I would suggest, on the other hand, to those who say, "Let's win and get out," and that kind of thing, or even, "Let's fight a search-and-destroy war," whatever it may be, and then get out is a little like building a dam across the river with the intention of tearing it down right away. When you withdraw, the realities of war politics, inside that unhappy land—which, I might say, we have been able to make no happier with our own sacrifice of life and treasure over the last several years—those realities will exist all over again as they did before we went there.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman yield further?

Mr. JACOBS. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. With this comment I shall desist from further interrupting this presentation. I have no desire to do that. I have no desire to put words into the gentleman's mouth. But it seems to me he has in effect answered the question I have put. I do not think you can resettle a million or maybe as many as three million refugees from South Vietnam within a period of 30 or 60 days, which is really what is contemplated by those who recommend an immediate, unconditional withdrawal from Vietnam. I think the gentleman is more sensible than that.

All I am pleading tonight is that we give the President of the United States the time that I think he needs to carry out a policy of withdrawal—and not pursuing a policy of military victory. The gentleman spoke of winning in Vietnam. The President has made it abundantly clear that he is not seeking a military solution to the agony of Vietnam. What he is asking for, what he is literally pleading with the country for, is the time to carry out the kind of reasonable policy which will accommodate the wishes of the gentleman in the well and myself.

Mr. JACOBS. I say to my friend from Illinois that probably on occasions I have not been sensible enough to agree with him—maybe vice versa—but obviously there has to be some kind of negotiation. Obviously there will be some kind of negotiation.

I just want to take a moment now to address myself directly to the moratorium. People all over this country—organizers, followers, participants, and I understand there is some question about just who is participating and who is not, or who is approving and who is not—to my moratorium friends, let me

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say this: Don't blow it. You have done well already. It can hardly be a mere coincidence that my fellow Hoosier, the Director of Selective Service, has been dismissed on the eve of the Vietnam war moratorium.

I consider it hardly a coincidence that this new leadership we have heard about to end the war, Ellsworth Bunker in Saigon and Henry Cabot Lodge in Paris, have been called home suddenly on the eve of the Vietnam moratorium.

Let me take you back 5 years ago tonight, when it was the official policy of the U.S. Government that we would negotiate with no one. As I remember the quote, "All those folks up there have to do is stop bothering those folks down there"—ignoring the fact that the people who were running the government down there were some of the folks from up there. The majority of the South Vietnamese-Saigon government are North Vietnamese.

Four years ago those of us who suggested an internationally supervised election were hooted down because, why, you can not have an election with the Communists. After all, no Communist ever won an election. Perhaps in Italy, in a town; perhaps in India, in some town. And, of course President Eisenhower said Ho Chi Minh would win one in Vietnam. But if you entertained the idea of an election you were a traitor to your country. And I am not referring to my friend from Illinois, nor am I referring to the vast majority of this House when I make that reference. But according to some sources, you were a traitor to your country if you favored negotiation in 1964, if you favored the elections in 1965, and, my friends, 4 months ago you were a traitor to your country if you objected to Hamburger Hill.

I have not heard anything about Hamburger Hill lately. I have not heard anything about killing 300 or 400 American kids; dying for the privilege of playing king of the hill and marching down the hill again and giving the real estate back.

The fact is that the American public is given not only the right to elect the Government, but also to let that Government hear from them now and then after it puts the Government into office. And the American people have been heard from. The policy has changed from unconditional surrender to negotiations, to elections, to the General Gavin enclave theory which tonight is saving lives—and I congratulate President Nixon for being man enough to stand up and change his position. I do not ridicule him for it. I think nothing is more honorable than to do that very thing.

As Mayor LaGuardia said once: "When I make a mistake, it's a beaut."

Mr. Speaker, I am not going to respond in kind to some people who spoke in the well and slandered Members of this body yesterday and today. My father long ago advised me against that. He said, "It is like wrestling with a hog. You both get dirty, but he is more used to it." So we are not going to get into that kind of exchange.

I want, however, to read a statement that was made by a man whom I disagree with sometimes and with whom I have agreed at other times. He is generally known in the country as a conservative. It was made more than a year ago—almost 2 years ago, as a matter of fact. I will read just a portion of it, and this is a quotation from the "Paul Harvey News":

> Yet, absurd as this posture is, in a Presidential election year I hear nobody offering the voters a real, honest-to-Uncle Sam alternative. The alternatives to our present pussy-footing are all out—or get out. And nobody seems to want to recommend either.
>
> I know something of the fear which the politicians face, I've faced some of it myself in recent weeks.
>
> When I began to document the case for withdrawal I received white feathers in the mail.
>
> Further, it is uncomfortable and embarrassing to find myself in bed with some peace-at-any-price people whom I do not respect. But most personally hurtful is the fact that there are many sincere Americans patriots left over from an earlier era who still pledge their allegiance, "My Country, may she always be right, but—right or wrong—my country!"
>
> They would blindly follow a blind leader if he carried our flag. And I love those people. I admire and respect them. I'm proud for a lifetime to have been one of them.
>
> But after an agonizing reappraisal I am convinced that being either hawk or dove is preferable to the chicken-policy which presently sends American sons into worthless jungles to fight today's war with lesser weapons than the last one.
>
> No, My Country is right in so many ways that she is worth fighting for. But in this no-win war my country is wrong—and it's time somebody says so. The question is not "whether" we will get out of Vietnam; of course we will, eventually.
>
> Either we will bomb our way out and have to rebuild the nation . . . Or we will force a compromise cease-fire and have to continue to occupy the country, as in Korea . . .
>
> Or we will, like the British and French, become totally exhausted and get thrown out . . .
>
> Or there is one other alternative: We can quit this war and come home now. Let's consider the increasingly convincing case for coming home now. The government we left behind in Korea is a military dictatorship. How is this better than a communist military dictatorship? Is it really worth the lives of American sons and further devaluation of the American dollar in order to provide the Vietnamese with a military dictatorship? Nations, aborning, cannot be spared the pain of labor. We outsiders can pace the waiting room floor and bite our nails and pray—but democracy must "deliver" itself, when the time is right. When the time is right!
>
> Maybe the time is not yet right.
>
> Realistically, we must consider the mathematics of this kind of intervention. America's six percent of the world's mothers cannot possibly produce enough boy babies to police the planet. Presently, remember, we have commitments with forty other nations almost identical to the agreement which got us involved in this untenable situation in Vietnam.
>
> Russia and Red China could prefer nothing more than for the United States to continue to debilitate and bankrupt itself in a multiplicity of stalemate wars. And the effect of these winless wars is devastating on our own people. The hypocrisy of opposing communism in Vietnam and tolerating it 90 miles from Florida is diluting traditional American allegiance, demoralizing our young.
>
> We're told, "We have to fight them over there or we'll have to fight them over here."
>
> They are over here—and we are not fighting them . . . over here!
>
> And other nations see comparable hypocricy in our eagerness to tame the world's jungles when we can't even make our own streets safe. The idea of pulling out is not without precedent. We "pulled out" of the Bay of Pigs. The French "pulled out" after DienBienPhu. And both they and we survived. And those who fear Moscow rule of all Asia might note that neither Moscow nor Peking has been able to "rule" even little Castro.
>
> I am aware that American politicians are unanimously unwilling to recommend withdrawal. They are fearful President Johnson might pull a rabbit out of the hat between now and November.
>
> Yet without some alternative to present policy on this most vital issue, there is no point in another election.
>
> To those who fear a strategic retreat would cost us "face", let's remember that the United States has had no "face" in Asia in twenty years. And the places where we have meddled most we have the least "face."
>
> On the contrary, think about this—for us to withdraw now could be sold to the world as a magnanimously noble, humanitarian gesture. Here this great and powerful United States—having the awesome weapons which could cremate all our adversaries—declines to do so. Instead we will allow Asiatics to choose their own form of government. Some say the result would be a bloodbath. The Vietnamese are now getting a bloodbath.
>
> Meanwhile we would continue to keep any powers which menace us at arms length with our weapons of decision.
>
> Some protest that to leave Vietnam would mean thirty thousand American sons have died for nothing.
>
> On the contrary, if their sacrifice has been the finger-down-the-throat which has triggered the final regurgitation in our nation. Then it will be they who, at long last, taught us to mind our own business. And so saved countless lives.
>
> Again, remember, eventually we will withdraw from trying to feed, finance, fortify, protect and police the whole planet. Eventually we will have no choice.
>
> Every nation in history which has overextended itself has eventually gone broke and been forced to pull back, just to survive. Why wait for that? Why not now revert to leading the world—by example—as we once did.
>
> Instead of waiting until we are bankrupt, let us revert to self-concern . . . on purpose. Before we are drained of our blood and our sweat and our tears and our gold.
>
> Why not, instead, husband our resources—make ourselves what we once were—strong and solvent—an oasis of arts and sciences and physical well-being.
>
> So honorable, so admirable, so desirable . . . that the world will then, again, have something better than a red star to steer by.

Mr. STEIGER of Arizona. Mr. Speaker, would the gentleman please yield?

Mr. JACOBS. I yield to the gentleman.

Mr. STEIGER of Arizona. I appreciate it. I would stipulate my great good will for the gentleman in order to overcome time consumed by the exchange of rhetoric.

I would only ask the gentleman, in pursuit of the same line of questioning the gentleman from Illinois attempted to get an answer to, what is it that you—not the Moratorium Committee; not the other 19 Members, whoever it is, who are going to testify here tonight—what is it you hope to achieve? What change of policy? What specific change of policy would you like to see accomplished? How do you hope to accomplish it by the eloquence which you have displayed here and the historical exactitude which you have been able to expose before us?

I would like it as specific as possible. I recognize that is difficult because I do not want any rhetoric. I would like specific suggestions.

What would you do differently from what the President is doing now?

Mr. JACOBS. The Vietnam moratorium, as I said to my colleague, has already brought about substantial changes in policies, which I applaud.

The dismissal of a draft chief who is——

Mr. STEIGER of Arizona. If the gentleman will yield——

Mr. JACOBS. Now, I am answering the question. That is part of the Vietnam policy, who goes there and who gets killed. That is part of it, and I am responding in connection with how I would change the Vietnam policy. That is one thing.

The second thing is that the enclave theory has been given birth in the past several days. That means no more Hamburger Hills, the unnecessary spilling of American blood. That change is coming about, I think, not only because somebody decided on a moratorium idea but because that is the will of the American people.

Most Americans do not want to be protecting a dictatorship against another dictatorship somewhere far off and waste our kids' lives doing so.

So far as withdrawal is concerned, I am talking about an immediate cease-fire. Yes, I am talking about the enclave theory and pulling back into defensive positions instead of search and destroy. Search and destroy, indeed. A war of attrition. That is a change that has not been made fully according to the news cables coming out of Vietnam. I hope this expression of the American people will fully achieve that.

Mr. STEIGER of Arizona. A cease-fire. Is that what the gentleman is after? An immediate cease-fire?

Mr. JACOBS. A cease-fire so far as attacking with search and destroy missions is concerned; yes.

Mr. STEIGER of Arizona. With no quid pro quo?

Mr. JACOBS. I do not know what the gentleman means by "quid pro quo." If I were the father of an 18-year-old kid who would not have to march up Hamburger Hill, that is quid pro quo enough for me. I am talking about coming into the enclaves. I am not talking about yielding without any condition as we did at Lang Nam. I am talking about relocating the hostages. I am talking about negotiations whereby every one of the prisoners of war who are Americans and who are held by the other side will be repatriated and accounted for. I am confident that it can be brought about in the framework of negotiations of a withdrawal. You see, the concept is not "to bug out," it is to but out.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. JACOBS. I yield to the gentleman from Illinois.

Mr. YATES. The gentleman is absolutely right, because this administration moved very close to a cease-fire. The use of the term "protective reaction" differs from that of "maximum pressure" which they used. I for one hoped that the President might have proclaimed a cease-fire and called it a protective reaction cease-fire, but he has proclaimed it at the United Nations and told nations of the world that it is our choice. Why does not Hanoi do likewise? I think the administration missed a bet in that regard.

Mr. JACOBS. Let me say to the gentleman specifically that I advocate the so-called enclave theory. I would not withdraw our troops from Vietnam without taking the hostages out. I may say to my friend from Illinois that the 1- and 3-million figure was given to by a stooge of the Saigon dictatorship in the so-called National Assembly. Realistically that figure is all wrong. It is much too high. Perhaps the correct figure is closer to 30,000.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman yield?

Mr. JACOBS. I yield to the gentleman.

Mr. ANDERSON of Illinois. I will concede the fact that that figure is frankly pulled out of the air, but I want to thank the gentleman from the bottom of my heart for making it abundantly clear that he does not support objectives of some supporting the Vietnam moratorium who are calling for an immediate unilateral withdrawal without any reaction or anything being done by the Vietcong or North Vietnam. I think that the gentleman has made a real contribution.

Mr. JACOBS. Let me make clear what reaction I am demanding from them. They say "How do you get out of Vietnam?" The answer is "By boat." But I do not want the boat to leave without all of the Americans and the hostages. And some of those Americans are brutally languishing. I want to make it clear I have utter contempt for the dictatorship of North Vietnam and for the dictatorship of South Vietnam. I am talking about those Americans, some of whom are languishing and being subjected to a special kind of torture that Americans have never been subjected to in the past; namely, isolation from one another in prison camps. I am talking about bringing them home with us.

Mr. ANDERSON of Illinois. That is another thing I can agree with and I can support my friend. I think the administration is moving precisely in the direction you want it to move in.

Mr. JACOBS. If the gentleman agrees with me, he is showing a sensible disposition.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. JACOBS. I yield to the minority leader.

Mr. GERALD R. FORD. Would the gentleman tell us how his statements and the statements of others to be made here tonight or the moratorium effort tomorrow is going to have one beneficial impact in getting North Vietnam, Hanoi, to free the hundreds or thousands of American prisoners now held by them as brutally as he admits they are being treated?

Mr. JACOBS. I do not admit it. I charged it.

Mr. GERALD R. FORD. Tell us now how this effort is going to be helpful in achieving that result.

Mr. JACOBS. That is very simple. If we stop demanding as a condition of our withdrawal the propping up of a dictatorship in South Vietnam I think we can get those prisoners back forthwith.

Mr. GERALD R. FORD. Mr. Speaker, if the gentleman will yield further, I think the gentleman is living completely in a fool's paradise, because there is not a scintilla of evidence that the more concessions we make that we will get anything from them. We have stopped the bombing, we did this and we did that hoping the enemy would make a concession but yet there is not a scintilla of evidence that they would cooperate in any manner in the prisoner-of-war effort, that they would withdraw their forces from South Vietnam. They have done nothing in return for what we have given and the United States for a year has shown its good faith in both a military and diplomatic policy.

If you will explain how we will be able to get the American prisoners back from the Hanoi regime, it would be very helpful.

Does the gentleman from Indiana believe that unilateral withdrawal of American forces would be helpful in getting American prisoners of war back from the Communist regime?

Mr. JACOBS. I just said repatriation of American prisoners should be a condition to withdrawal. Of course, there are the abrasions on the skin of the body. But the disease is deep. The essential issue is this. Do we insist, as President Nixon did in the 1960 presidential debate—do we insist on propping up the dictators in Saigon as a condition of withdrawal?

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield further?

Mr. JACOBS. Yes, sir.

Mr. GERALD R. FORD. The President has agreed to free elections, supervised as the gentleman says he advocated in the past. However, I do not remember him making any such speech in the past in which he advocated that course of action.

Mr. JACOBS. I might say to the gentleman that this is the first special order the gentleman in the well has taken since he has been a Member of Congress for nearly 5 years. I did not expect to cause all of this trouble on my first voyage.

Mr. GERALD R. FORD. The President has agreed to free elections and I understand the government of Saigon which the gentleman condemns so freely has also fully agreed to free elections supervised by an international organization.

Mr. JACOBS. Does the gentleman define the government of Saigon as a democracy?

Mr. GERALD R. FORD. I think it is a far greater democracy than what you have in North Vietnam.

Mr. JACOBS. It is not a democracy. Close only counts in horseshoes. And neither the Hanoi nor the Saigon regime comes close to being democratic.

Mr. GERALD R. FORD. Let me make one further observation: How are you through the efforts you are making and the efforts of others going to help get the thousands of American prisoners of war back to the United States?

Mr. JACOBS. I will just repeat it for the gentleman one more time.

I am saying that, if we discard as a condition for our withdrawal the propping up of the dictatorship in Saigon, then the issue of the prisoner exchange is one which either will or will not work. I repeat we have not tried it. So you cannot say it will not work.

Mr. GERALD R. FORD. I have heard the same wishful thinking before—and there was no result—no action toward peace.

Mr. JACOBS. No, you have not. We have never yet announced we would mind our own business and let all the Vietnamese settle theirs.

Mr. GERALD R. FORD. Perhaps the gentleman did not, but others have alleged that, if we stopped the bombing of North Vietnam, all would be well.

Mr. JACOBS. The gentleman is not being relevant.

Mr. GERALD R. FORD. I see no evidence whatsoever that, if we give something, we get anything in return. Certainly, I think we ought to have some assurance that the American prisoners of war are going to be returned before we give anything in the future.

Mr. JACOBS. Now, Mr. Speaker, I would say to the gentleman: we do not leave without all our kids that are being held by Hanoi and the Vietcong. How can I make it any plainer? But in 1953 President Eisenhower discarded two of our conditions for a Korean truce—and we got it. We now should forget about further propping up of the Saigon dictatorship and look to our own interests there; namely, getting back our kids who are prisoners and taking out the hostages to whom we have developed an obligation.

CALL OF THE HOUSE

Mr. MacGREGOR. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The gentleman from Minnesota (Mr. MacGregor) makes the point of order that a quorum is not present.

Does the gentleman insist upon his point of order?

Mr. MacGREGOR. The gentleman from Minnesota does insist upon his point of order, Mr. Speaker.

The SPEAKER. That is very plain.

The gentleman from Minnesota makes the point of order that a quorum is not present, and evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 222]

Abbitt
Adair
Adams
Alexander
Anderson, Tenn.
Andrews, Ala.
Annunzio
Arends
Ashley
Aspinall
Ayres
Baring
Barrett
Berry
Betts
Bevill
Bingham
Blatnik
Bolling
Brooks
Brown, Calif.
Burke, Fla.
Burton, Calif.
Byrne, Pa.
Cabell
Caffery
Cahill
Camp
Cederberg
Celler
Chappell
Chisholm
Clark
Cohelan
Collier
Collins
Colmer
Corbett
Coughlin
Cunningham
Daddario
Daniel, Va.
Davis, Ga.
Dawson
Dent
Devine
Diggs
Dingell
Downing
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Esch
Evins, Tenn.
Fallon
Farbstein
Fascell
Findley
Fish
Fisher
Flynt
Frelinghuysen
Frey
Fulton, Tenn.
Garmatz
Gettys
Giaimo
Gibbons
Goldwater
Goodling
Green, Oreg.
Griffin
Griffiths
Gubser
Haley
Halpern
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Harrington
Harsha
Hastings
Hathaway
Hawkins
Hays
Hébert
Holifield
Hosmer
Hull
Hunt
Hutchinson
Jarman
Jones, Ala.
Jones, N.C.
Kirwan
Kuykendall
Kyros
Landgrebe
Landrum
Latta
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
Lowenstein
Lujan
McCloskey
McCulloch
McKneally
McMillan
Macdonald Mass.
Mann
Martin
Mathias
May
Meeds
Melcher
Michel
Miller, Calif.
Miller, Ohio
Mills
Mize
Mollohan
Monagan
Montgomery
Mosher
Moss
Murphy, N.Y.
Nichols
Nix
O'Konski
O'Neal, Ga.
Ottinger
Patman
Pelly
Pickle
Pike
Pollock
Powell
Preyer, N.C.
Quie
Rarick
Rees
Reifel
Riegle
Rivers
Roberts
Rodino
Rogers, Colo.
Rooney, Pa.
Roybal
Sandman
Satterfield
Saylor
Schneebeli
Shipley
Sikes
Skubitz
Springer
Stafford
Stanton
Steed
Stephens
Stubblefield
Stuckey
Sullivan
Taft
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tunney
Ullman
Utt
Vigorito
Waggonner
Watson
Whalen
Whalley
Whitehurst
Widnall
Wiggins
Wilson, Bob
Wold
Wright
Wylie
Young
Zion
Zwach

The SPEAKER. On this rollcall 238 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

VIETNAM

The SPEAKER. The gentleman from Indiana (Mr. Jacobs) is recognized for the 9 remaining minutes of his time.

Mr. HUNGATE. Mr. Speaker, will the gentleman yield?

Mr. JACOBS. I yield to the gentleman from Missouri for the purpose of debate.

Mr. HUNGATE. I thank the gentleman for yielding.

As I have previously indicated by joining in a resolution with over 100 Members of this body, I support the President in his announced intention to make substantial reductions in U.S. ground combat forces at the earliest practicable date.

When former Secretary of Defense Clark Clifford said we should withdraw 100,000 troops by the end of this year and the remainder by the end of 1970, the President then indicated he would hope to better that timetable. I wish to make it clear that I support him in this effort.

I would like to make it equally clear that I disagree with those who might attempt to dictate to the President a specific date on which all troops should be withdrawn. And, Mr. Speaker, I would be equally emphatic in support of the rights of those who disagree to be heard.

In my judgment we have had some of the finest debate on this matter during my entire service in the House and I think we all owe a debt of gratitude to the gentleman in the well for presenting a high level discussion of one of the most important problems now facing our country. For those who ask what good can come of this discussion, it seems to answer itself, that a great deal can come through the discussion of an issue such as this, one which is a most important problem facing the American people. I have been disappointed and saddened by the somewhat inflammatory attacks on my colleagues who are endeavoring to stimulate debate on an issue of vital importance to our country, in the highest traditions of Henry Clay, Fiorello La Guardia, and George Norris.

After all, I think the great Philippine patriot, José Rizal, said it best:

> Blind obedience is not piety. Thoughtful reflection is not arrogance. Ignorance is ignorance and not patriotic honor.

Mr. BROCK. Mr. Speaker, will the gentleman yield?

Mr. JACOBS. I yield to the gentleman from Tennessee.

Mr. BROCK. Mr. Speaker, I thank the gentleman very much. I respect the gentleman's eloquence.

I was in Indochina when the 1 million people voted with their feet to move south, and I simply want to stand to challenge his statement about this being such a dictatorship. His own colleague, the late Senator Kennedy, the gentleman from New York, and others witnessed the holding of free elections in South Vietnam despite the attempts of intimidation and at times murder, violence, mutilation, kidnaping—you name it—to stop them, over 80 percent of the people of that nation voted. And that is a higher percentage than ever voted in this free Nation in any national election.

I think it is tragic that the continual statements are made that there have not been free elections. I think it is tragic that the implication is made that the present administration of that nation has not evidenced and stated its willingness to have free elections—and that has been supported by the President of this Nation, President Nixon.

The gentleman has misled this House if that is the kind of implication he wishes to leave.

Mr. JACOBS. I thank the gentleman for his contribution. He is certainly entitled to his opinion.

Perhaps the gentleman would like to know why 80 percent voted. The thing was their food ration cards were punched when they voted, and if you did not vote you did not eat after that.

That has been documented by the American press.

There are varying views in the American press, and they have agreed at least on that.

Now, let me just go on and quote from Boss Tweed. Boss Tweed said:

> I don't care who does the electing, so long as I can do the nominating.

And perhaps you remember a man named Big Minh. Not a Communist nor a neutralist—they were not allowed to vote or run either in that free election in Vietnam—but he was not permitted to run. And then a fellow who did run in the election was put in jail because he came out for ending the war. The point is that you know the election was rigged, as it clearly was, by denying the right not only to the neutralists and Communists which we now say we favor participating in the elections, but also denying to this fellow Big Minh the right to run because they thought he might win.

Mr. BROCK. Mr. Speaker, will the gentleman yield?

Mr. JACOBS. I will yield to the gentleman again, but my time is just about finished.

Mr. BROCK. I thank the gentleman for yielding.

I respect the gentleman's opinion, although I disagree with it.

I would refer the gentleman to the mayor of Chicago, who has a similar reputation.

Mr. JACOBS. On that I will have to yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Speaker, I thank the gentleman for yielding, and I want to congratulate our colleague in the well. At the outset of this discussion I had announced that I would exercise my parliamentary rights, and I am sure other Members would, if this were not a regular debate. I want to congratulate the gentleman from Indiana for the manner in which he has conducted this first hour. There is no question in my mind that if we continue in this way the rest of the evening there will be some real value and real knowledge exchanged on this subject, and will prove when we are all through that we are really not very far apart in trying to find a solution.

Mr. JACOBS. Let me close. I probably have about 2 minutes remaining, but I just want to say this: First of all, to the foreign governments that no doubt will be reading of this debate. We are a nation of free men, and politics does end at the water's edge in abiding our lawful decisions. But in discussing the making of those decisions we do a lot of fussing, and that is why we are a free people.

When the decision is made we abide by the laws that are passed by the Congress, and we abide by the policy, but we have every right to continue to try to change it. That is the American tradition.

For the future, dear friends, let us remember what has happened too often in the past. A politician makes a brave speech, and a lad lies dead. How easy it is to be heroic on the House floor. But that means being a hero on somebody else's time. When the call for war is made by a Member of Congress in the future, let that Member decide if he would be content to give his own life in such a war. And the next time we have a chance to go to war, let us decide if the giving of American lives would not be better reserved for the defense of our country than for the defense of some dictatorship far removed from the security of this land we love. Let us bear in mind that there are two concepts of saving face.

In the hospital at Houston there are scores of American soldiers. One of them is from my district and I spoke to his wife this very afternoon. His face was burned. Sixty-five percent of his body was burned. I want to leave you with this thought.

Which kind of face, really after all, if we really, really believe in priorities—which kind of face really most needs saving? The face of a mistaken policy or the face of that American boy who either will or will not come under rocket attack a year hence.

Consider the difference between diplomats' tophats and soldiers' helmets. At noon, the tophats go to lunch; the helmets go to eternity.

Mr. ANDERSON of Illinois. Mr. Speaker, over the past few weeks we have seen growing public interest in the administration's efforts to end the Vietnam war. We have seen legitimate and constructive discussion, by the young as well as the old, by the "outs" as well as the "ins." In the current debate the Vietnam Moratorium Committee has played a particularly active part in encouraging discussion of the U.S. role in Vietnam. I think this debate is healthy. I agree with Congressman ROGERS MORTON that this kind of responsible discussion is a good thing for our country. However, I want to ask a few hard questions this morning because I have been disappointed by the public discussion to date—and I hope that we can make tomorrow's day of debate more constructive by trying to focus on realistic alternatives, which I sometimes feel have been forgotten in the atmosphere of excitement that has been growing over the past few weeks.

First of all I wonder—and I specifically want to ask those Senators and Congressmen who have endorsed the moratorium tomorrow—if an adequate distinction has been made between the objective of the moratorium and the means that are being used to achieve that objective. The means that are to be used—public discussions, peaceful marches, and organized campaigns to encourage American citizens to express their feelings about the war and the direction of U.S. policy—are all in the best traditions of American freedom of thought, speech, and assembly. It would be a travesty on American history if any political leader suggested that U.S. citizens did not have this right or ought not to exercise it. I would only add that I firmly and sincerely hope that this day of debate will be a peaceful one, for if is not, irreparable harm may be done to these most precious of our freedoms.

So, I say that the means are legitimate, but I have grave questions about the stated goal of the moratorium leaders. And I further suspect that the many statements of support or opposition by public figures in the past few days, may have done more to confuse than to clarify that goal in the public mind. Yesterday I asked the moratorium organizers for a formal statement of their objectives. Mr. David Mixner, one of the committee leaders, gave this reply:

> We want to show that it is politically possible, and desirable, to support complete, immediate and unilateral withdrawal. We want out now, and this is not contingent on anything that Hanoi or the Viet Cong might do.

Do Senators MUSKIE, KENNEDY, McGOVERN, and others who have endorsed the moratorium also support this objective? If not, then in the interest of more responsible debate on a question of critical importance to the Nation, I would ask them to make clear just where they do stand—not only on the general question of public discussion of the issues—in which I fully agree with them—but also on the specific question of immediate and unilateral withdrawal as a goal of U.S. policy in Vietnam.

Second, I would like to make clear again, in case some have forgotten already, that the announced policy of the Nixon administration is to end the Vietnam war as quickly and honorably as possible. There is broad agreement on this policy—much broader, I submit, than on the moratorium objective of immediate, unilateral withdrawal. It is clear that this war has become the concern of all Americans. I think an overwhelming majority of our people wants this war brought to an early and honorable end. That is one reason Richard Nixon was elected President in November, because he recognized that widespread feeling throughout the Nation. I hope that tomorrow Americans will remember that the President has already taken important steps to reduce our own role in the fighting, to encourage the South Vietnamese to shoulder more of their own burden, and to bring about a reduced level of hostilities in Vietnam at the same time that he is actively seeking an early end to the war in Paris.

Finally, I ask myself, and I would like the American people to ask themselves, whether the atmosphere of excitement and emotional commitment that has prevailed in the past few days and will reach its peak tomorrow, is the kind of atmosphere in which major decisions affecting a critical national policy should be made. I do not say this policy should not be reviewed. I do not suggest that important decisions should not be made—decisions which may affect the size and scope and schedule of our commitment in South Vietnam. I only suggest that a time of high excitement and emotional response is not the time when grave national decisions ought to be made. These important decisions ought to be made carefully and quietly, after serious reflection, in an atmosphere of studied deliberation. Let us express ourselves as a people—or more accurately, let us express ourselves as groups of people. But let us do it carefully, responsibly, peacefully, as befits a democratic nation which understands that great questions of war and peace are solved neither by sloganeering, nor by public posturing, nor even by dramatic days of debate and dissent.

I do not ask, and I do not think the President asks, for the kind of strict unity behind a person or policy that would silence dissent or imply that it is un-American. The right to disagree, and to disagree publicly along with others of the same persuasion, is one of our most precious freedoms. I hope and believe that what we will see tomorrow will be a positive, peaceful reaffirmation of that right. But let us also remember that the cause of peace is not served simply by strident voices rising in concert. As the Washington Post recently observed:

> A loud shout to stop the war, however heartfelt, is not a strategy.

Mr. Speaker, the President too seeks peace and disengagement, but in his judgment immediate and unilateral withdrawal does not seem the best way to achieve that goal. He has chosen instead the twin course of Vietnamization and negotiation, an honorable moderate course which I believe will serve the interests of both our countries and the interests of peace. This morning the House Republican conference passed a resolution supporting the President in these efforts. I think these efforts should win the support of almost all of us, Democrats as well as Republicans, in the Congress and in the country at large.

Mr. HOWARD. Mr. Speaker, I rise today in support of the October 15 Vietnam moratorium which is designed to display in a peaceful and nonviolent way the overwhelming concern by a large segment of our country over our involvement in the war in Vietnam.

Who, for instance, would like to see the war in Vietnam ended? James J. Howard would. Richard M. Nixon would. Lyndon Johnson and Hubert Humphrey would. So would Senator Hugh Scott and Senator Robert Griffin.

Few, if any Americans, want to see this tragic war continued. So to equate anti-Vietnam war with anti-Americanism is wrong.

We could argue for days, possibly for years, over whether we should have gotten involved in Vietnam in the first place. But that is not the issue—like it or not, we are there, and deeply committed now.

The real issue is just how can we disengage ourselves from this war which not only causes death and human suffering in Southeast Asia but eats up so much of our national budget that it also is responsible for death and human suffering here at home.

There are those on the extreme of one political spectrum who feel we should "win" the war in Vietnam, even if it means the use of nuclear weapons. We could then majestically preside over scorched pieces of earth.

At the other extreme there are those who would leave Vietnam today, without making any plans to assure safety for the many persons who might be killed as a result of mass retaliation by the North Vietnamese.

No political party can be blamed for the war, nor can any one President.

Tomorrow, when we join together in a massive show of concern over our plight in Vietnam, I feel it will show that the overwhelming majority of Americans want the war ended as soon as possible, even though there are differing views on how to attain that goal.

Quite possibly there will be some incidents tomorrow by a very small and highly irresponsible minority who might burn an American flag, shout foul language, or break the laws. Those of us supporting the moratorium deplore those tactics. Actions such as this are not only reprehensible but hurt the cause of the moratorium.

These people are as irresponsible as the very small and highly irresponsible minority on the other side who would cause injury to anyone protesting the war in a peaceful and law-abiding way.

The question is not if we shall get out of Vietnam. It is when we shall get out of Vietnam. I support any responsible and realistic effort to end the war in Vietnam at the earliest possible date.

Mr. TUNNEY. Mr. Speaker, the President has written searchingly about the torment that he experienced in confronting six crises. He now faces his seventh and greatest crisis, in his confrontation with the Vietnam war.

This crisis will not be his last. How he faces it may give us some forecast of how he will meet his next crisis, be it sharp recession, racial conflict, or uncontrolled inflation.

During the campaign preceding his election, the President stated that the office of the Presidency should be a "place of moral leadership." A President, he said, "cannot stand aside from crisis; he cannot ignore division; he cannot simply paper over disunity." Yet, now that an issue has reached the point of crisis—now that public disaffection with the endless war in Vietnam builds higher and higher—his reaction is to do just that which he should not do. He has stood aside; he has ignored division; he has glossed over disunity. He has remained passive, plugged his ears, and retreated into himself. He has shrugged off the burden of taking action. He has given the warning that he will under no circumstances be affected whatever by public protests over the war. He has closed his mind to the rising concern of millions of Americans who want to speed the Vietnamization of the war, and to stop the slaughter of young soldiers. Our soldiers fight today, not to gain a military end, but only to underscore a point at the conference table, only to give bloody substance to the statement that we are tough, we mean business. The list of the dead grows longer, as the President asks us to table the whole issue, and avoid public discussion for 60 days. Is that when the time arrives for the next meeting, when the issue of Vietnam will again be taken up?

It will take something more positive to affirm the President's moral leadership and to demonstrate his control over the situation. He does not affirm his moral leadership by saying fretfully that he will not be affected by public protests over the war. He does not demonstrate his control over the situation when he states coldly that he is not going to be the first President to preside over an American defeat, even if he loses the support of 95 percent of the people in the country.

This kind of emotional reflex is deeply disturbing to me. It shows, I think, that the President has drifted far from a realistic awareness of what is going on in this country and in Vietnam. Is it correct to call planned withdrawal "capitulation"? I believe that planned withdrawals demonstrate true moral leadership, not surrender. American boys have fought to protect the liberty of the South Vietnamese, and they have protected it bravely. We simply are saying that they have protected it long enough, that they have done their job and done it well, and now they are going to start coming home.

Without the pressure of planned withdrawals, what is to give the Thieu-Ky government the incentive to become more broadly representative of their people? What hope is there for an end to censorship and for freedom of opinion in South Vietnam, as long as we serve as a palace guard for the party in power? We are not capitulating by pulling our forces back. Our involvement in Vietnam will continue as we work to rebuild the country we have torn apart. We will have achieved victory when this task is done.

It seems clear to me that only a policy of planned withdrawals will accomplish the Vietnamization of the war. As long as we are there, conducting the burden of the fighting, the South Vietnamese Government will not do what is necessary to win the loyalty of their people, and to mobilize for their own defense. Planned withdrawals are the one sure way to stimulate the South Vietnamese to take action.

Such a policy does not hand victory to the leaders in Hanoi. It represents a clear peace initiative which will put pressure on North Vietnam to show their good faith in reaching a cease-fire agreement, and ending the fighting between north and south. I believe that our experience has shown that bombing the north has increased their will to fight, and has not brought us closer to peace. Now let us try a peaceful offensive.

Last month I called upon all Americans to express their feeling about the war by participating in a vigil of silence on October 15, the day of the Vietnam moratorium. I repeat that call to all Americans whose consciences are troubled over the endlessness of this war, to interrupt their usual routine for a while on October 15, and maintain a period of silence, in churches, parks, or stadiums, and in public processions. If places of public gathering which are filled during weekends for sport or worship were filled next Wednesday for a massive vigil of silence, then the message that the time for talk is over and the time for action is at hand will be communicated with greater force than any speaker, however eloquent, can voice.

If surrounded by silent disapproval, perhaps the President will listen to the promptings of his own conscience. He has shown us the quality of that conscience, in expressing the hope that all American troops could be withdrawn from Vietnam by the end of 1970. As things now stand, that timetable is not going to be met.

If the President does not face the need to act now, where will he be when the next crisis comes along? Will he be in San Clemente, or Key Biscayne? Or will he be in the White House, at the seat of responsibility? Will he preside, or will he lead? These are the questions which will become more and more critical in the crises ahead.

Mr. GILBERT. Mr. Speaker, I rise to express a community of feeling with good Americans all over this land who are observing the moratorium in protest against the continuation of the war in Vietnam.

What they do is in the grand tradition of America. We are not a people who keep our deep feelings to ourselves. We are enjoined by our Constitution and by our heritage to stand up and be heard. I commend all those who are participating in the moratorium ceremonies today.

Mr. Speaker, I think the President was mistaken in asking the country to maintain an additional 60 days of silence on the subject of the Vietnam war. A respite in criticism is not going to persuade the enemy that we love this fight any more. I am afraid only that it will give our leaders the impression that we, as a people, have become indifferent to the killing. The popular expression being made throughout our country today will not make the negotiation of a peace settlement more difficult; it will, on the contrary, reaffirm to our leaders that we can stand no more of war.

Let us make no mistake: We are not going to extricate ourselves by trying to salvage an unpopular, undemocratic, and reactionary regime in Saigon. We will get out when we acknowledge that we had no business interfering in the first place. If General Thieu wants to keep fighting, that is his prerogative. It is not our responsibility to keep him in power.

Whatever the President's strategy for getting out of Vietnam may be, I cannot agree with it. For it is, at best, a long-term strategy, and each day that he pursues it, more young Americans give away their lives. If the President has a strategy, it must be to get us out quickly. We are already some 40,000 lives too late. I cannot countenance a strategy that will cost another life in Vietnam.

Mr. Speaker, I hail the courageous young people who avail themselves of the democratic process to marshal the sentiments of this Nation. They have, in the splendid instrument of the moratorium, made clear to the President and to the world that the American people want peace—and they want it now.

Mr. EDWARDS of California. Mr. Speaker, last year many of us here were engaged in a peoples' movement. With our leaders Robert Kennedy and GENE MCCARTHY we challenged the President. We turned the primary elections into national referendums on the illegal and immoral war in Vietnam. We pointed out that time was running out on America's mounting stockpile of unsolved domestic problems and unfulfilled promises.

The year 1968 had its sorrows and failures; yet, it had its hopes and satisfactions. We campaigned from the snows of New Hampshire to the farms and cities of Wisconsin, Pennsylvania, Indiana, and Nebraska. We walked the streets of our sister State, Oregon. We rang doorbells in every part of our own great California.

We found the people of this country yearning for a world without war and for a fair and equitable society at home—we found them willing to support political leaders who pledged to move our country in these new directions.

At the Chicago convention assassination had removed the candidacy of Robert Kennedy. And GENE MCCARTHY, despite the evidence of the primaries, was swamped by party regulars, unconcerned with the great issues, but holding in their hands the machinery of nomination.

We lost at Chicago, but at the convention we kept faith with the people by providing the only real debate on Vietnam and the arms race.

Today, just a year later, the polls tell us that a great majority of the American people support the anti-Vietnam peace resolution voted down by party hawks in Chicago.

I suppose that it is our respect for fair play that has given this administration 9 months to get its bearings and to begin the fulfillment of its campaign pledges.

Mr. Nixon was entitled to a fair amount of time to execute his promise of an early termination of American military involvement in Vietnam.

Today, this nationwide day of moratorium, is the time for summing up. In every part of the country Americans are taking time out to examine what the President and Congress have done to end the war and to redirect money and energy to the solutions of urgent domestic and international problems. What do they see on this day of reflection and analysis?

Since Mr. Nixon's inauguration more than 9,500 Americans have died in Vietnam, more than 60,000 have been wounded, and $21 billion of American taxpayers' money have been spent directly on the prosecution of the war.

We do not know how many hundreds of thousands of Vietnamese have been killed or wounded. We do know that 4 million people have become refugees in South Vietnam and that the destruction in the country is enormous. We know that there are 2½ million holes, 45 feet in diameter and 30 feet deep caused by B-52's alone.

We know that the Thieu-Ky government is a military dictatorship, propped up by U.S. power, despised by most Vietnamese and notoriously corrupt.

The hard evidence is that the heralded policy of "turning the war over to the Vietnamese" is a slogan being used to conceal our staying in, not to facilitate our getting out.

Last week General Wheeler said that we will be in Vietnam for "quite a while." And from the White House came a steady stream of comments from President Nixon to the effect that he is determined not to be the first President to lose a war. He publicly has referred to Vietnam as "our finest hour." We are uneasily reinforced in our belief that our goal in Paris is a permanent division of Vietnam, as in Korea, half theirs—half ours.

So there has been no real change in policy, simply new management of the old L. B. J. assumptions. We are following the same strategy that has produced our earlier years of sorrow.

On this historic day of moratorium I suggest that we again tell Mr. Nixon and Congress that it is time we leave Vietnam—now that it has been 8 years and 4 months, $100 billion, 46,000 Americans dead, and 252,000 Americans wounded. If, after all this, the Government of South Vietnam is not prepared to stand on its own feet in its own country, then indeed it is time that we leave.

As President Kennedy said on September 2, 1963:

> In the final analysis, it is their war. They are the ones who have to win it or lose it . . . the people of Vietnam.

I firmly believe that the Vietnam war must end if we are to begin to solve our domestic problems. But not for a moment do I adopt the simplistic notion that Vietnam is everything.

We have a deeply troubled domestic society. Some of the energy generated by the moratorium must lead the fight against racism in our country. We must bring to full citizenship the 20 million black Americans, the 5 million brown Americans, and the poor of all races and creeds.

Of all our problems here at home, the most immediate and pressing, the one that threatens to tear our society asunder, is the plight of the minority Americans.

The slums are a reality, as are idleness and poverty, lack of education, and delapidated housing. We are in the midst of what is rapidly becoming the most terrible and urgent domestic crisis to face this Nation since the Civil War.

The consequences of racism reach into every home, bringing the sure knowledge that failure to deal with this problem could make irrelevant our success with other problems.

It is a white problem more than a black or brown one, because we are in charge. We, the whites run the country, and it is up to white America to accept the challenge—to face this difficult problem with imagination and dedication, wisdom, and courage. And, yes, with love. This is something we are learning from the young—that the hatred in this country must be rooted out and replaced by love.

On this subject I can offer a personal guarantee: The love we extend will be returned in abundance. This is something I learned in being the Congressman for many thousands of black and brown Americans.

There is another issue today, the conflict between the young and old. And we will not have a bridging of this generation gap—and peace and trust between the old and young—until the draft is gone.

Do not reform the draft—get rid of it. A volunteer army is the American system. A volunteer army was promised by presidential candidate Nixon. He must be called upon to produce.

I suggest that it is vital to remember that business, students, college professors, and city councilmen cannot stop the Vietnam war, or reduce the fantastic military budget. Nor can lawyers, State legislators, or newspapers create a new foreign policy, one that diligently and skillfully seeks accommodation and conciliation among nations, and world disarmament.

As Prof. George Wald said:

> We have to get rid of those nuclear weapons. There is nothing worth having that can be obtained by nuclear war; nothing,

material or ideological, no tradition that it can defend. It is utterly self-defeating.

Only the President and Congress can get rid of nuclear weapons—or control their proliferation—through international agreements whereby no nation's security is imperiled.

And only the President and Congress can end the Vietnam war, end the draft, and provide the money and programs to bring our brown and black brothers up to equal citizenship.

This seems to me to be the most important understanding that can grow out of the moratorium. For the first time I am convinced that our movement is large and powerful enough to cause change in Washington, D.C.

On September 30, a special election was held in Massachusetts' Sixth Congressional District. The seat was left vacant by the death of William Bates, No. 1 Republican on the Armed Services Committee and a hawk on the war. It had been a Republican seat for 159 years.

Thirty-three-year-old MICHAEL HARRINGTON won the election over the State Senator William Saltonstall, HARRINGTON was the antiwar, anti-ABM candidate. People such as those involved in the moratorium staffed his campaign as volunteers.

The same thing happened on April 1 in the Seventh Congressional District of Wisconsin, the seat Secretary of Defense Laird had held for 17 years. Here, too, the antiwar, anti-ABM Democratic candidate, DAVID R. OBEY, won over his Vietnam-Pentagon supporting opponent.

Twelve days ago in the House of Representatives, 93 Members voted against the deployment of the ABM, 270 voted for it. On August 6, 51 Senators voted for ABM, 49 against. Even so, many of us are not being properly represented.

Regardless of what a Congressman or Senator says during the campaign, the evidence is plain in the CONGRESSIONAL RECORD. He cannot claim he is against the Vietnam war if he votes for special Vietnam appropriations. He is no friend of the Mexican American if he does not sponsor legislation to include farmworkers in the Wagner Act. He is for the draft if he has not introduced a draft reform bill.

Yes, it is all there, and they should be forced to run on their record. And you should defeat them if they are wrong on the issues. In the last analysis it is the constituency that votes through their Representative. Representative government can work. The trouble is that only occasionally is it tried. The decisive moments in history are never repeated. The absent are always wrong.

Men love their country when they have the kind of country that inspires respect and love. And what kind is that?

It is a country that is free and unafraid; that listens to the unhappy and discontented; that then proceeds to learn the causes of the discontent in order to end those causes.

And finally, I would hope that the moratorium will mark the beginning of a new foreign policy for the world's most influential and powerful nation—the United States.

The time has come to admit that mankind stands visibly nearer to annihilation than ever before in history. The arms race accelerates. The cold war goes on. There is a chilling absence of improvement in the structure of world politics. Today, world war could be ignited by a reckless decision in any of a dozen capitals.

Let the moratorium signal America's moral commitment to a unified world civilization. Let your generation insist that the politicians subscribe to this global unity.

John F. Kennedy told us the torch had been passed to a new generation. Today, I join him in passing that torch to you. In a few short years those of you who are under 30 will make up the majority, not the minority, in this Nation. Some fear you. I am not one of them. You bring me hope, hope for a world far better than my generation has been able to create.

I join with you in the goals so necessary for the survival of this Nation and all mankind: An end to the Vietnam war; an end to racism; a new beginning for this Nation and for the world, a beginning of peace and justice for all. And you, we, can accomplish this. Let us do it.

Mr. MARSH. Mr. Speaker, there are many views on moratorium day, which is to be observed tomorrow in a variety of ways by some of our citizens. We are hearing different views expressed here today.

Let me state mine very frankly. I cannot feel that it is in the national interest, either from the standpoint of achieving aims and objectives in South Vietnam or of supporting American foreign policy elsewhere in the world. I believe there is a national commitment to our fellow Americans who serve in the Armed Forces in this troubled area of the world. A part of this commitment, I think, is making it clear to them that this Nation is firmly behind its fightingmen.

I believe there is a danger that the moratorium, regardless of how well intentioned or how sincere the views of those who participate in it, will be misinterpreted in Hanoi as an indication of American weakness and thereby will diminish our chances to negotiate an honorable settlement, secure a stable peace for that area and prevent a far wider war.

I have stated previously—publicly—that I support President Nixon's efforts to obtain that kind of resolution of the war in Southeast Asia. I think it is in the national interest to demonstrate our support for the President and his policy to conclude the Vietnam war in keeping with our national interest, in order to insure that the great sacrifices that have been made by Americans shall not be in vain.

I am concerned that a demonstration of this type will weaken our position in negotiations to conclude the war at a time when our position needs to be strengthened.

I believe demonstrations of this type run the risk of encouraging our foes to prolong military action and consequently create the even graver risk of hurting rather than helping those American servicemen who serve this Nation in this troubled area of the world.

Mr. EILBERG. Mr. Speaker, I thank the gentleman from Indiana for allowing me to participate in the special order he has for this evening to address the House so that I can express my feelings on the Vietnam war and participate in the moratorium observance which begins officially at midnight.

War has been a part of this Nation for the last 30 years. First there was the Second World War, then the Korean conflict, and now the Vietnam war. Some have said that war has been so much with this Nation that its citizens would not know how to live in peace. I believe that the American people would like to find out how it would be to live in peace. They believe that we have been in Vietnam far too long and they feel that the time is long past when this Nation should face squarely up to the issue of whether we want continued war or peace.

We have never faced up to the reality that the Vietnam war is not a peacekeeping operation. It is not an operation designed to protect our friends only. It has taken a tremendous toll on the moral fiber of the Nation. I believe that the time has come for the Nation to face this fact and for the President to end the war and end it quickly.

We all have hoped that the Paris peace talks would bring peace. Each time the negotiators meet the Nation pauses and new hope springs that maybe this week the logjam will be broken and we will start down the road to peace in Vietnam. And, each week the hopes and dreams of the world are shattered by the negative results of the talks.

If we need to Vietnamize the war to get out, I say let us get on with it. The time for pious platitudes and good sounding campaign oratory is past. Now is the time for action. President Nixon is losing his opportunity for a fresh peace offensive. I do not say we should pull out unilaterally and abandon Paris. I say stay in Paris, Vietnamize the war faster, and bring our American boys home soon. I encourage President Nixon to explore private talks and unexplored avenues or do anything else he sees fit. I do caution him against repeating the old errors and ask him to remember that old solutions accomplish nothing. It is time for the Vietnam war to become a tarnished page in American history. There is no need to prolong the agony. I urge the President to act now to end the war.

To date, 39,000 Americans have lost their lives in Vietnam. About 1,350 families do not know whether husbands or fathers are alive or dead because the North Vietnamese have refused to observe the common courtesy of releasing the names and physical condition of the prisoners they hold.

Frustration is creeping into the makeup of the Nation. I believe this development must be arrested before it invades the whole fiber of our national being. We must withdraw our forces before any more Americans are maimed or killed. We need no more new graves and grieving widows.

When President Nixon was elected he promised the people of this Nation that he would extricate us from this war. He did not promise us peace now, next week, next month, or even next year. But, he did promise us peace. I see no movement in this direction at the present time.

Mr. BEVILL. Mr. Speaker, I am unalterably opposed to all demonstrations.

I believe that many well-meaning people, with a desire for peace, have been mislead by the organizers of these demonstrations.

These demonstrations often lead to riots, violence, and destruction of property, and infringe on the rights of the majority of our citizens.

There has never been anything accomplished by demonstrations.

We have only seen demonstrations lead to violence and destruction.

I feel that these organizers are in effect the "tool of Hanoi" and are making meaningful peace negotiations impossible.

The Hanoi government is making effective use of these demonstrations by trying to show that the people of the United States do not support the President.

I strongly believe that it is time for the citizens of the United States to give their wholehearted support to the President in his efforts to bring an honorable peace to the Vietnam war.

Mr. BURLISON of Missouri. Mr. Speaker, I have just voted tonight against the motion to adjourn. It is possible that some attempt will be made to place me under the influence of Hanoi as a result thereof. Therefore, just a couple of observations would appear in order.

First, though the 91st Congress has now been in session for over 9 months, tonight is the first time we have had a motion to adjourn, preceding, and for the purpose of preventing, special order speeches. If no previous attempts have been made to cut off special orders, why should an exception be made simply because the Members seek to discuss the Vietnam involvement?

Second, the House of Representatives is a deliberative body. It does not make sense to this Member that the national lawmaking Chamber be denied deliberation of the one overriding issue which persists in this Nation today.

Mr. PODELL. Mr. Speaker, the agony in Vietnam continues. There is no military victory even remotely in sight. In Paris, all negotiations are at a complete standstill. The President's negotiators have frittered away even the minimal good will and progress left them as a legacy by Mr. Harriman. Democratization of the Thieu-Ky regime is a fruitless pursuit. Vietnamization of the conflict returns no tangible dividends in terms of American withdrawal or military progress.

Here at home the running sores of American social problems are turning into cancers which will destroy our society unless they receive swift, meaningful attention. The gap in understanding between generations grows into an abyss. Dissent grows here, matched in its universality only by war weariness and disillusionment. Only the flow of American corpses back home remains constant.

Yet there does not seem to be the slightest comprehension on the part of President Nixon and the administration he leads of these accumulating factors. At his last press conference, he stated he expects strong antiwar protests and "under no circumstances will I be affected by it." The latest poll shows six out of every 10 Americans believe our country made a mistake in getting involved in that civil war. We have the President's answer, which discounts protest before it takes place.

Troop cuts have been token. When first announced, there were more men on the way than were slated for withdrawal. President Nixon has drafted as many men in 10 months of 1969 as President Johnson drafted in all of 1968. So his draft cancellation for the last 2 months of 1969 becomes mere statistical sleight of hand. The words emanating from his administration are a grotesque echo of yesterday's meaningless rhetoric. President Nixon told the American people he had a secret plan to end American involvement in Vietnam. It has not been forthcoming. It does not exist. It will not emerge. Claims that it is real are as hollow as a jug.

This sums up the situation in toto. Therefore, we must exercise the only remaining option left to us as citizens of a free society where dissent is allowed those who wish to protest and alter avowed policies of their Government. I support the national protest slated for this Wednesday in the hope it will reveal to the administration how fervently the overwhelming majority of Americans oppose our further participation in this unjust war.

Mr. Speaker, as of September 27, by the Pentagon's own figures, 45,352 Americans have died in Vietnam, 9,161 of these young men have perished during President Nixon's tenure. For each dead American, there is at least another who will never be whole again. They will be among us for many, many years to come, without arms, legs, and eyes; broken in so many physical and mental ways as to defy belief and discourage observation. We cannot countenance any further sacrifice of such kind.

We hear talk of glory, honor, and patriotism. Hollow phrases to graveyards, hospitals, and grieving families. Our dead are from every corner of our land and each national and ethnic group. Would that every patriotic orator could look into their faces. Would that every person who so blithely speaks of more conflict could gaze into the eyes of those who have sacrificed all they had. Their dreams. Their hopes. Their futures. Their lives. How many of them would have continued to be true realizers of our national dream? What do words of glory, honor, and patriotism mean to them now?

Do we not wonder what they all were like? How many had been musical? Or athletic? Or bookworms? Or terribly mechanical in that mysterious way we who are not wonder at? How many ever had a chance to enjoy or savor life? Most of them are terribly young. How much can one crowd into 19, 20, or 21 years of life, even with the best opportunities? What chance did they ever have? What does their sacrifice mean? Who sits on Hamburger Hill now? Why did they have to die? For the intrinsic value of Hamburger Hill or the Ashau Valley? For the corrupt Saigon government? For glory? Is there such a thing? What meaning does it have for those who perish attaining it?

Old men send young men off to die. Only strong backs and straight shoulders, clear eyes and young legs. After bands play, flowers wither and cheers die, what is left? Only filth, grime, pain, fear, horror, grief, and futility of conflict. Then the silence of a grave and the calm of a cemetery. Only grief of parents, sobs of sweethearts and wives, and cries of an orphan which will never know its father again. Ask them about honor.

What is martial music or GI benefits to mourners? Tell the grave markers of unity and perseverance. See how quickly and unanimous they respond. Listen to their eloquence and cheering of the flag. Hear their patriotic shouts.

Do we not all wonder what we are doing to the next generation? Do we not pause and ask what these young men are like? Which possessed an infectious laugh? Who had been most compassionate? Who was shy or readiest to aid a neighbor? Who had been a mother's sole support, a loving son, a steady worker or a hail fellow well met? How many mechanics, doctors, plumbers, and pharmacists were there among them, had they lived?

Who among them had adored children or known a woman's love? How had they died? In a soaring moment of valor? In terror? Above all, why did they have to die in such a place and in such a manner? What has their sacrifice accomplished for their goals, country, and loved ones?

Who shall give us our answer? Generals who promise victory which never comes? Politicians who promise peace which they will not move toward? Professional patriots who have never heard a shot fired? Military contractors whose profits mount in blood-soaked piles? Potential despots who would stifle dissent? Draft boards which do not represent the youngsters they constantly feed into the mouths of the insatiable cannon?

To all young Americans who have perished, death followed a step behind, then overtook and claimed them. Fear was a visitor whose stay was unending. Hope was a glimmer never realized. And up to now, it has been all for nothing. Nothing at all.

Mr. Speaker, we should weep for our country and for these youngsters. For all those they leave behind. For churches they helped build which they shall never worship in. For families they will never start. For parents who will never see beloved faces. For sweethearts who will always live with an empty place in their hearts. For projects never built. Hotrods unfinished. Educations ended. Promises unfulfilled. Our country loses along with their families. Our national spirit is wounded when each perishes.

And I say it is enough. Absolutely enough. We have not carved out this Republic, complete with ideals and promise, to send the flower of our youth to Vietnam any longer to perish for an Asian despotism whose jails bulge with non-Communist opponents of its autocratic rule. Calling them a freely elected government is like accusing Walter Ulbricht of being the prima ballerina of the Bolshoi Ballet.

The names and faces of those who have already been killed and maimed for ages will haunt our Nation. If we do not call a halt to this inexorable attrition, tomorrow's burden of guilt will be that much heavier and intolerable to bear.

It is time we began to act as a mature society ready to acknowledge policy errors and accept political realities. Losses of almost any kind are acceptable in a noble, just or self-preserving cause. The war in Vietnam does not fit into any of these categories. Is not a realization of futility better than a continuation of murder?

Mars is a jealous god. He consumes lives and wealth in ever-vaster quantities. Dreams, ethics, and futures are drawn into his maw. The further sacrifice of our seed corn is the very antithesis of America. Even though we have failed those already dead, let us not do so to others whose lives may be spared by our further actions. Let us at least learn something from their demise and our loss. Let us hold our ideals more precious than our prejudices—our dreams as more valuable than our hates—our ideals more priceless than our faults—our capacity for compassion and doing the difficult but correct thing above our selfishness and desire to harm others. Let us end this ghastly involvement, turning ourselves to urgent domestic tasks requiring so much from each of us. We can do no less because these youngsters gave so much at our behest. They have not, in the end, died for Vietnam, as much as they have perished for all of us—for America's soul and her future.

Mr. TALCOTT. Mr. Speaker, I have stayed until past 10 o'clock and have heard nothing new.

Certain perspective is required when any proposition is being deliberated—in the House or elsewhere.

Some perspective is given to the antiwar discussion by an exchange of letters between a local university student and the President.

President Nixon has clearly set forth the responsibilities of the President, or any other representative official, in making decisions. Every American ought to understand the decisionmaking process of the President—especially in the context of the excruciating issue of ending hostilities in Vietnam. I include at this point copies of both letters:

THE WHITE HOUSE.

DEAR MR. DICKS: In reply to your comments about my press conference remark that "under no circumstances will I be affected whatever" by the demonstrations planned for October 15, I would suggest that there are several points you should bear in mind.

First, there is a clear distinction between public opinion and public demonstrations. To listen to public opinion is one thing; to be swayed by public demonstrations is another. A demonstration—in whatever cause—is an organized expression of one particular set of opinions, which may or may not be shared by the majority of the people. If a President—any President—allowed his course to be set by those who demonstrate, he would betray the trust of all the rest. Whatever the issue, to allow government policy to be made in the streets would destroy the democratic process. It would give the decision, not to the majority, and not to those with the strongest arguments, but to those with the loudest voices. It would reduce statecraft to slogans. It would invite anarchy. It would allow every group to test its strength not at the ballot box but through confrontation in the streets.

The planned demonstrations will tell us that a great many Americans are deeply concerned about the war; that some of these consider U.S. participation immoral; that many want U.S. troops withdrawn immediately and unconditionally. But all of us in the Administration are already well aware of this sentiment. We are already well aware that it is widespread—indeed, that no matter how many people might participate, there would be many more who share their concern.

Therefore, there is nothing new we can learn from the demonstrations. The question is whether, in the absence of any new evidence or any new arguments, we should be turned aside from a carefully considered course. The policies we are now following reflect our own best judgment, based on exhaustive study of all the available evidence, of how to achieve that goal. To abandon that policy merely because of a public demonstration would therefore be an act of gross irresponsibility on my part.

One further point: I respect the right of each American to express his own opinion. I recognize that many feel a moral obligation to express their opinions in the most conspicuous way possible, and therefore consider such expression to be their responsibility. I respect that. However, my responsibility is different. I must consider the consequences of each proposed course of action—short-term and long-term, domestic and world-wide, direct and indirect. Others can say of Vietnam, "Get out now;" when asked how, they can give the simple, flip answer: "By sea." They can ignore the consequences. But as I consider those consequences, in both human and international terms, I can only conclude that history would rightly condemn a President who took such a course.

One of the first acts of my Administration was to review, exhaustively and comprehensively, every aspect of the nation's policies in Vietnam. We have drastically altered the policies we inherited. We are on the road to peace. That road is not easy. It is not simple. But I am convinced it is the right one. There is no problem to which I have given more of my time and thought. For nine months, we have worked every day for a just end to a conflict which has been building for more than eight years.

On October 15th, I understand, many will simply be saying: "I am for peace." I ardently join with all Americans in working toward that goal.

Sincerely,

RICHARD NIXON.

GEORGETOWN UNIVERSITY,
Washington, D.C.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I think that your statement at your recent press conference that "under no circmustances" will you be affected by the impending anti-war protests, in connection with the "Viet Nam Moritorium," is ill-considered to say the least. It has been my impression that it is not unwise for the President of the United States to take note of the will of the people; after all, these people elected you, you are their President, and your office bears certain obligations. Might I respectfully suggest that the President reconsider his pre-judgment.

Yours sincerely,

RANDY J. DICKS.

Mr. McCARTHY. Mr. Speaker, today is one of national observance, a day on which thousands of Americans have shown through their individual and collective action their concern about the tragedy in which we are involved. There is no announcement in the Presidential papers published daily about this observance. You will not find a notice of this day in the world almanac listing our national holidays. You will not find a section in your daily paper saying that the banks will be closed or that the public buildings will be closed on this day. October 15, 1969, is not a recognized holiday.

October 15, 1969, is all the more important, however, because it is spontaneous. What started out in the minds of a small group as a college and university based moratorium has become a nationwide movement involving not only students but businessmen, teachers, lawyers, Vietnam veterans—Americans from every walk of life. The day has evolved not through the mailing of thousands of envelopes, not through the spending of large sums of money for television advertising, nor through the organizational structures that are the normal vehicles for important announcements. Observance of October 15, 1969, has come through word of mouth and through a sense of anticipation. It is the sense of anticipation perhaps more than any other factor that has evoked the massive involvement in this observance.

This sense of anticipation has its roots in a period of crisis that was perhaps unequaled in more than 100 years of our history. In the fall of 1967 and the early spring of 1968 our Nation experienced tension not known since the days preceding the Civil War. Millions of Americans harbored a sense of frustration and tension concerning the war in Vietnam that found no release. Although President Johnson spoke—and spoke again—of his earnest desire to bring the war in Vietnam to a close, his very actions seemed to many Americans to belie his words.

Contrary to the beliefs of some, Americans have few opportunities to express their wishes concerning their Government. Once every 4 years we pick the truly national leader—the President of our country. And by practice this period has become 8 years. True, we tend to read special elections and the congressional elections as indications of the national mood but they cannot be truly representative. The year 1968 would not offer the opportunity for a truly representative election. The incumbent would be reelected to another 4 years according to the rules of the game. But the rules of the game could not prevail in that period of great national crisis.

The seriousness of the situation in Vietnam in the fall of 1967 and the early spring of 1968 is easy to gloss over now. But friend split from friend and hawk attacked dove and dove criticized hawk with a bitterness that has not been experienced in recent time. When Senator EUGENE MCCARTHY entered the race for the Presidency he did so not on the basis that he was a candidate seriously believing that the incumbent President could be beaten in the party primaries and the convention but rather as a candidate who would insure that the issue of Vietnam would be debated. Senator MCCARTHY met a deep-seated need in the American people—an opportunity to demonstrate their concern about the course the United States was taking in Vietnam. And the depth of this need was evidenced in the months that followed.

The late Senator Robert F. Kennedy entered the lists in the spring of 1968 and the tempo of the debate over Vietnam increased. Although Washington prides itself on its ability to know what will happen before it happens, few of the experts predicted that President Johnson would take himself out of the race. But he did—and did so with the purpose of being able to more effectively work toward peace in Vietnam. His action served in many senses as a safety valve for the American public. Almost with a collective sigh America exhaled. The election of 1968 now offered an opportunity for change—meaningful change.

I believe the case of President Lyndon B. Johnson is tragic in a classic sense. He was most interested in and most concerned about such domestic issues as poverty, education, housing, medical care, the threats of air and water pollution, and the danger to our entire environment. He did great work to lead the way in meaningful action on all these fronts. But the incredible tragedy of Vietnam, which he inherited more than he created, turned to bitter ashes all his great hopes for progress and renewal here at home.

Although the positions attributed to Vice President Humphrey have often been misinterpreted, many Americans believed that he was too inextricably wound up with the policies of President Johnson to chart a new course in Vietnam—to hold to a course of action reflecting the United States' best interests. Presidential nominee Richard Nixon offered a plan for withdrawal from Vietnam. It was not a detailed, explicit plan, but it was a plan. This plan was a significant factor in the 1968 election.

President Nixon was elected in November 1968, undoubtedly with the help of the votes of independent and some Democratic voters. The 1968 election gave the public an opportunity to choose—to choose a course of action on Vietnam. The choice was made and President Nixon came to office with a mandate—a mandate that called for winding down the war in Vietnam.

One of the practices that has acquired the status of a tradition in the United States is to give the newly elected President a period of grace—to give him an opportunity to take over the reins of Government and to place his imprint on our policies. We do not expect our Presidents to modify or change overnight the positions taken during the previous 4 or 8 years. We expect the new Cabinet officers as well as the Chief Executive to devote part of this initial period to mastering the details of their job. Our Presidents are not blamed or praised for the actions of their predecessors but rather make their own imprint on the scroll of time.

But, it is now almost 1 year since Americans had the opportunity to show their concern about Vietnam. It is only 3 weeks to the first anniversary of our trek to the voting booth. But this year there is no vote—no place to register our approval or our concern or other judgment about the course of events during the past year. True, we do read in the paper that the latest Gallup poll shows that 58 percent of all Americans think that we made a mistake to have gone into Vietnam—that another 32 percent think we should have—and 10 percent do not know. But the Gallup poll has limitations. It does not show the depth of conviction with which Americans hold these opinions. It does not show the deep affection that a number of Americans have for Vietnamese that they have fought beside or helped to reap better crops. It does not show the bravery of the many Americans who have shed their blood for Vietnam, whether by choice or by sanction. No poll can reflect these differences of opinion. Yet in these troubled times, polls are not adequate indicators of public opinion.

What is public opinion, after all? Is it the sum of the views of the elected officials of one or the other body of Congress? Is it the editorials appearing in 10 or 15 major newspapers? Is it the voice of a particular columnist or of a particular broadcaster? If one could know for sure what public opinion was at any particular time, our lives might be infinitely simpler, although somewhat sterile.

I must say here that public opinion concerning Vietnam is felt with an intensity that we rarely see. Opinions about Vietnam are not lightly held. This intensity finds form in a search for participatory democracy—something more tangible than an acceptance of the actions of the representatives that we elect. Some Americans who I have talked to feel that they must demonstrate their very real and terrible sense of conscience about Vietnam. In what is almost a religious act, they must perform an act of conscience. For those of us who only live the war through the television tube—who do not expend the adrenalin, the sweat, and the toil that may cleanse the spirit, the burden is a heavy one. It is a burden that is not thrown off in conversations with our friends or an occasional letter to Washington. And so the pressure mounts to express—to somehow bear testimony to a people in a foreign land who are subjected year in, year out, to the ravages of war, and most importantly to those of our younger generations who either carry the burden in Vietnam or face a future that will take them there.

This pressure to bear testimony, to make an observance of conscience, has found its opportunity. It has focused on October 15, 1969, as the day when Americans wish to be counted. The total will not be recorded in the voting booths. It will be recorded in hundreds of gatherings in churches, in places of business, in the car lights that are left on, in the talks at colleges and schools throughout the Nation, in all the ways that individuals choose to make their concern known.

This day of observance will not—cannot—be ignored. The shift in opinion in the Congress, the statements of support from such eminent Americans as Richard Cardinal Cushing and Gov. Averell Harriman all indicate that this day has already had an effect. The question at this point, of course, is, What kind of effect?

I believe that October 15, 1969, will serve as a watershed in our history if it serves to reinforce the promise made to Americans on November 5, 1968, a promise to bring our involvement in Vietnam to a rapid conclusion; it will be useful if it removes some of the illusions on the part of both the public and our national leaders as to how we can disengage in Vietnam; it will be useful if it strengthens the hand of President Nixon in his search for an end to this chapter in American history.

I watched at close hand what the war in Vietnam did to Lyndon Johnson, how it turned his hair white, eventually drove him from the White House as most of the dreams for America went up in smoke. I do not wish this on any man. We only have one President at a time and I believe we must do all we can to help the President. Let us not have a repeat of 1968. I do not think the Nation could stand it.

Former Secretary of Defense Clark Clifford, a clearheaded and courageous statesman, wrote recently in an article:

> When I asked for a presentation of the military plan for attaining victory in Vietnam, I was told that there was no plan for victory in the historic American sense . . . The President had forbidden our forces to pursue the enemy into Laos and Cambodia, for to do so would spread the war, politically and geographically, with no discernible advantage . . . After days of analysis . . . I could not find out when the war was going to end; I could not find out the manner in which it was going to end . . . And so, after these exhausting days, I was convinced that the military course we were pursuing was not only endless, but hopeless.

As a design for further action, Secretary Clifford concluded that our goal should be to stop sending additional troops to Vietnam and to begin a gradual disengagement.

What has happened since Secretary Clifford came to this conclusion in the spring of 1968? A new President has taken office and a new Secretary of Defense has been chosen. The tragic toll of American, South Vietnamese and North Vietnamese dead has continued to mount. Each week with minor variations we learn that 115 or 94 or 152 American boys have lost their lives. We are told that the U.S. Army has pulled out of the delta south of Saigon and that the South Vietnamese Army has taken over the job of maintaining order there. We learn that 60,000 troops are to be pulled out before the end of the year.

I believe that President Nixon is committed to disengagement in Vietnam. And I believe that Americans have the fortitude to back up President Nixon in the complicated and perhaps painful actions that must be taken to achieve this goal. There can be no illusion about the disengagement in Vietnam, it will take place and it will recognize the political realities of the situation.

We must seek disengagement on the basis of control as it exists, not how we would prefer it to exist.

What we must search for at the conference table is not kind words but some agreement concerning the future based on the realities of power as it exists in South Vietnam.

A sudden withdrawal of U.S. troops would bring more chaos and death than an orderly withdrawal that places additional responsibilities on the South Vietnamese. An act of will must be made, then, to withdraw American troops on a timely schedule. And in my opinion this is more on the order of 100,000 ground troops as Secretary Clifford and Ambassador Harriman have recommended than 60,000 now planned to be withdrawn this year.

I also believe that we can negotiate a cease-fire now. There have been sufficient signs of North Vietnamese inactivity to warrant a cease-fire. We should not seek some nebulous promise or some unachievable goal; we should mold the course of events with the material in hand. The limited engagement policy announced by Secretary Laird last week is a useful first step in this direction; its very success argues for further action. I urge President Nixon to use his statesmanship to seek out and announce a cease-fire in the immediate future.

I have not mentioned a date by which I believe all American troops should be out of Vietnam. Just as we are unable to fix the precise date on which we became involved in Vietnam. I believe that we cannot fix the precise date on which we will be out. There must be an end to our involvement in the near future, particularly for the ground troops who have been bearing the brunt of the fighting. And there will be an end to the need for our support troops, an end that we hope will follow the ability of a South Vietnamese Army to perform these functions.

The end to American involvement in Vietnam will come and it will come in the near future.

One comment that should be added. The conduct and the decisions that are made concerning Vietnam are not a matter for partisan politics. Our foreign and military policy in this instance concerns the lives and fortunes of every American. There should be every opportunity for genuine expressions of opinion. There is no room for Democrat or Republican in this debate. But, in taking my place among those who wish to be counted on this October 15, 1969, I do so as a concerned American, as the Representative of 500,000 Americans acting as my conscience dictates. I do not do so as a Democrat. From this day, President Nixon can draw the support and the expression of will for positive action. There could be no better observance.

Vietnam may well be the worst debacle in American history. The story of our involvement in that troubled peninsula since World War II is marred by mistakes. We should never have supported the French effort to reestablish their colonial empire after the war when colonialism was taking its place with feudalism as a regrettable vestige of the past.

One could go on and on. But that is past history. Now we must pursue the basic course of disengagement that has been charted. My chief difference with it is that we must put on some steam and move faster so that we can turn at the earliest moment to the urgent, unfinished business of America here at home.

Many public officials made mistakes and I confess to my share.

Mrs. CHISHOLM. Mr. Speaker, why are there no gold stars in the windows of American homes during the Vietnam war as there were during World War II? In 1943 and 1944, did any American woman, mourning a son's death in the war, refuse to allow military honors to be paid at his funeral, or scorn to accept the flag from his coffin? Did any bereaved mother carry picket signs demanding that the troops be brought home from Italy, or chain herself to a young man outside an induction center?

These things are common now. Has our society changed so much? Have American women changed so profoundly? These questions, perhaps, honestly trouble some persons. They may wonder if they see our country in decline, in decay, because such things are going on. That is nonsense. Our country is not decaying. American mothers are as able as they ever were to make the greatest sacrifice a woman can make, to consent to the death of a son, in a just and necessary war.

But not in an unnecessary war into which we stumbled, or were led by shortsighted men. We have been locked into the war by stubborn, proud leaders who could not admit that they were wrong. We have been systematically lied to for years about the nature of the war and the prospects of ending it. We know now what we have been doing, despite the lies. We have been pouring out the lives of our sons and wasting the spirit and the resources of our Nation to support a corrupt and dictatorial government whose citizens would reject it in a moment if it were not protected by a wall of American arms. This is not a just and necessary war we are fighting.

If it had ended sooner, if we had won it quickly, these and other unpleasant truths about the war might never have become known to most of the American people. But it has gone on too long, and the truth has come out. Now the Nation demands that the war be ended. But President Nixon talks of an honorable conclusion. He says that he will not be the first President to preside over an American defeat. He says he will not be affected by the demands being voiced this week, in an unprecedented and historic outpouring of public opinion, that the war be ended. We who have hoped—and I believe all of us here, and most Americans have hoped it—hoped that the new President would find a way to repudiate the mistakes of the past and put a merciful end to this shameful episode in our Nation's history, have been disappointed. We are disappointed daily at every fresh proof that nothing has been changed.

The President talks of withdrawal, and the Secretary of Defense talks of Vietnamization of the war. Members of this House have been to Vietnam since that talk began, and came back to report that they were cruelly disappointed to learn that this talk is deception. The so-called withdrawals are tokens; Vietnamization is a fraud and it is all a device to prolong the war.

A few Members of this body have called those of us who oppose the war traitors, or virtually that—"doing the work of agents of the enemy" was one phrase given public currency this week. In the minority caucus, I have read, there was an attempt to censure some Members who have decided to stand behind this week's moratorium. Government employees have been refused permission to hold moratorium programs where they work. There is clearly a plan to try to discredit any effective opposition to the war by labeling it disloyal and un-American.

What is more un-American than to subvert the Constitution of the United States? Have not the men, in elected office and in appointive offices, in uniform and in civilian clothing, who have taken this Nation into an undeclared war, committed the most un-American action possible? They have flouted the Constitution they swore to uphold, by making war without the declaration of Congress. Has not Congress, by failing to insist that it, as the representative body speaking for the people of this Nation—in whom the ultimate authority to decide for or against war rests—has it not also failed to uphold the Constitution?

And now some of the leaders of our Nation, on both ends of Pennsylvania Avenue say they will not listen to the voice of the people. They say they are right. The majority of the country, who demand that the war be ended now, are wrong—they are misled, it is even said, by traitors. But I say such arrogance must be punished, as it certainly will be in the long run, and this subversion of the basic tenets of our free Government must end.

Why do our leaders not listen? Is it possible that they do not see the consequences of their refusal to heed the deep, profound, bitter opposition to this war—and, increasingly, to Government itself—that their policies have caused? Those of us who have been on the campuses, where much of the opposition was born and where it is still strongest, have had an opportunity to learn how deep the difficulties are that our Nation is in. I have been on 25 campuses in the last 9 months. I have had young people asking me "is this war really worth the number of lives that are being snuffed out. What kind of country can engage in this kind of madness, and try to force us to take part in it, with persecution and prison sentences?"

The division between the old and the young starts at that point. From it flow many of the other struggles and crises that our Nation is undergoing—the intense, serious questioning that is taking place of all the values of our society.

Our country must be protected when it is necessary to protect it. Citizens must be willing, in an extremity, to give their lives for their country. But must they give their lives in a cause they do not understand, and which many of their disillusioned elders do not understand? If this continues, where will it lead us? The war has torn the seams of this country, North and South, East and West. The young people on the campuses are not afraid to protest. They owe nothing to any group that has a special interest in the prolongation of the war. They want to see their Nation become one again. They realize that without their voices speaking for many who dare not cry out, for all kinds of reasons, the war could go on a long time. And they realize that the war is causing the deterioration of the values on which this country is founded—government by the majority, for instance—government by the consent of the governed.

Americans will not be given to die in a war they do not understand or believe in. They will not be fooled any longer into supporting it. Groups everywhere in the Nation this week are saying, each in its way, that they are tired of the war—student groups, women's liberation groups, academic groups, religious groups, black groups, a great cross section of America. All are saying that the war must stop now.

Let us not be afraid of being slandered for acting and speaking in this just cause. Let us regard, with the little respect he deserves, anyone, however high his office, who uses such a contemptible device to hide the fact that he does not dare discuss the facts. Let us continue what we have begun now, and not relax for a moment the pressure on those leaders who will, if we falter, continue to use every subterfuge to pretend that they are seeking peace while they continue to wage this immoral and unpopular war.

Mr. VANIK. Mr. Speaker, a great deal of discussion has taken place in recent weeks concerning the student moratorium and the rightful place of their petition and dissent. There are those angry voices which charge the dissent an unpatriotic alinement which benefits our enemies. There are also those who seek to substitute the basic reasonableness and propriety of the dissent with passionate policies of disorder.

Dissent is a proper and necessary instrument of democracy. It is not to be obstructed or destroyed. It is a useful weapon in the arsenal of democracy. Dissent, however, is separate and distinct from disorder. Dissent is usefully applied to change policy. Disorder is applied to destroy all policy. Disorder can be created by those for or against dissent who compound their position with unreasonable passion.

The fact that dissent can be effectively expressed in this country does not weaken America. The freedom for dissent—on the contrary—tells the people of the world, friend and foe alike, that our Nation reacts to the opinion of its people—that the American people are the power behind and beyond government policy; that official American policies are dependent on a continuation of public support.

The opposition in this country to the Vietnam war has gained momentum at every turn. It has been claimed that the protest to the war affects the President's capacity to negotiate a peace. The dissent to the continuation of the war does not detract from the President's capacity to negotiate a peace—but realistically it does advance the timetable and provides a deep sense of urgency for positive action. If the dimension of the public protest should continue to grow at present rates—the President's capacity to most favorably negotiate diminishes with each passing day. Time is of the essence. An American proposal for a cease-fire and for peace would attract better terms today than is likely next year or the year after that.

The American people have exhausted their patience with the cruel demands of a war which they cannot relate to the security of America. There is no desire to give American lives or spend American dollars in a crusade for prestige or the preservation of privilege, particularly in a foreign country. The American people will never again aline their strength and their blood in the defense of privilege. This impatience is apparent on domestic priorities of the Nation as it is in foreign affairs.

Mr. Speaker, for the past 9 months we have waited for the President of the United States to act to redeem his campaign pledge, to terminate this savage conflict. Our fear is that delay is not on the side of peace.

Today, the war continues relentlessly to wreak incalculable destruction on Vietnamese society, to claim the lives of our finest American men, and to infect our Republic and distort our purposes as a great nation.

What is needed is decisive action.

The token withdrawal of troops by the President is a calculation that the old policies might somehow work in the present situation even though they have proven disastrous in the past. The policy of the past is the policy of failure. It is a substitute for action. It is an effort to buy time, which can only be purchased at the unacceptable cost of the lives of more innocent people.

The "Vietnamization" of the war was supposedly begun with the much-heralded Midway announcement that 25,000 troops would be withdrawn by the end of August. This withdrawal more resembled a rotation in many of its aspects than a genuine pullback. In fact, there were 5,000 more troops in Vietnam on June 8, when the President made his announcement, than on the day before his inauguration. For several weeks in June and July the number of American troops in Vietnam was actually increasing.

The President inflated his intentions. He "hoped" for 100,000 this year. He said he would like to beat former Secretary Clifford's plan of withdrawing all combat troops by the end of 1970. Saigon officials stated publicly that 75,000 or more men would be gone this year.

Instead there was the indecisive first 25,000. Then came the delay and the postponement of the next withdrawal. In September we heard of another withdrawal of 35,000 by December 15, with Vice President Ky breaking the news early and using different figures. Whatever the figures, there seems no hope for 100,000 by the end of 1969.

This is the measure that President Nixon calls a "significant step." This is the number that Ambassador Lodge refers to as a "formidable force." Can we really believe that the President has gone as far as he possibly can go?

The troop withdrawals to date are militarily insignificant and politically motivated.

At the present rate, assuming no interruptions, the process of withdrawing all American troops will take 4½ years. That is, Americans will still be in Vietnam at the beginning of 1974. If the war continues, who can estimate how many more casualties, how much more anguish, will result? Who wants to be responsible for this senseless suffering?

We are now cautioned by the administration that "Vietnamization" means transferring responsibility to the Vietnamese in noncombat areas as well, such as economy, government, and police. The State Department recently admitted that South Vietnam never made a formal request for U.S. troops in the first place. The administration now seems to confess that there has been no independent government in South Vietnam apart from our mission in Saigon. In narrating the story of Vietnam over the years, our Government has included a generous amount of fiction.

"Vietnamization" appears destined to travel the same confused route as "self-determination." It can justify any policy at all, or as in this case, the policy of indecision. In the final analysis, "Vietnamization" should mean disengagement for America.

An immediate reduction in the level of fighting or an immediate cease-fire should be the essential priority, while we carry out other measures toward peace. I advocated in early 1968 the withdrawal of American forces to protected, defensible enclaves. We must end the ill-conceived strategy of maximum pressure through search and destroy. Events since 1968 prove that the consolidation of defensible positions still offers the best way of minimizing casualties. Such a disposition of our troops might form the basis for the achievement of local or larger cease-fires, either by mutual example or by prior agreement.

It is time to end the useless effort, based on years of illusion and false hope, to expand our military and political control beyond the areas now occupied.

We have supported a procession of dictators in South Vietnam. The Thieu regime, a government of despots and cronies, has failed consistently to initiate the kinds of reforms—economic, social, and political—that might make it worthy of the support of its own people and more than the mockery that it now is to the noble sacrifices of our people.

The recent cabinet formation by Premier Khiem was a bitter disappointment

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to many of the other non-Communist elements in South Vietnam who remain unrepresented in the present government. There is strong evidence that the government of President Thieu does not want a cease-fire and new elections. It has repeatedly sabotaged the efforts of the United States to seek an end to our involvement. It does not want American withdrawals and will accept them only to the extent necessary to achieve a permanent American presence. The government does not enjoy wide support; it does not allow full and free political participation; individual rights are not guaranteed; and there is no freedom of the press. It is a government that punishes even talk about a coalition solution. It is a government of suppression rather than free expression of the popular will.

For us to continue to insist on the preservation of the present Thieu government as an unnegotiable condition of peace in Vietnam is dangerous and unwise, in addition to being wrong. Thieu should be put on notice that if he will not alter his policies, then he must defend by himself his unrepresentative government against those of his countrymen in the south who oppose him.

American forces continue to bear by far the major burden of the fighting in South Vietnam, even with the troop withdrawals in progress. What is needed are greater withdrawals and a firm timetable. Such a definite blueprint might be sufficient incentive to the present Saigon government to take the steps necessary to make it viable, democratic, and stable. The United States should encourage the formation of a new coalition of political forces, while adhering to a fixed schedule of withdrawals, some aspects of which might be contingent on progress in negotiations between the different Vietnamese sides toward forming a new governing structure.

The American people have said clearly, as indicated so powerfully by the events of 1968, that they want the troops home and home soon. Rhetoric, palliatives, and pleas for unity to the contrary, the public will not accept the indefinite retention of our forces in Vietnam in the decade of the 1970's.

Mr. Speaker, these are the simultaneous goals, then, that this Nation should pursue diligently from this moment with regard to Vietnam: First, seek a reduction in the violence by the defensive arrangement of our troops in order to consolidate our present positions; second, demonstrate unequivocably to the Thieu government our patent dissatisfaction with the undemocratic practices of his regime, his refusal to consider a coalition government, and his undercutting of American peace efforts; third, draw up a clear schedule of troop withdrawals, spaced over the coming months, in order to insure the early withdrawal of all American military personnel from South Vietnam; and fourth, announce a plan for selective cease-fire by region or by military unit directed toward total cease-fire.

If we take these measures, the burden will pass, for all the world to see, to the enemy to negotiate constructively. Only a hard process of bargaining between the Vietnamese can produce the "self-determination" what we want for South Vietnam.

If free elections are the solution on which all the South Vietnamese agree, then the elections must be genuinely free—with the organization of those elections under the control of no one political faction.

All political elements, including the other non-Communists and the Vietcong, want the right to participate in the inevitable reorganization of the political life of South Vietnam. There is considerable reason to believe that all parties, free of outside influences, might be able to do so in a peaceful atmosphere without the bloodshed of war.

We have never proposed to offer the Vietnamese any less for the future. We are not able to offer them any more.

President Nixon promised the Nation a plan for ending the war in Vietnam. At this late hour, he indicated only that he "plans" to end the war. We have been promised this before.

President Nixon must understand that the dissent and debate on Vietnam is not a matter of personality—it is a matter of grave national policy in which every citizen has a stake and a voice.

I pledge my full support to any and every effort directed toward a speedy conclusion of this savage war at this late hour, words must be replaced by deeds and action.

Mr. ADAMS. Mr. Speaker, the deep issue that we must discuss on this day set aside as a moratorium is not just to discuss whether to support or reject a particular Presidential policy. We are here to discuss the movement of this Nation out of Vietnam and into the future. We should not fall into the trap of spending all of our time discussing the date when all troops should or should not be removed or the things that should be said day by day in Paris. These discussions are important but on this day which we have set aside to stop our normal activities and look at ourselves, we should discuss not only the tactics of what we do to stop the war in Vietnam, but also what is the lesson for the future from that conflict and what America should do with its resources as we try to move out of this war and into an uncertain peace.

With this as background, I want to state that I am making every effort I can to persuade the President to continue the long journey out of Vietnam. This October 15 Moratorium Day must demonstrate to the President that the Nation believes the "old days" are over. We must have a new view of America's relationship to the undeveloped, revolutionary portion of the world. We must change the draft laws we have fastened on America's young since the beginning of World War II, and we must carefully decide as a nation which things in our Nation require our attention first. We cannot ignore any of our pressing problems entirely, but the amounts of time, money and intellect we spend on each one must be determined by the severity of the problem it poses to us as a people. This, of course, is generally discussed by the word "priorities," but I find that too often we bandy this word about and it loses a real meaning because it papers over a real discussion of the fundamental problems which must be solved.

THE GENERATION GAP

For example, we have a generation gap not only between young and old in the Nation, but also in Congress. Many of our leaders are the age of my father. This gap reflects itself in the programs which we pass. A man who came to Congress in the 1920's, 1930's, or 1940's looks at military preparedness from the disasters of the 1930's and 1940's when America in isolation ignored its security. This is emotional and the beat of new drums is not heard. He therefore is always afraid he has not done enough and will succumb to the argument that every new military program is a "must."

There is a gap between the old domestic programs such as agricultural subsidies and the new needs, such as food for the poor. This gap is not being closed. The gap in helping the poor in a high employment, affluent society means we are still using programs of unemployment compensation and welfare designed to help the victims of the 1930 depression. We have not given true meaning and incentive to the youth of an affluent society, but used old slogans.

THE MORATORIUM

Those of us in Government who have moved throughout the country this day to support the moratorium have stressed that this should be a day of nonviolent dissent to a continuation of old policies and prayer for those who have died or been injured in Vietnam. I cannot understand those who panic at the thought of this day or believe that it is injurious to America. We memorialize our past war dead and discuss our country's policies on Independence Day, Memorial Day, and Veterans Day. On this date, we should do no less than memorialize our dead in Vietnam, let those who are presently facing the awful peril of war know that we are concerned about them, and voice our beliefs about America's future.

To say that we must promptly end this war and start bringing our troops home from Vietnam is from a sense of protecting our men since every day we remain unnecessarily in Vietnam we expose more and more Americans to the perils of war. It also reflects our belief that an era of overemphasized military response to political problems should end.

The necessity for this day in our democracy is to be certain that those in charge of our democracy know full well the feelings of the American people on this war. Unfortunately our elective process and often the attitudes of our elected representatives lag behind the feelings of the country. The peaceful assembly and organized dissent have always been America's way of correcting this lag by bringing the issue to the attention of those in charge of our Government. The elective process follows if the dissent is correct and the people are aware. The recent example of the election of MICHAEL HARRINGTON to Congress on a program of changing policies in Vietnam shows this. The American people are changing their fundamental position and we cannot face losing more

American men unnecessarily while waiting for the elective process to reflect this mood. We want those who lead the executive and legislative branches to act now.

THE DEMAND FOR CONFORMITY

The request of the President for a moratorium on criticism comes 8 months after an election in which the major issue was peace in Vietnam in spite of the efforts of leaders in both parties to avoid the issue. The President indicated he had a plan for ending the war. We hope and pray he does, and if so he should tell us. The cry for silence has a deadly familiar ring to the statements of President Johnson during the last 4 years of his administration. Many of us responded to those requests of President Johnson in 1965, 1966, and 1967. We pleaded for change in 1967 and 1968. In 1969 we have waited on President Nixon to be certain that the policies of the past do not continue through inertia of the past. We do not demand the impossible and we hope on this day the point will be made that we support his action in starting an orderly withdrawal of troops, in proposing changes in the draft law and the removal of General Hershey as head of the Selective Service System.

We are dismayed, however, when we hear the President say that there may not be future withdrawals or that we will remain in Vietnam for an indefinite period of time or that our future actions will depend on the reaction of Hanoi.

THE NEGOTIATIONS

I am convinced that the North Vietnamese in Hanoi and Paris are looking to the ability of the indigenous people in South Vietnam to maintain themselves as the test of whether to negotiate. The North Vietnamese know they will remain in the region of North and South Vietnam indefinitely because it is their home. They know the South Vietnamese must remain in this same region indefinitely because it is their home. They know the Americans will not remain indefinitely and therefore arguments about 60 more days or 1 year or 2 years are not the factor that make successful negotiations in Paris possible or impossible. A negotiated peace will only exist if the South Vietnamese are capable of dealing with the North Vietnamese and both sides know it. This we have tried to produce.

WE HAVE MET OUR COMMITMENT

We have met our commitment to the South Vietnamese and won our part of the war. We have given the South Vietnamese people 15 years to develop a nation. We have tried many different programs and have provided an immense protective military shield for the present government for 3 years. Even President Thieu does not ask that we accomplish any more militarily other than an orderly transfer of military functions to the Saigon government. The South Vietnamese Government will either survive or it will not. As of now we should begin a methodical, orderly withdrawal of our troops so the South Vietnamese can run their nation.

It may be necessary to provide protective enclaves for a limited period for those who believe the Saigon regime will not survive, which will also be necessary to provide protected disembarkation areas for our troops as they withdraw. It may also be necessary to negotiate treaties with the surrounding countries for those Vietnamese who do not wish to remain in South Vietnam once we are gone. We should be willing to support and aid such endeavors. During this process the prime factor should be protection of our troops as they move out of the jungle and back into the staging areas from which they originally moved in 1965. It may also be necessary to provide special advisory forces and certain types of assistance to the South Vietnamese as we are moving out.

WE LEAVE AS WE CAME IN

As you can see, I am proposing that we move out of Vietnam just as we moved in and that we finally leave the nation, hopefully better than we found it when we took over from the French in 1954. The ultimate destiny of this country then will remain in the hands of its people.

A NEW ERA

From all of this I find that we have reached the end of an era that started in the middle 1950's and continued into the decade of the 1960's. First was "brinkmanship," a policy of hard, nuclear confrontation with the Communist world. Then we tried a policy of flexible military response in the 1960's which was to be coupled with social and political action. Unfortunately, our system overemphasized the military response but now we have learned what we can and cannot do in conducting military operations in a very distant place against strongly motivated indigenous forces. A new era opens and I pray on this day of commitment that we have not turned the whole new generation of Americans away from living in all of this world and into neoisolationism. If America were to withdraw completely into itself and refuse to recognize that two-thirds of the world is poor, ill-housed and undernourished we would have a tragedy of immense proportions. The fact that we cannot militarily rule the nonalined portions of the world should not prevent us from seeing that we can be a great influence for them in many other ways. I hope that the new generation, which all of you represent so well, will have a sense of dedication as strong as that which we brought into American politics with John Kennedy in 1960. We are struggling to survive in government and build a bridge into the control of government for you. Mistakes have been made. I do not on this day look back and accuse. I would rather look forward with hope.

I want to end on a positive note. I think if we make this movement succeed the President will join with us, and together we will move this country out of Vietnam. When that has happened we can start down the long road of the future with a new type of America where the poor are no longer left out, the affluent no longer apathetic, the young no longer frustrated, and the minorities no longer isolated. Then the journey which we started in 1960 which has been so often interrupted will begin again and America will fulfill its destiny as a nation and bring some measure of peace and prosperity to this world, not because of its military might, but because it deserves to lead.

Mr. HELSTOSKI. Mr. Speaker, as Members of Congress and Representatives of the American people, we are concerned with the termination of the war in Vietnam as soon as possible. I am of the firm belief that the majority of the American people are in favor of withdrawing American participation and bringing to an end this unhappy chapter in our history. The voice of this majority must be heard if we are to accelerate the pace toward peace.

Tomorrow, October 15, the American people will give voice to this sentiment through peaceful assembly and nonviolent action to show that the attainment of peace is the most immediate and important national goal. I believe that a clear commitment to that goal will hasten the development of a new U.S. policy which will bring peace to Vietnam.

We must work to find some means of terminating the war which will reflect the urgent desire of our people. Those who are deeply concerned and are attempting to change the U.S. policy are doing so through a visible protest, one that will reverberate throughout our Nation. Insofar as it is peaceful, lawful, and nonviolent, I believe that it is an important and constructive undertaking and I commend the action being taken in this respect.

Although these demonstrations reflect the attitude of the American public toward the war, the President has repeated the statement that they will not change his policies on the conflict.

Mr. Speaker, on September 19, 1969, I wrote a letter to the Secretary of Defense, Mr. Melvin Laird, regarding the President's announcement of the withdrawal of 40,000 additional troops from Vietnam. I have also written to President Nixon on this same subject.

In my letter, I expressed my concern about the withdrawal of troops and yet this withdrawal was accompanied by sending additional men into the fighting area. I was concerned because my constituents could not understand why their sons were still being sent to Vietnam when there was supposed to be a massive troop withdrawal.

My letter is as follows:

SEPTEMBER 19, 1969.

Hon. MELVIN LAIRD,
The Secretary of Defense,
Washington, D.C.

DEAR MR. SECRETARY: President Nixon's announcement of the withdrawal of 40,000 additional troops from South Vietnam is a significant demonstration of America's desire for peace and an end to the long and bloody conflict in Vietnam. But, the fighting continues, the peace talks stall, and the Saigon regime remains unwilling or presumably incapable of assuming the full combat burden of their own war.

Although there appears no prospect of a cease-fire taking place in Vietnam, I feel we should firmly work in this direction. I believe the American public ought to know more about the actual withdrawal of X numbers of troops, while we continue to send X numbers over to the same area. What can I tell my constituents whose sons are still being deployed every day to the combat area when

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they ask why their sons must now go to Vietnam when the Administration announces the withdrawal of 25,000 and 40,000 troops, and, yet continues to send troops back to that area? I cannot answer my constituents' questions until I am able to tell them the U.S. withdrawal is more than just newspaper headlines.

What, therefore, is the total figure on the real withdrawal subtracted from the figures of those assigned to the combat area since the announcement of 25,000 withdrawn, for instance?

In terms of troop withdrawals and draft quotas, can you define and clarify the policy on: a) troop withdrawal; b) continued draft quotas; and, c) eventual total withdrawal? How does this relate to the Paris peace talks and the U.S. position in Vietnam today?

Your replies will enable me to give my constituents the answers to their questions which they are seeking.

I am sure, Mr. Secretary, that we share the same concern about peace and about the need to assure a fit world for our future generation, but only a broad and bold new policy towards peace will attain this end.

Sincerely yours,

HENRY HELSTOSKI,
Member of Congress.

On October 3, 1969, I received a reply from the Assistant Secretary of Defense which, Mr. Speaker, I would like to include as part of my remarks:

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., October 3, 1969.
Hon. HENRY HELSTOSKI,
House of Representatives,
Washington, D.C.

DEAR MR. HELSTOSKI: This is in reply to your letter of September 19, 1969, to Secretary Laird concerning the redeployment of US troops in Vietnam.

It is President Nixon's responsibility, in consultation with President Thieu, to decide the timing and magnitude of United States troop redeployments from Vietnam. Previously President Nixon has mentioned three criteria with regard to troop replacement: progress in the training and equipping of the South Vietnamese forces and their ability to handle their own defense; the level of enemy activity in South Vietnam; and progress in the Paris peace talks.

Recently it was decided that the RVNAF had improved sufficiently to undertake a greater burden in the conduct of the war. The increasing capabilities of the RVNAF resulting from equipment modernization and other improvement programs, and the military situation in South Vietnam, made it possible to justify the reduction of the US troop strength in Vietnam to a force level of 484,000 by December 15, 1969.

As of January 31, 1969, shortly after President Nixon's inauguration, there were approximately 542,000 troops in Vietnam. As of May 31, 1969, prior to the redeployment of any US troops, there were approximately 540,000 troops in Vietnam. As of August 31, 1969, after the initial redeployment of 25,000 US troops, there were about 510,000 US troops in Vietnam. On September 16, 1969, President Nixon announced that the US troop strength in Vietnam would be reduced to a force level of 484,000 by December 15, 1969.

There are no personnel being sent to Vietnam to replace the US troops in units which redeployed as directed by the President. There still is a requirement, however, to provide replacement personnel for those units remaining in Vietnam. This number will fluctuate to a degree each month based on several factors. For example, it usually increases considerably during the summer months when there historically has been a high turnover of personnel. During the first six months of 1969, approximately 45,000 men per month arrived in Vietnam, and an equal number departed in conjunction with normal rotation and replacement requirements.

As announced by President Nixon at his press conference on September 19, 1969, the troop withdrawals from Vietnam, as well as other manpower reductions, have made possible a reduction in previously planned draft calls by 50,000 in the period October-December 1969. It has been, and will continue to be our policy to keep the draft calls at the lowest number necessary to meet approved strength objectives.

Current United States strategy has been designed to accomplish our objectives in South Vietnam. In brief, these include the following: to obtain a just, durable peace; to assure that the people of South Vietnam are able to determine their future course free from the coercion of invasion and terrorism; to help the South Vietnamese people build democratic political institutions and a viable economy; and to make credible the commitments of the United States, including our commitment under the SEATO Treaty.

After carefully studying and weighing the various alternatives, President Nixon decided that the best strategy for achieving our objectives was through the diplomatic negotiations that are now in progress in Paris. The President places the highest priority on ending the war as quickly as possible provided that the solution does not involve an abandonment of the South Vietnamese people. At his direction all policies in connection with the war are under continuous review and you can be assured that every reasonable step will be taken.

I hope this information will be useful to you.

Sincerely,

DENNIS J. DOOLIN,
Deputy Assistant Secretary.

I have also received a reply from the White House dated October 8, 1969. I wish to point out that the reply from the Deputy Assistant to the President, Mr. William E. Timmons, is identical to that of the Defense Department, yes, exactly word for word.

I wish to call the attention of the House the fact that the draft calls for the summer of 1969 reached an unprecedented high as indicated in these figures:

	1968	1969
July	15,000	22,300
August	18,300	29,500
September	12,200	29,000
Subtotal	45,500	80,800
October	13,800	29,000
November	10,000	
December	17,500	
Subtotal	41,300	29,00
Total	86,800	109,800

It is clear that the draft calls for November and December were inflated so that claim for a 50,000 reduction in the draft could be made.

Mr. Speaker, we know the cost of this war is tremendous. It takes away the funds that are so badly needed on our home front to provide for the termination of poverty, to provide for adequate education, to provide for adequate housing, to alleviate the financial burdens of our senior citizens.

Almost a decade ago public attention was called to a danger in America that too much power to affect national decisions was accumulating in the hands of the "military-industrial complex," which extends outside Government. It has become something of a cliche since that the war is important to our Military Establishment so that it can maintain its manpower and the size of its arsenal, and so that it can test the newer weapons under conditions of "realistic" testing. Likewise for defense industries: Clearly it is to their advantage that large contracts keep coming their way so that profits can be maintained and their corporate structures nourished on the steady flow of congressional appropriations.

There is a growing risk, however, of an imbalance of power, created by this war and maintained by its continuance, within Government itself. One does not need to invoke the hallowed principles of the Constitution, with its emphasis on "balance of powers" to clarify this point. It is just a matter of commonsense that the war has always been, and becomes increasingly, an administration war. And this does not mean an administration of this or that partisan persuasion: It is merely administrations of the "executive first" party. Nothing is clearer these days, as the 1960's come to an end, than that the present administration which is Republican has nothing new to add to the war policy it inherited from the previous administration which was Democratic. Their so-called differences of party are absolutely lost under their identity of administrative mentality. When a Senator comes out publicly with the remark that Capitol Hill ought not debate the war since neither war nor peace negotiations can be waged "in the Halls of Congress," we have only an instance of Capitol Hill abdicating its responsibility to affect administration policy in such crucial questions. Again it is pointless to wave the Constitution: Those who give overemphasis to the Constitution and remind the public that it is Congress which has the power to declare war are probably too unrealistic in this day and age—just as are those who make high-conscientious pronouncements about how the court is not empowered to make, but only to interpret, the law. But again commonsense is enough to guide the way: When an organization as complex and gigantic as the Government newsmen refer to glibly as "Washington" is faced with an issue as bone-shattering serious as that of the current war in Asia, it is no time for one-third of that organization to plead its incompetence to think clearly or its inability to make its thoughts known to the world.

Much of the point I am trying to make can be expressed in a concentrated form by using certain public figures as symbols, and discussing it in those terms. J. WILLIAM FULBRIGHT is not a Senator merely, he is a cause. He is the cause of the right of free men everywhere to self-determination. This means, of course, in this case not the sloganized thing the administration(s) plead for here and there and everywhere on the planet, but the concrete thing we have a crying need for right here within Washington. I mean, of course, the right of Capitol Hill to self-determination when it comes to this impossible war. FULBRIGHT is a more important symbol of course in that it has been exactly his vigorous and tireless opposition to the administration policies there which has been his ground for campaigning against the administration first, or Pentagon first party. What could be plainer in making the point that this is no partisan matter at stake than the fact that this courageous man's time in office extends back into the decade-old era when "military-industrial complex" was a new concept put forth by a Republican President — and presumably taken note of by his then Vice President—through a pair of regimes with Democratic administration, and now in- not another Republican regime, and has stoutly held onto his position that, Tonkin or no Tonkin, Capitol Hill has a legitimate role in shaping Washington's policy in Southeast Asia? The still more sensitive issue of whether Capitol Hill is permitted to be informed, fully informed, about the political and military situation is one this courageous man did not shrink from raising, and giving the larger public some exposure to.

Among the things the Founding Fathers seem not to have had a clear image of is the Pentagon, 1969–70. It was enough of an uphill battle for FULBRIGHT when there was a Secretary of Defense who believed that war was too important a matter to entrust to the generals. Now, with the Pentagon presenting a united front to the rest of Washington under the present Defense Secretary, the political hill is still more difficult to fight one's way up. There seems to be no issue presently—from ABM to the Asian land war—on which a Secretary of Defense would look any different in uniform than in civilian clothes. When an administration, whether Republican or Democratic does not matter, finds it advisable to join the ranks of this kind of Pentagon, and when Capitol Hill neither makes drastic cuts in its war appropriation, there seems to be no limit to the imbalance of powers that can be created.

But the most serious and pernicious thing of all is the righteous politico-military standing at attention by the President and those of his followers who will "fall in" for him and pronouncing that "at this present time" or "for the next *x* days" any expressions of dissent from the war policy is damaging to our fight against the enemy, one place or another. I believe that this is an old trick; to focus attention on either Saigon or Paris when it would be most uncomfortable to have it focused on Washington; that is, on his own administration and its own war policy. Another ex-Vice President has just—October 10—lent his voice to the chorus of "my administration, right or wrong" songsters: He said he disapproved of the moratorium since the lull in war casualties may be the sign of something. Yes, they may; so may the inside information which some seem to have available to them; so might the light at the end of the tunnel which General Westmoreland saw some time ago—and with eyes probably better trained than others for such things. It is too late to trade on maybe's and mightbe's, and the stakes are too high anyway. Money we can "probably" afford to waste, whether on Boeing or Saigon; American lives we cannot. And anyway it is vitally important to the internal health of Washington that the voices of criticism not be squelched at this time, especially not those voices from Capitol Hill.

This is, of course, what the present set of speakers, here in the House tonight, want to say just by their desire to speak. There is symbolism in these speeches, and important symbolism. We are insisting that Congress be heard, that its judgment, based on what evidence is made available to it, must be at least counted in to the process of decision about this war and U.S. disengagement from it. Not only must the war be, as the Pentagon now puts out, Vietnamized—the American part of it must be congressionalized. Which is not, of course, to say that the whole burden of the deciding will be instantly shifted over to our halls and our shoulders—but only that we have a right to self-determination, and our voices in defense of that right will be heard no matter what efforts are made to squelch them. It is a commonplace by now that this Nation must get out of Vietnam as quickly as possible; what we are here to insist on tonight is both that commonplace and also the urgent principle that the Congress and the ones they represent, be heard on this vital issue.

The vast amount of funds that were, and are still being, spent on this unpopular war can be recouped in time. But what are we going to do about the dead and wounded in this conflict, which should not have found us involved to the extent which we are?

These lives can never be restored. They have been taken at a time when each one of them could have added to the economic well-being of his own community. This, in turn, would add immensely to the betterment of all America.

My own State of New Jersey suffered 170 casualties in the period of January 1, 1969–June 30, 1969. These men were taken away from their families, their jobs, their communities. Each of them gave their life needlessly.

Mr. Speaker, I submit for the RECORD the names of these 170 young men who were returned to New Jersey, only to be greeted by tears and heartbreak—I extend sincere condolences to their families.

The names follow:

NEW JERSEY

DEATHS RESULTING FROM HOSTILE ACTION

Army

Andujar, Charles Manuel, Newark.
Atkinson, Franklin G., Jr., Hurffville.
Baker, George Arthur, Little Ferry.
Barnes, Alfred, Montclair.
Bastian, Michael Francis, Sewell.
Bell, William Brent, Essex Fells.
Biddle, Joseph Leonard, Berlin.
Biesantz, Howard Stanley, Newton.
Bonine, Thomas Marvin, Glen Ridge.
Boyce, James Franklin, Plainfield.
Brenner, Richard Irving, Teaneck.
Brunn, Richard Conrad, Westfield.
Callahan, Michael Patrick, Wildwood Crest.
Callan, George Allan, Pennsville.
Cama, Dennis Rocco, Hazlet.
Carlough, George Gerald, Pompton Lakes.
Cerrato, Nicholas Frank, Paterson.
Christie, Donald, Hazlet.
Coll, Dennis Joseph, Springfield.
Cyran, Richard Edward, Clifton.
D'Adamo, Albert L., Jr., Wanamassa.
Daley, Gerald Charles, Uniondale.
Danchetz, Lester, Rahway.
Davis, Charles Henry, Camden.
Deitman, Edward, Clifton.
Derbyshire, James Wilbert, Bridgeton.
Eggenberger, William Gary, Lyndhurst.
Fanning, Edward Charles, Hazlet.
Farawell, George Thomas, Linden.
Flaherty, Paul James, Gloucester City.
Folger, John Vincent, Bayonne.
Foulks, Charles, Jr., Browns Mills.
Francisco, James Leonard, Laurence Harbor.
Francisco, William, Jr., Summit.
Ga Nun, Paul Huntington, Asbury Park.
Gaines, James, Jr., Jersey City.
Grover, Thomas Roy, Trenton.
Hanlon, James Paul, Irvington.
Hinson, Alvin Crawford, Westville.
Iasello, Dennis Anthony, Newark.
Jackson, William, Bayonne.
Johnson, Guy Frederick, Chatham.
Johnson, Ralph Edward, East Orange.
Joynes, Frank Dennis, Jr., Newark.
Klaniecki, Edward Matthew, Fanwood.
Kulbatski, Francis Kenneth, Jersey City.
Laird, Jerry Proctor, Allentown.
Lang, James L., Neptune.
Lawson, Birden Jerome, Newark.
Lewis, Benjamin F., Jr., Ft. Dix.
Lopez, Jose Lius, Passaic.
Lyons, George Michael, Jersey City.
Madden, Francis Bernard, Jr., Newark.
Mahurter, Lawrence William, Fair Lawn.
Markovich, Douglas Joseph, Madison.
Marshall, Willie Junior, Newark.
McCallum, Peter John, Jr., Passaic.
McCants, Joseph, Jr., Trenton.
Mendez, John William, Maywood.
Miller, Robert Theodore, Westfield.
Mills, Karl William, Paramus.
Moon, Theodore Edward, Jr., South Orange.
Moore, Leon David, Summit.
Moran, Vincent, Iselin.
Morgan, Jerry, Jr., Long Branch.
Morris, Robert John, Collingswood.
Myers, Thomas Wayne, Middlesex.
Nelson, Paul Vincent, Belleville.
Nofford, Clarence, Newark.
O'Shaughnessy, James John, Closter.
Oliphant, Joseph B., Jr., Ventnor City.
Palma, Gerard Vincent, Hammonton.
Peterson, John B., Jr., Dover.
Price, John William, Westfield.
Pryor, William Jackie, Paterson.
Rasmussen, Peter Terence, Paramus.
Reed, Stanley Majure, Teaneck.
Rivera, Euclides, Irvington.
Robinson, Robert James, Plainfield.
Romero, Ricardo Ibrahin, Jersey City.
Ross, Roger Alan, Morristown.
Smith, Joseph John, Bogota.
Spence, Roger James, Roselle Park.
Tufts, Robert Bruce, Morristown.
Tully, Walter Busill, Jr., Madison.
Van Houten, Nelson Omar, Paterson.
Van Winkle, Harold J., Jr., Paterson.
Walters, Michael Arthur, Gloucester City.
Warnett, Ronald Leonard, Linden.
Washington, Albert B., Jr., Asbury Park.
West, John Hayden, North Bergen.
Wickline, Donald Lee, Jr., Lake Hiawatha.
Wilkins, Bobby Ray, Newark.
Zyck, Fred Joseph, Flemington.

Air Force

Alexander, Calvin Eugene, Newark.
Baumann, Ludwig, Plainfield.
Dinan, David Thomas, III, Nutley.
McCollum, James Patrick, Pleasantville.
Rios, Noel Luis, Newark.

Marine Corps

Arribi, Donald, Cliffside Park.
Barton, James John, Jamesburg.
Beaumont, Herbert Michael, Trenton.
Benn, William Paul, Lakewood.
Blevins, Thomas Lee, Jr., Middletown.
Bowen, Larry Hansen, Penns Grove.
Burke, William Gregory, Saddle River.
Burr, Stewart Samuel, Passaic.
Byrne, John Patrick, Sayreville.
Carlton, Randall Mark, Harrington Park.
Christiansen, Bernhard M., Willingboro.

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Crane, Dennis, Spotswood.
Davis, Richard Wayne, Vineland.
De Lorenzo, Ronald, Trenton.
Desimone, Alfred, Jersey City.
Giordano, Daniel J., III, Hi Nella.
Grassia, Joseph, Jr., Paterson.
Green, Otis, Bridgeton.
Hayes, Michael, John, Jr., Bound Brook.
Hoffmann, Thomas Martin, Palmyra.
Jarmolinski, Chester, Jr., Jersey City.
Kurtz, Charles John, Absecon.
Lamanna, John Michael, Fair Lawn.
Lunapiena, Nathan Charles, Hoboken.
Melnyk, Mikolaw, Linden.
Mokuau, Kenneth William Jr., Wenonah.
Newton, Barrie Myron, Cherry Hill.
O'Shea, William II, Newark.
Presley, Avey, Elizabeth.
Quarles, Wayne Robert, Camden.
Romaine, Thomas Gilbert, Saddle Brook.
Ryan, William Cornelius Jr., Bogota.
Sargent, Gordon Leroy Jr, Newark.
Satterfield, William Hurle, Orange.
Sellitto, Michael Joseph, Towaco.
Sincavage, Richard, Elizabeth.
Tulp, Guyler Neil, Clifton.
Watson, Marvin Leroi, Woodstown.
Williams, Fred Thomas, Paterson.
Winters, John, Clark.

Navy

Bauer, Alfred, Keansburg.
Gillies, Robert Knell, Mantua.
McFadyen, Bruce Searight, Montclair.
Melady, Richard Raphael, Dumont.
Menter, Jerome, Englewood.
Pawlowski, Edward Wesley, Union.
Pearce, Henry-Ellwood II, Stanhope.
Russell, Peter Fransson, Wharton.

DEATHS RESULTING FROM OTHER CAUSES

Army

Colasurdo, Joseph Peter, Edison.
Coppedge, Lawrence, Montclair.
Engedal, John, Matawan.
Harbienko, Andrew, Elizabeth.
Haver, Dale Harry, Whitehouse.
Hoffmann, Robert James, Ridgefield Park.
Johnson, Lester, Jr., Hightstown.
Kalivas, John Angelo, Vineland.
Melendez, Rafael, Hammonton.
Newman, Thomas McKnett, Saddle River.
Parmerter, Michael James, Midland Park.
Pierson, Robert Emmett, Chatham.
Russell, Wayne Howard, Rutherford.
Tipton, John Edward, Pennsauken.
Wemple, Earl Scott, Netcong.
Wilson, Elroy, Jersey City.
Zicchino, Darrow Frederick, Carlstadt.

Marine Corps

Cancelliere, Frank Anthony, Belleville.
Leary, John Dennis, Collingswood.
Nichols, Daniel Clement, Westfield.
Snyder, Thomas Wayne, Millville.

Navy

Franke, William Thomas, Williamstown.
White, William George, Union City.

Mr. Speaker, the heartbreaks and sorrows which befall a family who has lost a dear one in this uncalled for and immoral conflict can best be expressed in the letter of Mrs. Miles Stewart, of Georgia, to President Nixon upon the death of her son, Wayne.

The Members of this House no doubt are well acquainted with this type of letter, for many of you probably have received one from a grieving parent.

Mrs. Stewart's letter follows:

Hon. RICHARD M. NIXON,
President of the United States, The White House Office, Washington, D.C.

MY DEAR MR. PRESIDENT: This was my son. Now he is no more. He has died in vain (as have all the boys who died and are dying in Vietnam) unless through his death I am able to be of some influence, however small, in bringing this immoral war to an end, and helping to prevent further useless, mass deaths.

As the Flag of the U.S. is an outward symbol of an inward feeling, I am returning the Flag presented to me at my son's funeral for this reason: I do not want a Flag which represents a country which is sacrificing her young men as this one is doing.

I cannot help comparing this situation to that of the Biblical baby Moses, ordered killed, with all the young males, by the dishonorable king. If a young man goes out to defend his country because he believes in it and what it stands for, this is his decision, but when he is *forced* to give his life, is this not murder? A difference between the baby Moses and the sons of American mothers is that we are allowed to give them a few more years loving care before they are so brutally taken. Who can wonder at the rebellion of our youth? What goals are they allowed to have?

From personal interviews with the men who returned, I discovered it must be a hellhole. Do you underestimate the American people's intelligence? Personally, I am deeply humiliated over our world-wide reputation, as well as crumpled and crushed over the loss of my son. Our Flag is one of the most despised in the world, and now it is being hated at home.

I might bring out that I was the mother of five until my recent loss. They are citizens their country can be proud of. It was my thinking first to teach them to love and serve their home, then they would in turn grow up to love and serve their country. Now, mothers seek to protect their sons *from* their country. What do you think you are accomplishing by causing us to crumble from within? Was Khrushchev right when he said we would bury ourselves?

As you can see from Wayne's portrait, he was tall, good-looking, intelligent, with high ideals. He was studying to be an attorney and would have been an honest, good one, an asset to his country. But you have him killed. What a loss. Can you imagine the agony of packing up his youthful camping equipment, his clothes, his toothbrush? You should be ashamed. I would appreciate it very much if you would retract that "form condolence" you sent. I also request that everyone down the line do the same thing. If a person does something deliberately, as has been the taking of my son, don't you think an apology is in order? To me, every one of these letters is a further slap and insult. They will all be returned along with a copy of this letter to the rightful owners, as I want no part of such hypocrisy.

I do extend my thanks to those who were in charge of the burial of my son. They were patient, understanding, and very sympathetic, denying no request on my part so far as was in their power.

I add that I resent paying the taxes that took my son, buried him, and help continue to kill and maim our fine young men. What do you think this country will do when it must fight an all-out war, that is probably inevitable with Red China? We will be too anemic to wage a war. For a real cause, I would have been proud that I had a son to give for his country. As it now stands, the loss of my respect for my country is surpassed only by the grief over his murder.

You promised to end this war. Each day, hundreds are killed and wounded as it drags on. The American people still cling to the hope and trust that you will keep your word. We will believe you only when you do.

Sincerely,

MRS. MILES STEWART.

My mail has brought me many comments on this conflict in Vietnam. Among the recent letters, I have received was a poem written by one of my constituents, Mr. Albert Epstein, of Maywood, N.J. I feel that these few lines have a meaning of their own and I wish to share it with my colleagues.

The poem follows:

DOES FOLLY LEAD A NATION TO THE HEIGHTS OF GLORY?

He sailed away on a battleship,
The Pentagon said he should—
But he never came back,
He never came back.
The President called it an honor
To die in Vietnam—
But his mother wept,
And his young wife wept,
They mourned a life they lost—
A life so young,
So full of hope,
So full of the joy of living.

ALBERT EPSTEIN.

Mr. Richard J. Barnet, who is codirector of the Institute for Policy Studies in Washington and author of "Intervention and Revolution; the U.S. and the Third World" has presented a very eloquent message on the subject of Vietnam.

Entitled "President Nixon's Choices: The Way Out of Vietnam," should be read by everybody who is concerned about this war in Southeast Asia.

Mr. Barnet's observations follow:

PRESIDENT NIXON'S CHOICES: THE WAY OUT OF VIETNAM

(By Richard J. Barnet)

After 9 months in office, the Nixon Administration has yet to adopt a strategy for ending the Vietnam War. To end it the President must make some decisions as hard as any American leader has ever faced. He must look coldly at the real choices open to the U.S. and prepare to redefine U.S. war aims in terms of political realities rather than the optimistic fantasies that so misled his predecessor. Unless he is prepared to do this soon, the momentum of war will carry him into a new round of escalation. Johnson's War will have become Nixon's War, the obsession of his Administration and a legacy for his successor.

What are Nixon's choices?

(1) *Military escalation*—The familiar one is to concentrate more military power on the enemy to induce him to accept a settlement more to our liking than what his political position in South Vietnam would warrant. To put the matter plainly, Nixon Administration officials say privately that the U.S. objective still is to prevent a coalition government in which the NLF would play any significant role, despite the fact that the communists represent the best organized political force in the country and have the allegiance of the largest single minority, if not a majority, of the population. The Nixon Administration, like the Johnson Administration, continues to define "negotiated settlement" to mean something other than the admission of the NFL to a share of power and responsibility in the Saigon government. Why the NLF should accept less has never been clear. How the U.S. hopes to arrange a settlement that denies the fundamental war aim of a movement that has been fighting for a generation without first crushing that movement is equally mysterious. Such a negotiation can take place only as a ratification of a decisive U.S. military victory. The past Tet offensive, like the one last year, is designed not to defeat the U.S.—the NLF has no illusions on that score—but to demonstrate that they are not defeated.

The Nixon Administration could replay the last year of the Johnson Administration and send in the 207,000 troops that the Johnson advisors concluded could not win the war. Or he could send in more and court the risks again of a confrontation with China, worsening relations with the Soviet Union, and a resurgence of domestic opposition in the United States. The events of the past three months show that the U.S. escalation in B–52 raids on South Vietnam and in offensive operations in the South elicit military responses rather than political concessions. The military option is a totally unreal path to peace and American extrication. To continue the hopeless strategy because we will not face the alternatives is to betray a trust to the fighting men we send there. To continue the present cost of 15,000 to 20,000 American lives and $30 billion, after four years of war, is a tragedy and a scandal. Even for the world's most powerful country a debilitating war without moral purpose or prospect of political victory is a recipe for self-destruction.

(2) *Mutual withdrawals.*—What about negotiated military withdrawals? The United States has begun recently the withdrawal of some 50,000 U.S. troops as the first step in a process of mutual withdrawals. Such a process would help bring about a de-escalation of the war and would therefore be useful. But this strategy cannot rescue the U.S. government from the necessity of choice. The Nixon Administration will still have to answer the fundamental political issue at the heart of the struggle: Are we willing to accept NLF participation in a coalition government? If not, then the withdrawals can be no more than token, because the Thieu government backed by the South Vietnamese Army shows no signs that it will ever be strong enough to keep the NLF from power once U.S. troops are gone.

What kind of coalition government could be arranged? Henry Kissinger has pointed out that a Thieu-Ky-NLF government is the equivalent of an SDS-KKK coalition to run the state of Georgia. Even if such a coalition could come into being, it could not last. Each faction would maintain its own private armies. Once the Americans left Ky and Thieu would have no political base from which to deal with the NLF for they have no reliable support in Vietnam outside the U.S. Embassy except for a small minority who are afraid of retaliation from the Vietcong or who profit enough from the flow of U.S. dollars to back the warrior government.

(3) *Imposed coalition.*—One possible alternative model for arranging a coalition government is the Laos settlement of 1962. An international conference, perhaps an expanded version of the Paris talks, would attempt to put together a cabinet in Saigon. Those who advocate this approach argue that the commitment to such an arrangement of the U.S. and the Soviet Union—perhaps even China—would guarantee its stability. The NLF would try to take over the crucial ministries and the United States would try to interest them in the Ministry of Tourism. Such a negotiation would solve nothing for the United States. Even if the wrangling of the rival great powers and the bitterly hostile internal forces could somehow produce agreement, the United States would be no less committed in Vietnam than it is now. It would have staked its prestige on maintaining the uneasy coalition that it helped to engineer. It is hard to believe that such an imposed coalition would survive. Thus once again the U.S. would face the dilemma whether to intervene to try to save a protege or to dishonor what would now be a clear international commitment. One lesson of the Vietnam war is that the U.S. cannot arrange political structures for other people that will serve their interests or will last. The process of political reconciliation in Vietnam will be improved and American reputation served during the formation of a coalition government if the U.S. Embassy in Saigon devotes its full attention to packing. The less American responsibility there is for the government that emerges in Vietnam and the more such coalition is the product of indigenous Vietnamese forces, the sooner the U.S. can end its destructive involvement and the Vietnamese can begin to reconstruct their tortured country.

(4) *Encourage negotiation between broadened Saigon Government and NLF for coalition.*—In short, the United States should negotiate with North Vietnam and the NLF for mutual military withdrawals while at the same time encouraging the warring Vietnamese factions to negotiate among themselves for an interim coalition government that will hold elections. If the United States commitment in Vietnam is really-self determination for the Vietnamese people rather than loyalty to a group of discredited leaders who cannot govern without American troops, then the Nixon Administration should insist that negotiation among Vietnamese for a coalition government including the NLF begin immediately.

But what can the U.S. do to get such negotiations started? The government of Thieu, Ky, and Huong adamantly opposes any steps to broaden the present war cabinet so that it could conduct serious peace negotiations. The jails of Saigon are filled with Buddhists, neutralists, former government officials, and students who have pointed out the truth that the leaders of the Saigon government are incapable of making peace because they know that their power will not survive the war. The current NLF proposal at the Paris talks for the establishment of a "peace cabinet" in Saigon representing a broad spectrum of Vietnamese political interests is not original. Similar proposals have been made at considerable personal risk by non-communist students, monks, priests, and professionals in South Vietnam. To anyone who believes that ending the war takes priority over keeping the NLF out of the government, it is clear that the creation of some sort of peace-oriented cabinet in Saigon is an absolutely precondition to serious negotiations. If peace is to come through negotiation, at least some members of the Saigon government must want it.

This then is Nixon's dilemma. He cannot get a negotiated peace even if he is willing to accept a coalition with communist participation until Thieu and Ky bring enough moderates into the government to change its essential character, and this they will never do as long as they believe there is any alternative. Administration officials greet the suggestion that they put pressure on Saigon generals to liberalize their government with the remarkable observation that the United States does not intervene in the internal affairs of other countries! The real reason why U.S. officials have treated the Thieu government so gingerly despite its continuing efforts to sabotage the peace talks and suppress those non-communist political forces in South Vietnam who represent the most hopeful stabilizing influences in a postwar government is that the Saigon generals are essential instruments of present U.S. policy. By the standards of its predecessors, the present regime is a reasonably effective government for prosecuting the war and it is fiercely committed to the present U.S. objective of defeating the communists. As long as military strategies for ending the war take priority over political strategies, Thieu and Ky will continue to hold an effective veto over U.S. policy by threatening to collapse. Once the U.S. changes its basic objective, however, and stands ready to accept a coalition government which includes communists, the Saigon generals lose their power to wreck a settlement. The Saigon government depends on the U.S. completely for cash, gasoline, and credibility. Although the U.S. has always had the power to compel it to take less extreme positions, the exercise of that power has seemed self-defeating because pressure on the Saigon generals to make political accommodations undercuts their effectiveness as warriors. But once the military option is recognized as an expensive illusion, the generals are no longer indispensable and the U.S. can begin to talk honestly to them.

If the President actually communicated his decision that he was prepared to extricate the U.S. from Vietnam even at the price of a communist South Vietnam, the Thieu government would have no choice but to move quickly towards accommodation with those elements in South Vietnam who favor a negotiated peace. One effective way to communicate that the policy change is serious would be to begin significant troop withdrawals. Another would be to protest publicly and privately the mass arrests of political prisoners (which now number about 20,000) and the suppression of political opponents who call for peace. Without such pressure, the Thieu government has no incentive to broaden the government sufficiently to make negotiation with the NLF possible. If the President grasps the truth that further escalation of the war will only bring further tragedy to the American and Vietnamese people, he should not shrink from using political power and persuasion to keep a group of self-seeking politicians from prolonging the slaughter.

What is likely to happen in Vietnam if the U.S. encouraged the formation in Saigon of a peace cabinet willing to negotiate with the NLF? The only reliable answer at this point is that we really do not know except that the war would move quickly to an end since no one would have an interest in prolonging it. The U.S. Government has always assumed that the National Liberation Front would take over the government and quickly arrange for the reunification of the country with Hanoi. A communist-dominated South Vietnam is a distinct possibility which the U.S., once having adopted the proposed strategy would be powerless to prevent. The Administration must not deceive itself or the public that it can control internal politics in South Vietnam once it takes out a substantial number of troops. There are important political groups in Saigon which see themselves as a "third force"—some Buddhists, Catholics, Cao Dai, Hoa, Hao, and Montagnards—but whether they have the strength to contain the communists depends upon what happens in Vietnamese politics in the next few months and is quite beyond U.S. influence. The sooner such groups are released from prison and harrassment and can rehabilitate themselves, the sooner they can unite their forces and deal with the communists from greater strength. The NLF is under no illusion that political opposition to them will disappear once the Americans leave. They are going to have to accommodate the various factions or else continue a bloody civil war which it is in the interests of no Vietnamese to prolong.

There are some solid grounds for believing that the NLF cannot eliminate all other elements of Vietnamese society from a share in power. For one thing, strong religious factions, such as the Buddhists Struggle Movement under Thich Tri Quang, and the Cao Dai, are as anti-Communist as they are anti-United States intervention. Presumably, when the intervention ceases, and they are no longer torn between nationalism and anti-Communuism, their ideological antagonism to the NLF leadership will grow stronger. The religious groups, along with other semiautonomous factions such as the Hoa Hao, which now runs Angiang Province with virtually no interference from Saigon, are as unlikely to submit to tight NFL control as they are to Ky's. The Catholics, too, who are well organized, are a force which cannot easily be ignored by the NLF. Indeed, the NLF has demonstrated its awareness of the necessity of enlisting the cooperation of these various groups by pointedly including in its own Central Committee representatives of the Buddhists, Cao Dai and Catholics.

The Front recognizes that the two most popular issues, other than simply ending the war, are the termination of all "foreign" intervention (which to most Vietnamese means Americans, not other Vietnamese who happen to live in the North) and the granting of autonomy to those factions in the society which represents regional, religious and social interests. It may well be that they will be able to construct a monolithic Socialist Vietnam, but they know that this will not be easy and that it will take a long time. The only certainty is that the longer the war goes on and the more fragmented Vietnamese society becomes, the greater power the communists will have.

Reunification, according to repeated statements of the NLF, must be delayed a decade or more because of the profound political and economic differences that have developed in the two sections of the country as well as the historic distrust that Northerners and Southerners have had for each other. Normalization of relations between the two zones, the issue over which the Communist insurgency began in 1957, would take place much sooner.

As for foreign relations, the NLF has emphasized many times their interest in maintaining a neutrality based on good relations with the three great powers, the Soviet Union, China, and the United States. The Vietnamese communists desire postwar U.S. aid not only to help with the staggering task of reconstruction but also to symbolize a U.S. interest in their country that can be balanced off against Soviet and Chinese influence. Far more than ideology the Vietnamese value national independence. If the U.S. can play a role in helping to preserve it, and they believe that it can, they will welcome that role.

The most difficult issues raised by the proposed strategy concern the future of the United States. How can the President accept the risk of a communist takeover after the huge sacrifice the American people have been asked to make to prevent precisely that result? How can he escape "stab in the back" criticism from the military? Is there no "face-saving formula" that can vindicate the judgment of those officials who committed the national honor in Vietnam? The question can be answered on two levels, one superficial and the other profound. On the superficial level, I am convinced from my talks with the North Vietnamese and the NLF that they understand the problem that occidentals, especially powerful ones, have with face-saving. As long as the basic objectives of independence and freedom from foreign domination are met, they would go to great lengths to make extrication as easy as possible for the U.S. They have too clear a sense of their own interests to try to humilate us. Indeed, if the Nixon Administration would revise U.S. war aims to anything more modest than the total political defeat of the NLF, they would probably make some ostentatious concessions. If they really believed that we were prepared to leave, they would probably accept some international supervision of the election or even a token U.S. base or two for a number of years.

But on a more profound level, such concessions could not conceal the fact that the U.S. failed to realize the war aims for which so much blood and treasure has been sacrificed. There is no way to mask this fact. If the war is to end in his administration, the President will have to rouse the American people from the long dream of omnipotence and all-righteousness. The President can transcend the post-Vietnam trauma as de Gaulle transcended Algeria only by talking sense to the American people. He can point out that American power and prestige are being damaged by the never-ending war, that a communist Vietnam need not be our enemy, and that America's initiative to end the war will win the gratitude and respect of the whole world. Finally, he can articulate for the public the essential truth that a U.S. foreign policy makes sense only if it serves the interests of the American people. The health of American society in 1969 demands a diplomacy of extrication for it is this society, not the Vietnamese that must become central to our concern.

The alternative is to make this country a warrior state willing to sacrifice its youth, wealth, and the hopes of its people in a vain effort to cover up the past errors of misguided politicians and generals. Neither secret talks nor patience will deliver us from this war until our leaders give up the goal of determining the political future of South Vietnam, an objective which adds nothing to the security of either the Vietnamese people or our own. The Congress has a responsibility to the American people and particularly to those we send to their death in Vietnam to tell the President and the public the truth. Unless voices of sanity are heard in this chamber, there is no possibility for building the political climate for a realistic strategy to end the war. To take the course of statesmanship the President needs your prodding and your help now.

But the constitutional responsibility of Congress goes even beyond this. If it should turn out that the President lacks the courage to end the dishonor that this war is bringing upon the nation, then Congress itself must act. How many thousands more must die and how many billions more must be wasted before the Congress votes no to this war and withholds the money to carry it on?

Mr. Speaker, President Nixon's statement of a few months ago that he hoped to get all American ground combat forces out of Vietnam before the end of next year is hardly the "commitment" or "timetable" which we like to hear. We should demand a clear disengagement from Vietnam and this, I believe, could stimulate the interest in peace negotiations of all the Vietnamese contenders—Hanoi, the Vietcong, and the Saigon government.

Discussion of the cease-fire has figured very little in the Paris negotiations so far. The National Liberation Front's 10 points are equally vague on this subject. If we could negotiate a cease-fire first, we could then take up all the other problems as separate items toward a permanent peace.

Recognizing that neither side can win a decisive military victory, both sides should cease trying to gain advantage on the battlefield to improve their bargaining positions in the negotiations. They should agree now to a standstill cease-fire.

Upon reaching an agreement to the cease-fire, both sides would conduct no further offensive actions and begin withdrawals. Free movement of trade, civilians, and unarmed military personnel would be permitted to all areas, political activity would not be restrained.

But as long as both sides follow the talk-fight strategy, the killing will continue. Pope Paul, United Nations Secretary General U Thant, and other world leaders have called many times for a standstill cease-fire in Vietnam as the way to end the killing and create a favorable atmosphere for progress toward a fair political settlement.

Experience has shown that certain unilateral actions can be helpful in advancing negotiations.

Our purpose throughout should be to signal to the other side our determination to obtain both a peaceful and equitable settlement. The unilateral initiatives should have both of these objectives in mind.

A reduction in forces along with the cease-fire proposal would demonstrate the United States seeks a political, rather than a military solution to the war in Vietnam.

The United States should not take "no" for an answer from Hanoi, Saigon, and the National Liberation Front, but should press now at the negotiating table and before world opinion for this cease-fire package. If it is turned down, the offer should be left on th table as a standing proposal, thus providing a positive policy goal to the negotiations, around which political forces could rally, at home and abroad.

We should stress our desire for a political settlement based on free elections jointly supervised by a representative electoral commission, assuring all South Vietnamese the right to choose their own leaders. These should be scheduled at the earliest possible date following the cease-fire.

To give the South Vietnamese a stake in their own future, an extensive and basic land-reform program should immediately give title to the tenants farming the land, and provide compensation to landowners. If the United States paid the full costs of compensation, it would cost a small fraction of the present expense of the war.

In addition, we should provide for a full economic development program as a means of binding the wounds of war. Immediate refugee relief and medical aid to the victims of the war should be given the highest priority. A massive aid and economic development program should be channeled through the United Nations or other international agencies.

In these efforts we must all be joined by our community groups and organizations. A united effort can be very profitable to finding a just solution to ending this conflict.

In conclusion, Mr. Speaker, I would like to present a poem written by Henry Wadsworth Longfellow, which seems to fit this occasion:

THE ARSENAL AT SPRINGFIELD

This is the Arsenal. From floor to ceiling,
Like a huge organ, rise the burnished arms;
But from their silent pipes no anthem pealing
Startles the villages with strange alarms.
Ah! what a sound will rise, how wild and dreary,
When the death-angel touches those swift keys!
What loud lament and dismal Miserere
Will mingle with their awful symphonies!
I hear even now the infinite fierce chorus,
The cries of agony, the endless groan,
Which, through the ages that have gone before us,
In long-reverberations reach our own.
On helm and harness rings the Saxon hammer,
Through Cimbric forest roars the Norseman's song,
And loud, amid the universal clamor,
O'er distant deserts sounds the Tartar gong,
I hear the Florentine, who from his palace
Wheels out his battle-bell with dreadful din,

And Aztec priests upon their teocallis
Beat the wild war-drums made of serpent's skin;
The tumult of each sacked and burning village;
The shout that every prayer for mercy drowns;
The soldiers' revels in the midst of pillage;
The wail of famine in beleaguered towns;
The bursting shell, the gateway wrenched asunder,
The rattling musketry, the clashing blade;
And ever and anon, in tones of thunder
The diapason of the cannonade.
Is it, O man, with such discordant noises,
With such accursed instruments as these,
Thou drownest Nature's sweet and kindly voices,
And jarrest the celestial harmonies?
Were half the power that fills the world with terror,
Were half the wealth bestowed on camps and courts,
Given to redeem the human mind from error,
There were no need of arsenals or forts:
The warrior's name would be a name abhorred!
And every nation, that should lift again
Its hand against a brother, on its forehead
Would wear forevermore the curse of Cain!
Down the dark future, through long generations,
The echoing sounds grow fainter and then cease;
And like a bell, with solemn, sweet vibrations,
I hear once more the voice of Christ say, "Peace!"
Peace! and no longer from its brazen portals
The blast of War's great organ shakes the skies!
But beautiful as songs of the immortals,
The holy melodies of love arise.

Mrs. MINK. Mr. Speaker, all of America is watching this moratorium. I join it as my witness to peace.

I have every confidence that this day will have a profound meaning for this Nation.

I know that the vast majority of the American people want the war to end. In 1965 our goal was a military victory. Our leaders could not see that a land war could not be won. They could not comprehend that a half million soldiers backed by a hundred billion dollars could not bring this enemy to his knees. They would not accept the fact that this was a civil war of divided peoples of one nation. Slowly we turned our national purpose to that of protecting the right of self-determination with a declaration that once the fighting stopped we would be prepared to accept the verdict of a free and open election.

This is still today the posture of America. Despite the denials and protestations of the President and his advisers, we have begun a deliberate withdrawal of our troops. Called by any other tactical name, it remains a staged withdrawal, albeit modest but nevertheless I believe if properly supported by the people of this country, it will herald the final act toward the end of our involvement of manpower in this tragic episode of our history.

President Thieu declared last week to his National Assembly that his country is prepared to accept the complete removal of American men by the end of December 1970. To make this withdrawal a byproduct of peace is the mission of the Paris talks. It is my hope that the President will call for a cease-fire, surely not any more unthinkable than the bombing halt which was called by President Johnson during the waning hours of his tenure. With a cease-fire and a programed withdrawal of our troops, there can be affirmative steps taken to implement our pledge for free and open elections monitored by agreed upon third parties. Two years ago the suggestion of talks that included the Vietcong were viewed by those who made our policies as irresponsible defeatism. Today the Vietcong is part of the peace negotiations in Paris. Let us not close our minds to the progress that we have made to recognize the realities of this conflict. Let us not by impatience and incontinence lose this continuing momentum for peace. Let us express with all our fervor our anxiety over this war, but never lose sight of the progress that has been made in yielding to the demands of the people when expressed in righteousness. Nothing is to be gained by defamation and desecration. Prod and prick the conscience of our leaders, and their actions will be sure and steady and we will at last have won this measured victory for peace and tranquillity.

The President's statement that he will not be affected by this moratorium belies the truth. Much has already been affected; the stretchout of the October draft calls for November and December; the push on draft reform and Executive order affecting graduate students; the announcement of General Hershey's removal; the recall of Henry Cabot Lodge for new briefings for the peace conference; President Thieu's acceptance of a complete withdrawal by December 1970; the early announcement of an additional 40,000 troop withdrawal by Christmas.

Secretary of State Rogers went on television for the first time to proclaim that both sides are deescalating the war and that Mr. Nixon's policies are therefore making "tremendous progress." This claim was immediately refuted by Senator GOODELL of Mr. Nixon's own party, who candidly pointed out that token deescalation of the war at the present rate would leave American troops still in Vietnam 7 years from now.

President Thieu of South Vietnam has said he is willing to accept a complete withdrawal of American troops by December of 1970. December of 1970 should be the outside limit of our participation.

We must, as a people, begin to face certain facts regarding Vietnam. One, this war is one of the longest and costliest in our history, in terms of battlefield dead. We have been in Vietnam for 6 years. Forty thousand Americans have died. The monotonous promise our generals have repeated so often—that the "turning point" is "just around the corner"—has proven false, year after year. We must decide to accept the reality of Vietnam and insist upon its immediate resolution.

Despite massive American aid, the South Vietnamese have been unable to win physical control of their country. One may rationally ask, Why? If the people of South Vietnam themselves supported their Government, it seems that the war would have been won long ago. The fact that it has not been won indicates that the people do not support our effort. The new word "Vietnamization" of the war is no real answer to the problem which the people of Vietnam must face. Because our men are brought home and the conflict is "Vietnamized" does not mean an end to the killing and dying. To contribute to a lasting peace we must assure the people of South Vietnam a government which truly reflects their views.

I favor an immediate cease-fire, and an end to the fighting on both sides. The President has already taken the first step; unilateral withdrawal on a phased basis. The first stage of the President's withdrawal was the pullout of 25,000 men without any reciprocal action being sought or given by the other side. Next we will have an estimated 40,000 additional troops withdrawn by the end of the year.

Some military planners assume that the situation in Vietnam can be stabilized by continuing slow withdrawals for 2 years and then leave a continued American commitment of about 200,000 troops. General Gavin's enclave theory now begins to appear to be our goal. This view contemplates maintaining this huge garrison in South Vietnam premanently like Korea. We must not allow this to occur again; the withdrawal should be complete and on a permanent basis.

In doing this we must press for a political solution to the war that will guarantee the right of the South Vietnamese people to self-determination through the ballot box. This means that we cannot support claims by any faction to the absolute right to govern. We must firmly declare ourselves as being for the people of South Vietnam and not one particular segment or regime.

A standstill cease-fire is an absolutely vital step. This would freeze control over the land as it now stands. An election could be called for all areas of South Vietnam with adequate supervision and a new government for the entire country could be quickly installed.

At this point we should call for the admission of both Vietnams into the United Nations so that the U.N. peacekeeping forces could be made responsible for the safety of the people from further interventions across each other's borders.

It is futile to talk on and on about the mistakes of the past. What we must do is to look to the future and that is what I believe that this moratorium is supposed to do. The vilifying of our leaders leads to nothing. We must as well declare a moratorium on that. But there must never be a moratorium against honest dissent and disagreement against the policies of our own Government. We must continue by discussion and debate to arrive at a national policy which is supported by the American people.

There is no way that we can bring back the dead. What we can do to make their sacrifice a meaningful monument is to consecrate by our actions a rededication of our Nation's power and resources to the perfection of our way of life and to the determination that there shall never again be another Vietnam.

When we speak of what this Nation has lost as a result of 4 years of war, the dead buried beneath the grass of a solemn cemetery, is of course not only absolute but the greatest loss of all. It does not seem fair to me to talk about the problems of the living in the same breath. But to mourn the dead without a vision for the future is also to abdicate our duty to fight for the precious qualities of life yet to be realized by millions in our own country. It is to these pressing priorities that we must forcefully and determinedly direct our attention.

The needs of our decaying cities and poverty areas are starkly obvious to anyone who cares to look around at what is happening in the United States. Most of these problems are due to the fact that the Vietnam war is siphoning off about $30 billion a year that could otherwise be used for helping our people at home.

This drag on our national resources is reflected in sharp budget cuts in nearly every domestic program this year. Our spending billions of dollars in the war in Vietnam has created a gap between what is needed for education, for health and housing, mass transportation, job training and welfare, eradication of poverty, food for the hungry, and our other human needs, as compared with the funds available. Congress authorized $11 billion more in the last fiscal year for these programs than it was able to find the money for. In the current year, we have been considering an administration budget that is $18.5 billion less than what was authorized. In these 2 years alone, the funding deficit will be more than $30 billion. Ironically just the same as the cost of the war in Vietnam.

The American people are beginning to realize the size of the crisis situation created by this gross misallocation of national resources. The Department of Health, Education, and Welfare budget was cut this year by $1.2 billion.

The budget request for the Office of Education was $5 billion less than the amount which had previously been authorized by Congress. In other words, we had approved education programs at a level of $7 billion, but our budget called for only $2.1 billion expenditure.

I submit that we can no longer afford to allow our Nation's education needs to go unmet. The House was able to add $1 billion to the education budget a few months ago when the bill came to the floor, but this still leaves us $4 billion short. After our action the President issued a statement vowing not to spend the money even if Congress approves it. The American people must be alert to denounce this twisted concept of what is most urgent, and I hope that you as students concerned with our concepts of national priorities will take cognizance of whatever actions the President takes.

Last week the National Advisory Council on Education Professions Development sent a report to the President expressing their deep concern over the absence of Federal initiative in the field of education. They reminded the President that while Commissioner Allen was pronouncing how every child had the "right to read," the Department he heads was being ordered to cut $8 million of a meager $13 million program to train teachers of reading. The Council admonished the President that it was concerned by not only a reduction in funds but by an absence of direction and planning. The Council said:

> In dramatic fashion, these decisions and actions add up to default on the proclaimed responsibility of the Federal government to act as a partner with the other levels of government in supporting the nation's educational enterprise. When the States in the last 2 years increased their expenditures for higher education by 38% and for elementary and secondary education by 28% . . . we find that Federal government is cutting back.

The Council continued:

> We sense a worsening climate in American schools and colleges . . . we assert that present national conditions are deleteriously affecting the studies, the hopes, and the convictions of a wide and responsible segment of the educational community. A new and ugly cynicism and anti-intellectualism is infecting American education. Repressive measures will not arrest this trend, and may even accelerate it; positive and affirmative leadership promptly to end the war and to address forthrightly our domestic problems can do so.
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> Too many of our young are concerned by what they are against . . . the war, racism, poverty, corruption. . . . We feel that the growing dismay and cynicism of our youth could develop into a calamity of devastating proportions. It would be unfortunate if our political leadership were to take the position that a response to the dissatisfaction of the past—or the yearnings for a different kind of future—must await the ending of the war. . . . It is now we must plan. It is now we must act. . . . If politics is the art of the possible then our political leaders have a special opportunity to demonstrate to the young that the nation can envision a future of hope and that we can translate that vision to tangible policies and sensible priorities.

So much for education. The same thing can be said for the abortive effort to wage a war against poverty. Envisioned as a $10 billion program it now struggles for survival with only $2 billion. Over 50 Job Corps centers were closed down in June and behind these empty buildings lie the hopes and dreams of thousands of youth shattered because we lack the needed funds. Doubtless more programs will be discontinued under this agency as our war against poverty slows down to a near halt.

And what about our environment? Our rivers and streams are increasingly being clogged by pollution. And we do not have long to reverse this trend. The Federal Government has two major programs in this field—one to set standards of clean water so that the various cities and States will have goals to shoot for, and another program to provide them with grants to construct pollution control facilities so that they can meet the standards.

As it has been working out, we have given the States and cities clean water standards but not for the funds to meet them. In fact, the Government agency in charge of the program says that $8.2 billion is needed over the next 5 years to avert a catastrophe. Last year some 1,500 of our small cities had no waste treatment plants whatever. Currently there is a backlog of 4,600 applications by municipalities for funds under the clean water program. This year's budget request was for only $214 million for this vital program. Concerned Members of the House battled to approve the full $1 billion which had been previously authorized, and while we were not entirely successful in this effort we did get the amount raised to $600 million. This was a small victory in our fight to restore a rational sense of national priorities in the United States.

Recently information crossed my desk that the urban renewal program "pipeline" is jammed with some $2 billion in unfunded requests from cities desperately trying to relieve urban blight. We are years behind schedule in this area even if we made these funds available now.

All across the board in our Federal programs we see retrenchment, cutback, and unfulfilled promises. Seventy-five percent of our public works projects are to be deferred. Medical and health research funds have been drastically cut. All new national parks programs have been delayed. Medicare is cut by $65 million, housing and urban development by $74 million, and model cities by $75 million. This is how people are being deprived of vital programs as the war continues.

So we can agree on the monetary benefits that will come from termination of the war. Or can we? The President's military advisers have said that the Defense Department has a backlog of projects which need to be funded. If the Pentagon has its way, it will absorb all of the funds we are told that would become available once the war is ended. Our stockpile of munitions and new armaments of war will build up once again.

It will be up to us to mount a campaign to save the $30 billion for our domestic programs. The ABM alone could cost up to $50 billion, despite the fact that it will be obsolete before it is built. The Pentagon has begun corresponding escalation in the development of our MIRV system. Again, the American people will pay an extraordinary amount for maintaining this balance of terror. I hope you will continue to watch carefully the direction and emphasis of our national budget. Is it essential that we land on Mars before we feed our hungry and shelter our poor? Can we afford a supersonic aircraft priced at $1 billion which is incapable of flying over land because of the sonic boom, before we have built our roads and airports on the ground?

Fortunately, the picture is not all bleak. In fact we have made significant inroads. This year's 29-day debate on the ABM was the longest military debate on record. Six Senators who voted for the ABM in 1968 switched in 1969.

Public opposition to the Pentagon policies caused Secretary of Defense Laird to initiate in August a reduction of more than $1 billion himself in defense spending during the current fiscal year. Previously, $1.1 billion had already been cut. And the Senate voted to cut back by another $2 billion. And so $4 billion have been saved.

When I think of all the programs which I would like to see funded and which could be funded with $30 billion, the urgency of ending the war in Vietnam becomes even more pressing. We must spend our resources to feed the hungry, to provide adequate housing and health care, to build better transportation systems so that the poor may live in suburbia as well and abandon the inner city hovels of filth and vermin, to expand the provisions of medicare, to increase the benefits of the elderly under social security to a realistic minimum which can assure them of a decent life, to expand the parks and recreational centers of our country, and to guarantee that all who seek education can have that opportunity without excessive financial burdens.

I have a dream like Dr. Martin Luther King, to build a newer world like Robert Kennedy. I seek a moratorium for peace in order that we may achieve the greatness that is this promised land. I believe that we have the capacity to create our society as a function of ethical and moral commitment. We must not therefore only pursue the single goal of the end of the war in Vietnam, but we must continue our efforts to improve the lives of our citizens.

Mr. BENNETT. Mr. Speaker, at the beginning of the U.S. involvement in Vietnam, it was my feeling that the only way we could win the war was with maximum and prompt military pressure, including the use of all necessary troops, the bombing of strategic enemy strongpoints and industrial plants, and the closing of the port of Haiphong. I supported this position in the House Armed Services Committee, of which I am a member.

Now, the President has adopted an apparent policy of phased withdrawal of U.S. troops and the deescalation of the war. As Commander in Chief and director of the Nation's foreign policy, he has indicated our national policy is not to win the war. He holds the most responsible position in our Government to make this decision, and it is apparently his best judgment to phase out the war by withdrawing American soldiers.

Winning a military victory to preserve the peace has always seemed to me to be the only logical course our Nation could follow; for otherwise the peace-preserving purpose of our mutual defense treaties would no longer be credible and the treaties themselves no longer instruments of peace.

However, the President has announced his phased withdrawal plan; and it certainly seems to me that a timetable at this time for ending the war by quick withdrawal is not practical. It undermines negotiations and boosts the enemy. A cease-fire is desirable, if the other side would agree, which it has not. A takeover of the war by the United Nations is acceptable, if the international body had a strong operation for peacekeeping, which at this time it does not possess.

The plan the President has suggested is one we must live with, at least at this time. This being so, I support the President and urge my colleagues to do likewise. Finally, if we do not really intend to win this war, I think we should turn the problem over to the United Nations, offering them our troops to assist their conclusion of the war.

Mr. DUNCAN. Mr. Speaker, tomorrow, October 15, will be a big day for some, but to me it will be a day of shame.

I am sorry that we have in this country leaders who can be swayed by breezes of sentiment toward a path that can only lead to a weakening of the U.S. position in world affairs.

There is no easy way out of Vietnam. We did not get into Vietnam in a well-planned, orderly fashion. President Nixon has had only 8 months to try to unwind what took 8 years to tangle into a mess beyond description.

May I say here that I am for peace. I know from personal experience the hell and fury of war. No one wants peace more than I. No one wants peace more than President Nixon who for 24 hours a day must face this great international problem.

I am not, however, for giving aid and comfort to the enemies of everything we hold dear. I am not for pulling the rug out from under the thousands of young Americans who have been sent to Vietnam on orders of their country.

It is my opinion that the actions such as those planned for tomorrow are created by the stupidity of political opportunists, and the confusion created by the ignorance of amateur theorists. The cost of such actions in the past, and tomorrow, can only be measured in the lives and bodies of American men.

Hanoi said today:

> We warmly welcome and wholeheartedly support the great struggle of the American people against the unjust aggressive war being waged against the Vietnamese by the Nixon clique.

It is also my opinion that the war in Vietnam would have been over long ago had not such groups for the past 2 or 3 years urged Hanoi to hang on by causing dissension in this country.

President Nixon did not send us into Vietnam, but he is sincerely trying to get us out. He is trying all approaches, and he is making progress. Since he has been in office American troops have come home for the first time. More will come home before the end of this year. Casualty totals are down, and hopefully will continue downward.

No matter what the approach the administration uses to end the Vietnam conflict, the results are going to be weakened by such protests as the October 15 peace moratorium, the November march on Washington, and the November and December moratoriums, or as North Vietnam referred to it as the new fall offense.

Those who support the protest set for tomorrow seem to ignore the obvious—they are playing right into the hands of the enemy. It is Hanoi, not Washington, who will benefit tomorrow. It is Hanoi, not Washington, who will gain prestige, and, most of all, bargaining power at the Paris peace talks. The moratorium will be a valued addition to the North Vietnamese propaganda arsenal.

I urge students to go to classes and to study tomorrow, instead of giving aid and comfort to the enemy—taxpayers are working hard to help pay for their educations. We have schools and colleges for the express purpose of educating our youth. Campuses were not established as political entities.

I urge teachers and professors to stand before their classes tomorrow as brave, patriotic Americans and to teach as usual. We are paying them for teaching, not demonstrating and rioting.

I think it should be recorded that those who are participating are toward the left in our society and do not represent mainstream America.

The moratorium was called by a newly organized Vietnam coordinating committee which was formed, I am told, by workers in the presidential campaigns of Senator Eugene J. McCarthy.

Although they claim the militant groups are not the leaders, and that this will be a peaceful occasion, militants will be there, and who knows what the results. The protests may by no means remain low keyed.

Furthermore, the October 15 protest has the endorsement of such militants as the baby doctor, Dr. Benjamin Spock, who no doubt may be seeing some of his "babies" in action and perhaps will nudge them along if they do not follow "the book." Spock, too, is working on plans for the November 14 march.

Senator McCarthy also said he would take part actively, and I understand that Senator McGovern will be the main speaker at one of the rallies.

Who started the plans for tomorrow? Dave Hawk, himself a draft dodger, a national coordinator of the moratorium committee, credits its beginning to Jerry Grossman, a businessman member of the Massachusetts Peace Action Council who was active in Senator McCarthy's 1968 campaign.

Hawk has said:

> We are introducing the war as the focal issue. Our total purpose in being is to end the war. We are demonstrating that the sentiment is already there. This will be the most sustained and involved movement in history.

No doubt the antiwar demonstrations in Chicago last week will carry over into tomorrow's gatherings. Organized by the Revolutionary Youth Movement, the Chicago plans did not call for quiet and nonviolence. Mark Rudd now heads the Revolutionary Youth Movement which he formed after a split in the militant Students for a Democratic Society—SDS. "Bring the war home" has been their theme.

These protestors claim they want to convince President Nixon that the majority of Americans want to end the war. I have news for them. All Americans want the war to end.

But, all Americans do not want us to turn our backs and surrender.

We are loyal people and we are brave when it comes to protecting freedom and our Nation from threats.

Another theme of the new groups who will protest tomorrow is that they are not necessarily antiadministration, nor anti-Nixon, nor antiestablishment. Their actions, however, speak louder than their words. If they wanted to be helpful and if they really wanted peace, they would do nothing to hinder the progress we are now making.

I am convinced that President Nixon

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will not be intimidated by these politically misguided leftists, just as he maintains the dignity of his office in confrontations with pacifists and militants who try pressure measures through public sentiment.

The antiwar protests will not influence this Vietnam policy.

They will not end the war. They will serve only to hinder and harm. They will not create peace. Nothing the protesters say and do, however, will cause our President to sacrifice abroad what he considers to be the best interest of the United States. He will not let threats and blackmail overrule reason and patriotism. He has all the facts about Vietnam, and he knows the score there and here.

Since the President is trying very hard to end the war, and since he is the only person in the United States with the power to do so, it really seems ridiculous for these groups to attack him. They are, in a sense, trying to destroy the one channel to their goal—if their goal is really peace.

If I were a student, I would walk into my class tomorrow with pride in America. I would not be counted as a protester. As a Congressman, I will be here on the floor of the House of Representatives doing what the people of the Second District of Tennessee elected me to do—represent them—not demonstrate.

Statesmenship speaks for itself, perhaps more in this matter than in other situations.

There are times when we must think of America above all else—above party, above personal gain and personal ambition. I think Senator MIKE MANSFIELD illustrated this a few days ago on a national television interview. Having seen the battlefields of Vietnam, as I have, he said:

> I think the President is doing everything he can, according to the best advice he can get, to get out of Vietnam. It is not a partisan issue. It is something we must all try to work toward a solution of and I am hopeful that it can be accomplished in the not too distant future, though I am not too encouraged by the events up to this time.

Former Vice President Hubert Humphrey, voicing praise for President Nixon's peace efforts, said he "is proceeding along the right path" and "has made some progress" toward peace. He said:

> We only have one President at a time, and I think the worst thing we can do is try to undermine the efforts of the President.

The organizers of the moratorium claim that President Nixon has taken enough time to settle the war. They say they have waited long enough and have decided to strike up the old antiwar demonstrations once again. The truth of the matter is that they have been planning for October 15 since spring. They organized a staff who has been raising funds and organizing campuses throughout the country for months.

Now there are those among us who would have the United States announce a definite timetable for the withdrawal of American troops from Vietnam. That would merely be telling Hanoi to just wait a little while and we will be completely out of there and it will be yours to conquer and to keep. It would give Hanoi little reason to make concessions. It would be necessary only for Hanoi's delegation to Paris to sit out the interval until the deadline.

Why would Hanoi want to cooperate in peace talks if they knew we would be gone from Vietnam in 12 or x number of months. They would need only to wait us out and take South Vietnam by default.

As you know Secretary of State Rogers said this weekend that the President does have "a schedule" for troop withdrawals which "may vary" with events and that he "contemplates the complete removal of the troops in Vietnam," but "he does not plan to announce it to the enemy."

Secretary Rogers mentioned that while the President "has carried out his promise to deescalate" the war, "the dissent in the country seems to be accelerating" even though "we have made every concession that it has been suggested we make in the past 9 months."

In editorial comment the Wall Street Journal gave these words well worth repeating:

> The Administration's evident course obviously is no happy one, but it looks a little better when you also look clearly at the alternatives. It makes more sense if you understand there is no magic combination of levers, that there is no easy way out, that this war is indeed a tragedy in the full sense of that word.

During the Johnson administration, the President had my backing on his handling of the Vietnam war. Certainly there were times when I disagreed with some minor functions, but he had my full loyalty and support when it came to supporting our boys who were carrying out the fight in Vietnam.

My feeling is that the President has far more facts and far more influence than the average politician who comes up with a new solution each week.

The Vietnam war brought President Johnson many hardships, and some say, caused his retirement from the Presidency. Neither his escalation of the war nor his final attempts to deescalate brought appreciable results.

If we compare his first 8 months—without harassment—with these first 8 months of the Nixon administration we find a great contrast to the war activity.

During the 8 months between December 1964 and July 1965 the Johnson administration began the bombing of North Vietnam, raised the authorized troop levels in Vietnam fivefold from 23,000 to 125,000, and gave the fateful go-ahead to our military commanders to send American ground troops into combat. President Nixon, during his first 8 months, has again reassessed the Vietnam situation and he has started bringing boys home and de-Americanizing the war.

The President has told us, "I do not want an American boy to be in Vietnam for 1 day longer than is necessary for our national interest."

While Vietnam is the big issue that overrides all others, its accompanying revolt by the new left and by the militant groups may be as dangerous a threat to our society as the war is freedom in Asia.

For this reason, again I say that I do not condone any activity that leads us into the hands of the enemy, directly or indirectly. I realize that there will be those among tomorrow's gatherings who are sincere, though perhaps a little misguided; others just following the action, running to the sound of a noisy gang, whether it is Chicago, a California campus, or Washington, D.C.; and still others who are dangerous, hard-core militants.

The public needs to know the tactics by which militant groups can turn a nonviolent gathering into chaos and destruction. SDS, the Black Panthers, and other militants have been holding top-secret strategy meetings to plan more violence. The extremists, black and white, have the common goal of destroying American society by violence.

Operating these new left groups is expensive and the money comes from many sources, mostly contributions because the organizations do not bring in any great amounts in membership dues. One example of operational costs is the $80,000 a year necessary to run the SDS national office.

Wealthy individuals and tax-exempt foundations sometime give substantially to the new left. Student fees at some colleges go to help the new left when the students elect as their campus leaders new left activists.

These contributors are certainly not helping peace. They are making payments on the destruction of America. They should be classed with the demonstrators and rioters. I do not condone them, and I fear that they do not have respect for our great country. They are contributing to the disrespect shown by many youth, and thus many young people go in search of the new left as though they are following a new pied piper.

The administration needs our support on Vietnam now more than ever. I think Secretary of Defense Laird expressed this very well when he told the AFL–CIO meeting in Atlantic City last week:

> Make no mistake about it. To carry out his policy the President needs the support of a united people. The young Americans in Vietnam need that support. Hanoi's strategy is clear: the leaders in Hanoi expect to achieve victory by waiting for us to abandon the conflict as a result of anti-war protest in this country.
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> From their experience with the French and from their reading of events in the United States last year, they are encouraged to believe that they can get all they want if they merely wait long enough. The President will not bow to acts and utterances by these Americans who seek to pressure him in capitulation on Hanoi's terms. Those acts and utterances serve only to encourage the enemy to keep on fighting in South Vietnam and to keep on stalling in Paris.

Thus, it is alarming to see leaders of prominence in this Chamber, from campuses, in business, and other fields supporting the moratorium tomorrow. I feel that they are misguided in this approach. There is room for many opinions in this society without causing disruptiveness that could weaken this Nation.

When American boys are asked to give their lives we owe them our complete support, whether or not we believe in the reason for their being in a conflict.

I want to be counted among those who

urged the students to remain in class and boycott the boycott. I want to be counted among those who encouraged the workers to attend to their jobs as usual. I want to be counted among those who stood faithfully behind their country, behind their President, and, most of all, behind their soldiers. My prayer and my hope is for peace. I support President Nixon in his dedication to peace with honor.

You will not find my family and me giving encouragement to the enemy and discouragement to our fighting men. This is something that all should not forget tomorrow.

Mr. SCHEUER. Mr. Speaker, I am proud to take part in tonight's meeting. I only hope we will never have to return here for a similar chore. We are tired of talking about, and living with, war.

Yet I feel that I must speak out at this time, for there seems to have been change—but indaquate change from the policy I protested against several years ago. On Monday, the President wrote:

> To listen to public opinion is one thing; to be swayed by public organized demonstrations is another.

On this point the President made the same mistake that his predecessor made—he failed utterly to comprehend that the public demonstrations and meetings, such as this one, reflect the opinions of not the isolated few who, in his own words, "invite anarchy" but rather a substantial and clear majority of the American people.

I believe that despite his unfortunate words, the President's acts indicate he does not realize that the people of the United States are fed up with this war, that the last 9 months have been a long moratorium on criticism, that the country does not need an additional 60 days of silence, and that the statement of the Harvard dean in 1967 that "this is a bum war, a bum war" is now echoed throughout the country, yes, especially by those who voted for the President last year.

Just 2 weeks ago, a Gallup poll showed that only 35 percent of the people supported the Nixon policy in Vietnam. A more recent poll shows that 57 percent of the people want a withdrawal by the end of 1970. So when the President says that paying heed to this public outcry against his policy would be "an act of gross irresponsibility" perhaps he ought to recall that in 1968 the American public removed one President from office because of this war. Perhaps he ought to ponder Santayana's dictum that:

> Those who fail to learn the lessons of history will be condemned to repeat its mistakes.

In 1968 it seemed that persistent questioning of the war had finally caused the Johnson administration to reconsider and redirect its policy. The country came to think that those questions need not be asked any more, that its mandate for an end to the slaughter of American lives would be followed.

Now, 1½ years later, we see that this mandate has not been the basis of any new policy, that 7,000 more men have lost their lives, and that we clearly need to ask once again: Why should we continue to fight this war?

To this question the present administration has said that we Americans have a moral obligation to keep our promises, to help the Vietnamese establish a viable government. So we ask the administration: How can it talk of self-determination when the weight of our intervention has made self-determination impossible? How can it say we are supporting a trustworthy government when corruption permeates every level of the Saigon regime? And finally, how can the administration support a regime that imprisons political opponents for saying what Members of this Congress have said, and what several months later Saigon says itself.

There are those who claim that, "We must stand fast so that the enemy knows that it has no choice except to negotiate." Should it not be clear that such tactics have not worked for the past 4 years?

In both 1964 and 1968 we elected Presidents who promised in no uncertain terms to disengage us from a hopeless and futile war. The national consensus was twice made clear by the electorate. We now linger painfully as we slowly draw troop by troop from the battlefield at a rate that would take us 10 years to withdraw. Let us get on with the job of bringing our men home.

The operations of withdrawal may be complex, but the answer to the question, "when should we withdraw?" is simple and brief. We should withdraw as soon as possible, consistent with the safety of our men and the lives of threatened Vietnamese nationals.

The Vietnamese people are tough and durable. If they have been able to survive the last decades of war, they should certainly be able to work to produce a viable society in peacetime. Let us help them get on with that job.

Then there is the other question: Whom is this war helping?

Today it is obvious that the Vietnamese people have suffered heartbreak. A whole generation has never known peace. It is obvious that the American economy is warped and wounded, that our leading educational institutions no longer serve primarily as centers of learning, that American ideals and American foreign policy have been discredited throughout the world. It has prevented us—both at home and abroad—from attaining goals well within our reach.

It has prevented us from cleaning our air, our rivers, and our harbors, from helping our poor, from stopping the inflation that robs our pocketbooks.

This war has been one of the greatest blunders in our country's history. Our economy, our prestige, our power—all these have been diminished by this repugnant war. But more than anything else, the war has forced us to examine ourselves as a people, it has forced us to recognize our own faults. The pertinence of the following lines by Samuel Taylor Coleridge about the British invasion of France shortly before 1800 has become obvious:

We have offended, oh! My countrymen!
We have offended very grievously,
And been most tyrannous. From east to west
A groan of accusation pierces heaven!
The wretched plead against us: Multitudes
Countless and vehement, the sons of God.
Our brethren! Like a cloud that travels on,
Steamed up from Cairo's swamps of pestilence,
Even so, my countrymen! Have we gone forth
And borne to distant tribes slavery and pangs,
And deadlier far, our vices whose deep taint
With slow perdition murders the whole man.
His body and his soul!

Hopefully today's moratorium will persuade our Government to make a determined effort to right these wrongs. For what we are likely to hear, or sense, amidst the blaring of bullhorns and the brandishing of placards, is a deep-seated yearning for a halt to the slaughter and for a more rational reordering of our priorities, a yearning shared by a broad spectrum of Americans who have come to believe that we never should have embarked on this futile, tragic effort in Vietnam and that we should wind up our role in it as swiftly as possible. Let us hope and pray that the President will listen to us and ponder the voices of Americans across the land tomorrow.

Mr. ADAIR. Mr. Speaker, as the date of the Vietnam moratorium approaches, the call by its supporters for participation in the demonstration becomes more and more emotional. They are apparently oblivious to the steps which the President has taken to achieve a permanent peace in Vietnam and the resultant deescalation in the level of the violence without placing in jeopardy the freedom and security of the South Vietnamese people.

In this context, the fog of rhetoric surrounding the original purpose of the moratorium and the alternative, if any, it seeks to present are in need of clarification. The noted columnist, David S. Broder, in a cogent and well-written article in the Washington Post of October 14, 1969, discusses these matters. So that all the Members of the House of Representatives can have the benefit of his views, I would like to include them for the Record:

Ill-Advised Viet Moratorium Could Set a Risky Precedent

(By David S. Broder)

Cambridge, Mass.—The larger the plans for Wednesday's Vietnam moratorium, the more the central message and tactic of the demonstration have been obscured. If the event is to be gauged properly, it is important to uncover its original premises from the debris of cliches and endorsements in which they have lately been buried.

A number of men active in the moratorium have taken time to point out what they consider the errors of the argument in this column last week that it is a plan for "the breaking of the President." With sincerity and conviction, they have asserted that, far from breaking the President, they are out to save him, by persuading him to make the peace the nation craves and, incidentally, to save the political system by keeping the antiwar movement out of the hands of the radicals and in control of those with a commitment to peaceful forms of protest.

Their conversations and correspondence have helped to define three questions which might be borne in mind by those planning to participate in the moratorium.

First, what is the target of this protest? Sam Brown, the able spokesman for the moratorium, says it is not an anti-Nixon move because "we learned in 1968 that what we must oppose are not personalities but policies."

But if the Nixon administration is following the very policies recommended in 1968 by the antiwar faction, as I believe, then their moratorium is mobilizing public opinion against its own policy recommendation to the President. The minority plank at the Democratic convention, endorsed by all the leading doves, called for a halt in the bombing of North Vietnam. This has been done. It recommended a reduction in offensive operations in South Vietnam. The President has ordered this and it is in effect.

It asked for a "phased withdrawal over a relatively short period of time" of all foreign troops. The Nixon administration has begun pulling Americans out of Vietnam without waiting for North Vietnam to agree to mutual withdrawals, as the doves thought necessary.

Finally, it recommended that the United States use the leverage of troop withdrawals to "encourage" the Saigon government "to negotiate a political reconciliation with the National Liberation Front" looking toward "a broadly representative government" but recognizing that "the specific shape of this reconciliation will be a matter for decision by the South Vietnamese."

If this is not precisely the policy of the current administration, as enunciated by the President and the Secretary of State, then words have lost their meaning. And if the moratorium sponsors want to argue—as some have—that the President is lying about his purpose, their suspicions must be weighed against the facts of reduced fighting, reduced troop levels and reduced casualties, which his policies have brought about.

Second, what is the alternative they recommend? It has been described in moratorium publicity as everything from a negotiated settlement to immediate, total American withdrawal from Vietnam, but Brown said Sunday on "Face the Nation" that it is the latter that the moratorium has "consistently" demanded.

If that is the case, then the elected officials, clergymen and educators who have lent their prestige to the moratorium can properly be asked if this is the program they endorse. Many of these sponsors were involved in the fight for the minority plank at the Chicago convention which specifically said the war "will not be ended by military victory, surrender or unilateral withdrawal by either side."

It might be well for those men to explain Wednesday when and why they concluded that their opposition to unilateral withdrawal was wrong. It would be even more useful if they could explain why a one-dimensional plan to pull out troops is any more likely to be wise policy than the one-dimensional plan that sent the troops in. Have we not learned yet to examine the political consequences of military decisions?

Third, and most important, what about the method of the moratorium? Is it compatible with the maintenance of representative democracy or does it substitute the rule of the street?

The sponsors say the name "moratorium," rather than "strike," was chosen to emphasize that the protest is to be peaceful and noncoercive. It is a nice distinction. The noncoercive feature may be almost invisible to the thousands of students whose colleges will shut down Wednesday. If the moratorium continues, as planned, for two days in November, three days in December, and so on, it will more and more come to resemble the general strike so familar to European politics.

And if it succeeds in its aim, what is to prevent other majorities or sizable minorities in the country from using the same technique to force their views on agencies of the government? The moratorium sponsors say Vietnam is an extraordinary issue, but they must know it is not the only issue which agitates millions of people.

One wonders what the moratorium sponsors would say if Billy Graham were to ask all the parents who want prayers restored to public schools to withdraw their children from school for one additional day each month until the Supreme Court reverses its school-prayer decision.

Suppose pro-prayer teachers agreed to meet the pupils in private homes on moratorium days to discuss "the overriding significance of religion in human life." Would the Vietnam moratorium sponsors cheer? What would they say if landlords and real estate men opposed to integrated housing declared a moratorium until Congress repeals the open-housing law?

My view, just to be clear, is not that the Vietnamese moratorium is un-American, illegitimate, meanly partisan or personally vindictive in its motivation. My view is that it is an ill-timed, misdirected protest, vague in its purpose and quite conceivably dangerous in its precedent.

As was said last week, its immediate result may be the breaking of the President. In the serious weakening of his power to negotiate peace or to achieve any of the other purposes for which he was elected, its longer term effects may be to subvert a system of democratic government I happen to believe is worth preserving.

Mr. MIZELL. Mr. Speaker, tomorrow protesters across this Nation will take part in Vietnam Moratorium Day and express their demands for the unilateral withdrawal of American troops from the Vietnam war zone. I am convinced that these demonstrators can do nothing but hurt the chances for an honorable settlement of that conflict.

Those in support of the moratorium are hindering the efforts being made by President Nixon in his program to de-Americanize the war. These protesters are willing to jeopardize the chance for peace, just when President Nixon is continuing the negotiations in Paris, just as we are anticipating the return of more than 60,000 of our fighting men home for Christmas, and at a time when the fighting has reached its lowest level in more than 2 years. Those who are endorsing this movement seem to be completely ignorant of these facts.

Instead of assisting the administration in its efforts to achieve peace, this irresponsible action leads the enemy to think that the majority of the American people do not want Communist aggression stopped. It leads them to believe that we are a severely divided nation, and that the majority of the American people want us to set a date for the total withdrawal of our troops.

The North Vietnamese Communists are in strong support of moratorium day. Just last week, according to a United Press International story, the deputy negotiator for Hanoi at the Paris peace table and the Foreign Minister for the Vietcong called on American citizens to increase their resistance to force President Nixon to accept the Communist peace proposals in Paris. This endorsement by the North Vietnamese was further confirmed today by the letter referred to by the gentleman from Maryland. These North Vietnamese have attempted to bypass our negotiators at the peace table by calling on the American people to apply pressure to the President. The Communist leaders warmly applauded the so-called dissent in Washington. I can well understand why they would be in support of the Moratorium Day activities. If these demands are accepted, why should the Communists negotiate when all they have to do is hold on and fight until a specific date; and then, all would be in their control. Willingly or unwillingly, those who endorse the moratorium are playing into the hands of the Communist propagandists.

Let me remind the Members that this war is not a partisan issue. It is far too serious for that. I cannot understand how any American could believe that this course of action is in the best interest of our Nation, our fighting men, and those who have paid the ultimate price for peace while fighting under the American flag. I can only say that the people who take part in this moratorium must be prepared to shoulder the responsibility for the consequences which may result. These consequences might be severe. Encouraging the enemy to continue to fight rather than engage in meaningful negotiations would be a tremendous price to pay for a few headlines.

Mr. HECHLER of West Virginia. Mr. Speaker, the debate this evening on Vietnam has been a credit to the House of Representatives and those who participated in it. For my own part, I have reserved only 15 minutes and at this stage in the debate many excellent points have already been covered. The first two speakers, the gentleman from Indiana (Mr. JACOBS) and the gentleman from New York (Mr. ROSENTHAL) set the high tone of the debate and I congratulate those whose excellent questions and comments made this a true debate rather than just a series of monologs.

I am also proud of those young Americans on the campuses of our Nation who have organized the moratorium which is taking place throughout the country on October 15. This moratorium will be expressed in many different ways. In the same spirit in which President Kennedy stated "we must make the world safe for diversity," there is a genuine diversity in the manner in which the moratorium is being observed.

Last evening I visited the beautiful city of Keyser, W. Va., the site of a fine college, Potomac State College. A group of about 15 or 20 war veterans met me and invited me to dinner. At dinner they told me of their plans for the October 15 moratorium on the campus of Potomac State College and in the community of Keyser.

It is very significant that the moratorium movement is being led primarily by veterans who have served in combat in Vietnam. The chairman of the moratorium is Robert Hagan of my hometown of Huntington, W. Va., who is enrolled at Potomac State College. Young Hagan spent 13 months in combat with the famed Big Red One Infantry Division in and around the Diah, Vietnam, area. He is earnestly articulate about his determination to find a quick and peaceful solution to the deepening morass of Vietnam. Among other Vietnam veterans who are leading the moratorium at Potomac State College are David Boothe of Fenwick, Nicholas County, W. Va., who spent 17 months in combat in Vietnam with the 1st Aviation Brigade, flying O–1 "Bird Dog" light observation planes. Then there is Jim Roberts of Elkins, W. Va., who spent 8½ months in Chua Lai, Vietnam, with the Americal Division. Among other moratorium leaders at Potomac State are Jack Thomas of Penns Grobe, N.J., who spent 18 months at Nha Trang, Vietnam. Tom McCullough of New Cumberland, W. Va., Marvin Simpson of Keyser, W. Va., Jim Breithner of Ridgeley, W. Va., and Victor and Mike Joseph of Elkins, W. Va. also have served in the Armed Forces and are now leading in the campaign to end the war in Vietnam.

These veterans are a dramatic answer to those who contend that this moratorium movement is led by radicals, by draft card burners, by students who are just trying to avoid military service or combat, or by those whose aim is to foment violence and disruption.

I deplore and abhor the kind of violence which has been spawned by extreme elements, such as those who sparked the serious breaches of the peace in Chicago in the past few days. I sincerely believe that the success of the moratorium rests in the fact that this is a peaceful, responsible and meaningful expression of determination that the war must end. The movement is responsibly led, and by its peaceful and nonviolent aims and manner of development, the moratorium is focusing public attention on the greatest violence of all—the war itself.

When future historians look back on October 15, 1969, I believe they will recognize the significance and value of this nationwide movement. I respect the sincerity of the President of the United States in his devotion to peace and his professed desire to do the best he can with the situation. One cannot expect either the President or those who demand unquestioning support of his policies to acknowledge that the moratorium or this debate tonight will have any clear and perceptible effect. Yet I am confident we will see some changes. We do not ask that these changes be clearly labeled and acknowledged as retreats, advances or 180-degree turns. But in a democracy, public opinion is a powerful force. The public is frustrated with the false promises made through the years concerning Vietnam, the public is tired of those who would merely "save face" or protect an imaginary image. They are determined that the great sacrifices we have made for illusory goals are not continued and compounded without reason in the very indefinite future.

In the State of West Virginia, there have been 472 men killed by enemy combat action through July 30, 1969. In addition, there have been 77 West Virginians who have died in Vietnam as a result of nonbattle causes. West Virginia stands highest among the States of the Union in battle deaths in Vietnam in proportion to population. West Virginia has lost one serviceman per 4,000 people as contrasted with the national average of one service casualty per 5,500 people. Our Mountain State now has 6,950 soldiers, sailors, marines, and airmen on duty in Vietnam, which is also higher in proportion to population than any other State. These grim figures point up once again that West Virginians are first in war and patriotism and stand second to no one when it comes to courage and bravery under fire.

And so we in West Virginia join in this effort to end the senseless and mindless carnage. We are confident that a withdrawal of our combat forces from Vietnam, coupled with measures to protect American prisoners of war held in North Vietnam, will constitute positive moves toward peace and stability throughout the world.

Mr. MIKVA. Mr. Speaker, the United States should decide now to begin the total withdrawal of its military forces from South Vietnam. And it should decide this not because it is or is not in North Vietnam's interests; not because it is or is not in General Thieu's interests; but because it is in the U.S. interests. We set out to defend South Vietnam until it could defend itself; that Government now has over a million men under arms—four times the number of North Vietnamese and Vietcong combined. We did not agree to keep the South Vietnamese generals in power until kingdom come. We must now develop our own timetable for withdrawal—for there are American men involved, and American lives at stake, and America's future in the balance.

We can neither accept General Thieu's views on a withdrawal timetable, nor should we make our disengagement contingent on the intransigence of the North Vietnamese in Paris. The Vietnam war has brought this Nation—these United States—to the point where our own national survival as a unified people is threatened. The decision to withdraw from South Vietnam is totally the responsibility of this country because what we are talking about is the survival of this country. The United States cannot save any other country until it saves itself—no matter how many lives or how much money we divert to the task. But we can save ourselves. Nothing less than saving ourselves is at stake in the issue of American withdrawal from Vietnam.

We are running out of time in Vietnam. The light at the end of the tunnel has gone out. The corner around which victory was supposed to appear has turned into an abyss. The secret solutions and the 60-day solutions have all turned out to be no solutions at all. The only way to get out is to get out.

I believe that we must resolve to withdraw from Vietnam totally, and that we must make that resolve clear now. We must begin that total withdrawal immediately. This is not the same as "immediate withdrawal" a phrase which has been used by Vietnam hawks to convey the idea of hasty, unplanned and irresponsible termination of U.S. participation. And it is not the same as "unilateral withdrawal," which makes it sound as if we have to deliver a surrender, signed and sealed, to Hanoi before we can get out. I set no deadlines; I offer no monthly quotas. What we are talking about here is not "bugging out," to use the President's rather inelegant phrase. We are talking about being honest with ourselves about our intentions in Vietnam.

Our withdrawal timetable must, of course, take into account the logistical and practical difficulties of moving hundreds of thousands of men and millions of tons of equipment many thousands of miles. It also should include consideration of the effect of our withdrawal on the fate of American servicemen now held in North Vietnam. Once we have truly determined, as a first principle of our national policy, that withdrawal of U.S. forces is in our national interest, this determination should be used to exact from the North Vietnamese as a precondition of that total and complete withdrawal the unconditional release of all U.S. servicemen now held in North Vietnam. It is inconceivable to me that once we have convinced ourselves that withdrawal is in our national interest, we cannot convince Hanoi that releasing our men is in their national interest. In any case, the withdrawal operation, requiring as it will phasing over a considerable period of time, will provide opportunities to apply additional pressure as the weeks go by. The important point is that having made the decision to withdraw totally, we would be able to devote more strenuous and more convincing efforts to obtaining the release of our men now held prisoner.

Thus our timetable for withdrawal should be a timetable which reflects our national interests. It should be a timetable which will give us the best balance of benefits from withdrawal. That balance should, as I have said, include consideration of how best and most quickly to reduce American deaths—of which there have already been 40,000 too many. It should include consideration of how best to insure the immediate release and return of American prisoners in the North. And because of the role which we as a Nation have played in bringing war to South Vietnam, we must consider in planning our withdrawal how best we may play a role in bringing peace to Vietnam.

To anyone who has lived through the last 2 years in America, it should not be necessary to describe the reasons for urgency in withdrawing our troops from South Vietnam. The effects of this tragic war—surely the most egregious diplomatic and military misjudgment America has made in the last century—have rent the very fabric of our Nation for almost 5 years. In Vietnam, there have been the deaths of American men, and the lives twisted or destroyed in senseless violence—lives of both Americans and Vietnamese. But this carnage, this destruction of human life occurs in every war. What has made Vietnam so unique in the American experience? What has made it different from Korea, or World War II, or the others? There are, of course, many reasons. Let me choose but a few, and discuss them under the headings of division, diversion, and disillusion.

The most obvious result of the Vietnam war has been the deep divisions which it has fostered in American society. The war has divided fathers from sons, separated husbands from families, and tragically, isolated a government from its people. It has exacerbated existing divisions between black and white, between rich and poor, between young and old. It has driven from office a President who was elected only 4 years earlier with the most overwhelming mandate in modern political history. It has resulted in accusations of defeatism, intimations of disloyalty, criminal prosecutions for dissent. It has—in short—turned the American body politic into a seething, divided, discouraged mass of discontented citizens. It has brought us to the point where some wonder whether—if the war is not ended—popular government in America can continue to function coherently and effectively.

If the war in Vietnam has divided us, it has also diverted us. It has required close to $30 billion a year since 1966; it has caused us to divert to military pursuits an additional 800,000 men; it has turned our attention from the urgent social and economic problems which we face here at home. Not only has the war taken the dollars which we should have devoted to poverty, hunger, and education in America. It has also contributed directly to domestic problems, like dissatisfaction with the draft—which has now become a draft revolt; like the gross distortion of our defense budget—which has now made us not only the greatest military spender on earth, but maintainer of the largest standing Armed Forces in the world; and like inflation—whose plundering of salaried and middle-income families can be traced directly to the billions which our Government has overspent for Vietnam.

Education programs are being cut; health programs are being cut; conservation and antipollution programs are being cut. And why? So that we can find the resources to continue fighting a war which involves no vital interest of the United States; so that we can say that we have brought the war to an honorable conclusion. If we continue on this ill-conceived course, we may find that we have preserved our honor, but that our troops do not have much to come home to.

Finally, and perhaps most important in terms of its effect on America's youth and on her future, our continued participation in the war in Vietnam has brought with it disillusion. Many of my colleagues in the House have asked me what is the difference in this student generation; why are they so militant about the war when their predecessors were so docile. I think I know a little of what is bothering the students today. They are, as Prof. George Wald said, a generation in search of a future, a generation which is not even sure it has a future. This generation of young people did not live through the depression and see our Nation raise itself up by its bootstraps from economic chaos and disaster. They did not see America rescue Europe from the clutches of a ruthless and incomparably evil dictator, or save East Asia from the grip of a cruel, militarist regime in Japan. To this generation of young people America means smugness, material affluence, billions for defense and pennies to feed the hungry, the first peacetime draft in our history, the atomic bomb, a country at peace but with the largest Army in the world, the ABM; I could go on and on. To these young people America means defense, or war, or the fear of war; it means protecting ourselves against threats which are vaguely defined and vaguely substantiated. To these young Americans our Nation means something different than it meant to us before.

Senator Robert Kennedy, who had a special ability to communicate with the young, summed up what it is that has so disillusioned America's young people:

> Even as the declared foreign policy of our government is to "build bridges" to this new Communist world, they see us, in the name of anti-Communism, devastating the land of those we call our friends. However the war may seem to us, they see it as one in which the largest and most powerful nation on earth is killing children (they do not care if accidentally) in a remote and insignificant land. We speak of past commitments, of the burden of past mistakes; and they ask why they should now atone for mistakes made before many of them were born, before almost any could vote. They see us spending billions on armaments while poverty and ignorance continue at home; they see us willing to fight a war for freedom in Vietnam, but unwilling to fight with one-hundredth the money or force or effort to secure freedom in Mississippi or Alabama or the ghettos of the North. And they see, perhaps most disturbing of all, that they are remote from the decisions of policy; that they themselves do not, by the nature of our political system share in the power of choice on great questions that shape their lives.

This disillusion, this disbelief in the America which captured so many men's imaginations and held so many men's hopes before the cold war—this is what really bothers me most about the continuation of the war in Vietnam. Every day that we continue fighting half-a-world away, every day that more Americans die in a cause which none can defend and few can even explain, every day we make it just a little bit harder to vindicate the America that used to be. President Nixon recently called upon Americans to return to the spirit of 1776. How hollow that call must sound from an administration which continues to fight the war in Vietnam in the face of overwhelming public condemnation of that war. What meaning can democracy and self-government have when those who govern say "under no circumstances whatever will I be affected" by the will of the governed? Who was that President who only a few months ago in his inaugural address said to us:

> For its part, government will listen. We will strive to listen in new ways.

Can this be the same President who last week said:

> Under no circumstances whatever will I be affected.

This, indeed, is something different than America meant before.

Having described what I believe the policy of this country must be on troop withdrawals from Vietnam, and having examined the reasons that this policy is so urgent, I must turn now—rather sadly—to the position of the Nixon administration. Let me make clear at the outset that I do this not in a spirit of partisanship. The question of how the United States will liquidate its commitments in South Vietnam is too fundamental, too important a matter to be used as a means to gain partisan political advantage. I believe Democrats who attempt this do a disservice both to their party, and to the cause of peace. It ill-becomes Democrats, whose President began and so accelerated the war, to seek political advantage from a Republican President's failure to end it.

But criticism there must be if criticism is warranted; dissent there must be if dissent is needed. Entreaties to silence so that the President's secret plan can work must not be heeded. We have heard these entreaties too recently before. This is not how democracy functions, even if some leaders of my own party suggest that this is so.

What has President Nixon told us, then, about his plan for withdrawal, his plan for peace? The President has told us that the pace of American withdrawal will depend on three factors: progress at the Paris peace talks, developments on the battlefield, and the ability of the Vietnamese Armed Forces to shoulder a larger share of the burden of the war. At first glance, these may seem reasonable enough. But on reflection it becomes clear that each of these factors depends on another party. The ability of the South Vietnamese to take over the war depends, obviously enough, on the South Vietnamese. Anyone who believes that the South Vietnamese generals want to take over the fighting does not know very much about human nature or about South Vietnamese generals. About all General Thieu has said he wants to take over from the United States are atomic weapons.

The second factor in the President's formula, battlefield developments, depends almost entirely on the Vietcong and the North Vietnamese. What the President means here, I take it, is that if the enemy will give us on the battlefield what we cannot get at the negotiating table—cessation of hostilities—then we will consider that as a factor in our withdrawal. I submit that this is as unrealistic as the President's first condition.

Finally, the third factor—whether progress is made at the Paris peace talks, depends not alone on the South Vietnamese generals, or the North Vietnamese, or the Vietcong—it depends on all three. Thus if we are waiting for progress at Paris as the sign to step up withdrawal of our forces, we will wait for a long time. Once again we have abandoned the initiative to the opposition and to our allies—and I am not sure which is worse. Candidate Nixon jeered because the United States had been humiliated in the *Pueblo* incident by what he called "a fifth-rate power." President Nixon, however, would base American withdrawals from South Vietnam on the will of two fifth-rate powers—and one party which is not a power at all, at least according to the South Vietnamese Government.

If there is one point which I hope came clear in the first part of this presentation, it was that America must regain the initiative on the solving the Vietnam problem. The vacuum of leadership which makes progress in achieving peace dependent on what others do, rather than on the national interests of the United States, is a poor excuse for a policy. If this is the President's secret plan for peace, we now all know why he has kept it secret for so long. Withdrawal of American forces from South Vietnam must depend on our national interest: on reducing American casualties, insuring the safety of troops during withdrawal, on obtaining release of American prisoners in North Vietnam.

Many will ask, "what more can the President do? We have stopped the bombing of the North, we have withdrawn 25,000 troops and announced the withdrawal of 35,000 more. Is not the burden of going forward on the enemy?" I believe that an answer to this question can only be given in the context of President Nixon's mandate from the American electorate and the context of America's massive commitment to that tiny land so far from our shores and so remote from our interest. President Johnson was driven from office by the war in Vietnam. Hubert Humphrey was denied the Presidency largely because he would not disavow Lyndon Johnson's Vietnam policy. Richard Nixon was elected to end the war in Vietnam. He was elected because of an overwhelming revulsion with the war and an overwhelming desire to be quit of it.

It is in light of President Nixon's overwhelming mandate to end the war, and the overwhelming commitment of American men and materiel to South Vietnam, that the President's moves thus far must be evaluated. And in this light, they are insufficient. All we have heard from the administration is Secretary Rogers saying that continued protest and dissent will harm progress at the talks. We might ask "what progress?" We have heard Secretary Laird lecturing the American people on how they ought to be satisfied with the great progress we are making in Vietnamizing the war—and not even convincing his own son. And we have heard the President of the United States say that:

> Under no circumstances, will I be affected by protests against the pace of our withdrawals.

This is not a policy. This is buying time; and buying time, to use a current phrase, just will not make it.

The objective is not Vietnamizing the war; it is American disengagement. Our interest seems to be an exclusive concern as to whether Generals Thieu and Ky can continue to fight after we leave. There is no indication to me that this will guarantee our stated objective in Vietnam—self-determination for the South Vietnamese people—any more than a coalition government, or some other political accommodation. In fact, the generals have reportedly told us that even if we stay, and a coalition government is negotiated in Paris, they will overthrow it in 24 hours. Whose interest are we defending anyway?

The President's alternatives are legion, really too numerous to discuss in detail here. He could offer immediately a standstill cease-fire, which at least would put a stop to Americans killing and being killed in Vietnam. He could stop the B-52 raids over South Vietnam, as we thought he had done a few weeks ago. But this time he should stop them for longer than 36 hours. He could begin to cut down the 40,000-odd men per month which we are still sending to South Vietnam as replacements for men whose tours are over. By a ghastly quirk of history, 40,000 is the same number of men whose lives have been lost in this war. We could replace at a ratio of only 1 for 2, or 3 for 4; or we could stop sending replacements to Vietnam altogether. Simply doing this—simply stopping the flow of Americans into Vietnam—would end our participation there in less than 14 months. The point is not that any one of a combination of these is the solution; the point is that to a President who really wants to end our participation in the war, the possibilities are limitless.

And of course the most disquieting thought, the nagging doubt on which the President will not reassure us, is that we have really not yet abandoned that fleeting, ephemeral vision of military victory. The sad possibility is that the President may not have gotten the message yet, that he may still be pursuing military glory—what Abraham Lincoln called "that attractive rainbow that rises in showers of blood, that serpent's eye that charms to destroy."

I have said what I believe our policy on withdrawal must be—total withdrawal begun immediately and completed as quickly as it practically can be. I cosponsored a resolution to this effect in the House last week. It provided for withdrawal of American forces now, subject only to the safety of those who temporarily remain and an offer of sanctuary to South Vietnamese who desire it. Because I believe that this is not a partisan issue, I also cosponsored a resolution which commended President Nixon on his troop withdrawals to date, and expressed the sense of Congress that they were in the national interest. And finally, because I believe that the kind of concerned citizen expression represented by the Vietnam moratorium is absolutely essential, I wrote to the sponsors of the moratorium endorsing their efforts to show that protest in America may still be passionate but peaceful, vital but nonviolent, and uncompromising but not unlawful. I hope that those who have organized this peaceful expression are successful in ending American military involvement in South Vietnam, before that involvement ends in even greater disaster for America.

President Nixon recognized in his inaugural address that "the greatest honor history can bestow is the title of peacemaker." With that wise observation in mind, let our Government heed the warning of the prophet Jeremiah against healing the hurt of America only slightly, and saying "Peace, peace; when there is no peace." We should remember rather the advice of the Apostle Paul:

> Let us therefore follow after the things which make for peace, and the things whereby we can uplift one another.

Mr. CONYERS. Mr. Speaker, the people will be heard. The people of the United States, it seems, will have to be the generating force which will lead our Government out of that immoral morass which is Vietnam. Peace, Mr. Speaker, is not the exclusive domain of Presidents and diplomats—nor can it be—for they have failed—and they are failing—to bring an end to this horrible war. A massive and nationwide movement for peace, Moratorium Day, is an attempt to change our Government's perverse policy of war. It seems once again that mass citizen criticism is the only way. We had some effect before—and many people at that time said that our efforts would not work—that it was impossible to successfully impel an incumbent President—with his incumbent policies—not to run for reelection. But this time we must do better. We must truly bring an end to our tragic war in Vietnam. Peace is our purpose. And we are resolved.

This morning I saw what, in my judgment, is a most concise and eloquent statement concerning the reasons for a Vietnam Moratorium Day. It is a statement in the Detroit Free Press by the Alliance for Labor Action—which includes the United Auto Workers International Union, the International Brotherhood of Teamsters, and the International Chemical Workers Union. These organizations and their members join us today in our stand for peace and an end to the war in Vietnam, and in our support of "the peaceful, lawful, nonviolent community activities of the October 15 Vietnam moratorium."

Their statement reads in part, and I quote:

> We take our stand with the millions of our fellow-Americans who share the view that the support of efforts to disengage America from Vietnam is an act of the highest patriotism and a distinct service to our country.

I commend to my colleagues the declaration made by these organizations and will insert the entirety into my remarks.

On this Vietnam Moratorium Day we must say to Lyndon Johnson as he sits at his ranch tonight trying to figure out where he went wrong: "You listened too late." And now President Nixon has told us, and I quote:

> As far as this kind of activity is concerned . . . under no circumstances will I be affected by it.

But I wonder tonight as he sits surrounded and sheltered by ex-advertising men and personal editors of the news, whether President Nixon is listening.

The feeling of the country is clear. A Gallup poll reported October 12 that 57 percent of the Nation says they would like to see passed by Congress the resolution introduced by our colleague in the other body, Senator GOODELL, which would bring all U.S. troops home from Vietnam by the end of 1970. And even as far back as 1966, in Dearborn, Mich.—a city I know well as being traditionally conservative—the people were confronted on their ballots with a question which read:

> Are you in favor of an immediate cease-fire and withdrawal of U.S. troops from Vietnam so the Vietnamese people can settle their own problems?

Even then—in that conservative city—41 percent voted for withdrawal. I maintain that the people of this country want out.

Mr. Speaker, just as they said before that it could not be done, they are saying now that it should not be done. I stand here tonight incredulous that, fully 9 months after President Nixon took office on the pledge of bringing peace to Vietnam, and with only the most meager measures having been taken to end this illegal and immoral war, we who speak out and criticize the war policy are being used as the scapegoats for the failure to bring this promised peace. On this, our era's most grave and tragic issue, we cannot—and must not—remain silent. Yes, we have been told that Mr. Nixon has a plan, but that we must be patient—we must give him time. We have been told that we are undermining his efforts for peace when we, here tonight, speak of peace. Time, time, time—we have all heard that too often before. But we are still looking for the deeds to match the promises. I have searched for a meaningful pattern of change in the Government's policy. Yes, some of the names have been changed—Vietnamization, protective reaction, honorable settlement—but it is the same shameful game and its name is war—and it has not stopped. The killing and maiming go on. Nearly 10,000 of our men have died in Vietnam since President Nixon took office. The Saigon government is as corrupt, repressive and dictatorial as ever before.

The policy of Vietnamizing the ground troop fighting is not a strategy for peace with a viable political settlement. Our Government knows that. So does President Thieu. He has said:

> The replacement of (American) troops is not a one-year problem, it is a problem that will take years and years.

It is a tactic that signals an indefinite continuation of our involvement in that unfortunate country, with as many as 300,000 of our support forces aiding this so-called disengagement. It is similarly, in this country, to draw a parallel, that phrases such as the newly coined "Order and justice under law" signal an indefinite continuation of police abuse and brutality and mistreatment of not only blacks but students and others who dare raise their voices in protest.

Who are we supporting in Vietnam? Last Sunday, Secretary of State Rogers, in clear contradiction to other recent statements, repeated the old Dean Rusk litany that we have a commitment to the present Government of South Vietnam, a government totally bereft of the support of the people for whom it purports to speak; a government repressive in its policy and its power. One of the many arguments that have been used to rationalize the mistake of this country's involvement was the securing of self-determination for the people of Vietnam. This, indeed, was the ironic justification used to halt the elections called for by the Geneva Agreements of 1954. To therefore support a regime that does everything in its power to suppress the true sentiments of the people is criminal.

I have been in Vietnam. It was less than 6 months ago that, as a member of the U.S. Study Team on Religious and Political Freedom in Vietnam, I spoke with Thich Thien Minh, one of the most influential Buddhist monks in South Vietnam. He said:

> My only offense is that I believe in Peace.

He has been held in military custody since February 23, sentenced to 3 years at hard labor.

We talked with Truong Dinh Dzu in his cell in Chi Hoa prison—the man who ran for President under the sign of the white dove of peace to win more votes than any candidate but President Thieu himself. Dzu was imprisoned on May 1, 1968, on charges brought by the government, and I quote, "of urging the formation of a coalition government as a step toward peace." Coupled with this is President Thieu's statement that:

> My government can die because of these pacifists, but before we die, they will have to die first.

Now, our own Government is supposedly advocating a coalition government and free elections as a possible way out of Vietnam. Yet, our Government by its studied passivity has sanctioned these outrageous acts, the equivalent to putting Senator EUGENE MCCARTHY in prison.

Moreover, these are not isolated incidents. We found that persons are often held in detention centers and interrogated for periods up to 2 years. There is no "due process" as we know it in the arrest, detention, interrogation, and sentencing of suspects. The favorite method of suppression used by the Thieu-Ky government is the extra-constitutional military field tribunal, a method responsible for the imprisonment and sentencing of thousands of Vietnamese, most often without the least regard for the elements of a fair hearing. Furthermore, accounts we heard by ex-prisoners verified that ingenious and brutal torture is the general procedure in detention and interrogation centers.

In Thu Duc Prison we saw 50 women, some with babies, living in a crude building 40 by 30 feet in size. We heard a fellow prisoner describe the ordeal of a woman law student, for months tortured and beaten so incessantly at an "interrogation" center that two fellow prisoners had to carry her before the military tribunal when her case came up at last. She had been arrested as a spy but it was later found to be only a case of mistaken identity.

In recent months 30 newspapers have been forced to close down for in some small way criticizing the Thieu regime. In sum, more than 30,000 South Vietnamese have been jailed as posing a threat to that military regime. The Nixon administration apparently has not recognized the relationship between the full and active political participation and protection of civil rights for all Vietnamese and the ability of that country to fashion its own stable, representative government. There has never been any disavowal issued from the White House concerning President Thieu's proclamation of last June in which he said:

> I solemnly declare that there will be no coalition government, no peace cabinet, no transitional government, not even reconciliatory government.

Mr. Speaker, continued support for the present government of Mr. Thieu and General Ky will never bring peace to Vietnam.

It is therefore intolerable for this war—and our fighting—to continue any longer. We have already determined that we are not seeking a military solution. The very least President Nixon should do is order an immediate, unilateral, stand-still cease-fire. It is absolutely indefensible not to stop the killing while we supposedly speak of peace in Paris. But the White House now tells us that we are taking such steps—that our troops are now following a tactic termed "protective reaction"—a major step in disengagement, we are told. However—in Saigon—Gen. Earle G. Wheeler insists that there has been no major change in battlefield tactics. General Wheeler said only a few days ago that the American commander in Vietnam "is following the policies he was following when I was there in July." And you will remember that it was in July that Defense Secretary Laird told us the policy was "maximum pressure." I suppose now President Nixon will beseech us to disbelieve his military men, such as General Wheeler. That was hardly what he urged us to do when we were discussing the antiballistic missile 2 weeks ago. We were implored to believe them then, just as we are now being implored to believe that President Nixon has definite and workable plans for peace.

The war in Vietnam, lamentably, has been the longest in which we have ever been involved, excepting our own Revolutionary War. It has gone on so long, and so many have said so much concerning our involvement, that it will be difficult now for some to explore those larger historical and ethical questions which are so crucial as we seek a true perspective from which to end that war.

We, in this body, must reassert our responsibility to our constituents and the Constitution; a responsibility we abdicated too long ago. We, in this body, concurred with the Senate in passing the joint Tonkin Bay resolution on August 10, 1964—a resolution which we have allowed to be interpreted as an authorization or approval of an unlimited expansion of our involvement in Vietnam. Very probably that was not the intention of many who supported it. But we allowed it to happen. Mr. Speaker, I inserted into the CONGRESSIONAL RECORD of January 2, 1968, a resolution issued by the National Lawyers Guild which carefully and thoroughly examined the legal questions regarding the Tonkin Bay resolution. It shows clearly, in my judgment, that the Tonkin Bay resolution did not extend to the President of the United States the authority to wage a military action in Vietnam. But in that it was this resolution that was used fully 6 months after its passage, to justify the escalation of our armed involvement in Vietnam by the President of the United States, I moved to reassert our constitutional function by introducing January 3 of this year House Concurrent Resolution 44 which would terminate forthwith that supposed justification.

For there is no "justification" for our involvement there. Nor have we ever had an obliging commitment to the Government of South Vietnam. In a 1966 report, the Committee on Planning and Research of the House Republican Conference stated that the decision to use American troops in combat, and I quote: "was not forced upon the President by the SEATO Treaty or by any other obligation entered into by an earlier administration"—conference committee, supra, "The United States and the War in Vietnam," in CONGRESSIONAL RECORD, volume 112, part 17, page 23308. Furthermore, it became clear long ago that because it was written to be subordinate to the United Nations Charter we are acting in Vietnam in violation of the SEATO Treaty; that treaty and others as an obligation to fight and kill in Vietnam. Yet, we continue the conflagration on the self-deception of a commitment to a Government in South Vietnam which blatantly serves only itself.

Mr. Speaker, as regards that Government we have no further commitment; we must honor no further pledge than that which we have already given—more than 40,000 lives, approximately 250,000 casualties, and over $150 billion in the last 15 years—for an absolutely discredited cause. We have exploded every myth, punctured every rationalization.

Mr. Speaker, we have a larger commitment. It is long past time that we honor a pledge to ourselves, a commitment of freedom for all our countrymen. It is long past time that our Government pledge itself to an unswerving commitment—both here at home and abroad—to the fulfillment and confirmation of the principles upon which this country was founded—those principles of which so many of us still can only dream.

Because of this war, everything that is needed to bring a higher quality of life to America is being cut or eliminated. There can be no more assurances that we can afford guns and butter. Because of this war, perpetrated on the American people, this country is wracked by turmoil which may leave no values sacred. Because of this war, the hypocrisy of our Government, both past and present, has become so self-evident that the resentment may soon harden into open and constant defiance of its authority.

One must only compare in dollars the national effort to bring what is claimed is "freedom" to 13 million people in South Vietnam with the magnitude of our effort for 30 million Americans who are living in poverty here at home.

One must only compare the billions of dollars spent each month in Vietnam with the pitiful amounts used to ameliorate the plight of black Americans in the ghettos found in every sizable city from coast to coast.

One must only compare the spurious legalistic arguments now being used by Federal Government for the necessity of decelerating desegregation in the South and to explain past failures to protect civil rights workers—with the crass violations in Vietnam of our international agreements. And this says nothing of one of the most important provisions of our Constitution which gave to Congress, and to Congress alone, the power to declare war.

Until our priorities are put right, this Nation is set on a perilous course. And it is first to getting out of Vietnam that we must turn.

We all have heard the President reiterate time and again his desire for peace.

But of what type of peace is Mr. Nixon speaking? An "honorable settlement"—that euphemistic phrase which allows an unlimited variety of interpretation—but what we know to mean as a ploy to please everyone—those who want our involvement to end—and those who do not wish to admit that we have made a mistake. We must speak plainly. Any way of getting out of Vietnam is more honorable than to continue. We must stop trying to save face; the face of this, our Nation, now scarred almost beyond recognition. Is our confidence in ourselves so imperiled that we resort to even the most transparent of deceptions? It is in my view a sinister and brutal deception which protracts the killing and prevents true peace. The people of this country should be told the truth—our war in Vietnam has been wrong. I believe the people can accept it.

But it does not help that the present administration inches toward peace with such a negative approach—I must say, an almost reluctant attitude. Straight truth is not flagellation but freedom—a liberation for America from the shackling mistakes of the past. We are not being defeated in Vietnam. No one doubts our potential power. We could, of course, have dropped an atom bomb—and once again killed millions for our pride and a "victory" of sorts.

Although it is somewhat too late for the more than 40,000 Americans and countless Vietnamese who have been killed in Vietnam, we will be recognized as finally showing wisdom and restraint in the use of that power. To some it will be callous to say—but sending good lives to die for a now repudiated cause will not save those who have gone before.

Mr. Speaker, in our reluctance to face the truth, this Nation has not moved positively enough toward peace. There are steps that must be taken if we truly desire that peace which we so loudly espouse. We must withdraw as soon as logistically possible all of our troops from Vietnam. This is not only a moral act, Mr. Speaker. If we wait to commence a meaningful level of withdrawal of troops from Vietnam until, in Paris, our writing of the peace is insured, there will be little, if any, chance of ever bringing a negotiated and lasting peace. Why is this so? Are we really so naive and ethnocentric to believe that the North Vietnamese and the National Liberation Front will trust us? With hundreds of thousands of foreign troops secure in their land and on their border, can we honestly expect them to hurriedly agree on a political settlement. Even if we did not learn a lesson from the Geneva Agreement of 1954, they have. We cannot gain anything for ourselves in the current negotiations. We do not belong in Vietnam. We cannot sincerely negotiate for future military bases or presently secured troop positions. We are negotiating, it would seem, only from a distorted pride. What we are protecting at the Paris talks is not some vital national interest but the fear that any peace we achieve will be called defeat. The fact that we are now in Vietnam gives us no moral right or obligation to in any way impose its future fate. We have disavowed that purpose. By supporting the Thieu-Ky regime, even in the so-called Vietnamization of the fighting, we are hindering and prolonging the founding of a stable peace.

Peace in Vietnam will come only from a settling to equilibrium of all the various political forces which make up the Vietnamese population. Thieu and Ky will certainly never allow this to happen. Nothing will be gained in Vietnam until we leave it.

There is no way to give dignity to the liquidation of our ignoble involvement there. But it will be a triumph of principles over pride, and intelligence over delusion. Our withdrawal from Vietnam will give hope to the world that we are again on the right course. And for us, it should signal new intentions—both at home—and abroad.

For, truly, we will have accomplished little if we get out of Vietnam and leave unreformed the institutions and kind of thinking which involved us there in the first place and which continue to set our military posture and foreign policy throughout the world. I agree with those who say that Vietnam is not an accident—not a "mistake." It is a very logical extension of our own present economic, social, and political institutions. If, after Vietnam, we are not successful in cutting military spending to a truly defensible level, then we will have failed. If we do not successfully challenge and reorder our current national priorities, we will not soon see real peace and tranquillity in this, our own torn land.

The signs are all around us. Moratorium Day is an important indication—but only one. The urban crisis and the race problem are still smoldering—and they have yet to command the attention of President Nixon and his administration. Black America is losing confidence in the Federal Government. And in every white, middle-class community across the Nation the people are fed up with inflation and exorbitant, wasted tax assessments. In a Harris poll, published in September by Life magazine, 78 percent of the American public believes the reason for inflation is the cost of the war in Vietnam.

The Kerner report, which was ignored by President Johnson and disbelieved by then candidate Nixon, told of the true state of the Nation—and conditions have worsened. Almost 30 million Americans, including 15 million children, are living below the poverty line. Another 16 million live in families with only slightly higher incomes. Malnutrition has actually increased over the past decade—in this the most agriculturally productive

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nation in the world. The Nixon administration studies and restudies the problem of hunger while millions continue to starve. The stockpile of hard-core unemployed mounts in a nation whose gross national product continues to rise. Fully 6.5 million work full time for wages which fall below the poverty line. Nearly 6 million families live in substandard housing units. The quality—if that is a word that can be applied here—of inner city schools deteriorates even more as Federal funds prove more difficult to obtain.

The Kerner Commission has recommended creation of 2 million new jobs over the next 3 years; 6 million new and refurbished decent housing units over the next 5 years; expanded aid to disadvantaged school districts, and improved welfare assistance.

How are these needs going to be met? Last January 14, I and more than 40 of my colleagues here in this body, introduced the Full Opportunity Act—a massive and comprehensive plan calling for $30 billion to be spent annually for the next 10 years in an all-out attack on poverty and discrimination. This legislation has provisions for full employment, minimum wage, family allowances, compensatory education, post secondary education, adequate housing, and antidiscrimination.

How is the money to be raised? I believe it can be raised—and without adding to the inflationary spiral. I believe that the money must come from savings accruing from a drastically reduced military budget. It is a budget calling for expenditures that not only prevents the attempted solutions of our crying social needs but by its very nature continues to warp the very fabric of life in America. As the poor and oppressed wait with outstretched hands and broken hearts for us to help, we continue to throw good money after bad in that dangerous and unconscionable waste known as the arms race. I have voted against every military appropriation authorized for Vietnam since I was elected to Congress. But I will now from this year on vote against every authorization for military appropriations until some sanity and humanness is shown by those who now wield the power.

We who are here to criticize this present course—this insane military spending in support of an old, worn out, and dangerous policy and for that, we will continue to be assailed by the so-called defenders of the faith, just as we were assailed 2 weeks ago when the authorization for military procurement bill was on the floor. Many charges against us will be asserted. Frightening spectres were raised. Certainly it will be alleged again that we are indifferent to Chinese and Soviet intentions. Yes, the thermonuclear threat will be used by some in an attempt to reduce us to silent passivity. Yet, it is those among these same elements who devise or support the irrational escalations of the arms race which keep that threat alive.

When will those who constitute the military-industrial complex learn that the strength and true security of our Nation does not depend on its weapons or a pugnacious policy of defense as much as it does on our dedication to the value of human life and the dignity of man.

I, for one, am more confident than ever that those of us who wish to bring responsibility to our foreign policy will meet with more support than ever before. For we desire to update to the 1970's that simplistic thinking of post-World War II that has so distorted our world view that we—once a source of hope to the oppressed—are now an easy target for fear and hatred worldwide. In my judgement we must terminate that double standard which in the name of anticommunism has used war to give "peace" and repression to give "freedom." From our bull-like, anti-Communist perspective we have seen red too often, and time after time repressed nationalistic, broadly based uprisings that would have overturned a truly totalitarian rule. As "defenders of the free world," we have supported Hitler's ally, Generalissimo Franco of Spain, Trujillo in the Dominican Republic, Batista in Cuba, Branco of Brazil, myriad other dictators in South America and Latin America including the infamous "Papa Doc" Duvalier of Haiti. We have supported the shahs of the Middle East, Salazar of Portugal, and neither last—nor least—we continue to support by our very presence in Vietnam the repressive regime that we ourselves brought to power—that of President Thieu and General Ky. Those in this country who encourage our messianic mission to save from hell the Vietnamese they believed were being deprived of their freedom by the Communist government of Ho Chi Minh and the Vietcong are some of the same people who fail to see in this country that many Americans still do not enjoy that basic natural right. Who? Who will save us from ourselves? Those false fears of being engulfed by that dread monolithic "Red monster" have enwrapped in a powerful creed the minds and hearts of our people for so long that they are just beginning to see out into the light.

The blatancy of the deceptions of our Government in Vietnam has awakened many Americans to the larger issue of the reasons our foreign policy and the collective conscience of the Nation permitted us to become involved there at all.

More and more people recognize that peace in Vietnam, and a lasting peace for the future, requires not only a change of strategy but a change in the fundamental premises which underly our national life and our international relationships. Ending our tragic involvement in Vietnam—and bringing peace—can unite America to fight a war against racism, poverty, hunger, ignorance, and disease. But such resolution will not come until we renounce the mad folly that is the weapons race and reduce military spending to a sane and realistic level. What can the concerned citizen do? Both at home and abroad, will we as a nation have the determination to turn our backs on destruction and to embrace, instead, the construction of a new order?

It is the most urgent challenge for the people and their Government.

Are you listening, Mr. President?

Let us end the Vietnam war and start building America.

Mr. KOCH. Mr. Speaker, today, many Americans find it necessary to remind their Government that as free men and women they have the right—indeed the obligation—to make known their grief and outrage over the continuing American prosecution of the Vietnam war.

A few weeks ago the President showed his contempt for the democratic process by saying he would totally ignore this expression of citizen protest. Confronted with the public's justifiable anger with such a statement, the President has since recalled his ambassadors for consultation, eased General Hershey out of his job, and in lieu of new policies pursues a patchwork of public relations.

Still members of his administration, as well as Members of this House have stated these moratorium activities undermine our negotiations and give hope to Hanoi. Their rhetorical counteroffensive seems to be an attempt to put the ultimate blame for the consequences of our disastrous Vietnam policy on those who have long opposed that policy.

The absence of logic or fairness in such insinuations never seem to bother those who must find scapegoats for their own folly. The folly of Vietnam is that our Government never has been nor is it now willing to admit to its own people that our policy has been a mistake.

The Nixon administration was under no obligation to justify the war of its predecessor. On the contrary, the Johnson administration was repudiated at the polls and it was said that the new President had a plan to end the war. Yet just recently, Secretary Laird reaffirmed the commitment of the United States to the objective of "permitting the people of South Vietnam freely to determine their own destiny." And so the Nixon administration still pursues the elusive goal of internal stability in Vietnam despite the fact that the military situation is a standoff; the diplomatic talks are stalemated; and the corrupt and repressive regime of Thieu and Ky continues to preside over a war-torn land.

How absurd for the Nixon administration to persist with a policy that attempts to salvage national pride and international respect when the American people and people across the globe already have condemned or grown weary of such a shabby and discredited policy. How tragic that the price of such persistence by the Nixon administration is the continued loss of American lives every week in Vietnam. We cannot tolerate that kind of sacrifice for the sake of national pride. As others have said, our pride be damned.

Some say we must remain resolute until we achieve strategic success if for no other reason than to justify the loss of 40,000 American lives. How much stronger then must be the resolution and will of the North Vietnamese and Vietcong who have lost 1 million of their own. We should no longer tolerate those who think success can be determined by body count. It is both barbaric and futile.

One can only assume from the rhetoric of the Nixon administration that it does not believe the continued American involvement in Vietnam to be a mistake. This is a frightening conclusion. It unnecessarily prolongs the withdrawal of troops because withdrawal of troops remains predicated on achieving strategic success. It unnecessarily divides the American people who are torn between the patience of patriotism and the outrage of continued sacrifice. It raises the sinister possibility that some in power are indeed interested in finding scapegoats rather than having to admit mistake.

I believe the acceptance and admission of error by our Government is an indispensable condition for a true reversal of national policy resulting in the total and immediate withdrawal of American troops from Vietnam.

The American people know a tragic mistake has been made. It remains only for the Nixon administration to accept once and for all that judgment. And so today let the Government be reminded who is master and who is servant.

I am inserting extracts of letters received from constituents and others with the thought they will be of interest to my colleagues.

This is from a U.S. captain stationed in Vietnam:

DEAR SIR: Today I read in the Pacific edition of the Stars and Stripes that you had been castigated for describing Ho Chi Minh as a Patriot and the Washington of his country.

I would like you to know that there are many of us in the armed forces who share your view. He has been a truly great force in bringing this part of the world into the 20th Century. He molded a nation out of the Vietnamese in the North and, though not in the way he planned it, out of the South also. While it is deplorable that he embraced the Communist cause in achieving his goal of freeing the Vietnamese from French domination it must be remembered that he was first and foremost a nationalist, and is thought of in this light by many throughout Vietnam. While this is my second tour of duty here in Vietnam I am continually surprised by the resiliency and tenacity of the individual Vietnamese. It was this that made Ho Chi Minh great and it is this that will eventually save this nation.

No attempt by other members of our Congress can wipe out or blur the accomplishments of this man. He has proven a worthy adversary and his passing will be felt in this part of Asia for years to come.

I feel proud that someone in our Congress had the guts to view him as he was and then say so. I find it difficult to believe that your speech should cause such an emotional reaction by supposedly mature and objective men. I assure you, here the reaction was different and we are a bit closer to the reality of the situation than your colleagues.

Sincerely yours,

——— ———.

This letter is a response from a mailing I sent out:

DEAR MR. CONGRESSMAN: I concur with you one thousand percent re a ceasefire, etc. This senseless slaughter has got to stop . . . on both sides. Now! The President has let us down with his plan to end this war which Congress had not declared. His speech at Colorado Springs was worse than the one referred to here. It seems that the military (Pentagon) is now telling us what to do. We cannot afford these taxes any longer . . . taxes going down the drain for the military. We have got to cut down the Pentagon and those know-nothing Generals who cannot win the war but who are playing hell with our best Youth, while the Yippies roam the streets . . . and the Vietnamese are living high off the U.S. hog.

Our entire schedule of Foreign commitments *must* be reappraised. I am fed up with paying and paying to other countries for their defense while they sit on their cans. I am fed up with taxes at their present level; with rising rents, interest rates, and the cost of living. This country is in damned real trouble! We had better get back to Congressional rule instead of the Pentagon and the Chief Executive. We are only as strong in the world as we are at home . . . it seems we've forgotten *Us!* We are mighty sick at home!

In a broadcast interview earlier this week you said you would wear black ribbon as a sign of mourning until the war ended and American troops are returned home. It occurs to me that an even more effective way of making President Nixon aware of the sense of mourning that so many Americans have would be to start a campaign of asking Americans to send a piece of black ribbon to Mr. Nixon personally. I can visualize the White House receiving thousands of pieces of black ribbon from people all over the country. They could, of course, be sent anonomously or with a signed note.

I hope you will consider this suggestion seriously and perhaps find some way to implement it.

Sincerely yours,

——— ———.

This is a letter I received in May about the Vietnam war:

I firmly disagree with any of your colleagues who have any praise whatsoever for President Nixon's statement on the War in Vietnam. I am one of the far too few Americans who could not be fooled by our President's plan to end the War. Evidently too many of our voters were willing to wait for President Nixon to get into office to tell of his great secret plan. I do not believe there ever was such a plan and I don't believe there is any plan to be seen in the near future. Our newscasters and newspapers are not calling this senseless killing a War but are referring to taking a hill where many Americans have been killed as a "clash".

I thoroughly back your thoughts that if the South Vietnamese are not willing to fill the gap with their own men, they are definitely not worthy of our continuing support. I agree—the War in Vietnam must stop and the only way to stop it is by cease fire.

I only wish that my letter or my moral support could help get your resolution through. In the meantime, may I wish you the best of luck and much success in all your present and future plans.

——— ———.

This is part of a letter which had many subjects included in it:

DEAR CONGRESSMAN KOCH: Immediate action must be taken to extricate us from the insane and disastrous war in Vietnam. Face-saving is now beyond possibility, for we are the most disrespected and most hated nation in the world. All other of our national and international problems stem from and suffer from this war—the rebellion of our youngsters in and out of the universities, the lack of money to aid our decaying cities, our polluted air and waters, and the lack of more money to aged, and poor citizens. We are committing suicide.

Respectfully yours,

——— ———.

DEAR REPRESENTATIVE KOCH: This is a plea, one of thousands I hope, to you and anyone else who will listen, to do what you can to end that fruitless, sickening war in Vietnam.

When our constructive needs are so desperate here at home, how can the Congress continue to ignore these obvious needs and, instead, allocate billions for death and destruction thousands of miles away.

Why is it so important to "play the game" at the Conference Table in Paris when hundreds die every week for a cause that is not even their own. At least let's make an attempt to stop the killing and destruction *first*, and *then* sit down and bicker over a solution to this mess.

For the sake of the entire human race, please end that awful war. It's tearing our beautiful country apart.

Sincerely,

——— ———.

DEAR CONGRESSMAN KOCH: Please continue your plea and efforts to bring our boys home from that slaughter in Vietnam. The people of this country are in a state of utter despair and we feel the nation is being run by those who are profiting by the war, those who have no regard for the life of the young men or for those at home who are suffering because their loved ones have been taken from them.

Sincerely,

———.

DEAR SIR: I read that you are identifying with the people who are reading the names of Vietnam Casualties in Washington each week. Thank you. My son is one of those names. I protested by not having a military funeral—but protest doesn't seem to have any effect, does it? Keep up your stand for justice. Thank you.

This is part of a letter on several subjects which I received last June:

DEAR CONGRESSMAN: There is only one way the sixty Congressmen who praised the President's speech will reverse their stand—and that is—when there are enough ordinary people like me who will back up their Representatives like you and Senators Fulbright, Church and McGovern on the Vietnam issue.

Sincerely,

——— ———.

SIR: Am with you 100% in the current drive to end the Vietnam war now. Our generation allowed it to develop along with inflation and allied ills. We should no longer allow continued deception under Mr. Nixon who pleads for more "patience." If in fact our military is running the show it should be challenged by the democratic process.

Sincerely,

——— ———.

DEAR CONGRESSMAN KOCH: A tragic mistake has been made by this country but fortunately we are big enough to admit it. I have no sympathy for the President's statement, in effect, that he will not be the first to preside over an American defeat. That sounds very personal—not that of one pledged to do his best for the American people.

Very truly yours,

——— ———.

CHURCH OF THE SACRED HEARTS,
New York, N.Y., September 8, 1969.

Hon. EDWARD I. KOCH,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN KOCH: In view of some recent unhappy events, the below may be of some interest to you.

This priest offered a public Mass for the soul of Ho Chi Minh and for the intention that God might use his death as the instrument of a final peace for the unhappy land of Viet-Nam.

Warm personal regards.

In Christ,

Rev. JAMES J. GILHOOLEY.

DEAR SIR: It was with greatly mixed feelings that I read the excerpt from the Congressional Record of May 15, 1969, which was sent to my home from your office. Why, when you and I apparently have a complete concurrence of opinion on the Vietnam adventure, do I say "mixed" feelings?

Simple. Because I am sick of the whole ———. I am sick of talk and talk and talk. I am at this point totally cynical about the entire mess. This is God's own truth: I evaluated for months on end all aspects of the war in Southeast Asia before I was able to make up my mind as to who was right and who was wrong. As I remember, it was in late 1963 when I eventually decided that I was what is popularly termed a dove regarding this geopolitical ———. From that point on I did everything within my power to proselytize, to make others see the true situation regarding Vietnam, to flood the Congress with letters, etc. And what good has it done? I daresay very little. Occasionally I run into admitted hawks. And what do they talk of? Commitments. Just commitments. Also, honor. As you yourself said, "If the South Vietnamese are not willing to fill the gap with their own men then they are not worthy of our continuing support." Why can't other Americans see this as you do? And as I do? Why cannot the President see and understand this simple question? Why can't the Congress see it?

In brief, I have lost hope. I can see our commitment in that dreary land extending till 1999, possibly with upwards of over 2,000,000 American troops lodged there by that time. I can see at the same time all of young America double alienated by then, burning draft cards, storming draft centers, engaging in street fights with the Establishment, and in every way accelerating and compounding the horrid mess that exists today.

My heart is with them. I am no hippie. I am an honorably discharged veteran of the 101st Airborne Division, and am today a public school teacher. But if I *were* today a mere 20 or 21, and know what I know now, I would with no compunction burn my draft card and say Damn the War! And I'd echo the yells of today's knowledgeable young men who say, Hell No I Won't Go!!

I have on many occasions written Senator Fulbright and begged him to get us out of this misadventure. Now, I am begging you. Do something! Please!!

Sincerely,

——— ———.

Vietnam Policy

To the EDITOR:

One fact emerges clearly from President Nixon's March 14 press conference. He was not speaking for an aroused people which, only a year ago, had forced President Johnson to abandon pursuit of victory in Vietnam, to seek a negotiated peace and to renounce renomination. He was not speaking for the youth of America nor for the inhabitants of the ghettos. He was not speaking for the moderate Republicans and Democrats in the Congress, nor reflecting the advice of our most competent scientists and scholars.

Mr. Nixon was speaking for the national security bureaucracy—for the "military-industrial complex" against whose "unwarranted influence" President Eisenhower warned in his valedictory address.

President Nixon was given a clear mandate to make peace in Vietnam, to halt the spiraling arms race and to give priority over global interventionism to the nation's long-neglected domestic needs. He himself declared that the establishment of peace in Vietnam must be the first step toward carrying out that mandate.

NEEDED FOR PEACE

Yet one is forced to conclude from his remarks on March 14 that, like his predecessor, Mr. Nixon is unable or unwilling to recognize what must be done to achieve peace.

Like Mr. Johnson, he wants to "turn over the war to the Vietnamese" as soon as possible so that American troops may be withdrawn. However, what this means is turning over the war and the peace to a Saigon Government which—because it is corrupt, incompetent and without roots in popular support—has no desire to make peace, knowing that it cannot hope to survive any conceivable peace settlement.

In these circumstances, it is not surprising that Mr. Nixon can see "no prospect for a reduction of American forces in the foreseeable future." The simple fact is that there can be no peace without a phased withdrawal of American forces and that there can be no such withdrawal so long as the United States continues to support the unrepresentative regime in Saigon.

As for Mr. Nixon's "compromise" on the Sentinel ABM system, it is no compromise at all since it leaves the camel's head in the tent. It is a shrewdly calculated move to obtain the consent of the Senate and after disregarding its clearly given advice. If the Senate succumbs, the military-industrial complex will have achieved another victory at the expense of the people.

Now is the time for the people's movement which overthrew Lyndon Johnson to wake up and go into action.

JAMES P. WARBURG.

GREENWICH, CONN., *March 15, 1969.*

Mr. LUKENS. Mr. Speaker, on the eve of the planned October 15 moratorium, I wish to bring to the attention of my colleagues an excellent editorial by David Broder that appeared in the Washington Post today.

Mr. Broder penetratingly asks those who have or are going to lend their support to the moratorium to examine the issues and questions more deeply. First, what is the target of the protest? Is it the Vietnam policies that President Nixon is conducting? The President, as Mr. Broder points out, is more or less following the outline of the 1968 antiwar faction, that is withdrawing troops, scaling down bombing and negotiating at Paris. What does the moratorium want?

Second, what are the alternative policies proposed by the moratorium? It is apparently unilateral withdrawal as enunciated by its leader, Sam Brown. Do labor, church, and civic groups, as well as many other organizations really want this? Do they want to be criticized for a hasty exit that ignores consequences and responsibility?

Third, what about the method of the moratorium? Is it compatible with the maintenance of representative democracy or does it substitute the rule of the streets?

I commend Mr. Broder for bringing to the attention of the public, a thoughtful appraisal of the ramifications of the moratorium committee's goals and methods and the effect that it will have on the President in attempting to negotiate an end to the war. It is reassuring to see reflective and responsible journalism.

Mr. Speaker, I insert the article in the RECORD at this point:

Ill-Advised Viet Moratorium Could Set a Risky Precedent

(By David S. Broder)

CAMBRIDGE, MASS.—The larger the plans for Wednesday's Vietnam moratorium, the more the central message and tactic of the demonstration have been obscured. If the event is to be guaged properly, it is important to uncover its original premises from the debris of cliches and endorsements in which they have lately been buried.

A number of men active in the moratorium have taken time to point out what they consider the errors of the argument in this column last week that it is a plan for "the breaking of the President." With sincerity and conviction, they have asserted that, far from breaking the President, they are out to save him, by persuading him to make the peace the nation craves and, incidentally, to save the political system by keeping the antiwar movement out of the hands of the radicals and in control of those with a commitment to peaceful forms of protests.

Their conversations and correspondence have helped to define three questions which might be borne in mind by those planning to participate in the moratorium.

First, what is the target of this protest? Sam Brown, the able spokesman for the moratorium, says it is not an anti-Nixon move because "we learned in 1968 what we must oppose are not personalities but policies."

But if the Nixon administration is following the very policies recommended in 1968 by the antiwar faction, as I believe, then their moratorium is mobilizing public opinion against its own policy recommendation to the President. The minority plank at the Democratic convention, endorsed by all the leading doves, called for a halt in the bombing of North Vietnam. This has been done. It recommended a reduction in offensive operations in South Vietnam. The President has ordered this and it is in effect.

It asked for "a phased withdrawal over a relatively short period of time" of all foreign troops. The Nixon administration has begun pulling Americans out of Vietnam without waiting for North Vietnam to agree to mutual withdrawals, as the doves thought necessary.

Finally, it recommended that the United States use the leverage of troop withdrawals to "encourage" the Saigon government "to negotiate a political reconciliation with the National Liberation Front" looking toward "a broadly representataive government" but recognizing that "the specific shape of this reconciliation will be a matter for decision by the South Vietnamese."

If this is not precisely the policy of the current administration, as enunciated by the President and the Secretary of State, then words have lost their meaning. And if the moratorium sponsors want to argue—as some have—that the President is lying about his purpose, their suspicions must be weighed against the facts of reduced fighting, reduced troop levels and reduced casualties, which his policies have brought about.

Second, what is the alternative they recommend? It has been described in moratorium publicity as everything from a negotiated settlement to immediate, total American withdrawal from Vietnam but Brown said Sunday on "Face the Nation" that it is the latter that the moratorium has "consistently" demanded.

If that is the case, then the elected officials, clergymen and educators who have lent their prestige to the moratorium can properly be asked if this is the program they endorse. Many of these sponsors were involved in the fight for the minority plank at the Chicago convention which specifically said the war "will not be ended by military victory, surrender or unilateral withdrawal by either side."

It might be well for those men to explain Wednesday when and why they concluded that their opposition to unilateral withdrawal was wrong. It would be even more useful if they could explain why a one-dimensional plan to pull out troops is any more likely to be wise policy than the one-dimensional plan that sent the troops in. Have we not learned yet to examine the political consequences of military decisions?

Third, and most important, what about the method of the moratorium? Is it compatible with the maintenance of representative democracy or does it substitute the rule of the street?

The sponsors say the name "moratorium," rather than "strike," was chosen to emphasize that the protest is to be peaceful and noncoercive. It is a nice distinction. The noncoercive feature may be almost invisible to the thousands of students whose colleges will shut down Wednesday. If the moratorium continues, as planned, for two days in November, three days in December, and so on, it will more and more come to resemble the general strike so familiar to European politics.

And if it succeeds in its aim, what is to prevent other majorities or sizable minorities in the country from using the same technique to force their views on agencies of the government? The moratorium sponsors say Vietnam is an extraordinary issue, but they must know it is not the only issue which agitates millions of people.

One wonders what the moratorium sponsors would say if Billy Graham were to ask all the parents who want prayers restored to public schools to withdraw their children from school for one additional day each month until the Supreme Court reverses its school-prayer decision.

Suppose pro-prayer teachers agreed to meet the pupils in private homes on moratorium days to discuss "the overriding significance of religion in human life." Would the Vietnam moratorium sponsors cheer? What would they say if landlords and real estate men opposed to integrated housing declared a moratorium until Congress repeals the open-housing law?

My view, just to be clear, is not that the Vietnamese moratorium is un-American, illegitimate, meanly partisan or personally vindictive in its motivation. My view is that it is an ill-timed, misdirected protest, vague in its purpose and quite conceivably dangerous in its precedent.

As was said last week, its immediate result may be the breaking of the President. In the serious weakening of his power to negotiate peace or to achieve any of the other purposes for which he was elected, its longer term effects may be to subvert a system of democratic government I happen to believe is worth preserving.

VIETNAM

The **SPEAKER**. Under previous order of the House, the gentleman from New York (Mr. ROSENTHAL) is recognized for 60 minutes.

Mr. **ROSENTHAL**. Mr. Speaker, I feel a little bit like the gentleman who followed Will Rogers around out on the western trail. The gentleman from Indiana is a hard man to follow.

I do say this very sincerely—I think we are all to be commended tonight. I am proud to be a Member of the House and proud of this debate. I am hopeful that it will continue in the manner it has up to now.

I might say I will speak reasonably briefly and then try to invite as many Members with divergent views to participate.

It did occur to me to wonder why the debate has maintained such a high level—I wonder if perhaps it is due to the absence of the Brussels delegation.

I would like to review a little of the historical background of the situation in Vietnam because somehow we always get caught up in the details of the current moment. I think it is highly relevant as to how we became involved and what the choices were then.

I think you can then measure the choice available to us today.

I read to you a few words from the article by David Shoenbrun who spent considerable time during the French period in Vietnam. He wrote as follows:

> Our predicament began with the judgment of John Foster Dulles—a correct judgment—that Ho Chi Minh had become so popular a national hero that he would win free elections by a big margin (80 per cent, President Eisenhower estimated in his memoirs). Every informed observer concurred. It was not the judgment that was wrong, but the conclusion Dulles drew from it. Dulles decided that we must organize an Asian equivalent to NATO, support an anti-Communist leader in South Vietnam and stall off the free elections provided by the Geneva Accords. This led to Eisenhower's letter to Ngo Dinh Diem, our selection as anti-Communist champion, offering economic aid.
>
> Eisenhower then believed that the South Vietnamese needed only our friendly help and guidance. This policy was based on America's brilliant success in Europe, where the Marshall Plan, the Truman Doctrine and NATO combined to provide the fruitful use of economic aid under a military shield against external aggression. The error, of course, was the assumption that a policy that had worked in industrialized, technologically advanced, white, Christian Europe could also work in rural, backward, yellow, non-Christian Asia.
>
> We also failed to understand how the mechanism of our program of aid leads inexorably from butter to guns. We start with the simple proposition that Communism is evil and should be stopped from spreading. Therefore anti-Communists must be helped. When we give economic aid, we soon discover we must also provide technological help.
>
> To persuade Congress and the people to give tax dollars the anti-Communists are described as fighters for freedom. When they fail to carry out our proposals for reforms, fact is hidden because more aid must now be given to prevent their collapse. The investment in aid and technical advisors becomes so great that soldiers are sent to protect it. The soldiers are shot at, so they are authorized to shoot back. The Communists strike harder to prevent the American program from shoring up the adversary. More soldiers are sent and bases are built. Once our honor and power are committed, it becomes our war. And once it becomes our war, then we devise new rules. Thus an Eisenhower who once believed that only Asians should fight an Asian war can two years later approve an American commitment greater than the commitment of the South Vietnamese themselves.

The irony, and the error, of our American entrance into Vietnam is also pointed out by our former Ambassador to Japan, Edwin Reischauer, a distinguished scholar of Asian history. He wrote:

> If we had clearly favored Vietnamese nationalism over French colonialism in 1945, it seems obvious that Ho, in short order, would have established effective control over the whole of Vietnam. He probably would have set up the same sort of dictatorial, oppressive, Communist rule over all Vietnam that he actually did over the North. He would probably have encountered much the same sort of problems he did in the North, and the economic progress of Vietnam would have been slow, though, of course, not as slow as in a war-torn land.
>
> The society and government of this unified Vietnam would probably not have been something we would have approved of, but we have not found much we could approve of in the society and government of a divided Vietnam either. Quite possibly, a unified Vietnam under Ho, spared the ravages of war, would have gone at least as far toward that evolution of a stable and reasonably just society as had the divided, war-torn land we know today. For us, however, the question is what that sort of Vietnam would have meant in international politics. I believe it would be safe to assume that it would have been a highly nationalistic Vietnam. By the same token, I believe it also would have been free of Chinese domination. The Vietnamese have instinctive fears of their great northern neighbor. While they have always admired and imitated China, for more than a millennium they have had a deep national tradition of resistance to its domination. If they had had no specific reason to fear or resent us, the chances are that their fears and resentments would have come to focus on China, whether or not it, too, were Communist.
>
> It seems highly probable that Ho's Communist-dominated regime, if it had been allowed by us to take over all Vietnam at the end of the war, would have moved to a position with relation to China not unlike that of Tito's Yugoslavia toward the Soviet Union. Ho, like Tito, had had cordial wartime relations with us. He apparently expected our continued friendship and had more to hope for in economic aid from us than China. He and his associates were ardent nationalists and probably had deeper fears and suspicions of the Chinese than the Yugoslavs had of the Russians. While such a Vietnam might have been more circumspect and respectful toward China than Tito has been toward the Soviet Union, it would probably have been even more fiercely independent. The way in which Hanoi has sought to maintain its independence of Peking and Moscow, despite the military dependence on both, which was forced on it by the protracted war with us, suggests how strongly independent a Communist Vietnam would have been, if not pushed by these military necessities.
>
> Would such a Communist regime in all Vietnam have been a serious menace to its neighbors or to world peace? I doubt it. A Communist take-over in all Vietnam shortly after the end of the war would probably have seemed to the rest of the world no more of a Communist triumph than the successive victories of Communists over anti-Communists that have taken place in Vietnam since 1945. It is hard to believe that a united Communist Vietnam would have had any more harmful an influence on Laos than a divided war-torn Vietnam has had. Laos and Cambodia might have fallen under Vietnamese influence, but this at least would have kept them out of Chinese control. Or, possibly, Cambodia's traditional animosity toward Vietnam would have induced it to veer further away than it has from association with the Communist nations, if South Vietnam, too, had been Communist. Thailand would probably have been less adversely affected by an entirely Communist Vietnam than it has been by the prolonged war there.
>
> Meanwhile, a united, strongly nationalistic Vietnam, while paying lip service to Communist China, would probably have served as a far more effective dike against the southward extension of Chinese power and influence than have a North Vietnam forced into military dependence on China and an unstable South Vietnam. And this general situation in Vietnam and Southeast Asia, which would have been so much less unsatisfactory for us than what we have today, would have been achieved without any of the terrible costs that have mounted so high.
>
> Our men in Vietnam are superbly equipped, are well-organized and are fighting valiantly, but the best they can hope to achieve is worse than what we could have had, virtually for nothing, if we had only had enough interest in Vietnam and in Asia

to study in advance the problems we faced there. If we are to avoid more national catastrophes like that in Vietnam, we must devote a great deal more attention and careful thought to our relations with the half of the world's population that lives in Asia.—Edwin O. Reischauer, Beyond Vietnam: The United States and Asia. Alfred A. Knopf, New York, 1967.

Mr. MORSE. Mr. Speaker, will the gentleman yield?

Mr. ROSENTHAL. I yield to the gentleman from Massachusetts.

Mr. MORSE. Mr. Speaker, I am grateful to the gentleman from New York for yielding and for sharing with us the wisdom of Ambassador Reischauer, whom I respect.

I am sure the gentleman would not wish to leave the impression that the responsibility for this war goes to President Eisenhower's administration. I would remind the gentleman, as I am sure he is aware, that there were less than 700 men in Vietnam when Dwight David Eisenhower left the White House. I think the gentleman knows that the trouble started under Dulles, but I would suggest that the war started under the later administrations.

Mr. ROSENTHAL. Mr. Speaker, I had no intention to do that, nor did I read those pages because they suggested that General Eisenhower was involved. That was a fact of American history that he was President then.

I would like to offer a comment to the very searching and penetrating question of the gentleman from Illinois (Mr. ANDERSON). The gentleman's question was: What will the Vietnam moratorium do? What will all the voices of the American people do? What effect will that have? Will that lead to any different conclusions? In effect he said: What is the President doing wrong that you would do differently?

I think the gentleman from Indiana (Mr. JACOBS) answered the gentleman from Illinois with considerable eloquence, but let me suggest another thought: So long as the present regime exists in Saigon, so long as we remain virtually the puppet of that regime, where they have the right of veto over actions of our military forces and the withdrawal of our forces, we can never achieve a reasonable peace, there.

The President proposes graduated steps of withdrawal at the present stages he has announced, and over a long, long period of time. I would suggest—and it is a very difficult decision—that we withdraw as expeditiously as possible, taking into account the safety of our own troops and the safety of those persons who could be refugees from such a withdrawal.

My own judgment is once we were to announce an immediate withdrawal with a monthly timetable, there would be a major change in the government in Saigon. That government cannot stay in business without being propped up by our military forces. It would fall. It does not represent the indigenous people in that area, nor does it represent all the major elements there.

If I were presumptuous enough to offer a timetable to the President, he should immediately begin massive withdrawal of troops.

Then, other things would start to happen. For example, I would expect that any people, even the North Vietnamese, are capable of some degree of humanitarian attitudes, and our announced withdrawal would cause a substantial release of American prisoners.

I also think the safety and security of people in South Vietnam that could be endangered by a change in government could be an area for negotiations, once it became clear American forces would be withdrawn.

So the difference between my position and that of the President is that we cannot have a long-range kind of slowdown. We cannot have a withdrawal that permits the present government to stay there. For 4 years now it has seemed clear to me that we have to have a government—and call it coalition or anything else—that represented all the forces and not merely the military people who are in command there.

Until we have a change of government, a government that is in a position to negotiate a realistic and viable settlement, with all elements putting down their arms, we cannot achieve a long-range peace there.

Mr. DERWINSKI. Mr. Speaker, will the gentleman yield?

Mr. ROSENTHAL. I will be happy to yield.

Mr. DERWINSKI. I just want to be careful that we do not let a few comments go by without clarifying them.

The gentleman said, with substantial authority, that the Government of South Vietnam does not represent the people and depends entirely on our military forces, and so forth.

They have a legislative body. It was freely elected. I am not aware that there is any proof that the elections there were rigged. We had American observers on the scene.

I do not quite see how one could say flatly the Government there does not represent a substantial portion of the population of that country.

Mr. WOLFF. Mr. Speaker, will the gentleman yield?

Mr. ROSENTHAL. Yes, I will be happy to yield.

Mr. WOLFF. There has been talk here about the election in Vietnam. I believe Mr. BROCK alluded to the fact that Senator KENNEDY had said something to the effect he felt the elections were free.

I was at the elections and was an unofficial observer at the time of the elections in Vietnam. I, too, felt that they were as free as they could be at the time. I came back and I said so.

However, subsequent events have changed my mind about the present Government of Vietnam.

Those subsequent events are, No. 1, the imprisonment of dissenters, and the imprisonment of the second candidate who ran in the elections.

No. 2 is the fact that the new Government was supposed to clean up corruption and the black market that existed in Vietnam. It has never done that.

There were other elements that have taken place since that time. Mr. Bunker has become a satellite of Mr. Thieu. The best thing this Government could do would be to recall Mr. Bunker and have him come home so that we dictate policy and not Vietnam dictate our policy.

Mr. DERWINSKI. I would think, if we are helping people achieve some understanding this evening, we would at least tone down some of these statements.

The gentleman tossed out another indefensible statement, this charge about Mr. Bunker being a stool pigeon or a stooge, or whatever you called him, of the President of South Vietnam. I am not aware that Ambassador Bunker either under this administration or in his service under the previous administration has been anything but a loyal message bearer for the American President and the American Department of State.

It is so easy to go from a fact to an interesting charge. I think if you gentlemen spend not just 17 hours, as scheduled, but 77 hours, you would be repeating these empty cliches to yourselves.

For example, I would like to have one of you—any one of you; I challenge you—address himself to the subject of democracy and elections and freedom in North Vietnam. What do we ever hear from you about the people who suffer in their prisons in North Vietnam, the people who were murdered? Where are you? You are absolutely silent. You do not have an answer.

All you do is convince yourselves of a position. You are speaking to the converted. You have your press releases in the gallery. You are contributing nothing to peace. You are contributing nothing to stability in the Far East or any other place in the world, and I think this performance this evening demonstrates it.

Mr. ROSENTHAL. Let me read to the gentleman President Thieu's statement after he returned from his meeting with President Nixon, when there was a question about coalition government. This is a quote. He said:

> From now on those who spread rumors that there will be a coalition government in this country, whoever they be, whether in the Executive or the Legislature, will be severely punished on charges of collusion with the enemy and demoralizing the Army and the people. I will punish them in the name of the people.

Let me say this: There is not a person in this room, or anyone I know of, that is prepared to say North Vietnam is the model of democracy. To charge us with silence on that is really carrying it to an extreme, and is not relevant.

General Ridgway said a long time ago in determining whether or not the United States should intervene you decide first, is it in the national interest? Second, is it manageable? I think both of us would agree today that it was not manageable at any price that the American people would be willing to pay.

We might have a discussion as to whether it is in the national interest. In my judgment, our intervention was not in the national interest either. There was nothing vital to our interests that we could have accomplished. We could not contain Communist China. We could not stabilize the kind of government we wanted in there. Apparently we had to accept some unhappy resolution of events.

You remember in 1945 Ho Chi Minh was our hero, too.

Mr. DERWINSKI. Will the gentleman yield for an observation?

Mr. ROSENTHAL. Yes. Let me finish first.

He was fighting the Japanese and had become the symbol of anticolonialism with the French. In 1954 he had the impression, based on his military victory and the armistice, that there was going to be a national election. We never would accept that possibility and instead encouraged a separate government in South Vietnam.

Let me say this: It is not a question of whether we like the North Vietnamese or the South Vietnamese. The question is what does it do to the United States. There are plenty of places I know that you would have liked to have intervened in the last year or two. I do not have to go through them. There are areas that you were deeply concerned with. But it may have been that we could not manage it. It may have been that it was not in the national interest of the United States.

Mr. DERWINSKI. Will the gentleman yield?

Mr. ROSENTHAL. I yield.

Mr. DERWINSKI. May I say that the gentleman in the well is one of the most profound historians of the House and also one of the most effective debaters. So if I may, I would like to have the gentleman return to one point he made 4 or 5 minutes ago. That was the opposition of the President of South Vietnam to a coalition government. Since I know that the gentleman is an able historian, I know he will recollect that in the experiment of coalition governments starting at the close of World War II all of them ended in disaster for the cause of freedom, starting in China, Rumania, Hungary, and going right on down the list in Eastern Europe. There is no evidence in post-World War II history to show that there is any case of a coalition government that succeeded before there was a takeover by the Communists and then suppression. Certainly the gentleman is not recommending the tragic mistakes of World War II diplomacy be perpetrated again on the people of South Vietnam.

Mr. ROSENTHAL. Laos might have been an exception to that. You know our Government entered into a reasonable kind of coalition government because perhaps it was in the best interests of the United States. The one thing we have to realize is that we cannot always have it the way we want it. There are accommodations that have to be made.

Mr. OTTINGER. Mr. Speaker, will the gentleman yield at that point?

Mr. ROSENTHAL. I will be happy to.

Mr. OTTINGER. I would like to know from the gentleman from Illinois, if he will stay with us, how he can possibly conceive of a settlement in South Vietnam without settling on the basis of the actual powers that exist in South Vietnam? If you do not give the Vietcong and the North Vietnamese a share of power commensurate with what exactly actually exists at the present time, then you are not talking about settlement; you are talking about still pursuing an illusory military victory. The only way we will see settlement is some kind of coalition representing the actual powers that are there.

Mr. DERWINSKI. May I respond to the gentleman?

Mr. ROSENTHAL. Yes.

Mr. DERWINSKI. The gentleman again is at least helping to bring this conversation to a basic point, which is that if we are advocating, as I see it, coalition government, it will merely postpone for 3 to 6 months the takeover in South Vietnam by the Communists. I am sure, if the gentleman does not agree with me that this will be the end result at this point, then our conversation should terminate. But we have no evidence of Communist successes in municipal and parliamentary elections in South Vietnam. All we have to go by is the official evidence

Mr. OTTINGER. The Communists were excluded from the official elections. They gave no clue at all.

Mr. ROSENTHAL. I wonder if I can yield to some other Members.

Mr. DERWINSKI. I just do not want to leave that charge.

Mr. ROSENTHAL. What would be your your explanation? How would you resolve things in Southeast Asia?

Mr. DERWINSKI. I would resolve the situation there quite simply by having the Congress and the American public rally behind the President and have the President be able to speak for a united nation, which is easily achieved, as it was in World War II, and advise the Communists—and this would include the people in the Kremlin—that unless the aggression from north against south is ceased within a reasonable period of time with no open end or date set, that the United States would exercise flexibility in response.

But, let me give you a few examples.

Mr. ROSENTHAL. You would rule out a military deescalation but seek a military victory?

Mr. DERWINSKI. I did not say that at all. I said that he should have flexible response. The gentleman and I serve on the Committee on Foreign Affairs and we understand the language which is being used.

Mr. ROSENTHAL. But would you hope for a military victory?

Mr. DERWINSKI. No, the gentleman is extending the statement far beyond what I said. I said that the President must have support of the public and must have flexibility. He has neither of them at the present time.

I would also like to point out that there are a number of other factors at stake far beyond South Vietnam. Reference was made to Laos. Do we have to go back to the negotiations of 1962 when the real tragedy occurred in Laos and the negotiations which were sponsored to produce a perfect solution. If the gentleman will recall, Mr. Harriman was a major factor in that procedure. But he has not been a very effective diplomat in this particular matter.

However, the point is that the only thing the Communists understand—and again I respect the gentleman's knowledge of history and I did make reference to the Middle East and Far East, but in order for them to understand aggression, they must understand it in terms of defeat in some form or they will continue.

Mr. ROSENTHAL. Is it the gentleman's view that we can do this in any area of the globe?

Mr. DERWINSKI. No.

Mr. ROSENTHAL. In other words, anywhere where it occurs or where that kind of aggression occurs, we have and should use the force to resist it?

Mr. DERWINSKI. Not at all. The gentleman is again going far beyond what I said. We are talking about a situation in South Vietnam and in Southeast Asia. I made reference to the Middle East because here is an area where the Soviet Union is very principally involved in a form of aggression. I think the gentleman will concur in my observation along that line. However, I would point out that in South Vietnam that their aggression has been, in effect, supported by a good deal of activity in the United States and other countries where it has been encouraged.

Mr. ROSENTHAL. I do not think we want to encourage that aggression, nor do I think we want our President to be without reasonable flexibility in order to show the Communists that their activities will not result in victory.

Mr. DERWINSKI. May I merely say that I am convinced we will have peace in Southeast Asia, we will have peace in the Middle East only when the Communists recognize that aggression does not pay. Anything short of that is to have impossible dreams.

Mr. ROSENTHAL. Does the gentleman think that is the course the President is presently on?

Mr. DERWINSKI. I think the President could embark upon many more effective courses if he had the patience, the tolerance, and the support back home that he deserves.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. ROSENTHAL. I yield to the gentleman from Wisconsin.

Mr. REUSS. I thank the gentleman and commend him for his level-headed discourse. I would make a couple of points. On this historical factor to the effect that there has never been a coalition government that did not result in a Communist take-over, I would remind Members of the fact that France had a coalition government with the Communists in 1947. Fortunately, we did not go to war with France because they had a coalition government with the Communists. The French people voted the Communists out of office, and thus again became a non-Communist democracy.

More importantly, however, on the very vital point made by the gentleman from Illinois (Mr. ANDERSON) earlier on the question of hostages, may I say that we who take part in this debate agree with President Nixon that it would indeed be a tragedy, one that all people would look upon with dismay, if in the aftermath of our evacuation from South Vietnam there would be a massacre. There is no doubt about that.

One might say that someone who dies as the result of a drumhead trial in the aftermath of war is no less dead than a peasant in his paddy, or a villager in his hut, who gets killed right now as a result of military action. They are both dead.

I do not say that, though. I do say that we must do everything we can to keep a blood bath from occurring. And I can think of no better way of minimizing the chances of such a blood bath than to follow the policy advocated by the gentleman in the well, the gentleman from New York (Mr. ROSENTHAL), when he says that we must make it clear to the Saigon government that we want the jails emptied of their political opponents, that we want the exiles brought back from exile, that we want the right of newspapers to be published, that we want, in short, a broadly based government in Saigon. And the best way of getting that message through to Saigon is to make it clear that American troop withdrawals will proceed in an orderly and a steady fashion until withdrawal becomes complete.

Now, if that message gets through to Saigon, and if the Saigon government does submerge itself in a broadened government, and if in Saigon and in the villages in the next year or two—which in my mind is the proper and practical time for our troops to be completely withdrawn—if in that year or two the people of South Vietnam learn to live one with another, learn how to operate at the village level and not just as instruments of a narrow Saigon government but as something broader, I think the chances are considerable that the relaxations of tension, the experience of living together, will do a lot to minimize the chances of the kind of blood bath which is anathema to us all.

So, Mr. Speaker, I commend the gentleman for his views—views which take into account that there must be a humane goal of concerning ourselves with those in South Vietnam whom we have left to a predicament of intervention.

Mr. ROSENTHAL. Mr. Speaker, I think there is one thing I might add before I yield to the gentleman from Ohio. I think one of the things that prevents legitimate social, economic, and political development in South Vietnam, is our very presence there. We had an incredible—almost swashbuckling ability to build major bases, major airfields, and import 500,000 more men into the economy of that society. They simply were geared to a somewhat different way of life. I would suggest that if there were an immediate intent of withdrawal that their position to rally their forces on their own, using all of their indigenous people, that they would be able to defend and govern themselves.

I also think that an accommodation can be made, and this is absolutely urgent, about the safety of American prisoners, that in return for a withdrawal it would seem to me this would be a modest price to the North. And that there unquestionably would have to be some asylum provisions made. We cannot knowingly participate in a blood bath. We cannot condone a civil action that permits that kind of thing.

So I think it is a tough decision for the President to make. It is an easy decision to take 25,000, another 10,000, and another 35,000 troops out. It is a long, long, hard, torturous path, and my judgment is it will never succeed unless the President really puts the muscle on the Saigon government and lets them know that that kind of unrepresentative rule with political prisoners and that kind of dictatorship cannot survive.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. ROSENTHAL. I yield to the gentleman.

Mr. BROWN of Ohio. I would like to pursue another point with the gentleman now in the well. But I am constrained to make one observation with reference to the remarks of the gentleman from Wisconsin and the remarks the gentleman in the well just made and that is that we are not a presence in North Vietnam but in North Vietnam we have political prisoners. There are no free elections. There are no rival newspapers and there are no rival political parties, for that matter.

I wonder if there is any way we can resolve that problem in North Vietnam?

Mr. ROSENTHAL. I know that the gentleman is asking a kind of rhetorical question and he knows the answer as well as I do.

I know there is no direct way, but I would hope that in the long development of mankind maybe people like China could be admitted to the United Nations and join that society of man.

The gentleman knows as well as I do that we have very little influence in North Vietnam or even with the other Communist-dominated countries such as the Soviet Union, but that is another story. That is not an invitation for us to be involved in what appears to me as a civil war in South Vietnam.

Mr. BROWN of Ohio. I would like to explore that with the gentleman, if I may.

The gentleman now in the well is from the State of New York and I am from the Midwest.

Thirty years ago when the United States became involved in World War II, or prior to that time, your section of the country I suppose generally could be described as being interventionists, or concerned about the situation in Europe, and perhaps my section of the country could generally be described as isolationists or anxious not to get involved in that conflagration that was then sweeping Europe.

The thing that concerns me is how do we move in our involvements in the world so as to avoid such things as participation in the war in Vietnam? Do we not take any kind of direct concern with the problems of emerging nations? Do we not become directly concerned with the nations where we think we have some interest and, therefore, participate?

Mr. ROSENTHAL. If I may respond to the gentleman, that, of course, is the great question of the day.

Mr. BROWN of Ohio. I think if we could debate this tonight so long as we have the time, it might illumine some of the past actions the gentleman has made with his presentation of Mr. Schoenbrun's article to suggest at least the inference that to express ourselves in international affairs and certainly to express ourselves by assisting emerging nations that we automatically lead to this kind of participation.

Mr. ROSENTHAL. Let me try to respond to the gentleman's question briefly. The gentleman asks the one real question that raises the issue—what kind of America are we—what kind of America do we want? I think perhaps the only way of looking at it when one begins to think of the domestic needs of our country and the problems we have. It sounds trite again when one thinks of the cities and the urban communities in terms of people—what are our responsibilities to our fellow citizens?

Mr. BROWN of Ohio. There were great needs in our country in the thirties.

Mr. ROSENTHAL. What are the priorities in terms of responsibility to our own citizens?

I am not one who believes we should shrink into a fortress surrounded by the Atlantic and the Pacific and that that should be the end of our role. There are measurable equations that one could use in determining that, but that cannot be answered tonight.

I would like to say just one thing that we have to learn from Vietnam that there is a limit—there is a limit on American military power and a limit on the ability of our power to do all the kinds of things we want done and impose that kind of government that is suitable to our tastes and style.

Mr. BROWN of Ohio. Where would that point stop? Because I think it would illuminate our relationships in the world if we knew where the divisions come between our interest and concern and the problems of other nations and the method of intervention in a military sense which the gentleman is so concerned.

It seems to me that it seems to mean that perhaps that point came after the Tonkin Gulf problem. I am interested in the gentleman's thinking on this because of the gentleman's concern about the problem because of his reference to Shoenbrun's revolutionary presentation.

Mr. ROSENTHAL. One cannot really write a timetable with a diagram for intervention. So far as I am concerned, unilateral intervention of any kind anywhere is not an appropriate American tradition. If there can be an effective world force such as the U.N. forces where we can participate with other nations possibly—as we did in Korea—that might be one limited kind of intervention that I might be willing to subscribe to.

Whether one would be willing, on the other side of the coin, to accept the Dominican Republic situation or the Bay of Pigs, is another question.

This is something that I, of course, find unacceptable. I do not think that, tonight, we can define the limits of American responsibility around the world. I do believe we have a responsibility to emerging nations. I do believe we have a responsibility to narrow the gap between the rich and the poor. But we do not have the right to use the massive military force as we did in Vietnam, to virtually destroy a nation.

Mr. BROWN of Ohio. This, of course, I understand, because that occurred after the Tonkin Gulf development. But what I am trying to find out is what the gentleman's concern is with the participation that existed prior to that time. The gentleman talked about the effort of the Eisenhower administration to send assistance to an emerging nation. Are we not supposed to do that?

Mr. ROSENTHAL. I would not say, "No, you are not supposed to do that." Shoenbrun makes the point that from the hand comes the arm, and from the arm comes the rest of the body. If you put a little aid in, you then send troops, technical programs, and then you protect everything with troops. My own judgment is that somewhere along the line, from 1959 on, some American President should have made the very hard decision that at that point it had gone beyond the price that we could and should afford to pay. Vietnam had grown beyond our manageable national interest. Instead we refused rather to accept the theory that many in the commercial world do, that you cannot put good money in after bad.

At some point it became an unmanageable investment and we had to forgo the investment, as unpalatable and as difficult a decision as it is to swallow. That is where we stand today.

Mr. THOMPSON of Georgia. Mr. Speaker, will the gentleman yield?

Mr. ROSENTHAL. I yield to the gentleman from Georgia.

Mr. THOMPSON of Georgia. I draw somewhat of a parallel between the situation in Israel and the situation in Vietnam. I support the determination of the Israelis to remain a free people and a free nation, as I am certain the gentleman does. But would it be logical to tell the Israelis that you are going to have to take into your government a group of Arabs who have said, "We are going to drive you into the sea and we are going to annihilate you"? Is not the reaction of the Thieu Government in Vietnam one of self-preservation? They have been told by the Communists, "We are going to annihilate you." They say that during the elections anyone who advocates a coalition government—and I think the gentleman is correct—anyone who advocates a coalition government in effect we will not allow you to run.

After the election, one of the opponents was put in jail. The gentleman is correct. But is not this one of the basic laws of self-preservation, and is not an identical situation existing in Israel, where there is a Palestine Liberation Army—that may not be the correct name—that had vowed, in effect, to drive the Israelis into the sea, and would it not be suicide for the Israeli Government to take these into a coalition government just as if someone had vowed to kill me and my family and I would allow him to come into my house? Is not the action of the Thieu government understandable?

Mr. ROSENTHAL. I think the question is one of self-determination. Our involvement in South Vietnam, in my judgment, inhibited self-determination for the people in South Vietnam. I think it is quite clear that in Israel they had, at least within the confines of those borders as of 1968, national unity. But if the gentleman is trying to ask me to suggest that this is an area where America should think in terms of unilateral military involvement, as we did in Vietnam, I will not do that, because I do not believe it is in the national interest of the United States to do so.

Mr. THOMPSON of Georgia. There is a great deal of difference between the Israelis and the South Vietnamese. The Israelis have a determination to exist.

Mr. ROSENTHAL. There is also a difference in other respects.

Mr. THOMPSON of Georgia. I recognize that. I am sure the gentleman recognizes that South Vietnam determination is not present in the same degree.

Mr. ROSENTHAL. I do not necessarily see that as the only difference. It is an obvious and acknowledged difference. The difference is quite clear, as far as I am concerned. In 1945 you had one nation in Vietnam. Ho Chi Minh, whether we liked him or not, was fighting on the same side we were, against the Japanese. In 1954 when the French got out of Indo-China, we went in and repeated their errors.

Mr. THOMPSON of Georgia. France got out of Indo-China.

Mr. ROSENTHAL. We went in and bailed them out.

Mr. THOMPSON of Georgia. But they got out. The British gave up Palestine and Israel came in. The point I am trying to make is that it is not understandable to me that any government would tell an enemy they would allow the enemy to be in the government. Free discourse is a different thing with us, being isolated as we are by 12,000 miles.

Mr. ROSENTHAL. Within one country, if there are disparate groups, it may be in the interest of that country, like South Vietnam, to have a coalition government that represents all the people. In my judgment it creates a healthier government and they can create some degree of national community. I am not suggesting that we take people from other areas or some other country and invite them to form a coalition government. This is obviously an indulgence which no country can afford.

Mr. THOMPSON of Georgia. Let me say this. I think particularly some of the dissenters who have condemned and damned the Government of South Vietnam should look at it from a realistic standpoint. If we look at it from a realistic standpoint, they have their backs up to the wall. They know if their government goes down, their lives are not worth a plugged nickle.

True, what the gentleman says, they do not want the Communists to come in, and they do not want dissent. It is just as when we were a young nation and trying to seek our freedom from the British, during the Revolutionary War, a British sympathizer was hung, because that was contrary to our interest. It is contrary to the interest of the people in South Vietnam who are in power to say they will allow a coalition government. They say they will not allow a coalition government, because they want, in effect, to annihilate that government.

Mr. ROSENTHAL. The gentleman knows quite well that most of the ruling people in the government in Saigon came from the North. They were not homegrown South Vietnamese.

How can the United States face itself and the world in supporting what is obviously a dictatorial government? How can we continue to do that on the thesis of anticommunism? That seems to me to be the question.

Mr. RYAN. Mr. Speaker, will the gentleman yield?

Mr. ROSENTHAL. I yield to the gentleman from New York (Mr. RYAN).

Mr. RYAN. Mr. Speaker, I thank the gentleman for yielding, and I commend the gentleman in the well and the gentleman from Indiana (Mr. JACOBS) for their contributions to this debate which is a high-level debate.

Is the point not that in Vietnam the United States intervened in what was essentially a civil war?

Is not the point also that, if any negotiated political settlement is to be achieved, then the crucial question is whether or not the people who have been struggling for 25 years in South Vietnam—that is the indigenous Viet Cong or National Liberation Force—are to participate in a future government in South Vietnam?

It seems to me the key to a political settlement in Vietnam is, and has been for a number of years, participation of all elements in South Vietnam in a future government.

Mr. ROSENTHAL. It seems that way to me, too. It seems to me until the National Liberation Front—call it what we will—becomes a part of the government and agreeable to the peace settlement and willing to lay down their arms, we can never have peace and tranquility in South Vietnam.

Mr. BROCK. Mr. Speaker, will the gentleman yield?

Mr. ROSENTHAL. I yield to the gentleman from Tennessee (Mr. BROCK).

Mr. BROCK. Mr. Speaker, virtually all of us share a sense of quiet desperation when we review the dilemma posed to us by this war. Even so we must be realistic as we appraise the options and try to seek the one that will achieve a lasting peace while maintaining the dignity of the people involved and their own right of self-determination.

The gentleman mentions an interesting point when he talks about what constitutes a nation. I think the gentleman would find it difficult to get agreement from the Montagnards that they were Vietnamese at all. So, should we include them or not?

When we are talking about coalition governments, a certain inconsistency seems to creep into the discussion. I hear time and time again the humanitarian plea for the right of self-determination, for free people to participate in their own government, but how can we achieve a coalition government without imposing that government, and if we impose it, can it ever be free? Was it achieved by free will if imposed by force?

The only kind of coalition that would be acceptable is one that did occur in France, that the gentleman from Wisconsin mentioned. He failed, however, to mention there was a substantial presence of American Armed Forces there following World War II.

Mr. ROSENTHAL. Let me say this, and then the gentleman may continue. We have no right to impose any kind of government anywhere, coalition or otherwise. But right now we are imposing the

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government that is in existence there. If it were not for us propping up that government with our military forces, it could not stay in business 24 hours. It does not have popular support in that country.

Mr. BROCK. All right. We may disagree on degrees of force.

I think there is obviously a disagreement among the people of South Vietnam as to whom they want to represent them. I would concede that point. We, I should point out, have that same disagreement in this country—and it is reflected in our election process every two years.

But it is so difficult to foresee how to achieve what the gentleman seeks other than the course the President himself has chosen; that is, to gradually increase the pressure for the establishment of the democratic process in that nation. One cannot do it overnight, or the nation collapses. I think everybody agrees to that. I have not heard anybody tonight advocate a 24-hour withdrawal. Such restraint, if you can call it that, has contributed to the quality of the dialogue. But is not the only kind of representative government that can ever work a free, elected government in which every indigenous person is given the right to vote, and is that not——

Mr. ROSENTHAL. The answer is "Yes."

Mr. BROCK. Now, has that not been proposed by President Thieu, and supported and endorsed by President Nixon, without any condition whatsoever?

Mr. ROSENTHAL. You cannot realistically have that kind of government when all the opposition is in jail, when every landlord and every government official is taking 10 percent off the top throughout the country, when there has been no legitimate land reform in the country.

Really, let me say this: Our intentions are good. I have seen this in South America and all over. We talk about land reform, land reform, land reform. We have talked about it for 20 years. Nothing really ever happens. It is such a sluggish, self-serving government that we support there. This kind of government, of Thieu and Ky, is not going to abandon the prerogatives of office.

Mr. BROCK. Then the gentleman proposes that we abolish the government, which is certainly not a free act on the part of the people. And do what? We have already suggested that we will guarantee, with international supervision, free elections with all people participating, all indigenous people. What more can the American Government do?

Mr. ROSENTHAL. That is not too bad an idea. But it will never happen until President Nixon tells them, "We are getting out forthwith." So long as they know this is going to be a slow, gradual process, that they have 2, 3, or 5 years, they will keep themselves in office. This is not unusual. That is human nature.

Mr. BROCK. Does the gentleman honestly believe the Communists would ever tolerate an election if we said we were going to get out forthwith, when they know they have the military capacity to subdue that nation and not take any gamble?

Mr. ROSENTHAL. I am not aware of any Communist regime we are supporting. I am aware of military dictatorships we support in many countries throughout the world.

Mr. RYAN. Mr. Speaker, will the gentleman yield?

Mr. ROSENTHAL. I yield to the gentleman from New York.

Mr. RYAN. Earlier in the debate mention was made of Ambassador Bunker. It was pointed out, if the policy is to be changed, it would be important to change the Ambassador. I recall when Ambassador Bunker was here and discussed Vietnam with Members of the House 2 years ago. At that time he made it perfectly clear, so far as he was concerned, that there would be no participation in any election by the Vietcong, or the National Liberation Front.

Until it is recognized that all elements in South Vietnam have the right to participate in elections, it is foolish to talk about self-determination in that country. Ambassador Bunker is a prisoner of past policies. Until past policies are changed in South Vietnam, until the administration makes up its mind that the discredited policies of the past are no longer to be followed, it will not be possible to achieve peace.

Mr. DENNIS. Mr. Speaker, will the gentleman yield?

Mr. ROSENTHAL. I yield to the gentleman from Indiana.

Mr. DENNIS. It seems to me, to quote the Washington Post, which is a thing I seldom do, I agree with what they say here after listening to this debate tonight:

> What the hard core of the war critics want is to stop the war, now, any old way, and never mind the consequences because these couldn't be worse than going on the way we are.

Or, as the gentleman said a moment ago, we should get out forthwith. I suggest, if we do that, it simply means a Communist takeover in South Vietnam without any question in the world. That means a complete American defeat. I see no way around it.

The point I would like to suggest which I have heard here tonight is what does the gentleman think the effect of that is going to be at home here in this country, adopting that as a national policy? To accept a Communist takeover and accept an American defeat. I must say I have heard things quoted on this floor today which were surprising to me. The gentleman here has referred to a Mendes-France and said that we could quit the war just like he did. Sure he surrendered, but who ever heard of Mendes-France since, and who will ever hear of any American politician who does a thing like that?

I heard a suggestion here awhile ago from my good friend from Indiana. He quoted the example of Dienbienphu and the Bay of Pigs. They are a couple of great examples to hold up for what we ought to do today. I heard this gentleman say that Ho used to be our hero. He was never mine. I do not know whose hero he was. He was never on my ball team.

Mr. CAREY. Will the gentleman yield?

Mr. DENNIS. Just a moment.

Let me go back to the good old Washington Post. Speaking again about this, here is what that liberal paper said:

> To be realistic—

They are talking about this immediate withdrawal—

> it is not even clear that the proposition is feasible logistically, let alone sound militarily. This, of course, leaves wholly aside the vast imponderables of which the hard core critics speak so glibly—the fate of Vietnam, the secondary effects in Southeast Asia, the impact on this country's position in the world, and quite possibly—

The thing I am talking about—

> most important of all, the domestic political repercussions at home.

I suggest to the gentleman that—and I am now closing—I suggest to the gentleman that moratoriums and protests may be popular at the moment, but when the American people stop and think it over they will never give support to any political party or to any politician who runs up the flag of surrender and adopts it as national policy.

Mr. CAREY. Mr. Speaker, will the gentleman yield?

Mr. ROSENTHAL. I yield to the gentleman from New York.

Mr. CAREY. I do not think this debate turns on the question of surrender. I think it is less than a salutary consideration in the high-level discussions we have had here in terms of assisting the President and expanding and multiplying the options he has to exercise in his desire to achieve a just peace. I remind the gentleman from Indiana a very potent statement was made tonight, and I believe possibly the most meaningful statement we have heard from the minority side, from the distinguished gentleman from Illinois (Mr. ANDERSON), who stated to us that the results, after discussions he held with the President this morning, were that he could state—and I took it to be categorically—that the President has abandoned any notion of a military victory in Vietnam. Those were the words from that side. Hearing that we now begin to think in terms of what are the options available to us as representatives of the people to recommend to the President as the opinion he should express to the people on what we should do to extricate the young men of this country from a situation in a foreign land under a foreign form of government, riddled with corruption, where they are no longer pursuing a course of victory and where we have done all we possibly can to support the government for 10 years and bring about what the White House said and the Secretary of Defense said in terms of Vietnamization of the war and de-Americanization of the war. I do not know how you do this without a resolution for some level of troop involvement and financial involvement of that regime.

And, I would hope you would think of this in terms of lasting peace. We will not achieve lasting peace if we submit to all of the demands of the two governments, because they seek from us aid to stock their arsenals with which to replace their value in terms of men now deployed.

I ask this question: What is the value of the two demands? How much will we have to contribute in the way of equipment in order to get our troops back here? I submit that this is the question that must be placed upon the demand. What is the demand?

We know that back in 1954 the demand of the South Vietnamese Government at that time was 15,000 or 20,000 American troops and a price tag of a couple of billion dollars and with that that the regime could be maintained.

Now, in 1969, with 510,000 troops over there and with the expenditure of $30 billion a year in investment, the time has come to ask what is the price to the American people. One price which I know we will not pay is any further commitment in which we would become involved in an interminable situation of both American lives and dollars.

Mr. ROSENTHAL. I thank the gentleman from New York for his comments.

Mr. Speaker, just one last thought. I think the moratorium is a good thing. We have a President and not an emperor. We have a country here where we can have free discussion and free dialog. We cannot suspend discussion in this country. We cannot suspend the Constitution.

Mr. RYAN. Mr. Speaker, tomorrow all over the Nation—on the campuses, in the business and financial districts of our cities, in the suburbs—Americans from every walk of life will join in an outpouring of citizen concern over the tragic conflict in Vietnam. On the eve of the October 15 moratorium it is appropriate that the elected representatives of the people discuss and debate American policy in Vietnam and its consequences.

The moratorium is a peaceful effort to convince the President and the administration that they must extricate the United States from Vietnam and bring the war to a prompt end.

If the President's real attitude toward the moratorium was summed up in his September 26 press conference declaration: "Under no circumstances will I be affected by it," then there is very little hope that he understands what is happening in America.

The President's letter yesterday to a Georgetown University student, Randy J. Dicks, was an attempt to soften the press conference statement. However, it reflects the same feeling, for the President said in his letter, "There is nothing new we can learn from the demonstrations."

Then the President sought to explain participation of many citizens in the moratorium as simply an expression of "I am for peace"—a goal he ardently joins—as do all of us.

No one questions the President's desire for peace. The purpose of the moratorium is to make it clear to the administration that it is not enough to be for peace. Rather it is essential that peace be pursued relentlessly; and that the United States terminate its involvement in an undeclared war 10,000 miles from our shores.

The war in Vietnam continues to take its toll in American lives—there were approximately 520 casualties in September—and to consume more and more of our Nation's resources, while our cities disintegrate; our youth is further alienated; and our country becomes more disunited.

From the beginning of this tragic conflict I have consistently warned of the threat which the war poses to both the welfare of the American and Vietnamese people and the stability and integrity of the United States. Since 1964 the domestic needs of our people have been neglected as our Nation's resources and energies have been committed to the Americanization of the war and the constant escalation of our military role—an escalation carried on with the consent, if not the advice, of the Congress, which, despite the opposition of a few of us, has readily authorized and appropriated some $30 billion annually to conduct the war in Vietnam.

Last March 26 in a speech on the House floor I spelled out three steps which I believed then should be taken to bring the war to an end.

First, the Congress should refuse to approve any further funding for military activities in South Vietnam.

Second, the administration should accept the participation of the National Liberation Front in the future political life of South Vietnam.

Third, the withdrawal of a significant number of U.S. troops—at least 100,000. Also, troops rotated back to the United States would not be replaced.

I suggested those steps in March. Had they been adopted, the moratorium might have been unnecessary.

Unfortunately, neither the Congress nor the administration have been willing to take the steps necessary to end the war.

Congress continues to provide the appropriation; the administration continues to support the repressive Saigon regime which has narrowed rather than broadened its base; and the withdrawal of 25,000 troops is tokenism.

It is apparent that the administration's plan is to reduce our troop level at some future time to 250,000, restrict military operations in order to keep casualties down, maintain the American presence, and attempt to shift the combat burden to the South Vietnamese. This is the Johnson strategy intended to be made more acceptable by token withdrawals, reduced casualties, and lower draft calls. It is hoped that the result will be a quieting of dissent in America.

It is dubious that such a strategy will move the Paris peace talks off dead center because it ignores the political realities in South Vietnam and denies an indigenous movement a role in the future Government of South Vietnam.

To expect that either the National Liberation Front or the North Vietnamese will agree to a settlement, which does not permit them a political role in South Vietnam after nearly 25 years of struggle on their part to achieve power, is totally unrealistic and out of keeping with the political realities of South Vietnam. We do nothing to further the evolution of democracy in South Vietnam by propping up a regime so corrupt and unrepresentative that even its proponents believe it would immediately collapse in the face of U.S. military withdrawal.

There has been no movement at Paris after 17 months and 17,000 casualities because we are not prepared to make concessions on the basic issue of the war—who shall participate in the government of South Vietnam. As long as the administration is unwilling to negotiate on this question, it is difficult to believe there will be a negotiated settlement of the war.

General Thieu has refused to accept a compromise. But he must no longer be permitted to determine American policy, in reality having a life-or-death say over American lives.

The cost of continuing to support the Saigon generals is too high. The cost of repeating past mistakes is too high. The cost of perpetuating past policy is too high. In short, the cost of maintaining a client state in Southeast Asia is too high.

The American people who gave the President a mandate to end the war recognize that the cost of continuing it is too high—that is what the moratorium is all about.

Mr. COHELAN. Mr. Speaker, today throughout the United States, millions of Americans are expressing their views that the war in Vietnam and American participation in it should be liquidated. I support this moratorium observance as a significant and nonviolent expression of opposition to the continuation of this war. It emphasizes the painfully apparent fact that if the war should continue much longer it will contribute further to corrosive divisions in our society.

In a word, Mr. Speaker, the war in Vietnam is for us a quagmire and we must find new ground in both our foreign and domestic policy. The steady drain on our manpower has now reached the astonishing total of 38,887 lives nationwide, of which 3,779 KIA were from the State of California. When we add to this our own thousands who have been wounded and maimed, and the military and civilian dead of the South Vietnamese, we have a measure of the expenditures in blood. But we must add to that the incredible expenditure of billions of dollars which in large part has been diverted from the urgent domestic requirements at a crucial point in our national history. The drain of blood and treasure into engulfing muck is what Professor Reischauer says the Japanese call "doronuma"—the quagmire.

And how are we to find new and solid ground? How are we to make peace with Hanoi?

This, of course, is what today's moratorium is all about. It is an appeal to the President to get out of Vietnam as soon as possible consistent with the security of our forces. It means we should call for a cease fire in the Paris negotiations and go firmly on record before all the world that we are resolved to disengage from the conflict.

But most of all we must face realities that we have somehow avoided. When we speak of 500,000 men we think of Army, Navy, Air Force, and Coast Guardsmen. We must remember that for the most part they serve for a 13-month rotational tour. So in reality, our manpower commitment is far more than this oftquoted number.

Any way you look at it the costs of this war are unbelievable. When we consider that all of our effort has brought neither victory nor, more importantly, peace in South Vietnam and has in-

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creased domestic tension and strife, the current and long-range costs of this conflict are incalculable.

The argument is made that the only obstacle to military victory has been our unwillingness or reluctance to increase the size of our military effort. There were times when we were told that with just a few more battalions we would have victory.

When I first went to Vietnam in 1962, I was told by distinguished military and diplomatic personnel that the war would be over in 2 to 3 years. Even Secretary McNamara harbored the hope that manpower levels could be reduced when basic installations were completed and secured. Even more remarkable is that such talk can still be heard today.

I have no doubt that more intensive application of our enormous power could eventually grind the Vietcong and the North Vietnamese into submission.

But at what cost?

The immediate cost of escalation in men and material is obvious. What are the consequences? Even ignoring for the moment the consideration that such a step could lead to a nuclear war engulfing far more than just Vietnam, the tragedy of escalation is that it will ultimately destroy Vietnam as a country. Certainly such a prospect cannot be seriously considered "victory" by any definition.

The futility of escalation then is one of the major realities of the Vietnamese war—and has been for some time.

The second Vietnam reality is that the war has become an American war on both the political and military fronts. We have been making fumbling efforts at doing the work of an ineffectual South Vietnamese Government and at the same time we bear the burden of the bulk of the fighting.

It is now no secret that the South Vietnamese Government is rife with corruption and incompetence and, stifled by its own bureaucracy, is unable to capture the spirit or support of the Vietnamese people.

The popular support of the South Vietnamese is as important a weapon of war in Vietnam as we have in our arsenal. The National Liberation Front has for years been acutely aware of this and has even gone so far as to initiate its own village-level program of land reform, an area of consuming interest to the people of a largely agrarian country.

Guerrilla soldiers are dependent on the support, or at least acquiescence of the people. The ability of the guerrilla in Vietnam to survive the massive military effort of the past 3 years seems indicative of the fact that he is not without that support or acquiescence.

Though they were unable to rally a mass uprising, the Vietcong during the recent Tet offensive startled both the South Vietnamese Government and American planners with the level of support they commanded.

Battalions of guerrillas moved secretly into the cities and then managed in some cases to survive for nearly a month, though our intelligence tells us they brought food and supplies sufficient for only a few days' operation.

I cannot help but feel that a large measure of the effectiveness of this offensive could have been blunted by a people who gave both their respect and support to their own Government.

But when they turn to their Government, what do they find?

Vietnamese soldiers looting or selling water to homeless refugees after the Tet fighting.

A corps commander trafficking in opium, bribes, kickbacks from bars, winking at illegal exports of rice to Cambodia.

Petty officials selling driver's licenses, visas, places on military planes, and jobs with Americans.

Not all the Vietnamese officials, of course, are corrupt. There are a large number of accounts of valiant efforts by Vietnamese civil servants. In a revolutionary situation, however, a man expects dedication, unselfishness, decent service, and reasonable competence from his Government. In Vietnam, instead, he is offered only intolerable corruption.

The South Vietnamese bureaucracy is stifling. Few local civil servants will take—or are given—the initiative to act on his own. Deals, incompetence, and corruption so pervade all levels of government in Vietnam that some Cabinet ministers have been known to despair of ever seeing the implementation of their orders.

For years the Saigon government has promised the people meaningful land reform. Yet last July when I was in Vietnam with the Moss congressional subcommittee our investigation showed that very little real land redistribution to the peasants had been carried out.

It was not until 1965, after the Manila conference, that the South Vietnamese Government initiated a "crash" program to supply peasants with permanent titles to their land.

The titles finally went out in 1967—but with the local province chiefs empowered to distribute them. During our investigation last year, one American province representative told us of what happened to these titles in his area:

> Land reform is just not going on. There have been about 900 land titles distributed to the province chief. He has distributed them to the district chiefs. But the people have not gotten them yet.
>
> The man (province chief) has his own ideas about land reform. He is making his own laws down there. There is just too much power concentrated in him. He is using it.

The Vietcong land reform program, on the other hand, and I quote here from the report, "has eliminated landlord domination and reallocated lands owned by absentee landlords and the Government of South Vietnam to the landless and others who cooperate with Vietcong authorities.

"Although there is no evidence that firm titles have been given to the land, possession is stressed by the Vietcong and taxes rather than rentals are collected."

The startling aspect of this is that rather than countering the Vietcong program with it's own, the South Vietnamese Government adheres to a policy of restoring land rights to the former owners whenever it seizes a Vietcong dominated area.

The Government we support as an alternative to the other side is at present not very attractive, to put it mildly.

The Saigon government must more vigorously implement programs designed to help the people and win their support. This means that land reform programs should be given new life and new purpose. This means that the Saigon government must become more conscious of the importance of providing good government services, including relief and reconstruction assistance. It means more and better attention must be paid to the people.

It means the Saigon Government must take greater measures to accommodate the views of other non-Communist politicians. It means that former candidates must not be harassed or deplorably imprisoned "for their own safety." It means that the Saigon Government must move to broaden the base of its support.

But will it?

We have tried without particular success our own program of pacification which drives at moving the Vietnamese to the side of their own government.

We have substituted our soldiers for Vietnamese in the brunt of the fighting because they frequently are found wanting in motivation.

We have tried to do with American men and equipment and money a job that the South Vietnamese should have been doing for themselves in many instances.

And what have we for it?

The size and scope of our involvement is such that today, to many Vietnamese, we have become an extension of the French, a non-Asian nation standing in the way of Vietnamese nationalism.

Unwittingly, we have corrupted the will and spirit of many South Vietnamese. They view the war increasingly as an American, not Vietnamese, war and I believe that as our involvement grows South Vietnamese involvement diminishes in direct proportion.

The final reality I offer for consideration today is the staggering cost of this war.

Thousands of lives, hundreds of thousands of destroyed dwellings, millions of refugees, and billions of dollars tell only a part of the costs.

These are the obvious costs. But the price of Vietnam must be measured in more than ledger book terms.

World opinion in many friendly quarters is against us. None of our major European allies, including Great Britain, fully endorses our policy in Vietnam and none is allied with us there.

Prices, balance of payments, taxes all bear some mark of Vietnam. And with further increases in our commitment, they will suffer all the more.

But perhaps the highest and most tragic cost is the deep internal wounds we are inflicting on our national unity, wounds that I fear will be many years in healing even were the war to end today. Our Government and our very society is challenged daily by our own people and that disaffection grows with each calendar day we remain in Vietnam.

These then are the realities of the war and they are indicative of a policy that has failed.

What we must do now is realize that what we have been doing has not worked. We must change our current course of action to one that will give rise at the earliest possible moment to a negotiated cease-fire and free us—and the Vietnamese—from a war that is inexorably leading to the utter destruction of Vietnam and possibly even a wider Asian war.

We must find that course. It is time to realize that the answer does not lie in the relentless flow of more and more American blood and resources.

I think we must abandon the notion that victory in Vietnam is simply a matter of committing more Americans to the effort. This is a Vietnamese war. In the end, it must be fought and settled by the Vietnamese.

Among other things, our massive presence in Vietnam has relieved the sense of urgency which the South Vietnamese have felt about their future. But they must now accept the responsibility for their own fate.

In a word, I think we must begin immediately to rely more on the Vietnamese to be masters of their destiny and they must rely less on our immense military resources.

If they do not want to be governed by the Vietcong or the North Vietnamese they must fight and show the necessary spirit to avoid such a regime.

In my judgment, which is shared by many of the experts, this war will only be ended and a firm peace gained if the Vietnamese themselves develop the settlement. The United States cannot and must not carry Saigon forever. And this goes for not just Thieu or Ky but any government.

I also believe that our withdrawal from Vietnam should also be accompanied by an overall reappraisal of our role in Southeast Asia and the Pacific. It suggests to many of us who have been following events in this part of the world that we should maintain what Reischauer calls "low posture."

Mr. Speaker, there is a danger that some in our Government may have forgotten the events of the last election. If President Nixon has forgotten he should remember that the events surrounding the election made it crystal clear that most Americans do not consider South Vietnam to be one of our vital interests warranting further sacrifice of blood and treasure.

If the President really wants to bring Americans back together with a feeling of unity he will undertake to withdraw our armed services from Vietnam at the earliest practical date.

On this moratorium day we pray that the President will lead us out of this morass—this quagmire and get us back to the business of rebuilding and renewing the greatest democratic republic in recorded history—the United States of America.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Kyros (at the request of Mr. Albert), for today, October 14, 1969, on account of official business.

Mr. Farbstein, for the period after 1 o'clock p.m., October 14, for the balance of the week on account of official business. This change of plans from Committee on Foreign Affairs.

Mr. McMillan, for October 15 and 16, on account of business out of the city.

Mr. Rivers (at the request of Mr. McMillan), from October 14 to October 24, on account of attendance at NATO conference.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Carey, for 60 minutes, today.

(The following Members (at the request of Mr. Albert) and to revise and extend their remarks and include extraneous matter:)

Mrs. Chisholm, for 60 minutes, on October 15.

Mr. Reuss, for 15 minutes, on October 15.

Mr. Farbstein, for 30 minutes, today.

Mrs. Chisholm, for 60 minutes, today.

Mr. Gonzalez, for 10 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Mahon.

Mr. McMillan and to include extraneous matter.

Mr. Madden in two instances.

Mr. Downing to extend his remarks immediately following the offer of House Joint Resolution 910 by Mr. Rogers of Colorado.

Mr. Olsen and to include extraneous matter.

Mr. Dowdy, to extend his remarks in the Record immediately following the remarks of the gentleman from Maryland (Mr. Morton).

Mr. Gray in two instances.

(The following Members (at the request of Mr. Eshleman), and to include extraneous matter:)

Mr. Del Clawson.

Mr. Goodling.

Mr. Roudebush.

Mr. Foreman.

Mr. Schwengel.

Mr. Hunt.

Mr. Taft.

Mr. Wyman in two instances.

Mr. Anderson of Illinois in four instances.

Mr. Reid of New York.

Mr. Bray in three instances.

Mr. Brock.

Mr. Utt.

Mr. Hammerschmidt.

Mr. Zwach.

Mr. Adair.

Mr. Carter.

Mr. Johnson of Pennsylvania.

Mr. Bob Wilson.

Mr. Price of Texas in two instances.

(The following Members (at the request of Mr. Albert), and to include extraneous matter:)

Mr. Cohelan in two instances.

Mr. Fraser in five instances.

Mr. Matsunaga in two instances.

Mr. Bolling.

Mr. Boland.

Mr. Preyer of North Carolina.

Mr. O'Hara.

Mr. Hawkins.

Mr. Hicks.

Mr. Lowenstein in five instances.

Mr. Edwards of California in two instances.

Mr. Ryan in five instances.

Mr. Gonzalez.

Mr. Wolff.

Mr. Kluczynski.

Mr. Mollohan in three instances.

Mr. Friedel in three instances.

Mr. Brown of California in three instances.

Mrs. Sullivan in three instances.

Mr. Hathaway.

Mr. Tiernan in two instances.

Mr. Gilbert.

Mr. Brasco.

Mr. Blanton.

Mr. Charles H. Wilson.

Mr. O'Neill of Massachusetts in two instances.

Mr. Jacobs.

Mr. Anderson of California.

Mr. Green of Pennsylvania in two instances.

Mr. Tunney.

Mr. Dulski in three instances.

Mr. Burlison of Missouri.

Mr. Symington.

Mr. Ryan to extend his remarks following those of Mr. Rosenthal during his special order today.

Mr. Cohelan (at the request of Mr. Ryan) to extend his remarks following those of Mr. Ryan during the special order of Mr. Rosenthal, today.

SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 54. Joint resolution consenting to an extension and renewal of the interstate compact to conserve oil and gas; to the Committee on Interstate and Foreign Commerce.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1471. An act to amend title 38 of the United States Code to increase the rates of dependency and indemnity compensation payable to widows of veterans, and for other purposes.

CALL OF THE HOUSE

Mr. MONTGOMERY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 223]

Abbitt
Abernethy
Adair
Adams
Alexander
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Annunzio
Arends
Ashley
Aspinall
Ayres
Baring
Barrett
Berry
Betts
Bingham
Blackburn
Blanton
Blatnik
Bolling
Bow
Brooks
Brown, Calif.
Brown, Ohio
Burke, Fla.
Burton, Calif.
Burton, Utah
Byrne, Pa.
Cabell
Caffery

Cahill
Camp
Cederberg
Celler
Chappell
Chisholm
Clark
Cohelan
Collier
Collins
Colmer
Corbett
Cunningham
Daddario
Daniel, Va.
Davis, Ga.
Dawson
Denney
Dent
Derwinski
Devine
Diggs
Dingell
Dowdy
Downing
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Esch
Evins, Tenn.
Fallon
Farbstein
Fascell
Findley
Fish
Fisher
Flynt
Frelinghuysen
Frey
Fulton, Tenn.
Fuqua
Garmatz
Gaydos
Gettys
Giaimo
Goldwater
Goodling
Green, Oreg.
Griffin
Griffiths
Gross
Gubser
Hagan
Haley
Hall
Halpern
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Harrington
Harsha
Hastings
Hathaway
Hawkins
Hays
Hébert
Hogan
Holifield
Hosmer
Hull
Hunt
Hutchinson
Jarman
Jones, Ala.
Jones, N.C.
Jones, Tenn.
King
Kirwan
Kleppe
Kluczynski
Kuykendall
Kyros
Landgrebe
Landrum
Latta
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
Lowenstein
Lujan
McClory
McCloskey
McCulloch
McKneally
McMillan
Macdonald, Mass.
Mann
Martin
Mathias
May
Meeds
Melcher
Michel
Mills
Minshall
Mize
Mollohan
Monagan
Mosher
Moss
Murphy, N.Y.
Nichols
Nix
O'Konski
O'Neal, Ga.
Ottinger
Passman
Patman
Pelly
Pickle
Pike
Pirnie
Pollock
Powell
Preyer, N.C.
Purcell
Quie
Railsback
Rarick
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Riegle
Rivers
Roberts
Rodino
Rogers, Colo.
Rooney, N.Y.
Rooney, Pa.
Roybal
Ruth
St Germain
Sandman
Saylor
Schneebeli
Scott
Shipley
Sikes
Skubitz
Slack
Smith, Calif.
Springer
Stafford
Stanton
Steed
Stephens
Stubblefield
Sullivan
Taft
Taylor
Teague, Calif.
Teague, Tex.
Thompson, N.J.
Thomson, Wis.
Tunney
Utt
Vigorito
Waggonner
Watson
Whalen
Whalley
White
Whitehurst
Whitten
Widnall
Wiggins
Wilson, Bob
Wold
Wright
Wyatt
Yatron
Young
Zion
Zwach

Mr. **FRASER**. Mr. Speaker, a parliamentary inquiry.

The **SPEAKER**. The gentleman will state it.

Mr. **FRASER**. I would like to ask, if I may, where the matter stands now of the call of the House which was made by the majority leader. As I understand it, there is not yet a quorum recorded at the desk.

The **SPEAKER**. The gentleman is correct.

Mr. **FRASER**. Now, Mr. Speaker, what are the options open to the House at this point?

The **SPEAKER**. The Chair is patiently waiting to see. Regular order is the establishment of a quorum. If a quorum is not established, then a motion to adjourn would be in order.

Mr. **FRASER**. Mr. Speaker, am I correct that if a quorum is not established, there are only two choices open to the House—either a motion to adjourn or a motion to instruct the Sergeant at Arms to produce the missing Members?

The **SPEAKER**. The gentleman is correct.

Mr. **FRASER**. Mr. Speaker, so long as a quorum is not produced and in the event the House should instruct the Sergeant at Arms, would it be possible for the House to proceed, or would the House have to stand in abeyance with no further proceedings?

The **SPEAKER**. The Chair will state that the House cannot do business without a quorum.

Mr. **FRASER**. Mr. Speaker, a further parliamentary inquiry.

The **SPEAKER**. The gentleman will state it.

Mr. **FRASER**. Mr. Speaker, in order to see if I have that point clearly in mind, if there were an instruction to bring in absent Members and it did not succeed during the period of time, during that period of time the House could proceed with no other business; is that correct?

The **SPEAKER**. The House cannot proceed at all until a quorum is established.

Mr. **QUILLEN**. Mr. Speaker——

The **SPEAKER**. For what purpose does the gentleman from Tennessee rise?

Mr. **QUILLEN**. Mr. Speaker, due to the lack of a quorum, I move that the House do now adjourn.

Mr. **YATES**. Mr. Speaker, on that I ask for the yeas and nays.

Mr. **BOGGS**. Mr. Speaker, a parliamentary inquiry.

The **SPEAKER**. The gentleman from Louisiana will state his parliamentary inquiry.

Mr. **BOGGS**. Mr. Speaker, does it require a quorum to adjourn?

The **SPEAKER**. The Chair will state to the gentleman from Louisiana that it does not require a quorum.

Mr. **BOGGS**. Mr. Speaker, a further parliamentary inquiry. What is the result of the vote without a quorum present?

Mr. **ALBERT**. Mr. Speaker, a parliamentary inquiry.

The **SPEAKER**. The gentleman from Oklahoma will state his parliamentary inquiry.

Mr. **ALBERT**. Is it in order to move that the House adjourn on the ground that a quorum is not present until the Chair has announced the nonexistence of a quorum?

The **SPEAKER**. The Chair will state that a motion to adjourn is in order any time after the conclusion of the second call if a quorum has not been established.

Mr. **QUILLEN**. Mr. Speaker——

The **SPEAKER**. The gentleman from Oklahoma is on his feet and the Chair recognizes the gentleman from Oklahoma.

Mr. **ALBERT**. Mr. Speaker, I would have preferred not to do so at this time, but in view of the fact that——

Mr. **YATES**. Mr. Speaker, a parliamentary inquiry.

The **SPEAKER**. The gentleman from Illinois will state his parliamentary inquiry.

Mr. **YATES**. Mr. Speaker, is not a motion to adjourn pending?

Mr. **QUILLEN**. Mr. Speaker, I yield to the majority leader.

The **SPEAKER**. The Chair has recognized the gentleman from Oklahoma.

Mr. **YATES**. Mr. Speaker, a parliamentary inquiry.

The **SPEAKER**. The gentleman will state it.

Mr. **YATES**. Is there not a motion to adjourn pending upon which I have asked for the yeas and nays?

The **SPEAKER**. The gentleman's inquiry is correct.

Mr. **QUILLEN**. Mr. Speaker, I ask unanimous consent to withdraw my motion to adjourn.

Mr. **YATES**. Mr. Speaker, I object.

Mr. **MOORHEAD**. Mr. Speaker, I object.

The **SPEAKER**. The Chair will state that it does not require unanimous consent to withdraw the gentleman's motion.

Mr. **QUILLEN**. Mr. Speaker, I withdraw my motion and I yield to the majority leader.

The **SPEAKER**. The Chair will state the gentleman from Tennessee does not have that privilege. The Chair has the privilege of recognition when the gentleman has withdrawn his motion. The Chair recognizes the gentleman from Oklahoma.

Mr. **ALBERT**. Mr. Speaker, I would prefer not to make this motion at this time, but in view of the parliamentary situation, I move that the House do now adjourn.

Mr. **YATES**. Mr. Speaker, on that I demand the yeas and nays.

PARLIAMENTARY INQUIRY

Mr. **GERALD R. FORD**. Mr. Speaker, a parliamentary inquiry.

The **SPEAKER**. The gentleman will state his parliamentary inquiry.

Mr. **GERALD R. FORD**. Mr. Speaker, if the motion to adjourn does not prevail, and a quorum is not present what is the situation then?

The **SPEAKER**. The Chair will state that the House would continue to proceed under the call of the House to establish a quorum.

Mr. **GERALD R. FORD**. Mr. Speaker, a further parliamentary inquiry.

The **SPEAKER**. The gentleman will state his parliamentary inquiry.

Mr. **GERALD R. FORD**. Mr. Speaker, does that entail another quorum call at that point?

The **SPEAKER**. The Chair will state that we would be continuing under the previous call, the call that was in existence prior to the motion to adjourn.

PARLIAMENTARY INQUIRY

Mr. **YATES**. Mr. Speaker, a parliamentary inquiry.

Mr. Speaker, would it be in order at that point to move that the Speaker instruct the Sergeant at Arms to bring in Members who are absent?

The **SPEAKER**. The Chair will state that if the House fails to adjourn, a motion to that effect would be in order.

The question was taken; and there were—yeas 113, nays 109, not voting 209, as follows:

[Roll No. 224]

YEAS—113

Andrews, N. Dak.
Ashbrook
Belcher
Bell, Calif.
Bennett
Bevill
Biaggi
Boggs
Bray
Brinkley
Broomfield
Brotzman
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson, Tex.
Bush
Byrnes, Wis.
Casey
Chamberlain
Clark
Clausen, Don H.

Clawson, Del
Corbett
Cowger
Cramer
Davis, Wis.
Delaney
Dennis
Dickinson
Dorn
Duncan
Edwards, Ala.
Erlenborn
Eshleman
Flowers
Ford, Gerald R.
Foreman
Fountain
Fulton, Pa.
Gray
Gross
Hall
Hammerschmidt
Hansen, Idaho
Harvey
Henderson
Ichord
Johnson, Pa.
Jonas
Kee
Keith
Kyl
Langen
Long, La.
Lukens
McClory
McClure
McEwen
McFall
MacGregor
Mahon
Mailliard
Marsh
Mayne
Meskill
Miller, Calif.
Miller, Ohio
Mizell
Montgomery
Morton
Myers
Nelsen
Pettis
Poage
Poff
Price, Tex.
Quillen
Reifel
Rhodes
Rogers, Colo.
Rogers, Fla.
Roudebush
Ruth
Satterfield
Schadeberg
Scherle
Scott
Sebelius
Shriver
Sikes
Sisk
Smith, N.Y.
Snyder
Staggers
Steiger, Ariz.
Stratton
Stuckey
Thompson, Ga.
Ullman
Utt
Waggonner
Watkins
Watson
Williams
Winn
Wyatt
Wydler
Wylie
Wyman
Young
Zablocki
Zion

NAYS—109

Addabbo
Albert
~~Anderson, Calif.~~
Beall, Md.
Biester
Boland
Brademas
Brasco
Brock
Brown, Mich.
Burke, Mass.
Button
Carey
Carter
Clay
Cleveland
Conte
Conyers
Corman
Coughlin
Culver
de la Garza
Dellenback
Derwinski
Edwards, La.
Eilberg
Evans, Colo.
Feighan
Flood
Foley
Ford, William D.
Fraser
Friedel
Galifianakis
Gallagher
Gilbert
Gonzalez
Green, Pa.
Grover
Gude
Hamilton
Hechler, W. Va.
Heckler, Mass.
Helstoski
Horton
Howard
Hungate
Jacobs
Johnson, Calif.
Karth
Kastenmeier
Kazen
Kluczynski
Koch
Leggett
McCarthy
McDade
McDonald, Mich.
Madden
Matsunaga
Mikva
Minish
Mink
Moorhead
Morgan
Morse
Murphy, Ill.
Natcher
Nedzi
Obey
O'Hara
Olsen
O'Neill, Mass.
Patten
Pepper
Perkins
Philbin
Podell
Price, Ill.
Pryor, Ark.
Pucinski
Randall
Reuss
Robison
Rosenthal
Rostenkowski
Roth
Ruppe
Ryan
St. Onge
Scheuer
Schwengel
Skubitz
Smith, Iowa
Steiger, Wis.
Stokes
Symington
Tiernan
Udall
Van Deerlin
Vander Jagt
Vanik
Waldie
Wampler
Watts
Weicker
Wilson, Charles H.
Wolff
Yates

NOT VOTING—209

Abbitt
Abernethy
Adair
Adams
Alexander
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Annunzio
Arends
Ashley
Aspinall
Ayres
Baring
Barrett
Berry
Betts
Bingham
Blackburn
Blanton
Blatnik
Bolling
Bow
Brooks
Brown, Calif.
Brown, Ohio
Burke, Fla.
Burlison, Mo.
Burton, Calif.
Burton, Utah
Byrne, Pa.
Cabell
Caffery
Cahill
Camp
Cederberg
Celler
Chappell
Chisholm
Clancy
Cohelan
Collier
Collins
Colmer
Conable
Cunningham
Daddario
Daniel, Va.
Daniels, N.J.
Davis, Ga.
Dawson
Denney
Dent
Devine
Diggs
Dingell
Donohue
Dowdy
Downing
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Esch
Evins, Tenn.
Fallon
Farbstein
Fascell
Findley
Fish
Fisher
Flynt
Frelinghuysen
Frey
Fulton, Tenn.
Fuqua
Garmatz
Gaydos
Gettys
Giaimo
Gibbons
Goldwater
Goodling
Green, Oreg.
Griffin
Griffiths
Gubser
Hagan
Haley
Halpern
Hanley
Hanna
Hansen, Wash.
Harrington
Harsha
Hastings
Hathaway
Hawkins
Hays
Hébert
Hicks
Hogan
Holifield
Hosmer
Hull
Hunt
Hutchinson
Jarman
Jones, Ala.
Jones, N.C.
Jones, Tenn.
King
Kirwan
Kleppe
Kuykendall
Kyros
Landgrebe
Landrum
Latta
Lennon
Lipscomb
Lloyd
Long, Md.
Lowenstein
Lujan
McCloskey
McCulloch
McKneally
McMillan
Macdonald, Mass.
Mann
Martin
Mathias
May
Meeds
Melcher
Michel
Mills
Minshall
Mize
Mollohan
Monagan
Mosher
Moss
Murphy, N.Y.
Nichols
Nix
O'Konski
O'Neal, Ga.
Ottinger
Passman
Patman
Pelly
Pickle
Pike
Pirnie
Pollock
Powell
Preyer, N.C.
Purcell
Quie
Railsback
Rarick
Rees
Reid, Ill.
Reid, N.Y.
Riegle
Rivers
Roberts
Rodino
Rooney, N.Y.
Rooney, Pa.
Roybal
St Germain
Sandman
Saylor
Schneebeli
Shipley
Slack
Smith, Calif.
Springer
Stafford
Stanton
Steed
Stephens
Stubblefield
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, N.J.
Thomson, Wis.
Tunney
Vigorito
Whalen
Whalley
White
Whitehurst
Whitten
Widnall
Wiggins
Wilson, Bob
Wold
Wright
Yatron
Zwach

So the motion was agreed to.

Mrs. HECKLER of Massachusetts, changed her vote from "yea" to "nay."

Messrs. BRAY, BYRNES of Wisconsin, WYATT, and DUNCAN changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The motion is agreed to. Accordingly, the House stands adjourned until tomorrow, Wednesday, October 15, 1969, at 12 o'clock noon.

ADJOURNMENT

Accordingly (at 11 o'clock and 17 minutes p.m.), the House adjourned until tomorrow, Wednesday, October 15, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS,ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1255. A letter from the Comptroller General of the United States, transmitting a report of the audit of the Federal Savings and Loan Insurance Corporation, supervised by the Federal Home Loan Bank Board, for the year ended December 31, 1968 (H. Doc. No. 91–179); to the Committee on Government Operations and ordered to be printed.

1256. A letter from the Comptroller General of the United States, transmitting a report on the effectiveness and administrative efficiency of the Neighborhood Youth Corps program under title IB of the Economic Opportunity Act of 1964, selected rural areas of Minnesota, Department of Labor; to the Committee on Education and Labor.

1257. A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to amend the act of October 15, 1966 (80 Stat. 915); to the Committee on Interior and Insular Affairs.

1258. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to provide authority for subsidized transportation for Public Health Service employees affected by the transfer to the Parklawn Building in Rockville, Md., to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MORGAN. Committee of Conference. Conference report on H.R. 11039 (Rept. No. 91–564). Ordered to be printed.

Mr. POAGE. Committee on Agriculture. H.R. 14169. A bill to amend section 402 of the Agricultural Trade Development and Assistance Act of 1954, as amended, in order to remove certain restrictions against domestic wine under title I of such act, without amendment (Rept. No. 91–565). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE. Committee on Agriculture. House Joint Resolution 934. Joint resolution to increase the appropriation authorization for the food stamp program for fiscal 1970 to $610 million; without amendment (Rept. No. 91–566). Referred to the Committee of the Whole House on the State of the Union.

Mr. ANDERSON of Tennessee. Committee on Rules. House Resolution 579. Resolution for consideration of H.R. 4244, a bill to amend section 576 of title 5, United States Code, pertaining to the Administrative Conference of the United States, to remove the statutory ceiling on appropriations (Rept. No. 91–567). Referred to the House Calendar.

Mr. DELANEY. Committee on Rules. House Resolution 580. Resolution for consideration of H.R. 13827, a bill to amend and extend laws relating to housing and urban development, and for other purposes (Rept. No. 91–568). Referred to the House Calendar.

Mr. ABBITT. Committee on House Administration. H.R. 14195. A bill to revise the law governing contests of elections of Members of the House of Representatives, and for other purposes; with amendments (Rept. No. 91–569). Referred to the Committee of the Whole House on the State of the Union.

Mrs. HANSEN of Washington. Committee of Conference. Conference report on H.R. 12781 (Rept. No. 91–570). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BETTS: (for himself, Mr. Horton, Mr. McClure, and Mr. McDade):

H.R. 14327. A bill to restore balance in the Federal form of government in the United States; to provide both the encouragement and resources for State and local government officials to exercise leadership in solving their own problems; to achieve a better allocation of total public resources; and to provide for the sharing with State and local governments of a portion of the tax revenue received by the United States; to the Committee on Ways and Means.

By Mr. DERWINSKI:

H.R. 14328. A bill to amend the Social Security Act to provide an increase in benefits under the old-age, survivors, and disability insurance program, provide for automatic benefit increases thereafter in the event of future increases in the cost of living, provide for future automatic increases in the earnings and contribution bases, and for other purposes; to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H.R. 14329. A bill to prohibit hiring professional strikebreakers in interstate labor disputes; to the Committee on Education and Labor.

H.R. 14330. A bill to improve judicial machinery by providing Federal jurisdiction for certain types of class actions, and for other purposes; to the Committee on the Judiciary.

H.R. 14331. A bill to amend title 39, United States Code, to restrict the mailing of unsolicited credit cards; to the Committee on Post Office and Civil Service.

By Mr. FREY:

H.R. 14332. A bill to encourage the development of novel varieties of sexually reproduced plants and making them available to the public, by making protection available to those who breed, develop or discover them, thereby promoting progress in the useful art of agriculture; to the Committee on Agriculture.

By Mr. KING:

H.R. 14333. A bill to provide for orderly trade in leather gloves; to the Committee on Ways and Means.

By Mr. McMILLAN:

H.R. 14334. A bill to amend the District of Columbia Bail Agency Act to increase the effectiveness of the District of Columbia Bail Agency, to authorize consideration of danger to the community in setting conditions of release of persons in the District of Columbia, to provide for pretrial detention in the District of Columbia of dangerous persons, and for other purposes; to the Committee on the District of Columbia.

H.R. 14335. A bill to provide for the investigative detention and search of persons in the District of Columbia suspected of involvement in, or knowledge of, crimes committed in the District of Columbia; to the Committee on the District of Columbia.

By Mr. PATTEN:

H.R. 14336. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. RARICK:

H.R. 14337. A bill to require that the uniform of officers and members of the uniformed police forces in the District of Columbia shall bear a distinctive patch showing the flag of the United States; to the Committee on the District of Columbia.

By Mr. SHIPLEY:

H.R. 14338. A bill to amend the Foreign Assistance Act of 1961; to the Committee on Foreign Affairs.

By Mr. BENNETT:

H.R. 14339. A bill to authorize the Administrator of General Services to construct, operate, and maintain a parking facility and cafeteria for Federal employees in Jacksonville, Fla.; to the Committee on Public Works.

By Mr. BIAGGI:

H.R. 14340. A bill to authorize the Commissioner of the District of Columbia to utilize volunteers for active police duty; to the Committee on the District of Columbia.

By Mr. CELLER:

H.R. 14341. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize appropriations for fiscal year 1971 and succeeding fiscal years, and for other purposes; to the Committee on the Judiciary.

By Mr. GERALD R. FORD:

H.R. 14342. A bill to establish in the State of Michigan the Sleeping Bear Dunes National Lakeshore, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MINISH:

H.R. 14343. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. OTTINGER:

H.R. 14344. A bill to establish the calendar year as the fiscal year of the Government and for other purposes; to the Committee on Government Operations.

By Mr. QUIE:

H.R. 14345. A bill to extend for 3 years the authority of the Armed Forces and the Veterans' Administration to use dairy products purchased by the Commodity Credit Corporation; to the Committee on Agriculture.

By Mr. SCOTT:

H.R. 14346. A bill to amend title 39, United States Code, to restrict the mailing of unsolicited credit cards; to the Committee on Post Office and Civil Service.

By Mr. TEAGUE of Texas (by request):

H.R. 14347. A bill to liberalize the provisions of law governing the payment of increased disability compensation as the result of examination or hospitalization in a nongovernmental hospital; to the Committee on Veterans' Affairs.

By Mr. WATSON:

H.R. 14348. A bill to amend title 10 of the United States Code to establish an equitable survivors' annuity plan for the uniformed services; to the Committee on Armed Services.

H.R. 14349. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

By Mr. DAVIS of Georgia:

H.R. 14350. A bill to provide additional benefits for optometry officers of the uniformed services; to the Committee on Armed Services.

By Mr. MICHEL (for himself, Mr. Buchanan, Mr. Chamberlain, Mr. Dellenback, Mr. Derwinski, Mr. Duncan, Mr. Erlenborn, Mr. Frelinghuysen, Mr. Hamilton, Mr. Hansen of Idaho, Mr. Hosmer, Mr. Hutchinson, Mr. Kuykendall, Mr. King, Mr. Blackburn, Mr. Lukens, Mr. McDade, Mr. Mann, and Mr. Pettis):

H.R. 14351. A bill to provide that the fiscal year of the United States shall coincide with the calendar year; to the Committee on Government Operations.

By Mr. MICHEL (for himself, Mr. Leggett, Mr. McClory, Mr. Mailliard, Mr. Matsunaga, Mr. Meskill, Mr. Mize, Mr. Pirnie, Mr. Rees, Mrs. Reid of Illinois, Mr. Riegle, Mr. Ruppe, Mr. Scott, Mr. Stanton, and Mr. Williams):

H.R. 14352. A bill to provide that the fiscal year of the United States shall coincide with the calendar year; to the Committee on Government Operations.

By Mr. ROSTENKOWSKI:

H.R. 14353. A bill to provide for the establishment of a consumer education program designed to inform and give more adequate warning to elderly persons and others concerning the widespread existence, techniques, and dangers of home repair rackets and other forms of consumer fraud; to the Committee on Interstate and Foreign Commerce.

By Mr. KOCH (for himself, Mr. Burton, of California, Mr. Daddario, Mr. Fascell, Mr. Gallagher, Mr. Gilbert, Mr. Harrington, Mr. Hechler of West Virginia, Mr. Helstoski, Mr. Mosher, Mr. Mathias, Mr. McCarthy, Mr. Minish, Mr. Nix, Mr. Ottinger, Mr. Symington, Mr. Thompson of New Jersey, and Mr. Yates):

H.R. 14354. A bill to provide for the establishment of a Commission on Marihuana; to the Committee on the Judiciary.

By Mr. ADAMS:

H.J. Res. 951. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. ERLENBORN:

H.J. Res. 952. Joint resolution to declare a national day of prayer and concern for American servicemen missing in action and those being held prisoners by the North Vietnamese; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.J. Res. 953. Joint resolution to establish a joint commission of the United States, the Republic of South Vietnam and the International Commission for Supervision and Control in Vietnam to study the ecological effects of chemical warfare in Vietnam; to the Committee on Foreign Affairs.

By Mr. WOLFF (for himself, Mr. Tunney and Mr. Hechler of West Virginia):

H.J. Res. 954. Joint resolution to create a Special Joint Congressional Committee on Oversight in Vietnam; to the Committee on Rules.

By Mr. BLANTON:

H. Con. Res. 406. Concurrent resolution urging the adoption of policies to offset the effect of governmental monetary restrictions upon the housing industry; to the Committee on Ways and Means.

By Mr. DENT:

H. Con. Res. 407. Concurrent resolution to authorize the printing as a House document the pamphlet entitled "Our Flag"; to the Committee on House Administration.

By Mr. OTTINGER (for himself, Mr. Adams, Mr. Barrett, Mr. Burton of California, Mr. Fascell, Mr. Gallagher, Mr. Hungate, Mr. Matsunaga, Mr. Nedzi, Mr. O'Hara, Mr. Olsen, Mr. Rees, Mr. Symington, and Mr. Mikva):

H. Con. Res. 408. Concurrent resolution to provide that failure of executive departments, agencies, or instrumentalities of the Federal Government to respond within 60 days to requests from committees of Congress for reports on pending legislation shall create the conclusive presumption that such agencies favor enactment of the legislation and that enactment is consistent with the legislative program of the President; to the Committee on Rules.

By Mr. TAFT (for himself and Mr. Betts):

H. Con. Res. 409. Concurrent resolution expressing the sense of the Congress with respect to the impact of the contracting housing market on the ceramic tile industry; to the Committee on Ways and Means.

By Mr. MOSS:

H. Res. 581. Resolution expressing the sense of the House of Representatives relative to the Vietnam war; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRASCO:

H.R. 14355. A bill for the relief of Mrs. Vincenza Derlin and Bruno Derlin; to the Committee on the Judiciary.

By Mr. FISHER:

H.R. 14356. A bill for the relief of Fred A. Meandro; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 14357. A bill for the relief of Franca Zazzera; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

292. By the SPEAKER: Petition of the Representative Town Meeting, Westport, Conn., relative to withdrawal from Vietnam; to the Committee on Foreign Affairs.

293. Also, petition of the Council of Willoughby Hills, Ohio, relative to taxation of State and local government securities; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

A CRISIS OF SPIRIT

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. ANDERSON of Illinois. Mr. Speaker, Rockford College, which is in my hometown of Rockford, Ill., is fortunate to have as its president, Dr. John A. Howard. Dr. Howard, who is both an innovative administrator and an outstanding intellect, was recently appointed by President Nixon to a task force on higher education goals. He also served under President Eisenhower as executive vice chairman of the Committee on Government Contracts.

Last month Dr. Howard addressed the students of Rockford College on the crises of our times and our own apparent inability to squarely face these challenges in the traditional American way. Dr. Howard traces this inability to a growing and "pervasive cynicism that has infected every aspect of our own culture." He asserts that the reason for this is that patriotism has become passé; and he defines patriotism not as an emotional allegiance to a flag or piece of geography, but as a real desire to serve one's country and fellow man, based on "a common vision of the good life." He notes that our country was founded on principles which asserted the rights and dignity of man and man's inclination to aspire and climb to new heights. He observes that the creeping "new pessimism" is destroying that spirit of aspiration that has made our country great. It is evident that the real challenge facing America is in overcoming this crisis of the spirit and restoring the faith of the American people in their institutions and basic principles.

Mr. Speaker, excerpts from Dr. Howard's excellent speech appeared in the October 9 Christian Science Monitor, and I include those excerpts at this point in the RECORD, and commend them to the attention of my colleagues. The article follows:

IS PATRIOTISM PASSÉ?

(NOTE.—Patriotism is a vision of what every man can be, says Dr. John A. Howard, president of Rockford College in Rockford, Ill. But he fears that cynicism is clouding this vision in the United States today. Last month he outlined to Rockford students his understanding of the relationship between human dignity and patriotism. Following are excerpts from his remarks.)

A man without aspirations is not a whole man. A society without a shared and cherished vision of what might be is a desolate society, one lacking in vitality and cohesiveness.

In the Godkin Lectures at Harvard University last March, John W. Gardner asserted, "A high level of morale is essential if a society is to succeed in the arduous tasks of renewal." A high level of morale is exactly what we do not have in the United States.

Some time back, an African student attending Rockford College spoke to a group on our campus. In the question period which followed, he was asked about his long-range plans. He replied that he wanted to get the best possible education so he could return to serve his people and his country. He said this with vigor and pride and conviction. A glance around the room showed admiration and approval on the part of everyone who heard this testimonial of commitment.

Compare, if you will, the probable reaction that the academic community would give to an American student who asserted that his great life's hope was one of patriotism, that he wanted to devote himself to serving his country and his people. I suspect that a large portion of intellectual America would be at very least, embarrassed by such an outburst of patriotic sentiment, if not actually frightened by the fervor of such "unenlightened insularity." Love of country, that is our country, is now passé, or gauche, or intolerable in much of academia.

IS THERE A DIFFERENCE?

What is this? A double standards? Why is patriotism a glory when it operates in a developing nation which may be plagued with gross inequities and bloody struggles for power, and patriotism in an advanced nation a source of indifference, scorn or alarm?

First, I believe this is not an independent phenomenon, but rather one facet of a pervasive cynicism that has infected every aspect of our own culture. James B. Reston writes of the "new pessimism." He quotes Dr. Arthur F. Burns, a top adviser to President Nixon, as saying, "What worries me more than all these financial questions—I think a great sickness has gripped our society. I think a great many citizens have lost faith in our institutions."

In an essay in the Saturday Review several months ago, Archibald MacLeish writes of the loss of belief in man and his dignity.

The arts have deadened the soul, or rather they reflect a deadened soul, says Mr. MacLeish.

In times gone by, there were those who thought that great art should ennoble or exalt. Now, many prize that art which "tells it like it is," not like it could be. We are raising whole nations of young people whose steady musical diet has been the complaints and the protest and the focus on physical gratification of rock music and never even exposed to the exhilaration of Beethoven, or the tranquility of Mendelssohn, or the sheer joy of Mozart.

But philosophy, too, has contributed to what Mr. MacLeish sees as the flatness of life, the loss of a dimension in the world. Thomas Molnar's recent book entitled "Sartre: Ideologue of Our Time" provides a keenly perceptive analysis of this most influential philosophical writer. Mr. Molner points to the basic Sartrian concept of "a morally neutral world where good and evil have been absorbed and made irrelevant."

Philosophy used to aspire to provide understanding so that man could climb toward the heights. Some large portion of current philosophers, having rejected the concepts of good and evil, of heights and depths, simply assert the flatness of life and analyze man's permanent state of nausea or despair, or else have abandoned the concern for man altogether and have wandered off into semantics.

With no hopes, no dreams, no vision of what could be, man becomes petty and quarrelsome and ruthless.

I think we have some choice in this matter. Man can free himself from this bondage if he chooses to. Our preoccupations are those which we permit to prevail.

As I have indicated, my central concern in this talk is the subject of patriotism. It is a challenge for a speaker to knock on this door in the house of intellect, for the mere word, patriotism, is sufficient to cause many scholars to slam the bolt and fix the latch chain. (And such a reaction is, itself, a sorry commentary on the family that dwells in the home of the open mind.)

Patriotism is not just blind love for a piece of property. Nor is it simply a mutual defense pact that remains in force only as long as there is an external threat. Patriotism, true patriotism, is an eternal and legitimate love affair with a set of principles, with a common vision of the good life.

Listen to the words of Mary Antin from her book "The Promised Land":

> So at last I was going to America! Really, really going at last! The boundaries burst. The arch of heaven soared.

And later in the same book:

> Spirit of all childhood! Forgive me for so lightly betraying a child's dream-secrets. I that smile so scoffingly today at the unsophisticated child that was myself, have I found any nobler thing in life than my own longing to be noble? Would I not rather be consumed by ambitions than live in stupid acceptance of my neighbor's opinion of me?

Immortal aspirations were what attracted the floods of immigrants to this land, for they saw this land as a place where by public commitment, each person was assumed to have worth and granted equal rights under the law, and where differences of faith and opinion were welcomed.

Having grown up with these concepts as the conditions of our living, we cannot comprehend, we cannot register upon how revolutionary they were when first proclaimed, nor do we realize how they contrast with what exists in the police-state nations, nor how they differ from contemporary democracies that carry still the deep-rooted psychological mind-set of their monarchical heritage.

The existence of a House of Lords and a House of Commons maintains the message that the common man, even risen to the highest position, remains a commoner. Through much of continental Europe, the peasant, whatever his talents and accomplishments, remains a peasant in his own eyes and in the mind of the people.

The centuries-deep acceptance of class and station continues to mock the concept of true dignity for each man. By contrast, in our country, with our inheritance of assumptions, the phrase "second-class citizen" very rightly stirs indignation, for with us, it is a contradiction in terms.

The most obvious and pervasive disillusionment with our country stems from the war in Vietnam. Here again, I suppose it is only fools who rush in, or even pussyfoot into this subject, since many academic folk have made up their minds on this matter and are far more interested in telling the other fellow than in listening to any other thoughts about this issue. Still, there are some aspects of this grief-bearing chapter that need further probing.

REASONS LACK PERSUASION

Has it occurred to you that there are scarcely four presidents in our history who were more dissimilar in their cultural, vocational, emotional, intellectual, and political attributes than Presidents Eisenhower, Kennedy, Johnson, and Nixon? And yet each of them when faced with the responsibilities of the presidency, and when made aware of the full range of information available to that office, has held to the course of supporting the South Vietnamese in their defense against the Viet Cong and the North Vietnamese.

On the other hand, there can be no question that all four administrations have grievously failed in a very important obligation. Although our presidents have seen fit to

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maintain our participation in this conflict, they have not conveyed to our people persuasive reasons to do so.

The vacuum created by this absence of public and persuasive justification has been filled by conjectures and claims and counterconjectures and counterclaims which have intensified to the point of hysteria, to the point that reason gives way before shrill nonthought.

The novel, "Catch-22," offers an illustration of what I consider shrill, polemical nonthought. This book has had a great vogue and has been one of the most powerful influences in persuading youth that war must be rejected above all. The protagonist of the book, an American airman named Youssarian serving in World War II, equates his commanding officer with the enemy, because, he says, they both want to get him killed. Since U.S. officers must send their troops on dangerous missions, Youssarian considers his superior officer as an effective enemy.

This is distorting history and misreading motives with a vengeance. The sad facts are that while conscientious leaders of France and England were trying every conceivable means to negotiate a reasonable peace with Hitler, his blitzkriegs were capturing the peoples of Czechoslovakia, Austria, and other lands. Finally, it was recognized that it was impossible to negotiate with Adolf Hitler. The only options were to fight or surrender.

And a great many people fought in that war in the belief that they were engaged in trying to prevent a fate worse than death. As the stories have been pieced together about such places as Belsen, Buchenwald, and Dachau, it is clear that to be the captives of a power that could conceive and operate such inhuman compounds was, indeed, a fate worse than death.

Next, some brief observations on the blacks and the whites. The black-power movement, as its name implies, is founded in a philosophy that perceives the central factor in human relationships to be that of who controls whom, of how much force—political force, economic force, armed force, force by fear—can be exerted by one man or one group upon another. This attitude, it seems to me, is analogous to the philosophical foundations of the governments which ours was established to counteract.

All governments of the past operated in circumstances where the people were permanently split between the privileged governors and the less privileged governed. And their political systems were drawn to exercise power to maintain this situation.

Power was the glue that kept the society together. Some had it, and nothing short of the assemblage of a greater counterpower could change that circumstance. The wars of succession down through the ages provide rueful and ever recurrent proof that governments which are organized upon the assumption that some are to have more power than others will always be subject to internal strife and bloodshed.

In the almost two centuries of the history of our nation, the only massive instance of citizens killing citizens was, of course, occasioned by this same question: Shall one group of people, with governmental cooperation, be maintained in a position superior to another group of people? This was the issue of the Civil War and it also is what has been at issue on all of the civil-rights questions ever since.

BOLD DECLARATION

The American Revolution was a bold and incredibly perceptive declaration of the nature and the rights of man and it launched an experimental government painstakingly designed to minimize the principal threats to those rights. One of the foremost threats was perceived to be the instinctive thrust of men to obtain and exercise power over other people. An elaborate mechanism was therefore established to disperse the powers of government. The separation of executive, legislative and judicial branches was instituted precisely for this reason.

Now I want to propose just one more large category of concept and activity which, I believe, is contributing to an attitude of hostility toward the American dream. It is the spreading preoccupation, particulary among the youth, with one's own comfort, one's own physical gratification, one's right to do whatever he pleases as long as he doesn't significantly harm someone else.

The government inaugurated in 1789 was commited to maximizing the dignity of all citizens. However, in attending to all aspects of maximizing human dignity, the whole structure of the government was posited upon the requirement that the citizens, every citizen, would have to make some very great sacrifices.

Against this necessity for sacrifice, the current insistence upon exercising one's own whims with a disregard for the sensitivities of others, the quickening readiness to pronounce one's own particular objectives as uniquely moral and therefore beyond the purview of publicly established limits—all of these attitudes and actors stand in hostility to what this country is all about, and contribute to the disenchantment with America.

We must, I think, recognize that there are two basic ways of conceiving of human life. In one view man is merely an animal of superior gifts and intelligence with no meaning to his existence beyond his own enjoyment, and his only obligation is to get everything he can for himself and let the chips fall where they may.

Given that view of life, there is no hope for peace anywhere, since each person is a predator preying upon everyone else with whatever wiles, strategems or force he can bring to bear. If one perceives man in this fashion, it will follow that groups will band together observing common limits when it works to their own advantage to do so, but all outsiders are fair game for any cruelties, deceptions or pilfering which can be devised.

The other view of man perceives a dignity—that is, a basic worthiness—in each person and perceives a transcendence in life that gives value to the sacrifices one makes that will benefit others, either now or in the future. Only in this view of life does the term, ideal, take on any meaning.

Of course, each man has his own vested interests, and each group its own vested interests, as does each nation and each philosophy. There will be the pushing and shoving and insults and crime, because man is human. But man also has a sublime spark which stirs the sacrifices of one for another, which gives rise to compassion and considerateness and friendship and rejoicing in another's good fortune.

HOPE IN HUMAN DIGNITY

To the extent that such consideration can take precedence over the most damaging aggressions of self-interest, man can inch forward in the centuries-long journey toward peace and brotherhood. There will not be any instant answers. International and national and personal cruelties cannot be banished at once by any means.

It seems to me that the long-range hope is to enlist all of mankind in pledging allegiance to human dignity and in devising the ground rules which will enable and encourage each man to express himself and seek his own goals [within the context of] the common good.

And that objective is exactly what the great American experiment is all about. It was and is a commitment, such as no other people has ever made, to devise a means of living together which would most greatly enhance the worth and most greatly involve the participation of each citizen. It was and is a reaching out for the stars.

For those who conceive man as having a soul, a dimension superior to and beyond his own gratification, truly the sky is the limit in the relevance and satisfactions of seeking to find how men can live together in greater justice and harmony and of trying to devote one's life to that end.

AMERICAN MEANING

Dr. John A. Howard, President of Rockford College:

"The meaning of patriotism in our heritage, I believe, is more a commitment to a way of viewing man and living together than it is allegiance to a piece of geography or to a certain group of people. This thought is borne out by the recent inclusion of Hawaii and Alaska into the nation, into the patrie. This extension of our country was accomplished with a general and instantaneous acceptance of our new compatriots as first-class citizens."

TAX REFORM AND THE FOUNDATIONS

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Tuesday, October 14, 1969

Mr. HARTKE. Mr. President, two distinguished Hoosiers testified recently before the Committee on Finance on tax reform and foundations. They are Mr. J. Irwin Miller, chairman of the board, Cummins Engine Co., Columbus, Ind., and Dr. Herman B Wells, chancellor, Indiana University.

For the benefit of Senators who have not had an opportunity to read their testimony, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

THE ROLE OF FOUNDATIONS IN AMERICAN LIFE

(By J. Irwin Miller and Herman B. Wells)

STATEMENT BY J. IRWIN MILLER

Mr. Chairman and members of the Committee, in the time allotted to me this morning, I would like to sketch a background against which other witnesses will fill in specific detail. As I believe the agenda will indicate, a number of foundations and beneficiaries of foundations have coordinated their presentation so that all the major issues can be discussed and repetition avoided.

There will be six panels which in turn will cover (1) the role of foundations in American life, (2) the effect of the legislation (especially the proposed tax) on foundation beneficiaries, (3) the effect of the tax as seen by foundations, (4) the effect of the program limitations (including grants to individuals), (5) the effects of distribution requirements (including problems raised) by definition of qualifying distributions, and (6) the restrictive effects on the development of philanthropy and the operation of foundations (including the effects of expenditure responsibility and heavy burdens on trustees).

Whereas these presentations have been coordinated and consolidated, as was requested by the Committee in its August 12th press release, it should be noted that each witness will be testifying for himself and for the institution to which he is attached.

I speak this morning as an individual. But I am neither a disinterested nor an uninterested witness. To identify myself, I am a businessman who lives in Columbus, Indiana. Cummins Engine Company, which I serve as Chairman of the Board, created a foundation some fifteen years ago. Both directly and through the foundation, the Company normally contributes the full 5 per cent of its pre-tax profits. I currently serve as President of its foundation. I also serve as an officer and director of a foundation created by my family, and I am a trustee of the Ford Foundation.

In respect to my personal life, my wife and I have for some years been in the process of qualifying for the unlimited charitable deduction. Further, we have raised our five children to believe that a responsible sense of concern for the well-being of society in which they live requires that they each contribute to philanthropy the full 30 per cent of their income each year. Finally, it should be noted that I serve as a trustee of a number of institutions which are often recipients of foundation grants.

I state all this to show my bias in this matter. Having done so, I now hope you will hear my opinions. In expressing them, I must note the enormous complexity of the Foundation Sections of the Bill and my own inexpertise in legal complexities.

A. Foundation facts and accomplishments

Let me speak first to the American tradition of private giving and the important place it holds in our national way of life.

Our country today is unique in that our government, more than any other in the world, actively encourages citizens and corporations to concern themselves with the social problems of the nation and to accept personal responsibility for constructive change. This encouragement comes in good part by way of the charitable deduction allowance, and the laws supporting the establishment and operation of foundations.

In the face of great current pessimism, I believe that America will solve its pressing problems of race, poverty, education, urban congestion, and the like. A primary reason for such belief is that there exists a broader and deeper concern about these problems among the individual men and women of this nation, old and young, than can be found in any other country today.

If, as individuals, we should shrug our shoulders, decide there is nothing we can do, that it is all someone else's fault, that "they" ought to do something about it; if we cop out as responsible individuals by blaming government for not acting, and damn government when it acts and requires more taxes to pay for the acts, then we will surely go down the drain.

On the other hand, if each one of us decides he ought to do what he can in his own situation, in his own community, and is willing to change his old attitudes, to give time and money wherever he can see it will make a small difference for the better, then we Americans will very likely provide to the world a demonstration of national achievement which will be without parallel in history.

The government, by example, now has the opportunity to encourage such an active acceptance of responsibility for the welfare of all others by each citizen.

American foundations are an important part of this tradition. They have made invaluable contributions to American society, and they are capable of still more. They, however, are not the pivot of American society, nor are they omnipotent or without blemish. There is a lack of adequate knowledge and understanding about their place in American society.

Let me briefly sketch the dimensions of that place. Each year, some $16 billion in private wealth is given for philanthropic purposes. The greatest philanthropist still is the man in the street. Individual givers account for nearly 80 per cent of the total (even exclusive of bequests). The private foundations provide only about 8 per cent of total philanthropy. Last year foundations gave $1.5 billion, or about 7½ per cent of their total assets of some $20 billion.

There are about 22,000 foundations. Most of them are little more than incorporated channels for giving by individuals and in assets and influence they account for quite a small proportion of the field; more than 12,000 foundations, for example, make grants totaling less than $10,000 a year.

The potency and significance of private foundations resides in the few hundred sufficient skills and resources to support efforts toward the solution of problems important to American society. They also account for most of the funds in the field. More than two-thirds of all foundation assets are held by some 200 of the general purpose foundations. By and large these are the leaders and standard setters in the field.

"Tax free" and "tax exempt" are modifiers that have so commonly come to be used in front of the term foundation that there is a tendency to overlook their essential philanthropic nature. The Treasury Department, which ought to have as keen a sense of the relation between institutions and taxation as anyone, a few years ago portrayed the role of private philanthropy and the part played by foundations in these terms:

> Private philanthropy plays a special and vital role in our society. Beyond providing for areas into which government cannot or should not advance (such as religion), private philanthropic organizations can be uniquely qualified to initiate thought and action, experiment with new and untried ventures, dissent from prevailing attitudes, and act quickly and flexibly.
>
> Private foundations have an important part of this work. Available even to those of relatively restricted means, they enable individuals or small groups to establish new charitable endeavors and to express their own bents, concerns, and experience. In doing so, they enrich the pluralism of our social order. Equally important, because their funds are frequently free of commitment to specific operating programs, they can shift the focus of their interest and their financial support from one charitable area to another. They can, hence, constitute a powerful instrument for evolution, growth, and improvement in the shape and direction of charity.

While the proposals under discussion today are addressed to private foundations, their impact would be felt throughout the entire fabric of the voluntary sector of American life.

One of the philanthropic statesmen of this century, Abraham Flexner, said the level of a given civilization can perhaps be measured "by the extent of private initiative, private responsibility, private organization in all the fields open to human culture." Certainly the accomplishments of our society cannot be measured accurately, or as positively, without taking into account these achievements reached in whole or in part through foundation support.

Robert Calkins, former President of Brookings, summarized foundation achievements as follows:

> Foundations have pioneered and assisted pioneers, scientists, scholars, and innovators; they have helped to create and strengthen colleges, universities, research laboratories, research institutions, scientific and scholarly organizations, welfare and religious institutions; they have often anticipated social and international problems and mobilized knowledge for dealing with them. In doing these things, they have freed large parts of the world from the curse of diseases, such as malaria and yellow fever; have advanced the art of medical care and the treatment of illness; have provided knowledge for the control of population and the expansion of food supplies; have aided the development of emerging nations; have encouraged educational opportunities for minority groups, and the establishment of area and language studies to afford a better understanding of other cultures. They have demonstrated the value of liberal support for basic research and encouraged large public support; have contributed importantly to our growing knowledge of physical and living nature, and of social organization; have made possible the development of new scientific instruments for studying the atom, the cell, the star, and the nature of life itself; have contributed toward a better understanding of social behavior and informed social policy; have helped to clarify the goal of humanistic scholarship, aided the arts, and broadened the cultural interests and enjoyments of millions of people. They have also supported the development of thousands of scientists, scholars, creative writers, artists, and professional personnel, as well as leaders for business, government, and education. They have encouraged informed approaches to domestic problems, promoted international understanding, and assisted in the search for peace. They have contributed to the international community of scholarship and learning, and built bridges of communication and mutual respect.

But the particular issues at hand cannot be resolved by a recital of the glories of foundations. I do not favor, nor do I think the American public favors, a granting of perpetual approval to institutions simply on the basis of past laurels. No matter how unsettling it may be to men and organizations convinced that they are doing the right thing in the public interest, it is healthy that the public periodically examines its institutions to judge whether they are still serving their avowed purposes, to determine whether anything has gone sour even with our most cherished practices.

For many institutions this is such a moment. There is not only a taxpayers revolt in the air but also, I believe, fundamental skepticism about many aspects of our public and private life. Men and women are asking not only where we are going but also who is in charge. They are concerned it seems to me, about whether all the agencies in American life that are dedicated to public purpose—governmental and non-governmental—are really working in the public interest. They are calling for some sort of accounting and insisting on greater accountability.

The proposals related to private foundations seem to me to raise fundamental questions about the role of the private sector in affairs of public concern: Is it to be diminished or encouraged? Do the American people still believe that private philanthropy is important to the attainment of our needs and desires as a people? Or have our community needs and national problems grown so in scale and complexity that private efforts are basically too puny? Would the funds devoted to them best be diverted to government use?

B. The responsibility of Congress and the public to examine foundations

There are several reasons these concerns have coalesced around private foundations. The purposes and ways of foundations are only vaguely understood. Also, while foundations are the most peculiarly American manifestation of the philanthropic impulse, they do not operate as simply as traditional charity; taking the long view, and working with professional skill, they have grown more sophisticated and specialized in their approach to problems and therefore they are less easy to understand. Further, they represent relatively large concentrations of wealth, and bigness in any form stirs suspicion in the American consciousness. Foundations have also concerned themselves with some of the problems that are deeply troubling our society, and almost anything one does in these fields is apt to stir passions. Finally, certain abuses in the field have become apparent, and questions have been raised about the judgment of foundations in certain activities.

These hearings constitute an examination of the obligations of foundations under their contract with American society. Parenthetically, it should be noted that this is the first opportunity foundations have had to testify on a number of the major provisions of this Bill. At bottom, foundations operate under a public trust agreement. Through exemption statutes, American society encourages the application of private wealth to public purpose. Society must be assured both that the privilege is not abused and that the responsibility to deliver a social dividend is met.

In the matter of private foundations, the record seems abundantly clear that the responsibility has been discharged. In terms of advances in education, community life, health, and artistic and cultural resources, the foundations have returned to society many times over what society has granted in the form of exemption from taxation. There is no doubt a point of diminishing return in this sort of *quid pro quo*. That point would certainly be at hand, for example, if foundation assets were growing at, say, double or triple the growth of the Federal budget or the Gross National Product. In fact, although the growth in the absolute numbers of foundations has been striking, the growth in foundation assets is not exceptional as compared to other sectors. The Treasury's studies confirm this.

It is equally important that the income produced by foundation assets flow continuously to charitable, educational, and scientific purposes. For the most part this is so, and passage of certain features of H.R. 13270, coupled with more systematic enforcement of existing regulations, would provide the public a guarantee of a continuing flow.

C. The inconsistency of the proposed tax with the purpose of tax-exemption

Concerning the proposed tax on foundation income, I will be quite brief, not only because succeeding witnesses will treat it in detail but also because it strikes me as the most clear-cut of the several difficult decisions before you with respect to private foundations.

I regard a tax on private foundations as patently inconsistent with the reason society sanctions foundations at all. Whatever foundations earn from their principal is—by tradition, charter, and law—intended for distribution for philanthropic purposes, for the public well-being. To reduce these publicly dedicated funds by any percentage is to diminish the value to society by just that amount. The judgment Congress and the public must make is whether all things considered, foundations are likely to continue making valued contributions to American life. If the answer is yes, then why reduce the contribution? If the answer is no, then more fundamental measures than a limited tax are in order. The inference I am forced to draw is that the proposal to tax foundation income is actually punishment for presumed wrong-doing by foundations—a reaction that is both unjustified and unwise.

D. The value of proposed measures to curb fiscal abuses

In contrast to the proposed tax, the Bill's measures to curb and prevent fiscal abuses are necessary to the public interest and vital to the preservation of private philanthropy.

The public official who abuses his position casts shame not only on himself but on all that public service stands for. Misbehavior in private organizations and institutions clothed with a public interest is quite as sordid. Society loathes the charity racket, and abuses in institutional philanthropy must also be rooted out. The Treasury has noted, "the preponderant number of private foundations perform their functions without tax abuse," but it has been clear for several years that some abuses exist, and even the few are too many. They include the use of foundations exclusively as tax shelters, the unreasonable accumulation of foundation income instead of regular distribution for philanthropic purposes, the use of foundations for self-dealing and other forms of personal or business advantage, and the concealment of foundation activities. Some of these abuses could be curbed by better enforcement of existing regulations. Others require additional legislation, and several of the proposals before you are effectively drafted to that purpose.

Speaking for myself and for the foundations with which I am associated, I say that both the new measures to curb such abuses and stricter surveillance and enforcement of existing regulations are long overdue. Many other leading foundations share this feeling, and have been on the record to that effect. Better enforcement and passage of the abuse-related provisions in the bill will probably have the effect of sorting out from the existing thousands of foundations those that are dedicated to philanthropic purposes and those that serve themselves rather than society. They will discourage future establishment of foundations whose donors enjoy tax advantages without a return in kind to society. At the same time, they will not hobble existing or prospective new foundations that conform to the high ideals of the philanthropic tradition.

E. The proposed limitations on programs are unwise

But other parts of H.R. 13270 appear to be aimed not at fiscal abuses but at foundation activities. The nation's foundations each year make hundreds of thousands of grants. Not even the most passionate admirers of foundations suppose that some of these actions were not mistakes—for any number of reasons, ranging from the technical to the judgmental. What is remarkable to me is that so few errors occur, given the wide range of fields in which foundations are active—from the arts to community health, from manpower training to population problems. Nonetheless, neither the noble purpose nor good works of the vast majority of foundatons exempt them from criticism and censure for errors when they occur. My own experience is that foundation trustees and officers are attentive to such criticism. They do not hide behind claims to virtue or infallibility.

Society deserves reasonable protection against the misfeasance of institutions it has given warrant to operate in the public interest. It is the responsibility of Congress to see to the fulfillment of that warranty. But some of the new proposals, ostensibly designed as air-tight guarantees of sound judgment by foundations, are so drawn that they give no added protection over existing law, and indeed only do injury to the public interest.

One set of proposals, for example, would fence off private foundations from activity in areas of public policy. Existing regulations declare lobbying and partisan political activity out of bounds, and, while it is not always easy to draw the line between what is legitimate and what is not in these matters, there are remarkably few instances of foundations skating even close to the edge of the limits now established.

The barriers that the new proposals would erect could well impair, not improve, the judgment and effectiveness of private foundations. One on which I can speak with some intimate experience is the effect on foundation boards of trustees. The penalties proposed for violation of several of the proposed limitations—limitations that are necessarily imprecise—fall not only on a foundation as an institution but also heavily on individual foundation managers, including trustees. This could drive trustees and foundation officials into such an excess of caution that even innocent and benign activities that touch on public policy in such fields as education and conservation would be deprived of foundation support.

The proposals may stem in part from a presumed new aggressiveness of foundations to assist work in controversial fields and to venture into matters subject to pending or future legislation. Throughout most of their history, foundations have at one point or another supported work considered controversial by some segment of the population.

Foundations can inaugurate a teacher pension system, develop new curricula and teaching techniques, increase educational salaries and be applauded for all of these, but then should they support a controversial educational program such as decentralization, the reaction is likely to be, "What are they doing sticking their noses into educational policy?" The irony of this situation needs to be recognized, for if we are to legislate away all possibilities for bad or controversial judgments, at the same time we will be legislating away all but the most bland kinds of foundation effort.

If foundations were the sole source of aid to the production of information, ideas, activity and opinion on matters of public concern, there would be legitimate reason to consider an exhaustive set of rules governing such activity. But that is not the case. The work supported by foundations on public issues is just one input into a vast marketplace, along with the voices—some tax-exempt, some not—of individuals, business enterprises, unions, churches, political parties, trade associations and other organizations, to say nothing of the press. To bar foundations from supporting such work would be to limit the diversity of activity that has strengthened our society.

I do not think the government is well advised to begin making other than the broadest categorical decisions as to what is "good" and what is "bad." Experiment and trial need to be encouraged, and one "success" most usually outweighs a dozen failures.

These issues will be discussed in detail by later witnesses. Suffice it to say now that the legislative net which has been cast out to catch those judgments alleged to be bad, controversial or imperious will drag in with it far more good than bad fish.

F. Limitations as a signal to discourage private philanthropy

Apart from these and other specific consequences, some of us feel that the proposed legislation, in general is, quite plainly, a signal that future foundations are not welcome. These proposals should be scrutinized, therefore, in the light of whether society would gain or lose from the establishment of new foundations, some of which might in time make extraordinary contributions to American life, just as some foundations formed in the last few decades have superbly carried forward the tradition of the pioneering foundations of the late nineteenth and early twentieth centuries.

One may even ask, do some of these proposals signal the intent of Congress to discourage private philanthropy in general, particularly in matters that are also governmental concerns? On the face of it, such a supposition sounds alarmist, but it is not far-fetched if one regards the private foundation as an outstanding example of the American genius for organization applied to the age-old philanthropic impulse. Those who regard foundations as a symbol of private initiative fear that the erosion of their flexible capability might mark the first step in a trend toward general containment and withering of private initiative as a whole. And that would be an exorbitant price to pay for the abuses that have blemished the good name of the private foundation and for the offense even some of the most respected foundations may have given at one time or another.

G. Foundations are accountable under existing conditions

If those parts of the foundation-related proposals are so detrimental to the benefits society would enjoy from the continuation of foundation philanthropy, then how is the public to be assured that the power that foundations represent is not one day applied to mischievious ends, to political purpose, and in general against the public interest? To repeat, past performance is reassuring, but not enough. Nor are good intentions. The public clearly demands that major institutions affecting the public well-being be accountable to society, and foundations are no exceptions.

But governmental regulations is not the sole path to accountability, and a thick web of governmental guidelines and restrictions can impair the very flexibility and freedom of action that enable foundations and other voluntary and private philanthropic agencies to respond to changed conditions and needs.

The basic ingredients of a balanced system of accountability, it seems to me, are already at hand. For the government's part, laws to prevent abuses are already on the books. That they have not been sufficiently enforced is a defect that some of us are proposing be remedied by a foundation registration fee earmarked for full and continuing implementation; it would also apply to the necessary new abuse-related provisions. Out side the government, channels of accountability exist, despite the myth that foundations are untouchable. Let me cite a few of the major ones:

The majority of the leading foundations that account for the preponderant resources in the field recognize large public responsibilities, and many go well beyond the legislative requirements of reporting and public disclosure of their activities.

Furthermore, they have broad-based boards of trustees—men and women of unquestioned dedication to public service and enviable records of judgment and accomplishment. The presence on the boards of foundations of such trustees constitutes a powerful assurance that foundations will act responsibly and will be accountable in the broadest sense to American society.

Foundations are also open to review by the press.

Their performance also undergoes continuing "market evaluation" by academic and community institutions that cooperate with them. These beneficiaries are more objective than one might assume. Since foundation funds are rarely the major support for their ongoing needs, they are colleagues of the foundations rather than patrons and wards. Their collaboration is testimony to the worth of foundation programs for, in accepting their funds, they commit to them their own reputations and some of their own resources.

Finally, Congress does have and has exercised, since 1915, the right to inquiry into activities of foundations.

Altogether, the full exercise of the governmental and marketplace channels will insure that private foundations are accountable to the public for their behavior and performance to an extent fully equal to any other part of the private sector.

H. The responsibility of individual citizens

Despite my preoccupation with the dangers in some of the proposals before you, I want to state my firm conviction that the scrutiny under which the Congress and the Treasury have placed foundations has been salutary.

This has been a sobering and significant chapter in the history of private foundations. It is a vivid illustration of the principle that even institutions of great value to society must constantly review their responsibilities and examine their distant borders to insure that corrosive incursions are not under way.

I close by urging that you adopt those parts of the Bill that are directed toward crippling and preventing abuses, such as self-dealing or inadequate returns to charity, which undermine the public's trust in private foundations, and that you eliminate those measures, such as the tax and the program limitations, which would vitiate the capacity of the foundations to continue their productive service to the American people. This is a plea not for private privilege or for the preservation of any single institution, but rather for the reaffirmation of the responsibility which each individual American citizen ought to feel and bear for the continuing welfare of his country, the responsibility to give and to act voluntarily, and not only in response to the compulsion of laws.

SUMMARY OF STATEMENT OF J. IRWIN MILLER

A. The role of foundations as seen by a foundation leader

1. Foundation facts and accomplishments:

(a) Facts

1. Foundations constitute 8 per cent of total philanthropy.

2. Annual foundation giving is $1.5 billion, or 7½ per cent of the total assets of foundations.

3. There are 22,000 foundations, of which only a few hundred are the standard setters.

(b) Accomplishments

1. Pioneering roles, for example support by foundations for Dr. Jonas Salk and Dr. Robert Goddard.

2. Strengthening education and educational research.

3. Anticipating social and international problems.

4. Supporting development of writers, artists, and scholars.

5. Health, scientific and population research and programs.

2. Responsibility of Congress and public to examine foundations

(a) Foundations operate under public trust.

(b) Foundations inevitably are found to raise questions, doubt and controversy.

(c) Periodic examination of foundations by Congress and the public are both good and essential.

3. Proposed tax on foundations is inconsistent with purpose of tax exemption.

4. Proposed measures to curb fiscal abuses are good, and are supported by most foundations.

5. Proposed limitations on programs are unwise in that they attempt to eliminate "bad judgments" and in doing so allow for only the most bland kinds of activities by foundations.

6. The tax and program limitations act as a signal to discourage private philanthropy.

7. Foundations are in fact accountable to the public under existing conditions.

(a) Existing law (if fully enforced);

(b) Public disclosure and the press;

(c) Broad-based boards of trustees;

(d) "Market evaluation" by foundation recipients; and

(e) Congressional inquiry.

8. Each individual American citizen ought to feel and bear the responsibility to give and to act voluntarily on behalf of the continuing welfare of his country—and not only in response to the compulsion of laws.

STATEMENT OF HERMAN B. WELLS

I appreciate the opportunity to appear before this committee. I appear here in the hope that the recounting of my experience with foundations will be useful to the members of the committee as they consider the provisions of H.R. 13270 relating to private foundations.

I speak for no one but myself. Nevertheless, I believe that my views are held generally by presidents of American colleges and universities and members of collegiate faculties.

As former President and now Chancellor of Indiana University, as a current member of the Boards of Earlham College, Howard University, and Indiana Institute of Technology, of the Malpas Scholarship Board of DePauw University and of the Board of Visitors of Tulane University, I wish to express my profound concern about the proposed tax on the investment income of foundations, because I believe that a substantial adverse impact on higher education would result from it.

As you are undoubtedly aware, in the last few decades higher education has had to respond to the need for educating as many qualified youth as possible, for sharing the talents of its academic personnel, and for facilitating investigation and experimentation. Yet, in making this response, colleges and universities have inevitably become involved in its consequences. Scholarships and fellowships, new facilities and equipment, larger academic staffs, and special provisions for research, all have to be secured. Inflation and campus growth have magnified the problem.

We educators are grateful to Congress for the role it has played in providing colleges and universities with the means to respond. But, in candor, I must attribute much of the early and continuing support to the indispensable role of the private foundations. These foundations have performed a remarkable service of aid with scholarships and fellowships, grants to scholars, implementation of innovative programs, faculty salary supplements, facility and equipment subsidies, underwriting of conferences, incentive grants for private giving, encouragement of comprehensive evaluations and investigations—the list is much too long to detail. Parenthetically, I would point out that this role has in some measure relieved taxpayers of the need to support activities that would otherwise have required tax funds to conduct.

I have included in an appendix to this statement several representative illustrations of projects with which I am especially familiar that could not have been realized without the support of private foundations. The results have had an effect far beyond the campus and the state involved and will have an influence long past the present time.

A. The proposed tax as critical to foundation recipients

When new knowledge, improved methods, and extended opportunities for our youth are at stake, there are no ascertainable limits to need. Therefore, I find the threat of a reduction by taxation of the funding available to higher education very disturbing. I would be concerned even if assured that the taxable percentage would never be increased—an unlikely contingency. For the deflection of any income, relatively small though it may be, from its anticipated use at higher education's frontiers in this time of discovery and widening possibilities would be an ill-afforded move. Moreover, the germinal small grant has time and again proved so effective that it would be misleading to suppose that a small reduction of funds is of negligible concern to educators. The approximately $65 million which would be realized by the proposed tax in the first year are not critical to the Federal government nor to foundations. They are critical to foundation recipients.

Indeed, the proposition that an organization wholly devoted to opening new paths and encouraging experimentation for the ultimate benefit of society has an obligation to support the government in *its* services bears a nagging resemblance to robbing Peter to pay Paul. Ironically, a portion of the funds that might have been available for grants would of necessity be swallowed up by the mechanics involved in taxation.

There is a real crisis in the financing of higher education, as you are undoubtedly aware. It will not be lessened by diminishing the ability of foundations to contribute to educational income. A tax on the foundations will inevitably have this effect and, in fact, will increase the pressure on government to provide additional financing.

The motivation for such legislation seems to be, at least in part, a desire to eliminate abuse of privileges heretofore granted foundations. If a few students cheat on examinations, you would neither expect nor desire us to levy a fine on all students. Rather than dealing with the problem, an action of this sort quite clearly punishes the innocent without providing a distinguishable deterrent for the guilty. Legislation like the Prohibition Amendment which raises a barrier against a problem instead of treating the problem merely induced new forms of abuse. From my observation it seems to me that most foundations have an excellent record and that their staffs have been conscientious in their commitment to the public interest.

An abuse that has been often mentioned is the use of foundations as shelters from taxation. It has been my experience that most rich philanthropists are very ethical in making their gifts, careful always to seek no improper tax advantage. A single dramatic example will make the point.

Indiana University has a magnificent rare book collection which serves not only the immediate University community but scholars from coast to coast and throughout the world. Its core is the personal collection of the late J. K. Lilly and its development has been supported by generous annual grants from the Lilly Endowment.

When Mr. J. K. Lilly made the original gift of his collection, he instructed the appraiser to make a very conservative valuation to avoid even a suspicion of inflated value for tax advantage. The material in Appendix A proves conclusively that the books were transferred at less than half of what they would have netted at auction. It is interesting also to note that in his collection there was a copy of the first printing of the Declaration of Independence which was given to us with a value listed at $15,000. The only copy that has come on the market since then brought $405,000.

Although some reform may in fact be necessary, it can do more harm than good if it inadvertently results in deterring or hobbling the American institution of the foundations, which has contributed immeasurably to the enhancement of life in America.

B. The provision against "influence"

There is another aspect of the proposed legislation which concerns my colleagues and me greatly. It is the absolute prohibition against a private foundation engaging in any activities intended to influence any governmental legislation. I believe it likely that the prohibition was introduced as the result of two or three projects which raised questions of improper influence and that it is aimed at preventing a repetition of such grants. But the wording has sweeping implications. Any study, any document, any project bearing upon a public issue which has a foundation subsidy could conceivably be called into question and very likely would be if its subject were controversial or its conclusions unpopular. A foundation-supported conference at Indiana University, or elsewhere, on a question of public policy could be deterred from gaining the benefits of a knowledgeable public official's views, lest his participation be interpreted as an attempt of the conference organizers to influence him in a legislative decision. The Education Commission of the States, which receives a portion of its support from foundations and which has governors and state legislators among its membership, would surely hesitate henceforth to pursue one of its main objectives, the preparation of studies on education for use by state legislatures. The Carnegie Commission on Higher Education with its staff of experts and exceptional opportunity to assemble and report data never before available would most assuredly not be engaged in this mammoth undertaking without an intent of influencing decisions of governmental bodies.

The crux of the problem is in the interpretation of "influence." As long as data made available to public officials through the activities supported by foundations are generally acceptable, no question is apt to arise. But let the facts be contra-indicative of a viewpoint supported by any group or let them weigh against one side in a controversial issue, what is to prevent that group or side from invoking the provision against "influence"? It is equally important to society that cancer be cured and that poverty be eliminated. However, because the first is non-controversial and the second controversial, they would not be treated alike as research subjects seeking funding.

I sincerely believed that this prohibition will not only penalize all foundations for a very few projects to which objection has been taken but will in fact discriminate against foundation recipients, particularly in education, in their freedom to act and report on matters of public interest. Worse, it subjects them to the not insubstantial danger that a project in the course of its execution may become liable to penalty through some turn of events or opinion.

I hope that foundations will always be free to back new, nonconforming ideas, even though an idea may seem at the moment heretical. History teaches us that today's heresy may be tomorrow's truth. The earth proved to be round and the moon accessible from earth. Man-made barriers to discovery have deterred but never downed forever the progress of a well-reasoned idea. In the end, as the wise saying goes, truth will out—and we have learned little if, in this late twentieth century, we still insist on depriving ourselves of the benefits which a later and more acceptant generation will reap from the ideas evolved in our time.

I have heard that there is some concern outside of the academic community with regard to the influence which foundations might have exerted on institutions. This is rather puzzling in view of the small portion of funding that they have supplied to the whole of any institutional budget. The multi-source funding of colleges and universities has, in practice, afforded them freedom of action, thought and experimentation.

It has been of vital importance to scholars to have a source of funding for pioneer ventures and for research that may be controversial. Let me cite a case or two in point that should give pause. When Dr. Robert H. Goddard began his research into rocketry three decades or more ago, it was the Daniel and Florence Guggenheim Foundation which was his sole backer. We have all been made aware recently of the dramatic importance of that initial research.

The freedom which foundations have to move in advance of popular opinion, to encourage a wide range of initiative, and to respond rapidly and flexibly to ideas (or, remain "relevant," in the students' term) is precisely the virtue of private philanthropy and *that* freedom must be protected.

It has been no small function of foundation support to encourage the unusual man. In the humanities, a significant example is readily found in the Guggenheim grants, directed by an Indiana University graduate. Many of our leading Indiana University scholars have had an opportunity to accelerate their development as a result of Guggenheim grants. The recognition and promotion of unusual men and ideas have been one of America's greatest assets.

Although I don't agree with the late Herbert Hoover that bureaucracy is devoid of any progressive thought, I believe as he did in free enterprise in our economy, in the organizations of our society and in the commerce of our ideas. As he said, "Ours is a voluntary society. The fabric of American life is woven around our tens of thousands of voluntary associations. That is, around our churches, our professional societies, our women's organizations, our businesses, our labor and farmers' associations—and not least our charitable institutions. That is the very nature of American life. The inspirations of progress spring from these voluntary agencies, not from bureaucracy. If these voluntary activities were to be absorbed by government bureaus, this civilization would be over. Something neither free nor noble would take its place."

American higher education—indeed, America—owes a great debt to private foundations and to the philanthropists who created them.

C. The beneficial effect of foundation grants to academic institutions

As an officer or trustee of educational institutions which have been the recipients of foundation aid, I cannot overemphasize the value it has been to them to receive the enabling grants, whether large enough to elevate the quality of the institutions or merely the little, extra amount that meant the difference between launching a project and abandoning it when almost in reach. Moreover, there is no question but what foundations have played a major role in stimulating private giving to colleges and universities. The challenge grant, which is a creative concept originated and used by foundations, has not only given the many institutions that have received such grants a new lease on life but has added a significant dividend in the form of instilling an understanding of higher education's needs among an appreciable portion of the private sector. In my experience, individuals and family foundations find pride and satisfaction in being identified with furthering educational and cultural progress. It is in the national interest as much as in every institution's interest that the incentives to voluntary support of higher education not be lessened, directly or indirectly. For many small, private colleges and universities, any dampening of the growth of philanthropic support would be critical. Because of their size they have difficulty in gaining the visibility or in meeting the qualifications necessary to attract government grants. The role of the private foundations in their support has therefore been especially vital, as is illustrated in the report of Earlham College, attached to this Statement as Appendix E.

In the last five years, my own institution has received annually an average in excess of $2.5 million in foundation grants. A variety of foundations, small and large—local, regional, and national—and numbering nearly one hundred in any single year, have made these grants. This support has had a determining role in attracting other private donations, in accelerating the training of research scholars, in encouraging students to seek advanced training who otherwise would have been unable to, and in enabling the University to be adequately equipped to accept many Federal grants for projects furthering national interests and for training students in professional fields thought to be insufficiently manned for national requirements.

To illustrate the range, generating influence, and educational significance of this funding, I shall cite a few examples from my own institution. Lilly Endowment, Inc., an Indianapolis foundation, donated $231,000 for a program to improve the teaching of American history in Indiana high schools through refresher courses for teachers. The Lilly Endowment also made a grant of $98,500 to our relatively new Program in the Study of Religion, making it possible among other things for us to appoint a scholar in the field of Old Testament and to hold a summer institute on the teaching of the Bible as literature in the public secondary schools. The same Endowment furnished $78,000 for fellowship support of persons whose interest lies in adult education in religious institutions. Further, the Lilly Endowment has provided substantial funds for the University to develop a program—and construct a building to house it—in the archaeology and anthropology of Hoosier and midwestern prehistory.

The Kress Foundation with a grant of $50,000 initially spurred the development of a graduate program in the history of art, which then attracted a $300,000 contribution from the Carnegie Foundation to provide fellowships, instructors, resource books, and supplies. The Carnegie Foundation also funded in the amount of $230,000 a project for improving foreign language study in Indiana high schools. Bright junior-class students are selected to spend a summer in France or Germany, after which they become pacesetters in their language classes during their senior year. Funds are raised locally to finance students who cannot afford to pay or are furnished by such sources as the Indianapolis Foundation and the Cummins Foundation. This is a clear example of a beneficial program that would probably not have been possible without foundation aid.

A Rockfeller Foundation grant enabled us to begin our current program in genetics. This support made possible the assembling of a distinguished team of research scholars and teachers which has produced that the University has become a major center for the training of Ph.D.'s in the field, many of whom have won distinction and one of whom has recently won a Nobel Prize. The assembling and its initial support were fundamental in helping us to attract and utilize money from many sources, including the Atomic Energy Commmission, the National Institute of Health, and the National Science Foundation.

The Rockefeller Foundation has continued to support for many years the work of this genetics group. Dr. Hermann Muller, one of its members and a Nobel Laureate, did epoch-making investigations in a number of directions, not the least being the establishment of a finer scientific basis for our current understanding of the hazards of radioactive fallout and other forms of radioactivity. Dr. Tracy Sonneborn has opened up an entirely new field in genetics in showing the importance of the nonchromosomal material, that is, elements other than genes, in the determination of heredity. The work of the Indiana team has far-flung significance, not only for plant and animal improvement, including corn and other grains, but also the betterment of human health.

At the other end of the spectrum, the Rockefeller Foundation has helped subsidize a strong Latin American music program in the I.U. School of Music.

The pioneering research of Dr. Leslie Freeman in the degeneration and regeneration of the central nervous system, with findings vital to the treatment of paraplegia resulting from war or other injury, received the steady support of the John A. Hartford Foundation to the accumulated extent of $700,000. The Regenstrief Foundation of Indianapolis has contributed $272,176 to research in health care.

In another area, the Kellogg Foundation has contributed $344,840 to provide for the distribution of programs from the film library at Indiana University to educational television stations.

The University programs funded by the Ford Foundation have been many and diverse. I shall cite only a few examples. Through a $742,000 grant, the School of Education developed a teacher education program combining theory, methods, simulation, practice in the use of closed circuit television and sequentially-ordered laboratory experiences with children, all culminating in a semester of paid "interteaching" and a master's degrees. A project for encouragement of Non-Western studies in Indiana colleges, explained briefly in Appendix B, was instituted with the help of a $200,000 grant. The I. U. School of Business was enabled by a grant of $150,000 to assist Texas Southern University in developing the curriculum and strengthening the faculty of its School of Business to the extent that it became the first in a predominately-Negro university to be accredited by the American Association of Collegiate Schools of Business.

Also funded by Ford, the Indiana Language Program for improving the teaching of languages in high schools (described in Appendix B) has been a remarkably successful project, justifying the $1 million in grants which have made it possible. A timely research program, designed to develop and test a practical system of low-cost tutoring as a supplement to classroom instruction, produced results through the aid of a $368,920 grant which have received immediate application in the Indianapolis school system.

The grants which have been most far-reaching in their effectiveness, increasing greatly your strength, capabilities and quality in international areas, were those made by the Ford Foundation in 1961 and 1965 in support of research in the problems of international and human resources development, and of the University's graduate programs in international business and in the following foreign areas: Russia and East Europe, Western Europe, the Far East, the Near East, Africa and Latin America (See Appendix C). Totaling in all some $5.3 million, the largest portion of these grants has been devoted to the support of doctoral candidates, whose training will inevitably benefit numbers of others. Faculty research is a second, important purpose served by the grants. Also, salaries of certain new faculty members have been paid from the grants in whole or in part for periods of one to three years. A small percentage has been spent on library acquisitions. Mainly by these means Indiana University has been enabled to capitalize on potential developed initially on its own but requiring the major impetus of private funding for its realization and resultant distinction.

I have had an opportunity to observe another beneficial and multiplier effect of foundation grants in my position as Chairman of the Indiana Advisory Commission on Academic Facilities. This Commission, as the members of Congress will know, administers and makes recommendations for the projects eligible for Federal assistance in funding under the Higher Education Facilities Act of 1963 as amended. A condition precedent to any type of Federal assistance is a current capability of the institution to defray a minimum of 25 per cent of the cost. This 25 per cent has had to be raised from a variety of sources: alumni, friends, local corporations, and foundations. The local financing of a large majority of these projects depended in part on foundation funds, and in one instance, the Fort Wayne Art Institute and School of Fine Arts, all of the matching money was received directly from a foundation grant. In the case of Anderson College, grants from private foundations totaling $1.48 million were added to a federal facilities grant of $1,076,251 and funds from other sources to provide a sorely-needed general classroom and administration building costing in excess of $3 million.

Sixteen private and five state-supported institutions in Indiana have participated in and benefited from the program. To date it has resulted in construction of 65 new or, in a few instances, rehabilitated structures worth $125 million with a Federal subsidy of a little over $40 million. It is estimated that these facilities will help to accommodate over 45,000 additional students. It is a demonstrable fact that the program would have been substantially less successful had it not been for the assistance of foundations. I feel sure that in each of the committee members' states the story is much like Indiana's.

I wish to emphasize that the support from private foundations to Indiana colleges and universities is pervasive and widespread. In addition to the examples I have cited, the Lilly Endowment aids fourteen Indiana private colleges with substantial annual unrestricted grants. Mr. Herman Krannert of Indianapolis and the Inland Container Corporation Foundation have given major grants for needed buildings to both private and public institutions and for vital cardiac research. In fact, the examples I could recite are legion.

I have used these illustrations from the experience of Indiana University, but other institutions with which I am familiar have similar records of aid, supplied by private foundations, which has enlarged their capabilities, enhanced their quality and elevated their horizons. At Tulane University, for instance, where I serve on the Board of Visitors, early grants from the General Education Board were basic to the development of the institutions, I have been told. In the last five years, during which I have had an opportunity to observe the benefits of contributions made by foundations to Tulane, it has received $16 million from them, including grants for medical research, faculty salaries, educational programs at both the undergraduate and graduate level, addition of faculty to the School of Medicine, support of younger faculty members, development of the natural and physical sciences, and—most importantly—as a stimulation to fund-raising which produced more than three times the amount of the challenge grant. (See Appendix D.)

Similar challenge grants from the Ford Foundation have aided four private institutions in Indiana and the Indianapolis Symphony Orchestra, closely associated with a fifth private institution, to raise urgently-needed funds. Earlham College received a $1.6 million grant and raised $5,500,981. (See Appendix E for a summary of foundation support to this important Indiana Quaker college.) To a grant of $2 million, Wabash College was able to add $5,037,302. The University of Notre Dame raised $24,880,573 in response to a challenge grant of $12 million. And DePauw University supporters have just completed a drive, meeting the challenge of a $2 million grant with a total of $7,124,665 raised.

In the last three years DePauw has received grants totaling $1.6 million from 28 foundations to be used in matching a $2.396 million government facilities grant in the program to which I have already referred for the construction of a science center. Since laboratory facilities and library acquisitions are often difficult for small private universities to fund, this new center is crucial for the development of DePauw's science programs.

DePauw received aid, too, in starting two now-thriving programs; a summer graduate program in American Studies for high school teachers, initially funded by the Coe Foundation, and an African Studies program, begun through a Ford Foundation grant.

The Ford Foundation also helped with a program undertaken by DePauw to improve the humanities background of its faculty members. Through the $50,000 grant from Ford the program can now be advanced to a stage at which DePauw will be better able to handle it alone.

In these diverse ways, three different types of educational institutions—a small and a large private university and a state university—have been enabled by foundation grants to improve their ability to serve scholarship and society.

All over the world, America's system of higher education is esteemed as the best

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ever developed in any land. Despite all of its insufficiencies, it is the envy of the world. Our system has several well-nigh unique features that have shaped its character and contributed to its world position. They are its emphasis on applied research and public service, first stimulated by the Morrill Act establishing the land-grant colleges, the dual system of public and private support and control and the large number of institutions, making possible advanced educational opportunity for a significant portion of our American society.

Important as these are, I believe that the most important reason for this universal respect resides in what colleges and universities have been enabled to do as a result of the support of private foundations: the imaginative, creative, boundary-stretching, even revolutionary undertakings which have not only produced enormous immediate and potential benefits but have enlarged the possibilities for higher education in the future.

The face of America has been forever improved by the unique creation of philanthropic foundations that have assisted educational institutions to serve society in ways never aspired to in any other nation. Such a record deserves encouragement.

Surely a way can be found to remedy those imperfections which may have led to the proposed legislation without lessening the capability of private foundations to assist higher education in adding to that record in the future and without discouraging the patronage to be gained from the establishment of new foundations.

I earnestly hope, and urge the committee's concern, that this Bill in its final form will be free of provisions with reference to private foundations which would have a stultifying effect upon the scientific, intellectual, social, and economic progress of our country.

Americans have ever been a dynamic and daring people. Dynamism has been our outstanding characteristic, the wellspring of the America we know that has been a pace-setter for the world. Foundation grants have helped keep us dynamic and moving forward. It is not pioneering, experimentation, and hospitality to new ideas that we have to fear but an excess of caution which could invert the face of America and ultimately relegate her to the indistinction of a static society.

SUMMARY OF STATEMENT OF HERMAN B. WELLS

Detrimental effect of the proposed tax

Foundations early and continuously helped higher education with funds for scholarships (as more students without the ability to pay aspired to advanced education), with funds for facilities and equipment (*e.g.*, the expensive precision instruments of science), with grants for research (in this creative period, each new idea and each discovery opened possibilities to scholars who then sought sponsorship of their investigations), and with support of a great variety of projects, designed to advance scholarship and society's interests. Often foundations came to the rescue when no other support was available, before government undertook support. In many instances (for example, scholarships), colleges and universities would have had to seek government appropriations—thus adding to the burden on the taxpayer—had not foundations supplied the support. The results of the programs, projects and research made possible by foundations have had beneficial repercussions far beyond the campus and region and will extend long past the present time.

The contribution of foundations

Taxation of the foundations, which can have no other effect than to reduce the funds available to higher education, is a critical matter because *each* dollar—the last often more than the first—is important in launching a project, matching a grant, funding scholarships, etc. Furthermore, the size of the reduction is no measure of the potential removed by such an action. At a time of crisis in financing higher education, even the direction of such a move is disheartening. The amount that the tax would yield the Federal Government is relatively minuscule but its detrimental effect on higher education would be major. In addition, once the principle of taxing the foundations is established, there is a strong likelihood that the percentage of reduction will be increased in succeeding years.

A question arises why foundations, which already serve society, should be taxed so that government can serve society. Inevitably, the mechanics of the transfer will involve a cost which need not have been imposed between the funds and their use in the service of society.

Punishment of the abuses of a few foundations should not be visited on the many. Legislation like the Prohibition Amendment which raises a barrier against a problem instead of treating the problem merely induces new forms of abuse. From my observation it seems to me that most foundations have an excellent record and that their staffs have been conscientious in their commitment to the public interest.

The prohibition against a private foundation engaging in any activities intended to influence governmental legislation has crucial implications for higher education. Much of the scholarship undertaken in such fields as business, education and the social sciences is prompted by a desire to reduce imperfections. That is, both the fact-finding and action resulting are contemplated. Otherwise the research would be an exercise in futility. The most disturbing aspect of the prohibition is the control it threatens over the unpopular idea, the investigation of controversial issues and the concept which is ahead of the times. It is equally important to society that cancer be cured and that poverty be eliminated. However, because the first is non-controversial, they would not be treated alike as research subjects seeking funding.

Foundations are an expression of free enterprise. In their support of higher education they encourage free enterprise in ideas. They provide opportunity to the unusual man and idea. They give vital aid to the small private institution which lacks qualifications or visibility to attract government support. They have stimulated private giving to colleges and universities through such means as challenge grants. They represent an important expression of the volunteer sector. It is patent that our present store of knowledge and many of the gains which have improved our quality of life would have been unrealizable without the encouragement and support of foundations.

Institutions with which I am connected receive support from many foundations, large and small, state, regional and national. (A range of examples from different types of institutions, showing the variety of ways in which foundations have assisted higher education to perform its service to society more effectively, follows in the Appendices.)

America's system of higher education is envied by many institutions abroad because of its multiple sources of support which ensure independence of thought and action and freedom from undue influence from any source. The American foundation is one of the instrumentalities by which our independence and freedom are maintained.

APPENDIX A: APPRAISAL OF THE J. K. LILLY COLLECTION

How modest the appraisal of the J. K. Lilly collection for tax purposes was is documented by actual records of recent auction sales. Duplicates from his collection were sold by I.U. at auction at the Parke-Bernet galleries in New York City on November 8, 1962. Here is the record of five items:

	Cost	Appraisal	Selling price
No. 18, Chaucer	$17,500	$20,000	$47,500
No. 28, Copernicus	2,000	3,500	11,000
No. 34, Dalton	250	350	1,850
No. 44, Eliot Bible	4,500	7,500	10,500
No. 102, Newton	750	1,000	5,500

These items, which cost Lilly $25,000, were appraised at $32,350 and were actually sold for $76,350.

The recent Thomas Streeter sale of rare Americana contained fourteen items of which the Lilly collection has comparable copies. An analysis of these, comparing J. K. Lilly's costs, appraised for tax purposes, and prices the Streeter copies brought, was made by the Lilly librarian for the *American Book Collector* and published in its October, 1968, issue.

The fourteen items cost Lilly $24,275—the tax appraisal was $35,125. The comparable copies sold at auction in 1968 for $174,500.

The most drastic advance in prices was of the first printing of the Declaration of Independence of which only sixteen copies are recorded. Lilly's copy cost him $12,500 and was appraised for tax purposes at $15,000. A copy sold at auction in May for $404,000.

Twenty items from the Lilly collection, therefore, which cost him, during his thirty years of active collecting, $61,775, were appraised for tax purposes at $71,475 and comparable copies actually sold at public auction for $654,850.

It might further be mentioned that since its dedication in 1960 the Lilly Library has attracted as gitfs, each year, material of more than double the value of the budget allocated to it from library funds. Appraisals of such material are made by competent outside appraisers and none has ever been questioned by tax authorities.

If the original gift were to be reappraised in the light of today's market, it would be well over $10,000,000. Additional purchases made possible by grants from the Lilly Endowment and other gifts attracted by the collection have brought the total value of the Lilly Library's present holdings to approximately $25-$30 million.

APPENDIX B: STATEWIDE IMPACT IN INDIANA OF CERTAIN FOUNDATION ASSISTANCE TO INDIANA UNIVERSITY

Foundation help to institutions of higher education is crucial and unique in many ways. Our experience at Indiana University has demonstrated this in two important respects that are sometimes overlooked in assessing the value of foundation philanthropy to American education and society. For us, foundation assistance has provided, among other things, flexibility and a "multiplier effect" that are not possible with general funds from the state budget nor usually with federal grants. Indiana University has been able to develop and implement some original and exciting ideas that have influenced most of secondary and higher education throughout the state of Indiana. Two examples will illustrate this point.

First is *The Non-Western Studies Project, 1959–67:* As a result of the interest of several Indiana University faculty members and of the administrations and faculty of several Indiana private colleges, a program was developed to encourage more study of the non-Western world in undergraduate education throughout the state. An earlier survey had shown that the overwhelming majority of graduates of Indiana universities and colleges finished their education with no understanding of, or even acquaintance with, the history, cultures, and problems of the bulk of the world's population living in Asia, Africa, and Latin America. In view of the interconnected world of the last quarter of the twentieth century in which these young men and women would live, in their careers, as citizens, as individuals, this seemed a grievous omission in their education experience.

Over eight years, with very modest assistance from the Ford Foundation (under $200,000), the Non-Western Studies Project was able to enlist the cooperation and participation of three-fourths of Indiana's colleges and universities in order significantly to broaden both the curriculum and extracurricular activities available to most undergraduates. Using the extensive resources of Indiana University in international studies and drawing on the enthusiasm and dedication of administrators and faculty in many colleges, the Project provided over 50 faculty fellowships for training in non-Western studies here and abroad, and for redesigning courses to include non-Western materials; it also sponsored or helped arrange over a dozen faculty and student workshops, institutes, and seminars; and it assisted institutions in acquiring library and visual materials on the non-Western world.

It is difficult, of course, to measure the full impact of such a cooperative effort, but it is clear that today many Indiana undergraduates have a wider and more internationally-oriented education, one which should prepare them better for tomorrow's world.

The second example is *The Indiana Language Program, 1962–70*. In the general post-Sputnik atmosphere there was national concern about American deficiencies in the study of foreign languages. Nowhere was this felt more keenly than in Indiana, where despite the University's international renown in linguistics and in language and area studies, the elementary and secondary schools of the state were providing very limited and often totally inadequate instruction in foreign languages. Determined to close this gap and in hopes of providing a model of what could be done in one state, Indiana University developed a comprehensive program to improve the teaching of foreign languages throughout the state. Drawing on the University's extensive resources in this field and on its earlier initiative in appointing a full-time School Coordinator for Foreign Languages, the Indiana Language Program, with the assistance of just over one million dollars from the Ford Foundation, has sponsored intensive institutes for teachers, the retraining of Cuban refugees as Spanish teachers, a scholarship incentive program for young people interested in careers in foreign languages (including such difficult but crucial languages as Arabic, Chinese, and Japanese), study abroad opportunities for Indiana foreign language teachers, publications useful to students and teachers, and encouragement and guidance on language programs in the schools, including those in elementary schools.

Again, it is difficult to judge the long-run impact of such a program. It has, however, drawn nation-wide attention, study, and emulation, and there is no question that this cooperative effort has radically changed the situation in the state. Whereas in 1962 there were 73 secondary schools which offered no instruction in modern foreign languages, today there are only one or two. Enrollments of secondary school students have grown between 1960 and today some seven-fold in French, nine-fold in German, four-fold in Spanish, and fifteen-fold in Russian. Students entering the University are now so well-prepared that the introductory language courses at Indiana University have had to be drastically up-graded, and hundreds of new and able teachers well-versed in the latest techniques of language instruction have been trained. Moreover, the Indiana Language Program has been able to place a number of its activities on a nearly self-supporting basis which will permit the University and cooperating schools to continue them past the expiration of the Ford grant in 1970.

In summarizing these two examples I would like to stress two points. First, the foundation assistance involved, while very small compared to the effects obtained and to the share contributed by Indiana University and the participating colleges and schools in the state, was crucial both in permitting the University to use its resources with maximum impact and in extending the benefits of these programs throughout the state of Indiana, thereby influencing the education of countless Indiana citizens most of whom had no direct contact with the University. Second, the modest sums required, which were not available from other sources, allowed the initiation of activities which are to be carried on and developed, thus continuing the process of improving education at all levels in the state.

It is apparent, I think, that in these cases the help of the Ford Foundation, building on local concern and initiative and supplementing existing institutional resources and personnel, was not only in the interests of education in Indiana but in the national interest as well.

APPENDIX C: LATIN-AMERICAN STUDIES

The $600,000 invested over a five-year period (1966–71) in Latin American Studies at Indiana University under the Ford Foundation International II Grant provides dramatic evidence of how foundation support can double and triple university potential in a particular area at a crucial moment of development.

The university initially provided certain basic investments. Special allocations built a major collection of books and manuscripts dealing with Latin America in the Lilly Rare Books Library. Recruitment of several promising faculty members also sparked interest within particular departments. It was foundation funds, however, which created the catalyst to launch the program in five major areas.

(1) Nearly one-third of the Ford grant matched by extensive funds from the university and library budget went into an impressive building program in library acquisitions.

(2) Ford funds supplemented department allocations for new faculty positions and research grants. In general, Ford funds paid the first two years' salary after which the department assumed the financial commitment. The number of faculty teaching subjects related to Latin America rose from 8, representing five departments, in 1963, to 40, representing fifteen departments, by 1969.

(3) More ample fellowships made possible from Ford funds in addition to the vastly expanded academic program enabled departments to attract topflight students with Latin American interests from all over the country into M.A. and Ph.D. programs. The number of students in such graduate studies rose from 25 in 1963 to 190 in 1969. In addition, for the first time, Indiana University was able to send promising Ph.D. candidates to the field in the summer of their second year of graduate work to map out dissertation topics. This extremely successful program resulted in considerable savings in time and money when actual dissertation research began and prepared students to compete advantageously at the national level for doctoral fellowships.

(4) Public lectures, art exhibits and music performances largely backed by Ford funds stimulated new student and community interest in Latin America. Particularly significant was the impact of Indiana University's unique Latin American Music Center, first established in 1962.

(5) Finally Ford funds enabled Indiana University to explore and open new and exciting programs for student and faculty exchanges with a variety of Latin American institutions. Among the initiatives which bore fruit were the training of economics faculty at the Andrés Bello University at Caracas, Venezuela; the student exchange programs with San Marcos and the Catholic Universities in Lima, Peru, and the National University of Rio Grande de Sul in Porto Alegre, Brazil; the exchanges with the medical faculty of Guanabara University in Rio de Janeiro; the archeological explorations established with the University of Los Andes in Colombia; the radio and television assistance program to El Salvador; and an educational assistance program in Chile.

Indiana University now produces an average of ten Ph.D.'s and forty M.A.'s each year with specialization in disciplines related to Latin America, in contrast with less than one-tenth that figure six years ago. The University now holds a front rank in terms of library resources and faculty specialists, in contrast to its virtually unknown position in 1962. In sum, the investment of Ford Foundation funds has resulted in launching a major international studies program, has encouraged Indiana University to make long-range commitments, and has established a new role for the university in this vital world area of study and cooperation.

APPENDIX D: FOUNDATION SUPPORT OF TULANE UNIVERSITY

Gifts and grants from foundations have shaped the destiny of Tulane University as much as any other single influence—the specific shape of the institution in terms of individual programs embarked upon and maintained over the years, as well as the general character of the institution. Foundation involvement with Tulane dates back to pre-World War II days when the General Education Board helped support a small and struggling institution in a variety of ways.

Between 1919 and 1939, the General Education Board made available the sum of approximately $4 million as endowment, which constituted a substantial portion of the endowment of the institution at that time. The income from the investment of these funds was devoted not only to the general support of the University but also to the support of the School of Medicine.

Other foundations which have played a significant role in Tulane's development over the years include the Ford Foundation, the Rockefeller Foundation, the Commonwealth Fund, the Sloan Fund, and many smaller but extremely important foundations. For example, the Schlieder Foundation, a locally oriented foundation, has made available to the University over the past 19 years approximately $1,700,000 for medical and other research. Likewise, the Stern Family Fund has supported Tulane generously over the years.

Certain specific grants assumed transcending importance at various stages of the development of Tulane University. For example, the General Education Board made available matching grants in 1946 and in 1951, totalling nearly $3 million, on condition that the University match those sums. This stimulated early fund-raising campaigns which otherwise may not have been embarked upon. All were successful.

The Ford Foundation endowment grants to the general support of the University and to the School of Medicine in 1957, totalling $6.2 million, made as a part of a distribution to most private institutions in the nation, gave a substantial impetus to the University at that time. The income from the investment of these funds was to be used to improve faculty salaries for ten years, at the end of which time the principal was free to be used for any institutional purpose. Tulane elected to use the principal of these funds in the further development of its educational programs.

Probably the most significant grant in the history of the institution was the Ford Challenge Grant offered in 1964. By terms of the grant, the Ford Foundation agreed to

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contribute $6 million if the University would raise $12 million from private sources. Stimulated by this offer, the University set a total fund-raising goal of $24.4 million and actually raised nearly $28 million. It can be said truthfully that the stimulation of the $6 million offered by the Ford Foundation produced an additional $22 million for current operating purposes, for physical facilities, and for endowment. This program supported the endeavors of the institution to increase faculty salaries from approximately a "D" average in the AAUP grading scales to a "B" average, assisted in the provision of an urgently needed Library and also a Science Building, and provided other stimuli to the forward movement of the institution.

Shortly after World War II, several Carnegie Corporation grants, followed by a General Education Board grant of $1 million, enabled the institution to greatly accelerate the development of its graduate program. The production of Ph. D.'s has increased from a few in 1946 to 119 this year. This has been of inestimable significance not only to this immediate region but to the whole nation as well.

A Ford grant of $500,000 enabled the University to develop a Latin American Studies Program, which has contributed greatly to the educational advancement of our neighbors to the south.

The Commonwealth Fund has provided grants to the School of Medicine which have been of tremendous significance in the development of that institution. A grant made in the 1950's of $750,000 on a matching basis permitted the institution to add $1.5 million to its spending level, primarily for faculty and faculty salaries. In recent years two large planning grants from the same foundation have assisted the faculty of the School of Medicine in planning goals and objectives of the School and its future development.

Also of great assistance to the School of Medicine have been two grants from the Mellon Foundation, each in the amount of $250,000, devoted to the support of salaries of younger faculty members. The Sloan Foundation has made two grants in the amount of $250,000 for the support of science at the University. This has assisted the institution in matching larger grants from the National Science Foundation and has provided an important stimulation to the development of the natural and physical sciences.

Finally, the Rockefeller Foundation has made two grants to the institution, each in the amount of $250,000, for the support of underprivileged students. These grants have assisted Tulane in making available its educational opportunities to approximately 100 students a year, who otherwise would not have been able to afford to enroll in this institution.

In the past five years, foundation sources have provided gifts and grants of approximately $16 million.

APPENDIX E: FOUNDATION SUPPORT AT EARLHAM COLLEGE

Over the last twenty years American higher education has undergone some of the most strenuous demands in the history of the country as we have had to wrestle with large increases in enrollment, costly improvements to keep abreast of developments in the sciences, the provision of educational opportunities for the economically less advantaged segments of our society, an endless spiral of inflation, and the increasingly evident need for drastic improvement in various aspects of teaching. Earlham College, like other institutions, has had to raise large sums of money every year—beyond its normal income from student tuition and endowment return—to continue day-to-day operations. We have also had to raise large sums for capital development plus special program development support outside the normal operating budget. With all of these needs we have been given invaluable assistance by a number of general purpose, company-sponsored and family foundations. Let me give some specific illustrations:

Plant expansion

In the building of approximately eight million dollars worth of new buildings during the past twenty years Earlham College received substantial funds from Lilly Endowment of Indianapolis, the National Automatic Tool Foundation of Richmond, Indiana, the Carnation Company Foundation of Los Angeles, the Kresge Foundation of Detroit, Michigan, the Baxter Foundation of Indianapolis, and the Ford Foundation of New York.

One of the most important aspects of these foundation gifts is that they provided the "challenge" funds which enabled us to launch general fund-raising drives among our alumni and the general public. Without the stimulus of the major foundation gifts there is real doubt if we would have been able to succeed in these important expansion and campus improvement projects.

Improvement of library collections and service

As at all other institutions, Earlham must continue to work to upgrade various of its normal programs. In this connection we have had important assistance for the improvement of our library through special grants from the Given Foundation of Pittsburgh, Pennsylvania, W. K. Kellogg Foundation of Battle Creek, Michigan, Lilly Endowment of Indianapolis and the Ford Foundation of New York.

A good library is a central and tremendously important resource for any educational institution. There never seems to be enough money in the general budget to take care of the ever growing needs of libraries. Foundation support has for Earlham been of great significance in the building of the excellent library service we now have.

Science program maintenance and development

Work in the natural sciences is among the most costly aspects of the various programs of any general educational institution. The Defense Department and various other government agencies pour enormous amounts of money in the support of sciences at the large universities. The smaller undergraduate institutions—which produce a disproportionately large percentage of the undergraduates who go on in advanced study to become scientists—have considerable difficulty in attracting sufficient funds to acquire the physical facilities, equipment and staff needed to maintain a high level in research and teaching in the sciences. Though Earlham is now beginning to receive significant help from the National Science Foundation, during most of the period since the end of World War II we have been in very large measure dependent upon private foundation grants for the strengthening and enlargment of our science programs.

We are now well advanced in the planning stage of a $3,600,000 addition to our science facilities for which we have received a grant of $1,206,000 in federal funds approved by the Indiana Commission on Educational Facilities.

The new building will provide laboratory space for Chemistry and Biology. In order to make the most efficient use of building funds made available to us we are doing intensive research on mechanical facility location and access, partition location and re-location, furniture design and teaching methods.

This essential research, in which science faculty members, architects and engineers are participating, is sufficiently advanced to assure us that it will produce significant construction cost savings and a high degree of building flexibility, thus providing greater insurance against obsolescence as science knowledge multiplies.

This important investment in educational improvement and obsolescence insurance was financed by grants from the Esso Education Foundation of New York and the Alcoa Foundation of Pittsburgh, together with valuable technical assistance from the Educational Facilities Laboratory, a subsidiary of the Ford Foundation.

We expect the research to be of such significance that one or more of the findings will be incorporated in the construction of science laboratories for colleges and secondary schools throughout the country, a fact which may produce meaningful savings for both the public and private sectors of education.

And because the general purpose foundations particularly are attracted by projects which have a multiplier effect, we are optimistic about major foundation support for our science building program.

Specific additional assistance with financing science projects has come to Earlham from the Kettering Foundation of Dayton, Ohio, Lubrizol Foundation of Cleveland, Research Corporation (a foundation) of New York, the Shell Companies Foundation, the Smith, Kline and French Foundation of Philadelphia.

Special projects in the national interest

From time to time the Federal Government establishes very clear educational objectives to serve the vital interests of the country. In some cases the serving of these special national interests are assisted by federal grants and contracts. Rarely, however, is such government funding complete. Moreover, most of these tax monies will have traditionally been allocated to large universities. Most of the smaller undergraduate institutions like Earlham have to secure much of their funding for such projects from private sources. Foundations have played an essential role for Earlham in the funding of two types of programs for which the United States government has given urgent encouragement.

a. *Education of the Disadvantaged.* In order to carry its share of the load in dealing with the education needs of lower income families Earlham has had invaluable assistance from the Rockefeller Foundation of New York and the Cummins Engine Company Foundation and the foundations associated with it, of Columbus, Indiana.

b. *International Education, Particularly Dealing with So-Called Non-Western World.* Earlham has been able to develop a very extensive program of international education—including study abroad programs in a number of countries and a special program in Asian studies, including the teaching of Japanese language—through grants received from the Ford Foundation of New York, Lilly Endowment of Indianapolis, and the Watumull Foundation of Honolulu.

c. *Urban and Rural Development Programs*. Assistance with special programs in the fields of sociology, political science, and economics have been given by the Schwarzhaupt Foundation and the Seasongood Good Government Foundation of Cincinnati.

General Educational Improvement. Innovation and experimentation in education—like research and development in industry—are essential if colleges and universities are to avoid stagnation and death. Earlham College has during the last twenty years been able to strengthen its educational contribution enormously through vigorous new developments in new methods of teaching in English, chemistry, psychology, physics, biology, mathematics and several other fields. Substantial assistance, without which most of the projects could not have been attempted, have been provided to Earlham by such foundations as Carnegie Foundation of New York, the Danforth Foundation, the Esso Education Foundation, Lilly Endowment.

Normal Current Operating Expenses. Without very substantial private contributions our independent colleges and universities would disappear from the American education scene, and a very much greater burden would thereby fall upon the state and federal governments to provide substitute educational services through the public institutions. Here the role of private foundations has been of enormous importance to Earlham College and continues to be year after year. Among the foundations which have been conspicuously significant for Earlham in meeting these ongoing needs are such foundations as the following: Conway Scholarship Foundation, the Doan Foundation, Lilly Endowment, the Charles E. Merrill Trust, Standard Oil Company Foundation of Indiana, The McGregor Fund, and literally scores of other less well known foundations attached to a variety of business concerns and families.

During our fiscal year ending June 30, 1969, foundations provided 27.3 per cent of our gift income applicable to the current operating budget.

In the preceding ten years foundations provided $850,000, which we utilized for budget balancing purposes, 26.2 per cent of our unrestricted gift income for the period.

The contributions of foundations, particularly general purpose foundations, to our overall gift income, that is both designated and undesignated, add up to an even more impressive figure.

During the ten years ending June 30, 1968, Earlham received foundation grants of $5,710,667, equivalent of 31.2 per cent of total gift income for the period.

Thus it is apparent that any measure which will inhibit the giving of foundations or will divert any significant portion of foundation income will have a direct impact on the financial health of private educational institutions.

I want to emphasize that the leadership role of foundations in providing diverse types of support for Earlham College has been absolutely indispensable in our survival and in our continued growth and improvement. Most important has been the "challenge" and catalytic effect which foundation gifts have provided in stimulating other gifts from other types of private donors. We would earnestly hope that every encouragement would be given to the expansion of the legitimate role of foundations in helping to finance American higher education.

AIR POLLUTION CONTROL

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. CARTER. Mr. Speaker, I am including in the RECORD today a proposal for air pollution control developed by the University of Louisville Institute of Industrial Research, of which Dr. I. W. Tucker is the director. This report was first published on November 14, 1967.

I regret that the Federal Air Pollution Control Board only this year had published a report similar in nature to that of the University of Louisville. It seems there has been too much vacillation on the part of the Federal Government.

Polluted air in our cities and, in fact, throughout our country causes human, animal, and plant disease. There is no question but that pollutants from the exhausts of automobiles, particularly the hydrocarbons and nitrous oxides, cause bronchitis, emphysema, and lung cancer. It is necessary that these pollutants be controlled as well as those being emitted by smoke stacks of industrial plants.

I wish to commend Dr. Tucker and the Institute of Industrial Research of the University of Louisville for their report.

The material follows:

PROPOSAL FOR AIR POLLUTION CONTROL

INTRODUCTION

This proposal is to assist and participate with the Louisville-Jefferson County Air Pollution Control Board in expanding and supplementing its present monitor and control program. In addition, the University of Louisville Institute of Industrial Research's role with Louisville-Jefferson County is to be the basis of including in its effort the adjacent areas consisting of all or parts of Clark and Floyd Counties, and possibly others.

Whereas solid and water pollutants are fixed or confined geographically, the air is not subject to significant confinement or regular flow pattern except to a variable extent by topography and climate. Geographical boundaries are, therefore, of no significance in studying the material balance and flow pattern of air pollutants. Ideally, we can find some physically defined area which, by reference to topography, pollution sources, and population, provides a discrete unit for evaluating the various contributors to air contamination, and their impact on the exposure of the population to their effects.

In the preparation of the proposal which follows, reference is made to Louisville-Jefferson County and surrounding areas. This is taken as roughly that defined by the hills and knobs west of New Albany and extending thence to the northeast. On the Kentucky side of the Ohio River, south of New Albany, and running somewhat to the South and East, there is a less well-defined series of hills. Together, these elevated sections are roughly a hemicircle defining the western boundary of what we chose to call the Falls City Air Shed. Since there is no correspondingly well-defined physical boundary to the east, it will require some additional study to arrive at a decision regarding the eastern extremity of the Shed.

For purposes of seeking support for the overall proposal, it is tentatively assumed that Louisville-Jefferson County will assist in that portion of the effort specific within its boundaries and that adjacent political areas may do likewise. Broad spectrum support for the effort without regard for internal political boundaries would be highly desirable and would probably be effective in attracting enthusiastic government support.

BACKGROUND OF THE PROPOSAL

Air pollution in the Louisville-Jefferson County and surrounding areas, to the best of our current knowledge, has reached a level where further corrective action is at least highly desirable, if not imperative. To bring this pollution under control is a sizeable task for the community, as well as industry. With the continued growth of the area, however, there is no alternative to imposing conditions and restrictions, based upon appropriate data, that will significantly reduce the effluent being discharged into our community air mass.

In the Louisville-Jefferson County area, there are hundreds of contributors to air pollution, many of an intermittent or variable nature. The precise contribution of each of these to the variety of individual pollutants and their geographic and time distribution, while impossible to determine with any precision, can nevertheless be effectively represented on a statistical basis. Isolated sampling at limited locations, although useful for defining localized problems, are insufficient for making the broad-gage determination of the overall corrective action needed, and a wider representation of the average area situation is needed upon which to base a comprehensive and equitable corrective program.

The determination of specific control action to be taken must be based primarily on estimates of individual facility (or groups of facilities) emission, but this, to be equitable must be tempered with numerous other factors. Just as it would be unfair to limit the trash from a multi-family apartment to the same amount permitted a single dwelling, so also a large industrial installation can never be expected to reduce its pollutants to the level of much smaller operations. It has to be recognized, also, that each pollution source is subject to dilution and dispersion, and that this varies with the type of pollutant exhaust system as well as atmospheric conditions. Even a minor contributor to total pollution will, under certain conditions and in its immediate vicinity, result in pollution levels regarded as excessive for an urban settlement. In the same manner, a large industrial facility should be afforded the consideration of a normal atmospheric condition which provides a degree of dispersion and dilution of its effluent which should be taken into account in assessing the extent of its contribution to the total area air pollution problem.

While the air pollution level of every occupied section of our area is of concern, allowance must be made for these sections directly adjacent to large industry which almost always will be more polluted than the main (90%) residential areas. While it will be an ultimate aim to have the whole area meet minimum standards, it would be unrealistic to expect to solve the whole problem at once. Sure and steady progress through concentration on the overall area problem should be the sustained objective, proceeding to the correction of isolated situations, only when acutely critical or not otherwise resolved by broad gage action.

To properly represent the air pollution level of Louisville-Jefferson County or the area covered by the Metropolitan Council of Government and provide the basis of demanding corrective action, truly representative sampling and analysis of pollutants is essential. The present dispute over whether Louisville air is, or is not, among the 20 having the highest level of pollution can only be resolved by "representative" sampling and analysis. The real basis of the controversy seems to be that each claim is based upon "isolated" sampling using different techniques and definitions.

Isolated sampling, whether from the point of time or location, is inadequate for imposing more general effluent restrictions. In every situation, furthermore, allowance must be made for a unique set of conditions at any instant combining to give an unusually high (or low) pollution level. Since the health impact of air pollution no doubt is a time and concentration of exposure effect, it is really the time average of the pollution level which is of greatest concern. Short exposures of an "excess" of a pollutant, will, it may be assumed, be no worse than lesser amounts for longer times. "Excess" in this context is intended to be something less than what we would in general terms call an acutely dangerous high level of pollutants. It is not unrealistic, therefore, to reply on average data statistically weighted for time, location, and the amount of pollution.

Corrective regulations and action should be planned in accordance with an equitable set of standards that takes account both technical and economic feasibility. Every individual in the metropolitan complex should be expected and required, if necessary, to cooperate in fair proportion to his ability to contribute to improved air quality.

While it is obviously impossible to operate a large commercial installation at the same low levels of total emission as a similar smaller operation, each should nevertheless fairly be expected to do his proportionate share. Aside from all other considerations, however, the primary criteria for corrective regulations and action must be the possibility of realizing measurable reduction of pollution when and where necessary or desired. This might be the imposition of regulations and controls on the operation of single plants or single industries, or any combination of plants, large or small, or even residences.

OBJECTIVES OF THE PROGRAM PROPOSED

This proposal is to develop data on air pollution necessary and useful for enforcing present regulations and developing possible additional restrictions on pollutant emission in the area.

The further improvement of air quality over Louisville-Jefferson County as well as the larger area represented by the Metropolitan Council of Governments (Falls City Air Shed) is highly desirable and, in the opinion of some, essential. While opinions on the seriousness of existing pollution levels and the resulting health or other hazards may differ, a sound program of pollution abatement is widely accepted as a worthwhile objective. Beyond the control of air quality to minimum standards, it should also be the aim to eliminate any contribution to pollution where reasonable and feasible.

The aim of pollution control in the area for which data is to be collected is to be twofold:

(1) Reduction of the average level of pollution on a daily, weekly, monthly, and annual basis.

(2) Elimination of acute short-term pollution situations where all or a significant portion of our population is subject to a recognized excess of pollutants.

The two objectives are allowed for in the technical proposal, providing for geographically representative sampling and data collection on a continuous basis. The reduction of the average pollution will, to some extent, reduce, but not eliminate the possibility of an acute situation developing. To further provide for the elimination of temporary excess pollution level, it is planned to develop data and data processing methods that will anticipate such possibilities and indicate corrective action necessary to prevent the pollution excess from developing.

It will be the further aim of this project to determine the minimum amount of monitoring essential for air quality control on a continuing basis. At the conclusion of the project, an efficient low-cost monitor schedule should be available for continued surveillance.

Monitoring is planned for multiple locations that will effectively represent, concurrently, air pollution levels to which the mass of the area population is subjected. Additional monitoring will be carried out at appropriate locations to effectively determine the condition of the air flowing into the Falls City area before the local introduction of pollutants. While it is expected that the major pollution problem is of local origin, it is considered important to make this determination and recognize our inability at present to cope with pollution of remote origin. With this measurement of wholly local emissions, the question of our individual contributors can be viewed in proper perspective.

Considerable data has been, and continues to be, collected which will be useful in assigning responsibility for local pollution sources. Until this information is examined in detail, there is no way of knowing what additional data on emission is needed. There is no doubt that some further sampling and analysis of these pollution sources is necessary and is allowed for in the proposal.

With the data developed through the program outlined, a sustained effort can be made for specific reduction of effluent by all contributors individually and collectively. There is little doubt that industry cooperation will be the fullest where the immediate prospect of imposed restrictions is the alternative. Where corrective measures are not technically and economically feasible, reasonable assurances should be given that diligent effort is being made to develop acceptable alternates. Where exception is made, this should provide for a periodic review of the situation.

TECHNICAL PROGRAM

One fixed installation is to be provided at the University of Louisville Institute of Industrial Research building. This will be fully equipped for the determination of particulate matter, sulfur dioxide, hydrocarbons, ozone, and oxides of nitrogen. Equipment will be obtained for determining particulate matter and sulfur dioxide at four other temporary or mobile locations. This will provide for simultaneous monitoring at all locations within the SHED area or any portion of it.

While these two pollutants would be emphasized, provision is made for elective determination of any of the other pollutants at any of the temporary stations.

Data as collected from fixed and mobile stations to be of greatest value will be accumulated in a form providing convenient access and allow for the inclusion of weather, time, industrial activity, and other related information. For this purpose, a computerized system is to be used (developed if necessary) so that all data can be tabulated in whatever form desired. This computerized monitoring data also will be prepared in a manner that will be compatible with the development and storage of information on particulate and gaseous pollution emission sources. By this means, individual or multiple plant source restrictive action can be programmed in relation to monitor information.

Emission data will be developed with the view of positive identification of the major contributors to the pollution level at each monitor station. The purpose of this will be to document the need for control action under current criteria and also to indicate the need for developing additional and more restrictive criteria. Aside from merely holding pollution below some established tolerance, it will be our aim to project the means of holding contamination to the lowest possible level.

Whereas at present the precise health significance of sub-acute levels of pollutants may be nebulous, it can be expected that through medical research, knowledge of this subject will be expanded considerably in the near future. Data to be developed in this study will be available for the guidance of local health personnel interested in the pattern of respiratory ailments in relation to geographic pollution patterns.

THE ECONOMICS OF EXCELLENCE

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Tuesday, October 14, 1969

Mr. JAVITS. Mr. President, I have long been concerned about a burgeoning health crisis—evidenced by skyrocketing health costs and exacerbated by marked shortages of doctors and other health personnel, and in many cases by seriously inadequate, obsolete, and outmoded health facilities—which threatens to deny adequate care to growing numbers of Americans.

A thoughtful analysis of the economics involved in rendering quality health care and the role of the teaching hospital in providing excellence in health care is set forth by Dr. David Pomrinse, vice president of the Mount Sinai Medical Center and director of the Mount Sinai Hospital in New York, a large teaching hospital in a university-affiliated medical center, in his testimony entitled "The Economics of Excellence" before the Joint Legislative—LENT—Committee, New York, hearings on medicaid, public health, and related problems of health and hospital insurance.

I commend the reading of Dr. Pomrinse's approach to some of the questions of economics involved in hospital administration to Senators and ask unanimous consent that his testimony be printed in the RECORD.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

THE ECONOMICS OF EXCELLENCE

(By S. David Pomrinse, M.D.)

I am Dr. David Pomrinse. I am a Vice President of the Mount Sinai Medical Center and Director of the Mount Sinai Hospital in New York. Mount Sinai is a large teaching hospital in a University affiliated Medical Center. It is concerning the effects on this type of hospital of current proposals for implementing Chapter 957, Laws of 1969, New York State, that I address this Committee.

Teaching hospitals, even more than any other, are traditionally committed to excellence: excellence in patient care, in medical education and in research. The reason for this commitment is easily understood. They have always been the fountainhead of the best and the newest and the safest in medical care and treatment. If the new doctors of today, and the still newer ones of tomorrow are to learn the best ways to keep the nation healthy, this learning must take place in our teaching hospitals. And it does. Throughout the long history of medicine, the teaching hospital—or its equivalent—has always led the way to excellence in the care of the sick, in the training of new doctors, and in the enrichment of medical knowledge.

Concerning the latter, I would like to point out that the art and science of medicine have been developing steadily for many centuries since the days of Hippocrates and Galen. If, at any stage during that long unfolding, Society had proscribed the exploration of new medical territories by the hospitals and physicians of the day, then that stage is precisely where medical progress would have stopped. If these hospitals and these early doctors had not constantly sought newer and better methods of health care, then, naturally, we would treat patients today as they did decades and centuries ago. We would still resign ourselves to mothers dying of childbed fever, babies dying from the trauma of birth itself, and people of all ages dying, needlessly, from eliminable infection.

For more than a century, The Mount Sinai Hospital has enjoyed a reputation for excellence in each of these areas; the care of patients who come to us; the medical education of thousands of young interns and residents who will be tomorrow's doctors; and the constant search for ever better ways to do what we do.

There is a price that must be paid for this excellence. There is an immutable law at work. If Mount Sinai, and other great voluntary hospitals like it continue to excel in these fields, they will continue to attract young doctors and old doctors of great skill and dedication who, in their turn, will make their contribution to medicine—and the nation will benefit. Conversely, if we adopt lesser standards—whether by a decrease in our own commitment to excellence, or by a drying-up of the funds that make this kind of medicine possible in our industrial society—then the trend will, irresistibly, reverse itself. Superior men and women will go elsewhere or will have nowhere to go. Mediocrity of skills and talents and dedication will beget mediocrity of care and treatment, and these great hospitals will end up as little more than gargantuan first-aid stations—and the health of the nation will suffer. I do not exaggerate. As elsewhere in life, it is impossible to stand still in medicine. We will either continue our steady advance or we will slide backward. We know which we want to do. It will have to be a decision by the people—through their legislature—that will force us to reverse our historic course.

And now, it seems, we are at the brink of such a reversal. . . .

Hospitals have been asked to reduce their costs. We have been called inefficient. The idea seems to be in the air that good medicine—the kind that does the best it knows how to do to prevent illness, to cure what it cannot prevent, and to save a life that is in danger—that this kind of medicine can be discounted and can be bought with fewer and fewer dollars.

The decision to cut back on reimbursements to our hospitals in the hope of getting, or forcing, hospitals to reduce their expenses, is a decision that, of course, lies within the power of the people to make. I want to use my remaining time to spell out for this Committee, and for all the people, exactly what such a decision entails. For them, for their children, and for tomorrow's generations.

It has been charged that Hospitals are inefficient and, worse, that we are inefficient with public monies. This charge of inefficiency is levelled at us, obviously, by well-meaning people who look at prevailing industrial practices in this country and then look at hospitals, and who seem to see incomprehensible differences. Differences that should be eliminated so that hospital administration can be "brought into line" with that of successful, profit-making industry. Let's examine this charge.

First, we admit, freely, and proudly, that—by "industrial" standards—we are inefficient. Blessedly and wonderfully inefficient. It is obviously inefficient utilization of space, manpower and facilities to keep our large Emergency Division open 24 hours a day, 7 days a week. Sometimes hours go by when we don't have a real true emergency in the place. If you would have us cease and desist this inefficient practice, you must tell us.

It is inefficient to pay employees for sleeping in their own beds at home. Even if they are highly skilled professionals who are on 24-hour call to be in the operating room on moments' notice to save the life of somebody's parent or child.

We have an emergency, life saving procedure at Mount Sinai. We call it Team 700. It is jammed with inefficiencies. These teams are composed of doctors, nurses and technicians. When the Team 700 alarm sounds, it means there is a case of cardiac arrest somewhere in the hospital complex. Each member drops what he or she is doing and races to the sick man and begins the work of defeating death. Unless the Team assembles and actually begins doing its highly skilled job within three minutes, irreversible brain damage ensues, and possibly, loss of life. To help these teams, Mount Sinai has depots of essential special life-saving equipment and supplies stashed in corridors and alcoves throughout the hospital. This is wasteful duplication. Except if the cardiac arrest happens to your son or father. Then it is not wasteful but is truly blessed efficiency.

Mount Sinai has the only operative Hyperbaric Chamber used for patient care in Greater New York. The Chamber is a 40-foot-long, thickwalled operating room where patients can be placed under several atmospheric pressures thereby greatly increasing the amount of life-giving oxygen they can absorb. It cost three-fourths of a million dollars to install and more than $600,000 a year to run.

You may have read about our Chamber . . . helicopter landings in Central Park, dramatic savings of life and limb, etc. Perhaps it, too, is inefficient. It has not been closed down since it was installed five years ago. In those 1,800 days and nights, we have had only 450 major operations and some 400 treatments for certain medical conditions that benefit from high-pressure oxygenation.

Recently, in a neighboring hospital, a 42-year-old woman, suffering from gangrene, faced either amputation of her leg or certain death. Her physician recognized the gangrene as a special type that cannot exist in a high oxygen environment. He called and asked our cooperation in an attempt to save the woman's leg. She was placed in our Chamber for 72 hours. The spread of infection was first halted, then reversed. She made a fine recovery. And kept both her legs.

What makes Mount Sinai Mount Sinai? The New York Times last week correctly reported that there is a critical shortage of places in the city where drug addicts can go to be rehabilitated as productive members of society. They listed Mount Sinai as having, earlier this year, voluntarily begun a Methodone Maintenance Program. No state or city agency ordered us to engage in this project. No state or city agency is financing it. We started with one patient and have grown to 70 patients in just six months. It costs the hospital approximately $1,000 per patient per year. Seventy patients, seventy thousand dollars. This program is wholly supported by private monies even though there is general agreement that this type of human reclamation should receive governmental funds.

The improbably-named L-dopa program provides drug therapy and treatment for people suffering from Parkinson's disease. To the 200 patients in our L-dopa program, it represents the difference between truly hopeless invalidism—at immeasureable cost to themselves, their families and to society—and a life that permits of joy and productivity. This treatment, one of the countless gifts of the burgeoning new sub-science of chemotherapy, costs Mount Sinai about $2,000 for a patient's first year, and about $1,500 a year afterward.

Last year, Mount Sinai opened its Ames Coronary Intensive Care Unit. It is among the best of its kind available anywhere in the world. It saves lives. Where three died before, two die now. The Ames ICU has been directly responsible for saving one-third of the lives that always, until this past year, had been lost. Figures for its first year of operation show that it cost $165 a patient-day. We had 1,968 patient days. Total cost was $325,000. Very costly, you may say, and I would agree. Too costly? This is where we—and the families of those saved—may disagree. If you, the elected representatives of the people, decide that such a facility is a luxury for the people of this city and state, then you must tell us so and we will close its doors to all but the wealthy.

We do a lot of open heart surgery at Mount Sinai. The average cost per procedure is $3,200.

We have a busy renal dialysis program where human beings with kidneys that would kill them within weeks come in to have their daily blood laundered. They come in 2 or 3 times a week. As long as they continue to come, they live. They live as fathers and as daughters and as friends and as employers and employees. When they stop—or when we stop because we have run out of money—they die. The cost? About $100 a visit, or $10,000 to $15,000 a year per patient.

I have listed many areas of care and treatment at Mount Sinai. I have left out many others. Each of these areas—or all of them—can be cut back or cut out. Eliminated. If the state is going to reduce financial reimbursement to hospitals, the state must also tell us—specifically—which of these services to eliminate. The state must realize that such "cost cutting" will result, inexorably, in lower quality health care and it must tell us—and the public—in which areas of health we are to offer lower quality care . . . . which patients we are to allow to die.

I have called Mount Sinai a teaching hospital. Some of our detractors, and some legislation governing reimbursement to hospitals, have claimed that this function is not related to patient care and that, accordingly, public monies must not be used to reimburse these costs to hospitals. At Sinai, we are now training 300 young residents and interns who will be your doctors and your childrens' doctors tomorrow. I have several thoughts concerning these dedicated young men and women, that I would like to leave with you:

(1) They are expensive. In less than ten years, they have come from almost no income at all during their learning years to just under $10,000 a year. We have 300 such doctors.

(2) Because of their presence in the hospital, the quality of patient care is superior. And stays superior. Every recommended drug, every procedure, every treatment, is questioned and explained and questioned and explained until all present are satisfied that it is the very best move for the patient. Our teaching patients, accordingly, receive the finest medical care currently possible. And, because of them, the quality of care throughout the Hospital remains superior.

(3) These members of our House Staff are learning the practice of medicine. For well over one hundred years we, at Mount Sinai, have been determined that they shall learn "good" medicine. If we are forced to embark on a program of cutbacks and lowered medical standards, they will be learning what we choose to call "bad" medicine—meaning anything less than the very best we know how to do for the patient.

I would like to return now to the charge that hospitals are run inefficiently. Earlier, I temporarily accepted the label of inefficiency to dramatize the point that hospitals cannot be judged by normal business standards.

Let me hammer home that one point. A hospital is perhaps the only business in the world where the customer is automatically given the finest product available. He is not given a choice between the best, the second-best, and admittedly inferior merchandise, depending upon the state of his pocketbook. He is given the best. Period. When you buy jewelry, the jeweler can offer you a synthetic gem, a natural gem with only a few flaws, or—for many thousands of dollars—a flawless beauty. When you visit your dentist, even he can offer you a choice: porcelain cap, amalgam, or gold inlay. But when your child comes to Mount Sinai with a shattered limb, we do not say "Well, for x dollars we can give her a drug to ease her pain; for a bit more money we can rig up a simple splint and hope that the leg may rebuild and heal itself perfectly; or, for a much higher price, we will practice the kind of surgery that is indicated."

When a patient is admitted to Mount Sinai, no matter what the cause, he is given a battery of screening tests. When these tests show high blood pressure, he is launched on another series of 16 tests designed to pinpoint the cause. These tests are effective, but they cost more than $700. Would the state have us do less?

Similarly, when we spot high calcium imbalance, good medical practice indicates doing procedures costing about $250.

If the state wants us to hold back and to

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do less than we know how to do; if it wants these items to remain merely items on a selective menu; then it must tell us and it must tell the people of this state that it has told us.

I should point out that, under present law, there are many areas where a hospital that does less for a patient than it knows it should do is liable to prosecution for criminal negligence. And, as far as Mount Sinai is concerned, we would have it no other way.

The charge that hospitals are administered inefficiently and uneconomically is out of order and completely false. We appear to be inefficient in certain areas because there is no way to judge what is efficient and what is inefficient when human lives and limbs are at stake. Which of us can cite the dollar value of eyesight? or a pair of sound legs? Or extra years of life put back into a faulty heart or kidney? Or the slow but steady return to normalcy of a mentally disturbed loved one?

However, there is one area of our operations where we can be compared with commercial standards and practice. And judged. That area includes all the ways in which a great hospital is like a great hotel. Bed and board and laundry, et cetera. We have performed the strictest kind of cost analysis on our performance in this area and we are very proud to say that, at Mount Sinai, the average cost per patient/day for all hotel-type services, is $11.98. An additional $7.90 pays for three excellent meals each day, with a choice of up to four entrees. I remind you that each meal is served in the patient's room and more than half of them follow medically approved diets. All this for $19.38! For purposes of comparison, charges for room only at the New Yorker Hotel in this city range from $18 to $27 a day; at the Statler-Hilton, from $18 to $24; and, at the Waldorf, from $26 to $38. These hotel charges average out at $27.17 a day. Without meals. Without Room Service. Conservatively, we would have to add at least $15 a day for these services for a total of more than $40 a day. I repeat—the complete cost at Mount Sinai per patient/day for hotel-type services—including all meals—is $19.38.

I submit that, if inefficiency were characteristic of current hospital administrative practice, surely this same inefficiency would manifest itself in this area of the Hospital. Particularly in Food Service, where we employ 320 people and serve 8,000 meals a day. At an average daily cost of $7.90 for all three meals. But these figures show us to be impressively efficient! Conversely, if we can prove (as we can) that we are enviably efficient in the hotel side of hospital administration, is it not reasonable to assume that the same management will be equally efficient in our practice of medicine and the delivery of health care?

I submit that it is not, and never was, a question of efficiency or inefficiency. Instead, it is a question of how much and how excellent health care the society wants, and how much it is willing to pay for. No matter what system we follow, Society—and that means all the members of society—end up paying for the health care they want and receive. Whether it be private practice, or group practice or socialized medicine or compulsory national health insurance or Medicare or Medicaid—in the final analysis, the citizens pay the freight for the health care that we deliver to them.

To sum up: if state reimbursements to hospitals are reduced; if they are merely maintained at present levels; if, in fact, they are fixed at any level lower than hospital costs plus a reasonable factor for improvements and new programs, then this hospital and all hospitals will have to begin closing doors in the faces of suffering citizens.

Shall we, for example, deny Medicaid patients the breath of life itself in our Hyperbaric Chamber?

Shall we bar from our L-dopa program Medicaid patients victimized by Parkinson's disease?

Shall Medicaid patients be denied the prolongation of life made possible by our renal dialysis program or by the Ames Coronary Intensive Care Unit?

If our income is curtailed, first will come the abandonment of the tradition of excellence; then a program cancelled; then a clinic closed; then a pavilion; then a hospital. The state must tell us which services it wants us to discontinue, or it must make it possible, financially, for us to continue offering them.

If hospitals like Mount Sinai close their doors to Medicaid patients, these sick people will have no recourse but to try to receive treatment at the already overburdened and understaffed City hospitals.

The economics of excellent health care are simple: it is not cheap; it is not static; it is just essential.

HOUSING INDUSTRY IN A CRITICAL SITUATION

HON. RAY BLANTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. BLANTON. Mr. Speaker, the shortage of available mortgage funds and other forms of long term credit has brought the housing industry to the critical situation where housing starts may drop below 1 million units this year.

This decline has had a substantial impact on those industries which supply the housing field—notably ceramic tile.

Mr. Speaker, since the vast majority of ceramic tile production goes into new housing, this old established industry, consisting mostly of small independent manufacturers, has been seriously affected by this problem, which has resulted from current anti-inflation measures, such as, restrictive monetary policy. However, its vulnerability to Government induced contractions in the money market stems not only on its complete reliance on new construction, but also from the nature of its completion from abroad, which accounts for over one-third of the market.

The Japanese and now the British have engaged in predatory practices which if engaged in by our domestic manufacturers would be illegal under U.S. statutes. Most destructive of these practices is violation of our antidumping statutes. Dumping consists of sales in the United States at prices with the goal of rapid expansion of the importers share of our market. Historically, dumping drives many domestic plants out of business—followed by an increase in the price of the foreign product.

The lower price to the consumer is thus merely a device to eliminate competitors. In the long run, U.S. consumers pay the higher price and U.S. firms are destroyed.

Foreign importers stand to gain further as a result of housing market contraction, due to a shift in the nature of the type housing being built. Last year, for the first time in history, apartment units represented more than 50 percent of residential construction, and it is in apartment construction that foreign tile finds its most receptive market.

In order to aid in preserving the American tile and similar industries during this critical period, I am joining my colleagues in support of a concurrent resolution which urges adoption of policies to offset the adverse effects of these monetary restrictions on the housing market. This resolution expresses the sense of the Congress that the executive branch should take steps under the Trade Expansion Act or under its general authority to negotiate voluntary quota arrangements with foreign countries to effect such reductions in imports as are necessary until a time when restrictions are lifted and free market conditions are restored. At that time, America will need strong and viable industries to cope with the unprecedented housing boom that is projected for the years ahead.

Mr. Speaker, I am inserting in the RECORD at this point, an article in the Washington Post, September 24, 1969, which illustrates the seriousness of the problem in the housing industry, which has hurt the suppliers of material as well:

[From the Washington Post, Sept. 24, 1969]

ROMNEY FEARS 50 PERCENT HOUSING CUT

(By Eve Edstrom)

Housing construction could be cut in two by the end of the year, falling below one million units, Housing and Urban Development Secretary George W. Romney declared yesterday.

Romney blamed the housing crisis on the high cost of borrowed money and soaring wage rates in the building trades.

The last time the annual rate of housing starts fell below one million was in 1966 when a similar money crunch existed.

In July of this year, annual housing starts were projected at 1.3 million, down from January's 1.9 million. They could fall below one million by year's end, Romney said in response to a question at a news conference.

In listing the adverse factors affecting the housing field, Romney emphasized that the price of borrowed money has gone up by 3 percent since January, thus boosting average monthly housing payments by 30 per cent.

And in discussing the inflationary aspects of new wage contracts, he read a telegram seeking his advice on braking building trade demands in Kansas City. These demands, it was said, would amount to a 130 per cent increase in wages and fringe benefits over a three-year period.

Several proposals to retard construction costs and to alleviate the credit crunch are under consideration by the Nixon administration, Romney said. The proposals should be approved, he said, but he declined to discuss what they are.

The President's deferral of federal construction, Romney said, could increase the money available for housing and could slow down construction costs.

Romney noted that wage and price controls "don't accomplish much relief" because they amount to a "temporary action" which doesn't deal with causes.

Romney introduced Eugene A. Gulledge, president of the National Association of Homebuilders, who has been nominated to be head of the Federal Housing Administration. He has advocated government credit controls to insure an adequate supply of money for housing.

Romney announced that HUD has had an "overwhelming" response from industry to its "Operation Breakthrough" program which is designed to provide more and less costly housing.

More than 560 organizations have submitted proposals. Ten to 20 of the best proposals will be selected for construction of prototypes of housing systems, he said.

HOUSE OF REPRESENTATIVES—*Wednesday, October 15, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Be strong and of good courage, for it is the Lord your God who goes with you; He will not fail you nor forsake you.—Deuteronomy 31: 6.

O God, our Father, who art acquainted with all our ways and who dost love us in spite of our shortcomings, we pause in Thy presence acknowledging our dependence upon Thee and offering unto Thee once again the devotion of our hearts. Confronting problems too difficult for us to solve and face to face with fears that frustrate us, we come to Thee for wisdom to rightly interpret the signs of this troubled time, for insight to see clearly the way we should take, and for strength to do what we ought to do for the good of our Nation.

May the blessing of Thy spirit rest upon our President, our Speaker, and these men and women called to lead our country in a day like this and upon all who work with them and for them. Give to them the assurance of Thy guiding spirit and the feeling that underneath are Thine everlasting arms.

O Thou who changest not, abide with us now and forevermore. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 1242. An act to amend the Communications Act of 1934 by extending the provisions thereof relating to grants for construction of educational television or radio broadcasting facilities and the provisions relating to support of the Corporation for Public Broadcasting.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 1857) entitled "An act to authorize appropriations for activities of the National Science Foundation pursuant to Public Law 81–507, as amended," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Kennedy, Mr. Pell, Mr. Eagleton, Mr. Nelson, Mr. Prouty, Mr. Dominick, and Mr. Schweiker to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 3016. An act to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, to authorize advance funding of such programs, and for other purposes.

MAJ. GEN. LEWIS BLAINE HERSHEY

(Mr. MONTGOMERY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MONTGOMERY. Mr. Speaker, I feel sure the majority of my colleagues will agree that the American people owe a debt of gratitude to Maj. Gen. Lewis Blaine Hershey for his outstanding service as Director of the Selective Service System for the past 21 years. He has performed in a superior manner in fulfilling his duties as administrator of our draft system. Many men of lesser character and with less determination to perform a thankless job well would have quit long ago to lead a quiet life of retirement. But being the patriotic American he is, General Hershey stayed on the job and withstood the harsh words of abuse heaped upon his head. Through times of peace and war, he sought to administer the draft in a fair and impartial manner. I personally salute General Hershey for a job well done.

SOLUTION TO VIETNAM

(Mr. HECHLER of West Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HECHLER of West Virginia. Mr. Speaker, I would first like to commend the gentleman from Wisconsin (Mr. Obey) for his sensible comments which we all should support.

Mr. Speaker, starting late yesterday afternoon there has been a parade of prominent individuals, including Vice President Agnew and Governor Reagan, who have appeared before national television and news media to quote at length a letter from North Vietnamese Premier Pham Van Dong. In great glee, this letter from a Communist liar has been quoted in an attempt to discredit loyal and patriotic American citizens expressing their free and constitutional right of dissent. This letter from the leader of a nation which has massacred innocent and helpless people and tortured American prisoners is now being used by otherwise sensible Americans to try and prove that today's moratorium is giving aid and comfort to Hanoi.

Since when can we start trusting anything the North Vietnamese leaders say? Why should so much prominence be given to such an obvious piece of Communist propaganda?

I think Americans should start trusting each other, instead of being guided by or reacting to either Hanoi or Saigon. To those who shut off debate in the House of Representatives last night, and those whose heavy-handed tactics are trying to crush meaningful and peaceful debate or dissent, I say we are highly complimented that you feel our remarks are so important or influential that you are afraid to have them brought out in the greatest deliberative body in the world—the Congress of the United States. And to those who seem to be influenced by what is said or happens in Hanoi or Saigon, I ask: Is it not about time we stop allowing Hanoi or Saigon to dictate our policy and start acting for the United States of America by getting out of Vietnam?

VIETNAM

(Mr. WOLFF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WOLFF. Mr. Speaker, over the recent past we have been asked to support the President's policy on Vietnam. Is it not time we heard exactly what his policy is? Since the President has stated that he seeks to end this war and does not intend to pursue an elusive military victory, I feel the minimum steps that he can take to help achieve peace is to change completely the face of our representation in Vietnam and in Paris.

Mr. Lodge has indicated that he is tired of his role. I think we should take him at his word and a great leap forward on the road to peace could be the replacement of Mr. Lodge with a new perspective.

A second step would be to remove Ambassador Bunker, who has failed to represent properly American interests in dealing with the present Saigon regime. He is now a captive of President Thieu and has put this Nation in a position of satellite to Saigon instead of demanding cooperation and a departure from the intransigence they have exhibited.

Vice President Ky must also be removed from his post as Saigon's chief negotiator. Our Ambassador must prevail upon the Saigon government that one who is only interested in perpetuating himself in personal glory cannot truly represent the Vietnamese people in open negotiations.

This could be the beginning of a meaningful policy for President Nixon. And a change from the status quo is what the people of this Nation demand.

HANOI'S ADVICE TO AMERICAN WIVES

(Mr. WYMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WYMAN. Mr. Speaker, Hanoi's treatment of the brave American wives who went to seek release of their sick and wounded husbands makes any red-blooded American boil. How dare Hanoi treat our men this way? How dare they dismiss the poignant pleas of American wives by suggesting they go home and demonstrate against their Government?

Talk about cruelty and heartlessness. Yet this comes as no surprise at least to those of us who recognize communism's hatred of America for the fanati-

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cism that it is. There is no heart there—no God there—no compassion there—no soul there. Yet thousands of Americans demonstrate today for unilateral withdrawal from a nation that we committed ourselves to protect against Hanoi's continuing attacks. Thousands, with less cause than these brave wives, demonstrate openly against the Government of the United States while it attempts to obtain a commitment to protect men who seek no aggression but merely the right of self-determination for South Vietnam.

Mr. Speaker, unilateral withdrawal without a commitment from the enemy not to continue to attack our troops is suicide. It is prelude to another Dunkirk. It is dishonorable. It cuts the heart out from under our fighting men to whom we owe the security that is ours here at home.

Those in public elective office who join in such demonstrations against the U.S. Government whatever may be their motivation are giving aid and comfort to the enemy in time of war. They are doing Hanoi's bidding without even the provocation that Hanoi sought to force on those brave wives who today and for many days to come must be alone.

SUPPORT FOR PRESIDENT NIXON ON VIETNAM

(Mr. WEICKER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WEICKER. Mr. Speaker, last night I voted against every attempt to restrict my colleagues' expressions on the Vietnam war. Prior to that, I had announced to the people of my congressional district support of the concept of peaceful expression by the people of the United States on the searing issue of Vietnam. Within the bounds of our political institutions and respect for our fellow Americans, I stated that each individual had the very basic right and, in fact, obligation, to comment on Vietnam by doing his own thing on October 15.

Having taken these positions, I will now do my own thing by supporting President Richard Nixon in his actions to disengage U.S. forces from Vietnam.

I have never seen one human life saved by hysteria—either the hysteria of running away or the hysteria of bulling ahead in the opposite direction. In the job of saving 500,000 American lives, I wish to our President both the strength of God's guidance and the strength of a nation unified to support the completion of a new direction that he, and only he, started.

SEPTEMBER PARITY

(Mr. ZWACH asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ZWACH. Mr. Speaker, throughout my tenure in Congress I have worked for a rural renaissance in countryside America. One way of doing this is to improve the income of the producers.

Parity figures for the month of September 1969 dropped from an average of 75 percent in August to 74 percent in September—a drop of 1 percent. In June the average was 76 percent, up 4 percent from the January low of 72 percent. Certainly this is indicative of the serious financial crisis the farmer faces today and which affects the countryside. It is my hope, even though parity is down from the June average of 76 percent, that parity can be kept in an upward movement.

Mr. Speaker, according to my practice of inserting the farm parity from month to month, I herewith insert the recent parity for September 1969.

[In percent]

Commodity	August	September
Cotton	43	41
Wheat	43	45
Corn	69	67
Butterfat	75	75
Milk	83	81
Wool	44	43
Barley	58	60
Flax	63	60
Oats	56	58
Sorghum	69	71
Soybeans	69	63
Beef	87	83
Chicken	75	71
Eggs	70	75
Hogs	101	96
Lamb	90	88
Turkey	64	66
Average	75	74

CITIZENS OF BIRMINGHAM ELECT NEGRO COUNCILMAN

(Mr. BUCHANAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BUCHANAN. Mr. Speaker, I continue to be impressed with the fine judgment of the people of my congressional district as witnessed by the caliber of the people whom they elect to serve them. The people of the city of Birmingham yesterday reelected by a resounding margin Birmingham's first Negro city councilman who had been appointed by the other members of the council to fill the unexpired term of a member who had passed away.

Mr. Arthur Shores, a distinguished Negro of our city, ran second in a field of approximately 20 candidates and received a vote second only to that of our distinguished and beloved councilwoman, Miss Nina Miglionico.

Mr. Shores has been prominent in city life in Birmingham for four decades, striving for unity and equal rights for all citizens, white as well as black.

The road to success has not been easy for Mr. Shores.

Although he never graduated from law school, he studied law in his spare time and passed the bar exam, thereby becoming one of the first Negro lawyers in the State of Alabama.

There can be little question of Mr. Shores' qualifications for this post.

Following his graduation from Talladega College, he taught school in Jefferson County, becoming one of the first Negro high school principals in the area.

Mr. Shores left the education field to practice law and earned admission to the Alabama bar in 1937 and was later admitted to the Supreme Court bar.

His civic activities bring him in contact with virtually every phase of community life in Birmingham where he is a member of the chamber of commerce, commissioner of the Birmingham Housing Authority, chairman of the board and president of the Birmingham Chapter of the Urban League and board member of the 18th Street YMCA as well as being a member of several fraternal organizations.

I think Mr. Shores' election says something for the record of public service for this distinguished attorney of our city, but it says something too about the people of the city of which I am extremely proud.

VIETNAM MORATORIUM UNIMPRESSIVE TO SOME

(Mr. GROSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GROSS. Mr. Speaker, we are hearing again this morning of the performance in the House last night.

On leaving the House Chamber at 11 o'clock last night, we heard the chants on the Capitol Grounds and nearby streets: "Sieg Heil!" "Ho, Ho, Ho Chi-Minh!" and "Hell, No, We Won't Go!"

If last night's performance was so impressive, apparently little of it rubbed off on some people.

PERMISSION FOR SELECT LABOR SUBCOMMITTEE OF COMMITTEE ON EDUCATION AND LABOR TO SIT DURING GENERAL DEBATE TODAY

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that the Select Labor Subcommittee of the Committee on Education and Labor be permitted to sit during general debate this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

$22.4 BILLION LESS IN SOCIAL SECURITY FUND

(Mr. VANIK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VANIK. Mr. Speaker, today we opened hearings before the Ways and Means Committee on social security and the President's welfare recommendations.

I want to report that an incredible thing happened. On this most important legislation, the Secretary of Health, Education, and Welfare, Mr. Robert Finch, had to limit his appearance before our committee to only 2 hours, during which he read a 38-page statement.

In response to questions from my distinguished colleague, the gentleman from Massachusetts (Mr. BURKE), the Secretary admitted that he had to fly to California to make two political fundraising speeches.

It is regrettable that politics should receive priority over the critical needs of the elderly who endeavor to survive on the present level of social security benefits.

And how about this: On page 34 of his statement before the Ways and Means Committee, Secretary Finch revealed for the first time how the Nixon administration plans to have $22.4 billion less in the social security fund at the end of fiscal year 1973 than is provided under present law. The Secretary stated:

> Under present law the cash benefit trust funds would increase from an estimated $38.7 billion at the end of the present fiscal year to about $75 billion at the end of fiscal 1973. Under the President's proposal the trust funds would reach $52.6 billion at the end of fiscal year 1973.

How can the administration defend its plan to manipulate and weaken the social security fund?

THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE ON POLITICS AND SOCIAL SECURITY

(Mr. BURKE of Massachusetts asked and was given permission to address the House for 1 minute.)

Mr. BURKE of Massachusetts. Mr. Speaker, I wish to associate myself with the remarks of my distinguished colleague from Ohio (Mr. VANIK) and also to point out the incredible answers we received today from the Secretary of Health, Education, and Welfare and the coterie who attended the hearing.

Can Members imagine the incredible answer that it would take over 4 months to adjust the checkwriting machines to send out an increase of social security payments? What a spurious excuse. Here they are telling the elderly of this Nation, "You will have to wait through the cold months of December, January, February, and March because the computers down there cannot be adjusted."

I pointed out to them that in 1967 and 1968 it took less than 60 days to adjust those computers to send out increased payments.

They had better come up with some better answers than they gave this morning.

It was a sorry sight to see the Secretary of Health, Education, and Welfare fleeing out of the committee room, rushing out apparently to the airport, to go where he is to make some political speeches on behalf of some Republican candidates in the State of California.

Can Members imagine the Secretary of Health, Education, and Welfare admitting that it was more important for him to be in California to make political speeches than it was for him to give testimony before the House Ways and Means Committee on one of the most pressing problems of the day, the need for increases for the social security recipients?

PERSONAL ANNOUNCEMENT

Mr. HANLEY. Mr. Speaker, with regard to rollcall vote No. 221 yesterday, business of a compelling nature kept me from the floor. As a proponent of free debate, had I been present, I would have voted against the motion to adjourn. I ask unanimous consent that my position be recorded accordingly.

The SPEAKER. The gentleman's statement will appear in the RECORD.

CALL OF THE HOUSE

Mr. ANNUNZIO. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 225]

Adams
Anderson, Ill.
Arends
Ashley
Aspinall
Belcher
Berry
Bingham
Boland
Brock
Brooks
Brown, Calif.
Burton, Calif.
Cahill
Camp
Carey
Cederberg
Celler
Chisholm
Clark
Clay
Cohelan
Collier
Conyers
Cramer
Cunningham
Dawson
Dennis
Dent
Devine
Diggs
Dingell
Eckhardt
Edmondson
Edwards, Calif.
Farbstein
Fascell
Findley
Fisher
Flynt
Ford, William D.
Fraser
Frey
Gallagher
Gettys
Giaimo
Gray
Green, Oreg.
Griffin
Haley
Harrington
Hastings
Hays
Helstoski
Hosmer
Howard
Kirwan
Koch
Kuykendall
Kyros
Latta
Lipscomb
Lloyd
Lowenstein
Lujan
McCarthy
McCloskey
McKneally
McMillan
Martin
Meeds
Mikva
Mize
Morse
Morton
O'Konski
Ottinger
Patman
Patten
Pepper
Pirnie
Pollock
Powell
Quie
Rees
Reid, N.Y.
Reuss
Riegle
Rivers
Rodino
Roybal
Ruppe
Saylor
Scheuer
Steed
Stokes
Stratton
Taylor
Teague, Calif.
Teague, Tex.
Thompson, N.J.
Tiernan
Tunney
Ullman
Whalley
Wilson, Charles H.
Wold
Wright

The SPEAKER. On this rollcall 323 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PERMISSION FOR SUBCOMMITTEE NO. 5 AND SUBCOMMITTEE NO. 3, COMMITTEE ON THE JUDICIARY, TO SIT DURING GENERAL DEBATE TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee No. 5 of the Committee on the Judiciary may be permitted to sit during general debate on Thursday, October 16, and that Subcommittee No. 3 of the Committee on the Judiciary may have the same permission.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DEMONSTRATIONS FOR PEACE

(Mr. ALBERT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALBERT. Mr. Speaker, may I respectfully request the attention of the House for just 1 minute? During the course of the early afternoon the distinguished Speaker, the distinguished minority leader, the chairman of the Committee on Foreign Affairs, I understand after consultation with the distinguished gentleman from Indiana (Mr. ADAIR), the ranking Republican member of the Committee on Foreign Affairs, and resolution which I shall request unani- I have decided to introduce the following mous consent to call up immediately following the consideration of the conference report on the Department of the Interior appropriation bill:

H. RES. 582

Resolution relating to demonstrations for peace

Whereas responsible dissent and freedom of speech are among the most sacred traditions of the American people; and

Whereas many Americans are demonstrating their concern for peace pursuant to rights enjoyed under the Constitution of the United States, from which springs our Nation's deep commitment to peaceful debate, the essence of our free political system; and

Whereas the Premier of North Vietnam has publicly described the Vietnam Moratorium in an open letter to the American people as "their fall offensive" aimed at forcing the United States "to withdraw completely and unconditionally" from Vietnam; and

Whereas the said Premier greatly misjudges Americans, and deceives himself if he believes that those who demonstrate are doing so with a desire to assist Hanoi; and

Whereas the said Premier's letter to the American people is a blatant and insolent intrusion into the affairs of the American people by an enemy; Therefore be it

Resolved by the House of Representatives, That we support the inherent right of all Americans to responsible and peaceful dissent, but we abhor the attempt of Premier Pham Van Dong to asociate those Americans who demonstrate for peace with the cause of our enemy; and be it further

Resolved, That we repudiate the Premier's letter and call upon all Americans to disassociate themselves from North Vietnam's insolent and intolerable declaration.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. As the distinguished majority leader has indicated, he and I intend jointly to sponsor this House resolution. I fully subscribe to the action which the gentleman from Oklahoma has indicated he will follow; namely, that at the conclusion of the consideration of the Department of the Interior appropriation bill he will seek recognition for unanimous consent for the consideration of this resolution. I hope and trust that we can have unanimous support for this resolution.

Mr. ALBERT. I thank the gentleman.

MORATORIUM CANDLES SHOULD BE BURNED AT THE RUSSIAN EMBASSY AND NOT AT THE WHITE HOUSE

(Mr. ROGERS of Florida asked and was given permission to address the

House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS of Florida. Mr. Speaker, I do not know how many Members read in the morning paper the ad which showed a comparison of what this Nation has done to try to bring peace to the Vietnam situation compared to what the Government of North Vietnam has done. I think it would be very enlightening for all who are participating in the moratorium to read this ad.

Mr. Speaker, it is my understanding that tonight there is to be a march, with people going to the White House with candles to stand silently around the White House. I know of no man who wants to bring peace for this country more than the President of the United States. I do not think he needs to be reminded with candles all around the White House.

Mr. Speaker, I would suggest that those who participate in the moratorium, if they truly want peace and want to be effective, march not to the White House but to the Russian Embassy. When they arrive they should stand in the street in front of the Russian Embassy with those candles lit reminding and telling the Russians to do something to bring about peace.

In view of the announcement today that Russia has agreed to send $1 billion in additional military aid to North Vietnam, no action by those who are demonstrating for peace could be more appropriate.

EVEN A CONGRESSMAN HAS THE RIGHT TO BE WRONG

(Mr. MYERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MYERS. Mr. Speaker, early this afternoon the gentleman from Wisconsin (Mr. Obey) made some remarks about the special orders yesterday relative to the so-called Vietnam moratorium.

I believe I understood the gentleman correctly when he said that the debate went on despite the efforts from the Republicans to prevent that debate.

In reviewing what happened yesterday afternoon and evening, I see that the motion to adjourn was made, not by a Republican, but by a Democrat.

In reviewing hurriedly rollcall No. 221, which was requested by a Democrat on that motion, I find that 55 Republicans supported that motion, but also 44 Democrats voted to adjourn. It would seem to me that that was a bipartisan vote.

Now, I cannot interpret why anyone here voted any particular way on that vote, but I certainly know the reason why I did. I voted "no," and I do not want that to be construed that I had any sympathy with the efforts that were made here yesterday, but I think every Member represents constituents back home, and I believe they have a right under the rules of this House to speak for their constituency. If the 24 yesterday spoke for that constituency, I believe they had the right to speak for that constituency back home. Likewise, I think that the constituents have the right to know what that Member is doing down here. If their constituents do not agree with their Member's comments, they will have the opportunity next year to make a change.

I voted "no" because I think every Member of Congress has the right to speak and to be wrong.

APPALACHIAN REGIONAL COMMISSION'S REPORT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-180)

The Speaker laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Public Works and ordered to be printed with illustrations:

To the Congress of the United States:

Pursuant to section 302(b) of the Appalachian Regional Development Act, I hereby transmit the Appalachian Regional Commission's report, Acid Mine Drainage in Appalachia.

This comprehensive study was carried out by the Commission in cooperation with a special panel of experts convened by the National Research Council of the National Academy of Sciences-National Academy of Engineering. I recommend it for thoughtful consideration by all interested parties.

RICHARD NIXON.

THE WHITE HOUSE, *October 15, 1969*.

CONFERENCE REPORT ON H.R. 12781, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS, 1970

Mrs. HANSEN of Washington. Mr. Speaker, I call up the conference report on the bill (H.R. 12781) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1970, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of October 14, 1969.)

The SPEAKER. The gentlewoman from Washington (Mrs. Hansen) is recnized for 1 hour.

Mr. GROSS. Mr. Speaker, will the gentlewoman yield?

Mrs. HANSEN of Washington. I yield to the gentleman.

Mr. GROSS. Mr. Speaker, will the gentlewoman from Washington give us just a brief explanation of what transpired in the conference?

Mrs. HANSEN of Washington. I shall be glad to do so.

(Mrs. HANSEN of Washington asked and was given permission to revise and extend her remarks, and to include extraneous matter.)

Mrs. HANSEN of Washington. Mr. Speaker, the conference report on H.R. 12781, Interior and Related Agencies Appropriation Bill for 1970, provides total appropriations of $1,546,273,300. This amount is $16,107,165 over the 1969 appropriation and $23,181,200 below the 1970 budget estimate. The conference total is $6,088,600 over the amount approved by the House and $2,391,600 below the amount approved by the Senate.

House Report 91-570 on the conference describes in detail the various actions agreed to by the conferees with regard to individual projects and programs. Therefore, I will not discuss the conference actions at great length at this time. I would like to, however, mention a few of the major items that are responsible for the increase over the House-approved bill.

An increase of $1,500,000 was agreed to for the Bureau of Indian Affairs participation in kindergartens in public schools. This amount will provide what we believe to be necessary for kindergartens for the number of months that are left in this year. As you are well aware, it is improbable that kindergarten classes will be started before January, and this amount should provide for kindergartens from January through the school year. The committees of both the House and the Senate are deeply concerned with the matter of kindergartens, but we are also deeply concerned that the money be properly spent, and that we have before us in the financing picture a complete list of the necessities in the various States, that is, what State can use the money to the best advantage? What are the basic financial structures and provisions in the States for kindergartens?

The next item is $491,000, which will provide kitchen and dining room facilities for the Wahpeton Indian School, North Dakota.

Next, $400,000 is provided for a jail at the Crow Indian Reservation in Montana. This money is to replace a lamentable structure, something that our Government should be ashamed of.

There is an increase of $3 million for the helium fund for the payment of contractual obligations.

An additional $2 million is provided for the Office of Coal Research, which includes the continuation of several very vital research programs that are ongoing for the full use of our coal resources. The increase includes $652,000 for Project Gasoline, $1 million from the lignite gasification project, Rapid City, S. Dak., and $348,000 for the low ash coal project, Tacoma, Wash.

There is an additional $200,000 in the bill for timber salvage in Mississippi, Louisiana, and Alabama, resulting from damage caused by Hurricane Camille.

An additional $900,000 is provided for Indian health services in a variety of categories needed desperately in various areas of our Indian lands. The conference restored a provision which the House had placed in the bill of fish disaster funds, under Public Law 88-309, section 4(b). We would like to inform the Members of the House that this amount of money is available for disasters, and the use of that to be determined on priority of need as determined by the Secretary of the Department of the Interior.

There is $700,000 for the National Council on Marine Resources and Engineering Development. Since this request came too late to the House Appropriations Committee to be included in the House bill, it is included here.

Mr. Speaker, as you are well aware, a conference between the two Houses involves considerable give and take. It seldom happens that the position of either body prevails in toto. It is seldom that a conference report pleases everyone. However, all of the conferees are in agreement with the report submitted today. I believe the conference report presents a reasonable conciliation of the varying actions taken by each House. We have provided funds where they are urgently needed and at the same time have reasonably observed the dictates of existing budgetary restrictions. I recommend adoption of the conference report.

Mr. Speaker, I include at this point pertinent tables relating to the funds provided in this conference report:

INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, 1970 (H.R. 12781)

Item	1969 appropriation	1970 budget estimate	House bill	Senate bill	Conference action	Conference action compared with— 1969 appropriation	Budget estimate	House	Senate
TITLE I—DEPARTMENT OF THE INTERIOR									
Bureau of Land Management	$80,255,000	$72,114,000	$71,063,000	$70,984,000	$71,010,000	−$9,245,000	−$1,104,000	−$53,000	+$26,000
Bureau of Indian Affairs	230,350,000	267,123,000	260,578,000	262,522,000	261,722,000	+31,372,000	−5,401,000	+1,144,000	−800,000
Bureau of Outdoor Recreation	103,815,000	112,762,000	111,972,000	112,562,000	112,222,000	+8,407,000	−540,000	+250,000	−340,000
Office of Territories	44,697,000	56,533,400	56,312,000	55,533,400	55,533,400	+10,836,400	−1,000,000	−778,600	
Total, public land management	459,117,000	508,532,400	499,925,000	501,601,400	500,487,400	+41,370,400	−8,045,000	+562,400	−1,114,000
Geological Survey	90,917,000	95,628,000	95,628,000	95,115,000	95,755,000	+4,838,000	+127,000	+127,000	+640,000
Bureau of Mines	79,249,000	82,312,000	76,429,000	80,715,000	79,310,000	+61,000	−3,002,000	+2,881,000	−1,405,000
Office of Coal Research	13,700,000	13,300,000	13,300,000	15,800,000	15,300,000	+1,600,000	+2,000,000	+2,000,000	−500,000
Office of Oil and Gas	866,900	1,081,900	994,000	994,000	994,000	+127,100	−87,900		
Total, mineral resources	184,732,900	192,321,900	186,351,000	192,624,000	191,359,000	+6,626,100	−962,900	+5,008,000	−1,265,000
Bureau of Commercial Fisheries	41,352,400	42,996,000	41,816,000	41,816,000	42,316,000	+963,600	−680,000	+500,000	+818,000
Bureau of Sport Fisheries and Wildlife	60,630,000	57,998,000	59,182,000	61,836,000	60,602,000	−28,000	+2,604,000	+1,420,000	−1,234,000
National Park Service	87,860,000	102,163,000	101,517,000	101,754,000	101,717,000	+13,857,000	−446,000	+200,000	−37,000
Total, fish and wildlife and parks	189,842,400	203,157,000	202,515,000	205,088,000	204,635,000	+14,792,600	+1,478,000	+2,120,000	−453,000
Office of Saline Water	25,642,835	26,000,000	25,000,000	25,000,000	25,000,000	−642,835	−1,000,000		
Office of Water Resources Research	11,181,000	11,229,000	11,229,000	11,229,000	11,229,000	+48,000			
Office of the Solicitor	5,683,000	5,625,800	5,530,000	5,555,800	5,530,000	−153,000	−95,800		−25.800
Office of the Secretary	8,755,000	10,212,400	9,912,000	9,912,700	9,912,700	+1,157,700	−299,700	+700	
Total, new budget (obligational) authority, Department of the Interior	884,954,135	957,078,500	940,462,000	951,010,900	948,153,100	+63,198,965	−8,925,400	+7,691,100	−2,857,800
Consisting of—									
Appropriations	858,754,135	930,878,500	919,462,000	924,810,900	924,153,100	+65,398,965	−6,725,400	+4,691,100	−657,800
Definite appropriations	(749,390,735)	(804,214,500)	(792,798,000)	(798,146,900)	(797,489,100)	(+48,098,365)	(−6,725,400)	(+4,691,100)	(−657,800)
Indefinite appropriations	(109,363,400)	(126,664,000)	(126,664,000)	(126,664,000)	(126,664,000)	(+17,300,600)			
Authorization to spend from public debt receipts	26,200,000	26,200,000	21,000,000	26,200,000	24,000,000	−2,200,000	−2,200,000	+3,000,000	−2,200,000
Memorandums: Appropriations to liquidate contract authorization	(104,793,000)	(65,028,000)	(62,028,000)	(62,028,000)	(62,028,000)	(−42,765,000)	(−3,000,000)		
Total, new budget (obligational) authority and appropriations to liquidate contract authorization	(989,747,135)	(1,022,106,500)	(1,002,490,000)	(1,013,038,900)	(1,010,181,100)	+20,433,965	−11,925,400	+7,691,100	−2,857,800
TITLE II—RELATED AGENCIES									
Department of Agriculture:									
Forest service:									
Definite appropriations	270,205,000	253,490,000	260,451,000	257,040,000	258,676,000	−11,529,000	+5,186,000	1,775,000	+1,636,000
Indefinite appropriations	780,000	780,000	780,000	780,000	780,000				
Total, Forest Service	270,985,000	254,270,000	261,231,000	257,820,000	259,456,000	−11,529,000	+5,186,000	−1,775,000	+1,636,000
Federal Coal Mine Safety Board of Review	157,000	148,000	148,000	148,000	148,000	−9,000			
Commission of Fine Arts	115,000	115,000	115,000	115,000	115,000				
Department of Health, Education, and Welfare:									
Health Services and Mental Health Administration:									
Indian health activities	112,506,000	119,581,000	117,581,000	119,566,000	118,481,000	+5,975,000	−1,100,000	+900,000	−1,085,000
Indian Claims Commission	619,000	800,000	800,000	850,000	850,000	+231,000	+50,000	+50,000	
National Capital Planning Commission	1,047,000	1,248,000	922,700	[1] 300,000	222,700	−824,300	−1,025,300	−700,000	−77,300
National Foundation on the Arts and the Humanities	14,500,000	16,744,000	16,000;000	15,690,000	15,790,000	+1,290,000	−954,000	−210,000	+100,000
Public Land Law Review Commission	944,000	922,000	922,000	922,000	922,000	−22,000			
Smithsonian Institution	46,886,000	38,420,000	35,775,000	35,165,000	35,165,000	−11,721,000	−3,255,000	−610,000	
Executive Office of the President:									
National Council on Marine Resources and Engineering Development	1,125,000	[2] 760,000		760,000	700,000	−425,000	−60,000	+700,000	−60,000
Commission on Marine Science, Engineering, and Resources	175,000					−175,000			
Federal Field Committee for Development Planning in Alaska	235,000	235,000	150,000	235,000	192,500	−42,500	−42,500	+42,500	−42,500
Lewis and Clark Trail Commission	25,000	10,000	5,000	10,000	5,000	−20,000	−5,000		−5,000
American Revolution Bicentennial Commission		225,000	175,000	175,000	175,000	+175,000	−50,000		
National Council on Indian Opportunity	$100,000	$300,000				−$100,000	−$300,000		
Total, new budget (obligational) authority, related agencies	449,419,000	433,778,000	$433,824,700	$431,756,000	$432,222,200	−17,196,800	−1,555,800	−$1,602,500	+$466,200

Footnotes at end of table.

INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, 1970 (H.R. 12781)—Continued

Item	1969 appropriation	1970 budget estimate	House bill	Senate bill	Conference action	Conference action compared with—			
						1969 appropriation	Budget estimate	House	Senate
TITLE II—RELATED AGENCIES—Continued									
Consisting of—									
Appropriations	437,222,000	433,778,000	433,824,700	431,756,000	432,222,200	−4,999,800	−1,555,800	−1,602,500	+466,200
Definite appropriations	(436,442,000)	(432,998,000)	(433,044,700)	(430,976,000)	(431,442,200)	(−4,999,800)	(−1,555,800)	(−1,602,500)	(+466,200)
Indefinite appropriations	(780,000)	(780,000)	(780,000)	(780,000)	(780,000)				
New contract authorization	12,197,000					−12,197,000			
Memorandums: Appropriations to liquidate contract authorization	(91,000,000)	(113,570,000)	(103,870,000)	(103,870,000)	(103,870,000)	(+12,870,000)	(−9,700,000)		
Total, new budget (obligational) authority and appropriations to liquidate contract authorization	(540,419,000)	(547,348,000)	(537,694,700)	(535,626,000)	(536,092,200)	(−4,326,800)	(−11,255,800)	(−1,602,500)	(+466,200)
Recapitulation:									
Grand total, new budget (obligational) authority, all titles	1,334,373,135	1,390,856,500	1,374,286,700	1,382,766,900	1,380,375,300	+46,002,165	−10,481,200	+6,088,600	−2,391,600
Consisting of—									
1. Appropriations	1,295,976,135	1,364,656,500	1,353,286,700	1,356,566,900	1,356,375,300	+60,399,165	−8,281,200	+3,088,600	−191,600
Definite appropriations	(1,185,832,735)	(1,237,212,500)	(1,225,842,700)	(1,229,122,900)	(1,228,931,300	(+43,098,565)	(−8,281,200)	(+3,088,600)	(−191,600)
Indefinite appropriations	(110,143,400)	(127,444,000)	(127,444,000)	(127,444,000)	(127,444,000)	(+17,300,600)			
2. Authorization to spend from public debt receipts	26,200,000	26,200,000	21,000,000	26,200,000	24,000,000	−2,200,000	−2,200,000	+3,000,000	−2,200,000
3. New contract authorization	12,197,000					−12,197,000			
Appropriations to liquidate contract authorization	(195,793,000)	(178,598,000)	(165,898,000)	(165,898,000)	(165,898,000)	(−29,895,000)	(−12,700,000)		
Grand total, new budget (obligational) authority and appropriations to liquidate conduct authorization	(1,530,166,135)	(1,569,454,500)	(1,540,184,700)	(1,548,664,900)	(1,546,273,300)	(+16,107,165)	(−23,181,200)	(+6,088,600)	(−2,391,600)

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[1] In addition $770,000 of the unobligated balance of the appropriation granted under "Land acquisition, National Capital Park, Parkway, and Playground System" are transferred to and shall be available for salaries and expenses.

[2] Not considered by House.

Mr. GROSS. Mr. Speaker, will the gentlewoman yield?

Mrs. HANSEN of Washington. I yield to the distinguished gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I thank the gentlewoman for yielding.

Do I understand that, in round figures, the conference report means we will be spending $16 million more than were spent for the same general purposes last year and the conference increased this bill, again in round figures, $7 million above the House figures?

Mrs. HANSEN of Washington. It is $6,088,600. I would like to point out to the gentleman, as I did when I appeared with the regular House bill, that this is one of the largest income-producing agencies in the United States. Our timber revenues are up. The Outer Continental Shelf lands have tremendous value. The oil shale lands of the West and Midwest have tremendous value.

This also is what I call the securing and developing and protection of America. I am proud to present this, in view of the debate that has been going on around us.

This is money for our land. This is money spent for our people. This is money that means America is going to have something for the future. I am not ashamed of the figures we have placed in here.

Mr. GROSS. I would say to the gentlewoman, if she will yield further, that I am not opposed to spending money for good and reasonable purposes when there is the money to spend.

May I ask whether there is money in this bill for Resurrection City?

Mrs. HANSEN of Washington. There is no money in this bill for Resurrection City.

Mr. GROSS. Was there any increase in the arts and humanities in the conference?

Mrs. HANSEN of Washington. No. There is a reduction in the humanities item.

Mr. GROSS. Is there an increase in the arts?

Mrs. HANSEN of Washington. There is no increase in this conference report over the amount approved by the House.

Mr. GROSS. Is there any money in the bill as it comes from the conference for the payment of salary increases?

Mrs. HANSEN of Washington. No. There is no money provided here for the increased pay costs. Let me explain, and I have a statement here because I was prepared for this question.

As far as this bill is concerned, the committee has received estimates that there will be additional pay increase costs of approximately $70 million. This is on a gross basis. It has not yet been determined how much of this increase can be absorbed by the agencies. To the extent the increase cannot be absorbed, there will, of course, be a supplemental request for the additional funds submitted during the next session of Congress.

I would like to remind the gentleman, if he will read our hearings, he will find in each instance when a department appeared before us, that department was catechized very thoroughly about their ability to absorb the costs. Our committee was very strict about requiring departments to absorb as far as possible all pay raises.

Mr. GROSS. That probably will come in a supplemental appropriation bill at a later date.

One further question. Is there any money as a result of the conference for the so-called cultural center in Washington?

Mrs. HANSEN of Washington. There is not.

Mr. GROSS. Mr. Speaker, I thank the gentlewoman.

Mr. FRELINGHUYSEN. Mr. Speaker, will the gentlewoman yield?

Mrs. HANSEN of Washington. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Speaker, as I recall the House bill did provide some funds for planning for the Great Swamp National Wildlife Refuge.

Mrs. HANSEN of Washington. This is correct. It provided $110,000.

Mr. FRELINGHUYSEN. In the report of the conference I find no reference one way or the other to that amount. Is it a correct understanding that no funds are to be provided for this planning?

Mrs. HANSEN of Washington. The gentleman is correct.

Mr. FRELINGHUYSEN. Could the gentlewoman elucidate why no money is being made available? The wildlife refuge happens to be in my district. I can assure the gentlewoman that the money is needed. We need to develop a plan for a wilderness area. A delay of this kind, if no funds are available, is going to pose a serious problem.

Mrs. HANSEN of Washington. I would say to the gentleman that the House placed the amount of money in the bill in the belief that all these natural resources of ours, particularly lands close to urban environments, are very precious and that we must do all that is possible to keep and save them. It was on that belief that the planning money was provided. Unfortunately, the other body did not agree. I believe they had a little economy move on this particular item.

I will assure the gentleman that our committee will certainly listen with great interest to the proposals in the next budget for expenditures for planning, because I agree with the gentleman that these are the areas of our country which are today of prime importance.

I appreciate the gentleman's comments.

Mr. FRELINGHUYSEN. If the gentlewoman will yield further, I appreciate her expression of concern. I should like to reiterate, I regret very much as a practical result the stand of the other body has made it impossible, presumably, to proceed with needed planning.

Mrs. HANSEN of Washington. I thank the gentleman.

Mr. PICKLE. Mr. Speaker, I wish to give a special word of commendation to the gentlewoman from Washington (Mrs. HANSEN) and to the other members of the Subcommittee on Interior Appropriations. Also, a word of gratitude is in order for the House conferees on the bill, and for the very expeditious way that they met and got approval on the bill.

Whenever appropriations bills are before the House, it is only natural that most Members want to obtain meritorious projects for their own districts. These Members are closest to their district, and they know firsthand of the needs we all have back home. But at the same time, there are not always enough funds to handle every project, and this situation gives the committee the tough burden of weeding through those to be kept and those to be put on ice.

Mrs. HANSEN recognizes this responsibility, and she and her subcommittee dealt with it admirably. Each of us who are interested in conservation and wildlife preservation owe her a particular vote of thanks for coming up with this bill in such pressed times.

Mrs. HANSEN of Washington. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

AMENDMENTS IN DISAGREEMENT

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 15: On page 14, line 17, strike out "$95,628,000" and insert "$95,115,000."

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 15 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "$95,755,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 16: On page 16, line 8, strike out "$93,000,000" and insert "$38,536,000."

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 16 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "$39,331,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 20: On page 18, line 17, strike out "$26,400,000" and insert "$26,345,000".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 20 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "$26,600,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 24: On page 22, line 10, strike out "$1,686,000" and insert "$1,773,000".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 24 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "$1,959,000".

The motion was agreed to.

Mr. SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 35: Page 33, line 3, strike out "$41,880,000" and insert "$41,326,000".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 35 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "$42,137,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 40: Page 39, line 9, strike out "$922,700" and insert "$300,000".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 40 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "$222,700".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 41: Page 39, line 9, insert: "and in addition $770,000 of the unobligated balance of the appropriation granted under 'Land Acquisition, National Capital Park, Parkway, and Playground System' are transferred to and shall be available for salaries and expenses:".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 41 and concur therein.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the conference report and on the several motions was laid on the table.

GENERAL LEAVE

Mrs. HANSEN of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report just passed.

The SPEAKER. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

DEPARTMENT OF THE INTERIOR CONFERENCE REPORT COMMENTS

Mr. WYATT. Mr. Speaker, I would like to commend the gentlewoman from Washington, the very able chairman of our subcommittee and the gentleman from South Dakota, the ranking minority member of the subcommittee, for a very statesmanlike and skillful job in resolving the differences between the two bodies on this bill.

I would like to note the total involved in the conference report is approximately $10.5 million below the budget request.

I think the funds we have provided in the field of natural resources of our country are adequate under today's circumstances.

RELATING TO DEMONSTRATIONS FOR PEACE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 582, relating to demonstrations for peace.

The Clerk read the resolution, as follows:

H. RES. 582

Whereas responsible dissent and freedom of speech are among the most sacred traditions of the American people; and

Whereas many Americans are demonstrating their concern for peace pursuant to rights enjoyed under the Constitution of the United States, from which springs our nation's deep commitment to peaceful debate, the essence of our free political system; and

Whereas the Premier of North Vietnam has publicly described the Vietnam Moratorium in an open letter to the American people as "their fall offensive" aimed at forcing the United States "to withdraw completely and unconditionally" from Vietnam; and

Whereas the said Premier greatly misjudges Americans, and deceives himself if he believes that those who demonstrate are doing so with a desire to assist Hanoi; and

Whereas the said Premier's letter to the American people is a blatant and insolent intrusion into the affairs of the American people by an enemy; therefore be it

Resolved by the House of Representatives, That we support the inherent right of all Americans to responsible and peaceful dissent, but we abhor the attempt of Premier Pham Van Dong to associate those Americans who demonstrate for peace wtih the cause of our enemy; and be it further

Resolved, That we repudiate the Premier's letter and call upon all Americans to disassociate themselves from North Vietnam's insolent and intolerable declaration.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

Mr. **OLSEN**. Mr. Speaker, reserving the right to object, I want to ask three questions of the distinguished majority leader.

First of all I want to know whether or not this resolution was cleared with the White House, and if it was I then want to know whether or not——

Mr. **ALBERT**. Mr. Speaker, if the gentleman will yield, I did not clear it with the White House.

Mr. **OLSEN**. I wonder where did we get it from?

Mr. **ALBERT**. I brought it in after consultation, as I announced this morning, between the distinguished Speaker, the minority leader——

Mr. **OLSEN**. Did the minority leader bring it in?

Mr. **ALBERT**. The minority leader is the first one who showed it to me, and I agreed with it and agreed with him that I would cosponsor it.

Mr. **YATES**. If the gentleman will yield, who prepared it?

Mr. **OLSEN**. I want to address myself to the minority leader.

Did this get cleared with the White House?

Mr. **GERALD R. FORD**. Mr. Speaker, if the gentleman will yield, I will say to the gentleman from Montana that I was contacted by representatives of the President following the release of the letter from the Premier of North Vietnam.

Mr. **OLSEN**. That is the letter you read to the House last night?

Mr. **GERALD R. FORD**. That is correct. That was the letter that was released by the Premier of North Vietnam to the American people.

Following that release, I was contacted by representatives of the President of the United States suggesting that perhaps it might be appropriate for the Congress, or the House or the Senate individually, to take action on a resolution of this sort.

On Tuesday afternoon I consulted with the Speaker and with the chairman of the Committee on Foreign Affairs. It was suggested that a draft of this nature be prepared. My staff did work on it, and upon its completion I presented it to the Speaker and asked the Speaker for his observations and comments. The Speaker and I discussed the draft resolution with the distinguished majority leader. Subsequently the proposal was discussed with the distinguished chairman of the Committee on Foreign Affairs, the gentleman from Pennsylvania (Mr. MORGAN). The gentleman from Indiana (Mr. ADAIR), ranking Republican on the Committee on Foreign Affairs, agrees.

Mr. **OLSEN**. Does not the gentleman believe this would be a good thing for this Congress if the resolution went to the Committe on Foreign Affairs so that we could have a thorough discussion, and not cut off debate like we did last night?

Mr. **GERALD R. FORD**. I believe that the circumstances today are such that a resolution of this sort is highly appropriate. What it does is say that the well-intentioned, highly motivated individuals who are participating in some of these demonstrations are not to be associated with the Premier of North Vietnam.

Mr. **OLSEN**. Now, you know, I find myself in agreement with that.

Mr. **GERALD R. FORD**. You do?

Mr. **OLSEN**. But the point is here that we had our debate cut off last night on this whole question, and here again we are not going to have a discussion if this resolution passes; we are going to have only 1 hour of debate.

That is what is wrong with this unanimous consent request. If a unanimous consent request is made for a substantial period of debate on this floor that would be good for the American people. But to have just 1 hour is not good for the American people.

Mr. **PUCINSKI**. Mr. Speaker, will the gentleman yield?

Mr. **OLSEN**. I yield to the gentleman.

Mr. **PUCINSKI**. I think the gentleman raises a good question. Assuming the President did make this request, he is coming to the people's assembly in a most expedient manner. There are 435 Members of this House of Representatives and we have the closest contact with the more than 200 million people in this country.

Mr. **OLSEN**. So we are to pass this without discussion? Is that the point you want to make? Do you want to pass this without a discussion?

Mr. **PUCINSKI**. Even if the President did ask for this—what is wrong with that?

Mr. **OLSEN**. What is wrong is this body ought to have a discussion on this question and should not be cut off from debate like it was last night.

Mr. **HECHLER** of West Virginia. Mr. Speaker, will the gentleman yield?

Mr. **OLSEN**. I yield to the gentleman.

Mr. **HECHLER** of West Virginia. Mr. Speaker, I am rather puzzled as to why the House of Representatives even has to take up this resolution. It seems to me that this letter from the North Vietnamese Premier is such an obvious piece of Communist propaganda that is beneath the dignity of this great deliberative body to call attention to this obvious piece of Communist propaganda which we all recognize as propaganda.

Mr. **OLSEN**. I have one more question to ask of the distinguished majority leader and that is, as long as we are asking for unanimous consent, why could we not ask for more than an hour?

Mr. **ALBERT**. Mr. Speaker, will the gentleman yield?

Mr. **OLSEN**. I yield to the gentleman.

Mr. **ALBERT**. I have no objection. The gentleman knows I will yield to him as liberally as to any Member and I will certainly yield to those who question the advisability of this resolution. I did not contemplate that more than an hour would be necessary. I had not discussed that matter with the leadership of the minority.

Mr. **OLSEN**. Then let us ask the leadership of the minority. Would there be, or is there any reason why we should not ask for more than an hour?

Mr. **GERALD R. FORD**. Let me answer that by saying that this resolution is not a question involving policy in Vietnam. This is a resolution aimed at disassociating the American people from the Premier of an enemy of the United States.

It does not involve the pros and cons of U.S. foreign policy vis-a-vis North Vietnam.

Mr. **OLSEN**. That is your point of view, but there are some of us who would like at least to have 3 hours on this whole issue.

Mr. **ALBERT**. Mr. Speaker, I ask unanimous consent, if permission is granted to bring up and consider this resolution, that my time be extended by 30 minutes.

I am trying to accommodate both sides on this matter. We have several other matters of legislation to take up and I want to be fair to the gentleman and I want to be fair to the House. I dislike asking for the extra time on the resolution, but since the gentleman feels so strongly about it and since I have such high regard for the gentleman, I am doing something I have never agreed to do before, and which the gentleman knows is really not consistent with the practice of the House.

Mr. **HECHLER** of West Virginia. Mr. Speaker, I reserve the right to object.

The **SPEAKER**. Does the gentleman from West Virginia, reserve the right to object in connection with the unanimous consent request for the present consideration of the resolution?

Mr. **ALBERT**. Mr. Speaker, I ask unanimous consent that the time be extended for 30 minutes, making the time 1½ hours.

The **SPEAKER**. Is there objection?

Mr. **HECHLER** of West Virginia. Mr. Speaker, I reserve the right to object.

The **SPEAKER**. Does the gentleman reserve the right to object to the last request or to the first unanimous-consent request?

Mr. **HECHLER** of West Virginia. Whichever of the two gives me an opportunity to proceed on a reservation, so I reserve the right to object to the second request, Mr. Speaker.

The **SPEAKER**. The gentleman reserves the right to object.

Mr. **HECHLER** of West Virginia. Mr. Speaker, it is unfortunate that this whole question has been brought into such prominent attention since yesterday afternoon by the statements of the Vice President, by the statements of the Governor of a great State, and many other prominent national leaders. Why do we in this great House of Representatives even have to consider this resolution? No one forced the issue or raised any question about the loyalty of those supporting the moratorium until this was brought out in this fashion and the statements made yesterday. I do think it is unfortunate that the House of Representatives has to pass a resolution of this nature, to beat its chest and enunciate the obvious fact: "I am loyal." Every Member of this body is a loyal American. We ought to be governed in our actions by what is good for the United States of America, instead of just reacting to what is said or done in either Hanoi or Saigon.

Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. PUCINSKI. Mr. Speaker, reserving the right to object, I would also be inclined to agree that this is an overreaction, but it is here, and perhaps it is necessary. Premier Van Dong displays an abhorrent ignorance of the American democratic system. The exercise of free America today is part of an exercise of democracy by a free people, and obviously by sending this telegram the Hanoi Premier has demonstrated that he does not understand this. So perhaps it is important to put it in proper perspective. Perhaps it is important to serve notice on him that the American people are not going to be influenced. But, more importantly, it is important for him to know that he cannot use this moratorium Wednesday as a further excuse for delaying meaningful peace talks.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. PUCINSKI. I yield to the majority leader.

Mr. ALBERT. Mr. Speaker, I think the comment is in order that we are not merely beating our chest and saying how patriotic we are. We are the elected Representatives of the American people. We are telling tens of thousands of people who are just as patriotic as we are, who differ from most of us, and in some cases differ from all of us, that this House believes that all Americans, in the exercise of their rights as citizens, are patriotic citizens who sincerely desire peace.

Mr. PUCINSKI. Would the gentleman agree that the main thrust of the resolution is to serve notice on the North Vietnamese Communists that they cannot use this exercise of democracy in America today as an excuse for further delays in the peace talks in Paris?

Mr. PUCINSKI. Mr. Speaker, I withdraw my reservation.

Mr. KASTENMEIER. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

Is there objection to the immediate consideration of the resolution?

Mr. GERALD R. FORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GERALD R. FORD. As I understood the sequence, the gentleman from Oklahoma asked for the immediate consideration of the resolution, and then he added a second request, which was for an additional 30 minutes. As I understood it, there was no objection until the gentleman from Wisconsin now indicated it to the first request and, as I understand the sequence, the gentleman from Wisconsin has lost his right to object to the first request and is now only objecting to the additional 30 minutes. That is the sequence, as I recall very specifically.

Mr. KASTENMEIER. Mr. Speaker, my understanding of the sequence is that the request for the additional 30 minutes was an amendment. The original request had not been acted upon with respect to reservations for intention to object.

The SPEAKER. The gentleman from Oklahoma asked unanimous consent for the present consideration of House Resolution 582, and pending that he asked unanimous consent that the time be extended 30 minutes.

Is there objection to the second request? The Chair hears none——

Mr. KASTENMEIER. Mr. Speaker——

The SPEAKER. The Chair wants to be very fair. The Chair will repeat the unanimous consent request. The gentleman from Oklahoma has asked unanimous consent for the present consideration of House Resolution 582, and pending that, has asked unanimous consent that the time be extended 30 minutes. Is there objection to the request of the gentleman from Oklahoma?

Mr. KASTENMEIER. I object, Mr. Speaker.

The SPEAKER. Objection is heard.

Is there objection to the unanimous consent request for the immediate consideration of House Resolution 582? Is there objection?

Mr. KASTENMEIER. Yes, Mr. Speaker, I object.

The SPEAKER. Objection is heard.

DOUBLE STANDARD APPLIED

(Mr. BROCK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROCK. Mr. Speaker, most of us heard last evening a great plea for honest debate, for free and open discussion of the issues of the tragedy of Vietnam. That debate went on for 5 hours.

Now, today, we have witnessed a turn. Those who spoke so eloquently for freedom and full debate now object to the consideration of a resolution which endorses the right of dissent in this country. I think it is typical of the double standard that is applied in this country by those elements who are so critical of an honest effort of a great Nation to achieve a lasting peace.

Mr. KASTENMEIER. Mr. Speaker, will the gentleman yield?

Mr. BROCK. I do not yield.

VIETNAM

The SPEAKER. The Chair recognizes the gentleman from Hawaii (Mr. MATSUNAGA).

Mr. OLSEN. Mr. Speaker, I rise to a point of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. OLSEN. Mr. Speaker, my point of personal privilege is the attack just made from the well of the House on the loyalty of so many of us and the right of free speech in this country.

Mr. Speaker, I think that address is entitled to a response of 1 minute.

The SPEAKER. Under the circumstances, the Chair will grant that right. The gentleman from Montana is recognized.

Mr. OLSEN. Mr. Speaker, I do not bow to anybody about being loyal to this country and voting in support of all the effort that has been made in South Vietnam or anyplace else in the world on the world programs of this country.

I have voted to support all of the Presidents, including the present one, in every instance, but I want to discuss this resolution. I am for it. I am absolutely for this resolution, but I want to discuss it. I want the American people to hear the discussion and I do not want again to see the debate shut off in this House of Representatives at 17 minutes after 11 o'clock at night when there are many more who have reserved time to talk. I say that for both sides of the aisle.

This issue of Vietnam is the biggest issue facing the people of America, and it ought to be talked about right here. Everybody saw who was in the gallery last night. They were the new voice of America. The young people were here. The young people I went to see this morning at George Mason College are the new voice. They say this is the issue that ought to be discussed.

Do not be afraid if you have the most votes. I have heard the other side say that to us from that side of the aisle. Do not be afraid of discussion if you have the votes. On this you will have everybody's vote. You will have everybody's vote. Let us send it to the Committee on Foreign Affairs and then let us talk about it.

CALL OF THE HOUSE

Mr. STEIGER of Wisconsin. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 226]

Adams
Arends
Aspinall
Berry
Bingham
Boland
Brooks
Brown, Calif.
Burton, Calif.
Byrnes, Wis.
Cahill
Camp
Carey
Cederberg
Celler
Chisholm
Clark
Cohelan
Collier
Conyers
Corman
Culver
Cunningham
Dawson
Dennis
Devine
Diggs
Dingell
Eckhardt
Edmondson
Edwards, Calif.
Eilberg
Erlenborn
Farbstein
Fascell
Findley
Fisher
Flynt
Fraser
Frey
Gettys
Giaimo
Gray
Green, Oreg.
Griffin
Haley
Hanna
Harrington
Harsha
Hastings
Hays
Helstoski
Hosmer
Howard
Kirwan
Kuykendall
Kyros
Latta
Lipscomb
Lloyd
Lowenstein
Lujan
McCloskey
McKneally
McMillan
Martin
Meeds
Mikva
Mills
Morton
O'Konski
Ottinger

XUM

Patman
Patten
Pepper
Pollock
Powell
Quie
Rees
Reid, N.Y.
Reifel
Riegle
Rivers
Rodino
Rooney, Pa.
Roybal
Ruppe
Saylor
Scheuer
Sisk
Steed
Stokes
Taylor
Teague, Calif.
Teague, Tex.
Thompson, N.J.
Tunney
Van Deerlin
Vander Jagt
Weicker
Whalley
Whitten
Wold
Wright

The **SPEAKER**. On this rollcall 327 Members have answered to their names, a quorum.

My unanimous consent, further proceedings under the call were dispensed with.

COINAGE ACT AMENDMENTS

Mr. **ANDERSON** of Tennessee. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 574 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 574

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 14127) to carry out the recommendations of the Joint Commission on the Coinage, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The **SPEAKER** pro tempore (Mr. HOLIFIELD). The gentleman from Tennessee (Mr. ANDERSON) is recognized for 1 hour.

Mr. **ANDERSON** of Tennessee. Mr. Speaker, I yield 30 minutes to my distinguished colleague, the gentleman from Tennessee (Mr. QUILLEN), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 574 provides an open rule with 2 hours of general debate for consideration of H.R. 14127 to carry out the recommendations of the Joint Commission on the Coinage, and for other purposes.

The purpose of H.R. 14127 is to carry out the recommendations of the Joint Commission on the Coinage by authorizing the Secretary of the Treasury to mint $1, half-dollar, quarter-dollar, and dime coins that do not contain silver.

The $1 coins would bear the likeness of President Eisenhower.

The half dollars would continue to bear the likeness of President Kennedy.

The coins would be copper, clad with an alloy of 75 percent copper and 25 percent nickel. Of the 1¼ billion half-dollars minted since 1963—both 40- and 90-percent silver—a very small percentage are actually circulating. Also, it is stated that the minting of some 300 million 40-percent silver dollar coins over a 3-year period would mean a total monetary gain of the Treasury of roughly $160 million. By contrast the monetary gain by producing the same number of nonsilver dollar coins would be about $290 million. In addition, the Treasury could obtain as much as $50 million more in revenue from the continued sale of silver to the GSA, or a total of well over $300 million.

The bill also provides for the sale to the public by GSA of approximately 3 million rare Carson City silver dollars minted in the latter part of the 19th century that are now being held in the Treasury. Proceeds from the sale of these coins are expected to be approximately $100 million.

Mr. Speaker, there is no controversy on the rule. There is some controversy on the bill itself. I urge adoption of House Resolution 574 in order that H.R. 14127 may be considered.

Mr. **QUILLEN**. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the gentleman from Tennessee (Mr. ANDERSON) has ably stated, House Resolution 574 makes in order for consideration of H.R. 14127 under an open rule with 2 hours of general debate.

The purposes of the bill are:

First, minting of the current half-dollar coin but without any silver content;

Second, minting of a New Eisenhower dollar coin containing no silver; and

Third, sale to the public in an equitable manner of some 3 million Carson City Mint silver dollars.

The provisions of the bill implement the recommendations of the Joint Commission on the Coinage, a nonpartisan body established by the Coinage Act of 1965. The only amendment of the committee was to indicate a congressional intention that the dollar coin carry a likeness of former President Eisenhower.

Very few of the roughly 1¼ billion half-dollar coins minted since 1963 which contain silver are now in circulation; they are being hoarded. Because of this fact the committee believes that future half-dollars and the new dollar coin should be minted without any silver content, as are our current smaller coins. It believes this is the only realistic choice; the cost of minting silver-content coins requires use of Government-owned silver, a far more expensive proposition than the use of the cupronickel alloy. The monetary gain by producing the same number of nonsilver dollar coins, approximately 300,000,000 would be about $290,000,000. Additionally, the Treasury could obtain as much as $50,000,000 more in revenue from the continued sale of silver to the General Services Administration, or a total of well over $325,000,000.

The committee believes this last point is very important to insure a stable silver market. Approximately 100 million ounces of surplus silver now held by the Treasury is sufficient to continue GSA sales at these current levels through 1970. This, plus the knowledge that no silver will be used in coinage operations in the future, will enable a stable market to develop.

The dollar coin, by committee amendment, will bear a likeness of former President Eisenhower.

Finally, the bill provides for the sale of the approximately 3 million rare silver dollars now held by the Treasury. The sale, conducted by the GSA, will seek to insure that as many persons as possible will be able to purchase these coins by limiting the number of coins which a single buyer may purchase to one of each category, or a maximum of 10 coins. Proceeds of the sale will go to the Treasury and will be well above the face value.

I have no further requests for time, but I reserve the balance of my time.

I urge the adoption of the rule.

Mr. Speaker, I yield 5 minutes to the gentleman from Iowa (Mr. GROSS).

Mr. **GROSS**. Mr. Speaker, I cannot support the rule for the reason that it makes in order a bill to which I am unequivocally, unqualifiedly, and utterly opposed.

The bill, as I said a week or so ago, when it was before the House under a suspension of the rules and failed to muster a two-thirds majority, will complete the debasement and degradation of the metallic currency of this Nation, if it is adopted.

I wonder how long it will be before the Banking and Currency Committee brings forth a bill to provide for the use of wampum. I am beginning to lay in a supply, because I am convinced it will be the next step to legalize wampum as the medium of exchange.

The North American Indians used it, and apparently it served them well in their primitive economy.

If that does not do the job, I assume that the Banking and Currency Committee will then come forth with legislation to provide for what the Narragansett Indians called wampum peag, which is a cheaper wampum. It looks something like this which I hold in my hand, and it comes in all colors, just as does the scrap metal money that this bill would authorize.

And here is some more wampum in the form of washers and locknuts. I call that mini-wampum—mini-wampum that might well be used.

You know, a good locknut these days probably costs about a penny. I see no reason why these nice washers and locknuts could not be used for the payment of sales taxes.

How zany we can get in this country to accept currency with no intrinsic value and irredeemable paper money?

Before this debate is over I want somebody to tell me what has happened to the seigniorage accruing from the minting of scrap metal quarters and dimes?

Yes, what has become of the alleged saving as represented in the cost of minting of our common use currency out of cheap metal rather than silver? Has there been a saving, or has the seigniorage gone the way of all financial flesh in this Government? Has it been spent? Where is it?

And what has happened to the great saving we are supposed to have accomplished through the discontinuance of the use of gold? I hope some of these questions will be answered here today. If we simply spent the money we saved in so-called seigniorage, we have not accomplished very much now, have we, except to destroy the intrinsic value of our metallic currency and deceive the people of this country? Sure you can stick this scrap metal in a vending machine, but, as I have said before, you cannot make it jingle. Remember the old saying: "When I was single my money would jingle. Oh, Lord, how I wish I were single again." Yes, it used to jingle and we were proud of it. It does not any more. It lands with a dull thud.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. QUILLEN. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. GROSS. Mr. Speaker, it is about time for Congress to stop and recover its senses in the matter of the currency of this country. It is being debased and debauched here at home and around the world. Now this Government is out to paper the world with paper gold. This is in the nature of a mustard plaster applied to a monetary cancer that will not be cured by issuing all of the paper gold the international bankers can devise. Eventually this country will come around full circle, back to a showdown, and you know it. Some people thought it was a nice thing to do to paper the yacht we gave Emperor Haile Selassie—and a nice air-conditioned yacht it was—to paper it with gold wallpaper. I suppose now we will paper it with paper gold issued by the World Bank and International Monetary Fund. When are we going to come to our senses in this country and get back to a currency, and a monetary system that has some stability? Or are we going to go the way of wampum?

Mr. QUILLEN. Mr. Speaker, I have no further requests for time, but I reserve the balance of my time and urge adoption of the resolution.

Mr. ANDERSON of Tennessee. Mr. Speaker, I have no further requests for time.

I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. BARRETT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 14127) to carry out the recommendations of the Joint Commission on the Coinage, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 14127, with Mr. MATSUNAGA in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Pennsylvania (Mr. BARRETT) will be recognized for 1 hour and the gentleman from New Jersey (Mr. WIDNALL) will be recognized for 1 hour.

The Chair recognizes the gentleman from Pennsylvania (Mr. BARRETT).

Mr. BARRETT. Mr. Chairman, on October 6 we had under consideration the bill H.R. 14127 under a suspension of the rules. On that occasion there were 205 aye to 148 nay votes, and 78 not voting.

Mr. Chairman, this is a very simple bill and it should not take much time for its consideration during general debate. There are a few who desire to speak on it and we will be as generous as we can with time on each side of the aisle with the hope, because of the strenuous day and night which the Members had in the last 24 hours, that we may conclude the debate and the bill as quickly as possible.

Mr. Chairman, H.R. 14127 would give the Secretary of Treasury authority to mint a nonsilver cupronickel half-dollar and a nonsilver cupronickel dollar coin bearing the portrait of President Eisenhower. The bill would also direct the transfer of the last 2.9 million rare silver dollars now held in the Treasury to the GSA for sale to the public in a fair and equitable manner. The prompt enactment of this bill would both contribute to a more effective coinage system and make it possible for us to honor a great American.

The authority in the bill to mint a nonsilver half-dollar, I believe, is long overdue. Despite the fact that nearly 1¼ billion half-dollars containing silver have been minted since 1963, this coin is rarely seen in circulation. For the past several years American business has been deprived of a half-dollar in adequate circulation for trading needs. As quickly as these coins have been minted, they have simply disappeared into private hoards. It is time that the Congress authorize the production of a half-dollar that will actually circulate to meet the needs of American business. The enactment of H.R. 14127 will accomplish this purpose.

H.R. 14127 also authorizes the Secretary of the Treasury to mint a cupronickel dollar coin bearing the portrait of President Eisenhower. I think this would be a fitting tribute to a great American. Now there are those who assert that placing the portrait of President Eisenhower on a coin minted of silver would be an even greater tribute. I would first point out that the composition of the coin neither adds nor detracts from the status of other Presidents on our American coins. But apart from this, there are solid reasons why it would be most unwise to use all of our remaining surplus silver for minting a single coin. Let me list a few reasons why I believe a cupronickel coin, rather than one made of silver, is in the public interest.

First, a nonsilver dollar coin would mean a far greater monetary return to the Federal Government than a silver coin. The Treasury has estimated that the total seigniorage in revenue under the provisions of H.R. 14127 in the first year after enactment could exceed $500 million. This income would reduce the Government's borrowing needs by an equivalent amount and be a strong blow against inflation.

Moreover, to use our remaining surplus silver for coinage instead of sale through open competitive bidding would mean depriving private industry of about 100 million ounces of silver in 1970. If the Treasury's remaining surplus is used for coinage, rather than sold under competitive bids, American industry will have to greatly step up its imports to fill this gap. The resulting adverse effects on the balance of payments next year could be as much as $150 million.

A third disadvantage for using our surplus silver for dollar coins would be the most certain higher prices for major consumer products that would result. The halting of Treasury silver sales would probably mean a sharp rise in the silver price. This would mean higher costs to millions of consumers of film and electrical products which are the principle industrial uses of silver. It should be realized that the ultimate use of silver includes virtually the entire American public.

And finally, I would point out that the provisions of H.R. 14127 have been fully endorsed by the Joint Commission on the Coinage, a nonpartisan body established by law to advise the President and the Congress on silver and coinage matters.

In summary, the enactment of H.R. 14127 is strongly in the public interest because it would give the economy the coins it needs, honor a great American, help our balance of payments, reduce the Government's borrowing needs and the public debt, and contribute to the fight against inflation.

Mr. WIDNALL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this proposed legislation was considered in the House under suspension of the rules and carried by a large majority, but was about 15 votes shy of the necessary two-thirds to pass it at that time.

The bill is now back before the House under a rule, and it is the same bill as before, and is one that I believe the vast majority of our committee were wholeheartedly in favor of.

Mr. Chairman, I served on the Joint Commission on the Coinage that was created several years ago. This is a bipartisan commission with membership from both the House and the Senate.

The recommendations that are embodied in this bill are the recommendations of the Joint Commission on the Coinage with an amendment added by the committee for the coinage of a new dollar coin.

On October 3 the Banking and Currency Committee reported favorably on a bill (H.R. 14127) to authorize the minting of a nonsilver cupronickel half dollar and a nonsilver cupronickel dollar coin bearing the portrait of President Eisenhower. The bill would also direct the transfer of the last 2.9 million rare silver dollars now held in the Treasury to the GSA for sale to the public in a fair and equitable manner. I am asking for your support of this bill which would both contribute to a more effective coinage and make it possible for us to honor a great American.

The authority in the bill to mint a nonsilver half dollar I believe is long overdue. Despite the fact that nearly 1¼ billion half dollars containing silver have been minted since 1963, this coin is rarely seen in circulation. For the past several years the public has been deprived of a half dollar in adequate circulation for trading needs. As quickly

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as these coins have been minted they have simply disappeared into private hoards. It is time that the Congress authorize the production of a half dollar that will actually circulate to meet the needs of American business. The enactment of H.R. 14127 will accomplish this purpose.

H.R. 14127 also authorizes the Secretary of the Treasury to mint a cupronickel dollar coin bearing the portrait of President Eisenhower. I think this would be a fitting tribute to a great American. I realize that there are those who feel that placing the portrait of President Eisenhower on a coin minted of silver would be an even greater tribute. I would first point out that the composition of the coin neither adds nor detracts from the status of other Presidents on our other coins. But apart from this there are solid reasons why it would be most unwise to use our remaining surplus silver for minting a single coin. Let me list a few reasons why I believe a cupronickel dollar coin rather than one made of silver is in the public interest.

First, a nonsilver dollar coin would mean a far greater monetary return to the Federal Government than a silver coin. The Treasury has estimated that the total seigniorage and revenue under the provisions of H.R. 14127 in the first year after enactment could exceed $500 million.

This income would reduce the Government's borrowing needs—and we are borrowing today at prices up to 7½ percent and 8 percent. It would reduce those needs by an equivalent amount and contribute substantially to the fight against inflation.

Moreover, the annual industrial consumption of silver of about 150 million ounces is more than three times domestic production. Consequently if the Treasury's remaining silver surplus is used for coinage rather than sold under competitive bids, American industry will have to greatly step up its imports to fill this gap. The resulting adverse effects on the balance of payments next year could be as much as $150 million.

Third, using our surplus silver for dollar coins would almost certainly mean higher prices for major consumer products containing silver. This would mean higher costs to millions of consumers of film and electrical products which are the principle industrial uses of silver. It should be realized that the ultimate users of silver include virtually the entire American public.

I would also point out that the provisions of H.R. 14127 have been strongly endorsed by the Joint Commission on the Coinage on which I served. As you know this is a nonpartisan body established by law to advise the President and the Congress on silver and coinage matters.

This legislation is recommended by the President of the United States. The chairman of our committee and I have both received letters from the President with an endorsement and hoping for prompt action by the Congress. I urge the Members of this body to give serious consideration to what is before us. I hope that it will receive the very overwhelming vote today on the floor of the House.

Mr. BARRETT. Mr. Chairman, I yield 10 minutes to the gentlewoman from Missouri (Mrs. SULLIVAN).

Mrs. SULLIVAN. Mr. Chairman, as chairman of the subcommittee which has jurisdiction over mint matters in the House Committee on Banking and Currency, I support H.R. 14127 and intend to vote for it. I will have an amendment of my own which I was not able to have considered in the committee because of the effort which was being made that morning to get the bill out of committee in just a few minutes time, in order to try to have it enacted by October 14. My amendment deals only with the proof sets issued by the mint in limited numbers each year to coin hobbyists, and does not go to the main point in controversy over this legislation, which is the use of silver in our regular coins.

I will oppose any effort to retain silver in the regular half-dollar, or include silver in the composition of the proposed $1 coin. I have heard all of the arguments on the use of silver in our regular coinage—heard them for 5 years—and do not think they are valid today.

Four years ago, when this issue was last before the House, I supported continued use of some silver in the half-dollar coin, as the Treasury had proposed, while voting to eliminate silver from the quarter and dime. I felt—in 1965—that with about a billion ounces of silver then in the Treasury's vaults, we could divert a small fraction of that amount to the coinage of a silver-clad half-dollar. And so I took the floor in 1965 to oppose a committee amendment which had been agreed to by 18 of the 33 members of the Committee on Banking and Currency, which would, at that time, have eliminated all silver from our coinage. But the circumstances today are far different from those of 1965.

As I said then, it was not a question of having a prestige coin. Nor was it a question of including in our coinage at least one coin that had some intrinsic value—two arguments being used again this year to support the inclusion of silver in coinage. My point in 1965 was that the coinage bill we were then considering represented a mammoth victory in the legislative process for industries in this country using large quantities of silver—a victory which would assure to those industries access at reasonable prices to hundreds upon hundreds of millions of ounces of Government-owned silver at a time when this country used four or five times as much silver for industrial processes as our own mines could produce.

The silver mining industry had enjoyed for generations a built-in captive market in the Treasury of the United States for all the silver it produced. In retrospect, it was a good thing we were forced to buy and salt away all of this unwanted metal, at what then appeared to be excessive prices, against the day—which arrived in the midsixties—when this unique metal was going into scarce supply, and only Treasury stocks of silver could meet the deficit between supply and demand.

But I argued, and the House agreed in 1965, that in taking away most of a market the silver producers had enjoyed for 173 years for silver in coinage, we should demonstrate a willingness to show some concern for the silver producers who were taking a bitter defeat. I felt it only fair to contribute, on a very reduced scale, the use of some silver in just one coin denomination. We could easily afford this diversion of about 15 million ounces of silver a year from a hoard which, as I said, was at about 1 billion ounces.

In the 1965 act, we established a national commission to study this question of the continued use of silver in coinage. Its recommendation has now been made: Take all silver out of the coins.

Furthermore, instead of the billion ounces of silver we had in the Treasury in 1965, we are now down to less than one-tenth of that amount. If we continue to use 15 million ounces a year for the half-dollar, and start using 15 million or more ounces a year for the proposed $1 coin, we could not continue minting silver-clad coins for more than 2 or 3 years, at the outside, and all sales of silver to industry would have to stop now. Of course, that is what the silver producers want to happen.

But they are no longer in the poor-mouth position they were in 4 years ago when we passed the Coinage Act. Silver prices have been freed since July 1967, from their previous effective ceiling of $1.29-plus per fine troy ounce. The price has been fluctuating at levels far above that ever since. Even so, there has been no appreciable increase in production. For the past 10 years, we have not been able to produce enough silver in this country to meet domestic needs. It may be years before we do again, if we ever do.

Some years ago we were told in the committee that it would take a price of at least $3 an ounce for at least 3 years to make it economic to reopen enough old mines and find enough other new sources of silver to meet domestic requirements. But our requirements by then could well be far higher than they are now. Silver is unique in many respects, particularly for use in photographic film. There is no practical substitute.

So, Mr. Chairman, with the Treasury rapidly running out of silver it is a little too late to seriously consider increasing, or even continuing the use of silver in coinage. Unlike photographic film, coinage can use other materials just as well as silver. The silver-clad coins—the Kennedy half-dollars—are not circulating and will not circulate as long as they look so much more attractive than the cupronickel coins. It is their attractiveness that makes them keepsakes, not their silver content as such.

Let us stop the nonsense of turning out hundreds of millions of coins which are not being used as coins. If we are to please the coin collectors, then let us mint a reasonable number of specimen coins and sell them at a big profit as numismatic pieces. The Treasury received $5 a set for coins whose face value is 91 cents, in sets which cost about $1.35, altogether, to produce. With the added $1 coin proposed in this legislation, proof sets could sell for substantially more than

$5 to reflect the additional coin, and if made more attractive than the regular coin.

If we are convinced we want to turn out a "pretty" coin, it should be for numismatic use only; if any silver or other precious metals are to be used in coins, they should go into display coins specially made for collectors.

That is why I intend to offer an amendment to this bill to give authority to the Secretary of the Treasury to make proof sets from metals or combinations of metals different from those required to be used in the regular coinage. If a silver wash will make the coins more attractive, that should not cost much, or take much silver. Perhaps columbium might be used. But whatever special materials are used should be only for proof coins, and only under circumstances which will assure citizens an equal opportunity to obtain at least one of these sets before multiple orders may be filled.

I am sure the Members have heard many complaints from constituents who are coin hobbyists about the impossibility of having their proof set orders filled while the dealers advertise these sets at prices two and three times the Treasury price. The system in use for distribution of these sets is outdated—demand is now far heavier than supply, but the Treasury has been unable to differentiate in many instances between dealers ordering many, many sets under different names and the individual citizen who just wants one or two.

If the Members want to clean up this situation, and please their constituents interested in coin collecting as a hobby rather than as a business, they will support my amendment when it is offered.

Mr. WIDNALL. Mr. Chairman, I yield 10 minutes to the gentlewoman from New Jersey (Mrs. Dwyer).

Mr. BARRETT. Mr. Chairman, will the gentlewoman yield?

Mrs. DWYER. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. Mr. Chairman, I commend the gentlewoman from the 12th District of New Jersey (Mrs. Dwyer). She is greatly loved and respected by our committee. The gentlewoman has worked very hard to get her amendment through to put the likeness of a great president on the new dollar coin.

I believe the people of her district should be just as proud of her as we are here in the Congress. She always does a fine job.

Mrs. DWYER. I thank the gentleman from Pennsylvania.

Mr. Chairman, last week's debate on the pending bill revealed clearly that there is one—and only one—real issue associated with the Coinage Act of 1969. That is the question whether the proposed $1 coin, which will bear the likeness of one of our Nation's greatest citizens, former President Eisenhower, should be minted, in whole or in part, of silver.

I believe we should meet this issue directly. As the author of the amendment, accepted by the Committee on Banking and Currency, to provide that a non-silver-bearing $1 coin carry the image of our late President, I believe it would be self-defeating to use silver in the minting of this coin.

It would be self-defeating because both of the purposes for which the coin would be minted would be rendered unattainable. The new $1 coin is intended to meet a real economic need and it is intended to honor a great American. To do either or both, such a coin must circulate.

A silver-bearing Eisenhower $1 piece would not circulate. We do not have sufficient stocks of silver to mint enough $1 silver coins to make certain they would circulate. The intrinsic value of the silver and the sentimental value of an Eisenhower coin would guarantee the coin's disappearance from the marketplace. And it is only in the marketplace, in actual circulation, that any coin can serve an economic purpose. And it is only as a circulating coin that any coin can meaningfully serve as a memorial. A coin which does not pass through people's hands can hardly bring to people's minds the person that coin is intended to honor.

Since the proposed $1 coin is intended to honor a great American who was also a great Republican President, I believe that the position of the present Republican administration, which is headed by the man who was President Eisenhower's Vice President, should be especially significant. Certainly, no one could accuse President Nixon of attempting to downgrade President Eisenhower. It carries great weight with me, therefore, that President Nixon, personally, and his administration are firmly committed to the minting of nonsilver $1 coins bearing the likeness of President Eisenhower.

Mr. Chairman, I recognize and respect and, in fact, I share the motives of those who seek to amend the committee bill to provide for a silver-bearing Eisenhower coin. Silver would undoubtedly add to the value of such a coin. But if a higher intrinsic value is all we are looking for in an Eisenhower coin, then I suggest we would be better off to mint a commemorative medal rather than deceive ourselves that we are minting a coin intended to circulate as a part of our regular coinage.

With President Eisenhower, however, we have tried to do more than is commonly done. By proposing to place his likeness on the newest and highest value coin in our coinage system, we are proposing an honor of a special kind, an honor reserved—at any one time—to only six Americans. But the nature of this honor rests on the fact that these six coins actually circulate as a part of our coinage.

If we are serious, then, in honoring President Eisenhower and serious about meeting the demonstrated need for a one-dollar coin, we have no alternative to the cupronickel coin provided for by the bill. For a cupronickel coin will circulate, and a silver coin will not.

We should recognize, Mr. Chairman, that a silver-bearing coin would have other harmful effects:

It would deplete the Treasury's very limited reserves of silver.

It would force upward the price of silver, benefiting speculators, and increase substantially the cost of consumer products which contain silver, thereby adding to inflation.

It would force American industry greatly to expand its imports of silver, thereby adding to the dangerous deficit in our balance of payments.

This would be a high price to pay for the very limited prestige value attached to a silver-content dollar as opposed to a nonsilver dollar.

Mr. Chairman, I am confident that there is the widest possible agreement in the country that President Eisenhower is most deserving of this special honor. Few Americans in the history of our country have earned the love and respect of their fellow citizens to the extent that Dwight David Eisenhower earned it. His long lifetime was devoted almost entirely to the service of his country. His influence for good was felt decisively at key periods in our Nation's history, in war as well as in peace.

A new $1 coin, therefore, would be a most fitting and timely memorial to this great man who gave so much of himself to so many others—but only if that coin circulates.

Recent experience with the silver and silver-clad Kennedy half-dollars has shown that even these coins, minted in much greater quantities than a dollar silver-bearing coin could be minted, disappear almost entirely from circulation as soon as they are minted. Since more than one and a quarter billion silver-bearing half-dollars have been coined, surely we can expect the same fate to befall a much more limited supply—an estimated 300 million—of Eisenhower dollars. The pending bill would also remove the remaining silver from the Kennedy half-dollar.

How much honor, I ask, attaches to a coin that won't circulate, a disappearing dollar? How much honor attaches to a coin which will be inflationary? How much honor attaches to a coin which will benefit speculators and hoarders rather than people in general?

President Eisenhower was a man whose devotion to the public interest always took first place. Presented with the facts, I cannot conceive that he would ever choose to be honored in silver when a different alloy would serve his country so much better.

I suggest, Mr. Chairman, that in considering the pending bill we apply President Eisenhower's own principles, and decide this issue on the basis of the greatest good for the greatest number.

Mr. BARRETT. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. Casey).

Mr. CASEY. Mr. Chairman, I thank the distinguished chairman for yielding me this time.

I propose to offer an amendment to this bill. It is one which I think is very appropriate.

The distinguished committee has seen fit to decide that the new dollar should be commemorative to the late President Dwight D. Eisenhower, and I have no quarrel with that decision. I think he was a great President and a great military leader and a great scholar. I think very appropriately, though, we should consider the amendment I will offer that

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on the other side of this coin we place thereon the inscription "We came in peace for all mankind" and the official design prescribed by NASA as emblematic of the Apollo 11 flight.

Our space program started under President Eisenhower, as you will recall. That is when it began. He did not live to see the landing on the moon, but, you know, our Apollo 11 flight is very similar to Columbus' discovery of America.

We all recall how that momentous moment in history has been recorded on our silver dollars. So, why not make this a real commemorative coin, not only with President Eisenhower's likeness on one side, but let us commemorate this great feat, this great momentous feat in history which began under his administration and place on the other side a design of the Apollo 11 flight and the words that were left on the moon by those astronauts, "We came in peace for all mankind."

Mr. Chairman, I would hope that the Committee would consider this amendment seriously and I would be very pleased if the Members would see fit to agree to it.

Mr. Chairman, I thank the gentleman from Pennsylvania for yielding me this time.

Mr. WIDNALL. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio (Mr. STANTON).

Mr. STANTON. Mr. Chairman, I would like to encourage this afternoon the prompt enactment of this legislation.

Mr. Chairman, this legislation would authorize the minting of non-silver-clad dollar coins, an action which has been endorsed by the Joint Commission on the Coinage, a nonpartisan body adopted by law to advise the President and the Congress on silver and coinage matters.

It has been proposed to amend the resolution to direct the production of dollar coins of a silver content. This would in my judgment be a serious mistake.

One of the main arguments against this amendment is that dollar coins of silver content would not remain in circulation. In supporting this argument, I would like to mention the half dollar, which at present is composed of 40-percent silver. Despite the minting of close to 800 million 40-percent silver halves over the past 3 years, very few of these coins are actually circulating.

The experience with the Kennedy half-dollar indicates that silver coins will not circulate freely any longer and the Joint Commission on the Coinage and the Treasury Task Force on Silver Policy has stated that there is a commercial need for a circulating dollar coin, particularly in view of the steady expansion of the vending machine industry. This need can only be met by a nonsilver coin.

In addition, in view of the fact that the melting ban on silver coins has been lifted, there may be those who engage in hoarding and speculation who may expect to profit by the issuance of silver coins.

The use of our remaining silver would require a halting of surplus silver sales. This action would very probably drive the price of silver up excessively and further stimulate the hoarding of these coins.

In conclusion, it does not seem prudent to pour our remaining silver into silver dollar coins, when these coins would never circulate in any quantity.

Mr. Chairman, this legislation before us today is indisputably needed. Foremost in my thinking, this legislation would bring honor to a great American, Dwight D. Eisenhower. Secondly, it would end the uncertainty of the Federal Government's silver policies. The bill would bring additional cupronickel-clad coins into the economy, representing a savings to the American taxpayer, and insure all-out circulation of these coins in the economy—"Mackie Machine Age." For our numismatists, the Government would be given the authority to sell to the public almost 3 million rare silver dollars now held in the Treasury. The sale of these silver dollars would also bring a surplus into the Treasury.

It is rare, indeed, that one piece of legislation could represent such a savings to the public, a relief to silver dealers, and an honor to a great American at the same time. I urge my colleagues to cast their votes accordingly.

Mr. WIDNALL. Mr. Chairman, at this time I yield 5 minutes to the gentlewoman from Massachusetts (Mrs. HECKLER).

Mrs. HECKLER of Massachusetts. Mr. Chairman, I rise in support of H.R. 13252, the Coinage Act of 1969, which would implement the recommendations of the Joint Commission on Coinage and the Treasury Department. American industry today consumes approximately 100 million ounces more silver than this country produces. Tying up silver in future coinage would require American industry to continue and increase its present level of silver imports and would thus adversely affect the U.S. balance-of-payments situation. The continued use of silver in U.S. coins would deny to the market a large quantity of silver and thus force up the price of silver. This inflation in silver prices would be contrary to Government attempts to bring our overheated economy under control. The silver-using industries would pass these price increases along to the already overburdened consumer affecting such products as photographic materials, electronic instruments, electric appliances, batteries, silverware, and medical supplies.

Equally significant is the fact that experience has shown that coins containing silver disappear and cannot serve the basic purpose for which they were intended, that is to meet the needs of commerce. The Kennedy half-dollar which contains 40-percent silver is virtually out of circulation as a medium of exchange. To permit the future production of 300 million coins containing 40 percent silver proposed (by the distinguished Congressman from Idaho) would create a coin collector's delight and indeed "bonus" years for silver speculators willing to hoard silver to realize later profits when its use in coins would discontinue.

It is evident that authorizing the Government to mint a nonsilver dollar and half dollar using the cupronickel-clad metal assures that these coins will circulate and satisfy the basic purposes of currency. Furthermore, the use of the latter materials in coins releases silver for sale to U.S. industry for use in consumer goods.

Additionally, the Government, through seigniorage, profits much more by using cupronickel-clad metals rather than silver in coins. The Government profits in minting 100 million 40-percent silver dollars would be approximately $52 million including the costs for production of a coin containing silver. To mint the same number of coins using a cupronickel-clad material would yield a profit of $95 million.

It has been suggested that we must use silver in a proposed dollar coin in order to indicate the esteem in which we hold our beloved former President Dwight David Eisenhower. I feel personally that no metal, however precious, could begin to equal the esteem that Americans feel for "Ike." Indeed it would seem to me that considering the undesirable economic ramifications involved in producing a silver dollar, that Ike himself would not want it that way. H.R. 13252 proposes to place President Eisenhower's image on a nonsilver dollar coin which would be used every day by ordinary men. I believe that "Ike" would consider this the greater tribute.

Mr. STANTON. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa (Mr. MAYNE).

Mr. MAYNE. Mr. Chairman, on yesterday, the anniversary of his birth, the Nation honored the memory of the late general and former President, Dwight David Eisenhower. It is therefore fitting and proper that this House of Representatives carry through on this observance today by considering and, hopefully, approving a bill authorizing the minting of a coin bearing the likeness of this great man.

Earlier this session I joined in cosponsoring H.R. 12747. This bill, introduced by Congressman MCCLURE, would have authorized coinage of clad silver dollars bearing the likeness of the late Dwight David Eisenhower.

However, I have become convinced from a study of the experience gained with regard to the coin minted in memory of the late President John F. Kennedy, that it would be impractical to insist that the coin honoring President Eisenhower have any silver content. If the Eisenhower dollar contained 40 percent silver or even lesser amounts, it is apparent that chances would be quite remote for keeping that dollar coin in circulation rather than have its supply hoarded by collectors and silver speculators. If we are to make it possible for our fellow citizens to do honor to General Eisenhower, this can best be done by minting coins which have a reasonable assurance of remaining in circulation rather than being taken out of circulation and melted for their silver content.

I therefore fully support the bill pending before the House, H.R. 14127, which would carry out the recommendations of the Joint Commission on the Coinage by authorizing the minting of a nonsilver cupronickel dollar coin bearing the likeness of one of the great Americans of all time, our beloved "Ike" Eisenhower. The fact that this coin will not contan silver is in no way demeaning to the memory of our late President and general, but affords a practical solution of which I am sure he himself would heartily approve.

Mr. BARRETT. Mr. Chairman, I yield 3 minutes to the gentleman from Montana (Mr. OLSEN).

Mr. OLSEN. Mr. Chairman, I join with those who think if you strike a coin for a distinguished American, it ought to be a coin that is distinguished—and the last remaining metal that we have in quantity enough is silver.

Once upon a time here in the Congress, I would come down in the well and talk only for the silver miners. We produce in my hometown of Butte, Mont., about 11 million ounces a year and in Idaho they produce about 25 million ounces a year. The total I think is 36 million ounces—I am just talking off the top of my head.

But I speak for more than the silver miners now. There are certainly a lot more silver miners than silversmiths and I sincerely think that for those for whom we strike a coin—for common coinage—we should do them that honor with some prestige, and 40-percent silver is probably too little.

But 40-percent silver would protect the coin.

Now people say the Kennedy half dollar is going out of circulation, and I say what is the matter with that? It is a prestigious memory of a great man and something that they love. Now what is the matter with an Eisenhower dollar, a prestigious coin, that people might save? I really believe we ought to do this.

What is more—I deplore and I have some resentment and I must confess to it—I have some resentment about the Treasury policy of selling silver. We have almost dumped the silver out of the stockpile. We have almost dumped it. Who has it been dumped to? The people who have been using the Treasury as a silver mine—and they are the silversmiths. They are not bad people, but they looked for a good deal and they got it. But I do not think we should add another mistake now to the mistake of dumping silver—I do not think we should add another mistake and deny the people of America a prestigious coin for a great American and a great President. Forty-percent silver is little enough and to discontinue a silver half-dollar would also be bad.

Mr. BARRETT. Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. HANNA).

Mr. HANNA. Mr. Chairman, I would like to make two points. First, I would like to follow through with the suggestions of the gentleman from Iowa (Mr. GROSS) about wampum. I think he very clearly made the point that money is beginning to lose its intrinsic value. But he did not go far enough.

I have in my hand a quarter, a dollar bill, and an American Express card. I do not know how the gentleman from Iowa (Mr. GROSS) got the beads which he displayed. I do not think he knows enough hippies to have gotten his several sets of beads from that source. So he possibly bought them. I think probably they cost more than a quarter. But if he wanted to get something out of one of the machines around the Capitol, he jolly well better have a quarter in addition to his wampum beads. I am sure, however, that if he offered to sell the wampum beads, he would find some takers if he devised a machine to dispense merchandise for wampum beads.

The quarter has more intrinsic value than the dollar, but anybody will be glad to trade you more quarters than one for the dollar.

I have in my hand an American Express credit card.

Now, this piece of plastic I have in my hand is worth even less than the dollar, the bill, the piece of paper. But I am sure that all of you would hold this in much higher regard than the dollar bill, especially if it was one that had your name on it and you were in good standing with the American Express.

So it seems very clear that in this day and this time we do have a little more sophistication than the Indians. What we want is the Banking and Currency Committee to help us establish some kind of coinage, some system that will transfer goods and services in this society, and we are trying to do just that.

Aside and apart from that, I would suggest that we are supposed to take care of the coinage and monetary problems of this country separate and apart from trying to solve the problems of the miner, or to solve the problems of the silversmith, to solve the problems of the coin collector.

A pox on all three houses. We should manage our present silver strictly for the interest of the people. Sales and inventory should hinge on our security needs and the return on our investment in the original purchase. That is what the people expect us to do. They expect us to provide them with a coinage system that will move the goods and services of this country as efficiently and as effectively as can possibly be done, and this legislation carries out that responsibility. I suggest that we are moving even more slowly than the very economy that we are trying to serve, because it was not our committee that invented the credit card, the maxiwampum. It was the very economy that we are trying to serve that came up with this idea, and as the gentleman from Georgia (Mr. STEPHENS) and I pointed out between ourselves in a discussion while the gentleman from Iowa was making his point in relation to history, that these points are already made for the present and for the future; that is, the checkbook moves more goods than money and credit cards will soon move more than the checkbook. They indicate where we are going in terms of what the base is for our money. It is something to be looked back upon with nostalgia, in the history of coinage, in that it does not have some basic value of itself.

At one time people had very few things in which they had an opportunity to invest. Their money was one of their sources of investment, the coins containing a saving of value. But, thank goodness, this society has moved strongly enough to spread the opportunity to take part in its great economy; has moved freely enough so that people now have tremendous opportunity to invest in its true wealth. They can buy stock in General Motors. They can buy the bonds of their municipalities, or they can take their money and buy real estate. In all of these things they have some opportunity not only to have a retention of value, but a possibility of growth as well.

It seems to me that you cannot fault people if they have turned away from putting their faith in hard money which they put in a can and buried in the backyard. Americans have moved to the point where they are now engaged in sophisticated investment in equities and in trying to put whatever they have set aside into those things that promise a better return and those things that give them a stake in the real wealth of the Nation rather than in the symbols of wealth, which is all that coinage ultimately would provide.

Mr. WIDNALL. Mr. Chairman, I yield 10 minutes to the gentleman from Idaho (Mr. McCLURE).

Mr. GROSS. Mr. Chairman, will the gentleman yield for a quick observation?

Mr. McCLURE. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, I will say to the gentleman from California (Mr. HANNA) that after all is said and done, it will take some of this scrap metal currency or irredeemable printing press money which he has displayed to eventually liquidate his "buy now, pay later" plastic credit card.

Mr. McCLURE. Mr. Speaker, today in both Chambers of Congress the fate of our monetary system will be decided. The final decision is ours, and it is not a responsibility to be taken lightly. In some future economic crisis, when the strains upon our monetary system prove insurmountable, historians will search back to the time when the trouble began. They will remember passage of the Coinage Act of 1965 and the events of the past few months. But when someone asks, "When was our coin and currency finally debased?" The answer will come back: on October 15, 1969, by the U.S. Congress. If the bill before us passes in its present form, we must be prepared to accept the responsibility for what is almost certain to transpire at some future date.

I realize that it is difficult for the Members of this body to go against the recommendations of the Treasury. Presumably, they are the experts in these matters. But I personally believe that the Department has not earned the right to your allegiance, and I would like to tell you why.

Candor has not been an asset at the Treasury recently. For example, in 1966, one departmental official testified before a Senate committee to the effect that a coin shortage did not exist, nor was one expected. And yet, every single fall since then a shortage has appeared and silver coins were recirculated.

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Then, when the weekly GSA sales were authorized, Treasury said these auctions would serve the purpose of stabilizing the silver economy. Yet, we know now that they permitted the metal to be sold at below-market prices, thereby preventing silver producers from pursuing needed exploration. I reiterate what I said a week ago Monday—you simply cannot dump 178 million ounces on the market at a time when consumption is less than 160 million ounces and expect stability.

The Treasury has also said that the silver sales would have to be restricted to domestic users because of the copper strike. But when that dispute had ended, the Department refused to lift the ban for over a year.

Treasury told us that through the sales, the silver would be dispersed among all segments of the economy. But now we find out that 89 percent of all purchases have gone to only 18 companies.

Regardless of whether you feel that the GSA sales were right—regardless of whether you feel they should have been restricted to American users—regardless of how you feel about silver in the first place, surely it must be obvious that Treasury has not been honest about the reasons for the actions taken. Why, then, should we follow them blindly now?

And what is it they are saying?

For one thing, they are saying that the recommendations they make are pursuant to decisions of the Coinage Commission. But the commission specifically left the content of the proposed Eisenhower dollar up to the Congress.

The Treasury is also saying that use of silver in coins will increase the balance-of-payments deficit, because users will then need to import large quantities of the metal. Statistics tell a different story. Between 1964 and 1968, this country exported 135 million ounces more than it imported. Last year alone there was an export surplus of 55 million ounces.

Now, what would the situation be with respect to a cupro-nickel coin? The most recent statistics on lead imports and exports are for 1967. At that time the United States imported 111,463 short tons of lead more than was exported. The situation with respect to copper is the same. In 1968 copper imports exceeded exports by 315,564 tons.

That would seem to end all arguments as far as the balance of payments is concerned. But let us take it one step further and see what effect the weekly sales have already had on this problem. Since the ban on foreign purchases was lifted in May, the GSA sold—through the end of September—28.5 million ounces of silver. Of this, at least 8.7 million ounces are known to have been shipped abroad. Interestingly, a Zurich, Switzerland, newspaper commented in September that the "lively demand" for silver on the London metal market was traced to Soviet buying.

Is this the way to cure our balance-of-payments problem? Of course not. The truth is that no silver shortage exists. And we have that on very good authority, the Bureau of Mines, for instance. Last December, the bureau reported exports of silver exceeded imports in 1967 "as large quantities of Treasury silver stock were shipped abroad."

Then, Handy and Harman, in its year-end review for 1968 commented, "We have continually emphasized that there will be no shortage of silver for future industrial needs, and this has been confirmed by events."

And we also have it on no less an authority that the General Counsel of the Treasury Department, Mr. Paul Eggers himself.

Mr. OLSEN. Mr. Chairman, will the gentleman yield?

Mr. McCLURE. I am happy to yield to the genelman from Montana.

Mr. OLSEN. The important point the gentleman is making is that the Department of the Treasury and the General Services Administration have been leading us down a road that drains the silver out of our stockpile, which we should be using ourselves, and which as a matter of fact went abroad.

Mr. McCLURE. Which is going abroad and will continue to go abroad to the benefit of foreign speculators.

Mr. OLSEN. Then, when the day comes we have to buy silver——

Mr. McCLURE. We will buy it back from those very same speculators at a higher price.

Only 2 weeks ago in hearings on this bill, the gentleman from Georgia (Mr. BLACKBURN) asked:

> Is there a shortage of silver at the present time among those industries that require the use of silver?

And Mr. Eggars responded:

> No, there is no shortage right now. They can get the silver they need.

Let those statements put to rest once and for all any questions of a silver shortage or a balance-of-payments problem if we put silver in the Eisenhower dollar.

Next, Treasury is saying that only a cupro-nickel coin will circulate. Well, it is true that collectors will be more attracted to a coin of intrinsic value. That merely illustrates the high esteem in which prestige coins are held. But this is not a legitimate argument, because coin collectors will tell you that it makes no difference what the proposed dollar is composed of—the very fact it is a new issue means that numismatists will grab them up in the beginning.

In this regard, it is equally unfair to point to our experience with the Kennedy half as proof that a silver coin will not circulate. As you may recall, in 1964, 1965, and early 1966, the half contained 90 percent silver. After that, the silver content was reduced to 40 percent, and just as the coin began to circulate, the Treasury Appropriations Subcommittee cut the annual authorization to one-third that of previous authorizations—down to only 100 million pieces. A very good case could be made that the coin was sabotaged. Indeed, Treasury officials themselves—in testimony 2 weeks ago before the committee—said that we must have an annual minting of 300 million halves to meet the needs of the marketplace. The scarcity of the Kennedy half was not due to the fact that it contains silver. It just is not being minted in sufficient numbers to meet the demands.

It is also worth noting a statement made by Mr. Chester Krause, editor of Numismatic News, recently. He said that a couple of years ago Canada decided to switch from a silver dollar to a cupro-nickel coin. Our neighbors to the north have not been successful in getting the new dollar to circulate because the people there have refused to accept a worthless coin.

Another argument advanced by Treasury is that a nonsilver dollar would mean a greater monetary return to the Federal Government. What they conveniently overlook is that we are now proposing the use of silver already owned by the Government, while the lead and copper needed for a cupro-nickel coin would have to be purchased.

At this week's GSA auction, silver was sold for $1.82 an ounce. If used to mint an Eisenhower dollar, it would monetize at $3.16 an ounce. In the Kennedy half, the figure would be $3.38 an ounce.

Mr. KLEPPE. Mr. Chairman, will the gentleman yield for a question?

Mr. McCLURE. Yes; I will be happy to.

Mr. KLEPPE. First of all I want to say thank you for yielding to me.

I think the gentleman has made a number of very interesting observations on this question. I would like to ask him this question: You just indicated the dollar would monetize at $3.16 an ounce. Can you tell what the cupronickel dollar monetizes at?

The CHAIRMAN. The time of the gentleman has expired.

Mr. WIDNALL. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. McCLURE. I thank the gentleman for yielding me the additional time.

In answer to the question of the gentleman from North Dakota, I could not tell you the precise figure, but it is roughly 5 cents.

Mr. KLEPPE. Thank you.

Mr. McCLURE. Mr. Chairman, you cannot escape the fact that the American people would receive twice the return—and four times the profit—on the remaining silver if it is used for coinage purposes.

Treasury has a ready answer for this, of course. They say, "Well, what good are the profits if it means the American consumer must pay more for the products he buys?" Well, once this bill has passed, regardless of the form it takes, the uncertainty will have been removed and silver prices will begin to climb. But no realistic person is suggesting that these prices are going to skyrocket out of sight. As the Government's influence lessens, the metal will seek its proper level in the market. I might note in passing that a major photographic firm has been sending you telegrams on how badly it needs the Treasury silver. This same firm, however, has received only 80,000 ounces in the past 6 months, so they hardly are dependent upon it.

It is almost embarrassing to discuss the memory of Presidents Eisenhower and Kennedy in the same breath with the price of silver, but that is the strategy which Treasury has laid down for this

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measure. As far as these Presidents are concerned, I sincerely believe it would be a disservice to their memory if the coins bearing their likenesses were not as prestigious as the men themselves.

Mr. Cliff Minshler of Numismatic News editorialized last week on the need for a currency with the "look and feel of real money" and the "need of a nation to maintain the image of a solid currency." He wrote:

> The Treasury certainly cannot argue with the value of a silver coin in accomplishing this mission, as in the recent past its officials have espoused the theory that a monetary system must contain such a coin, by virtue of its insistence that gold must be internationally maintained as a *monetary* rather than a *commodity* metal.
>
> It must be remembered that silver remains a magic word when someone is suggesting a base for value. Its maintenance as a part of our coinage system is perhaps a vital consideration in this day of lost values in society. Just as a baby clings to its first blanket, so do Americans seek to cling to the honored traditions of their unquestioned currency of the past.

Those are fine words, indeed. The proponents of the measure before us, however, would have you believe that turning out coins of little value brings in a huge profit. The same argument is made in behalf of printing press currency. They will even try to tell you that nonsilver coins constitute a blow against inflation, although Mr. Eggers admitted to the committee that it is the silver coin which is anti-inflationary. To run to a cupro-nickel coin is a confession of weakness used by other nations only in a time of economic distress.

The supposedly sophisticated economists argue that a monetary system of intrinsic worth is unnecessary. They have little faith in the ability of the ordinary people of this country to make the correct decisions, and they therefore justify a benevolent Federal authority over monetary policies. They do not trust the people to make the correct economic decisions because in their view, the people are economically ignorant.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. WIDNALL. Mr. Chairman, I yield the gentleman 2 additional minutes so I can ask a couple of questions.

First of all, you mentioned the export and import of nickel. How much nickel is produced in this country? To my information, none.

Mr. McCLURE. I cannot answer your question at this moment. I do not have the figures with me, Mr. WIDNALL.

Mr. WIDNALL. You cited this as an important figure to substantiate action being taken in your behalf. That is true, also, of copper, is it not?

Mr. McCLURE. We import more than we export by the net amount of the figures I have given you. The reason why I bring this up is because it has been argued we will have to import silver if we stop Treasury sales.

The reason I believe this is because I was arguing that we will have to import silver if we stop Treasury sales. And I say to you that we are exporting silver while we are importing these other metals at the present time.

Mr. WIDNALL. What is the total amount of silver production in this country at the present time?

Mr. McCLURE. It has fluctuated.

Mr. WIDNALL. That is, as against domestic demands for silver?

Mr. McCLURE. It has fluctuated. Our mines produce at the present time in the neighborhood of 40 million ounces a year and consumption has been in the neighborhood of 140 to 160 million ounces a year.

Mr. WIDNALL. Mr. Chairman, if the gentleman will yield further, the domestic mining interests can only produce about 20 percent of the needs in the United States?

Mr. McCLURE. At the current price level, this has been true.

Mr. WIDNALL. Would not the usage which you suggest tend to make silver more in short supply?

Mr. McCLURE. I would say to the gentleman from New Jersey, as any other commodity seeks a price level, so does silver, in response to supply and demand. If the Government stays out of it, you will find the price will stabilize and that the supply and demand will be equal. But as long as the Government policy depresses the price by dumping what has been designated as surplus silver, the price of silver will be depressed to such an extent where they will not produce additional supplies.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. McCLURE. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. Is it not true that we have put in circulation 1¼ billion Kennedy half dollars since 1966 and you cannot find one of those in commercial circulation today?

Mr. McCLURE. I would say to the gentleman that the figure that has been used and the figure which the gentleman from New Jersey used not only in his letter but in his remarks today is a misleading figure because about 1¼ billion 50-cent pieces include 90 percent silver coins which had been minted prior to 1966.

Mr. BARRETT. Ninety percent and 40 percent.

Mr. McCLURE. Mr. Chairman, this leads to the autocratic decision that the people shall not have coins of worth which can be held in a time of economic uncertainty.

Such reasoning justifies the philosophic inconsistency in the destruction of the last link between gold and our currency, and, at the same time, prohibition of the ownership of gold by our citizens.

It seems to me that all history shows where this course is taking us. No government in the recorded history of mankind has been able to survive philosophical bankruptcy that leads to debasement of the currency. If the American people had been able to participate in some of our basic policies in this field, by their day-to-day decisions, we would not now be fighting the problems of inflation from student loans to housing. The people would have, by their basic and instinctive reactions, dampened the fires fueled by the good intentions—but misdirected excesses—of our economic managers. But this is heresy in the day of enlightened Government centralism which destroys individual freedom in the name of the common good.

From 1792 until 1965, this country had a tradition of minting silver coins. During this period, the purchasing power of U.S. currency was better sustained than the purchasing power of the currency of any other major nation. This was not pure coincidence. Those countries that were forced to resort entirely to token coins and paper money were the countries in which currencies showed the greatest depreciation in value. Since 1965, we have experienced the greatest period of economic uncertainty in this century, except for the depression.

If we perpetuate this economic fallacy, a day of reckoning is most surely to come upon us. The blame will not go to the Treasury Department or the Coinage Commission or either of the last two administrations. The fault will be laid to the doorstep of the U.S. Congress.

I urge you to reconsider your position on the bill before us and support the amendment to mint an Eisenhower dollar with silver in it—a coin that will more appropriately honor the man it seeks to commemorate.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WIDNALL. Mr. Speaker, I yield 10 minutes to the gentleman from Massachusetts (Mr. CONTE).

Mr. CONTE. Mr. Chairman, I would like at this time to make a few remarks on H.R. 14127. This is the bill that you and the ranking minority member of your distinguished committee (Mr. WIDNALL) introduced on October 1.

I had the pleasure of testifying on behalf of this bill before the distinguished Banking and Currency Commttee on October 3 and here on the floor on October 6.

I am pleased that your committee acted promptly on the bill. I only wish this body had taken the same swift action last week.

I have been fighting for this measure for many years, and I think the time for its passage is long overdue.

Section 2 of the bill would authorize the minting of a nonsilver half dollar and a nonsilver dollar. I have long advocated this. I would like at this time to explain why I support H.R. 14127.

On May 12 of this year, the Joint Commission on the Coinage held a very important meeting that was chaired by the Secretary of the Treasury David Kennedy. As you know, this bipartisan Commission has the responsibility of giving advice on silver and coinage problems to the President, the Secretary of the Treasury, and the Congress.

I am currently a member of it and and have been since its inception several years ago. As a result of this position, I have studied the problems of silver and coinage very closely.

At this meeting, the Joint Commission on the Coinage recommended, among other things, that silver be taken out of the half dollar and that it be replaced by a nonsilver half dollar and a nonsilver $1 coin. As a result of this recommendation, the Treasury Department urged prompt enactment of legislation to that effect.

I might add at this point, Mr. Chairman, that these recommendations were not arrived at overnight. They were the result of more than 2 years' work, during which time the silver situation was studied with a fine-tooth comb. Every aspect of the problem was looked into. No table was left unturned.

The result is the bill before us today—H.R. 14127. It has the support of the Joint Commission on the Coinage and the Treasury Department. It embodies recommendations which were reached, as I have said, after long and careful study. And, in view of the silver crisis we are facing, it represents the only sensible and realistic approach to the minting of our coinage.

I think that Secretary Kennedy's statement to the Joint Coinage Commission explains the problem very well. He said:

> The first recommendation, for the minting of a nonsilver dollar, is consistent with the conclusions reached by the Commission at its meeting last December. I think the convincing argument here is that despite the minting of some 760 million 40 percent silver half dollars over the past three years, very few of these coins are actually circulating. Even if we were to continue pouring all of our remaining 150 million ounces of surplus silver into the silver half dollar, it is extremely doubtful whether the coin would circulate in any quantity. Moreover, this use of our remaining silver would require a halting of surplus silver sales which would very probably drive the price up excessively and further stimulate the hoarding of these coins. *In short, the 40 percent half dollar in our past experience is simply a losing proposition.*

That statement, I repeat, was made by the Secretary of the Treasury. You can readily see that it applies to the use of silver in any coin.

I might interject at this point, Mr. Chairman, something that was brought up at the banking and currency hearings. During my testimony, my distinguished colleague from Wisconsin (Mr. REUSS) asked me how much the Federal Government had lost by minting 40-percent silver half dollars rather than clad half dollars.

I think this is a very important thing to know, and I hope my colleagues will take careful note of it.

The fact is that since 1965, we have minted 790 million 40-percent silver half dollars. It costs 22 cents to mint this coin which means the Government comes out with a 28-cent profit on each one.

It only costs 3 cents to mint a clad coin, so we get a profit of 47 cents per coin.

This means that the Government would make 19 cents more per clad coin than it does on the 40-percent silver coin. Thus, we have lost over $150 million on the 790 million 40-percent silver half dollars minted since 1965. I repeat—over $150 million over a 4-year period.

In addition to that, this would have released enough silver to bring in a profit of $66 million to the Government. So we are talking about a total of some $215 million.

The point is—and I have said this over and over again both on and off the floor of the House—we are wasting our precious supplies of silver on a coin that does not even circulate, while our domestic industry desperately needs the metal.

I might also interject, Mr. Chairman, that on may 19 I introduced legislation in this area. My bill, H.R. 11404, provided for the minting of a nonsilver $1 coin bearing the likeness of our late President, Dwight David Eisenhower. This was 1 week after the Joint Coinage Commission meeting.

Several weeks later, my colleague from Idaho (Mr. MCCLURE) and 159 cosponsors, introduced legislation calling for an Eisenhower silver dollar. I opposed this measure then, and in a speech here on the floor on July 15, I explained why I did. I still oppose this measure, and for the same reasons. That is why I am speaking today in support of H.R. 14127.

As you will recall, it was Congress that originally authorized taking silver out of our currency. Under Public Law 89–81, which passed on July 23, 1965, silver was taken out of the dime and the quarter. Unfortunately, it was not taken completely out of the half dollar. The bill as finally enacted only reduced the silver content in the half dollar from 90 percent to 40 percent.

The reason for this action by Congress was clear, and I should know. I fought hard for it, including complete removal of silver from the half dollar, which we lost on. Congress recognized that silver was much too precious and its supplies much too limited to waste on currency.

The situation has not changed. In fact, if anything, it has gotten worse. Silver is even more precious and its supplies even more limited to waste on currency today.

A few figures should put what I am saying in the proper perspective.

For example, since 1964, 276 million ounces of silver have been used in the minting of more than 1 billion half dollars. This amount of silver alone would have been enough to fill the gap between domestic production and consumption for a period of more than 2½ years.

Or to put it another way, the United States used 60 percent more silver in minting the half dollar than the rest of the entire world consumed during 1968 for this purpose.

The fact that the coin would not circulate even at the annual production rate of 300 million coins should be proof that, so long as silver is used, it will not serve as a medium of exchange.

And the mint reduced the production of the 40-percent half dollar to 100 million a year last July. Even at this reduced rate—15 million ounces of silver per year—more silver is consumed in 1 year than is consumed by the domestic photographic industry in 4 months.

In addition, U.S. industry uses about four times the amount of silver produced in this country. Specifically, we produce about 38 million ounces annually and consume about 150 million ounces in the same period.

Thus, foreign silver must be purchased to fill the gap. At 1968–69 prices, this could mean a $155 to $256 million per year balance-of-payments deficit. You can well imagine the impact of this deficit upon an already unfavorable balance of payments.

Mr. Chairman, simply stated, a new silver coin would not serve the purpose for which it was intended. It just would not circulate. On the other hand, the clad coins called for by your bill would circulate and would work in our economy. But there are even more reasons that Congress should act upon H.R. 14127.

For example, the Government would make more money on seigniorage by minting nonsilver coins, seigniorage, as you know, is the difference between the face value and the intrinsic value of a coin. I have already shown how this would have worked out in the case of the half dollar. I would now like to clarify this point a little more because there may be some confusion over whether the nonsilver dollar is in fact more profitable than the silver dollar.

The proponents of a 40-percent silver dollar argue that its silver would be worth $3.16 an ounce. They arrive at this figure by saying that you would have to melt 3.16 dollars to get an ounce of silver because each coin would contain 0.316 ounce.

Now I have followed the silver situation a long time, and I have never computed the value of silver like this. For purposes of discussion, however, I will assume that we do in fact get $3.16 an ounce.

Thus, it is argued, more money can be made doing this.

This, however, is not the case because it ignores what it costs the Government to mint coins. For example, it would cost 48 cents to mint the 40-percent silver dollar. This means the Treasury would make 52 cents per coin or $52 million on 100 million coins.

On the other hand, it would cost 5 cents to mint a nonsilver clad dollar. This would give a seigniorage figure of 95 cents per coin or $95 million on 100 million coins. In addition to that, it would release silver for sale to industry. In fiscal 1968, the profit to the Government from the sale of 98 million ounces was $55 million.

This would give us a total profit of $150 million compared to only $52 million with a silver dollar. I think it is quite clear that the Federal Treasury comes out better with a nonsilver coin.

In addition to what I have already said, we should not overlook the fact that there are only 100 million ounces of silver left in the Treasury reserves.

Mr. Speaker, I would also like to clear up another point that critics of H.R. 14127 have raised. They maintain that higher silver prices are a prerequisite to increased new mine production. However, the Bureau of Mines reports show that production is less today than it was in 1950 when the price was $1.29 per ounce. The fact of the matter is that while the price went up more than 100 percent since 1950, production actually declined. This certainly suggests that higher silver prices, contrary to the arguments of some, do not increase mine production.

On July 7, the Chicago Tribune editorialized about the Treasury recommendation embodied in H.R. 14127 as follows:

> Mr. Kennedy's plan is sensible and timely. * * * (It) would give us half-dollars we can use, and the vending machines are starved for them. It might give us back the old cartwheel, * * * even minus its silver. It would increase the profit * * * which the mint makes on its coinage. And nobody can complain that we will be seriously hurt by the proposal * * *.

Even more interesting and somewhat ironical, are the comments of the Denver Post of May 15, the Post ran an editorial entitled "Wrong Time for Silver Oratory." Therein, they came out against the silver dollar because they felt it would not circulate. And I would remind you that Colorado is a great silver-minting State.

Before concluding, I think there is something else we should all keep in mind. The dollar coins in question would bear the likeness of our late President, Dwight David Eisenhower. I am sure that my colleagues would agree with me that this is a fitting tribute to one of our greatest leaders. It would indeed be unfortunate if we failed or even delayed to commemorate him in this manner.

In this regard, Mr. Chairman, I might mention the letter President Nixon sent to you. In that letter, the President urged prompt congressional action on this bill. The late President's birthday would have been October 14 and President Nixon thought it would be fitting to have an Eisenhower dollar by that time.

Although that no longer is possible, the need for prompt action remains.

Therefore, I would hope for and urge speedy action on H.R. 14127, not only because the silver situation is critical but also because it could provide an appropriate way to commemorate President Eisenhower.

Mr. Chairman, I hope that I have made my position and my support for H.R. 14127 clear. Thank you for the opportunity to make these remarks.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Wisconsin.

Mr. REUSS. Mr. Chairman, the gentleman from Massachusetts does want to point out to our colleagues the amount that the taxpayers have realized in the last year because we did have the foresight to remove silver from the quarters.

Is it not a fact that in the testimony of the Treasury their estimate of the savings to the taxpayers for the next 3 years, if this bill is passed and silver is removed from the coins, would be more than $1 billion?

Mr. CONTE. I think the figure is fairly close.

We could have made another $66 million by the silver that would have been released by not having a silver half-dollar. When you add that to the $150 million more we would have made with a nonsilver coin, you get $215 million. Then we get into the rest of the half dollars and dollars that we are going to mint. For this reason, I would say it is a very conservative figure.

Mr. REUSS. It has been said here this afternoon that actually if we take silver out of our coinage that this will debase, debauch, and degrade our coinage. Is it not a fact that if we do not take silver out of our coinage the taxpayers, who will have to pay an extra billion dollars for the next year, will be bewitched, bothered, and bewildered because of that?

Mr. CONTE. By all means. And I cannot understand for the life of me how anybody who stands up here on the floor of the House and stands for economy and a balanced budget could be against this bill. If anything, this works for the benefit of the taxpayer, and not against the taxpayer. And with respect to this emotional argument—this great emotional argument that we have been hearing concerning how tragic it would be to put the likeness of the late President Eisenhower on a nonsilver dollar—I just wonder what happened to this Congress in the past when they put the likeness of the greatest President this country has ever had, Abraham Lincoln, on the penny, the lowest denomination, made out of copper, and copper which at that time was not worth very much.

I also would point out that the likeness of another great President, George Washington, the father of this country, is on the 25-cent piece—and there is not a bit of silver in that coin.

And I would further point out that the likeness of even another great President, Franklin Delano Roosevelt, is on the dime and there is not a bit of silver inside the dime. If we pass this legislation today, we will take the silver out of the half dollar, and I think this should be done, and now.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I am glad to yield to the gentleman.

Mr. BARRETT. How about Thomas Jefferson's likeness on the 5-cent piece?

Mr. CONTE. Yes, and Thomas Jefferson on the 5-cent piece which contains no silver. The gentleman is exactly right.

I admire the gentleman from Idaho. He is a fine Congressman, and he deserves to come back here time and time again. But he only has one motive. I do not have enough industries in my district using silver. I became interested in this subject matter because I serve on the Treasury-Post Office Subcommittee of the Committee on Appropriations, where we handle the budget of the Bureau of the Mint. I saw what happened after a certain official of the past administration made a speech out in Nevada. At that time we had 1,900,000,000 ounces of silver. That is what started the run on silver. We had 300 million silver dollars, and we could not get rid of those silver dollars.

Let me tell the gentleman from Idaho what they did with those silver dollars. They were collecting dust. They were taking up space in the Treasury. So they decided to get rid of them. They put them on a train and sent them out to the west coast and they paid off Federal employees in silver dollars. Lo and behold, those silver dollars came back here to Washington. They just could not get rid of those silver dollars.

The run on silver started after that key speech that was made in Nevada. After that time, I saw what happened. And for that reason, and that reason alone, I became interested in taking silver out of the dime, quarter, and half dollar. Unfortunately, we lost the battle on the half. The gentleman from Wisconsin (Mr. REUSS), and I, and some of the others here fought to take all of the silver out of all the coins. But Congress worked its will, and they left 40 percent in the half dollar.

Now I would like to make it clear for the record the reason they did not take it out of the half dollar at that time. It was because on the first proof sets of the dime, quarter, and half dollar there was a red rim around each coin. The red rim on the half dollar, however, was much more pronounced than it was on the dime and the quarter. Because this was the case, somebody said to somebody in high authority that with a campaign coming up, if they put that half dollar out, they are going to call that a red neck half dollar. It is going to work to our detriment politically.

That was the thing. If it were not for them we would have gotten all of the silver out of all the coins.

Getting back to my good friend, the gentleman from Idaho, he only has one interest. He is not worried about the consumer. He is not worried about the photographic industry or the silver users. He is not worried about the electronics industry that desperately needs this silver. He is not worried about the medical profession or the dental profession that desperately needs this silver. He is worried about one thing and one thing alone—and I am not faulting him—and that is to drive the price of silver up as high as he can for his miners. It is just simply a question of supply and demand. Use up all of this silver and the price will go up.

Mr. BARRETT. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut (Mr. GIAIMO).

Mr. GIAIMO. Mr. Chairman, I think we should bear in mind what we are trying to do here today with this legislation.

I stand here in support of the committee bill. This legislation is not a new idea. This is not something which is coming before us for the first time. This is a logical, final step in the basic policy to which the U.S. Government committed itself some years ago, to get the Government out of the silver business and to get silver out of the coinage of the country.

We have almost done this. We have done it in regard to the smaller coins. We did it several years ago with regard to the Kennedy half dollar when we reduced the silver content to 40 percent. We did it again on another occasion when Congress removed the silver backing from the $1 bill.

Now at long last we are taking the final step, which is to take the remaining silver out of the Kennedy half dollar. Why are we doing that? You know, traditions die hard. All of us who have studied American history recall the great economic, monetary, and emotional fight over free silver in the days of William Jennings Bryan at the turn of the century. We have heard for years and decades the arguments which the distinguished gentleman from Idaho has made about the importance and necessity of having silver in our coinage.

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I submit that today there is no economic or monetary basis to this argument. The health of the economy of the United States does not any longer depend upon the intrinsic silver content in the coinage. What is left is partially an emotional appeal by the silver producing spokesmen, for it is one of the most emotional of all issues which has faced us in America in the last 70 years. Also it is an attempt by the silver producing interests to drive up the price of silver for the producing people, the mines and the miners.

But the fact is that the Government got out of the silver business several years ago when the Federal Treasury stopped pegging the price of silver at $1.29 by offering it for sale at that fixed price. As a member of the Coinage Commission, I took part in that decision. The price of silver immediately went up on the free market to close to $2 an ounce.

We are now out of this business of selling silver at a fixed and artificial price. Now we are left with this single proposition before us today; to go the remainder of the way and to take the remaining silver out of the Kennedy half dollar.

Tradition and history tell us that when you have a valuable coin and a nonvaluable coin, the nonvaluable coin drives the more valuable coin out of circulation. Certainly if you try to find the Kennedy half dollar, you will know that you cannot.

There is no need to have silver content in the coin for our usage or to stabilize our economy. Coinage is necessary for the many, many coinage, and convenience usages which the citizenry make of it, and the confidence of the citizenry in the American economy is based upon the soundness of the dollar, not the soundness of the coinage.

The other argument that is made is that you must have a prestige coin, and that we must properly honor a great American, our past President Dwight Eisenhower. People say we must have a prestige coin to honor him. I agree that we should honor President Eisenhower but I do not agree that the commemorative coin must or should have silver in it. The fact that we have had 40-percent silver in the Kennedy half dollar has cost the American taxpayer almost a quarter of a billion dollars, almost $225 million or more in seigniorage cost and in losses in profits which the Treasury could have made from selling that silver on the open market—at much too high a price to pay for this questionable prestige concept.

Certainly when we speak of honoring great American Presidents the honor is in the love and in the affection which people have for their Presidents, and they show this in many ways. A common one is to put the honoree on postage stamps or on coins—as was said, in the case of Lincoln, on the penny, which certainly is not a valuable coin in intrinsic value, or as in the case of President Washington, President Roosevelt, or others. We will properly honor, as I believe we should, former President Eisenhower with a nonsilver dollar. But there is no lessening in our affection and esteem for our former President in the fact that we do not put silver into this coin.

We had over 1.5 billion ounces of silver in the Treasury several years ago and we are down to 100 million ounces today. This is a startling enough fact to compel us to understand today that we have got to take this last final step in a long series of steps by the Government, starting with the removal of silver several years ago, with the elimination of the Treasury's policy of pegging the price of silver and with removing silver backing from the dollar certificate. If we do not realize that this last ultimate, logical step is only a completion of that basic Government policy, then we are reversing basic Government policy to get out of the silver business. We will not be completing what we set out to do as governmental policy of this Congress, this administration, the Coinage Commission, as well as the former Congresses. I believe this would be making a most unwise decision.

I urge support of this legislation.

Mr. POLLOCK. Mr. Chairman, on July 7, 1969, I introduced legislation that would put the likeness of Dwight David Eisenhower on either the quarter or the silver dollar.

Only a handful of American Presidents have been accorded the honor of having their likeness engraved on one of our coins. These men—Washington, Jefferson, Lincoln, Roosevelt, and Kennedy—had a strength of character and a charisma which enabled them to transcend the turmoil of partisan politics and to become great men from an historical perspective.

Dwight Eisenhower was a man of this same giant stature. Reaching the top of the military hierarchy, General Eisenhower went on to become the 34th President of the United States. His outstanding achievements in both the military and political spheres place Eisenhower in the great tradition of America's soldier-statesmen.

However, General Eisenhower was not only a distinguished statesman and a great military leader; he was also loved and respected by people everywhere with a special fondness that is bestowed on few men in public life. The nickname, "Ike," has become a household word and a term of endearment for millions of people in this country and abroad.

The first bill which I have introduced, H.R. 12614, would place the likeness of General Eisenhower on the quarter. The quarter seemed to be the most logical coin with which to honor the general. Because the Washington quarter has been in circulation for 37 years, no special legislation would be required to change the coin's design. However, I must admit that the second bill which I introduced is the one that really fires my imagination. This bill would necessitate the minting of a special Eisenhower dollar, making it the largest U.S. coin issued and in circulation at the present time.

Recently, there has been a great deal of discussion among Members of Congress concerning whether the Eisenhower dollar should contain silver. I, for one, want an Eisenhower dollar whether it contains silver or not. However, there are several compelling arguments in support of a silver coin. First, our monetary system should have a reasonable relationship to its precious metal backing. A silver coin would insure such a relationship. Second, the U.S. Government and the American taxpayer would both receive a better return on their money if a silver coin were issued. At the present rate of $1.88 per ounce, the Government's profit from the sale of silver through the weekly GSA sales amounts to $46 million. This profit would be increased by an additional $128 million if coins containing 40-percent silver were issued. Moreover, if we remove the silver from our coins and authorize the Treasury to dispose of its silver assets, we can expect the further deterioration of our already depressed silver market. Finally, it should be pointed out that the issuance of a silver Eisenhower dollar would not interfere with the silver needs of American private enterprise any more than the issuance of a cupronickel coin would interfere with our commercial copper and nickel requirements. In either case, it would be necessary to import these metals from abroad.

When "Ike" died, we did not merely note his passing: we paused to pay full honor. Ordinary and great men alike stood in a line stretching from the Capitol Rotunda to the plains of Kansas to pay tribute to the military leader who created peace and prosperity from war and controversy. I urge that this distinguished body put the likeness of this deeply loved soldier and statesman into the hands of the people who paid that tribute.

Mr. PATMAN. Mr. Chairman, the major purposes of H.R. 14127, the bill before us now, are very straightforward—to provide for dollar and half dollar coins that will circulate, and to bestow an honor on a great American, Dwight David Eisenhower. The issue has been raised that the dollar coin should contain a minor proportion of silver, that inclusion of some of this metal will do greater honor to the memory of President Eisenhower and that use of silver in the coin makes economic sense. The composition of a U.S. coin neither adds nor detracts from the honor given the person whose likeness it bears. The 1-cent piece, only one-hundredth of a dollar, a coin made mostly of copper, honors Abraham Lincoln. I do not believe that I have ever heard it said that the composition or denomination of the penny diminished the honor to Lincoln. Similarly, the Jefferson nickel, the Roosevelt dime, and Washington quarter are all nonsilver coins, and the Kennedy half dollar will be nonsilver when this bill becomes law. I can only conclude that it is the fact that these are coins of the United States that does honor to these men and it is not the metal from which the coins are minted.

There has also been a good deal of argument that putting silver into the coinage increases the monetary gain to the Government. This argument has a deceptive appeal. It states that if the silver is sold at public auction, as the Treasury does now, the Government gets about $1.85 an ounce, but if the silver is coined, the Government receives $3.16 an ounce. Minting 300 million 40-percent silver-clad dollar coins over 3 years would then give the Government a monetary gain of $160 million rather than the approximately $50 million profit which might be gotten through selling the same silver at the GSA auctions. This is true, but it is only half the story. If cupronickel clad dollar coins are minted, it would be possible to still get the $50 million profit at GSA silver sales and add to that $290 million from the seigniorage from 300 million nonsilver dollar coins. The result, then, of making a 40-percent silver-clad dollar rather than a cupronickel clad coin is a sacrifice of almost $200 million.

Forgoing this $200 million worth of seigniorage and revenue is not the only unfortunate effect of putting silver into coinage, however. We can anticipate that many Americans will want to hold these new Eisenhower dollar coins as mementos and as collectors items. If they are made of 40-percent silver-clad material, our production will be limited by our stock of silver. Our mints will not be able to produce enough coins to satisfy the demand. On the other hand, if the Eisenhower dollar coin is made of cupronickel clad material, we have the capability over time to satisfy any demand no matter how large.

Another sound economic reason for not producing a silver-containing dollar coin is the detrimental effect this action would have on our balance of payments. U.S. business and industry consumes each year more silver by far than is produced by domestic mines. When GSA sells Treasury silver at public auction it means we import that much less silver, and there is a balance-of-payments saving, or, if as in some cases, the silver is exported, there is a balance-of-payments earning. Every ounce of silver put into the coinage is one more ounce added to our net imports of silver.

The silver put into coinage is also not available for use in the manufacture of film, batteries, tableware, and hundreds of other products which American consumers buy. The price of silver will rise if Treasury's silver goes into coins instead of being sold at public auction, and millions of consumers will have to pay higher prices for products containing silver.

But the single most important argument favoring the minting of a nonsilver dollar coin rather than a silver one is that coinage should first and foremost be designed to serve as a medium of exchange. Silver bearing coins will not circulate. This was amply demonstrated by the coin shortage of the mid-1960's and by the fact that in spite of our producing 1¼ billion silver half dollars since 1963, only a very small percentage of these coins have circulated. We should not fail to learn from this experience by repeating it. The commercial need for a circulating dollar coin can only be met by a nonsilver coin. This is the recommendation of the Treasury Department's Task Force on Silver, it is the recommendation of the nonpartisan Joint Commission on the Coinage, it is the recommendation of the Secretary of the Treasury, it is the recommendation of the Committee on Banking and Currency, and it is the cupronickel clad coin that has been requested by the President. I, therefore, strongly urge that the House adopt the nonsilver dollar by voting for H.R. 14127.

Mr. BARRETT. Mr. Chairman, we have no further requests for time.

Mr. WIDNALL. Mr. Chairman, we have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

H.R. 14127

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. Section 101 of the Coinage Act of 1965 (31 U.S.C. 391) is amended to read as follows:

"SEC. 101. The Secretary may coin and issue one dollar pieces, half dollars or 50-cent pieces, quarter dollars or 25-cent pieces, and dimes or 10-cent pieces in such quantities as he may determine to be necessary to meet national needs. Any coin minted under authority of this section shall be a clad coin the weight of whose cladding is not less than 30 per centum of the weight of the entire coin, and which meets the following additional specifications:

"(1) The dollar shall have

"(A) a diameter of 1.500 inches;

"(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

"(C) a core of copper such that the whole coin weighs 22.68 grams.

"(2) The half dollar shall have

"(A) a diameter of 1.205 inches;

"(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

"(C) a core of copper such that the whole coin weighs 11.34 grams.

"(3) The quarter dollar shall have

"(A) a diameter of 0.955 inch;

"(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

"(C) a core of copper such that the weight of the whole coin is 5.67 grams.

"(4) The dime shall have

"(A) a diameter of 0.705 inch;

"(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

"(C) a core of copper such that the weight of the whole coin is 2.268 grams."

SEC. 2. Half dollars as authorized under section 101(a)(1) of the Coinage Act of 1965 as in effect prior to the enactment of this Act may, in the discretion of the Secretary of the Treasury, continue to be minted until January 1, 1971.

SEC. 3. (a) The Secretary of the Treasury is authorized to transfer, as an accountable advance and at their face value, the approximately three million silver dollars now held in the Treasury to the Administrator of General Services. The Administrator is authorized to offer these coins to the public in the manner recommended by the Joint Commission on the Coinage at its meeting on May 12, 1969. The Administrator shall repay the accountable advance in the amount of that face value out of the proceeds of and at the time of the public sale of the silver dollars. Any proceeds received as a result of the public sale in excess of the face value of these coins shall be covered into the Treasury as miscellaneous receipts.

(b) There are authorized to be appropriated, to remain available until expended, such amounts as may be necessary to carry out the purposes of this section.

SEC. 4. Section 4 of the Act of June 24, 1967 (Public Law 90–29; 31 U.S.C. 405a–1 note) is amended by adding at the end thereof the following new sentence: "Out of the proceeds of and at the time of any sale of silver transferred pursuant to this Act, the Treasury Department shall be paid $1.292929292 for each fine troy ounce."

SEC. 5. Section 3513 of the Revised Statutes (31 U.S.C. 316) is repealed.

Mr. BARRETT (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

Mr. McCLURE. Mr. Chairman, reserving the right to object, I would like to ask the gentleman from Pennsylvania concerning the procedure which will be followed in the amendments offered to this bill. I understand the gentleman's request to be that the bill will be open to amendment at any point. Is that correct?

Mr. BARRETT. That is correct.

Mr. McCLURE. And that any amendment to any portion of the bill will be in order under the gentleman's request?

Mr. BARRETT. That is correct.

Mr. McCLURE. Mr. Chairman, I thank the gentleman.

I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: Page 1, strike line 5 and all that follows through page 3, line 4, and insert in lieu thereof the following:

"SEC. 101 (a) The Secretary may mint and issue coins of the denominations set forth in subsection (c) in such quantities as he determines to be necessary to meet national needs.

"(b) Any coin minted under authority of this section shall be a clad coin. The cladding shall be an alloy of 75 per centum copper and 25 per centum nickel, and shall weigh not less than 30 per centum of the weight of the whole coin. The core shall be copper.

"(c)(1) The dollar shall be 1.500 inches in diameter and weigh 22.68 grams.

"(2) The half dollar shall be 1.205 inches in diameter and weigh 11.34 grams.

"(3) The quarter dollar shall be 0.955 inch in diameter and weigh 5.67 grams.

"(4) The dime shall be 0.705 inch in diameter and weigh 2.268 grams."

The CHAIRMAN. The question is on the committee amendment.

AMENDMENT TO THE COMMITTEE AMENDMENT OFFERED BY MR. M'CLURE

Mr. McCLURE. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. MCCLURE: Page 3, line 14, strike paragraph (1) of section 101(c) and substitute the following:

"(1) Notwithstanding the provisions of section 101(b), the dollar shall be a clad coin the weight of whose cladding is not less than 30 per centum of the entire coin, and which meets the following additional specifications:

"(A) a diameter of 1.500 inches;

"(B) a cladding of an alloy of eight hundred parts of silver and two hundred parts copper; and

"(C) a core of an alloy of silver and copper such that the whole coin weighs 24.592 grams and contains 9.837 grams of silver and 14.755 grams of copper."

Mr. SCHERLE. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Seventy-seven Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 227]

Abbitt
Adams
Albert
Arends
Ashley
Aspinall
Berry
Bingham
Blackburn
Boland
Bray
Brooks
Broomfield
Brown, Calif.
Burton, Calif.
Button
Byrnes, Wis.
Cahill
Camp
Carey
Carter
Cederberg
Chisholm
Clark
Cohelan
Collier
Conyers
Corman
Cunningham
Dawson
Dennis
Devine
Diggs
Dingell
Eckhardt
Edmondson
Edwards, Calif.
Farbstein
Fascell
Findley
Fisher
Flynt
Fraser
Frey
Fulton, Tenn.
Gettys
Green, Oreg.
Griffin
Haley
Harrington
Harsha
Hastings
Hays
Hébert
Helstoski
Hosmer
Howard
Jones, Ala.
Jones, N.C.
Kirwan
Koch
Kyros
Landrum
Latta
Lipscomb
Lloyd
Lowenstein
Lujan
McCloskey
McKneally
McMillan
Mailliard
Martin
Meeds
Michel
Mikva
Mills
Morgan
Murphy, N.Y.
O'Konski
Ottinger
Patman
Pepper
Pickle
Pollock
Powell
Quie
Reid, N.Y.
Reifel
Riegle
Rivers
Rodino
Rosenthal
Roybal
Ruppe
Saylor
Scheuer
Sisk
Slack
Smith, Calif.
Steed
Taylor
Teague, Tex.
Thompson, N.J.
Tunney
Van Deerlin
Waldie
Whalley
Whitehurst
Wold
Wolff
Wright

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Matsunaga, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 14127, and finding itself without a quorum, he had directed the roll to be called, when 319 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. When the point of order of no quorum was made and sustained, the amendment to the committee amendment offered by the gentleman from Idaho (Mr. McClure) had been reported.

The gentleman from Idaho (Mr. McClure) is now recognized for 5 minutes in support of his amendment.

Mr. McCLURE. Mr. Chairman, I think we are now at the point where we are going to make one or two of the basic decisions concerning the monetary system of this country, decisions which are so essential to the strength and stability of the fiscal situation in our country. I would like to read the last portion of the testimony which I had given before this body in general debate with respect to the basic issue which I think is involved here. There will be a number of people who will say, as they have said before, that my interest and my concern is self-serving and that I serve only those people who within my district in Idaho are producers of silver.

I would say to the Members there are fewer than 20,000 people in Idaho involved in the production of silver, out of a total of 400,000 people in my district. Most of those people vote for the Democrats and not for me, so the reason I am supporting this is not for political purposes to enhance my strength in my district, but I think I am speaking not only for those 20,000 people, but for the 200 million American taxpayers who are now being cheated every day by decisions of this country on the sale of silver, the sale at less than monetary value of that silver.

Mr. Chairman, it is for that reason I have offered this amendment to put back into the coinage a silver coin. This bill before us comprises three things.

The first is to authorize a dollar without any silver. This amendment would reestablish a silver dollar of 40-percent silver or exactly the same composition as the Kennedy half which has been minted as authorized by the Coinage Act of 1965. This will gain for the taxpayers of this country $3.16 an ounce for silver, which is now being sold for less than $1.85 an ounce. It will more than double the return for the silver being sold by the Treasury, and it will be four times as much profit for the Treasury as the present sales of silver.

Let me conclude by saying only this. The supposedly sophisticated economists argue a monetary system of intrinsic worth is unnecessary. They have little faith in the ability of the people of this country to make the correct decision. They do not trust the people to make the correct economic decisions because in their view the people are economically ignorant.

This leads to the autocratic decision that the people shall not have coins of worth which can be held in a time of economic uncertainty. Such reasoning justifies the philosophic inconsistency in the destruction of the last link between gold and our currency, and at the same time prohibition of the ownership of gold by our citizens.

It seems to me all history shows where this course is taking us. No government in recorded history of mankind has been able to survive the philosophic bankruptcy that leads to debasement of the currency. If the American people had been free and able to participate in some of their basic policies in this field by their day-to-day decisions, we would not now be fighting the problems of inflation from student loans to housing.

The people would have by their basic and instinctive reactions dampened the fires fueled by the good intentions but misdirected excesses of our economic managers.

For this reason I offer this amendment and I urge its adoption.

Mr. MacGREGOR. Mr. Chairman, will the gentleman yield?

Mr. McCLURE. I yield to the gentleman from Minnesota.

Mr. MacGREGOR. May I say to the gentleman from Idaho, I am advised that in the other body earlier this afternoon an amendment of similar import to that of the gentleman from Idaho, authored by the Senator from Colorado (Mr. Dominick) was adopted by a vote of 40 to 21. Is that information correct?

Mr. McCLURE. That is correct.

Mr. MacGREGOR. The substance of the amendment, if not the exact terminology, is identical with that offered in the other body and adopted, as offered by Senator Dominick?

Mr. McCLURE. This is a blanket authorization to the Treasury directing them to mint a 40-percent silver dollar. The amendment in the Senate was limited to the available silver supply now held by the Treasury.

Mr. MacGREGOR. But it embodied the same silver dollar?

Mr. McCLURE. The same piece in size, content, and weight.

Mr. BROTZMAN. Mr. Chairman, will the gentleman yield?

Mr. McCLURE. I yield to the gentleman from Colorado.

Mr. BROTZMAN. First I should like to take this opportunity to commend the gentleman from Idaho for doing something for the American people in a very vital way.

I happen to agree with what the gentleman said. This is not a parochial decision. It does not concern a very few people. If Members doubt my word, they can ask those whom they represent if they are not getting a little tired of "funny money" and if they do not want a coin of intrinsic value.

I say, in addition, if we are going to issue a commemorative coin in memory of our late departed President Eisenhower we ought to do something real. On July 10, 1969, I joined 145 other Members of this body in introducing a bill to authorize the minting of clad silver dollars bearing the likeness of the late President Eisenhower.

I had two reasons for introducing such a bill.

First, I could think of no finer tribute to a great American soldier-statesman than to memorialize him on the most prestigious of U.S. coins: the silver dollar. In expressing her pleasure that Members of Congress had chosen to honor her husband in this manner, Mrs. Eisenhower said:

> As I recall he often used silver dollars as a little memento to give to children and young people who visited his office after he left the Presidency. He made a special effort to secure some minted in the year of his birth, and I still have some that he kept in his desk drawer.

If this coin is to be truly prestigious, it is imperative that it be minted with a 40-percent silver content.

There is also a second, purely economic reason for making the Eisenhower dollar a silver dollar. At the present time, the Treasury is committed to selling the Nation's nonstrategic silver reserves.

At the current price of about $1.88 an ounce, the Treasury can expect to receive a profit of $46 million. If, however, the silver is monetized, the Treasury will realize $3.16 an ounce, for an additional profit of $128 million. It is true that nonsilver coins can be minted at an even lower cost, and it may be that Congress will want to mint such coins once our present stockpiles have been depleted. However, that is a different question. The instant question is: How do we obtain the best possible return from the silver already owned by the Government.

Gentlemen, we are in a very enviable position. We can authorize by acting favorably on this amendment, a prestigious memento of President Eisenhower which is within the means of all Americans to purchase, and, at the same time, add to the profit the Treasury will receive from depletion of its silver stockpiles.

For the same reasons I had in mind when I introduced the Eisenhower silver dollar bill, I now urge a favorable vote on the amendment before the House.

Mr. BARRETT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, Members here talk about economy and economizing and lessening inflationary conditions. It will put into the Treasury moneys that are greatly needed. It will reduce the balance-of-payments deficit by $150 million.

As was pointed out earlier in this debate, all of the great Presidents, including the great President Lincoln, whose image is on copper, have been commemorated on coins.

Certainly this does not diminish the status of a great President. We will put these coins, all metal coins, into circulation.

The Kennedy half dollar has not been in circulation since it has been minted, with a percentage of silver. When we put silver into the coins, not only do people hoard them, but also they take them and smelt them. If we put the coins, as proposed by this bill, into circulation we feel it will do two things; it will stop people from taking the silver out of the coins by smelting, and it will provide the merchants of this country a supply of half dollars to be put into circulation.

I hope the amendment will be voted down.

Mr. LONG of Maryland. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I yield to the gentleman from Maryland.

Mr. LONG of Maryland. Is this amendment not just another example of a program of a silver-State Congressman, going on now for generations, to try to increase the demand for their product?

Mr. BARRETT. I am glad that the gentleman brought that question up, because I believe there is a great deal of truth to the observation made by the gentleman from Maryland.

Mr. BURTON of Utah. Will the gentleman yield to me?

Mr. BARRETT. Yes; I yield to the gentleman.

Mr. BURTON of Utah. Are you aware of the fact that when the coinage was initially established in the United States—and I am a representative from Utah, and I do not know whether that makes it a silver State or not—90 percent of the coinage was silver and it was based on the fact that there should be an intrinsic value in a coin that was produced. This was initiated by Alexander Hamilton.

Mr. BARRETT. I greatly appreciate that.

Mr. LONG of Maryland. Will the gentleman yield to me?

Mr. BARRETT. I yield to the gentleman.

Mr. LONG of Maryland. The gentleman knows a little bit about the history of our coinage, and I am sure he knows for generations we had a full-bodied coinage every time the price of silver went up people melted down the coins, and for a long time before the Civil War we had no American silver coins. The circulation of coins consisted of Spanish coins and coins of many other countries of the world. We had to debase the coinage in order to get American money to circulate.

Mr. BURTON of Utah. Professor LONG, if you will keep that microphone——

Mr. LONG of Maryland. The gentleman's words should be taken down. He called me "professor."

Mr. BURTON of Utah. The intrinsic value of the coin was based on the metal. Is that not right?

Mr. LONG of Maryland. Even a full-bodied coin has no fixed intrinsic value, because its value will fluctuate depending on the market price of the metal.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. STEPHENS. Mr. Chairman, I rise in opposition to the amendment.

Mr. BARRETT. Mr. Chairman, will the gentleman yield to me?

Mr. STEPHENS. Yes; I yield to the gentleman.

Mr. BARRETT. You do realize this is an administration bill. The White House wants this legislation.

Mr. STEPHENS. Thank you, Mr. BARRETT.

Mr. Chairman, when we took away the silver backing from the dollar, it was said that we were destroying our monetary system. When we took silver out of dimes and quarters and dropped it down in the half dollar, it was said that we were destroying our monetary system. Ever since these actions, however, I have never had anyone to whom I tendered a bill or a coin who refused to take it. Of course, the reason is our bills and coins have value based on the soundness of the United States and not on the intrinsic worth of the medium of exchange.

In the instant case I feel that the duty of the Committee on Banking and Currency is to provide to the House a bill which offers the people of America a medium of exchange in denominations of half dollars and dollar coins. The duty of the House, I believe, is to decide if the committee bill would do that, and I think it does. The clear facts show that coins with silver are not providing Americans with a medium of exchange in half dollars and $1 coins.

I repeat that we are not providing the American people with a medium of exchange in half dollars and dollars. For example, Mr. Chairman, we have minted 1¼ billion Kennedy half dollars and you do not see any in circulation today.

This is the same result as would come from not minting these denominations at all, of course, thereby we could save a lot of money. However, the public needs these denominations and we have got to issue them. So, the only logical course is that we must provide a medium of exchange in these denominations of coins and we must delete the silver contained in them in order to continue them in circulation. That is why I oppose this amendment.

Mr. Chairman, I shall not presume upon the time of the Committee by repeating these arguments on any of the other amendments, but I ask the Committee sincerely to oppose this amendment so we can provide the American people with half dollars and dollars as a medium of exchange.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. STEPHENS. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. When this bill came up under a suspension of the rules it carried by 205 ayes to 148 noes and there were 78 not voting. Therefore, it carried substantially.

Mr. DICKINSON. Mr. Chairman, will the gentleman yield?

Mr. STEPHENS. I yield to the gentleman from Alabama.

Mr. DICKINSON. I thank the gentleman from Georgia for yielding. I am not too conversant with this subject but I am curious about the argument as I understand it against putting silver into dollars and that argument is that there would be a tendency on the part of some speculators to smelt the dollars down and take the silver content out of them.

However, the question in my mind is this: What will be the intrinsic value of the dollar as now proposed and how would we put 40 percent of silver in the dollar.

Mr. STEPHENS. The amendment would put 40 percent of silver in the dollar.

Mr. DICKINSON. Mr. Chairman, if the gentleman will yield further, 40 percent, but in dollars and cents could the gentleman give us some idea as to what the intrinsic value would be?

Mr. STEPHENS. No; I do not know the answer, but just let me say one thing and I shall be glad to yield to the gentleman from Massachusetts (Mr. CONTE) for a reply.

The point is not primarily directed at any operations on the part of speculators in making money on this. My feeling is this: the American public has taken the silver coins off the market and put them in the bureau drawer. I have a few myself. I have a friend who has a standing offer to anyone who will bring him a coin with silver in it and he will purchase it from them at 10-percent profit to them. However, I am talking about the American public and its need for this as a medium of exchange—not any special group or other interest.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. STEPHENS. I yield to the gentleman from Massachusetts.

Mr. CONTE. In answer to that question, I would point out that the intrinsic value of silver in the half varies with the market price of silver if you use that figure or remains constant if you use Government seigniorage figures. Assuming the price of silver were $1.80 an ounce—it is in fact about $1.82 this week—the intrinsic value in each half is 27 cents. You arrive at that by multiplying .15 ounce, the amount in each coin, times the price per ounce.

The Government seigniorage figure, as I said, remains constant based on a price of $1.29 per ounce. This would give you an intrinsic value of somewhere between 19 and 20 cents.

The real issue, however, is what it costs to mint these halves. It costs 22 cents to mint each one so that we make a profit of 28 cents. It would cost 48 cents to mint the proposed 40-percent silver dollar.

On the other hand, it only costs 3 cents to mint a cupronickel-clad half dollar, which means a profit of 47 cents. Likewise, it costs 5 cents to mint a cupronickel-clad dollar, which means a profit of 95 cents.

As I pointed out in great detail earlier today, this means we lost $215 million on the 40-percent halves already minted. It also means we lose nearly $20 million each year on these halves, without taking into account the silver that would be released for sale.

By the same token, we would lose some $43 million a year on the dollar, and when you consider silver sales with the released silver, the figure reaches some $100 million.

The point I would like to make again is that it is both practical and economical for the Mint to manufacture a nonsilver dollar coin. It would be entirely possible to produce this coin, of the same material now in the dime and quarter, at a level which could increase the Government's annual seigniorage revenue by as much as $300 million. Besides, there has been an increasing demand for higher priced items and services dispensed by vending machines.

With reference to the other point about Alexander Hamilton, that was about 200 years ago. Times have changed. There was a time when people on the floor here today who are trying to dry up silver and force the consumer to pay a higher price, once pushed the Government to buy 3 billion ounces of silver above the market price.

Mr. **STEPHENS**. I might point out to the gentleman from Massachusetts that back then Alexander Hamilton did not have a credit card.

Mrs. **SULLIVAN**. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment by the gentleman from Idaho (Mr. McClure). In my remarks in the general debate, I tried to cover the points that he has raised in his speech on behalf of his amendment. I know that there are two sides to every issue, just as there are to every coin—but the other side of the coin in this issue is that the silver interests in this country already have a market for their commodity which they cannot begin to satisfy. We do not produce as much silver in this country each year as the photographic industry alone uses.

If the wheat farmers of this country had as big and readymade a market for every ounce of their product as the silver producers do, we would not need any price support program for wheat, which would be selling at a price probably about double the parity price.

I said earlier that it was probably a good thing that the silver bloc for generations forced the Treasury of the United States, through legislation enacted by the Congress many years ago, to purchase, at a price well above the market level, all of the silver produced by American mining interests. The silver bloc forced us to accumulate vast quantities of silver for which there seemed to be no market need. They did us a great favor. I am sure they never realized at the time that they were fortifying us in the 1960's for a great shortage of silver for industrial uses. We can thank them for what, inretrospect, turns out to have been enlightened self-interest by the United States, but which at the time looked to be a very selfish raid on the U.S. Treasury.

I have heard no arguments today that people will not spend our coins if there is no silver in them. This has not deterred anyone from accepting and spending pennies, nickels, dimes, and quarters which contain no silver. They are accepted by anyone who has anything to sell. The same thing can be anticipated for the half dollars and the dollar coins minted under this legislation, if the McClure amendment is defeated. No one is going to turn down a cupronickel half dollar or a cupronickel dollar coin because there is no silver in it. These coins will be legal tender.

The only reason this amendment is being put forward—there are many arguments, but the only reason—is to speed the day when the price of silver on the market will rise. If the silver mining interest in this country need Government subsidies, let them come in here and ask for subsidies; the House Committee on Interior and Insular Affairs will certainly listen to any arguments they have to justify subsidies to the silver mines. But you are asking all of the people of the United States, through their taxes and through the prices they pay for consumer goods, to use up in the coinage of coins which will never circulate silver which could be used for industrial purposes, in order to speed the day when supply and demand will force the price of silver to a much higher level.

If anyone thinks that the minting of a half dollar coin without silver in it will insult the memory of the late President John F. Kennedy, you need only look to the committee which sponsored the legislation placing John F. Kennedy's likeness on the half dollar to see that we have almost unanimously endorsed this legislation. If anyone thinks that the minting of a dollar coin bearing the late Dwight D. Eisenhower's likeness, but without any silver in it, would be an insult to the memory of President Eisenhower, I might point out that numerous Members of Congress from the Republican side introduced legislation earlier in this session to remove George Washington's likeness from the 25-cent piece and substitute the likeness of President Eisenhower. The quarter does not contain any silver and the fact that it does not has never been considered an insult to George Washington. We do not think that the 5-cent coin demeans President Thomas Jefferson or the 10-cent coin Franklin D. Roosevelt, and certainly no one considers the lowly copper coin bearing Lincoln's likeness as an insult to that great man.

The purpose of the coinage is to assure adequate supplies of a vital instrument of commerce, a medium of exchange. This amendment seeks to make jewelry for keepsakes out of our two largest denominations of coins—the half dollar and the dollar. This is an amendment to provide for the striking of a commemorative coin — something we have avoided doing in the Congress for many years.

In the hearings on this legislation I asked representatives of the Treasury if they felt the time had arrived when we could consider or should consider the resumption of the minting of commemorative coins. The answer was that the Treasury opposes the issuance of commemorative coins and supports instead the striking of commemorative medals. There are John F. Kennedy medals and Dwight D. Eisenhower medals available for sale to the public by the mint and they are handsome mementos of two of our great men. If anyone wants a beautiful, shiny, attractive, sculptured likeness of either of those former Presidents, they are available in medal form from the mint at a reasonable price. But in the guise of arranging for the coinage of the United States, let us not adopt an amendment intended to keep coins out of circulation instead of getting them into circulation.

When the cupronickel coins appear, I am sure many Americans will want to have one as a good luck pocketpiece—but one that they can spend if they have to. But while they are saving these pocketpieces for good luck or whatever, the Treasury can go on minting an indefinite, unlimited amount of additional coins to meet the needs of commerce. That would not be true if this coin contained silver. I oppose this amendment and ask that it be defeated.

Mr. LONG of Maryland. Mr. Chairman, will the gentlewoman yield?

Mrs. SULLIVAN. I yield to the gentleman from Maryland.

Mr. LONG of Maryland. Mr. Chairman, I want to commend the gentlewoman on the position she has taken, I join her in opposing the amendment.

I would like to point out that a coin of 40 percent silver is certainly a long way from providing what you might call intrinsic worth. It would not any more support the value of a dollar than a pillar would which was 40 percent of the height of that ceiling, would support that ceiling.

I thank the gentlewoman for yielding.

Mr. STEPHENS. Mr. Chairman, would the gentlewoman yield?

Mrs. SULLIVAN. I yield to the gentleman from Georgia.

Mr. STEPHENS. Mr. Chairman, I thank the gentlewoman for yielding.

I would like to comment on something that I believe I should call to the attention of the Committee. The statement has been made that we have passed laws making "phony" money. When we passed earlier legislation taking out silver, it was by the Democrats. Now, this proposal is from the Republican administration. Therefore, if these similar pieces of legislation were creating "phony" money, then it will have been done by both Democrats and Republicans.

Mrs. SULLIVAN. Mr. Chairman, I yield back the balance of my time.

Mr. HORTON. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment of the gentleman from Idaho.

I have followed closely the deliberations of the Committee on Banking and Currency on H.R. 14127, and I want to commend the committee for reaching the conclusions it reached.

First of all, I can think of no American statesman who, more than Dwight David Eisenhower, deserves to be honored in this way. The minting of an Eisenhower dollar coin is surely an appropriate tribute for this Nation to pay this man who served it so long and so well in so many different ways.

I cannot agree with those who measure the value of this tribute to the late President and general in terms of the metal content of the coin itself. Certainly, it would be nice to mint a silver Eisenhower coin, and perhaps even nicer to mint a gold dollar coin. But in the present economic context of our supply of silver, a silver coin is almost as impractical to consider as a gold one.

Last week, each of our colleagues received a very well expressed and well-reasoned letter from the gentleman from New Jersey (Mr. WIDNALL), the ranking minority member of the Committee on Banking and Currency. I could not find more appropriate words than his to explain the problems surrounding the silver-nonsilver issue raised by the McClure amendment:

> There are solid reasons why it would be most unwise to use our remaining surplus silver for minting a single coin. Let me list a few reasons why I think a cupro-nickel dollar coin rather than one made of silver is in the public interest.
>
> First, a nonsilver dollar coin would mean a far greater monetary return to the Federal Government than a silver coin. The Treasury has estimated that the total seigniorage and revenue under the provisions of H.R. 14127 in the first year after enactment could exceed $500 million. This income would reduce the Government's borrowing needs by an equivalent amount and contribute substantially to the fight against inflation.
>
> Moreover, the annual industrial consumption of silver of about 150 million ounces is more than three times domestic production. Consequently if the Treasury's remaining silver surplus is used for coinage rather than sold under competitive bids, American industry will have to greatly step up its imports to fill this gap. The resulting adverse effects on the balance of payments next year could be as much as $150 million.
>
> Thirdly, using our surplus silver for dollar coins would almost certainly mean higher prices for major consumer products containing silver. This would mean higher costs to millions of consumers of film and electrical products which are the principle industrial uses of silver. It should be realized that the ultimate users of silver include virtually the entire American public.

There is another compelling issue here which would defeat the logic of this amendment. The basic purpose of this legislation is to provide for the coinage of a dollar and half dollar which would serve the public for use in commerce. It is not our purpose here to mint coins that will serve mainly as collectors items.

Our experience with the silver John F. Kennedy half dollar has been that it is rarely found in circulation, but rather, it generated so much numismatic interest as to be hoarded and treasured by millions of Americans. It is wonderful for our citizens to honor great Americans in this way—to collect and save coinage which bears their image—but this cannot be the principal purpose of coining money.

A dollar coin made of silver would follow the same path as the silver half dollar. It would be a rare occasion when one could be found in a supermarket cashdrawer.

This factor alone is to me a compelling reason for minting nonsilver dollars.

One further word, Mr. Chairman. The bill now before us has had the full support of the Treasury Department and the President. I believe that our distinguished Committee on Banking and Currency has acted judiciously in reporting the bill in its present form to the floor, and I believe we should endorse their judgment by defeating this amendment, and enacting the committee language of H.R. 14127.

Mr. BURTON of Utah. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to ask the gentleman from Maryland, if I may, to yield to me for a question.

Mr. Chairman, I wonder if the gentleman from Maryland would repeat the statement again about the "40-percent pillar," because I was very impressed with that.

Mr. LONG of Maryland. Mr. Chairman, I was just remarking——

Mr. BURTON of Utah. Would the gentleman do it again?

Mr. LONG of Maryland. Mr. Chairman, I was just remarking that the gentleman argued that there was not any intrinsic value——

Mr. BURTON of Utah. No; Mr. Chairman, I am not talking about what I argued about. I want to hear what the gentleman said about the "pillar."

Mr. LONG of Maryland. I am simply saying that when you put 40 percent of the value of a coin in silver it cannot provide the intrinsic value of the coin because it would not hold up the value of the coin any more than a pillar which is 40 percent the height of that ceiling can hold up the ceiling.

Mr. BURTON of Utah. Mr. Chairman, how did the gentleman from Maryland vote on the 40-percent silver half dollar Kennedy coin?

Mr. LONG of Maryland. I beg your pardon?

Mr. BURTON of Utah. How did the gentleman vote on that?

Mr. LONG of Maryland. I do not even know how I voted on it.

Mr. BURTON of Utah. Well, I think that is a convenient lapse of memory.

Mr. LONG of Maryland. No; I genuinely do not remember. I do not even know what the gentleman is talking about.

Mr. BURTON of Utah. I think I know how the gentleman voted.

Mr. BARRETT. Mr. Chairman, I wonder if we might try to limit the time on this amendment?

How many desire to speak on this amendment?

Mr. Chairman, I would suggest that all time on this amendment and all amendments thereto close at 5:30.

That would be 10 minutes, Mr. Chairman. I think that would be sufficient time. It is 20 minutes after 5 now.

The CHAIRMAN. The gentleman is making a unanimous-consent request in that regard?

Mr. BARRETT. That is right; all time would expire on this amendment and all amendments thereto at 5:30.

The CHAIRMAN. The request relates to the amendment offered by the gentleman from Idaho (Mr. McCLURE), or to all amendments?

Mr. BARRETT. To the amendment offered by the gentleman from Idaho (Mr. McCLURE), and all amendments thereto.

Mr. GERALD R. FORD. Mr. Chairman, would the distinguished gentleman from Pennsylvania yield?

Mr. BARRETT. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Chairman, would the gentleman make that a total of 10 minutes?

Mr. BARRETT. Yes; I will be glad to make it a total of 10 minutes.

Mr. GROSS. Mr. Chairman, if the gentleman will yield, 10 minutes on what?

Mr. BARRETT. On this amendment and all amendments thereto.

The CHAIRMAN. On the McClure amendment and all amendments thereto?

Mr. BARRETT. Yes; Mr. Chairman, I ask unanimous consent that all debate on the McClure amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania (Mr. WILLIAMS).

Mr. WILLIAMS. Mr. Chairman, I would like to call the attention of the Members of this House to the fact that at the present time the Treasury Department is producing no dollar coins. The conditions today are entirely different than they were at the time when silver was going into our coins. The fact of the matter is that today the demand for silver far exceeds the supply of silver.

Of course, silver is in demand in certain industries such as the film industry and the electronics industry and we must see that these industries obtain the silver they need.

If we are going to insist on 40 percent silver in the dollar coin, we will not have any dollar coins at all because the supply of silver will not permit it.

The **CHAIRMAN.** The Chair recognizes the gentleman from Missouri (Mr. RANDALL).

Mr. **RANDALL.** Mr. Chairman, I do not represent a silver State, yet I will be against this latest effort to make all of our money out of scrap metal. Why, oh why, can we not at least memoralize a great President like General Eisenhower with a dollar that has some intrinsic value?

While I have never followed blindly the lead of the other body of the Congress—it seems to me in the matter we are considering they have taken the wisest course. I understand they recently voted by a vote of 40 to 21 to use all of the silver we have on hand to memorialize a great hero and a great President, Dwight D. Eisenhower. Why does the House not at least agree to such a course?

For a country that sells its silver abroad why can we not retain enough silver to honor a great man by the issuance of a prestige dollar—not a phony dollar?

If we are determined to debase and debauch our courage—let us never go so far as to mint a fake coin of scrap metal in honor of a distinguished American who deserves commemoration by the issuance of a real dollar worth something because of its silver content.

The **CHAIRMAN.** The Chair recognizes the gentleman from Connecticut (Mr. GIAIMO).

Mr. **BARRETT.** Mr. Chairman, I ask unanimous consent that my time be granted to the gentleman from Connecticut.

The **CHAIRMAN.** Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. **GIAIMO.** Mr. Chairman, I think we should emphasize the fact that this bill is supported by the President of the United States.

It is supported by the present administration and it is supported by the Secretary of the Treasury. It is supported by the Coinage Commission. It was supported by the former administration.

Mr. Chairman, the only objection to this legislation comes from the silver-producing States, and it has been coming from those States for well nigh on to 70 years.

But the times have changed—the times have changed. There is not sufficient silver available for our usages in this country. The needs for silver are greater now than they ever were and not for usage in coins.

Silver is needed in our industries. It is needed for our medical functions. It is needed in our space activities. Silver is needed in our electronics industry and in many other income-producing and job-producing activities.

We have seen our silver stock depleted in the Treasury from 1,500,000,000 ounces in less than 5 or 6 years to less than 100,000,000 ounces.

If you support the amendment offered by the gentleman from Idaho, if you continue to keep silver in our coins—if you put silver in a new dollar, the Eisenhower coin, you are going to be faced ultimately with the fact that the remaining 100,000,000 ounces of silver in the hands of the Treasury will be gone. Then what will we do—compel the Government to go out and buy silver on the open market at its inflated, high prices that it has reached since the U.S. Government stopped selling it at $1.29 an ounce?

Are we going to be competing with other users of silver for the purpose of putting it in coins—coins which I submit will not be put in circulation—coins which will be stored and kept by collectors and others—and coins which will not serve their function—that is to have coinage in circulation for the convenience of the people.

Mr. Chairman, I urge the defeat of this amendment.

The **CHAIRMAN.** The Chair recognizes the gentleman from North Carolina (Mr. RUTH).

(By unanimous consent, Mr. RUTH yielded his time to Mr. GERALD R. FORD.)

The **CHAIRMAN.** The gentleman from Michigan (Mr. GERALD R. FORD) is recognized.

Mr. **GERALD R. FORD.** Mr. Chairman, the Department of the Treasury, through their general counsel, appeared before the Committee on Banking and Currency endorsing the substance of this legislation.

The White House, through its spokesman, endorsed this legislation. I have a letter from the President of the United States indicating his support for this particular bill. I strongly urge that the committee bill be approved without change.

Let me be quite frank. I think the facts are very evident to anyone who takes a close look at what the silver situation is. If this bill is approved as it is, there will be a coin with the portrait of President Eisenhower on it available for circulation. If this bill is amended as recommended by this amendment, the net effect would be that there will be no Eisenhower dollar produced for circulation. It is just that cut and dried.

If we want a coin for circulation with President Eisenhower's portrait on it, the bill as recommended by the committee should be approved and not amended.

The **CHAIRMAN.** The gentleman from California (Mr. HANNA) is recognized.

Mr. **HANNA.** Mr. Chairman, this debate is a little like the story of the boy who was given a piece of pie, and on eating it said:

> My, that isn't fit for anything but eatin'.

Some of my colleagues are objecting because our coins are not fit for anything but spending. What is so bad about that? It seems to me that is what a money system is all about. Why does prestige hinge on silver in the dollar? I do not think that old Abe has been hurt because his picture is on the copper penny. His memory has unfailingly been maintained as a great President and one of the world's greatest statesmen.

I suggest that we cease supporting an artificial price of silver to help the silver miners when they do not need our help any more. We have paid tremendously for having the silver States in our Union. I think we have paid them enough. I suggest that we now coin money for its real purpose, which is to move goods and services. That is what this bill does, and I urge its support.

The **CHAIRMAN.** The gentleman from Idaho (Mr. MCCLURE) is recognized.

Mr. **McCLURE.** Mr. Chairman, from 1792 up until 1865 our coinage had real value. From 1792 to 1853 it was 100 percent in its value. Because of minor fluctuations in market values, it was difficult to keep the coinage in circulation. So in 1853 our Government decided to reduce it to 90 percent in order to get away from that particular problem. From that time until 1965 it had 90 percent of face value. That was its purpose. That was the aim of our coinage.

Does it not seem more than passing strange, somehow more than coincidence, that our major problem with the stability of the monetary system of this country has occurred only since we have removed the backing of gold from behind our coinage and in the intrinsic value of our coinage? Why is it that since 1965 we have had greater problems with inflation than ever before? I say this is the time to reverse that trend.

The **CHAIRMAN.** The gentleman from Pennsylvania (Mr. MOORHEAD) is recognized.

Mr. **MOORHEAD.** Mr. Chairman, President Kennedy once said:

> The great enemy of the truth is very often not the lie—deliberate, contrived and dishonest—but the myth—persistent, persuasive and unrealistic.

The myth we face today is that there should be some place for silver in our monetary system. The reality is that we have a silver shortage. If we can accept $10 bills, $100 bills, $1,000 bills, with no more intrinsic value than paper, certainly we can have fractional currency—nickels, dimes, and so forth—without so-called intrinsic value. The reality of the matter is that we do need a metallic system that will work in our telephone booths and in our vending machines and in our parking meters. That is the only reality, and the Banking and Currency Committee has recommended reality to the Congress.

The **CHAIRMAN.** The Chair recognizes the gentleman from Massachusetts (Mr. CONTE).

Mr. **CONTE.** Mr. Chairman, I rise in opposition to the amendment. We debated this bill at great length today. I think we covered the waterfront, but if the gentleman from Idaho is interested in having a coin with intrinsic value, why does he choose the proposed Eisenhower dollar? As I mentioned before on the floor, that on one occasion before we had this tremendous rush on silver, the Treasury Department tried to get rid of 300 million of the silver dollars and shipped them west and paid off the Federal employees on the west coast with the silver dollars. In no time at all, the dollars were back here in the Treasury. No one wanted the silver dollars.

There are only a few States that want the dollar coins, such as Nevada, Idaho, Colorado, Wyoming—some of the Western States. They are the only ones which really want these coins of silver.

So if the gentleman is interested in a coin with intrinsic value, why not pick a coin that really circulates as a medium of exchange, like the penny, nickel, dime, quarter, or half dollar?

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey (Mr. Widnall).

Mr. WIDNALL. Mr. Chairman, I would like to say there has been reference to our past history and the fact that silver was fully in our coinage for many, many years. It was accepted as a fine program, and it provided stability all the way through. But today we have two hundred million people—with vast needs in the economy. Present domestic silver production cannot supply our needs. If we were still operating today in the same way as we were operating years ago, we could go back and buy Manhattan Island for a case of whiskey.

With 40 percent silver in these coins, as provided in the amendment we would be giving a rich reward to the speculators in silver futures in the United States and also giving a rich reward to the producers of silver, giving them a handsome additional profit out of their mining of silver.

If we were to pass the amendment offered by the gentleman, the existing supply of silver held by the United States would be used up in 3 years.

The CHAIRMAN. All time has expired.

The question is on the amendment to the committee amendment offered by the gentleman from Idaho (Mr. McClure).

Mr. McCLURE. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. McClure and Mr. Barrett.

The Committee divided, and the tellers reported that there were—ayes 58, noes 92.

So the amendment to the committee amendment was rejected.

AMENDMENT TO THE COMMITTEE AMENDMENT OFFERED BY MR. M'CLURE

Mr. McCLURE. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. McClure: Page 3, immediately after line 21, insert the following:

"Sec. 2. Notwithstanding the preceding, commencing January 1, 1970, the Secretary shall coin and issue no less than one hundred million silver dollar coins annually until three hundred million of these dollars have been coined. These silver dollars shall bear the likeness of Dwight David Eisenhower and shall be a clad coin the weight of whose cladding is not less than 30 per centum of the weight of the entire coin, and which needs the following additional specifications:

"(A) a diameter of 1.500 inches;

"(B) a cladding of an alloy of eight hundred parts of silver and two hundred parts of copper; and

"(C) a core of an alloy of silver and copper such that the whole coin weighs 24.592 grams and contains 9.837 grams of silver and 14.755 grams of copper."

And renumber the succeeding sections accordingly.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. McCLURE. I yield briefly to the gentleman from Pennsylvania.

Mr. BARRETT. Is this not the same type of amendment the gentleman now is offering on the dollar which was just defeated as to the half dollar? The gentleman is asking for 40-percent silver in this dollar.

Mr. McCLURE. Mr. Chairman, I might respond to the gentleman in this manner: The amendment I have offered and which was just defeated provided for the minting of a 40-percent silver dollar without limit to the number. This amendment limits the number of such coins to be minted.

Mr. BARRETT. But it would be a 40-percent silver dollar?

Mr. McCLURE. That is correct.

It had been my intention to offer an amendment, following the first one, which would have authorized the continuation of the minting of a 40-percent silver Kennedy half dollar.

In view of the action that this House has just taken on the teller vote, I decided that that was futile. So I am asking here to mint 40-percent silver dollars to the extent silver is now on hand in the Treasury and available for this use, to get away from the possibility that indeed the Treasury might have to go out in the market and buy some silver at a higher price, which they have recently sold at a price that is much too low. Also I might indicate to you this is almost precisely the action that passed in the other body today by a vote of 40 to 21. They have authorized the minting of silver dollars containing 40 percent silver with the likeness of Eisenhower to the extent of the silver available. I say to you that is approximately 300 million pieces. This does not disturb the provision of the bill as presented by the committee for the authorization and minting of a cupro-nickel dollar as well. The Treasury could, if they desired, at the same time that they were minting the silver Eisenhower dollar, also be minting a cupro-nickel dollar with his likeness or do it sequentially, whichever they preferred to do.

So, Mr. Chairman, I think while it is very similar to the last amendment, it is limited in its effect and limited to the amount of silver that the taxpayers of this country—the taxpayers of this country today—own and which is being sold by the Treasury Department not to the benefit of the taxpayers but for the benefit of a few users of silver who desire to continue to have a depressed and artificial price of silver in the market.

Mr. Chairman, I urge the adoption of my amendment.

Mr. BARRETT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman I merely want to point out that the Members have had a long-drawn-out session last night and today. I am quite sure they are tired and I think we ought to terminate this.

I want to pay my commendations to the gentleman who is offering this amendment. It is good legislative maneuvering, but it is identically the same thing as we just defeated better than 2 to 1.

I ask for an immediate vote on the amendment.

The CHAIRMAN. The question is on the amendment to the committee amendment offered by the gentleman from Idaho (Mr. McClure).

The question was taken; and on a division (demanded by Mr. McClure) there were—ayes 45, noes 73.

So the amendment to the committee amendment was rejected.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 5, strike lines 1 and 2 and insert in lieu thereof the following:

"Sec. 5. Section 3513 of the Revised Statutes (31 U.S.C. 316) and the first section of the Act of February 28, 1878 (20 Stat. 25; 31 U.S.C. 316, 458), are repealed."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 5, following line 5, add the following new section at the end:

"Sec. 6. The dollars initially minted under authority of section 101 of the Coinage Act of 1965 shall bear the likeness of the late President of the United States, Dwight David Eisenhower."

AMENDMENT TO THE COMMITTEE AMENDMENT OFFERED BY MR. CASEY

Mr. CASEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman from Texas will state his parliamentary inquiry.

Mr. CASEY. Mr. Chairman, is the amendment which I have at the desk now in order?

The CHAIRMAN. Is the gentleman's amendment an amendment to the committee amendment?

Mr. CASEY. Well, it is to add to section 6; yes, sir.

The CHAIRMAN. If the gentleman is offering this as an amendment to the committee amendment, the Clerk will report the amendment.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. Casey: Page 5, line 9, after "Eisenhower", strike out the period and add "on one side and on the other side thereof the inscription 'We Came in Peace for All Mankind' and the official design prescribed by the National Aeronautics and Space Administration as emblematic of the Apollo 11 flight."

Mr. CASEY. Now, Mr. Chairman, this proposed coin would bear the likeness on one side, if the committee amendment is adopted, and I am sure it will be, of the late President Eisenhower.

Now, I have not checked a silver dollar in a good while, but my recollection is that most of them have the eagle on the other side of it. Of course, that is traditional, because the eagle is the symbol of our great country.

My amendment will not get away from that tradition, the tradition of the great American eagle.

Mr. Chairman, if you walk down the street nowadays and ask someone what happened on July 21 of this year, somebody will say, "Well, I got a new car," and someone else will say, "It was my daughter's birthday." In fact, Mr. Chairman, their memory gets a little short.

July 21 of this year was the day on which one of the greatest accomplishments in history took place. The "Eagle" landed at Tranquillity Base. The eagle—the good old American eagle, landed on Tranquillity Base.

Mr. Chairman, my amendment proposes that on the reverse side of this coin we place the American eagle, the symbol of the greatest accomplishment that man has ever made—reaching the moon. The space program started under President Eisenhower. So it is very symbolic and it should be on the other side of this coin.

Some will say that we are trying to make this a commemorative coin. We are going to make billions of these. They want it to be in circulation. They say that is why no silver is in it. Let us put it in circulation and keep all our people reminded of this accomplishment we have made, remind them that the American people were the first to land a man on the moon. So I urge you to support this amendment. If we can tell them to put President Eisenhower's picture on there, we can tell them to put this symbol.

If any of the Members wish to take a closer look at what I am suggesting there is a picture of one at the Democrat desk, and one at the Republican desk. It is very appropriate, and I think it would be helpful.

Mrs. **SULLIVAN**. Mr. Chairman, will the gentleman yield?

Mr. **CASEY**. I yield to the gentlewoman from Missouri.

Mrs. **SULLIVAN**. Mr. Chairman, there are certain requirements of law for the design of our coinage. Each coin must contain on the reverse a figure or a representation of an eagle with the inscription "United States of America" and "E Pluribus Unum," and a description of the value of the coin. There is no reason why the Apollo 11 eagle could not be used. The Presidential seal bearing an eagle was used on the Kennedy half dollar.

The Congress does not have to decide on the actual design, and I do not believe that we should try to specify the full design. The reverse side of the coin would be very crowded if, in addition to the various inscriptions already required by law, you put on it the additional inscriptions called for in your amendment.

Would the gentleman possibly accept an amendment to his amendment to propose that the reverse of the coin be based on the motif of the Apollo 11 flight emblem, so that the designer could have some leeway?

Mr. **CASEY**. Mr. Chairman, I thank the gentlewoman from Missouri for the suggestion since the gentlewoman is so well versed in the laws that are applicable to our coinage, and I would certainly consider and appreciate her contribution because I think we should direct them in some manner, and that was the purpose of my amendment.

I will be glad to accept such an amendment if the gentlewoman has it drafted. I will be glad to accept it as a substitute.

Mrs. **SULLIVAN**. The only thing I have is this suggested language as a substitute:

> And on the other side thereof, a design which is emblematic of the symbolic eagle of Apollo 11 landing on the moon.

Mr. **CASEY**. I will accept that amendment.

The **CHAIRMAN**. Is the gentlewoman from Missouri prepared to offer the exact language of the substitute to the amendment offered by the gentleman from Texas?

SUBSTITUTE AMENDMENT OFFERED BY MRS. SULLIVAN FOR THE AMENDMENT TO THE COMMITTEE AMENDMENT OFFERED BY MR. CASEY

Mrs. **SULLIVAN**. Mr. Chairman, I offer a substitute amendment for the amendment to the committee amendment offered by the gentleman from Texas (Mr. Casey).

The Clerk read as follows:

> Amendment offered by Mrs. Sullivan in the form of a substitute for the Casey amendment to the committee amendment: On page 5, line 9, insert "and on the other side thereof, a design which is emblematic of the symbolic eagle of Apollo 11 landing on the moon."

The **CHAIRMAN**. The gentlewoman from Missouri (Mrs. Sullivan) is recognized for 5 minutes in support of her amendment.

Mrs. **SULLIVAN**. Mr. Chairman, I will not require the full 5 minutes. I believe that I have explained that this substitute does give the designer leeway in the symbol to be placed on the reverse side of the coin, if it is going to be changed.

Mr. **GROSS**. Mr. Chairman, will the gentlewoman yield?

Mrs. **SULLIVAN**. I yield to the gentleman from Iowa.

Mr. **GROSS**. Mr. Chairman, I would ask the gentlewoman from Missouri is this proposal to be symbolic of an eagle landing on the moon, or the astronauts landing on the moon?

Mrs. **SULLIVAN**. The eagle.

Mr. **GROSS**. An eagle landing on the moon? I did not know we had any eagles that had yet reached the moon.

Mrs. **SULLIVAN**. Mr. Chairman, the design, under 31 United States Code 324 must include an eagle. I would ask the gentleman from Iowa if Eagle was not the name of the space vehicle that landed on the moon? The amendment relates to a design emblematic of the Apollo eagle—meaning the United States of America.

Mr. **GROSS**. The eagles they fly high in Bombay.

The **CHAIRMAN**. The question is on the substitute amendment offered by the gentlewoman from Missouri (Mrs. Sullivan) for the amendment offered by the gentleman from Texas (Mr. Casey) to the committee amendment.

The question was taken; and the Chairman being in doubt, the committee divided, and there were—ayes 63, noes 26.

So the substitute amendment was agreed to.

The **CHAIRMAN**. The question is on the amendment to the committee amendment offered by the gentleman from Texas (Mr. Casey), as amended by the substitute.

The amendment to the committee amendment was agreed to.

The **CHAIRMAN**. The question is on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

Mr. **BARRETT**. Mr. Chairman, I do not want to prevent Members from having the opportunity to offer their amendments, but time is running and I am hopeful that we might be able to set a time to limit debate.

Mr. Chairman, I ask unanimous consent that debate on the bill, and all amendments thereto, conclude at 6 o'clock and 15 minutes p.m.

Mr. **EDWARDS** of Alabama. Mr. Chairman, I object.

Mr. **BARRETT**. Mr. Chairman, I move that all debate on the bill, and all amendments thereto, conclude at 6 o'clock and 20 minutes p.m.

PREFERENTIAL MOTION OFFERED BY MR. GROSS

Mr. **GROSS**. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

> Mr. Gross moves that the Committee do now rise and report the bill to the House with the recommendation that the enacting clause be stricken out.

Mr. **GROSS**. Mr. Chairman, I offer this amendment seriously. This funny money bill ought to be defeated right now by striking the enacting clause.

Yes, apparently the House is just about to complete the job of debasing the currency of the United States, and I am unalterably opposed to this kind of business.

We have heard a lot this afternoon about the savings that have been accomplished through the business of taking silver out of quarters and dimes. Now you want to complete the job by taking the silver out of the dollar and half dollar. Where has the money gone that you claim to have saved? Has it brought a reduction in taxes for our citizens? Where has the money gone that you say you have saved?

You talk about the shortage of silver. Two or three years ago you brought in a bill that took silver, the intrinsic value, out of quarters and dimes. In that same year this country sold 44 million ounces of silver abroad.

I do not think anyone will deny that we have been selling silver abroad ever since, yet you say we do not have the silver to keep a respectable currency in this country.

What else can you do to debauch and degrade the currency of this country? What else? Some years ago this Government bought printing presses in Britain because Americans do not make them with speed enough to turn out paper money in common usage fast enough.

Earlier this afternoon I said I would expect that after the enactment of this bill, and within a short period of time, the Banking and Currency Committee, which seemingly likes to debase and debauch our currency, would be out with a bill to legalize wampum. And there was such a thing, as I explained this afternoon, as wampum-peag, a little less valuable wampum.

Why not make the dollar out of iron? Why not use washers and locknuts, which the farmers and others could use for other purposes? They could be used for many purposes including money. Those of you who have young children could use them in the repair of bicycles. My friend Grandpa CELLER could give them to his grandchildren as well as use them for money.

Where are you taking this country? What are you doing to the monetary system of this country? As I said earlier this afternoon, internationally we are now out to paper the world with paper gold. But gold, we are told, is evil; it is an anacronism, although everybody else in the world covets it. And so, in answer to the demands of international bankers, this Government entered into a combination with them to paper the world with paper gold. What else? What else can you do to debauch the currency and monetary system of this country?

Mr. KLEPPE. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from North Dakota.

Mr. KLEPPE. I thank the gentleman for yielding. I wish to compliment him on his dissertation of funny money.

Mr. GROSS. I thank my friend from North Dakota and yield back the balance of my time.

Mr. BARRETT. Mr. Chairman, I rise in opposition to the amendment. I do not want to take the time of the Members. I am certain the gentleman who just left the well is well respected and loved by every Member of the House. I want him to know that I respect him, too. But I cannot go along with this amendment. All the coins I have in my hand have stamped on them the images of Presidents from Lincoln on, and they even have Thomas Jefferson on them. This is not funny money. I think we should vote this amendment down.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. In a moment. I would just say to the gentleman, if he would permit me to say this, I know too many people who would take 5-ton trucks, back them up to the source, and load this funny money onto the trucks. That is how funny this money is.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, this bill provides for the sale of $3 million worth of silver dollars, does it not?

Mr. BARRETT. Yes. I am glad the gentleman brought that up. That is very wisely handled by the Treasury. The Treasury, in handling these 3 million rare dollars, will sell those for approximately $4 million. This is doing what the gentleman is always clamoring for: It is putting money into the Treasury. It will be a great gain. There are people anxious to buy these coins and it will be a healthy return.

Mr. GROSS. Mr. Chairman, if silver is in such short supply, why does the Treasury not melt the dollars down and use the silver, if the silver situation is so acute with respect to silver?

Mr. BARRETT. They can get more for these rare coins than they can by melting them down. I know the gentleman and respect and admire him, and I know the gentleman will agree with me. I know he does not want to put silver half dollars into circulation and let other people melt them down. We have put nearly 1 billion 40-percent-silver dollars into circulation since 1966 and we cannot find one of them today in any industrial area.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I yield to the gentleman from Massachusetts.

Mr. CONTE. Mr. Chairman, I would like to correct the gentleman from Pennsylvania. He said there would be about $4 million from the sale of the silver dollar coins. The figure will be much greater than that. We have 2,900,000 at the going silver price, which will be more than $4 million. We will have an auction and they will go to the highest bidder and they will bring in much more than that.

Mr. BARRETT. I am glad to be corrected. They will be worth much more than $4 million, I am sure.

Mr. CONTE. If they were all melted down, we would not get more than 2½ ounces of silver out of each of those.

Mr. BARRETT. Mr. Chairman, I ask for a vote on the motion offered by the gentleman from Iowa.

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from Iowa.

The preferential motion was rejected.

AMENDMENT OFFERED BY MRS. SULLIVAN

Mrs. SULLIVAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. SULLIVAN: Add the following new section at the end:

"SEC. 7. Title I of the Coinage Act of 1965 is amended by adding the following new section at the end:

" 'SEC. 109. (a) The Secretary may mint proof coins of the denominations set forth in section 101 from such metals or alloys as he may deem appropriate.

" '(b) Proof coins minted under authority of subsection (a) shall be sold in such a manner as to assure a reasonable opportunity to all interested individuals to purchase directly from the Government at least one set of such coins of each year for which they are minted.' "

The CHAIRMAN. The gentlewoman from Missouri is recognized in support of her amendment.

PARLIAMENTARY INQUIRY

Mr. BARRETT. Mr. Chairman, am I not correct in assuming we have set a time limit on the bill and all amendments thereto?

The CHAIRMAN. The gentleman is not correct.

Mr. BARRETT. Mr. Chairman, then I now ask unanimous consent that we terminate all debate on the bill and all amendments thereto at 20 minutes after 6.

Mr. ROBERTS. Mr. Chairman, I object.

Mrs. SULLIVAN. Mr. Chairman, reserving the right to object, may I have the right to speak for 5 minutes on my amendment.

Mr. BARRETT. Mr. Chairman, I understood the gentlewoman was recognized previously.

MOTION OFFERED BY MR. BARRETT

Mr. BARRETT. Mr. Chairman, I move that all debate on the bill and all amendments thereto terminate at 6:25.

The CHAIRMAN. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARRETT).

The motion was agreed to.

The CHAIRMAN. The gentlewoman from Missouri is recognized.

Mrs. SULLIVAN. Mr. Chairman, my amendment is a simple one, to take the Treasury out of the coin dealers' pocket and require the mint to distribute numismatic materials for the benefits of the rank-and-file individual coin collector—the amateur hobbyist who collects coins for pleasure rather than as a business. We all have such constituents who buy specimen coins for their collections and who are not interested in acquiring, or financially able to build, a business inventory in proof sets.

Almost every year since the great coin scramble of 1964, when investors and speculators discovered the possibility of quick profits in bags of silver coins purchased at a premium from bank tellers or bank officials having access to the supply, legitimate coin collectors interested primarily in the numismatic aspect of coins have been complaining to us about their inability to obtain the coins they want for their collections. Nearly all of the 2¼ billion Kennedy half dollars were diverted from normal channels of coin distribution to speculators and dealers. And proof sets suddenly became hot items bought and sold at high premiums.

The Bureau of the Mint turns out only about 3,000,000 proof sets a year at the San Francisco assay office. Before 1964, it was always possible to send in an order and have it filled. But in 1964 the order lists were closed so quickly that many individual collectors were frozen out. No proof sets were offered for subsequent years until 1968, by which time the Treasury decided to raise its price from $2.10 to $5. Even at that price, enough orders were received within a few months to account for the full year's output, and when that happened, it was discovered that dealers were getting $12 and $15 for them. So the following November 1, when the order books were opened at San Francisco for the 1969 sets, enough orders were received in 1 week's time to force the mint to return all subsequent orders.

A staff member of the House Banking and Currency Committee was in the San Francisco assay office on November 12 and went through many of the orders for the maximum of 20 sets each. There were hundreds of duplications—air mail special delivery orders from the same individuals. The mint filtered out as many such duplicate orders as it could find, totaling about 1,000,000 sets. It still had enough orders left to account for the entire year's production. So none of the orders received after November 8 could be filled.

Now the mint has announced that orders for 1970 sets will be accepted beginning November 1 for only five sets per order. We can look for another race by dealers intent on getting their orders in early, under a variety of names, to disguise the fact that they are all going to the same person or firm.

This is an intolerable situation for the average hobbyist. It is an Oklahoma land race to see who can get there before the next fellow—before the dealers corner the supply.

My amendment does two things: it authorizes the Treasury to use special coatings or materials to make the proof coins more attractive than the silverless cupronickel coins so that they are truly artistic specimens of our coin art. But, more importantly, it specifies that each individual coin collector who wants one must be given an opportunity to obtain a set, under procedures which will prevent dealers from obtaining multiple sets until and unless each individual collector who wants one can obtain a single proof set.

The coin dealers will not like this amendment, but the individual coin collector—the amateur hobbyist—will. If only 3 million sets can be produced a year, let us make sure that 3 million different individuals who want them can get a set each, rather than have dealers obtain them by the hundreds.

Mr. BARRETT. Mr. Chairman, will the gentlewoman yield?

Mrs. SULLIVAN. I am happy to yield to the gentleman from Pennsylvania.

Mr. BARRETT. I see no objection to the gentlewoman's amendment. There are no precious metals in here, and no silver.

Mrs. SULLIVAN. There is no silver required. It gives the Treasury a choice of metals to use.

Mr. BARRETT. I see no objection to it. If the other side would not oppose it, I believe we could accept the gentlewoman's amendment.

Mr. CONTE. Mr. Chairman, will the gentlewoman yield?

Mrs. SULLIVAN. I am happy to yield to the gentleman from Massachusetts.

Mr. CONTE. Is it the gentlewoman's intention, so that we have a legislative history, that no silver be put into these coins?

Mrs. SULLIVAN. It does not specify that there be no silver.

Mr. CONTE. It says any metal. I should like to get the gentlewoman's idea, as the author of the legislation.

Mrs. SULLIVAN. We have a metal called columbium. It is a very hard, very shiny, very pretty metal.

Mr. CONTE. I am well aware of it. I should like to ask the gentlewoman again if it is her intention—I believe it is—not to have any silver in these coins.

Mrs. SULLIVAN. That is right; no silver as a specified proportion. We are not asking for any silver as such, just for a pretty coin the collectors can keep. The clad coins are not that attractive or desirable. Perhaps some silver might be used as a silver wash, or something of that kind. I am not proposing use of silver.

Mr. GROSS. Mr. Chairman, will the gentlewoman yield?

Mrs. SULLIVAN. I am happy to yield to the gentleman from Iowa.

Mr. GROSS. I am not from Massachusetts, and I have no manufacturers who particularly use silver. Is there some reason why these dollars, half dollars, dimes, and quarters are not made out of stainless steel?

Mrs. SULLIVAN. This will be left to the judgment of the Treasury, as to which metals to use for these specimen coins—strictly numismatic materials.

Mr. GROSS. Would it not be more effective in deluding the public if these so-called coins were nice and bright and shiny at all times?

Mrs. SULLIVAN. That I cannot answer for the gentleman; I am sorry.

Mr. BARRETT. Mr. Chairman, we would have no objection to the amendment, if the gentleman from New Jersey has no objection.

Mr. WIDNALL. Mr. Chairman, I have no objection.

Mr. OLSEN. Mr. Chairman, will the gentlewoman yield?

Mrs. SULLIVAN. I yield to the gentleman from Montana.

Mr. OLSEN. There is a question I asked earlier. Could the committee devise for the House a report as to what has happened to the silver stockpile and the silver coins in the Treasury and in the stockpile during the last 10 years?

Mrs. SULLIVAN. That does not appear in our committee report, but I am sure we can get that information, and we will.

Mr. OLSEN. We will know, then, from the report, the price for which the silver was sold?

Mrs. SULLIVAN. Yes.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Missouri (Mrs. SULLIVAN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ROBERTS

Mr. ROBERTS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROBERTS: Page 4, after line 2, add a new section to be known as section 2(b), as follows:

"The Secretary of the Treasury is authorized to mint 500,000 half dollars with the likeness of Sam Rayburn, for sale to the Sam Rayburn Library at full value plus die cost. Said coins to be cupro-nickel per section 101(b)."

POINT OF ORDER

Mr. BARRETT. Mr. Chairman, I make the point of order, much as I hate to, that the gentleman's amendment is not germane.

The gentleman is talking about minting a coin and making a profit from it. The bill calls for making coins, putting them into circulation, and making no profit.

The CHAIRMAN. Does the gentleman from Texas wish to be heard on the point of order?

Mr. ROBERTS. Yes, Mr. Chairman.

This is a coin the same as the other coins to be minted by the mint. The fact that they are to be distributed all through the Sam Rayburn Library would certainly not affect the subject matter of the amendment. It is certainly germane. This is a coinage act.

The CHAIRMAN (Mr. MATSUNAGA). The Chair is prepared to rule.

The amendment offered by the gentleman from Texas provides for the issuance of 500,000 half-dollar coins bearing the likeness of the late Speaker of the House, Sam Rayburn.

The amendment specifies that these coins are not to be put into general circulation but are to be sold to the Sam Rayburn Library for its use. These coins would be commemorative coins intended for sale by the library at a price above their face value, with the proceeds to be derived therefrom accruing to the library's benefit. The purpose of the bill before the committee relates to the issuance and minting of public currency and the disposal of certain previously minted coins withdrawn from circulation and now held by the Secretary of the Treasury.

The Chair does not think the issuance of coins which, although they might eventually find their way into public circulation, are designed and minted primarily for a private purpose is a subject that is germane to that under consideration. Therefore the Chair sustains the point of order.

AMENDMENT OFFERED BY MR. M'CLURE

Mr. McCLURE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McCLURE: Page 5, immediately after line 9, add the following:

"SEC. 7. Any silver held by the Treasury in excess of that needed to complete the minting and issuing of any coin under this act shall be retained for use in a commemorative coin to be issued in conjunction with the bicentennial celebration of the United States in 1976."

POINT OF ORDER

Mr. BARRETT. Mr. Chairman, I make the point of order that this is exactly the same as the amendment that has been ruled on and therefore is out of order. It is also a commemorative coin.

Mr. McCLURE. May I be heard on the point of order, Mr. Chairman?

The CHAIRMAN. The Chair will hear the gentleman.

Mr. McCLURE. Mr. Chairman, there is a distinction between this amendment and the one that was just offered by the gentleman from Texas (Mr. ROBERTS) in that his called for the minting of a specific commemorative. This amendment is designed to prevent the disposition of the silver by the Treasury Department and to retain it for future uses of the Treasury Department which undoubtedly will be called upon in 1976 in connection with the commemoration of the bicentennial of this Nation. It does not make any sense at all, I think, for this country to dispose of all its silver and then turn around a few years from now and go into the market and buy it back at a higher price for purposes which can be anticipated at the present time. This is not to authorize the minting of the coin but to direct the Treasury with respect to the disposition of this silver at the present time.

The CHAIRMAN (Mr. MATSUNAGA). The Chair is prepared to rule.

The amendment offered by the gentleman from Idaho applies to the issuance of a commemorative coin to be issued in conjunction with the bicentennial celebration of the United States in 1976. It is not in keeping with the purpose of the bill before the committee and therefore the Chair sustains the point of order.

Mr. BARRETT. Mr. Chairman, I ask unanimous consent that all debate now close on the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MATSUNAGA, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 14127) to carry out the recommendations of the Joint Commission on the Coinage, and for other purposes, pursuant to House Resolution 574, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. M'CLURE

Mr. McCLURE. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. McCLURE. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. McCLURE moves to recommit the bill H.R. 14127 to the Committee on Banking and Currency with instructions to report the bill back forthwith with the following amendment: Page 3, immediately after line 21, insert the following:

"SEC. 2. Notwithstanding the preceding, commencing January 1, 1970, the Secretary shall coin and issue no less than one hundred million silver dollar coins annually until three hundred million of these dollars have been coined. These silver dollars shall bear the likeness of Dwight David Eisenhower and shall be a clad coin the weight of whose cladding is not less than 30 per centum of the weight of the entire coin, and which meets the following additional specifications:

"(A) a diameter of 1.500 inches;

"(B) a cladding of an alloy of eight hundred parts of silver and two hundred parts copper; and

"(C) a core of an alloy of silver and copper such that the whole coin weighs 24.592 grams and contains 9.837 grams of silver and 14.755 grams of copper."

And redesignate the succeeding sections accordingly.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 257, nays 65, not voting 109, as follows:

[Roll No. 228]

YEAS—257

Adair
Adams
Addabbo
Alexander
Anderson, Calif.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Ayres
Baring
Barrett
Beall, Md.
Belcher
Bell, Calif.
Bennett
Betts
Bevill
Biester
Blanton
Blatnik
Boggs
Bolling
Bow
Brademas
Brasco
Brock
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Buchanan
Burke, Mass.
Burlison, Mo.
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cabell
Carter
Casey
Celler
Chamberlain
Chappell
Clancy
Clark
Clausen, Don H.
Clawson, Del
Clay
Cleveland
Colmer
Conable
Conte
Corbett
Corman
Coughlin
Cowger
Culver
Daddario
Daniels, N.J.
Davis, Ga.
Davis, Wis.
de la Garza
Dellenback
Denney
Dent
Derwinski
Dickinson
Donohue
Downing
Dulski
Duncan
Dwyer
Edwards, Ala.
Eilberg
Erlenborn
Esch
Eshleman
Evins, Tenn.
Feighan
Fish
Flood
Flowers
Ford, Gerald R.
Ford, William D.
Foreman
Frelinghuysen
Friedel
Fuqua
Galifianakis
Gallagher
Garmatz
Gaydos
Giaimo
Gibbons
Gilbert
Goldwater
Gonzalez
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gubser
Gude
Halpern
Hamilton
Hanley
Hanna
Harsha
Harvey
Hathaway
Hawkins
Hechler, W. Va.
Heckler, Mass.
Henderson
Hogan
Holifield
Horton
Hungate
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Johnson, Pa.
Jones, Tenn.
Kastenmeier
Kazen
Kee
Keith
Kleppe
Kluczynski
Kuykendall
Kyl
Landrum
Langen
Leggett
Long, Md.
Lukens
McCarthy
McClory
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
Macdonald, Mass.
MacGregor
Madden
Mahon
Mailliard
Mann
Matsunaga
Mayne
Melcher
Meskill
Miller, Calif.
Mills
Minish
Mink
Minshall
Mize
Mizell
Mollohan
Monagan
Moorhead
Morse
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
Obey
O'Hara
O'Neill, Mass.
Passman
Patten
Pelly
Perkins
Philbin
Pirnie
Podell
Preyer, N.C.
Price, Ill.
Price, Tex.
Purcell
Quillen
Railsback
Rees
Reid, Ill.
Reuss
Robison
Rogers, Colo.
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Ruth
St Germain
St. Onge
Sandman
Schadeberg
Schneebeli
Schwengel
Sebelius
Shipley
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Snyder
Stafford
Staggers
Stanton
Steiger, Wis.
Stephens
Stratton
Stubblefield
Sullivan
Symington
Taft
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Tiernan
Udall
Vander Jagt
Vanik
Vigorito
Waggonner
Watkins
Watson
Watts
Weicker
Whalen
White
Widnall
Wiggins
Williams
Wilson, Bob
Winn
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Yatron
Young
Zion

NAYS—65

Abbitt
Abernethy
Ashbrook
Biaggi
Brinkley
Burke, Fla.
Burleson, Tex.
Bush
Caffery
Collins
Cramer
Daniel, Va.
Delaney
Dorn
Dowdy
Foley
Fountain
Fulton, Pa.
Gross
Grover
Hagan
Hall
Hammerschmidt
Hansen, Idaho
Hansen, Wash.
Hicks
Hull
Johnson, Calif.
Landgrebe
Lennon
Long, La.
McClure
Marsh
May
Miller, Ohio
Montgomery
Olsen
O'Neal, Ga.
Pettis
Pike
Poage
Poff
Pryor, Ark.
Randall
Rarick
Rhodes
Roberts
Rogers, Fla.
Roth
Roudebush
Satterfield
Scherle
Scott
Sisk
Springer
Steiger, Ariz.
Stuckey
Talcott
Teague, Calif.
Ullman
Utt
Wampler
Whitten
Zablocki
Zwach

NOT VOTING—109

Albert
Anderson, Ill.
Anderson, Tenn.
Arends
Ashley
Aspinall
Berry
Bingham
Blackburn
Boland
Bray
Brooks
Brown, Calif.
Broyhill, Va.
Burton, Calif.
Button
Cahill
Camp
Carey
Cederberg
Chisholm
Cohelan
Collier
Conyers
Cunningham
Dawson
Dennis
Devine
Diggs
Dingell
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Evans, Colo.
Fallon
Farbstein
Fascell
Findley
Fisher
Flynt
Fraser
Frey
Fulton, Tenn.
Gettys
Griffin
Haley
Harrington
Hastings
Hays
Hébert
Helstoski
Hosmer
Howard
Jonas
Jones, Ala.
Jones, N.C.
Karth
King
Kirwan
Koch
Kyros
Latta
Lipscomb
Lloyd
Lowenstein
Lujan
McCloskey
McKneally
McMillan
Martin
Mathias
Meeds
Michel
Mikva
Morgan
O'Konski
Ottinger
Patman
Pepper
Pickle
Pollock
Powell
Pucinski
Quie
Reid, N.Y.
Reifel
Riegle
Rivers
Rodino
Rosenthal
Roybal
Ruppe
Ryan
Saylor
Scheuer
Smith, N.Y.
Steed
Stokes
Taylor
Thompson, N.J.
Tunney
Van Deerlin
Waldie
Whalley
Whitehurst
Wilson, Charles H.
Wold
Wolff

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hays with Mr. Arends.
Mr. Griffin with Mr. Camp.
Mr. Taylor with Mr. Devine.
Mr. Stokes with Mr. Harrington.
Mr. Rodino with Mr. Button.
Mr. Burton of California with Mr. Lloyd.
Mr. Brooks with Mr. Berry.
Mr. Bingham with Mr. McCloskey.
Mr. Aspinall with Mr. Cederberg.
Mr. Albert with Mr. Anderson of Illinois.
Mr. Howard with Mr. Cahill.
Mr. Dingell with Mr. Collier.
Mr. Hébert with Mr. Cunningham.
Mr. Roybal with Mr. Lujan.
Mr. Gettys with Mr. Blackburn.
Mr. Fulton of Tennessee with Mr. Bray.
Mr. Farbstein with Mr. O'Konski.
Mr. Fallon with Mr. Broyhill of Virginia.
Mr. Edwards of California with Mr. Hosmer.
Mr. Pepper with Mr. Dennis.
Mr. Wolff with Mr. Pollock.
Mr. Jones of Alabama with Mr. Frey.
Mr. Kirwan with Mr. Jonas.
Mr. Boland with Mr. McKneally.
Mr. Carey with Mr. Hastings.
Mr. Cohelan wtih Mr. Quie.
Mr. Morgan with Mr. King.
Mr. Charles H. Wilson with Mr. Michel.
Mr. Thompson of New Jersey with Mr. Reid of New York.
Mr. Waldie with Mr. Mathias.
Mr. Jones of North Carolina with Mr. Martin.
Mr. Pucinski with Mr. Reigel.
Mr. Rivers with Mr. Latta.
Mr. Steed with Mr. Lipscomb.
Mr. Edwards of Louisiana with Mr. Reifel.
Mr. Fascell with Mr. Ruppe.
Mr. Fisher with Mr. Whitehurst.

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Mr. Evans with Mr. Saylor.
Mr. Kyros with Mr. Smith of New York.
Mr. Tunney with Mr. Whalley.
Mr. Edmondson with Mr. Wold.
Mr. Flynt with Mr. McMullan.
Mr. Mikva with Mr. Lowenstein.
Mr. Patman with Mr. Helstoski.
Mr. Rosenthal with Mr. Conyers.
Mr. Brown of California with Mrs. Chisholm.
Mr. Koch with Mr. Powell.
Mr. Haley with Mr. Ashley.
Mr. Ottinger with Mr. Karth.
Mr. Pickle with Mr. Fraser.
Mr. Ryan with Van Deerlin.
Mr. Anderson of Tennessee with Mr. Scheuer.
Mr. Eckhardt with Mr. Diggs.
Mr. Findley with Mr. Meeds.

Mr. MIZELL changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a joint resolution of the following title in which concurrence of the House is requested:

S.J. Res. 158. Joint resolution to authorize the minting of clad silver dollars bearing the likeness of the late President of the United States, Dwight David Eisenhower.

COINAGE ACT AMENDMENTS

Mr. **BARRETT**. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate joint resolution (S.J. Res. 158) to authorize the minting of clad silver dollars bearing the likeness of the late President of the United States, Dwight David Eisenhower, a joint resolution similar to the bill (H.R. 14127) just passed by the House.

The Clerk read the title of the Senate joint resolution.

The **SPEAKER** pro tempore (Mr. Sisk). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. Res. 158

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 101 of the Coinage Act of 1965 (31 U.S.C. 391) is amended—

(1) by inserting "one-dollar pieces," after "pursuant to this section" in subsection (a);

(2) by redesignating paragraphs (1), (2), and (3) in subsection (a) as paragraphs (2), (3), and (4), respectively, and by inserting before redesignated paragraph (2) a new paragraph as follows:

"(1) the dollar shall have—

"(A) a diameter of 1.500 inches;

"(B) a cladding of an alloy of eight hundred parts of silver and two hundred parts copper; and

"(C) a core of an alloy of silver and copper such that the whole coin weighs 24.592 grams and contains 9.837 grams of silver and 14.755 grams of copper."; and

(3) by inserting at the end of such section the following new subsections:

"(d) The dollars initially minted under the authority of subsection (a) shall bear the likeness of the late President of the United States, Dwight David Eisenhower.

"(e) Commencing on January 1, 1970, and until such time as the supply of silver available to the Treasury on January 1, 1970, for coinage purposes is exhausted, or December 31, 1972, whichever is earlier, the Secretary shall cause to be minted and issued dollars authorized by subsection (a) at a rate of not less than one-hundred million coins annually."

(b) Effective on January 1, 1973, or on such earlier date as the President shall by proclamation declare that the supply of silver available to the Treasury for coinage purposes is exhausted, section 101 of the Coinage Act of 1965 is amended to read as follows:

"Sec. 101. The Secretary may coin and issue one-dollar pieces, half dollars or 50-cent pieces, quarter dollars or 25-cent pieces, and dimes or 10-cent pieces in such quantities as he may determine to be necessary to meet national needs. Any coin minted under authority of this section shall be a clad coin the weight of whose cladding is not less than 30 per centum of the weight of the entire coin, and which meets the following additional specifications:

"(1) The dollar shall have—

"(A) a diameter of 1.500 inches;

"(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

"(C) a core of copper such that the whole coin weighs 22.68 grams.

"(2) The half dollar shall have—

"(A) a diameter of 1.205 inches;

"(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

"(C) a core of copper such that the whole coin weighs 11.34 grams.

"(3) The quarter dollar shall have—

"(A) a diameter of 0.955 inch;

"(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

"(C) a core of copper such that the weight of the whole coin is 5.67 grams.

"(4) The dime shall have—

"(A) a diameter of 0.705 inch;

"(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

"(C) a core of copper such that the weight of the whole coin is 2.268 grams."

MOTION OFFERED BY MR. BARRETT

Mr. **BARRETT**. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Barrett moves to strike out all after the resolving clause of the joint resolution, Senate Joint Resolution 158, and to insert in lieu thereof the provisions contained in H.R. 14127 as passed, as follows:

"Section 1. Section 101 of the Coinage Act of 1965 (31 U.S.C. 391) is amended to read as follows:

" 'Sec. 101. (a) The Secretary may mint and issue coins of the denominations set forth in subsection (c) in such quantities as he determines to be necessary to meet national needs.

" '(b) Any coin minted under authority of this section shall be a clad coin. The cladding shall be an alloy of 75 per centum copper and 25 per centum nickel, and shall weigh not less than 30 per centum of the weight of the whole coin. The core shall be copper.

" '(c)(1) The dollar shall be 1.500 inches in diameter and weigh 22.68 grams.

" '(2) The half dollar shall be 1.205 inches in diameter and weigh 11.34 grams.

" '(3) The quarter dollar shall be 0.955 inch in diameter and weigh 5.67 grams.

" '(4) The dime shall be 0.705 inch in diameter and weigh 2.268 grams.'

"Sec. 2. Half dollars as authorized under section 101(a)(1) of the Coinage Act of 1965 as in effect prior to the enactment of this Act may, in the discretion of the Secretary of the Treasury, continue to be minted until January 1, 1971.

"Sec. 3. (a) The Secretary of the Treasury is authorized to transfer, as an accountable advance and at their face value, the approximately three million silver dollars now held in the Treasury to the Administrator of General Services. The Administrator is authorized to offer these coins to the public in the manner recommended by the Joint Commission on the Coinage at its meeting on May 12, 1969. The Administrator shall repay the accountable advance in the amount of that face value out of the proceeds of and at the time of the public sale of the silver dollars. Any proceeds received as a result of the public sale in excess of the face value of these coins shall be covered into the Treasury as miscellaneous receipts.

"(b) There are authorized to be appropriated, to remain available until expended, such amounts as may be necessary to carry out the purposes of this section.

"Sec. 4. Section 4 of the Act of June 24, 1967 (Public Law 90–29; 31 U.S.C. 405a–1 note) is amended by adding at the end thereof the following new sentence: 'Out of the proceeds of and at the time of any sale of silver transferred pursuant to this Act, the Treasury Department shall be paid $1.292929292 for each fine troy ounce.'

"Sec. 5. Section 3513 of the Revised Statutes (31 U.S.C. 316) and the first section of the Act of February 28, 1878 (20 Stat. 25; 31 U.S.C. 316, 458) are repealed.

"Sec. 6. The dollars initially minted under authority of section 101 of the Coinage Act of 1965 shall bear the likeness of the late President of the United States, Dwight David Eisenhower and on the other side thereof, a design which is emblamatic of the symbolic eagle of Apollo 11 landing on the moon.

"Sec. 7. Title I of the Coinage Act of 1965 is amended by adding the following new section at the end:

" 'Sec. 109. (a) The Secretary may mint proof coins of the denominations set forth in section 101 from such metals or alloys as he may deem appropriate.

" '(b) Proof coins minted under authority of subsection (a) shall be sold in such a manner as to assure a reasonable opportunity to all interested individuals to purchase directly from the Government at least one set of such coins of each year for which they are minted.' "

The motion was agreed to.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to carry out the recommendation of the Joint Commission on the Coinage, and for other purposes."

A motion to reconsider was laid on the table.

A similar House bill (H.R. 14127) was laid on the table.

GENERAL LEAVE

Mr. **BARRETT**. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

THE TRAGIC PLIGHT OF MISSING U.S. SERVICEMEN

(Mr. **SIKES** asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. SIKES. Mr. Speaker, a truly tragic part of the Vietnamese war has been the refusal of the North Vietnamese to provide information on missing U.S. servicemen who presumably are held prisoner by the Communists. There are 1,350 U.S. servicemen missing in action and many of these are presumed to be prisoners of the Communist forces. Little is known about the plight of these men, their physical condition, or even whether they are living or dead. The continuing refusal of the Communist captors to divulge information is a shocking indictment of the cruel methods which they follow and their indifference to humanitarian considerations. It is a great pity that those who protest the war do not spend their time protesting Communist inhumanity.

An equally serious part of the problem is the fact that the families of these missing men in most cases know little or nothing about them. Even the fact that they are prisoners of war frequently is not confirmed, and the families can only hope that their loved ones are still alive. The Geneva Conference long ago established a program for humane treatment of prisoners of war and nearly all non-Communist nations have abided by its terms. These include an exchange of mail, inspection of camps by a neutral organization, and delivery of medical aid and food parcels to prison camps. None of these have been allowed by the Communists in Vietnam. Hanoi signed the Geneva Conference agreement in 1957 but now refuses to abide by its terms.

Efforts have been in progress for months seeking a less barbaric attitude on the prisoners-of-war problem by the Communists but these have been unavailing. Representations to the Communist delegates at the peace conference in Paris have also been rejected.

An effort is now being made to establish November 9 as a nationwide day of prayer for the prisoners. This could be a meaningful movement by Americans from the President on down and one which should have the very active support of the Nation.

MORATORIUM

(Mr. POAGE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POAGE. Mr. Speaker, it would be foolhardy to predict on the proceedings of today, but it is clear to me that the proceedings in the House of Representatives last night must have given the North Vietnamese and the Vietcong their greatest encouragement since the stopping of the bombing of North Vietnam and the withdrawal of American troops.

The talkathon of last night was well billed and advertised and has even been reported as nothing more than an exercise of free speech or a dignified discussion of vital issues—and when one takes most of the speeches completely separate from their context, it can be seriously contended that they were a presentation of dissenting viewpoints. Certainly I would not deny anyone the right to express his own views or to question the wisdom of Government policies, but when these views are presented in such a manner and under such staging as to encourage the enemy to believe that such presentation is evidence of a complete lack of determination on the part of the United States, it can only result in the prolongation of the war and the loss of the lives of more American boys.

Nor does the fact that we are willing to assume that those who presented these views did so in good faith, in anywise change their effect. The authorities in Hanoi were obviously duly impressed and recognized the tremendous advantage dropped in their lap. In spite of the fact that the North Vietnamese openly and officially applauded this so-called moratorium, I did not hear one speaker last night repudiate association with the enemy.

At least until the next session of the Supreme Court the Constitution of the United States still defines treason as giving aid and comfort to the enemy of the United States. Regardless of what anyone said last night, aid and comfort was given to our enemies in large measure. I turned on my car lights this morning, as I wanted it clearly understood that I intend to give the enemies of my country no aid or comfort.

U.S. FLAG EMBLEM FOR POLICE—H.R. 14337

(Mr. RARICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. RARICK. Mr. Speaker, in the turmoil and disorder of our times, it would do us well to look again to our beginnings.

The Declaration of Independence recites that men are endowed by their Creator with the inalienable rights of life, liberty, and the pursuit of happiness. It then declares that it is to secure these rights that governments are instituted among men.

We would do well to recognize again that the principal, if not the sole function, of government is to secure to men their God-given rights of life, liberty, and the pursuit of happiness. This means to protect men from other men who would infringe on these rights—nothing more, nothing less.

We maintain Armed Forces to protect our citizens from foreign powers which would hamper their exercise of these rights. That is the function of the national Government, the Government of the United States.

The separate States maintain police departments for the protection of their citizens against those individuals who would interfere with their rights to life, liberty, and the pursuit of happiness. In the District of Columbia and on other Federal reservations we maintain similar police.

Like our soldiers, our police are our first line of defense. Disorder and crime are curbed by the 24-hour watch which they keep. Without recognition, without thanks, usually underpaid, and subject to criticism and insult from every quarter, these public servants put their lives on the line so that we may live ours more freely.

Some cities have recognized the role of their police officers by making an American flag shoulder patch a part of their uniform. The results have been unexpectedly good. The recognition that the local police officer protects what is best in America is promoted by his wearing of the American flag. This has resulted in increased morale in the department, better understanding by the authorities, and more cooperation and recognition by the community in general.

It has had another unexpected result. The number of assaults on police officers has diminished drastically, and the number of officers injured in line of duty has declined.

Even criminals seem to respect the flag, and possible incitement of radicals and revolutionaries by the shoulder patch seems to have been minimal.

Mr. Speaker, yesterday I introduced H.R. 14337 providing for the wearing of such an emblem, the American flag, as an integral part of the uniform of the police officers on duty here in the District of Columbia—the Metropolitan Police, the Capitol Police, the White House Police, and the Park Police.

I include the text of the bill:

H.R. 14337

A bill to require that the uniform of officers and members of the uniformed police forces in the District of Columbia shall bear a distinctive patch showing the flag of the United States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the uniform of officers and members of the United States Park Police, the White House Police, the Capitol Police, and the Metropolitan Police force of the District of Columbia shall bear a distinctive patch showing the flag of the United States.

(b) The Secretary of the Interior in the case of the United States Park Police, the Secretary of the Treasury in the case of the White House Police, the Capitol Police Board in the case of the Capitol Police, and the Commissioner of the District of Columbia in the case of the Metropolitan Police force shall prescribe such regulations as may be necessary to carry out the purposes of this Act.

IS THE ADMINISTRATION EXPECTING THE GOVERNMENT TO BE THE EMPLOYER OF LAST RESORT?

(Mr. HANNA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HANNA. Mr. Speaker, last Tuesday I took the floor to express my concern over the dishearteningly large increase in unemployment reported for the month of September. To say that I was astonished by the cacophony of administration officials out gloating each other as thousands of Americans entered the ranks of the unemployed would be an understatement.

Of course, in all fairness, these administration people were not slapping backs because more Americans were unemployed, but rather because they viewed the half percent rise in unemployment as a sign that the administration's anti-inflation policies were taking hold. Yet, I can still see before my minds eye the somber-faced press secretary telling the White House news corps that the President will not move against inflation at the expense of jobs. I really must admit it was difficult for my poor abilities to reconcile the President's chief spokesman's somber tones with the fact that most of his policy advisers were out celebrating the half percent rise.

While I might be one of the last to question the sincerity of these good officials, I most certainly have the obligation to question their good sense on this issue.

The most recent unemployment statistic taken by itself demonstrates nothing more than a lot of people became jobless during September. When added to other unemployment data published in the last few months, a trend toward a rising rate is discernible.

What is not discernible is the basis for concluding that rising unemployment signals the need to publicly demonstrate that the Administration's anti-inflation policies are taking hold. There seems to be some dispute among administration supporters and officials that this is in fact the case.

While the Bureau of Labor Statistics was making its announcement, the Chairman of the Federal Reserve was telling the House Banking and Currency Committee that he has not seen any strong indications of a slowdown. At least there was not a statistic that sufficiently impressed Mr. Martin to offer the possibility of lower interest rates in the foreseeable future. If anything, the administration seems to be telling us we can expect continued high rates both in interest and unemployment.

The day after the Bureau announcement, Prof. Milton Friedman, Chicago University economist and the President's economic adviser in the 1968 campaign, predicted recession if the present administration policies are continued. Friedman suggested that the unemployment rate would range higher than 7 percent unless the Federal Reserve eased its tight money policies. And I have already reported what Chairman Martin's views are on easing the tight money situation.

At this point in the Record I would like to include the Washington Post report of Professor Friedman's testimony before the Joint Subcommittee on Economy in Government:

Fed Sparking a Recession, Senators Told

(By Hobart Rowen)

Unless the Federal Reserve quickly relaxes its tight money policy, the nation faces "an unnecessarily severe recession next year," with unemployment ranging higher than 7 per cent.

That was the somber judgment offered yesterday by Prof. Milton Friedman, the noted Chicago University economist and campaign adviser last year to President Nixon.

A long-time critic of the Fed, Friedman testified before Sen. William Proxmire's subcommittee on Economy in Government, and later elaborated on his fears of a recession to reporters.

The committee also heard testimony from Brookings Institute economist Charles L. Schultze and from Ralph Nader on the need for efficiency and new incentives to improve government operations.

Nader complained that regulatory agencies do not make compliance surveys regularly—indeed, in some cases not at all.

"Endemic non-enforcement voter time builds up a corruption of the political legal process that is difficult to overestimate," he said.

Schultze, former Budget director, cited a number of subsidies for business, industry and farm groups that he said work inefficiently, at great cost to taxpayers.

One major drawback in managing public enterprise, Schultze said, results from the Budget Bureau's failure to charge the right departments with all the costs they incur. An example that fascinated the committee is that the Defense Department is not charged with the cost of atomic warheads for its nuclear weapons.

Proxmire (D-Wis.) said he would ask Budget Director Robert P. Mayo to comment on this and other aspects of Schultze's testimony.

Unemployment rates in the vicinity of 7 per cent would be the highest since the 1958 recession, Friedman said. And he warned that the Federal Reserve "has but little time" in which to reverse its policy.

"But I see no signs that they are prepared to do so," the controversial economist told the impromptu press conference.

Friedman's assessment of the Fed's posture appeared to be borne out by public and private statements by Federal Reserve Board governors indicating that a solid majority thinks it is too early to loosen the money strings.

Over the weekend, for example, Governors Andrew F. Brimmer and William Sherrill said in separate speeches that the present level of restraint, measured by zero growth in the money supply, would have to be continued for a time.

Fed Chairman William McC. Martin told the House Banking Committee yesterday that current signs of a slow-down in the economy were only slight. In fact, he said "it's hard to see interest rates going down."

But Friedman, internationally noted as the principal exponent of the theory that monetary policy is the single most important determinant of the shape of the economy, said that signs were already present that the over-heated economy is slowing down, in response to tight money.

"There is a serious danger that the Fed is over-doing the matter," he told the Proxmire committee. He cited figures showing that the money stock—currency and checking accounts—which had been increasing by an annual rate of slightly more than 4 per cent for the first half of the year, has not been increasing at all for the past few months.

"That's a very sharp change" Friedman argued, "and it means they probably have gone too far."

His prescription for the right policy, would be a return to a 4 or 4.5 per cent rate of growth in the money supply, which he said would be compatible with the sustainable level of real growth in the economy.

The Fed was unresponsive to Friedman's argument. Nor were they changing their minds because of publication yesterday of labor force figures showing a sharp jump in the September unemployment rate to 4 per cent. Brimmer told The Washington Post that there was still "nothing to suggest" that there has been an improvement in "price behavior."

In order to squelch the last doubt that the administration is pursuing anti-inflation policies at the expense of jobs, Treasury Secretary Kennedy assured us on October 7, 1 day after the Bureau of Labor Statistics announcement, that a higher jobless rate can be expected.

Kennedy refused to be pinned down on the unemployment rate which the administration would consider unacceptable. If one cares to examine the Secretary's testimony on this issue, it would not be unfair to conclude that the administration has not put a ceiling on unemployment and little thought has been given to reverse the trend.

The Secretary's comments make me even more "up tight" when I consider them in the perspective of what administration policy is now doing to the homebuilding industry. Apparently the administration is either unable or unwilling to reverse the present disastrous trend in home building and finance. Will we find this same administration unable or unwilling to reverse a rising unemployment trend? Experience tells us the answer is much less than encouraging.

At this point I would like to include in the Record the Washington Post report of Secretary Kennedy's testimony before the Joint Economic Committee:

Treasury Predicts More Joblessness

(By Jan Nugent)

More people will be unemployed as the Administration pursues its inflation-restraining policies, Treasury Secretary David Kennedy said yesterday.

Kennedy called the September 4 per cent jobless rate "acceptable" but refused to name a maximum unemployment level that would be tolerated.

The September unemployment figure jumped sharply from 3.5 per cent the preceding month to the highest rate in nearly two years. Administration supporters hailed the boost as evidence anti-inflation tactics were working. Former Vice President Hubert Humphrey said it illustrated the Nixon administration's "cruel and mean" economic policies.

"Are we planning for a recession to reduce inflation?" Sen. Stuart Symington (D-Mo.) asked yesterday at a Joint Economic Subcommittee hearing.

"No," Kennedy replied, "we must now watch the timing to make sure that doesn't happen."

Under questioning by Rep. Martha Griffiths (D-Mich.), Kennedy acknowledged that unemployment will rise as the administration presses its anti-inflationary policies. "There's no question as you slow the economy, there will be changes in employment patterns and some increases," he said.

The real test will be to continue the present policies without pushing the country into a recession, Kennedy said. He explained that naming an unemployment figure acceptable to the administration would become "a complete embarrassment," because proper evaluation required consideration of all the indices.

The Treasury secretary said he had no "magic figure" in mind.

Kennedy also fended off Congressional suggestions for wage-price controls, presidential "jawboning," and creation of a new, comprehensive program to deal with joblessness.

Kennedy and Budget Director Robert Mayo pressed the joint committee to give the Administration "the tools it needs" to fight inflation and achieve a budget surplus: a six-month extension of the surtax at a five per cent rate beginning Jan. 1, and repeal of the investment tax credit.

Sen. William Proxmire (D-Wis.), indicated both goals are in jeopardy unless the Administration gives assurances it would act "decisively and effectively" if substantial increases in unemployment result.

The Administration spokesman said they had not drafted a specific set of plans, but named several stabilizing measures which could be invoked: restoration of federal construction; speeding up manpower programs and enactment of family assistance and unemployment insurance measures proposed earlier by the Administration.

Proxmire suggested that a "comprehensive program" to deal with sustained unemployment might help the Administration get more support in Congress for its deflationary measures, such as surtax extension.

"We are not doing recession planning at this time," Mayo explained, because economic adjustments will be "of the nature we can cope with as we move along."

Kennedy reminded the subcommittee a four per cent unemployment rate was regarded as an achievement before the Vietnam war, when jobless levels were usually higher.

Sen. Proxmire agreed that unemployment levels had been higher during other periods of American history, but warned "we can't go back to that."

Although no specific plans have been constructed for substantial employment reverses, "our reasoning would change," Mayo explained. Manpower programs could be speeded up, he suggested.

The Wisconsin Democrat also chided another Treasury official for a recent speech in which the rise in the September unemployment level was hailed as an indication the overheated economy was dropping back "to sustainable levels."

Proxmire told Assistant Treasury Murray L. Weidenbaum, who accompanied Kennedy, his remarks indicated the administration believes the present four per cent figure will be sustained for some time.

Weidenbaum said the committee should not read too much into his speech, which was intended more as an examination of economic history than a prediction of the administration's future course.

If the price for inflation control is to be rising unemployment the question must be asked who will suffer most from such a policy. Statistics suggest that the segment of the labor force which stands to suffer most from rising unemployment will be the young—particularly the nonwhite young.

Anyone familiar with the present social conditions in this country quickly realizes we can least afford to seriously damage this group. Yet this seems to be the tragic direction in which we are heading.

The American Enterprize Institute in an excellent analysis of unemployment concludes with this estimate of the future.

> The impact of a slowdown in the economy upon the job market for young people generally under the age of 25 will be entirely different from what it has been at any time since World War II. A slower rate of job growth will dam up the unemployed at the entry level. Well-educated and experienced young workers will still be in demand. . . . But the job market will be tough for the dropout and the poorly educated.
>
> The youngsters most affected by this development will be the fastest growing group among them, namely the nonwhites. It is not only their growing number which will prove to be a handicap; it is also their lack of education, training, and work experience. In a broader sense it is likely that young people under age 25—males and females, whites and nonwhites, will constitute the most stubborn unemployment problem in the early 1970's.

At this point I would like to include two tables which dramatically demonstrate the conclusion reported by AEI. Table I shows the unemployment rate for April 1969—the time of the AEI publication. While the overall rate during that month shows the economy at virtually full employment the unemployment rate for young workers is more than three times that of the total.

When table II is considered we see that the nonwhite youth rate is twice the corresponding rate. When considered against the total unemployment rate the nonwhite youth rate is almost seven times as high.

TABLE I

	Civilian labor force	Unemployed	Unemployment rate (percent)
Total	79,621,000	2,542,000	3.2
Adult men	46,048,000	902,000	2.0
Adult women	27,338,000	966,000	3.5
Young workers (16 to 19 years)	6,235,000	674,000	10.8

TABLE II

	Civilian labor force	Unemployed	Unemployment rate (percent)
Men:			
White	41,518,000	743,000	1.8
Nonwhite	4,532,000	159,000	3.5
Women:			
White	23,765,000	728,000	3.1
Nonwhite	3,571,000	238,000	6.7
Young workers (16 to 19):			
White	5,565,000	536,000	9.6
Nonwhite	670,000	138,000	20.6
Total:			
White	70,848,000	2,007,000	2.8
Nonwhite	8,773,000	535,000	6.1

While the multipliers of the youth, white and non-white unemployment rate will vary from month to month when considered against the total rate there will not be a downward adjustment. If anything, the multiplying factor may increase. If it does, and unemployment continues to dramatically rise, we can expect an equally dramatic increase in the social tensions now tearing at the substance of this Nation.

There is another aspect of rising unemployment which particularly effects me as a Californian. California, the most highly populated State in the country, consistently leads the largest 10 States in its jobless rate. The last available yearly statistic shows California exceeding the national rate by 1½ percent—table III:

TABLE III.—*1968*

	Percent
California	5.1
Michigan	3.9
Florida	3.8
Pennsylvania	3.4
Texas	3.4
Ohio	3.4
New Jersey	3.3
New York	3.1
Illinois	2.9
Massachusetts	2.9
10 States combined	3.6
Total, United States	3.6

A large part of the California problem stems from the high percentage of unskilled, nonwhite, primarily Mexican-American population. If California will continue to lead the national rate by 1 to 2 points, rising unemployment will have its most dramatic effect on the State having the most serious problems.

At the very local level this rising unemployment trend is beginning to take form. In my congressional district there have been a number of substantial layoffs by the large aerospace manufacturers. Tight money, rising prices, and overseas competition put Garden Grove, Calif., the largest employer out of business. More than 500 people were let go early this month, and the impact on this city of over 100,000 is serious.

Predictably, the first people to be let go in my district were the ones who could least afford losing their jobs. Their chances for reabsorption back into our local economy are tenuous at best.

Rising unemployment—particularly among the young and nonwhite population—portends serious social consequences. Yet, the administration has yet to tell us how they will deal with what could be a terribly explosive period. In fact, we have yet to be told whether the administration plans on dealing with this issue at all.

Let me suggest that if no plans are currently in the works some serious thinking should immediately be given to the Government's role in absorbing this expected large number of unemployed young.

If the administration is not expecting to be the employer of last resort it better restructure its thinking. The social consequences of not preparing for the results of the present policy will be severe.

I urge the administration to begin the planning now for the Government to absorb the jobless youth before we are forced to face this issue by confrontations in the street.

DIGNITY AND RESPECT SHOWN IN DEBATE ON VIETNAM

(Mr. OBEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OBEY. Mr. Speaker, during the discussion on Vietnam policy last night, men in this House who disagree profoundly did so with dignity, purpose, and mutual respect. I hope those who will take part in the moratorium all across the country today will conduct themselves in the same manner.

Those who cry peace must also practice it. Those who ask for an end to violence abroad must practice nonviolence at home.

There were two lessons to be learned from last night's debate, one for our own people and one for our enemies. For our own people, the lesson was that discussion and debate are the strength—not the weakness—of a free people. For our enemies, the lesson is that while we may disagree passionately, we are still one people and will remain so. For Hanoi in particular, the lesson is this and it is an obvious one: The most significant aspect of yesterday's debate is that it could not have taken place in Hanoi.

I am proud of my colleagues on both sides of the political aisle and on both sides of this issue, because that debate did take place here in my country and in this House—a fact which reflects great credit on both this House and American democracy. I most especially want to commend the gentleman from Indiana (Mr. JACOBS), who set the tone of reason which, for the most part, prevailed here last evening, when he said that his purpose was "not to stir up hatred for the President, we have too much hatred in this country already."

I would also like to commend my Republican colleagues. As the Washington Post put it this morning:

> Despite the Republican reluctance to let it happen, they soon became involved in a lively back and forth discussion that was polite and intelligent and provided the most illuminating debate the House has had on the war.

This House last night set an example of respect for conflicting opinion which I hope will be followed throughout the country today and for all days to come.

A TIME TO UNITE

(Mr. PELLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PELLY. Mr. Speaker, in all that is being said across our land today by those participating in what they call a "Moratorium Day," there stands out the stated position that this movement is to get President Nixon to "change his position on the war in Vietnam."

Apparently they do not know what the President's position is or they would know that there is no one who wants peace more than our President.

What has he done to achieve that peace in the last 9 months?

He has set in motion the return home of 60,000 U.S. troops from Vietnam.

He has reduced the level of fighting to the point where our casualties are their lowest in over 3 years.

He has given top priority to turning the war over to the South Vietnamese, allowing them to protect themselves as we withdraw.

He has proposed free elections, under international supervision.

He has offered to negotiate a cease-fire under international supervision.

He has declared that we will retain no military bases in South Vietnam after the war, and that we stand ready to accept any political outcome arrived at through free elections.

He has offered to negotiate everything except the right of the people of South Vietnam to determine their own future.

Mr. Speaker, I for one fully support this position, and I want to stand up and be counted. If Hanoi were to succeed in taking over South Vietnam by force—even after the power of the United States had been engaged—it would greatly strengthen those leaders who scorn negotiation, who advocate aggression, who minimize the risks of confrontation with the United States. It would bring peace now, but it would enormously increase the danger of a bigger war later.

So, what has Hanoi done to end this war? The answer, Mr. Speaker, is that they have done nothing.

This is not to be construed as a condemnation of free speech or a person's constitutional right of redress of grievance. But, it is a reminder that our President has, in just 9 months, gone further than any man in an attempt to end this war, and he should be commended and supported for his achievements.

Above all, it should be remembered that there is only one man in the United States who can legally negotiate peace—and that is our President. A Member of Congress cannot negotiate peace nor can a member of a demonstration.

Mr. Speaker, I extend to the President of the United States my unqualified support for the steps he has taken to date for peace and urge all those demonstrating today to look beyond partisan differences, beyond the slogans surrounding this "Moratorium Day," beyond personal bias or other motivations, and unite behind the President's efforts for achieving peace.

LEADERSHIP IN THE EFFORT FOR PEACE

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROWN of Ohio. Mr. Speaker, I take this moment to inquire of the gentleman from New York (Mr. WOLFF), who suggested the resignation of Ambassador Lodge, Ambassador Bunker, and the leadership in Saigon, if he would name the people with whom he would replace those gentlemen.

As I recall, Ambassador Lodge served in the United Nations, representing the United States under President Eisenhower. He has also been Ambassador to Vietnam, and has served both the Democratic and the Republican administrations in that role.

Ambassador Bunker has served both the previous Democratic administration and the present Republican administration in the role of Ambassador to Vietnam.

Of course, the leadership in Saigon, I assume, is a decision which ought to be made by the Vietnamese people.

I wonder if the gentleman from New York has any positive suggestions about who should replace these people, rather than negative suggestions, which he has made.

Mr. WOLFF. Yes, I have.

Mr. BROWN of Ohio. I am happy to yield to the gentleman to state them.

Mr. WOLFF. I thank the gentleman. I believe Ambassador Harriman did a very good job in Paris. He had arrived at a point in December where a great number of North Vietnamese had been withdrawn up to the 20th parallel in response to the removal talks. In addition, I understand that Mr. Lodge was precluded from engaging in similar talks for 4 months. I do believe that whatever progress was made at that time was negated, and certainly we have not moved any further from that time to today.

Mr. BROWN of Ohio. As I recall, the gentleman concluded his remarks with the request for a change, and I am interested to know that the only change he wants is a change back to the old stalemate.

Mr. SCHERLE. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Iowa.

Mr. SCHERLE. I am very surprised by the suggestion of the gentleman from New York, that Mr. Harriman be renamed chief Paris peace negotiator for the United States. His past performance does not merit reappointment to that post. I recall that when Mr. Harriman arrived in Paris, a reporter asked him, "How long do you think it will be before a successful conclusion of the war is reached? Ambassador Harriman said:

> Well, if we get down to business, it would take about three months.

The reporters asked the North Vietnamese negotiator the same question and he replied:

> I don't know, but I brought my barber along.

The unrealistic appraisal by Mr. Harriman confirms once again the traditional and historic fault of our State Department—naiveness.

THOUGHTS ON THE MORATORIUM

(Mr. MIZE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MIZE. Mr. Speaker, today, October 15, is a day of "moratorium" for millions of Americans. Across the Nation, people from all walks of life are expressing profound concern about the U.S. involvement in the conflict in Vietnam.

The reasons for the widespread impact of this observance are as diverse and confusing as the history of the Vietnam struggle itself. Many are exercising their constitutionally protected right to assemble to petition the Government. No American—and certainly no Member of Congress—should oppose such an exercise. Many will be assembling to pray for peace and an honorable settlement—and no American should fault that motive. Many will be expressing their sorrow at the loss of over 40,000 lives and countless treasure—and all Americans should share that sorrow, today and every other day for time immemorial. The suffering, the incalculable losses in every war are beyond expression and wholly irreplaceable.

Many Americans will assemble today to express their approval of the initiatives President Nixon has undertaken—the troop reduction, the tactical deescalation, the effort for a negotiated settlement. I applaud those who share that view as they gather today.

Yesterday, October 14, the House Republican conference adopted a resolution of importance and commitment. Mr. Speaker, to my mind, the Republican conference resolution articulates the feelings of many observing this moratorium. I wish to express my heartfelt support of its message, and my appreciation to those teachers, students, workers, and members of the clergy who are following a similar line of reason today. The text of the resolution follows:

RESOLUTION ADOPTED BY THE HOUSE REPUBLICAN CONFERENCE, OCTOBER 14, 1969

Whereas President Nixon has committed his Administration to an honorable settlement of the Vietnam war at the earliest possible date, and

Whereas the President has demonstrated the sincerity of that commitment both in word and deed, at the negotiating table and in the field, and

Whereas the President has moved forthrightly to increase the capacity of the South Vietnamese to handle their own responsibilities, and has initiated a policy of substantial reductions of American troops in Vietnam,

Now, therefore, we the duly elected Republican Members of the House of Representatives

Do hereby resolve, that we commend President Nixon for the actions he has taken in reversing the course of the war, and

We express our confidence in, and support of, his efforts to end the war at the earliest practicable date.

STATEMENT ON MORATORIUM

(Mr. CHAMBERLAIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CHAMBERLAIN. Mr. Speaker, today, we are again witnessing the exercise of one of our greatest freedoms—namely, to assemble and express ideas openly and without fear.

Certainly there could be no issue closer to the hearts of the American people than that of establishing and preserving peace.

We are by conviction and tradition a peace-loving, freedom-loving country—never satisfied with one without the other—not only for ourselves but for the other peoples of the world who share our love of peace and freedom.

Throughout this century, we have learned how increasingly difficult it is to reconcile the demands of peace with those of freedom.

It is, indeed, the very heart of the concern, frustration, and impatience we all feel toward the war in Vietnam.

Less than a year ago, the American people went to the polls as our system of government provides and in an orderly process elected a new President. Any fair observer would have to concede that since that time, the course of the conflict in South Vietnam has been significantly and decisively altered, with American soldiers returning home in increasing numbers, a reduction in the overall level of combat and the communication channels have been opened for negotiations in Paris.

The American people spoke, and changes have been made.

While we have not had as much progress as any of us would like, myself included, we have had, and let no one mistake it, very real progress.

I believe the great majority of our citizens feel that our President is doing his very best, in a most difficult and complex situation, and support his efforts. Yes, and I also believe that many who are participating in the moratorium today, no doubt, feel they are somehow strengthening the cause of peace.

Although it is difficult for me to comprehend how the moratorium will accomplish this, I am certain that it will dramatize the fact that many millions of Americans are deeply concerned about the course of the war in Vietnam and that they are yearning for a cessation of hostilities in that battle-scarred land.

While I share the frustrations of Vietnam, I have every confidence that our President is well aware of this deep and genuine concern and wants peace perhaps more than any citizen of our land for he is the one who bears the full burden, the total and unrelenting pressure that persists to aggravate us all.

Mr. Speaker, we have but one President at a time and any peace that is to be achieved must ultimately be hammered out by him. In this most difficult hour, he has my complete faith and confidence.

PRESIDENT NIXON DESERVES NATION'S SUPPORT IN SEEKING SOLUTION TO VIETNAM

(Mr. PUCINSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PUCINSKI. Mr. Speaker, I believe it should be clear to all of us that the debate which we conducted here last night was a good debate, productive and informative. Many Members on both sides of the aisle, on both sides of the issue, had an opportunity to voice their views.

But when one gets through analyzing the entire debate of last night, one comes to the conclusion that there is not really any better answer to resolving the problem of Vietnam than the course the administration is trying to follow for gradual, meaningful withdrawal of our troops and our orderly disengagement from the conflict.

We heard various proposals made here, and I am sure they were sincere. I have made several such proposals myself. But we recall that the gentleman from Indiana who led the debate, when asked by the gentleman from Illinois (Mr. ANDERSON) whether he was for immediate, unequivocal withdrawal of American troops from Vietnam, was constrained to say, "No, I am not for that; I believe there has to be an orderly withdrawal."

When we analyze the speeches being made today all over this country, and when we get through with moratorium Wednesday, by tonight, we will find the debate has gone full cycle and has come right back to the conclusion that the constitutional responsibility for bringing this conflict to an end rests with the President, and only with the President.

Hanoi would make a tragic and fatal error if it interpreted this American exercise in democracy, with thousands of citizens today participating in this debate, as some sort of weakening of the American people in their resolve not to abandon human dignity in South Vietnam. Hanoi would err tragically if it prolongs this conflict on the erroneous belief that American dissent means we Americans are not united in a common cause of preserving freedom for our allies in South Vietnam.

I would hope that after this whole exercise is concluded and every American has had a chance to speak his views today, that tomorrow this country will rally behind the President, our Commander in Chief. Let us give this man a chance to try to work out a solution to this tragic conflict in Vietnam.

I have made a proposal that we freeze shipment of combat troops to Vietnam and as our boys are rotated home we not replace them in Vietnam. Other Members have made proposals. We all want to make some contribution to finding an answer in Vietnam and we have all been searching for a formula to get our boys home and bring peace to Vietnam.

But, in the final analysis, the Constitution vests that responsibility in the President. All of us, on both sides of the aisle, whatever our views may be, ought to now rally behind President Nixon and give this man a chance to demonstrate to Hanoi that a United America says there is going to be no peace in Hanoi until the Communists agree to give the people in South Vietnam a chance to determine their own destiny as free people.

Such unity among all Americans is the way to end this war in Vietnam.

VIETNAM MORATORIUM

(Mr. JACOBS asked and was given permission to address the House for 1 minute.)

Mr. JACOBS. Mr. Speaker, it is the tradition of the House for each Member to be permitted to revise his remarks, but I must say that I do not accept the offer of the gentleman from Illinois to do my revising for me. In fact my position needs no revising. I think the RECORD speaks for itself and there is no point in going back over it again except that I did see in the news this morning that the minority leader said I lived in a fool's paradise. I merely say to the minority leader that I do not live in a fool's paradise. That fool's paradise is inhabited by politicians who still believe it is worthwhile to sacrifice young American lives to defend a dictatorship in Vietnam which is as distant from our basic principles of government as it is from the security of our Nation. I repeat that as a condition for our withdrawal from Vietnam we should insist on the repatriation of every American kid in prison camps in Vietnam and the removal of the some 30,000 South Vietnamese hostages to whom our mistaken policy of unnecessary intervention in that war between those two dictatorships has caused us to be obligated. So you see I do advocate a policy that is different from the President's, namely, a policy that does not make some condition about propping up the Government in South Vietnam before our withdrawal. In other words, mind our own business and let them decide that question for themselves. By "them" I mean the people who live there in Vietnam. We have enough problems of our own here at home.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. JACOBS. Yes. I yield to the minority leader.

Mr. GERALD R. FORD. I said yesterday or last night to the gentleman in the debate in one of our exchanges that he lives in a fool's paradise. I repeat it today, because I do not think his approach to the tragic problem in Vietnam is a practical solution to the problem. Speeches will not end the war but President Nixon's action will. The President of the United States is insisting that the American prisoners of war be returned. The President of the United States is insisting that there be free elections in South Vietnam supervised by the proper authorities. They, the South Vietnamese people, must have the right to determine their own fate and I am glad to say that President Thieu agrees. I gather from what the gentleman from Indiana is saying to me and what he said yesterday that he has no different solution that is a practical answer. At least, he did not say anything concrete or specific.

Mr. JACOBS. I do have a different solution.

Mr. GERALD R. FORD. Does he have a practical answer?

Mr. JACOBS. I do.

Mr. GERALD R. FORD. It was not an answer that was intelligible to anybody on the floor of the House.

Mr. JACOBS. Well, the gentleman may be speaking only for himself. I can explain it to the gentleman, but I cannot comprehend it for him. I would ask the gentleman this question: If the gentleman thinks it is the duty of the United States to democratize nations that are not democratic, is the gentleman in favor now of our declaring war on all of the dictatorships, the Russians, the Chinese, the Spanish—and sending armies there not to be withdrawn until "proper authorities" supervise the institution of democratic elections?

Mr. ANNUNZIO. Mr. Speaker, a point of order.

The SPEAKER. The gentleman from Indiana still has 5 seconds remaining.

Mr. ANNUNZIO. A point of order, Mr. Speaker. I make the point of order that a quorum is not present.

The SPEAKER. The gentleman does not want to make the point of order with the gentleman having 5 seconds left, does he?

Mr. ANNUNZIO. I want my point of order to stay after the 5 seconds.

The SPEAKER. The gentleman from Indiana has 5 seconds left.

Mr. JACOBS. Mr. Speaker, I thank the Speaker for protecting the Members' privileges.

AWARDS BY COUNTRY MUSIC ASSOCIATION

(**Mr. FULTON** of Tennessee asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FULTON of Tennessee. Mr. Speaker, tonight, a nationally televised live program will originate in my home district of Nashville-Davidson County, featuring the presentation of awards by the Country Music Association.

The Kraft Music Hall, hosted by Tennessee Ernie Ford, long established as one of our foremost entertainers, will be broadcast live over NBC–TV, with the program originating in the Grand Ole Opry House in Nashville, Tenn.

As the only Member of the House to represent in the Congress "Music City U.S.A.," I am indeed proud of the position of leadership my constituency holds within the music industry. As a friend of country music, and one with close ties to the artists and performers in this industry, I am pleased to represent Nashville, Tenn., the undisputed capital of country and western music.

Tonight's live telecast of the Country Music Association awards will be one of the major highlights of a week-long series of celebrations.

It is also the occasion of the country music disk jockey convention, the preconvention pro-celebrity golf tournament, and the 44th anniversary of WSM-radio's "Grand Ole Opry," the most successful, continuous radio program in the Nation, and the real beginning and heart of our country music industry.

This year's Opry birthday and disk jockey convention will attract more than 6,000 delegates, representing all 50 States and many foreign countries, anywhere that country and western music is enjoyed and listened to, and that is everywhere.

This year's celebration marked the announcement by WSM of a major development which will mean a nationally prominent facility and a new permanent home for the Grand Ole Opry.

WSM has acquired a 400-acre site for the construction of "Opryland, U.S.A.," a family-oriented park, including a 5,000-seat theater which will become the new home of the Grand Ole Opry, the top-of-the-ladder for every country and western singer or performer. The theater will also be available as a base for the production of major television shows, for use by symphony orchestras and other performing groups. "Opryland, U.S.A.," a $16 million venture, will include a complex of shops, restaurants, and other attractions, designed for family entertaining.

We are proud of our recording industry, our position as "Music City, U.S.A.," and as the home of the Grand Ole Opry.

To each of my colleagues, I would like to extend a standing invitation to visit us in Nashville, and enjoy the outstanding entertainment and the showmanship that is available in the country music capital of the world.

As the queen of country comedy, Miss Minnie Pearl would say, "Ya'll come, we would be just so proud to see you."

VIETNAM: CONFESSION, CRITICISM, CONSTRUCTIVE COMMENT

(**Mr. LEGGETT** asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. LEGGETT. Mr. Speaker, I take this time during the national student moratorium to make my comment and reanalyze our American policy in Southeast Asia. While I certainly do not support any spirited effort to stampede the President to a decision, I do believe this is an appropriate time to take some inventory of my own and American political thought in relation to time, conditions that are present in the American economy and the order of battle in Southeast Asia.

The point I make simply adds up to a conclusion that the alternative to the Americans being pushed into the Tonkin Gulf in 1965 is not exclusively a $40 billion per year war in 1969 and through the 70's.

First a confession.

I would remind the country first of all that on the reverse of the official U.S. Kennedy medal approved by the former President himself there is printed:

> We shall pay any price, bear any burden, etc.

I myself supported the Tonkin Gulf resolution in 1965 with some enthusiasm.

The students are not alone in their criticism of administration management of the war.

In the fall of 1966 Melvin Laird, as chairman of the Republican conference, issued a document, "The U.S. and the War in Vietnam." In this partisan indictment the Republicans criticized the 300,000 U.S. troop involvement and the $13 billion war cost. They called the war a miscalculation and stated that the Government deception was undermining Government. The summary and conclusion of the report follows:

> SUMMARY AND CONCLUSIONS
>
> The involvement of the United States in Vietnam after World War II began with the decision of the Truman Administration to provide economic and military aid in May 1950.[1]
>
> A fragile peace was brought to Vietnam by the Geneva Agreements of 1954, partitioning Vietnam into a Communist North and a non-Communist South. Contrary to most expectations, South Vietnam survived. Indeed, with generous aid from the United States, it achieved what the late President John F. Kennedy called a near miracle between 1954 and 1960. Secretary McNamara spoke of the history of South Vietnam in this period as a "success story."
>
> When President Eisenhower left office, there was no crisis in South Vietnam. There were problems, arising particularly from a renewal of sporadic guerrilla activity by the Vietcong. The dimensions of the problems then compared with the present situation can be gauged from these facts:
>
> 1. In 1960, there were fewer than 700 American military personnel stationed in South Vietnam to train South Vietnamese; today (late August 1966) 300,000 American troops are there to fight.
>
> 2. In 1960, there were 5,000–6,000 Vietcong regulars in South Vietnam; today 282,000 enemy troops are there.[2]
>
> 3. In 1960, no Americans had been killed in combat; as of August 20, 1966, 4,832 have

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[1] The State Department has issued three useful documents on Vietnam: *A Threat to Peace* (Dept. of State Publication 7308, December 1961) referred to herein as *A Threat*. *Aggression from the North* (Dept. of State Publication 7839, February 1961) referred to herein as *Aggression Why Vietnam* (August 1965). A handy compilation of speeches and documents has been prepared by the Senate Committee on Foreign Relations, *Background Information Relating to Southeast Asia and Vietnam* (2d Revised Edition, March 1966) herein referred to as *Background*.

[2] Vietcong strength in 1960 extrapolated from figures given in *A Threat*, pp. 9–10. Present strength reported by Department of Defense, *New York Times*, August 10, 1966.

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been killed and almost 27,000 have been wounded, taken prisoner or are missing.

4. In 1960, and in 1962, more than 80 per cent of the land area of South Vietnam was under the control of the South Vietnamese Government; today it is about 30 per cent or less.

5. In 1960, the cost of aiding South Vietnam to the United States was $250 million—72 per cent of it economic aid; as of the spring of 1966, it was more than $13 billion on an annual basis, of which less than 3 per cent was economic aid.[3]

6. In 1960, 2,000 South Vietnamese civilians were killed or kidnapped by the Viet Cong; in 1965, 14,673 were the victims of a similar fate.

7. In 1960, the physical volume of exports from South Vietnam (a good barometer of economic activity) had dropped to 46 per cent of the 1960 level of exports.

President Truman and President Eisenhower sent American military personnel to Vietnam solely as advisors. During the Kennedy Administration, American airmen began to participate in combat. In 1965, American ground forces began to fight. This commitment of American troops to combat was the decision of President Johnson. It was not forced upon him by the SEATO Treaty or by any other obligation entered into by an earlier administration. Under the Johnson Administration, American forces have begun to assume the major part of the burden of fighting the Communists in Vietnam.

The policy of the current Administration has been uncertain and subject to abrupt change. The objective of the United States in Vietnam has become clouded. By proposing the Geneva Agreements as a basis for peace and by refusing to reveal its attitude toward the proposed coalition government including Communists for South Vietnam, the Administration leaves dangerously obscure the minimum peace terms which it will insist on. Is it willing to accept in Vietnam the kind of settlement reached after World War II for the satellite states of Eastern Europe and in 1962 for Laos?

To what degree miscalculation on the part of the enemy brought about the present war, no one can be sure. Miscalculation must have been encouraged by the failure to match words with deeds throughout the Geneva negotiations of 1961–62 over Laos, by the withdrawal of support from the Diem regime, by the 1964 campaign oratory of President Johnson promising that American boys would not be sent to do the job that Asian boys should do.

The Administration has consistently held off needed military action until the situation in South Vietnam reached a state of acute deterioration. It has failed to use the economic power of the nation in the conflict.

The Administration has not told the American people the truth about the military situation in Vietnam, about the mission of American troops, about war costs, about casualties, about peace feelers. This studied deception strikes at the vitals of the system of popular government.

The result of President Johnson's policies in Vietnam, according to leading administration spokesmen, has been a stalemate with neither victory nor a satisfactory peace in prospect. Secretary McNamara, usually the optimist, assesses the present situation in the words, "We have stopped losing the war," and David Bell, until recently AID Director, says there has not been "significant progress for the last 3 or 4 years" in establishing security and economic progress in the areas in which the Vietcong exercise some influence.

I gave President Nixon my best current advice 2 weeks ago, as follows:

HOUSE OF REPRESENTATIVES,
Washington, D.C., September 23, 1969.

Hon. RICHARD M. NIXON,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I enclose herewith an editorial from the conservative California School Boards publication indicating their impatience with your efforts to extricate us from Southeast Asia.

If you are going to determine the policies of the Presidency on the basis of the minutia of statistics in Southeast Asia, you are destined to the failures of the Johnson Administration. If you could simply set your course on extrication of American forces, and let the Joint Chiefs of Staff know that you cannot be manipulated by subjective Defense Intelligence, you will then be giving the country the leadership which we so critically need.

I know you hesitate to reduce our posture when you note the high number of enemy and friendly casualties which continue to be inflicted and also the alleged high numbers of Vietnamese who continue to arrive in the south. I have a strong feeling that enemy casualties are not nearly as high as we allege them to be and one of the reasons is the fact that the ARVN inflicted casualty statistics are admittedly high, unreliable and probably inflated many thousands every month.

In order to account for the enemy in the battlefield I believe it has been necessary for Defense Intelligence to allege very high infiltration rates to account for the presence of enemy soldiers who have, in fact, never been killed.

Howbeit, since the bombing halt last year, North Vietnamese enemy posture has reduced one-third and the enemy has totally terminated company and battalion size operations.

You should move forthwith today—the Joint Chiefs of Staff be damned—to reduce our ground posture in Vietnam from the current level in excess of 350,000 to a level of 50,000, twelve months hence. The Navy is making plans to relinquish our posture at Vung Tau next June. We could keep the balance of the Navy and Air Force in place since total battle deaths for these departments have been less than 250 men over the past year.

If you would be dramatic you could obtain the support of our city poor and college young which the country needs quite desperately. However, at your current rate of deescalation the young people are going to erupt against you before you can complete the job unless you give positive assurance that you know what you are doing.

To be sure your recent announcements with respect to the draft will be helpful in pacifying some of the objectors; what the country needs, however, is not a piecemeal approach but a total integrated de-escalation of our war economy and peace time conversion. I know your Bureau of the Budget would appreciate a year's projection of our national fiscal policy.

I enclose for your review again one of my recent newsletters pointing up the catastrophe of the last Administration which could fall upon you.

The mish mash of military construction curtailment last week following closely on the passage of the Military Construction Bill by the House and the further passage of a woefully inadequate Housing and Urban Development Program is a confoundment of non-leadership.

I wish you every success in rising to the challenge.

Very sincerely,
ROBERT L. LEGGETT,
Member of Congress.

So in conclusion in perspective I think the students urging the moratorium demonstration on the war are not isolated or even way out. The President has stated he wants to get out. He has ordered a phase down to 484,000 men. The students intend to give him some mood music to reduce these figures even further. I believe my letter to the President presents a constructive program of deescalation that could be accepted. I respect my President's right to make up his own mind. I think he will soon realize that he simply cannot play international poker with American public opinion. This is one of the pitfalls of democracy but it is also a self-corrective device of American greatness.

THE LATE VINCENT DOYLE

(Mr. HUNGATE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous material.)

Mr. HUNGATE. Mr. Speaker, I know my colleagues share the sorrow of losing our friend, Vincent A. Doyle, who has given years of dedicated service here on Capitol Hill. We had great respect and admiration for Vincent as an attorney for the Library of Congress and as president of the Federal Bar Association's Capitol Hill Chapter, and his absence will be a deep-felt loss to us all. Following is the notice from this morning's Washington Post:

VINCENT DOYLE DIES; FEDERAL BAR HEAD

Vincent A. Doyle, president-elect of the Federal Bar Association, died Monday after a heart attack at the Woodner Hotel, where he was staying temporarily.

He was an attorney for the legislative reference service of the Library of Congress.

A native of Brooklyn, Mr. Doyle received his bachelor of arts degree from Notre Dame University and his law degree from Boston University School of Law. He also took graduate courses at Georgetown University Law Center.

In 1949, he joined the legal staff of the copyright office of the Library of Congress and became assistant chief of the examining division three years later.

Mr. Doyle was in private law practice from 1955 to 1958, when he returned to the Library of Congress.

He was a veteran of World War II, serving as director of the Army's 16th bombardment operation training wing.

He was author of a number of papers on civil rights and constitutional law.

In 1965, Mr. Doyle was elected president of the Federal Bar Association's Capitol Hill Chapter. Later he served as treasurer and vice president of the association, and was named its president-elect on Oct. 1 of this year. He had served on the American Bar Association's special committee on presidential inability and vice presidential succession since 1964.

Mr. Doyle was a member of the National Lawyers Club, the Notre Dame Club of Washington and the Boston University Alumni Association.

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[3] *Background*, p. 289. Determining the cost of the war in Vietnam involves difficult accounting problems. In using the figure of more than $13 billion, we rely on Secretary McNamara's estimate of May 11, 1966 that "the incremental costs of the war are on the order of $12 billion a year at the present time," and that military aid to South Vietnam amounts to "about $795 million in the current fiscal year." (Senate Foreign Relations Committee, Hearings, Foreign Assistance 1966, p. 672.) Economic aid to South Vietnam came to $590 million in fiscal year 1966. McNamara's estimate is close to the $13.7 billion estimate of military costs by expert accountants outside the Defense Department. (William Bowen, "*The Vietnam War: A Cost Accounting,*" *Fortune*, April 1966.) This article predicts a cost of $19.3 billion annually when American forces in Vietnam increase to 400,000. XIX, no. 8 (August 1966), p. 308.

He is survived by his wife, Gerdis; two sons, Denis and Christopher, both of Rockville, and two stepdaughters, Carolyn Bowles of Boston and Rebecca Hickey of Washington.

Friends may call at Joseph Gawler's Sons, 5130 Wisconsin Ave. at Harrison St. NW (Parking on premises), on Wednesday, 2 to 4 and 7 to 9 p.m. and Thursday 2 to 4 p.m. Services will be held at the Augustana Lutheran Church, New Hampshire Ave. and V St. NW, on Thursday, October 16, at 7:30 p.m. Interment Gettysburg National Cemetery, Gettysburg, Pa., on Friday, October 17, at 1 p.m.

AN OUTSTANDING CHARACTER FROM LOUISIANA

(Mr. LONG of Louisiana asked and was given permission to address the House for 1 minute and to include extraneous matter.)

Mr. LONG of Louisiana. Mr. Speaker, early this year a young soldier of my acquaintance wrote me to tell me of his decision to join the Army. He thought it his duty. Later in the spring I had a call from his parents, telling me he had been wounded in South Vietnam. I made every effort to discover the nature of his injuries and to have him returned home as quickly as possible, because his mother and father were understandably concerned. Once the redtape was out of the way, we found that he was blind. It was an awful blow to me personally because I have known the boy since he was a child. In fact, he was my page while I was in the Louisiana State Senate, and he lived with my wife and me. His parents have been my close friends as long as I can remember knowing them. His mother was once my legal secretary. She is a former worthy grand matron of the Eastern Star in Louisiana and is now a member of the Louisiana Board of Parole. Their son's wounds are a bitter reward to his parents, but they have not snuffed out his wonderful spirit. We hope and pray that medical science will be able to restore to him his sight.

Therefore, Mr. Speaker, I was pleased to read in the October 11, 1969, issue of the Shreveport, La., Times a column written by Mr. William F. Buckley, Jr., in which he describes a visit with William H. Fullerton, Jr., of Tullos, La., at the Fort Sam Houston Medical Center in San Antonio, Tex. I think it entirely fitting, on this day when many Americans are vocally rejecting duty to country in a spasm of irrelevant protest, that we include Mr. Buckley's remarks in the RECORD. I commend the column to my colleagues and to the Nation:

AN OUTSTANDING CHARACTER FROM LOUISIANA

(By William F. Buckley, Jr.)

SAN ANTONIO.—"It helps, man," he said spiritedly, "if you tell me who you are." The nurse identified herself so that he was then able to refer to her by name. Would he care to join us for some coffee? "I never turned down free coffee in my life," and he climbed down off his bed and struggled with his bathrobe. Unsuccessfully.

The visitor sorted it out and helped him on with it. He chatted on, wanting to know the latest word on New York City politics. He extended his left hand, fastening it on the visitor's right arm, and told him to go ahead. "If we pass any pretty girls, tell me and I'll whistle. I don't know whether there are any around here, but I wouldn't be surprised." (But there were only doctors and nurses as they strolled down the corridor, and the maimed bodies of servicemen.)

He talked on in high spirits, touching on Louisiana politics, concerning which he was expert. He majored in history at LSU and knew and obviously cherished the brawling politics of his home state. "Real upheaval now. The old Huey Long base—the white redneck and the Negroes—is breaking up, since the integration business. The governor is in deep trouble. And you know that Louisiana never votes for the winning president. Not since 1956. Earl Long was my man. I worked for his election when I was nine years old. Outstanding. He knew politics.

NEVER WRONG

"The trick is to play politics and not to get enmeshed in them. He had a way with the voters. 'The South may not always be right,' he said, 'but it is never wrong.' One governor said he hadn't run for public office in order to take a vow of poverty. Next I saw of him was a picture, alongside the president of LSU, cutting sugar cane in a chain gang.

Getting into the car confused him because it was one of those new models, the rear doors opening up to leeward, so that he began to step in facing the rear. At that, you would not know that his experience with blindness is so short. It happened on June 9. William Fullerton was a squad leader, instructed to reconnoiter on a hilltop south of Da Nang.

"We got up there all right, but the area was booby trapped. Half the platoon was hit. My squad—20 men—had 25 casualties during the preceding period, so we were understrength. I thought, God, we're going to be ambushed, and I worried because I couldn't see my gun. But the choppers were there in no time. What a sound when you hear those blades. Outstanding. Thirty minutes later I was in a hospital. Three days later in Japan. I got here the 5th of July, how's that?"

AMERICAN LOGISTICS

American logistics, the visitor admitted, was better than American foreign policy. "They ought to fight that war to win or pull every man out of there tomorrow. If I could see, I'd go back tomorrow, if we'd agree to fight to win. I didn't have to go last time. I was 1-Y. I just figured I'd go and do my Hemingway thing."

What now? "My own doctor says an operation could bring sight back to my right eye. But the people here disagree, they say the eye is too far gone. So I'm headed for Chicago. They'll discharge me there, and I'll go to the Veterans Hospital where they specialize in blind people. If they agree to operate there, fine. If not, I'd have to go and get it done privately, and that costs $2,000. But I suppose it's worth it. I'd like to go back to LSU and take law. But I'll have to wait. They'll teach me Braille at Chicago. Maybe that way you can get to understand Louisiana law. The Constitution is the longest in the world. I started to read it once. Didn't get past the preamble."

It was time to go back. A corporal greeted him on the street outside the hospital door. "Hey, George," he returned the greeting, "what about the kidneys?" George said the doctors hadn't succeeded. "Oh, well, George, just think, you could be ugly, too." George walked off, and Fullerton leaned over, his face deeply grieved. "Awful. He has three children. But with his kidney condition, he can't live more than 15 or 20 years."

Back at the ward, he stood erect by his bed smiling and on finding the visitor's hand, shook it. "Outstanding," he said. "I've had an outstanding time."

NO MORATORIUM FOR OUR FIGHTING MEN IN VIETNAM

(Mr. KLEPPE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. KLEPPE. Mr. Speaker, for several hundreds of thousands of young American men there will be no Vietnam moratorium today. Many of them will be marching but they will be carrying guns, rather than candles.

I speak of our American servicemen who are deployed in South Vietnam and other support stations in the Far East. They, certainly more than any other group of Americans, would welcome an early peace and a safe return to their own country and their loved ones. They, more than any other Americans know what war is because they are there.

As one of several millions of Americans who have a son, a husband or a brother fighting in Vietnam today, this war is not a distant thing for me. Along with every member of my family, I am acutely aware of Vietnam every hour of the day.

I do not propose at this time to go into the reasons for U.S. involvement in Vietnam other than to say that the original purpose was clearly to protect a helpless people from naked Communist aggression and to defend what were deemed to be vital American political and strategic interests in the Far East and the Pacific.

From the letters I receive from my only son, who is with an Army combat unit in South Vietnam, I know that he knows why he is there. He does not want to see a unilateral pullout of U.S. military forces because he is close enough to this war to know what would follow—a quick Communist takeover and the loss of everything for which he and his comrades in arms have been fighting. Perhaps he should be thinking of his own comfort and security first but I am proud of the fact that he is not.

I could not help but wonder how he and the other men of his company felt when they heard the Hanoi broadcast hailing the Vietnam moratorium protests which, it was said, would put the Nixon administration in "a very difficult and confused situation."

According to a United Press International news report in last night's Washington Star, another Hanoi broadcast carried this message of encouragement to the moratorium leaders:

> The Vietnamese people heartily welcome and entirely support the October wave of struggle. The whole world is standing on your side and acting in coordination with you.

In quoting this propaganda piece, I do not wish to infer that the moratorium leaders are consciously serving Hanoi. I am convinced that most of them are sincere in wishing to see the war brought to an early conclusion. I share that wish most fervently, as does President Nixon, and virtually every American. For the tiny minority which may seek to use the moratorium as a cover for inciting riots—for those few who will carry enemy flags today—I have nothing but contempt.

At the same time, I question the wisdom of staging the peace demonstrations at a time when President Nixon has already ordered substantial withdrawal of American troops from Vietnam and is assiduously seeking to obtain from North Vietnam even the tiniest indication that the Communists are willing to undertake serious negotiations to end this long and agonizing war. It is clearly evident that the moratorium will weaken the President's hand in achieving a peaceful settlement and will, at the same time, strengthen Hanoi's resolve to continue its war of aggression against South Vietnam.

Recently I joined with a bipartisan group of 113 House Members in introducing a resolution of support for President Nixon's Vietnam policy of disengagement and troop withdrawal.

It is significant that more than one-fourth of the membership of the House, including 46 Democrats, is sponsoring the resolution. Although the sponsors have varying views on the political and military advisability of U.S. involvement in Vietnam and the manner in which the war has been conducted in the past, all of us agree on these two points:

First, we believe the substantial reductions which will shortly total 60,000—are very clearly in the national interest. President Nixon acted wisely and properly in directing these reductions.

Second, we believe that President Nixon should be supported in his expressed determination to withdraw all remaining ground combat forces from Vietnam at the earliest practicable date.

The next few weeks could be critical in our negotiations with the other side. For that reason I especially deplore any words or actions here on the home front now that would help to convince the North Vietnamese that the United States is tired, weak willed and hopelessly divided. Those who are seeking to make political capital out of Vietnam are doing a grave disservice not only to themselves but to their country.

This is not Mr. Nixon's war. He did not get us into it. He is only trying to get us out. Time after time he has made it clear to the Government of North Vietnam and to its representatives at the Paris peace talks his willingness to walk the extra mile toward an honorable solution.

Mr. Speaker, at this point I include in my remarks a column by Roscoe and Geoffrey Drummond, distributed by the Los Angeles Times syndicate, and published October 5, 1969:

COLUMN BY ROSCOE AND GEOFFREY DRUMMOND

WASHINGTON.—The leaders of the Democratic Party are playing with political dynamite in trying to force President Nixon to withdraw U.S. troops from Vietnam so rapidly as to throw away all prospect of negotiating a peace. They may be the ones who get blown out of the water. That's not important. What is more important is that the United States of America would be hurt—grievously hurt—by this shortsighted, reckless, perilous undermining of what the President is doing to end the war by seeking a fair peace.

No one is suggesting that those who want peace at any price, those who want to withdraw all American forces immediately, regardless of the consequences, should still their protests. All the President and others who are earnestly seeking disengagement *and* a decent peace are asking is that for a reasonable period congressional critics should stop telling Hanoi that it doesn't need to negotiate, that all it has to do is to wait and they—the congressional critics—will see that the U.S. government accepts a no-peace policy.

The Vietnamese war has never been a partisan issue, and attempting to bring it to an end with a fair peace is not a partisan issue. But leaders of the Democratic Party are now trying to make it so. Senator Fred R. Harris of Oklahoma, Chairman of the Democratic National Committee, disclosed this strategy in a candid remark to the press last week. "We will," he said, "hold Nixon responsible if he turns South Vietnam over to the Communists." But simultaneously Senator Harris and Democratic senators like Kennedy, McGovern, McCarthy, Fulbright are continuing to demand such a rapid pull-out of U.S. troops that the end result would be give the Communists control of South Vietnam. Thus, the national chairman of the Democratic Party is not only acting to make Vietnam a pay-dirt partisan issue but is also seeking to put President Nixon in such a box that no matter what he does he's bound to lose. What he's up to is now in the open. He wants to give the Democratic Party all the dividends he can by joining in the pressure on Mr. Nixon to get American troops out of Vietnam fast. But Harris does not intend that the Democratic Party should take any responsibility for an imprudent speed-up of withdrawal. He proposes that if a President gives in to the demand for imprudent speed-up he—not the advocates of speed-up—should be held to blame. In other words, Senator Harris' neat formula is to make Mr. Nixon punishable by the voters if he doesn't yield to pressures to get out quick and also if evil consequences come from yielding to such pressures.

Senators and Congressmen have special responsibility. They know that the President has the constitutional duty to conduct foreign policy and that negotiating peace is the most difficult and delicate act of foreign policy. Heckling and harrassing the President is delaying the peace, not hastening it. Have the Democrats forgotten so soon that Richard Nixon is acting to end a war which he inherited from his Democratic predecessor and which they helped to authorize? Harris and those Democrats he is rallying to put the voice of his party behind the peace-at-any-price student-faculty protests October 15 are playing with fire. It wouldn't matter, if they weren't also undermining the chances of negotiating a just peace.

THE MORATORIUM ON THE WAR IN VIETNAM

(Mr. O'NEILL of Massachusetts asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. O'NEILL of Massachusetts. Mr. Speaker, last evening during the debate Mr. JACOBS was going to yield to me for 15 minutes, but the dialog got to such a point that I did not have the opportunity to speak, either then or later.

Therefore, I am happy to have this opportunity now to participate in the moratorium discussion.

Mr. Speaker, this is an age of dissent. It is now commonplace for those who disagree with policies of governments to demonstrate that disagreement. It is little wonder we have had the age of dissent. There are 500,000 men in Vietnam, still 56,000 in Korea, and more than 500,000 in all sections of the world. More than $900 billion have been spent on war or the prevention of war. Every man has the right to dissent—for dissent makes those in power, in authority, in the establishment, and the people as a whole aware of our inequities. America will become greater and more responsive because of dissent, and this moratorium, in my belief, is good for the Nation.

I regret that the debate was cut off last evening. It was one of the finest and most meaningful dialogs that I have heard in my years in Congress.

When the question of Vietnam is discussed, there are so many things we can talk about. Actually, I think that there are only three choices in policy—and I do not want to discuss or argue why we are there or who put us there—I want to discuss the present situation.

What are the choices that we have? The first choice that we have is to revert to conducting the war the way it was being fought 2 years ago. We could go back to bombing the North and heavy search and destroy missions. This was the situation in September of 1967 when I first came out in opposition to this war. At that time 12,000 men had been killed and today 40,000 men have been killed.

The second choice is to really try to win the war militarily as we never did. We never bombed Hanoi, we never bombed the rice paddies, we never bombed the dams, we never invaded. I think all of us realize and understand that if we were to do that, we would probably cause world war III, and I do not want that, and I cannot imagine any Member of this body would want that.

There is one other choice, and if we are to be reasonable men and not want to see the war of attrition continue, which is what going back to the old policy would be, and if we do not want to bring on nuclear holocaust and the destruction of the world as we know it, which is what would happen if we were to make the second choice, then we must take the last course. And that is to get the boys out of there and to get the boys home as quickly as we possibly can. We do not want to leave troops there or a population there only to see them lose their lives in blood baths of revenge and recrimination and that consideration is part of the phrase "as soon as we possibly can."

But something must be stressed, and I am afraid it has not been stressed sufficiently so far. That is, we must do what is best for America. We all care about the world, but our considerations cannot be based on what is best for South Vietnam, what is best for North Vietnam, but only what is best for the United States. This war is tearing our Nation and destroying us as surely as it is the nation of South Vietnam. Every program that must be enacted, all the funds that must be appropriated are being ignored so that this war can be pursued. It is not in the interest of the United States. And the interest of the United States should be our only concern.

Almost 300,000 Americans, young men in the prime of life, have been killed or wounded in a war that has lasted too long, devoured our resources and divided our Nation. We cannot tolerate the loss of our youth in a morass of never-ending

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conflict. I believe that the third choice is the only one that is in the interest of the United States. I want to say at this point that I approve of what the President has done. I think the President is on the right track. He said that he was going to improve on Clark Clifford's timetable. He said that he was going to bring the men home more quickly than Clifford would have. As a Member of the Congress of the United States, I am going to keep after the President to see that he fulfills this promise and brings the boys home as quickly as possible.

I realize that we might not be able to get the troops home in 3 weeks or 2 months or a year. But we must get the action started. We must have a steady, definite withdrawal of troops, for when we get the action started, it is my belief that then the North Vietnamese in their own interest will respond.

This is what the American people want. This is why the moratorium is taking place. A great many Americans are speaking out today. First, because they do not accept the first choice going back to conducting the war as it has been fought for too many years with a loss of too many lives and an expenditure of too much of our resources. Second, they do not want the second choice. They do not want to go to full-scale war, bombing, invasion and the inevitable result, a third world war. Thirdly, the people of America are speaking out today because they want their boys, they want action and they want it quickly.

I just have one further point, but it is an important one. For those who advocate war, full-scale war, with the bombing of North Vietnamese cities and dams, harbors and agriculture settlements, I can only recite history and point to the lesson taught by history.

I have no doubts that saturation bombing and an invasion of North Vietnam could bring about defeat of the North Vietnamese. However, the danger of a world war through continued escalation is real. In the summer of 1961, the late President John F. Kennedy and former Premier Khrushchev confronted each other over the Berlin crisis. The Russian head of state told the President that if our troops were not pulled out of Berlin, the Russians would invade. President Kennedy's answer was that there would be no troop cutback and a Russian invasion of Berlin would mean world war. When the President called for a troop buildup, the Russians were convinced of our sincerity and our willingness to go to war over this issue, and they did nothing.

In October 1962 a similar situation developed. When the late President John F. Kennedy learned that there were missiles in Cuba, he demanded their removal. At the first the Russians refused; but when they realized that the United States was willing to risk war by blockading Cuba in order to have the missiles removed, they complied.

The lesson from these two crises is that the Soviet Union accurately judged the determination of the United States and knew that there were certain limits to peaceful accommodation. There is now a similar situation with regard to Vietnam. A world power can only be pushed so far before the obligations of position and the need to retain influence make it resist.

We can push the Russians and the Chinese to a certain point, but beyond that point they must resist or relinquish any influence they have and resign themselves to being second or third rate powers. I think it naive and foolhardy to assume that the United States can escalate this war and expect no retaliation or resistance.

Our Government has been told by Peking and by Moscow—by Kosygin himself—that if we invade North Vietnam they will be obliged to come to the rescue of their ally, the North Vietnamese Government. If we refuse to believe this statement we are foolhardy, because we have done the same thing when the situation has been reversed. We have been willing to risk nuclear war to protect our interests—and so would the Soviet Union.

I mention this for those who might consider the second choice. It will only bring about the third world war and an end to everything we have ever fought for and tried to do for this Nation. The American people want peace, they want their sons, they want the growth of the Nation. If this moratorium does anything to bring about the action and the policy that will end this war at an earlier date, then our leaders will be fruitful. We cannot miss the opportunity, we cannot pass up the chance to influence policy.

CERTAIN REPUBLICAN MEMBERS SUPPORT SUDDEN, MAJOR ESCALATION OF THE WAR IN VIETNAM AS A MEANS OF ENDING IT

(Mr. YATES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YATES. Mr. Speaker, the distinguished majority leader has asked me to yield to him and I yield to the majority leader.

Mr. ALBERT. I thank the gentleman from Illinois.

(Mr. ALBERT asked and was given permission to revise and extend his remarks.)

Mr. ALBERT. Mr. Speaker, I have just been handed a news ticker item that struck me as being rather unusual, especially in view of the names of some of those who signed a letter addressed to the President of the United States, the letter being signed by the gentleman from Arizona (Mr. STEIGER), the gentleman from Maryland, Mr. ROGERS MORTON, whose national position in the Republican Party is well known, and by other Members.

Mr. Speaker, the release reads as follows, as reported:

> Representative SAM STEIGER urged congressional support today for a sudden, major escalation of the war in Vietnam as a means of ending it.
>
> He is quoted in the release as follows:
>
> "Half-hearted wars are seldom won," Steiger said in a letter addressed to President Nixon. "Tough enemies are seldom convinced by half-hearted efforts that they need to negotiate in good faith."
>
> STEIGER said the letter had been signed by 14 other Republican Members of Congress, including national chairman Rogers C. B. Morton of Maryland. He said he is seeking other signatures on the letter, to be sent to Nixon later in this day of antiwar demonstrations.
>
> Representative Steiger was quoted as further saying:
>
> "We believe this dirty little war with a third-rate power can and must be brought to an honorable end if the United States is ever again to hold up its head in the family of nations."
>
> There is an alternative to half-hearted prosecution of the war, it said, "to put it simply, a sudden major escalation of the war with one aim in mind—victory."
>
> The letter urged immediate resumption of the bombing of North Vietnam, including the river dikes which protect the North's major rice growing areas. It says South Vietnam's Rangers should be sent into the North to infiltrate and retaliate with the same guerrilla tactics employed against South Vietnam.
>
> "We have watched with growing indignation the efforts of some in and out of Congress to dishonor our Nation by effecting a complete surrender to the Communist Government of North Vietnam.
>
> "We are concerned Americans, who represent constituents that are fed up with halfway measures and talk of cowardly retreat, and urge you to take drastic steps either to force the North Vietnamese to negotiate in good faith or to bring about American victory."

Now, Mr. Speaker, we know that both parties are divided on the issue and that there are those in favor of much more aggressive action against North Vietnam, but it comes as passing strange that a distinguished member of the Republican Party would be a signatory to a letter which in my opinion runs so counter to the recommendations of the President of the United States.

THE POSITION OF THE CHAIRMAN OF THE REPUBLICAN PARTY ON THE WAR IN VIETNAM

(Mr. WALDIE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WALDIE. Mr. Speaker, I listened to the news release with great interest. Although I find no agreement with any of the contents of the letter, I am pleased that the chairman of the Republican Party has withdrawn from his original charge that those who took a view contrary to the President and thereby presented a break in unity with the President, were actually doing a service to the enemy.

THE WAY HOME

(Mr. HORTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HORTON. Mr. Speaker, it is fall, and suddenly, the air is filled with shouts and slogans. The quiet spring and summer have died with the fallen leaves. The rustle of frustration, ferment and protest grows louder, muted only by the angered and anguished cries of those whose marching feet stir the leaves of change.

It is fall, and there is still war, and a draft blows cold on young America. The fall is reminiscent of past falls when there was war, and when the draft blew cold. It is reminiscent of last fall when the hope and need for change stirred the voices and votes of Americans. There is change, but it is small, and it is fall.

Let me take a page from the President's inaugural address and attempt to look beneath the shouting and the slogans to examine with a softer and more analytical voice the problem of Vietnam.

This week, hundreds of thousands, and maybe millions of Americans interrupt their daily routine to join in demonstrations against the continuation of the war in Vietnam. These demonstrations, some in the form of religious services, some in the form of marches, others involving the reading of the 40,000 American Vietnam dead will say with a loud voice, what we already know—that the American people have grown tired, frustrated, and angry over a war whose objectives are clouded at best, and whose only certainties are death and the depletion of our national resources and national spirit.

Americans should exercise their right to free and open expression and dissent. But dissent has to be responsible. The temptation to oversimplify opposition through slogans serves only to make the opposition itself less relevant and less meaningful to those who must decide the complex questions of policy.

I believe that the moratorium can claim one accomplishment. It makes crystal clear what has been clear to many of us for years—that there can be no unity of the American people behind any Vietnam policy as long as the loss of lives and the frustration of fighting a limited-objective war continue.

This does not mean that no policy other than immediate withdrawal can be a responsible policy. It merely means that no policy which depends on the united support of all the American people cannot succeed as long as the war continues.

Opposition to the Vietnam war has long since hardened beyond the point of reversal among a large segment of Americans. In fact, this opposition, hardening with each new casualty report, has spread for many into an almost broadside opposition to everything military. Quite apart from responsible and objective expressions of dissent and opposition to the war or to specific military programs, such eye- and ear-catching slogans as: "Hey, hey L. B. J., how many kids have you killed today?" "Hell no, we won't go," and "ABM is an Edsel," add nothing to meaningful debate—they merely help crystallize opposition for opposition's sake, and they turn the ears of responsible Americans away from what protesters are really trying to say.

The reading of the names of our 40,000 dead soldiers should not be a long slogan of protest.

If such readings are used to taunt the Government and the country whose people and policies these brave men died to support and defend, the readings will only profane and dishonor the names of the best of America's youth. If, on the other hand, they are read in memorium, in an effort to drive home the fact that too many have already died in this war, such readings may well point out the grief and despair our people feel over this seemingly bottomless and endless conflict.

Yes, the moratorium and its protests solidify a fact that has become one of the realities of this war—the fact that there will be deep division in America and hardened opposition to our Government's policies as long as there is a Vietnam war.

Unfortunately, dissent at home is not all that is required to resolve this conflict. I have enough faith in our present and past administrations to believe that if complete and immediate withdrawal were easy or painless, or if it could be done without leaving a blood bath in its wake, it would have been accomplished long ago. No, opposition at home is not the only fact to be reckoned with in this struggle—it is an important fact, and one, which makes more difficult the Government's attempts to grapple with the many other hard realities that surround the Vietnam situation.

The other, and more difficult realities are to be found in Vietnam itself. The Vietnam war did not begin with the Gulf of Tonkin resolution, or with massive injections of American men and hardware. War has been raging on the eastern half of the Indochina peninsula since the beginning of World War II—almost 30 years ago. North and South Vietnam have been under one foreign heel or another for centuries.

There are few, if any natural boundaries on the peninsula, and there is little in history to show any strong propensity on the part of the Vietnamese people for self-government under a free or democratic system.

At the end of World War II, the Japanese and the Vichy French relinquished their control of Vietnam to British and Chinese forces. North of the 16th parallel, an arbitrary line drawn between the allied occupation forces, the Nationalist Chinese found the Viet Minh more than willing to cooperate in the establishment of a so-called free state.

In the south, the occupying armies of France and the United Kingdom met opposition to their attempts to reestablish French authority. By December 1946, France was under attack from guerrilla forces of the Viet Minh who had used the postwar calm in the north to organize and coordinate their nationalist resistance efforts to French rule.

The French dilemma of trying to fight the Viet Minh guerrillas and trying to organize a pro-French Union government in the south was compounded in 1949 when the Communists won the war for control of China. The Viet Minh declared their adherence to the Communist ideology and received diplomatic, political, and economic assistance from the new Chinese regime.

The Chinese, in the same year also sought to extend their sphere of influence on the Korean peninsula below the 38th parallel, but met with strong resistance from the South Korean people, aided by the United Nations. Since the truce at Panmunjom in the summer of 1953, a free and prosperous nation has grown up south of the 38th parallel, despite the continuing threat of renewed war with North Korea. But to expect that the same prospect awaits South Vietnam is to expect too much. The political, military, psychological and economic situations in Korea and South Vietnam are as different as the climates of the two Asian peninsulas.

After the fall of Dien Bien Phu in 1954, the French agreed to a truce and a negotiated settlement of the war which their modern, well-equipped army was losing to the North Vietnamese guerrillas. The Geneva Conference established the 17th parallel and its adjacent demilitarized zone as a temporary boundary between the Democratic Republic of Vietnam in the north and the Republic of Vietnam in the south. Both governments were recognized by various members of the family of nations as the legal governments of their respective areas of influence.

The past 25 or 30 years is a typical slice of Vietnamese history. We must take as a reality that there can be no expectation that a free and democratic government, mirrored as an image of our own, can emerge as the government of what we now call South Vietnam. Some critics of the Vietnam war cite the corruption, the censorship, the political prisoners, and the "junta" appearance of the South Vietnamese Government as evidence of the utter failure of our involvement to guarantee freedom to the South Vietnamese people.

It might be fair to say that the South Vietnamese Government is the best we could expect to be governing a people whose families, communities, and possessions have been torn by more than two solid decades of war. We might even laud the fact that any kind of election could have been held under these circumstances. But even measured praise of the Thieu-Ky government does not mean that defense of this regime is worth 40,000 or more American lives, and more than 150 billion American tax dollars.

We must accept as realities of this conflict that the South Vietnamese are not a people of democratic fiber, yearning to be freed from the horrors of communism, and that they are not followers of Marx, Mao, and Ho Chi Minh, yearning for the Communist guerrillas to free them from oppression from Saigon and from Washington.

Politics has lost much of its relevance to this war-torn and largely agricultural people. They, like human beings everywhere, want freedom from war, from terror, and from deprivation. They will likely offer political loyalty to whichever side seems best able to deliver security, peace, and prosperity. We may criticize U.S. backing of the Thieu regime because it does not offer freedom as we know it, even though there is no question that the limited freedom below the 17th parallel exceeds that permitted by the totalitarian Hanoi regime in the north.

But how useful is it for us to compare the benefits and drawbacks of the governments of the two halves of Vietnam?

There are governments more tyran-

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nical than North Vietnam which we nonetheless claim as our allies; there are regimes more democratic and liberal than the Saigon government which we do little or nothing to support. In a worldwide context where the form of government over the South Vietnamese people is of questionable relevance to our country and our policies, what are the goals of our involvement?

Most of the wars in history indicate that participants in war are fighting in order to "win" something, or to prevent the loss of something valuable to their national defense or self-interest. What does "victory" mean for America in the context of the Vietnam war? Let us review several alternative "goals" of American involvement which may help us to determine what meaning, if any, "victory" has for us in this conflict.

First. Do we seek the defeat of the Communist regime of North Vietnam?

I think we can promptly dismiss this suggestion as the ultimate goal of American involvement. We did not seek to protect or free the people of North Vietnam from their government. We did not invade North Vietnam, nor did we really seek to destroy any but the warmaking segments of her economy in our bombing attacks—and we drew tight restrictions around even this limited goal in the early years of the war. Our stated goals in sending troops to Vietnam have been to stop infiltration and aggression from the north into the south, and to cut off military assistance to the Vietcong from Hanoi—we never stated or carried out any intention to destroy the North or to dislodge its Communist regime. Thus, the word "victory," if it has meaning, does not mean the "liberation" or defeat of North Vietnam.

Second. Do we seek to enforce our worldwide intention to "contain" communism?

The United States has pledged to countless governments around the world that we will help shore them up against Communist aggression which threatens their borders. This web of mutual defense treaties was woven around the Communist world during the era of Stalinism and monolithic communism after World War II. It can be credited, in part, for the failure of the Iron Curtain in Europe to march any further westward in the past two decades, and for the halting of communism in Korea at the 38th parallel. While this may have been our goal initially, the Vietnam experience has raised serious questions both in the United States and in world capitals, as to the applicability of a firm containment policy in the 1960's and 1970's.

The Vietnam war also tests the definition of containment. Containment, in the sense of stopping the onward march of North Korean and Chinese troops into South Korea, or stopping a march of Russians and East Germans into West Germany, is not the same as "containing" an ongoing guerrilla war within a non-Communist nation. There is a fine line separating the two forms of Communist expansion, but the difference in the political and military situations faced in fighting a guerrilla war as opposed to an invasion are very real, and very broad.

Those who hold fast to the notion that the United States, which stands at the backbone of all of the mutual defense treaties of containment, fear that any abandonment of Vietnam would cause other free governments in that part of the world to topple like dominoes. The only trouble with this "domino" theory is that there are other Communist-assisted guerrilla efforts taking place outside Vietnam even with our massive presence in Southeast Asia. Laos, Thailand, Korea, the Philippines and other nations are threatened, and few Americans are standing up to say that America must march into each of these countries to help crush guerrilla activity.

The Vietnam war will and should cause this Nation to rethink and restructure its policies and commitments across the globe. The President and his emissaries in Paris have already indicated that containment of communism is no longer our goal in Vietnam—we have stated that if the South Vietnamese through a meaningful process of self-determination should choose even a Communist regime, this would be an acceptable political solution of the war. Thus, the term "victory" does not require successful containment of communism within North Vietnam's boundaries.

Third. Do we seek to guarantee or perpetuate the present Saigon government?

Certainly all of our military and financial efforts in this war have been expended in support of the Saigon regime, and against the National Liberation Front. The pacification program has sought to defuse hostile areas and resettle large numbers of people in areas where they will be under the secure protection of the Saigon government and its forces.

Yet, we recognize that popular support for this government is far from unanimous, and that even majority support for the government in South Vietnam is questionable. Certain areas of South Vietnam have almost completely severed any ties of loyalty to the Saigon regime. In these areas, Vietcong military power has been strongest and, thus, offers the closest thing to security and "status quo" to those who live there.

If it has been our goal to guarantee and support this government, are we committed to supporting its power over all of South Vietnam? Have we considered redrawing the boundaries of South Vietnam so as to leave out those areas most firmly under Communist influence and control? By stating that "self-determination" through truly free elections is all that we shall insist on as a political solution for South Vietnam, the President has denied that our goal in this war is to perpetuate the Thieu government.

All of the objectives discussed thus far may at one time earlier in our history of involvement in this conflict have been firm goals of American policy. The frustration, cost, and attrition of 5 years of an Americanized war have pushed all of these initial objectives into the background. We have hopefully learned that the rules of containment are not easily or effectively applied to guerrilla-civil wars in Asia.

As military victory and a final defeat of South and North Vietnamese Communists has eluded our grasp, we have had to pragmatically reduce and quibble our initial objectives in entering this conflict. We have even softened our insistence that the Saigon Government must be assured of survival in the war's aftermath.

If those who made the initial decisions to inject massive numbers of American troops into Vietnam could foresee the quagmire, the frustration and the perpetuation of a no-win limited war, there is little question that they would have decided differently.

Our last President never lost sight of his initial goals in ordering the troops shipped to Southeast Asia—even after the prospect of reaching these goals became nil. President Nixon has seen the futility of the policies of continuing escalation, and of any false beliefs of the past that only 5,000 more troops will turn the tide. The only tide we have turned with a half-million troops is the prevention of what was in 1964 an imminent takeover of the Diem regime by the Vietcong. We turned a certain defeat into a military stalemate and, in the process, we have strengthened and liberalized the Saigon government from what it was under Diem, and we have weakened the power base of the NFL. It is highly questionable whether we have weakened at all the will and ability of Hanoi to pursue the war into future decades.

Mr. Nixon also realizes that his decisions today must be based on the realities of today, not of 5 years ago. Thus, the goals he has stated are more realistic. He has said that the United States, must, in military terms, bolster the Saigon government's power to the point where it can carry on the fighting if the Paris talks fail to provide an acceptable political solution. He has further stated that we must maintain American credibility with other nations which may be similarly threatened in the future.

Most important he has turned around policies of escalation and has begun the withdrawal of American troops.

These are more reasonable goals. But two of these objectives, I think, are out of balance with some of the realities in Vietnam. So far, we have lost 40,000 lives and spent tens of billions of dollars in South Vietnam. I seriously doubt whether we would pay this terrible price today to achieve the limited goals which we have "boiled down" over the past 5 years.

Let us take first our present insistence that we can accept nothing less than guaranteed self-determination for the people of South Vietnam. Our free and democratic Nation supports the goal of self-determination for all peoples of the world. We support it for the Chinese, for the Czechs, Hungarians, Rumanians, and other Eastern European satellite countries, and we support self-determination for every underdeveloped nation, just as we supported our own right to break British colonial ties.

The question, as I see it, is not whether we would prefer free and self-government for the South Vietnamese, but whether we are realistically in a position to do anything about it. In light of the last 30 years of conflict and instability in Vietnam, I do not think we can expect to achieve any political solution in the near future—perhaps not even in the next decade.

The war is likely to continue years beyond our withdrawal, just as it raged for years before we arrived.

The Saigon government has seen the result of "coalition" governments which have included Communists in Eastern European countries. They will fight to the end to prevent formation of any government which includes the Vietcong. The NLF, for its part, is committed by its very existence to the overthrow of the South Vietnamese Government. They have already indicated, with Hanoi at their side, that they are willing to hold out for decades in order to achieve this goal, and to "unite" Vietnam under Communist rule.

The lines are too hardened, the Vietcong have too little to lose, and the Saigon government has too much to lose, for us to expect a political solution to this confrontation to rise up out of the peace table in Paris. A history of decades of war; war which has stiffened the back of both sides, dictates that any international guarantees of free elections, or any coalition that is formed would be tenuous and temporary at best.

While the United States should offer substantial material support for the Saigon government, and should support self-determination for the South Vietnamese, we cannot realistically insist on any kind of a political solution as a price for American withdrawal. The best hope that I have for the Paris talks, and it is a slim hope, is that negotiation can change the present stalemated war into a stalemated cease-fire, with neither side giving an inch in terms of their long-range goals of governing South Vietnam.

Thus, I believe it is a mistake for the United States to make any change in its policy or involvement conditional on achieving a political solution or on a guarantee of self-determination which would be short lived at best.

The second plank in the President's Vietnam platform to which I take exception is the fear that our withdrawal would be tantamount to presiding over a defeat, and that this would erase our credibility with other nations in the world we have pledged to assist. On the contrary, I believe we have reached the point where the continued massive presence of American troops is working against any success in Paris, and any long-run solution to the conflict in Asia.

There is no question that time is on the side of the Communists. They have no problems with divided opinion or opposition at home, and since they do not now govern South Vietnam they have very little to lose by standing pat. They can disappear beyond the borders of Cambodia, Laos, and North Vietnam and not come out and fight until the time is ripe. They are aware that the United States has undertaken a course of gradual withdrawal, which will leave the strengthened South Vietnamese to fight for themselves, and they have every reason to hold back, keeping up only minimal military pressure, until the withdrawal is completed and they can again test their renewed strength against the South Vietnamese alone.

At present, from their standpoint, there is no reason for the NLF of North Vietnam to make any major concessions in Paris. They have not even seen fit to take the humane step of releasing information about American prisoners in North Vietnam. Time is on their side.

As long as American troops remain, the Vietcong can win support among those who triumphed at the defeat of France, and who despise the presence of troops of any foreign nation on Vietnamese soil. When I was in Vietnam with the Military Operations Subcommittee in the winter of 1968, it was apparent that American troops were magnets for attack, and that our very presence raised the level of hostilities.

As long as we remain in large numbers, it will be easier for the NLF to win support for their fight against foreign domination, and more difficult for our Government to maintain support for the war at home.

In this context, the question of "presiding over a defeat" and losing credibility with other nations must be viewed in a different light. It would not be a defeat for the United States if we successfully help the South Vietnamese to help themselves.

The President's major policy goal is to Vietnamize the war, to prepare and strengthen and assist the Saigon government to fight for itself. Successful completion of this difficult task, in my view, is the meaning of "victory," if indeed that word is appropriate to Vietnam. It is no defeat to leave behind in Vietnam a government which is substantially stronger and more popular than the one we found there in 1964. That government should be able to stand and fight, and hopefully to win control of the country on its own. But it is not our place to guarantee their victory either militarily or politically with continued and perhaps endless presence of U.S. forces.

We must redefine the American role in helping to bolster other free nations, limiting that definition to helping these nations to help themselves. If, upon our withdrawal, other nations lose confidence that we will shore them up with hundreds of thousands of American troops against Communist guerrilla attacks, then they should quickly lose this confidence.

I do not believe we can any longer promise to singlehandedly bolster every government to which we are bound by treaty. We can and should offer military training and equipment, in massive doses if necessary. But Asian people, allied together, should bear the brunt of attacks by other Asians. Just as Europeans should shoulder their full share of their own defense in NATO.

If this constitutes a loss of credibility for the United States, we must accept it as the result of a major policy mistake we made in Americanizing this conflict in the first place. I do not think it is a credibility loss. I think it is a necessary redefinition of the future American role in defense of the free world. I think it is a long overdue birth of true regionalism in the context of our mutual defense treaties. These countries must lose their comfortable dependence on American manpower. They should expect American support and assistance only to the extent that they and their regional allies are willing to maintain their own strong defenses with their own manpower and our economic and equipment help.

If, in fact, our phased withdrawal from Vietnam will shake our allies around the world out of their dependency on U.S. military manpower, this will be a victory for sensible free world foreign policies—it will not be a defeat, or a permanent loss of credibility. The 40,000 dead Americans make the strength of our commitment and the credibility of our assistance very strong indeed—just as this, their tragic loss, cries out for a restructuring of our "world policeman" policies.

With the backdrop of this long and involved discussion of the complex problems we face in Vietnam, let me offer my own thoughts on what our short- and long-run policies should be.

First, I believe we have only one goal in Vietnam. We must bolster the ability of the South Vietnamese to defend themselves without our troops on their soil. The President has placed a high priority on this goal, and has taken meaningful steps to turn more and more combat responsibility over to the Saigon government. The ARVN—Army of Vietnam—takeover of our riverine gunboats in the Mekong Delta earlier this month is indicative of this progress. I think we should take full advantage of the current lull in the fighting to greatly accelerate this process.

Pressures of domestic needs and dwindling public support for the war at home and pressures I have already mentioned in Vietnam and Paris dictate that Vietnamization or de-Americanization of this conflict must have the highest possible priority.

It should not be an open-ended process.

If the President has not already done so, he should immediately sit down privately with the South Vietnamese Government and set a firm and early date for the final phase of U.S. troop withdrawal. This date should not be announced publicly, despite pressure at home for firm and public commitments to end the war by a definite date.

A public announcement of our final withdrawal date would serve only to guarantee that withdrawal would not take place earlier, even if the South Vietnamese are prepared sooner.

Public announcement of the date would also lessen chances that the South Vietnamese could hold their own after we leave, because we will have helped Communist planning and preparations by telegraphing this vital punch. Further, public announcement would virtually guarantee that no progress will take place in Paris until after the date has passed.

The process of Vietnamization and building up South Vietnamese troops with modern equipment has been going on for about a year. It should not have to take another full year to complete. Our own casualties and priorities at home must make this Vietnamization a crash program. We should withdraw our

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ground troops first, our Army and Marine units who meet the enemy face to face.

They can and should be replaced by Vietnamese units. Harder to replace are our air and naval forces, and it may be that they will have to remain in Vietnam longer than our ground troops, in order to provide firepower and air cover for the South Vietnamese that they cannot, at first, provide for themselves.

Our private agreement to withdraw by a certain, definite date must be accompainted by a commitment to help the South Vietnamese with modern and plentiful military equipment, ammunition and training, which is essential to our goal to helping them to help themselves.

We must offer continued support for their goals at the peace table in Paris, and should continue our participation there as long as they want us to, in the hope that something concrete can be achieved.

This policy, promptly executed, is the way home from Vietnam. It can end the loss of American men, the deficiency of our concentration on serious domestic and urban problems, the erosion of our national unity and national spirit, and it can and must end the dependency of our free world allies on GI Joe to bear the brunt of their battles.

One final word. The clouds which hang today over Laos look ominously like those which shadowed Vietnam 5 years ago. Reports that American advisers are there in substantial numbers are disturbing if they mean that the Vietnam experience is being recycled a few hundred miles northwest of Saigon. If we have not already learned the lesson that the nature of our military commitments must change in a worldwide context, let us learn it now before a new Vietnam is born in the wake of this tragic war.

THE MORATORIUM AND VIETNAM

(Mr. **ASHLEY** asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. **ASHLEY**. Mr. Speaker, hindsight may well confirm that our involvement in Vietnam was a result of misreading the history of the area, misjudgment of the political viability of South Vietnam, and mistaken reliance on military and intelligence advice that has been found wanting in accuracy and reliability from the very start.

It should be remembered, however, that in the early years of the struggle our Nation largely supported the proposition that small, underdeveloped nations should have an opportunity to shape their own political, social, and economic institutions, and that failure to thwart aggression in some circumstances can lead to larger, often catastrophic confrontations.

Today, more than a decade later, with no military resolution of the conflict and little progress toward a political solution, we find ourselves engaged in a searching reappraisal of the national purposes and objectives for which 40,000 Americans have died in Vietnam.

Our Nation wants peace. But will armed conflict in Asia or elsewhere be ended either by military victory or unilateral withdrawal? In my view, the consequences of either course would be far greater losses of life and a ruinous undermining of U.S. position in every part of the world.

Nor do I think the cause of peace would be promoted by assigning a date certain for a final U.S. pullout from Vietnam. Unless such withdrawal is the result of mutual negotiation, postponement to a future date only delays the consequences of immediate unilateral withdrawal.

It is quite possible to compound mistakes of the past with mistakes of the present. If it was bad judgment to get involved in Vietnam, let us not insist on equally bad judgment in the means we choose to terminate our presence there.

The Nixon administration is pursuing a policy of gradual demilitarization and troop withdrawal in an effort to persuade Hanoi of our good faith and genuine desire to end the conflict. At best this is a difficult policy to pursue because, as we have seen to date, its effect may be to encourage continued stalemate of negotiations and insistence by Hanoi on further and further compromise on the part of the United States.

I am sympathetic to the purposes of the moratorium but I think it is important that we refrain from making the administration's quest for peace more difficult than it already is. To the extent that the moratorium and other demonstrations indicate a deep-seated desire for peace, a useful purpose may be served. But to the extent that these and other activities result in reducing options available to the administration, we jeopardize the very cause we seek to serve.

In the final analysis, responsibility for mapping a strategy for peace rests with the President of the United States. We must look to him to terminate the U.S. presence in Vietnam at the earliest possible moment, not as an end in itself, but as a means of achieving conditions upon which permanent peace can be predicated.

DANGEROUS DRUG CONTROL BILL

(Mr. **HANNA** asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. **HANNA**. Mr. Speaker, I am introducing today a comprehensive dangerous drug control bill. My measure is aimed at stopping the millions of domestically produced dangerous pills which eventually find their way into the underground markets.

Briefly, my bill will set up careful regulations for the shipment, transportation, and warehousing of dangerous drugs produced for export—particularly to Mexico. The legislation establishes a panel to recommend ways to make State laws uniform in this area. It increases the custom force by 300, provides for procedures and standards in dangerous drug inventories, and finally it authorizes a computer information system to be installed at the border to assist and aid the new Project Cooperation.

Mr. Speaker, I have studied this complex issue at some length, and have participated in hearings of the Ad Hoc Drug Smuggling Committee. I believe this Congress must act now to stop the expanding market and increasing abuse of chemical drugs. The legislation I am introducing today will provide the tools to do just that.

I include the text of my bill at this point in the Record:

H.R. ———

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section (6) of the Narcotic Drug Import and Export Act (31 U.S.C. 182) is hereby amended by adding at the conclusion of said section the following language:

"TITLE I.—REGULATION OF DANGEROUS DRUGS SHIPMENTS

"A. All pharmaceutical wholesale houses which sell and ship narcotics and dangerous drugs (which shall include any stimulant or depressant defined as a 'narcotic or dangerous drug' by section 4731(a) of the Internal Revenue Code of 1954 and by section 201(v) of the Federal Food, Drug and Cosmetic Act) to an ultimate destination outside of the United States, or who sell or ship narcotics and dangerous drugs to any customer(s) who claims to do business outside of the United States, must;

"(1) Furnish the United States Customs Bureau with:

"(a) the name, address and place of business of the customer(s);

"(b) the amount of narcotic or dangerous drug to be shipped, and the date upon which it is to be shipped;

"(2) Ship the narcotic or dangerous drug in bond, to a bonded warehouse;

"(3) Agree to allow United States Customs officials to be present at the time the narcotic or dangerous drug is taken from its shipping point.

"B. Any individual who purchases narcotics or dangerous drugs from a wholesale pharmaceutical house in the United States and who agrees to receive the merchandise at a point of destination outside of the United States; makes any claim to the pharmaceutical house that he plans to sell such drugs as part of a legitimate pharmaceutical wholesale or retail business outside of the United States or actually does, at any time, transport said merchandise, for any reason, outside the boundaries of the United States must agree to:

"(1) Furnish United States Customs officials with his own name, address and business location; and with the name and business location of the pharmaceutical house from which he has bought the merchandise;

"(2) Be accompanied by United States Customs officials or the designated foreign representative of United States Customs officials, at the time he receives the merchandise at its destination point;

"(3) Be accompanied by United States Customs officials at the time he crosses the International border with the merchandise actually in his possession.

"C. Both the pharmaceutical house and its customer(s) must agree to allow representatives of the United States Customs Bureau to thoroughly inspect the merchandise;

"(1) At the shipping point of such merchandise, and

"(2) At the last destination of such merchandise before it crosses the International border.

"D. The United States Customs Bureau has the power, at any point during the transaction between the pharmaceutical house and a customer, to prohibit further shipment of the merchandise and/or to confiscate such merchandise, if any official of the Customs Bureau feels that any provision of this bill is now being violated or may soon be violated.

"(1) If after such prohibition of the transaction or confiscation of the merchandise has taken place, either or both parties to the transaction may place an initial appeal with the Food and Drug Administration.

"(2) The procedure by which the Food and Drug Administration may dispose of the case, or by which any further appeal shall be taken, shall be governed by the appropriate provisions of the Administrative Procedure Act.

"E. The enforcement staff of the Bureau of Customs shall be increased by 300 positions. These positions shall be filled by inspectors, working at:

"(1) United States ports of entry;

"(2) United States Border Patrols.

F. The non-enforcement personnel positions of the Bureau of Customs shall be increased by 25% at all Ports of Entry.

"Title II.—Uniform Control Acts

"A. The Justice Department shall establish a committee to investigate the effort to:

"(1) Achieve uniformity among the states with respect to state drug abuse control acts, and

"(2) Achieve co-ordination between state and Federal officials in investigation under and enforcement of drug abuse control acts.

"B. The committee established by the Justice Department will issue a report to the President within six months of the passage of this bill.

"Title III.—Regulation of Dangerous Drug Inventories

"A. Section 511 (d) (1) of PL 89–74 (record keeping of stimulant and depressant drugs) shall be amended as follows:

"(1) The last sentence of section 511(d) (1) reading: 'No separate records, nor set form or forms for any of the foregoing records, shall be required as long as records containing the required information are available, shall be deleted.

"(2) The following paragraph shall be added to 21 U.S.C. 360: 'Records and forms relating to the individual's manufacturing, compounding, processing, selling, delivering or otherwise disposing of any depressant or stimulant drug, must either be segregated from all other records, or be so kept that either the records themselves or the information required may be identified within a reasonable time after request and reviewed or copied within a reasonable time.'

"B. All persons covered by the record-keeping requirements of section 511 of Public Law 89–74 shall be required to report the loss or theft of any depressant or stimulant drug to the Secretary of Health, Education, and Welfare within two days after discovery of the loss or theft.

"C. Section 511(a) (1) is further amended to require that an initial inventory of a depressant or stimulant drug must be prepared by persons required to maintain records by section 511(d) (1) whenever the Secretary of Health, Education, and Welfare by regulation designates a drug as a 'depressant or stimulant' drug pursuant to section 201 of the Federal Food, Drug, and Comestic Act.

"Title IV.—Miscellaneous

"A. Representatives of the United States Bureau of Customs are hereby authorized to prohibit individuals under the age of twenty-one, when unaccompanied by an adult, from crossing the international border from the United States into Mexico.

"B. It is the intent of Congress that a representative of the Customs Bureau shall not be held liable by a Federal court reviewing an action which he took under the authority given to him by this provision, if the court finds that such representative, acting with reasonable discretion, felt that allowing the minor involved to cross the border unaccompanied by an adult would expose that minor to the influence of individuals engaging in the illegal sale of narcotics.

"C. The Treasury Department is authorized to allocate funds, not exceeding $20 million, for the development of a Southwestern Border Data Processing Center. Sucn Center shall process and keep on file all relevant data submitted by Customs officials and local law enforcement officials, regarding individuals engaged or suspected of being engaged in some aspect of the illegal narcotics traffic between Mexico and the United States.

"(1) The Southwestern Border Data Processing Center will make its data available to officials from:

"(a) local law enforcement agencies;

"(b) the United States Customs Bureau;

"(c) the Bureau of Narcotics and Dangerous Drugs;

"(d) Mexican law enforcement officials.

"(2) The Central Branch of the Southwestern Border Data Processing Center shall be located in San Diego, California; auxiliary branches are to be established at other strategic points along the United States-Mexico border. The location of these branches shall be made by decision of the United States Customs Bureau."

HELP FOR HANOI

(Mr. SIKES asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, whatever the motivation which has produced and supported the antiwar moratorium, the net effect has been help for Hanoi, and this I realize may be furthest from the minds of some of the participants. Nevertheless, there is very strong evidence that there is a direct link between Hanoi and the moratorium itself. Even if this were not true, the antiwar protests give new life to Hanoi and further strengthens the hands of the Communist peace negotiators in Paris. The headlines in Hanoi make it very clear that they count the moratorium a credit for the cause of communism.

The President has asked for help from the American people. He has indicated that we must brace ourselves to see this conflict through. The voice of concern about the war can best be expressed in this manner. There is ample reason to believe that a show of solidarity by the American public is all that is needed to bring the war to a conclusion on terms that are acceptable to us. The Communists have been hurt very badly. They have been fighting for years, and their losses are staggering. I am convinced that it is American headlines and peace movements which have kept them going. These the Communist rulers in Hanoi have interpreted to mean the U.S. public is willing to sacrifice South Vietnam to get out of the war. That is why strong support for the President's position in search of an honorable peace can convince Hanoi that they are fighting a losing cause. Despite this, the bald, hard fact is, we could lose the war as a result of antiwar crusades which have their origins in Hanoi.

Of course the American people want an end to the war. Of course the families of servicemen who are fighting there want them home. There are even those who will insist that we should not be involved in Vietnam. The fact remains that we are there in response to a commitment against aggression and that we have expended many thousands of American lives in defense of the ideals of freedom. To abandon this cause would make a mockery of every sacrifice that has been required.

There has been a very definite scale-down in the volume of fighting, and American losses have dropped significantly. The fact should not be overlooked that South Vietnamese losses are still high. This means they are doing more and more of the fighting, and this trend is expected to continue.

It has been stated many times that it is darkest just before the dawn. The example of beleaguered Britain in World War II is very well known to all of us. There the great Churchill rallied his people in the face of almost certain defeat and led them to victory. In contrast we are on the verge of victory. To abandon our quest for a better world at this stage and to be branded as a nation which does not have the courage or the fortitude to stand by its ideals would be the worst defeat ever inflicted upon a modern world power. As unpleasant as the war is to a large segment of the American people, the alternatives are much less acceptable in their effect upon the future of our country and our country's people. The President needs our help, for he is surely striving to bring the war to an honorable conclusion. Let us not obscure the progress which is being made and give comfort to Hanoi through headlines which do not in reality bespeak the will or the sentiment of the majority of the American people.

COLORADO PROFESSOR DISSECTS VIOLENCE COMMISSION REPORT

(Mr. SIKES asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, the report on firearms and violence issued by the National Commission on the Causes and Prevention of Violence advocates outlawing 90 percent of the Nation's handguns. It has shocked both sportsmen and lawmakers by the lengths to which some are willing to go in order to take weapons away from law-abiding citizens. An interesting and informative critique has been prepared on the report by Dr. Charles G. Wilber, chairman and professor of the Department of Zoology, Colorado State University. Dr. Wilber looks at the violence report from the standpoint of a professional educator and an interested gun owner. His comments were published in Gun Week, a weekly publication for sportsmen which has espoused the cause of law-abiding sportsmen and weapons owners in the current controversy and which has contributed significantly to the store of public information on the subject. Dr. Wilber's critique was carried in the October 10 and October 17 issues of Gun Week, and I am pleased to submit it for reprinting in the Record:

Professor Dissects Commission Report

(By Charles G. Wilber, Ph. D.)

In view of the fact that the National Commission on the Causes and Prevention of Violence has made a "statement" on the relation of firearms and violence, and in view of the fact that this "statement" may be accepted uncritically, it seems important to analyze it from the factual point of view. The commission statement was published July 28, 1969. The chairman of the Commission was Dr. Milton Eisenhower, former president of the Johns Hopkins University.

This is a nefarious document because it lends itself to propaganda based on innuendo, specious argument, circular reasoning, internal contradictions, and direct mistruths. One of the first statements of the Commission with respect to firearms is contradicted later by the recommendations which the Commission published. On the first page of the commission statement it is said: "We believe this (decrease in the misuse of firearms) is possible if both the advocates and the opponents of gun control legislation will put aside their suspicions and preconceptions, accept the fact of a common danger without exaggerating its dimensions, and act for the common good." In the light of the radical and incredible recommendations which the commission later makes, one questions whether this statement was made to put at ease the very real concerns and apprehensions of millions of law-abiding American citizens.

On page one, the claim is made that "with a few scattered exceptions, hand guns are not sporting arms." This statement is obviously not in keeping with the facts of American life. The evidence which could be readily gathered from firearms dealers and from the legal users of firearms themselves will indicate to any honest investigator that the majority of hand guns are used for sporting purposes.

Individuals who use hand guns for sporting purposes tend to have more than a single hand gun in their possession. As an example, the regular competitors in national and international hand gun shooting competition will of necessity have three guns which they use in any one contest. One of these is a semi-automatic pistol; the other would be a revolver; and then there would be a third gun of a different caliber from the other two. Thus it is easy to see, if one is willing to be influenced by facts and not by preconceived ideas, that 100 participants in a hand gun sporting event could account (without stretching reality whatever) for 300 hand guns validly owned and used by these responsible individuals.

Also highly questionable is the statement made again on page one of the report to the effect that "A substantial part of the rapidly increasing gun sales, particularly hand gun sales, must be attributed to the rising fear of violence that the United States has recently experienced." This statement cannot be supported by the facts available. The Commission completely ignores the great increase in purchases of bows and arrows. Certainly one will not attribute the rapidly increasing bow and arrow sales to a rising fear of violence. It is obvious, however, to those who have some awareness of the recreation industry that the shorter work week, more money to spend, and the ever increasing need for recreation has resulted in a phenomenal and enormous growth in the sales of all kinds of sporting goods items.

HOMICIDE

It is difficult for the objective observer to ascertain where the Commission found evidence to support the statement made on page two to the effect that:

"We find that firearms, particularly hand guns, play a major role in the commission of homicide, aggravated assault, and armed robbery, and that they are being used in greater percentages of these violent crimes." In view of the government's own figures available from the Public Health Service from the years 1910–1960, and from the Federal Bureau of Investigation, U.S. Department of Justice, from 1961–1966, the statement made by the Commission must be labeled as an untruth.

Using the government's own figures, the trend of firearms homicide rate in the United States has been consistently dropping since 1910. The firearm homicide rate (that is the number of firearm homicides per hundred thousand people) was up to about 5 per hundred thousand in 1910. By 1940 this had dropped to 4; by 1965 this had dropped to 3 or less. If trend over a 50-year period continues we would expect that the firearm homicide rate by 1970 will be slightly over 1 per hundred thousand. The point at issue is that, as the trend of firearm homicide rate in the United States has been downward between 1910 and 1966, the ownership of firearms has trended upward, primarily as a result of increased use of firearms for sporting purposes.

In 1966 there were nearly three and a quarter million crimes in the United States. Firearms were misused in only 3.4 per cent of these crimes. This 3.4 per cent includes the so-called "gangster weapons", home-made zip guns, modified toy guns and the so-called alleged guns. The latter category involves, for example, the robbing of a store by an individual who is holding his hand in his pocket, even though there is no gun in the pocket. If the victim thinks that a gun is involved, this event is recorded as a hand gun crime.

CRIME

The available data indicate, to any honest man, that if firearms were to be completely eliminated from society by mass confiscation and so on, and that if no criminal substituted any other kind of weapon for a firearm, the United States would still have 96.6 per cent of its serious crime and 99.6 per cent of its total crime. New York State and New York City are sometimes presented as models of the kind of legislation that would prevent firearm crimes.

The facts available do not support this belief. The Joint Legislative Committee on Crime, Its Causes, Control and Effects on Society of the New York State Legislature pointed out that the use of home-made zip guns exceeded the misuse of rifles and shotguns in murders, robberies and assaults in New York State during the year 1966. One wonders what type of data the Commission used to arrive at their gratuitous statement on crime rate and gun ownership.

DEFENSE

The Commission goes on to discuss in a very strange way the problem of firearms in self defense. In an attempt to support its rather specious reasoning on firearms and self defense there is a footnote on page four (note no. 5) which states: "No data are available on how frequently robberies and burglaries are foiled by the householder's display of a gun that is not fired. Nor are data available on the use of guns by women to prevent attempted rapes; presumably this occurs extremely infrequently."

The presumption expressed reveals the bias which the writers of this report have. Moreover, the statement is not true. This footnote merely indicates that the Commission staff was either too lazy to dig out the available statistics, refused to believe them, or having seen them realized that the data would not support their preconceived notions.

Consequently, no use would be made of them. This kind of scholarly irresponsibility is hard to accept from a report issued with the approval of Dr. Milton Eisenhower. The very fact that such a questionable footnote would be used in an attempt to document statements indicates the worthlessness of the report as a whole.

CRIME RATES

Apparently, the Commission on the Causes and Prevention of Violence has little respect or interest in the proceedings of the United States Congress. Very fine studies on firearms which have been reported in the Congressional Record were ignored by the Commission. For example, in January 30, 1968 issue of the Congressional Record, Volume 114, No. 12, there was reported a statistical study of the relationship between firearm ownership and crime rates. The study demonstrated clearly that there is no causal relationship between gun ownership and crime.

In fact the study indicated that there is a negative relationship between firearm ownership and crime rates. The statement in the Congressional Record says: "As the proportion of the population possessing firearms goes down, crime rates go up." In other words, the contention that fewer people with guns will mean less crime finds no support from the scientific data available. The negative relationship between firearm ownership and serious crime, aggravated assault, and robbery were statistically significant using widely accepted and well designed statistical procedures.

The study in the Congressional Record goes further and says that "this means that firearm ownership by the law-abiding public could be a factor in restricting the number of these criminal acts." How then, can one have any confidence in the Commission Statement on Firearms and Violence? The ordinary citizen would like to have legislation and debate based on facts and not on fiction.

HAND GUNS

On page six the Commission admits that there is no sound evidence on which to base conclusion concerning the restriction of hand guns. They say "We believe, (my emphasis) on the basis of all the evidence before us, that reducing the availability of a hand gun will reduce firearm violence." The Commission presents no evidence. This "belief" of theirs really should have no part in an objective study.

The attempt to use experience in other countries such as England and Wales as an example of what would happen in the United States is absolutely incompetent. One wonders why the example of Switzerland is not used. In that country it is mandatory for every male citizen to own a gun and to be trained in marksmanship up to a certain age. Beyond that age he no longer is forced to engage in shooting, but he may do so if he wishes.

It is difficult to evaluate a report such as this because of the misuse of data, the actual fabrication of data, and the lack of presentation of the whole truth.

One could rephrase the statement made by the Commission, and quoted above, to read: "We believe, on the basis of all the evidence before us, that reducing the availability of the automobile will reduce automobile tragedies." No one in his right mind will deny that the violence on our highways is causing infinitely more serious damage, death, suffering, expense, disruption of society, than are firearms.

ACCIDENTS

The Commission statement implies that firearms accidents "cause thousands of deaths and injuries each year." One might point out that the same must be said of bath tubs, kitchen stools, ladders, and swinging doors.

A recent study completed by the distinguished Harvard Professor of Public Health, Dr. Ross A. McFarland, clearly shows that in 19 different countries of the world (USA included), of all accidental deaths only 1.3 per cent could be attributed to firearms. Firearms were the lowest on the scale of causes of accidental deaths; far below motor vehicles (36 per cent), falls (22 per cent), drownings (9 per cent), or poisonings (4 per cent). The reason for the Commission statement about firearm accidents is obscure; or is it meant to becloud the issue?

RECOMMENDATIONS

Special reference should be made to the recommendations of the Commission for a national firearms policy. It is important that these be examined extremely critically because they are not in accord with our national tradition or legal system in the United States. One cannot take exception to the recommendation with respect to public education. Certainly, the aim of the National Rifle Association and law-abiding owners of firearms has always been to educate the public on the responsibility of firearm ownership. This education recommendation of the Commission is extremely important. It should do much to eradicate the unfair and vicious criticisms of the National Rifle Association. Moreover, it should do much to encourage proper firearms education in our schools. We realize that there must be a driver education program in every high school. It seems incredible that we do not have a firearms education program in every high school.

The Commission recommendation on research is one which on the face of it, looks honest and forthright. But when it is examined with care it is obvious that one might question the good sense and the integrity of the Commission. On page seven under "research recommendations", the Commission says that there should be further research on relationship between firearm violence and how this violence can be reduced. Despite the dogmatic statements made earlier in this report, the Commission admits that we need much more information on the relationsihp between firearms and violence than we have now. The recommendations clearly indicate that the Commission, despite its manifesto earlier, is not well informed and cannot be well informed with respect to many of the matters on which it has pontificated.

Finally, the recommendation with respect to the development of a non-lethal weapon is bewildering. The Commission admits that law-abiding Americans understandably and justifiably fear for their safety under certain conditions and that under these conditions it is appropriate that they have some kind of defensive weapon. However, has it ever come to their attention (or are they blind to the fact) that the anti-gun elements in the country are also anti-law-abiding citizens? For example, in various legal jurisdictions (such as New York City) where firearms are virtually outlawed completely, any kind of defensive weapon is also outlawed from the law-abiding citizen. The recommendation with respect to the production of an effective non-lethal weapon is extremely difficult to understand. Again, it makes one wonder whether the Commission members really know what the various portions of the report really said.

Under legislation they say "We conclude that the rising tide of firearms violence in this country merits further legislative action at the present time." First of all, the statement of a rising tide of firearms violence may be open to serious question on a factual basis. Again, one suggests that the Commission did not study the history of firearms legislation in the United States very clearly or very honestly.

If the various laws already on the books with respect to firearms were enforced we would have less difficulty than we do now. It should be pointed out that the murders of various public political leaders all involved the breaking of at least half a dozen existing laws. Consequently, how this Commission can naively suggest that further laws would prevent these tragedies is not clear to the reasonable man.

The Commission has revealed its emotional involvement when it refers to the hand gun as a weapon so "infrequently a sporting arm." This statement is definitely not true. The hand gun is, in the United States, primarily a sporting arm in the hands of law-abiding citizens. It is used properly as an offensive weapon and as a weapon of protection primarily by our police forces.

One should also recall that the murder of John F. Kennedy and the murder of Martin Luther King did not involve the use of hand guns.

CONFISCATION

The recommendations of the Commission with respect to confiscation of hand guns, except those issued to police officers and the like, just do not stand up under the light of day. For example, the Report urges that serious penalties be attached to the possession of guns by unlicensed persons; we already have serious penalties attached to possession of a variety of martial firearms but the criminal still uses them.

The only ones who will be harmed by the recommendations of this Commission, with respect to hand guns, are the law-abiding citizens. The Supreme Court already has ruled that laws may not force criminals to register their hand guns because this act would be "self-incrimination." As reported in the press, the registration law in the city of Chicago specifically excludes and excuses criminals from registering their hand guns. How then can this naive Commission say that the apprehension of law-abiding citizens will reduce the rate of violent crime in the United States?

The final conclusion of the Commission makes no sense. It merely says that the reduction of gun violence in the United States will be a good thing. Every law-abiding citizen in the United States agrees on this. Hand gun and long gun enthusiasts in the United States have been begging that more severe penalties be attached to crimes committed using any type of firearm. Unfortunately, the persons who should know better do not support these moves of the gun owners. They seem to be more concerned with taking guns away from law-abiding individuals than with attacking the root of the problem which is misuse of guns by evil people.

It is most difficult to understand how a Commission of presumably honest individuals can subscribe to the details of this statement on firearms and violence. After careful examination it seems clear that the recommendations and conclusions of the Commission on Firearms and Violence are based on suppression of facts, on distortion of facts, and on the lack of factual information. Moreover, there is specious argument involved; there are statements which cannot be supported by any facts available from the various statistical agencies of our government. The statement, for example, on page two to the effect that "Other studies confirm our finding that the proportion of gun use in violence rises and falls with gun ownership" is completely contrary to what has been published in the Congressional Record itself. Repeated studies, made by objective individuals, have demonstrated that quite the contrary seems to obtain: as gun ownership by law-abiding citizens increases there is a decrease in crimes of violence involving guns.

Unfortunately, too, the Commission has used its imagination to raise great specters of fear, e.g., the comment that "A new wave of American vigilantism could result . . ." The report contains some underhanded phrasing; for example, it is stated that "Extremist groups, regardless of race, are remarkably alike in their attitudes towards firearms and their opposition to firearms control." This is a knavish assertion which implies that if one opposes firearms control he is not a good American and belongs to an extremist group. Such writing is despicable and ought to be beneath the dignity of any self-respecting commission. It is obvious that the Commission itself felt the disgusting implications of this statement because in a footnote it states: "This is not to imply that all persons who oppose additional controls are extremists." Why in the world would a forthright and objective Commission write the original sentence in the first place? This particular sentence is one example of the type of argument, the type of rhetoric which is used throughout this report. It is a shameful exhibition and should wound the consciences of the authors.

The conclusion that any honest individual must come to after reading this nefarious Commission Report is that it should be totally disregarded. The Congress of the United States, itself, should investigate this matter if it feels it essential. It is important that law-abiding gun owners be involved in looking over the staff officials of the Commission. One questions the competence of these individuals to produdce such a study.

It is discouraging to a law-abiding citizen to read the many statements made by a presumably respectable Commission. In the opinion of many readers of the Commission Report, the conclusion is inescapable that the members of the Commission did not read the final draft with any understanding or critical sense. They apparently accepted without any serious evaluation the prejudices, blindness, and naivete of some staff investigator.

It is hoped that responsible public officials, members of the Congress, and representatives in the various state legislatures will discount appropriately the recommendations and conclusions of this extremely slanted report. It is urgent that anyone concerned with the firearms problem read and note very carefully the internal contradictions which abound in this report. At the very beginning of the report it is clearly stated that "The vast majority of gun owners do not misuse firearms"; but the Commission then goes on to make recommendations which would penalize the "vast majority" of gun owners without doing anything to attack the root of the misuse problem and that includes lack of appropriate education which results in firearms accidents and the protection of criminals in their misuse of firearms for criminal purposes.

The Commission, moreover in the preamble points out that "Firearms generally facilitate, rather than cause, violence." Later in the report the contrary is implied.

It is important to realize that in the Commission Statement there is clear-cut evidence of the use of the "big-lie technique." That technique supposes that if something is said often enough by persons in positions of trust or power then anyone should and will believe it whether it is true or not. Hitler used the technique effectively. It is not American; it is not scientific; it is not objective.

CONCLUSION

The statement on firearms and violence issued by the National Commission on the Causes and Prevention of Violence deserves to be scrapped as untrustworthy, irresponsible, and as an insidious attack on our Constitutional guarantees. The lack of intellectual and scholarly integrity on the part of the drafters of the statement is so apparent that four members of the Commission were impelled to refuse "to concur fully in the report of the Commission."

BELABORING THE NEBULOUS—IGNORING THE OBVIOUS

(Mr. PODELL asked and was given permission to extend his remarks at this point in the Record.)

Mr. PODELL. Mr. Speaker, the pres-

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ent administration is creating an anticonsumer record which is formidable and forbidding in its fundamental hostility to the concept of a secure economic marketplace. On all sides, outright antipathy or deliberate nonenforcement is pushing the cause of consumer justice farther and farther back.

Almost every safety law passed in the last 8 years, and there have been 43 major ones, is withering away because of no funds or lack of meaningful enforcement. They cover fire safety, radiation hazards, industrial safety, health, traffic and aviation safety, autos, tires, and flammable fabrics. Each year, 18,000 Americans die and another 20 million are injured by hazardous products, including pesticides, flammable fabrics, electrical appliances and other dangerous articles. Truth in packaging and truth in labeling lie in a neatly labeled packet with the title, "Do not open until this administration has passed from the scene." One classic example is that the FTC has assigned five people to work on packaging and labeling.

No progress whatever has been even attempted on behalf of a greater voice for consumers within the Government. No advocacy of their cause or appointments on their behalf have been forthcoming. The average American must pay an annual interest rate of at least 18 percent in credit charge accounts in every State but one. Such interest rates cannot be justified. Is there action by the administration? Not a move. Not a sound.

Medical costs are exceeded only by the constantly escalating prices of drugs. The Food and Drug Administration, previously a consumer champion, has become a puzzled prisoner of reaction. Up to 10 million citizens a year become ill from consuming contaminated food. Countless others are affected by mislabeled or defective drugs. What is the response? Permission by the Department of Agriculture to industry to add up to 15 percent in garbage chicken meat to hot dogs. Americans spend approximately $37 million annually on cosmetics that have little or no Federal regulation. Not a word from Government. Improved consumer product information services by the Government? If the present Government has anything to say about it, such factual guides will be forthcoming the day after Armageddon.

The guaranty and warranty situation is a scandal of continental proportions. Comment from the leaders of the Government? All we hear is the wind blowing, carrying soothing words and promises.

The National Commission on Product Safety states publicly that product guarantee seals awarded to advertised products by two national magazines are misleading and literally valueless. At least 12 products advertised by one of these publications, Good Housekeeping, are under investigation by the FTC for possible violation of false advertising statutes.

The general picture which emerges is damning and complete. Consumerism is as foreign to the President and his administration as conservation, antipollution, full employment, and aid to education. Instead, however, we have Mrs. Virginia Knauer, the President's special assistant on consumer affairs, who was much too busy to give more than perfunctory, general testimony before the National Commission on Product Safety. What has she belabored recently, with loud cries of indignation and outrage? Why, cynicism in advertisements. She thumps the advertising agencies, which is a bit like hitting the new born illegitimate child because of the sins of its mother.

Has the good gentle lady not been apprised of the fact that every ad agency operates on the basis of its client's orders? Companies demand and agencies comply. Advertising messages on the media are a mere reflection of corporate policies. The media sign a contract to run so many messages of a commercial nature. The good lady has wandered off into the side shows and missed the three ring spectacle in the main tent.

It is long past time for the public to be enlightened. If there is a consumer counsel representing the Government, let her speak on adulterated food, drug prices, safety, packaging, labeling, garbage, chicken in hot dogs, unsafe autos, phony seals of approval, credit and interest practices. The list continues ad infinitum, ad nauseum. Where do they stand on each of these pressing, ominous issues? What is going to be done about enforcement of laws?

The nebulous will wait. The obvious demands attention.

THE VOICE OF PROTEST IS ALSO THE VOICE OF THE PEOPLE

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, there have been more than a few strident noises raised against the moratorium which even now is gathering enormous momentum across the face of America. It is essential that we take a close look at this happening, and see what it is doing, saying and aiming for. As a start, it led to the most meaningful exchange of opinions regarding the war on the floor of this Chamber, that I have seen or participated in since my arrival here. The gentleman from Indiana (Mr. JACOBS) gave most eloquent voice to thoughts which have increasingly concerned the entire Nation. I am proud to have joined in endorsing such a parliamentary expression of the principle of participatory democracy. This is a peaceful gesture of protest and opinion in every form that it is taking. Those of us who have supported the moratorium have taken the greatest pains to disavow any violence or disrespect to national symbols. In no way should anyone be taken in by clumsy attempts to link extremists with legitimate protest and dissent.

I further feel that such an expression of opinion nationally and here in this House is a desperately needed, healthy and vital force. If basic representative institutions of a free people remain silent in the face of massive domestic disagreement, they contribute to loss of faith in those same institutions by those they are supposed to represent. Our free discussion last night was an affirmation of democratic dissent rather than a gesture of support to foreign opponents.

Nationally, the people have taken their cue, in turn insuring that we shall take ours from them. Their personal acts of dissent are living reaffirmations of the grip participatory democracy has upon so many of our fellow citizens. Protest should be understood for what it is, rather than be stifled because of any fear it may arouse in the breasts of those who have minimal faith in our people and institutions. We have nothing to fear from them. We have much to learn from how they think and feel. A nation is free so long as its institutions are free, expressive, and reflective of national opinion and will. Such a phenomenon as the moratorium is the legitimate expression of a significant and growing share of that same will. I welcome and am proud to have endorsed it.

SUPPORT PRESIDENT NIXON ON VIETNAM

(Mr. WYMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WYMAN. Mr. Speaker, let there be no mistake that the overwhelming majority of Americans are squarely behind President Nixon in his efforts to get the Vietnam war ended now but on an honorable basis. This means, simply, with some type of enforceable commitment that if we withdraw the North Vietnamese and the Vietcong will not continue their aggression and slaughter of the South Vietnamese who are our friends and who have put themselves, their property, and their future on the line for the West.

President Nixon did not order a half a million Americans to Vietnam. He is doing everything he possibly can to avoid further escalation. He seeks reason in an atmosphere of Communist aggression and hatred. Americans owe such effort their loyal support. For what do they demonstrate?

Those who would undermine our President who publicly seeks commitments from an enemy that is killing Americans at this very hour, are not helping attain the objective they seek—which is to get Americans out of the combat in Vietnam. In fact they are doing the very thing the enemy wants—which is to create further discord in the United States, with less support for our position at the bargaining table in Paris.

The following editorial in today's Washington Star is significant:

The Moratorium

> The best standard for judgment on today's Vietnam Moratorium is the effect it can be expected to have on the enemy—and on the President of the United States. Some light has been shed on both points.
>
> It is clear that this demonstration is enthusiastically welcomed in Hanoi. A Radio Hanoi broadcast yesterday said the Moratorium showed that the Communist fight in Vietnam was "for peace, justice and the right cause," and that this demonstration is "putting the Nixon administration in a very dif-

ficult and confused situation." An additional broadcast comment was that "the Vietnamese people heartily welcomes and entirely supports the October wave of struggle" in the United States.

An Associated Press report quotes the Communist newspaper, Nhan Dan, as saying that "the struggle of the American people extends so deep that it is supported even by senators and congressmen in Nixon's own party."

There is no reason to believe that most of the Moratorium participants want or intend to give aid and comfort to the Communists. A few may, but not many. This, however, begs the question. What counts is whether the demonstration, regardless of intention, does in fact give encouragement to Hanoi and thereby presumably prolongs the war. The evidence from Hanoi is that this is precisely what the demonstrators are doing. And, whatever the disclaimers may be, mature people are supposed to be responsible for the reasonably foreseeable consequences of their conduct.

What about the effect of the Moratorium on President Nixon? Certainly it has not been helpful.

In his recent press conference the President said that "under no circumstances will I be affected whatever" by the demonstration. We think that was a proper statement. But it evoked a predictable storm of criticism to the effect that Mr. Nixon was indifferent to public opinion, and was determined to pursue the policies of Lyndon Johnson in Vietnam.

Mr. Nixon is not deaf to public opinion. Nor is he adhering to the Johnson war policies, although the latter were modified significantly before Mr. Johnson left office.

It seems to us, however, that President Nixon is letting himself be pushed into a somewhat defensive attitude by the mindless attacks being made against him. There is at least a suggestion of this in the Nixon letter to a Georgetown University student—a letter in which the President tried to clarify his press conference remark.

There is hardly a man alive who doesn't want to see this miserable war ended. Centainly Mr. Nixon would rejoice to see the end, and firmly intends to wind up the American involvement at the earliest possible date. But as President, it is his duty to strive for an honorable and responsible termination. He has taken significant steps toward this end. As President, he also has a duty to refuse to bow to pressure tactics which have no other purpose than to force him into an irresponsible and precipitate course of action.

Despite the tumult and the shouting on this Moratorium day, we think the great, silent majority of the American people want their President to stand firm for what he knows is right. We also believe they will support him if he does his duty.

INCREASING BANKING COMPETITION IN NATIONAL CAPITAL REGION

(Mr. HARVEY asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. HARVEY. Mr. Speaker, on September 23, 1969, I had the pleasure to introduce H.R. 13928, a bill to increase banking competition in the National Capital region and to provide for a better flow of banking funds throughout this area.

Last week the Senate Banking and Currency Committee held hearings on S. 2569 introduced by Senators Sparkman and Bennett. This bill is identical to H.R. 13928, which I have introduced.

As a part of these hearings the Treasury submitted its views on the proposed legislation. These views were cleared with the Bureau of the Budget. The Treasury report was a scholarly and thoughtful approach to this problem and I am today inserting this report in the Record to acquaint my colleagues with the views of the Treasury and the administration on this measure. I am naturally gratified that the Treasury and the administration could see fit to support legislation which I have introduced.

The report follows:

The General Counsel of the Treasury,
Washington, D.C., October 7, 1969.
Hon. John Sparkman,
Chairman, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

Dear Mr. Chairman: Reference is made to your request for the views of this Department on S. 2569, "To amend section 3(d) of the Bank Holding Company Act of 1956."

The Bank Holding Company Act of 1956 prohibits the expansion of a bank holding company into new States unless the laws of such States expressly provide for the acquisition of banks within their borders by out-of-State holding companies. No State to our knowledge has such provisions. Existing bank holding companies which own banks in more than one State antedate the 1956 Act.

The proposed legislation would relax the restrictions on multi-state bank holding companies for the Washington, D.C. area. Specifically, the bill would permit a bank holding company to own a District of Columbia bank and also other banks located in the "National Capital region" as defined in the National Capital Transportation Act of 1960 (Public Law 86–669, 40 U.S.C. 652(a)). The definition is as follows:

" 'National Capital region' means the District of Columbia, Montgomery and Prince Georges Counties in the State of Maryland, Arlington, Fairfax, Loudoun, and Prince William Counties and the cities of Alexandria and Falls Church in the Commonwealth of Virginia, and all other cities now or hereafter existing in Maryland or Virginia within the geographic area bounded by the outer boundaries of the combined area of said counties and cities."

Under the bill, a bank holding company whose principal banking subsidiaries are located in Virginia would be permitted to acquire and own banks located in the District of Columbia. Similarly, a bank holding company whose principal banking subsidiaries are located in Maryland would be permitted to acquire and own banks located in the District of Columbia. Thus, Virginia or Maryland based bank holding companies would be permitted to own banks in the District of Columbia, while bank holding companies based in the District of Columbia would be able to own banks in only those areas of Virginia or Maryland which are suburban to the Washington, D.C. area. This would permit the large Richmond and Baltimore banks to have banking affiliates in the District of Columbia.

The proposed legislation would result in great long-run economic advantages to the Washington, D.C. area by strengthening its financial institutions. It would also recognize that the District of Columbia is merely the center of a large metropolitan area, including portions of both Maryland and Virginia. This is one of the fastest growing metropolitan areas in the country. Its current rate of growth in terms of both employment and average individual income compares favorably with other metropolitan areas.

The District of Columbia banks have been unable to keep pace with the growth of the area because of their inability to expand into their suburbs. Their deposit growth rates have lagged badly behind their suburban competitors. Unless there is some modification of current legal restrictions, the banks in the area will be unable adequately to meet the credit needs of the area, and the area will be deprived of banks of a size necessary to large metropolitan areas. The proposed legislation would remedy these defects in the existing situation without unnecessary impinging upon the rights of the states of Maryland and Virginia to control their own banking structures. It should be emphasized that this legislation would not permit branch banking across state lines, but any affiliates in Maryland or Virginia acquired by District of Columbia based bank holding companies would have to themselves be either national banks or banks chartered by the respective states of Maryland or Virginia. In either case, all of the branch banking restrictions of those two states would remain fully applicable and would be neither violated nor thwarted.

This is quite clear. The distinction between chain (holding company) banking and branch banking is clear in the law and has been recognized by many courts. *Camden Trust Co.* v. *Gidney*, 301 F. 2D 521, 524–525 (C.A. D.C.), *certiorari denied*, 369 U.S. 886; *First National Bank in Billings* v. *First Bank Stock Corp.*, 306 F. 2d 937 (C.A. 9). The differences between branch banking and holding company banking are many. Each bank owned by a holding company is a separate corporation with a separate capitalization and all of the attributes of a unit bank. Each bank in a holding company organization has a separate board of directors. Each such bank has a limit on the amount that it can lend to one borrower based on a percentage of the bank's individual capital and surplus. In contrast a branch banking system may lend at any one of its office up to the lending limit of the total system. Of course, a branch does not have separate shareholders. A branch may be closed at any time by resolution of the bank's board of directors without approval of either shareholders or supervisor. A holding company unit bank may be closed only by liquidation, merger, or receivership, all of which are complicated processes requiring approval of the bank's shareholders and authorization from the supervisor (12 U.S.C. §§ 181–186, 191–200, 215–215a, 1828 (c)). There are many other differences between holding company and branch banking.

It is the Department's view that S. 2569 would be of great benefit not only to the banking industry in the Washington metropolitan area, but more importantly, to the economic well-being of this rapidly growing area and to the businesses and individuals who are dependent upon this economy. We urge that S. 2569 be encated.

The Department has been advised by the Bureau of the Budget that there is no objection from the standpoint of the Administration's program to the submission of this report to your Committee.

Sincerely yours,
Paul W. Eggers,
General Counsel.

NOT NIXON'S WAR

(Mr. HARSHA asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. HARSHA. Mr. Speaker, not since Abraham Lincoln sat in the White House has an American President had his efforts to attain peace so seriously handicapped.

We have yesterday and today witnessed demonstrations conducted by a small but strident minority group which advocates a peace-at-any-price stance for the United States. Some so-called patriots carry the flag of a nation which has to date been responsible for the deaths of nearly 39,000 American soldiers. At this very hour, this same nation continues to conduct active aggressive warfare against the nation of South Vietnam, and against our Armed Forces and civilians posted there. Simultaneously, a U.S. mission strives to achieve a negotiated peace in talks being conducted in Paris with that nation. And also at the same time, the President of the United States continues his stated policies of exhausting every effort to achieve a just peace for all participants in the conflict.

No one will deny that individuals have a constitutional right to peacefully assemble to voice their opinions, and no one has denied them this right as evidenced by the fact that such demonstrations are permitted. This, however, is not the point. These individuals help to delay the very peace they seek by aiming their protests at the wrong party, and they introduce a dangerous element of coercion which is foreign to our form of government.

First, their position is confused and inconsistent. Last year at the Democratic convention, the antiwar faction endorsed a platform calling for a halt to the bombing of North Vietnam, a reduction in U.S. offensive operations in South Vietnam, and a phased withdrawal of all foreign troops from South Vietnam. Now, a year later, President Nixon has completely stopped all bombing of North Vietnam, U.S. offensive action has dropped to its lowest level since the troop buildup began, and large troop withdrawals have already taken place and are scheduled to continue as rapidly as the South Vietnamese Army can take over the fighting.

Recently, even the formerly rigid Government of South Vietnam has made concessions to the effect that it will hold elections and allow the full participation of the National Liberation Front—NLF.

Thus, with all of the doves' peace demands being fulfilled, they have switched their attack. They now seek total and immediate U.S. withdrawal regardless of the consequences, and furthermore, they have the gall to say that they have "consistently" demanded this. These same elected officials, clergymen, and educators who have lent their prestige to the moratorium endorsed a plank at the Democratic convention which specifically stated that the war "will not be ended by military victory, surrender or unilateral withdrawal by either side."

It seems that the gestures for peace have been singularly one sided. Therefore, I think that those who demonstrate in Washington and around the Nation should direct their protests to the enemy which intransigently fights on, apparently unwilling to compromise in any way. The Paris peace talks have been in session for a year and a half now, but the North Vietnamese have offered only a hard line position calling for unilateral withdrawal of all American troops and a total abandonment of South Vietnam to a Communist takeover. We are asked to assume that a Communist government is the majority wish of the South Vietnamese people, although the Communists refuse to participate in a legitimate election.

But a more ominous specter casts a sinister shadow over the moratorium, independent of its particular issues. Have we arrived at the place in our national history where the leaders of our Nation should start to follow policies dictated by street demonstrations? Are we hereafter to have government by demonstration rather than by representation? The pathways of history are cluttered with the ruins of once great nations whose downfall can be traced to the point where legitimate representative government gave way to leaders who tried to accede to the mercurial whimsies of mob rule. President Nixon, I am thankful to say, announced well before Moratorium Day that his policies would not be affected by the event. Thus, moratorium leaders were well informed that their demonstrations could have no useful purpose but to lengthen the war by giving heart to the enemy.

Does the enemy take heart from such a demonstration? A letter from the Premier of North Vietnam, Pham Van Dong, congratulating his "dear American friends," gives strong evidence that this is the case.

Therefore, I think the public demonstrations are dangerous in precedent, ill-timed, and certainly misdirected. Members of Congress who support such tactics are, in my opinion, not acting in the best interests of the democratic traditions of this Nation. They know that the President has the constitutional duty to conduct foreign policy and that negotiating peace is the most difficult and delicate act of foreign policy. Heckling and harassing the President is delaying the peace, not hastening it. Have the Democrats forgotten so quickly that Mr. Nixon is trying to end a war which he inherited from his Democratic predecessor and which they helped to authorize? This is not Mr. Nixon's war.

I am pleased that President Nixon is acting in such a manner as to prevent the United States from being transformed into an unsable, mercurial country where policy is determined by massive demonstrations and protest marches.

CRIME IN THE DISTRICT OF COLUMBIA

(Mr. HARSHA asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HARSHA. Mr. Speaker, District of Columbia police officials report that lawlessness and violent crimes are multiplying at an alarming rate. Figures released for the month of August this year show robberies up 62.8 percent in comparison with the same month last year, and 61 percent of these are classified as armed robberies. Total robberies for August in the District totaled a startling 1,226. By simple arithmetic we can conclude that 753 times during August, or an average of once an hour, someone's life was threatened by an armed hoodlum. And now, September armed robbery figures have been announced. Washington has the dubious distinction of having broken its own record, because August's 753 armed robberies have been surpassed by September's 821. This means that during September an armed robbery occurred on an average of 1.1 per hour, or 26.4 per day.

Shocking as these figures are, they are only a part of the total dismal picture. August statistics showed percentage increases of 49.7 in larcenies, 42.4 in burglaries, 27.7 in rapes, 20 in homicides, and 11.4 in aggravated assaults.

And speaking of homicides, as of October 6, total for the year was 206, which with 3 months still to go in 1969, means that 1968's total homicide figure of 209 is going to be easily surpassed. Although only eighth in population among U.S. cities, Washington ranks first in number of homicides.

Overall, crime in the District of Columbia for the month of August 1969 was up a total of 33 percent. The September statistics are not available yet, but based on the armed robbery figure released, the ominous trend will undoubtedly show itself to have continued.

For those of us who live in the Washington area, this news confirms the worst suspicions of those of us alert to the city around us, and I am deeply concerned. I am concerned, firstly, as any American citizen must be to realize that the streets of his Nation's Capital City are dangerous, and that muggers hide in the shadows of the great marble monuments. I am concerned as one who makes the Washington area his second home, as do all Members of Congress. One who lives here is well aware that an aura of fear descends over this city as night falls, and men and women go out in groups if they dare go out on the streets at all. To go out alone, quite frankly, is considered foolhardy and reckless, and in a lawyer's phrase, not the act of a reasonable and prudent man. Time is of the essence. Action is urgently needed now by the Congress—not tomorrow or the day after.

President Nixon has submitted a package of legislative proposals for consideration and action by the Congress. These anticrime proposals are appropriate and well designed to attack the areas of criminal activity where they are directed. I ask this Congress to act upon these proposals now in answer to the needs and demands of the American people.

A TIME FOR STATESMANSHIP

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, the Vietnam moratorium is attracting worldwide attention and this is an appropriate time to make a statement on the war and the demonstrations.

The act of joining in the moratorium is a matter for the individual conscience. Where any public demonstrations are peaceful and thoughtful, they fall within the ambit of our constitutional guarantees and permit our people to express their opinions. To the extent that they are violent and destructive they serve no useful purpose and should be repudiated.

We all seek to promote a swift and

honorable peace in Vietnam. We all seek to withdraw our troops as rapidly as circumstances will allow. We all seek substantial progress toward peace and American withdrawal. In my judgment, President Nixon actively pursues these objectives and has taken substantial steps to achieve them. To the extent that the proposed moratorium would embarrass or frustrate the President in his efforts, it would be a disservice to the people of this country.

The last time I spoke at any length on this question was after the Tet offensive of 1968 when I spoke of the need for a complete and total review of our policies and a redetermination of our commitments.

Subsequent to this statement, President Johnson turned the national policy in the direction of peace by ordering a cessation of bombing, by issuing a call for a peace conference and he also announced his withdrawal as a candidate for the Presidency.

Given the extent of our commitment and the degree of reliance of associated nations upon us, it seemed to me that the Johnson initiative was hopeful and that efforts to achieve an honorable military conclusion should be supported and I did support them.

When President Nixon succeeded President Johnson, he asked for time and patience in attempting to achieve our disinvolvement and I was willing, as the American people were willing, to accord both to him. And I should like to say that I believe that Mr. Nixon honestly wants to bring the war to an end. Surely it would be to his advantage and that of the Nation to do so.

One must concede also that the problem facing President Nixon is no less difficult than that faced by President Johnson.

The overall need to form a cooperative structure to maintain peace is as urgent as ever. The existence of hostile forces dedicated to undermining our security clearly continues. The vulnerability of millions of people to aggression and enslavement and torture without our protection remains. The difficulty of creating a viable governmental structure overnight in Vietnam has not grown any less.

We have manfully assumed the burden of helping to achieve these objectives and to solve these problems. And it is clear that we cannot simply walk away from them and our involvement with a wave of the hand. I do not agree with those who say "turn around and walk out tomorrow."

Nor do I believe that simply because we terminate this war we shall be free of conflict and the problems of aggression forever after. Merely to mention the names of Cuba, Israel, Biafra, Peru, Greece, and Yugoslavia suggests areas where difficulties affecting this country might well arise.

Having taken all these factors into account, however, it does seem to me that we are entitled to take the measure of the Nixon administration upon its progress in achieving a peaceful end to the war.

The fact is that we have gone about as far as we can go. Whether our Vietnam adventure might have been conducted otherwise or should not have been started at all is now academic. Whatever the causes, the significant fact is that the American support for this war has gradually been eroded and the American people want it finished. And while it continues, American boys are being killed.

For the most part our people have not been unreasonable. They have not in appreciable numbers asked for precipitate evacuation. But President Nixon should not brush off the desire for peace as inconsequential nor consider the student questioning unimportant.

It is impossible to set a legislative prescription for terminating a war. Like the conduct of foreign policy, this activity must have flexibility and the Executive must be permitted some freedom of action.

However, this by no means suggests that the patience of the people is without limit nor that support of the military effort will continue indefinitely. We must see progress and we must see it soon. This is not to limit it to 30 or to 60 days, or a year but it is to say that there must be movement and it must be apparent without delay.

This is an appropriate time for full discussion on the war commitment. It is also a time for restraint and a time for action in the general interest. It is certainly not, in my judgment, a time to substitute political ploys for statesmanship under the claims of acting in the cause of national security and serenity.

SHORTCOMINGS OF PRESIDENT'S MESSAGE

(Mr. ROSTENKOWSKI asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ROSTENKOWSKI. Mr. Speaker, on Monday the Congress received a message from President Nixon urging action on a number of his legislative proposals. I include in the RECORD at this point a statement issued by the distinguished majority leader, the gentleman from Oklahoma, (Mr. ALBERT), in response to the President's message. The majority leader has very clearly pointed out the shortcomings of the President's message and has emphasized that there is far more initiative and a greater sense of urgency in the Congress than in the administration.

The statement follows:

STATEMENT OF HON. CARL ALBERT

I have read with interest the Message of the President which will be delivered to the Congress on Monday.

The President proposes to make the legislative issue of the 1970 campaign the question of who deserves greater credit for the Ninety-first Congress' record of accomplishment. This, we are willing to do.

We have moved from the beginning in a spirit of cooperation. For the first time in history, Democrats in Congress gave an incoming President a federally-financed program for transition of the government.

Many Democrats have supported the President in matters affecting the national security and the economy of our country.

Notwithstanding the failure of the President to send up a State of the Union message; notwithstanding the tardiness of Departments and agencies in submitting legislative proposals or in commenting on bills pending before the various committees; notwithstanding repeated instances in the most important areas where Administration spokesmen have disagreed among themselves or have asked for additional time to express their views, this Congress has moved and is moving on a broad front.

Despite the President's comments, there is a greater sense of urgency in the Congress than in the Administration.

I agree with the President that our elderly Americans need increased benefits, but I believe a 10 percent increase in Social Security payments on April 1 is not only too late but too little.

I agree with the President that the Economic Opportunity Act should be extended, but where are the Republican votes to extend it without emasculating it?

I agree with the President that the legislative areas he described are important, but I cannot understand how a message which stresses urgency can ignore the crisis in education, the increasing need for conservation, and the protection of our natural resources.

I have been in the House of Representatives a long time. I have seen administrations come and go. I have served in great Congresses, productive Congresses.

The 91st Congress is still in its first session. Yet, the House of Representatives has already distinguished itself by the quality of its performance, by its ability to plow new grounds and to prepare for the future.

With electoral college reform, tax reform, new thrusts to education and water purification already through the House; with voting rights, housing, and mine safety bills ready for floor action—all done on the initiative of a Democratic Congress—with numerous other major proposals under study by the committees, the 91st Congress bids fair to being one of the really *quality* Congresses of the century. Of this, the American people will be the judge, and I, for one, am willing to leave the verdict in their hands.

MR. WALKER TIDIES UP

(Mr. ROSTENKOWSKI asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ROSTENKOWSKI. Mr. Speaker, I recently had the great pleasure of reading an editorial published by the Chicago Tribune on October 11, 1969, entitled "Mr. Walker Tidies Up." I believe it merits the attention of our colleagues because it so aptly underscores the changing mood which has accompanied the numerous riots and demonstrations taking place across our great Nation.

The editorial follows:

MR. WALKER TIDIES UP

In the wake of Wednesday night's street violence, Daniel Walker, who sired the "Walker report" on the Democratic convention riots of August, 1968, appeared in a penitential mood before a civic organization. This time he had nothing but praise for the professionalism of Chicago police in dealing with the criminal outbreak of revolutionary rabble.

These were the same police whom Mr. Walker, in his "summary" of the 1968 report, accused of responding to provocation with "unrestrained and indiscriminate police violence," amounting to what, on two occasions, "can only be called a police riot."

Within a year Mr. Walker has not only changed his tune, but he now complains that his previous comments were misread or misunderstood. Yet on Dec. 20, 1968, some three weeks after the release of his report, Walker strongly defended the report in toto, stating that many of the younger generation mistrust "a society that teaches but does not practice the dignity of the individual."

We wonder if the young hoodlums who went on Wednesday night's insane rampage are to be regarded as exemplars of individual dignity.

If wrong in 1968, Walker conceivably could have straightened out to the extent that he is right now. But if he has indulged in the communist exercise of rehabilitation thru self-criticism, he might at long last answer some of the puzzling questions having to do with his 1968 report. The Tribune repeatedly attempted to obtain clarification from him, but he always slipped, slid, and ducked. Here are some unanswered questions:

Why did Walker volunteer a "summary" which Chief Judge William J. Campbell of federal District court characterized as "Mr. Walker's personal opinions"?

Why was Walker in such a sweat to release the report, which was only advisory, that he rushed thru the printing of 10 copies at a Chicago plant so that members of the Presidential Commission on the Causes of Crime and Violence could get a perfunctory peek at the contents? The Walker panel was responsible to the commission, but only a handful of its members saw the document in advance, and then for perhaps an hour or less.

Was this rush related to commitments to leak the report in advance to Life magazine, the television networks, and Bantam Books, which hurried a paperback edition to the printers, and E. P. Dutton & Co., which did a hard-cover quickie? A copy of the report, perhaps in manuscript, had been handed Max Frankel of the New York Times, who wrote the Bantam edition foreword and a front-page story for his newspaper for editions of the report's official date of release, Monday, Dec. 2.

What was the concern of the Times [which had been harsh in its treatment of the Chicago police department's handling of the convention riots] in seeking wide distribution of the report? Its book division manager, John G. Stewart, stated that his newspaper had arranged "to cooperate in the publication of both paperback and hard-cover editions of the report."

Why did Walker solicit the assistance of the navy department in finding a private printer in Philadelphia after the Government Printing Office refused to print the report because of its many obscenities?

Why did Grosset & Dunlap, which also rushed out a hard-cover edition, advertise "1st Official U.S. Report," when the report was neither official nor conclusive? Why did the Times similarly headline its news story "U.S. Study Scores Chicago Violence as a 'Police Riot'," when the report was merely advisory and not an officially sanctioned government study?

If Mr. Walker is in a mood to come clean, now is his chance to explain.

ROGERS ASKS FINCH TO REORGANIZE FDA—MAKE IT LEAD AGENCY IN CONSUMER PROTECTION WITH DIRECT ACCESS TO THE SECRETARY

(Mr. ROGERS of Florida asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ROGERS of Florida. Mr. Speaker, since the Subcommittee on Public Health held hearings into the capabilities of the Food and Drug Administration last month, numerous articles have been published indicating once again that FDA is not playing its proper role as consumer protector in the Government arena.

An internal report which sparked the committee's look into the activities of FDA pointed out many of the shortcomings. I do not agree with all the recommendatians in the report which call for legislation, for I feel much could be accomplished through administrative action.

But there presently exists a lack of communication and coordination between FDA, the Consumer Protection and Environmental Health Service, and the Secretary of Health, Education, and Welfare which is adding to the problems of FDA.

Before July of 1968, FDA was directly responsible to the Secretary. There was a direct line of communication and thus a direct responsibility for the work done or not done by FDA. Since FDA was, through reorganization, placed under the Consumer Protection and Environmental Health Service, the responsibility of communication has become fogged.

I have been told that the Consumer Protection and Environmental Health Service has taken between 75 and 100 people from FDA, severely compounding the manpower shortage which already existed in FDA.

We have seen examples of contradictory positions on various drugs and additives, indicating a lack of agreement in an agency which is responsible for warning the American public of dangerous items.

There are other reports that indicate that FDA is not getting the support, leadership, and direction it needs to become the guardian of the American consumer because of its organization position within HEW.

I am writing to the Secretary today asking that he reorganize the department so that FDA is directly responsible to the Assistant Secretary for Health with direct access to the Secretary himself.

I am also urging that the Secretary give FDA the emphasis necessary to make it the Government's lead agency in safeguarding the American public against unsafe foods, harmful pesticides, medical devices, cosmetics, unsafe or ineffective drugs for humans and animals and the other areas of consumer activity over which it has authorization, but which it has not properly exercised its responsibility.

THE MORATORIUM: THE BEST NEWS HANOI HAS HAD IN YEARS

(Mr. WAGGONNER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WAGGONNER. Mr. Speaker, there are any number of Members in this body older than I, but I am not so young that I have forgotten Dienbienphu in Vietnam and what took place there in 1955. Nor am I so young that I cannot remember what this Nation's misguided policy did to sabotage the Republic of China during and after World War II, so that it was delivered into the hands of Ho Chi Minh's mentor and adviser, Mao Tsetung.

If intelligent men cannot learn from these two tragedies so recent in our history, cannot profit from the monstrous errors of judgment, cannot avoid making the same pro-Communist mistakes we made then, then this Nation is, indeed, dead in a handbasket and on its way to purgatory.

During the Second World War and after, our State Department and the administration in office sold pro-West, Democratic, struggling Chinese leader Chiang Kai-shek down the river. A book could be written on the subject, and many have, but the irreducible minimum is that we turned our backs on the struggling democracy that was building in China and literally forced it into a foredoomed coalition with the Communists. The rest is history; sordid history. Within months, the Chinese Communists, well rested since they had not fought the Japanese, well stocked with guns from Russia, declared war on the democratic forces of Chiang Kai-shek and drove his government off the mainland.

It could not have been done without the efforts of the liberals in control of our State Department. It could not have been done had we not been sold a bill of goods on the home front that the Communists were not Communists at all, but agrarian reformers.

The leaders of and participants in today's so-called moratorium have learned nothing from that lesson. There is small consolation in the fact that some of these participants are misguided in their quest for peace.

After Japan surrendered to the Allies, the French returned to Vietnam where they had acted as protector prior to the war. But before they could set up government again, Ho Chi Minh, aided by Mao Tse-tung, forced the resignation of the Japanese government in Vietnam and set up his own Communist regime. The French expeditionary force fought the Communists of North Vietnam for 10 years. By the end of that time, it was obvious that the Vietcong could not win a military victory over the South Vietnamese and the French. So, they took another course. They set about undermining the morale of the French people back home in France. The hue and cry went up, unilateral withdrawal of all French troops.

Does that sound familiar?

Through the same kind of propaganda effort that is going on in this country today, the Communists were able to rob the French people of their will to fight for the freedom of the South Vietnamese, and the expeditionary force, lacking support from home, suffered defeat at Dienbienphu.

It was not a military defeat, since less than 10,000 men out of a French army of 270,000 were engaged in the battle. The South Vietnamese and the French lost because of moratoriums on the home front, criticism of the French Government's desperate effort to negotiate peace with the Vietcong, antiwar speeches and demonstrations in Paris and the same kind of protest that has been underway here in the United States for the past several years.

Result: a humiliating defeat of the French by the Vietcong.

How can anyone pretend surprise at the news from Hanoi that the Premier has sent a message of encouragement to those promoting today's moratorium? For anyone to seriously believe that this moratorium is not the best news Hanoi has had in years, he would have to be either childish or senile, depending only on his age.

There is no man in the United States who wants peace in Vietnam more than President Nixon. There is no man in the United States working harder to achieve that peace than President Nixon. To undercut him and this country at this hour, to encourage the Vietcong to hold out is, in its simplest terms, giving aid and comfort to the enemy. At other times in this Nation's history, it would have been called such and dealt with accordingly.

Like every American, I want peace in Vietnam. I want an end to the dying. But perhaps my price is a little higher than those who have promoted this moratorium.

I want some national and international honor left for this Nation when it is over. I do not want it written across the pages of history that America pledged its word and copped out. I want some semblance of security for the entire world and there can certainly be none if the United States is driven out and humiliated.

Three years ago, in a newsletter to my constituents, I wrote this as the final paragraph:

> This nation has, on many occasions, as other nations have, fought ardently for our freedom. But it may well be that, in the long roll of history, we are now writing one of our most glorious chapters on that remote soil of this tortured little nation 8,000 miles from our shores. Our stern and unswerving defense of the helpless Vietnamese, without seeking for ourselves either power, territory or treasure, is the highest tradition of all that can be good in humanity. While the flame of freedom burns in our souls, we cannot suffer it to be snuffed out in the soul of any man by Communist oppression. I believe, from the dimensions of my heart, that the cause of freedom now and in the years to come, is best served by supporting our sons on the battlefield of Vietnam. If this is patriotism, I am proud of it. For the question now comes down to this: either we serve our country and fight Communism to preserve our freedom or there will be no freedom to fight for nor any country to serve.

That was written 3½ years ago, and I would not change a word of it today. At that time I had thought, of course, that this Nation, once committed, would swiftly win the war. I could not have known that for 3 of those years we would back and fill, start and stop, and otherwise prevent our own troops from winning a war we had sent them to fight. I could not have known then that we had no intention of winning a military victory, as former President Johnson proudly announced last year.

The shame that is ahead of us is even worse if we follow the directions of the advocates of this moratorium: total and immediate surrender to the Communists and retreat to San Francisco. For, let the RECORD show, there can be no isolation for this country in this day of the atomic and hydrogen bomb. We either win in Vietnam or we lose in every corner of the globe.

There are three items which have appeared in the Washington Post yesterday, October 14. The second and third columns by Joseph Alsop and Jack Anderson in today's issue.

What is being done in this country today will be looked at by historians in generations to come. I, for one, want there to be no question where I stood. I stood by my country in one of its most trying hours; I stood by my President in his search for peace. Each man who stands somewhere else can settle with his conscience in whatever fashion he can, but I do not envy him the job.

The items referred to follow:

HUE MASSACRE FORESHADOWED RESULTS OF "BUG-OUT" BY UNITED STATES

(By Joseph Alsop)

Suppose the vociferous supporters of the Vietnam moratorium get what they want. Suppose they are finally able to force what the President succinctly calls a "bug-out." Then what?

For the students who advocate a violent revolution in this country, the foregoing question has no importance, of course. They may be, indeed they are, irresponsible, self-intoxicated young fools. But they are at least more forthright than the senators and college professors and other bug-out advocates who pretend to be responsible persons, yet will not face the predictable consequences of the bug-out they are calling for so loudly.

The first consequence, as anyone can foresee, will be the cold-blooded massacre of a couple of million South Vietnamese who have put their faith and trust in the United States. If anyone doubts this, he had better study the hideous massacre of about 3,500 old men, women and children that was perpetrated by the Communists when they occupied the city of Hue for a couple of weeks.

The Hue massacre was largely irrational. The people who were killed were not government officials, or soldiers in the South Vietnamese army, or even, in the main, blood relations of such wicked "imperialist lackeys." These people were instead buried alive, or mowed down with automatic weapons, or chained together and brained with mattocks in reprisal for Hue's infuriating failure to produce the "popular uprising" the Communist leaders expected.

A few were Catholics, to be sure, and the Catholics in Hue were reportedly treated with particular brutality. There are above a million Catholics in South Vietnam today; and either they or their parents were brought down from the North by the United States in 1954, because it was correctly considered they needed a safe haven in the South.

So what of them? And what of the million South Vietnamese who are now under arms for the Saigon government? And what of the hundreds of thousands of members of the People's Self-Defense Force in the villages, who are regularly chosen as targets by the Communist assassination squads?

American intelligence has officially predicted that most of these people will be killed out of hand—the conservative predicted figure is about 1,500,000—after an American bug-out leading to a victory for Hanoi. Is that what Sen. Fulbright and Sen. Goodell really want; and if not, how do they propose to avoid it?

As to the wider political consequences of a bug-out, they are clearly and very grimly set forth in the responses to the President from his ambassadors, to whom he long ago posed the question. These consequences, too, hardly bear thinking about.

They range from the rapid collapse of the position as a Pacific great power that the United States fought two previous big wars to establish and defend, all the way to a very serious increase in the risk that the Soviets will back the Arabs, whole-hog, in perpetrating genocide against Israel. Is that what Professor Hans Morgenthau wants? Or does he approve of genocide in South Vietnam, while opposing genocide in Israel?

Yet the worst consequences of a bug-out, as President Nixon has kept emphasizing to many people he has talked to recently, will be right here, at home in America. This is his most special, most personal reason for not wanting to be "the first American President to lose a war."

Any fool ought to be able to foresee that the first American defeat in war, followed by the grisly consequences overseas that have been described above, will be enough to poison our political life for a quarter of a century. The inquest after the alleged "loss of China" was poisonous enough. But it will come to seem temporary child's play if we quite needlessly lose the war in Vietnam.

The defeat genuinely is quite needless. So there will be a certain substance, alas, to the angry charge that all America's great efforts and sacrifices of these last years have been rendered fruitless by a "stab in the back."

Again, there has been more than a little colloguing with the enemy. So there will be raw material, alas, for those who will howl about a great conspiracy. Then, too, Hanoi's most obviously untruthful propaganda has been faithfully parroted by many Americans in the academic community, in the media and elsewhere, and this will become another topic for dire clamor.

The truth is that a great many seemingly intelligent Americans are now behaving like mindless lemmings. The danger to themselves is of course their own business. But they might at least consider the danger to all the values they pretend to cherish.

ILL-ADVISED VIET MORATORIUM COULD SET A RISKY PRECEDENT

(By David S. Broder)

CAMBRIDGE, MASS.—The larger the plans for Wednesday's Vietnam moratorium, the more the central message and tactic of the demonstration have been obscured. If the event is to be gauged properly, it is important to uncover its original premises from the debris of cliches and endorsements in which they have lately been buried.

A number of men active in the moratorium have taken time to point out what they consider the errors of the argument in this column last week that it is a plan for "the breaking of the President." With sincerity and conviction, they have asserted that, far from breaking the President, they are out to save him, by persuading him to make the peace the nation craves and, incidentally, to save the political system by keeping the antiwar movement out of the hands of the radicals and in control of those with a commitment to peaceful forms of protest.

Their conversations and correspondence have helped to define three questions which might be borne in mind by those planning to participate in the moratorium.

First, what is the target of this protest? Sam Brown, the able spokesman for the moratorium, says it is not an anti-Nixon move because "we learned in 1968 that what we must oppose are not personalities but policies."

But if the Nixon administration is following the very policies recommended in 1968 by the antiwar faction, as I believe, then their moratorium is mobilizing public opinion against its own policy recommendation to the President. The minority plank at the Democratic convention, endorsed by all the leading doves, called for a halt in the bombing of North Vietnam. This has been done. It recommended a reduction in offensive operations in South Vietnam. The President has ordered this and it is in effect.

It asked for "a phased withdrawal over a relatively short period of time" of all foreign troops. The Nixon administration has begun pulling Americans out of Vietnam without

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waiting for North Vietnam to agree to mutual withdrawals, as the doves thought necessary.

Finally, it recommended that the United States use the leverage of troop withdrawals to "encourage" the Saigon government "to negotiate a political reconciliation with the National Liberation Front" looking toward "a broadly representative government" but recognizing that "the specific shape of this reconciliation will be a matter for decision by the South Vietnamese."

If this is not precisely the policy of the current administration, as enunciated by the President and the Secretary of State, then words have lost their meaning. And if the moratorium sponsors want to argue—as some have—that the President is lying about his purpose, their suspicions must be weighed against the facts of reduced fighting, reduced troop levels and reduced casualties, which his policies have brought about.

Second, what is the alternative they recommend? It has been described in moratorium publicly as everything from a negotiated settlement to immediate, total American withdrawal from Vietnam, but Brown said Sunday on "Face the Nation" that it is the latter that the moratorium has "consistently" demanded.

If that is the case, then the elected officials, clergymen and educators who have lent their prestige to the moratorium can properly be asked if this is the program they endorse. Many of these sponsors were involved in the fight for the minority plank at the Chicago convention which specifically said the war "will not be ended by military victory, surrender or unilateral withdrawal by either side."

It might be well for those men to explain Wednesday when and why they concluded that their opposition to unilateral withdrawal was wrong. It would be even more useful if they could explain why a one-dimensional plan to pull out troops is any more likely to be wise policy than the one-dimensional plan that sent the troops in. Have we not learned yet to examine the political consequences of military decisions?

Third, and most important, what about the method of the moratorium? Is it compatible with the maintenance of representative democracy or does it substitute the rule of the street?

The sponsors say the name "moratorium," rather than "strike," was chosen to emphasize that the protest is to be peaceful and noncoercive. It is a nice distinction. The noncoercive feature may be almost invisible to the thousands of students whose colleges will shut down Wednesday. If the moratorium continues, as planned, for two days in November, three days in December, and so on, it will more and more come to resemble the general strike so familiar to European politics.

And if it succeeds in its aim, what is to prevent other majorities or sizable minorities in the country from using the same technique to force their views on agencies of the government? The moratorium sponsors say Vietnam is an extraordinary issue, but they must know it is not the only issue which agitates millions of people.

One wonders what the moratorium sponsors would say if Billy Graham were to ask all the parents who want prayers restored to public schools to withdraw their children from school for one additional day each month until the Supreme Court reverses its school-prayer decision.

Suppose pro-prayer teachers agreed to meet the pupils in private homes on moratorium days to discuss "the overriding significance of religion in human life." Would the Vietnam moratorium sponsors cheer? What would they say if landlords and real estate men opposed to integrated housing declared a moratorium until Congress repeals the open-housing law?

My view, just to be clear, is not that the Vietnamese moratorium is un-American, illegitimate, meanly partisan or personally vindictive in its motivation. My view is that it is an ill-timed, misdirected protest, vague in its purpose and quite conceivably dangerous in its precedent.

As was said last week, its immediate result may be the breaking of the President. In the serious weakening of his power to negotiate peace or to achieve any of the other purposes for which he was elected, its longer term effects may be to subvert a system of democratic government I happen to believe is worth preserving.

U.S. Revolutionaries Linked to Hanoi

(By Jack Anderson)

Tokyo.—For the millions at home who will demonstrate against the Vietnam war today, the intelligence files here contain some facts worth pondering.

This column has examined documentary evidence that a few rabid revolutionaries who seek to dominate the anti-war movement in the United States are receiving instructions from Hanoi. They aren't against war at all; they merely are on the enemy's side.

Indeed, their aim is to stir up new "wars of liberation," including guerrilla warfare in the streets of America, to advance the Communist cause. Their immediate instructions are to agitate in the United States for an unconditional withdrawal from Vietnam.

In retrospect, I believe it was a mistake for the U.S. to plunge into the Vietnam conflagration. This remote patch of jungle simply hasn't been worth the price in American blood and treasure.

But those who are in a big rush to write off 38,887 American war dead and $81,407,000,000 of the taxpayers' money should consider the French experience. The French pullout of North Vietnam 15 years ago precipitated a Communist slaughter that hadn't been duplicated since the mad days of Adolph Hitler.

Too hasty abandonment of South Vietnam likewise might produce another bloodbath. Yet the Hanoi-directed militants, according to intelligence documents, are striving to turn the antiwar protest into a national demand for "quick and complete withdrawal of U.S. troops from South Vietnam."

Possibly to avoid treason charges, the American militants are not in direct touch with the Hanoi government. Most contacts, apparently, have been kept on a friend-to-friend or organization-to-organization basis.

The Hanoi-controlled South Vietnam Liberation Students' Union, for example, maintains an underground liaison with U.S. leaders of the Students for a Democratic Society and the Students' Committee for the End of the Vietnam War.

On the eve of the Vietnam Moratorium, Tran Buu Kiem, the Students' Union chairman and former chief Vietcong delegate in Paris, wrote a letter to his American disciples urging "the active and massive participation of the American youths and students in this fall struggle movement."

HANOI LETTER

The letter, dated Oct. 6, called for a prompt American pull-out from Vietnam. Kiem contended that "the replacement of a score of thousands of troops is insignificant, as compared with about half a million U.S. youths still remaining in South Vietnam.

"Your interests and those of the American people and the United States do not lie in such a drop-by-drop troop pullout, but in the quick and complete withdrawal of U.S. troops from South Vietnam; not in the Vietnamization or de-Americanization of the war in South Vietnam, which is unpopular and costly in human and material resources, but in ending it. . . .

"If Mr. Nixon sincerely wants to live up to his promise to end the war, a promise which he made when he ran for office and when he took over the presidency," the Kiem letter continued, "there is no other way than to respond to the 10-point solution of the Republic of South Vietnam's provisional revolutionary government by quickly withdrawing all U.S. and satellite troops from South Vietnam without imposing any conditions and by abandoning the lackey Thieu-Ky-Kiem administration, leaving the South Vietnamese people to decide their own internal affairs.

"You are entering a new, seething and violent struggle phase. We hope that you all will pool your efforts in achieving great success in this fall struggle phase."

INTELLIGENCE REPORT

Another intelligence document, made available to this column, casts a revealing light on the North Korean role in stirring up opposition to the constitutional amendment, which will determine the future of South Korea. A national referendum will be held Friday to determine whether South Korea's bantam President Chung Hee Park can run for a third term.

"In connection with the constitutional amendment," declares the intelligence analysis, "the Pyongyang regime is trying to arouse popular views adverse to the constitutional amendment in an effort to create political chaos in the Republic of Korea. The Pyongyang regime is concentrating all efforts on its psychological warfare to encourage the recalcitrant elements in the South."

The attempt to extend President Park's rule for another term has been described, even in the Western press, as undemocratic. The truth is that the Park government has adhered scrupulously to the democratic processes.

Once the referendum is decided by popular vote on Friday, South Korea's troubles may merely be beginning. The intelligence document estimates that North Korea will intensify its efforts to subvert South Korea next year, thus "taking advantage of the possible political chaos in the ROK during the 1971 election."

CITIZEN PROTEST AGAINST MORATORIUM IN KEENE, N.H.

(Mr. CLEVELAND asked and was given permission to extend his remarks at this point in the Record and include extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, on this day of the so-called moratorium against the conflict in Vietnam, I wish to put into the Record the text of an advertisement paid for by 72 concerned citizens of Keene, N.H. They are opposed to the moratorium, as I am, because they fear, as I fear, that it will encourage the foe to fight on and not negotiate.

Although the participants in the moratorium may be motivated by good intentions, their efforts are—and I believe most of them are—likely to be misread by the enemy. Hanoi is likely to see them as a sign that the American people are on the verge of panic and will do almost anything to get out of Vietnam heedless of the consequences to ourselves or to other countries.

My constituents in Keene published their advertisement yesterday in the Keene Evening Sentinel. It includes a very apt and moving excerpt from Thomas Paines' writings.

I am very pleased to bring this to the attention of the House:

> We ask that you consider anew these words of Thomas Paine, then reexamine the motives; the maturity; and the stature of those

who have perpetrated and supported the treachery that culminates in this day of shame . . . the October 15th Moratorium.

'Tis surprising to see how rapidly a panic will sometimes run through a country. Yet panics have their uses. Their peculiar advantage is, that they test sincerity and hypocrisy, and bring things and men to light which might otherwise have lain forever undiscovered. These are the times that try men's souls. The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of this country; but he that stands it now, deserves the love and thanks of man and woman. Tyranny, like hell, is not easily conquered.

Not a place upon earth might be so happy as America. Excerpts from the American Crisis, No. 1, December 23, 1776, Thomas Paine.

Contributed in the spirit of an apology to our fighting men and to our leaders that seek an honorable end to the Vietnam War by the following:

Charles R. Adams, G. V. Aldrich, George H. Barrett, Gordon W. Bemis, Jr., Malcolm G. Beverstock, Robert W. Bird, James F. Campbell, Alexis Caswell, Donald P. Chace, John E. Clark, Richard J. Colburn, Alton B. Coller, Norman H. Cotton, Vernon M. Cram, Jim Cusick, John W. Day, Carl Delaney, Manuel J. DeSouza, Jilly DiBernardo, Bruni diBiccari, Kermit Davis, Sidney O. Davis, James L. Doody, and Clifford E. Emery.

Kenneth D. Fields, James F. Fletcher, M. G. Gaouette, R. W. Gardner, Ed. Govangeli, John C. Grogg, F. Guardiani, Frank Henry, James A. Ingalls, James L. Jacobs, Fred H. Johnson, T. R. Jones, Chester L. Kingsbury, Arthur H. Knight, Albert Lafountain, Walter A. Lampinen, Earle N. Lane, Raymond L. Lane, Richard L. Lane, Richard L. Larue, Norman Letourneau, Charles B. Loos, and Al. Martin.

Clyde L. Messier, John W. Miller, Len Nelson, Birger Ohman, Donald L. Ouellette, Frank C. Papenfuse, James E. Pelkey, Sr., Roy Piper, Ed. Reyor, Robert E. Riley, George Roentsch, Richard F. Rowe, William Roy, Clark Schwettman, Charles V. Smith, Stanley B. Smith, H. B. Stamm, Dean B. Talbot, Douglas H. Treat, Stanley Turner, Lloyd L. Vickers, Evan C. White, Robert L. White, and Carl L. Wilson.

You may be interested to know that in a poll taken at random Sunday among tax paying family men, 95 were against the Moratorium and only 17 for it.

MORATORIUM—MASS SENSITIVITY TRAINING

(Mr. RARICK asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, last Thursday I called to the attention of the House and caused to be published in the Record—page 29368—the full text of a Radio Hanoi broadcast on Monday, October 6, calling for the disloyal and disgraceful so-called moratorium of today.

Yesterday, during debate on another matter, the distinguished gentleman from Maryland (Mr. Morton) read to the House and caused to be published in the Record—page 29968—the full text of a telegram from the Premier of Communist North Vietnam, addressed to his "Dear American Friends" and encouraging the activities designed to stab our fighting men in the back. Lest anyone misunderstand its meaning, this telegram closed with the words:

> May your fall offensive succeed splendidly.

Mr. Speaker, Members of this body should understand that the American people have not been fooled by the peaceniks. Within the city of Washington the huge crowds predicted turned out to be mostly a sick trickle of confused and exploited children.

Reports from my district indicate that the so-called moratorium was properly ignored. From more than 15,000 students enrolled at Louisiana State University in Baton Rouge, less than 300 attended a so-called prayer vigil. Three, only three, pickets showed up to parade in front of the Federal building in Baton Rouge, a city of over 150,000. At Hammond, La., the home of Southeastern Louisiana College, students went about their business of gaining an education without interruption—a normal day like any other Wednesday.

Despite the advance publicity and all of the ballyhoo, most Americans showed far more interest over the outcome of the world's series game in New York than over the Red-led general strike in support of our enemy.

Mr. Speaker, the tenor of the so-called debate in this House on the subject of the moratorium has shown two things very plainly.

First, that most Members fail to understand what the whole operation is all about.

Second, that insofar as leaving Vietnam is concerned, the decision to quit and run has already been made. Our allies have already been sold out—our captive fighting men held by the enemy callously abandoned. The only disagreement is whether our retreat is to be a rout as demanded by the peaceniks to further disgrace Americans or to be disguised as a negotiated withdrawal as peddled by the administration.

Both views ignore the fate of our many anti-Communist Asian friends upon our departure from Vietnam. It is flagrantly dishonest to suggest the further evacuation of these people, many of whom are Christian and who were already evacuated by us from North Vietnam in 1954 to prevent their wholesale slaughter by the Communists.

Mr. Speaker, the plain truth is that if we leave Vietnam before our allies are strong enough to protect their homes from Communist aggression, these millions can expect the carnage of the Christians slaughtered at Hue during last year's Tet offensive.

What was the moratorium really all about? It was merely a training exercise, designed to condition mindless people in large numbers to blindly follow demagogs in defiance of constituted authority—the same sort of operation which resulted in tearing down the doors of the assembly chamber in Madison, Wis. It had the further purpose of conditioning decent Americans, with the aid of massive publicity, that there was nothing to prevent such disloyal disorders.

It was a dress rehearsal for next month—November 15. On that date more ambitious plans for giving aid and comfort to the enemy have already been announced—a further operation in the fall offensive waged in Washington by the enemy. Let no public official be misled—the American people are not, nor are our fighting men in Vietnam.

Mr. Speaker, I include clippings from today's papers, together with other clippings reflecting the views of Americans who can wear the name with honor and pride, two of our fighting men whose views we would do well to carefully consider:

[From the Evening Star, Oct. 15, 1969]

The Moratorium

The best standard for judgment on today's Vietnam Moratorium is the effect it can be expected to have on the enemy—and on the President of the United States. Some light has been shed on both points.

It is clear that this demonstration is enthusiastically welcomed in Hanoi. A Radio Hanoi broadcast yesterday said the Moratorium showed that the Communist fight in Vietnam was "for peace, justice and the right cause," and that this demonstration is "putting the Nixon administration in a very difficult and confused situation." An additional broadcast comment was that "the Vietnamese people heartily welcomes and entirely supports the October wave of struggle" in the United States.

An Associated Press report quotes the Communist newspaper, Nhan Dan, as saying that "the struggle of the American people extends so deep that it is supported even by senators and congressmen in Nixon's own party."

There is no reason to believe that most of the Moratorium participants want or intend to give aid and comfort to the Communists. A few may, but not many. This, however, begs the question. What counts is whether the demonstration, regardless of intention, does in fact give encouragement to Hanoi and thereby presumably prolongs the war. The evidence from Hanoi is that this is precisely what the demonstrators are doing. And, whatever the disclaimers may be, mature people are supposed to be responsible for the reasonably foreseeable consequences of their conduct.

What about the effect of the Moratorium on President Nixon? Certainly it has not been helpful.

In his recent press conference the President said that "under no circumstances will I be affected whatever" by the demonstration. We think that was a proper statement. But it evoked a predictable storm of criticism to the effect that Mr. Nixon was indifferent to public opinion, and was determined to pursue the policies of Lyndon Johnson in Vietnam.

Mr. Nixon is not deaf to public opinion. Nor is he adhering to the Johnson war policies, although the latter were modified significantly before Mr. Johnson left office.

It seems to us, however, that President Nixon is letting himself be pushed into a somewhat defensive attitude by the mindless attacks being made against him. There is at least a suggestion of this in the Nixon letter to a Georgetown University student—a letter in which the President tried to clarify his press conference remark.

There is hardly a man alive who doesn't want to see this miserable war ended. Certainly Mr. Nixon would rejoice to see the end, and firmly intends to wind up the American involvement at the earliest possible date. But as President, it is his duty to strive for an honorable and responsible termination. He has taken significant steps toward this end. As President, he also has a duty to refuse to bow to pressure tactics which have no other purpose than to force him into an irresponsible and precipitate course of action.

Despite the tumult and the shouting on

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this Moratorium day, we think the great, silent majority of the American people want their President to stand firm for what he knows is right. We also believe they will support him if he does his duty.

[From the Washington Post, Oct. 15, 1969]

End the War or We Will

(By Nicholas von Hoffman)

I've been asked to make speeches at a number of places today. I can't because I have to work. I think that everyone should refrain from working if he can; the two exceptions should be medical personnel and newsmen. If I had spoken, this is what I would have said:

The moratorium isn't a protest. It's an ultimatum by an enormous section of the population laid down to its politicians. That ultimatum says there is no time left. It says there's no more credibility gap because there's no more credibility. It's an ultimatum that says either end the war forthwith or we will stop it ourselves.

That's not what the politicians want to make of this day. A man like Congressman Rogers C. B. Morton, the Republican national chairman, would have you believe, "I'm for the moratorium as part of our right to assemble." That's not what the moratorium is about. The right to petition a government that rejects petitions before they're laid before it is a sterile right. It's using the forms of political process to frustrate their purpose. It's a con, a fancy way of saying, "You go ahead and exercise your god-given constitutional rights to be ineffectual while we go ahead and run the war."

Even before the McCarthy campaign, hope in the right of petition died. On its better days the government rejected politics with the contention that the Rostows and Kissingers knew more and knew better. They know nothing, but that's another story. On its worst and more ordinary days, the government responded by tricks and falsifications. . . . Pull out 3,000 men here, hide them under palm trees there, don't bomb this but bomb that, invent another round of fictitious secret peace talks, run and cry on U Thant's shoulder, get the Pope to hold your hand.

Now comes Sen. Fred Harris, the Democratic chairman, saying. "It's time to take the gloves off on the Vietnam war issue. It's nine monthe since the President took office." It was time to do that in Chicago, August 1968, when the Senator and his friends kept the Democrats a war party and drove the Clean Gene kids and a lot of other people out of electoral politics. Today he wants to be a peacenik because he has a dawning fear that the people have had it up to their gezuk with this perpetual tragedy.

Every aspect of government, all three branches, have failed but not all men in government. Former Senators Morse and Gruening are charter members of the opposition. Fulbright may have helped vote us into this war and into the set of policies which make such conflicts as inevitable as they are recurring, but he's said he was wrong, unthinking and gulled. We must accept that. This is no longer a small protest movement, and it's bad to get into the silly, purist radical bag of refusing to associate with anybody whose antiwar credentials are dated after 1964. This war has taught all of us many awful things about ourselves and our country. It's not just Sen. Fulbright who had to learn the hard way.

But if the few respectable men in high office could make such terrible mistakes, then the question is who should lead? Many speakers today will say the politicians, chastened, humbled, made honest and sensitive to the death of their constituents' sons and the voters' high taxes. Don't you believe it. Don't let them steal the movement away.

The strength of the peace movement is its leaderlessness, the way it can survive and grow on a consensual process which is as easy to see as it's hard to describe with exactitude. Let the movement continue to be led as it has, by its adherents, by small groups of people proposing an idea and testing it by seeing who and how many will come in with them on it. That's how this moratorium was started. Six months ago a few of the former McCarthy people anticipated that whoziz was as trustworthy as his predecessor when he said he had a plan for ending the war. They judged that by October we would be ready for the moratorium. They were right. Today we put black crepe on our arms and refrain from work.

That will not be enough to end the war. We may get something out of it. Hershey's already been tossed to us, although what we're supposed to do with the old flesh trader is a puzzle. Maybe Hoover'll be given to us next, but these ancient bonbons have lost their sweetness. If we're very lucky, they'll give us some tinsily cease-fire while they sneak a secret war in Laos. The government should not be permitted to keep a single soldier in those parts, but to get them out we must do more than today.

In fact today is a preparation for more. November the 15th is already being planned as a march on Washington. Today is a day of accustoming great numbers of people to the anxiety of standing up to their government. Even in a country like ours where there *are* civil liberties, great strain still attaches to exercising them. We were all brought up trusting the government; it's hard to shake off the feeling that resistance to it, especially about a war, is a form of social treason. The moratorium will make people comfortable in their new roles of resistance. It will make opposition socially acceptable, perhaps even stylish.

This isn't by design but is dictated by the probable course of events. Either the war must end or the resistance must grow and take tougher forms. The fact will not be clear in most of the talks given today because they'll be given by summer-soldier politicians who will want to felicitate everyone on their orderly, good conduct; they will praise their audiences for the lawful and constitutional manner by which they express their hatred of this lousy war. That's all right. Only imbeciles prefer street brawling and law breaking to orderly political process, but that's not the point.

The point is that there would never have been a Peace Movement if it had remained law abiding in the government's eyes. The Peace Movement is where it is because people broke into draft boards and threw blood on the files or got their heads beaten standing in front of induction centers or, like Capt. Howard Levy, took a court martial and a jail sentence.

They dramatized the war's nature. They forced the rest of us to go back over the record and check to be sure there was some plausible justification for taking human lives as we were doing. They did more. When they faced their judges and pleaded innocent by virtue of Nuremburg, they reminded us that we're individually responsible for what's done in our names. Our government, our armies, our taxes, our napalm, our soldiers, our young men.

These law breakers planted in us the bad dream that there could be the Cincinnati War Crimes Trials of 1971 in which we would have to stand before the bar and plead we were good Americans. The Spocks, the Muhammad Alis, the Father Berrigans, the David Harrises, they did that to us, gave us the bad dream of the good American.

Their example shows that an action like the moratorium isn't an event in itself but the preparation and the threat of more and wider action. Even now what started out to be a sedate moratorium is inching in the direction of a general strike. It hasn't reached that point yet, but it will unless the government capitulates to its citizens.

But what's-his-face, the furtive and fugitive president who darts from TV station to armed compound, doesn't know that; he doesn't know that if he keeps it up, by spring the country may be ungovernable. He says he won't be the first American president to lose a war, when what he risks is becoming the first president to lose America.

Maybe today he will read the ultimatum correctly and understand that playtime is over. That there is no patience left for Henry Cabot Lodge, Ellsworth Bunker and more diddlybop about bugging out, leaving allies in the lurch or saving the State Department's occidental face. People don't care if we bug out, run out, march out, stumble out, crawl out or fade out as long as we get out *now*. They've had it, and the tumult and anger is spreading everywhere. Even the federal bureaucracy is threatening to take to the streets. It's no longer students or blacks; it's older people, businessmen, conservatives, liberals, anti-Communists, pro-Communists; it's everybody who knows that a perennial war that we have no will to win or even fight is insanity, that a democracy which carries on a war that 40 or 50 percent of the population detests risks destroying itself.

[From the Washington Post, Oct. 15, 1969]

U.S. Revolutionaries Linked to Hanoi

(By Jack Anderson)

Tokyo.—For the millions at home who will demonstrate against the Vietnam war today, the intelligence files here contain some facts worth pondering.

This column has examined documentary evidence that a few rabid revolutionaries who seek to dominate the anti-war movement in the United States are receiving instructions from Hanoi. They aren't against war at all; they merely are on the enemy's side.

Indeed, their aim is to stir up new "wars of liberation," including guerrilla warfare in the streets of America, to advance the Communist cause. Their immediate instructions are to agitate in the United States for an unconditional withdrawal from Vietnam.

In retrospect, I believe it was a mistake for the U.S. to plunge into the Vietnam conflagration. This remote patch of jungle simply hasn't been worth the price in American blood and treasure.

But those who are in a big rush to write off 38,887 American war dead and $81,407,000,000 of the taxpayers' money should consider the French experience. The French pullout of North Vietnam 15 years ago precipitated a Communist slaughter that hadn't been duplicated since the mad days of Adolph Hitler.

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HANOI LETTER

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"You are entering a new, seething and violent struggle phase. We hope that you all will pool your efforts in achieving great success in this fall struggle phase."

[From the Manchester (N.H.) Union Leader]

New Hampshire Soldier Writes From South Vietnam: "We're Doing Just What They Want Us To Do"

(Note.—The following letter was written by "Swede," a New Hampshire boy stationed in Vietnam for almost two years. For obvious reasons his identity cannot be disclosed.)

Dear Mr. Loeb, yesterday I received a few papers from you, one of them Aug. 29. In February I will have been in Vietnam for 21 months and I want to give my full support to an article on page 17 of that newspaper titled, "Lets Face Up to Vietnam". It was well written and very true.

I realize that U.S. citizens are tiring of this war and are tired of hearing about it. That is the price of a prolonged war and we elected the men who are dragging it on and on, at a great loss to the American public. As the article stated, the war should have been won in the early stages.

We are now doing just what North Vietnam wants us to do. Crumble and crawl any way we can. Troop withdrawal will strengthen the enemy's cause.

I hope the American public is not ignoring the fact that as long as the bombing of the North has been stopped the North has had freedom of movement for shipment and resupply to the South by way of the Cambodian border, etc., to the South.

They are probably planning a deadly devastating blow to the South when troop withdrawal reaches a peak. I'm astonished that our leaders are playing into their hands and have done nothing to stop it.

Surely freedom is worth the price we have already paid in lives lost. I know my friends who have died here wouldn't want to see the U.S. crawl away defeated.

If Nixon and other government officials are worrying about votes, I think if we win this war honorably and quickly they will get many more votes than if they let the killing of American troops drag on and on, as the Communists have planned all along.

The American Public may grow sick of the war and accept anything from the other side to end it. But it will be ended only for the U.S. not for Asia, and our allies who believe in our help—not for Asia.

We will either come out of this war a crawling broken nation or a strong proud nation as we have been in the past.

Also on the front page of this edition is a story of enemy retreat near Que Son Valley. The enemy had heavily entrenched bunkers here and those five men who refused to enter any further into that valley a second time were not alone. They represented their whole company in the refusal. As a result of poor leadership Major Ramsey was released from his duty and a new commander took over the company.

When Ho died the North asked for a three day truce. The U.S. government stated they would go along with Saigon on the decision. Saigon said no truce. But my company stopped all operations for those three days and I presume that all American operations stopped for those three days. I'd like to know why the U.S. government didn't acknowledge this.

While we stopped operations, enemy movement continued as usual. When politicians finally decide to stop playing games with American lives at stake, and let the military run it, we will be victorious. If not, politics will bring our great nation to the brink of a great defeat and the greatest blunder in American history.

"Swede."

An American Veteran Wounded in Vietnam Replies to Anti-War Protesters

Concerning those who protest against our nation's assistance to South Vietnam no one has said it any better than Gerard T. Frey, Lt. Col., U.S.A., a casualty of the fighting, who wrote the following letter to the Philadelphia Inquirer:

"I have been a patient at Valley Forge General Hospital for over two years as a result of wounds sustained in Vietnam.

"In this, the age of 'protests,' I, a professional soldier, have some 'protests' of my own.

"I protest against cowardly draft dodgers who use their deferment not to prepare for future service but rather as an opportunity to bring riot and disorder to the campus in an attempt to deny others the use of the facilities of the college.

"I protest against those who have lost faith in our wonderful country. These are the people who know everything about their 'rights' but nothing about their responsibilities.

"I protest against those who place themselves and their precious skins above any thought of duty, honor, or country. Their God-given superiority enables them to condemn the brave Americans who do their duty in Vietnam as 'immoral' while they champion the cause of the enemy.

"I protest against those who ridicule patriotic emotion, love of country, a fierce thrill of pride at the national anthem, respect for the Flag and a determination to do our duty.

"I protest against those who condemn our country for any and everything while refusing to see any good in it. These are the ones who mutter dark threats of 'burning it down' or 'blowing it up,' while they are safe and secure because of the sacrifices of the decent Americans.

"For all those faint-hearted cowards whose service to country is limited to pious bleatings on the evils of the United States, I invite them to visit a hospital filled with Vietnam wounded. Let them talk to real patriots who have risked their lives for their country. Let them discover that old virtues, the real virtues of duty, honor and country are very much alive in the people who really count, those who have risked all for their country.

"Times change but love of country and willingness to fight and die for it remain constant.

"Throughout history, cowards have always rationalized their lack of courage. The cowardly faint-hearted of today deserve the same contempt Americans have shown for them since we became a nation."

We wholeheartedly concur with Lt. Col. Frey. Not only do we concur, we salute him. We likewise salute all of our American fighting men, particularly those who have given of their blood or sacrificed their lives, on the Battlefield of Vietnam.

"No greater love hath a man than he lay down his life for his friends."

We salute also the brave and heroic people of South Vietnam who have so courageously resisted the terror and brutal aggression being waged against them by the anti-theistic forces of world communism. May God grant them the victory they are fighting so valiantly to achieve and frustrate the designs of those who through treachery and deceit would deny it to them.

The only way to end the war in Vietnam is to *win* it so let's get on with it!

Distributed by: Breakthrough, P.O. Box 3061, Detroit, Michigan 48231. Pro Christo, Pro Patria.

SUPPORT FOR NIXON VIETNAM POLICY

(Mr. ANDERSON of Illinois asked and was given permission to extend his remarks at this point in the Record, and include extraneous matter.)

Mr. ANDERSON of Illinois. Mr. Speaker, yesterday the Republican Conference, of which I am the chairman, overwhelmingly passed a resolution of support for President Nixon's Vietnam policy. I think this is a clear indication of unity behind the President as he seeks to achieve an honorable settlement of that war. The resolution takes note of President Nixon's demonstrated commitment to that end, "both in word and deed, at the negotiating table and in the field." It further points out the President's efforts to Vietnamize the war and bring American troops home.

Mr. Speaker, I think this is a policy for peace behind which Americans can unite. Today we all hope and pray for a lasting and honorable peace in Southeast Asia and commend our President on his devotion to that cause.

I would like to give special recognition to the drafters of the conference resolution: the gentleman from New Jersey (Mr. Frelinghuysen), the gentleman from California (Mr. Gubser), and the gentleman from Georgia (Mr. Thompson). I would also like to commend all conference members on their impressive display of unity behind the President. The resolution follows:

The House Republican Conference,
October 14, 1969

Whereas President Nixon has committed his Administration to an honorable settlement of the Vietnam war at the earliest possible date, and

Whereas the President has demonstrated the sincerity of that commitment both in word and deed, at the negotiating table and in the field, and

Whereas the President has moved forthrightly to increase the capacity of the South Vietnamese to handle their own responsibilities, and has initiated a policy of substantial reductions of American troops in Vietnam,

Now therefore we the duly elected Republican Members of the House of Representatives

Do hereby resolve: that we commend President Nixon for the actions he has taken in reversing the course of the war, and

We express our confidence in, and support of, his efforts to end the war at the earliest practicable date.

ASPECTS OF THE VIETNAM WAR

(Mr. SIKES asked and was given permission to extend his remarks at this point in the Record and include extraneous matter.)

Mr. SIKES. Mr. Speaker, the crescendo of antiwar sentiment has reached a high peak in some quarters. It encompasses the efforts of some sincere and dedicated people, but it also has attracted many who make more sound than sense, and there is a sprinkling of treasonable elements who always are quick to take advantage of any movement which can further their own cause. It is extremely disappointing that the facts about the Vietnamese war are so little known, and it is equally disturbing that the efforts of a few protestors may serve to conceal the patriotism and determination of the great majority of Americans who realize we cannot now turn tail and abandon our commitments in Vietnam.

If only the true facts could be made clear to the American people there would be a great rallying behind the President's efforts for an acceptable peace, and this I believe would bring Hanoi to terms.

Three nationally syndicated columnists have commented in detail on significant aspects of the war and of the moratorium. They are Joseph Alsop, Jack Anderson, and David Lawrence. Together they have given a very strong insight into the entire question of the progress of the war, the true motives of the Communists, and the facts about the moratorium. I insert their columns at this point in the Congressional Record:

[From the Washington Post, Oct. 13, 1969]

Vietnamization Working Well But Limits Must Be Understood

(By Joseph Alsop)

At this stronge juncture, President Nixon is actually being denounced for saying that he does not wish to be the first American President to lose a war. Maybe, therefore, truthfulness is tactless.

Yet the hard, on-the-spot facts in Vietnam make it a duty to tell the plain truth, which is that the President can perhaps lose the war if he handles his "Vietnamization" program in the wrong way. It is a fine program, and it is working very well indeed, so far. But it has its own clear limits, and these must be understood.

This reporter had better confess at the outset that he went to Vietnam unhappily convinced that the U.S. troop withdrawls already made, in the name of "Vietnamization", must certainly have caused heavy military setbacks. Happily, however, that pre-judgment turned out to be entirely erroneous.

No troop withdrawal, of course, can ever be a net plus until a war has been successfully ended. The now-withdrawn brigade of the 9th Infantry Division, for instance, that had been operating in Dinh Tuong province in the delta, had genuinely become superfluous in Dinh Tuong. But there were other provinces where this brigade of the 9th Infantry would surely have greatly accelerated the terrible erosion of the whole VC structure, which is now the key feature in Vietnam.

On the other hand, there is much more to be said for making the South Vietnamese feel they must carry the main burden on their own, without big brother to come to their aid at all times. And above all, the two troop withdrawals to date have not exceeded prudent limits.

If the President is not over-hasty, moreover, further very massive withdrawals of U.S. units in Vietnam will eventually become both safe and prudent. The test, in all cases, must be whether erosion of the local VC structure has finally reached the point of no return.

But there are also two big fakes in the announced theory of "Vietnamization", as distinguished from the practice to date. To begin with, it is faking to pretend that providing M–16 rifles has given the South Vietnamese army's divisions the same fighting power as American divisions.

Even with the aid of the U.S. helicopter companies left behind after Vietnamization, the ARVN divisions have far less mobility than the better U.S. divisions. They also have only about one-quarter of the mobile artillery support; for the other three-quarters of every ARVN division's artillery is tied down in fixed positions. This tied-down artillery in fact supports the territorial forces, rather than the division's regiments and battalions. That is the first fake.

The second fake, which is much more dangerous, lies in the fact that the enemy now has 233 maneuver battalions in South Vietnam, against only 168 ARVN maneuver battalions. The numbers are about even in the delta. But in the other corps areas, accordingly, the disproportion ranges from about five-to-three all the way up to nearly two-to-one. The disproportion, therefore, means that some (though not many) U.S. units will have to stick around until Hanoi ceases its massacre of the south.

Where Hanoi has two maneuver battalions against one ARVN battalion, after all, nothing on earth will prevent an eventual breakthrough by Hanoi's battalions. And the worst of it is that the President is obviously strongly tempted to leave ARVN to fight on these terms, in precisely the provinces where the situation is now most favorable.

Some key people in the administration, reportedly including the State Department leaders, are apparently arguing, in effect, that you cannot Vietnamize without accepting some setbacks. But these people plainly are unable to envision the kind of setback they are talking about.

In the provinces in question, the VC structure has been almost wholly uprooted from the populated areas. The people are living in peace for the first time in many years, with their own elected hamlet and local governments, under the sole protection of the little RF companies and PF platoons of the territorial forces. But let big enemy units once break through into these new areas of peace; and everything that has been built up will be smashed down for good.

It will be smashed down for good because the people have put their confidence in their government and the U.S. government; if they see the territorial forces and the elected hamlet and village governments massacred before their eyes, that confidence will never be restored again. So the other test of prudent American troop withdrawals until Hanoi ceases to invade the south is whether the people who have given us their trust will still be adequately protected.

Some Peace Demonstrators Get Orders From Hanoi; Purpose Is To Stir Trouble in U.S., Not End War; American Withdrawal Could Bring Bloodbath in Vietnam

(By Jack Anderson)

Tokyo.—For the millions at home who will demonstrate against the Vietnam war today (Wednesday), the intelligence files here contain some facts worth pondering.

This column has examined documentary evidence that a few rabid revolutionaries who seek to dominate the anti-war movement in the United States are receiving instructions from Hanoi. They aren't against war at all; they merely are on the enemy's side.

Indeed, their aim is to stir up new "wars of liberation," including guerrilla warfare in the streets of America, to advance the communist cause. Their immediate instructions are to agitate in the United States for an unconditional withdrawal from Vietnam.

In retrospect, I believe it was a mistake for the U.S. to plunge into the Vietnam conflagration. This remote patch of jungle simply hasn't been worth the price in American blood and treasure.

But those who are in a big rush to write off 38,887 American war dead and $81,407,000,000 of the taxpayers' money should consider the French experience. The French pullout of North Vietnam 15 years ago precipitated a communist slaughter that hadn't been duplicated since the mad days of Adolph Hitler.

RISK OF BLOODBATH

Too hasty abandonment of South Vietnam, likewise, might produce another bloodbath. Yet the Hanoi-directed militants, according to intelligence documents, are striving to turn the anti-war protest into a national demand for "quick and complete withdrawal of U.S. troops from South Vietnam."

Possibly to avoid treason charges, the American militants are not in direct touch with the Hanoi government. Most contacts, apparently, have been kept on a friend-to-friend or organization-to-organization basis.

The Hanoi-controlled South Vietnam Liberation Students' Union, for example, maintains an underground liaison with U.S. leaders of the Students for a Democratic Society and the Students' Committee for the End of the Vietnam War.

On the eve of the Vietnam Moratorium, Tran Buu Kiem, the Students' Union chairman and former chief Viet Cong delegate in Paris, wrote a letter to his American disciples urging "the active and massive participation of the American youths and students in this fall struggle movement."

HANOI LETTER

The letter, dated October 6, called for a prompt American pull-out from Vietnam. Kiem contended that "the replacement of a score of thousands of troops is insignificant, as compared with about half a million U.S. youths still remaining in South Vietnam.

"Your interests and those of the American people and the United States do not lie in such a drop-by-drop troop pull-out, but in the quick and complete withdrawal of U.S. troops from South Vietnam; not in the Vietnamization or de-Americanization of the war in South Vietnam, which is unpopular and costly in human and material resources, but in ending it. . . .

"If Mr. Nixon sincerely wants to live up to his promise to end the war, a promise which he made when he ran for office and when he took over the presidency," the Kiem letter continued, "there is no other way than to respond to the 10-point solution of the Republic of South Vietnam's provisional revolutionary government by quickly withdrawing all U.S. and satellite troops from South Vietnam without imposing any conditions and by abandoning the lackey Thieu-Ky-Khiem administration, leaving the South Vietnamese people to decide their own internal affairs.

"You are entering a new, seething and violent struggle phase. We hope that you all will pool your efforts in achieving great success in this fall struggle phase."

Note: Ironically, most of the student radicals who are doing Hanoi's bidding in the U.S. would get worse treatment from the Hanoi police than they have received from the Chicago police. For Hanoi has ordered a crackdown on local hippies who wear long hair, tight pants and flowered shirts. Hanoi police have been ordered to shear off long hair and slit tight trousers legs on the spot. Tight "cowboy pants" have been abolished by decree. Western records, poetry and dances also are considered "counter revolutionary" and result in stern punishment. As for unauthorized demonstrations, the youthful

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demonstrators not only would get their heads clubbed; they would be subject to the death penalty.

All Want Peace; At What Price?

(By David Lawrence)

WASHINGTON.—For the first time in American history, some members of Congress as well as a number of protesting groups are demanding that the United States run up the white flag and yield to the enemy in Vietnam after many American lives have been sacrificed for a great principle—to repel aggression and aid weaker nations to determine their own destiny.

No public-opinion poll has directly asked the question whether the American people favor surrender. The customary queries have been whether the war is being handled properly or if it should be brought to an end, without reference to how this could be achieved. The issue has not been clearly put to the people. If it were, undoubtedly Americans would reject any humiliating policy amounting to "peace at any price."

RESOLUTIONS

Resolutions are being offered in Congress and are being supported by various organizations which plan "demonstrations" in many cities on Oct. 15 to insist that the United States make peace at once. Not a single one of these proposals requires as a condition any reciprocal action to be taken by the North Vietnamese. In Paris this week, both North Vietnam and the Viet Cong have deliberately ignored peace efforts made by the United States, and are offering no concessions whatsoever.

The forthcoming "protest day" in the United States—next Wednesday—is being hailed by the Communists as a sign that the American people are willing to surrender. Seventeen senators and 47 House members are supporting the projected "demonstrations."

The chief American delegate at Paris, Henry Cabot Lodge, has been pleading in vain for talks that would accomplish constructive purposes, but the opposing delegations at the Paris conference have been turning a deaf ear. The negotiators of the North Vietnamese government instead are placing great hopes on the signs of American opposition to the war. One of the Hanoi representatives says that support is snowballing in the United States in behalf of the Communists.

Almost every week some members of the Senate and the House call for a more and more rapid pullout of American forces by President Nixon, but not one of them imposes any condition on the enemy to take the action necessary to assure peace in South Vietnam. Timetables are being specified by senators for the withdrawal of the American troops, yet no stipulation is made that the enemy must also remove its military forces from South Vietnam.

Meanwhile, there is much talk about a "coalition government" being set up which could replace the present government in South Vietnam and make it easy for North Vietnam to move in and assume command. Secretary of Defense Melvin Laird recently stated President Nixon's policy as follows:

SINGLE AIM

"We hold firmly to a single objective for Vietnam; permitting the people of South Vietnam freely to determine their own destiny. We want peace as speedily as possible, but we cannot acquiesce to a peace that denies self-determination to the South Vietnamese."

The advocates of peace at any cost would, in effect, allow the South Vietnamese government to be destroyed. Yet it has mobilized a large army and what some members of Congress seem to be asking is that this force surrender to the enemy.

A Gallup poll recently showed 52 per cent approval when the question concerned "the way President Nixon is handling the situation in Vietnam."

PEACE IN VIETNAM

(Mr. GREEN of Pennsylvania asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GREEN of Pennsylvania. Mr. Speaker, this is a very difficult time for our country.

Perhaps, after so many years of involvement and frustration, we have finally arrived at the moment of truth in Vietnam.

It seems as if the point has been reached where we either stay indefinitely or disengage ourselves from a tragic experience for America and the world.

The other alternative—once thought of as possible—military victory and a reasonably speedy compromise negotiated settlement—have all but vanished.

The choice we have left is not easy.

The consequences of either course of action can be far reaching for ourselves, for the Vietnamese and for the rest of the world.

If we stay, it means the sacrifice of more American lives, the expenditure of more billions of dollars, deeper division at home and the neglect of many other national priorities, both foreign and domestic.

If we leave, the future will be largely uncertain. Some contend that South Vietnam will go Communist and that Southeast Asia will follow suit. They warn that America's commitments will be placed in doubt and we shall be left to fight a larger war somewhere else.

Others, casting aside these warnings, believe that withdrawal offers more possibilities and greater opportunities.

Because these are the alternatives, it is, indeed, a very difficult time for our country.

And all of us—regardless of our politics, our way of looking at the world or our past position on Vietnam—must, if we truly love this country, approach these choices without prejudice and without rancor for those with whom we disagree.

Motives on all sides may be good. But what we seek is a solution which will do justice to our good motivations.

Today, there is no room for those who would attempt to make this Nixon's war.

Nor is there room for those who would continue to make it Johnson's war.

There is no room for those who lash out at critics, equating patriotism with mindless unquestioning of the facts in Vietnam.

Nor is there room for those who believe that Vietnam has proven America to be sick, and dominated by military-industrial forces beyond our control.

Young and old, Democrat and Republican: All of us had better recognize the enormity of what faces us. And all of us had better act with reason and wisdom larger than ourselves.

As the moment of truth arrives, all of our preconceptions must give way to a single concern: What is the right thing for our country and how will our decision affect the peace of the world.

It is unfortunate that these are the only alternatives.

But they are.

Virtually no one any longer believes that military victory is a possible alternative.

President Johnson ruled that out as early as March of 1968.

And President Nixon specifically so stated in May 1969 when he addressed the Nation with the following words: "We have ruled out attempting to impose a purely military solution on the battlefield."

Yet, there is another alternative which still seems possible to some and that is the alternative of a compromise settlement, a negotiated peace which would salvage a non-Communist South Vietnam or a partially non-Communist South Vietnam or, at the very least, a neutralized South Vietnam.

The search for a compromise settlement has been the true issue of the past few years. It was the initial thrust of the antiadministration forces during the 1968 presidential campaign.

Then, the question was: Which candidate was flexible enough, in contrast to the inflexibility of President Johnson, to offer compromise terms sufficiently attractive to the North Vietnamese.

Proposals for a coalition government were followed by suggestions for mutual troop withdrawal. And, finally, late in the campaign, we had a total bombing halt which Vice President Humphrey endorsed as an acceptable risk for peace.

All of these suggestions, sincere and well-intentioned, were made in the hope that, by throwing another bone, we would tempt the North Vietnamese to give and take in the traditional manner of western diplomacy.

Finally, in May of 1969, determined as were his predecessor and his competitors in 1968, a new President spoke of "neutrality for South Vietnam," "acceptance of any government in South Vietnam that results from the free choice of the South Vietnamese people themselves," and "reunification."

All of these proposals have spanned the course of the past few years. And, as each was proposed, there was renewed hope of a breakthrough on the diplomatic front.

Recall, if you will, the wave of hope which swept the country and the world when President Johnson announced that the enemy was prepared to negotiate in Paris.

And then recall the renewed hope when he announced the total bombing halt a year ago.

And finally, recall the optimism with which we greeted President Nixon's first major address on Vietnam last May.

Yet, today, the deadlock remains in Paris and the stalemate continues on the battlefield.

After nearly 2 years of specific concessions, the latest reports from Paris, according to Time magazine of October 17, tell of "The dispiriting sense of tedium and pessimism that envelops the talks and the American delegation."

In asking ourselves why the deadlock

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remains, I think we must honestly face the possibility that North Vietnam will not negotiate seriously as long as there is dissent here in America.

A few years ago, the same argument appeared in different colors.

At that time, those in favor of ending the war cried out for negotiations. And the supporters of the war replied that, we would, in effect, be inviting the North Vietnamese to win at the conference table what they could not win on the battlefield.

Well, today we are negotiating.

And today, those same people are now saying that, in dissenting here at home, we are, in effect, inviting the North Vietnamese to win in America what they cannot win at the conference table.

Where does this downward spiral end? Where do we go next?

The fact is that there has been virtually no criticism for 9 months.

The voices which echoed through 1968 have been largely still.

Republicans, Democrats and concerned Americans everywhere have sat back, waiting for a break in Paris, hoping that a new President, untied, as he said, to the mistake of the past, would extricate us from the quicksand.

Yet, during the time we have remained silent, the North Vietnamese have remained inscrutable.

And today, because the question of Vietnam is once again raised publicly, some of our policymakers recoil from the renewed debate and warn that the only thing which will defeat us is ourselves.

They equate patriotism with mindless acquiescence and unquestioning support.

They suggest that those who are unhappy with our policy "tell it to Hanoi." But this is our country and it is our policy we are deeply concerned about. It is not inconsistent to discuss our policy while at the same time repudiating Hanoi and its methods.

The deadlock has remained at Paris, through protest and through silence, and that fact alone tells us that we must look somewhere else for the root cause of the lack of movement.

In fact, the deadlock remains because the other side continues to say what it has said for years. There is no room for a compromise, they say because this is a Vietnamese affair. It is a civil dispute. It is a matter to be settled—not by concession of an American President or the force of American arms—but by the Vietnamese themselves.

And that settlement will come when the Americans go home and stop interfering in the affairs of their country.

How simple that fact is.

And yet, how often have we overlooked it in our endless search for a formula and, indeed, in our initial rationale for entering this war.

Dean Rusk, the former Secretary of State, was fond of saying that the war will end when the North Vietnamese leave their neighbors alone. The implication was clear: America, in the role of policeman, intends to keep peace in the neighborhood.

To the other side, this is not the case.

In the eyes of the Vietnamese, the North and South are not two neighbors who happen to live on the same block. They are residents of the same house and the American policeman is guilty of invasion of privacy.

Whether one agrees with this viewpoint or not, in fact, whether one wishes to face it or not, it is nonetheless, what the other side has been saying for years.

And today, after we cut away the agony and complexity of the past, we must come face to face with that central fact. In the eyes of the Vietnamese, the war is a civil conflict which will be settled, if at all, only by the Vietnamese.

Misunderstanding of the facts of history has led to misunderstanding here at home.

Those who took the time and made the effort to understand what was happening in Vietnam, sooner or later came to the conclusion that this is, indeed, a civil conflict.

And because they believed this, they felt that our involvement was immoral. This feeling, in turn, led to a crisis of conscience among many of our own people and often to civil disobedience, particularly by the younger generation, not merely because the younger generation had to fight the war but because the younger generation began to understand the war.

All of the debate of the past few years sprang, not from the question of whether the war was winnable or unwinnable, but from the growing conviction that the war was unjust.

On the other hand, those who did not take the time to understand the war—and its complexity is so deep that this position is understandable too—those particularly who fought other wars for America, could not see where this war was any different.

"We of an older generation fought to keep this nation free in Europe and the Pacific," they say. "We gave our lives in Korea. What makes you so special that you take it upon yourself to judge this war. Maybe you're just afraid to go and fight like we did. Maybe you're getting too soft."

Thus does the division deepen and the misunderstanding grow. The tragic flaw of recent American leadership has been its inability to understand the moral implications of Vietnam.

It is hardly surprising, then, that the average American, who depends on his leaders for enlightenment, cannot fully comprehend today the notion of an unjust war and cannot understand why we do not win and, therefore, cannot accept dissent at home.

And yet, as I said in the beginning, what is needed now is not censure and division but the calm and enlightened determination to choose one of only two alternatives which we have left: An indefinite American presence in Vietnam or the liquidation of a tragic situation.

The consequences of the first alternative are clear—more fighting, more killing, greater cost, deeper division here at home, neglect of our other priorities and all of this with little likelihood of a diplomatic settlement. The only concrete achievement would be the continued propping up of an artificial, unrepresentative, corrupt and unreformable military dictatorship in Saigon.

Our willingness in word to accept the free choice of the South Vietnamese does not correspond to our overwillingness indeed to prop up the Saigon regime and that fact alone presents an insurmountable barrier to peace.

And so, I have come to believe, with many other Americans and with many other elected officials and government servants, that the United States must simply extricate itself from Vietnam by beginning now an orderly, total, relentless and publicly announced withdrawal and disengagement.

In suggesting such a course of action, I do not believe that we can set a specific timetable. Withdrawal is not going to occur overnight. Nor is it likely to occur within the artificial limits of an arbitrary deadline.

I do believe that the orderly and systematic withdrawal must allow for adjustments, not only in Vietnam but here at home.

In Vietnam, withdrawal should be accompanied by efforts on our part to encourage the development of the many and diversified political forces within the country to take on renewed life, a life ruthlessly and thoughtlessly suppressed by Saigon, in behalf of their own future.

The key question—indeed, the realistic question—is not when the last man will leave Vietnam. It is whether or not we, as a nation, are committed to the inevitable and total withdrawal of all forces as soon as possible as a matter of policy. The chief need is to be publicly and irrevocably committed to disengagement.

There are voices which say we simply cannot withdraw, as if this were a simple decision.

It is not a simple decision.

It challenges the American people to face up to the facts and we have been notoriously unwilling to do so throughout this war.

It demands of our leaders the courage, the leadership and the persuasive powers to make such a decision acceptable to many who believe withdrawal to be unthinkable.

Such things are never easy.

They are agonizingly difficult.

But the time has come. Mr. Nixon must simply summon up the will to think the unthinkable and face the inevitable. It will be better if he does so now because sooner or later he will inevitably be forced to do so anyway.

I believe the President wants to end this war.

And I believe that his recent actions—particularly the withdrawal of 60,000 American troops—are steps in the right direction.

But the difference between his position and that of his critics is an essential difference.

On the one hand, Mr. Nixon hints at further reductions in troops during 1970.

But, on the other, he solemnly warns against a "disguised American defeat" and hopes to "Vietnamize" the war.

Those who disagree with his policies, while they support the moves he has already taken, want a commitment to complete withdrawal based on a firm Executive decision to extricate this country from Vietnam.

In reality, he reserves the option to stay indefinitely or to go back in with additional force, presumably at the point where Vietnamization does not work and at the point where the Saigon government begins to fall apart.

The Saigon government knows that.

As long as they know that the United States is not totally and publicly committed to a planned withdrawal, we can expect nothing from them except further dependence.

They have no intention of letting us go.

And, at times, it seems as if Mr. Nixon has no intention of letting them go.

Therefore, what seems at first glance to be the beginning of withdrawal is on the other side of the coin a formula for an indefinite stay.

And that is the point at which we disagree—not on the desire to end the war, not on the desire to get out, and not even on the common agreement that the Vietnamese must solve their own problems. Mr. Nixon is reluctant to commit us to a final decision. And his critics suspect that, as long as this is his policy we probably are committed to staying indefinitely.

I have not come to the decision to support a committed withdrawal without considering all of the possible dire consequences lurking in the dark recesses of the cold war mind.

Nor can I totally censure those whose beliefs are based on the assumptions of their own experience immediately after World War II.

At that time the world was in dire need of American help.

The military hardware of Stalinist communism was locking up the gates of Eastern Europe and Russia's Asian partner had just seized the most populated nation in the world.

We soon found ourselves in a bloody conflict of naked aggression in Korea, and a movement at home which saw a Communist behind every State Department file box.

I suspect that that era has passed.

But two Presidents seem to tell me differently.

And many policymakers in Washington agree with them.

They warn us sternly of the consequences if we take the unheard of step and leave Vietnam.

They point to Czechoslovakia and say: "See, the Russians have not changed." And this should rightfully cause us concern.

And, although Russia and China have come to the brink of war, we are still asked to live under the shadow of the international monolithic and single-minded Communist conspiracy.

For a moment, let us have an end to the glowering, muttering, and warning of dark consequences and let us look at the possible results of withdrawal.

Let us examine the contention that South Vietnam will go Communist.

And before we rent our garments, let us also admit that this possibility is precisely admitted by President Nixon. In saying that he would have no objection to a united Vietnam and in admitting the necessity of free election, he is admitting the possibility of Communist victory.

But there are other possibilities and these other possibilities are just as likely to occur when we announce withdrawal.

At present, literally hundreds of non-Communist political factions in the South, the least of which is the Buddhist, are inactive due to resentment of our presence or in jail due to the repression of the Saigon regime.

Is it not just as likely that, with our steady departure, non-Communist South Vietnam will begin to exercise its own freedom within the country.

I am not sure. But, in any event, I suggest that the viability of political life in South Vietnam will be encouraged more by our departure than by our consistent propping up of the military dictatorship with our power and prestige.

And what of the million South Vietnamese in the armed forces. Like all armies, they certainly are not going to do the job as long as America is so willing to shed its blood in their place.

Perhaps, if the Saigon government is worth saving, its million men just may fight for it.

Or perhaps they might overthrow it.

Or perhaps the regime itself, no longer shielded by American military strength, may, in its desperation, grant the freedoms and give the inspiration which the nation needs.

At any rate, if the million-man army cannot do any of these things, then the question again arises whether we ever could do so or whether that million man army is worth being shielded by American soldiers.

Disregarding the other possibilities, however, opponents of withdrawal, convinced of an imminent Communist takeover, have added another dire consequence and that is the possibility of mass slaughter in the South.

We do not know if this will happen. There seems to be no evidence that it will any more than there is evidence that it will not.

America has proven itself a generous nation in the past. Provision can be made for relief, asylum, and even additional economic aid to South Vietnam. Certainly, these are legitimate accommodations to make in return for the liquidation of the war.

And what of the rest of Southeast Asia.

If one accepts the domino theory, one believes that all or most of Southeast Asia will fall into Communist hands once American troops leave South Vietnam.

And yet, one of the most compelling sections of Defense Secretary Clifford's narrative, which documents his own change in thinking, concerns the other countries of Southeast Asia.

Returning from South Vietnam in 1967, Clifford said:

> It was strikingly apparent that the other troop contributing countries no longer shared our degree of concern about the war.

Thailand, he said "Was in no hurry to allocate more troops."

He continued:

> The President of the Philippines advised President Johnson that he preferred we not stop there because of possible adverse public reaction.

Australia's Prime Minister, Clifford continues, "presented a long list of reasons why Australia was already close to its maximum effort."

New Zealand "made it clear that any appreciable increase was out of the question" and the Prime Minister of Singapore, when asked to help with troops, said he "saw no possibility of that taking place because of the adverse political effect in Singapore."

Finally, Clifford looks at the situation in Southeast Asia in this way:

> The security of the Pacific region will depend upon the ability of the countries there to meet the legitimate growing demands of their own people. No military strength we can bring to bear can give them internal stability or popular acceptance. In Southeast Asia, and elsewhere in the less developed regions of the world, our ability to understand and to control the basic forces that are at play is a very limited one. We can advise, we can urge, we can furnish economic aid. But American military power cannot build nations, any more than it can solve the social and economic problems that face us here at home.

And again, a few months ago, President Nixon, in his Pacific doctrine, told the Asians that America's vital interests are no longer concerned with sending massive numbers of Americans to the mainland of Asia.

As in South Vietnam itself, withdrawal opens as many possibilities as it does pitfalls for Southeast Asia. The possibility of increased economic activity, greater concentration by America itself on broad programs to improve the social and economic life of the region and the development of indigenous democratic governments—all these things are just as possible as the facile, automatic response that says, take away American troops and the inevitable answer is communism.

Such an answer is not only narrow. It is far too simplistic for a complex world. And it betrays a defeatism which ill befits American leadership. In place of our single-minded obsession with Vietnam, we could today be using our technology and resources to create a better world.

One other question about America's role in the world comes up whenever withdrawal from Vietnam is suggested. What about America's commitments. Will our word ever be heeded again. Because we show lack of faith, will not our relative role, vis-a-vis the Communists, begin to decline in world affairs.

In the first place, no nation in the history of the world has ever committed so much for so long a period in so many places throughout the world and stuck by its treaties and agreements with such tenacity. In Vietnam alone, that commitment has amounted to 40,000 dead Americans and more than $100 billion over the course of 8 years. And all this despite the fact that there is considerable debate about the genuineness of that commitment in the first place. The question is not whether we honor our commitments because our activity has certainly been some commitment. The question is whether we alone in the world are being asked to do the impossible. Our own lead-

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ers who pose this question evidently believe that the rest of the world sees us as the superhuman, transcendental force which dares not to put a ceiling on how far it is prepared to go lest the rest of the world react with utter dismay.

And yet, the rest of the world's powers can go blithely ahead doing just as they please—abandoning allies, subverting countries and waging war.

Only America is put to the impossible test. If we dare waver for a moment—regardless of the merits—then the world itself will shake with concern.

I suspect that we judge ourselves too harshly.

I believe that we demand a standard from ourselves that few others expect and that fewer others are prepared to live up to.

We are not superhuman.

We do not by ourselves control the destiny of the world.

And a change of policy in Vietnam will be greeted throughout the world more with relief than dismay anyhow.

Here at home, it is another matter.

It is said the President fears, privately, that a systematic withdrawal from Vietnam will not only cause us to lose our leadership position in the world but will, as Stewart Alsop said last week, turn the nation "angrily in upon itself."

This need not be and it should not be. It hardly does justice to us as a people. At any rate, such a situation remains a leadership problem. If the President and other leaders of our Nation choose to permit us to turn angrily upon ourselves, it may well happen. But, if they lead us out of the quagmire in Vietnam into a constructive and hopeful future, no such conclusion need be drawn.

None of these thoughts are comfortable.

And nothing is sure.

Choosing the alternative of withdrawal has its uncertainties.

But the ambiguity of present policy presents more.

I am suggesting that such a decision, articulated by enlightened leadership, opens up more possibilities for America than pitfalls.

It opens the possibility for a country united once again with this burden lifted from our minds.

It opens the possibility for greater attention to our domestic problems.

It may give us the chance to chart a new foreign policy, concerned with turning our technology and compassion to human needs and to the great problems of bringing peace and stability among all nations.

Emerson—and other distinguished American thinkers after him—have spoken about two distinct strains in the American spirit. One is the party of hope. The other is the party of despair.

I believe we have, in the recent past, been too often concerned with the inhibitions of the party of despair.

We have been generous. We have been great. Perhaps we have saved the world.

But we have also largely conducted ourselves in the world as if the most dire consequences were also the most real and immediate. And feeling this way, we have been very reluctant to test new directions.

Today, I think it is time for all Americans not to join the partisan interests of either Republicans or Democrats but to join the party of hope.

Let us end this war in Vietnam.

And let us use that decision as a departure point for shaping a more stable and hopeful society here at home and peace around the world.

EDUCATION

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. PUCINSKI), is recognized for 60 minutes.

UNIVERSAL VOCATIONAL EDUCATION IN THE SEVENTIES

Mr. PUCINSKI. Mr. Speaker, the birth of a new decade is just 3 months away; the destiny of the next 10 years depends on the choices being made right now by this Congress. In recognition of the necessity to think futuristically, the General Subcommittee on Education, of which I am chairman, has undertaken extensive hearings into the problem of "Elementary and Secondary Education Needs for the Seventies."

Therefore, I am gratified to learn that the New York Public Schools have already begun planning for the coming decade. Beginning in 1973, all high school students in New York City will be required to complete a year of vocational training in order to graduate. This means that, for the first time, a major city has recognized the urgency of guaranteeing all of our young people a marketable skill before graduation.

The New York system has also removed the stigma usually attached to vocational education by abolishing its system of five separate high school diplomas. From 1973 on, all students will receive the same diploma, attesting to their common achievement of a comprehensive high school education. We should applaud the forward thrust of these decisions and encourage every school system in the Nation to adopt an equally enlightened policy. May I call this body's attention to the following article, detailing these decisions, which appeared in the New York Times October 10, 1969:

CITY'S HIGH SCHOOLS ADOPT ONE DIPLOMA

(By Gene Currivan)

A single diploma instead of the five now offered in the city's public high schools will be introduced in 1973 as part of the comprehensive high school program blending academic and vocational courses.

In making the announcement yesterday, the Board of Education said that under the new plan all students would have to take a year of "practical arts," such as shop work and typing, and pass either the State Regents tests or citywide examinations in American history, world backgrounds and English to qualify for a diploma.

One of the diplomas to be abolished is the controversial general diploma now issued to students of limited academic ability. These students are not required to take the state tests.

Some parents groups, especially those in the disadvantaged areas, have complained that the general diploma carried with it a kind of stigma that prevented students from getting good jobs or entering some colleges.

Deputy Superintendent Seelig L. Lester said the new plan "would put the general study students to work."

"Where at present," he said, "they can take a little bit here and a little bit there like going to a cafeteria they will, under the new plan, be required to have a sequence of studies. It will work out better for all concerned."

Under the new plan, all students will be required to meet minimum requirements in a variety of fields, including English, social studies, science, mathematics, art appreciation, music appreciation, health teaching, physical education and practical arts.

The present system is not as comprehensive and it provides separate diplomas for academic, commercial, general, technical and vocational courses.

The single diploma will list on its reverse side a statement of regular courses completed along with any electives that were taken. It is hoped that this will aid colleges or prospective employers to evaluate better the students' talents.

The comprehensive high school, which is being introduced gradually throughout the school system as a four-year institution, is intended to replace the present academic and vocational schools and incorporate in the curriculum the courses of both.

The board is committed to a program of four years of elementary school, four years of intermediate school, and four years of high school.

"To earn a high school diploma now," the board noted, "courses in English, social studies, science and mathematics are required of all high school students, whether pursuing academic, commercial, general, technical or vocational courses of study.

"In addition, passing grades on Regents examinations in American history and world backgrounds and in English are now also required, except for students working toward a general or vocational diploma.

"The difference between existing curriculums in high schools as now constituted and those scheduled for the comprehensive schools vary with the type of school to be replaced by a comprehensive school. For example, the present academic course stresses languages; the commercial course concentrates on accounting and secretarial studies; the vocational courses include industrial and technical studies."

EDUCATION FOR WORK

Mr. Speaker, I say that the time has come to liberate vocational education from its subservient role as handmaiden to the rest of American public education. Widespread student dissatisfaction with the present-day curriculum attests to the growing meaninglessness of traditional education for the modern working world. It also points to the need for making career development the central theme of education in the seventies.

In my role as a principal author of the Vocational Education Amendments of 1968, I have long urged that we place highest priority in our schools on preparing young people for the realities they will face in the world of work. Therefore, I wish to present for my colleagues' consideration an excellent editorial on the critical need for support of vocational education which appeared in the Chicago Tribune, October 12, 1969:

EDUCATION FOR WORK

In its annual report to the Department of Health, Education, and Welfare, the National Advisory Commission on Vocational Education condemns the waste of both money and human resources by a system that fails "to educate to the level of employability nearly 25 per cent of the young men and women who turn 18 each year."

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"Young men and women who cannot qualify for decent jobs distrust the society which reared them," the report states. "Dissidents speak with the voice of rebellion; campus and inner-city revolt reaches into our schools. Our nation seethes.

"Racial unrest, violence, and the unemployment of youth have their roots in inadequate education. Each year the ranks of the school dropouts increase by three-quarters of a million young men and women. They enter the job market without the skills and attitudes employers require. They and the millions of others who are underemployed—among these the students who are graduates of our high schools but who are inadequately prepared for anything—are tragic evidence of the present inadequacy of our educational system."

The report accuses the federal and state governments and local school administrations of allocating a disproportionate share of financial resources to higher education and college-preparatory programs and neglecting vocational education. This is done, it says, "in reckless disregard of the fact that for 60 per cent of our young people high school is the only transition to the world of work."

The report notes that the federal government invests $14 in the nation's universities for every $1 it invests in vocational education programs. The result is that the federal government spends four dollars on remedial manpower programs for every dollar it spends on preventive vocational programs. Some of the remedial programs cost $12,000 for every man or woman placed in a job, and those who remain unemployed may cost $4,000 a year or more in welfare support for themselves and their families.

The neglect of vocational education in Illinois conforms to the national pattern. For fiscal year 1970 the state government appropriated 230.7 million dollars for capital investment in higher education and 540 million of general revenue funds for operations. These sums include 96 million of capital funds for junior colleges and 38.3 million for their operations. Only 19.4 per cent of the total enrollment by credit hours in the junior colleges is in occupation-oriented courses. The state appropriated only $14,879,970 for distribution to the school districts for vocational education this year.

The national commission ascribes the neglect of vocational education to the "snobbish, undemocratic" attitude that "the only good education is an education capped by four years of college." It notes that plumbers, carpenters, and electricians make more money than many school superintendents and college presidents and asserts that "only the arrogant will allow themselves to feel that one is more worthy than the other."

The commission concludes that the federal government must allocate more funds for vocational education and must challenge the state and local governments and school administrations to "throw off old habits and take a hard, fresh look at what they are doing."

THE TRIBUNE has been advocating more emphasis on vocational education for many years. Public pressure must be generated to arouse politicians from their lethargy and overcome the prejudices and complacency of school administrators. It costs more to provide shop facilities and train teachers for vocational education than the cost of college-preparatory or general education programs, but no investment will bring a higher return.

One way the federal government can help is to offer tax incentives for the cooperation of private industry, particularly in teacher-training programs. President Nixon advocated such inducements in his campaign last year. It is time for vigorous national leadership to provide opportunities for all young Americans to achieve their highest potential, which, as the advisory commission says, is not measured by the color of their collar.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. JONES of North Carolina, for October 16 through October 20, on account of official business.

Mr. REIFEL (at the request of Mr. GERALD R. FORD), for October 15, 16, and 20, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. BUCHANAN, for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. O'HARA, for 20 minutes today, and to revise and extend his remarks.

(The following Members (at the request of Mr. HOGAN) and to revise and extend their remarks and include extraneous matter:)

Mr. GOLDWATER, for 15 minutes, today.
Mr. CARTER, for 1 hour, today.
Mr. ASHBROOK, for 30 minutes, today.
Mr. MORTON, for 10 minutes, today.
Mr. HUNT, for 15 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. YATES and to include extraneous matter.

Mr. WHITE to extend his remarks in permanent RECORD of October 14, 1969, immediately following invocation.

(The following Members (at the request of Mr. HOGAN) and to include extraneous matter:)

Mr. WYDLER in two instances.
Mr. COWGER.
Mr. DEL CLAWSON.
Mr. TALCOTT.
Mr. FOREMAN.
Mr. LANGEN.
Mr. POLLOCK.
Mr. SCHWENGEL.
Mr. BOB WILSON.
Mr. DELLENBACK.
Mr. HASTINGS.
Mr. BROOMFIELD.
Mr. COUGHLIN.
Mr. LUKENS.
Mr. PELLY.
Mr. GOLDWATER.
Mr. DERWINSKI.
Mr. BUCHANAN.
Mr. SHRIVER.
Mr. WYMAN.
Mr. DUNCAN in two instances.
Mr. DON H. CLAUSEN.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3016. An act to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, to authorize advance funding of such programs, and for other purposes; to the Committee on Education and Labor.

SENATE ENROLLED BILL AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled bill and joint resolution of the Senate of the following titles:

S. 1242. An act to amend the Communications Act of 1934 by extending the provisions thereof relating to grants for construction of educational television or radio broadcasting facilities and the provisions relating to support of the Corporation for Public Broadcasting; and

S.J. Res. 150. Joint resolution to authorize the President to designate the period beginning October 12, 1969, and ending October 18, 1969, as "National Industrial Hygiene Week."

CALL OF THE HOUSE

Mr. THOMPSON of Georgia. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. MILLER of California. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 229]

Abernethy
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Annunzio
Arends
Ashbrook
Ashley
Aspinall
Ayres
Baring
Barrett
Beall, Md.
Belcher
Berry
Betts
Bevill
Biester
Bingham
Blackburn
Blanton
Boland
Bolling
Bow
Brademas
Brasco
Bray
Brooks
Broomfield
Brown, Calif.
Broyhill, N.C.
Broyhill, Va.
Burton, Calif.
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Caffery
Cahill
Camp
Carey
Casey
Cederberg
Celler
Chamberlain
Chisholm
Clancy
Clark
Clay
Cohelan
Collier
Conable
Conyers
Corbett
Corman
Cunningham
Davis, Ga.
Dawson
de la Garza
Delaney
Denney
Dennis
Dent
Devine
Diggs
Dingell
Downing
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Findley
Fisher
Flynt
Ford, Gerald R.
Ford, William D.
Foreman
Fraser
Frelinghuysen
Frey
Friedel
Fulton, Tenn.
Garmatz
Gaydos
Gettys
Gibbons
Goodling
Gray
Griffin
Griffiths
Grover
Gubser
Haley
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harrington
Harvey
Hastings
Hawkins
Hays
Hébert
Helstoski
Holifield
Hosmer
Howard
Hull
Hunt
Ichord
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Jones, Tenn.
King
Kirwan
Kleppe
Koch
Kuykendall
Kyl
Kyros
Landgrebe
Landrum
Latta
Leggett
Lipscomb
Lloyd
Long, Md.
Lowenstein
Lujan
Lukens
McCloskey
McCulloch
McDade
McDonald, Mich.
McEwen
McKneally
McMillan
Madden
Martin
Mathias
Meeds
Melcher
Michel
Mikva
Mills
Minshall
Mize
Monagan
Moorhead
Morgan
Morton
Mosher

XUM

Murphy, N.Y.
Nedzi
Nix
O'Konski
O'Neal, Ga.
Ottinger
Passman
Patman
Pelly
Pepper
Perkins
Pickle
Pirnie
Poff
Pollock
Powell
Preyer, N.C.
Price, Tex.
Pucinski
Quie
Quillen
Rees
Reid, N.Y.
Reifel
Reuss
Rhodes
Riegle
Rivers
Roberts
Rodino
Rogers, Colo.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Roybal
Ruppe
Ruth
Ryan
St Germain
St. Onge
Sandman
Saylor
Scherle
Scheuer
Schneebeli
Shriver
Sikes
Slack
Smith, Calif.
Smith, N.Y.
Stafford
Stanton
Steed
Steiger, Ariz.
Stephens
Stokes
Stubblefield
Taft
Taylor
Teague, Calif.
Teague, Tex.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tunney
Udall
Utt
Van Deerlin
Vigorito
Waldie
Watkins
Watts
Whalley
Whitehurst
Whitten
Widnall
Williams
Wilson, Charles H.
Wold
Wolff
Wydler
Yates
Zablocki
Zion

PARLIAMENTARY INQUIRY

Mr. **MILLER** of California. Mr. Speaker, a parliamentary inquriy.

The **SPEAKER** pro tempore (Mr. Sisk). The gentleman will state it.

Mr. **MILLER** of California. Has a quorum been arrived at?

The **SPEAKER** pro tempore. At the present time a quorum has not been established.

ADJOURNMENT

Mr. **MILLER** of California. Mr. Speaker, I then move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 31 minutes p.m.), the House adjourned until tomorrow, Thursday, October 16, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1259. A letter from the Director of Civil Defense, Department of the Army, transmitting a report on property acquisitions of emergency supplies and equipment for the quarter ended September 30, 1969, pursuant to the provisions of subsection 201(h) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

1260. A letter from the Comptroller General of the United States, transmitting a report of the cost reduction and management improvement program in selected departments and agencies; to the Committee on Government Operations.

1261. A letter from the Assistant Administrator of General Services (Administration), transmitting a report of claims settled by the Administration under the Military Personnel and Civilian Employees' Claims Act of 1964, for fiscal year 1969; to the Committee on the Judiciary.

1262. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Social Security Act to improve the cost effectiveness of the medicare, medicaid, and maternal and child health programs; to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT:

H.R. 14358. A bill to equalize the retired pay of members of the uniformed services retired prior to June 1, 1958, whose retired pay is computed on laws enacted on or after October 1, 1949; to the Committee on Armed Services.

By Mr. CHAPPELL:

H.R. 14359. A bill to amend title II of the Social Security Act to increase from $1,680 to $2,400 the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. COWGER:

H.R. 14360. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commere.

By Mr. DORN:

H.R. 14361. A bill to amend title II of the Social Security Act to provide a 15-percent across-the-board increase in monthly benefits, with subsequent cost-of-living increases in such benefits and a minimum primary benefit of $80; to the Committee on Ways and Means.

By Mr. FISH:

H.R. 14362. A bill to amend the Internal Revenue Code of 1954 to encourage higher education, and particularly the private funding thereof, by authorizing a deduction from gross income of reasonable amounts contributed to a qualified higher education fund established by the taxpayer for the purpose of funding the higher education of his dependents; to the Committee on Ways and Means.

By Mr. HORTON:

H.R. 14363. A bill to amend title II of the Social Security Act to provide a 17-percent across-the-board benefit increase with a $100 minimum and subsequent standard-of-living increases, to increase widow's and widower's benefits, to improve benefit computation for married couples and women with 30 years' coverage, to liberalize the retirement test, to make coverage optional for beneficiaries over age 65, and to eliminate the 6-month waiting period for disability benefits in certain cases; to reduce self-employment taxes to the level of employee taxes; and to cover prescription drugs and the services of home maintenance workers under medicare; to the Committee on Ways and Means.

By Mr. LANDRUM:

H.R. 14364. A bill naming the bridge under construction linking the islands of the Lake Lanier Island development in Lake Sidney Lanier, Ga., as the "Richard B. Russell Bridge"; to the Committee on Public Works.

By Mr. NEDZI:

H.R. 14365. A bill to provide for public disclosure by Members of the House of Representatives, Members of the U.S. Senate, Justices and judges of the U.S. courts, and policymaking officials of the executive branch as designated by the Civil Service Commission, but including the President, Vice President, and Cabinet Members; and by candidates for the House of Representatives and the Senate, the Presidency, and the Vice-Presidency; and to give the House Committee on Standards of Conduct, the Senate Select Committee on Standards of Conduct, the Director of the Administrative Office of the U.S. Courts, and the Attorney General of the United States appropriate jurisdiction; to the Committee on the Judiciary.

By Mr. SIKES:

H.R. 14366. A bill to provide that the fiscal year of the United States shall coincide with the calendar year; to the Committee on Government Operations.

By Mr. WOLFF:

H.R. 14367. A bill to amend the Maritime Academy Act of 1958 to require repayment of amounts paid for the training of merchant marine officers who do not serve in the merchant marine or Armed Forces; to the Committee on Merchant Marine and Fisheries.

By Mr. WYDLER:

H.R. 14368. A bill to amend the Immigration and Nationality Act to revise the naturalization procedure for adopted children; to the Committee on the Judiciary.

By Mr. BIAGGI:

H.R. 14369. A bill to provide that security deposits made by tenants of any federally assisted multifamily housing shall be placed by the landlord in a separate account to draw interest for the benefit of such tenants; to the Committee on Banking and Currency.

By Mr. FRASER:

H.R. 14370. A bill to amend title 39, United States Code, to restrict the mailing of unsolicited credit cards; to the Committee on Post Office and Civil Service.

By Mr. GIBBONS:

H.R. 14371. A bill to amend title 10, United States Code to permit the recomputation of retired pay of certain members and former members of the Armed Forces; to the Committee on Armed Services.

By Mr. HUTCHINSON:

H.R. 14372. A bill to adjust agricultural production, to provide a transitional program for farmers, and for other purposes; to the Committee on Agriculture.

By Mr. WHITEHURST:

H.R. 14373. A bill to authorize the Secretary of the Navy to convey to the city of Portsmouth, State of Virginia, certain lands situated within the Crawford urban renewal project (Va-53) in the city of Portsmouth, in exchange for certain lands situated within the proposed southside neighborhood development project; to the Committee on Armed Services.

By Mr. DULSKI:

H.R. 14374. A bill to revise the Federal election laws, and for other purposes; to the Committee on House Administration.

By Mr. WEICKER:

H.R. 14375. A bill to amend the Public Health Service Act so as to add to such act a new title dealing especially with kidney disease and kidney-related diseases; to the Committee on Interstate and Foreign Commerce.

By Mr. BUTTON:

H.J. Res. 955. Joint resolution to supplement the joint resolution making continuing appropriations for the fiscal year 1970 in order to provide for carrying out programs and projects, and for payments to State educational agencies and local educational agencies, institutions of higher education and other educational agencies and organizations, based upon appropriation levels as provided in H.R. 1311, which passed the House of Representatives July 31, 1969, and entitled "An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1970, and for other purposes"; to the Committee on Appropriations.

By Mr. DORN:

H.J. Res. 956. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. ASHBROOK (for himself and Mr. Clancy):

H. Con. Res. 410. Concurrent resolution urging the adoption of policies to offset the adverse effects of inadequate long term financing upon the housing industry; to the Committee on Ways and Means.

By Mr. SIKES:

H. Con. Res. 411. Concurrent resolution expressing the sense of the Congress with respect to the revocation of the United Nations economic sanctions against Southern Rhodesia; to the Committee on Foreign Affairs.

By Mr. ALBERT (for himself and Mr. GERALD R. FORD):

H. Res. 582. Resolution relating to demonstrations for peace; to the Committee on Foreign Affairs.

By Mr. POAGE:

H. Res. 583. Resolution to provide additional funds for the Committee on Agriculture; to the Committee on House Administration.

PETITIONS, ETC.

Under clause 1 of rule XXII,

294. The SPEAKER presented a petition of Ralph Boryszewski, Rochester, N.Y., relative to denying jurisdiction to the U.S. Supreme Court on *Chandler* v. *Tenth Judicial Council*, which was referred to the Committee on the Judiciary.

SENATE—*Wednesday, October 15, 1969*

The Senate met at 12 o'clock noon and was called to order by the President pro tempore.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, in whose will is our peace, take this Nation today under Thy holy care. Give us ears to hear, not the frenzied mob but the inner voice of Thy spirit. Give us eyes to see, not the world which now is, but the new world which is yet to be.

O Thou who hast granted youth to see visions and age to dream dreams, help each to understand the other. May those who are younger not resent the discipline of learning nor reject the wisdom which is brought only by experience. Save those who are older from the foolish confidence that they know it all and that wisdom perishes with them. Draw together both youth and age that, dreaming dreams and seeing visions, they may welcome those new truths which can fashion a better world. Strengthen the faith of all the people to see beyond the tentative and temporal that which is enduring and eternal. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, October 14, 1969, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States, was communicated to the Senate by Mr. Geisler, one of his secretaries.

REPORT ON ACID MINE DRAINAGE IN APPALACHIA—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was referred to the Committee on Public Works:

To the Congress of the United States:

Pursuant to section 302(b) of the Appalachian Regional Development Act, I hereby transmit the Appalachian Regional Commission's report, Acid Mine Drainage in Appalachia.

This comprehensive study was carried out by the Commission in cooperation with a special panel of experts convened by the National Research Council of the National Academy of Sciences—National Academy of Engineering. I recommend it for thoughtful consideration by all interested parties.

RICHARD NIXON.

THE WHITE HOUSE, *October 15, 1969.*

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may proceed for 10 minutes.

The PRESIDENT pro tempore. Without objection, the Senator from Montana is recognized for 10 minutes.

SENATOR MANSFIELD ANSWERS QUESTIONS OF MONTANANS

Mr. MANSFIELD. Mr. President, I have just returned from 3 days in Montana, during which period I met with groups of college students at the University of Montana, the Montana College of Science and Technology, Carroll College, and Eastern Montana College.

I also had the opportunity to visit the mining camps, the small ranch towns, and some of our larger cities. The questions asked by my constituents had to do with Vietnam, the moratorium, tax relief and tax reform, inflation, high interest rates, and the plight of the homebuilding and lumber industries, among other matters.

At all the institutions of higher learning which I visited, the main question was the moratorium to be held on October 15. I was asked if I was in favor of the moratorium and my answer was to quote from the Bill of Rights, the first amendment to the Constitution. That amendment reads as follows:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or of the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

I said that as far as I was concerned, this constitutional right applied to all our citizens, to those who favored a moratorium and to those who indicated that they might want to assemble in opposition to a moratorium. I emphasized the use of the word "peaceable" in the first amendment and stated that it was my hope that any assemblies or demonstrations would be conducted with dignity and decorum and would be within the law.

I stated that I did not believe in violence or license or destruction or assault upon persons because all these were contrary to the law and those who indulged themselves in such a manner should be and would be subject to law.

The question was raised as to what should be done if one did not believe in the law, and my answer was that there were many laws passed by Congress and many decisions laid down by the Supreme Court to which I was opposed and did not approve; but once a law was passed by Congress and signed by the President and once a decision was made by the Sureme Court, regardless of my personal feelings, I felt it my duty, my obligation, and my responsibility to obey that law and to accept those decisions as long as they were in existence. Otherwise, I pointed out, a democracy such as ours would disintegrate and fall.

I was queried as to my views on the situation in Vietnam. I told my fellow Montanans that it seemed to me that the President was doing all that he could do on the basis of the best advice he had available to bring about a responsible settlement. I stated further that, in my opinion, there were elements which were encouraging and which might lead toward a possible settlement.

I pointed out that in the 7-month period since last March, the total number of North Vietnamese infiltrees numbered approximately 20,000 compared with an annual rate of infiltration last year between 7,000 and 13,000 a month; I pointed out that there had been a lull in the fighting, that the casualties had been reduced though, in my opinion, they were still too high; I pointed out that the President had ordered the withdrawal of 60,000 troops by the end of this calendar year and that this was a decided shift away from escalation toward deescalation; I pointed out that a new military strategy of "protective reaction" had replaced the strategy of "maximum pressure" which had been followed in the previous administration and during the first months of this administration.

I stated further that it was my understanding that the orders for this shift had gone to General Abrams last July. To me, a strategy of "protective reaction" means that we have moved a long distance in the direction of a cease fire and stand fast policy because, as I interpret it, the search and destroy missions are a thing of the past, and under the new policy, we will fire only when there is a threat that our forces will be fired on even while remaining prepared to undertake necessary action should any attack be in the offing.

I said to the people of Montana that I thought the President was moving in the right direction, that, from our point of view, progress was being made toward a settlement. The missing factor, as I saw it, was the need for an all-South Vietnamese government—for elections in which all the various groups in South Vietnam, religious, political and otherwise, would participate. I expressed the hope that that procedure would be undertaken in a matter of weeks or months and that the South Vietnamese people themselves would decide what kind of a government they wanted and what their future would be.

I said that the one point on which the President had stated he would not budge was the right of self determination of the people of South Vietnam and that in response to questions he had also stated that he would accept the results of such an election, regardless of the coloration of the government which it produced.

Mr. President, I found the people of Montana concerned about the situation in Vietnam and concerned about our domestic problems. I found them dignified, courteous, and attentive in discussing how these difficulties should be met. Visiting with them gave me renewed confidence in the American process. It added a dimension to my understanding of the situation. It unfolded to me the thinking of Montanans about the issues of the day and what they thought should be done.

I endeavored to reply to their questions to the best of my ability, with a full realization that I did not know all the answers. In so doing, I became more aware of their attitudes, their feelings, and their anxieties. I was the beneficiary of my latest visit to Montana. It is my hope that, on the basis of my talking to the folks, I have come to understand better their current concerns and that I will be able thereby to represent them better in the Senate of the United States.

Mr. AIKEN. Mr. President, as usual the Senator from Montana has given a very clear exposition of our position in Southeast Asia at this time. The fact that the Senator from Montana speaks as he does not only represents a pillar of strength for our own Government, and to the President, but also, the remarks of the distinguished majority leader inculcates confidence in other countries of the world.

VIETNAM: UNITY FOR PEACE

Mr. MANSFIELD. Mr. President, I have just finished making a report to the Senate on the basis of my 3-day trip home to Montana. Now I would like to speak briefly on the subject of Vietnam to which I have been giving considerable thought for the past week or 10 days.

I think I have some sense of the complexity of the difficulty in Vietnam which confronts the Nation and of the problems of resolving it. I trust that I have some compassion for President Nixon in view of the burdens which he carries in this connection.

Since his inauguration I have tried, as one Senator, to give the President whatever support I can give to him. He is the President, not of Republicans or Democrats but of every American. The President has tried to end this war; he deserves every credit for trying. I shall not criticize his efforts. Nevertheless, the war continues. It goes on draining our substance into the morass of Vietnam. It goes on spilling the young blood of the Nation. It goes on corrupting the ideals which have given this Nation its meaning to itself and to the world. It goes on sidetracking us from the mounting problems at home.

The erosion of the Nation's strength will continue as long as the war continues. It will continue even if, through changes in tactics, it is possible to cut combat fatalities from 200 a week to 100 or to whatever figure someone calculates may be necessary to make these tragic deaths palatable to the American people.

I know of no basis for believing that the problem of Vietnam can be resolved now any more than in the past by a silence of acquiescence in the Senate or in the Nation. How many times have we heard the plea to suspend discussion in the past few years? How many times have we heard it offered as an alternative to facing up to the predicament in Vietnam?

With silence or without, let there be no doubt anywhere that we will support the young men who have been sent to Vietnam by the policies of this Nation. They are there not through their own doing but through our doing. We owe them every support and, insofar as I am concerned, they will have every support which may help to bring them back alive. But let us be equally clear that silence does not support them. Nor do words of bravado spoken 10,000 miles away from the safe haven of the floor of the Senate or the sanctuary of this Nation support them. Saving faces in Washington does not save lives in Vietnam.

Neither the silence of acceptance nor the rote slogans of unity are a substitute for the sober responsibilities of this office. Indeed, who will be persuaded by silence or slogans? The Vietnamese? The national government in Saigon? The government in Hanoi or the National Liberation Front? Who still clings to the timeworn delusion that an absence or a plenitude of words, will succeed in ending a war that the greatest tonnage of bombs ever dropped in any war has not succeeded in ending?

I cannot be a party, Mr. President, to a protraction of that kind of delusion. The Saigon officials will not be beguiled by silence; they will still press their interests as they see them. We will not confound Hanoi or confuse the NLF by silence; they will still pursue their interests as they see them. A silence in the Senate and in the Nation will add only to our own bewilderment and to our own inner dissension as, indeed, the suggestion for a 60-day moratorium some days ago has already done.

It is long past the time when a gadgetry of words or some neat finesse of diplomacy can bring this tragedy in Vietnam to an end. It is time to confront the delusions of the past, to set them aside and to look, now, at the painful realities of the situation in Vietnam. It is time to look straight at the corrosive impact of this misbegotten conflict on the very vitals of this Nation.

It is long past time to stop dawdling with peace in Vietnam. It is time to make clear that this country is, indeed, united—to make clear that it is united behind the President not in order to prolong the war for face or fancy or at the behest of others but to end the war without prolonged delay. In my judgment, that is what the highest interest of this Nation demands. The sooner the point is clear to the Saigon officials as well as to Hanoi and the NLF, the better for the President, the Nation, and the world.

THE GEORGE D. AIKEN LECTURES IN INTERNATIONAL AFFAIRS AT NORWICH UNIVERSITY, NORTHFIELD, VT.

Mr. MANSFIELD. Mr. President, Norwich University in Northfield, Vt., on October 11, 1969, inaugurated the George D. Aiken Lectures in International Affairs series.

The first speaker—and a better choice could not have been made—who started the series off on the right foot was the distinguished senior Senator from Vermont, the dean of Republicans in the Senate, the man after whom this series is named, the ranking minority member of the Committee on Foreign Relations, GEORGE D. AIKEN.

At that time, he made a speech on our foreign policy in which he traced the situation as he saw it from the time of the beginning of the New Deal down to the present. I had the privilege—and it was a privilege—to read the speech before it was delivered. I was very much impressed with the thoughtfulness, the care, and the detail which went into the lecture. I think it is one of the most remarkable documents of our times.

Of course, every time the distinguished senior Senator from Vermont says some-

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thing, the rest of us listen. This is an extraordinarily fine speech, and I ask unanimous consent that it be incorporated in the RECORD at this point, and express the hope that every Senator, on both sides of the aisle, will find time to read it, to cogitate upon it, and to become a better Senator and more conversant with the affairs of our country in the field of foreign policy as a result.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

OUR FOREIGN POLICY—LEGACY OF THE NEW DEAL

It will not be immediately apparent why a lecture on foreign affairs should even refer to the "New Deal", the name of a political period in our history that most people connect with domestic policies.

It will not be obvious either why I am all of a sudden on this day in October, 1969, marking the demise of a period in history that many will say ended before World War II.

I insist, however, that there is a definite connection between the New Deal of a generation ago and our foreign policy which currently the subject of much controversy.

And I do contend that one must understand the powerful effects of the New Deal years in order to understand our position in the world today.

Young people these days justly demand of their elders that they be "relevant".

I'm going to try to meet that demand insofar as it is a serious one.

But insofar as "relevance" has come to mean a demand for instant gratification, I will leave that to others.

Some people talk about the so-called generation gap as though all generations in the past lived in perfect harmony with their parents, their political leaders, their college administrators and their police departments.

They didn't.

I didn't get instant gratification in my time, and you won't get it in yours.

What the youth of today should have is some notion of how the present relates to the immediate past so that parents of the next generation will be able to stand up better to their children than we, apparently, are standing up to ours.

My thesis is that the New Deal ended in August of 1968 in Chicago at the Democratic Convention and on the streets of that city outside of the convention.

Lyndon Johnson was the last New Deal President; Hubert Humphrey may have been the last New Deal Presidential candidate, though I do not want to seem to end his hopes prematurely for the highest office in the land.

My prediction is that the politician who will stand up, recognize the fact that that colorful era in history has had its day, and bury the New Deal with the honors it deserves will inherit the political future, at least for a while.

And this applies quite as much to the commanding heights of foreign policy as it does to the commanding heights of domestic policy.

I have waited for a long time to unfold this thesis in public because I had hoped, and still hope, that the leadership of my own political party would adopt it as their own.

I was also afraid that the Democrats might steal it.

Now I find that a man quite outside the arena of politics has alluded to the idea in a book due out this month.

He is a man of great distinction, Mr. Eugene Black, once President of the World Bank and latterly a special counselor to President Johnson on the complex affairs of Southeast Asia.

Mr. Black is writing about those complex affairs, not about American politics, but in his book he expresses my thoughts quite succinctly when he says:

". . . The New Deal years ended on the streets of Chicago . . . for there the children of the New Deal came into direct conflict with those who had benefited most from and had provided much of the leadership during the New Deal years. It was a tragedy that no Mark Anthony appeared . . . to remind us that 'the evil that men do lives after them; the good is oft interred with their bones.' "

I rather think that the Democrats would occupy the White House today if they had found their Mark Anthony.

They had the stage and the public's attention, something my party hasn't had for a long time.

Lyndon Johnson was the last of a long and brilliant line of New Deal actors.

He was no Caesar, but he was a very big man in many ways.

His policy in Viet Nam was mighty unpopular—even with me—but he laid down his political career because of Viet Nam and that was an honorable act.

He was a good party man when the chips were down; more important, he was a good American.

But there wasn't any Mark Anthony in Chicago and, as a Republican, I shed no tears.

As a Republican, I am, perhaps naturally, more interested in burying the New Deal and marking the spot in the graveyard of history than I am in praising it.

Possibly I am more interested in connecting Lyndon Johnson with Franklin Roosevelt in order to show that the New Deal is finally over, than I am in doing justice to those active and exciting years.

But I have another purpose than that of doing justice to the past; I want to help to do justice to the future.

My party has always had an ambivalent feeling towards the New Deal.

It still has, in fact.

Some of my friends even now wouldn't be caught out in public with the lady.

Some others succumbed to her charms and became prominent guests in her house.

Many, like myself, were guilty of certain clandestine meetings with her.

Now, however, if the Republicans are to inherit the political future for more than one brief administration, we are going to have to make our peace with the past and show how we are going to build on it, not try to turn the clock back.

I made my own peace with the New Deal back in 1938 and, with a few lapses, have maintained a pretty consistent attitude.

On Lincoln's Birthday of that year I undertook to read my party a lecture.

The times called for it; in 1936, you will remember, an old political slogan was rewritten to read, "As Maine goes, so goes Vermont."

The rest of the country went the other way that year in spite of the fact that Alf Landon was one of the best Presidential candidates the Republican Party ever had.

At that Lincoln's Birthday gathering—it was before the National Republican Club at the Waldorf Astoria in New York—I had some things to say about the New Deal that I think are pertinent today.

As Governor of Vermont, I had come to office in part through fighting the public utilities which I felt wanted to play fast and loose with the water resources of this State.

By the time I spoke in New York, I was fighting the Federal government, too; the New Deal had singled out our State as a testing ground for a large Federal commune or Kibbutz to stimulate employment in ways that not even the OEO today would think of suggesting.

I learned early that politicians dedicated to keeping the Big Boys honest, as I think I have been, would have to fight the Big Boys in the Federal bureaucracy just as hard as the Big Boys in the private bureaucracies.

"We must not make the mistake," I told the audience in New York in 1938, "of thinking we are protecting States' rights when we protest against Federal leadership."

I also said:

"The country needs (Federal leadership). . . . (But) there is a difference between Federal leadership and Federal domination, and that difference is the great issue today . . . The States have rights—vital rights. As Governor of Vermont, I have fought to preserve them for the people. To preserve these rights I have at times had to fight the public utilities. At the present time, I have had to fight the Federal Government. Far apart as these two forces are, I find the palms of both have the itch for acquisition."

I'd be glad to bequeath these words to anybody who wants to run for Governor of Vermont today.

There are perhaps now more powerful interests than ever who want to be absentee landlords in our State, and whoever is Governor has got to try to keep them honest whether they be the Federal Government, the corporations interested in our forests and recreation areas, or even the environmentalists interested in preserving after their own fashion for future generations.

The slogan, "keep the Big Boys honest," transcends both party and sectionalism in our land; it was used most recently by a Democrat who wanted to be Governor of Virginia and in the Primary last August came within an eyelash of upsetting nearly 45 years of rule by the political machine of my late friend and colleague, former Senator Harry Flood Byrd.

It is now being used by the Republican candidate for Governor of that State.

It lives today in Vermont; that's why we are debating in this State an issue—statewide zoning—that even that far out liberals elsewhere haven't thought of, yet doing it for the most conservative of reasons—to protect the individual against the onslaughts of big money and big bureaucracy.

The New Deal created a lot of new Big Boys.

They came into Washington on a shoestring and in a few years rode out in a Cadillac.

The popular concern for justice for the wage-earner, ignored for far too long gave our labor unions their legal birthright under the New Deal, but it also made Big Labor possible.

And does Big Labor appeal today to our sense of justice any more than, say, Big Business?

The New Deal gave us Social Security long after we should have had it, but it also gave us Big Welfare.

The most responsive note that President Nixon has struck so far is, probably, his new welfare proposals.

"The New Deal is Over" is written large across the pages of these proposals.

It will take a lot of bargaining to work out the details in legislation, but the President is surely right in saying that we need a new system to keep Big Welfare honest and efficient.

Lyndon Johnson admired Franklin Roosevelt and modeled his domestic program after the New Deal.

The legislation he proposed has doubled the flow of Federal monies into education.

The poverty program he set up would have warmed the hearts of Harry Hopkins and Harold Ickes.

And who is to deny seriously that we desperately need Federal leadership both in improving education and alleviating poverty?

But Lyndon Johnson's programs were the linear descendants of the National Recovery Act and the National Youth Administration of the 1930's.

They reflected a real need, but not the realities of the 1960's.

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What President Johnson forgot was that while President Roosevelt could create bureaucracy more or less at will and get away with it because he started with so little, the President's first task now, if he wants his programs to be effective, is to make the huge Federal bureaucracy work better.

President Johnson was a great one for creating bureaucracy, exhorting it and sometimes cursing it.

But he didn't make bureaucracy work better.

That is why his Great Society failed.

I think it is obvious that the New Deal is over when it comes to domestic policies, though it is not yet obvious what the shape of political things to come will be.

It is perhaps less obvious that the foreign policies associated with the New Deal, the Fair Deal, the Eisenhower years, the New Frontier and the Great Society have also become obsolete.

These policies were of a piece, and they are now out of date.

That is the lesson of Viet Nam, and again the people are ahead of the politicians in accepting the fact.

It has been said by many that World War II ended the age of American innocence in world affairs.

It did in a way; it ended the notion that we could be safe and sound simply by telling the rest of the world how it *ought* to act while rigorously avoiding taking any actions ourselves.

It ended the age in which we could describe our national interests in romantic terms, like "saving the world for democracy."

But World War II *didn't* end our age of innocence in world affairs.

The war in Viet Nam has done that.

World War II ended the age in which we could believe that we could exert a peaceful influence on world affairs without being prepared to take part in those affairs, even with military force if necessary.

Viet Nam has ended the illusion that our military power bestows on us an equal influence in world politics.

It has taught us—or should have taught us—the vital importance of finding a halfway house between the innocence of isolationism and the arrogance which says we ought to play the world's policeman.

The Viet Nam war was as much a child of the New Deal as the War on Poverty.

Lyndon Johnson during his Presidency modeled his actions abroad, as he did at home, on Franklin Roosevelt's example, in this case on the example of Roosevelt's personal diplomacy.

In fact, all Presidents since 1945 have done this to some extent.

President Nixon's trips to Europe and Asia at the beginning of his administration—which met with my approval—are of the same mold.

But the time has come to break this mold, fashioned as it was in the New Deal years, and elaborated upon in the Truman, Eisenhower, Kennedy and Johnson years.

This we should learn from our unhappy experience in Viet Nam.

Nearly four years ago, I began to set forth in public my criticisms of the Viet Nam policies.

I found it a painful process for President Johnson was my friend.

I am here only going to repeat the heart of my objection—what I feel to be the heart of the Viet Nam tragedy—because it is central to my thesis today.

The tragedy of Viet Nam is that we have *prevented* self-determination through the weight of our intervention, even while proclaiming the *preservation* of self-determination as our goal.

It may or may not have been possible to reach this goal if we had acted more wisely; I gladly leave that kind of speculation to the historians and Monday morning quarterbacks.

But ever since President Kennedy decided to intervene and consigned the first 35,000 troops to Viet Nam, and President Johnson decided to intervene further with massive force after the attacks on our installations at Pleiku and elsewhere in February 1965 we have prevented self-determination in Viet Nam just as surely as has the force that we have called the aggressor.

When the war became an American war and the government in Saigon came to exist only by Washington's consent, all hope for a settlement vanished—with the end not yet in sight.

I am afraid we have not even yet learned this lesson.

Vitrually all the experts on Viet Nam, for example, are now demanding a "broader based" government in Saigon in the name of self-determination.

Certainly there ought to be a more representative government there.

There can be no peace until one comes.

But so long as many in Saigon have a vested interest in our arms, in our money, in our officials there, the United States itself will have to impose such a government if it is to come.

Not only is that a denial of self-determination, I seriously doubt that we can do it effectively.

We are still pretending that self-determination is possible while our military presence remains the overwhelming factor in the country.

President Nixon is fully aware of this and is slowly making progress towards correcting the situation.

He is launching a new Asian policy which, in his words, will avoid commitments that could involve us in the internal struggles of nations there.

I, too, believe that the sooner we can reduce our presence in South Viet Nam, whether or not the Paris peace talks make progress, the sooner we will escape from a predicament very largely of our own making.

But we cannot achieve instant gratification through a precipitate withdrawal of our troops.

The President needs time, and I for one, will do my best to see that he gets it.

Those who are so anxious now to spur the President into a pell-mell retreat, even to set deadlines for him, should pause to consider the likely consequences of their exhortations.

The South Vietnamese are bound to think sooner or later that we are simply preparing a case against them to cover our own errors.

That is the worst of all alternatives.

It could lead to a breakdown of order in South Viet Nam and ultimately to a wholesale massacre of those, who for good reasons or bad, put their faith in the United States Government.

And if that happens, it will invite a repetition in this country of the ugly days of the late 1940's when Americans flailed at Americans over the absurd proposition that nefarious forces within our own government "lost" China.

Viet Nam is no more "ours" than was China.

We have no cause to be self-righteous about what has happened there.

Viet Nam is just the place where the foreign policies of the New Deal years came to their logical end.

It is going to be very tempting in the months ahead to try to lay the blame for our mistakes in Viet Nam on the doorstep of this or that President.

But this misses the whole point.

Of course, the President is always responsible, ultimately.

But our recent faults lie much deeper; they are embedded in the foreign relations bureaucracy which we inherited from the past.

It may have been true in Franklin Roosevelt's day that the President was the only one who counted in foreign affairs.

But it has never been true since.

I did not think it was true even then.

If I tell you that one of my first votes in the Senate and my first full blown speech there was against Lend-Lease for England, you will probably think I was very provincial.

But the issue in that debate wasn't isolationism versus internationalism.

Like most Vermonters, I was partial to England.

The issue in that debate was something else.

You may recall that England in 1941, like Viet Nam in the 1960's, had not asked for troops or direct military intervention on our part.

They had asked for money to buy arms.

But President Roosevelt placed before the Senate a bill which would grant him unparalleled authority to order just the kind of intervention that the British had not requested.

I protested.

I was in good company.

The late Senators Vandenberg and Taft took a similar stand as did Senator Russell of Georgia, who is still an honored colleague.

"This bill," I said of the Lend-Lease Act, "is the final step before the armed forces of the United States are scattered over the waters of the seven seas and the lands of four continents . . . After this bill is enacted into law, the President of the United States can control this flow of goods to the extent of depriving England of war materials now on order in this country unless England conducts this war as he thinks she should. Is it not possible that England might prefer to run her own war without this constant threat hanging over her? Do we know that England would rather have assistance granted in this manner than an outright grant of cash or credit? . . . The proponents of this bill have taken almost sixty days to put through an act giving the President unlimited powers to meddle in all foreign affairs if he is so minded, rather than to take two days to grant England the credit and cash upon which they said her life depended."

I do not cite this passage to show how right I was or how rude I was to one of the most revered political figures of my time.

I cite it for its relevance now.

It antedated the Tonkin Gulf resolution by nearly twenty-five years.

It may be that in 1940 President Roosevelt was the only one who counted in foreign affairs, but it has been true of no President since.

As in the domestic branches of government, so in foreign affairs, the New Deal years left the nation with a bureaucracy of new, and powerful influences, each of which has become accustomed to "meddle in all foreign affairs".

In fact, the diverse foreign relations bureaucracies of today have made it all but impossible for the President to carry out effectively his constitutional duties in the realm of foreign policy.

The Defense Department is the biggest, of course, followed by the Central Intelligence Agency, the Agency for International Development, the United States Information Agency, and even the Peace Corps.

The least of all has been the State Department, which has been all too willing to defer to the others in the making of policies that should be its primary charge.

It all grew out of the New Deal years.

The Defense Department and the Central Intelligence Agency are the offspring of the Cold War—the children of a time when every precinct on the globe was seen as a focus of struggle between Soviet Communism and ourselves—of a time when to keep the Big

Boys in world politics on the straight and narrow path we felt we had to line up all the little fellows on our side.

The foreign aid agencies, born of the Marshall Plan, inevitably became creatures of this view up to the point where the present foreign aid agency has been the major banker of the war economy in Viet Nam.

The minor agencies, USIA and the Peace Corps, hark back to the earlier New Deal years when our political leadership was most anxious to convince the world that we were not going to relapse into our old, isolationist habits.

And the State Department?

President Roosevelt imposed a non-combatant status on the State Department in World War II for what seemed to him to be a good and sufficient reason.

He did not believe that our diplomatic service had either anticipated adequately the events unfolding in Europe in the 1930's, or could participate effectively in fashioning an adequate policy response to those events.

In his forthcoming book Mr. Black will tell you that the State Department was classified 4–F because it was guilty of being too much in tune with American public opinion—with isolationist opinion, that is, and that President Roosevelt believed the public was not competent to formulate foreign policy.

Rightly or wrongly, this same thesis prevailed during the Johnson Administration.

The State Department has never been reclassified.

Ever since World War II it has proved no match for the new, powerful influences in the foreign relations bureaucracy when it comes to helping the President define our real national interests abroad and to fashion policies to fit those interests.

The authority of the Congress, as well as the authority of the President, has been seriously eroded by this fact.

It is fashionable to say that diplomacy became obsolescent with World War II and has become obsolete since, what with the revolution in communications.

The jet airplane, it is said, and communications by satellite have rendered the Ambassador little more than a business manager for our more powerful bureaucratic influences overseas.

It is said that we do not need diplomats in the traditional sense, except to attend cocktail parties—that the business of foreign relations is now the business of technicians—the masters of weapons systems, monetary affairs, propaganda and something called economic development.

There is some truth in this characterization.

But there is more that is false.

Certainly, foreign policy needs to be informed as never before by the new technologies, but it remains a political art.

Neither within the Administration nor within the Congress is it possible to keep the foreign relations bureaucracy honest and efficient without a highly skilled, professional diplomatic service capable of helping the President to formulate and implement the political ingredients of foreign policy.

Without a strong State Department, the real political decisions are left largely to the technicians, or to distinguished amateurs brought in from outside of government.

As a Senator, I am particularly sensitive to this state of affairs because the technician doesn't look at the overall problem.

His interest is confined to a particular aspect of the problem.

Therefore, the "policy" which evolves is not something thought out beforehand, but rather it emerges from piecing together the decisions of the technicians.

The Senate has a special duty to make the Executive Branch accountable for its actions in foreign affairs.

This is a unique duty among the parliaments of the world—most of which in any case no longer have vital, day-to-day authorities, as does the Congress.

Most parliaments have been reduced to simply approving government actions or tossing the government out of office.

But a parliament that can only say "I am with you" or "I am against you" is really not much of a parliament at all.

Maybe that is why so many countries have decided to do away with the idea altogether.

Perhaps the Congress is an obsolescent institution, too.

But if it isn't, we have to take its authorities seriously, including the duty of the Senate to hold the Executive accountable for the actions it takes in foreign policy.

That function has been frustrated to the point where the Senate has been told what our foreign policies are to be rather than being asked for approval.

And the major reason is that no single branch of the Executive is accountable for foreign policy.

From time to time there have been proposals to reform and rebuild the State Department restoring the useful functions for which it was originally intended.

But every Administration since the New Deal days has opposed all serious attempts at reform which have come from the Congress.

Every President has been afraid that attempts to reform initiated by the Congress were really designed to undermine the President's authority over foreign affairs.

However, it is not the Congress that has been undermining the President's authority.

It is the diffuse, undisciplined foreign relations bureaucracy.

Unless and until there is a single, professional diplomatic service, capable of being accountable to the President as well as to the Congress for our political actions overseas, we will be at the mercy of forces largely beyond our control.

Until there is a responsible political bureaucracy, charged with the primary duty of helping the President to define our real national interests overseas and to fashion policies to implement those interests, we will not have really learned the lessons of the New Deal years—the innocence that led to Yalta, the arrogance that led to Viet Nam.

This is not a subject for new legislation.

The laws are adequate and very flexible.

Reform can only come from within and must be encouraged and led by the President.

For the first time since 1946 I can say there is some prospect that this will happen.

Secretary of State Rogers and Under Secretary of State Richardson are aware of what has to be done and we hear rumblings that a move is underway to improve conditions.

There will be powerful opposition to the restoration of the State Department.

This opposition will come from those who having formulated our foreign policy for the last 25 years will exert all the influence they possess against giving that authority back to the State Department.

This Department has been so overwhelmed by other programs that the original purpose and responsibility has almost been lost in the shuffle.

Out of 23,000 American employees attached to our missions overseas, only 5,000 of them are assigned to State Department functions.

The rest are attached to other agencies of government.

So I put restoring the constitutional authority and reformation of the State Department first among my recommendations looking to a sound and sane foreign policy for the future.

But let me make this clear.

The State Department will need a strong infusion of new blood.

Men and women dedicated to the service of their country—not just working out their time to retirement and who will stand up to the special interest bureaucracy—even to risking their own future like a soldier in battle, if need be.

My next proposal would be a review of all outstanding treaty commitments and international agreements of national importance to the United States.

I do not say this to be critical of treaties and agreements in general, but I do know that we are today signatories to multilateral treaties which are not taken seriously by some of the other signatories.

When we find situations like this to exist we should take immediate steps to abrogate such treaties and if found advisable to enter into new agreements with those countries which do take their commitments seriously and will live up to them.

All such treaties and agreements should be approved by the Senate as required by our Constitution and any agreements or subterfuges found to be in violation of the treaty provisions of the Constitution should be promptly cancelled.

Many treaties live on long after their original purpose has been served or has ceased to be a measure of our national interest.

They stay on our books ready to be used for other purposes that the Congress may not have approved at all.

The review of these treaties and commitments which I propose will take many months.

However, it could provide a focus for a new bipartisanship in foreign policy to replace the bipartisanship of the New Deal years which fell apart over Viet Nam.

We must not have any more Viet Nams.

We must not have any more Yaltas where Europe was divided into two spheres of influence and all of Eastern Europe was handed over to the Soviet orbit, an act of generosity which we now have reason to regret.

I am sure that many in the Congress want to help the President lift the subject of foreign policy out of the maze of particular, bureaucratic interests into which it has fallen, and install it anew on a pedestal of bipartisanship which can serve to reunite the country once again around a sane view of its role in the world.

I feel the ground for a new consensus exists.

I believe most Americans want some assurance that they will not wake up one morning to find we are off on some new adventure to impose self-determination on some small country.

And finally the time has come for the United States to adopt a "live and let live" attitude toward the rest of the world.

President Nixon informally enunciated a new Asian policy on his visit to Guam on July 25, 1969.

At that time he made it clear that while the United States would keep its present commitments to the nations of that area, we would not enter into any further agreements which would require us to become embroiled in their internal struggles.

This new policy was well received not only in the United States but throughout the world.

So, I propose that this same policy of "live and let live" be extended to include the nations of other continents.

Just because we recognize a country does not mean that we should necessarily like its government.

And just because we do not recognize a particular country does not mean that we should have to do business with them through a third party or middle man.

A ridiculous example of this will be found in our relationship with Rhodesia.

The United Nations, in effect, directed us not to do business with Rhodesia where we had been purchasing large supplies of titanium, platinum, chromium and other minerals essential to our defense effort.

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So we stopped our purchases from Rhodesia and transferred them to Russia at a price well over 50 percent above what we had been paying Rhodesia with the strong possibility that we were getting the same material which Russia could pick up on the world market.

And this is only one example of biting off our nose to spite our face, a practice which would land a private business or industry in the poorhouse in a short time.

The measure of our dealings with another country should be whether it is to our advantage to do so.

Rigorous as our foreign problems seem to be, I have faith that American patriotism will reassert itself.

We are a nation of provincial patriots; our patriotism takes root in a thousand different soils—urban, rural and suburban; ethnic and racial; East, West, North and South.

We tend to be provincial in a big way, even in foreign affairs.

But I know of no force capable of keeping the peace of the world, more suited to keeping the Big Boys honest, than the collective force of our provincial patriots.

ADDRESS BY SENATOR McINTYRE BEFORE THE NATIONAL ACADEMY OF SCIENCES, HANOVER, N.H.

Mr. AIKEN. Mr. President, on Monday evening, October 13, 1969, the junior Senator from New Hampshire (Mr. McIntyre) made a speech before the National Academy of Sciences in Hanover, N.H. The speech was entitled "Goal Must Be Peace—Not Politics." In his speech the Senator from New Hampshire urged his fellow Democrats not to make our situation in South Vietnam a political issue.

Mr. President, there is so much in the speech, which was delivered by the Senator from New Hampshire, with which I agree that I ask unanimous consent that it may be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Goal Must be Peace—Not Politics

(Address by U.S. Senator Thomas J. McIntyre, Democrat of New Hampshire, before the National Academy of Sciences, Hanover, N.H., October 13, 1969)

Mr. Chairman, distinguished members of the National Academy of Science.

The handbook for public speakers warns against opening one's remarks with an apology. Yet, tonight, I must do just that.

I have decided not to speak on the announced subject. "The Power of the Pentagon and the Consent of the Concerned," because of the urgency of the subject I have chosen in its place.

For those who came here to listen to my views on military spending and the proper control of it, I will be more than happy to discuss this informally after the program.

I have chosen this opportunity to hold a public confrontation with myself on the most pressing issue of our times—the war in Vietnam.

I have done so because the week—marking as it does the first of several scheduled classroom moratoria on the war—the occasion—a gathering of men and women whose reverence for life and dedication to the betterment of mankind's lot are so widely known and admired—and the site—my own State of New Hampshire—seen so appropriate to the exercise.

I have come here to express my conviction that we must disengage from Vietnam with all due speed.

Those who are familiar with my position in the past may appreciate the personal anguish I experience in making that statement.

I have been a supporter of our effort there. I believed in the justification of our initial involvement and when I voted for the Gulf of Tonkin Resolution I shared the responsibility for our expanding that involvement.

I did so in good conscience.

Given the circumstances of the time and the information and the counsel to which I was privy, I made what I believed was a sound judgment in the cause of freedom and in the best interests of our Nation.

But whatever the merits or the mistakes of our initial involvement with that star-crossed little nation, and whatever the merits or the mistakes of broadening that involvement, "I believe the time has now come to extricate ourselves from the quagmire that is Vietnam."

I say this because in the intervening years a new consideration has arisen, a consideration of such magnitude that it dwarfs the issue of military involvement in a small nation and of such urgency it usurps the longer-range consideration of Southeast Asian security.

We must save our own Nation first, for our own Nation is tearing itself apart under the ordeal of Vietnam.

We are all familiar with the statistical costs:

We have lost 45,000 young Americans in Vietnam, more than 200 of them from my own small State.

In our Vietnam effort, we are spending $30 billion a year, $85 million a day, $3½ million an hour—money that could be used at home to find and root out those shameful pockets of poverty in the ghetto, in Appalachia, in the hills and the backwater country of many other states—including my own; to feed children who go hungry through no fault of their own; to cure rural blight and inner city decay; to cleanse the air we breath and purify our lakes and rivers and streams—money to fund new classrooms and other educational facilities—yes, and money to finance research that would bring us healthier, richer, more rewarding lives tomorrow.

Even unspent, my friends, this $30 billion a year could have a positive effect by easing the squeeze of inflation on those who most feel it—the aged whose fixed income is stretched thin; the working man who wants to buy a house; the small businessman who wants to expand his operation; the student who needs a college loan—all victims of the tight money situation and skyrocketing interest charges.

But the money *is* being spent, every hour, every day, every passing year in bombs, in bullets, in the negativism of destruction.

And yet, somehow, we have borne such burdens in other wars without suffering the convulsions that are now racking us the length and breadth of the land.

The difference between this and other wars lies in the degree of unity of purpose:

In past conflicts, the Nation was united in a cause virtually every American regarded as just.

This is not the case in Vietnam—there is no unity of purpose.

Let us not be deluded into thinking that disenchantment over the war is confined to a handful of unkempt yippies raising hell, as they did last week in Chicago.

The unrest over Vietnam lies deep within this Nation's vitals. Indeed, it is the typical, thoughtful American who has wrestled with himself over the rightness, the wrongness or the effectiveness of our presence there.

The typical American is puzzled, troubled and doubtful. He feels any Communist takeover is bad, and he may well have therefore supported the decision to intervene to prevent that take-over.

But we have had the best trained, best equipped combat troops in the world in Vietnam for nearly six years, and he is perplexed by our inability to resolve this war in the usual fashion.

The average American has seen optimistic report after optimistic report made by our leaders in the field and in the government, and he has had his hopes dashed time after time.

The Tet offensive in 1968 was a crushing psychological blow that strained to the breaking point his faith in our military omnipotence, and the ordinary American no longer believes that men and materiel are all it takes to win a war. Now he is beginning to wonder why pajama-clad men in canvas shoes continue to fight against seemingly impossible odds for year after year after year.

But if older Americans are puzzled, disillusioned or resentful over the frustrations of Vietnam, young Americans are in open revolt.

With passionate vehemence they denounce the war and express their wholesale disenchantment with our institutions, our leaders, our systems of values and authority.

Young men are drafted under a system many of them believe is unfair to fight in a war many of them are convinced is unjust.

Some agonize first, then go into uniform.

Some agonize first, then go into Canada.

The former have their lives disrupted for two or three years—or needed in a steamy swamp.

The latter have foresworn their birthright and live forever after in the shadows of anguish.

And parents grieve whatever the choice.

In short, it is the psychological cost of this war which has simply become too much to bear.

We have become a once-noble beast who, gored from within, snaps madly at its own entrails.

We will devour ourselves if the madness does not end—and the madness will not end until we get out of Vietnam.

But how do we get out?

Well, we do not get out of Vietnam by diverting our determination for peace into a political and devisive search for scapegoats.

We got into this war together. We can only get out of it together.

Administrations of both parties acted in South Vietnam's behalf, and the Congress of the United States shared that responsibility.

So this is *not* Mr. Nixon's war, and I would hope that none of my fellow Democrats try to *make* it Mr. Nixon's war.

Mr. Nixon happens to be President at a time when the majority of Americans want a quick extrication from Vietnam, and I am convinced that the President would like nothing more in this world than to satisfy this urgent desire for disengagement.

Now let us be perfectly frank about this.

If Mr. Nixon heeds the public will and effects a quick disengagement, he runs the risk of later being accused of "selling out to the Communists"—not only by the extreme right—but, I'm sorry to say, *by some democratic opportunists who are trying to take partisan advantage of his dilemma—opportunists who over the long run may try to exploit both sides of this issue for the political purpose of discrediting a Republican President*.

What Mr. Nixon needs, I contend, is firm assurance that such charges will not be leveled by responsible members of either party and that if they are made by irresponsible spokesmen they will be quickly denounced. *As one Democrat Senator, I pledge him that assurance*.

The goal must be peace and not politics.

Now let us make it clear that by pledging to refrain from and denounce any attempts to deliberately "break the President," I in no way agree to the moratorium on free and open discussion of the war proposed by the Republican leadership in the Senate.

Indeed, one of the chief sources of national unrest over Vietnam has been the public's sense of helplessness in expressing their opinions about the war.

Our people have felt totally frustrated in their inability to affect the course of this war. They have felt shut out of the councils of decision, isolated from the seats of power, voiceless in the deliberative bodies.

This Autumn, several days have been set aside as days for public expression of sentiment about the war. The first such occasion will be the Vietnam classroom moratorium scheduled the day after tomorrow.

Along with the Governors of four of the New England States (Governors representing both parties), six United States Senators from New England, again of both parties, Richard Cardinal Cushing, former Republican National Committee Chairman Thruston Morton, and many, many other officials, I believe the people have a right to make their feelings known. They believe, and I believe, that the scheduled days of public expression are within the American tradition of free speech and peaceable assembly.

There are some who shout "treason" when an American citizen seeks to express his opinions publicly and responsibly on this most basic of issues, but these extreme few neither appreciate nor understand the basic institutions of our Republic—institutions which were born in the free and open air of New England.

But there is a difference between the exercise of free speech and vehement, disorderly, and violent demonstrations of the kind that further divide us without contributing to the resolution of any issue.

And there is a difference between constructive criticism and the kind of unprincipled partisan attack that is designed solely to bring down the President and undermine the effectiveness of his office.

I supported one President when we broadened our involvement in Vietnam in 1965.

Tonight I want to support another President in his efforts to end the fighting there.

But I am keenly aware of what that will require. It will require tremendous courage on his part—

Courage to break completely free from the hobbling tangle of military caution and diplomatic doubt and delay;

Courage to thrust aside the fear of political consequences;

Courage to listen to the voices of his countrymen;

Courage to challenge history's ultimate appraisal of him.

In sum, courage to cut straight through to the heart of the matter, courage to make the decisions and issue the orders that will lead us out of this tragedy.

So tonight I call upon Americans everywhere—especially those who will participate in the moratorium this week—to use this occasion to pledge their cumulative strength to the President to help him take those courageous steps he must take; to give him that essential broad base of constructive support which would enable him to move with boldness, decision and dispatch to do the Nation's bidding.

I think the broad outlines of the course we must follow are becoming increasingly clear.

We must begin by facing up to the fact that our days in Vietnam are limited. We must recognize that unless we leave soon the consequences at home will be many times worse than the possible consequences abroad.

We must confront the blunt truth that we may have little choice about the terms of our disengagement.

All of the contemporary rhetoric about defeat or victory in this war is now beside the point. It has been truly said that in guerrilla conflicts one wins by not losing and one loses by not winning.

But within this grim framework, we still have some specific options which may not work but must be tried.

We must offer to our adversaries legitimate incentives to bring an end to the present bloodshed. The negotiated peace which President Nixon seeks depends on such incentives.

We must, therefore, offer them an opportunity to participate in a coalition government in the South. Any durable, broadly representative coalition, however, will depend on the fairness and openness of the election of its members. Let us, therefore, as a first step, seek an agreement on a provisional coalition in which both sides participate, which neither side controls, and which has the mediating influence of some neutral nation or body. Elections supervised by such a provisional body have the best chance of producing an authentic coalition—one in which our adversaries might be willing to participate and one which might have a chance of survival.

And we must couple this offer—the precise terms of which would take time to negotiate—with the offer of a cease-fire while negotiations take place.

Our adversaries might not accept such offers. Even more likely—and profoundly more disturbing—is the likelihood of their rejection by the South Vietnamese.

From the very beginning, the lack of viability of the South Vietnamese government has handicapped our effort there. Indeed, it was the failure of the Diem regime to build a broad base of support that necessitated our initial involvement.

And it has been the inability of subsequent leaders to mobilize the people that has led directly to the current impasse.

For years we have known that a viable government could not be developed until the leaders put an end to corruption, brought about needed reforms within the government, and broadened the popular front by opening the doors to a more inclusive representation of the people.

But for years little progress has been made. Even today, the news from Saigon is as much of purges as it is of any incipient national front.

I think it would be the height of folly to believe that an oligarchic clique out of touch with its own people will ever be able to hold the line alone, so until some basic democratization of that government is accomplished the hope for Vietnamization of the war and its resolution must be tempered with skepticism.

What we must do now is something we should have done long ago. We must serve an ultimatum on the South Vietnamese leaders. We must make it clear to them that unless they are receptive to a coalition and a cease-fire we will soon have to withdraw our support.

But we cannot abandon the South Vietnamese people, who have been tragic pawns in this war. If their government cooperates, we can try to give them direct protection. If it does not, we may have little choice but to offer them political asylum.

The picture I have painted is not a very bright one. But the very difficulty of finding a quick, prudent means of withdrawal points up the very urgency of doing so. The difficulty itself is the key to the Nation's frustrations and unhappiness over Vietnam.

It is clearly apparent that the people of the United States no longer support this war.

It is equally evident that few of our traditional allies believe in the validity of our effort in Vietnam.

In short, this war no longer has a substantive constituency, and it is time to get out.

Like so many others, I have been moving to this conviction over some period of time. And like so many others, the final, convincing testimony was not sophisticated, was not couched in tightly-drawn logic, but was, instead, simple, direct . . . and poignant.

Concerning an earlier national agony, Ralph Waldo Emerson wrote this little truism in 1862: "The war goes on educating us to a trust in the simplicities."

For one Senator I know, the convincing simplicity was a sudden realization of just how many letters of condolence he had sent to the parents and widows of boys slain in Vietnam.

For another, the convincing simplicity was the spectacle of a 15-year-old boy, grief stricken over the loss of a beloved brother-in-law in Vietnam, committing suicide on the steps of the Nation's Capitol.

For this Senator, it was a moment last month at Grenier Field in Manchester, New Hampshire. There, one afternoon I witnessed a scene I will never forget—the arrival of five flag-draped coffins bearing the bodies of five young members of New Hampshire's 197th Field Artillery Battalion of the National Guard—five men from one neighborhood—killed in action the very week the battalion was to return home from Vietnam.

The war had truly come home to Tom McIntyre, and I deeply believe to my State as well.

We have learned some hard lessons in Vietnam. We have learned about a new kind of war. Perhaps we have learned that wars which threaten national unity, indeed threaten national sanity, never should be fought at all.

But this war has been fought, fought by men as brave as any we have ever sent into battle, men who were, in one sense, braver, for they fought without the comforting support of a nation united behind them.

Now it is time for the bloodshed to end.

Now it is time to offer our adversaries participation in a provisional government which can supervise the election of a formal coalition government.

Now it is time to offer a cease-fire while negotiations for a coalition take place.

Now it is time to tell the leaders of South Vietnam that unless they are receptive to a coalition and a cease-fire we will soon have to withdraw our support.

Now it is time to prepare to offer the South Vietnamese people political asylum if their government does not cooperate in steps toward peace.

And now it is time to concentrate all of the American grievance about this war into a single, eloquent, powerful voice that says to Mr. Nixon:

"Mr. President—Do what has to be done to get us out of Vietnam. You will have the Nation's support in doing it. You will have the Nation's gratitude—and history's blessing—for having done it."

For now it is time, in Lincoln's words: ". . . to strive on to finish the work we are in; to bind up the Nation's wounds; to care for him who shall have borne the battle, and for his widow, and his orphan—to do all which may achieve and cherish a just and lasting peace *among ourselves,* and with all nations."

Mr. GRIFFIN. Mr. President, I wish very briefly to associate myself with the remarks of the distinguished Senator from Vermont, in commending the majority leader for his excellent report and a very statesmanlike statement concerning the situation in South Vietnam.

I particularly noted his reference to the Constitution of the United States and our guarantee of the right of peaceable assembly and freedom of speech.

While I realize there are all types of people and all kinds of motives involved in the moratorium today, I cannot help but wonder about some of the young people who are carrying Communist flags or otherwise displaying support for Communist governments, whether they fully realize how that right they are enjoying today in our precious country would be denied and is being denied the people of the countries that are dominated by communism. I think this is something that all Americans should well ponder as we consider the meaning of what is going on today.

PEACE CORPS VOLUNTEERS OBSERVE MORATORIUM

Mr. CHURCH. Mr. President, as one who has only carried the American flag throughout his life and who would never carry any other flag, I have just returned from the Peace Corps Headquarters where I addressed a very large and enthusiastic gathering of Peace Corps volunteers who are peaceably participating today in the observance of the moratorium.

These young volunteers have signed a petition concerning the day's observance. They asked me to include the petition, together with their names, in the RECORD.

Mr. President, I ask unanimous consent that the petition, together with the names affixed thereto, may be printed at this point in the RECORD.

There being no objection, the petition and list of names were ordered to be printed in the RECORD, as follows:

WORK FOR PEACE—NATIONAL VIETNAM MORATORIUM, OCTOBER 15, 1969

To Senator FRANK CHURCH:

We the undersigned individuals, who are Peace Corps employees in Washington, wish to express our concern over the continuation of the war in Vietnam.

As members of an organization devoted to peace, we are joining with other concerned Americans on this day of national protest, October 15, 1969, in affirming our resolve to support all endeavors in Congress towards peace and all peaceful efforts elsewhere which will lead to a swift end to the war and complete withdrawal of U.S. troops from Vietnam.

(Signed by 381 employees whose signatures are annexed.)

SIGNERS

Mary Patrica Ferron, Yvonne Butler, Linda Blumenfeld, Loretta E. Silkie, Marcia Dem Koruiz, Norma M. Robinson, Minerva Figueroa, Christine Amber Schindler, Pauline Robinson, Jane A. Connell, Joseph A. Kelly, Richard I. Winton, Jean Hinson Lall, Jeanette Treat, Lavon Pilson, Doris Gilbert, A. Kochensparger, Ruth MacKenzie, Forest A. Craven, Gloria Pleasure, Roger S. Sattler, Bruce Newton, Mary Hammerbacher, Fannie B. Bush, John Gallivan, Leon Lane, Julian McPhillips, Marie A. Fitzgerald, Jean L. Gilmore, Marilyn Stenger, Cynthia Saporito, Ann Hammerbacher, Mary Kelly, Linda Abrams, Edward Ciok, Hilda Peyton, Rosemary Pearson.

Mary Martin, Doris Henderson, Ruth Archie, Phyllis Copland, Carolyn Gullatt, Edward C. Pytlik, Ed Pautienus, Virgil Brown, Homer Pallen, Eric Lax, Ethel Jordan, Phillip Ruopp, Paul Harmin, Paul C. Kirwan, Larry Menkle, Bernard I. Nelson, Vernon J. Fulcher, F. Douglas Hereford III, Catherine A. Penny, Robert J. Raczynski, Esther M. Alessio, Kelly W. Compton, Joseph L. Ashton, Jr., Manthanne C. Parker, Robert Dorn.

K. L. Hill, Jack Michael Colbern, Homer M. Hayes III, A. Theo Welte, Mary Gallagher, W. Marshall Pittman, Winifred M. Bradley, Cassandra Williams, Ray E. Smith, Steve Smallwood, R. J. Falconer, Jr., Edward D. Ames, Sandy R. McKenzie, Victor F. Klein, A. Friedland, Gilbert L. Fanall, Kathleen F. Sullivan, Judy Thelen, Marian Williams, Della McDonnell, Ellen Pence Hattie W. Johnson, Don Romine.

John Loland, Bob Joy, Judy Rager, Nancy McQuiggan, Myina Pastell, Ward Hower, Yvonne Shellman, Julia Bloch, David McGill, Bernard Telkairz, Kevin Lowther, Lea Durston, Patricia Burch, C. Hyuhueas, Betty Y. Diggs, Nat C. Burger, Deborah F. Jones.

John E. McPhee, E. W. Taly, Camilla J. Mitchell, Lena L. Sims, Dorothy B. Wexler, Judith A. Hemanson, Eloise Williams, J. R. Wilson, Phil Logan, Jr., Arthur Brown, Don Charlan, Jane Meleney Coe, P. Lance Graef, Ronald E. Pell, Mitzi M. Wertheim, Frazile Nichol, Cathy Wallace, Betty McGurk, Delano E. Lewis, Marc Scott, Francis Whaery.

Tony Winderbaum, Daniel Beck, Thomas A. Campanini, Yvonne Green, Vivian Russ, Dorothy Douglas, Linda Simon, E. J. Comstock, Frances Vaughan, Flavia Williams Hutkosky, Daryl Alden Larson, Dave C. Williams, Robert T. Lauritt, Pamela Magee, Anne Depensbrock, Nan Harris, Patricia M. Walsh, Paul North.

Susan Littlefield, Tracy Sankey, A. W. Lewis, Jr., Leola K. Withrow, Roy Tucker, Barbara Greene, Nancy Dorris, Della D. Inliis, Dorothy Marbley, Sherry Novak, Mildred G. Herald, Rochelle Smith, Jack W. Anderson, John N. Francis.

Dale Gilles, Rachel Singer, John Salamach, William E. Howitz, Albert Ormstein, Brian O. Johnson, Odessa Slater, Minnie B. Sledge, Sylvia M. Ware, Beverly Adams, Marion H. Keophumihae, Linda Littel, Bernice Lassiter, Tim Cream, Kathy Landrum, Richard Forbes, Lirlene B. Anderson, S. C. Shulstad, Genoa M. Godbey, Gertrude J. Beach, Barbara S. Jackson, Andraya D. Dozier.

Lohita Hamilton, Lee Honemond, La Gretta Butler, Lila Williams, Wiele W. Izts, Leslie Goldman, Sandra Quick, Ann Christine Ullmier, Jim Reid, Quendaly J. Finney, Doris Leckia, Leon M. Vorlm, Waver M. McCarthy, Dorothy Young, Susie J. Tucker, Reine Virnston, Charley P. Chang, Carol M. Lemon.

Venus K. Richey, Mennan Rash, Juanita D. Daniels, Mary C. Rhores, John L. Imel, Mary A. Tadder, ——— ———, John Osborn, Barbara S. Lanier, Margie Weld, Robert McCann, Jean Hain, Barry A. Blyh, Faye C. Sellin, W. C. Lynch, Anthony Camsone, Antonio E. Duren, Cary D. Robertson, James T. Loomy, Carl A. Arn, Jr., Poholo R. Schramm, Sadie Goldsmith, ——— ———, David A. Danielson, J. Carmedy, L. Kelly, Jean Davis, Leo Myers, L. Cox, J. Robison, Linda Eden.

Sanuier, Leon Lane, Jerry Butler, Loree Imel, Jean Elmore, Marty Adler, Julian M. Phillips, Richard H. Jeanneret, John Gellivan, J. Block, Marie Fitzgerald, Marie Monsen, Ned Wilkins, John L. Vance, N. McQuiggan, Robert A. Joy, Yvonne Schellman, Ward Harder, Dave McGill, Elmer Shore, Barbara Bunch Jary Omsted, E. Green.

Cynthia Saporito, P. John Taylor, Marilyn Stnger, Rosmary Pearson, Georgene M. Twitty, B. McChesy, Ann Hammerbacher, Linda Abramo, Lonee Davenport, Mary Hammerbacher, Formi B. Buch, R. S. Stevic, Ed Ciok, Bernice Gunter, Horace M. Hayer, Jack B. Calbaur, Marshall Pittman, Bob Leavinworth, Winnie Bradley, Bo Rayak, Ted Watte, Doug Hereford III, George Goldin, Joan Wrightman, Mike Clarke, Sue Vider, Ginger Benson.

J. W. Warrington, Bryan Kurtz, George Peteides, Givens L. Thoanton, Olibectf, Sandra L. Hatton, George S. Fann, Betty Mitchell, Harriet Freedman, Walter Clarryton, Elton F. King, Robert Lovinggood, Marie Gadsden, Arlene L. Robinson, Ann M. Vitulano, Thily Washington, Theresa A. Manly.

Chuck Calley, David Lawrence, M.D., Robert G. Sellin, Carv Rutherfordin, George H. Hein, M.D., Wayne R. Weber, M.D., Sharon O. Weber, Michael B. Fisher, M.D., M T. Furst, Bruce Diamond, ——— ———, Julie Cavan, Paul Dowling, Joan Markessinis, Crystal Rowan, Pat Payner, Ruby Stroud, John M. True, John Mooney, Wendell Men, Aleathia S. Crawford, Delores H. Garner, Arlene Merino.

Kelley W. Compton, Patricia B. Armijo, Amparo Ortiz, Jean M. Wightman, Virginia M. Benson, Susan E. Vides, George Goldman, Sammie S. Jayley, Michael Clarke, Mozelle M. Earley, Genola M. Tate, Sharon Thomas, Barbara Y. Evans, Mary Mims, Anthony Gomez, Yvonne Moseley, Barbara Wyder, Jim Gunn, Michael Amand, Brenda Witcher, Dave Wheve, Dick Dugan.

Billie Norris, Arthur J. Pettaway, Mattie L. Megginson, Amy Feldblum, James D. Bland, Sylvester Auty, Paul D. Stain, Susan Folsom, Jacqueline Washington, Flora J. Sanders, Audrey Edwards, Ruthie N. Elerhe, Mabin Metcalf, Ann Gregory, Mary Venison, Barbara Jordan, Isabel Daincalf, Frances Meredith, Jim Neidert.

Joyce F. Jackson, Paula M. Mayo, Stephen M. Aronin, Ray McEache, Wayne P. Imoele, Donald H. Bell, Vernon Rayck.

Mr. JORDAN of North Carolina. Mr. President, will the Senator yield for a question?

Mr. CHURCH. I yield.

Mr. JORDAN of North Carolina. Mr. President, I wish to ask the Senator how many names are on the petition.

Mr. CHURCH. There are 381.

Mr. JORDAN of North Carolina. I thank the Senator.

ISSUES AND ANSWERS: A RESPONSE TO THE ADMINISTRATION

Mr. CHURCH. Mr. President, on Sunday, October 12, the distinguished Senator from New York (Mr. GOODELL) and I appeared as guests on the ABC weekly public affairs program "Issues and Answers."

In this telecast, the Senator from New York (Mr. GOODELL) and I answered questions from newsmen John Scali and Bob Clark concerning the administration's current policy with regard to Vietnam, the Moratorium Day observances which are taking place throughout the country today, and other issues associated with American foreign policy.

In light of the current debate over continued American participation in Vietnam and today's peaceful protests to our presence in that country, I ask unanimous consent that the transcript of this program be printed at this point in the CONGRESSIONAL RECORD.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

ISSUES AND ANSWERS, OCTOBER 12, 1969

Guests: Senator FRANK CHURCH, Democrat of Idaho, and Senator CHARLES GOODELL, Republican of New York.

Interviewed by: John Scali, ABC News diplomatic correspondent; Bob Clark, ABC News Capitol Hill correspondent.

Mr. SCALI. Gentlemen, welcome to Issues and Answers.

Secretary of State Rogers has just told the American people that President Nixon has achieved tremendous progress in Vietnam in de-escalating the war, in that the enemy is shooting less on the ground; he is replacing his men with fewer reinforcements, and our casualties have gone down. Do you agree that this represents tremendous progress, Senator Church?

Senator CHURCH. Well, he also said that

there had been no progress at the negotiating table in Paris, and as far as the wind-down of the war and the withdrawal of American troops are concerned, at the present rate of withdrawal, we will be engaged there for the next eight to ten years. I don't think that is sufficient progress.

Mr. Scali. Senator Goodell, do you agree?

Senator Goodell. I don't think it is tremendous progress. I think we all applaud the fact that fewer Americans are dying. But it is now at a rate, that is, the lowest in three years. Sixty-four Americans dying a week, and at that rate there will be 3,328 Americans who have died in the next year.

I think the significant fact here is that we are pursuing essentially the same kind of a policy of putting pressure on the North Vietnamese to make concessions, and the only difference is that we are starting to make some withdrawals in hopes we can induce the North Vietnamese to respond. And that response thus far has been very small.

By the argument made by Secretary of State Rogers, if the North Vietnamese escalate this conflict and we go up to two or three hundred deaths a week in November, December or January, presumably we are going to have to re-think our policy and once again dedicate ourselves to staying there six, eight, ten years.

Mr. Clark. Senator Goodell, a new Gallup Poll out today shows that 57 percent of the American people—a rather surprising majority—agree with your proposal to withdraw all American troops from Vietnam by the end of next year. Do you think this poll is going to be much help in the Senate where your resolution has been given virtually no chance of passage?

Senator Goodell. Yes, I think it is going to be helpful. I think people in public life eventually respond to public opinion and this is the significance of everything that is going on. All of us who are raising this issue, debating it—the Vietnam Moratorium people, everyone else—are trying to rally American public opinion, to get a change in policy that will get us out of Vietnam.

Mr. Clark. Senator Church, by contrast with the Goodell proposal, you appear now as almost a conservative. You are not advocating, at least, withdrawal by a specified, fixed date. Is this Gallup poll today going to make you a little more rash, move you in the direction of the Goodell resolution?

Senator Church. I think the resolution I have introduced, along with Senator Hatfield, has as its purpose the coalescing of broad bipartisan support so we can get some action, which takes votes, a majority of the votes.

Senator Goodell's resolution does specify a date line, but that isn't the only way to secure a more rapid troop movement homeward. Our resolution specifies a more rapid withdrawal of American troops, as quickly as an orderly transition on the battlefield can be effected, and safety be provided for the withdrawing troops and those who may wish to leave with them.

Mr. Clark. Isn't there a rather critical difference between the two proposals in that your resolution would give the President more flexibility?

Senator Church. Yes, I think it would give more flexibility, but at the same time it puts the Senate on record as being in favor of a more rapid withdrawal, consistent with the safety of the withdrawing troops and those who may wish to leave with them, and it also puts the Senate on record in favor of a full and complete disengagement from Vietnam, which is equally important.

Mr. Scali. Gentlemen, Secretary of State Rogers said that President Nixon has in mind a very definite timetable for complete withdrawal from Vietnam for American forces. Do you get any clue that this is something that you know about or is this something that Mr. Nixon has kept very much to himself?

Senator Goodell. No, none of that has been conveyed to anybody I know in the Senate of the United States or in the House. You can talk about complete withdrawal under a plan if you have that in mind. This could be 1971; it could be 1975 or 1985. I am sure everyone in the Administration wants to have a complete withdrawal, but they are setting their limitations on this; they are setting their specific restrictions on how fast we will withdraw, and it is based on response of the South Vietnamese and response of the North Vietnamese—things beyond our control. The essence of this is that it fails to really put the pressure on Saigon. Our biggest problem there is Hanoi, but Saigon is almost as big a problem, and we see very little response in Saigon to broaden its popular base and to face the problems that it has.

The essence of this comes right down to the fact that South Vietnam is a country relatively equal in population and resources to North Vietnam. Actually it has an advantage over North Vietnam, and under those circumstances we must ask why can't they fight this battle with our equipment and our training? Why can't they defend their own independence, especially after six and a half years of our fighting there—when there have been no Russian, no Chinese fighting there. We have fought and we have lost 40,000 men. Now, how much longer do we stay and fight for them, protect them from their own population, in making the changes necessary to survival?

Mr. Scali. Secretary Rogers also said that the success of the President's plan depends on public support. Now, by criticizing the President, as you are now, and by supporting the Vietnam moratorium, aren't you making it difficult, if not impossible, for him to achieve the plan he has in mind? Senator Church?

Senator Church. Of course that argument has been used from the time we first began to express dissent. Opinion at that time was almost monolithic on the war, and for four years we have heard the repetition of this same sterile argument: You must not speak up, even though you are a free people, because somehow it will not set well somewhere else, and will affect the President's plan.

But, John, if we hadn't spoken up, if the dissent had not grown in this country, I don't think that the policy of accelerating the war would ever have been reversed. It was under the pressures of the dissent that President Johnson finally reversed the policy of acceleration; had it not been for that, we could easily be engaged today in a catastrophic unlimited war with China on the mainland of Asia. The dissent has been a very important factor in turning this policy around, and if we fall silent about it now, we take the pressure off.

Mr. Clark. Secretary Rogers made a much more specific objection to the Goodell proposal today—and this is one that may be made by other people, too—and that is that any proposal that would set a fixed date for withdrawals of troops would result, in Secretary Rogers' words, in the enemy waiting until a propitious time and then making an attack. Then, the Secretary warned, there would be a tremendous massacre of the people of South Vietnam. Isn't this something that we have to be concerned about?

Senator Goodell. Yes, and I have been concerned about it. I held off as many of us have. We have been agonizing on how we can do it. Senator Church has expressed his concern about this under my proposal. I leave the Commander-in-Chief, the President, free to determine how the troops will be withdrawn in an orderly manner. But the essence of my proposal is that I give a specific date by which we are going to be out and the South Vietnamese will know it and they will make the changes necessary for their own government to have the support of their people, and the North Vietnamese will know it.

Now, if you believe that the policy of the past six or seven years, of putting pressure on North Vietnam militarily, will bring them to make concessions, then my proposal and other proposals will undercut the peace talks. But everyone has said there is no sign of progress at the peace talks, and I don't think there is any indication that the past policies of failure will succeed in the future in getting peace talks going.

So the essence of it is, how do we get out of this thing without having our men fight there for the next four or five or six years?

Mr. Scali. Gentlemen, President Nixon has said he will not be affected in any way whatever by the anti-Vietnam Moratorium this week. You have both supported the Moratorium. Do you expect that the President can succeed in remaining impervious to this demonstration against the war?

Senator Goodell. No, I don't. I think he will have to respond to it. I don't think this is going to be a protest movement that can be ignored. It is not going to be limited to the students. It reaches out into the entire population. The poll taken by Mr. Gallup indicates this. It is very widespread. The people want us to get out. They want us to get our faster than the present time table, and I think the President is going to have to respond to this.

Senator Church. I agree with what Senator Goodell has said. In fact, I would go further and say that the President has already taken a great deal of notice of it. I don't think it is mere coincidence that he has announced just prior to the Moratorium that General Hershey is being retired from his position; I don't think that calling home Ambassador Lodge and holding special talks to review the entire war policy in the days immediately preceding the Moratorium is a coincidence in timing either. I think it is obvious that the President is taking into account public feeling, and he should. After all this is a democratic government, not an autocratic government.

Mr. Clark. Well, do either of you believe that the President has a duty to respond to public opinion as represented in the Gallup Poll, or to opinion as represented in the Moratorium demonstrations, even though his advisors tell him that this is the road to disaster for the United States?

Senator Church. I don't think the President would prescribe disaster for the United States. I don't think that the war protest is a prescription for disaster. On the contrary——

Mr. Clark. Secretary Rogers made it clear today that any proposal for fixed withdrawal of troops would be the road to disaster.

Senator Church. The moratorium is not based upon a particular proposal. I think that Senator Goodell has made a proposal that has underscored the fact that the present rate of withdrawal is too slow. That is a very important proposal, but the moratorium is not the endorsement of establishing a fixed date. The President himself started the withdrawal. He says that is his policy, therefore it is hardly a prescription for disaster in his judgment. What we are saying is, let's move that process along faster and let's be sure we don't leave 300,000 troops behind in Vietnam the way we have left a whole Army behind in Korea and in Germany.

Mr. Clark. Is that all you are asking, Senator Goodell: just move the withdrawal process along a little faster?

Senator Goodell. No, I am asking that we give South Vietnam specific notice we are going to get out completely by December 1st, 1970. So they have a chance to survive. So they have a chance to make their changes.

XUM

It will be seven and a half years we have been there then, on December 1st, 1970, and I think if they really want their independence, they can do it.

I also think we have to ask the question how many more Vietnams are we going to get into, civil wars? If a country is broken up and having internal fights and the Communists happen to be involved, is it our proper role to go in with our troops and fight on one side or another? That is what we have done in Vietnam and I think it is going to be disastrous if we continue relying on a corrupt South Vietnamese Government that does not have the support of the people, which is imprisoning its opposition. Maybe two or three years from now, after 40 or 50 thousand more Americans have died, we will have moved out gradually and find that there is a coup and another government has taken over anyway.

Senator CHURCH. Could I just say a word about that, Charlie?

If we remove all of our troops, it is hardly a move that would leave the Saigon Government naked before its enemies. There are 1,500,000 South Vietnamese troops in the field against 135,000 Viet Cong, and 90,000 North Vietnamese. Now, if that vast army, supplied and equipped by the United States, can be inspired to defend the Saigon Government, it will survive, but if it cannot be inspired, then it does not deserve to survive.

Mr. SCALI. Well, Senator Church, do you think that former Senator Humphrey has undercut the Democrats who opposed the Vietnam War by meeting with President Nixon this week and then coming out of the White House and saying that he endorsed the basic conduct of the war that Mr. Nixon was following?

Senator CHURCH. I am sure his motive was not to undercut the Democrats. I don't see the war issue as a partisan issue. I think that Mr. Humphrey was consistent with his previous positions. He supported the war policy under the Johnson Administration and he has taken a position that is consistent with that under the Nixon Administration.

Mr. SCALI. Some observers of the national scene believe that the anti-Vietnam critics, both Republicans and Democrats, who destroyed Lyndon Johnson's chances for reelection, are now out to destroy Richard Nixon as a national leader too.

Gentlemen, in criticizing President Nixon, aren't you in danger of breaking the one man who has it within his capacity to negotiate an acceptable compromise?

Senator GOODELL. The purpose of our dissent is constructive. The purpose of our dissent is not to destroy a President. The purpose of the dissent two or three years ago was not to destroy President Johnson. It was to destroy a fallacious policy that was causing our country great division, which was destroying the faith of our young people in this whole system, and which was killing our young people off at very high rates; which was diverting our resources, $30 billion a year, from the tremendous needs of our people; shouldering our people with the highest taxes in the history of our country, including during World War II, and at the same time ignoring most of the crucial problems of our age internally. That is what we are trying to meet as a problem. That is what the dissent is all about; not destroying an individual. We hope the President will respond.

Mr. CLARK. I think perhaps another quote from Hubert Humphrey after that meeting with Nixon might be pertinent here. Mr. Humphrey said, "I think the worst thing we can do is try to undermine the efforts of the President. We have to accept the man's good faith; we have to realize the President is moving, that he is trying."

Have you lost faith in the President, Senator Goodell?

Senator GOODELL. No, I haven't, but let me also make one other thing clear: Congress has responsibility here too. It is only Congress that has the power to declare war. We are fighting a war in Southeast Asia that has not been declared. No one denies it is a war. Congress has the power to raise and support armies, supply the money or withhold the money for the millitary, and many of us have been talking in the past about changes in policy. I decided it was time that the United States Senate and the Congress face its own responsibility; take some of the burden of getting us out of Vietnam and pass a bill as a matter of law that it is our opinion that we get out.

Mr. CLARK. Senator Church, do you feel that the Congress or the President best exercises the responsibility for disengaging the United States from the mess in Vietnam?

Senator CHURCH. The Constitution gives the Congress a role to play in war and in foreign policy, as Senator Goodell says. I would like to see Congress play its role. That is not usurping the powers of the Presidency. It is just discharging our responsibility under the Constitution. But let me make this clear: It wasn't the dissenters that destroyed President Johnson and drove him from power. It was an erroneous and mistaken policy that drove him finally from power, and a growing recognition throughout the country that it was a mistaken policy.

I think Vietnam is probably the most calamitous mistake that has ever been made in the diplomatic history of the United States, and if this war persists, it will also destroy President Nixon. But that won't be the work of the dissenters. It will be the work of the American people who recognize that the war is a mistake, and that it is time to disengage and to bring American troops home. We didn't promise to make South Vietnam the 51st state or to defend the 17th parallel as though it were an American frontier.

Mr. SCALI. Senator, in your plan for faster and faster withdrawal, if we start to withdraw faster and the enemy suddenly hits the South Vietnamese forces with a major offensive that threatens to overrun most of the country and wound the South Vietnamese army, would you then favor reversing the withdrawal process?

Senator CHURCH. Oh, certainly not. I don't think we can ever reverse this process. After all, the vital interests of the United States were never at stake in Viet Nam. That is why I began to protest the war policy five years ago. If our vital interests were at stake there, we couldn't possibly say, "We will settle for any outcome, even a Communist government," and leave it up to others to decide, even in free elections.

That in itself demonstrates that the vital interests of the United States—meaning the safety and security of the American people—are not at stake in Viet Nam and never have been.

Mr. CLARK. Do either of you have any concern that the moratorium demonstrations which both of you have endorsed and are supporting hold the seeds of violence, that they might get out of hand and we would see some of the violence we have seen recently in other student protests across the country?

Senator CHURCH. There is always that possibility, and if the wrong groups take charge some place or other, that could happen. But that is not its purpose. The leaders are stressing that there is to be a peaceful and lawful protest within the rights of a free people, to make their feelings known to their government, and it is on that basis that I endorse it.

Mr. CLARK. Do you have any suggestions, Senator Goodell, as to how to ensure that these demonstrations do remain peaceful?

Senator GOODELL. Yes. By participation by men in public life such as Senator Church and myself and others. I am going to spend Tuesday and Wednesday going to the University campuses, as many as I can reach, agreeing with them, trying to stimulate the constructive debate.

I think if there is widespread violence or a lot of crazy antics over this very solemn issue, that is the one thing that conceivably could give the Pentagon another year or another two years to pursue its present policies. I think it would be very disastrous. I have said this over and over again to the leaders of the moratorium movement, and they agree. They agree one hundred per cent and I believe most of the participants agree. But a small group, of course, can become very newsworthy with some kind of crazy antics that they go through. We hope that will not happen.

Senator CHURCH. Incidentally, on that day I am going to be speaking at the Peace Corps here in Washington, and it is interesting that some of the people in the executive departments of the government are participating in these observances. I think that is the first time that has ever happened.

Mr. SCALI. Gentlemen, if the latest Gallup Poll is accurate there seems to be a substantial shift against the war in American public opinion in just the past few, perhaps six months. What do you think accounts for this?

Senator GOODELL. Well, I think first of all the American people wanted to give President Nixon, the new President, an opportunity. He said he had a peace plan. They waited. I waited. We felt the President should have an opportunity to get results in Paris and show other results. I think now the American people see ahead of them the possibility of a long commitment, a presence in Viet Nam until maybe 1973, '4 or '5, with just a gradual withdrawal, and I think they have come to the realization that this cannot be. They have seen how it divides our society, they see how it destroys our young people and they just will not have it.

Senator CHURCH. For a long time the American people have been saying something that has an awful lot of common sense to it. I think if we would pay more attention to the common sense remarks of the people on the streets, government policy might make more sense. They have been saying, "We are over there. We either ought to win or get out."

Now, the President has said that under the circumstances, a military victory has to be dismissed, that it is not our policy. Well then, the American people, I think, have concluded if that is not the policy then the time has come to get out. I agree with them.

Mr. CLARK. Senator Goodell, you may be in more imminent danger than Senator Church is on the issue. You have taken on both the leader of your own party, the President, and the Governor of New York, who appointed you to the Senate, in your opposition to the war, and in your call for a specific withdrawal date for troops.

Are you concerned that you might be risking political suicide in all this?

Senator GOODELL. Yes, but I think this issue transcends politics. I think it transcends the future career of any one individual in public life. I think it is right. I think what I am advocating is right; right for our country, and I recognize that it has caused me great difficulties in the Republican party with the Governor who appointed me, and it may be the end of my career, but as long as I am in the United States Senate, I am going to do everything I can to get us out of this war, which is the wrong war in the wrong place at the wrong time with the wrong policies.

Mr. CLARK. Are you concerned that you might be risking suicide for the Republican party and the Nixon Administration in the 1972 election and perhaps the 1970 election?

Senator GOODELL. I don't think I am risking political suicide in this. I don't think any President can be re-elected in 1972 if we are still in Vietnam as we are now.

XUM

Mr. Scali. Gentlemen, President Thieu said on this program in Saigon two weeks ago that he wanted President Nixon to give him a specific timetable stretching into 1970 for withdrawal of American troops, provided it also is accompanied with the promises of sufficient equipment, training and economic aid.

Senator Goodell. He also said we have to be there for years and years.

Mr. Scali. Do you think the President should give him such a time table stretching into 1970?

Senator Goodell. Obviously I don't think we should give him a time table beyond December 1, 1970. It ought to be specific—a shock treatment to the Saigon government: "Shape up or we are going to ship out."

Senator Church. I think the time table should be ours. As it now stands, it is being left to Saigon and Hanoi and I think the time has come not to wait upon the pleasure of those two governments any longer.

Mr. Clark. I am sorry, gentlemen, our time has come, too. It has been a pleasure having both of you with us, Senator Goodell, Senator Church, on Issues and Answers.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12781) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1970, and for other purposes; that the House receded from its disagreement to the amendment of the Senate numbered 41 to the bill and concurred therein; and that the House receded from its disagreement to the amendments of the Senate numbered 15, 16, 20, 24, 35, and 40 to the bill, and concurred therein, severally with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed, without amendment, the joint resolution (S.J. Res. 150) to authorize the President to designate the period beginning October 12, 1969, and ending October 18, 1969, as "National Industrial Hygiene Week."

The message further announced that the House had passed a joint resolution (H.J. Res. 910) to declare a national day of prayer and concern for American servicemen being held prisoner in North Vietnam, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution and they were signed by the President pro tempore:

S. 1242. An act to amend the Communications Act of 1934 by extending the provisions thereof relating to grants for construction of educational television or radio broadcasting facilities and the provisions relating to support of the Corporation for Public Broadcasting;

S. 1471. An act to amend title 38 of the United States Code to increase the rates of dependency and indemnity compensation payable to widows of veterans, and for other purposes; and

S.J. Res. 150. Joint resolution to authorize the President to designate the period beginning October 12, 1969, and ending October 18, 1969, as "National Industrial Hygiene Week."

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H.J. Res. 910) to declare a national day of prayer and concern for American servicemen being held prisoner in North Vietnam, was read twice by its title and referred to the Committee on the Judiciary.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on Property Acquisitions of Emergency Supplies and Equipment

A letter from the Director of Civil Defense, Office of the Secretary of the Army, reporting, pursuant to law, on property acquisitions of emergency supplies and equipment for the quarter ending September 30, 1969; to the Committee on Armed Services.

Proposed Legislation Providing Authority for Subsidized Transportation for Public Health Service Employees Affected by the Transfer to the Parklawn Building in Rockville, Md.

A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to provide authority for subsidized transportation for Public Health Service employees affected by the transfer to the Parklawn Building in Rockville, Md. (with accompanying papers); to the Committee on Government Operations.

Report of the Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the effectiveness and administrative efficiency of the Department of Labor's Neighborhood Youth Corps program in selected rural areas of Minnesota, under title IB of the Economic Opportunity Act of 1964, Department of Labor, October 14, 1969 (with an accompanying report); to the Committee on Government Operations.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A resolution adopted by the City Commission of Flint, Mich., urging the rejection of any proposals to change in any manner the tax exempt status of bonds issued by the city of Flint; to the Committee on Finance.

A resolution adopted by the committee on public health and welfare, Florida House of Representatives, praying for the enactment of legislation relating to family assistance, manpower training and placement, and child care for working mothers; to the Committee on Labor and Public Welfare.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare, with amendments:

S. 2264. A bill to amend the Public Health Service Act to provide authorization for grants for communicable disease control (Rept. No. 91–478).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, without amendment:

H. Con. Res. 338. Concurrent resolution authorizing the printing as a House document of hearings on Science and Strategies for National Security in the 1970's by the Subcommittee on National Security Policy and Scientific Developments, and of additional copies thereof (Rept. No. 91–456).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, without amendment:

S. Res. 251. Resolution authorizing additional expenditures by the Special Committee on Aging (Rept. No. 91–461);

S. Res. 261. Resolution to print a list of proposed amendments to the Constitution as a Senate document (Rept. No. 91–458);

S. Res. 266. Resolution authorizing expenditures by the Select Committee on Small Business (Rept. No. 91–459);

S. Res. 267. Resolution to print "The Cost of Clean Air" as a Senate document (Rept. No. 91–460); and

S. Res. 269. Resolution to authorize the Committee on Finance to expend $10,000 in addition to the amount, and for the same purpose, specified in section 134(a) of the Legislative Reorganization Act of 1946.

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, with an amendment:

S. Res. 227. Resolution to authorize the expenditure of funds by the Committee on Labor and Public Welfare generally and for its investigation of the problems of education of American Indians (Rept. No. 91–477).

By Mr. JORDAN from the Committee on Rules and Administration, with an amendment:

H. Con. Res. 368. Concurrent resolution providing for the printing of copies of the eulogies of Dwight David Eisenhower (Rept. No. 91–457).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, with amendments:

S. Res. 230. Resolution to investigate antitrust and monopoly laws of the United States (Rept. No. 91–463);

S. Res. 231. Resolution authorizing a study of matters pertaining to constitutional amendments (Rept. No. 91–464);

S. Res. 232. Resolution to investigate matters pertaining to constitutional rights (Rept. No. 91–465);

S. Res. 233. Resolution to investigate criminal laws and procedures (Rept. No. 91–466);

S. Res. 234. Resolution to investigate the administration, operation, and enforcement of the Internal Security Act (Rept. No. 91–467);

S. Res. 235. Resolution to study and examine the Federal judicial system (Rept. No. 91–468);

S. Res. 236. Resolution to investigate juvenile delinquency (Rept. No. 91–469);

S. Res. 237. Resolution to study revision and codification of the statutes of the United States (Rept. No. 91–470);

S. Res. 238. Resolution to make a full and complete study of the separation of powers under the Constitution (Rept. No. 91–471);

S. Res. 242. Resolution to investigate problems created by the flow of refugees and escapees from communistic tyranny (Rept. No. 91–472);

S. Res. 262. Resolution providing for additional copies to be printed of Senate Document 39 (Rept. No. 91–473);

S. Res. 263. Resolution authorizing additional appropriation for the Executive Reorganization Subcommittee, Committee on Government Operations (Rept. No. 91–474);

S. Res. 264. Resolution authorizing a study of intergovernmental relationships between the United States and the States and municipalities (Rept. No. 91–475); and

S. Res. 265. Resolution for additional funds for the Committe on the District of Columbia (Rept. No. 91–476).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session, the following favorable report of a nomination was submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Charles Clark, of Mississippi, to be U.S. circuit judge, fifth circuit.

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. EASTLAND:

S. 3033. A bill to amend the Public Works and Economic Development Act of 1965 so as to remove the prohibition against assistance thereunder for financing facilities for production or transmission of gas; to the Committee on Public Works.

By Mr. TYDINGS:

S. 3034. A bill to provide for thirty-day pre-trial detention, in lieu of bail, for certain dangerous persons in the District of Columbia; to the Committee on the District of Columbia.

By Mr. HARTKE (for himself, Mr. Bayh, Mr. Burdick, Mr. Eagleton, Mr. Gravel, Mr. Hart, Mr. Inouye, Mr. Javits, Mr. Kennedy, Mr. McGee, Mr. Metcalf, Mr. Moss, Mr. Randolph, Mr. Schweiker, Mr. Scott, Mr. Stevens, Mr. Williams of New Jersey, and Mr. Yarborough):

S. 3035. A bill to amend title II of the Social Security Act to increase, in the case of individuals having 40 or more quarters of coverage, the number of years which may be disregarded in computing such individual's average monthly wage, and to provide that, for benefit computation purposes, a man's insured status and average monthly wage will be figured on the basis of an age-62 cutoff (the same as presently provided in the case of women); to the Committee on Finance.

(The remarks of Mr. Hartke when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. HRUSKA (for himself and Mr. Hart):

S. 3036. A bill to increase criminal penalties under the Sherman Antitrust Act; to the Committee on the Judiciary.

(The remarks of Mr. Hruska when he introduced the bill appear later in the Record under the appropriate heading.)

By Mr. SYMINGTON:

S. 3037. A bill for the relief of Dr. Shu-sum Cheuk; to the Committee on the Judiciary.

S. 3035—INTRODUCTION OF A BILL TO AMEND TITLE II OF THE SOCIAL SECURITY ACT TO INCREASE THE NUMBER OF DROPOUT YEARS

Mr. HARTKE. Mr. President, a problem involving social security benefits exists today which adversely affects those workers who elect to retire before age 65 or who are forced to retire before that age because of technological advances or plant shutdowns which deprive them of their jobs.

Under the law as it is presently written, the 5 lowest wage earning years are dropped out when benefits are computed. Benefits are then calculated on the basis of all other years in the computation period, which ordinarily extends from the year 1951 to such time as the worker becomes eligible for benefits. Thus, the male worker who chooses to retire on a company pension plan at age 55, after spending 30 years in the work force, will very likely have 5 or more years of no, or low income, figured against him when the time comes to compute his benefits, since the 5 dropout years presently provided would obviously not suffice to cover the entire 10-year period between his date of initial retirement and his sixty-fifth birthday.

This penalization of early retirees is certainly inequitable when it affects the employee who has put in 30 years with his company and then chooses to retire. This injustice is increased, however, when those out of work are long-term employees who are the victims of a plant closing, technological change, or other events over which they had no control and exercised no choice.

In the case of those workers who are forced into retirement, the situation would not be so serious if they were able to find employment during those years before they become eligible for benefits. But the unfortunate fact remains that it is still extremely difficult for a person over 50 to find an appropriate job. This is particularly true when a worker, after spending a number of years with one company, is automated out of his job. That such a worker should then have his social security benefits diluted because of his forced inactivity is particularly unfair.

In an attempt to remedy this injustice, I today introduce for appropriate reference two amendments for myself, Mr. Bayh, Mr. Burdick, Mr. Eagleton, Mr. Gravel, Mr. Hart, Mr. Inouye, Mr. Javits, Mr. Kennedy, Mr. McGee, Mr. Metcalf, Mr. Mondale, Mr. Moss, Mr. Randolph, Mr. Schweiker, Mr. Scott, Mr. Stevens, Mr. Williams of New Jersey and Mr. Yarborough. The first would add 1 additional dropout year for every 10 years that an employee has worked in an occupation covered by social security. An employee who elects to retire after spending 30 years in the covered work force would thus receive 3 dropout years in addition to the five already provided. The employee who has worked 20 years would receive 2 additional dropout years, and so on.

The second amendment would change the basis upon which benefits are computed from age 65 to age 62. It is the purpose of this amendment to comport the computation period for male workers with that presently in effect for women. Thus, only those years from 1951 to that time when a male worker reaches 62 will be used in the computation of benefits. The net effect of this amendment would be to grant an additional 3 dropout years to male employees, thereby affording them the same treatment now given to women.

The effects these two changes in the current law would have on the early retiree are dramatic. The male worker who chooses to retire at age 55 after 30 years in the work force, would receive 6 dropout years in addition to the 5 currently provided, for a total of 11. These 6 additional years would enable the 55-year-old retiree to avoid any penalization as a result of his early retirement.

Mr. President, I do not believe that workers who have added imeasurably to this country's economic growth and industrial preeminence should be penalized because they choose to take full advantage of private pension plans before they become eligible for full social security benefits. For this reason I feel that enactment of these amendments would have an eminently fair effect.

I ask unanimous consent that the text of the bill be printed in the Record immediately following my remarks.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 3035) to amend title II of the Social Security Act to increase, in the case of individuals having 40 or more quarters of coverage, the number of years which may be disregarded in computing such individual's average monthly wage, and to provide that, for benefit computation purposes, a man's insured status and average monthly wage will be figured on the basis of an age-62 cutoff (the same as presently provided in the case of women), introduced by Mr. Hartke (for himself and other Senators), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S. 3035

Be it enacted by the Senate and House of Representatives of the United States of America in Congress asesmbled, That (a) section 215(b)(2)(A) of the Social Security Act is amended by inserting ", and, in the case of an individual having 40 or more quarters of coverage, further reduced by one additional year for each 40 quarters of coverage of such individual" immediately after "reduced by five".

(b) Section 214(a)(1) of the Social Security Act is amended to read as follows:

"(1) one quarter of coverage (whenever acquired) for each calendar year elapsing after 1950 (or, if later, the year in which he attained age 21) and before the year in which he died or (if earlier) the year in which he attained age 62; except that in no case shall an individual be a fully insured indivdual unless he has at least 6 quarters of coverage; or".

(c) The first sentence of section 215(b)(3) of such Act is amended to read as follows: "For purposes of paragraph (2), the number of an individual's elapsed years is the number of calendar years after 1950 (or, if later, the year in which he attained age 21) and before the year in which he died or (if it occurred earlier but after 1960) the year in which he attained age 62."

(d) The following provisions of such Act are amended by striking out "(if a woman) or age 65 (if a man)":

(1) section 209(i);

(2) section 216(i)(3)(A); and

(3) subsections (a)(2) and (c)(1)(A) of section 223.

(e) The last sentence of section 223(a)(2) of such Act is amended by striking out "a woman" and "she" and inserting in lieu thereof "an individual" and "he", respectively.

(f) Section 3121(a)(9) of the Internal Revenue Code of 1954 (relating to definition of Wages) is amended to read as follows:

"(9) any payment (other than vacation or sick pay) made to an employee after the month in which he attains age 62, if he did not work for the employer in the period for which such payment is made;"

(g) The fourth paragraph of section 3(e) of the Railroad Retirement Act of 1937 is amended by striking out "age 65 (62 in the case of a woman)" and inserting in lieu thereof "age 62".

SEC. 2. (a) The amendments made by the first section of this Act shall apply with respect to monthly insurance benefits under sections 202 and 223 of the Social Security Act for months after the second month following the month in which this Act is enacted and with respect to lump-sum death payments under section 202 (1) of the Social Security Act for deaths occurring after such second month; except that (1) the amendments made by subsections (d) (1) and (f) shall apply with respect to remuneration paid after such second month, and (2) the amendment made by subsection (g) shall apply with respect to annuities accruing for months after such second month.

(b) The Secretary of Health, Education, and Welfare shall recompute the monthly benefits payable to individuals under title II of the Social Security Act so as to give effect to the amendments made by the first section of this Act to monthly benefits payable under such title for months after the second month following the month in which this Act is enacted, and in so recomputing such benefits the amendments made by the first section of this Act to section 215 (b) of the Social Security Act shall, notwithstanding the provisions of paragraph (4) thereof, be applicable to all individuals entitled to such monthly benefits for months after such second month.

SENATE RESOLUTION 272—SUBMISSION OF A RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURES BY THE COMMITTEE ON THE JUDICIARY, SUBCOMMITTEE ON INTERNAL SECURITY

Mr. MANSFIELD. Mr. President, on behalf of the Senator from Mississippi (Mr. EASTLAND), I submit a resolution, and ask unanimous consent that it be referred to the Committee on Rules and Administration.

The PRESIDENT pro tempore. The resolution will be received; and, without objection, the resolution will be referred to the Committee on Rules and Administration.

The resolution (S. Res. 272) is as follows:

Resolved, That the Committee on the Judiciary is hereby authorized to expend from the contingent fund of the Senate $2,100, in addition to the amount, and for the same purposes and during the same period specified in Senate Resolution 33, Ninetieth Congress, agreed to February 17, 1967.

SENATE RESOLUTION 273—RESOLUTION REPORTED AUTHORIZING THE PRINTING OF THE 70TH ANNUAL REPORT OF THE NATIONAL SOCIETY OF THE DAUGHTERS OF THE AMERICAN REVOLUTION AS A SENATE DOCUMENT (S. REPT. NO. 91-462)

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 273) and submitted a report thereon, which report was ordered to be printed, and the resolution was placed on the calendar, as follows:

Resolved, That the seventieth annual report of the National Society of the Daughters of the American Revolution for the year ended March 1, 1967, be printed, with an illustration, as a Senate document.

SENATE RESOLUTION 274—SUBMISSION OF A RESOLUTION REASSERTING THE RIGHT OF AMERICANS TO ASSEMBLE PEACEFULLY TO PETITION THEIR GOVERNMENT

Mr. SCOTT (for himself, Mr. MANSFIELD, and Mr. HATFIELD) submitted a resolution (S. Res. 274) reasserting the right of Americans to assemble peacefully to petition their Government, which was referred to the Committee on the Judiciary.

(The remarks of Mr. SCOTT when he submitted the resolution appear later in the RECORD under the appropriate heading.)

SENATE RESOLUTION 275—SUBMISSION OF A RESOLUTION RELATIVE TO THE INTRUSION OF THE PREMIER OF NORTH VIETNAM INTO THE AFFAIRS OF THE UNITED STATES

Mr. SCOTT (for himself, Mr. MANSFIELD, and Mr. HATFIELD) submitted a resolution (S. Res. 275) relative to the intrusion of the Premier of North Vietnam into the affairs of the United States, which was referred to the Committee on Foreign Relations.

(The remarks of Mr. SCOTT when he submitted the resolution appear later in the RECORD under the appropriate heading.)

TAX REFORM ACT OF 1969—AMENDMENTS

AMENDMENTS NOS. 248 AND 249

Mr. MATHIAS submitted two amendments, intended to be proposed by him, to the bill (H.R. 13270) to reform the income tax laws, which were referred to the Committee on Finance and ordered to be printed.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, October 15, 1969, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 1242. An act to amend the Communications Act of 1934 by extending the provisions thereof relating to grants for construction of educational television or radio broadcasting facilities and the provisions relating to support of the Corporation for Public Broadcasting;

S. 1471. An act to amend title 38 of the United States Code to increase the rates of dependency and indemnity compensation payable to widows of veterans, and for other purposes; and

S.J. Res. 150. Joint resolution to authorize the President to designate the period beginning October 12, 1969, and ending October 18, 1969, as "National Industrial Hygiene Week."

NOTICE OF HEARINGS CONCERNING NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Leon T. Campbell, of Tennessee, to be U.S. marshal for the middle district of Tennessee for the term of 4 years, vice Elmer W. Disspayne, retired

S. John Cottone, of Pennsylvania, to be U.S. attorney for the middle district of Pennsylvania for the term of 4 years, vice Bernard J. Brown

Raymond J. Howard, of Wisconsin, to be U.S. marshal for the eastern district of Wisconsin for the term of 4 years, vice James H. Dillon, term expired

Benjamin F. Westervelt, of New York, to be U.S. marshal for the eastern district of New York for the term of 4 years, vice George J. Ward

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Wednesday, October 22, 1969, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination which was reported earlier today. I understand this nomination has been cleared all around.

The PRESIDENT pro tempore. Without objection, it is so ordered. The nomination will be stated.

U.S. CIRCUIT JUDGE

The legislative clerk read the nomination of Charles Clark, of Mississippi, to be U.S. circuit judge, fifth district.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be notified of the confirmation of the nomination.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIBRARY OF CONGRESS JAMES MADISON MEMORIAL BUILDING

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 450, S. 2910.

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The **PRESIDENT** pro tempore. The bill will be stated by title.

The **Legislative Clerk**. A bill (S. 2910) to amend Public Law 89–260 to authorize additional funds for the Library of Congress James Madison Memorial Building.

There being no objection, the Senate proceeded to consider the bill.

Mr. **JORDAN** of North Carolina. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–454), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

SUMMARY OF THE BILL

S. 2910 would amend section 3 of Public Law 89–260, a joint resolution to authorize the Architect of the Capitol to construct a third Library of Congress Building in square 732 in the District of Columbia to be named the James Madison Memorial Building and to contain a Madison Memorial Hall and for other purposes, approved October 19, 1965, by striking out $75 million and inserting in lieu thereof $90 million, thus increasing the authorization for the third Library of Congress Building by $15 million.

THE NEED

The great need for a third Library of Congress Building is amply justified in Senate Report 641 and House Report 1024, 89th Congress, first session. Public Law 89–260, approved October 19, 1965, authorized the construction of a third Library of Congress Building to be known as the James Madison Memorial Building, at a total cost not to exceed $75 million. Had funds been appropriated for the design and construction of this building in a timely manner, there is little doubt that the building could have been completed within the funds authorized. However, since the enactment of the joint resolution, only $500,000 has been appropriated for preliminary plans and designs and cost estimates. $2.8 million for detailed plans and specifications and related expenses have been included in the legislative branch appropriations bill 1970. However, the House of Representatives, in approving this bill, included the following provision limiting the availability of funds:

"That availability of these funds for obligation shall be contingent upon enactment of legislation adjusting the limit of cost of the project (fixed by section 3 of such act) to reflect projected escalated construction costs required to complete the project on the basis of the preliminary plans heretofore approved by the committee and commissions designated in such act."

In order to proceed with the preparations of the detailed plans and specifications and ultimate construction of this urgently needed building, it is now necessary to increase the authorization for the building to $90 million because of the rapidly escalating construction costs.

GENERAL STATEMENT

Public Law 89–260 recognized the critical need of the Library of Congress for additional space within which to carry out its assigned responsibilities. In 1965, $500,000 was appropriated for the preparation of preliminary plans and designs and cost estimates. The Architect of the Capitol, acting under the joint direction of the House Office Building Commission, the Senate Office Building Commission, and the Joint Committee on the Library, after consultation with the James Madison Memorial Commission, retained architects Roscoe DeWitt, Alfred Easton Poor, Albert Homer Swanke, Jesse M. Shelton and A. P. Almond to prepare these preliminary plans and cost estimates. During the planning stage a committee designated by the American Institute of Architects was consulted, as required by the law. The resulting cost estimates verified that, on the basis of known costs and anticipated cost escalation over the time necessary for construction of the building, the building could be constructed at a total cost not to exceed $75 million. Thereafter, at the direction of the chairman of the coordinating committee, concurred in by the parent commissions and committee, an appropriation of $2,800,000 was requested for the preparation of contract plans and specifications, for inclusion in the supplemental appropriation bill, 1968; and again requested for inclusion in the legislative branch appropriation bill, 1969.

In acting on the supplemental bill 1968, the request of $2,800,000 was not allowed by the House Appropriations Committee; was included in the bill by the Senate Appropriations Committee and retained in the bill as passed by the Senate; but was deleted from the bill in conference, with the following statement:

"Strike out the provision in the Senate bill that would have appropriated $2,800,000 for plans for the James Madison Memorial Library of Congress building. This action is recommended without prejudice to the merits of the project."

In acting on the legislative branch appropriation bill 1969, the request for $2,800,000 was disallowed by both the House and Senate Appropriations Committees. The House report contained the following statement:

"In connection with the proposed James Madison Memorial (third) Library building, a $75 million project, the committee has again deferred without prejudice the $2,800,000 sought for plans and specifications. It is the same proposition considered by the committee last December and laid aside in view of the critical budget situation.

"There seems to be no question about the Library needing a third building. The Library continues—inevitably—to grow. Annual space rental costs now approach $1 million, and the Library keeps looking for more available and suitable space. But the budget situation is worse than it was last December, leaving the committee little justifiable choice in the decision to defer the item."

The Senate report contained the following statement:

"The budget estimate is in the amount of $2,800,000 and these funds were requested for architect-engineer fees for preparation of contract plans and specification. The committee has denied the request for these funds at the present time in view of the budget situation."

In the meantime, due to inflationary pressures, construction costs have been accelerating at an ever increasing rate. The associate architects retained by the Architect of the Capitol estimate that it will now cost $90 million to construct this building, assuming it can be completed during 1973. In other words, if the Congress now moves expeditiously to appropriate the required funds, it will cost $90 million to build exactly the same building which could have been built previously for $75 million. The building, as projected, and the preliminary plans have not changed, but construction costs have.

COMMITTEE VIEWS

In reporting S. 2910, the committee recognizes the ever-increasing need of the Library of Congress for this third building, and realizes that further delay in its construction can only increase the ultimate cost. The need to complete the construction of the James Madison Memorial Building is urgent and the committee recommends the enactment of S. 2910.

COSTS

This legislation authorizes the appropriation of an additional $15 million for the construction of the third Library of Congress building, to be named the James Madison Memorial Building.

Mr. **SCOTT**. Mr. President, I am familiar with the situation here and I have said nothing because I did not wish to obstruct the passage of the bill. However, I understand the change in the authorization is due entirely to the rise of costs of materials and that there are no changes in the plan for the memorial.

Mr. **JORDAN** of North Carolina. The Senator is correct. This memorial was authorized in 1965. There have been no changes in the plans and specifications. This will last through the next 5 years and through anticipated rises in cost.

Mr. **SCOTT**. I thank the Senator.

The **PRESIDENT** pro tempore. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and the third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read a third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the joint resolution entitled "Joint resolution to authorize the Architect of the Capitol to construct the third Library of Congress building in square 732 in the District of Columbia to be named the James Madison Memorial Building and to contain a Madison Memorial Hall, and for other purposes", approved October 19, 1965 (79 Stat. 986), is amended by striking out "$75,000,000" and inserting in lieu thereof "$90,000,000".

ORDER OF BUSINESS

Mr. **BENNETT**. Mr. President, I ask unanimous consent that I may proceed for 6 minutes.

The **PRESIDENT** pro tempore. Without objection, the Senator from Utah is recognized for 6 minutes.

TELL IT TO HANOI DAY

Mr. **BENNETT**. Mr. President, today is a unique day in American history. Around the country, groups of persons are protesting the Vietnam conflict. They are protesting the policies of the U.S. Government. They are attacking the President of the United States, our elected and appointed officials, and they are doing serious discredit to our fighting men in Southeast Asia.

Seldom have I witnessed an occasion in my Senate career when an issue was more confused than this one. The essence of the so-called moratorium is a demand that all American troops be withdrawn from Vietnam immediately. This, Mr. President, is an irresponsible position regardless of whether a person agrees or disagrees with American involvement in Vietnam. If one will simply think about the situation, he must realize that a withdrawal must be orderly and phased over a period of time to allow the South Vietnam Government to take up the slack. Truly the day should

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be dedicated to "Tell It To Hanoi" instead of Washington.

These same persons with a "conscience" will be among the first to vent their wrath upon the President of the United States if an immediate withdrawal causes mass execution by the Communists in South Vietnam of people who have been faithful to their government and the allied cause.

Mr. President, let there be no mistake that this war was started by Communist aggression. It is supported, directed, and controlled by Hanoi. The Soviet Union and Red China have been the main source of war materiel for Communist Vietnam.

For a long time the protesters in this country have demanded a bombing halt. They have demanded a withdrawal of American troops. Over the past 18 months, these positions have been responsibly and gradually adopted by the President of the United States, and I hasten to remind the Senate and the American people that many of the concessions required by Hanoi have been made by the United States. In spite of the bombing halt and the reduced level of American troops, Hanoi has not made a single major concession and has not made any effort to negotiate seriously. If there is any intransigence and bullheadedness it is in Hanoi, and I am frankly astounded that these protesters have their sense of direction and values so fouled up. If they are so interested in terminating the war, why do they not have the fortitude to send a protest to Hanoi; tell the Communists in North Vietnam to make some concessions. We have made many, they have made none. Let them stop harassing the American Government which has gone the extra mile in trying to reach a negotiated settlement. Let them stop doing a serious disservice to the American servicemen. Let these mistaken Americans realize that a united America would give Hanoi the message that they must negotiate at Paris.

As things now stand, the moratorium simply tells Hanoi that all they must do is wait us out.

President Nixon, as President Johnson before him, is attempting to terminate the war as soon as possible and in an honorable way. The former Vice President, Mr. Humphrey, the Democratic candidate for President last year, has endorsed the President's approach. Now is the time for these misguided people to stop doing their damage, to stand behind the President.

As part of this topic, Mr. President, I should like to call to the attention of the Senate two columns written by David Broder, which was published in the Washington Post on October 7 and October 14. Mr. Broder has entitled the columns "A Risky New American Sport, the Breaking of the President," and his second column, "Ill-Advised Moratorium Could Set Risky Precedent." In some ways our form of government is undergoing a severe test. These factions and groups have found ways to force upon our Presidents a narrow point of view.

I have to endorse the position of President Nixon expressed in his letter to the Georgetown University student on Monday, that policy decisions as critical as this cannot be decided in the streets by a radical minority. It is time for the radical moratorium types in this country to assume some kind of responsibility, to realize the damage they are doing to the peace effort, and to have the courage to "Tell It to Hanoi."

I ask unanimous consent that the Broder columns be printed in the RECORD at this point to allow the Senate and the Congress to read Mr. Broder's astute analysis, and to realize the severe damage that is being done to this Nation by this foolish approach to foreign policy.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

A RISKY NEW AMERICAN SPORT: "THE BREAKING OF THE PRESIDENT"

CAMBRIDGE, MASS.—If there are any smart literery agents around these days, one of them will copyright the title "The Breaking of the President" for the next big series of nonfiction best-sellers. It is becoming more obvious with every passing day that the men and the movement that broke Lyndon B. Johnson's authority in 1968 are out to break Richard M. Nixon in 1969.

The likelihood is great that they will succeed again, for breaking a President is, like most feats, easier to accomplish the second time around. Once learned, the techniques can readily be applied as often as desired—even when the circumstances seem less than propitious. No matter that this President is pulling troops out of Vietnam, while the last one was sending them in; no matter that in 1969 the casualties and violence are declining, while in 1968 they were on the rise. Men have learned to break a President, and, like any discovery that imparts power to its possessors, the mere availability of this knowledge guarantees that it will be used.

The essentials of the technique are now so well understood that they can be applied with little waste motion.

First, the breakers arrogate to themselves a position of moral superiority. For that reason, a war that is unpopular, expensive and very probably unwise is labeled as immoral, indecent and intolerable. Critics of the President who are indelicate enough to betray partisan motives are denounced. (That for you, Fred Harris.) Members of the President's own party who, for reasons perhaps unrelated to their own flagging political careers, catapult themselves into the front ranks of the opposition are greeted as heroes. (Hooray for Charley Goodell.)

The students who would fight in the war are readily mobilized against it. Their teachers, as is their custom, hasten to adopt the students' views. (News item: The Harvard department of biochemistry and molecular biology last week called for immediate withdrawal from Vietnam.)

Next, a New England election (the New Hampshire primary is best but the Massachusetts Sixth Congressional District election will do as well) surprisingly shows that peace is popular at the polls. The President's party sees defeat staring it in the face unless it repudiates him, and the Harris poll promptly comes along to confirm his waning grip on public trust. The Chief Executive, clearly panicky, resorts to false bravado and says he will never be moved by these protests and demonstrations thus confirming the belief that he is too stubborn to repent and must be broken.

And then, dear friends, Sen. Fulbright and the Foreign Relations Committee move in to finish off the job.

All this is no fiction; it worked before and it is working again. Vietnam is proving to be what Henry Kissinger once said he suspected it might be—one of those tragic, cursed messes that destroys any President who touches it.

That being the case, any President interested in saving his own skin would be well-advised to resign his responsibility for Vietnam and publicly transfer the assignment of ending the war to Congress or the Vietnam Moratorium Committee or anyone else who would like to volunteer for the job.

But he cannot. And that is the point the protesters seem to overlook. Assume that they and the President are both right when they assert the time has come to end this war. Assume that the protesters know better than the President how to do so—despite the conspicuous absence of specific alternatives to the President's policies in their current manifestos.

There is still a vital distinction, granting all this, to be made between the constitutionally protected expression of dissent, aimed at changing national policy, and mass movements aimed at breaking the President by destroying his capacity to lead the nation or to represent it at the bargaining table.

The point is quite simple. Given the impatience in this country to be out of that miserable war, there is no great trick in using the Vietnam issue to break another President. But when you have broken the President, you have broken the one man who can negotiate the peace.

Hanoi will not sit down for secret talks with the Foreign Relations Committee. Nor can the Vietnam Moratorium's sponsors order home a single GI or talk turkey to Gen. Thieu about reshaping his government. Only the President can do that.

There is also the matter of time. It is one thing to break a President at the end of his term, as was done last year. It is quite another thing to break him at the beginning, as is being attempted now.

The orators who remind us that Mr. Nixon has been in office for nine months should remind themselves that he will remain there for 39 more months—unless, of course, they are willing to put their convictions to the test by moving to impeach him.

Is that not, really, the proper course? Rather than destroying his capacity to lead while leaving him in office, rather than leaving the nation with a broken President at its head for three years, would not their cause and the country be better served by resort to the constitutional method for removing a President?

And what a wonderful chapter it would make for Volume 2 of "The Breaking of the President" series.

ILL-ADVISED VIET MORATORIUM COULD SET A RISKY PRECEDENT

CAMBRIDGE, MASS.—The larger the plans for Wednesday's Vietnam moratorium, the more the central message and tactic of the demonstration have been obscurred. If the event is to be gauged properly, it is important to uncover its original premises from the debris of cliches and endorsements in which they have lately been buried.

A number of men active in the moratorium have taken time to point out what they consider the errors of the argument in this column last week that it is a plan for "the breaking of the President." With sincerity and conviction, they have asserted that, far from breaking the President, they are out to save him, by persuading him to make the peace the nation craves and, incidentally, to save the political system by keeping the antiwar movement out of the hands of the radicals and in control of those with a commitment to peaceful forms of protest.

Their conversations and correspondence have helped to define three questions which might be borne in mind by those planning to participate in the moratorium.

First, what is the target of this protest? Sam Brown, the able spokesman for the

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moratorium, says it is not an anti-Nixon move because "we learned in 1968 that what we must oppose are not personalities but policies."

But if the Nixon administration is following the very policies recommended in 1968 by the antiwar faction, as I believe, then their moratorium is mobilizing public opinion against its own policy recommendation to the President. The minority plank at the Democratic convention, endorsed by all the leading doves, called for a halt in the bombing of North Vietnam. This has been done. It recommended a reduction in offensive operations in South Vietnam. The President has ordered this and it is in effect.

It asked for "a phased withdrawal over a relatively short period of time" of all foreign troops. The Nixon administration has begun pulling Americans out of Vietnam without waiting for North Vietnam to agree to mutual withdrawals, as the doves thought necessary.

Finally, it recommended that the United States use the leverage of troop withdrawals to "encourage" the Saigon government "to negotiate a political reconciliation with the National Liberation Front" looking toward "a broadly representative government" but recognizing that "the specific shape of this reconciliation will be a matter for decision by the South Vietnamese."

If this is not precisely the policy of the current administration, as enunciated by the President and the Secretary of State, then words have lost their meaning. And if the moratorium sponsors want to argue—as some have—that the President is lying about his purpose, their suspicions must be weighed against the facts of reduced fighting, reduced troop levels and reduced casualties, which his policies have brought about.

Second, what is the alternative they recommend? It has been described in moratorium publicity as everything from a negotiated settlement to immediate, total American withdrawal from Vietnam, but Brown said Sunday on "Face the Nation" that it is the latter that the moratorium has "consistently" demanded.

If that is the case, then the elected officials, clergymen and educators who have lent their prestige to the moratorium can properly be asked if this is the program they endorse. Many of these sponsors were involved in the fight for the minority plank at the Chicago convention which specifically said the war "will not be ended by military victory, surrender or unilateral withdrawal by either side."

It might be well for those men to explain Wednesday when and why they concluded that their opposition to unilateral withdrawal was wrong. It would be even more useful if they could explain why a one-dimensional plan to pull out troops is any more likely to be wise policy than the one-dimensional plan that sent the troops in. Have we not learned yet to examine the political consequences of military decisions?

Third, and most important, what about the method of the moratorium? Is it compatible with the maintenance of representative democracy or does it substitute the rule of the street?

The sponsors say the name "moratorium," rather than "strike," was chosen to emphasize that the protest is to be peaceful and non-coercive. It is a nice distinction. The noncoercive feature may be almost invisible to the thousands of students whose colleges will shut down Wednesday. If the moratorium continues, as planned, for two days in November, three days in December, and so on, it will more and more come to resemble the general strike so familiar to European politics.

And if it succeeds in its aim, what is to prevent other majorities or sizable minorities in the country from using the same technique to force their views on agencies of the government? The moratorium sponsors say Vietnam is an extraordinary issue, but they must know it is not the only issue which agitates millions of people.

One wonders what the moratorium sponsors would say if Billy Graham were to ask all the parents who want prayers restored to public schools to withdraw their children from school for one additional day each month until the Supreme Court reverses its school-prayer decision.

Suppose pro-prayer teachers agreed to meet the pupils in private homes on moratorium days to discuss "the overriding significance of religion in human life." Would the Vietnam moratorium sponsors cheer? What would they say if landlords and real estate men opposed to integrated housing declared a moratorium until Congress repeals the open-housing law?

My view, just to be clear, is not that the Vietnamese moratorium is un-American, illegitimate, meanly partisan or personally vindictive in its motivation. My view is that it is an ill-timed, misdirected protest, vague in its purpose and quite conceivably dangerous in its precedent.

As was said last week, its immediate result may be the breaking of the President. In the serious weakening of his power to negotiate peace or to achieve any of the other purposes for which he was elected, its longer term effects may be to subvert a system of democratic government I happen to believe is worth preserving.

THE MORATORIUM

Mr. DOMINICK. Mr. President, I shall be very brief, but yesterday, along with others, I received a copy of the letter from Hanoi talking about the moratorium, congratulating the people who are running it.

I think, in conjunction with some other articles, it is worthwhile, having this once again repeated.

About the same time, or a day or two before, an article was written by David S. Broder entitled "Ill-Advised Viet Moratorium Could Set a Risky Precedent."

I think the article is of extraordinary significance. I would like to go into it for a second or two.

Mr. Broder points out that the minority plank at the Democratic Convention called for certain steps, one of which was a halt in the bombing of North Vietnam. He then points out that that has been done.

That plank also recommended a reduction in offensive operations in South Vietnam. Mr. Broder points out that President Nixon has ordered this and it is in effect.

Mr. Broder points out that the minority plank asked for "a phased withdrawal over a relatively short period of time" of all foreign troops. He states that the Nixon administration has begun pulling Americans out of Vietnam without waiting for North Vietnam to agree to mutual withdrawals, as the doves thought necessary.

Finally, the plank recommended that the United States use the leverage of troop withdrawals to "encourage" the Saigon government "to negotiate a political reconciliation with the National Liberation Front" looking toward "a broadly representative government" but recognizing that "the specific shape of this reconciliation will be a matter for decision by the South Vietnamese." Mr. Broder goes on to say:

> If this is not precisely the policy of the current administration, as enunciated by the President and the Secretary of State, then words have lost their meaning. And if the moratorium sponsors wanted to argue—as some have—that the President is lying about his purpose, their suspicions must be weighed against the facts of reduced fighting, reduced troop levels and reduced casualties, which his policies have brought about.

At about the same time, from the Washington News yesterday, there was an excellent article by Don Tate from Saigon, dated October 14. This article points out that there are two Vietnam wars, one which the Americans are fighting in Vietnam, and the one Americans fight in the United States. "Observers here say the decisive battleground is in the United States."

The article goes on to point out that there are very few people who are sympathetic to the moratorium amongst those who are in Vietnam. It goes very much in line with the information I have had from people there, who point out quite clearly that those who were there know well who the enemy is.

The PRESIDING OFFICER (Mr. ALLEN in the chair). The time of the Senator has expired.

Mr. DOMINICK. I ask unanimous consent to have 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMINICK. Mr. President, I have some doubt as to whether many of the people who are participating in the moratorium really know who the enemy is. I get a little tired of hearing people talk about peace without talking about peace in context.

It has been said over and over again that the quickest way to get peace is to die. This is not the kind of peace most of us look forward to as far as our young people are concerned.

There is also the type of peace which simply means giving up, not participating any longer in the affairs of the world, but withdrawing into Fortress America and saying, "We are going to sit here hiding behind the shield," as the French did behind the maginot line. Every time they did that, they were overrun. Every time any country has done that in history, it has been overrun.

There are other kinds of peace I could mention, but I do not think it would be fruitful to take the time to do so.

The main point I want to make is that there are people who become emotionally involved in the moratorium, who are sincere people, who have not analyzed what effect it has on the people who are being asked by our Government to continue to fight in Vietnam, and who are not fully realizing what the effect may be as far as concerns the position of the United States with other countries.

Mr. President, I ask unanimous consent to have printed in the RECORD the three items I have referred to, all of which have great merit, and which I trust will at least be read and studied by Members of the Senate and other people around this country.

There being no objection, the letter and news articles were ordered to be printed in the RECORD, as follows:

PREMIER PHAM VAN DONG'S LETTER TO THE AMERICAN PEOPLE

DEAR AMERICAN FRIENDS: Up until now the U.S. progressive people have struggled against the war of aggression against Vietnam. This fall large sectors of the U S. people, encouraged and supported by many peace- and justice-loving American personages, are also launching a road and powerful offensive throughout the United States to demand that the Nixon administration put an end to the Vietnam aggressive war and immediately bring all American troops home.

Your struggle eloquently reflects the U.S. people's legitimate and urgent demand, which is to save U.S. honor and to prevent their sons and brothers from dying uselessly in Vietnam. This is also a very appropriate and timely answer to the attitude of the U.S. authorities who are still obdurately intensifying and prolonging the Vietnam aggressive war in defiance of protests by U.Y. and world public opinion.

The Vietnamese and world people fully approve of and enthusiastically acclaim your just struggle.

The Vietnamese people demand that the U.S. Government withdraw completely and unconditionally U.S. troops and those of other foreign countries in the American camp from Vietnam, thus allowing the Vietnamese people to decide their own destiny by themselves.

The Vietnamese people deeply cherish peace, but it must be peace in independence and freedom. As long as the U.S. Government does not end its aggression against Vietnam, the Vietnamese people will persevere in their struggle to defend their fundamental national rights. Our people's patriotic struggle is precisely the struggle for peace and justice that you are carrying out.

We are firmly confident that, with the solidarity and bravery of the peoples of our two countries and with the approval and support of peace-loving people in the world, the struggle of the Vietnamese people and U.S. progressive people against U.S. aggression will certainly be crowned with total victory.

May your fall offensive succeed splendidly.

Affectionately yours,

PHAM VAN DONG,
Premier of the DRV Government.

"OTHER WAR" IN UNITED STATES RILES GI'S

(By Don Tate)

SAIGON, October 14.—As tomorrow's war "moratorium" will demonstrate, there are two Vietnam wars—the one Americans fight in Vietnam, and the one Americans fight in the U.S. Observers here say the decisive battleground is in the U.S.

They point out that short of a highly successful Communist offensive, which is extremely unlikely, for a dramatic allied strategy change, such as renewed bombing of North Vietnam, the killing war in South Vietnam is apt to rock along in its fight-lull-fight rhythm much as it has been, at least until many more U.S. troops are withdrawn.

Meanwhile, the war to win American public opinion, and, particularly, the mind of Richard M. Nixon, is waxing hotter. What happens in the U.S. will determine what happens here. As the President warns Americans not to buckle and run, protesters prepare to hit the streets, many of them demanding immediate, unilateral withdrawal of all American troops. That translates here as "bugout."

GI DISDAIN "BUGOUT"

It is difficult to find an American soldier here who wants to leave Vietnam that way, or as one GI puts it, "with our tails dragging." It is difficult to find one—even among those most disgusted with the war—who wishes simply to abandon the South Vietnamese to a Communist bloodbath.

It is difficult to find one who thinks the value of the American word would be worth a dime anywhere in the world if they did, or that a humiliating U.S. defeat by a blustering Communist midget would do anybody but the Communists any good.

These consequences are apparent to most Americans here, and they are not acceptable. It is largely a matter of national backbone. Most express hope that President Nixon sticks to seeking a reasonable solution to the war.

There are, of course, many critics of war critics here. They charge that a number of war critics in the U.S. are using the same tactics Hanoi has shown—the more you give them the more they demand, and they both demand total, immediate and unconditional everything.

In the two wars—one group of Americans is convinced of the rightness and necessity of bringing this bitter war to a conclusion by presenting a united front to Hanoi, the other protesting group is more or less convinced the only way out of Vietnam is get out fast regardless of consequences.

MYSTERY IN VIETNAM

There is often the feeling here that the war is only a secondary feature to the show of exposed nerves going on in the U.S. What the war has done to the U.S. is the biggest mystery of all here.

"It seems like any American who ever wanted to protest anything has found his cause in the Vietnam war", one veteran analyst contends, "and yet 95 per cent of them have suffered little direct personal hardship because of the war.

"You hear so much of the war-weary American, and how exhausted he is by the war. Yet this exhaustion of the mightiest power on earth is a relative thing. It hasn't been bombed, or invaded, or lived under the Communists a single day. It's manpower loss has been a drop in the bucket compared to that of either North or South Vietnam, and its suffering has been a thousand times less. "Many Americans would hardly know the war was going on if it wasn't for newspapers and TV. Suppose Americans had to face what the South Vietnamese people have yet to face? America's exhaustion is a self-induced state of mind, composed mostly of confusion."

One rankled American, with invested years and effort in Vietnam, condemned some of the rantingest protesters as the "most confused of all."

WEARY OF "POPPING OFF"

"Soldiers do the dying," he said, "and these others do the popping off. I'm tired of hearing these so-sure people who haven't shed a nosebleed in this war scream pig this and obscene that and run around protesting for the hell of it.

"I'm tired of hearing what politicians who sound like Hanoi radio demand, what well-meaning but awfully uninformed students demand, what ivory-tower doves who wouldn't dirty their hands over here demand. I'm weary of hearing how much Sen. (J. William) Fulbright, D., Ark., wants out. We all want out. We all protest the war. We all want peace. But not by saying: 'Here Hanoi, take 17 million people. We'll pretend we were never involved. We quit.' "

Many here feel that some of the protesters would do well to focus their moral wrath less on President Nixon and more on the Communists.

It is the Communists, they stress, who are killing Americans. It is the Communists who butchered, as a matter of policy, the civilians of Hue and so many other places, and it is the Communists who will murder methodically thousands more Vietnamese if the U.S. totally, immediately and unconditionally abandons them, as many protesters advocate.

To Americans who have put in their time here, it is not good enough to dismiss blandly such realities with an: "Oh, well, it is up to the Vietnamese to work out their own problems."

Many here, eyewitnesses to the war, have become anti-war in the truest sense, but they have also become resolutely anti-bugout.

ILL-ADVISED VIET MORATORIUM COULD SET A RISKY PRECEDENT

CAMBRIDGE, MASS.—The larger the plans for Wednesday's Vietnam moratorium, the more the central message and tactic of the demonstration have been obscured. If the event is to be gauged properly, it is important to uncover its original premises from the debris of cliches and endorsements in which they have lately been buried.

A number of men active in the moratorium have taken time to point out what they consider the errors of the argument in this column last week that it is a plan for "the breaking of the President." With sincerity and conviction, they have asserted that, far from breaking the President, they are out to save him, by persuading him to make the peace the nation craves and, incidentally, to save the political system by keeping the antiwar movement out of the hands of the radicals and in control of those with a commitment to peaceful forms of protest.

Their conversations and correspondence have helped to define three questions which might be borne in mind by those planning to participate in the moratorium.

First, what is the target of this protest? Sam Brown, the able spokesman for the moratorium, says it is not an anti-Nixon move because "we learned in 1968 that what we must oppose are not personalities but policies."

But if the Nixon administration is following the very policies recommended in 1968 by the antiwar faction, as I believe, then their moratorium is mobilizing public opinion against its own policy recommendation to the President. The minority plank at the Democratic convention, endorsed by all the leading doves, called for a halt in the bombing of North Vietnam. This has been done. It recommended a reduction in offensive operations in South Vietnam. The President has ordered this and it is in effect.

It asked for "a phased withdrawal over a relatively short period of time" of all foreign troops. The Nixon administration has begun pulling Americans out of Vietnam without waiting for North Vietnam to agree to mutual withdrawals, as the doves thought necessary.

Finally, it recommended that the United States use the leverage of troop withdrawals to "encourage" the Saigon government "to negotiate a political reconciliation with the National Liberation Front" looking toward "a broadly representative government" but recognizing that "the specific shape of this reconciliation will be a matter for decision by the South Vietnamese."

If this is not precisely the policy of the current administration, as enunciated by the President and the Secretary of State, then words have lost their meaning. And if the moratorium sponsors want to argue—as some have—that the President is lying about his purpose, their suspicions must be weighed against the facts of reduced fighting, reduced troop levels and reduced casualties, which his policies have brought about.

Second, what is the alternative they recommend? It has been described in moratorium publicity as everything from a negotiated settlement to immediate, total American withdrawal from Vietnam, but Brown said Sunday on "Face the Nation" that it is the latter that the moratorium has "consistently" demanded.

If that is the case, then the elected officials, clergymen and educators who have lent their prestige to the moratorium can properly be asked if this is the program they endorse. Many of these sponsors were involved in the fight for the minority plank at the Chicago convention which specifically said the war "will not be ended by military victory, surrender or unilateral withdrawal by either side."

It might be well for those men to explain Wednesday when and why they concluded that their opposition to unilateral withdrawal was wrong. It would be even more useful if they could explain why a one-dimensional plan to pull out troops is any more likely to be wise policy than the one-dimensional plan that sent the troops in. Have we not learned yet to examine the political consequences of military decisions?

Third, and most important, what about the method of the moratorium? Is it compatible with the maintenance of representative democracy or does it substitute the rule of the street?

The sponsors say the name "moratorium," rather than "strike," was chosen to emphasize that the protest is to be peaceful and noncoercive. It is a nice distinction. The noncoercive feature may be almost invisible to the thousands of students whose colleges will shut down Wednesday. If the moratorium continues, as planned, for two days in November, three days in December, and so on, it will more and more come to resemble the general strike so familiar to European politics.

And if it succeeds in its aim, what is to prevent other majorities or sizable minorities in the country from using the same technique to force their views on agencies of the government? The moratorium sponsors say Vietnam is an extraordinary issue, but they must know it is not the only issue which agitates millions of people.

One wonders what the moratorium sponsors would say if Billy Graham were to ask all the parents who want prayers restored to public schools to withdraw their children from school for one additional day each month until the Supreme Court reverses its school-prayer decision.

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My view, just to be clear, is not that the Vietnamese moratorium is un-American, illegitimate, meanly partisan or personally vindictive in its motivation. My view is that it is an ill-timed, misdirected protest, vague in its purpose and quite conceivably dangerous in its precedent.

As was said last week, its immediate result may be the breaking of the President. In the serious weakening of his power to negotiate peace or to achieve any of the other purposes for which he was elected, its longer term effects may be to subvert a system of democratic government I happen to believe is worth preserving.

ORDER OF BUSINESS

Mr. **BYRD** of Virginia. Mr. President, I ask unanimous consent that I may be permitted to speak for not to exceed 12 minutes.

The **PRESIDING OFFICER**. Without objection, the Senator from Virginia is recognized for not to exceed 12 minutes.

NOMINATION OF HON. CLEMENT HAYNSWORTH TO SUPREME COURT

Mr. **BYRD** of Virginia. Mr. President, the Senate is again called upon to give its consent to the nomination of an Associate Justice of the Supreme Court.

The consent of the Senate, required under article II, section 2, of the Constitution, is a vital element in the system of checks and balances which is built into our constitutional system.

We are a Nation governed by three independent and coequal branches. This separation of authority and interaction of the three branches at the Federal level has allowed us to exist as a free Nation for almost two centuries.

The selection of a Justice for the Supreme Court is a prime example of the operation of our system of checks and balances. The executive branch has nominated a candidate to the highest court of the land. The Senate now has the duty under the Constitution to confirm or deny this nomination.

I submit that this duty to examine Supreme Court nominations is a most solemn one. It is the very nature of the court that makes this choice so important. The decisions of the Supreme Court are not reviewable by any higher tribunal.

Added to this is the fact that, assuming his good behavior, a Justice serves a lifetime appointment. Once appointed to the Court, a Justice answers to no one except his conscience.

It is for this reason—a lifetime appointment—that the Senate has a duty to weigh carefully every possible aspect of a prospective Associate Justice.

I feel my vote on any nomination for the Supreme Court is one of the most important I will ever cast. Only 100 times since 1789 has the Senate confirmed an Associate Justice to the Supreme Court. In this same period of time, 22 nominations failed to receive Senate approval or were withdrawn, only two occurring during this century.

In five of the seven nominations to the Supreme Court since 1956, confirmation has been by voice vote. This suggests that the Senate has given inadequate attention to its power of confirmation over Supreme Court Justices.

This is not the only area in which the Congress—both the Senate and the House of Representatives—has abdicated its constitutional responsibility. If we are to maintain our system of government and protect individual liberty, then the Congress must reassert its constitutional prerogatives. It must assume its rightful place as a coequal branch of the Federal Government.

When the Senate fails to give adequate attention to a Supreme Court nomination, it fails in its constitutional duty to make certain the men on the bench have the requisite knowledge and integrity—and requisite concept of the judicial role.

It is said that we are a Government of laws—not men. But only men can interpret the laws. We ask nine men to tell us what the law is—to interpret the law in light of constitutional requirements and safeguards.

The quality of the Court is determined by the quality of each individual appointed. This places an even greater burden on those who must cast a vote for or against confirmation. Every nominee must be carefully measured against the same measuring stick.

I have tried to measure each nominee by the same standards—his legal qualifications and attainments, his judicial philosophy, his adherence to the constitutional doctrine of separation of powers, and what role he would have the Supreme Court play in our constitutional system.

The role which the Supreme Court has assumed in the last 15 years under Earl Warren has greatly disturbed me.

When the Senate confirmed Warren Burger as the new Chief Justice of the United States, I felt we had taken a step in the right direction. That is a direction away from the philosophy embraced by the majority of the Warren court.

It is my personal belief that the majority of the Warren court led this country on a dangerous path. These Justices—not infrequently only five of them—were determined to establish the Court as a superlegislature. They substantially reduced public confidence in the Court in the process.

I submit that without public confidence, the Supreme Court loses its effectiveness. As Hamilton noted in the Federalist Papers speaking on the new Federal Judiciary:

> It may truly be said to have neither *force* nor *will*, but merely *judgment*.

Mr. Justice Frankfurter expressed much the same thought in one of his opinions when he said:

> The court's authority—possessed of neither the *purse* nor the *sword*—ultimately rests on sustained public confidence in its moral sanction. Such feeling must be nourished by the court's complete detachment from political entanglements and by abstention from injecting itself into the clash of political forces in political settlements.

I have opposed confirmation of men to the Supreme Court whose philosophy I believe would lead them to join with the former majority of the Warren court and continue to plunge into political waters, rather than remain on the constitutional beaches. Every political plunge weakens public confidence in the judgment of the Court.

When I speak of public confidence, I do not say that it is the function of the Court to decide each case by weighing public opinion. That clearly would be wrong.

But I do say that it is unwise for the Court to forge ahead in social movements outside of the confines of the case before it, and in areas which properly are legislative.

It is unwise to cast aside judicial self-restraint.

It is unwise to legislate from the bench.

It is unwise to disregard judicial precedent in the interest of an immediate attractive result; precedent is a touchstone of continuity with the past which allows the law to develop and grow with our Nation.

It is unwise for the Court to lose sight of its proper role in our constitutional government. If the members of the Court want to legislate, they should submit their names to the will of the people on a regular basis.

I do not maintain that there should be no change in the law. It is important that the law remain meaningful in the context of a changing society.

But change is not desirable when it occurs in "legislative" opinions handed down by the Supreme Court.

Change must occur within the context of our constitutional system, which for nearly 200 years has provided for three coequal branches of government.

An independent judiciary is the bulwark against legislative usurpation; the Senate in its role of advising and consenting to nominations is the bulwark against judicial usurpation.

In my deliberations on appointments to the Supreme Court, I place a high priority on the philosophy they entertain as the proper role of the judiciary in our federal system.

This brings me to the nomination of Clement F. Haynsworth, of South Carolina, to be an Associate Justice of the Supreme Court.

I have given this nomination long and careful consideration. My analysis has focused on his legal philosophy, his personal qualities, and his professional qualifications.

It is wise, in my opinion, to look to the ranks of the judiciary for an Associate Justice. It is especially wise to look to the Federal judiciary for a judge experienced in the workings of the federal system.

Nomination of a sitting judge also affords an opportunity to discover his judicial philosophy through his written opinions.

Judge Haynsworth has served on the fourth circuit court of appeals for 12 years. His decisions during this period exhibit a feeling for the legal problems peculiar to a federal system.

As a federal circuit judge, Mr. Haynsworth has realized that the role of an appellate court is to review the decision of the lower courts and not to substitute the judge's own personal feelings.

It is also encouraging to read language of judicial restraint in an opinion. Language limiting the court's decision to precise legal issues appears with frequency in Judge Haynsworth's opinions.

I cannot help feeling that much of the extremism of the Warren court, and subsequent erosion of public confidence, could have been avoided had the Court limited itself to deciding the issues, and left the question of social change to the proper branch of the Government.

Judge Haynsworth's opinions indicate an adherence to a sound philosophy, a philosophy which says the judiciary properly functions only in its own sphere as defined by the Constitution. I feel he would not take the Court into executive and legislative areas.

In the area of criminal law—in which I often felt the Warren majority placed the rights of the criminal above the rights of peaceful, law-abiding citizens—Judge Haynsworth's opinions reflect a reasoned approach. He is aware of the need to protect the accused in the pretrial stages, yet he would not adhere to the unreasonable restraints placed on the police who are charged with protecting all citizens.

Personal qualities of the nominee are as important as his professional qualifications. His character, integrity, and moral fiber, will surely be reflected in the quality and independence of his thoughts on the bench.

I think it is healthy for judicial nominees to be the subject of close scrutiny by the Senate Judiciary Committee, and for the subject of judicial ethics to be opened to the public.

It is good for our constitutional system when the Senate reasserts its constitutional power and gives more than pro forma ratification. to the nominations submitted by the President.

I am pleased that the Senate Judiciary Committee held long and thorough hearings on this nomination. The committee met for 8 days and heard testimony from individuals and organizations holding different points of view as to Judge Haynsworth's qualifications. After long consideration, the committee by a vote of 10 to 7 approved the nomination of Judge Haynsworth.

Three charges are made against Judge Haynsworth:

The AFL–CIO charged that he is antilabor. It cited eight cases where he ruled contrary to the wishes of the AFL–CIO.

But the Senator from North Carolina (Mr. ERVIN) read into the RECORD 22 cases where Judge Haynsworth had decided in favor of labor unions. I do not regard the charge that Judge Haynsworth is anti-labor as being valid, nor substantiated by the facts.

No political interest group has the right to insist that every Supreme Court Justice should decide every case in their favor.

Nominees should be analyzed to determine whether or not they are fundamentally honest and have the intellectual integrity to render their opinions on the basis of what they consider to be valid, constitutional precepts.

The second charge levied against Judge Haynsworth is that he is "anti-Negro." The facts submitted to the Senate Judiciary Committee do not bear out such a charge, unless the mere fact that a person is a South Carolinian automatically puts him in the anti-Negro category.

A study of Judge Haynsworth's judicial record shows that he has scrupulously followed the Supreme Court's mandate in regard to school integration. It is true that Judge Haynsworth has not been a crusader; but to my way of thinking, crusading is not a proper judicial function.

The third charge made against Judge Haynsworth has to do with the ownership of certain stock.

When the charges were first made, I was disturbed as to whether or not the judge knowingly compromised his judicial position. I explored this possibility carefully and consulted at some length with outstanding members of the legal profession in whom I have confidence.

I was impressed, too, by the testimony of an attorney from Judge Haynsworth's hometown, who long has been an opponent of Judge Haynsworth's philosophy and who testified that he preferred that Judge Haynsworth not be appointed to the Supreme Court because he is not "liberal enough."

But this hometown attorney testified in regard to the South Carolina judge:

> He is absolutely honest. He has impeccable integrity. I would believe his word about anything.

A Chicago Tribune editorial of October 7, 1969, made what I feel to be a valid point in regard to this nomination. It stated:

> Respectable liberals frankly acknowledge that nothing in the Judge's record justifies a vote against confirmation.

The Washington Post, for example, has misgivings about the nomination of Judge Haynsworth, and is unhappy about it, but editorially concluded:

> There is no valid reason on the basis of the present record for the Senate to deny the President his choice.

The New York Times, bitterly anti-Haynsworth, reached a similar conclusion.

I feel that there has been no evidence presented justifying a valid charge that the judge acted to advance his own interest. It would appear that the most valid charge that could be made against him in regard to stock transactions would be that of inadvertence and lack of attention to detail.

I am convinced that Judge Haynsworth is a man of the highest integrity, one who is well schooled in the law, one who possesses judicial temperament, and one who is fair and conscientious in rendering judicial opinions.

In my judgment, Judge Haynsworth's qualifications have been well established.

It is vitally important, I feel, that there be a reversal of the role the Supreme Court has assumed during the past 15 years.

From the time of former Chief Justice Warren, there has been an erosion of our constitutional system. The Supreme Court has usurped power to which it is not entitled.

Judge Haynsworth's record gives evidence that he holds a judicial philosophy which will help restore a balance to the Supreme Court.

Judge Haynsworth's record gives evidence that he supports a return of judicial restraint to the Supreme Court.

Judge Haynsworth's record gives evidence that he feels the Supreme Court should not seek to establish itself as a superlegislature.

The Supreme Court in recent years has gone too far to the left. If public confidence in the Court is to be restored, there must be a better judicial balance.

President Nixon's appointment of Warren Burger as Chief Justice and Clement Haynsworth as Associate Justice should help restore confidence in the Court by helping to restore balance to the Court.

I shall cast my vote in favor of Judge Haynsworth's confirmation.

Mr. President, I ask unanimous consent that a telegram addressed to Judge Haynsworth under date of October 9, 1969, be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

RICHMOND, VA.

Hon. CLEMENT F. HAYNSWORTH, JR.
U.S. State Circuit Judge,
Greenville, S.C.:

Despite certain objections that have been voiced to your confirmation, we express to you our complete and unshaken confidence in your integrity and ability.

Simon E. Sobeloff,
Herbert S. Boreman,
Albert V. Bryan,
Harrison L. Winter,
J. Baxton Craven, Jr.,
John D. Butzner.

THE PRESIDENT'S TASK FORCE ON THE PHYSICALLY HANDICAPPED

Mr. DOLE. Mr. President, today President Nixon announced formation of a highly significant group which probably will go largely unnoticed in the media, and therefore to many Americans whose lives may be deeply affected.

It is the President's Task Force on the Physically Handicapped. It has been established "to review what the public and private sectors are now doing for handicapped Americans, and to make recommendations as to how best to achieve maximum help for affected individuals." In addition, the task force will consider how greater public awareness and community action might be stimulated.

TASK FORCE MEMBERS

Members of the Task Force are distinguished Americans whose involvement and experience will contribute much to the work of the group.

I can vouch for one member personally. He is Dr. Hampar Kelikian of Chicago's Wesley Memorial Hospital—a man who has been very influential in my life.

The other members are: Dr. Ralph E. DeForest, Task Force chairman, directors, Department of Postgraduate Programs, American Medical Association, Chicago, Ill.; W. Scott Allan, assistant vice president, Liberty Mutual Insurance Co., Boston, Mass.; Dr. Robert L. Bennett, medical director, Georgia Warm Springs Foundation, Warm Springs, Ga.; Lawrence W. Binger, director of personnel services, Minnesota Mining & Manufacturing Co., St. Paul, Minn.; Dr. Kelikian; John W. Melcher, director, Bureau for Handicapped Children, State of Wisconsin, Madison, Wis.; Mrs. Genevieve H. Schiffmacher, assistant commissioner, Department of Labor and Industries, Commonwealth of Massachusetts, Boston, Mass.; Alfred Slicer, director, Division of Vocational Rehabilitation, State of Illinois, Springfield, Ill.; Lawrence Smedley, assistant director, AFL–CIO Department of Social Security, Washington, D.C.; Dr. William A. Spencer, chairman, Department of Rehabilitation, Baylor College of Medicine, Houston, Tex.; Dr. S. Daniel Steiner, medical director, General Motors Corp., Detroit, Mich.; Mrs. Spencer Tracy, president, board of directors, John Tracy Clinic, Los Angeles, Calif., and Henry Viscardi, Jr., president, Human Resources Center, Albertson, Long Island, N.Y.

VALUE OF PRESIDENT'S TASK FORCE

In my first major Senate speech earlier this year, I urged the President to create a similar task force because I am convinced America's public and private sectors can better help achieve independence, security and dignity for the person with handicaps. My distinguished colleague from Vermont (Mr. Prouty) has also been very instrumental in the creation of the Task Force.

I hope the President will see fit in the near future to appoint a Task Force similar to the one announced today to appraise and recommend programs and efforts for those with mental handicaps.

Well executed, these two Task Forces could provide authoritative guidance to the administration and Congress as they develop programs and allocate funds and to the agencies, as they implement.

They could also provide new incentive and direction to private and voluntary groups to better aim and gage their efforts.

Undoubtedly, the biggest benefits will be realized by this country's 42 million physically, mentally, and emotionally handicapped persons themselves.

Mr. President, some 42 million Americans suffer from handicaps—physical, mental, and emotional. I recognize that many Members of the Senate have long been in the forefront of helping those individuals.

I point out as one of that group of 42 million that not many, I would guess, of the 42 million are looking for handouts. They are looking for programs that might make them self-sufficient, might give them a certain sense of dignity, and the opportunity to achieve in America as all Americans do.

Let me again say that I commend President Nixon for this start. I commend those outstanding individuals who will be serving on the task force, and I wish them well in their very difficult task.

WITNESS UNPARALLED ACHIEVEMENTS

Mr. President, we have all witnessed the unparalled achievements of medicine, science, education, technology, and related fields. The Government has been relatively successful in terms of numbers assisted, basic research performed and the movement of increasingly large numbers of persons into more productive, satisfying channels. The private sector—with its emphasis on the creativity, concern, and energies of the people—has performed Herculean tasks; in fundraising, employment, research, public opinion, rehabilitation, and through professional organizations and groups for the handicapped themselves.

WE HAVE TO DO BETTER

But these same forces and others must do better because they can do better. We must assure each individual with handicaps that he can become as active and useful as his capacities will allow.

SOME OF THE PROBLEMS

Today many handicapped persons lead lives of despair and loneliness. Many feel they could become more self-sufficient and contributing members of society with the proper tools and encouragement. Some are disillusioned and disaffected by the very programs created to help them.

They cite such reasons as income—too low or too high—place of residence, specific handicap or handicaps, knowledge of and referral to existing personnel and facilities, insufficient comprehensive planning for their total needs and little community awareness and action for both the disabilities and abilities of the handicapped.

Their problems are often compounded because of inadequate funding to develop needed guidelines, statistical data, quality programs and sufficient, effective professional staffing.

And sadly—if not surprising to some—there never has been a major overall effort to try to determine if public and private money currently expended is doing the job as effectively, efficiently, and economically as possible.

Today the President has demonstrated he recognizes the Nation's handicapped merit top-level attention.

If they are to do a creditable job, the challenge at hand for members of the Task Force on the Physically Handicapped is monumental. It is a challenge which must be met and mastered if we are to help the handicapped, one of our Nation's greatest unmet responsibilities and untapped resources.

ACID MINE DRAINAGE IN APPALACHIA

Mr. RANDOLPH. Mr. President, the New York Times and its news service, in a copyrighted article on Monday, October 13, 1969, by Ben A. Franklin, reported:

> The Nixon administration has delayed for nearly a month the transmission to Congress of a government report indicating a need for increased spending to remedy water pollution by the coal mining industry.

The Times dispatch, which was carried in several Monday morning newspapers in West Virginia, indicates that the printing cost of the report, entitled "Acid Mine Drainage in Appalachia," was "about $10,000." But, according to the Times, "staff work on the report and contracts for research by scientists selected by the National Academy of Sciences ran its total cost up to about $700,000" before 3,000 printed copies of the 126-page document were placed in storage September 12 and had been held there until released this morning.

"Technical difficulties in transmittal" were ascribed by a White House staff member as reasons for placing the 3,000 copies in storage, rather than giving them prompt distribution, The Times correspondent wrote.

But, Mr. President, it does seem that the Nixon administration has been holding back from Congress this Government report indicating the seriousness of water pollution from acid mine drainage and stressing the need for a large increase in expenditures to overcome this cause of pollution.

Notwithstanding, Congress is aware of the seriousness of the problem and of the high costs of solving it. Actually, the withholding from circulation of the report, which was prepared under the Appalachian Regional Commission's authority, does not improve the administration's chances of influencing Congress to provide smaller and smaller appropriations for water pollution control. Such tactics serve to stimulate Congress to look closer at the facts and to act more determinedly to provide the funds necessary to enable the Government to attack the pollution problem aggressively.

More and more Members of Congress are concerned that the present administration is requesting less and less funding for health and environmental control functions. This deemphasis of very high priority activities for the people of the United States—their health needs and a cleaner and more orderly environment—is a disastrous development.

During the past 6 years, Congress has been giving special cognizance to the need that governments and the society in general accelerate efforts and programs to improve control of water pollution, to do more to cleanse the air of devastating pollutants, and to cope more adequately with the ever-growing problem of disposal of the tons upon tons of solid waste. Much progress has been made. And, in many important areas of pollution concern, real breakthroughs are impending to advance the cause of creating a better environment for the benefit of the public health and individual survival.

Considering the great promise inherent in the programs Congress has established and authorized for appropriations and expenditures on behalf of sanitation and the people's health, it is tragic to find that the Nixon administration has reduced by more than 13.5 percent funds requested to meet the environmental pollution crisis. And this fund deemphasis occurs while our population expansion accelerates and life in our overpolluted urban areas becomes more complex.

Last week the Senate passed its version of a strong water pollution control bill to amend the Water Quality Act. The House had earlier passed another version, and the two bodies will start within the next 10 days to compose differences in a House-Senate conference committee.

When the Senate bill reached the floor after many weeks of hearings and deliberations in our Committee on Public Works—which laid the groundwork for its presentation through the able chairman of the Subcommittee on Air and Water Pollution, the Senator from Maine (Mr. MUSKIE)—I spoke in detail on the problem of acid and alkali pollution discharged in various local watercourses and carried by the natural flow of stream systems into our major river basins. This creates extensive pollution problems which are both intrastate and interstate. We know much about this subject, but we might have been enabled to know even more about it—and more about what to do to correct it—if we had access to the lengthy report on acid mine drainage which the Nixon administration had available and apparently could have circulated weeks ago—but which it delivered to the Congress only this morning. We were entitled to at least one copy before we started debate on our bill. And the House was likewise entitled to a copy of the document—no matter how voluminous—when it had a pertinent measure before it for action last week. Apparently, it could have been circulated several weeks ago.

This is a very serious problem. I bring it to the attention of the Senate; and I hope that there will be a better explanation from the White House for the delay in moving the report to Congress than "technical difficulties in distribution."

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the article by Mr. Franklin as published in the Charleston, W. Va., Gazette on October 13, 1969.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Charleston (W. Va.) Gazette, Oct. 13, 1969]

NIXON KEEPS LID ON COAL MINING POLLUTION REPORT

(By Ben A. Franklin)

WASHINGTON.—The Nixon administration has delayed for nearly a month the transmission to Congress of a government report indicating a need for increased spending to remedy water pollution by the coal mining industry.

The report was delayed at a time when the administration was fighting to hold down an appropriations bill on water pollution. A White House aide, however, attributed the delay to "technical difficulties" rather than to political considerations.

Three thousand copies of the 126-page report have been "in storage" here since they came from the printer Sept. 12.

The report reportedly was sequestered on White House orders because, at a time of a presidentially decreed budget squeeze, it contains unwanted proposals for federal spending to abate the "particularly pernicious" pollution of more than 10,000 miles of streams in the Appalachian coal fields by acid water drainage from coal mines.

The administration lost an attempt on the House floor last Wednesday to limit new federal spending for pollution-control water treatment facilities to $214 million in the current fiscal year. Instead, the House voted 148 to 146 to appropriate $600 million, a compromise figure reluctantly agreed to by Democrats who had hoped to get $1 billion.

Democrats at the Capitol have since suggested that the administration's delay in sending the report to Congress reflected White House apprehension over prospects of holding the budget line in the narrow House vote.

In an interview, however, Richard T. Burress, the White House aide reported to have been responsible for delaying publication of the report, denied that fiscal restraints or administration legislative strategy had had anything to do with placing the document in a storeroom for a month after it was printed at a cost of about $10,000.

He attributed the delay entirely to "technical difficulties in transmittal." He added that the report would now "go forward very shortly."

Other sources, however, said flatly that distribution of the report had been withheld on White House orders.

Burress, a deputy legislative counsel to the President and a former agent of the Federal Bureau of Investigation, told a newsman the report had been available for distribution "for only a few weeks."

Staff work on the report and contracts for research by scientists selected by the National Academy of Sciences ran its total cost up to about $700,000.

The report sets forth in detail the damage to environmental values and economic development of stream water containing sulphuric acid formed in coal beds opened to the elements.

It was the second government document containing expressed or implied criticism of past and present practices in coal mining to be held up by the Nixon administration.

Two months ago, Ralph Nader, the consumer advocate, disclosed that a lengthy study by the Department of the Interior and its Bureau of Mines on water pollution and other widespread environmental degradation caused by mining was being withheld.

The Interior Department subsequently contended that that report, begun during the Johnson administration, was merely "a working paper."

The more recent mine water pollution report originally was due on Capitol Hill last March 31 under a 1967 mandate from Congress.

The Appalachian Regional Commission, assigned by Congress to supervise the preparation and research, had obtained an informal congressional time extension to May 15 and then overran the extension a month to June 15 in completing the document.

When the report finally went to the White House in mid-June it was expected to receive routine clearance. But the draft was greeted there as anything but routine, officials said.

A covering letter with the report called for a modest "action program" to abate acid mine water pollution.

No cost figures were mentioned in the report, entitled "Acid Mine Drainage in Appalachia." However, the $15 million to $20 million cost that officials now say was implied in the covering letter was, in fact, a very modest share of the $6.6 billion that Federal Water Pollution Control Administration has estimated will be required to abate fully acid mine water pollution.

THE U.S. NAVY COURT OF MILITARY REVIEW

Mr. ERVIN. Mr. President, the Military Justice Act of 1968 became fully effective on August 1, 1969. On that day, the U.S. Navy Court of Military Review, which was created by that act, came into existence in simple but impressive ceremonies held in the courtroom of the administration building at the Washington Navy Yard.

The clerk of the court administered their respective oaths of office to the chief judge, Capt. Cecil R. Harrison, JAGC, U.S. Navy, and the 11 associate judges, Col. Ralph K. Culver, U.S. Marine Corps; Capt. Arnold W. Eggen, JAGC, U.S. Navy; Col. Duane L. Faw, U.S. Marine Corps; Comdr. Raymond W. Glasgow, JAGC, U.S. Navy; Judge Kenneth B. Hamilton; Judge James W. Hendry, captain, JAGC, U.S. Naval Reserve (retired); Judge James Fielding Jones; Capt. Edward T. Kenny, JAGC, U.S. Navy; Capt. Horace H. Morgan, JAGC, U.S. Navy; Capt. George F. O'Malley, JAGC, U.S. Navy; and Capt. Charles Timblin, JAGC, U.S. Navy (retired), who thereupon assumed their respective offices as the highest members of the independent judiciary charged with the solemn responsibility of administering justice among those who constitute the naval forces of our Nation.

The character, learning, and temperament of the chief judge and his associates make it certain that the most sacred obligation of government, that is, the administration of justice, will be discharged in the naval forces in accordance with the finest traditions of the law.

Having devoted much effort and time to persuading the Congress to enact the Military Justice Act of 1968, I was delighted to have the privilege of witnessing the simple but impressive ceremo-

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nies which thus brought the U.S. Navy Court of Military Review into existence.

After the administration of the oaths of office to the members of the court, the chief judge made some exceedingly appropriate remarks, and invited Rear Adm. D. D. Chapman, JAGC, U.S. Navy, Deputy Judge Advocate General of the Navy; Capt. Richard J. Selman, JAGC, U.S. Navy, Assistant Judge Advocate General—Military Law; the Honorable William H. Darden, judge of the U.S. Court of Military Appeals; and me to speak.

I ask unanimous consent that the remarks made on this occasion be printed in the Record in the order in which they were delivered.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Remarks of Rear Adm. D. D. Chapman, JAGC, U.S. Navy

The events of recent weeks have caused us all to stop for a moment and reflect upon the progress that is in motion today. It seems that events that transpired two centuries ago have suddenly burst forth in the past two decades to give us unprecedented insight into things about us.

A little over two centuries ago Sir Isaac Newton announced laws of physics and mathematics which have been accepted as fundamental laws by men of science even to this day. Within the past two decades, however, our science and technology have broken the boundaries of the world in which we live. Today we probably have more knowledge of the universe than Sir Isaac Newton had of the earth two centuries ago.

Today we think not of matters relating only to the earth. Last week we witnessed man as he took his first step on the moon. Today we see television pictures of Mars.

Our nation itself was born in colonial revolution two centuries ago. It has progressed from an organization of thirteen colonies in the frontiers of America to a position of leadership among the nations of the world. Our country is unsurpassed in economic development, international leadership, and even armed strength. These things, for the most part, have come about within the past twenty or thirty years.

We see a similar pattern of development in the field of law and jurisprudence. Two centuries ago, following the announcements of laws of physics by Sir Isaac Newton, and during the revolutionary development of this country, another English scholar, Sir William Blackstone was lecturing to students of law at Oxford University. The demands on his time from a successful practice of law in London and his service as a Member of Parliament kept him away from the classroom in his later years. This did not detract from his pre-eminence as a teacher, however, because his lectures were printed and have been read by law students even to this day. Blackstone's Commentaries, although still considered by jurists, lawyers and students as the epitome of the fundamental principles of our jurisprudence, have seen many projections within the last decades.

Our Constitution itself is almost 200 years old, but decisional law has carried it forward in great strides within the past two decades. Many new landmarks have been laid out by our Federal judiciary in setting the Constitutional rights of an accused person. In this field such familiar names as Mapp, Gideon, Miranda, Covert and Toth, come to mind. More recently we have O'Callahan and Latney.

These cases demonstrate that law is a dynamic field. The practice of law is probably the most demanding and challenging of all the professions.

We have seen great strides also in the statutory field of military law. In the Navy and Marine Corps, we lived for many, many years under the "Rocks and Shoals" of the Articles for the Government of the Navy. Then we received the Uniform Code of Military Justice in 1951 and it has remained with us since that time. Now we have the amendments to the Code which we know as the Military Justice Act of 1968. The Code with the amendments give us the most advanced system of military justice in the world. These great strides in military law have all come about within the past twenty years.

Former President Johnson recognized the great progress being made in military law when he made these remarks at the signing of the Military Justice Act of 1968:

"The soldier who fought at Valley Forge could expect only 'drumhead justice' if he ran afoul of military law.

"The trooper at Gettysburg could expect little more.

"Even the doughboy who went ashore with Pershing had nothing like the legal protection of the civilian at home.

"That has changed, now. The man who dons the uniform of his country today does not discard his right to fair treatment under law.

"The first great step came in 1950 It was then that our servicemen and women were given the Uniform Code of Military Justice—the most sweeping development in military law in all our history.

"When President Harry Truman signed it into life, he was able to say that 'the democratic ideal of equality is further advanced.'

"Today we advance again. The Military Justice Act of 1968, which we sign now, will stand proudly next to the 1950 law.

"It expands the concept of fairness by creating an independent court system within the military, free from command pressures and control.

"It enlarges the rights of the individual soldier by giving him trained legal defense when he is tried by a special court-martial.

"It makes many other changes to streamline the system, and to safeguard the serviceman.

"We have always prided ourselves on giving our men and women in uniform excellent medical service, superb training, the best equipment.

'"Now, with this bill, we are going to give them first-class legal service as well.

"As Commander-in-Chief, I have worked for better pay, better care and better rewards for those who serve their country's flag. This will be the last bill I sign in their behalf. I am glad it goes to the root of the system they defend for all of us—the right of every citizen to justice and fairness under the law."

The Act to which President Johnson directed his remarks is the law that becomes effective today. We are here to observe the transition into the new system. As a part of the change, this appellate court will henceforth be called the Court of Military Review, and its members will be appellate military judges.

To you, the very first appellate military judges in the Navy and Marine Corps, I extend my congratulations and best wishes. May you be ever mindful of the fact that our sailors and Marines look to you for fair treatment under law.

Remarks of Senator Sam J. Ervin, Jr.

May it please your honor and the court. I think anyone who would attempt to say anything upon the subject of military justice after the eloquent speech of the Deputy Judge Advocate General of the Navy would be foolish enough to attempt to paint the lily and gild the rose. He phrased in exceedingly eloquent words the great advancement which has been made in military justice during recent years.

From the time of George Washington down to the Code of 1950 and the establishment of the United States Court of Military Appeals, which is now adorned by the person of my friend, Bill Darden, military justice had made little changes. I got interested in this field at an early date and particularly after I came to the Senate because I felt the need for some additions to the Code of 1950. At that time the Code of 1950 was the most advanced code of military law on earth. It anticipated by many years some of the changes in the law relating to the protection of civilians in criminal cases, such as the *Mapp* case. It established the rule long before the *Mapp* case that evidence illegally obtained by unlawful searches and seizures should not be admitted in evidence. It also anticipated many other reforms.

I want to say at this time that when I became interested and started hearings, I found there was some lingering of the old idea that military courts existed, not for the purpose of doing justice, but for the purpose of enforcing discipline. I remember very well that, when we conducted the recent hearings with a view of doing something to assist in the improvement of military justice, one of our witnesses stated that as far as military justice was concerned you had a choice between discipline on the one hand and justice on the other. He said we couldn't have both. I disagreed.

I would like to pay tribute to some who gave great assistance to us. When my subcommittee on Constitutional Rights began on this subject we called upon many of those who were engaged in the administration of military justice both in the services and among those who had served as judge advocates in the Armed Forces before that and who had returned to civilian practices. What has been done has been the result of the cooperation of a multitude of people giving us the benefit of their experiences. I would like to mention two people in the old days when we first started who deserve great credit: General Decker then the Judge Advocate General of the Army and Admiral William C. Mott, then the Judge Advocate General of the Navy. It was largely through their intercession with persons in the higher echelons of the armed services, who were not concerned primarily with the administration of criminal justice in the Armed Forces, that many of our reforms have come about. And I would also like to add that among the multitude who have contributed nobody made more significant contributions than General Westmoreland who, when he became Chief of Staff of the Army, came down to see me and said he was going to get someone in the legal side of the military to see if he couldn't cooperate in working out a bill. He appointed Major General Hodson, now the Judge Advocate General of the Army to represent all the armed services in the formation of the Military Justice Act of 1968.

This Act, in my mind, constitutes the most significant landmark in the establishment of a just system of military law in that it guarantees, I think for the first time in history, that our military courts are going to constitute an independent judiciary. I consider that perhaps the foremost of all the advancements that have been made in the administration of criminal justice.

It is a great privilege to be here on what is destined to be an historic occasion and to see this court operating as what it really is, as a court of military judges. I thank you very much.

Remarks of the Honorable William H. Darden

This is an auspicious date for those of us who are interested in and have some re-

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sponsibility for the administration of military justice. It marks the effective date of the Military Justice Act of 1968, another significant step in an evolutionary series of refinements and improvements in the system.

Those of us who are proud of this system are distressed, of course, by uncomplimentary references to military justice in contemporary decisions of courts outside our system and by lingering doubts in the minds of some members of the public that military justice has really changed. These doubts and criticisms can't be dispelled by words alone, of course, but only through performance. Those of us who know the extent of the protections available to members of the armed forces today have reason to suspect that the continued attacks on military justice and prejudice against it betray either a refusal to judge the system as it exists today, instead of during an earlier period when there were some abuses that are not tolerated now, or else a deep-seated hostility to anything that is military in nature. None of us would contend that perfection exists, but we do have reason to ask that the critics take an up-to-date reading and make a current assessment of how we might do better. We would like to disabuse the doubters of the impression that concepts of fairness and justice come as revealed truths only to those who have absolutely nothing to do with defending our Country or of the impression that once a person becomes associated with the armed forces he necessarily becomes part of a gigantic conspiracy to repress and harass and punish nearly everybody else.

After this flight of hyperbole, I should comment more directly in point. In addition to my official pleasure that the new law creates the title of Military Judge, effective today, I am personally pleased that many of you who are taking this oath are persons whose friendships I have enjoyed during times when both you and I were in different jobs. Although most of the Senate staff work on the Military Justice Act of 1968 was performed by the staff of Senator Ervins Subcommittee on Constitutional Rights, I also did some work on the bill. At the time of its passage, I had no reason to think that today I would be involved in its application. I am extremely pleased that I have the privilege of being with you today and of administering this oath. I congratulate each of you as you assume a new title. I know each of you will continue and redouble his conscientious efforts to make military discipline just and fair. I hope I can join you in contributing to such an objective.

Remarks of Capt. Richard J. Selman, JAGC, U.S. Navy

The U.S. Navy Court of Military Review is comprised of judges who are members of the bars of Alabama, Florida, Illinois, Nebraska, New York, Texas, Washington, West Virginia and the District of Columbia. The Court members are graduates of ten different law schools and have a total of 320 years collective legal experience.

The Navy is indeed fortunate to have judges with your vast experience for I know of no time in the history of our country which presents such a challenge to the legal profession in general and to the judiciary in particular than today.

As a nation, and as individuals, we find our heritage of liberty and justice threatened by those who have sworn to topple free society. They seek to degrade the dignity and integrity of the individual, desecrate the sanctity of the home and the family, subjugate the rights and confiscate, burn and destroy the property of others. The disorders and riots which have rocked our nation from sea to sea and border to border bear witness to the chaos which results when man takes the law in his own hands and decides for himself what the law is and what it is not. Under such circumstances the law becomes as of sounding brass or a tinkling cymbal.

Perhaps the blessings of freedom have hoodwinked those who would destroy our society. Perhaps we have placed too much emphasis on privileges and not enough on responsibilities. Every day we hear and read of someone defending his right of free speech—his right to equal opportunity. But how often do we hear and read of someone who insists on his right to carry out his responsibilities to his neighbors, to his community and to his country. But there are such people in our nation—millions of them. They are the silent ones and they don't make headlines. They believe that without a balance between rights and responsibilities, without a balance between privileges and obligations, freedom is a meaningless goal. They are the men and women who are the backbone of the U.S. Navy and the U.S. Marine Corps.

The Military Justice Act of 1968 which becomes effective today was designed to insure that the men and women who serve in our Armed Forces are afforded first class legal services. Just as the Uniform Code of Military Justice which became effective in 1951 served as a model of criminal law so now does the Military Justice Act of 1968 represent the latest concepts of legal jurisprudence.

The Act requires increased participation by certified military lawyers in courts-martial and precludes a sentence with a punitive discharge unless the accused had a certified lawyer as his defense counsel.

The Act, guided through the House of Representatives by Congressman Bennett from Florida and through the Senate by Senator Ervin of North Carolina, makes several major changes in the Uniform Code of Military Justice including the following:

Creates by statute an independent judiciary for each of the Armed Forces comprised of military judges free from command control and who will have the functions and powers roughly equivalent to those exercised by district court judges. We in the Navy have had an independent Navy-Marine Corps Judiciary free of command control since 1962.

Provides that legally qualified military counsel must represent an accused before any special court-martial empowered to give him a bad conduct discharge; a military judge must preside over the trial unless impossible due to military conditions; legally qualified military counsel must be made available to represent the accused in special courts-martial unless unavailable due to military conditions even though a court is not authorized to adjudge a bad conduct discharge.

Permits accused to waive trial by a court-martial comprised of non-lawyer members and be tried by a military judge sitting alone.

Affords the accused the absolute right to refuse trial by summary court-martial.

Transforms Boards of Review into Courts of Military Review authorized to sit en banc or in panels and authorizes appointment of a chief judge and senior judges of the panels. Strengthens the bans against command interference with military justice.

Modernize procedures to conform more closely with Federal court practices.

Authorizes for the first time a military form of release on bail pending appeal.

Extends the time limit for petitioning for a new trial from one to two years.

The Military Justice Act was signed by President Johnson on 24 October 1968 and becomes effective today. The 1969 Manual for Courts-Martial has been revised and Chapter One of the Manual of the Judge Advocate General has been rewritten. Additional Navy and Marine Corps lawyers have been recruited, trained and assigned. The Navy-Marine Corps Judiciary Activity has been increased from 12 to 20 Military Judges and thirty Law Centers have been established throughout the world to provide the legal services required by the Act. Thus it would seem that our plans were appropriate and executed in a timely manner.

But the law like the sea is never still. On 2 June 1969 a decision of the Supreme Court of the United States in the case of O'Callahan v. Parker held that since the petitioner's crimes were not service connected he could not be tried by court-martial but rather was entitled to trial by the civilian courts. The court-martial in question was tried in 1956 in what was then the Territory of Hawaii.

Of the majority opinion authored by Mr. Justice Douglas, Mr. Justice Harlan, joined by Mr. Justice Stewart and Mr. Justice White in dissenting, said in part:

"In sum, I think that the Court has grasped for itself the making of a determination which the Constitution has placed in the hands of the Congress, and that in so doing the Court has thrown the law in this realm into a demoralizing state of uncertainty. I must dissent. . . ."

"The Court does not explain the scope of the 'service-connected' crimes as to which court-martial jurisdiction is appropriate . . . the Court suggests no general standard for determining when the exercise of court-martial jurisdiction is permissible. Whatever role an *ad hoc* judicial approach may have in some areas of the law, the Congress and the military are at least entitled to know with some certainty the allowable scope of court-martial jurisdiction. Otherwise, the infinite permutations of possibly relevant factors are found to create confusion and proliferate litigation over the jurisdictional issue in each instance. Absolutely nothing in the language, history, or logic of the Constitution justifies this uneasy state of affairs which the Court has today created. . . ."

In addition to the words of Mr. Justice Harlan in his dissent, Senator Ervin has said that he thinks it quite unfortunate that the majority opinion in *O'Callahan* makes several disparaging remarks of military justice and by so doing has, in effect, tended to minimize the very significant advances and improvements in military justice that have been made in recent years such as the adoption of the Uniform Code of Military Justice in 1950, the Military Justice Act of 1968, and the able opinions of the U.S. Court of Military Appeals. Senator Ervin has observed that the records of the civil courts are not completely without blemish; otherwise there would have been no occasion for many recent decisions by various Federal and state appellate courts. Senator Ervin has observed that in fairness to the conscientious judge advocates who administer military justice it should be remembered that:

Courts-martial were excluding evidence obtained by unreasonable search and seizure or by wiretapping long before the Supreme Court decision in Mapp v. Ohio, 367 U.S. 643 (1961).

In courts-martial qualified military lawyers were provided without cost to defend service personnel indigent or otherwise in all general courts-martial long before Gideon v. Wainwright, 372 U.S. 336 (1963).

Article 31 of the Uniform Code of Military Justice enacted a warning requirement to military investigators long before the Supreme Court decision in Miranda v. Arizona, 384 U.S. 436 (1966). Indeed Chief Justice Warren relied on the military practice in justifying the warning requirement.

Defense counsel in courts-marital are in far better position to obtain pretrial discovery of the prosecution's case than would be true in Federal District Courts under Rule 16 or in most all State Courts.

Verbatim records of trial by courts-martial were provided as a matter of course and without cost to the accused long before Griffin v.

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Illinois, 351 U.S. 12 (1956) imposed this burden on State Courts.

Appellate review of appropriateness of sentence takes place in the military justice system but is still unavailable in the Federal Courts and in almost all State Courts.

The Court of Military Appeals has made clear that most constitutional safeguards are fully applicable to service personnel even though admittedly courts-martial do not proceed on the basis of indictment by grand jury.

I think it fair to say that for an accused in the military today, many of his rights exceed those of his civilian counterpart.

The Military Justice Act of 1968, a new Manual for Courts-Martial, new JAG Manual provisions and the void in the law left by *O'Callahan* are but a few reminders of the challenges which face this Honorable Court. I wish you all well.

SAVING NATURAL ALASKA

Mr. NELSON. Mr. President, on Thursday, October 16, 1969, the Senate Committee on Interior and Insular Affairs will hold hearings on the possible environmental consequences of the proposed Alaskan oil pipeline. Secretary of Interior Walter J. Hickel has notified both Senate and House committees of his intention to allow the pipeline to proceed if the committees do not disagree.

On the floor of the Senate last Monday I raised several important unanswered questions about this matter, which indicate the necessity of the public airing which the hearings tomorrow will provide. In addition to those questions, an editorial, published recently in the Milwaukee Journal, points up the need for thorough environmental quality considerations in Alaskan oil development.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection the editorial was ordered to be printed in the RECORD, as follows:

SAVING NATURAL ALASKA

In the elation over the boom that has already brought Alaska more than $900 million in bids on oil rights, there should be some serious consideration to the changes man may bring on the vast frozen plain called the north slope.

The tundra abounds with bear, caribou, wolves and birds even in the long, bitterly cold winters. In summer plant life proliferates in the midnight sun.

The few Eskimo have done little to change this. But now northern Alaska is being invaded by men, machines and the accounterments of civilization. The barren landscape is being dotted with stacks of steel oil drums, and piles of debris. In this land of permafrost. sewage has spread out over acres; icy tread ruts from tracked vehicles in winter become muddy ditches that block natural drainage in the summer thaw. What effect all this will have on the ecology of the land no one surely knows.

Ninety years ago, when resources were stripped from the American land—such as the trees of northern Wisconsin—and devastation was left behind, it was argued the nation could afford it because of the enormous reserves left. This was found to be a costly error. Today, as one of the last great frontiers is being tapped, special care should be taken to preserve and protect as much of its natural balance as possible. It is a dwindling treasure.

UNITED STATES-SOVIET UNION AMATEUR BOXING COMPETITION AT LAS VEGAS, NEV.

Mr. BIBLE. Mr. President, Saturday, October 25, will bring an unprecedented "first" in the history of American athletics. On that date, the finest amateur boxers of the United States and the Soviet Union will meet at Caesars Palace in Las Vegas to begin a precedent-setting international competition.

Never before—outside of the Olympic Games—have boxing teams representing these world powers squared off in head-to-head competition. This feature alone guarantees substantial worldwide interest in the outcome. The rivalry between the United States and Russia is, after all, the most magnetic in sports.

Millions of Americans will have the opportunity to view the matches, since they will be carried live and in color on ABC-TV's "Wide World of Sports" from 3 to 4:30 p.m.—P.d.t. In addition, representatives of the world's major newspapers and wire services will be in attendance.

The competition will be held under the auspices of the Amateur Athletic Union of the United States, and certainly this distinguished sports association deserves great credit for its participation and sponsorship.

But equal credit must go to the management of Caesars Palace, one of Nevada's outstanding resort hotels, which was chosen to be host to the competition. The hotel has expended a great deal of time and money to insure the success of the event. These efforts, coordinated with those of the AAU, deserve recognition.

The program will consist of 11 championship matches, each scheduled for three rounds, in the Olympic weights. They will be held in the hotel's famed Circus Maximum, a 1,200-seat showroom which normally features entertainers such as Frank Sinatra, Tony Bennett, Petula Clark, Eddie Fisher, Andy Williams, Harry Belafonte, and Anthony Newley.

The competition will represent a major challenge to the U.S. boxers, who are building toward a peak effort in the 1972 Olympic Games. The American coaches are assembling what may prove to be the finest amateur boxing contingent in the Nation's history.

Russia is expected to be represented by its strongest team ever. A youth revitalization program, which in Russia involves over 200,000 boxers, has produced almost a complete turnover in the Soviet squad which made an excellent showing in the 1969 Olympics and Mexico City.

Mr. President, this unprecedented competition, in my judgment, will serve to strengthen bonds of friendship and understanding between the peoples of the United States and Russia. Athletic rivalry, waged aggressively and cleanly, is a common denominator which transcends political differences. Excellence in the arena of sport commands universal admiration.

Las Vegas is justifiably renowned for the quality of its entertainment. Frequently overlooked, however, is the record of the community in promoting youth activities, charitable functions and other worthwhile activities. Certainly the scheduled international boxing competition is consistent with this splendid record of public service. I congratulate the management of Caesars Palace for its participation in a remarkable amateur athletic event.

THANKS TO AMERICA FROM A CANADIAN

Mr. JACKSON. Mr. President, Mr. David Williams, a Seattle attorney, recently wrote to me, enclosing a copy of a letter to the editor written by a Canadian, Miss Patricia Young, in which she expressed her thanks as a Canadian to America.

With so much self-criticism and introspection at large in this country, I thought that Members of the Senate and the House might be interested in this Canadian's thoughts of our country.

The letter with a foreword by Mr. M. W. Bean, editor, was published in the Daily Journal of Commerce in Seattle.

I ask unanimous consent that it be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CANADIAN THANKS AMERICA

How fortunate we are to have neighbors such as the Canadians! Too seldom do the people of this country express their appreciation of the sincerity, honesty and decency of our friends across the northern border. We can depend upon them and we hope they realize that they can depend on the United States in any emergency. The letter printed below is well worth wider publicity than it has so far received and should be read, and reread, by those chronically disgruntled individuals here south of the border, who prefer to see nothing right and everything wrong with the United States. The letter referred to follows and is self explanatory:

"Permit me, a Canadian, to express a long overdue 'Thank You, America'—not only for putting a man on the moon, but for almost two hundred years of contributing to the betterment of mankind. For the airplane, radio, cotton gin, phonograph, elevator, movie machine, typewriter, polio vaccine, safety razor, ballpoint pen and zipper!

"No other land in all the world has, in so brief a history, contributed so much and asked so little—only that we live together in peace and freedom.

"From the days of Washington and Lincoln, you have demonstrated the creativity, invention and progress of free men, living in a free society—where ideas and aspirations may be promoted to the extent of man's willingness to work and build a 'better mousetrap' with commensurate rewards.

"Thank you for upholding the principles and rights of freedom and liberty; for the American Constitution and Bill of Rights and for protecting those rights even when it results in the burning of your flag and the murder of your President.

"Thank you for those who helped defend freedom on foreign soil in two world wars—a debt we have been able to pay in small measure by way of some 10,000 Canadian volunteers who stand and fight with you in Vietnam; for the Foreign Aid you give even when your hand is bitten and your motives impugned; for keeping your dignity in the face of insults from nations still wet behind the ears; for your patience with those who seek to steal the world and enslave its people; for keeping your cool even when the Trojan horse mounts the steps of the White House to insolently spew forth its treason.

"Thank you for keeping alive the concept of individual liberty and faith in God in a world wallowing in humanistic collectivism.

"For these reasons and so much more, I say: 'Thank you America and God bless you.'

"PATRICIA YOUNG.

"VANCOUVER, B. C."

M. W. BEAN,
Editor.

THE PESTICIDE PERIL—LXVI

Mr. NELSON. Mr. President, more and more individuals are becoming alarmed about the threat to our environment and to human health from the continued use of persistent pesticides, and more and more individuals are speaking out publicly to voice their concern to others throughout the country.

Miss Jean Roach of Milladore, Wis., wrote a letter to the Stevens Point Daily Journal in which she expressed her concern about the contamination of our environment from DDT. She cites the many species of wildlife which are near extinction because of high levels of DDT residues in their systems, and asks:

> Are we not going to protest until after they become extinct?

The one characteristic that makes DDT and other persistent pesticides so harmful is biological magnification, which results in an increasing concentration of the pesticide progressively along the food chains until it reaches a serious and often lethal level. Now that the very insects which DDT is used against have built up an immunity to the pesticide, Miss Roach suggests that:

> Given enough time, we may not have to worry about a third world war. We may not be here, and neither will many other species of plant and animal life be here. Except perhaps the bugs.

The bald eagle has already been added to the endangered species list, but a news article from the same October 11 Stevens Point Daily Journal reports that this American symbol cannot even find refuge in our national parks. DDT residues are destroying the bald eagle in Everglades National Park, the last U.S. refuge.

I ask unanimous consent that the letter and the article be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

ASKS FOR SUPPORT OF MOVE TO BAN DDT

ROUTE 1, MILLADORE.—How long are we as citizens going to stand by and watch plant and animal life disappearing because of the use of DDT on our fields? Scores of songbirds, water birds, fish and small animals have already died. Are we not going to protest until after they become extinct? How many people are we going to allow to die before asking, no, demanding that DDT be banned?

Of course we need pesticides, but surely there are some that will break down or disintegrate after a certain amount of time in the field which could be used instead. And besides, insects become more and more immune to DDT anyway. It's too bad that birds such as songbirds, or the brown pelicans and cormorants off the coast of California, as a case in point, or human beings, don't develop this immunity. Certainly it isn't hard to believe that as minute forms of algae and plankton are absorbing DDT, the fruits and vegetables that we eat are also absorbing it. Given enough time, we may not have to worry about a third world war. We may not be here, and neither will many other species of plant and animal life be here. Except perhaps the bugs.

There are only two ways of stopping the use of DDT. One is through federal legislation and enforcement of laws banning the use of DDT, the other way is for those who now use DDT to stop using it, to in effect, boycott its producers. Only through law or a pain in the pocketbook will the DDT producers stop making it.

All I ask is that each of you who read this write just one letter to a congressman. One letter, multiplied by thousands, will let them know that we are concerned about our future and the future of countless birds and animals around us. Please write now.

Thank you,

MISS JEAN ROACH.

DDT INVADING LAST REFUGE OF BALD EAGLE

MIAMI.—DDT, the killer of birds as well as the insects it is sent out to fight, has invaded the last U.S. refuge of the bald eagle, a biologist says.

In fact, says Dr. William Robertson, a recent check shows that the level of DDT and similar pesticides is so high in the Everglades that the bald eagle may become extinct there.

Robertson, a biologist with the U.S. Park Services, said Friday the poison pollution is causing female eagles to lay eggs with shells so thin that they crack during incubation.

"The pesticide levels are much higher than we would have anticipated. I would call them alarming," Robertson told a group of scientists at the University of Miami.

"The levels are at the point where they are interfering with the reproductive process."

Robertson said the poisons interfere with the birds' formation of calcium, a basic ingredient in egg shells.

The remnants of a once-great bald eagle population nest in the southwest corner of the Everglades National Park, near Flamingo. Robertson has spent many hours studying the nests.

THE PEOPLE SQUEEZE

Mr. MONDALE. Mr. President, today's public awareness and debate on domestic issues has many facets involving numerous problem areas.

We hear a great deal about the urban ghetto and its difficult problems of bad housing and unemployment and discrimination. We have seen riots on television and we know the grim facts of crime in city streets.

The problems of rural America have also been brought home to us. We know that one-fourth of rural Americans are poor, that one out of three of their homes are substandard, and that their health and educational facilities are seriously deficient.

In reacting to urgent human problems which do enlist the sympathy of most Americans there is the danger that we are directing too little attention to our nonmetropolitan areas—the hinterland of small cities and rural communities. And yet these are the places where many Americans now live, where unplanned and uncontrolled growth is underway, and where many of the decisions affecting our urban future are being decided.

I feel that we are coming to realize, much too slowly, the single most important obstacle to improved growth, and that is the lack of a national land use policy.

One of the most recent articles which point to this need was published in the October issue of Better Homes & Gardens.

Mr. President, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE PEOPLE SQUEEZE

(By George Bush)

Already, seven out of ten Americans live on little more than one percent of our land. Unless something happens to stop this trend our future promises to be a nightmare.

By 1980, calling cities by their traditional names will be an idle exercise: ten of our 21 major urban centers will have merged into four sprawling super-cities. The New York megalopolis, stretching from Boston to Washington, will be a living hell for 51 million people. The strip from Chicago to Pittsburgh will have 37 million; the California coast, 27 million; and the most rapidly growing of our urban concentration's, Florida's coast-to-coast colossus, will have tripled its population to more than 10 million.

That's a total of 125 million in just those four super-cities—nearly as many now live in all our major urban centers combined.

There are still people who point to this growth as progress. After all, we think Big in this country. Why shouldn't big cities get bigger? Sure, concentration brings problems, but aren't we Americans the greatest problem-solvers ever put on the face of the earth? We'll find a way.

Such wishful thinking does little to console the millions who suffer loss of health, sanity, and human dignity trying to make a life in and around the cities *as they are today, let alone as they will be tomorrow.*

At worst, we face social collapse; at best, a constant struggle that saps us, stifles our humanism, takes all the real pleasure out of living, and offers only synthetic rewards.

LOST VALUES

Reflect, if you will, on some very basic benefits which life in America should offer—benefits that our nation took pretty much for granted until recent years:

Warmth of communal spirit, friendliness of our neighbors, respect of our fellow citizens, common courtesy in everyday transactions, a feeling of safety in our streets and homes.

And more: schools shaped by our wishes rather than by political mandates, taxation with the least waste, a daily life free from harassment by special-interest groups, the opportunity to work hard without squandering our strength on getting to and from our jobs, the opportunity to breathe clean air—and even the chance just to be alone when we want to.

WORSE THAN A JUNGLE

All this becomes a utopian dream when people are put together like animals in a cage. Life then is stripped of its simplest graces and even lacks the natural logic of the jungle to which big cities, in their ruthlessness, have often been compared.

Stand outside Chicago's O'Hare airport and you'll see freeways choked in all directions—to the city and out of the city. Where is everyone going? Well, those who come from the inner city are streaming to factory jobs in the suburbs. And those who live in the suburbs are pouring back to white collar

XUM

jobs downtown. It's a ludicrous juxtaposition of where individuals live and where they work.

In New York, the Long Island Expressway has earned the sobriquet, "The world's longest parking lot." During rush hour, in the dank, urine-scented caverns under Times Square, policemen yell, "Keep it moving" to the faceless, shuffling crush.

It's night, and a man lies in the middle of fancy Fifth Avenue. He may be drunk, he may be sick, he may be dead; your taxi driver swerves to avoid him but doesn't stop to help. "I mind my own business," he snarls.

A scream in Detroit's darkness, and people quicken their steps. Like most U.S. city dwellers, they are scared and don't want to be involved. Last year in the "Motor City" you were twice as likely to be murdered as to be killed in a traffic accident (423 homicides versus 235 traffic deaths).

MURDER IN FUN CITY

Manhattan Island, sophisticated hub of John Lindsay's "Fun City," with a population of less than 2 million, counts more murders per year than England and Wales, with a population of 49 million. In Chicago during the next ten-year period, a Negro slum-dweller faces one chance out of eight of being mugged, beaten, raped, or murdered. In San Francisco, robberies (mostly by juveniles) zoomed 65 percent last year. In Los Angeles, homicide was up 25 percent.

Polluted air engulfs all our urban centers and the adjoining countryside. California's agricultural losses alone are estimated at $100 million a year. Chicagoans get 40 percent less sunlight because of their smog. The Eastern seaboard from Boston to Washington suffers on the same scale. On the north shore of Staten Island, which is directly in the path of New Jersey's industrial fumes, the male death rate from lung cancer is almost 40 percent more than that on the relatively unpolluted south shore—and among women, it is twice as high.

Cities by their very nature have always fostered slums. Today, these slums are the cradles of unrest and public violence. Detroit burned and looted itself in an almost masochistic orgy. And there was Watts. And Newark. And Washington. And Pittsburgh.

And not only the slums are involved. The new campus violence also had its seed in the big cities: New York's Columbia University, the Bay Area's University of California at Berkeley, and San Francisco State.

SUBURBS ARE NO ANSWER

Escape to the nearby suburbs is of little help. Many are no longer peaceful havens, industry and business, in their own flight from the inner city, have invaded them. Overpriced and underbuilt housing developments stretch ever farther outward, adding commuting time and commuting confusion. Fathers spend less time at home and have less energy, less patience with their families. Women feel alone, bored, deserted. More than most of us care to admit, family life is breaking down.

Suburbs touch each other and fuse, all the while threatening to become future slums. Already, 40 percent of the nation's poor (with incomes of less than $3,000 a year for a family of four) are living in suburbs. Los Angeles actually has fewer poor in center-city than in its outskirts. Pittsburgh counts more substandard dwellings in its suburbs than in town.

Former President Johnson's Task Force on Suburban Problems last year reported a "quiet, slowly building crisis" and a lack of "community sense." The Task Force put the blame on the hurried, unplanned, piecemeal building of industry, housing, and service facilities.

This, plus the cultural isolation of bedroom developments, the confidential (but hardly surprising) report stated, has created a "duliness of existence, acutely felt by many older suburbanites and often tragically reflected in the behavior of their children. Suburban vandalism, drug offenses, and larceny by the young are on the rise."

One major cause of suburban deterioration—the move of business from core city to suburbs—shows a pitiful lack of long-range thinking. Such relocations accomplish little except to make life temporarily more convenient for executives who live in the suburbs and thus can put in less commuting time. Although these moves do increase suburban tax bases, they serve only to compound suburban congestion problems, without gaining business any of the advantages of decentralization.

THE SAD STATE OF WELFARE

In turn, the center city suffers when it is deprived of the tax revenue it sorely needs. As the business exodus to suburbia gains momentum, an increasing tax burden falls on the city's wage earners. This is often the final straw: they flee to the suburbs too, making core city more and more a welfare state. Hard-pressed for funds, the cities then seek help from state and federal governments—so in the end, all of us are paying for this snowballing calamity.

Already in New York City, more than one million persons are on welfare. In 1955, the city's welfare population increased by about 60,000. Last August, just three years later, 50,000 persons were added to the rolls in one single month. As Dr. Paul Ylvisaker, neighboring New Jersey's commissioner of community affairs once put it: "We have concentrated those least capable of helping themselves where it is least possible for them to help themselves." And the end is not in sight.

Meanwhile, with taxes, rents, and prices rising, only the rich can afford to share the city with the poor. The average man is sorely squeezed: if unionized, he strikes, and if it's a public-service strike, it can bring a giant city crashing to its knees.

Not surprisingly, New York has had the worst of this, as of most everything. Three years ago, the city was paralyzed and its horrendous traffic jams compounded when subways and buses stopped for several weeks. Last spring, the stink of refuse pervaded its concrete canyons when the garbage workers went on strike. Last fall, the teachers walked out precisely at a time when everybody was yea-saying the need for improved education in the slums. Over a million kids couldn't go to school until almost Thanksgiving time.

And even when there's no strike, the inefficiency of public services and their administrators is so stupendous that things never work well and often don't work at all. One snowfall, and New York stops dead for days.

In the last eight years, our farm population has declined more than five million. Rural centers have lost their vitality. Small towns are dying as their young people, lacking opportunities at home, follow unskilled farm labor to the cities.

The problem grows in geometric proportions, for when young people begin to leave, other young people soon follow. Cottonwood Falls, Kansas, is typical of what's happening all over the country. That little prairie town now has almost twice as many residents over the age of 65 than between the ages of 20 and 40.

Social momentum is history's toboggan ride: you get going faster and faster, and it's harder and harder to jump off. Perhaps we are doomed to lose our values, our freedom of choice, our good life. Until now, no society has been able to control inherent trends.

The question is whether this helplessness must still hold true today. Modern social science is observant; it quantifies and analyzes. Modern business is aware of social imperatives, if only for the excellent reason that tomorrow's profits depend on what happens today. Modern communications can prompt and guide the cooperation of individuals and groups across a whole continent. Modern government has become a social manager. We have the tools. We have seen the warnings.

But is there still time to reverse the trend, or at least control it? Can we do all the right things fast enough? What are the right things to do?

WE MUST STOP BOONDOGGLING

One thing is certain: disjointed, haphazard efforts will accomplish nothing. All the cries for law and order, all the speeches condemning "mod" immorality and juvenile delinquency, all the government studies and finger-in-the-dike programs float in a void.

"Black Capitalism," commendable as it may be, will not wipe out ghetto poverty. Welfare funds are wasted if they merely perpetuate existing conditions. Slum education leads nowhere when its recipients must stay in the slums. City-center beautification is an absurdity when the area all around decays. It hasn't helped Detroit, for instance, where brave new downtown buildings loom over terrorized, deserted streets at night. Equally futile in its limited scope is the federal "Model Cities" program, which would help rehabilitate one urban neighborhood in each city just to demonstrate what can be done.

New freeways are worse than useless if they result in further uncontrolled expansion of urban centers and thus bring additional traffic into congested areas. It now costs an estimated $20,000 for the additional facilities required to cram just one more car per day into Chicago or New York.

Government advisory committees are a laugh when, as happened last year, two such groups were hard at work duplicating each other's research. One was studying urban problems, the other suburban problems, and neither knew what the other was doing.

As Dr. Linley E. Juers, deputy administrator for economic research at the Department of Agriculture, says, "We have been living with a crisis orientation rather than with a planning orientation."

It goes without saying that our future is worth an all-out coordinated program. But how can we accomplish such a program when, as today, thousands of tiny governmental units all have their own say? When urban development is in the hands of countless entrepreneurs, each acting independently? When local zoning boards perpetuate ordinances that rule out intelligent design and effective action?

LACK OF CENTRAL AUTHORITY

It is evident that we cannot have an overall (or even regional) plan that actually works unless we accept some measure of overall (or regional) authority. Megalopolitan Chicago, with its more than 1,000 governmental units, simply cannot function as a whole. Nor can most cities over 50,000, with their astounding average of 90 different jurisdictions.

Of all our states, only Hawaii can—and does—exercise central authority to control the location and extent of urbanization throughout the entire state. Before any non-urban land is sacrificed to industry or mass housing, the State Land Use Commission passes on the project. If the proposed development encroaches on prime agricultural land, or land having recreational opportunities, or just plain scenic land, it is turned down.

A state relying as heavily on tourism as does Hawaii has a special incentive to preserve its natural splendors. But if such a procedure is workable in Hawaii, it can be employed with equal success elsewhere, even on a national scale.

Former Mayor Arthur Naftalin of Minneapolis has suggested a "national urban policy" that would provide for the "revitalization, expansion, and new growth of many of our existing small towns." It would also build "New Towns" from the ground up, such as Columbia, Maryland, and Jonathan, Minnesota. (Better Homes and Gardens reported fully on these New Towns in our September issue.)

As a first step, however, Naftalin believes such a policy must concern itself with the reconstruction of our big cities. "They and their metropolitan areas . . . are going to grow larger," he says. "We will not be able to reverse the trend of urban settlement."

This may be so. God help us if it is. But the editors of Better Homes and Gardens believe every effort must be made to slow and control the population implosion.

Most crucial in the overall picture is migration from the country to the big city, which has involved nearly 20 million people since 1940. Calvin L. Beale, the Agriculture Department's chief demographer, sees some encouragement because the size of the rural population did not change much last year. He thinks the major postwar adjustments are behind us, and that the farm population may well stabilize at its current 10 million.

RURAL PROGRAMS

However, Senator James Pearson from Kansas has projected that it takes 500,000 new jobs a year in our rural communities just to stay even. Pearson and about 30 other senators and representatives are sponsoring a Rural Job Development Act which would allow far-reaching tax incentives—including additional depreciation allowances—to businesses creating new jobs in our less-populated areas.

This is certainly a step in the right direction, as is the Department of Agriculture's new "Plant Location Center" under the direction of John R. Fernstrom. The Center has amassed pertinent information on rural areas for use by manufacturers interested in building new plants. More than 6,000 letters have gone out to small businesses, alerting them to this service. But the response so far has been less than encouraging. At this writing, only two companies have acted: a chocolate-drink manufacturer and a maker of steel joists.

WHERE OUR MEDIA FAIL

To get to the root of the problem requires not only a stronger government stance, but a deep involvement by industry, the public, and our communicators. The media—newspapers, magazines, television, radio, the movies—have created a national awareness of the city slum crisis, but they are still glamorizing big-city life, as if the two had nothing to do with each other.

Our young people are totally ignorant of the drab and difficult day-to-day existence facing urban residents when their wild-oat years are over and they finally settle down. At the same time, the media have failed to stimulate our young people's interest in smaller communities—failed to show how easy and pleasant, and yet how challenging, life in such circumstances can be.

Government, in turn, cannot make quelling ghetto misery its only major aim, any more than a doctor can cure an illness by merely alleviating its symptoms. Instead of pouring all its money into hopeful stopgap measures, the government in Washington must allocate significant funds to the planning and execution of a countrywide rejuvenation.

It must put its weight through the Congress, behind a simplified system of local jurisdictions. It must work with the private sector in building New Towns. It must enlarge the funding of the Economic Development Administration, one of whose jobs is to make public-project grants and loans to rural communities so they may find new life. It must encourage industry through tax incentives, and perhaps even direct subsidies, to locate in our smaller cities and towns.

The major support should go to locations that have an available labor supply and can grow to the point where investment makes modern community life possible. In addition to the basic industrial requirements of power, water, and transportation, this means sanitation, medical services, schools, libraries, churches, and a variety of cultural and recreational facilities. Without such incentives, communities just cannot hold or attract today's young people.

HOW BIG SHOULD A CITY BE?

At the same time, our sociologists must study the problem of optimum city size. What is the level of population and dollar investment at which a city works best? No community should be supported in its growth, or allow itself to grow, beyond that point.

But of all the forces that can combat the super-citification of American life, *business* offers by far the greatest promise, since conditions today actually favor decentralization. Long-distance communication and transportation have become easier and faster. There has been a burgeoning of light industry, which doesn't depend on proximity to raw materials. Local labor is available in greater numbers than ever before, due to the decline of agriculture, mining, and other industries that depend on local resources. The country is wide open for business!

Indeed, more and more forward-looking companies have found they can operate advantageously by expanding, perhaps even relocating, to areas outside the perimeters of our larger urban complexes. Of the 1.2 million jobs added each year to our economy since the early 1960s, fully one third were created in counties with no city as large as 50,000 population.

PIONEERS IN DECENTRALIZATION

Minnesota Mining and Manufacturing of St. Paul, for instance, has plants scattered throughout the country, mostly in small cities such as Medford, Oregon.

Baxter Laboratories, a major drug manufacturer headquartered in the Chicago area, started a plant in Mountain Home, Arkansas, in 1963, with less than 50 employees. Now almost 800 employees, drawn from a 50-mile radius, make hospital disposables, blood bags, and drugs.

Dow Chemical of Midland, Michigan, considered buying a New York skyscraper but then decided against it. With some exceptions, its branches have been located in non-urban communities such as Freeport, Texas; Russellville, Arkansas; and Findlay, Ohio. Overall, it now employs about 22,000 people in areas outside of super-cities.

Phillips Petroleum, of Bartlesville, Oklahoma—like Dow, one of the few billion-dollar American industries with a non-urban home base—has made it a point in the last three years to push development in rural areas that need employment opportunities. It has, for instance, established a plastic pipe plant in Pryor, Oklahoma, and assisted in developing a number of projects such as a tufted carpeting mill on the Crow Indian reservation in Montana.

McDonnell Douglas, the big aerospace manufacturer headquartered in St. Louis, has a specific program for locating parts plants in the rural areas of Tennessee, Arkansas, and South Carolina. It has trained and now employs up to 100 local people in each of eight small communities. If business conditions over the next few years permit, this program may be expanded.

Scovill Manufacturing Company is a major producer of housewares and other consumer items headquartered in Waterbury, Connecticut, but many of its branches are located in areas outside the super-city complexes. The Hamilton-Beach division, for example, recently moved from Racine, Wisconsin, to smaller towns; its manufacturing facilities, employing almost 1,600 people, are now in Clinton and Washington, North Carolina. Another division, which originally made time valves, aerosol valves, and fluid power products in a ten-story building in Brooklyn, New York, was split up according to product and relocated in Wake Forest, North Carolina; Dickson, Tennessee; and Manchester, New Hampshire.

PLANS PROSPER IN SMALL COMMUNITIES

Location outside urban centers rarely seems to cause major problems. If anything, the general atmosphere is more conducive to good business and happy employee relationships. Winnebago Industries, Inc., a manufacturer of camper vehicles in Forest City, Iowa, is a case in point. In ten years, its payroll rose from 13 to 1,000; each of the last five years, the company's sales volume has doubled.

"I don't believe," says Edward H. Wilson, manager of Winnebago's marketing services, "that our team effort or team atmosphere is usual in the large cities, where most of the employees have very little personal attachment with the corporation."

Regardless of the size of a new industry, its contribution to the local economy and the resultant standard of living is significant. In fact, a new firm has vastly more economic impact than bare employment and company profit statistics ever indicate at first glance.

THE OWENS-CORNING STORY

Take the case of Waxahachie, Texas. Until six years ago, when Owens-Corning Fiberglas moved in, the little town had little to look forward to. It wasn't exactly sleeping, but it was certainly getting drowsier by the day.

The Owens-Corning invasion was relatively modest; even today it involves only 251 employees. But it provided enough adrenalin to perk up local enthusiasm for new enterprises. Waxahachie got a new bank, new school, new supermarket, an apartment area, and a new motel. The reborn city has now attracted an Armstrong Cork factory as well. "Owens-Corning sure did a lot for this town," says James Taylor, head of the chamber of commerce.

The Texas move was typical of the Owens-Corning penchant for wide-open spaces. Only two of its 12 planned locations—Kansas City and Santa Clara—are names familiar to most Americans. Conversely, among its biggest operations are Aiken and Anderson, South Carolina, both relatively unknown, each with nearly 2,000 employees of the Owens-Corning company.

"We like plenty of room for our plants," says William W. Boeschenstein, the company's executive vice-president. "We avoid industrial parks or crowded industrial areas. We want easy expansion, without fear of butting up to neighbors or having to negotiate years later for adjoining property that has soared in value."

According to a recent study in Venango County, in the long-impoverished northwestern corner of Pennsylvania, each 100 new jobs in a community result in employment for 74 other people. They also increase local retail sales by $360,000 and add $270,000 to local bank deposits. Such facts take one of the major arguments out of complete business relocation.

WHY NOT MOVE WHOLE INDUSTRIES?

Faced by union pressures and fear of urban payroll depletion, government so far has not looked favorably on moving whole plants. Even the new Pearson legislation requires that, except where exemption is granted through bureaucratic channels, a new plant must recruit at least half of its labor force locally to be eligible for tax benefits. Yet it's fairly obvious that if you have a community with 1,000 unemployed, and you import 1,000 employees from outside, nearly all the local unemployed will soon find jobs in the service industries catering to the new population.

Nobody would suggest moving all or even most industry out of urban centers. So-called

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heavy industry is made up of huge operations whose removal would be a true blow to the economy of their current locations. Furthermore, plant production often depends on local natural resources or local marketing position.

Even with smaller businesses, it's a costly process to relocate labor forces, involving far more than their mere transportation. When you talk about moving hundreds and thousands, it means building whole new housing and commercial developments. It also means making sure that none of the relocated families lose money in the process. Industry alone may not be able to afford such an ambitious enterprise; this is another area where government could step in constructively.

There are many human factors involved in such a forced migration, and we don't want to be glib about that aspect. But executives and assorted specialists have been shifted around for years (often to less pleasing locations than the ones they left), and we see little reason why labor can't be sold on the *very real living advantages* to be gained in escaping congestion.

Not that any of this would be easy to accomplish. To reverse a social trend is a monumental, unprecedented task. To shape history rather than to let it happen, to master change rather than to be its servant, requires great purpose and great strength. The troubles of transition are not a sacrifice when they lead to a new and better life. Better Homes and Gardens believes Americans can muster the will, and will find the way.

MORATORIUM DAY ON IDAHO CAMPUSES

Mr. CHURCH. Mr. President, as at colleges and universities in other parts of the country, moratorium day is being observed today with peaceful demonstrations and discussions on most campuses in Idaho. In all, thousands of Idaho students are expected to join these gatherings to show their deep concern with continued American participation in the war.

In some cases, the moratorium day activities at Idaho colleges and universities will be extensive; at others, they will simply include discussions of the implications of this war for our Nation. But, large or small, formal or informal, these demonstrations are a manifestation of the growing realization, shared not only by young people, but by all Americans, that the time has come for the United States to cease its participation in the Vietnam war and turn the fighting back to the Vietnamese.

At the University of Idaho, moratorium day observances began yesterday with canvassing by students in the city of Moscow to stimulate local action against the war. Today's activities were scheduled to begin with a breakfast discussion, to be followed by a panel discussion in the early afternoon featuring physicists, sociologists, and scientists from the University of Idaho and nearby Washington State University at Pullman. Later in the afternoon, an antiwar play—"The Summer Tree," by Ron Cowen—will be staged on campus, and this evening full feature teach-ins on the war in university dormitories.

At Idaho State University, Pocatello, activities also began yesterday with a peace march through the city, culminating in a rally. Today's observances will feature a morning forum discussion and a reading of the names of war dead from Idaho. This afternoon, faculty members will lecture at the student union on various aspects of the war, then students will hold their own lecture series for members of the faculty on student concerns about the war.

At Boise State College, the day will be marked by an all-day open forum discussion of the war at the student union. In the early afternoon, there will be a silent vigil at the college's war memorial, and in the evening, a candlelight parade through Boise to the State capitol for a reading of the names of the Idaho war dead, to be followed by a prayer service at St. Michael's Episcopal Cathedral in which several other local churches will join.

At the College of Idaho, Caldwell, Moratorium Day was observed on Tuesday with a peaceful gathering of students to protest the war, and with discussion and singing.

At North Idaho Junior College, in Coeur d'Alene, today's observances will feature a panel discussion this afternoon on the implications of the war.

At the Lewis-Clark Normal School in Lewiston, activities will include discussions on the war in individual classrooms.

Mr. President, the war in Vietnam was caused by no one man and no one party, but it is the responsibility of all men and both parties to bring this war to an end. In the light of the thousands of lives being lost, there can be no stop in discussion and no halt to the necessity for leadership in terminating further American participation in the combat.

By their peaceful protest, Idaho young people—joined by many other thoughtful citizens—are acting today to show their concern. I commend them for their action.

WATER POLLUTION

Mr. NELSON. Mr. President, it is encouraging that public opinion and governmental action reflect the urgent need we have in this urbanized and industrialized country to come to grips with the problem of using and preserving the environment in which we live.

One area that is receiving particular attention in recent weeks is the area of water pollution. The species man is a land dweller, but is totally dependent on the vast amount of water on this planet for his survival. We are told that a man can survive without food for 3 weeks, but without water for only 3 days.

Until recently, however, man viewed the enormous supply of water available to him as an unlimited resource to be used for drinking, cleaning, recreation, and waste disposal without taking the precautions that would insure its continued use for future generations.

In regard to the problem of water pollution control, I would like to place several articles in the RECORD.

The article entitled "Lim Lab" describes the polluted condition of Lake Minnetonka and the efforts undertaken by Richard G. Gray, Sr., to create a $4 million fresh water biology laboratory there.

The second article sketches the danger of dense algae concentration, specifically in the Fox River in Wisconsin.

The third article indicates the efforts of the Department of Interior to investigate possible industrial polluters, again on the Fox River.

Finally, I insert an article reporting a speech calling for new approaches in fighting pollution.

Mr. President, I ask unanimous consent that the four articles be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Minneapolis (Minn.) Tribune, Sept. 7, 1969]

LIM LAB

(By Skip Heine)

"I woke up one morning last year and the smell from Lake Minnetonka was terrible. The condition of the lake was deplorable. Everybody was talking about doing something—but nothing was getting done."

So Richard G. Gray, Sr., an industrialist who has a home on Lake Minnetonka, started looking around for help. One of his first steps, along with banding together with friends who have houses around the lake, was to see Dr. Allen J. Brook, head of the University of Minnesota's Department of Ecology and Behavioral Biology.

And Gray got another surprise. As he put it, "I found there was no horse's mouth to turn to for information." He learned that nowhere in the nation was there a group of scientists from every related discipline working together to study lake problems.

In particular, he found that for a state with more than 15,000 lakes (10 acres or more in size), Minnesota had little study of lakes and streams—the science known as limnology—until about five years ago.

Clearly, in Gray's mind, it was time to do something. Last year he formed a fund committee to find money for a $4 million fresh water biology laboratory on Lake Minnetonka. The committee today is a long way from its goal. When the Lim Lab comes into existence, it will be staffed with University of Minnesota students and professors. Eventually, it will be turned over to the university.

"It's disappointing that Minnesota hasn't taken the lead in these studies," Dr. Brook said. "In fact, the world looked to Wisconsin and Indiana for answers."

The University of Wisconsin's limnology studies, unlike Gray's proposed program, are not totally devoted to solving the problems of lake pollution and accelerated aging.

But the Minnesotans had looked in the right direction. Members of the University of Wisconsin's Zoology department, now recognized nationally in their lake research, have been fighting to clean up the Madison, Wis., lakes since before the turn of the century. Madison's Lake Monona is a classic example of how persistent, and ultimately, how right the department's theories were.

In 1896 alarmed citizens of Madison asked advice to find effective means of stopping the growth of weeds and algae in Lake Monona. The scientists determined that municipal sewage would have to be diverted from that lake. For a while the advice went unheeded. Carloads of copper sulfate were used to poison the algae, but the program was curbed when dead fish floated to the surface. In the 1930s, the city got around to diverting the sewage into neighboring lakes Kegonsa and Waubesa. Enraged residents near those lakes sued the city and in 1941 the state legislature passed an antipollution bill aimed at that problem. Finally, in 1959, the effluent was diverted from those two lakes.

"It's interesting," said Dr. Arthur D. Hasler, director of the Limnology Lab in Madison, "how rapidly lake Monona began curing itself once the poisons and sewage were removed.

"This problem is not like some cancer. We know the causes and we know the cure. The problems are economic, political and plain cussedness. The cure is to put the lake on a diet."

Dr. Hasler gained national recognition for his discoveries on salmon migration and homing instincts, and he claims the distinction of being the first zoologist admitted into the National Academy of Sciences. He directs the research projects of graduate and post-graduate students at the "Lim Lab." Their work now varies from "The Physiology of the Black Bullhead, Ictalurus melas" to "Nutrient Availability of Lake Water and Sediments in Lake Wingra."

The five lakes near Madison plus an attractive two story building cantilevered over the waters of Lake Mendota constitute the limnology students' laboratory.

Two years ago, weeds had grown so thick in Lake Mendota that some citizens became aroused. Pamphlets were printed. Photographs showed two to three-hundred-yard-long weed beds, and ducks seemingly strangled to death by the plants. Committees were formed "to do something."

Then controversy arose over whether to use poisons or mechanically harvest the weeds. Dr. Hasler fumed publicly for months, cautioning the city that poisoning the weeds would add to the problem.

"It's stupid to be putting poisons in lakes," he snapped. "This isn't farmland where you can control the flow of poisons. And if you do poison the weeds they'll fall to the lake bottom. In the decomposition process, the weeds will take up oxygen and space needed by game fish. Once decomposed, the weeds will just add another nutrient to the lake."

Proponents of poisons prevailed. This year the poisons apparently have had little effect on the weed problem—and a different type of aquatic plant has moved onto the lake.

"But those people aren't the only ones at fault," remarked the professor. "Our own university is contributing to this problem by dumping concrete into the lake. And almost every construction on this campus has contributed to the silt in the lake."

Dr. Hasler believes that filling the lake bottoms upsets conditions needed by some game fish. Many lakes, he explained, have a layer of cooler, oxygenated water on the bottom which is the natural habitat of fish such as the lake trout. Dr. Hasler argues that by forcing the cool layer closer to the heat of the surface, the proper balance of temperature and oxygen is lost and the result is that some game fish will relocate and some will die.

Dr. Hasler believes this process of upsetting natural habitat is now going on in Lake Superior because of the taconite dumpings.

"I was able to get one consultant for the taconite industry in Minnesota to withdraw his testimony on moral grounds. He was to testify that taconite is not harmful to fish," said Dr. Hasler, "But, dammit, the fact is you don't fill up lake bottoms and he knows it!"

Although engaged in a variety of research projects, Dr. Hasler's staff seems to echo his concerns for the future of the lakes. Tom Wissing has been studying the Madison lakes for five years. His studies have centered around the physiological process of aquatic animal growth, but he hasn't become so involved that he can't see the lake for the microcrustaceans.

"I've been here five years and have seen the lakes go downhill. Two years ago we could fish in University Bay of Lake Mendota and now you can't. Last year we had a problem with rooted weeds—now there is trouble with a non-rooted variety.

"Engineers say, 'Give us X amount of dollars and we'll clean it up. You may not have any fish but the waters will be clean.'"

Mits Teraguchi, a Canadian-born graduate student, is involved in an obscure sounding, but highly relevant project titled: Vertical Distribution and Migration of Mysis relicta Loven in Green Lake, Wisconsin.

Mysis relicta, a microorganism left behind by the glaciers, is an excellent fish food. It is also highly sensitive to changes in temperature and oxygen and can't be expected to survive in a lake that is aging at an accelerated rate. This animal has been absent from Lake Mendota waters for years.

However, when planted in Kootenay Lake, in British Columbia, the fish size and population increased significantly. Mysis relicta is found in many healthy lakes and is not considered an unnatural, or "exotic" animal.

"I'm not saying we shouldn't change the lake's environment," Dr. Hasler said, "we should direct it. The laws are asinine. Nothing should be used until it has been tested.

"As it stands now we say we'll try it until we get into trouble. It isn't the young people who want to use poisons, it's my age class which is in authority. We've got to get them to change their ways. Decisions must be made in the next ten years or the younger generation will lose out.

"And we've got to stop using the term, aging," he continued. He believes the term is sometimes misused to indicate that the alteration of a lake by pollution is a natural process. "Hell, all lakes are aging. Lake Erie will be around 40,000 more years . . . yet it's so poisoned now that it's almost unusable."

"Even people in the University have to realize the relevance of their data in a practical way," commented Mits Teraguchi. "The public is getting too smart to allow professors to remain in their ivory towers."

[From the Appleton (Wis.) Post-Crescent, Aug. 31, 1969]

DENSE ALGAE CONCENTRATION COULD CAUSE FISH KILL IN LOWER FOX

(By Tom Torinus)

Tons of algae pouring from pea-green Lake Winnebago into the Fox River is consuming oxygen in the water and threatening the lives of fish.

"I have been expecting to hear about a big fish kill in the river," said Dick Harris, district fish manager for the State Department of Natural Resources, Friday.

Other state and industry pollution experts who watch the river closely agree that the situation is worse than in previous years and has reached the critical stage for fish life. A few cloudy days or even rainfall could make it worse.

Carl Blabaum, a top water pollution official of the Department of Natural Resources, Friday called the situation "pretty darn dangerous."

WINNEBAGO KILL

Apparently there is no imminent threat to the fish in Lake Winnebago. However, R. M. Billings, assistant to the vice president of research and engineering for Kimberly Clark Corp., said Friday, "If we don't get some help, we're going to get fish kill there too."

An unusual set of conditions pose the threat. Normally at this time of year warm weather increases the activity of bacteria in the water which use up more dissolved oxygen. At the same time the flow of the river becomes sluggish due to low water. That means there is less water to supply dissolved oxygen.

Because of these conditions dissolved oxygen levels in the river always are lowest in August.

ALGAE ROTTING

This year the unusually heavy load of rotting algae has driven the levels lower than they have been for some time. The algae, like other pollutants, use up oxygen in the water as they decompose.

Lake Winnebago and the river have been spared the full effect of the algae thus far because the days have been sunny and clear. In weather like this, when sunlight is reaching the algae, it grows and blooms.

However, cloudy weather now, or even a rainfall that would cloud the waters, could start a massive algae die-off. That would expend much of the scarce oxygen left in the water and hurt the fish.

TOLERANCE LEVEL

On Friday morning a dissolved oxygen reading of only .8 parts per million was recorded near the mouth of the Fox at Green Bay. The tolerance level for even the heartiest of the rough fish is considered to be about 1 part per million.

Such low oxygen levels could hit the fish at the time of the year when they are weakest, compounding the ill effects.

A lock tender at the Rapid Croche Dam below Kaukauna said late Friday that carp and other rough fish already had begun to die there in small numbers. The dissolved oxygen reading there Thursday had been 2.0 parts per million, but the level had been dropping for several days. It was 5.9 Aug. 7, fell to 2.8 on Aug. 21, then to 2.2 Wednesday.

Billings said the slow rate of decline in dissolved oxygen may have helped the fish get acclimated to the low levels, but he speculated that they could not live for extended periods in water less than 1 part per million.

MORE OXYGEN

Not all fish in the river, which include some northern pike and many perch as well as carp and suckers, would be severely affected by the lack of oxygen. There are spots in the river, where air is added to the water. Fish who find a spot like this will stay there to protect themselves.

Harris said there have been fish kills in the Fox in past years, but this year the algae condition seems to be especially bad.

Billings calculates that up to 332 tons per day of algae have been pouring over the Neenah dam into the river. The figure varies each year but has not exceeded 300 tons per day in the previous five years.

FOUL ODORS

James Lissack, district supervisor for the state Department of Natural Resources, said the algae decomposition in the river could result in foul odors as well as a fish kill. As the rotting algae pile up in backwaters and stagnant bays the odor would become pronounced.

He, too, points to the extended period of sunny weather. Cloudy weather now, he feels, "could cause a severe drop in dissolved oxygen levels."

A good example of what might happen occurred in stagnant water near the intake to the Menasha water plant last week. Rotting algae built up, causing the odor, and some fish died.

FOX HIT FIRST

The Fox would be hit before Lake Winnebago because it carries a heavy load of pollutants from paper mills and municipal sewage treatment plants not carried by the lake. These pollutants use up dissolved oxygen in their decomposition process, too, and keep the river levels below those in the lake. When the algae hit, therefore, the river already is at a disadvantage.

However, if the algae die-off were extremely bad, the lake could be affected.

The quality of the Fox River actually has been improving for the past few years, at least in terms of dissolved oxygen.

READINGS BETTER

Dissolved oxygen readings below 1 part per million were common in August 1965 and the levels fell below 1 during a short period in August 1966, but in 1967 and 1968 there were no readings below 2.

Billings and state officials attribute the improvement to several factors: the higher flow of the Fox in recent years, the discontinuance of sulphite pulping operations at the Kimberly mill of Kimberly-Clark and the installation of pollution abatement equipment by industry.

As a result of the improvement in the past few years more fish have come into the Fox and reproduction has taken place. "We have been working to improve the river, and we have done it," Billings said. "Now Mother Nature comes along and destroys our efforts."

[From the Appleton (Wis.) Post-Crescent, Aug. 31, 1969]

Pulp, Paper Mills on Fox To Be Probed for Pollution—Determine Effects on Green Bay

(By Frances McKusick)

Washington.—Pulp and paper mills discharging waste into Wisconsin's Fox River will be investigated in the near future by the U.S. Department of the Interior to determine the pollutant effect on Green Bay.

This information was disclosed to The Post-Crescent today by Carl L. Klein, assistant secretary of the interior for water quality. Klein Wednesday announced that the department was moving to crack down on pollution in the Great Lakes area.

A native of Ashland, Wis., Klein said he is personally familiar with conditions in the Fox Valley.

"Off hand I would say that the majority of the pollution being discharged in the Fox River and carried down into Green Bay comes from the pulp and paper mills in Neenah-Menasha and near Appleton," Klein said.

OTHER COMMISSIONERS

Investigators, according to Klein, "either have been in the Appleton-Green Bay area to study the water pollution, are there now or soon will be, Klein said he could not definitely say just where the investigators are because they are under the jurisdiction of other commissioners, but he emphasized that the investigation, if not already under way, certainly will begin soon.

The task force investigation of the Wisconsin area, which also includes Racine, is part of a plan being used by Interior in hopes that Lake Michigan water pollution can be or will be abated.

The Interior Department announced Wednesday it will use a 1965 federal law in hopes that it can bring the polluters of Lake Erie under order quickly.

Simultaneously under the 1965 law, the department brought action against polluters of interstate waterways in Kansas, Oklahoma and Ohio.

HICKEL ORDER

Interior Secretary Walter J. Hickel has ordered hearings and given the polluters six months to stop violating water quality standards. Otherwise, polluters will be taken to court, Hickel announced.

These six months' periods of grace given firms polluting water comes under a 1965 law. Previous federal action against water polluters were invoked under another law requiring the government to give the polluters 18 months before seeking a court abatement order.

"Congress soon will be asked to amend the present 18 month law so that we can enforce compliance within a shorter time, especially in serious cases," Klein said.

[From the Appleton (Wis.) Post-Crescent, Sept. 11, 1969]

New Approaches Needed To Fight Pollution: Lynch

Someday, if we are ever to lick the pollution problem, we may have to adopt the philosophy that the producers of pollutants must be responsible for its ultimate disposal, a well known conservationist told the Kiwanis Club of West Allis at a recent meeting.

The speaker Russ Lynch, past chairman of the state natural resources board, said he has suggested to Gov. Knowles that the state take the lead in taxing producers of pollutants, such as bottles and cans, at the jobber level. Costs of pollution, he said, should not be borne by local governments.

Lynch added that probably this wasn't exactly the way to tackle the problem of waste control, "but I think something of the sort must be done."

Makers of bottles and cans could do a good job of recovering, Lynch said, and said the Wall Street Journal recently reported that Reynolds Metals Co. is paying ½ cents for the return of aluminum cans in the Los Angeles and Miami areas.

"We're going to see more of this," Lynch predicted.

It costs money to restore and protect our environment and in this era of tax rebellion, programs may be hard to put across. However, Lynch pointed out, this country spends $890 million for pet food, $5 billion for cosmetics, and billions for beer and liquor.

"I like pets. I like to see good looking women. I like whisky. I'm not suggesting we do without these pleasures, but I do suggest that they cannot come before vital necessities and protection of the environment is vital," he said.

Lynch traced the beginnings of awareness of pollution. Human excrement was identified as the source of disease bacteria less than a century ago. Sewage treatment followed. The first trickling filter was installed in the 1890's and the first major activated sludge plant in the nation was built in Milwaukee in 1920.

Other contaminants were recognized as time went on, but the word "pollution" has only fairly recently been used to include all materials.

Pollution increased much faster than knowledge and action. World War II held up construction of sewers and treatment facilities but fostered a technological explosion which produced a flood of new and often complicated pollutants. "And science has not determined what these things may do to people over a long term," he added.

Action in the 1960's to control pollution should have been done in the 1940's, Lynch declared. After the war there were delays extended by permissiveness. "We have never caught up . . . at the rate we are moving, we never will," he predicted.

The Water Resources Act passed by the legislature in 1965 was the first major step in providing money and manpower to combat pollution.

Man doesn't actually know what remains in the effluent of treated sewage, Lynch said. Material that resists treatment is called refractory. He said that Chicago, which has one of the most efficient treatment plants in the country daily had 1,800 tons of refractory material in their plant's effluent.

Fifty treatment plants are under construction in the state, and there should be 30 new ones in the next few years. River basins in the state are being checked once in four years. The state is sampling monthly at 35 locations, most along the state line. Eventually, if funds are provided, there will be 10 automatic sampling stations along the major rivers.

Imaginative approaches to some problems are needed, Lynch said, old ways will not do the job. Solution for most waste problems is essentially simple, Lynch said; establish a reuse cycle. "But in our affluent, profligate and undisciplined society, it is easier to throw away something and replace it."

TAX REFORM NO. 1: DEMOCRATIC STUDY GROUP TAX REFORM FACT BOOK

Mr. METCALF. Mr. President, on October 8, the Committee on Finance completed its hearings on the House-passed tax reform bill and the following day began executive sessions to mark up its version of the bill. It is already apparent that when the bill reaches the Senate floor for debate and amendment it will take a substantial amount of work to shape that bill into a vehicle for meaningful tax reform this year.

At my request, the Democratic Study Group—DSG—in the House of Representatives has updated its Tax Reform Fact Book to reflect final House action, and over the next week or so, I plan to insert that book into the Record a section at a time so that my colleagues will have access to this highly valuable research tool in advance of the bill being reported out of committee. At the same time, I shall comment on developments that have occurred since the book was updated, since this matter has been moving along at a rather rapid pace in the Senate. One of the things I shall try to comment upon as these sections are introduced each day is the administration's shift in policy in many of these areas over the last several months.

I am referring to the differences between the testimony of Treasury officials when they testified before the House Committee on Ways and Means last April and the testimony of those same officials before the Senate Committee on Finance last month. I should point out that on September 30, Treasury officials submitted a technical memorandum of their positions on the bill that reflects a significant shift in attitude in many important reform areas from the administration's position last April. Since part 1 of the hearings before the Senate Finance Committee has now been printed the statements and latest recommendations of the Treasury Department are now available to each of us to examine for ourselves.

As a former member of both the House Ways and Means Committee and the Senate Finance Committee, I recommend the revised edition of the DSG Tax Reform Book to Members of Congress as a highly professional and useful document.

Mr. President, I ask unanimous consent to have printed in the Record the introductory section of the DSG Fact Book on Tax Reform. Tomorrow I shall place in the Record the section which discusses the taxation of oil, gas, and minerals.

There being no objection, the introduction was ordered to be printed in the Record, as follows:

DSG Tax Reform Fact Book

INTRODUCTION

This DSG Fact Book is intended to provide a better understanding of one of the most complex and sensitive issues before this Congress. It has been specifically designed to serve as a yardstick for measuring tax reform measures which come before Congress and to assist Members in answering constituent inquiries and devising additional legislative proposals.

Background

The pressure for tax reform has grown steadily in recent years as inequities in the Federal tax system became impossible to ignore.

Recent reform efforts, mainly in 1962 and 1964, were limited to such items as minimum standard deduction, curbs on expense account deductions, repeal of the dividend credit, fuller taxation of foreign tax-haven corporations, and a limit on use of multiple properties for computing depletion.

But the glaring loopholes that enable special interests and the wealthy to avoid paying their fair share of the tax burden have been largely ignored, while public confidence in the basic fairness of the tax system has steadily eroded.

Public disenchantment and anger increased significantly within the past year with disclosure that more than 24,000 individuals with adjusted gross incomes of $10,000 or more paid not one cent in federal taxes in 1964. The amount of income involved exceeded $500 million. A similar study revealed that 21 millionaires and 134 other wealthy individuals whose incomes exceeded $200,000 paid no federal taxes whatsoever in 1967.

In contrast, 2.2 million families with incomes below the poverty level in 1967 were required to pay some $100 million in federal income taxes.

These disclosures were made in a series of studies prepared by the U.S. Treasury in response to a provision of the 1968 Revenue and Expenditure Control Act and made public in December of last year.

The Treasury findings and recommendations served as a focus for comprehensive tax reform hearings by the Ways and Means Committee earlier this year and stimulated the Nixon Administration to propose some preliminary tax reforms to Congress in April, and promise more later.

As a result of this activity, two tax reform proposals—repeal of the 7% investment tax credit and adoption of a low income allowance—were included in the surtax bill that passed the House, 210–205, late in June.

The meaning of meaningful tax reform

The Internal Revenue Code is a voluminous document that begins with a simple statement that all income shall be subject to taxation. The balance of the code consists of page after page of exceptions to this clearly-defined principle.

Tax reform is an effort to improve or repeal exceptions and exemptions that are unwarranted or obsolete, and to assure that the tax system is fair and just to all segments of our society.

Thus the AFL–CIO, and other elements in American society, call for a thorough overhaul of the federal income tax structure to accomplish three objectives:

(1) Elimination of special tax privilege loopholes for wealthy families and businesses;

(2) Removal from the tax rolls of the impoverished; and

(3) Reduction in the relative tax burden for low and moderate income families.

That such reform is sorely needed was documented by the U.S. Treasury Department last year in a series of studies which noted that "our individual income tax system has developed great disparity and unfairness."

The Treasury study then went on to define tax reform as an effort to promote four general goals:

(1) Keeping tax burden in line with ability to pay: "The ability to pay objective is basic to our tax system. Factors which are generally accepted as influencing taxpayers' ability to pay taxes are income, family size, and to some extent personal and business expenses including those related to the earning of income."

(2) Equity of tax burdens among similar taxpayers and between dissimilar taxpayers: "The equity objective is twofold: taxpayers similarly situated should pay equal amounts of tax and dissimilar taxpayers should pay unequal amounts of tax according to their different abilities to pay. And, in keeping with the general progressive nature of our tax structure, high-income individuals should pay a larger share of their incomes in tax than is required of lower income individuals."

(3) Tax simplicity: "Tax simplicity is encouraged in instances where complex provisions are apt to produce undesirable taxpayer errors which lead to incorrect allocations of tax burdens, where the vast majority of taxpayers can be spared computational and record-keeping tasks without the sacrifice of fairness, and where tax administration can be made more efficient."

(4) Neutrality of the tax system in economic decisions: "Neutrality of the tax system is an objective because it is generally undesirable for special provisions of the income tax to influence the outcome of economic decisions of taxpayers, since otherwise investment resources are misallocated where tax savings through special preferences are considered."

Supplemental tax materials

Several excellent tax reform publications are available to Members and their staffs to supplement information in this DSG Fact Book. Among the most useful are the following:

"Tax Reform Studies and Proposals": A joint publication of the Ways and Means Committee and the Senate Finance Committee. The 4-volume series includes the full text of Treasury studies and recommendations submitted to Congress on December 18, 1968, in compliance with the 1968 Revenue and Expenditure Control Act.

"Tax Reform, 1969": This is the 15-volume printed record of this year's Ways and Means Committee hearings. Volume 14 contains the full text of Administration proposals and accompanying Treasury explanations. It includes testimony of 350 witnesses plus statements and other material submitted by hundreds of others. The tax policy position of nearly every important organization in the country is outlined in this well-indexed series. It can be helpful in determining the "politics" of specific, and often highly technical, tax proposals.

"The Case for Tax Justice": A 15-page reprint from an AFL–CIO magazine that provides accurate and easy-to-read explanations of all the important tax reform issues. Included are sections on capital gains, depletion, real estate, farm investments, foundations, conglomerates, and tax relief. It is especially valuable as a source of speech and newsletter material.

DSG Fact Sheets Nos. 91–6 and 91–7: DSG Fact Sheet No. 91–6, June 23, 1969, includes information on repeal of the 7% investment credit and the low-income allowance which were adopted by the House in June. DSG Fact Sheet 91–7, August 4, 1969, contains a summary of the basic provisions of the tax reform bill reported by Ways and Means on July 31, 1969.

How to use this DSG Fact Book

This fact book provides basic information on the major tax reform proposals being discussed or acted upon in the current tax reform effort. The information is presented in standardized form for easy reference purposes.

The 32 reform proposals treated in this fact book do not, of course, represent a comprehensive list of tax reform possibilities. The 32 do, however, deal with the most obvious problem situations. Each has been involved in one or more of the following: Bills introduced in the House, the Treasury studies, Administration recommendations, and Ways and Means hearings.

A separate fact sheet has been prepared on each reform, with the various fact sheets divided into sections depending on the type of reform involved.

Each fact sheet contains the following standard information:

The Problem: This section is designed to put the situation in perspective. In most cases it provides some historical background and shows how a certain kind of tax shelter, loophole, or other avoidance device works.

Present law: This is merely a statement of the law in the problem area involved. More complete information can usually be obtained by referring back to discussions in Treasury's "Tax Reform Studies and Proposals."

Pending proposals: This identifies the most important legislative proposals dealing with each reform. Identical or similar bills also are listed. Bill numbers can be used in checking the "Legislative Calendar" of Ways and Means to ascertain the names of Members sponsoring the various bills.

Revenue impact: This is the latest official estimate published in material that is generally available. It normally is a one-year figure developed in the Treasury studies.

Proponents and opponents: This section attempts to identify the major proponents and opponents of the various reform proposals. When specific organizations (NAM, AMA, UAW, etc.) are mentioned in this section, it indicates their testimony and/or statements are published in the Ways and Means hearing record. The index in any of the 15 volumes can be consulted for page numbers of these presentations.

Administration action: When this section refers to last December's Treasury recommendations, it means the problem area is covered in Treasury's "Tax Reform Studies and Proposals." When a Nixon Administration proposal is mentioned, it means full information on it can be found in Volume 14 of the Ways and Means hearing record.

House action: This section covers House action, if any, on the tax reform proposal described.

Resource references: This identifies the number of the Treasury study or Committee hearings volume or other sources where testimony, explanations, or other information on the problem area involved can be found.

WITHDRAWAL OF AMERICAN FORCES FROM VIETNAM

Mr. MOSS. Mr. President, if anyone needs an example of the fact that the proposal to withdraw American forces from Vietnam is gaining widespread support, I discovered one today. In lookng through the October issue of Nation's Business, official publication of the U.S. Chamber of Commerce, I noted an article entitled "Prolonged Agony." The author of the article is Alden Sypher, former editor and publisher of Nation's Business.

Because the article comes to the same conclusion about the necessity of pulling our troops out of Vietnam as I expressed in the Senate on Monday and because of the prominence of the publication from which it comes, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PROLONGED AGONY

(By Alden H. Sypher)

There can be little doubt that Ho Chi Minh knew long ago that his skinny little soldiers —deadly as they were—were no match for the military might of the United States.

Nor can there be much doubt Ho knew that since he couldn't beat this vastly superior force in battle, his only chance to win the war was to cause his enemy to give up and go home in frustration and despair.

This the late North Vietnamese leader could do by cutting public support at home out from under this superior force—a time-taking process. Thus he needed a long war. This called for a strategy of attack and drift away.

"The American people's movement against the United States war in Viet Nam has drawn more people of various strata—youths, students, women, colored Americans, intellectuals, cultural and art workers, religious people, working people and businessmen," Radio Hanoi blared two years ago.

"This movement gives strong expression to its firm resolution of demanding that the U.S. government end its war in Viet Nam."

The occasion was announcement of a new committee of the National Liberation Front, the political arm of the Viet Cong, to encourage Americans who opposed the war and to urge others to adopt that point of view.

Thus a campaign carried on for years to build world opinion sympathetic to Hanoi among communists, friends of communism, neutrals and uncommitted Western countries was aimed also directly at the United States.

While few Americans find the National Liberation Front a convincing source of news or attitudes, the positions of many may have been influenced by opinions arising in Stockholm, or Oslo, or other friendly nations—opinions that may have been planted by Hanoi.

The fact that a movement in this country such as that described by Radio Hanoi was at the time demanding that the U.S. government end the war in Viet Nam, and doing it with great effect, may have been only coincidence—or it may have inspired the Hanoi line.

Or it may have been that more and more Americans were getting tired of war, another objective of Ho's long war strategy.

It's already the longest war in American history.

Until Viet Nam, the longest war was the American Revolution, which ended after six and one-half years with Cornwallis' surrender at Yorktown in 1781.

Our participation in the Viet Nam war started in 1950, when President Truman announced that to assist the new state of South Viet Nam he would send a 35-man Military Assistance Advisory group to give advice on the use of American weapons. Seven years later, the first Americans were injured by enemy fire. Another six years passed before U.S. strength reached 15,000 men.

It's a war whose start was as unrealistic as is this country's inability to end it.

Determined to achieve independence from France at the close of World War II, Ho Chi Minh on Sept. 2, 1945, announced creation of the Democratic Republic of Viet Nam.

France recognized the new nation as a free state within the French union six months later but a series of misunderstandings over the terms incredibly led in December, 1946, to the French-Viet Minh war—a conflict the French finally lost after the collapse of resistance at Dienbienphu in 1954.

During this war the French were instrumental in forming the state of South Viet Nam as a rallying point for noncommunist strength to be used against Ho Chi Minh.

When the French were beaten we moved in to prevent the annihilation threatening South Viet Nam, and to help that country carry on its fight against the communist North.

This war is frustrating to many Americans, but far more frustrating to the people we seek to help. For the war we take part in is the most destructive kind possible, barring nuclear explosions. And it is being fought right across their farms and villages and cities, as well as across their jungles, swamps and mountains.

South Vietnamese civilian casualties serious enough to require hospital treatment averaged nearly 10,000 a month last year. In the Tet offensive of 1968 alone, the South Vietnamese government reports, 7,424 civilians were killed and 15,434 were wounded. As in any civil war the people on both sides look alike. Their ideology doesn't show on their faces, nor in their dress. So we always have difficulty in separating the Viet Cong from the South Vietnamese.

Elaborate schemes have been worked out to identify the many thousands of Viet Cong agents who wander freely in the South, and to check their ability to gather intelligence and enlist support and supporters.

Under a plan used during the command of Gen. William C. Westmoreland, entire villages were cordoned off while hundreds of the very citizens whose freedom and independence we fight to preserve were held under guard and screened for Cong agents and sympathizers.

This must have alienated village after village of Vietnamese who prior to such treatment may have been friendly to the Americans. The effort produced little result.

A following program called Operation Phoenix is said to have been worked out by the Central Intelligence Agency. It is proving to be little, if any, more effective.

The reason for these failures is of particular interest to Americans fighting the Cong. It illustrates one of the principal reasons the war is not being won.

The South Vietnamese act more sympathetically toward suspected Cong leaders than they do toward Americans. In some cases they may be motivated more by fear than sympathy, but the result is the same.

Operation Phoenix began in mid-1968. The object is to identify and destroy, by arrest and jailing, the Viet Cong structure known to be operating in nearly every city and village in South Viet Nam. Within this structure are enemy intelligence agents, saboteurs, organizers and sometime specialists in various fields.

Through this apparatus there is a steady flow of information, supplies and recruits to the Viet Cong.

Several hundred teams were formed under the Phoenix plan, enough to cover nearly all the provinces, districts and cities in the South. On each team are South Vietnamese soldiers, intelligence officers and government representatives, and one or two American advisers.

Each team compiles and maintains a list of Cong agents supporters and sympathizers in its territory.

When sufficient evidence is assembled to identify a Cong agent or supporter, members of the team contact the suspect. First they try to persuade him to defect to the South. Failing that, they arrest him. Some are said to have been shot.

Arrested suspects are interrogated intensively about the apparatus. Local area authorities must be convinced there is sufficient evidence against the suspect before he may be turned over to the province security council.

The council—the province chief, a local judge and six policemen—usually passes judgment on the basis of investigation reports. It seldom hears witnesses or sees the suspect. As many as 30 cases are considered at a single weekly session.

If the council is convinced the suspect is a Viet Cong agent or organizer, he is subject to two years in jail.

But hardly any get that severe a penalty. Of the more than 25,000 suspects picked up by Phoenix teams in their first year of operation, more than 80 per cent have gone free, have been allowed to escape or have been given very short jail terms.

Fewer than 20 per cent have been sentenced to a year or more.

Why?

"Many of them just go out the back door of the jail," Jack Mason, the head of American advisers to the program, told a *New York Times* reporter. "We know that."

"Favoritism is a part of it. Sometimes family relationships are involved. We know very well that if one of our units picks up the district chief's brother-in-law, he's going to be released."

Bribery also plays a part, and so does the common knowledge that getting along with the Viet Cong is a good way to stay alive.

Also, the growing efforts of the United States to end the war are causing many Vietnamese to think twice before crossing the Cong, for today's underground leaders might surface after peace as tomorrow's above-ground leaders.

It's an unusual war in many ways.

For the first time in its history, this nation has become entangled in a war that seems to have no possible clear conclusion.

It's a war from which we cannot extricate ourselves.

We've been trying to do that for 4½ years through bombardment, through halting bombardment, by offers of billions for Southeast Asia aid, through proposals that almost are pleadings.

It appears now that President Nixon is without alternatives—that his only hope of ending the war for us is withdrawal.

If that's the case, we'd better withdraw.

For this has become a war with no possible winners. Only losers.

PRESIDENT'S COMMISSION URGES RATIFICATION OF THE HUMAN RIGHTS CONVENTIONS

Mr. PROXMIRE. Mr. President, this month a special committee of lawyers of the President's Commission for the Observance of Human Rights Year 1968 released a report on the treatymaking power of the United States in human rights matters. The report was prepared under the chairmanship of retired Supreme Court Justice Tom C. Clark and was presented to Averell Harriman, Chairman of the President's Commission.

The conclusion of the report represents a telling argument in behalf of the human rights conventions. The report perceptively observes how "anachronistic" it is to raise questions about the treatymaking power of the United States at this late date, particularly since it has been nearly a quarter of a century since the first human rights conventions were presented to the Senate.

Mr. President, I ask unanimous consent that the conclusion of the lawyer's committee report be printed in the RECORD.

There being no objection, the conclusion was ordered to be printed in the RECORD, as follows:

CONCLUSION

Treaties which deal with the rights of individuals within their own countries as a matter of international concern may be a proper exercise of the treatymaking power of the United States. This conclusion is supported by the past treatymaking practice of this country. Each human rights treaty must be examined in the light of two legal criteria:

1. Whether the treaty's subject matter is of international concern to the United States because the exchange of international legal obligation would serve U.S. interests.
2. Whether any of the provisions of the proposed treaty conflict with the U.S. Constitution in a manner that cannot be cured by a reservation.

The legal profession should assign a high priority to the examination of proposed human rights treaties in the light of these criteria, assuming that such treaties are found to be otherwise desirable.

It may seem almost anachronistic that

this question continues to be raised. It is nearly a quarter of a century since this country used the treaty power to become a party to the U.N. Charter one of whose basic purposes is the promotion of human rights for all. The list of parties to the various human rights treaties proposed by the U.N. has become longer each year. In each of the last 2 years the U.S. Senate has approved a human rights treaty without a single dissenting vote. In December 1968 the Chief Justice of the United States noted that "We as a nation should have been the first to ratify the Genocide Convention and the Race Discrimination Convention. And yet the suggestion persists that this Nation is constitutionally impotent to do what we and the rest of the world have, in fact, been doing.

THE WAR IN VIETNAM

Mr. RIBICOFF. Mr. President, the mood of this country is uncertain, bitter and confused. At the heart of our troubles is the war in Vietnam. A rising crescendo of anguish can be heard as thousands of Americans continue to be killed and maimed in a war seemingly without end.

The administration has met this outcry with a plea for more time—for more support. But time and support have been exhausted over the last 4 years.

If, as Secretary of State Rogers has stated, we are to take risks for peace, let us begin now.

I am pleased to have cosponsored resolutions introduced to make clear our commitment to prompt disengagement and withdrawal from Vietnam. But the matter does not end here. We must do more.

First, we should immediately respond to the drop in casualties just announced for the last 2 weeks. The rate of 64 casualties for the first week in October is the lowest in 3 years.

We should accept this as a "signal" that the enemy is willing to disengage from full-scale activity. In response we should announce that our forces will cease battle activity in those areas where the enemy does. Too often in the recent past, we have ignored indications that the enemy was willing to lower the war's intensity.

Next, we must establish our independence in South Vietnam. The time has come to address ourselves to the end of the war, not the continuation in power of Messrs. Thieu and Ky. We should encourage the establishment of an interim government to bring peace to Vietnam.

Finally, we must begin to look beyond the immediate end of the hostilities to our responsibility to the South Vietnamese people. We cannot walk away from Vietnam without concerning ourselves with the fate of the millions of refugees there and the need throughout Southeast Asia for economic development and stability.

I have no doubt that the President, as all Americans, wants to see this war brought to a prompt conclusion. The President pledged during his campaign that he would make the ending of the war the first order of national business. He promised "new leadership" to find peace in Vietnam. The public has been willing to ignore as rhetoric the reference to Vietnam as our "finest hour" and to President Thieu as a "great politician."

I am also confident that the President would like to decrease our casualties if possible. However, to do so, we must be ready to respond as quickly to what the enemy does as to what he says.

We should respond immediately to the recent significant decline in American casualties. We should "accept" this as an enemy "signal" and announce that, in response, our troops will cease activity in those areas where the enemy does. If the Vietcong continue to fight, they will bear the burden for escalating the war.

Too often in the past we have missed such opportunities. In August, the State and Defense Departments quibbled about the significance of the reports that the North Vietnam infiltration rate was down substantially. We took no action.

In September, by our confused reaction, we lost the opportunity to extend the 3-day cease-fire following Ho Chi Minh's death. The administration initially stated it would not observe the cease-fire, then stated we would follow the lead of President Thieu and finally observed the cease-fire without him.

The inexplicable 36-hour bombing halt in the south immediately followed. It was almost over as it was announced. There supposedly had been no "adequate" response from the North Vietnamese.

As usual, we have been assured that the present lull will soon be followed by a new enemy offensive. If we wait long enough and keep fighting hard enough, increased enemy activity surely will follow.

We have had enough self-fulfilling prophecies about the nonexistence of peace feelers and peace signals in Vietnam.

During the Cuban missile crisis, we could have disputed at great length whether Khrushchev meant the offer of peace in his first letter or the threat of war in his second. Instead, we seized the initiative and responded to what we interpreted as his offer of settlement and thereby helped to bring that critical interlude to a successful close.

This same imagination and courage should have been shown last August when reports began to arrive that fewer North Vietnamese were in the south—last September when the possibility of an extended cease fire was available—and a few days ago when the reports of a lowered level of hostilities were received.

This administration must be skillful as well as powerful in the arena of international affairs.

Any acceptance of a peace signal will raise the possibility of independent actions by the Thieu regime as demonstrated by the recent dispute concerning the 3-day cease-fire. President Thieu, on the basis of his past actions and deeds, may well decide to undermine any arrangements by insisting that he will fight on.

This problem only illustrates the fact that the greatest barrier to any settlement of the war in South Vietnam is the present South Vietnam Government, in particular President Thieu and Vice President Ky. Until we resolve the problem they present, we will have no peace in Vietnam.

These men are obviously concerned about maintaining their positions of power.

The difficulty is this administration seems to be becoming increasingly wedded to these particular men and their whims and wishes. The administration has tied the question of troop withdrawals and American disengagement, for example, to the ability of Thieu, Ky, and the South Vietnamese to prosecute the war. The administration apparently is prepared to leave Vietnam only when the South Vietnamese can prosecute the war as vigorously without us as the two of us are presently doing.

This is a grave error in judgment.

Our unbending support of the Thieu government precludes any meaningful progress toward peace. We cannot decide by fiat at the bargaining table the very issue about which the Vietnam war has been waged—who is to govern the South Vietnamese people.

Clearly, the NLF will always reject a South Vietnam government that refuses even to consider the possibilities of a coalition government before or after free elections. Beyond that, the present South Vietnamese Government has threatened to jail anyone who has the temerity to suggest that a coalition government might be a useful means of bringing peace to the country. Included in the number arrested is Truong Dinh Dzu who lost to Thieu in the recent elections in South Vietnam.

A settlement to the war that guaranteed Vietcong control of the South Vietnamese Government would surely be the "disguised defeat" the President seeks to avoid. But seeking to end the war with a guarantee of a non-Communist government headed by Thieu and Ky is just as surely an attempt for a "disguised victory" which is not worth its cost in American lives and money.

We should feel no continuing commitment to subject South Vietnamese as well as American fighting men to injury and death to maintain the Thieu government in power.

If President Thieu retains his belligerent attitude, we should consider means of requiring the establishment of a broad based, interim government in South Vietnam. This government would then join us in Paris or elsewhere to negotiate a settlement and end of the war. Such a "peace" government should also provide a mechanism for postwar elections freely conducted and open to all people in South Vietnam and all political parties.

During a recent visit to Paris, talking with detached and knowledgeable observers, I received the definite impression that this interim peace government itself need not necessarily include Vietcong representatives.

The government should include segments of the South Vietnam population presently not adequately represented such as various Buddhist groups, supporters of Mr. Dzu and others.

A peace government in South Vietnam should reverse the repressive policies of

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the present Thieu government. Censorship of the press and media should be removed. Participation in political discussion should be encouraged not suppressed. Political prisoners should be released and political parties should be given the opportunity and right to organize and operate responsibly. These mechanisms for the exchange of ideas must be fostered, not destroyed, if there are to be meaningful elections after the war.

We still must confront the issue of troop withdrawals. As long as we continue to focus on insuring President Thieu's ability to fight in our absence, we are doomed to years of continued involvement in Vietnam and thousands of American deaths.

Instead, we should withdraw our troops as fast as we can while minimizing our casualties as the number of troops decrease.

We must also insure that we are able to provide for the safety of those who have risked their lives supporting and assisting our efforts in this war. We cannot and should not try to escape our responsibilities to the South Vietnamese people.

To date there are some 4 million refugees in South Vietnam. They are housed in inadequate refugee camps, jobless, homeless, suffering from improper health care, and inadequate food distribution.

When this war ends, their problems will not. We have an obligation to provide assistance to these people. We must establish and support a South Vietnam refugee program, provide emergency relief services, health care, job training, education, and opportunity for resettlement.

Furthermore, as the French after Dienbienphu, we should open our shores to those South Vietnamese who have supported the U.S.'s endeavors through the years and want to leave Vietnam.

When I was Secretary of the Department of Health, Education, and Welfare, we faced a similar problem with Cuban refugees fleeing oppression in Cuba. We were able to establish programs that not only provided assistance when these refugees reached our shores but gave them the necessary linguistic and educational tools to be assimilated quickly and usefully into our economy and our society.

Obviously many details remain to be worked out. Immigration authorities together with representatives of the Armed Forces and perhaps the CIA will have to clear applicants for admission to the United States. Transportation will have to be provided. Federal assistance should be made available to those cities and States which provide services and education for the Vietnamese upon their arrival.

But these are only details. What we must do now is to recognize the need to address ourselves to these details. It would be shameful for us to conclude the war in Vietnam without making provision for the protection and welfare of the South Vietnamese people.

If we truly want to salvage something constructive from our years of military involvement in South Vietnam, our goal should be to insure stability in Southeast Asia after the war. This will require the providing of economic assistance to this area.

The Agency for International Development financed a study by a team of economic planners headed by David Lilienthal and Min Vu Quoc. They found South Vietnam could achieve economic self-sufficiency within 10 years with the assistance of only $2.5 billion in foreign aid. This is what it now costs the United States to prosecute the war for 1 month.

Some form of multilateral assistance to both North and South Vietnam after the conclusion of hostilities could even play a meaningful role in the present peace negotiations.

I recognize that, even should all these suggestions be adopted, they provide no guarantee of a simple, easy solution.

The road to peace is not easy nor is it sure. We should support our President as he makes this treacherous journey. But he deserves our support only so long as it is clear that his path is peace and not more war—and only so long as he makes it clear he is willing to see the situation for what it is and not what he wishes it were.

TAX REFORM ACT OF 1969—ACTION OF COMMITTEE ON FINANCE

Mr. LONG. Mr. President, yesterday, October 14, the Committee on Finance acted in executive session on those areas of the Tax Reform Act of 1969 which affect restricted property, income averaging, moving expenses, qualified pension, and other plans, and subchapter S corporations.

So that Senators might follow the progress of these executive sessions, I ask unanimous consent that a press release be printed in the RECORD.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

[A press release from the Committee on Finance, U.S. Senate, Oct. 14, 1969]

TAX REFORM ACT OF 1969—ACTIONS IN EXECUTIVE SESSION

Honorable Russell B. Long (D., La.) announced today that the Committee on Finance was continuing to make considerable progress in its work on the Tax Reform Act of 1969. He reported that in executive session the Committee had made decisions with respect to several provisions of the House-passed bill as described below. He noted that these actions preserved many of the important tax reform features contained in the House bill with only minor changes.

Restricted property: The Committee agreed to the provision in the House bill which provides that a person who receives compensation in the form of property, such as stock, will be subject to ordinary income tax on the value of the property at the time of the receipt unless his interest is subject to a substantial risk of forfeiture, in which case tax would be imposed at the time the interest becomes non-forfeitable.

The Committee, however, adopted a series of relatively minor modifications, the most important of which are explained below:

(a) The House bill requires the recognition of income to an employee upon transfer even though the property remains subject to forfeiture. The Committee approved a Treasury suggestion that in such a case, the employee would not be treated as realizing income merely because he donated his forfeitable interest to another person, if the other person is also subject to the forfeitable condition. However, the employee would be taxed at the time the rights become non-forfeitable.

(b) The Committee also adopted a provision which provides that an interest in property is not to be considered forfeitable unless the employer can compel the employee or other holder to return the identical property upon the happening of the events which caused the forfeiture. However, where the property is forfeitable, the employee would be treated as realizing income when he sells the property if this event occurs before the property becomes non-forfeitable. This provision was also recommended by the Treasury Department.

(c) The Committee adopted a provision which will permit employees the option of reporting the original receipt of restricted property as if the restriction did not exist. Stated otherwise, the employee could treat the receipt of restricted property as a receipt of unrestricted compensation and pay tax on it at that time. However, an employee who exercises this option, will not be entitled to a refund if subsequently his right to the property proves to have been forfeitable.

(d) The Committee also added provisions which provide that restricted property rules would not apply to premiums paid by an employer under non-trustee annuity plans for an employee which meet the qualification requirements of Internal Revenue Code Sec. 401(a). Also, the restricted property rules would not apply to any amount excluded from gross income (under Sec. 403(b)) in the case of annuities purchased for an employee by an educational or charitable (Sec. 501(c)(3)) organization. These provisions had been recommended by the Treasury Department.

(e) The Committee also adopted provisions to make it clear that in the case of non-exempt trusts and non-qualified annuities, the amount subject to tax when the employee's interest becomes non-forfeitable is the value at that time of his interest in the trust (or the value of the annuity contract). The value of the amount subsequently contributed by the employer to the trust (or premiums subsequently paid) would be included in the income of the employee when contributed or paid to the trust (or insurer). The Treasury Department had also recommended the adoption of these provisions.

(f) The Committee modified the effective date provision of the section. The general effective date included in the House bill provided that the section would not apply to property transferred after June 30, 1969, if the property was transferred before February 1, 1970, pursuant to a written plan adopted and approved before July 1, 1969. The Committee agreed to the July 1 date but at the suggestion of the Treasury Department, the Committee decided to allow more time for the actual transfer. Thus the February 1, 1970, cutoff date was extended until May 1, 1970.

The Committee also agreed that in the case of a company which has a binding contract prior to April 22, 1969, with third parties to pay key employees a determinable amount of stock each year, the property could continue to be transferred before December 31, 1972, under the rules of the existing law.

Income averaging: The Committee generally agreed to the provision in the House bill enlarging the class of taxpayers eligible for income averaging. Under the bill a person whose income for the year exceeds his average income for the prior four years by more than 20 percent may utilize the favorable averaging device. (Under existing law his current income must be one-third greater). However, the Committee was not willing to permit wagering income, capital gains, and income from gifts to be eligible for averaging, and so it deleted the provisions of the House bill which would have extended averaging to these types of income. This action reduced the revenue loss from this feature of the House bill from $300 million to $110 million on an annual basis.

Moving expenses: The Committee agreed to the provision in the House bill which would liberalize the types of items which may be deducted by an employee who moves to accept employment at a new location. However, the Committee decided not to approve the feature of the House bill which would have denied the deduction unless the move covered more than 50 miles. Thus it retained the provision in existing law which allows the deduction for those moving more than 20 miles.

The Committee further agreed that the limitation of $2,500 should apply on a family basis. Stated otherwise, if a family made a move, then the family could only deduct up to $2,500 even though both the husband and wife were employed.

The Committee also agreed that the deduction for moving expenses should be available to self-employed individuals. However, self-employed individuals would have to remain at the new location for a 78-week period instead of the 39-week period presently required for employed individuals.

Collection of letters, memorandums, etc: The Chairman reported that the Committee on Finance had also approved—at its Monday meeting—the provisions in the House bill which treat gain on the sale of letters, memorandums, and other papers by a person whose efforts created the property (or for whom it was prepared produced) as ordinary income rather than as capital gain.

By treating them as ordinary income assets, other provisions of the bill require that any appreciation in value of the papers, memorandums, etc., should be taken into account by the taxpayer in the event he chooses to contribute these documents to a library, university, or other charitable institution. However, the Committee modified the effective date so that the provisions of the House bill would apply to sales or other dispositions of these papers occuring on or after *January 1, 1969,* rather than after July 25, 1969.

Total distributions from qualified pension and other plans: The Committee agreed to the provision in the House bill which would limit the extent to which capital gains treatment would be allowed for lump-sum distributions from qualified employees' trust made within one taxable year. Thus, amounts attributable to employer contributions made during plan years beginning after 1969 will be treated as ordinary income. However, the Committee simplified the tax computation required under the House bill. Generally one-fifth of the employer contribution would be added to the taxpayer's other income, except that wages and salary received by the taxpayer during the year in which the lump-sum distribution is made and the capital gains portion of the lump-sum distribution would be omitted from the computation. Tax would be calculated in the usual manner for this one-fifth and the resulting amount would be multiplied by 5 to arrive at the tax due on the employer portion.

Subchapter "S" Corporations: The Committee agreed to the provision in the House bill which provides limitations similar to those contained in H.R. 10 plans with respect to contributions made by Subchapter "S" corporations to a retirement plan for those individuals who are "shareholder-employees." Under this provision, a shareholder-employee must include in his income the contributions made by the corporation under a qualified plan to the extent contributions on his behalf exceed 10 percent of his salary or $2,500—whichever is less.

NATIONAL SCHOOL LUNCH WEEK, OCTOBER 12–18

Mr. HRUSKA. Mr. President, since 1946 when the National School Lunch Act was enacted by Congress, millions of American schoolchildren have enjoyed nourishing noon meals served at their schools.

In recognition of the important and vital role that the program plays in maintaining the health of our Nation's schoolchildren, Congress passed a joint resolution in 1962 designating the 7-day period beginning with the second Sunday in October each year as National School Lunch Week. This week of October 12 is National School Lunch Week of 1969.

Last year the lunch program helped to feed about 19.9 million children in nearly 76,000 schools in all parts of the country. Almost 3.4 billion meals were served through the program, and about 15 percent of these were offered free or at a greatly reduced price to children whose parents could not afford the regular low price.

The lunch program is now operating in schools with almost 80 percent of all children enrolled in public and nonprofit elementary and secondary schools.

It is estimated that 6.5 million children need a free or reduced price lunch, but the Department of Agriculture could reach only 3.5 million of those children in fiscal 1969. If, however, Congress appropriates the amount requested for the school lunch program in the 1970 budget and in addition funds for the special milk program, the rest of the children should be reached during this school year.

Through Federal-State-local cooperation, the national school lunch program has become the largest single food service industry in the Nation—more than a billion-dollar-a-year operation. Its 23-year history has been a commendable investment in our Nation's greatest asset—its children.

The national school lunch program, combined with the other child feeding programs, offers a balanced and sound approach to improving the nutritional well-being of our growing schoolchildren. Although the school lunch program is officially honored during the week of October 12, the other child nutrition programs also deserve recognition. Such programs as the school breakfast program, the special food service program for preschool youngsters, and the special milk program help toward the goal of eradicating hunger in our schoolage children. All of these programs are administered by the Consumer Marketing Service in the U.S. Department of Agriculture.

This year more money and manpower are being put into these programs than ever before, particularly to reach more children from low-income families. The Department of Agriculture expects that it will be able to provide at least one-half of the daily nutritional requirement for needy children wherever it can get the youngsters together into groups and where local agencies will cooperate fully.

The realization of this goal will be another step toward fulfilling the intent of Congress when it passed the National School Lunch Act, "to safeguard the health and well-being of the Nation's children." And National School Lunch Week this year is aimed at increasing public awareness of and involvement in all the child feeding programs so that the food and nutrition so necessary to both mental and physical growth and development during the growing years of our Nation's children can be provided.

THE VIETNAM MORATORIUM

Mr. CURTIS. Mr. President, the Nebraska delegation received a telegram this morning that is very heartening to us. I am sure it is heartening to everyone who is serving his country in Vietnam and to everyone who is concerned about the welfare of the young Americans who make up our Armed Forces. The telegram is as follows:

KEARNEY STATE COLLEGE,
Kearney, Nebr., October 14, 1969.

Whereas, Beta Chi Chapter of Sigma Tau Gamma has stood for freedom, law, and order, and whereas, we believe in the principles that have made America the most productive and progressive nation in the world, and whereas, we reject the ideas and ideals of world communism, and whereas, we desire to show our support for American men and women serving the free people of South Vietnam, and whereas, we desire to show our support for our President in his quest for an honorable peace, with justice in Vietnam: we hereby urge all Kearney State students to attend classes October 15, 1969, and we further urge all citizens of the community to display their American flag in support of our American servicemen and women.

BETA CHI CHAPTER,
SIGMA TAU GAMMA.

Mr. President, I think that this telegram, coming from the heart of our country, indicates the sentiment of the vast majority of the young college people of our time. They are as much for peace as anybody else, but they are concerned as to what side they shall give their encouragement to by their words and their actions.

IVORY TOWER ACTIVISTS

Mr. FANNIN. Mr. President, last week Barron's magazine published an excellent article on the work of the Institute for Policy Studies. Barron's correspondent, Mrs. Shirley Scheibla, has now followed that article with another, which bears in a tangential way on events taking place in America today.

Mrs. Scheibla's article, entitled "Ivory Tower Activists," describes in some detail the work and activities of one Arthur Waskow, among others. Mr. Waskow, in addition to his other honors, is listed among those on the steering committee of the New Mobilization Committee, whose membership I placed in the RECORD yesterday. He shares this post with such people as Arnold Johnson, public relations director of the Communist Party USA, and other admitted Communists.

I do not assert that Mr. Waskow is a member of the Communist Party, nor deny him the right to associate with whomsoever he pleases. What troubles me is the additional revelation in the article:

> The Justice Department recently agreed to underwrite loans and grants to a new Center for the Administration of Justice at American University . . . (an) A.U. information officer told Barron's that Mr. Waskow has been asked to serve as an expert consultant to the Center . . .

Personally, I think we can bear an investigation into the circumstances that allow U.S. taxpayers' money to be used in payment of consultant fees to a man who has led demonstrations demanding community control of police under a grant to a center for the administration of justice.

Mr. President, I am aware that the wolf's cry of "academic freedom" will be wailed if such a perusal of these circumstances comes about, but it seems to me that academic freethinkers should also be free to get along without lawfully collected tax money, collected by the system which they oppose. I understand that such a view may be regarded as old fashioned; nevertheless I suggest that a good many Americans—perhaps even a significant majority—hold to such views, and those who disagree may wish to initiate procedures, such as offering themselves for election, which will allow a proper vote upon the question.

Mr. President, I ask unanimous consent that the article published in Barron's magazine for October 13 be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Ivory-Tower Activists—IPS Fellows Lead the Radical Thrust for Social Change

(By Shirley Scheibla)

Washington.—To judge by their public pronouncements, leaders of the Institute for Policy Studies (IPS) hold the view that demonstrations, boycotts and similar disruptive tactics are acceptable means of effecting revolutionary change in government; moreover, attempts by duly constituted authority to quell such activities, even when they prevent federal institutions from functioning effectively, constitute "repression."

No ivory-tower scholars, some of the principals of IPS have been as good as their word. Several have organized and participated in unruly demonstrations, while seven belong to the Committee to Defend the Conspiracy, organized in connection with the current trial of "the Chicago 8" on charges of conspiring to incite a riot during the 1938 Democratic National Convention. The Committee members, according to the September 1 issue of the newsletter Combat, included Marcus Raskin, IPS co-director; Arthur Waskow, senior fellow; Gar Alperovitz, Paul Goodman and Christopher Jencks, fellows; I. F. Stone, associate fellow; Harold Taylor, an incorporator of the Peace Research Institute, now merged with IPS.

"CREATIVE DISORDER"

Writing in New University Thought last year, Mr. Waskow declared that the Institute is committed to the view that to develop social theory, one must be involved in social action and experiment. Toward this end, he advocated "creative disorder," which, he said, means "to simply keep experimenting and to discover at what point one is neither smashed nor ignored, but creates enough change to move the society." Admitting a "gut preference for disorder," Mr. Waskow said IPS "stands on the bare edge of custom in the United States as to what an education research institution is."

In short, it not only develops and promulgates theories but also seeks to implement them. Aside from its failure so far in unilaterally disarming the U.S. (discussed last week in the first article in this series), IPS has enjoyed considerable success, even to the extent of Mr. Waskow being asked to give his expert advice on police problems in a project partially funded by the Justice Department.

The Institute actually has set up communes and neighborhood corporations with the ultimate aim of taking over important functions of municipal government, including the control of police, schools, housing for the poor and health services. According to at least one IPS book, Neighborhood Government, the message of the riots is that the poor want such community control, and civil war will result unless they get it. Nothing less will suffice, it maintains. The ultimate aim is to establish such control through a network of federally funded ghetto corporations.

HOLD GOVERNMENT POSTS

At least two IPS associate fellows hold government posts in which they are able to apply such theories. Other fellows, once having held such posts, apparently continue to influence the executive and legislative branches of government.

Anyone studying IPS and the turmoil plaguing the nation might be tempted to conclude that the Institute had written the scenario. According to The Washington Post, Mr. Waskow helped plan the demonstrations at the Democratic National Convention in Chicago. The subsequent need to call out the police to enable an institution of government to operate, and the resulting cries of police brutality, ran true to IPS theory espoused by Mr. Waskow and other exponents of the New Left affiliated with the Institute. Back in 1965, Mr. Waskow wrote in the Saturday Review that as revolutionists force tyranny to stop them, they will gain increasing acceptance.

According to the Daily World, Mr. Waskow also masterminded the counterinauguration of a pig for president at the time of President Nixon's inauguration.

The Institute goes far beyond demonstrations in exercising influence. Its theory of community control through the device of neighborhood corporations has been set forth repeatedly by fellow Milton Kotler. A couple of years ago, the Urban Affairs Subcommittee of the Joint Economic Committee of Congress published two of his essays on the subject as part of a compendium by 22 urban specialists.

ENJOYS TAX EXEMPTION

A footnote identified Mr. Kotler as an IPS resident fellow. His opening sentences read: "At the outset, let me say that this paper is not a study. It is an argument . . . intending to persuade you toward a course in urban legislation. . . ." (Nevertheless IPS has not registered as a lobbyist, and enjoys tax exemption as an educational institution.)

"Riots," wrote Mr. Kotler, "reflect the formation of a new local community power in combat with the established power. . . . Unless existing established federal, state and municipal governments transfer a proper portion of their authority in Negro communities, today's domestic warfare will grow."

(At about the time the essays were published, black employees of the Library of Congress began receiving cards. One side was headed, "Committee for Emergency Support," and bore the address of the Institute. It read, "We are in sympathy with the despair of the black people in America. We share their sense of powerlessness to relieve repressive conditions by conventional political means. We are frustrated in our attempts to control the decisions which affect our lives in the capital city. We are all victims. We are ready in an emergency to assist the black community of Washington with food, housing, medical care and legal aid. We are committed to act to remove repressive military and political intervention."

The other side of the card advised calling the IPS phone number "in a riot or rebellion to obtain information, for legal assistance, for medical aid, for food and housing, to report police brutality." Shortly thereafter, Mr. Waskow began calling for the collection of bail funds in advance of violence.)

TRANSFER OF AUTHORITY

In his essays for the Committee, Mr. Kotler suggested a transfer of authority through "creative federalism." He explained, "The federal government must first assist the organization of legal neighborhood corporations with some initial funding. . . . Funding from the government is more important for legitimizing the development of neighborhood self-government as a unit of local rule in the society than for the money itself. . . . This proposal is already before the Senate in the form of Senate bill 1433. . . . It deserves your consideration and support."

S1433 expired in 1967. But on July 11, 1968, Roy Innis, Acting National Director of CORE, and Representatives Charles E. Goodell (R., N.Y., now a Senator), William B. Widnall (R., N.J.) and Robert Taft, Jr. (R., Ohio) jointly introduced legislation to create community development corporations "to finance, acquire, own and manage productive business enterprise located in the community, and to use the profit from such enterprise to finance its own education and social service programs in the community."

Financing for the corporations, they explained, would come from community development banks (CDBs) "analogous to Federal Land Bank Associations and Production Credit Associations, under the supervision of the Comptroller of the Currency." They estimated that federal capitalization of the CDBs initially would involve annual federal spending of $1 billion.

Last December the measure was discussed at a "self determination symposium" at the Washington Hilton Hotel. According to The New York Times, Senator Charles H. Percy (R., Ill.) told the gathering, which included black militants, that "Mr. Nixon had expressed approval of the concepts in the bill and that Nixon aides had informed him that the President-elect 'strongly supports the bi-partisan concept.' "

PENDING BILL

That bill, of course, expired with the 90th Congress. Senator Goodell, however, now is revising a similar one he introduced this year which is pending before the Senate Finance Committee.

The impetus for all this began four years ago, according to an IPS booklet called "The First Three Years," when "after long discussions with Kotler, a number of residents and organizational leaders in a poor neighborhood decided to organize the East Columbus Citizens Organization (ECCO)." To date, the Office of Economic Opportunity has approved grants of $432,219 for ECCO and expects funding eventually to total $757,113. The agency calls it a demonstration of community self-government through a corporation.

OEO also has announced what it calls its "Community Capitalism Program"; under it, the agency plans to make grants of $10 million this year to community corporations. (Mr. Kotler says there now are 70 of them.) Grants already made public include $1 million to the Inner-City Business Improvement Forum (Detroit), $900,000 to the Human Development Corp. (St. Louis), $1.1 million to the North Lawndale Economic Development Corp. (Chicago), $600,000 to the Harlem Commonwealth Council (New York) and $1.5 million to the Hough Area Development Corp. (Cleveland).

All this ties in too with the Model Cities program; by happenstance, Stanley L. Newman, an IPS associate fellow, is Chief of the Planning and Relocation and Public Administration Branch of the Division of Program Development and Evaluation in the Office of the Assistant Secretary of Housing and Urban Development for Model Cities and Governmental Relations.

EMINENT DOMAIN

Now Mr. Kotler is elaborating on his theory. In a book titled Neighborhood Government, just published by Bobbs-Merrill Co., he demands regulatory power for the community corporations to assure that money earned in the community will stay there. He also writes: "It is necessary for the corporation both to have the power to tax its residents and to be able to dispose of its territory. This means the governmental power of eminent domain." He says it also would be reasonable for the corporation "to control prices, rents, licensing and banking." Further, he would like communities to govern themselves based on custom rather than outside laws.

Calling the community "the action unit of this emerging revolutionary class," Mr. Kotler says "The neighborhood organization . . . must be prepared to defend gains in jurisdiction by the threat of war to any who would endeavor to deny these gains."

Meanwhile, Mr. Waskow has pursued the IPS idea of community control of schools. Some years ago he became secretary of a community anti-poverty group here. The Adams-Morgan Community Council, just as federal policy-makers insisted that the D.C. Board of Education allow the Council to run the Morgan grammar school as an experiment in community control.

Shortly thereafter, John R. Immer, president of the Federation of Citizens Association of the District of Columbia, wrote President Johnson that the children at the school were being cheated out of a good education. He declared: "The teachers maintain no discipline, are hippies, use vile language, have had little or no teaching experience and have and are using untried teaching methods."

CAMELOT PATRONS

Nevertheless, President Johnson's cabinet officers and their wives worked with Mr. Waskow in the presentation of the movie, "Camelot," at the Warner theater in Washington, as a benefit for the Morgan school. Among the patrons listed by Mr. Waskow were (then) Justice & Mrs. Abe Fortas (IPS lists his former law partner, Thurman Arnold, as one of its original trustees), Secretary of Defense Robert S. McNamara, Attorney General Ramsey Clark, Secretary of the Interior Stewart L. Udall, Secretary of Commerce Alexander B. Trowbridge and Secretary of Agriculture Orville Freeman.

Federal support also has been forthcoming for a new venture in higher education in which Mr. Waskow will play a significant role. The Justice Department recently agreed to underwrite loans and grants to students pursuing programs at a new Center for the Administration of Justice at American University in Washington. According to AU President George H. Williams, "The initial award (from Justice) exceeds $200,000, and anticipated funding for the academic year may exceed $500,000."

William M. McDowell, AU information officer, told Barron's that Mr. Waskow has been asked to serve as an expert consultant to the Center on how it can best serve the Washington community and that he may occasionally lecture on police problems.

Writing in a local underground newspaper, the Quicksilver Times, last July, Mr. Waskow advocated: "(1) Neighborhood control of police through citizen-elected commissions. (2) Creation of countervailing organizations such as unions of those policed. (3) Changing the role of the professional, tough cop to one of a more everyday civil servant doing his job, keeping the peace, rather than enforcing the law." A year ago, according to press reports, Mr. Waskow headed a rally here in front of the 13th police precinct station to demand immediate community control of the police.

To develop ways of establishing community control of health services, IPS held a seminar three years ago under the direction of Dr. William Kissick, associate fellow and then Chief of the Division of Public Health Methods in the Office of the Surgeon General of the U.S. (Dr. Kissick now is teaching at the University of Pennsylvania.)

BACKGROUND MATERIAL

According to Pierce Rollins, Acting Director of Information for the Office of Community Health Service of the Public Health Service (PHS), the material resulting from the conferences in that seminar has been compiled in two volumes by the Milbank Memorial Foundation. Mr. Rollins says the Department of Health, Education and Welfare, parent agency of PHS, uses the volumes as background material prepared by experts to help it set health policy.

The official explains that PHS now is funding the planning of health services at state, area, city and community levels, and that the various entities are free to subcontract with IPS experts to help in the planning.

The general idea, Mr. Rollins adds, is to fund community health services only after area-wide planning. But because of the desperate need, PHS is making funds available without area planning. It has financed, he says, 22 community health centers and others for rat control and the treatment of venereal disease. So far PHS has made 2,500 health planning grants, Mr. Rollins reports.

Tangible results also have emanated from a 1968–69 IPS seminar conducted by Rick Margolies, an associate fellow. According to the Institute it aimed "at developing a theory of social change based upon the possibility of a movement of small groups living communally and acting as agents of change in their larger environment. It is assumed that the small group will begin to live in the manner it wishes the society at large to adopt. . . . Some individual seminars will be theoretical and historical, while others will be more specifically programmatic. The first section, 'Toward a New Life Style,' will include discussions of human communion and human need, the extended family and child rearing . . .; 'The History of Intentional Communities' will include American 'utopian' experiments, communist collectives and communes, the Kibbutzim; 'Toward a Praxis of Community' will synthesize lessons learned in the above sections and work toward a plan for a communitarian movement."

INSURGENT ACTIVITIES

Mr. Margolies told Barron's that he now has communes in operation in the Adams-Morgan area of Washington. After starting with money from the Stern Family Foundation, commune members now support themselves by working part-time at the Quicksilver Times and the Washington Free Press, another underground newspaper, Mr. Margolies explained. Among other things, the Free Press has printed detailed instructions on how to conduct "insurgent activities." Now Mr. Margolies is preparing a new magazine, to be called The People in the Streets.

In view of the success of IPS in developing and implementing theories, its present studies and projects for the future take on added significance. One plan is to set up a network of institutes like IPS all over the country to serve as counter-institutions to established ones. Gar Alperovitz, IPS fellow and former legislative assistant to Senator Gaylord A. Nelson (D., Wis.), already has launched one at Cambridge, Mass., with the help of Christopher Jencks, IPS fellow and Harvard professor.

According to Tina Smith, IPS administrative assistant, Alan Haber and Barry Weisberg are setting up a Bay Area Institute in San Francisco. Gerry Hunnius, having just completed an IPS study of "the possibility of workers' control of factories based on Yugoslav model," now is in Toronto exploring the possibility of setting up an institute. Miss Smith says IPS also is discussing the possibility of setting up one in the South.

Also on the agenda for IPS is "investigations of operations of foreign aid." Handily, Jack Heller, an associate fellow, is director of the Office of Development Programs for the Bureau for Latin America of the Agency for International Development.

A project listed in the IPS 1969-70 budget is a "Middle-East Peace Mission," under the direction of Cherif Guellal, IPS fellow, and Algerian Ambassador to the U.S. until his country broke off diplomatic relations.

WENT TO AFRICA

About a year ago, Ivanhoe Donaldson, IPS fellow and member of SNCC, went to Africa for IPS to study self-government there and to contact members of the African National Congress and Pan African Congress. Now his assignment is to set up liaison with both groups, "in order to make accurate information available to American educational institutions on both secondary and college levels."

The IPS assignment for fellow Frank Smith is "to set up a chain of cooperative food markets in an effort to bolster the concept of community control by trying to develop viable and democratic models for community control of food, shelter and clothing businesses." Mr. Smith, who formerly served as Coordinator of the Community Staff of the notorious Child Development Group of Mississippi (Barron's, September 26 and October 24, 1966), is a member of SNCC, CORE and the Mississippi Freedom Democrat Party.

All last summer, IPS had several students interviewing the members and staff of the Federal Communications Commission and studying public records. As a result, the Institute now has elaborate plans for challenging the licenses of broadcasting stations, particularly when it doesn't consider them responsive enough to the views of the New Left.

AMERICAN PRISONERS OF NORTH VIETNAM

Mr. ALLOTT. Mr. President, the people of the United States are appalled by the cruel, callous, and inhumane treatment of members of the U.S. Armed Forces held captive by North Vietnam and the National Liberation Front. Common standards of human decency, in keeping with international agreements to which the North Vietnam Government is party, demand that North Vietnam and the National Liberation Front immediately:

Identify all imprisoned U.S. citizens.

Release the sick and wounded.

Provide proper flow of mail and packages.

Open all prison camps to inspections by the International Committee of the Red Cross.

The thousands of wives, children, and parents of the 1,400 American servicemen now held captive, or in a missing status, deserve the Nation's unremitting and unanimous support in attaining these objectives.

Recently, I had the opportunity to read one of the most moving articles I have ever encountered dealing with this tragic question of the Communist treatment of American prisoners of war. I believe that the article, entitled "The Forgotten Americans of the Vietnam War," written by Louis R. Stockstill, should be brought to the attention of every American. I intend to furnish reprints of the article to every one of my Colorado constituents on my mailing list. I can only encourage Members of Congress to take some similar appropriate action, to be sure that the tragic circumstances related by Mr. Stockstill can be given the widest public attention at this time.

Mr. President, the irretrievability of the death and wounds sustained by our fellow Americans makes the Vietnam war, like all wars, a tragedy of the first dimension. It seems to me, however, that in dedicating our energies to the achievement of peace with freedom in Vietnam we must find an adequate way to relieve the torment and suffering of those areas of the war which are retrievable. One of these areas is assuring decent treatment for American prisoners of war now held captive by the Communists.

These American servicemen are the husbands, fathers, and sons who have been called the forgotten Americans of the Vietnam war. Mr. President, we can do something about these men. We must.

I ask unanimous consent that Mr. Stockstill's article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

PRISONERS OF WAR—THE FORGOTTEN AMERICANS OF THE VIETNAM WAR

(By Louis R. Stockstill)

Once a month, from her living room high up in an Arlington, Va., apartment building, removed from most brutalities of life except her own thoughts, Gloria Netherland walks a long hallway to the mail chute and deposits a letter.

She watches it drop from sight on the first leg of a journey into an unknown void halfway around the world. The letter begins "Dear Dutch." But whether Dutch will read it, or someone else will read it, or whether it will go unopened is impossible to say.

Gloria and Dutch have been married eighteen years, but she doesn't know—hasn't known for a long time now—if he is alive or dead. And if alive, she doesn't know where he is or how he is.

For more than two years she has written the monthly letters—limited to six lines each, according to current Communist rules. None are answered; none are returned.

But, in the pattern of "dreadful uncertainty" that characterizes her daily life, she never fails to write.

"I realize," she says, "that there is just a fifty-fifty chance he is alive, but I feel that I cannot afford to let anything go undone."

Capt. Roger M. Netherland, USN, who was shot down over North Vietnam in May 1967, is one of the senior US pilots missing in the Vietnam War. Flyers reconnoitering the site where his burning plane plunged to the ground believe they heard his voice. But no word has come through since.

"When you are married to a flyer," Gloria Netherland says, "You learn to live with potential disaster. But you expect it to be black and white, not like this. I can't think of him as being gone, but it is very difficult for me to think of him as a prisoner."

She says, "The worst day for me was not the day they came to tell me he had been shot down. The worst day was the day his clothes and books and personal things came back. To have to unpack a man's life is not an easy experience.

"And if he is gone, I will have to do it all again. There will be another complete healing period to go through."

Gloria Netherland is but one of hundreds of wives and parents who live on an emotional roller coaster of grief, hope, faith, anxiety, and raw courage. For some, the waiting has lasted more than five years.

Their husbands and sons are the forgotten men of the Vietnam War—approximately 1,400 men captured by the enemy or missing and possibly in enemy hands. Most of the known captives are imprisoned in North Vietnam, others by the Viet Cong in the jungles of the South. A few are interned in Laos and Red China. Files of 981 men have been stamped with the heart-wrenching legend "MIA"—missing in action.

Some 3,000 "next of kin"—wives, children, and parents—in every state now endure what one calls "this limbo of anguish."

The other side has revealed tragically little about these "casualities" of the war. North Vietnam and the Viet Cong, defying international agreements and basic codes of humanitarianism and decency, have consistently refused to discuss the whereabouts of the missing men. Similarly, they have dribbled out only limited and distorted information about selected prisoners in infrequent propaganda movies tailored to their own purposes, often peddling doctored film to foreign outlets. Many wives quite rightly believe that "our husbands are being sold for so much propaganda."

On the shoddy pretext that US captives are not prisoners of war but "criminals," North Vietnam will not allow neutral inspections of its prisons. Yet such inspections are required under the Geneva Conventions, signed by North Vietnam in 1957 and by 119 other governments.

Using the "criminal" charge to mask its defiance, Hanoi not only has rejected inspection of its camps, but has refused to:

Identify the prisoners it holds;

Release the sick and wounded;

Allow proper flow of letters and packages; or

Protect US prisoners from public abuse.

The Viet Cong and Communist forces in Laos have followed Hanoi's lead by imposing an even more rigid blackout.

The curtain of secrecy the enemy has thrown around the prisoners and missing men has, until recently, been duplicated to some extent by the US government. But this is now changing. A brighter spotlight has been turned on the problem. The change has been wrought by the Nixon Administration. The United States government has now opened up some of its previously closed files of information on the imprisoned and missing men. New initiatives and a tougher approach are the order of the day. Further steps may be in prospect.

NEW HOPE FOR POW'S

For the first time, Administration officials are waging an open fight for the prisoners. The diplomatic maneuverings which shielded many aspects of the problem from public view during the Johnson Administration—although perhaps rightly so for that time—have now been partially cast aside. The United States is speaking out.

Two of President Nixon's top Cabinet officers have embarked on a strong public offensive in which they stress concern for, as well as facts and figures about, the treatment of the US prisoners and missing men.

"I don't understand how the North Vietnamese can be so lacking in humanity that they won't even give us the names of the prisoners they have," declares Secretary of State William P. Rogers. "All they have done is to be more intransigent, more unreasonable, and more inhumane."

Secretary of Defense Melvin R. Laird says there is "clear evidence that US prisoners are not being treated humanely," and that conditions in the prison camps are "shocking."

Yet, in order for the tough and forthright new policies to produce desired results, citizens must join the attack. Their assistance could be crucial. Many citizens may never have asked themselves how, or if, they can help. Many still may not be aware of the full story of our forgotten men.

Here then are the sobering facts about the prisoners and the missing, the details of the obscure existence they live, the way they are used and abused by Hanoi. And here, too, is an account of what the US is doing to aid the men and their families, and suggestions as to how you might lend a hand:

Of the known prisoners—the 401 the armed forces have been able to positively identify as captured—192 are Air Force, 140 are Navy, forty-six are Army men, and twenty-three are Marine Corps personnel.

Nearly 1,000 others are missing in action and thought to be captives. The largest number missing from any single service is 516 from the Air Force. More than 260 are missing in the Army, more than 100 in the Navy, and ninety-four in the Marine Corps.

The prisoners and missing men range in rank from private to colonel, or Navy captain. They include such men as Col. Robinson Risner, of Oklahoma City, one of the top AF pilots, and Navy Lt. Cmdr. J. S. McCain, III, son of the US Commander in Chief, Pacific, Adm. J. S. McCain, Jr.

Several of the known prisoners have now been behind bars more than five years. More than 200 have been imprisoned or missing for more than three and one-half years, more than 500 for over two years.

Some military intelligence the United States has gleaned about these men must be kept secret or couched in guarded language to protect the prisoners.

Nevertheless, accounts of torture and inhumane treatment have emerged. The widely publicized story of the capture, escape, evasion, and rescue of Navy Lt. (j.g.) Dieter Dengler in 1966 presented stark examples. Captured by the Pathet Lao but eventually turned over to North Vietnamese soldiers, Dengler was spread-eagled by his captors and at night left to the mercy of jungle insects, tied to a tree for harassment target practice, repeatedly beaten with fists and sticks (once into unconsciousness) for refusing to sign a statement condemning the US, and tied behind a water buffalo and dragged through the bush. The once 180-pound flyer weighed ninety-eight pounds following his escape and rescue.

STORIES OF MALTREATMENT

Other escaped prisoners have told of similar maltreatment in Pathet Lao and Viet Cong jungle camps.

Most recent evidence about those imprisoned in North Vietnam discloses that many have been tortured by being deprived of sleep, refused food, hung from ceilings, tied with ropes until they developed infected scars, and burned with cigarettes. At least one had his fingernails ripped from his hands. The broken bones of another, set by Communist doctors and still in a cast were rebroken by guards.

It is difficult to know how typical these examples may be. But, regardless of the continuing secrecy in certain areas, substantial information is available on some prisons and the basis treatment of some prisoners. Portions of the record are cloaked in "it is believed" language, some is official hard fact, and some has come from those foreign news sources Hanoi has permitted to peek into selected prison keyholes.

Prisoner treatment, of course, varies, and often the enemy attempts to camouflage the worst conditions. With that in mind, consider these details about three types of prisons—a jungle camp operated by the Communist Pathet Lao; a Viet Cong jungle camp; and a North Vietnamese institution known euphemistically as the "Hanoi Hilton."

The Pathet Lao camp is a bamboo stockade of primitive thatched huts. Prisoners are fed twice a day, mostly rice but with occasional supplemental foodstuffs. Many suffer from malnutrition. Some are afflicted with intestinal parasites. Except when allowed outside to empty toilet pails, prisoners are confined inside the huts, often locked in crude wooden foot blocks or handcuffs. Barbaric treatment, including beatings is not unique. Prisoners are forced to listen to Radio Hanoi.

The Viet Cong prison or jungle camp houses fewer than a dozen men. The prisoners are fed three times a day, again mostly rice, supplemented by some meat, fish, or vegetables. They are supplied with soap and toothpaste, fifth-rate medical treatment, pills thought to be antimalarial, and even occasional vitamin injections for those in most obvious need. Between meals, prisoners are allowed to smoke, exercise, or just sit. About once a month, they are furnished news of the outside world. They have been told, for example, of the assassinations of Dr. Martin Luther King and Sen. Robert F. Kennedy, of the release of the *Pueblo* crew and the election of President Nixon. They are allowed to write occasional letters, but have no way of knowing the effort is futile. No letters have ever arrived in the US from prisoners held by the VC. To maintain the pretense of a mail-exchange, however, at least one prisoner in this camp was permitted to receive two letters over a ten-month period.

DAILY ROUTINE IN HANOI

In the North Vietnam prison camp (in central Hanoi), daily routine is more formalized. Prisoners are awakened between 5:00 and 6:00 in the morning by a gong, followed by a thirty-minute Radio Hanoi (English language) broadcast piped into their cells. At mid-morning they are taken out to empty toilet buckets. About 11:00 a.m., seventeen to nineteen hours after they last ate, they are fed the first of two daily meals. Food consists mainly of pumpkin or squash, pork fat, a vegetable resembling wild onion tops, and bread or rice.

One former prisoner said, "The main diet is based around bread, and during the summer we got a squash soup and pig fat." Prisoners receive three daily cigarettes and sometimes, possibly for propaganda purposes, have been given sweets. (Propaganda films staged by Hanoi have shown tables laden with food, including mounds of fresh pineapple and bananas. But no one was eating.) After the morning meal—picked up on a wooden tray and eaten in their individual cells—prisoners are allowed to "nap" on their bare-board bunks until 2:00 in the afternoon, when their cells are flooded with another half-hour Radio Hanoi broadcast. Between 4:00 and 6:00 p.m., they are fed the second and final meal of the day. The day ends around 9:00 p.m.

Each prisoner is provided with two sets of pajama-like clothing, two blankets, and toilet articles. Each is allowed to shave twice a week and wash his clothing once a week.

CONSTANT INDOCTRINATION

Brainwashing efforts do not follow the hard-line techniques employed during the Korean conflict, but prisoners are subjected to constant lower-key indoctrination. Not only does Radio Hanoi bombard their cells with slanted news and propaganda a full hour out of each day, but prisoners also are furnished with Communist propaganda periodicals and are lectured on the "history" of Vietnam and the provisions of the 1954 Geneva Accords as conveniently interpreted by their captors. Sometimes men reportedly are taken from the prison to visit state institutions where they can "learn" more about North Vietnam's "culture."

Attempts also are made to induce them to write or record statements expressing sympathy with the North Vietnamese cause and condemning U.S. involvement in the war.

Within the confines of the prison, the captives generally are isolated from contact or communication with more than one or two other prisoners who may share the same cell. Many men are kept in solitary confinement. As they are moved around in the prison to pick up food, empty toilet buckets, wash, etc. they are carefully shepherded so that one prisoner or group of prisoners seldom encounters another.

At infrequent intervals, certain prisoners have been allowed to write to their families, although few letters ever reach home.

That the prisoners are allowed to write at all, and that they are accorded other elemental amenities, may likely be because the so-called "Hanoi Hilton" is anything but typical.

PROPAGANDA SHOWPLACE

U.S. officials, with reasonable suspicion, regard the "Hanoi Hilton" as a propaganda showplace. While foreign newsmen have "seen" prisoners, who have been transported to a central location for that express purpose from at least eight other camps, the "Hilton" is the lone place outsiders have been allowed to enter. And it is the only prison from which U.S. prisoners have ever been released. Obviously, the open-door policy at only one prison creates real doubt that the North Vietnamese can afford to let the world, and in particular the neutral nations, see the conditions that prevail elsewhere.

No prisoner has ever escaped from the prisons of North Vietnam. Those who have managed to struggle back to freedom from the VC jungle camps add up to fewer than two dozen (the specific number is classified). And the Communists have been extremely callous when it comes to returning American prisoners. To date only a handful has been set free. Sixteen have been released by the Viet Cong, nine by Hanoi.

Procedures followed by Hanoi in releasing prisoners are particularly meaningful since North Vietnam has been the bellwether in establishing what might be regarded as over-all policy guidance in the treatment of prisoners elsewhere. And it is in North Vietnam that the greatest number of men are believed to be imprisoned. Of the more than 1,400 captured and missing, nearly 800 (mostly pilots) were downed over North Vietnam. The Defense Department believes "a substantial percentage of the missing" may be prisoners.

POW RELEASES FOLLOW PATTERN

All the prisoner releases by Hanoi—two last year and one this August—have followed a similarly disturbing pattern. First, they have been but token gestures, letting just three men out at a time. Second, they have been accompanied by blatant propaganda announcements in the guise of either "humanitarianism" or "good will," or coupled with some "special" day. Third, the names of the men to be freed are withheld for periods of more than a month, thus creating untold agony for thousands of hopeful next of kin. Fourth, releases are carried out through dissident US intermediaries instead of the International Committee of the Red Cross, the traditional go-between in matters affecting war prisoners.

As a condition of each of the three prisoner releases, Hanoi has insisted that US pacifist groups be sent to North Vietnam to take custody of the prisoners and accompany them out of the country.

After a protracted wait, the identities of the prisoners are presented to the world in a staged ceremony. Finally, they are allowed to depart for home with their pacifist countrymen, who are merely used by Hanoi in a grossly overt effort to foment further unrest among American citizens and abet militant critics abroad.

The first two prisoner releases took place last year. Three men were released in February, three more in July. All six were "short termers"—that is, men who had been held prisoner for relatively brief periods of time.

The February 1968 group consisted of two Air Force officers, Lt. Col. Norris M. Overly and Capt. John D. Black, and twenty-three-year-old Navy Lt. (j.g.) David P. Matheny. None had been in captivity as much as six months. Lieutenant Matheny had been captured only four months earlier.

The three prisoners released in July 1968 were all Air Force officers: Maj. James F. Low and Capt. Joseph V. Carpenter, imprisoned for seven and six months, respectively, and Maj. Fred N. Thompson, captured less than four months before.

The man designated by Hanoi as the principal go-between for the releases is a fifty-four-year-old pacifist named David Dellinger. Chairman of an organization known as the National Mobilization Committee to End the War in Vietnam, he has traveleld frequently to Communist bloc nations and to North Vietnam. Currently, he is under indictment on charges of conspiring to incite a riot in Chicago during last year's Democratic Convention.

As the main contact in the prisoner releases, Dellinger, in turn, has named other US pacifists to act as "escorts" in bringing the prisoners out of Hanoi.

THREE RELEASED IN AUGUST

The most recent release—three men, again—came in August of this year and illustrates how completely Hanoi milks the prisoner situation for its own purposes. However, it marked a minor breakthrough of sorts. For the first time, North Vietnam released prisoners who had been held captive for fifteen to twenty-eight months.

The new policies of the Nixon Administration may have had something to do with the release of the longer-term prisoners. Publicity about two of the men had been widely aired by DoD several months earlier.

Like the two preceding releases, the third also was carried out under the banner of David Dellinger. On this occasion, he designated a somewhat ragtag escort group. The group was substantially larger than any previously dispatched. There were four escorts. They took along three cameramen.

Leader and spokesman was Rennard C. Davis, twenty-nine, National Coordinator of Dellinger's National Mobilization Committee. A member of Students for a Democratic Society, Davis is also under indictment on charges growing out of the Chicago riots. He had to obtain a court ruling in order to leave the country.

With Davis in the escort group were Linda Sue Evans, twenty-two, an SDS regional organizer; Grace Paley, forty-six, a member of antiwar and antidraft organizations; and James Johnson, twenty-three, Negro, former GI who served a stockade term for refusing to fight in Vietnam. The three cameramen, from an underground movie-making outfit, were identified as Robert Kramer, thirty-six, an SDS member during a stint at Columbia University; Norman Fruchter, thirty-two; and John B. Douglas, thirty-one.

TEAM FLEW TO HANOI

The seven-member team flew to Hanoi in mid-July, about two weeks after North Vietnam announced plans to release the prisoners. For the next couple of weeks they received Hanoi's "grand tour," were escorted on a 500-mile trip into the DMZ, met with the Prime Minister, and were ultimately entertained at a farewell party well-oiled with rice liquor and propaganda.

At the farewell ceremony, according to

details churned out by the North Vietnam News Agency (VNA), the prisoners were "handed over . . . to the American antiwar delegation" with a Madame Bui Thi Cam denouncing the "monstrous crimes" perpetrated by the "US imperialists" who had destroyed towns and crops and "massacred . . . women, children, and old folk."

She said US pilots "caught in the act of committing grave crimes" and not entitled to the protection of the Geneva Conventions, but are, nevertheless, treated "in accordance with the humanitarian policy of the government."

James Johnson, accepting the prisoners "on behalf of the American antiwar delegation," said, "We know, as these pilots must know, that all over the world the United States has been branded an outlaw nation." His statement, running some 500 words, might almost have been written by Hanoi.

The North Vietnam News Agency said, "The three released American military men then took turn in expressing, each in his own [way], their deep gratitude to the Vietnamese People, the DRVN government, and the Vietnam People's Army, for this humanitarian act as well as for the humane treatment all of them had received throughout the period of their detention."

The names of the prisoners were revealed. Two were Navy men: Lt. Robert F. Frishman, captured twenty-one months earlier, and Seaman Douglas B. Hegdahl, imprisoned for two years and four months. The third was Air Force Capt. Wesley L. Rumble, held for fifteen months.

The prisoners and their escorts left Hanoi on August 5. Arriving in Vientiane, Laos, that night, they were seen for the first time by US newsmen. They were described as "pale and gaunt," clad in "dungarees and sandals."

The press accounts noted that Frishman, acting as spokesmen for the prisoners, seletced his words "carefully." He said only that he was happy "to be returning home, to be back with my country and my wife."

There then followed a question-and-answer session. Here are revealing excerpts from Frishman's interrogation by the newsmen:

Q. How was the treatment you received . . .?

A. I received adequate food, clothing, and housing.

Q. Would you describe it as humane treatment?

A. Sir, I believe I have answered that question.

Q. Did they make any attempt to indoctrinate you or brainwash you in any way?

A. I have no comment.

Q. Was their treatment better at all when they decided you were going to be released?

A. As I say, my treatment has been adequate.

Q. Are you concerned that other prisoners might be harmed by something you might say here?

A. Yes. I in no way want to jeopardize any of the other people who have been . . .

The sentence trailed off.

When the prisoners arrived in Bangkok the following day, Frishman was quoted as saying, "It's great to be back." Nothing more. At some point during the return journey, Frishman had indicated the desire of all three men to be furnished with military clothing. "We left in uniform," he said. "We intend to return in uniform." The clothing was rushed to Frankfurt, last stop before New York.

ARRIVAL IN NEW YORK

When the three men arrived at Kennedy International Airport in New York, I was there to see them for myself. To television audiences, the returning prisoners may have looked reasonably well cared for. But their appearance on the hot, noisy flight line was deeply saddening.

When the general passengers and the pacifist escorts had disembarked, the families of the prisoners were allowed to board the plane for a brief reunion away from the eyes of the curious. Twenty minutes later, the men and their families began emerging.

There was no brass band, no flags, no clamoring throng to welcome them. Only a cluster of newsmen, cameras, government representatives, police, and a small crowd of onlookers.

Lieutenant Frishman, followed closely by Seaman Hegdahl, was first off the plane. Both wore their new uniforms, the Navy blue contrasting starkly with their drawn, pallid faces. Captain Rumble, ill, stooped, pale, was assisted down the steps, helped into a police car, and rushed to a waiting medical-evacuation plane.

The two Navy men and their families were led to a small platform, barren but for a gaggle of intertwined microphones. Uncertainly at first, and then with alert precision they returned the salute of Air Force Col. Milt Kegley standing nearby.

They were ashen in color. Their eyes were deep, hollow circles of darker gray, much like the exaggerated eyes of starving children. They smiled, but somehow their smiles seemed macabre; not forced, but not exactly real; joyful surely, but with an underlying tautness; perhaps nearer to tears than laughter.

Lieutenant Frishman once again spoke for all three men, repeating what by now had become his stock statement. They were happy to be home, they had received "adequate food, clothing, and housing" from their captors.

He, himself, had been "seriously wounded." The North Vietnamese doctors had removed his elbow and tied the muscles together. "I am glad to still have my arm," he said.

THE ARM WAS WASTED

It hung at his side, the loose sleeve of his jacket emphasizing that the arm was wasted, thin, far shorter than the other. When the suggestion had been made to him earlier that, "They'll fix it better at home," he replied, "Oh, no. They won't. It's impossible now."

Now, as he extolled the "adequate" treatment he and the others had received, and praised the North Vietnamese for saving his arm, Frishman voiced the "hope that there will be some more releases."

At his side, Douglas Hegdahl, once a robust heavyweight, continued to smile, his face almost skeletal. A reporter asked how much weight he had lost. He had "no comment."

But then Frishman addressed the microphones. "I lost forty-five pounds; Seaman Hegdahl lost sixty pounds," he said. It was the first detailed confirmation of their deprivations.

A newsman asked Frishman why the North Vietnamese had selected him for release in preference to some other prisoner.

"I am sure they released me for some reason . . . this reason I do not know," he said.

What about the welfare of other prisoners still held by Hanoi?

"No comment," Lieutenant Frishman said.

PRESS SESSION QUICKLY ENDED

The session with the press was over quickly, the final questions muffled in the roar of a nearby jet. The men were tired; they had been traveling for thirty-six hours.

"I want to be with my wife now," Lieutenant Frishman said. He placed his good arm around her. The prisoners and their families moved off the platform.

As Frishman turned, I saw him for the first time from the side. His shoulders were incredibly thin. The collar of his shirt hung loosely about his neck. The lines of his nose, his cheeks, and his chin were sharply drawn, haggard. So were Hegdahl's.

If the two men had been well-treated, there was nothing in their appearance to verify it. The almost corpse-like pallor of their skin, tightly stretched, almost translucent, mutely testified to long seclusion from the sunlight.

The men and their families moved to waiting transportation for the short trip to the medical-evacuation plane and the final leg of their journey to military hospitals. I turned with the other newsmen to walk back into the International Arrivals building for the meeting with the pacifist escorts.

We waited for an hour in a small, stuffy room intensely illuminated by bright klieg lights.

Finally, the pacifists straggled in, having been delayed in customs. The four escorts and the three cameramen gathered on a platform at one end of the room. By any standards, they were unprepossessing in appearance.

The leader and spokesman, Rennie Davis, was the most presentable, dressed in neat trousers and shirt, hair slightly long but combed and parted.

Peering from time to time at notes reclutched in his right hand, Davis began a recitation of what the seven-member team had seen and done in North Vietnam. His monologue had little to do with the prisoners. It mainly emphasized the "devastation" that U.S. bombing forays had inflicted on a "determined" and "unbeatable" people now instilled with a "mood of victory." The North Vietnamese believe, he said, that they have President Nixon "trapped."

He introduced Grace Paley, a short frumpy woman in a cotton dress. She said North Vietnam considers U.S. prisoners criminals, but relates them to "show good faith" and as a demonstration of their "humanitarian" treatment.

PRAISE OF HANOI'S TREATMENT

Next up was Linda Sue Evans, young, blonde, wearing tightly fitting, flared blue jeans. "We believe," she said, "that North Vietnam should win." She praised Hanoi's "humane" treatment of the prisoners.

The young Negro, Johnson, principal pacifist speaker at the Hanoi ceremony, was next. He said with obvious pleasure that the North Vietnamese "feel they have defeated the United States."

Davis opened the press conference to questions.

"Are our prisoners being mistreated?" he was asked.

He had seen no such evidence. The group had met a "total of twenty-five to thirty all told," and they had been informed by the prisoners that they had been protected within the very villages they had bombed, been given immediate medical attention, and "better" food than is provided for their guards.

He said continuing concern is voiced about the treatment of U.S. prisoners, but he is more concerned about the treatment of prisoners from the other side held in camps in South Vietnam.

Davis was asked to comment on a statement by Secretary of Defense Laird that Hanoi's treatment of prisoners is in "flagrant violation" of the Geneva Convention.

Davis said he thinks North Vietnam "legally regards the United States as an outlaw nation." (An interesting comment. James Johnson had used the same "outlaw" phrase in his Hanoi remarks, but attributed it to the pacifists themselves.)

"You say our prisoners are being treated humanely," I asked Davis. "How many prison camps did you visit?"

Repeatedly, he sought to evade a direct answer, but I kept hammering "how many prisons" at him. Finally he admitted he had "no information at all" about any of the prisons camps.

The press conference produced nothing of any kind about the status of U.S. prisoners held by North Vietnam. The pacifists had returned believing what they wanted to believe. They brought back no list of prisoners held by Hanoi, no hint that North Vietnam might consider changing its policy on prisoners.

Except for some fifty letters Hanoi had permitted them to carry home, they had returned only with an array of sugar-coated propaganda. They had swallowed whole as much as possible and stuffed the rest into their luggage.

The press conference could only raise serious doubts about the value of continuing to allow Hanoi the luxury of using such groups to bring back tiny numbers of prisoners. Some Administration officials, even some wives and families of prisoners and missing men, also are beginning to question the validity of this practice.

At the current exchange rate, it would take well over 400 years to get all of the men home. And the current release procedures, in the words of the Washington, D.C., *Evening Star*, are "a little like Oriental water torture—and just as humanitarian."

Twenty-five days after Frishman, Hegdahl, and Rumble reached New York, I went to Bethesda Naval Hospital in Maryland to hear the two Navy men tell about their prison life. Sunshine had improved their color; they had regained some weight. They were ready to open up.

Frishman recounted how he had been blindfolded after his capture and, despite serious injuries, driven in a truck to other locations where he was removed from the truck and stoned by the populace. When he reached the prison, he was refused medical treatment and told he "was going to die in four hours," unless he talked. He "finally passed out" and was taken to a hospital. "Then, even with my bad arm, they tied me up with ropes."

Doctors operated on his arm but failed to remove missile fragments. It was six months before the incision healed over. "I would wake up and find my arm stuck to the blankets . . . the scab would come off . . . the wound would drain again." One of his legs was left with "a seeping sore," still draining when he reached the United States almost two years later.

During much of his ordeal, Frishman was isolated in a tin-roofed cell, vented by "a few holes." In forty-five-degree winter weather, he froze. In summer, it was "like an oven." Sometimes, he was forced to sit on a stool in the stifling room—"just sit . . . and sit"—until he passed out.

Early this year when interviewed by *L'Europeo*, his captors wrote out what he was to say and then "practiced" it with him.

Did they try to "fatten" him in his final weeks of imprisonment, I asked?

"Yes, they did." On July 4 they took him before the camp commander who "had a real nice table with some fruit on it. . . . I knew then that I was going home."

SOLITARY CONFINEMENT

Hegdahl, too, had been subjected to solitary confinement—in all, for more than a year. The longest stretch lasted "seven months and ten days."

He was permitted occasional mail, but the letters were rifled of enclosures (including money) sent by his parents. The lone package he was allowed also was plundered before it was handed to him.

For propaganda purposes, he was photographed "reading" a US magazine which he was allowed to hold "just long enough for them to take the picture."

Frishman said he was threatened before his release. If he embarrassed North Vietnam, they would "have ways of getting even with me," he was told. He was cautioned "not to forget that they still have hundreds of my buddies."

But those still imprisoned want the facts out in the open, he said. One told him "not to worry about telling the truth," that if it means more torture, "at least he'll know why he's getting it and he will feel that it will be worth the sacrifice."

While North Vietnam's claims of "humane" treatment of the prisoners have failed to stand up to public scrutiny, it is equally apparent that Hanoi's policies and those of the Viet Cong have been cruelly lacking in compassion for the families of the prisoners and missing men.

Take Andrea Rander, whose husband, Army Sgt. Donald Rànder, is held by the Viet Cong. He was first reported missing during the January Tet offensive last year. Four weeks later she was officially notified that he had been wounded and imprisoned. She has been waiting almost two years for a letter that has never come. She has great difficulty, she told me, in making decisions. "I keep putting everything off. I keep telling myself I will wait until Donald comes home. It's my way, I guess, of convincing myself that he will be back."

SPORADIC LETTERS

Billie Hiteshew, wife of AF Maj. James Hiteshew, who was captured by North Vietnam in March of 1967, has lived with the problem longer, but at least she has heard from her husband. She receives sporadic letters, including two this year. And she has seen photographs of her husband. Shortly after his capture, CBS purchased a film of Hiteshew—confined in a hospital with a broken leg and arm—being interviewed by Felix Greene, a British antiwar journalist. She watched her husband say he agreed with Senators who feel "we need to take another look at our foreign policy," a view she had never heard him express or even hint at before.

Evelyn Grubb's only knowledge of her husband came from a similar Hanoi propaganda gesture. An unarmed reconnaissance aircraft, piloted by AF Maj. Wilmer "Newk" Grubb, was shot down in January 1966 while a Christmas bombing halt was in effect. Hanoi gloatingly publicized his capture, conveniently obscuring the true nature of his mission. The day Mrs. Grubb heard of his capture, it was snowing, two of her three sons were ill, and she was three months pregnant. Each time she writes she tells him about their sons (there are now four; one he has never seen), and sends photographs of all of them stapled to the letter so he will know if they have been removed. She doesn't know whether he has received a single photograph or letter. In four years, she has had no further official word of her husband.

Elizabeth Hill is another wife I talked with. Only twenty-three, she was married to AF Capt. Howard J. Hill (both are AF "brats") in August 1967. Two weeks later he returned to Southeast Asia, and just before Christmas was shot down. Nine months passed before she learned that his capture had been confirmed. As she told me this, she smiled. "I can't help smiling," she apologized. "After Howard was missing for so long, I just have to smile when I say he is a prisoner." She has written faithfully for almost two years, but there has never been an answer.

Although regular exchange of mail between prisoners and their families is guaranteed under the Geneva Conventions (even when two countries are not formally at war), the Communists have permitted only a trickle of letters to flow out of North Vietnam.

Efforts of the American Red Cross and the International Red Cross to improve the situation have been essentially futile in the face of Hanoi's obstinance.

NO INSPECTIONS PERMITTED

Not only has North Vietnam rejected Red Cross efforts to establish improved flow of mail and packages to and from US prisoners, and to permit inspections of their prison camps, but they persistently have refused to even acknowledge the existence of, or accept mail from, their own men held as prisoners in South Vietnam. The latter camps are regularly inspected by the neutral International Committee of the Red Cross, and names of all captured North Vietnamese and Viet Cong soldiers are prepared for Hanoi and the VC, but are spurned.

Although the Red Cross has tackled the problem again and again through all potential channels (even seeking help from the USSR)—and keeps on trying "all the time," according to ARC Vice President Robert Lewis—most of the effort has fallen on deaf ears.

Mr. Lewis says the Red Cross also has made it clear that it is prepared to send representatives to Hanoi at any time to accept released prisoners, but the North Vietnamese prefer to stick to their practice of using dissident go-betweens.

MAIL FOR PRISONERS

Mail for all prisoners and missing men is sent through a variety of channels and addresses. Some is handled by the Red Cross, some is mailed direct to foreign post offices, but little is known to have reached the men to whom it is addressed.

Letters written by the prisoners themselves have fared somewhat better because of their propaganda value. But none ever has arrived in the States from prisoners held by the Viet Cong. And fewer than 100 men held by North Vietnam have been allowed to write over the past five years. The average for this small group has been less than two letters a year.

Currently the letters from prisoners are written on a prescribed form, about five by seven inches, which makes its own envelope when folded. Six lines are provided for the message. Instructions tell the prisoners to write "legibly and only on the lines" and "only about health and family." The form states that "Letters from families should also conform to this pro forma."

Not all wives and parents abide by the advice, but many, like Gloria Netherland, do. Forms are provided by the armed forces. All carrying a mailing address in the Vietnamese language reading: "Camp of detention for US pilots captured in the Democratic Republic of Vietnam."

But for most families, whether they use the six-line form letter or a longer page, the return on their investment is slim at best.

For families of men listed as "missing," even the lack of mail might be bearable if Hanoi and the VC would release the names of all prisoners. But they have consistently refused. Some U.S. Senators say Hanoi "could devise no subtler cruelty."

While no solution to either the mail problem or the list of missing is in sight, the U.S. armed forces, meanwhile, do what they can to ease the plight of the next of kin.

It is not a simple job, nor has it always received top marks in every area, but as the list of prisoners and missing has grown and as the services have learned from past mistakes and found out more about what the families want and need, they have moved increasingly into programs that now garner well-deserved praise.

All of the wives I talked with feel that their husband's service, as one put it, "is doing everything humanly possible."

NOTIFYING NEXT OF KIN

In the early days when a man was captured or turned up missing, next of kin sometimes were advised by telegram. This impersonal approach proved highly unsatisfactory and has long since been abandoned.

Today when catastrophe strikes, a service representative is sent to the home to call on the family, break the news in person, give whatever details are immediately available, and offer solace and assistance as he can provide.

Either this representative or another is thereafter permanently assigned as an "assistance officer" for all future contacts. He makes sure the families are informed of breaking developments, if any; answers their questions, or refers the queries to someone who can; and ensures that they receive such legal, financial, or other aid as they may require.

The main Air Force effort is performed from the personnel center at Randolph AFB, Tex. Service is available twenty-four hours a day, seven days a week, and next of kin may make collect telephone calls any time, day or night.

Families are told everything the services can tell them about the circumstances surrounding the capture or disappearance of the man. Any subsequent news is passed along as quickly as it is received.

On a broader front, all services have put together special informational programs for the next-of-kin to keep them informed about over-all prisoner developments. These most often take the form of newsletters. But the Army's Adjuant General, Maj. Gen. Kenneth G. Wickham, writes a personal, individually prepared letter to each Army family once a month.

The letters and newsletters are supplemented by personal meetings with individual family members or with groups. This practice was instituted early by the Navy, but has now been made uniform for all services, under expanded policies of the Nixon Administration.

Beginning this past spring, group meetings were instituted under the aegis of a joint Defense/State/military team, with families from several services attending at a central location for each given area. At the meetings, the next of kin receive a full briefing on the prisoner problem.

Much of what they can be told is not new, but it has demonstrated to the satisfaction of many, if not all, of those attending that the government is giving the prisoner problem priority consideration, and sincerely wants, and is trying, to help in every way possible.

MEETINGS WITH NEXT OF KIN

The meetings have been spread all across the country. Scheduled mostly at Air Force bases, they are generally held in Service or Officers Clubs, in an informal atmosphere, with local volunteer-wives serving coffee or punch to the families—normally about 100 wives and parents.

One meeting held at Bolling Air Force Base near Washington, D.C., was attended by Ambassador Henry Cabot Lodge (home to report to the President). He told the group what was happening at the Paris peace table. Another briefing session was conducted at the Pentagon itself. Defense Secretary Laird met and talked with the families.

One member of the briefing team, Deputy Assistant Secretary of Defense Richard G. Capen, Jr., said, "We are always frank about telling the families there have been no great breakthroughs. I review the over-all situation; Frank Sieverts [State Department representative] discusses the Paris talks and other State Department efforts conducted through diplomatic channels. Then we spend the remainder of the time, about an hour or an hour and a half, responding to questions."

Mr. Capen says reaction to the briefings has been excellent. Sometimes "wild suggestions" are offered or family members give vent to angry frustration. ("Some cannot understand why we learn so little about the men.") But the meetings, Capen feels, have been extremely useful and have helped to partially satisfy the yearnings of many families for some closer contact with their government in Washington.

He has been through many heartrending conversations, but what remains most vividly in his mind is the meeting at which one wife stood up and declared, "I want my husband back, but I don't want to give my country away to do it."

Most of the families, he says, "have real understanding and appreciation of the problems. We want to assure them that when the men do come back, we will be in a position to say we did all we could." He thinks most of the families now feel, if they didn't before, that this is the case.

In addition to the programs designed for the next of kin, the armed forces also carry out certain procedures for the prisoners and missing men themselves.

All, for example, are considered for promotion at the time they normally would have been considered if not in captured or missing status. Their full pay and allowances are continued indefinitely, and they receive whatever general pay increases are authorized for others on active duty. Allotments the men provided for their families are increased as needs dictate.

New laws also have been enacted and others are being sought to protect rights of the men that might otherwise be jeopardized.

The military "savings deposit" program, for example, encouraged overseas servicemen to bank a portion of their pay in high-interest accounts as a means of cutting down on the US gold-drain. But the law contained no provision for men who were captured or reported missing. This inequity was corrected only to have a second develop. The maximum that can accumulate in such accounts is $10,000. Anything above that amount draws no interest. With deposits of some men now approaching or exceeding the ceiling, the Defense Department recently asked Congress for authority to invest "excess" amounts in the purchase of U.S. saving bonds and notes.

Yet, despite these and other continuing efforts on behalf of the men and their families, it is all too apparent that the combined activities of the armed forces, the State and Defense Departments, the American and International Red Cross, and the efforts at the Paris talks have reunited few prisoners with their loved ones. Nor has there been any new hope for proper medical care of the sick and injured, neutral inspection of prison camps, full disclosure of the names of all captives, or proper flow of mail.

The new Nixon Administration initiatives are helpful, but only full and continuing exposure of the plight of the prisoners and their families, together with relentless public pressure at home and abroad, are likely to produce desired action.

An occasional newspaper editorial is not enough. Limited news coverage of developing prisoner stories is not enough. An infrequent letter-to-the-editor is not enough. A statement inserted in the back pages of the CONGRESSIONAL RECORD is not enough. A business-as-usual attitude on the part of the American public can only make apparent to Hanoi that these men who have given so much to their country have indeed been forgotten by those for whom they made the sacrifice.

Some wives of the prisoners and missing men have reached the same conclusions. Some are taking steps to counter public apathy, and to arouse the Congress.

Mrs. James Bond Stockdale of Coronado, Calif., wife of a senior Naval officer held by North Vietnam, has encouraged other wives to send telegrams to the North Vietnamese delegation in Paris, and helped to organize prisoner families. Mrs. James Lindberg Hughes of Santa Fe, N.Mex., wife of a captured Air Force lieutenant colonel and Mrs. Arthur S. Mearns of Los Angeles, wife of a missing Air Force major, also have been urging the Congress and others to act.

Many of the wives are essentially satisfied that the services and the Administration are doing all they can. But some feel, as Evelyn Grubb says, that "there is a bargaining point for everything; we have to find it." The wives are convinced that more public pressure is essential.

Some have been particularly critical of the inaction by Congress. "Usually," Mrs. Stockdale has said, "they put something in the *Congressional Record* and then forget about it."

A check of the *Record* discloses that this practice was, until very recently, more or less standard. But there is hopeful evidence of a growing change—partly as a result of appeals by the wives, partly as a result of the more open discussion policy encouraged by the Administration.

In August, shortly before Congress went into brief summer recess, forty-two Senators banded together in a strong statement condemning North Vietnam for its "cruel" treatment of the prisoners and their families. Instigated by two opponents of our Vietnam policies, Charles Goodell (R-N.Y.) and Alan Cranston (D-Calif.), the declaration says if North Vietnam thinks it can "influence the policy of the United States toward the Vietnam conflict" through its intransigent position on the prisoners, it is "doomed to failure."

"Neither we in Congress, nor the Administration, nor the American people as a whole, nor indeed the families directly affected, will be swayed by this crude attempt."

Those signing the statement included both Democrats and Republicans representing thirty-three of the fifty states. Three names that might have added weight but were absent from the list of signatures were those of war critics J. William Fulbright (D-Ark.), George McGovern (D-S. D.), and Eugene McCarthy (D-Minn.).

The Senate statement ended with a specific plea to "the governments, the statesmen, and the ordinary men and women around the world" who spoke out in 1966 against Hanoi's proposed "war-crimes trials"—a plan that was abandoned by North Vietnam after a wave of world protest.

The Senators said those who protested in 1966 should "make their voices heard once more. Then, as now, the issue was not political but humanitarian—and Hanoi responded to the force of world public opinion. If that force can again be mobilized, this too may contribute to inducing from Hanoi greater respect for human decency and for the rule of law." On August 21, the North Vietnamese delegation in Paris vehemently rejected the protest as "slander" and an attempt "to deceive public opinion."

In the House of Representatives, Congressman William L. Dickinson (R-Ala.) sent a letter to his colleagues asking that they join him, after the August recess, in making floor statements protesting the treatment of our war prisoners.

Whether these moves are one-shot efforts remains to be seen. What members of both houses seem to have overlooked is the potential force of a Joint Congressional Resolution condemning Hanoi's prisoner policies.

Whatever action Congress may take, what will count most significantly is the time and effort the American people are willing to expend in helping solve the problem.

In my numerous interviews with government officials, representatives of the Red Cross, members of the armed forces, and next of kin of the prisoners, I ask each person what he or she thought would be the most effective attack that could be launched.

They agreed that a four-pronged letter campaign could produce dramatic results. The letters should be directed to:

Representatives of foreign nations;

Newspapers and magazines in foreign nations;

Members of the US House and Senate; and

Xuan Thuy, chief North Vietnamese negotiator in Paris.

The letter to the foreign nations and the press in those nations should urge that pressure be brought to bear on Hanoi to live up to the spirit of the Geneva Conventions by putting into practice the Conventions' rules on the treatment of war prisoners.

The letters to Xuan Thuy should demand the same points. And those individuals who are not necessarily in sympathy with the war should make it clear that proper treatment of the prisoners is nevertheless an overriding consideration. All should note that continued intransigence on the part of Hanoi will only stiffen the resolve of the American public, not weaken it.

Letters to members of Congress (addressed to the Representative from your own congressional district and to either or both of your US Senators) should call for a Joint Resolution demanding proper treatment for the prisoners and missing men, and stressing the solidarity of the nation in this aim.

HOW YOU CAN HELP

If you want to help, send a postcard to AIR FORCE/SPACE DIGEST at 1750 Pennsylvania Ave. NW., Washington, D.C. 20006, and you will be mailed a list of Washington, D.C., addresses of ambassadors of foreign nations whose assistance could be crucial, together with a list of selected foreign newspapers and publications.

Letters to Xuan Thuy can be addressed, in simplified form, as follows: Xuan Thuy, North Vietnam Delegation, Paris Peace Talks, Paris, France.

There is a chance—possibly a good chance—that world opinion might force Hanoi to honor basic codes of human decency.

"By any human standards," the position of North Vietnam is "totally inexcusable," Secretary of State William Rogers says. "I don't understand why we have not become more excited about the prisoner question."

The Secretary is telling the people of the United States that their concern is important. The rest is up to you. If you want to help the men many Americans have forgotten, you can. Your letter could be the one that spells the difference.

FAMILY PLANNING: PUBLIC PRIORITY AND PRIVATE RIGHT—II

Mr. TYDINGS. Mr. President, social scientists have long recognized a strong correlation between poverty and family size in the United States. Chicago's poor, for example, have a birth rate which equals that of India. Our national fertility rate—the number of children born per 1,000 women in the 15 to 44 age group—is 55 percent greater among the poor than among the nonpoor.

As a result, the poor boast a much higher proportion of large families. According to a recent Census Bureau report, 38 percent of all poor families have four or more children as contrasted with only 17 percent of all nonpoor families.

FAMILY SIZE AS A CAUSE OF POVERTY

However, it is only in the past several years that family size has been perceived as a cause of poverty as well as an effect.

Popular wisdom to the contrary, surveys have revealed that poor families desire less children on an average than their wealthier counterparts. They end up with larger families due to the general unavailability of family-planning information, services, and materials to low-income women.

The Natality Statistics Branch of the U.S. Public Health Service calculated that in 1966 the 8.2 million poor and near poor women of reproductive age had 451,000 unwanted births; that is, births that would have been avoided if the mothers had possessed the information and means.

By "unwanted," I do not wish to imply that a child is loved any less than his desired brothers and sisters. He is unwanted in the sense that his birth necessitates an overextension of already scarce family resources, including parental attention. Herein lies the causal link between family size and poverty.

As the National Advisory Commission on Rural Poverty explained it:

> A vicious circle of poverty and fertility is at work . . . Because they [the poor] do not limit the size of their families, the expense of raising unwanted children on inadequate incomes drives them deeper into poverty. The results are families without hope and children without future.

Lacking the parental supervision and support they would likely receive in smaller families, the children of the poor tend to underachieve in school. A higher percentage of them become school dropouts and delinquency problems, all of which reduces the child's chances for economic betterment in later life. And so the poor stay poor.

It cannot be overemphasized that the objective of family planning is not simply to limit the number of births. It is with the quality of life of our citizens that family planning is concerned.

It is with the amount of parental attention and supervision and love and affection that each child can receive that it is concerned. It is with the opportunity for a decent meal three times a day that each child can receive that it is concerned. It is with the opportunity to go to school and have parental guidance and interest in that childs achievement in class that it is concerned. It is with the opportunity of that child to have decent clothes and an opportunity to get a better job in later life that it is concerned.

The ability to determine family size and the spacing of children profoundly affects the economic, educational, and health prospects of parents and their children.

Government figures reveal that the birth of children too early or late in a mother's childbearing years can have adverse physiological and emotional effects on both mother and child. A child born at the wrong time in a family's economic development often constitutes a burden on his parents and loses benefits he would have received if his coming had been planned.

FAMILY PLANNING: A FUNDAMENTAL INDIVIDUAL RIGHT

It should be clear by now that any effective campaign to eliminate poverty in this country must include programs which make family-planning information and contraceptive devices available on a voluntary basis to all who desire them. It is imperative that we give all our citizens, regardless of income, the right to plan the size of their families—a right which the affluent now enjoy. It is essential if the poor are to possess the opportunity to defeat the poverty that oppresses them.

For the right to be able to plan one's family is as essential a part of full freedom of opportunity as the right to a decent home, the right to an education fully commensurate with ability, and the right to a good job. Indeed, the denial of the right to plan the number and spacing of children denies equal opportunity in housing, education, and employment.

MILLIONS DENIED THIS RIGHT

Unfortunately, many parents do not have this basic right. Despite the fact that the Federal Government and many of the States and cities finally have begun to finance family-planning services and population research, it is estimated that only 700,000 of the 5 million women who want family-planning help actually receive such assistance through public and private sources.

Mr. President, I ask unanimous consent to have printed in the RECORD an insightful study entitled "Effects of Family Planning on Poverty in the United States," written by Harold Sheppard. It does an excellent job of documenting the very real link between poverty and unwanted births.

There being no objection, the study was ordered to be printed in the RECORD, as follows:

EFFECTS OF FAMILY PLANNING ON POVERTY IN THE UNITED STATES, OCTOBER 1967

(By Harold L. Sheppard)

PREFACE

This paper is a slightly revised version of a report written by the author as staff consultant for the United States Senate Subcommittee on Employment, Manpower, and Poverty, as part of its 1967 study of poverty in America and of the effectiveness of various programs associated with the Economic Opportunity Act. The report is confined almost exclusively to potential effects of family planning, or birth control, upon the reduction or prevention of poverty. Thus it does not deal with such questions as the attitudes and policies of various groups in our society, including the doctrines of religious organizations, that may or may not facilitate greater adoption of family planning practices.

The issue of poverty is significantly related to the major focus of the Institute's concern with problems of manpower and employment. It is the author's belief that the internal composition of a society's total population and the trends within component segments of that population are among the major underlying conditions for the emergence and outcome of manpower and employment problems. This is as true of "modernized" urban-industrial societies such as the United States as it is of the "lesser developed" societies such as India and those in South America.

One of the results of continued high fertility rates among impoverished families is that a disproportionate number of youths entering the labor force from such families cannot be adequately employed in an economy such as that in the United States of the 1970's and beyond. That economy will not be identical to those in earlier decades, in terms of its qualitative manpower requirements. A major qualification to this statement is that a large part of the employment problems might be solved to some extent by massive governmental programs (on a scale larger than current ones) of training, compensatory education, public service employment, and other costly measures—including supportive welfare services.

In further explanation of the proposition concerning the relationship of component population trends and differential fertility rates to employment, it might be noted, for example, that between 1965 and 1975 the number of young persons in the labor force (14–24 years old) is expected to increase by 34 percent—in contrast to an overall increase in total labor force size of only 20 percent.

Among all children 6 to 15 years old today, who will make up the majority of the group 14–24 years old in 1975, one-fifth are from poor families. The data are critical in the case of nonwhites. As a result of greater fertility, by 1975 the number of nonwhites 14–24 in the labor force is expected to increase over 1965 at a far greater rate than the number of whites in the same age group (52 percent as compared to only 32 percent for whites); and this increased number of nonwhites will disproportionately originate in families living in poverty today. Among all nonwhite children 6 to 15 years old today, more than one-half (53 percent) are living in poor families, in dramatic contrast to only 14 percent of all white youths in the same age group.

The implications of these data relate to the fact that the typical poor youth entering the labor force is likely to be poorly prepared to take advantage of prevailing job opportunities—in terms of educational achievement, occupational skills, knowledge of the labor market, work habits, attitudes, etc. For the nonwhite youth, discrimination can be an additional handicap in seeking adequate employment, but this factor is becoming less crucial than the other factors cited.

The views expressed by the author do not necessarily reflect the positions of the W. E. Upjohn Institute for Employment Research.

HAROLD L. SHEPPARD.

WASHINGTON, D.C., *September 1967.*

I. INTRODUCTION AND BACKGROUND

The purpose of this report is to stimulate serious consideration of (*a*) the relationship of family planning and size to efforts to reduce poverty in the United States; (*b*) the possibility that continued high fertility rates among the poor serve as obstacles to movement out of poverty for parents and children alike; (*c*) the benefits that could be derived from a more effective public program of family planning; and (*d*) the adequacy of current programs.

In summary, the report concludes that family planning can be a major instrument in reducing and preventing poverty, and that current programs are far from adequate in relation to the desire of the poor for family planning services and to the need for such services.

Family size and poverty

The relationships between family size and income are more complicated than much of the discussion in this report may imply. Furthermore, the trends in these relationships are characterized by a number of changes not reported here in detail. For example, there is some evidence that among younger couples a few generations removed from rural origins the historical inverse connection between income and fertility may no longer be the case. On an overall basis, however, poor persons tend to have more children than persons with higher incomes. Any detailed discussion of the nature of the complex relationships and trends might, however, distract the reader from the main point of this report—that family planning can be made a more effective measure for reducing and preventing poverty, and that failure to expand family planning programs among the poor can serve to offset the benefits of other measures designed to combat poverty.

A widely held opinion has been that an increase in family income must precede a reduction in family size, with the policy implication being that emphasis should be placed exclusively on those fiscal, monetary, and structural measures that produce an increase in individual and family incomes. Until recently, however, inadequate attention has been given to the possibility that family size itself may be one of the many causes of poverty, and that it is not sufficient to wait for other social and economic processes to bring about a growth in income in order to reduce family size. Family planning, or birth control, can be effective in creating the conditions for increased income—for taking people out of poverty. Family planning here refers not merely to the number of children born but also to the timing and spacing of births.

Reports by the Census Bureau and other public and private organizations contain dramatic evidence of the point that the poor of childbearing ages give birth to a disproportionate number of children relative to the resources at their disposal for rearing and educating their children in ways that would increase the children's chances for moving out of poverty. It also should be obvious that the chances of a poor father moving out of poverty himself are affected by the number of children he has (and by the spacing of births).

The relationship between poverty and family size is revealed in the following table, based on data for 1965:

Item	Number of children under 18 in family: 1	2	3	4	5	6 or more
Percent of families living in poverty	11	11	15	21	33	43
Number of poor families with children under 18 (in thousands)	946	903	825	628	453	564

Source: U.S. Bureau of the Census.

The incidence of poverty among families with one or two children under 18 is relatively low (11 percent), but steadily rises as the number of children increases—to 43 percent among families with six or more children. Excluding those families with no children under 18 in 1965, the distribution of number of children in this age group according to the poverty status of families was as follows:

Item	Poor families	Nonpoor families
All families with children (percent)	100	100
1 to 2 children (percent)	43	64
3 to 4 children (percent)	34	29
5 or more children (percent)	23	7
Number of families (in thousands)	4, 319	28, 550
Number of children (in thousands)	13, 937	55, 692
Mean number of children per family	3. 23	2. 30

One-fifth of all our children under 18 are poor but are concentrated in one-seventh of all families with children, due partly to the higher birth rate among poor families. The extent to which large-sized families constitute a major factor in the problem of poverty is further revealed by the fact that among all children under 18 in families 20 percent are in poor families, while only 12 percent of all persons 18 and older are in poor families. This disproportionate distribution of poverty among children is especially marked among nonwhites, as shown in the following table:

[In percent]

Item	Total	Whites	Nonwhites
Children under 18 in poor families	20	14	53
Family members 18 and older in poor families	12	10	33

Source: U.S. Bureau of the Census data for 1966.

In other words, among nonwhites, 53 percent of the children are poor in contrast to 33 percent of the adults (18 years and older).

In 1966, slightly more than 8.6 million white children and more than 5.3 million nonwhite children were poor.

Dependency ratios

The implications of inadequate family planning among the poor are indicated by the number of children for every 100 persons in the "prime working ages"—often called the *dependency ratio*. The comparative figures for the poor and nonpoor dramatize the immensely greater burdens that the adult poor have:

DEPENDENCY RATIOS OF THE POOR AND NONPOOR (WHITES AND NONWHITES), 1966

Item	Poor: All	Poor: White	Poor: Nonwhite	Nonpoor: All	Nonpoor: White	Nonpoor: Nonwhite
Number of children under 22 per 100 persons aged 22 to 64	148	128	197	79	78	88

This table reveals that for every 100 poor persons aged 22–64,[1] there are 148 children—in sharp contrast to 79 among the nonpoor. Among whites, the dependency ratio for the poor is 128 and for the nonpoor, 78. Among nonwhites, the ratio for the poor is 197 versus 88 for the nonpoor.

Contrary to many previous expectations, the dependency ratio among the poor in urban areas has apparently not gone down. It had long been theorized that migration to the cities would be accompanied by declining birth rates. However, the dependency ratio in the central cities of standard metropolitan statistical areas of more than 250,000 is even higher—168 in the central cities as opposed to only 148 for the entire country. Among poor whites in the central cities, the dependency ratio in 1966 was 132, as compared to 128 for all poor whites in the United States. Among poor nonwhites in the central cities, the ratio was 211—in contrast to 197 for all nonwhites in the nation.

The higher dependency ratio for the central cities' poor (in comparison to that of all the poor) was not repeated among their *nonpoor*. While the overall national ratio for the nonpoor was 79 young persons for every 100 persons 22–64, the ratio in the central cities was lower—71. Thus, in the central cities of the United States the nonpoor 22–64 years of age—*including nonwhites*—have fewer children than the nonpoor in the rest of the country, while paradoxically and tragically, the poor in the central cities—and especially nonwhites—have more children than the poor in the rest of the nation.[2]

The same type of comparison is revealed in data for metropolitan areas with more than one million population.

Poverty among nonwhites

The problem of poverty among American Negroes may be more difficult to solve than it is for whites—an inference from the fact that from 1960 to 1966 the dependency ratio among all Negroes had been increasing, while it had been *decreasing* among whites.[3] We can only infer indirectly, on the basis of current data, that there may be some relationship between the decline in dependency ratios among whites and the decline in their incidence of poverty, and that the slower rate of progress among Negroes is partly related to their rising dependency ratio.[4] And the differences in dependency ratios are a function of fertility differences. More specifically:

1. Between 1959 and 1964, the number of poor children under 18 among whites declined from 11.1 million to 9.1 million, while the total number of poor whites of all ages declined from 28.2 million to 23.8 million. The number of poor children among nonwhites *increased* from 5.6 million to 5.7 million, while the total number of all poor nonwhites *declined* slightly, from 10.7 million to 10.4 million. Actually, the number of non-

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Footnotes at end of article.

white *adults* in families which were poor declined by nearly 10 percent in this five-year period—from 4.2 million to 3.8 million.[5]

2. In this same five-year period, there was a substantial decrease in the number of poor white families with children under 18 (from 3.7 million to 3 million), but only a slight decrease (from 1.6 million to 1.5 million) in the number of poor nonwhite families with children. While the number of children per poor family increased by only 1 percent among whites, it increased by 8.6 percent among nonwhites. On the other hand, among nonwhites who are *not* poor, there is evidence that the number of children per family has declined.

3. The increase in the number of poor families with five or more children during this five-year period took place only among nonwhites. Nonwhite families that were *not* poor experienced a decrease in the number of such large-sized families.

4. The crucial point is that progress in the reduction of the incidence of poverty among nonwhites may be retarded by the preponderance of large-sized families. Between 1959 and 1964, the incidence of poverty was reduced at a rate of 22 percent for nonwhite families in general; but among families with only one or two children, it was reduced by 26 percent; among families with three or four,—by 19 percent. Contrary to this *downward* trend for smaller sized families, poverty among nonwhite families with five or more children actually *increased* by 7 percent:

PERCENT OF NONWHITE FAMILIES IN POVERTY, BY NUMBER OF CHILDREN, 1959 AND 1964

Item	All families [1]	With 1 to 2 children	With 3 to 4 children	With 5 or more children
1959	50	43	67	71
1964	39	32	54	76
Percent change	−22	−26	−19	+7

[1] Includes families with no children under 18.

As the table above reveals, there has been a general decline in the incidence of poverty among nonwhite families. This decline is related to family size, with the greatest rate of decrease in poverty taking place among families with two or fewer children. There has been an *increase* in the incidence of poverty among families with five or more children.[6] In other words, the smaller the number of children, the greater the movement out of poverty.

The "poverty" classification used in this report takes into account family size as well as income. In this connection, there is some further evidence suggesting that, were it not for family size, many poor nonwhite families would not be in poverty. Take, for example, the 373,000 nonwhite nonfarm male family heads aged 22–54 who worked at least 40 weeks on a full-time basis in 1965 and yet were classified as poor. Their average family income was $3,000. The comparable average income for the white poor was *below* that figure, $2,428. One of the major explanations for the fact that family income (or earnings only of heads) for these year-round, full-time nonwhite males is about that for whites who also worked year around, full time must be that family size is larger among nonwhites, and therefore pulls them down into the poverty category.[7]

Such data suggest that despite the fact that they work year round, full time, many nonwhites are poor. One (and only one) of the reasons for this is the burden of excess children. Of course, the same is true of many white heads of families, but not to the same extent as among nonwhites. At given income levels, nonwhites tend to have more children than whites.

Footnotes at end of article.

AVERAGE FAMILY INCOME AND EARNINGS OF HEADS, NONFARM POOR AGED 22 TO 54, WORKING YEAR ROUND FULL TIME (WHITES AND NONWHITES), 1965

Item	Whites		Nonwhites	
	All	Males only	All	Males only
Average family income	$2,384	$2,428	$2,766	$3,000
Average earnings of head	$2,018	$2,091	$2,293	$2,584
Number of families (in thousands)	1,154	1,043	488	373

Note: Income and work status based on 1965 experience. "Year round" refers to 40 or more weeks of employment.

Source: Unpublished data from U.S. Bureau of the Census.

Available census data do not contain information on the number of children for nonfarm families with male heads 22–54, according to work experience. But for all such families, nonwhite families in nonfarm areas with male heads in this age group had an average of 3.77 children under 18, as compared to only 2.89 children among comparable white families. These averages are based on all families, including those with no children, which actually minimizes the white-nonwhite discrepancy.

In 1966, the "poverty line" for nonfarm families with male heads, according to number of family members, was as follows:

3 members	$2,505
4 members	3,200
5 members	3,770
6 Members	4,235
7 or more members	5,215

Source: Research and Statistics Note No. 5, Social Security Administration's Office of Research and Statistics, Feb. 16, 1967. For detailed description of the Social Security Administration measures of poverty (those used by OEO and the Bureau of the Census), see the *Social Security Bulletin* for January and July, 1965.

A significant fact is that, in 1964, 45 percent of all children under 18 in poor families lived in homes with at least five children; in contrast only 17 percent of nonpoor children lived in families of this size. The percentage has climbed since 1964. Among nonwhites, 56 percent of the poor children were living in homes with at least five children, as compared to 39 percent of poor white children.

These kinds of comparisons, of course, understate the relationship between birth rates and poverty, as Mollie Orshansky has pointed out:

"The statistics relating poverty to presence of children, disturbing as they are, represent some understatement. They refer only to those under 13 who are currently in the home, but give no clue as to the number already grown and gone or the number still to come in families not yet complete."[8]

Throughout this report the stress is on the proposition that high birth rates among the poor are not merely a *result* of poverty: they are also a *cause* of poverty. (There are many wealthy families with five or more children, but we cannot attribute their high birth rates to lack of income. Such children typically are not unwanted.) For the poor (and the near-poor, as well as for other below-average-income families), the explanation for their high birth rates includes the factor of inadequate funds for birth control devices, but it also includes such factors as unawareness of such devices, unavailability of family planning services, and a host of attitudinal factors (apart from personal religious prohibitions)—all of which are subject to change if free (or minimal-cost) services are made available and if parents desirous of smaller families are counseled regarding the nonreligious attitudes that may tend to prevent them from actually practicing family planning.

Health and poverty

There is some evidence that part of the greater health problems of the female in poor families can be attributed to higher fertility rates.

"A large number of children born over a long period of years may well constitute a threat to her health and that of her children, especially in the case of babies born less than a year apart and those born while the mother is in her teens or when she is over the age of 32 or thereabouts."[9]

The poor have children earlier, more frequently, and later in life than the nonpoor. This is reflected in the greater percentages among poor families with young heads (under 22) and older heads (55–64) who have children under the age of 6, in contrast to the nonpoor:

PERCENTAGE OF FAMILIES WITH CHILDREN UNDER THE AGE OF 6, BY AGE OF HEAD AND POVERTY STATUS, 1966

Item	Family head under 22		Family head 55 to 64	
	Poor	Nonpoor	Poor	Nonpoor
Percent of families with children less than 6 years old	65	47	12	4

Source: U.S. Bureau of the Census data.

The greater adverse health effects upon both mother and child should be apparent.

II. THE ANALOGY OF POPULATION GROWTH IN "POOR" NATIONS

As a presumably "advanced" country, the United States has recently moved more directly into the issue of excessive population growth in poor nations around the world. And, within those poor nations, responsible leaders have become increasingly sensitive to the fact that one of the major reasons for the failure of their economic development plans has been the failure of their populations to reduce birth rates—particularly in view of reductions in death rates, resulting essentially from the introduction of health measures.

Population policy is becoming an accepted ingredient of many economic development programs. Those countries—in the recent past as well as in the present—which consciously have adopted economic development and modernization policies *and* which have been able—deliberately or otherwise—to control their population growth are the ones which have succeeded (or are succeeding) in moving their people out of impoverished conditions. Taiwan and Korea are often cited as current examples. Despite the adoption of modern economic development policies, the countries *failing* to cope with population growth face little but frustration and bitterness in their efforts to transform policies into reality.[10]

The relevance of all this to our own country's problem of domestic poverty is that the difference *between* nations provide us with practical insights into differences *within* nations. If we view the poor within a country as somewhat equivalent to the population of a poor nation as a whole—both of which are striving to improve their socioeconomic status—it might be instructive to take the same position toward the challenge of reducing poverty *within* our country that has been taken toward the effective implementation of a poor nation's economic improvement program. And this effective implementation by necessity requires a reduction in the birth rates. Such laudable (and sometimes frenetic) efforts as "job development," education and training, and the provision of previously unavailable health services can be thwarted if birth control measures are not also adopted as part of an overall program devoted to "economic opportunities."

The increasing gap between most underdeveloped countries and the developed ones—a gap resulting in large part from the differential rates of population growth—might well serve as a model in our attempts to understand how, *within* one country, some parts of the population in poverty fail to move out of poverty while the rest of the country continues to improve. The problem of poverty in such circumstances is not exactly a product of the machinations of "the power structure" or the "system" unless one wishes, of course, to believe that it is to the best interests of the wealthy and powerful that the poor continue to remain poor through a pattern of excessively high fertility rates. The problem is, indeed, a product of the woefully inadequate provision of family planning services by society to the poor and, resulting from that inadequacy, of the failure of the poor to recognize the role they themselves play in the life chances of their children.

III. MUST POVERTY BREED POVERTY?

Contrary to a widely accepted belief, poverty does not *necessarily* breed poverty. If it did, there would be more poor Americans today than in the past. Instead, we have fewer poor persons than 5, 10, or 20 years ago. The proposition that poverty breeds poverty is actually based on the reality that in any given period a higher proportion of poor adults had poor parents than did nonpoor adults. But this observation neglects the fact that many *non*poor adults were born into poor families (and the corollary, that many poor adults were born into *non*poor families or were, at one time, themselves not poor—the case of some elderly poor).

Any society dedicated to the faith that poverty can be prevented or reduced cannot accept the belief that poverty breeds poverty. (If it did, how could that society deliberately break out of such a fatalistic, predetermined vicious circle?) A society dedicated to preventing or reducing poverty must seek answers to the question:

Why is it that some persons born in poor families nevertheless move out of poverty?

There are many answers to this question, but they will not be found by merely tabulating what proportion of the poor are old or young, male or female, white or nonwhite, farmers or nonfarmers, etc, etc. The answers might be partly suggested by analyses based on what proportions of each of these categories are poor at any given time. But more precise answers can be assured if we ask, for example:

Among the *non*poor adults of today, who are the ones born into poor families, and how do they differ from today's poor adults also born into poor families?

Social causation is not a simple phenomenon, and thus there are multiple factors involved in the answer to that question. This brief report is not an attempt to discuss this issue, but only to show how demographic factors, especially family size among the poor, play a role in affecting the probabilities of "upward social mobility," that is, movement out of poverty. If birth into a *small* poor family as opposed to birth into a *large* poor family increases such probabilities, then it should follow that conscious adoption among poor parents of birth control practices should be a major step that they can take to help their children move out of poverty.

This statement amounts to more than the tautology that if the poor have fewer children there will be fewer poor in the population. It means that, if the poor have fewer children, those children who are born will have a greater chance for moving out of poverty during their adult lives. A second consequence is that, by virtue of having fewer children, many heads of families themselves will move out of poverty.

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To repeat, many nonpoor adults today were born in poor families. One of the several characteristics that differentiate between these adults and poor adults also born in poor families is the number of siblings their poor parents had. There are now sufficient research data to explain in part why greater upward mobility occurs among these "ex-poor" adults. For one thing, among poor families with the same family income, per-child resources will be greater in the smaller families, with resultant returns from such greater "investment." Apart from monetary resources, a child with fewer brothers and sisters is able to receive greater attention time from parents. Children from smaller families tend to have greater mental development and can take better advantage of learning situations in and out of school. Dropout rates in turn are lower among such children: they have more years of formal schooling. And, needless to say, greater education is associated with higher occupational status, higher income, and lower unemployment.

The statement that poverty breeds poverty is correct to the extent that high birth rates persist among the poor. The vicious circle of large family size among the poor, coupled with inadequate education, low job skills, and high unemployment rates, should be broken. One of the means at our disposal by which this vicious circle can be broken is an effective mass program aimed at assisting impoverished Americans to control their family size. Public policy is developing along this line.

Education is a major stepping stone out of poverty. This is an article of the American Faith, deeply ingrained in our beliefs because it is based on concrete experience. We know, for example, that the unemployment rate among persons without a high school education is the highest; among persons with only a high school education, the next highest; and among persons with a college degree, the lowest. We know that the greater the number of years of schooling, the greater the chances for gaining a higher status—higher income occupation. We know that education and income are positively correlated.

But it is not very widely known that one of the factors that affect the amount of education one receives is the number of brothers and sisters in one's family; that is, educational achievement is partly explained by size of family. A recent analysis[11] of educational achievements of 45 million adult men (ages 20–64) shows that the rate of completion of high school is related to the number of brothers and sisters they had: 73 percent of those with no siblings completed high school; 60 percent of those with one to three siblings; and 39 percent of those with four or more.

The analysis of these census data by Professor Otis Duncan shows that these differences are due to more than the fact that smaller families prevail to a greater extent among higher income groups, which in turn have greater proportions of children graduating from high school: even among groups with low income, a higher proportion of adult men with 12 or more years of schooling come from families with small numbers of children than from families with large numbers of children. For example, among the men with farm background, about 48 percent of those from families with one to four children completed 12 years, as compared to only 22 percent of those from families with five or more children.

The conclusive, incontrovertible point in the Duncan statistical analysis is that the amount of a child's education is affected by the number of children in the family—*at every age and every socioeconomic level* (even with birth order considered). For the purpose of seeking effective solutions to the problem of poverty in this country, the crucial point is that poor families today can increase the chances for greater education for their children (and thus reduce the odds for poverty of those children by the time they become adults) in direct proportion to their efforts to practice family planning.

When a poor couple can delay the birth of their first born, and/or increase the time between births (and thus reduce the total number of children ever born into the family), their own opportunities for education and employment may also be enhanced.

High fertility and the resulting large family size among the poor hinder the investments that they can make in human resources per child. As already demonstrated, the number of brothers and sisters a poor child has directly influences the number of years he attends school. The amount of education he achieves directly influences the occupational stratum into which he enters; and this in turn influences his level of income as an adult.[12] Again, it does make a difference in "life chances" for a child born into a poor family if he has many or few siblings.

Family size is important *vis a vis* education not only because of the economic factors involved (for example, dropping out of school for a job in order to supplement family income). It appears that it may even have "a direct effect on the environmental aspect of mental development." One researcher has concluded that the "mere fact of belonging to a large family implies restricted contact with adults and fewer opportunities of acquiring adult habits of speech and thought, a disadvantage which enters into the intelligence test performance of children from large families."[13] Dr. John Clausen, in a recent summary of research on "Family Structure, Socialization, and Personality," has written that:

"A large number of studies have indicated that children from small families tend to make higher scores on intelligence tests than children from large families, even when social class is held constant. Most impressive is the evidence provided by a longitudinal study of a stratified sample of all children born in Britain in one week in March 1946. Data on intelligence and school performance at ages 8 and 11 were secured for more than 97 percent of the designated children remaining alive in England or Wales—a population of more than 4,000. Intelligence test scores at both ages 8 and 11 showed a decline with increasing family size, a decline that was most marked in families of manual workers. The poor performance of children from larger families was as pronounced by age 8 as by 11. Although less great at the higher status levels, the differences in favor of children from smaller families were found even among children of professionals.

". . . Since superior intelligence, higher educational attainment, and high motivation to achieve are all ingredients of occupational success, one might expect that children from small families would more often achieve a high degree of occupational success than those from large families. This is, indeed, the case; children from small families are more likely to rise above their father's status than are those from large families.[14]

Poor children born into large families start school with language and other disadvantages that can be traced to the impact of family size, and these handicaps compound the other problems in their learning experiences while in school. In view of such handicaps, it could be argued that the best of the Headstart projects may be only a palliative for the problems created by large family size among the poor.

Persons from large poor families are more likely than the poor from small families to retain such characteristics as inferior occupations, inadequate incomes, perhaps even a life style that prevents greater associations with the nonpoor and therefore reduces chances for moving out of poverty.

While the primary emphasis here has been

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placed on the effects of large-sized families among the poor themselves, consideration should also be given to the degree to which high birth rates among the poor impose a strain upon the resources of the local and national community, such as school space and staffs, health services, housing, welfare programs, and the like. And as the central cities are increasingly composed of concentrations of poor families, the tax-revenue base becomes further deteriorated as a source of supporting these necessary services.

But to repeat, poverty can be the result of having a large family, or of being born into a large family. Large family size is not merely the result of poverty, which has been the predominating viewpoint. In addition, large family size can be a cause of poverty. The reduction of family size thus can be made into an important weapon in a war against poverty.

IV. FAMILY PLANNING—IS DESIRED AND FEASIBLE?

So far this report has pointed out the relationship of poverty to family size; that the two are both cause and effect of each other; how poverty among the children of the poor could be reduced through family planning, etc. Thus, we have merely presented the case for the necessity and desirability of family planning in any effective attack on domestic poverty. There remain some other questions, notably: Do the poor themselves desire fewer children? And, have they effectively responded to family planning programs when such programs have been made available?

In answer to the first question, we now know that smaller family size among the poor is desired by them. This preference holds for nonwhites as well as whites. Several studies have confirmed this point.[15] Most of the "excess fertility" couples in lower income groups have at least two *unwanted* children, more than twice the number of unwanted children among couples with higher incomes. The proportion of women stating that they have more children than they want rises as one goes down the scale of family income. The lower the income, the higher the proportion of families with unwanted children. Again, the major explanation for the discrepancy between desired number of children by the poor and the actual number they give birth to has to do with ignorance and the unavailability of information, services, and materials.

In answer to the second question, two types of answers are available. First of all, it is clearly obvious that many poor families over the decades have had fewer children than other poor families as evidenced, for example, by the 1962 census data on lifetime occupational mobility analyzed by Duncan and Blau. Second, between 1960—following the introduction of the pill—and 1965, there was a tripling of the patient load in the programs of the Planned Parenthood Association.

The following excerpt from a paper delivered by Frederick S. Jaffe of Planned Parenthood-World Population at a December 1966 family planning conference sponsored by the U.S. Department of Health, Education, and Welfare provides some illustrative examples of the effective response of the poor to family planning services when made available.

"In our view, the experience of the most successful family planning programs thus far, in settings as diverse as Charlotte, N.C., Chicago, Ill., and Washington, D.C., confirms this general strategy. These programs rely primarily on efforts to make family planning services geographically and economically more accessible, and have met with considerable response among the poor. The doubling of postpartum return rates following the introduction of family planning at hospital postpartum clinics is one significant measure of this response. Reports from programs of very varied scope, in communities of all sizes, are in basic agreement on the readiness of many poor parents for modern family planning. The Washington program, for example, is described to Congress as 'one of the most popular we have,' while in Augusta, Ga., a maternity and infant care nurse reports that 'almost everyone who is told about [family planning] want it.' "

The most convincing evidence in support of this strategy is to be found in New York City, and this experience merits detailed analysis as a potential model for other communities seeking to initiate or expand family planning programs. . . .

The target population in New York City, according to our estimate, consists of approximately 167,000 fertile, medically dependent women who are not having or seeking a desired pregnacy.

Five years ago, the organized family planning facilities available in New York City consisted of eight planned parenthood centers, six voluntary hospital clinics, and three municipal hospital clinics. These services were concentrated in Manhattan, with very poor coverage elsewhere. When these services are related geographically to the city's major poverty neighborhoods, it is evident that existing services were quite inaccessible to many of the areas of greatest need (such as Bedford-Stuyvesant, Williamsburg, and the southeast Bronx).

We very roughly estimate that in 1961, 25,000 low-income patients, or 15 percent of the indicated population, received services at existing clincs.

During the last 5 years, the number of family planning clinics under all auspices, has increased significantly to 69 separate facilities. Today, there are 16 clinics operated by municipal hospitals, 27 clinics in voluntary hospitals (including five rhythm clincs in Catholic hospitals), eight health department clinics, two clinics funded by the antipoverty program, and 16 planned parenthood centers. Many of the new services are part-time clinics located within poverty areas which previously were uncovered. The main effect of the changes since 1961 has been vastly to increase the number of facilities for family planning and to improve their geographical and economic accessibility. The level of services reached now totals, approximately, 85,000 low-income patients, or 51 percent of the population in need. . . .

It is significant that this growth has been accomplished with only minor attention to educational activities. Planned Parenthood has done a certain amount of community education, but most of the hospital's confine their efforts to lectures and dissemination of information within the hospital about the availability of service. Only one has been able even to distribute pamphlets in the hospital and the community, while the staff of another occassionally speaks at community meetings. In the remaining hospitals, the primary information mechanism is word-of-mouth communication.

The remarkable aspect of the New York City record, therefore, is that approximately half the indicated population has been enrolled by programs which have been fundamentally understaffed, underfinanced, and uncoordinated. This provides impressive confirmation that the single most important strategic decision in programing for community needs is to establish free or subsidized services which are geographically accessible to the population in need. . . .

This analysis has been concerned only with the introduction of family planning to those who have not previously had access to services offering modern methods. It has not taken into account *continuity of use* (or the dropout problem), which becomes of increasing significance as services are established. It is suggested that achievement of an adequate number of geographically accessible services, with supplies readily and economically available, would increase the number of women who continue to practice successfully and at the same time set up the conditions necessary for systematic investigation of additional methods for increasing retention rates. Furthermore, the impressive results thus far, with resources which must be regarded as minimal, suggest a challenging question: What would be likely to happen if *adequate* resources were made available so that quality services could be delivered with respect, energy, and skill? If enough staff were assigned so that patients receive the personal attention they require and deserve? If clinics were not overcrowded? If budgets permitted more evening and weekend clinics, shorter waiting times in the waiting rooms, accelerated procedures to obtain supply refills, improved educational efforts, etc.? These elements of quality service could be introduced into the present program with very modest additional financial and staff resources, and there is reason to believe they would have considerable impact on increasing retention rates.[16]

Other examples include the case of Mecklenberg County in North Carolina. After two years, two-thirds of the original number of women starting in a program of pre- and post-natal care in the public health clinics were still taking the pill.[17] As desired in any family planning program, participation in this pilot project was voluntary for these women, all of whom were from poor families. In this project, the costs of the family planning program were less than 4 percent of the public costs that would have been necessary to support the number of children who otherwise would have been born.

In a Chicago area with lower income population, the birth rate declined by more than 20 percent within four years after the introduction of a planned parenthood information and services program.

V. COSTS AND BENEFITS

The benefits of an effective family planning program are clear. Poor families with fewer children, limited to the size they themselves prefer, will have a greater chance to move out of poverty, even in the short run. In the long run, children born into a poor family with a limited number of brothers and sisters have a far greater chance to be out of poverty during adulthood than children born into a poor family with four, five, or more brothers and sisters.

There is another category of benefits that should be of equal interest to the public and to the Congress, pertaining to the reduced costs of public programs in such areas as health, education, welfare, and housing. Experts, including those in government (in OEO and HEW), have calculated cost-benefit ratios of family planning programs that probably exceed the ratios of nearly every other type of public program. The following discussion is based on a number of unpublished documents dealing with this aspect of family planning.

Even with the use of conservative assumptions, such as the participation only of low-income women who already have three children, the rate of infant mortality would be reduced. The *rate* of mental retardation would also be reduced—not merely the *numbers* of infant deaths and retarded children. Both infant mortality and mental retardation are higher than average when mothers have more than three children. Under the assumption that about 80 percent of women would participate (based on past and current experience in pilot projects) and that births after the third child would be reduced by 75 percent, one estimate is that infant mortality rates among nonwhites, for example, would be reduced by about one-fourth. Similar results could be gained in the reduction of maternal deaths and dis-

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abilities as a consequence of fewer nontherapeutic abortions resulting from a program of birth control.

Based on these and other types of analyses, Planned Parenthood has calculated that a $10 million program consisting of 500,000 women at an annual cost of $20 per case (including administrative costs) would produce savings of about $250 million (in terms of reduced expenditures on maternal health care, child health care, care of mental retardates, aid to dependent children, and so forth). In addition, there is the possibility (as suggested earlier in this report) that longer spacing between pregnancies provides greater opportunity for higher family income since parents could improve their education and wives could obtain employment. Over the life of a family, a conservative estimate of an additional income of $10,000 per family [18] for the 45,000 families not on welfare and affected by the $10 million program would amount to $450 million in higher income benefits. This $450 million figure of private individual benefits added to the previous $250 million in reduced costs of public programs amounts to $700 million, producing a cost-benefit ratio of 70 to 1. As already stated, there are few, if any, greater ratios calculated for other types of public program expenditures, at least in programs related to combating poverty.

As of 1964, there were 9.3 million poor children in families with four or more children. If, after the third child, the number of births in poor families had been reduced by only 50 percent prior to 1964, there would have been in that year at least 4.6 million fewer poor persons in the United States—a 13 percent reduction in the 34 million poor. This calculation, moreover, does not take into account the possibility that the reduction of family size would have brought a number of families above the poverty line, which is partly based on family size in relation to income.

This is a highly conservative approach, moreover. If the family size of the poor were identical to that for the nonpoor, there would actually be about 6.5 million fewer children living in poor families.

There are several clear-cut conclusions and viewpoints that we should be aware of in weighing the feasibility of a major expansion of family planning programs in an attack on poverty.[19] One of these is that the vast majority of Americans now approve of the idea of family planning.

The second is that, regardless of income level, the maximum number of children wanted by most families is four. Third, the critical point in the lives of families comes upon the birth of the fourth child, in terms of an increased awareness of the value of smaller families. Fourth, economic reasons are the major ones cited by parents for limiting family size. Fifth, large families obviously aggravate the problems of the already poor: a small income means that per-family-member funds are reduced further. But beyond this, it also means that parents, often poorly prepared, must dilute their child-care time per child; the children themselves suffer from a variety of pressures to an extent greater than those in smaller families (including other poor, but smaller families)—"and a new generation of children grow up with a tendency to be trapped in poverty and failure." [20]

Sixth, the obstacles to effective family planning among the poor relate to ignorance or unawareness of the concept; lack of money even when aware; unavailability of, or isolation from, agencies that can provide services; unwillingness to go through the steps in the use of contraceptives; attitudes such as fatalism, and so forth.

Seventh, nevertheless, when programs are made available at little or no cost to poor families, they make use of the services and materials provided. This is especially true in the case of the use of more recently developed methods of contraception, such as the "pill," and the "loop," and when family planning clinics are run on a person-to-person basis, rather than through a mass media campaign of a general educational nature.

Eighth, a comprehensive family planning program must include attention to the problems of young persons (teenagers, especially) from poor families who need sex information and education prior to marriage and/or during the early phase of marriage. Recent studies suggest that lack of family planning (or birth control) for this group results in early births of unwanted children and other burdens preventing the young parents (or unmarried mothers) from moving out of poverty. For poor persons, the birth of children soon after marriage (or among young unmarried mothers) tends to decrease the ability of poor parents to advance themselves or provide for their offspring. This is one of the major conclusions of the study by Freedman and Coombs, referred to in footnote 18.

VI. ADEQUACY OF CURRENT FAMILY PLANNING PROGRAMS

The previous sections of this report have attempted to show that:

1. Poverty in the United States is attributable *in part* to large family size, as evidenced, for example, by the comprehensive analysis of census data showing that children born into *small* lower income families have a greater chance of becoming nonpoor when adults than those born into *large* lower income families.

2. Progress in reducing poverty in recent years is greatest among small-sized families, and is retarded to the extent that poor families continue to have high fertility rates.[21]

3. Due to such factors as unawareness of effective methods, insufficient income, and unavailability of family planning services, low-income women have more children than they want.

4. The few programs that have been made available have shown that the poor do respond effectively to family planning services.

5. The benefits of a comprehensive family planning program are significant in their impact on the reduction of poverty and on costs to the community.

Thus, reduced family size is necessary; and is desired by, and possible for, the poor—and others who prefer to remain above poverty.

But despite the fact that family planning as a method of reducing or preventing poverty may be deemed necessary, desired, and possible, local, state, and federal government response has been slow, cautious, and by no means commensurate with the need. Despite the fact that analysts in government and other organizations have calculated that family planning measures are probably the single most cost-effective program in any war against poverty, the amount of funds devoted to such measures (apart from research on the subject by scientists) is minuscule. Even if we were to include nongovernmental programs financed by nongovernmental funds, it is doubtful whether more than 15 percent of the low-income families in the United States currently have the benefits of a voluntary participation program of family planning. As a conservative estimate, there are at least five million low-income women who could benefit from such a program; but, at most, only 750,000 are now receiving assistance. Since poor women become pregnant sooner than nonpoor women and continue to bear children longer (due to earlier marriages and less effective use of contraceptives), one could use a maximum figure of six million. In 1966 there were that many poor females between the ages of 16 and 54. If this were the basis of estimates, then there would be a smaller proportion of the target population reached than 15 percent.

Despite the fact that the President enunciated a government policy favoring family planning in his March 1966 message on domestic health and education—when he said that, "It is essential that all families have access to information and services that will allow freedom to choose the number and spacing of their children within the dictates of individual conscience"—it must be said in candor that the greatest progress "has been in the area of new policies rather than in the implementation of programs." [22]

According to some observers, the agency which has been indulging in the most enunciations—the Department of Health, Education, and Welfare—has apparently done the least to carry out programs. Current family planning activities on the part of HEW "are off to an exceedingly slow start." [23] At best, the department seems to have taken the position that the emphasis should be on "comprehensive health services," of which family planning *may* be a part. But family planning apparently will not be given any special attention or priority—despite the department's own estimates concerning the higher cost effectiveness of family planning in the area of health, apart from its potentials for the reduction and prevention of poverty.

In fiscal years 1966 and 1967 it has been estimated that $3 million and $9 million, respectively, have been used for family planning through HEW-related programs, apart from research and training projects. The projected figure for 1968 may be as high as $13 million. The difficulty in obtaining definitive estimates lies in the fact that family planning services, if provided, at all, are not recorded as a special diagnostic category in reports originating from HEW-financed sources. As of the time this report was written, there were no definitive plans for a program specifically designed as "family planning" under HEW auspices. None of these funds, it should be noted, were provided through any specific program designated for family planning as such but rather as part of the activities designed for improving health services for mothers and children (Title XIX of the Social Security Act) and so forth.

Science, the magazine of the American Association for the Advancement of Science, has described the efforts of the department in the field of family planning as "leaderless and leisurely." By concentrating on the doctrine of "comprehensiveness" in its health programs, the department in *practice* does not mean comprehensive, but rather whatever state and local health departments care to provide. If those departments indicate a preference for family planning services as part of their total offerings, HEW will not object. But apparently HEW will do little to initiate. The desire not to earmark any funds for family planning means in reality that by the time congressional authorizations and appropriations reduce requested funds for all health programs, very little remains for new programs over and above traditional and previous obligations at the local level. For example, *Science* says:

> "Instead of the approximately $270.5 million authorization it [the Department] had requested for the program [under Title XIX of the Social Security Act]—a sum that was approved by the Senate—the authorization for fiscal 1968, after cuts by the House and the House-Senate conference, was only $125 million. Of that, about $110 million was needed to support ongoing commitments, leaving only around $15 million free to meet a variety of demands—of which family planning would be only one."

It is not completely accurate to say that local and state levels of health programs have little interest in family planning, but as stated earlier, previous commitments for

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Footnotes at end of article.

other programs cannot be reduced in order to provide for increased family planning efforts. According to the testimony on H.R. 6418 (to extend the authority of Public Law 89–749), by the Association of State and Territorial Health Officers before the House Committee on Interstate and Foreign Commerce, on May 3, 1967, and represented by Dr. John H. Venable, director of the Georgia Department of Public Health, there is widespread recognition among the states of the high priority that should be given to family planning. Unfortunately, the discrepancy between the amounts needed and the amounts available is substantial. Dr. Venable provided the example of his own State of Georgia:

"For family planning programs, we have a potential caseload presently of approximately 210,000. Family planning services could be provided for 21,000 people with the expenditure of $196,000. We have State and local funding at the level of $146,000. We, therefore, would need $50,000 additional Federal support for this activity. In 5 years' time, when the caseload has increased to approximately 223,000, we can reach 70 percent of the objective or 156,000 with the expenditure of $1,380,000. It can easily be seen that there needs to be a great increase in the level of support from the Federal Government for this very necessary activity."

Within the Office of Economic Opportunity, the picture has been more promising. Once again, the mere presence of local community action agencies has resulted in the surfacing of individual and social needs that, for one reason or another, were not being met by previously existing programs, whether public or private, local, state, or federal. Family planning was one of these needs.

This does not mean, of course, that local communities and organizations for the benefit of the poor had easy sailing in their efforts to receive OEO approval of family planning projects. At first, there was a general reluctance, apparently because of unfounded fears about public objections. Then there were restrictive guidelines as to eligibility, such as services only for married women without recognition of the disproportionate number of births among young impoverished girls without husbands.[24] This restriction was later removed by Congress. Confusion continued to reign among regional OEO offices as to Washington's commitment or interest in family planning.

By fiscal 1966, about $2.4 million in OEO funds had been spent on family planning projects, at the request of local community action agencies. Approximately $4.6 million was spent in the fiscal year ended June 30, 1967. These funds are estimated to have served only 100,000 women. Original plans called for the expenditure of $4 million;[25] 1968 plans include $10 million for family planning.

But in March of fiscal year 1967 because of the cutback in congressional appropriations for OEO, approximately one-half of the nearly 60 projects then in operation were faced with curtailment or termination, and another 20 proposed projects were not fundable at all. This was despite OEO's own calculations that family planning was perhaps the single most cost-effective approach to the problem of poverty. As a result of strong protests on the part of such organizations as Planned Parenthood-World Population, however, OEO recommitted from "emergency funds" nearly $600,000, and none of the programs were terminated. Additional supplementary funds were provided to start new projects.

OEO has had to issue at least two directives to its regional offices during the past year to remind them that the agency was favorably inclined toward family planning projects proposed by local agencies. If there is to be a continued emphasis on local initiative and local setting of priorities in OEO's community action program, it should be accompanied at least by greater and more effective communication to local groups by OEO and its regional staffs concerning what types of projects are possible and the variations in cost-effectiveness of one type of project as over against another. Local communities should be made more aware of the comparative impact on poverty of family planning as compared to, say, more and improved "museum visits." The 1967 amendments by the Senate Committee on Labor and Public Welfare include a "national emphasis" program for family planning, designed to accomplish these goals.

Finally, it should be noted that OEO, until the first few months of 1967, lacked any special staff in the field of family planning. As of the present, there is one such specialist, a highly qualified physician, employed in the Community Action Program's health services staff.

The concrete, measurable commitment of OEO to family planning has grown significantly over the past two years, in comparison with the commitment of HEW. At the present time, OEO makes possible the most direct delivery of family services for the poor. This fact alone militates against the otherwise plausible argument of "spinning off" OEO functions to old-line agencies. The problem remains whether its desire to meet an expected increased local demand for support of family planning programs will be matched by appropriate funds and other forms of assistance. In fairness to OEO, it must be pointed out that the solution to this problem lies essentially with Congress, which must decide whether to "earmark" for family planning *within* a static level of authorization for the war against poverty—thus creating a cutback on other programs—or *add* to the present level of authorization and commitments a sum necessary for an effective application of family planning services to the problem of poverty in America today and in the future.

"It is apparent that today in the United States," stated Dr. Alan Guttmacher, president of Planned Parenthood-World Federation, in his testimony of June 8, 1967, before the Senate Subcommittee on Employment, Manpower, and Poverty, "family planning is accepted as an important and necessary component of community health services. The question that faces us today *is not* whether or not family planning services are needed; it *is not* a question of beneficial results; it *is not* even a question of individual or societal acceptance—rather it is a question of the degree of priority we are willing to place on family planning services for the medically impoverished and how far we are willing to go to implement that priority."

FOOTNOTES

[1] A small number of these persons are "ever married" persons aged 14–21. This inclusion actually produces an underestimate of dependency ratios for the poor relative to the nonpoor.

[2] It may nevertheless turn out that the higher fertility rates of the poor are due to their rural origins; and, as the number of urban persons with rural backgrounds declines, socioeconomic differences in rates will tend to be less marked.

[3] U.S. Bureau of the Census, *Current Population Reports*, Series P–25, No. 367, June 1, 1967.

[4] Both the Urban League and the NAACP, along with the Reverend Martin Luther King, have endorsed policies favoring the dissemination of family planning methods. In a speech at the 50th Anniversary Banquet of Planned Parenthood-World Population in Washington, D.C., on May 5, 1966, the Reverend Mr. King said, "This is not to suggest that the Negro will solve all his problems through Planned Parenthood. . . . Yet if family planning is sensible it can facilitate or at least not be an obstacle to the solution of the many profound problems that plague him."

[5] Based on Mollie Orshansky, "Recounting the Poor—A 5-Year Review," *Social Security Bulletin*, April 1966.

[6] A special census of Cleveland reveals that Negroes experiencing the greatest economic gains from 1960 to 1965 had smaller family sizes over this period of time, while Negroes who actually experienced absolute economic decline had an increase in family size, especially in families headed by females (U.S. Bureau of the Census, *Current Population Reports*, Series P-23, No. 20, Sept. 22, 1966).

[7] "Poverty"—to repeat—is defined not merely in terms of income, but also in terms of family size.

[8] "Measuring Poverty," *The Social Welfare Forum*, 1965, p. 218.

[9] Catherine S. Chilman, "Population Dynamics and Poverty in the United States," *Welfare in Review*, June–July, 1966.

[10] For an early exposition of this viewpoint, see Joseph J. Spengler, "The Population Obstacle to Economic Betterment," *American Economic Review*, May 1951, pp. 343–354. More recently, Stephen Enke has written "The Economic Case for Birth Control in Underdeveloped Nations," in the May–June 1967 issue of *Challenge Magazine*, in which he states that "if governments wish to raise per capita income significantly, they must induce birth reductions within a decade comparable to those that occurred in developed nations during a century . . . money spent to reduce births will be as much as 100 times more effective than money invested to raise output."

For a more detailed exploration of the relationship between population and economic change, see Goran Ohlin, *Population Control and Economic Development* (Paris: Organization for Economic Cooperation and Develpment, August 1967).

[11] From analysis by Otis Dudley Duncan, University of Michigan, of 1962 census data on educational change, to be published this year as part of *The American Occupational Structure*, by Peter M. Blau and Otis Dudley Duncan (New York City: John Wiley & Sons, Inc.).

[12] *Ibid.*

[13] See John Nisbet, "Family Environment and Intelligence," *in* A. H. Halsey, editor, *Education, Economy, and Society* (New York: Free Press, 1961), pp. 273–287.

[14] *In* Lois and Martin Hoffman, editors, *Review of Child Development Research*, Vol. 2 (New York: Russell Sage Foundation, 1966), pp. 12–14.

[15] See Arthur A. Campbell, "The 'Growth of American Families' Studies," *Welfare in Review*, October 1965; and Adelaide Cromwell Hill and Frederick S. Jaffe, "Negro Fertility and Family Size Preferences," *in The Negro American* (Boston: Houghton Mifflin Co., 1966).

[16] Reprinted in *Studies in Family Planning* (Population Council), No. 17, February 1967, pp. 5–12. Footnotes are not included in this excerpt.

[17] Elizabeth C. Corkey, "A Family Planning Program for the Low-Income Family," *Journal of Marriage and the Family*, November 1964, pp. 47–80.

[18] Based on a study by Ronald Freedman and Lolagene Coombs, "Child spacing and Family Economic Position," *American Sociological Review*, October 1966, pp. 631–648. In this article, the authors state on the basis of their data that ". . . if children are born very soon after marraige, the need for immediate income and security puts more constraint on the husband in his choice of occupation or on his ability to complete sufficient education to qualify him for higher status jobs with greater income. Rapid family growth may also mean expenses out of proportion to income, with the result that the margin needed to accumulate economic assets must be spent for immediate purchases . . . a couple's economic position is substantially better the longer the interval to the first birth or the last birth."

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[19] For a summary of the studies forming the basis of these conclusions, see Catherine S. Chilman, "Poverty and Family Planning in the United States," *Welfare in Review* April 1967.

[20] *Ibid.*

[21] In 1960, the number of children ever born per 1,000 women 45 years old and over was about 3,000 in families where husbands earned less than $3,000, and was correspondingly lower in families with higher incomes of husbands—down to less than 2,000 for women whose husbands had incomes of $7,000 and over. From 1950–52 to 1960, the percent increase in the fertility rates among women 15–44 years old was highest for women whose husbands' incomes were under $5,000. In 1950, the lowest income group's fertility rate (number of children born per 1,000 women) was only 14 percent above that of the highest income group; but, by 1960, it was more than 20 percent above that of the highest income group (Table 55, *Statistical Abstracts of the United States*, 1965, p. 52).

[22] Gordon W. Perkin, M.D., and David Radel, "Current Status of Family Planning Programs in the United States," Population Program, Ford Foundation; mimeographed, no date.

[23] Elinor Langer, "Birth Control: U.S. Programs Off to Slow Start," *Science*, May 12, 1967, pp. 765–767.

[24] As an indirect reflection of this problem, in 1965 one-third of female-headed poor families had four or more children, and these families constituted 80 percent of all female-headed families, with these many children; i.e., out of 600,000 female-headed families with four or more children, 80 percent were living below the Social Security Administration poverty line. In 1965 the number of poor children in families with female heads was 4.4 million.

[25] OEO claims that approximately $1.75 million of the 1967 allocation for neighborhood health centers was spent for family planning services, in addition to the amount allocated for such services.

SENATE-PASSED COAL MINE HEALTH AND SAFETY BILL RECEIVES EDITORIAL PRAISE

Mr. RANDOLPH. Mr. President, the Washington Daily News declared editorially in today's issue that—

> The strong mine safety bill unanimously approved the other day by the U.S. Senate should go a long way toward giving the nation's coal miners better protection against injury, disability, and death.

All of the News interpretations of the measure passed by the Senate perhaps will not be agreed to 100 percent by all of the Members who were present when S. 2917 was passed unanimously October 2, 1969; nor is it likely there will be total agreement in the House that its committee's bill contains the loopholes claimed by the News.

But there should not be any disagreement with the closing editorial observation that—

> Passage of the tough-but-fair Senate bill should put the House on notice that lip service to safety is no longer enough when the lives of coal miners are at stake.

Mr. President, I ask unanimous consent to have the editorial from the Wednesday, October 15, 1969, Washington Daily News printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SENATE VOTES SAFER MINES

The strong mine safety bill unanimously approved the other day by the U.S. Senate should go a long way toward giving the nation's coal miners better protection against injury, disability and death.

Key provisions of the bill would require the 3,600 coal mines to install non-spark drilling equipment, set limits on coal dust levels in mines, establish a federal-state compensation program for "black lung" victims and allocate federal funds for safety research.

Large mines would be directed to install the non-spark equipment within four years, smaller mines within five years. These deadlines do not seem unduly harsh, despite the complaints of some mine operators.

Now that the Senate has acted, the House of Representatives could show as much devotion to mine safety by plugging several loopholes in its version of the bill before voting.

The loopholes—inserted by a House committee—would encourage delays in buying safer equipment and give an industry-dominated board the power to set health and safety standards.

Passage of the tough-but-fair Senate bill should put the House on notice that lip service to safety is no longer enough when the lives of coal miners are at stake.

THE VIETNAM WAR

Mr. NELSON. Mr. President, for 15 years the United States has been involved in a war in Vietnam. Today that struggle is no closer to being resolved than it was the day we went into it. We now face the agonizing dilemma of how to get out of a situation in which we never should have become involved. The foundations of the American policy in Vietnam, the basic premises and reasons why this Nation considered it necessary to become involved in that civil war, is a long history of bad judgments and mistakes.

With the dramatic defeat of the French at Dienbienphu in 1954, the colonial rule of Indochina ended. The Geneva Accords of that year ended the hostilities and roughly cut the country in half at the 17th parallel, creating the regime of Ho Chi Minh in the north and a government headed by Ngo Dinh Diem in the South.

As the French were phasing out of the country under the Geneva agreements, President Diem of the Republic of South Vietnam turned to the United States to request economic and military assistance to protect his shaky government. President Eisenhower then agreed to "assist the Government of Vietnam in developing and maintaining a strong viable state, capable of resisting attempted subversion or aggression through military means."

During the next 10 years, the United States poured in $3.3 billion in economic aid and military assistance, while the American troop commitment grew to 16,000. Unimpressed, the stubborn guerrilla opposition to the South Vietnamese Government intensified. Early in 1964, Secretary of Defense Robert S. McNamara described the Vietnam situation as "unquestionably worsened."

Then, on August 2 and August 4, reports reached Washington that U.S. naval vessels had been fired upon by North Vietnamese patrol boats. With almost immediate retaliation, American forces struck back and bombed North Vietnamese naval bases. It was a new phase in the American involvement with American forces involved in the first bombing of the north.

Seeking the support of Congress for the aggressive American response to the reported Gulf of Tonkin attack, the President requested the introduction of what is now known as the Gulf of Tonkin resolution. It quickly passed the House. In the Senate, however, it was debated for several days. I became concerned about the broad implications of some of the language of the resolution which might be construed to give the President an open-ended authority to change our clearly limited role there from one of technical aid and assistance to a commitment to use our own forces in an Asian land war. I offered a clarifying amendment which made it clear that the continuing policy of the U.S. commitment would be "to limit our role to the provision of aid, training assistance, and military advice—we should continue to attempt to avoid a direct military involvement in the Southeast Asian conflict."

The Senator from Arkansas (Mr. FULBRIGHT) did not believe it was necessary to adopt my amendment, which clearly delineated the limitations of our involvement in Vietnam, because in his view it was not the intent of the Tonkin resolution to authorize a change in our military role there. Since this amendment would have forced appointment of a conference committee, which would have delayed action for several days if not 2 or 3 weeks, I withdrew the amendment with his assurances that the Tonkin resolution did in fact contemplate the same limitations as were more specifically spelled out in the amendment.

As spokesman for the administration on this issue and as manager of the resolution, Senator FULBRIGHT's interpretation is compelling, if not the only factor, in determining legislative intent. Furthermore, when the resolution is considered in the context of the political climate of that moment in history, it becomes clear beyond any doubt that the resolution certainly did not authorize an Asian land war. The resolution was debated and voted on in the middle of a political campaign in which Senator GOLDWATER was under heavy attack by Democrats for his advocacy of escalation of the war. Even more important, 2 months after the resolution passed—October 4, 1964—President Johnson reaffirmed the basic position he had held all along by stating:

> American boys are not going to be sent to fight a war that Asian boys should fight for themselves.

In this set of circumstances, how can anyone rationally conclude that it was the intent of the resolution to authorize the conversion of our role there to a full-scale land war. If Senator FULBRIGHT had put that interpretation on the resolution, the President and his administration would have repudiated him out of hand.

Time after time, writers, historians of the period, and political leaders have carelessly interpreted this resolution to mean that Congress authorized the President to start a land war in Vietnam. It is a distortion of history that should not stand unchallenged because the pertinent facts and political circumstances do not support that conclusion.

It should be said that Senator FULBRIGHT correctly interpreted the resolution when he presented it to the Senate. He is not responsible now for the fact that proponents of escalation subsequently seized upon the resolution and distorted its meaning to make a case for blanket congressional endorsement. Whatever endorsement Congress gave was not through the Tonkin resolution but rather by voting the appropriations to expand our involvement.

By the following spring, a $700 million special supplemental appropriation was requested by the President to help finance the rapidly growing Southeast Asian commitment. American troops in Vietnam had grown to 35,000 and the fighting was increasing in intensity. In voting against the special supplemental appropriation along with Senators Morse and Gruening, I again warned that it should remain a cardinal principle of U.S. policy not to engage American troops in a land war in South Vietnam.

On January 15, 1966, I called for a negotiated settlement of the war and pointed out:

> If a million American soldiers were to force all North Vietnamese units from South Vietman and to suppress the Viet Cong guerrillas with napalm and bayonets—even if we avoided an open clash with Red China—even then when we withdrew, as eventually we must, we would leave behind us only a charred, desolate country with little hope that it could maintain its independence one moment beyond the time we left.

It was increasingly obvious that a military victory was impossible in Vietnam and that American troops were dying by the thousands to buy time for the South Vietnamese Government to stabilize itself enough to take over its own fighting and direction.

During the next few years, the American troop commitment passed the half million mark, and the economic costs, felt by important domestic health and welfare programs, totaled more than a hundred billion dollars.

When the Democratic Party Platform Committee met in Washington in preparation for the 1968 national nominating convention, I testified before the body that I would not support a plank that endorsed past Vietnam policies.

The war in Vietnam, which has been dragging on with no real end in sight, has been an ugly war of no strategic victories. It has been a war that measures victories by making body counts at the end of a battle. It has been a war of fighting bravely for a hilltop and then giving it up after it has been won.

The only consistent quality of the war has been the senseless waste of human lives, military and civilian, on both sides of the battle lines. The number of battlefield deaths and casualties is staggering.

From January 1, 1965, to August 30, 1969, some 38,313 Americans were killed and 244,592 wounded. On the other side, it has been estimated that more than one-half million men have died and countless others wounded. Accurate figures are not available on casualties to the civilian populations.

In addition to the obvious human tragedy, this war has threatened the economic stability of this country and has twisted the national priorities. The war has cost nearly $30 billion this year, has raised taxes, and has decreased the value of the purchasing dollar.

This Nation will not, however, find a solution to the economic crisis by cutting back on the Nation's public works programs, halting spending for new schools and highways, continuing the surtax, and limiting the vital domestic programs that deal with the urban crisis, pollution, poverty, hunger, and education.

The answer to the human and economic crisis facing the Nation is in ending the war.

This country has been doing the fighting for the South Vietnamese for too long. The time has long passed for the South Vietnamese troops to do their own fighting. It is time for them to take over their own war and begin the phaseout of American troops at the earliest possible date.

The grave moral, military, and political mistakes of Vietnam have for too long been defended by calls for patriotism and requests for support for secret solutions that were "just around the corner." The solutions have never been found around the corner, and the credibility of this country has suffered around the world as well as with the people of this country.

Public opinion polls show understandable increasing disillusionment and frustration with the war, with the increasing number of young men dying in a war no one understands, and with a war that nearly every responsible leader in the country has said must come to an end.

If we could turn the time back to when the national mood was generally indifferent to the rapid escalation of the war, who would now disagree with the position that we should not substitute our Armed Forces for the troop responsibilities of the South Vietnamese Government?

What is necessary now is for a new direction predicated not on the policies of the past, but on a realistic assessment of the conditions of the present. It is no longer acceptable to tell the American people that peace is coming when it is not. It is no longer acceptable to ask for more time when too much time has already passed. It is no longer acceptable to demand patience when the American people have shown remarkable patience. And it is no longer acceptable to wage war when the American people want peace.

The South Vietnamese must take over all of their own fighting. We have delayed a phasein of South Vietnam troops for too long, but now a program is beginning. This program should result in the removal of all American troops from combat. It is not acceptable to have half a million, a quarter of a million, or even 50,000 American troops remain indefinitely in South Vietnam as American troops have remained in Korea. The phasein of South Vietnamese troops must carry the clear understanding that all U.S. combat troops will be returning home.

If, after all these years—after all the billions of dollars, all the training, all the equipment and American troops—the South Vietamese Government cannot take over the responsibility of its own defense, then they will never be able to take it over at all.

Vietnam Moratorium Day is giving us a unique opportunity to pause and reflect on the history of the American involvement in the civil war in Vietnam.

Let us hope that the Nation has learned a lesson in Vietnam. A lesson that clearly teaches that no outside power, no matter how much money it spends or how many men it sends in to fight, can make a government secure when the citizens support neither the war nor the government in power.

Ultimately, the Vietnamese must settle their own civil war. The United States cannot do it. The presence of American troops does not create an atmosphere conducive to a peaceful settlement. The United States must face the reality that we are the outside power in a civil war. The United States has made the grave error of siding with Vietnamese fighting Vietnamese. Serious negotiations for peace and the establishment of Vietnam for the Vietnamese can only come about when American forces leave the country.

I am heartened by the response the Vietnam moratorium is getting around the Nation. It has support not only with students in colleges and high schools, but with concerned Americans everywhere. Hopefully, the outpouring of concern shown today will impress the administration, Congress, and other national leaders that Americans want to get out of this war at the earliest possible date.

In the 89th, 90th, and 91st Congresses, I voted against going into Vietnam and increasing our commitment in the belief that it was a mistake to intervene. With the benefit of hindsight, I am satisfied that this position represented the best interests of our country. I hope we will have learned enough from this experience not to make the same mistake again.

I ask unanimous consent to have printed in the RECORD my statement of September 18, 1967, regarding the meaning of the Gulf of Tonkin resolution; my speech of May 6, 1965, in voting against the 1965 supplemental appropriation; my statement of January 15, 1966; and the statement that I made before the Democratic platform committee on August 20, 1968.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the CONGRESSIONAL RECORD, Sept. 18, 1967]

STATEMENT BY SENATOR NELSON ON VIETNAM

(Which Way in the Vietnam War? "Now, before it is too late, is the time to decide what direction we are going to go in Vietnam . . . There is, it seems to me, only one sensible direction and that is toward deescalation and negotiations . . ."—Senator Gaylord Nelson.)

(In his speech, Senator Nelson warns again of the deepening American involvement in Vietnam. On Page 3, in a colloquy with Senator Fulbright, Senator Nelson recalls his effort to head off escalation of the war at the time of the Gulf of Tonkin resolution debate in 1964.)

In recent weeks there have been renewed and vigorous discussions about the meaning and intent of the Tonkin Bay Resolution. It has lately been repeatedly asserted by Administration spokesmen, writers and others that the overwhelming vote for the resolution in 1964 expressed Congressional approval of whatever future military action the Administration deemed necessary to thwart aggression in Vietnam including a total change in the character of our mission there from one of technical aid and assistance to a full scale ground war with our troops.

This, of course, is pure nonsense. If such a proposition had been put to the Senate in August, 1964, a substantial number of Senators, if not a majority, would have opposed the resolution. What we are now witnessing is a frantic attempt by the Hawks to spread the blame and responsibility for Vietnam on a broader base. They should not be allowed to get away with it. It is not accurate history and it is not healthy for the political system. The future welfare of our country depends upon an understanding of how and why we got involved in a war that does not serve our national self interest. If we don't understand the mistakes that got us into this one we won't be able to avoid blundering into the next.

The intent and meaning of any proposition before the Congress is determined by the plain language of the act itself, the interpretation of that language by the official spokesman for the measure and the context of the times in which it is considered.

Because of my concern about the broad implications of some of the language I offered a clarifying amendment. The official Administration spokesman for the resolution, Mr. Fulbright, said the amendment was unnecessary because the intent of the resolution was really the same as any more specific amendment. In short, according to Mr. Fulbright, the resolution did not intend to authorize a fundamental change in our role in Vietnam.

Three Presidents had made it clear what that limited role was, and this resolution did not aim or claim to change it.

If the official Administration spokesman for a measure on the floor is to be subsequently repudiated at the convenience of the Administration, why bother about such matters as "legislative intent?" In fact, why bother about Administration spokesmen at all? At the conclusion of these remarks I will reprint from the Congressional Record my colloquy with Mr. Fulbright which formed the basis for my vote on the Tonkin Bay Resolution. Had he told me that the resolution meant what the Administration now claims it means I would have opposed it and so would have Mr. Fulbright.

However, an even more important factor in determining the intent of that resolution is the political context of the times when it was considered by the Congress. It was before the Senate for consideration on August 6 and 7, 1964. We were in the middle of a Presidential campaign. Goldwater was under heavy attack for his advocacy of escalation. The Administration clearly and repeatedly insisted during that period that we should not fight a ground war with our troops. No one in the Administration was suggesting any change in our very limited participation in the Vietnam affair.

The whole mood of the country was against Goldwater and escalation and particularly against the idea that "American boys" should fight a war that "Asian boys" should fight for themselves, as the President put it in September of that year.

For the Administration now to say that the Tonkin Resolution considered during this period had as part of its purpose the intent to secure Congressional approval for fundamentally altering our role in Vietnam to our present ground war commitment is political nonsense if not in fact pure hypocrisy.

If Mr. Fulbright, speaking for the Administration, had in fact asserted that this was one of the objectives of the resolution the Administration would have repudiated him out of hand. They would have told him and the Congress this resolution had nothing to do with the idea of changing our long established role in Vietnam. They would have told Congress as they were then telling the country that we oppose Goldwater's irresponsible proposals for bombing the North and we oppose getting involved in a land war there with our troops. That was the Administration position when the Tonkin Resolution was before us. They can't change it now. It is rather ironic now to see how many otherwise responsible and thoughtful people have been "taken in" by the line that Congress did in fact by its Tonkin vote authorize this whole vast involvement in Vietnam. The fact is neither Congress nor the Administration thought that was the meaning of Tonkin—and both would have denied it if the issue had been raised.

The current intensity of the discussion over the military status of Vietnam, the Tonkin Resolution and the elections signal a new phase of the war dialogue. What's really new in the dialogue now is the sudden, almost universal recognition by a majority of the Hawks that this is after all a much bigger war than they had bargained for.

They now realize for the first time that to win a conventional military victory will require a much more massive commitment of men and material than they ever dreamed would be necessary. How many men? A million at least and perhaps two million without any assurance that a clear cut military victory would result in any event. Furthermore, it has finally dawned on the Hawks that a military victory does not assure a political victory—in fact there is no connection between the two and one without the other is of no value whatsoever.

This new recognition of the tough realities of Vietnam afford the opportunity for a reappraisal of our situation in Vietnam and a redirection of our efforts.

The danger we now face is the mounting pressure from military and political sources for a substantial escalation of the bombing attack in the North. The fact is the whole military-political power establishment (both Republican and Democratic) has been caught in a colossal miscalculation. They have been caught and exposed in the very brief period of 24 months since we foolishly undertook a land war commitment.

They did not then nor do they now understand the nature, character and vigor of the political revolution in Vietnam. But in order to have face they are now demanding an expansion of the war. If they prevail we will then see another fruitless expansion which will not bring the war to a conclusion but will extend our risk of a confrontation with China.

Unfortunately the Administration continues its policy of so called controlled expansion of pressure on the North which really is nothing more nor less than endless escalation which will likely lead to a vast expansion of the war. It ought to be understood once and for all that no amount of pressure on the North will settle the war in the South. A complete incineration of the North will not end the capacity of the guerrilla to continue the fight in the South.

Though we committed a grave blunder in putting ground troops into Vietnam in the first place, it does not make sense to compound the blunder by pouring in additional troops. The Administration proposal for 45,000 additional troops with tens of thousands more demanded by the military is simply a blind and foolish move in the wrong direction.

What the military really needs is a million or two million ground troops for the war they want to fight. Furthermore, no one can explain what possible proportional benefit this country or the free world will get for this kind of massive allocation of resources—even assuming this would win the military-political war which I think is highly doubtful.

There is no easy solution to our involvement, but now, before it is too late, is the time to decide what direction from here we are going to go in Vietnam.

There is, it seems to me, only one sensible direction to go and that is toward de-escalation and negotiations.

It was a mistake for us to Americanize this war in the first place, and it is an even greater mistake to continue it as an American war. As soon as the elections are over this Sunday we should cease bombing the North in order to afford the opportunity to explore the possibility of negotiations. It is rather ironic that Chief of State Thieu, the military candidate for President, favors a bombing pause but our military oppose it. Whose war is this?

Next we should fundamentally alter our military and political policies in the South. We should notify the South that henceforth it will be the job of South Vietnamese to do the chore of political and military pacification of the South. While our troops occupy the population centers, furnish the supplies, transportation and air cover, it must be the job of the Vietnamese to win the political and military war in the South. If they do not have the morale, the interest, the determination to win under these circumstances then their cause can't be won at all.

Surely it ought to be understood by now that if there is going to be a meaningful solution to the Vietnam problem they must be the ones who make it meaningful.

Furthermore, if it is true, as our State Department says, that all other South East Asian countries feel they have a stake in Vietnam, let them send some troops of their own to prove their interest.

Under this approach we will reduce the loss of our troops to a minimum and we will find out whether our allies in the South really believe they have something to fight for. If they do, they have the chance to build their own country. If they don't, then we should get out.

This it seems to me is our best alternative to the fruitless policy of endless escalation.

[From the CONGRESSIONAL RECORD, Mar. 1, 1966]

(EDITOR'S NOTE.—What really happened in 1964 when the Senate debated the Gulf of Tonkin resolution? Here is a colloquy between Senator Nelson and Senator Fulbright from 1966 in which they discuss that historic debate.)

Mr. FULBRIGHT. Mr. President, will the Senator from Wisconsin yield just briefly?

Mr. NELSON. I am glad to yield to the Senator from Arkansas.

Mr. FULBRIGHT. First, I appreciate what the Senator said. I have already said publicly that I believe one of the most serious mistakes I have made as chairman was in not accepting or urging the Senate to accept the amendment offered by the Senator from Wisconsin in August 1964. I do not believe it is proper, and do not wish to take the time to explain the circumstances of that particular moment, but, nevertheless, I believe it was a mistake and I commend the Senator from Wisconsin for having more foresight than I had at that time, and I think many other Senators, as to the possible significance of that resolution.

He did offer a very sensible, limiting amendment to that resolution, and I regret that we did not have the kind of discussion of it in public at that time that we have had recently. But I do commend the Senator from Wisconsin for his foresightedness and regret that I did not have as much.

Mr. NELSON. I believe that the Senator advised me at that time that his interpretation of the resolution was the same as the purpose of my amendment, and that therefore the amendment was unnecessary.

Mr. FULBRIGHT. I thought it was.

Mr. NELSON. I also wish to commend those who have participated in this debate on both sides of the aisle.

Although very frequently I do not agree with the Senator from Oregon, I should like to say that he has made a most valuable contribution to this discussion—and he will continue to do so.

One thing, however, that disturbs me very much is the argument I have heard advanced in the press, by columnists, by distinguished Members of Congress, and people in the executive branch, that we should not be debating this issue because what we say here, in our free country, will be misunderstood by some Communists in some other country, Communists who do not know what free speech is all about and never will.

Mr. President, this is the greatest parliamentary body in the world. It is the oldest parliamentary body in the world. Its function and purpose is constructive debate. The strength of this Nation is measured by its capacity for intelligent debate, not by its ability to goosestep. I hope we do not undermine that source of our power. I have heard it implied here and elsewhere lately that free speech and dissent should stop because it may be misunderstood in Communist countries. This is a dangerous parallel to the theory that was recently used by the Russian court in sentencing two writers to jail, not because of what they said in Russia but because they published books in this country which the Russians thought would be misunderstood in America and damage Russia. On that theory the Russian court sentenced the writers to jail.

Over here, we have people saying that we should stop debate because someone else who cannot understand the debate might misunderstand our resolve and damage America.

Mr. President, freedom is what democracy is all about. If some foreign dictator does not understand it, that is too bad. I have no intention of giving up my freedom of speech because some Communist does not understand what free speech is all about—and never will.

Regarding the Tonkin Bay resolution, let me comment briefly. It has been repeatedly stated by those who unqualifiedly support the Tonkin Bay resolution that there were only two Senators who had any reservations about it.

Mr. President, I had reservations about that resolution and I made them clear. I was in the Chamber on August 6, August 7, and August 8, and participated in the dialog concerning the resolution, as did several other Senators, who also expressed grave reservation about the resolution. Their remarks were intended to interpret that resolution and demonstrate congressional intent.

I discussed the subject on three different days with the chairman of the Foreign Relations Committee, and I am a little weary of having my vote interpreted as an unqualified endorsement of escalation. The record will show it was not such an endorsement.

The chairman of the Foreign Relations Committee was in the Chamber—the Senator from Arkansas (Mr. FULBRIGHT), as the spokesman for the administration. As a U.S. Senator, I was entitled to accept his advice, counsel, and interpretation of that resolution as an expression of the intent of the administration.

Mr. President, I shall not read the whole dialog, but I will read a part of it from the RECORD of August 6 and 7, 1964, as follows. Addressing myself to the chairman of the Foreign Relations Committee:

"But I am concerned about the Congress appearing to tell the executive branch and the public that we would endorse a complete change in our mission. That would concern me.

"Mr. FULBRIGHT. I do not interpret the joint resolution in that way at all. It strikes me, as I understand it, that the joint resolution is quite consistent with our existing mission and our understanding of what we have been doing in South Vietnam for the last 10 years."

Skipping some of it, I addressed the chairman once more, as follows:

In view of the differing interpretations which have been put upon the joint resolution with respect to what the sense of Congress is, I should like to have this point clarified. I have great confidence in the President. However, my concern is that we in Congress could give the impression to the public that we are prepared at this time to change our mission and substantially expand our commitment. If that is what the sense of Congress is, I am opposed to the resolution. I therefore ask the distinguished Senator from Arkansas if he would consent to accept an amendment, a copy of which I have supplied him. I shall read it into the RECORD:

"On page 2, line 3, after the word, 'That' insert '(a)'.

"On page 2, between lines 6 and 7, insert the following:

"'(b) The Congress also approves and supports the efforts of the President—

This was the amendment to the Tonkin Bay resolution—

to bring the problem of peace in southeast Asia to the Security Council of the United Nations, and the President's declaration that the United States, seeking no extension of the present military conflict, will respond to provocation in a manner that is "limited and fitting". Our continuing policy is to limit our role—

Listen to these words—

to the provision of aid, training assistance, and military advice, and it is the sense of Congress that, except when provoked to a greater response, we should continue to attempt to avoid a direct military involvement in the southeast Asian conflict'."

This amendment is not an interference with the exercise of the President's constitutional rights. It is merely an expression of the sense of Congress. Would the Senator accept the amendment?

Mr. FULBRIGHT. It states fairly accurately what the President has said would be our policy, and what I stated my understanding was as to our policy; also what other Senators have stated.

* * * * *

I do not object to it as a statement of policy. I believe it is an accurate reflection of what I believe is the President's policy, judging from his own statements. That does not mean that as a practical matter I can accept the amendment. It would delay matters to do so. It would cause confusion and require a conference, and present us with all the other difficulties that are involved in this kind of legislative action. I regret that I cannot do it, even though I do not at all disagree with the amendment as a general statement of policy.

I would think that ought to be a sufficient answer to those who have repeatedly insisted that the Tonkin resolution was a blank check. It was not. I had reservations. So did others. I was assured that we were not changing our role in southeast Asia. We have changed it. Obviously we cannot turn back the clock. But I trust that, for the sake of the historical record this may correct those gross misinterpretations of the record which have been so frequently uttered on the floor and elsewhere in recent months.

Mr. FULBRIGHT. Mr. President, in that connection, I certainly agree with what the Senator from Wisconsin has said. He is right to have made it. I have stated that I understood, from the information that was given to us, a specific incident was presented as the reason for that resolution. It was that a direct attack had been made on our ships on the high seas—this is what we were told—where they had a right to be.

We were told it was an unprovoked attack. In other words, we had not done anything that properly could be considered as provocation. These facts are difficult for a committee or any of us to check. I think we were told things happened at night and things were moving rapidly, and so on.

I had no reason to doubt the factual situation. On the other hand, it is extremely difficult to prove what happened. In any event, the Senator from Wisconsin has certainly stated very clearly what the situation was. We all know the President has, without any resolution, the right to respond to an immediate attack. He has the right to take actions of a temporary nature, one might say, to protect our interests. Then at some point, if hostilities continue, if the Constitution means anything, a declaration of war should be sought.

I will leave it to Senators, the manager of the bill, the administration, whether or not we are now at war. This bill and other events would indicate we are. I have discussed this matter with some of those who have responsibility in this area. They are reluctant to do what I have suggested. I am not at all sure, if we continue along the course we are following, it will not be necessary to impose powers and disciplines and controls upon our economy sooner or later. We cannot carry on this kind of conflict and call it a skirmish. So this is a matter I think the administration should be giving thought to.

[From the CONGRESSIONAL RECORD, May 6, 1965]

Mr. NELSON. Mr. President, my remarks at this point will be directly applicable to House Joint Resolution 447. Some time ago I prepared the remarks I have just made, to be delivered on the floor of the Senate either this week or next. But yesterday we received the President's request for the supplemental appropriation: therefore, I have made the remarks today, so that my position may not be misunderstood.

My fundamental position on Vietnam and our role there has remained the same over an extended period of time. More than 2 years ago and on numerous occasions since I have expressed the view that it should remain a cardinal principle of our policy not to engage American troops in a land war in South Vietnam. Within the perimeter of this guiding principle there is great room for tactical variation. As the Commander in Chief of our forces it is the President's burdensome responsibility to decide the day-to-day tactics. From time to time we may agree or disagree with the tactics exercised but that is in the nature of the case. I, along with the vast majority, recognize where that responsibility lies and support the President in his incredibly difficult endeavor.

The issue before us is not whether we are unified in our purpose. We certainly are. It is not whether we are opposed to communism, whether we are willing to fight for freedom, whether we are at one with the President in the objective he seeks—in each of these matters we are unified. That unity has repeatedly been demonstrated by every public opinion poll as well as the conduct of the Congress and the statements of the Members.

Nevertheless, we are now asked to act within 24 hours on a $700 million appropriation

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for the conduct of our commitment in Vietnam. It is conceded by everyone that the money is not needed immediately to support our commitment there. It is agreed by everyone that the President has the authority to transfer the necessary funds to fully support our efforts. It is recognized by everyone in this body that on a moment's notice Congress will authorize every additional dollar needed to supply, equip, and support our forces without stint. So that there may be no doubt, if indeed there could be any, I know that $700 million will be needed in our 1966 budget. A substantial part of it might be needed in fiscal 1965. That may be so whether we make the unfortunate decision to change our mission there or whether we maintain our repeatedly stated role. I support that expenditure and more, too, if and when it is required. We will not hesitate to spend whatever is necessary to support our troops in whatever enterprise we direct them. That is not at issue among us.

What is at issue right now is the wisdom of acting within hours upon this requested appropriation—acting without printed hearings and with precious little discussion—acting posthaste, not because this money is required immediately, but rather because this precipitous action is supposed to demonstrate our support for the President's conduct of foreign affairs as well as our unity of purpose is opposing Communist aggression.

My willingness to support the President in these two enterprises is a matter of record—abundantly so. I do not feel the necessity of demonstrating my support by forthwith voting yea on a bill that came to the Senate at 2:30 yesterday afternoon—a bill that had only brief hearings in either House—a bill that was supported only by a half-page Senate committee report printed before the House bill arrived in the Senate. I object to legislating based upon what I read in the morning paper. No matter how sound the measure, I dissent from the proposition that the greatest deliberative body in the world should routinely give its stamp of approval to anything except under dire circumstances. No such circumstance has been alleged from any quarter.

Mr. Nelson. Mr. President, in the cloakrooms and on the floor, numerous distinguished Senators from both sides of the aisle have expressed their concern over the precipitate manner in which we are disposing of this matter.

I have no notion what the President said to the majority and minority leadership at the White House. If he requested that this bill be passed this week within a 24-hour period, instead of next week after ample discussion, I have not been so advised. Though I have a very high regard and respect for the integrity, the patriotism, and the genuine statesmanship of the leadership on both sides of the aisle, I do not intend lightly to delegate my vote to anyone in support of any proposal.

My objection does not run to the merits of this appropriation. No matter what the variances of viewpoint, we all know this money will be needed in the future and will be spent. Yet, I think I speak accurately when I say that a very substantial number of this body is gravely troubled by the unseemly haste of our action here today. We all know that our military planning is not so faulty that we need this appropriation right now. If it were required today our very able Secretary of Defense would have urged action quite some time ago.

My dissent is based upon the conviction that when a matter of this import is before us we owe it to ourselves and the Nation to discuss it deliberately and fully. That we may all end up agreeing on this particular measure does not detract from the importance of conducting the dialog. There is a continuing public confusion about where we are going and why. Silence contributes to that confusion. Our branch of the government has its own obligation. We should not default in that obligation, nor should we even give the appearance of doing so. Because of what appears to be a necessity for exceptionally speedy action on a large appropriation, there are many who will conclude that we must be intending to support or endorse a substantial expansion of our role in Vietnam, if not a fundamental change in our mission there. I am sure that neither the Congress nor the President intends consciously that. Nevertheless, you will see that interpretation put on our action from any number of sources within the next few days. I decline to lend my name in any way to that kind of misinterpretation.

Mr. Nelson. Mr. President, thus, at a time in history when the Senate should be vindicating its historic reputation as the greatest deliberative body in the world we are stumbling over each other to see who can say "yea" the quickest and the loudest. I regret it, and I think some day we shall all regret it.

Now in the gentlest way I know how I mention to this body that as of this very moment I have yet to receive a call from the leadership or any other source in government advising me of the grave necessity for instant action. I should think if this matter were really so urgent a 15-minute party caucus would have sufficed at least to advise us so.

Thus, reluctantly, I express my opposition to our procedure here by voting "nay." The support in the Congress for this measure is clearly overwhelming. Obviously you need my vote less than I need my conscience.

Comments of Vietnam War

(By Senator Gaylord Nelson)

January 15, 1966.

There are no easy answers to the agonizing dilemma facing America in Viet-Nam.

But of all the grim alternatives, it seems to me the wisest is to continue with great patience to seek a negotiated settlement while firmly refusing to escalate the conflict further.

This is essentially a political and not a military conflict. It is a battle in Viet-Nam for the hearts and minds of the Vietnamese. It must be limited to Viet-Nam, and be fought by the Vietnamese if we are to have any realistic hope of an acceptable settlement.

For along the "open ended" path of further escalation lies the specter of a major land war in Asia fought with U.S. troops, a war against which our best military minds—including the late General Douglas A. MacArthur—have repeatedly warned us.

It has long been my view that our commitment should never be expanded to make that conflict an American war.

And in a major speech last May 6, I pointed out that, despite a tendency to characterize people as "hawks and doves," most Americans including most Members of Congress are united behind these major principles:

There must be no major land war in Asia.

The problems of Viet-Nam must be settled eventually by negotiations.

The main responsibility for stable government must rest with the South Vietnamese people.

The situation is even more dangerous today than it was in May. And the pressures to escalate the war are growing in many quarters. But I believe these cardinal principles should guide our policy.

Even if a million American soldiers were to force all North Vietnamese units from South Viet-Nam and to suppress the Viet Cong guerrillas with napalm and bayonets—even if we avoided an open clash with Red China—even then, when we withdrew as eventually we must, we would leave behind us only a charred, desolate country with little hope that it could maintain its independence one moment beyond the time we left.

There is no point in criticizing the mistakes of past policy. But it is crucial in looking toward the future to recall that our military advisors have been consistently overoptimistic when not actually dead wrong in their public statements of the Vietnamese situation.

Secretary of Defense McNamara's estimate that the Americans could begin to pull out by Christmas 1965 is only the most famous example.

Those who look for a cheap "victory through air-power" should recall the glowing assurances last February that a few bombs on North Viet-Nam would quickly bring that country to the conference table in a tractable mood. If anything, the opposite has been the case.

George F. Kennan, the former Ambassador and noted foreign policy expert, has recently advocated an effort to de-escalate the war, to "simmer down" the situation in Viet-Nam.

In a world where a nuclear holocaust is a distinct possibility, the survival of us all depends on containing armed conflict to as narrow an area as possible. This is indeed sound advice.

President Johnson has taken a long step toward localizing the war and achieving negotiations by calling a halt to the bombing of North Viet-Nam.

He deserves praise and support for his continued efforts to find peace in Viet-Nam.

It is crucial that the war in Viet-Nam not be allowed to esaclate further. Now is the time to make every conscientious effort to de-escalate the conflict. For in escalation there is no practical hope in achieving our aims in that unfortunate country and a very real possibility of an Asian-wide war in which America would waste her resources and young men in a slaughter that could achieve nothing but those desperate conditions of chaos ideal for the spread of Communism.

Statement Before the Democratic Platform Committee

(By Senator Gaylord Nelson,
Aug. 20, 1968)

It is my purpose in appearing before the Platform Committee to urge upon you a proposal for Vietnam that looks to the future rather than the past and unites the country instead of dividing it.

The debate over the wisdom of our intervention in Vietnam will go on for many years to come. That is inevitable and no doubt as it should be since a continuous reevaluation of our past will contribute some wisdom to guide us in the future. We who opposed the intervention will participate in that dialogue as well as those who supported it. We think the judgment of history will come down on our side—they think it will come down on theirs. But no matter what we may think for political and other reasons unanimity on this issue will not be reached this year.

As one who opposed our involvement in a land war from the beginning and voted against appropriations for it, I would like to see a platform plank that addressed itself to this mistaken policy and delineated a course for the future that would avoid the errors of the past. It would, I think, have that great appeal of honesty and directness that is so rarely found nowadays in platforms and political talk about Vietnam.

Realistically, of course, this is more than the critics of Vietnam can expect to secure (because we haven't got the votes). Furthermore, it would be an open admission of error on the part of almost all the leadership in both political parties (including the Republican nominee for President) as well as the Congress, the military leadership of the nation and the public as expressed in the opinion polls of the time. While it might be good for the political health of the country to admit our past mistakes, it probably isn't necessary because almost everyone who supported intervention will now concede privately that it was a mistake. The best way to test the issue is to ask the following question: Knowing what we now know, if we could turn the clock back to the Spring of 1965, would we again make the decision to start a land war in Vietnam with our troops? The answer would be a resounding "No" through the halls of Congress and all across the land.

The next question is, should we enshrine this mistake in the Democratic platform by affirming past policy as some would have us do. I for one would feel morally bound to repudiate that plank in the platform and campaign against it with whatever energy and intelligence I have. Much more important, of course, is the fact that a substantial number of Congressmen and Senators would do the same and they would be joined by hundreds of thousands of thoughtful citizens throughout the country who will not accept a platform plank that endorses past Vietnam policies.

What we should do now is address ourselves to the current situation and spell out in direct language what we think should be done about it.

Our government has repeatedly asserted it to be our position that we favored self-determination for South Vietnam—that whatever kind of government they desired they should have a chance to select at the ballot box. We should now proceed with a comprehensive proposal that implements that position.

It would be a tragedy if our negotiations in Paris broke down. The world needs peace and reconciliation now as never before. It would be even more tragic if they failed because either side failed to concede some relatively minor point in the negotiations.

It seems to me, therefore, that the convention should recommend the following course—

That we cease the bombing of the North coupled with an offer for a total ceasefire throughout Vietnam by all combatant forces. Our unyielding obstinacy on the issue of bombing is puzzling when one recalls our unilateral cessation for 37 days at a time when we were not in negotiations and when our military posture was not as strong as it is now. A test of their intentions would not be a military risk to us and might very well break the Paris deadlock. If there were no response in a reasonable time, or if the military situation required, the bombing could be resumed.

The ceasefire should be combined with an agreement that there would be no tactical movement of troops and that an acceptable international body would be responsible for supervision of the agreement.

Finally, we should propose self-determination through the ballot box, by a series of elections, province by province, concluding with a national election. These elections must be under international supervision with a mutual withdrawal of arms from each province prior to each election.

These proceedings might well require two years or more but so long as they are conducted under a ceasefire time is not of the essence. Once elections were underway agreement for a timetable for withdrawal should be negotiated.

This presents a framework which permits self-determination at the ballot box, which is what we stand for. It is a fair proposal that no country in the world would legitimately quarrel about. It makes it clear that we favor self-determination, and it ultimately turns the control of the country over to the South Vietnamese where it belongs.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). Is there further morning business? If not, morning business is closed.

THE EISENHOWER DOLLAR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the unfinished business, Calendar No. 447.

The PRESIDING OFFICER. The joint resolution will be stated by title for the information of the Senate.

The ASSISTANT LEGISLATIVE CLERK. A joint resolution (S.J. Res. 158) to authorize the minting of clad silverless dollars bearing the likeness of the late President of the United States, Dwight David Eisenhower.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNETT. Mr. President, I am acting today for the chairman of the Committee on Banking and Currency, the Senator from Alabama (Mr. SPARKMAN), who is a member of the NATO Parliamentary Group that left for Paris last night, and since the pending business is a resolution which he and I sponsored I have accepted the responsibility for presenting the resolution to the Senate.

Mr. President, Senate Joint Resolution 158 authorizes the minting of clad silverless dollars bearing the likeness of the late President of the United States, Dwight David Eisenhower. The dollars will be of a clad cupro-nickel construction as are our present dimes and quarters. This resolution is a part of a more comprehensive proposal recommended by the Treasury with the concurrence of the Joint Commission on the Coinage. That proposal, contained in S. 2822 and H.R. 13252, has provisions regarding not only the minting of nonsilver dollars but also the disposal of the remaining silver dollars held by the Treasury and the future of the half dollar. The reason we are considering this one proposal separately is because of its timeliness. As I make that statement I realize that yesterday was the birthday of President Eisenhower, so we are 24 hours too late.

When we enacted the Coinage Act of 1965, we established a nonpartisan Commission composed of 24 members, six from the Senate, six from the House of Representatives, the Secretary of the Treasury, Secretary of Commerce, and Directors of the Bureau of the Budget and the Mint, and eight public members. The Commission was established to study the progress made in the implementation of the coinage program set up by the 1965 act and review from time to time such matters as the needs of the economy for coins, the standards for the coinage, the time when and circumstances under which the United States should cease to maintain the price of silver, the availability of various metals, and the renewed minting of the silver dollar. Decisions have been made on many of these matters but there are still some which need to be decided by the Congress.

No standard silver dollars have been minted since 1935 and, as we are all aware, none are presently available for circulation. Mint stocks were exhausted by 1964, except for about 3 million rare silver dollars which have substantial numismatic value.

Title I of the 1965 act which became law in July of that year prohibited the minting of silver dollars for a 5-year period. During the interim period it has been the goal of the Coinage Commission and the Treasury to bring about an orderly transition from a silver market in which the U.S. Treasury was the dominant participant and in which the price was determined by the Treasury to a silver market in which the price is determined by supply and demand for the metal. I believe it was obvious when we enacted the 1965 Coinage Act that we never again would be able to mint standard silver dollars. This was true because the intrinsic value of the silver which they contained soon exceeded their monetary value. Under those circumstances, it would be impossible to keep them in circulation. On the other hand, there has been continued interest in the minting of dollar coins, particularly from western areas of the country where the silver dollar was extensively used.

The desirability of having a dollar coin has also been repeatedly expressed by representatives of the vending machine industry as the demand for higher priced items through vending machines has increased. Of the $4.5 billion volume of higher priced vending machine items, it is significant that more than $2 billion worth of vended products are above the 25-cent value. Paper dollars will not substitute for this purpose. Furthermore, $1 paper currency has an average lifespan of about 18 months, compared to at least a 25-year life expectancy for a clad dollar.

A further, and I believe important, reason for the minting of dollar coins is that in some sections of the country long accustomed to the use of dollar coins, many private companies have resorted to the use of "dollarlike tokens" of the same size and similar appearance. These tokens are for use in those places of business where they are purchased. However, since this use has continued for several years, these tokens or unofficial dollars have slowly become almost legal tender in that they are acceptable for $1 in goods or services in some western communities. As time goes on, this practice which has already spread to the half dollar in some places and even to tokens of a $5 value will result in confusion and what might be considered a separate coinage system reminiscent of the early colonial days when each State had its own coins. It was to prevent this undesirable situation that only the Federal Government was permitted to mint coins.

On May 12 of this year, the Commission concluded by a wide majority that resumption of the minting of silver dollars was not practical. At the same meeting, the Commission recommended that a non-silver dollar coin should be made part of the Nation's coinage system. The Commission did not recommend the material of which the new coin would be made. The Treasury Department, however, determined that it should be a cupro-nickel clad coin. Before the 1965 act, there was a great deal of study to determine the most desirable metals to be used in the construction of the new coins. The coins needed certain properties in order to be acceptable in vending machines, they needed durability, and they needed to be unique so that they would be difficult to counterfeit. On the basis of all the facts available, the cupro-nickel clad coin was determined to be the best solution. These same qualities are needed in the new dollar, and thus the Treasury recommended that the dollar be constructed in the same manner.

There has been considerable discussion about the minting of the dollar coin containing 40 percent silver similar to our present half dollar. The minting of such a coin was rejected by the Commission and by the Treasury. Although all of us realize that a silver-bearing coin is an attractive coin, attractiveness is not the major consideration in determining the construction of a new coin.

At the end of yesterday's Treasury transactions, Treasury had approximately 55 million ounces of silver in coins which it had withdrawn from circulation. It had readily available about 35 million ounces in bullion for a total of 90 million ounces of silver. Not included in this 90 million ounces is about 12 million ounces of silver which has already been processed into clad strip to be used for the minting of half dollars.

Sales of Treasury silver are proceeding at a rate of approximately 1½ million ounces a week. The 90 million ounces would thus last for about 60 weeks, or until about the middle of December 1970. If we were to mint 300 million dollars containing 40 percent silver, as will be proposed by the Senator from Colorado (Mr. Dominick) a little later on, each coin would require .316 ounces of silver or a total of 94.8 million ounces of silver. That figure exceeds the amount available in Treasury stocks today. I should add, however, that each year the Treasury re-refines about 3 million ounces so that sufficient silver would probably be available to mint these coins without additional purchases by the Treasury if no other considerations were involved. Other considerations are involved, however. When the Treasury with the concurrence of the Joint Commission discontinued sales of Treasury silver to other than domesitc industrial users on May 18, 1967, some orders for silver had been placed with the Treasury but had not been officially accepted and were not filled. Several of the firms which had placed such orders prior to the Treasury decision to stop unrestricted sales presented claims on the Treasury for the silver. After considering the matter, the Commission suggested that the Treasury ask the General Accounting Office to look into the claims and make a recommendation. The report from the General Accounting Office concluded that while there may not have been a legal responsibility for the Treasury to fill the orders, until that time orders had been filled without official acceptance and therefore equity might require that the Treasury provide some relief to the firms involved.

As a result, the Commission recommended that the Treasury draft legislation to be introduced in the Congress under which the claims would be referred to the Court of Claims for a determination of their legal and equitable merits and amounts, if any, due in compensation. Some of the firms involved maintained a short position in silver in confidence so that they would receive the silver from the Treasury. Legislation is now pending before the Judiciary Committee which would resolve this matter.

I do not know that any silver will be needed to satisfy these claims, but it is possible that the Court of Claims will decide that the Treasury should provide silver to these claimants at the price of $1.29 an ounce. Claimants which are mentioned in the legislation had orders for about 13 million ounces of silver. There were other orders in addition to these, which could require Treasury silver if the same treatment is to be given to them. This means that there is a possible claim of at least 13 million ounces of Treasury silver and perhaps more. This would leave the Treasury without sufficient silver to mint the 300 million dollars containing 40 percent silver, as has been proposed.

Even if no additional claims are made on Treasury silver, if the Congress were to approve the minting of the 300 million dollars containing silver, it would be necessary to halt present General Services Administration silver sales immediately. Such action would remove 1½ million ounces from the weekly supply of silver in the world market and without doubt would create a significant reaction in the price of silver.

It should be remembered that one of the major efforts of the Treasury and the Coinage Commission has been to bring about an orderly transition which would not create instability in the silver market. We have not been completely successful in these efforts because of rumors regarding possible minting of silver coins or other actions which might be taken by the Coinage Commission and the Treasury which would affect the available supply of silver. It is my feeling, however, that we should certainly not do anything in the Congress which would add to the problem.

A sound silver policy program, I believe, should be consistent with the following key objectives: First, a strong and efficient monetary system; second, maximum feasible fiscal return to the taxpayers; third, minimum inflationary impact on consumer prices; fourth, reasonable prices for silver to silver producers; fifth, minimum adverse impact on the balance of payments; and sixth, an orderly transition between the pegged market which we had until 1967, and a free silver market which we will probably have sometime next year.

This resolution is in keeping with all of these objectives.

I therefore urge that the Senate approve Senate Joint Resolution 158, as reported by the committee.

Mr. DOMINICK. Mr. President, I suggest the absence of a quorum in order that I may ask for the yeas and nays when sufficient Senators are in the Chamber.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 228

Mr. DOMINICK. Mr. President, I send to the desk amendments in the nature of a substitute identified as No. 228 and ask that it be stated.

The PRESIDING OFFICER. The amendment in the nature of a substitute will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. DOMINICK. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the Record at this point.

The amendment offered by Mr. Dominick and others is to strike out all after the resolving clause and insert the following:

That (a) section 101 of the Coinage Act of 1965 (31 U.S.C. 391) is amended—

(1) by inserting "one-dollar pieces," after "pursuant to this section" in subsection (a);

(2) by redesigating paragraphs (1), (2), and (3) in subsection (a) as paragraphs (2), (3), and (4), respectively, and by inserting before redesignated paragraph (2) a new paragraph as follows:

"(1) the dollar shall have—

"(A) a diameter of 1.500 inches;

"(B) a cladding of an alloy of eight hundred parts of silver and two hundred parts copper; and

"(C) a core of an alloy of silver and copper such that the whole coin weighs 24.592 grams and contains 9.837 grams of silver and 14.755 grams of copper."; and

(3) by inserting at the end of such section the following new subsections:

"(d) The dollars initially minted under the authority of subsection (a) shall bear the likeness of the late President of the United States, Dwight David Eisenhower.

"(e) Commencing on January 1, 1970, and until such time as the supply of silver available to the Treasury on January 1, 1970, for coinage purposes is exhausted, or December 31, 1972, whichever is earlier, the Secretary shall cause to be minted and issued dollars authorized by subsection (a) at a rate of not less than one-hundred million coins annually."

(b) Effective on January 1, 1973, or in such earlier date as the President shall by proclamation declare that the supply of silver available to the Treasury for coinage purposes is exhausted, section 101 of the Coinage Act of 1965 is amended to read as follows:

"SEC. 101. The Secretary may coin and issue one-dollar pieces, half dollars or 50-cent pieces, quarter dollars or 25-cent pieces, and dimes or 10-cent pieces in such quantities as he may determine to be necessary to meet national needs. Any coin minted under authority of this section shall be a clad coin the weight of whose cladding is not less than 30 per centum of the weight of the entire coin, and which meets the following additional specifications:

"(1) The dollar shall have—

"(A) a diameter of 1.500 inches;

"(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

"(C) a core of copper such that the whole coin weighs 22.68 grams.

"(2) The half dollar shall have—

"(A) a diameter of 1.205 inches;

"(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

"(C) a core of copper such that the whole coin weighs 11.34 grams.

"(3) The quarter dollar shall have—

"(A) a diameter of 0.955 inch;

"(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

"(C) a core of copper such that the weight of the whole coin is 5.67 grams.

"(4) The dime shall have—

"(A) a diameter of 0.705 inch;

"(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

"(C) a core of copper such that the weight of the whole coin is 2.268 grams."

Mr. DOMINICK. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. DOMINICK. Mr. President, I had the pleasure of sitting here and listening to the distinguished Senator from Utah give his position on the resolution which he and the Senator from Alabama (Mr. SPARKMAN) reported out of the Committee on Banking and Currency.

Some time ago, when I knew it had been proposed, I went to the Senator from Utah (Mr. BENNETT) and asked him if there were going to be hearings on the joint resolution, and, if so, whether I could appear and be heard. He indicated they were going to go forward on this matter as rapidly as possible in order to try to have this particular piece of legislation ready for President Eisenhower's birthday. He very kindly agreed to take a statement from me and a copy of my proposed amendment and to put them in the RECORD. He also indicated that that was all there was going to be in the way of a hearing.

I think we can say that, although my position was developed, there was not very much opportunity in the committee either to have hearings or to develop at any length the position of the people affected in the silver market. Hence, I am going to take a little time to explain what the situation is.

I have been serving, along with the Senator from Utah (Mr. BENNETT), on the Joint Commission on the Coinage for some time. The Coinage Commission was set up in the act of 1965. The reason why it was set up was that it had become apparent, at least to me, and I think to many other Members of this body, that the silver situation was becoming so acute that a change was going to have to be made. The price of silver was constantly pressing up against the value of silver coins. In order to prevent coins from being melted or otherwise used as nonmonetary factors, it seemed advisable to try to change the whole situation, and then to have a commission study the relationship between the supply and demand of silver and the question of coining.

I have been concerned about this matter for some time. As a matter of fact, the Senator from Utah (Mr. BENNETT) joined me in several colloquies. We discussed it at some length on the floor of the Senate, particularly when the act of 1965 was being considered, pointing out that since the Treasury continued to release silver in the way it did, it was, in effect, setting a price ceiling of $1.29 an ounce, which was the price of silver in the coins.

In order to get into a free market situation, which everyone wanted to do, we would have to get out of that particular cycle. Hence, we had the act of 1965, and the amendments in 1967, and the Coinage Commission was set up.

The Coinage Commission was not actually convened for about 18 months. President Johnson did not appoint the public members of it for at least 18 months. By the time we got around to really trying to take further steps in this matter, the situation was already acute in the market.

My amendment is a little different, I believe, from the way it was presented by the Senator from Utah. What I am proposing is that we should be minting a coin with the image of President Eisenhower on it; that the coin should be 40 percent silver; and that we should mint as many of them, not to exceed 300 million, over a period of 3 years, as the supply of silver in the hands of the Treasury will permit. Consequently, if we do not have enough silver to mint the whole 300 million coins we can still mint a great many of them. In my opinion, we can mint the entire 300 million.

I say this because, as the Senator from Utah points out, it will take approximately 93 million ounces of silver. We have about 90 million ounces available in the Treasury at the present time. With the kind of recirculation going on, whereby the Treasury is picking up silver coins in the way of quarters and dimes still in circulation, and reprocessing them, it can pick up another 3 million ounces. That has been the historical record. So I say we are going to have enough silver for this purpose.

The second point of the amendment is to deal with the obvious fact that the 300 million 40-percent silver dollars probably will not circulate. They are of substantial value from the point of view of collectors' items. They are of substantial value from the point of view of a great many people. The chances of their circulating as dollar pieces is not very good.

Subsequently, I have proposed that after the 300 million coins have been minted, we will then mint the cupronickel dollar piece, so that if there is a need in a vending machine industry to go forward with a dollar piece, we will then be prepared to have something which will circulate.

The 40-percent silver dollar would be identical to the current Kennedy half-dollar coin. I am joined in the proposal I am offering today by 22 cosponsors. They include Senators MANSFIELD, ALLOTT, BIBLE, CANNON, CHURCH, CURTIS, DOLE, FANNIN, GOLDWATER, HANSEN, HRUSKA, JACKSON, JORDAN of Idaho, MCGEE, MAGNUSON, METCALF, MUNDT, MURPHY, STEVENS, THURMOND, TOWER, and PEARSON.

The 40-percent silver dollar proposed by the substitute is to be minted at a rate not less than 100 million coins a year from January 1, 1970, to December 31, 1972; or—and this is a point I want to emphasize—until "the supply of silver available to the Treasury on January 1, 1970, for coinage purposes is exhausted."

Thereafter the dollar coin will be a clad coin made of 75 percent copper and 25 percent nickel, identical to present quarters and dimes.

Also at that same time half-dollar coins would become a clad coin made of 75 percent copper and 25 percent nickel.

It also provides that the President shall by proclamation declare when the supply of silver available to the Treasury for coinage purposes is exhausted.

The provision relating to exhaustion of Treasury silver is necessary as there are approximately 100 million ounces of such silver left in the Treasury. It would take about 93 to 95 million ounces of silver to mint the 300 million coins provided for in the 3-year period. The 100 million ounces has some silver in it that would have to have some reprocessing done, I believe, in order to make it of sufficient fineness for this type of work; so there are probably about 93 million or 94 million fine ounces available at the present time.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. PASTORE. First of all, I wish to say that I understand the good intentions of the Senator from Colorado and of his 22 cosponsors on this particular amendment. But I wonder whether he is familiar with the fact that those of us who come from States that need silver to maintain jobs and for commercial purposes are very much opposed to his amendment, because we feel that whatever silver is now available should be made available on the market at a price comparable with what the Government paid and what it intends to make as a profit, at the same time attempting to stabilize the silver market.

What the Senator is proposing here, as I understand it, is that this dollar shall be no more than a souvenir, up to the extent of 100 million of them.

That happened in the case of the silver half dollar in honor of President Kennedy. We manufactured about 100 million of those——

Mr. BENNETT. 1.2 billion.

Mr. PASTORE. 1.2 billion, and they disappeared from circulation. I do not think we are going to honor Eisenhower by having 100 million of these silver dollars locked up in drawers somewhere. I think we should honor him with a piece of currency that will be available on the market and can be used anywhere.

I think we would be honoring Eisenhower more if the Government used the silver that it has to make coaster cups for brides and grooms at weddings, to be kept as a memento of the sanctity of the marriage—much more so than with these little round pieces that will end up in somebody else's drawer.

Mr. DOMINICK. Mr. President, knowing the Senator from Rhode Island, I would have felt very unhappy had he not made that statement.

Mr. PASTORE. I am for the brides of America. I am for commemorating President Eisenhower, but I am still for the brides.

Mr. ALLOTT. How about the bridegrooms?

Mr. PASTORE. Yes, they get the cup, too.

Mr. DOMINICK. Mr. President, I shall be happy to let the Senator from Rhode Island make his speech after I finish making my points, but I do think we can go forward a little more rapidly here if I can finish what I have to say, and then let him answer it.

There will be less silver on January 1, 1970. There are presently about 15 million ounces of 0.400 fine silver alloy reserved for the minting of the half dollar.

This substitute is essentially a compromise combining the provisions of Senate Joint Resolution 158 and S. 2582. Senate Joint Resolution 158 was proposed by Mr. BENNETT on October 7, 1969, and provides for a cupronickel Eisenhower dollar. S. 2582 was proposed by myself and 28 cosponsors on July 10, 1969, and provides for minting of a 40-percent silver Eisenhower dollar coin.

S. 2822 was also proposed by Mr. SPARKMAN and Mr. BENNETT on August 11, 1969, and provides for a cupronickel coin, removal of silver from the current Kennedy half dollar and certain other recommendations of the Joint Commission on the Coinage.

No hearings were held on any of these proposals and Senate Joint Resolution 158 was reported out of the Committee on Banking and Currency on October 8, 1969.

The effective date of the act is made January 1, 1970, to allow a market adjustment before GSA sales are terminated. Termination of GSA sales is necessary to provide the remaining Treasury silver for minting of the Eisenhower dollar.

Mr. President, I do not think there is any doubt that this will be a prestige coin of which this country can be proud. Both the 40-percent silver coin and the cupronickel coin would bear the image of Dwight David Eisenhower, but to mint only a cupronickel coin would be clearly inappropriate. This was a man who symbolizes the highest traditions of service to his country in both war and peace. He holds a unique place in the history of this Nation. To the very last day of his life he was a symbol of strength and honor for the people of the United States and the world. He stood for peace and freedom.

We have only a few million ounces of silver left in our Treasury as has been brought out. No other use of this silver could return so much value to the American people to whom it belongs. Only 300 million silver dollars, or less, would be minted the next 3 years, but this amount would be sufficient for each of the millions of Americans, who loved and respected this great man, to receive one. Failure to mint these few million silver dollars would not only be inappropriate but it seems to me it would be disrespectful.

There are many arguments pro and con with regard to using our remaining silver stocks for coining this dollar. The Senator from Rhode Island has brought out some of them. We have been selling our silver at a rapid pace for the last 10 years. It is almost gone. Regardless of what we do today, the U.S. Treasury will be out of the silver business in 1 year or less. No more silver coins could be minted. No more silver could be sold for industrial use or speculation. This is inevitable. My proposal will only speed up the inevitable by a few months and give the American people a higher return on their silver.

I want the Senator from Rhode Island particularly to understand that, whether the substitute is agreed to or not, the Treasury will be out of silver in 1 year or less.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. PASTORE. I understand that; but at least we will die in degrees, which is better than a sudden death. The very dramatic argument the Senator from Colorado makes is that, because 40 percent silver is put in a coin, it makes it a prestige coin, and that when copper is put into it, it makes it less a symbol of honor.

I would remind the Senator that the likeness of Abraham Lincoln, the most revered President of the United States, is on the copper penny. There are more copper pennies than any other coin.

I do not know how better we could honor anyone than by putting an ample supply on the market, where everyone will have it.

The penny represents Lincoln, and it is all copper.

Mr. DOMINICK. I understand; and I think pure copper is better than the proposed alloy. I am sorry that only the alloy is used.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. MANSFIELD. First, I commend the distinguished Senator from Colorado for the unending fight he has made down through the years in behalf of silver coinage. Silver means as much to us in our part of the country as it does to the Senator from Rhode Island and his colleagues in their area. He has a point; so do we. If it means employment, it means employment for our miners as well as for his craftsmen.

For the record, I should like to emphasize the fact that the distinguished Senator from Colorado (Mr. DOMINICK) has indicated that, because of the scarce amount of silver in the Treasury, a 40-percent silver dollar would be minted for only 2 years.

Mr. DOMINICK. Three years or less.

Mr. MANSFIELD. Three years or less; and under his proposal, after that time a dollar coin would be made containing 75 percent copper and 25 percent nickel; is that correct?

Mr. DOMINICK. That is correct.

Mr. MANSFIELD. So what the Senator is doing—and I join him in it—is accepting the unfortunate inevitability of the decline in silver; because, in a matter of a few years, there will be none left in the Treasury. But for those who want to manufacture wedding cups, rings, and silver sets for the bridesmaids and others——

Mr. PASTORE. And the grooms.

Mr. MANSFIELD. And the grooms, I would point out that silver would still be available—not from the Treasury, but from outside sources, such as Mexico, Peru, some in this country, Alaska, and elsewhere.

It is interesting to note that as soon as the Government protection of silver was taken off, the price of silver rose precipituously, up to about, I think the Senator's figures show, $2.56 per fine ounce.

Mr. DOMINICK. That is correct. It has gone down again since.

Mr. MANSFIELD. And since that time the price of silver has decreased to a low of $1.63 per fine ounce.

That indicates to me that there is no scarcity of silver in the world, because if silver were becoming scarcer, the price would be $2.56 or more, whereas, as a matter of fact, as the Senator brings out, the price has declined to a low of $1.63 per fine ounce.

Mr. DOMINICK. The Senator is absolutely correct.

Mr. MANSFIELD. So I would hope that, because of the constructive attitude taken by the distinguished Senator from Colorado, the leader in the field of silver legislation—and a good leader he is—and because of his recognition of the fact that the supply of silver in the Treasury is not inexhaustible, and because of his readiness to face the inevitable fact that silver will not be used beyond a 3-year period because there will be none in the Treasury thereafter to fall back on, I would hope most sincerely that the Senate, in its wisdom, would allow the Senator from Colorado and those of us who come from the West this brief surcease before there will not be any possibility whatsoever of getting any kind of silver, not only in our dollars, but in any of the alloyed copper coins left.

May I say, in conclusion, that we produce a great deal more copper in Montana than we do silver. The price is somewhere around 50 cents a pound. We, of course, would like to see copper used, but we would prefer to see it used in the Lincoln pennies, where it shines so brightly and does the Great Emancipator so much justice.

Mr. DOMINICK. I thank the Senator very much.

Mr. PASTORE. Will the Senator yield on that very point?

Mr. DOMINICK. Wait until I finish here, then I shall be happy to yield.

I wish to thank the Senator from Montana for his very kind remarks and his aid and support on this matter. I think it is extremely helpful and valuable, when we come down to final discussion on the issue.

I yield to the Senator from Rhode Island.

Mr. PASTORE. I say to the distinguished majority leader that nobody wants to hurt the silver mining industry. It is true that the price skyrocketed up to about $2.50 an ounce, and it gradually has come down, but it is only because the silver the Treasury Department has had has been used to stabilize the market. I know eventually we will have to mine more silver and pay more money for it, but, at the present time, the silver owned by the Government is being used to stabilize the market as they release it, and as they call in the old coins and melt them down to get the silver they had on hand. Eventually the Government is going to get out of the silver business altogether. There is no question at all about that. The Government should get out of it. And then the industry will get more for its silver when it sells it to Gorham and International Silverware, and others, than it gets when it sells to the Government.

I know it is inevitable that the supply of silver will run out. However, please take the consumers into account at this particular point. We are not hurting the miners. The Government only has about 90 million ounces of silver. The industry will need more of the silver. The camera and silverware industries will need more silver. And they will pay a handsome price for it.

With what little silver is left, we have been able to carry the price from more than $2.50 an ounce down to about $1.60 an ounce.

If the Senator gets this measure passed, the price of silver will shoot back to more than $2.50 an ounce again.

Mr. DOMINICK. Mr. President, I hate to interrupt the Senator. I want to proceed with my speech. I will be happy to have the Senator make his speech again. It is a good one, but it is not supported by the facts. I shall try to answer some of the points as I go along.

I think a brief review of our silver sales program will be helpful to my colleagues, since no hearings were held on this matter. This might clarify the situation in which we now find ourselves. Today marks the end of an era for this Nation. We should all clearly understand the issues involved because today, regardless of what we do, marks the end of an era in the silver situation with respect to our country.

Until World War II, the world production of silver exceeded consumption. After the war, this position reversed to the extent that in 1959, the need for silver exceeded the supply. In order to meet this need the Treasury began unrestricted sales of its silver, getting about $1.29 for the silver which the taxpayers' dollars had paid for and put into the Treasury. It was soon recognized that this procedure could not continue and sales were halted on November 28, 1961.

This suspension of unrestricted sales caused the market price of silver to rise from 91 cents an ounce to $1.29 an ounce in 1963. This was the official price of silver. From 1963 to 1965, the Treasury offered silver for sale at $1.29 per ounce. On July 23, 1965, the Coinage Act of 1965, Public Law 90–29, was passed. This act authorized quarters and dimes to be made from cupronickel alloy and reduced the percentage of silver in the half dollar to 40 percent. Sales continued at $1.29 per ounce to all buyers until May 18, 1967. From May 18, 1967, to July 14, 1967, sales were made to domestic users only.

The objective of these policies was to prevent the market price of silver from rising to a point where hoarding would be profitable. Sales in excess of $1.29 per ounce would endanger the value of our remaining silver coins during this transition period. Also, the supply of clad coins in circulation was not sufficient until the summer of 1967.

On June 24, 1967, congressional authority was granted to sell silver above the $1.29 per ounce price. This, in effect, demonetized silver and began the transfer from silver coinage to a base metal coin with no intrinsic value. That process will be completed today under both my amendment and Senate Joint Resolution 158. In addition, the Treasury was required to redeem outstanding silver certificates for a period of only 1 year to June 24, 1968; 165 million ounces of silver was to be transferred to the strategic stockpile.

The first GSA sale took place under the new plan on August 4, 1967. Sales were limited to domestic industrial use only and were to be used within 90 days of the date of purchase.

From August 4, 1967, to May 6, 1969, the sales price fluctuated, reaching a high in May and June of 1968 of $2.56½ per ounce and a low on September 6, 1967, of $1.63 per ounce.

The Treasury sold 0.999-plus fine silver bullion until October 12, 1967, at which date this silver was reserved for the strategic stockpile. We now have 165 million ounces of silver in our stockpile. A strike in November of 1967 reduced the refinery capacity of U.S. plants and the Treasury again sold 0.999-plus fine silver during the duration of the strike.

Other administrative adjustments in sales policy were made during this period until June 24, 1968, at which date all silver offered for regular sales was limited to 0.897 to 0.900 fine silver. On August 13, 1968, 0.999 silver was again sold until all stocks were exhausted on January 14, 1969.

At this point I ask unanimous consent that a chart showing the buyers of Treasury silver from August 4, 1967, to March 25, 1969, be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit A.)

Mr. DOMINICK. Mr. President, this chart shows that Englehard Industries purchased 30 percent of the silver. The four largest buyers acquired 59 percent of all silver sold and the 10 largest purchasers acquired 80 percent of all silver sold.

During this time industrial use exceeded domestic production drastically. In calendar year 1966, production was 43.7 million ounces and use was 183.7 million ounces for a difference of 140 million ounces. In calendar year 1967, production was 31.2 million ounces and industrial use was 171 million ounces, for a difference of 139.8 million ounces. In calendar year 1968, production was 32.4 million ounces and industrial use was 139.1 million ounces for a difference of 107.3 million ounces. At this point I ask unanimous consent that a chart marked "Exhibit B" be printed in the RECORD at the conclusion of my remarks, showing a breakdown of consumption of silver and a sale summary of GSA sales from August 4, 1967, through May 6, 1969. A total of 185,964,592 ounces was sold for a total return of $355,481,290.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit B.)

Mr. DOMINICK. Mr. President, on May 2, 1969, the Joint Commission on the Coinage met and recommended lifting the ban on melting coins and the domestic use restriction on sales. We had also had a need-to-know basis on what the silver was going to be used for or that it was going to be used domestically. Sales were also reduced from 2 million ounces per week to 1½ million ounces per week, effective May 27, 1969. This action meant that all sales of Treasury silver were wholly on the open market with no restrictions. At this point, I ask unanimous consent that a chart marked "Exhibit C" be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit C.)

Mr. DOMINICK. Mr. President, this exhibit shows a summary of GSA sales from May 27, 1969, to September 30, 1969. Total sales amount to 28,500,000 ounces. Of this amount about half went for industrial use and half went to speculators and brokers; 11,830,000 ounces have gone overseas.

This is really important in connection with the argument of the distinguished Senator from Rhode Island. First of all, it should be noted, as we said, that 10 of the largest users of silver, silver purchasers, have acquired 80 percent of the Treasury silver. So what we have been doing really is to use the Treasury as a private mine for low-cost silver for 10 particular companies in this country.

When we start talking about the poor people who need silver, I do not see that we are particularly getting it into their hands when we sell 80 percent of it to 10 particular companies. Speculators are buying more and more of the GSA silver, as is clearly shown by the figures from August 5, 1969, to September 30, 1969. A total of 13,713,000 ounces of silver were sold. Only 5,100,000 ounces went for industrial use and almost 8 million ounces went to speculators overseas. Prices during this 4-month period ranged from a low $1.53 an ounce to a high of $1.88 an ounce. This is a price range of 36½ cents per ounce. The sale yesterday shows clearly that this trend is continuing. The high bid yesterday was $1.8206 per ounce and the low bid accepted $1.8150 per ounce.

Of the 1.5 million ounces sold, 594,000 ounces will be used for industrial purposes. This is just yesterday. A total of 675,000 ounces went to speculators and brokers, most of which will find its way overseas; 378,000 ounces were purchased directly for overseas speculators.

Mr. BIBLE. Mr. President, will the Senator yield?

Mr. DOMINICK. I am happy to yield.

Mr. BIBLE. I wish to compliment the Senator for the very able presentation he is making. I think the amendment, which I am happy to cosponsor under his leadership, is a very worthwhile amendment; and I feel that if the Members of this body were to study the reasons given, they could not help but concur in this amendment.

The Senator from Colorado has developed a number of statistics, one of which, to me, is somewhat interesting. I think I am correctly advised that the General Services Administration started making these sales in August 1967.

Mr. DOMINICK. The Senator is correct.

Mr. BIBLE. My understanding is that from that date to the present time or to September 1—about a month ago—they had sold to the silver users, 219,841,000 ounces of silver.

I am told that that amount of silver was sold to the silver users at an approximate average price of $1.87 per ounce. That is the average price realized from the sale of 200 million-plus ounces. Does that square roughly with the Senator's figure?

Mr. DOMINICK. That sounds like the information we had on that figure; yes.

Mr. BIBLE. If I am also correctly advised, and if the arithmetic is correct, if the amendment of the Senator from Colorado is adopted—and I certainly hope it will be—the amount to be realized by the Treasury would be approximately $3.38 per ounce, as compared with the $1.87 per ounce they have received on the sales of free silver since 1967.

Mr. DOMINICK. I am not quite sure that it is $3.38. I had the impression that it was $3.16 an ounce.

Mr. BIBLE. It is somewhere in that range, and possibly the $3.16 figure is more valid than the $3.38.

The point I am trying to make is this: That the profit that would be realized if the amendment of the Senator from Colorado is adopted would inure to the U.S. Treasury, whatever it is. Is that correct?

Mr. DOMINICK. That is totally correct.

Mr. BIBLE. So whether it is $3.16 or $3.38 per ounce to produce the 40-percent-silver dollar, it would in any case be a very sizable profit. If we received $1.87 on sales from GSA to the silver users, it seems to me to make good, common business sense to get the higher figure by the sale to the Treasury for $3.16, if one wants to use the lower figure. That would be almost doubling the profit vis-a-vis selling it to the silver users.

Mr. DOMINICK. That is correct. I make this point once again as I go on in my discussion, but I think it is worthwhile bringing it out now, and I will just put this figure together as I have computed it. If we figure that we are going to continue selling a million and a half ounces at $1.80, which is the current price——

Mr. BIBLE. The average of $1.87 for over 200 million ounces; that is an approximately correct figure.

Mr. DOMINICK. If we do that and then compare that with $3.16 for the value of the silver remaining in the Treasury, we have a net profit to the Treasury of $120 million by going my way, as opposed to going the way that has been advocated by the Senator from Utah.

Mr. BIBLE. That profit would inure to whom? I know the Senator from Colorado is just as interested in the young brides of America as is the Senator from Rhode Island and as I am. I have a bride in my immediate family. It occurs to me that even though the price of silverware is going to go up some time in the future, this profit should inure not to one group; namely, the silver users in the New England area, but should inure to all the taxpayers across the board.

Mr. DOMINICK. That is absolutely correct. If we figure that we have 200 million people in the country and say that 50 percent are adults—which is not right; I think it is less than that—and we say that those adults are paying the taxes—which is again not right—it means that each one of them would get an additional $1 that otherwise he would not have had in terms of his general contribution to the general revenue.

Mr. BIBLE. I wholeheartedly support the amendment. I think it is soundly based. This is not a profit item for the silver producers. The Senator from Colorado and I come from great silver-producing States. We hope the mining does increase. We hope, and we are confident, that the price will increase. But in balancing where this profit goes as between the silver users and the taxpayers of the entire United States, I think it irrefutable that it is better to see that this profit benefits all the taxpayers, which would happen if the amendment of the Senator from Colorado was adopted.

I wholeheartedly support the amendment, for that and other reasons.

Mr. President, as Members of this body know, I have for a number of years fought to keep silver in our coinage. Residents of my State are not enamored of coins which have no intrinsic value and for many years cherished the dollar cartwheel. The silver dollar circulated freely in Nevada until Congress and Treasury officials decided to tamper with our coinage system.

This subject has been of little interest to many Members of this body except for some who fought to preserve a coin with intrinsic value other than the good faith backing of our Nation, which, as all know, has changed the value of our money and its purchasing power day by day due to gyrations caused by an inflationary economy.

The problem, in my opinion, arose with greatly increased domestic and worldwide uses of silver and the low prices realized by the miners and producers of silver.

Silver purchasers demanded more Treasury silver and they have won the fight in the past years. Worldwide silver production has for the past few years been approximately 100 million ounces short of consumption. Since August of 1967, the General Services Administration has been conducting weekly sales of silver. These sales started out with the sale of 2 million ounces per week and early this year were reduced to 1½ million ounces a week. Since August of 1967, GSA has sold to the silver users 219,841,000 ounces of silver at an approximate average price of $1.87 per ounce.

I have in past years characterized these sales as bargain basement prices. It does not take a degree in finance to know that when a commodity is in short supply by 100 million ounces per year, the time is coming when silver will meet a free market figure, and this figure is estimated at somewhere between $2.75 and $3.50 per ounce, depending upon whose predictions one chooses to select.

Just this week, I discussed this situation with some very knowledgeable silver purchasers, and it is their opinion that a future $3-per-ounce figure for silver is in the ball park.

The Treasury had on hand as of September 30, 1969, 79,509,000 ounces of silver. This is quite a reduction from the billion ounces once held by the U.S. Treasury.

Members of Congress throughout the years objected to the Silver Purchase Act, which was sponsored by my late illustrious predecessor, Senator Key Pittman. Senator Pittman not only performed a great service to the silver miners at the time of enactment of the Silver Purchase Act; but he did this Nation a great service, for the average price per ounce paid by the Treasury to the mining industry was approximately 70 cents per ounce prior to repeal of the act in the 1960's. The price paid for silver by the Treasury varied through the years but never exceeded 90.5 cents per ounce.

So it can be seen that the Nation and the Treasury have made a fine profit. Almost any industry would be pleased to more than double its sale price of a given article from the purchase price or the cost of production of the article.

With only 79 million-plus ounces of silver left in the Treasury and with weekly sales of 1½ million ounces to the silver users, it will be only a short time until the Treasury will no longer furnish this precious metal for bargain sales.

There really is not too much wrong with the Treasury getting out of the silver business. The producer welcomes this, for he knows full well the time is coming when he will reap a profit on his mined production.

Nevada at one time flourished with silver mines. This is not the case today. The price is much too low to economically produce or mine silver. Practically all the silver mined in my State today is the byproduct of the copper mining industry.

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I favor Senator DOMINICK's amendment to Senate Joint Resolution 158 for two reasons.

First, to produce a commemorative dollar in the likeness of our former great soldier and President, General Eisenhower, is a desirable and commendable act. However, it should be a coin which is deserving of recognition and should not in my opinion be copper and nickel. It should by all means contain a metal with intrinsic value such as silver.

Congress recognized this when it produced silver half dollars with the likeness of our former great leader and President, the late President John Kennedy. It has been said the silver half dollar did not circulate freely. This is perhaps true; nevertheless, many millions of our citizens hold and cherish a Kennedy silver half dollar.

I expect that every Member of this body has at least one or two such coins.

A dollar produced with 40 percent silver with President Eisenhower's likeness would also be cherished and revered.

Second, since the Treasury has only been able to realize $1.87 per ounce for its silver, I cannot for the life of me understand why anyone in this body would object to the Treasury doubling its profit.

A silver-clad dollar produced by the U.S. Mint would result in the Treasury realizing $3.38 per ounce for its remaining silver stocks.

Now, I know my good friend, the Senator from Rhode Island, will perhaps again say, let private industry have this silver, and every bride in America will be the recipient of a fine silver set at a lower cost.

I am sympathetic to our fine daughters who can afford a set of silver. I am not sure all can, but I am sure they can afford a silver-clad dollar. And what a wonderful gift this would make for any occasion.

The Treasury can use the extra profit. Congress cannot commemorate a former President in a manner more desirable and fitting.

I hope this body will stop shortchanging the taxpayer. The taxpayer has furnished the funds to purchase the Treasury-held silver. I am sure he prefers full value for the commodity which his funds purchased.

Let us adopt this amendment and double the profit of Treasury-held silver and make available a silver-clad dollar for every American citizen who desires to own such a commemorative coin.

Mr. DOMINICK. Mr. President, I am happy to have the support of the distinguished Senator from Nevada. He has been very helpful in the silver debate over a long period of time, and I think that the points he has brought out are extremely significant. I hope they will be sufficiently circulated so that we can persuade as many as possible in the Senate to support this amendment.

Mr. MOSS. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. MOSS. Mr. President, I commend the Senator from Colorado for his continued leadership in the question of the use of silver in our coinage.

I recall very well the debate on the floor of the Senate when consideration was given as to whether or not the half dollar coin would contain any silver or whether it would be a clad coin, such as the smaller coins are. I was pleased that we were able to prevail in that particular debate, and that the half dollar today does have 40-percent silver in it. It still is an intrinsically valuable and beautiful coin. I think that as long as we are able to provide silver we should have it in our larger coins.

I have noted the position of the Senator from Colorado and others as to the economics of this matter. I understand that the silver in the Treasury, purchased under the Silver Purchase Act in years past, is limited in amount and that there will be a time when the Treasury no longer will have a reservoir of silver to mint coins unless it goes into the market to buy it at advanced prices, which I do not expect to occur.

Mr. President, I cannot support the minting of a dollar made entirely of base metal to commemorate our late President Eisenhower—or any other President of the United States. The coin should have at least the intrinsic value equal to that of the Kennedy half dollar.

At the time we were considering the Kennedy coin I stated emphatically that the coin should have silver content, and I hold the same position on the coin we are now considering to honor President Eisenhower.

Many people will want to set aside and save one or two samples of the Eisenhower dollar, just as they saved the Kennedy half dollar. A coin made entirely of base metal is certainly a less attractive souvenir than one with some silver content.

If we put silver in the Eisenhower dollar, I am convinced that production will meet the economic demand at a fair price. In the past the Treasury has indicated that our economic supplies of silver were adequate to our needs. The Department somewhat changed its story after there was a move in both the House and the Senate to include silver in the Eisenhower commemorative dollar.

What is the situation?

The Treasury, at the present time, holds some 135 million ounces of silver. This silver was obtained through the melting by the mint of the 90-percent silver dimes, quarters, and half dollars minted prior to 1965. The relationship of silver content to the face value of these coins is $1.38 an ounce.

What is the Treasury doing with this silver which is the property of all the citizens of this country? It is each week selling 1.5 million ounces of it to industry at prices currently ranging between $1.65 to $1.85 an ounce, and some months ago at prices less than $1.60 an ounce. With this asset valued by the Treasury at $1.38 an ounce, we can readily see that the Treasury is realizing a modest profit, indeed, through sales. Such profits is even less when the cost to the Treasury of sorting and melting the coins is considered.

On the other hand, if silver already owned by the Treasury were used in the minting of a 40-percent silver dollar, it would have a monetary value of $3.16 an ounce. The profit to the Federal Treasury through disposal of its silver in 40-percent silver dollars would be over $1 more per ounce than through current sales to industry. What is more, the mining cost of such a coin would be minimal since the Treasury already owns the silver.

Much has been made recently of the claim that silver is in short supply and that Treasury silver is vitally needed by industry. This is simply not true. The largest dealer of silver in the Nation is the firm of Handy & Harman. Let me read to you a statement from that company's highly respected annual review of the silver market for the year 1968:

> We have continually emphasized that there will be no shortage of silver for future industrial needs, and this has been confirmed by events. Over the past few years speculative or investment stocks have been accumulating at a very rapid rate throughout the world, and in 1968 alone some 170,000,000 ounces were added to these stocks. At year-end there were nearly 90,000,000 ounces of silver in New York Commodity Exchange warehouses alone, and perhaps another 80,000,000 ounces elsewhere within the United States. In addition, an estimated 200,000,000 ounces are stored in England and on the Continent. In total, speculative and investment stocks, worldwide, must be close to some 370,000,000 ounces. This is equivalent to about a full year's demand for world industrial and coinage needs combined.

It appears to me that there is no real shortage of silver industrially, and that supply and demand will affect the market. Undoubtedly the price of silver will climb because of what the Treasury is doing now in selling silver at $1.65 to $1.85 an ounce to keep the silver market unnaturally depressed. If the market is not thus unnaturally depressed it will climb to the point where the silver production we have will supply the market. There is an adequate supply according to the report made by Handy & Harman.

The Treasury Department maintains that its sales are stabilizing the price of silver. A better word for it would be "depressing" the price. The present volume of Treasury sales is equivalent to roughly one-half the entire industrial requirement for silver in the country, which is about 3 million ounces a week.

Above and beyond the question of disposing of a valuable national asset for the benefit of one segment of our industrial society is the real issue of the interest of the American people themselves, for they, after all, own this silver. If they wish to see this silver used in the minting of a silver-content dollar coin, why cannot that genuine desire be fulfilled? Some say such coins will not circulate. Of course they will not, which only adds to the evidence of the public's desire for them. That is why this amendment calls for the minting of both a silver and nonsilver dollar.

Others say that placing silver in a coin is wasteful. But what is industry doing with some of the silver it purchases from the Treasury? A substantial amount is

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being used in the production of commemorative medals manufactured by private industry. It was only a few weeks after the landing on the moon before over a dozen different commemorative silver medals honoring the event were on sale to the public. If it is appropriate for such purposes, it is even more appropriate for our Federal Government to do so.

For those reasons and because I believe we should maintain a silver coin, especially for our largest coin as long as possible, we should agree to the amendment of the Senator from Colorado. I commend the Senator for offering the amendment. I support it fully. If we are going to coin silver dollars I believe we should have silver in them as long as we have a supply left in the Treasury and as long as it is to our economic advantage so to do.

I thank the Senator.

Mr. DOMINICK. I thank the Senator. The points he has brought out are extremely valid. As brought out by information previously printed in the RECORD today, over 50 percent of the silver now being bought from Treasury sales is being bought for speculators and brokers and is going overseas. We are not using it here for industrial use at all. I think this is important.

Mr. JORDAN of Idaho. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. JORDAN of Idaho. Mr. President, I commend the distinguished Senator from Colorado for his leadership in this important matter and the very persuasive presentation he has made for the minting of a 40-percent silver dollar. I am pleased to be a cosponsor of the amendment.

This is a bipartisan action in honor of Dwight D. Eisenhower, one of the truly great national and world leaders of the mid-1900's. For the past three decades Ike Eisenhower was first in war, first in peace and first in the hearts of his countrymen. Today we have a unique opportunity to help make him "first" in our Nation's coinage. This deserved tribute can be achieved in a manner befitting this great American by passage of this substitute bill, which calls for an initial minting of a 40-percent silver dollar of the type Ike used and appreciated.

Ike's indirect endorsement of this proposed silver dollar minting came from his beloved widow, Mamie Eisenhower, in a letter to my colleague in the House, Representative JIM MCCLURE. In this letter, Mamie wrote of Ike's interest in silver dollars, as follows:

> I am particularly pleased that the Members of Congress chose this way of commemorating my husband, as I recall he often used silver dollars as a little memento to give to children and young people who visited his office after he left the Presidency. He made a special effort to secure some minted in the year of his birth, and I still have some that he kept in his desk drawer.

Mr. President, I ask unanimous consent to have the letter from Mrs. Eisenhower, printed at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

> GETTYSBURG, PA.,
> *July 30, 1969.*
>
> Hon. JAMES A. MCCLURE,
> *House of Representatives,*
> *Washington, D.C.*
>
> DEAR CONGRESSMAN MCCLURE: Thank you for your letter and the copies of the bills introduced on the minting of a silver dollar bearing the likeness of my husband.
>
> I am particularly pleased that the Members of Congress chose this way of commemorating my husband, as I recall he often used silver dollars as a little memento to give to children and young people who visited his office after he left the Presidency. He made a special effort to secure some minted in the year of his birth, and I still have some that he kept in his desk drawer.
>
> With appreciation and best wishes,
> MAMIE DODD EISENHOWER.

Mr. JORDAN of Idaho. Mr. President, aside from the honor this legislation would render to a truly great American, there are some sound economic reasons for supporting this measure.

In the first place, the substitute bill incorporates the text of the resolution as reported out by the Senate Banking and Currency Committee, authorizing the minting of clad silverless dollars and other coins.

The proposed silver dollar minting would utilize existing supplies of silver available in the Treasury and now being sold as surplus by the General Services Administration. When the available supply is exhausted, or by a specified cutoff date of January 1, 1973, production of the clad silverless dollar is authorized for circulation and for use in vending machines and for other purposes. It does not interfere with, nor frustrate the movement to a new coinage that was started in 1965; it merely interjects a relatively small memorial minting of the Eisenhower silver dollar.

Authorization of the silver dollar minting would return to the Treasury about $120 million more than the present procedures of silver disposal. By minting a 40-percent silver dollar and issuing it through the Federal Reserve banks, the Treasury would realize $3.16 per ounce of silver, as compared with the average September 30 price of $1.80 per ounce for silver sold through weekly surplus sales by the General Services Administration. Moreover, many of these Ike silver dollars would be purchased as souvenirs or for coin collections, thereby reducing any inflationary pressure of the minting.

Mr. DOMINICK. The Senator is correct.

Mr. JORDAN of Idaho. Mr. President, I think this is a very cogent argument; one that needs to be stressed. The Government is not going to lose money. The Treasury has been selling silver too low on the market to sustain it, knowing that the supply is limited.

The retention of one or two silver coins is common practice internationally, the Treasury Department's 1965 staff study of silver and coinage reported. Examples given were Japan, France, Italy, the Federal Republic of Germany, the Netherlands, Belgium, and Greece.

It was stated in the staff report which led to the Coinage Act of 1965.

> In continuing with the silver dollar at its existing fineness and a clad silver 50-cent piece of 0.400 fineness, our own coinage system would come more nearly into corresponding with present practice abroad.

In the substitute bill, we are advocating only a 3-year minting of Eisenhower silver dollars, after which the entire coinage system would become clad coins with copper and nickel cores.

This is a sound and justified course of action, and I urge my colleagues to vote in favor of the substitute bill to authorize this coinage tribute to a great American.

Mr. DOMINICK. Mr. President, I thank the Senator. I appreciate his emphasis on this point. I think the point is valid and it is an answer to the Senator from Rhode Island.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. ALLOTT. Mr. President, I am happy to join in support of my distinguished colleague with regard to this amendment. My friend will recall that we joined together in opposition to the recommendation to take silver out of our coinage in 1965.

Mr. DOMINICK. The Senator is correct.

Mr. ALLOTT. Both of us, and many Senators on the other side of the aisle, took substantially the same position with respect to the removal of silver in our coinage at that time.

I would like to refer to one or two of the remarks made by the Senator from Rhode Island, whom we admire and love. I know he is genuinely sincere in his belief that adopting of this amendment might be injurious to his silver users.

The figures that the Senator from Colorado has used seem to raise questions with regard to the validity of this argument when one considers the extreme fluctuations that have occurred in the price of silver during that time. When one considers that prices have run from $2.56 down to $1.52 per ounce, this does not seem very logical.

I would like to propound a rather rhetorical question to my colleague. I am sure that he is aware that about the time silver went up to $2.56 an ounce that the price of various articles that are sold in behalf of brides and bridegrooms rose accordingly. Is that not so?

Mr. DOMINICK. The Senator is correct.

Mr. ALLOTT. I would like to ask the Senator if—and I hope he has not had too much experience in this particular area—he has noticed, any diminution of the price of finished silverware in the stores since the price of silver has dropped back down.

Mr. DOMINICK. As a matter of fact I was pricing some finished silverware in California when I was there recently on a brief visit and it seemed to me prices were higher than when the price was $2.56 an ounce.

Mr. ALLOTT. That is my experience. We have from time to time had friends who were married and this is the experience we find. On the contrary, the price of silver is going up.

I think more than anything else that seems persuasive to me in the situation is that we have some 93 million ounces of

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silver in the Treasury Department. Do we sell this and, in effect, subsidize the present prices, or somewhere along the line subsidize the manufacturers and the industrial users, or do we utilize it in such a way that we really net a profit for the Government in accordance with the figures the Senator from Nevada (Mr. BIBLE) used a few moments ago? I think those figures are correct. My colleague has those same figures in his statement. Thus, on a logical basis, it seems to me there is no particular point in minting coins for gambling casinos in Las Vegas.

Mr. DOMINICK. I thoroughly agree.

Mr. ALLOTT. If we are going to have a coin, even if it does go into the stocking or into the dresser drawer, at least someone owns something of value and in procuring that coin he is enriching the Federal Treasury when he purchases it to the extent that it really nets the Treasury $3.16 per ounce.

Another thing which concerns me very greatly—and my colleague has covered that very well in his speech—is the point he has met, argued, and overcome, that we are now selling silver at the rate of $78 million a year, yet over half of that $78 million will go to speculators or purchasers overseas.

Mr. DOMINICK. That is correct.

Mr. ALLOTT. How can we talk about preserving silver in the Treasury Department for our own use when from August 5, 1969, through September 30, 1969, 13,713,000 ounces of silver were sold by the Treasury, and more than half of that, 7,965,000 ounces, to brokers and speculators overseas?

I cannot see any logic in the argument retaining the present system of doling out silver and allowing its price to fluctuate when the Treasury itself can realize such a handsome profit. I am particularly disturbed when the consumer, about whom our friend from Rhode Island is so concerned, is not only failing to benefit from the prices, but, according to what I have read, is also getting nicked a little bit every day.

Mr. DOMINICK. That is totally correct.

Mr. ALLOTT. I thank my colleague very much for this colloquy and commend him for his deep devotion to this subject. I hope his amendment, of which I am a cosponsor, will prevail.

Mr. DOMINICK. Mr. President, I thank my colleague, who has stood shoulder to shoulder with me during the many silver battles we have engaged in. His support has been invaluable as well as his aid, assistance, and the comments he has made. They have all highlighted the points we have on our side.

Mr. President, to continue reading my remarks, of the one and one-half million ounces sold, 594,000 ounces will be used for industrial purposes; 675 million ounces went to speculators and brokers, most of which will find its way overseas; 378,000 ounces were purchased directly for overseas speculators.

It should also be noted that until 1964, this country was a net importer of silver. In 1964, we had a net export of 57,742,000 ounces; in 1965, we had a net import again of 35,044,000 ounces; in 1966, we had a net export of 22,506,000 ounces; in 1967, we had a net export 15,249,000 ounces and in 1968, we had a net export of 55,052,000 ounces. In other words, from 1964 on through 1968, we have had exports of silver from our shores, overseas, a good portion of which was Treasury Department silver which was being sold at $1.29 an ounce, or $1.80 an ounce, whichever it may be, according to the year. So we have exported a net of 115,505,000 ounces over the past 5 years. Export rates in the first two quarters of 1969 are running slightly below 1968 levels, however, in August and September export rates were running substantially higher than the total 1968 rate. All indications show that our net exports in 1969 will exceed our net exports for 1968 by 55 million plus.

This brief history shows clearly the existing silver market conditions under which we are considering this legislation. We have demonetized silver and removed the official price of $1.29 per ounce. We are only one step away from finally removing any intrinsic value from coinage. This will still be accomplished under my proposed substitute. We have removed any Government influence on the silver market and silver prices. My proposal will change none of this. It only speeds up the inevitable. It will take the Government out of the silver business a few months earlier, with less impact on the market price of silver and consumer prices than the proposal made under Senate Joint Resolution 158, as I will make clear.

In addition, it seems that this country should mint a prestige coin with intrinsic value to honor our late President Dwight David Eisenhower. This coin will be a keepsake for all the people of this country who held Dwight Eisenhower in high regard. This great American served his country all of his adult life. It will be identical in composition to the current Kennedy half dollar. A cupronickel coin has no prestige or intrinsic value. We can do no less than mint a coin with real value to honor this man. To do otherwise would be inappropriate and disrespectful.

Mr. President, I hold in my hand some modern British crown pieces which are made with cupronickel and which look about as bad as anything one can think of. They do not even look like money, honorary medals, or anything of that sort. This is the same type of thing we are supposed to be using ourselves.

I hold in my hand also a silver dollar in paraffin, the old silver dollar. It is so totally different that it is ridiculous to compare the difference in appearance and prestige of this silver dollar with a cupronickel-type coin.

There are some collateral issues involved in this legislation involving coinage and silver generally. The profusion of statements from the Treasury in both the last administration and the current one, the industrial silver users and silver producers have created confusion and inaccurate conclusions.

In March of 1969, a Treasury task force was formed to review these problems and the previous recommendations of the Joint Commission on the Coinage. That task force reported to the Commission on May 12, 1969. Four principal objectives were stated and should be discussed. Those objectives are: First, a strong and efficient monetary system; second, maximum feasible fiscal return to the taxpayers; third, minimum inflationary impact on consumer prices, and fourth, minimum adverse impact on the balance of payments.

Accomplishment of these objectives will be more fully realized under my proposal combining the minting of both 40-percent silver dollar coins with our remaining silver, and cupronickel coins.

As has already been pointed out, minting a 40-percent silver dollar will realize a profit of $120 million over and above what can be realized from sale of the silver and minting a cupronickel coin. We are currently receiving slightly over $1.80 per ounce for our remaining silver supplies by GSA sales on the open market. Coining a 40-percent dollar will yield $3.16 per ounce for our remaining silver. This silver belongs to the people of this country. They should receive the maximum feasible return from disposal of their silver. This was exactly what was recommended by the task force, item 2, in May of this year. The Treasury will sell all of its remaining silver within 1 year. The Government will be out of the silver business at that time. Continued sales will only subsidize industrial users, speculators and brokers, both here and overseas, for 1 more year, at a cost to the taxpayers of $120 million.

There is no shortage of silver domestically or on the world market. The question is simply do we get $1.80 per ounce for our remaining silver or $3.16 per ounce.

A coin with 40-percent silver may not circulate widely. Our experience with the Kennedy half dollar would bear this out. The proposed $1 coin will be treasured as a keepsake by the people of this country who hold the memory of Dwight David Eisenhower in high regard. This is even more reason for minting the coin. My proposal provides for the minting of a cupronickel dollar after 3 years, and this coin will circulate.

There is no great need for a dollar coin currently in commerce except in the slot machines in Las Vegas, but there will be a need in a few years. The Treasury task force reported to the Joint Commission on the Coinage on May 12, 1969:

> The chief argument against minting a clad cupronickel dollar coin is that for a number of decades there has been no commercial need for such a coin in major commercial areas outside the West. Moreover, the banks generally feel that they can operate satisfactorily with more half dollar coins rather than a new dollar coin.
>
> *Although the need for a dollar coin at this time is obviously not crucial,* the steady expansion of the vending machine industry would indicate a potentially significant demand in the not too distant future. *But whether or not there is an immediate commercial use for the coin, the almost certain strong public demand for the coin as a collectors item should make a very useful contribution to the Government's financing needs.*

The task force found there will be a strong demand for the coin as a collector's item only for a short period. This is even more true of the 40-percent silver dollar. In addition, we will make $3.16 per ounce for our silver. The coin will not be needed in commerce for a while longer. By the time that need arises, we will be mining cupronickel dollars.

GSA sales since May 27, 1969, show clearly that over half of the silver sold is going to speculators and brokers overseas. One of the principal arguments of opponents to a silver dollar is that this silver is necessary for domestic industrial use. We do produce 100 million ounces of silver a year less than we use. Production will not increase until the price of silver rises significantly, if at all. Prior to May 27, 1969, a-1 sales were limited to domestic users. We are now selling silver at a rate of 1½ million ounces per week or 78 million ounces. Yet, over half of this 78 million ounces will go to speculators overseas. From May 27, 1969, through September 30, 1969, 28,500,000 ounces of silver were sold and almost 12,000,000 has gone overseas. Even more is held by domestic brokers. This trend is increasing. From August 5, 1969, through September 30, 1969, 13,713,000 ounces were sold and 7,965,000 ounces went overseas. More is held by domestic brokers and only 5,100,000 ounces is known to have gone directly for industrial usage. Furthermore, two of the largest industrial users did not even submit bids on September 23 and September 30. They have other sources. Users are currently importing silver in vast quantities from cheaper markets. Yet, in 1968, we had a net export of 55 million ounces of silver. Net exports are continuing at an even higher rate.

GSA sales are no longer necessary to fill the gap between domestic production and use. If all silver sold by GSA were used domestically, it would not fill the gap. GSA is selling silver at a rate of 78 to 80 million ounces per year and the deficit is 100 million ounces. Furthermore, over half of this silver is going to overseas speculators and brokers. There is no shortage of silver in this country. It is estimated by Handy and Harmon that there are at least 400 million ounces overhanging the market readily available for sale. This amount could be as high as 700 million ounces. This does not include Treasury silver or minting production. Even more silver will be available if prices go up. More silver is available overseas. Users have already found other markets because they know Treasury will soon be out of silver. There is a sufficient surplus in the commodity exchanges and private vaults to fill the gap for several years.

We will be out of Treasury silver in a year or less. Users will then have to rely wholly on the open market for silver supplies. Sale of Treasury silver no longer affects the market price significantly, and industrial users are now buying their silver elsewhere.

Continued sales of Treasury silver may compound balance-of-payments deficits. It is argued by opponents of the Eisenhower silver dollar that without GSA sales, industrial users will have to import more silver to fill the production gap causing a balance-of-payments deficit. This is extremely misleading and just not true. First, there is no silver shortage. Domestic surplus holdings of silver are estimated at 400 to 700 million ounces. This is several years' supply of silver. This surplus can easily meet the demand for industrial use without increasing imports. It is up to the users where they buy their silver. Second, there are less than 100 million ounces of Treasury silver left—about 1 year's supply at current sales rates. Of this, over half will go to overseas speculators and brokers. Users are just not buying this silver. The remaining silver just cannot fill the gap and it will soon be gone. It is interesting that with this annual production gap, the United States is a net exporter of silver and has been for the last few years. In 1968, we exported over 125,000,000 ounces and imported 70,000,000 ounces. This is a net export of 55 million ounces. In the first two quarters of 1969, imports have dropped off. Exports in the last 2 months were preceding at a higher rate, primarily because of GSA sales to overseas speculators. Soon this silver will have to be repurchased and imported, but at prices possibly two to three times as high thus compounding any balance of payments deficit. Only a shortsighted view could propose that this silver is needed to prevent a balance-of-payments deficit.

Consumer prices should not rise significantly if GSA sales are terminated. It is argued that termination of sales will cause a sharp rise in the price of silver thus forcing up prices for consumers of silver products. There would be a rise in price because of speculative pressure, which will readjust downward because of the current surplus on the market. If sales continue, there will be a gradual rise with a jump at the end of the year when the silver is gone. If the surplus does not exist at that time, there can be no adjustment of the market.

Further, the price of silver rose to $2.56½ per ounce in the summer of 1968. This is about 70 cents an ounce more than current prices. Prices of consumer goods were raised at that time and though silver subsequently dropped to $1.52 per ounce, consumer goods were not reduced in price. Termination of silver sales will have less effect on consumer prices and inflation now than it will a year from now.

The Treasury task force recommended that the best time to make any adjustment of our silver sales policies was when the price of silver on the domestic and world market was running at about $1.80 per ounce. Because of the high prices last year, and the adjustment in prices of consumer goods, there should be no significant effect on consumer prices. Cutting of sales now will not raise silver prices 70 cents per ounce. If we wait a year until we run out, the price of silver will be much higher and still take a jump when the silver is gone. This could well put the price of silver over $2.56 an ounce causing a rise in consumer prices. Now is the time to terminate sales while the market has a 70 cents cushion, not a year from now when other domestic sources will be depleted and prices of silver higher.

GSA sales have not helped to stabilize the silver market. From July 1967 to May 1969, sales were limited to domestic use but otherwise sold on the open market. During that period, the prices went up and down drastically over a short period of time, reaching a low of $1.63 per ounce and a high of $2.56. From May 27, 1969, to the present, sales have been open to all bidders. Prices in the 4-month period ranged from a low of $1.52 per ounce to $1.88 per ounce. The silver market is peculiarly susceptible to speculation. Continued sales will certainly not stabilize the price of silver or the market. Any such effect has already been accomplished.

Mr. President, in conclusion I would again point out that this country will soon have no prestige coins left. The coin of the realm will be mere tokens. It does not seem fitting to honor a man who served his country in war and in peace with a token to be used principally in slot machines and the tables in Las Vegas.

A silver dollar has an intrinsic value and is imbedded in the history of this country. Three hundred million silver dollars would insure that each citizen of this country could receive one. Means could be easily devised to insure that end if it be the desire of Congress.

I know my colleagues hold the memory of Dwight David Eisenhower in high regard. Any honor we bestow should be equal to that respect. My proposal will best accomplish this end.

Mr. President, I want to make just a few more comments before I yield the floor.

The only argument up to date that has been delivered against the 40-percent silver dollar is that if we put the silver in the dollar, it will not be sold to the silver users, and therefore it will affect the prices of the products made of silver.

I think that argument falls apart on its face. In the first place, we have been selling silver out of the Treasury at prices, over the last 3 years, which have ranged from $1.50 to $2.56 an ounce—a whole dollar differential over that period. That certainly is not stabilizing the silver market. That is the first point to make.

The second point is that although we have gone up and gone down on the price of silver, the only effect on silver is that the price, in this period of inflation, has been going up and up. So we have not stabilized the price of silver or of the products made of silver. They have continued to go up.

Another point which must be emphasized is that if we do not do what I have proposed, we are going to lose a substantial profit of about $120 million out of the remaining silver.

A point which will probably be nearer the hearts of Americans than any of the others, which are more or less economic reasons, is that if we are going to put President Eisenhower's image on a coin, we should put it on the best coin we can get, and not on the worst coin. We should put it on coins that will be retained, instead of put into slot machines in Las Vegas. We ought to put it on the best coin we can.

On that particular point I want to read into the RECORD a letter which was sent to Congressman MCCLURE by Mrs. Eisenhower on July 30 of this year, which reads as follows:

GETTYSBURG, PA.,
July 30, 1969.

DEAR CONGRESSMAN MCCLURE: Thank you for your letter and the copies of the bills introduced on the minting of a silver dollar bearing the likeness of my husband.

I am particularly pleased that the members of Congress chose this way of commemorating my husband, as I recall he often used silver dollars as a little memento to give to children and young people who visited his office after he left the Presidency. He made a special effort to secure some minted in the year of his birth, and I still have some that he kept in his desk drawer.

With appreciation and best wishes.

MAMIE DOUD EISENHOWER.

I submit that is the best evidence we can get that silver should be used in the dollar, and not simply have the silver sold down the drain of speculators and brokers overseas.

I yield the floor.

EXHIBIT A

SALES OF SILVER SOLD UNDER WEEKLY SALES PROGRAM BY GENERAL SERVICES ADMINISTRATION SINCE INCEPTION OF PROGRAM ON AUGUST 4, 1967, TO MARCH 25, 1969

Purchaser	Ounces sold: Aug. 4, 1967 to Dec. 31, 1967	Calendar year 1968	Jan. 1, 1969 to Mar. 25, 1969	Total sales to Mar. 25, 1969
Englehard Industries[1]	16,233,000	30,942,000	4,890,000	52,065,000
Metal Traders, Inc	6,818,000	10,190,000	1,408,000	18,416,000
Handy & Harman	4,669,000	9,154,000	1,906,000	15,729,000
E. I. Dupont	2,450,000	9,925,000	2,803,000	15,178,000
American Metal Climax, Inc.[2]		5,750,000	3,199,000	8,949,000
American Smelting & Refining		4,749,000	3,675,000	8,424,000
Spiral Metals		5,074,000	557,000	5,631,000
Edward McAlpine	1,708,000	3,666,000	200,000	5,574,000
Primary Metals	3,465,000	1,723,000		5,188,000
Metz Refining Co	541,000	2,459,000	886,000	3,886,000
National Lead Co	1,064,000	1,670,000	729,000	3,463,000
Deringer Manufacturing Co		1,981,000	506,000	2,487,000
General Numismatics Corp		2,225,000		2,225,000
United Wire & Supply Co		1,562,000	450,000	2,012,000
Minnesota Mining & Manufacturing		1,797,000		1,797,000
Gorham Corp. Division of Textron	525,000	1,042,000	192,000	1,759,000
Rogers, Lunt & Bowlen	480,000	944,000	195,000	1,619,000
Noble Metal Research		1,411,000	162,000	1,573,000
International Wire	210,000	782,000	159,000	1,151,000
Cerro Sales Corp		914,000		914,000
Continental Ore		504,000	382,000	886,000
The Franklin Mint, Inc		321,000	432,000	753,000
Samuel Kirk & Son, Inc		704,000	30,000	734,000
Rayner & Stonington	504,000	161,000		665,000
P. R. Mallory & Co		608,000	42,000	650,000
Eastman Kodak		115,000	467,000	582,000
Ametalco, Inc	525,000			525,000
All others	3,221,000	5,110,000	1,398,000	9,729,000
Total	42,413,000	105,483,000	24,668,000	[3] 172,564,000

[1] Includes purchases by Minerals & Chemicals, Phillip Corp. division and Englehard Minerals & Chemicals Corp. division.

[2] Includes purchases by Amax Copper, Inc., subsidiary of American Metal Climax, Inc.

[3] Englehard Industries purchased 30 percent of the silver sold by the Treasury during this period. The 4 largest purchasers acquired 59 percent and the 10 largest purchasers acquired 80 percent of the silver sold by the Treasury through the weekly sales program from its inception on Aug. 4, 1967, to Mar. 25, 1969.

Note: This schedule prepared by Golconda Mining Corp., Scott Building, Wallace, Idaho, from GSA news releases published weekly by General Services Administration.

EXHIBIT B

Yearly consumption

[In percent]

U.S. consumption breakdown:	
Photographic supplies	29
Electronics	23
Silverware and jewelry	18
Alloys and solder	11
Batteries, dental, medical, and other applications	19
Total	100

Sales summary: From beginning of program August 4, 1967, through May 6, 1969

Total quantity offered (ounces)	[1] 186,000,000
Total quantity awarded (ounces)	[2] 185,964,592
Total sales value	[2] $355,481,290
Per ounce average recovery	$1.9115

[1] Represents maximum quantity available for sale at the 2-million ounce per week rate.

[2] Quantity and value subject to Treasury adjustments based on actual shipments.

EXHIBIT C

ANALYSIS OF GSA SILVER SALES

May 27, 1969, through September 30, 1969

I. Total GSA Sales, 28,500,000 oz.

II. Sales to Speculators and Brokers Known to have gone overseas, 8,732,000 oz.

III. Sales to Speculators and Brokers believed to have gone overseas, 11,830,000 oz.

IV. Net Sales Known—Industrial Usage, 14,661,000 oz.

V. Net Sales to Brokers, 13,839,000 oz.

Prices on .897-.900 fine silver for same period: Low Price per ounce, $1.516; High Price per ounce, $1.881.

August 5, 1969, through September 30, 1969

I. Total GSA Sales, 13,713,000 oz.

II. Sales to Speculators and Brokers Known to have gone overseas, 6,669,000 oz.

III. Sales to Speculators and Brokers believed to have gone overseas, 7,965,000 oz.

IV. Net Sales Known—Industrial Usage, 5,100,000 oz.

V. Net Sales to Brokers, 8,613,000 oz.

Prices on .897-.900 fine silver for same period: Low Price per ounce, $1.537; High Price per ounce, $1.881.

GSA sales—Showing Price/ounce, May 27, 1969, through September 30, 1969—high bid

[Chart not printed in RECORD]

In the 19 week period (May 27–Sept. 30), price varied 36½c per ounce ($1.881—$1.515=$0.365).

Mr. BENNETT. Mr. President, I have enjoyed the discussion of my colleagues from the other Western States. Emotionally, I wish I could be with them. But having had the responsibility as a ranking member of the Banking and Currency Committee through all the negotiations and legislation affecting silver in our coinage and as a member of the Joint Commission on the Coinage realize that the issue which has been raised is an emotional one and not a practical one. And, being a practical kind of Senator, I feel that I must support this Treasury proposal as I have supported Treasury proposals of earlier administrations when they were for the purpose of bringing about an equitable solution of the silver problem.

Whether we put silver in the dollar or leave it out will not change the fact that the world production of silver is falling behind the world consumption. Figures have been quoted to show that there is available in Treasury stocks enough silver for a year. As those stocks are depleted, the price of silver will rise.

My good friend from Colorado has pointed out that if 300 million of these coins are minted, that is little more than one for every person in the United States. That is true, but there is not any reasonable way to get one of these to every person in the United States. If they are minted, they will likely be distributed in the same way that the Treasury distributes all other coins. Banks will request them from the Federal Reserve System. The Federal Reserve will fill those orders as long as it has coins, and the banks will distribute them.

When I remember how quickly the existing stock of the old 90-percent silver dollars disappeared, I can realize what is going to happen to these when they are minted.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. DOMINICK. Neither my bill nor the Senator's resolution says anything about how the coins will be distributed. As the Senator knows, we are taking a different route on the rare silver dollars which are now in the Treasury. This could easily be worked out, I think.

Mr. BENNETT. As the Senator knows, the rare dollars are not to be distributed one to each person in the United States but according to their numismatic value and if necessary on a bid basis. The Treasury has no machinery for distributing $300 million except its current practice, which is to respond to orders from Federal Reserve banks. Through that procedure, rather than one of these coins getting into the hands of every American as a memento of President Eisenhower, they are going to get into

XUM

the hands of speculators. They are going to get into the hands of coin dealers. I would be sure that if we actually turned out these 40-percent silver Eisenhower dollars, within a few weeks they would show up in catalogs at prices significantly above their face value. To demonstrate that this will happen, we need only to remember what has happened to the Kennedy half dollars.

They have sold in Europe as Kennedy medals for $5 each. We have minted more than 1.2 billion of them in the past 5 years. That is nearly double the volume of half dollar coins that were kept in circulation when we had the old silver half dollars. It is pretty hard to get one anywhere today. They disappeared, because they are desired by many people as a memento of President Kennedy.

These dollars will go the same way. Given our usual and ordinary, standard system of distribution, the orders the banks will receive for coins will not come from each person in this country. They will come from the coin collector or the coin dealer and, rather than becoming a widely distributed medal, the coins will become an opportunity for dealers and speculators to make a very nice profit, and there is not any easy way to prevent it.

My friend from Colorado says he is going to take care of the need for cupronickel coins in vending machines, because after all of the silver-clad coins have been minted, then we can start to mint cupronickel ones.

At the normal rate of production—and I know the mint can step this up if they have to—it will take 3 years to produce these 300 million coins. So this is 3 years in which we will have no commercially useful dollar coins to supply the needs of those who want them. I know it is easy to say they are only going to be used in Las Vegas, but I think we are becoming more and more accustomed to the use and sale of merchandise through vending machines, and if cupronickel coins of the dollar size are available, we will begin to see vending machines selling merchandise of approximately that value, and calling for the dollar coin.

My friend from Colorado has made much of the fact that we are now exporting silver. This is not damaging to our balance of payments. It is beneficial and there is no doubt that using our remaining silver for dollar coins would have an adverse effect, rather than a beneficial effect, on our balance-of-payments deficit. Current annual domestic silver production, as my friend from Colorado has demonstrated with the figures he gave us, is running less than 40 million ounces a year, compared with American industrial consumption of around 145 million ounces a year. If Treasury's silver sales were halted to reserve the present silver for dollar coins, and the silver imports for industrial use would have to increase substantially, or industry would draw on its existing stocks, to which he has referred, the stocks would have to be replaced, which would mean imports; and the Treasury has estimated that the adverse effect upon our balance of payments in the first year of minting these clad silver coins could run as high as $150 million.

The arguments that part of our present General Services Administration sales are going to foreign countries does not alter the conclusion. Any sale made by the Treasury to foreigners reduces our balance-of-payments deficit by that amount. To take silver available for sales out of the commercial stream and lock it up into these medal coins would, of course, reverse the effect.

When Treasury sales were originally limited only to domestic users or those who would sell the silver to domestic users or those who would sell the silver for domestic use in a specified period, the price received for Treasury silver was lower than the world price. There was a great deal of criticism of this fact, and the silver producers urged the Treasury to allow the price to rise to the world market. Silver producers recommended that all bidders be allowed to bid on Treasury silver. I agreed with that recommendation and feel sure that the Senator from Colorado also gave it his support.

It was decided by the Treasury, in concurrence with the Joint Commission, that anybody who desired silver should be permitted to buy it. This change has been helpful. It has brought the price of silver from the Treasury more in line with the world price.

My colleagues have commented on the variation in the price of silver since the Treasury removed the peg. I think there is one factor that they have neglected to mention, and that is this factor of foreign speculation. There have been many people, including many Americans, who figured that the price was going up, and they would get in and bid on futures, and there has been rather an active market abroad; and when the price did not rise as fast as many of them thought it would, they had to get in there and cover themselves, with the result that many people have lost money speculating in the world silver market. It is this speculation, as much as anything else, that has forced the price to vary so erratically, and this is the sort of thing that the Treasury hoped to dampen down.

A number of things have been said here today about the fact that a cupronickel coin would not be fitting to carry the imagine of President Eisenhower. Nobody was disturbed when we put the image of George Washington on a cupronickel coin, or the image of Franklin Roosevelt on a cupronickel coin, or the image of Thomas Jefferson on a nickel coin. Nothing we do here today will add to or detract from the greatness of the late President Dwight David Eisenhower. He has made his contribution to this country and the world and it will not be changed. The Senator has quoted a letter from Mrs. Eisenhower. I think I would have replied to a letter like she received in the same way. She was asked, in effect, if she would not like to see the image of her husband on a silver dollar. She did not say, "Yes, I want it on a silver dollar, but do not put it on a cupronickel dollar; that will embarrass me."

If I knew President Eisenhower as I think I did, I am sure that he was the practical, down-to-earth kind of man who would have agreed with the Joint Commission on the Coinage and the Treasury that we not mint a silver-bearing dollar.

I believe it is also important for me to discuss the profit to be derived by the Treasury from these alternative proposals.

It has been suggested that the minting of 40-percent silver dollars would provide a greater seigniorage than the minting of nonsilver dollars. Seigniorage, as Members of this body know, is simply the difference between the face value of a coin and the cost of its component metals. Including silver in a coin reduces seigniorage since silver is more costly than copper or nickel. While it is true that if these coins were made of 40 percent silver, this would be equivalent to a selling price of $3.16 an ounce for silver, whereas the Treasury is getting just over $1.80 an ounce for its silver currently. This is not the comparison that should be made. The comparison that should be made is what is the overall effect on Treasury revenue? The nonsilver dollar coin would result in a far greater monetary return than would be realized by the 40-percent silver coin. If the Congress were to approve the minting of 30 million 40-percent silver dollar coins, that would result in a return through seigniorage of about $160 million. In contrast, the monetary gain by producing the same number of nonsilver dollar coins, as provided in the resolution which has been reported by our committee, would be about $290 million. In addition, the Treasury would be able to continue its sales of silver and obtain as much as $50 million more in revenue through these sales. Thus, we are comparing a seigniorage of $160 million if the coins were minted with silver content with an income to the Treasury of about $340 million if they are minted without silver content. This means that approval of Senate Joint Resolution 158, without amendment, would provide $180 million more than if it is amended so that these coins contain silver.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. DOMINICK. Mr. President, I have been listening to the Senator. The Senator is comparing apples and oranges.

Mr. BENNETT. No. I am comparing dollars with dollars.

Mr. DOMINICK. I mean, if we sell the silver at $1.80 an ounce on the open market, as we can do now, we would get *x* dollars. If we put the silver in coins, we would get $3.16 an ounce. So, we would get the seigniorage plus the money from the silver.

Mr. BENNETT. I certainly do not want to argue with my friend from Colorado but he must know that if the coins are minted with the silver then it is used up and counted in the seigniorage so there would be no additional money from the silver.

Mr. DOMINICK. No, we do not mint them. We could continue with the cupronickel coins as long as we would want to do so.

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Mr. BENNETT. Mr. President, in order to get a true comparison of the net advantage to the Treasury between making silver-clad coins and cupronickel coins, we must consider the seigniorage from making the coins in the alternative ways and the sale of silver which would be added if the coins are cupronickel but which would not be available for sale if the coins contain silver. I have explained that difference. It would amount to about $180 million more if the coins do not contain silver.

Mr. DOMINICK. Mr. President, I would say that the Senator is still comparing apples and oranges. If we want to get large enough seigniorage, we should manufacture the coins currently with silver. There is no reason why we could not still do that.

If we are going to figure out the best price of the silver, it would be to have a silver coin.

Mr. BENNETT. Mr. President, I realize that for the purposes of the argument of the Senator, this is the way he wants to present the matter. However, as far as the net income to the Treasury is concerned, with respect to the first 300 million it would mint under the two alternatives, there would be more than twice as much seigniorage with the cupronickel coin than with the use of the silver.

Mr. President, I think my friend from Colorado and I have pretty well covered the issues involved in the problem. I can understand his point of view, because, as I say, I come from a State which produces significantly more silver than is produced in Colorado.

I also have a responsibility, however, to the American people. And if we were to follow the suggestion of the Senator from Colorado, we would be worse off in the end financially. We would not have a circulating dollar coin until we began to mint the cupronickel coins, because all of the silver-clad coins would disappear into the vaults and catalogs of the speculators, and the real profits would not be made by the Treasury but would be made by them.

Mr. President, I am perfectly willing at this point to suggest to the Senator from Colorado that we have a quorum and then proceed to vote.

Mr. DOMINICK. Mr. President, I will agree to do that very shortly. However, I have a few comments to make first.

I have listened with interest to my friend, the Senator from Utah, and he is a friend. I must say that I think he has been sold a bill of goods by the Treasury Department.

I flatly do not understand the argument of the Treasury at all. They do not make logical or economic sense to me. They say, "If we go ahead with the bill, it will have an adverse effect in the first year of more than $150 million in our balance of payments."

For heaven's sake, how could they possibly come to that conclusion. If we take a $2 ounce—which is 20 cents an ounce more than they are getting now for an ounce—40 million ounces in the first year to manufacture coins on a 3-year bill, for the cupronickel dollar, we would have $80 million in silver that would be used. If we figure that $80 million—trying to give them all the benefit of the doubt, and I think they are crazy, because there is going to be less exported or used in some way—we can only have a maximum effect of $80 million, no matter what we do.

However, the fact of the matter is they say that 50 percent of the silver is staying here and 50 percent is being sent abroad.

If we have 2 million ounces, no matter how we slice that argument with respect to the balance of payments, it is just about as inaccurate as anything I could think of.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. BENNETT. Mr. President, if we adopt the Treasury's proposal instead of using the silver in these coins, the Treasury would sell the silver.

Mr. DOMINICK. The Senator is correct.

Mr. BENNETT. But the sale of the silver can have a double-barreled effect. That part of the silver which goes abroad has positive effect on our balance of payments just as any sale to a foreign country has. And that part of the silver which makes it unnecessary to import silver from abroad has the same effect.

It is the estimate of the Treasury that the combination of these two effects could represent a value of $150 million to our balance of payments.

If we mint these coins—and there is a shortage in this country and it is necessary to begin importing silver—of course, that has a definite negative effect.

I have not been sold a bill of goods by the Treasury.

Perhaps I can try to explain it another way to the Senator. We now have about 90 million ounces of silver. Sales of this silver at today's prices would amount to $163 million whether sold to domestic users or foreign buyers. If we sell it all abroad we would improve our balance of payments by $163 million at today's prices. If we use it for domestic consumption, then we will have reduced imports by 90 million ounces or a saving of $163 million at today's prices.

This balance-of-payments effect is underestimated because if we were to use the silver for coinage it would result in an immediate price rise and our imports of 90 million ounces would cost far more than $163 million.

This is as clearly as I can explain the difference.

Mr. DOMINICK. Mr. President, I can understand that the Senator is trying to support the argument of the Treasury Department. I admire him for doing it. However, frankly the Senator and I have been interested in the economics of various things for long enough to know that if we analyze it, it does not make any sense. We cannot have it both ways.

The Treasury argues, "We will put the silver into the market to stabilize the silver market." Then they say, "A lot of it goes overseas. We do not need it here. Industry is not even bidding on it. If you send it overseas, it will have a great effect on the balance of payments." They will export it or put it in the market to stabilize the present price of silver. The price of silver objects has not gone down. I refer to objects manufactured from raw silver purchased from the Treasury.

The silver continues to be sold by the Treasury at a lower price to speculators overseas where they process it and send it to us at a higher price. It does not make any sense at all to me.

In addition, I might point out that we are going to be out of silver in 1 year unless we do something right now. We will not have another chance to put any silver in our coins. We will not have any chance to have a decent-looking coin in this country. Every other country in the world has one prestige coin. The United States does not.

Mr. BENNETT. I cannot agree with the statement that every other country in the world has one prestige coin. The Senator also knows that we have the Kennedy half dollar.

Mr. DOMINICK. We have the Kennedy half dollar, and the Treasury now has a bill to take the silver out of the Kennedy half dollar. What for? To send the silver overseas.

We have a hoard of between 400 million and 700 million ounces hanging over the market now which can be used. This is why the industry is not buying any silver at the moment from the Treasury—not as much as they used to.

In the substitute I have offered, we ask for the use of the silver for 3 years in a dollar coin with President Eisenhower's face on it. Then if the vending machines, as the task force has said, by that time might need something in the way of a dollar coin, we will continue with cupronickel, which will get us more money, without silver. We would still get the seigniorage for the cupronickel piece later, and we would not find ourselves in the position of subsidizing the brokers and the speculators.

I am ready to vote.

Mr. SCOTT. Mr. President, on behalf of the Senator from New York (Mr. Goodell), I ask unanimous consent to have printed in the Record a statement which he has prepared.

There being no objection, the statement by Senator Goodell was ordered to be printed in the Record, as follows:

> Mr. Goodell. Mr. President, I rise to support S.J. Res. 158, a joint resolution which authorizes the minting of non-silver dollar coins in the likeness of our late beloved President, Dwight D. Eisenhower.
>
> October 14, would have been President Eisenhower's 79th birthday. He served our country with bravery and dedication during times of war and peace and I know history will describe him as we remember him—a great American. Today we are again reminded of our Nation's loss at his passing. I believe it fitting and timely for the Senate to memorialize the General's life by passing this resolution.
>
> I am aware of the amendment introduced by my distinguished colleague from the State of Colorado which would provide for the initial minting of at least 300 million Eisenhower silver dollars with a 40% silver content, to be followed thereafter by a cupronickel coin as suggested by S.J. Res. 158.
>
> I am opposed to this amendment.
>
> Mr. President, this country is now facing a critical silver shortage. At present, it is reported that we have only 100 million

ounces of silver left in our Federal reserves, and our annual production of the precious metal is 38 million ounces. In contrast domestic industries consume approximately 150 million ounces a year. It is clear that our industry demands for silver far exceed our supply.

The substitute proposal provides for the printing of 300 million commemorative coins. We know from past experience that silver coins do not serve as a medium of exchange. Many will become collector's items and many will be hoarded for the value of the silver. We will be wasting our precious supplies of silver on a coin that does not even circulate while our domestic industries desperately need the metal.

Industry in my state consumes more silver than any other in the union. Annually, these industrial uses are estimated as high as one third of our total consumption. Consumer goods, and industrial products—photographic products, electrical components, batteries—and important defense items represent some of the goods requiring silver. The industries which produce these goods, and have the greatest need for silver, both in New York and other States, will face economic hardships if our government silver reserves, now being auctioned by the U.S. Treasury at the rate of 1.5 million ounces a week, are used instead in the minting of silver coins. Freezing the Treasury stockpile for currency purposes will cause the price of silver to rise, and the consumers of products containing silver will undoubtedly have to pay their share of the increased costs.

The substitute proposal only serves to cloud the issue before us today. We are here to pass legislation in honor of President Eisenhower. S.J. Res. 158 is the correct approach for this purpose. It provides for the minting of a coin which will be widely circulated and used by all. We are *not* here to pass legislation which, in honoring him, has serious and far reaching economic disadvantage for our domestic industries. This would be the effect of the amendment. To pass legislation which would negatively affect our economy is not a proper way to honor a man who gave so much to his country.

It has also been demonstrated that our Federal Treasury will suffer economic consequences if a silver coin is minted. I understand it would cost the government 48 cents to mint the 40% silver dollar. As a result the Treasury would make 52 cents per coin or $156 million on 300 million coins. On the other hand, it would cost 5 cents to mint a non-silver clad dollar as recommended in S.J. Res. 158. The net profit to the government would be 95 cents or $285 million for the same amount of coins. These figures alone clearly show that the Federal Treasury benefits much more with a non-silver coin.

Mr. President, officials of the Treasury Department and the Joint Commission on Coinage recommend the realistic approach of S.J. Res. 158. Secretary of the Treasury, David Kennedy, succinctly discussed the problem in a statement to the Joint Commission on Coinage:

"The first recommendation, for the minting of a non-silver clad half dollar, is consistent with the conclusions reached by the commission at its meeting last December. I think the convincing argument here is that despite the minting of some 760 million 40 percent silver half dollars over the past three years, very few of these coins are actually circulating. Even if we were to continue pouring all of our remaining 150 million ounces of surplus silver into the silver half dollar, it is extremely doubtful whether the coin would circulate in any quantity. Moreover, this use of our remaining silver would require a halting of surplus silver sales which would very probably drive the price up excessively and further stimulate the hoarding of these coins. In short, the 40 percent half dollar in our past experience is simply a losing proposition."

In closing, Mr. President, I ask my colleagues to support S.J. Res. 158. By voting for this resolution, proper tribute will be given to a great man and it will be given free of economic consequence which would be a disservice to his memory.

A PROPER TRIBUTE TO A GREAT AMERICAN

Mr. YARBOROUGH. Mr. President, I support Senate Joint Resolution 158, which would authorize the minting of a dollar coin bearing the likeness of the late President Dwight David Eisenhower. This is a fine tribute to the man who spent the greater part of his adult life in unselfish and tireless service to our country.

Like many of my fellow Americans, I had the privilege and honor of serving under General Eisenhower in the crusade in Europe in World War II. During that great crusade, I was a staff officer of the 97th Infantry Division and served under him. I also served in the Senate, one of the two Houses of a coequal branch of the Government from 1957 through 1960, while he was President of the United States, and had the honor of working on many important legislative matters during his Presidency.

President Eisenhower was a general at war, but a man of peace. He worked to end wars and to prevent wars. All Americans have a special place in their hearts for President Eisenhower. This special place was earned not just by the deeds of the man, but by the character of the man. President Eisenhower left his imprint on history and in the hearts of his fellow man. It is only fitting that we, as a grateful nation, remember him in this manner.

I urge all Senators to lend their support to this measure.

LET US PUT SILVER IN THE EISENHOWER DOLLAR

Mr. CHURCH. Mr. President, I support the amendment of the distinguished Senator from Colorado (Mr. DOMINICK) which would provide for the initial minting of at least 300 million Eisenhower silver dollars with 40 percent silver, to be followed thereafter by a cupronickel coin as suggested by the Banking and Currency Committee.

There are many arguments which favor the minting of a silver coin. The Senate has been told of the economic advantage which would accrue to the Treasury of the United States by using its remaining silver supplies to mint a silver dollar as opposed to selling the silver on the open market. The Senate knows that silver is the essence of a prestige coin due to the enhanced clarity which can be achieved with silver for a raw material. We are all aware of the fact that Dwight David Eisenhower was an outstanding American who served his Nation long and well and that he should be properly honored for his long and distinguished service.

Aside from these reasons there is the tremendous stock which the American public holds by silver coins. I will not belabor the point here today by presenting once again the statistics which all of those interested in the problem are familiar with. I find these reasons compelling and I think that the Senate should examine them closely in consideration of this legislation.

As a cosponsor of the original legislation calling for a silver dollar to commemorate Ike, and a cosponsor of this amendment, I lend my full support to the Dominick amendment and urge its passage.

The PRESIDING OFFICER. The question is on agreeing to the amendments in the nature of a substitute, offered by the Senator from Colorado.

Mr. BENNETT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BENNETT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment offered by the Senator from Colorado. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BENNETT (after having voted in the negative). On this vote I have a pair with the senior Senator from South Dakota (Mr. MUNDT). If he were here and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay."

I withdraw my vote.

The rollcall was concluded.

Mr. BYRD of West Virginia. I announce that the Senator from Missouri (Mr. EAGLETON), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Michigan (Mr. HART), the Senator from Iowa (Mr. HUGHES), the Senator from Minnesota (Mr. MCCARTHY), the Senator from Rhode Island (Mr. PELL), the Senator from Alabama (Mr. SPARKMAN), the Senator from Virginia (Mr. SPONG), the Senator from New Jersey (Mr. WILLIAMS), and the Senator from Ohio (Mr. YOUNG), are absent on official business.

I also announce that the Senator from Indiana (Mr. BAYH), the Senator from California (Mr. CRANSTON), the Senator from Connecticut (Mr. DODD), the Senator from Oklahoma (Mr. HARRIS), the Senator from Hawaii (Mr. INOUYE), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Wyoming (Mr. MCGEE), the Senator from South Dakota (Mr. MCGOVERN), the Senator from New Hampshire (Mr. MCINTYRE), the Senator from Montana (Mr. METCALF), the Senator from Minnesota (Mr. MONDALE), the Senator from Maine (Mr. MUSKIE), and the Senator from Missouri (Mr. SYMINGTON), are necessarily absent.

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from Massachusetts (Mr. BROOKE), the Senators from Arizona (Mr. FANNIN and Mr. GOLDWATER), the Senators from New York (Mr. GOODELL and Mr. JAVITS), and the Senator from California (Mr. MURPHY), are necessarily absent.

The Senators from Kentucky (Mr. COOK and Mr. COOPER), the Senator from Florida (Mr. GURNEY), the Senator from South Dakota (Mr. MUNDT), the Senator from Illinois (Mr. PERCY), and the Senator from Alaska (Mr. STEVENS), are absent on official business.

The Senator from Illinois (Mr. SMITH) is absent because of death in his family.

The Senator from Ohio (Mr. SAXBE) is detained on official business.

If present and voting, the Senator from Kentucky (Mr. COOPER), and the Senator from Florida (Mr. GURNEY) would each vote "yea."

The pair of the Senator from South Dakota (Mr. MUNDT) has been previously announced.

On this vote, the Senator from Arizona (Mr. FANNIN) is paired with the Senator from Massachusetts (Mr. BROOKE). If present and voting, the Senator from Arizona would vote "yea," and the Senator from Massachusetts would vote "nay."

On this vote, the Senator from California (Mr. MURPHY) is paired with the Senator from New York (Mr. GOODELL). If present and voting, the Senator from California would vote "yea," and the Senator from New York would vote "nay."

On this vote, the Senator from Alaska (Mr. STEVENS) is paired with the Senator from Illinois (Mr. PERCY). If present and voting, the Senator from Alaska would vote "yea," and the Senator from Illinois would vote "nay."

On this vote, the Senator from Arizona (Mr. GOLDWATER) is paired with the Senator from New York (Mr. JAVITS). If present and voting, the Senator from Arizona would vote "yea," and the Senator from New York would vote "nay."

The result was announced—yeas 40, nays 21, as follows:

[No. 126 Leg.]

YEAS—40

Allen
Allott
Anderson
Bellmon
Bible
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Church
Curtis
Dole
Dominick
Eastland
Ellender
Ervin
Fong
Gravel
Hansen
Hatfield
Holland
Hruska
Jackson
Jordan, Idaho
Magnuson
Mansfield
McClellan
Miller
Montoya
Moss
Pearson
Randolph
Russell
Scott
Smith, Maine
Stennis
Thurmond
Tower
Yarborough
Young, N. Dak.

NAYS—21

Aiken
Boggs
Case
Cotton
Gore
Griffin
Hartke
Hollings
Jordan, N.C.
Long
Mathias
Nelson
Packwood
Pastore
Prouty
Proxmire
Ribicoff
Schweiker
Talmadge
Tydings
Williams, Del.

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY ANNOUNCED—1

Bennett, against.

NOT VOTING—38

Baker
Bayh
Brooke
Cook
Cooper
Cranston
Dodd
Eagleton
Fannin
Fulbright
Goldwater
Goodell
Gurney
Harris
Hart
Hughes
Inouye
Javits
Kennedy
McCarthy
McGee
McGovern
McIntyre
Metcalf
Mondale
Mundt
Murphy
Muskie
Pell
Percy
Saxbe
Smith, Ill.
Sparkman
Spong
Stevens
Symington
Williams, N.J.
Young, Ohio

So Mr. DOMINICK's amendment in the nature of a substitute was agreed to.

Mr. DOMINICK. Mr. President, I move that the vote by which the amendment in the nature of a substitute was agreed to be reconsidered.

Mr. MANSFIELD. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. BELLMON in the chair). The question is engrossment and third reading the joint resolution.

The joint resolution, Senate Joint Resolution 158, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S.J. RES. 158

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 101 of the Coinage Act of 1965 (31 U.S.C. 391) is amended—

(1) by inserting "one-dollar pieces," after "pursuant to this section" in subsection (a);

(2) by redesignating paragraphs (1), (2), and (3) in subsection (a) as paragraphs (2), (3), and (4), respectively, and by inserting before redesignated paragraph (2) a new paragraph as follows:

"(1) the dollar shall have—

"(A) a diameter of 1.500 inches;

"(B) a cladding of an alloy of eight hundred parts of silver and two hundred parts copper; and

"(C) a core of an alloy of silver and copper such that the whole coin weighs 24.592 grams and contains 9.837 grams of silver and 14.755 grams of copper."; and

(3) by inserting at the end of such section the following new subsections:

"(d) The dollars initially minted under the authority of subsection (a) shall bear the likeness of the late President of the United States, Dwight David Eisenhower.

"(e) Commencing on January 1, 1970, and until such time as the supply of silver available to the Treasury on January 1, 1970, for coinage purposes is exhausted, or December 31, 1972, whichever is earlier, the Secretary shall cause to be minted and issued dollars authorized by subsection (a) at a rate of not less than one-hundred million coins annually."

(b) Effective on January 1, 1973, or on such earlier date as the President shall by proclamation declare that the supply of silver available to the Treasury for coinage purposes is exhausted, section 101 of the Coinage Act of 1965 is amended to read as follows:

"SEC. 101. The Secretary may coin and issue one-dollar pieces, half dollars or 50-cent pieces, quarter dollars or 25-cent pieces, and dimes or 10-cent pieces in such quantities as he may determine to be necessary to meet national needs. Any coin minted under authority of this section shall be a clad coin the weight of whose cladding is not less than 30 per centum of the weight of the entire coin, and which meets the following additional specifications:

"(1) The dollar shall have—

"(A) a diameter of 1.500 inches;

"(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

"(C) a core of copper such that the whole coin weighs 22.68 grams.

"(2) The half dollar shall have—

"(A) a diameter of 1.205 inches;

"(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

"(C) a core of copper such that the whole coin weighs 11.34 grams.

"(3) The quarter dollar shall have—

"(A) a diameter of 0.955 inch;

"(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

"(C) a core of copper such that the weight of the whole coin is 5.67 grams.

"(4) The dime shall have—

"(A) a diameter of 0.705 inch;

"(B) a cladding of an alloy of 75 per centum copper and 25 per centum nickel; and

"(C) a core of copper such that the weight of the whole coin is 2.268 grams."

Mr. MANSFIELD. Mr. President, I move that the vote by which the joint resolution was agreed to be reconsidered.

Mr. DOMINICK. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

The title was amended so as to read:

A joint resolution to authorize the minting of clad silver dollars bearing the likeness of the late President of the United States, Dwight David Eisenhower.

Mr. MANSFIELD. Mr. President, the ranking minority member of the Banking and Currency Committee, the distinguished senior Senator from Utah (Mr. BENNETT), is to be congratulated on his expert handling of this measure involving the Eisenhower dollar. The Senate is indebted to him for the splendid manner in which he presented this proposal.

The outstanding contribution of the distinguished Senator from Colorado (Mr. DOMINICK) also deserves our praise. His thoughtful views, able and effective advocacy, and fine skill and ability assured the adoption of his amendment.

Joining also in discussing the measure was the distinguished senior Senator from Nevada (Mr. Bible). His strong and sincere views are always thoughtful and always welcome.

As always, we appreciate also having the benefit of the views of the distinguished senior Senator from Rhode Island (Mr. PASTORE) on this proposal. His eloquence and effective advocacy add a great deal to any discussion.

Unfortunately, the chairman of the Banking and Currency Committee, the senior Senator from Alabama (Mr. SPARKMAN) is away today on official business. We do wish to thank him and his committee for their dispatch and efficiency in steering this measure through the committee.

Finally, to those Senators who participated, I wish to offer my thanks and to note particularly the splendid cooperation exhibited by all.

POTATO RESEARCH AND PROMOTION ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of calendar No. 412, S. 1181. I do this so that the bill will become the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 1181) to enable potato growers to finance a nationally coordinated research and promotion program to improve their competitive position and expand their markets for potatoes by increasing consumer acceptance of such potatoes and potato products by improving the quality of potatoes and potato products that are made available to the consumer.

The PRESIDING OFFICER. Is there

objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Agriculture and Forestry with amendments, on page 1, after the enacting clause, insert:

TITLE I—POTATO RESEARCH AND PROMOTION

At the beginning of line 4, strike out "That this Act" and insert "This title"; on page 2, line 2, after "Sec. 2", strike out "It" and insert:

Potatoes are a basic food in the United States. They are produced by many individual potato growers in every State in the United States. In 1966, there were one million four hundred and ninety-seven thousand acres of cropland in the United States devoted to the production of potatoes. Approximately two hundred and seventy-five million hundredweight of potatoes have been produced annually during the past five years with an estimated sales value to the potato producers of $561,000,000.

Potatoes and potato products move, in a large part, in the channels of interstate commerce, and potatoes which do not move in such channels directly burden or affect interstate commerce in potatoes and potato products, All potatoes produced in the United States are in the current interstate commerce or directly burden, obstruct, or affect interstate commerce in potatoes and potato products.

The maintenance and expansion of existing potato markets and the development of new or improved markets are vital to the welfare of potato growers and those concerned with marketing, using, and processing potatoes as well as the general economic welfare of the Nation.

At the beginning of line 23, insert "Therefore, it"; in line 24, after the word "this" strike out "Act" and insert "title"; on page 3, line 10, after the word "this" strike out "Act" and insert "title"; in line 18, after the word "person", strike out "who handles potatoes except a common or contract carrier of potatoes owned by another person" and insert "(except a common or contract carrier of potatoes owned by another person) who handles potatoes in a manner specified in a plan issued pursuant to this title or in the rules and regulations issued thereunder."; after line 24, strike out:

(e) The term "handle" means to transport or sell potatoes or otherwise place potatoes in the current of commerce; except that the sale of unharvested potatoes and the transfer or delivery of potatoes from the farm on which they are produced to a temporary storage facility, packing shed, or processing plant shall not be considered handling.

On page 4, at the beginning of line 5, strike out "(f)" and insert "(e)"; at the beginning of line 7, strike out "(g)" and insert "(f)"; at the beginning of line 9, strike out "Act" and insert "title"; in line 14, after the word "this", strike out "Act" and insert "title"; in line 15, after the word "this" strike out "Act" and insert "title"; in line 20, after the word "this" strike out "Act" and insert "title"; at the beginning of line 23, strike out "Act" and insert "title"; in the same line, after the word "this" strike out "Act" and insert "title"; in line 24, after the word "this" strike out "Act" and insert "title"; on page 5, line 7, after the word "this" strike out "Act" and insert "title"; at the beginning of line 18, after the word "conditions" strike out "or modifications"; in line 19, after the word "this" strike out "Act" and insert "title"; in line 23, after the word "this" strike out "Act" and insert "title"; in line 24, after the word "this" strike out "Act" and insert "title"; on page 6, line 2, after the word "this" strike out "Act" and insert "title"; on page 8, line 6, after the word "this" strike out "Act" and insert "title"; in line 8, after the word "this", strike out "Act" and insert "title"; at the beginning of line 10, strike out "Act" and insert "title"; on page 9, line 5, after the word "this" strike out "Act" and insert "title"; in line 13, after the word "this" strike out "Act" and insert "title"; on page 10, line 7, after the word "this", strike out "Act" and insert "title"; in line 14, after the word "this" strike out "Act" and insert "title"; in line 16, after the word "research", strike out "and development or," and insert "development"; on page 11, line 1, after the word "this", strike out "Act" and insert "title"; in line 5, after "Sec. 10)(a)", strike out "The first handler of potatoes shall be responsible, under the provisions of this Act and any plan issued pursuant to it, for payment to the board of any assessments" and insert "Each handler designated by the board, pursuant to regulations issued under the plan, to make payment of assessments shall be responsible for payment to the board, as it may direct, of any assessment" in line 23, after the word "board." insert:

To facilitate the collection and payment of such assessments, the board may designate different handlers or classes of handlers to recognize difference in marketing practices or procedures utilized in any State or area. No more than one such assessment shall be made on any potatoes.

On page 12, line 12, after the word "this", strike out "Act" and insert "title"; in line 13, after the word "this" strike out "Act" and insert "title"; on page 14, line 14, after the word "this", strike out "Act" and insert "title"; in line 19, after the word "this", strike out "Act" and insert "title"; in line 20, after the word "who", strike out "willfully"; in line 21, after the word "this" strike out "Act" and insert "title", in line 22, after the word "who" strike out "willfully"; in line 24, after the word "be" strike out "liable to a penalty of not" and insert "fined not less than $100 or"; at the top of page 15, strike out "which shall accrue to the United States and in addition shall be subject to civil suit brought by the United States to collect any unpaid assessments levied under this Act."; in line 7, after the word "this", strike out "Act" and insert "title"; in line 10, after the word "this", strike out "Act" and insert "title"; in line 11, after the word "this", strike out "Act" and insert "title"; on page 16, line 16, after the word "this", strike out "Act" and insert "title"; on page 17, line 9, after the word "this", strike out "Act" and insert "title"; on page 18, line 1, after the word "this", strike out "Act" and insert "title"; in line 15, after the word "this", strike out "Act" and insert "title"; in line 18, after the word "this", strike out "Act" and insert "title"; in line 20, after the word "this", strike out "Act" and insert "title"; on page 19, at the beginning of line 3, strike out "Act" and insert "title"; in line 6, after the word "this" strike out "Act" and insert "title"; in line 8, after the word "This", strike out "Act" and insert "title"; and after line 8, insert a new title, as follows:

TITLE II—TOMATO ADVERTISING PROJECTS

Sec. 201. Section 8c(6)(I) of the Agricultural Adjustment Act, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is amended by striking out "or avocados" in the proviso, and inserting in lieu thereof "avocados, or tomatoes".

So as to make the bill read:

S. 1181

A bill to enable potato growers to finance a nationally coordinated research and promotion program to improve their competitive position and expand their markets for potatoes by increasing consumer acceptance of such potatoes and potato products and by improving the quality of potatoes and potato products that are made available to the consumer

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—POTATO RESEARCH AND PROMOTION

This title may be cited as the "Potato Research and Promotion Act".

FINDINGS AND DECLARATION OF POLICY

Sec. 2. Potatoes are a basic food in the United States. They are produced by many individual potato growers in every State in the United States. In 1966, there were one million four hundred and ninety-seven thousand acres of cropland in the United States devoted to the production of potatoes. Approximately two hundred and seventy-five million hundredweight of potatoes have been produced annually during the past five years with an estimated sales value to the potato producers of $561,000,000.

Potatoes and potato products move, in a large part, in the channels of interstate commerce, and potatoes which do not move in such channels directly burden or affect interstate commerce in potatoes and potato products. All potatoes produced in the United States are in the current of interstate commerce or directly burden, obstruct, or affect interstate commerce in potatoes and potato products.

The maintenance and expansion of existing potato markets and the development of new or improved markets are vital to the welfare of potato growers and those concerned with marketing, using, and processing potatoes as well as the general economic welfare of the Nation.

Therefore, it is the declared policy of the Congress and the purpose of this title that it is essential in the public interest, through the exercise of the powers provided herein, to authorize the establishment of an orderly procedure for the financing, through adequate assessments on all potatoes harvested in the United States for commercial use, and the carrying out of an effective and continuous coordinated program of research, development, advertising and promotion designed to strengthen potatoes' competitive position, and to maintain and expand domestic and foreign markets for potatoes produced in the United States.

DEFINITIONS

Sec. 3. As used in this title—

(a) The term "Secretary" means the Secretary of Agriculture.

(b) The term "person" means any individual, partnership, corporation, association, or other entity.

(c) The term "potatoes" means all varieties of Irish potatoes grown by producers in the forty-eight contiguous States of the United States.

(d) The term "handler" means any person (except a common or contract carrier of potatoes owned by another person) who handles potatoes in a manner specified in a plan issued pursuant to this title or in the rules and regulations issued thereunder.

(e) The term "producer" means any person engaged in the growing of five or more acres of potatoes.

(f) The term "promotion" means any action taken by the National Potato Promotion Board, pursuant to this title, to present a favorable image for potatoes to the public with the express intent of improving their competitive position and stimulating sales of potatoes and shall include, but shall not be limited to, paid advertising.

AUTHORITY TO ISSUE A PLAN

Sec. 4. To effectuate the declared policy of this title, the Secretary shall, subject to the provisions of this title, issue and from time to time amend, orders applicable to persons engaged in the handling of potatoes (hereinafter referred to as handlers) and shall have authority to issue orders authorizing the collection of assessments on potatoes handled under the provisions of this title, and to authorize the use of such funds to provide research, development, advertising, and promotion of potatoes in a manner prescribed in this title. Any order issued by the Secretary under this title shall hereinafter in this title be referred to as a "plan". Any such plan shall be applicable to potatoes produced in the forty-eight contiguous States of the United States.

NOTICE AND HEARING

Sec. 5. When sufficient evidence is presented to the Secretary by potato producers, or whenever the Secretary has reason to believe that a plan will tend to effectuate the declared policy of this title, he shall give due notice and opportunity for a hearing upon a proposed plan. Such hearing may be requested by potato producers or by any other interested person or persons including the Secretary, when the request for such hearing is accompanied by a proposal for a plan.

FINDING AND ISSUANCE OF A PLAN

Sec. 6. After notice and opportunity for hearing, the Secretary shall issue a plan if he finds, and sets forth in such plan, upon the evidence introduced at such hearing, that the issuance of such plan and all the terms and conditions thereof will tend to effectuate the declared policy of this title.

REGULATIONS

Sec. 7. The Secretary is authorized to make such regulations with the force and effect of law, as may be necessary to carry out the provisions of this title and powers vested in him by this title.

REQUIRED TERMS IN PLANS

Sec. 8. Any plan issued pursuant to this title shall contain the following terms and conditions:

(a) Providing for the establishment by the Secretary of a National Potato Promotion Board (hereinafter referred to as "the board") and for defining its powers and duties, which shall include powers—

(1) to administer such plan in accordance with its terms and conditions;

(2) to make rules and regulations to effectuate the terms and conditions of such plan;

(3) to receive, investigate, and report to the Secretary complaints of violations of such plan; and

(4) to recommend to the Secretary amendments to such plan.

(b) Providing that the board shall be composed of representatives of producers selected by the Secretary from nominations made by producers in such manner as may be prescribed by the Secretary. In the event producers fail to select nominees for appointment to the board, the Secretary shall appoint producers on the basis of representation provided for in such plan.

(c) Providing that board members shall serve without compensation, but shall be reimbursed for reasonable expenses incurred in performing their duties as members of the board.

(d) Providing that the board shall prepare and submit to the Secretary for his approval a budget, on a fiscal period basis, of its anticipated expenses and disbursements in the administration of the plan, including probable costs of research, development, advertising, and promotion.

(e) Providing that the board shall recommend to the Secretary and the Secretary shall fix the assessment rate required for such costs as may be incurred pursuant to subsection (d) of this section; but in no event shall the assessment rate exceed 1 cent per one hundred pounds of potatoes handled.

(f) Providing that—

(1) funds collected by the board shall be used for research, development, advertising, or promotion of potatoes and potato products and such other expenses for the administration, maintenance, and functioning of the board as may be authorized by the Secretary;

(2) no advertising or sales promotion program shall make any reference to private brand names or use false or unwarranted claims in behalf of potatoes or their products or false or unwarranted statements with respect to the attributes or use of any competing products; and

(3) no funds collected by the board shall in any manner be used for the purpose of influencing governmental policy or action, except as provided by subsection (a)(4) of this section.

(g) Providing that, notwithstanding any other provisions of this title, any potato producer against whose potatoes any assessment is made and collected under authority of this title and who is not in favor of supporting the research and promotion program as provided for under this title shall have the right to demand and receive from the board a refund of such assessment: *Provided*, That such demand shall be made personally by such producer in accordance with regulations and on a form and within a time period prescribed by the board and approved by the Secretary, but in no event less than ninety days, and upon submission of proof satisfactory to the board that the producer paid the assessment for which refund is sought, any such refund shall be made within sixty days after demand therefor.

(h) Providing that the board shall, subject to the provisions of subsections (e) and (f) of this section, develop and submit to the Secretary for his approval any research, development, advertising or promotion programs or projects, and that any such program or project must be approved by the Secretary before becoming effective.

(i) Providing the board with authority to enter into contracts or agreements, with the approval of the Secretary, for the development and carrying out of research, development, advertising or promotion programs or projects, and the payment of the cost thereof with funds collected pursuant to this title.

(j) Providing that the board shall maintain books and records and prepare and submit to the Secretary such reports from time to time as may be prescribed for appropriate accounting with respect to the receipt and disbursement of funds entrusted to it and cause a complete audit report to be submitted to the Secretary at the end of each fiscal period.

PERMISSIVE TERMS IN PLANS

Sec. 9. Any plan issued pursuant to this title may contain one or more of the following terms and conditions:

(a) Providing authority to exempt from the provisions of the plan potatoes used for nonfood uses, and authority for the board to require satisfactory safeguards against improper use of such exemptions.

(b) Providing for authority to designate different handler payment and reporting schedules to recognize differences in marketing practices and procedures utilized in different production areas.

(c) Providing for the establishment, issuance, effectuation, and administration of appropriate programs or projects for the advertising and sales promotion of potatoes and potato products and for the disbursement of necessary funds for such purposes: *Provided, however*, That any such program or project shall be directed toward increasing the general demand for potatoes and potato products: *And provided further*, That such promotional activities shall comply with the provisions of section 8(f) of this title.

(d) Providing for establishing and carrying on research and development projects and studies to the end that the marketing and utilization of potatoes may be encouraged, expanded, improved, or made more efficient, and for the disbursement of necessary funds for such purposes.

(e) Providing for authority to accumulate reserve funds from assessments collected pursuant to this title, to permit an effective and continuous coordinated program of research, development, advertising and promotion in years when the production and assessment income may be reduced: *Provided*, That the total reserve fund does not exceed the amount budgeted for two years' operation.

(f) Providing for authority to use funds collected herein, with the approval of the Secretary, for the development and expansion of potato and potato product sales in foreign markets.

(g) Terms and conditions incidental to and not inconsistent with the terms and conditions specified in this title and necessary to effectuate the other provisions of such plan.

ASSESSMENTS

Sec. 10. (a) Each handler designated by the board, pursuant to regulations issued under the plan, to make payment of assessments shall be responsible for payment to the board, as it may direct, of any assessment levied on potatoes; and such handler may collect from any producer or deduct from the proceeds paid to any producer, on whose potatoes such assessment is made, any such assessment required to be paid by such handler. Such handler shall maintain a separate record with respect to each producer for whom potatoes were handled, and such records shall indicate the total quantity of potatoes handled by him including those handled for producers and for himself, shall indicate the total quantity of potatoes handled by him which are included under the terms of a plan as well as those which are exempt under such plan, and shall indicate such other information as may be prescribed by the board. To facilitate the collection and payment of such assessments, the board may designate different handlers or classes of handlers to recognize difference in marketing practices or procedures utilized in any State or area. No more than one such assessment shall be made on any potatoes.

(b) Handlers responsible for collection of assessments under subsection (a) of this section shall maintain and make available for inspection by the Secretary such books and records as required by the plan and file reports at the times, in the manner, and having the content prescribed by the plan, to the end that information and data shall be made available to the board and to the Secretary which is appropriate or necessary to the effectuation, administration, or enforcement of this title or of any plan or regulation issued pursuant to this title.

(c) All information obtained pursuant to subsections (a) and (b) of this section shall be kept confidential by all officers and employees of the Department of Agriculture and of the board, and only such information so furnished or acquired as the Secretary deems relevant shall be disclosed by them, and then only in a suit or administrative hearing brought at the direction, or upon the request, of the Secretary, or to which he or any officer of the United States is a party, and involving the plan with reference to which the information to be disclosed was furnished or acquired. Nothing in this section shall be deemed to prohibit—

(1) the issuance of general statements based upon the reports of a number of handlers subject to a plan if such statements do not identify the information furnished by any person, or

(2) the publication by direction of the Secretary of the name of any person violating any plan together with a statement of the particular provisions of the plan violated by such person.

Any such officer or employee violating the provisions of this subsection shall upon conviction be subject to a fine of not more than $1,000 or imprisonment for not more than one year, or both, and shall be removed from office.

PETITION AND REVIEW

Sec. 11. (a) Any person subject to a plan may file a written petition with the Secretary, stating that such plan or any provision of such plan or any obligation imposed in connection therewith is not in accordance with law and praying for a modification thereof or to be exempted therefrom. He shall thereupon be given an opportunity for a hearing upon such petition, in accordance with regulations made by the Secretary. After such hearing, the Secretary shall make a ruling upon the prayer of such petition which shall be final, if in accordance with law.

(b) The district courts of the United States in any district in which such person is an inhabitant, or has his principal place of business, are hereby vested with jurisdiction to review such ruling: *Provided,* That a complaint for that purpose is filed within twenty days from the date of the entry of such ruling. Service of process in such proceedings may be had upon the Secretary by delivering to him a copy of the complaint. If the court determines that such ruling is not in accordance with law, it shall remand such proceedings to the Secretary with directions either (1) to make such ruling as the court shall determine to be in accordance with law, or (2) to take such further proceedings as, in its opinion, the law requires. The pendency of proceedings instituted pursuant to subsection (a) of this section shall not impede, hinder, or delay the United States or the Secretary from obtaining relief pursuant to section 12(a) of this title.

ENFORCEMENT

Sec. 12. (a) The several district courts of the United States are vested with jurisdiction specifically to enforce, and to prevent and restrain any person from violating any plan or regulation made or issued pursuant to this title.

(b) Any handler who violates any provisions of any plan issued by the Secretary under this title, or who fails or refuses to remit any assessment or fee duly required of him thereunder shall be subject to criminal prosecution and shall be fined not less than $100 or more than $1,000 for each such offense.

INVESTIGATION AND POWER TO SUBPENA

Sec. 13. (a) The Secretary may make such investigations as he deems necessary for the effective carrying out of his responsibilities under this title or to determine whether a handler or any other person has engaged or is engaging in any acts or practices which constitute a violation of any provision of this title, or of any plan, or rule or regulation issued under this title. For the purpose of any such investigation, the Secretary is empowered to administer oaths and affirmations, subpena witnesses, compel their attendance, take evidence, and require the production of any books, papers, and documents which are relevant to the inquiry. Such attendance of witnesses and the production of any such records may be required from any place in the United States. In case of contumacy by, or refusal to obey a subpena issued to, any person, including a handler, the Secretary may invoke the aid of any court of the United States within the jurisdiction of which such investigation or proceeding is carried on, or where such person resides or carries on business, in requiring the attendance and testimony of witnesses and the production of books, papers, and documents; and such court may issue an order requiring such person to appear before the Secretary, there to produce records, if so ordered, or to give testimony touching the matter under investigation. Any failure to obey such order of the court may be punished by such court as contempt thereof. All process in any such case may be served in the judicial district whereof such person is an inhabitant or wherever he may be found. The site of any hearings held under this section shall be within the judicial district where such handler or other person is an inhabitant or has his principal place of business.

(b) No person shall be excused from attending and testifying or from producing books, papers, and documents before the Secretary, or in obedience to the subpena of the Secretary, or in any cause or proceeding, criminal or otherwise, based upon, or growing out of any alleged violation of this title, or of any plan, or rule or regulation issue thereunder on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that any individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

REQUIREMENT OF REFERENDUM

Sec. 14. The Secretary shall conduct a referendum among producers who, during a representative period determined by the Secretary, have been engaged in the production of potatoes for the purpose of ascertaining whether the issuance of a plan is approved or favored by producers. No plan issued pursuant to this title shall be effective unless the Secretary determines that the issuance of such plan is approved or favored by not less than two-thirds of the producers voting in such referendum, or by the producers of not less than two-thirds of the potatoes produced during the representative period by producers voting in such referendum, and by not less than a majority of the producers voting in such referendum. The ballots and other information or reports which reveal or tend to reveal the vote of any producer or his production of potatoes shall be held strictly confidential and shall not be disclosed. Any officer or employee of the Department of Agriculture violating the provisions hereof shall upon conviction be subject to the penalties provided in paragraph 10(c) above.

SUSPENSION OR TERMINATION OF PLANS

Sec. 15. (a) The Secretary shall, whenever he finds that a plan or any provision thereof obstructs or does not tend to effectuate the declared policy of this title, terminate or suspend the operation of such plan or such provision thereof.

(b) The Secretary may conduct a referendum at any time and shall hold a referendum on request of the board or of 10 per centum or more of the potato producers to determine if potato producers favor the termination or suspension of the plan, and he shall terminate or suspend such plan at the end of the marketing year whenever he determines that such suspension or termination is favored by a majority of those voting in a referendum, and who produce more than 50 per centum of the volume of the potatoes produced by the potato producers voting in the referendum.

AMENDMENT PROCEDURE

Sec. 16. The provisions of this title applicable to plans shall be applicable to amendments to plans.

SEPARABILITY

Sec. 17. If any provision of this title or the application thereof to any person or circumstances is held invalid, the validity of the remainder of this title and of the application of such provision to other persons and circumstances shall not be affected thereby.

AUTHORIZATION

Sec. 18. There is hereby made available from the funds provided by section 32 of Public Law 320, Seventy-fourth Congress (49 Stat. 774), as amended (7 U.S.C. 612c), such sums as are necessary to carry out the provisions of this title: *Provided,* That no such sum shall be used for the payment of any expenses or expenditures of the board in administering any provision of any plan issued under authority of this title.

EFFECTIVE DATE

Sec. 19. This title shall take effect upon enactment:

TITLE II—TOMATO ADVERTISING PROJECTS

Sec. 201. Section 8c(6)(I) of the Agriculture Adjustment Act, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is amended by striking out "or avocados" in the proviso, and inserting in lieu thereof "avocados, or tomatoes".

Mr. YOUNG of North Dakota. Mr. President, I am pleased that action is being taken on the legislation introduced by myself and virtually every Member of the Senate from major potato-producing areas to authorize a national potato promotion program in order to assist potato producers to expand their markets and improve their products.

This legislation is a serious attempt, through "self-help" legislation, to assist an important commodity group in solving some of the problems of the industry. There is a definite need for this legislation which will help potato producers to work cooperatively to solve their own problems.

While potatoes are one of the most important crops grown in this country—an average annual production of about 300 million hundredweight for the past 3 years—they are not a price supported commodity. There are no guaranteed prices, acreage allotments, or loan programs. With potatoes at the mercy of a competitive market and confronted with a static demand, it has been impossible to maintain a reasonable and stable market for the grower. Largely because of this, we lost 55 percent of our potato farmers between 1955 and 1964. Over one-half were eliminated in 5 years. Indications are that the trend has continued since 1964.

Part of the problem has been the inability of the industry to do anything to improve the overall quality of fresh potatoes sold in retail stores. Many Members of Congress have received complaints from their constituents about the poor quality of potatoes offered for sale. With the enactment of this legislation, the growers will be able to make effective efforts to upgrade and improve the product available to the consumer.

Many people have cut down or quit eating potatoes entirely because they think potatoes are a fattening food. They are not. Potatoes are an important vegetable. They supply substantial amounts of vitamin C and the B vitamins as well as essential minerals. At the same time, the calorie count of potatoes is much less than many of the food products substituted for them. Pound for pound, potatoes provide more nutritional value for the money spent than almost any other food. It is to the best interest of the consumer that he be fully aware of the important qualities of this wonderful vegetable.

Dehydrated potato products could become an important part of future programs to supply food to famine-stricken areas of the world. Through research, dehydrated potatoes could become the base for a complete balanced diet which, in a compact, dry form, could be shipped any place in the world and there reconstituted into an appetizing, hearty meal.

This is enabling legislation which would allow the potato farmers to decide by referendum whether or not they want to dedicate a portion of their sales proceeds to conduct and pay for marketing research, public relations and promotion projects, and to be able to offer an improved product to the consumer.

It would require a two-thirds majority vote by producers to establish a program under this proposed act.

If at any time the program were not successful, it could be voted out by a simple majority. Even with a program in effect, growers who did not wish to participate could request and receive a refund of any funds withheld from their sales. The provision providing for producer contributions and for refunds, if desired, is substantially the same as contained in promotion programs which cover many other agricultural products.

The maximum allowable withholding would be 1 cent per hundredweight of potatoes sold. It is estimated that this would provide between $1½ to $2 million annually for the various programs.

A National Potato Promotion Board composed of growers would be selected to design and carry out the program. The members of the Promotion Board would be appointed by the Secretary of Agriculture from nominations submitted to him by potato producers.

It would be the responsibility of the Secretary of Agriculture to see that the Board did not undertake programs not authorized by the act. The Board would also give full financial reports on all collections and expenditures. The act specifically prohibits the use of any funds collected under the act for lobbying or otherwise influencing government policy or actions.

Mr. President, potato farmers should have a chance to accept or reject this program. It is my understanding that this legislation is supported by every potato grower's association, commission, or other organized group exclusively representing potato growers. It has also been endorsed by many of the representatives of the potato shipping, processing, and distribution industries. In addition, it is actively supported by many equipment manufacturers, supply firms and chemical companies which depend on the potato industry for a substantial part of their business.

In order for the Potato Research and Promotion Act to become effective, it will require positive initiative on the part of the potato growers of this country. When they exhibit this initiative, the resulting program will be their program.

In addition, there is the great psychological influence created by the fact that it is the grower's money that is being spent. He will make every effort to make the program work or he will get rid of it. Success will mean a degree of stability for the potato producer and a better quality product for the consumer.

PROGRAM

Mr. MANSFIELD. Mr. President, for the information of the Senate, there will be no further votes this afternoon.

It is hoped that those who have any comments to make on S. 1181 and desire to make them this afternoon will do so.

It is anticipated that the Senate will consider S. 1181, and S. 2214, both potato bills, and, it is hoped, dispose of them tomorrow.

Following the consideration of these two bills, the Senate will then turn to the consideration of S. 1508, a bill to improve judicial machinery by amending provisions of law relating to the retirement of justices and judges of the United States; to be followed by S. 2452, a bill to amend section 211 of the Public Health Service Act to equalize the retirement benefits for commissioned officers of the Public Health Service with retirement benefits provided for other officers in the uniformed services.

SENATE RESOLUTION 274 AND SENATE RESOLUTION 275—SUBMISSION OF RESOLUTIONS CONCERNING VIETNAM

Mr. SCOTT. Mr. President, I submit two resolutions for appropriate reference on behalf of myself and the distinguished majority leader, the Senator from Montana (Mr. MANSFIELD), and ask that they both be stated.

The PRESIDING OFFICER. The resolutions will be stated.

The assistant legislative clerk read as follows:

S. RES. 274

Whereas responsible dissent and freedom of speech are among the most sacred traditions of the American people: and

Whereas many Americans are demonstrating in the Vietnam moratorium their concern for peace pursuant to rights enjoyed under the Constitution of the United States, from which springs our Nation's deep commitment to peaceful debate, and the essence of our free political system;

Resolved, That the Senate reasserts the Constitutional right of all Americans to assemble peacefully to petition their government.

Mr. MANSFIELD. Mr. President, the request was made that this resolution be appropriately referred. I now ask that the second resolution be read and that both of them be referred to the appropriate committees.

The PRESIDING OFFICER. The second resolution will be stated.

The assistant legislative clerk read as follows:

S. RES. 275

Whereas the Premier of North Vietnam has publicly described the Vietnam moratorium in an open letter to the American people as "their fall offensive" aimed at forcing the United States "to withdraw completely and unconditionally" from Vietnam;

Whereas the said Premier's letter to the American people is a blatant and insolent intrusion into the affairs of the American people;

Resolved by the Senate, That we abhor the attempt of Premier Phan Van Dong to associate Americans who demonstrate for peace with the cause of North Vietnam; and

Resolved further, That the Senate repudiates the Premier's letter and the intrusion which it represents into the Constitutional right of Americans to assemble peacefully to petition their Government.

The PRESIDING OFFICER. Without objection, both resolutions will be received and appropriately referred.

The resolution (S. Res. 274) reasserting the right of Americans to assemble peacefully to petition their government, submitted by Mr. SCOTT (for himself and Mr. MANSFIELD), was referred to the Committee on the Judiciary.

The resolution (S. Res. 275) relative to the intrusion of the Premier of North Vietnam into the affairs of the United States, submitted by Mr. SCOTT (for himself and Mr. MANSFIELD), was referred to the Committee on Foreign Relations.

Mr. SCOTT. Mr. President, these two resolutions, I am sure, will express the sentiments of Senators and of the American people.

The first one reaffirms the right of free petition and the right of dissent.

The second one expresses the resentment of the Senate at the intolerable and insulting intrusion of the Premier of North Vietnam into the domestic affairs of Americans and his attempt to associate the aims of his government, which we regard as wholly dissimilar to ours, with the aims of peaceful Americans who certainly wish to be disassociated from the intent and the attempt of the Premier of North Vietnam to include them.

I ask unanimous consent that all Senators who wish to associate themselves with these resolutions, have until the remainder of the session today to do so; and, of course, in accordance with recent custom, thereafter they may do so by request.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISCHARGE OF LABOR AND WELFARE COMMITTEE FROM CONSIDERATION OF S. 3008 TO BE REFERRED TO THE FINANCE COMMITTEE

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the Labor and Public Welfare Committee be discharged from further consideration of S. 3008, to increase financing for veterans and to increase the income of the national service life insurance fund, and that the bill be referred for consideration to the Finance Committee.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

DEPARTMENT OF INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, 1970—CONFERENCE REPORT

Mr. **BIBLE**. Mr. President, I rise for a privileged matter.

I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12781) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1970, and for other purposes. I ask unanimous consent for the present consideration of the report.

The **PRESIDING OFFICER**. The report will be read for the information of the Senate.

The assistant legislative clerk read the report.

(For conference report, see House proceedings of October 14, 1969, p. 29934, CONGRESSIONAL RECORD.)

The **PRESIDING OFFICER**. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. **BIBLE**. Mr. President, so that Members of the Senate who are interested in the bill may have notice that the report is now before the Senate for final consideration, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. **BIBLE**. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **BIBLE**. Mr. President, there is before the Senate for its final consideration the conference report on the Interior appropriation bill for fiscal year 1970. The bill, as it passed the Senate, provided for appropriations totaling $1,548,664,900 for the agencies and bureaus of the Department of the Interior, exclusive of the Federal Water Pollution Control Administration, the Bureau of Reclamation and the power marketing agencies, and various related agencies, including the U.S. Forest Service and the Division of Indian Health.

The conference committee bill provides appropriations totaling $1,546,273,300 for the programs and activities of these agencies. This total is under the budget estimates of $1,569,454,500 by $23,181,200; over the House bill of $1,540,184,700 by $6,088,600; and under the Senate bill of $1,548,664,900 by $2,391,600. The bill as passed by the Senate was greater than the House bill by $8,480,200.

I ask unanimous consent to have included in the RECORD, at the conclusion of my remarks, a tabulation setting out the appropriation for the current year, the budget estimate, the House allowance, the Senate allowance, and the conference allowance for each appropriation in the bill.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibit 1.)

Mr. **BIBLE**. Mr. President, the major changes from the Senate bill were a reduction of $800,000 for Indian children kindergartens in public schools; a reduction of $340,000 in the amount allowed for salaries and expenses of the Bureau of Outdoor Recreation; an increase of $640,000 for the geological survey; a reduction of $2,200,000 in the amount of borrowing authority for the helium program; an increase of $563,000 for commercial fishery resource disaster aid; a reduction of $1,400,000 for the migratory bird program; an increase of $1,636,000 for the Forest Service; and a reduction of $1,085,000 for Indian health services.

When the Interior appropriation bill was before the Senate, close attention was given to two matters which are affected by the conference agreement. A word about these would be in order.

First, the Senate deleted an unbudgeted $563,000 from the House bill for research on utilization of pollock. The Senate conferees receded on this amount and it is included in the total appropriation. The statement of the conferees indicates that this sum, together with such carryover balances as there are, shall be available for commercial fishery resource disaster aid in such manner as the Secretary of the Interior may direct. In other words, the full amount of this appropriation as well as all the carryover balance will not be available solely for pollock research as was contemplated by the House bill.

The second matter, and the one on which most time was spent in the Senate, is education of Indian children. Of the several items in this category, only that pertaining to kindergartens in public schools was in conference. The budget estimate for this was $2.3 million. As the bill came to us from the House of Representatives, this item was deleted. It was restored on the floor of the Senate, and, by agreement by me and other members of the Appropriations Subcommittee, the amount of $2.3 million was placed in the bill.

Before the conferees met, the Department of the Interior advised that because of the lateness in the year only $1,923,000 was needed. The Senate conferees tried to get agreement on this amount but were able to persuade the House Members of the conference to agree to only $1,500,000.

However, it is my feeling—and I believe it is one that is shared by the other conferees on the Senate side—that by the time necessary contracts can be executed with the several State education agencies, this sum will be sufficient for the fiscal year 1970. It seems unlikely that new kindergarten classes can be initiated before the start of a new school semester next January.

I think the opening varies from school to school, but it is somewhere between the 5th of January and the 15th or 20th of January. So there would appear to be some lag in time for commencing the program. There also is the advantage that a new program is underway and this amount will be a part of the Indian education budget base next year.

Frankly, I thought Senators who pressed for the amendment on the floor—and it had a very broad-based sponsorship—made an excellent case. It is one on which I think we can put emphasis in the years ahead.

With regard to another item in this bill, I should note that the House conferees refused to recede with respect to the House action abolishing the Temporary Commission on Pennsylvania Avenue.

I regret that action. I think the Temporary Commission on Pennsylvania Avenue is doing excellent work in its field. I do not know the reason why the conferees of the House felt so adamant, but they indicated that if the administration desires to continue the commission in operation, money may be provided from funds available to the President so this work can go on. The most troublesome point seemed to be that we did not have a clear legislative mandate. For those reasons, we acceded to the House of Representatives.

The land and water conservation fund allocations were worked out on a compromise basis. Funds are provided for the payment of a recent court judgment for the Padre Island National Seashore.

The House has concurred with the Senate position that the appropriations from the land and water conservation fund should be equally allocated to the States' program and that of the Federal Government. As chairman of the Parks Subcommittee of the Senate Committee on Interior and Insular Affairs I endorse this position, especially in view of about a half billion dollars worth of authorized land acquisitions for Federal recreation areas which still must be purchased.

I should rephrase that, and say there is a backlog such that if we had $500 million today, it would barely be enough money to acquire the land within the parks we have already authorized. So there is, first, a great timelag, and second, a great increase in the prices of these acquisitions. The total increases annually because of price increases, and also becomes larger each time the Congress authorizes establishment of a new recreation area or enlargement of an existing one. The conferees do include in the report a statement that payments to States should be accelerated when the backlog of Federal acquisition requirements has been materially reduced.

Because two almost identical 200,000 dollar items appeared in the budget for the National Endowment for the Humanities relating to the bicentennial of the American Revolution, the Senate reduced one of them by one-half. The Senate conferees receded on this reduction in view of great concern expressed by the House conferees who feel that this program should receive greater emphasis. Particular stress was placed on a belief that this activity should be expanded across the Nation rather than having it centered in the Eastern and Northeastern United States. This was a budgeted item. Of course, we acceded, and there is $200,000 available for this item in the conference report which is presently before the Senate.

Again, this year, the conference was friendly and cooperative. The House conferees and their chairman, Representative JULIA BUTLER HANSEN, were pleasant to work with, as they have been in past conferences, and showed a willingness and a desire to accommodate the changes made in the bill by the Senate. I believe that the report evidences this and presents a reasonable compromise on the differing views of the two branches of the Congress.

EXHIBIT 1

			Allowances			Conference allowance compared with—		
Agency and item	New budget (obligational) authority, 1969	Budget estimates of new (obligational) authority, 1970	House	Senate	Conference	Budget estimates of new (obligational) authority, 1970	House allowance	Senate allowance
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
TITLE I—DEPARTMENT OF THE INTERIOR								
PUBLIC LAND MANAGEMENT								
BUREAU OF LAND MANAGEMENT								
Management of lands and resources	$62, 964, 000	$53, 640, 000	$52, 600, 000	$52, 573, 000	$52, 573, 000	−$1, 067, 000	−$27, 000	
Construction and maintenance	3, 081, 000	2, 936, 000	2, 925, 000	2, 873, 000	2, 899, 000	−37, 000	−26, 000	+$26, 000
Public lands development roads and trails (appropriation to liquidate contract authorization)	*(3, 500, 000)*	*(3, 500, 000)*	*(3, 500, 000)*	*(3, 500, 000)*	*(3, 500, 000)*			
Oregon and California grant lands (indefinite, appropriation of receipts)	12, 750, 000	13, 750, 000	13, 750, 000	13, 750, 000	13, 750, 000			
Range improvements (indefinite, appropriation of receipts)	1, 460, 000	1, 788, 000	1, 788, 000	1, 788, 000	1, 788, 000			
Total, Bureau of Land Management	80, 255, 000	72, 114, 000	71, 063, 000	70, 984, 000	71, 010, 000	−1, 104, 000	−53, 000	+26, 000
BUREAU OF INDIAN AFFAIRS								
Education and welfare services	146, 476, 000	182, 945, 000	174, 500, 000	176, 003, 000	175, 203, 000	−7, 742, 000	+703, 000	−800, 000
Education and welfare services (appropriation to liquidate contract authorization)	*(1, 293, 000)*	*(1, 500, 000)*	*(1, 500, 000)*	*(1, 500, 000)*	*(1, 500, 000)*			
Resources management	52, 940, 000	55, 692, 000	55, 692, 000	55, 242, 000	55, 242, 000	−450, 000	−450, 000	
Construction	25, 471, 000	23, 373, 000	25, 373, 000	26. 264, 000	26, 264, 000	+2, 891, 000	+891, 000	
Road construction (appropriation to liquidate contract authorization)	*(18, 000, 000)*	*(20, 000, 000)*	*(20, 000, 000)*	*(20, 000, 000)*	*(20, 000, 000)*			
Revolving fund for loans	450, 000							
General administrative expenses	5, 013, 000	5, 113, 000	5, 013, 000	5, 013, 000	5, 013, 000	−100, 000		
Total, Bureau of Indian Affairs, exclusive of tribal funds	230; 350, 000	267, 123, 000	260, 578, 000	262, 522, 000	261, 722, 000	−5, 401, 000	+1, 144, 000	−800, 000
Tribal funds (limitations on use of trust funds)	*(3, 000, 000)*	*(3, 000, 000)*	*(3, 000, 000)*	*(3, 000, 000)*	*(3, 000, 000)*			
BUREAU OF OUTDOOR RECREATION								
Salaries and expenses	4, 315, 000	4, 290, 000	3, 500, 000	4, 090, 000	3, 750, 000	−540, 000	+250, 000	−340, 000
Land and water conservation:								
Appropriation (repayable advance to the fund)	*(58, 000, 000)*							
Appropriation of reciepts (indefinite)	92, 500, 000	108, 472, 000	108, 472, 000	108, 472, 000	108, 472, 000			
Appropriation out of the fund (not including liquidation cash)	7, 000, 000							
Appropriation out of the fund to liquidate contract authorization	*(65, 000, 000)*	*(15, 528, 000)*	*(15, 528, 000)*	*(15, 528, 000)*	*(15, 528, 000)*			
Total, Bureau of Outdoor Recreation	103, 815, 000	112, 762, 000	111, 972, 000	112, 562, 000	112, 222, 000	−540, 000	+250, 000	−340, 000
OFFICE OF TERRITORIES								
Administration of territories	14, 697, 000	14, 921, 400	14, 700, 000	14, 921, 400	14, 921, 400		+221, 400	
Permanent appropriation (special fund)	*(162, 200)*	*(239, 400)*	*(239, 400)*	*(239, 400)*	*(239, 400)*			
Transferred from other accounts (special fund)	*(240, 000)*	*(292, 700))*	*(292, 700)*	*(292, 700)*	*(292, 700)*			
Trust Territory of the Pacific Islands	30, 000, 000	41, 612, 000	41, 612, 000	40, 612, 000	40, 612, 000	−1, 000, 000	−1, 000, 000	
Total, Office of Territories	44, 697, 000	56, 533, 400	56, 312, 000	55, 533, 400	55, 533, 400	−1, 000, 000	−778, 600	
Total, public land management	459, 117, 000	508, 532, 400	499, 925, 000	501, 601, 400	500, 487, 400	−8, 045, 000	+562, 400	−1, 114, 000
MINERAL RESOURCES								
GEOLOGICAL SURVEY								
Surveys, investigations, and research	90, 917, 000	95, 628, 000	95, 628, 000	95, 115, 000	95, 755, 000	+127, 000	+127, 000	+640, 000
BUREAU OF MINES								
Conservation and development of mineral resources	38, 001, 000	39, 683, 000	39, 000, 000	38, 536, 000	39, 331, 000	−352, 000	+331, 000	+795, 000
Health and safety	12, 334, 000	14, 782, 000	14, 782, 000	14, 332, 000	14, 332, 000	−450, 000	−450, 000	
Solid waste disposal	1, 067, 000							
General administrative expenses	1, 647, 000	1, 647, 000	1, 647, 000	1, 647, 000	1, 647, 000			
Helium fund (authorization to spend from public debt receipts)	26, 200, 000	26, 200, 000	21, 000, 000	26, 200, 000	24, 000, 000	−2, 200, 000	+3, 000, 000	−2, 200, 000
Total, Bureau of Mines	79, 249, 000	82, 312, 000	76, 429, 000	80, 715, 000	79, 310, 000	−3, 002, 000	+2, 881, 000	−1, 405, 000
OFFICE OF COAL RESEARCH								
Salaries and expenses	13, 700, 000	13, 300, 000	13, 300, 000	15, 800, 000	15, 300, 000	+2, 000, 000	+2, 000, 000	−500, 000
OFFICE OF OIL AND GAS								
Salaries and expenses	866, 900	1, 081, 900	994, 000	994, 000	994, 000	−87, 900		
Total, mineral resources	184, 732, 900	192, 321, 900	186, 351, 000	192, 624, 000	191, 350, 000	−962, 900	+5, 008, 000	−1, 265, 000

EXHIBIT 1—Continued

Agency and item	New budget (obligational) authority, 1969	Budget estimates of new (obligational) authority, 1970	Allowances			Conference allowance compared with—		
			House	Senate	Conference	Budget estimates of new (obligational) authority, 1970	House allowance	Senate allowance
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
TITLE I—DEPARTMENT OF THE INTERIOR—Continued								
FISH AND WILDLIFE, PARKS, AND MARINE RESOURCES								
BUREAU OF COMMERCIAL FISHERIES								
Management and investigations of resources	$25,225,000	$25,543,000	$26,400,000	$26,345,000	$26,600,000	+$1,057,000	+$200,000	+$255,000
Management and investigations of resources (special foreign currency program)	15,000	15,000	15,000	15,000	15,000			
Construction		1,625,000	2,025,000	2,325,000	2,325,000	+700,000	+300,000	
Construction of fishing vessels	6,000,000	6,000,000	3,000,000	3,000,000	3,000,000	−3,000,000		
Federal aid for commercial fisheries research and development	4,327,000	4,027,000	4,590,000	4,027,000	4,590,000	+563,000		+563,000
Anadromous and Great Lakes fisheries conservation	2,307,000	2,307,000	2,307,000	2,307,000	2,307,000			
Administration of Pribilof Islands (indefinite, appropriation of receipts)	2,653,400	2,654,000	2,654,000	2,654,000	2,654,000			
Fishermen's protective fund	60,000	60,000	60,000	60,000	60,000			
General administrative expenses	765,000	765,000	765,000	765,000	765,000			
Limitation on administrative expenses, fisheries loan fund	*(360,200)*	*(360,000)*	*(360,000)*	*(360,000)*	*(360,000)*			
Total, Bureau of Commercial Fisheries	41,352,400	42,996,000	41,816,000	41,498,000	42,316,000	−680,000	+500,000	+818,000
BUREAU OF SPORT FISHERIES AND WILDLIFE								
Management and investigations of resources	47,246,000	47,923,000	48,503,000	48,870,000	48,850,000	+927,000	+347,000	−20,000
Construction	1,891,000	1,082,000	1,686,000	1,773,000	1,959,000	+877,000	+273,000	+186,000
Migratory bird conservation account (definite, repayable advance)	7,500,000	5,000,000	5,000,000	7,200,000	5,800,000	+800,000	+800,000	−1,400,000
Anadromous and Great Lakes fisheries conservation	2,294,000	2,294,000	2,294,000	2,294,000	2,294,000			
General administrative expenses	1,699,000	1,699,000	1,699,000	1,699,000	1,699,000			
Total, Bureau of Sport Fisheries and Wildlife	60,630,000	57,998,000	59,182,000	61,836,000	60,602,000	+2,604,000	+1,420,000	−1,234,000
NATIONAL PARK SERVICE								
Management and protection	45,740,000	49,475,000	49,000,000	49,100,000	49,100,000	−375,000	+100,000	
Maintenance and rehabilitation of physical facilities	32,918,000	40,152,000	40,000,000	40,037,000	40,000,000	−152,000		−37,000
Construction	5,471,000	7,805,000	7,600,000	7,700,000	7,700,000	−105,000	+100,000	
Parkway and road construction (appropriation to liquidate contract authorization)	*(17,000,000)*	*(24,500,000)*	*(21,500,000)*	*(21,500,000)*	*(21,500,000)*	*(−3,000,000)*		
Preservation of historic properties	604,000	1,604,000	1,600,000	1,600,000	1,600,000	−4,000		
General administrative expenses	3,127,000	3,127,000	3,317,000	3,317,000	3,317,000	+190,000		
Total, National Park Service	87,860,000	102,163,000	101,517,000	101,754,000	101,717,000	−446,000	+200,000	−37,000
Total, fish and wildlife, parks, and marine resources	189,842,400	203,157,000	202,515,000	205,088,000	204,635,000	+1,478,000	+2,120,000	−453,000
OFFICE OF SALINE WATER								
Saline water conversion	24,642,835	26,000,000	25,000,000	25,000,000	25,000,000	−1,000,000		
Prototype desalting plant	1,000,000							
Total, Office of Saline Water	25,642,835	26,000,000	25,000,000	25,000,000	25,000,000	−1,000,000		
OFFICE OF WATER RESOURCES RESEARCH								
Salaries and expenses	11,181,000	11,229,000	11,229,000	11,229,000	11,229,000			
OFFICE OF THE SOLICITOR								
Salaries and expenses	5,683,000	5,625,800	5,530,000	5,555,800	5,530,000	−95,800		−25,800
OFFICE OF THE SECRETARY								
Salaries and expenses	8,755,000	10,187,400	9,887,000	9,912,700	9,912,700	−274,300	+25,700	
Salaries and expenses (special foreign currency program)		25,000	25,000			−25,000	−25,000	
Total, Office of the Secretary	8,755,000	10,212,400	9,912,000	9,912,700	9,912,700	−299,700	+700	
Total, new budget (obligational) authority, Department of the Interior	884,954,135	957,078,500	940,462,000	951,010,900	948,153,100	−8,925,400	+7,691,100	−2,857,800
Consisting of—								
Appropriations	858,754,135	930,878,500	919,462,000	924,810,900	924,153,100	−6,725,400	+4,691,100	−657,800
Definite appropriations	(749,390,735)	(804,214,500)	(792,798,000)	(798,146,900)	(797,489,100)	(−6,725,400)	(+4,691,100)	(−657,800)
Indefinite appropriations	(109,363,400)	(126,664,000)	(126,664,000)	(126,664,000)	(126,664,000)			
Authorization to spend from public debt receipts	26,200,000	26,200,000	21,000,000	26,200,000	24,000,000	−2,200,000	+3,000,000	−2,200,000
Memoranda—								
Appropriations to liquidate contract authorization	(104,793,000)	(65,028,000)	(62,028,000)	(62,028,000)	(62,028,000)	(−3,000,000)		
Total, new budget (obligational) authority *and* appropriations to liquidate contract authorization	(989,747,135)	(1,022,106,500)	(1,002,490,000)	(1,013,038,900)	(1,010,181,100)	(−11,925,400)	(+7,691,100)	(−2,857,800)

EXHIBIT 1—Continued

Agency and item	New budget (obligational) authority, 1969	Budget estimates of new (obligational) authority, 1970	Allowances: House	Allowances: Senate	Allowances: Conference	Conference allowance compared with—: Budget estimates of new (obligational) authority, 1970	Conference allowance compared with—: House allowance	Conference allowance compared with—: Senate allowance
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
TITLE II—RELATED AGENCIES								
DEPARTMENT OF AGRICULTURE								
FOREST SERVICE								
Forest protection and utilization:								
Forest land management	$208, 818, 000	$190, 978, 000	$195, 042, 000	$191, 985, 000	$192, 810, 000	+$1, 832, 000	−$2, 232, 000	+$825, 000
Forest Research	40, 430, 000	40, 983, 000	41, 880, 000	41, 326, 000	42, 137, 000	+1, 154, 000	+257, 000	+811, 000
State and private forestry cooperation	19, 957, 000	20, 529, 000	22, 529, 000	22, 729, 000	22, 729, 000	+2, 200, 000	+200, 000	
Total, forest protection and utilization	269, 205, 000	252, 490, 000	259, 451, 000	256, 040, 000	257, 676, 000	+5, 186, 000	−1, 775, 000	+1, 636, 000
Forest roads and trails (appropriation to liquidate contract authorization)	*(91, 000, 000)*	*(107, 570, 000)*	*(100, 570, 000)*	*(100, 570, 000)*	*(100, 570, 000)*	*(−7, 000, 000)*		
Acquisition of lands for national forests: Special acts (special fund, indefinite)	80, 000	80, 000	80, 000	80, 000	80, 000			
Cooperative range improvements (special fund, indefinite)	700, 000	700, 000	700, 000	700, 000	700, 000			
Assistance to States for tree planting	1, 000, 000	1, 000, 000	1, 000, 000	1, 000, 000	1, 000, 000			
Total, new budget (obligational) authority, Forest Service	270, 985, 000	254, 270, 000	261, 231, 000	257, 820, 000	259, 456, 000	+5, 186, 000	−1, 775, 000	+1, 636, 000
FEDERAL COAL MINE SAFETY BOARD OF REVIEW								
Salaries and expenses	157, 000	148, 000	148, 000	148, 000	148, 000			
COMMISSION OF FINE ARTS								
Salaries and expenses	115, 000	115, 000	115, 000	115, 000	115, 000			
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE								
HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION								
Indian health services	94, 350, 000	99, 581, 000	98, 581, 000	100, 221, 000	99, 481, 000	−100, 000	+900, 000	−740, 000
Indian health facilities	18, 156, 000	20, 000, 000	19, 000, 000	19, 345, 000	19, 000, 000	−1, 000, 000		−345, 000
Total, health services and mental health administration	112, 506, 000	119, 581, 000	117, 581, 000	119, 566, 000	118, 481, 000	−1, 100, 000	+900, 000	−1, 085, 000
INDIAN CLAIMS COMMISSION								
Salaries and expenses	619, 000	800, 000	800, 000	850, 000	850, 000	+50, 000	+50, 000	
NATIONAL CAPITAL PLANNING COMMISSION								
Salaries and expenses	1, 047, 000	1, 248, 000	922, 700	300, 000	222, 700	−1, 025, 300	−700, 000	−77, 300
NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES								
Salaries and expenses	1, 400, 000	1, 744, 000	1, 500, 000	1, 490, 000	1, 490, 000	−254, 000	−10, 000	
Endowment for the arts	7, 400, 000	7, 500, 000	7, 250, 000	7, 250, 000	7, 250, 000	−250, 000		
Endowment for the humanities	5, 700, 000	7, 500, 000	7, 250, 000	6, 950, 000	7, 050, 000	−450, 000	−200, 000	+100, 000
Total, National Foundation on the Arts and the Humanities	14, 500, 000	16, 744, 000	16, 000, 000	15, 690, 000	15, 790, 000	−954, 000	−210, 000	+100, 000
PUBLIC LAND LAW REVIEW COMMISSION								
Salaries and expenses	944, 000	922, 000	922, 000	922, 000	922, 000			
SMITHSONIAN INSTITUTION								
Salaries and expenses	26, 443, 000	28, 955, 000	28, 200, 000	28, 134, 000	28, 134, 000	−821, 000	−66, 000	
Museum programs and related research (special foreign currency program)	2, 316, 000	4, 500, 000	3, 000, 000	2, 316, 000	2, 316, 000	−2, 184, 000	−684, 000	
Construction and improvements, National Zoological Park	300, 000	600, 000	600, 000	600, 000	600, 000			
Restoration and renovation of buildings	400, 000	755, 000	425, 000	525, 000	525, 000	−230, 000	+100, 000	
Construction	2, 000, 000	200, 000	200, 000	200, 000	200, 000			
Construction (appropriation to liquidate contract authorization)		*(6, 000, 000)*	*(3, 300, 000)*	*(3, 300, 000)*	*(3, 300, 000)*	*(−2, 700, 000)*		
Construction (new contract authorization)	12, 197, 000							
Salaries and expenses, National Gallery of Art	3, 230, 000	3, 410, 000	3, 350, 000	3, 390, 000	3, 390, 000	−20, 000	+40, 000	
Total, Smithsonian Institution	46, 886, 000	38, 420, 000	35, 775, 000	35, 165, 000	35, 165, 000	−3, 255, 000	−610, 000	
EXECUTIVE OFFICE OF THE PRESIDENT								
NATIONAL COUNCIL ON MARINE RESOURCES AND ENGINEERING DEVELOPMENT								
Salaries and expenses	1, 125, 000	760, 000		760, 000	700, 000	−60, 000	+700, 000	−60, 000
COMMISSION ON MARINE SCIENCE, ENGINEERING, AND RESOURCES								
Salaries and expenses	175, 000							
FEDERAL FIELD COMMITTEE FOR DEVELOPMENT PLANNING IN ALASKA								
Salaries and expenses	235, 000	235, 000	150, 000	235, 000	192, 500	−42, 500	+42, 500	−42, 500
HISTORICAL AND MEMORIAL COMMISSIONS								
LEWIS AND CLARK TRAIL COMMISSION								
Salaries and expenses	25, 000	10, 000	5, 000	10, 000	5, 000	−5, 000		−5, 000

EXHIBIT 1—Continued

			Allowances			Conference allowance compared with—		
Agency and item	New budget (obligational) authority, 1969	Budget estimates of new (obligational) authority, 1970	House	Senate	Conference	Budget estimates of new (obligational) authority, 1970	House allowance	Senate allowance
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
TITLE II—RELATED AGENCIES—Con.								
HISTORICAL AND MEMORIAL COMMISSIONS—Continued								
AMERICAN REVOLUTION BICENTENNIAL COMMISSION								
Salaries and expenses		$225,000	$175,000	$175,000	$175,000	−$50,000		
NATIONAL COUNCIL ON INDIAN OPPORTUNITY								
Salaries and expenses	$100,000	300,000				−300,000		
Total, new budget (obligational) authority, related agencies	449,419,000	438,778,000	433,824,700	431,756,000	432,222,200	−1,555,800	−$1,602,500	+$466,200
Consisting of—								
Appropriations	437,222,000	433,778,000	433,824,700	431,756,000	432,222,200	−1,555,800	−1,602,500	+466,200
Definite appropriations	(436,442,000)	(432,998,000)	(433,044,700)	(430,976,000)	(431,442,200)	(−1,555,800)	(−1,602,500)	(+446,200)
Indefinite appropriations	(780,000)	(780,000)	(780,000)	(780,000)	(780,000)			
New contract authorization	12,197,000							
Memoranda—								
Appropriations to liquidate contract authorization	(91,000,000)	(113,570,000)	(103,870,000)	(103,870,000)	(103,870,000)	(−9,700,000)		
Total, new budget (obligational) authority *and* appropriations to liquidate contract authorization	(540,419,000)	(547,348,000)	(537,694,700)	(535,626,000)	(536,092,200)	(−11,255,800)	(−1,602,500)	(+466,200)
RECAPITULATION								
Grand total, new budget (obligational) authority, all titles	1,334,373,135	1,390,856,500	1,374,286,700	1,382,766,900	1,380,375,300	−10,481,200	+6,088,600	−2,391,600
Consisting of—								
1. Appropriations	1,295,976,135	1,364,656,500	1,353,286,700	1,356,566,900	1,356,375,300	−8,281,200)	+3,088,600	−191,600
Definite appropriations	(1,185,832,735)	(1,237,212,500)	(1,225,842,700)	(1,229,122,900)	(1,228,931,300)	(−8,281,200)	(+3,088,600)	(−191,600)
Indefinite appropriations	(110,143,400)	(127,444,000)	(127,444,000)	(127,444,000)	(127,444,000)			
2. Authorization to spend from public debt receipts	26,200,000	26,200,000	21,000,000	26,200,000	24,000,000	−2,200,000	+3,000,000	−2,200,000
3. New contract authorization	12,197,000							
Appropriations to liquidate contract authorization	(195,793,000)	(178,598,000)	(165,898,000)	(165,898,000)	(165,898,000)	(−12,700,000)		
Grand total, new budget (obligational) authority *and* appropriations to liquidate contract authorization	(1,530,166,135)	(1,569,454,500)	(1,540,184,700)	(1,548,664,900)	(1,546,273,300)	(−23,181,200)	(+6,088,600)	(−2,391,600)

Mr. BIBLE. Mr. President, I am very happy to submit this report for final action of the Senate, and move that the conference report be adopted.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. BIBLE. I yield to the Senator from North Dakota, the ranking Republican member of the Appropriations Committee of the Senate, and a very valuable ally on this subject.

Mr. YOUNG of North Dakota. Mr. President, this will probably be one of the few major appropriation bills handled by this session of Congress that will be under the budget. I commend the chairman of the subcommittee, the distinguished Senator from Nevada, and the ranking Republican member, the Senator from South Dakota (Mr. MUNDT), for the good judgment and economy they have exercised in the handling of this bill. I also commend the able staff assistant, Mr. Paul Eaton, for his capable efforts. I doubt whether any other bill will be handled any better than this one was during this session of Congress.

Mr. BIBLE. I appreciate the words of the Senator from North Dakota, and I join him in his words of commendation for the valuable help of Paul Eaton. For many years, he assisted our beloved former colleague, Senator Carl Hayden of Arizona, both in his work as chairman of the full Appropriations Committee, and as chairman of the Appropriations Subcommittee on the Department of the Interior and Related Agencies. He is a valuable staff expert in this field, as is the staff expert on the minority side.

This is a bill that reaches into practically every State. It is one we can all understand, because it deals with the problems we confront, not only in our mail when we open it, practically every morning, but we find out a great deal about it practically, as soon as we arrive back in our own States. So we all live with this problem much of the year.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. BIBLE. I am happy to yield to the Senator from Texas.

Mr. YARBOROUGH. Mr. President, I congratulate the conferees and particularly the able Senator from Nevada, who served as chairman of the Senate conferees. I thank them for the great courtesies they showed me in the hearings of the Senate committee, when I appeared and testified.

I wish to express appreciation on behalf of the people of my State for the money finally included in this bill to acquire the land for the Padre Island National Seashore, which was authorized by Congress in 1962, and the money to buy the Guadalupe Mountains National Park, which was authorized in 1966. There was talk that, due to the shortage of money, this might be disestablished.

We know that when a national park is created, until the land is acquired, we do not know whether it will be there or not. In each of these instances, the State of Texas, through its legislature, gave up its mineral interests in State-owned land, and, in the case of the Padre Island National Seashore, the tidelands. Nevertheless, while that contributed greatly, the privately owned lands had to be bought by Congress, or we would have had no national parks.

The Senate put the money in, and they obtained House concurrence, and we will have those two great national parks for all time, for the people of this Nation, one on the gulf coast, which the National Park Service estimates in the future will probably be visited by more people than any other national park except Shenandoah National Park, which is now visited more than any other national park in the Nation, and the other in the Guadalupe Mountains in the West, which is now the most frequently visited recreational area in the State except the San Jacinto State Park.

I also express my appreciation for the relatively smaller sum of $360,000, I believe, provided for the silviculture and forestry laboratory at Nacogdoches, Tex., on the campus of the Stephen F. Austin University, which has a great forestry school because it is located in what is considered one of the finest forests of the South; and the research conducted by this laboratory will benefit all of that forested area of the gulf coast in that great belt extending from the eastern half of my State to the Atlantic Ocean. The entire forestry industry in the area was looking forward to that laboratory, because they think it will be a great aid to the industry, and we all know of the great shortage of lumber we had earlier this year, which pushed the price of lumber for homebuilding so high.

I believe this has been a very perceptive committee, and a very accomplishing committee. With a tight budget, they have made every dollar count, and having worked in behalf of these projects, and appeared before the committee and presented papers, and knowing of their very diligent work, I wanted to pay this tribute to their hard work on this bill.

Mr. BIBLE. Of course, we are always happy to accept bouquets, and we appreciate that one.

We are particularly proud of the fact that this cleans up the land acquisition for the Padre Island National Seashore. That is a very difficult thing to do. I think it comes within $100,000, or thereabouts, of picking up all the land acquisition for the Guadalupe Mountains National Park as well.

The longer it takes us to acquire these lands, the more it costs. We are happy to have made that headway, and I hope we can make equal headway in the years ahead in acquiring land, because this is one of the most perplexing problems we find in all of the park areas.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. BIBLE. I am happy to yield to the Senator from West Virginia.

Mr. BYRD of West Virginia. Mr. President, I tender to the able chairman of the subcommittee a very-well-deserved bouquet. At all times during the hearings, during the markup of the bill, during the presentation of the bill on the floor, and during its journey through conference, he has displayed that diligence of which we are told that if a man has it, he will "stand before kings"; and he also displayed a complete knowledge of the bill in all of its aspects. He has demonstrated a fairness and a thoroughness which I think provides a shining example to everyone in the Senate. He has done a masterful job, and he has performed a service not only to the people of his own State, but also to the people of the Nation. I consider myself fortunate to be a member of the subcommittee which he chairs. I congratulate him and thank him on behalf of the entire Senate for the excellent job he has done.

I am glad that the Senator from North Dakota (Mr. YOUNG) called attention to the good assistance rendered to the chairman and all the members of the subcommittee by our able staff assistant, Paul Eaton.

Mr. BIBLE. I appreciate the bouquet. I believe we have done the best we could for the bill. Mr. President, I move the adoption of the conference report.

The **PRESIDING OFFICER.** The question is on agreeing to the conference report.

The report was agreed to.

The **PRESIDING OFFICER.** The clerk will state the amendments in disagreement.

The assistant legislative clerk read as follows:

Resolved, That the House agree to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12781) entitled "An Act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1970, and for other purposes."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 41, to the aforesaid bill, and concur therein.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 15 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert: "$95,755,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 16 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert: "$39,331,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 20 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert: "$26,600,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 24 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert: "$1,959,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 35 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert: "$42,137,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 40 to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert: "$222,700".

Mr. BIBLE. Mr. President, I move that the Senate concur in the amendments of the House of Representatives to the amendments of the Senate numbered 15, 16, 20, 24, 35, and 40.

The motion was agreed to.

Mr. BIBLE. I thank the Presiding Officer, and I yield the floor.

SOVIET UNION'S SUPPORT OF THE NORTH VIETNAMESE

Mr. DOLE. Mr. President, there is still a little more than 8 hours remaining of moratorium day. There is still time for those who are engaged in activities on moratorium day to demonstrate against our enemy.

I say this because it has just been announced that the Soviet Union today signed an agreement with North Vietnam to supply an estimated $1 billion in arms and aid to North Vietnam and the National Liberation Front.

I hope those demonstrating today, wherever they may be, realize that our enemy is not South Vietnam or that they do not need to demonstrate to reinforce President Nixon's desire for peace.

There is still time to demonstrate that the real reason for the continuation of the war is the reluctance of the North Vietnamese and the Vietcong to do anything to bring about peace.

S. 3036—INTRODUCTION OF A BILL TO INCREASE CRIMINAL PENALTIES UNDER THE SHERMAN ANTITRUST ACT

Mr. HRUSKA. Mr. President, today on behalf of the distinguished Senator from Michigan (Mr. HART) and myself, I am introducing, for appropriate reference, a bill to increase criminal penalties under the Sherman Antitrust Act, for the consideration of the Members of Congress as a possible additional deterrent to violations of the act.

In 1955, the Congress increased the maximum corporate fine for violation of the Sherman Antitrust Act to $50,000. In 1961 and 1962 bills were introduced to increase that maximum fine to $500,000 as a further deterrent to potential offenders, and hearings were held before the U.S. Senate Antitrust and Monopoly Subcommittee. Leading antitrust specialists testified on the measures but no action was taken by the Congress

Recently the Attorney General submitted to the President of the Senate proposed legislation to increase the maximum fine to $500,000 with the added argument that—

> It is needed as an additional tool with which to combat organized crime. The increased penalties will constitute a more effective deterrent against the invasion or conduct of legitimate business by criminal organizations in ways which violate the antitrust laws.

Mr. President, for several Congresses I have introduced legislation to deter the capture of legitimate business by criminal organizations. The proposed bill would create an additional tool that is well worth our consideration.

It should be noted that previous hearings have indicated that the Department of Justice does not file criminal antitrust complaints unless the violations are the hard-core variety and, even then, the court and the Department have complete discretion to determine the amount of the fine anywhere up to the maximum amount.

As a second consideration, I bring to the attention of the Members of Congress that in recent years other legislation involving antitrust penalties has been submitted to the Congress. One bill would amend the Federal income tax laws to change Internal Revenue ruling which permits the defendant to deduct the trebled damages levied in a civil antitrust case as business expenses. Even the tax specialists who support such proposed legislation agree that the present ruling is not an unreasonable one. The ruling is based among other considerations on the theory that the tax laws were enacted to further a national policy on taxes and should not be used as a deterrent to violations of the antitrust laws.

I ask unanimous consent that the Attorney General's letter to the Vice President and the text of this bill be printed at this point in the RECORD.

The **PRESIDENT** pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 3036) to increase criminal penalties under the Sherman Antitrust Act, introduced by Mr. HRUSKA (for himself and Mr. HART), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 3036

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 1, 2, and 3 of the Act of July 2, 1890, 26 Stat. 209, as amended, are hereby further amended by striking out, in each section where it appears, the phrase "fine not exceeding fifty thousand dollars" and in each instance substituting in lieu thereof the phrase "fine

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not exceeding five hundred thousand dollars if a corporation or fifty thousand dollars if any other person."

The letter, presented by Mr. HRUSKA, is as follows:

> OFFICE OF THE ATTORNEY GENERAL,
> *Washington, D.C., September 29, 1969.*
> The VICE PRESIDENT,
> *U.S. Senate,*
> *Washington, D.C.*
>
> DEAR MR. VICE PRESIDENT: There is enclosed for your consideration and appropriate reference a legislative proposal "To increase criminal penalties under the Sherman Antitrust Act."
>
> This proposal would increase from $50,000 to $500,000 the maximum fine which may be imposed upon a corporation for a criminal violation of the Sherman Act. (15 U.S.C. 1 *et seq.*) These violations involve principally price-fixing, boycotting, allocation of customers, and allocation of territories. It would effect no change in the fine with respect to natural persons.
>
> The maximum fine for violations of the Sherman Antitrust Act was increased to $50,000 in 1955. Since that time the assets and profits of corporations have increased dramatically, while the purchasing power of the dollar has decreased greatly. Consequently, the basic purpose of such a fine—to punish offenders and to deter potential offenders—are frustrated because the additional profits available through prolonged violation of the law can far exceed the penalty which may be imposed. The $50,000 statutory maximum makes fines in criminal antitrust cases trivial for major corporate defendants.
>
> To maintain the intended effect of the maximum fine established in the 1955 amendment to the Sherman Act, which is related to corporate profits of fourteen years ago, the increase is obviously needed.
>
> It is also needed as an additional tool with which to combat organized crime. The increased penalty will constitute a more effective deterrent against the invasion or conduct of legitimate business by criminal organizations in ways which violate the antitrust laws.
>
> This proposed increase would be of valuable assistance in the effective enforcement of the Sherman Act in regard to large corporations without placing an undue hardship upon small business enterprises. There is no minimum fine provision and the courts and this Department would continue to exercise discretion in the imposition and the recommendation of fines.
>
> The Department of Justice urges the prompt enactment of this important measure.
>
> The Bureau of the Budget has advised that there is no objection to the submission of this proposal from the standpoint of the Administration's program.
>
> Sincerely,
> JOHN N. MITCHELL,
> *Attorney General.*

Mr. HART. Mr. President, I am pleased to join with the Senator from Nebraska in cosponsoring a bill to increase the penalty in criminal cases under the Sherman Antitrust Act against corporations from $50,000 to $500,000.

Penalties for criminal antitrust violations have long been too low to be an effective deterrent or to adequately punish the offender.

In 1944, Mr. Justice Jackson observed:

> The antitrust law sanctions are little better than absurd when applied to huge corporations engaged in great enterprise. (*U.S.* v. *South-Eastern Underwriters Ass'n.*, 322 U.S. 533, 591 at note 11).

Today there are many more huge corporations and their sizes have been greatly enlarged since 1944. This has been due largely to the merger movement since World War II—first horizontal and vertical mergers and, now, conglomerates.

Not only have capital assets tremendously increased but so also have net dollar profits. What deterrent effect can a fine of $50,000 have on a corporation with capital assets of over a billion dollars?

A penalty of that amount to a corporation with a net income over $100 million is like an overtime parking ticket to the average automobile driver. Many corporations have net incomes of more than $100 million, running as high as $1.75 billion by General Motors and $1.25 billion for Standard Oil of New Jersey.

Mr. President, I commend my distinguished colleague from Nebraska and the administration for offering this bill. It should increase the effectiveness of our antitrust laws as a deterrent to harmful economic concentration, and as such, should help decrease the burden on the Department of Justice and the courts created by antitrust prosecutions.

Yet, this bill does not lessen the need for my bill, S. 2156, which is pending in the Finance Committee.

S. 2156 would reverse Revenue Ruling 64–224, issued July 24, 1964, by the Internal Revenue Service. The ruling allowed electrical equipment manufacturers to deduct as a business expense treble damages awarded in a price-fixing suit.

It appeared to me then, and it appears to me now that the ruling was not well founded in law, passed onto the public part of the cost of penalty and destroyed the primary purpose of giving treble damages instead of simple damages to those injured.

It appears that the treble damage provision was intended to encourage private suits as an aid to enforcement of the antitrust laws. In fact, according to testimony received by the Senate Antitrust and Monopoly Subcommittee, private enforcement is becoming more effective than Government prosecution. The IRS ruling seriously dilutes the effectiveness of this approach in that the penalty paid by the defendant has been reduced by about one-half.

While an increase in the criminal penalty will aid antitrust enforcement, it will not correct the burden placed on the public Treasury by the IRS ruling.

Equally important, increased fines will not affect cases in which the Justice Department does not prosecute criminally. In fact I believe only 40 percent or less of the total antitrust actions filed in recent years were criminal cases, although the Sherman Act is primarily a criminal statute.

Therefore, the use of private antitrust suits should be encouraged rather than discouraged.

S. 2156 would restore the effectiveness of this approach by reversing IRS ruling 64–224. It would make two-thirds of the damages paid subject to income tax.

The bill also removes two-thirds of the damages received by the plaintiff from gross income. The purpose of this provision is to restore an inducement for private action which was believed by most antitrust experts to be the law prior to 1955. However, in *Glenshaw Glass Co.* v. *Commissioner*, 348 U.S. 426, the Supreme Court, in a ruling involving the income tax statute, decided against a plaintiff who deducted antitrust damages from gross income. S. 2152 would restore this inducement to prospective plaintiffs.

Mr. President, I hope the bill increasing the criminal penalty maximum will be passed. I also urge the Finance Committee to make S. 2152 a part of the omnibus tax bill. We need both bills to establish a balanced deterrent and meaningful penalties in the fight against growing economic concentration.

THE NOMINATION OF JUDGE HAYNSWORTH

Mr. HRUSKA. Mr. President, I should like to discuss some of the aspects of the upcoming debate on the nomination of the Honorable Clement F. Haynsworth, presently a judge of the fourth circuit court, to be Associate Justice of the Supreme Court.

During colloquy on confirmation yesterday, a question was posed by one of our colleagues as to the line of demarcation between the power of appointment by the President and the role of the Senate in advising and consenting to a nomination by the President of a Justice to the Supreme Court.

I found upon reviewing the debates and the hearings in 1967 on the nomination of Justice Thurgood Marshall that there was some good, pertinent debate on this question.

First, I read a statement made by me on the subject during the hearings:

> In common with other members of the Judiciary Committee, I have received many letters, some pro and some con. Often the proposition has been expressed that the nominee is far too liberal for the writer of the letter and is the basis for opposing his nomination. There has been contention from time to time that we should preserve on the Supreme Court some balance between the so-called liberals and the so-called conservatives.
>
> I am not sure what those terms (liberal and conservative) mean, since they are meaningless until a decision attaches to a particular case. In the Supreme Court, that scope will be great, that range will be wide. However, the nominating power lies with the President of the United States; and if it is his desire to appoint someone he considers liberal, that is his prerogative. If he wants to appoint someone he considers conservative, that is also his prerogative.
>
> I do believe that we, as members of the Judiciary Committee, should inquire into the integrity, the competence, and the record of a man, and primarily on that basis, decide whether he is suitable for service on the Supreme Court. I have gone over the file of the hearings that were conducted when the nominee was considered for the circuit court, and later for Solicitor General. I have also studied his biographical data; and I have come to the conclusion that when the proper time arrives, I shall cast a vote in favor of his confirmation to be an Associate Justice of the U.S. Supreme Court.

In the hearings and during the floor debate, I observed that the political philosophy as well as the ideology possessed by that nominee was not what I would prefer if I were to make a first choice for that office. Nevertheless, the nominee having satisfied the requirements of the advice and consent procedure, I stated that it would be my intention to vote for him. And, in fact, I did vote for his confirmation.

In response to letters from constituents and others who objected, my general reply was that it was for the President to make an appointment and choose the philosophy and ideology and that if anyone disapproved of the nomination on that basis, he should make it his business to vote for a new and different President. And millions of people in America did just that last fall. And we now have before us a nominee with a different philosophy.

Having applied the rule that the power of appointment is in the President during the 8 years of an administration not of my political party, I do believe it would be only fair that that same rule be applied now that there has been a change in the political party in the White House.

However, I read now from the floor debate on August 30, 1967, in which the senior Senator from Massachusetts (Mr. KENNEDY) participated with reference to the confirmation of Associate Justice Thurgood Marshall:

> I know that there have been questions raised during the course of the afternoon about the temperament and judicial philosophy of Judge Marshall. I believe it is recognized by most Senators that we are not charged with the responsibility of approving a man to be Associate Justice of the Supreme Court only if his views always coincide with our own. We are not seeking a nominee for the Supreme Court who will express the majority view of the Senate on every given issue, or on a given issue of fundamental importance. We are really interested in knowing whether the nominee has the background, experience, qualifications, temperament, and integrity to handle this most sensitive, important, and responsible job. Mr. President, I think that Thurgood Marshall has demonstrated that he does have these qualifications and qualities.
>
> In addition, as Senators, we bear a considerable responsibility to the President. The President is charged under the Constitution with sending to the Senate, for the advice and consent of the Senate, all nominations for the Supreme Court. I think it is important to realize that every one who votes against Judge Marshall's nomination this afternoon is also suggesting by his vote that the President has not really met his responsibility in making this recommendation and suggestion to the Senate and to the American people.
>
> The responsibility of the President is quite clear; he has exercised it and exercised it well, I believe. Our responsibility for advising and consenting to this nomination is also clear, and I am sure we will meet it.

That was a portion of the argument used by the senior Senator from Massachusetts on August 30, 1967.

I again suggest that this type of reasoning and this attitude regarding the power of appointment which resides in the President of the United States should be followed now in the year 1969 just as faithfully and just as willingly as it was in 1967 with Justice Thurgood Marshall, as it was before that with Arthur Goldberg, and as it was on a previous occasion when Justice Fortas was approved as associate justice of the Supreme Court.

Mr. President, it would be well to consider in some detail the case for nomination and confirmation of Judge Haynsworth.

The case consists of two basic parts. The first is the impressive volume of evidence which shows Judge Haynsworth to be a man of impeccable integrity, sound judicial temperament, and of the highest professional competence. The second part of the case consists of the total destruction of the attacks made upon him.

The Senate will not formally take up the nomination for some days. In the meantime it is likely that the debate, already begun, will continue. It is my hope that the Senate will approach this issue in a way consistent with its constitutional responsibility to advise and consent.

We now have available, in printed form, the transcript of the Haynsworth hearings before the Judiciary Committee. It contains 762 printed pages. This record is the one on which a majority of that committee voted to report the nomination to the Senate. We shall soon have the majority and minority reports.

So I venture the hope that each Senator, whether or not he has already taken a public position on this matter, will study the hearing record most carefully and most thoroughly. It is vain to hope that the controversy over this matter can be confined to the Senate where the responsibility for decision lies. There will still be press conferences and news releases and television and radio interviews. My only plea is that between now and the time the Senate considers the Haynsworth nomination, such activities and such expressions be related to facts.

That volume of hearings shows a number of things. It shows that Judge Haynsworth has the complete confidence of the President of the United States who nominated him. There was the initial expression of support and of confidence when the nomination was made; and there was later a letter to the minority leader of the Senate reaffirming that confidence. The President reviewed the record as it had developed, so that he was current with the situation before he reaffirmed his support. This record also shows that Judge Haynsworth has the support of the present Attorney General of the United States, just as he had the "complete confidence" of an earlier Attorney General, Robert F. Kennedy.

The American Bar Association, through the chairman of its Standing Committee on the Federal Judiciary, testified:

> It is the unvarying, unequivocal, and emphatic view of each judge and lawyer interviewed that Judge Haynsworth is, beyond any reservation, a man of impeccable integrity.

The ABA rated him high in judicial temperament, and lawyers and Federal district judges in his circuit "put him right at the top of those who would be eligible" for appointment to the Supreme Court. The bar reiterated its position this past Sunday after it had reviewed all of the attacks which have been made on the judge.

There is a considerable amount of similar testimony favoring Judge Haynsworth, all from persons of outstanding competence to speak on the issue.

The record also contains quite a few surprises for those whose knowledge of the hearings came from the television news programs or the headlines in the papers: For example, the South Carolina civil rights lawyer's colorful and sincere testimony to Judge Haynsworth's integrity; the statement by the liberal Arizona lawyer-teacher-author, a distinguished authority on judicial ethics, who argued that Judge Haynsworth had a clear duty to sit in the so-called Darlington case; and the statement of the Wisconsin law professor, who was primarily responsible for the original HEW school desegregation guidelines, in which he said Judge Haynsworth "will make a first-rate associate justice."

The printed hearings contain the testimony of Judge Haynsworth himself and his response to the questions of each member of the committee who cared to ask them. For over 113 pages, the nominee patiently and painstakingly addressed himself to a wide variety of lines of inquiry. Those 113 pages deserve reading by every Senator.

Finally, the hearing record contains the statements of the attackers of Judge Haynsworth. These attacks fall generally into three areas: First, he is anti-civil rights; second, he is anti-organized labor; and, third, he is unethical.

Senator COOK and I have already analyzed, in letters and memorandums dated October 6 and October 9 the attacks on Judge Haynsworth's decisions in civil rights and labor cases.

Today we have sent to all Senators a memorandum dealing with Judge Haynsworth's ethical standards.

Mr. President, I ask unanimous consent that the letter of transmittal, signed by the junior Senator from Kentucky and myself, be reprinted in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OCTOBER 15, 1969.

Honorable
U.S. Senate,
Washington, D.C.

DEAR SENATOR: Enclosed is the third memorandum which we promised to furnish to all Senators concerning the nomination of Judge Clement F. Haynsworth, Jr., to be Associate Justice of the Supreme Court. It deals with his proven record as a judge of high ethical and moral standards.

There have been many attacks upon Judge Haynsworth's conduct, and we know that these attacks have troubled many of our colleagues. After reviewing the law, the canons, and the facts, however, we are certain these doubts will be resolved in Judge Haynsworth's favor.

It has been said that a nominee who has been so vigorously attacked should not sit on the court because his selection may reflect unfavorably on the Court. Unfounded accusations alone cannot disqualify an otherwise qualified man. Nothing can be more repugnant to our fundamental sense of justice. Rejecting a nominee who has done no wrong, merely because accusations have been made, cannot bring credit to the Senate or to the Court.

The materials we have furnished you, together with the printed hearing record, establish three essential facts: Clement Haynsworth is a scholarly, practical judge who will be an outstanding addition to the Supreme Court; he is a man who demonstrates no bias toward any litigant but decides each case with absolute intellectual honesty; he is an ethical and moral judge.

As we have said in our two previous letters, we urge that you consider the whole record before making your decision.

With kind regards.

Sincerely,

ROMAN L. HRUSKA,
U.S. Senator.
MARLOW W. COOK,
U.S. Senator.

Mr. HRUSKA. Mr. President, there have been accusations of improper conduct leveled against Judge Haynsworth. Some accusations were made during the hearings and some were made after. The press has given wide coverage of all the attacks. Day after day, the accusations were repeated on the Senate floor, on television and radio, and in the newspapers and magazines.

Then, in common with my colleagues, I began receiving a few letters from constituents who had been deluged with this coverage. Some of them said: "Where there is smoke, there must be fire." Several suggested that the judge's reputation had been so sullied that it would only bring discredit on the Court now to confirm him, regardless of the ultimate truth of the accusations.

Let me suggest, Mr. President, if the Senate would ever dare allow the reputation of a distinguished jurist to be ruined and a nominee possessing outstanding qualifications to be rejected because of accusations that have so little basis in truth, this body will have violated every principle for which it stands. The Senate would be shamed, the Court would be shamed, and the Nation would be shamed.

Mr. President, we must look to the law and to the facts. We must allow Judge Haynsworth to be judged, himself, on the basis of the entire record.

I do not suggest for a moment that we should confirm a man who does not meet the highest ethical standards. That is why the Senate must carefully review each of the accusations against him. I have done so and I am confident that Judge Haynsworth has met his duty under statute and canons.

CAROLINA VEND-A-MATIC

Mr. President, there is no rule, law, or canon that says a judge cannot invest in business enterprises or own stock. Unless we are now, in 1969, going to create a new rule applicable to conduct in 1964, the Senate must concede that there is no validity whatever to the accusation that Judge Haynsworth violated any canon by participating in ownership of the business of Carolina Vend-A-Matic.

The judge himself was absolutely candid about his relationship with this company. He stated that he attended the weekly luncheon meeting of the board of directors. He participated in the discussions. He concerned himself with the financial health of the corporation. This is all in the hearing record.

He did not, and he so stated under oath, participate in soliciting business for Carolina Vend-A-Matic. In 1964 Judge Sobeloff affirmed that Judge Haynsworth had not sought business for the company.

He made a wise investment in Carolina Vend-A-Matic. He got in on the ground floor of an infant and increasingly prospering industry. When his company and its competitors grew amazingly, he profited from it. There is no violation of the canons of ethics here.

I have authority for my position. Judge Sobeloff and the circuit judges of the fourth circuit who reviewed Judge Haynsworth's association with Carolina Vend-A-Matic and the company's association with the Darlington Manufacturing Co. in 1964, expressed complete confidence in the judge.

The American Bar Association established there was nothing improper about his relationship with this company.

John P. Frank testified as an expert on legal disqualification: Judge Haynsworth not only was not legally disqualified because of his association with Carolina Vend-A-Matic, he had a duty to sit.

This analysis applies to the Darlington case and any other case coming before the court which involved a litigant doing business with Carolina Vend-A-Matic.

SUBSTANTIAL INTEREST

Judge Haynsworth, at no time, has violated 28 U.S.C. sec. 455 or the Canons of Judicial Ethics, or ABA Formal Opinion 170. There have been accusations to the contrary, but they do not stand up to critical analysis.

Three cases involve subsidiaries of companies in which Judge Haynsworth owned stock: Farrow against Grace Lines, Inc., 381 F.2d 380 (1967); Maryland Casualty Co. against Baldwin, 357 F.2d 338 (1966); Donohue against Maryland Casualty Co., 363 F.2d 442 (1966). 28 U.S.C., sec. 455 says a judge shall disqualify himself where he has a substantial interest in the case. There was no substantial interest in these cases. Any interest clearly was de minimis. The Grace case involved a $50 judgment. As the holder of 300 shares, 1/60,000 of the parent company, W. R. Grace, the actual impact of the case on Judge Haynsworth cannot be measured. Assuming the worst conceivable result in the case, the impact on the judge would have been $0.48.

Judge Haynsworth had stock in the parent company of Maryland Casualty Co.: 200 preferred shares, 59/1,000,000 of those outstanding, and 67 common shares, 15/1,000,000 of those outstanding. Again the impact is so small it cannot be measured.

There is no opinion of the ABA stating that this sort of negligible interest in a parent of a litigant is grounds for disqualification. Formal Opinion 170 does not reach this point. And the California Supreme Court concluded a judge was not disqualified when it ruled on the point in Central Pacific Railway Co. against Superior Court, 296 Pac. 883 (1931).

Judge Haynsworth and Judge Winter both testified that they look to the canons of the ABA for guidance in ethical questions. They also stated and no one can disagree, that Federal statute lays down the basic rule. That rule, as interpreted by the courts, is that a judge must sit unless he is disqualified. Judge Haynsworth was not disqualified.

The case of Brunswick Corp. against Long, represents, as the distinguished Senator from Kentucky (Mr. COOK) said on Monday, a lapse of memory, not morals. Judge Haynsworth purchased Brunswick stock before the formal opinion in the case had been handed down. He did nothing wrong, he performed no discretionary act proscribed by ABA Opinion 170. Clearly, however, it would have been better not to have bought the stock. Judge Haynsworth agrees wholeheartedly.

Having purchased the stock before remembering that the case was not formally concluded, Judge Haynsworth acted reasonably under the circumstances. A three-judge panel had heard the case, studied the briefs, and made their decision. It was clear cut. There was no doubt as to the outcome. No one had been deprived of justice. To disqualify himself at this point would have meant a rehearing, appointment of a new panel, rescheduling of the case, and so forth. It simply was not worth it. In the Subcommittee on Judicial Improvement, of which I am a member, we have hearings every year or every 2 years on the problems of crowded court dockets and the shortage of judges. We had hearings on a bill to provide more circuit judges, and that became law in 1968. We had hearings on intercircuit assignment of judges to fight backlogs. This year we had hearings on a bill to provide more district judges.

We must afford the time, money, and manpower to see that justice is done. We cannot afford the luxury of bending over backwards to avoid the most remote accusations of conflict of interest. These are the reasonable guidelines Judge Haynsworth followed.

PENSION AND PROFIT-SHARING PLAN

Mr. President, I turn now to the pension and profit-sharing plan, upon which there has been an effort to base complaints against the nominee.

In 1962 Congress passed a disclosure law covering pension and profit-sharing plans having 25 or more employees. The purpose was to insure that the employees and beneficiaries know the status of the fund and the use the money was put to.

The fund set up by Carolina Vend-A-Matic, of which Judge Haynsworth was a trustee, furnished a description of the plan to participants at the inception and gave an annual statement of accounts to them.

There was no filing of a one-page short form description of the plan with the Department of Labor. As most of my colleagues who are familiar with this sort of business operation know, a trustee would not be involved in the preparation and filing of such reports in the normal course of business. That is a clerical matter to be handled by whoever is keeping the records.

This administrative failure could not be considered a violation of the penalty provisions of the law, 29 U.S.C. sec. 308. Penalties are provided for willful failure to comply. It will be strictly construed. In fact, the reported cases deal only with the refusal of administrators of plans to give the information to employees when it has been demanded by the Department of Labor. That is not the case here.

FACTUAL ERRORS IN ACCUSATIONS

I have been dealing so far with the actual facts as produced in the record. My purpose is to remove the innuendo and suspicion that have arisen from an understanding of only a part of the record.

In addition, however, there are factual accusations made subsequent to the hearings that are demonstrably false. I will cover them briefly.

It was charged that Judge Haynsworth held a substantial interest in litigants in Merck against Olin Mathieson Chemical Corp., 253 F. 2d 156 (1958) and in Darter against Greenville Community Hotel Corp., 301 F. 2d 70 (1962). I understand that everyone has conceded these charges were in error.

But here is a new and additional error in charges made in the bill of particulars "Judge Haynsworth endorsed notes for the corporation in amounts as high as $501,987. Some of the notes were endorsed after he assumed the bench."

Mr. President, Judge Haynsworth testified that he did endorse notes on behalf of the corporation to secure credit for the corporation at a time prior to the time that it had earned a credit rating that would allow it to stand on its own feet. He also was indefinite as to the precise amount of loan endorsed.

That is understandable. In 113 pages of testimony, it would be difficult to draw on one's memory for transactions that had occurred 6 or 7 years ago, or 10 years ago.

I have a notarized affidavit of T. C. Cleveland, Jr., executive vice president for the western region of the South Carolina National Bank. That clarifies the issue.

Mr. President, I ask unanimous consent that this affidavit be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HRUSKA. Mr. President, I read from that affidavit:

> The company had been started with a minimum of capital and its tangible assets consisted primarily of vending equipment, which, in my opinion, had little resale value. Until its credit worthiness was proven by an history of ability to service its installations and produce profits, I felt it was entitled to no bank credit, except upon the endorsement of its principal stockholders, who, at that time, were Eugene Bryant, Robert E. Houston, Jr., W. Francis Marion, Christie C. Prevost, and Clement F. Haynsworth, Jr.
>
> On that basis a succession of loans were made to Carolina Vend-A-Matic Company on the endorsement of its principal stockholders, though by 1957 the Bank had agreed that it would look to each endorser only for his pro rata portion of the total amount of each loan.
>
> The last such endorsed loan was made on January 25, 1960 in the amount of $14,000. That loan was repaid on February 16, 1960, and there were no further loans made to Carolina Vend-A-Matic Company until June 9, 1961. By that time Carolina Vend-A-Matic Company's proven success in the operation of its business established its own credit rating and all of the loans made thereafter were without endorsement of any of the stockholders.
>
> Altogether the Bank made some fifty-six loans to Carolina Vend-A-Matic Company, though many of these loans were renewals of existing balances. The largest balance of endorsed loans ever outstanding was $55,550 on February 19, 1961.

Mr. President, I do not charge there has been any effort to mislead or misrepresent when the bill of particulars reads, "Judge Haynsworth endorsed notes of the corporation in amounts as high as $501,000." That I would not do, because the Senator from Indiana is a highly respected Member here. He is an honorable gentleman. He would engage in no form of chicanery or misrepresentation. I would accord him every bit of sincerity and honesty and diligence in his efforts to prosecute the case he has. However, here is an error that is tenfold. It was not over $500,000. It was $55,000.

I have an idea that one of the reasons why the mistake was made—an honest mistake, I would assume, with every fair intendment—was that this figure was confused with the cumulative total of loans made from time to time.

That was one possibility. But there is another possibility, and I come to that now.

When the junior Senator from Kentucky pointed out the tenfold error in the statement of endorsed notes, the newspapers reported the rebuttal attributed to the staff of the Senator from Indiana (Mr. BAYH) that the $501,000 figure came from the records of the Securities and Exchange Commission. That also appears to be an error, but it sheds some light.

Mr. President, as a lawyer, I have learned that the place to go for evidence is the place where the evidence can best be secured. Accordingly, a letter was addressed to the Securities and Exchange Commission. The Chairman of the Commission, Hamer L. Budge, replied in reply to a letter by me dated October 14.

I ask unanimous consent that my letter of October 13, 1969, to Chairman Budge, his reply and memorandum, and page 4 of the ARA filing be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. HRUSKA. Mr. President, here is how I believe the error happened: This consolidated balance sheet shows that there is a total of corporate obligations of $303,000 in installments due within 1 year, and some $198,000 in installments due after 1 year. The total of those items is $501,000. But as the communication from the Securities and Exchange Commission discloses:

> While these filings indicate that Carolina Vend-A-Matic Company had indebtedness outstanding, there is no information that anyone other than the company is liable for such indebtedness.

This clearly shows that the SEC records showed only corporate liability and not that of the stockholders of that corporation.

Again, Mr. President, I acknowledge the good intentions of the author of that bill of particulars, but this error being as gross as it is, and being directed at trying to attack his nomination, is something that we should very much take into consideration in connection with the other demonstrated and proven inaccuracies in the bill of particulars.

Again I reiterate, Mr. President, that I am confident it was an honest mistake; but it was a mistake, and a grievous one.

All of us know the burden of the office which we try to discharge in this Chamber. We have to rely upon staff and others to assemble information for us. But nevertheless it was a mistake. However honest it might be, now, it seems to me, it should be dropped, or the mistake should be acknowledged, unless the author of the bill of particulars has some information which would refute the evidence to which I have just referred.

ETHICAL SENSITIVITY

Mr. President, Judge Haynsworth is a man who has displayed sensitivity to ethical problems throughout his service on the court. As I have discussed in regard to the accusations against him, he was neither unethical or insensitive. He followed the Federal law, canons and rules of court.

He is a man who, in 1957, resigned from all of his positions in publicly held corporations. He did not have to do that.

The rule of court prohibiting judges from holding memberships on boards of directors was not promulgated by the Judicial Conference of the United States until 1963. He resigned all of his directorships in publicly held corporations some 6 years earlier. Many Federal judges did hold directorships in such corporations. But he knew his name would be published in connection with financial statements and other public statements and he felt it was improper to be held out to the public in such a position while he was serving on the Federal court. Six years later, in 1963, the Judicial Conference agreed with him and passed a resolution that judges should not hold directorships.

In 1963, he also resigned from his position as director of two closely held corporations. This sort of organization had been included in the Judicial Conference resolution, and he readily complied.

He submitted all these facts concerning his position in one closely held corporation, Carolina Vend-A-Matic, to the judges of the court of appeals in 1963, and they were reviewed in the letter that was then written as a report of exoneration by the then presiding judge, Judge Sobeloff.

Judge Haynsworth was so sensitive to his position on the court that when his stock ownership in Carolina Vend-A-Matic became public knowledge, he took steps to dispose of it. That is a step no court, no statute, and no canon requires of a judge. Yet he was sensitive to his position. If one wishes to try to measure his sensitivity, he sold his interest for one-third of what it would be worth today. Had he continued in ownership of that stock until the present day, he would have obtained $1 million more for it than the price for which he sold it back there in 1964. And that increase was not a speculative one. The vending business in 1963 was booming and could be expected to continue booming—not only for the Carolina Vend-A-Matic Co. and other companies in the Carolinas, but for companies all over the country. It was a good investment.

The judge was fortunate, as were many thousands of other people who invested in similar businesses.

Mr. President, that is what the record shows here. The nominee has conscientiously followed the ethical standards applicable to him. He has exhibited sensitivity to the ethical problems which confront a Federal judge. He has acquitted himself with dignity and honor.

I trust that the nomination will be considered by the Senate on the basis of the records as they have been corrected. The corrections are made reluctantly because we do not like to correct a record made by our colleagues unless there is sound and proper basis therefor. I hope and urge that favorable consideration be given to his confirmation.

Mr. President, I yield the floor.

EXHIBIT 1

AFFIDAVIT OF T. C. CLEVELAND, JR.

STATE OF SOUTH CAROLINA,
County of Greenville, ss:

Personally appeared before me T. C. Cleveland, Jr., who being duly sworn, deposes and says:

I am the Executive Vice President for the Western Region of The South Carolina National Bank, with my headquarters in Greenville. Earlier, I was in charge of the Greenville Branch of The South Carolina National Bank and, beginning in 1952, I was personally responsible for the approval of credit to Carolina Vend-A-Matic Company.

The company had been started with a minimum of capital and its tangible assets consisted primarily of vending equipment, which, in my opinion, had little resale value. Until its credit worthiness was proven by an history of ability to service its installations and produce profits, I felt it was entitled to no bank credit, except upon the endorsement of its principal stockholders, who, at that time, were Eugene Bryant, Robert E. Houston, Jr., W. Francis Marion, Christie C. Prevost, and Clement F. Haynsworth, Jr.

On that basis a succession of loans were made to Carolina Vend-A-Matic Company on the endorsement of its principal stockholders, though by 1957 the Bank had agreed that it would look to each endorser only for his pro rata portion of the total amount of each loan.

The last such endorsed loan was made on January 25, 1960 in the amount of $14,000. That loan was repaid on February 16, 1960, and there were no further loans made to Carolina Vend-A-Matic Company until June 9, 1961. By that time Carolina Vend-A-Matic Company's proven success in the operation of its business established its own credit rating and all of the loans made thereafter were without endorsement of any of the stockholders.

Altogether the Bank made some fifty-six loans to Carolina Vend-A-Matic Company, though many of these loans were renewals of existing balances. The largest balance of endorsed loans ever outstanding was $55,550 on February 19, 1961.

Judge Haynsworth on several occasions in the early history of Carolina Vend-A-Matic Company discussed its credit needs with me. He became a member of the Bank's local advisory committee and, later, a member of its subcommittee on loans. When he became a member of the loan committee, I distinctly recall his telling me that he would have nothing further to do with the matter of credit to Carolina Vend-A-Matic Company. He informed me that thereafter I should handle all such matters with Mr. Francis Marion on behalf of Carolina Vend-A-Matic Company and that as a member of the loan committee he would take no position upon approval or disapproval of credit to it. Still later, Judge Haynsworth became a member of the Bank's Board of Directors, a position from which he resigned after his appointment to the United States Court of Appeals for the Fourth Circuit. During all of that period Judge Haynsworth had nothing to do with the negotiation of or arrangements for the extension of credit to Carolina Vend-A-Matic Company, though until January 25, 1960 he continued to endorse the notes of Carolina Vend-A-Matic Company in his individual capacity.

On February 15, 1962, the Bank made a real estate loan to Carolina Vend-A-Matic Company to finance the construction of an addition to its warehouse. In 1964, when this real estate was distributed as a dividend in kind to the stockholders of Carolina Vend-A-Matic Company and the balance of its mortgage loan was paid off by the stockholders, upon Judge Haynsworth's instructions on April 20, 1964 his account was charged the amount of $2,911.73 to pay off his portion of the remaining balance of this mortgage note.

Attached to this affidavit are the Bank's ledger sheets reflecting all transactions with Carolina Vend-A-Matic Company other than the mortgage loan mentioned above. I believe that all of Carolina Vend-A-Matic Company's bank loans were handled by The South Carolina National Bank, though from time to time it bought equipment on conditional sales contracts or other credit arrangements with its vendors.

T. C. CLEVELAND, Jr.

EXHIBIT 2

OCTOBER 13, 1969.

Hon. HAMER L. BUDGE,
Chairman, Securities and Exchange Commission, Washington, D.C.

DEAR MR. CHAIRMAN: During the Senate consideration of the nomination of Judge Clement F. Haynsworth, Jr., to be Associate Justice of the United States Supreme Court, a factual issue has arisen which the records of the Securities and Exchange Commission may be able to resolve.

From the years 1957 to 1963 Judge Haynsworth was a director of Carolina-Vend-A-Matic, a South Carolina corporation. In 1964 this corporation was acquired by Automatic Retailers of America, Inc. As I understand the organization, the former Carolina-Vend-A-Matic operation is now a part of ARA Services, Inc.

It has been reported that the records of the Securities and Exchange Commission show that Judge Haynsworth was personally liable in the amount of $501,987 on notes he endorsed to secure credit for Carolina-Vend-A-Matic during the years 1957 to 1964. It would be appreciated if the accuracy of this figure could be verified. Further, it would be helpful if you could tell me whether this figure represents the cumulative personal liability of Judge Haynsworth or whether it is the highest amount of personally endorsed notes outstanding at any time. I would appreciate knowing specifically what was the highest amount of personal liability at any time if that information is available to you.

I propose to make public the information given me as an important part of the debate and discussion on this nomination.

With kind regards,
Sincerely,

ROMAN L. HRUSKA,
U.S. Senator.

SECURITIES AND EXCHANGE COMMISSION,
Washington, D.C., October 14, 1969.

Re Carolina Vend-A-Matic and ARA Services, Inc., formerly Automatic Retailers of America, Inc.

Hon. ROMAN L. HRUSKA,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: In response to your letter dated October 13, 1969 which requests verification of certain information relating to the endorsement of certain notes of Carolina Vend-A-Matic by Judge Clement F. Haynsworth, Jr., I am enclosing a memorandum prepared by our Division of Corporation Finance.

If I can be of any further assistance, please let me know.

Sincerely,

HAMER H. BUDGE,
Chairman.

MEMORANDUM PREPARED BY DIVISION OF CORPORATION FINANCE, SECURITIES AND EXCHANGE COMMISSION, WITH RESPECT TO SENATOR HRUSKA'S LETTER, DATED OCTOBER 13, 1969, TO CHAIRMAN BUDGE IN REGARD TO JUDGE CLEMENT F. HAYNSWORTH, JR.

ARA Services, Inc. (formerly Automatic Retailers of America, Inc.) has filed with the Commission, under dates of March 16 and 20, 1964, as amendments to its registration statement No. 2-20395 under the Securities Act of 1933, information with respect to the transaction by which the shareholders of Carolina Vend-A-Matic Company, Greenville, South Carolina, exchanged their interest in that company for shares of ARA Services, Inc. Similar information was furnished in a current report on Form 8-K, filed May 11, 1964, under the Securities Exchange Act of 1934 and in New York Stock Exchange listing application No. A-21614, dated March 26, 1964. While these filings indicate that Carolina Vend-A-Matic Company had indebtedness outstanding there is no information that any one other than the company is liable for such indebtedness.

Carolina Vend-A-Matic Company has not made any filings under the statutes administered by the Commission. It does not appear that any such filing was required.

There does not come to mind any company other than those mentioned whose filings with the Commission might contain information about the subject of the inquiry.

Carolina Vend-A-Matic Co. and wholly-owned subsidiaries, consolidated balance sheet, December 31, 1963

ASSETS

Current assets:	
Cash	$156,409.74
Savings and loan association deposits	42,621.20
Accounts receivable	5,638.34
Inventory	89,706.26
Prepaid interest	46,507.33
Total current assets	340,882.87
Fixed assets (partly pledged):	
Buildings	78,075.99
Vending machines	1,126,249.12
Miscellaneous equipment	49,341.23
Autos and trucks	133,356.89
Office furniture and fixtures	31,488.62
Leasehold improvements	2,786.95
Subtotal	1,421,298.80
Less allowance for depreciation and amortization	641,355.30
Subtotal	779,943.50
Land	9,125.00
Subtotal	789,068.50
Other assets:	
Organization expense	1,070.00

Carolina Vend-A-Matic Co. and wholly-owned subsidiaries, consolidated balance sheet, December 31, 1963—Continued

ASSETS—Continued	
Other assets:	
Sundry	1,050.67
Subtotal	11,217.49
Total	1,141,168.86
LIABILITIES	
Current liabilities:	
Accounts payable	73,247.35
Commissions payable	27,815.97
Other accrued Expenses and sundry liabilities	16,050.61
Notes payable (installments due within 1 year)	$303,644.95
Provision for income taxes	97,315.06
Total current liabilities	518,073.94
NONCURRENT LIABILITIES:	
Notes payable (installments due after one year)	198,253.71
STOCKHOLDERS' EQUITY:	
Capital stock—par value $100.00 per share	12,700.00
Paid-in surplus	16,900.00
Earned surplus	395,241.21
Total	1,141,168.86

(The following colloquy, which occurred during the delivery of Mr. HRUSKA's address, is printed at this point in the RECORD on request of Mr. HRUSKA and by unanimous consent.)

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. HOLLAND. I wanted to comment on something the Senator just said, because there was a similar matter that came up when the nomination of Mr. Justice John Parker, the presiding judge of the same circuit court of appeals, was before this body.

I know, from having talked personally with two of the distinguished former Members of this body—both of whom are now no longer with us—who voted against confirmation of Judge Parker, that they felt that they had been misled by the propaganda, particularly by the propaganda coming from the labor organizations. One of them went so far as to say to me on two occasions—he was the distinguished former senior Senator from Georgia, Mr. George—that he regretted, more than any other vote he had cast since he had begun his service in the Senate, the vote that he had cast against the confirmation of Judge Parker.

It will be recalled that Judge Parker remained on the bench; he was not soured; he was not destroyed by those who sought to destroy him. He became recognized from one end of this Nation to the other as one of the more distinguished judges we had in our Federal judicial system. He was so recognized by the Supreme Court from time to time. Without allowing himself to be destroyed by those who had sought to assassinate his character, he simply went ahead and followed the course that he had followed up to the time of his nomination and up to the time of the rejection of his confirmation, and he made one of the outstanding records of any of the jurists of our day.

So I simply want to amplify the point just made by the distinguished Senator from Nebraska, that the Senate itself is under obligation to do the right things in this sort of case, to winnow the wheat from the chaff. And there is much chaff in the charges that have been made against Judge Haynsworth—so much chaff that I have not been able to find any grain at all, so far as the Senator from Florida is concerned.

I congratulate the distinguished Senator for calling attention to the fact that the Senate has a duty of supreme importance in a case of this kind, to make very sure that the detractors—and there are some in this case—have sound ground to stand upon. I have looked very hard into this case, and I have not found any such sound ground. I simply call attention to the Parker matter because it shows how far well-meaning Senators, from time to time, can be led astray from the doing of the thing which the evidence and the facts require should be done.

That happened in the Parker case. I certainly do not want to see it happen in the Haynsworth case.

I thank the Senator for calling attention to that point.

Mr. HRUSKA. I am grateful to the Senator for his remarks. I am sure students of the law and practitioners of the law generally, agree with the distinguished Senator from Florida when he says that Judge Parker was a brilliant jurist and that he established himself as one of the most respected members of the jurisprudence system during his time.

Mr. ALLEN. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. ALLEN. Mr. President, I wish to commend the distinguished Senator from Nebraska for the great speech he is making on behalf of Judge Haynsworth.

There has been a great barrage of propaganda, of insinuation, and of innuendo leveled against Judge Haynsworth. I think it is mighty fine that we are hearing speeches and arguments on the floor of the Senate in favor of the confirmation of Judge Haynsworth.

I do not believe the distinguished Senator from Nebraska was here earlier today when the senior Senator from Virginia spoke on behalf of the confirmation of Judge Haynsworth. He made an excellent presentation of the case for Judge Haynsworth. He pointed out that, even with this barrage of criticism by the press and the showing of only one side of the coin, two of the great newspapers in this country, the Washington Post and the New York Times—great by reason of being well known and having influence in some quarters—although they had been highly critical of Judge Haynsworth in their news columns they pointed out in their editorials that while they disapprove of the nomination of Judge Haynsworth, yet there was nothing in his record to indicate that the Senate should not give him the confirmation that his record entitles him to.

I think it is fine that we are hearing now the case for Judge Haynsworth, and I believe we are going to hear more and more on the floor of the Senate. I feel he is an outstanding jurist. I do not feel that anything has been brought out that would cast any aspersion on his honor, integrity, or ability.

It would occur to the junior Senator from Alabama that this is a barrage or smokescreen to hide, or to put in the background, the real difference and the real objection that the opponents of Judge Haynsworth's nomination have to him.

I would like to inquire of the Senator from Nebraska in these matters, and they were picayune instances of alleged conflict of interests, if there is not just as much duty on a judge to sit in a case where he should sit as it is to recuse himself in a case where he should not sit?

Mr. HRUSKA. The Senator is correct. That is a very firmly established point in our system of Federal jurisprudence. There is no question about it. I would be safe in saying that is the consensus of opinions written on the subject: That the duty to sit when a judge should not be disqualified is just as strong as the duty to disqualify himself if the conditions and circumstances are such to require disqualification.

Mr. ALLEN. I wish to ask the Senator from Nebraska his opinion on a particular matter. I notice that the American Bar Association has reiterated its support of Judge Haynsworth, and yet we hear very little about that reiteration of their approval. I wish to inquire of the Senator if we would not have heard a great deal in the press, through other news media, and here on the floor of the Senate, if they had withdrawn their approval of his confirmation?

Mr. HRUSKA. Or reversed their position on it.

Mr. ALLEN. Yes.

Mr. HRUSKA. There is no question about it. If that happened the general conclusion reached by a great many opponents of the nomination would be that the proponents might just as well fold up our tents and silently steal away. The fact is there is still a little carping about it. There is an effort on the part of the opponents to find out how many votes were cast against it.

I wonder if they are not satisfied with some of the 5-to-4 decisions of the Supreme Court.

I am confident and I believe the Senator agrees, that had the ABA decision been the other way we would have been deluged in this Chamber daily with the chorus, "Withdraw his name. Withdraw his name."

Fortunately, and I think rightly, they reaffirmed their stand. I call attention to the fact that when they acted, last Sunday, they had all of the present record before them, not only the record as a result of their own investigation of the man's character, services, and reputation, but the hearing record and all the attacks.

Mr. ALLEN. I think the Senator from Nebraska and the Senator from Ken-

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tucky (Mr. COOK), in their letter to Senators and in the bill of corrections that they have filed in answer to the bill of particulars against Judge Haynsworth, have certainly refuted the charges that Judge Haynsworth is anti-civil rights and anti-organized labor.

I would like to ask the Senator from Nebraska whether even if it be true that he was biased and is biased in these two respects—and again I say that contention has been completely refuted—is it likely he would be any more biased than Mr. Justice Thurgood Marshall in connection with civil rights matters on the other side, or in the case of Mr. Justice Goldberg on labor matters?

Mr. HRUSKA. Why, of course not. All of us know both of those very distinguished members of the bar, and later distinguished members of the Supreme Court—in the one instance a man who dedicated virtually all of his professional practice and talents to pro-civil-rights cases, and in the other instance, a man who dedicated virtually his entire practice and career as a lawyer for so-called pro-labor-union cases—executed their judicial duties fairly. There is no question about it. And in this nominee there is not even that same monolithic restricted practice. He was in general practice. The analyses of his cases and opinions when he went to the fourth circuit clearly demonstrate he, too, decides fairly and without bias.

Mr. ALLEN. As a matter of information to the junior Senator from Alabama, I would like to ask the Senator from Nebraska when it is anticipated that the majority and minority reports of the Judiciary Committee will be filed?

Mr. HRUSKA. I have no exact information on that. The chairman of the Judiciary Committee, presumably, has a timetable in mind and maybe he has already announced it. It has not, however, come to my personal attention.

Mr. ALLEN. As soon as those reports are available, then the nomination will be brought to the floor of the Senate with the recommendations of the Judiciary Committee; is that not correct?

Mr. HRUSKA. That is correct.

Mr. ALLEN. And then we would anticipate a vote would soon take place on the nomination?

Mr. HRUSKA. Yes—we will begin debate in earnest. We are now engaged in only the preliminaries.

Mr. ALLEN. I thank the Senator from Nebraska very much for rendering a great public service in presenting the other side of the matter. We have heard so much from the anticonfirmation side that I think it is a distinct public service the Senator from Nebraska is rendering in presenting the case for confirmation.

Mr. HRUSKA. The Senator is very generous in his remarks. I am grateful for them.

Mr. ERVIN. Mr. President, will the Senator from Nebraska yield to me for a few questions?

Mr. HRUSKA. I am very happy to yield to the Senator from North Carolina.

Mr. ERVIN. I will ask the Senator from Nebraska if Congress itself has not prescribed the conditions under which a Federal judge should disqualify himself from sitting on a particular case?

Mr. HRUSKA. Of course, that is true. It is an interesting fact that the act passed by Congress in 1949, 28 U.S.C. 455, was an extension of an act of Congress that had been passed in earlier years. When passed in earlier years it applied only to trial judges. Then, in 1949, it was decided that it should also apply to members of the circuit courts. It was so amended. It does put the burden upon the judge and the court itself to determine whether there is a reason for disqualification. He must make that determination himself.

Mr. ERVIN. I will ask the Senator from Nebraska if the statutory law does not expressly provide that a judge shall, by implication, as his duty, sit in every case where he fails to find a disqualification exists?

Mr. HRUSKA. Yes, that is true.

Mr. ERVIN. So far as the so-called conflict of interest is concerned, does not the statute provide that a judge shall not disqualify himself unless he has a substantial interest in the outcome of the existing case?

Mr. HRUSKA. That is right.

Mr. President, I ask unanimous consent at this point, to have printed in the RECORD the text of section 455, in order that we can read for ourselves the plain language.

There being no objection, section 455 was ordered to be printed in the RECORD, as follows:

> § 455. Interest of justice or judge.
>
> Any justice or judge of the United States shall disqualify himself in any case in which he has a substantial interest, has been of counsel, is or has been a material witness, or is so related to or connected with any party or his attorney as to render it improper, in his opinion, for him to sit on the trial, appeal, or other proceeding therein. (June 25, 1948, ch. 646, 62 Stat. 908.)

Mr. ERVIN. I should like to ask the Senator from Nebraska if the charge that Judge Haynsworth has at any time shown union bias was not totally disproved by the record made in this case?

Mr. HRUSKA. I am sure it is right. It was disproved not only by those who were his close associates but there was also, by testimony, and well-considered testimony, by Prof. Charles Allen Wright of the University of Texas Law School, one of the most celebrated and highly respected figures in Federal jurisprudence, and also G. W. Foster, Jr., of the University of Wisconsin Law School. I suggest that both these gentlemen, scholars, good educators, good students of the law, both of them happening to be liberal Democrats, not conservatives, found he was not biased. These scholars analyzed the decisions of Judge Haynsworth and came out with the conclusion that he is a most outstanding figure and will make an outstanding Justice of the Supreme Court upon confirmation.

Mr. ERVIN. I should like to ask the Senator from Nebraska if those who challenge Judge Haynsworth's fitness on the alleged ground that he has a union bias did not cite seven cases to sustain their allegations and if four of those cases were not cases that dealt with one of the most controversial problems that arise in labor law; namely, when a union is to be recognized as the bargaining agent on card counts rather than by secret elections, and if the law on that subject was not settled by the Supreme Court of the United States until June of this year?

Mr. HRUSKA. Yes.

Mr. ERVIN. I will ask the Senator if another one of those cases was not reversed on the basis of a decision made by the Supreme Court only 6 days before, for the first time in the history of the Supreme Court?

Mr. HRUSKA. That is correct. The record so reflects.

Mr. ERVIN. I ask the Senator if another one of those cases was not decided on the basis of an amendment to the Labor-Management Act made by Congress in 1958 after the case had been heard in the lower court?

Mr. HRUSKA. That is correct. The record so reflects.

Mr. ERVIN. Another one of those cases—one of the seven cases heard—was a case which involved the discharge of seven nonunion employees. Can the Senator from Nebraska tell me how this case affecting nonunion employees shows any antiunion bias?

Mr. HRUSKA. That takes a little imagination, but I presume it can be done, because great efforts are being made to do it.

Mr. ERVIN. I would like to ask the Senator from Nebraska if three of these cases on the card count were not per curiam decisions, decisions written by the court as a whole, and handed down by the court as a whole, and that only one of the seven was written by Judge Haynsworth?

Mr. HRUSKA. That is right.

Mr. ERVIN. Two of the opinions were written by Judge Morris Soper, one of the most distinguished members of the Fourth Circuit Court of Appeals. If they show any antilabor bias on the part of Judge Haynsworth, they are bound to show the same bias against Morris Soper, too, who is not charged with any antiunion bias, are they not?

Mr. HRUSKA. They never have been.

Mr. ERVIN. I would just like to ask the Senator from Nebraska if the charge was not made to the effect that Judge Haynsworth was hostile to civil rights and I would like to ask him, in connection with that charge, if the record before the committee does not show in every case that Judge Haynsworth had followed the decisions of the Supreme Court of the United States?

Mr. HRUSKA. That is true. That was pointed out not only in the cases themselves but also in the analyses of some of the witnesses. They pointed out that that is precisely what he did and further they pointed out that it was the preferable way to do it. Judge Walsh testified that it was the preferable way to handle it because if each circuit plows new ground, we will have 10 new plowed grounds. We do not need confusion like that.

The better procedure is for the established rule of the Supreme Court, as it existed up until that time, to be followed. If new ground was to be broken, it is for the Supreme Court to break it. Then we have some semblance of order and stability.

Mr. ERVIN. Is it not true that the law as proclaimed by the Supreme Court itself in so-called civil rights cases has been in a state of flux and more or less uncertainty?

Mr. HRUSKA. There is no question about that, when we consider the history of that type of case.

Mr. ERVIN. I do not know whether the Senator from Nebraska saw an article that appeared in the Washington Post of October 14, 1969, written by James E. Clayton, entitled "The Haynsworth Record on Rights" or not, but the Senator from Nebraska, I am sure, will agree with the Senator from North Carolina that the Washington Post has been a newspaper which has been in the forefront in the fight for civil rights for years.

Mr. HRUSKA. Yes.

Mr. ERVIN. It would not be the place where one would normally expect to see a statement to the effect that Judge Haynsworth had followed the Supreme Court decisions in this particular field.

Mr. HRUSKA. In the civil rights field?

Mr. ERVIN. Yes, unless that was the fact.

Mr. HRUSKA. Yes.

Mr. ERVIN. I would like to ask the Senator to permit me to make a unanimous-consent request that this article by James E. Clayton, which appeared in the Washington Post on October 14, 1969, entitled "The Haynsworth Record on Rights," be inserted in the body of the RECORD.

Mr. HRUSKA. Mr. President, I shall be happy to make that request if it is necessary for the purpose of the rules of the Senate.

Mr. ERVIN. Mr. President, I would like to add that this article makes clear what the record before the committee disclosed, and that is that Judge Haynsworth has faithfully followed the decisions of the Supreme Court in the civil rights field.

Mr. HRUSKA. I thank the Senator from North Carolina, and I ask unanimous consent to insert the article in full at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE HAYNSWORTH RECORD ON RIGHTS

(By James E. Clayton)

The trouble with the civil rights record of Judge Clement F. Haynsworth Jr. is that it's hard to label. It is neither the record of an all-out segregationist, as some of his critics claim, nor the record of a friend of the civil rights movement, as some of his supporters have claimed. It lies somewhere in between and the evaluation anyone places on it is largely determined by the way the record is approached.

Take, for instance, the eight cases cited on this page a week ago, in a letter to the editor, as evidence that Judge Haynsworth is a man who has "actively opposed desegregation." Three of those same cases were cited to support the proposition that the judge is pro-civil rights in a long letter we received in mid-August.

What seems to stand out as you read the opinions of Judge Haynsworth on civil rights in the last 12 years, and there are 25 or so of them, is this: Unlike some other federal judges in the South (the heroes of the civil rights movement), he was not willing to go beyond what the Supreme Court or Congress specifically ordered. Also unlike some other federal judges in the South (the heroes of the segregationists), he was not willing to oppose what the Supreme Court, or a majority of his own Court, had already done. He preferred to read Supreme Court opinions literally and to interpret them narrowly, doing precisely what that Court said had to be done but rarely, if ever, going beyond that narrow interpretation.

The result was that Judge Haynsworth voted with the most pro-civil rights judge in his circuit, Simon Sobeloff, far more than he voted against him; most of his civil rights cases were easy. But they parted company most of the time when Sobeloff wanted to break new ground in the civil rights struggle or to put a broad interpretation on Supreme Court opinions.

The prolonged litigation in Prince Edward County illustrates this point. In 1959, Judge Haynsworth voted to strike down a lower court order giving that county 10 years to desegregate. In 1963, after the public schools were replaced with "private" white schools, he cast the key vote when his court decided to abstain while the Virginia Supreme Court handled the matter. After the Virginia court acted, the Supreme Court reversed this Haynsworth opinion. Two years later, the judge dissented when a majority of his court found Prince Edward officials in contempt for appropriating money to run the "private" schools while the case was pending.

If you count these votes on a pure pro- or anti-civil rights basis, his score comes out 1 for and 2 against. But there is a substantial argument that he was right as a matter of law in one of the latter two votes. Beyond that, while voting to abstain, Haynsworth wrote, "Schools that are operated must be made available to all citizens without regard to race, but what public schools a state provides is not the subject of constitutional command." And, in the contempt case, he agreed that the action of the officials was "contemptible" and "unconscionable" but said the court lacked jurisdiction to hold them guility of contempt.

There is a similar pattern in his opinions dealing with freedom of choice. Until the Supreme Court ruled out such plans and insisted that school boards take affirmative action to desegregate, his position was that a freedom-of-choice plan was acceptable as long as each student was free to choose each year the school he attended and his choice was uninhibited by coercive action. After the Supreme Court ruled, he voted against freedom of choice plans.

You can argue that Judge Haynsworth should have seen the handwriting on the wall for these plans, as did Judge Sobeloff and a majority of the judges in the Fifth Circuit. And you can argue that he found coercion to exist only when the pressure on Negro children was extremely heavy. But the other side can argue that he was doing all the Supreme Court said ought to be done.

To pursue the issue into other areas, the judges critics point with validity to his vote, in dissent, that a hospital receiving federal funds under the Hill-Burton Act could discriminate against Negroes. His supporters argue, rather weakly, that the "state-action" aspect of the law, the key to this decision, was not really clear in 1963 and, anyway, that once the issue was decided in his circuit he enforced it.

The judge's friends point to a 1966 case in which he voted to require the North Carolina Dental Society to accept Negro members, even though the state action involved was no greater than it was in the hospital case. His critics say this vote was pre-ordained by all the other state action cases.

In one of the last major cases before his court, Judge Haynsworth came out in the middle of his brother judges, Two voted with him to protect a group of teachers from discrimination. Another, Judge Sobeloff, thought their view did not provide sufficient protection, and three others thought it provided too much.

Thus, you can tote up the score in several ways. If the standard of judgment to avoid being called a segregationist is that a judge must almost always support expansions of desegregation and avoid options that discourage it, Haynsworth comes out a segregationist. If the standard is that a judge is a friend of civil rights unless he takes every opportunity to denounce integration and never votes to encourage it, Haynsworth is a friend of civil rights. If the standard is somewhere in between, Haynsworth is somewhere in between. He rarely did anything more than that required of him by the Supreme Court, he rarely did anything less, and when he had options open to him he turned aside from being bold.

(This marks the end of the colloquy which occurred during the delivery of Mr. HRUSKA's address and which was ordered to be printed in the RECORD at this point.)

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDIING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE PENDING BUSINESS

Mr. BYRD of West Virginia. Mr. President, what is the pending business before the Senate?

The PRESIDING OFFICER. The pending business is S. 1181.

Mr. BYRD of West Virginia. Is that the bill to enable potato growers to finance a nationally coordinated research and promotion program?

The PRESIDING OFFICER. The Senator is correct.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business, I move, in accordance with the previous order, that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 49 minutes p.m.) the Senate adjourned until tomorrow, Thursday, October 16, 1969, at 12 o'clock noon.

CONFIRMATION

Executive nominations confirmed by the Senate October 15, 1969:

U.S. CIRCUIT JUDGE

Charles Clark, of Mississippi, to be U.S. circuit judge, fifth circuit.

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EXTENSIONS OF REMARKS

VIETNAM MORATORIUM

HON. LEN B. JORDAN

OF IDAHO

IN THE SENATE OF THE UNITED STATES

Wednesday, October 15, 1969

Mr. JORDAN of Idaho. Mr. President, with the Vietnam moratorium demonstrations set for today, I believe it is vital that all who support this protest reflect carefully on its validity. I invite the Senate's attention to a much-publicized column written by David S. Broder which discusses this demonstration as a part of "The Breaking of the President."

In response to the denials of this charge by participants in the moratorium, Mr. Broder this week has written another column, which asks those participants three important questions: First, since President Nixon is now following policies recommended in 1968 by the antiwar faction, what is the target of this protest? Second, what alternative policies are recommended? Third, does the method of the moratorium set a dangerous precedent for other groups with strongly held views, who may well decide to force their will on the country by staging what is in effect a general strike?

I ask unanimous consent that both columns be printed in the Extensions of Remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Oct. 7, 1969]

A RISKY NEW AMERICAN SPORT: "THE BREAKING OF THE PRESIDENT"

(By David S. Broder)

CAMBRIDGE, MASS.—If there are any smart literary agents around these days, one of them will copyright the title "The Breaking of the President" for the next big series of nonfiction best-sellers. It is becoming more obvious with every passing day that the men and the movement that broke Lyndon B. Johnson's authority in 1968 are out to break Richard M. Nixon in 1969.

The likelihood is great that they will succeed again, for breaking a President is, like most feats, easier to accomplish the second time around. Once learned, the techniques can readily be applied as often as desired—even when the circumstances seem less than propitious. No matter that this President is pulling troops out of Vietnam, while the last one was sending them in; no matter that in 1969 the casualties and violence are declining, while in 1968 they were on the rise. Men have learned to break a President, and, like any discovery that imparts power to its possessors, the mere availability of this knowledge guarantees that it will be used.

The essentials of the technique are now so well understood that they can be applied with little waste motion.

First, the breakers arrogate to themselves a position of moral superiority. For that reason, a war that is unpopular, expensive and very probably unwise is labeled as immoral, indecent and intolerable. Critics of the President who are indelicate enough to betray partisan motives are denounced. (That for you, Fred Harris.) Members of the President's own party who, for reasons perhaps unrelated to their own flagging political careers, catapult themselves into the front ranks of the opposition are greeted as heroes. (Hooray for Charley Goodell.)

The students who would fight in the war are readily mobilized against it. Their teachers, as is their custom, hasten to adopt the students' views. (News item: The Harvard department of biochemistry and molecular biology last week called for immediate withdrawal from Vietnam.)

Next, a New England election (the New Hampshire primary is best but the Massachusetts Sixth Congressional District election will do as well) surprisingly shows that peace is popular at the polls. The President's party sees defeat staring it in the face unless it repudiates him, and the Harris poll promptly comes along to confirm his waning grip on public trust. The Chief Executive, clearly panicky, resorts to false bravado and says he will never be moved by these protests and demonstrations, thus confirming the belief that he is too stubborn to repent and must be broken.

And then, dear friends, Sen. Fulbright and the Foreign Relations Committee move in to finish off the job.

All this is no fiction; it worked before and it is working again. Vietnam is proving to be what Henry Kissinger once said he suspected it might be—one of those tragic, cursed messes that destroys any President who touches it.

That being the case, any President interested in saving his own skin would be well-advised to resign his resopnsibility for Vietnam and publicly transfer the assignment of ending the war to Congress or the Vietnam Moratorium Committee or anyone else who would like to volunteer for the job.

But he cannot. And that is the point the protesters seem to overlook. Assume that they and the President are both right when they assert the time has come to end this war. Assume that the protesters know better than the President how to do so—despite the conspicuous absence of specific alternatives to the President's policies in their current manifestos.

There is still a vital distinction, granting all this, to be made between the constitutionally protected expression of dissent, aimed at changing national policy, and mass movements aimed at breaking the President by destroying his capacity to lead the nation or to represent it at the bargaining table.

The point is quite simple. Given the impatience in this country to be out of that miserable war, there is no great trick in using the Vietnam issue to break another President. But when you have broken the President, you have broken the one man who can negotiate the peace.

Hanoi will not sit down for secret talks with the Foreign Relations Committee. Nor can the Vietnam Moratorium's sponsors order home a single GI or talk turkey to Gen. Thieu about reshaping his government. Only the President can do that.

There is also the matter of time. It is one thing to break a President at the end of his term, as was done last year. It is quite another thing to break him at the beginning, as is being attempted now.

The orators who remind us that Mr. Nixon has been in office for nine months should remind themselves that he will remain there for 39 more months—unless, of course, they are willing to put their convictions to the test by moving to impeach him.

Is that not, really, the proper course? Rather than destroying his capacity to lead while leaving him in office, rather than leaving the nation with a broken President at its head for three years, would not their cause and the country be better served by resort to the constitutional method for removing a President?

And what a wonderful chapter it would make for Volume 2 of "The Breaking of the President" series.

[From the Washington Post, Oct. 14, 1969]

ILL-ADVISED VIET MORATORIUM COULD SET A RISKY PRECEDENT

CAMBRIDGE, MASS.—The larger the plans for Wednesday's Vietnam moratorium, the more the central message and tactic of the demonstration have been obscured. If the event is to be gauged properly, it is important to uncover its original premises from the debris of cliches and endorsements in which they have lately been buried.

A number of men active in the moratorium have taken time to point out what they consider the errors of the argument in this column last week that it is a plan for "the breaking of the President." With sincerity and conviction, they have asserted that, far from breaking the President, they are out to save him, by persuading him to make the peace the nation craves and, incidentally, to save the political system by keeping the antiwar movement out of the hands of the radicals and in control of those with a commitment to peaceful forms of protest.

Their conversations and correspondence have helped to define three questions which might be borne in mind by those planning to participate in the moratorium.

First, what is the target of this protest? Sam Brown, the able spokesman for the moratorium, says it is not an anti-Nixon move because "we learned in 1968 that what we must oppose are not personalities but policies."

But if the Nixon administration is following the very policies recommended in 1968 by the antiwar faction, as I believe, then their moratorium is mobilizing public opinion against its own policy recommendation to the President. The minority plank at the Democratic convention, endorsed by all the leading doves, called for a halt in the bombing of North Vietnam. This has been done. It recommended a reduction in offensive operations in South Vietnam. The President has ordered this and it is in effect.

It asked for a "phased withdrawal over a relatively short period of time" of all foreign troops. The Nixon administration has begun pulling Americans out of Vietnam without waiting for North Vietnam to agree to mutual withdrawals, as the doves thought necessary.

Finally, it recommended that the United States use the leverage of troop withdrawals to "encourage" the Saigon government "to negotiate a political reconciliation with the National Liberation Front" looking toward "a broadly representative government" but recognizing that "the specific shape of this reconciliation will be a matter for decision by the South Vietnamese."

If this is not precisely the policy of the current administration, as enunciated by the President and the Secretary of State, then words have lost their meaning. And if the moratorium sponsors want to argue—as some have—that the President is lying about his purpose, their suspicions must be weighed against the facts of reduced fighting, reduced troop levels and reduced casualties, which his policies have brought about.

Second, what is the alternative they recommend? It has been described in moratorium publicity as everything from a negotiated settlement to immediate, total American withdrawal from Vietnam, but Brown said Sunday on "Face the Nation" that it is the latter that the moratorium has "consistently" demanded.

If that is the case, then the elected officials, clergymen and educators who have lent their prestige to the moratorium can properly be asked if this is the prorgam they endorse. Many of these sponsors were involved in the fight for the minority plank at the Chicago convention which specifically said the war "will not be ended by military victory, surrender or unilateral withdrawal by either side."

It might be well for those men to explain Wednesday when and why they concluded that their opposition to unilateral withdrawal was wrong. It would be even more useful if they could explain why a one-dimensional plan to pull out troops is any more likely to be wise policy than the one-dimensional plan that sent the troops in. Have we not learned yet to examine the political consequences of military decisions?

Third, and most important, what about the method of the moratorium? Is it compatible with the maintenance of representative democracy or does it substitute the rule of the street?

The sponsors say the name "moratorium," rather than "strike," was chosen to emphasize that the protest is to be peaceful and noncoercive. It is a nice distinction. The noncoercive feature may be almost invisible to the thousands of students whose colleges will shut down Wednesday. If the moratorium continues, as planned, for two days in November, three days in December, and so on, it will more and more come to resemble the general strike so familiar to European politics.

And if it succeeds in its aim, what is to prevent other majorities or sizable minorities in the country from using the same technique to force their views on agencies of the government? The moratorium sponsors say Vietnam is an extraordinary issue, but they must know it is not the only issue which agitates millions of people.

One wonders what the moratorium sponsors would say if Billy Graham were to ask all the parents who want prayers restored to public schools to withdraw their children from school for one additional day each month until the Supreme Court reverses its school-prayer decision.

Suppose pro-prayer teachers agreed to meet the pupils in private homes on moratorium days to discuss "the overriding significance of religion in human life." Would the Vietnam moratorium sponsors cheer? What would they say if landlords and real estate men opposed to integrated housing declared a moratorium until Congress repeals the open-housing law?

My view, just to be clear, is not that the Vietnamese moratorium is un-American, illegitimate, meanly partisan or personally vindictive in its motivation. My view is that it is an ill-timed, misdirected protest, vague in its purpose and quite conceivably dangerous in its precedent.

As was said last week, its immediate result may be the breaking of the President. In the serious weakening of his power to negotiate peace or to achieve any of the other purposes for which he was elected, its longer term effects may be to subvert a system of democratic government I happen to believe is worth preserving.

COLUMBUS DAY

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. BRASCO. Mr. Speaker, today we commemorate the discoverer and the discovery of America. The story and the achievement of Columbus, however, did not begin or end with the date October 12, 1492. When we celebrate the anniversary of that date we pay tribute to a man who deserves our gratitude and our honor in two respects. We revere Columbus both for what he was and for what he did.

In the first place, his character is symbolic for us of the spirit of exploration and discovery which led men of iron courage and inflexible will away from the old world and its familiar ways to the unknown dangers and incredible hardships of the new world. The spirit of Columbus—that has been the spirit of all the explorers and pioneers who conquered this land and built a great Nation here. The name of Christopher Columbus heads the list of those who have fared forth boldly into the unknown, dreaming of lands and peoples yet unseen by Europeans, and carrying to these new lands and people the heritage of European civilization.

For the timid and the cowardly, for the doubters and detractors, Columbus had just one answer, to go on, to conquer. The indestructible faith, the penetrating vision, the unalterable determination of Christopher Columbus conquered myth and mystery and solved the terrifying riddle of the Atlantic. The stains of greed and cruelty and broken faith that marked the career of some later discoverers and pioneers left unsmirched the character of Columbus. Generation after generation, down to our own time, have been inspired by his contagious courage and persistence, just as were the captains and crews of his three little vessels. The story of the discovery and exploration of America which began with his great voyage across the Atlantic has not yet ended. It will never end so long as Americans continue to hold on to that spirit which was the legacy of Christopher Columbus and those who followed him. For Americans there will always be new frontiers.

The second aspect of the magnificent achievement for which we revere Columbus began when his ship, the *Santa Maria*, ran aground off the island of San Domingo. A fort was built of materials from the stranded hulk, and the first colony in the new world was established with 44 members of her crew. Columbus returned to Spain with his two remaining ships, but only long enough to put together a great new expedition to secure and extend the discoveries already made. In the fall of 1493, three huge galleons and 14 light frigates carrying 1,500 men, including 12 missionaries, and all the animals and materials necessary for colonization, set out for the new world. On the island of Haiti, or Hispaniola as he called it, Columbus founded the city of Isabella.

The city of Isabella was not very successful because the colonists were more interested in getting rich as quickly as possible—by grabbing whatever gold and silver they could lay their hands on—than in building a solid and permanent base for the settlement of the new world. Yet Columbus never gave up his vision of a great and prosperous colony. His vision became a reality, though not in his lifetime, and Columbus was the father of the immigration which peopled a continent.

While the memory of Columbus has a particularly precious significance for Americans, we should remember that it is revered as well by many other nations and peoples. For our Latin neighbors to the south, the story of the New World also begins with the achievement of Columbus. Columbus belongs to Italy as the land of his birth and his parents. He belongs as well to Portugal, whose charts and navigational methods were his sole equipment against the unknown oceans. And he belongs to Spain, under whose flag his voyages of discovery were made.

Columbus never reached the shores of our own country and, if he had not made any of his voyages, the Western Hemisphere would undoubtedly have been discovered by someone else; nevertheless, his insatiable curiosity to find out, to know; his unshakeable faith and courage and his indomitable will—these are the elements of the spirit shared by all who participated in the building of America. The legacy of the pioneer spirit and the melding on the new continent of contributions from the peoples of every land is the unique heritage of America, and the tremendous achievement of Christopher Columbus is symbolic of that heritage.

TRENDS IN PORTABILITY AND VESTING OF PENSIONS

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Tuesday, October 14, 1969

Mr. JAVITS. Mr. President, Mr. Thomas C. Edwards, president of the Teachers Insurance & Annuity Co., has written for the August 1969 edition of Best's Review, a most perceptive article on trends in portability and vesting of pensions. Mr. Edwards examines many of the reasons which are usually advanced to defend the failure of many pension plans to contain reasonable vesting provisions protecting employees against forfeiture of all pension rights upon termination of their employment, and finds them wanting.

As Mr. Edwards points out, the cost ostensibly saved by not including vesting provisions in pension plans may well be borne in otherways by the business community.

Mr. Edwards also discusses the possibility of purchasing insurance which might protect plan participants against the loss of accrued benefits if their employment were terminated. This is a particularly interesting idea, and I hope very much that it will be investigated further.

Mr. President, as the author of S. 2167, a bill which would provide minimum standards for private pension plans, particularly minimum standards concerning vesting, I read Mr. Edwards' article with a great deal of interest. I commend it to Senators who are interested in this problem and ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TRENDS IN PORTABILITY AND VESTING OF PENSIONS

(By Thomas C. Edwards)

Pension people on both sides of the question of early vesting are really very close together on basic objectives. Both sides want pension plans to continue as a strong element on the social and economic scene. Both want pension plans to complement Social Security, not collide with it. Both want pension plans to retain their flexibility and innovative capacity. Both want pensions plans to help management recruit and retain topflight people. Both want employers and employees to be able to part company at retirement on mutually satisfactory terms. And both consider it undesirable to pay an excessive cost to do these things.

Any disagreement, then, seems to be over whether early or late vesting will best accomplish these objectives in the 1970's. Unfortunately, this sort of disagreement is almost irrelevant today. The options have changed. The choice is no longer between early and late vesting; it's between "do-it-ourselves" early vesting and "leave-it-to-uncle" early vesting. There are real advantages in doing it ourselves.

By now some must be thinking: "Doesn't he know about the trustees, legislators and unions we'd have to fight to take vesting down below the 10-year level?" I do, and I know it's not easy; no struggle for survival ever is. But this one we should be able to win right within the family by joining forces for the social good, rather than seeming to take on the whole country against it.

One source of worry is the impression that spokesmen for private pensions give when they say that pension plans must be allowed to improve at their own pace. They appear unreceptive to the times or, worse, entrenched against the tide of social change, which of course, just isn't so. And when it is predicted that laws requiring early vesting will roll back the progress of private pensions and discourage their further growth, this is music to the ears of Social Security expansionists.

Therefore, perhaps efforts on behalf of pension plans will have the most beneficial results if directed within the family, trying to speed the pace of improvements already under way. Fortunately, the conviction that early vesting from within is needed soon, and that it is in the best interests of employers, employees and the total pension effort, grows in comparison to the alternatives and as one peels away the objections to early vesting.

Those who favor early or immediate vesting consider pension benefits a deferred part of compensation earned by a person just as he earns his salary—by his work, not by passing a loyalty test. They point out that a man's compensation at any given point should be unconditioned by his future actions or by the future judgments of others.

CRITICISMS AND OBJECTIONS

Critics of private pensions who would either legislate early vesting or turn the whole job over to Social Security have been known to add that pension plans actually pay retirement benefits to only a small portion of the people they cover, and are therefore not fulfilling the broad social purpose for which the plans receive tax-exempt status.

Few pension spokesmen who object to early vesting would say that a person does not earn his retirement benefits by his work, or that a pension plan should not pay benefits to most or all of its participants. Rather, the objections heard most frequently are:

On Cost: *"Early vesting would cost so much that either we can't afford it, or we'd have to cut way back on other plan provisions."*

On Holding Power: *"The thought of losing benefits holds people in their jobs, and this gives us a valuable management tool."*

On Loyalty: *"Management's pension obligation is to those who stay, not to those who leave. This loyalty factor is a condition of employment that everyone's supposed to understand when he's hired or when he's thinking of leaving."*

THE QUESTION OF COST

Whenever early vesting is discussed, the question of cost predominates. Obviously, there is a cost factor, since it takes more money to pay benefits than not to pay benefits. But whether this cost factor is large or small, it reinforces the social arguments in favor of early vesting. If the cost is large, should individual workers have to carry it by being insecure in their old age? And if the cost is moderate or small, what's all the fuss about? Why not vest?

Social arguments aside, however, is the volume of benefits now being taken from Peter, who leaves, to pay Paul, who stays, really a major factor in financing modern pension plans? It is doubtful. When all the positive aspects of early vesting are considered, the cost implications are neither as serious nor as one-sided as they may seem, for several reasons.

In the first place, a great deal of turnover cost can be eliminated from a pension plan by requiring a reasonable waiting period before new employees become eligible—say one or two years and attainment of age 25 or 30. This leaves ample time to build substantial retirement benefits, and eliminates much of the cost and bother of having to preserve long-term benefits for short-term employees.

A TWO-WAY STREET

If, in addition, there is no vesting for the first three or four years of participation in the plan, the program will be geared largely to employees who have demonstrated substantially more than a passing interest in their employer and their work.

In the second place, mobility takes place on a two-way street. As more and more plans provide early or immediate vesting, accrued benefits will increasingly be owned by arriving employees, as well as by those who leave. Each period of a person's employment will contribute to his total retirement income, whether he works for one employer or for several. A company's whole working environment is healthier, both economically and psychologically when employees in mid-career come to a new job with accrued pension benefits intact and can therefore look forward to a more secure retirement.

MORALE AND PRODUCTIVITY IMPROVED

Moreover, substantial cost reductions are possible when pension contributions are invested and accumulated for everyone over a 35- or 40-year period, instead of relying on the last 20 or 25 years of employment to do the job.

A third factor to be considered in discussing cost is that early vesting would help to remove some of the morale and productivity problems caused by low-yield employees who are now held in place by pension strings. The pressures on both the employer and employee to temporize are strong enough without throwing in the fact that a job change will cost the employee the benefits he has accrued during the years of loyal, though perhaps marginal, service. Early vesting doesn't solve personnel problems, but at least it neutralizes the pension plan as a factor in most job decisions, which the employer and the employee can then make on the merits of the situation.

And a fourth cost factor is one that is seldom mentioned in vesting discussions, probably because no one is particularly proud of what it does to retirement security. As long as the contributory pension plans of industry and public employment offer the departing employee a cash settlement of his own contributions in lieu of vested pension rights, too many people will unfortunately take the bait, thereby eliminating all vesting and all further pension costs on their behalf.

HURTS THE WHOLE PENSION EFFORT

This velvet trap destroys vesting for everyone but the relatively few who are willing to forgo some spending money today in order to keep their retirement benefits intact for the future. It also hurts the whole pension effort in much the same way nonvesting does—by wiping out deferred benefits normally worth many times the cash settlement, and by passing the blame for ultimately inadequate benefits on to the last employer in line, the company willing to hire a mid-career person on his merits, regardless of his retirement prospects.

For these and other reasons, it is hard to believe that cost is really the great deterrent to early vesting it is often made to seem. But if management and pension advisors continue to view the cost of early vesting as merely a function of turnover rates, and if unions don't want to press for early vesting for fear of losing something else, then perhaps there are other ways to protect the integrity of accrued benefits, or at least to put the problem in better perspective.

Suppose an insurance company offered a "vesting protection" rider for pension plans that would protect participants against the loss of accrued benefits if they quit or were fired before meeting their plan's vesting requirements. Or better yet, suppose the pension plan itself offered this protection through a VP rider. Do you think participants would buy it at a premium of say 0.5% or 1% of salary?

The price for a VP rider under any pension plan could be calculated from an analysis of turnover rates, and coverage could start after the first day, the first year or the first five years of employment. Actuarial ingenuity could easily remove the tontine aspect from pension rights, using techniques already available. A VP rider would sell, the price is right, and no one will offer it because there are much simpler and more direct ways to accomplish the same thing.

But if the cost of vesting really worries management and the unions, why not smoke out the risk by pricing it, and then let participants insure themselves against it? Is it because of the holding power argument—that an employee's fear of losing substantial benefits is a valuable management tool?

Most employees with several years of service behind them have no intention of leaving a job anyway, for reasons having nothing to do with pensions. They like their work, they're well paid, they have some seniority, and they haven't had a good offer lately.

On the other hand, every organization does have people who have been there a while, who want to make a change, and who should make a change, Perhaps they see greater opportunity elsewhere; perhaps they were passed over for a promotion; maybe they can't work well with a new boss, or with the people around them; or health reasons or domestic difficulties may suggest a change. Whatever the reason, some of these people move on, leaving part of their retirement security behind, while others are held in place by the threat of forfeiting benefits if they leave. Either way they lose something.

Ironically, the threat of losing benefits seems to have the least holding power on the very people the firm wants to keep the most—the top producer; the gifted person; the highly trained physicist; the computer expert, engineer or actuary; the creative writer. These people are the ones most likely to get the good job offers, and are the ones least likely to march to the beat of the corporate drum.

So they move when they believe they should even though they lose part of their future security. Attempting to tie such people down with strings of one kind or another only seems to irritate them, to give them a reason for looking around.

Conversely, the fear of losing the status and security of accumulated pension rights seems to have the most holding power on the very people management wouldn't mind losing. The gold at the end of the rainbow, however tarnished, gives the low-yield worker or the square peg a financial reason for staying put, as well as a convenient rationale for not even looking around. And if he does get a job offer elsewhere, it often isn't enough better than his present job to make up for a pension loss. But if he could leave and still keep his pension intact, this might be of some help in facing up to an unproductive situation and taking a chance on another job. And his new employer could afford to experiment, since he wouldn't be taking on an excessive pension obligation.

This leads to the argument that an employer's pension obligation should extend only to those who have served him loyally and long. In this day of negotiated wages and benefits and "total compensation," it is surprising indeed to hear this argument at all. It should be heard even less in the years ahead, as employers look more and more to pension portability, not forfeitability, as the management tool of real value.

The shortage of specialists and qualified executives is forcing employers to look increasingly outside their own walls for people with experience in the new technical and human skills required to run a modern organization. Employers can't develop a successfully integrated 360 system or a successfully integrated personnel policy today on loyalty or long service alone.

ECONOMY PAYS A HIDDEN COST

Recruiting these experienced people is expensive enough without having to take on more than a fair share of obligation for their retirement years. Having to forfeit his accrued pension benefit where he is won't make a highly marketable specialist or executive more loyal to his employer, nor will it stop him from joining someone else. But it will up his price. And the extra paid for this often splashes over to raise the salaries of present staff. So the economy is now paying a hidden cost for nonvesting that may exceed the true cost of early vesting.

In short, there are good reasons for management's increasing awareness that unimpeded mobility both to and from an organization is desirable in an era of rapidly changing skills and technology. Indeed, the loyalty of most value to an organization today may be the intensity of the employee's devotion and effort while he's with a company rather than the duration of his service.

"AT THE 'BARRICADES,' 'REVOLUTION' DIDN'T AMOUNT TO MUCH"

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. BRAY. Mr. Speaker—

Oh wad some power the giftie gie us
To see oursels as others see us!

Mike Royko of the Chicago Daily News Service in an article "At the 'Barricades,' 'Revolution' Didn't Amount to Much" which appeared in the Indianapolis News on October 10, 1969, bestowing on the "Students for a Democratic Society" the "honor" they so richly deserve. The article follows:

CHICAGO.—Never having covered a real revolution before, I got to Lincoln Park early so I wouldn't miss a thing.

I knew that if the revolution was successful, it would be my last, since it is customary for revolutionary governments to shoot newsmen. I didn't want to miss anything that important, especially with a weekend coming up.

The size of the SDS crowd surprised me. At most, 300 people huddled around a bonfire, or paced nervously amidst the trees.

Now, 300 people might seize the kingdom of Monaco, or even a dean's office. But that didn't seem like enough to overwhelm 11,000 policemen, plus 3,000,000 or so unfriendly citizens.

And, frankly, the people in the park did not look like they could seize a geriatrics ward without a good tussle.

They were talking tough, as always, using a lot of Negro slang, greaser jargon, mixed in with Marxist slogans, which is not an easy way to talk if you have a master's degree in anthropology and your father is a stockbroker.

But like most SDS'ers, they grew up in the rough-and-tumble jungles of wealthy suburbs, where they had knock-down brawls with their baby sitters, which they probably lost.

History tells us, of course, that most revolutions are started by intellectuals and members of the upperclasses. But they usually goad the peasants and workers into doing the fighting.

So, while a pretty young lady led everybody in a love-chant for "Che." I looked around the park for any peasants or workers who might be hidden away.

A middle-aged man was sitting on a bench, but he said he wasn't part of the revolution. "I'm just watching. I hope the cops kill those fairies."

That's the SDS's biggest problem. Nobody wants to join. Most college students think they are noisy bores. Militant blacks think they are suicidal loonies, and the white working man, whose alleged unhappiness the SDS wants to exploit, would be less unhappy if he could stomp on the SDS.

This is why the SDS is the fastest-shrinking revolutionary force around.

So it appeared the 300 in the park would have to do it alone. Being out-numbered, they used surprise as a tactic.

One minute they were chanting slogans. The next, somebody shouted: "To the Drake." And they began running out of the park.

The Chicago revolution was on.

At first I was confused about the destination. The Drake is probably the city's most aristocratic old hotel. I wonder if they had suddenly abandoned the revolution and were rushing to meet their parents for dinner and dancing in the Camelia Room.

But no, the Drake was to be the symbol of wealth, luxury and all the other things they know, from experience, are not as good as work and sweat, which they have read about.

As they jogged from the park, they began protesting the war in Vietnam by breaking windows in the Chicago Historical Society, a notorious arm of the military-industry complex.

And they dealt a blow to racial injustice, caving in the windows of a barber shop, an antique shop, and the Red Star Inn, an old German restaurant.

Moving down the street, they smashed the windows of car after car, store after store. The idea seemed to be that society would collapse from the sniffles if you broke all its windows.

For several blocks, they were unhindered. The police, surprised at first, were forming ahead.

That would be the big moment of the revolution. And as they approached the police, the SDS'ers swaggered, just as they had seen the tough kids do, when they drove through city neighborhoods.

When they met the police, they charged. A moment later they ran the other way and took off down side-streets, resuming their window breaking.

The police had pulled a sneaky trick. Instead of flailing anything that moved, as they did during the Democratic National Convention, they acted coolly, professionally, made quick arrests, and kept the head-busting to a minimum. It was the most remarkable personality change since Mr. Hyde.

The SDS found itself scattered all over the near Northside. And it is harder to be brave, and charge police lines, in groups of four or five. The rear rank is too near the front.

By midnight, the student warriors were either in jail, an emergency ward, or straggling back to the pad.

By yesterday morning, they had shamelessly resorted to sending the SDS girls out to confront the police in Grant Park.

Most of the girls didn't wear bras, which is probably just as good a way to get the boys home from Vietnam as breaking windows.

They flung themselves at the police lines, so the police arrested Celeste and Kathie, Judy and Suzie, Linda and Dee, and even Phoebe.

The other girls surrendered their clubs and lead pipes, burst into tears, and gave up for the day.

Although the broadcasts and headlines have made it sound like the Battle of the Bulge, the revolution hasn't been much, by modern standards of urban whoopee.

If the minirevolution proved anything, it is only that the SDS doesn't have many members left, and those who remain could not fight their way into a Polish wedding.

By last night, they had retreated to the suburbs and were last reported boldly occupying some churches in Evanston.

I think it is safe for us to come out now.

VETERANS OF FOREIGN WARS OPPOSE USE OF HOUSE OF REPRESENTATIVES BY VIETNAM MORATORIUM SPEAKERS

HON. JOHN L. McMILLAN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. McMILLAN. Mr. Speaker I insert two telegrams I just received from the Veterans of Foreign Wars in my State. I agree with the commander of the VFW that the House of Representatives should not be used as a sounding board on such subjects as the Vietnam war, especially as long as our young men are fighting and dying for our country in Vietnam this very minute. I hope the House leadership will not tolerate a stampede by certain Members of the House in making the House of Representatives a spectacle in the eyes of the majority of the American people.

The telegrams follow:

COLUMBIA, S.C.,
October 13, 1969.

Hon. JOHN MCMILLAN,
House of Representatives,
Washington, D.C.

I urge you to take every action at your command to prevent use of House of Representatives as a sounding board for Vietnam moratorium speakers October 15. Consider it disgraceful that any elected congressional representatives would even attempt use of congressional hall for any action designed to give aid and comfort to our enemy, undermine our bargaining position at the peace table and further endanger lives of our fighting men in Vietnam.

ARNOLD MUIR,
National Veterans of Foreign Wars.

COLUMBIA, S.C.,
October 14, 1969.

Hon. JOHN L. MCMILLAN,
House of Representatives,
Washington, D.C.

Department of South Carolina Veterans of Foreign Wars adamantly oppose use of House

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of Representatives by Vietnam moratorium speakers on October 15.

Please take appropriate action to deny these misguided Representatives right to use House floor to oppose position of the President, the majority of Americans, and the VFW on Vietnam in support of dissidents who can only give further aid and comfort to enemy and endanger the lives of our fighting men in Vietnam.

LAURIE L. LANE,
Commander, Department of South Carolina Veterans of Foreign Wars of the U.S.

LOBBYING EFFORTS OF CITIZENS' COMMITTEE FOR POSTAL REFORM, INC.

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. OLSEN. Mr. Speaker, the Citizens' Committee for Postal Reform, Inc., a bipartisan group, was formed last spring to muster financial and public support in behalf of converting the Post Office Department into a public corporation.

The fact that two former national chairmen of the two major political parties joined hands to head this committee was an interesting exercise in lobbying to begin with.

The extent of their lobbying efforts shows that they pulled out all the stops.

What we still do not know, for sure at least, is exactly what they told these high-powered executives to get them to climb on the national bandwagon in behalf of turning our postal system into a public corporation.

The most intriguing information to come from the Citizens' Committee for Postal Reform are the reports on their revenues.

They made one report to our House Post Office and Civil Service Committee during the postal reform hearings in July. Now they have prepared a supplemental report which shows the contributions up to October 1.

Mr. Speaker, I have taken the time to study these reports carefully and I believe they warrant publishing in major part for the edification of the Members and the American public.

The reports show that the committee has collected $261,083, plus three uncollected pledges of $5,000 each.

Would you believe that $201,920 came in pledges of $5,000 each or more?

Would you believe that $43,547 came in pledges of $1,000 or more, but less than $5,000?

Those are pretty healthy contributions, come from pretty well-heeled sources, and make up most of the total. That full-page advertisement which the committee ran in major newspapers last summer invited contributions from everyone, particularly the little fellows.

Well, my check of the list shows that 77 persons gave a dollar each. One gave 50 cents, another gave 25 cents, and still another gave 1 cent. We will not list those names.

However, Mr. Speaker, since about $245,000 of the total collected by the committee is in donations of $1,000 or more, I think they should be listed. I think we will also be interested in just what type of activities are conducted with these sums.

Following are two lists; the first is of contributions of $5,000 or more, the second is of contributions between $1,000 and $4,999:

Donations of $5,000 or more

Name and address	*Amount*
Bank of America-National Trust and Savings Assn., 300 Montgomery St., San Francisco, Calif. 94120	$5,000
The Boeing Co., P.O. Box 3707, Seattle, Wash. 98124	5,000
Scott Paper Co., Philadelphia, Pa. 19113	5,000
Standard Oil Co. (New Jersey), 30 Rockefeller Plaza New York, N.Y. 10020	5,000
General Foods Corp., 250 North Street, White Plains, N.Y. 10602	5,000
Cummins Engine Co., Inc., 301 Washington St., Columbus, Ind. 47201	5,000
Union Carbide Corporation, 270 Park Avenue, New York, New York 10017	5,000
Westinghouse Electric Corp., 3 Gateway Center, P.O. Box 2278, Pittsburgh, Pennsylvania 15230	5,000
The Minneapolis Star and Tribune, 5th and Portland, Minneapolis, Minnesota 55415	5,000
Pan American World Airways, Inc., Pan Am Building, New York, New York 10017	5,000
The Coca-Cola Company, P.O. Drawer 1734, Atlanta, Georgia 30301	5,000
Owens-Corning Fiberglas Corporation, Toledo, Ohio 43601	5,000
Eastman Kodak Company, 343 State Street, Rochester, New York 14650	5,000
Southern Pacific Company, 65 Market Street, San Francisco, California 94105	5,000
Montgomery Ward, 619 West Chicago Avenue, Chicago, Illinois 60607	5,000
Time, Inc., Time and Life Bldg., Rockefeller Center, New York, New York 10020	5,000
J. C. Penney Co., Inc., 1301 Avenue of the Americas, New York, New York 10019	5,000
Boys Town of the Desert, c/o Mr. Z. R. Hansen, Mack Trucks, Inc., Box M, Allentown, Pa. 18105	5,000
Pitney-Bowes, Inc., Walnut and Pacific Streets, Stamford, Conn. 06904	5,000
McGraw-Hill, Inc., 330 West 42d St., New York, N.Y. 10036	6,920
E. I. du Pont de Nemours & Co., Wilmington, Del. 19898	5,000
R. J. Reynolds Tobacco Co., Winston-Salem, N.C. 27102	5,000
Castle & Cooke, Inc., Post Office Box 2990, Honolulu, Hawaii 96802	5,000
Kimberly-Clark Corp., Neenah, Wis. 54956	5,000
Bechtel Corp., 50 Beale St., San Francisco, Calif. 94119	5,000
Sears, Roebuck & Co., 925 South Homan Ave., Chicago, Ill. 60607	5,000
Proctor & Gamble Co., Post Office Box 599, Cincinnati, Ohio 45201	5,000
Whirlpool Corp., Administrative Center, Benton Harbor, Mich. 49022	5,000
Merck & Co., Inc., Rahway, N.J. 07065	5,000
3M Co., 3M Center, St. Paul, Minn. 55101	5,000
General Electric Co., 570 Lexington Ave., New York, N.Y. 10022	5,000
American Express Co., 65 Broadway, New York, N.Y. 10006	5,000
Goodyear Tire & Rubber Co., Akron, Ohio, 44316	$5,000
Ford Motor Co., The American Rd., Detroit, Mich. 48121	5,000
Union Carbide Corp., 270 Park Ave., New York, N.Y. 10017	5,000
Westinghouse Electric Corp., 3 Gateway Center, Post Office Box 2278, Pittsburgh, Pa. 15230	5,000
General Foods Corp., 250 North St., White Plains, N.Y. 10602	5,000
Federated Department Stores, 222 West Seventh St., Cincinnati, Ohio 45202	5,000
Owens-Corning Fiberglas Corp., Post Office Box 901, Toledo, Ohio 43601	5,000
Standard Oil Co., 30 Rockefeller Plaza, New York, N.Y. 10020	5,000

The committee reported the following as outstanding pledges not paid as of September 30:

Federated Department Stores, Inc., 222 West Seventh Street, Cincinnati, Ohio 45202	5,000
Texas Instruments Inc., P.O. Box 5474, Dallas, Tex. 75222	5,000
Continental Oil Co., 30 Rockefeller Plaza, New York, N.Y. 10020	5,000

Donations of $1,000 to $4,999

Name and address	*Amount*
Litton Publications, Inc., Division of Litton Industries, Oradell, N.J., 07649	$1,350
Burlington Industries, Inc., 301 North Eugene St., Greensboro, N.C., 27402	2,500
West Point Pepperell, P.O. Box 71, West Point, Ga., 31833	2,000
Borg-Warner Corp., 200 South Michigan Avenue, Chicago, Ill., 60604	2,500
The Quaker Oats Company, Merchandise Mart Plaza, Chicago, Ill., 60654	1,000
Allied Chemical Corporation, 61 Broadway, New York, N.Y., 10006	1,000
Campbell Soup Company, 375 Memorial Ave., Camden, N.J., 08101	1,000
USM Corporation, Boston, Mass., 02107	2,500
Kennecott Copper Corporation, 161 East 42nd Street, New York, N.Y., 10017	2,000
The Conde Nast Publications, Inc., 420 Lexington Avenue, New York, N.Y., 11017	2,500
Cowles Communications, Inc., 488 Madison Avenue, New York, N.Y., 10022	1,500
Meredith Corporation, Des Moines, Iowa, 50303	1,000
Newsweek, 444 Madison Avenue, New York, N.Y., 10022	1,000
Reynolds Metals Company, Reynolds Metals Building, Richmond, Va., 23218	1,000
Republic Steel Corporation, Republic Building, P.O. Box 6778, Cleveland, Ohio, 44101	2,500
Chilton Co., Chestnut and 56th Sts., Philadelphia, Pa., 19139	2,012
Cahners Publishing Co., 221 Columbus Ave., Boston, Mass., 02116	3,222
Pentagn Publishing Co., 1213 West Third St., Cleveland, Ohio, 44113	1,463
Hon. C. Douglas Dillon, 767 Third Ave., Room 1800, New York, N.Y., 10017	2,000
Deering Milliken, Inc., 234 South Fairview Ave., Spartanburg, S.C., S.C., 29302	1,000
B. F. Goodrich Co., 500 South Main St., Akron, Ohio, 44318	2,500
Deere & Co., Moline, Ill., 61265	2,500
Allied Chemicals Corp., 61 Broadway, New York, N.Y., 10006	1,000
Burlington Industries, Inc., 301 North Eugene St., Greensboro, N.C., 27402	2,500

MARIHUANA ABUSE—ENCOURAGED BY PERMISSIVENESS

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. HUNT. Mr. Speaker, on July 14, 1969, the President submitted his message on the drug problem to the Congress in which he summarized the seriousness of the problem of illicit drug use in the following words:

> Between the years 1960 and 1967, juvenile arrests involving the use of drugs rose by almost 800 percent; half of those now being arrested for the illicit use of narcotics are under 21 years of age. New York City alone has records of some 40,000 heroin addicts, and the number rises between 7,000 and 9,000 a year. These official statistics are only the tip of an iceberg whose dimensions we can only surmise.
>
> The number of narcotics addicts across the United States is now estimated to be in the hundreds of thousands. Another estimate is that several million American college students have at least experimented with marihuana, hashish, LSD, amphetamines, or barbiturates.

It is against this background that I view with considerable alarm the fact that the debate over marihuana penalties has been given the limelight at the expense, I fear, of the psychological impact of the President's own admission that:

> A new urgency and concerted national policy are needed at the Federal level to begin to cope with this growing menace (abuse of drugs) to the general welfare of the United States.

Consider these headlines: "HEW Egeberg Hits 'Pot' Penalties"; "Egeberg Criticizes Marihuana Laws"; "Administration Flexible on Penalties in Drug Bill"; "Mitchell Favors a Flexible Drug Law." I am sure that such reading gives our younger citizens much encouragement to think that our predecessors were all wet on the harmful effects of marihuana, despite the fact it is still admitted that comparatively little is known about the long-term physical effects of marihuana. The advocates of lesser penalties for the use and possession of marihuana are quick to say that they are not encouraging the use of marihuana over other dangerous drugs, but merely want the penalties to be more reflective of the actual dangers of the use of marihuana. Of course, they do not distinguish between the dangers to the individual and the dangers to society, and I believe it is the latter to which we should be directing our attention. In this connection, I would point out the findings of the Health Subcommittee of the Special Presidential Task Force Relating to Narcotics, Marihuana, and Dangerous Drugs:

Marihuana contains a number of potent compounds called tetrahydrocannabinols—THC—which affect the mind and body in various ways.

While marihuana contains many ingredients, THC is believed to be the principal psychoactive ingredient.

Since marihuana products produce effects similar to other hallucinogens like LSD, and their reactions are often indistinguishable from those produced by other psychedelics, they are pharmacologically classified in that category.

THC in sufficiently high doses can induce psychotic reactions in almost any individual.

It has also been demonstrated—in connection with studies on the effects of marihuana—that THC, when administered in sufficiently high dosage, will cause a psychotic-like state, similar to that induced by LSD.

> There have also been reports of adverse psychological effects of marihuana both in this country and abroad. Recently a group of some 1500 psychiatrists, psychiatric residents, internists, general practitioners and psychologists in the Los Angeles area reported that they had seen almost 1900 "adverse reactions" to marihuana. It is difficult to interpret this finding since "adverse reaction" was poorly defined, and there has been no follow-up to define just what the reactions to the drug were. However, there have been reports of an increased number of hospitalizations following the usage of marihuana.

I suggest that while the dangers to the individual users of marihuana may be of minimal consequence, although the reported findings would tend toward a contrary view, the dangers posed by the widespread use of marihuana, in the context of the general public, reach significantly greater proportions whose consequences, adverse to the general welfare, are potentially disastrous.

Another bit of information came across my desk within the past few days. In a recent issue of the Journal of the American Medical Association, two doctors report mental disturbances among American servicemen in Vietnam after using marihuana which were made potentially more dangerous because of the combat zone environment. I feel that an environment of belligerency, not unlike that in the combat zone, exists on college campuses and in the streets across the Nation whose impact on the minds of the marihuana users may pose an indeterminable threat to the public safety. We can only surmise how many of those involved in these now common violent outbursts are under the influence of marihuana or some other mind-altering drug. However, the large number of arrests for narcotics use in connection with these disturbances should disturb even the most liberal and permissive minds among us, not because the arrests were made in the first instance, but because of the violence with which drug abuse has clearly come to be related.

What does all of this suggest? In my estimation, Mr. Speaker, the misplaced emphasis on making the penalties for the use and possession of marihuana less severe tends not only to give tacit license to an admitted evil, but to suggest that some useful social purpose will be served behind the mask of justice. I fail to see what justice there is in permissiveness, justified on the basis of an alarming increase in drug abuse among young persons. If, as is claimed, justice would be served by making the penalties fit the proven dangers to individuals who use marihuana, the argument disappears with the admission that such proof cannot be found in the scant records of research. The dangers, not as to individuals, but as to the general public, are to be inferred from what is known of the drug, and I contend the evidence is sufficient to establish that the dangers to the public safety and general welfare are real.

NEW LIGHT ON WHY THE UNITED STATES IS IN VIETNAM

HON. ALBERT W. JOHNSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. JOHNSON of Pennsylvania. Mr. Speaker, various weekly publications have published a poll which shows that 58 percent of the people in the United States think it was a mistake to have ever become engaged in a war in Vietnam. Various reasons have been advanced as to why we are fighting in Vietnam, and I am submitting the following explanation which appeared in U.S. News & World Report, on January 31, 1966:

NEW LIGHT ON WHY UNITED STATES IS IN VIETNAM

A fresh version of how—and why—the U.S. became so deeply involved in Vietnam has now come to view.

This footnote to history revolves around three world figures of 1961: President Kennedy, Secretary of Defense Robert McNamara, and Premier Nikita Khrushchev of Russia.

The story is told by James Reston, associate editor of "The New York Times" and a syndicated Washington columnist. On a television program, Mr. Reston was asked this about Vietnam:

Was there any point at which a President should have seen what was coming—and either have backed out before it was too late or have refused to take steps which escalated the war?

A TALK WITH J. F. K.

Mr. Reston, in answer, told of a talk he had had with President Kennedy a few minutes after the Kennedy-Khrushchev meetings in Vienna in the spring of 1961.

"At that time we really had a hard time with Khrushchev," Mr. Reston recalled. "Khrushchev tried to bully him through the four meetings, and Kennedy said to me at that time that he thought he understood why Khrushchev had taken this position.

"He said—looking back at the Bay of Pigs fiasco—that Khrushchev had decided that anybody who was stupid enough to get involved in that situation was immature, and anybody who didn't see it all the way through was timid and therefore could be bullied.

"And Kennedy said to me then: We will never do anything with these people now, unless we make our power . . . credible. Otherwise, we'll get nowhere on anything."

Mr. Reston then listed steps President Kennedy took: "He increased the military budget by 6 billion dollars. He sent the Rainbow Division to Germany. And, most important, he escalated in Vietnam—not because the situation on the ground demanded it in Vietnam, but he wanted the 12,000 men in Vietnam at that time because he wanted to prove a diplomatic point, not a military point.

"And that, I think, is where we began to get off the track in my view."

M'NAMARA'S ROLE

Did Mr. Kennedy's advisers agree?

"No," said Mr. Reston. "There was a big battle about that [and] one of his advisers said: Don't go down that track, because once you get 12,000 men committed, you'll get into a situation in which you will keep on developing it.

"And one of his other advisers said: If you go that way, it may take 300,000 men.

"And at that time Bob McNamara took the position: Whatever is necessary, I think we ought to put in there.

"Then there was a real battle, because the State Department—or at least part of the State Department—said: You must never ask the President of the United States to go all the way through in circumstances he can't foresee, because you don't know what's going to happen in the world. Therefore, don't commit yourself that much.

"And this was, in my view, one of the critical historic debates that went on. And from that I think we made one step after another until now we have almost 200,000 men."

Mr. Reston's remarks were made on a broadcast January 17 by National Educational Television.

BIG OIL: THE TAXLESS BILLIONAIRES

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. MADDEN. Mr. Speaker, the following editorial from the October 9 edition of the Hammond, Ind., Times reveals only a minute picture of the tax exemptions credits and depletions the Congress continues to give "big oil":

BOTH WAYS FOR OIL

It's an interesting rationale of Sen. Russell B. Long's that a senator or congressman has no conflict of interest problem when his financial interests "completely parallel" those of his state.

The senator's reasoning developed in response to disclosures that he had received nearly $330,000 since 1964 in tax-free oil royalties from holdings in his home ground of Louisiana, which he claims produces more oil and gas per acre than any other state.

"If I didn't represent the oil and gas industry, I wouldn't represent the state of Louisiana," he argues.

But as chairman of the Senate Finance Committee, Long wields considerable influence on tax reform legislation pending in Congress. And nearly every citizen is dunned for taxes. A major reform of the tax bill is a reduction in the oil industry's coveted 27½ per cent depletion allowance, the "loophole" that gave the senator his nearly $330,000 tax-free.

The industry opposes lowering the allowance to the proposed 20 per cent. Naturally Senator Long more than agrees. And at least one must respect his frankness; he is protecting his own pocketbook.

The industry, however, is being more subtle. It is directing a nationwide scare campaign at the gasoline consumer who is being warned that unless the allowance remains intact, fuel prices will rise. And with prices rising all around him, that kind of talk makes a fellow think.

The industry says absolutely nothing about the effect of oil import quotas on fuel prices. These controls stem the tide of cheap, foreign oil that could drive prices down, could make them competitive.

A fresh Interior Department analysis discovers that retention of the controls could cost the driving public anywhere from $2.2 billion to more than $8 billion a year by 1980. Not only does the industry enjoy tax favoritism, it has price favoritism too.

ROTH STUDY DRAWS PRAISE

HON. JOHN P. HAMMERSCHMIDT

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. HAMMERSCHMIDT. Mr. Speaker, our colleague from Delaware, BILL ROTH, continues to receive highly favorable and much deserved acknowledgment in the national press for his independent inquiry into the size and complexity of the Federal Government.

A year ago he announced the results of a study which he personally directed from his own congressional office. It revealed that the Federal Government administered more than a thousand grant-in-aid programs. He continued that inquiry and recently announced that hundreds of additional assistance programs have been identified and should be added to the 1968 figures.

Among the many newspaper accounts of BILL ROTH's disclosures are articles by Jerome Cahill of the Philadelphia Inquirer Washington Bureau, and syndicated Columnists Roscoe and Geoffrey Drummond. I commend to the attention of all Members the reports which follow in the RECORD:

[From the Philadelphia Inquirer, Sept. 18, 1969]

U.S. GRANTS-IN-AID HARD TO DECIPHER

(By Jerome S. Cahill)

WASHINGTON, September 17.—Representative William V. Roth, Delaware's congressman-at-large, had some unsettling news this week for American taxpayers who are perplexed at the growth and complexity of the federal bureaucracy. He has found that big government is even bigger than he first reported 15 months ago.

The 48-year-old lawyer from Wilmington, who is in his second term in the House, gained nationwide attention in June, 1968, when he disclosed the results of an in-depth study by his office of Federal grant-in-aid programs. The study found Uncle Sam was operating 1090 grant-in-aid programs.

Now Roth has surfaced from another plunge into Washington's sea of red tape with word that there are 225 more Federal assistance programs that should be added to his 1968 list. And, he told the Senate Subcommittee on Intergovernmental Relations Wednesday, "there is evidence that an additional 100 to 200 programs may still be unreported."

So labyrinthian are the ways of the Federal establishment, apparently, that some high-level department officials even have difficulty in keeping tabs on grant programs in their own departments. When Roth's office recently asked an assistant secretary at the Department of Transportation for a listing of DOT programs, for example, the number totaled 16.

But a check of individual operating agencies within the department boosted the total to 41.

Maintaining a maze of assistance programs with widely varying eligibility standards in a state of semi-secrecy is advantageous to the bureaucrat, of course, because it enhances his influence over the channels grant monies take in leaving Washington. On the other side of the coin, it does little to smooth the way of local instrumentalities not adept at the game of Federal grantsmanship.

Roth sought to eliminate some of the mystery by publishing as House Document No. 399 the fruits of his 1968 research—the 1090 program titles, together with 541 program descriptions.

Now the congressman is ready with his updated 1969 handbook, and is pushing a bill that would require the President to publish an annual catalogue of Federal aid programs and to update the catalogue each month. His appearance before the Senate panel was to promote that legislation.

According to his study education is the most widely splintered of the Federal aid programs. Roth found in existence today 165 programs of educational aid in 14 different Federal agencies. Close behind were 163 health and safety programs in six agencies, and 112 housing programs in five agencies.

A businessman shopping around for Federal help, according to Roth, would have to do a lot of agency-hopping. The congressman found 14 different agencies active in the business and economic development field. Those 14 agencies administer 51 separate programs.

The latest Roth listing includes 45 titles from the Department of Defense, but the congressman suspects there are a lot more that the Pentagon isn't talking about for security reasons. He hasn't made an issue of such security classifications, but the congressman is a bit impatient when secrecy extends to programs not involved in national security.

"No one in the Federal Government at any level," he said Wednesday, "has full knowledge available today as to what Federal assistance programs do in fact exist. Furthermore, employees in various agencies have advised me that they, in turn, are unable to direct applicants to the best source of assistance because they have too little or no knowledge about other programs."

[From the St. Louis Globe Democrat, Sept. 26, 1969]

BIG GOVERNMENT FALTER

(By Roscoe and Geoffrey Drummond)

WASHINGTON.—Daniel P. Moynihan, the liberal Democrat who is serving President Nixon so ably as urban affairs aide, long tried to persuade his fellow Democrats that the federal bureaucracy is so big, so lethargic, so inefficient, because of the thicket of overlapping programs that it simply can't do its job.

He put his view arrestingly in these words: "The federal government has proved itself good at collecting money and bad at dispensing public services."

So far very little has changed. Moynihan's view was rejected by the Democrats and never effectively taken up by the Republicans. The President is making a beginning in his welfare proposals, in his advocacy of revenue-sharing and in his plan to finance the job-training program at the state level.

But even this beginning is only in the talk stage. These steps face a rough road when they come before Congress next year. If these moves—and others equally needed—to decentralize Big Government somewhat are to be approved, an alert and aroused public opinion will be necessary.

Do the facts justify an aroused public opinion? Do they justify Moynihan's harsh verdict? We'll lay out the facts—you decide.

The source of these facts is the best-informed, perhaps the only fully informed and objective authority on federal assistance programs in Washington. He is a second-term Republican member of Congress, Rep. William V. Roth Jr. of Delaware. For two years he has been conducting a one-man canvass of the maze of far-flung federal assistance programs, much to the annoyance of the agencies themselves and often encountering their resistance.

He also encountered widespread ignorance. Some agencies really didn't know what programs they were administering.

His study is not complete. It may never be, because this year he found 225 more programs than he was able to discover last year. He expects there are 100 to 200 programs still unreported.

As of today, there's what Congressman Roth has found:

1. There are at least 1,315 federal assistance programs for all of which Congress appropriated more than $25 billion last year.

2. These overlapping programs constitute such a maze that those who are intended to benefit often don't know they exist, where to apply, whether they qualify or how much money is available.

3. There is no centralized planning or management of federal assistance programs in the government's executive branch.

4. Here is how the federal assistance programs overlap and duplicate themselves. There are 51 business and economic development programs in 14 agencies; 23 civil defense and disaster-relief programs in four agencies; 19 civil rights programs in six agencies; 165 education programs in 14 agencies; 62 environmental and natural resource programs in nine agencies; 46 rehabilitation programs for the handicapped in 11 agencies; 163 health and safety programs in six agencies; 112 housing programs in five agencies; 27 law-enforcement and police-assistance programs in four agencies; 41 maritime, fishing and waterways programs in eight agencies; 32 programs for state, local government facilities and public works assistance in nine agencies; 28 transportation (excluding sea) programs in five agencies, and 33 water resources and conservation programs in eight agencies.

Congressman Roth proposes a useful first step. He has 184 cosponsors in the House and 11 cosponsors in the Senate for his Program Information Act which would require the President to publish an annual catalog of all federal aid programs and update it monthly.

But Rep. Roth and others know this is just a start, that much more needs to be done.

This brings us back to Moynihan's provocative verdict that the federal government ought to make more tax money available to state and local governments to administer aid programs nearer to their beneficiaries.

Some argue that state and local governments aren't good enough to do it. But who knows until we try? Certainly the federal government hasn't been so good at it.

CORPORATE FARMING: A STEP TOWARD SOCIALISM

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. ZWACH. Mr. Speaker, the economic future of the family farm is a matter of continuing discussion in our Minnesota Sixth Congressional District, where, probably, there are more of these units than can be found in any other congressional district in America.

One of the most authoritative voices in behalf of the family farm is that of editor Don Olson of the Marshall, Minn., Messenger.

With your permission, I would like to insert in the CONGRESSIONAL RECORD at this time, Editor Olson's latest editorial of this matter.

Soon Congress will be called upon to consider a new farm bill. I urge my colleagues to keep Mr. Olson's editorial in mind when the time arrives for that vote. The editorial follows:

CORPORATE FARMING: A STEP TOWARD SOCIALISM

(By Don Olson)

Farm programs, as we've known them for the past generation, probably will die with this or the next session of Congress. Opposition to farm subsidies, the desire for lower food prices and the belief that farm programs cause high prices are the prevailing sentiments in Washington today.

Agriculture always has been the most fragmented of American industries. It never has developed a voice, so it hasn't been able to express its point of view.

After 1952, when farm prices started down a long, general slope to disaster, most Americans still looked at the farmer as an extremely wealthy, selfish dolt. As things got worse, no amount of fact could persuade the average American that the profit had been taken out of agriculture.

Those who cared at all echoed the CED's recommendation: "Let the inefficient farmers get out of agriculture." Most of the rest said simply that they were interested only in lower food prices . . . . which already were the lowest in the world.

Last week the Nixon administration sent to Congress recommendations for a new look at agriculture. The recommendations encompass virtuous-appearing goals such as increased income for farmers, fewer government controls over farmers and more exports of food products.

The increased income supposedly will come from the fewer controls and larger exports. The American consumer presumably will buy food cheaper because only the most efficient farmers will remain in agriculture.

It is an altogether appealing package . . . at least on the surface.

But it overlooks the fact that family farming has been, by all odds, the most efficient form of food production the world ever has seen. Within the past few months a Midwestern extension economist said that the most recent studies prove conclusively that the family farm still can produce more economically than the large, corporate farm.

Corporate agriculture has it over the family farm in only a few areas, such as the ability to get more credit, the ability to ride out tough times and, in some cases, the ability to purchase more economically.

Corporate agriculture is at a disadvantage when it comes to farm labor. While the farm family donates much of its labor to the family enterprise, corporate farms have no such pool of loyal, diligent and generally-efficient labor.

A few years ago farm labor came under the minimum wage law, and in a few years farm workers will be organized in labor unions. Farm labor costs will skyrocket.

They will try to offset higher labor costs by mechanization, but buying more machines isn't a cure-all. Machinery purchases will require a larger input of capital and money these days is expensive. It also takes high quality labor to operate sophisticated machines, so the labor-saving machines may not save much in payroll.

But the most telling argument against corporate agriculture is the one that will cause the consumer the most grief. Corporations, over the short haul, may be willing to lose money on their farm operations. They may have profits from other enterprises against which they can charge the losses from farming.

But sooner or later the farm corporations will have to make money. If they are operating as economically as they believe possible, they will raise their prices to make the desired profits.

No amount of threatening by the government and no buyers' strikes will deter them from their goal. They will sell wheat and milk the same way that steel companies sell steel and automobile companies sell cars . . . at a profit.

This is bound to mean higher food prices for the consumer, and a dwindling . . . not expanding . . . export market.

All of this very likely will result in a socialized form of agriculture. The step in ownership from big corporation to federal government is, after all, a small one.

THE ELECTORAL REFORM BILL

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. UTT. Mr. Speaker, due to illness in the family, I was forced to miss the final vote on the electoral reform bill, which passed the House by an overwhelming majority of 339 to 70. Had I been present, I would have voted against it. It was another one of those bills where emotion carries more weight than judgment.

There has been much "hoopla" about the dangers of the existing electoral college system, and what dire results would happen if it were not reformed. Bear in mind that this Republic had been operating under this system for some 180 years, since 1789, when such a system was provided for in the Constitution.

My position, I am certain, is contrary to the wishes of 70 or 80 percent of the people in my district, according to the polls, but the polls can be very misleading. A simple question "Should there be electoral reform?" would generally be answered in the affirmative. The public feels that something is askew and that reform will, ipso facto, remedy it. Few people who were questioned had time to consider the historic and constitutional background of this system. The electoral college was a part of the checks and balances provided for in order to form the Union. At that time there were 13 States, ranging in size from Delaware to the Commonwealth of Virginia. Where was the power to reside?

The little States were afraid to surrender their sovereignty for fear of domination by the larger States. By compromise and agreement, each State, regardless of size, was to have two Senators and a proportionate number of Members in the House of Representatives, based on population. There was to be a head of State called the President of the 13 States. Again, to protect the rights of the smaller States, this President was to be selected by the States, with each State voting its prescribed number of electors as a unit. We now have 50 States and the President, though he may be President of all of the people, is technically the President of the 50 States. Election of the President by popular vote will deprive the smaller States of any voice in selecting the President and the campaign will be conducted in a dozen of the most populous States, and small attention will be paid to the little States.

If this constitutional amendment should be adopted by three-fourths of the States and become law, the next thing will be to dissolve the States themselves, for there will be little reason for the existence of the States. They will become provinces controlled by bureaucrats in Washington, D.C., eliminating local control. We would cease to be a republic as conceived by the Founding Fathers, and would become a democracy as in France. Who would want that?

The strength of this Republic is in the fact that there are 50 sovereign States, each with its own constitution, its own Governor, its own legislature, and its own constabulary. Under our present system, if the District of Columbia were captured by a foreign nation, it would not be capturing the United States, as there are still 50 separate States that would have to be conquered, and this is a great source of military strength.

During debate, it was proposed that the President be selected by congressional districts, with two bonus votes for each State, representing the Senators. That is, California, with 38 congressional districts, would cast the number of votes for President according to the number of congressional districts carried by each candidate. If there were 19 congressional districts for one candidate and 19 carried by another candidate, there would be 19 votes cast in the electoral college for each, and two additional votes, for the Senators, would be cast according to the way that the total State went. That proposal lost on a rollcall vote by 245 to 162. I do not feel that this district plan would be any more representative than the system we now have.

To argue that the States should divide their vote according to congressional districts for the electoral college, is not more feasible than to elect the Governor of the State in accordance with the number of congressional districts that he carried. It was argued that it was wrong for the winner to take all, that is, if a candidate carried the State of California by 1,000 votes, it was wrong that he should control the entire electoral vote of California. You might as well argue that, if Governor Reagan were elected by 1,000 votes that he should not become the Governor for the 4-year term, but that the other candidate should be Governor for half the time. Nobody is silly enough to argue this. No one has suggested that because I carry only 65 or 70 percent of the vote in my district that my opponent should be Congressman for 30 or 35 percent of a 2-year term.

A system that has not failed us in 180 years should not be discounted just because somebody wants to play tiddlywinks—a nice pastime, but not productive.

BIG TRUCK BILL

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. SCHWENGEL. Mr. Speaker, my editorials for today are from the Davenport Times-Democrat and the Oelwein Daily Register, in the State of Iowa. The editorials follow:

[From the Davenport (Iowa) Times-Democrat, Aug. 3, 1969]

Bigger Trucks, More Die?

Rep. Fred Schwengel of Davenport is stepping up the force of a battle which deserves the support of this eastern Iowa and western Illinois area—and every other across the country.

In his battle against a bill which would permit bigger trucks on the federal interstate highway system, he said this last week: "I'll take it to the people of the United States (if he cannot stop it in the House Public Works Committee). I'll make a speech on the floor of the House every day. They won't get it through a roll call vote."

That's fighting language. It springs from his deep-felt conviction that safety of the traveler on the highway is more important than the profits of the truckers and those who use their services.

Efforts to legalize wider, heavier and in some cases longer trucks and busses on interstate highways represent a skillfully organized campaign of the American Trucking Association and its associated groups. If success crowns the campaign in Congress, it will become increasingly difficult for individual states to resist similar authorizations.

As Representative Schwengel points out, the United States has the best truck transportation system in the world. He cites figures to show that in 1968 it traveled more ton miles in the continental U.S. than that totaled by operations in all of the rest of the world combined.

This is due, of course, in large part to the fact that this country has more than $70 billion committed to the construction of a 42,000-mile interstate system which now is two-thirds finished.

Opponents of the drive to authorize larger trucks and busses argue that the trucking industry is attempting to take undue advantage of the benefits conferred by this system which has cost the American taxpayer so many billions.

Already they enjoy tremendous reductions in maintenance and operations costs because of access to superhighways cleared of intersections and stop-and-go situations. With the need to leave the interstate routes only for gasoline, food and rest, they increase the mileage which can be covered by a driver during his work period, and they cut down on costs for gas and brake service. They undoubtedly have effected savings also because of a system which reduces accidents.

If the bigger trucks would have improved braking systems, as proponents contend, that would be only a step toward overcoming a lack of control which has worried safety authorities. Evidence has been introduced to back arguments that the huge trucks, weighing up to 35 tons, do not have the braking efficiency of the average passenger car.

Contentions that the wider, heavier and in some cases longer trucks would effect economies in shipping are not impressive. While this very well could be true, it is open to challenge whether in the long run the savings might not be overmatched by the added cost of highway and bridge maintenance.

In any event, that is not the main point. What worries the Representative Schwengels, the American Automobile Association, the American Association of State Highway Officials, the county engineers' groups and the Federation of Women's Clubs is the records show that in truck-car collisions, there are 38 deaths in the private vehicles for every trucker killed.

There is no sense in lengthening the odds. Residents along the interstate routes, like those in the Quad-City area and every other where life is held important, should be in this fight.

[From the Oelwein (Iowa) Daily Register, July 10, 1969]

Davenport's Schwengel's Resistance

As we recall, Rep. Fred Schwengel of Iowa was assailed from the floor of the House by a fiery little legislator from Michigan several months ago because Schwengel exposed some nasty and true information about the truck lobby's stranglehold on national legislators. You've read in these columns about how its ruthless power was felt in the state General Assembly.

Congressman Schwengel is leaving nothing undone to defeat efforts by the truck and bus lobby to endanger our highways and secure new legislation opening the door for bigger and bigger buses and trucks.

As has been reported in the newspapers, Rep. Schwengel made his position quite convincing when he stepped outside the capital and interviewed bus drivers. He then took some seat and rear vision mirror measurements proving statements made by the lobby weren't true.

We only wish more congressmen had Schwengel's courage.

Most significant in the testimony were the statements by drivers who happened to be in buses parked outside declaring even the present lengths are hazardous to safety and difficult to drive in towns and cities. "Don't vote in favor of making them bigger," they appealed to Schwengel.

The discussion involved legislation which would authorize states to increase width, weight and length of buses on the interstate highway system. If Iowa's was a tollway, it might not be such a bitter pill to swallow. Perhaps Rep. Schwengel can get the job done. We hope so.

Mr. Speaker, it should be stated that at no time have I implied directly or indirectly the motives of any Member of the House in connection with this controversy.

VIOLENT CRIMES DROP IN TOLEDO AFTER IT GETS LAW CONTROLLING GUNS

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. TIERNAN. Mr. Speaker, in August of 1968, the city of Toledo, Ohio, enacted an ordinance which prohibits anybody in the city from keeping or obtaining a pistol, revolver, or other handgun without a license from the police. Since that time, the violent crimes of rape, murder, robbery, and aggravated assault have dropped 31.5 percent in Toledo. While it might be inaccurate to credit only the gun ordinance for such a drastic drop, the mayor of that city strongly believes that the unavailability of guns is a big factor.

Mr. Speaker, I concur with this judgment and I hope that all of my colleagues will take a moment to read this article from the October 7 Wall Street Journal. I believe it upholds my support of the Gun Control Act of 1968. The article follows:

Curbing Firearms: Violent Crimes Drop in Toledo After It Gets Law Controlling Guns

(By Jerry Landauer)

Toledo.—This city of 400,000 on the western tip of Lake Erie was once known as the gun capital of the Midwest. Firearms of all kinds could be bought at jewelry stores, gasoline stations and pawn shops. Gun dealers hawking pistols for as little as $4.95 vied for choice locations along roads leading in from Detroit, where controls were stricter. The crime rate soared.

The state legislature declined to restrict the trafficking in lethal weapons despite repeated appeals from Toledo officials. So in August 1968, the city council enacted an ordinance aimed especially at the sale of "Saturday-night specials"—cheap guns toted by holdup men to terrorize merchants on busy weekends. The ordinance prohibits anybody in the city from keeping or obtaining a pistol, revolver or other handgun without a license from the police.

At the time, few law officers believed the ordinance would reverse the city's mounting crime rate; unlicensed residents can still buy guns outside the city limits. But whether because of the gun-control law or because of other anticrime measures or even mere chance, crime is abating here while still surging higher in most cities.

DRAMATIC STATISTICS

This development shows up most dramatically in statistics released late last month by the FBI. For the nation, the violent crimes of rape, murder, robbery and aggravated assault—armed or otherwise—rose 9% in the first six months of 1969 from the like period last year. But in Toledo these violent crimes dropped 31.5% from the first half of 1968. "We're the only major city which shows such a dramatic decrease," exults John J. Burkhart, the city's chief counsel.

Indeed, crime in most other cities that have adopted gun controls, such as Washington, D.C., continues to move up pretty much in step with the national pattern. "Even if firearms were totally eliminated," contends a gun-control foe, "other weapons would be substituted."

However, crimes committed with a gun in Philadelphia have dropped since that city adopted a licensing law in 1965, even though the law exempts firearms owned at the time. In New York, Mayor John Lindsay credits gun laws with keeping murder rates low; despite its rising crime, New York often ranks lowest among the 10 largest U.S. cities in number of homicides per 100,000 population.

But Toledo's experience is unique. It may be traceable in part to special restrictions on gun dealers as well as owners, to a tough, well publicized court crackdown on violators of the control law and to other city efforts against crime.

CRIME CATEGORIES ANALYZED

Whatever other factors may enter in, gun-control advocates insist that a close look at developments in major crime categories here supports their case:

In the year before the ordinance was adopted, Toledo's police counted 422 aggravated assaults, with guns and without; these include shootings, stabbings and other attacks intended to maim or kill. In the year after enactment, the number of such attacks dipped 9% to 385. But the assaults with guns dropped much more steeply—from 152 to 83, or 45%.

In the year before the ordinance, 36 people were murdered, 22 by handguns; in the following year, murders totaled 14, of which eight were by gun. (Because murders with other weapons dropped at roughly the same rate as murders with guns, it's possible that some factor other than the control law may be at work.)

Robberies both armed and unarmed dropped from 1,188 in the year before gun control to 798 in the next year, a decline of 33%. But gun robberies dropped even more sharply—from 350 to 160, or 54%.

RIFLE GROUP'S VIEW

Statistics can be tricky, of course. Woodson D. Scott, a New York attorney who is president of the National Rifle Association, an opponent of most gun control, says: "The statistics only prove that the statistics are down. In terms of cause and effect, it doesn't prove a thing."

The unexpected crime statistics have sent city counsel Burkhart scrambling to recheck them. "I've gone over every possible angle to see whether there might have been a mistake. I can't find any," he reports.

"I'm as much puzzled as anybody," Mr. Burkhart adds, noting that Toledo enacted its ordinance primarily to persuade the legislature tha gun controls can be imposed with little inconvenience and minimum intrusion on citizens' rights. "It was really an effort to sell the General Assembly," says the city counsel. "I didn't think we'd be able to make an impact on crime in less than three or four years."

His caution in checking and interpreting the statistics arises partly from the gun law's relatively lenient licensing standards. Unlike New York's Sullivan Law, the Toledo plan doesn't require residents to show good cause for possessing a gun. Instead, the police must issue a numbered "handgun owner's identification card" costing $3 and good for three years to all applicants except fugitives, minors under 21, certified mental cases, narcotics addicts, habitual drunks or people who have been convicted twice in the past year of crimes involving the use or threat of force.

So far the police have issued 16,000 ID cards; roughly 100 applicants have been rejected. It also seems likely that some people have been deterred from buying guns because, for various reasons, they did not want to apply to the police for a license.

Police Chief Anthony Bosch reports the law has had a harsh effect on gun dealers who formerly sold to almost any cash customer. One such dealer ran Toledo's biggest gun store in a seedy neighborhood on Jackson Street just five minutes from Interstate Route 75 linking Toledo and Detroit. In one nine-month period, his register rang up sales of 16,000 guns, including 5,500 to residents of Michigan who couldn't legally buy at home without a police permit (the revolver used in the highly publicized 1966 synagog slaying of Detroit Rabbi Morris Adler came from Toledo). But now, along with perhaps half the other gun outlets in town, the big store stands abandoned.

Besides the Toledo gun law's licensing provision, it requires detailed monthly gun sales reports to the Toledo police. It also prohibits selling to out-of-towners who aren't armed with authorization from their local police chief or sheriff.

SEVERE SENTENCES

"The sale of cheap guns is down to nothing," Chief Bosch says. "The punk who walks down the street, buys a gun and knocks off a gas station—that's all been eliminated."

In municipal court, Judge George M. Glasser says severe sentencing of violators may be another reason for the gun law's apparent effectiveness. Already, court records show, city judges have packed 37 people off to jail (the average is 90 days), mainly for possessing a gun without a license. In addition, judges have imposed 27 fines ranging from $25 to $1,000.

"The word is out that you can't just carry a gun around here without doing days in the workhouse," says Chief Counsel Burkhart, praising newspapers, radio and television for publicizing the court crackdown.

(In contrast to Toledo, crime-ridden Washington can impose penalties no harsher than 10 days in jail or a $30 fine—the maximum allowed by Congress. So far there have been no prosecutions.)

In the mayor's office here, square-jawed ex-Marine William J. Ensign cites other measures that may have helped bring crime down. He points to improved street lighting; an expanded, improved police department; an active program to prevent juvenile crime; an ordinance making it a crime to harass or abuse school children or newsboys; more effective probation and parole procedures, and a 4,000-member citizens group that distributes cards pledging people to cooperate with the police whenever possible.

INQUIRIES FROM OTHER CITIES

Mayor Ensign also feels sure that the gun law helps a lot. "You just know that the unavailability of guns has got to be a big factor," he observes. Officials in other cities think so, too. The drop in crime here is drawing inquiries about the Toledo ordinance from Wichita, Los Angeles, Dayton, Cleveland, Baltimore and Cincinnati.

As these inquiries suggest, the gun-control controversy may be shifting to the cities, while antigun agitation in Washington and in state capitals is losing steam. Last year, of course, Congress banned mail-order sales of all firearms across state lines except to licensed dealers and prohibited dealers from selling handguns over the counter to out-of-state customers. One hope was to encourage state and local governments to enact stricter controls.

One Federal official who has urged local authorities to act is FBI Director J. Edgar Hoover. He has said: "I see no great problem to the individual in requiring all guns to be registered, if the owner has nothing to hide and if he is a law-abiding citizen."

But some local policemen oppose municipal gun controls. Deputy Chief Lloyd Forbus of the Columbus, Ohio, police force, for example, asserts that the possible crime-curbing effects of local gun-control laws don't justify violating a cardinal principle of the National Rifle Association—that restrictions should be aimed only at those who misuse firearms. Mr. Forbus is an NRA member and serves as a sale manager for a gun wholesaler in his spare time.

Many hunters, marksmen and gun collectors remain convinced that ordinances such as Toledo's will eventually disarm the law-abiding citizenry. Insists Walter W. Schumacher, speaking for the League of Ohio Sportsmen: "This is the first step toward total disarmament."

But for the foreseeable future the civilian population will surely remain heavily armed. According to the National Commission on the Causes and Prevention of Violence, headed by Milton Eisenhower, probably 30 million guns were added to the civilian stockpile during the last decade, bringing the total to 90 million—35 million rifles, 31 million shotguns and 24 million handguns.

HOW ABOUT TRAITORS' DAY?

HON. RICHARD L. ROUDEBUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. ROUDEBUSH. Mr. Speaker, Indiana's largest newspaper, the Indianapolis Star, has made some interesting editorial comments concerning events unfolding October 15.

The article follows:

HOW ABOUT TRAITORS' DAY?

It is odd that so many supposedly pure, irreproachable protests against the United States role in Vietnam happen to coincide with Communist demonstrations in the same cause.

It strikes Senator Paul Fannin (R-Ariz.) as odd, too. He says that an Oct. 15 college "moratorium" to protest continuation of the Vietnam War looks like a Communist anti-American gambit.

Fannin received a poster and publicity material mailed from Cuba boosting an Oct. 15-21 demonstration to be called "Days of Support for Vietnam."

He asked, "Is it a coincidence that an organization of Latin American students, mailing their literature from Communist-controlled Cuba, happened to pick Oct. 15, the same day that is being advocated as a day of protest in this country?"

Plans for observance of the "moratorium"

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are being made at colleges throughout the nation. Fannin noted preparations are under way for the Oct. 15 event at Indiana, Purdue and Indiana State universities, the University of Notre Dame, and at Earlham, Goshen, Hanover and Marion colleges in Indiana.

Fannin asked in the Senate: "Are those who are aiding these groups prepared to accept the anarchy and chaos which these people are proposing to unleash among us?

"Far more important, are those who deliberately undercut the President on these matters willing to accept and be responsible for the cost in lives of additional American servicemen who are killed by an enemy finding strength in the irresponsible dissent being voiced here?

"Are they aware that this strategy was formed during an East Berlin peace conference held on June 25?"

We wish to answer Senator Fannin's questions and make a proposal.

We think some of the supporters of the Oct. 15 protest are patriotic and sincere and are prompted by the purest motives. Others, we think, are muddle-headed and easily led dupes of the Communists and their front organizations.

Some, we are confident, are out and out traitors dedicated not only to working in every way they can for Communist victory in Vietnam but for Communist control of the entire planet and all of its inhabitants. Their true colors have emerged in their many phony "peace" demonstrations in which they have spit and trampled upon the American flag while flying the Viet Cong flag and in their gushy idolatry of Red heroes and bosses.

So we propose that Oct. 15, along with being the day of a "moratorium," also be set aside as Communist Dupes' Day, in behalf of the muddleheaded but unwitting followers of the Red line, and that, in addition, it be set aside as Traitors' Day for the Judases and turncoats whose thoughts and actions are plain old-fashioned treason.

RESULTS OF QUESTIONNAIRE

HON. RICHARDSON PREYER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. PREYER of North Carolina. Mr. Speaker, this summer I distributed a questionnaire to my constituents asking them a number of questions about current issues of national importance. I was very pleased to receive a return of almost 12 percent or more than 17,000 cards. Since most of these were signed by two people they would represent the opinion of about 30,000 residents of the Sixth Congressional District of North Carolina. It is obvious to me that many of our fellow Americans feel that there is a great distance between them and their Government and that they respond so well to this kind of an inquiry because it offers them an opportunity to make their voice heard in Washington. About a third of the returned cards had messages written on them and between 300 and 400 were accompanied by letters—some as long as six typed pages—in which the writers spoke with great conviction about their concern for their country's welfare, their loyalty to the United States and their determination that we must make it a better place to live.

I believe it appropriate to snare with my colleagues the results of this questionnaire, and for that purpose I am entering in the RECORD a summary of the answers to the questions included:

Question and answer

[In percent]

Vietnam:	
Favor withdrawal gradually	54
Favor immediate withdrawal	20
Favor escalation	14
Favor continued peace talks	5
Undecided, no answer	6
Draft:	
Favor volunteer army	35
Favor continuation present draft	32½
Favor lottery at 19	25½
Undecided or no answer	7
ABM System:	
Favor	50½
Oppose	25½
Undecided or no answer	24½
Election of President:	
Favor direct election	75
Favor present electoral college	14
Favor electoral college by district	7
Undecided or no answer	4
Controlling campus disorders:	
Deny funds to students involved	67
Leave to administrators, etc	20
Deny funds to colleges disrupted	8
Undecided or no answer	5
Lowering vote to 18 years:	
Opposed	52
Favor	44
Undecided or no answer	4
Farm program:	
Add limitations on single farm support	39
Do away with all farm support	22
Continue present program	18
Undecided or no answer	21
Cigarette advertising:	
Favor warnings but allow advertising	62
Favor warnings and forbid advertising	29
Undecided and no answer	9
Three top priorities after war:	
Crime control	66
Tax cut	59
Pollution control	53
Education	36
Low income housing	28
Defense	16
Urban transportation	8
Space exploration	8
Undecided or no answer	[1]

[1] Less than 1 percent.

MAINE'S TIME TO FIGHT FOR TRADE ZONE IS NOW

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. HATHAWAY. Mr. Speaker, 15 months ago the State of Maine made an application for a foreign trade zone. The approval of this zone would open up new industry for Maine. The oil refinery to be constructed after the zone has been established would provide substantially lower prices on heating fuel and gasoline for all of New England. The importance of the trade zone is reflected in the following article which appeared in the October 5 issue of the Maine Sunday Telegram. I call the article to the attention of my colleagues in the House.

MAINE'S TIME TO FIGHT FOR TRADE ZONE IS NOW

If Maine wants to get the Foreign Trade Zone, which Maine merits and long ago applied for, now is the critical time for Maine citizens to make their voices heard clear and loud in the White House and the Commerce Department.

Unless Maine's million citizens speak up now to insist upon getting what is rightfully theirs, Maine may get shafted while our back is turned; and we may wake up eight weeks hence to find, too late, that the Oil Lobby has killed Maine's claim to a Foreign Trade Zone and thereby has done lasting damage and injustice to Maine people.

It has been months since the words "Foreign Trade Zone" have been up in the headlines of Maine newspapers and radio and television news.

Remember how these words were a burning issue last year, when heated hearings on the subject were held in Washington and Portland? When a battle royal was raging between Big Oil and little Maine? When the hassle involved Lyndon Johnson's White House, Secretary of Interior Stuart Udall, and Secretary of Commerce C. R. Smith?

When Maine served a "writ of mandamus" upon Secretary Smith, requiring him to carry out the statutory duties of his cabinet office, and render a decision? Remember how the Big Oil lobby then, with it's influential friends in and out of Congress, got the vital question of a foreign trade zone for Maine postponed and postponeu until finally it was a hot potato handed over to the new Nixon Administration?

Since then, Maine has been lulled sweetly to sleep over this once-burning, still vital, issue.

But the Washington-based opponents to Maine's still-pending application for a deserved foreign trade zone have been busy at work backstage.

Those opponents to this ingredient in Maine's commercial health are today praying that Maine citizens will go on snoozing for a couple of months more. For if Maine rests quiescent, while they are actively lobbying around the White House and the Commerce Department, their chances of killing Maine's foreign trade zone application will get better, and Maine's chances of getting what is rightfully ours will get worse.

Hence the need now for Maine's citizens, and Maine state representatives and senators to speak up and voice their concern, through letters to the White House and the Commerce Department.

Reason for prompt action now is that during November President Nixon's cabinet-level report on the United States oil import policy will be issued. And Nixon's Secretary of Commerce, Maurice Stans, has said he will issue his decision upon Maine's application for a foreign trade zone only after that report is completed. In itself, this shows that the question of oil import quotas is wrongfully dictating a decision on Maine's application for a foreign Trade Zone.

Certainly, the background to Maine's application for a foreign trade zone in the Portland area and a sub zone in Machiasport, is related to the oil import and quota policy, but is not by any means umbilically tied to it.

Oil import policy decisions are lodged with the President. They are a matter for Executive decision.

But the law and the regulations governing foreign trade zones are a matter of statute, passed by the Congress.

The statute and it's surrounding regulations spell out precisely the conditions under which an application for a foreign trade zone shall be granted.

Maine's application, submitted 15 months ago, has met all the requirements. But it has not been granted.

Maine's application was studied harder and longer at more hearings than any previous application by any other state.

After months of hearings and testimony, the Foreign Trade Board of Alternates decided last November, almost one year ago, that Maine met all the statutory requirements. The way was clear, a favorable decision for Maine was imminent. But an oil slick got in the way.

In December, Secretary of Commerce C. R. Smith, a man with close links to the oil industry, chose to break with precedent. He announced he would not act upon the recommendations of the Board.

The State of Maine, in response, broke precedent. Maine slapped a writ of mandamus upon the Secretary of Commerce. This writ is a court order which can enforce a public officer to perform the public duties assigned to him by law. By law, Smith was charged with acting upon Foreign Trade Zone applications.

But Smith and the Johnson administration were out of office before the writ had to be answered. So they handed the hot potato to the incoming Nixon Administration. The decision now was up to the new Secretary of Commerce, Maurice Stans.

What then?

This past February, a month after taking office, Stans made it known that he would decide in a matter of days upon Maine's application. His announcement was hailed in Maine, because it implied that, in keeping with established procedure, the new Secretary would accept the favorable findings, already on record, made by the Board which had studied Maine's application. Maine, it seemed, was about to get its merited Foreign Trade Zone.

Then, suddenly, in an off the cuff interview with a foreign correspondent, Stans said he would not make his promised decision upon Maine's long standing, much studied application.

Instead, Stans revealed, he would wait until a newly appointed Cabinet-level group appointed by Nixon, had completed an overall review of American oil import and quota policies.

This is the review due for completion in November.

Certainly its conclusions will likely affect the prospects of Occidental Petroleum establishing a refinery at Machiasport. But Occidental could retailor it's plans, and, furthermore, other oil companies are standing in line for Machiasport.

But Machiasport is included in Maine's application only as a sub zone. The principal foreign trade zone is for the Portland area.

And, whatever decisions in regard to oil imports which the Executive branch makes, the fact remains that Maine's application for a foreign trade zone fulfills all the requirements set down in the statute passed by Congress. And therefore should be granted.

This application, so long kicked around in Washington due to opposition from Big Oil interests, should be granted on its own merits, according to existing law.

Maine people's economic future is at stake here. The commercial health of Maine is at stake here. Future jobs for Maine youngsters, which a foreign trade zone will generate, are at stake here. Maine has met the legal requirements for getting a foreign trade zone in the state. Under laws, we deserve to get it.

The rights and well being of Maine citizens, under the law of the land, must not be further negated nor made a catspaw to the political pressure exerted in Washington by a single industry.

Now therefore is the moment for Maine citizens to safeguard their rights, and their children's economic future, by writing to the White House and the Commerce Department and urging that Maine be promptly issued its merited license for establishing a foreign trade zone in Maine.

IS A RECESSION INEVITABLE?

HON. FLOYD V. HICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. HICKS. Mr. Speaker, the Department of Labor has announced that the unemployment rate for the month of September jumped to 4 percent, highest in over 2 years. Coming on the heels of August's increase to 3.6 percent, these seemingly small figures actually translate to more than a quarter of a million jobs gone in just 1 month and about 600,000 since the first of the year.

Reports are that the administration has welcomed the news as strong evidence that its anti-inflation campaign is "taking hold." The administration's happiness, based on the old rule of thumb that a rise in unemployment also means a decline in inflation, ignores one important fact—inflation is continuing to rise right along with unemployment.

There is an uneasy awareness among the American people, Mr. Speaker, that thus far attempts by President Nixon to "seed the eye of the inflationary hurricane," as some have put it, have proven unsuccessful. A Harris poll published last month showed that the man on the street voted 61 to 25 that the President has done a "bad job controlling inflation."

As we all know, the administration's strategy to bring us down safely from the summit of high prices consists primarily of tightening up the Nation's money belt. The "soft landing" envisioned by the President's economic advisers would squeeze only the "excesses" out of our overheated economy, or, as the administration has been quoted so often, "disinflate the economy without deflating it."

But for some reason the inflationary balloon continues to drift steadily upward. In fact, since President Nixon's inauguration the consumer price index has been rising at a rate of 7 percent, nearly twice the rate for last year.

In 10 months interest rates have skyrocketed a staggering 26 percent; the prime interest rate has been increased five times from 6 to 8½ percent, highest in more than 100 years. Medical costs, especially for our senior citizens, are up as much as 44 percent over a year ago.

History has taught us that rampant inflation such as that we are experiencing now leads to recession—the classic "boom-bust" cycle.

If this is allowed to continue, there will be an even greater loss of jobs. The noted economist Milton Friedman, a close Nixon adviser during the presidential campaign, told Senator PROXMIRE's Subcommittee on Economy in Government that he fears our Nation is facing "an unnecessarily severe recession next year," with unemployment ranging above 7 percent.

In my own State of Washington that specter is already nearing reality. You may have read that the Boeing Co., long the economic backbone of the Puget Sound region, has laid off some 11,000 workers so far this year and plans to cut back at least an additional 1,000 jobs per month well into 1970. And, as I commented before this body 2 weeks ago, several homebuilders in the congressional district which I represent already have been forced to lay off employees because of the shortage of mortgage money.

Although regional unemployment statistics for September are not yet available, August's figures showed unemployment in the Seattle metropolitan area among the highest in the Nation: at 4.5 percent, a full percentage point above the national average at that time.

Last December, national unemployment was down to 3.3 percent, lowest since 1953. During the 8 Kennedy-Johnson years literally millions of Americans worked their way out of poverty. They were willing to work and 8 years of unprecedented economic prosperity provided the jobs. Last year alone, some 2 million people were removed from the official Federal poverty rolls.

These are the people—the poor, the newly employed, the unskilled—who are first and hardest hit by a recession. They are the first to go out the door when an employer must cut down his work force.

To put them out of work again is not only to stop their contribution to the economy and society, it is to put them again in the role of "takers" who will have to be supported by the people who are employed.

To do so because an administration is either incapable of handling the problem or too stubborn to admit that it has failed and then go on to a real solution, is not only tragic; it could be dangerous.

With the summit of inflation already too high and the President willing to offer the working man as a sacrificial lamb to his faltering economic policy, an easy descent from inflation seems more and more uncertain and a major recession more and more likely.

There is still the time and the means, however, for the President to change his tactics and successfully fight inflation without destroying jobs in the process. Several Members of this House have urged the President to withdraw his opposition to pending legislation which would establish effective wage-price guideposts. In brief, these bills would give the President authority to announce acceptable wage-price increases following full consultation with management and labor. They also would allow him to focus the spotlight of public opinion on specific wage and price proposals which threaten national economic stability. In addition, the administration must now give serious consideration to wage and price controls. With inflation and unemployment both rising at rapid rates, wage and price controls may prove the only way to reflect the national interest in price stability.

Time is running out swiftly for the President in this war against a recession. More important, it is running out for thousands and perhaps millions of

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American workers who stand to lose their jobs if he persists in his failure to act.

NIXON SILENCE ON RHODESIA COSTLY

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. HAWKINS. Mr. Speaker, in the face of right wing pressure to recognize Rhodesia and to lift sanctions, I believe it is time to speak out against racism in our foreign policy. More exactly, I feel that we must seek to stem a reversal of American policy against racism in southern Africa. Americans of conscience, both black and white, urge that the U.S. Consulate in Rhodesia be withdrawn so that de facto recognition to a white, minority government is not extended by the United States. The attached article by Carl T. Rowan from the September 27, 1969, edition of the Evening Star thoroughly explains the current impasse. The article follows:

Nixon Silence on Rhodesia Costly

(By Carl T. Rowan)

President Nixon went to the United Nations with a forlorn plea to the 126 nations represented there to pressure Hanoi into peaceful settlement of the Vietnam war.

Nixon will get no help, no sympathy, no consolation from most of these 126 nations. The reason is that, in the eyes of much of the world, whatever moral justification we once had in Vietnam is rapidly disappearing.

If the President wonders why, all he need do is look at White House policy—or lack of policy—where the racist, outlaw regime in Rhodesia is concerned.

There has been a not-so-subtle shift of attitude in the White House from the Johnson administration to the Nixon administration, with the latter showing a lot more sympathy for the tiny white minority that has seized Rhodesia under conditions where, barring ultimate violent overthrow, that minority will forever rule and suppress the black majority.

For two months, the White House has sat on a State Department recommendation that the United States pull its consulate out of Rhodesia, but the White House has declined to do so. Thus, the U.S. consul general, Paul O'Neill, recently returned to Salisbury, an act that the ruling regime called the best possible boost to the morale of the white minority.

A U.S. that pursues this kind of policy cannot possibly have good relations with black Africa. So whatever little help the African countries might give in extricating the U.S. from a grievous dilemma in Asia is not going to be forthcoming.

A country that ignores basic principles of human worth and decency, that overlooks a brazen trampling of the rights of self-determination in Rhodesia, will never be convincing when it says it is in Vietnam only to guarantee to the South Vietnamese the right to decide their own destiny.

White Rhodesians are in the process of approving a new "constitution that will make that land an even more pernicious police state than it has been these last several years."

That constitution will make it impossible for Rhodesia's 4,800,000 Africans ever to wrest power legally from the 228,000 whites.

In theory, Africans might someday achieve "parity"—that is, an equal number of seats in parliament. But there is a neat little stipulation that this can occur only after Africans pay an equal share of income taxes.

The hooker here is that Africans now pay only about one percent of the taxes. One reason is that while the average wage for a European is about $4,000, it is only $400 for an African.

Not in a millenium will Africans reach the economic level where they can meet the tax qualification. Nevertheless, the Ian Smith regime has raised other qualifications for voters, an act designed to exclude thousands of blacks from elections.

Finally, the whites have put in another hooker providing that even after "parity," half the black seats in parliament would be named by the chiefs, who are mostly Uncle Tom servants of the whites, and thus under effective control of the minority regime.

Another outrage is the way the Smith regime has divided up the land. It has set aside 45 million acres for 4,800,000 Africans and 45 million acres for 228,000 whites.

The regime is now in the process of chasing Africans out of "islands" within the areas reserved for whites. The courts ruled that the Africans had the right to remain, but parliament got around this simply by passing a new law.

The new constitution extends to the government the right to censor the press and other publications, a right already exercised on radio and TV. Enshrined in the new constitution is the right of "preventive detention," without bail or speedy trial, of anyone arrested on charges of trying to overthrow the white dictatorship.

This is the kind of regime the White House can't make up its mind about—despite the existence of a United Nations resolution calling upon member states to withdraw their consulates.

The rationale coming out of the White House is that there are 1,100 Americans in Rhodesia, about 850 of whom are missionaries, and that we need a consulate to look after their interests.

We didn't even have a consulate in Southern Rhodesia until 1949 and the American missionaries there prior to that time managed to get along fairly well.

The other argument is that we need eyes and ears in Rhodesia to send back reports on what is going on in the southern end of Africa. We could post observers 10,000 miles away and the odor wafting out of Rhodesia would make it clear what is going on.

Someone in the White House apparently scoffs at the notion that morality—racial, social, or otherwise—ought to be a big ingredient in foreign policy. They assume that you go with power, and obviously the whites in Rhodesia have the power. They say you go with strength, and obviously the economic interests who want U.S. relations with Rhodesia to continue have more strength in Washington than do the weak, divided African countries that look with so much anger and disquiet on what is happening in the southern end of their continent.

But it was precisely this disdain for the moral elements in foreign policy, it was this notion that might ultimately makes right, that got the United States in the Vietnam dilemma that becomes a tighter, stronger web around Nixon every week.

ABDICATION OF RESPONSIBILITY

HON. GEORGE A. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. GOODLING. Mr. Speaker, various views have been expressed on the stands being taken by different Members of Congress with respect to the Vietnam moratorium scheduled for October 15. The Evening Sun—a prominent daily newspaper in Hanover, Pa., of my congressional district—carried an editorial on this subject in its issue of October 6. Because of the timely nature of this editorial, I insert it into the Congressional Record:

Abdication of Responsibility

The two dozen members of Congress who are planning to ally themselves with students who are to stage an Oct. 15 boycott of classes in protest of the Vietnam War are not exercising the kind of judgment expected from men of their office and influence.

First there is the question of the desirability of supporting the principle of boycotting.

Those Americans who are tired of paying taxes, taking a tip from the 12 senators and 12 representatives who obviously believe a boycott an effective and legal weapon, may decide to boycott the paying of taxes. Then how will the government function?

Just how far are the federal lawmakers willing to go in their support of boycotting?

The second consideration involved here is the stamp of approval by some members of Congress on an endeavor that may turn into a prolonged period of chaos in partnership with violence.

The fact that 24 duly elected members of the U.S. Congress are planning to lend support to the campaign is an encouragement for other action on the part of youthful organizers that may well shock the two dozen congressional dissenters.

We believe in the principle of dissent. We also believe it can be carried out by our government leaders in a responsible manner.

Just as firmly as we support the principles of free speech and dissent we support the functioning of a responsive government through normal Constitutional processes.

We will not endorse government action that is dictated from behind street barricades nor members of Congress who abdicate responsibility.

ANOTHER OUTRAGE BY THE HOODLUM LEFT

HON. JOHN C. KLUCZYNSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. KLUCZYNSKI. Mr. Speaker, every Member of this House is devoted to the preservation of individual liberty, but every Member is also well aware that absolute individual liberty results in anarchy. Events in the last few days in my own city of Chicago have proven once again that violent "dissent" is not genuine dissent at all, but a deliberate attempt, not to change, but to destroy. The feelings of a majority of the people of this country are expressed, I think, in the editorial which appeared in the Chicago Tribune on Monday, October 13, and I include it in the Record:

Another Outrage by the Hoodlum Left

Richard J. Elrod, assistant corporation counsel of the city of Chicago, lies in the hospital paralyzed from the neck down after being hit by a young revolutionary mobster during another outbreak of violence in the Loop Saturday. This is the latest outrage during a carnival of mindless terror organized by far-out elements of Students for a Democratic Society.

Arrested as Mr. Elrod's assailant is a 22-year-old student at Columbia university, which a year ago was converted into a pilot plant for revolutionary disruption. He was being held in $100,000 bail on a charge of attempted murder. The prisoner, Brian Flanagan, a superior student from a well-to-do Long Island family, has been alienated from his widowed mother since the start of the current school term.

His parent, Mrs. Elise Flanagan, told the Tribune she did not comprehend his conversion into a revolutionist and apostle of violent action. She said of her son and his mobster political associates: "I don't blame the Chicago police. They should knock the head off every one of them. I don't understand these kids at all. The world I knew is much different from the one they live in now. I just don't understand."

This mother's bafflement is shared by most Chicagoans who have seen or read of the senseless assaults on police and citizens and the vandalism which inflicted thousands of dollars in property damage on the city in organized forays during four days of last week. This criminal activity was supposed to be in support of eight revolutionary leaders on trial before Judge Julius J. Hoffman in federal District court on charges of crossing state lines to incite a riot in committing illegal acts toward that end.

The terror in the streets is hardly conducive to building sympathy for the defendants and the revolutionary movement. The hoodlum fringe took to the streets armed with chains, pipes, bludgeons, and other lethal weapons. Scores of police and civilians were injured in hand-to-hand combat; and Mr. Elrod, who had distinguished himself by his patience and restraint in trying to contain the violence, may be permanently incapacitated. Broken windows and damaged automobiles marked the course of these insane efforts to organize a putsch.

It seems to us that the time has arrived for the law-abiding community to invoke the laws of criminal syndicalism or whatever other legal protections the law affords against the New Barbarians. These people are attempting to mount an all-out attack on society, and their tactics are patently criminal. It sickens us to hear them described as "kids" who are merely expressing "dissent" and to hear bleeding hearts say they should be treated with all the respect given a pet snake.

Their behavior puts into perspective the disorders last year at the Democratic national convention, for which the eight defendants are on trial in federal court. The riots at that time provided a field day for persons eager to tear down the reputation of Chicago and its government and police. Anybody who still clings to the myth that these were expressions of legitimate protest deserves a session on the analyst's couch.

THE LATE HONORABLE JOSEPH Y. RESNICK

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 7, 1969

Mr. ROONEY of New York. Mr. Speaker, it was a profound shock to learn of the unexpected passing of the Honorable Joseph Y. Resnick who represented New York's 28th Congressional District in the 89th and 90th Congresses. It is always a shock when one loses a colleague, or former colleague, but much more so when he is truly in the prime of life. Such a man was Joe Resnick who, at 45, was a vital leader of the community whose drive and determination will be sorely missed. In the 4 years he served here Joe Resnick left his mark, as he did in the business world before coming here to the House of Representatives. He was a hard working and hard fighting man who knew no sacred cows; he never hesitated to espouse a cause he felt right, popular or unpopular. He was indeed a man of integrity and courage. His talents were well recognized here and his friends were many.

Mr. Speaker, I join my colleagues in saluting a gallant man and I extend to his wife Ruth, his children, his brothers and sisters my deepest sympathy in their great loss.

INDIANA LABOR LEADER VISITS BEHIND IRON CURTAIN

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. MADDEN. Mr. Speaker, Joe Jeneske of Hammond, Ind., and one of Indiana's leaders of organized labor, visited his parents' native Lithuania recently and in an interview with the Hammond, Ind., Times records some interesting comments and factual experiences which he had during his visit to Lithuania and the Soviet Union. The interview follows:

JENESKE: IRON CURTAIN PEOPLE LACK BASIC NEEDS

EAST CHICAGO.—Joe Jeneske's found a new way to lose weight.

Jeneske dropped 16 pounds in 15 days on a visit behind the Iron Curtain.

Jeneske's parents were born in Lithuania. His dad died when Joe was very young. The only father he ever knew was Adolph Wetkus, 75, of 3724 Deodar St.

When Jeneske and Wetkus landed in Vilnus, the capital of Lithuania, it was the first time the older man had stepped on his native soil in 55 years. For Jeneske, it was a first-ever visit.

It was a gruelling trip.

Jeneske has been a steelworker most of his life. Yet he shunned official labor contact during his visit which included Moscow and Riga, Latvia, in addition to Vilnus.

"I wanted to get as real a look at the country and people as I could," Jeneske says. "I wanted a true reflection."

Jeneske and his step-father took the guided tours in the Iron Curtain cities but they got closer to the truth through visits with about 50 relatives.

"I asked them how things were," Jeneske says, "and I got the same answer usually: 'They're better than they were.'"

In an attempt at self-analysis on the visit, Jeneske would cite two dominant feelings:

1. The Lithuanian, Latvian and Russian families are closer-knit than those in America; the people are healthier and less spoiled.
2. The people behind the Iron Curtain do not have the basic necessities which Americans take for granted; foodstuffs are bought daily because of no refrigeration; there is little clothing variety.

"I wouldn't want to live here under those conditions," Jeneske says. "And they have no freedom of expression. They all want to listen to the Voice of America.

"But they seem happy. Man is adaptable."

Jeneske made these other observations about the visit:

Tourists are restricted in their movements.

The language barrier in Russia is terrific; almost nobody speaks English.

Most Russian churches have been converted into museums; Roman Catholicism is practiced in Lithuania.

Goods in what Russian officials claim to be the world's largest department store—Gooms in Moscow—were depleted in a 2½-hour buyer's rush.

Most consumer items are more expensive than in the United States.

Cars are at a premium; new car buyers must wait often several years for delivery.

Traffic laws are more strict than in the U.S.; fines are ordered for dented fenders which go unrepaired, missing accessories such as hubcaps and for dirty vehicles.

Moscow's subway is modern, elaborate and efficient.

Most building construction is of prefabricated cement; there is little steel usage in buildings.

Sanitary conditions are relatively good.

Drinking water is excellent.

The diet includes vegetables, soups, fish and bread; meats do not compare with those to which Americans are accustomed.

It's not uncommon to have warm beer with breakfast.

Mineral water, sold in vending machines which utilize a "common" drinking cup, is the equivalent of American soft drinks.

Coffee is most bad; milk is available if one seeks it.

Russian shoes, with the exception of military footwear, are among the world's worst; nylon and rayon is heavily used in clothing materials; cotton is seldom used.

Television sets are common; there is no air conditioning.

Contemporary Western clothing (mini skirts, etc.) is common in Lithuania.

Russians are generally better versed in matters such as space shots.

Tavern patrons often stand in line waiting for a seat.

Tourist hotels are adequate.

No tipping is allowed; Kennedy half-dollars are highly treasured.

One of the mementos Jeneske has from the trip is a telegram sent from Moscow to the Calumet Region. It took 14 days to arrive.

Jeneske beat it home.

SUBCOMMITTEE PRAISED FOR MIRV REPORT

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. ANDERSON of Illinois. Mr. Speaker, last week a 10-page subcommittee report was issued which deserves the close attention of the Congress, the administration, and the American people. The report is entitled, "Diplomatic and Strategic Impact of Multiple Warhead Missiles," and was prepared by the House Foreign Affairs Subcommittee on National Security Policy and Scientific Development, chaired by the distinguished gentleman from Wisconsin (Mr. ZABLOCKI).

The report is the outgrowth of hearings held on various resolutions relating to a proposed mutual moratorium with the Soviet Union on the flight testing of multiple warhead missiles. The subcommittee heard 15 witnesses including representatives from the Congress, the administration, and the scientific and academic communities. These hearings are published in a 302-page volume entitled, "Diplomatic and Strategic Impact of Multiple Warhead Missiles."

Mr. Speaker, I want to commend the

subcommittee and its distinguished chairman on the outstanding service it has rendered by both holding these hearings and by presenting this Congress with such a well-balanced and penetrating report. I think the widespread congressional support for these resolutions—113 cosponsors—coupled with the work of this subcommittee, has helped to focus the attention of the administration and the public on the crucial issues posed by MIRV. Although the subcommittee has recommended against sending a resolution to the House floor, it has recognized the usefulness of this type of expression. In the words of the subcommittee report:

> We reaffirm the right and necessity of expressions from the legislative branch—House as well as Senate—on issues affecting America's security and strategic posture. Through the resolutions on a MIRV moratorium and the hearings which they occasioned, officials of the executive branch have been apprised of the thoughtful views and deep concerns about MIRV held by a substantial number of Members of Congress.

Mr. Speaker, the conclusions drawn by the subcommittee in its report substantiate the fears and concern expressed by those of us who offered the moratorium resolutions. The subcommittee states that MIRV may increase the temptation for a preemptive first strike and therefore poses a substantial threat to the present nuclear balance; that the deployment of MIRV by either the United States or Russia will jeopardize the chances for a meaningful arms control agreement and could touch off a costly escalation in the arms race; and that it is still possible to halt the deployment of MIRV by a mutual test moratorium.

The subcommittee has consequently urged the administration to give high priority to a MIRV freeze when the strategic arms talks begin. In the words of the subcommittee:

> Because both sides have a stake in maintaining the nuclear balance, it is natural that they should enter into negotiations to discuss the control of technological advances in weaponry which might threaten the stability of the balance. That is, at least in part, the rationale behind the SALT talks. Because MIRV'ing by either or both sides threatens the balance, therefore, it deserves early consideration within the bilateral discussions.

Mr. Speaker, I hope the Soviet Union is just as mindful of the dangers posed by MIRV and that it will soon announce its decision to accept President Nixon's proposal to begin arms talks. Time is of the essence on the MIRV issue since, but next summer, we may have passed the point of no return and thereby foreclosed the possibility of a meaningful agreement to halt the deployment of this dangerous new member of the nuclear arms family.

POLLUTION KILLING OUR FISH

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. WYMAN. Mr. Speaker, Associated Press reports indicate millions of fish are being needlessly killed in our national waters by the incessant march of pollutants. It is a tragic waste of natural resources to allow this continuing fish loss from elements being discharged into our waters that need not be.

Every reasonable effort must be made to check water pollution throughout the Nation. The Congress has recently tripled the budget requests for the Department of the Interior's Water Pollution Agency. Next year it is hoped we can do even better.

Let us resolve to bury our wastes or burn our wastes or convert them to fertilizer where possible but to stop discharging them into our rivers and lakes. It is a continuing obligation of the Federal Government to give financial aid to the clean waters program.

Associated Press item follows:

15 MILLION FISH HELD 1968 POLLUTION TOLL

More than 15 million fish were killed by water pollution last year, "a macabre reminder that our rivers, lakes and streams are being poisoned by many highly toxic and dangerous substances," the Interior Department said today.

The number of dead fish, set at 15,236,000 on the basis of reports from 42 states, is up 31 percent from 1967. It is the highest since 1964 when municipal sewage, industrial wastes and other pollutants killed 18,387,000 fish.

HONORS AND AWARDS CONFERRED ON GENERAL LEWIS B. HERSHEY

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. BRAY. Mr. Speaker, a newspaper that pompously boasts it carries "All the News That's Fit to Print" has rather strange ideas at times over what is and is not "fit." I refer today, in particular, to an article in the New York Times of Saturday, October 11, 1969, about General Hershey; the phrases in question are as follows:

> Along the way he has collected many medals, among them the Distinguished Service Medal, conferred on him by President Truman for administrative excellence during World War II and the Magnolia Cross of the State of Mississippi.
>
> In 1964, Governor George C. Wallace of Alabama added an Oak Leaf Cluster to the general's Distinguished Service Medal from that state.

This is all there is to say about General Hershey's admitted "many medals." This is all that is "fit to print?" The implications are pretty clear in this, but let us set the record straight. Following is a list of the General's decorations and awards that have come to him over the years:

Distinguished Service Medal, Army.

Distinguished Service Medal, Navy.

American Legion Distinguished Service Medal.

Distinguished Service Medal, National Guard Association, U.S.

Distinguished and Meritorious Service Certificate, Regular Veterans Association, U.S.

Citation for 1953 from HAM-PARNES, Post 151, Jewish War Veterans.

Distinguished Service Award, Military Chaplains Association, U.S.

Special Award, Freedoms Foundation.

Medal of Merit, North Dakota.

Medal and Citation, State of Louisiana.

Magnolia Cross, State of Mississippi.

Distinguished Service Medal and Oak Leaf, State of Alabama.

Minuteman of 1964, Reserve Officers Association.

Boy Scouts of America, Silver Beaver, Silver Antelope, Silver Buffalo.

Association of United States Army President's Gold Medal for Outstanding Service to the United States Army.

Distinguished Service Medal of Indiana.

Bernard Baruch Award, Veterans of Foreign Wars, the Distinguished Service Award, Military Order of World Wars.

Golden Good City Medal, Sons of American Revolution, Washington, D.C. Chapter.

Caleb Smith, Masonic Award, State of Indiana.

Award, National Rifle Association.

Golden Pin, Northeastern Lodge 210, Fremont, Indiana.

General Benedict Crowell Gold Medal, American Ordinance Association, Cleveland, Ohio.

Silver Helmet Defense Award, AMVETS, 1968 "Service to Mankind Award."

Sertoma Club of Washington, Loyalty Day Award, Washington, D.C., Department of Veterans of Foreign Wars.

CONGRESSMAN GILBERT OPPOSES CUT IN MODEL CITIES BUDGET

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. GILBERT. Mr. Speaker, as Representative of a district that counted heavily on a model cities project to get a new start, I protest vehemently the administration's decision to cut 42 percent from the budget of this hopeful program.

I am as determined to fight inflation as any Member of this body, Mr. Speaker, but I am appalled at the shortsightedness of a decision which reduces expenditures precisely where they are most desperately needed, in our decaying inner cities.

This decision stands in particular contrast to the President's announcement that he would subsidize research on the supersonic transport, a project of dubious social value which will run into the hundreds of millions of dollars.

The model cities program was one of the finest to emerge from the social thinking of recent years, and the dedication of recent administrations to making our cities livable again. To strangle it now represents a betrayal, in my view, of the promise extended to urban America.

My own district in the Bronx is the site of one of the first pilot model cities projects. We have not yet received the official figures on how much expenditures must be cut back. But when one realizes that the strength of model cities idea was to be its attention to the totality of the problems in a given urban area, then a 42 percent cutback can only mean disaster.

POINT REYES NATIONAL SEASHORE

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. COHELAN. Mr. Speaker, it is with pleasure that I call to the attention of my colleagues the following series of articles on Point Reyes National Seashore by Leo Rennert of the Sacramento Bee.

The articles are a precise and reliable accounting of the status of the Point Reyes project by an able and skilled journalist. Mr. Rennert is to be commended for his keen sense of integrity and for his strict adherence to the highest principles of journalism.

Conservationists throughout the country will agree that they are fortunate to have a man with his great insight and ability reporting not only on conservation matters but also on the entire Washington scene. The articles follow:

POINT REYES SUPPORTERS PLACE FATE ON SHOULDERS OF PRESIDENT, MURPHY

(By Leo Rennert)

WASHINGTON.—Congressional and conservationist supporters of the Point Reyes National Seashore, which faces imminent death without further infusion of federal funds, have concluded its fate now rests squarely with two men—President Nixon and Sen. George Murphy, R-Calif.

So far, the White House has not lifted a finger to help complete a federal takeover of the scenic peninsula north of San Francisco in the face of strong threats posed by land speculators and subdivision builders.

While Murphy has agreed to cosponsor legislation to permit the National Park Service to acquire sufficient holdings and has promised to intercede with Nixon to obtain the necessary cash, he has yet to display an all-out sustained interest.

RETAIN HOPE

But conservationists believe there still is a possibility the logjam will be broken in time.

They are looking forward with particular interest to Wednesday's visit by the President to the Redwood National Park for clues as to whether Nixon is inclined to pick up the conservationist banner of his predecessor.

The chief executive and Mrs. Nixon will be accompanied by former President Lyndon B. Johnson and Mrs. Johnson for the dedication of the Lady Bird Johnson Grove in the new park.

IN AWKWARD SPOT?

Conservationists think the event—which will receive extensive nationwide publicity—may put Nixon in the awkward position of calling attention to a magnificent achievement bearing the LBJ brand.

Unless, of course, this very contrast prods the White House to get moving on Point Reyes and other national parks across the country which still are on the drawing boards or barely under way.

Congress authorized a 53,850-acre national seashore at Point Reyes in 1962 and provided $14 million for land acquisition.

At the time, it was thought much of the land would remain in private ownership with provisions for compatible uses, such as farming or dairying.

CHANGE PICTURE

But pressures exerted by speculators and subdividers soon changed that pastoral picture and forced the National Park Service to revise its land purchase and scenic easement plans.

In 1966 Congress boosted the authorization ceiling to $19 million, a level which since has remained unchanged.

The real estate situation, however, did not remain static. With the funds provided by Congress, the government was able to acquire only 19,453 acres in scattered parcels—less than 40 per cent of the seashore.

To complete the job and make the seashore a manageable unit would take another $30 to $40 million.

Faced with rising costs at Point Reyes and other proposed sites for national parks, Congress last year voted to double the annual income of the land and water conservation fund from $100 to $200 million for a five-year period by tapping offshore oil receipts.

The special fund, established in 1965, finances federal park acquisitions as well as grants to state and local agencies to help them develop outdoor recreation projects.

Former Senator Thomas H. Kuchel, R-Calif., a prime mover in gaining approval of the legislation, predicted it would guarantee completion of Point Reyes and assure orderly expansion of the national park system.

Bolstered by these developments, Rep. Jeffery Cohelan, D-Berkeley, the leading conservationist in California's House delegation, introduced a bill at the start of the 91st Congress to raise the payment ceiling for Point Reyes from $19 to $57 million.

OVER HALF JOIN

More than half the members of the state's congressional delegation, including Sens. Murphy and Alan Cranston, joined as cosponsors.

But when the House Interior Committee opened hearings May 13, the roof fell in.

George Hartzog Jr., director of the park service, said the Interior Department would support a more modest $47 million plan.

But he was unable to assure the committee this was in fact the administration's position and had full White House support.

NEED LETTER

Under Washington rules such assurance can be provided only by a letter from the Budget Bureau, which acts as legislative spokesman for the President.

The Interior Department's Point Reyes report carried a notation the Budget Bureau would express "its concern with the implication" of the Point Reyes bill in another letter to the committee.

With the White House remaining aloof, the committee chairman, Wayne N. Aspinall, D-Colo., exploded in anger. He told Hartzog the Interior Department's position was "meaningless" without White House back-up.

"DOES NOT SPEAK WELL"

"To have a report with qualifications come before us on a project as important as this, 115 days after the administration has taken over, just does not speak well," he declared.

Hartzog immediately got on the telephone and called Phillip S. Hughes, the No. 2 man in the Budget Bureau.

When he returned, he assured Aspinall there would be no delay in spelling out the administration's views.

"I think you are going to get it expeditiously," he told Aspinall. "I talked to Mr. Hughes and the letter is now being drafted. They are at work on it."

MORE TIME PASSES

As of Friday, another 101 days had passed. And Aspinall's office still had not received a signal from the White House.

To make matters worse, the President refused to include the entire $200 million available in the special conservation fund when he submitted his budget to Congress.

Nixon recommended that local, state and federal development of outdoor projects be limited to $124 million in 1969–70—although the remaining $76 million was clearly available in the special fund and cannot be used for any other purpose.

Aspinall threw up his arms. Without assurance of adequate financing, he said, there was no sense in Congress' approving more park authorization bills, including completion of Point Reyes.

MAKES IT CLEAR

On July 22, during House debate on the budget bill for the Interior Department, the Appropriations Committee made it clear it was prepared to provide additional money for Point Reyes and other projects once the administration lifted its freeze.

"I am going to be very frank and say that we would be happy to appropriate the full $200 million if we receive proper guidelines on how and where it is to be expended in a practical manner," said Rep. Julia Butler Hansen, D-Wash., chairman of the Interior appropriations subcommittee.

"With regard to Point Reyes, when the authorization is approved for additional expenditure, additional appropriations will undoubtedly follow."

ADMINISTRATION PROBLEM

This tossed the ball directly into the administration's court. Would it be prepared to change its position and agree to spend the full $200 million in the special conservation fund?

A Budget Bureau spokesman said Congress will receive an answer next week.

In the meantime, conservationists have become increasingly restive.

"The trail leads right to the White House," said a Sierra Club official. "They just aren't showing any leadership on natural resources."

EQUALLY DISAPPOINTED

The Sierra Club has been equally disappointed by Murphy's attitude. It assumed that since he is up for re-election next year, he would want to battle openly for a major conservation project such as Point Reyes.

Club officials invited him to join a planned "walk-in" at the Lake Ranch on the peninsula to dramatize the seashore crisis.

The ranch, still in private hands, is the key link to tie together several parcels acquired by the Park Service. Its owner has been waiting for Uncle Sam to buy him out. But faced with rising property taxes, he is on the verge of turning it over to developers. The property is valued at about $6 million.

PLANNED EVENT

The Sierra Club had planned a picnic lunch to draw attention to the importance of the ranch and the urgency of a quick move by the federal government.

But Murphy so far as turned a cold shoulder to the invitation. Some club officials speculate he may have inside information that the White House will turn thumbs down on more money for Point Reyes and does not want to be associated with a lost cause.

On the other hand, some conservationists still are hopeful that Murphy will respond favorably if he becomes convinced that a fight for Point Reyes only can improve his re-election chances in 1970.

MORE INFLUENCE

As California's senior senator and a veteran GOP campaigner, Murphy is considered to have more influence at the White House than any other member of the state's congressional delegation.

"It really boils down to just how many political chips he's willing to cash in with Nixon," said one Capitol Hill source.

In a lesser sense, the outcome of the battle to save Point Reyes also may hinge on how much influence can be exerted at the White House by two other men—Interior Secretary Walter Hickel and California Gov. Ronald Reagan.

On June 22, Hickel instructed the Park Service in a long memorandum to put new emphasis on bringing "parks to people." The secretary said special priority should be given to development of parks close to major cities.

EXPANDED PROGRAM

Henceforth, he said, consideration should be given to "an expanded program of federal acquisition . . . of park and recreation lands in the large urban centers of our nation."

Point Reyes fits this criterion perfectly. It is 30 miles from San Francisco and less than two hours driving distance from a metropolitan area of 5 million. By the end of this century, the region's population is expected to reach 10 million.

The Park Service has described Point Reyes as a "combination of scenic, recreation and biologic interests which can be found nowhere else in the country near a large center of population."

Hickel, however, has been increasingly ignored by the White House—particularly when he pushes ideas which cost money.

HAS TAKEN OFFENSIVE

As for Reagan, he often has taken the offensive when the federal government has frozen special funds reserved for highway construction. Conservationists are hopeful he will take the same attitude in pushing the White House to order a thaw in its freeze of conservation money.

It is against this background that Nixon and Johnson will meet in the serene and inspiring setting of the Redwood Park on Wednesday.

Conservationists are hopeful the occasion may stimulate Nixon to set in motion his own program for expansion of national parks.

INCLUDES BOTH

The district of the host congressman Republican Rep. Don H. Clausen of Crescent City, includes both the Redwood Park and Point Reyes. Dedication of the Lady Bird Johnson Grove is expected to give Clausen an opportunity to put in a plug for Point Reyes.

Other prominent conservationists who have been invited to the ceremony may have the same idea.

Murphy, Cranston Urge Nixon To Act Quickly on Point Reyes

Washington.—California's two senators today appealed directly to President Richard M. Nixon for immediate action to save the Point Reyes National Seashore.

In separate letters to the President, Sens. George Murphy, R-Calif., and Alan Cranston, D-Calif., urged the White House to endorse legislation to raise the spending ceiling for land acquisition from $19 to $57 million.

Without quick infusion of additional funds, they warned, efforts to establish a natural preserve on the scenic peninsula north of San Francisco may be doomed.

Murphy suggested that Nixon meet with California officials to discuss ways of completing the project.

"The need cannot be questioned," he told Nixon. "Time is truly of essence. I urge you to act favorably and without delay.

"The efforts and hopes of all of us who recognize the importance of developing Point Reyes as a national seashore will have been in vain unless your administration acts promptly and favorably in this matter."

Budget Director Robert Mayo said yesterday the White House plans to announce its position this week. So far, the administration has balked at providing additional funds.

Since Congress authorized the project in 1962, less than half the acreage has been acquired by the National Park Service. Much of it is in scattered parcels which could not be turned into a manageable unit if owners of adjacent property decide to sell out to subdivision developers.

Murphy told Nixon there is an urgent need for the government to acquire the Lake Ranch, which occupies a strategic position on the peninsula. Owners of the ranch have indicated they are anxious to sell but cannot wait much longer for the Park Service to come up with the necessary cash.

Cranston also emphasized that time has become a critical factor. Subdivision development, he said, represents an imminent threat to Point Reyes.

"As a native Californian," he told the President, "you must be well acquainted with the urgent need to set aside in its native state at least part of the magnificent sweep of our California coastline.

"The promontory, the beaches and the inland lakes and hills of Point Reyes have a unique status among our natural resources of beauty and grandeur."

BIPARTISAN BACKING

Cranston noted legislation to authorize more funds for Point Reyes has bipartisan support from the California delegation but is being held up on Capitol Hill as long as the administration shows no predisposition to spend additicnal money.

He rejected arguments now popular within the administration that expenditures for parks must be reduced as part of an overall effort to keep the budget in the black and stem inflation.

Cranston, a former state controller, said it is "ridiculous" to consider investment in parks on a par with expenditures for other purposes.

CAPITAL ASSET

"When the United States buys a park, it acquires a capital asset which not only does not depreciate over the years, but actually and inevitably appreciates.

"In no other area of government do we invest the taxpayers' money in something which continually increases in value.

"Thus to decrease our federal investment in park and recreation lands in obeisance to budgetary demands is a false economy which simply makes no sense."

Cranston said completion of the seashore project also would be "far less inflationary than the speculative and inflated values which would accompany private development of Point Reyes."

Further delays he told Nixon, would invite commercial interests to shape one of the most scenic stretches of California's coastline.

"If our nation is to preserve for public use by present and future generations of Americans the best of our beaches and coastal scenes, we must act now—during your administration," he said.

Nixon Vows Action on Seashore Projects

(By Leo Rennert)

Washington.—Breaking a long silence, the White House today promised to forward in a few days suggestions to Congress on ways to complete acquisition of the Point Reyes national seashore.

"We certainly are not going to drop Point Reyes," said budget Director Robert Mayo.

As President Nixon's chief legislative spokesman, Mayo is drafting a letter to the House Interior Committee to spell out the administration's position.

The letter, he said, also will tackle the problem of the Cape Cod national seashore—like Point Reyes a far-from-finished project plagued by rising land costs.

Establishment of a scenic preserve on Point Reyes, located 30 miles north of San Francisco, was authorized by Congress in 1962.

So far, however, less than half the acreage has been acquired by the National Park Service. Several key parcels still in private hands may be sold to subdivision developers if the government stops its purchase.

Rep. Don Clausen, R-Crescent City, whose district encompasses Point Reyes, called May's remarks "very encouraging."

Along with many other members of the California congressional delegation, Clausen is sponsoring legislation to increase the expenditure ceiling for Point Reyes from $19 to $57 million.

The Interior Department is backing a more modest $47 million plan. But so far its position has lacked White House backing.

Mayo indicated that the Budget Bureau, in presenting Nixon's official recommendations, may offer only some general proposals without specifying an exact dollar amount.

This would toss the problem back in the lap of Congress. So far, Chairman Wayne N. Aspinall, D-Colo., of the House Interior Committee has refused to act on Point Reyes legislation because of an absence of funds for the project in Nixon's budget.

Under legislation approved last year, income from offshore oil drilling and other sources is pumping $200 million a year into a special conservation fund which can be tapped for acquisition of additional parks and seashores.

Nixon, however, has clamped a $124 million ceiling on expenditures from the fund this year—with no earmarked allocations for Point Reyes.

Washington interest in Point Reyes rose after the President's recent visit to Redwood National Park which called attention to the Nixon administration's lack of a comprehensive conservation program.

Sen. George Murphy, R-Calif., discussed the problems confronting completion of the seashore with the President aboard Air Force One en route to the redwoods.

Senator Bible Foresees No Early Action in Upper House on Point Reyes Fund

(By Leo Rennert)

Washington.—Sen. Alan Bible, D-Nev., who holds the key to national parks legislation in the upper house, today announced he has no plans to act on bills to complete the Point Reyes National Seashore.

Bible said he sees no prospect for any move by the Senate until the House acts.

House action appears equally remote in view of the refusal by Interior Committee Chairman Wayne N. Aspinall, D-Colo., to authorize additional funds for Point Reyes as long as the administration shows no inclination to spend the money.

The Bible-Aspinall position thus has the effect of tossing the Point Reyes controversy back into the lap of the White House, which only last week declined to assume any responsibility.

Caught in the stalemate are efforts by conservationists to boost the Point Reyes spending ceiling by $38 million to save the seashore from strangulation by land developers.

Bible's attitude is considered highly significant since he heads the Senate interior subcommittee on national parks, which has jurisdiction over all parks and seashore authorization bills.

Sen. Henry M. Jackson, D-Wash., chairman of the parent interior committee, was described by an aide as being in full agreement with Bible's position to defer action pending developments in the House.

Bible also heads the Senate interior appropriations subcommittee, which would have to approve any followup funds once the authorized spending ceiling for Point Reyes were lifted.

Like Aspinall, Bible expressed strong criticism of the administration's decision to freeze funds earmarked for development of natural resources.

As long as the White House refuses to spend available money on parks and public works, he said, there is no point in having Congress add to the growing backlog of projects awaiting adequate funding.

"You can't force the administration to spend money," he observed.

MURPHY SEEKS DEMO AID ON POINT REYES

(By Leo Rennert)

WASHINGTON.—Rebuffed by the White House, Sen. George Murphy, R-Calif., has turned to one of the Senate's most powerful Democrats for help in California's effort to save the Point Reyes National Seashore.

Murphy sent a letter to Interior Committee Chairman Henry M. Jackson, D.-Wash., urging prompt approval of legislation which would increase the spending ceiling for land acquisition from $19 to $57 million.

An aide to Jackson, however, said he is pessimistic about chances for quick action in view of the administration's refusal to lend its full support.

Murphy dispatched his letter to Jackson yesterday afternoon—less than 24 hours after the White House announced it will not oppose his Point Reyes bill but views its spending implications with considerable concern.

VAIN APPEAL

The White House position was spelled out by Budget Director Robert Mayo a few hours after Murphy and Sen. Alan Cranston, D-Calif. appealed in vain to President Nixon for allout backing to obtain sufficient funds to complete land acquisition.

Without additional outlays, conservationists have warned that key parcels still in private hands soon may be sold to subdividers.

The administration's cool response appeared to have created a stalemate between the executive and legislative branches—with each inviting the other to move first.

House Interior Committee Chairman Wayne N. Aspinall, D-Colo., said the Budget Bureau's response fails to meet his oft-expressed stipulation that congressional authorization of additional outlays hinges on administration willingness to spend the money.

"Somebody's going to have to get them off dead center," he remarked. "I'm not going to waste my time."

NOT COMPLETELY LOST

Point Reyes supporters said their cause is not entirely lost. They agreed that considerable pressure on both the White House and Congress will be required in the next few weeks to keep the project alive.

While Murphy told Jackson he is "extremely pleased" that the Budget Bureau did not express flat opposition to his legislation to raise the authorization ceiling, he conceded the bureau's stress on budgetary constraints.

"However," he added, "I am confident that the urgency for completion of land acquisition at Point Reyes is so great that once the authorization ceiling is increased, adequate funding will also be approved by the administration and Congress."

Murphy said congressional action would emphasize to landowners and would-be developers that the government is committed to completion of the seashore at the earliest possible date.

WHITE HOUSE WILL NOT BAR POINT REYES CASH

(By Leo Rennert)

WASHINGTON.—The White House has informed Congress it will not seek to block legislation to authorize additional funds to complete land acquisition for the Point Reyes National Seashore.

But it cautioned such action would result in "extensive curtailment" of land purchases already approved for other proposed parks.

The long-awaited decision disappointed conservationists who had hoped for more forceful support from the administration.

It fell far short of an outright endorsement of pending Point Reyes Bills as requested only yesterday by Sens. George Murphy, R-Calif., and Alan Cranston, D-Calif., in last-minute appeals to President Nixon.

The White House position also turned out to be considerably less enthusiastic than the stance of the Interior Department, which earlier this year suggested a boost in the spending ceiling for Point Reyes from $19 to $47 million.

Reaction from the California congressional delegation, which has rallied behind legislation to lift the ceiling up to $57 million, was mixed.

MURPHY IS PLEASED

Murphy said he was "highly pleased" that the administration decided not to oppose legislation to complete the seashore. He announced he would press for immediate congressional action to provide additional funding.

Rep. Don H. Clausen, R-Crescent City, whose district includes Point Reyes, said the White House announcement gives Congress an opportunity to consider various methods of completing the seven-year-old campaign to preserve the scenic peninsula north of San Francisco.

"I'm thankful for any little thing," he remarked.

Rep. Jeffery Cohelan, D-Berkeley, a leader in the fight to save Point Reyes, said Congress will have to assume a conservationist task shirked by the administration.

"We'll just have to do it by ourselves," he remarked. "It's a cop-out."

Rep. John E. Moss, D-3rd, Sacramento County, district said the administration has failed to develop priorities for urgent national park and seashore projects and thus finds itself unable to cope with the urgent problems confronting Point Reyes.

Since the seashore was authorized in 1962, the National Park Service has acquired less than half the acreage. Owners of other parcels have indicated they soon may sell out to subdivision developers.

Moss said the administration's position threatens preservation of important natural resources such as Point Reyes. He also warned that the ultimate acquisition cost "will be many times what it would be today."

Chairman Wayne N. Aspinall, D-Colo., of the House Interior Committee remains the key figure in any evaluation of prospects for further congressional action.

Earlier this year, he served notice his panel would not authorize additional funds for any project which the administration is not prepared to finance.

The White House position was spelled out in a four-page letter from Budget Director Robert Mayo to Aspinall.

Mayo said the Park Service, at the rate of present budgetary outlays, will not be able to complete acquisitions for another four years of park lands already approved by Congress—let alone additional properties such as the remaining parcels at Point Reyes which still await a green light on Capitol Hill.

The Budget Bureau, he said, has given a "great deal of thought" to development of priority criteria to determine which projects deserve urgent action.

Among key factors which would govern a final decision, he listed the "threat" of conflicting or adverse development and price escalation—both considered critical at Point Reyes.

But Mayo emphasized the Budget Bureau still is studying this approach and will need additional time to draft a priority rating system which can be applied in "sufficiently precise fashion."

Lloyd Tupling, Washington representative of the Sierra Club, termed the White House reponse a blow to the campaign to save Point Reyes.

"I don't think we've gained a thing," he remarked. "They're backing away from any commitment on new parks and recreation areas."

Tupling said conservationists now will have to exert greater pressure on the White House to lift its partial freeze on land acquisition money available in a special $200 million-a-year conservation fund approved by Congress last year.

NIXON HOLDS THE KEY TO POINT REYES

The one man who can and should insure that the Point Reyes National Seashore will be developed to its full potential will be standing in the shadow of a monument to California conservation credited to his predecessor, former President Lyndon B. Johnson and his wife, Lady Bird.

The man is native son Richard Nixon, who as President has the real power to preserve Point Reyes and its splendid shoreline or let it fall into the hands of land speculators and subdividers, as is now threatened.

As the President and Mrs. Nixon attend the dedication of Lady Bird Johnson Grove in the Redwood National Park in Humboldt County the thought cannot help but rise in many minds as to the Nixon administration's commitment to preserving the state's natural beauties for present and future generations.

All evidence indicates a lack of a supporting recommendation from the White House's fiscal arm, the Budget Bureau, has held up necessary further appropriations by Congress for finishing the Point Reyes development.

The President need but give his affirmative nod and fund approval would be forthcoming. Delay in the matter already has proven costly as land values escalate.

What Nixon does in this matter could be the signal for keeping up the momentum for conservation of the country's natural beauty sanctuaries. What better monument to his commitment than completion of the Point Reyes National Seashore in Nixon's own state?

Another key figure also to be on hand for the dedication of Lady Bird Grove is California's senior senator, George Murphy, who is up for re-election next year.

Murphy should make every effort to persuade Nixon to give Point Reyes favorable consideration. It is a matter of far-reaching import to influential conservationist groups and Murphy has promised he will try.

It should be plain to the President himself, at any rate, that Point Reyes will be seen as a symbol of his concern for the natural beauties of America.

SOLON ASKS NIXON AID IN SAVING POINT REYES FROM SUBDIVIDERS

(By Leo Rennert)

WASHINGTON.—Rep. Jeffery Cohelan, D-Calif., today called on President Nixon to support efforts to save the Point Reyes National Seashore from strangulation by land developers.

"The question of saving Point Reyes from the very real and impending threat of bulldozing and subdividing is entirely dependent on the administration's willingness to support the expenditure of more funds for acquisition of park land," he said.

The Berkeley congressman is chief author of a house measure to authorize an additional $38 million to permit the National Park Service to complete its seven-year-old attempt to create a national preserve on the scenic peninsula north of San Francisco.

The bill has picked up support from most members of the state's congressional delegation. But the House Interior Committee has refused to take action pending a White House decision that the money actually would be spent.

So far Congress has made available $19 million. But more than half of Point Reyes still remains in private ownership. Key parcels, which have been in agricultural use, are planned for sale to developers if the government fails to act.

Cohelan, who played a leading role in last year's successful uphill struggle to establish the Redwood National Park, said Congress coupled this action with legislation creating an annual $200-million fund for federal, state and local outdoor recreation projects.

But the administration, he added, requested only $124 million for the current fiscal year.

"Only $17 million of this amount was appropriated for land acquisition for the entire national park system, an amount equal to less than 12 cents for each person in the country, and less than half of what is needed for Point Reyes alone," he said.

"None of this money was designated for Point Reyes.

"I have on several occasions urged the Congress to take the necessary steps to assure acquisition of the entire acreage of Point Reyes, as originally dictated by Congress in 1962.

"Now, seven years later, the Point Reyes peninsula faces an irreparable splintering that, if allowed to happen, will spoil much of this unique and beautiful natural preserve.

"The burden of action in this instance lies with the Nixon administration.

"As soon as Congress convenes after Labor Day, we intend to resume our efforts to enlist the administration's support for the Point Reyes project.

"The legislation which I have introduced is bipartisan in nature and has the support of most of the California delegation.

"Many more of my colleagues in the House share my interest and enthusiasm in conservation projects and my sincere belief in the need to preserve the small bit of this country that remains natural, beautiful and free.

"Point Reyes is an excellent example of this type of terrain, a wild, unfetered expanse, an embodiment of the soul of this country.

"Point Reyes can be acquired during this Congress, if only the administration will act responsively now. I intend to work actively to encourage the president to take such action."

Fight To Save Point Reyes Narrows To Focus On One Man—The President

The fight to save the Point Reyes National Seashore has narrowed down to a sharp focus on one man—President Richard Nixon.

The President need but give the word and the additional $40 million necessary to complete acquisition of the remainder of the site will be released, thus preserving this scenic jewel of California's coastline for now and generations to come.

All the other elements in the struggle to save Point Reyes from land speculators and subdividers have fallen into place. The state's congressional delegation has given it solid bipartisan support. It is viewed favorably by Congress. Owners of the remaining land are willing to sell but warn they will not hold out indefinitely. The state's two United States senators, Alan Cranston, Democrat, and George Murphy, Republican, wholeheartedly endorse the plan.

And Cranston and Murphy have spelled it out plainly to the White House: Further dallying may mean the death of the Point Reyes Project.

Nixon, a native son, should be first among those determined to preserve this heritage of natural beauty whose rarity is enhanced by the rapidly dwindling number of such sites still preservable for the future.

Cranston scorned the excuse of economizing, said to be argued by some of Nixon's advisers. Investment in a park such as Point Reyes, he said, is not in the same order as expenditures for other aspects of government.

Said Cranston: "When the United States buys a park, it acquires a capital asset which not only does not depreciate over the years but actually and inevitably appreciates. In no other area of government expenditure do we invest the taxpayers' money in something which continually increases in value. Thus to decrease our federal investment in park and recreation lands in obeisance to budgetary demands is a false economy which simply makes no economic sense."

The fate of Point Reyes rests squarely on the doorstep of the White House. Nixon is the one man who can—and should—give Point Reyes the victory it deserves.

Lady Bird's Grove Is Fitting, Points Up New Opportunity for Pt. Reyes

Lady Bird Johnson Grove it will be called, and the cluster of magnificent trees in the Redwoods National Park in Humbolt County will perpetuate the grace note of beautification the former First Lady fostered the length and breath of the land.

Appropriately, Californian Richard Nixon and Mrs. Nixon will join with former President Lyndon B. Johnson and his wife at the grove's dedication Wednesday and hopefully the awareness of all will compass not only the redwoods monument, but another area of cherished natural beauty to the south—the Pt. Reyes National Seashore project.

For it was at the dedication of Pt. Reyes in 1966 Mrs. Johnson directed attention to the priceless heritage of the Humbolt redwoods and urged a program for their preservation. She was an active supporter of the campaign to create the Redwoods National Park.

Mrs. Johnson was an equally effective campaigner for beautification of America from the national capital to scenic highways and local parks. Her "keep America beautiful" fight, viewed at first with bemused skepticism by some, burgeoned into a successful drive which heightened the consciousness of all Americans to the preservation of their natural beauties.

A modest, gracious woman who tackled her task with energy and efficiency, Lady Bird in a quiet way left a mark on this land which will be long enduring.

Lady Bird Grove in California is but one of the many benefices accruing from her efforts. She was also influential in starting the Pt. Reyes development.

That wonderful opportunity to preserve the coastal beauties along Pt. Reyes got off to a good start but has faltered for lack of funds to acquire a major portion of the land comprising it. Now its future is threatened by the sale of that land to private developers and speculators.

The example of Mrs. Johnson's efforts should inspire President Nixon to strive for congressional authorization of funds to complete Pt. Reyes. The President is the key figure in the future of the seashore development.

It would be appropriate should the day come when a Pat Nixon Beach would take its place with Lady Bird Johnson Grove as another important monument of California conservation.

OUR FLAG WILL SYMBOLIZE THE RESPONSIBLE MAJORITY ON MORATORIUM DAY

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. BROCK. Mr. Speaker, for every one negative critic in our country, there are dozens of proud, unashamed Americans. With massive demonstrations threatened in many of our major cities tomorrow, it is important that people around the world, friends and enemies alike, know that the demonstrators who take to the streets Wednesday do not speak for millions of concerned, responsible Americans who want peace, but who know that the way to achieve it is not to demoralize our men in Vietnam or weaken President Nixon's efforts to reach an honorable settlement and prepare the South Vietnamese to defend themselves.

For this reason, I have publicly urged every patriotic Tennessean to fly his country's flag on Wednesday as a symbol of national unity and as a message to those who think the street protests of a noisy minority have undermined the faith of Americans in their leaders and themselves.

DEMAND INCREASE FOR OIL IMPORT REFORM

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. CONTE. Mr. Speaker, I am pleased to announce that New York City Mayor John V. Lindsay has joined the growing chorus of those who have urged the abolition of the inequitable mandatory oil import control program which has been so costly to the consumers of his city and the entire Northeast.

Mayor Lindsay has expressed his views in a letter to Secretary of Labor George P. Shultz, Chairman of the Cabinet Task Force on Oil Import Control. I am honored that the mayor has endorsed my bill, H.R. 10799, which would gradually eliminate the quota system over a 10-year period.

Mr. Speaker, I want also to mention that the entire New England House delegation has once again expressed its unanimous position that the time has come to change drastically, if not eliminate completely, the oil quota system. Following a recent luncheon meeting with 100 representatives of the New England Fuel Institute, our delegation sent a letter to President Nixon urging his serious and prompt consideration of measures to relieve the burdens which the inequitable quota system has imposed on our region.

For the information of my colleagues, Mr. Speaker, I include copies of both the Lindsay letter and the letter sent by our New England delegation:

October 6, 1969.

Hon. George P. Shultz,
Secretary, U.S. Department of Labor,
Washington, D.C.

Dear Mr. Secretary: I understand that in the very near future the President's Task Force of Oil Import Controls, of which you are Chairman, will be making recommendations on the nation's future oil policies.

In this connection, New York City's Mayor's Commission on Inflation and Economic Welfare, which is studying the causes and effects of the current inflation and steps to combat it, has just completed a report indicating that mandatory federal oil import controls cost New York City residents alone more than $95 million annually. Enclosed is a copy of that report.

The $95 million cost figure for New York City is, I am sure you will agree, a very conservative one. Indeed there is evidence that the cost to New York City residents of oil import controls may well exceed $250 million each year. And the cost to Americans across the nation is equally staggering. The Inflation Commission's report places the national cost at up to $6 billion per year. Dr. John Blair, Chief economist of Senator Philip A. Hart's Antitrust Sub-committee of the Senate Judiciary Committee, which has held extensive hearings on the oil import controls, estimates the cost of the program to American consumers at $7.2 billion annually. And a recent report prepared for your Task Force by the U.S. Department of Interior estimated this cost at between $7 and $8 billion annually over the last decade.

Whatever the exact figure, it is amply clear that the average car owner in this country pays more for gasoline and private home owners pay more to heat homes with oil because of the higher prices on domestic oil.

The people of New York City, like people across the nation, are suffering the grip of acute current inflation. They are deeply troubled. Higher and higher prices are causing countless strains and hardships to the average family. Goods and services that were once a matter of course for most households are now considered luxuries by many.

We should not allow these conditions to continue while fair and practical means exist to eliminate them. I urge strongly that our present oil import policies be revised so that consumers in New York and throughout the nation may obtain relief from the enormous burden imposed on them by current policies.

We know that the original justification for the oil import restrictions was a determination more than ten years ago that unlimited imports of oil threatened our national security. The purpose of the program was to encourage domestic exploration. It seems clear now, in the light of the ten-year history of the program, that all that the restrictions have accomplished is to place a price umbrella over the entire domestic industry. This policy has injured the oil industry's competitive posture; indeed it has practically destroyed competition, as reported to you by the Antitrust Division of the Department of Justice. And it has resulted in crude oil prices at home that are far higher than anywhere else in the free world. Combined with the myriad tax advantages which the oil industry has access to, the oil import quotas have produced record profits for all the major oil companies year after year at a steep cost to American consumers. It is the consumer who has to pay the bill for the extravagant benefit accorded the oil industry by our existing oil import policy.

I am not convinced by the oil industry's claim that allowing a free flow of oil into this country would ruin the entire industry. The American oil industry is the largest and most profitable industry in the world. It competes successfully in virtually every country in the free world. There is no reason whatsoever to suspect that this industry could not compete just as successfully here at home if the mantle of protection now surrounding it were withdrawn.

The six New England states, three of which border on New York, have been fighting vigorously to relieve their citizens from the onerous burden imposed by Federal oil import policies. All six New England governors, all 12 senators, and all 25 congressmen from that region have urged that oil controls be lifted. A bill introduced by Congressman Silvio O. Conte of Massachusetts would accomplish this by phasing out the import restrictions. I favor this proposal, and am personally urging the entire New York Congressional Delegation including our two Senators, Jacob J. Javits and Charles E. Goodell, to stand with our sister states in the struggle to win relief for our consumers by supporting Congressman Conte's legislation.

Enormous pressure will be applied by the oil industry to preserve the present system. It is time legitimate needs and concerns of America's consumers be given the priority deserved in formulating national oil policies.

Sincerely,

JOHN V. LINDSAY,
Mayor.

OCTOBER 1, 1969.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: When the review which you assigned to the Cabinet Task Force on Oil Import Control is concluded in the near future, you will be called upon to decide oil import questions of critical importance to New England—and to the nation.

We are writing, as a united delegation representing the six New England states, to request that you give careful consideration of the special problems of our area and take effective action to solve these problems.

Perhaps the best brief statement of these problems is found in the presentation of the 6 New England Governors to the Task Force:

"The New England region has no indigenous sources of crude oil, and no operating oil refineries. The only crude pipeline in New England delivers to Montreal foreign oil landed in Portland. It is ironic that the oil flowing through this pipeline benefits not New England, but Montreal, which enjoys distillate heating oil at a price more than 3 cents/gallon lower than in Boston.

"The structure of demand for petroleum in New England is significantly different from that of the national average. Whereas New England consumption of all types of petroleum products represents close to 9 percent of the national total, the demand for distillate heating oil by the six-state region is closer to 21 percent. The harshness of the winter climate in the New England area is such that the assurance of an adequate and reliable fuel supply is not a matter of mere comfort. It can be a matter of survival. The region is remote from other energy sources, and therefore particularly sensitive to the cost and reliability of its oil supplies."

The people of our region would be willing, we believe, to accept their special situation—and bear the burden of the highest heating oil prices in the country—if these were the result of the natural adjustments and expected regional imbalance of a free economy. But they are not. New England is bearing a disproportionate burden *only* because of the inequities in our present Oil Import Program.

Knowing of your commitment to a free economy, your desire to reduce the role of the Federal Government in our society, and your pledge to fight inflation, we are confident that you will approve changes in the Import Program to strengthen competition and bring the benefits of lower-priced petroleum products to the American consumer.

Most of us are co-sponsors of legislation introduced by our Colleague Silvio O. Conte (H.R. 10799, 10800, 10801) to eliminate the Mandatory Oil Import Program, gradually over a 10 year period.

Several agencies of the Federal Government have pointed out that elimination of the Program would mean substantial savings to consumers and involve no risk to our national security. Our own review of Submissions to the Task Force confirms these facts.

However, even if you decide that some system of controls is required under the authority of the National Security Clause (Title 19 U.S.C. Section 1862) we urge recognition of the special position of New England. We strongly urge that any control system be designed to:

(a) bring relief from high fuel oil prices paid by New Englanders;

(b) provide assured supplies to avoid the tight, dangerous stock crises similar to those of the Winters of 1967, 1968 and 1969;

(c) provide sufficient low sulfur oil to aid in the fight against air pollution in our area;

(d) establish an equitable balance between the oil-consuming and oil-producing areas of the nation;

(e) assure competitive equity for independent fuel oil dealers, marketers and deepwater terminal operators vis-a-vis the major, integrated oil companies.

In order to achieve these objectives, we strongly endorse proposals to:

(1) establish a petroleum refinery in a foreign trade zone at Machiasport, Maine, which will provide lower priced fuel oil through independent marketers in New England;

(2) allocate substantial import quotas for home heating oil for independent deepwater terminal operators.

In reaching your decisions, we know that you will recognize that, in a free economy, the burden of proof rests on those who seek to maintain import controls.

In conclusion, Mr. President, we should like to commend you for your efforts to seek a thorough, incisive review of U.S. oil import policy. All of us are anxious, we might add, that the Task Force Report be made public as soon as it is completed sometime in November.

We appreciate the difficulty involved in dealing with this program. However, we are confident that you will make the decisions—and approve the changes—necessary to relieve the excessive economic burdens and correct the market distortions forced upon our nation, and particularly the New England region, by the Oil Import Control Program.

Thank you for your consideration.

Respectfully yours,

Silvio O. Conte, Edward P. Boland, Harold D. Donohue, Philip J. Philbin, F. Bradford Morse, Torbert H. Macdonald, Margaret M. Heckler, James A. Burke, Fernand J. St Germain, Peter N. Kyros, Louis C. Wyman, Robert T. Stafford, Robert N. Giaimo, John S. Monagan, William L. St. Onge, Thomas P. O'Neill, Jr., John W. McCormack, Hastings Keith, Robert O. Tiernan, William D. Hathaway, James C. Cleveland, Emilio Q. Daddario, Lowell P. Weicker, Jr., Thomas J. Meskill.

SUPPORTING THE PRESIDENT

HON. DEL CLAWSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. DEL CLAWSON. Mr. Speaker, the Washington Evening Star of October 13 contained an editorial which speaks for itself. At this point in the RECORD, I insert the editorial for the attention of my colleagues:

SUPPORTING THE PRESIDENT

Two prominent Democrats have rallied to the support of the President as Mr. Nixon prepares to face Wednesday's Vietnam Moratorium, billed as a protest against the war but in reality a demonstration against the President.

Following a Friday White House conference, Hubert Humhprey told reporters that Mr. Nixon is "proceeding along the right path" in Vietnam, has made some progress, and that "the worst thing we can do is to try to undermine the efforts of the President."

The second assist also came on Friday in a speech by Dean Acheson, former Secretary of State, who was accepting an award for distinguished service in foreign affairs.

Mr. Acheson spoke out against those who would have us believe that "we elect to public office the most zealous imbeciles bent upon every imaginable folly, extravagance,

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and disastrous adventure, determined to blight the hopes of the young, poor, and disadvantaged, and probably venal into the bargain." He said that even from the vantage point of the opposition, this strikes him as an extreme view, and also a damaging and foolish one. Speaking as one who has had broad experience in what the Supreme Court has called the "vast external realm," the former Secretary of State said that the choices open to any responsible government in dealing with foreign affairs are narrow ones. In his view, however, "as an attitude for the informed private citizen anxious to play a constructive role in policy making, support of the responsible leader is a sound role."

It is too much, perhaps, to expect that the wise counsel of these two men will exert any restraining influence on the Fulbrights, the Kennedys, the Churches and the Goodells. No doubt they will persist in their reckless effort to destroy confidence in the President and his efforts to end the war. But it may not be too much to hope that the voices of men like Messrs. Humphrey and Acheson will be heard by the American people in spite of the sound and the fury of the wrecking crew.

LETTER FROM A CONSTITUENT

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. EDWARDS of California. Mr. Speaker, each day each of us in Congress receive dozens if not hundreds of letters. On some occasions we all echo the old statement, "The public has spoken, but did it have to speak so loud," but on other occasions we learn directly what are the concerns of our people.

Recently I received such a letter, one that expresses better than I can, the depth of thoughtful and intelligent concern of one of my constituents. Mrs. Edwina M. Norton of Santa Clara, Calif., outlined the kind of decisions we must make, decisions which we have failed to make. Mr. Speaker I insert her letter in the Record so all of us may share her thoughts:

Santa Clara, Calif.,
October 9, 1969.

Congressman Don Edwards,
House of Representatives,
Washington, D.C.

Dear Congressman Edwards: I have long intended to write this letter but have put it off because it must necessarily be a long and complex one: the list of needs in this country is long and complex. I hardly know where to begin, there are so many things I feel must be done, so I won't attempt to list what I consider priorities in an order of importance. As a starter, however, let me comment on the current issue of the supersonic transport that the President recommends we develop in order that we maintain our leadership in air transportation. Perhaps it will reveal my mood. Spending government funds on such a project seems to me exasperatingly absurd, especially at a time when so many other problems need attention desperately. I don't think our taxes should go to develop something that will profit private industry; I don't think we can handle the sonic boom problem, let alone what such a plane would add to the already serious air pollution problem; finally I can't see that going a couple of hours faster than we can already will benefit most people, especially when our airports and air lanes are already overcrowded.

We seem, as a country, or as a government, still to be ignoring the real problems we have. Not only are we spending great sums of money on essentially destructive programs—the war, the ABM, the supersonic plane proposal—but we are pretending that we don't yet have to plan for the very near future when overpopulation will kill us, if air and water pollution don't get us first. From the reports I have read about these severe problems, I would say we haven't much time left to deal with *pollution and population*. Perhaps it's already too late to prevent the disaster; we may only be able to reduce the problems, if we start now. If this is the case, why are we still ignoring these problems?

My exasperation is turning to desperation. As an American, proud of our ability to grow, to progress, I feel on the one hand that we *are* able to do anything we want and need to do, but on the other hand I am profoundly disillusioned by the apparent inability or unwillingness to do what is so obviously necessary. It is time—long past—that we turn our energies away from the status quo, from the pressures of private interest groups and their lobbies, and look to the needs of the people of this country. In short, it is time we de-emphasized our technology and emphasized programs that will make ours a humane environment, one in which people can live with a minimum, not a maximum, as we now have, of frustration, danger, and distress.

What are the things that would humanize our environment? Here are just a few:

1. A comprehensive program for reducing present, and controlling future, pollution—pollution of all kinds, that from gasoline engine exhaust, from jet exhaust, from industrial and domestic waste dumped in lakes, bays, and oceans, from DDT and other harmful sprays, from sound pollution such as from factories, sonic booms, and jet airports located close to cities and people's homes; also pollution in the form of ruination of our natural resources, our parks, our wildlife.

2. Intelligent controls over our technology which has, it seems to me, already run away with itself: Why can't we stop the trend toward even more supercars which cause, at their high speeds, more and more accidents, more exhaust, more repairs which have become impossibly expensive for most of us? Why can't we direct our monies away from space research, as thrilling as the moon landing was, and into plans and programs for discovering and improving our own planet? Why can't we trim that Pentagon budget so that we can spend money on our domestic problems?

3. Tax reform: The polls seem to be correct in saying that people are most concerned about inflation and taxes. Everyone I talk to is angry about these problems. Very many of them are also feeling helpless and hopeless and cynical about these problems ever being solved.

4. Draft reform and educational reform: The young, being one half the population, are now a definite political force that can no longer be ignored, but why can't the older generation begin these reforms? Make the draft equitable or better yet, extricate ourselves from unfeasable commitments abroad, and eliminate the draft. As for education, federal support and leadership of the right sort could help enormously in making education relevant and valuable. It has to change. Instead of educating children to fit the technology, we must help them to be human beings perhaps in spite of that technology.

5. Racial equality: Certainly we have gained some ground here, notably in the last two years, often, unfortunately, through violence. We must do much more, however; the more we can direct our energies and monies to a more humane environment for all people, by way of jobs, housing, medical care, education, the faster we can heal our divisiveness.

6. Workable programs to overcome poverty and to make welfare workable are needed. The guaranteed minimum income, if administered humanely—i.e., without demeaning people—might be the answer.

All of these problems are, of course, interrelated. All need to be solved; each is dependent on at least one other, if not several others. If we can turn our spending away from destructive and irrelevant pursuits, we can spend money on these much needed domestic priorities. If we can improve the lives of the poor, we can heal some social wounds; if we can provide relevant education for the young, we can tap a rich resource for further improving our society, etc. And if we can provide and cultivate a humane way of life for all, we can reduce our alarming crime rate. (I have not listed crime separately, for it is so directly the result of our failure to attend to people's needs in other areas. If we can eliminate the inadequacies and abrasiveness of our society, crime is bound to be reduced. We also need a thoroughgoing revision of our legal system and penal codes; they seem to be working less and less.)

I realize that these problems are not simple ones, but I do feel that the key to solving them is in forming a new attitude toward our country and what we want it to be. We must take the chance and turn away from our technological orientation—in a sense turn away from some private interests—and turn toward humane and public needs. Our country is not yet 200 years old. It is shocking to think that it may never reach its 200th anniversary, yet I sometimes feel that because we still seem to ignore our crucial problems, we may be dooming ourselves, if not as a civilization, perhaps as a democracy.

I think that the time has come for the Congress, the representatives of the people, to speak to the problems we have and to see to it that they are solved. We desperately need your most earnest and rational concern for our welfare, and we look now, more than ever before, to your leadership.

I don't know how many of your constituents you hear from; if I can judge from what people say about their belief, or more accurately, their disbelief, in government today, I would guess you don't hear from many. Whenever I urge someone to write to his congressman, I get one or two responses, a guffaw or an embarrassed silence. I used to be angered by this, thinking it meant apathy, disinterest, but lately I am not so sure I have diagnosed the response correctly. It seems more to mean a kind of desperate cynicism, and a despair of ever being represented as people would like to be. Even though most people don't express these feelings to you, most people do seem to be feeling them: without hope, they are even beginning to seem cowed. I think that is a terrible state for people in a democracy to be in. Can't we change this?

Sincerely yours,
Mrs. Edwina M. Norton.

THE YOUTH OF OUR TIME

HON. GEORGE H. MAHON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. MAHON. Mr. Speaker, Miss Nonette Mayes, a senior at Crosbyton, Tex., high school, recently made an address to the Lions Club of my hometown of Lubbock, Tex., in regard to the challenges confronting American youth. Miss Mayes speaks eloquently in behalf of the great majority of our youth but points out the dangers which confront the country as a result of the lack of restraint and discipline among a minority. Under permission granted earlier today, I am pleased to include the full text of her speech:

ADDRESS OF MISS NONETTE MAYES

Mr. President, Lions, visitors, when Mr. Lipscomb called and asked me to come to the Lubbock Lions Club as a representative of the youth of Crosbyton, I was honored that I should be invited to address such a distinguished audience. But more than that I am grateful for an opportunity to bring a message from the young people of Crosbyton to the civic leadership of Lubbock.

For many years the Lions Club has encouraged our active participation in civic affairs. You have recognized that channeled in the right direction, young people can make a significant contribution to the growth and development of any town.

Under the leadership of Lions Clubs and the churches, we have witnessed a healthy trend toward greater involvement and participation by youth in public affairs.

The youth of today face many challenges. Two years ago last June at the Commencement exercises of Southern Methodist University, Bob Hope reviewed the troubles of today's world. In a light vein of humor, he concluded with the traditional word of advice to the graduating seniors about to go out into the world. His advice to them was: "Don't go!"

A small segment of college students, bitter about what they call the imperfect world which their parents have given them, have taken that advice literally and have refused to become involved in the society of their parents. They are the bearded beatniks, the protest demonstrators, the draft card burners and the social misfits of our society. They have congregated about many of our colleges and Universities and stand around bearded and bathless. *They refuse to go out into the world.*

Others dropping their flowers and their beads and picking up clubs and switch blades, have become high handed hoodlums intent on getting their own way. They pretend to be adults, but are desperately afraid of growing up and assuming responsibility. They are so busy exercising their right to freedom of speech they have forgotten their responsibility to make a positive contribution to society.

Across the nation, the questions are asked: Who are these rebels? What do they want? How deep seated is student unrest? Where is it heading? And educators continue to probe for the answer to why a small minority—2 percent, no more than 3—of the nation's undergraduate population of 7 million are involved in the current upheavals—the riots, seizures of buildings and disruption of academic life.

Quite naturally, this unrest and disruption among youth is causing widespread concern among older citizens. News headlines are punctuated with stories of riotous campus demonstrations and unlawful protest. Time magazine in one issue asks: "Can you trust anyone under 30?" And the headline of one issue of U.S. News & World Report screams: "Why do students revolt? Is America really sick?"

A certain segment of American youth is sick. There is no denying that the arrogant draft card burners and the defiant protestors who glorify violence as a form of political action—the young "Totalitarians" as President Johnson effectively described them, are sick. It is this group which makes a mockery of lawful and intelligent dissent designed to strengthen the opportunity for each citizen to make his beliefs and opinions known. It is this group—this small minority—which gives the great majority a black eye.

But as an American youth, I am tired of being told that I am sick. And so are hundreds of thousansd of other youth in this country who are going about the business of getting an education, grateful for the opportunities which are ours, and many holding down substantial jobs in order to prepare for the responsibilities which you will pass on to us. Most college, and a lot of high school students, in Texas, are far too intelligent to be capitivated by the harsh cries of a militant few. But when a small minority can damage the image of all youth, we must not be unmindful of the potential dangers. As we have become so painfully aware these last several months, violence breeds violence. Therefore the question confronts us: How can we turn back the tide of restlessness and lawlessness?

I would suggest the national news media take a long look at itself! You may search daily, in vain, through the mass of national telecast and news broadcasts for one word that would reassure the average citizen that all negro youth are not Stokely Carmichaels; that all students are not draft dodgers; that not all of us have lost faith in our President in his honest efforts to do the best job he can under difficult circumstances; that most of us are still proud to be Americans; that most of us know democracy will work and labor diligently to see that it does. . . .

We need more commentators like the Topeka, Kansas, newsman who reported on his morning broadcast the story of the 25 demonstrators who had staged a sit in. His broadcast stated: "There are 25 protesting college students sitting on the floor in the governor's office this morning. The other 63,000 students of the state are going about their business grateful for the opportunities that are theirs."

I would suggest that you as responsible civic leaders in our community, provide us with faculty members who will teach that freedom is not free, and that it must be defended daily. Whether on the fields of combat, or on the perpetual battlefields where good citizenship wages war with bad.

Now one word to the parents. Like our youth, you have been unjustly criticized for the activities of a few. But the indulgent and permissive parent who produces the spoiled youngster, must share the guilt with the son or daughter for ultimate consequences.

The youthful dissenters of today are ignoring history. Mr. Strong, Mr. Krebbs, Mr. Kay, and a large number of others, went to college during what our history books refer to as the great depression. Thousands were unemployed and barely stayed alive in poverty and hunger. There was no work for millions who were trained, competent and eager to work for any wage. The average American of that day did not live as well as most of those rioting in dissatisfaction today. And I am told, millions would have regarded the lot of the worst of us today as near Utopia. Hitler and Tojo and Mussolini led united, hostile, nations against you in world wide war that dwarfs the localized conflict in Viet Nam. Most of my generation does not know the real meaning of poverty, hunger, unemployment, and war.

In short, the trouble and problems of the world into which you, as parents, graduated, were more numerous and more severe than the world today. Our world is not perfect, but I am convinced that it is a better world than the one my father stepped into upon graduation. . . . I am grateful that you, as parents, have made more progress in the past 30 years than any generation before, grateful that you have given us a better world where opportunity for service and fulfillment are greater. . . .

Most of us look forward to going out in the world to follow in your footsteps. . . . In the words of President Kennedy: "Only a few generations in the long history of civilization have been granted the role of defending freedom in its hour of maximum danger." This is the role which is ours too. May we accept this responsibility with enthusiasm and confidence. May we never shrink from this challenge.

SAFETY IN THE COAL MINES

HON. ROBERT H. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. MOLLOHAN. Mr. Speaker, shortly, this body will consider the all-important coal mine safety bill, approved some weeks ago by the House Education and Labor Committee, under the distinguished chairmanship of Congressman CARL PERKINS.

I received yesterday a letter, dated October 9, from Mr. W. A. Boyle, president of the United Mine Workers of America, regarding a matter raised by a near disaster in the Loveridge coal mine in the First Congressional District of West Virginia, which I am privileged to represent.

The issues raised by this near disaster are set forth in this letter and deserve the close attention of every Member of Congress. I sincerely hope the issues raised in Mr. Boyle's letter will receive the scrutiny they deserve.

The letter follows:

UNITED MINE WORKERS OF AMERICA,
Washington, D.C., October 9, 1969.

Hon. ROBERT H. MOLLOHAN,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN MOLLOHAN: Three weeks ago a fire broke out in the Loveridge mine of Consolidation Coal Company, almost within shouting distance of the #9 mine of Consolidation Coal Company where 78 coal miners lost their lives in last year's tragic underground explosion. But for the grace of God, the Loveridge fire could have been a repetition of the disaster at #9 mine. More than 100 miners were at work beneath the ground when flames swept through a section of the mine. Fortuntaely, none were trapped in the area where the flames erupted.

Almost as the flames scourged the Loveridge mine, the House Committee on Labor and Education reported to the floor a proposed coal mine health and safety act riddled by serious loopholes. Unless these loopholes are closed, the act will continue to invite tragic death and loss of limb for thousands of miners employed in allegedly nongassy mines.

The United Mine Workers of America beseeches you to remove all exemptions in the law which would permit any group of coal operators to postpone installation of spark-free equipment for as long as six years or even indefinitely. In addition, we are entirely opposed to provisions vesting any board of review with the right to overrule the decisions of the Secretary of Interior. Further, we urge that the bill be amended to provide that the permissible dust level be measured over *one shift* as opposed to the weaker method of averaging such dust level over *several shifts* as the present house bill provides.

As reported to the floor, the federal coal mine health and safety bill testifies loudly to the power of the Washington lobby of the coal industry. It testifies also with chilling shrillness to the determination of these operators to put profits above the lives of those who dig coal.

These coal operators are resorting to the same industrial blackmail that they have perpetrated upon the nation and its miners since time immemorial. They have always claimed that they would shut down their

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mines if required to grant decent wages and safe working conditions. They would probably bring back the child labor of half a century ago if they had their way.

The time has come to call the bluff of these operators and it is our considered opinion that few will shut down if their mines are covered by the provisions of a strong federal coal mine health and safety act. The choice before the Congress is clear. The lives of miners must be the foremost consideration in this legislation. Congress can prove to the entire world that the lives of working people weigh more heavily on the scales of justice than the sugared words of any coal mine operators' lobby.

The nation's organized mine workers urge you to work for and to vote for a federal coal mine health and safety law that gives the nation's miners the maximum health and safety protection humanly possible. We are opposed to all loopholes, and have been assured of the cooperation of the AFL–CIO in our efforts to have a truly satisfactory law enacted.

We have already informed the coal mining industry that it will face a direct confrontation with the United Mine Workers' membership in our next contract negotiations unless the maximum possible health and safety of that membership is assured. It is our sincere and fervent hope that we can win by law the protection so urgently needed. Your vote can help to assure this nation's miners that ours is a government dedicated to justice and humanity as well as to law.

Sincerely yours,

W. A. Boyle, *President*.

VIETNAM MORATORIUM

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. ANDERSON of California. Mr. Speaker, a democracy cannot survive with an apathetic citizenry. Democracy is enhanced by peaceful citizen participation. We are fortunate in that America has a heritage rooted deeply in democratic tradition—a tradition of self-government.

In order for a democracy to function, its people must make their views known; its citizens must make use of their right to vote; they must petition their elected leaders. How else can a representative government function? If the citizenry did not take an active part in our Government, we would no longer have the democratic system we cherish.

In reference to the President's statement on September 26, 1969, that he would not, under any circumstances, be affected by the October 15 "Vietnam moratorium," I think two points should be emphasized. First, the President, by issuing statements that conflict with his actions, is in danger of losing his credibility. Obviously, the wishes of the American people are, and rightly so, important in the President's decisions. The most recent illustration is the release of General Hershey as Director of the Selective Service. General Hershey was a symbol of the war and the draft, and he was relieved to appease the dissidents. The President, although he said he would not be affected, was, in fact, affected by public opinion.

This leads to the second point: Instead of trying to stifle constructive discussion, the President should encourage people to make their views known by peacefully demonstrating and petitioning their elected representatives.

Vice President Agnew has described the "moratorium" as "absurd."

My impression of that comment is that anything Spiro Agnew terms as "absurd" must have some merits.

After considerable thought on the meaning of the moratorium, it is my judgment that this is a day of discussion—a day of participation.

Responsible discussion should be the theme of the "Vietnam moratorium." Americans, regardless of their views, should analyze our situation in Vietnam, realize the implications of each alternative, formulate a constructive solution and, finally, petition their elected officials as to their views. Most everyone agrees that the bloodshed should cease in Vietnam. Our dilemma arises when we discuss the alternatives to this objective.

The President is aware of the views of a small, vocal minority of the Nation, but he does not know the views of the great majority of the people. I feel reasonably sure that the President of the United States would respond in a positive way if he knew the views of the consensus of American public opinion.

Everyone should discuss Vietnam—the most pressing crisis of our time. The moratorium cannot and should not be ignored. In the past, participation has been limited primarily to the campus, but Vietnam involves all of us—not just the youth. Therefore, all Americans should observe the moratorium by discussing our current policy, and the alternatives, in the home, in the place of business, and in the place of worship.

TOM FLETCHER

HON. LIONEL VAN DEERLIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. VAN DEERLIN. Mr. Speaker, a man I am honored to have as a friend, Thomas W. Fletcher, will soon be leaving this area after more than 2 years of distinguished service as Deputy Mayor of the District of Columbia.

Tom Fletcher was first appointed to his post by President Johnson and reappointed early this year by President Nixon. Neither Chief Executive could have made a better choice, for Tom is widely regarded as perhaps the ablest city administrator in the Nation.

He earned his enviable reputation dur- 5 years as city manager of my own city of San Diego, and added to it with his service often under the most trying conditions in Washington.

Tom's achievements in our Nation's Capital have been duly noted by Washington's leading newspapers. It is a great pleasure for me to include at this point editorials commending him from the Evening Star and the Post.

[From the Evening Star, Oct. 10, 1969]

Deputy Mayor Fletcher

Thomas W. Fletcher will be greatly missed when he pulls up stakes shortly to return to his native California as city manager of San Jose. As deputy to Mayor Washington during two eventful years in this city's history, he served as a kind of Mr. Inside—the man who worried about budgets and administration and, in general, tended to the day-to-day operations.

For this, he was well-qualified professionally with a broad background in city government. By temperament, Fletcher had no personal need for limelight, but instead took quiet satisfaction in getting the job done.

In point of fact, Walter Washington and his deputy had the sort of close working relationship that the captain of a Navy ship hopes to establish with his executive officer. The Mayor was free to set the tone and broad policy, because his number two was willing to assume responsibility for detailed supervision.

We wish Thomas Fletcher well in his new job. As Mayor Washington said, he will be a hard man to replace both as an administrator and a colleague.

[From the Washington Post, Oct. 10, 1969]

An Exceptional Deputy

The remarkable thing about Thomas W. Fletcher's all too brief appearance on the Washington scene was the way he played the role given to him—to understudy, support and backstop his chief, Walter Washington, but not to compete with him. He performed well. The wheels of government turned at his bidding for he was the administrative chief, the budgeteer, the trouble shooter who frequently identified the broad policy areas that needed Mayor Washington's attention.

When things ran smoothly, one did not hear much of Deputy Mayor Fletcher. When they got out of hand, as they did in the effort to settle the dispute over highways, he was in the eye of the hurricane, but generally unflappable. Technically, of course, his official title was the self-effacing one of assistant to the commissioner. Presidential and popular usage made him the deputy mayor.

Mr. Fletcher was literally plucked out of an automobile in Rapid City, S.D., by President Johnson for the assignment as the No. 2 city executive. He had been en route to Washington from San Diego to take a job as deputy assistant secretary of HUD. He had been city manager of the California city and Mr. Johnson's talent scouts had identified him as the most outstanding professional manager in the nation. Two years later he takes leave of the Washington job for the city managership of San Jose, Calif., with his standing enhanced.

For the city of Washington, the departure of Mr. Fletcher poses an enormous problem. His replacement must, like him, be an outstanding and nonpolitical professional. Like him, he must be someone who can learn rapidly how to thread his way through the incredible congressional maze where ultimate power over the city rests. Like him, he must have sensitivity in dealing with the city council and its vocal constituents of both races. Like him, he must be able to establish a rapport and relationship with the Mayor to avoid the threat of divided government. And, to avoid a hiatus, he must be found quickly.

FIGHT AGAINST INFLATION

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. HANNA. Mr. Speaker, it is time for the American people to cry halt to the policies we have been following in the so-called fight against inflation. The

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selective suffering that these policies have brought upon our people are no longer tolerable in the light of the little progress that has been achieved. The housewives suffer from increased demands in the grocery stores and from demands in every walk of consumer life for their household dollar. Small business suffers by being bounced from the borrowing bench of the banks. The housing industry has suffered because of its inability, in a rising interest market, to compete with shorter term paper with high liquidity. Mortgage money, except for that developed by FNMA, is a mere trickle. Enough, enough, already.

There must be a better way—there is a better way. One of the major ingredients of this so-called inflation is underproductivity. Labor must understand that it is robbing one's self when the price of labor exceeds the honest value of the services rendered or the product created.

Equally, management must understand the price of a product is equally restricted by its honesty and it must reflect the value.

The credit restrictions of the Federal Reserve should be looked into. Emphasis in that agency should be upon the relationship between the money growth and the real growth in gross national product. The Federal Government must in these times emphasize policy which directs money into those activities which most surely promote sound growth. In that regard, it seems to me most clear that available capital is far more useful in the homebuilding industry than devoted to financing mergers or in the building of conglomerates. Of course building as a multiplying factor from 9 to 11 creates a produce of substantial longevity. Capital utilized in mergers and acquisitions create a new value, build no new product and merely pay the cost of paper shuffling and reflect in inflated stock prices.

Here are a list of practical programs and policies that this administration could activate that would realistically match the kind of problem our economy now faces.

First, immediately fund and vigorously pursue labor training programs for both young and mature workers. Matching their skills to the requirements of the labor market and provide real competition among labor elements.

Second, reduce the forces in the military further enlarging the labor market.

Third, be prepared to be a residual employer for a portion of the unemployed. With work oriented strongly to the development of parks and the advancement of our timber resources.

Fourth, delay consumer purchases with some application of regulation W increasing downpayments and decreasing term.

Fifth, relax the credit restrictions presently enforced by the Federal Reserve.

Sixth, encourage lead and reward in industry, business and labor to a policy of productivity and quality as a basic standard for price and wages. These are the only guideposts which make sense and they are the two that are the economic imperative of an international world market in which our economy is an essential part.

Finally, Government economists should understand and develop measurements for input-output studies so the interrelationship and interdependency of and between elements of our economy are far better understood and measurable. Such economics also provide data for projecting multipliers upon which the velocity of this economy depend.

By pursuing such proposals we would recognize just as overproduction was found to be underconsumption, the present inflation would be found to be underproduction in both the commitment of labor and the application of capital.

HON. PATSY MINK DELIGHTS MISSOURI DEMOCRATIC WOMEN WITH ELOQUENT SPEECH ON THE POLITICS OF LEADERSHIP

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mrs. SULLIVAN. Mr. Speaker, when an outstanding Member of Congress makes a truly eloquent speech on the issues which confront our Nation and mankind, we all derive a sense of pride in an achievement which reflects credit upon this House as an institution and upon all of us privileged to serve here. To be present, in a hushed and attentive audience, and share the occasion is an even greater pleasure.

Thus it was a thrilling experience for me Sunday night to be present at the annual dinner of the Missouri Federation of Women's Democratic Clubs in Jefferson City, Mo., and to hear the Honorable Patsy Mink, of Hawaii, make what I believe was one of the best addresses of the year on political issues—to any group. It was my great privilege to introduce Mrs. Mink to a capacity audience of Missouri political leaders, including Gov. Warren E. Hearnes, and to nearly 1,000 Democratic women. She made me proud of my party, of the Congress in which we serve, and of women in public life.

And she put into perspective the controversy initiated by the President over the weekend on the respective roles of Congress and the Executive in guiding national policy and achieving national goals. Every Democratic Member of the House will applaud her straightforward analysis of these issues; and our Republican colleagues undoubtedly will agree that what she said was honest, reasonable, and fair. For that is the only way Congresswoman Patsy T. Mink knows how to be.

She is brilliant, witty, charming, glamorous—an ornament to the House—but more important than that, she is a superb Representative of the 50th State. And we are understandably proud of her achievements in the Congress.

Born, reared, and educated in Hawaii, a graduate of the University of Chicago School of Law, a former member of the Hawaii House of Representatives and of her State senate, charter president of the Young Democrats of Oahu which she organized in 1954, first territorial president of Hawaii Young Democrats in 1956, and national vice president of the Young Democratic Clubs of America in 1957, Mrs. Mink has been a hard-working, effective, and influential Member of Congress since 1965. She is the first woman to be elected as a U.S. Representative from Hawaii. She is now an outstanding member of the House Committee on Education and Labor and of the House Committee on Interior and Insular Affairs. When she speaks in the House, we listen—for we know she has done her homework, researched the issues, studied the facts, and made reasoned and independent judgments.

Representatives William J. Randall, Richard H. Ichord, and James W. Symington shared with me the pleasure of hearing one of our colleagues in the House charm and delight the Democratic clubwomen of Missouri Sunday night. And I am sure they join me in urging our associates in the Congress to read her excellent address which I submit for inclusion in the Record as part of my remarks, as follows:

ADDRESS BY MRS. MINK

Thank you, Mrs. Sullivan. It is my pleasure to join you in saluting the President of the Missouri Federation of Women's Democratic Clubs, Mrs. Zola King; the Chairman and Co-Chairman of this great Convention, Mrs. Ruby Jane Happy and Mrs. Dee Whitecotton. The importance of this occasion is signified by the presence of Governor Hearnes, Representative Symington, Representative Ichord, Representative Randall, many leading State officials, and the Missouri Mother of the Year, Mrs. Allen Cooper, and other Honored Mothers. To these distinguished persons and to the Women Democrats whose untiring efforts are the foundation of Democratic strength in this great State of Missouri, Aloha.

The presence of so many distinguished elected officials from your State proves that no one dares underestimate the power of women! I am extremely honored to be invited to your banquet tonight, and particularly privileged to have your most distinguished Leonor Sullivan to introduce me. I have been in the Congress for only five years now, but it never fails to astound me to watch Mrs. Sullivan lead the House on so many important issues like Food Stamps, Truth in Packaging, Truth in Lending, Consumer Protection, Housing, Health, Wholesome Meat and Poultry, and yes even to help improve the maritime industry of this country. The Women Democrats of the State of Missouri have someone to be mightily proud of, and I am equally proud tonight to share this platform with her, and my other distinguished colleagues.

The decade of the sixties is rapidly coming to a close. We have witnessed turmoil and dissention in our country. We all yearn for the calm of a new day when we can be truly joined in a unified and progressive national commitment to Peace, Tranquility, Opportunity, Equality and Justice.

The President issued a statement yesterday intimating that the Democrats in the Congress were stalling his program of reforms. For a man whose popularity has been steadily sinking, this tactic is as obvious as it is transparent. The country knows that despite lack of White House leadership, the House of Representatives passed the monumental tax reform bill; that again without White House support the House of Representatives overwhelmingly passed the electoral reform bill; that over President Nixon's strenuous objection the House passed an appropriations bill for education which added $1 billion for our schools, our colleges and our libraries; and that against his budget recommendation the House raised to $600 million our national effort against water pollution. These are only a few examples of our record thus far, and yet the President dares to suggest that we ought to begin to work! I submit it is he who should roll up his sleeves and get to work!

I served in the House on the Committee on Education. In this vital field I know of no single piece of legislation offered by the President to help improve the quality of education in America. In fact in his 4,000 word message to Congress yesterday he failed to say a single word about our national crisis in education! Recently after the House voted to increase the education appropriations by one billion dollars, the President issued a statement to the effect that no matter what the Congress did, he would not allow these additional funds to be spent for our children and for the cause of improved educational opportunity in America. The gullibility of the American public cannot be stretched to such a degree, for they will remember his words in the campaign of 1968 in which he pledged himself to a "massive upgrading of our education effort." As a candidate, Mr. Nixon told the country that, "investment in education is an investment in America's future; none that we make will pay better dividends," he said. Yet now as President of the United States he says that our actions to help education were unwise, and yes that the $1 billion is better invested in supersonic planes and ABM's!

Last week the National Advisory Council on Education Professions Development sent a report to the President expressing its deep concern over the absence of Federal initiative in the field of education. They reminded the President that while Commissioner Allen was pronouncing how every child had the "right to read," the Department he heads was being ordered to cut $8 million of a meager $13 million program to train teachers of reading! The Council admonished the President that it was concerned by not only a reduction in funds but by an absence of direction and planning. The Council said, "in dramatic fashion, these decisions and actions add up to default on the proclaimed responsibility of the Federal government to act as a partner with the other levels of government in supporting the nation's educational enterprise. When the States in the last 2 years increased their expenditures for higher education by 38% and for elementary and secondary education by 28% . . . we find that Federal government is cutting back!" The Council continued, "we sense a worsening climate in American schools and colleges. . . . The needed improvements and reforms will come about only if appropriate leadership is offered." "It is now we must act. It is now that we must demonstrate, mainly to ourselves, that a nation which can take such just pride in its extraordinary achievements in the material realm is no less resourceful, no less vigorous, no less sacrificing in dealing with matters of the spirit."

I subscribe fully and wholeheartedly to this report filed by a National Advisory Council on Education and regret that it could not have served as the basis for at least a paragraph of concern in the President's legislative program.

Doubtless the most far reaching piece of legislation to be enacted by the 91st Congress will be the tax reform bill. There is absolutely no doubt in my mind that this will become law during this Session of Congress. This bill was written by the Democratic leadership of the House. It is the product of our own initiative. President Nixon's efforts are underway in the Senate to water it down, to lower the taxes on corporations, and raise it instead on individuals! The average taxpayer in America is in revolt and rightfully so! They will know whose tax reform bill they favor and it is our job to tell it like it is.

I have said over and over again the past four years that we need to end the war in Vietnam. 38,000 American boys have already lost their lives. There have been no new plans revealed by the President despite all the campaign implications and the modest return of 25,000 men in August has not brought the total men deployed there to any lower level than President Johnson previously had maintained in January of 1968!

Meanwhile we continue drafting our boys and sending them to Vietnam.

The President stated that the Congress has failed to enact necessary reforms to our Selective Service system. What he does not emphasize is that he has had the power all along to bring about the changes which he has talked about, save only one, and that is the implementation of a lottery system from among the 19 year olds only. And even in this one area which does require legislation, his spokesmen appeared before the House Armed Services Committee with no precise and clear idea of how they would implement this lottery plan. I happen to agree with the President that these changes about which he has talked so much are absolutely essential, and I hope that our young people will wake up to the fact that the President could by Executive Order tomorrow put them into effect. It may not have been sensible to give the President such broad powers, but the fact of the matter is that, the Congress did. Let us make it crystal clear to the President that it is he who should make good on all these promises, and never mind the buck passing to the Congress.

There seems to be a lot of concern in Washington these days for big business. Interest rates are shooting sky high and it is virtually impossible for a working man to consider buying a home for his family. A $30,000 mortgage with 25 years payment period at 10% interest means that home will have cost $81,000 by the time 25 years are up. In a high-interest period, banks all over the country have been refusing to tie up any of their money in loans to students under the Federal guaranteed loan program which allows a maximum interest rate of only seven percent. Failure of Executive policy in keeping down interest rates is denying help to working people who need help desperately to finance their children's education. The banks are holding out for at least ten percent interest, so Congress was forced to enact an emergency bill sent down by the President to give the banks an additional three percent interest subsidy on all student loans. Failure of the President's real commitment to education denied our children needed funds which could have been released under our existing direct loan program.

The Congress is more than willing to consider each of the President's recommendations on their merits. But I am certain that the people will insist that we give them careful and thorough scrutiny.

For instance, no one in this country expects the Congress to move to a guaranteed annual income family assistance plan without long and careful study of all of the implications. The President only sent his bill to the Congress on October 3. It is absurd to talk about foot dragging! Even the President has changed his mind on several points since it was first announced. At first it would have excluded benefits of food stamps; now he says that it must. No well thought out proposal would have called for the exclusion of this one workable program to feed the hungry poor.

We cannot willy-nilly discard programs that have worked merely because someone wants to try another plan; merely because REFORM is somebody's watchword! A mere substitution of State welfare funds with Federal dollars is no solution for the poor. $1,600 subsistence funds for a family of four, is scarcely adequate without subsidized housing, food distribution plans and medical care. Further to offer welfare payments to the *working* poor is to subsidize wages for industry that should be required to pay a living wage. Congress' first obligation is to guarantee that the incentive to work is rewarded by an adequate living wage without tax supported welfare.

The need to increase Social Security benefits is another issue worth examining. Obviously an increase is needed. Former President Johnson's recommendation of a ten percent increase this year was slashed by President Nixon to seven percent effective next year.

Under great pressure from the Congress and facing a Democratic caucus vote in support of 15% increases this year, the President, as has become typical, changed his position and today is in support of a 10% increase, next year. Our majority leader, Carl Albert says, "this is too little and too late." Nixon has shown no leadership and we Democrats must mobilize public opinion against this premature attack upon the Congress and its already affirmative record.

In the most recent special elections, in three heavily favored Republican districts, three Democrats have been elected to Congress. Republicans sense trouble in the 1970 elections and are beginning to unleash a propaganda barrage.

Permit me to say that the Administration position also on civil rights is disgraceful. I have looked in vain for strong leadership in this field from the White House.

Instead, all we have witnessed is a wavering in the face of resistance to orderly school desegregation. Attorney General Mitchell seems to have overruled HEW Secretary Finch, and recalcitrants have been given another delay in the requirement of opening their classrooms to all children equally. The President's Civil Rights Commission headed by Father Hesburgh has decried these actions and attorneys in the Justice Department are in revolt. Further the Administration's proposals to amend the voting rights act will be rejected and instead Congress will summarily extend this historic civil rights legislation without any watered down amendments.

Congress has its work cut out to save our past progress and to set our own priorities.

We desperately need a re-ordering of our national goals. We cannot allow our cities and local communities to crumble in decay, our highways to clog up with traffic, our school children to be deprived of the best educational opportunities available, and our poor to continue to go to bed hungry while our resources are expended on more and more weapons of war and destruction. This continues to be our most pressing agenda for this nation.

I believe that progressive thinking of women like you is absolutely imperative if we are to meet the challenges posed by the school dropout, the parentless delinquent, the underachiever, the nonreader, and more recently the rebel with a cause who simply drops out of a society he does not agree with and does his own thing without feeling any responsibility to the community as a whole.

Your help is needed to cope with the resentment of young people who increasingly oppose the standards of their elders. Many in today's generation cannot understand why our 18 and 19 year olds are sent to the Great War in Vietnam to fight on a lonely and isolated battlefield. They do not understand our democracy which fails to hold true to its cherished ideals of equality and justice. They do not share the average citizen's goals of success based upon material wealth. Do we have the capacity to relate to these young people of today? I believe that we must and resist those who advocate only suppression and discipline as the solution.

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This is a special challenge for women and I invite you to participate in the national and local policy-making which sets the pattern of our relationships with those now coming to the fore. Specifically, we as women must help re-order our national priorities so that there is less reason for the young to rebel and be discontented. We owe this to our children and to our nation's integrity.

Women should press for greater attention to our growing domestic needs in such fields as education, health, transportation, job-training, housing, and—yes—hunger of many people in the midst of our general affluence.

Mythology traces the heroic element in woman's character from early times. Have you ever stopped to notice that Justice is always and everywhere depicted in the form of a woman, why Freedom is so often symbolized in womanly form in statutory and other depictions, and why the ideal of Purity is likewise, and Peace, and so on. Going back as far as the beginnings of our civilization in Hellenic Greece and Imperial Rome, we encounter a rich and elaborate mythology, a pantheon of gods with human traits but nevertheless who represented great life forces such as light or darkness, the sun, the moon, the seasons, the controlling power of the sea, and the mysterious forces of the underworld. Women are duly recognized here, including Aurors of the dawn, Iris of the rainbow, Flora of the world of bloom, Ceres of the fruitful harvest, Minerva of the devotion of pure intellect to the control and guidance of the world's affairs.

This great heroic tradition of women lives on from mythology into history itself.

We can marvel at the courage and intellect of Anne Hutchinson of our colonial days and hundreds of other women who helped shape this nation's beginnings. In the Congress the woman pioneer was Miss Jeanette Rankin, elected to the House of Representatives in 1916 even before women's suffrage.

I think it is not only possible but necessary for women to help make our national decisions. As individuals we must do our share to resolve these problems at the same time that we meet our other obligations to our husbands, and our children.

As we shall not fail in our individual responsibilities, so we shall not fail as a group, for we have a great task to continue to mold our divided society into a united community dedicated to human dignity, to peace with justice.

You can lend your assistance to many local programs, and if not actively participate at least support our efforts to help improve the quality of life for all Americans. This again revolves around the question of national priorities, an area which sorely needs your judgment and advice. I am confident that you as Democratic women actively engaged in politics will do your part to support our vital effort to solve these domestic problems and to return us to a country of Peace and Tranquility. Your kindness and hospitality is deeply appreciated. As we say in Hawaii, Mahalo or thank you and Aloha.

ILL-ADVISED VIET MORATORIUM COULD SET A RISKY PRECEDENT

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. BOLLING. Mr. Speaker, once again I find myself very much in agreement with a column by David S. Broder. This one appears in the Washington Post of Tuesday, October 14, 1969:

ILL-ADVISED VIET MORATORIUM COULD SET A RISKY PRECEDENT

CAMBRIDGE, MASS.—The larger the plans for Wednesday's Vietnam moratorium, the more the central message and tactic of the demonstration have been obscured. If the event is to be gauged properly, it is important to uncover its original premises from the debris of cliches and endorsements in which they have lately been buried.

A number of men active in the moratorium have taken time to point out what they consider the errors of the argument in this column last week that it is a plan for "the breaking of the President." With sincerity and conviction, they have asserted that, far from breaking the President, they are out to save him, by persuading him to make the peace the nation craves and, incidentally, to save the political system by keeping the antiwar movement out of the hands of the radicals and in control of those with a commitment to peaceful forms of protest.

Their conversations and correspondence have helped to define three questions which might be borne in mind by those planning to participate in the moratorium.

First, what is the target of this protest? Sam Brown, the able spokesman for the moratorium, says it is not an anti-Nixon move because "we learned in 1968 that what we must oppose are not personalities but policies."

But if the Nixon administration is following the very policies recommended in 1968 by the antiwar faction, as I believe, then their moratorium is mobilizing public opinion against its own policy recommendation to the President. The minority plank at the Democratic convention, endorsed by all the leading doves, called for a halt in the bombing of North Vietnam. This has been done. It recommended a reduction in offensive operations in South Vietnam. The President has ordered this and it is in effect.

It asked for "a phased withdrawal over a relatively short period of time" of all foreign troops. The Nixon administration has begun pulling Americans out of Vietnam without waiting for North Vietnam to agree to mutual withdrawals, as the doves thought necessary.

Finally, it recommended that the United States use the leverage of troop withdrawals to "encourage" the Saigon government "to negotiate a political reconciliation with the National Liberation Front" looking toward "a broadly representative government" but recognizing that "the specific shape of this reconciliation will be a matter for decision by the South Vietnamese."

If this is not precisely the policy of the current administration, as enunciated by the President and the Secretary of State, then words have lost their meaning. And if the moratorium sponsors want to argue—as some have—that the President is lying about his purpose, their suspicions must be weighed against the facts of reduced fighting, reduced troop levels and reduced casualties, which his policies have brought about.

Second, what is the alternative they recommend? It has been described in moratorium publicity as everything from a negotiated settlement to immediate, total American withdrawal from Vietnam, but Brown said Sunday on "Face the Nation" that it is the latter that the moratorium has "consistently" demanded.

If that is the case, then the elected officials, clergymen and educators who have lent their prestige to the moratorium can properly be asked if this is the program they endorse. Many of these sponsors were involved in the fight for the minority plank at the Chicago convention which specifically said the war "will not be ended by military victory, surrender or unilateral withdrawal by either side."

It might be well for those men to explain Wednesday when and why they concluded that their opposition to unilateral withdrawal was wrong. It would be even more useful if they could explain why a one-dimensional plan to pull out troops is any more likely to be wise policy than the one-dimensional plan that sent the troops in. Have we not learned yet to examine the political consequences of military decisions?

Third, and most important, what about the method of the moratorium? Is it compatible with the maintenance of representative democracy or does it substitute the rule of the street?

The sponsors say the name "moratorium," rather than "strike," was chosen to emphasize that the protest is to be peaceful and noncoercive. It is a nice distinction. The noncoercive feature may be almost invisible to the thousands of students whose colleges will shut down Wednesday. If the moratorium continues, as planned, for two days in November, three days in December, and so on, it will more and more come to resemble the general strike so familiar to European politics.

And if it succeeds in its aim, what is to prevent other majorities or sizable minorities in the country from using the same technique to force their views on agencies of the government? The moratorium sponsors say Vietnam is an extraordinary issue, but they must know it is not the only issue which agitates millions of people.

One wonders what the moratorium sponsors would say if Billy Graham were to ask all the parents who want prayers restored to public schools to withdraw their children from school for one additional day each month until the Supreme Court reverses its school-prayer decision.

Suppose pro-prayer teachers agreed to meet the pupils in private homes on moratorium days to discuss "the overriding significance of religion in human life." Would the Vietnam moratorium sponsors cheer? What would they say if landlords and real estate men opposed to integrated housing declared a moratorium until Congress repeals the open-housing law?

My view, just to be clear, is not that the Vietnamese moratorium is un-American, illegitimate, meanly partisan or personally vindictive in its motivation. My view is that it is an ill-timed, misdirected protest, vague in its purpose and quite conceivably dangerous in its precedent.

As was said last week, its immediate result may be the breaking of the President. In the serious weakening of his power to negotiate peace or to achieve any of the other purposes for which he was elected, its longer term effects may be to subvert a system of democratic government I happen to believe is worth preserving.

ETHNIC SLURS FROM A CALIFORNIA JUDGE

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. BROWN of California. Mr. Speaker, a key precept of our American system of law holds that any man is assured of free and unprejudiced judicial hearing.

While it is impossible to expect that any man can be completely unbiased, I certainly feel that a judge should be able to conduct himself and his duties with a minimum of intolerance.

Last month, an unfortunate incident occurred in a juvenile hearing before a San Jose, Calif., judge. Remarks by the judge constituted a vicious slur upon all Americans of Mexican descent.

None of us should stand for such impropriety by a man entrusted by the public with broad judicial powers. I have joined with many organizations and individuals—among them, the Community Advisory Council of the East Los Angeles Service Center, the California Rural Legal Assistance program, the Los Angeles League of United Latin American Citizens, and the Chicano Law Students Association—in demanding immediate intensive investigation of the judge's remarks. If it is proven that the remarks do slur the Mexican American community, then I hope that proper action can be initiated to remove the judge from the bench.

I am proud of the Mexican American heritage and their contributions to our society, and I feel that the judge's reprehensible outburst displays an extreme lack of judicial temperance and I seriously question his ability to handle the duties expected of a man in his position.

Mr. Speaker, I now place in the RECORD two articles from the Los Angeles Times relating to this matter:

A JUDGE WHO DISGRACED THE BENCH

"We ought to send you out of the country—send you back to Mexico . . . You ought to commit suicide."

"You are lower than animals and haven't the right to live in organized society—just miserable, lousy, rotten people."

"Maybe Hitler was right. The animals in our society probably ought to be destroyed because they have no right to live among human beings."

Were these the mouthings of a lynch mob or the taunts of a racist sheriff?

No. They were uttered by the Honorable Gerald S. Chargin, a judge of the Superior Court of the State of California, presiding at a juvenile hearing in San Jose.

The outrageously intemperate language used by Judge Chargin clearly requires that he be removed from the bench.

Before the judge on Sept. 2 was a 17-year-old Mexican-American youth accused of incest involving his 15-year-old sister. He had originally pleaded innocent but reportedly changed his plea.

In his diatribe against the young defendant, Judge Chargin broadened his remarks, including his gratuitous reference to the sister: "Well, probably she will have half a dozen children and three or four marriages before she is 18."

The judge's indictment of "miserable, lousy, rotten people" led Dep. Public Defender Fred Lucero to object that "The court is indicting the whole Mexican group . . . What appalls me is that the court is saying that Hitler was right in genocide."

To which Judge Chargin replied: "What are we going to do with the mad dogs of our society?

"Either we have to kill them or send them to an institution or place them out of the hands of good people because that's the theory—one of the theories of punishment is if they get to the position that they want to act like mad dogs, then we have to separate them from society."

Although the judge told the defendant, "You will probably end up in the state's prison before you are 25, and that's where you belong anyhow," he finally ordered the youth released on probation.

Chargin excused his behavior by saying that "it is an accepted fact that these lectures are stated in harsh terms to impress upon the minds of the youth the seriousness of the situation in which they find themselves."

Nothing, however, can excuse language so harsh and so intemperate as to arouse an entire community to anger over such racial slurs.

The transcript of the Sept. 2 hearings has now been forwarded by the Attorney General's office to the Commission on Judicial Qualifications with a formal request to "expedite" an investigation.

There can be no other conclusion than that Judge Chargin is not qualified to sit on the bench. He stands convicted by his own words.

CHICANO STUDENTS IN THREE LAW SCHOOLS RAP JUDGE FOR SLUR

(By Ruben Salazar)

Chicano law students at UCLA, USC and Loyola University Tuesday publicly condemned a San Jose Superior Court judge who from the bench characterized Mexicans as "animals."

At a news conference at UCLA, the Chicano Law Students Assn., which represents 60 Mexican-American law students in the three universities, said it has "pledged itself to aid in the removal of Judge Gerald S. Chargin from the bench."

Guadalupe Martinez, chairman of the association, said Judge Chargin's remarks were filled with the racist hatred encountered daily by brown and black people in the United States."

While sentencing a Mexican-American youth who had pleaded guilty to incest, Judge Chargin, according to the court transcript, said that Mexican people after 13 years of age think "it's perfectly all right to go out and act like an animal."

REMOVAL TO BECOME GOAL

He then added that "Maybe Hitler was right. The animals in our society probably ought to be destroyed . . ."

Martinez said the Chicano Law Students Assn. has taken Chargin's removal as their cause.

The third year law student said he addressed a meeting of most of UCLA's law faculty and that at least 30 out of 48 members have pledged their support. UCLA law professor Michael Tigar is circulating a petition among his colleagues.

Judge Chargin, 65, has been transferred from his juvenile court to civil case duties in Palo Alto until the Commission on Judicial Qualifications makes a ruling on the incident.

The law students said they will work with Don B. Kates of the California Rural Legal Assistance in their effort to force the removal of Judge Chargin.

The association said "Kates will petition the California Supreme Court to consider the removal of Judge Chargin from the bench should the procedures followed by the Commission on Judicial Qualifications fail" to "effectuate the removal."

In San Jose, the City Council voted unanimously to censure Chargin and asked that an investigation be made of Chargin's fitness to serve on the bench.

SEEKS INCREASED TIMBER YIELDS

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. ULLMAN. Mr. Speaker, the number of new housing starts today is down sharply because of tight monetary policy and high mortgage interest rates. But we must be ready to supply the housing needs of tomorrow when restrictions are eased. The demand for greatly expanded new housing programs clearly exists. Our national goal of building 26 million new houses over the next decade must be achieved.

We will be hampered in this effort by outmoded management concepts that will limit our output of timber from our public and private forests. We must act now to improve our harvest techniques of this great natural resource to insure an adequate timber supply.

A bill awaiting action by the House Committee on Agriculture (H.R. 12025), of which I am a cosponsor, provides for more intensive management of our forest lands and promises increased timber yields. The bill offers the opportunity to meet all the demands made on our timber resources—economic and otherwise. Better management would insure broader development of the forests for recreation and wildlife purposes as well as commercial uses.

The Forest Subcommittee of the House Agriculture Committee has acted favorably on this bill. I strongly urge early consideration and approval by the full committee.

The executive president of Boise Cascade Corp., Stephen B. Moser, in a recent address to the American Forestry Association presented an excellent argument in favor of this legislation. A report of this address was published in one of my district's newspapers, and I commend this report to the attention of the House:

EXECUTIVE SAYS PUBLIC DENIED BENEFIT FROM FOREST

COLORADO SPRINGS.—"Philosophically, the nation's resources are owned by the people, and it would seem logical that the people are entitled to the best possible return for the sale and usage of what they own. Conflicting governmental policies and practices in the past may have prevented the public from realizing maximum economic benefits from the forest."

Stephen B. Moser, executive president of Boise Cascade Corporation, made these points in an address in Colorado Springs last week to the annual convention of the American Forestry Association.

"Any fair-minded person will recognize that these resources are being used to produce products and values needed by our society. Will not the extraction of 'top dollar' for raw materials run up the final cost so that the people in the end are forced to pay higher prices for the finished products of these resources?

"COST IS PRIME FACTOR

"This may run directly counter to social programs initiated and administered by the government itself where low-finished cost is a prime requisite—housing for instance," Moser said.

"Government policy calls for building or rehabilitating an average of 2.6 million housing units a year for 10 years.

"This amount of housing each year will take a tremendous amount of materials, especially lumber and plywood. It is obvious that the increases are going to have to come substantially from the federally-managed forests which, after all, contain nearly two-thirds of all the softwood sawtimber in the country.

"Is the government, then, going to demand top dollar for the people's timber and force these same people to pay more for their housing as a result?

"One part of our government has set an extremely high goal for housing production. Another part has set a policy of 'top dollar' for the sales from its forest resources. And a third has cracked down on the money markets with disastrous results for home-building, which is the principal single market for softwood lumber and plywood," Moser argued.

"PRODUCTION LOW

"Congressional investigations have illuminated a fact that has been familiar to the forest industries for a long time. They learned that the federal forests, with 60 percent of the inventory of softwood sawtimber are producing logs at far below their true capacity.

"Federal forest managers have been hampered by inadequate appropriations to finance the level of forest management they would really like to attain and by a lack of practical policies which would enable them quickly to adapt to changing markets. Private business could not operate under such restrictions.

"Federal forests are under-used. And under-use is a form of waste. Why, for instance, should billions of feet of salvageable timber, which has been damaged by blowdown, insects, fire or overmaturity, go unsalvaged? For the simple reason that the forest managers have been denied manpower and the funds to build the access roads necessary to get at that salvageable timber," Moser commented.

"The National Forest Conservation and Management Act of 1969, which was introduced under the sponsorship of some 60 representatives and 15 senators, may prove to be the most significant advance in forestry legislation in many decades.

"The act has as its major purpose the provision of funds so that more intensive management of the federal forests can be provided, while at the at the same time protecting and insuring other multiple-use benefits from these lands.

"TIMBER SALE FUND

"The Act would create a fund from federal forest timber sale receipts to be used for certain production-increasing timber management practices. It would enable the forest managers to increase skilled manpower and to set up provision of adequate access roads. It would give the managers the opportunity to do what private industry had done . . . to apply sales revenues to improvement of holdings and output. There are ample safeguards to conservation interests.

"There is also an additional need to revise current federal timber selling practices in order that the risks and uncertainties involved in dealing with a monopoly timber seller (the government) are minimized and that the new plant investments required to increase production of wood products are encouraged.

"It is time to take the wraps off the federal managers and let them do their job the way they would like to do it. The National Forest Conservation and Management Act will help accomplish this," Moser concluded.

REACHING FOR THE MOON

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. TEAGUE of Texas. Mr. Speaker, the weekend issue of the Christian Science Monitor, dated July 26, 1969, pointed to the need for continuing efforts to improve our life here on earth and the significance and importance of the Apollo 11 flight in the light of these needs. As this editorial so well points out the achievements of Apollo 11 and our national space program are indeed important for the betterment of mankind not only in our country but throughout the world. I commend this article to the reading of my colleagues and the general public:

REACHING FOR THE MOON

Apollo 11 lifted men's eyes to the stars. We wonder if they saw the lesson this thrilling achievement wrote there.

Even as men gasped at the feat, they wondered if technology could help fulfill another dream—abolition of hunger and poverty from earth.

Engineers answer "yes." But they need a commitment from mankind comparable to that which enabled them to put men on the moon.

A group of scientists and engineers at the California Institute of Technology spelled this out a couple of years ago.

Man, they said, now does have the capacity to create more abundant living for all. Space-age engineering is one of his most potent tools. But the job demands three kinds of commitment without precedent in human history.

First, rich and poor countries need to recognize the problem as one of total economic development. Merely giving money to, say, India, merely giving technical advice or surplus food, won't do much good. The total economy of such a country has to be transformed to raise living standards even while trying to hold back population growth. A new kind of technology has to be created, a technology of decent living.

Having recognized this, richer countries would have to fund a development effort costing at least several times what they now spend on foreign aid. And they would have to sustain it for decades. That's the first unprecedented commitment.

Poor countries, for their part, would have to weed out traditions, entrenched greed, and other home-grown vices that inhibit development. That's commitment number two.

Finally, rich and poor alike would have to subordinate national rivalries to a common effort to pull the poor out of the slough of backward economies.

With such commitments, experts could identify specific goals in specific countries necessary to development and fulfill them. By the end of the century, the Cal Tech group said, this could give all men a richer life here on earth.

In today's atmosphere of nationalism, suspicion, and sometimes hate, to try for even a modicum of such global commitment seems like reaching for the moon. But, then, Apollo 11 has shown this no longer is synonymous with the unattainable.

ADMINISTRATION FAILS TO BACK NATIONAL PARKS

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. O'HARA. Mr. Speaker, for more than 9 months now, conservationists have been watching and waiting for the Nixon administration to demonstrate its interest in the preservation of wilderness and potential national parkland.

In order for the new administration to be permitted to develop policies and programs in an orderly fashion, without interruption by criticism, conservationists have remained silent observers.

But conservationists can wait and watch no longer.

Already, we have lost the opportunity to act this year on some of our most pressing conservation problems.

Recently the Sierra Club, a leading national organization of conservationists, assessed the administration's conservation inactivity and felt obliged to inform the Nation that the administration is doing little—if anything—to fulfill its earlier promises that national parks would receive high priority attention.

Mr. Speaker, I insert the Sierra Club press release, "Sierra Club urges Congress to assume leadership in park funding," issued September 30, in the RECORD:

SIERRA CLUB URGES CONGRESS TO ASSUME LEADERSHIP IN PARK FUNDING

The Sierra Club today urged Congress to take the initiative in providing the American people with an outstanding National Park System. Speaking for the Club, Vice-President Edgar Wayburn said "the Nixon Administration has given strong verbal assurances that the protection of our present and potential parklands is a matter of high priority. Unfortunately this commitment has remained simply words: official actions to date point in the opposite direction, and raises a credibility gap which is widening week by week."

As evidence to this contention, Wayburn pointed to a number of facts.

—The Nixon Administration has cut $30 million off the outgoing Johnson Administration's budgetary request for the Land and Water Conservation Fund, which is used for parkland acquisition. The Fund is authorized to have $200 million for fiscal year 1970; President Johnson in January requested an appropriation of $154 million, but the Nixon Administration is asking for only $124 million.

—Since President Nixon took office last January, he has not recommended to Congress a single addition to the National Park System or the Wilderness System.

Although Secretary of the Interior Hickel recently unveiled a multi-million-dollar project for the creation of urban parklands, the Bureau of the Budget has made it clear that money for the proposal will simply not be forthcoming.

A recent Bureau of the Budget letter to Congressman Wayne Aspinall, Chairman, of the House Interior Committee, stresses that the Nixon Administration has no intentions of helping a program for funding National Parks. The letter stated, in part. "Thus, even without authorization of new areas and under optimistic assumptions about the stability of land prices, deferrals in the Park Service land acquisition program in recently authorized areas or a reduction in the amounts proposed for acquisition of inholdings in older areas, or both, will probably be necessary."

Conservationists throughout the country must respond to this statement in the strongest possible terms, Wayburn emphasized. "What does this message mean? It means the destruction of Point Reyes National Seashore where all authorized funds have been spent, and the Park remains a patchwork of Federal and private lands. It means further jeopardy for Everglades National Park, where large inholdings must be acquired and kept from development. It means loss of long standing park proposals, such as Michigan's Sleeping Bear Dunes Lakeshore, now near enactment. The destruction of priceless natural areas is threatened from Massachusetts to California and from Michigan to Texas. The pressure of development is hitting all of these areas now: we

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cannot afford to wait for some hypothetical day when the state of the economy improves.

When Congress overwhelmingly passed the Land and Water Conservation Fund, it intended to create an automatic method of providing for needed parkland acquisition. The method could work well. It must be made perfectly clear that the problem is not one of lack of funds: the money is there. The problem is that the President has chosen to lock up about one-third of the available money, appropriating an inadequate $124 million for park purposes, and permitting about $76 million simply to lie fallow. Unused money in the Land and Water Conservation Fund cannot presently be used for any other purpose but Parks, Wilderness Areas, and Recreational Lands.

"The President's policy is not economical and it is not anti-inflationary. If he persists in it, the nation will soon face a choice of two alternatives: either we shall completely lose some of the most beautiful and naturally significant regions of America, or we shall buy them at a cost far higher than what we have to pay now, which will create an even greater inflationary impact. It must be remembered that land prices for park purposes are escalating at rates of 10 to 20 percent annually."

As an example of the consequences of the Administration's inaction Wayburn cited the case of Point Reyes National Seashore in California. This area, lying less than fifty miles from a metropolitan area of over four million people, was designated as a National Seashore in 1962. Since then the Park Service has committed all of the $19 million authorized for land acquisition, but only a third of the full 53,000 acres have been acquired. Owners of the remaining land want to sell to the government, to relieve themselves of an enormous property tax burden, and still preserve the land they love. The Federal Government is forcing the owners to sell to developers. This will ruin any prospect for a decent Seashore."

"At this moment," Wayburn continued, "bulldozers are cutting roads and lots are being surveyed on the Lake Ranch, the key to a viable Point Reyes Seashore. The American people, now and forever, cannot afford to lose this area of forests, lakes, and beaches. President Nixon can avert the destruction of Point Reyes, but he must act promptly to do so." Wayburn pointed out that Nixon has been urged to save Point Reyes by conservation groups and by prominent political leaders of both parties. "I remind the President that the strongest and most eloquent pleas for an increased authorization to save Point Reyes has come from both Republicans and Democrats, notably from Senators George Murphy (R. Cal.) and Alan Cranston (D. Cal.). I ask the President why he ignores the advice of these men and maintains his intransigence on the matter of Point Reyes."

"The men in Congress most responsible for decisions on parks, Congressman Wayne Aspinall (D. Cal.) and Senators Henry Jackson (D. Wash.) and Alan Bible (D. Nev.), have played leading roles in developing the great surge of park legislation in the 1960's. They have more understanding of the nation's needs and experience with these programs than anyone now in control in the Administration. We are looking to them now to provide leadership in shaping the course ahead and in educating the new Administration. Congress has the authority to release the 'captured money' in the Land and Water Conservation Fund and to appropriate the full authorization of $200 million for fiscal year 1970. We urge them to use this authority and to assume leadership."

"We urge every citizen in this nation who has ever enjoyed the wonders of a National Park to do his part to preserve and extend the Park System. We urge them to write their representatives in Congress, and the President, today."

TESTIMONY ON TAX REFORM: PART III

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. PRICE of Texas. Mr. Speaker, I rise today to insert the third article in a four-part series concerning the testimony on tax reform I submitted to the Senate Finance Committee.

This article is limited to my remarks on the proposed taxation of State and local bond interest. This is a subject of deep personal concern, for I believe the retention of the traditional tax exemption is as vital to balancing Federal-State relationships as it is to continuing the economic development of our communities.

Our Founding Fathers, in their wisdom, provided that governmental responsibility and policymaking to be shared between the Federal Government and the States. This delicate balance would be disrupted if not destroyed by Federal taxation of State and local bond interest. In fact, I believe that any encroachment by the Federal Government on the tax exemption of State and local securities would inevitably errode both State and local financing and State and local government. As we have learned from history, no government can maintain itself as an independent unit unless it controls its own financing.

Our States and municipalities must provide local securities financing for costly development projects. As we are all aware, the public pressure on State and local governments to furnish more and better services and facilities is enormous. Our citizens want their State and local governments to build schools, hospitals, highways, water and sewer facilities, and to provide all the other services that community-oriented governments are peculiarly qualified to provide. This trend should be encouraged.

I believe that our political structure should be ordered so that problems government can resolve are attacked at their source with local personnel and resources, rather than from afar by faceless and nameless bureaucrats for whom the people who have the problems are only statistics, and the communities where the problems lie are merely points on a map.

I insert in the RECORD that portion of my testimony to the Senate Finance Committee which deals with the taxation of State and local bond interest:

STATE AND LOCAL BOND INTEREST

The revised tax treatment of state and local bonds contained in H.R. 13270 is a matter of intense concern to our state and local officials throughout the country. I share this concern.

As we all are aware, the public pressure on state and local governments to furnish more and better services and facilities is enormous. I think this pressure is not only reasonable but its intensification is foreseeable on the basis of forecasted increase in our population, its needs, and its expectations.

Our citizens want their state and local governments to build more and better schools, hospitals, highways, water and sewer facilities, to provide all the other services that community oriented governments are peculiarly qualified to provide. This trend should be encouraged. Our political structure should be ordered so that problems government can resolve are attacked at their source with local personnel, rather than from afar by faceless and nameless bureaucrats for whom the people who have the problems are merely statistics, and the communities where the problems lie are only points on a map.

In providing expanded services, state and local governments receive federal grants-in-aid. These grants represent national policy decisions made in Washington, D.C., that the federal government must help state and local governments meet their obligations to their citizenry. President Nixon has recognized the needs of state and local governments in this regard and has proposed a dynamic and expanded federal revenue sharing plan for the states, as well as other measures to streamline and decentralize federal operations.

To date, total federal grants-in-aid to the states total approximately $25 billion. Grants for capital purpose will total about $6.5 billion for the 1970 fiscal year. The federal grants must be matched by recipient state and local governments; if there is capital expenditures involved, bond financing is used in most instances, because there is simply a lack of funds to do otherwise.

Governments raise money by various means. Taxation is the largest single revenue producer, but borrowing is also of great significance. In 1968, state and local governments issued more than $16 billion in debt instruments. Such a sum is evidence of the basic principle that the power to borrow is as essential to good government as is the power to tax.

If the Congress takes action to impair state and local capacity to borrow money, these governments will find their ability to raise capital funds, including those required to match federal grants greatly curtailed. This will mean that the costs for all public construction will be increased to the state or local government. As a result, the state or local tax burden of the people will be increased, and the construction of much needed public facilities could be slowed down or even halted. Eventually, of course, the facilities would be constructed. They would have to be paid for, however, out of increased sales and property taxes and utility fees. These taxes and fees, regressive though they may be, will have to be relied on even more heavily than at present in order to supply the necessary capital funds to state and local governments.

From a functional viewpoint, the effect of the tax reform bill is to tax the interest on state and local bonds in gradual stages. Within this context, the much discussed local choice to issue either tax exempt bonds or taxable bonds with an interest subsidy is an illusory choice. The illusion is created by the requirement that the Secretary of the Treasury fix the interest subsidy for fully taxable bonds each quarter on the basis of the difference between the interest yield on such full taxable bonds and the yield on "tax exempt" bonds as determined by the bond market at that time. It is thus apparent that this difference would gradually decline and the cost of borrowing to state and local governments even under the federal subsidy option would substantially increase.

From a philosophical viewpoint, I believe that the immunity of state and local governments in the exercise of their governmental functions from federal taxation is necessary for the preservation of our constitutionally delineated dual sovereignty system of government. Within this context, it is no more right for the federal government to interfere with or impede the states in the performance of their governmental functions than it is for a state to interfere with or impede the federal government in the attainment of its governmental aims.

An even more fundamental objection I have to the proposed tax treatment is that if the federal government undertakes to encroach upon the tax exemption of state and local securities, it inevitably has the power to control state and local financing. As we have learned from history, without self-control of its own financing, no government can maintain itself as an independent and autonomous body.

CONCERNED CITIZENS BACK REPEAL OF EMERGENCY DETENTION ACT

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. MATSUNAGA. Mr. Speaker, a nation cannot function effectively as a democracy without the eternal vigilance of an informed and concerned citizenry. If the number of citizens across the Nation who have contacted me to express support for legislation pending in Congress to repeal the Emergency Detention Act of 1950 is any indication, we do indeed have an informed and concerned citizenry. They know, too, that so long as the specter of future American concentration camps casts its shadow, there is the danger that the shameful episode in our Nation's history of incarcerating 110,000 innocent Japanese Americans and their parents during World War II can be repeated.

As I have previously brought to the attention of the Congress, Mr. Speaker, more than one-fourth of the membership of the House has joined with me in cosponsoring a bipartisan measure to repeal title II of the Internal Security Act.

It is heartening, indeed, to know that our citizens are expressing their concern and support for early congressional approval of this legislation. As evidence of this growing concern, I submit for inclusion in the CONGRESSIONAL RECORD the following resolutions which I have recently received in support of the repeal of title II of the Internal Security Act of 1950: First, a resolution adopted by the executive committee of the general council of the American Baptist Convention; second, a resolution passed unanimously by the Salt Lake branch of the National Association for the Advancement of Colored People; and third, a resolution passed unanimously by the Salt Lake Chapter of the Spanish-Speaking Organization for Community Integrity and Opportunity. The resolutions follow:

A RESOLUTION PASSED UNANIMOUSLY BY THE SALT LAKE CHAPTER OF THE SPANISH-SPEAKING ORGANIZATION FOR COMMUNITY INTEGRITY AND OPPORTUNITY (SOCIO)

Whereas, it is one of the goals of SOCIO to promote the dignity, integrity and freedom of all persons, and

Whereas, the arrest and detention of persons in places of confinement on the basis of suspicion and belief without due process of law and conviction for crime by a jury of their peers is contrary to the beliefs of and abhorrent to the members of SOCIO, and

Whereas, there now exists under the provisions of Public Law 831, 81 of Congress, Title II, Section 102, 103, 104, (The Emergency Detention Act of 1950) the possibility of just such arrest of persons and their confinement in detention camps, such camps having already been built, without conviction for crime or due process of law, and

Whereas, Senator Daniel K. Inouye and 22 co-sponsors have introduced Senate Bill 1872 in the United States Senate and Congressman Spark M. Matsunaga and Chet Holifield have sponsored H.R. 11825 in the United States House of Representatives for the purpose of repealing the Emergency Detention Act of 1950,

Therefore, the Salt Lake Chapter of SOCIO unanimously resolves to give its wholehearted support to repeal of the Emergency Detention Act of 1950 and urges Senator Wallace F. Bennett, Senator Frank E. Moss, Congressman Lawrence Burton and Congressman Sherman P. Lloyd to work for and to vote for the repeal of an act so contrary to American belief in freedom and justice, and

Further resolves that a copy of this resolution be sent to each Utah Senator and Congressman, and to Senator Daniel K. Inouye and Congressmen Spark M. Matsunaga and Chet Holifield to show our support for the repeal of the Emergency Detention Act of 1950, and further that a copy be sent to the Salt Lake Chapter of the Japanese American Citizens League that they may know we have committed ourselves to the campaign for repeal.

RESOLUTION OF GENERAL COUNCIL

At a meeting of the Executive Committee of the General Council held at Valley Forge on September 9, 1969, the following action was taken.

The action deals with a proposed resolution on Title 2 of the Internal Security Act of 1950 and is as follows:

"*Because* Title 2, Internal Security Act of 1950 (the emergency detention act) violates the constitutional rights of American citizens, by its provisions that: 'A citizen or citizens, during proclaimed periods of emergencies, may be detained because of suspicion that he, or they, may conspire to engage in treasonable acts or commit sabotage against the United States.'

"*Because* the measure contains no provision for trial by jury or a hearing before a judge but only a hearing before the departmental hearing officer, appointed by the Attorney General who ordered the arrest and detention.

"*Because* it does not require the government to present evidence as to why the accused has been detained.

"*Because* there is no provision for appeal to the courts, but only to a board appointed by the official who authorized detention in the first place.

"*Because* the one experience in the United States, to date, of such detention—evacuation of Americans of Japanese ancestry from the Pacific Coast and their detention in relocation centers, is now recognized as unnecessary, unfair, and contrary to American tradition.

"Therefore, we commend Senator Inouye of Hawaii and Senators Murphy and Cranston of California for introducing Senate Bill 1872, and Congressmen Matsunaga of Hawaii and Holifield of California for introducing H.R. 12220, both of which provide for the repeal of the emergency act of 1950 otherwise known as Title 2, Internal Security Act.

"*We urge* Congress to give favorable consideration for the passage of these acts during the current session."

A RESOLUTION PASSED UNANIMOUSLY BY THE SALT LAKE BRANCH OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE (NAACP)

Whereas, the NAACP is long familiar with the tyranny that exists where the rights of man and due process of law do not, and

Whereas, the NAACP has long fought to establish the right of all persons to receive their fullest constitutional protection under law, and

Whereas, the arrest and detention of persons in places of confinement solely on the grounds of suspicion and belief without due process of law and without having been convicted of a crime by a jury of their peers is contrary to the beliefs of and abhorrent to the members of the NAACP, and

Whereas, there now exists under the provisions of Public Law 831, 81 of Congress; Title II, Section 102, 103, 104, (The Emergency Detention Act of 1950) the possibility of just such arrest of persons and their confinement in detention camps, such camps having already been built, without conviction for crime or due process of law, and

Whereas, Senator Daniel K. Inouye and 22 co-sponsors have introduced Senate Bill 1872 in the United States Senate and Congressman Spark M. Matsunaga and Chet Holifield have sponsored H.R. 11825 in the United States House of Representatives for the purpose of repealing the Emergency Detention Act of 1950.

Therefore, the Salt Lake Branch of the NAACP unanimously resolves to give its wholehearted support to repeal of the Emergency Detention Act of 1950 and urges Senator Wallace F. Bennett, Senator Frank E. Moss, Congressman Lawrence Burton and Congressman Sherman P. Lloyd to work for and to vote for the repeal of an act so contrary to American belief in freedom and justice, and

Further resolves that a copy of this resolution be sent to each Utah Senator and Congressman, and to Senator Daniel K. Inouye and Congressman Spark M. Matsunaga and Chet Holifield to show our support for the repeal of the Emergency Detention Act of 1950, and further that a copy be sent to the Salt Lake Branch of the Japanese American Citizens League that they may know we have committed ourselves to the campaign for repeal.

ALLIANCE FOR LABOR ACTION TAKES STAND FOR PEACE

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. MIKVA. Mr. Speaker, I insert in the RECORD an advertisement of the Alliance for Labor Action entitled "We Take Our Stand for Peace and an End to the War in Vietnam." The advertisement appeared on page A14 of the October 14, 1969, issue of the Washington Post.

The Alliance for Labor Action, in this advertisement, announces its support of the peaceful, lawful, nonviolent community activities of the October 15 Vietnam moratorium. That announcement is doubly significant; both because of its sponsor and its content.

The sponsor, the Alliance for Labor Action, represents about 4 million mem-

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bers. When such a body of citizens voices support for a peaceful protest, no one can reasonably refuse to heed—or at least hear—their voices.

Moreover, it is not only the mere numbers that merit attention, but also the excellence and clarity of the statement. The union does not support irresponsible protest, but does properly recognize that unless the United States swiftly liquidates its tragic involvement in Vietnam, it will be unable to tackle such urgent problems as urban development, educational reform, and environmental protection.

The advertisement is as follows:

WE TAKE OUR STAND FOR PEACE AND AN END TO THE WAR IN VIETNAM

We take our stand with the millions of our fellow-Americans who call for an end to the war in Vietnam. We join the thousands of respected, responsible and patriotic national leaders in Congress, in the churches and synagogues, on campuses, in business, in civic organizations and in the professions in support of the peaceful, lawful, non-violent community activities of the October 15 Vietnam Moratorium.

We deplore the reprehensible activities of a small minority who burn the American flag and equate anti-Americanism with anti-war, for their actions are indefensible and counter productive.

We call upon our government to face up to the reality that there is nothing to be won in Vietnam that is worth one more drop of American blood.

No responsible person believes that the United States will continue indefinitely to sacrifice American lives in Vietnam. The only question remaining is not whether we will withdraw our troops but how and when. We take our stand with those who are for getting out quickly and completely.

We take our stand with the millions of our fellow-Americans who share the view that the support of efforts to disengage America from Vietnam is an act of the highest patriotism and a distinct service to our country. For as long as we are involved in Vietnam:

America will be torn by serious division

Our youth will be alienated

Our urgent social problems will be neglected

Our resources will be wasted

Our moral credentials will be tarnished.

PEACE CAN UNITE AMERICA TO WAGE WAR AGAINST POVERTY, HUNGER, IGNORANCE, AND DISEASE

Peace can unite America and enable us to use the resources being wasted in Vietnam:

To rebuild our cities,

To solve the crisis in education,

To overcome the serious deficit in health care,

To provide security and dignity for our older citizens,

To deal effectively with the problems of air and water pollution and the deterioration of man's living environment.

Only peace will release the resources desperately needed to save America's cities.

MAN HAS ALWAYS TAKEN RISKS IN WAR

IT IS TIME WE TAKE RISKS IN THE CAUSE OF PEACE

Let us now put the sad Vietnamese chapter of our history behind us except to remember forever its lesson—that, of all political systems, democracy is the least capable of being transplanted at the point of a bayonet.

We call for bringing our troops home not only to save lives but in order to enable America to resume democracy's true work—to mobilize for peace and to turn our resources and the hearts, hands and minds of our people to the fulfillment of the democratic promise of liberty, equality, justice and brotherhood for all. For the only way to make democracy safe in the world and to promote the spread of its blessings to those now denied them—by every form of totalitarianism, whether communist, fascist or military dictatorship—is to make democracy work, to translate democracy's ideals into meaningful reality in the lives of people.

We support the peaceful, lawful and non-violent activities of the October 15 Vietnam Moratorium as a step toward that end.

> Alliance for labor action: International Union, UAW—Walter P. Reuther, President, Emil Mazey, Secretary Treasurer; International Brotherhood of Teamsters—Frank E. Fitzsimmons, General Vice President, Thomas E. Flynn, General Secretary Treasurer; International Chemical Workers Union—Thomas E. Boyle, President, Marshall Shafer, Secretary Treasurer.

SUCCESS IN THE SEABED TREATY

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. ZABLOCKI. Mr. Speaker, on October 7 the United States and the Soviet Union announced their agreement on a treaty to prohibit the emplacement of weapons of mass destruction on the seabed.

This development followed weeks of intensive negotiations between the United States and the Russian delegations at the Geneva Disarmament Conference to resolve differences between their versions of a Seabed Arms Treaty.

While the treaty has been denegrated in some circles as not accomplishing anything very significant in controlling the arms race, this criticism is shortsighted. The seabed treaty is an important step, for several reasons.

First, it indicates the ability of the two great powers to come to an agreement on arms control when, in general, their interests coincide, without being deterred by ideologically based hostility.

Second, the draft seabed treaty, like the 1967 Outer Space Treaty, cuts off from nuclear rivalry one vast area which otherwise might have been the scene of an arms race.

Third, the success in reaching agreement on the seabed treaty demonstrates the utility of the multilateral context of the Geneva Disarmament Committee, sponsored by the United Nations. Now that the seabed treaty has been tabled for ratification, the Committee can move on to other arms-control issues.

For their part in achieving the seabed treaty, commendations are due officials of the Arms Control and Disarmament Agency. Our delegation to the disarmament conference and those who performed "backup" functions in Washington demonstrated considerable intelligence and skill in the negotiation process.

A number of articles and editorials on the seabed treaty have appeared in the press in recent days. At this point I insert several which have come to my attention:

[From the Washington Post, Oct. 8, 1969]

UNITED STATES JOINS RUSSIA IN SEA A-BAN

(By Chalmers M. Roberts)

The United States and the Soviet Union announced yesterday that they have agreed on a treaty to ban the placing of nuclear weapons on the world's seabeds.

The agreement, announced in Geneva, now will be discussed by the Geneva Disarmament Conference and later at the United Nations General Assembly. It is open to amendment by third nations' suggestions, but substantive changes are not expected.

The proposed treaty is akin to one now in effect that bans nuclear weapons in outer space. It is essentially preemptive since thus far no such weapons have been placed on the ocean floors.

The new treaty would come into effect when ratified by the United States, the Soviet Union and 20 other nations. That could come about in 1970.

Key elements of the joint draft, worked out in the past six months, are:

Signers agree "not to emplant or emplace on the seabed and the ocean floor and in the subsoil thereof beyond the maximum contiguous zone provided for in the 1958 Geneva Convention on the Territorial Sea and the Contiguous Zone any objects with nuclear weapons or any other types of weapons of mass destruction, as well as structures, launching installations or any other facilities specifically designed for storing, testing or using such weapons."

Signers agree "not to assist, encourage or induce" any other country to "commit actions prohibited" by the treaty and "not to participate in any other way in such actions."

The 1958 treaty referred to was a detailed convention defining what are considered territorial waters, bays, high seas and so on. These are rules generally accepted by maritime nations.

Since there are varying national claims to territorial waters, ranging from the old 3-mile limit to several hundred miles, the draft treaty contains an article saying that nothing in the treaty "shall be interpreted as supporting or prejudicing the position of any state" with respect to its "rights or claims" relating to off-coast waters.

Verification is left to any treaty signer "using its own means or with the assistance of any other state" that ratifies the treaty. It is assumed that probably the only two superpowers will check, chiefly on what each other is doing. There also is a clause pledging signers to "consult and cooperate with a view to removing doubts concerning fulfillment of the obligations" of the treaty.

The agreement was a compromise. The Soviets dropped earlier insistence on complete demilitarization of the seabed that would have banned American submarine detection devices now in place to check movements of Russian underwater craft.

In return, the United States withdrew its initial proposal that the ban apply beyond the 3-mile limit, instead of 12 miles as the Russians proposed. The draft does not specifically put the imit at 12 miles, but such an understanding was made clear by an official American statement in Geneva by American negotiator James F. Leonard.

Leonard said that the joint text "would prohibit the emplacement on the seabed, beyond the 12-mile coastal zone, of nuclear and other weapons of mass destruction." It took a ruling by President Nixon to overcome internal administration opposition, partly from the Navy, to the 12-mile rule. Nonetheless, opponents managed to keep the 12-mile reference out of the text.

The treaty, like earlier Soviet-American arms control treaties, provides that any nation can withdraw if it "decides that extraordinary events related to the subject matter of this treaty have jeopardized the supreme interests of its country." In such a case, three months' advance notice must be given to the U.N. Security Council including "a statement of the extraordinary events."

Leonard in Geneva said that the treaty would not prevent submarines from being anchored on, or resting on, the seabed. Soviet delegate Alexei A. Roschin commented that the treaty would exclude "two-thirds of the surface of the earth from the sphere of the arms race."

In Washington, Secretary of State William P. Rogers said, the agreement was "encouraging" in that it showed the two superpowers are able to reach agreement on arms control measures. There is no agreement yet on when to start the strategic arms limitation treaty talks, the most critical of all arms control measures yet to be attempted.

[From the Washington Star, Oct. 9, 1969]

FOR SEABED DISARMAMENT

It is a matter of no small importance that the United States and the Soviet Union have jointly presented to the Geneva Disarmament Conference a draft treaty to ban nuclear weapons and other instruments of mass destruction from the seabeds of the world. The news encourages the hope that the decades-long deadlock on bridling arms and armed forces of every type may yet be broken by patient, persistent and honest negotiation.

In any case, after months of effort, America and Russia have agreed on measures to prevent the establishment of deadly new armaments systems on the continental shelves, the continental slopes and the great farther-out depths of the vast oceanic domain that covers 70 percent of the earth's surface. Thus the proposed pact to be applicable off every coast beyond the 12-mile limit, would put in force verifiable arrangements outlawing the emplacement and use of "any objects of mass destruction, as well as structures, launching installations or any other facilities specifically designed for storing, testing or using such weapons."

Of course, since it would not bar nuclear submarines or put any restraint on land-based intercontinental weaponry, there may be those who will shrug off the Soviet-American draft as something that does not really add up to a great deal. What needs to be kept in mind, however, is that this projected undertaking—coupled with the test-ban treaty, the non-proliferation treaty and the treaties to keep atomic-hydrogen armaments out of the Antarctic and outer space—does constitute a definite and quite promising step forward. Certainly, by keeping the military atom off the ocean floor, it would remove a potentially very dangerous area from the arms race, and to that extent it would serve the safety of mankind.

Above all, if the seabed treaty were universally signed and ratified, America and Russia might well find it possible, in concert with other powers, to move ahead toward productive talks on one of the world's greatest needs: The limitation and control of the fearsome array of strategic arms already deployed on land for possible wars of mutual annihilation.

In its own way, this balance of terror, which grows steadily more delicate and more terrifying, ought to be impetus enough for urgent negotiations on disarmament of a kind that could make our world considerably saner and less dangerous than it now is.

[From the Baltimore Sun, Oct. 8, 1969]

A PREVENTIVE TREATY

The announcement at Geneva that the United States and the Soviet Union have agreed on a joint draft treaty prohibiting use of "the seabed, ocean floor and the subsoil thereof" for the emplacement of weapons of mass destruction is a most welcome and encouraging piece of news.

For one thing, the accord is a new demonstration of the ability of the two great powers to negotiate successfully, to find common ground for reaching an understanding. (In this case, it is important to note how quickly mutually acceptable terms were worked out—only seven months were needed to reconcile the differences in Washington's and Moscow's original proposals.) For another, this success revives faith in the efficacy of the diplomatic process as a means of controlling the competition in arms. Finally, the draft treaty, like the 1967 treaty forbidding the use of outer space for nuclear and other mass destruction weapons, has the great value of closing off one vast area of possible rivalry before the race had spread to it.

While the pact will do nothing to reduce or limit armaments already in being, it will, if ratified, eliminate the threat of yet another extension of the contest in weaponry. Probably the agreement was easier to reach because the technology for turning the seabed into an arsenal had not developed; the fact remains that America and Russia foresaw the danger and together undertook to avert it.

Thus the decade now ending has brought the test-ban treaty of 1963, the space treaty, the non-proliferation treaty—though the last, regrettably, has not come into force—and now the ocean floor treaty. It is a good record. Not quite good enough, though, because the largest, hardest task still lies ahead—the talks with Russia on halting the growth of offensive and defensive nuclear arms systems. The latest achievement at Geneva should provide fresh impetus for beginning those discussions and strengthen the hope that they can be made productive.

STRENGTHENING OUR AIR DEFENSE NETWORK

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. PRICE of Texas. Mr. Speaker, the recent landing of a Russian-made Mig 17 at the Homestead Air Force Base in Florida, serves as a grim reminder that Communist aggression lurks only minutes away from our mainland. That the Mig was piloted by a Cuban pilot who was risking his life to escape from the Communist stronghold is heartening, but the fact still remains that the jet penetrated our national defense system with alarming ease.

This incident points out the obvious need to strengthen our national defense network at this critical point. But for the motives of the pilot, the plan could have unleashed a nuclear holocaust at a time when the President was at nearby Key Biscayne, Fla. In one blow, Communist aggressors could have delivered a crippling blow to the Nation.

According to the Department of Defense, the Key West Naval Base complex comprised of Navy, Army, and Air Force detachments, constitutes the mainstay of the defense network which guards the southeastern approaches to the United States. This mainstay must be reinforced and revitalized. Our Nation must be secure from possible sneak enemy attacks emanating from the island of Cuba or any other Communist aggressor to the south.

I commend the President on his quick reinstatement of the picket plane warning system, and I urge the President and the Secretaries of the respective services to initiate whatever action, install whatever equipment, and deploy whatever personnel they deem necessary to fortify our coastal defense network at this vulnerable spot.

The cost of such added precautionary measures is more than outweighed by the increased security to the country it will bring. Our personal and national security must not be compromised by budgetary considerations.

WILLIAM J. McCARTHY

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. O'NEILL of Massachusetts. Mr. Speaker, I would like to congratulate and pay homage to a man who has been a dear and close personal friend of mine for the past 25 years, Mr. William J. McCarthy. A testimonial dinner was given in honor of Bill McCarthy on October 5 at the War Memorial Auditorium in Boston. In addition to his vast army of friends, many of Boston's most influential labor leaders and civil officials were present to pay tribute to this truly exceptional man. Seated with me at the head table were Joseph C. Conlon, secretary-treasurer, Teamsters Local 25; Fred J. Roberto, secretary-treasurer, Teamsters' Local 191, and president of Connecticut Joint Council No. 64; Mrs. James R. Hoffa; Mrs. John English; Father Kenneth Murphy; Hon. Maurice Donohue, president of Massachusetts Senate; Hon. Garrett Byrne, district attorney, Suffolk County; Hon. John Droney, district attorney, Middlesex County; Hon. Kevin H. White, mayor of the city of Boston; Representative Anthony Scalli, chairman, Committee for Commerce and Labor; Rocco Alberto, commissioner of labor and industry, Commonwealth of Massachusetts and president, Massachusetts State Building and Construction Trades Council; Thomas Callahan, president, Massachusetts Motor Vehicle Inspectors Association; Albert A. DeVincentis, commissioner, Massachusetts Industrial Accident Board; Stephen J. D'Arcy, esquire; and John J. Sullivan, Commissioner, Federal Mediation and Conciliation Service. Among other notable guests at the head table were Frank E. Fitzsimmons, general vice president, International Brotherhood of Teamsters and the vice presidents and trustees of the International Brotherhood of Teamsters.

And who is this man to whom so many gathered to pay recognition?

Bill McCarthy is a man of varied and remarkable talents. He has been a member of Local 25 of the International Brotherhood of Teamsters for 33 years, serving in an official capacity for 23 years. Five times elected president of Local 25, last February he was appointed 12th international vice president of the International Brotherhood of Teamsters and assumed a seat on the general executive board.

Bill McCarthy was born in Charlestown, Mass., July 2, 1919, and was educated in the Boston public schools. At the age of 17 he became a teamster, joining local 25 and quickly worked his way through the ranks of the organization by demonstrating campassion, warmth, and the ability to develop innovative solutions to complex problems. In 1964 he was elected secretary-treasurer of Joint Council 10, an affiliation of all Teamster locals and 2 years ago he was named special general organizer for the international union. He is chairman of the New England Teamsters pension fund, a program initiated and expanded under his leadership and is secretary-treasurer of local 25 health and welfare fund, in addition to being a member of the policy committee of the Eastern Conference of Teamsters. Last month, he was named a member of the Governor's advisory committee on labor-management relations.

But Bill McCarthy's involvement does not stop here. This many-faceted man has somehow found the time to serve and enrich his community. He is a member of the board of directors of the Massachusetts Bay United Fund and the Greater Boston Chapter of the American National Red Cross to name just a few.

Bill McCarthy has brought to all these positions a high degree of competency and a deep and abiding commitment to improving the standards of the workingman. For more than 30 years, his service to his beloved union has been unfailing in its excellence and integrity, and he has worked diligently and effectively to generate pride in the Teamsters Union and particularly in local 25.

Mr. Speaker, it gives me great pleasure to honor this extraordinary citizen and distinguished servant, a man whose life has been dedicated to promoting the welfare of those whom he so ably represents.

SPEECH BY CONGRESSWOMAN SULLIVAN AT FEDERAL BAR ASSOCIATION BRIEFING CONFERENCE ON TRUTH IN LENDING

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mrs. SULLIVAN. Mr. Speaker, the Federal Bar Association, a national association of members of the Federal judiciary and of men and women who are or who have been in the employ of the Federal Government as lawyers, has been sponsoring a series of briefing conferences under its continuing legal education program, covering the many activities and operations of the Federal Government. These conferences emphasize current problems and developments of interest to lawyers, to members of other professions, to industry, and to the public.

The 120th briefing conference in this series is taking place today and tomorrow, at the Mayflower Hotel, and is devoted to the Truth in Lending Act. Joining in sponsoring the conference are the Foundation of the Federal Bar Association, and the Bureau of National Affairs, Inc., a private publishing firm specializing in legal, labor, and economic information. Chairman of the briefing conference program committee is Fredric T. Suss, formerly of the Small Business Administration.

WIDE RANGE OF ISSUES AND EXPERTS

As chairman of the Subcommittee on Consumer Affairs of the House Committee on Banking and Currency, where most of the provisions originated in the legislation which became the Consumer Credit Protection Act of 1968, I was pleased and honored to be asked to make a luncheon address today at this important and useful conference on the technical aspects of the Truth in Lending Act—title I of the Consumer Credit Protection Act. Speakers this morning included Lewis G. Odom, Jr., of Montgomery, Ala., former staff director of the Senate Banking and Currency Committee, who discussed the legislative history and objectives of Public Law 90-321; and Milton W. Schober, assistant director of the Division of Supervision and Regulation of the Board of Governors of the Federal Reserve System, who discussed the law and regulation Z, issued by the Federal Reserve to carry out the objectives of truth in lending title of the legislation. This afternoon's session was devoted to a panel discussion on open-end credit, to be followed tomorrow morning by a briefing on advertising compliance, and a panel discussion on closed-end credit, with an afternoon session devoted to a panel discussion on real estate credit.

Participants, in addition to those I have mentioned, all from Washington, D.C., unless otherwise indicated, include:

This afternoon: Boris Auerbach, of Cincinnati, Ohio, associate counsel of Federated Department Stores, Inc.; Griffith L. Garwood, attorney for the Federal Reserve; Sheldon Feldman, acting chief of the Division of Consumer Credit of the Federal Trade Commission; James G. Michaux, Washington representative for Federated Department Stores, Inc.; J. W. Montgomery, Richmond, Va., assistant treasurer of Southern States Cooperative, Inc.; and Sarah H. Newman, general secretary, National Consumers League.

Tomorrow morning: Fred J. Zeni, Jr., Chicago, general attorney for Montgomery Ward & Co.; John F. Rolph III, associate counsel, American Bankers Association; Hugh A. Chairnoff, Philadelphia, economic consultant to the Philadelphia Federal Reserve Bank; John G. Cashman, Chicago, of the law department of Sears, Roebuck and Co.; W. A. Partee, assistant vice president, Riggs National Bank; and Benny L. Kass, chairman, Consumers Affairs Subcommittee of the Washington, D.C., Mayor's Economic Development Committee.

Tomorrow afternoon: Martin Atlas, executive vice president, Cafritz Co.; Nicholas J. Spiezio, assistant director-associate counsel, Mortgage Bankers Association; Jack E. Kahn, attorney, Federal Trade Commission; Robert E. Pickerel, assistant vice president, Riggs National Bank; and Louis H. Nevins, assistant director, National Association of Real Estate Boards.

PURPOSE OF THE CONFERENCE

The program of the briefing conference states:

> The Federal Consumer Protection Act and its implementing Regulation Z are now fully in force, requiring sweeping changes in the business operations of banks, finance companies, mortgage bankers, retail stores, professional men, automobile and appliance dealers, farm cooperatives and all extenders of credit. It regulates credit advertising and garnishment of wages. It requires very particularized disclosure by creditors and provides for civil and criminal penalties for violation. Media advertisements themselves reveal daily violations of the Act by unwitting advertisers. This briefing conference addresses itself to compliance, enforcement, problems and remedies under the new law.

Actually, Mr. Speaker, the garnishment title does not take effect until next July. And in contrast to the statement in the program that media advertisements reveal daily violations—and, of course, there have been incomplete or inaccurate ads—I have been amazed at how good the advertising compliance has been. Certainly there can and will be improvements in that respect. The media, incidentally, are not required to assume responsibility for the technical compliance of any ad unless, of course, the newspaper or broadcasting station actually prepares the ad. But I have been truly impressed by the cooperation of the media in seeking voluntarily to make sure advertisers using specific credit terms in their copy include all of the necessary additional information required under the act.

MEMBERS OF CONGRESS RECEIVING NUMEROUS INQUIRIES

Mr. Speaker, in view of the technical nature of the conference and in view of the familiarity of the audience with most of the provisions of the law and of regulation Z, my remarks were also somewhat technical. But I think they may be of interest to other Members of Congress who, I know, have received many inquiries from constituents and business firms about the applicability of the law to specific situations, inquiries which, in numerous instances, have been forwarded to me. Hence, I am submitting a copy of my remarks today, as follows:

ADDRESS BY MRS. SULLIVAN

(Luncheon address by Rep. Leonor K. Sullivan, Democrat, Missouri, Chairman, Subcommittee on Consumer Affairs, House Committee on Banking and Currency, at Briefing Conference on Truth in Lending, Sponsored by the Federal Bar Association and Foundation and by the Bureau of National Affairs, Mayflower Hotel, Washington, D.C., Tuesday, October 14, 1969)

I am gratified to see the Federal Bar Association taking a leading role in seeking to broaden public understanding—and particularly business understanding—of the purpose and the requirements of the Federal Truth in Lending Act—Title I of the Consumer Credit Protection Act of 1968.

As the principal sponsor of the House bill which became Public Law 90-321 I know that there are many things in the law which will lead to legal controversy and undoubtedly to litigation. Even the simplest Federal law does that—with the courts eventually telling us sometimes that while Congress may have *said* very directly what it intended a law to do, we either didn't mean it or *shouldn't* have meant it. And this law is certainly not a simple one. So I would hesitate to guess what the courts may some day decide about some of its provisions.

This briefing conference, as I understand its purpose, is not intended to pick the law over as an academic exercise in legal phraseology but rather is intended to help lawyers help businessmen and consumers to understand its requirements. And it is indeed proper that the Federal Bar is interesting itself in such a project. As is true in any far-reaching piece of national legislation, a lot of government lawyers are going to be involved in interpreting, administering and enforcing this one—but in this instance they will be lawyers from an unusually large number of Federal agencies. At least nine Federal agencies have specific assigned responsibilities under the Act for administration and enforcement of the Truth in Lending Title, which took effect July 1; a tenth has responsibility for Title II, which has been in effect since May 29, 1968, dealing with extortionate extension of credit; and an eleventh agency for Title III, the garnishment title, which does not take effect until next July 1. All of these titles of the law place the Federal Government into areas never before assigned to it, and the added responsibilities are extensive. Because of the scope of the Consumer Credit Protection Act in legal protections previously left entirely to the states, one could say that the law not only plows new ground, but also sows, irrigates, cultivates, weeds, reaps, bales and harvests that ground, all at the same time.

COMPREHENSIVE PACKAGE OF CONSUMER PROTECTIONS

Since your briefing conference today and tomorrow is devoted entirely to the Truth in Lending Act, I will limit my remarks generally to that title alone. I assume that in the morning session in which the legislative history and objectives of the Consumer Credit Protection Act were discussed, the other titles were also described at least in passing, so that it would not be necessary for me to go into them.

Now, I do want to say, though, that in contrast to the Senate-passed S. 5, which dealt exclusively with the information a seller or lender had to disclose to the buyer or borrower at the point of consummation of a credit transaction, the bill which became law is a comprehensive package of consumer protections in the use of credit, from the advertising of a credit offer through to the point of rescission of a contract, collection of a debt through garnishment, and even beyond that to the legal defenses by the ultimate holder of certain types of finance paper under the holder in due course doctrine.

And, by creating a National Commission on Consumer Finance in Title IV, we foreshadowed a possible future extension of Federal regulation of consumer credit over the whole field covered now by State laws, including direct supervision over rates charged—something that is certainly not imminent, in my opinion, but could flow from the work and recommendations of such a Commission; that is, if the Commission itself is ever made operative by President Nixon, who alone now has the power to enable it to function.

FORMER SENATOR PAUL H. DOUGLAS MADE LAW POSSIBLE

While most of the things covered in Public Law 90–321 were never in the Douglas Truth in Lending bills during the six years former Senator Paul H. Douglas of Illinois propounded, expounded, dramatized and popularized the concept of Truth in Lending, Title I of the Act is certainly his idea and fundamentally, his achievement. By the time we were able to take it up on the House side after seven years of waiting for the Senate to act, the originator of Truth in Lending was no longer a Senator.

He created the atmosphere, however, which made it possible for us not only to pass *a* Truth in Lending bill, but one which carried the idea far beyond his original—and in retrospect—relatively mild proposal that the consumer be enabled to know exactly what he was being charged for credit. I imagine that many of the firms forced to comply with this new law wish now that they had accepted the original Douglas bill, or one of the modifications of it which he had been willing to settle for during the long and dreary and often lonely battle he had waged for this concept over a six-year period.

PENALTIES FAR FROM WEAK

For the law as it now stands is a tough and powerful instrument of consumer protection, with both criminal and civil penalties which are far from weak. Loan-sharking has been made a Federal crime, with severe penalties. Even the respectable banker and businessman, who are under strict requirements to tell the whole truth about every charge which goes into a credit transaction, and to translate the credit costs into an annual percentage rate easily comparable to a competitor's charges for the same services, know that they face expensive penalties in the form of consumers' civil recovery actions if they violate the law—that is, twice the finance charge, or a minimum of $100, up to $1,000 plus reasonable attorney's fees, for failure to provide a customer with the information he is entitled to have.

No legitimate businessman *wants* to violate a Federal law, even if the penalty is minimal. But this law can be expensive to ignore or disobey. Thus, it is extremely important that honest businessmen *know* what is expected of them in complying with Truth in Lending, and conferences such as this one can be exceedingly helpful and productive.

Twenty years ago, a Truth in Lending law would have been useful, but hardly urgently needed. But in that interval, there has been a revolution in the use of credit in this country, and the wonder is how we have managed to get along so long without full disclosure and regulation of credit offers.

THE CASE OF THE VOLKSWAGEN AD

Let's take as an example what happened in one newspaper advertisement over a period of three days—June 30, July 1, and July 2. This was an ad for one-year-old Volkswagens, appearing in the Washington Star. The same story was undoubtedly duplicated in thousands of instances. This ad had been running for some time—$1595 for the car, $95 down and $50 a month. That's the way the ad ran on June 30. For the July 1 issue, the copywriter was probably not yet certain of what he could say, so the ad merely stated the cash price, $1595. But on July 2, it ran this way: $1595—$95 down, $50 a month for *36* months. *$1800* total. *Annual Percentage Rate of the Finance Charge 12%*. Credit life insurance *available*.

The same car, the same deal as two days before. Only the law had changed.

What the ad told us on July 2 that it did not tell us on June 30 was that the terms $95 down and $50 a month were *customarily* offered to purchasers—not just to the dealer's brother-in-law; that there were no hidden charges or special fees; that credit life insurance, (usually about $1 per hundred) was not a *required* tie-in purchase as part of the deal; and that the finance charges compared favorably with credit union rates. You knew even before you went to see the dealer that the car was going to cost $300 to finance over a period of three years, not counting license plates, title fees, etc., or comprehensive fire, theft and collision or liability insurance, which you would undoubtedly be required to carry but which you did not have to buy from the dealer.

NOT JUST CROOKED DEALS INVOLVED

And all of that information could be conveyed in just one or two lines of a one-column ad, because what was NOT included was as informative as what had to be stated if the ad carried any specific credit terms at all.

This ad undoubtedly did not discourage buyers, because it continued to run long after the law took effect. But what a change it represented from the kind of used car advertising we used to see—and which we don't see any more—ads shouting "no downpayment" or "$10 down" with no indication that when you signed up for the deal, the dealer would arrange a small loan for the downpayment, the finance charges would include credit life, casualty insurance, credit check, pre-paid repair charges, finders fee for obtaining the financing, executing papers, including a confession of judgment note and a balloon note, and whatever else the seller might load into the transaction while telling the customer it is "only" so-much a month, not even revealing how many months or the total charge or the astronomical percentage rate of the charges.

All right—in that kind of a deal, one was obviously dealing with a crook, or a sharpster. The vast majority of credit transactions are honest and open ones, involving legitimate businessmen. Why must *they* be burdened down with paper work, and the danger of civil damages if not criminal penalties, for failure to include some minor detail in a sales or loan agreement where everything is above board?

The answer to that question was revealed right here in Washington in the most clear-cut manner, involving the biggest banks in the city. The District's usury law for generations has set an interest limit of 8% on loans. The banks had found this uneconomic for installment loans. Instead of getting the law changed, they developed an evasion technique: 8% "discount" loans, meaning they charged you $8 in advance on a $100 loan, giving you $92 and you repaid the full $100 over 12 months. The actual percentage rate of the credit charge in that type of transaction is not 8% at all—it is 15.75%. And that's what Truth in Lending now requires to be disclosed.

ENCOURAGING COMPARISON SHOPPING FOR CREDIT TERMS

This is still a better deal than the 18% *nominal* rate on department store revolving credit, or the 36% rate on small loans over the line in Maryland. It's not as good as the credit union's 12% actual rate, or the 9% rate on new car financing, but it's still about double the rate most consumers *thought* they were paying. Now they know. Now they can compare. And the bank rate stands up well competitively. Of course there are problems with the usury law, but we tried to cover that problem by describing the credit charge as a *finance* charge, rather than as an *interest* charge, under the Federal law, so if the transaction was legal in D.C. before July 1, it is still legal after July 1, by express direction of the Truth in Lending law itself.

Forcing the banks to disclose actual rates on installment loans is not going to cause much of a revolution in consumer borrowing habits—especially now, when interest rates are so high everywhere, for everything. But there is no reason to exempt banks or, as has been suggested, all other Federally regulated lending institutions, from the disclosure requirements of Truth in Lending. The whole idea is to encourage comparison shopping for credit, so that consumers can make informed judgments not previously available to them unless they were mathematics majors. Even William McChesney Martin, who is undoubtedly among the most knowledgeable money men alive, couldn't figure the percentage rate on some typical

XUM

used car transactions in testifying several years ago before Senator Douglas.

But now, thanks in part to the outstanding job done by his agency, the Federal Reserve System, in developing Regulation Z, any teen-ager buying a car knows more exact mathematical details about the credit charges than Federal Reserve Board Chairman Martin was able to figure out for himself before this law took effect.

TECHNICAL PROBLEMS? LOTS OF THEM

And that is the case now in every form of consumer, residential real estate, and agricultural credit. Technical problems? There are lots of them. I know of many of them, through correspondence from businessmen, bankers, ranchers, small loan firms, and others either forwarded to me by other Members of Congress or sent to me directly. As the people at the Fed and at the other regulatory agencies know. I have tried to help cut redtape and obtain amendments to Regulation Z, or clarifications or interpretations, whenever a legitimate *problem* has arisen under the Regulation. The Production Credit Associations—which are a type of credit union for farmers—had a difficult technical problem of computing the annual rate under the Actuarial Rule, so alternative methods were allowed, as the law permits, and I believe this problem is being solved and can be further simplified. The points paid by sellers on FHA or VA mortgages are another gray area needing clarification. The cash discounts traditionally allowed by merchants in rural areas caused a paperwork headache at first; that has been remedied, I believe. The rescission portion of Regulation Z has stirred up a hornet's nest. In all instances, the Fed has demonstrated a genuine desire to be helpful to business in overcoming technical difficulties.

It has done a good and conscientious job. But the problems will continue, I am sure—for instance, just what should we require the orthodontist to report to the parents about the prospective costs of his work, even though no credit charge is involved? The agencies can make these things reasonably simple and sensible, or be bureaucratic nit-pickers and make doctors and others not engaged in credit transactions as defined in the law nevetheless go through the same rigamarole as a used car dealer unloading some painted-over wreck on an unsuspecting youngster.

REGULATION Z CONTROLS ALL TYPES OF TRANSACTIONS UNIFORMLY

In enacting the law, we did not attempt to write the wording of the contract between buyer and seller or between lender and borrower, or specify the size of type of the key words in the contract or ads, or count off how many days make a month on a department store revolving credit account. We set down what we felt were reasonable policy guidelines. The Federal Reserve writes *all* of the regulations—there is central coordination and direction. The other agencies—Federal Trade, Home Loan Bank Board, Comptroller of the Currency, FDIC, and the rest—have day-to-day operating responsibilities for compliance by the business firms they *normally* supervise. So an agency with appropriate expertise does the actual supervision of any business which is covered by the act. But *all* businesses are subject to the *same* overall requirements, under Regulation Z.

"LOOPHOLES" IN THE LAW

There are some loopholes in the law—and we all knew when the law was enacted what some of them were. They were a price the House Conferees had to pay for the Senate Conferees' agreement to many far-reaching provisions which were never considered by that body. There is the "utility late-payment loophole;" there is the "first mortgage total cost loophole;" there is the "50-cents-per-month minimum charge loophole" for revolving credit, and the "$7.50 minimum charge loophole" for installment credit, and so on. We are going to watch how those work out. We are also going to be studying numerous proposals for extending the scope of the law—such as the Proxmire-Hart bill to regulate credit life insurance rates, or the Zablocki bill dealing with credit reporting. But the important thing right now is not to figure out what could be done to strengthen the law as much as it is to make sure what we already have can work and does work effectively. Compliance so far has been remarkably good, particularly in advertising. I think honest, ethical businessmen eventually will find this law a great help, not a hindrance—by taking the razzle-dazzle and technical deceptiveness out of credit terminology and credit competition, so that the unfair techniques of the unscrupulous operators are eliminated.

CONSUMERS MUST LEARN TO MAKE INTELLIGENT USE OF INFORMATION

I don't look for an overnight miracle. Consumers must learn how to use intelligently the information they are now entitled to receive under Truth in Lending, so that when one store's 18% is different from another store's 18%, he can see the difference and make an informed judgment; and he can also compare 18% with 36%, or with 12%, knowing when these terms are exactly comparable, or on what basis they can be compared.

Out of this conference, I am sure there will be many suggestions for changes in Regulation Z or in the law. I am proud of this law, but by no means smug about its possible perfection. I will gladly consider any straightforward and legitimate suggestion for amendment or improvement—if the purpose is to achieve a *more informed use of credit,* rather than merely to eliminate some minor inconvenience. We were never under the delusion that this law would be *easy* for everyone to apply. But we *were* determined to make it *fair*—and have it apply with equal impact on all who are covered by it. Thank you.

MARYLAND VERY PROUD OF ERIC ANSCHUETZ—THE SPEAKER'S PAGE

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. FRIEDEL. Mr. Speaker, as one of the Representatives in the Congress from the State of Maryland it is a pleasure to report that the greater Baltimore area takes a great deal of justifiable pride in the fact that a very fine and promising young man, who lives in my congressional district, has the distinction and honor of having been selected by our distinguished and most able Speaker of the House of Representatives as the "Speaker's Page."

Eric Anschuetz is the young man I refer to. He is a 17-year-old senior in Catonsville High School, in suburban Baltimore, and is the first "Speaker's Page," ever from my district and the first from the State of Maryland in 40 years. Because of his position, he is very well known to my colleagues as well as in Washington circles and even to the President of the Nation. Needless to say I am very proud of him and feel he is a credit to my State.

Maryland Living, the weekly magazine of the News-American, a great Baltimore daily newspaper, in the Sunday, October 5, 1969, issue printed a very interesting article, written by Larry Lewis, about this appointment. Believing it to be an inspiration to other young men, I now include it in the CONGRESSIONAL RECORD:

A CAPITOL JOB—PAGE FOR SPEAKER JOHN MCCORMACK, ERIC ANSCHUETZ, OF CATONSVILLE, HAS A RINGSIDE SEAT IN U.S. CONGRESS

(By Larry Lewis)

When the silver-haired Speaker of the U.S. House of Representatives, Massachusetts Democrat John W. McCormack, raps his gavel to call members into session, most schoolboys present are in the visitors' galleries rimming the history-adorned chamber on three sides.

However, Eric Anschuetz, 17-year-old high school senior whose family lives in Catonsville, has a better view of the proceedings from his seat than many Congressmen.

As the Speaker's page, he sits to Mr. McCormack's right, primed to carry out quickly any instructions, issued by the man recognized as the third most powerful figure in America's government.

The Maryland teenager's post when the House is meeting is within touching distance of the Speaker's bench, familiar to millions as the background to the dais used by the President when he adresses Congress or delivers the State of the Union message.

In the course of his duties, Eric can telephone the Secretary of Defense and get his party on the line. If he calls the White House, chances are excellent he will speak directly with President Nixon.

On network television newsfilms taken at dignified government receptions, his face might pop up in the background at any time.

"Eric is the first Speaker's page ever from the Seventh District and the first from Maryland in 40 years," points out Congressman Samuel N. Friedel, who appointed the tall, well-tanned youth as a page June 18, 1968, and reappointed him on Jan. 2.

Selection of the young man who will fill the post, most prestigious height attainable for any of the 50 pages serving the House of Representatives, is made personally by Speaker McCormack.

The Speaker "observed him working" and was impressed by Eric's efficiency and attitude, Rep. Friedel points out.

"Nobody is as close to the Speaker as the page is. Many times I don't know where the Speaker is, so I call up Eric," admits Dr. Martin Sweig, Mr. McCormack's administrative assistant.

"It's a very difficult job," he continues. "They've got to be on the ball at all times. But it's a great honor for Eric, Congressman Friedel, his district and the state. All his life, Eric can put down on his employment resume that he was page to the Speaker of the House of Representatives."

Eric's achievement is also a source of great pride for his father, Ralph, who works for one of the country's largest department store chains, and mother, Louise, a medical secretary. Parental satisfaction shines through even when Mr. Anschuetz laughingly says, "I've lost a son."

"The other day Mr. and Mrs. Anschuetz came and sat in the gallery," says Dr. Sweig. "It's a pretty nice thing for them to see their son sitting next to the Speaker. Of course, in his position, he can also do little favors for his friends."

The Maryland teenager, who attended Catonsville High School while a sophomore, does not deny the attractiveness of the job's fringe benefits. "I was able to get two (free) tickets to the Democratic National Dinner—one for myself and one for a friend," he reveals. "They would have cost $500 apiece."

When Speaker McCormack is invited to a government function, Eric is permitted to tag along. "I've put on a few pounds eating that fancy food," jokes the brown-haired, brown-eyed youth, whose 180 pounds are well-proportioned on his six-foot frame.

The youth gets a special thrill from being present at state receptions for visiting dignitaries, but occasionally even he is stymied. "I missed one recently because the party traveled on the Presidential yacht. I couldn't get security clearance."

For Eric Anschuetz, sitting on the floor of the House of Representatives is the fulfillment of a long-held dream. He began writing letters to his Congressman when he was an eighth grader.

"I was interested in being a page in Washington, but I couldn't do it," says the youth, whose family lived in Pennsylvania until moving to Catonsville a little over a year ago. However, his persistence led to his appointment as a page in the Pennsylvania state senate at Harrisburg for the summer of 1967.

His first appointment by Congressman Friedel was as a bench page, or messenger, in the House.

As Dr. Sweig puts it, "He has to spend one year as a laborer, so to speak. He has to learn how the house is built."

The Speaker's page, normally a high school senior, must display good character, be an outstanding student and show enthusiasm for work of the House.

"Very seldom is politics involved in selecting the Speaker's page," emphasizes Dr. Sweig. "You have to earn it."

However, in deference to the party affiliations of Speaker McCormack and Congressman Friedel, the doctor of history ventures to say that Eric's loyal ties are "strictly Democratic."

Almost all young men who serve as Speaker's pages go on to college, many on scholarships. Occasionally, one will serve an apprenticeship in a legislative office, then run for Congress himself.

While the average Washington page earns $6,022 a year, Eric's income is $6,938. He must pay his own expenses, including food and lodging.

"The Speaker's page earns every blasted dime," says Dr. Sweig. "I don't think I could do it. Eric is working a fulltime job and going to high school."

While other pages are on vacation when Congress is not in session, the Maryland youth's job is year-around. A typical day during the summer months means reporting to work at 9 A.M. and remaining on duty until the Speaker leaves Capitol Hill, usually at 5 P.M. Eric spends the morning gathering copies of bills to be acted upon.

Since Congress goes into session at noon and there is no break for lunch, the youth takes time to eat between 11:05 and 11:45. Then he must make sure everything is in order on the Speaker's rostrum.

From 11:55 to 11:59, Speaker McCormack holds a press conference. Traditionally, it ends when Eric calls out, "Time, Mr. Speaker." Speaker and Speaker's page then walk to the House chamber for the day's business.

One of Eric's unofficial duties is keeping track of Mr. McCormack's cigar when the Speaker enters the chamber. Since smoking is not allowed, the page takes the cigar and secretes it on a small ledge near the rostrum. When Speaker McCormack exits, so does the cigar.

When the legislative body adjourns for the day, Eric must still prepare the mail for signature, file and perform other office chores.

For nine months of the year, he attends the Capitol Page School in the Library of Congress from six to 10 A.M., then studies at night. Last year, he helped revive the page school newspaper, "The Capitol Courier," and served as its editor.

Eric is candid about the disadvantages of his busy schedule. He says: "I really don't think too much of the social life here. You go to an all-boys school, and you don't get to meet any girls during the day."

Dr. Sweig, however, describes him as "a real operator" and his school yearbook is liberally inscribed with girls' names.

Most pages live in a specially designated apartment house on E. Capitol St., but, after school ended, Eric moved to Hyattsville to live with the family of a fellow page, Jim DiMeglio. The two drive to and from work in Jim's car.

"It's the sign of a substantial citizen that he can work around here and still laugh," philosophizes Dr. Sweig. "He has to take his job seriously, but not himself."

If Eric begins to show signs that he is becoming too impressed with the prestige of his position, the doctor has a special treatment in store.

"We have some files way downstairs," he says. "It's not too nice there. It's kind of dirty. If he gets a little out of hand, I'll send him down there to do some work. That usually brings a big head back to normal."

OUR NATO COMMITMENT

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. ANDERSON of Illinois. Mr. Speaker, I want to take this opportunity to commend the gentleman from California (Mr. GUBSER) for presenting this body with a very excellent report on the North Atlantic Assembly Tour of Allied Command Europe—RECORD, Monday, October 13, 1969, H9443.

The gentleman from California points out that the Russian threat to Western Europe is still very real and that the Soviets have superior military forces which could be directed against Europe. He asserts that the Russians would have a clear military advantage if they were to launch an invasion and we were to attempt a conventional military response.

We would therefore be left with the alternatives of either accepting the fact that Russia could overrun Europe, or resorting to the use of tactical nuclear weapons. The gentleman quite frankly admits that it is unlikely that our NATO partners will make greater contributions to bolster NATO forces. He concludes that without this commitment by our Western allies, "the tremendous U.S. presence and expense to the taxpayer is a waste." He therefore suggests that the U.S. flag can be shown with an Air Force wing and less than a division of troops and that the bulk of our force should be brought home. In the gentleman's words, "The time has come for a complete reassessment of our NATO military policy."

Mr. Speaker, I would like to associate myself with the findings of the gentleman of California. I would agree that we should reassess our NATO military policy with a view to reducing American troop levels in Western Europe. I think we can provide an adequate deterrent to aggression by maintaining a "symbolic presence" that would not be as costly and burdensome as our existing troop commitment.

I am reminded of a statement made by President Eisenhower which appeared in the December 6, 1966, edition of the International New York Herald Tribune:

> I do not believe that today the common security requires in American ground strength the six divisions now present in Europe. A fair and logical U.S. contribution would be no more than one Corps of two divisions with reinforcing artillery and a Reconnaissance Regiment.

I again congratulate the gentleman from California on the honesty with which he has addressed himself to the question of our NATO policy. I would commend his report to my colleagues and urge that they give it their studied attention.

A BLUEPRINT FOR PEACE IN VIETNAM

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. DON H. CLAUSEN. Mr. Speaker, on the occasion of this debate on Vietnam, the most appropriate remarks I could possibly make at this time, are those I have been making since 1965. They were appropriate then and they are appropriate now.

Before I do, however, let me say this. I believe President Nixon is on the right track in Vietnam and I further believe that a majority of the people in this country feel the same way. The President is trying desperately to end the war in Vietnam and achieve peace with freedom—not peace with surrender or peace at any price.

Therefore, at this point, I would like to again insert in the RECORD my concept of "A Blueprint for Peace in Vietnam" that first appeared in the RECORD last June. In addition, I offer a supporting editorial by one of the Nation's leading and most respected editors, William Randolph Hearst, Jr.

The material follows:

[From the CONGRESSIONAL RECORD, June 3, 1969]

A BLUEPRINT FOR PEACE IN VIETNAM

Mr. DON H. CLAUSEN. Mr. Speaker, today President Nixon departs for Midway Island for a round of talks with President Thieu of South Vietnam. From these meetings could come new and innovative alternatives toward ending the war in Vietnam, and securing a viable and lasting peace throughout Southeast Asia.

Yesterday, I was privileged to communicate to the President some of the views of us in the Congress and throughout the Nation share regarding our over-involvement in Vietnam and the search for peace there that we all so diligently hope and pray will soon come to pass.

Today, I should like to share with my colleagues some of the thoughts and recommendations I have conveyed to the President on the eve of his departure for Midway.

One of the real agonies of Vietnam, which explains in part, not only our involvement in the war but much of the dissention, confusion, and misunderstanding that prevails over this question, has been the failure of the past to explain to the American people the historical background that led up to the deployment of U.S. fighting men in the Vietnam conflict.

The plain truth is, that the people in this country have never been told the full story or the complete truth about the virtual collapse of the Southeast Asia Treaty Organization—SEATO—and its inability or refusal to respond and provide security for free people when aggression first "raised its head" in South Vietnam. Regrettably, SEATO, the

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regional security organization, established under the U.N. Charter for the purpose of defending free people and free nations against aggression has flatly failed to effectively respond or "handle" the threat to these countries' internal security.

Another failure, with regard to informing the American people, has been to neglect "telling it like it is"—that this conflict in Vietnam is a "new kind of war" commonly known as "guerrilla warfare"—completely unlike the conventional wars of the past. In a conflict wherein unconventional strategy and tactics are employed by the enemy, many people are still trying to evaluate and make judgments on the conduct of the war using conventional terms.

Back in August of 1968, Candidate Nixon had this to say before the platform committee in Miami:

"The (Johnson) Administration has either not recognized that this is a new and more complex kind of war, or has not seen its significance. The result is that the old style, conventional military aspects have been overemphasized, and its other dimensions—psychological, political, economic, even diplomatic—have gotten too little attention . . . We need far greater and more urgent attention to training the South Vietnamese themselves, and equipping them with the best of modern weapons. As they are phased-in, American troops can and should be phased-out. This phasing-out will save American lives and cut American costs. Further, it is essential if South Vietnam is to develop both the military strength and the strength of spirit to survive now and in the future. It is a cruel irony that the American effort to safeguard the independence of South Vietnam has produced an ever-increasing dependency in our ally. *If South Vietnam's future is to be secure, this process must now be reversed.*"

This is precisely why I have, since 1965, advanced the so-called phase-in/phase-out concept through the creation of a free Asian security force which would, on a carefully conceived realistic, and methodical timetable, phase-in motivated, trained, and properly equipped South Vietnamese and other Southeast Asian manpower as U.S. troops are phased out or phased back to the initially acceptable advisory and supporting role previously agreed upon as the U.S. commitment to those SEATO countries threatened with Communist subversion or aggression.

Such a security organization, in my judgment, is the only way in which free nations in Asia will be able to fill the security vacuum that was created around the free nations of Asia following the withdrawal of the French security forces from that part of the world and the subsequent reluctance on the part of SEATO to fulfill its defense obligation to the participating nations.

That the United States had to respond at all to the conflict in Vietnam is totally unrealistic when you stop to think of the 1 billion people in Southeast Asia who are perfectly capable of defending themselves.

This is why I firmly believe and strongly recommend that, if we are to prevent future Vietnams, SEATO must either be updated and revitalized—or replaced by a mutual and more viable security organization in Southeast Asia that would require a pro rata sharing of the manpower needed from each participating nation to provide the security that is now totally lacking in the Pacific Basin communities.

Since January of this year, a concerted effort has been underway to provide the training and modern equipment needed by South Vietnam's armed forces to permit them to assume their rightful burden and increased responsibilities for the actual conduct of the war until such time as a reasonable and honorable settlement of the conflict can be negotiated in Paris.

Thus, as I see it, the "phasing-in" stage is, in fact, well underway and this is the direction we must take.

In an editorial appearing in the Hearst newspaper in March 1968, Editor in Chief William Randolph Hearst, Jr., had this to say:

"Now here is the crux of my thinking. The U.S. has some 500,000 men over there fighting their war. This is about one man for every 400 of our total population. If the Asian countries only equalled this effort—and they should do more with the enemy at their borders—they could, and should, field an army of around a million. Besides this great numerical advantage, it would have a tremendous psychological effect. Right now, Ho Chi Minh has the advantage of being able to say he is fighting what he calls white imperialists. With a million or more Asians facing him on the battlefield, the picture would be put in proper perspective, to say the least."

Mr. Hearst and I have consistently agreed on this approach. Unbeknown to each other, Bill Hearst and I were publicly expressing similar points of disagreement and disenchantment with the conduct of the Vietnam war. He wrote an editorial, "Plugging the Dike in Vietnam," while I developed a "blueprint for peace"—the "phase-in, phase-out" concept through the creation of a free Asian security force.

Our suggestions were similar then, and if you read President Nixon's platform statement of 1968, you will note the same ring of similarity in his announced objectives and recommendations for a satisfactory solution to the Vietnam problem. I am pleased to see him following through on his previous position.

I am also pleased to see President Thieu traveling to and communicating with other Southeast Asian leaders. This is absolutely essential if we are ever going to develop the firmed-up SEATO or free Asian security organization required to help solve the Vietnam problem and prevent further Communist encroachment and/or subversion of the other free Asian countries of South Korea, Taiwan, the Philippines, Indonesia, Singapore, Malaysia, Thailand, Laos, Burma, Cambodia, Australia, and New Zealand.

We, in the States, have 200 million people. There are 1 billion people in Southeast Asia. Is it not fair to expect that the prime source of manpower required for the "antiguerrilla" and "counterinsurgency" ground forces come from these countries that have the primary threat to their security?

I say absolutely, and it is this message I have asked President Nixon to convey to President Thieu and all the free Asian leaders:

As I said in the CONGRESSIONAL RECORD of March 18, 1968:

"My own judgment to that such a program is feasible—that the manpower is available, that the idea is practical, logical, and fair, and that the free Asian nations can be convinced of this diplomatically . . . It suggests a broad but positive and orderly plan for reducing U.S. involvement in Vietnam without any sacrifice to our basic security requirements. Further, it would place the conduct of the war in the hands of the Asians themselves, who must now take a new look at the ground rules.

"With security as the key, I can foresee the Free Asian Security Force providing the type of security that SEATO and the U.N. were expected to provide.

"Eventually, however, there must emerge the kind of regional cooperation among the nations of the Pacific Basin that will promote economic growth through a type of Asian-Pacific Common Market. How can this be accomplished? Here we can export our free enterprise system in the same way we helped Japan recover from the ashes of World War II to become the strongest economic power in the Far East in less than 15 years."

As President Nixon has said:

"Vietnam does not exist in isolation. Around the world, we should mobilize our diplomatic forces for peace . . . We need such an effort not only to speed an end to the war in Vietnam, but also to lay the groundwork for the organization of a lasting and larger peace. Certainly one of the lessons from the agony of Vietnam is that we need a new diplomacy to prevent future Vietnams."

The potential for future Vietnams is all around us—in Laos, Thailand, Burma, South Korea, the Mideast, Eastern Europe, in Africa, and South and Central America.

If we are, in fact, going to avoid future entanglements such as Vietnam, then, certainly, a "new diplomacy" must now be forged out of the jungles and the graveyards of Vietnam. A diplomacy, I submit, that places far freater emphasis on political, diplomatic, and economic initiatives—rather than on military crusades. As there is, as President Nixon has said, no military solution to the conflict in Vietnam, neither is there a military solution to present or future foreign problems.

The world has grown weary of war and in our quest for peace, we have become embroiled in such national controversy as whether or not Saigon should have a so-called "coalition government." In the first place President Nixon has not suggested or proposed a U.S.-imposed "coalition government" on the people of South Vietnam. Instead, he talked of "free and open elections" by all the people of Vietnam and their right "to self-determination." Quite frankly, this is not a proper or fitting matter for the United States to determine and I believe the President has made this absolutely clear.

In this regard, I believe we should stop kidding ourselves. In Communist terminology, "coalition government" is a tool whereby the Communists are handed a tool for the complete domination and imposition of their will on the people concerned. We have seen this pattern develop not only in Eastern Europe after World War II, but more recently in Laos where the Communists are "using" Laos as part of the Ho Chi Minh Trail to ferret men and supplies to South Vietnam.

The key point I want to make is this:

Can you imagine the impact a strong free Asian security organization would have on the negotiators from Hanoi, the Soviet Union and Red China—North Vietnam's principle military equipment suppliers?

As Mr. Hearst stated:

"If the Asian countries equalled our effort, they could field an army of a million men."

If Hanoi and the Communist negotiators in Paris fully realized that they would have to face the manpower supplied from 1 billion Asians backed by our military and technical training programs. I think they would change their attitude and their "tune" at the negotiating table in Paris.

Simultaneous to this, however, we must demonstrate by deeds, not just words, our strong desire and intention to cooperate economically and diplomatically to help accelerate free nation building in their part of the world, with all of the associated benefits—the most important of which is a vastly improved standard of living.

[From the Hearst Newspapers, Mar. 24, 1968]

BLUEPRINT FOR PEACE

(By William Randolph Hearst, Jr., editor-in-chief, the Hearst newspapers)

Some kind of sympathetic chord appears to have been struck in this column two weeks ago, in which I offered a solution for our dilemma in Vietnam.

In essence it was that the free countries of Southeast Asia be made to pitch in and start doing their proper share of the fighting we are now doing to save them from Communist aggression.

Apparently a lot of other people think so, too, and I hereby renounce any claim to originality. In any event, ever since the column appeared I have been swamped with letters, telegrams and phone calls—nearly all expressing enthusiastic support and some offering specific plans of action.

Today I am devoting this column to one of those action plans. It strikes me as the best blueprint for ending the war and winning the peace I have yet to encounter. It was contained in a long communication from Rep. Don H. Clausen (R., Calif.).

Rep. Clausen has just returned from an official, 33,000-mile fact-finding swing through eight nations in the war area, made during the first month of the enemy New Year offensive. His main conclusion (and mine):

"For too long now, we have been doing the job for the South Vietnamese and the other Asian nations which are threatened by what is happening in South Vietnam."

"Helping them is one thing, but carrying the overwhelming burden of combat for them is not now, and never has been the sole responsibility of the United States."

Having said this, Mr. Clausen proceeds to tell in detail exactly what he thinks we should do about it, and I am going to let him tell it as much as space permits in his own words.

What I want to emphasize in advance is that his thinking (and mine) involves no notion of deserting the South Vietnamese or failing to live up to our commitment. Mr. Clausen himself emphasizes this right off the bat.

"My basic proposal," the Congressman writes, "involves what I call the 'Phase-in—Phase-out Concept.' This is to avoid any connotation of unilateral withdrawal.

"Very briefly, it means redirecting the manpower emphasis in Vietnam whereby vastly more South Vietnamese and free Asian security forces would be injected into the ground war there and a like number of American fighting men withdrawn on a carefully conceived, methodical and realistic timetable basis.

"This could be done by creation of what I call a 'Free Asian Security Force' composed of regular military units of the countries of free Asia which are directly threatened by Communist expansion.

"I am sincerely advancing this concept to our nation's leaders, and I hope that every effort will be made to explore its feasibility. My own judgment is that such a program is feasible—that the manpower is available, that the idea is practical, logical and fair, that the free Asian nations can be convinced of this diplomatically, and that it can be put into effect logistically within a year.

"It suggests a broad but positive and orderly plan for reducing U.S. involvement in Vietnam without any sacrifice of our basic security requirements. Further, it would place the conduct of the war in the hands of Asians themselves."

The big stumbling block in all of this, of course, is how to get the free countries of Southeast Asia to unite for such an effort so long as we continue plugging the dike for them.

Mr. Clausen, a realist, is well aware of the chilly reception these countries late last year gave to Gen. Maxwell Taylor and now Secretary of Defense Clark Clifford when the Presidential envoys came asking them for more help.

Yet both of us feel that our reluctant Allies can be persuaded to recognize that taking over their own responsibility will be the best thing for them in the long run.

In the last analysis, the security vacuum which exists in Southeast Asia cannot be filled indefinitely by the U.S. It can be filled only when the free countries of the area set up their own common bulwark against the Communists.

To sell these countries on what obviously is essential for their future, Rep. Clausen declares, a dramatic diplomatic offensive by this country is required. Since this could originate only in the White House, he writes as follows:

"I therefore urge President Johnson to call a summit conference of the non-Communist Far Eastern nations for the purpose of forming a Free Asian Security Force.

"Purpose of this force would not only be for the immediate future needs of Vietnam but to provide the organizational structure to guarantee lasting security for all peoples living in the Pacific basin countries.

"Our best diplomatic efforts must be used to this end. We must switch from defense to offense."

Mr. Clausen points out that such a diplomatic offensive would not involve a starting from scratch. Thus we already have the basis for a permanent free Asian security force now in Vietnam, consisting of fighting forces from various countries in the area in addition to the South Vietnamese.

We also have the basis for coordinated action to implement the Phase-in—Phase-out program. With SEATO in a state of virtual collapse, a natural coordinating vehicle is the association of Southeast Asian nations, or ASEAN.

Formed only last year to further mutual interests ASEAN at present is composed of Indonesia, Malaysia, the Philippines, Singapore and Thailand. All these would be among the nations which President Johnson would summon to the proposed summit conference.

Rep. Clausen concludes his proposal with these remarks:

"I believe we have done more than our share in Vietnam, and we've paid an extremely high price in the process. In my judgment, Phase-in—Phase-out is the course we, as Americans, can and must now follow.

"We have much to gain through the formation of a free Asia security force for Vietnam to meet immediate needs—and the formation of a "partnership of the Pacific" in the future, after Vietnam.

"Thus, in considering the Phase-in—Phase-out concept it is necessary to look beyond the war to find its true merits and potential value to the people of Asia and us here at home. Because whatever happens in Vietnam, we must be prepared to live not only with ourselves, but with the people of Asia and the free world in the future."

"What we're really seeking, I believe, is economic integration of the free Pacific Basin communities we can maximize cooperation and coordination in economic, political and security matters.

"What do we have to gain? Everything—but most important of all we will gain an additional and more viable security buffer against possible Red Chinese or even Soviet encroachment in the Pacific region, and a proper sharing of our heavy financial and manpower burden in Southeast Asia.

"What I have outlined is an action program aimed at these goals. It is a program all Americans can take pride and purpose in supporting."

So much for Congressman Clausen's most constructive improvements on what was already a pretty good idea.

We'd better get the big band wagon, because I think we're going to have lots of company on this one.

STATEMENT IN EIGHT IVY LEAGUE STUDENT NEWSPAPERS

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. REID of New York. Mr. Speaker, I am happy to insert in the CONGRESSIONAL RECORD today a statement being published in today's issues of eight Ivy League student newspapers regarding the war in Vietnam. The newspapers are the Brown Daily Herald, the Columbia Daily Spectator, the Cornell Daily Sun, the Dartmouth, the Harvard Crimson, the Daily Pennsylvanian, the Daily Princetonian, and the Yale Daily News.

This statement, in strong support of the Vietnam moratorium, represents the depth of concern felt by students all over the Nation. I call it to the attention of my colleagues, and I very much hope that it will be read and contemplated by the leaders of this country:

> Over the past decade, the United States has waged a brutal and pointless war against the land and people of Vietnam, killing hundreds of thousands of Americans and Vietnamese and defending a series of repressive dictatorships. Now, it appears, the nightmare is beginning again in Laos and Thailand. The killing in Southeast Asia must be stopped.
>
> President Nixon has violated his promise to the American people and chosen to pursue the discredited policies of Lyndon Johnson. We must stand together, he tells us, to secure an "honorable" peace.
>
> In attempts to appease his opponents and buy time for his disastrous policies, the President has announced token troop withdrawals and illusory draft cuts. But we will not be fooled by these gestures so long as the war continues. It is too late to salvage honor in Vietnam.
>
> We demand the immediate withdrawal of all American troops from Vietnam and the rest of Southeast Asia.
>
> To this end, a national moratorium on "business as usual" has been called for October 15 and November 13–14, with a march on Washington scheduled for November 15. We will join our teachers and fellow students on those days for nation-wide demonstration of protest. We call on all Americans to join us.

SWEDISH GOVERNMENT OUT OF TUNE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. RARICK. Mr. Speaker, local press reports suggest the possibility that the Government of Sweden may not be entirely in tune with the Swedish people when it comes to choosing between Communist North Vietnam and the United States.

A dispatch from Stockholm tells us that 11 more deserters have been granted Swedish entry, bringing the official total to 292. Some 30 others have so far left the country, some with the encouragement of local Swedish police.

Another Stockholm story relates that these deserters have probably the highest crime rate of any small group in the world, one out of six being in trouble with the police. This is not surprising, since what the "left" pleases to call "young men with conscience" are in truth the misfits and problems found in any society, fleeing from discipline in the service or evading punishment for wrongdoings in the United States.

Sweden's double standard is pointed out in a letter to the editor of the Evening Star, in which the writer concisely makes his point that refugees from the Baltic states were turned over promptly to Stalin, while Hitler's legions were assisted on their way to conquer Norway.

From Lisbon come reports that the Portuguese have followed the American example and recalled their ambassador to Sweden because of Swedish financial aid to the Communist guerrillas in Angola and Mozambique. Apparently this is the same type of aid which is contemplated for the North Vietnamese against Americans.

The concern of Swedish businessmen over the cancellation of free world orders may help the Swedish people solve their problem in Stockholm. In the USIA report to which I called attention yesterday, this concern seemed to be present. Perhaps American businessmen can convey to the Swedish Government, through Swedish businessmen, that anti-American programs will not serve Sweden's enlightened self interest.

Failing that, perhaps the solution lies in the suggestion that Swedish financial assistance to North Vietnam, a nation with which the United States is in armed combat, would disqualify Sweden from receiving Export-Import Bank credits.

News clippings follow:

[From the Christian Science Monitor, Oct. 10, 1969]

Eleven More U.S. Deserters Granted Swedish Entry

Stockholm.—Eleven more American military deserters have been granted residential permission in Sweden in recent weeks, bringing the official total to 292, the immigration office announced.

Some 30 other applications were being considered, the office said.

A total of 352 United States military deserters have so far contacted the Swedish authorities. At least 30 have since left the country.

[From the Washington Post, Oct. 10, 1969]

Portugal Recalls Envoy to Sweden

Lisbon, Oct. 10.—Portugal recalled its ambassador to Sweden yesterday amid reports of official Swedish support for guerrilla forces in Portuguese Africa.

Reports in the Portuguese press alleged the Swedish government was providing financial aid to guerrilla forces in Mozambique and Portuguese Guinea.

[From the Washington Evening Star, Oct. 13, 1969]

The Swedes and Us

Sir: Olof Palme, 42-year-old apostle of the New Left, who has been chosen to be Sweden's prime minister, is reported to have said that the Swedes are not really anti-American. This, of course, is good news. Those Swedish demonstrations and U.S. flag desecrations are nothing more than exuberant expressions of disapproval of U.S. foreign policy. Mr. Palme, himself, owns to a warm feeling for some Americans, such as those who parrot the Hanoiline—he names —, —, —, —. The Swedes also show "compassion" for those inglorious samples of American manhood who have deserted our armed forces to take refuge in Sweden.

But the Swedes dispense compassion on a discriminating basis. None was in evidence when they rounded up hundreds of war refugees from the helpless Baltic democracies overrun by Stalin's armies and forcibly turned them over to Stalin's goon squads. Only a few years before that sad episode, the Swedes eased the way for Hitler's legions to transit Sweden during the Nazi conquest of neighboring Norway.

With effusive praise for the civilized qualities of the Hanoi government that brutalizes its American war prisoners, Sweden proclaims a policy of extending recognition to de facto governments. But even this is discriminatory: North Vietnam basks in the light of Swedish recognition, but not East Germany. Why? Could it be that the Swedes tailor their diplomacy to protect the profits from their trade with West Germany?

Sweden is very neutral and very pacific—neutral enough to wax fat behind the NATO shield without contributing, but not pacifist enough to refrain from peddling Bofors guns in places such as Africa. If there were a Nobel prize for hypocrisy, Gunnar Myrdal could present it to Olof Palme for permanent enshrinement in Stockholm.

John T. Collier.

[From the Washington Post, Oct. 13, 1969]

GI Deserters Boost Crime in Sweden

(By Dan Cook)

Stockholm.—The number of deserters from the U.S. armed forces who have been given asylum in Sweden has passed the 300 mark, and about one out of every six has been in trouble with the Swedish police.

This probably constitutes one of the highest crime rates for a relatively small number of men anywhere in the world. The escapades occur at a rate of about one case a week—petty theft, assault with intent to commit violence, dope peddling, disorderly conduct, and, in one case, an attempted bank robbery for which the former GI is doing a year in jail.

The Swedish commission which rules on applications for residence permits has made no effort to differentiate between genuine conscientious deserters and those who are in trouble with the military. Asylum is virtually automatic.

RUN OUT OF SWEDEN

Two or three cases are known where asylum-seeking GIs have been put on ferryboats out of Sweden by local police. In general it seems to have been routine for arriving deserters to contact private Swedish organizations who prepare the documents needed for asylum.

Names and telephone numbers of these organizations are distributed in Germany. Once his application is in the works, a deserter must wait about a month before he obtains a ruling on asylum from the Swedish authorities.

Once armed with the right to remain in the country, a GI is entitled to the equivalent of $18 a week indefinitely in government assistance. The Swedes also give deserters winter clothing allowances. Often, they are put up in private homes or with private organizations, free.

Others find girlfriends and move in. A Swedish landowner has donated a farm to one group of eight or 10 GIs who, according to local gossip, are doing fairly well and probably are as far along as any deserters in settling down for good in Sweden. The Swedish government has established a training center about 60 miles from Stockholm to offer language instruction and job training, but the maximum number who have used it at any one time appears to have been eight or 10.

SOME SEEK TO RETURN

The U.S. Embassy receives two or three queries a week from deserters about legal rights and problems of getting back. When a deserter arrives at the embassy, a consular official explains his legal rights and offers him a one-way air ticket back to his unit—charged against any military pay he may eventually have coming to him. Some deserters insist on returning to the United States in the hope of getting a better break from the authorities, and such passages are paid by the embassy on the same basis.

In general, the army has been moderate in its sentences on the deserters. A high proportion are regular enlisted men, as opposed to draftees. The proportion of Negroes who have deserted to Sweden is lower than that of Negroes serving in the army.

The deserters are not even escorted to the airport. They travel on the honor system back to their unit, with instructions simply to report to the military police when they get off the plane.

How many will make it into permanent residence in Sweden is anybody's guess, but it probably will not be more than 25 or 30 when all is over.

[From the Washington Post, Oct. 14, 1969]

United States Weighs Credit Cutoff for Sweden

The United States is studying whether to cut off export credits to Sweden because of its announced intention to give economic aid to North Vietnam, a State Department spokesman said yesterday.

The spokesman said Washington did not have full details of the decision by Sweden's socialist government to provide Hanoi more than $40 million in aid and credits in the next three years.

He noted, however, that the U.S. Export-Import Bank cannot give credits to a nation whose government furnishes goods, supplies, manpower or advisers to a nation fighting American armed forces.

[From the Washington Evening Star, Oct. 14, 1969]

Hint of Hanoi Aid Offer by Sweden Weighed by United States

A State Department spokesman says that "various agencies of the administration" are studying reports of a Swedish offer of financial aid to North Vietnam.

Also under study, spokesman Carl Bartch said yesterday, is whether such a loan would disqualify Sweden from receiving Export-Import bank credits.

Bartch emphasized that the administration has no firm information yet on whether Sweden will go ahead with a reported $60 million loan offer to Communist North Vietnam.

[From the Chicago (Ill.) Tribune Oct. 15, 1969]

Sweden on a Tightrope

How far can Sweden go in its anti-Americanism and still be able to borrow money from the United States? The Swedish government seems determined to find out and, in accordance with current fashion, to force a "confrontation" in the process.

For a long time Sweden's socialist government has been cozying up to the Soviet Union, lecturing the United States on peace, and harboring American army deserters [more than 280 at the last count]. The only reaction from Washington has been to recall our ambassador for five weeks last year after Swedish government officials marched in a peace parade with an envoy from North Viet Nam.

Now the resignation of Tage Erlander has brought into office a new prime minister, Olof Palme, who is a good deal more critical of the United States than Erlander. No sooner was Palme chosen than he rewarded his left-wing backers by announcing plans to give 40 million dollars in economic aid to North Viet Nam over a three year period.

Sweden has been vague as to whether this aid is to be extended immediately or after the end of hostilities. And for an obvious reason: Sweden is part owner of Scandinavian Airlines System; S. A. S. wants to increase its loan from the American Export-Import bank by about 200 million dollars to buy Boeing 747s; and the bank is prohibited by law from lending money to a government that helps a country with which we are at war.

Norway and Denmark, Sweden's partners in S.A.S., have begged Sweden to quit meddling and not to jeopardize the loan. Palme, however, seems unwilling to back down an inch more than necessary, if that. His equally left-wing foreign minister, Torstein Nilsson, is coming to Washington soon to look for some loophole which will enable Sweden to borrow money from us with one hand and give money to Hanoi with the other. The loophole path already has been blazed by Peru, which confiscated an American-owned oil company without compensation and thus disqualified itself under the Hickenlooper amendment for American aid. Washington squirmed uncomfortably, but the aid is still going thru.

Both the Export-Import loan restriction and the Hickenlooper amendment were passed for sound reasons, the one to keep American money from being funneled indirectly to our enemies and the other to encourage private investment in developing countries and thus take some of the burden off of the taxpayers.

[For the Washington (D.C.) Post,
Oct. 15, 1969]

SWEDISH PREMIER INSTALLED, SAYS HE FAVORS HANOI

STOCKHOLM—Olof Palme, Sweden's new prime minister, said in a press conference after being sworn in yesterday that he has "more sympathy" for the North Vietnamese than for the Saigon government.

He said Saigon is "not representative of the Vietnamese people, but speaks for a relatively small clique," while Hanoi "is a dictatorship and not a democracy in our sense, but representative of the people."

Palme said that Arne Geijer, head of the Swedish trade union confederation, would be visiting the United States this week and would explain "misunderstandings" about Swedish aid to Hanoi to U.S. labor leaders. The Swedish press has reported that Thomas Gleason, head of the International Longshoremen's Association, is considering a boycott of Swedish ships in East Coast ports unless Sweden changes its mind about aiding North Vietnam.

Palme said the decision to give $40 million in aid was misinterpreted by the press and that until the fighting stops Sweden would only give "humanitarian aid."

CIVIL SERVICE RETIREES NEED FINANCIAL RELIEF

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. FRIEDEL. Mr. Speaker, yesterday I introduced two bills supported by the National Association of Retired Civil Employees, which was founded in 1921. Its organization was prompted by passage of the original civil service retirement law in 1920. From a small beginning, the association has grown in membership and importance. The membership of this organization exceeds 135,000 and there are over 1,100 local chapters chartered throughout the United States.

Its objectives are to serve civil service annuitants and their survivors, and potential annuitants and their survivors under retirement laws, to sponsor and support beneficial legislation, and to promote the general welfare of annuitants and their families. The association is also interested in preretirement programs, especially in Federal and District Government agencies, and in the broad field of the problems of the aged and aging.

Mr. Speaker, this organization is a dedicated, selfless group which has brightened, expanded, and enhanced the lives of those who formerly served their Government. We must pay special attention when organizations such as the National Association of Retired Civil Employees request and endorse legislation, and there can be little doubt that it is necessary to the lives of the more than 800,000 Federal retirees and their survivors that we give every consideration to their request for much-needed legislation to improve their benefits.

There are, in my own State of Maryland, 24,701 civil service annuitants and 9,571 survivor annuitants; in other words more than 34,000 persons in the State of Maryland are presently receiving a civil service annuity check from the Federal Government. The average monthly annuity of the retiree himself in Maryland is less than $300, and the average check of a survivor annuitant less than $145 per month.

These figures would certainly seem to substantiate the need for some financial relief for these retirees who have spent their working years in the service of the Federal Government, as $3,000 per year has been cited as "poverty level" and there are clearly many of our annuitants and survivor annuitants existing on incomes well below this figure.

I am convinced that the two measures that I have introduced are worthy of our careful consideration and study.

While there has been an increase in the general standard of living and a rise in the general economy during the past several years, the standard of living for retired Federal employees has stood almost stationary in spite of the increases we have approved in recent years. This is so because inflation and increased taxes has taken more of the retirees' income than they have received in increases.

According to the 1967 report of the U.S. Civil Service Commission, Bureau of Retirement and Insurance, of an approximate 800,000 retired civil employees and their survivors, some 279,000 receive a monthly annuity of less than $100, and over 500,000 receive less than $200 per month. To correct this inequity, we must grant these former Federal employees a substantial annuity increase.

My bill, H.R. 14314, would give an increase to all Federal retirees and their survivors, with the largest increase going to those presently receiving the smallest annuities. These increases would be as follows: $26 per month if they now receive less than $200 per month; 13 percent if they now receive at least $200 but less than $300 per month, 9 percent if they now receive at least $300 but less than $400 per month; 7 percent if they now receive at least $400 but less than $500 per month; or 5 percent if they now receive at least $500 per month.

My second bill, H.R. 14315 would correct a longstanding inequity in the retirement law. The present retirement law provides that a retiree at time of retirement may elect to take a reduced annuity to provide a survivor annuity for his spouse. This cost at the present time is 2½ percent on the first $3,600 and 10 percent on the remainder, if any. The law also states that only one election can be made, and that at time of retirement.

When a retiree is predeceased by the named spouse he must continue to pay the cost through a reduced annuity as long as he lives, although there never will be anyone who can receive the survivor annuity he is paying for, even though he remarries.

This bill provides for the restoration of the full annuity and/or permits the retiree to name his second spouse for a survivor annuity if the named survivor predeceases the retiree, and the second spouse has attained the age of 60.

Out of approximately 800,000 retirees and survivors there are several thousand who would benefit from such legislation.

My bill, when enacted into law, will correct some of these injustices and yet protect our older annuitants by providing that their second or third spouse must be at least 60 years of age in order to benefit from this legislation. I am sure that a good percentage of our colleagues are not fully aware of this great injustice that prevails in thousands of the homes of our retirees from the Federal service. I strongly urge that my colleagues give serious consideration to the legislation I have introduced and support these long overdue changes in the civil service retirement laws.

HAWAII—THE NATION'S OCEANOGRAPHIC FRONTIER

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. MATSUNAGA. Mr. Speaker, one of Hawaii's most fascinating tourist attractions is the 20-acre Sea Life Park, located at the base of a 1,000-foot lava cliff, near scenic Makapuu Beach on the island of Oahu.

In addition to being a popular tourist attraction, with nearly a half-million visitors to the park last year, there are also many important marine research programs underway at the Makapuu Oceanic Center.

Under the direction of Dr. Taylor Pryor, director of the Oceanic Institute, the first in what may be a series of adventures in hydrospace began on October 1 at the Makai Undersea Test Range with the testing by four aquanauts of a new 70-foot-long portable habitat, capable of supporting six diver-scientists for weeks at depths of up to 600 feet.

In reporting on this challenging experiment in marine science, Honolulu Star-Bulletin writer Richard Hoyt commented:

> Watching the aquanauts through closed circuit television is much like the experience of watching Apollo astronauts on television.

In his interesting feature article on the undersea tests, Mr. Hoyt also noted that Dr. Pryor's portable habitat has the deepest diving capability of any similar machine in the world.

As we look to the 1970's and the concept of the International Decade of

Ocean Exploration, it is expected that marine scientists and engineers from all over the world will be studying the ocean space with the goal of deriving practical benefits from the seas for the good of all mankind. In this connection, I believe that my colleagues would wish to read more about the pioneer work being done in exploring our next frontier—oceanography—which is presently being conducted in the island State.

I am therefore pleased to submit for inclusion in the Congressional Record the article by Mr. Hoyt from the Honolulu Star-Bulletin of Saturday, October 4, 1969, entitled "Undersea Habitat Tested by Four Off Waimanalo":

Undersea Habitat Tested By Four Off Waimanalo

(By Richard Hoyt)

Four aquanauts in shorts and tee-shirts are in the first of what may be a series of adventures in hydrospace off the Makai Undersea Test Range at Waimanalo.

Taylor Pryor, the Makapuu Point ocean science entrepreneur, is putting his new undersea habitat through its paces for the first time.

The 70-foot long portable habitat is capable of supporting six diver-scientists for weeks at depths of up to 600-feet.

The habitat's life support equipment is being checked by four divers under controlled observation in shallow water off Pryor's research pier.

At 7:30 a.m., Wednesday, with no fuss or fanfare the yellow habitat was lowered into the water. There the interior pressure was inceased to equal that of water 200-feet deep.

The divers are monitored 24-hours a day through closed circuit television.

They are now being depressurized from the 200-feet level by a rate equivalent to one foot of ocean depth every 15 minutes. Tomorrow morning they will again be at surface pressure.

Watching the aquanauts through closed circuit television is much like the experience of watching Apollo astronauts on television.

But there are some differences:

The aquanauts do not wear bulky suits. They wear aloha shorts and droopy tee-shirts.

The aquanauts do not eat soft food squeezed from tubes. They eat soggy bread and canned soup.

Worst of all for the aquanauts' image, they sound like Donald Duck when they talk.

The Donald Duck voice is the result of pressurized helium and oxygen. Regular air at that pressure would be dangerous.

Jon Pegg, a medical doctor who is keeping an eye on the divers' health, said the reason is jokingly called "Martini's Law."

At 50 feet, pressurized oxygen in normal amounts will have the effect of one dry martini on a dry stomach. At 100 feet this effect is doubled, and so on. At 200 feet an aquanaut would get drunk.

Pegg, who worked with habitats for the University of California, Berkeley, said Pryor's portable habitat has the deepest diving capability of any similar machine in the world.

The men inside: William Berryman, Charles Peterson, Richard Ellis, and Danny Kali, have to be kept very warm (85 degrees) for them not to get very cold.

This, also, is due to the strange atmosphere.

The aquanauts are doing "extremely well" according to Pegg, who is also pleased that the habitat is not leaking helium as most do.

The aquanauts each have a bunk. They have living quarters and working quarters complete with a kitchen and refrigerator.

So until tomorrow morning, all they have to do is sleep, eat and keep healthy, and maybe shoot the breeze . . . in Donald Duck voices.

THE EFFECT OF TAX REFORM LEGISLATION ON PRIVATE FOUNDATIONS

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Wednesday, October 15, 1969

Mr. HARTKE. Mr. President, one of the leading educators in America, the Reverend Theodore M. Hesburgh, president of the University of Notre Dame, testified recently before the Committee on Finance on the effect that certain provisions of H.R. 13270 are likely to have on the financing of higher education, most especially on medical education.

So that all Members of the Congress may have a chance to read this impressive testimony, I ask unanimous consent that it be printed in the Record.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

Statement of Theodore M. Hesburgh

Mr. Chairman and Members of the Committee: I am Theodore M. Hesburgh, president, since 1952, of the University of Notre Dame. With me today I have Dr. John Cooper, who is the president of the Association of American Medical Colleges; Mr. Frank Erwin, who is Chairman of the Board of Regents of the State Universities of Texas; and Dr. Felix Robb, who is the Director of the Southern Association of Colleges and Schools.

The four of us appear before you this morning as representatives of institutions which are, in a sense, bystanders in the present controversy over legislation affecting private foundations. Although I am also a trustee of the Rockefeller Foundation, neither I nor my colleagues are appearing here to represent a "private foundation," or a group of foundations. No matter what definition you finally settle upon for that key term, all of the institutions which we represent will fall beyond it. We will, therefore, be beyond the direct effect of whatever rules you prescribe for foundations.

If we are bystanders, though, we are intensely interested ones. We are, also, a good deal more familiar with the subject of the controversy than bystanders ordinarily are. For both our interest and our knowledge, we are indebted to the very close relationship which foundations have to the programs of the institutions which we represent. Our institutions receive vital support from foundations; they work continually with foundations; and, in doing so, they have developed a broad experience with foundations' functions and characteristics. Moreover, as individuals, we have served as members or trustees of a considerable variety of private and governmental organizations—ranging from the National Science Board and the Carnegie Commission on the Future of Higher Education to Governor Rockefeller's Select Committee studying private education in the state of New York—which are active in the fields in which foundations work.

Based upon our knowledge of private foundations—and the very considerable benefits which our institutions steadily derive from them—we are seriously concerned about certain aspects of the legislation proposed for foundations.

The four of us have observed the work of foundations from rather different points of view. In discussing the consequences of the proposed foundation legislation, I will draw upon my experience with private educational institutions. Representing the Association of American Medical Colleges, Dr. Cooper will explain the role of foundations in medical education. Mr. Erwin will speak to you of the relationship of private foundations to colleges and universities which derive their principal support from states or local governments. Finally, on behalf of the Southern Association of Colleges and Schools—an organization with 9,000 member and affiliated colleges, universities, secondary and elementary schools serving eleven Southern states from Virginia to Texas—Dr. Robb will speak to you of the place of foundations in education in the South.

From these varied points of view outside the foundation world, we would like to tell you what we know of that world; how it affects the institutions which we represent; and why we are disturbed about certain parts of the legislation proposed for foundations. As we proceed, we will document our observations with concrete examples and with general statistical data. We will not, however, enter upon an examination of the technical details or ramifications of the House bill, or other specific legislative proposals. Other witnesses are more qualified for those tasks than we are.

At the outset, we would like to make it clear that the four of us wholeheartedly support legislation aimed at the financial abuses in which a minority of private foundations are reported to have become involved. We pretend to no expertise on foundation abuses, because the foundations with which we are familiar have not engaged in them. On the other hand, we recognize that the 1965 Treasury Department Report on Private Foundations and witnesses who appeared before the Ways and Means Committee this spring have made out a strong case for legislative proscription of foundation-donor self-dealing, unwarranted accumulations of income, and certain other practices. To the extent that such practices exist, we share the concern of the Ways and Means Committee about them, and we urge you to deal decisively and effectively with them.

Beyond such steps, however, we are deeply disturbed about one aspect of the House bill and one additional proposal which, while not incorporated in the House bill, has been advocated by critics of foundations in recent years. In brief, the proposals which concern us are these:

The House bill would impose a 7½ per cent tax upon foundation investment income. The Ways and Means Committee Report estimates that this tax will produce $65,000,000 of revenue in its first year of operation. According to the House estimates, the revenue effect of the tax would rise rapidly to an annual $100,000,000. Furthermore, as the next group of witnesses will explain in greater detail, the precedent which the tax would establish for state and local governments seems likely to have an additional substantial monetary impact on foundations.

Several critics of foundations have recommended terminating the existence or exemption of foundations after a period of years. One proposal would fix a 25-year limit on foundations' tax exemption and qualification to receive deductible charitable contributions. Another would restrict the life of each private foundation to 25 years. Others would require foundations to distribute their assets at a sufficiently high rate to end their existence within a period of 10, 15, or 20 years.

We are deeply concerned both about the proposed tax on foundation investment income and about the adoption of any mechanism whose effect would be to terminate the existence or exemption of all foundations over a period of time. Our combined experience with foundations convinces us that their work has been of immense value to the classes of institutions which we represent and to American society. We are, therefore, strongly persuaded that any measure which diminishes the current funds with which foundations carry on their work and with which they support the work of other charitable and educational institutions—by an annual $65,000,000, $100,000,000, or any like amount—will have major undesirable consequences. For the same reasons, we are convinced that an endeavor—direct or indirect—to curtail the existence or tax benefits of foundations would be thoroughly unfortunate.

To explain the grounds upon which we base these views, we should like to review briefly the work which foundations have done in the four areas with which we are familiar.

A. FOUNDATIONS AND PRIVATE UNIVERSITIES

During more than seventeen years as president of Notre Dame, I have found one of my great preoccupations to be the financing of the University's educational, research and service programs. The progress that my University has recorded during this period can be attributed in no small measure to the support of private philanthropic foundations. Indeed, one major philanthropic organization, the Ford Foundation, looms as the largest single benefactor in Notre Dame's 127-year history.

I shall not presume to speak for my fellow college and university presidents, although I can think of none whom I know personally who would favor the foundation tax which we are discussing. I would like to say a word about how one foundation, the Ford Foundation, is helping Notre Dame accomplish in ten years what normally would have required thirty years. With equal force I could document what has been accomplished on our campus with support from the Rockefeller Foundation, the Sloan Foundation, the Carnegie Corporation, and others.

Specifically, I shall speak about the Ford Foundation's Special Program in Education—perhaps the most magnificent philanthropic program in the history of American higher education—in which a significant number of colleges and universities have been helped to help themselves through challenging matching grants. In the case of Notre Dame, the whole vision of what the University might be has been startlingly, almost unbelievably, altered by two $6 million matching Ford Foundation grants. With the incentive of these matching grants, between 1960 and 1966, we were able to double or triple the money normally contributed to the University. There is no question in my mind that this gigantic stride forward was made possible by the matching provision. So, aside from what the grants themselves helped underwrite—for example, the 13-story Notre Dame Memorial Library—they have helped generate many additional millions of dollars in support from alumni, from friends, from corporations, and even from other foundations.

The best thing about foundation support is, of course, that it is project-oriented for the most part and encourages a university to do new things, to undertake research and launch new educational programs that would be out of the question if one had to rely on operating income or even the gift support of alumni and friends. For example, the Carnegie Corporation made a capital grant to Notre Dame which underwrote the first national study of Catholic elementary and secondary education in the United States. Support from the Kellogg Foundation has made possible a program of continuing education that has touched the lives of tens of thousands involved in more than 300 campus conferences each year.

The aid which the major foundations have provided in the years since World War II has proved to be a life-line to the independent half of our nation's unique dual, private/governmental system of higher education. There is serious question whether the independent sector can persevere and continue to provide an educational alternative. With inflation and the spiraling cost of living threatening to impair the philanthropic support of individuals, and with corporations, generally speaking, contributing less than 1 per cent of their profits to charitable organizations when they are entitled by law to contribute up to five percent, the proposed tax on foundations—or any general measure to end the existence or exemption of foundations—will have the plain and necessary effect of driving our independent colleges into the arms of the government at a time when many feel there is already too much government involvement on the campus. I cannot believe that this is a prospect welcomed by members of this Committee or the Congress.

To state the matter somewhat differently, a 7½ per cent tax levied on the investment income of foundations would, in effect, be a tax on Stanford and Johns Hopkins, Vanderbilt and Emory, Notre Dame and Denver and, indeed, on all the colleges and universities, great and small, in every part of this land, which benefit from the regular and substantial support of these foundations. It would result in *less* foundation support for the nation's colleges and universities at precisely the time when they are experiencing a financial crisis and need *more*. The revenue generated by the tax would be of little consequence to the government, but its collection would have the direct effect of reducing the funds normally available to colleges and universities by a similar amount, and the indirect effect of a proportional reduction of the individual contributions which these funds stimulate. Furthermore, it would seem inevitable, once the precedent is set, that the tax would be increased as the states and municipalities and future administrations seek much needed revenues, thereby further reducing the funds available to colleges and universities. Again I say that I cannot believe those results to be acceptable to this Committee or the Congress.

My plea, then, is to legislate against specific abuses which may have been discovered in the administration of certain foundations—but not to diminish the funds with which foundations make their vital contribution to the private sector's educational system. This is the time for the Congress to take steps to encourage even further private philanthropy to higher education. The proposals of which I have spoken would have exactly the opposite effect.

B. FOUNDATIONS AND MEDICAL EDUCATION

In the field of medical education, too, the resources of private foundations have been of critical importance. Review of the relevant data reveals that foundations provide a continuing flow of funds which, in absolute terms, makes significant contributions to the training of our doctors, research technicians, nurses, and other medical personnel. Even more important, foundation funds have been of vital assistance in certain special areas of medical education for which it has proved difficult or impossible to secure support from other sources.

The Association of American Medical Colleges conducts an annual survey of all medical schools in the United States to determine the sources of their funds and the purposes to which the funds are applied. In addition, to assist this Committee in its current inquiry, the Association has conducted a special canvass of several of the larger medical schools to obtain more detailed information on the amounts and purposes of foundation grants in recent years.

The data stemming from these investigations demonstrate convincingly that, overall, the contribution of private foundations to medical education and medical research has been an impressive one. Foundations have repeatedly granted funds to medical schools for operating budgets and capital construction. Such grants for general purposes, however, present only a partial view of the importance of foundation support in the field of medical education. In several specific areas, foundation funds have been of special significance.

Faculty salaries

While the federal government annually appropriates large sums for medical research, it has proved exceedingly difficult to obtain government support for the maintenance and upgrading of medical school faculties. Plainly, funds committed to these purposes have major bearing upon the quality of medical practice and the state of medical knowledge throughout the United States. Yet, as a dean of the Harvard Medical School noted in a recent letter to the Association of American Medical Colleges, "We are especially dependent on foundations for teaching funds since the government has neglected this area."

Specific illustrations abound. In recent years the Mellon funds have made substantial grants for faculty support and expansion at Tulane, Vanderbilt, Northwestern, Chicago, Boston University, Brown, Case Western Reserve, Columbia, Cornell, Dartmouth, Duke, Emory, George Washington, Harvard, Temple, Tufts, Washington University (St. Louis), Yale, Johns Hopkins, Jefferson Medical College, Marquette, Pennsylvania, Pittsburgh, the University of Rochester, the University of Southern California, and Stanford.

The comments of administrators at several of the recipient schools provide insight into the importance of the grants:

"Both the basic sciences and the teaching programs have been immeasurably improved by the infusion of funds. New appointments have been made and the entire faculty stabilized." (Tulane.)

"The grant has proved to be one of the most timely and beneficial ones we have ever been privileged to receive. It has made possible the strengthening of various departments where the need was pressing." (Vanderbilt.)

"To say that Mellon funds were invaluable to Northwestern University Medical School would be an understatement. They came at a time when personnel, particularly in the basic sciences, was in very short supply." (Northwestern.)

"The funds have been used to stabilize the position of several very promising young scientists, attract new ones, and to start new and important areas of teaching and research at a time when federal funds have become overly restrictive." (Johns Hopkins.)

"The assistance which we have received each year from the Mellon funds has enabled us to strengthen the faculties of the three departments which do most of the teaching in the first year of medical school." (Jefferson Medical College.)

"There would be literally no other way which faculty expansion and strengthening could have been financed." (Boston.)

"These funds have made it possible to bring in people who we would have found very difficult to support in any other way." (Case Western Reserve.)

"The grant has made it possible for us to maintain academic strength in all of our basic science departments." (George Washington.)

The Mellon grants have not been the only ones supporting the improvement of medical school faculties. During the period from June of 1962 through June of 1969, the Surdna Foundation made grants of $3,300,000 to the Harvard Medical School for general faculty support. Of that total, $2,500,000 was allocated to a fund which supports full-time faculty members in the base medical science and clinical departments. Six hundred thousand dollars has been used to establish a new professorship in pediatrics. An additional $200,000 has been used to com-

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plete funding of a professorship of preventative medicine. The Josiah Macy, Jr., Foundation has made annually-increasing grants to Washington University (St. Louis), Columbia, and Harvard to expand training in obstetrics. It has, in addition, established a major professorship in obstetrics and gynecology.

The examples could be multiplied at considerable length. Their point, however, should be evident: institutions of medical education are heavily dependent upon private foundations for the resources which support the faculties which train the nation's doctors and medical research personnel.

Establishment of new medical schools

As has been the case with the maintenance and improvement of the faculties of existing medical schools, in recent years the Federal Government has provided little operating support for the establishment of new medical schools. Here again, the need has been evident, and foundations have acted to close the financial gap. Moreover, in this area particularly, their action has carried an impact extending well beyond its immediate dollar effect; for foundation grants have stimulated contributions from a broad variety of other sources—both public and private, and often many times larger than the original foundation grant. In that way, foundation commitments have frequently had a plain and pronounced multiplier effect.

The Kellogg Foundation has given $8.4 million over the past nine years to establish new medical schools at the University of Connecticut, Rutgers Medical School, Brown University, the University of Hawaii, the University of New Mexico, Michigan State, the University of Nevada.

Of the grant to Connecticut, the president of the university has said: "The foundation authorized a three-year grant to the University of Connecticut in the amount of $1,037,500 'to support the establishment of a school of the basic medical sciences' . . . It is no exaggeration to say that the foundation's grant has had an exciting catalytic effect upon our progress to date. . . . This grant is a classic example of what 'venture capital' assistance from a foundation can accomplish."

The business manager of the Rutgers Medical School has commented: "Without the stimulus of the foundation, Rutgers Medical School would still probably be a dream of the future."

Assistance to medical schools in financial difficulty

The demands upon our medical schools have been particularly great in the past several years. Financial pressures have increased correspondingly. It is hardly surprising, therefore, that a number of schools —particularly in the private sector—have come very close to financial collapse. Repeatedly, foundations have made timely grants to avert such failures.

One foundation has provided almost $4,000,000 over the past five years to 10 schools which were experiencing severe fiscal difficulties. Included were such schools as Creighton University, in Omaha, Nebraska; the University of Utah; Meharry Medical College, in Nashville, Tennessee; and the University of Vermont. The dean of one of the recipient schools has said: "I should like to once again comment on the extraordinary value of the . . . award to our developing School of Medicine. The award permitted a continued growth of the school during an exceptionally critical period in which the program was expanding far more rapidly than the allocations to the School of Medicine from state appropriations. Indeed, I seriously question whether the school could have avoided a substantial collapse. . . ."

Development of new techniques

If foundation resources have afforded crucial support for medical school faculties, the establishment of new schools, and the assistance of schools in financial difficulty, they have performed services of at least equal value in a different class of endeavor. Nowhere have the innovative capacities of foundations been more evident than in the development of new systems and techniques of medical education, improved medical curricula, and new methods of relating medical facilities to the provision of health care for our citizens. Here again, reference to particular examples is useful.

The shape of modern medical education owes as much to Abraham Flexner's 1910 report on the subject as to any other single factor. Made possible by a Carnegie grant, the Flexner report advocated—and produced—fundamental revisions in a variety of facets of our system of developing and training doctors.

In the academic year 1955–1956 the Harvard Medical School utilized a $1,000,000 grant from the Commonwealth Fund to test pioneering changes in medical curriculum. Based upon the knowledge developed in these initial experiments, major changes in the school's curriculum were adopted two years later. The innovations at Harvard were the basis for far-reaching changes in curriculum at Western Reserve—changes which were supported by the Commonwealth fund, and which have had great effects on medical education across the country.

Grants to Northwestern University by the John and Mary R. Markle Foundation and the Commonwealth Fund enabled the school to evolve a program which substantially diminishes the time required for the education of doctors. Under this program, Northwestern now admits students from high schools who are able to obtain M.D. degrees in a total of six years. Grants from the Commonwealth Fund to Boston University and Johns Hopkins University permitted the initiation of similar programs at those institutions.

The Rockefeller Foundation and the Macy Foundation provided the Harvard Medical School with funds to undertake the nation's first undergraduate program designed to assist members of minority groups to enhance their qualifications for graduate study in medicine and dentistry.

The Carnegie Corporation of New York has provided three-year funding for teaching, research, and administrative programs on the economics of health care.

The Ford, Rockefeller, and Avalon Foundations have committed themselves to provide a total of $5,200,000 for the development of a unique laboratory studying human reproductive biology in conjunction with the existing Center for Population Studies at the Harvard School for Public Health. According to a recent Harvard report, "Together these two programs will represent one of the nation's primary concentrations of talent and competence."

The Commonwealth Fund and the Surdna Foundation have, together, provided funds for the creation and operation of a pilot university-sponsored community health plan. Drawing on the facilities and personnel of the university's medical school, the program will make comprehensive medical service and health care available to the residents of the surrounding community.

Conclusion

Year after year, foundation dollars afford vital support for the nation's medical schools. In a number of respects, they fulfill needs for which there *are* no other dollars. Further, by stimulating other support, foundation grants often generate resources which—even measured solely in monetary terms—are of far greater magnitude than the original grant. Finally, in at least one area foundation support has produced results which can only be described as unique; for without the creative impetus supplied by foundations' experimental projects, their studies of system and technique, and their programs for change, many of the advances of modern medical education simply would not have occurred.

With increasing demands being placed on the medical schools for an increased production of health manpower and greater involvement in meeting the health service needs of the country in the face of ever less adequate support from local and federal sources, foundations are a critical part of our effort to meet the expectations of society for a healthier life.

C. FOUNDATIONS AND PUBLIC EDUCATIONAL INSTITUTIONS

Nobody honestly concerned with American education condones illegality or irregularity in private philanthropy. Hence every representative of public higher education endorses all legislation assuring fairness and equity among taxpayers, donors, foundations, their institutional beneficiaries, and the government.

On the other hand, it is a simple historical fact that both established state universities and developing public institutions could not fulfill their missions without foundation support. Gifts, bequests, special grants under the law have enabled such institutions to grow, to increase their effectiveness, and to serve the whole population. By such means, private philanthropy has provided a tremendous variety of activities which often cannot be supported by government appropriations.

Thus foundations have encouraged innovation and experiment.

They have initiated creative work and kept it alive.

They have made possible new departures in multi-disciplinary study and research.

They have brought public and private institutions into practical cooperation.

They have broadened and strengthened activity aimed at the common welfare.

Drawn from the Southwest alone, the following examples are typical of thousands of similar projects in the United States. Each is recent. Each has the vitality to assure later effectiveness.

Innovation and experiment

In Texas, private foundations have brought engineering and medical schools to join in studies of the individual and his environment; numerous academic departments and business organizations to experiment with problems as different as beef production and mineral recovery; inventive skills and consumer needs; biological, mathematical, and space research opening new perspective on geophysics, the world and the solar system.

Creative work

By gifts of art and libraries, by support of humanities centers and the individuals working in them, foundations have brought to life creative work, which has involved both whole communities and smaller groups concerned with painting, music, and the theater, as well as general studies.

Interdisciplinary study

Private foundation gifts and grants have helped the scientific linguist and the classroom teacher to overcome the disadvantage of students with language handicaps; the biologist and the oceanographer to establish new methods in marine medicine; the engineer and the journalist to take advantage of modern communication; the computer scientist and scholars in a dozen fields to speed the acquisition and disseminaton of knowledge.

Public and private institutions

In one state alone, more than thirty joint programs between privately-endowed and tax-assisted institutions have ranged from the single classroom to the whole region.

Common welfare

Where taxes were unavailable, private foundations have made possible the initial operation of two medical schools and continuing programs of a major teaching hospital. Without foundation grants, the Anderson Hospital and Tumor Institute, host to the next International Congress on Cancer, could not have begun its work or maintained its distinction.

Immediate benefits of such programs are manifest. Taxpayers have been saved money; they have also been given benefits which taxes could not provide. Still more important, however, is the fact that in every such phase of higher education, the university has been assisted in getting ready for the future. In that future, it is not the eminence of an institution which is at stake. It is the people's interest.

By relatively small sums afforded through tax relief this future prospect can be assisted. By depriving foundations of those funds—as the proposed tax would do—that prospect would be diminished or denied. In all institutions which are "public" in the broadest and truest sense, the present system of tax relief is essential to a base of planning now more than half a centry old. To shut off or cut down that relatively modest independent funding would close innumerable doors on future educational progress.

D. THE SOUTH: FOUNDATIONS AND EDUCATION

This country desperately needs a strategy for *expanding legitimate philanthropy* as a vital component of free enterprise—and of the private-public balance in American life—*not* a precedent for reducing philanthropy through taxation or excessive regulation. If it is the will of Congress to equalize educational opportunity, then Congress should encourage and facilitate the work of reputable philanthropic foundations. Such encouragement is particularly important in the South.

The South lacks resources with which to provide adequate educational opportunity for its people. The entire nation has suffered as a consequence. But the gap between the South and other regions would be much wider except for the investment by national and regional philanthropic foundations in the development of human resources.

Any reduction in foundation support would be adversely felt in the South, with its huge number of children to educate and the fewest public dollars with which to do the job. Mississippi, which in proportion to income makes a greater per capita educational effort than any other state, spent only $364 per pupil in public schools in 1967–68 compared to New York State's $1,024. If the South is ever to catch up, it needs *more* private philanthropy—not *less*.

Economic limitations have prevented most Southern educational institutions from having enough funds for operation; they have fallen far short of having enough funds for innovation, experimentation, and improvement.

All educational institutions serve best when they are strong, venturesome and self-renewing. Consistently, ever since the Civil War, when we Southerners have had an educational problem requiring an innovative approach, we have sought and often received foundation support to test our idea, to demonstrate a new approach, or to finance needed research and programs. A substantial flow of money from large national foundations, along with our own regional philanthropies, continues to be essential to education in the South.

What would be the difference if a reduction of available foundation dollars were brought about through taxation?

1. It would tend to discourage *new* philanthropy just at the time when the South's improving economy is developing indigenous private wealth that is increasingly flowing back to the public through local philanthropy.

2. It would have serious impact upon at least two or three hundred key Southern colleges and universities—public and private—that look to foundations as their "margin for excellence," plus a number of smaller, weaker colleges facing deficits for the first time this past year. To them foundation grants are crucial.

Vanderbilt University's rise to national stature results substantially from foundation grants that stimulated local effort. Emory's great medical center could not have functioned well without Woodruff Foundation money to cover its deficits. As recently as August 22, the Kresge Foundation gave $1,500,000 to Meharry Medical College in Nashville for a badly needed library. This college—which has educated approximately half the Negro physicians in the United States—has been literally saved by foundation grants in the past decade.

Strategic grants are helping our colleges predominantly serving black students to improve their curricula, to develop their staffs, and thereby to move into the mainstream. The Carnegie Corporation of New York has underwritten one of these programs over a 5-year period and the Danforth Foundation committed $5,000,000 over seven years to sustain the Southern Fellowships Fund.

3. Reducing foundation funds would curtail the only money we can get with long-term commitments sufficient to stay with projects and evaluate their results. For instance, over the past five years the cities of New Orleans, Atlanta, Nashville, Huntsville (Alabama), and Durham (North Carolina), have received approximately $3,000,000 each from the Ford Foundation as "see money" for a world of educational improvements. In Nashville the first public kindergartens were started with new ways of teaching young children. In New Orleans, schools were designated to show what can be accomplished when resources and flexibility to teach individuals are combined. In Durham, research of enormous value about infant and very early child behavior and learning was conducted. In Atlanta, better ways to prepare teachers were discovered. At Huntsville, because of new programs started with foundation funds, that city's school system was recently chosen for participation in a major national educational program.

4. The Kellogg Foundation has done much to enrich life in Georgia through the creation of a dynamic continuing education center at the University of Georgia. The value of this program is incalculable, and it would not have been initiated without foundation funds.

5. Taxing foundation resources would reduce one of the chief means of attack on the problems of disadvantaged people in poverty-stricken rural areas. For instance, the Danforth Foundation has underwritten three pilot projects in rural counties of Florida, Georgia, and Tennessee for a 5-year interval in the amount of $1,350,000. These counties—Wheeler, Overton, and Wewahitchka—would never have seen their educational potentiality for something better without foundation funds to show how teaching and learning can be improved with very few dollars.

6. Project Opportunity, operating in Alabama, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Tennessee, and Virginia, is already identifying, motivating, and propelling toward college and fulfillment of their highest potentiality 3,000 bright, academically talented high school youngsters whose record of poverty and deprivation was pressing them into unproductive lives as public liabilities. This dramatic reversal, achieved largely through a system of testing and counselling, is producing constructive citizens who will, in turn, pay taxes. Ford and Danforth Foundations have invested approximately $2,000,000 in this joint effort by eleven colleges, the College Entrance Examination Board, and the Southern Association of Colleges and Schools. Dividends to the nation can be many times the money spent in the discovery and motivation of these young people. It would be a human tragedy of serious dimension to deny 7½ per cent, or any, of these youngsters their chance to succeed.

7. Regional foundations such as Z. Smith Reynolds, Mary Reynolds Babcock, Woodruff, Rich, Callaway, Stern, and the strategic Southern Education Foundation make an important difference in life in the South. They are taking a keen interest in elementary and secondary schools, and the aggregate of their support is a vital factor in the "growing edge" in Southern education. The public kindergarten movement in the South was initially fueled by foundations, as were many experiments on individualized instruction.

8. Especially in a time of escalating costs and inadequate tax revenues at the state and local levels, it would seem unwise to reduce educational resources of the kind used for stimulus of local effort, for matching purposes (required in many federal programs), and for the kinds of innovation and long-term search for solutions to problems for which public funds are insufficient.

9. In a dozen Southern cities, fine arts and music flourish precisely because of foundation support for our symphony orchestras, art museums, and concert halls. Without the help of national and local foundations, our cities would lose major cultural advantages.

The philanthropy of foundations operating in the South has been accomplished with competence, wisdom, and freedom to operate professionally once grants were made. Because these agencies have traditionally worked quietly, without fanfare, the American public is not fully aware of their great contribution. Thus it is necessary for those of us who live close to Southern education and who dream of its future to speak up and state how strongly we feel about our vulnerability to any change in public policy that—like the proposed tax on foundations—would limit the flow of private funds for education.

SUMMARY OF STATEMENT OF THEODORE M. HESBURGH

Representatives of a broad variety of institutions which derive support from foundations—including private colleges and universities, state and municipal universities, medical schools, and educational institutions in the South—are seriously concerned about two legislative proposals affecting private foundations. One, incorporated in the House tax bill, would impose a 7½ percent tax on foundation investment income. The other—not included in the House bill, but recommended by some critics of foundations—would terminate the existence or tax exemption of all foundations after a period of years.

The first of these measures would diminish the current funds with which foundations carry on their work—and with which they support the work of other charitable and educational institutions—by at least $65,000,000 a year. The second would, over time, have even more drastic effects upon foundation functions. Because the accomplishments of private foundations have been of immense value to American society and, specifically, to the institutions which receive their financial support, representatives of those institutions strongly oppose both the proposals.

Review of the accomplishments of the foundations in several areas demonstrates the undesirable consequences which the proposals would have.

Foundations and private universities

Through a system of matching grants, the Ford Foundation's Special Program in Education has stimulated many colleges and universities to develop resources considerably in excess of the original grants. The Rockefeller Foundation, the Sloan Foundation, the Carnegie Foundation and many others have also made major contributions to our private educational system.

Without such assistance, there is serious question whether the independent sector of our dual, private/governmental system of higher education can survive. Yet a tax on foundation income would bring a major reduction of that assistance.

Congress should, then, legislate against any specific abuses in which certain foundations have become involved—but should take care *not* to diminish the funds with which foundations make their vital contribution to the private educational system.

Foundations and medical education

In the field of medical education, too, the resources of private foundations have been of critical importance. They provide a continuing flow of support which, in absolute terms, contributes substantially to the training of our doctors, research technicians, nurses and other medical personnel. Even more important, foundation funds have been of vital assistance in special areas of medical education for which it has proved difficult or impossible to obtain support from other sources.

Foundation support is, for example, of particular importance in sustaining and improving medical school faculties; in establishing new medical schools; in assisting schools which experience financial difficulties; and in developing new techniques of medical education, new curricula, and new methods of relating medical facilities to the provision of health care for our citizens.

Foundations and public educational institutions

Foundations have also afforded key support to state and municipal colleges and universities. In the Southwest, for example, they have enabled such institutions to experiment with problems as diverse as beef production and mineral recovery; to study inventive skills and consumer needs; to assist linguists and teachers to overcome language handicaps; and to develop new techniques of modern communication for engineers and journalists.

The South: Foundations and education

The South, with an enormous burden of children to educate and fewer dollars to do the job than any other region, is especially vulnerable to any change in public policy that would limit the flow of private funds for education and make equalization of educational opportunity more difficult. Philanthropic foundations provide a critical margin—either for excellence or for survival—in many Southern educational institutions.

The South's growing economy is beginning to produce indigenous wealth and a new surge of local philanthropic interest in education. Taxation or undue regulation of legitimate foundations will discourage this development at a crucial time.

Educational improvement, innovation, pioneering projects, and needed research funded by national and local foundations are helping the South catch up with the rest of the nation. Important new public kindergarten programs and continuing education are two products of foundation support.

Efforts to transform talented but underprivileged youth from public liabilities to productive, educated citizens provide further dramatic evidence of the dividends accruable from strategic foundation investment in human development.

MORATORIUM

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. BOB WILSON. Mr. Speaker, the so-called moratorium and its spokesmen have arrogated to themselves the right to speak on behalf of the Americans fighting in Vietnam and to parade around with the names of those who have fallen in battle. The time has come to allow our fighting men to speak for themselves. The moratorium will find a lot of dissent among Americans in Vietnam against the attempt to undermine the cause for which over 45,000 Americans have died.

I wish to invite attention of this House, Mr. Speaker, to a report on what our men in Vietnam are saying about the moratorium. It is their lives which are on the line. A Scripps-Howard dispatch from Saigon published October 14, 1969, in the Washington Daily News, quoted an American soldier. He said:

> I'm tired of hearing what politicians who sound like Hanoi demand, what well-meaning but awfully uninformed students demand, what ivory-tower doves who wouldn't dirty their hands over here demand. I am weary of hearing how much Sen. Fulbright wants out. We all want out.

He added:

> We all protest the war. We all want peace. But not by saying: "Here, Hanoi, take 17 million people. We'll pretend we were never involved. We quit."

Correspondent Don Tate reported that many soldiers in Vietnam "have become antiwar in the truest sense, but they have also become resolutely anti-bugout."

I include the Saigon dispatch in the RECORD so that my colleagues may be informed of dissent from another quarter:

"OTHER WAR" IN UNITED STATES RILES GI'S

(By Don Tate)

SAIGON.—As tomorrow's war "moratorium" will demonstrate, there are two Vietnam wars—the one Americans fight in Vietnam, and the one Americans fight in the U.S. Observers here say the decisive battleground is in the U.S.

They point out that short of a highly successful Communist offensive, which is extremely unlikely, or a dramatic allied strategy change, such as renewed bombing of North Vietnam, the killing war in South Vietnam is apt to rock along in its fight-lull fight rhythm much as it has been, at least until many more U.S. troops are withdrawn.

Meanwhile, the war to win American public opinion and, particularly, the mind of Richard M. Nixon, is waxing hotter. What happens in the U.S. will determine what happens here. As the President warns Americans not to buckle and run, protesters prepare to hit the streets, many of them demanding immediate, unilateral withdrawal of all American troops. That translates here as "bugout."

GI DISDAIN "BUGOUT"

It was difficult to find an American soldier here who wants to leave Vietnam that way, or as one GI put it, "with our tails dragging." It is difficult to find one—even among those most disgusted with the war—who wishes simply to abandon the South Vietnamese to a Communist bloodbath.

It is difficult to find one who thinks the value of the American word would be worth a dime anywhere in the world if they did, or that a humiliating U.S. defeat by a blustering Communist midget would do anybody but the Communists any good.

These consequences are apparent to most Americans here, and they are not acceptable. It is largely a matter of national backbone. Most express hope that President Nixon sticks to seeking a reasonable solution to the war.

There are, of course, many critics of war critics here. They charge that a number of war critics in the U.S. are using the same tactics Hanoi has shown—the more you give them the more they demand, and they both demand total, immediate and unconditional everything.

In the two wars—one group of Americans is convinced of the rightness and necessity of bringing this bitter war to a conclusion by presenting a united front to Hanoi, the other protesting group is more or less convinced the only way out of Vietnam is to get out fast regardless of consequences.

MYSTERY IN VIETNAM

There is often the feeling here that the war is only a secondary feature to the show of exposed nerves going on in the U.S. What the war has done to the U.S. is the biggest mystery of all here.

"It seems like any American who ever wanted to protest anything has found his cause in the Vietnam war", one veteran analyst contends, "and yet 95 per cent of them have suffered little direct personal hardship because of the war.

"You hear so much of the war-weary American, and how exhausted he is by the war. Yet this exhaustion of the mightiest power on earth is a relative thing. It hasn't been bombed, or invaded, or lived under the Communists a single day. It's manpower loss has been a drop in the bucket compared to that of either North or South Vietnam, and its suffering has been a thousand times less. Many Americans would hardly know the war was going on if it wasn't for newspapers and TV. Suppose Americans had to face what the South Vietnamese people have yet to face? American's exhaustion is a self-induced state of mind, composed mostly of confusion."

One rankled American, with invested years and effort in Vietnam, condemned some of the rantingest protesters as the "most confused of all."

WEARY OF "POPPING OFF"

"Soldiers do the dying," he said, "and these others do the popping off. I'm tired of hearing these so-sure people who haven't shed a nosebleed in this war scream pig this and obscene that and run around protesting for the hell of it.

"I'm tired of hearing what politicians who sound like Hanoi radio demand, what well-meaning but awfully uninformed students demand, what ivory-tower doves who wouldn't dirty their hands over here demand. I'm weary of hearing how much Sen. (J. William) Fulbright, D., Ark. wants out. We all want out. We all protest the war. We all want peace. But not by saying: 'Here Hanoi, take 17 million people. We'll pretend we were never involved. We quit.' "

Many here feel that some of the protesters would do well to focus their moral wrath less on President Nixon and more on the Communists.

It is the Communists, they stress, who are killing Americans. It is the Communists who butchered, as a matter of policy, the civilians of Hue and so many other places, and it is the Communists who will murder methodically thousands more Vietnamese if the U.S. totally, immediately and unconditionally abandons them, as many protesters advocate.

To Americans who have put in their time

here, it is not good enough to dismiss blandly such realities with an: "Oh, well, it is up to the Vietnamese to work out their own problems."

Many here, eyewitnesses to the war, have become anti-war in the truest sense, but they have also become resolutely anti-bugout.

THE UNITED METHODIST CHURCH TAKES NOTE OF THE WORLD POPULATION CRISIS

HON. RALPH YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Wednesday, October 15, 1969

Mr. YARBOROUGH. Mr. President, we all know that the population of the world is projected to increase from 3 to 7 billion by the year 2,000 We are now confronted with a population crisis.

This crisis is interwoven in and a substantial cause of the pollution crisis and food crisis which are now beginning to become ominously apparent to all nations.

Recently I introduced Senate Joint Resolution 156, to establish an Interagency Commission on the Human Environment. This commission has the specific duty of planning for the U.S. participation in the 1972 U.N. Conference on World Pollution.

Man is becoming increasingly aware of the fact that unless he is able to bring the population explosion under control, pollution and food shortages are going to become critical.

Therefore, I was pleased to see the emphasis being placed upon the population issue by the Board of Christian Social Concerns of the United Methodist Church. It has designated "This Crowded World" as the theme for World Order Sunday, which is October 19, 1969. I have a letter from Herman Will, Jr., associate general secretary, Board of Christian Social Concerns, dated August 1969, relating why the United Methodist Church set the population issue as the theme of their World Order Sunday. I also have a leaflet which was enclosed with the letter. It discusses in detail "this crowded world" and the tremendous problems which have been generated by the population explosion. The letter and leaflet are worthy of the attention of my colleagues and I ask unanimous consent that both be printed in the Extensions of Remarks.

There being no objection, the items were ordered to be printed in the RECORD as follows:

AUGUST 1969.

DEAR PASTOR: "This Crowded World" is the theme for World Order Sunday, October 19, 1969. The pressures of rapidly increasing population have made many of the problems of the world—hunger, poverty, ignorance, pollution, crime—more desperate. Christians should take the lead in shaping policies for dealing with the crisis created by the surging numbers of humanity.

World Order Sunday comes near United Nations Day (October 24). Our theme is appropriate to the observance of both, for this subject is one of prime concern to the U.N. U Thant has stated that "the most urgent conflict confronting the world today is not between nations or ideologies, but between the pace of growth of the human race and the insufficient increase in resources needed to support mankind in peace, prosperity and dignity."

We have prepared special materials to carry the message of "This Crowded World" and are enclosing samples for your use and *for sharing with your Christian Social Concerns Work Area Chairman*. We have also developed an action/discussion packet containing additional resources and suggestions for ways to follow up on the interest the World Order Sunday literature has stimulated.

We are besieged these days by problems labeled "urgent," but the crisis of explosive population growth with its attendant ills is truly one we cannot evade or postpone. Let us use this special day to affirm that we are ready, with God's guidance, to make the necessary decisions as a matter of Christian responsibility.

Sincerely yours,

HERMAN WILL, Jr.,
Associate General Secretary, Board of Christian Social Concerns, The United Methodist Church.

THIS CROWDED WORLD

People, people all over the place. Bumper to bumper in the streets. Elbow to elbow in the parks and on the beaches. Where did they all come from?

At the beginning of history, it is estimated, man's numbers were growing at the rate of 2 percent every thousand years. Now the world's population is growing at a rate of 2 percent every single year! This fantastic change was not caused by each mother having more children but by the fact that more and more of those born survived to grow up and have children of their own—a process which continues to accelerate.

Famine and plague used to occur often enough to be accepted as a natural part of life and were highly efficient population controls. For instance, perhaps one-fourth of the European population died of the Black Plague in the fourteenth century. Now modern miracles of medicine and technology have eliminated many such natural controls, and population is soaring.

The 2 percent annual growth rate produces a doubling of the population every 35 years. Many of the less developed nations actually have higher growth rates of 3 and 3½ percent which means a doubling in 20 to 24 years. For example Mexico, with a current population of around 50 million growing by 3½ percent a year, would have 100 million people in 20 years, 200 million in 40 years, and in 124 years would have a population exceeding the present number of people in the entire world!

MORE PEOPLE, LESS PROGRESS

The effect of such pressures in many less developed nations is that, in spite of all efforts to expand their economies and raise the living standards of their peoples, the rise in gross national product is to a large extent eaten up simply by the basic needs of growing numbers.

Such countries can build thousands of schools only to see even more children than before still waiting outside. They build houses by the scores of thousands, only to see the millions living in poverty-ridden slums grow in number every year. New industries are established, but still more people stand unemployed, hungry, hopeless every day.

New seeds and techniques in food production give us only a temporary victory in the struggle to feed all humanity. Better food, more food, means more babies will survive and grow up—to have in turn more babies demanding still more food.

Some think the struggle is already lost. Dr. Paul Ehrlich, Stanford biologist, writes that, sometime before 1985, ". . . the world will undergo vast famines. Hundreds of millions of people are going to starve to death. That is, they will starve unless plague, thermonuclear war or some other agent kills them first."

THREAT TO ENVIRONMENT

Furthermore, the all-out concentration on raising more food can wreak additional damage on the environment by upsetting the balance of nature. We increase the threat to survival by heavy use of pesticides and other chemicals which pollute our streams, linger in living tissues, and cause the extinction of wild-life species. The pollutants we pour into the air not only harm man's health directly, but also may change atmospheric conditions dangerously. Increased population pressures can only worsen environmental problems.

Our own population, though growing more slowly than the less developed nations, will double in 70 years. Think of our deteriorating transportation situation, our inability to solve problems of waste disposal, our noisy, dirty, crime-ridden cities. Are we confident we can make urban living bearable for twice the present numbers or for four times more?

Looking beyond our borders, how will we deal with political and military problems as desperate, starving masses press around us? What will be the moral effect of living in relative comfort while countless millions of our brothers are dehumanized by suffering, with their anguish spread on television screens?

TOWARD CEILING ZERO

Population growth results from excess of births over deaths. The choice before us is absolutely clear. Either we find and use the means to halt population growth or the relentless forces of famine, war, and pestilence will do the controlling by raising the death rate.

In the face of this crisis, only a handful of governments as yet have programs definitely designed to affect the rate of population growth. This whole effort is so new to man that we do not yet know what will succeed.

As a case in point, at the start of India's family-planning program, the Indian population growth rate was around 1.3 percent a year, with a population of some 370 million. But, after 16 years, the growth rate had reached 2.6 percent a year, and population had grown to over 500 million despite the program.

Family-planning services should be made universally available as quickly as possble. We already have enough experience in this area, however, to see that far more than family planning is needed. It is imperative that a major effort be made to find out precisely what is required. Then society must have the courage to adopt the necessary measures to move as rapidly as possible toward a zero growth rate in population.

QUANTITY VERSUS QUALITY OF LIFE

At the thought of this, something in the Christian conscience immediately rebels at involving in political decision-making the connection between the most intimate love relationship and the birth of a new life. And yet the birth of new life is not merely a private concern. Every birth affects the whole community.

Clearly we do not have a responsibility to bring into existence as many new lives as possible. For every baby born, countless billions of genetic possibilities never come into being. The quality of human life should be an important moral regulator of the quantity of human lives. Can we assume that individual families will understand and face up to the grave dangers in the present runaway growth of man's numbers? Can we depend on private decision and voluntary control to limit childbearing in each family to two?

XUM

Under present circumstances, the answer would appear to be "no". Studies have shown that women around the world want an average of three to five children. So, if all couples had only the children they wanted and modern life-saving medicine were available to all, population pressures against our limited resources would continue to grow.

To save ourselves from the flood, therefore, we must accept the principle that quality is more important than quantity of life. We must be prepared to act within society to ensure a population level which makes possible a healthy environment and enough food and space for all.

OUR CHRISTIAN RESPONSIBILITY

Christians, as disciples of the Lord of Life, should take a serious, prayerful, and vigorous lead in thinking through the tough questions involved in restraining the quantity of life so as to increase the quality of life—indeed in many cases to preserve life at all.

What sort of economic inducements, political incentives, and educational programs can we adopt to encourage the two-child family? Can that goal be reached without allowing people the full rights of sterilization and abortion? Can society bring about cultural changes which would lower the birth rate, such as marriage at an older age or increased status for unmarried women? Are we willing now to see more research funds for studies of population regulation including contraceptive methods than for medical studies to lower the death rates?

What sort of influence do we think it right to bring to bear on other nations to encourage them to lower their population growth rates? How can we decide what is the optimum population for our nation, for the world?

These are incredibly complex questions, but we do not have much time to debate them. The unparalleled prosperity of our own nation gives us special responsibility before God. Let us act now, that children may not be a curse, born to suffering and despair, but rather still be the blessed fruit of love and the hope of mankind.

ON ESTABLISHMENT OF THE U.S. PEACE ACADEMY

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. VANIK. Mr. Speaker, it is with a great deal of pride that I call the attention of the House to a speech made recently by Thomas C. Westropp of my congressional district. Mr. Westropp has valiantly fought for betterment of our community by actively supporting vitally needed housing projects. In conjunction with the diocese of Greater Cleveland and under the patronage of the bishop of the Catholic diocese, his Excellency Clarence Issenmann, Mr. Westropp has pioneered support for community based, soundly financed low- and moderate-cost housing.

Mr. Westropp also addressed himself to the vital concern he has always had for the establishment of a meaningful peace in the world as well as our own Nation and its cities. I was so impressed with the section of Mr. Westropp's speech dealing with the need for the establishment of an academy for peace which would train people in the complicated nature of establishing and keeping the peace that I have introduced a bill in the House of Representatives to establish such an academy.

As Mr. Westropp so rightly points out, we are fully prepared to wage war, but almost totally incapable of establishing and maintaining a lasting peace. Further, it has become clear that there are few avenues available to our Nation to train personnel in the methods which must be developed to carry forward an active program for peace. An academy such as I have today proposed would seek out the best talents in our land, and provide these young people with educational opportunity in this very special and sensitive field. This would significantly complement our existing highly intense training program for diplomats and allow many, who take that first step further, training for this specialized work.

I wish to include a complete text of Mr. Westropp's remarks which I commend to the attention of every Member of this House. The speech and the proposal are as follows:

THE TRUTH ABOUT INFLATION

(By Thomas C. Westropp)

It's a real pleasure for me to meet with members of the American Business Women's Association, and I thank the Port of Cleveland Chapter for inviting me to speak here tonight. It gives me the opportunity to make some comment on women in business. . . .

I think it's fair to guess that nowhere in this city—or perhaps in any city—is there a businessman who has greater esteem for business women than I do.

May I boast that I feel somewhat more qualified than most in this respect. I've acquired this insight from experience in a rather unique business organization—a financial institution which owes much of its success to the talents of business women at every level, including key executive jobs.

However, I note that some of you have invited male bosses as your guests tonight. I must concede that their presence here indicates they, too, recognize feminine contributions to the vitality of American Business. Apparently they share my great regard for the American Business Woman.

So here we are—business men and business women. And what do business people talk about when they get together? Business, of course.

And what topic is uppermost in business talk these days? A one-word subject. Inflation. Inflation—and can it be stopped now!

"Inflation" has been a bad word for years. Suddenly it has become a panic word.

We've been worrying about "creeping inflation" since the end of World War II. Then why the great alarm now? . . .

Simply because inflation has stopped creeping—and started leaping! It is leaping high enough, and fast enough, so that our ability to out-run it is in serious doubt.

. . . If this leaping monster, inflation, would confine itself to chasing rich businessmen around the block, I suppose the Great American Public might just sit back and enjoy the spectacle.

Unfortunately—or perhaps fortunately, depending on your point of view—the monster wants to swallow everybody.

It's true that inflation is vegetarian; it's no people-eater. But it does consume green stuff—paper money—with endless appetite. And since money is the life blood of our economy, the assault on the dollar can become a matter of national life or death.

Since the end of World War II, half the value of the dollar has been eaten away by inflation.

Just last month Treasury Secretary David M. Kennedy predicted that unless inflation is checked, by 1980 what's left of our dollar will again be diminished by one-half!

And a twenty-five cent dollar is nothing to contemplate with joy . . .

There can be little doubt that should inflation continue at its recent 6 or 7% rate of growth, the bubble must burst.

The economists say the ultimate result of continued inflation would be "a serious recession" sometime during the 1970's. Economists like to use cautious language. They hesitate to say "depression." But sometimes we have to call things by the name they deserve, in order to grasp their implications.

If another Great Depression should occur, what would happen in our troubled cities? . . . What chaos would there be throughout the world?

It's not a pleasing prospect, or one that any of us would care to witness, let alone endure.

Yet, what can you or I possibly do to combat inflation, and prevent the depression which ultimately would follow?

The first thing all Americans must do is recognize that a very grave danger confronts us.

Next, we must identify the true causes of this "intolerable inflation," as Secretary Kennedy calls it.

Then when we know what these causes really are, we can let our lawmakers and officials know what we want done . . . And I'm convinced it will be essential for the people to make their will known.

And so tonight I would like to suggest to you what, in my judgment, is the source of "intolerable inflation." I'd like to examine with you how the problem is being handled now, and what other steps ought to be taken . . .

What's causing inflation? Too much employment? High wages? Taxes too low—or high? Welfare spending? Or, perhaps, war in Vietnam?

People disagree on who or what's to blame, but we can agree on what has happened since the end of World War II.

We know that income has been going up, and prices even higher. While this has been rough on many Americans—retired folks, the unemployed, the underemployed—most of us have been earning enough to pay higher prices. More wives have been working to supplement family income—one out of three, in fact. And more people hold two jobs, to beat the money squeeze.

So inflation hasn't been "intolerable"—until 1965, and escalation in Vietnam.

Then something wild happened. Inflation leaped, prices soared, wage demands increased, to compensate for the preposterous prices. And a message got across: there was no place to go but "up." An inflationary psychology grasped business and consumers alike: "Buy now. Build now. Invest now. Next year it'll cost even more." The stock market started flying. Normally sensible savers looked for go-go equities and a pot of gold—not some year, but next week.

Just a coincidence that Vietnam escalation and inflation escalation occurred simultaneously? Maybe so.

One thing is clear: the government added fuel to the fires of inflation by avoiding pay-as-you-go financing for the Vietnam War.

Instead of raising taxes, the government relied on the Federal Reserve System to create bank reserves and the money to finance the war. After all, this was the most unpopular war in our national history. If the people might be willing to pay the cost in blood, it would be asking too much to add—just then—the cost in dollars.

It wasn't until three years after escalation in Vietnam that Congress raised taxes—partly to help pay the staggering cost of the fighting—and partly to "cool" the economy.

The philosophy seemed to be this: by putting a heavier burden of taxation on John and Jane Doe, the lower-income and middle-income mass of American consumers—purchasing power would be cut and inflation would be controlled.

It didn't work.

The fact that it didn't work proves one of two things:

Either the average American still has too much money to spend,

Or, consumer buying isn't the critical factor in inflation, after all. And if not, what is? . . .

The government, and most economists, for that matter, accept the theory that there has been too much money, too much spending by consumers.

In December of last year, the Federal Reserve Board took action and effected a "tight money" policy. Conservative economists are pleased with the course of action. They say "the Fed has drawn blood at last."

Maybe they're right, and bleeding is the very remedy we need. However, we might recall that in previous centuries, physicians would resort to drawing blood from the afflicted. We don't know how many patients recovered as a result of this practice, but we know there were some with relatively minor ailments who succumbed to the treatment.

In the present instance, some troublesome questions arise. One, will it reduce inflation to a tolerable level? Two, will it work too well, turn into a recession instead?

In answer to Question Number One: will it work?

By reducing the supply of money and encouraging high interest rates, the Federal Reserve Board seems to have achieved a certain restraining effect.

The stock market has lost some of its excessive exuberance.

Some big industries have canceled plans for capital expansion. Unfortunately, they've also announced higher prices for their 1970 lines of merchandise.

The building industry certainly has slowed to a near-halt in housing starts.

Whether this restraint has reduced inflation is another matter.

Interest rates are part of the cost of production, and become part of the price of goods and services. And scarcer money supply for business and industry make goods less available, therefore increasing prices.

But, according to economic theory, these higher prices should be temporary, and as demand for the goods declines, rate of growth of prices will be reduced.

Certainly we hope that the Fed policy will be successful.

It's disturbing, however, to note some puzzling contradictions in the evidence being presented.

A month ago the chairman of the Federal Reserve Board reported there is less inflation momentum than there was three months ago. And again, he said "the nation might be at the tail end" of the inflationary period. The White House reported a drop for business and industry make goods less available, therefore increasing prices.

But now it turns out the reported drop in wholesale prices didn't occur after all—it was a mistake in calculating, and the prices were just as high as in July. On this there was no comment from the White House, so we don't know how it rates in the economic news of the year. . . .

Another confusing contradiction. The Federal Reserve, through its tight money policy, has discouraged plant expansion by industry. But now the President is asking Congress not to raise corporation taxes—because such taxes would discourage plant expansion, thus jeopardizing growth of the economy.

Well, what's going on here? Should the Federal Reserve, which is responsible for monetary policy, seek to *slow* expansion—while the government fiscal policy seeks to *speed* expansion?

It would do no harm, I suspect, if the left hand of government knew what the right hand is doing. . . .

In any event, after nearly ten months of an arduous tight money policy by the Federal Reserve System, it is still too soon to say whether the anti-inflation measure is achieving its purpose.

The other big question, as I've mentioned, is whether this tight money policy—high interest rates, scarcity of borrowing funds—will bring on a recession.

It happened after Korea, when the Fed maintained a policy of monetary ease for a puzzling length of time—then decided on tight money.

At that time a friendly critic—an eminent Republican and publisher of Business Week—agreed that it was wise to apply brakes to the economy, then complained that "It's nice to know the brakes work, but we don't want to go through the windshield."

It happened again in 1955. The result of that tight money policy was the disastrous decline in housing in '56 and '57, which soon was felt throughout the economy.

Some observers are convinced that the Fed does have a tendency to jam down the brakes at the last minute, with predictable results. Professor Milton Friedman, most respected of the conservative economists and a believer in restraints, has asked why the Fed is so slow in applying controls, then holds them so long and so hard.

So it's fair to ask, Is the same mistake being made again? We can easily see the comparison to the late fifties. Once again, the home-building industry is being starved for credit, and it's predicted that we'll produce fewer housing units in 1969 than in any year since the end of World War II.

This seems to me shocking and dangerous.

Housing is the most critical need of our cities. We've declared a national goal of 26 million new homes in the next 10 years. Not only because of slum decay, but also because of our population growth—we need to produce in the next 40 years as much housing as we've built in the nation's history!

Yet, thanks to tight money, housing starts are down 30% since January. This shows a certain unawareness of critical national priorities, somewhere in government.

I think we can see some major doubts surround the use of "tight money" as a cure for inflation.

Perhaps it would be wise to consider other directions. Instead of either business or consumer spending, we might look at other causes of inflation—and their possible cure.

For years, business has been complaining about the wage-price spiral. Management blamed labor for demanding too many raises. And labor blamed business for raising prices beyond the increase in cost.

The funny thing is that neither side had any desire to discuss the wisdom of wage and price controls. It's really rather odd—since each claimed the only reason for asking an increase was because of what the other was doing.

Now, suddenly, we begin to hear top labor leaders say this may be the answer. Here and there, business indicates a willingness to listen. The business journals—Dun's Review, as an eminent example—actually intimate some limited controls wouldn't be too mad an idea after all.

Economists have had a failure of nerve in avoiding the subject in the past. They've more or less muttered, "Nobody would want them" and perhaps this has been a mistaken assumption.

The notable exception has been Professor John Kenneth Galbraith, whose book "The Affluent Society" actually made economics popular for a time. Two years ago Galbraith said controls would be inevitable in a couple of years—which brings us to the present.

If we're about ready to concede that inflation is a contagious wage-and-price disease, maybe we're ready to try the medicine.

I don't think it"s necessary to over-dose ourselves with the medicine, any more than it's wise to step too hard on the money brakes. The talk has been of "limited controls" and a flexible formula.

In my judgment, it should be tried at first as voluntary controls.

This would have to involve the efforts of labor, industry, the financial community—and government itself, which has exhibited an unfortunate tendency to give itself fat raises in certain categories.

I believe a voluntary system could work, if there is a widespread agreement throughout the major segments of the national structure.

We can recall the crisis during the Kennedy Administration, when the President persuaded labor to hold back its demands, and management raised the price of steel! Today, however, we can hope that the full import of runaway inflation is understood and all parties sense the need to hold the line.

If voluntary cooperation fails, controls could be imposed. But by far, a voluntary system would be the better way.

Yet, with all this, we've still to face the most difficult fact of our economic life.

We avoid confronting the fact, because we're afraid. We are willing—unhappy but willing—to pour out $80 billion—80 billion dollars in one year!—because we are afraid of enemies who are, in turn, afraid of us.

Of the $184 billion budget, $80 is military spending, and we're promised that the end of our fighting in Vietnam will not decrease this budget.

Eighty billion is a powerful piece of inflationary spending. It is wasteful in many ways: wasteful because procurement procedures allow padding of costs, kiting of prices. Wasteful because the military buys more death-dealing capacity than world population can use: we've the ability to kill all the Earth's inhabitants many times over—which seems unnecessary, since most of us are capable of dying only once.

It is wasteful and inflationary because the worker who produces military hardware cannot consume what he produces. America is prosperous because the man who helps build a Ford can also own one; in Europe, the automobile factory worker arrives at the plant on a bike.

But a worker at General Dynamics, or Ling-Temco-Vought produces a product he prays will never have to be used. And he pays for its production through his taxes, and the high cost of living.

When it comes down to basics, war—and fear of war—is the primary cause of inflation. And if we want to cure inflation, we have to address ourselves to the primary cause.

If we look at the history of our middle-20th-century, we can see it all very clearly.

Before World War II, if you earned $5,000-a-year, you were as well off as an American who earns nearly $15,000-a-year in 1969.

During the war, government controls kept some hold over prices. In the post-war years, creeping inflation began. During the Korean War, it accelerated. It ran amok again with the escalation in Vietnam.

After each war, we've increased our standing armies. We have actually reduced the percentage of consumer spending. And as we know, there has been an increasing cost of goods.

Most of our national debt is related to war. We haven't yet finished paying for the Spanish-American War.

It seems only natural to inquire, "Can we afford it? Do we have the substance to rebuild our cities, to clean our polluted environment, to pay the armaments bill—and venture beyond the moon?"

Almost automatically, we say "yes, we're big enough and strong enough to do anything." We Americans have always had a magnificent faith in our capacities. There is a boundary line, however, where faith becomes self-deception . . .

The truth is that we are not big or strong enough to do everything; if we are, why do we neglect critical needs at home, in order to pay for arms and space?

It comes down to the bitter fact that we don't know how to maintain peace. Our principal policy is to arm ourselves to the eyeballs—and on occasion, engage in horrendous warfare in the name of peace. But the time has arrived when ignorance is no excuse. If human intelligence is capable of sending representatives to the moon, capable of investigating Mars, capable of creating water that won't freeze and countless other miracles of modern endeavor—we can't plead "not guilty by reason of stupidity."

It is appropriate to ask ourselves, "How were we able to perform all the other miracles of modern times?" They didn't happen through inspiration, they came about as a result of concerted study by trained men and women, students of the scientific disciplines.

Our military recognizes the need for this kind of education in its own particular "science"—and the War College, the various service academies and a number of university affiliations serve such a purpose.

Who studies Peace?

Why do we have no Peace Academy, where the rising generation can prepare to serve humanity's most urgent need? Is there nothing that can be learned about Peace, after thousands of years of human history?

Of course there is much that can be taught, much that can be learned—and God willing, much that can be discovered by dedicated intelligence.

To name a few practical and meaningful areas of study:

A farm program is needed to promote world peace. Hunger is a growing specter in the world. In 1958 our farmers produced huge surpluses to feed the world's hungry; this is no longer true. We need to know how we—and other nations—can multiply the world's food supply in the not so distant future.

Advanced technology is needed to promote world peace. Not only do we need this to assure life-giving food and water—at home, as well as abroad—we must also know how it can be used to help under-developed nations solve their own problems.

We need to know more about the psychology of other peoples, in countries where the rising nationalism and rising expectations conflict with our own goals.

We need to study disarmament. We must learn how to lead our military-aerospace industry into conversion for peaceful production.

There are some of the practical studies for a national Peace Academy. These are some of the basic factors in war or peace.

Such a Peace Academy would train young men and women, who would be selected by just as rigorous standards as those used by the military service academies, to work not only in government and other public authorities, but also in business and industry. The faculty of this academy would draw scholars from the universities and men and women who have first-hand experience from working on the new frontiers of science, technology and business.

There are those who feel, with considerable cause, that this government needs a new cabinet post with peace-keeping as its single purpose. They feel the State Department does not have this function, but rather must devote itself to a struggle for American power, peaceful or otherwise.

Senator Vance Hartke recently stated his intention to continue his drive on behalf of a new Peace Department in the federal government. If he succeeds in this, one wonders who will be ready to serve in such a department.

This is another indication that we must have a national Peace Academy.

Nobody could imagine that this would have immediate results. It certainly wouldn't end the need for military spending next year—it could hardly end inflation in a hurry.

But we know that somehow, next year has a way of becoming tomorrow—and if we don't start long-range plans right now, the distant day arrives and nothing has been done.

If there were no other purpose than to save our economy in future decades, I would say that a national Peace Academy is the best investment we could make. . . .

It seems to me especially appropriate to make these remarks to this particular audience. This is a gathering which includes many women who have a joint responsibility—as homemakers and business women.

In a way, the economy is more the concern of such an audience than any other. We say the business world is still a man's world. Yet, women own more of the wealth in this country. And in day-to-day life, women have to spend most of the money.

It's the woman who pays for groceries, family clothing and other needs. You must stretch the dollars and bring home whatever it can buy.

That's why I believe you have a special interest, since you live in both worlds—the business world, with its costs and profits; and the consumer's world of meeting the cost-of-living.

But even more important, I believe that you, as women, have the most passionate interest in the survival of future generations.

This is why I hope you will make establishment of a Peace Academy a determined purpose in your lives. It will be a single step, of course—one small step which may start us, finally, on the path of peace.

It's a path we must find, because all other roads lead endlessly nowhere. . . .

Following is a copy of the bill I will introduce to establish a national peace academy:

A BILL TO PROVIDE FOR THE ESTABLISHMENT OF A U.S. PEACE ACADEMY

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "United States Peace Academy Act."

SEC. 2. The Secretary of State is authorized and directed to establish and maintain, in or near the District of Columbia, a United States Peace Academy (hereinafter referred to as the "Academy") for the instruction and training of students in preparation for service as personnel in the agencies of the United States which deal in the areas of Peace and International Relations.

SEC. 3. (a) The supervision and charge of the Academy shall be in the Department of State, under such officer or officers as the Secretary of State may appoint for or assign to that duty.

(b) The course of instruction and training for students at the Academy shall be prescribed by the Secretary of State, and shall be the equivalent of the curriculum prescribed by accredited colleges and universities and graduate schools as a prerequisite to the granting of the degree of bachelor of arts and master of arts in Peace. In prescribing such course of instruction and training, the Secretary of State shall provide that special emphasis be placed on the study of and field work in history, political science, international organizations, psychology, sociology, economics, and the application of technology and science to the solution of world tensions. Upon satisfactory completion of the prescribed course of instruction and training, students shall be granted the degree of bachelor of arts. Upon satisfactory completion of the prescribed course of advanced studies, students shall be granted the degree of master of arts in Peace.

SEC. 4. (a) Students shall consist of such individuals as may be selected and admitted to the Academy upon competitive entrance examinations as prescribed by the Secretary of State.

(b) Students while in attendance at the Academy shall be entitled to quarters and subsistence.

(c) Citizens of foreign nations shall be encouraged to attend the Academy for study, at an appropriate fee determined by the Secretary of State.

(d) The Secretary shall enter into agreements with foreign nations to provide for exchange teacher, student and employment programs involving the Peace Academy and the agencies of the United States which deal in the areas of Peace and International Relations.

SEC. 5. There shall be appointed each year a Board of Visitors to the Academy, which shall consist of five members from the Committee on Foreign Relations of the Senate and five members from the Committee on Foreign Affairs of the House of Representatives, to be appointed by the respective chairmen of such committees. The Board of Visitors shall exercise the same functions and be entitled to the same expense allowance as is provided in the case of the Board of Visitors to the United States service academies.

SEC. 6. Upon the graduation of the first class from the Academy and thereafter, in making original appointments of permanent officers in the Foreign Service and other agencies of the Federal government involved in international relations and the conduct of Peace, preference shall be given to graduates of the Academy.

THE ARMS TRADE—PART VII

HON. R. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. COUGHLIN. Mr. Speaker, I think my colleagues will be interested in several sets of unclassified arms sales figures that I just received from the Department of Defense. It is important, I believe, to view these figures in print since they show in clear detail the size and range of our current arms sales program.

The first chart shows to whom we have sold arms from fiscal years 1962 through 1968 and part of 1969. These figures do not include our grant aid—or giveaway—arms program which, if included, would add approximately $400–$500 million to the fiscal year 1969 total.

To put the chart's figures in perspective, it must be recalled that since 1945, the United States has either sold or given away to more than 80 countries over $50 billion in arms aid, of which the $11.5 billion total below is only a part. The rest of the world, including the Communists, has pumped another $16 to $18 billion worth of arms into the international markets.

What bothers me about our arms sales program is the emphasis we have placed on its economic benefits. We no longer provide a nation with arms primarily because it is in either party's long-range national interest to do so.

We now sell arms as a short-range expedient to solve our balance-of-payments problem, to keep the munitions industry booming, and to appease temporarily the demands of other nations. Yet, as I have pointed out many times in the past, this arms sales program has also brought down friendly governments, bankrupted treasuries, and encouraged the outbreak of wars.

MILITARY EXPORT SALES, FISCAL YEARS, 1962-69

[In millions of dollars]

Country and region	Fiscal years 1962-68	Fiscal year 1969
Europe and Canada:		
Austria	58.2	1.5
Belgium	172.7	10.8
Denmark	91.4	11.4
France	403.6	25.2
West Germany	3,601.8	525.3
Italy	525.0	73.8
Luxembourg	1.6	.1
NATO/NAMSO	156.5	32.5
Netherlands	235.1	8.4
Norway	170.5	27.8
Portugal	6.4	1.0
Spain	199.0	29.7
Sweden	141.7	3.1
Switzerland	195.6	27.0
United Kingdom	1,743.8	27.7
Yugoslavia	4.4	.6
Canada	385.0	36.0
Subtotal	8,092.3	841.
Latin America:		
Argentina	55.0	19.0
Bahamas	2.4	
Bolivia	.5	.1
Brazil	91.7	9.9
Chile	19.7	12.6
Columbia	6.1	1.9
Dominican Republic	.9	
Ecuador	2.6	.3
El Salvador	1.3	1.1
Guatemala	2.7	.8
Honduras	.1	
Mexico	5.9	2.4
Nicaragua	.6	.2
Panama	.2	
Peru	19.2	1.1
Uruguay	.3	.4
Venezuela	59.8	1.6
Subtotal	269.0	51.4
Near East and south Asia:		
Greece	24.1	33.5
India	98.7	1.7
Iran	515.4	183.7
Iraq	19.8	.2
Turkey	10.6	.6
Subtotal	668.6	219.7
Africa:		
Congo	1.7	.1
Liberia	.1	
Libya	48.9	2.7
Morocco	23.5	10.3
Nigeria	.4	.3
South Africa, Republic of	35.5	3.1
Sudan	2.0	
Tunisia	.2	.2
United Arab Republic	1.4	.3
Subtotal	113.7	17.0
East Asia and Pacific:		
Australia	797.7	34.2
China, Republic of	91.5	37.5
Indonesia	18.4	
Japan	365.9	81.4
Malaysia	18.4	.8
New Zealand	91.2	2.8
Philippines	1.5	.8
Singapore	14.9	6.9
Thailand	6.9	8.6
Vietnam	5.8	.4
Subtotal	1,413.2	173.4
Other	1.7	9.7
Classified countries	974.2	432.4
Total, worldwide	11,532.7	1,745.5

Several points are apparent from this chart. First, it is with some surprise that I see we are still selling arms to South Africa—in direct contravention of our own arms embargo imposed in 1963. A State Department spokesman told me that this ban is still rigidly enforced. Apparently the Defense Department has not been told.

Second, it is also of interest to note that our Government still sells arms to the United Arab Republic. I can only surmise that this equipment is being used against the Israelis, who we also equip with arms.

Third, our arms aid to the Greek dictatorship in fiscal year 1969 is almost 40 percent more than we sold in the previous 6 years. This equipment will no doubt be used to stamp out whatever voices of freedom remain at large.

Finally, it is fascinating to note the countries—namely Greece, Iran, Republic of China, Thailand, El Salvador, Chile and Morocco—where our level of aid in fiscal year 1969 has skyrocketed compared to the average of the previous 6-year period. Are we doing the same thing in Morocco, for example, that we did in Libya—deluging them with arms that will eventually be used against our own interests?

The second chart breaks down our arms sales in the last 7 years by type of order and region:

FOREIGN MILITARY SALES ORDERS—WORLDWIDE SUMMARY BY TYPE OF ORDER AND REGION

[In millions of dollars]

Type of order by regions	Actual orders, fiscal years 1962-68	Projected orders	
		Fiscal year 1969	Fiscal year 1970
Commercial:			
Europe and Canada	2,399.4	238.6	333.4
Near East and south Asia	383.7	54.0	131.8
East Asia and Pacific	283.5	40.1	70.3
Africa	41.3	5.0	
Latin America	53.6	18.5	26.0
Subtotal	3,161.5	356.2	561.5
Foreign military sales cash:			
Europe and Canada	4,588.2	793.7	440.8
Near East and south Asia	439.2	326.0	123.0
East Asia and Pacific	411.8	43.7	44.4
Africa	50.6	14.0	5.7
Latin America	49.1	14.5	18.0
Subtotal	5,538.9	1,191.9	631.9
Eximbank/private credit:			
Europe and Canada	1,026.2	54.6	60.4
Near East and south Asia			
East Asia and Pacific	509.0	96.0	60.0
Africa			
Latin America			
Subtotal	1,535.2	150.6	120.4
Foreign military sales credit:			
Europe and Canada	80.4		
Near East and South Asia	816.7	223.3	226.0
East Asia and Pacific	211.9	26.0	41.0
Africa	21.8	4.5	16.0
Latin America	166.3	22.4	50.0
Contingency			17.0
Subtotal	1,297.1	281.2	350.0
Totals:			
Europe and Canada	8,094.2	1,086.9	834.6
Near East and south Asia	1,639.6	603.3	480.8
East Asia and Pacific	1,416.2	205.8	215.7
Africa	113.7	28.5	21.7
Latin America	269.0	55.4	94.0
Contingency			17.0
Grand total	11,532.7	1,979.9	1,653.8
Developed countries	10,447.3	1,417.8	1,193.3
Less developed countries	1,085.4	562.1	470.5
Grand total	11,532.7	1,979.9	1,663.8

This chart is also noteworthy. By comparing the regional subtotals of the first chart with those of the second, one can estimate with reasonable accuracy where the "classified countries," noted on the first chart, are located: namely, in the Near East and South Asia. Qualifying for prime consideration would be Pakistan, Jordan, Israel, Saudi Arabia, Abu Dhabi, Bahrain, Qatar and Iran—above what is unclassified. I do not see why we must hide the names of these countries and the true amount of arms each receives behind a government shield of secrecy when a cursory glance will indicate where the aid is going. Our Government is not fooling the Soviets, only the American taxpayer who is not being told how and where his money is being spent.

It is also noteworthy that totals for Africa on both charts—$113.7 million—are the same, yet nowhere is there any indication of the huge volume of weaponry we have supplied to Ethiopia—a quantity of arms valued in excess of our military aid to all other African nations combined.

More important, the Defense Department figures indicate that in the last 6 years only 9.4 percent of our arms sales, or $1,085.4 million—see bottom of second chart—has gone to "less developed countries." This does not seem to be borne out by the facts.

The Pentagon's definition of "less developed countries" comes from Executive Order 11285 of June 10, 1966, which reverses matter by listing only those free-world countries that are not "economically less developed," specifically: Australia, Austria, Belgium, Canada, Denmark, Federal Republic of Germany, France, Iran, Iraq, Ireland, Italy, Japan, Kuwait, Kuwait-Saudi Arabia Neutral Zone, Libya, Liechtenstein, Luxembourg, Monaco, Netherlands, New Zealand, Norway, Portugal, San Marino, Saudi Arabia, Spain, Sweden, Switzerland, Union of South Africa, and United Kingdom. These countries supposedly get 89.6 percent of our arms aid, and the remaining non-Communist countries in the world—of which there are approximately 90—receive only 9.4 percent.

This list is obviously padded with four names: Kuwait-Saudi Arabia Neutral Zone—which is not even a country—Liechtenstein, Monaco, and San Marino. Our Government sells nothing worth mentioning to these areas.

Furthermore, according to the Arms Control and Disarmament Agency's "World Wide Military Expenditures and Related Data, 1965," Iran, Iraq, Libya, Portugal, and Saudi Arabia have average per capita gross national products of, respectively, $241, $233, $548, $407 and $354—all of which are well below the world average of $641. Therefore, by any definition these five nations are economically less developed.

Thus, there remain 20 countries that qualify as "developed" and which also receive arms from the United States. From all indications it appears that these countries receive between 70 and 80 percent of all U.S. arms sales each year. The rest goes to the "economically less developed" non-Communist countries around the world. It seems that U.S. arms sales to Iran, Iraq, Libya, Portugal, Saudi Arabia, and Ethopia alone account for between 10 and 15 percent of our arms sales each year.

Even if it were true, as the Pentagon claims, that only 9.4 percent of U.S. arms sales has gone to the less developed nations, it still loses some of its magic when compared to the fact that these same countries have only 18 percent of the world's gross national product but 71 percent of its population. In addition, there have been 56 wars in the world since 1945, all but two of which have been fought in the less developed areas.

Mr. Speaker, a nation that has spoken so passionately as the United States in favor of nuclear controls should also speak out in favor of conventional arms control. In our attempt to eliminate hunger, poverty and disease throughout the world, we must avoid providing the less developed nations with expensive and useless armaments.

It is for this reason that I once again call for our Government to seek to have the question of conventional arms control put on the agenda of the forthcoming Strategic Arms Limitation Talks in Geneva.

HON. TIM LEE CARTER

HON. WILLIAM O. COWGER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. COWGER. Mr. Speaker, I have had the pleasure of serving with my colleague from Kentucky, TIM LEE CARTER, since my coming to Congress. I have a great deal of respect for his legislative ability and for the great efforts he puts forth for Kentucky's Fifth Congressional District.

These qualities are known among my colleagues, but all may not know of his outstanding career as a physician. He has exemplified his medical ability on this floor when our distinguished colleague Congressman Bow collapsed. And there have been other times when he attended to the wounds of a young Treasury agent gunned down on a Washington street.

Such examples as these have earned our recognition of his medical ability but recently Mr. CARTER was recognized by members of his own profession, the American Academy of General Practitioners, for his outstanding service. On September 28, at their annual convention, the American Academy of General Practitioners awarded the certificate of meritorious service to Dr. CARTER.

This is the governing body for the 31,000-member Academy of General Practitioners and in presenting this highest award to Dr. CARTER he was cited for his outstanding service in the practice of medicine and for his dedication to accomplishing more meaningful health legislation.

I join with the members of his profession and his friends in congratulating him for this most appropriate award.

CONCERNING CHANGING THE FISCAL YEAR

HON. ODIN LANGEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. LANGEN. Mr. Speaker, I rise today to thank the gentleman from Illinois, ROBERT MICHEL, for his support of a growing movement to change the Federal Government's fiscal year. I, too, have submitted a bill not unlike the one being introduced today. My distinguished colleague speaks to a great need when he asks this body to make a slight alteration in its procedure.

During the years since I first introduced a bill that would make the Federal Government's fiscal year coincide with the calendar year, more attention has been focused on the problems created by this condition. The developing complexity of the business of Congress is well known. The longer annual meetings that have been made necessary by the evolving complexity of congressional business are equally well known. The difficulties in the administration of federally funded programs that result from the increased complexity of Federal business are well known. Not as well known, is the degree to which the difficulties have been compounded by failure of this Congress to make necessary adjustments in procedure.

As I have pointed out on several occasions before this body, inefficiency is expensive. The present plan for the Federal fiscal year is very inefficient. Therefore, we can assume that the fiscal year arrangement is very expensive.

The deep concern I have been expressing over the failure of the old fiscal year to meet the needs of today has not fallen on deaf ears. There have now been more than 60 similar bills introduced in Congress. They do not vary to any significant degree. The change is coming soon but none too soon.

The problem is historic. By the time Congress has made its decisions and determined its priorities, the fiscal year is already well underway. The patch-work resolutions that allow the Government to function at all are misleading, do not reflect the desires of Congress and leave executive agencies feeling their way through the dark.

It is worthwhile to recall that the first Congress met in December to make and pass the appropriation bill for the following year. Following 1789, Congress passed its appropriation bill—and later appropriations bills—after the beginning of the fiscal year. This practice continued for over 50 years before the present plan was enacted. When the inability of Congress to pass appropriations bills in time for the beginning of the fiscal year first became critical in the 1820's, the financial dealings of the Federal Government were not nearly so complex as they are today nor did Federal spending and efficiency so universally affect the American people as it does today. From the time Secretary of the Navy Samuel Southard first noted the problem in 1825, it was 19 years before a change was made.

But the change certainly was made and it will be made again. The conditions are very different in 1969 even if the problem is much the same. In 1825, the delay in appropriations past the beginning of the fiscal year was described as a serious inconvenience by the Navy Secretary. In 1969, only stronger words would describe the difficulties which are being explained today. In 1825, the Federal Government spend $15,857,000 and in 1969, we spent nearly $200 billion.

This year, not one single appropriations bill was passed and signed at the beginning of the fiscal year. The problems grow more complex and the work becomes more demanding. We shall not assume a return to passing our appropriations bill on time. We must make adjustments in our system. I hope it does not take 19 years.

MORATORIUM DAY

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. WOLFF. Mr. Speaker, today on the eve of what we all hope and pray will be a peaceful and meaningful day of debate and discussion about this Nation's involvement in Vietnam, I would like to present for the attention of my colleagues, a resolution that was sent to me by Mr. Jerry March, secretary of the Faculty-Student Senate of Adelphi University. This resolution, which was adopted by an overwhelming vote of 15 to 3 surely merits our consideration because it so clearly sets before us the thinking of many of those in today's academic community.

As all of us go about our business tomorrow, whether as participants of "Moratorium Day" activities or not, I feel we can best serve the cause of peace by calmly and rationally addressing ourselves to the alternatives available to our Government in the present situation. May I therefore, respectfully submit the following resolution of the Faculty-Student Senate of Adelphi for the thoughtful consideration of each of you?

> Resolved, the Faculty-Student Senate expresses its opposition to the war in Vietnam. While as individuals we differ in detail, this body agrees that the most reasonable plan for peace is the immediate withdrawal of all U.S. troops. We join in a united and continuous national effort to bring our troops home.

THE ROAD TO PEACE

HON. JOHN DELLENBACK

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. DELLENBACK. Mr. Speaker, the most immediate pressing issue of these days so far as America's international involvement is concerned is how to achieve an early and sound peace in Vietnam. Certainly almost everyone in America wants peace. The real question is not one of goal or objective, but rather one of method of achieving peace in such a way that the long-run dangers and damages will not outweigh any short-run advantages.

It is against this background that we should view the idea of the October 15 moratorium. The basic question to ask is what it will contribute to bringing about an early and sound peace. Will it help or will it hurt?

I am personally convinced that permanent peace in the world will not be achieved through military means. Constant building of new weapons systems or actual outright conflict are merely way stations to deeper and more serious problems. The only chance for permanent peace in the world lies down the road of sincere meaningful negotiations which result in binding agreements between the major nations of the world. The only man who can negotiate peace for the United States is the President. The present occupant of that office will remain therein for more than 3 additional years. If he is successful in his negotiations, each American is better off. If he is unsuccessful, each of us is the loser. It is of vital importance at this time that he not be discredited or his flexibility eliminated in this field of international relations.

As important as ending the conflict in Vietnam is, in and by itself, of equal importance is the manner in which it is ended. For if it is ended in a way that, in the long run, contributes to the enhanced arms race or in a way that leads to additional conflicts of a similar nature elsewhere in the world, then the price paid for temporary peace in Vietnam will have been prohibitively high. If it is ended in a way that will materially reduce the tempo of the arms race and drastically reduce the possibilities of conflicts of a similar nature elsewhere in the world, then each sacrifice of an American life in Vietnam will have been an important part of a major contribution to permanent worldwide peace.

The present occupant of the Presidency of the United States has committed himself to a policy of deescalation and Vietnamization of the Vietnam war. He has not only proclaimed these as his goals, but his actions have consistently backed up his pronouncements. So long as he moves steadily and soundly in the directions which he has announced as his goals and which he has followed faithfully so far, the course of wisdom for every American is to continue to stand firmly behind him. To do anything else would, while perhaps appearing temporarily desirable or politically advantageous, be short sighted and calculated to do injury to the cause of worldwide peace.

Certainly ours is a nation which has long prized freedom of speech. Every American has the right on October 15, or any other day, to speak his mind, so long as the speech remains lawful and does not call for action of a violent or unlawful nature. Some of us may disagree with what others say, but I think that it would be a most serious wrong for us to attempt to muzzle someone merely because he would say things with which we personally might disagree.

But I sadly fear that much of what may be said or done on October 15 will not lead this Nation or the world any closer to permanent peace. Indeed I believe that in fact in many places that which is said or done this day may be misinterpreted and will take us further from permanent worldwide peace. This is to be most seriously regretted.

For myself, I express my deep gratitude to each of those persons who has sacrificed in Vietnam for the sake of this Nation and of the world, I reaffirm my deep dedication to peace, and I reaffirm my intention to support the President in the course of action which he has initiated to bring about permanent peace for the world as rapidly as possible.

FUND AND FINISH CANAL

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. CHAPPELL. Mr. Speaker, I want to express my regret that on October 8, 1969, we were unable to write into H.R. 14159 at least $9 million for the construction of the Florida Cross-State Barge Canal. Six million dollars is simply not enough to move construction of the canal along at a reasonable pace.

The canal project calls for public recreation areas, pleasure boating, as well as establishment of businesses along its route. While I opposed certain routes of the canal because of a desire to preserve wildlife habitats and the natural beauty of many sections, I realize the canal was already under construction before I was elected to Congress and that it is now simply a matter of time until it is completed.

Since the plans for the canal have already been made—since the canal is to be built—it seems to me that we ought to properly fund it and finish it.

Mr. Speaker, I would like to urge that we include $9 million in this bill for the Cross-State Barge Canal.

NEW MEXICO IS U.S. CHILI CAPITAL

HON. ED FOREMAN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. FOREMAN. Mr. Speaker, those of us from the Southwest have a variety of favorite foods. However, chili-flavored dishes are certainly No. 1 on our list. The popularity of chili is growing rapidly nationwide as the rest of the United States acquires taste for a food that has been popular in the Rio Grande Valley for hundreds of years.

Thirty percent of all the chili grown in the United States is raised in New Mexico. A great future is foreseen for the New Mexico chili industry.

In the October 9, 1969, edition of the Herald, a Truth or Consequences, N. Mex., newspaper, Mr. Everett Reb has reported on the future of this important New Mexico crop. Mr. Speaker, this article is worthy of the attention of the Members and will, I am sure, be of interest to them. The article follows:

NEW MEXICO IS U.S. CHILI CAPITAL—EXPANDING MARKETS FORECAST

(By Everett Reb)

New Mexico produced 30% of all chili grown in the United States last year with production up 50% over the last five years as the popularity of so-called "Mexican" dishes have grown by leaps and bounds in many parts of the country and abroad.

Reflecting this growth, in popularity, new processing plants have been built in one of the country's leading chili producing areas in the Rio Grande Valley south of Truth or Consequences. More than 2,000 acres of chili were planted this year in Sierra County alone.

In line with the increased interest in the chili-flavored dishes among "yankees", many of the producers have switched to the milder varieties of chili preferred by those who are not "natives" of the Southwest.

Many major food companies and restaurant chains are engaged in promoting Mexican styled foods into Eastern U.S. markets, and market testing shows that they are meeting with great success, especially among the "younger" set. A Gallup poll prepared for a national food magazine revealed that 46% of the 21–34 age group (expected to total 50.7 million by 1975) preferred Mexican food as their number-one "foreign" food choice. Of all age groups nationwide, 32% chose Mexican food over Italian and Chinese food.

A great future for the chili industry in New Mexico is seen in the processing plants that are being developed in the Rio Grande Valley near Truth or Consequences, which use modern technology to move this distinctive product from the growing fields to the market.

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While less picturesque than the traditional methods of hanging ripe red pods in ristras along the wall of homes or spreading them in huge sheets on the ground, the new techniques achieve a much higher standard of sanitation. They also assure a better and more uniform product reaching the market.

Such new methods eliminate possible sources of contamination which exist when it is sun-dried out in the open, exposed to dust and to insects.

Just as research has improved the quality of chili by developing new varieties, so have changes in processing, packaging, and storing chili resulted in a product that has a wider variety of uses and appeals to an expanding market.

At the processing plants, new mechanical equipment for washing, drying and packaging can accomplish the entire process within eight hours. Under the old method, sun-drying took about two weeks alone.

New methods of freezing chili, at temperatures set at 30 below, again permit rapid processing and new and expanded markets for chili.

Chili reaches the market in a variety of ways. Green fresh chili in southern New Mexico is ready to market by mid or late July and remains on the market shelves and roadside stands until frost comes in November. The season for fresh red chili is naturally shorter since the chili remains in the field longer than when picked green.

Chili also is canned in whole pods, usually packed in 4-oz., 10-oz., and No. 2½ cans. They are usually labeled hot or mild. Four and 10-oz. cans of chopped chili are also common, as are red and green chili sauces.

A staple item in markets throughout the state are dried red chili sold whole or ground into powder. Dried red chili is packaged in a variety of ways.

Green and red chili sauces are available in most frozen food cabinets at local markets. Ready-to-use frozen chopped or whole chili are available in some markets, as are such frozen specialty items as cocktail tacos and burritos. Combination dishes may include chili along with beef or cheese in tortillas or spaghetti. Green and red enchiladas are popular. An increasing number of TV dinners, sometimes called "Mexican dinners," are appearing on the market.

VIETNAM MORATORIUM

Hon. G. V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. MONTGOMERY. Mr. Speaker, some of my colleagues might not have been in favor of my actions last night which brought an end to the moratorium speeches in this Chamber. But I did not want to give the American people the impression that these efforts were being supported by a majority of the Members of this body. I am afraid if we had continued the marathon session that is exactly the impression they would have received. I believe by the fact that a quorum was not present at the time of the last quorum call and that a majority of those remaining voted for adjournment dispels any impression that the so-called moratorium has the wholehearted support of this body. I too fear that some people have reversed the old adage of President Teddy Roosevelt to walk softly and carry a big stick. Instead, they are walking loudly and carrying only a small and broken twig of commonsense and intelligence.

A DAY OF PEACE

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. HALPERN. Mr. Speaker, Richard M. Nixon said upon assuming the Presidency:

> The greatest honor history can bestow is the title of "peacemaker."

Indeed he eloquently stated our objective to be "where peace is unknown to make it strong; where peace is temporary, to make it permanent."

After several months on the job, the President has taken great strides toward reaching his objective. Indeed, I heartily subscribe to his efforts toward deescalating the war in Vietnam. This is a peace initiative in the right direction and it is most commendable.

His forthright action to withdraw thousands of American troops from Vietnam is a long step forward from the previous policy. The President, like all of us, deplores the killing of our youth. He also deplores the slaughter of human beings in Southeast Asia, or anywhere that war rears its ugly head.

I envision the vigils and the prayers and today's debate as a basis for strengthening, rather than weakening, the President's hand. I feel dialog is essential. I feel the President should look at it as a buttress to his efforts toward peace. There is no question but that the majority of the American people want peace and want it at the earliest possible time. That is why the call for meaningful steps toward this goal will serve to assure Hanoi's negotiators that this administration is ready and willing to act for an immediate solution to the holocaust.

On the eve of the moratorium then, a solemn, dignified expression of citizen concern that the United States must extricate itself from the anguish of the war in Vietnam, I can think of nothing more patriotic for Americans to do than to register their feelings to the President that we support every effort for the quickest possible end to the war.

To suggest that what we are doing in this august Chamber this evening will undermine the President's peace initiatives is absurd. I see it as a buttress and strengthening of his position at the bargaining table, and dramatizes what Defense Secretary Melvin Laird just the other day described as the irreversible Vietnamization of the war.

For indeed, the pressures President Nixon and his advisers must carry are enormous, and if I was in his position, I would welcome every source of information, every suggestion, every proposal that could mean one less American life will be wasted in this tragic Southeast Asian conflict. This is why I am participating in this dialog tonight, for if I suggest one new thought, one new insight into the public debate on Vietnam, I will be serving my country.

Understandably, vigilance is the eternal price of freedom, and it is my firm conviction that I would be negligent in my duty as a U.S. Congressman to stand by in silence as the Nation struggles to halt the war. I can think of no higher perception of my role as a legislator than to partake in this debate. For me, to do otherwise, would be unpatriotic.

And I do not wish to imply that I disagree with the administration's approach to resolving the war. To the contrary. I hail the steps the President has been taking to reduce American participation and to call for an enforceable, meaningful peace. In my prerogative as a Member of Congress, I feel that as a matter of policy, de-Americanizing the war should proceed at a faster pace. This will show that we mean business. As a practical, administrative reality, what I am advocating, of course, will take a little time. And President Nixon's careful, prudent first steps toward deescalation recognize this reality. No one is suggesting, even remotely, that the United States suddenly pull out of Vietnam, leaving American soldiers exposed to enemy attack. What is being suggested is that our troops withdraw as expeditiously as possible, protecting human life in the process.

I want to again commend the President's peace efforts. They are a move in the right direction. Surely they are a long, forward thrust from the previous, discredited policy of total Americanization of the war. Certainly the President deplores the killing of Americans and Vietnamese as vehemently as the most ardent antiwar advocate does. And it is also understandable that after previous administrations were slowly sucked into the quagmire of Southeast Asia, despite our impatience, the President does need time to maneuver and establish his priorities.

As I said in my opening thought, I do not see the moratorium as disrupting the President's peace initiatives. I would want the dialog to complement his position. Indeed, it dramatizes to Hanoi that this Nation is ready and willing to negotiate and enforce a peaceful solution to Vietnam.

It is my feeling that we also use this time during the moratorium to pay tribute to the gallant young men who have sacrificed their lives in Vietnam. The list of fatalities is staggering, and has tragically robbed America of the talents of thousands of young men. This year alone, the war list reads as follows:

	Dead	Wounded
January	745	5,569
February	1,073	5,966
March	1,316	7,904
April	847	9,726
May	1,209	7,635
June	1,100	7,631
July	638	5,999
August	795	5,291

The young Americans represented by these figures are the Nation's youth: senselessly removed from their families, friends, and community.

How many of them were cut down in the brilliance of their youth? How many of them would have been tomorrow's doctors, tomorrow's builders of our cities, and the teachers of yet unborn generations of Americans?

The late John F. Kennedy once said at a war memorial:

> It is against the law of nature for parents to bury their children—a son with all of his life before him.

These young men are "selected" by a system whose inequities are notorious. Indeed, the draft is a device difficult to justify under any circumstances, but when it operates to send American boys to die in a war in which many of them do not believe in or do not understand—a war in which our official aim has never been clarified, then it becomes a great tragedy.

This explains to a large degree why our youth today is rebelling against the draft, against the war, against the society which produced both and sent them to fight without convincing them of its reasons.

Not claiming to be an expert on defense strategy, I would now like to explain the consequence of the Vietnam war on my constituents in Queens County, N.Y.—what it has meant to their lives as individuals, their ability to live a decent, modest life and provide for their families.

For Vietnam has had a disastrous effect on our economy, and is considered one of the major causes of today's runaway inflation.

This was reflected in the testimony of J. Sinclair Armstrong, a prominent Republican financier, before the Senate Appropriations Committee:

> As financiers, we see the destabilization of our domestic and international finance that it (Vietnam) has brought about. As citizens in our home communities, we see the blight that its excess visits on us in curtailment of resources for housing, education, health facilities, mass transport and productive employment. As taxpayers, we feel the burden of its cost—the surtax recently re-enacted, and the proposed repeal of the tax credit for investment in capital equipment by which goods are produced and America is kept modern. We see the enormous cost of restrictive monetary and fiscal measures and the record high interest rates, 7½ percent on U.S. Treasury notes, and the curtailment of availability of credit, with the resulting drastic curtailment of vital housing and other construction. We feel the inflation, the monthly increases in the cost of living, steadily up one-half of one percent, with no end in sight.

Indeed, our Vietnam-induced war inflation is depressing consumer buying power. Wages are at new highs in many industries, but consumer prices are rising faster and salary increases are not keeping pace. This past year the cost of living rose 5.1 percent—the biggest jump in 17 years. And based on current estimates, prices will rise 10 percent in 1969.

For bankers and Government bureaucrats, the wave of Vietnam-caused inflation means continuing the 10-percent income tax surcharge and increased Federal Reserve requirements.

While the average family in Queens is suspicious of this fiscal medicine for curbing inflation in this period and at best bewildered by the statistics behind the Consumer Price Index, in every day terms inflation expresses itself in dollars and cents. It now takes almost $12.50 to buy what $10 bought a decade ago.

In Queens, a housewife wrote me last week saying she could not afford to feed her children fresh vegetables this winter. In Jamaica, a section of my district, a worker I know reduced the number of nights he bowls each month. A family man in Little Neck complains that a year ago his wife spent $20 a week for groceries; now she needs $35. A year passed while a couple raised enough money for a downpayment on their dream house; in that time the price rose $6,000, closing costs increased 5 percent, and monthly mortgage payments were now more than they anticipated because building costs have skyrocketed due to increased Vietnam construction.

And stories abound of how Vietnam-caused inflation is nibbling at the fixed incomes of retirees, those living on pensions, savings, and social security. Even the more affluent in my district feel the pinch.

Indeed, a recent study indicates that in two dozen major industries, workers received anywhere from $8 to $30 in weekly wage increases during the height of the Vietnam war—but rising taxes shrunk actual take-home increases some 50 percent and rising prices sapped another 50 percent from purchasing power.

Taxes drained $4.78 from the weekly $8 increases, and when inflation's effect is considered, the worker actually had a net weekly loss of $6.32. And taxes siphoned off $11.13 of the $30 weekly increase, with spiraling prices reducing the net gain to only $4.93 weekly.

What's wrong? During a war, everything soars in cost, and somebody must pay for it—usually the taxpayer.

"Taxes are like a pregnant woman," a customer in a Jamaica store said to me recently. "Once they get started, they stay with you."

Total taxes now gouge about 35 percent of the average family's salary. Federal income taxes take the lion's share, but the Federal tax rate has not changed since the Korean war. It is State and local taxes that have skyrocketed during the Vietnam war—to pay the cost of education, highways, and escalating social needs, while Federal dollars went to pay for a war in Asia.

Unfortunately, unless the war ends soon, the future looks bleak for taxpayers—new schools, safe streets, and improved municipal services cost money. When the Vietnam war ends, if the military drain on the Federal budget is curbed, many economists predict that within a few years Uncle Sam will have a "fiscal dividend" of $30 to $40 billion—enough to relieve the burden of local spending for social needs while cutting taxes.

While the American consumer has paid dearly for the Vietnam war, in terms of reduced buying power, American business has benefited from war profits.

Business Week reports:

> At the peak of war in 1968, U.S. corporations earned more money than they ever did before in a single year—thanks in good part to sharply rising prices and continued war expansion of industry.

Here are the facts: Since the war began through last year, after-tax corporate profits soared 95.5 percent and dividend checks to stockholders increased 73.1 percent—while the average weekly after-tax earnings for nonsupervisory employees went up only 26.6 percent and in terms of buying power, increased merely 11 percent.

What can be done about this wave of spiraling inflation during a war? The American economy is prospering because workers spend their wages to buy new products—despite Vietnam. The more workers buy, the more jobs there are. And so on. The same holds true for the government. The more it spends on schools and social needs, the more jobs there are for workers.

But when Government imposes taxes, it denies workers money they might spend on consumer needs. Economists believe when the economy is balanced, Government revenue should equal Government expenditures. But if unemployment exists—as it now does during a war—and the economy is not operating at full capacity, if the Government spends more than it receives in taxes, borrowing the rest, total spending increases, stimulating economic growth and new job opportunities.

But if Government reduces expenditures and increases taxation simultaneously, it dampens or slows down economic growth during a war-inflated period—cutting its own expenses and reducing consumer buying power. This is just what is being urged now by the administration. This policy may or may not work, but it has to be carefully controlled to be successful.

The Federal Reserve Board raised interest rates to their highest level in a century this year, also hurting consumer purchasing power. This means home mortgage payments, auto installment payments, and interest on time-payment plans and revolving department-store charge accounts are escalating.

What this means to the average family in my district is tough to swallow. In 1950, a Government-guaranteed FHA mortgage cost 4¾ percent with premium charges. On a $20,000 mortgage for 30 years, this meant total interest payments of $17,584 in addition to principal.

Under the new rates FHA interest now totals 8 percent with a premium charge. Now a 30-year, $20,000 mortgage requires total interest payments of $33,387, in addition to principal. The interest has practically doubled in 20 years.

The other most commonly sought loans in Queens are for automobiles. Interest rates for auto payments have also increased. Five years ago banks charged 4½ percent per $100, discounted in advance. That meant a worker who bought a $2,000 car had to borrow $2,312 on a 3-year loan, for an effective interest rate of 10.1 percent.

Today rates are up to 6 percent per $100. This means it now takes $2,439 to finance a $2,000 car, for an effective interest rate of 14.2 percent.

Let us face it, the demand for war profit is not about to vanish, but consumers should not pay for someone else's greed while soldiers die in Vietnam.

War profits must be limited. Corporations could easily limit their war profits while satisfying their need to maintain their growth. Prices would then be stabilized during this war period and the consumer's dollar would have more value.

Indeed, corporations that share in the Vietnam economy should be accountable to public agencies, with reasonable price ranges established.

The time has clearly arrived then, to curb war profits while American boys fight under the American flag.

The Vietnam tragedy, then, has had a disastrous effect on American society—the sad waste of human resources and the American dollar can never be replaced. And it is my feeling that unless we reduce the scope of our military involvement, we may be contributing to the destruction of the Vietnamese society we are trying to save.

Some wise thought and counsel has been given to our policy objectives in Vietnam by a former aide to President Eisenhower, Emmet John Hughes. He makes a lot of sense. I would like to read from these writings now:

All the bleak choices (in Vietnam) rather inexorably dissolve toward one. As a wise and sympathetic statesman of Southeast Asia stated to me: "You are going to leave Vietnam.. You are not going to be routed or humiliated: Your armadas and your bombers make you the greatest power even in the South Pacific. But you are going to leave because the earth-bound politics of Vietnam cannot be solved by the airborne cavalry of America.

"You now have probably a last decision to make. You may try to smother all forces in Vietnam seeking compromise and peace—thus pitting them all against you. Or you may try to work with the best of these forces in their confused attempts at negotiation, so that the very imperfect end of it all still will allow you to leave with dignity. Your last choice, then, is clear: Either you will one day withdraw because you shrewdly appear to want to—or because it plainly appears you have to. Is this really so hard a choice?"

It may not seem a hard choice in abstract logic, but it is a stern choice in American politics. It would require of Washington almost a convulsion of candor and a revolution of courage. This means the courage to concede, after all, that the present hope of history for Vietnam has never been more, in truth than a nation dealing with Peking, much as Poland duels with Moscow. It means the resolve to ignore all zealots who still shout their preposterous prescription that a little more military medicine can cure political sickness. And it means the wisdom to sense that American repute in Asia is not dignified but diminished by untiring war for the unattainable victory and American honor is not tarnished but brightened when so great a power can say, with quiet assurance: we have judged poorly, fought splendidly, and survive confidently.

I can think of no other way that the leaders of the United States might match the courage of the soldiers they have dispatched.

BIG TRUCK BILL

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. SCHWENGEL. Mr. Speaker, my editorial for today is from the July 21, 1969, State Journal of Topeka, Kans. The editorial follows:

Trucks Want More Highway Room

Millions of motorists take to the Interstate Highway System wherever possible on their journeys, for the safety the better-engineered and wider roadways provide.

Through their gasoline taxes they are paying for them, and generally consider it money well spent.

Now the big trucks, limited by federal law to 8 feet wide and 32,000 pounds tandem axle weight, want to be allowed an extra half-foot in width and another ton on the axles.

The American Automobile Assn. has taken up the fight against the proposal in Congress, calling it an "anti-safety bill" almost identical with the one which failed of passage last year.

Not only are there traffic hazards to consider, an AAA official testified before the House roads subcommittee. He quoted figures to show that the heavier trucks would necessitate the expenditure of billions of dollars for reconstruction of older pavements and additional costs in highways yet to be built.

Effects of allowing wider, heavier vehicles on the Interstates would be felt on most other roads, according to AAA executive vice president George F. Kachlein Jr., who added:

"Since truck bodies are not made to operate exclusively on the Interstate System, the wider truck will be found on all of our highways where trucking operations are carried on. Neither will the 8½-foot width be confined to the big cargo carrier. We can be sure that the smaller trucks will be manufactured to take advantage of the greater cube capacity. With a half-foot added to every truck, it would be like cutting a foot in width from every two-lane highway in the country."

Seriousness of accidents involving big trucks already on the highways is a major consideration.

Trucking industry statistics were quoted by Kachlein, showing that while trucks over 26,000 pounds comprised only 1.54 per cent of total vehicle registration, and drove only 5.33 per cent of all vehicle mileage, they were involved in 11.6 per cent of fatal accidents.

The Bureau of Motor Carrier Safety reported that half of the accidents of carriers reporting to it involve collision with a passenger car.

How does truck size affect death rate in crashes?

An AAA study found there are 0.3 fatal injuries per 100 persons in collisions between passenger cars and pickup trucks. When a tractor-trailer truck is involved the rate is 7.1. With a tractor-two-trailer combination fatal injuries jump to 13.3 per 100 persons involved.

Congress must consider the lives and property of over 100 million little drivers in deciding whether the big trucks will be permitted to shrink our highways.

EXCHANGE CLUB HONORS "GENERAL" EAGLE

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. DUNCAN. Mr. Speaker, as a tribute to a fine American and citizen of my district, I would like to place in the Record a news story from the Knoxville, Tenn., Journal of October 10.

This story really needs no introduction, and I only wish to add, "Hats off to General Eagle."

The news story follows:

Exchange Club Honors General William Eagle

(By Pat Fields)

Praises such as few men hear in a lifetime were heaped upon William H. Eagle at Knoxville Exchange Club's "Gen'l Eagle Day" observances Thursday in S&W Cafeteria.

Sam E. Young, a 50-year Kiwanian scheduled to be honored at his own club for half-century membership, gave up that meeting to reminisce with many others on long friendships with the 82-year-old former Tennessee assistant attorney general and recently retired Supreme Court clerk here.

"It was 45 years ago when Bill and I paced the corridors of Fort Sanders Presbyterian Hospital together while our daughters were being born," said Young. "Neither of us ever had to go through that again."

Retired Criminal Court Judge J. Fred Bibb came to tell of his early membership in Exchange, which he called "an organization with a solid foundation built by men like Bill Eagle . . . We had a great time meeting in the basement of the Chamber of Commerce Building, then at Church and State streets where, like so many other landmark sites, a parking lot now operates . . . Bill and I were said to be look-alikes in those days, when I was fatter and he was skinnier than we are today . . . I had to give up the club in 1926, but Bill has lived the life of a true Exchangite (Motto: Unity for Service)."

Attorney Ray Jenkins, a friend and associate for 50 years, sent a letter to be read by Exchange President Grover Boyd: "There is no finer man than Gen'l William H. Eagle . . . warm of heart, sympathetic in his outlook, tolerant in his judgments, charitable in his decisions, forgiving in his nature . . ."

H. D. Swanson, chairman of the committee charged with putting together the Exchange Club's "Book of Golden Deeds Award," called the task "a pleasure" and gave the honor of its presentation—for the first time to an Exchange Club member—to H. A. (Hat) Tiller, who has been an Eagle friend for 60 years. "In fact, he was best man at my second marriage a few years ago, and my wife still thinks he is," said Tiller.

The honoree accepted the gilded book, filled with pictures and testimonials to his life of service, with in his own words "a full heart," thanked all who had spoken so highly of him, and in response to Swanson's expressed wish that you live just as long as you want to! said: "I can't possibly live that long, but it has been a wonderful life so far, especially the 56 years of it I've spent with the little lady back there—my wife."

As a surprise to the "Gen'l" his daughter, Mrs. George (Mary Eagle) Keith of Nashville and granddaughter Ann 4, youngest of the five Keith grandchildren, were here to attend the luncheon in his honor.

Gen'l Eagle seemed especially touched by remarks volunteered by the younger generations of Exchangites, citing his inspiration to them in joining the organization and making its motto their own.

OUR HIGH SCHOOLS MUST NOT BECOME ARMED COMPOUNDS

HON. JAMES F. HASTINGS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. HASTINGS. Mr. Speaker, there is growing concern over violence and vandalism in our high schools. Hardly a day goes by in the Washington area without reports in the news media of teachers and students being assaulted, of armed robberies in classrooms and of school property being damaged and destroyed.

My esteemed colleague, Representative LAWRENCE J. HOGAN, of Maryland, recently gave a talk on this most serious problem. He outlined with considerable skill, clarity, and courage some of the steps which must be taken if our high schools are not to become guarded compounds where students and teachers can function in safety only behind a cordon of armed police.

Because of the pertinence of his remarks, I should like to insert his most perceptive speech in the RECORD:

ADDRESS BY CONGRESSMAN LAWRENCE J. HOGAN BEFORE THE COLMAR MANOR-COTTAGE CITY PARENT-TEACHER ASSOCIATION, OCTOBER 7, 1969

As I understand it, my address here this evening is to center on the theme of the PTA as a communicative organ for schoolchildren and their community. I hope that my remarks will not stray too far from this avenue, but I ask you as parents to look ahead to the time when your children, who are now in elementary school, are teenagers in high school.

You have probably guessed my intent, because the situation at Bladensburg High School in your community, and the similar problems at Duval High School, have been constantly pressing for attention during the last few weeks. I would like to spend this evening presenting my views and then soliciting your opinions and your aid in seeking some kind of solution. Many of you, as parents of elementary schoolchildren in Colmar Manor, also have older sons and daughters who attend Bladensburg Junior and Senior High School and can therefore offer my insights into the problems and turmoil that have occurred there in recent weeks.

Let me begin by reiterating the position that I first enunciated during the 1968 congressional campaign, that is, that Government officials—among whom I must now include myself—do a disservice to all citizens when they fail to vigorously enforce *all* breaches of law. It is now time to broaden that statement to include educators, civil leaders, and parents.

It will take the combined efforts of all of us to tackle the problem we face in our high schools. Yes, high schools—this sounds strange to our ears because we've only now become accustomed to the thought of dealing with dissension and disruption on our college campuses. But it is true—today's youth are no better and no worse than any other generation of young people, but they are more intelligent, better educated, more mature, more aware of social injustices, more motivated by conscience than any generation we have ever produced.

Unfortunately, however, in too many instances—such as those we have witnessed recently in our own community—this social awareness has caused total rejection of the system by some, rather than total commitment to the betterment of the system. Even worse than this is the fact that, while some students are voicing their intent simply to take over the educational process from administrators and faculty—and this is bad enough—they are in effect destroying the educational process. This we cannot allow to happen.

When I returned from a tour of college campuses last spring, the one conclusion which received the overwhelming support of all the congressmen who participated in that study mission, was that violence in any form, in any measure, under any circumstances, is not a legitimate means of protest or mode of expression. It can no more be tolerated in the educational community than in the community at large. If there is to be orderly progress and a redress of legitimate student grievances, student violence must be averted.

I have said before, and I will say over and over again, that lawlessness cannot be tolerated. Laws are the very fibers which hold a civilized society together and, while everyone has the right to try to change the laws through the prescribed legislative process, until they are changed they must be obeyed by all citizens.

This is a point of view which, I believe, is shared by all concerned residents of this area, as well as the students and parents who are directly involved. Over and over again these past weeks, I have received telephone calls and letters from parents, students, and educators and in every case, without exception, the same point was made. Let me quote from the letters of some Bladensburg parents—perhaps your neighbors and friends—

"We, as concerned parents, are writing to demand that immediate action be taken to eliminate the lawlessness and disruption of classes.

"Action must be taken—and taken soon—or we will see our educational system taken over by a group of hoodlums who want no part of education, nor do they want to allow anyone else the right and privilege to be educated.

"I hope that you will agree with me that action in this regard should be immediate. Too long have we hesitated to deal with troublemakers—something must be done now—before much of our freedom is lost to us forever."

I wholeheartedly agree with these observations but the question still remains, "What can be done?" To answer this query, I solicit your opinions and aid tonight.

It is clear that this problem is no longer only a question of black and white, or of student demands again a repressive faculty or administration. There are established proper channels where student grievances can be aired and redressed and it is a relatively simple matter to make known to students what those proper methods are and who the proper authorities are. This is a communications problem which can and must be solved.

But the real problem here is much deeper. We have an underlying race relations problem, but more importantly we are confronted with the ugly specter of violence. Assault, disruption of the educational process, and the closing of schools are violent acts. They must be responded to as such. I believe that at Bladensburg the response to the disruption was in the right direction. I commend Principal David Dean for calling in police to restore order because it is the responsibility of the schools to educate our children and unless there is order, there can be no education.

Allow me to relate an incident which occurred on the morning that I visited Bladensburg, during the height of the turmoil. While there, I observed two groups of roving students—one black, one white—who were roaming on the school grounds, wrapping belts around their fists, and actively seeking a confrontation with each other. Had it not been for the cool manner in which the policemen conducted themselves and handled these students—thereby completely defusing the tense atmosphere—there would surely have been a race riot at Bladensburg that morning.

I am not alone in my praise of Principal David Dean and of the Prince George's Police who were assigned to Bladensburg High School. The Executive Committee of the Bladensburg PTA sent a petition to my office expressing their gratitude for Principal Dean's handling of the disturbances. In addition, WTOP Radio and Television broadcast an editorial on September 29 and 30 which followed in the same vein:

". . . Thanks partly to the police, Bladensburg High has had several days of quiet. Some adults, both inside and outside the school, are working hard for a resolution of the racial conflicts which have led to trouble. Other adults are out looking for scapegoats.

The Bladensburg principal, David Dean, is a convenient target. The local NAACP chapter wants him fired, but Dean is not the villain. Close observers of the recent strife credit him with a cool head and a firm hand which kept the lid on more serious outbreaks.

The real villains, if there are any, are scattered among the homes and apartments which surround Bladensburg High and which feed young people into it. With lusty cheers from the sidelines and with subtle instruction at the dinner table, many mothers and fathers have encouraged prejudice and mistrust. Racial slurs and animosity come in all colors, and their origins are not too hard to find.

For many, the social changes taking place just across the District line in Prince George's County seem overwhelming. But the Bladensburg area is not the only place in Washington where blacks and whites are living shoulder-to-shoulder. In numerous places they have learned—if not to like each other—to get along with each other.

Bladensburg has to learn that, too. The alternative is more police—more often. Real education cannot possibly take place within such a climate of fear."

But tonight I would like to spend some time discussing parental leadership and responsibility. As the father of a 21-year-old daughter and a 13-year-old son, I, too, am faced with these same problems.

In fact, because of my rather hectic schedule which requires speechmaking or appearances such as this almost every night of the week, I am unable to spend as much time as I should with my children. We parents must make the effort to communicate more often and more meaningfully with our offspring. We must pass on to them respect for authority and for society—its laws and its institutions. Too many of our youngsters are not sold on our system of government.

Much of the crisis of the generation gap results from the ever-growing trend in our society to turn over more and more of the parental role to various institutions and agencies. Intentionally or perhaps unintentionally, the child has been removed from the home the greater part of the day. Nursery school or preschool begins the exodus, then K through 6; until, finally, the child is a teenager in junior and senior high school. We hardly know him or her anymore because in addition to the 9–3 school day, we've found time to send the child to cubscouts and brownies, to camp for vacations, and on and on. We provide these opportunities, feeling that we are making great sacrifices for our children; but, in reality, we are simply reducing the amount of time spent at home together. We've delegated the responsibility for rearing our children to others and in too many cases their influence on our children has been harmful.

I started this evening speaking of leadership and communication and this is where I would like to conclude. I hope I haven't just given the impression of being down on parents as a result of the turmoil in our high schools and colleges; but, my real point is this: we have a deep-seated societal problem which has no easy solutions and no ready-made answers.

However, I was assured this morning by several County officials that the following measures have been taken to quell any future disruption of the educational process in County schools:

The School Board has instructed all principals to call the Prince George's Police Department immediately when trouble erupts;

Principals have in turn instructed all teachers to report all incidents immediately;

Chief of Police Vincent Free said that the Police Department would immediately respond to all violations of trespass laws and enforce those laws;

Student troublemakers will be suspended and/or expelled;

State's Attorney Arthur Marshall has assured that his office will vigorously prosecute violators of the laws in the courts, or if necessary, in Juvenile Court.

Finally, I will urge the Department of Justice to prosecute interstate people who incite trouble in our school system.

These enumerated guidelines are the constructive reactions of officials but, on reflection, it seems to me that we, as parents have an obligation to make a beginning through better communication, particularly between the generations.

I have made some efforts in this regard by introducing a joint resolution authorizing the President to proclaim a National Adult-Youth Communications Week. This measure was signed into law and President Nixon proclaimed last week—September 28th-October 4th—National Adult-Youth Communications Week. In addition, I have established a task force on youth—composed of students representing every high school and college in the fifth district—to advise me on matters which are under discussion for possible legislative action.

Therefore, we cannot say that communication between the generations is an impossible task in our hectic, busy world because meaningful communication is not a matter of time but of quality. I hope now to have an opportunity to sample that quality by opening the floor to communication from you to me because I have spoken long enough.

PENNSYLVANIA AMONG 10 LOWEST STATES IN LOCAL AND STATE TAXES

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following article: "Finance Week—Where Taxes Are Highest, Lowest," from U.S. News & World Report edition of October 20, 1969.

Pennsylvania has an excellent record on low State and local taxes.

The article follows:

FINANCE WEEK—WHERE TAXES ARE HIGHEST, LOWEST

State, local taxes per $1,000 of income range from $105.40 in Illinois to $190.96 in North Dakota, a new report shows.

Consolation for higher-tax States: Proposed plans offer them proportionately larger slices of revenue-sharing funds.

People groaning under an ever-increasing burden of taxes can get an idea how heavy their load really is from a new survey by the Census Bureau. What is disclosed:

When it comes to tax loads related to personal incomes, the variations among the 50 States are quite extreme.

These relative tax burdens are growing much more rapidly in some States than in others—and actually shrinking in some.

The basic figures, set out in the chart on this page, have recently taken on added significance for all taxpayers. As one result, the figures now offer a clue to tax-relief prospects.

The reason: Tax burdens related to incomes have come to be accepted as the main measure of "tax effort"—the degree to which each State and locality is willing to tax itself to solve its problems. A high rating for tax effort, in turn, means a bigger chunk of money from virtually all federal revenue-sharing plans that have been proposed, including the one sent to Congress by President Nixon.

The promise is that States shouldering the heaviest tax burdens in relation to incomes will get proportionately larger slices of revenue-sharing money. They, thus, have the strongest hope for relief from their own State and local taxes.

On the average, across the country, the total of State and local revenue collections amounts to $134.51 for each $1,000 of personal income.

The range among the States is from a low of $105.40 in Illinois to a high of $190.96 in North Dakota.

Washington: special. The District of Columbia is a special case. With so much of its real estate owned by the federal and foreign governments, a large part of the District's money is provided by the Treasury to compensate for lost property taxes.

Most of the industrial States rank low on the tax-burden—or tax-effort—list. Illinois, Ohio, Pennsylvania, New Jersey, Rhode Island, Connecticut—all are in the bottom 10.

New York and California are the standout exceptions in that group. Both stand among the 10 States in which tax burdens are heaviest in relation to income.

The majority of the Mountain States, along with Alaska, are in a special group. Their ranking in the top group is due in large part to the taxes they collect on the extraction of minerals within their borders.

Those taxes are, in major degree, "exported" to other States. One result is that these States can expect something of a windfall when, or if, federal revenue sharing begins.

The new figures explode a widely held idea that most of the Southern States actually are carrying some of the heaviest tax burdens if their relatively low incomes are taken into account.

Only one Southern State, Louisiana, now ranks close to the top 10 in that respect. In nearly all Southern States, taxes related to personal incomes are well below the national average.

Midwestern farm States tend to rank in the middle third for tax loads. North Dakota, Minnesota and South Dakota, all high up on the scale, are exceptions.

Pacific Coast States are all above average for tax loads. California stands in eighth place now.

Shifting loads. Tax collections are rising nearly everywhere. Tax rates are being raised and new levies imposed by deliberate actions. Even without that, continuing prosperity and inflation swell the inflow of revenues.

In most areas, that rise has been outstripping the growth of incomes. Thus, relative tax burdens have been getting heavier and heavier.

For the U.S. as a whole, the increase in the latest year was 2.6 per cent.

In two States, Nebraska and Alaska, the one-year jump was more than 10 per cent. In nine others, the rise exceeded 5 per cent.

Loudest groans from taxpayers, however, are heard in States that show little or no increase in the latest year counted. The reason is that there are States in which sizable increases have occurred over several years. In the country as a whole, State and local revenues related to incomes have risen 6.2 per cent in a four-year period.

For Alaska, the comparable rise has been more than 34 per cent.

In four States—Delaware, Maryland, Nevada and Wyoming—the increase in that period has been from 18 to 23 per cent.

The four-year increases have exceeded 10 per cent in 10 other States—Hawaii, Idaho, Massachusetts, Missouri, Nebraska, New York, North Dakota, Utah, Virginia and West Virginia.

In only six States—Indiana, Kansas, Louisiana, Maine, Mississippi and Texas—did taxes decline in relation to incomes in the latest span of four years.

STATE-LOCAL TAX BURDENS—HOW STATES RANK

	Revenue collections in 1968 per $1,000 of personal income	Percent change from 1967
U.S. average	$134.51	Up 2.6.
North Dakota	190.96	Up 5.8.
Wyoming	185.89	Up 2.3.
New Mexico	170.59	Up 1.3.
Alaska	169.79	Up 10.4.
Hawaii	165.66	Up 2.5.
Minnesota	162.69	Up 3.7.
Nevada	162.19	Up 8.4.
California	160.84	Up 7.8.
Arizona	159.26	Down 1.5.
New York	158.21	Up 0.9.
Louisiana	157.88	Up 1.3.
South Dakota	157.62	Up 3.3.
Idaho	156.59	Down 0.5.
Montana	155.89	Up 6.3.
Utah	153.72	Up 3.1.
Vermont	150.61	Up 5.5.
Colorado	150.12	Down 3.5.
Washington	149.43	Up 3.1.
Wisconsin	148.82	Up 3.5.
Iowa	143.99	Up 5.1.
Mississippi	143.56	Down 4.5.
Oklahoma	142.45	Down 0.3.
Oregon	140.66	Down 3.2.
Florida	138.13	Down 3.1.
Michigan	138.13	Up 9.0.
West Virginia	136.14	Up 6.4.
Delaware	135.50	No change.
Nebraska	135.38	Up 10.5.
Kansas	134.35	Down 2.5.
Georgia	132.80	Up 4.9.
Alabama	130.79	Up 3.8.
Maryland	129.96	Up 3.6.
Massachusetts	129.26	Up 0.2.
Kentucky	126.25	Down 0.7.
North Carolina	125.13	Up 1.2.
Maine	123.71	Down 3.7.
Tennessee	123.57	Up 1.5.
South Carolina	123.17	Up 0.7.
Arkansas	122.93	Down 3.0.
Indiana	122.42	Down 2.7.
Virginia	120.82	Up 4.7.
Texas	118.74	Down 1.1.
Rhode Island	118.48	Up 3.3.
New Jersey	114.13	Up 3.0.
Pennsylvania	113.38	UP 0.1.
Missouri	112.72	Down 2.7.
Ohio	111.99	Up 6.2.
New Hampshire	111.59	Down 0.8.
Connecticut	107.31	Down 0.4.
Illinois	105.40	Up 3.2.
District of Columbia	105.13	Up 6.9.

Note: Figures are for States' fiscal years that ended in 1968.

Source: U.S. Census Bureau.

SOCIAL SECURITY

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. LONG of Maryland. Mr. Speaker, I am deeply concerned with the plight of our older citizens, many of whom have no income other than social security payments. Much of my mail from the elderly has been heartbreaking, and their tremendous needs have prompted me to introduce a bill calling for a 15-percent increase in social security payments and

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a 45-percent increase in minimum benefits. I recently received a very touching letter from a Maryland resident in response to my legislation, and I would like to share this letter with my colleagues today. The difficulty this man is having in making ends meet points up the necessity of acting on social security legislation in this session:

PASADENA, MD.

DEAR FRIEND MR. CLARENCE LONG: Dear Sir and Friend. I am sending you this letter because I listened to you speak on the radio about the elderly people and that is the reason I am sending this letter to you. I am 82 years of age and only receive $51.00 a month old age pension. I live along Cocky Creek in an old shack along the river and have a very hard time trying to live. I don't receive any Welfare money or food. I make the 51 dollars do all the work. I was born November 14, 1887 in Philadelphia, Pa. but lived in Baltimore 55 years. I enjoyed hearing you speak on the air. If we old people had more like you, we old people could live a more happier life and eat like other people do. I got a medicare card but I can't eat that. I am not well and depend on other people to bring me food from the store and if no one comes, I don't eat much. I can't walk far. I got a very bad leg. I go to the doctor once a month.

Try to live on 51 dollars a month. Electric bill, food, kerosene bill, clothing, tobacco to roll my own cigarettes . . . I don't have much company.

When you have nothing, no one wants you. Well, I wish you all the luck in the world to get us old people to live and get a good meal once in a while.

Thank you and God bless you.

Mr. JOHN W. MATT,

P.S.—Please answer if you can and care.

VIETNAM

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. RYAN. Mr. Speaker, the Vietnam moratorium on October 15 will reflect the deep concern of millions of Americans over the tragic war in Vietnam and their determination that it be brought to a prompt conclusion. As the Gallup poll reported on October 11, a majority of citizens sampled throughout the Nation—57 percent—support the withdrawal of all U.S. troops from Vietnam by 1970 and 58 percent believe it was a mistake to have involved American troops in Vietnam.

In the face of this public opinion survey, it is incredible that the President would say he would not be affected by the moratorium and that "there is nothing new we can learn from the demonstrations." It is incredible that the Vice President would dismiss the moratorium as absurd. As WCBS radio in New York commented editorially these statements "reflect contempt for a substantial body of public opinion which cuts across age and party."

I include in the RECORD the WCBS News Radio 88 editorial which was broadcast on October 13 and 14:

VIETNAM

Vice President Spiro Agnew has done it again. This time, one of his utterances concerns the forthcoming Vietnam Moratorium. It seems destined to join the declaration "if you've seen one ghetto, you've seem them all" as another classic example of insensitivity.

Seventeen United States Senators and 47 members of the House have endorsed the planned non-violent protest by students opposed to the Vietnam war. Leaders of all religious faiths, including Cardinal Richard Cushing, have given the demonstration their blessing. So have the trustees of Massachusetts Institute of Technology, the Senate of Columbia University and the Faculty of Arts and Sciences of Harvard University.

Yet—Vice President Agnew has dismissed the student protest set for Wednesday as "ironic and absurd". Previously, in discussing the Vietnam Moratorium, President Nixon had assured a White House news conference: "Under no circumstances whatever, will I be affected by it."

Both statements apparently proceed from the same tunnel vision that afflicted the previous Administration concerning American involvement in Vietnam. They reflect contempt for a substantial body of public opinion which cuts across age and party.

Informed national policy demands that leaders listen carefully to dissent, from whatever quarter it comes and however unwelcome. It is precisely the conviction that theirs are voices in the wilderness, dismissed as of no political consequence, that has brought a great many thoughtful students to the point of desperation and alienation.

The peaceful demonstration of opposition which has been planned is an essentially constructive and moral action. It is intended to bear public witness to the belief of millions of Americans that President Nixon must take the initiative in ending, speedily, this disastrous and divisive war. It is a war which has for too long ravaged the spirit and the resources of this nation.

VIETNAM

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. STOKES. Mr. Speaker, we meet here tonight ladened with heavy responsibilities. We seek a proper way to extricate our country from one of the longest, bloodiest, and most costly wars of her history. It is an undeclared war, despite a constitutional provision indicating that this kind of a war was never conceived by the founders of our Nation. It is a war during which the U.S. Congress, especially the House of Representatives, has consistently failed to exercise its full constitutional responsibilities.

But, we are here tonight to help rectify past omission. We gather to rethink and rediscuss our involvement in the Vietnam conflict, and to aid our colleagues and our President in the unanimous quest for peace. For joining me in this effort, I salute and thank you. Though our numbers are few, I firmly believe our contribution will be substantial.

I would be remiss if I did not also preliminarily salute the millions of Americans of all vocations, races, economic statuses, and hair styles who will join together tomorrow in a peaceful demonstration on behalf of a rapid resolution to this war. Their request for a cessation of the killing, whatever its form so long as it be nonviolent, will be an exhibition of good citizenship in its highest form, and should serve as an inspiration and example to those of us charged with the responsibilities of determining our country's policies.

In this vein, it seems highly regrettable to me that the one man who bears the greatest of these responsibilities has already indicated that he will pay no heed to tomorrow's events. How the President of the United States can publicly prejudge and ignore such manifestations of the national conscience escapes me completely. Certainly he does so at his own political peril and at the peril of thousands of brave young American men now prosecuting this war half a world away. I would hope that the President would carefully reexamine this rather extraordinary position and acknowledge that all citizens of this Nation have not only a right to petition their Government, but also the concomitant right to be heard and respected in their opinions.

An examination of our present policies in Vietnam must begin with a look at the premises upon which these policies have rested during the 5 years of our active involvement in that conflict. This is obviously necessary, for if our policies are based upon anything but realities, we are engaged in self-delusion of the first order and are embarked on an extremely dangerous course of action. Unfortunately, a careful scrutiny of our Vietnam policies reveals that most, if not all, of those premises were indeed not realities, but myths—military myths, diplomatic myths, and political myths.

Militarily, it was once assumed that the bombing of the bridges, factories, and cities of the north would destroy the fighting capability and break the spirit of the North Vietnamese people. It did not work, and this particular myth was destroyed. Others, however, have persisted.

It was assumed, for example, that bombing the Ho Chi Minh Trail would stop the infiltration of men and materiel from the north. It has not done so. It has naturally had some inhibiting impact, but basically infiltration proceeds as the north chooses.

It was assumed that "pacification" and "search and destroy" missions would gradually erode the strength of the Vietcong and bring ever increasing amounts of territory under the aegis of Saigon. It has not done so. The political map of South Vietnam is still polka-dotted with spheres of influence and has undergone little change since 1965.

It was assumed that our forces could flush out the enemy and destroy them through means of conventional warfare. They have not done so. Indeed, whenever the strategy did work, our fightingmen performed admirably and almost always won smashing victories. But the adversary, with both time and terrain on his side, has usually successfully avoided direct confrontation, and there is every reason to believe he will continue to do so in the future.

Finally, it was assumed that the tenacity, will to win, and strength of belief of our small, yellow adversary was less than that of our own "revolutionaries" who fought to free us from foreign domination 2 centuries ago. Nothing could have been farther from the truth. For a quarter of a century the Vietnamese people have fought against corrupt rule from within and colonial rule from without. Their dedication to their concept of freedom is precisely that of Patrick Henry's "Liberty or Death."

On the diplomatic front, more myths abound. It was assumed that by raising the hue and cry of "international Communist aggression" we would rally a great majority of the non-Communist world to our side in Vietnam. They have not come. While South Korea has sent a substantial number of troops, and Australia and New Zealand have offered token forces, none of our traditional allies and leaders of the free world have responded to this all-too-familiar shibboleth.

It was assumed that we could convince world opinion that the Vietnamese conflict was not a civil war, but a matter of flagrant aggression from the north. We have not done so. Indeed, world opinion has become increasingly critical of our presence in what most nations now clearly see as an internal affair.

It was assumed that our intervention in Vietnam would deter future "wars of liberation." It has not, and will not, do so. In fact, it has probably had the opposite effect. Buoyed by the success of the Vietcong and the dejected spirit of the American people, guerrilla fighters throughout the world are likely to be encouraged to action.

It was assumed that we could foist a corrupt, unresponsive, militaristic government upon the world as a potential bastion of freedom. It has not worked. Far too many leaders around the globe know of the distasteful record of underhandedness and political repression compiled by the Thieu-Ky regime to be so easily duped.

And only recently we have arrived at final, fallacious diplomatic assumption—that men closely tied to past policies of military intervention can now be our harbingers of peace. This can never succeed. Men like Ellsworth Bunker—wedded steadfastly to the Saigon generals—and Henry Cabot Lodge—who, a year and a half ago, predicted that if we were just patient the Vietcong would disappear into the earth, never to be heard from again—cannot be expected to inspire the requisite confidence in our foes to make them want meaningfully to talk of peace.

Lastly, myths have also been abundant on the home political front. As in the international arena, it was here assumed that the words "communism" and "aggression" would evoke a unanimous knee-jerk response to a position solidly behind our policy. This did not succeed. The American people were far too thoughtful and independent to be herded blindly down the path of war by Pentagon terminology.

It was assumed that the antiwar movement was made up of perennial leftwingers, hippies, and assorted ne'er-do-wells. If the 1968 Democratic primaries did not disprove this, tomorrow certainly will. I hope the President will be paying attention.

It was assumed that the term "commitment" could be used as a talismanic phrase which would mesmerize our citizenry into lulled support for our policies. For a while this did succeed, but after $100 billion, 40,000 deaths, and a quarter of a million casualties, an overwhelming number of people are beginning to feel that whatever commitment existed has been amply fulfilled.

Finally, it was assumed that our people would idly stand by, watching their schools and homes deteriorate, their transportation system break down, their air and water become even more polluted, and their children go hungry to pay for this war. This was the most pernicious assumption of all, and we have reaped the consequences, therefore, in Watts, Hough, Washington, D.C., and Chicago; and at San Francisco State, Harvard, and Cornell.

HISTORY NEGLECTED

How could our Government have made so many crucial errors in determining our Vietnam policy? That is a question more and more of our fellow Americans should and do ask every day.

I am neither a psychologist nor historian. It seems apparently, however, that the great majority of those myths were spawned by an unseeing devotion by the White House and the Congress to the idea of America's military and moral superiority. Fresh from victories in two major world wars and from spearheading the unsanctioned repulsion of North Korean aggression—a young nation, proud of its acknowledged role as leader of the Western World—we grossly deluded ourselves into the invincibility of our military strength and the righteousness of our every cause. In doing so, we overlooked several immensely significant historical facts.

It was forgotten, for instance, that the centuries-old antipathy of the people of Vietnam for their Chinese, Laotian, and Cambodian neighbors strongly militated against both the popular "domino theory" and the possibility of Vietnam ending up as a puppet of Chairman Mao.

No heed was paid those who warned that it would take 15 men well trained in counterinsurgency to counterbalance a single guerrilla.

Little note was given that despite very favorable "kill ratios" and incredible expenditures of time, money, and men, the French were forced to abandon their colonial dreams in Indochina.

Incredibly, no thought was apparently given to the drums of nationalism that had been beating throughout the world since the Second World War.

No regard was offered those here at home who saw the beginnings of ferment and disruption within our Nation's ghettos and universities.

And finally, and most essentially, few of those in power remembered the warning of the late President Kennedy, who in 1963, while speaking of our relationship with the Saigon government and the conflict in general, stated that in the last analysis it was "their war" and they "are the ones who must win or lose it." Tens of thousands of lives, and tens of billions of dollars later, we have still not fully comprehended that fact.

DISENGAGEMENT AND WITHDRAWAL

But our chief purpose this evening is not review. As the distinguished Senator from Idaho (Mr. CHURCH) recently said in a brilliant statement on the situation:

> There will be time enough, when peace is restored, to contemplate the "lessons of Vietnam."

Tonight we should seek not recrimination, but resolution on the eve of the country's greatest outpouring of sentiment against the war in our history, our question must not be why or how we began that war, but how we can most honorably and expeditiously terminate it.

After a complete review of our present status in Vietnam, it seems to me that we must take five key steps to accomplish those goals.

First. As a preliminary measure, the President should immediately recall Ambassador Bunker from Saigon and Chief Negotiator Lodge from Paris.

Bunker, while a distinguished and rightfully respected diplomat, has always been, and continues to be, an inflexible, wholehearted supporter of the present Saigon regime and the militaristic clique which surrounds them. Whatever the pros and cons of that regime—a topic I shall discuss forthwith—there is absolutely no doubt that it is loathed by the Vietcong and mistrusted by a substantial number of South Vietnamese loyalists. Ambassador Bunker's presence, therefore, and his well-advertised enthusiasm for Messrs. Thieu and Ky only serve as a symbol of intransigent support for the present Saigon government by Washington, and consequently constitutes a significant impediment to any efforts aimed at erecting a provisional and/or coalition regime in that country.

Similarly, Ambassador Lodge was long President Johnson's emissary of escalation in Saigon. Moreover, he was often prone to unguarded asides in which he disclaimed the fighting prowess and will to succeed of the Vietcong. Unquestionably, the Vietcong were aware of these facts, and in light thereof it is difficult to believe that they have a great deal of respect for either his opinions or his veracity. Yet now he sits next to them as the chief negotiator for a peaceful solution.

Surely there are many persons not so inexorably tied to the failures of the past whom the President could appoint in lieu of these men. Former Ambassador to the United Nations, Arthur Goldberg, is a name which comes immediately to mind. As President Johnson once crossed party lines to appoint Ambassador Lodge, so should President Nixon be willing to do so. Surely the issue of successfully effecting the negotiations for peace is far above partisan politics. I would defer, of course, to the President's choice in the matter, but firmly believe that a change must be made and made soon.

Second. We should immediately stop all offensive actions in South Vietnam, and pull those troops currently being used for those purposes back to the areas we now hold secure. For 5 long years our courageous young men have roamed the Vietnamese countryside on pacification and search-and-destroy missions. Yet, a brief glance at the maps of South Vietnam then and now reveal a painfully small amount of progress for the lives and dollars expended. Moreover, many areas taken over by the United States or the ARVN and under their protectorate by day, revert to the Vietcong by night. This cannot continue—at least not with American troops. The price per square foot is far too dear.

Not only should the pullback greatly reduce American casualties, but there is a substantial possibility that such a move could lead to a marked winding down of all hostilities. Both the Vietcong and the North Vietnamese have shown a definite proclivity for avoiding direct engagement with our forces. If we retreated to areas already firmly secure, therefore, it is quite likely to result in an overall deescalation. In addition, by removing the outposts and other units from some of the far north recesses, a great number of the North Vietnamese troops will no longer be necessary to defend the Vietcong territory, and well might return to their side of the DMZ.

Third. If these pullbacks result in some reduction of the fighting level—as they almost assuredly will—all of the units currently used for offensive maneuvers should be withdrawn as soon as possible. At a minimum, this should mean another 200,000 men brought home by the first of the year. In other words, unless it becomes obvious that our adversary will take advantage of the pullbacks to prepare allout assaults on our now secure territories, all offensive troops should be removed. Our days of the offensive in South Vietnam should be over. We must admit that they are basically ineffective and are too costly in terms of human lives to continue. Thus, unless removal of the offensive troops from the secure areas would clearly endanger the defensive troops remaining there, they should be removed immediately. The net result of this action will be to reduce by half our forces in Vietnam by January 1, 1970.

Fourth. After the offensive troops are gone, we should make clear to the Saigon government that the remainder of our forces will be withdrawn by December 1, 1970. This action would be advantageous for several reasons. First, it would assure total withdrawal of all forces by the announced date. All Americans would know that the war would soon be over for their fathers and sons. Second, it would put the Saigon government on final definite notice that as of that date, the Vietnam war was once again, as President Kennedy said it should be, theirs. The importance of this cannot be overemphasized. It is only natural that Thieu and Ky will take their own sweet time about training the ARVN and substituting them for American units as long as we remain there to assure the safety of their Government. If faced with the prospect of protecting their own necks, however, I think a great change of speed and attitude would be perceptible.

A third advantage of this plan of action is that by leaving a substantial number of American forces in our secure areas for several months, we would insure that the bloodbath which many predict the Vietcong would precipitate upon South Vietnam peasants and villagers who had been friendly to us would not occur. By the specified cutoff date, however, the ARVN forces should be ready to hold these positions.

Finally, by pulling over half our troops out by January 1, 1970, with a commitment to remove the remainder by December 1 of that year, we should have both the time and bargaining position to assure the release of all U.S. prisoners of war. Once the opposition sees the sincerity of our efforts to withdraw completely, they ought to be more than willing to meet this demand. Certainly the demand should be the sole non-negotiable condition to the removal of our defensive troops. The point is, whatever be the Vietcong and North Vietnamese initial reaction to this proposal, there will be ample time before we are committed to remove our forces to work out the details of this transfer.

Fifth. Throughout this entire process we should make every effort to encourage the Thieu-Ky government to greatly broaden its base of support. Our troops would be gone by December 1, 1970, but all of us realize that we have sacrificed too much to see South Vietnam end up in the hands of a dictatorship of any stripe. Even more importantly, we would like to see an end to all belligerency in that country. It is quite apparent, however, that neither of these goals will be realized unless and until the Saigon regime takes a more conciliatory approach toward both dissidents loyal to the government and the Vietcong.

A first step would be to cease the unacceptable amount of political repression presently being employed by the Saigon government. The report on political repression in South Vietnam prepared by my distinguished colleague from Michigan (Mr. CONYERS) and several other prominent religious and civic leaders last summer, clearly indicated that all elements not absolutely supportive of Thieu, Ky, and their ruling elite, were being subjected to constant and severe harassment. That is not the way to unify a country.

Similarly, the pronouncements of the Saigon machine about never accepting a coalition government must be ceased. The Vietcong control more territory—though fewer people—in South Vietnam than Saigon does. Thus, to expect to negotiate a peace settlement without a provision for substantial Communist representation in the ensuing government is pure folly. The only alternative for Saigon is to continue the fighting until all vestiges of the guerillas are wiped out—a task we know for a fact to be an impossible one.

Those are the steps. Replace Lodge and Bunker; retrench American troops in secure positions; pull out 200,000 offensive troops by January 1, 1970; withdraw all remaining forces by December 1, 1970; and put all possible pressure on the Saigon government to become a force of reconciliation and peace. It is, in my estimation, a workable blueprint. I hope the President and the Congress will take heed of it and accept it.

RESTRUCTURE PRIORITIES

If we can accept it, maybe we will be able to at last return our thoughts to where they should have been all along—with the critical domestic problems facing this Nation. The war has been costly in many ways. Over $225 million in Federal tax money has been spent on the war from my district alone. We could have used that money in Cleveland, Mr. Speaker—used it for food, schools, clothing, homes, transportation, and to combat the poisoning of our environment. The only memorial to that money now is several hundred Cleveland boys dead or maimed, and a few burned-out villages. It was not worth it.

The important task now, however, is to build on the past, confess the error in our policies, and begin working toward restructuring our national priorities. Our national spirit has been badly demoralized by this war. It has alienated parents from children, students from universities, neighbors from neighbors. It has exacerbated the growing racial crisis, and has impeded social progress on all fronts.

But Americans are a resilient lot. Just as they can be demoralized, they can be revitalized. Their moral energies can once again be harnessed and guided to the betterment of the Nation. To provide this leadership will be our responsibility. It will be our job to see that henceforth our Government will buy bread before bombers, homes before howitzers, and schools before submarines. If we are successful in this effort, America will have turned the corner to world leadership in the coming decades and taken a giant step toward the creation of a peaceful and just society at home.

MAN IN THE BALANCE OF NATURE

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. DINGELL. Mr. Speaker, the Royal Bank of Canada devoted its monthly letter of February 1969, to a discussion of man and his environment. So that my colleagues may have an opportunity to read this article, entitled "Man in the Balance of Nature," I include its text at this point in the RECORD:

MAN IN THE BALANCE OF NATURE

Why are people so disturbed about pollution of air and water? It is not simply because they have become more refined and aesthetic, but because they begin to realize that we have reached a critical point in human habitation of the earth.

As far back as 1947 the question before a conference at Princeton University was "the fate of man". Would he go the way of the dodo and the dinosaur? Or would he take his destiny in his own hands and make a better creature of himself? Opinion was divided.

There was no split of opinion at the UNESCO headquarters in Paris last year when more than two hundred experts from fifty countries met in conference. Within twenty

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years, they decided, life on our planet will be showing the first signs of succumbing to pollution: the atmosphere will become unbreathable for men and animals; life will cease in rivers and lakes; plants will wither from poisoning.

This opinion was made public following the Inter-Governmental Conference of Experts on the Scientific Bases for the Rational Utilisation and Conservation of Biospheric Resources.

The biosphere is the part of the earth and its atmosphere which contains living things. In this layer, only a few miles thick, man is creating far-reaching imbalances. He threatens the stability of his own ecology by destroying resources and burdening his environment with the waste products of his own activities.

The biosphere is so immensely complicated that its workings are imperfectly understood, but it is known that any interaction of factors, however insignificant, can produce repercussions whose chains often span continents or even girdle the earth.

After commenting on the damage done by swift depletion of minerals and forests, the report of the UNESCO Conference in the *Manchester Guardian* goes on: "As cities spread in monstrous fashion the problem of refuse inherent in urban life attains the size of an insoluble problem. Carbon dioxide and all the host of air-borne industrial wastes are fouling the atmosphere and poisoning fresh water. In the last twenty years the whole process has been accelerating at a crazy speed."

WHAT SHALL WE DO?

We must be willing to ask such questions as "What is the meaning of life? What is our relationship with everything around us? What shall we do in the short stretch between birth and death to preserve and improve our inheritance?" We need the courage to ask such questions—as the UNESCO Conference did—with respect and seriousness, and the gumption to do what the answers tell us to do.

There is no better way of giving our lives the dimension of depth than by identifying ourselves as important factors in the balance of nature and putting our weight on the side of conserving what is good, correcting what is wrong, and progressing to something higher in the scale. We were put upon Earth, according to the Book of Genesis, "to dress it and to keep it."

But man has become a prober and a meddler. Fire, the axe, the plow, fire-arms and the bulldozer have been the fundamental tools of our modern culture. We have spurned the fact that Nature is a total of the conditions and principles which influence the existence of living things. Her laws were so contrived that land, water, plants and animals should, and under natural conditions do, exist in harmony and interdependence for perpetual productiveness.

Nature has been at work for a great many millions of years to get things as they are. Cause and effect are tied together like stones in a well-built wall. Without careful investigation you never can tell which is a keystone, the removal of which will bring down a large section of the structure in ruin.

Man is only a comparatively small element in this massive system. As Anthony Tucker put it in his report of the UNESCO Conference: "The system developed without him, determined his evolution, and shaped his dependence on life cycles which in turn were already dependent upon complex living and chemical relationship in a relatively stable environment." It is imperative to his survival that man should recognize his animal nature and live within the boundaries set by his organic world.

Throughout history one species after another of animal and plant has disappeared from the earth, and one culture after another has passed to oblivion, because of inability to adjust to environmental change.

NATURE'S LAWS

We are, then, an integral part of our environment. "Nature" embraces all existing things—fields, oceans, mountains, forests, deserts, the wild creatures . . . and human beings. We are part of it, and we must live in concert with it.

Our discovery of nature's laws does not mean entering a state of slavery. On the contrary, once we know what they are we can learn to co-operate with them, and by so co-operating increase our own freedom within them. Take fire as an example: we learned far back in our aboriginal state that fire burns you if you touch it, not to punish you, but because that is the natural law of fire. From there we went on to use fire for our useful purposes within the bounds of its law.

Ecology is the science concerned with the relation of living things to their environment, and with the factors which influence that environment. It is an expression of the realization that man must give over trying to mould the rest of the natural world to his wishes without adequate understanding of the laws that govern it.

What are some of the things needful to know? The subject is so vast that no human mind has ever fathomed all its secrets, but the basic principles are becoming known. First and foremost is the lesson so hard to learn: that Nature is the expression of a definite order with which nothing interferes successfully, and that the chief business of men is to learn that order and govern themselves accordingly.

Consider our disregard for plant life. The green leaf pigment, called chlorophyll, is the sole link between the sun and life: it is the conduit of energy to our frail organisms. Every plant, even the most humble, even algae, the simplest form in the vegetable kingdom, is a specialist, adapted by its habit of growth and its special requirement for light and moisture, to grow best in its preferred environment, and there to fulfill its destiny in serving Nature's purpose.

Let disaster strike the microscopic plants upon which the tier of life is built, and whole organizations will come tumbling down. The forces we set in motion to carry out our great projects move out to affect the lives of other creatures, and come back to act upon us.

Our worst conservation problems owe their existence largely to our short-sighted preoccupation with our immediate affairs, our personal lives, our ignorance of our place in the balance of nature. A person who has once perceived the greatness of nature's smallest creature or flower, can no longer be happy if he allows himself to be petty, self-seeking, and greedy in his dealing with Nature.

Because there are men and women who have not received this vision, it is necessary to have man-made laws to enforce the laws of nature.

Why should anti-pollution regulations raise objections? Do they restrict our freedom, that word so cherished in democracies? So do traffic laws and signals, which limit the freedom of action of the driver of the automobile. None the less, intelligent drivers gladly obey the regulations, even when there is no policeman at the corner to enforce them, because they know that in the absence of such organization of traffic their freedom to move in a chosen direction would be enormously more impeded by traffic jams and accidents.

On a higher scale than enforcement by law is the self-regulation taught to Boy Scouts: always leave the camping ground better than you find it. There are unwritten laws observed by woodsmen and mountain climbers: not to kill a porcupine or a fool hen unless there is no other food to be had; always replenish the wood-pile at a shelter hut to at least the size it was when you took shelter there.

SOMETHING ABOUT MEDDLING

Meddling with small parts of a related whole produces evil consequences. Whatever we do in altering nature must be done in full awareness of Nature's reactions to and on ourselves.

For lack of adequate knowledge, much of our manipulation is based on technological criteria without thought of its over-all biological results. Some of this tampering starts a chain of events that upsets the balance of nature with destructive effects.

Consider the undisputed facts of life in the soil. These facts were studied by the UNESCO Conference and reported by Mr. Tucker. Something like forty billion tons of vegetable material are made and destroyed on the earth every year. The mass of land animals and smaller organisms amounts to less than one per cent of the vegetation. Of this tiny "zoomass" (which includes man) some 95 per cent consists of invertebrate organisms with crucial roles in the decomposition processes of the life cycle. Since they form an essential part of the natural capital it is utterly profligate to bring about their mass destruction through indiscriminate use of such things as nonselective pesticides.

Irresponsible chemical eradication of weed and insect pests presents not only a serious threat to wildlife conservation but holds out the danger of contamination to human beings. A pesticide, possibly used to kill rats in a wheat field, was blamed for the death of seventeen children in Mexico. Alfalfa that had been sprayed with DDT was fed to cows by scientists. The cream was churned to butter, the butter was fed to rats, and the still toxic DDT was found in their body fat in substantial amounts.

OUR POISONED WATER

What use is it to make a fetish of cleanliness of the body, of hair, of teeth, if we continue to pour sewage into rivers, thence to be carried inside our bodies?

In one midwestern city in the United States, as John H. Storer tells us in *The Web of Life*, tests of the city's water showed that during the period of low water in the winter it was one-half straight sewage.

Water, the most important natural resource, can be the medium for the transmission of germs and toxic substances. The World Health Organization reports that about five million children die every year from intestinal diseases caused by water.

There is a point at which the rivers themselves rebel. The load of poisons from city sewers, factories, slaughter-houses and farm lands becomes unsupportable. These kill the cleansing plants, use up the purifying oxygen in the water, and clog up the filtering gravel.

Once the mass of pollution exceeds a certain amount, animal and vegetable life disappears; the river dies.

To clean up our lakes and rivers we must deal with many types of man-made pollutants: detergents, fertilizers, insecticides, weed-killers, sewage, industrial waste, and hundreds of other products. This clean-up does not involve primarily treatment, but prevention, and some movement is being made in that direction by municipalities and industries.

Our lakes are dying. The United States public health service has warned shippers in Lake Erie that water within five miles of the shoreline should not be used for drinking or cooking. This stretch of near-shore water is so polluted that even boiling or chlorination will not remove the contamination. Farther out, pollution has stimulated the growth of vegetation, using up oxygen, so that a large expanse of dead water has developed.

In 1965, Dr. G. B. Langford, F.R.S.C., Director of the Great Lakes Institute, University of Toronto, concluded a report *The Great Lakes and Their Problems* in this way: "Governments in the United States are facing up to the situation much more realistically than are those in Canada The insignificant support of research in the Great Lakes by the governments of Canada stands in sharp contrast to what our neighbours are doing. An unbaised observer would wonder if we actually share these lakes, for we do not share the responsibility of saving them from the pending disaster."

OUR POLLUTED AIR

Hamlet put it this way: "This most excellent canopy, the air, this brave o'erhanging firmament . . . appeareth nothing to me but a foul and pestilent congregation of vapours."

Today we seem to look upon smog and air pollution as incidents of urban life, until a public health disaster such as the death of 4,000 people in London's smog in 1952 calls our attention to the fact that this can be a killing negligence.

At least a hundred air pollutants have been identified, and their interaction produces others.

The cost of air pollution in Canada has been estimated at from $20 to $65 per person, depending on where he lives. This is for laundering, painting, cleaning of buildings, filtering of air, and doctors' bills.

But cost and loss in dollars and cents do not tell the whole story. Air pollution constitutes a serious hazard to health. Atmosphere pollution has been found to lower resistance to disease, to reduce vitality, and to increase sickness. Relatively low levels of air pollution may be involved in the development of chronic degenerative diseases, including skin and lung cancer, heart and vascular disorders, and chronic bronchitis. Paul Kotin, of the University of California, has established that several of the organic compounds produced by the combustion of gasoline and diesel oil are carcinogenic.

The best means of preventing combustion-caused pollution is simple: use better combustion equipment. This improvement should be insisted upon by those who have the responsibility for community welfare and hold the legal power to enforce it.

RESTORING THE BALANCE

Some people who have not thought seriously about the matter shy away from the word "conservation" under the misapprehension that it means "stop using". Resource conservation is fundamentally nothing more than wise use of our resources in accordance with the laws of nature.

Personal conscience is the beginning of any effective conservation effort. A Washington State Supreme Court decision reads: "An unwritten compact between the dead, the living, and the unborn requires that we leave the unborn something more than debts and depleted natural resources."

Nature maintained her balance for millions of years, but she is now up against something new. All other participants in nature live by habit and instinct but men try to manage things, to force things into new ways. Their conceited and arrogant interference has brought about the deterioration in living conditions which alarms us, the extinction of many animals and plants, and the defilement of air and water.

Now that their continued existence is shown to be at stake men are called upon to rethink many things, to relearn lessons long forgotten, and to get back on the right road.

Our research and its findings and the lessons it teaches give hope to a world as yet largely unconscious of the gravity of its situation. Scientists and research people do not make laws, but discover them. The laws of nature are there, and scientists find them so that we may obey them.

This involves a new duty: communication. The facts of the balance of nature and man's part in it must be presented to the people of all countries in understandable terms. By this means scientists can place the decision about these grave issues in the proper hands.

No municipal, provincial or national effort to preserve the balance of nature can be effective unless it is pressed for and adequately supported by informed public opinion. Every citizen need not be an expert in this or that branch of science, but he should know what the scientists are talking about, what the technicians are doing, and what his elected governments should be doing.

What could be a higher ideal than that of an intelligent informed citizenry with an attitude toward nature that is based upon an understanding and knowledge of man's dependence on his total environment? An effective programme with this end in view is being carried out by the 4–H Clubs in Canada. By intelligent and sympathetic guidance, these young people are learning conservation as a way of life.

REDEMPTION

We have disregarded our place in the balance of nature for long enough, and we are face to face with our man-made conflict between the principle of freedom to use up and the principle of husbandry to use wisely and replenish. We can imagine the trees and the wild creatures and the earth itself watching and listening, alive and aware, holding their breaths in anticipation of what their human neighbours will do with their common heritage.

We face the hard task of putting natural forces to work in restoration and redemption. We need to deal with the necessary steps one at a time and with reasonable judgment.

Government programmes are being established, but at a snail's pace. They cannot succeed until they are enlarged to match the size of the problems, and until citizens are ready to pay the huge bill which we have already incurred by our assaults on the quality of our environment.

Political and geographical boundaries must not be allowed to impede the national effort. The first conservation duty of a city is to clean itself, and fastidious citizens will see that it does so. Then it must work hand-in-hand with adjoining municipalities, for how can people close their minds to the fact that much of the water flowing from their kitchen taps has already passed through other people's drains? Counties and townships and provinces are interlinked in any honest attempt to restore the balance of nature.

All of these divisions need to give attention to another aspect of nature. Our country-side is becoming wearied with the constant encroachment of factories and housing developments. Men pleading specious needs violate parks, forests and wildernesses. They ruin for all time what the time of man on earth cannot replace.

We need people rich enough in understanding and imagination, and strong enough in fibre, to insist that adequate forests and outdoor space be left to be admired, not destroyed. Unless natural outdoor spaces remain, young people are denied their instinctive wanderings. Trapped in city corridors, enmeshed in sprawling suburbs, empty of heart, mind and hand, cheated of experiences that are by nature necessary to them, they will turn their energies to protest and to evil.

When a young person goes for a stroll or paddles his canoe in a nature park he realizes that he is not merely an observer of nature, but a part of nature. His troubles grow petty, not because they are unreal, but because they dissolve within the larger plan.

A VALUE JUDGMENT

Man, part of nature, has become enticed into a nearly fatal illusion: that his skills in science and technology make him independent of the laws of nature.

He spread insecticides without examining into whether they would be fatal to birds and beneficial insects and might kill people. He poured millions of pounds of detergents into rivers before learning that they polluted the water. He allowed lakes to die of oxygen starvation. He contributed to the deadliness of smog by floating noxious substances into the air.

What is required is a value judgment which compares the known risks with the anticipated benefits. This is where conscience and intelligence enter the scene. Said Barry Commoner in his powerful article entitled "Pollution: Time to Face the Consequences" in the mid-summer 1968 *Think:* "No scientific procedure can tell us how many defective births from fallout radiation we ought to tolerate for the sake of a new nuclear weapon. . . . No scientific principle can tell us how to make the choice—which may be forced upon us by the insecticide problem—between the shade of the elm tree and the song of the robin. . . . The necessary judgments are therefore the responsibility, not of scientists and technologists alone, but of all citizens."

Man emerged on this space ship Earth and is biologically bound to it forever. The message from the UNESCO Conference to world governments and people is that either they keep the space ship healthy or we die with it.

What is the paramount thing? To come to nature with clean hands, unsoiled by spoilage, destruction and waste. This involves a great deal of governmental wisdom, a lot of scientific research, and a lot of engineering ingenuity. Behind all these must be the pressure of public demand.

BANKING INSTITUTIONS IN THE NATIONAL CAPITAL REGION

HON. DEL CLAWSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. DEL CLAWSON. Mr. Speaker, on September 23, 1969, I introduced H.R. 13928, a bill addressed to the problems faced by banking institutions in the National Capital region. This bill is identical to S. 2569 introduced by Senators SPARKMAN and BENNETT. Hearings were held by the Senate Banking and Currency Committee last week on S. 2569. The Federal Reserve Board reported on these hearings.

Mr. Speaker, I am particularly impressed by the thoughtful report submitted by the Federal Reserve Board in support of this legislation. I would like to share this report with my colleagues. I am therefore inserting it at this point in the RECORD:

STATEMENT OF WILLIAM McC. MARTIN, JR., CHAIRMAN OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

I appreciate your invitation to present the views of the Board of Governors on S. 2569, which would amend section 3(d) of the Bank Holding Company Act to allow bank holding companies in the District of Columbia to expand into the suburbs, and grant reciprocal privileges to Maryland and Virginia holding companies.

Section 3(d) prohibits the Board from approving an acquisition by a bank holding company of a bank located outside the State in which the holding company's banking operations are principally conducted, unless the acquisition is specifically authorized by State statute. S. 2569 would add two exceptions to section 3(d). Under the first, a holding company whose banking operations are principally conducted in the District of Columbia on the date of enactment (or when it becomes a holding company if that is later) might acquire, with the Board's approval, banks located in Montgomery and Prince Georges Counties in Maryland and in Arlington, Fairfax, Loudoun, and Prince William Counties and the cities of Alexandria and Falls Church in Virginia. Under the second, a holding company whose banking operations are principally conducted in either Maryland or Virginia on the date of enactment (or when it becomes a holding company if that is later) might acquire banks located in the District of Columbia. However, the authority of a holding company to expand the scope of its operations across State lines might be affected by State laws in view of section 7 of the Act, which reserves to the States their rights with respect to banks, bank holding companies, and subsidiaries thereof.

The Board believes that the unique situation in Washington merits special consideration. In its application to the District of Columbia section 3(d) is obviously far more restrictive than it is with respect to any other area. A rule adopted with States like California in mind is unrealistic as applied to an area of 61 square miles that is entirely metropolitan and entirely surrounded by expanding suburbs. The inequity of the situation with respect to the City of Washington is more apparent now than it was when section 3(d) was enacted in 1956. The two States that surround Washington permit banks located therein to expand State-wide, and State-wide banking organizations have become prevalent in recent years in both States. Several of such organizations have offices located in the Washington metropolitan area.

The Board believes that permitting banking organizations in the District of Columbia to establish offices in the suburbs and vice versa would be beneficial to the community interest by promoting competition and facilitating the allocation of resources in meeting credit demands.

Other provisions of section 3 of the Act afford protection against abuses of the proposed new authority. Under section 3(b) of the Act, the Board is required, upon receipt of an application for its approval of a proposed acquisition by a holding company of a State-chartered bank, to inform the appropriate supervisory authority of the interested State. If such authority opposes approval of the application, the Board must order a hearing and permit all interested parties to testify on the proposed transaction.

Protection against potentially anticompetitive effects arising from enactment of S. 2569 is provided by section 3(c) of the Act and the antitrust laws. Under section 3(c) the Board may not approve an acquisition that would have serious anticompetitive effects, unless it finds that such effects are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served. And section 11 of the Act requires the Board to notify the Attorney General of its approval of any acquisition, and establishes procedures under which the Attorney General may invoke the antitrust laws to prevent the consummation of the transaction, despite the Board's approval.

A possible alternative approach to accomplish the purposes of S. 2569 would be to modify the Federal branch banking law (12 U.S.C. 36) to permit national banks (and State member banks so far as Federal law is concerned) with offices located in the Washington metropolitan area to establish new banking offices throughout such area, with the approval of the appropriate Federal supervisory agency and, in the case of a State-chartered bank, with the approval of its State supervisor. This new-branch alternative might tend to minimize any potentially anti-competitive effects in removing the barrier of political boundaries to the expansion of banking organizations.

A third approach by which District banks might appropriately be permitted to enter the suburbs and suburban banks to enter the District would be by direct acquisition of an existing banking office through purchase of assets, merger, or consolidation. Federal law provides the same kind of protection against harmful consequences resulting from such direct acquisitions as it does for bank acquisitions by a bank holding company.

In the Board's judgment, each of these approaches has merit. However, under the approach of S. 2569, approval of entry by District bank holding companies into the suburbs and Maryland or Virginia holding companies into the District would be centralized in the Board. Although such centralization of authority is not critical to appropriate expansion of banking offices, it would assure that the relevant considerations in expanding banking offices across State lines to the limited extent permitted by the bill are considered on a uniform basis, which would seem to be desirable in departing from the rules based on political boundaries.

In one respect the provisions of S. 2569 may go further than necessary. If a District of Columbia based holding company acquired a bank in the Maryland suburbs, there is nothing in the bill as introduced to prevent the subsidiary Maryland bank from establishing branches throughout the State. We question whether the new authority to expand in the metropolitan area should be used to expand throughout Maryland and Virginia. Accordingly, the bill should provide that a Virginia or Maryland bank acquired by a District of Columbia based holding company may not have a banking office outside the metropolitan area.

The Board recommends enactment of S. 2569 with an amendment as suggested in the immediately preceding paragraph.

My State of California has lived with the problem of large credit demands for many, many years. It seems to me that California has so approached its public policies as to meet these demands promptly and adequately. I am pleased to see this imaginative approach adopted by the Federal Reserve Board to meet the large credit demands that loom ahead for the National Capital region.

LABELING OF FOODS CONTAINING HIGH CHOLESTEROL CONTENT

HON. SIDNEY R. YATES

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. YATES. Mr. Speaker, I had previously placed in the CONGRESSIONAL RECORD copies of my correspondence with the Consumer Protection and Environmental Health Service of the Department of Health, Education, and Welfare. I pointed out at that time that the question of proper labeling was "a matter of some urgency to people who are on anticholesterol diets," which usually are recommended by their physicians to minimize possible incidence of heart disease.

In furtherance of my campaign for proper labeling of foods to reflect their fat content, I am attaching copies of letters which I have mailed to and received from Dr. Campbell Moses, medical director of the American Heart Association. I also am attaching hereto, Mr. Speaker, a copy of my letter of October 10 to Dr. Herbert L. Ley, Commissioner, Food and Drug Administration.

Mr. Speaker, I cannot understand why Dr. Ley continues to procrastinate in coming to a decision in this important matter. He has the authority to require labeling which will protect the public in this very important respect and I trust he will be moved to take action on the matter promptly.

OCTOBER 1, 1969.

Dr. CAMPBELL MOSES,
Medical Director, American Heart Association, New York, N.Y.

DEAR DR. MOSES: Mr. Merliss of the Public Health Service said that you may be interested in the fight I am having with the Consumer Protection and Environmental Health Service of the Department of Health, Education and Welfare to properly label foods containing high cholesterol content. I am enclosing a copy of the Congressional Record for September 29 and invite your attention to my comments beginning on page 27398.

I would appreciate any comments you care to make on the point I have made.

With kindest regards,

Sincerely yours,

SIDNEY R. YATES,
Member of Congress.

AMERICAN HEART ASSOCIATION, INC.,
New York, N.Y., October 8, 1969.

Hon. SIDNEY R. YATES,
House of Representatives,
Washington, D.C.

DEAR MR. YATES: In support of your efforts to have the Consumer Protection and Environmental Health Service insist on proper labeling of foods, I am enclosing the statement of the American Heart Association on Diet and Heart Disease and copies of our recent correspondence with Dr. Herbert L. Ley, Jr. in this matter.

If you can move this labeling problem off dead center, we will all be in your debt.

Very truly yours,

CAMPBELL MOSES, M.D.,
Medical Director.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,
PUBLIC HEALTH SERVICE,
Washington, D.C., January 23, 1969.

CAMPBELL MOSES, M.D.,
Medical Director,
American Heart Association, Inc.,
New York, N.Y.

DEAR DR. MOSES: This letter responds to your inquiry of January 14, 1969, concerning the labeling of foods with respect to fat content and composition.

We have before us proposals for labeling foods with information about their saturated and polyunsaturated fat content. These proposals are currently under extensive study, and we have made no commitment as to the course which we will take in this important matter.

You may be assured that if the conclusion is reached that a final regulation or statement of policy should be issued in this area, such a step will not be taken without ample opportunity for comment and discussion on the part of all who may be interested.

Sincerely yours,

HERBERT L. LEY, Jr., M.D.,
Commissioner of Food and Drugs.

JANUARY 14, 1969.

HERBERT L. LEY, M.D.,
Commissioner,
Food and Drug Administration,
Arlington, Va.

DEAR DOCTOR LEY: As the problem of permissive labeling of the fat content and composition of foods has been bubbling up and down for a long time, I would appreciate word from your office as to the present status.

Thank you for past courtesies and for this present one.

Very truly yours,
CAMPBELL MOSES, M.D.,
Medical Director.

DIET AND HEART DISEASE

(This statement was developed by the Committee on Nutrition and authorized for release by the Central Committee for Medical and Community Program of the American Heart Association)

The development of atherosclerotic coronary artery disease is influenced by many factors; among the factors associated with an increase in this disease are:

1. A familial history of coronary heart disease; the presence of diabetes melitus, hyperlipidemia, gout, hypertension, obesity, and certain personality characteristics.

2. Sex and age: Men are generally more susceptible than women and both become increasingly susceptible with advancing years.

3. Environmental factors such as a diet rich in saturated fat and cholesterol, cigarette smoking, and habitual physical inactivity.

There is growing evidence that the early identification and correction of these risk factors may favorably influence the course of coronary disease. For this reason, the American Heart Association has urged the implementation of risk factor identification programs (Risk Factors and Coronary Disease; a Statement for Physicians, A.H.A. 1968).

The fact that control of diet is one method of correcting or modifying some of these risk factors led the American Heart Association to release two previous reports (1961 and 1965) on the relationships between diet and atherosclerosis. Since that time, additional supporting data have been accumulated, particularly on the effects of diet on the occurrence rate of myocardial infarction.[1-5] Accordingly, the American Heart Association, through its advisors, has revised its Statement on Diet and Heart Disease to include these reports.[6]

It is most important to note that much of the data currently available on the relationship of diet to coronary artery disease are from studies using subjects unusually susceptible to coronary disease or atypical of the general population of the United States. There is an urgent need for more tightly designed, prospective studies involving larger numbers of healthy subjects so as to provide an unequivocal answer. A report on the feasibility of the dietary modifications for such a study has been published.[7]

It has been repeatedly documented that in populations with high concentrations of serum cholesterol, the frequency of atherosclerotic coronary heart disease is high, whereas in populations with lower concentrations of cholesterol in their serum, the frequency of coronary disease is lower. The evidence now indicates that avoidance of prolonged elevations of serum cholesterol can decrease the hazard of developing premature coronary disease.

It has already been shown that in most (but not all) persons, elevated concentrations of cholesterol in the serum *can be decreased* significantly and *can be maintained* at a lower level by conscientious and sustained adherence to a nutritionally sound modified fat diet.[5] [7] It has been suggested, but it has not been proven, that this type of diet will minimize the progressive rise in serum cholesterol concentration that generally occurs in most adults.

DIETARY RECOMMENDATIONS

Although the dietary recommendations in this statement are designed for "healthy" individuals to reduce the risk factors influenced by diet, they are particularly applicable to individuals who are shown to have increased risk as determined by plasma lipid or lipoprotein concentrations.[7] In general, a diet designed to decrease the risk of coronary heart disease involves the following recommendations.

1. *A caloric intake adjusted to achieve and maintain proper weight.* Obesity is statistically associated with both hypertension and diabetes, and secondarily, with coronary heart disease. Correction of obesity may also reduce elevated serum lipid concentrations.

2. *A decrease in the intake of saturated fats, and an increase in the intake of polyunsaturated fats.* This will lower increased concentrations of cholesterol in the serum of most people. The ideal quantity of fat needed in the diet is not known, but an intake of less than 40% of calories from fat is considered desirable. Of this total, polyunsaturated fats should probably comprise twice the quantity of saturated fats. Many studies have shown that saturated fats elevate the serum cholesterol of man and that polyunsaturated fats lower serum cholesterol. The cholesterol-elevating effect of saturated fats is about twice as great as the cholesterol-lowering effect of polyunsaturated fats.

Considerable confusion has resulted from the regulation forbidding manufacturers to label vegetable oil products with their actual polyunsaturated fatty acid content. This has made it difficult to distinguish between a product "made with vegetable oil," but heavily hydrogenated (saturated) in manufacture, and one retaining a high content of polyunsaturates in the final product. Since 1961, many manufacturers have made a substantial effort to increase the polyunsaturate content of vegetable oil shortenings, the lightly-hydrogenated salad and cooking oils, and especially, the tub-type margarines. Accurate labelling would make it possible to identify the brands with a high-polyunsaturated fat content. For the present, margarines that are high in polyunsaturates usually can be identified by the listing of a "liquid oil" first among the ingredients. Margarines and shortenings that are heavily hydrogenated or contain coconut oil, which is quite saturated, are ineffective in lowering the serum cholesterol.

It should be noted that quite commonly, diets severely restricted in fats, with carbohydrate filling out the caloric requirement, may accentuate hypertriglyceridemia. Although the exact role of the triglycerides in atherogenesis is not clearly established, there is increasing evidence that hypertriglyceridemia is associated with an increased incidence of coronary disease in younger men.

3. *A substantial reduction of cholesterol in diet.* The average daily diet in the United States contains approximately 600 mg. of cholesterol. Sharp reduction in the amount of cholesterol in the diet has been found to lower the concentration of cholesterol in the serum of most people.[8] [10] In hypercholesterolemic individuals, reduction of dietary cholesterol to less than 300 mg. daily is recommended. Because cholesterol is abundant in many protein foods of high biological quality, careful planning is necessary to lower the intake of cholesterol without impairing the intake of foods high in protein.

Other dietary factors: Although there is a great deal of interest in the possible role of other dietary factors [9, 10, 11] (simple sugars vs. complex carbohydrates, alcohol, coffee and artificial sweeteners, such as the cyclamates and saccharin) in the development of coronary heart disease, the available evidence is incomplete. Dependence on foods such as vegetables, cereals and fruits to supply most of the dietary carbohydrates is preferable to excessive use of sugar including candy, soft drinks and other sweets.

In the application of these recommendations to family groups with a high incidence of coronary disease and/or with risk factors, any change in the diet must preserve the principles of good nutrition. Although nutritional requirements differ during certain periods of the normal life cycle, the demands for optimal nutrition during periods of growth and development of infants, children and adolescents, and of pregnant and lactating women can be met by appropriate modifications of the recommendations under these dietary principles.[10] Dietary habits which are formed during the developing years may continue life-long and influence the severity of atherosclerosis in later life. Diets similar to those recommended herein have been consumed by many persons for periods of more than ten years without any evidence, clinical or biochemical, of deleterious effects.

As already mentioned, coronary heart disease is a result of many factors. Diets rich in saturated fat and cholesterol represent one important risk factor that can be safely modified. Dietary management does not exclude appropriate use of drugs and other measures for control of risk factors.

This statement is designed primarily for the scientific community. A more detailed discussion of this subject is contained in "Modern Concepts of Cardiovascular Disease" for September–October, 1968.[7] The American Heart Association has translated these dietary recommendations into several publications which are available to the general public and to patients through local Heart Associations and the AHA:

FOR PATIENTS, ON A DOCTOR'S PRESCRIPTION ONLY

Planning Fat-controlled meals for 1200–1800 calories (Em 288).

Planning Fat-Controlled Meals for Approximately 2000–2600 Calories (Em 288A).

FOR THE GENERAL PUBLIC, NO PRESCRIPTION REQUIRED

Two campanion booklets, The Way To a Man's Heart (Em 455) and Recipes for Fat-Controlled, Low Cholesterol Meals (Em 455A).

All of the publications listed above are available to physicians, dietitians and others in related professions.

FOOTNOTES

[1] Stamler, J., et al: Coronary risk factors. Their impact and their therapy in the prevention of coronary artery disease. Med. Clin. N. Amer. 50: 229–254, (Jan.) 1966.

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[3] Turpeinen, O., et al: Dietary prevention of coronary heart disease; long-term experiment. Am. J. Clin. Nutrition *21*· 255–276, (April) 1968.

[4] Loren, P.: Effect of plasma cholesterol lowering diet in male survivors of myocardial infarction, a controlled clinical trial. Oslo, Universite forlaget, 1966, 92 pp. Also published as Acta Med. Scandinav. suppl 466/1966.

[5] Christakis, George, and Rinzler, S. H.: Diet. Section C, chapt. 10 in Schettler, G., and Boyd, G., ed. Arteriosclerosis: Pathology, Physiology, Actiology, Diagnosis and Clinical Management. Amsterdam, Elsevier Publishing Company. In preparation.

[6] National Diet-Heart Study Research Group: National Diet-Heart Study: final re-

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port, N.Y., American Heart Association, 1968, 428 pp. (AHA Monograph no. 18) originally published as Circulation 37 suppl. 1 (Mar.) 1968.

[7] Page, I. H., and Stamler, J.: Diet and coronary heart disease, Parts I and II, Modern Concepts of Cardiovascular Disease; *27*: 119–123; 125–128, (Sept.–Oct.), 1968.

[8] Connor, W. E., Stone, D. B., and Hodges, R. E.: Interrelated effects of dietary cholesterol and fat upon human serum lipid levels. J. Clin. Invest. *43*: 1691–1696 (Aug.) 1964.

[9] Hodges, R. E., Krehl, W. A., Stone, D. B., and Lopez, A.: Dietary carbohydrates, and low cholesterol diets: effects on serum lipids of man. Am. J. Clin. Nutrition *20*: 198–208 (Feb.) 1967.

[10] National Academy of Sciences—National Research Council, Food and Nutrition Board. Recommended Dietary Allowances 6th rev. ed. Washington, D.C., The Council, 1964. (NAS–NRC publication no. 1146.) 7th ed. in press.

[11] McGandy, R. B., Hegstedt, D. M., Myers, M. I., and Stare, F. J.: Dietary carbohydrate and serum cholesterol levels in man. Am. J. Clin. Nutrition *18*: 237–242 (April) 1966.

OCTOBER 10, 1969.

Dr. HERBERT L. LEY, JR.,
Commissioner, Food and Drug Administration, Consumer Protection and Environmental Health Service, Department of Health, Education, and Welfare, Washington, D.C.

DEAR DR. LEY: I am enclosing the Congressional Record for September 29 which contains my correspondence with the Consumer Protection and Environmental Health Service of the Department of Health, Education, and Welfare. I call your attention to the letters I have received from the National Heart Institute and the pamphlet I am enclosing from the American Heart Association. You apparently have had this matter under consideration for more than nine months. How long must it take for your Service to come to a decision on such an important matter?

Sincerely,

SIDNEY R. YATES,
Member of Congress.

A PERUVIAN MISINTERPRETATION OF HOUSE ACTION ON FISHERIES

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. PELLY. Mr. Speaker, my position, and indeed that of the majority of the Members of the House of Representatives, has been misinterpreted by a Peruvian magazine regarding the fisheries dispute between our two countries.

The magazine Pesca in the July 1969, edition, carried an article entitled, "Our Fishing Industry Confronting 'Amendments,'" and in it a rather nationalistic view is cast toward actions of this body that have been taken as measures to get the issues dividing our countries to the negotiating table.

Mr. Speaker, as everyone here knows, what is needed is traditional friendliness between our countries both during the negotiations and following them. These four-party talks between the United States, Chile, Ecuador, and Peru already have begun and hopefully the next round will be conducted before the end of the year.

Again I emphasize, Mr. Speaker, that there is no need for a fight over the claim of 200-mile jurisdiction by these Latin American countries. To me, that is not a negotiable issue anymore than is our 12-mile limit. What I reiterate is that settlement be made on the basis of historical fishing rights to the sea, for this is an area of the Eastern Pacific historically fished by Americans and agreement should be reached as has been the case with Canada and Mexico in this regard. Once historic rights are given American fishermen, then we can get down to discussions of more and better trade between our nations and the serious matter of conservation. Any good farmer never takes more out of his soil than he puts in it, and this is the same way the resources of Peru should be treated. And, frankly, the United States has not followed such a policy in Latin America.

It is my sincere desire, Mr. Speaker, that future articles will appear in Pesca about the great contributions that are being made to the economies of Peru and the United States as a result of resolving disputes including the fisheries matters.

For the information of my colleagues, under unanimous consent, the translation of the aforementioned article appears at this point in the RECORD:

[From Pesca (Fishing), a Peruvian magazine of worldwide circulation, Vol. XIX, July 1969, No. 1]

OUR FISHING INDUSTRY CONFRONTING "AMENDMENTS"

We have to admit under duress that in the Peru-U.S. controversy over the extension of the territorial waters and the proposal to reduce the two hundred miles of the Peruvian Sea to twelve miles, the representatives of the State of California in the U.S. Congress are winning the battle thanks to Representative Pelly, the Republican from the State of Washington and those instigated by the influential "pressure group" composed of the tuna fish canning manufacturers and the shipowners of San Pedro and San Diego, California.

They are winning because of their expeditious way of cutting the Gordian knot in this dispute in favor of the above industrialists. The "Pelly amendments" and their system of sanctions and reprisals tend to impose as a legitimate "right" the demand that nobody in the territorial waters of the South Pacific must hinder the acts of piracy of the California tuna boats carried out by these stubborn clandestine robbers of the Peruvian fishing grounds. In order to overcome the resistance of the seashore states in the defense of their sovereign rights, the "amendments" provide for the application of measures of economic aggression which, in an effort to protect the impunity of the acts of piracy, are a revival of the imperialist "Big Stick" policy, the old and ominous U.S. policy of this club.

But since Peru does not have to yield to threats and compulsion, this can only be a Pyrrhic victory, as it could, at the same time, bring about a U.S. defeat. The most shameful defeat, indeed, caused by the rejection and the bankruptcy of the principles and statements on U.S. international policy that had forged the false image of an Uncle Sam, professing to be a cooperator and friend of Latin America, the promoter of its development without ulterior imperialist motives, and a state that had respected the sovereignty and rights of the Latin American countries. It will put an end to the friendly inter-Americanism that had started with the "good neighbor" policy and which allowed the building of the bridges of cordial understanding and cooperation between North and South America, which Representative Pelly is dynamiting now.

He now seeks to obtain approval of his third constitutional amendment against the Peruvian fishing industry and economy. As a reprisal against the detention of U.S. fishing boats, which operate without a license within the 200 miles, the amendment provides that the U.S. market will be closed to imports of fish flour and fishery products (bonito canned goods) from Peru.

The United States buys from us approximately half a million tons of fish flour which is, more and less, the quantity produced by the U.S.-funded enterprises that operate in our shore areas. The remaining million and a half tons of the national production (a little more than two million tons in 1968) find a ready market in the European, Asian and Latin American countries.

If the third Pelly amendment will be approved and applied to our country, then it appears fair to demand that in such an emergency the exclusively Peruvian production be given export priority to the available ultra-continental markets. This means: that the flour export licenses to these markets be given only to Peruvian-funded enterprises and not to the U.S.-funded fishing industries which must look for new markets for their products or else suffer themselves the economic damage which their fellow countryman Pelly intends to inflict on Peru.

In view of the third "amendment" proposed in the House by U.S. Representative Thomas Pelly, Republican from the State of Washington and as an antidote against his poisonous proposals—poisonous for the economy of our country and its fishing industries—the following "Quispe" Amendment has been conceived in Peru.

"Quispe" in this case is a purely symbolic name, standing for the Peruvian fisherman, this half-breed of European and Indian parentage of the Peruvian coast who by vocation and heritage is the representative of a thousand-year-old fishing tradition, a natural born sailor who likes the hard work at sea. Since the Peruvian fishermen would be the ones Mr. Pelly's sanctions would hit most, it only appears fair that the Peruvian reply carry this symbolic name.

The "Quispe Amendment" has been devised and prepared for execution, in the event the third amendment should be approved by the U.S. Congress, promulgated by the Washington Government and applied to Peru. If, for some reason, said amendment will not be approved—which appears to be probable now for the reasons we will give later—the "Quispe Amendment" logically will not be carried out either.

The U.S. legislative amendment is a law that has the character of a constitutional mandate that will force the Chief Executive to comply. This is not the case with the "Quispe Amendment" which is only a measure of protection and defense against a U.S. Congressional decision that would amount to an act of economic aggression against Peru.

"QUISPE" VERSUS PELLY

Acting as the spokesman and forceful representative of interests that are not those of the State he represents, but clearly the interests of the tuna canning manufacturers and the tuna ship owners of San Pedro and San Diego, California—in whose service he has placed his influence as a legislator of great prestige and of high Congressional seniority—Thomas Pelly has attacked our country like a bulldog his prey.

His vigorous bites are visible in three successive amendments:

The first of these amendments—already being applied to Peru—prohibits the sale of firearms and military equipment (for the continental defense), to the countries that prevent fishing boats flying the U.S. flag from fishing in those waters which these

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countries consider to be territorial waters and which the United States is determined to consider as international waters where fishing is free.

The second amendment, already approved but not yet put into force, strictly applies to the fishing problem of one of the Hickenlooper amendments. It provides that the fines, a country imposes on U.S. fishing boats, be deducted from the foreign aid given to that country.

The third of the Pelly amendments—which at the time of this writing has been under consideration by the U.S. House Merchant Marine and Fisheries Committee whose preliminary sessions were temporarily suspended—closes the U.S. market to the Peruvian fish flour, Peruvian bonito canned goods and frozen tuna.

The proposed measure is decidedly a sanction and a reprisal against the detention of California fishing boats which operate without license in the Peruvian Pacific area. Authentically, however, it is an act of compulsion applied to assure the impunity of the tuna piracy carried out by these vessels in Peruvian waters; a new "Big Stick" policy which instead of debarking marines for the purpose of taking possession of foreign territory, now uses economic aggression as a means of intimidation for the purpose of taking possession of fish and other resources—the tuna fish of the Peruvian Sea. According to a statement made in Washington by a spokesman of Pelly, it, hypocritically, is not interpreted to be a "punitive measure" but a "method of compelling Peru to start negotiating with the United States" on the two hundred mile issue and the common exploitation of its fish resources. Unfortunately for Pelly, there is not and there will not be a "Big Stick" of any sort, no matter how drastic, that would force Peru to negotiate under compulsion and intimidating threats.

As a countermeasure against this third amendment the "Quispe Amendment" has been devised with the general consensus of the fishing industry. It will be applied—we repeat—only in the event the third amendment should be approved and applied to our country.

With regard to the proposed close of the U.S. markets to the fish flour, the "Quispe Amendment", on its part, proposes the close of the other markets for this product (the markets of Europe, Asia and Latin America) that is, for the fish flour produced by the U.S. fishing industry in our coastal areas.

In order to carry out the close of the other available markets to the "United States" fish flour production in Peru, the "Quispe Amendment" recommends the following expeditious procedure: Export licenses—without which products cannot be shipped from Peruvian ports—would be only granted to the exclusively Peruvian fishing enterprises which are entirely funded by national capital. In the case of mixed enterprises (Peruvian-U.S.), [licenses would be granted] to that part of the production carried out by the associated Peruvian enterprise.

The export licenses, of course, would not be granted to the U.S.-funded "flour" enterprises that operate in our country. Likewise, in the case of mixed enterprises, [licenses would not be granted] to that part of the production carried out by the U.S. enterprise. Furthermore, such licenses would not be granted as long as no new markets will be open to the sale of the tonnage immobilized by the close of the U.S. markets.

This tonnage and the one produced by the U.S.-funded enterprises in our coastal areas are more or less the same.

In 1968, the United States bought from Peru 550,418 metric tons of fish flour which represents 25 percent of last year's "fish flour" production valued at $55,041,300. The U.S. likewise, bought 20,000 boxes of canned bonito (there are 48—7 oz. cans to a box) for $159,000 and 432 tons of mainly frozen tuna for $330,000.

Meanwhile, the total output of the U.S.-funded fishing enterprises in our coastal areas amount to approximately half a million tons of fish flour. American-owned is likewise the only enterprise that uses tuna ships for the export of frozen tuna to California.

CENTENNIAL OF THE VILLAGE OF GARDEN CITY

HON. JOHN W. WYDLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. WYDLER. Mr. Speaker, this year the village of Garden City, N.Y., is celebrating its 100th anniversary. This is a great event in the history of the village which still stands as a model community and an example of what the suburban way of life can mean to those who enjoy its benefits.

On October 23, a time capsule is to be buried adjacent to a recently erected statue of the founder of the village of Garden City, Mr. Alexander Turney Stewart. I am placing a history of the village in the CONGRESSIONAL RECORD for the purpose of having a copy of the RECORD buried in the time capsule. This worthy project is being sponsored by the Garden City Kiwanis Club and I congratulate them for their efforts. The history follows:

A BRIEF HISTORY OF THE INCORPORATED VILLAGE OF GARDEN CITY

Garden City, roughly nineteen miles from New York City, is located in the western section of central Nassau County in the Township of Hempstead. It is ninety feet above sea level and covers 3,390 acres, or approximately 5.3 square miles. On the north it is bounded by New Hyde Park, Garden City Park, Mineola and Carle Place; on the east by the unincorporated areas of the Town of Hempstead, comprising Roosevelt Field Shopping Center and what was once Mitchel Field; on the south by Hempstead, West Hempstead, Munson and Franklin Square; and on the west by Stewart Manor and New Hyde Park. It is basically coterminous with School District No. 18.

The Village owes its origin to Alexander Turney Stewart, multimillionaire merchant of New York of a century ago, who in 1869 purchased for 55 dollars an acre, 7,170 acres of the treeless Hempstead Plains from the Township of Hempstead, and in the next seven years planned, laid out and built Garden City on the western end of this tract, between Mineola and Hempstead Village. The first dwelling completed was on Rockaway Road, corner of First Street and cost about $12,000. This house was used as a temporary office by John Kellum who with Mr. Stewart was in charge of the development and planning of the new village.

On his death in 1876, the little Village, now central Garden City, could boast of broad dignified streets, parks, a small artificial lake, a large mansard-roofed hotel, stores, stables, an estate manager's building, a great well and waterworks, a gas plant, sixty attractive Victorian houses and thousands of newly planted trees and shrubs. Beside this Mr. Stewart had built his own railroad, the Central Railroad Company of Long Island, which ran from Flushing through Floral Park to Garden City, and from there out through the length of his purchase to Bethpage, with a spur from Garden City to Hempstead as well.

As the sole heir to the estate, Mrs. Stewart not only continued work on the Village, but built the Cathedral of the Incarnation as a memorial to her husband; built St. Paul's School and the Bishop's House; provided for the future building of St. Mary's School and for the endowment of the Diocesan Centre as a whole.

She died in 1886, and after some years of litigation and the settlement of the estate, her heirs formed The Garden City Company for the purpose of continuing the development of the Village and selling off the empty Plain lands to the east. A general manager was essential for this purpose, and in 1897, after a successful career with the Long Island Railroad, George L. Hubbell accepted this position and retained it until 1919, when the Village was incorporated.

In spite of being operated for over twenty years by a corporation, the Village grew from a small struggling Cathedral town to a well-run, carefully developed and successful suburb. This was due to the steadfast desire of the heirs to continue the high standards set by Mr. Stewart, and to the far sighted interest and energies of their resident manager, Mr. Hubbell. During these years the hotel was greatly enlarged and modernized by the firm of McKim, Mead and White, the Casino rebuilt, a gun club and two golf courses organized, public schools built, all public services improved, and one of Long Island's earliest air fields developed east of Washington Avenue. It was from this field that Glenn Curtiss flew in 1909 to win the Scientific American trophy.

It was also during these years that suburban growth spread east and west of the original Village. In 1907 the Garden City Company sold a one-square mile tract of land west of St. Paul's School to a responsible and wealthy corporation for $1,500,000, which developed it as a separate entity to be called Garden City Estates. Copying the best features of "Old Garden City," the Corporation mapped out equally wide streets, desirable lot patterns, and park areas, and provided for expensive planting. Since the new development coincided with the completion of the tunnel to New York and the electrification of the Hempstead Branch of the railroad it flourished from the start. A second airfield, the Nassau Boulevard Field, sponsored by the Corporation was chosen in 1911 for the Second International Air Meet in America. It was during this meet that the first air-mail flight in the United States was made.

Encouraged by the success of the Garden City Estates, The Garden City Company decided in 1910 to develop its land east of the Village along similar lines. An investment of $1,000,000 resulted in a large, beautifully planned and planted area which became equally popular. The Vanderbilt Motor Parkway, with its Toll House on Clinton Road provided an added attraction, as did the new air field developed east of Clinton Road in 1912 to take the place of the two earlier fields to the west. Originally called the Hempstead Plains Aerodrome, it was renamed Hazelhurst Field during World War I, and a year later Roosevelt Field. The war also brought Camp Mills to the Eastern Section when the War Department established that great Embarkation Center on a large tract south of the Motor Parkway, east of Clinton Road to Meadow Street. It was here that the famous Rainbow Division was assembled.

After the war, the three sections, now well developed, struggled to adjust to the divided control of the two corporations. It became increasingly evident that some form of joint government by the residents was the only

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solution. On September 30, 1919, the Village of Garden City, consisting of 535 families and with a population of 2140, was officially incorporated, thus ending the control of the Garden City Company and the Garden City Estates Corporation over community government. Property Owners' Associations were organized in the East, Central, Estates, and later the Western sections of the Village, and a "Gentlemen's (or Community) Agreement" was effected which provided that each section select its own representative on the Village Board of Trustees—the office of president or mayor to rotate to each section in turn. (Mr. Hubbell, incidently, was elected first president, and served for years in other capacities). All trustees were to serve without salary. Only employees with full-time jobs were to be paid.

This democratic and disinterested form of government is still in force and has done much to keep partisan politics out of Village affairs, and to preserve the character of Garden City. Strict enforcement of the Zoning Ordinance, largely compiled through the civic zeal of the Property Owners' Associations, has also been a big factor in preserving the property values of Garden City and its desirability as a residential community.

The Village is now almost at its growth capacity, having an estimated population of 25,000 and about 6,000 homes. In the last fifteen years, during its greatest concentrated growth, a great deal of municipal building has been done and the public works program has been stepped up and modernized. There is a handsome new Village Hall; new parks dot the Village; parking facilities have been vastly increased; and water, disposal, and other services improved. Many new houses and a few apartments have been built privately; the School Board has seen to it that a new high school, an enlarged junior high school and three new K3 neighborhood schools have been built to meet the growing demand; and the Village of Garden City has met cultural and recreational needs by providing a permanent home for its Library and constructing and operating a model swimming pool in the Community Park. Business is inevitably increasing in such a Village, and Franklin Avenue has become one of the important quality shopping centers of the Island.

Throughout both the business and the residential areas, the Village has maintained that neatness and immaculate grooming which makes it unique. Always blessed with trees and shrubs, it has constantly added to the planting and general beautification of its public areas, so that in spite of modern growth and change it still remains a true Garden City and a credit to its founder.

REVENUE CRISIS OF LOCAL GOVERNMENTS

HON. JAMES W. SYMINGTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. SYMINGTON. Mr. Speaker, the Senate Public Works Subcommittee on Intergovernmental Relations is holding hearings on the proposed Intergovernmental Revenue Act. Two distinguished St. Louis area officials, the Honorable Alfonso J. Cervantes, mayor of the city of St. Louis and the Honorable Lawrence K. Roos, St. Louis County supervisor have appeared before the subcommittee to urge substantial Federal effort in reducing the present revenue crisis of local governments.

I feel their statements enumerate the plight of many of our Nation's urban areas and the potential contribution of a revenue sharing program to the solution of these problems. I commend their remarks to you and include them in the CONGRESSIONAL RECORD as follows:

REMARKS BY MAYOR ALFONSO J. CERVANTES

Senator Muskie and Members of the Advisory Commission: Last week the House passed a $21,350,000,000 military spending package. This package included initial funds for the ABM system; it included $481 million for 23 more of the controversial C–5A super cargo planes, and $1 billion more for ships.

Tragically, no revenue sharing legislation has yet been adopted to help resolve the urban financial crisis. Even a small portion of $21 billion would at least give us a start in solving what I believe is the nation's number one crisis—the bankruptcy of our cities.

Is it too much to ask our national leadership to allocate this same level of resources to solution of our urban problems, which undoubtedly are the most severe of all domestic problems?

I submit that historically great nations have succumbed not from enemies without but from weaknesses within. Objectively, the urban crisis is the greatest threat to this country. Any other funding priorities are false and defeating. We must put first things first: Congressional funding priority must follow this country's problem priority.

TAX SHARING

The case for federal tax sharing is relatively simple.

In the past 36 years an intolerable "fiscal imbalance" or "fiscal mismatch" has developed. In 1932 city tax revenues accounted for 52% of our nation's governmental tax revenues. By 1966 city revenues accounted for only 7% of all government tax revenues while the Federal government was collecting two-thirds of the tax revenues.

The General Electric *Tempo* study pointed out that the cities of the United States are caught in a ten-year $262 billion revenue gap while the Federal government during the same decade (1967–1977) without a tax increase will have a revenue increase of $356 billion. Ever higher Federal income and local deficits constitute the mismatch.

To put these fiscal facts in another way: During the past 36 years, the revenues of the Federal government have increased 90-fold; the revenues of the state government—as my own State of Missouri—have increased 20-fold; the revenues of the central cities of the metropolitan areas—as my own City of St. Louis—have increased less than five-fold.

To this fiscal mismatch has the Federal tax sharing concept addressed itself: the Federal government's income has multiplied 90-fold while the central cities' comparatively stagnant income can no longer cope with its multiplying problems. If this municipal overburden is allowed to continue unchecked, riots, rebellion, revolution, a state of siege, urban military repression, and the dissolution of the American dream are inevitable.

TAX SHARING FORMULA

Eight weeks ago, President Nixon delivered to Congress his message on Federal Revenue Sharing. The all but universal reaction to the proposal was that Federal Revenue Sharing is a step in the right direction—albeit, an inadequate step. Bankrupt cities frantically point out that even if the concept is reduced to viable legislation, it will be too little and too late.

Let me give you the example of the State of Missouri and the City of St. Louis. The distribution formula of the President's tax sharing proposal as presently envisioned is based primarily on the population of the state with a bonus for the state's "tax effort" and with a substantial percentage earmarked for the state's cities, counties and townships.

Preliminary calculations indicate that Missouri would receive $20,400,000 out of each billion dollars in the Federal Sharing Fund. Of this, 24% or $4,896,000 would go to Missouri's cities, counties and townships.

This would mean that on the first distribution date of January 1, 1971, St. Louis would receive about $750,000. By fiscal year 1976, when the Federal fund would reach its peak of 1% of the total taxable, personal income, the St. Louis share would be about $8,500,000.

But this tax sharing amount is utterly inadequate to cope with the urban crisis. In order to avoid bankruptcy, St. Louis needs $10 million more revenue by May 1, 1970, and it has no legal and feasible way to raise such revenue. It cannot wait for the too little and too late Federal tax share of $750,000 that may be forthcoming in 1971.

An independent professional study by the Gladstone Company indicates that St. Louis will need $20 million more revenue by 1972 even to meet its curtailed basic needs. Here again it is obvious that about $8½ million that we may receive through Federal revenue sharing in 1977 is far too little and much too late.

THE MISSOURI MUNICIPAL LEAGUE EXPERIENCE

A realistic tax sharing program by the Federal government with the states and local governments must take into consideration three bases of distribution: the population, the tax effort, and the need.

Our own experience with the Missouri Municipal League indicates that when representatives of even smaller cities come to realize the gravity of the urban crisis in major cities many are willing to agree to a formula of distribution which includes these three factors. They agree despite the fact that such a formula means that more money per capita will be given to those major central cities where the urban crisis problems are more pressing. Funding priorities must follow problem priorities. Such is the democratic American commitment of both the state and Federal constitutions which demand that governments provide "for the common welfare."

In Missouri we have formed the Missouri Urban Coalition to sell the idea of revenue sharing on the part of the state. We have traveled across the length and width of our state—large cities, middle-sized cities, small towns, and even rural areas. We have received sympathy from all quarters, but little help. We are confident that we will eventually win our fight for a more equitable share of state revenue.

It is my sincere hope that some Federal program to meet the crisis by meaningful legislation rather than just a patchwork, piecemeal group of measures which carry inadequate financing will be adopted.

We are convinced that Senate Bill 2483, proposed by Senator Muskie, comes the nearest to giving us the kind of assistance we need in these troubled times. I urge your favorable consideration of this measure.

STATEMENT OF LAWRENCE K. ROOS, COUNTY SUPERVISOR, ST. LOUIS COUNTY, MO.

Mr. Chairman and Members of the Subcommittee: I am Lawrence K. Roos, Supervisor of St. Louis County, Missouri.

It is an honor and a privilege to appear before you as chief executive of a large urban county to discuss proposals pending before you for the sharing of federal revenues with states and localities.

I am the elected chief executive of St. Louis County, Missouri, a county of approximately one million citizens. Our county has experienced, and is experiencing, a dramatic growth, the consequences of which simply outstrip the capacity of traditional local sources of revenue. Thirty years ago, ours was a quiet residential community of 270,000 people; today we have a population of one million, and if present forecasts are accurate, an additional 700,000 citizens will move into St. Louis County within the next 15–20 years.

The property tax which has been the principal source of revenue for our county and most other local governments, is increasingly incapable of supporting the service demands resulting from growth. For in addition to providing traditional county services on a progressively larger scale, the governments of urban counties such as ours are now being called upon to provide innovative area-wide services such as police, public health, welfare, parks and recreation, as well as other functions which were never conceived as county responsibilities when our forefathers originally allocated limited sources of revenue to local governments.

A healthy federal system demands an intergovernmental revenue arrangement that is capable of delivering an adequate supply of revenue to each major level of government. Our present system which forces local governments to rely on regressive local property taxes, while at the same time giving the federal government easy access to the rapidly expanding federal income tax poses a clear and present danger to the balance in our federal system. The automatic revenue growth capability of the federal income tax contrasts too sharply with the third rate revenue generating systems of state and local governments. If states, cities and counties continue to be relegated to the short end of the fiscal stick, they will necessarily become increasingly dependent on federal aid with its maze of confusing and often irritating expenditure strings, and as an official of local government who has experienced the difficulty of cutting through the jungle of federal categorical grants, I can say from personal experience that most of our local problems will remain unsolved if we must rely on solutions administered from the federal level.

There are those who express skepticism concerning the ability of local government efficiently and effectively to employ increased financial resources if these are allocated. If the experience of St. Louis County is any criterion, I submit that local government can be placed on a professionalized basis capable of administering effectively to local needs. Within the past several years, our County has demonstrated that through the recruitment of experienced executives from private business, the extension of the merit system throughout the government, the extensive use of modern data processing techniques, and a willingness to accept area-wide responsibility for certain basic services, we *can* perform our mission effectively. A new generation of local officials has emerged which is both capable and willing to meet the needs of our states, cities and counties if the Congress will only grant us the necessary revenues with which to do the job.

I will not presume upon your time to discuss in detail the relative merits of those revenue sharing proposals which have been suggested, as I know this Subcommittee has already heard comprehensive testimony from the Advisory Commission on Intergovernmental Relations and representatives of the Nixon Administration concerning this subject. I have confidence that your deliberations will result in agreement on a system of revenue sharing based on those broad areas of agreement that exist in the present bills, and that a reconciliation of the minor disagreements that exist will be achieved. I would, however, urge that whatever proposal this Subcommittee recommends include the following basic principles:

1. The establishment of a trust fund which will assure continuing support of any revenue sharing program which is adopted.

2. That all revenues be channeled initially to state governments with provision that a proportionate share of revenues so distributed be passed on to *general purpose* units of local government.

3. That revenues be distributed to states and localities on a no-strings-attached basis.

4. A distribution formula which will provide special help for those states and local governments most willing to help themselves. This can be achieved by rewarding those governments that make the greatest tax effort with relation to total personal income within their jurisdictions.

5. A maximum financial commitment to revenue sharing by the Federal Government consistent with other financial demands on the Federal Treasury.

These factors are basic to the success of any system of federal revenue sharing. I feel certain that details can be worked out if agreement is reached on these fundamental principles.

An early start on federal revenue sharing is the best possible means of re-emphasizing our Nation's traditional dedication to a federal system in which the federal, state and local levels of government work as partners in performing those functions for which each is best suited. Adoption of federal revenue sharing does not mean the total elimination of the use of categorical grants in aid. Rather, it would reduce the present confusing and overlapping grants in aid programs into larger and broader functional packages geared to demonstration programs in specific areas of national interest. Likewise, federal revenue sharing with no strings attached would not mean the elimination of block grants designed to meet broad functional purposes. What we are seeking, and what we would achieve through federal revenue sharing would be a broadened fiscal mix, combining categorical grants in aid to stimulate and support programs in specific areas of national interest, block grants to give states and localities greater flexibility in meeting needs in broad functional areas, and, no-strings-attached revenue sharing to provide a means whereby states, cities and counties may devise their own programs and set their own priorities in the ways best suited to the solution of their unique and most crucial problems.

This is what we at the local level are seeking. Ths is what we respectfully urge you to provide.

THE MORATORIUM AND A REBUTTAL

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. DERWINSKI. Mr. Speaker, I am introducing two items into the RECORD as a conclusion to my remarks upon which I wish to briefly comment. The first is an editorial from the Monday, October 13 edition of the Hatchet, the student publication at George Washington University, which I feel can properly be described as typical of the distorted and illogical views of students who were lured into participating in the so-called moratorium. It is tragic that their belligerent efforts are probably resulting in a continuation of the conflict in South Vietnam.

It is, however, with pride that I point to the second item that I am inserting which is a rebuttal to the editorial written by Mr. Paul Zeman, a senior at George Washington, a constituent, and a part-time staff member of mine during his collegiate career. I believe Mr. Zeman's views reflect the thinking of a clear majority of students and are in keeping with the objective and responsible mentality that we expect of the present student generation that will hopefully provide constructive leaders in the years to come.

The editorial and the rebuttal, I believe, both speak for themselves.

[From the Hatchet, Oct. 13, 1969]

THE MORATORIUM

This Nation and its people will be challenged Wednesday for Oct. 15 is a test which will be watched by millions around the world.

Oct. 15 asks each and every one of us if we are willing to contemplate our country's policies, formulate and express our opinions and convince others of their worth. It asks our country, through our elected officials, if it is willing to act in accordance with the wishes of its citizenry, or if it is too proud to admit a colossal mistake.

We have been too selfish all too long and have been unwilling to face the challenge. Many who read this editorial today have yet to spend any of their time seriously questioning this nation's policy in Vietnam. They have abrogated their obligation as citizens in a democracy. Some will go to classes or to their offices on Wednesday, not because they are in favor of this miserable war, but because they are too selfish to sacrifice part of themselves. We respect those who go to class Wednesday because they want consciously and symbolically to show their support for the war, however misguided they may be.

We deplore those who follow their normal day's activities because they don't know where they stand or aren't willing to let others know where they stand. The Vietnam record is clear and is there for all to see, if you're willing to make the effort. The facts speak for themselves, and would motivate you to express yourself Wednesday, if you care. Sen. Harrison Williams (D.-N.J.) said Saturday that participation in the Moratorium is a privilege. He's wrong; it is an obligation.

Oct. 15 is a constructive alternative to radical destructive tactics which were used in Chicago this past weekend, and to continued indifference to the consequences of Vietnam policy. There is no choice. We must express ourselves. We must march in peace for peace.

THE MORATORIUM II

(By Paul Zeman)

Last Monday's *Hatchet* devoted all of its editorials, three columns and several news articles to Wednesday's Vietnam Moratorium. I have chosen to respond to the lead editorial that day, from which I have borrowed this column's title, because it represents as well as any other statement made with regard to the Moratorium the dangers involved when commitment outpaces responsibility.

"The Vietnam record," said the *Hatchet*, "is clear and is there for all to see, if you're willing to make the effort. The facts speak for themselves. . . ." Even on the very tenuous assumption that the facts are clear on Vietnam, they certainly do not speak for themselves. Facts do not run headlong into conclusions. Facts must be interpreted, and this process is deeply colored by the interpreter's moral and political orientations. Vietnam is controversial precisely because the myriad of facts available is subject to widely divergent interpretations.

In assuming the substantive issue at hand—the merits and demerits of The War—to be so clear as to be dismissed with a summary assertion that "the facts speak for themselves," the *Hatchet* displayed a lack of insight and perspective into the complexity of Vietnam which typifies the way in which many well-intentioned students have come to approach this national problem. It is this lack of appreciation for the complexity of the problem which may explain the *Hatchet's* intolerance for those who have not or will not take a definitive position on The War. ("We deplore those who follow their normal day's activities because they don't know where they stand. . . .")

"There is no choice," declared the *Hatchet*. "We must express ourselves. We must march in peace for peace." If any one statement could be singled out as indicative of the editorial's general theme, it would probably be this: "There is no choice." This brings to mind the observation of Columbia Sociology Professor Allan Silver following the disturbances at Columbia: "Their moral arrogance is incredible. These students would exact a conformity that makes Joe McCarthy look like a civil libertarian." The language is too extreme for this case, but the thrust of the comment is still quite applicable.

It is imperative in a free thought society (campus or country) that one grasp that the freedom to choose among various systems and beliefs necessarily involves the corollary freedom not to choose at all. In choosing not to choose, one *does* express himself (something the editoiral did not appear to note). It is an expression either of indecision or of disenchantment with the available alternatives. It is true that in choosing not to choose one effectively disfranchises himself and leaves the determination of events largely in the hands of others, but this is itself an important and meaningful decision. It was, in fact, the course chosen by many conscientious Americans in the last Presidential election.

Aside from the substantive issues, there is a legitimate question of tactics employed in the Moratorium. In July of this year, I received a letter from the Washington office of the newly organized Vietnam Moratorium Committee. In it the following aim was set forth: "The basic idea is to set aside October 15 for a one day moratorium on 'business as usual' in order that students, faculty members and concerned citizens can spend the day working in the larger community to end the war." This was a worthy objective and would have, I believe, received my support.

I am writing this the day before the Moratorium, but it appears that somewhere along the line community involvement has fallen by the wayside. One need only look at the schedule for Wednesday to realize that there will be no forages outside the university community.

Earlier in this decade, hundreds of students responded to the call to work for civil rights. Last summer, thousands responded to the call to stump the country in behalf of an obscure Junior Senator from Minnesota. These efforts had a profound influence on our political and social attitudes as a nation. They were essentially student efforts in the beginning, but because they reached into the community-at-large on a person to person basis, they eventually transcended student involvement.

Yesterday, we were asked to "work for peace." How? By broadening the base of popular opposition to The War? By carrying our convictions outside the campus and into the homes? Not really. The protest remains internalized in the university community. What "community involvement" there was undoubtedly came at six and seven o'clock last night when Americans were grouped around their respective tubes after a hard day at work. The opportunity to confront citizens of the community-at-large as individuals rather than as images on a screen was not in the script for yesterday. The program involved a lot more talking at than talking with. In fact, it appeared to this observer to be aimed more at reinforcing the attitudes of those assembled in protest of the war than of winning over any substantial new segment of the community. Whatever the relative success or failure of yesterday's Moratorium, it was a student demonstration, and it is here that I think the organizers have missed the boat.

Meanwhile, this opponent to our continued military presence in Vietnam was attending PSC 105 about the time the first speaker rose to the rostrum yesterday behind the library. I was thinking how interesting it was that in order for this column to appear in today's *Hatchet*, business would have to proceed as usual in the Student Union Annex and at the printing firm on Wednesday, October 15.

VIETNAM MORATORIUM

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. ROSENTHAL. Mr. Speaker, this is the day of the moratorium. To President Nixon, there is nothing new to be learned from this demonstration of intense national feeling. To me, the moratorium symbolizes the national desire and even insistence on peace now.

Below is an article by Nicholas von Hoffman, in which he describes what the moratorium means to him. He eloquently expresses and captures the thoughts of all of us who believe in the moratorium and its goals. The article, entitled "End the War or We Will" appeared in the Washington Post today, October 15.

The article follows:

END THE WAR OR WE WILL

(By Nicholas von Hoffman)

(NOTE.—*I've been asked to make speeches at a number of places today. I can't because I have to work. I think that everyone should refrain from working if he can; the two exceptions should be medical personnel and newsmen. If I had spoken, this is what I would have said:*)

The moratorium isn't a protest. It's an ultimatum by an enormous section of the population laid down to its politicians. That ultimatum says there is no time left. It says there's no more credibility gap because there's no more credibility. It's an ultimatum that says either end the war forthwith or we will stop it ourselves.

That's not what the politicans want to make of this day. A man like Congressman Rogers C. B. Morton, the Republican national chairman, would have you believe, "I'm for the moratorium as part of our right to assemble." That's not what the moratorium is about. The right to petition a government that rejects petitions before they're laid before it is a sterile right. It's using the forms of political process to frustrate their purpose. It's a con, a fancy way of saying, "You go ahead and exercise your god-given constitutional rights to be ineffectual while we go ahead and run the war."

THE RIGHT OF PETITION

Even before the McCarthy campaign, hope in the right of petition died. On its better days the government rejected politics with the contention that the Rostows and Kissingers knew more and knew better. They know nothing, but that's another story. On its worst and more ordinary days, the government responded by tricks and falsifications. . . . Pull out 3,000 men here, hide them under palm trees there, don't bomb this but bomb that, invent another round of fictitious secret peace talks, run and cry on U Thant's shoulder, get the Pope to hold your hand.

Now comes Sen. Fred Harris, the Democratic chairman, saying, "It's time to take the gloves off on the Vietnam war issue. It's nine months since the President took office." It was time to do that in Chicago, August 1968, when the Senator and his friends kept the Democrats a war party and drove the Clean Gene kids and a lot of other people out of electoral politics. Today he wants to be a peacenik because he has a dawning fear that the people have had it up to the gezuk with this perpetual tragedy.

Every aspect of government, all three branches, have failed but not all men in government. Former Senators Morse and Gruening are charter members of the opposition. Fulbright may have helped vote us into this war and into the set of policies which make such conflicts as inevitable as they are recurring, but he's said he was wrong, unthinking and gulled. We must accept that. This is no longer a small protest movement, and it's bad to get into the silly, purist radical bag of refusing to associate with anybody whose antiwar credentials are dated after 1964. This war has taught all of us many awful things about ourselves and our country. It's not just Sen. Fulbright who had to learn the hard way.

WHO SHOULD LEAD?

But if the few respectable men in high office could make such terrible mistakes, then the question is who should lead? Many speakers today will say the politicians, chastened, humbled, made honest and sensitive to the death of their constituents' sons and the voters' high taxes. Don't you believe it. Don't let them steal the movement away.

The strength of the peace movement is its leaderlessness, the way it can survive and grow on a consensual process which is as easy to see as it's hard to describe with exactitude. Let the movement continue to be led as it has, by its adherents, by small groups of people proposing an idea and testing it by seeing who and how many will come in with them on it. That's how this moratorium was started. Six months ago a few of the former McCarthy people anticipated that whoziz was as trustworthy as his predecessor when he said he had a plan for ending the war. They judged that by October we would be ready for the moratorium. They were right. Today we put black crepe on our arms and refrain from work.

That will not be enough to end the war. We may get something out of it. Hershey's already been tossed to us, although what we're supposed to do with the old flesh trader is a puzzle. Maybe Hoover'll be given to us next, but these ancient bonbons have lost their sweetness. If we're very lucky, they'll give us some tinsily cease-fire while they sneak a secret war in Laos. The government should not be permitted to keep a single soldier in those parts, but to get them out we must do more than today.

MORE TO COME

In fact today is a preparation for more. November the 15th is already being planned as a march on Washington. Today is a day of accustoming great numbers of people to the anxiety of standing up to their government. Even in a country like ours where there *are* civil liberties, great strain still attaches to exercising them. We were all brought up trusting the government; it's hard to shake off the feeling that resistance to it, especially about a war, is a form of social treason. The moratorium will make people comfortable in their new roles of resistance. It will make opposition socially acceptable, perhaps even stylish.

This isn't by design but is dictated by the probable course of events. Either the war must end or the resistance must grow and take tougher forms. The fact will not be clear in most of the talks given today because they'll be given by summer-soldier politicians who will want to felicitate everyone on their orderly, good conduct; they will praise their audiences for the lawful and constitutional manner by which they express their hatred of this lousy war. That's all right. Only imbeciles prefer street brawling and law breaking to orderly political process, but that's not the point.

The point is that there would never have been a Peace Movement if it had remained law abiding in the government's eyes. The Peace Movement is where it is because people broke into draft boards and threw blood on the files or got their heads beaten standing in front of induction centers or, like Capt. Howard Levy, took a court martial and a jail sentence.

CHECKING THE RECORD

They dramatized the war's nature. They forced the rest of us to go back over the record and check to be sure there was some plausible justification for taking human lives as we were doing. They did more. When they faced their judges and pleaded innocent by virtue of Nuremburg, they reminded us that we're individually responsible for what's done in our names. Our government, our armies, our taxes, our napalm, our soldiers, our young men.

These law breakers planted in us the bad dream that there could be the Cincinnati War Crimes Trials of 1971 in which we would have to stand before the bar and plead we were good Americans. The Spocks, the Muhammad Alis, the Father Berrigans, the David Harrises, they did that to us, gave us the bad dream of the good American.

Their example shows that an action like the moratorium isn't an event in itself but the preparation and the threat of more and wider action. Even now what started out to be a sedate moratorium is inching in the direction of a general strike. It hasn't reached that point yet, but it will unless the government capitulates to its citizens.

But what's-his-face, the furtive and fugitive president who darts from TV station to armed compound, doesn't know that; he doesn't know that if he keeps it up, by spring the country may be ungovernable. He says he won't be the first American president to lose a war, when what he risks is becoming the first president to lose America.

Maybe today he will read the ultimatum correctly and understand that playtime is over. That there is no patience left for Henry Cabot Lodge, Ellsworth Bunker and more diddlybop about bugging out, leaving allies in the lurch or saving the State Department's occidental face. People don't care if we bug out, run out, march out, stumble out, crawl out or fade out as long as we get out *now*. They've had it, and the tumult and anger is spreading everywhere. Even the federal bureaucracy is threatening to take to the streets. It's no longer students or blacks; it's older people, businessmen, conservatives, liberals, anti-Communists, pro-Communists; it's everybody who knows that a perennial war that we have no will to win or even fight is insanity, that a democracy which carries on a war that 40 or 50 per cent of the population detests risks destroying itself.

NEBRASKA MORATORIUM

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. CUNNINGHAM. Mr. Speaker, many words have been exchanged in this Chamber on the Vietnam moratorium. I would urge each of you to read and meditate just a bit on the following telegram. This is how most Nebraskans feel. I am intensely proud. I include it herewith:

BELLEVUE, NEBR.

Congressman GLENN CUNNINGHAM,
House of Representatives,
Washington, D.C.

SIR: Across the nation many people will be demonstrating against the war in Vietnam. I am not joining this protest. I am flying my flag in support of my Government and my President. I know my Government will do all in its power to bring this war to an honorable end as quickly as possible. My undying support to the American system and personal support to the Republican Party.

Respectfully,

LLOYD DOWDING.

A TIME FOR PRAYER IN QUEST OF PEACE

HON. GUY VANDER JAGT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. VANDER JAGT. Mr. Speaker, of the thousands of articles and millions of words written about the Vietnam war moratorium, the following column in the October 14, 1969, issue of Detroit Free Press by Judd Arnett seems particularly significant to me:

A TIME FOR PRAYER IN QUEST OF PEACE

(By Judd Arnett)

The Rt. Rev. Richard S. Emrich, Episcopal Bishop of Michigan, writer, lecturer, mediator—a man for all seasons, you might say—stood on the front steps of one of his churches Sunday morning and delivered a short oration on the forthcoming Vietnam Moratorium.

The people, Bishop Emrich said, should pray for their President, their nation, the dead and wounded of the war—and for peace. Thus in a few well-chosen words did a good man bring into focus what Wednesday's national outpouring should be about.

Let us start with the President . . .

As persistent readers of this pillar may have noted from time to time, Richard Nixon does not always bring joy and warmth into your commentator's life. (There will now be a brief time out while the gentleman in the rear of the hall rises to ask: "Who does?")

But it has never been assumed for a second in this quarter that our President does not want peace, and it has likewise never been accepted that he was not doing everything in his power to achieve it. To believe otherwise would be to indict Richard Nixon as a huckster of American blood, and there is not a shred of evidence to support such a terrible offense against humanity.

Well, then, why hasn't the President succeeded in his search for peace? There are a number of reasons and it seems to me that Sen. George D. Aiken of Vermont handled them well a few days ago in a lecture to the students of Norwich University in Vermont.

Some of you may recall that it was Sen. Aiken who first suggested last May that the President begin an "orderly withdrawal" of our troops. At Norwich, however, he insisted that "The President needs time and I, for one, will do my best to see that he gets it."

In support of his position, the Senator said this:

"Those who are so anxious now to spur the President into a pell-mell retreat, even to consider the likely consequences of their exhortations.

"The South Vietnamese are bound to think sooner or later that we are simply preparing a case against them to cover our own errors. That is the worst of alternatives.

"It could lead to a breakdown of order in South Vietnam and ultimately to a wholesale massacre of those, who for good reasons or bad, put their faith in the United States Government . . ."

Now . . . Why should we pray for the nation, as Bishop Emrich has suggested? . . .

This question scarcely deserves an answer The United States needs more help than it has been getting. The problem is: Do we deserve it?

The dead and the wounded . . .

When the definitive history of this war has been written, one shining fact will stand clear of controversy: Never has any nation been served in the field by men who gave more in anticipation of such small reward.

The heroes who have fought, bled and died in Vietnam knew in advance that this war was different, that out of it would come little gratitude for their sacrifice. It must be an awful thing to be called upon to risk life and limb while dissent rages among those you are representing, yet these men have done it, day after day, with bravery, with honor, with a degree of courage, all things considered, unexcelled in our history.

It is not common these days to be proud of our military prowess, but for the men who have served in Vietnam there should be no stinting of respect. They did not start the war; but gallantly they have carried the burden of it. Brave Americans, these.

And now let us pray for peace . . .

Blessed be the peacemakers, it was said. Blessed be the meek, who shall inherit the earth. Eternally, man has had no more splendid dream than that of peace. But man has not been able to bring it off, probably because even in the search for peace his heart has not been pure.

But pray for peace, nonetheless; and for Richard Nixon; and for those who have given so much; and for these United States, torn and troubled.

TALLAHASSEE COMMISSION SUPPORTS PRESIDENT

HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. FUQUA. Mr. Speaker, much has been said and will be said about the moratorium observance.

Free speech is the most priceless of heritages for a free society and the city commission of Tallahassee, Fla., saw fit to pass the following resolution at this time. I think it expresses the sentiments of a great many Americans who are deeply concerned about the war in Vietnam, and I include it herewith:

RESOLUTION OF TALLAHASSEE CITY COMMISSION

A resolution commending and supporting the position taken by the President of the United States of America in relation to the Vietnam Moratorium observances scheduled by certain organizations for October 15, 1969

Whereas, the City Commission of the City of Tallahassee, Florida, is confident that the President of the United States of America has access to the most reliable information available concerning the best method to appropriately resolve the problems with which the nation is confronted in Vietnam, and

Whereas, the City Commission of the City of Tallahassee believes that it is in the best interest of the country to refrain from bringing pressure to bear upon the President of the United States of America which would tend to influence him to take a course of action other than that which would be reasonable as based upon the most reliable information available to the President;

Now, therefore, be it resolved by the city commission of the city of Tallahassee, Florida, as follows:

1. That the city commission of the city of Tallahassee hereby expresses its confidence in the capability and good faith of the President of the United States to formulate, on the basis of the most reliable information obtainable, policies designed to resolve the many sided and serious problems with which the nation is confronted in Vietnam.

2. That the city commission of the city of Tallahassee hereby expresses its support of the action of the President of the United States in refusing to be swayed from his policies, based upon the most reliable information available, by the Vietnam moratorium observances scheduled by certain organizations for October 15, 1969.

3. That this resolution be spread upon the minutes of the city commission of the city of Tallahassee and the copies hereof be furnished to the President of the United States, U.S. Senator Spessard L. Holland, U.S. Senator Edward J. Gurney, and U.S. Congressman Don Fuqua.

Introduced and passed the city commission this 14th day of October, A.D. 1969.

SPURGEON CAMP,
Mayor.

Attest:

LOUIS H. COOK,
City Auditor and Clerk.

THE AUTOMOTIVE INDUSTRY GETS A BREAK AT THE EXPENSE OF THE PEOPLE

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. BIAGGI. Mr. Speaker, according to the National Center for Air Pollution Control, New York City has the highest concentration of pollution of any American city—higher even than smog-ridden Los Angeles.

Medical research has linked air pollution to the cause and aggravation of many serious illnesses including lung cancer, emphysema, chronic bronchitis, asthma, and heart disease.

High concentrations of pollution have already triggered several major citywide catastrophes. The most recent—the inversion of Thanksgiving Day 1966—was linked directly to the deaths of nearly 100 persons, and is presumed to be responsible for many more.

In addition, it is estimated that New York City residents, are paying nearly $\$1\frac{1}{2}$ billion per year in added expenses for the cleaning and upkeep of clothes and property and for the repair and protection of possessions against deterioration.

In spite of this staggering toll, the Justice Department has agreed to accept a consent decree in its case against four major automobile manufacturers charged with a conspiracy to delay the development of effective air pollution control devices.

As a result, I and 24 other Members of Congress have filed a brief challenging the action of the Justice Department because we consider it a flagrant disregard for the rights and welfare of $8\frac{1}{2}$ million New York City residents and all Americans suffering from a daily bombardment of health-damaging, noxious emissions from automobile engines. We are seeking a 60-day delay in the signing of the consent decree in order to permit a congressional investigation before the Justice Department terminates the proceedings against the automobile companies. Oral arguments will be heard by Federal Judge Jesse Curtis on October 28.

The acceptance of a consent decree by the Justice Department would mean that the charges of collusion among automobile manufacturers would never be tested in open court. Consequently, the responsibility for the continued failure to develop badly needed antipollution devices would not be made clear to the American public.

Further, the opportunity to acquire evidence from the Justice Department would be lost to municipalities and private citizens wishing to file suits for damages. Such suits against the drug industry recently netted $120 million in damages.

Efforts to solve the air pollution problem would suffer a serious setback if the Justice Department succeeds in burying evidence that it spent 2 years collecting. It is apparent that the automotive industry would not have chosen to hide behind a consent decree if the evidence against it was not damaging.

On behalf of all New Yorkers and countless other Americans suffering from the perils of air pollution, I strongly deplore the action of the Justice Department. It serves only the automotive industry—not the people.

I hope this Congress exhausts every means to prevent this kind of business.

GOLDWATER CONDEMNS MORATORIUM

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. GOLDWATER. Mr. Speaker, the tragedy of antiwar demonstrations such as the one occurring today, as well as resolutions which seek to impose an arbitrary time limit on troop withdrawals, is that rather than hastening an end to the war in Vietnam they only prolong the bloody conflict.

Thousands of idealistic Americans are, at this very moment, participating in a cause which they sincerely believe will bring about peace, when in actuality their actions are only encouraging the North Vietnamese Communists to continue their war of aggression.

Now, I realize that the charge of giving aid and comfort to the enemy is a serious one indeed. But in light of recent news stories, it is impossible to conclude otherwise.

A wire story last week quoted the Vietcong chief negotiator, Mrs. Nguyen Thi Binh as saying, and I quote:

> The Vietnamese people warmly acclaim this movement of the American people who demand the Nixon Administration to put an end to the war of aggression in Vietnam, and withdraw rapidly and totally American troops. This movement tightens the solidarity between the Vietnamese people and the progressive people in the U.S.

Hanoi's deputy chief negotiator, Col. Ha Van Lao, also appealed to American citizens to increase their resistance and force the Nixon administration to accept Communist demands.

As recently as this past Monday, an Associated Press dispatch again quoted Mrs. Binh as saying that the antiwar forces in this country fighting the Nixon policies have the Vietcong blessings.

Echoing the red line in this country, the New York based Communist paper, the "Daily World," endorsed what they called the "groundswell in Congress for the withdrawal of our GI's from Vietnam." The paper said:

> Mass nationwide rallies for a speedy and total pull-out of U.S. forces from Vietnam are scheduled during the next two months. Every American tax-paying wage earner has a vital bread and butter interest in joining and supporting them.

Just exactly what the antiwar moratorium is supposed to accomplish, is not clear, Mr. Speaker.

Their literature speaks of "going door to door to talk about the madness of Vietnam, leafletting public places, holding meetings, vigils and organizing against elected officials who support the war."

What more they want President Nixon to do, short of unconditional surrender, is not clear either.

Since taking office, President Nixon has made every effort humanly possible to bring the war in Vietnam to an honorable conclusion:

He has renounced an imposed military solution to the conflict.

He has proposed free elections organized by a joint committee under international supervision.

He has offered the withdrawal of United States and allied forces over a 12-month period.

He has declared that the United States seeks no military bases in Vietnam.

He has offered to negotiate supervised cease-fires under international supervision to facilitate mutual troop withdrawals.

He has said that both the United States and South Vietnamese Governments are willing to accept any results of a free election.

He has exhibited a willingness to discuss the 10-point program of the other side, along with plans put forth by any other parties.

He has begun the process of Vietnamization, that is, the process of turning the war over to the South Vietnamese to handle both Vietcong insurgency and North Vietnamese armed forces, regardless of the outcome in Paris.

He has announced plans to withdraw 60,000 American troops from Vietnam.

The only thing the President has refused to make negotiable, and I support him 100 percent on this, is the right of the South Vietnamese people to determine their own future free of outside interference.

And what has been the response of Hanoi to all these proposals? Nothing, Mr. Speaker, nothing at all. Only more personal abuse, vilification, and propagandizing.

Perhaps there was a time when public demonstrations against the war served a purpose, but now the American people should unite behind their President in his efforts to bring America's longest war to an honorable conclusion. To do otherwise is to encourage the hawks in Hanoi to continue the fighting.

As British Communist affairs specialist, Victor Zorza, wrote recently in the Baltimore Sun newspaper:

> The American anti-war students' one day strike on October 15 . . . is precisely what Hanoi hawks have in mind when they argue that the U.S. cannot hold out much longer. . . . The stronger the protest movement in the United States now, the less chance Hanoi's own doves have to persuade the hawks that the time has come to stop fighting.

FINALLY—I SPEAK ON THE WAR MORATORIUM

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. CLAY. Mr. Speaker, I had hoped to make this speech earlier this day—and had planned to take the podium of the House at approximately 1 a.m. this morning. The purpose of my remarks and of delivering them at that time—was to state my support for the moratorium on war being observed across the country—and to offer my observations and views on Vietnam.

Part of what I have to say concerns the freedom of the American people to voice their view and to be heard by their Government. It is my thought that the prolonged and tragic nature of the Vietnam war is directly related to the unwillingness of our national leadership to reflect the will of the people in their war policies. The people seek peace—and the Government continues war.

Consequently—while planning my address on the precepts of democracy which must always recognize the freedom of the people and the obligation of government to serve the people—imagine my dismay when my own freedom of speech was denied. If what I have to say so frightens the leadership of this country that I, as a Member of the Congress, should be regarded as a threat merely because I speak my views—then there is truly more reason for me to speak than I initially realized.

The 20 Members of the House of Representatives who sought only to speak on the subject of Vietnam and war on the day of this "moratorium on war"—were cut off by panic-driven war supporters who feel American citizens, even American leaders, have no right to question a policy which has laid 45,000 Americans dead and drained our country of its money, unity, democratic character, social and economic progress. I must believe I correctly assume that they still have no answers for the American if they fear and resent so much our questions.

I was not able to speak this morning—but I shall speak now, and I shall continue to speak and to exercise the freedoms and responsibilities of citizenship.

Today, I associate myself with the millions of Americans who are arming themselves for peace. The October 15 moratorium on war, in my opinion, must serve to convince our stubborn leadership that the majority of Americans are determined to end this war.

"Work for Peace" has become our slogan. It is a great slogan, since it is clearly not enough to hope for peace, pray for peace, or to speak for peace. Those of us dedicated and committed to peace must be committed at all cost. We must be as willing to make as great a sacrifice for peace—as some would have us sacrifice for war.

It is unfortunate, but true, that the leadership of this country resents our move for immediate peace. They tell us we do not understand. They are right—we demonstrate today, tomorrow, and the next—to show them we do not understand—nor will we tolerate further their belligerency in pursuit of an immoral war.

I know why I am here today—and I dare say, the leadership of this Government and the world—knows not why we are in Vietnam. Eight hundred and fifty-nine of my fellow Missourians have fallen in Vietnam and still our Government cannot tell us why.

I stand here today—because my patience have been exausted and my faith in this country demands I work for peace. I am here today because 45,000 of my fellow countrymen have fallen in battle for a cause that does not exist. I am here today, for a mother who returned the flag of her dead son to the President—saying he died in vain. I am here today, because I still have hope that this Government of the people—will eventually respond to the will of the people. My active support for this moratorium on war does not come from a lack of understanding—but from a clear understanding of what this war means to the American people.

Our land is in turmoil. Our people cry for peace. While our leaders place the emphasis on honor, there can be no honor in a dishonorable act. The war in Vietnam is unjust, illegal, and immoral. Our continued involvement will not bring honor but disgrace. A nation which claims to be conceived in liberty and justice cannot long survive by condoning repression or aggression.

The statement of the President that he will not hear the voices of the demonstrators does not serve to achieve peace in Vietnam—but does add fire to the burning conflict in America. It is because he does not sense our presence, that we gather in great numbers across the country today. It is because he does not hear our cries—that we join together today to amplify our voices. If the President does not see us, does not hear us, does not respond to the prevailing will of our people—then let history record that this President put his concern for pride above his concern for people—let history record that this President by his own volition set a tragic course for American democracy that may well cause the destruction of that democracy.

The President and his spokesmen have stated that we do a great disservice to our country today—that we should demonstrate against the North Vietnamese and not against our own Government.

What is at stake in the world today—in Vietnam and in this country—is freedom, the right of people to govern themselves. Our very presence in Vietnam in such great numbers and with such awesome weaponry acts to deny freedom and self-determination for the people of Vietnam. Our military forces have kept in office in Vietnam a corrupt group of gangsters who refuse to call for free elections in that country and consistently oppress the freedoms of speech and action of the Vietnamese people.

Our Government professes to fight for freedom of the Vietnamese people to voice their views and work their will upon their government—and at the same time embraces a dictatorship which denies that same freedom to those who view legitimate, peaceful protest as a disservice to our country—I would say if they are committed to the principle that Americans must sing the same verse of the same song in order to serve their country—then they are in the wrong country. Those who would muzzle free speech demonstrate to North Vietnam that freedom in America is a principle but not a practice.

The Government was formed to serve the people. When the people march for peace they do no disservice. The responsibility for service is on the foot of the Government—and it is the Government which does disservice when it does not respond to the people. Our Government was so formed and can be sustained only by maintaining that posture.

The war has taken a devastating toll on the American people. It has tested our nature, our tolerance, and our way of life. Look across the country today and you see revolt—not just among the young, not just among those of extreme persuasion, but among the rank and file American citizens who are opposed to the senseless slaughter of human beings. These are not hippies, these are not drug addicts—these are not Communists. The people who have come out of their homes and their offices on this day of moratorium are American citizens—who deserve the respect and the ear of their Government.

These people are the peacemakers and they shall inherit the earth. There is no doubt but that the warmakers have degraded the character and quality of American citizenship. They have distorted the principles of justice and peace. They attempt to portray the peacemakers as villains. Those who kill and maim are projected as crusaders and freedom fighters.

There are now 3.5 million men in the armed services, 500,000 of them are in Vietnam, another 300,000 in support in the Pacific. Maintaining so large a stand-

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ing army is not in preparation for peace, but in anticipation of war. The President has stated a policy which says that Asian problems must be solved by Asian people. He told the Government of the Philippines not to look to us for protection. If the President intends to follow that policy in Asia or in any part of the world, America should and must disarm.

As long as this country maintains an eye-catching ready army of 3.5 million men and continues to expend more than 50 percent of its total budget for defense—we will be called upon for defense. A nation which seeks not to be the policeman of the world should not attire itself in the policeman's uniform.

This Nation's claim to greatness will not be realized through military muscle. A country founded on democratic principles can realize greatness only in the success of democracy. When democratic precepts are overcome and overwhelmed by military rule, the greatness claimed does not relate to the greatness sought. History records that of the 21 nations who sought and became number one militarily in the world, 19 were destroyed from within. The lessons of history did not keep us out of Vietnam—but the lessons of history support our call for withdrawal from Vietnam.

The adverse social, economic and political impact of this war is a most cruel result of our involvement.

America is suffering from a loss of identity—from men who have mistaken our identity. It is not American to spend $77 billion on defense and only $3 billion on education. It is not American to spend $5 billion on the C-5A airplane and less than $2 billion on poverty programs. It is not American to spend $40 billion to explore space and only $186 million to research one of the greatest killers of Americans—cancer. It is not American to insist upon another $16 billion for an anti-ballistic-missile system when we have already spent $23 billion American dollars on missiles which are now obsolete. It is not American when we can spend $20,000 for ammunition for every Vietcong we kill—and only $44 a year to educate one American child. Those who pursue destruction through war are un-American. Those who support excessive military expenditures at expense of necessary domestic programs—are the un-Americans in America, not the citizens protesting the war.

Since 1959, the United States has spent more than $551 billion in direct military outlays. This is twice the amount spent for new private and public housing over the same decade—and nearly twice as much as Federal, State, and local governments allocated to all education. Over this past decade, $30 billion has been spent for agricultural subsidies and $35 billion for space exploration. At the same time, only $4 billion was spent for Federal low- and middle-income housing programs—only an eighth of the amount spent to guarantee income to rich farmers. Just this month, the President committed this Nation to finance a supersonic transport airplane—at an estimated completed cost of $895 million—but just last week, the House of Representatives could not get $1 billion just to clean up the dirty water in America. Military related spending in this fiscal year alone is more than all Federal expenditures on health, hospitals, educations, old-age benefits, low- and middle-income housing, welfare, unemployment, and agriculture.

The American people are finding out that their tax money is not going to feed the hungry, to clothe the naked, to house the homeless, to educate the ignorant, to medicate the sick—the American people know that their tax dollars are being gobbled up by profiteering defense contractors and armament producers.

The way the war is viewed depends in some measure on a person's position in life. If you are standing in the Pentagon, I am sure you can sing the Star Spangled Banner, better, louder, and more enthusiastically than from anywhere else in the Nation. But if you are standing in line for lunch in a university cafeteria, your uncertain draft status has a tendency to discolor the glory of battle. If you are sitting on a corner in a ghetto, your spirit for patriotism may diminish in inverse proportion to the growing extent of your deprivation. If you are manufacturing planes, tanks, and shells, your view may well be shaped by the size of your contract. If you are a banker collecting spiraling interest rates caused by war spending, your view may differ sharply from the workingman earning less than $10,000 who cannot afford to buy a decent house.

The position that black Americans finds themselves is in even more uncompromising than that of whites who oppose the war. Blacks are forced to travel 10,000 miles from home to fight in Vietnam to extend rights for yellow people that black people themselves do not enjoy here in America.

This war has had a severe effect on black people. Most blacks see the war in Vietnam as one more act of aggression on the part of the United States.

The plight of the black man in America has been to endure one crisis after another. This plight has culminated in the restlessness, the suspicion, and the frustration which so clearly shows itself in the black community today. Black men have lived with pent-up feelings for too long. Blacks no longer feel compelled to nurture these frustrations in silent obedience.

The war in Vietnam constitutes an overt display of hypocrisy in and by this government. Black Americans have tried, often in vain, to unveil Government hypocrisy which shows itself in discriminatory activities against minorities. The Vietnam war became a focal point—because it is a clear testimony to the heights of hypocrisy to which this Government will go. It is this hypocrisy and double standard which is tearing our society apart. The hypocrisy of the law and of the conduct of this Government has been exposed to the masses of the American public.

The issues have become clear. If the social problems of the day are to be solved, this war must stop now. This government cannot go about insisting on social order on the one hand while ignoring social justice on the other.

The young are asking questions. Why fight to free the Vietnamese and resist freedom for black Americans. Why should poor youth be drafted to fight this war while certain rich or athletically gifted youth are exempted from military service.

President Nixon has cut back expenditures for every domestic program aimed at people with the greatest need—and has won. Instead, an initial $6 billion expenditures for an anti-ballistic system.

Those of us who ask when we will have a commitment to domestic programs are told to wait until the war is over. When we ask "When will the war be over?" we are told to wait for an "honorable peace" which will allow us to save face with the Asian people.

Why is there so much concern for saving face in Southeast Asia when at home we show no concern for facing people who still live without the protection and guarantees of the law. If the policy of this Government shall be to save face—that policy must start at home.

Until the causes of widespread discontent in this Nation are addressed, President Nixon makes a mockery of his office by his pleas for unity and peace.

If I read the signs of the time correctly, our Nation is in serious danger. The signs of student unrest, the riots in the cities, the emergence of a new violent militant black group, the demands for repressive legislation to combat crime in the street, and disrespect for law and order. These signs point to a crossroads for this Nation—where a choice must be made.

The speeches we are getting from the leadership of this country are too closely reminiscent of speeches recorded 30 years ago when a tyrant whipped his nation into line for world domination.

This Nation must state and pursue objectives which are consistent with the needs in the country. We must either extend full citizenship rights and individual freedom to all Americans or pursue a course which will assuredly deny it to a certain group and eventually to all.

The question is whether the people of this country will use their energies to rise to the challenges of a maturing nation—or whether we will use our energies to fight each other in the streets to mark the fall of democracy.

If we were ever under seige, we are today. If ever there were a need for understanding, it is today. If ever we have needed to concern ourselves with service for unselfish considerations—we need to do so today.

If these great social problems are to be solved, the resources of the Nation and the resolve of the Nation must be directed toward them—with full force. Steps must must be taken to do away with the underlying causes of the widespread discontent in the Nation. The first and most important must be to pull American forces out of Vietnam.

Where we have had programs aimed at domestic problems, we have not had funds. Money may be the single most important reason for failures in the poverty program where they have occurred.

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Money has not been available to implement model cities programs, to clean up our air or our water. Money has not been available for job training, for employment counseling, for advanced food programs, for rehabilitating buildings, or even for law-enforcement programs set out by the 90th Congress.

Law can be nullified by the absence of money for its implementation. Laws written by the past two Congresses, noteworthy innovative laws, have been invalidated by the lack of funds for objectives they set out.

Federal money is drained first by the military-industrial complex and only that which is left over is divided among all remaining domestic programs—education, housing, urban development, job training, land and resource conservation.

To date, in this administration, there are more spokesmen for the continuance of present fiscal policy imbalance than there are spokesmen for domestic priorities. Once again we come to the importance of communication and the need for effective spokesmen for domestic problems, minority interests, and for unpopular causes. Once again we come to the importance of the observance of this moratorium on war—which is the attempt of the American public to communicate their deep and distressed concern.

Many of the people participating in our moratorium on war have nothing to lose. Too many cannot find hope in tomorrow. They did not share Mr. Nixon's enthusiasm for "man's greatest day on the moon" since they still await man's greatest day here on earth.

They listen to President Nixon tell them he will not listen—and conclude that any act is justified to vent their frustration. This administration and its attitude reinforce the desperation of black people, poor people, students, mothers, and other marchers for peace.

Look at the record of our President. He took the spotlight and presented us with his solution to poverty—and apologized profusely because it might cost $4 billion.

At the same time, the Senate hunger committee told us it would take at least $5 billion just to feed the poor—but the President apologizes for the expensive nature of a program which falls miles short of the need.

The President does not apologize for pacification programs in Vietnam where our troops have torn up the land and run millions of Vietnamese citizens from their homes—but here in the United States, the need for housing, food, clothing, and education—does not warrant sufficient expenditures.

We spend $3 million an hour in Vietnam for 16 million people—while 25 million poverty-stricken Americans cry for help in our own country.

When this war began, there was lots of talk about "guns and butter"—and whether or not the Nation could have both. The Nation bought its guns and the people of the Nation who had been enjoying the butter—have kept their butter. The Nation has maintained a "guns and butter" policy with great success—in those terms—but it has not addressed a single domestic problem with success since great sums of money started flowing into Asia.

The American tragedy is—Vietnam. The objectives were contrived and the rationale for our presence was not and is not related to American security. This war has dragged on —draining our land of its manpower, resources, goals, and of our resolve for perfecting America for Americans.

Because of the war, the American people have been subjected to outright lies by those who attempt to justify our presence and our continued involvement. Truth has been sacrificed to buy time for those who sought a military victory in Vietnam. No longer can truth be secondary—it must be the primary consideration in policy determinations from this point forward.

People who do not know the facts about Vietnam have stood in this past week to assert that if the rest of us knew the facts about this war, we would not participate in this moratorium. I must weigh their suggestion with statements from men who are in a position to know.

For example, Gen. David M. Shoup, former Commandant of the U.S. Marine Corps and Congressional Medal of Honor winner who says,

> I want to tell you that I don't think the whole of Southeast Asia is related to the present and future safety and freedom of the people of this country, is worth the life or limb of a single American . . . I believe that if we had and would keep our dirty, bloody, dollar-crooked fingers out of the business of these nations so full of depressed, exploited people, they will arrive at a solution of their own.

Another military leader, Brig. Gen. Hugh B. Hester, a veteran of MacArthur's command in the Pacific tells us:

> I think we ought to get out the way we went in—unilaterally. And then we should do what we can to help rebuild their economy. That would be the way to restore the respect we had after World War II as a moral nation. We are in the wrong in Vietnam morally and from a military standpoint. It is against interests of the United States.

The Secretary General of the United Nations, Secretary U Thant stated:

> I am sure that the great American people, if only they knew the true facts and the background of the development in Vietnam, will agree with me that further bloodshed is unnecessary.

Today, we have not solved anything in Vietnam. There is no evidence to show that the conflict of North and South Vietnam is any further toward resolution than it was when we entered. If anything, our presence has deepened the extent of the gap between north and south. We have served a puppet government which is clearly not representative of the people whose free choice we proclaim to fight for. Instead, the South Vietnamese have been flushed from their homes, hunger and war-panic driven. The Vietnamese people are worse off now in a bomb destroyed land than they were when we arrived.

The South Vietnamese maintain now a fighting force of 1,500,000 men. The fighting force of the Vietcong is 135,000 and with 900,000 North Vietnamese in arms—the opposing sides are relatively equal militarily. They are relatively equal in resources. What is at question is willpower.

In Paris, the North Vietnamese cannot negotiate with us what we cannot obtain from the South Vietnamese Government. The matters for discussion clearly cannot be solved while we stand in as "big brother" for the South Vietnamese. Commonsense dictates that knowledge.

Commonsense also dictates that President Nixon could not support a coalition government in Vietnam, when in his own country he failed to establish one. How could he possibly know how to incorporate a concern for diverse interests or to advise the Vietnamese?

If the President's aim is to save face and to preserve his own honor, he can do so, both at home and abroad, by deferring now to the judgment of the people on Vietnam. He can exemplify democracy by a clear and concise statement to Vietnam and to the world that the people of the United States have chosen to leave Vietnam to the Vietnamese. This is truly where the question of honor rests—upon the ability of a free nation to direct its policy to conform to present day issues and demands of its people.

There is no greatness in a nation who sees its policy, whatever policy, as irreversible. That is not greatness—but narrowness of mind. It is not admission of failure to withdraw our forces from Vietnam—but admission that a better course for Vietnam and for the United States lies in such a withdrawal. It should not be difficult—even for this administration—to build a defense for its action when its action is based on truth.

Through the years with Vietnam, American people have been made to sacrifice truth as they see it for a policy in which they had no voice.

Through the years in Vietnam, our fight for freedom in Vietnam has been accompanied with a constant and increasing repression of freedom in the United States. Through the years with Vietnam, the apathy of our people has been turned to action—to the surprise and dismay of this Government. Citizenship has taken on new dimensions of responsibility—of crisp proportions.

Consider the slightly frightened lady who dropped by my office today—to deliver an American flag-draped casket.

"Sometimes," she said, "we must be morbid to make our point." A representative for only one of the hundreds of organizations working for peace, she pleaded that I do whatever I can—in position, to reflect this concern for peace. She was not a student tired of classes, nor was she a hippie, nor was she a rioter; nor, I dare say, does her concern for peace make her a Communist?

Consider the mother from St. Louis, Mrs. Patricia H. Reither, who sent me today a simple black bordered card on which she hand wrote:

> Dear Representative Clay, think of young Phil, Vietnam, on Wednesday. Peace.

With the card came a printed prayer with her son's name at the top—"Phil H. Reither, Jr.: June 22, 1947–Sept. 30, 1969."

These people, like the middle-aged lady working for her peace organization, like Phil's mother, like five blackcloaked mothers from St. Louis who stopped by my office 2 weeks ago during their march for peace—like the Quakers who were arrested on the steps of the Capitol—these are citizens whose commitment to peace and truth motivates them to march, to speak, to act, to sacrifice, to place themselves on the line for peace in spite of the misplaced criticism and degradation to which they are subjected—all their efforts—just to stop the war in Vietnam.

I can do no less than to join my colleagues who are observing this first official day of moratorium by varying our "business as usual" conduct. Instead, we have come to the Halls of the Congress at an hour when our presence in these Chambers is not required nor sought for official business. We have come to join these peacemakers who seek a nonviolent and peaceful demonstration for peace. We come to show that we have not lost faith in democracy—that we have not lost faith in the ultimate impact of the people of this Nation upon their Government.

Stop the war, Mr. President—for God's sake, bring American forces home immediately. This country has evaded its own "business as usual" responsibilities far too long in favor of "war as usual."

VIETNAM MORATORIUM

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. MOORHEAD. Mr. Speaker, we gather tonight in this Chamber to exchange ideas about the future course of the U.S. military involvement in Vietnam.

It is altogether fitting and proper that we do so because by so doing and particularly in connection with the Vietnam moratorium we convey to the people of America and particularly to the young people of America that we are listening to them—that we are a responsive and responsible legislative body.

For that reason I take the floor tonight to exchange with my colleagues my opinion as to our future course of action in Vietnam.

Mr. Speaker, it is my belief that we have lost sight of the reason—right or wrong—for our original intervention in Vietnam.

We entered Vietnam in 1965 to prevent an overthrow of the South by the North and to give the elected government of South Vietnam time to build so that it could become strong enough to defend itself from the North or make a political arrangement with the north.

Mr. Speaker, we have accomplished that objective.

We did not enter Vietnam to inflict a defeat on North Vietnam; we entered to prevent a defeat of South Vietnam.

We have accomplished that objective.

I believe we could have accomplished that objective with fewer than the more than 500,000 troops we have in Vietnam.

Mr. Speaker, the time has long passed when we should have been withdrawing our troops.

In the fall of 1966, in a letter to my constituents, I said:

> The conflict in South Vietnam is, in the long run, primarily an Asian problem, and I have been working to secure its eventual settlement by the peoples of free Asia. They should not ask us to defend their region alone indefinitely.

The following year in summer of 1967, I said:

> The war in Vietnam continues and past escalation has not achieved our hope of bringing the other side to the negotiating table. The South Vietnamese will elect a new government in the fall. After those elections, it seems to me we should say to the new government: "We have accomplished the mission we set for ourselves in 1965. We have prevented the forceful overthrow of your government by armies from the North. The primary job of fighting the Viet Cong guerrillas or negotiating with them must be yours."

My suggestion did not meet with favor, and we continued our escalation of the war in Vietnam until on March 10, 1968, a story in the New York Times wrote the fact that the military were asking for an additional 206,000 troops for Vietnam.

As has been ably described in the October issue of Atlantic magazine by former Assistant Secretary of the Air Force Townsend W. Hoopes, this was the turning point in our policy of continual escalation of the war in Vietnam.

On March 12, 1968, I introduced a very brief resolution which provided as follows:

> *Resolved*, That it is the sense of Congress that the United States should not increase its military involvement in Vietnam.

Within a few days there were 37 cosponsors of this resolution. At the time of the introduction of this resolution on March 11, I said:

> Mr. Speaker, we are at a crossroads in the war in Vietnam. We can either maintain our present objectives, which apparently require increased military involvement, or we can change our objectives and reduce or at least contain our military involvement.
>
> Our military leaders are asking the President for 206,000 more troops for Vietnam. Apparently they want more troops to continue to do more of what we have been doing for the past few years.
>
> Others urge that what is needed is not more troops and more casualties but new and different strategies and tactics which will mean no more American troops and fewer American casualties.
>
> This is a basic and fundamental policy decision about war and peace in which the American people through their elected representatives should participate. Not since the Gulf of Tonkin resolution in August 1964 has Congress been given a chance to participate in similar fundamental decisions about Vietnam.
>
> Under our Constitution, I believe that Congress should participate in these decisions.
>
> In my opinion our strategy of positioning American forces in the uninhabited border areas of Vietnam and leaving the defense of the cities and towns to the South Vietnamese has not worked.
>
> Even with more troops I am not sure it will work.
>
> However, if we decide that this is a war for people, and not for geography—if we pull back from the border areas, our present troops can join with the South Vietnamese in defending the people.
>
> We should position our troops deep enough within South Vietnam so that when the enemy attacks he would not have border sanctuaries at his rear but could be surrounded by our highly mobile troops.
>
> This strategy, some military planners believe, would cut the recent United States casualty rate in half yet permit more progress in pacification, an objective that has far more to do with success in Vietnam than casualties inflicted on Communist troops.
>
> At any rate, this strategy should be considered by the President and the Congress before there is any further escalation of the war in Vietnam.
>
> So that the Congress can effectively participate in this decision, I have today introduced a very brief Resolution which provides as follows: "Resolved . . . that it is the sense of Congress that the United States should not increase its military involvement in Vietnam."
>
> I invite all members who question further escalation of our military involvement in Vietnam to join with me in introducing similar resolutions.

Mr. Speaker, the 206,000 additional troops were not sent to Vietnam, and it is just barely possible that House Congressional Resolution 683 played a part in this decision.

By September 1968 I thought that the Congress was ready for a more drastic position and accordingly I proposed a resolution which provided as follows:

> *Resolved by the House of Representatives (the Senate concurring)*, That it is the sense of Congress that the United States should begin to liquidate its military involvement in Vietnam.

In my letter to the cosponsors of the March resolution seeking their cosponsorship of this resolution, I said:

> This resolution, I believe, will make it clear that Congress wishes not merely to limit American military involvement in Vietnam, but to begin to liquidate it entirely.

This language must have been too strong because only eight Members of the House joined me in cosponsoring this resolution.

Accordingly, on March 26, 1969, I introduced a resolution which expressed the same idea but with more acceptable wording, because there were 38 cosponsors of this resolution, which provides that:

> *Resolved by the House of Representatives (the Senate concurring)*, That it is the sense of Congress that the United States should begin to reduce its military involvement in Vietnam.

Therefore, I applaud the fact that the President has begun the withdrawal of troops from Vietnam.

However, I deplore the fact that the withdrawal has proceeded at such a slow pace.

Richard Nixon, the man who promised Americans last November that if they elected him President, he would get them out of Vietnam, has not done enough to honor that promise.

Richard Nixon, swept into office by something less than a massive popularity, campaigned on his will to end the war.

He has forsaken many opportunities to initiate significant U.S. withdrawals and seems content that the war will go away with the ascendancy of his three points; namely, the demonstrated ability of the South Vietnamese Army to defend the country, reduced infiltration by the North Vietnamese, and clear progress at the Paris peace talks.

In the meantime, while pledging his fervent desire for peace, he boldly claims that renewed student demonstrations for peace will have no effect on him.

His stalking horses, Secretary of State Rogers, Secretary Laird at Defense, and on occasion the senior Senator from Pennsylvania, Hugh Scott, proclaim the virtues of the Nixon stubbornness to relinguish the three-point demand and even said a possible answer may be further military actions.

Added to the disappointing behavior of the Administration are statements emanating from its spokesmen that ring strangely of past oratory.

Just last week the new minority leader in the other body, said the "enemy has about one offensive left in him. After that, the enemy is a defeated enemy."

On the heels of General Wheeler's statement that he expects a new winter offensive by the North Vietnamese and the Vietcong, Scott's statement sounds a bit like General Westmoreland on April 10, 1968, when he said:

> The enemy has many problems: He is losing control of the scattered population under his influence . . . He sees the strength of his forces steadily declining . . . His monsoon offensives have been failures. He was dealt a mortal blow by the installation of a freely elected representative government . . . the enemy hopes are bankrupt.

Ten thousand American soldiers and untold numbers of allied soldiers and Vietnamese civilians have lost their lives since Westmoreland calmed us with his prognosis.

Yet his statement came 4 years after Gen. Paul D. Harkins, Commander of the Military Assistance Command in Saigon joyously claimed "victory is just months away, and the reduction of American advisers can begin any time now. I can safely say the end of the war is in sight." That proclamation was made 35,000 American deaths ago.

But even 1 year before Harkins' statement, on March 8, 1963, an Assistant Secretary of Defense, could look at the situation and safely state, "The corner has definitely been turned toward victory in Vietnam."

Probably the supreme optimist of this entire group was the French commander in chief who on January 2, 1954, when Vietnam was still called Indo-China, waxed eloquently, "I fully expect only 6 more months of hard fighting."

Well, roughly, 190 months of hard fighting and dying followed the French general's victory preview and American troops are still losing their lives, for what?

Why are we still there when we have achieved our original objective?

This is what I, and thousands of others, have asked and are asking.

Why are we still in Vietnam? Whose interests are served by our being there?

These are the questions the President cannot or will not answer to the satisfaction of most Americans. And these are the issues which bring us here tonight and this morning—and will bring us here many more mornings I hope if the administration does not begin to heed the voice of the American people. A voice that asks for peace. A voice that says let the young men stop dying for nothing. There are no Hitlers or Stalins in Vietnam. The domino theory has been disproved and we are tired. Let us rid ourselves of this thorn which threatens to poison our whole fabric of life.

The distinguished chairman of the Senate Foreign Relations Committee, Senator Fulbright, introduced a new perspective into the Vietnam debate the other day when he offered for the Record a comparison of the casualties incurred in this war during the service of Presidents Kennedy, Johnson, and Nixon.

I would like to quote Senator Fulbright on those statistics:

> The average monthly total of dead during the Kennedy administration was 4.97; in the Johnson administration, 592.4; and in the Nixon administration, it has been 992.57. That is not quite double the average monthly total of dead in the Johnson administration.
>
> The monthly average totals of the number of wounded are similar. In the Kennedy administration, it was 13.66 per month; in the Johnson administration, 3,201.5; and in the Nixon administration thus far, it is 6,131.59. Again, that is almost twice—almost 100 percent—the total number of wounded in the Johnson administration, monthly.

Senator Fulbright finished by saying:

> These figures graphically show, it seems to me, that the level of fighting instead of having declined during the last 9 months, has substantially increased, both with respect to the wounded and the dead. It is true that in the last 2 or 3 weeks there has been a decline, but these figures are the averages since the beginning of the war.

The thrust of my argument is, contrary to what President Nixon would like us to believe and the few concessions to doves aside, the war has continued unabated under his administration.

President Nixon toured Asia last summer making statements concerning the folly of Vietnam-like adventure.

If indeed Mr. Nixon had seen the light—as he would have so many of us believe—he would have seen clearly the tie between the Vietnam morass and every major problem confronting the United States today. The balance of these challenges are coming from within—mainly they are thrown at us from the young and the black, those who suffer most when military ranks must be filled and domestic programs shunned.

If the United States is to continue in its role as a world leader, as innovator and guide, the ideals of the young—which many find easy to scoff at—must find a commanding place in national thought and action.

These hundreds of thousands of young people are thoughtful enough to know the good and evil in national actions.

Today's youth are probably the best educated, informed, and sensitive generation to ever grace our land. It ranks as pure stupidity to ignore their appeal for peace and close one's ears to their cries.

The popular will for change is there—we have merely to look around us today for evidence of that. And the previous policies ripe for a change are there, too—and nobody can doubt that a new Chief Executive exists to make those changes. But the missing factor is the firm resolve on the President's part to step in, grasp the old programs, shift them around and slowly but obviously, and minus obfuscation, get this country out of that mess.

Instead, he seems content to try to pacify the world—with appropriate utterances about peace and troop withdrawals and all the while fiddle, press, and rummage for a plan.

Where is your plan, Mr. President? Where is the design that was to have taken us from the despair of Vietnam and restore the national pride soiled by our belligerent presence in South Vietnam?

I am sure every waking hour presents the President with ample reminder that the office he now holds was won mainly on the promise to end the agony and the shame of Vietnam.

Let me quote from a recent Democratic National Committee release which discussed a trip to Vietnam made by Chairman of the Joint Chiefs, General Wheeler:

> Wheeler took a mid-July trip to Vietnam which was supposed to reorient the fighting tactics, but the Washington Post reporter David Hoffma in Saigon said that as of July 31 there was no discussionable change on New Washington orders. According to this report, most U.S. Commanders insist there is no casualty-reducing alternative to the strategy being followed. Yet Secretary Laird, on July 27, said a new approach called "protective reaction" will replace maximum pressure.

How do you explain the differences between "protective reaction" and "maximum pressure," to Mrs. Albert Colletto of Pittsburgh?

Mrs. Colletto had a son killed in Vietnam shortly after he participated in the onslaught against Hamburger Hill. That was the strategic hill which this administration felt was so vital it chastised those critics who protested sending American boys six times up its treacherous slopes until they finally subdued it.

This administration leaped on Senator Kennedy and others who called that campaign senseless.

Yet Hamburger quickly lost its value because we abandoned it days after Pvt. Albert Colletto and others captured it.

Private Colletto died engaging in "protective reaction" somewhere in the Vietnam jungles. But before his life was snuffed out he managed to pen the following lines.

They were given to me by his aunt, emblazoned on the back of a prayer card.

IN MEMORY OF HAMBURGER HILL

(By Pfc. Albert V. Colletto, Jr., U.S. 52–839–565, 101 A. B. Inf.—Co. C 1/506—Died 1969)

As I lie here among the trees,
the smell of the dying is in the breeze.
A Soldier cried out, Come to me please,

there was no need, he ceased to breathe.
The wounded laid dying, and the dead already gone,
a Sergeant yelled, get up, drive on.
With the lead flying in from every way,
I didn't expect to last the day.
We fought hard trying to win,
but at last we stopped, as night set in.
Dig in deep was the word,
to those who were left it didn't seem absurd.
They called our assault Hamburger Hill,
a name well put, but will you remember it, as always I will.
Ask the lame,
they can tell you it wasn't a game.
You can ask the dead,
but remember their aim.
Peace is golden and may be achieved,
if men would learn to love,
the burden of war would be relieved.
This is a true story, it is no lie,
give credit to the dead, because of the hill they died.

The mother of Private Colletto would have difficulty in understanding the difference between "protective reaction" and "maximum pressure." But I am sure if before he was killed Private Colletto was consulted about the difference he would have known. I think he might have said that there is small difference between the two. It may extend past the name but little else.

I wish that President Nixon had more than chagrin on his mind when he vowed, in reaction to former Defense Secretary Clark Clifford's suggestion to remove 100,000 troops by 1970, "I hope to beat Mr. Clifford's timetable."

Now there are two and a half months remaining in this year for the President to follow through on that hope.

I, for one, would not fancy imposing on the President an exact date—or rigid timetable.

Thus far, I have spoken on the war which has continued day in and day out, interminably. Even as I am speaking to you at this late hour, while most of the Nation sleeps, there will be several more of America's youth who will join the legion that will not see their homes again. It is this tragedy that confronts us as a nation. It is this tragedy that haunts the Nation's leaders. They continue to search for an honorable way to extricate the Nation from the agony that it now finds itself locked within. They look backwards into our history and forlornly try to draw comparisons. Our people shed their blood during the Revolutionary War which was fought to create our Nation. These men did not die in vain. Our anguished Nation sent its sons into battle during the Civil War and they did not die in vain for the Union was preserved. In 1918 and again in 1941 this country helped to fight cataclysmic wars which were supposed to make the world safe for democracy and in the 1950's at the request of the United Nations we again shed our blood in Korea.

Now, however, we find ourselves in this horrible nightmare—like none this Nation has ever faced before, yet still our leaders continue to search for a noble rationale, as in the past conflicts throughout our history. They dare not let loose because to do so would be to admit defeat and if defeated our youth that we have committed to battle will have died in vain. President Nixon has stated this in so many words when he said he did not intend to preside over the first defeat this Nation has ever faced.

My friends, to borrow the phrase from a modern folk song—When will they ever learn? When will they ever learn? This war in Southeast Asia is not the American Revolution and it is not the Civil War or the World Wars I or II. It is an Asian war which Asians should fight. It is a ghastly mistake; it has been and it will continue to be as long as Americans shed their blood.

Our men that we have sent into battle and who have died—will have died in vain. Unless and until we the living rededicate ourselves to them—we must admit our mistake and we must reorder ourselves and our Nation along a course which does in fact preserve, promote, and demonstrate the ideals on which the Nation was founded. It has not been a traditional war, it has not been an idealistic war. It has been a war entered into by a nation—a great nation—but one which for a brief period has become separated from its true path.

Therefore, let us admit this and rededicate ourselves in the name of those who will not come home—to the task of righting the course of our Nation. It has fallen into disrepair from neglect, and all of us must share the blame—from the most humble of us to those in the highest stations and offices in the land. Look about you—not just at the physical disrepair of the country—its cities, its lakes and rivers, its schools and highways and air, though they all suffer sadly from neglect. Look also if you will at the more basic problem—the cynicism and self-serving interest and lack of true responsibility on the part of everyone—from officials of Government to large segments of our population. Is not this the true underlying cause of both our domestic neglect and our international pomposity that could beguile us into a conflict such as Vietnam? We are not imperial Rome and we are not the policemen of the world.

The analogy of Rome is significant in another respect—close to me and my duties as a Congressman. Rome became an imperial state and extended its sway across Europe and the Mediterranean as its senate bit by bit lost the powers that it had originally assumed.

The parallel is significant. The Congress of the United States over the past several decades has shirked a number of the responsibilities bestowed upon it by the Constitution, and in many ways these responsibilities that we have not faced are bound up in our national dilemma of Vietnam, our national priorities, and a military establishment of the size and makeup that have permitted us as a Nation to embark upon adventures which upon sober reflection are not truly in our Nation's interests.

CONGRESSIONAL CONSTITUTIONAL DUTIES

What we have witnessed this year in the debate in both the House and the Senate over the military procurement bill and equally the debate on the ABM and MIRV is a democracy making a valiant attempt to assert effective control over a military-industrial complex in an age of relentless technology.

Phrased another way, we are today watching a constitutional crisis of historic proportions in which the Congress is attempting to reassert its constitutional powers and carry out its constitutional obligations.

Of late much has been said and written about clause 1 of section 2 of article II of the Constitution which provides that "the President shall be Commander in Chief of the Army and Navy of the United States."

Under the Constitution the President commands whatever Armed Forces are provided to him but the decision as to the number of soldiers and sailors and whether they shall be equipped with ABM's and MIRV's, under our Constitution, is not his to make.

The so-called war power clauses of the Constitution are clauses 11, 12, 13, and 14 of section 8 of article I of the Constitution.

These clauses provide that Congress has power to declare war, to raise and support armies, to provide and maintain a Navy, to make rules for the government and regulation of the land and naval forces.

The clauses of the Constitution which give Congress authority to raise and support armies, to provide and maintain a Navy, and so forth, were not inserted for the purpose of endowing the National Government with power to do these things, but rather to designate the branch of Government which should exercise such powers.

These provisions grew out of the conviction that the Executive should be deprived of the "sole power of raising and regulating fleets and armies" which Blackstone attributed to the King under the British Constitution. Justice Story in his "Commentaries" wrote:

> Our notions, indeed, of the dangers of standing armies, in time of peace, are derived in a great measure from the principles and examples of our English ancestors. In England, the King possessed the power of raising armies in the time of peace according to his own good pleasure. And this prerogative was justly esteemed dangerous to the public liberties. Upon the revolution of 1688, Parliament wisely insisted upon a bill of rights, which should furnish an adequate security for the future. But how was this done? Not by prohibiting standing armies altogether in time of peace; but (as has been already seen) by prohibiting them *without the consent of Parliament*. This is the very proposition contained in the Constitution; for Congress can alone raise armies; and may put them down, whenever they choose.

Unquestionably, therefore, the Founding Fathers intended to give Congress the primary role in establishing and equipping the military.

The question arises, however, given the highly technological nature of modern military hardware, is Congress still the proper department of government to exercise these powers?

As a Member of Congress for 10 years, I have not questioned the wisdom of the Founding Fathers in imposing this duty on us, but I have questioned recently whether we adequately have carried out our constitutional responsibilities.

Congress is inhibited in two ways from carrying out its constitutional duties, but both of these could be overcome by an informed public.

The first inhibition is the lack of adequate staff and supporting resources to examine the military budget properly. Second is the inherent problems of the committee system.

Because Congress has the unpopular task of imposing taxes, Congress is reluctant to spend money on its own operations even when such expenditures could save the taxpayers many times the initial investment. The result is that in terms of staffing and backup resources available for analyzing the military budget the Congress is wholly inadequate to the task.

The committee that directly handles the military budget in the House are the Armed Services Committee and the Defense Appropriations Subcommittee. Armed Services analyzes the posture statement and authorizes force levels and weapons systems. The Defense Appropriations Subcommittee then appropriates funds for support of these programs.

The amount of justification material that both of these staffs has to analyze is incredible. However, there is a professional staff of only nine in Armed Services and only five in Defense Appropriations that handles this task. And I had the temerity to criticize the Budget Bureau with a staff of 31 assigned to the Defense budget.

Another example of inadequate backup resources, the Congress has provided over 4,300 computers for the executive branch and none, except for housekeeping chores, for the legislative branch.

Under these conditions, when the military budget totaling over $80 billion comes before the Congress for authorization and appropriation, it can readily be seen that Congress is almost hopelessly handicapped in obtaining a thoroughgoing independent analysis of the Pentagon's proposals.

I propose that we in the Congress start considering seriously our own allocation of resources. I would contend that one of the best investments we could make is in the expansion and upgrading of our committee staffs and a substantial but reasonable investment in terms of backup resources.

Obviously, all of this is going to cost money, and it is the natural reaction of appropriations committees to be somewhat wary of new expenditures. But one system analyst, or one budgetary expert, who draws a salary of $20,000 a year, may, in the end, save the Government a million dollars. That is the kind of investment that all of us in Congress should be able to endorse.

The second inhibition is the congressional committee system. If a Member comes from a city district, he seeks to serve on the Housing Committee. If he comes from a rural district, he seeks to serve on the Agriculture Committee. In time, he becomes, not a judge of, but an advocate for, housing or farm programs.

Similarly, if he comes from a district with military establishments, he seeks membership on Armed Services or Defense Appropriations and becomes, not a judge of, but an advocate for, military programs.

The difference is that Congress as a whole can and does provide a check on any excesses in programs reported by Housing or Agriculture Committees, but when a military program is reported it is shrouded in secrecy and complexity and wrapped in the flag so that any questioning of it is close to being unpatriotic.

It may be that the creation of an overview committee to debate priorities among civilian programs and between civilian and military programs is necessary. Such a joint committee, similar to the Joint Economic Committee, would review annually the basic foreign and military postures of the Nation and consider budget alternatives. No members of the Armed Services, Foreign Affairs, or Appropriations Committees ought to serve on this joint committee. Furthermore, membership on it should be for no more than 4 to 6 years.

With the studies and reports of such a joint overview committee the level of debate in the Congress over national priorities could be elevated to the point contemplated by the framers of the Constitution. In economic affairs this was one result of the creation of the Joint Economic Committee.

Without the creation of this special oversight committee, it may be that the Joint Economic Committee which has been doing a similar job this year, should continue to do so.

However it is done, it is important that Congress, which is a many-purpose institution, do the job.

Civilians in the Defense Department, no matter how dedicated and intelligent, are still assigned a single purpose—the protection of national security through military means.

The Constitution gives to Congress the responsibility for considering all the needs of the Nation, not merely the military. The first clause of section 8 of Article I of the Constitution expresses this idea very succinctly.

> The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to Pay the Debts and provide for the common Defense and general Welfare of the United States;

The Congress must balance the demand for defense dollars with the demand of taxpayers for tax cuts and the demands of the poor for poverty programs.

To enable Congress to do this job properly, it was necessary that there be a change in public opinion. So long as the people thought it unpatriotic to question the military budget, no committee of Congress and no Member of Congress would do so.

This year the time seemed right for the development of the kind of public climate in which Congress could properly exercise its constitutional duties.

This year, I decided to do something to help develop this kind of a climate.

I looked into the budget interplay between the Defense Department and the Bureau of the Budget and came to the shocking conclusion that the Bureau of the Budget does not give the Defense Department the same kind or degree of scrutiny that it gives to nondefense spending.

On March 20, 1969, at a hearing before the Military Operations Subcommittee, I made this charge:

> Domestic agency budgets are given different and more intense scrutiny than the defense budget. In all departments of government, except for the Defense Department, budget examiners conduct an independent analysis and review which is submitted to the Director of the Budget. In Defense, budget examiners work not independently, but with their defense counterparts, and the analysis and review are submitted first to the Secretary of Defense rather than to the Budget Director. Only after the Secretary of Defense has approved it, is the review submitted to the Budget Director. The result of this procedure is that whereas other Secretaries must go to the President to have him overrule the Budget Director, in the case of Defense, the Budget Director must go to the President to overrule the Secretary of Defense.
>
> This process, of course, shifts the whole budget process power structure and renders the Bureau almost impotent as a force for independent analysis of military procurement programs.

The Bureau of the Budget at that time did not admit to the process I have just described. But in those hearings the Deputy Director of the Bureau of the Budget, Mr. Hughes, did admit that the "climate" was substantially different in the examination of defense requests.

Referring to the "power relationships" in Washington, Mr. Hughes conceded that the Defense Department has both political power and muscle. And that "in this power-oriented town," these two attributes give it an advantage in dealing with the Budget Bureau.

Defense Secretary McNamara in his inimical way made his opinion of the Budget Bureau's role in defense budget-making very clear when he told the Congress:

> I will be quite frank with you, I can't remember a single instance in which the Bureau of the Budget and I differed on a recommendation in which the President accepted the Bureau of the Budget view. There may have been one in 4 years, but I can't remember a single one.

On June 3, 1969, at a hearing before the Joint Economic Committee Mr. Charles Schultze, the former Budget Director, in answer to my questioning agreed that the Budget Bureau procedure in handling the Defense budget was indeed as I had described it.

The point I was making was the need for an institution with a variety of responsibilities to review the military budget as a part of the overall budgetary needs of the Nation.

On June 12, 1969, Mr. Robert Mayo, the present Budget Director, appeared before the Joint Economic Committee and testified that he had received new instructions from President Nixon. He said:

> I reiterate, Mr. Moorhead, that our policy with regard to defense . . . there have been differences before, and that it is our position that there are no differences now.

He then proceeded to read into the record a memorandum from the President directing the Bureau of the Budget to give the same treatment to all departments of Government.

I do not know if we really will see a change, but if we can keep up the pres-

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sure the public will become aroused and if the public does become aroused the Congress and the President and the Bureau of the Budget will respond.

But merely improving Budget Bureau procedures does not fulfill the constitutional duties of Congress to control the military.

However, before congressional control could be asserted, it was necessary to end the myth of the infallibility of the military in which the American people and the Congress had come to believe.

Our military men are able, intelligent and dedicated, but they are not infallible and Congress should not abdicate to them the decisionmaking powers which the Constitution bestowed upon Congress.

To develop a climate of healthy skepticism I started with an area in which people of all political philosophies could agree—the need to eliminate waste and inefficiency.

This was step No. 1.

On April 29, 1969, the case of the C–5A came before the Military Operations Subcommittee.

The fact of a $2 billion overrun was shocking enough but I had in my possession documents which revealed the even more shocking fact that the existence of these overruns was being deleted from official Air Force reports "on the direction of higher authorities."

When asked why this was done the Systems Program Director, in a very dramatic moment, revealed that this concealment was not for the benefit of the Government or the taxpayer, but to protect "Lockheed's position in the common stock market."

On May 14, 1969, the case of the Sheridan tank, or more accurately its infamous turret and caseless cartridge, came before the subcommittee.

It was revealed that the Army rushed into production with this $1.3 billion vehicle to avoid "adverse political and budgetary impacts," even though it was clear the ammunition for the vehicle's gun would not work.

On May 15, 1969, the case of the Army's Cheyenne helicopter came before the subcommittee.

One of the many troubles with this helicopter, we were told, was that the newly developed rigid rotor blade "oscillated." This seemed mild enough until it was brought out that it "oscillated" so much that one time it amputated the canopy in which the pilot would sit. The officer testifying protested and said, "But, sir, that was not planned."

The primary purpose of these procurement horror stories was to lay the groundwork for improvement in procurement policies but they also served to develop a climate in which Congress could question other defense decisions.

This is important because even with perfect procurement we would still have a military budget out of control.

Having established a platform and credibility through step No. 1, the procurement horror stories, the time had come for step No. 2, which was to question the need for certain conventional weapons systems not involved in the direct security of the United States, but more involved in our commitments overseas and based on certain threat assumptions.

It is now politically possible to discuss in Congress whether we need each and every one of our highly vulnerable 15 attack aircraft carriers when the Communist nations have none.

On June 3, 1969, in hearings before the Joint Economic Committee, I was able to ask former Budget Director Charles Schultze about our eight antisubmarine carrier task forces, and he said, referring to Secretary McNamara's 1968 posture statement, that if "these antisubmarine warfare carriers were substantially equipped with new planes, they might be marginally effective," and he suggested that this might be a good place to look into reduction of the budget.

Congress should take a hard look at our general purpose conventional forces because these items involve over 60 percent of the Defense Department's budget.

The Constitution directs the Congress to provide not only for "the common defense" but also for the "general welfare" of the United States. If we are to provide the funds for housing, education and so forth which the "general welfare" requires, the best source of additional funds seems to be those conventional forces which are not needed or which are only "marginally" needed for the "common defense."

The other way to obtain funds for the urgent domestic needs of our "general welfare" is to begin to question the assumption on which our conventional force levels are predicted. This would be step No. 3 in the progression of our reassertion of congressional control over the military budget.

For years we have directed our military forces to be ready to fight simultaneously—simultaneously, mind you—a major conventional land war in Europe against the Soviets, and a major conventional land war in Asia against the Chinese, and a minor brush-fire war elsewhere in the world. Before the Sino-Soviet split this policy may have been rational—after the split it was questionable—now after the Ussuri River fights it is clearly nonsense.

In the Joint Economic Committee hearings Dr. Karl Kaysen projected a greatly reduced military budget by changing the two-war-plus policy and that we should "maintain no continuing ground force commitment in Asia."

The first three steps were important laying of a political basis which does not involve the direct safety of American citizens—all of us could sleep just as well if the ratio of U.S. attack aircraft carriers over the Communists went down from 15–0 to 12–0.

The fourth step is to have rational congressional and public debate over strategic weapons systems where the more immediate and direct security of the United States may be involved.

This involves the debate in the Senate over the deployment of the anti-ballistic-missile system—ABM—and in the House over the continued testing and production of the multiple independently targeted reentry vehicles—MIRV.

The debate over ABM is an encouraging sign that Congress does intend to perform its constitutional duties over the military.

As Senator FULBRIGHT said in testimony before the Joint Economic Committee on June 4 of this year about the ABM:

> The first time in the 25 years I have been in the Senate that there has appeared to be an opportunity to change in any substantial way at all a program affecting the military has been the ABM. And I don't know whether it can succeed or not. We are told in the press that it is close. That is the only time I have ever heard of a vote being close on a matter affecting a major military program.

The story with respect to MIRV is different. It shows how the Pentagon can flaunt the will of a majority of Congress.

On July 10, 1968, the Pentagon entered into a letter contract with General Electric Co. for the production of 68 Mark 12 reentry vehicles and announced it in such a way that it attracted no attention in the press or in Congress.

On June 19 of this year, President Nixon told the country that he was considering asking the Russians to agree to a moratorium on further MIRV testing. Forty-one Senators lined up behind a "sense-of-the-Senate" resolution proposed by Senator BROOKE, supporting a mutual test moratorium. Similar resolutions had over 100 cosponsors in the House. But in the meantime, in April and May of this year, the Pentagon was engaged in negotiations with General Electric to definitize the July 1968 letter of intent. At that time, according to the Department of Defense, authorization was given to proceed with the actual production of the deployment model of the Mark 12. This process was completed and the contract was signed on June 19—the very day on which Mr. Nixon was informing the reporters that he was considering trying to work out a standstill with the Russians. Contrary to its usual practice, the Pentagon did not announce the award.

On June 24, 1969, by accident my office learned of the existence of the production contract.

On June 26, 1969, I called a press conference and blasted this dangerous concealment from the Congress.

As the Detroit Free Press said on June 30:

> Representative William S. Moorhead of Pennsylvania could do worse than to ask President Nixon one simple question: "Who the hell is conducting foreign policy, the President, with the advice and consent of Congress, or the Pentagon?"

I am not concerned about who is at fault.

I am concerned about jeopardizing the impending strategic arms limitation talks—SALT.

As the St. Louis Post-Dispatch said on June 29:

> It is quite true, as Mr. Moorhead says, that the start of MIRV production, implying a vast multiplication of our offensive nuclear capability, may impel the Soviets to respond in kind and thus touch off a new round of the arms race. We agree with him that production should be postponed and tests suspended. The arms talks should have a chance to succeed before we begin proliferating an already excessive nuclear arsenal.

I think we may be at a historic fork in the road in the history of the arms race.

Because of fear of the Chinese, the Soviets may want an agreement with us.

Gromyko's speech last week certainly sounded like a thaw in the cold war.

I think it is possible that the Soviets want strategic arms limitation and want to avoid another escalation of the arms race if we do not force it on them.

Continued flight testing and production of MIRV may torpedo the SALT talks and force escalation on them.

I am convinced that we are far enough ahead of the Soviets that we can call a temporary halt to production and testing of MIRV to see if there is any hope of an enforceable agreement with the Soviets.

As Dr. George B. Kistiakowsky, President Eisenhower's science adviser, told a House Foreign Affairs Subcommittee yesterday:

> Because we are somewhat ahead of the Soviet Union in MIRV development, because our total strategic forces . . . are somewhat larger than those of the U.S.S.R. and because a very large fraction of our retaliatory force would not be imperiled by MIRV development, we could risk without undue danger to our national security initiation of such a moratorium pending a prompt and symmetric response from the U.S.S.R.

It appears impossible—politically at least—to halt both the MIRV and the ABM.

In my opinion, MIRV is far more destabilizing strategically, but ABM is more important politically.

Strategically, ABM could be deployed and we could still enter into an arms limitation agreement enforceable by spy satellites, on the number of ABM launchers deployed. However, once MIRV is deployable an enforceable agreement with the Soviets on MIRV is rendered far more difficult if not almost impossible.

On the political front, the Nixon administration is risking a very embarrassing defeat when the best they can hope for is a hairline victory on ABM which would not enhance the standing and prestige of the administration.

The logical solution both strategically and politically is for those Senators who oppose ABM and MIRV to agree to support some form of an ABM system in return for the administration's agreement to halt, for a limited period of time, the production and flight testing of MIRV.

Whatever the outcome of the debate this year, I think that you and I as taxpayers, whose dollars are involved, and we as citizens, whose lives are involved, must endeavor to restore to Congress its constitutional responsibility to provide for the common defense and general welfare of the United States.

WHICH WAY AMERICA?

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. DON H. CLAUSEN. Mr. Speaker, out of this national debate and moratorium on the war in Vietnam, a notion is merging that disturbs me greatly, and one that I trust will be heeded not only in this great body today, but throughout the Nation today and in the days to come.

That notion, as I see it, is that, unless you support this moratorium, you are not in favor of ending the war in Vietnam. This is a completely ridiculous notion, of course, but its impact is being felt, and underneath it all, we as a people are beginning to "choose sides"—not on the question of how to end the war in Vietnam—but rather, over whether or not we support the moratorium.

I relate this view only to point up something that I believe has been going on in this country for several years. In my judgment, we are rapidly becoming the dis-United States of America. We are unwittingly desecrating our national confidence and our national will that have long been the hallmark of America's internal fiber. And, history tells us that "a nation divided against itself cannot stand."

The constitutional right of the American people to peaceably express their dissent is unquestioned. It is a precious right that must be defended at all costs, and practiced whenever the need arises. But, what kind of a moratorium is it, pray tell, when there are no voices to be heard calling on all sides of the conflict in Vietnam to expedite an end to the war.

I seriously question the validity of any moratorium on the war in Vietnam that does not place at least a fair share of the blame on North Vietnam for the continuance of this miserable war and the farce now underway in Paris, wherein nothing concrete has yet been accomplished.

And, I seriously question the objectivity of any moratorium on the war in Vietnam that does not even suggest the need for any withdrawal of North Vietnamese troops from South Vietnam.

Is it any wonder, Mr. Speaker, that in his "Dear American Friends" letter, Premier Pham Van Dong of North Vietnam gave his wholehearted acclaim and approval of today's antiwar demonstrations. With this in mind, it is not too difficult to comprehend why he should describe the moratorium as "a worthy and timely rebuff to the obstinate attitude of the U.S. administration in intensifying and prolonging the aggressive war in Vietnam," and to wish the demonstartors well in their "fall offensive."

Well, just for the record and, as one Member of Congress, I want to be recorded here today as saying that I believe Pham Van Dong is on the wrong track—and that President Richard M. Nixon is on the right track.

President Nixon is our President and he is working for an end to the war in Vietnam and for peace with freedom—not peace with surrender, or "peace at any price." And I honestly and wholeheartedly support the President in these efforts.

Some people today are asking: "What has President Nixon done in 9 months?"

He has reversed the policy of previous administrations with regard to the war in Vietnam. Rather than sending in more troops or escalating that war, he has reduced the level of fighting and started to bring the boys home. Now, if that is not progress, I wish someone would tell me what is?

President Nixon's "phase-in phase-out" policy in Vietnam was advanced to the American people something over a year ago. During the past 8 months, it has been implemented and is now underway. It offers a positive solution to America's vast overinvolvement in Southeast Asia, and is a fair, practical and reasonable means to an end as far as the war itself is concerned.

But, how many in the streets today are recognizing, or even acknowledging these basic facts? How much can a President do in 8 or 9 months—about a mess that was 8 or 9 years in the making? And, what has happened to the American sense of openmindedness and fairplay?

Too many Americans, I fear, are pinning all their hopes on negotiations as the road to disengagement from the war in Vietnam. How short our memories become in the flood of rhetoric that is now underway. We tend to forget that the war in Korea was negotiated for 3 years, and we tend to overlook the fact that, as a result of those negotiations, 50,000 American troops remain in Korea today. Is this what we want in Vietnam? Is it what the war-weary people of Vietnam want?

Freedom, as we all know, is not free. The Communists have mounted an ideological offensive of aggression. And all we need to do is to look at the recent attempts at freedom of expression in Czechoslovakia, to see that their offensive is still very much alive. What we need to counter that, I submit, is an ideological offensive of our own—a freedom ideological offensive, if you will, that matches their idea with a bigger and better idea.

That, I believe, is the direction President Nixon is going.

But, he cannot go it alone. So in closing, I ask—which side are we on, anyway? The side of freedom and free nation building, or the side that yesterday called on the American people to mount a "fall offensive" against our country, against our President, and against the cause of freedom?

Which way, America?

ONE WAY TO EASE THE BURDEN FOR TENANTS

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. BIAGGI. Mr. Speaker, I have introduced a bill today that would require the payment of interest on the rent security deposits of tenants living in federally assisted apartment complexes. It is grossly unfair that tenants do not presently receive the benefit of interest payments on their money that is generally left in the possession of their landlords for long periods of time.

In my own Bronx, N.Y., district, for example, 12,000 families living in an apartment complex known as Parkchester are not receiving 1 cent in interest on rent security deposits totaling $1.2 million. The landlord-corporation, on the other hand, is the custodian of this money and is deriving investment benefits from revenue that rightfully belongs to the tenants.

In this instance alone, the deposit of rent security funds of $1.2 million in a simple 5-percent interest-bearing bank account, would yield a return of $60,000 annually.

In New York City and across the Nation, thousands upon thousands of tenants—many of them struggling middle-income families—are the victims of the same kind of unfairness experienced by the residents of Parkchester.

These tenants do not have the right to share in the profits that might accrue to their landlords from property investments. While I do not fault this particular area of free enterprise or even mean to imply that changes are necessary. I do not understand why tenants should be denied the most minimal investment benefits from money that belongs to them.

Rent security funds are intended only as a guarantee that tenants will adhere to the conditions of occupancy. If they do this, that money must be refunded to them when they move from the premises. Right from the very beginning, the element of protection favors the landlord who becomes both the custodian and controller of the rent security funds.

Under the circumstances, I know of no sound or valid reason for depriving tenants of simple interest payments on rent security deposits.

In the case of apartment complexes which are devoid of Federal assistance, it is my hope that State governing bodies throughout the Nation become increasingly aware of the unfairness of the present situation and enact remedial legislation similar to the bill I am offering here.

In this era of high taxes and inflation, the average American family is constantly struggling to make ends meet. My bill, therefore, simply offers one means of lightening their burden a bit in a way that is only proper and fitting. On that basis, I ask your support of this measure.

OF STRENGTH AND HONOR

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. TEAGUE of Texas. Mr. Speaker, this past weekend I was privileged to hear the words of Lt. Gen. Richard G. Stilwell, Deputy Chief for Military Operations, address a distinguished gathering of Medal of Honor recipients. Daily we read criticism and condemnation of the military and its needs in the present day and age. It is important to be aware of the views of the silent majority on this issue. General Stilwell's remarks should be of great interest to all Americans as to the need for a continuation of a strong and well-equipped military force:

Of Strength and Honor

(Address by Lt. Gen. Richard G. Stilwell)

I know members of the society we honor tonight will agree that the locale is most appropriate to the occasion; that there is a special affinity between Texas and courage, both individual and collective. The history of this great state is studded with heroism, self-sacrifice, communal responsibility—with feats of men (and women) standing tall in crises. The Alamo has particular meaning for every American, from earliest school days on. The legendary exploits of that band of heroes—Travis, Crockett, Bowie and 184 others—at the cost of their precious lives—is a universal symbol of duty to country and faith in its future. So too the memory of Sam Houston, the derring-do at San Jacinto and the Independence thereby gained.

As one of these United States, the Texan heritage has been continuously enriched—in the course of taming its vast expanses, harnessing its resources, providing its sons when America was imperiled. Texans—in great numbers—have served valiantly and uncomplainingly on battlefields beyond count. Fifty-four have been awarded the Congressional Medal of Honor.

Today, Texas is home to a new breed of heroes—some in uniform, some not. They, and this magnificent city, have captured the hearts and admiration of all the world with their giant steps on the last and greatest frontier: The Universe.

The unseen dangers they braved, the ultimate risks they faced met all the criteria for the coveted Medal of Honor save one—the environment, the hell of war alone was missing.

War is a special arena in which the Gods of Chance rise to full stature. Confusion is the concomitant of combat. The unknown is the first-born son of battle, and uncertainty is his shadow. The fighting man lives under the constant tension of being face to face with the unexpected, hour after hour, and days on end. He knows the violent, pounding heart, the sickening feeling in the pit of stomach. He knows cold sweat, unsteady hands, trembling knees.

In the arena of war, man must meet these challenges alone. Even in the midst of his comrades, he develops an inner loneliness—his innate confidence in personal survival sapped by realization that, in battle, death stalks unrelentingly.

The man of combat finds himself in a world that differs—in a thousand ways—from all that he has known before. That world shrinks enormously in time and space to immediate imperatives: defeating the foe; staying alive, God willing; and helping his buddies stay alive.

Believe me, countless members of the brotherhood of combat veterans have gone through this kind of hell.

We are assembled tonight to pay homage to an elite segment of that brotherhood of combat veterans: the handful, from among untold tens of thousands, who hold the coveted Medal of Honor.

This prized fraternity encompasses all ranks. Its members constitute a true cross-section of America: the roll includes men of every color, creed, race, and social strata. The Medal of Honor knows no prejudices.

To understand the criteria on which award of the Medal of Honor is based, one need go no further than the first paragraph of each citation: "For conspicuous gallantry and intrepidity at the risk of life above and beyond the call of duty, in actions involving actual conflict with an enemy." Thus it is reserved—not for presidents, statesmen, generals, and others of high station—but for those in the forefront of battle.

The words "conspicuous gallantry and intrepidity at the risk of life" are significant. Every man is marked by a love of live and a natural instinct for self-preservation which normally surpass all other human motivations. To risk life for one's buddies, one's unit, one's country is the supreme expression of selflessness. In war, acts of courage are legion; personal sacrifice is a way of life. In these circumstances, the man singled out for recognition must be of a special mold, truly a hero among heroes. Though the magnificent heroes here this night are too modest to recount their deeds, each of their stories would thrill you to the marrow. They have earned the everlasting gratitude of this nation and we salute them therefore.

America was created, expanded, and since sustained by the inner courage and physical strength of such men—men who have accepted all challenges, at home and abroad—men who have defended this nation's security and honor during the 193 years of her existence.

Our national power is the product of a vibrant citizenry. From active, responsible citizens comes the willingness to toil, sweat, and fight—if necessary—for our basic values, for that which is just, and decent. The overwhelming majority of Americans are such citizens.

But history records that Americans have been slow to awaken to external danger. We have rallied in time of emergency, but we have also allowed our military strength to attrite when the most immediate threat receded, however slightly.

This is an old story. We have seen it happen again and again—the unpreparedness, the crisis, the frantic build-up, then off to war. Thus far at least, we have always made it—but just in the nick of time

Before World War I—for reasons well known—the dark happenings in the Old World interested Americans only casually and only from a distance. So, too, the Guns of August, 1914. Then, suddenly a German torpedo sank the Lusitania with fearsome loss of passengers, including Americans. Never again would we find security in mere geographic isolation.

The United States was ill-prepared for the conflict it entered. But we had the leisure to mobilize the nation and we eventually saved the day. Our soldiers came home from France to great celebrations. America was proud of her victory and even prouder of the men who had fought so bravely to win it for her.

But all too soon America wanted to forget. Having won the "war to end all wars," the public clamored for a return to the warm security of isolationism. The mantle of world leadership was too heavy a burden. The Armed Forces were allowed to deteriorate. By 1939, the Army's strength was lower than before World War I.

Then came the attack on Pearl Harbor, galvanizing the American people into action again. The torpedoes and bombs that sank American battleships also sank "American Firstism." Congress, responding to the overwhelming National cry for action, speedily declared war.

Once again we mobilized while others carried the main brunt of the war. It took four hard years to achieve victory.

And yet we still had not learned. While the conflict raged the military was a "Hall of Heroes." After World War II, the Armed Forces were drastically reduced; the need for military readiness largely ignored. President Kennedy used to quote from an old British barracks ballad:

"God and the Soldier we adore,
In time of danger, not before.
The danger gone, and all things righted,
God is forgotten, the Soldier slighted."

In a few short years we were swept into the Korean War and emerged in the same pattern—eager to reduce our Armed Forces, and lessen our military might. This time we would not stand behind the shield of our oceans or other nations, but rather behind the single shield of massive nuclear retaliation. As conventional warfare was reckoned unlikely, the soldier was considered obsolete.

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Vietnam has, of course, disproved the rationale of this philosophy. It has also pointed up most dramatically the need for strong, balanced forces, capable of meeting all kinds of threats on many levels of involvement, and without delay.

After Vietnam, there will be pressures—even now apparent—against the maintenance of such strength in being. Even now there are attacks on the military. An active campaign is being waged against ROTC. Young men are being urged to resist the draft. Heavy criticism is being directed against defense spending. The evidence suggests reoccurrence of the cyclic pattern witnessed seven times in our country's history.

But would this dismantling square with the shape of the 1970's, 80's and beyond?

Looking backward 20 years, one is struck by the chronology of conflict. Twenty—count them—20 wars and insurrections, ranging from Asia through the Middle East to Europe and Latin America. Each carried seeds of grave danger to our beloved Country, our ideals, and all that we hold dear. Ahead—as far as the eye can reach—one sees high promise of social, economic and technological advance. But one also sees international turbulence and stresses more potentially violent and explosive than in the recent past. The realities of the nuclear age will press more strongly from all sides as our arch rivals on the world scene enhance their missilery, navies and armies. In a globe fantastically compressed by electronics and jets and rocket propulsion, there is no shield of time or space. Conversely, it will take increasingly long to forge a military machine from a meager base. In any case, the defeat of aggression once launched is no longer the best strategy.

Today and forever forward the American military—of the people, for the people—will have as its supreme task the prevention of war at any level. This fighting man will fulfill the noblest measure of his responsibilities by countering external dangers, gaining our Country's objectives, without recourse to bloodshed. But to prevent war one must be fully prepared for war.

It is in vogue to quote the late President Eisenhower—albeit out of context—on the military-industrial complex. My counter is a segment of his Farewell Address. He said:

"A vital element in keeping the peace is our military establishment. Our arms must be mighty, ready for instant action, so that no potential aggressor may be tempted to risk his own destruction."

Members of the Congressional Medal of Honor Society, you have already done far more for your country than could be possibly expected of any group of men. But your patriotism and unswerving dedication to the national welfare are still at test. With the horrors of war indelibly etched in your memory, you understand the meaning of peace as few others can. Significantly, you also know the preconditions for ensuring that peace will endure through the lifetime of your children and your children's children. May your voices—heroic and respected—always support the maintenance of our national strength, our national faith and our national honor.

Ladies and Gentlemen, I thank you most humbly for listening.

MICHIGAN PESTICIDES COUNCIL

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. DINGELL. Mr. Speaker, the Michigan Pesticides Council performs a continuing service to the citizens of Michigan and to the population of this country, generally, through its dedication to the protection of our environment.

The council's chairman, Mrs. Willard E. Wolfe, recently presented a statement to the Senate Commerce Subcommittee on Energy, Natural Resources, and the Environment at a meeting in Muskegon, Mich., under the chairmanship of Senator PHILIP A. HART. So that my colleagues may be aware of the council's views on pesticides, I include the text of Mrs. Wolfe's statement at this point in the CONGRESSIONAL RECORD:

STATEMENT BY MRS. WILLARD E. WOLFE, CHAIRMAN, MICHIGAN PESTICIDES COUNCIL, SEPTEMBER 30, 1969, IN MUSKEGON, MICH.

Senator Hart, members of the subcommittee, my name is Mrs. Willard E. Wolfe. I am chairman of and speaking for the Michigan Pesticides Council, a council composed of organizations and individuals concerned with the present and future quality of our environment. We represent about 300,000 people through our member organizations, and our individual members include medical doctors, biologists and professional conservationists as well as the lay public. I am also chairman of the West Michigan Environmental Action Council, which will also be represented today.

We very much appreciate this opportunity to speak to your distinguished committee.

We first wish to emphasize that our Council is not opposed to all pesticides. We are opposed to the use of persistent, toxic insecticides such as DDT and Dieldrin in the outdoor environment. We are totally in sympathy with our farmers who are producing our food and battling with all the forces of nature. We feel that the farmer has been the victim of chemical company propaganda through his farm programs and literature, the victim of lack of research into less expensive and less harmful means to meet his problems, the victim of policies which have increased his insect problems, and the victim of agricultural schools which have been more responsive to the hucksters of chemicals than they have to scientific information.

Our organization is frankly and honestly outraged by policies which have resulted in persistent pesticide assault on our environment, since these results were almost wholely predictable. It is therefore our wish today to put on record what has brought us to this sorry day when coho cannot be marketed, many gulls, eagles and osprey suffer reproductive failure because they consume contaminated fish, and the entire biological life of our Great Lakes—as well as our oceans—is threatened by persistent pesticides. Indeed, important protein resources throughout the world may well be endangered.

In 1962 *Silent Spring* was published to alert the public to the consequences of certain pesticide use. The reaction of the public, as well as President Kennedy's own perusal of the book, led to the President's Science Advisory Committee examination of pesticides. Their conclusion—over seven years ago—was that "the elimination of the use of persistent toxic pesticides should be the goal," and that "accretion of residues in the environment be controlled by the orderly reduction in the use of persistent pesticides." Despite this report, last year the total United States production of persistent insecticides was approximately 225 million pounds, up from 150 million in 1962. DDT production had gone up from about 64 million pounds in 1962 to 103½ million pounds in 1968. We are now exporting more DDT than we manufactured in 1962.

Why has this happened? It happened because two other reactions to the public outcry took place: that of the chemical industry and that of the economic entomologists and agricultural leaders who had sincerely thought they had been doing good and now felt they were being chastised as purveyors of poisons. An unholy alliance even predating 1962 affects us today—and without legislation to protect us—will continue to affect us for years to come.

We contend that information has been suppressed, scientists have been intimidated, and the public has been misguided by a fact-sorting process and by ridicule of factual information. We present the following examples as evidence:

1. Lack of independence of many of our nation's scientists.

The Natural Resources Departments in many or all of our land grant colleges are under the Schools of Agriculture. Any research or statements made by any member of those natural resources departments, therefore, are subject to the scrutiny of the Agriculture Schools under which they exist. We can be very grateful for the tremendous courage of some faculty members who have existed under these arrangements.

The highly-publicized pesticides research center at Michigan State University is an example of the preponderance of men, research and money devoted to virtually every pesticide question except what harm persistent pesticides may be doing to our environment. We can assume that under existing means of obtaining research money, much pesticide research is paid for by our chemical companies.

2. Biased news releases.

The Michigan State Agriculture Extension Service press releases pour out stories such as research on insects which break down persistent pesticides in the soil, or how cows may take charcoal and phenobarbital to prevent pesticide contaminated milk. I do not notice that they describe research on the **heavily contaminated** muds in our lakes, biological magnification of persistent pesticides in food chains, or facts such as tons of DDT circulating in our atmosphere. They do not admit that soil insects can do nothing about most of the contamination in the world, nor do they mention that some DDT breakdown products are also harming our environment. They have not mentioned the fact that mothers' milk has such a high level of DDT and Dieldrin that if bottled it could not be marketed. Obviously they can't very well suggest that Mothers should be taking charcoal laced with phenobarbital. Most of the press releases give the impression that research will eventually take care of all our problems.

The news release by the Michigan State University Department of Information Services, on a prestigious conference on man and his environment, was a good example of managed news. Despite the fact that several subjects were covered at the conference, including one by our governor's wife, and that pesticides were discussed from different points of view by more than one person, the only news release by the University was State Director of Agriculture Ball's defense of his pesticide policies. I submit the news release, the speech by Secretary Ball, and an opposing view by David Jenkins of the Department of Natural Resources, for the record.

Other press releases coming from both the Agriculture Department and our Michigan State University Extension Service have pointed the finger at cities for the most DDT found in rivers nearby. These press releases never included the fact that it was Michigan State University Extension Service entomologists and the Michigan Agriculture Department which were responsible for recommending and approving the use of DDT by the cities for Dutch Elm Disease control and other urban uses.

3. Ridicule, intimidation and suppression of information of our scientists by the unholy alliance.

One of the first scientists to report on harm done to the environment by persistent pesticides was Dr. George Wallace, of the Michigan

State University Zoology Department. He had discovered that the DDT used for Dutch Elm Disease control at the University campus was killing robins and other bird species, primarily insect eaters. His findings were eventually duplicated at other universities. After Dr. Wallace made his reports publicly known, attempts were made to discredit him. Two horticulture department professors made public statements about "spectacular half-truths coming from two or three small groups who like to make noise." After he testified on DDT in Washington—and this is a matter of public record—a member of the United States Department of Agriculture tried and almost succeeded in getting him fired. Such degrading statements and events stifled freedom of discussion on all our campuses.

In 1962 Dr. E. W. Roeloffs, fisheries professor, and Charles Shick, a biologist, prepared a publication entitled "Spray Programs and Wildlife." The information bulletin was reviewed by 11 other Michigan State University staff members, and after their approval 15,000 copies were printed. About two weeks after initial distribution the publication was removed from circulation following the objection of three Wayne County agriculture agents. The publication was withdrawn over the vigorous protests of the two authors and the chairman of the MSU Fisheries and Wildlife Department. Nearly eight years have gone by and the publication has neither been reprinted nor replaced. When I once mentioned that I had a copy and wanted more, I was ruefully told that I should keep it as a collector's item. However, I would like to offer it for the record.

Perhaps the most extravagant attempt at ridicule and intimidation was an article written by a chemical company spokesman and printed in a major science magazine. He theorized that those who are concerned about pesticides and their harmful effects are in actuality preoccupied with the subject of their lack of sexual potency. I have the feeling that to some extent this absurdity backfired.

4. Use of spurious propaganda techniques.

One often-used tactic is to mislead by charging us with emotionalism—while we talk facts and they make emotional and non-factual statements. The alliance infers that we are opposed to all pesticides instead of just toxic persistent insecticides used in the outdoor environment. They prevent the farmer from remaining objective by making him feel that there is an effort on the part of a hostile public to hurt him. A typical example is the poem by Professor John Carew, chairman of the Horticulture Department at Michigan State University. The poem was first published in the American Vegetable Grower, and was reprinted with his permission this summer in the National Agriculture Chemical Association News and Pesticide Review.

He refers to—and I quote: "Certain well-fed members of Society who "disapproved of the farmer using science" . . . "They spoke harshly of his techniques for feeding, protecting and preserving plants and animals." He goes on to say that this had emotional appeal . . . and said that Society gave the farmer the title Unimportant minority, and passed laws abolishing pesticides (note that he didn't say persistent pesticides) fertilizers and food preservatives . . . and then of course he ends his gem of scientific objectivity and unemotionality by telling how crops and animals died and finally millions of people were exterminated.

I would like to have the entire poem included in the RECORD.

Another very new tactic of some spokesmen for the chemical and agriculture alliance is to call themselves ecologists. Please note, however, that the Michigan Association of Conservation Ecologists has recommended stringent restrictions of all the persistent chlorinated hydrocarbon insecticides. Last year's president of the Ecological Society of America and now provost of Michigan State University, Dr. John Cantlon, speaking in Grand Rapids last year, called persistent pesticide programs such as the Dieldrin spray program in the Lake Michigan watershed "morally indefensible."

The constant flow of misleading propaganda coming from the chemical-agriculture alliance has promoted the idea that it is protecting the public when it tells us we can use pesticides safely if we follow directions on the label. One cannot, however, use a product safely if it is going to turn up in creatures all over the globe, even thousands of miles from the nearest use. Another propaganda tactic is to rebut information on environmental damage to carnivorous birds by talking about the huge number of of black birds we have today, or research done on chickens. They neglect to admit that they are talking about seed eating birds. They also neglect to admit that part of our problem with nuisance birds is because our predator birds which helped control blackbird numbers have been decimated by pesticides, and also that blackbirds and English sparrows are filling an ecological vacuum formerly filled by insect-eating birds killed by persistent pesticides.

Still another tactic is to refer to the need for more research. If they have their way, we will research for 7 more years, and 7 more, and 7 more . . . during which we will add many more tons of persistent pesticides to the living environment.

Typical of the arrogance, and part of the propaganda, of the people responsible for pesticide decisions is what has happened in Michigan. They must really feel that the public is stupid. The day before the Michigan hearings on a bill to give pesticide registration control to a broader-based agency than just the Agriculture Department, Director Ball announced that DDT was no longer to be registered for mosquito control, on the basis that the Michigan State University extension service suddenly no longer recommended it. This was supposed to be an example of how well we were already protected.

Almost immediately after the coho were taken off the market the Michigan Department of Agriculture withdrew registration of DDT. We are certainly delighted that it did, but we are not impressed, in view of the public outcry and the fact that there is now so much insect resistance to DDT.

Another example of the terrible arrogance on the part of Director Ball and the Agriculture Commission was the Dieldrin spray program already mentioned. Organizations throughout the state petitioned for a hearing so that they could plead that state scientists be given a chance to review the problem. Director Ball gave the hearing and granted the scientists the chance to make their review. Two days later, however . . . weeks before the spray program needed to begin, and before the scientists could make their report, he announced that the Dieldrin spraying would begin. In view of this action in September of 1968, it is notable that only 11 months later, in August 1969, after reviewing their programs on persistent insecticides, the United States Department of Agriculture forbad the use of Dieldrin in joint Federal-State programs for control of the Japanese beetle.

Despite protestations to the contrary, MSU doesn't always follow its own advice, and the Michigan Agriculture Department doesn't always follow MSU's recommendations. Despite the fact that in 1963 the United States Forest Service had reported that methoxychlor—a less persistent insecticide—was a safe and effective substitute for DDT in Dutch Elm Disease control, and despite the fact that MSU claimed to recommend that people use the least persistent material, it took about 6 years for the entomology department to switch its recommendations from DDT to methoxychlor. Today the entomology department no longer recommends persistent pesticides for most problems, yet the Michigan Department of Agriculture continues to register these persistent insecticides (except DDT of course) for virtually everything, and we don't hear any protests coming from the entomology department.

Today Chairman Dr. Gordon Guyer publicly talks about the Pesticides Research Center, tells us that we will soon be using even more pesticides (because, say some entomologists, our pesticides have increased the insect problems) and he expresses sympathy for the inner city dweller's need to save his elm trees. At a hearing last year Black legislator Cartright expressed the wish that the sympathy and money would be for rat control instead. In any case, I have heard Dr. Guyer several times, and I have never heard him express distress that his belated recommendations are not being followed by the Agriculture Department.

5. Study committees biased by agriculture and chemical company apologists.

A very useful tactic has been to form study committees to make an objective appraisal of persistent pesticide contamination. These committees, however, are typically weighted with people representing the chemical industry and people who have to audit their own past recommendations or performance. Such was Governor Romney's pesticide panel which made the expected self-protective report. Legislative reports, too, have come from agriculture-dominated committees. (It is a particular pleasure, therefore, to be speaking before this subcommittee!) Last year's Michigan joint legislative report was typical. I think I can prove its nonobjectivity by pointing out that the report went to great length to report comments by the Michigan Association of Conservation Ecologists report wherever it approved pesticide use, but failed to mention that MACE's major conclusion was that we should stringently restrict the use of the persistent, chlorinated hydrocarbon insecticides, and named them.

We submit that the examples which I have given are typical evidence that we are not getting an objective appraisal of persistent pesticide contamination by the people and agencies responsible. We believe that the alliance of our Agriculture Schools, Agriculture Departments, and chemical companies—though to some degree perhaps quite innocent—has kept necessary scientific information from flowing freely. We feel that so long as sole control of registration is in the hands of our Agriculture Departments, important decisions on pesticides will always be made too late. We therefore respectfully make the following recommendations:

1. Review and control of pesticides registration should be made by a broader-based council than just agriculture departments. Those charged with protecting our health and natural resources should have equal part in the decision-making process.

2. Congress needs to give the citizen the right to sue for the protection of the environment. Today the citizen can only protect himself if he has been uniquely harmed, not if everybody is being harmed. The West Michigan Environmental Action Council paid a leading law professor, an expert in conservation law, to research a bill for Michigan to this effect. We would like to give it to you for your attention and we ask that it be included for the record if possible.

3. The sale of DDT and Dieldrin for export or interstate commerce should be banned except by order of HEW in a public health emergency, or by specific use for rat control between walls of buildings. The other chlorinated hydrocarbon insecticides—Endrin, Aldrin, Toxaphene, Lindane, Chlordane, Benzene Hexachloride (BHC), and Heptachlor—should be banned for outdoor, above ground use except where the United States Department of Agriculture can find no alternative, until the time that any of these chemicals can be proved short-lived enough

not to harm man or his environment. We have enough research on these materials to know that their continued general use simply is not prudent.

4. We support banning DDT as an immediate first step. It is a spurious argument—for several reasons—to say that DDT would only be replaced by more toxic materials.

5. If national legislation is constitutionally possible, legislation should be enacted to separate the natural resources departments from the agricultural school domination at all land grant colleges.

6. And finally, in order to help prevent further harm to our environment from all assaults, we strongly support legislation to create an independent environmental council such as the Council of Economic Advisors. We are past due giving the environment the kind of attention given the economy.

Again, we greatly appreciate your kind permission to appear before you, and the fact that you are holding these hearings.

A CLERGYMAN'S VIEW OF WELFARE

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. BROOMFIELD. Mr. Speaker, Dr. Thomas W. Kirkman, pastor of the First Presbyterian Church of Royal Oak, Mich., has long enjoyed a reputation as one of the most articulate and eloquent men in my congressional district. His observations and insights on what is wrong with our present welfare system and what must be done to right it appeared last Sunday in a message to the congregation of which I am proud to be a member. Dr. Kirkman's words are especially timely as Congress begins consideration of the President's proposals for overhauling the existing welfare system. I commend them to the attention of my colleagues:

A CLERGYMAN'S VIEW ON WELFARE

(By Dr. Thomas W. Kirkman)

Poverty is the major domestic issue in our nation today. Some may think that the problem of poverty is a political issue beyond the concern of the church. I would remind you that the church was the first group to deal with poverty and to minister to the poor. Centuries before secular governments manifested any interest in the less fortunate in society, the Christian Church was working hard in this field.

Many people seem to believe that the nation must spend more money on the poor. Senator Hart in a television interview said that when the war in Vietnam is over, we must take a large share of the money we have been spending in Vietnam and give it to the poor. In my judgment, the idea that money automatically cures poverty is patently false, for at least two reasons.

First, the United States is spending vast sums of money to relieve poverty today. It has been estimated that if you added together all of the funds spent to assist the poor—money spent by the federal government, the state governments, the county governments, the city governments, the Community Chests, Foundations, church benevolent organizations, and the gifts of concerned individuals—you would have a figure of 70 billion dollars per year. If there are 30 million poor, this means that each "poor" person should be getting over $2,000 per year. A family of five would have over $10,000 per year. When you divide the total number of poor into the amount of money presently being spent, the sum seems more than adequate. I know that the poor are not receiving the $2,000 per person per year. The bureaucracy which "minister" to the poor, consume the major share of these funds.

A second reason why "more money" is not a solution to the problem of poverty is that money in itself does not cure poverty. Anytime an individual is not able to provide for himself and his family, he is poor in his own eyes and in the eyes of his fellow human beings regardless of how much money may be given to him. In my judgment, the *entire* welfare system should be dismantled. We now have a series of competing agencies with widely different benefits. To add another layer of welfare upon the present bureaucracy would be a folly of classic proportions. All welfare must be handled by one agency which will have equal standards throughout the entire nation.

Some system of incentives must be devised so that the individual can be encouraged to do something for himself. Today, if a mother on ADC works, the amount she earns is deducted from her allotment. Under this system the individual is not encouraged to help to earn his own way in life.

Many plans have been suggested which will provide the individual with some incentives to do what he can for himself. Among these are day-care centers for working mothers, making the government an employer of last resort, on the job training, etc. St. Paul wrote that "if a man did not work, he should not eat." Although I do not want to see anyone starve, the point must be made that every individual, whenever possible, must be required to do everything he can to support himself.

Poverty in our day is many times tied directly to lack of skill and education. In our complex society, the unskilled and uneducated find themselves at the bottom of the economic ladder. Successful and proven programs of education and training must be available for all. The aim of every poverty program should not be just to "keep body and soul together". The goal of our welfare efforts should be to make the individual in need of help, self-sufficient. Something is wrong with a system which perpetuates ADC through three generations. No one really likes to be dependent upon someone else. The kindest thing which can be done for the poor is not to give them charity, but to see them free from the need for our charity.

NORTH VIETNAMESE LETTER

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. KASTENMEIER. Mr. Speaker, I would like to explain why earlier today I objected to the consideration by this House of a resolution relating to a North Vietnamese letter on the Vietnam moratorium.

As a matter of procedure, I note that the resolution offered by the majority and minority leaders came without any prior notice to Members under unanimous consent. The subject matter involved here is far too important to be rushed through without due consideration.

Mr. Speaker, perhaps it is my own suspicious nature, but I feel that the resolution is not an innocuous or innocent one. It has, I believe, certain implications which go beyond the words of the text. That is why, if this was to be a serious declaration by this House on the quest for peace in Vietnam it deserved appropriate committee attention and floor debate.

I would like to state categorically in reply to the suggestion made earlier that I acted inconsistently in objecting today, after desiring debate last night, that I did not have a special order last night, nor did I speak, and that in addition, many Members today were completely unaware of the resolution. I think that many distinguished Members of the other body are now regretting the undue haste with which they acted in 1964 in regard to our Vietnam policy.

Mr. Speaker, in examining the merits of the proposal, I feel that it was most unfortunate that certain prominent Americans saw fit to call attention and to magnify the significance of an attempt by a North Vietnamese leader to inject himself into our political process by a self-serving and irrelevant letter. It was the supporters of our past disastrous Vietnam policies that sought to give prominence to this letter from the Prime Minister of North Vietnam and to use it for their own purposes. This was a letter whose contents should be rejected by all Americans and which came from a personage whose name is scarcely a household word in this country. The letter was shamelessly used in some quarters to try to discredit the moratorium and the motives of its supporters by raising a convenient straw man.

Mr. Speaker, in this resolution today we are asked to purge the supporters of the moratorium from the curse of the letter. Is this really necessary? Would it not be more appropriate to condemn those of our own citizens who sought to give exaggerated attention to the letter and thereby impugn the aims of the moratorium? I know of no Member of this House who announced his support of the moratorium who has asked for this legislative opportunity to cleanse himself of any impropriety. Further, it is a distortion of the realities of the issue of our Nation's involvement in Vietnam to debate instead the uninvited intrusion into our policy consideration of a North Vietnamese.

In my view, it is a completely irrelevant and unnecessary undertaking because I doubt if anyone seriously argues that Pham Van Dong has any real influence in this country.

If the purpose of the resolution is to change the debate from the real issue to an irrelevancy, then it is understandable, and any politician has to applaud the ingenuity of the sponsors of the resolution.

CHICAGO RIOTERS

HON. DONALD E. LUKENS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. LUKENS. Mr. Speaker, in 1968, we saw the alarming and even ridiculous spectacle of radical leftwing young people almost bringing the Democratic Party to its knees at its national convention. These few young people are naively presumptuous enough to think they have inherited the only morality, the only ethics, and the only hope for the world. Perhaps this mentality is indicative more of the juvenile attitude of "know it all." These individuals have quite clearly not matured beyond that stage as evidenced in their crusading philosophy to right the world from injustices.

Every youthful generation is understandably ready to question the practices and policies of their elders. We all remember when we, too, shared the exhilarating feeling and knowledge that we were challenging the older generation. Questioning and reexamining values is a healthy process, and is not limited to age. But the immediate demands by today's young radicals, backed up by threats of violence to achieve their demands, is extortion and blackmail. The tactics of violence employed by these radicals serves no purpose, but further polarizes the American people, resulting in the lack of a mandate to correct many of the present problems facing us.

The eight individuals who now face Federal indictment charges in Chicago for conspiring to incite riots at the Democratic National Convention are now trying their best to cloud the issue and claim that when they are put on trial, anyone can be put on trial. It is amazing to follow the perversion and the illogic of their thought pattern. They can break the law. No one else can. They, only, are in a position of questioning authority, questioning law, questioning the system—no one else, they infer. And only they can make the judgment as to which laws, at which time can be broken, yet, feeling that they should be at the same time immune from the established law's penalty.

Now the "8 crybabies" of the radical, superliberal, leftwing element in America are about to face justice and receive the penalty for their ill-spawned, ill-conceived, but in all honesty, beautifully executed minirevolution in Chicago in 1968.

I have no sympathy for these particular "crybabies." I have no sympathy for these particular militants who would destroy everything but what they like and silence everyone but those who agree with them. If there were ever fascism, if there were ever nazism, if there were ever dictatorship in America, it arrived in Chicago, August 1968, in the form of militant, wild, swinging, and often brutal organization people who came with the purpose of destroying the democratic process of the Democratic Party to select and choose its leaders as well as operate its convention.

Thank God, the "crybabies 8" are so few. Thank goodness finally in the eyes of the overwhelming majority of peace-loving, quiet, lawful Americans these militants are able to receive justice, though those indicted feel that they are receiving injustice. Because of the greatness of our system and the tolerance of our people, they have been allowed to spread their little fires of treachery, hate, and anarchy. But now the ocean of public sentiment is about to wash them from the sands of memory. Little people with big mouths serve no cause. The "crybabies 8" have not yet begun to cry. I for one, feel no pity for them and hope that justice is served in large helpings to these particular "8."

THE WARREN LEGACY—THE DOCTRINE OF RACIAL PROPORTIONS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. RARICK. Mr. Speaker, I again point out to our liberal colleagues on both sides of the aisle that I have still received no offers of support on my bill, House Resolution 497, to provide for inquiry into the feasibility of reducing racial tensions by removing racial imbalance nationwide.

Many of these same gentlemen have already expressed their complete approval of busing and racial assignment in my State and with ringing rhetoric have declaimed that racial imbalance is against the law of the land.

Yet, in their districts and in their States they continue to harbor rampant noncompliance with what they impose on others and offer no contribution to solve the ever-worsening national crisis in race relations.

Almost daily they would sit back and watch the news media further polarize our citizenry into warring black and white camps and yet they offer no leadership and volunteer no program to solve the ever-growing dilemna.

Certainly, our liberal brethren, by interfering in my State, have taken it upon themselves to proclaim that the race problem is a national one and cannot be solved by local people, by freedom of choice, or by voluntary action. The only solution that they have proposed has been to applaud lawless decrees which forcibly transfer the youth of one group to another group, regardless of the wishes of the youth or of the parents of either group.

Last night, even Earl Warren, their former champion on the Supreme Court from whom emanated all of the egalitarian theories that they now profess to worship, criticized Americans who fail to fully commit themselves to immediate and total integration.

As the race problem is claimed to be national in scope, the entire Nation must be involved in its solution. I remind the erstwhile social scientists that the Nation's Negro population is approximately 10 percent, while in my hometown of Baton Rouge, La., our Negro population is 27 percent, and in the State of Louisiana nearly 40 percent.

If the law of the land now is to include racial balance then our liberal friends should come forward with either legislation or litigation to force by busing or other methods the excess of our Negro population into their cities, towns, and counties, so that these Negroes from Baton Rouge are not denied their constitutional right of equality under the interesting theory of racial proportions.

Since Earl Warren has chosen to remain active in the race relations field, perhaps he will now complete nationwide the total integration for which his liberal proteges honor him, by using his powers of persuasion and leadership to convince these same liberals to act in their own communities before it is too late—time is running out, he says.

I include four news articles, as follows:

[From the Washington (D.C.) Evening Star, Oct. 15, 1969]

FINCH DODGES BIAS IN NORTH, PUSHES SOUTH, STENNIS SAYS

The Nixon administration has been accused of forcing school integration in the South while permitting segregation in Northern cities to avoid political trouble.

"You haven't tried and your predecessors haven't tried" to desegregate Northern school systems, Sen. John C. Stennis, D-Miss., yesterday told Health, Education, and Welfare Secretary Robert H. Finch.

Finch appeared before a Senate Appropriations subcommittee to testify against two House-passed amendments that would permit "freedom of choice" school assignment systems and rule out mandatory busing of pupils. The amendments "could seriously jeopardize the substantial progress we have made in school desegregation," he said.

But Stennis said the administration inherited and continued a policy based on the belief it was "less hazardous politically" to concentrate desegregation efforts on the South.

FINCH PLEADS DIFFICULTY

Finch denied it and said HEW school desegregation teams are surveying Chicago, San Francisco and New Jersey. "We are addressing ourselves to a national problem here," he said.

Finch said, it is much harder to prove a case against a city where school enrollment resulted from segregated neighborhoods than a town with separate school system for whites and Negroes.

Northern liberals have accused the administration of slowing down desegregation efforts as part of an alleged "Southern strategy" designed to win the South for the GOP.

The administration generally has decided against using the cutoff of federal aid as its method to force school integration. Instead. it has used the tactic of filing law suits to get court orders forcing integration—a tactic threat often takes several years to complete.

HEW'S STATISTICS USED

Stennis read HEW's own statistics to back his contention that the North was nurturing segregated schools while the federal government pushed "rapid and total abolition of segregation in Southern school districts.

Of Chicago's 610 schools, Stennis said, 214 have 99 to 100 percent black enrollment. Of Cleveland's 180 schools, 68 have 95 to 100 percent black enrollment. Of Detroit's 301 schools, 68 have 99 to 100 percent black enrollment.

Other HEW statistics, not released by Stennis, show that of the 56 public schools in Jackson, Miss., 19 have no white students. Of 54 schools in Montgomery, Ala., 20 are all black. Of 1,022 schools in Birmingham, Ala., 46 are 99 to 100 percent black.

CONNECTICUT BIAS CHARGED

In its first school desegregation suit in the Northeast, the Justice Department yesterday accused Waterbury, Conn., authorities of discriminating against non-whites by busing white children to parochial schools.

The suit, filed in U.S. District Court in New Haven, Conn., charged the Waterbury school system discriminated against Negroes and Puerto Ricans by means of elementary school districts established on the basis of race and transporting of whites to "independent, non public schools."

[From the Washington, (D.C.) Evening Star, Oct. 15, 1969]

WARREN ATTACKS DELAY IN EQUALITY

NEW YORK.—Former Supreme Court Chief Justice Earl Warren has criticized Ameri-

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cans who fail to fully commit themselves to immediate implementation of the constitutional right of equality before the law.

"There are those who say: "We can't hurry it. It must evolve over the years," Warren told the 30th annual dinner of Freedom House last night as he received the organization's annual award. "But 101 years since the adoption of the 14th Amendment is a long time and time is running out," he added.

[From the Washington, (D.C.) Evening Star, Oct. 15, 1969]

Warren Honored by Freedom House

New York.—Former Chief Justice Earl Warren of the U.S. Supreme Court received the 1970 Freedom House award last night.

Freedom House describes itself as "a national educational organization dedicated to the strengthening of free institutions through research and policy recommendations on public issues."

[From the Washington (D.C.) Evening Star, Oct. 15, 1969]

Judge Earl Warren, Jr., Discusses His "Burden"

Sacramento, Calif.—Earl Warren Jr. carries the name of his father and the burden of living up to it.

"I'm going to carry the label the rest of my life as Earl Warren's son," he said in a recent interview, "but you can't run away from it because, as my father always taught us, you can't run away from yourself."

The past weeks have given Warren a taste of the damnation and praise generated by his father, former California Governor and Chief Justice of the United States Earl Warren.

ON MUNICIPAL BENCH 3 YEARS

As a municipal judge, he presided over a trial in which two bottomless go-go dancers were acquitted of charges of being lewd and obscene. The jury watched the dance in question in a nightclub setting and also went to see the Swedish film "I am Curious (Yellow)" as part of its search for current standards in regards to obscenity.

Warren discussed in his booklined office the life he has lived in his father's shadow. Slightly balding, with light blue eyes and a wiry build, Warren, 39, has been a judge for three years. He concedes he is still searching for identity.

"I think any person who is known as his father's son has a very deep yearning to be known as himself," Warren said. "I think this is why so often children from prominent homes do such bizarre things."

FORMERLY A REPUBLICAN

Warren practiced law from 1961 to 1966, when former Democratic Gov. Edmund G. Brown appointed him to the bench. He is a Democrat, although his father was a three-term Republican governor of California. Warren Jr. was a Republican, but changed his registration after Richard Nixon ran for governor in 1962.

"My philosophy is basically the same as my father's," Warren says. "He thinks in terms of all people. Never was there a man that was less classless or has less basic biases than he has."

Warren said he doesn't try to "imitate" his father. "I don't think anybody can emulate my father," he said. Accomplishing one-tenth as much as his dad would be "remarkable," he said.

SHOULD BE INVOLVED

"Judges should be involved in the social issues—issues involving health, education, rights of free speech," he said.

Warren said his father would have made a "great president," and asserted he was "the greatest chief justice we ever had."

Warren declined to speculate on his own future. Asked if he would seek elective office if the Democratic party beckoned, he replied:

"I'm just not thinking in those terms. As a jurist I have to stay out of politics, partisan politics at least."

But Warren was warmly partisan in praising San Francisco Mayor Joseph Alioto, whose recent $100-a-plate testimonial dinner he attended. Asked if he could support him for governor. Warren thought a while, then answered:

"No question about it, the man has fantastic ability, tremendous integrity. I think he would be a splendid administrator in any position."

COLLEGE AND UNIVERSITY PRESIDENTS URGE STEPPED-UP VIETNAM WITHDRAWAL

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. FRASER. Mr. Speaker, recently 79 private college and private university presidents directed a statement to President Nixon and the Congress calling for "a stepped-up timetable for withdrawal from Vietnam." This action was reported in the Sunday, October 12, 1969, edition of the New York Times. I find the statement an eloquent one.

The signers of the petition point out, as I did on the floor Monday, that there are times to be silent and times to speak. I agree with these eminent educators that, "This is a time to speak."

Mr. Speaker, I would like to introduce into the Record at this point the statement of the 79 presidents and a list of their names and the institutions they serve.

The material follows:

Statement of 79 College and University Presidents

We speak as individuals who work with young men and women. The universities and colleges which we serve take no positions as institutions on the Vietnam war; these are pluralistic communities where men speak for themselves alone on off-campus issues.

There are times to be silent and times to speak. This is a time to speak. The accumulated costs of the Vietnam war are not in men and matériel alone. There are costs too in the effects on young people's hopes and beliefs.

Like ourselves, the vast majority of the students with whom we work still want to believe in a just, honest and sensitive America. But our military engagement in Vietnam now stands as a denial of so much that is best in our society.

More and more, we see the war deflecting energies and resources from urgent business on our own doorsteps. An end to the war will not solve the problems on or off the campus. It will however permit us to work more effectively in support of more peaceful priorities. Far from being depressed about our nation's future and our institutions' future, we see bold opportunities ahead once the divisiveness of this war is in the past.

We urge upon the President of the United States and upon Congress a stepped-up timetable for withdrawal from Vietnam. We believe this to be in our country's highest interest, at home and abroad.

Following is a list of the presidents who signed the statement:

Morris B. Abram, Brandeis University, Waltham, Mass.

Ruth M. Adams, Wellesley College, Wellesley, Mass.

James I. Armstrong, Middlebury College, Middlebury, Vt.

Sanford S. Atwood, Emory University, Atlanta.

K. Roald Bergethon, Lafayette College, Easton, Pa.

Edward J. Bloustein, Bennington College, Bennington, Vt.

Landrum R. Bolling, Earlham College, Richmond, Ind.

Mary I. Bunting, Radcliffe College, Cambridge, Mass.

William G. Caples, Kenyon College, Gambier, Ohio.

Robert K. Carr, Oberlin College, Oberlin, Ohio.

Beverley D. Causey Jr., Hobart and William Smith Colleges, Geneva, N.Y.

John W. Chandler, Hamilton College, Clinton, N.Y.

Arland F. Christ-Janer, Boston University, Boston.

John R. Coleman, Haverford College, Haverford, Pa.

Andrew W. Cordier, Columbia University, New York.

Dale R. Corson, Cornell University, Ithaca, N.Y.

Robert D. Cross, Swarthmore College, Swarthmore, Pa.

Charles DeCarlo, Sarah Lawrence College, Bronxville, N.Y.

James P. Dixon Jr.,. Antioch College, Yellow Springs, Ohio.

William L. Dunn, Lake Forest College, Lake Forest, Ill.

Edward D. Eddy, Chatham College, Pittsburgh.

John V. Elmendorf, New College, Sarasota, Fla.

Edwin D. Etherington, Wesleyan University, Middletown, Conn.

L. H. Foster, Tuskegee Institute, Tuskegee, Ala.

Hugh M. Gloster, Morehouse College, Atlanta.

Robert F. Goheen, Princeton University, Princeton, N.J.

W. W. Hagerty, Drexel Institute of Technology, Philadelphia.

Burton C. Hallowell, Tufts University, Medford, Mass.

Gaylord P. Harnwell, University of Pennsylvania, Philadelphia.

James M. Hester, New York University, New York.

Roger Howell Jr., Bowdoin College, Brunswick, Me.

Frederick H. Jackson, Clark University, Worcester, Mass.

Howard W. Johnson, Massachusetts Institute of Technology, Cambridge, Mass.

The Rev. W. Seavey Joyce, Boston College, Chestnut Hill, Mass.

Glenn Leggett, Grinnell College, Grinnell, Iowa.

Edward Levi, University of Chicago, Chicago.

Theodore W. Lockwood, Trinity College, Hartford.

Dorothy N. Marshall, Bryn Mawr College, Bryn Mawr, Pa.

Harold C. Martin, Union College and University, Schenectady, N.Y.

Joseph E. McCabe, Coe College, Cedar Rapids, Iowa.

Thomas C. Mendenhall 2d, Smith College, Northampton, Mass.

Robert W. Morse, Case Western Reserve University, Cleveland.

John W. Nason, Carleton College, Northfield, Minn.

Joseph C. Palamountain, Skidmore College, Saratoga Springs, N.Y.

Franklin K. Patterson, Hampshire College, Amherst, Mass.

Lawrence L. Pelletier, Allegheny College, Meadville, Pa.

Marvin B. Perry Jr., Goucher College, Towson, Md.

Martha Peterson, Barnard College, New York.

Joseph B. Platt, Harvey Mudd College, Claremont, Calif.

Calvin H. Plimpton, Amherst College, Amherst, Mass.

Wesley W. Posuar, University of Pittsburgh, Pittsburgh.

W. C. H. Prentice, Wheaton College, Norton, Mass.

James M. Read, Wilmington College, Wilmington, Ohio.

Thomas Hedley Reynolds, Bates College, Lewiston, Me.

Victor G. Rosenblum, Reed College, Portland, Ore.

Howard L. Rubendall, Dickinson College, Carlisle, Pa.

John E. Sawyer, Williams College, Williamstown, Mass.

Charles E. Shaine, Connecticut College, New London, Conn.

Alan Simpson, Vassar College, Poughkeepsie, N.Y.

Joel P. Smith, Denison University, Granville, Ohio.

Thomas S. Smith, Lawrence University, Appleton, Wis.

Keith Spaulding, Franklin and Marshall College, Lancaster, Pa.

H. Guyford Stever, Carnegie-Mellon University, Pittsburgh.

Merton P. Stoltz, Brown University, Providence, R.I.

Robert E. L. Strider 2d, Colby College, Waterville, Me.

Samuel E. Stumpf, Cornell College, Mount Vernon, Iowa.

The Rev. Raymond J. Swords, S. J., College of the Holy Cross, Worcester, Mass.

David B. Truman, Mount Holyoke College, South Hadley, Mass.

Sharvy G. Umbeck, Knox College, Galesburg, Ill.

Miller Upton, Beloit College, Beloit, Wis.

Marvin Wachman, Lincoln University, Lincoln University, Pa.

The Rev. Michael P. Walsh, Fordham University, Bronx.

Charles H. Watts 2d, Bucknell College, Lewisburg, Pa.

Willis Weatherford, Berea College, Berea, Ky.

Richard D. Weigle, St. John's College, Annapolis, Md., and Santa Fe, N. M.

The Rev. Robert J. Welsh, Villanova University, Villanova, Pa.

George H. Williams, American University, Washington.

John D. Wilson, Wells College, Aurora, N.Y.

Barnes Woodhall, Duke University, Durham, N.C.

GANDHI'S EXAMPLE FOR TODAY'S PROTESTERS

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. MATSUNAGA. Mr. Speaker, throughout the Nation the Vietnam moratorium is being observed by people of all ages and from all walks of life.

The moratorium was conceived as a day when concerned Americans would pause in the conduct of business as usual for a discussion of the war and to provide for a peaceful outlet for legitimate protests against U.S. policy in Vietnam.

Peace in Vietnam, we can all agree, should be made our Nation's No. 1 objective. To the extent that a moratorium on "business as usual" will serve to focus the attention of our country's responsible leaders to this objective, I heartily support today's observance.

This Chamber has also been the scene of probing discussions and debates on the wide-ranging implications of the Vietnam war.

To all of us who are concerned with the question of how we can best achieve peace in Southeast Asia, it is a time not only for probing deeply into the national conscience, but it is also a time for reflection as to how the national good can best be achieved without fanning the flames for burgeoning mass demonstrations which could lead to needless destruction of property, bloodshed, and even death.

It seems that man has never learned that the means to an end is as important as the end itself. For centuries man has sought peace in this world, and in the name of peace he has waged many wars. When Godly souls have attempted to teach earthly men peaceful and nonviolent means to a peaceful way of life, they have inevitably met with violence and even violent death.

I think it appropriate at this time, Mr. Speaker, to take note of the memory of Mohandas Karamchand Gandhi, whose 100th birthday was observed on October 2.

In writing on Gandhi for the October 4 issue of Saturday Review, Robert Payne, author of a book on Gandhi to be published this month, wrote:

> He changed the landscape of the human heart. Never again would people deride the idea of nonviolence, for he had planted it firmly in men's minds, showing them how they could prevent governments from imposing themselves too harshly on the people. To those who had lost hope he offered new hope, and the memory of that small man wandering over the roads of India in search of peace was to be a perpetual reminder that peace might someday be found.

To commemorate the centennial of his birth, Hawaii's Governor, John A. Burns, declared the week beginning October 2 as Gandhi Week in the 50th State.

The lessons we can learn from Gandhi are indeed still relevant to us during this agonizing period of the 20th century.

In this connection, I submit for inclusion in the RECORD a most thoughtful editorial from the Thursday, October 2, 1969, issue of the Honolulu Advertiser, entitled "Lesson From Gandhi." I am also submitting for inclusion in the RECORD a related newspaper article concerning Gandhi Week in Hawaii. The editorial and article follow:

[From the Honolulu Advertiser, Oct. 2, 1969]

LESSON FROM GANDHI

One hundred years ago today was born one of the most remarkable men in all human history, Mohandas K. Gandhi.

A spindly, bald-headed man clad in a diaper-like costume of white, he had none of the physical attributes ordinarily associated with great leaders.

But this insignificant appearing little man humbled the British colonialists and the native princes who had held his country in subjugation. His weapon: non-violent protest.

Gandhi became more than the father of modern, independent India, which was in itself a monumental status. He became a world-wide symbol and inspiration, a symbol of human decency and an inspiration for those who had despaired that decency could rule.

Gandhi was assassinated in 1948. His death was mourned the world around by men of all faiths and persuasions. Robert Payne, author of a forthcoming book on Gandhi, writes in the Saturday Review:

"He had conquered India and changed the landscape of the human heart. Never again would people deride the idea of nonviolence, for he had planted it firmly in men's minds, showing them how they could prevent governments from imposing themselves too harshly on the people."

Payne says something else pertinent for our time:

"The legacy of Gandhi to India was the example of his life and his belief in nonviolence, the new dignity he gave to the villages, the simple assertion of human rights.

"He fought for elemental things, for truth and justice above all, and he was able to give weight and meaning to these words that were otherwise weightless and meaningless."

Gandhi will live long in history but his example has pointed meaning for today. Faith in nonviolence seems to be dwindling among many in the U.S. struggling to right social wrongs—as was harshly demonstrated in Honolulu just the other evening.

But if nonviolence can achieve what Gandhi achieved with it in India, is there not hope that through nonviolence America can solve her own problems?

Those who have given up on nonviolence would do well to reflect on the life of Gandhi—and especially on one great quality he had in abundance: the quality of humility.

[From the Honolulu Star-Bulletin, Oct. 2, 1969]

"GANDHI WEEK" PROCLAIMED

Gov. John A. Burns today declared this week "Gandhi Week" in honor of the leader of India's drive for independence, Mahatma Gandhi.

"On Oct. 2 this year the world acknowledges with gratitude, awe and reverence the birth centenary of one of its greatest citizens—the man everyone has come to know as Mahatma Gandhi," Burns said in his proclamation.

"His name has become synonymous with a certain philosophy, the essential ingredients of which are truth, nonviolence and love."

The Governor said Gandhi "stressed the need to learn from all cultures and insisted upon keeping one's doors open to all knowledge.

"It seems but appropriate, therefore, that his own teachings and practice, his own philosophy and indeed even his methods have found their way freely into other cultures."

Hawaii has achieved at least one of Gandhi's ideals, "that of the brotherhood of man," Burns said.

TULSA EDITOR MAKES OUTSTANDING ADDRESS

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. EDMONDSON. Mr. Speaker, the new national commander of the American Legion, J. Milton Patrick of Skiatook, Okla., is a constituent of mine. After he took office and made a fact-finding tour of the Far East, Skiatook held a welcome-home celebration in his honor, which was an outstanding event.

A highlight of the day was the keynote speech, delivered by a Skiatook neighbor, Jenkin Lloyd Jones. Mr. Jones is editor and publisher of the Tulsa Tribune, and his weekly column is nationally syndicated.

Jenkin Lloyd Jones' keynote speech addressed itsself to matters of great importance to all of us here, and I insert it in the Record at this point:

Let the Eagle Scream

(By Jenkin Lloyd Jones)

Ladies and Gentlemen: On July 3, 1775, when George Washington stood beneath the elm on the Cambridge Common and took command of his legion of Americans all the Virginians in the assemblage swelled with particular pride. And tonight, when a distinguished Oklahoman is honored in his home town for taking command of the latter day American Legion, we who are Oklahomans bask in the reflected warmth of the occasion.

But we who are Oklahomans have, perhaps, some reason for special pride. For in general we represent that backward section of the nation, much sniffed at by some of our intellectual community, where old-fashioned admiration for the American tradition has not gone out of style. More specifically, you can be patriotic in Skiatook and not be thought queer.

Now we all know that love of country can produce paranoia and delusion. As we look back on it it seems fantastic that the peasants of Europe were conned into killing each other in wars over the royal succession in Austria or over the limitless power greed of the corporal from Corsica. But intelligent and rational patriotism is the defense mechanism by which a people marshal their collective strength for the preservation of themselves, their institutions and their philosophies from those who would do them in.

A nation that has lost the belief in itself is not long for this world. A people driven by cynicism and self-doubt are on the way out. It is one thing to be dissatisfied with imperfections in the social order and to strive for its improvement. But it is quite another thing to permit a brutal and cynical takeover of a system with a high degree of freedom by those who advocate a system in which freedom is hustled to the wall.

In recent years in America, ladies and gentlemen, the American dream has been under direct assault. Elements that were subtly subversive only yesterday are now preaching open revolution. And the winds are rising.

The Earl Warren Supreme Court, by a system of logic that escapes me, has systematically dismantled all legislative efforts to force Communists to reveal themselves and to prevent them sheltering themselves on the public payrolls while laboring for the destruction of the state.

The result of this was predictable. Early last month, at the Long Island conclave of an outfit called the Socialist Scholars, professors now on the payrolls of the Universities of California, Wisconsin, Maryland and private-endowed but heavily government subsidized schools like Harvard, M.I.T., Yale, Amherst, etc., called for, and I quote, "a total break with America" and hailed the coming revolution.

Any pretense that these professors are sticking to their subjects in class and only pushing political action after hours was dropped. They now feel secure enough to use teaching time to subvert naive and immature youngsters that a representative democracy has placed in their care. It's like hiring wolves to run the sheep farm.

The Marxist orientation of the Students for a Democratic Society is now not only plain but boasted of. And guess which heavily-armed and busily-arming nation in the world most directly benefits. Tick off the SDS program:

End the draft.

End R.O.T.C.

End university research for national defense.

Start the disarmament of America regardless of whether any other nation agrees to join.

Stop work on the Anti-ballistic Missile System.

Dismantle the "military-industrial complex", whatever that is.

It seems not to have occurred to the SDS leadership that conscription operates unchallenged in Russia, that no one pickets the clanging shipyards or the roaring munitions plants that are products of a "military-industrial complex," that Russian naval vessels are pouring into the Mediterranean and their missile-bearing subs are lying off America.

It seems to have escaped the notice of this leadership that Russia is working hard on its own A.B.M. system and that if it ever works well enough to render American blows against Russia acceptable while Russian blows against America remain inacceptable World War III could be over in a day.

Or maybe the SDS leadership knows all this very well.

Every left-wing organization in America, including the extravagant admirers of Moscow, Havana and Peking, is pushing the so-called "sexual revolution" for young Americans.

Professor Herbert Marcuse, the grizzled Red guru who seems to be safely dug in to the payroll of the University of California at San Diego, has written, "We must develop the moral-sexual revolution of youth."

And this is very strange. For there is no counterpart in those nations where the Communists are in control. The "Thoughts of Mao" preach a stiff morality. Castro has attempted to impose a high degree of puritanism on the Cubans. And a pot-smoking club or a free-love society at the University of Moscow would last maybe ten minutes.

Why isn't the sauce for the Free Enterprise goose also for the Communist gander?

The answer, of course, is obvious. What is sought for America is not freedom from outworn shibboleths but the disintegration of society. No people who have slipped into moral chaos have ever been able to defend themselves for long. The Red tacticians know their ancient history.

Dr. Benjamin Spock, the baby doctor, who the courts have decided has an unalienable right to urge young Americans to defy the laws of their land, was in Tulsa last week talking to a university audience about morally indefensible Vietnam war. But Doctor Spock's moral indignation is selective.

I never heard him denounce the terror when Ho took over North Vietnam that caused a million natives to flee south. I never heard him complain about the cynical violations of the 17th parallel or the incursions down the Laotian border or the systematic assassination of village chiefs long before the first American bomb was ever dropped in retaliation.

I have seen Doctor Spock weep over the picture of the napalmed baby. But somehow he never seems to have seen any pictures of the bodies lying in a Saigon street torn by terrorist TNT or the mass graves after the Tet offensive at Quang Tri.

The myth that people all over the world thirst to join their Communist brethren and that only evil American imperialist-adventurers prevent them from doing so is getting the hard sell these days.

But if you built a bridge between Cuba and Key West which way do you think the traffic would flow? If you took down the Berlin Wall which way would the crowd move? What is the meaning of swaths cut through the Central European woods and mine fields and barbed wire?

And when has a Communist system, once it got in control, ever allowed the people to audit it by a free and open election?

The bankruptcy of the Communist system, not merely in terms of freedom of the spirit but in the delivery of the materialism that was to be its proudest boast, has been gathering now for half a century. It is producing severe internal strains. It required the tanks to be rushed, first to Budapest and then to Prague.

Why is it, then, with this sorry record and in the face of a material prosperity in the West unmatched in human history that the assault on Western institutions and particularly upon America is now proceeding with the greatest vigor and having a marked degree of success.

You might lay it against poor old Joe McCarthy, the late senator from Wisconsin. It was the farthest from Joe's intentions to become a Communist patsy, but that's what happened to him. They were laying for someone like Joe, and when he showed up the greatest job of brainwashing in human history got underway.

You see the scientific technique that has intrigued Communist theoreticians most of all was born in the experiments in the conditioned reflex begun by the great Russian physiologist, Dr. Ivan Pavlov, way back in 1902.

Doctor Pavlov proved that by conditioning dogs to certain stimuli they could be induced to react in a specific way, even to the point of a manufactured neurosis. This is the essence of brainwashing.

When Joe McCarthy came along, the American people were just waking to the chill disappointment that followed the foolish hopes of Yalta and Potsdam. So when he said he had proof there were several hundred Russian agents in the State Department, alone, a lot of people bought him entirely. There was a widespread demand for a housecleaning of Reds not only in government, but in the universities and the fields of science.

The trouble was that Joe didn't have all the facts he claimed he had. In some places he made some wild swings. And the Communist strategists saw their chance and seized it. The cry arose that a reign of terror was being fastened upon America and that honest inquiry and academic freedom were being raped. The cry was picked up by innocent liberals and then by a large segment of the press. Soon millions of Americans were running around, scared out of their wits that a new kind of Nazism was about to seize the country.

Actually, very few innocents were hurt by Joe McCarthy. Indeed, far from cowing the campuses, the faculty member who wasn't shouting his head off against Joe was a cinch to be ostracized in the faculty club.

But the conditioned reflex was a howling success. I went to Europe during the height of the broohah and my European friends asked me with the sincerest concern whether it were not true that thousands of Americans were being herded into concentration camps.

As a result, any investigation of Communist activity and subversion in America was instantly denounced as "McCarthyism". Any attempted unmasking of a patent Communist ring was contemptuously dismissed as a witch hunt.

Even poor Whittaker Chambers, who forfeited his career in order to nail Alger Hiss dead-to-rights, lies in his grave under a cloud because America's academic community couldn't escape the feeling that what he did was not quite nice. And with all the evidence supporting Chambers and none to refute it Alger Hiss is still regarded on many campuses as a victim of McCarthyism.

The Communists went for bigger game. Any American organization devoted to patriotic

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principles was the subject of its ridicule. The Daughters of the American Revolution and all veterans organizations, particularly the American Legion, were painted as hysterical fear-mongers, representing a paranoiac Far Right. This was an effort to draw the center line down the lefthand curb.

And the campaign continues apace to dismantle the House Committee on Un-American Activities.

The effort to discredit the CIA and the FBI is not only obvious, but tireless. The other evening I was re-reading J. Edgar Hoover's 11-year-old book, "Masters of Deceit", and I found no warning in it that was not only not reasonable but that subsequent events haven't rendered extremely modest.

I think it's time we got over our Age of Innocence. I think it's time we came out of our trance. For too long we've been jerking our knees every time the cry of "McCarthyism" was raised, just as Pavlov's dogs slobbered every time he rang the dinner bell. Let's come off it.

For this struggle is for real. We swallow at our peril the comfortable pap now being peddled by the fellow travelers that Communism's internal troubles are now so great it has lost the dynamism for world revolution.

Anthony Kuznetsov, the popular Soviet writer who defected recently while visiting Britain, says that Soviet officials are boasting among themselves of their success in paralyzing the will of the West to resist the Communist assault.

"The long objective of the foreign policy of the present Soviet leaders is to dominate the world," Kuznetsov told British intelligence officials. "And they all agree that the U.S. is the only nation that can keep them from achieving this goal in their lifetime."

Well, what of America's morale?

I didn't find myself often in agreement with L.B.J. but I think I understood his agony when he asked, "Why all this poor-mouthing of America?"

It doesn't represent the American people. But a technique has now been perfected to con the mass media, which ought to know better, into peddling the impression that it does.

Let 10,000 people march down Broadway in a patriotic parade and let 100,000 cheer them from the sidewalks. And then let 100 militants attempt to block the march somewhere uptown and NBC, CBS and ABC will drop all else and rush to the spot. And on the evening news on videotape one gets the impression that New York erupted in fury that anyone should dare wave the flag.

Let a distinguished American be invited to a campus. And let a dozen bathless, bearded revolutionaries storm the platform. The reporters all rush to interview the shouters and the speaker is forgotten.

This technique is being used with cool calculation and with rapidly increasing frequency. And I would say this to many of my brother editors and many of the moguls of TV:

Shouldn't there be a statute of limitations on our stupidity?

At the risk of being impertinent, Commander Patrick, I would like to suggest that during your year in office the American Legion repeatedly ask one question:

Where else?

Where else in the world is there a nation so many human beings would like to get into?

Where else in the world is there an economic system that has offered the average citizen so many options of choice, so much return on the fruits of his labor?

Where else in the world is there a people who have given so much of their sweat to the uplift of other nations—even nations that have been long on complaint and short on gratitude?

Where else in the world is there a state that has drawn so much of the fury of proven tyranny?

Where else in the world is there a population so devoted to honest self-criticism, so free to express their opinions, so intent on perfecting their imperfections?

In short, where else is there anything like the American Dream?

Commander Patrick, happy homecoming! Your fellow Oklahomans are button-busting proud of you.

And you come into your high honor at a propitious hour. For this is the hour when Americans should turn their backs for a moment upon the filthy imprecations and the carefully-contrived turbulence and count their treasures once again.

This is the hour when we should square our shoulders, suck in our guts and face the future with the joyous confidence that America's greatness richly merits.

Commander Patrick, I hope you'll let the eagle scream.

CONGRESS AND THE ENVIRONMENT

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. OTTINGER. Mr. Speaker, the New York Times Magazine of Sunday, October 5 contained an interesting and valuable article on some of the problems that we face today as Congressmen and as Americans, and as members of the human species as well.

The article consisted, for the most part, of an interview with a noted ecologist, Dr. David M. Gates, director of the Missouri Botanical Garden. Dr. Gates is a man who is well known to many Members of this Congress. He was an important witness before the hearings recently held by the Merchant Marine and Fisheries Committee on the bill introduced by my good friend and colleague from Michigan (Mr. Dingell) to create a Council on Environmental Quality. His testimony on that occasion was cited in the report of the committee on the bill, and was cited frequently in floor debate on that measure when it passed the House last week.

Dr. Gates is also the distinguished chairman of the 128-member board of advisors to the Ad Hoc Committee on the Environment. Over 20 percent of the Congress participates in the work of this important, informal group, and the advice and assistance of Dr. Gates to the work of this committee has proven to be invaluable to it.

The insights provided in this important article should prove of great value to each Member of this body. It deserves careful attention. I commend it to you.

The article follows:

Saving the World the Ecologist's Way

(By Robert W. Stock)

St. Louis.—For two hours, David M. Gates, the director of the Missouri Botanical Garden here, had led me past lily ponds, among lush plantings of greenhouse orchids, along paths crimson with roses. "There's one thing more you should see," he said, and he strode through a grove of verdant trees to the foot of a pine. It was startling in its grotesque ugliness, its trunk rising to a tangle of charred and stunted branches. "This is our lone survivor of the days when they burned soft coal in St. Louis," he said. "Every other pine and evergreen was killed. We have others in the garden now, but they're all new."

Gates is an ecologist, a student of the relationship between life forms and their environment. He is also a leader among the band of scientific Cassandras who seek to alert the nation to impending doom. Our continuing rape of the natural environment, he warned, can produce an earth populated by "half-starved, depressed billions gasping in air depleted of oxygen and laden with pollutants, thirsting for thickened, blighted water." I wondered whether Gates considered the blackened, long-lived pine a symbol of hope or despair. "You can take your pick," he said. "We can have it either way."

There is a tendency, today, to think of ecology as a new science, and its practitioners as men called into being by the environmental crisis, but the facts are otherwise. Ecology ("eco" derives from the Greek word for "home" or "habitat") had its beginnings around the turn of the century. It is a branch of biology, cutting across a multitude of disciplines, from zoology to botany. In Gates's words, "Ecology is the very epitome of science itself."

Wind and sun, carbon cycle and photosynthesis, strontium 90 and pesticides; every force and element that interacts with plant or animal is grist for the ecologist's mill. By studying this interaction, and its effects upon living things, he can help a farmer to improve his crop yield, or a city to clear its polluted air.

Traditionally, however, the ecologist has operated far from the urban scene. He has most often been a very private person, attuned to field and forest and the groves of Academe, devoting his life to the careful observation and description of a handful of individual plants. But in the last decade or so, new ideas and technologies have transformed the discipline. The manifest threat to the earth environment has turned dozens of ecologists into social critics and has placed a premium on their abilities to devise and effect new programs. In many ways David Gates perfectly reflects these changes.

My visit with Gates began in his office on the grounds of the botanical garden, a 70-acre oasis in the center of St. Louis. A chandelier dripped crystals from the ceiling; rare orchids brightened his desk and the mantel above an ornate fireplace. More than a century ago, the room had been occupied by a transplanted Englishman named Henry Shaw, who had made a fortune in cutlery and real estate. It was he who established Shaw's Garden, as it is known locally, on the site.

Gates is 48 years old. His appearance is pleasant and undistinguished—5 feet 9 inches; a crewcut over a faint brush mustache; tweedy sports coats and baggy trousers. His voice is a monotone, relieved by an occasional chuckle.

"I'll tell you what we worry about most," he began. "An irreversible catastrophe. A number of pesticide spills, for example, in those areas of the ocean where large colonies of marine organisms produce much of the world's oxygen. If you plot out the frequency of this kind of event, they're getting closer and closer."

The ecological state-of-the-art frightens him. "We're still in the Stone Age. This is pure speculation, but think about it: Influenza epidemics have followed very closely periods of great volcanic activity. Maybe the dust in the atmosphere from that activity reduces the sunlight and triggers a virus or our susceptibility to it. So what happens if man loads the atmosphere with dust from combustion and construction projects and

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then there is major volcanic action. The worst flu epidemic in history? As I say, that's all speculative—but it's the kind of thing we should know, and we don't."

For a David Gates, the isolated incidents of man's inhumanity to nature—and hence to man—are part of a complex ecological pattern. The earth is a single vast system of interrelationships among plants and animals and climatic forces—an ecosystem.

Thus: If there were not enough oxygen in the atmosphere to filter out ultraviolet rays, the seemingly benevolent sun would destroy life on earth. Plants produce that oxygen through photosynthesis; they also help keep the atmospheric balance by absorbing carbon dioxide from the air. Enter man. He burns ever-increasing quantities of oil and coal, filling the air with carbon dioxide. He cuts down and paves over huge tracts of forest and poisons ocean life with chemicals. Question: How long will it be before the earth's plants are unable to produce enough oxygen—or absorb enough carbon dioxide—to hold back the ultraviolet rays?

Or: If a stream is to be healthy, the algae must have nutrients in the form of nitrates and phosphates. Algae are consumed by fish, fish by animals, and the food web, as this ladder is known, thrives. Enter man. He spreads his farmlands with fertilizers, mainly nitrates and phosphates, which are washed off into the streams. The excess of nutrients spurs a sudden increase in algae growth. Some of the new algae are not part of the food web; their growth is not controlled by hungry fish. New, inedible algae displace the old, the fish gradually disappear from the stream, the food web is destroyed. Question: How long will it be before all of the streams of our farmlands are sick?

Spurred by his fear for the environment, and its human dependents, Gates has been crying havoc—in appearances before Congressional committees, in lectures to scientific and lay audiences, in magazine articles by the dozen. He is a confirmed egalitarian who wants to educate and arouse the public, but he concentrates his greatest effort on the nation's leadership so that action can be taken "almost by fiat."

First and foremost, he wants Federal support for a revolution in the ecological discipline itself. Speaking before a subcommittee of the House Committee on Science and Astronautics, he charged that ecology, as now constituted, is unable to answer the questions that must be answered: How will a particular kind of air pollution affect the population? What effects will a highway or a jetport have on a wildlife area? The traditional descriptive ecological data are often available, the details on specific plants and animals gathered by classical ecologists, but they don't suffice. The effects are too complex, too subtle. The data must be "pulled altogether into coherent models"—general laws and theories that can be applied to the particular case. Gates has asked Congress to establish a National Institute of Ecology to begin the task, and for Federal programs to entice more students into the discipline. "There are only a few thousand ecologists in the country," he says, "and less than a half-dozen are theoretical ecologists."

When David Gates was named director of the garden in 1965, he said, "it shocked the botanical world"—and later talks I had with other ecologists indicated that, for some, the shock has not yet worn off. Gates' academic training had been in molecular physics, and his career had encompassed a host of pursuits far from any garden path. He had worked on anti-aircraft proximity fuses, on upper atmospheric research with "sky hook" balloons, on the propagation of radio waves. He had been an administrator of military and government projects and had taught college physics. It was not until 1964 that he had an official position directly related to ecology—as Professor of Natural History at the University of Colorado.

"What people sometimes lose sight of," Gates said, "is my childhood." His father, Frank, was a pioneer ecologist at the Kansas State University in Manhattan, Kan., where he was raised, and father and son spent 17 summers at an ecological field station in northern Michigan. "I didn't have many friends up there. I spent my time collecting plant specimens and studying them under my dad's tutelage. I loved it. But one day I asked myself, Was it really enough just to find plants and describe them—the traditional ecological way, you see? I wanted to analyze, not just describe. When I discovered physics in high school, that was it—so intricate and beautiful and precise."

Over the years, Gates never lost his early interest in ecology, and at a meeting in 1959, sponsored by his alma mater, the University of Michigan (Ph.D., 1948), he propounded a theory that was to have a major impact on ecological studies.

The basic notion was simple enough. Every life process involves the expenditure of energy; thus, the relationship between an organism and its environment can be viewed as a problem in energy exchange. If there is a balance, an equilibrium, between the amount of energy a plant absorbs, and the amount it gives off, the plant will be healthy. If the balance is tipped one way or the other, the plant will become too hot or too cold, and will perish.

What was revolutionary about Gates's energy-exchange theory was its potential application. If he could pinpoint the major elements involved in this transfer of energy . . . if he could measure all their effects on a plant in terms of units of energy . . . then he would be able to produce a mathematical model of the relationship between plant and environment Such a model would enable him to predict just how any given organism would actually function in any given environment. It would make ecology like physics—"beautiful and precise."

Gates pursued his theory with experiments at the University of Colorado ("I elected somewhat arbitrarily to work on plants first, because they don't bite and run around"), and he accepted the post in St. Louis with the understanding that ecological research would become a larger facet of the botanical garden's program. Now snakes, alligators and wolves are being tested to determine their energy credits and debits (Gates speaks of "energy budgets"), and he is training graduate students from around the nation in his new discipline called biophysical ecology. His research is supported by the Ford Foundation, the U.S. Public Health Service, the Office of Naval Research and the Atomic Energy Commission. One project suggested by the A.E.C.: a study of the energy budgets of aquatic animals as a means of understanding the effects of thermal pollution from nuclear reactors.

The air-conditioning in Gates' office had induced a state of blissful comfort; it was lost the moment we stepped out the door into a standard summer day in St. Louis—97 degrees and humid. Gates set a brisk pace and maintained it: "I run a mile and a half every morning in the garden or wherever I am." (His tennis shorts and sneakers produce some raised eyebrows when he trots out of Washington's Cosmos Club.)

The garden is a serene and lovely landscape of rolling hills and winding paths, dotted with cultivated areas and gazebos. We passed benches occupied by pipesmoking elders, watched bare foot hippies rolling in the grass and small children chinning themselves on water fountains. Gates lectured in a calm, matter-of-fact manner.

"This pine here, one of the new ones. It has 450,000 needles. We know because we counted them." Energy exchange takes place at the surface of a plant—the flow of air over the surface, for example, helps keep a plant cool. Before Gates could begin to determine how much air flow the pine required to stay healthy, he had to find out its total surface area. That meant counting pine needles.

Wind speed is one of four major environmental factors ("independent variables") he measures. The others are radiation (as from the sun), air temperature and humidity. The surface temperature of the organism, and the rate at which it loses water, are two other factors, dependent upon the first. To find the energy budget of a leaf, he simply(!) fits these measurements into a formula, to wit:

$$Q_{abs}=\epsilon\sigma T_1^4+k\left(\frac{V}{D}\right)^{1/2}(T_1-T_a)+L\,\frac{{}_sd_1(T_1)-\text{r.h.}\ {}_sd_a(T_a)}{r_1+r_a}$$

As we walked on through the garden, Gates's enthusiasm for his plant charges emerged. He pointed to a redbud tree along the path. "You can see, as the day gets hotter, its leaves begin to hang vertically. That way they don't get so much of the direct rays of the sun. Trees have their own personalities, their own ways of adjusting. They're smart."

The Missouri garden has for 50 years been a world leader in breeding tropical waterlilies; in fact, the first to be patented was grown here—a delicate, yellow flower named "St. Louis." Some of the lilies in the garden ponds and greenhouses reach diameters of six feet. "*They're* smart, too," Gates commented during our tour of a greenhouse, lifting a lily's edge. The underside was covered with huge thorns—"to keep animals from eating them." He had fewer kind words for a neighboring water hyacinth. "A vicious plant. They clog waterways."

Outside the greenhouse Gates called to a short man in bluejeans, James Hampton, the garden's chief engineer. "I hear you did a great job the other night, Jim." The Junior League Ball had been in full swing at the garden when a storm hit; the cream of young St. Louis society, in gowns and tuxedos, had raced helplessly about as the heavens opened and the lights went out. Hampton had repaired the generators.

Keeping people—particularly upper-class people—happy is one of Gates's major duties. The garden is a private institution and is primarily dependent upon private benefactors for support.

The most dramatic display at the garden is the Climatron—a 70-foot-high, glassed-in geodesic dome, the interior of which has the exact climate of a tropical rain forest. We went inside to cool off. There were waterfalls and limpid jungle pools, palms and balsa trees rising above a thick canopy of banana trees. Gates nodded toward a bird of paradise plant: "That's particularly handsome." "Aren't all flowers handsome?" I asked. "Oh, like all people I suppose. It depends upon your criteria."

And on we went, through the restored, century-old country home of founder Shaw and the rose garden with its 6-inch-diameter Mr. Lincoln roses and the dusty herbarium—least colorful of the garden's treasures but one of its most important. Two million botanical specimens are preserved here, including plants gathered by Charles Darwin during the voyage of the H.M.S. Beagle. Scientists from all over the world study these desiccated plant remains to understand the evolution of life on earth.

Finally, Gates led me into a dark and dingy building and through narrow passageways crowded with plants and scientific equipment. "Our research center," he commented grimly. "We're trying to raise money for a new one."

As we talked, I heard a faint cheeping in the background. Gates pointed toward a cylinder beside us. "It's a kind of wind tun-

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nel, with a baby chick inside. We can control the temperature and humidity and air flow. We're trying to determine how much water the chick loses when we change one of those variables. It's part of working out the energy budget for a chick—figuring out the energy input and output."

Many of the center's projects involve Gates's energy-exchange theory, and he follows them closely. "It's important professionally that I keep my hand in research," he said. "Otherwise I'm dead in five years." Experimental observations like that derived from the chick test are put through a computer at Washington University. "We can now tell," Gates said, "whether a cardinal or a sheep will be able to live successfully in a particular location. We can predict it."

Cheek by jowl with the wind tunnel was a massive apparatus, a motor connected by plastic tubing to a glass tank, which in turn was surrounded by recording devices and surmounted by a bank of flood lamps. Within the tank rested a tiny lilac plant. "One of our air-pollution studies," Gates said, and introduced me to a tall, quiet scientist named Fred Lanphear, an associate professor of horticulture on leave from Purdue.

The motor, Lanphear explained, produces pollutants which are blown through the glass tank. "We're trying to find out what levels of pollution are critical," he said. "By controlling the temperature with the lamps and the humidity and air flow, we can pinpoint just what pollution does to different kinds of plants in different time periods."

Such studies will provide botanists with the data they need to develop pollution-resistant plants and will provide city planners with a guide in selecting plants that are best able to withstand pollutants. "I'm also interested in using plants as biological monitors," Lanphear said. "They can be more sensitive pollution detectors than most of the equipment available. You just have to know the symptoms." Sulfur dioxide pollution, for example, produces irregular streaking on either side of the midvein of a blade of grass. Ozone, chief ingredient of Los Angeles's photochemical smog, marks broad leaf plants with white flecks or reddish-brown stipples.

Lanphear envisions a time when carefully selected plants will form green belts around factories, not only to monitor pollution but possibly to reduce it. "The fact that pollutants injure a plant indicates it is absorbing them. The question is, to what extent can plants serve as a pollution filter. I'm conducting experiments in the lab to test the premise, and I find that some plants—the Douglas fir, for example—can take in huge amounts of sulfur dioxide without too much damage if they're given enough time."

Another research project at the garden looks toward a day when plants may be used to absorb noise. Scientists place a sound generator on one side of a grove of evergreens, for instance, and a sound meter on the other side. Their observations indicate that plants are better at absorbing high frequency sound (which is more annoying to the human ear) than the low frequency variety.

Members of the garden research staff are frequently away from their desks on field trips. Some have spent long periods of time in Panama—Gates has been a consultant for the Federal Government in determining the ecological consequences of building a sea-level canal through that nation. A former staff scientist has used his knowledge of the tropics to write survival manuals for G.I.'s in Vietnam.

Gates himself is constantly traveling, on field trips into his beloved northern Michigan ("It's not what it was when I was a boy—nothing is, I guess—but it's still beautiful") and to professional meetings. He is a fellow of the American Association for the Advancement of Science and on seven of its committees. He serves on commissions and boards for organizations such as NASA and the Smithsonian. His home base is a two-story brick house on the garden grounds, which he shares with his wife Marian and their four children. Marian Gates is a small, bright, outspoken woman who was her husband's classmate back in Kansas. Murray, 21, is a college dropout, a long-haired artist who, like his father, is a former Eagle Scout. There are three daughters: Julie, 19; Heather, 12; Marilyn, 11.

Since it was first propounded, the Gates theory of energy exchange has earned universal acceptance in ecological circles, even though it was the brainchild of a molecular physicist, and other scientists are pursuing research in biophysical ecology. There are some doubters who believe that the "energy budgeteers" will never measure precisely all the environmental variables that work upon a plant or animal—biological rhythms, for example. But Gates is supremely confident that he has found the key to unlock many of nature's mysteries, and to revitalize the ecological profession as well.

"We need a new breed of ecologist," he says. He believes that it was the development of theoretical physics a half-century ago that made possible the quantum leaps in that science, and that it is the lack of a strong theoretical foundation that has prevented ecology from making similar advances. "We're groping for answers," Gates says. "We try something, see if it works, then try something else. A body of theoretical knowledge will enable us to predict results, to know how organisms will react to changes in their environments. In a sense, this is what the modern environmental crisis is all about." As a teen-age naturalist, Gates had abandoned his father's science because it lacked this kind of analytical precision; now he hopes to bring it around.

All this, however, is in the realm of theory, and Gates is nothing if not a pragmatist. In his Congressional appearances he has frequently wandered from discussions of energy budgets and the ecological discipline to concrete proposals for what he calls "environmental management." Speaking before the House Committee on Merchant Marine and Fisheries, he called for the creation of "ecosystem analysis task forces," which would converge upon a particular geographical area and spend months studying it. "Take Long Island," he says. "I would send in not just ecologists but agronomists, recreational experts, sewage treatment people, sociologists, economists—it might easily be a team of 100 people. They would come up with options: This is what you can expect if things continued the way they're going; this is what can be done and what it would cost. Should this section of land be held out for food production? Is recreation the most important use of the upper end of the island? The task forces might be a Rand type of corporation or a Brookhaven National Laboratory which would report to the President's Environmental Quality Council."

Such studies, Gates feels, are immediately necessary to provide the nation with predictive models, enabling scientists to forecast the results of particular kinds of pollution, to anticipate environmental catastrophes. This type of crystal-ball-gazing is called operations research, and it is no accident that Gates should espouse it. He did the same kind of work during World War II, with antiaircraft weapons. "We'd be asked to figure out questions like this," he recalls. "If the Japanese sent so many suicide planes of such-and-such a speed against a carrier of such-and-such class, what were the probabilities that we could shoot them down?" What worked for suicide planes, Gates feels, would work for pesticide spills and sea-level canals.

Gates is an optimist, a doer, who gets his kicks from solving problems. He wants to believe that man can cope with the environmental crisis, and he does find some heartening developments. "Congress is becoming increasingly concerned," he says. "Scientific groups of all kinds are getting involved. Industry is beginning to cooperate." Public pressure, he feels, is making a difference: "People are beating on their representatives, on local industry."

Yet a touch of nostalgia, almost of despair, constantly intrudes upon his conversation. "It's so difficult to make people understand the seriousness of the threat," he says. "They don't realize how much we've lost already. They don't realize that we live in a closed system, that the air and water, the plants and animals, are being irreparably damaged and there are no replacements. And it's not just a matter of esthetics. When we lose a wildlife species or a plant, we lose a genetic stock that future generations might need desperately for food."

Just before we parted, I asked him if he thought the trend toward human oblivion would be halted. "I don't know," he replied. "It's very likely we won't be able to stem the momentum, but we have to try. We're definitely not going to make it if we persist in fighting major wars, throwing away our energies. Priorities—it always comes back to that. We have to learn to care about what kind of environment we're going to live in. The question is, Will we learn in time?"

As I left Gate's office, I stopped for a moment to take a last look around the garden. My eyes rested on a magnificent ginkgo, a thick-trunked wide-branched tree that belongs to a species that is 200 million years old. Gates had told me that the tree was very resistant to insects—hence its longevity—but only fairly resistant to air pollution. Some effects were showing.

Two-dozen school children had been sitting beneath the ginkgo earlier. Now, they were gone, and the base of the tree was littered with scraps of paper and discarded soft-drink cartons. It was a small incident, and I reminded myself that one could read too much into such things. Yet it seemed a depressing omen.

VIETNAM MORATORIUM

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. O'HARA. Mr. Speaker, the conflict in Vietnam has been debated, discussed, dissected, and analyzed as much or more than any other issue in our history, but it has not been resolved.

A great jurist and a brave soldier, the late Justice Oliver Wendell Holmes, Jr., once said:

> I have no faith in panaceas, and almost none in sudden ruin.

Our experience in Vietnam confirms the wisdom of this observation.

There have been policy proposals in great number, a large percentage of them billed by their proponents as essential and by their opponents as suicidal. But "bombing above the parallel" and "attacking the petroleum depots" and "adding Hanoi and Haiphong to the target list" failed to bring military victory, just as "stopping the bombing" and "including the NLF in the negotiations" and "agreeing to prompt withdrawal of U.S. troops after a truce" could not produce a negotiated settlement.

Neither did any of these steps nor all of them materially weaken our position, jeopardize the lives of our troops, or widen the war.

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None have been panaceas and sudden ruin has not followed their adoption.

There are no simple solutions to the Vietnamese problem, no easy ways out, no uncomplicated and painless answers to the bloody questions of a bloody war.

Those who insist they have the answers whether they be "hawk or dove" and who accompany their claims with denunciations of their opponents' patriotism, morals, and motives—as some do—have seriously hindered rational understanding of the issues by the millions of Americans who are neither "hawk" nor "dove."

I do not share with some of my fellow Americans the view that the war in Vietnam is imperialist, colonialist, or racist; or that it is the preemptive moral issue of our time; or that a man's integrity can be measured by his attitude toward U.S. military involvement in Vietnam. I know of no public official, no President, no Member of Congress, no Cabinet member—past or present—who takes pleasure in human slaughter or who measures his achievement by how many deaths—American deaths or Vietnamese deaths—have occurred today.

Our intervention in Vietnam is the result of decisions made by sincere and conscientious men of several administrations whose common objective was to create a world order in which men could live in peace and who firmly believed that the conquest of the Republic of South Vietnam by force of arms would have world repercussions more damaging to peace than an American military effort to save South Vietnam.

But this rigid application of our policy of containment of communism seems to me less appropriate in Southeast Asia than in Western Europe, where our most vital interests are at stake, and less urgent today than 20 years ago, when international communism was yet a monolithic world force under a militant and united leadership.

I firmly believe, too, that if Secretaries Rusk or Dulles or Herter or Wilson or McElroy or Gates or McNamara or Presidents Eisenhower or Kennedy or Johnson had foreseen the inability of the Saigon governments to respond to the challenge confronting them, the failure of our counterinsurgency strategies, and the terrible toll of this war in men, material, and national unity the history of our involvement in Vietnam would have been very different.

It does not reflect on the wisdom or good will of those who made decisions 5 or 10 or 15 years ago if we conclude today that those decisions were mistaken. And surely it is no tribute to our past leaders to continue a policy that has reached the point of diminishing returns. There is nothing immoral, unpatriotic, or disloyal about cutting your losses when you determine you were mistaken. There is something wrong, however, in continuing to lose lives to maintain a policy just because it looked right once. Too many people have died already—too many Americans, too many Vietnamese, too many men and women and children.

Our achievements in Vietnam have not been worth their cost and cannot now be made worth their cost. Unless we recognize this and the real limitation upon our actions it implies we shall continue to expend American and Vietnamese lives and treasure in pursuit of goals that are unattainable at any reasonable cost.

This is not to suggest that we have accomplished nothing in Vietnam. Our intervention has forestalled the conquest of South Vietnam and given the Vietnamese the opportunity to defend themselves. But we have paid a terrible price to achieve this objective.

Neither would I suggest that a precipitous withdrawal from Vietnam is now our best course but I believe that we can and should disengage ourselves from this struggle. Our disengagement ought to be accompanied by renewed efforts to strengthen Saigon's capacity to defend itself. It ought to be given help and encouragement to establish free and democratic institutions that will earn for it the support of the Vietnamese people.

But, in the end, these are jobs that only the Vietnamese can do.

In advocating this course of action I do not pretend that it is a panacea or that it will certainly lead to a free and independent South Vietnam—it may not—but simply that disengagement is the best of some very bad alternatives and is clearly preferable to the loss of more and more lives in a cause, the cost of which already exceeds its value.

A CHURCH BELL RINGS ONCE MORE

HON. JOHN W. WYDLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. WYDLER. Mr. Speaker, in the little hamlet of Seaford, Long Island, a church bell sat for many years in the rear of an old weathered church. One day in 1968, the newly organized mens club of St. Michael and All Angels Church happened to bring up this fact and a discussion was started on the old bell. The bell had been dedicated in 1897 by "The Many Friends of St. Michael," as was inscribed on the bell. Since that day 1½ years ago, the endeavor has been going on to bring back a sound of a church bell in Seaford. It was felt that a bell that could not ring out and sound a message of joy was not in truth a bell. A stanchion was built for mounting the bell and a time capsule with many mementos of the church is going to be sealed in a niche in the base. A copy of the CONGRESSIONAL RECORD containing this insert will be placed in the capsule.

Organizations in Seaford have contributed several hundred dollars in answer to an appeal for funds to help construct the stanchion and purchase a plaque.

A ceremony befitting this project of the mens club of St. Michael and All Angels Church will be held on Sunday, October 19, 1969, at 1:30 p.m. and several hundred people will attend. The plaque which is to be placed on the stanchion has a verse from Psalm 66, verse 1 and reads as follows:

> Make a Joyful Noise Unto God, All Ye Lands.

This verse was picked by Rev. Harold L. Goetz, pastor of the church and this is the message that the members of St. Michaels would like to convey to the world.

CANDLELIGHT IN FLUSHING

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. ROSENTHAL. Mr. Speaker, the dignified and enlightening debate in the House of Representatives on October 14 was a proper prelude to the Vietnam moratorium. All of us left the House Chamber and the galleries reassured that free and public debate on important questions was still possible in the heart of government. The thousands of students who came to Capitol Hill for the debate also saw that the institutions of government could function properly.

I returned to my district on the day of the Vietnam moratorium to give the following speech which reflects my views on the meaning of this day and on the work still to be done by those of us unalterably opposed to continuing this war.

This speech followed a candlelight parade in Flushing which, in its solemnity and dignity and dedication confirmed the spirit in which the moratorium was started in the House Chamber the night before.

VIETNAM MORATORIUM

We gather this evening to mark a momentous day when America rose up and said "Peace" in the clearest voice yet heard. We have had hundreds or even thousands of peace rallies and demonstrations before the Vietnam Moratorium. We may need many more. But never have we seen an idea sweep America as it has today.

This was supposed to be a students' day of demonstration. It was taken over by adults. The mothers and fathers of this country are now ready to leave Vietnam! Their voices will be heard by this Administration, despite President Nixon's insensitive comment that "nothing new can be learned from them".

We are here because we believe deeply that something has gone wrong and we must try to set it right. That's how this moratorium started. And it will not die, nor be eliminated by presidential press release or the firing of General Hershey or by any new series of side-steps.

The President has had almost one year since his election to show us his promised plan to end the war. He has had nine months, with the full panoply of president power—the greatest array of force ever given any man in history—to carry out that promise. And still the end is not yet in sight.

We have lost 45,352 American lives. Wounded and maimed Americans number 252,059 from this war, making it the second most costly conflict in our history. And the Administration admits that it will take at least three years for total withdrawal of our troops.

Our job this evening and tomorrow and next week and month is to be sure that this Administration, and its successors, really understand what we are aroused about.

We want, first and now, withdrawal of all American troops from Vietnam.

Then, we want new priorities so that America spends the resources of the richest Nation in history on some of history's sorest problems: slums, schools, pollution, jobs and housing.

Finally, we want to know what went wrong in the Sixties so it won't happen again. Under

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what inspiration did we proceed into so many overseas military obligations.

Perhaps some of these military missions and obligations are vital to our interests. But we must find some way to clarify and state and classify those interests among urgent domestic priorities so that America's mothers and fathers will not have to come again in five or fifteen years to rally on the streets to bring home five hundred thousand sons from a war we never wanted and cannot understand.

Many of us here tonight can look back to 1965 and the first anti-war protests. There are many memories, and a few legends about these past five years.

But there is no false satisfaction in having been aware before others that Vietnam was wrong. There is no joy in having been right when others were still groping for the answers. And tonight there should be no sense of triumph in seeing that a majority of Americans now think that Vietnam was wrong and that we should leave.

Rather, we shall triumph only when policy is changed. We shall persevere until the last ship brings the last American boy back from Vietnam. We shall work and march and pray until we have set America right again.

And we must remind those who criticize this moratorium that we have a President, not an emperor. We have a country where we can have free discussion and dialogue.

The hour is now late. The President and the Congress hear but do not yet understand fully. Let us send still more messages. Let us start once more.

QUESTIONS RAISED BY THE MORATORIUM

HON. JAMES W. SYMINGTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. SYMINGTON. Mr. Speaker, I would like to express my concern for the questions raised by the moratorium by offering these thoughts on the debate itself, the spirit in which we engage in it, and the ends we seek. First, as to the propriety of debating the war, I can think of no more appropriate question to discuss, given our obligations under article 1, section 8 of the Constitution. True, at the outset of this administration we were counseled to lower our voices. More recently it has been suggested that it would be better if we said nothing at all. Congress has often been accused of doing exactly that. But "when the blast of war rings in our ears," we have not only the right but a duty to find our voice. And a Congress which has expressed a desire for greater participation in the formulation of foreign policy can hardly be reluctant to discuss it. I am glad this point was quickly and properly resolved.

Second, in what spirit do we discuss this war? Not of anger and frustation, I submit, although angry and frustrated we are; certainly not of rancor or ill will toward fellow Americans in or out of policymaking positions; and not even of implacable hatred of the foe, but calmly, thoughtfully, and constructively. It is our part to voice the Nation's reason, not simply echo its agony. Reasonable we must be, although it would, I think, sharpen our perspective if we thought of ourselves as the parents of draft-age boys.

Finally, we must try to arrive at an agreed definition of what it is we seek to achieve in Vietnam, and to which any further efforts and sacrifices should be directed. "Victory," in its ordinary sense, has been abandoned by most Americans including the President, as the definition of the goal to be achieved; it has been abandoned in favor of "peace." We must admit "peace" is susceptible of as many interpretations as "victory." So we have a duty to be candid with each other about what is meant by "peace" in Vietnam.

To most, it means termination of U.S. military involvement there, and the withdrawal of American troops. Whether this would produce peace in Vietnam, is a matter of conjecture but not of primary concern to those who consider our involvement prohibitively costly in American lives, treasure, reputation, and self-respect; those who cannot view its termination as anything but preferable to its continuance for one more day. The argument is compelling. What has been won in the past 7 years? What remains to be won? It is certainly difficult to estimate how much national security or world stability have been purchased to date. It would have to be great indeed in order to justify the direct sacrifice of blood and treasure, and the indirect sacrifice of housing, education, pollution control, and economic strength to say nothing of racial and campus harmony, or the sense of gladly shared purpose which ought to animate a great nation in conflict. I incline to the view that to date more has been lost than won. Hindsight suggests the investment was ill advised. History does not reveal its alternatives. It may well be that without U.S. intervention, a Titoist regime governing all of Vietnam under Hanoi, would have emerged as a bulwark of nonaggressive neutrality between China and the rest of Indochina. Perhaps no bulwark was required, or if required, not ours to build. If all this was predictable we must acknowledge falibility in making or heeding predictions. In any event, in our own interest as our leaders saw it, we intervened. We mainipulated South Vietnamese leadership and ravaged the land. We bear a great responsibility for the war, certainly. Do we bear an equally great responsibility for the "peace" we leave behind?

If so, how to discharge that responsibility is the question before the Nation, the President, and this House. It is not an easy question as the debate last night revealed. It turns the most eager exponents of simple withdrawal into cautious military strategists. Why? Because of the demands it makes on conscience and honor. Yes, our prisoners must be returned. No, Vietnamese hostages must not be abandoned. Yes, the enslave theory, and its assumption of continued American presence has validity. Yes, Vietnamization of the war is essential, and should include pressure on the regime to pass power to a more representative body. No, in short, the men cannot come home at once. Thus, the debate quickly narrowed the gap between supporters and opponents of current policy. No support at all was offered the 30-day-wonder theory of withdrawal. Had the debate been allowed to continue we might have been able to illuminate other possible approaches, from Senator AIKEN's novel suggestion to its opposite, accelerated withdrawal coupled with the threat of selective air attacks in the north, if necessary, to insure Hanoi's cooperation both with our removal, and the eventual establishment of an indigenous, representative government in South Vietnam.

In my view the careful implementation of a deliberate and declared policy of disengagement should be encouraged, or if you will demanded, but only to the end of achieving exactly that. If more is demanded, by putting our collective shoulder to the wheels of wishful thinking, something else could be sacrificed to this tragic conflict: rational government. In due course a question of honor can become a question of order.

SENATE—*Thursday, October 16, 1969*

The Senate met at 12 o'clock noon and was called to order by the President pro tempore.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal God, send peace on earth, and by Thy grace put down the pride, greed, and anger that turn man against man, and nation against nation. Speed the day when wars are ended and all men call Thee Father.

O Lord, remove from us and from all men both hate and prejudice, that Thy children may be reconciled with those whom they fear, resent, or threaten, and thereafter live in peace.

As we consecrate ourselves to Thee, make us to know that our work is Thy work. Strengthen the faculties of our minds and dispose our efforts for the welfare of all the people and the furtherance of Thy kingdom.

In Thy holy name we pray. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, October 15, 1969, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, beginning with Calendar No. 452 and the succeeding measures in sequence.

The PRESIDENT pro tempore. Without objection, it is so ordered.

CONSTITUTIONAL AMENDMENTS

The resolution (S. Res. 261) to print a list of proposed amendments to the Constitution as a Senate document was considered and agreed to, as follows:

S. Res. 261

Resolved, That there be printed as a Senate document a list of proposed amendments to the Constitution of the United States of America submitted during the Eighty-eighth Congress, first session, through the Ninetieth Congress, second session, as compiled by the Senate Library, under the direction of the Secretary of the Senate, and that one thousand five hundred additional copies be printed for the use of the Secretary of the Senate.

SELECT COMMITTEE ON SMALL BUSINESS

The resolution (S. Res. 266) authorizing expenditures by the Select Committee on Small Business was considered and agreed to, as follows:

S. Res. 266

Resolved, That the Select Committee on Small Business is hereby authorized to expend, from the contingent fund of the Senate, $10,000, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 57, Ninety-first Congress, agreed to February 17, 1969.

THE COST OF CLEAN AIR

The resolution (S. Res. 267) to print "The Cost of Clean Air" as a Senate document was considered and agreed to, as follows:

S. Res. 267

Resolved, That there be printed as a Senate document the first report of the Secretary of Health, Education, and Welfare, entitled "The Cost of Clean Air", submitted to the Congress in accordance with section 305(a), Public Law 90–148, the Air Quality Act of 1967, and that there be printed three thousand additional copies of such document for the use of the Committee on Public Works.

AUTHORIZING THE PRINTING AS A HOUSE DOCUMENT OF HOUSE HEARINGS ON SCIENCE AND STRATEGIES FOR NATIONAL SECURITY IN THE 1970'S

The concurrent resolution (H. Con. Res. 338) authorizing the printing as a House document of hearings on Science and Strategies for National Security in the 1970's by the Subcommittee on National Security Policy and Scientific Developments, and of additional copies thereof was considered and agreed to.

SPECIAL COMMITTEE ON AGING

The Senate proceeded to consider the resolution (S. Res. 251) authorizing additional expenditures by the Special Committee on Aging, which had been reported from the Committee on Rules and Administration with an amendment, strike out all after the resolving clause and insert:

That the Special Committee on Aging is authorized to expend from the contingent fund of the Senate $30,000, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 76, Ninety-first Congress, agreed to February 17, 1969, authorizing a study of matters pertaining to problems and opportunities of older people.

The amendment was agreed to.

The resolution, as amended, was agreed to.

PROVIDING FOR THE PRINTING OF COPIES OF THE EULOGIES OF DWIGHT DAVID EISENHOWER

The Senate proceeded to consider the concurrent resolution (H. Con. Res. 368) providing for the printing of copies of the eulogies on Dwight David Eisenhower which had been reported from the Committee on Rules and Administration with an amendment on page 2, line 4, after the word "thousand", strike out "and thirty" and insert "three hundred".

The amendment was agreed to.

The concurrent resolution, as amended, was agreed to.

COMMITTEE ON LABOR AND PUBLIC WELFARE

The Senate proceeded to consider the resolution (S. Res. 227) to authorize the expenditure of funds by the Committee on Labor and Public Welfare generally and for its investigation of the problems of education of American Indians which had been reported from the Committee on Rules and Administration with an amendment, on page 2, line 1, after "Sec. 2." strike out "Section 4 of Senate Resolution 80, agreed to February 17, 1969, is hereby amended by striking out '$72,000' where it appears therein and inserting in lieu thereof '$93,000'." and, in lieu thereof, insert "The Committee on Labor and Public Welfare is authorized to expend from the contingent fund of the Senate $8,600, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 80, Ninety-first Congress, agreed to February 17, 1969 (as extended by Senate Resolution 226, agreed to July 29, 1969), authorizing a study of the education of American Indians."

So as to make the resolution read:

Resolved, That the Committee on Labor and Public Welfare hereby is authorized to expend from the contingent fund of the Senate, during the Ninetieth Congress, $1,500 in addition to the amounts, and for the same purposes, specified in section 134(a) of the Legislative Reorganization Act, approved August 2, 1946, Senate Resolution 141, agreed to July 17, 1967, and Senate Resolution 276, agreed to May 9, 1968.

Sec. 2. The Committee on Labor and Public Welfare is authorized to expend from the contingent fund of the Senate $8,600, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 80, Ninety-first Congress, agreed to February 17, 1969 (as extended by Senate Resolution 226, agreed to July 29, 1969), authorizing a study of the education of American Indians.

The amendment was agreed to.

The resolution, as amended, was agreed to.

INVESTIGATION OF ANTITRUST AND MONOPOLY LAWS

The Senate proceeded to consider the resolution (S. Res. 230) to investigate antitrust and monopoly laws of the United States, which had been reported from the Committee on Rules and Administration with an amendment, strike out all after the resolving clause and insert:

That the Committee on the Judiciary is authorized to expend from the contingent fund of the Senate $28,800, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 40, Ninety-first Congress, agreed to February 18, 1969, authorizing an investigation of antitrust and monopoly laws and their administration.

The amendment was agreed to.

The resolution, as amended, was agreed to.

The title was amended so as to read: "Resolution authorizing additional expenditures by the Committee on the Judiciary for an investigation of antitrust and monopoly laws".

STUDY OF CONSTITUTIONAL AMENDMENTS

The Senate proceeded to consider the resolution (S. Res. 231) authorizing a study of matters pertaining to constitutional amendments, which had been reported from the Committee on Rules and Administration with an amendment, strike out all after the resolving clause and insert:

That the Committee on the Judiciary is authorized to expend from the contingent fund of the Senate $4,000, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 42, Ninety-first Congress, agreed to February 17, 1969, authorizing a complete study of any and all matters pertaining to constitutional amendments.

The amendment was agreed to.

The resolution, as amended, was agreed to.

The title was amended so as to read: "Resolution authorizing additional expenditures by the Committee on the Judiciary for a study of matters pertaining to constitutional amendments".

INVESTIGATION OF CONSTITUTIONAL RIGHTS

The Senate proceeded to consider the resolution (S. Res. 232) to investigate matters pertaining to constitutional

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rights which had been reported from the Committee on Rules and Administration with an amendment, strike out all after the resolving clause and insert:

That the Committee on the Judiciary is authorized to expend from the contingent fund of the Senate $15,000, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 43, Ninety-first Congress, agreed to February 17, 1969, authorizing a complete study of any and all matters pertaining to constitutional rights.

The amendment was agreed to.

The resolution, as amended, was agreed to.

The title was amended so as to read: "Resolution authorizing additional expenditures by the Committee on the Judiciary for a study of matters pertaining to constitutional rights".

INVESTIGATION OF CRIMINAL LAWS AND PROCEDURES

The Senate proceeded to consider the resolution (S. Res. 233) to investigate criminal laws and procedures, which had been reported from the Committee on Rules and Administration, with an amendment, strike out all after the resolving clause and insert:

That the Committee on the Judiciary is authorized to expend from the contingent fund of the Senate $25,000, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 44, Ninety-first Congress, agreed to February 17, 1969, authorizing an investigation of criminal laws and procedures.

The amendment was agreed to.

The resolution, as amended, was agreed to.

The title was amended so as to read: "Resolution authorizing additional expenditures by the Committee on the Judiciary for an investigation of criminal laws and procedures".

INVESTIGATION OF THE ADMINISTRATION, OPERATION AND ENFORCEMENT OF THE INTERNAL SECURITY ACT

The Senate proceeded to consider the resolution (S. Res. 234) to investigate the administration, operation, and enforcement of the Internal Security Act, which had been reported from the Committee on Rules and Administration, with an amendment, strike out all after the resolving clause and insert:

That the Committee on the Judiciary is authorized to expend from the contingent fund of the Senate $65,000, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 46, Ninety-first Congress, agreed to February 17, 1969, authorizing an investigation of the administration, operation, and enforcement of the Internal Security Act.

The amendment was agreed to.

The resolution, as amended, was agreed to.

The title was amended so as to read: "Resolution authorizing additional expenditures by the Committee on the Judiciary for an investigation of the administration, operation, and enforcement of the Internal Security Act."

STUDY OF FEDERAL JUDICIAL SYSTEM

The Senate proceeded to consider the resolution (S. Res. 235) to study and examine the Federal judicial system, which had been reported from the Committee on Rules and Administration, with an amendment, strike out all after the resolving clause and insert:

That the Committee on the Judiciary is authorized to expend from the contingent fund of the Senate $9,000, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 47, Ninety-first Congress, agreed to February 17, 1969, authorizing a study and examination of the Federal judicial system.

The amendment was agreed to.

The resolution, as amended, was agreed to.

The title was amended so as to read: "Resolution authorizing additional expenditures by the Committee on the Judiciary for a study and examination for the Federal judicial system".

INVESTIGATION OF JUVENILE DELINQUENCY

The Senate proceeded to consider the resolution (S. Res. 236) to investigate juvenile delinquency, which had been reported from the Committee on Rules and Administration, with an amendment, strike out all after the resolving clause and insert:

That the Committee on the Judiciary is authorized to expend from the contingent fund of the Senate $25,000, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 48, Ninety-first Congress, agreed to February 17, 1969, authorizing an investigation of juvenile delinquency in the United States.

The amendment was agreed to.

The resolution, as amended, was agreed to.

The title was amended so as to read: "Resolution authorizing additional expenditures by the Committee on the Judiciary for an investigation of juvenile delinquency in the United States".

STUDY OF REVISION AND CODIFICATION OF THE STATUTES OF THE UNITED STATES

The Senate proceeded to consider the resolution (S. Res. 237) to study revision and codification of the statutes of the United States, which had been reported from the Committee on Rules and Administration, with an amendment, strike out all after the resolving clause and insert:

That the Committee on the Judiciary is authorized to expend from the contingent fund of the Senate $4,000, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 51, Ninety-first Congress, agreed to February 17, 1969, authorizing a study of matters pertaining to revision and codification of the statutes of the United States.

The amendment was agreed to.

The resolution, as amended, was agreed to.

The title was amended so as to read: "Resolution authorizing additional expenditures by the Committee on the Judiciary for a study of matters pertaining to revision and codification of the statutes of the United States".

STUDY OF SEPARATION OF POWERS UNDER THE CONSTITUTION

The Senate proceeded to consider the resolution (S. Res. 238) to make a full and complete study of the separation of powers under the Constitution, which had been reported from the Committee on Rules and Administration, with an amendment, strike out all after the resolving clause and insert:

That the Committee on the Judiciary is authorized to expend from the contingent fund of the Senate $10,000, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 52, Ninety-first Congress, agreed to February 17, 1969, authorizing a study of the separation of powers between the executive, judicial, and legislative branches of Government.

The amendment was agreed to.

The resolution, as amended, was agreed to.

The title was amended so as to read: "Resolution authorizing additional expenditures by the Committee on the Judiciary for a study of constitutional separation of powers".

INVESTIGATION OF PROBLEMS CREATED BY THE FLOW OF REFUGEES AND ESCAPEES FROM COMMUNISTIC TYRANNY

The Senate proceeded to consider the resolution (S. Res. 242) to investigate problems created by the flow of refugees and escapees from communistic tyranny, which had been reported from the Committee on Rules and Administration, with an amendment, strike out all after the resolving clause and insert:

That the Committee on the Judiciary is authorized to expend from the contingent fund of the Senate $9,000, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 50, Ninety-first Congress, agreed to February 17, 1969, authorizing a study of matters pertaining to the problems created by the flow of refugees and escapees.

The amendment was agreed to.

The resolution, as amended, was agreed to.

The title was amended so as to read: "Resolution authorizing additional expenditures by the Committee on the Judiciary for a study of matters pertaining to the problems created by the flow of refugees and escapees."

ENACTMENT OF A LAW

The Senate proceeded to consider the resolution (S. Res. 262) providing for additional copies to be printed of Senate Document 39, which had been reported from the Committee on Rules and Administration, with an amendment, in line 2, after the word "of," strike out "S. Doc. 39," and insert "Senate Document 35,"; so as to make the resolution read:

S. Res. 262

Resolved, That there be printed for the use of the Senate, twenty thousand six hundred additional copies of Senate Document

35, Ninetieth Congress, first session, entitled "Enactment of a Law."

The amendment was agreed to.

The resolution, as amended, was agreed to.

The title was amended so as to read: "Resoluton authorizing the printing of additional copies of Senate Document 35, Ninetieth Congress, entitled 'Enactment of a Law'."

EXECUTIVE REORGANIZATION SUBCOMMITTEE, COMMITTEE ON GOVERNMENT OPERATIONS

The Senate proceeded to consider the resolution (S. Res. 263) authorizing additional appropriation for the Executive Reorganization Subcommittee, Committee on Government Operations, which had been reported from the Committee on Rules and Administration, with an amendment, strike out all after the resolving clause and insert:

That the Committee on Government Operations is authorized to expend from the contingent fund of the Senate $12,000, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 25, Ninety-first Congress, agreed to February 17, 1969, authorizing a study of the effects of laws pertaining to proposed reorganizations in the executive branch of the Government.

The amendment was agreed to.

The resolution, as amended, was agreed to.

The title was amended, so as to read: "Resolution authorizing additional expenditures by the Committee on Government Operations for a study of the effects of laws pertaining to proposed reorganizations in the executive branch of the Government."

STUDY OF INTERGOVERNMENTAL RELATIONSHIPS BETWEEN THE UNITED STATES AND THE STATES AND MUNICIPALITIES

The Senate proceeded to consider the resolution (S. Res. 264) authorizing a study of intergovernmental relationships between the United States and the States and municipalities, which had been reported from the Committee on Rules and Administration, with an amendment, strike out all after the resolving clause and insert:

That the Committee on Government Operations is authorized to expend from the contingent fund of the Senate $10,000, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 27, Ninety-first Congress, agreed to February 17, 1969, authorizing a study of intergovernmental relationships between the United States and the States and municipalities.

The amendment was agreed to.

The resolution, as amended, was agreed to.

The title was amended so as to read: "Resolution authorizing additional expenditures by the Committee on Government Operations for a study of intergovernmental relationships between the United States and the States and municipalities".

COMMITTEE ON THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the resolution (S. Res. 265) for additional funds for the Committee on the District of Columbia, which had been reported from the Committee on Rules and Administration, with an amendment, strike out all after the resolving clause and insert:

That the Committee on the District of Columbia is authorized to expend from the contingent fund of the Senate $2,400, in addition to the amount, and for the same purposes and during the same period, specified in Senate Resolution 84, Ninety-first Congress, agreed to February 17, 1969, authorizing a study of matters pertaining to the District of Columbia.

The amendment was agreed to.

The resolution, as amended, was agreed to.

The title was amended so as to read: "Resolution authorizing additional expenditures by the Committee on the District of Columbia for a study of matters pertaining to the District of Columbia".

THE 70TH ANNUAL REPORT OF THE DAR

The resolution (S. Res. 273) to authorize the printing of the 70th Annual Report of the National Society of the Daughters of the American Revolution as a Senate document was considered and agreed to, as follows:

S. Res. 273

Resolved, That the Seventieth Annual Report of the National Society of the Daughters of the American Revolution for the year ended March 1, 1967, be printed, with an illustration, as a Senate document.

BILL PASSED OVER

The bill (S. 2264) to amend the Public Health Service Act to provide authorization for grants for communicable disease control was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The PRESIDENT pro tempore. The bill will be passed over.

COMMITTEE ON FINANCE

The resolution (S. Res. 269) to authorize the Committee on Finance to expend $10,000 in addition to the amount, and for the same purpose, specified in section 134(a) of the Legislative Reorganization Act of 1946 was considered and agreed to, as follows:

S. Res. 269

Resolved, That the Committee on Finance is hereby authorized to expend from the contingent fund of the Senate, during the Ninety-first Congress, $10,000 in addition to the amount, and for the same purpose, specified in section 134(a) of the Legislative Reorganization Act approved August 2, 1946.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may proceed for not to exceed 20 minutes.

The PRESIDENT pro tempore. The Senator from Montana asks unanimous consent that he may be permitted to proceed for not to exceed 20 minutes. Is there objection? The Chair hears none, and the Senator from Montana is recognized for 20 minutes or such part thereof as he desires to utilize.

THE LEGISLATIVE RECORD OF THE SENATE AND THE 91ST CONGRESS

Mr. MANSFIELD. Mr. President, every administration needs time to alter and to adjust the permanent machinery of the Government if it is to be given new direction. The legislative requirements for these changes are usually indicated in broadbrush fashion by a new President in an address on the state of the Union.

President Nixon did not choose to give such an address at the outset, preferring to take an item-by-item approach to a legislative program. That is his prerogative; the fact is not stated in criticism. Indeed, the President may have been well-advised to choose the piecemeal path since he entered office on the heels of a succession of Congresses of intense activity. In the prior 8 years, a multiplicity of significant new laws had been entered on the statute books. In the previous administration, there had been one of the most extensive legislative outpourings in the Nation's history.

In the circumstances, the President's first priority was hardly to push for more new laws. Rather, it was to sort out this legislation—to pick and to choose—and to try to get the permanent machinery of the executive branch to operate with responsiveness to it under his leadership. In the light of this situation, the statement on the legislative program which President Nixon issued last weekend was most welcome. It was a restrained and realistic recapitulation. Its temperate tone, moreover, seems to me to have foreclosed a tendency to politically colored commentary on the work of the Congress to date. The President's appeal for cooperation rather than conflict between a Republican-controlled administration and a Democratic-controlled Congress was well taken and appropriate to the circumstances.

I respect the President's viewpoint even though I do not concur completely in his recapitulation of the situation. So that the record may be in order, I want to go over the legislative situation as it is seen from the Senate at this time. In my report on October 3, I set forth the major bills and joint resolutions on which action has been completed or which are well along in the committee process.

One such bill concerns tax relief and tax reform. This measure is designed to shape a more equitable tax structure out of the present hodgepodge or inordinate privileges and excessive rates. It is to be hoped that out of this bill will come some relief for the lower- and middle-income groups of this country. For too long those whose incomes are derived almost wholly from salaries have carried a disproportionate share of the cost of Government.

In this connection, a far-reaching set of tax reforms passed the House of Representatives a few weeks ago. The Fi-

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nance Committee is now hard at work on this bill, having before it an October 31 target date for reporting to the Senate. Let me say that the position which has been taken from the outset by the Democratic policy committee and the Senate leadership, together with members of the Finance Committee has been designed neither to shilly-shally, delay, or politicize on this measure. It has been adhered to wholly for the purpose of trying to bring through the recesses of congressional procedure and into the light of day, after years of talk, a bona fide tax relief and reform bill.

As every Member of the Senate knows, success is never assured in a legislative effort of this kind until a bill passes both Houses and becomes law. It does seem to me, however, that the energetic efforts of the Senate Finance Committee, coming on top of the work of the House now provides some basis for prudent hopes. In his weekend message, moreover, the President has placed the administration squarely behind the passage of a tax relief and tax reform bill before the adjournment of this session of the Congress. The Senate leadership is appreciative of this support and I know Americans will welcome it. It is most respectfully suggested that the appropriate department of the executive branch now make clear the urgency of this tax reform and tax relief measure along with its appeals to the Senate for extension of the surtax and for investment credit changes.

Mr. SCOTT. Mr. President (Mr. HUGHES in the chair) will the Senator yield?

Mr MANSFIELD. I am happy to yield to the distinguished minority leader.

Mr. SCOTT. Mr. President, I had a meeting yesterday with the Secretary of the Treasury and the Assistant Secretary of the Treasury, and they strongly support the statement the Senator just made. They are extremely anxious that this bill be reported, that it be a wise and responsible bill, that it provide carefully for the review needed, that the loopholes be closed, and that it be a fair and just bill.

Having this recent information, I am happy to inform the Senator that what he recommends here is also the recommendation of the administration.

Mr. MANSFIELD. Mr. President, may I say that I am delighted by the remarks just made by the distinguished minority leader.

With respect to other specific items in the weekend message, the Congress will try to give full and deliberate consideration to each question which was raised by the President. In fact, action on many of these measures has commenced and some are well along in the legislative process.

Among the most pressing needs of the Nation, in my judgment, is a complete overhaul of the military draft. I am delighted that the President has given this matter a high priority. In the Senate, the need for changes in the draft has been a matter of concern during this session ever since last February. At that time, the Senator from Michigan (Mr. HART) introduced his proposal for reforms. In May, the Senator from Massachusetts (Mr. KENNEDY) advanced a second proposal. The administration resubmitted, in mid-August, the draft changes which had been advanced last year by the previous administration.

On the basis of these various approaches, I am hopeful that a complete reform of our draft system will be forthcoming in this Congress. In any event, the President, as he noted in his statement, is in a position to initiate draft reforms by Executive action alone. Unless there is congressional action, which I advocate, he may have no choice other than to proceed with changes on his own.

The committees of Congress which are at work on tax relief and reform are also responsible for considering the broad welfare plan which the President submitted last week in legislative form. First things should come first, however, and it seems to me very necessary that the Finance Committee complete work on tax relief and tax reform before proceeding to a major overhaul of welfare legislation. That should also come and will come in due course. It should be noted, however, that the President's welfare proposal does not lend itself to a one-two-three disposition. The press reported that the issues involved are such that even within the administration there were deep divisions on the question. More than just cursory treatment by the Congress is clearly required and it will take time to complete that work.

The President's flexibility on the question of the electoral college system is welcomed. Notwithstanding his own preference, the President lost no time in endorsing the more direct approach to presidential elections which passed the House of Representatives by an overwhelming vote a few weeks ago. I am confident that the distinguished Senator from Indiana (Mr. BAYH) has every intention of moving the measure in his Senate subcommittee as rapidly as possible.

May I say that the leadership defers to the judgment of Senator BAYH as to how this matter should be handled. The Senate knows that the Senator from Indiana has a sober approach to constitutional reform. His work on the question of presidential succession a few years ago was outstanding in every respect. He can be counted on to deal with the electoral college question in the same way. The Senator from Indiana is attuned to deep national conviction that there is a need for change in the presidential electoral system and he possesses the legislative acumen to convert that conviction into effective congressional action.

As for the postal reform measure to which the President referred, I recall that one portion of this proposal has already passed the Senate. Hearings are underway on the remainder. I am hopeful that it will be disposed of completely during this Congress.

The Senate has already passed a strong mine safety proposal. The President's endorsement of the measure in his statement, hopefully, will expedite its passage in the House of Representatives.

The President alluded to the growing crime rate as one of the Nation's most pressing needs. On this point, he has the complete agreement of the Congress and the Nation. There have already been some congressional initiatives to mobilize resources to curb crime. The attempts have been limited, to be sure, and still fall far short of need. Therefore, the President's effort to submit a program which would complement and supplement the Omnibus Crime Control Act of last year is to be commended.

In all frankness, however, I must state that, on the preventive-detention measure along with other crime control proposals now pending before the Congress, I am advised that there has not been a full response from the administration to committee requests for reports, studies and testimony. I understand that this has been the case on other legislative proposals as well. In fact, a survey of just three Senate committees with varied jurisdictions indicated that on 97 pending legislative questions, requests for the views and reports of the appropriate departments have gone without response from the executive branch. With respect to the crime measures themselves, the Congress has gone forward with hearings only to find, I understand, that the relevant Departments were not ready or able to take a position on the substance of the proposals.

While an executive agency viewpoint may not be essential on every legislative proposal, it seems to me imperative that the experience and skill of the executive agencies involved in law enforcement should be made available to the committees writing crime laws without delay and without stint. These contributions would appear to be an essential element of the background against which laws involving crimes and the courts should be designed.

I do not speak in criticism of the President. He has done all that he could personally, and as President. The insufficiency of cooperation from the departments of the executive branch is undoubtedly due in major part to the shifting of administrations. It does seem, however, that since the President has now laid stress on passage of certain items of legislation, the departments might offer more active help to the committees so that the hearings can be rescheduled and action can be taken without further delay.

It is to be hoped that the President's endorsement of the recent Senate intensification of the effort against hunger in the Nation will prompt favorable consideration of this matter. His approval of the Senate expansion of the food stamp program should help to allay any fears in the House that the Senate has moved too far and too swifty in this area.

With respect to population growth, another point raised by the President, the Senate has already authorized a special commission to study the matter. Moreover, I am certain that any specific proposals enumerated hereafter by the President will be given expeditious consideration when they are received in legislative form in the Congress. On this matter, the President's message seemed restrained enough as, indeed, a proposal should be when the Government undertakes to enter into Kinsey's realms, with advice, supplies, and equipment, not only in this Nation but throughout the world.

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I would expect that with the help of the tax-writing committees the Congress will be able to enact sufficient increases in payments to social security pensioners. What with the continuing inflation, the President correctly pointed to the urgency of the need among the elderly citizens of the Nation. A government which can find billions for anti-ballistic-missile systems—ABM's—of highly disputed value and tens of billions for the tragedy of Vietnam can do no less than meet the needs of its older citizens and meet them with sufficiency. Insofar as the Senate leadership is concerned, it will cooperate to the fullest with the President and the appropriate committees in order to bring about increases without delay.

With respect to reform of the District of Columbia government, the Senate has already completed action on the proposals which the President endorsed in his message. Action has also been completed on his proposals with regard to the Office of Economic Opportunity.

I reiterate, Mr. President, what I said at the beginning of my remarks. The message sent to the Congress by the President over the weekend was temperate in tone and reasonable in expectation. The record of the Senate speaks for itself; it is a modest but respectable record to date, for a session which still has many weeks to run and for a Congress which has another session to run. Much remains to be completed; much will be completed before Christmas 1969, and still more before the end of 1970.

Insofar as President Nixon expressed a concern with particular items of legislation, his concern is noted. The Senate leadership will do for this President what it would do for any President. It will do whatever can be done, reasonably and practically under the rules, to accommodate to his wishes at least to the extent of bringing these measures to a decision one way or another on the floor of the Senate.

After the extraordinary agendas which have been disposed of in the Senate during the past 8 years, it seems to me that ample consideration of most of the President's requests should not exhaust congressional resources. Indeed, we should still be able to find time for additional congressional initiatives like those already taken this year in the area of tax relief and reform, electoral college reform and the approaches to crime legislation.

A quantum device has yet to be established to evaluate the work of the Congress. To count the bills passed is not an answer. To regard the extent of approval for the President's legislative program alone as the yardstick provides no measure for the congressional contribution which must be considered if the separate and independent role of the Congress is to have meaning under the Constitution. Moreover, how is the value of weeks of profound debate of the ABM to be measured? Is the passage of this measure—a Presidential item—to be debited or credited in the record of the Congress? Or is its value rather, in the intangible educational effect which will be felt in the treatment of similar budgetary requests in the future? What value can be attached to the work of a Senate committee exploring into the PX shenanigans? Will it forestall the outrageous bilking of GI's in the future even without further legislation? What can be said of the work of the Senate in exercising its constitutional function of advice and consent in foreign relations? Of a Senate which, having once gone along with a precipitate Vietnamese commitment, has stayed with this question ever since and will stay with it until the war is finally brought to an end?

Mr. President, I ask unanimous consent to have printed in the RECORD a table showing the administration's bills sent to Congress and what their status is at the present time.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Subject	Administration Bill sent to Congress	Senate action
Draft reform	August 13	Senate bills introduced in February, House hearings underway.
Welfare reform	October 2	Await House action.
Revenue sharing	September 23	Considered in tax reform hearings.
Postal reform	May 23	Senate passed career postmaster—House markup underway on Corporation (initially rejected by House committee).
Manpower reform	August 12	Awaiting departmental reports.
Social security	September 30	House must act first.
Grant-in-aid	May 1	Will be reported in November.
Electoral reform	No administration draft.	Jan. 17 introduced; Passed House; Passed Senate Subcommittee.
District of Columbia Government reform.	May 13	Senate bill passed Oct. 1.
OEO reform	June 12	Passed Oct. 14.
Foreign aid	June 9	Pending before committee.
Mine safety	No draft bill	Senate bill passed.
Occupational Health and Safety Board.	Aug. 6	Senate hearings completed.
EEOC injunction power	No draft bill	Senate bill introduced June 19.
Voting rights	June 30	January 31 (Senate bill referred to Judiciary).
Food stamps	July 7	Senate bill passed Sept. 24.
Population commission	July 25	Passed Senate Sept. 29.
Crime:		
Increased appropriations for organized crime.	No budget request increase yet received.	
Antigambling jurisdiction	Oct. 7	Senate bill introduced Jan. 15, awaiting administration views.
Witness immunity	Oct. 7	Senate bill introduced Jan. 15, awaiting administration views.
Federal crime for local authorities involved in gambling.	July 11	Passed Senate Sept. 18.
District of Columbia court reorganization.	do	Jan. 22 Senate bill introduced.
Bail reform in District of Columbia.	do	Senate bill passed July 8.
Appropriations increase for narcotics enforcement.	Increased budget request expected next week.	
Tax reform	No draft bill	House bill passed August; Senate action this year.
Pornography (3 bills):		
Antismut	May 5	Awaiting Administration views.
Obscene mail	May 8	Reported from subcommittee in August.
Salacious advertising	do	Reported from subcommittee in August.
National Computer Job Bank	No draft bill	
Airport development	June 18	Hearings underway.
Public transit increase in authorization.	August 11	Awaiting agency views.
Extend unemployment coverage		House must act first (revenue measure)

Mr. MANSFIELD. Mr. President, on October 3, I reported to the Senate the legislative achievements of this body as they stood as of that point in this session. In conjunction with the President's message on legislation, however, I think it would be appropriate that the record be brought up to date, including the matters scheduled for completion this afternoon.

I ask unanimous consent, therefore, that a compilation of the Senate's legislative activity through today be included at this point in the CONGRESSIONAL RECORD.

There being no objection, the compilation was ordered to be printed in the RECORD, as follows:

LEGISLATIVE ACTIVITY, 91ST CONGRESS, FIRST SESSION, OCTOBER 16, 1969

AGRICULTURE

Durum wheat: Increased wheat acreage allotments in the irrigable portion of the Tulelake area of California each year from a 1969 total allotment of 5,374 acres to a total of 12,000 acres, effective with the 1970 crop. S. 858. P/S 9/23.

Food stamp authorization: Increased the authorization for the food stamp program for fiscal 1970 from $340 million to $750 million. S.J. Res. 126. P/S 6/24. H.J. Res. 934 H. Cal.

Food stamp program revision and expansion: Authorized $1.25 billion for fiscal 1970, $2 billion for fiscal 1971, and $2.5 billion for fiscal 1972; provided for self-certification; established a minimum of $125 per month for a family of 4; provided free stamps for family of 4 with an income of $80 or less; and required that every county in the Nation have a Food Stamp program by 1971. S. 2547. P/S 9/24 amended.

Great Plains program extension: Extended the Great Plains conservation program for 10 years and enlarged its scope. H.R. 10595. In conference.

Potatoes: Exempted potatoes for processing from marketing orders. S. 2214. P/S 10/16.

Potato and tomato promotion: Provided for a program of potato research, development, advertising, and promotion, to be financed by assessments of not more than 1¢ per hundred pounds of potatoes produced commercially in the States. S. 1181. P/S 10/16.

Marketing quota review committees: Amended the Agricultural Adjustment Act of 1938 to provide that review committee members may be appointed from any county within a State and that the Secretary of Agriculture may institute proceedings in court to obtain a review of any review committee determination. S. 2226. P/S 9/24.

Seeds: Authorized the Secretary of Agriculture to approve standards and procedures for seed certification. S. 1836. PL 91–

APPROPRIATIONS

1969

Continuing resolution: Continued appropriations through October 31, 1969. PL 91–33.

Second supplemental: Appropriated $4,352,357,644 in supplemental funds for Southeast Asia and various departments for fiscal

1969; set an expenditure ceiling of $191.9 billion for fiscal 1970; and repealed provision of law placing limitation on filling Government vacancies. PL 91–47.

Supplemental: Appropriated $36 million in supplemental funds for fiscal 1969 for Federal employees and ex-servicemen's unemployment compensation. PL 91–2.

Supplemental: Appropriated $1 billion in supplemental funds for fiscal 1969 for the Commodity Credit Corporation. PL 91–7.

1970

Agriculture: Appropriated a total of $7,642,797,650 for the Department of Agriculture and related agencies. HR 11612. In conference.

Interior: Appropriated a total of $1,546,273,300 for the Department of Interior and related agencies. HR 12781. In conference.

Treasury-Post Office: Appropriated $8,783,245,000 for the Departments of Treasury-Post Office, the Executive Office of the President and certain independent agencies for fiscal 1970. PL 91–74.

ATOMIC ENERGY

AEC authorization: Authorized a total of $2,448,052,000 for the Atomic Energy Commission for fiscal 1970. PL 91–44.

COMMUNICATIONS

COMSAT Board of Directors: Related the number of directors on the board of directors of the Communications Satellite Corporation (Comsat) who may be elected by communications common carriers to the proportion of Comsat stock held by such carriers; specified that the articles of incorporation of Comsat may be amended by a vote of not less than two-thirds of all outstanding shares voting as a single class; and permitted Comsat to adopt bylaws which would permit its board of directors to transact business in the event of certain future national emergencies. PL 91–3.

CONGRESS

Commission: Increased from 5 to 7 the membership of the Commission for Extension of the U.S. Capitol by adding the majority leaders of the Senate and the House. PL 91–77.

Senate: Authorized a speech reinforcement system for the Senate Chamber. S. Res. 167. Senate adopted 4/15/69.

Library of Congress: Increased from $75 million to $90 million the authorization contained in the Act of 1965 for the construction of the third Library of Congress Building to be known as the James Madison Memorial Building. S. 2910. P/S 10/15.

DEFENSE

Coast Guard authorization: Authorized a total of $142.8 million for fiscal 1970 of which $55,584 was for vessel procurement, $17,188,000 for aicraft, $57,378,000 for construction and $12,650,000 for bridge alterations. PL 91–49.

Dismemberment insurance coverage: Added to servicemen's group life insurance coverage indemnity payments in the event of dismemberment or loss of use of a hand or foot, or loss of sight of an eye. S. 2186. P/S 9/18.

Extrahazardous duty: Provided double indemnity servicemen's group life insurance coverage for members of the uniformed services assigned to duty in a combat zone or assigned to extrahazardous duty. S. 1650. P/S 9/18.

Joint Chiefs of Staff Chairman: Authorized the President to reappoint General Earle G. Wheeler as Chairman of the Joint Chiefs of Staff for an additional term of one year. PL 91–19.

Legislative jurisdiction over lands: Authorized the Secretary of the Army to adjust the legislative jurisdiction exercised by the United States over lands within the Army National Guard Facility, Ethan Allen, and the U.S. Army Materiel Command Firing Range, Underhill, Vermont. S. 59. P/S 7/29.

Marine Corps: Established the grade of General for the Assistant Commandant of the Marine Corps when the personnel strength of the corps exceeds 200,000. PL 91–11.

Military procurement—ABM: Authorized $20,001,586,000, fiscal year 1970, for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles and research, development, test, and evaluation for the Armed Forces, for construction and deployment of the Safeguard Anti-ballistic Missile System, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces. S. 2546. In conference.

Servicemen's group life insurance increase: Increased from $10,000 to $15,000 the amount of servicemen's group life insurance. S. 1479. P/S 9/18.

Stockpile disposal: Authorized the sale of 100,000 short tons of lead from the national and supplemental stockpiles. PL 91–46.

Submarine pay: Provided that junior nuclear-trained submarine officers who have completed their minimum obligated service, but not more than 10 years, may be paid an additional $3,750 per year if they agree, by voluntary contract, to remain on active duty for an additional 4 years. PL 91–20.

DISTRICT OF COLUMBIA

Bail Agency Act: Amended the D.C. Bail Agency Act of 1966 to require the Agency to supervise criminal defendants released under the Act to insure that they conform to the conditions of their release and actually appear for trial; and increased the Agency authorization from $130,000 to $360,000 for employing additional personnel to carry out the purposes of this bill. S. 545. P/S 7/8.

Commission on D.C. Government: Established a home rule study commission to make a study and report to Congress its recommendations 18 months after its establishment. S. 2164. P/S 10/1.

Court suits: Authorized suits in the courts of the District of Columbia for the collection of taxes owed to States, territories, or possessions, or political subdivisions thereof, when a reciprocal right is accorded to the District. S. 2502. P/S 9/3.

Debt adjusting: Prohibited the business of debt adjusting in the District of Columbia except as an incident to the lawful practice of law or as an activity engaged in by a nonprofit corporation or association. S. 1458. P/S 7/8.

Delegate: Creates the office of congressional delegate from the District of Columbia and provides he shall be chosen by the qualified voters of the District, in a partisan, general election, following nomination by a political party by means of a party primary, or, in the alternative, following the submission of a nominating petition signed by 5,000 voters or 2 percent of the total District electorate, whichever is less. S. 2163. P/S 10/1.

Interstate compact on juveniles in D.C.: Authorized the Commissioner of the District of Columbia to enter into the interstate compact on juveniles which is now law in 47 States and provides a uniform nationwide agreement for the disposition of juveniles who leave the State in which they have been found delinquent and also for the return of runaway youths to their home States. S. 2335. P/S 9/18. HR 8868. P/H 7/28.

Judges Retirement Act: Amended title 11 of the District of Columbia code to permit unmarried judges of the courts of the District of Columbia who have no dependent children to terminate their payments for survivors annuity and to receive a refund of amounts paid for such annuity. S. 2056. P/S 9/3.

National Capital Transportation Act of 1969: Authorized not to exceed $1,147,044,000 as the federal contribution for the 97.7 mile rapid rail transit system for D.C. and nearby areas of Maryland and Virginia; and authorized $150,000 to study the feasibility of a rapid rail line between Dulles Airport and the main metro system utilizing the median of the Dulles access highway. S 2185. P/S 7/8.

Reorganization of D.C. courts: Provided for a restructured court system in the District of Columbia. S. 2601. P/S 9/18.

Revenue: Provides approximately $61.6 million in additional revenues for the D.C. government and authorizes a Federal payment of up to $120 million. HR 12982. In conference.

Uemployment Compensation Act: Exempts certain public international organizations, which have headquarters or regional offices in the District of Columbia, from registering with the D.C. Unemployment Compensation Board and from the payment of the unemployment tax. PL 91–80.

Washington International School: Authorized the Commissioner of the District of Columbia to convey the Phillips School located in Georgetown, to the Washington International School, Inc. for the sum of $500,000. PL 91–63.

DUTIES

Chicory roots: Made permanent the existing temporary suspension of duty on crude chicory roots; and added two amendments 1) repealing the limitation on Federal participation in Aid to Families with Dependent Children scheduled under present law to become effective July 1, 1969, and 2) extended through June 30, 1971 the authority to provide temporary assistance for the care of repatriated Americans. PL 91–41.

Electrodes—Aluminum: Continued through December 31, 1970, the suspension of duties on electrodes imported for use in producing aluminum. PL 91–26.

Heptanoic acid: Continued through December 31, 1970 the suspension of duties on heptanoic acid; and extended through July 31, 1969 the "surcharge" withholding tax rates. PL 91–36.

Istle: Continued the existing suspension of duty on certain istle through September 5, 1972. PL 91–65.

Metal scrap: Extended through June 30, 1971 the existing suspension of duties on metal waste scrap. PL 91–25.

Shoe lathes: Extended through June 30, 1972 the existing suspension of duty on copying lathes used for making rough or finished shoe lasts from models of shoe lasts and capable of producing more than one size shoe from a single size model or shoe last; and a 2-year suspension of the law requiring States to constantly expand the benefits of medicaid so that such services will be provided to all indigent residents. PL 91–56.

Spun silk: Extended through November 7, 1971 the suspension of duties on certain classifications of spun silk yarn which expired on November 7, 1968. PL 91–28.

ECONOMY AND FINANCE

Bankruptcy Commission: Created a commission to study and recommend changes in the bankruptcy laws. S.J. Res. 88. P/S 6/20.

Commission on Balanced Economic Development: Established a bipartisan 20-member Commission on Balanced Economic Development to undertake a thorough study and analysis of current geographic trends in the economic development of the Nation. S.J. Res. 60. P/S 5/27.

Debt limit: Provided a permanent debt limitation of $365 billion and a temporary additional increase of $12 billion through June 30, 1970. PL 91–8.

Disaster relief: Provided for Federal loan adjustments, grants to States for disaster planning, shelter for disaster victims, food stamp program, assistance to unemployed individuals, clearance of lake contamination, fire control, debris removal, and timber sale contracts. PL 91–79.

XUM

Export Control Act extension: Extended through October 31, 1969 the authority to control exports pending enactment of legislation now on the Senate Calendar. PL 91-59.

Gold and silver content: Amended the National Gold and Silver Stamping Act to provide a civil remedy for misrepresentation of the quality of articles made from gold and silver. S. 1046. P/S 5/23.

Investors study: Extended to September 1, 1970 the time in which the Securities and Exchange Commission has to study and make a report to Congress on institutional investing practices in the securities market, and increased the appropriation authorization from $875,000 to $945,000. S.J. Res. 112. PL 91–

Mutual fund reforms: Amended those sections of the Investment Company Act of 1940 which pertain to investment company management fees, mutual fund sales commissions and periodic payment or contractual plan sales commissions; amended various provisions of the Federal securities laws to permit banks and savings and loan associations to operate commingled managing agency accounts in competition with mutual funds; amended other provisions of the Investment Company Act and the Investment Advisers Act to update and improve the administration and enforcement of these acts; and postponed until 18 months after enactment the effective date of the section of the bill that deals with oil and gas mutual funds. S. 2224. P/S 5/26.

Economic Opportunity Amendments of 1969: Authorized $2.048 billion for fiscal year 1970 and $2.048 billion for fiscal year 1970 and $2.7322 billion for fiscal year 1971 for carrying out programs under the Economic Opportunity Act, and established a new alcoholic counseling and recovery program and a new drug rehabilitation program. S. 3016. Passed Senate 10/14.

Rates of interest and dividends on time and saving deposits: Extended for an additional 3 months until December 22, 1969, flexible authority to regulate the rate of interest on savings deposits paid by financial institutions. PL 91–71.

Regional economic development legislation: Revised and extended the Appalachian Regional Development Act of 1965 through June 30, 1971 and authorized for the 2-fiscal-year period, exclusive of highway construction funds, $294 million; extended the highway portion of the program through June 30, 1973, and authorized $695 million for the 4-fiscal-year period; extended title V of the Public Works and Economic Development Act for 2 years through June 30, 1971 and authorized for the 1-fiscal-year period $285 million; and extended title I of the Public Works and Economic Development Act for 1 year which authorizes grants for construction of public facilities. S. 1072. In conference.

Small Business Administration: Increased the ceiling on the amount of loans which can be outstanding at one time for loans to State and local development companies under title V of the Small Business Investment Act from $300 million to $500 million. S. 2815. P/S 8/13.

Small Business Investment Act amendments: Clarified SBA's authority to enter into guarantee agreements on loans made by private lending institutions to small business investment companies. S. 2540. P/S 8/13.

EDUCATION

Educational TV: Authorized $20 million for fiscal 1970 and extended the appropriations authorization for the Public Broadcasting Act to July 1, 1974. Limited appropriations to $15 million for each of the fiscal years 1971–73. S. 1242. PL 91– .

Student loans: Authorized $20 million for fiscal 1970 and existing unused reserve funds of the insured loan program for temporary special allowances, and $40 million for fiscal 1971, to eligible lenders under the insured loan program of title IV–B of the Higher Education Act of 1965; authorized an increase for fiscal 1970 from $275 million to $325 million and from $300 million to $375 million for fiscal 1971 for the national defense student loan program; increased the authorization for the educational opportunity grant program from $100 million to $125 million in fiscal 1970 and from $140 million to $170 million in fiscal 1971; and increased the authorization for the college work-study program from $250 million to $257 million in fiscal 1970 and from $285 million to $320 million for fiscal 1971; made the provisions effective 8/1/69. HR 13194. PL 91– .

National Center on Educational Media for the Handicapped: Authorized the Secretary of Health, Education, and Welfare to enter into an agreement with an institution of higher education for the purpose of establishing and operating a National Center on Educational Media and Materials for the Handicapped. PL 96–61.

National Commission on Libraries: Established a National Commission on Libraries and Information Science as an independent component of the Office of the Secretary of Health, Education, and Welfare to develop and recommend overall plans for carrying out the national policy with respect to libraries and information science and to advise appropriate governmental agencies at all levels relative to the means of carrying out such plans. S. 1519. P/S 5/23.

NEA: Liberalized the corporate power of the National Education Association; eliminated the board of trustees and transferred their duties to the executive committee of the association. PL 91–37.

National Science Foundation Authorization: Authorized a total of $500,150,000 for fiscal year 1970. S. 1857. In conference.

New Hampshire-Vermont Compact: Gave Congressional consent to the New Hampshire-Vermont interstate school compact. PL 91–21.

Scholarships and child-care centers: Amended the Labor-Management Relations Act to permit employer contributions to trust funds to provide employees, their families, and dependents with scholarships for study at educational institutions or the establishment of child care centers for preschool and school age dependents of employees. S. 2068. PL 91–

FEDERAL EMPLOYEES

Civil service retirement: Authorized annual payments directly from the Treasury to the Civil Service Retirement and Disability Fund equal to the lost interest on the unfunded liability of the Fund; increased employee and agency contributions from 6½ percent to 7 percent, effective 1/1/70, and increased contributions by Congressional employees to 7½ and Members of Congress to 8 percent; used "high-3" instead of "high-5" for computing civil service annuities; added 1 percent to cost-of-living increases for annuitants; permitted accumulated sick leave to be added to computation of annuity; and permitted Congressional employees to receive 2½ percent credit for all years of Congressional employment. HR 9825. PL 91–

Employment of aliens: Authorized the Secretary of Commerce to employ aliens in a scientific or technical capacity. S. 1173. P/S 6/19.

National Zoological Park: Removed all positions in the National Zoological Park police force from the classification system of the Civil Service Commission and authorized the Secretary of the Smithsonian, with certain limitations, to fix the salaries. PL 91–34.

Park Police age limit: Granted the Secretary of Interior discretionary authority to fix a maximum age for entry into Park Police duty in the 29- to 31-year age range. PL 91–73.

Postmaster appointments: Provided for the appointment of all postmasters at post offices of the first, second, and third class by the Postmaster General; and prohibited political recommendations from being taken into account in the appointment of any person to any position in the Post Office Department other than Presidential nominees and policy making employees. S. 1583. P/S 8/12. (PR)

Travel per diem increase: Increased from $16 to $25 the maximum per diem allowance for travel in continental United States; from $30 to $40 for actual expenses; and from $10 to $18 per day the maximum actual expenses reimbursement for foreign travel authorized to be paid in addition to the maximum per diem established for the area involved. HR 337. P/S amended 10/8.

GENERAL GOVERNMENT

Cabinet Committee on Opportunities for Spanish-Speaking People: Established the Cabinet Committee to assure that Federal programs are reaching all Mexican Americans, Puerto Rican Americans, Cuban Americans, and all other Spanish-speaking and Spanish-surnamed Americans and providing assistance they need, and to seek out new programs that may be necessary to handle problems that are unique to such persons. S. 740. P/S 9/25. (PR)

Commission on Government Procurement: Established a temporary 9-member Commission on Government Procurement which would be directed to make a comprehensive study of Federal procurement statutes, policies, and practices, submit a final report of its findings and recommendations to Congress within 2 years from the date of enactment, and would cease to exist 120 days after the submission of its final report. HR 474. P/S amended 9/26.

Commission on Population Growth and the American Future: Established the Commission on Population Growth and the American Future to conduct and sponsor studies and research and to make such recommendations as are necessary to provide information and education at all levels of government in the United States, and to the public, regarding a broad range of problems associated with population growth and their implication for America's future. S. 2701. P/S 9/29. (PR)

Copyright protection: Continued until December 31, 1970, the renewal term of any copyright subsisting on the date of approval of this resolution, or the term as extended by PL 87–668, by PL 89–442, by PL 90–141, or PL 90–416, where such term would otherwise expire prior to December 31, 1970. S.J. Res. 143. P/S 10/6.

John F. Kennedy Center: Increased by $7.5 million (to $23 million) the Federal share for construction of the John F. Kennedy Center and by $5 million (to $20.4 million) the borrowing authority for the construction of underground parking facilities. H.R. 11249. PL 91– (PR)

Medical supplies: Authorized the head of any Federal department or agency who is responsible for the storage of medical materials or medical supplies held for a national emergency to determine when the shelf life is of too short duration for continued retention. S. 406. P/S 9/26.

Metric system study: Authorized a total appropriation of $2.5 million, over a 3-year period, to enable the Secretary of Commerce to conduct the study of the metric system authorized last year by PL 90–472. S. 1287. P/S 5/14. H. Cal.

Office of Intergovernmental Relations: Authorized the appropriations of such sums as may be necessary for the expenses of the Office of Intergovernment Relations established by Executive Order February 14, 1969, to advise and assist the Vice President with respect to his intergovernmental relations responsibilities as the President's liaison with executive and legislative officials of State and local governments. S.J. Res. 117. P/S 9/29.

Surplus property for public museums: Makes public museums, such as public libraries, eligible to secure surplus property which is usable and necessary for purposes of education, public health, or for research for any such purpose. S. 2210. P/S 9/26.

HEALTH

Clean Air Act amendments: Granted a 1-year extension of the research authorization (sec. 104) of the Air Quality Act of 1967 at the current level of $90 million. S. 2276. In conference.

Medicaid: Provided for a 2-year suspension of the law requiring States to constantly expand the benefits of medicaid so that such services will be provided to all indigent residents. PL 91–56.

National Commission on Product Safety: Extended the life of the National Commission on Product Safety from November 20, 1969, to no later than June 30, 1970. PL 91–51.

Toy Safety Act: Amended the Federal Hazardous Substances Act so that the Secretary of Health, Education, and Welfare, in order to protect children from serious injury and illness, may ban from the marketplace toys and other articles intended for use by children which present electrical, mechanical, and thermal hazards. S. 1689. In conference.

Water pollution control: Authorized the Federal Government to clean up oil spills; required Federal licensees and permitees to comply with water quality standards as a precondition of the license or permit; subjects vessel sewage to new methods of control; provided for consideration of environmental policies and brings other environmental policies into all other Federal programs. HR 4148. In conference.

HOUSING

Housing programs: Extended for 3 months, until January 1, 1970, all Federal housing programs which would otherwise expire on October 1, 1969. PL 91–78.

Housing and urban development act of 1969: Authorized $6.2 billion over the next two years for Federal Housing Administration programs, urban renewal, model cities, rent supplement, and public housing; provided rent subsidies for tenants of public housing; extended Federal Housing Administration loan guarantees to mobile homes; and raised the ceiling on the amounts that could be spent per room for constructing public and federally assisted housing. S. 2864. P/S 9/23. H. Cal.

Paraplegic veterans: Extended the eligibility requirements governing the grant of assistance in acquiring specially adapted housing for paraplegic veterans to include loss or loss of use of a lower extremity and other service-connected neurological or orthopedic disability which impairs locomotion to the extent that a wheelchair is regularly required. PL 91–22.

IMMIGRATION

Western Hermisphere immigation: Facilitated the entry into the U.S. of executive officers and managerial personnel of Western Hemisphere businesses having branch offices, affiliates, or subsidiary corporations in the U.S. S. 2593. P/S 8/13.

INDIANS

American Indian rights: Clarified titles II and III of the Civil Rights Act of 1968 by providing that title II shall not be construed to affect any tribal property rights secured by law or treaty or to dilute the sovereignty of the tribal governments except to the extent of the prohibitions upon governmental action expressly set forth in title II, and by providing that the model code in title III will not become applicable to any tribe unless it is first adopted by the tribal council or other governing body of the tribe. S. 2173. P/S 7/11.

Cheyenne River Sioux Tribe: Provided that all right, title, and interest of the U.S. in 640 acres located at an old school site, together with all improvements, except fencing owned by an Indian permittee, shall be held in trust by the U.S. for the Cheyenne River Sioux Tribe. S. 921. P/S 8/13.

Flathead Reservation in Montana: Provided for the disposition of an award in the amount of $190,399.97 to the Confederate Salish and Kootenai Tribes of the Flathead Reservation in Montana. PL 91–75.

Fort Berthold Reservation: Declared that the United States shall hold certain lands in trust for the Three Affiliated Tribes of the Fort Berthold Reservation. S. 775. P/S 8/13. H. Cal.

Indian land: Compensates the Indians of California for the value of land erroneously used as an offset against a judgment. The offset was $83,275, plus interest at 4 percent from December 4, 1944. PL 91–64.

Indians of the Pueblo of Laguna: Declared that the United States will hold approximately 1,016.65 acres of excess federally owned land in trust for the Laguna Pueblo, New Mexico. S. 210. P/S 8/13.

Loans: Authorized the Secretary of Agriculture,, through the Farmers Home Administration, to make loans to any Indian tribe or tribal corporation for the purpose of acquiring lands within the tribe's reservation. S. 227. P/S 9/12.

Long term leases: Authorized longer term leases of Indian trust or restricted lands located outside the boundaries of Indian reservations in New Mexico. S. 1609. P/S 8/13.

Long-Term Leasing Act: Increased from 50 to 65 years the maximum term of leases of individual and tribal lands for public, religious, educational, recreation, residential, and business purposes. S. 204 P/S 8/13.

National Council on Indian Opportunity: Established an annual ceiling of $300,000 for the expenses of the National Council on Indian Opportunity. S. J. Res. 121. P/S 9/3.

Navajo Indian Reservation: Amended the Navajo-Hopi Rehabilitation Act of 1950, to increase the total amount authorized for roads and trails by $5 million in order to construct and improve a road on the Navajo Reservation. S. 404. P/S 8/13.

Rosebud Sioux Indian Reservation: Amended the 1963 act which authorized the sale or exchange or mortgaging of isolated tracts of tribal land on the reservation, to provide that any lands mortgaged shall be subject to foreclosure and sale pursuant to the terms of the mortgage and in accord with the laws of South Dakota. S. 73. P/S 8/13.

INTERNATIONAL

Foreign governments recognition: Expressed as the sense of the Senate that when the United States recognizes a foreign government and exchanges diplomatic representatives with it, this does not of itself imply that the United States approves of the form, ideology, or policy of that foreign government. S. Res. 205. Senate adopted 9/25/69.

International Conference: Authorized the Secretaries of State and Commerce, in consultation with other interested parties, to arrange to convene an international conference to negotiate a Patent Cooperation Treaty and authorized the appropriation of $175,000 for this purpose. S.J. Res. 90. P/S 6/18.

International Development Association: Authorized the United States to contribute $480 million to the World Bank's IDA over the next 3 years. PL 91–14.

International expositions: Provided for Federal Government recognition of and participation in international expositions to be held in the United States. S. 856 P/S 6/18.

National commitments: Defined national commitment as the use of Armed Forces on foreign territory, or a promise to assist a foreign government by use of Armed Forces of financial resources, and expressed as the sense of the Senate that a national commitment could result only from affirmative action taken by the executive and legislative branches by means of a treaty, statute or concurrent resolution of both Houses of Congress providing for such a commitment. S. Res. 85. Senate adopted June 25, 1969.

Peace Corps amendments: Authorized $95,450,000 for the Peace Corps for fiscal 1970. HR 11039. PL 91–

TREATIES

Agreement with Canada on Niagara River Diversions: Purpose of this agreement is to provide for the temporary diversion of water from the American Falls of the Niagara River for power production purposes pending a study of ways to prevent the continued erosion of the rock underneath. Ex. C (91–1). Resolution of ratification agreed to 5/13/69.

Broadcasting Agreements With Mexico: Two related but separate agreements concerning radio broadcasting in the standard broadcasting band and the operation of broadcasting stations in the standard band at presunrise and postsunrise. Ex. B (91–1). Resolution of ratification agreed to 6/19/69. (PR)

Convention on Offenses Committed on Board Aircraft: Established international rules providing for continuity of jurisdiction with respect to crimes and other offenses committed on board aircraft engaged in international aviation. Ex. L (90–2). Resolution of ratification agreed to 5/13/69.

Nonproliferation of Nuclear Weapons: Retards the further spread of nuclear weapons by prohibiting the nuclear weapon States party to the treaty from transferring nuclear weapons to others and by barring the non-nuclear-weapon countries from receiving, manufacturing, or otherwise acquiring nuclear weapons. Ex. H (90–2). Resolution of ratification agreed to 3/13/69.

JUDICIAL

Jurisdiction of U.S. Courts: Provided courts of the United States with jurisdiction over contract claims against nonappropriated fund activities of the U.S. S. 980. P/S 6/30.

National Commission on Reform of Federal Criminal Laws: Extended to 11/8/70 the time within which the Commission shall submit its final report and increased the authorization from $500,000 to $850,000 with authority for the Commission to carry over any funds not expended in 1970 into 1971. PL 91–39.

Omnibus judgeship bill: Created 70 new district judgeships of which 67 are permanent and 3 are temporary throughout the United States. S. 952. P/S 6/23.

Prince Georges County Court: Authorized the United States District Court for the District of Maryland to sit at a suitable site in Prince Georges County, as well as at Baltimore, Cumberland, and Denton, Maryland. S. 981. P/S 10/6.

LABOR

Construction workers: Promotes health and safety standards in the construction industry by authorizing the Secretary of Labor to set standards which contractors and subcontractors would be required to meet on Federal, federally financed, or federally assisted construction. PL 91–54.

Federal Coal Mine Health and Safety Act of 1969: Improved the health and safety conditions and practices at underground coal mines; provided protection in all other coal mines, including surface mines, not now covered by the Federal Coal Mine Safety Act as amended; established health standards; provided authority for the Interior Department to promulgate improved mandatory health and safety standards for all coal mines by regulation; authorized a 4-year $70 million Federal-State compensation program for victimes of pneumoconiosis or their widows; and authorized a $75 million research program to determine if pneumoconiosis can be cured or prevented. S. 2917. P/S 10/2.

Manpower Development and Training Act Amendment: Authorized $100,000 as the minimum amount which can be apportioned to the Trust Territory of the Pacific Islands for job training. PL 91–4.

MEMORIALS AND TRIBUTES

American Fisheries Society Centennial Medal: Provided for striking medals in commemoration of the 100th anniversary of the founding of the American Fisheries Society on December 20, 1870. PL 91–13.

American motion picture: Designated 1969 as the Diamond Jubilee year of the American Motion Picture. H. Con. Res. 165. House adopted 4/21; Senate adopted 5/5/69.

American Revolution Bicentennial Commission: Extended the reporting date of the Commission from July 4, 1969 to July 4, 1970, and extended the authorization for appropriations from fiscal year 1969 to fiscal year 1970. PL 91–84.

Apollo 11: Commended the Apollo 11 astronauts on their successful lunar expedition. S. Res. 224. Agreed to 7/25/69.

Baseball centennial: Extended congratulations of Congress to organized baseball to commemorate its 100th anniversary in 1969. H. Con. Res. 300. House adopted 7/15; Senate adopted 7/17/69.

Carl Hayden Project: Renamed the Central Arizona Project as the Carl Hayden Project. S.J. Res. 28. P/S 3/24.

Chouteau Lock and Dam, Oklahoma: Authorized that lock and dam numbered 17 on the Verdigris River, Oklahoma, be named for the Chouteau family. S. 1499. P/S 9/5.

Congressional Space Medals of Honor: Authorized the President to award, and present in the name of Congress, a medal of appropriate design, which shall be known as the Congressional Space Medal of Honor, to any astronaut who in the performance of his duties has distinguished himself by exceptionally meritorious efforts and contributions to the welfare of the Nation and of mankind. PL 91–76.

Dartmouth College: Expressed congratulations of Congress to Dartmouth College on the occasion of the 200th anniversary of its founding. H. Con. Res. 114. House adopted 4/29; Senate adopted 6/19/69.

Eisenhower Dam: Renamed Glen Canyon Dam as the Dwight D. Eisenhower Dam. S. 1613. P/S 6/30.

Eisenhower Dollar: Authorized the minting of approximately 300 million 40 percent silver dollars bearing the likeness of the late President Dwight David Eisenhower. S.J. Res. 158. P/S 10/15; P/H amended 10/15.

Eisenhower National Historic Site: Authorized $1,108,000 for the development of the Eisenhower National Historic Site at Gettysburg, Pa., designated as such in 1967. S.J. Res. 26. P/S 8/13. P/H amended 9/15.

Everett Bridge: Named the Tennessee-Missouri Bridge, now under construction across the Mississippi River linking the States of Tennessee and Missouri, in honor of the late Congressman Robert A. Everett from the 8th Congressional District of Tennessee. S. 769. P/S 2/4.

High Speed Photography: Expressed the sense of Congress that all interested Federal agencies should participate actively in the Ninth International Congress on High-Speed Photography to be held in Denver, Colorado, in August of 1970. S. Con. Res. 12. P/S 6/16.

Lyndon B. Johnson National Historic Site: Established the Lyndon B. Johnson National Historic Site to consist of two principal areas and authorized $180,000 for its development. S. 2000. P/S 8/13.

St. Lawrence Seaway: Recognized the 10th anniversary of the opening of the St. Lawrence Seaway. C. Con. Res. 17. Senate adopted 6/19; passed House amended 6/24; Senate concurred 6/26/69.

Taft Historic Site: Established the birthplace of William Howard Taft, the 27th President of the United States, as a National Historic Site located on Auburn Street in Cincinnati, Ohio, and authorized $318,000 for its restoration and development. HR. 7066. P/S amended 9/24.

U.S. Diplomatic Courier Service: Authorized the Secretary of the Treasury to strike bronze medals in commemoration of the fiftieth anniversary of the U.S. Diplomatic Courier Service. PL 91–48.

Winston Churchill Medal: Provided for striking a medal in honor of the dedication of the Winston Churchill Memorial and Library at Fulton, Missouri, in May, 1969. PL 91–12.

PRESIDENCY

Mail: Authorized free postage for Mrs. Mamie Doud Eisenhower, widow of former President Dwight David Eisenhower. PL 91–10.

Pay increase: Provided a $100,000 pay increase for the President of the United States. PL 91–1.

PROCLAMATIONS

Adult Education Week: Authorized the President to issue a proclamation designating the period September 1–7, 1969 as "Adult Education Week." S.J. Res. 45. P/S 5/5.

Day of Bread and Harvest Festival: Authorized the President to issue a proclamation designating October 28, 1969 as a "Day of Bread" as a part of international observançes, and that the last week of October within which it falls be designated as a period of "Harvest Festival." H.J. Res. 851. PL 91–

Helen Keller Memorial Week: Authorized the President to issue a proclamation designating the first week in June of 1969 as "Helen Keller Memorial Week" PL 91–17

National Adult-Youth Communications Week: Authorized the President of the United States to issue a proclamation designating the week of September 28 through October 4, 1969, as "National Adult-Youth Communication Week." PL 91–72

National Archery Week: Authorized the President to issue a proclamation designating the 7-day period beginning August 26, 1969, and ending September 1, 1969, as "National Archery Week." PL 91–55

National Family Health Week: Authorized the President to issue a proclamation designating the period November 16–22, 1969, as "National Family Health Week." S.J. Res. 46. PL 91–

National Industrial Hygiene Week: Designated the period beginning October 12, 1969, and ending October 18, 1969, as "National Industrial Hygiene Week." S.J. Res. 150. PL 91–

Professional Photography Week: Authorized the President to issue a proclamation designating the period June 8–14, 1969, as "Professional Photography Week in America." PL 91–23.

Von Steuben Memorial Day: Authorized the President to issue a proclamation designating September 17, 1969 as "General von Steuben Memorial Day" to commemorate his birth and services to the United States. PL 91–70.

REORGANIZATION

Authority extension: Extended to April 1, 1971, the authority of the President to submit reorganization plans to the Congress proposing reorganizations in the executive branch of the Government. PL 91–5.

HEW—Appointments and confirmations: Required that future appointments in the following positions in HEW be made by the President and confirmed by the Senate: Administrator of the Social and Rehabilitation Service; Commissioner of Rehabilitation Services Administration; Commissioner of Medical Services Administration; and Commissioner of Assistance Payments Administration. S. 1022. P/S 3/4.

Plan No. 1: Reorganization of Interstate Commerce Commission to permit the President to designate the Chairman and to vest administrative authority in the Chairman. Effective October 11, 1969.

RESOURCE BUILDUP

Apostle Islands: Authorized the establishment of the Apostle Islands National Lakeshore in Wisconsin and authorized $6,660,000 for land acquisition and $8,257,700 for development of the project. S. 621. P/S 6/26.

Buffalo National River: Authorized the Secretary of Interior to establish the Buffalo National River on not more than 95,730 acres in the Ozark Mountains of northwest Arkansas. S. 855. P/S 9/3.

El Dorado National Forest: Designated 63,469 acres in the El Dorado National Forest in California as a Wilderness preservation area. PL 91–82.

Environmental quality: Established an independent, high-level three-member Board of Environmental Quality Advisers in the Executive Office of the President to provide a continuing study and analysis of environmental trends and the factors which affect these trends, and to relate each area of study and analysis of the social, economic, health, and conservation goals of the Nation. S. 1075. In conference.

Everglades National Park, Fla.: Authorized $800,000 to acquire a 6,640-acre inholding in the Everglades National Park under option to the National Park Service and due to expire November 16, 1969. S. 2564. PL 91–

Feasibility studies: Authorized the Secretary of Interior to undertake feasibility investigations of eight water resource development projects which may subsequently be presented for authorization by the Congress as elements of the Federal Reclamation Program. PL 91–81.

Florissant fossil beds: Established the Florissant Fossil Beds as a National Monument in the State of Colorado. PL 91–60.

Golden Eagle program: Restored the golden eagle program to the Land and Water Conservation Fund Act, and guaranteed free access to and use of Federal lakes and reservoirs under the jurisdiction of the U.S. Army Corps of Engineers. S. 2315. P/S 9/24.

Interstate oil compact: Granted the consent of Congress to a 2-year extension (to September 1, 1971) of the Interstate Compact to Conserve Oil and Gas. S.J. Res. 54. P/S 10/13.

Kennewick—Yakima project: Authorized $6,735,000 to construct an extension to the existing Kennewick division of the Yakima reclamation project in southeastern Washington to irrigate an additional 6,300 acres. PL 91–66.

Kortes unit of the Missouri River Basin: Authorized the Secretary of Interior to modify the operation of the Kortes unit of the Missouri Rivr Basin project, Wyoming for fishery conservation. S. 40. P/S 8/13.

Lincoln Back Country, Montana: Authorized the Secretary of Agriculture to classify as wilderness the national forest lands known as the Lincoln Back Country, and parts of the Lewis and Clark and Lolo National Forests, in Montana. S. 412. P/S 5/29.

Monomoy Wilderness: Designated the 2,600-acre Monomoy Island, located in the Monomoy National Wildlife Refuge in Barnstable County, Mass., as part of the National Wilderness Preservation System. S. 1652. P/S 5/23.

National Council: Extended to June 30, 1970 the National Council on Marine Resources and Engineering Development and reduced the annual authorized appropriation from $1.5 million to $1.2 million. PL 91–15.

National minerals policy: Established a national mining and minerals policy to foster and encourage the development of the domestic mining and minerals industry, the development of domestic mineral resources to meet industrial and security needs, and mining, mineral, and metallurgical research. S. 719. P/S 9/5.

Navajo Indian irrigation project: Increased the amount of appropriations authorized for project construction from $135 million to $175 million and included 8 additional townships in the area from which the project lands may be obtained. S. 203. P/S 8/12.

Oil and gas leases: Conferred discretionary authority on the Secretary of Interior to prevent, administratively, termination of certain oil and gas leases on Federal lands and reinstated terminated leases under certain limitations and conditions. S. 1193. P/S 6/2.

Padre Island: Authorized $4,129,829, plus interest, to satisfy a judgment against the United States in a condemnation action in the U.S. District Court for the Southern District of Texas, for the acquisition of lands and interests in land for the Padre Island National Seashore. PL 91–42.

Parks and recreation: Authorized the sale of surplus Federal properties at less than the full 50 percent of fair market value to make surplus Federal property suitable for park and recreational uses more readily available to State and local governments. Required the Congress have 60 days to disapprove such sale. S. 1708. P/S 6/26.

Pelican Island Wilderness: Designated approximately 403 acres of the Pelican Island National Wildlife Refuge in Florida as part of the National Wilderness Preservation System. S. 126. P/S 5/23.

Saline water conversion program: Authorized $26 million for fiscal 1970. Of this amount $17,223,000 is for research and development operating expenses; $5,355,000 is for design, construction, acquisition, modification, operation, and maintenance of saline water conversion test beds and test facilities; $1,450,000 is for design, construction, acquisition, modification, operation, and maintenance of saline water conversion modules; and $1,972,000 is for administration and coordination. PL 91–43.

Sawtooth National Recreation Area: Established the Sawtooth National Recreation area, in Idaho, to preserve and protect the scenic, historic, pastoral, fish and wildlife and other recreational values of the Sawtooth Mountains and adjacent valley lands. S. 853. P/S 7/2.

Tocks Island Dam: Amends existing law providing for the development of the Tocks Island Dam and Reservoir, Delaware River Basin, to permit the head and water releases of the project to be utilized as part of a comprehensive pumped-storage hydroelectric power project by certain New Jersey electric companies. S. 2678. P/S 7/30.

Touchet—Walla Walla Projects: Authorized $22,774,000 for the construction and operation of the Touchet division of the Walla Walla reclamation project in southeastern Washington which will supply irrigation water to approximately 9,960 acres of land. S. 743. P/S 3/24.

Upper Niobrara River compact: Granted congressional consent to the upper Niobrara River compact between the States of Wyoming and Nebraska. PL 91–52.

Ventana Wilderness: Designated approximately 98,000 acres in the Los Padres National Forest in California as the Ventana Wilderness. PL 91–58.

Wilderness areas in Michigan, Wisconsin, and Maine: Designated as units of the National Wilderness Preservation System the Seney, Huron Islands, and Michigan Islands Wilderness in the State of Michigan, the Wisconsin Islands Wilderness in the State of Wisconsin, and the Edmunds Wilderness and Birch Islands Wilderness in the State of Maine. All of the lands included are presently within the National Wildlife Refuge System. S. 826. P/S 5/26.

Youth Conservation Corps: Established a pilot Youth Conservation Corps program for young men and women, 14–18 years of age, who would participate in summer work and educational projects in our national parks, forests, recreation areas, wildlife refuges and other public lands administered by the Departments of Interior and Agriculture for periods up to 90 days. S. 1076. P/S 6/26.

SPACE

NASA authorization: Authorized appropriations totaling $3,715,527,000 to the National Aeronautics and Space Administration for fiscal 1970. Of this total $58,200,000 is for construction of facilities, $3,019,927,000 for research and development, and $637,400,000 for research and program management; and required disclosure of certain information by former employees, G–15 and above, of NASA who are employed by aerospace contractors doing $10 million or more annual business with NASA. HR 11271. In conference.

TAXES

Interest equalization: Extended the interest equalization tax to September 30, 1969. PL 91–65.

Interest equalization extension—gun registration: Extended the interest equalization tax until March 31, 1971; modified the President's discretionary authority to vary the tax rates so he may prescribe a lower rate of tax for new issues than the rate applicable to outstanding issues; and modified the Gun Control Act of 1968 to repeal the registration requirements related to persons purchasing shotguns and rifles, or component parts of these types of ammunition. HR 12829. In conference.

Surtax: Extended the 10 percent surtax through December 31, 1969. PL 91–53.

Unemployment tax: Accelerated the collection of Federal unemployment taxes by requiring they be paid quarterly rather than annually; phased in the transition from an annual to quarterly basis over a 3-year period; and exempted an employer from the quarterly requirement if his cumulative tax liability is $100 or less. PL 91–53.

TRANSPORTATION

Acquisition of air carriers: Provides that no person shall acquire control of an air carrier without first obtaining the approval of the Civil Aeronautics Board unless such acquisition has been exempted by the Board from that requirement consistent with the public interest. PL 91–62.

Maritime authorization: Authorized a total appropriation of $384,608,000 for the Maritime Administration for fiscal 1970. PL 91–85.

Vessel construction differential subsidy: Authorized a 1-year extension (June 30, 1970) of the present 55 percent ceiling on construction-differential subsidy payments and 60 percent on reconstruction or reconditioning of passenger ships. PL 91–40.

VETERANS

Dependency and indemnity compensation increases: Provided an overall increase of 13 percent in the dependency and indemnity compensation program for the widows and orphans of servicemen and veterans whose death was service-related. S. 1471. P/S 9/18. P/H amended 10/6.

Twenty-year disability: Preserved disability evaluation in effect for 20 years for veterans with service-connected disabilities who have suffered certain anatomical losses or who are totally disabled with severe disabilities. PL 91–32.

VA Center at Fort Harrison: Ceded to the State of Montana concurrent jurisdiction with the U.S. over the real property comprising the Veterans' Administration Center, Fort Harrison, Montana, effective upon acceptance by that State. PL 91–45.

Vietnam era veterans' life insurance: Provided a special Government life insurance of $10,000 for veterans of the Vietnam era. S. 2003. P/S 9/18.

WELFARE

Dependent children—repatriated Americans: Repealed the limitation on Federal participation in Aid to Families with Dependent Children scheduled under present law to become effective July 1, 1969; and extended through June 30, 1971 the authority to provide temporary assistance for the reception and care of repatriated Americans. PL 91–41.

Older Americans Act amendments: Extended the grant and contract programs of the 1965 Older Americans Act beyond their June 30, 1969 expiration date and authorized increases for those programs; and authorized a National Older Americans Volunteer Program to provide service opportunities for older Americans. PL 91–69.

Mr. SCOTT. Mr. President, I congratulate the distinguished majority leader for his temperate and cooperative summation on proposed legislation before Congress.

As the President has rightly said, the American people are not going to be so much concerned about charges by the administration on what Congress has not done, or charges by Congress, or the congressional majority, on what the administration has not done, but that the American people will be very much interested in if we make this a competition between the parties, and between Congress and the administration, on how much constructive legislation we can get done. Then we can go back to the people in the normal electoral processes and there compete as to how credit may be fairly allocated among us.

I think that the majority leader's summary is quite fair. I have some small addenda which are in no sense critical, as his report is not critical, as to proposals on draft reform which come from both sides of the aisle, including some interesting proposals in the last Congress and in this Congress by the distinguished senior Senator from Oregon (Mr. HATFIELD), by the distinguished junior Senator from Pennsylvania (Mr. SCHWEIKER), some from me, and some from a number of other Senators.

On the matter of electoral reform, since it does not require a report from the executive branch, and since the President is not required to sign the joint resolution for a constitutional amendment or the amendment itself, I would hope that the Committee on the Judiciary, on which I sit, would act expeditiously. The subcommittee has reported and the President has indicated that electoral college reform is more important to him than the specific method used. I share that opinion.

I would say, with regard to the statement, that there had been no full response on the preventive detention bill, but this is a bill to cure a situation such as in Washington where a 17-year-old committed 15 crimes before he committed murder and was discharged every time, usually with some social science language, that he was mother repressed, or mother dominated, and so was left free to kill. Others have committed while out on bail—I do not think this happened in that case—but in other cases while out on bail, often on their own recognizance, a number of other crimes of violence, and that is what we seek to correct.

I would be surprised if there is not adequate response from the bureaus, because the President himself has pointed out in every executive request submitted to Congress in his messages, that the report is there, because the message itself is a report to the Congress saying that the President would not ask for this if he had not already satisfied himself that the Bureau of the Budget, Treasury, Justice, or any other involved agency had agreed.

As a matter of fact, they have to agree, Mr. President, if the President sends up a message, if they wish to continue their tenure in this lovely city of ours. So each message is a report.

But I am also told that adequate re-

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ports are received whenever requested on major propositions.

On the crime bills, in every case the President sent up his message, outlined it, and therefore the reports are here. The desire of the President is clear. The desire of the administration is clear.

There is, I am happy to report, in the year 1969 a decrease in the rate of the rise of crime, but not a decrease in crimes; and we need legislation on obscenity, pornography, reform of the court system, and so forth.

On one other matter, I agree that the dreadful burdens of the Vietnam war are preventing our turning our attention to what we need to do about problems of hunger, ghettos, housing, education, and all those areas where the American people are anxious to see us do our part to improve the conditions of mankind within these United States.

I do have to point out, however, that while the percentge is not precise, I would estimate that about seven-eights of the burden of Vietnam was inherited by this administration—which makes it no less a burden, but it was not a burden that was put on the American people within the last 8 months. It is a burden which ought to be lessened. It is a burden which ought to be terminated, and at the soonest.

Not to belabor the whole matter too much longer, I would like to end this by again saying that the distinguished majority leader has performed a service in pointing out, as the President has done, that the real competition is not in what you do not do; it lies in what you do.

Therefore, our competition must always continue to be on the basis of how we get the legislation out, is it good legislation, is it constructive, will it work, can it be done within the parameters of the budget?

I like that word "parameter," Mr. President. I do not think I have ever used it before, but I will again. I like a new word every day. But within the parameters of the budget—let me say with pride of semantic acquisition—I think we can legislate in the public interest and in the national interest.

Again I congratulate the distinguished majority leader for having brought to our attention the fact that the Congress is moving. I may take a little pride, perhaps a little credit, in the fact that honest criticism interposed on a timely occasion may have spurred both downtown and uptown into greater speed. We are still operating well within the speed limits, but I do believe that we are now moving.

Again I thank the distinguished majority leader.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. SCOTT. I yield.

Mr. MAGNUSON. This is not necessarily directed to the Senator from Pennsylvania, but to the subject matter that has been discussed here. It seems to me a Congress should be judged by what finally ends up in a statute book at the end of a session, not necessarily by the timing; but often we are judged because the preliminary work leading to the passage of legislation looks like a dragging.

I am glad the Senator from Pennsylvania made the distinction about not being competitive.

A good example of some of our problems is that, as he knows, in our committee we have two major national problems on which we want to work with the administration. One has to do with the condition of our airports and airways and the growing needs there.

We had to wait a long time before the Department of Transportation came up with the administration's proposals. We finally had to call a hearing, and the administration then came up with a proposal.

I give this only as an example. When there is a new administration, this happens.

Another example is that we have to get at our merchant marine problems. The administration told us it wanted to send up its merchant marine proposals. So we set a hearing for Tuesday. Now we find they will not be ready until next Tuesday.

That adds to our problems, because they are trying to work out some of the problems and adjust some of them. I think that fact has contributed a great deal to the timing problem, including the 6 weeks we spent on the ABM matter. When we add all of them up, we have 2 or 3 months when it looked like Congress was not doing anything; but it was holding hearings.

It must be remembered that there are two budgets when there is a change in administrations. Of necessity, the Appropriations Committee must wait until the next one is presented, because they will vary. This takes 2 or 3 weeks after a President is inaugurated. I am talking about the time element.

Mr. SCOTT. I can tell the Senator about another mutual problem, and that is mass transportation, in which we are both interested. The Secretary of Transportation has one theory about how it should be financed. Some Members of the Congress have another theory. In working out the proper and final way to fund an enormous and a much needed project of this kind, it of necessity takes time. So the administration comes up with one way of doing it; Congress comes up with another; we have to decide which way is better before we take up the final legislation.

Mr. MANSFIELD. Mr. President, I have only a few remarks to make. First, I want to thank the distinguished minority leader for his temperateness in what he had to say.

Second, I want to say that he is correct when he states in effect that President Nixon was not responsible for the war in Vietnam, but that it became a part of his inheritance when he became President of the United States on January 20 of this year.

Third, I have always said, and will continue to say, that I do not intend to oppose just for the sake of opposition. When I oppose, I would hope I have something constructive to offer. I just do not believe in creating a Donnybrook merely for the purpose of getting a newspaper headline or creating a lot of speculation in the press and in public print.

Fourth, and lastly I ask unanimous consent that the message—a good one—sent by the President of the United States to the Congress last weekend be incorporated in the Record at this point.

There being no objection, the message was ordered to be printed in the Record, as follows:

To the Congress of the United States:

In the nine months since inauguration, a number of issues have arisen clearly calling for the Congress and the Administration to work together.

One such issue was the extension of the surtax, where our economic security was involved. Another was authority to build the Safeguard ballistic missile defense, where the national safety was the issue. On both occasions, when the time came to be counted, Congress subordinated partisan concerns and voted the country's interest.

The continuance of this working partnership between a Congress heavily Democratic and a Republican Administration, on occasions where great issues are involved, is imperative for the good of our country. I hope this partnership will survive the "spirit of party" that grows more evident weekly in the national capital. Yet, in recent days, the call to partisan combat has grown more compelling.

I am aware that members of the Administration have criticized the Democratic-controlled Congress for "dragging its feet" in the enactment of legislation, for holding hearings thus far on only half the Administration proposals before it, for having enacted but a single appropriations bill for fiscal 1970, a full quarter of the way through the fiscal year. From Capitol Hill there have come similar charges—that the Administration has been laggard in proposing legislation, that the Executive Departments have been slow in giving the Congress the reports it has requested, that some of the most far-reaching Administration proposals have only lately been sent to the Congress, and so, cannot be acted upon by the end of the year.

If a working partnership between men of differing philosophies and different parties is to continue, then candor on both sides is required. There may be merit in both charges; neither the Democratic Congress nor the Republican Administration is without fault for the delay of vital legislation.

But, in my view the American people are not interested in political posturing between the Executive Branch and Capitol Hill. We are co-equal branches of government, elected not to maneuver for partisan advantage, but to work together to find hopeful answers to problems that confound the people all of us serve.

Both the President and Congress have been commissioned by the same American people, for a limited time, to achieve objectives upon which the great majority agree. For our part, we are willing to travel more than half-way to work with Congress to accomplish what needs to be done. The time for staking out political claims will come soon enough.

Let us resolve, therefore, to make the legislative issue of the 1970 campaign the question of who deserves greater credit for the 91st Congress' record of accomplishment, not which of us should be held accountable because it did nothing. The country is not interested in what we say, but in what we do—let us roll up our sleeves and go to work. Before us are urgent legislative priorities.

The legislative program of this Administration differs fundamentally from that of previous administrations. We do not seek more and more of the same. We were not elected to pile new resources and manpower on the top of old programs. We were elected to initiate an era of change. We intend to begin a decade of government reform such as this nation has not witnessed in half a century. Some months ago, a Washington columnist wrote in some pessimism that if ours is not to be an age of revolution then it must become an age of reform. That is the watchword of this administration: *REFORM.*

REFORM OF THE DRAFT. I have asked Congress to make the most extensive changes in the way we select young men for military service since the draft became an accepted feature of American life. We have the administrative power—and we will exercise it if Congress fails to act—to make far-reaching reforms in the selective service system, reducing the period of prime vulnerability for young Americans from seven years to 12 months. However, we need Congressional approval to shift from the inequitable requirement of choosing the "oldest first" to the more just method of random selection. I asked Congress five months ago for this power; I ask again today. Basic fairness to our young people is the prime reason for this recommendation. I see no reason why this vital piece of legislation cannot be enacted *now*.

REFORM OF THE WELFARE SYSTEM. Last summer I asked Congress to make the most sweeping changes in the American system of welfare since the beginning of the New Deal. Last week legislation went to Congress outlining the proposal I have made for a new family assistance system to replace the demeaning and bankrupt system that now exists.

Under the present system, sometimes a father must desert his wife and children to make them eligible for benefits. Under the present system, some mothers with three children must survive with only $39 a month for the entire family to live on.

The family assistance system is built on a different set of principles. It provides incentives for families to stay together. It provides economic rewards for men and women on welfare who enter training programs and search out jobs. It provides a floor under income that assures the minimum necessary for food and clothing and shelter.

The present system has led this country into a morass. It has laid a heavier and heavier burden on the American taxpayer. It has loaded the relief rolls with more and more families even in times of rising prosperity and low unemployment. I ask that Congress begin hearings on the new family assistance system at once. The welfare system should be abandoned as quickly as we can discard it and a new system established in its place.

REFORM OF THE TAX CODE. In April I recommended to Congress the most comprehensive set of tax reforms in many years. Subsequently the House of Representatives responded with an even more far-reaching proposal of its own. The national momentum behind tax reform—to make the code more fair and equitable, to shift part of the burden from those who have borne too much for too long to the shoulders of others who have not carried their fair share—must not be allowed to dribble away while a partisan wrangle goes on over who deserves the political credit. We will give Congress as much assistance and as many hours of labor as it requires to enact extensive and responsible reform in this calendar year.

I do ask, however, that Congress, in acting on this major reform, not compromise this administration's effort to combat the most unjust tax of all, inflation. Specifically, I ask that Congress not convert this historic tax reform legislation into a sharp tax reduction that would unbalance the Federal budget and neutralize our campaign to halt the rising cost of living. I ask again that Congress repeal the seven percent investment tax credit, and extend for another six months the income tax surcharge at one-half the present rate. To fail to take these steps would be an abdication by Congress of its vital role in controlling inflation.

REVENUE REFORM. For the first time in the history of this government, we have recommended a national policy of permanent sharing of the Federal income tax revenues with the States and lesser political units in the country. For years, political students and leaders have contended that governments at the State, county and local levels have lost their creativity and lost the capacity to respond because they lack access to the great source of growing revenues available to the Federal government. I have recommended that Congress set aside a rising portion of Federal revenues each year and transmit them directly back to the States and communities to spend as they see fit and not as Washington sees fit. This concept has been debated by both parties and recommended by their majorities for years. The time has come to move it off the plain of discussion to make it a reality. I urge the Congress to move.

POSTAL REFORM. For more than a decade the American people have complained increasingly of the rising cost of postal service accompanied step by step with declining service. Today the United States postal system is inferior to that of many countries of Western Europe; it is grossly inadequate to the needs of our society. The nation has known this for years. I have acted in that knowledge—recommending that the existing postal system be scrapped, that a government-owned corporation replace the United States Post Office, that business principles replace partisanship in its management, and that merit and performance—rather than political affiliation—be the new criteria for appointment and advancement. Three years ago this month the Chicago postal system, a microcosm of the national system, collapsed under a flood of mail. The rapid delivery of mail is not a partisan issue. Distinguished leaders, of both parties, have endorsed the precise reform I have recommended. There is no reason why the Congress cannot enact the most complete reform of the United States Post Office in the nation's history—by the close of this session.

I am aware of the setback which postal reform sustained in a House Committee on October 8. That action must be reversed. I shall persist in behalf of both the taxpayers and the mail users in this country to press for this urgently needed reform. I still believe enactment should come by the end of this session of the Ninety-First Congress.

Here I must again urge responsible congressional action, and promptly, on the proposed increase in postal rates for all three classes of mail. When this Administration entered office in January, it confronted a deficit in the postal budget for fiscal year 1970 of more than $1.2 billion. We are already three months into that fiscal year—and this deficit is being underwritten by the taxpayers, rather than the users of the postal service, who should rightly bear the cost. I recognize that such a measure is hardly a political delight. Yet it is required in the interest of equity and fiscal integrity. I request the Congress to face up to this task.

MANPOWER REFORM. The history of the 1960s chronicles an intense political debate that has resulted in the old centralism of the thirties losing converts to the new federalism of the seventies. More and more progressive men in both parties have become convinced from the failures of programs run from Washington that important areas of government decision-making must be returned to the regions and locales where the problems exist.

I have attempted to take that conclusion out of the forum of debate and into the arena of action—Congress. I have recommended that management of a Federal program—the multi-billion dollar manpower training program—be consolidated, and turned over in a three-stage operation to the States and communities to run in a way that fits the needs of the immediate areas involved. No reform of this magnitude has been attempted since centralism became the dominant national trend at the depths of the depression. This recommendation represents the beginning of a revitalized federalism, the gradual transfer of greater power and responsibility for the making of government decisions to governments closest to the people. I urge swift Congressional action.

SOCIAL SECURITY REFORM. I have requested an across-the-board increase of ten percent in Social Security benefits to compensate elderly Americans for the losses they are suffering because of an inflation they could do nothing either to prevent or avoid. In addition, I have proposed a new reform, an escalator in Social Security to insure that benefits will rise correspondingly whenever the cost of living goes up. When this reform is enacted never again will those Americans least able to afford it be made to bear the brunt of inflation. These necessary steps can and should be taken by Congress before the end of this year.

One word of caution. I know the political temptations here. Why not balloon the benefits now, far above 10 percent, for political rewards in 1970? I remind the Congress that it is long since time that we stopped the political over-reactions which fuel the inflation that robs the poor, the elderly, and those on fixed incomes. I urge Congress to hold to this ten percent figure—and let the new escalator protect older Americans against the possibility of future inflation.

A second reform I have proposed is to alter the system of social security to encourage and reward the workers who want to go on working past age 65—rather than discourage them. I ask Congress to enact this measure without delay.

REFORM OF THE GRANT-IN-AID SYSTEM. Among the first major pieces of legislation I asked of Congress was authority to make uniform the requirements for participation in many grant-in-aid programs that have proliferated in the last five years. If we are granted the power to draw these programs together, to group them by function—setting far more simple regulations—then States and communities will participate more and Congress' original purposes will be better served. We need that authority *now*. I know of no reason for delay.

ELECTORAL REFORM. While I originally favored other methods of reforming the electoral college system, I have strongly endorsed the direct popular election plan approved by the House. I hope the Senate will concur so that final favorable action can be completed before the end of this session. This must be done if we are to have this needed reform amended to the Constitution in time for the presidential election of 1972.

D.C. GOVERNMENT REFORM. For years there has been broad support for granting the people of Washington, D.C. the same right to Congressional representation other Americans have always prized, and the right to conduct their public business themselves. The Federal city has been a federal colony far too long. Months ago I presented to Congress a program to bring about the orderly transfer of political power to the people of this community. I recommended a constitutional amendment giving the District of Columbia at least one representative in the House and such additional representatives as Congress may approve, and providing for the possibility of two United States Senators. I urged Congress further to grant the city one non-voting Congressional representative in the interim, and recommended creation of a commission to prepare and present to Congress and the President a program to improve the efficiency and competence of the District Government—looking to the day of complete self-government. Favorable action has been taken by the Senate. I ask that this work be completed before the end of the year.

OEO REFORM. I have provided the Office of Economic Opportunity with a new director, a new structure, and added responsibilities

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as the research and development arm of the nation's effort to deal with the problems of the poor. OEO is now strengthening its present operating programs, including the Community Action Agencies, VISTA, Legal Services, Neighborhood Health Centers, Family Planning, Emergency Food, Rural, Older Persons, Indian and Migrant Programs. In addition, there is new emphasis on research, the evaluation of existing Federal social programs, and developing and testing new approaches in community and economic development, manpower and education, to assist the poor to move into the economic life of the nation. I have asked for a two-year extension of the existing legislation, without crippling amendments. I believe that a reformed OEO has a major and continuing role to play in our national life. Here again, there is no need or justification for further delay.

In recent years the Federal Government has suffered a precipitous decline in public confidence. The reason can be found in the chronic gap that exists between the publicity and promise attendant to the launching of a new Federal program—and that program's eventual performance. If confidence in government is to be restored, the gap must be closed.

This is the purpose of the foregoing proposals and great goal of this Administration—not to establish some new arithmetical record for the number of programs proposed, but to do more than other Administrations have done—to devise new approaches, to make the worthy old programs work, and to make old institutions responsive. It is for this that we prize the mechanics and engineers of government who retool and improve its machinery as much as we do the planners and the idea men who develop new programs and new agencies. There is little publicity and less glamor in the labor of the mechanics and engineers of government but, with billions in tax dollars invested in scores and scores of ongoing Federal programs, the need is certainly greater. Let us together make government's performance and responsiveness more commensurate with its size.

REFORM OF FOREIGN AID. Our foreign aid program, sent to Congress in May, differs from earlier programs in three significant ways. First, it would place greater emphasis on technical assistance, especially in the areas of agriculture, education, and family planning, where the return would be greatest when measured in terms of national and human development. Second, the new program would create an Overseas Private Investment Corporation to provide a greater thrust for the channeling of private investment to the low-income countries. Third, it would increase the share of our assistance contributed through multilateral institutions.

I know of the economic miracles which foreign aid has helped create in Western Europe and in parts of Asia. I know also that our program is far from perfect. With this in mind, I have recently appointed a Presidential Task Force on International Development, charged with proposing new approaches to aid for the 1970s.

One fundamental question must be faced as Congress prepares to vote on this issue: will we in the United States live out our lives in comparative affluence, while denying reasonable help to those who are our neighbors in the world community and who are struggling to help themselves achieve a better life? To enable us to answer this question positively, I have requested $2.7 billion—the smallest request in the history of the U.S. aid program but an amount vitally needed to maintain our relationship with the developing world.

In addition to the reforms already cited, I have made other recommendations that call for new commitments by the Federal government, and offer more hopeful avenues of progress than the paths of the past.

Specifically, I have asked Congress to:

—establish a national computer Job Bank, which would enable the unemployed and the employer to come together through a computer matching system. The bank would have "branches" in every major labor market in the country. No longer would men have to go without work solely because they did not know where to find jobs.

—commit this country to the most extensive improvement of the Nation's air facilities in history. Under this program, the annual Federal appropriation for improving air facilities will rise from $93 million a year—the average of the last decade—to $250 million annually over the next decade. I have proposed further aid for airport development of $2.5 billion in Federal funds in the next ten years to be matched dollar-for-dollar by the States and local governments. This will mean an added $5 billion in funds for airport development. It will mean a running start on the national effort to build for the doubling of airline traffic expected by 1975 and its tripling by 1980.

—commit this country to the redevelopment of the nation's deteriorating public transportation system by providing an unprecedented measure of Federal support. In the six-year period ending with fiscal 1970, some $800 million will have been authorized by Congress to aid the nation's deteriorating public transit industry. I have proposed raising that commitment to $3.1 billion over the next five years and to a total of $10 billion over the next twelve.

—enact the most extensive improvements in the Federal-State unemployment system in a decade, with coverage extended to an additional 4.8 million workers, mostly low-income, with an automatic extension of benefits to workers during times of high unemployment.

—enact the strongest mine health and safety bill in history, one which empowers the Secretary of the Interior to upgrade the health and safety standards for coal mines as the technology develops.

—establish a national occupational health and safety board, with power to set standards to protect workers.

—empowers the Equal Employment Opportunity Commission to bring suit in a Federal District Court to enforce federal laws against discrimination.

—ban literacy tests as a prerequisite for voting throughout the United States.

NEW INITIATIVES

THE HUNGRY. For many years in this richest of societies, we have heard rumors of malnourished children and hungry men and women. Now we know these rumors are true. This realization has prompted us to a commitment—that we eliminate every vestige of hunger and malnutrition from America. I have asked Congress to help us assure that every American family can have a nutritionally complete diet; I have asked that the poorest members of our national community be provided with food stamps free of cost.

The Senate has shown a willingness to join in this commitment and has acted with dispatch. I urge the House to move so as not to prolong any further the day when the ancient curse of malnutrition and hunger is eliminated in this most modern of nations.

POPULATION. There is a widely-recognized correlation between population growth and poverty in the under-developed nations of the world. I have asked Congress to support our endorsement of those individuals and organizations seeking voluntary answers to this global question in other lands.

To approach this question as it applies at home, I have called on Congress to create a national commission to undertake now a study of how the nation is to provide for the 100 million new Americans expected before the turn of the century.

Beyond this, I have asked that a new philosophy become American government policy. We will interfere with no American's freedom of choice; we will infringe upon no one's religious convictions; but we shall not deny to any American woman the family planning assistance she may desire but cannot afford. That is the goal I ask Congress to support.

THE CONTROL OF CRIME

There is no greater need in this free society than the restoration of the individual American's freedom from violence in his home and on the streets of his city or town. Control and reduction of crime are among the first and constant concerns of this Administration. But we can do little more unless and until Congress provides more tools to do the job. No crisis is more urgent in our society. No subject has been the matter of more legislative requests from this Administration. Yet, not a single one of our major recommendations on crime has been acted upon favorably. I have not even received yet the budget appropriation for the Department of Justice for this fiscal year which is three months old. In light of the rising crime statistics in the country—and in the nation's capital—I again call upon Congress to become a full-fledged ally in this national campaign.

ORGANIZED CRIME. To intensify the national effort against organized crime, I have asked for an arsenal of new legal weapons:

—a doubling of existing resources for the organized crime effort;

—authority for Justice Department agents to enter any community and shut down large-scale gambling operations;

—a modern general witness immunity statute under which witnesses in Federal criminal cases could be compelled to testify under threat of a prison sentence for contempt;

—finally, because organized crime would shrivel up without its enormous gambling resources, and because illegal gambling on a large scale cannot go on without cooperation of corrupt law enforcements, I have asked Congress to make corruption of local authorities who are tied in with such gambling operations a Federal crime. I must stress the great urgency of these measures. Let the Congress act—*now.*

D.C. CRIME. To deal with the increase in crime in the District of Columbia I have asked for an expansion and strengthening of the entire system of law enforcement and criminal justice, including a fundamental reorganization of the courts. I have stressed the urgent need for more police, more judges, more prosecutors, more courtroom space, a new public defender's office, better penal and rehabilitation facilities and reform in the procedures for dealing with juvenile offenders. Crime in the District of Columbia continues to rise to new records with each month. We cannot contain or control it with existing resources; we need more men and money; we need a speedier trial system and, as important as any other measure, the power to keep hard-core criminal repeaters in the District of Columbia off the streets, so they are not committing five and six crimes before they are ever brought to trial. The Congress should act—*now.*

NARCOTICS. In the Federal effort against the illicit narcotics trade, I have submitted a major revision of all Federal narcotics laws and requested more men and money to deal with a problem that long ago outstripped the capacity of government at every level. Existing manpower and resources are stretched to their elastic limits—they are demonstrably inadequate. We have to have the cooperation of Congress to attack this terrible problem. Let's get at it—*now.*

PORNOGRAPHY. To prevent the use of the nation's postal system for the mailing of unsolicited sex-oriented materials to families that do not want the material and to children to whom it might do psychological harm. I offered three legislative proposals that will protect American citizens from the barrages of the filth peddlers, and will also be consistent with the decisions of the U.S. Supreme Court interpreting the First Amendment. These bills are still in Congress. I ask that they be promptly enacted.

These are among my major legislative proposals in these first nine months in office. I believe they speak directly to the needs of a nation in distress. I can see no legitimate reason why—with good will and cooperation between us—we cannot make the great majority of these urgently needed programs law before the end of the year. We should have all of them—as well as the others now pending—on the statute books well before the Ninety-First Congress enters the history books.

To that end, I again pledge the cooperation of this Administration.

RICHARD NIXON.

THE WHITE HOUSE, *October 13, 1969.*

The PRESIDING OFFICER. Is there further morning business?

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

PROPOSED RAILROAD SAFETY AND RESEARCH ACT OF 1969

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to authorize the Secretary of Transportation to prescribe rules, regulations and performance and other standards as he finds necessary for all areas of railroad safety and to conduct railroad safety research (with accompanying papers); to the Committee on Commerce.

PROPOSED HEALTH COST EFFECTIVENESS AMENDMENTS OF 1969

A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Social Security Act to provide for a number of cost controls under the medicare, medicaid, and maternal and child health programs (with accompanying papers); to the Committee on Finance.

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the cost reduction and management improvement program in selected departments and agencies, dated October 15, 1969 (with an accompanying report); to the Committee on Government Operations.

REPORT OF CLAIMS SETTLED BY THE GENERAL SERVICES ADMINISTRATION

A letter from the Assistant Administrator for Administration, General Services Administration, transmitting, pursuant to law, a report showing claims settled by the Administration under the Military Personnel and Civilian Employees' Claims Act of 1964, for the fiscal year ended June 30, 1969 (with an accompanying report); to the Committee on the Judiciary.

PROPOSED LEGISLATION RELATING TO COUNTERFEITING OF POSTAGE METER STAMPS OR OTHER IMPROPER USE OF METERED MAIL SYSTEM

A letter from the Postmaster General, transmitting a draft of proposed legislation to amend sections 501 and 504 of title 18, United States Code, so as to strengthen the law relating to the counterfeiting of postage meter stamps or other improper uses of the metered mail system (with an accompanying paper); to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MONTOYA, from the Committee on Appropriations, with amendments:

H.R. 13763. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1970, and for other purposes (Rept. No. 91–479).

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare, with an amendment:

H.R. 11702. An act to amend the Public Health Service Act to improve and extend the provisions relating to assistance to medical libraries and related instrumentalities, and for other purposes (Rept. No. 91–480).

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. GOLDWATER (for himself, Mr. FANNIN, Mr. MURPHY, and Mr. TOWER):

S. 3038. A bill to authorize appropriations for expenses of the U.S. section of the United States-Mexico Commission for Border Development and Friendship; to the Committee on Foreign Relations.

(The remarks of Mr. GOLDWATER when he introduced the bill appear later in the RECORD under the appropriate heading.)

Mr. DOLE (for himself, Mr. BURDICK, Mr. HARRIS, Mr. MUNDT, Mr. TOWER, and Mr. YOUNG of North Dakota):

S. 3039. A bill to provide that certain highways extending from Laredo, Tex., to the point where U.S. Highway 81 crosses the border between North Dakota and Canada shall be known collectively as the Pan American Highway; to the Committee on Public Works.

(The remarks of Mr. DOLE when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. MUSKIE:

S. 3040. A bill for the relief of Waclaw Janusz Ezeszotarski; to the Committee on the Judiciary.

By Mr. GRAVEL:

S. 3041. A bill to provide for the settlement of certain land claims of Alaska Natives, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. GRAVEL (for himself, Mr. RANDOLPH, and Mr. MUSKIE):

S. 3042. A bill to provide for a study and evaluation of the air and water pollution and other environmental effects of underground uses of nuclear energy for excavation and other purposes; to the Committee on Public Works.

(The remarks of Mr. GRAVEL when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. SCOTT:

S. 3043. A bill to authorize the release of 4,180,000 pounds of cadmium from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

(The remarks of Mr. SCOTT when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. YARBOROUGH:

S. 3044. A bill declaring a public interest in the open beaches of the Nation, providing for the protection of such interest, for the acquisition of easements pertaining to such seaward beaches and for the orderly management and control thereof; to the Committee on Interior and Insular Affairs.

(The remarks of Mr. YARBOROUGH when he introduced the bill appear later in the RECORD under the appropriate heading.)

By Mr. HRUSKA:

S. 3045. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to modify the provisions relating to discretionary grants to the States, to limit the Law Enforcement Assistance Administration to one block grant per State per year from 85 percent funds, and to provide authorization of appropriations for fiscal year 1971; to the Committee on the Judiciary.

(The remarks of Mr. HRUSKA when he introduced the bill appear later in the RECORD under the appropriate heading.)

S. 3038—INTRODUCTION OF A BILL AUTHORIZING APPROPRIATIONS FOR THE UNITED STATES-MEXICO COMMISSION FOR BORDER DEVELOPMENT AND FRIENDSHIP

Mr. GOLDWATER. Mr. President, it is a pleasure for me to introduce a bill today on behalf of myself and many other Senators who wish to extend the life of an organization whose continued existence is vital to preserving the special relationship between the United States and our great sister nation to the south, Mexico.

Our bill will provide the statutory authority that is necessary to enable our Government to continue its participation in the joint United States-Mexico Commission for Border Development and Friendship. The friends of this organization call it CODAF, and that is how I will refer to it throughout these remarks.

CODAF was founded at the highest levels of the Governments of Mexico and the United States. It developed out of an agreement issued by the Presidents of the two inter-American countries following their meeting in April of 1966. At that time they decided the two nations would create a joint commission to find ways by which they could "improve the relations between the frontier cities of both countries" and also "elevate the life of those who live in the border region."

Pursuant to this agreement, two sections were set up by the respective Governments and the Commission got underway in July of 1967. The U.S. Section is composed of the Chairman and 10 Commissioners who are appointed from the Assistant Secretary level of eight major departments and three executive offices.

In addition to the Commissioners, there is a small staff serving in Washington and in three field offices located close to the citizens of the border region.

During its 2 years of existence, the U.S. Section has been funded by contributions and services from its member agencies. This means of funding was shut off, however, last year with the passage of Public Law 90–479. This law bars the financing of executive commissions unless they possess some kind of enabling legislation.

Thus, CODAF is without authority to receive further funding under present law and unless there is prompt action to remedy this situation, it will simply have to fold up.

Mr. President, to allow CODAF to disappear would be sheer folly and blindness. The failure to authorize a renewed charter for this organization would be to renege on the commitment made by the Chief Executive of the United States to the American citizens living on the border, would discourage the formation of the very useful parallel programs of border communities, would permit a large

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number of problems to stand unsettled without any joint forum for the interchange of ideas, and would seriously injure U.S. efforts to keep our relations "simpatico."

Mr. President, in an earlier speech in the Senate on this subject, I traced the brief history of CODAF and summarized the very important role it plays on the inter-American stage. I mentioned the fact that it is charged with elevating the economic, social and cultural life of the peoples in the border area—and I would like to emphasize that this is no small matter.

The border between our two nations stretches across some 2,000 miles of territory and encompasses over 5 million persons.

Mr. President, in my opinion, the primary achievement of CODAF has been its success in stimulating the people on the border to focus their attention—even more than they have in the past—on developing and implementing programs for cooperative action, based on joint community needs, as voiced in the community, to solve their problems.

This has been achieved through the working groups of CODAF which hold meetings in the border communities where they listen to the local citizens. In turn, the full Commission receives recommendations from the working groups before approving its own suggestions for border programs.

Speaking as a person who has lived on the border all his life, I want to vouch for the fact that CODAF has done an outstanding job in such a short time. In fact, to my own mind, it is deserving of a permanent legislative base.

But, in order to assure that its difficulty will receive the earliest possible consideration in the most favorable light, we are offering a bill to extend its term for only the current fiscal year. This should be susceptible of receiving the broadest possible support by those who may wish to review the specific features which they would like to see incorporated in a permanent-type statute.

Our measure would authorize a sum of not more than $362,000 to cover the administrative costs of the U.S. Section for the 1970 fiscal year. This conforms with the bare-bones request made by the U.S. Chairman.

Mr. President, in introducing the bill I certainly shall not claim any pride of authorship. The text of the bill is identical to legislation introduced in the House of Representatives by the gentleman from Florida, Mr. FASCELL.

We are submitting a Senate version of the proposal in order to generate a movement in this Chamber by those who support CODAF. I was pleased to submit a statement to the House Subcommittee on Inter-American Affairs endorsing the measure when it was before that group—it now has been reported favorably by the full House Foreign Affairs Committee—and it is an honor for me to join today with my distinguished colleagues in the introduction of a Senate companion to that measure.

Mr. President, I urge that this measure be given prompt consideration in the Senate Foreign Relations Committee and I hope that Members from all regions of the country will join us in the cause of keeping CODAF alive.

Mr. President, I ask unanimous consent that there be printed at the end of my statement the text of the bill we are introducing, the Executive communications by Presidents Nixon and Johnson relative to their support of CODAF and a summary I have prepared of 16 major accomplishments of this organization.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the communications, the summary, and the text of the bill will be printed in the RECORD.

The bill (S. 3038), to authorize appropriations for expenses of the United States section of the United States-Mexico Commission for Border Development and Friendship, introduced by Mr. GOLDWATER (for himself and other Senators), was received, read twice by title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

S. 3038

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated not to exceed $362,000 for the fiscal year 1970 for the expenses of the United States section of the United States-Mexico Commission for Border Development and Friendship, which Commission was established by an exchange of notes between the Government of the United States and the Government of Mexico in November and December 1966, pursuant to a meeting between the Presidents of the two countries in April 1966.

The material furnished by Mr. GOLDWATER is as follows:

THE WHITE HOUSE,
Washington, September 10, 1969.

Hon. JOHN W. MCCORMACK,
Speaker of the House of Representatives.

DEAR MR. SPEAKER: On December 3, 1966, the United States completed an agreement with Mexico to create a "Joint Commission between the United States of America and the United Mexican States to study the manner in which the standard of living of United States and Mexican communities in areas along the border between our two countries could be raised by means of cooperative action." It was further agreed that the salaries of the Commissioners and their advisers would be paid by the Government by which they were appointed and other expenses of the Commission would be divided equally between the two Governments.

This agreement, reached through an exchange of diplomatic notes, was made in accordance with an agreement expressed by the then President of the United States, Lyndon B. Johnson, and the President of Mexico, Gustavo Diaz Ordaz, following their meeting in Mexico City in April 1966.

Subsequently, President Diaz Ordaz has on numerous occasions expressed his continued interest in what has become the "United States-Mexico Commission for Border Development and Friendship." In addition, the Government of Mexico, through its Secretary of Foreign Relations Antonio Carrillo Flores and other high-ranking officials, has indicated that Government's desire to continue with the work of this Joint Commission.

I, too, favor the continuance of the Commission. Numerous local officials in the border area have expressed a strong support for the Commission, as well as such prestigious private institutions as chambers of commerce and the American Institute of Architects.

In the short 2 years this Commission has been operating, much groundwork has been laid and some very concrete accomplishments give us insight into the future potential of this Commission. To stop now would not only be damaging to the future development of the border area, but it would result in a waste of the time, effort, and money already invested in studying the problems of the area.

The proposed resolution which the State Department sent to Congress on May 21 of this year and which was referred to the House Foreign Affairs Committee on May 22, has not been acted upon.

Should the Congress fail to authorize this Commission to continue, it would amount to a unilateral revocation of a commitment we have made to the Government and people of Mexico. We would also be remiss in our obligations and responsibilities to our own people in the economically depressed border area.

For these reasons, I strongly urge prompt action on the proposed authorizing resolution and provision of sufficient funds to cover the modest expenses of the U.S. Section of the United States-Mexico Commission for Border Development and Friendship.

Sincerely,

RICHARD NIXON.

JULY 2, 1968.

DEAR MR.———: Congress now has an opportunity to reaffirm the abiding friendship that is maintained between the United States and her neighboring sister republic, Mexico.

Prompt action will also encourage and stimulate the efforts of the two nations to improve the opportunities of the people living on both sides of the 2,000-mile long border.

The bill would establish the United States Section of the United States-Mexico Commission for Border Development and Friendship.

This bill would give Congressional recognition and endorsement to the April 1966 decision of the President of the United States and the President of Mexico to set up the joint Commission and would also provide a statutory foundation for the activities of the United States Section of that Commission. The United States Section now includes representatives at the Assistant Secretary level or above of nine Federal agencies and the Chairman of the Inter-Agency Committee on Mexican American Affairs.

I met with President Gustavo Diaz Ordaz in Mexico City in April 1966 to review the problems along our border. We decided then to establish a Commission to study ways and means of improving relations between border communities and of elevating the economic, social and cultural life of the people in the entire border area. Our decision was formalized through an exchange of notes on November 30 and December 3, 1966.

The first session of the Commission was held in Mexico City in October 1967. Fourteen working groups were established to explore and find solutions for the primary problems facing both countries in the border area. Another meeting of the Commission was held in Washington, D.C., in May of this year to review progress of the working groups and give them further directions.

Already there have been concrete results from this effort. Some of these are as follows:

1. A formal mechanism for cooperative action has been created to deal with future emergencies or natural disasters in the border area.

2. Pilot joint community service centers are being established on both sides of the border to provide basic community services, including mobile out-reach services, to the lower income groups of both countries.

3. Agreement was reached to establish a joint demonstration skill training center to assist the unemployed and underemployed

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on both sides of the border and improve their capability to obtain employment.

4. An industrialization study is now underway to determine the possibility of creating new industries and jobs on the U.S. side of the border in order to relieve unemployment and to help expand the tax base of border communities.

5. The already excellent working relationships in the field of health are being further strengthened, especially in the fields of mother and child nutrition and of training auxiliary health personnel.

6. A joint workshop was held in Laredo-Nuevo Laredo to discuss mutual urban problems and to seek mutual solutions. Similar workshops are planned for other twin cities on the California, Arizona, New Mexico, and Texas border with Mexico.

These are a few examples of the accomplishments of the Commission, which has provided a focal point for the interested agencies of both governments in coordinating their efforts to solve the problems of the border area.

When the Commission was first formed, the United States suggested it carry the name "Border Development Commission." Mexico accepted this, but suggested that the word "Friendship" be included in the title. Indeed, the strengthening of friendly ties not only between the officials and technicians of the two governments, but also between the people of our two countries, has been a primary aim and achievement of the Commission's activities to date.

The passage of this bill will be a concrete indication to the Mexican Government of the full backing for this endeavor by the United States Government. I urge prompt action by the Congress on this legislation.

Sincerely,

Lyndon B. Johnson.

The White House.

SIXTEEN MAJOR CONTRIBUTIONS OF CODAF

1. CODAF drafted the first formal agreement ever entered into between Mexico and the United States dealing with cooperative action in case of emergencies and natural disasters in the border area. This agreement was put into effect at the second joint meeting of CODAF.

2. For the first time in history, local, State, and Federal technicians from both sides of the border have been brought together to consider the twin border cities in a "single community" context. The Urban Development Working Group of CODAF has sponsored successful meetings in four of the twin border cities, and five more joint urban development workshops are scheduled.

3. The United States Section of CODAF has assisted in the development of a pilot program in which 80 "roundhouses," to sell for a maximum of $5,000, are being constructed in Del Rio, Texas. The Mexican Section has expressed interest in this approach to obtaining low-cost housing in border cities and is considering a similar undertaking on its side of the border.

4. CODAF has stimulated discussions with Mexico which have led to collaboration on the forthcoming American and Mexican 1970 census to guarantee collection of comparable data.

5. The Transportation Working Group of CODAF has initiated dscussions—

(A) for the development of joint transportation planning in the Brownsville-Matamoros area,

(B) for the location of a new bridge in Laredo,

(C) for the coordination of plans for building highways in the border area, and

(D) for the adoption of a uniform system of traffic signs in the border area.

6. The United States Section has obtained the publication of a major study relative to the special economic and social characteristics of the border as they relate to industrialization. This report, entitled "Industrial and Employment Potential of the United States-Mexico Border," was published in December, 1968. For its part, Mexico has a program for industrialization of the border zone well underway.

7. CODAF is about to achieve a significant breakthrough by arranging the establishment of a joint labor market and skill survey all along the border. As the first step towards this goal, the Manpower and Labor Working Group has initiated a pilot survey that has been conducted on both sides of the border at the El Paso-Ciudad Juarez, Chihuahua area.

8. CODAF has proposed an imaginative scheme for the designation of a network of roads and highways along both sides of the border, to be known as the "Border Friendship Route." All four of our border States have approved designation of this route and the implementation of this concept is now being considered by the Tourism Working Group.

9. The Education Working Group scheduled a joint conference on the accreditation of university level studies which was held at the twin border cities of Ciudad Juarez, Chihuahua-El Paso, Texas, in April, 1969. Approximately 30 educators from each country, representing universities, college accrediting associations, and the two Governments attended the conference.

10. The Education Working Group is seeking to inaugurate a pilot project for the exchange of high school language teachers between the cities of El Paso and Ciudad Juarez.

11. A Binational Sanitary Landfill Project has been established for Nogales, Arizona-Nogales Sonora. This project originated with the Public Health Working Group, was approved by the Mexican authorities and has been funded by the U.S. Public Health Service.

12. The Cultural Activities Working Group has recommended that CODAF promote conferences, workshops, and competition in the arts in the border area, and that two pilot cultural projects be established in twin border cities. United States and Mexican authorities have already set in motion the initial steps which will lead towards the creation of a national committee in each country, and local coordinating groups in the border communities, to act as mechanisms for carrying out joint cultural programs.

13. A CODAF-sponsored pilot project has been established for Laredo, Texas, by which five mobile trailer vans devoted to theatrical productions, recreation, educational and cultural films, history, and health services, will make scheduled visits to neighborhood centers in and around Laredo, to rural communities in Webb County and Nuevo Laredo, Tamaulipas, across the border.

14. A similar CODAF-supported binational project is the Calexico, California, Community Services Project. This project includes a multi-service cultural unit, a vocational training electronics unit, and a mobile health services unit. As its contribution to this project, Mexico has purchased $83,000 worth of industrial equipment for CECATI, a vocational training institute in Mexicali, Baja California, which will be made available to U.S. trainees.

15. An adult education demonstration project, with CODAF participation, is in operation in a five-county area of Arizona. This project utilizes radio and a closed circuit mobile television unit to bring practical education courses to people in a widespread rural area.

16. CODAF has sponsored two annual "Border Beauty and Friendship Days," which were held on May 18, 1968, and April 19, 1969. The results of these events have been so encouraging that both United States and Mexican officials have concluded that border beautification efforts should be carried out on a continuing basis and that the day shall be established as an annual ceremony.

S. 3039—INTRODUCTION OF A BILL TO DESIGNATE CERTAIN HIGHWAYS AS THE "PAN-AMERICAN HIGHWAY"

Mr. DOLE. Mr. President, today I am introducing a bill which will neither ask the Federal Government to authorize nor appropriate any of its funds. My bill today is a promotion of good will with our neighbors to the south.

This proposal will provide that certain highways extending from Laredo, Tex., to the point where U.S. Highway 81 crosses the border between North Dakota and Canada shall be known collectively as the Pan American Highway.

The highway, which already crosses the United States from Canada to the Mexican border, largely follows U.S. Highway 81 with some minor variances. If created, it would connect with the Pan American Highway which begins at Laredo, Tex., and extends to Panama.

In the past several years there has been growing interest in several Plains States concerning the development of an intercontinental highway linking Canada, the United States, and Latin American countries. Organizations in many States have been working in unison for years to promote this idea, with a convincing argument being made on the basis of economic benefits to be derived from its creation, as well as various other advantages.

Mr. President, several of my colleagues from States through which this hemispheric good will highway would pass, have joined me as cosponsors of this proposal: Senator Young of North Dakota, Senator Mundt of South Dakota, Senator Burdick of North Dakota, Senator Tower of Texas and Senator Harris of Oklahoma.

Mr. President, I ask unanimous consent that the bill be printed in the Record following these remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record as requested by the Senator from Kansas.

The bill (S. 3039) to provide that certain highways extending from Laredo, Tex., to the point where U.S. Highway 81 crosses the border between North Dakota and Canada shall be known collectively as the "Pan American Highway"; introduced by Mr. Dole (for himself and other Senators), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the Record, as follows:

S. 3039

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That (a) for the purpose of any law, regulation, map, document, record, or other paper of the United States, those highways which extend from Laredo, Texas, to the point where United States Highway 81 crosses the border between North Dakota and Canada and which are listed in subsection (b) of this section shall be known collectively as the "Pan American Highway".

(b) (1) Except as provided in paragraph (2), the highways which shall be known collectively as the "Pan American Highway", and the cities between which such highways extended, are as follows:

Highways: Interstate System Highways 35,

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35E, 35W, 235, and 29; United States Highways 81, 77, and 377; and Nebraska Highway 92.

Extending from south to north between the following cities: In the State of Texas, the following cities: Laredo, San Antonio, Austin, Waco, Fort Worth, Dallas, Denton, and Gainesville; in the State of Oklahoma, the following cities: Ardmore, Pauls Valley, Oklahoma City, and Guthrie; in the State of Kansas, the following cities: Wichita, Newton, Lindsborg, Concordia, and Belleville; and in the State of Nebraska, the following cities: Geneva, York, Columbus, and Norfolk; in the State of South Dakota, the following cities: Yankton, Madison, Brookings, and Watertown; in the State of North Dakota, the following cities: Wahpeton, Fargo, Grand Forks, Drayton, and Pembina.

(2) If more than one of the highways listed in paragraph (1) extend between any two points between any two of the cities listed in that paragraph which are not separated by any other city listed in that paragraph, the Secretary of Commerce shall designate which of those highways shall be included in the group of highways to be collectively known as the "Pan American Highway".

S. 3042—INTRODUCTION OF A BILL TO PROVIDE FOR A STUDY AND EVALUATION OF THE AIR AND WATER POLLUTION AND OTHER ENVIRONMENTAL EFFECTS OF UNDERGROUND USES OF NUCLEAR ENERGY

Mr. GRAVEL. Mr. President, I introduce today (on behalf of myself, Mr. RANDOLPH, and Mr. MUSKIE) for appropriate reference, a bill to provide for the study and evaluation of the air and water pollution and other environmental effects of underground uses of nuclear energy for excavation and other purposes.

This measure would create a 15-man study commission composed of leading scientific experts. They would evaluate the environmental risks attendant upon the use of underground nuclear energy and report their findings to the President and the Congress within a year.

The people of our Nation are more concerned about the environment than they have ever been. We in the Congress are continually investigating the known and suspected hazards related to automobile exhausts, industrial wastes, pesticides, and numerous other areas of pollution. Certainly we should give no less study to a pollutant—radioactivity—that is more deadly than all other scourges, and a menace which, once created by man, cannot be destroyed.

Another area of environmental danger related to underground testing is that of the seismic effects of the tests.

If there is an area of agreement among the scientific community concerning underground nuclear testing it is that no one really knows what effects such tests have on the earth's crust. The larger tests now being planned by the Atomic Energy Commission in my State of Alaska, and in Nevada and possibly other locations around the Nation present a risk to life and property. No one in a responsible position in our Government or who is a recognized leader in any scientific discipline can say with assurance what the risk will be. We are tampering in a field that we know little about. And the consequences of failure could be enormous.

This bill is timely in that it attacks a problem which is presently before this Congress in various forms—environmental hazards. This bill attacks areas of concern upon which far more study and evaluation is needed. The pressure for broadening the underground test program and increasing the applications for nuclear energy is intense. How will the President and the Congress make such decision without adequate scientific testimony.

An independent review by eminent scientists who are not presently on the payroll of the Federal Government and who are not otherwise contracted to the Government in this particular field of endeavor, would provide us with such an evaluation of the potential hazards and hopefully produce some solid ideas for guidelines and remedies.

None of us wants to unnecessarily impair the national defense effort. None of us wants to withhold from our society the practical benefits that nuclear energy can possibly produce. But neither do we want to look back 5 or 10 years from now and recognize that our decisions presented civilization with great dangers, that we were responsible for endangering man and his environment for lack of adequate study and evaluation before such decisions were made.

I think this is a modest proposal that could produce significant benefits and I would urge its early review by the Public Works Committee.

Therefore, Mr. President, I introduce this measure and urge its passage.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3042) to provide for a study and evaluation of the air and water pollution and other environmental effects of underground uses of nuclear energy for excavation and other purposes; introduced by Mr. GRAVEL (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Public Works.

Mr. RANDOLPH. Mr. President, I congratulate the Senator from Alaska (Mr. GRAVEL) on his creative initiative and leadership in the effort to protect our Nation, and indeed the world, from the incalculable potential dangers involved in underground nuclear explosions. He has been at the forefront in expressing national concern over the possible disaster attendant to the recent nuclear test on Amchitka Island in Alaska. Today he has introduced a well-reasoned proposal for a Presidential Commission to examine and evaluate the risks to man and his environment of using nuclear energy beneath the earth's surface.

One of the features of this proposal which seems especially important, refers to the use of nuclear power to lower or eliminate natural barriers that separate different marine ecosystems, such as could occur in the event a new interoceanic canal were constructed between the Caribbean and the Pacific. It is essential that there be a full understanding of the ecological effects of such a proposed canal, particularly, what might happen to marine life when a new predatory species from one body of water invades and attacks vulnerable organisms in the other. The implications for the fishing industry raise a cautionary cry.

If time and the pressure of work permit, I would hope that Members of the Public Works Committee could conduct field examinations of how this and other proposed applications of nuclear energy could adversely affect or endanger our environment.

I am gratified to join with the Senator from Alaska, as a cosponsor of this bill. As chairman of the Committee on Public Works to which the bill has been referred, I assure my diligent colleague that I will give it priority on the committee agenda. In consultations with Senator GRAVEL, a member of our committee, I have indicated that the bill will be referred to the Subcommittee on Air and Water Pollution, under the able chairmanship of Senator EDMUND S. MUSKIE. It is our expectation that public hearings will be scheduled in the near future.

Mr. MUSKIE. Mr. President, I was pleased to join with the distinguished Senator from Alaska (Mr. GRAVEL) in introducing a bill to improve our understanding of the air, water, and land pollution problems associated with underground use of nuclear energy.

I share the Senator's concern with the environmental pollution which may be associated with the new technology of the underground uses of nuclear energy.

The Subcommittee on Air and Water Pollution, of which I am chairman, has been concerned in the past with pollution associated with the release of radioactive material into the environment.

In 1966, the subcommittee held hearings on radioactive water pollution in the Colorado River Basin. We wanted to be sure that effective environmental control accompanied the greater handling and disposal of radioactive wastes as the peaceful uses of nuclear energy increased. The mines producing radioactive wastes now number nearly 400, and there are about 20 mills in operation.

The subcommittee has also held hearings on the extent to which environmental factors are considered in selecting powerplant sites, with particular emphasis on the ecological effects of the discharge of waste heat from nuclear powerplants into our rivers, lakes, and coastal waters. When the production capacity of nuclear power facilities reaches 41.5 million kilowatts of power in 1974, the discharge of waste heat without proper treatment could be disastrous.

Early this month the United States set off a one-megaton underground explosion on the small Aleutian Island of Amchitka near the State of Alaska.

At the same time that the United States is conducting its underground nuclear testing program, the application of nuclear activity for excavation is being explored. One of the major goals of the Plowshare program is the excavation of a sea-level canal across the Isthmus of Panama.

The Atomic Energy Commission is studying the broader uses of the atom for the exploitation of new oil and gas re-

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serves and for the construction of new harbors and channels.

It is clear from hearings on the subject that the subcommittee has already held that there is too little evidence available to the public about the environmental effects associated with the peaceful uses of nuclear energy. Too much of the information on environmental effects which is available has been developed by and for the Atomic Energy Commission rather than by independent, environmental agencies.

We have long passed the time when we should expect Federal agencies to evaluate adequately the environmental effects of their own activities.

The Commission proposed by Senator Gravel is one method of assuring independent evaluation. I would hope that the Office of Environmental Quality proposed in H.R. 4148 as passed by the Senate would assist in this function. Also, I would hope that existing Federal agencies with environmental expertise would participate in any decision which would tend to increase the release of radioactivity into the environment.

Because this bill would enable the Nation to develop a better understanding of the air, water, and land pollution questions which must be considered as we develop the full potential of the peaceful atom, the subcommittee will hold hearings on it at an early date. These hearings should be helpful in determining the most appropriate mechanism to review the potential air, water, and land pollution effects of the peaceful uses of nuclear energy.

S. 3043—INTRODUCTION OF A BILL TO AUTHORIZE THE RELEASE OF CADMIUM FROM THE NATIONAL STOCKPILE

Mr. SCOTT. Mr. President, I introduce for appropriate reference, legislation to authorize the release of 4,180,000 pounds of cadmium from the national and supplemental stockpiles. I am advised by the General Services Administration that this amount of cadmium, currently held by the Federal Government, is excess not now needed for stockpile purposes. It is, however, urgently needed for domestic industrial use not only in my Commonwealth of Pennsylvania, but in plants throughout the Nation. The purpose of my bill is to provide the authorization which will enable the GSA to make this material available.

Cadmium, a byproduct derived almost entirely from the processing of zinc ores, is used in this country primarily for electroplating and metal finishing in such vital segments of the economy as the automobile, appliance, and aerospace industries. About 40 percent of U.S. cadmium consumption has this usage. Cadmium also is important in the production of chrome-color paints and pigments, and in the manufacture of special tools and dies, industrial molds, electrical fuses, and storage batteries.

The Metal Finishing Suppliers Association, Inc., and the National Association of Metal Finishers, national organizations with extensive corporate representation in Pennsylvania, have reported that employment in my Commonwealth, and elsewhere, is seriously threatened by the continuing cadmium shortage. My bill will help provide relief that is badly needed, and needed now.

Mr. President, this bill does not require the expenditure of Federal funds. All existing safeguards for the protection of the Federal Government against avoidable loss, and the protection of producers, processors, and consumers against the avoidable disruption of their usual markets, would be preserved. Therefore, this bill would result in a return to the Treasury of the entire amount to be realized from the sale of this excess material, which is currently valued at approximately $14 million. Moreover, since the domestic cadmium industry now depends to a great extent on imported materials, the enactment of my bill would have a favorable impact on our balance-of-payments position.

Mr. President, I am persuaded that there is compelling need for action on this legislation. I urge prompt and favorable consideration.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3043) to authorize the release of 4,180,000 pounds of cadmium from the national stockpile and the supplemental stockpile, introduced by Mr. Scott, was received, read twice by its title, and referred to the Committee on Armed Services.

S. 3044—INTRODUCTION OF THE NATIONAL OPEN BEACHES ACT

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill declaring a public interest in the open beaches of the Nation, providing for the protection of such interest, for the acquisition of easements pertaining to such seaward beaches, and for the orderly management and control thereof.

In recent years fences and barricades have blocked the public right to have access to our seas. We are becoming a landlocked people, fenced away from our own beautiful shores, unable to exercise the ancient right to enjoy our precious beaches. This tragic encroachment on the right to use our beaches has so shackled the public that today 95 percent of our recrational shoreline is barricaded to keep the people out.

Mr. President, we must preserve our beaches and protect the rights of the people to use them. These beautiful stretches of sand serve as the transition point between the seas and the land on which we live. They are natural resources, which rightfully belong to the people. Traditionally Americans have gone to the shoreline to relax, to play, to fish, to meditate, and to enjoy their beaches. Many have relied on these beaches for their access to the sea in order to support their families through commercial fishing. This ancient and well-established public right must be legally asserted and protected. That is the purpose of this bill.

It is my privilege and pleasure, therefore, to introduce the National Open Beaches Act, which has been introduced in the House of Representatives by my distinguished colleague and fellow Texan, Congressman Bob Eckhardt, of Houston. This bill declares that the public shall have free and unrestricted right to use the beaches of the United States and further declares that Congress shall constitutionally protect this right. It prohibits fences, barriers, and any other restraints on the use of the beaches by the public.

An important aspect of the bill is that it provides for a joint effort between the Federal Government and the States in protecting the public beaches. Several States, including Alabama, California, Florida, Maine, Massachusetts, Oregon, and my own State of Texas have statutes concerning public right to the beaches. But it has been difficult for them to clearly establish that right in the courts. This bill defines that right and provides that the Federal Government will aid individual States in maintaining public jurisdiction.

The bill calls for a Federal-State partnership making available to any State interested in establishing a public right to the beaches the legal, geodetic, and historical research facilities of the Federal Government. States are encouraged through the bill to establish by law the public right to access to the beaches. The State is also encouraged to condemn rights-of-way, or easements, to those beaches which must be purchased from the landowner. The Federal Government will provide up to 75 percent of the costs of acquiring such easements, and may condemn the land so long as the State provide its 25 percent share of the funds.

Two important conditions must be considered concerning our beaches. First, they have been traditionally used by the public for recreational purposes and for commercial fishing. Second, title rights have not been as clearly defined on shorelines as in other places. The problem involved here is not a question of one man's right against another, but of one man's boundary against a State boundary, and the question of the shoreline landowner's right against an ancient usage of the public. The bill, therefore, deals also with the settling of boundaries and title rights along our seashores.

In addition, the bill charges the Secretary of the Interior and the U.S. Attorney General with protecting the public right, and it affords certain legal benchmarks in those areas of law involved.

A Federal interest is defined, therefore, and recourse to Federal courts is permitted. The bill, however, carefully guards against any Federal limitations upon the right of the States to hold and own property. On the other hand, no Federal property will be affected by this bill; the Padre Island National Seashore and other national parks will remain park lands, administered by the National Park Service of the Federal Government.

Any Federal action supports and protects the public right and the rights of individual States; any land or rights recovered inure to the benefit of the State.

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Mr. President, the National Open Beaches Act will restore to all Americans use of some beaches, rightfully theirs, but now fenced up, often in private ownership. It will bring down the barriers and barricades on publicly owned beaches that have made us a landlocked people with very little access to the shore. The bill defines the public right to the beaches, a traditional right of Roman law which was exercised all during the Middle Ages. During the oppressive days of the Spanish Inquisition the people enjoyed more freedom on their beaches than Americans do today. The Spanish brought this law of the open beaches to America with them. Under my bill the public is insured free and unrestricted use of such seashores as can be reclaimed for public use under this bill; any barrier or restraint on this free use is expressly prohibited.

Mr. President, I ask unanimous consent that the text of this bill to protect the public right to the beaches be printed in full at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 3044) declaring a public interest in the open beaches of the Nation, providing for the protection of such interest, for the acquisition of easements pertaining to such seaward beaches and for the orderly management and control thereof, introduced by Mr. Yarborough, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

S. 3044

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the presence and accessibility of the sea, being a very substantial factor in the value and kind of interstate travel, and the beach being a marine resource created by the action of the sea, it is necessary and proper and promotes the public welfare to provide orderly protection of the public interest in the beaches.

TITLE I

Sec. 101. Congress finds that the sea beaches of the United States are of such character as to use and potential development as to require separate consideration from other lands with respect to the elements and consequences of title in littoral owners. Such land has been treated by and large over most of its extent and during most of the time that it has been controlled by European and Anglo-American law, as a common. It has been of little use for farming, grazing, timber production, mining or residency—the traditional uses of land—but has served as a thoroughfare and haven for fishermen and sea ventures and a place of recreation for the citizenry. The elements and consequences of title in littoral owners are thus colored by these traditional uses but are not fully formulated nor precisely drawn in the laws of the several States to meet the exigencies of the present day Congress finds that the traditional concept of the beach as a common is now being threatened by shorelines being fenced or enclosed upon assumptions not founded on clear legality.

Sec. 102. Congress declares and affirms that the beaches of the United States are impressed with a national interest and that the public shall have free and unrestricted right to use them as a common to the full extent that such public right may be extended consistent with such property rights of littoral landowners as may be protected absolutely by the Constitution. It is the declared intention of Congress to exercise the full reach of its constitutional power over the subject.

Sec. 103. No person shall create, erect, maintain, or construct any obstruction, barrier, or restraint of any nature which interferes with the free and unrestricted right of the public, individually and collectively, to enter, leave, cross, or use as a common the public beaches.

Sec. 104. (a) An action shall be cognizable in the district courts of the United States without reference to jurisdictional amount, at the instance of the Attorney General or a United States district attorney to:

(1) establish and protect the public right to beaches,

(2) determine the existing status of title, ownership, and control, and

(3) condemn such easements as may reasonably be necessary to accomplish the purposes of this Act.

(b) Actions brought under the authority of this section may be for injunctive, declaratory, or other suitable relief.

Sec. 105. The following rules applicable to considering the evidence shall be applicable in all cases brought under section 104 hereof.

(1) a showing that the area is a beach shall be prima facie evidence that the title of the littoral owner does not include the right to prevent the public from using the area as a common;

(2) a showing that the area is a beach shall be prima facie evidence that there has been imposed upon the beach a prescriptive right to use it as a common.

Sec. 106. (a) Nothing in this Act shall be held to impair, interfere, or prevent the States—

(1) ownership of its lands and domains,

(2) control of the public beaches in behalf of the public for the protection of the common usage or incidental to the enjoyment thereof, or

(3) authority to perform State public services, including enactment of reasonable zones for wildlife, marine, and estuarine protection.

(b) All interests in land recovered under authority of this Act shall be treated as subject to the ownership, control and authority of the State in the same measure as if the State itself had acted to recover such interest. In order that such interest be recovered through condemnation, the State must participate in acquiring such interest by providing matching funds of not less than 25 per centum of the value of the land condemned.

TITLE II

Sec. 201. In order further to carry out the purposes stated in title I, section 101, it is desirable that the States and the Federal Government act in a joint partnership to protect the rights and interests of the people in the use of the beaches. The Secretary of the Interior shall administer the terms and provisions of this Act and shall determine what actions shall be brought under section 104 hereof.

Sec. 202. The Secretary of the Interior shall place at the disposal of the States such research facilities as may be reasonably available from the Federal Government, and, in cooperation with the other Federal agencies, such historical, geological, geodetic, and other information and facilities as may be reasonably available for assisting the States in such protection of public rights. The President may promulgate regulations governing the work of such interagency cooperation.

Sec. 203. The Secretary of Transportation is authorized to provide financial assistance to any State, and to its political subdivisions for the development and maintenance of transportation facilities necessary in connection with the use of public beaches in such State if, in the judgment of the Secretary of the Interior, such State has defined and sufficiently protected public beaches within its boundaries by State law. Such financial assistance shall be for projects which shall include, but not be limited to construction of necessary highways and roads to give access to the shoreline area, the construction of parking lots and adjacent park areas, as well as related transportation facilities. All sums appropriated to carry out title 23 of the United States Code are authorized to be made available in an appropriations Act to carry out this section.

TITLE III

Sec. 301. The following terms as used in this Act shall have the following meanings:

(a) "Sea" includes the Atlantic, Pacific, and Arctic Oceans, the Gulf of Mexico, and the Caribbean and Bering Seas.

(b) "Beach" is the area along the shore of the sea affected by wave action directly from the open sea. It is more precisely defined in the situations and under the conditions hereinafter set forth as follows:

(1) In the case of typically sandy or shell beach with a discernible vegetation line which is constant or intermittent, it is that area which lies seaward from the line of vegetation to the sea.

(2) In the case of a beach having no discernible vegetation line, the beach shall include all area formed by wave action not to exceed two hundred feet in width (measured inland from the point of mean higher high tide).

(c) The "line of vegetation" is the extreme seaward boundary of natural vegetation which typically spreads continuously inland. It includes the line of vegetation on the seaward side of dunes or mounds of sand typically formed along the line of highest wave action, and, where such a line is clearly defined, the same shall constitute the "line of vegetation." In any area where there is no clearly marked vegetation line, recourse shall be had to the nearest clearly marked line of vegetation on each side of such area to determine the elevation reached by the highest waves. The "line of vegetation" for the unmarked area shall be the line of constant elevation connecting the two clearly marked lines of vegetation on each side. In the event the elevation of the two points on each side of the area are not the same, then the extension defining the line reached by the highest wave shall be the average elevation between the two points. Such line shall be connected at each of its termini at the point where it begins to parallel the true vegetation line by a line connecting it with the true vegetation line at its farthest extent. Such line shall not be affected by occasional sprigs of grass seaward from the dunes and shall not be affected by artificial fill, the addition or removal of turf, or by other artificial changes in the natural vegetation of the area. Where such changes have been made, and thus the vegetation line has been obliterated or has been created artificially, the line of vegetation shall be reconstructed as it originally existed, if such is practicable; otherwise, it shall be determined in the same manner as in other areas where there is no clearly marked "line of vegetation," as in (2), above.

(d) "Area caused by wave action" in subsection (b) (2) above means the area to the point affected by the highest wave of the sea not a storm wave. It may include scattered stones washed by the sea.

(e) "Public beaches" are those which, under the provisions of this Act, may be protected for use as a common.

(f) "Matching funds," as provided by a State, include funds or things of value which may be made available to the State for the purpose of matching the funds provided by the Federal Government for purchasing beach easements as, for instance, areas adjacent to beaches donated by individuals or

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associations for the purpose of parking. The value of such lands or other things used for matching Federal funds shall be determined by the Secretary of the Department of the Interior. State matching funds shall not include any moneys which have been supplied through Federal grants.

Sec. 302. The short title of this Act shall be the "Open Beaches Act of 1969".

S. 3045—INTRODUCTION OF A BILL TO AMEND THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968

Mr. HRUSKA. Mr. President, I introduce a bill designed to extend authorization and to improve the effectiveness of title I of the Omnibus Crime Control and Safe Streets Act of 1968—Public Law 90–351. That title created the Law Enforcement Assistance Administration. I ask that it be appropriately referred.

The instant bill has two sections.

The first section would modify title I to provide and insure allocation and distribution of the 15-percent discretionary funds in a truly discretionary manner and to insure that each State receive but one block grant each fiscal year.

The second section would authorize appropriation of $650 million for the fiscal year ending June 30, 1971. Present authorizations provide only to June 30, 1970.

PURPOSES OF LAW ENFORCEMENT ASSISTANCE ACT

The Law Enforcement Assistance Administration was designed to give the Federal Government the mechanism, through block grants to the States, to improve the caliber of the administration of the criminal justice system. Through the block grant program, the States may now improve recruitment techniques, educate law-enforcement officers and students for careers in law enforcement, construct new facilities to replace those long antiquated and establish overdue programs to combat organized crime as well as undertaking other necessary and worthwhile law-enforcement projects.

Some of the more imaginative projects underway include a six-State organized crime strike force, located in New York, in which representatives of Federal, State, and local police agencies are participating.

What good is it to be able to arrest a law violator, if he is not tried expeditiously? Conversely, what good is it to conduct speedy trials if the tools available to the police are not capable of effective crime detection?

The police must be given the benefit of modern technology, the courts must be given the benefit of modern management techniques, the prison system must be brought into the 20th century. All this and more is the overall goal of the Law Enforcement Assistance Administration.

I have observed the operation of the Law Enforcement Assistance Administration very closely as I feel that its success or failure will have a significant impact on the administration of criminal justice for years to come.

FIRST SECTION OF THE BILL

The first section of the bill would modify the act to permit the allocation of the discretionary funds in a truly discretionary manner, and limit a state from receiving more than one block grant each year. Section 306 of the act allocates 85 percent of the funds to the State planning agencies, to be divided among the States on the basis of population. This section allocates the other 15 percent of the funds appropriated for discretionary projects. The reason for this allocation of 15 percent discretionary funds is simply that Congress wished to stimulate the improvement of the criminal justice system at all levels of the public and private sector and to give the LEAA administrators the flexibility to support a worthwhile project whether in the universities, in a private foundation, or in a city or a State law-enforcement body.

The current language of the act fails to provide the flexibility that we thought was provided when this legislation was enacted. At the present, discretionary grants now may be made only to cities or States. My amendment would permit discretionary grants to units of general local government, Federal, or State law-enforcement agencies, and universities.

The bill would also dispense with the matching requirement currently imposed on the States as they apply to discretionary grants. As a practical matter, of course, it is desirable to have State contributions and the administration should always strive for such contribution.

Quite frequently, however, the most worthwhile project will be conducted by an entity not capable of providing matching funds, or will involve a multi-State or Federal project. This bill would afford the flexibility for the LEAA to pursue all worthwhile enterprises as was originally intended when we passed the act.

Senator Dirksen, the author of this provision, intended this result when he drafted the section. Because of the subsequent ambiguity which developed, he wrote a letter to the Attorney General explaining that his intention was to create a truly discretionary allocation. Mr. President, I ask unanimous consent that Senator Dirksen's letter be printed in the Record following my remarks today.

The bill is also amended to clarify the provisions of title I relating to allocation and distribution of the 85 per centum. The amendment makes certain that the allocation and distribution of the 85 per centum of the funds to each State shall be truly single, block grants to each State planning agency pursuant to congressional intent expressed at the time of original enactment.

SECOND SECTION OF THE BILL

The second section is also an amendment to the Law Enforcement Administration Act. Section 512 of the act allows the Administration to carry out its programs from fiscal year 1968 through fiscal year ending June 30, 1970. My amendment would authorize appropriations for the next fiscal year ending June 30, 1971, of $650 million.

The block-grant program of the LEAA has grown in size and scope from $63 million the first year of operation in fiscal year 1969 to a request for $300 million, the full amount authorized, in fiscal year 1970. We anticipated a $900 million program when fully operational. In submitting this authorization bill, I have only considered the next fiscal year although the program in general has 3 years to run before Congress reexamines it in total. I have done this for a very good reason.

The States, in submitting their plans, have asked for grants in excess of $1.1 billion for fiscal year 1971. The program for this fiscal year does not yet exceed $300 million. Thus, in setting the $650 million mark, I have tried to realistically balance the need for economy against the needs of State law enforcement. There is not any realistic basis for determining the scope of need beyond fiscal year 1971 yet. Thus, I have not suggested any amounts for fiscal years 1972 and 1973 since such legislation would be pure speculation. A bill for additional authorization for fiscal years 1972 and 1973 will follow in due time.

Moreover, by expanding the scope of this program as I have suggested, the Congress will not be expanding the bureaucracy here in Washington. At the core of the LEAA program is the block grant concept. Stated simply, this means that Federal funds are given to the States in a lump sum. The way the grant is spent, however, is left up to the States.

The LEAA provides technical advice and expertise. The LEAA insures that the funds are expended properly. The LEAA reviews the priorities submitted by the States. But the policy decisions are made at the State level right where they should be made, and not here in Washington.

What is accomplished then with this program is an effective revenue sharing plan, strictly for law enforcement improvement purposes, between the Federal Government and the States.

The time has come to recognize the needs and deficiencies of law enforcement and to do something about it. We started last year with the creation of the Law Enforcement Assistance Administration and now we must continue by extending the Law Enforcement Assistance Administration and by giving the States its support and aid.

Mr. President, many articles have been written, and many speeches have been made about crime in our Nation today. The public is developing an awareness, law-enforcement efforts are being beefed up, and improvements in the judicial process are being accomplished. Nonetheless, since 1960, serious crime has increased by 122 percent, the population has increased only 11 percent, and the police solutions of serious crime have declined 32 percent. Clearly, the crime problem has not been solved.

We must keep our guard up. We must remain vigilant, and we must make the streets of our Nation safe. We are off to a good start with the Law Enforcement Assistance Administration and we must continue our efforts.

Mr. President, the work of the Law Enforcement Assistance Administration has been the subject of great interest across the country in recent months.

Recently, a column in the Washington

Evening Star by James J. Kilpatrick called attention to some of the first-year accomplishments of the LEAA program. In addition, the 61st annual meeting of the National Governors' Conference commended the LEAA and noted that the block grant concept has worked out well.

Mr. President, because of the interest in steps being taken to combat crime, as embraced in the Law Enforcement Assistance Administration program, I ask unanimous consent that both of these articles be printed in the Record, together with the text of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and articles will be printed in the Record.

The bill (S. 3045) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to modify the provisions relating to discretionary grants to the States, to limit the Law Enforcement Assistance Administration to one block grant per State per year from 85 percent funds, and to provide authorization of appropriations for fiscal year 1971, introduced by Mr. Hruska, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S. 3045

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Section 1. (a) The first sentence of section 301(b) is amended by striking the words "grants to States having comprehensive State plans" and substituting the words "one grant per Fiscal Year to each State having a comprehensive State plan."

(b) The proviso in subsection 301(b)(7) is amended to read as follows: "*Provided*, That in no case shall any part of a grant made under this section be used for the purpose of this subcategory without the approval of the local government or local law enforcement agency."

(c) Section 301(c) is amended to read as follows: "The portion of any Federal grant used for the purpose of paragraph (5) or (6) of subsection (b) of this section may be up to 75 per centum of the cost of the program or project specified in the application for such grant. The portion of any grant used for the purposes of paragraph (4) of subsection (b) of this section may be up to 50 per centum of the cost of the program or project specified in the application for such grant. The portion of any grant to be used for any other purpose set forth in this section may be up to 60 per centum of the cost of the program or project specified in the application for such grant: *Provided*, That no funds granted under this section shall be used for land acquisition."

(d) Section 301, subsection (d) is amended by striking out the word "part" in the first sentence and inserting in lieu thereof, "section."

(e) The first sentence of section 303 is amended by striking the word "grants" and substituting the words "a grant each Fiscal Year."

(f) Section 306 is amended to read as follows: "Eighty-five per centum of the funds appropriated to make grants under this part for a Fiscal Year shall be allocated by the Administration among the States according to their respective populations for grants to the State planning agencies of such States. The remaining fifteen per centum of such funds, plus such additional amounts as may be made available by virtue of the application of the provisions of section 509 to the grant to any State shall, in the discretion of the Administration, be allocated among the States for grants to State planning agencies or used by the Administration for grants for the purposes of this title to units of general local government, public agencies, Federal or State law enforcement officers or agencies, institutions of higher education, or combinations of the foregoing, according to such criteria and on such terms and conditions as the Administration shall determine consistent with this title. Grants made under the preceding sentence shall not be subject to the limitations set forth in subsections (c) and (d) of section 301."

Sec. 2. (a) Section 520 is amended by inserting immediately after "June 30, 1970," the following: "$650,000,000 for the Fiscal Year ending June 30, 1971".

The articles, presented by Mr. Hruska, are as follows:

Aid to Police a Bright Lesson in Federalism

The President's advisers were trying to sell him "the New Federalism" a few weeks ago, as a neat little label to paste on his programs. Richard Nixon reportedly turned the label down, on the skeptical grounds that federalism isn't as familiar as corn flakes. How could he sell a new federalism to people who don't know the old?

In the superlative job done in its first year by the Law Enforcement Assistance Administration of the Department of Justice the President could find an outstanding example of new federalism in action. One hesitates to write a rare review, but the LEAA's performance appears to merit the highest praise.

By way of background, it will be recalled that the Omnibus Crime Control Act became law in June of 1968. One section of the act authorized matching grants to states and localities "in order to improve and strengthen law enforcement." In August, Congress approved a $69 million budget. In late October, with only eight months remaining of the fiscal year, the Law Enforcement Assistance Administration went to work.

Federal grants-in-aid, of course, are nothing new. Roughly 400 such programs are in operation now. But most of them, to judge from the complaints of local officials, are mired deep in bureaucratic swamps. They suffer from too many guidelines and too much paperwork. Most of the grants are characterized by regimentation, nitpicking demands, and maddening delays.

The miracle of this fledgling agency in Justice, under the direction of Charles H. Rogovin, is that apparently it has avoided all these morning-glory entanglements. In barely five months, the LEAA assembled staff, conferred with law enforcement officials in the states, and disbursed $19 million for planning.

The state governments, which so often are accused of apathy and incompetence, responded to these galvanic urgings with the zeal of ballplayers just offered cold beer. By April 10 of this year, California had filed the first action plan—a 26-volume application, amounting to nearly 6,000 pages.

Other states followed in a rush. By the time the fiscal year ended on June 30, everyone but American Samoa had come under the wire. In their scope and variety, the state-local programs provide a notable example of federalism at its best.

California is pursuing a dozen projects, ranging from alcoholism to court reform. Alabama and Iowa, among others, will use their grants in the field of juvenile delinquency. Idaho came up with training seminars for judges. Maine, Ohio, Arizona and Minnesota are concentrating on police selection and training. Nebraska, Texas, Nevada, Colorado, Alaska and Rhode Island are seeking to improve communications systems. Georgia won approval for a pilot program of work release for prisoners.

Meanwhile, 14 large cities have qualified for direct federal grants. Detroit got $100,000 to work on an "electronic robbery stake-out system." Dallas got $18,000 to study a first-offender program among juveniles. Los Angeles won $50,000 for an evaluation of "closed-circuit television capabilities in tactical situations." Chicago bid for "Operation Outreach," described as a detoxification, diagnostic, and referral center. In a separate program, academic fellowships were going to some 20,000 college men studying police techniques.

Doubtless some of the money will be wasted, in the sense that some of the experiments, pilot studies, and demonstrations will prove useless. But this is a part of what federalism is all about. What is new here is a bureaucracy with sense enough to keep its cottonpickin' hands off the states, and to let them make their own successes—and their own mistakes.

U.S. Senate,
March 11, 1969.

Hon. John H. Mitchell,
Department of Justice,
Washington, D.C.

Dear Mr. Attorney General: I am informed that some uncertainty exists as to the Congressional intent of the provision for 15 per centum discretionary funds in Section 306 of the Omnibus Crime Control and Safe Streets Act of 1968. The sentence under questions reads as follows:

"Section 306. . . . Of such funds, 85 per centum shall be allocated among the States according to their respective populations and 15 per centum thereof shall be allocated as the Administration may determine, plus such additional amounts as may be made available by virtue of the application of the provisions of Section 509 to the grant to any State."

As the author of this provision of the Act, I wish to make clear that the intent of the above language is that the use of the 15 per centum and the additional amounts under Section 509 be truly discretionary. The Administration may allocate these funds to States, units of general local governments or combinations of such units, institutions of higher education, or private organizations.

Sincerely,
Everett McKinley Dirksen.

Commendation of LEAA

The National Governors' Conference commends the Administrators and staff of the Law Enforcement Assistance Administration for their extensive and helpful cooperation with the states in implementing the Omnibus Crime Control and Safe Streets Act of 1968 (Public Law 90–351). Their actions in fostering the development of qualified staff at the state level, providing wide latitude to the states in developing plans for improving the entire criminal justice system, and generally supporting the federal-state partnership required in a block grant program, sets an outstanding example that could well be emulated by other federal departments. Their efforts to insure the success of this first program embodying a true block grant approach to an intergovernmental problem are noteworthy.

ADDITIONAL COSPONSORS OF BILLS

S. 2769

Mr. HANSEN. Mr. President, on behalf of the Senator from Vermont (Mr. Prouty), I ask unanimous consent that, at the next printing, the name of the Senator from New Jersey (Mr. Case) be added as a cosponsor of S. 2769, to pro-

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vide an incentive for private employers to provide job training programs, including programs for individuals lacking skill or training necessary for steady employment, by allowing an income tax credit for the expenses of such programs.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2890

Mr. CHURCH. Mr. President, on behalf of myself and my distinguished colleague from Idaho (Mr. Jordan), I ask unanimous consent that, at the next printing, the name of the Senator from Maryland (Mr. Tydings) be added as a cosponsor of S. 2890, to amend title 38 of the United States Code to permit certain active duty for training to be counted as active duty for purposes of entitlement to educational benefits under chapter 34 of such title.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAX REFORM ACT OF 1969—AMENDMENT

AMENDMENT NO. 250

Mr. MILLER. Mr. President, I submit an amendment, intended to be proposed by me, to H.R. 13270, the so-called tax reform bill. This amendment relates to the subject of tax laws.

I ask unanimous consent that the amendment be printed in the Record, and be printed and appropriately referred.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred; and, without objection, the amendment will be printed in the Record.

The amendment (No. 250) was referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

Amendment No. 250

Strike sections 211, 212, and 213 and insert the following in lieu thereof:

"Sec. 211. Limitation on Deductions Attributable to Certain Farming Operations.

"(a) Part IX of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to items not deductible) is amended by adding at the end thereof the following new section:

"'Sec. 277. Limitations on Deductions Attributable to Certain Farming Operations.

"'(a) General Rule.—Except as provided in this section and except in the case of a taxpayer engaged in the business of farming as the principal business activity, the deductions attributable to the business of farming which, but for this section, would be allowable under this chapter for the taxable year shall not exceed an aggregate amount equal to the sum of—

"'(1) the gross income derived from the business of farming for the taxable year;

"'(2) in the case of an individual whose principal residence is on a farm, the gross income derived by such individual and his spouse for the taxable year from wages and salaries for personal services;

"'(3) the income derived from the sale of timber located on the farm;

"'(4) royalties derived from property on which the taxpayer's farming operations are conducted; and

"'(5) $15,000 ($7,500 in the case of a married individual filing a separate return), reduced by the amount by which the taxpayer's adjusted gross income (taxable income in the case of a corporation) for the taxable year attributable to all sources other than the business of farming (determined before the application of this section) exceeds $30,000 ($15,000 in the case of a married individual filing a separate return).

"'(b) Business of Farming.—For purposes of this section, the term "business of farming" includes the holding of property used in farming.

"'(c) Farming as Principal Business Activity.—

"'(1) In general.—For purposes of subsection (a), the business of farming is the principal business activity of a taxpayer for a taxable year only if the net income from the business of farming for the three preceding taxable years (or so many of such preceding years as the taxpayer has been engaged in the business of farming) equals or exceeds two-thirds of the total net income of the taxpayer for such years.

"'(2) Net income from business of farming.—For purposes of paragraph (1), the net income from the business of farming of a taxpayer for any taxable year is the sum of—

"'(A) the gross income derived from the business of farming for such year minus the deductions attributable to such business, and

"'(B) the full amount (if any) by which the gains from sales or exchanges of property used in the business of farming (within the meaning of section 1231(b)) which are treated as gains from sales or exchanges of capital assets exceed the losses from such sales or exchanges.

"'(3) Total net income.—For purposes of paragraph (1), the total net income of a taxpayer for any taxable year is the taxpayer's adjusted gross income (taxable income, in the case of a corporation) determined without regard to gains from sales or exchanges of capital assets or of property used in a trade or business, other than the business of farming. For the purposes of the preceding sentence, adjusted gross income and taxable income shall be computed by recognizing the full amount (if any) by which the gains from sales or exchanges of property used in the business of farming (within the meaning of section 1231(b)) which are treated as gains from sales or exchanges of capital assets exceed the losses from such sales or exchanges.

"'(d) Exceptions for Deductions Attributable to Drought, Flood, and Other Casualties and to Certain Farming Operations.—No deduction shall be disallowed under subsection (a) if such deduction is attributable—

"'(1) to drought, flood, hail, or other abnormal weather conditions, disease, fire, storm, or other casualty, or theft;

"'(2) to a research or experimental farming operation conducted under a program approved by the United States Department of Agriculture, a State department of agriculture, or the agricultural school of an accredited college or university; or

"'(3) to farming operations consisting of egg or broiler production.

"'(e) Other Exceptions.—

"'(1) Farm enterprise acquired from a decedent.—The limitation in subsection (a) shall not apply with respect to any farming enterprise acquired by the taxpayer by devise or inheritance, or by distribution of a testamentary trust, for the taxable year in which such enterprise is so acquired and for the two succeeding taxable years.

"'(2) Farm enterprise acquired by foreclosure, etc.—The limitation in subsection (a) shall not apply with respect to any farming enterprise acquired by the taxpayer in partial or complete satisfaction of a debt for the taxable year in which such enterprise is so acquired and for the two succeeding taxable years.

"'(3) Estates.—In the case of an estate, the limitation in subsection (a) shall not apply to any farming enterprise comprising a part of the estate for the first and second taxable years of the estate if the business of farming was the principal business activity of the decedent for the last full taxable year before his death.

"'(f) Carryback and Carryover of Disallowed Farm Operating Losses.—

"'(1) In general.—The disallowed farm operating loss for any taxable year (hereinafter referred to as the "loss year")—

"'(A) shall be a disallowed farm operating loss carryback to each of the three taxable years preceding the loss year and a disallowed farm operating loss carryover to each of the five taxable years following the loss year: *Provided*, That if there was no net income from the business of farming for one or more of said three preceding taxable years, the operating loss carryover period shall be extended by a like number of years; and

"'(B) (subject to the limitation contained in paragraph (2)) shall be allowed as a deduction for such years, under regulations prescribed by the Secretary or his delegate, in a manner consistent with the allowance of the net operating loss deduction under section 172.

"'(2) Limitation.—The deduction under paragraph (1) for any taxable year for disallowed farm operating loss carryovers to such taxable year shall not exceed the taxpayers' net income from the business of farming for such taxable year.

"'(3) Disallowed farm operating loss.—The term "disallowed farm operating loss" means, with respect to any taxable year, the amount disallowed as deductions under subsection (a) for such taxable year.

"'(g) Regulations.—The secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this section, including regulations applying the provisions of this section—

"'(1) to a taxpayer engaged in more than one business of farming,

"'(2) to a business of farming carried on by a partnership, and

"'(3) to a business of farming carried on by an electing small business corporation (as defined in section 1371(b)).

The regulations required under paragraphs (2) and (3) shall provide that the income and deductions of a partnership or an electing small business corporation which is engaged in the business of farming shall be treated as the income and deductions of the partners or of the shareholders of such corporation.'

"(b) Conforming Amendment.—The table of sections for such part IX is amended by adding at the end thereof the following new item:

"'Sec. 277. Limitation on deductions attributable to certain farming operations.'

"(c) Effective Date.—The amendments made by this Act shall apply to taxable years beginning after December 31, 1969."

ADDITIONAL COSPONSOR OF AN AMENDMENT

AMENDMENT NO. 225

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Wisconsin (Mr. Nelson), I ask unanimous consent that, at the next printing, the name of the junior Senator from Washington (Mr. Jackson) be added as a cosponsor of Amendment No. 225 to S. 2347, to promote the foreign policy, security, and general welfare of the United States by assisting peoples of the world to achieve economic, social, and political institutions, and for other purposes.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

ANNOUNCEMENT OF HEALTH SUBCOMMITTEE HEARINGS ON MIGRANT HEALTH

Mr. YARBOROUGH. Mr. President, on July 18, I was pleased to introduce legislation, S. 2660, that would extend and expand the Federal health program for migrant workers. I have scheduled hearing on this legislation for Tuesday and Wednesday, October 21 and 22 at 10 a.m. in room 4232, New Senate Office Building.

The witness for the administration will be Dr. Roger Egeberg, Assistant Secretary for Health and Scientific Affairs, of the Department of Health, Education, and Welfare, who will appear on Tuesday, October 21, to discuss this underfunded program. Dr. James Peavy, commissioner of health for the State of Texas, will also appear to discuss this important program on Tuesday.

ANNOUNCEMENT OF HEALTH SUBCOMMITTEE HEARINGS ON SCHOOLS OF PUBLIC HEALTH

Mr. YARBOROUGH. Mr. President, on August 8, I was privileged to introduce S. 2809, a bill to extend and expand the Federal program of formula grants for schools of public health. I have scheduled hearings on this legislation for Monday, October 20, at 10 a.m., in room 4232, New Senate Office Building.

There are only 16 graduate schools of public health to train the professional health personnel that are needed by Federal agencies, State health departments, county health departments, city health departments, and voluntary health agencies. I am pleased to report that the newest school of public health is located at the University of Texas in Houston. The dean is Dr. Reuel Stallones, who will be a witness on Monday.

The Federal formula grants for schools of public health were first authorized in 1958. Since then the number of graduate degrees awarded by schools of public health has doubled. At present, however, the schools of public health are faced with problems of expanding enrollments to meet pressing needs for professional public health personnel. The present level of financial support through Federal formula grants represents only 12 percent of the cost of basic operations and teaching expenses at the schools. These facts are revealed in a recently completed study entitled "A Progress Report on the Federal Program of Formula Grants to the Schools of Public Health, 1959–69." I ask unanimous consent that the report be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

A PROGRESS REPORT ON THE FEDERAL PROGRAM OF FORMULA GRANTS TO THE SCHOOLS OF PUBLIC HEALTH, 1959–69

PREFACE

This *Progress Report on the Federal Program of Formula Grants to Schools of Public Health, 1959–1969* describes how the nation's schools of public health have fulfilled their commitment to the Congress and the American people to help provide expanded and higher quality services to people by training of health personnel. The formula grants allocated to the schools under the Hill-Rhodes Act have been the key factor in training the vitally needed cadre of health specialists that are in such short supply in Federal, State, and local health agencies.

The schools of public health[1] and their Deans, faculty members, students, and graduates who are a part of this national health effort are grateful for the assistance, encouragement, and support given them by the Congress, the American taxpayers, and their colleagues in other health professions.

This *Progress Report* also outlines the historical background of the establishment of the formula grant program; the amounts and uses to which such funds have been utilized by the schools; the spectacular results that have been achieved during the past decade; the varied roles played by schools of public health; and the dimension of future needs for the Fiscal 1970–1973 period.

Finally, it shows how the schools of public health—with the assistance of the Federal formula grant program funds—have been able to fulfill their mission in serving the complex changing health needs of our modern society, in meeting new challenges to our health environment, and in seeking innovative approaches to the age-old problems of disease, chronic illnesses, and the protection and promotion of our national health and well-being.

INTRODUCTION

The purpose of this Progress Report is to render an accounting of stewardship to the Congress and the American people on what has been accomplished during the past ten years in utilizing formula grants to augment the number of trained public health professionals to provide services to the people of our country through Federal, State, and local health agencies.

A relatively small amount of Federal funds have been invested in this program. But few Federal programs have produced such a significant impact in furthering national objectives and in meeting urgent national needs. This *Progress Report* describes how such results have been achieved, the key role that graduates of schools of public health play in our country, and projects the needs for continued formula grant support over the next several years.

LEGISLATIVE HISTORY

The Hill-Rhodes Act of 1958 (P.L. 85–544) was the first formal recognition by Congress of the Federal responsibility in providing formula grant assistance to institutions of higher education to assist in comprehensive graduate training in the public health professions.

The bi-partisan bill was sponsored in the House of Representatives by Rep. George M. Rhodes (D., Pa.) and was co-sponsored in the Senate by Senators Lister Hill (D., Ala.), John F. Kennedy (D., Mass.), Pat McNamara (D., Mich.), Irving Ives (R., N.Y.), and John Sherman Cooper (R., Ky.). It was passed by a unanimous vote in both the House and Senate after extensive hearings and was signed into law by President Eisenhower.

The Act amended Section 314(c) of the Public Health Service Act by earmarking $1 million a year for a two year period in grants to accredited schools of public health to provide comprehensive professional public health training. It specified that primary consideration be given in the allocation of funds to the number of Federally-sponsored students attending each school.

During the debate on the measure, it was pointed out that the eleven schools of public health were—in effect—the public health equivalent of West Point, Annapolis, and the Air Force Academy in providing professional health training and leadership for the Nation. Most graduates of the schools go into the public service in staffing essential public health positions in municipal, county, State, and Federal governmental levels.

When the original formula grant legislation was enacted, there were eleven accredited schools of public health eligible for grants—five State universities (California at Berkeley, Michigan, Minnesota, North Carolina, and Puerto Rico) and six privately-endowed institutions (Columbia, Yale, Harvard, Johns Hopkins, Pittsburgh, and Tulane).

Since then, four new schools have been accredited and have shared in the formula grant program. Three are State universities (Hawaii, California at Los Angeles, and Oklahoma) while one is privately-endowed (Loma Linda University in California). Another State university—the University of Texas at Houston—was accredited in June 1969 and is eligible for formula grant funds for the 1969–70 school year. Several other schools are expected to apply for accreditation during the next several years to help meet the growing need for professional public health personnel.

In 1960, Congress enacted P.L. 86–720, which extended the formula grant program with a $1 million annual authorization and removed the time limitation on the program. It also authorized $2 million annually for project grants to schools of public health, nursing, and engineering to strengthen and expand graduate public health training.

A provision of the Community Health Facilities and Services Act of 1961 (P.L. 87–395) amended the original formula grant program by increasing the annual authorization from $1 million to $2.5 million to meet rising teaching needs and student enrollment at the schools. The program was also extended until June 30, 1966.

A section of the Community Health Amendments of 1965 (P.L. 89–109) increased the formula grant authorization from $2.5 million to $5 million for one year.

The Comprehensive Health Planning and Public Health Service Act of 1966 (P.L. 89–749) again extended the formula grant program to schools of public health for two years and authorized $5 million for each of the two succeeding fiscal years. This measure also transferred the program from Section 314 to Section 309(c) of the Public Health Service Act.

The Partnership for Health Amendments of 1967 (P.L. 90–174) further extended the formula grant program, authorizing $5 million for the fiscal year ending June 30, 1968, $6 million for the year ending June 30, 1969, and $7 million for the year ending June 30, 1970. These step increases were further recognition by Congress of the growing magnitude of the public health training needs of the country. Authorization for the formula grant program will expire unless extended during the present Congress.

ALLOCATION FORMULA

Regulations promulgated by the Public Health Service pursuant to the legislative intent of the original Act have resulted in the following formula in the allocation of formula grant funds:

One-third of each annual appropriation is allocated equally among the schools of public health in recognition of basic teaching costs that do not vary in direct proportion to the number of Federally-sponsored students.

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[1] Schools of public health are located at the following institutions—University of California (Berkeley), University of California (Los Angeles), Columbia, Harvard, Yale, Johns Hopkins, North Carolina, Michigan, Minnesota, Tulane, Pittsburgh, Puerto Rico, Oklahoma, Hawaii, Loma Linda, and Texas (Houston), accredited in June 1969.

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Two-thirds of each annual appropriation is allocated to the various schools in proportion to the number of Federally-sponsored students in each school, using the average of the past three fiscal years to avoid wide fluctuations from year to year.

Thus, the accreditation of new schools of public health (without a corresponding increase in appropriations) actually *reduces* the proportionate share of total funds allocated to each school.

CRITICAL NEEDS—FISCAL 1970 APPROPRIATIONS

This unfortunate situation presently faces all schools of public health in the 1969–70 school year. The University of Texas at Houston school of public health was accredited in June 1969 and is eligible for formula grant funds. Under the present law, $7 million is authorized for the Fiscal 1970 year; but only $4,554,000 of this amount has been requested in the new budget—the same amount as appropriated by Congress last year. Thus, unless additional funds are appropriated this year, each school of public health will *lose* part of its allocation to help provide funds for the new school in Texas.

Actually, even the full appropriation of the $7 million in formula grant funds authorized for this year would still fall short of meeting actual needs of the schools. In a survey conducted by the Association of Schools of Public Health in April, 1969 the fifteen presently accredited schools of public health have estimated their formula grant needs at $8.8 million for the 1969–70 school year. This amount would be required just to keep pace with increased student enrollment, higher costs, and to correct existing shortcomings in instruction. This is $1.8 million *more* than authorized by Congress for Fiscal 1970 and almost *double* the amount of formula grant funds requested in the Fiscal 1970 budget.

In the recent survey conducted by the Association of Schools of Public Health, schools have indicated that additional funds that are needed would be used to correct what they consider to be major existing shortcomings in instruction in such vital areas as:

Environmental Health, including Radiation Health and Occupational Health.

Comprehensive Health Planning and Health Administration.

Epidemiology and Related Fields.

Population and Family Planning, including Maternal and Child Health.

Mental Health.

Nutrition.

Medical Care and Hospital Administration.

FORMULA FUNDS VS. TOTAL COSTS OF SCHOOLS

Formula funds provided under the Federal program have *not* kept pace with rising costs of basic operations and teaching at the schools of public health. Table 1 shows that while total student enrollment has almost *doubled* since 1963, total costs have increased by almost *three times*. The proportion of costs met by formula grant funds in 1968 was actually less than it was in 1963. Meanwhile, the number of Federally-sponsored students at the schools have steadily increased and now amounts to *two-thirds* of the total enrollment.

While the 1,961 Federally-sponsored students attending the fifteen schools of public health represented 67 percent of the total student enrollment, tuition received by the schools for these students was only $2.1 million, or about 6.5 percent of the total costs for basic operations and teaching for the year. Even with the formula grants and various other restricted types of grants received by the schools under other Federal programs, it is clear that the schools are—in effect—heavily *subsidizing* the training of the essential cadre of public health professionals for all levels of government service. Limited State funds or private endowments *cannot* meet the rapidly growing needs of the schools of public health in fulfilling these vital national health responsibilities.

TABLE 1

Year	Total enrollment	Total cost basic operations and teaching	Formula funds allocated	Proportion of costs met by formula funds (percent)	Proportion of Federal-sponsored students in total enrollment (percent)
1963	1,618	$11,600,000	$1,900,000	16	56.4
1968	2,908	[1]32,500,000	4,000,000	12	67.0

[1] When one adds research and service activities, the total becomes $64,099,000.

ROLES OF SCHOOLS OF PUBLIC HEALTH

Schools of public health have a vital national and an international role. The Federal government and the 50 States are dependent on the fifteen schools in twelve States and Puerto Rico for the supply of graduate trained public health professionals. A survey shows that *only 25 percent* of the graduates actually work in the States where they attend public health school—a clear indication of the national characteristic of the schools. States that do *not* have schools rely on the continuing efforts of institutions in other States for trained public health manpower. The schools have also been heavily involved in the international health field for many years. Many graduates are foreign nationals, often sponsored by our government as part of the AID program. Most return to careers of public health leadership in their own countries.

The schools play essential roles in many diverse fields that are important to the national welfare:

Teaching: The teaching role of the schools prepares physicians, dentists, engineers, nurses, and other professional public health personnel to organize and administer programs and to perform research and teaching functions aimed at controlling and preventing disease and other health hazards. It is also directed toward the promotion of sound health practices among population groups at the local, State, and Federal levels.

Public service.—A survey of graduates of public health schools shows that *more than 90 percent* enter professional employment in public agencies at the local, State, or Federal health levels. Many faculty members of the schools also serve as expert consultants to public and private health agencies concerned with public health matters. The increasing concern with such health problems as air and water pollution, aging, chronic diseases, radiation, accident prevention, mental health, and nutrition has caused a corresponding increase in demands for new curricula and training of professional public health personnel in these and other fields to full existing vacancies in public agencies.

Research.—The schools' research role is oriented primarily to the search for the causes and for the means of controlling and preventing disease, accidents, and other health hazards on a mass basis, rather than to the clinical aspects of healing sick persons—the primary concern of research in medical schools and hospitals. Other public health research develops basic knowledge of the social, cultural, and economic factors involved in effective application of proven health measures among various population groups.

INVESTMENT AND RESULTS

Since the enactment of the Federal formula grant program in 1958, Congress has authorized $41 million in assistance to the schools of public health. Of this amount, $26,454,000 has been subsequently appropriated by the Congress, allocated by the Public Health Service, and expended by the schools to carry out the purposes of the program. Table 2 shows the figures for each fiscal year in which the program has functioned. During this period, the number of schools of public health has increased from eleven to the current level of sixteen, reached by the accreditation of the University of Texas (Houston) in June of 1969.

TABLE 2.—FORMULA GRANT ASSISTANCE TO SCHOOLS OF PUBLIC HEALTH—AMOUNTS AUTHORIZED AND APPROPRIATED BY CONGRESS—FISCAL YEARS 1959–70

Fiscal year ending June 30—	Number of schools	Amounts authorized	Amounts appropriated
1959	11	$1,000,000	$450,000
1960	12	1,000,000	1,000,000
1961	12	1,000,000	1,000,000
1962	12	2,500,000	1,900,000
1963	13	2,500,000	1,900,000
1964	13	2,500,000	1,900,000
1965	13	2,500,000	2,500,000
1966	14	5,000,000	3,500,000
1967	14	5,000,000	3,750,000
1968	15	5,000,000	4,000,000
1969	15	6,000,000	4,554,000
1970	16	7,000,000	(1)

[1] Appropriation pending.

In the fiscal year ending June 30, 1969, $6 milllion in formula grants were authorized and $4,554,000 appropriated by Congress and allocated to the schools of public health. Grants ranged from a high of $639,000 for one school down to a low of $119,500. The average size grant for the fifteen schools sharing in the formula program was $303,000 for the 1968–69 school year.

The success of any program in which the public interest is involved must be measured by the amount of Federal funds expended and the significance of the results achieved. What has been the result of this investment of taxpayers' dollars in the type of programs carried on by the nation's schools of public health? To what extent have these expenditures helped to meet our health needs? Federal formula grant funds—plus those they helped to generate—have produced these dramatic results in the 1959–69 years since enactment of the program as compared with the comparable time period immediately preceding its enactment:

A 124 percent *increase* in the number of students enrolled at schools of public health (24,361 as compared with 10,872)

A 74 percent *increase* in the number of graduate degrees awarded by schools of public health (11,240 as compared with 6,451)

(See Table 3 for data listed by years for this period)

A 195 percent *increase* in the number of Federally-sponsored students at schools of public health (from 717 in 1959 during first year of program to 2,115 in the current school year)

A 187 percent *increase* in the total number of students currently enrolled at schools of public health in the 1969–70 year as compared with the 1957–58 year (3,525 as compared with 1,230)

An *increase* from 11 to 16 in the number of accredited schools of public health providing comprehensive graduate training and degrees in the health professions

The *addition* of hundreds of new courses in the schools to meet the health needs of our changing society, such as Environmental Health, Mental Health, Maternal and Child Health, Radiological Health, Medical Care for the Aged, Comprehensive Health Planning, Epidemiology, Nutrition, Hospital Administration, Industrial Health, and many others.

USES OF FORMULA GRANT FUNDS

Schools of public health, unlike other institutions, cannot rely on alumni contributions for financial support since virtually all graduates are engaged in public service activities. Thus, they must depend more heavily on grant programs than many of the other professional schools. Of the total expenditures of $64 million by the fifteen schools during the 1967–68 school year, the level of support they received from their parent institutions ranged from 6 percent to 33 percent of their operating expenses, with an overall average of only 23 percent.

In this situation the importance of formula grant funds is characterized not only by the amount but by the flexibility of this type of financial support, which enables the schools to stretch the funds for more effective use.

TABLE 3—U.S. SCHOOLS OF PUBLIC HEALTH—TOTAL NUMBER OF GRADUATE DEGREES—STUDENT ENROLLMENT—1948-69

Year	Number of graduate degrees awarded	Number of students enrolled in credit courses
Before enactment of formula grant program:		
1948	460	638
1949	471	865
1950	524	969
1951	620	1,025
1952	604	1,039
1953	608	998
1954	584	915
1955	567	971
1956	582	1,045
1957	659	1,177
1958	772	1,230
Total (1948–58)	6,451	10,872
After enactment of formula grant program:		
1959	785	1,304
1960	744	1,266
1961	766	1,399
1962	747	1,619
1963	798	1,848
1964	1,032	2,047
1965	1,092	2,267
1966	1,195	2,608
1967	1,196	3,115
1968	1,337	3,363
1969	1,548	3,525
Total (1959–69)	11,240	24,361

Analysis of Table 3 shows, as is generally true in higher education, that there is a delayed and cumulative effect from the increase in formula grant funds. Thus, from 1959 to 1963 there was little difference in the number of graduates, which from 1963 to 1969, the last six years, the number of graduates practically doubled. A similar effect, with a shorter lag period and a greater proportional growth, is obvious for student enrollment.

Over the years, each school has devised methods to maximize the effective use of formula grant funds. In its questionnaire to Deans of the schools in April, 1969, the Association of Schools of Public Health asked for statements on how the formula grants have been used. Here is a representative sample of comments received:

"The major programs for which formula grant funds are currently being used . . . are public health nursing, maternal and child health, biostatistics, support staff for core curriculum, and strengthening field training needs in health education. Existing teaching programs have been expanded and improved by the purchase of audio-visual equipment, instructional and library materials, and laboratory equipment . . . In community service, continuing education has been a major support item of this School's activities for health workers in the State."

* * * * *

"Formula grant funds constitute an indispensable component of our budget for instructional purposes. Literally speaking, these funds undergird, in varying degrees, all of the ten academic departments . . . Between 1958 and 1968, student enrollment increased by more than 100%. This rapid expansion could not have taken place without the financial support of formula grant funds."

* * * * *

"Formula grant funds made possible a fulltime obstetrician with training and experience in Maternal and Child Health and Population Problems, enabling us to offer courses in this area such as Family Planning, Maternal Health Guidance Programs, etc. Extension programs for outlying health departments were conducted as well as the organization and presentation of a program on Drug Abuse. Currently, a program is being initiated to develop community betterment programs in a Mexican-American community and another among a Negro and Mexican-American community."

* * * * *

Departments chiefly aided by formula grant funds are Microbiology, Behavioral Sciences, Environmental Sciences, Health Services Administration, Biostatistics and Demography, and Human Ecology. Since the formula funds have not significantly increased, they can provide little base for further expansion until appropriations are increased."

"The formula grant funds are interwoven into the fabric of this School's staff budgets to such an extent that, if they were no longer available, the entire program would be in jeopardy. They are used in practically every programmatic area in the School's teaching and training activities. Further, an increase in grant funds is needed urgently if existing programs are to keep pace with rapidly changing events and if programs needing basic development are to be instituted. Areas which need updating and improvement are environmental health, epidemiology, and public health administration. Newer areas which need development are within the scope of behavioral sciences as they affect the public's health, population control, and area-wide comprehensive planning."

* * * * *

"Formula grant funds play an extremely important role in the teaching program of the School . . . Changing social needs require flexibility in planning of teaching. Formula grants permit the development of specific training programs which will meet immediate needs, such as family planning, programs meeting health needs of ghetto areas . . . and problems of urban populations."

* * * * *

"Formula grant funds have been used to meet a variety of needs in the School. They have provided for the employment of faculty in the areas of public health nursing and mental retardation . . . Formula grant funds also enabled the School to purchase some of the more expensive and urgently needed teaching equipment for which other funds were not available. Equipment such as calculators, microscopes, and projectors were purchased."

* * * * *

"Formula grant funds have enabled us to continue to meet the varied teaching responsibilities imposed by new and changing public health needs. Faculty have broadened and strengthened programs in Air Pollution, Biochemistry, Health Administration and Planning, Health Education, Occupational Health, Public Health Nursing, and Sanitary Engineering . . . The availability of these funds has been a significant factor in making it possible for us to more than double student enrollment during the past decade. Without these funds, it would have been practically impossible to expand our faculty to provide high quality training for the rapidly expanding student body . . ."

"Formula grant funds have been important in the instrumentation of various activities in our School which have had considerable impact on community affairs. Our School has functioned actively as consultant to various legislative bodies in health matters. Through an evaluation study we were instrumental in the reorganization of health services provided to workers through the State Insurance Fund. Our cooperation was also requested by the committee planning a project for a Model City . . ."

* * * * *

"If formula grant funds ceased during one month, the School would have to close down the following month. Thirty-five fulltime faculty members receive part of their salary from such funds and the entire salary of nine lecturers is dependent on these sources . . . This money has enabled us to approximately double our class size in three years, has equipped a good library for us, paid for a librarian, enabled us to obtain up-to-date teaching supplies, enabled our biometry section to begin converting its teaching from calculators to computer terminals, and brought many distinguished scientists to address our students and faculty . . . Formula grant funds are the oxygen supply of our scholastic body and we shall surely asphyxiate without them . . ."

NATIONAL HEALTH LEADERS

Graduates of schools of public health play vital roles in our national health effort. The list that follows represents the wide range of activities and agencies—Federal, State, and local—in which key positions are currently held by public health school graduates. This listing is drawn from a sample of graduates of the various schools.

Federal level

Public Health Service.
Food & Drug Administration.
Indian Health Service.
Air Pollution Control.
Migratory Workers Program.
Environmental Health Sciences.
Tuberculosis Control Bureau.
Accident Control Bureau.
Center for Health Services and Development.
Center for Radiological Health.
Chronic Disease Control Bureau.
National Institutes of Health.
Atomic Energy Commission.
Social Security Administration.
Regional Medical Programs.
Comprehensive Health Planning.
International Health Programs.
Population Control Programs.
Cancer Control Bureau.
Communicable Disease Center.
Center for Vital Statistics.
Heart & Stroke Control Bureau.
Office of Economic Opportunity.
Aedes Aegypti Eradication Program.

State and municipal levels

State Health Commissioners.
County Health Officers.
City Health Officers.
Public Health Nurses.
Nutrition Programs.
Mental Retardation Programs.
Dental Health Programs.
Health Education Programs.
Comprehensive Health Planning Agencies.
Rehabilitation Programs.
Rat Control Programs.
Maternal & Child Health Programs.
Tuberculosis Control Programs.
Veterinarian Service Programs.
Secretaries of Health & Welfare.

Vital Statistics Offices.
Sanitary Engineering Offices.
Mental Health Centers.
Comprehensive Health Service Programs.
Hospital Planning Councils.
Computer Units.
Regional Medical Programs.
Drug Control Programs.
Social Service Departments.
Alcohol Control Programs.
Air & Water Pollution Control Programs.
Venereal Disease Control Programs.
Laboratory Health Services.

Miscellaneous

Voluntary Health Agencies.
Health Insurance Programs.
Mental Health Agencies.
Cancer Societies.
Research & Teaching in Schools of Medicine, Nursing, Dentistry, Veterinary Medicine, Public Health, and Allied Health Professions.
Departments of Preventive Medicine in Medical Schools.
Health Foundations.
Heart Associations.
International Health Organizations.
Tuberculosis Associations.
Mental Retardation Agencies.
Population Control Organizations.

DIMENSIONS OF NEED—1971–1973

As has been already noted, the schools of public health have estimated their financial needs for the 1969–70 school year (FY 1970) at $8.8 million in formula grant funds. This amount is required just to keep pace with increased student enrollment, the need for new courses, and rising operating costs. This compares with a current authorization ceiling of $7 million for Fiscal 1970 and the President's budget request of only $4,554,000—the same amount as appropriated by Congress last year.

The serious financial crisis facing schools of public health during the next several years poses a growing threat for the 1970's in their ability to supply the increasing demands by health agencies for trained professional health manpower. Vacancies already exist in key health positions at all levels of government despite the tremendous increase in the numbers of skilled health personnel being trained each year by the schools of public health.

At their annual meeting in Minneapolis last April, the Deans of all the schools of public health in the United States expressed their concern in a communication sent to President Nixon, HEW Secretary Finch, and Budget Director Mayo. It said:

"Deans and Directors of the sixteen university schools of public health, meeting to review current educational situation, respectfully but urgently call attention to critical need to provide increased financial support for comprehensive preparation of graduate physicians and other health leaders needed for public service in Federal, State, and local governments, who are now vitally important to present and future health of our people, particularly those now deprived of health services in inner cities and poverty areas.

"Although $7 million authorized in fiscal 1970 for formula grants so essential to operation of schools of public health, only $4,554,000 requested by past administration. Unless Congress appropriates full amount authorized we must report that increased manpower shortage will seriously impair possibility of meeting nation's health needs."

It is clear that since the schools of public health are the *only* source to train these vitally needed health professionals, our national needs can only be met by increasing the appropriations level in the Fiscal 1970 budget and by raising the authorization ceilings by legislative action in the 91st Congress to more realistic levels. Only then and by the subsequent appropriation of adequate funds during the Fiscal 1971–73 years can our Nation be assured of meeting our national, State, and local health manpower requirements.

How can these needs be determined? The Association of Schools of Public Health in April 1969 solicited data to pinpoint specific quantitative and qualitative needs in a questionnaire to the Dean of each school of public health. Detailed data for each of the three years—1970–71, 1971–72, and 1972–73—were furnished by the schools and carefully analyzed. The results are shown below.

An estimated $51 million in Federal formula grant funds will be required by the nation's schools of public health during the Fiscal 1971–1973 period to meet the expanding student enrollment, teaching programs, and increases in basic operating costs:

	Million
Fiscal year 1971	**$12.5**
Fiscal year 1972	**16.8**
Fiscal year 1973	**21.6**

The schools have estimated that these funds, if authorized and appropriated by Congress, would be distributed approximately as follows in the various areas of instruction:

	Percent
Epidemiology	**14**
Environmental health, including radiation and occupational health	**13**
Health administration, including comprehensive health planning	**13**
Continuing education	**10**
Population and family planning, including maternal and child health	**8**
Health education	**7**
Biometry	**7**
Medical care and hospital administration	**6**
Mental health	**5**
Nutrition	**5**
Behavioral sciences	**4**
Public health nursing	**2**
Aging and chronic diseases	**2**
International health	**2**

The remaining two percent of the funds would be used to improve supportive services for the teaching programs of the schools of public health.

SUMMARY

This *Progress Report* has described how Federal formula grant funds have been utilized by the nation's schools of public health and presented the remarkable record of accomplishment made as a direct result of the financial assistance provided during the Administration of four Presidents by the 85th through the 90th Congresses under bi-partisan support.

It is clear that such progress in public health training and practice could *not* have been made without formula grant funds, which provide the flexibility required in the schools' teaching and administrative structure.

It is also clear that future progress in the public health field in America depends, in large part, on the continuing and expanding support of the schools of public health through formula grant funds. Estimates of the dimension of these needs during the next several years have been provided.

To the achievement of this growing dimension of needs for the decade of the 1970's, the Nation's schools of public health rededicate themselves.

VIETNAM MORATORIUM ADDRESS BY SENATOR MUSKIE

Mr. HART. Mr. President, the distinguished Senator from Maine (Mr. MUSKIE) participated in yesterday's Vietnam moratorium—as did a number of us in this body—by going home and talking with and listening to his own constituents.

Because the remarks of the Senator from Maine at Bates College are exceptionally to the point, and instructive for all who will heed them, I ask unanimous consent that his address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR EDMUND S. MUSKIE

I have been asked why I chose to speak at Bates College tonight.

I came to Bates because I believe today's moratorium can be a time for learning. For me it is a chance to continue an education started on this campus many years ago.

Today's protest is a sign of concern and frustration. It is a sign of broken communications.

There are those who say there is nothing to learn from the moratorium. There are those who downgrade the right to petition.

I say that on the issues of Vietnam we have much to learn from each other, and we can only learn if we are willing to listen to each other and to reason with each other.

This applies to the President and to those who protest. Only in this way can we develop policies on Vietnam which can meet our national interests and end the ugly divisions caused by our involvement there. I regret that the President has not seen this day as an opportunity to unite rather than divide the country. His participation, in a forum of his choosing, could have added a constructive dimension to this national dialogue.

We are engaged in a unique and somewhat awkward experiment. We are engaged in an effort to change a major aspect of our foreign policy in public view, while our country is involved in a war and in diplomatic negotiations to end that war.

Our national debate over the wisdom of past policies, the validity of present policies and our alternatives for future policies is open for world-wide inspection. The magnitude of today's moratorium, for example, transmitted almost instantaneously by radio and television, will have a significant impact in Washington, in Paris, in Moscow, in Hanoi, and in Saigon.

We cannot predict either the nature or the precise direction of the changes we shall cause. We may never be able to measure our impact, but we can be sure our voices will be heard.

That fact is one which should not be ignored. If we mean to be heard—if we mean to change the course of events—then we must be conscious of the responsibility we have assumed.

The right to have a voice in the development of public policy carries with it a responsibility for the results of that policy. Our proposals may not be adopted, but what we say and how we say it will help shape what happens at the negotiating table and on the battlefield.

A sense of responsibility for what we say and do should induce some caution, but it should not impose silence. One of the most dangerous assumptions in a democratic society is to conclude that only the President, the Cabinet and his generals are competent to make judgments on the national interest. Their judgment and their actions, which are fallible, must be subjected to constant scrutiny, tempered by the knowledge of our own, individual fallibility. As the President may be wrong, so may we be wrong.

If we want to make constructive proposals about our policies in Vietnam and Southeast Asia, we must understand how we got where we are, what our objectives now are or should be, and what alternatives are available to us.

Our involvement in Vietnam did not happen overnight or through the decision of one man. It was the product of post World War II policies directed against Communist expansionism and threats of expansion in

Europe, Asia and elsewhere. It was stimulated by our fear that Communist support for "wars of liberation" would topple the struggling countries of Southeast Asia and disrupt the balance of power in that part of the world. It was encouraged by the concern expressed by governments in that area which felt threatened by Communist China and North Vietnam.

We were persuaded that an aggressive communism threatened to exploit the emerging drive toward nationalism and self-determination which characterized that area. In the uncertain conditions following the withdrawal of Great Britain and France from Southeast Asia, American power seemed to hold a promise of security and support for those who lived in that area.

Although we followed a policy of "limited" involvement in Vietnam, we found our participation growing from technical assistance, money and weapons to massive armed intervention. We sought to buy time for the South Vietnamese against the combined onslaught of the Vietcong and the North Vietnamese, but in the process we made the struggle an American war and imposed terrible burdens on ourselves at home and abroad.

Time has changed our perspective on conditions in Vietnam. What once seemed clear is now uncertain. What once could be described in terms of black and white is now gray. We ask ourselves hard questions:

Should Vietnam have been divided by the Geneva Accords?

Should we have supported the political arrangements forecast by those Accords?

To what extent was the Vietnamese conflict a case of external aggression and to what extent was it a civil war?

History will render the final verdict on the wisdom of our decision to enter the Vietnam conflict. Our task is more immediate—to set new policies where old plans no longer apply, and to bring peace where there is none today.

We are engaged in the search for a way to end the fighting and the killing, to give the Vietnamese people the opportunity to work out their own political destiny, and to lay the groundwork for a more appropriate United States policy in Southeast Asia. Each of us has engaged in that search in his or her own way.

In the process I have made two trips to that part of the world—one as a member of the Mansfield Mission in 1965 and one as a member of the 1967 election observers group. I have read extensively and consulted with men who know the problems of Vietnam intimately.

I have reached some conclusions on what may be the best alternative strategies and policies, conscious of Clark Clifford's observation that "to reach a conclusion and to implement it are not the same, especially when one does not have the ultimate power of decision."

I offer my conclusions, not as one who has an absolute conviction of his own infallibility, but as one who seeks to contribute to a constructive policy for ourselves and for the people of Southeast Asia.

First, I believe our primary objective—for the Vietnamese as well as for American soldiers—should be to end the fighting and killing in Vietnam.

Second, I believe we should do what we can to advance the prospects for a political settlement in Vietnam. We should not design or impose that settlement, but we should do what we can to make it possible.

Third, I believe we should reexamine the nature of our interests in Southeast Asia and the kinds of efforts we can prudently make to help Asian nations achieve the economic, social and political stability they want and need.

It is clearly the deepening conviction of the American people that we must end our present involvement in Vietnam. That conviction must control our policy.

That fact is reflected in a number of proposals and policies for:

Disengagement;

De-Americanization of the war;

Withdrawal of American forces in accordance with a variety of formulas and timetables;

De-escalation of combat activities;

Ceasefires.

Implicit in most of these proposals are the twin objectives:

An end to American involvement—accomplished in a way which will enable the South Vietnamese to carry on without us—as soon as possible—in the event a negotiated settlement has not been achieved in the meantime.

The various formulas for withdrawals raise a number of questions:

1. Should we commit ourselves to a total withdrawal by a specified date?

2. If so, should our timetable be publicly announced?

3. Should be commit ourselves, publicly at least, only as to withdrawal of ground combat forces—leaving in doubt the date and conditions for withdrawing air aid logistical support?

Involved in the answers to such questions are:

The viability of a continued South Vietnamese effort upon our departure;

Maintenance of pressure upon Hanoi and the National Liberation Front to negotiate.

In the light of our involvement and its impact upon the Vietnamese people—whether or not history judges it to have been wise—do we have a responsibility to be concerned about such questions and the impact that the manner of our departure will have upon the situation we leave behind?

It is difficult to conceive of basically new proposals to add to those already advanced in a variety of forms.

As I have considered all of these, and the questions they raise, I have reached certain conclusions.

1. I believe we must disengage our forces—in an orderly way—as soon as possible.

I believe such a policy is dictated by several considerations:

Our efforts have bought the South Vietnamese people valuable time to develop political and military viability;

Whether or not they have developed the will and the capacity to shape their own future must be tested at some point;

There is no way for us to guarantee the existence of that viability;

In the last analysis, the Vietnamese people must create their own political institutions and select their own political leadership;

The imperatives of our problems here at home dictate that we now leave their future in their hands and turn our attention to our own.

2. I believe that withdrawal of our military forces should be orderly and phased in such a way as to give the South Vietnamese people an opportunity to adjust to it.

We should make it clear to the Government in Saigon that our withdrawal is geared to a specific time frame to which they must adjust.

The other side should be left in doubt—and we should reserve flexibility—as to the phasing out of logistical and air support. This point, it seems to me, could be relevant to their motivation to negotiate.

Even as we plan our withdrawal, it should be our objective to pave the way for a political settlement between the South Vietnam Government, the National Liberation Front, and other groups representing the several social and political tendencies in Vietnam.

The kind of withdrawal proposal advanced by former Secretary of Defense Clark Clifford—of those which have been proposed—illustrates one way to serve this objective. It's based on the assumption that we should continue to seek a negotiated settlement in Paris as we plan for disengagement.

Accordingly, Secretary Clifford has proposed a two-stage plan which would move our ground combat troops out by the end of 1970 and which would provide air and logistical support for somewhat longer. Such a plan, while cutting American casualties, could provide an incentive for the South Vietnamese Government, the North Vietnamese, and the National Liberation Front to reach a negotiated settlement, hopefully even before our withdrawal is complete.

(3) I believe that a standstill cease-fire might open the way for a negotiated settlement and a quick end to the fighting and killing. This suggestion has been resisted by both sides which suggests to me its viability. Such an offer could be accompanied by a reduction in our offensive operations.

If the standstill cease-fire plan succeeded, the withdrawal of United States forces could be accelerated as international peace-keeping forces stepped in to insure observance of the cease-fire. If the standstill cease-fire offer did not lead to an early end to the fighting, a steady and methodical withdrawal plan would offer an effective way of reducing United States involvement and combat losses, while creating the conditions which favor a political settlement.

A standstill cease-fire and a staged withdrawal plan do not rise or fall on the success of the other, but they could reinforce each other. Each recognizes that our commitment and our obligations in Vietnam are to the Vietnamese people, not to a particular regime. Each provides an opportunity for a reasonable political solution. Each reduces the risk of political reprisals at the end of the war.

What I have said, up to this point, is the following:

1. That we commit ourselves to disengagement.

2. That we implement that commitment by means of a phased plan of withdrawal, geared to a timetable.

3. That, in planning our withdrawal, we seek to promote the prospects for a negotiated settlement.

There are those who, in their frustration, are pressing for immediate, unilateral withdrawal. There are others, equally frustrated, who suggest escalating the war again. As to both these suggestions, I raise the following questions:

Is it not possible—

That either course could make less likely a negotiated settlement between the parties?

That either course could mean an inevitable continuation of the war?

That either might open the way for a blood bath in South Vietnam?

That either could dim the prospects for a free choice by the South Vietnamese people?

Our power to influence the shape of postwar Vietnam seems limited to the way in which we decide to disengage. An abrupt and precipitate disengagement could leave chaos behind us.

To the extent that we can avoid that result, we should try.

A scheduled plan for withdrawal of American forces means that the United States will make its own decisions as a great country should—with an appreciation of its own interests, with understanding of its enemies and concern for its allies, and with the wisdom to learn from its past mistakes. In too many cases in Vietnam we have allowed ourselves to be diverted by narrow demands of the Saigon Government and deflected by the uncertain responses of Hanoi. We drifted with events and reacted to pressures. Now is the time for us to assert control over our own policies in pursuit of reasonable and just objectives.

Now is the time also to make clear to the Saigon government that we will not permit it to veto our efforts to explore new ways to end the war. Saigon blocked the proposed three-day cease fire at the time of Ho Chi Minh's death. We urged them to broaden their po-

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litical base; they responded by enlarging the cabinet, but narrowing its political base.

It is not our prerogative to determine the future political complexion of the Saigon government, and we should not let it be assumed that we have any fixed or irrevocable views on that score.

There are additional steps which might enhance the prospects for a political settlement:

Agreement on a joint commission on elections, to avoid a "winner take all" election, feared by both sides.

Large-scale land reform.

A United States offer of medical aid, relief, and long-term economic and technical assistance to both Vietnams at the conclusion of a settlement.

These are steps for the Vietnamese to initiate, not for us to impose.

I do not assume that the suggestions I have made would guarantee immediate acceptance by the North Vietnamese and the National Liberation Front or by the Saigon government. But I believe that, taken together, they could provide incentives for both sides in Vietnam to begin planning for an end to the military contest.

Any of the proposals advanced for United States initiatives to disengage from Vietnam cannot be implemented by congressional resolution or by public demand. They can only be implemented by the President and his administration.

I believe President Nixon wants peace in Vietnam. I believe the Nation is ready to support him in meaningful moves toward peace. Such meaningful moves require new initiatives.

There have been, and will be, many different explanations of what this moratorium "means". Some will say it means that the American people want all our troops embarked this week for home, whatever the consequences. Some will say it means a complete repudiation of the administration's policies. The President's initial response to it seemed to support that second view—unwisely, in my opinion.

Let me tell you what I think this moratorium means.

I think it means that a very great number of Americans have decided that we should move much more vigorously than we have toward reducing our casualties, and toward ending the fighting and withdrawing from Vietnam.

The American people are in a position to encourage additional steps toward peace, by making known their commitment to a change in our strategies and a re-examination of our underlying international policies. That commitment will require an appreciation of the complexity of the forces with which we must deal, and a willingness to invest time and energy in the search for a better way to help the peoples of Asia, Africa and South America to achieve their own potential.

Our experience in Vietnam has taught us some painful lessons—lessons we wish we might have avoided or might have learned in a less painful way.

We are arrogant and mistaken if we believe that we of the western world are the sole possessors of the yearnings which motivated our own revolution. It is not our national responsibility or duty to stifle or pervert these yearnings when they appear elsewhere.

John Adams told us that, "power always thinks it has a great soul and vast views beyond the comprehension of the weak." Eric Sevareid reminds us that, "in that illusion lies the key to the ultimate crumbling of those sovereign states of the past that rolled not to, or toward, world supremacy. Power is not only not wisdom but often wisdom's enemy.".

When we have truly learned that lesson and when it is reflected in our policies at home, this Nation will truly be on the road to the only kind of freedom that matters.

ANNIVERSARY OF BIRTH OF DWIGHT DAVID EISENHOWER

Mr. SCOTT. Mr. President, October 14 was the anniversary of the birthday of our beloved former President and general, Dwight David Eisenhower. It is fitting that yesterday the Senate provided for the issuance of an Eisenhower $1 coin to commemorate this great leader. It was a fitting action which greatly honors a great man.

General Eisenhower will be remembered by all of us for his long term of service to the Nation as supreme commander of our Armed Forces, as a great President, and as a lasting figure in American life.

On November 23, 1953, President Eisenhower expressed his passionate feeling for things of the spirit and soul, and his abiding faith in the American people. He said:

> The things that make us proud to be Americans are of the soul and spirit. They are not the jewels we wear, or the furs we buy, the house we live in, the standard of living, even, that we have. All these things are wonderful to the esthetic and to the physical senses. But never let us forget that the deep things that are America are the soul and the spirit. The Statue of Liberty is not tired, and not because it is made of bronze. It is because no matter what happens, here the individual is dignified because he is created in the image of his God. Let us not forget it.

FUNDS APPROVED FOR THREE WEST VIRGINIA PROJECTS

Mr. BYRD of West Virginia. Mr. President, as one of the Senate conferees on the appropriation bill for the Department of the Interior and related agencies, I am proud that on October 14 we were able to secure the approval of House conferees with regard to funds for two highly important coal research projects in West Virginia, as well as for work that is needed at a federally owned camping site in Tucker County, W. Va.

Earlier, in subcommittee action, I was able to get the approval of my colleagues to restore $652,000 which the House had slashed from the fiscal year 1970 operating budget for "Project Gasoline" in Marshall County, W. Va., and to add $243,000 to preclude a reduction in force at the Morgantown, W. Va., Coal Research Center. My colleagues also agreed to add $65,000 to the budget to make repairs on a faulty sewage disposal lagoon at Camp Horseshoe, a facility owned by the U.S. Forest Service and operated by the YMCA in Tucker County.

I am gratified that we were able to persuade House conferees to agree to all three of these actions because each project, in its own way, is important to the State or the locality in which it is located. I believe that a summary of the needs of each project might be of interest.

The Project Gasoline pilot plant at Cresap is now operating with the full crew needed for continuous production. It has reached this condition after considerable modification that was required to eliminate mechanical difficulties. In order to obtain the maximum benefit from the large investment that the Government has made in this project, it is necessary to operate the pilot plant in the manner for which it was designed through the next year or two. If the present level of operations were to be substantially curtailed, it would be impossible to obtain the data which is needed to bring the project to a successful conclusion. Substantial curtailment now would result in a waste of Government funds in that anything less than full operation would be meaningless.

The original budget request prepared by the Office of Coal Research was $3,500,000. This represented OCR's best judgment as to the funds required for proper operation and did include a reasonable contingency factor. The cost of present full-scale operations is proceeding at a rate of about $3,000,000 per year. Thus in OCR's judgment the $2,652,000 originally in the budget was a barebones minimum, undoubtedly on the low side of that which will be needed.

As approved by the House Appropriations Committee, $2,000,000 was well below any possible sum which would have kept the pilot plant operating to produce the desired results. Operation at that level would have been almost meaningless.

As to the research money to be spent at Morgantown, this Nation has only a few research centers devoted to improving coal technology. We are in danger of losing skilled, professional scientists and engineers who are in extremely short supply at the Morgantown Coal Research Center. This loss would be occurring at a time when numerous studies indicate that the Nation's future energy demands will reach unprecedented levels and will severely tax the coal industry to meet the demand for coal.

The increased demand for coal, coupled with our concern for the health and safety of the coal-mine worker, dictates that it would be wise to increase our coal research expenditures rather than lay off experienced coal research personnel. Accordingly, I requested that an additional $243,000 be appropriated for the Morgantown Coal Research Center.

These funds would be used to determine the technical and economic feasibility of pneumatically transporting coal from the mining machine to an established underground mining system. Successful development of such a pneumatic transportation could increase the operating time of mining equipment, assist in controlling respirable dust concentrations in the mine atmosphere, and provide a controlled exit for methane produced during mining. These improvements would make coal mining inherently safer and more efficient than at the present time.

In the absence of the restoration of these funds, a reduction in force of 15 research personnel from the Morgantown station would have been necessary.

Turning from coal research, Camp Horseshoe organization camp was built and is owned by the U.S. Government. It is operated under special-use permit by the YMCA and in 1968 provided 16,000 visitor-days of use for 7,400 visitors. The camp can accommodate 160 persons at one time.

About 2 years ago, the YMCA started improving the existing sanitation system by constructing two combination shower and toilet units, sewage disposal lines, and a sewage disposal and treatment lagoon. The Forest Service designed the sanitation system for the YMCA under a cooperative agreement.

The treatment lagoon subsequently failed, due to shortcuts taken in both design and installation. The site examination by the Forest Service in the system design did not disclose the porous nature of the soil, and, as a result, the lagoon will not hold water. Consequently, the YMCA has had to revert to use of pit toilets pending correction of the defective treatment system.

The Forest Service recognized that it has an obligation to the YMCA to correct the errors in the design of the lagoon and redesigned the system the latter part of fiscal year 1969. The reconstruction necessary work to correct this unsatisfactory situation will cost approximately $65,000. The need was not included in the fiscal year 1970 budget because it was only known subsequent to preparation of the 1970 recreation development program.

COOPERATIVE EXTENSION SERVICE

Mr. ALLEN. Mr. President, the Cooperative Extension Service with headquarters at Auburn University has a long and illustrious history of service to farmers and citizens in rural areas of Alabama. Few, if any, governmental organizations have done more to improve living conditions of all rural people of Alabama.

Mr. President, the Cooperative Extension Service is one Federal agency that enjoys overwhelming support of all the people and justifiably so because it works closely and harmoniously with county governing bodies, with State legislatures, with adults and youth, with local public schools, with rural community organizations. In doing so it has remained in touch with the people and works with and for the people.

Before we travel too far down the road to "new federalism" it may be well to consider the effectiveness of the philosophy, the administrative structure, and the methods of the Cooperative Extension Service and take note of its emphasis on a genuine State-Federal partnership. It has much to offer as an example of traditional federalism and as a workable State-Federal relationship.

Mr. President, it is unfortunate today that eminently successful Federal programs designed to assist our farmers and rural population are under attack from ideologues, agitators, and irresponsible elements which seem to thrive on creating divisiveness, discord, and turmoil. It is hoped that the Cooperative Extension Service will be spared this disruptive and time-consuming ordeal.

Mr. President, I believe the following report of the Cooperative Extension Service at Auburn University may be useful in discouraging nit-picking and harping criticism of this truly outstanding organization from irresponsible elements of the left. I ask unanimous consent that the report be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

IMPLEMENTATION OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964, COOPERATIVE EXTENSION SERVICE, AUBURN UNIVERSITY

I. RESULTS ACCOMPLISHED

A. Prior to 1964, non-white and white Extension programs were organized and operated largely as separate units. Non-white county staffs were located in 35 of the 67 counties and a state staff was located at Tuskegee Institute. Actions to implement the Civil Rights Act resulted in an administrative merger placing all programs and activities under the same administrative and supervisory personnel. Other actions and accomplishments were:

1. White and non-white personnel located in separate offices were relocated and housed together at both the county and state levels.

2. In many instances, county rental agreements were terminated, new office locations were secured and physical alteration of office space was necessary. The physical task of relocating county staffs and advising the public of these changes required a special public relations program with county officials and the public. All counties with white and non-white staff members were involved in this process.

3. Non-white state staff members who were housed in an Extension-owned building located at Tuskegee Institute, a predominantly Negro institution, were relocated with all but two staff members being housed in offices at Auburn University, the state headquarters for the Cooperative Extension Service. The remaining two staff members were located in area offices.

4. Non-white staff members had always carried the word Negro as part of their title prior to 1965. By act of the Board of Trustees, Auburn University, upon request of the Director, titles of non-whites as well as whites at the county level were changed to provide a uniform title for like positions. Such titles needing attention at the state level were also changed.

5. The transition in titles and responsibilities required a training program on the part of the organization to acquaint staff members, and particularly the public, with the new titles and the need to associate them with positions and responsibilities. This transition was accomplished in all 67 counties of the state.

6. All agency signs indicating separate office locations or services were removed and new signs designating a single office with one service were installed.

7. Public facilities such as water fountains, rest rooms, etc., used by Cooperative Extension Service staffs, were made equally available to all staff members regardless of race.

8. A detailed plan for implementation of the Civil Rights Act was developed in March 1965 and revised in August 1965. This plan was directed toward the major areas of (1) program planning and execution, (2) staff housing and facilities, (3) staff assignments and development, (4) special events, and (5) continuing state programs. This plan has served as a guide in implementation of the Act.

9. Specific policies and procedures for implementation of the Civil Rights Act were developed and copies provided and reviewed with all professional Extension Service employees by the Director. Policies covered all major conditions set forth in Title VI of the Act and subsequent regulations based upon the Act. Procedures were quite explicit as to the role of each employee in the implementation of these policies.

10. Organized groups were contacted to explain Extension's policies relating to service to them and participation in their programs and activities. Such action occurred at all levels of organization—county, district, area, and state. Mass media were also used extensively in this effort.

11. County staff competencies and abilities were reviewed and assignments made to best use their capabilities.

District supervisors worked with county staff members to determine areas of work toward which each might make the greatest contribution. Assignments were made, although not restrictive in nature, for each position.

12. Salary and travel allocations were adjusted to compensate employees in accordance with position held and their work performance. Such adjustments resulted generally in greater percentage salary increases for non-whites than for whites.

13. New office equipment and supplies were provided where needed to standardise facilities for white and non-white employees in like positions.

14. All county staffs were directed to hold weekly staff conferences to discuss plans and programs for the week. Usually, such conferences were held on each Monday morning and a discussion of activities reported to the district Extension chairman and associate district Extension chairman for their information and supervisory guidance.

15. Both white and non-white staff members were provided equal opportunity for formal training for informal inservice training.

16. Opportunities for attending off-campus graduate courses were inaugurated for all employees regardless of race.

7. Specialists and other staff members giving training to county staffs provided equal training to all county personnel without regard to race.

18. Upon merger of county offices, it was made possible for any county staff member to request specialist assistance through the county Extension chairman. This plan increased the opportunities for non-white employees to discuss the need for specialist assistance and to secure such assistance since white and non-white agents occupied contiguous offices.

19. All 4–H Club awards programs and activities were combined. The combining of programs meant that all literature, training awards, and other activities were equally available to all 4–H'ers without regard to race. Prior to 1964, 4–H Clubs were conducted on a segregated basis. All awards programs participated in by whites and non-whites are judged by committees composed of the two races.

20. There has been an increase in non-white 4–H Club enrollment since passage of the Civil Rights Act and the combining of offices and programs.

In 1964, there were 30,211 non-white 4–H Club members. In 1969 this number had increased to 44,770 members—an increase of 14,559.

21. Homemaker clubs were reorganized with emphasis placed upon leader training for club officials. Special interest groups have been emphasized. Home demonstration clubs were segregated prior to 1964 and met largely in homes, but staff emphasis is presently upon meetings of a bi-racial nature held publicly and on matters of special or wide interest.

22. Employment opportunities are open to employees regardless of race or sex. Qualified personnel are employed when available, to fill positions that become vacant. An example of this is found in Macon County. A non-white county Extension home agent was promoted to associate county Extension chairman in 1968, replacing a white employee who had held that position. This non-white employee has responsibilities for programs for both white and non-white women and youth of Macon County.

23. Special limited resource demonstrations, programs and literature have been designed to better serve low income families, a high percentage of which are non-white. Since 1964, there have been 81 different publications especially written for low income

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groups, and 1,949,000 copies have been printed and distributed. Limited resource demonstrations have been conducted in all counties in increasing numbers each year.

24. Long-time Extension programs were revised at the county level in 1966 to better accommodate changes in staff and services to clientele. Since that time, a single Extension annual plan of work has been developed for each county embracing plans for all Extension activities in the county.

25. County Extension Advisory Councils have been revised. Before passage of the Civil Rights Act, there were white and non-white council groups involved in planning separate county programs. Presently, there is only one county Extension Council in each county. Sixty-five of the 67 counties have bi-racial council memberships.

26. Secretarial assistance has been made available to all county staff members. Thirty of the 35 counties with non-white employees did not have secretarial assistance prior to July 1, 1964. Since combining offices, all employees have access to secretarial assistance.

27. There were five non-white employees at the county level in 1964, but presently there are 18 non-white non-academic employees located in county offices. These employees serve both white and non-white staff members as do the white non-academic employees located there.

28. Seventy non-white professional employees are located in 35 different counties within the state.

29. At the state level there are six non-white specialists, an assistant editor and an assistant to the director occupying professional positions.

30. An especially designed Nutrition Education Program was begun for low income families early in 1969. This program presently makes use of non-professional program assistants, 123 of which are non-white. A vast majority of clientele served by this program is non-white.

31. Procedures for filing complaints have been posted in public places and released to the press. Publications covering this subject have been made available to the public.

32. Professional employee associations were organized on a segregated basis prior to 1964, but are now open to whites and non-whites. By-laws and other barriers to membership and participation in professional associations are removed and presently all professional associations of Extension employees are open to whites and non-whites.

II. ACTIONS TAKEN TO ACCOMPLISH RESULTS

The first action taken after passage of the Civil Rights Act of 1964, and the receipt of regulations pertaining to Title VI applicable to the Cooperative Extension Service, was to begin discussion between staff members to explore ways and means of implementing the Act. Such discussions included both white and non-white staff members, and were directed toward ways and means of complying with the Act. After considerable discussion, and consideration of several alternatives, certain carefully designed concrete steps were taken to move toward compliance. Major steps taken were as follows:

A. The decision was made to keep each staff member fully informed of all regulations, instructions or policies pertaining to the Act, and their application to the Cooperative Extension Service. Direct letter communication, meetings, conferences, personal contacts and the weekly Official Letter were included in the methods used by the administration to accomplish this end. Examples of this action are:

1. Instructions for administration of Title VI of the Civil Rights Act of 1964 in the Cooperative Extension Service, dated December 28, 1964, as received by Auburn University President Ralph B. Draughon from Federal Extension Service Administrator Lloyd H. Davis, was duplicated and sent to each staff member by the director of the Cooperative Extension Service.

2. Memorandum issued by Secretary Orville L. Freeman titled "Federal Participation in Segregated Meetings" was received from Administrator Davis and forwarded to staff members by the Director, June 23, 1964.

3. Adjustments in Extension programs under the Civil Rights Act were received from Administrator Davis, duplicated by the Director, and sent to the staff June 10, 1965.

4. The Director secured minutes of meeting of the Board of Trustees, Auburn University, relating to title changes of Extension personnel and forwarded copies to staff members June 11, 1965. This action was followed by further explanation in the Director's Official Letters numbers 306 and 307, dated June 11 and 18, 1965.

5. USDA regulations set forth in section 15.5 (b) pertaining to the necessity for keeping compliance records was sent to all staff members by the Director's Official Letter No. 307, dated June 18, 1965.

6. A statement and explanation of Extension's policy with respect to working with organized groups was prepared for county use and sent to county Extension chairmen by the Director in June 1965.

7. County program responsibility as assigned to the County Extension Chairmen was clarified by the Director in Official Letter No. 308, dated June 25, 1965.

8. July 2, 1965, the Director received from Administrator Davis statement titled (1) Adjustments in Policies and Practices of the Cooperative Extension Service to Meet Compliance Requirements of Title VI of the Civil Rights Act of 1964, (2) Civil Rights Amendments to Instructions, and (3) Supplemental Instructions for Administration of Title VI of the Civil Rights Act of 1964 in the Cooperative Extension Service. Copies of each of these documents were sent to staff members by the Associate Director.

9. Copies of the publication titled "Civil Rights Under Federal Programs," CCR Special Publication No. 1, was sent to all staff members with Official Letter No. 311, dated July 16, 1965. Attention was again called to the availability of this material in Official Letter No. 416, dated September 11, 1967.

10. Letter from the Director to county Extension chairmen and associate county Extension chairmen made references to the three pieces of material sent to counties July 2, 1965, called on county staffs to obtain letters of intent to comply from organizations served by the Cooperative Extension Service. This letter was dated July 16, 1965.

11. The Director sent letter to all state and area organizational heads cooperating on a continuing basis with the Cooperative Extension Service to explain compliance policies. This letter was dated July 20, 1965.

12. A statewide meeting of heads of major organizations was held in Auburn, Alabama, July 28, 1965, to explain regulations and policies of the Civil Rights Act of 1964 as it applied to the Cooperative Extension Service. Explanations were made by the Director, followed by discussion with organizational leaders.

13. A state proposed plan of action under Title VI of the Civil Rights Act of 1964 was developed and presented to the Federal Extension Service. The plan was first developed March 3, 1965 and revised August 15, 1965. The latter plan was the last one developed and sent to Administrator Davis.

14. A statement of policies and procedures for implementation of Title VI of the Civil Rights Act was completed (based upon above mentioned plan) and forwarded to Administrator Davis. This policy statement was dated August 15, 1965.

15. The above mentioned policy statement was read by the Director to each professional employee in district meetings held: Auburn, August 30–31; Montgomery, September 1–2; Huntsville, September 13–14; and Birmingham, September 15–16, 1965. Members of the Federal Extension Service staff were also involved in these conferences to discuss related matters.

16. October 21, 1965, the Director sent to county Extension chairmen a copy of Administrator Davis' statement titled "Interpretation and Modification of Civil Rights Instructions" and called attention to the fact that under the modified regulations they were not required to secure compliance statements from organizations being served.

17. Official Letter No. 351, dated May 13, 1966, carried attachment of copy of letter from Administrator Davis pertaining to 4–H Clubs operating in schools where plans for school compliance had not been approved.

18. December 18, 1967, the Director sent each county Extension chairman a copy of Administrator Davis' letter outlining examples of Civil Rights violations found in Office of Inspector General audits in a sample of counties in six states. Comments were made about this document in the Director's Official Letter No. 431, dated December 18, 1967.

19. The Director issued to staff members a policy statement regarding service by Extension members to Homemaker Clubs. This statement was dated September 1968.

20. Staff members were reminded in Official Letter No. 498, dated May 23, 1969, to display publication "Civil Rights Under Federal Programs."

21. Official Letter No. 499, dated May 30, 1969, carried the official complaint procedure statement previously sent to counties in other documents and again called their attention to means of making complaint procedures available to the public.

22. A statement titled "Planned Action for Civil Rights Implementation in Response to County OIG Audits," was forwarded by request to Administrator Davis, July 8, 1969.

23. A report requested by the Administrator of program and staff data covering the (1) names, titles, race and salaries of staff in counties or areas having white and minority group professional staff as of July 1, 1969, (2) participation in selected 4–H events, (3) youth receiving awards in the 4–H program, (4) number of Extension related organizations, and (5) number of people in Extension related planning groups, was supplied by the Director August 13, 1969.

24. A report titled "Implementation of Civil Rights Plan in Response to County OIG Audits," was forwarded to Administrator Davis by the Director on September 15, 1969.

B. Actions other than administrative contacts through correspondence were also employed. District Extension chairman and associate district Extension chairmen held numerous and repeated conferences with district, area, or county groups to explain and discuss proposed or alternative actions that might and should be taken to implement Title VI of the Civil Rights Act.

Likewise, county Extension chairmen held staff conferences and met with individuals and organized groups in repeated sessions to discuss changes that were needed. These actions are reflected in weekly and monthly reports on file in counties and at the state office.

C. Reports were revised to better determine contacts and service to non-white clientele. Weekly reports were changed to reflect contacts with clientele by race and monthly reports carried a supplement that related service to clientele by race and economic status. This was explained to county staff members in letter from the Director dated January 18, 1966. Reports were regularly reviewed and analyzed by the supervisory staff.

D. Regular compliance reviews were conducted to determine extent of compliance and steps that might be taken to meet requirements of the Civil Rights Act. Reviews were both informal and formal in nature. Many of the reviews were of an informal nature and were conducted by the supervisory

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staff and resolved with county staffs and informal reports presented to the Director. More formal reviews were also conducted by the Extension staff and other agencies.

E. Special compliance reviews were also conducted by different interested agencies. Some of these were concerned with complaints of individuals, situations, or a particular county program. Supervisory staff members of the state Extension Service also conducted special reviews. Action was taken on each compliance review conducted.

NEW DEVELOPMENTS IN GROUND WARFARE

Mr. GOLDWATER. Mr. President, during the course of the hearing before the Committee on Armed Services, we learned of a number of new developments in ground warfare which were not sufficiently enough developed to be contained in this year's authorization.

I have seen a number of these devices in operation and I am very enthusiastic about what these will do for our ground forces and eventually, because the theory can be applied to all forces, what we will accomplish in the field of intelligence of the economy for the entire military.

On October 14, the Chief of Staff of the U.S. Army, Gen. W. C. Westmoreland, addressing the Association of the U.S. Army, gave a broad brush of the impressing, interesting, and exciting possibilities in the new approaches to intelligence and support. The paper, naturally, did not go into the subject in great detail, but I can assure Senators that if they are interested in what the Army of the next decade will look like and how it will function, they can get a fine beginning knowledge by reading the general's outstanding discussion. I ask unanimous consent that the address be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address by Gen. W. C. Westmoreland, Chief of Staff, U.S. Army

I always welcome the opportunity to address those who support this Association . . . I know I am among friends who are vitally concerned about our Army.

Our Army today is a dynamic organization undergoing change to stay abreast of a rapidly changing technology and society.

In our adult lifetime many of us have witnessed change unequalled in history—the jet airplane, nuclear power, television, and the computer—to name a few. And the social change that should have come within the last century has been our legacy to accomplish in our generation—now.

As an integral part of our changing society, the Army has also been challenged to meet those demands. We in the Army accept the challenge . . . just as we have accepted and met all our challenges in the past.

Today our Army is weathering a period not too unlike others in our proud history.

Today once again the fundamental principles of our profession—the pillars of discipline on which an Army is built—the trust and confidence that have traditionally motivated the soldier are being questioned. We cannot this time wait for a call to action. The problems that we must address exist within our own ranks . . . we share them with the entire Nation. With our troubled society questioning the role of the Army more than ever before, each soldier in a position of leadership is on trial . . . both his character and his integrity are being tested. To meet the test, he must stand on his principles . . . his personal and professional code of ethics, his dedication, his leadership. These are the principles that resolve the crucial . . . these determine the worth of a man's life. These are the hallmarks of the professional soldier in his finest tradition.

The U.S. Army has served its country proudly. It continues to respond to legally constituted executive authority. But the American people also must understand that their Army does not exist to fight without something to fight for. Our Armed Forces on the international scene are as necessary for the security of our country as our domestic police forces are necessary for law and order at home. Our Army can only be as effective as the spirit of its soldiers. And certainly this spirit is sparked by public trust, support, and confidence.

The Army is as dedicated now as it has been for nearly two centuries . . . dedicated to the preservation of our way of life. In guarding this trust, we have never failed. What more could a country ask of its soldiers?

Recently, a few individuals involved in serious incidents have been highlighted in the news. Some would have these incidents reflect on the Army as a whole. They are, however, the actions of a pitiful few. Certainly the Army cannot and will not condone improper conduct or criminal acts—and I personally assure you that I will not. We will always regard the rights of the individual and acknowledge due process of law. But the Army as an institution should never be put on trial as we deal with the few.

We are a proud Army. We do have confidence in our officers, noncommissioned officers, and soldiers who continue to provide the Army and the Nation with the selfless devoted service that has always been our cherished tradition.

This year, I take special satisfaction in addressing this audience—for I know you are dedicated to the maintenance of a strong, modern Army through military-industrial-labor-academic-scientific cooperation. This team provides the Armed Forces with the best equipment science and technology can produce. This cooperative effort is an element of national power that must never be eroded.

For this reason, I will focus now on purely military matters . . . on developments that are of special interest to this audience.

I will proceed on the assumption that neither the Congress nor the Nation wants us to lay down our shield of armed readiness. On the contrary, our citizens continue to demand from us the best military forces possible within the resources made available to us. This is a fair and demanding challenge which we accept.

In meeting this challenge, the Army has undergone in Vietnam a quiet revolution in ground warfare—tactics, techniques, and technology. This revolution is not fully understood by many. To date it has received only limited attention. Analysis of the lessons from this revolution will influence the future direction of our Army both in fundamental concepts of organization and development of equipment.

When the first American units were committed in Vietnam, they were to a large extent a reflection of the organization, tactics, techniques, and technology of World War II, with one noteworthy exception. That exception, of course, was best demonstrated by the 1st Air Cavalry Division. For the first time, an Army unit of division size had been organized and equipped to free itself from the constrictions of terrain through the use of battlefield air mobility. The concept and resultant organization were logical outgrowths of the development of sturdy, reliable helicopters for troops carriers, weapons platforms, command and control, aerial ambulances, and reconnaissance vehicles and larger helicopters for carrying artillery, ammunition, and supplies. Even before the arrival of American combat troops, the effective use of the helicopter had been demonstrated in the support of the Vietnamese. I am confident that the vitality of air mobility is recognized and understood by this informed audience.

We learned that Vietnam posed a problem even more difficult than mobility. The enemy we face in Vietnam is naturally elusive and cunning in his use of the dense jungle for concealment. As a result, in the early days of the American commitment we found ourselves with an abundance of firepower and mobility. But we were limited in our ability to locate the enemy. We were not quite a giant without eyes, but that allusion had some validity. Whenever we engaged the enemy, we won the battle. Too often those battles were at enemy initiative and not our own. Too often battles were not fought because the enemy could not be found or because, after initial contact, he had slipped elusively into the jungle or across borders politically beyond our reach . . . or had literally gone underground.

Since 1965 a principal thrust of our experimentation, adaptation and development in tactics, techniques, and technology has been toward improvement of our capability to find the enemy. Each year of the war witnessed substantial improvement. In 1965, 1966, 1967, and early 1968 we increased the number of both air and ground cavalry units. We added a second airmobile division. As our troops arrived, we progressively organized special reconnaissance elements of all kinds, including long-range patrol companies and special forces teams. We found ourselves more and more using the infantry for the purpose of finding the enemy. When the enemy broke down into small units, we did likewise. We learned to operate skillfully at night. We mastered the enemy's ambush techniques. Technical means were reinforced and improved. Intelligence organizations were expanded and refined.

During this period, the Director of Defense Research and Engineering urged the scientific community to develop a new family of sensors and associated communications equipment to help locate enemy forces on infiltration routes. After proving these devices workable in test, we developed plans in 1967 to use them throughout the battlefield. In mid 1968, our field experiments began. Since then, we have integrated these new devices with the more conventional surveillance equipment and other intelligence collection means. As a result, our ability to find the enemy has improved materially.

Comparing the past few years of progress with a forecast of the future produces one conclusion: we are on the threshold of an entirely new battlefield concept.

Now let me briefly examine the past and relate it to the future.

The Napoleonic Wars are well documented in history texts. Firepower was limited. Mobility was limited essentially to the foot soldier. Support services were provided by contact or foraging. Cavalry, scouts and pickets provided intelligence. This chapter of military history is replete with numerous examples of battles that might have been . . . had the opposing forces known of each other's presence. But when forces made contact, they massed to do battle. At Waterloo, for example, over 140,000 troops crowded into less than three miles of front line contact.

A little over a century later, World War I brought trench warfare. The advent of the machine gun and massed artillery introduced sizable increases in the firepower capabilities available to ground forces. Mobility and support efforts experienced little change. Maneuver on the battlefield was almost nonexistent. Only a few visionaries saw real utility in the tank. Primitive aerial observation brought only marginal improvements in intelligence gathering. The density of troops in the front line, reduced from that of Waterloo, still re-

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mained high as soldiers crowded shoulder to shoulder in their network of trenches. Without mobility and information about the enemy, the newly acquired firepower served little purpose.

World War II saw the tank mature, and armies organized to capitalize on this capability. Mobility began to gain on firepower. While the Navy was developing sonar and air elements proceeded with intercept radars, Army target acquisition systems remained essentially at the World War I level. The wheeled vehicle improved our support effort. But we were still confined to the ground with our airlift capability remaining minimal.

The increased mobility, however, did permit combat elements to disperse over a wider front, and the density of troops along the battle lines became smaller. Still, the absence of a refined intelligence capability permitted only small economics of force.

But the Vietnam War has seen a revolution in ground force mobility. We no longer assign units a sector of frontage. Instead, units are responsible for an operational area. And with the mobility of the helicopter, units like the 1st Cavalry and the 101st Airborne Divisions cover hundreds of square miles with their airmobile blankets.

The revolution I envision for the future comes not from the helicopter alone, but from systems that heretofore have been unknown.

For a moment, let us consider the basic combat role of the Army. As the Nation's land force, our mission is to defeat enemy forces in land combat and to gain control of the land and its people. In this role, we have traditionally recognized five functions. But we have emphasized only three: mobility, firepower, and command and control—in other words—move, shoot, and communicate. To me, the other two—intelligence and support—have not been sufficiently stressed. Placing the functions in proper perspective, I visualize the Army's job in land combat as:

First, we must find the enemy.

Second, we must destroy the enemy.

And third, we must support the forces that perform the other two functions.

By studying operations in Vietnam, one can better understand these functions.

Large parts of the infantry, ground and air cavalry, and aviation are used in what I will now call "STANO"—surveillance, target acquisition and night observation, or function number one—finding the enemy. In this function large areas can be covered continuously by aerial surveillance systems, unattended ground sensors, radars and other perfected means of finding the enemy. These systems can permit us to deploy our fires and forces more effectively in the most likely and most productive areas.

The second function—destroying the enemy—is the role of our combat forces—artillery, air, armor, and infantry, together with the helicopters needed to move the combat troops. Firepower can be concentrated without massing large numbers of troops. In Vietnam where artillery and tactical air forces inflict over two-thirds of the enemy casualties, firepower is responsive as never before. It can rain destruction anywhere on the battlefield within minutes . . . whether friendly troops are present or not.

Inherent in the function of destroying the enemy is fixing the enemy. In the past, we have devoted sizeable portions of our forces to this requirement. In the future, however, fixing the enemy will become a problem primarily in time rather than space. More specifically, if one knows continually the location of his enemy and has the capability to mass fires instantly, he need not necessarily fix the enemy in one location with forces on the ground. On the battlefield of the future, enemy forces will be located, tracked, and targeted almost instantaneously through the use of data links, computer assisted intelligence evaluation, and automated fire control. With first round kill probabilities approaching certainty, and with surveillance devices that can continually track the enemy, the need for large forces to fix the opposition physically will be less important.

Although the future portends a more automated battlefield, we do visualize a continuing need for highly mobile forces to surround, canalize, block or otherwise maneuver an enemy into the most lucrative target.

The third function includes an improved communication system. This system not only would permit commanders to be continually aware of the entire battlefield panorama down to squad and platoon level, but would permit logistics systems to rely more heavily on air lines of communications.

Today, machines and technology are permitting economy of manpower on the battlefield, as indeed they are in the factory. But the future offers even more possibilities for economy. I am confident the American people expect this country to take full advantage of its technology—to welcome and applaud the developments that will replace wherever possible the man with the machine.

Based on our total battlefield experience and our proven technological capability, I foresee a new battlefield array.

I see battlefields or combat areas that are under 24 hour real or near real time surveillance of all types.

I see battlefields on which we can destroy anything we locate through instant communications and the almost instantaneous application of highly lethal firepower.

I see a continuing need for highly mobile combat forces to assist in fixing and destroying the enemy.

The changed battlefield will dictate that the supporting logistics system also undergo change.

I see the forward end of the logistics system with mobility equal to the supported force.

I see the elimination of many intermediate support echelons and the use of inventory-in-motion techniques.

I see some Army forces supported by air—in some instances directly from bases here in the continental United States.

In both the combat and support forces of the future, I see a continuing need for our traditionally highly skilled, well-motivated individual soldier . . . the soldier who has always responded in time of crisis—and the soldier who will accept and meet the challenges of the future.

Currently, we have hundreds of surveillance, target acquisition, night observation and information processing systems either in being, in development or in engineering. These range from field computers to advanced airborne sensors and new night vision devices.

Our problem now is to further our knowledge—exploit our technology, and equally important—to incorporate all these devices into an integrated land combat system.

History has reinforced my conviction that major advances in the art of warfare have grown from the Fullers and Guderians—men who detected, in the slow, clumsy, underarmed, largely ineffective tanks of World War I, the seeds of the future. Between the two World Wars, they foresaw with clarity the blitzkreig of armored and panzer forces that introduced a new dimension to ground warfare.

More recently, Generals Howze and Wheeler and the late Lieutenant General Bill Bunker conceived air mobility long before the machinery existed to fulfill the concept. Today we witness both the airmobile concept and the airmobile division proved in Vietnam.

We are confident that from our early solutions to the problem of finding the enemy, in Vietnam the evidence is present to visualize this battlefield of the future . . . a battlefield that will dictate organizations and techniques radically different from those we have now.

In summary, I see an Army built into and around an integrated area control system that exploits the advanced technology of communications, sensors, fire direction, and the required automatic data processing—a system that is sensitive to the dynamics of the ever-changing battlefield—a system that materially assists the tactical commander in making sound and timely decisions.

To achieve this concept of our future Army, we have established, at the Department of Army Staff level, a Systems Manager, Brigadier General Bill Fulton, to coordinate all Army activities in this field. We have done this because of problem complexity. We are dealing with systems that are fundamental to the Army—its doctrine, its organization, and its equipment. We are on the threshold for the first time in achieving maximum utilization of both our firepower and our mobility. In order to succeed in this effort, we need the scientific and engineering support of both the military and the industrial communities.

To complement the systems management, we are establishing at Fort Hood a test facility through which new equipment, new organizations, and new techniques can be subjected to experimentation, adaptation, evaluation, and integration. This facility will be headed by Major General Jack Norton who will report to the Project Director, Lieutenant General Bev Powell, III Corps Commander and Commanding General, Fort Hood.

Hundreds of years were required to achieve the mobility of the armored division. A little over two decades later we had the airmobile division. With cooperative effort, no more than 10 years should separate us from the automated battlefield.

Some will say that this is an unrealistic expectation. Some will say that the current experience in Vietnam, in which the infantry continues to bear the brunt of combat, does not support this visualization of the future. History tells another story. The experience and technology at the time of the British Mark IV tank at Cambrai in 1917 and the H-34 helicopter in the fifties provided the evidence to define the future of these systems.

I believe our future path has been clearly blazed.

We will pioneer this new dimension in ground warfare and develop an integrated battlefield system. The United States Army will again lead the way. Our young officers and NCO's will accept the challenge.

SERMON DELIVERED AT WHITE HOUSE BY REV. ALLAN R. WATSON, CALVARY BAPTIST CHURCH, TUSCALOOSA, ALA.

Mr. STENNIS. Mr. President, on Sunday, September 28, 1969, the Reverend Allan R. Watson, pastor of Calvary Baptist Church, Tuscaloosa, Ala., delivered a splendid sermon at services at the White House at the invitation of President and Mrs. Nixon. I was privileged to be present to hear the stirring message.

The Reverend Dr. Watson's sermon was entitled "One Nation Under God." It was strong in spiritual values, and full of wisdom couched in terms of commonsense.

Mr. President, the sermon contains so much of value that it should be made available to all the people of the Nation. I ask unanimous consent that it be printed in the Record.

There being no objection, the sermon was ordered to be printed in the Record, as follows:

ONE NATION UNDER GOD

(By the Reverend Allan R. Watson, pastor,
Calvary Baptist Church, Tuscaloosa, Ala.,
preached at the White House, Sunday,
Sept. 28, 1969)

In an address delivered at General Beadle State College in South Dakota, our beloved President Nixon stated, "We have seen too many patterns of deception; in political life, impossible promises; in advertising, extravagant claims; in business, shady deals; in personal life we all have witnessed deceits that range from the little white lie to moral hypocrisy; from cheating on income taxes to bilking insurance companies. In public life, we have seen reputations destroyed by smear, and gimmicks paraded as panaceas. We sorely need a new kind of honesty that has too often been lacking, the honesty of straight talk." And on another occasion the President wrote, "I think some of our voices in the pulpit today tend to speak too much about religion in the abstract rather than in the simple personal terms which I heard in my earlier years. More preaching from the Bible rather than about the Bible is what America needs."

Therefore, in the light of this wise counsel and above all in keeping with my divine commission, I call to your attention this straight talk from God's Word, with the prayer that it may give the needed inspiration and guidance to you, who hold the destiny and well being of so many millions in your hands. We read in the 5th chapter of 1 Peter, "Humble yourselves therefore under the mighty hand of God and in due time he will exalt you; cast all your anxieties upon him for he cares about you. Be sober, be watchful. Your adversary, the devil, prowls around like a roaring lion seeking to devour. Resist him, be firm in your faith, knowing that the same experience of trial and suffering is required of your brotherhood throughout the world. And after you have suffered a little while the God of all grace who has called you to his eternal glory in Christ will himself restore, establish, strengthen and settle you. To him be glory and dominion forever and ever, Amen."

Reflecting upon the tremendous problems facing us today, problems such as strained and frequently ruptured international relations, racial tensions and divisions, campus disorders, and general moral decay, I for one am inclined to agree with the sentiment expressed in an old country ballad, "I've enjoyed about all of this I can stand." Or perhaps your feelings are voiced more clearly by a current hit, "Life ain't easy for a boy named Sue." Undoubtedly there are times when, burdened by the indescribable responsibilities of his office, and pressured by public opinion for omniscient and omnipotent action, our gracious host for this family worship service, would like to sing a chorus of his own "Life ain't easy for a boy named Richard." Come to think of it, life isn't easy for any one of us, and upon more serious reflection we would have to confess that probably it is best that it isn't so for we are challenged thereby. As a coaching friend often says, "when the going gets tough, the tough get going." Yet, we long for a better day, a day of restoration, of stability, of peace. A day for the realization of man's personal and national ideals, a time for the securing an abiding stability with adequate resources, and for the securing of peace. Such a day is or should be the hope of each man and the goal of our corporate life. Beloved this glorious prospect is presented in the scripture read a few moments ago and should capture our imagination, compel our interest, and command our attention.

One of the wonderful things about the straight talk of the Bible is that it not only presents seemingly unbelievable possibilities, it also sets forth clearly the way whereby these hopes and dreams may be realized. Simon Peter, a man cut from the same cloth as you and I, with the added advantage of having done graduate work with the Master Teacher, reveals the way in these words, "Humble yourselves under the mighty hand of God."

Humility is a rare commodity indeed in our day. In an age of unparalleled scientific development, when man has moved from a stroll in the park to a walk on the moon. In a day the secularist dreamer worships himself in the laboratory cathedral. At a time when man is enamored with his tremendous achievements to the extent that he is convinced that in him dwells all good, and believes that wrong exists only in systems, institutions, and in the distribution of goods. In such a time as this, humility doesn't come easily. As long as man refuses to humble himself, he will continue to seek and to follow that which Gilbert Chesterton called, "Cures that don't cure, blessings that don't bless, and solutions that don't solve." The spirit that will open the door to a new day will come only as we look at ourselves in the light of God's perfect revelation of Himself and of His will for us in the Person of Christ. Then, and then only, will we cry out with the ancient prophet Isaiah, "Woe is me, for I am a man of unclean lips, and I dwell in the midst of a people of unclean lips."

Now I do not wish to be misunderstood in what is being said or in that which I believe is set forth in this portion of God's Word. There is much which man can and should do to help usher in this longed-for new day. We must plan, we must have political machinery, there must be laws enacted, and social programs formulated. However, never let us forget that it is changed men that produce a changed society. Also, let us remember that man is not simply a creature of his environment. Rather through the power of God he may become the creator of a more favorable and desirable environment. In the light of these facts the making of a new man must be our magnificent objective, and he who has eyes to see recognizes this as a task for the divine and not for man alone.

The Greek dramatists used as a guide in their writing this principle, "never inject a god into a play until there is no other way out." Friends, it is my conviction that we have reached the hour when we must let God step on to the stage. We have kept Him waiting in the wings all too long. It could be that we have even lost Him in the discarded props of yesterday's productions. He must get into the act. Hence, if our civilization is to survive, it is imperative that inindividually and as a nation, we must give the more earnest heed to this solemn admonition: "Humble yourselves therefore under the mighty hand of God."

During the administration of the late President Eisenhower, he and his wife were worshipping on Sunday in the New York Avenue Presbyterian Church of Washington. At this particular service, the minister, The Reverend George Docherty, expressed the thought that in his opinion it was only fitting and wise to add the words "under God" to the Pledge of Allegiance offered the flag of our country. The President and a large number of Congressional leaders responded to this challenge and today we proudly express our love and loyalty for "one nation under God." However, it is not sufficient merely to add words. The noble thought which they represent must be understood and acted upon. What is the significance of the expression "one nation under God?" It is not an echo of the idea embodied in our text, where the Apostle urges us to "humble ourselves under the hand of the Almighty." Do not these words mean that we should recognize the vital spiritual forces that were at work in the heart and life of those who founded our nation and constituted this Republic? Does not it imply that we are to manifest a continuing dependence upon God?

These truths we readily acknowledge and yet another more searching and revealing question must be faced. Namely—Ours shall be a nation under what kind of God? Shall it be a deity of our own creation, one who is but a reflection of our own personal desires, prejudices, and inflated egos?

Shall it be a God who is but a prominent figure of the past with little understanding of relevance to our present challenges and problems. More than a decade ago, the British Theologian, J. B. Phillips, gave the answer to these questions in a simple little book, "These gods are too small." The cry of the needy and oppressed and the crises of our day demand a personal, living, and loving God. This God, who cares, Simon Peter met as he walked the shores of Galilee centuries ago. This very one must be and longs to be our God and guide today.

Calvary Baptist Church of Tuscaloosa, Alabama, in which I am privileged to serve as pastor, is located adjacent to the campus of the great University of Alabama, home of the Crimson Tide. Upon leaving my office one Monday morning, I chanced to glance into the sanctuary of our church and noticed a student standing behind the pulpit looking first in one direction and then in another. He said nothing but continued to look this way and that. After a few moments reluctantly the silence was broken by my question, "May I help you?" The young man answered, "I'm looking for God. I must find Him now." This wasn't the utterance of a mentally deranged man, one whom the pressures of life had driven to the point of emotional breakdown. Rather it expressed the need of a University senior, completely competent, but feeling deep within the restlessness and hunger for God of which Augustine did speak. Indescribable joy was mine as I endeavored to help him find the One whom he sought. Not a God of the mystics but the God whom I and millions of others had met in the Master. Not a god created by man's imagination or fashioned by his fancy, but the God of Abraham, Issac, and Jacob, the God "who so loved the world that he clothed himself in human flesh and came and dwelt among us. The Promised Messiah, the Christ, who by his death and resurrection brings life and immortality to those individuals who trust him."

Under the mighty hand of such a God our nation, and we as individuals, can experience a new birth of freedom. Without Him, who is the Light of the world, man's brightest ideas and most radiant schemes can only add to the blackness of the night. Without Him, the Lily of the Valley and the Rose of Sharon, society's garden, sown with the seed of man's most noble thoughts, tilled by his unceasing efforts, and watered by the sweat of his brow, can have little beauty and will ultimately end in desolation.

A simple experience from the life of Lord Shaftsbury, a noted British philanthropist, statesman, and social reformer, might well summarize and bring into clear focus the teaching of this portion of God's Word and the point of this message. Almost a century ago, the Christian gentlemen was standing at a busy London intersection. His attention was fixed upon a little girl who obviously was desirous of crossing one of the streets. Sensing her need of help she looked intently at a number of men and women but spoke not a word to them, allowing them to go on their way. After a few minutes, Mr. Shaftsbury, whose countenance reflected the concern and compassion of his heart, started to cross the street. Quickly the little girl looked at him and cried out, "Mister, can I walk across the street with you?" He extended his hand and she placed her small one in it and together they walked confidently and safely. Upon reaching the other side of the street, Mr. Shaftsbury

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paused and said, "Little Lady, I noticed you looking at a number of people before asking me to help you. Why did you ask me and not them?" "Well, sir," she answered, "you looked so good that I felt that I could trust my life in your hands."

Ladies and gentlemen, one stands at the dangerous and demanding crossroads of our life today. Being a gentleman He waits for us to invite Him into our lives. He listens for our cry for help. Gazing upon His nail-scarred hands extended in unfathomable love, we too, should be convinced that we can trust our lives and the future of our Republic to His care and leadership. Then, as He dwells within us and the light of His Truth permeates our plans, illumines our thoughts and shines through our lives, the lamp of liberty and justice for all will burn more brightly beside and within the golden door.

DEPARTMENT OF COMMERCE GOLD MEDAL AWARD TO WILLIAM L. TILSON

Mr. ALLEN. Mr. President, as the Senators will remember, the gulf coast areas of the United States were dealt a disastrous blow in August by Hurricane Camille. Great loss of life and property damage resulted from history's most ferocious storm.

Much of the credit for saving countless lives goes to William L. Tilson, meteorologist in charge of the Environmental Science Services Administration's Weather Bureau Office in Mobile, Ala.

On October 14, Mr. Tilson was awarded the Department of Commerce's Gold Medal for his outstanding weather warning service during the approach of Hurricane Camille.

The Honorable Maurice H. Stans, Secretary of Commerce, presented the award to Mr. Tilson during the 21st annual honors awards program here in Washington.

Mr. President, I ask unanimous consent that the Department of Commerce news release concerning Mr. Tilson's award to be printed in the RECORD.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

A DEPARTMENT OF COMMERCE NEWS RELEASE, OCTOBER 14, 1969

WASHINGTON.—William L. Tilson, Meteorologist in Charge of the Environmental Science Services Administration's Weather Bureau Office in Mobile, Ala., today received the Department of Commerce's Gold Medal for his outstanding weather warning service during the approach of Hurricane Camille to the Gulf Coast in August of this year.

This Distinguished Federal Service Award was presented to Tilson by Secretary of Commerce, Maurice H. Stans, in the Twenty-first Annual Honors Awards Program held in Washington, D.C. Tilson was cited for his excellent pre-storm planning and staff leadership which resulted in exemplary team effort by the staff of the Mobile Office. By providing a continuous flow of vital warnings and information to all areas, including isolated and outlying districts, which permitted an early and orderly evacuation and prevented panic from arising, the Mobile Weather Bureau Office is credited with saving countless lives during the disaster.

Tilson, a native of the Asheville, N.C., area, began his Weather Bureau career in 1930 at Macon, Ga. In addition to his three assignments in Mobile, the last beginning in 1949, Tilson has been stationed at the National Hurricane Center when it was located in Jacksonville, Florida; at Pensacola, Florida; Nashville, Tenn.; and Raleigh, N.C.

He is a graduate of the University of North Carolina, and has done postgraduate work at the N.C. State University, Raleigh, and Spring Hill College, Mobile.

He and his wife have two daughters, Jane and Barbara, both students at the University of South Alabama in Mobile.

TAX REFORM NO. 2: DEMOCRATIC STUDY GROUP TAX REFORM BOOK

Mr. METCALF. Mr. President, today I am making available to Senators the second of eight parts of the Tax Reform Fact Book prepared and published by the Democratic Study Group—DSG. As I announced yesterday, this valuable research tool has been updated at my request to reflect final action on tax reform in the House. The section I shall place in the RECORD today discusses the taxation of oil, gas, and minerals.

Since this section of the fact book was prepared, the administration has softened its April proposals in this area. For example, the administration now recommends that if a taxpayer derives 60 percent or more of his gross income from oil and gas properties he should not have to include his intangible drilling expense deduction as an item of tax preference for purposes of the limit on tax preferences.

The House bill would eliminate percentage depletion with respect to foreign oil and gas production. When administration officials testified before the Committee on Finance last month, they recommended this provision be deleted from the bill.

As I mentioned yesterday, the full text of the statements and recommendations of the administration are contained in part 1 of the hearings before the Senate Finance Committee. It is unfortunate that the administration was unable to provide us with its technical memorandum on the tax reform bill sooner. As it turned out, that memorandum was received by the committee just 3 days before the hearing record closed despite the request of the chairman of the Finance Committee (Mr. LONG) on September 4 that it be made available in time for public witnesses to address themselves to the specifics of the administration's position.

Mr. President, I ask unanimous consent that the section of the DSG Tax Reform Fact Book which discusses the tax treatment of oil, gas and minerals be printed in the RECORD. On Monday, I shall discuss the section which relates to capital gains.

There being no objection, the section was ordered to be printed in the RECORD, as follows:

DSG TAX REFORM FACT BOOK: SECTION ONE—OIL, GAS AND MINERALS

ELIMINATE DEDUCTION FOR INTANGIBLE DRILLING COSTS FOR PETROLEUM PRODUCERS

The problem

Oil companies for many years have deducted as current expense certain exploration and development costs which, by most criteria, would be considered investment in capital assets subject to gradual depreciation. This deduction, referred to as intangible drilling costs, results in a substantial and immediate writeoff of capital. It has evolved by administrative decision rather than Congressional action.

Present law

Costs of labor, materials and other goods incidental to drilling are deductible as intangible costs of drilling against gross income in the first year. Other oil and gas industry expenditures that can be immediately expensed (rather than capitalized) include dry hole costs, lease rentals, and production costs.

Pending proposals

The many reform bills introduced in the House this session do not attempt to deal directly with the intangible drilling costs provision.

Revenue impact

Treasury estimates $750 million a year in new revenue would be raised initially in closing this loophole. Later, however, revenue gain would drop to about $300 million as drilling costs are offset against the percentage depletion allowance.

Proponents and opponents

Opposition to this change is centered in the petroleum industry, which alone enjoys its substantial benefits.

Administration action

The Administration proposed making the intangible drilling deduction subject to the Limit on Tax Preference (LTP) provision to the extent it exceeded the deduction that would have been allowed under straight-line depreciation and capitalized.

House action

Although intangible drilling costs were put under the limit on tax preference provision of the bill at one point by the Ways and Means Committee, the bill as reported did not include this change.

The new minimum tax provision in the bill would apply to some income that now escapes taxation under the intangible drilling costs deduction.

Resource references

See Ways and Means hearings, Volume 9; Treasury Studies, Parts 3 and 4.

TREAT CARVED-OUT AND RETAINED PRODUCTION PAYMENTS AS LOANS

The Problem

A production payment is similar to a loan with oil, minerals, or some other underground resource used as collateral. Proceeds of these transactions, however, are treated as income for tax purposes, making substantial tax avoidance possible.

The transactions are used to juggle income from one year to another, enabling a company to inflate its income one year and have a self-induced loss the next. This makes it possible to circumvent statutory limits on percentage depletion, loss carry-forwards, intangible drilling costs, investment credit, and foreign tax credit.

In a *carved-out production* payment, the owner of the interest sells the payment to an outside party, usually a bank or other financial institution. In a *retained* production payment, the owner sells the working interest but reserves the production payment in himself.

Present law

Under present law buyers of *carved-out* production payments treat them as income subject to a deduction for depletion. Amounts used to compensate the owner for the production payment are excluded from his income during the payout period. Expenses of producing that income, however, are deducted in the year incurred.

The owner of the *retained* production payment receives depletable income during the payout period. The buyer of the working interest excludes from income amounts used to pay off the production payments during the same period.

Pending proposals

The many reform bills introduced in the House this session do not attempt to deal directly with the production payments provision.

Revenue impact

A Treasury study estimates the change, when fully effective in 1979, would increase revenue $200 million a year.

Proponents and opponents

Main opposition to changing the tax status of production payments is coming from the oil and gas industry. The American Mining Congress and other extractive industry groups also oppose this change.

Administration action

The Administration proposal would treat production payments as loan transactions. As a result the owner of the mineral interest subject to the production payment would be required to take income and expenses relating to that payment into account in the same taxable year. The proposed change would be effective for transactions on or after April 22, 1969.

House action

The House bill treats both carved-out and retained production payments as loans. As a result of this change, carve-outs would not accelerate income and therefore would have no effect on the net income limitation on the percentage depletion deduction, on the limitation in the case of foreign tax credit, or on the 5-year net operating loss limitation. The property in retained production payments would be considered as being transferred subject to a mortgage. As a result, the owner of the working interest would be treated essentially in the same way as anyone buying a business asset subject to a mortgage.

Resource references

See Ways and Means hearings, Volume 9; Treasury Studies, Parts 2 and 3.

REDUCE THE TWENTY-SEVEN-AND-ONE-HALF PERCENT OIL DEPLETION ALLOWANCE AND OTHER ITEMS ELIGIBLE FOR PERCENTAGE DEPLETION

The problem

Percentage depletion, the tax loophole that blazed the trail for all the others, is almost as old as the income tax itself. It was first adopted in 1926 as a substitute for a difficult-to-administer depletion allowance based on "discovery value." That allowance had been put into effect eight years earlier to spur the search for oil supplies needed in World War I.

Under the law that has stood since 1926, any oil or gas producer, or anyone with a financial interest in a well, qualifies for depletion at the 27½% rate. Since the allowance has no relationship to cost, the operator of a producing well eventually recovers his investment many times over. Percentage depletion has been extended since 1932 to a long list of resources ranging from oyster shells to iron ore. Oil and gas depletion, however, accounts for 75% of all depletion allowed and stands out as the best-known symbol of tax privilege in the public mind.

Present law

The oil depletion allowance permits the owner of an oil well to deduct each year from his taxable income 27½% of the gross value of the oil produced, provided it does not exceed 50% of the net income from the well. Similar provisions apply at rates ranging from 5% to 27½% for gravel, copper, and nearly 100 other eligible resources.

Pending proposals

Several pending bills call for cuts in percentage depletion; a few would eliminate it completely. H.R. 5250 (Reuss and others) would reduce oil and gas depletion to 15% with proportionate cuts for all other resources eligible for percentage depletion. Identical or similar proposals are H.R. 229, 1039, 1119, 1379, 2142, 3655, 6770, 7040, 7045, 7346, 7585, 8144, 9195, 9479, 9759, 9852, 10237, 10253, and 11782.

Revenue impact

Complete elimination of the depletion allowance for both corporations and individuals would increase income tax revenue about $1.3 billion a year. Reducing the allowance from 27½% to 15% on domestic oil and mineral recovery and eliminating it entirely on foreign oil and mineral recovery would produce a revenue gain of about $600 million a year, according to Treasury. Reducing the allowance to 20% on domestic oil and gas, cutting allowances proportionately on other eligible resources, and eliminating entirely the allowance on foreign production, would increase annual federal revenues about $450 million ($400 million domestic, $50 million foreign).

Treasury witnesses said it is difficult to assess the impact of cutting the depletion allowance because of the related effect of such tax-reducing factors as the intangible drilling cost reduction, production payment transactions, and the foreign tax credit.

Proponents and opponents

The main opponent of depletion allowance cuts is the oil industry. Testimony opposing cuts also came from such organizations as the Oil Shale Corporation, American Mining Congress, and American Iron Ore Association. The American Farm Bureau Federation also opposed changes in depletion allowances. Both the AFL–CIO and UAW want the depletion allowance eliminated after property cost is written off.

Administration action

The Nixon Administration did not recommend depletion allowance cuts to Congress. Nor did it commit directly on the possibility or desirability of cuts.

House action

The House voted to reduce the 27½% oil depletion allowance to 20%, to discontinue its use on foreign production, and to scale down percentage depletion on most other eligible resources. It excluded several minerals—gold, silver, oil shale, copper and iron ore—from the proposed cuts. They are in the 15% depletion category.

Resource references

See Ways and Means hearings, Volume 9; Treasury Studies, Parts 3 and 4.

THE PESTICIDE PERIL–LXVII

Mr. NELSON. Mr. President, a regional natural resources committee, representing the five Upper Great Lakes States, has demanded immediate action to stop pesticide contamination of the Great Lakes basin "by any and all means available."

However, according to an article published in the Lansing, Mich., State Journal of September 11, 1969, the Governors of these same five States have asked only for a "phasing out" of these persistent pesticides as alternative controls are discovered.

There is no need for a gradual phasing out. Safe, effective alternative methods already exist. The State of Michigan is the only State of the five which has since banned the use of DDT. Since that ban was announced, it was learned that many of the alternative controls have existed for decades but have gone generally unused.

I ask unanimous consent that the article, written by James Phillips, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PESTICIDE CONTROL LAG SEEN LIKELY

(By James Phillips)

Despite the plea by the governors of the five Upper Great Lakes states to eliminate persistent pesticides, it appears unlikely that any drastic curtailment of their use will be accomplished soon.

The governors of Michigan, Wisconsin, Minnesota, Illinois and Indiana last week called for rigid restrictions to be placed on the uses of the chlorinated hydrocarbons and a phasing out of their use as soon as alternative methods of control become available.

The governors' agreements, however, did not reflect the urgency of a Natural Resources committee consisting of members of the five states to review the problem of environmental pesticide pollution.

The committee called for immediate action to be taken to eliminate the contamination of the Great Lakes basin "by any and all means available."

Of the five Great Lakes states, only Michigan has banned the general use of DDT. Bills to outlaw DDT or other hard pesticides in Illinois and Minnesota were defeated this year in their respective legislatures. A bill establishing a pesticide review board was approved by the Wisconsin legislature.

Legislators in Indiana apparently were not alarmed over the pesticide threat. No bills relating to pesticides were introduced in the Hoosier Legislature this year.

The governors' plan for a phasing out of hard pesticides in the Great Lakes basin is likely to simply be a replay of action taken in Michigan to ban the general use of DDT.

Agricultural interests at first said there were no alternatives available and thus postponed action on denying the registration of the pesticide. But when the general ban was announced and the alternatives named, it was discovered that some of the substitute pesticides had been around for more than a decade.

In some instances, the patent rights had expired on the chemical compounds.

Perhaps the most controlling factor in the gradual phasing out of hard pesticides will be economic. Insects which are presently vulnerable to the chlorinated hydrocarbons sometimes build up resistant strains and the immunity forces persons to turn to alternative methods of control.

But there is another potential danger looming on the pesticide horizon that is often overlooked because of the immediate problem of chlorinated hydrocarbons.

The possible problem is the widespread application of herbicides. The use of herbicides to kill or control weeds of other undesirable plants is expected to mushroom in the next decade.

Recently published papers dealing with pesticide pollution are starting to refer to the chlorinated hydrocarbons as insecticides. The action has an alarming inference to conservationists because it opens the door to a second type of pesticide pollution.

BLACK REPARATIONS

Mr. BYRD of West Virginia. Mr. President, the letters to the editor column of The Washington Evening Star of Monday, October 13, contained two important letters. In the correspondence, citizens from Maryland and Virginia gave their views on the recent demands of black militants that churches give money to Negroes for alleged acts of discrimination.

I ask unanimous consent that the letters be printed in the RECORD.

There being no objection, the letters

were ordered to be printed in the RECORD, as follows:

BLACK REPARATIONS

SIR: According to what I read in The Star, the Black United Front is now using Hitler's old Mein Kampf advice: "If a lie is big enough and repeated often enough, it will eventually be accepted as truth."

I am referring to the absurd claim that white churches owe black people reparations for past injustices, real or fancied. The truth of the matter is that the blacks owe the white people reparations for all the buildings they destroyed with their firebombs in April 1968. They owe the white people reparations for all the whites they have raped and murdered, stores and banks they have robbed.

Anyone who has ever visited Gettysburg, Pennsylvania can see for himself all the white soldiers who died as reparation for each drop of black blood drawn by a slave whip prior to the War Between the States. How much more reparation can they expect?

When one considers that most of the recipients of welfare are blacks, and the most of the non-paying patients in various big city hospitals across the nation are black, it is the height of insolence and arrogance for the Black United Front to demand any kind of reparations from any white organization whatsoever. And when they brand our police as "savagely Gestapo," they are using the Hitler big lie technique and prattling the Communist party line. If our police really were savagely "Gestapo," the crime wave would be over in about one month.

R. A. MULLEN.

FALLS CHURCH, VA.

SIR: Let's look at this matter of reparations which certain Negro organizations are demanding of churches. Presumably it is on the basis of what the white church members' ancestors did to the ancestors of the Negroes.

In the late 1850s John Brown went through Pennsylvania and New England urging people from those areas to move to Kansas, so that when a plebiscite was held, Kansas would be free and Negroes would not be in slavery. My ancestors left prosperous farms in Pennsylvania and went to Kansas for the express purpose of giving Negroes an equal opportunity to live as free men. The family never regained the affluence it had in Pennsylvania. Therefore I demand reparations from the Black United Front. I think $50,000 would be about right.

This isn't all the reparations I want. I belong to a downtown church, although I live in the suburbs. A year and a half ago one of our best workers was attacked by two Negro youths who twisted and battered her shoulder so bady she will never be able to do the church volunteer work she used to do. A month ago another of our best volunteer workers was thrown to the ground, her skull fractured, and so badly injured that she never regained consciousness. I want reparations for my church for the loss of these volunteer workers. I think the Black United Front might owe us $100,000 for that.

We used to have two strong evening women's groups, raising money for the church and doing volunteer work. Many of these women are afraid to come out now—there are too many criminal blacks on the street. Some of this work has had to be curtailed. I demand another $100,000 from the Black United Front for that loss.

Let's get it straight as to who owes who reparations to whom for what! Those Negroes who go around demanding reparations could better spend their time training the Negro young in acceptable civilized behaviour. These black youngsters have as much potential as the white youngsters, but without proper training and example by their Negro elders, they won't realize it, whatever help white people may try to give them.

JANET M. JAMES.

Greenbelt, Md.

WHAT IS GENOCIDE?

Mr. PROXMIRE. Mr. President, the word "genocide" literally means the intentional destruction of national, racial, religious or ethnic groups.

Dating back to the sacking of Carthage or even earlier, this crime of crimes, as Dr. Raphael Lemkin, who coined the word puts it, "has repeated itself with the regularity of a biological law." But it was left to our generation to see it practiced on the largest scale by Nazi Germany; deliberately planned as state policy and carried out with every resource of science and complete absence of humanity.

The punishment of these abominable crimes, which shocked the conscience of mankind, became one of the main war aims of the allied nations. In 1945 the four great powers agreed that the persons responsible for the policy of Nazi Germany should be punished not only for violations of the laws or customs of war committed against civilian populations of occupied countries and for the crime of planning, preparing, and initiating a war of aggression, but also for crimes against humanity, committed against any civilian population before or during the war, or prosecutions on political, racial or religious grounds committed in connection with the war. Thus it was established that the treatment which a state, in this case Nazi Germany, meted out to its own nation, had ceased to be its exclusive concern but had become a matter of international concern. Consequently, the major war criminals and many of lesser rank in the hierarcy of Nazi Germany were found guilty and were punished for crimes committed against their own nationals. The action taken by the four allied powers and eventually by the Nuremberg tribunal was endorsed by 19 allied states and by resolutions of the General Assembly. It was felt, however, that penal repression of this kind should not be limited to acts committed in times of war and connected with war, but should be of universal application. Hence the idea of a special Convention on the Prevention and Punishment of the Crime of Genocide, irrespective of whether it is committed in war or in peace.

Mr. President, genocide shocked the conscience of mankind during the Second World War; and it must not shock us any less in 1969. This convention has lain dormant in the Committee on Foreign Relations for more than 20 years. To avoid the issue is to give credence to the crime of genocide. This must not persist.

DEDICATION OF THE WASHBURN UNIVERSITY LAW SCHOOL BUILDING

Mr. DOLE. Mr. President, on September 27, 1969, I participated in the dedication of a new building to house the law school of Washburn University at Topeka, Kans. The occasion was marked with appropriate ceremonies. The 10th Circuit Court of Appeals sat in extraordinary session in the school's moot courtroom, and the featured speaker at the dedication was Justice Byron R. White of the U.S. Supreme Court.

This event symbolized much more than the completion of a new structure, for the building it replaced, as well as much of the rest of the Washburn campus and a considerable portion of Topeka, had been destroyed by a catastrophic tornado in 1966. The opening of this building, indeed, represented the rededication and rebirth of a great institution and the great spirit which characterizes it.

I felt that Mr. Justice White's remarks were especially timely and well considered. I ask unanimous consent that they be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF ASSOCIATE JUSTICE WHITE

Ladies and gentlemen, there are hundreds of buildings finished in this country every year and although many are beautiful and useful structures, most of them are put to use without the ceremony and attention which accompany the dedication of this new law school building. This is not to suggest that there is anything untoward or unusual in the proceedings which are occurring here in Topeka. On the contrary, what the people of Kansas are doing is what people all over this country do when a new school building, as distinguished from other structures, is ready for use. Like other buildings, school buildings may be stone and mortar, but they have special significance here in America, a significance making occasions like this an appropriate time for joy and satisfaction.

We in the United States have always had deep concern for the individual and his welfare. People, we increasingly realize, are our major resource. This basic conviction stems from two very different considerations. First is the notion that everyone should be free, and have a realistic opportunity, to develop his personal talents to the maximum possible extent, to improve his knowledge of the universe, to increase his powers of observation and appreciation and to maximize his physical and intellectual skills. This is part of the pursuit of happiness, a value in itself, carrying its own credentials and requiring no further justification by resort to utilitarian considerations.

Necessity and utility, however, make up a second powerful stimulus to our urgent efforts to educate and develop our people. Our ancestors knew that ignorant men could not be free, nor could they govern themselves as our Constitution assumed they could. The untrained mind and the unskilled hand could not provide an acceptable standard of living, could not manage and utilize our resources, could not understand or use the unfolding sciences and could not fathom or solve the problems of an enormously diverse and growing population living together as one people.

Fortunately, the need was recognized and early provision made. Education has had its problems, but it has steadily grown in both the public and private sectors. In this century, it has mushroomed until our total budget for private and public education at all levels of government is now well over 50 billion dollars a year. This represents a massive investment in people, but an investment which has paid for itself many times over, as our gross national production so clearly indicates.

The truth is that our affairs have become so complicated that without the sophisticated mind and a reservoir of highly educated people, we could not exist today. As far as education is concerned, we have no choice but to make sure that every generation has the chance to equip itself for existence in today's world and to make sure that the search for well motivated talent among all our people does not subside. There is also the excruciating fact that

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some of our major, more important problems have stumped the present adult generation, as well as those preceding it and apparently will be solved only by the young and their children if, that is, they can develop a new order of dedication and intellect.

Our developing experience also proved the need for lawyers and professional post graduate schools to train them. The federal and state constitutions created complex governmental structures and characteristically placed serious limitations on governmental powers vis-a-vis the people. Lawyers, if anyone, were to understand and make the system work, especially since the courts were to play a major role in implementing the basic principles of our system and since lawyers were responsible for bringing and managing this litigation. Of course, like all civilized countries, a system of laws regulating human conduct was essential and for their proper drafting, enactment and enforcement lawyers were indispensable.

Today, there are some 140 accredited law schools, with full and part-time faculty totaling approximately 4,000, a student body of 63,000 and graduating classes totaling 16,000. There are well over 300,000 lawyers licensed to practice law in the 50 states and the District of Columbia. At least 40,000 of them are in government service, including about 10,000 judges. Over 30,000 are employed by private concerns. The remainder are in private practice, perhaps 40,000 in large firms, 80,000 in smaller firms and the rest, say 115,000, are individual practitioners.

One cannot help but be proud of the contribution which lawyers and law schools have made in the process of building this great country and in arriving at the point on the domestic front where we are not so much concerned about sheer subsistence and survival but by the quality of our lives. I do not suggest that the millennium has arrived, for we have unsolved problems for which lawyers and law schools share the responsibility with the public at large. These problems, and the list is long, represent the frontiers of the law, just as they mark the frontiers of some other disciplines. Bringing some order into the international community, where large scale violence is not uncommon; understanding and managing an explosive population growth all around the world; realizing and doing something about the environment on which we depend for the basic necessities of life; solving the enigma of racial hatred and conflict—these are just some of the issues that our generation and those who preceded us have not been willing or able to resolve and which are necessarily of great concern to the modern law school and the modern lawyer.

The time has long since passed when the law school could view the law as a body of prescriptions handed down from on high and limit its function to teaching its intricacies to students who in turn would feel no responsibility for the substance of the law or for the institutions from which it came. Lawyers man all of the courts and of course they must know the procedures by which decision is made and the rules and principles by which cases are decided. Understandably, law schools have focused heavily on the courts, teaching the law by analyzing cases decided in the courts and having on their faculties experts in state and federal court procedure. My own observation has been that almost any community has lawyers who are extraordinarily skillful in the courtroom and who are wholly competent to try questions of fact as well as issues of law which arise under a great variety of state and federal regulatory statutes. But the responsibility of lawyers and law schools has a broader sweep.

Insofar as their duties relate to the courts, both the law school and the practicing bar could do better than they are doing with respect to at least two very large matters. Both are important to everyone and to judges in particular. The first pertains to constitutional litigation, that is, to those cases where construction and application of the United States Constitution are involved. Characteristically, the claim in these cases is that a federal or state statute or regulation, or some other official act, such as an arrest, a search, or a criminal conviction itself, is contrary to some provision of the federal constitution. Under that document, courts are empowered to adjudicate such claims. The issues are more often than not of great importance, having impact far beyond the case and the parties before the court. Does the First Amendment forbid actions for libel and thereby insulate a deliberate falsehood injurying a person's reputation? Does the First Amendment permit public aid to parochial schools or prevent officially prescribed prayers in public schools? Does the Equal Protection Clause forbid racial segregation in public facilities or control the apportionment of legislative business? Does the Fourth Amendment, which forbids unreasonable searches and seizures, permit official wiretapping in law enforcement? The majestic language of our Constitution does not furnish automatic or unarguable answers to these questions. The area of possible choice for the courts is frequently quite wide. The result is that the great bulk of what is known as constitutional law has been fashioned in the courts in the process of deciding individual cases requiring interpretations of particular constitutional provisions.

The impact and significance of the process of judicial review, as it is called, is immense. Unquestionably it is desirable that the process be structured to produce sound decisions which will stand the test of time. Ideally, the country's best thinking should be brought before the court in all of these cases. Ideally, if economic and social facts are relevant to the issue, they should be presented to the court if they are available or can be obtained.

Criticism of court decisions is a popular pastime. Law schools and law school professors are especially adept at it. This is as it should be. Court decisions are public property and constructive comment not only proper but highly useful. But if it is helpful to examine the results of the process, what about the process itself? I have a feeling—but I would be hard put to prove it—that both the law schools and the organized bar could do much more than they have to make sure that the format of constitutional litigation is designed to bring all relevant and useful considerations to the attention of the court, particularly in important cases having wide ramifications. I would suppose a law school would find it most interesting to maintain an ongoing audit of judicial review aimed at assessing and improving it as one of the major decision-making mechanisms in our system of government. It would be a large undertaking, but large matters are at stake.

But if a continuous study of constitutional litigation offers fertile ground, so does the matter of litigation generally. To say that our courts are in trouble and have been for some time is shopworn talk. But it remains true that they are in trouble. In many sections of the country caseloads are and have been out of hand. The time between filing and disposition has become unacceptably long. There have been countless ad hoc studies of the problems and the recently established Federal Judicial Center has great promise. But I am convinced in my own mind that in the long run judicial administration, like public administration generally, must become a course of study in our universities and that students be exposed not only to law and litigation but to the principles of management and administration which have proved themselves in other fields. Lawyers are sometimes said to resist intrusion from other disciplines but if litigation is to continue as a viable mechanism in this country, something besides good lawyers with those legal skills typical of today will be required. Obviously, the question is of utmost significance to the law schools.

I have been speaking of litigation and the decisionmaking process in the courts. But this affords only a narrow view of the law or of legal education. Much more law is made and changed in other quarters than is made or changed in the courts. Our constitutions vest exclusive legislative power in the legislatures and vast areas of law-making authority are in turn delegated by legislators to the executive branch of the government to the growing list of administrative agencies and even to some semi-private associations. Decisions originating in these other sources not only have great significance to everyone but involve the services of many, many lawyers. The private practitioner's clients often have as much need for services in connection with legislation, regulations or administrative practice as they do when they are parties to cases in the courts. If this is true, one might expect the law school to be as expert in the legislative and executive decision-making processes as they are with respect to litigation. But I suspect that this is not the case. Good law school courses in the legislative process are few and far between and the typical course in administrative law deals more with what can happen to the administrative decision when reviewed in courts than what happens or should happen in the agency or department. Law schools can't teach everything, but those licensed to practice law should know more than they do about how the law is made or changed in the legislative halls and the vast reaches of the executive branches of the federal and state governments. The courtroom model of decision-making is not the only way problems are resolved and, as a practical matter, it cannot be.

Ladies and gentlemen, as the population has grown and science and technology flourished the law has come to touch more and more areas of human conduct. Not surprisingly, the practice of law is as diverse as the law itself. Complexity has made specialization the rule rather than the exception; but even so, a great many lawyers, both in the city and the country, and in both large and small firms, still must cope with a wide range of problems, some involving only counseling but others requiring negotiation, litigation or some other technique for resolving conflict. But whatever a lawyer may do, whether he is a specialist or not, it has become increasingly important that he be familiar with the basic principles of several nonlegal fields, or what is even more important, with the methodology by which practitioners in those fields arrive at their important conclusions. Lawyers, to be effective, must develop further the capacity and the technique of digesting and putting to use the learning from other disciplines which is relevant to the solution of legal issues. We cannot consider the law to be a sterile, self-contained enterprise. One of its basic functions is to serve the needs of man. Law schools, like the lawyers they train, must have this fundamental proposition constantly before them. The result may be to keep legal education in constant flux, but changes in the social order inevitably changes the role of lawyers and hence of the schools which purport to train them.

I am impressed with what I have seen here at Wendham. Only energy and vision could have produced this building and those same qualities, I am sure, will be powerful influences towards continuing a relevant and vital educational enterprise in this beautiful structure.

AMERICA'S GREATEST CHALLENGE

Mr. HATFIELD. Mr. President, many have spoken of the need to concern ourselves with the ever-increasing pressures and problems being created by the expansion of the world's population. In past references to overpopulation our minds immediately reverted to the developing countries, and we remembered such unbelievable statistics as the fact that 10,000 people die each day due to starvation, that seven out of 10 children in the "third world" suffer from malnutrition and that there is an average of only one doctor to every 4,000 people in the developing part of the world.

Today, however, we are beginning to realize the overpopulation is also posing a direct threat to the future course of the United States. This summer President Nixon became the first President to ever deliver a message to the Members of Congress pleading for an increased national effort to bring domestic and world population under control. The message brought home a much needed perspective on the population problem. The number of people of a nation is an integral factor influencing the economic and social development in nations—and, in brief, the quality of life is probably the prime factor influencing the quality of a nation's people. As long as a nation's prime occupation is with providing enough food to fill the multiplying number of mouths, the other problems from which communities suffer cannot be given adequate attention. As long as a nation's next consideration is one of providing enough space to accommodate its people, there is no opportunity for addressing the betterment of individual lives.

In meeting the emergency of the mounting problem, I strongly support the President's proposal for a national mobilization of resources and intellects in the formation of a Commission on Population Growth and the American Future and his suggestion for working through the United Nations as an administrative agency for effective worldwide population control programs.

My colleague in the House, the Honorable WENDELL WYATT, has spoken eloquently on this subject at the recent Oregon State convention of the AFL-CIO on September 26, 1969. I recommend this speech to my colleagues here in the Senate as a most rational and thorough appraisal of the population problem and the implications that it holds for us in the United States.

I ask unanimous consent that Representative WYATT's speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

AMERICA'S GREATEST CHALLENGE

(Speech by Congressman WENDELL WYATT, Republican, of Oregon, before the State Convention AFL–CIO, Portland, Oreg., September 26, 1969)

It was a coincidence, but it was a real coincidence, that at the very moment man was setting his historic foot on the moon for the first time, President Nixon sent to Congress a message stating that the human race was disastrously overpopulating the earth. The irony is that this great human feat, accomplished at the most of many billions of dollars, offers no possible help in solving what must be the greatest challenge the world now faces, and certainly America's greatest challenge.

Unless we all become painfully aware of this problem, unless we devote great thought and action toward the solution of this problem, the seemingly insoluble problems of great magnitude which we face from day to day will become unimportant by comparison.

For the first 1600 years since Christ, the earth's population doubled from 250 million to 500 million. It took 100 years for the earth's population to double from one billion to two billion, which was achieved in 1930. Only 30 years later we added a third billion, and our world's population will be four billion in a period of just fifteen years, by 1975. At this rate in thirty more years, by the year 2000, the earth's population will be *seven* billion persons. After that it is predicted that one billion people will be added to our population at least every five years. We are literally turning our planet into a human ant hill.

Let's direct our attention to the population of the United States, and our problems in just the next thirty years.

It seems to be agreed by those in this business that our own population will increase by 50% in the next 30 years. By the year 2000 the United States will add an additional 100 million persons.

While we are struggling with the problems of the earth, what must we do in connection with the population problems of the United States?

The moon landing has inspired many of us with the confidence that there is no limit to our capabilities, once we set a national goal and make a genuine national commitment. In 1976 we will celebrate two centuries as a nation. Centuries filled with assorted challenges, the shaping of the nation, the winning of the West, the building of an industrial civilization—challenges that have at times drawn us close to greatness as a people.

As we rapidly approach 1976, we should and we must identify and set our goals for the future. What should these goals be? Fatter bottoms for everybody? A power boat for every family? TV sets in every car?

It is clear to me what our greatest task, our greatest challenge is. Physical America, the imprint we have made on the environment in America, is a mess. We are near strangulation in our own pollution; lack of zoning and careful planning has left our countryside a mish-mash; most of our major cities are sliding toward disaster; the center cities are festering sores.

Based upon population migrations of the past ten years, we are racing toward a society which promises that by the year 2000 the twenty largest cities in this country will be ninety percent black, surrounded by an iron ring of white suburbs. This prospect to me is intolerable. Add the problems of a 50% increase in our country's population, and you have so horrifying a projection that we simply must . . . and I say it is imperative . . . we must plan with vision, energy and the same kind of industry possessed by our forefathers to prevent this kind of America. Otherwise we will become a museum nation.

This challenge is as tough and exciting as any people in the history of our world have known. The goal must be: Rebuilding America.

We must build new cities. We must revitalize old cities. We must renew rural America.

The National Committee on Urban Growth has recommended the creation of 100 new cities with populations of 100,000, and ten new cities of one million people. And these new cities will only accommodate 20% of the increase in our own population during the next thirty years. Our challenge for new housing during this period is enormous. We would have to build the equivalent of a new city of 250,000 persons each month until the end of this century just to provide adequate housing for our present population and the one hundred million increase we know is coming during this time.

This is a goal which truly can lift and move our nation. It requires the same kind of vision, the picture of the future in our own minds, which inspired our own pioneer ancestors.

To accomplish this goal, *all* Americans must be motivated. This requires education as to the problem. That is why I am talking to the labor movement about this subject today. Labor has a great stake in this challenge. Your present and future members must be housed, fed, clothed, educated, and they must have jobs. If our country continues to decay, your movement will decay with it, and this we cannot let happen. So I say, spread the word, get excited, determine that you will make your contribution in this great task.

Growth on such a huge scale offers a matchless opportunity to bring about beneficent change. A time of growth is a time when shaping is possible. You can only shape children's teeth when they are growing. If we guide our growth wisely, we can change the face of America. We can replace blight with beauty. We can replace economic stagnation with dynamism. And we can eliminate once and for all those urban diseases which have proven so injurious to the human condition and the quality of life.

If we are to move toward new and more livable patterns of human settlement, we are going to have to bring some order out of the tangle of officials, actions that determine patterns of human settlement today. The men who determine the shape of our cities are the officials at local, state and federal levels who decide on the location of water, sewer and power lines, the location of highways, railroads, waterways and transportation terminals, the placing of state and federal facilities and so on.

Patterns of settlement are also affected, of course, by officials who defend tax inequities that discriminate against the city, who defend zoning practices that imprison the poor in the central city, who permit imbalances in welfare that promote migration.

But the characteristic of all who now influence patterns of settlement and population movement is that each is preoccupied with a splinter of the problem, and none is conscious of his impact on the total well-being of the society. It is that heedless every-bureaucrat-to-his-own-task approach to governing that has produced the present mess. We must have top-level leadership to provide us with an overview of all problems.

Both state and federal governments are already deeply involved in influencing patterns of human settlement—not always consciously or wisely. For some years now FHA mortgage insurance has been a significant factor in making the flight to the suburbs possible for middle-class homebuyers. The highway program has contributed to the growth of suburbia and exurbia. Federal defense and space contracts and installations have had a major impact on population movement in some regions.

The impulse toward more orderly planning has had some encouragement by the Federal government. Metropolitan and regional planning have been given considerable emphasis. But this is far short of a vast national enterprise involving the creation of many new cities, redesign of existing cities, and economic development of our rural areas.

A suggested approach, a first step but a necessary first step, should be the appointment of a Presidential Commission to make an official start in exploring the problem, formulating goals, identifying critical problems and proposing action. The commission should be directed to submit its preliminary recommendations in twelve months. This twelve-month period would serve as a period of study, preparation and preliminary action for Congress, the states, cities and the private sector, with special emphasis on the contribution to this effort by organized labor.

Many will say this proposal is just for the creation of another federal commission, with the problem thereafter being swept under the rug and forgotten. But this is not my intention. Never have we faced a problem of this magnitude. We must proceed in an orderly manner, or we will fail.

Among the matters to be considered by such a commission would be the following:

1. Federal provision of financial incentives for state and local action.
2. Federal capital grants and low-interest loans to the cities for advance land acquisition.
3. Incentives to business and industry to locate in areas where growth is sought.
4. Careful provision for consultation between the federal government and state and local government on all forward planning.
5. The re-direction of present multi-state economic development and planning agencies.
6. Creation by the states, with federal help, of new statewide agencies with broad powers to plan new communities, to establish urban development corporations, to create "land banks," and so on.
7. Use by the states of their full authority to locate highways, air terminals, parks, hospitals, universities and so on in such a way as to implement a statewide plan for land use and population movement.
8. The development of sound patterns for the planning, building and governing of new communities.

To say that this is a challenge doesn't adequately describe its possibilities. Our future is full of challenges—moral, material, scientific, sociological, political. This one has attributes that make it almost uniquely exciting.

The sheer grandeur of it speaks to our condition. We need a lift of spirit as we approach the beginning of our third century as a nation. And it is a visible, concrete challenge. Among all the impenetrable complexities of our future, the task of rebuilding America has a kind of elemental comprehensibility.

It carries within it enormous potentialities for generating a new burst of economic activity. It would power our economy for decades to come.

This is a goal of moon-shot proportions. It is not a divisive goal. It is a goal which will generate by itself a fresh dynamism, literally millions of new jobs, and will lift the spirit of our people, uniting us as never before. This national commitment would provide the dynamic thrust our society has always had in the past but is in danger of losing. The scope and nature of the commitment is heroic.

It cannot be said too often that Americans are at their best when they are striving for something, when they are pursuing a shared goal. If we are not able to set some goals that stretch us as a people, goals that command our imagination, then we will slide into the torpor of the nations that are receding from history's forefront. And all the learned economists will be impotent to halt the downward skid of a nation that can't think of anything worth striving for.

In short, it is very much in the interest of all segments of our national life to set a great goal for the nation.

In one of John Galsworthy's essays there appears the following passage:

"On the eighth day of July in the year 1401, the Dean and Chapter of Seville assembled in the Court of the Elms and solemnly resolved, 'Let us build a church so great that those who come after us may think us mad to have attempted it.' The church took 150 years to build."

The proposal outlined here is not so generous of time. It gives us little more than 30 years to build our "church."

MARINE CORPS CLARIFIES ITS POLICY ON REGULATIONS

Mr. TALMADGE. Mr. President, I recently had placed in the CONGRESSIONAL RECORD an editorial column written by John Crown, of the Atlanta Journal, regarding Marine Corps policy on black power haircuts and salutes.

The Marines are naturally interested in clarifying their policy, which apparently was misinterpreted, at least to some degree, in news accounts. I have always been a great admirer of the Marine Corps, and I am glad to hear from the Assistant Commandant, Gen. Lewis W. Walt, that "no relaxation in our proven high standard will be condoned."

Mr. Crown has written a second column that puts the matter in better perspective. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

[From the Atlanta (Ga.) Journal, Sept. 22, 1969]

THE U.S. MARINE CORPS: HAIRCUTS, SALUTES, GESTURES AND DISCIPLINE

(By John Crown)

Earlier this month I recorded my dismay and shock at the Commandant of the Marine Corps, Gen. Leonard F. Chapman Jr., caving in to militant demands as though he were a college president.

I was particularly concerned at his singling out for dispensation the Afro-style haircut and the Black Power clinched fist salute. The Marine Corps must be a unified and cohesive force to retain its elite combat status. Differences must be minimized, not accentuated.

Apparently that particular column reached the hallowed halls of Headquarters Marine Corps for I have received a letter from the Assistant Commandant Gen. Lewis W. "Lew" Walt, a man with whom I served extensively throughout World War II; a Marine whom I hold in the highest esteem and regard.

Gen. Walt noted that "perhaps your editorial would have been less harsh on our Commandant had you had access to the full text of the ALMAR." For the benefit of non-Marines an ALMAR is an acronym for a message from All Marines—All Marine Commands.

After reading it, I'll concede that I would have been less harsh. I had taken my material from news stories in which the haircut and the salute had been given much prominence. Such was not the case in the ALMAR.

One paragraph said it clearly and completely:

"Each Marine must understand why the Marine Corps has always demanded the highest standards in military appearance, military courtesy and proficiency and why we will continue to do so. These high standards breed pride, and pride, in turn, builds the kind of discipline that is essential to battlefield success with minimum casualties. These qualities have always been the hallmark of Marines and no relaxation in our proven high standards will be condoned. For example, uniforms will be worn correctly with no nonregulation items in evidence; haircuts will conform to regulations, no more, no less; proper military salutes will be rendered on appropriate occasions; the high quality of professionalism must be exhibited in every assignment; breaches of good order and discipline will be dealt with fairly, expeditiously and firmly. This is especially true for those Marines who instigate or execute violence against their fellow Marines."

But having said it all so well, why was it necessary to subsequently include the following paragraph?

"Commanders will permit the Afro/natural haircut providing it conforms with current Marine Corps regulations."

If "haircuts will conform to regulations, no more, no less," why shouldn't that take care of the haircut question?

In all fairness, the Black Power clenched fist salute was not specifically mentioned in the ALMAR, nor by Gen. Chapman personally. The references to it came out in a press conference at which the ALMAR was discussed, the following paragraph in particular:

"No actions, signs, symbols, gestures, and words which are contrary to tradition will be permitted during formations or when rendering military courtesies to colors, the national anthem or individuals. Individual signs between groups or individuals will be accepted for what they are—gestures of recognition and unity; in this connection, it is Marine Corps policy that, while such actions are to be discouraged, they are nevertheless expressions of individual belief and are not, in themselves, prohibited. However, they are grounds for disciplinary action if executed during official ceremonies or in a manner suggesting direct defiance of duly constituted authority."

Gen. Chapman was asked if the foregoing paragraph referred specifically to the Black Power clenched fist salute.

He replied: "Well, that's one of those that this particular subparagraph refers to, yes. There are others, though."

"What others, sir?"

"Oh well, the Marines, individual Marines, often have ways of gesturing to each other. . . . Anything from an informal wave of the hand to something a little more pointed."

In his letter to me, Gen. Walt wrote:

"We are placing new emphasis on leadership, especially small unit leadership, which, I believe, will do much to solve the problems. The Marines of today are no different than those of yesteryear, but the climate outside the Corps, adjacent to our bases and across the country, has caused new pressures to be brought on these young men. They responded to leadership and challenge on the battlefields of Vietnam and they have proved to be dedicated Americans and Marines there. They have turned in a superb performance. I am sure that, with proper leadership on the part of us in responsible positions, we can help them to be good Americans and proud Marines here at home too."

Okay, Gen. Chapman. Okay, Gen. Walt. Having read it all, I'll concede that my original column was somewhat harsh.

Lots of luck in what you're trying to do.

EISENHOWER STAMP

Mr. DOLE. Mr. President, this past Tuesday, October 14, I had the honor to participate in an occasion which was both pleasant and appropriate. The date marked what would have been Dwight Eisenhower's 79th birthday; it also was chosen as the first day of issue for a new postage stamp honoring him. The site chosen for issuing this stamp was Ike's hometown, Abilene, Kans.

As befitted the man and the occasion, it was a warm and genial meeting of those who had known and loved Ike as a personal friend and neighbor, as a soldier, and as a statesman. The ceremonies were arranged and supervised by the Chairman of the Dwight D. Eisenhower Commemorative Stamp Committee, longtime associate of the general and former U.S. Senator from Kansas, Harry Darby.

The list of dignitaries who were present is much too long to recount here. But a few deserve special mention.

Serving as President Nixon's representative to the ceremonies was Brig. Gen. Robert L. Schultz, who placed a wreath, on behalf of the President, during a special memorial service, in the place of meditation at the Eisenhower Center.

The featured speaker of the day was Ike's former comrade-in-arms and retired Supreme Commander of the North Atlantic Treaty Organization, General Lauris Norstad.

Postmaster General Winton Blount was also present to relay a special message from President Nixon and to share some thoughts concerning President Eisenhower's legacy to our country.

No mention of those present would be complete without noting the attendance of the man who represented Kansas in this body throughout President Eisenhower's two terms in office: of course I am referring to my predecessor, the Honorable Frank Carlson.

Mr. President, I ask unanimous consent that the program for the day's ceremonies and the text of Postmaster General Blount's remarks be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

PROGRAM

PLACE OF MEDITATION

Memorial services and wreath laying ceremony

Invocation and Reading of President Eisenhower's Inaugural Prayer: Lt. Col. John Blom, Chaplain, 24th Infantry Division.

National Anthem: 24th Infantry (Mech) Division Band, conducted by Warrant Officer Samuel Brown.

The President's Wreath: Brig. Gen. Robert L. Schulz, Special Assistant to the President.

Carillon: Specialist David E. Ralph, Member of The Fifth U.S. Army Band.

Taps.

DWIGHT D. EISENHOWER LIBRARY

First day of issue ceremonies

Invocation: Lt. Col John Blom.

Presiding: The Honorable Harry Darby, Chairman, Dwight D. Eisenhower Commemorative Stamp Committee.

Welcoming Address: The Honorable Robert Docking, Governor of Kansas.

Introduction of Guests: The Honorable Harry Darby.

Speaker: "Experiences With General Eisenhower," General Lauris Norstad, Chairman and Chief Executive Officer, Owens-Corning Fiberglas Corporation.

Address and Presentation of Albums: The Honorable Winton M. Blount, Postmaster General of the United States.

Benediction: Lt. Col. John Blom.

ADDRESS BY THE HONORABLE WINTON M. BLOUNT, POSTMASTER GENERAL OF THE UNITED STATES

I have a letter to all of you from the President of the United States which I should like to read at this time:

"My sincere best wishes go to all of you attending the First Day of Issue ceremony dedicating the commemorative stamp honoring President Eisenhower.

"It is particularly significant that on October 14, his birthday, this beloved man should be honored in this way. Few men in American history or in the world history have so dedicated their lives to peace through understanding and understanding through communications among the peoples of the world. A commemorative stamp, repsenting as it does the spirit of communication, of exchange of ideas, of freedom of expression, is a particularly fitting honor to be paid to Dwight Eisenhower and his vision of peace and brotherhood.

"This commemorative stamp will serve to remind millions of the man who said: 'Freedom of expression is not merely a right in the circumstances of today, its constructive use is a stern duty.' It is my hope that this stamp will be not only an important part of our postal system, but also a symbol of the man it honors, a man dedicated to free expression and communication as a means to just and lasting peace."

We are gathered here today to honor the birth of an American who helped give shape, purpose, and direction to the 20th century. But I do not wish to eulogize General Dwight David Eisenhower. Others have done that eloquently, and sometimes even adequately.

Rather, I would like to share with you some private thoughts on the Eisenhower legacy—on an America left free to seek its own destiny, under god.

The preservation of our national freedom is a part of the Eisenhower legacy, as surely as the preservation of the Union is a part of the legacy of Abraham Lincoln. In the face of the worst tyranny the world has known a sword has raised. The combined might of the allied nations forged that great sword. But it pleased God to see it placed in the hands of a single man: A soldier who knew the blood and degradation of the killing ground; a man of profound religious conviction who knew war, found it vulgar, and called it "stupidity." We have advanced little as a people if we do not find a moral lesson in the fact that the world's last great military captain was a man of peace.

On last Saturday, I stood at Abraham Lincoln's tomb in Springfield, Illinois, and today I cannot help thinking of Lincoln and Eisenhower and what they have taught us. As our President attempts to end the long and bitter war in Viet Nam, there is a sad similarity between his burdens and those which Lincoln had to bear. Always there have been those who would have us believe, in the name of peace, that if it was impossible to break the will of our adversaries, then it was imperative to break the will of our own people. As the war went badly for the Confederacy, it took courage and fought on, and men died, because, as Carl Sandburg has written: "One hope still held that the peace party in the north might so weaken the Lincoln administration that in time it would give up the war as hopeless."

One hundred years later, and half a world away, another war is raging where freedom is the issue. Again, we find ourselves ranged on the side of those who cherish this freedom as we do: against those who would expend any amount of human life for as long as necessary in order to impose their will on their brothers. And we hear an historical echo of Carl Sandburg's words in the words of the North Vietnamese Defense Minister, Vo Nguyen Giap: When he said the United States "does not possess . . . the psychological and political means to fight a long drawn-out war." And so the war goes on, while our adversary stands with both feet planted firmly in the fallacy encouraged and strengthened by those who would undermine our will.

To paraphrase Churchill: We have not journeyed all this way across the centuries, across the oceans, across the mountains, across the prairies, because we lack the "psychological and political means" to support the defense of freedom. But there are some among us who suppose otherwise.

There is a certain spiritual arrogance in those who suppose that they are more sensitive to the bloodshed in Vietnam than are the leaders of this country. The peaks of self-righteousness and moral superiority are as untenable as they are attractive: They are made slippery by the blood of those called to pay the price so that others may indulge their feelings of moral superiority. There are none in this land that more desire peace in Vietnam than the President of this Nation. There are none that can match his unceasing efforts to bring us out of this complex agony and there is no finer advocate for our Nation's desire for peace with honor.

The presumption of those who feel they know better than the President how to attain peace creates difficulties which ultimately diminish our prospects for peace.

In the life of General Eisenhower there is a lesson which many prefer not to see: There is an answer to those who accuse our leaders of immorality—who choose to believe and would have others believe, that this Nation has pursued its course in Vietnam because our leaders prefer war.

No soldier, whether he is a private or the Commander-in-Chief, prefers war. No President sees the fathers and sons and husbands of this Nation sent to their death with anything but the most bitter pain in his heart. And who can truly know that pain, but the man who bears it. General Eisenhower commanded four million men, and said: "Every one of those men is precious to me". As war material? No. As human beings. Who, in all decency, can pretend to desire peace more profoundly than the man who bears the final responsibility for war?

I would hope that all Americans, on this seventy-ninth anniversary of the birth of Dwight David Eisenhower, might turn to the example of this man who, at the head of our armies, led those armies in the greatest march for freedom ever undertaken and who, in the Presidency, led this people and all people of good will in the search for the day when nation would not lift up sword against nation, neither would they learn war anymore.

But for all that, it would be very wrong to raise Dwight Eisenhower so high in our esteem that we lose sight of him as a human being. For he was a man of gaiety and grace who took his duties seriously, but rarely himself. He was gentle as only the very strong can be. And he was forgiving, as only the very wise can be. Above all, he was a *believable* man. People knew they could trust him.

It was for these reasons, and not because of the positions he has held, or the deeds he had done, but because in his humanity he set an example for all men to look up to, that he became in his life a moral force for good, not only in America, but in the world.

Pericles said that "heroes have the whole earth for their tomb." Dwight Eisenhower came from these plains, and he returned to sleep beneath them. Yet, truly, the whole earth is his tomb; the free world his monument.

As his forces were preparing to cross the Rhine, and the preliminary artillery barrages split the night on March 23, 1945, Ike was out, as usual, with his men, comforting them, encouraging them, sharing with them their natural doubts and fears. He came to one young man who was obviously very frightened, put his arm around the boy's shoulder, and said:

"How are you feeling, son?"

The boy answered, "General, I'm awful nervous. I was wounded two months ago and just got back from the hospital yesterday. I don't feel so good."

"Well," Ike told him, "you and I are a good pair then, because I'm nervous too. Maybe if we just walk along together to the river we'll be good for each other."

After all the memoirs are written and all the eulogies spoken, the image of the Su-

preme Allied Commander and that frightened boy walking along to the river will still tell the story of Dwight Eisenhower best. He walked with America, and we are richer because of it.

It is a distinct honor for me now to give to the American people this stamp commemorating Dwight D. Eisenhower.

POSTHUMOUS AWARD OF MEDAL OF HONOR TO EDGAR L. McWETHY, JR.

Mr. PEARSON. Mr. President, my distinguished colleague from Kansas (Mr. DOLE) shared with me today the moving experience of being present at the private ceremony when Mr. and Mrs. Edgar L. McWethy, of Baxter Springs, Kans., were presented a posthumous Medal of Honor, awarded to their son Edgar L. McWethy, Jr., by the President of the United States.

Edgar L. McWethy, Jr., was honored today for his gallantry in action while serving as a medical aid man with Company B, 1st Battalion, 5th Cavalry, 1st Cavalry Division, Airmobile in Binh Dinh Province, Republic of Vietnam, on June 21, 1967. The citation accompanying this award follows these remarks.

Raised and educated in Leadville, Colo., Edgar was active in the Boy Scouts and served as a junior assistant scoutmaster of an Explorer troop there. He was a member of the Baptist Church and employed by the Post Office. As a young man he was, according to his mother, not especially interested in medical work, but while in the Army, he became very much interested in it and this interest made him effective as a medical aid man.

His parents, together with his brother Kenneth and sister Christie, now live in Baxter Springs. It was a privilege for Senator DOLE and me to be present with them at the White House ceremony this morning. We commend the bravery of their son and express condolence upon his death.

For his extraordinary bravery in action, despite wounds that eventually proved fatal, Edgar L. McWethy, Jr., was awarded posthumously both the Purple Heart and the Air Medal in ceremonies at Fort Riley, Kans., in September 1967. Mr. President, it is most appropriate that I ask unanimous consent that the citation accompanying his posthumous Medal of Honor be printed in the RECORD.

There being no objection the citation was ordered to be printed in the RECORD, as follows:

CITATION

The President of the United States of America, authorized by act of Congress, March 3, 1863, has awarded in the name of The Congress the Medal of Honor posthumously to Specialist Five Edgar L. McWethy, Jr., United States Army, for conspicuous gallantry and intrepidity in action at the risk of his life above and beyond the call of duty:

Serving as a medical aidman with Company B, 1st Battalion, 5th Cavalry, 1st Cavalry Division (Airmobile), in Binh Dinh Province, Republic of Vietnam, on 21 June 1967, Specialist McWethy accompanied his platoon to the site of a downed helicopter. Shortly after the platoon established a defensive perimeter around the aircraft, a large enemy force attacked the position from three sides with a heavy volume of automatic weapons fire and grenades. The platoon leader and his radio operator were wounded almost immediately, and Specialist McWethy rushed across the fire swept area to their assistance. Although he could not help the mortally wounded radio operator, Specialist McWethy's timely first aid enabled the platoon leader to retain command during this critical period. Hearing a call for aid, Specialist McWethy started across the open toward the injured men, but was wounded in the head and knocked to the ground. He regained his feet and continued on but was hit again, this time in the leg. Struggling onward despite his wounds, he gained the side of his comrades and treated their injuries. Observing another fallen rifleman lying in an exposed position raked by enemy fire, Specialist McWethy moved toward him without hesitation. Although the enemy fire wounded him a third time, Specialist McWethy reached his fallen companion. Though weakened and in extreme pain, Specialist McWethy gave the wounded man artificial respiration, but suffered a fourth and fatal wound. Through his indomitable courage, complete disregard for his own safety, and demonstrated concern for his fellow soldiers, Specialist McWethy inspired the members of his platoon and contributed in great measure to their successful defense of the position and the ultimate rout of the enemy force. Specialist McWethy's profound sense of duty, bravery, and his willingness to accept extraordinary risks in order to help the men of his unit are characteristic of the highest traditions of the military service and reflect great credit upon himself and the United States Army.

TAX REFORM ACT OF 1969—ACTION OF COMMITTEE ON FINANCE

Mr. LONG. Mr. President, yesterday, October 15, the Committee on Finance met in executive session and announced decisions on a series of provisions contained in the House tax-reform bill. The subjects covered include the taxation of multiple trusts and accumulation trusts; multiple corporations; treble damages; foreign tax credit; and stock dividends.

So that Senators might follow the progress of these executive sessions, I ask unanimous consent that a press release be printed in the RECORD.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

[A press release from the Committee on Finance, U.S. Senate, Oct. 15, 1969]

TAX REFORM ACT OF 1969—ACTIONS IN EXECUTIVE SESSION

The Honorable Russell B. Long, (D., La.) Chairman of the Senate Committee on Finance announced today that the Committee was continuing to make good progress in its effort to complete action on the Tax Reform Act of 1969 by October 31. He reported that in executive session the Committee had reached decisions on a number of important tax reform provisions contained in the House bill, and had corrected defects in several of them. The complete action of the Committee is described in the following paragraphs:

***Multiple Trusts; Accumulation Trusts.*—The Committee generally approved the provisions of the House bill which tax the beneficiary of accumulation trusts (including multiple trusts) in substantially the same manner as if the income had been distributed to the beneficiary when it was earned by the trust. However, it approved a series of amendments to correct certain defects in the House language.**

(a) The definition of "distributable net income" was modified to include capital gains and dividends allocated by the trustee to the corpus of the trust, thereby preventing the use of trusts to accumulate these items at low rates to be distributed later to high-bracket taxpayers.

(b) The Committee agreed to apply an interest charge to the tax payments deferred by the use of accumulation trusts. This charge would be 6 percent of the tax involved for the period for which it is deferred, and would be assessed against the beneficiary who receives the accumulated income of the trust.

(c) The Committee decided to make the new rules for accumulation trusts applicable with respect to income accumulated in taxable years beginning with December 31, 1968 (rather than in taxable years beginning after April 22, 1969). Income accumulated in prior years will continue to be subject to the law in effect at the time the income was accumulated, except that the $2,000 deminimis exemption will not apply.

(d) The Committee modified the so-called "short-cut" method for computing tax upon the distribution of accumulated income in a number of relatively minor respects, the most important of which was a Treasury Department recommendation to prevent the creation of multiple trusts with staggered accumulation distributions in order to take advantage of the short-cut rule. This is accomplished by making the "short-cut" method inapplicable if during any of the preceding taxable years in which an accumulation distribution is deemed to have been made, prior accumulation distributions were also deemed to have been made by two or more other trusts to the same taxpayer.

***Multiple Corporations.*—The Committee approved provisions in the House bill tightening the rules under which large groups of commonly controlled corporations have been able to obtain substantial benefits intended primarily for small business The principal benefits are the $25,000 corporate surtax exemption, the $100,000 exemption from the accumulated earnings tax and the special additional first-year depreciation allowance. In approving the objective of the House bill, the Committee made the following modifications to the language:**

(a) *Five-Year Phase-out.*—The Committee rejected the eight-year phase-out of these special tax advantages contained in the House bill and substituted a five-year transition period instead. However, the Committee delayed the effective date of the phase-out so that it would not commence until 1970. (The House bill would have become operative in 1969.)

(b) The Committee also approved a Treasury-suggested modification to prevent any part of a preconsolidation loss incurred by one member of a controlled group from being used to offset income of other members of the group until after the 5-year transition period referred to in paragraph (a). The House bill would have "phased-in" the allowance for these losses as it "phased-out" the other advantages. It also deleted references to controlled groups of mutual insurance companies in accordance with advice received from the Treasury that no such groups were in existence.

(c) The Committee also modified the bill to permit corporations which used surtax exemptions in the past to elect to shift immediately to a consolidated returns basis of tax reporting and to use loss carryovers within the group without reduction, if the group agreed to give up the multiple surtax exemptions it had claimed for the year the loss was sustained.

***Treble Damages; S. 2631.*—On the Chairman's motion, the Committee approved the text of S. 2631 as an amendment to the tax reform bill. This bill would disallow a tax deduction for two-thirds of amounts paid as treble damages growing out of criminal violations of the antitrust laws. The disallowance would apply in the case of a conviction**

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after December 31, 1969 in a criminal proceeding or in the case of a guilty plea or plea of nolo contendere entered after that date. The amendment also makes it clear that no deduction is allowable because of the payment to another person of bribes and other illegal kickbacks.

Foreign Tax Credits.—The Committee deleted those provisions of the House bill (Sections 431 and 432) which would have reduced the foreign tax credits available to taxpayers with income from foreign sources.

However, the Committee did agree to add an amendment to the bill making it clear that for Federal tax purposes, the continental shelf of the United States is to be treated as part of the United States.

Stock Dividends.—The Committee approved the portion of the House bill which taxes the recipients of stock dividends in those instances where one group of shareholders receives a distribution in cash and there is an increase in the proportionate interest of the group receiving the stock dividend. Before approving it, however, the Committee adopted an amendment to prevent avoidance of the House provision where a company had two classes of stock outstanding before the effective date of the provision but had not used them in a way which would give rise to a tax under the new rules. It amended the effective date provision in another respect also. Under this latter amendment a corporation which had two classes of stock outstanding on the effective date of the provision would be permitted to issue additional shares of stock of whichever class is the larger.

VIETNAM AND THE PROTESTS

Mr. FANNIN. Mr. President, my colleague from Arizona (Mr. GOLDWATER) made an excellent address yesterday to the California Federation of Republican Women. His remarks are most pertinent to some of the ideas and resolutions that have been presented in the Chamber in recent days.

I might suggest that for an outstanding presentation of our reasons for being in Vietnam and our reasons for backing the President in his policy to achieve a victory in that hapless land, Senators and their aides should read this speech.

I ask unanimous consent that the speech be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

VIETNAM AND THE PROTESTS

(By Senator BARRY GOLDWATER, of Arizona)

Madame Chairman, Senator Murphy and honored guests: It is a special honor for me to be here today to address this important meeting of the California Federation of Republican Women, and I say that for a number of important reasons. Let's take them in order.

First, California is where the Goldwater family got started in our country, and I have long regarded your state as a second home. I want you to know that two of our four children make their residence in California, and as you may know, one is in Congress.

Another important reason is that I like Republicans. The final reason, of course, is that I love women.

As most of you know, I arrived earlier today from Washington, D.C., which is in its usual state of ferment.

You know, Washington is a place where any Presidential appointee who owns stock is automatically suspect. It is also the place where if he sells that stock for a profit the transaction is regarded as at least prime facie evidence of skulduggery. In fact, in Washington a Presidential appointee can't even sell stock at a loss without incurring some blame. You see, to those anti-Nixon liberals in the Senate, no prospective bureaucrat, high or low, is supposed to have any money. If he does, the last place they want him to put it is behind a belief in the American free enterprise system.

Right now the Congress is wrestling with the whole idea of tax reform. And after we reform the tax, we plan to reform the taxpayers.

Washington also is the place where we hear a lot about Vietnam. President Nixon's critics want to end the war in Vietnam—just so we can do it without winning. Washington is the place where they want an adequate national defense—just so it won't cost any money.

Washington is the place where a new breed of isolationists is springing up—a breed so determined that it would like to see a Maginot line built around this country to prevent U.S. arms from slipping out to foreigners who might fight Communism.

Washington is that wonderland where men who spent 30 years committing this nation to an extreme policy of internationalism, who ran up a foreign aid bill of $122 billion, and who loaded down the American taxpayer with every conceivable kind of boondoggle that might garner a few liberal votes are now talking about economy and cutting government expenditures.

These new apostles of thrift, however, give themselves away. They aren't worried about fiscal responsibility. They could care less about inflation, balanced Federal budgets, payments on the national debt and similar facets of a sound economy.

No, these "savers" have a couple pet areas in mind. Naturally, they are areas that conform with the liberal philosophy and the liberal affinity for causes that range from the left of center to the Marxist-Lenin area represented by the so-called New Left.

In other words, the new savers want the savings to be cut out of this nation's defenses or its ability to retaliate to a possible first strike attack from Communist nations. They also want to cut those savings out of the space program and other areas where U.S. supremacy over the Soviet Union and Communist China are especially impressive and needed.

And while we are at it, Washington is the place where very soon we will have to get back down to brass tacks on the whole subject of Vietnam.

But I certainly don't mean doing it the way the so-called Moratorium protestors of the SDS, and other professional pacifists groups on the Far Left are doing it with their demonstrations today.

No amount of shouting, or banner-waving or street-clogging or mass assemblies is going to help the cause of peace in Paris or in Hanoi. This kind of activity would only have a minimal effect, even if the demonstrators—through some unforeseen miracle of belated patriotism—should protest on behalf of the United States position in Asia. As it is, the Communist press will take full note of the Moratorium demonstrations, add their own special brand of exaggeration and misinterpretation and present the leaders of our enemies with more phony evidence that the people of the United States are opposed to the war in Vietnam and that its government is rapidly approaching capitulation.

Understand me well, I want peace in Vietnam as much as anyone who calls himself a member of the October 15th Moratorium Committee, as much as any Democratic member of the Senate Foreign Relations Committee, as much as any recently-appointed member of the Senate from New York and as much as, if not more than, any of the professional slogan-mouthing, leftist-oriented pacifist groups in this country.

But I want an honorable peace. The American people, all of them, want an end to the killing just as much as some of the people who seem to arrogate to themselves the idea that only they have any regard for humane qualities. When any member of Congress makes a public demand for American withdrawals from Southeast Asia, he is not out ahead of concerned Republicans like myself in his desire for peace. He is not out ahead of the American people. He is not out ahead of Richard M. Nixon. In fact, he isn't quite even with the President and his advisors when it comes to time spent in attempts to end this unfortunate and unhappy conflict we inherited from the Democrats.

And about the demonstrations being held today, let me say this: I don't care what kind of a fancy package you wrap them in. I don't care whether you call the agitations an expression of the American will to end the bloodshed. I don't care whether you call them proper exercises in the right of protest or the right of assembly or the right of free speech.

Regardless of what kind of a package you put them in, what kind of ribbon of reasonableness you try to tie around them, what kind of fancy labels marked "peace" you paste on them, the fact remains that these demonstrations are playing into the hands of the people whose business it is to kill American fighting men.

I am not objecting to the legality of these Moratorium demonstrations.

I am not questioning the deep, warm-hearted sincerity of some of the people who take part in them.

But I am questioning, and I do denounce, the effect they will have on President Nixon's efforts to convince Hanoi that further war is useless. I do question also the effect these shows of dissatisfaction with official policy will have on the morale of our men slugging their way through the miserable slime of Vietnam's rice paddies, hills and jungles.

Put yourself in the position of a young man who is fighting this war for a country he has grown up to respect. If you take the average, he could be a young man whose parents or grandparents fled from tyranny in Europe to find opportunity and success and prosperity in the American way of life. How do you suppose he feels as he carries out his distasteful but necessary task as a part of the military organization in South Vietnam when he hears that thousands of his fellow citizens are making a spectacle of themselves in the United States to show their opposition for what he is trying to accomplish?

The newspapers tell us very clearly that our fighting men in Vietnam believe in what they are doing. Oh, yes, there are some exceptions, and these exceptions have a remarkable way of finding themselves in front of TV cameras and radio microphones. But the great majority of our men believe in their country, believe in its leaders, believe in its cause and will fight for them.

And on this particular day I should like our fighting men in Vietnam to understand that they have every single reason to be proud of what they are doing and to understand that the vast majority of 200 million people support them and are proud of them and wish them the very, very best of good fortune. I feel that it would be nothing less than tragic if we were to permit the wave of demonstrations which have been so carefully manufactured on the far left to fool any of our fighting men in Asia. They are making great sacrifices for their country, just as the men of earlier generations made sacrifices in Korea, World War II and World War I, and it would be shameful and tragic if they were to be given any solid reasons to think for one minute that their sacrifices were not deeply appreciated by their fellow Americans.

I have no objections to demonstrations, but I do object if they have the effect of prolonging the war and of causing our fight-

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ing men even one moment of unhappiness. I believe a great many sincere Americans, if they were to truly look at these things and see what the effect of these demonstrations could be, that they would think twice about lending their support to any and all rag-tag appeals merely because they are skillfully promoted in the name of peace.

I find it a little frightening to see how many people, clergymen included, who seem to think they are doing a righteous and noble and daring thing when they join in protests against the announced policies of the United States Government.

At the very least, it is a sad commentary on the American attitude.

Where Vietnam is concerned, I am convinced that the nation's news media has a lot to answer for. I know they pass it off as a product of news judgment, but the fact remains that one of the easiest ways to get plenty of attention in the newspapers, on radio and television is to oppose the President of the United States.

Some public officials, knowing how eagerly some of the media accepts this kind of attack, are actually making it a full time occupation.

In Washington at least one newspaper has a name for it. Strangely enough, the name comes from the *Washington Post* which calls the process "the breaking of a President."

The whole idea is that certain liberal critics learned how to "break" Lyndon B. Johnson and force his retirement using the Vietnam issue as a club. These same forces, convinced that President Nixon is following much the same course, believe the process can be repeated.

It is interesting that they pay no attention to—or at least avoid mentioning in public—the fact that President Nixon is reducing the American commitment in Vietnam where LBJ was increasing it. They never mention that Nixon is withdrawing troops in Vietnam where LBJ was sending more over. And, of course, no mention is made of the fact that under Nixon, American casualty figures have sunk to their lowest level while under LBJ they established new peaks almost every month.

I guess you have gathered by this time that I am thoroughly in accord with official policies in Vietnam at the present time. If I had any changes to suggest they would be designed to shorten the war by convincing the Communists that they are defeated. In effect, my suggestions would be designed to offset the kind of nonsense that we are seeing demonstrated today by people who want a war ended but have nothing to suggest in the way of procedure except mass withdrawal and complete surrender.

I think the time is here for our government to notify Hanoi that if its representatives in Paris continue to block any and all attempts to reach a negotiated settlement, our only resource will be to bomb the north, to concentrate on destruction of the Port of Haiphong, to destroy the railroad along the Red River Valley from China and to take every other measure necessary to convince Hanoi that it has had its chance and that we have "just begun to fight."

Now let me address a few words to you as Republicans. I just want to say that I do not agree 1000% with everything that President Nixon does as head of the Federal Government merely because he is a personal friend and was my personal choice for the office he holds. But I believe the President of the United States, as Commander-in-Chief of the nation's Armed Forces and as the man designated by the Constitution to carry out the strategic policy of this country, deserves a lot better from his fellow Republicans.

I am not suggesting, nor would I suggest, any slavish adherence to each and every policy that comes from 1600 Pennsylvania Avenue merely because its present resident is a card-carrying member of the GOP in good standing.

But I do believe that we must close ranks and give him the support he needs on big, fundamental, strategic decisions that affect not only the future of the United States and the Republican Party but the future of the entire free world. His policy in Vietnam is just such a fundamental matter. And I have no time for important Republicans who oppose the President in Vietnam—especially those who appear to be doing it for the sake of political advantage.

RESTORATION OF FEDERAL FUNDS FOR GEORGIA SCHOOL LUNCH PROGRAMS

Mr. TALMADGE. Mr. President, 3 weeks ago I wrote to the Secretary of Health, Education, and Welfare regarding a matter that I deem to be of utmost importance to many thousands of schoolchildren, not only in my own State but also in many other States.

I wrote Secretary Finch to urge that he take affirmative action to restore Federal funds to Georgia school systems that have been cut off under title VI of the Civil Rights Act—and particularly to enable these school systems to reinstate school lunch programs for needy children. This was the second time in recent months that I have made this request.

In response to my letter of August 13, Leon Pannetta, writing for the Secretary, said neither yea nor nay. He did indicate that the matter was under consideration.

My request is sound. The school desegregation issue in Georgia is now before the Federal judiciary. A U.S. Fifth Circuit Court of Appeals decision strongly indicates that all title VI enforcement proceedings to date have been faulty.

To my mind, one of the most important factors is the health and welfare of needy children who are being deprived of school lunches because of these cutoffs. I submit that this is neither humane nor lawful. Congressional intent was very clear. School lunch programs were not to be jeopardized by title VI cutoffs.

I have not yet had an answer from Secretary Finch to my letter of September 24. Perhaps Mr. Pannetta will write again when he has time. I would hope, however, that I may hear from Secretary Finch on a matter of such importance.

In the meantime, some ten thousand deprived children—black and white—are having to go without school lunches, which in most instances are the only nutritious meal they receive a day. In the Senate last Tuesday, the distinguished Senior Senator from New York (Mr. JAVITS) spoke in behalf of S. 2982, The Child Nutrition Act of 1969, that he recently introduced. He urged greater public support of education and particularly of school lunch programs.

I am in complete accord with the Senator's observations that "school lunch programs must be considered a crucial part of our educational process."

I have also introduced a comprehensive bill to expand and improve the national school lunch program, which has widespread support among the Members of the Senate, including the Senator from New York.

I would also agree with him that school lunch programs should not be made a scapegoat of the so-called tax revolt. The nutrition and welfare of children trying to learn are too important. This is too important an area to be hamstrung by fiscal restraint.

This is the point of my communications with the Secretary of Health, Education, and Welfare. I do not think school lunch programs should be made scapegoats of the school desegregation controversy—especially when it goes against the clear intent of Congress, and especially when it deprives schoolchildren of nourishment they so desperately need.

I hope that Secretary Finch will see fit to correct this situation at the earliest possible time.

NATIONAL EXECUTIVES' CONFERENCE ON WATER POLLUTION ABATEMENT

Mr. BOGGS. A conference of importance to American industry, and to the Nation's citizens generally, will take place in Washington October 23 and 24, 1969. This is the National Executives' Conference on Water Pollution Abatement, sponsored by the Department of the Interior.

Secretary Walter J. Hickel organized the conference and will play a key role in it. He will address the conferees at the opening session and will be the featured speaker at a banquet the evening of October 23.

The conference will be held at the Washington Hilton, and will include both morning and afternoon sessions during the two days that it is held.

Under Secretary Russell E. Train is chairman of the conference program committee. The conference director will be Karl L. Klein, Assistant Secretary of the Interior for Water Quality and Research. Klein will serve as moderator of the discussions during the two morning sessions, David D. Dominick, Commissioner of the Federal Water Pollution Control Administration, will be the moderator for the two afternoon sessions.

The significance of the conference is that it launches a new era in public-private cooperation that must grow if the increasingly-serious problem of water pollution is to be brought under control.

Discussion will center around the experiences of industrial firms, here and abroad, in working with the problems of water pollution abatement. Thus, it will provide an instructive symposium for an examination of the whole area of water pollution control, and will offer plans and methods by which the problem may be dealt with in manageable cost ranges.

Water pollution is an international problem that is becoming increasingly critical for all industrialized countries with urban population densities. In recognition of the international aspect of the problem, the conference planners chose to include as chief speakers the top executives of six foreign industrial organizations and six major U.S. firms.

The conference schedule has been arranged in such a way that questions from participants will be welcomed, thus encouraging a full-range discussion of the points presented. The speakers are:

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Mr. Wilfrid Baumgartner, president, Rhone Poulenc, France.

Dr. L. A. DuBridge, Science Advisor to the President.

Mr. Harrison F. Dunning, chairman of the board, Scott Paper Co.

Mr. Rein Hennriksen, director general, A/S Borregaard, Norway.

Dr. Neil Iliff, president, Chemical Industries Association, Ltd., United Kingdom.

Mr. Charles F. Luce, chairman of the board, Consolidated Edison Co., of New York, Inc.

Mr. Brooks McCormick, president, International Harvester Co.

Mr. Charles B. McCoy, president, E. I. du Pont de Nemours & Co.

Rt. Hon. Kenneth Robinson, M.P., Minister for Housing and Planning, United Kingdom.

Mr. Robert M. Schmon, president, the Ontario Paper Co., Ltd., Canada.

Mr. Edgar B. Speer, president, United States Steel Corp.

Mr. John E. Swearingen, chairman of the board, Standard Oil Co. of Indiana.

Mr. Russell E. Train, Under Secretary of the Interior.

Dr. Giorgio Valerio, president, Montecatini Edison, S.p.A., Italy.

Casimir Prince Wittgenstein, senior executive vice president, Metallgesellschaft A. G., West Germany.

"Water Pollution Is Your Business" will be the theme of the conference. Consideration will be given to the following topics:

Industrial recognition of pollution abatement responsibilities.

Management decisions, cost factors by dollars and percentages, sales factors, public relations factors, stockholders relations, and long-range engineering plans.

The development of attainable and tight timetables for industrial pollution abatement, and Government-industrial relations in achieving industrial pollution abatement schedules.

The realization in America of the imperative need for water pollution abatement is not so great as it inevitably must be if the growing demand for clean water, both by industry and the public, is to be supplied in the future. An awareness of the problem will increase in time. But our country must not wait until the overwhelming disaster of pollution-choked rivers, ruined lakes, and dead estuaries strikes vitally at our lives. Plans must go into action now to do something about the problem, to do much more than we are doing.

This is the basic meaning behind the coming conference. It is an important step that must be taken if success is to be achieved. The longer the job is put off, the more it is going to cost in money, in public health, in recreation, and in practically all aspects of community living. Our future environment and our national growth are at stake.

Organizers expect the National Executives' Conference on Water Pollution Abatement to mark a turning point in the struggle against water pollution. To assure that the conference achieves a level of recognition commensurate with its importance, arrangements are being handled by Robert L. L. McCormick, Deputy Assistant Secretary for Water Quality and Research, Department of the Interior, Washington, D.C.

RESOLUTIONS AND PETITIONS ON VIETNAM

Mr. MUSKIE. Mr. President, I participated in yesterday's moratorium observances by returning to my alma mater, Bates College in Lewiston, Maine, to meet and talk with students, faculty members, and citizens of my State. I found there, as other Members of the Senate have found in their States, a growing concern over our involvement in Vietnam and a deepening conviction that we should disengage ourselves from that war.

At the conclusion of my speech I was presented with a resolution adopted by Bates students and petitions signed by other students and by Maine residents. I ask unanimous consent that the Bates program, including these resolutions and signed petitions, the expression of a free people communicating their views to their elected leaders, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BATES COLLEGE—WORK FOR PEACE, OCTOBER 15

(Coordinated by the advisory board)

No community which calls its goal education can ignore the pressing national issues of the day. The war in Vietnam has had an overriding effect on this nation for more than five years and demands our immediate concern. Bates College will respond to the national call to set aside a day to focus attention on this issue.

We respond as an academic community and our response is what we judge appropriate. The initiation of the October 15 Moratorium at Bates occurred on September 28 when representatives of the faculty, students, and administration called for action. The details have been worked out at student government meetings. The responsibility for the success of October 15 as an educational experience rests with each individual student and faculty member who must make his own commitment, regardless of political views, to participate.

SCHEDULE OF EVENTS

Tuesday, October 14th

8:00 P.M., Movie "A Face of War" (free), Filene Room.

Wednesday, October 15th

9:00 A.M. Movie "The Face of War" (free), Little Theatre.

8:00–1:00 P.M., Literature on Vietnam available, Co-ed Lounge.

11:00–1:00 P.M., Lewiston-Auburn community march and rally.

1:30–4:30 P.M., Teach-In, Chapel.

4:30–5:30 P.M., Resolutions presentation and vote, Alumni Gymnasium.

5:30–7:00 P.M., Dinner.

8:00 P.M., Address by Senator Edmund Muskie, Alumni Gymnasium—Students, Faculty, and Staff must enter with ID cards through Men's Locker Room Side Entrance in order to be assured preferential seating.

SUMMARY OF EVENTS

Tuesday, October 14th 8:00 P.M. Filene Room

Movie, "A Face of War." "In an atmosphere of doubt and uncertainty, this film draws away the curtain and projects a sensitive image of the war in Vietnam. It pulls no punches, claims no sides."

Wednesday, October 15th 9:00 A.M. Little Theatre

Movie, "The Face of War." A documentary portraying the horrors of modern warfare, concentrating on its weapons and its victims.

Wednesday, October 15th 8:00 A.M. to 1:00 P.M. Co-ed Lounge

Literature on the movement to end the war in Vietnam will be available at a Students for Peace table. Those wishing to make appointments for draft counseling may do so at this time.

Wednesday, October 15th 11:00 A.M. to 1:00 P.M.

A Lewiston-Auburn community march to protest the war will begin at Lewiston High School and end in a rally at the public park. Concerned Bates faculty and students will be attending.

Wednesday, October 15th 1:30 P.M. to 4:30 P.M., Chapel Teach-In

Vietnam has certainly been one of the more complex happenings to occur in our nation's history. We have heard the spectrum of impassioned pleas for action from far left to far right. We have listened to their analyses of the situation, the causes, the effects, and the solutions. The results have been less than satisfactory, yielding only anger and confusion.

The purpose of October 15th and specifically the teach-in as we at Bates are concerned is to provide a time for rational discussion on Vietnam; its history, the war, and its effect on the United States. Because we have assumed this perspective, no particular political posture is being emphasized. The teach-in will provide information both from a personal experience and academic point of view. It is hoped that this educational experience will provide the stimulus necessary in order for the Bates Community to arrive at a resolution concerning the future role of the United States in Vietnam.

The teach-in is a unique opportunity to draw upon the resources of Bates College in examining the issue of Vietnam. For the experience of October 15th to be of significance, your support and participation are of primary importance.

ORDER OF SPEAKERS FOR THE TEACH-IN

1. Mr. Cole, "The Historical Background of the Involvement of the United States in the Vietnamese War."
2. Prof. Thumm, "The Foreign Policy of the United States and Involvement in the Vietnamese War."
3. Edward Barrows.
4. Atty. Louis Scolnik, "International Law and the Involvement of the United States in the Vietnamese War."
5. David Minster.
6. Mr. P'An, "Communist China as a Factor in Determining Policies of the United States Concerning Vietnam."
7. Richard James.
8. Assoc. Prof. Gyi, "South-East Asia and the Involvement of the United States in the Vietnamese War."
9. Francisco Mendizabal-Prem.
10. Fr. Roger Chabot, "The Catholic Church and War."
11. Thomas Doyle.
12. Prof. Chances, "The Economy of the United States and Involvement in the Vietnamese War."
13. Prof. Fetter, "Vietnamese Society and the Involvement of the United States in the Vietnamese War."

Wednesday, October 15th 4:30 P.M. to 5:30 P.M. Alumni Gymnasium, Resolutions Assembly

The purpose of our teach-in is to rationally re-examine American involvement in Vietnam and attempt to reach an agreement, in the form of a resolution on the direction we feel American policy should take. A stu-

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dent-faculty committee was appointed by student government to draft resolutions to be presented for a vote on October 15th. This committee wrote several resolutions and presented them for revision at an open assembly of students on October 10th. The revised resolutions are printed below.

At 4:30 p.m. on October 15th the resolutions below will be voted on in an open assembly of students, faculty, and administration in the Alumni Gymnasium. It is vitally important to the success of the moratorium that all students, faculty, and administration be present at this assembly to vote on these resolutions.

RESOLUTION I

(380 present—45 in favor)

Be it resolved, that we declare our endorsement and support of the present United States policy in Vietnam.

RESOLUTION II

(266 in favor)

Be it resolved, that we declare our disagreement with the present United States policy in Vietnam. Be it therefore further resolved that we urge upon the President, the Congress, and the people of the United States the adoption of a policy of immediate cessation of all offensive military action in Vietnam and a total, unilateral withdrawal of American combat and support forces to be completed no later than the end of 1970.

Because of the difficulties involved in taking a vote of 1200 persons, revisions and resolutions from the floor will not be possible. However, it is our intention to allow as much time for discussion and debate on the resolutions as is available. *The resolution which receives the most votes will be communicated to President Nixon,* members of Congress, and the press. It will also be presented at the evening assembly to which Senator Edmund S. Muskie will speak.

Wednesday, October 15th 8:00 P.M. Alumni Gymnasium, address by Senator Edmund S. Muskie.

OCTOBER 15, 1969.

SENATOR MUSKIE: We, the undersigned from Leavitt High School, are opposed to the continuation of the Viet Nam War. We support the legislation that calls for complete troop withdrawal. We feel that the war continues to have a corrupting influence on every aspect of American life. Therefore, it must be stopped.

Rodney Tulonen, Ruth Geores, John Page, Paul Barter, Naney Pearl, Gerry Beandith, Merle Braley, Phyllis Fortin, Cliff Damon, Methyl Gagne, Nelson Judd, Dennis Langlin, Robert Griffin, John Dunn, and Robert Benson.

Barbara Enos, Connie Pelletier, Jeannette LaPointe, Darlene Henthorn, Cindy Rideont, Rita LaPointe, Brad Varney, Majorie Adams, Sheldon Buhier, Steve Leavitt, Sonia Morris, and Mary Varney.

Gail Plummer, Prudy McGouill, Penny Givens, Ellen Tully, Nancy Meisner, Steve Palmer, Judy Bragdon, Ted Smith, Brad Nickerson, Donna Gustus, Regina Gustus, Doris Libliz, Jo Hanna Goldrup, and Ronna Burgess.

Joy Pinkham, Paul Shaw, Patty Pratt, Lynn Latham, Mark Bonney, Phillip Smith, Richard Boutin, Mary Leavitt, Gary Judd, and John Camire.

Debbi Dudley, Bradley Buzzell, Mike Seamon, Susan Meisner, Dana Hood, Brenda Farnum, Denise Brewer, Shane Marston, Jane Libby, Edward Giroux, Kathie Fogg, Cathy Rowe, and Jann Poland.

Carmen Giroux, Andre Dastie, Veronica Howe, Bob Friendsen, Peter Ricker, Cathy Basil, Steve Talbot, Kathy Furbush, Steve Page, Sonia Morris, Pam Nichols, Bill Jones, and Walter Jones.

OCTOBER 15, 1969.

DEAR SENATOR MUSKIE: You have before you the combined efforts of The Lewiston-Auburn Citizens for Peace. In the course of four short days, this organization has gathered over 1,500 signatures asking for an immediate end to the Vietnam War. We, the Lewiston-Auburn Citizens for Peace, urge you to take notice of these names. Thank you.

Sincerely,

THE LEWISTON-AUBURN CITIZENS FOR PEACE.

The most important task facing the United States today is ending the war in Vietnam. This war continues to have a corrupting influence on every aspect of American life. To end the war now the United States must commit itself to complete troop withdrawal.

We, the undersigned, join with the supporting of Vietnam Peace Action Day in the demand for an end to the war now:

Charlotte Shapiro, Auburn, Me.; Nora Beaulieu, Auburn, Me.; Arlene Smith, Hallowell, Me.; Joanne Witas, Mexico, Me.; Laura Witas, Mexico, Me.; Kathy Hemphill, Auburn, Me.; Claire Wherty, Boston, Mass.; James Wither, Stratton, Me.; Frances Moneymaker, Auburn, Me.; and Roger Therieault, Auburn, Me.

Cheryl Morris, Auburn, Me.; Davis Manatte, Livermore Falls; Pauline Gannilla, Chisholm, Me.; Dorothy Voter, Phillips, Me.; Lambert F. Seger, Auburn; Lucille Witham, Stronty, Me.; Aldona Pingree, Farmington; Brenda Allen, Farmington; Kathy Belanger, Auburn; and Ruby Parson, Livermore Falls.

William Mullins, Lew.; Marie Quellette, Lewiston; Richard L. Casper, Lashon Falls; Edward Haby, Auburn, Me.; Mrs. C. Voltes, Lewiston, Me.; Joseph D. Brogan, Lewiston, Me.; Constance Brogan, Lewiston; Me.; Joseph Drummond, Aub.; Ida Drummond, Aub.; Colleen Durgan, Portland, Me.; and Mrs. Carl Durgan, Oxford, Me.

John Brennon, Frank J. Brennon, Louise H. Matthews, Elbert L. Matthews, Sandra Keough, Mrs. Wm. Cohen, Gertrude H. Berent, Rabbi David Berent, Muguelte Quellette, and David A. Nelson.

Selma A. Nelson, Mrs. Murphy, Mrs. J. Csoros, Mrs. George Buffard, Mrs. Viola Berube, Mrs. Enerelda Ryan, Mrs. Conrad Poulin, Mrs. Masal Chasse, Vincenta Bernier, and Jeanette S. Bennar.

Frances Brennen, Earl Isaacson, Marilyn Isaacson, Mamie St. Hilaire, John E. Libby, Arthur W. Prevost, Dorothy Kowbotham, Kathleen Leclair, Mr. and Mrs. Larry Day, R. E. Hall, Nancy MacLean, Mrs. E. Dulac, Elizabeth Pond, and Romeo A. Fourier.

Romu Pimulear; Bert James; Carmen Pintah, 55 Summer St., Lewiston; Arvilla Kay, 1 White St.; Emily Fortin; Eva Paquin; Roland Provencher, Lewiston; and Antoinette J. Jean, Lewiston.

R. W. Burnham; Mike Westleyh, Lewiston; Mrs. Alice Stone, Lewiston; W. S. Ward, Lewiston; Leonard J. Botar, Arnhim; Lorraine Stevens, Lewiston; Margaret Parsons, Lewiston; Claude Pelletus; Emma Rodriquez, Lewiston; Stela Rodriquez, Lewiston; Mrs. Carmen Miquelon; Mrs. Judy Bourget; and Mr. Gerald Clark.

Dianne Moody, George A. Lepage. Lauren C. Potter, John E. Darken, Jr., Gene Thibuden, Louise Thibuden, Patrica Paquette, Sandy Hart, Mary Chiaravelott, and Judy Nason.

Michael T. Goff, Richard Luksza, John Shalek, Glenn Karp, Leo Beaudin, John M. Cockorno, Barbara Libby, Cindy Levesque, Ron Marcotte, and Richard P. Ducharme.

Robert D. Rosenbaum, John R. Discheros, Titi Marin, William St. Pierre, Linwood Donovan, Becky Thompson, Guard LuBland, Paul E. Rodrique, A. J. Pelletier, J. R. Gendron, Mario Conturier, Dick Dutean, Beverly Maunn, and Diane Donohue.

Linda Parent, Adrian E. Bouchard, Justine Deiteau, Barbara H. Moreau, Clara Morin, Carlson Spraud, William J. Coffin, Jerrilyne N. Sartin, Michael Winer, Chaven Hull, K. F. Grunert, R. L. Townsend, Brian E. Boyucko, Lillian E. Brown, Sandy Polequin, and Scott E. Green.

Kay Bengel, Livermore Falls, Maine; Les Mercier, Berlin, N.H.; Marcella Desgrosullin, Berlin, N.H.; Marilyn Morris, Auburn, Maine; Marielle Rodriguez, Auburn, Maine; Bertha Herring, Auburn, Maine; Ed Gardner, Lewiston, Maine; Mrs. G. Lussier, Cape Elizabeth, Maine; Carla Powers, South Paris, Maine; L. D. Powers, South Paris, Maine.

R. M. Plourde, Auburn, Maine; J. B. Plourde, Auburn, Maine; Mrs. J. C. Miller, Auburn, Maine; Mrs. L. McAllister, Auburn, Maine; Charlotte Landry, Lisbon, Maine; Mavis Walker, Monmouth, Maine; Paul Boilard, Lewiston, Maine; Doris Laverdiere, Lewiston, Maine; Helen Linehan, Lewiston, Maine; Laura Linehan, Lewiston, Maine.

Daniel Gagnon, Lewiston, Maine; Loretta Roberts, Lewiston, Maine; Carlton Spencer, Lewiston, Maine; Mabel Spencer, Lewiston, Maine; Jean Brown, Auburn, Maine; John V. Oates, Auburn; Suzanne B. O'Sullivan, Auburn; Gerald Horagin, Auburn; Dominic Nadiau, Valleyfield; David Thibaudeau, Mexico, Maine.

Barbara Thibaudeau, Mexico, Maine; Jerome Young, Lewiston, Maine; Lorraine Young, Auburn, Maine; Anita LaPointe, Turner, Maine; Ruth Castner, Auburn, Maine; Rita Pepin, Lewiston, Maine; Irene Mahex, Lewiston, Maine; Christine Colley, Auburn, Maine; Lauries Cote, Lewiston, Maine; Antoinette Cote, Lewiston, Maine.

Terry Huntington, Dennis M. Williams, Tom Langley, Cindy Beaupre, Marcia Duplissis, Sandy Goeffroy, Rose Fortin, Carl Harrel, Conrad Maclean, Florence Doyan.

Jeanette Dogan, Lorarine Locke, Maureen Dagnon, Pat Bissonette, Diane Growel, Claire Berube, Roy Cloettier, Brian Foster, Gary Bell, Donna McKee.

Kathy Tuttle, Roy Turcotte, Chris Beaulien, Claire Beaulien, Sue Labrie, Tommy Rogers, Leanna Webee, Carmen Busieirie, Dolores Basse, Norman Turcotte.

Claire Bergerson, Carol Letourneau, Diane Cote, Diane Parent, Rita Parent, Henry Fountain, Robert Cote, Sue Martel, Colleen Parker, Lorraine Bergerson.

David Inmond, Janice Marcotte, Bro. Denis Luflamme, S.C., Claudette Luflamme, Calire Luflamme, Ray Moreau, Paul Beaulien, Maurice LeBlanc, Mike Clements, Mildred Lessard.

Edward Hammond, Darry Lessard, R. S. Dmittieff, Sue Toni, Kathy Lessard, Ronald Lorrine, Roland Bechard, Gerald Darling, Irene Cote, Michael T. Gilbert.

Lawrence Wood, Bob Cumo, Barbara Jennings, A. Dible Barlas, Steven S. Mason, Karen Ward, Randy Kenney,

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Michael Heath, Richard Lindahl, Brion Gallagher.

Bob Valentine, J. Pompano, Cathy Coexas, Fred Wolff, W. Douglas Costello, Ken Johnson, Shirley Moulton, Nancy Blodget, Jim Scott, Nguyen Dop.

Liana Eastman, Ruhbus, Rob Center, Louis Garafalo, Ted Barrows, Jeff Tilt, Abigail Sickmund, Pam Farris, Helen Bain, George Thurston.

Barbara Smith, Michael Wilson, Joseph Machomber, Roberta Potter, Dave Counsbury, Anna Hosmer, S. Jeanne Hall, Lauozu Petibone, John N. Sheans, Kenneth Busby.

Sara Marsey, Sue Steer, Jean Streeter, David Pierson, Roger French, Marilyn Deson, Dan Johnson, Beth Maker, Martha George, Sunday Ciarlo.

Alan D. Hyde, Ronald A. Cromwell, Homa F. Shirazi, Faye Farmington, Gregory P. Fortine, Burt Roundtree, Peter W. Buchanan, Peter Mezza, Rick Porter, Dorn Brons.

Marilyn A. Lantery, Linda Rothman, Linda Hausmann, Lucy Taylor, Vincent Camire, Marty Collier, Roy A. Strickey, Albert Jackson, Deborah Clendenning, Wayne Yartward.

Mary Calhoun, Julio D. Stencil, Gene Schiller, Charles Kaufman, Michael E. Pouloumger, Lynn McMillan, Cheryl White, Mike Hutchinson, Dan Dionne alias Dino, Euclid R. Romean.

Carole Scannell, Ginny Remeika, Janet Boeshear, Beth Palmer, Maither Cassis, Hank M. Slesik, John Mac Leon, Esther Adagula, Carolyn Landis, Janna Lamline.

Wendy Scher, Helen O'Leary, Brad Elliott, Kathy Lynch, Susune, J. Stewart, A. Ursprung, Dana Dimods, Marty Grenon, Cintuleni, Marilyn Crocker.

John D. Baraldi, Leslie Miller, Ronald Johnson, Kathryn Lowe, Peter Murray, M. Seville, Bill Whitewith, Lorraine Swensky, Walter Tomas, W. Connally.

A. Kavanaugh, Jay Parker, Gordon Arthur Woodley, Paul Hendrick, Carl Sturgis, Ira Waldman, Daniel Rice, Mirian Weissman, Jocelyn Penn, Joseph Train.

Steven Rosenblatt, Elizabeth Taylor, Edward Myers, Edward K. Romine, Mary Chesey, Carol Stark, Christopher A. Wright, Richard Chasy, Robert A. Shepherd.

Phyllis Whitin, Susan L. Evans, Martha Peterson, Simon Koneshi, Steph. Ynkers, Glenn Thornton, Robert Kest, Shelly Lenon, Susan Person, Robert Schmidt.

Andy Moal, Sheila Tebbetts, Linda Eberhard, Linda Pierce, Marilyn Dacey, Nancy Hahn, R. King, Barbara Hagstrom, Stephen J. Andrick, J. A. Conkling.

Carlton J. Fitzgerald, James A. Rinak, Nancy Jestreby, Judith Andrews, Stephen A. Buyko, Robert Wusslor, Randy O'Neal.

Al S. Cardre, David Withut, S. Mellintic, J. Butland, R. D. Taylor, L. A. Carter, Bruce M. Wilson, Bill Jamison, Pamela Alexando, Edward Francis.

Brian Parker, Thomas Turner, Peggy Liversidze, Walter Di Ginsto, Clifford H. Boggis, Sue Graves, Mike Shine, Jan Bouldry, Anna Zaremoci, Melanie McHenry.

William Doherty, Thornton Cody, Terry Soildord, Sue Mone, M. Davis, Joe B. TenHove, David Doolittle, Tom Griffiths, John E. Paige, John A. Rand.

Michael B. Sawyer, Wayne Loosigian, Susan F. Cooper, Robert G. Whit, Mielendo Bowler, Louise Atwater, Donna Crapser, Judy Hancox, Rita O'Donnell, Dee Weber.

Michael Dorman, Dwight W. Fraser, Bryant A. Geinbrel, Sharon Earley, Eddie Thibodeau, Jane Sweeney, Steven Gamble, Judith Robinson, Peggy Montgomery, John Wilson.

Joan Cobb, Joanne Stato, Jim Miller, Joe Bradford, Dean Geelezian.

Mrs. Richard Ritchie, Mrs. Marcel Roy, Judy Roy, Earl Rowbotham, Frances H. Jordan, Marion B. Carver, Sheldon Anderson, Orfa Robertson, Donald F. Stultz, Phyllis Stultz.

Richard Thidbodeau, Mrs. William Herd, Robert R. Caron, David Amos, Diane Amos, Mr. and Mrs. Raul L. Caron, Mrs. Louis Ward, Ruth G. Cadarett, Betty Allen, Henry N. Orin.

Dorothea Martel, Fred Boucher, Romie H. Morin, Sr., Jacqueline C. Mavin.

Barbara West, Doris Duplissis, Doris Levasseur, Carmen Coto, Claire Bartlett, Marguette Ouellette, Irene Ouellette, Charlotte Harris, Wida Jalbert, Alice Wagner.

Leonard Dodge, W. T. Cutchey (William), Stacia Norrington, Barbara Smith, Mrs. Charlie Duncan, Kim Cusson, Sue Galasaeau.

Mrs. D. T. Gagnon, Auburn, Maine; Mrs. Conrad Martineau, Lewiston, Me.; Mr. Robert Marcotts, Lewiston, Me.; Mr. Akins, Raymore, Me.; Joseph Lymieci, Lewiston; Marie Lemiery, Lew; Adele Baillargeon, Lew; Rita Hood; Athena Harkins, Maine; Carleen Harkins, Maine.

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ROADSIDE EROSION

Mr. NELSON. Mr. President, on August 1, 1969, I introduced a bill that would protect against erosion of streambanks and roadbanks. At that time I pointed out that 60 percent of America's highway system is not covered by any erosion control program, and that this needless erosion destroys valuable land, defaces the landscape, causes excessive highway maintenance costs and pollutes many of our rivers and streams. I added then that studies have shown that silt losses due to roadbank erosion run as high as 356 tons per acre per year in parts of Wisconsin. An estimated 15 percent of the silt polluting Wisconsin water comes from this source.

In connection with this problem, I invite attention to an article published in the September 1969 issues of Soil Conservation which reveals the results of a survey of roadside erosion. In addition, I ask unanimous consent to have printed in the RECORD another article, which again indicates the need for this legislation. The article reports that construction of two major roads in Fairfax County, Va., caused erosion at a rate 200 times faster than normal.

Mr. President, I ask unanimous consent that the two articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From Soil Conservation, Sept. 1968]

ROADSIDE EROSION SURVEY

(By William M. Briggs, conservation agronomist, SCS, Madison, Wis.)

The eroding sections of Wisconsin roads, if joined end to end, would extend from the capital city of Madison to New York City, then back across the continent to Los Angeles.

This isn't to say that Wisconsin has more roadside erosion than any other state but that conservationists here have made a systematic survey of the situation and can name places and cite figures.

The inventory shows something more than 21,000 sediment-producing sites on the state's 87,000 miles of roads—a total of 3,711 miles of bare banks in an average of four locations in each mile. Figuring an average width of 16 feet, their combined area amounts to nearly 7,300 acres.

This is public land—your land and mine! Much of it drains directly into lakes and streams. For many years, students of sedimentation have recognized roadside erosion as one of the principal sources of the material progressively filling and fouling our surface waters. The survey gives a clear picture of the problem in this state. The inventory is believed to be the first of its magnitude in the Nation.

The Wisconsin Chapter of the Soil Conservation Society of America initiated this project in 1967. A subcommittee of the Natural Resources Council of State Agencies drew up procedures for a 100 percent inventory of all rural roads in Wisconsin.

Each county organized a local committee. Participating personnel and agencies included the Soil Conservation Service, Extension Service, Forest Service, Wisconsin Department of Natural Resources, Wisconsin Department of Transportation, Wisconsin Department of Local Affairs and Development, soil and water conservation district supervisors, County Agricultural Stabilization and Conservation Service committees, and county officials of Farmers Home Administration. Other local, state, and federal agency people frequently helped. The SCS district conservationist generally served as chairman. A number of county Technical Action Panels (TAPs) chose this as a special project.

Tabulations for each eroding area included length, width, and total area in square feet. Surveyors marked each location in a plat book now filed in SCS work unit offices. Compilations by townships were sent to the state committee for checking, then the information was summarized on a county and state basis.

Town and county roads account for 97 percent of all roadside erosion. Nearly three-fourths (73 percent) occurs along town roads; one-fourth (24 percent) along county roads; and the remaining 3 percent along state roads. Vegetation along state roads generally rates excellent.

The published report gives a state summary and a breakdown of the findings by counties. Tables include extent of erosion along roads—town, county, and state. One table ranks the 15 counties with the most erosion. It shows that one-third of all roadside erosion is found in six counties, and more than half occurs in 15 counties.

Persons making the inventory indicated the control needed on each eroding site. Total figures show that more than half (54 percent) of the sites could be controlled by fertilizing, seeding, and mulching. More than one-third (37 percent) requires sloping, fertilizing, seeding, and mulching. The balance or nine percent needs "the works" including structures, sloping, fertilizing, seeding, and mulching.

Only areas of more than 100 square feet were recorded. The figures, therefore, do not represent all of the roadside erosion. The committee prepared individual county supplements for town and county officials. These tabulate erosion along town, county, and state roads on a legal township basis.

Local news media publicized the survey widely and created an awareness of the problem. People and organizations have started an "action" program. Soil and water conservation districts are recognizing roadside erosion in their work plans. Districts and counties are purchasing hydroseeders and mulchers. Several counties and townships are developing policies for proper control of roadside erosion.

The report distributed widely, urges local, county, and state officials to take corrective action as soon as possible. Recommendations include:

(1) Develop action programs giving consideration to adopting timetables for achieving adequate control.

(2) Consider purchase and use of specialized seeding and mulching equipment.

(3) Within the next 5 years, control every site reported that is a major source of sediment in Wisconsin's surface waters.

(4) Consider incentive funds of some sort, including any available for public works, as a way to help speed up roadside-erosion control.

(5) Establish vegetation on all newly constructed road cuts and fills. Waiting for natural seeding is too slow. Provisions should be made to secure wider rights-of-way where needed.

(6) Build sediment-retention structures as a part of all new construction. Maintain them until permanent structures and vegetation achieve adequate control.

The time of gathering data proved opportune to collect other pertinent information. Local committees outlined selective brush management sites suitable for maintaining highway rights-of-way in native shrubs. They also recorded unsightly conditions, including dilapidated buildings, auto graveyards (three or more cars), and dumping grounds. These items were reported separately.

ROADSIDE EROSION AND CONTROL NEEDED IN WISCONSIN

Control needed	Town acres	Roads percent	County acres	Roads percent	State acres	Roads percent	All acres	Roads percent
Fertilize, seed, and mulch	2,640	50	1,130	64	150	69	3,920	54
Slope, fertilize, seed, and mulch	2,140	40	490	28	50	22	2,680	37
Structure, slope, fertilize, seed, and mulch	520	10	150	8	20	9	690	9
Total	5,300	100	1,770	100	220	100	7,290	100

[From the Washington Post, Sept. 15, 1969]

EROSION IS BLAMED ON TWO ROADS

Construction of two major roads through part of Fairfax County in the early 1960s caused soil erosion to zoom to 200 times the normal rate there, the U.S. Geological Survey reported yesterday.

According to a Survey study conducted between 1961 and 1964, about 16,600 tons of sand, silt and clay washed down Scotts Run each year because of construction of the Capital Beltway and the Dulles Airport access road.

The normal annual erosion for such an area, the study calculated, is about 38 tons.

Soil erosion clogs streams, reducing flood protection, contaminates water supplies, and destroys marine ecology by ruining feeding and spawning grounds and covering shellfish beds.

The report was released during a national conference on sediment control scheduled to end today in Washington. The document will be made available to Fairfax planners to aid them in tightening present erosion controls.

According to the report, about half the sediment that washed into Scotts Run remained somewhere in the stream basin. The rest was carried into the Potomac River.

The study concludes that during a period of normal annual rainfall, the average erosion for similar construction sites in Northern Virginia is about 150 tons per acre, or 96,500 tons per square mile.

Normal erosion is accelerated when natural cover is stripped off and the terrain rearranged.

SOME FACTS ON THE OREGON AND CALIFORNIA LANDS IN OREGON

Mr. PROXMIRE. Mr. President, on September 22, I introduced S. 2943 to amend the payment provision of the Oregon and California Land Grant Act of 1937.

For fiscal year 1970, 18 counties in western Oregon will receive payments in lieu of taxes totaling $32,000,000. I estimate that these payments will exceed the taxes paid on private timber lands by an average of 8.1 times. I estimate that one county's payments will be 149 times greater than taxes paid on comparable private timber and lands, another 99 times greater, a third will run 42.2 times greater, a fourth 34.5 times greater. A precise calculation might show some difference, but in general terms these facts show that the Government will pay these counties an average of $12.50 per acre in fiscal year 1970 while taxes on private timber land average only about $1.55 per acre.

In order that Oregon residents, including the Senators from Oregon, can have the opportunity to examine my figures, I ask unanimous consent that two tables of statistics be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. PROXMIRE. Mr. President, I will readily admit that an application of exact millage rates by taxing districts would produce slightly different data but, in general, it is my position that these are reasonably accurate comparisons.

An analysis by the Bureau of Governmental Research at the University of Oregon for the O. & C. counties suggests that if the O. & C. lands in Josephine County were on the tax rolls they would pay $1,123,720 compared to the almost $3.9 million the counties will get this year. However, I estimate that private timber and land in Josephine County pays only 25 cents per acre in taxes and that if the O. & C. lands were taxed on the same basis as private timber lands the counties would have received less than $100,000.

Not only is the Federal Treasury being milked by the continuation of the Oregon and California Act payment provisions, but there is reason to believe that, in fact, private timber in Oregon is given preferential tax treatment. It is not taxed on the same basis as are farms, homes, and businesses. For example, in at least one major Oregon timber county the volume of timber standing on private lands by official U.S. statistics is over three times greater than the State and county tax assessors report for assessment purposes. This raises an additional question of whether private timber is carrying its fair share of Oregon's tax load.

There are 111.015 billion board feet of timber in 17 western Oregon counties which carry an assessed value of only $436.7 million. The assessed value of this private timber is less than $4 per thousand board feet, when, in fact—as testimony before the Banking and Currency Committee showed—timber is worth over $50 per thousand board feet.

In addition, in 1968 the O. & C. lands supplied on a sustained yield basis a harvest equal to about 650 board feet of

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timber per acre. Private timber, much of which is not on sustained yield, provided a cut equal to about 520 board feet per acre.

The facts suggest that the O. & C. forest is doing more than its share for Oregon. Its timber is cut on a sustained yield basis; the revenue totally supports this sustained yield operation. These timber payments also support the construction of roads and schools, the funding of welfare programs and many other public services.

When I first started to look into this question, the only issue was the overpayments on the O. & C. lands. However, the facts also suggest that Oregonians ought to determine whether the private timber lands are undertaxed. If it is proper for the O. & C. lands to pay $12.50 per acre as a tax equivalent, then private timber lands should pay comparable taxes rather than the $1.55 per acre they pay. On the other hand, if $1.55 per acre is a fair tax on private timber, then the U.S. Treasury should not pay $12.50 per acre in lieu of taxes on the O. & C. lands.

EXHIBIT 1

ESTIMATED PAYMENTS MADE BY PRIVATE TIMBER AND LAND IN 17 WESTERN OREGON COUNTIES

	Private acres [1]	Land tax at 20 cents per acre [2]	Timber assessed value (millions) [3]	Estimated County tax rate (thousands) [4]	Timber tax [5]	Western Oregon additional timber tax, 1968 [6]	Estimated total tax [7]	Private tax per acre [8]
Benton	191,000	$39,000	$9.0	$19.00	$171,000	$19,000	$229,000	$1.20
Clackamas	324,000	66,000	11.3	20.00	226,000	46,000	338,000	1.05
Columbia	317,000	64,000	4.5	23.00	103,500	12,500	180,000	.60
Coos	597,000	120,000	42.4	21.00	890,400	195,600	1,206,000	2.05
Curry	310,000	62,000	15.0	19.00	285,000	67,000	414,000	1.35
Douglas	1,220,000	244,000	103.0	15.00	1,545,000	167,000	1,956,000	1.60
Jackson	566,000	114,000	15.9	19.00	302,000	42,000	458,000	.85
Josephine	228,000	46,000	.9	17.00	15,300	2,200	63,500	.25
Klamath [9]								
Lane	903,000	182,000	83.0	19.00	1,577,000	204,000	1,963,000	2.20
Lincoln	367,000	74,000	19.0	15.00	285,000	93,000	452,000	1.25
Linn	515,000	104,000	96.0	16.00	1,536,000	155,000	1,795,000	3.50
Marion	151,000	30,000	6.0	15.00	90,000	7,000	127,000	.85
Multnomah	56,000	12,000	.7	25.00	17,500	1,000	30,500	.55
Polk	235,000	48,000	7.1	17.00	120,700	21,300	190,000	.85
Tillamook	202,000	40,000	17.0	19.00	323,000	35,000	398,000	2.00
Washington	160,000	32,000	2.0	21.00	42,000	6,000	80,000	.50
Yamhill	192,000	40,000	4.6	21.00	96,600	6,400	143,000	.75
Total or average	6,534,000	1,317,000	436.7	17.46	7,626,000	1,080,000	10,023,000	1.55

[1] The significance of the O. & C. forest resources in western Oregon, p. 146.
[2] Calculated col. 1×20 cents per acre. Estimated assessed value average $11.50 for bare land.
[3] Oregon State Tax Commission report, 29th biennium, p. 91.
[4] See source [1] above table 31, col. 8 (rounded up to next whole dollar).
[5] Calculated col. 3×4 (rounded).
[6] See source (3) above, p. 105, col. 6.
[7] Cols. 8+11+12 (rounded)
[8] Calculated col. 1÷col. 7 (rounded).
[9] Timber taxed on a yield tax basis rather than ad valorem basis.

PAYMENTS AND OVERPAYMENTS ON O. & C. LANDS, OREGON

	Percent of record paid to each county [1]	O. & C. acres [2]	Distribution based on $25,500,000, fiscal year 1969 [3]	Per acre payment [4]	Distribution, fiscal year 1970, $32,000,000 [5]	Per acre [6]	Overpayment ratio, 1969 [7]	Overpayment ratio, 1970 [8]
Benton	$2.81	$52,521	$716,550	$13.65	$899,200	$17.10	$11.3	$14.2
Clackamas	5.55	91,807	1,415,250	15.40	1,776,000	19.35	14.7	19.2
Columbia	2.06	11,079	525,300	47.40	659,200	59.50	79.0	99.0
Coos	5.90	121,984	1,504,500	12.35	1,888,000	15.50	6.0	7.6
Curry	3.65	93,416	930,750	9.95	1,168,000	12.50	7.4	9.3
Douglas	25.05	706,334	6,387,750	9.05	8,016,000	11.35	5.6	7.1
Jackson	15.67	435,186	3,995,850	9.20	5,014,400	11.50	10.7	13.5
Josephine	12.08	366,600	3,080,400	8.40	3,865,600	10.55	33.6	42.2
Klamath	2.34	67,305	596,700	8.85	748,800	11.15		
Lane	15.27	374,305	3,893,850	10.40	4,886,400	13.05	4.7	5.9
Lincoln	.36	9,220	91,800	9.95	115,200	12.50	8.0	10.2
Linn	2.64	86,166	673,200	7.80	844,800	9.80	2.2	2.8
Marion	1.46	20,712	372,300	18.45	467,200	23.15	21.7	27.3
Multnomah	1.09	4,247	277,950	65.45	348,800	82.10	118.0	149.0
Polk	2.16	42.205	550,800	13.05	691,200	16.45	15.4	19.4
Tillamook	.56	25,570	142,800	5.60	179,200	7.00	2.8	3.5
Washington	.63	11,695	160,650	13.75	201,600	17.25	27.5	34.5
Yamhill	.72	41,453	183,600	4.40	230,400	5.55	5.9	7.4
Total or average	100.00	2,563,805	25,500,000	10.00	32,000,000	12.50	6.45	8.10

[1] The significance of the O. & C. forest resource in western Oregon, p. 60.
[2] Public land statistics, p. 133.
[3] Calculated col. 1×$25,500,000.
[4] Calculated col. 2÷col. 3.
[5] Calculated col. 1×$32,000,000.
[6] Calculated col. 2÷col. 5.
[7] Calculated private tax per acre÷col. 4.
[8] Calculated private tax per acre÷col. 6.

SCHOOL PRAYER

Mr. BYRD of West Virginia. Mr. President, on October 8, 1969, I made a statement for radio concerning my proposed amendment to the U.S. Constitution. The amendment would make clear the right of persons who are lawfully assembled to participate voluntarily in nondenomination prayer.

I ask unanimous consent that the transcript of that statement be printed in the RECORD.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

SCHOOL PRAYER

I have introduced in the United States Senate a proposed amendment to the United States Constitution which would make clear the right of persons who are lawfully assembled to participate voluntarily in nondenominational prayer. The Federal courts have never prohibited voluntary prayer, and I want to make clear that they do not do this in the future.

I think that the fears which recent Federal decisions have inspired and the implications which they contain, together with the results which might flow from these Federal court decisions, make it imperative that the Congress take cognizance of the matter and act to give the people of our country an opportunity to make their feelings known and their voices heard on a Constitutional amendment which would clarify the matter of school prayer.

My amendment is simple. It does not place any responsibility upon anyone, and it does not authorize any person or authority to dictate the form or the content of a prayer. It merely makes clear that no court can take action to obstruct the right of persons who are lawfully assembled to voluntarily participate in nondenominational prayer even though such prayer is conducted in any public building, such as a school, which receives all or a part of its financial support through public moneys. My amendment gives no authority to any official body

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to dictate the form or conduct of a prayer, but it does not restrict any official body from providing for or permitting voluntary participation in nondenominational prayer.

In all of the prayer cases, the decisions have been based on the Court's interpretation of the Federal Constitution. That Constitution was ordained by the people, and in Article V of the original Constitution the people reserved to themselves the right to amend it. And so the issue, as far as I am concerned, is quite clear.

Shall the people be afforded an opportunity to pass judgment on language which would clarify this vexing problem before it may be carried to ridiculous extremes in other suits which may be filed by atheists or agnostics?

My proposal would clarify the situation and remove the possible implications which constantly hover over every teacher and principal in the land as well as over the school boards and authorities who are charged with administering our public education system.

The adoption of this resolution by Congress would require a favorable vote by two-thirds of the members of both Houses. And this will be difficult, but I think a continuing effort should be made. For years, I cosponsored such an amendment with the late Senator Everett Dirksen. We were able to secure a majority vote in the Senate, upon one occasion, but we were unable to secure a two-thirds vote. And so I intend to keep on fighting for the adoption of this resolution.

Man must look to a God for comfort and as a source for inner strength and hope. Our Nation became a great Republic, and this can be attributed, in part at least, to the fact that the men and the women who have led the Nation from its birth have been individuals who believed in the existence of a Supreme Being. They came from many denominations and from many religious faiths, but the important thing is that they looked to God for guidance.

Throughout the years, the school children of our country have had exposure to prayer in the public schools. All too often, outside the school, they only heard a reference to God when His name was spoken in vain. The reference to the Deity in a school prayer was their only introduction to communion with a Supreme Being and their only experience with a spiritual atmosphere. The recent Federal Court decisions have caused a great deal of misunderstanding and the result has been that so many millions of our Nation's children no longer have even this brief exposure to prayer.

There are those who say that prayer should be something for the home and for the church, and this is true. But so often the home neglects its responsibility and parents fail in their responsibility to take their children to church. And, as a result, the burden falls on the school.

How strange that we spend millions of dollars in public funds every year to develop the physical fitness of American youth, but when it comes to developing the spiritual muscles through prayer, our children are being deprived.

I do not want to force any denominational faith or prayer upon anyone, but I do believe that the wishes of the overwhelming majority of the American people should be listened to and should not be subordinated to the whims of a handful of atheists.

I believe, therefore, that we should press for the adoption of this amendment and I intend to do this.

I am for rendering unto Caesar the things that are Caesar's, but I think that we should give God a little also.

TAXES ON FOUNDATIONS

Mr. MONDALE. Mr. President, I am quite concerned about the tax bill's provisions which may reduce the support for educational and charitable institutions, museums, and other beneficial activities supported by foundations or individual philanthropy. An excellent statement about the problem has been submitted to the Senate Finance Committee by the president of the University of Minnesota, Malcolm Moos. Dr. Moos is uniquely qualified to address this issue because he is not only the president of one of the Nation's great universities, but is a former Federal official and a former officer of the Ford Foundation.

I believe this statement deserves the attention of my colleagues and of others who read the CONGRESSIONAL RECORD. Accordingly, I ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF DR. MALCOLM MOOS, PRESIDENT, UNIVERSITY OF MINNESOTA, ON TAX TREATMENT OF FOUNDATION AND CHARITABLE CONTRIBUTIONS

These comments are offered from the perspective of one who is currently the president of one of the nation's largest public universities and was formerly a program officer of the Ford Foundation.

I should like to limit my attention to those aspects of the proposed Tax Reform Act of 1969 (H.R. 13270) which seem to me to have important and negative implications for public and private higher education, and the vital supportive role that the best of our foundations provide to both. The word "best" is used advisedly; I have no desire to protect those who would mask their profit-making or political or ideological activities by identifying their organizations as educational foundations. On the other hand, I hope to demonstrate that both public and private education in this nation are in need of greater, rather than less, support from the legitimate foundation activities threatened by the proposed reforms.

I should also like to point out that I am personally in favor of major reform in our tax legislation, and I do not know a single responsible member of the higher education community who is not. First of all, as observers and students of the national scene (and taxpayers ourselves), it is clear to us that inequities and potential for abuse in our current tax structures cripple the morale of taxpayers and raise legitimate questions from them about the degree to which they should be expected to subsidize the opportunism of others. Nothing except broad reform measures, of the scope contemplated by the Congress, can restore the integrity of American tax policy. Second, since the legitimate needs of public higher education in America will require additional tax revenues and since the availability of these additional funds depends on the continuing good faith of taxpayers, the American citizen must not become cynical about the burden of taxes he bears or the uses either of tax revenues or of funds exempted from taxation. Both reason and self-interest argue for major tax reforms.

However, I do take exception to some of the details of the legislation before this committee. In my judgment, they will have unfortunate consequences for universities. I also believe that Congress would not wish those consequences to occur. The health, and possibly the independence and autonomy of many of our institutions can be seriously damaged by the provisions which affect individual and foundation giving to public and private higher education.

USE OF PRIVATE FUNDS

Private gifts constitute vital income for the nation's institutions of higher education, both private and public. A state university like the University of Minnesota, of course, is not so dependent on gift income of various kinds for its general operating costs as a private university. I am certain that the private universities can adequately describe both their presently dire financial straits and the damage that reductions in gifts of various kinds would do. For some of them, their very existence would be threatened.

For all of them, the uncertainties add further to the already grave discussions of whether dual private and public systems of higher education sustained in the United States. I need not list the many reasons for the opinion of the higher education community in this country that the nation is best served through widely differing approaches to support organization and instruction in higher education. Any threat to the financial support and therefore to the quality and quantity of private higher education is a threat to all of higher education.

But private income plays an essential and irreplaceable role in public higher education, as well. At the University of Minnesota, for example, the complete budgeted expenditures of private resources totalled about $31 million during the past five years. These expenditures, of course, constituted a small proportion of the total University budget for that period of time, but analysis of those expenditures is revealing. They have an importance far beyond their amounts in dollars and cents.

1. Budget amounts from private sources are increasing substantially in total dollars and also provide an increasing proportion of the University's income. In the year ended June 30, 1969, the University of Minnesota spent $9,254,925 from these sources, up nearly 40 per cent from the previous year. In the year ended June 30, 1969, expenditures from these sources made up 4.5 per cent of the University's total budget, compared with 3.3 per cent four years earlier. Furthermore, the University of Minnesota is not alone in this regard. Efforts to improve investment of university funds and solicit greater support from private sources have paralleled the huge increase in higher education enrollments throughout the nation and the accompanying pressure on public sources of support.

2. Private support has been used for purposes absolutely critical to the excellence and progress of the University of Minnesota—purposes for which public funds could not be available at the opportune time or could not be available at all. For example, the following efforts undertaken at the University of Minnesota during the past five years could not have been accomplished without substantial or complete funding from these sources:

(a) The initiation of the Center for Programmed Learning.

(b) The initiation of the Department of Family Practice and Community Health in the College of Medical Sciences.

(c) The Community-University Health Center.

(d) The Office of Advanced Drama Research.

(e) Research on problems in law and society.

(f) The initiation of a program for low income minority students.

In short, the University of Minnesota depends on private resources for special efforts that are vital to its development and its relevance to the society of the 1970's, but for which public support is, for one reason or another, unavailable.

3. The capacity of a university to meet the demands of the public is directly tied to the availability of these private funds. Without them and the extra resources they provide

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a university is less flexible, less innovative, less dynamic than it must be if it is to be truly excellent and responsive. With them, it can make the moves, undertake the studies, catalyze the change, strengthen the weaknesses, create the new units—meet the demands that are not susceptible to regular, proportionately increased state and federal appropriations. These are the hard and real demands of a rapidly changing and problem-ridden society which historically has turned to its resources of public higher education to address itself to these needs. It is ironic that so often it is the support by private gift or foundation that really enables the public university to do what the public demands of it. One important example at the University of Minnesota is the development of a new program in Family Practice and Community Health, which was made possible by a grant given by the Louis W. and Maud Hill Family Foundation. The development of this program was in response to the public demand of Minnesota that our health care delivery system is presently inadequate to meet the demands for health services.

4. Clearly many of the resources of a university that give it special distinction as a community or national resource are the direct result of gifts facilitated by the tax provisions which are under question before this committee. Works of art, collections of private papers, books, and even whole libraries often come into the possession of a university museum, or other institution as gifts with tax relief implications for the donors. Such gifts then become public resources, where they once were private and unavailable to their communities. They enhance the institution and the community and help the university to serve its historic role of heightening the quality of life in the society through the careful stewardship and cultivation of educational resources.

WEAKNESS IN THE LEGISLATION

Under Sections 101 and 201 of the proposed legislation, H.R. 13270, there could be serious disruption of these vital resources.

1. The proposed legislation would make gift planning extremely complicated for individual donors, especially where appreciated property is involved. The tax advantage to the donor, though it fortunately remains a significant one, would be less than under the present law. How much that one fact will affect the volume of private contributions is unclear. But even more important is the difficulty of estimating how much the tax advantage would be at any one time. In a given situation the planning of a large gift of appreciated property involves so many indefinites and interdependencies that a donor might be persuaded to do nothing at all, especially since the tax advantage is decreased in any case from its present status. While there is definitely a need to place some limitations on deductibility and avoid relieving donors from having any tax obligations at all, it is unfortunate from our standpoint that the proposed changes should compound the effects of limiting deductions by adding a good deal of confusion to the computation.

2. By discouraging large gifts, the proposed regulations would complicate the use of these gifts by the institutions which receive them. Large gifts have a double advantage for an institution like the University of Minnesota, for they cut the proportional costs of fund-raising at the same time that they make it possible for the institution to make better plans for their use. A single gift, if it is large enough, may be dedicated to a single, independent, long-range use, thus providing assurance of future availability of funds for that purpose. The limitation on gifts of appreciated property to 30 per cent in the case of individuals appears certain to reduce the size of gifts.

3. To the extent that these laws and regulations bring a general reduction in private giving to the University of Minnesota or other educational institutions—or even a reduction in the rate of increase of giving—the proposed laws will increase the pressure on students and federal and state treasuries for support of higher education. This is a time of significant change in higher education, and of phenomenal growth as well. Throughout the nation, state governments are reaching the limits of their ability to finance public needs and retain the good will of taxpayers at the same time; and the difficulties of federal financing of public education need no elaboration before this body. The result is that students in public institutions of higher education are being required to provide an escalating share of the costs of that education. At the same time, institutions are struggling to maintain quality instruction in the face of increased numbers and costs, while they are faced with constant and justified demands to provide education that is more relevant to our complex and technical society.

The members of this committee are well aware of the increasing demand for student assistance funds. In the case of loans a nearly unbearable debt burden is placed on students who are not fortunate enough to have their educations financed for them. To the extent that universities are caught between pressure to limit taxation and this anticipated reduction of private financing, the visible remaining source of income is our students. The proposed changes in tax legislation, while they do not affect public institutions as harshly as private institutions, will nevertheless cause a greater hardship for our students.

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4. Finally, there is little doubt that the proposed regulations will adversely affect both the fund-raising and fund-distributing capacities of our private foundations. As a matter of fact, that appears to have been at least partly the intention of the House bill.

As I stated earlier, I have no interest in protecting any organization that tries to dignify its political, profit-making, or ideological thrusts through the protections that have been provided to private foundations under our laws. But it is absolutely vital to distinguish those misuses of the law from the legitimate and very valuable support and services provided by our best foundations to American higher education in particular and to the American society in general.

(a) First of all, every effect of the proposed tax reforms on private giving is an effect on foundations as well. Like the universities, they receive and manage gifts from individuals, using the proceeds for their own research and support efforts, many of which are carried on in the universities. Their gifts to the universities, in turn, assist those institutions in the same way that private gifts assist them—by providing support of critical efforts for which funds would otherwise not be available. A qualifying foundation under the proposed law, then, will suffer from the same problems and the universities will suffer the effects of those problems in potentially reduced income.

(b) Besides the total value of the support universities receive from our legitimate foundations, there are other important functions they provide as well. In its relationship to a university, a foundation reduces the costs of fund-raising for that university by acting as a sort of broker. To the extent that the proposed law reduces the capacity of the foundations to accept and distribute funds, it will complicate the fund-raising activities of individual institutions, which have in the past had a dependable and flexible intermediary in the private foundation. The impact of these laws would be especially great in the contribution of appreciated properties to foundations.

(c) The weakening of the role of foundations in higher education would reduce the contribution foundations make to the improvement of higher education as well. Many private foundations not only act as convenient resources for the collection and distribution of private funds to universities, but also function as coordinators of research and support of specific matters of substance.

A foundation may undertake to study a particular issue or procedure—for example, the development of university information management systems—and thus establish itself as a national resource in that field. Through such a function, the foundation reduces the necessity for overlapping studies in individual universities and increases the possibility that an acceptable common practice can be established. Such efforts are expensive and require resources which are not available in a single institution. The foundation can commit the required funds centrally and coordinate the use of resources—functions which no individual institution can manage.

In this function, in fact, private foundations provide a desirable alternative resource to the involvement of the federal government in such efforts, since the federal government is the only other institution which can muster the financial resources and operate throughout the nation to make use of resources in individual institutions.

(d) For foundations which make these contributions to American higher education, perhaps the most unprecedented and undesirable aspect of the proposed legislation is the 7½ percent tax on investment income of the foundations. The effect of this taxation would be a direct reduction in the amount of funds available to universities through the foundations, thus striking at the support of the vital university efforts outlined above. For foundations involved in legitimate educational efforts, this seems unnecessarily punitive.

The Louis W. and Maud Hill Family Foundation in St. Paul is heavily involved in grants to institutions of higher education, including the University of Minnesota, and has provided information that indicates that the 7½ per cent tax, exclusive of tax on capital gains, would diminish the amounts available annually for grant purposes by at least $177,000. This relatively small foundation supported efforts at the University of Minnesota amounting to more than $600,000 during the fiscal year ending in 1969. If it should determine that the University of Minnesota must bear the entire brunt of its new tax-paying status, more than one-fourth of the critically-needed funds from this foundation would disappear from the University's budget. However, if it were to distribute the reduction, essential efforts would be curtailed in the institutions to which the Foundation provides grants. There simply would be that much less money available for distribution. And, as the spokesman for the foundation points out, "Of course, all foundations would be subject to the same tax and would have less funds for grant-making purposes." Furthermore, if capital gains income should be taxed in this foundation, the loss to grant-receiving institutions would be approximately doubled. Interestingly enough, this loss to institutions would be a loss to those organizations which the proposed legislation, for the most part, specifically excludes from taxation.

It makes little sense to require taxes to be paid from funds which would have supported cancer research and student assistance programs but not from those which support the self-serving activities of trade associations and other lobbying organizations. The tradition of Congressional treatment of charitable organizations has been to place them in a favored position. If there are deficiencies in the present tax law, I strongly believe that Congressional acumen can resolve them in a manner consistent with the traditions that have fostered support rather than diminished it. It is difficult to see why the Congress should change that emphasis at a time when educational and charitable causes need strengthening.

Finally, as a student of government stretching across a quarter century of teaching at Johns Hopkins, Michigan, and Columbia, I find the sections of the bill that would muzzle groups from making representations before Congress appalling. Such a sweeping restriction would tend to stifle the very breath of a pluralistic society and in my judgment ought to be eliminated.

CONCLUSION

Perhaps the House of Representatives, faced by the praiseworthy pressures for general tax reform, did not give adequate consideration to certain less visible implications of the proposed tax reform bill. The leadership of American higher education, both private and public, hopes these critical issues will receive careful consideration before action is taken in the Senate. Speaking as the president of one of the largest public universities in America who has had experience with private foundations from both perspectives of grant-receiver and foundation officer, it seems to me that the following specific recommendations should be considered by this committee:

1. At the same time that limitations are placed on the deductibility of charitable contributions, including gifts of appreciated property, ways should be found to formulate deductibility so that the complexity of computation does not increase the likelihood of reduced gifts to institutions which need them so badly.

2. In considering the possible reduction in total giving which this proposed law may bring about, further attention should be paid to the public benefits which are achieved by the donation to institutions, libraries, and museums of paintings, books, and collections of valuable papers.

3. In establishing the amount of deductibility of charitable gifts, and therefore assessing the degree to which the federal government should, in effect, encourage such gifts, attention should be given to the public benefits which flow from those gifts—specific research and educational efforts which make it possible for public as well as private institutions to improve their service to students and the society; the widely accepted viewpoint that the educational quality of our institutions of higher education and the educational health of the nation both require strong private as well as public efforts in higher education; the relief that these gifts provide to state and federal governments and students, all of whom otherwise bear the burden of supporting a growing and changing higher education system in the Nation; and, therefore, the need to encourage increases rather than decreases in private gifts to higher education.

4. Serious consideration should be given to alternatives to the 7½ per cent tax on foundation investment income and stock ownership limitations by some means which will meet the regulatory necessities, but not weaken the capacity of these foundations to support vital activities either within the foundations or at the nation's universities. Alternatives are available to cover the costs of investigating and regulating the activities of foundations which would meet the recognized need to maintain constant examination of foundation activities, without penalizing institutions assisted by the foundations or reducing the clear public benefit that legitimate foundation activities now provide.

5. Finally, tax legislation that affects the income of public and private higher education should always be considered in the context of the important question of possible alternatives to the contribution made by foundations to research, instruction, and management of American higher education. Greater dependence on the federal government for financial and management support is the only alternative I can visualize.

GI BILL ACTION IN SENATE

Mr. MONDALE. Mr. President, on October 8, the gentleman from Pennsylvania, Congressman SAYLOR, placed in the RECORD an editorial from the Army Times charging the Senate Labor and Public Welfare Committee, and specifically its Subcommittee on Veterans' Affairs, with "foot-dragging" on the proposed GI bill rate increases.

I feel that such a charge is very unfair in light of the most commendable and diligent record of the Veterans' Affairs Subcommittee under the chairmanship of the Senator from California, Senator ALAN CRANSTON. As a member of that subcommittee, I speak from firsthand experience in pointing out the great amount of veterans legislation considered and favorably acted upon during this session by the subcommittee and the full Labor and Public Welfare Committee, on the basis of 6 days of hearings.

At the full committee level, the Senator from Texas, Senator RALPH W. YARBOROUGH, chairman of the Labor and Public Welfare Committee, a member of the Veterans' Affairs Subcommittee, and its former chairman of 7 years, has most expeditiously moved this legislation to the floor with the vigorous leadership he has always displayed on veterans education and training measures.

I think that the unfortunate Army Times editorial is fully rebutted by an October 15, 1969, article in the Army Times entitled, "Senate Unit Ups GI Bill" and a letter to the editor from Senator CRANSTON published in the October 22 edition of the Army Times entitled, "Cranston Group Drags No Feet."

Mr. President, I ask unanimous consent that the material referred to immediately above be printed in the RECORD at this point in order that my colleagues may have a clear understanding of the true facts.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Army Times, Oct. 22, 1969]

CRANSTON GROUP DRAGS NO FEET

DEAR EDITOR: In your Oct. 1 edition, you published an editorial stating that the Senate Labor and Public Welfare Committee, and its Veterans Affairs Subcommittee, of which I am chairman, had been guilty of "foot-dragging" on important veterans education and training legislation.

I think the record of the subcommittee and the full committee amply rebuts that charge.

The subcommittee has conducted six days of hearings in eight months, equal to the combined number of hearing days by the subcommittee during both sessions of the last Congress. These hearings have been published in three volumes containing more than 630 printed pages of testimony from 54 witnesses, again substantially more than the last two sessions combined.

On the day your editorial appeared, the subcommittee had already been scheduled to meet the next day, Oct. 2, on these bills in executive session, which it did.

On Oct. 9, based on the subcommittee's unanimous recommendation, the Labor and Public Welfare Committee unanimously ordered reported to the Senate eight veterans bills—two consolidated education and training bills and six hospital and medical care bills.

The Senate action represents the most comprehensive approach to the G.I. bill since it was originally enacted. First, it calls for a far larger and more realistic increase in G.I. bill education rates—46 percent—than the House bill—27 percent. Moreover, it proposes a new comprehensive education and training program, with an estimated first-year cost of almost 150 million dollars.

This comprehensive package of provisions from eight other bills would seek to encourage and assist veterans to make the maximum use of their G.I. bill benefits under the following circumstances.

For those still in service, the bill would authorize direct payment to schools to encourage their participation in a predischarge education program (PREP) conducted on or near military bases for servicemen shortly before discharge.

The bill would extend G.I. bill allowances to veterans in elementary as well as high school level courses.

It would also extend allowances to veterans in college preparatory courses on college and junior college campuses including courses for correcting academic deficiencies before entering college.

It would supplement educational coverage under the regular G.I. bill, regardless of the educational level, through direct payment to schools providing veterans with remedial tutorial, counselling or other special supplementary assistance to improve educational performance.

The bill would authorize grants to schools to establish special educational programs for veterans, including public service-oriented programs such as for the training of policemen, firemen, medical technicians, and inner-city teachers.

It would permit reduction of minimum college semester-hour requirements for full-time and part-time G.I. bill eligibility.

It would offer veterans the option of counting non-credit hour courses toward their eligibility for full-time allowances.

The bill would greatly expand and provide new orientation for the outreach services program to search out Vietnam veterans and counsel them regarding their benefits and assist them in obtaining them. Included would be payment of reasonable interview and relocation expenses when a veteran so assisted must move to enter a job or training program.

The bill contains some house-passed provisions as follows: (a) to eliminate most of the bars to so-called duplication of education and training benefits; (b) to liberalize measurement of high school courses; (c) to tighten up the prerequisites for pursuing G.I. bill flight training; (d) to permit more rapid payment of the initial G.I. bill allowance to veterans in non-college courses; (e) to make more flexible the measures of widows' and war orphans' eligibility for G.I. bill benefits; (f) and to permit V.A. approval of interstate transportation apprenticeship programs.

I hope this serves to set the record straight and I trust you will publish this letter.

Senator ALAN CRANSTON,
Chairman, Subcommittee on Veterans Affairs.

[From the Army Times, Oct. 15, 1969]

SENATE UNIT UPS GI BILL

(By Larry Carney)

WASHINGTON.—A Senate subcommittee has approved legislation to raise GI Bill education and training allowances by 46 percent

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and make the increased payments retroactive to September 1.

The measure—approved by the veterans affairs subcommittee of the Senate Labor and Public Welfare Committee—is much more liberal than a similar proposal passed by the House early this summer. The House measure would raise GI Bill allowances an average of only 27 percent. Effective upon enactment.

Full committee action is expected some time around mid-October. Cost for the entire package is estimated at more than $500 million the first year.

Subcommittee chairman Sen. Alan Cranston (D., Calif.) said the GI Bill hike increase measure was among 19 veterans education and medical bills approved by his group last week.

Three of the bills are designed to encourage more veterans without high school diplomas to get their diplomas under the GI Bill.

To accomplish this, the subcommittee proposes establishment of a new pre-discharge education program for active duty personnel in their last 12 months of service. The subcommittee hopes to tie the program in with Defense Department's Project Transition which trains servicemen approaching separation for civilian skills.

Under the subcommittee bill, the government would pay up to $150 monthly directly to the school towards education and training costs of servicemen enrolled in duty-hour or off-duty study.

Aid would be limited to servicemen with at least 12 months' service. Those who take advantage of benefits would not have it counted against GI Bill entitlement.

The education program would be in addition to GI Bill benefits already available to servicemen with two or more years' active duty but the legislation would preclude servicemen from taking advantage of both programs at the same time.

Full Senate Labor Committee chairman Sen. Ralph Yarborough (D., Tex.) promises speedy action on the veterans package, hoping to get it to the Senate floor "by the end of October or early November."

The subcommittee bill would raise monthly GI Bill allowances from $130 to $190 for single veterans; from $155 to $218 for married veterans; and from $175 to $240 monthly for veterans with two dependents. Veterans with more than two dependents would get $15 additional in allowances per child. They now receive $10 additional per child.

Under the House-passed bill, monthly allowances for single veterans would go to $165 monthly; to $197 monthly for veterans with one dependent; and to $222 monthly for veterans with two dependents. It would provide $13 additional monthly per child to veterans with more than two dependents.

Other bills approved by the subcommittee would:

Pay special grants to colleges and universities which establish special training projects and tutorial services for disadvantaged veterans.

Provide a 46 percent increase in allowances for orphans and widows taking training under the VA-administered dependents assistance program. Allowances for service-connected disabled veterans taking instruction under the veterans vocational rehabilitation program would be raised to similar levels. Vocational rehabilitation training is generally limited to veterans with disabilities rated 30 percent or more.

Broaden on-the-farm instruction for veterans under the GI Bill.

Permit veterans to borrow up to $1000 for flight training lessons.

Give unlimited community nursing home care to veterans hospitalized because of a service-connected disability.

Provide hospital and outpatient care to veterans totally and permanently disabled for their non-service-connected ailments.

Entitle veterans drawing non-service-connected disability pensions admittance to VA hospitals without having to take a pauper's oath of inability to pay. A comparable House bill would drop the pauper's oath requirement only for veterans 72 years of age or older. The Senate bill would drop the age limitation and bring an additional 67,000 veterans under its provisions.

Pay for drugs and medical care for permanently housebound veterans, regardless of whether their disability is service-connected.

Increase per diem rates the VA pays state nursing homes for hospital care from the present $3.50 to $7.

SENATOR ROBERT C. BYRD "TELLS IT LIKE IT IS"

Mr. SCHWEIKER. Mr. President, I ask unanimous consent to insert in the Record an editorial from the Weirton, W. Va., Daily Times of October 14, 1969, entitled "Tells It Like It Is," together with a speech, the subject of the editorial, delivered by the junior Senator from West Virginia (Mr. Byrd) to the Weirtonian Lodge No. 183, Italian Sons and Daughters of America, in Weirton, W. Va., Saturday, October 11.

There being no objection, the editorial and the speech were ordered to be printed in the Record, as follows:

Tells It Like It Is

Sen. Robert C. Byrd, who has served 16 years in the House of Representatives and the Senate, spoke bluntly here Saturday about the expanding threat to the security of the nation by hostile minority groups.

He addressed the Weirtonian chapter of the Italian Sons and Daughters of America in the K. of C. and "told it like it is."

Of all the speakers invited to the long series of Weirtonian dinners, Sen. Byrd's remarks were greeted with the most enthusiasm and the most frequent applause.

He praised the great record achieved by nationality minorities who came to America in search of liberty and freedom and stayed to contribute heavily to this nation's great progress.

But the rise of the hippies, the leftists, anarchists and black militants, he said, has created a major crisis in America and he warned that the next 10 years may decide the future of American freedom and democracy.

He said the great majority of Americans—all of whom were in some sort of minority group in the past history of America—are the Forgotten Men of this generation. The Forgotten Men, he said, are those who pay their way, who ask nothing from their government but the opportunity to work and to rear families and be good citizens in an orderly and lawful society.

America's great majority, he said, is made up of many former minorities. They are not minorities anymore. The interwoven strands of the fabric of America have become inseparable.

Sen. Byrd declared that rebellious acts against the government by irresponsible minorities must not be tolerated.

Police should clamp down and the government authorities and the public should support them completely.

He urged that there be no amnesty and no probation granted in criminal cases.

He appealed for an end to terrorism and anarchy and demanded the constitutional rights of the citizens be protected fully.

Sen. Byrd is the third top ranking Democrat in the U.S. Senate, next only to Mike Mansfield and Edward Kennedy. He has great influence in Congress and commands the admiration of most of the people of West Virginia.

Sen. Byrd won his last Senate race by the greatest margin in the history of senatorial races in West Virginia.

He'll be running again in 1970. There isn't a Democrat (including Jay Rockefeller) or a Republican, at this stage, who will be able to stop him at the polls.

Tell It Like It Is

Mr. Sinicropi, Congressman Mollohan, Mr. Grossi, Mayor Rybka, Father Altmeyer, Mr. Garnetta, members of Weirtonian Lodge No. 183, Italian Sons and Daughters of America, ladies and gentlemen:

It is indeed a pleasure and a high privilege for me to be invited to address you on this delightful occasion.

While all of us are Americans, most of this audience consists of second and third generation Americans of Italian ancestry. The rest of the audience, including myself, consists of Americans whose ancestry is also European—other than Italian—and possibly there are some Americans here whose ancestry is rooted in the Middle East. But whatever the ancestry, as I say, we are all Americans.

In view of the fact that most persons here tonight are of Italian ancestry, I think it would be appropriate and, indeed, desirable for me to say that well over 25 million Americans today are proud to claim a part in the Italian heritage. Heirs of "the grandeur that was Rome," the people of Italy have, century after century, added new dimensions to that grandeur in all the arts and sciences known to man. The Italians of America—and their sons and daughters and grandchildren born here in America—have consistently contributed to our common American cultural heritage, a heritage which is, like love, "a many splendoured thing."

What is this heritage to which we all have contributed, regardless of whether our ancestry a century or two or three ago was Scotch, Irish, German, Italian, English, Polish, Greek, Jewish or Lebanese? And how is it meaningful for our Nation in these troubled days?

Let me suggest that this heritage is a composite of many elements and ingredients, which are especially pertinent to the problems we confront at this time in the history of our country and of the world.

Let me suggest that it is a heritage made up of a deep respect for law and good order, and a willingness to work hard and to raise one's self and one's family up in the face of adversity and to enter with ever-increasing effect into the mainstream of American life.

So, I do not speak to you tonight about the beauties of the old world cities, such as Florence and Venice, the golden Bay of Naples, or the hill towns of Tivoli and Assisi, which themselves are among the most beautiful creations of man; nor do I speak of the unique contributions to civilization made by such men as Dante, Michelangelo or Verdi. These have been chronicled beyond number.

But I do feel that I ought to speak of the legacy of strength and stability, resourcefulness and industry which have been so prominently associated with Americans of old world ancestry, and in which we can take such great pride today as we see all about us the need, in our American society, for these characteristics of enduring greatness.

Your ancestors and mine who came to this country from the old world asked no special favors. They sought no special status. They took this country and this society the way they found it, and they made it their own.

They won the esteem, the admiration, and the respect of other people by their conduct, their industry, their love of home and family life, their desire to get ahead and to succeed on their own merits.

Let me say that I have never personally known of a Hungarian or a Lebanese, a Jew or a Greek or a German or an Italian, etc., being on relief. There may have been such cases, but I have not personally known of them. All whom I have known have worked too hard and have been too industrious and have had too much pride to descend to a life of depending on government handouts.

I do not say this in derogation of welfare recipients *per se*; there are many persons on welfare who are in need of help, but it is not true of all who are on the welfare caseloads today.

Everyone hears excuses today for those who live in the slums. But what are slum dwellers doing for themselves? That is what counts. You have heard the advertisement: "You can get Salem out of the country but you can't get the country out of Salem." I am of the opinion that you can get some people out of the slums, but you can't get the slums out of some people.

Some people will create slums wherever they go. Put them into the best of apartments or family dwellings. Within six months the plumbing will be ripped up, the bannisters will be broken down, the windows will be knocked out and the doors kicked in, garbage will be on the floor and in the yard, and rats will be running all over the place.

Most of our early immigrants were crowded into the cities, but they kept the floors scrubbed and their children clean. If there was a square foot of ground, they planted a flower. If there were a few square yards in the back lot, they planted some vegetables. They shined shoes, peddled fish, sold newspapers, and before long they had lifted themselves up by their own bootstraps and had put their children through school and had bought a little property of their own.

We have heard so much in the last few years about discrimination—and I do not defend discrimination based on color or religion. (I do, however, defend discrimination based on conduct.) But those early immigrants were also often discriminated against.

Did they burn cities? Did they go into the streets and loot and destroy? Did they turn in false fire alarms and then throw bottles and bricks at the firemen who came to answer the false calls?

No! They patiently labored to win the confidence and respect of others, and they took their rightful place in the mainstream of American life.

They did not push and shove and threaten and demand something for nothing. They showed themselves to be law-abiding citizens, of good conduct, and they made the grade. They were the rock-ribbed stuff that America was made of. They made their own way, educated themselves and their children, contributed to their communities out of their own talents and they were good neighbors, good citizens, and good Americans.

It was that sturdy stock which made America a great Republic. And if America is to be restored to its former greatness, it will be because those of us who live today are determined to perpetuate the ideals and the traditions, the respect for law and order, the high regard for work, the rugged individualism and the faith of our fathers.

If I may digress for a moment, some years ago, I was in Iraq, the land known in Biblical times as Mesopotamia—the land between the two great rivers, the Tigris and the Euphrates.

One day, I journeyed with an old Arab guide from Baghdad down to the ancient city of Babylon on the banks of the Euphrates. He showed me the site where Belshazzar's hall had once stood, and we stood at the place where Belshazzar's feast had been held.

Belshazzar, you remember, was the King of Babylon who gave a great banquet for his friends, inviting a thousand of his lords. At one point in the banquet, the king asked the servants to bring in the sacred golden vessels that his father had taken from the house of God, the Temple in Jerusalem, and the king and his friends drank from the sacred vessels.

As this was taking place, the fingers of a man's hand appeared and began to write on the wall of the King's palace.

Belshazzar did not know what the words meant, and the wise men of his realm were unable to interpret the words for him. Finally, he sent for Daniel, one of the thousands who had been forced into exile, and who had won for himself a reputation for being able to interpret the meaning of things hidden from others.

Daniel interpreted the writing that was written:

". . . God hath numbered thy kingdom, and finished it . . . Thou art weighed in the balances, and art found wanting . . . Thy kingdom is divided, and given to the Medes and Persians."

The handwriting on the wall was a message of impending doom. That very night, king Belshazzar was slain and Babylon fell.

Do you see any handwriting on the wall today?

I suggest that the handwriting is plain and that it is just as timely and serious as it was in the ancient story, and that it calls us as a Nation to return to the great and abiding truths implicit in the heritage that is ours as Americans.

I think the average citizen is more deeply troubled about his country's future today than at any time since the great depression in the early thirties.

Every time we turn around there is a crisis of some sort—the welfare crisis, the urban crisis, the pollution crisis, the Vietnam crisis, the inflation crisis, the civil rights crisis—one crisis after another. There just seems to be no place where one can escape anymore.

We seem to be fightng a futile war abroad and living in a malignant racial atmosphere at home.

Middle class values are under more obdurate attack today than ever before—what you believed in, and what you learned in school, in church, and from parents.

The sanctity of work is questioned, and the stability of the family is becoming less and less an American virtue.

The American home is becoming the target for the most salacious pornography; and the exploitation of sex and nudity in the mass media erodes morals further every passing day.

Premarital chastity is old fashioned; filial gratitude for parental sacrifice is looked upon as something square; and work is something to be studiously avoided. Nobody wants to start at the bottom anymore.

We see violence and sex and drugs on television; and the streets and parks are filled with hippies with their love beads and black militants with their African bush haircuts.

The SDS is making inroads into the high schools; teachers are beaten up; hoodlums brandish switch-blade knives in the hallways; and policemen have to be stationed in city schools to keep order.

Black militants—and not all Negroes are black militants—have interrupted church services to demand—and they are getting—reparations from the churches; they threaten to close down the banks and industrial plants; and the Kerner Commission blames it all on white racism. The fact is there has been racism on both sides.

We are told we must feel guilty for the sins of the slave owners a century or two or three ago; and society is blamed for having made the rapist, the murderer, and the mugger what he is.

The past half-dozen years have seen protest marches, civil disorders, so-called civil disobedience, demonstrations, race riots, and city block after city block destroyed by the torch.

Motorists have been pulled from their automobiles and their cars set afire.

Looting has become all too commonplace, while the National Guard has been ordered to stand by with guns empty.

Policemen have been abused, maligned, assaulted, and stomped to death in the streets by mobs.

Militants have taken over local school board meetings, city council meetings, and the halls of state legislatures; and, in some instances, they have been led by individuals who claim to be clergymen.

University speakers have been forced to cancel speeches by dissenters who cannot brook dissent.

College Presidents have been ejected from their offices by student extremists.

Militants, armed with shotguns, hatchets, and knives, and shouting Black Power slogans, have taken over administration buildings, and TV viewers have seen school officials capitulate to the arrogant demands of troublemakers.

Black Panthers and street gangs foment revolution and advocate guerrilla warfare.

Inflation erodes everybody's pay check, and the government adds a surtax on income.

Illegitimacy is growing apace, and the Federal Government is subsidizing it through welfare spending.

Welfare rolls are burgeoning—and I am not against welfare for the needy. Militant welfare mothers have formed an alliance to demand higher welfare checks, and they will spit in your face if you dare suggest that they go to work.

Government anti-poverty programs have been used to incite unrest and rebellion.

The nationwide increase in crime is 9 times the increase in population, and the Nation's Capital is fast becoming a city of fear and violence.

The state of the Nation is increasingly a matter of concern to the thinking citizen, and the future of the Republic is to be viewed with alarm.

One may, with justification, ask the question: "Will the Republic survive?"

This will depend, in my judgment, largely upon the kind of leadership which is given to the Nation during the next ten years.

If we have leaders who show continued weakness in the face of threats, who yield to the demands of militants, and who sacrifice the good of the Nation for political expediency, then our country has seen its best days.

On the other hand, if we have the kind of leaders which the times require—men who are willing to take a stand against those who want something for nothing nad against those who seek to acquire, by intimidation and threat, property and privileges which they are unwilling, or which they lack the ability, to acquire through hard work, perseverance, and deserving effort; men who will put country first and votes second; men who will insist upon equal rights for *all* people and not just for a minority—then there may yet be some hope for the future.

Somebody is going to have to talk sense—common sense.

What is needed is more discipline and more guts, with less pandering to the demands of a militant minority.

Militants who take the law into their own hands should no longer be granted amnesty for their criminal acts.

Defiance of authority—whether in the

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schoolroom or in the street—must not be tolerated.

School boards, school principals, and college presidents who insist upon discipline must be given the strong backing of the people.

Law enforcement authorities and the chief executive officers of state and nation should make it indubitably clear that whatever power is necessary will be used with firmness, determination, and without hesitancy to deal with riots and rioters, mobs and mob violence, and that innocent law-abiding citizens—both black and white—and their property will be protected at whatever cost is required.

Criminals should be taught once again that crime does not pay. And every public official in this country ought to take a stand for the police and against the hoodlum.

The great silent majority, which has been patient so long, must not allow itself to be further browbeaten, intimidated, and mesmerized into a state of uncertainty and fear.

People are going to have to think for themselves and not let left-wing commentators and left-wing big city newspaper columnists and pseudo-intellectuals overly influence their opinions and viewpoints.

Both political parties must espouse integrity in government, respect for law and order, and fewer handouts to people who are able to work for themselves.

In this regard, may I say *that I want to help people who need help;* and it is our duty to assist the widow and the orphan, the poor, and the afflicted. But we do no man a favor by encouraging him to live on the dole when he is physically and mentally able to work and when there is work to do.

Americans must speak out against violence, hooliganism, and disorder. They must also speak out against cheaters, whether at the public trough or on the welfare rolls.

We need to be concerned about principles as much as about programs. Our country has strayed too far afield from the fundamentals from which its strength and greatness have been derived. We cannot continue along the road we lately have been traveling without inviting eventual disaster.

Government has tried to do too much in areas beyond its competency in seeking to compel social change.

In all of the excessive attention that has been paid to appeasing a small but militant minority of our people, the average American citizen has somehow come to be the forgotten man.

I believe that your ancestors and mine—those persons of whom I spoke at the beginning of these remarks—were probably the people that the American sociologist and educator William Graham Sumner was thinking of in the 1880's when he wrote these lines:

> "The Forgotten man . . . delving away in patient industry, supporting his family, paying his taxes, casting his vote, supporting the church and the school . . . he is the only one for whom there is no provision in the great scramble and in the big divide.
>
> "Such is the Forgotten Man. He works, he votes, generally he prays—but his chief business in life is to pay . . .
>
> "Who and where is the Forgotten Man in this case, who will have to pay for it all?"

The answer to the question is obvious. The Forgotten Man is the great majority—they who pay their way, who ask nothing from their government but the opportunity to work and raise their families and be good citizens in an orderly and lawful society.

All of our ancestors, as I said at the beginning, came from somewhere other than the place we meet tonight. America's great majority is made up of many former minorities. They are not minorities anymore. The interwoven strands of the fabric of our land have become inseparable.

The progeny of those early immigrants are now the majority. Let us, then, as we look to the future of our republic, resolve that we will act within our own spheres of influence in accordance with the great traditions that have come down to us from many cultures and many climes. The legacy of strength and stability, of resourcefulness and industry, which we have inherited from our old world ancestry and in which we take such pride, can help us restore America to the bright promise it was meant to be.

Our Republic, conceived in liberty and purchased with blood, can be preserved only by constant vigilance.

May we guard it as our children's richest legacy, for what shall it profit our nation if it shall gain the whole world and lose "the spirit that prizes liberty," law and order, and constitutional government as the heritage of all men in all the land.

CONCLUSION OF MORNING BUSINESS

The **PRESIDING OFFICER**. Is there further morning business? If not, morning business is concluded.

POTATO RESEARCH AND PROMOTION ACT

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The **PRESIDING OFFICER**. The bill will be stated by title.

The BILL CLERK. Calendar No. 412, a bill (S. 1181) to enable potato growers to finance a nationally coordinated research and promotion program to improve their competitive position and expand their markets for potatoes by increasing consumer acceptance of such potatoes and potato products and by improving the quality of potatoes and potato products that are made available to the consumer.

The **PRESIDING OFFICER**. Without objection, the Senate will proceed to its consideration.

ORDER OF BUSINESS

Mr. **MANSFIELD**. Mr. President, to give the bells a chance to do their job, I shall postpone for a moment the request I am about to make, so that Senators will have plenty of time to come to the Chamber, and will not be confused by a succession of seven or eight bells.

I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

AUTHORIZATION FOR STAR PRINT OF S. 2264 TO DESIGNATE ADDITIONAL COSPONSOR

Mr. **MANSFIELD**. Mr. President, yesterday when the communicable disease control bill (S. 2264) was reported from the Committee on Labor and Public Welfare, inadvertently the name of the distinguished Senator from Massachusetts (Mr. KENNEDY), a principal supporter of that legislative proposal, did not appear on the printed version of the bill. Therefore, I ask unanimous consent that there be a star print of the bill (S. 2264), indicating Senator KENNEDY's cosponsorship.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **MANSFIELD**. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER** (Mr. CHURCH in the chair). Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR STENNIS

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that, at the conclusion of the pending measure and the one which will follow it, the distinguished Senator from Mississippi (Mr. STENNIS) be recognized for not to exceed 1 hour.

The **PRESIDING OFFICER**. Without objection, is it so ordered.

ORDER FOR ADJOURNMENT TO MONDAY, OCTOBER 20, 1969

Mr. **MANSFIELD**. Mr. President, on the supposition and the hope and the prayer that we can finish the two potato bills this afternoon, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon on Monday next.

The **PRESIDING OFFICER**. Without objection, is it so ordered.

Mr. **MANSFIELD**. If, however, we do not finish the potato bills this afternoon, I will have to make a change in that request.

Mr. **BYRD** of West Virginia. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. **BYRD** of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, is it so ordered.

RECESS

Mr. **BYRD** of West Virginia. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair, with the understanding that the recess not extend beyond 1:30 p.m. today.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Thereupon (at 1 o'clock and 10 minutes p.m.), the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 1:16 p.m., when called to order by the Presiding Officer (Mr. BYRD of West Virginia in the chair).

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed the joint resolution (S.J. Res. 158) to authorize the minting of clad silver dollars bearing the likeness of the late President of the United States, Dwight David Eisenhower, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H.R. 13000) to implement the Federal employee pay comparability system, to establish a Federal Employee Salary Commission and a Board of Arbitration, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 13000) to implement the Federal employee pay comparability system, to establish a Federal Employee Salary Commission and a Board of Arbitration, and for other purposes, was read twice by its title and referred to the Committee on Post Office and Civil Service.

POTATO RESEARCH AND PROMOTION ACT

The Senate resumed the consideration of the bill (S. 1181) to enable potato growers to finance a nationally coordinated research and promotion program to improve their competitive position and expand their markets for potatoes by increasing consumer acceptance of such potatoes and potato products and by improving the quality of potatoes and potato products that are made available to the consumer.

The PRESIDING OFFICER. The Chair recognizes the Senator from Florida.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HOLLAND. Mr. President, what is the pending business?

The PRESIDING OFFICER (Mr. CHURCH in the chair). The pending business is S. 1181, a bill to enable potato growers to finance a nationally coordinated research and promotion program to improve their competitive position and expand their markets for potatoes by increasing consumer acceptance of such potatoes and potato products and by improving the quality of potatoes and potato products that are made available to the consumer.

Mr. HOLLAND. I thank the Presiding Officer.

Mr. President, the purpose of title I of S. 1181 is to permit potato growers to finance a nationally coordinated research and promotion program. Title II of the bill would add tomatoes to the list of commodities for which paid advertising can be provided under marketing orders.

Title I of the bill provides for authority to establish a plan to collect assessments on potatoes produced in the 48 contiguous States of the United States. Producers with less than 5 acres will be exempt from assessments. The assessments will be used for promotion of potatoes including paid advertising. In addition, assessments can be used for research and development projects. The costs incurred by the potato industry in administering the program will also be paid from assessments. Prior approval by the Secretary of Agriculture for all projects and expenditures is provided for as a safeguard against improper use of funds.

The bill provides for a maximum assessment rate of 1 cent per hundredweight. Handlers are responsible for payment of the assessments, and they may deduct them from their settlement with the producers. Producers will be able to obtain a refund on the assessments paid by them, if they request it in the time and manner prescribed. The bill provides that hearings with respect to a proposed plan be held when requested by potato producers. A favorable referendum vote, by two-thirds of the potato producers voting in such referendum, or two-thirds of their production and not less than a majority of those voting, is required to approve any plan issued pursuant to this bill. If such a plan is favored by producers, a board will be appointed by the Secretary of Agriculture from industry nominations of eligible producers. Such board will administer the plan under the supervision of the Secretary of Agriculture.

Provisions in this bill are similar to those in a bill enacted by the 89th Congress, and cited as the Cotton Research and Promotion Act. Promulgation and referendum proceedings for any "plan" issued pursuant to this bill are similar to those in marketing orders authorized by the Agricultural Marketing Agreement Act of 1937, as amended. Administrative provisions are also similar to those in marketing orders. There are no provisions for quality control or compulsory inspection in this bill.

Several potato producing areas have State orders or commissions to promote potatoes produced in their specific areas. This bill is intended to supplement these existing programs with a nationally coordinated program.

Title II of the bill authorizes paid advertising for tomatoes under marketing orders. At present such advertising is authorized for cherries, carrots, citrus fruits, onions, Tokay grapes, fresh pears, dates, plums, nectarines, celery, sweet corn, limes, olives, pecans, and avocados.

Mr. President, title II would merely add tomatoes to that list so that marketing orders covering tomatoes could, if those affected so desired, cover paid advertising assessments, as well as their other assessments.

Mr. President, I note in the Chamber the distinguished leading sponsor of the bill, the Senator from North Dakota (Mr. YOUNG). He may have a statement and I shall be glad to yield to him for that purpose, if he wishes.

Mr. YOUNG of North Dakota. Will the Senator yield for a short statement?

Mr. HOLLAND. I am glad to yield.

Mr. YOUNG of North Dakota. I made a statement explaining the bill at some length yesterday when it was called up.

This bill is sponsored by practically all the Senators from the principal potato-producing areas. There is great need for this legislation.

There are only about one-half as many potato producers in this country as there were 10 years ago. Producing potatoes presents a greater risk than any other kind of farming. There are no price supports for potatoes, but through self-help programs, such as the one authorized by the pending bill, producers are attempting to improve their product and promote increased consumption of potatoes. It could go a long way toward increasing the sale of potatoes and keeping the potato farmers from going broke.

Mr. President, there are many misunderstandings about potatoes as a food. For example, many people think that potatoes are a fattening food high in calories. The fact is, the potato is not a high-caloried food. This is the sort of thing that the potato producers hope to bring before the public by intelligent advertising. This will help the sale of potatoes.

Mr. MONDALE. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I am happy to yield to the Senator from Minnesota who is one of the cosponsors of the bill.

Mr. MONDALE. First, I wish to thank the distinguished Senator from Florida for his excellent work on this bill. As chairman of the subcommittee, I know that he has held extensive hearings and heard from all of us who are most concerned about this legislation. He has brought a bill to the floor of the Senate today which is, I believe, in excellent condition.

The distinguished Senator from North Dakota (Mr. YOUNG) and I represent neighboring States which have an important potato industry. Indeed the Minnesota Valley Growers Association, which supports this measure, is the largest grower organization in my State. It is an industry that involves nearly $17 million worth of income to the farmers in my State alone.

This is a long overdue measure which will permit them to deal with some of the problems which the Senator from North Dakota (Mr. YOUNG) has already made reference.

Under this act, the people of my State would be able to supply a better product to the consumer. They could develop new and better methods of handling the product. New products from potatoes could be developed.

Last, but not least, the true story about potatoes can be presented to the consumer.

This does not carry any price tag. The farmers themselves contribute to the fund. I believe I am correct in saying that any farmer who wishes can have his money returned so that any farmer that

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does not wish to participate in this program can do so.

This is long overdue legislation, and I compliment the Senator from Florida for his leadership in this field.

Mr. HOLLAND. I thank my distinguished friend. It has been a pleasure to conduct the hearings and to handle this matter in the full committee and the subcommittee. I am glad that we have finally been able to get it to the floor of the Senate.

Mr. MUSKIE. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I am particularly glad to yield to the distinguished Senator from Maine. I am happy that we have been able to get this bill to the floor and to see my good friend from Maine here today.

Mr. MUSKIE. I thank the Senator from Florida. Let me say how very much I appreciate the courtesy which the distinguished Senator from Florida has shown to me all week in holding this bill for consideration until today. Any delay that I have caused was inadvertent and certainly not intended, but the Senator from Florida with his usual courtesy and cooperation, nevertheless, has been of great assistance to me. I compliment him on bringing this bill to the floor.

Mr. President, today we are going to vote on two bills that will have a profound effect on the producers of potatoes.

The first, S. 1181, will enable potato growers to finance a nationally coordinated research and promotion program to improve their competitive position and expand their market for potatoes and potato products. The general public does not fully appreciate the nutritional value of the potato, and in fact has serious misconceptions about the role of the potato in the American diet. This legislation will provide an opportunity for potato growers to improve the quality of their product and improve consumer acceptance of potatoes.

The bill provides for authority to establish a "plan" to collect assessments on potatoes produced in the 48 contiguous States of the United States. Producers with less than 5 acres will be exempt from assessments. The assessments will be used for promotion of potatoes including paid advertising. In addition, assessment can be used for research and development projects. The costs incurred by the potato industry in administering the program will also be paid from assessments.

The potato producers have been confronted, in recent years, with increased competition from other products marketed as easily prepared convenience foods. Some of these products are promoted on a national basis. Potato producers have not been able effectively to match this competition because production and marketing of potatoes is performed by numerous individual farmers in every State in the United States. This has made it difficult for them to finance and carry out adequate research and promotion projects to maintain a competitive position in the markets. This bill would give potato producers authority to help themselves by financing such projects.

Not only will S. 1181 benefit the potato grower but the kinds of programs envisioned would also work toward improved marketing and merchandising to the benefit of the American consumer.

S. 1181 is supported by all segments of the potato industry.

I urge the Senate to vote for passage of the bill.

Mr. President, I am happy, of course, to support the bill, and to again compliment the distinguished Senator from Florida (Mr. Holland) and the distinguished Senator from North Dakota (Mr. Young), for sponsoring and bringing the bill to the floor of the Senate.

Mr. HOLLAND. I thank my distinguished friend from Maine. Before I yield to the Senator from Idaho (Mr. Jordan), there are two things about this bill that I wish to mention at this time.

First, this is the first effort of the national potato growers organization in which the potato growers of the State of Florida have been willing to join. Thus, it must have merit beyond all the efforts heretofore of the National Potato Council.

Second, if it becomes effective and is followed by a marketing order as proposed, this bill will be the first effort in the field of perishable commodities to set up a national advertising, sales promotion, and research program; and I am sure, we will all be watching with a great deal of interest.

I thank the Senator from Maine for his comments and I am glad now to yield to the Senator from Idaho (Mr. Jordan).

Mr. JORDAN of Idaho. Mr. President, I thank my distinguished colleague from Florida. I commend him and the Senator from North Dakota (Mr. Young) for bringing to the floor this fine piece of legislation. I am pleased to be a cosponsor of the bill. I believe it will do a tremendous amount of good for the potato-producing industry.

I believe it is well known that Idaho's fertile acres produce about one-fifth the total U.S. potato crop. The State now harvests about 300,000 acres of high-quality potatoes, which, in an average year, yield about 64 million hundredweight. Potato acreage in Idaho has doubled since the mid-1950's.

In achieving this leadership in potato production, the State of Idaho has demonstrated the value of promotion. It is not enough merely to grow the finest potatoes in the world; they must be promoted and sold.

To this end, the State of Idaho has established the Idaho Potato and Onion Commission which has done an excellent job in promoting the use of Idaho potatoes nationally and internationally. To support this program, Idaho growers and processors pay 2¼ cents per hundredweight for promotion and research, an assessment higher than the rate applied in any other potato-producing State. This industry financed promotional program has helped make Idaho potatoes synonymous with potatoes of the highest quality. Moreover, the growers who pay the bill are enthusiastic about the program and a representative of the 4,400 Idaho growers supported this legislation in committee hearings. The State's promotional program not only has aided producers in the State but also has aided the entire potato industry, the congressional committees were told by Idaho potato grower Clarence Parr, of Burley.

The efforts of such local and State promotion programs will be supplemented and coordinated nationally by this legislation. This would be done by authorizing the growers to establish a National Potato Promotion Board, and to operate a grower-financed promotion and research program. This program would be similar to that provided under the Cotton Research and Promotion Act of 1966.

Assessments on growers would be limited to a maximum of 1 cent per hundred pounds of potatoes handled. Potatoes grown by producers with less than 5 acres of potatoes would be exempt from assessment, which means that the program would be financed by about 17,000 of the 310,000 potato producers in the United States.

Promotion plans would have to be approved by the Secretary of Agriculture after public hearings and then ratified by at least two-thirds of the growers under a referendum to be conducted by the Secretary. Furthermore, any grower not in sympathy with a plan adopted could apply for and receive a refund of assessments paid. I am informed that refunds under the cotton promotion program have been less than 5 percent.

Potatoes are one of our most important crops, bringing into the farm economy an average of about $561 million a year in sales revenues. However, the per capita consumption of potatoes has declined during the last 30 years from 122 pounds to 110 pounds per person, and potatoes have been meeting increased competition from other products marketed as easily prepared convenience foods. These factors, coupled with more efficient production techniques, have contributed to crop surpluses and resulting surplus removal programs in most crop years since 1953.

It is hoped that this national marketing and research program, in concert with program on the State level, will help correct the imbalance between supply and demand for potatoes and improve returns to producers.

On behalf of the potato growers of Idaho, who have supported this legislation by formal resolution, I urge its passage.

Mr. HOLLAND. Mr. President, I thank the Senator from Idaho.

Mr. YOUNG of North Dakota. Mr. President, the Senator from California (Mr. Murphy), a cosponsor and strong supporter of S. 1181, is necessarily absent today. The Senator, however, had prepared a statement which he planned to make on this measure. I ask unanimous consent that the statement be printed in the Record.

There being no objection, the statement by Senator Murphy was ordered to be printed in the Record, as follows:

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STATEMENT OF SENATOR MURPHY

As a co-author of S. 1181, the potato marketing bill, I support the measure and urge its speedy enactment by Congress.

I wish to thank the distinguished Senator from Florida, (Mr. HOLLAND) and the distinguished Senator from North Dakota (Mr. YOUNG) for their efforts and work in guiding the bill through the Committee on Agriculture and Forestry. This is a most important bill for California, as my State is the third largest potato producing State in the country. Kern County, which is ably represented in Congress by Representative Bob Mathias, produces fifty per cent of the potatoes in my State and is the second largest potato-producing county in the country. I am also deeply grateful for the help given me by both Representative Mathias and Mr. Don M. Johnston, of Bakersfield, California.

The bill, S. 1181, is similar to the Cotton Research and Promotion Act enacted by Congress in 1966, which I also supported. The bill would provide a mechanism through which potato producers may conduct a much-needed national research and promotion program for potatoes.

The per capita consumption of potatoes has been steadily decreasing for many years. In order to reverse this trend and expand potato markets, a program of research, development, advertising, and promotion is essential. The reason for this decline in consumption has been the increased competition from other often easily prepared convenience foods. The potato producers have not been able to meet this competition because the production and marketing of potatoes in the country is done by many individual farmers in every State. As a result, it has been difficult for the potato industry to launch an adequate research and promotion effort to maintain their competitive position in the market place.

In 1966, the National Potato Council established a voluntary nationwide promotion program with a goal of $75.000 for 1967. Despite the depressed market that existed in 1967, the voluntary program was successful as the program exceeded their national goal of $75,000.

This voluntary program has helped to demonstrate the value of research and promotion. It has also demonstrated that if the program were really going to be successful, it would have to be much larger in magnitude. This, then, is the background for the potato research and promotion measure that is before the Senate today. I want to emphasize that this is a self-help program. The taxpayers of the country are not being asked to foot the bill, nor should they, for this research and promotion program.

Under the bill, the research and promotion activities authorized by the measures would be financed by the producers themselves through an assessment of not more than one cent per 100 pounds of potatoes produced commercially in the 48 contiguous states. At the maximum assessment rate, it is my understanding that approximately $2 million annually would be available for the research and promotion program. The program would not only be producer-financed, but producer-controlled. The research and promotion activities will be administered by the National Potato Promotion Board, composed of representatives of the growers selected by the Secretary of Agriculture from nominations made by the producers. Also, I want to emphasize strongly that the participation in the program would be voluntary on the part of the various growers. Under the bill, every producer or grower can, upon request, receive a complete refund of the assessment made.

In short, the measure would establish a badly needed research and promotion program for potato growers. I urge its enactment.

POTATO PROMOTION—IT WORKS FOR IDAHO

Mr. CHURCH. Mr. President, today the Senate is to act on S. 1181, the Potato Research and Promotion Act. This legislation, of which I am a cosponsor, would enable the potato industry to finance a nationally coordinated research and promotion effort, and through its own resources and ingenuity, to build strong markets and preserve its position in our Nation's agricultural economy.

There is no doubt in my mnd that a promotion program, properly organized and effectively run, can increase the demand for the potato as a consumer item, with a resultant increase in income to the farmer and the potato industry as a whole. One only need look to my State of Idaho for a fine example of what can be done when an outstanding product is properly marketed. Idaho has actively promoted its high-quality potatoes for many years, and today the Idaho potato is sought by housewives throughout the country who want the very best.

This bill gives the potato industry the wherewithal to promote its product. It will aid both the large and the small production State by educating the consumer to the part that the potato should properly play in his diet. It will aid the consumer, since the research programs made possible under the act will result in more and better potato products.

The use of sound marketing practices in the distribution and sale of our agricultural commodities is a must. Passage of the Potato Promotion Act will be a step in that direction.

Mr. HOLLAND. Mr. President, before a vote is taken, lest there be a misunderstanding, I want to make sure it is understood that title II affects tomatoes and differs from title I in that it does not contemplate a nationwide promotion program, for tomatoes produced in all areas, and also in that there is no provision for refund. It simply permits tomato growers in any area where there is a marketing order to add provision for advertising and promotion to such marketing order if in their judgment and in the discretion or the Secretary of Agriculture it is decided that that is advisable in their case.

I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc. I know of no opposition.

The PRESIDING OFFICER. Without objection, the committee amendments are considered en bloc; and, without objection, they are agreed to.

The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrosment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. HOLLAND. Mr. President, the Senator from North Dakota (Mr. YOUNG) has just reminded me that there was an intention on the part of one of the Senators from Alaska to investigate the question of whether Alaska and Hawaii should be included in the program and added to the 48 contiguous States to which the potato amendment applies. If the Senator from Alaska wishes to offer that amendment, or some other Senator wishes to offer it for him, I would have no objection to it. I would yield to the sponsors and authors of the bill on that matter.

Mr. YOUNG of North Dakota. Mr. President, I think it is a good amendment. It would affect only the people of Alaska and Hawaii. I think they should be permitted to come into the program.

I would like to offer the amendment.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the engrossment and third reading of the bill be vacated.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments offered by the Senator from North Dakota will be stated.

The assistant legislative clerk read the amendments as follows:

On page 3, lines 16 and 17, strike out the words "forty-eight contiguous States of the".

On page 5, line 1, strike out the words "forty-eight contiguous States of the".

The PRESIDING OFFICER. The question is on agreeing to the amendments.

The amendments were agreed to.

The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 1181) was passed, as follows:

S. 1181

An act to provide for potato and tomato promotion programs

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—POTATO RESEARCH AND PROMOTION

This title may be cited as the "Potato Research and Promotion Act".

FINDINGS AND DECLARATION OF POLICY

SEC. 2. Potatoes are a basic food in the United States. They are produced by many individual potato growers in every State in the United States. In 1966, there were one million four hundred and ninety-seven thousand acres of cropland in the United States devoted to the production of potatoes. Approximately two hundred and seventy-five million hundredweight of potatoes have been produced annually during the past five years with an estimated sales value to the potato producers of $561,000,000.

Potatoes and potato products move, in a large part, in the channels of interstate commerce, and potatoes which do not move in such channels directly burden or affect interstate commerce in potatoes and potato products. All potatoes produced in the United States are in the current of interstate commerce or directly burden, obstruct, or affect interstate commerce in potatoes and potato products.

The maintenance and expansion of existing potato markets and the development of new or improved markets are vital to the welfare of potato growers and those concerned with marketing, using, and processing potatoes as well as the general economic welfare of the Nation.

Therefore, it is the declared policy of the Congress and the purpose of this title that it is essential in the public interest, through the exercise of the powers provided herein, to authorize the establishment of an orderly procedure for the financing, through adequate assessments on all potatoes harvested in the United States for commercial use, and the carrying out of an effective and continuous coordinated program of research, development, advertising and promotion designed to strengthen potatoes' competitive position, and to maintain and expand domestic and foreign markets for potatoes produced in the United States.

DEFINITIONS

SEC. 3. As used in this title

(a) The term "Secretary" means the Secretary of Agriculture.

(b) The term "person" means any individual, partnership, corporation, association, or other entity.

(c) The term "potatoes" means all varieties of Irish potatoes grown by producers in the United States.

(d) The term "handler" means any person (except a common or contract carrier of potatoes owned by another person) who handles potatoes in a manner specified in a plan issued pursuant to this title or in the rules and regulations issued thereunder.

(e) The term "produced" means any person engaged in the growing of five or more acres of potatoes.

(f) The term "promotion" means any action taken by the National Potato Promotion Board, pursuant to this title, to present a favorable image for potatoes to the public with the express intent of improving their competitive positions and stimulating sales of potatoes and shall include, but shall not be limited to, paid advertising.

AUTHORITY TO ISSUE A PLAN

SEC. 4. To effectuate the declared policy of this title, the Secretary shall subject to the provisions of this title, issue and from time to time amend, orders applicable to persons engaged in the handling of potatoes (hereinafter referred to as handlers) and shall have authority to issue orders authorizing the collection of assessments on potatoes handled under the provisions of this title, and to authorize the use of such funds to provide research, development, advertising, and promotion of potatoes in a manner prescribed in this title. Any order issued by the Secretary under this title shall hereinafter in this title be referred to as a "plan". Any such plan shall be applicable to potatoes produced in the United States.

NOTICE AND HEARING

SEC. 5. When sufficient evidence is presented to the Secretary by potato producers, or whenever the Secretary has reason to believe that a plan will tend to effectuate the declared policy of this title, he shall give due notice and opportunity for a hearing upon a proposed plan. Such hearing may be requested by potato producers or by any other interested person or persons, including the Secretary, when the request for such hearing is accompanied by a proposal for a plan.

FINDING AND ISSUANCE OF A PLAN

SEC. 6. After notice and opportunity for hearing, the Secretary shall issue a plan if he finds, and sets forth in such plan, upon the evidence introduced at such hearing, that the issuance of such plan and all the terms and conditions thereof will tend to effectuate the declared policy of this title.

REGULATIONS

SEC. 7. The Secretary is authorized to make such regulations with the force and effect of law, as may be necessary to carry out the provisions of this title and the powers vested in him by this title.

REQUIRED TERMS IN PLANS

SEC. 8. Any plan issued pursuant to this title shall contain the following terms and conditions:

(a) Providing for the establishment by the Secretary of a National Potato Promotion Board (hereinafter referred to as "the board") and for defining its powers and duties, which shall include powers—

(1) to administer such plan in accordance with its terms and conditions;

(2) to make rules and regulations to effectuate the terms and conditions of such plan;

(3) to receive, investigate, and report to the Secretary complaints of violations of such plan; and

(4) to recommend to the Secretary amendments to such plan.

(b) Providing that the board shall be composed of representatives of producers selected by the Secretary from nominations made by producers in such manner as may be prescribed by the Secretary. In the event producers fail to select nominees for appointment to the board, the Secretary shall appoint producers on the basis of representation provided for in such plan.

(c) Providing that board members shall serve without compensation, but shall be reimbursed for reasonable expenses incurred in performing their duties as members of the board.

(d) Providing that the board shall prepare and submit to the Secretary for his approval a budget, on a fiscal period basis, of its anticipated expenses and disburesments in the administration of the plan, including probable costs of research, development, advertising, and promotion.

(e) Providing that the board shall recommend to the Secretary and the Secretary shall fix the assessment rate required for such costs as may be incurred pursuant to subsection (d) of this section; but in no event shall the assessment rate exceed 1 cent per one hundred pounds of potatoes handled.

(f) Providing that—

(1) funds collected by the board shall be used for research, development, advertising, or promotion of potatoes and potato products and such other expenses for the administration, maintenance, and functioning of the board as may be authorized by the Secretary;

(2) no advertising or sales promotion program shall make any reference to private brand names or use false or unwarranted claims in behalf of potatoes or their products or false or unwarranted statements with respect to the attributes or use of any competing products; and

(3) no funds collected by the board shall in any manner be used for the purpose of influencing governmental policy or action, except as provided by subsection (a)(4) of this section.

(g) Providing that, notwithstanding any other provisions of this title, any potato producer against whose potatoes any assessment is made and collected under authority of this title and who is not in favor of supporting the research and promotion program as provided for under this title shall have the right to demand and receive from the board a refund of such assessment: Provided, That such demand shall be made personally by such producer in accordance with regulations and on a form and within a time period prescribed by the board and approved by the Secretary, but in no event less than ninety days, and upon submission of proof satisfactory to the board that the producer paid the assessment for which refund is sought, and any such refund shall be made within sixty days after demand therefor.

(h) Providing that the board shall, subject to the provisions of subsections (e) and (f) of this section, develop and submit to the Secretary for his approval any research, development, advertising or promotion programs or projects, and that any such program or project must be approved by the Secretary before becoming effective.

(i) Providing the board with authority to enter into contracts or agreements, with the approval of the Secretary, for the development and carrying out of research, development, advertising or promotion programs or projects, and the payment of the cost thereof with funds collected pursuant to this title.

(j) Providing that the board shall maintain books and records and prepare and submit to the Secretary such reports from time to time as may be prescribed for approximate accounting with respect to the receipt and disbursement of funds entrusted to it and cause a complete audit report to be submitted to the Secretary at the end of each fiscal period.

PERMISSIVE TERMS IN PLANS

SEC. 9. Any plan issued pursuant to this title may contain one or more of the following terms and conditions:

(a) Providing authority to exempt from the provisions of the plan potatoes used for nonfood uses, and authority for the board to require satisfactory safeguards against improper use of such exemptions.

(b) Providing for authority to designate different handler payment and reporting schedules to recognize differences in marketing practices and procedures utilized in different production areas.

(c) Providing for the establishment, issuance, effectuation, and administration of appropriate programs or projects for the advertising and sales promotion of potatoes and potato products and for the disbursement of necessary funds for such purposes: *Provided, however,* That any such program or project shall be directed toward increasing the general demand for potatoes and potato products: *And provided further,* That such promotional activities shall comply with the provisions of section 8(f) of this title.

(d) Providing for establishing and carrying on research and development projects and studies to the end that the marketing and utilization of potatoes may be encouraged, expanded, improved, or made more efficient, and for the disbursement of necessary funds for such purposes.

(e) Providing for authority to accumulate reserve funds from assessments collected pursuant to this title, to permit an effective and continuous coordinated program of research, development, advertising and promotion in years when the production and assessment income may be reduced: *Provided,* That the total reserve fund does not exceed the amount budgeted for two years' operation.

(f) Providing for authority to use funds collected herein, with the approval of the Secretary, for the development and expansion of potato and potato product sales in foreign markets.

(g) Terms and conditions incidental to and not inconsistent with the terms and conditions specified in this title and necessary to effectuate the other provisions of such plan.

ASSESSMENT

SEC. 10. (a) Each handler designated by the board, pursuant to regulations issued under the plan, to make payment of assessments shall be responsible for payment to the board, as it may direct, of any assessment levied on potatoes; and such handler may collect from any producer or deduct from the proceeds paid to any producer, on whose potatoes such assessment is made, and such assessment required to be paid by such handler. Such handler shall maintain a separate record with respect to each producer for whom potatoes were handled, and such records shall indicate the total quantity of potatoes handled by him including those

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handled for producers and for himself, shall indicate the total quantity of potatoes handled by him which are included under the terms of a plan as well as those which are exempt under such plan, and shall indicate such other information as may be prescribed by the board. To facilitate the collection and payment of such assessments, the board may designate different handlers or classes of handlers to recognize difference in marketing practices or procedures utilized in any State or area. No more than one such assessment shall be made on any potatoes.

(b) Handlers responsible for collection of assessments under subsection (a) of this section shall maintain and make available for inspection by the Secretary such books and records as required by the plan and file reports at the times, in the manner, and having the content prescribed by the plan, to the end that information and data shall be made available to the board and to the Secretary which is appropriate or necessary to the effectuation, administration, or enforcement of this title or of any plan or regulation issued pursuant to this title.

(c) All information obtained pursuant to subsections (a) and (b) of this section shall be kept confidential by all officers and employees of the Department of Agriculture and of the board, and only such information so furnished or acquired as the Secretary deems relevant shall be disclosed by them, and then only in a suit or administrative hearing brought at the direction, or upon the request, of the Secretary, or to which he or any officer of the United States is a party, and involving the plan with reference to which the information to be disclosed was furnished or acquired. Nothing in this section shall be deemed to prohibit—

(1) the issuance of general statements based upon the reports of a number of handlers subject to a plan if such statements do not identify the information furnished by any person, or

(2) the publication by direction of the Secretary of the name of any person violating any plan together with a statement of the particular provisions of the plan violated by such person.

Any such officer or employee violating the provisions of this subsection shall upon conviction be subject to a fine of not more than $1,000 or imprisonment for not more than one year, or both, and shall be removed from office.

PETITION AND REVIEW

Sec. 11. (a) Any person subject to a plan may file a written petition with the Secretary, stating that such plan or any provision of such plan or any obligation imposed in connection therewith is not in accordance with law and praying for a modification thereof or to be exempted therefrom. He shall thereupon be given an opportunity for a hearing upon such petition, in accordance with regulations made by the Secretary. After such hearing, the Secretary shall make a ruling upon the prayer of such petition which shall be final, if in accordance with law.

(b) The district courts of the United States in any district in which such person is an inhabitant, or has his principal place of business, are hereby vested with jurisdiction to review such ruling: *Provided*, That a complaint for that purpose is filed within twenty days from the date of the entry of such ruling. Service of process in such proceedings may be had upon the Secretary by delivering to him a copy of the complaint. If the court determines that such ruling is not in accordance with law, it shall remand such proceedings to the Secretary with directions either (1) to make such ruling as the court shall determine to be in accordance with law, or (2) to take such further proceedings as, in its opinion, the law requires. The pendency of proceedings instituted pursuant to subsection (a) of this section shall not impede, hinder, or delay the United States or the Secretary from obtaining relief pursuant to section 12(a) of this title.

ENFORCEMENT

Sec. 12. (a) The several district courts of the United States are vested with jurisdiction specifically to enforce, and to prevent and restrain any person from violating any plan or regulation made or issued pursuant to this title.

(b) Any handler who violates any provisions of any plan issued by the Secretary under this title, or who fails or refuses to remit any assessment or fee duly required of him thereunder shall be subject to criminal prosecution and shall be fined not less than $100 or more than $1,000 for each such offense.

INVESTIGATION AND POWER TO SUBPENA

Sec. 13. (a) The Secretary may make such investigations as he deems necessary for the effective carrying out of his responsibilities under this title or to determine whether a handler or any other person has engaged or is engaging in any acts or practices which constitute a violation of any provision of this title, or of any plan, or rule or regulation issued under this title. For the purpose of any such investigation, the Secretary is empowered to administer oaths and affirmations, subpena witnesses, compel their attendance, take evidence, and require the production of any books, papers, and documents which are relevant to the inquiry. Such attendance of witnesses and the production of any such records may be required from any place in the United States. In case of contumacy by, or refusal to obey a subpena issued to, any person, including a handler, the Secretary may invoke the aid of any court of the United States within the jurisdiction of which such investigation or proceeding is carried on, or where such person resides or carries on business, in requiring the attendance and testimony of witnesses and the production of books, papers, and documents; and such court may issue an order requiring such person to appear before the Secretary, there to produce records, if so ordered, or to give testimony touching the matter under investigation. Any failure to obey such order of the court may be punished by such court as contempt thereof. All process in any such case may be served in the judicial district whereof such person is an inhabitant or wherever he may be found. The site of any hearings held under this section shall be within the judicial district where such handler or other person is an inhabitant or has his principal place of business.

(b) No person shall be excused from attending and testifying or from producing books, papers, and documents before the Secretary, or in obedience to the subpena of the Secretary, or in any cause or proceeding, criminal or otherwise, based upon, or growing out of any alleged violation of this title, or of any plan, or rule or regulation issued thereunder on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that any individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

REQUIREMENT OF REFERENDUM

Sec. 14. The Secretary shall conduct a referendum among producers who, during a representative period determined by the Secretary, have been engaged in the production of potatoes for the purpose of ascertaining whether the issuance of a plan is approved or favored by producers. No plan issued pursuant to this title shall be effective unless the Secretary determines that the issuance of such plan is approved or favored by not less than two-thirds of the producers voting in such referendum, or by the producers of not less than two-thirds of the potatoes produced during the representative period by producers voting in such referendum, and by not less than a majority of the producers voting in such referendum. The ballots and other information or reports which reveal or tend to reveal the vote of any producer or his production of potatoes shall be held strictly confidential and shall not be disclosed. Any officer or employee of the Department of Agriculture violating the provisions hereof shall upon conviction be subject to the penalties provided in paragraph 10(c) above.

SUSPENSION OR TERMINATION OF PLANS

Sec. 15. (a) The Secretary shall, whenever he finds that a plan or any provision thereof obstructs or does not tend to effectuate the declared policy of this title terminate or suspend the operation of such plan or such provision thereof.

(b) The Secretary may conduct a referendum at any time and shall hold a referendum on request of the board or of 10 per centum or more of the potato producers to determine if potato producers favor the termination or suspension of the plan, and he shall terminate or suspend such plan at the end of the marketing year whenever he determines that such suspension or termination is favored by a majority of those voting in a referendum, and who produce more than 50 per centum of the volume of the potatoes produced by the potato producers voting in the referendum.

AMENDMENT PROCEDURE

Sec. 16. The provisions of this title applicable to plans shall be applicable to amendments to plans.

SEPARABILITY

Sec. 17. If any provision of this title or the application thereof to any person or circumstances is held invalid, the vadility of the remainder of this title and of the application of such provision to other persons and circumstances shall not be affected thereby.

AUTHORIZATION

Sec. 18. There is hereby made available from the funds provided by section 32 of Public Law 320, Seventy-fourth Congress (49 Stat. 774), as amended (7 U.S.C. 612c), such sums as are necessary to carry out the provisions of this title: *Provided*, That no such sum shall be used for the payment of any expenses or expenditures of the board in administering any provision of any plan issued under authority of this title.

EFFECTIVE DATE

Sec. 19. This title shall take effect upon enactment:

Title II—Tomato Advertising Projects

Sec. 201. Section 8c(6)(I) of the Agricultural Adjustment Act, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is amended by striking out "or avocados" in the proviso, and inserting in lieu thereof "avocados, or tomatoes".

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. HOLLAND. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The title was amended, so as to read: "An act to provide for potato and tomato promotion programs."

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AMENDMENT OF THE AGRICULTURAL MARKETING AGREEMENT ACT OF 1937, AS AMENDED

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 414, S. 2214.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 2214) to amend section 608(c)(2) of the Agricultural Marketing Agreement Act of 1937, as amended.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported with amendments on page 1, at the beginning of line 3, strike out:

> That section 608(c)(2) of the Agricultural Marketing Agreement Act of 1937, as amended, is amended as follows:

And insert:

> That section 8c(2) of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 and subsequent legislation is amended as follows:

In line 9, after the word "In", strike out "subparagraph" and insert "clause"; on page 2, line 3, after the word "In", strike out "subparagraph" and insert "clause"; and after line 6, insert a new section, as follows:

> SEC. 2. The amendments made by this Act shall be effective only during the period beginning with the date of enactment of this Act and ending two years after such date.

So as to make the bill read:

S. 2214

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 8c(2) of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 and subsequent legislation, is amended as follows:
>
> (1) In clause (A) after the words "vegetables (not including vegetables, other than asparagus, for canning or freezing", insert the words "and not including potatoes for canning, freezing, or other processing"; and
>
> (2) In clause (B) after the words "fruits and vegetables for canning or freezing," insert the words "including potatoes for canning, freezing, or other processing,".
>
> SEC. 2. The amendments made by this Act shall be effective only during the period beginning with the date of enactment of this Act and ending two years after such date.

Mr. HOLLAND. Mr. President, this bill, reported from the Senate Committee on Agriculture and Forestry, has some amendments, but I will first discuss the purpose of the bill.

The purpose of the bill now before the Senate, S. 2214, is simply to place potatoes for other processing—such as dehydration—into other potato products on an equal basis with potatoes for canning and freezing which are now exempt under the provisions of the Agricultural Marketing Agreement Act of 1937, as amended.

In other words, the Marketing Agreement Act now already exempts potatoes for canning and freezing from coverage in any marketing order issued by the Department of Agriculture.

I might add that the term "other processing" is intended to include only that preparation of potatoes for market which involves the application of heat or cold to such an extent that the natural form or stability of the commodity undergoes a substantial change. This occurs in dehydration and in the manufacture of shoestring potatoes and potato chips. The act of peeling, cooling, slicing, or dicing, or the application of material to prevent oxidation does not constitute "other processing."

The committee's Subcommittee on Agricultural Production, Marketing, and Stabilization of Prices held hearings on the bill. Some producer groups opposed the bill, while processors generally approved it.

The subcommittee and the committee felt that consistency in the treatment of potatoes was necessary. However, in order to provide protection to producers, the exemption carried by the bill is limited to a 2-year period.

The Department of Agriculture favored inclusion of all potatoes under marketing order authority, or exclusion of all potatoes for processing. Inclusion of some and exclusion of others creates competitive disadvantages. Inasmuch as potato products are in competition with each other in the national market, this bill would result in uniform treatment of potatoes for processing regardless of the final use made of the product.

The Department also reported that the use of potatoes for food processing has increased sharply during the past decade. Only 14 percent of 1956-crop potatoes used for food were processed. In 1967 about 42 percent were processed. Utilization for freezing was the most important in terms of volume, but large quantities were used for canning, potato chips, shoestrings, and dehydration. Dehydrated potato processing increased sixfold during the 1956 to 1967 period, while the use of potatoes for chipping and shoestring potatoes more than doubled. Continued expansion of sales to all food processing outlets is expected in coming years.

Mr. President, there was some difference of opinion in the committee. Some of us would have preferred to put all potatoes destined for processing within reach of the potato producers, within their marketing orders, if they chose to cover potatoes used for processing. Others favored the method used in this bill; that is, to exclude all potatoes used for processing by which the natural form of the potatoes changes, from coverage of the marketing agreement and order.

The final settlement made by the committee was to permit this to be done as provided by the bill for a period of 2 years, to see whether or not the experiment of excluding all processed potatoes from the coverage of marketing orders would be satisfactory in general to the producers, who, after all, would be the ones most interested in marketing orders, as they are the only ones who can initiate such orders.

The bill as reported does just that. It would exclude all potatoes for processing from marketing orders, but only for a trial period of 2 years, so as to see how this program would work out.

Mr. President, these are all the comments that I have. If other Senators would like to be heard on the bill, I shall be happy to yield. Otherwise, I ask that the amendments be considered.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. HOLLAND. I am happy to yield to the Senator from Nebraska.

Mr. CURTIS. The bill now before us, S. 2214, was the bill in connection with which the hearings were centered on a locality in northern California and in Idaho and some of the adjacent States; was it not?

Mr. HOLLAND. Yes. This was the bill in which certain processors who used potatoes grown in northern California and Oregon felt that they were being discriminated against under a regional marketing order applicable only to that area, and they asked to be put in the same position as other processors using other potatoes from that area who were excluded from the coverage of the marketing order.

As I have already stated, the committee was not of one mind about this, but finally decided to give the program, as provided by the bill a 2-year period of trial, to see how it would work out.

Mr. CURTIS. My recollection is that the testimony that the committee received was somewhat divided, that one group of growers favored the legislation and another group did not.

I commend the distinguished Senator from Florida for the way he has handled the bill. I believe it was the junior Senator from Nebraska who suggested we might try it for 2 years, to see how it worked out, in fairness to all parties; and I am delighted that that was the way the bill was presented here.

Mr. HOLLAND. I thank my distinguished friend for that comment, and I am glad to say he is correct in his recollection; he was the one who suggested this compromise, which was finally accepted by all members of the committee, and we are all willing to see this program tried out for 2 years, as I recall the vote of the committee.

Mr. MUSKIE. Mr. President, S. 2214 is a bill to amend section 608(c)(2) of the Agricultural Marketing Agreement Act of 1937. Briefly, this bill exempts all potatoes used for processing from Federal marketing orders.

Federal marketing order legislation has played an important role in the orderly marketing of potatoes:

Marketing orders assure the adequate supply of high quality potatoes to the consumer at steady and reasonable prices.

The Federal marketing order has prevented the exploitation of both the consumer and the farmer by the middleman.

Current law exempts from marketing orders those potatoes that are to be processed by canning or freezing. Proponents of S. 2214 argue that processors of other types of potatoes are placed in an unfair competitive position with the canners and freezers. I recognize this problem, but the solution is not in more exemptions to the marketing order. The solution to achieving equity among processors, while at the same time preserving the benefits of marketing orders for the producers and consumers, is in the removal of all exemptions.

In my own State of Maine the Federal marketing order has been shelved. Many Maine potato producers are pressing for the reinstatement of that order. If more exemptions are granted for processors, it will be virtually impossible to convince the Maine potato growers, who produce for both the fresh and processing markets that the reinstatement of the marketing order is in their best interest.

For the good of the potato producer and the consumer I oppose the passage of S. 2214. At the same time, understanding the inequity faced by a part of the processing industry, I urge that the Agricultural Committee prepare substitute legislation to remove all exemptions from Federal marketing orders.

Mr. YOUNG of North Dakota. Mr. President, the Senator from California (Mr. Murphy), the principal author of S. 2214, is necessarily absent today. The Senator, however, had prepared a statement which he had planned to make on this measure. I ask unanimous consent that his remarks be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of Senator Murphy

As the author of S. 2214, I urge its passage. The bill would update the Agricultural Marketing Act of 1937. The purpose of the 1937 act was to assist in stabilizing prices of fruits and vegetables in the fresh market at a profitable level. Canning, the only major method of food preservation in 1937, was exempt from the act's provisions. By 1946, freezing had become a common method of food preservation, and Congress updated the Act by expanding the exemption to include fruits and vegetables for freezing.

Today, dehydration has also become a major method of preserving foods, and S. 2214 would place all processors of potatoes—canners, freezers, dehydrators, potato chippers, and shoe string manufacturers—on a fair, equal and competitive basis.

I believe that the bill is in the best interest of the potato industries, both growers and processors, and the workers in the processing plants, as well as of the American consumer.

I support and urge its enactment.

The PRESIDING OFFICER (Mr. Hughes in the chair). The question is on agreeing to the committee amendments.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, the amendments are considered and agreed to en bloc.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to exempt potatoes from processing from marketing orders."

Mr. HOLLAND. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. CURTIS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, that concludes the scheduled business of the Senate for today. There will be no further votes.

RETIREMENT OF JUSTICES AND JUDGES OF THE UNITED STATES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 445, S. 1508. I do this so that the bill will become the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The Assistant Legislative Clerk. A bill (S. 1508) to improve judicial machinery by amending provisions of law relating to the retirement of justices and judges of the United States.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment after line 6, to insert:

(b) The first paragraph of section 373 of title 28, United States Code, is amended by inserting immediately after the last comma therein the following: "or at any age after serving at least twenty years continuously or otherwise."

So as to make the bill read:

S. 1508

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 371(b) of title 28, United States Code, is amended by inserting immediately before the period at the end of the first sentence the following: ", or at any age after serving at least twenty years continuously or otherwise."

(b) The first paragraph of section 373 of title 28, United States Code, is amended by inserting immediately after the last comma therein the following: "or at any age after serving at least twenty years continuously or otherwise."

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ALLEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Moss in the chair). Without objection, it is so ordered.

Pursuant to previous order, the Senator from Mississippi is recognized for a period of 1 hour.

Mr. STENNIS. I thank the chair.

PUBLIC SCHOOL EDUCATION

Mr. STENNIS. Mr. President, I wish to make clear in the very beginning that my concern and my advocacy with respect to the subject I shall talk about today is in the interest of public school education. I shall refer to the problems of our schools in the South and the problems and conditions in the schools of the North, but I am prompted, all the way through, by my advocacy of the survival, in all areas of the Nation, of the public school system. I have never entertained the idea or joined in any movement that would try to establish a private school system in any appreciable area to replace the public schools, because I know that even though the private school has its place and has a good function to a limited degree or in a specific area, and has a good influence throughout the Nation, it is the public school system, I am fully convinced, that is necessary to train and educate the masses of our children.

I wish to make it clear also that I am not seeking or advocating the repeal of the Civil Rights Act of 1964. I know that it is the law, and I said after its passage that it could not be ignored; that it was the law and, of course, would have to be obeyed.

Mr. President, for several years the Department of Health, Education, and Welfare, and the Justice Department, have conducted an intensive campaign to bring about total integration of public schools in the South. Both HEW and the Justice Department have launched a crash program to integrate the races in every school in the South. This drive for all-out integration has been so intense and demanding that the education and welfare of the students and teachers have become secondary. The prime objectives has been all-out integration. My complaint is about the administration and interpretation of that law.

I wish to make it clear that I want every child, and I have always wanted every child, to have every opportunity to obtain adequate schooling and training under just as favorable conditions as can be had. I want faculties and others who are engaged in schoolwork generally to have conditions as favorable and as encouraging as possible.

I know, too, from the experience of the last 2 years, that most of the burdens of the social change that is coming about in our country is dumped in the lap of the public school system, to the extent that it cannot longer carry that load unless there is some moderation in the policy, the practice, and the administration of this Federal law. I am just as certain of that as I am that night follows day. I am certain that something will have to be done about it.

I also feel that this fact is not realized throughout the Nation. It is not realized by enough of the membership of this body, because they have not felt the impact of the imposition of the school program as administered by the Department of Health, Education, and Welfare and the Department of Justice, for it is really not administered in great areas of the country, to any appreciable degree at all, as I shall illustrate.

For several years, the Department of Health, Education, and Welfare and the Justice Department have conducted or

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attempted to conduct a campaign to bring about a total integration of the public schools in the South. Both the Department of Health, Education, and Welfare and the Department of Justice have launched a crash program to integrate the races in every school in the South.

This drive for all-out integration has been so intense and so demanding that the education and welfare of the students and teachers have actually become secondary. The prime objective has been all-out integration.

I believe this crash program has been and is a tragic mistake. The students have suffered in their school courses, orientation, and attainments. The teachers have suffered and are unable to make adjustments and effectively carry on under this crash program that demands almost everything now and everything a year from now. The parents have suffered, and the effectiveness and efficiency of the schools have been greatly diminished.

Unhappily, those who are directing this campaign have either failed to recognize, or have deliberately chosen to ignore, the fact that this localized effort against the South overlooks segregated conditions in the North that are as pronounced, and in some instances even more pronounced, than segregation in the South which is actually the sole target of this massive integration program.

If the alleged wrongs that are being so vigorously attacked in the South are, in fact, wrongs, the same situation, the identical circumstances, the extensive segregation, is also wrong in the North.

To attack these claimed inequities with such vigor in the South and at the same time overlook them elsewhere, is either a clear admission that: First, the alleged wrongs in the South are not, in fact, wrongs at all; or, second, there are great wrongs in the North that are neglected and uncorrected.

In brief, the law is not being enforced equally throughout the Nation.

If it is true, as the advocates of integration claim, that segregation deprives the Negro student of an equal education, millions of Negro students in the North are being deprived of their rights.

It is unquestionably clear that segregation in the schools exists in many major areas of the North to an equal extent, if not a greater extent, than in the South. I shall support this statement by official records that are admitted to be correct.

The records I shall cite have been obtained from the files of HEW—obtained in a legitimate way by a regularly constituted arm of the Senate. I have taken these matters up with Mr. Finch. I make no personal attack on Mr. Finch. He says that he does not contest the figures I am going to cite and that, so far as he knows, they are correct.

Regrettably, the deplorable situation of the North and West has been overshadowed and kept out of public sight and notice because the national bureaucracy responsible for enforcing integration in the schools has played an overly bright spotlight on the struggling schools of the South.

The goal for the school years 1969–70 and 1970–71, has been total abolition of all schools predominantly white or predominantly black. Total adjustments and change have been demanded as to students, curriculum, courses, transportation, equipment—everything—within this time frame. That is the general pattern that has been demanded in most of these districts. They are all moving in that direction. A few of the districts may be an exception to this general summary statement that I have made, but that is the trend, and that is the overall look.

I know most of these things from my personal knowledge, because I have had contact with many of them. I have appeared before the examiners with many school boards that have come to Washington from my State for hearings with reference to their matters. I have been there with them. I have testified in some of those cases as to facts with which I am familiar. I mention that just to show that this is not a strange subject to me.

Public attention has been concentrated on complaints of harassed educators and distraught parents in the South.

The policy of singling out the South for enforcement of the 1954 Supreme Court decision prohibiting discrimination in the public schools on account of race is based upon the idea that enforcement should be directed against areas of the Nation that once had State or local government laws that required or allowed segregated schools. I say that this was the policy.

This is known as de jure segregation. Segregation in public schools that has arisen out of a fact, or a combination of facts, not required or permitted by law is classed as de facto segregation.

By establishment of this policy—that is, a differentiation between de jure and de facto segregation—Federal officials have sought to excuse their inaction against segregation in the North while pursing an intense program to achieve total and immediate integration in the South.

The effect of this policy is to say that segregation in the South is wrong but segregation in the North is not wrong.

It is merely a policy. This procedure, this approach, is merely a policy. It is not supported by the Civil Rights Act of 1964 nor by the Supreme Court decisions.

I cannot find anywhere in the Civil Rights Act of 1964 or in the Supreme Court decisions any direction or any holding that the law made a distinction between one part of the country and another or one kind of school segregation and another. The basic part of that decision of 1954 is very clear.

Now, this policy to which I have referred, and it applies to previous administrations and not only this one, is not a policy of law, it is not a policy of reason, and it is not a policy of right. It is a policy of the wrong and the strong; the "strong of the Federal Government bringing its vast power and talent against many small school boards and school officials in the South; the "wrong" of political expediency in leaving untouched the politically powerful and controlling States of the North and the East. I shall specify some of them before I conclude my remarks.

This has been a willful and deliberate pattern of conduct known to the top officials of Health, Education, and Welfare over the years and in fact evolved by them. They have told this to me, as well as to other Senators. Along with other Senators, I called it to the personal attention of two former Secretaries of Health, Education, and Welfare and received firm promises that action would be taken. This was in 1966, 1967, and in 1968. Virtually no action has been taken. During the passage of the Education Act in the fall of 1967, these facts were brought to the attention of the Senate and this pattern of non-action in the areas outside the South was denounced by the then Senator Morse of Oregon, who was handling that education bill and the Secretary of Health, Education, and Welfare gave a letter to Senator Morse, which was included in the Congressional Record, promising action in the non-southern areas. Virtually no action has been forthcoming since the time of that letter.

Mr. President, I could not readily locate that letter. That is my best recollection. The letter was placed in the Record and I think I shall find it and make proper reference to it.

However, even if it should be conceded that such an inequitable and unequal policy is acceptable under the law, the States of California, Illinois, Indiana, Kansas, New Jersey, New York, Ohio, Pennsylvania, and the District of Columbia should come under the de jure classification.

Let us look at the facts: 91 percent of the total Negro student enrollment in all Northern and Western States is concentrated in these eight States and the District of Columbia. Segregation of races in the public schools was at one time either required or permitted by law in each of the above-named jurisdictions. I cite here some additional revelant facts:

Indiana has State statutes authorizing separate but equal public schools until 1949.

In New Jersey separate schools for Negroes were maintained well into the 20th century despite an 1881 statute prohibiting the exclusion of children from schools on the basis of race. In 1923 the State commissioner of education ruled that local school authorities could provide special schools for Negroes in their residential areas and allow the transfer of white students from these schools to white schools. The ruling was reaffirmed in 1930.

State statutes authorizing separate but equal public schools were in effect in New Mexico and Wyoming until 1954.

A State statute permitted separate but equal public schools in New York until 1938.

Many State courts in the North have upheld racially separate school facilities. For instance, courts in Ohio, Delaware, New York, and other States allowed exceptions to geographical attendance for the purpose of maintaining the segregation of Negroes.

I cite these instances as facts of life and to prove that even under the de jure-de facto theory or policy, segregated schools in these States should be proceeded against in the same manner as the "de jure" schools in the South are being proceeded against.

I do not concede that the de jure-de facto policy is either logical or legal. I believe it is, in fact, both illogical and illegal. If segregation is unlawful because of the 1954 decision of Brown against Board of Education, it is illegal whether or not it results from de jure or de facto reasons, and it is illegal whether it occurs in the North or in the South.

Make no mistake about it. Let there be no misunderstanding. There is no real difference between segregation in the North and the South. The figures show many places in the North are more segregated than some places of the South.

I quote now from official HEW records to which I have already referred. Again, I make no distinction between the Negro students and the white students, and their right to go to school and have what can best be afforded. My point is that the way this matter is being handled is injurious to education; that the pattern of integration is superseding the higher object of education; that it is not being conducted equally and fairly throughout the Nation; but that the policy is deliberately and positively pointed to these Southern States.

These official records show that of 139,006 students in Washington, D.C., only 0.9 percent are desegregated. That is the term the records use. I shall explain it more later. Of the 308,266 Negro students in Chicago, Ill., schools, only 3.2 percent are desegregated. Of the 29,826 Negro students in Gary, Ind., schools, only 3.1 percent are desegregated.

The Negro student population in public schools in Buffalo, N.Y., is 26,381; 15,304 are in schools that are segregated 98 to 100 percent. Cleveland, Ohio, has 87,241 Negro students. Of these, 70,642, or 81 percent, are in schools 95- to 100-percent segregated. That means they have that percentage of Negro students, 95 to 100 percent.

In Atlantic City, N.J., 40 percent of the Negro students are in five schools that are 100-percent Negro.

In Chicago, there are 214 schools attended by 248,000 of the total Negro school population of 308,000, and each school contains 99- to 100-percent Negro student bodies. Of these 214 schools, 108 are 100-percent Negro. All-Negro schools are found throughout the State of Illinois.

The same is true of several other States in the North.

Now, Mr. President, I remember 2 years ago—perhaps it was 3 years ago—there was some kind of proceeding filed by the HEW in Chicago as to lack of integration in their schools. It was all in the newspapers. There was a visit by Mayor Daly and a telegram given to the press and something to the White House. That thing flooded the country for a few days and then it faded out. It was taken under advisement. So far as that proceeding is concerned, my information is that nothing has been done about it yet.

A few months ago the city of Chicago was notified or some demand was made for integration of the faculty and they wired back that in order to integrate the faculty it would cost x number of dollars and please to send the money, that it would cost that much extra money and send the extra money. I do not know what happened since then, but I do not think any money has been sent there. I do not think there has been any real proceeding which has been effective about it.

With reference to the population of schools, the same is true of several other States in the North.

For instance, in Ohio, in 68 schools attended by 69,000 of the total Negro population of 87,000, the student enrollment there is 95 to 100 percent Negro.

That is in 68 schools where 69,000 out of a total 87,000 Negro students attend and those schools are 95 to 100 percent Negro. They are all-Negro schools throughout the State of Ohio.

In Dayton, Ohio, 18,000 of a 22,000 total Negro school population attend 20 schools that are 92.8 to 100 percent Negro. Eight out of the 20 are 100 percent Negro.

Mr. President, I do not bring this up as any reflection on the Negro students—not one bit; this is no more a reflection on the Negro students than on the white students.

I am citing here what is not being done about the massive, total demand for integration now.

I know, too, that until the pinch of this thing is felt by the mothers and fathers, teachers, and students, both Negro and white, throughout the great areas of this country, why we in the South are just at the mercy—I repeat, just at the mercy—of whatever may be the policies, or the demands of the administration in power. The South will be largely at their mercy.

I do not accuse them of exercising bad faith in every case. We have had some people there from HEW that did not know topside from bottom about school administration or school problems or anything in that field. Then we have had some that were understanding, capable, and competent but they were usually overruled, that latter kind.

Let me give credit where credit is due. I do not claim that Mr. Finch is indifferent to this situation. He has an awfully big job to fill. He has got a lot of people in there who are zealots on the subject, according to my definition. I know that he is concerned about it some. I do not accuse those predecessors of his, who promised to move in on this matter and make it uniform, and, therefore, make it possible to get a more moderate policy, of falsifying or deliberately going back on their word. Their hands might have been tied by a higher power. I do not know. But I do know what the result is. It is not contradicted. It will not be denied. They may try to explain away some fragments of this, but the bald, central facts I have just related are taken from the record here. I shall introduce some of the computerized information into the RECORD, if it is the will of the Senate that it stand in the RECORD as a part of my remarks.

Going back to the States, in the great State of Michigan, in Detroit 66,000 out of 175,000 Negro students go to schools in 68 schools which are 99 to 100 percent Negro. Let me repeat that: In the great State of Michigan, in the city of Detroit 66,000 out of the 175,000 Negro students attend 68 schools which are 99 to 100 percent Negro.

Now, Mr. President, I have not heard any clear calls for fairness here from anyone in those States, asking HEW to come in there and stir the people up and enforce its edicts, as they are in the South. I have not heard any clamor for that. I judge by that that they are not interested in the things being done in their area of this country, but they are willing to vote and demand that it be done in the Southern area of this country.

I think the facts and figures here unmistakably and conclusively prove that that is the pattern, that generally it has the consent of the people in those States and is not going to be disturbed in any appreciable way unless this matter can be focused properly and brought to the attention of the people of the Nation. Whenever it is, I am very practical and frank about this.

Whenever it is brought into action with the unbearable demands that we sustain in areas of the South, there will be a moderation of this policy. It will be done right here on the Senate floor, in my opinion, or in the House, or in both. But long before we have to do it, I would hope it would be done through these departments.

The pattern of all-white and all-Negro schools in the North is not confined to big cities but also exists in the small areas as the charts which I shall introduce will show.

The conditions which I have outlined above would not be tolerated under the rules and regulations applied to schools of the South.

HEW and the Justice Department have moved with great speed and strength and repeated demands, although at times with some misunderstanding, against schools in the South that are as scarcely segregated as the examples in the jurisdiction that I have cited.

The governing authority of every public school district is required by HEW to sign a compliance or assurance agreement that the school will operate in compliance with the Civil Rights Act of 1964 as a prerequisite to receiving Federal funds. In the North a simple agreement—form 441—is used. This form simply states intent to comply with the Civil Rights Act of 1964. It has been and is the practice of HEW to accept compliance statements from schools in the North without making a check to determine if the school is, in fact, in compliance. In the South before the compliance form is accepted it has been and is the practice of HEW to check to see if the school is, in fact, in compliance. If there is an indication of noncompliance HEW then requires school officials to sign form 441-B which requires them to agree to desegregate the school—thereby admitting segregation—and to file a plan to accomplish desegregation.

The contrast between the North and South as to investigation and enforcement of integration by HEW is shocking.

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When I say "North" I mean areas outside the South.

In the North only 46 of 7,015 compliance agreements filed have been given a preliminary check by HEW.

If my quick figures are correct, that is sixty-five one-hundredths of 1 percent that have been given a check in the North.

In the South 2,994 districts have filed form 441 and all have been checked, 100 percent. That is according to the records; that is not an estimate. It is according to the records; 1,107 districts have filed form 441–B outlining a voluntary desegregation plan.

In the North only, six out of 7,015 total districts of the North have been sent letters of noncompliance.

In the South, 568 out of 1,107 school districts of the South have been sent letters of noncompliance.

In the North and West, only one out of 7,015 school districts have been the subject of administrative action by HEW.

The tragedy of this so-called crusade against discrimination on a sectional basis is that it is within itself discrimination against a geographical section of the United States. The figures I have quoted showing the extent of segregation in the North are from the official files of the Department of Health, Education, and Welfare, but school segregation in the North has been long recognized and admitted by other Federal agencies.

In 1961, the Civil Rights Commission stated:

> Public schools enrolling Negroes almost exclusively in some cases, and whites almost exclusively in others, are found in many cities throughout the North and West. . . .

In 1966 the U.S. Office of Education stated:

> When measured by that yardstick (segregation), American public education remains largely unequal in most regions of the country, including all those where Negroes form any significant proportion of the population.
>
> The great majority of American children attend schools that are largely segregated—that is, almost all of their fellow students are of the same racial background as they are . . . (vol. 1, Civil Rights Com. Report, 1967, p. 2)

In 1967, the Civil Rights Commission reported that racial isolation or segregation in the North had increased, not decreased.

The Commission stated flatly:

> The extent of racial isolation in Northern school systems does not differ markedly from that in the South.

The March 1, 1969, report of the Secretary of the Deparment of Health, Education and Welfare—Civil Rights Commission Report 1967, Volume I Page 7—admitted that almost nothing is being done in the North while a crash-enforcement program is underway in the South.

I quote from that report of March 1, 1969:

> During 1968, for example, there are Title VI compliance reviews in more than 400 southern school districts as compared to only 40 northern district reviews in thirteen northern and western states. In October 1968, there were 67 Title VI staff members assigned to the South and only 32 persons covered the northern and western states. While significant steps have been taken in hundreds of urban and rural school districts in the South, the large and sprawling urban centers of the North remain relatively untouched.

I call these conditions to the attention of all the people of the Nation. I call them to the special attention of the parents of all the children in these affected schools in the East, the North, and the West. If the Federal Government should ever decide to enforce their edicts in your areas as they have in the South, then you will lose your community school. Your educators will be replaced by administrators and directors from Washington. Your school boards will find themselves virtually helpless and your administrators will be overruled and the pleas of the people for moderation will be rejected. I do not cite these facts with anything except the greatest regret and downright unhappiness.

I am a strong advocate for and defender of the public school system. I vigorously withstood pressure and agitation to join in a movement for private schools soon after the Supreme Court decision of 1954, because I knew that only the public school can serve the children of the great masses of the people. A private school here and there has a fine purpose, and has its place, but for the education of the masses we must preserve the public school, and I want to preserve it as a school and not as an experiment in social change. And this entire burden of social change has been placed on the doorsteps of our public school system.

I am not attacking as such the Civil Rights Act of 1964, and am not trying here to get it repealed. I have said that it is the law. But the extreme administration of that act, including this willful, deliberate discrimination in its application to only one section of the country is not in keeping with the letter or spirit of that law.

Mr. President, it would be nice to have the attention of Senators on this point. I am quoting here from the Civil Rights Commission report of 1969, filed March 4, during the present administration. This report says:

> While significant steps have been taken in the hundreds of urban and rural districts in the South, the large and sprawling urban centers of the North remain relatively untouched.

That is the very thing I set out to prove and have been trying to prove, with facts and figures from that office.

Mr. LONG. Mr. President, will the Senator yield?

Mr. STENNIS. I had rather yield when I have finished, if the Senator does not mind. I shall be through shortly, and will be happy to yield to him then.

Mr. President, it is clear that racial segregation exists as much in the North, and in some areas much more, than in the South. It is also clear that enforcement of the civil rights law by the Federal Government is not equal, and does not attempt to be equal. There is no effort made for it to be equal in all sections of the Nation. It is even more clear that the Federal departments charged with responsibility are not acting with the speed and effectiveness necessary to remove the problems in the North and the West.

I do not accuse anyone of bad motives, but I know if any administration wanted to move into those areas with the vigor and effectiveness that it has moved in our area, it could do it. They could get the money for a while. I think a reaction would set in then, though, and it would bring about a more moderate policy.

That is what we have to have, if the public schools are to retain their educational function. If they are to be used to carry virtually all of the load of this social change, then I think they will be destroyed as institutions for education. I am not wanting them to be destroyed in the North. I want this policy enforced in the North, though, if it is to be enforced against us, until it generates a reasonable reaction to moderate this civil rights policy as applied to schools—a policy that is not justified by the Civil Rights Act of 1964.

This discrimination against one area of the country is not justified nor authorized. This artificial distinction between so-called de jure and de facto segregation is nothing in the world but the tool of the administrators, to have an excuse to go into the areas where it will be politically profitable nationally to enforce that policy, whereas if they go into the States I have mentioned—which are not the only ones that have these conditions—I think they know it will be politically unprofitable, and there will be a political reaction. They are going to hear from a lot of mothers, I think, mothers of Negro students as well as of white students, when they go to bodily tearing the schools to pieces in New York and Chicago. They are going to hear from the people.

I say Mr. Finch is an honorable man, and I had the privilege of exchanging thoughts with him a few days ago on the Appropriations Committee. He stated in substance what is shown in the record; anyone interested can read it, but as I understood him, he said that housing problems in these cities and the congestion of city living have made it much more difficult, or almost impossible, he might have said, to have this policy carried out.

Well, I can tell you how you can mix them up. Just use the same method used in the South. You can take 200 of those children out of one of those schools that is composed of all black students in Chicago, and haul them out there into the suburbs somewhere, and put them in a school that has been all white, or virtually all white; and then take 200 of those white children out of that school out there in the suburbs and bring them and put them in this school that has been composed of all Negro students. Then you will have them integrated.

That is the way they are doing us. They are proposing to the courts that the courts enforce their plan to haul children from one end of the county to another, back and forth. They take the school buildings that are there, and they "pair" them. If there are nearly all colored students in the south end of the county, they will haul some of those to the north end of the county, where the schools have been all-white or nearly all-white, and they will haul some of those white students back to the southern end of the county, and they will call that compliance.

I believe I have demonstrated here that there is not one single syllable of authority for requiring compliance like that. But if it is the law, it ought to apply in Chicago the same as it does in Mississippi, Alabama, Arkansas, or anywhere else. We have been going on here, year after year, and I can see the political impact of this thing. I have already explained my purpose in wanting it enforced up there too. But they are smarter than I am. They know the political impact, and they know the political reaction, and they have not gone in there. I do not think they ever will, to the extent that they have in our country, because if they should undertake it, I repeat for the benefit of those who have just come in, it will force a moderation of this policy. And if we are going to continue to have public schools that serve as institutions of education for the children, there must be moderation.

If we want to use the schools, I repeat, to carry on some other form of social change, all right; education will be secondary. But if we are going to do that, it ought to be done uniformly. And without imputing any bad motives to anyone, I say his thing has not been done.

Mr. President, I will be heard from further on this matter. I have additional facts, and I intend to offer an amendment that I believe will bring the matter into sharp focus, right here on this floor, and everyone is going to have a chance to say whether he believes in this policy. Senators are going to have a chance to say, "I believe it should be applied not only in the South, but in my State also." We shall see what happens on that vote.

That is not threat. It is simply justice in writing. And I believe these charts bring this thing into sharper focus and more accurate focus than any words could do.

Mr. President, as the Senator from Louisiana has to leave the floor shortly, I yield to him.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. LONG. Mr. President, what the Senator from Mississippi has said reminds me of my old days in the Navy when some officers who were not too popular with the men ordered their men to do something that the officers did not want to do themselves or the officers did not want to abide by a standard of conduct which the men were supposed to follow. When their hands were called on the matter, some would say, "Don't do as I do; do as I say."

It seems to me that the burden of the argument of the Senator from Mississippi is that the people in Illinois, New York, or Ohio seem to want a policy that they themselves are not willing to abide by. However, if it is good enough for us, it should be good enough for them.

It seems to be hard for everyone to understand that if it is the law, everyone should abide by it.

Mr. STENNIS. Mr. President, I thank the Senator for his fine comment.

Mr. ALLEN. Mr. President, will the Senator yield?

Mr. STENNIS. Mr. President, I am glad to yield to the Senator from Alabama. He is a man who knows a lot about this problem, as it exists in the South.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. ALLEN. Mr. President, I commend the very able and distinguished Senator from Mississippi for his wonderful address. It does pinpoint the problem and does point out the discrimination that exists in our country in the enforcement of school desegregation policies.

I was particularly interested in his remarks along the line of the de jure segregation that at one time existed in the Southern States and in the State of Alabama, and the de facto segregation that existed, and still exists in many sections of this country outside the South.

I share with the distinguished Senator from Mississippi a certain amount of doubt and uncertainty and questioning as to why HEW should seek to do away with de jure segregation while at the same time not doing away with de facto segregation.

It seems to me that the two should be treated alike.

Mr. President, I am pleased that the distinguished Senator from Mississippi has pointed out the fact that the law is not being enforced uniformly throughout the country.

I point out to the Senator from Mississippi and to the Senate that in Alabama—and I am sure in other States of the South—we are concerned with the Vietnam war, and we back the President's efforts to secure an honorable peace in Vietnam. We are concerned with Vietnam. And approximately 1,000 Alabama boys have given their lives in Vietnam in the defense of our country and in the defense of our democratic institutions.

We are concerned with problems of inflation in Alabama. We are concerned with taxation. And we have a desire for tax reform. But the No. 1 consideration of the people of Alabama is seeking to save the public schools of Alabama from being destroyed by the policies and actions of the National Government. The Junior Senator from Alabama, along with the people of Alabama, the leaders of Alabama, and the Alabama State government wants to see every boy and girl in Alabama obtain a quality education. And we tax our people to build schools. We have taxed our people to raise the standards of education in Alabama so that we can bring the benefits of a quality education to every boy and girl in our State, and that is the desire of our people.

Mr. President, I suggest, too, that many people believe that all of the Negro population of the South favors policies of the National Government in the enforcement of these discriminatory rules in the South.

That is far from being the truth. I received an urgent call from Negro friends of mine in Alabama several days ago protesting the closing of a fine Negro high school. They had a fine building, almost a brandnew building. They had a fine band. They had a fine athletic program, and a nice auditorium that was used for community activities. And that school was ordered closed and about 400 students transferred to white schools.

They are up in arms against that. And the people of Alabama do not want to see these discriminatory policies applied in the State of Alabama.

I called the attention of the President of the United States to the discrimination that exists; the discrimination that is apparently the public policy of the National Government in the enforcement of the school policies of this country.

I read from the letter I wrote him:

> May I respectfully remind you of the opinion you expressed in a September 12, 1968, television broadcast that you did not believe, "it is the responsibility of the Federal Government and the Federal courts to, in effect, act as local school districts in determining how we carry out the (Supreme Court Brown decision) and then to use the power of the Federal Treasury to withhold funds or give funds in order to carry it out. . . ." Your judgment at this point was, "I think, we are going too far."

I also reminded him that under the 1968 appropriations bill to HEW, no part of the funds contained in that act were to be used for the purpose of busing any students, for closing any schools, or for forcing any parent to send his children to a school other than the school of his choice.

I received a letter from Mr. Finch subsequent to that in answer to my communication to the President. He was trying to explain why it was that there was one set of rules for Alabama and the South and another set of rules for the rest of the country.

I read in part from his letter:

> The legislative history of these provisions, as well as the decisions of the Federal courts, make it clear that they were intended to preclude any requirement that school officials take steps to overcome racial imbalance which has resulted from fortuitous patterns of residence.

In the North, in other words, where they have "fortuitous patterns" of residence—concentrated black population in one area and concentrated white population in another area—they are not required to desegregate schools.

I continue to read from the letter:

> Where, however, racial segregation of students in a school system has been caused, in whole or in part, by the official action of the State, these statutory provisions provide no barrier to any steps necessary to desegregate the schools and are not steps to overcome racial imbalance prohibited by those laws. For this reason, I believe that the statutes to which you refer are inapplicable to the situation in Mobile.

We have this type of situation in Mobile. We have it in every section of our State. We have some 95 school systems in Alabama under Federal court order; and I might say that, despite all I have read and heard about a relaxation of the desegregation policies of the National

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Government, I see absolutely no indication of that in Alabama. There is a great speedup. They say, "Well, we are not enforcing it through the Department of Health, Education, and Welfare by withholding Federal funds. Instead of that, we are going into the Federal courts and enforcing compliance by Federal court decrees." So they are going at it in a different way and are trying to take the burden, or the onus of these intolerable plans they are forcing on the people of Alabama off their shoulders and trying to put it on the shoulders of the Federal courts.

I have been keeping close track of a situation that exists in Choctaw County, Ala., which has approximately 5,000 students.

Of the high schools in the county two of them were approved by the Southern Association of Secondary Schools and Colleges. Four were approved by the State of Alabama. One high school was not approved by either accreditation agency.

The Department of Health, Education, and Welfare sent one man into Choctaw County. He did not talk to a single pupil; he did not talk to a single parent; he did not talk to a single teacher or school official. He sat down and wrote a program for the Choctaw County schools, which was submitted to the courts and was forced on the people of Choctaw County.

In his plan, he referred to Choctaw County, Ala., as being Choctaw County, Miss. I do not object to the reference to Mississippi, I say to the Senator from Mississippi, except that Choctaw County is not in Mississippi but is in the State of Alabama. He spoke of Choctaw County being a parish rather than a county, as we call them, of course, and as they are called in the State of Mississippi. Apparently, he did not even realize that he was in Choctaw County, Ala., when he wrote out this plan based, apparently, on a 1-day visit to Choctaw County.

Of the six high schools that were approved by one accreditation agency or the other and of the one that was not approved by any accreditation agency, they kept the nonapproved highschool and ordered the closing of the two schools that had been approved by the Southern Association of Secondary Schools and Colleges.

So it is the contention of the junior Senator from Alabama that the Department of Health, Education, and Welfare is not in the slightest interested in providing the schoolchildren of Alabama with a quality education. If they were concerned with quality education for our young people, they would not come up with these types of plans. They are interested in social or sociological programs. They are interested in getting votes in sections outside the South. It is purely a political maneuver on the part of the national administration to force these plans on the people of Alabama and on the people of the South, having one rule in Alabama and the South and another rule in the northern States.

I make this statement—and this has not always been the sentiment of the people of Alabama: If the National Government will give the people of Alabama, and I believe of the South, freedom of choice, let any school in the State be opened to any school child in the State, subject only to residence requirements and scholastic requirements, no complaint will be heard from the junior Senator from Alabama thereafter. If the schoolchildren of Alabama are permitted to go to the schools to which their parents want to send them—the white children to go where they want to go, the Negro children to go where they want to go—we will not have any further trouble.

Actually, the Supreme Court has not ruled out freedom of choice as such, as the junior Senator from Alabama understands it. They have held that where a freedom of choice plan is used, it is not going to be satisfactory unless it has resulted in complete integration of the school. So they have not ruled out the plan as such.

Mr. STENNIS. Mr. President, I thank the Senator from Alabama very much for his remarks. I do not know of anyone who has gained more respect and confidence, in such a short time, on the floor of the Senate than the junior Senator from Alabama, who began his service in the Senate in January of this year. He is interested in this subject as well as in others.

Mr. ALLEN. I thank the distinguished Senator from Mississippi.

Mr. STENNIS. Mr. President, reference already has been made to the question of busing. When the Civil Rights Act was before Congress, Congress wrote, in clear and unmistakable language and in simple phrases that are easily understood, that none of the funds authorized under this act would be used for the busing of children in order to overcome racial imbalance. Those words have fairly simple and clear meaning. That was the will of the legislative branch, and it was approved by the Chief Executive.

I have not reviewed this matter lately, but, in effect, the Department of Health, Education, and Welfare and the courts have joined to a degree to say, "Well, that is all right, so long as it is an area that at one time had these laws with reference to segregation."

I pointed out today the States that had laws of that type until fairly recently, and there has not been an "i" dotted or a "t" crossed except a very slight effort in those areas to do anything about this doctrine.

But, further with respect to the question of busing, a very apt amendment has been passed by the House on this matter and will be coming up here. I anticipate, along with others, to present a most thorough consideration of just what is involved in the language and in the administration of it.

Mr. ALLEN. Mr. President, will the Senator yield?

Mr. STENNIS. I yield briefly to the Senator from Alabama because I do have an appointment.

Mr. ALLEN. I thank the Senator. I wish to ask the distinguished Senator from Mississippi if he saw the article entitled "School Busing in Trouble," which was published in U.S. News & World Report of October 13. I am sure the Senator did.

Mr. STENNIS. Yes, I saw the article.

Mr. ALLEN. It has already been printed in the RECORD.

Mr. STENNIS. I thank the Senator very much.

Mr. President, I speak with great deference to any individual involved in this matter, but these so-called educational experts come into our area of the country on the call of the court, more or less, and are sent by HEW. I said these things to Mr. Finch, so I am not talking behind his back. Some of them are well qualified, and some of them are wholly unqualified. One of the qualified ones made a remark in my State not long ago. Under a pressure of time by a court, they wanted a plan submitted by a certain day. In effect, he made the remark, "This is a farce. We are called on to do all this work in a week or 10 days, when as a minimum we should have 4 months and a full staff."

That is what Mr. Finch testified to in court in New Orleans. The court upheld him there and said there was not sufficient time. That is a case that has been appealed to the Supreme Court. I make no further remarks about it.

I am talking about these shotgun methods to which we are subjected. In that case, when Mr. Finch found out about it, he moved in, and he made a statement. He found out there was not sufficient time. He has been verbally assaulted all over the country and criticized all over the country for that one matter alone. I shall not dwell on it any further.

I wish to make a further comment. I said the other day that schools that have total enrollment of Negroes, could have that situation partly because they want it that way. Our statements are subject to being discounted or ignored.

I am familiar with this situation because of my personal contact wih leading colored citizens. Negro citizens, at least from my State, that I have known all of their lives, tell me, "We want to keep our schools. We want our games, our teams, our band, our programs, and our days."

I know of a little area down in Mississippi where there are thriving, industrious Negroes. Right after the war 100 years ago they started in the smallest way in buying a little land on credit and getting it paid for. That has spread and spread. They were not colonized but families after families for 100 years have been able to buy little farms. They are entirely independent, and they have livestock, cattle, grow cotton or whatever they wish to grow. They have schools and they do not want to give them up. Of course, they do not want to give them up. I represent them as much as anyone else. I know some of them personally and I have know the third generation of them.

They tease me about a case I once had as a judge where I did not approve an appearance bond signed by a lot of men of my color and race. They brought the bond back to me with the signature of an old colored man I knew and I approved the bond. I know what I am talking about on that subject.

They feel as if something is being taken away from them. They come to me and they talk about these things. I go to them and talk about these matters. They feel free to tell me exactly the way they feel. I know they are interested in education, not integration.

Mr. BYRD of West Virginia. Mr. President, would the Senator yield?

Mr. STENNIS. I yield to the Senator from West Virginia.

Mr. BYRD of West Virginia. Mr. President, the school population in the District of Columbia is 95 percent Negro, while the overall population of the District of Columbia is 75 percent Negro. I wonder if the Senator could state for the RECORD how many department heads who live in the District of Columbia and who have children of high school or elementary school age, send their children to public schools in the District of Columbia. Does the Senator have that information?

Mr. STENNIS. No, I am sorry. I am not informed on that subject. My estimate would be very few. If the Senator from West Virginia is informed on that matter, I would appreciate his telling me and other Senators the figure.

Mr. BYRD of West Virginia. Is the Senator aware of the number of individuals in the U.S. Office of Education who live in the District of Columbia and who are in policymaking positions, administrative positions and so on, who are sending their children to public schools in the District of Columbia?

Mr. STENNIS. I am sorry. I am not informed on that subject. I do not know. I hope the Senator from West Virginia has that information and if he does I wish he would supply it for the RECORD. The Senator did an outstanding job for so many years handling the appropriation bill for the District of Columbia. The District of Columbia was fortunate to have him; and they have a good successor.

Mr. BYRD of West Virginia. Is the Senator aware of the number of Senators who live in the District of Columbia, who have children of elementary and high school age, and who send those children to the public school in the District of Columbia?

Mr. STENNIS. I do not know of any. I know when I came here several years ago Senator Morse of Oregon and I belonged to the PTA near here and we used to have a big time. But I do not think any Members of Congress have children in those schools.

Mr. BYRD of West Virginia. I thank the Senator.

Mr. STENNIS. I thank the Senator very much.

Mr. President, I do want to emphasize today that my interest is public school education for all the people. I know that public school education for all the people cannot continue to exist in major areas of this country under the present policy. Something must be done. I believe that a much more moderate policy called freedom from force, freedom of choice, or whatever one wishes to call it, is a necessity.

Without referring to any case or any judge, I believe, too, that judges who sit on our courts which have been dealing with this problem—and they are honestly dealing with it—are rapidly swinging around to the conclusion that there is a lot more to school than the race division of children.

It takes a great deal to make up a school. It takes educators. It takes people advanced in the technology of education. It takes administration. It takes parent support and contentment. It takes children who are reasonably quiet and contented. It takes local interests who support local taxes in the form of bonds and retirement money for those bonds.

My prediction is that they are grasping this problem more as it is and that they, too, will have a more moderate view.

Mr. President, I ask unanimous consent to have the following documents printed in the RECORD:

Table 1: Status of Public School District Desegregation in Selected Southern Cities.

Let me just refer there, by comparison with cities in the North: Atlanta, Ga., for instance, has a higher percentage of desegregation than Gary, Ind., or Chicago, Ill., I could give other illustrations, but that figure will speak for itself.

Table 2: Status of Public School District Desegregation in Selected Northern Cities.

A table entitled "Exhibit 13–C(1)", with additional tables on the same subject.

These show the total number of school districts in the various areas of those States, the total Negro population and then the percentage, and then the percentage of segregation or integration, whichever we call it, in that last column.

A statement on Negro student enrollment in the Northern and Western States.

A brief, one-page statement made to me by a noted educator of my State who is honestly trying to do something about this problem. He has spent his life in the schoolrooms, and in school administration. He has a doctor's degree. He is highly respected and very well known among his fellow educators.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TABLE 1.—STATUS OF PUBLIC SCHOOL DISTRICT DESEGREGATION IN SELECTED SOUTHERN CITIES

		1968–69 enrollment				Percent enrollment		Students in predominantly white schools		Percent desegregated [2]	
City/State	Number of schools	Total enrollment	Negro	Total minority [1]	White	Negro	Total minority [1]	Negro	Total minority [1]	Negro	Total minority [1]
Mobile, Ala	92	75,464	31,441	31,441	44,023	41.7	41.7	3,430	3,430	10.9	10.9
Little Rock, Ark	44	24,854	8,955	8,959	15,895	36.0	36.0	1,460	1,464	16.3	16.3
Dade County Fla. (Miami)	215	232,465	56,518	96,867	135,598	24.3	41.7	7,032	23,427	12.4	24.2
Atlanta, Ga	160	111,227	68,662	68,721	42,506	61.7	61.8	3,724	3,780	5.4	5.5
Orleans Parish, La	131	110,783	74,378	76,110	34,673	67.1	68.7	6,524	7,787	8.8	10.2
Jackson, Miss	56	38,773	17,919	17,980	20,793	46.2	46.4	544	599	3.0	3.3
Raleigh, N.C	39	22,993	6,245	6,327	16,666	27.2	27.5	1,341	1,423	21.5	22.5
Columbia, S.C	63	40,122	18,735	18,735	21,387	46.7	46.7	3,236	3,236	17.3	17.3
Richmond, Va	66	43,115	29,441	29,573	13,542	68.3	68.6	1,890	2,003	6.4	6.8

[1] Total minority includes American Indian, Negro, oriental, and Spanish surnamed students.

[2] These figures indicate the percentage of Negro and total minority students attending predominantly (over 50 percent) white schools.

TABLE 2.—STATUS OF PUBLIC SCHOOL DISTRICT DESEGREGATION IN SELECTED NORTHERN CITIES

		1968–69 enrollment				Percent enrollment		Students in predominantly white schools		Percent desegregated [2]	
City/State	Number of schools	Total enrollment	Negro	Total minority [1]	White	Negro	Total minority [1]	Negro	Total minority [1]	Negro	Total minority
Washington, D.C	188	148,725	139,006	140,445	8,280	93.5	94.4	1,250	1,810	0.9	1.3
Chicago, Ill	610	582,274	308,266	362,796	219,478	52.9	62.3	9,743	32,391	3.2	8.9
Gary, Ind	50	48,431	29,826	34,368	14,063	61.6	71.0	916	1,572	3.1	4.6
Topeka, Kans	49	25,737	3,058	4,321	21,416	11.9	16.8	1,904	2,864	62.3	66.3
St. Louis, Mo	181	115,582	73,408	73,770	41,812	63.5	63.8	5,244	5,547	7.1	7.5
Buffalo, N.Y	101	72,115	26,381	28,173	43,942	36.6	39.1	8,169	9,500	31.0	33.7
New York, N.Y	853	1,063,787	334,841	596,422	467,365	31.5	56.1	65,853	101,403	19.7	17.0
Cincinnati, Ohio	106	86,807	37,275	37,576	49,231	42.9	43.3	8,110	8,366	21.8	22.3
Milwaukee, Wis	157	130,445	31,130	35,284	95,161	23.9	27.0	3,849	6,536	12.4	18.5

[1] Total minority includes American Indian, Negro, oriental, and Spanish surnamed students.

[2] These figures indicate the percentage of Negro and total minority students attending predominantly (over 50 percent) white schools.

EXHIBIT 13–C(1)

SCHOOL DISTRICTS CONTAINING SOME SCHOOLS WITH NEGRO ENROLLMENTS OF GREATER THAN 80 PERCENT OF TOTAL SCHOOL ENROLLMENT—BASED ON HEW–IBM DATA FROM 1968–69 ESS SURVEY REFLECTING DISTRICTS WHERE 1 OR MORE SCHOOLS WITH MINORITY GROUP ENROLLMENT OF OVER 80 PERCENT ARE LOCATED

ILLINOIS

Total districts	Total schools	Total Negro	Total white	Total
473	3,220	[1] 398,257	[2] 1,448,168	[3] 1,920,984

[1] 20.73 percent of total.
[2] 75 percent of total.
[3] Includes other minorities.

	Total number of schools in district	Total Negro school population	Percent Negro students to total school enrollment	Actual number of schools, Negro students, and degree of Negro student isolation		
				Number of schools	Number of Negro students	Percent
1. Blue Island	6	1,076	16.3	1	613	100
2. Blue Island district No. 130	10	375	10.5	1	215	100
3. Chicago Heights	13	1,779	34.8	2	1,229	100
4. East Chicago Heights	3	1,581	93.3	3	1,581	99, 100
5. Harvey	8	879	24.6	1	427	100
6. Maywood	10	2,062	47.7	2	1,882	99.3, 99.8
7. Posen	9	2,156	74.1	4	1,730	99–100
8. South Holland	6	846	32.5	1	309	97.5
9. Argo	4	534	27.8	1	239	98
10. West Harvey	6	2,394	79.6	3	1,538	95–97.5
11. Chicago	610	308,366	52.9	214	248,677	99, 100
				(25) 239	274,497	90–100
				(28) 267	285,788	80–100
12. Kankakee	15	1,459	19.4	1	538	97.1
13. North Chicago	2	652	81.5	1	486	97.6
14. Waukegan	20	1,907	18.4	2	773	91.6–97
15. Alton	32	2,430	18.3	1	32	100
16. Madison	16	1,287	45.4	2	929	100
17. Peoria	39	4,732	17.7	3	1,225	86.1–95.7
18. Lovejoy	1	486	100	1	486	100
19. Cahokia	13	1,458	17.8	1	491	88
20. East St. Louis	41	16,586	71.6	24	12,787	95.2–100
				2	869	86, 87
				26	13,656	
21. Springfield	41	2,261	9.9	1	420	91.3
22. Danville	22	1,754	16.8	1	259	95.2
23. Lockport	2	603	70.8	1	163	98.2
24. Joliet	27	2,797	23.9	3	1,271	98.5–100
25. Rockford	55	4,434	12	1	472	89.8
Total	1,003	364,894		430	316,752	86.8

OHIO

Total districts	Total schools	Total Negro	Total white	Total
640	4,222	[1] 287,440	[2] 2,093,321	[3] 2,400,296

[1] 11.9 percent.
[2] 87.2 percent.
[3] Includes other minorities.

	Total number of schools in district	Total Negro school population	Percent Negro students to total school enrollment	Actual number of schools, Negro students, and degree of Negro student isolation		
				Number of schools	Number of Negro students	Percent
1. Lima	18	2,626	23.6	1	804	96.8
2. Hamilton	23	1,554	10.0	1	673	82.5
3. Springfield	30	3,924	21.3	1	464	81.9
4. Cleveland	180	87,241	55.9	68	69,728	95–100
				(5) 73	75,048	90–100
				(5) 78	79,221	80–100
					79,221	80–100
5. East Cleveland	9	5,200	70.3	5	3,581	77.7–99.1
6. Shaker Heights	12	1,698	21.6	1	479	88.8
7. Columbus	168	28,729	26.0	29	16,341	80–100
8. Cincinnati	106	37,275	42.9	23	18,957	80–100
9. Lincoln Heights	2	1,898	100.0	2	1,898	100
0. Lorain	23	2,280	13.2	1	201	92
1. Toledo	76	16,473	26.7	12	10,551	81.3–100
2. Youngstown	43	10,905	40.9	9	4,665	81.3–100
3. Dayton	69	22,790	38.3	20	18,837	92.8–100
4. Jefferson Local	5	1,889	66.9	1	658	99.5
5. Alliance	12	1,127	18.0	1	251	90.3
6. Canton	33	4,318	19.6	1	386	95.8
7. Akron	71	15,137	25.8	10	5,958	83.4–100
				6	9,432	52.4–100
				16	9,432	
18. Warren	24	3,206	22.4	2	735	88–97
Total	904	248,270		204	168,154	

MICHIGAN

Total districts	Total schools	Total Negro	Total white	Total
500	3,642	[1] 275,878	[2] 1,764,431	[3] 2,073,369

[1] 85 percent of total.
[2] 13 percent of total.
[3] Includes other minorities.

	Total number of schools in district	Total Negro school population	Percent Negro students to total school enrollment	Actual number of schools, Negro students, and degree of Negro student isolation		
				Number of schools	Number of Negro students	Percent
1. Benton Harbor	(28)	5,359	(45.4)	5	2,539	(83.3–100)
2. Battle Creek	(21)	2,756	(24.2)	1	411	(91.5)
3. Flint	(55)	17,212	(37.0)	11	6,423	(96.9–100)
				1	7,297	(86.5–100)
				12	7,297	(86–5.100)
4. Lansing	(84)	3,469	(11.3)	3	775	(83.5–97.2)
5. Kalamazoo	(39)	2,786	(14.6)	2	971	(88.3–92.2)
6. Grand Rapids	(65)	7,721	(21.6)	6	2,894	(96–100)
				2	4,055	(91.3–100)
				1	4,305	(86.3–100)
				9	4,305	(86.3–100)
7. Mount Clemens	(13)	1,421	(21.0)	1	283	(97.9)
8. Muskegon	(17)	1,989	(19.4)	1	525	(98.3)
9. Muskegon Heights	(12)	2,953	(70.4)	3	1,307	(96.4)
				1	1,359	(81.2)
				1	1,660	(81.2–100)
				5	1,660	(81.2–100)
10. Ferndale	(12)	817	(10)	1	365	(100)
11. Pontiac	(36)	6,990	(29)	7	3,536	(91.4–100)
12. Oak Park	(10)	602	(9.7)	1	304	(99.4)
13. Saginaw	(40)	7,510	(33)	9	4,178	(95–100)
				2	5,580	(91.8–100)
				1	5,625	(87.0–100)
				12	5,625	(87.0–100)
14. Buena Vista	(8)	1,354	(36.2)	2	586	(84.5–92.6)
15. Port Huron	(30)	808	(5.4)	1	123	(88.3)
16. Ypsilanti	(14)	1,565	(21.3)	1	498	(92.6)
17. Detroit	(301)	175,316	(59.2)	68	66,058	(99–100)
				40	103,579	(95.1–100)
				18	119,986	(90–100)
				16	137,616	(80.6–100)
				142	137,616	(80.6–100)
18. Highland Park	(10)	5,992	(76)	5	2,819	(81.3–100)
19. Inkster	(9)	3,878	(84.1)	6	3,351	(88–100)
20. River Rouge	(5)	1,712	(45.6)	2	1,041	(100)
21. Romulus	(9)	919	(18.1)	1	345	(82.5)
22. Dearborn	(7)	1,889	(34.2)	1	583	(80.7)
23. Ecorse	(7)	2,203	(53)	2	804	(100)
Total	832	257,221		222	176,362	[1] (80–100)

[1] Scale.

NEW JERSEY

Total districts	Total schools	Total Negro	Total white	Total
321	1,907	[1] 200,117	[2] 986,488	[3] 1,234,470

[1] 16 percent of total.
[2] 79 percent of total.
[3] Including other minorities.

	Total number of schools in district	Total Negro school population	Percent Negro students to total school enrollment	Actual number of schools, Negro students, and degree of Negro student isolation		
				Number of schools	Number of Negro students	Percent
1. Atlantic City	(14)	5,357	(62.3)	5	2,883	(100)
2. Englewood	(8)	1,921	(46.5)	1	31	(91.2)
3. Hackensack	(7)	1,416	(23.6)	1	202	(96.3)
4. Camden	(31)	11,909	(58.9)	19	10,008	(81.2–100)
5. Vineland	(20)	888	(9.3)	2	33	(88.6–89.2)
6. East Orange	(14)	8,769	(78)	11	7,448	(83.3–99.3)
7. Essex	(5)	1,043	(39)	1	478	(89.5)
8. Montclair	(13)	2,847	(36)	1	538	(95.6)
9. Newark	(80)	55,057	(72)	65	48,686	(81.3–100)
10. Orange	(9)	2,808	(64)	2	469	(89.6–98.9)
11. Jersey City	(36)	15,998	(43)	10	7,995	(92.8–100)
12. Trenton	(21)	11,143	(66)	12	7,005	(80.3–99.5)
13. New Brunswick	(11)	2,675	(40)	4	1,129	(87.6–94.6)
14. Perth Amboy	(11)	771	(12)	1	60	(84.7)
15. Asbury	(4)	2,152	(61)	1	941	(98.7)
16. Long Branch	(11)	1,538	(27)	1	201	(90.9)
17. Township	(11)	2,544	(34)	1	183	(97.9)
18. Passaic	(11)	2,632	(31)	3	824	(88.1–94.3)
19. Paterson	(29)	11,479	(45)	10	6,669	(80.2–99.1)

EXHIBIT 13–C(1)—Continued

SCHOOL DISTRICTS CONTAINING SOME SCHOOLS WITH NEGRO ENROLLMENTS OF GREATER THAN 80 PERCENT OF TOTAL SCHOOL ENROLLMENT—BASED ON HEW-IBM DATA FROM 1968-69 ESS SURVEY REFLECTING DISTRICTS WHERE 1 OR MORE SCHOOLS WITH MINORITY GROUP ENROLLMENT OF OVER 80 PERCENT ARE LOCATED—Continued

NEW JERSEY—Continued

	Total number of schools in district	Total Negro school population	Percent Negro students to total school enrollment	Actual number of schools, Negro students, and degree of Negro student isolation		
				Number of schools	Number of Negro students	Percent
20. Elizabeth	(25)	5, 357	(34)	5	2, 251	(83. 2–96)
21. Linden	(14)	1, 519	(20)	1	395	(84. 3)
22. Plainfield	(15)	5, 463	(59. 6)	3	729	(85. 3–91. 8)
23. Roselle	(6)	1, 226	(34. 3)	1	438	(90. 5)
24. Township of Union Public Schools	(10)	986	(11. 3)	1	370	(94. 9)
Total	416	157, 498		162	90, 966	[1] (80–100)

[1] Scale.

PENNSYLVANIA

Total districts	Total schools	Total Negro	Total white	Total [1]
454	3, 978	265, 019	1, 841, 846	2, 120, 870

[1] Including other minorities.

PENNSYLVANIA—Continued

	Total number of schools in district	Total Negro school population	Percent Negro students to total school enrollment	Actual number of schools, Negro students, and degree of Negro student isolation		
				Number of schools	Number of Negro students	Percent
1. Bradcock	(4)	781	66. 7	1	297	(90. 5)
2. McKeesport	(23)	1, 336	12. 7	1	487	(83. 5)
3. Penn Hills	(16)	809	5. 7	1	246	(100. 0)
4. Pittsburgh	(113)	29, 898	39. 2	23	17, 936	(80. 9–100)
5. Wilkinsburg	(7)	1, 773	39. 5	1	471	(97. 9)
6. Aliquippa	(10)	1, 775	38. 5	1	391	(84. 4)
7. Harrisburg	(18)	6, 668	49. 4	5	2, 924	(86. 3–97. 7)
8. Chester City	(17)	8, 120	70. 3	8	4, 992	(84. 8–100)
9. Darby	(3)	1, 232	70. 4	1	384	(100. 0)
10. Norristown	(14)	1, 981	20. 4	1	360	(83. 1)
11. Philadelphia	(278)	166, 083	58. 8	132	127, 641	(80. 2–100)
Total	503	220, 456		175	156, 129	80–100

NEGRO STUDENT ENROLLMENT IN 10 NORTHERN AND WESTERN STATES, WHICH AGGREGATES 91 PERCENT OF THE TOTAL NEGRO STUDENT ENROLLMENT IN ALL NORTHERN AND WESTERN STATES

(All except one of these states within recent years have had either laws, judicial decisions or other legal basis that required or permitted separate but equal schools. Thus, giving rise to de jure segregation.)

1. California	382, 525
2. District of Columbia	139, 006
3. Illinois	398, 257
4. Indiana	105, 772
5. Kansas	30, 052
6. Michigan	275, 878
7. New Jersey	200, 117
8. New York	473, 253
9. Ohio	287, 400
10. Pennsylvania	265, 019
Total Negro student enrollment, 10 States	2, 557, 279
Total overall Northern and Western States (Negro student enrollment)	2, 834, 083

(91 percent of Negro student enrollment in the North and West should be under the same policy as now applied to the South even if a distinction is made between de facto and de jure segregation.)

STATEMENT

The race problem is America's most involved domestic problem. School desegregation is a very critical part of the solution of the race problem.

The Court has ordered that "educators" work with the school districts in the development of sound plans for ending segregation. There are all kinds and grades of "educators." Most are generalists like general practitioners in the medical field. Some educators are specialists, as some physicians are specialists: cardio-vascular surgeons, etc. The specialists required for the discharge of the task the Courts have set out should have specialized training and experience in a very wide range of basic areas of school administration: school transportation, including a study of traffic flow and hazards; in school building capacities and utilization; in planning educational programs both on a building and district-wide basis; in school curriculum and instruction; in sociology; and in school finance.

To have a generalist without specialized training and experience in these fields make recommendations in the intricate matters involved in the Court Orders would be like asking a general medical practitioner or a specialist in the diseases of the eye to perform an operation that calls for a heart transplant. The results, of course, would be fatal and the results to the whole matter of integration fatal when less than experts work at it.

Therefore, we recommend that the Courts require the Office of Education to pick educators with specialized training in school administration in the fields listed above, that they have an earned Doctor's degree in one or more of these fields and have experience as a school superintendent or as a professor of school administration in a first rate university. In a team, and a team of workers is required, there should be one or more persons with a Doctor's degree and with experience in school curriculum and instruction.

Mr. STENNIS. Mr. President, it is too voluminous to place in the RECORD, but in the files of the Appropriations Subcommittee on Health, Education, and Welfare, there are composite tables showing the listing of every school in the city of Chicago and the division of Negro and white students, and other nonwhite students in that area. Any Senator who wishes to, may look at that file.

Mr. President, I thank the Chair for his indulgence and the Senate for its patience in listening to me.

Mr. President, I yield the floor.

Mr. HANSEN. Mr. President, I have listened with a great deal of interest to the remarks of the distinguished Senator from Mississippi.

Coming from Wyoming as I do, I am not familiar with the details of a great many of the problems to which the Senator has addressed himself. I must say, however, that I think it would be a valuable and timely exercise, at this juncture in history, for every Senator and every other American to read carefully and note what the distinguished Senator has said.

The Civil Rights Act was passed in 1964. I am going to have to place a great deal of the blame for what has been done in one section of the country that may not have been done in another section, in implementing that act, upon the previous administration.

Having said that, let met add that the present administration should be measured by the same standards that apply to that.

I see no reason or justification for applying a national law any more leniently or any more strenuously in one part of the country than in another.

While I do not know from personal experience, I must say that I am certainly strongly persuaded by the very eloquent argument made this afternoon by the distinguished Senator from Mississippi.

It will be my purpose to urge all my colleagues, in order that they may have a better understanding of their country and its problems and the lack of uniformity in application of the laws, to read the eloquent address of the Senator from Mississippi.

Mr. STENNIS. I thank the Senator from Wyoming very much. I thank him not only for myself, but also for those who work in school activity in the area here that is being moved in on and taken over to such a rigorous degree.

I thank the Senator from Wyoming for all of them. That includes county school trustees, the administrations, the faculty members, regardless of whether they are Negro or white—and all the citizens who live in that entire area.

I thank the Senator for his keen understanding and sense of fairness. I am most grateful to him.

Mr. HANSEN. The point I want to make is that I am not trying to imply that the Civil Rights Act is wrong or that it is right. It is the law, and as part of this country it should apply uniformly throughout the country.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11039) to amend further the Peace Corps Act (75 Stat. 612), as amended.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 13194) to authorize special allowances for lenders with respect to insured student loans under title IV–B of the Higher Education Act of 1965 when necessary in the light of economic conditions in order to assure that students will have reasonable access to such loans for financing their education, and to increase the authorizations for certain other student assistance programs.

ASSOCIATION OF SENATOR HOLLINGS WITH REMARKS OF SENATOR SCOTT BEFORE AMERICAN-ISRAEL PUBLIC AFFAIRS COMMITTEE

Mr. HANSEN. Mr. President, on behalf of the Senator from Pennsylvania (Mr. SCOTT), I wish to state that the Senator from South Carolina (Mr. HOLLINGS) would like to have his name associated with the remarks of Senator SCOTT before the American-Israel Public Affairs Committee on the occasion of Israel's 21st birthday, which are printed in the RECORD of April 25, 1969, at pages 10491–10492.

OCTOBER 15 REVISITED

Mr. HANSEN. Mr. President, columnist Jack Anderson, in his "Washington Merry-Go-Round" column printed in this city, October 15, 1969, makes some interesting comments concerning the moratorium which has received so much publicity.

Mr. Anderson reported from Tokyo, and the second paragraph of his column seems particularly pertinent to any postmortem which will be conducted in regard to yesterday's demonstrations. Mr. Anderson said:

> This column has examined documentary evidence that a few rabid revolutionaries who seek to dominate the anti-war movement in the United States are receiving instructions from Hanoi. They aren't against war at all; they merely are on the enemy's side.

If Mr. Anderson's sources are correct, then thousands of good, patriotic Americans who participated in the Vietnam moratorium with the very best of intentions should be powerfully disturbed when they learn of the motives of some of the leaders of the movement.

It is my hope that my concern in this matter will not be misunderstood. I am not for a moment questioning the patriotism of the vast majority of those citizens who took part in the October 15 program. They are well meaning and, like all of us, are weary of the war. None of us, of course, want to see the conflict continued a single day longer than is absolutely necessary and I am keenly aware that most of those persons who saw fit to protest the war—for the most part, in a careful, nonviolent manner—should be saddened and perplexed by this turn of events.

Further, it is most discouraging that many sincere people, apparently because they are so weary with the war, are placing wholly unreasonable demands upon the President which, if he even tried to meet, would surely not serve the best long-range interests of our country.

The significance and influence of our strength has been in the believability that can be ascribed to our stated purposes in Vietnam.

These include the fact that we seek no permanent bases in Vietnam and no military ties. We are willing to agree to neutrality for South Vietnam if that is what the South Vietnamese people freely choose. We believe there should be an opportunity for full participation in the political life of South Vietnam for all political elements that are prepared to do so without the use of force or intimidation. Our Government is prepared to accept any government in South Vietnam that results from the free choice of the South Vietnamese people themselves; we have no intention of imposing any form of government upon the people of South Vietnam, nor will we be a party to such coercion.

As President Nixon has stated:

> In pursuing our limited objective, we insist on no rigid diplomatic formula. Peace could be achieved by a formal negotiated settlement. Peace could be achieved by an informal understanding, provided that the understanding is clear, and that there were adequate assurances that it would be observed. Peace on paper is not as important as peace in fact.

The President has devoted a great deal of careful study to Vietnam. He wants to be sure that our policies there will best serve America. He has examined the question from every possible viewpoint, and the resulting policies are a considered judgment born of long study.

I am convinced that our country's policy in Vietnam represents a most serious effort to serve the long-range best interest of all of our people. It is obvious that the protest and demonstration did not present any new evidence. It is also obvious that the moratorium people, no matter how sincere, reduce the question of U.S. involvement in Vietnam to the simplest terms and repeatedly "demand" the unilateral withdrawal of all U.S. troops.

Simply to be the strongest nation militarily in the world does not guarantee that our influence for peace and justice will always follow in corresponding degree. As the protestors should know, we have ruled out any attempt to impose a purely military solution on the battlefield. But we have also ruled out either a one-sided withdrawal from Vietnam or the acceptance in Paris of terms that would amount to a disguised American defeat.

As President Nixon has pointed out:

> When we assumed the burden of helping to defend South Viet Nam, millions of South Vietnamese men, women, and children placed their trust in us. To abandon them now would risk a massacre that would shock and dismay everyone in the world who values human life.

There is a very real danger involved here. A precipitate abandonment of our peacekeeping pledges there and our peaceful goals throughout the world would jeopardize more than the lives of the South Vietnamese.

We must not renege on our pledges. We must be worthy of our trust as a great nation. We must continue a realistic policy that offers the best chance of assuring a livable world for our children's children in an atmosphere of freedom that is devoid of fear.

Along with our country's considerable military might, which is the strength, must be the desire to stand by our word, which is the will.

To allow either to be seriously weakened will cause our influence to vanish. And such a thing, if ever allowed to happen, would mean that the worldwide respect for our Nation's integrity, our long history of defending principle and resolutely meeting obligations, would be lost.

Other nations' confidence in our reliability would be forever gone.

A sudden abandonment of our effort in Vietnam, no matter how seemingly desirable, no matter how sought after by so many, would greatly enlarge the possibilities of future involvement in other places. That is so because it would give encouragement to a number of ruthless leaders throughout the world who could take comfort from Hanoi's success and would be more than willing to risk a reckless confrontation with the United States.

Such a move would bring our integrity into serious question; our prestige would be severely damaged; our influence would be dangerously diminished throughout the world; and, worst of all, we would be forced to demonstrate our convictions and beliefs by the active use of arms. This would be an intolerable situation.

What I am saying—and what some of the demonstrators do not seem to understand—is that not only must we be strong, but people everywhere must believe us.

That is why a surrender in Vietnam should remain unthinkable. That is why the President must continue, steadfastly, to pursue his realistic policies in Vietnam, no matter how unpopular they seem to be.

Mr. President, because they shed light on this question, I ask unanimous consent that the comments of Jack Anderson, referred to earlier, and an editorial from the San Diego Union entitled, "Truth Must Rise Above Clamor," be inserted at this point in the RECORD.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Oct. 15, 1969]

U.S. REVOLUTIONARIES LINKED TO HANOI

(By Jack Anderson)

TOKYO.—For the millions at home who will demonstrate against the Vietnam war today, the intelligence files here contain some facts worth pondering.

This column has examined documentary evidence that a few rabid revolutionaries who seek to dominate the anti-war movement in the United States are receiving instructions from Hanoi. They aren't against war at all; they merely are on the enemy's side.

Indeed, their aim is to stir up new "wars of liberation," including guerrilla warfare in the streets of America, to advance the Communist cause. Their immediate instructions are to agitate in the United States for an unconditional withdrawal from Vietnam.

In restrospect, I believe it was a mistake for the U.S. to plunge into the Vietnam conflagration. This remote patch of jungle simply hasn't been worth the price in American blood and treasure.

But those who are in a big rush to write off 38,887 American war dead and $81,407,000,000 of the taxpayers' money should consider the French experience. The French pullout of North Vietnam 15 years ago precipitated a Communist slaughter that hadn't been duplicated since the mad days of Adolph Hitler.

Too hasty abandonment of South Vietnam likewise might produce another bloodbath. Yet the Hanoi-directed militants, according to intelligence documents, are striving to turn the antiwar protest into a national demand for "quick and complete withdrawal of U.S. troops from South Vietnam."

Possibly to avoid treason charges, the American militants are not in direct touch with the Hanoi government. Most contacts, apparently, have been kept on a friend-to-friend or organization-to-organization basis.

The Hanoi-controlled South Vietnam Liberation Students' Union, for example, maintains an underground liaison with U.S. leaders of the Students for a Democratic Society and the Students' Committee for the End of the Vietnam War.

On the eve of the Vietnam Moratorium, Tran Buu Kiem, the Students' Union chairman and former chief Vietcong delegate in Paris, wrote a letter to his American disciples urging "the active and massive participation of the American youths and students in this fall struggle movement."

HANOI LETTER

The letter, dated Oct. 6, called for a prompt American pull-out from Vietnam. Kiem contended that "the replacement of a score of thousands of troops is insignificant, as compared with about half a million U.S. youths still remaining in South Vietnam.

"Your interests and those of the American people and the United States do not lie in such a drop-by-drop troop pullout, but in the quick and complete withdrawal of U.S. troops from South Vietnam; not in the Vietnamization or de-Americanization of the war in South Vietnam, which is unpopular and costly in human and material resources, but in ending it . . .

"If Mr. Nixon sincerely wants to live up to his promise to end the war, a promise which he made when he ran for office and when he took over the presidency," the Kiem letter continued, "there is no other way than to respond to the 10-point solution of the Republic of South Vietnam's provisional revolutionary government by quickly withdrawing all U.S. and satellite troops from South Vietnam without imposing any conditions and by abandoning the lackey Thieu-Ky-Khiem administration, leaving the South Vietnamese people to decide their own internal affairs.

"You are entering a new, seething and violent struggle phase. We hope that you all will pool your efforts in achieving great success in this fall struggle phase."

INTELLIGENCE REPORT

Another intelligence document, made available to this column, casts a revealing light on the North Korean role in stirring up opposition to the constitutional amendment, which will determine the future of South Korea. A national referendum will be held Friday to determine whether South Korea's bantam President Chung Hee Park can run for a third term.

"In connection with the constitutional amendment," declares the intelligence analysis, "the Pyongyang regime is trying to arouse popular views adverse to the constitutional amendment in an effort to create political chaos in the Republic of Korea. The Pyongyang regime is concentrating all efforts on its psychological warfare to encourage the recalcitrant elements in the South."

The attempt to extend President Park's rule for another term has been described, even in the Western press, as undemocratic. The truth is that the Park government has adhered scrupulously to the democratic processes.

Once the referendum is decided by popular vote on Friday, South Korea's troubles may merely be beginning. The intelligence document estimates that North Korea will intensify its efforts to subvert South Korea next year, thus "taking advantage of the possible political chaos in the ROK during the 1971 election."

[From the San Diego (Calif.) Union, Oct. 9, 1969]

VIETNAM SURRENDER UNTHINKABLE—TRUTH MUST RISE ABOVE CLAMOR

Again there is a strong riptide of activity in the United States of America which seeks to induce President Nixon simply to abandon South Vietnam.

The riptide is visible in Congress where, individually and in small groups, legislators are urging a condemnation of the American commitment in Southeast Asia.

The riptide is also visible in the national agitation—professional or naive—for a demonstration Oct. 15 to force President Nixon to make a more firm but generally undefined commitment to retreat.

Amid the clamor of the claques, there are some things that are evident and even more that are not—things that Americans would do well to keep in mind as they try to distill some truth from the confusion.

The first is that whatever the mistakes of the past, the United States cannot roll back the calendar in South Vietnam. We have to deal with the war on the basis of the present realities.

And we must, in seeking the truth, challenge the depth of thinking as well as the credentials of the experts, be they self-styled or real.

It is a truth and a reality that the United States is diminishing its Vietnam commitment at a rate deemed prudent by the person upon whose shoulders falls the responsibility for making the awesome judgment—the President of the United States.

What exactly do the critics of our current actions want? More rapid withdrawal? How rapid? Is open retreat their real object?

Do the critics of the war know whether it is possible to move our men home from Vietnam more rapidly simply from the standpoint of logistics?

Would those who favor pell-mell withdrawal be willing to endorse the inevitable bloodbath in Southeast Asia that such a retreat would create?

Are those who urge our surrender in Vietnam prepared to accept the responsibility for its effect upon the hundreds of our young men being held prisoners by North Vietnam? Several already have been executed and Hanoi says it may "try" the remainder as war criminals.

Is the Greek chorus baying at the heels of the President prepared to face the worldwide implications of a United States' surrender?

The fact is they advocate nothing but the negative—get out. Has anybody heard acceptable positive programs from these self-style experts to preserve the seedling of self determination in Vietnam and prevent the writing of an ignominious, bloody chapter in our history?

We have not heard them.

All that we have heard so far is that if we vaporize the American presence in Vietnam immediately, somehow everything will turn out all right despite the obvious and imminent dangers. It will not.

Americans should view with suspicion the thought that there is an instant solution in instant surrender.

MORATORIUM

Mr. DOLE. Mr. President, let me commend the Senator from Wyoming (Mr. HANSEN). I certainly share the views he has expressed. Let me say, additionally, that the first Vietnam moratorium is over. The Nation moves on and President Nixon continues to pursue the difficult road to an honorable peace.

Nothing really has changed and hopefully the North Vietnamese and the Vietcong have not been heartened by signs of divisiveness in our land, plus the fact they were aided yesterday by another estimated billion-dollar agreement for military aid from Communist Russia.

Today, I wonder, Mr. President, if any American President, Kennedy, Johnson, or Nixon, backed by a united people might not already have secured peace in Vietnam.

That is, perhaps, a terrible thought, because, if true, then many young Americans, now dead, would be alive and home today.

One of those might have been Edgar L. McWethy, Jr., of Baxter Springs, Kans. Instead he died bravely fighting, as Americans have always fought, in the cause of honor and freedom. Today his parents received, in his name, at a White House ceremony, the Nation's highest award, the Medal of Honor. They would give that medal willingly if peace could be brought a day nearer.

Specialist McWethy is one of three young Americans who received posthumous Medals of Honor from the President today.

Can anyone here say the President can make these presentations without a deep yearning for peace?

But, Mr. President, he has on his shoulders not only the bringing of peace, but also the larger burden. Those who call for peace at any price can do so, because the responsibility is not theirs.

Only the President bears the responsibility. If we surrender and retreat in Vietnam, only to face renewed, reinvigorated Communist aggression elsewhere, who will take the blame?

If the United States surrenders and retreats in Vietnam and the Communists take over that country, as surely they will, and institute a massive purge, as surely they will, who will take the blame?

If the United States surrenders and retreats in South Vietnam, and the free world, knowing it can no longer depend on the word and the strength of the United States, bows to totalitarian communism, who will take the blame?

Mr. President, those who planned this moratorium are planning another next month. However, before this, the Presi-

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ident has scheduled a report to the people on our situation in Vietnam.

I have no inside information on what he will say. But I do know he can point with pride to what has already been accomplished by this administration—60,000 men to be home by the first of the year. That is a significant number. To those who say it is not, ask what they would have said if President Nixon had added 60,000 troops.

A major drop in casualty rates—for the last 3 weeks, they have dropped below 100. Nobody knows better than the President that any casualty, even one, is too many. But, Mr. President, those Americans who die are being killed by enemies who by their own statements say they receive encouragement from Americans who are far from the battlelines.

Of course, we have no guarantee that the enemy will not launch a sudden offensive with a resultant climb in the casualties, but still, it is worth noting that at no time last year did our casualty figures drop below 100. Mr. President, can anyone here say the President has not reduced the level of combat?

Mr. President, as I have said, I do not know what the President will say on November 3. But I am confident that I know what he is doing; he is working for peace with all his heart and all his might.

Those in this country who possibly prolong the war, also in the name of peace, might at least bear that in mind—if they are sincere.

Let me add one personal word. Yesterday was a significant day in America for many. As the Senator from Wyoming has pointed out, the great majority who participated were probably sincere young Americans. They were against the war, as is everyone in this body.

My participation in moratorium day was a visit to Walter Reed Hospital last night, where I visited some 50 or 60 young Americans who had been injured or wounded while serving their country.

I would suggest that if anyone had cause or justification for being prejudiced or bitter about the war in Vietnam, these young men have—some with one arm gone, some with two arms gone, some with three limbs gone, and some with very serious neurological or other disabilities, many of whom will never be the same.

Almost without exception, they seemed to indicate two things. First, they felt the war was right, not because they had been there, not because they had been wounded, but because they felt communism was a threat to us and the free world.

One young man who said, "I was opposed to the war when I went, and am opposed now, but we cannot pull out immediately."

My point is that here are 800 young men, patients in Walter Reed Hospital because of Vietnam who have just cause to be bitter; but, having visited some 60 or 70 of them with the Senator from Michigan (Mr. GRIFFIN), these young Americans have made a great sacrifice for their country and understand what this is all about. They will bear the scars of it permanently, yet almost without exception they have confidence in other young Americans. They believe the great majority of young Americans want peace.

Mr. President, with a few possible exceptions, all the young men I visited with felt President Nixon is on the right course, and that he is pursuing the path of peace.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. DOLE. I yield.

Mr. HRUSKA. Mr. President, I associate myself with the remarks of the Senator from Kansas, and with the views he has expressed. I was especially impressed with his statement about visiting some of the wounded veterans in Walter Reed Hospital. There was a day, Mr. President, when the Senator from Kansas was also a wounded combat veteran. He, too, was among those severely and painfully wounded, with permanent effects, and it took weeks and months in the hospital for him to recover from his injuries. The weeks and months he spent in convalescence gave him time to ponder upon the meaning of the type of experience which he had gone through. So when he gives us the appraisal he has given of those young men in Walter Reed Hospital, it comes from one who is very well qualified to make it.

I commend him for the remarks he has made, and certainly commend his remarks to the attention of all who should give this subject the same type of thoughtful analysis and consideration he has given it.

AUTHORIZATION FOR ALL COMMITTEES TO FILE REPORTS, TOGETHER WITH MINORITY AND INDIVIDUAL AND SUPPLEMENTAL VIEWS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that all committees be permitted to file reports, together with minority and individual and supplemental views, during the period of adjournment between tonight and Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

PEACE CORPS ACT AMENDMENTS—CONFERENCE REPORT

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Arkansas (Mr. FULBRIGHT), I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11039) to amend further the Peace Corps Act (75 Stat. 612), as amended. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The assistant legislative clerk read the report.

(For conference report, see House proceedings of October 14, 1969, p. 29937, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. BYRD of West Virginia. Mr. President, I am authorized by the able Senator from Arkansas (Mr. FULBRIGHT) to state that the principal difference between the House and the Senate in the Peace Corps authorization was the amount authorized for expenditure and this was set by the conferees at $98,450,000 for fiscal year 1970—a figure half way between the $95,800,000 in the Senate amendment and the $101,100,000 in the House bill.

The only other differences—besides technical drafting changes—were: First, the funding of the volunteers-to-America program from Peace Corps appropriations which the Senate authorized but the House prohibited, and second, the addition of a new purpose by the Senate to encourage international programs of voluntary service.

On the first item, the Senate conferees receded with some reluctance in view of other priorities on our resources. On the second item, the House conferees receded with a minor change in language which will permit the Peace Corps to explore international cooperation in voluntary work through establishing an international register of volunteers from which multinational teams of volunteers may be drawn by countries which prefer international programs to bilateral ones. What the Committee on Foreign Relations wanted was to add a new dimension to the Peace Corps work and the conference agreement permits this.

Mr. President, on behalf of the Senator from Arkansas (Mr. FULBRIGHT), I move the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

INSTRUCTIONS FROM HANOI ON THE ANTIWAR MOVEMENT IN THE UNITED STATES

Mr. BYRD of West Virginia. Mr. President, syndicated columnist Jack Anderson reported on Tuesday, October 14, in the Beckley, W. Va., Post-Herald, that—

> A few rabid revolutionaries who seek to dominate the anti-war movement in the United States are receiving instructions from Hanoi.

The column appeared in newspapers from coast to coast.

I ask unanimous consent that the column be printed in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

RABID REVOLUTIONARIES MAY BE RECEIVING DEMONSTRATION ORDERS DIRECT FROM HANOI

(By Jack Anderson)

TOKYO.—For the millions at home who will demonstrate against the Vietnam war tomorrow, the intelligence files here contain some facts worth pondering.

This column has examined documentary evidence that a few rabid revolutionaries who seek to dominate the anti-war movement in the United States are receiving instructions from Hanoi. They aren't against war at all; they merely are on the enemy's side.

Indeed, their aim is to stir up new "wars of liberation," including guerrilla warfare in the streets of America, to advance the Communist cause. Their immediate instructions are to agitate in the United States for an unconditional withdrawal from Vietnam.

In retrospect, I believe it was a mistake for the U.S. to plunge into the Vietnam conflagration. This remote patch of jungle simply

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hasn't been worth the price in American blood and treasure.

But those who are in a big rush to write off 38,887 American war dead and $81,407,000,000 of the taxpayers' money should consider the French experience. The French pull-out of North Vietnam 15 years ago precipitated a Communist slaughter that hadn't been duplicated since the mad days of Adolf Hitler.

Too hasty abandonment of South Vietnam, likewise, might produce another bloodbath.

Yet the Hanoi-directed militants, according to intelligence documents, are striving to turn the anti-war protest into a national demand for "quick and complete withdrawal of U.S. troops from South Vietnam."

Possibly to avoid treason charges, the American militants are not in direct touch with the Hanoi government. Most contacts, apparently, have been kept on a friend-to-friend or organization-to-organization basis.

The Hanoi-controlled South Vietnam Liberation Students' Union, for example, maintains an underground liaison with U.S. leaders of the Students for a Democratic Society (SDS) and the Students' Committee for the End of the Vietnam War.

On the eve of the Vietnam moratorium, Tran Buu Kiem, the Students' Union chairman and former chief Viet Cong delegate in Paris, wrote a letter to his American disciples urging "the active and massive participation of the American youth and students in this fall struggle movement."

The letter, dated Oct. 6, called for a prompt American pull-out from Vietnam. Kiem contended that "the replacement of a score of thousands of troops is insignificant, as compared with about half a million U.S. youths still remaining in South Vietnam.

"Your interests and those of the American people and the United States do not lie in such a drop-by-drop troop pull-out, but in the quick and complete withdrawal of U.S. troops from South Vietnam; not in the Vietnamization or de-Americanization of the war in South Vietnam, which is unpopular and costly in human and material resources, but in ending it. . . .

"If Mr. Nixon sincerely wants to live up to his promise to end the war, a promise which he made when he ran for office and when he took over the presidency," the Kiem letter continued, "there is no other way than to respond to the 10-point solution of the Republic of South Vietnam's provisional revolutionary government by quickly withdrawing all U.S. and satellite troops from South Vietnam without imposing any conditions and by abandoning the lackey Thieu-Ky-Khiem administration, leaving the South Vietnamese people to decide their own internal affairs.

"You are entering a new, seething and violent struggle phase. We hope that you all will pool your efforts in achieving great success in this fall struggle phase."

Ironically, most of the student radicals who are doing Hanoi's bidding in the U.S. would get worse treatment from the Hanoi police than they have received from the Chicago police.

For Hanoi has ordered a crackdown on local hippies who wear long hair, tight pants and flowered shirts. Hanoi police have been ordered to shear off long hair and slit tight trousers legs on the spot. Tight "cowboy pants" have been abolished by decree. Western records, poetry, and dances also are considered "counter revolutionary" and result in stern punishment.

As for unauthorized demonstrations, the youthful demonstrators not only would get their heads clubbed; they would be subject to the death penalty.

Another intelligence document, made available to this column, casts a revealing light on the North Korean role in stirring up opposition to the constitutional amendment which will determine the future of South Korea. A national referendum will be held Friday to determine whether South Korea's bantam President Chung Hee Park can run for a third term.

"In connection with the constitutional amendment," declares the intelligence analysis, "the Pyongyang regime is trying to arouse popular views adverse to the constitutional amendment in an effort to create political chaos in the Republic of Korea. The Pyongyang regime is concentrating all efforts on its psychological warfare to encourage the recalcitrant elements in the South."

The attempt to extend President Park's rule for another term has been described, even in the western press, as undemocratic. The truth is that the Park government has adhered scrupulously to the democratic processes.

Once the referendum is decided by popular vote on Friday, South Korea's troubles may merely be beginning. The intelligence document estimates that North Korea will intensify its efforts to subvert South Korea next year, thus "taking advantage of the possible political chaos in the ROK during the 1971 election."

ADJOURNMENT TO MONDAY, OCTOBER 20, 1969

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 3 o'clock and 54 minutes p.m.) the Senate adjourned until Monday, October 20, 1969, at 12 o'clock noon.

HOUSE OF REPRESENTATIVES—*Thursday, October 16, 1969*

The House met at 12 o'clock noon.

Rev. Roger E. Landgrebe, Calvary Lutheran Church, Gary, Ind., offered the following prayer:

Unto You, O God, do we lift up our hearts in thanksgiving for the joy of life in the world which You have given us to dominate and subdue. The whole creation is Yours; but we seek Your help as we attempt to govern it and establish the welfare of our portion of its people.

We boldly request, yet humbly demand, Your presence here. Consume the minds of the men and women in this high Chamber so that the work they do here will be an instrument of Your law and a reflection of Your love. The opportunity is here, O Lord, to see You in a mirror dimly and also to effect wisely our confrontation with You face to face. O God, let it happen. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2910. An act to amend Public Law 89-260 to authorize additional funds for the Library of Congress James Madison Memorial Building.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12781) entitled "An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1970, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to the amendments of the Senate numbered 15, 16, 20, 24, 35, 40 to the foregoing bill.

REV. ROGER E. LANDGREBE

(Mr. MADDEN asked and was given permission to address the House for 1 minute.)

Mr. MADDEN. Mr. Speaker, the House of Representatives is honored today to have one of the youngest ministers in the State of Indiana offer the opening prayer.

Mr. Speaker, Rev. Roger Landgrebe's ministry is located in my congressional district. The Reverend Roger E. Landgrebe is the youngest son of our distinguished colleague, the gentleman from Indiana, Mr. EARL LANDGREBE of the Second Congressional District of Indiana.

Although having entered the ministry but 3 years ago and having come to the city of Gary as the pastor of the Calvary Lutheran Church, he is known throughout the Calumet region for the outstanding work he is doing not only for his parishioners as a minister of the Calvary Lutheran Church but also for many charitable and civic activities.

He has participated along with various groups and organizations to help and aid not only some of the more economically unfortunate citizens of our community, but he has taken an active part in various drives for funds to support causes and programs which are highly necessary for the progress and general welfare of our younger folks in the Calumet region of Indiana. Unfortunately more of our young citizens have not emulated his career in church and religious work in which Reverend Landgrebe has been so successful. His civic and charitable work has been a great benefit to all our citizens.

Mr. Speaker, I wish to thank the Reverend Roger E. Landgrebe for being with us today and also to commend his father, our colleague, Congressman LANDGREBE, for the great work and success of his son as a minister and outstanding citizen in my congressional district.

Mr. LANDGREBE. Mr. Speaker, will the gentleman yield?

Mr. **MADDEN**. I will be delighted to yield to my colleague from Indiana.

Mr. **LANDGREBE**. Mr. Speaker, I wish to express my gratitude to my colleague in the adjoining congressional district in Indiana, the gentleman from Indiana (Mr. MADDEN), for his kind words in behalf of my son. I really appreciate the remarks the gentleman has made.

I would also like to express my thanks and appreciation to our beloved Speaker, the gentleman from Massachusetts, the Honorable JOHN W. MCCORMACK, for extending this invitation to my son, and also my sincere appreciation to Dr. Latch for his fine cooperation and assistance.

Mr. **MADDEN**. Mr. Speaker, I thank the gentleman for his comments, and I yield back the balance of my time.

PERMISSION FOR COMMITTEE ON ARMED SERVICES TO FILE A REPORT ON H.R. 14001

Mr. **HÉBERT**. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services may have until midnight tonight to file a report on the bill H.R. 14001.

The **SPEAKER**. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

ADMINISTRATION PROPOSAL ON SOCIAL SECURITY BENEFITS

(Mr. **VANIK** asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. **VANIK**. Mr. Speaker, yesterday in response to my question, Mr. Robert Myers, respected actuary for the Social Security System, stated that a 15-percent across-the-board increase could be made in social security benefits without increasing the taxable base or the taxable rate. The Social Security Administration fund is as follows:

OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE

ADMINISTRATION PROPOSAL, H.R. 14080

Progress of the OASI and DI trust funds, combined, under present law and under the system as modified by the administration proposal, fiscal years 1970–73

[In billions]

	Income administration		Outgo administration	
	Present law	Proposal	Present law	Proposal[1]
Fiscal year:				
1970	$35.2	$35.2	$28.4	$29.1
1971	38.6	36.8	29.6	32.9
1972	43.1	39.3	30.8	35.4
1973	47.4	43.4	32.0	36.5

	Net increase in funds		Assets, end of year	
	Present law	Proposal	Present law	Proposal
Fiscal year:				
1970	$6.8	$6.1	$38.7	$38.0
1971	8.9	3.9	47.6	41.9
1972	12.3	3.9	59.9	45.7
1973	15.4	6.8	75.3	52.6

[1] Assumes no automatic increase in benefit rates under the cost-of-living provision.

Source: Office of the actuary, Baltimore, Oct. 1, 1969.

As we can note, the President's proposal reduces the social security fund by $22.7 billion from its projected asset value of $75.3 billion to $52.6 billion. We must closely examine the effect of this loss of revenue to the fund.

But the testimony clearly indicates the proposal for increasing social security by 15 percent is both sound and responsible.

PERSONAL EXPLANATION

(Mr. **FREY** asked and was given permission to address the House for 1 minute.)

Mr. **FREY**. Mr. Speaker, this week it was my privilege to be chosen as one of two Members of Congress to attend the International Secretariat for Volunteer Services Conference at The Hague in the Netherlands. Because I was out of the country, I regret I was not able to participate in the deliberations of the House on Monday, Tuesday, and Wednesday of this week. I therefore respectfully request that my absence be excused due to official business.

CALL OF THE HOUSE

Mr. **GROSS**. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER**. Evidently a quorum is not present.

Mr. **BOGGS**. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 230]

Albert
Arends
Aspinall
Berry
Blatnik
Brasco
Bray
Brooks
Brown, Calif.
Broyhill, Va.
Burton, Calif.
Cahill
Camp
Carey
Cederberg
Celler
Clark
Conyers
Corman
Davis, Ga.
Dawson
Devine
Diggs
Dingell
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Evans, Colo.
Fallon
Farbstein
Fascell
Feighan
Findley
Fisher
Flowers
Flynt
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Griffin
Haley
Hanna
Hastings
Hays
Holifield
Hosmer
Ichord
Jones, N.C.
Jones, Tenn.
Kirwan
Kyl
Landrum
Latta
Lloyd
Lujan
McClory
McCloskey
McMillan
Martin
Mayne
Meeds
Mills
Minshall
Montgomery
O'Konski
Patman
Pollock
Powell
Price, Ill.
Pucinski
Quie
Railsback
Rarick
Reifel
Reuss
Rivers
Rodino
Rosenthal
Roybal
Ruppe
St. Onge
Saylor
Scheuer
Shipley
Sisk
Smith, Iowa
Steed
Stokes
Taylor
Teague, Calif.
Tunney
Utt
Waldie
Wampler
Watts
Whalley
Wold

The **SPEAKER**. On this rollcall 332 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

ACTION URGED ON PRESIDENT'S LEGISLATIVE PROPOSALS

(Mr. **GUDE** asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. **GUDE**. Mr. Speaker, I should like to urge my colleagues to consider the President's message on his legislative proposals and act upon them quickly. Partisan politics cannot become a stumblingblock in our responsibility to the welfare of the Nation.

Certainly, one of the most pressing issues facing us is the need for draft reform. The President's plan to update our draft procedures will give our young men greater freedom and security in planning their lives and careers. In reducing the period of vulnerability from 7 years to 12 months, the potential draftee will no longer have to face an unreasonable period of uncertainty in planning his future. The draft does not need to be a threat over 7 long years.

However, it must be manifestly clear that those who defer their period of vulnerability because of educational, or other legitimate pursuits, will become eligible for a 12-month period when they finish their education.

I also think it is important that we continue investigating other possibilities and methods for filling the military manpower needs of the country and the President. In the meantime, if we expect our young men to serve our country with dignity and honor, we owe them a fair shake in return.

I want history to point to the 91st Congress as one of positive action and accomplishment. I urge all of my colleagues, regardless of party, to carefully and thoughtfully consider the President's proposal for selective service reform and other basic reforms so vital to the welfare of American citizens.

OEO INEFFICIENCY

(Mr. **HARSHA** asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. **HARSHA**. Mr. Speaker, on September 26, a nationally syndicated news column reported that Office of Economic Opportunity bureaucrats had gone against administration policies by writing and distributing to various community action groups a manual advocating riots as a legitimate weapon of the poor.

Reacting to this alarming news, on October 3, I directed a letter to the OEO Director, Mr. Donald Rumsfeld, asking that individuals concerned be disciplined and that I be reassured against a recurrence of such an event.

I regret to say that to date I have not received a reply from Mr. Rumsfeld. It may be that those same bureaucrats who write such manuals also intercept the mail coming into the Office of Economic Opportunity. If this be the case, then it is understandable why I have not received a reply from Mr. Rumsfeld.

Hoping to avoid this possible contingency, I am entering these comments into the RECORD, which I will have delivered to Mr. Rumsfeld. I want to make certain that those same individuals who advocate riots do not also advocate losing correspondence from Members of

Congress. On the other hand, this may just be another striking example of the inefficiency of the OEO.

SUPPORT FOR POSTAL LEGISLATION

(Mr. CLAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLAY. Mr. Speaker, today I rise to address myself to the legislation affecting the postal employees of this country. I have and always will be a strong supporter of this group.

Recently, I had the opportunity to vote for a bill—H.R. 9825—which assures a decent retirement income for all civil servants. I believe this a good step in providing adequate benefits for the postal workers.

On Tuesday, I voted with 310 Members to pass H.R. 13000, the Federal Salary Comparability Act, to provide decent salaries for postal employees. This has been long-awaited legislation and one which will correct the inequities in the system. It is a known fact that the Post Office Department has had difficulty in retaining competent employees and we all know about the deteriorating service in the Post Office. One of the causes of these problems stems from the fact that the postal structure, as it now exists, makes an employee serve a period of 21 years before reaching the top pay level. H.R. 13000 changes this to a period of 8 years giving the postal workers a fighting chance of surviving the constantly rising cost of living.

I was glad to see that the Postal Service Act was defeated by the Post Office and Civil Service Committee. I would be the first to agree that the Post Office Department and its operations are badly in need of improvement. H.R. 11750 would have set up a postal corporation, thereby removing the postal employees from the protection and regulations of the Civil Service. I feel that these improvements can be effected within the present framework of the Post Office Department. Much concern has been expressed by my constituents regarding the creation of a postal corporation. The defeat of this bill assures the postal workers that all their years of service have not been in vain.

I commend the Post Office and Civil Service Committee on the fine job they are doing and they may be assured of my support on all legislation which proves to be in the best interests of the postal employees.

CONFERENCE REPORT ON H.R. 13194, EMERGENCY INSURED STUDENT LOAN ACT OF 1969

Mr. PERKINS. Mr. Speaker, call up the conference report on the bill (H.R. 13194) to amend the Higher Education Act of 1965 to authorize Federal market adjustment payments to lenders with respect to insured student loans when necessary in the light of economic conditions, in order to assure that students will have reasonable access to such loans for financing their education, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky (Mr. PERKINS)?

Mr. GROSS. Mr. Speaker, reserving the right to object, I assume the gentleman from Kentucky will take ample time to explain what transpired in conference?

Mr. PERKINS. Yes, that is my intention.

Mr. GROSS. The gentleman will yield some time to those who may desire to ask questions?

Mr. PERKINS. That is correct.

Mr. GROSS. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of October 13, 1969.)

Mr. PERKINS. Mr. Speaker, I am pleased to report that the conference committee on H.R. 13194 has reached agreement. The conference report was worked out, as I recall, unanimously. In my judgment, it is an effective piece of legislation which greatly strengthens all student assistance programs.

Mr. SCHERLE. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Iowa.

Mr. SCHERLE. The report was not unanimous. I did not sign the report.

Mr. PERKINS. The gentleman is correct. I ask that the RECORD be corrected accordingly. I think you were the exception.

Mr. Speaker, we reached agreement only after numerous hours of debate and lengthy discussion. May I take this opportunity to pay tribute to the gentlewoman from Oregon (Mrs. GREEN), whose untiring efforts and leadership in this endeavor have produced a major piece of legislation. And I wish to express my appreciation to all of the House conferees for their full cooperation and hard work. There were many many difficult decisions which had to be made, and it was because of the strong bipartisan effort that we were able to reach an agreement which is acceptable to 17 of the 18 House conferees.

With respect to the insured student loan program, I am particularly pleased to advise the House that the fundamental thrust of the original House bill is retained in the conference report. The three most essential elements of the House approach remain.

First, under the Senate amendment, only loans made between August 15, 1969, and June 30, 1970, were eligible for an allowance. Second, payments were only authorized during the same period. The conference report follows the House approach and authorizes the payment of a special allowance which may not exceed 3 percent on loans made between August 1, 1969, and June 30, 1971. Also, any loan made during the eligible period will qualify for the special allowance during the life of the loan if in subsequent years market conditions warrant the payment of such an allowance.

Third, the amount of the allowance will be determined after the close of the period to which it applies rather than, as was the case in the Senate bill, prior to the beginning of the period to which it would apply. Under the House approach, which is retained in the conference report, the rate will be determined after a review of actual market conditions instead of being based on projections and guesswork as was required by the Senate amendment. In addition, the application of the rate retrospectively will be much more economical.

Mr. Speaker, the most controversial aspect of the Senate amendment related to the provision designed to limit discretionary authority of local lenders. The Senate amendment required the Secretary to prescribe procedures to the effect that lenders making loans eligible for an allowance pursuant to the act do not as a condition precedent or subsequent for making any such loan, require a student or any member of the student's family to carry out any business activity with the lender other than activity directly related to the administration and payment of such loan. The Conference agreement greatly modifies this Senate provision.

Under our agreement, the Secretary of Health, Education, and Welfare shall determine, with respect to the student insured loan program as authorized under part B of title IV of the Higher Education Act of 1965 and the act, whether there are any practices of lending institutions which may result in discrimination against particular classes or categories of students, including the requirement, as a condition to the receipt of a loan, that the student or his family maintain a business relationship with the lender, the consequences of such requirement, and the practice of refusing to make loans to students for their freshman year of study, and also including any discrimination on the basis of sex, color, creed, or national origin. The Secretary shall make a report with respect to such determinations, and his recommendations, to the Congress on or before March 1, 1970.

Second, if after making such determination the Secretary finds that, in any area, a substantial number of eligible students are denied an opportunity to obtain an insured student loan because of practices of lending institutions in the area which limit student participation, he shall take such steps as may be appropriate, after consultation with the appropriate State guarantee agencies and the Advisory Council on Financial Aid to Students, relating to such practices and encourage the development in such area of a plan to increase the availability of financial assistance opportunities for such students. He shall also, within 60 days after making such determination, adopt or amend appropriate regulations pertaining to the student insured loan program to prevent, where

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practicable, any practices which he finds have denied loans to a substantial number of students.

In my judgment, these provisions of the conference report differ significantly from the original Senate amendment. It is true that in time the Secretary of Health, Education, and Welfare may, through amendment or adoption of regulations, prohibit the practice of limiting loans to customers, as he was directed to do by the original Senate amendment. But, if such regulations are prescribed, it will be because the Secretary has found the practice widespread and that it results in the denial of loans to a substantial number of students. In applying such regulations, the Secretary is given considerable latitude under the terms of the Conference Report. If such regulations become necessary and must be applied, the Secretary will be able to take into account mitigating and extenuating circumstances, such as the special problems of credit unions, where the application of such a regulation would not be practicable. Most importantly, the Conference Report deals with all lending practices which may result in discrimination rather than focusing on just one such practice.

Finally, Mr. Speaker, the conference report responds not only to the emergency situation with respect to the insured student loan program, but also to the emergency situation which exists with respect to all student aid programs. As college costs and college enrollments continue to rise at an unbelievable rate, it is necessary that student aid programs be greatly expanded to meet the increasing needs. Thus, the conference report retains the Senate amendments providing increased authorizations for the national defense student loan program, the college work-study program, and one-half of the Senate increase for the educational opportunity grant program.

The need for these increases is clear. The total amount, which is now available for the three college-based programs, falls far short of the amounts requested and needed by colleges and universities across the Nation.

Presently the national defense student loan program is operating at the $155 million level. This compares with a fiscal year 1969 operating level of $190 million. The present level of operation is less than half of what institutions requested and over $100 million less than what the regional panels approved.

It should be made clear that in retaining the Senate increases for NDEA student loans and the other two college-based programs, the authorizations established are not chosen arbitrarily. They are related to and approximate very closely total institutional requests for 1970 and Office of Education estimates as to total institutional requests for fiscal year 1971.

Under the conference report $325 million will be authorized for student loans this year rather than the $275 million which is presently authorized. The increase will provide loans for an additional 85,000 students. The fiscal year 1971 increases from $300 million to $375 million, will result in loans to an additional 100,000 students. If the student loan program were funded at the authorized level contained in the conference report, 689,500 students could obtain loans this year and 781,400 could obtain loans next year.

By increasing the fiscal year 1970 authorization for the college work-study program $25 million, we will make it possible for an additional 58,000 students to participate in the program. The increase to a $320 million authorization next year will provide work-study opportunities for 748,500 students, almost 100,000 students more than could be provided opportunities under the existing authorization of $285 million. In connection with the work-study program, it should be noted that the new authorization for fiscal year 1970 is identical with the total institutional requests for work-study funds, but that the proposed authorization for fiscal year 1971, is still $15 million short of what the Office of Education estimates will be total institutional requests.

The situation with respect to the educational opportunity grant is similar. Under the conference report, $125 million will be authorized for initial year grants as compared to the present authorization of $100 million. With the increase provided, 227,300 students will be able to receive initial year grants. The authorization for fiscal year 1970 is increased from $140 million to $170 million. This will result in an additional 50,000 initial year awards. Here too, the authorization we have agreed upon represents a substantial increase, however, the fiscal year 1971 authorization will still be approximately $5 million less than the Office of Education estimates colleges and universities will request.

Mr. Speaker, approval today of this conference report will be another indication of the determination of the Congress that no student be denied an opportunity for higher education because of financial barriers. Like the original House bill, the conference report provides for an effective solution to problems we have experienced with the insured student loan program. And, in addition, it modifies the college-based student aid programs to provide needed increases in authorizations so that the programs may operate at a level which is commensurate with the need. I urge every Member of this House to support the conference report.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, do I understand the amount in the conference report for fiscal year 1970 was raised $125 million?

Mr. PERKINS. Which programs is the gentleman referring to?

Mr. GROSS. Title IV, the higher education.

Mr. PERKINS. Yes. The report increases the authorizations for national defense student loans, educational opportunity grants, and college work study. The total increase is over $200 million.

Mr. GROSS. It is $200 million?

Mr. PERKINS. Yes.

Mr. GROSS. In the fiscal year 1970?

Mr. PERKINS. No; over a 2-year period. To break it down, we increase NDSL loans for fiscal year 1970, from $275 million to $325 million, and for fiscal year 1971, from $300 million to $375 million.

Mr. GROSS. Let us stay with fiscal year 1970. Is it not true that more than one-quarter of fiscal year 1970 is already gone?

Mr. PERKINS. That is correct, but let me say to my friend, the gentleman from Iowa, that it is estimated, an additional 85,000 students could borrow under the increase of $50 million. The demand for national defense student loans is well known. Applications from institutions across the country far exceed the amounts presently available.

May I say to the gentleman, I did not vote in conference for this increase.

We cannot deny the need for an increased authorization. I would certainly hope that the appropriation would match the increased authorization.

Mr. GROSS. The gentleman then is for this rather substantial increase?

Mr. PERKINS. The reason I did not vote for the increase in conference is that I tried to maintain the House position. Nevertheless, I am convinced we need more money for national defense student loans. Nothing could be clearer.

Mr. GROSS. What about the budget? This is really budget busting; is it not?

Mr. PERKINS. I did not understand the question.

Mr. GROSS. What about the budget for 1970?

Mr. PERKINS. As I recall, we have only appropriated $229 million of the $275 million authorization.

Mr. GROSS. I am wondering under the circumstances whether this is overfunding or whether it is changing the criteria to take care of just about everybody?

Mr. PERKINS. Taking into account the great need, we are not overfunding. We have authorized above what the Bureau of the Budget has gone on record in favor of spending. I am hopeful that they will change their minds on this issue.

Mr. GROSS. I thank the gentleman.

Mr. PERKINS. Mr. Speaker, I yield 10 minutes to the gentlewoman from Oregon (Mrs. GREEN).

Mrs. GREEN of Oregon. Mr. Speaker, I want to pay my respects to the distinguished chairman of the full committee for his patience and also for his determination one and at the same time to see the conference report through to a successful conclusion. I also express my thanks to two staff members, Mr. Gaul and Mr. Hogan, who worked in preparing the conference report.

This conference report is a compromise. It probably does not represent 100 percent the views of any one conferee. But in my judgment the purpose of the House bill was accomplished.

That purpose was to encourage lending institutions to make more funds available to students.

The chairman has already outlined the major compromise agreements that were reached by the Senate and the

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House. I should like to turn my attention to an amendment that seemed to me the most important if the House position were to be maintained.

Mr. Speaker, the Senate amendment to limit the discretionary authority of lenders participating in the insured loan program was clearly the most controversial item before the Conference Committee. There were a number of assumptions underlying the Senate amendment which would have denied the Federal guarantee to banks which followed the practice of limiting loans to persons having a customer relationship with the lender.

It was assumed, but not known in fact, that numerous lenders engaged in such practices. It was assumed that such practices were evil. It was assumed that such practices were inconsistent with the objectives and purposes of the insured loan program. And it was assumed that implementation of the Senate amendment would result in greater availability of insured student loans. The validity of each of these assumptions should be and was questioned in our conference by House conferees. In so doing, I believe we have reached an agreement which can be characterized as a positive step forward rather than a negative reaction, and one which indicates that we are more interested in assisting students rather than in chastising the banks.

We direct the Secretary of Health, Education, and Welfare to review the total insured loan program for the purpose of determining the extent to which any discrimination of any kind exists that was not intended in the law—by any and all lending institutions: Banks, credit unions, and administrators of pension funds. The Secretary is to be guided by his concern for the students and not by any desire to chastise the banks. The problem that this bill is addressed to is the one of inducing lending institutions to make loans to students. It is not a vehicle for expressing animosity toward the banks. There is no assumption in the conference report that any particular practice is wrong, rather, may I repeat, we direct the Secretary to determine whether the practice results in the denial of loans to a substantial number of students who are eligible for these loans under the law.

Mr. STEIGER of Wisconsin. Mr. Speaker, will the gentlewoman yield?

Mrs. GREEN of Oregon. I am glad to yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Speaker, on this very point in the discussion in the other body on the adoption of the conference report, the chairman of the conference, the Senator from Rhode Island (Mr. PELL) said this:

> The language of the conference report carries out the original intent of the Senate that lenders should not require students or their families to conduct business activities with the lender as a condition for receiving a student loan.

I would ask the gentlewoman whether or not that is an accurate assessment of the conference report.

I would say, parenthetically, I do not believe it is fair to say that the intent of the original Senate amendment was carried out in the conference report. We do require a finding and make no prejudicial judgment about the rights or wrongs of a practice carried out by lending institutions.

Mrs. GREEN of Oregon. The gentleman from Wisconsin is entirely right, in my judgment. I think those who interpret the law should be disabused of the very narrow reading given to it by Members of the Senate. It is not, in my opinion, the purpose of the conference agreement to chastise banks and prohibit certain ones from having the Federal guarantee if they required a prior business relationship in making a student loan. Quite the opposite.

Also we broadened the scope of the study that the Secretary is to make to include many kinds of discrimination, which I want to discuss in just 1 minute.

Mr. STEIGER of Wisconsin. I thank the gentlewoman.

Mrs. GREEN of Oregon. Mr. Speaker, I have not yet mentioned what I consider to be the most disconcerting aspect of the original Senate amendment. As proposed, the amendment touched only one aspect of a more general and, quite frankly, more serious question—Are insured student loans available equally to all eligible students? It seemed to many of us that if we were going to prohibit certain lending practices because they were viewed by some as discriminatory and inconsistent with the purposes of the act, then it was important that we look at all lending practices under the program.

The question arose as to whether we should prohibit restrictive lending polices relating to customer status, while at the same time tolerate policies not only of banks but also of certain State guarantee agencies which limit the availability of loans for freshmen students, or for out-of-State students, or State residents attending a private institution rather than a State college.

We thought also that we should concern ourselves with the fact that under the insured loan program, only 36 percent of the borrowers are female, whereas under the NDEA student loan program, 45 percent of the borrowers are female; and the fact that under the NDEA student loan program, 18 percent of the borrowers are nonwhite, but that under the guaranteed student loan program, only 10 percent are nonwhite.

And what of the wide disparity which exists among States with respect to the availability of guaranteed loans? Participation in the insured student loan program in North Dakota represents 37.8 percent of full-time college enrollment in that State—and in New York and New Jersey, over 20 percent. Yet in one State, participation is only at the 2.5-percent level, and in the District of Columbia, it is even less.

Mr. Speaker, all of these problems require study, and I am pleased to report to the House that the provisions of the conference report require the Secretary of Health, Education, and Welfare to make determinations with respect to each of these issues and not in only one area.

The language of subsection 6(b) gives the Secretary extremely wide discretion in deciding whether he should take action upon any finding of objectionable discrimination. He is directed only to take "such steps as may be appropriate—to encourage the development—of a plan to increase the availability of financial assistance opportunities for such students." The language is so broad that it would support the Secretary, if he should find, for example, that banks which prefer their own customers have a much better record in making loans than do banks which do not have such a preference.

I do want, however, to state as strongly as possible, that the language of this bill does not constitute any prejudgment that practices by banks are per se bad.

In this connection, it is important to observe that the banks have an important stake in choosing among applicant borrowers. There are many more requests for loans—than the funds available during these days of tight money and high interest. The lending institution carries the cost of administration and collection costs and must face the risk of loss of interest. The Federal guarantee applies only to the principal. The loans can run for as long as 10 or 15 years, and the loss of interest after such a substantial period can be a matter of real concern to the bank. Collecting from students who may be scattered over the world is quite different than collection problems for borrowers of other kinds of loans who reside in the geographical area served by the bank.

Similarly, in the reinsurance program, by which the Federal Government reinsures State-guaranteed loan programs, the Federal guarantee runs only to 80 percent of the principal insured by the State. In four States, the State guarantees only 90 percent of the loan principal, and in one State only 80 percent. In those States under the reinsurance program the lending bank faces a possible loss of part of the principal as well as a loss of the interest. It is also important that in the reinsurance program the Federal Government guarantees only 80 percent of the State guarantee. The effect is to confront the State also with the possibility of loss, and to that extent the State may be concerned that the lending banks exercise their good judgment in selecting borrowers.

The last clause of subsection 6(b) directs the Secretary within 60 days after making the determination, which in another section is required to be made on or before March 1, 1970, to issue regulations to prevent "where practicable" any practices which he finds have denied loans to a substantial number of students. I do not agree with those who would impose limited reading of the words "where practicable." Fortunately, the words themselves are clear. The words would have to be ambiguous before inquiry could be made about legislative intent. The words here clearly give the Secretary discretion to consider any facts which are relevant to his decision regarding the adoption of regulations to prevent discriminatory practices. I can, for example, conceive of nothing more relevant to the wisdom of issuing such regulations than consideration of

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whether prohibition of discriminatory practices would increase or decrease the number of loans. Any regulation which would result in a decrease in the number of loans would, in my judgment be impracticable.

The Secretary shall by rule or regulation—where practicable—take steps to prevent any discriminatory practices which he finds result in the denial of loans to a substantial number of students, whether it be discrimination based on sex, creed, color, or discrimination against freshmen students, or discrimination against persons not having a customer relationship, or discrimination against out-of-State residents, or discrimination against State residents attending private institutions.

Mr. Speaker, some have called this legislation "the bankers' bill." With the original Senate provision I have been discussing, some described the legislation as the "antibank bill." Mr. Speaker, the conference report is neither—it is precisely what it should be—a bill to increase the availability of financial assistance for needy college students.

Mr. ESCH. Mr. Speaker, will the gentlewoman yield?

Mrs. GREEN of Oregon. I am glad to yield to the gentleman from Michigan.

Mr. ESCH. Mr. Speaker, I would like to compliment the distinguished gentlewoman of our committee upon her leadership on this and upon her very important clarification of the conduct of the conference.

I would also like to ask her, as we have asked her privately, if in the coming months we will look into the entire area of student assistance, not only student loans. I hope that our committee might examine this total question.

Mrs. GREEN of Oregon. I would say to the distinguished gentleman from Michigan that this entire area must be looked at. This Higher Education Act expires and the subcommittee will be turning its attention to this question in November and December this year. We hope that early in 1970 we can come up with another bill.

Mr. ESCH. I thank the distinguished gentlewoman from Oregon.

Mr. PERKINS. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. ERLENBORN).

Mr. ERLENBORN. Mr. Speaker, I rise to support the conference report. I think that the conference report maintains the basic elements of the bill as passed by the House concerning the allowance of up to 3 percent over the 7 percent statutory limitation now paid to lenders in the guaranteed student loan program.

The three-month period for the computation that was in the House bill is retained in the conference report. The fact that the computation would be made at the end of the period is retained in the conference report as it was in the House bill. And the fact that the computation would be made on the average unpaid balance during the three-month or quarter period is also maintained, so that the substance of the bill as passed by the House is in the conference report.

I think the gentlewoman from Oregon (Mrs. GREEN), who has just addressed the House in the well, has properly directed herself to the one question which was the most plaguing to our conference committee, and that was the question of the so-called Kennedy amendment.

Mr. Speaker, the main reason the conference took so long in reaching agreement was the so-called Kennedy amendment. This amendment, as passed by the Senate, would have required the Secretary of Health, Education and Welfare to prohibit lending institutions from requiring a student or any member of the student's family to carry out any business activity with the lender other than the activity directly related to the administration of the loan. Now, no one is for discrimination. At first glance, this might look like a reasonable requirement for the Secretary to carry out. But the House conferees were convinced that we did not have nearly enough information to pass judgment on any practices of lending institutions before we knew the extent of such practices and their consequences. No hearings were held in the Senate on this amendment, so we did not even have the benefit of expert testimony about the possible effects of this amendment if it were to be passed.

I believe the House was able, against strong resistance from the Senate conferees, to achieve a reasonable compromise on this issue. In the bill reported by the conference, we do not make an a priori judgment that there exists substantial discrimination on the part of lending institutions, nor that such practices, to the extent they exist, are necessarily detrimental to the purposes of the program. As a matter of fact, several letters from lending institutions indicated that they would drop out of the program if the Kennedy amendment became law. We do not know to what extent that actually would have occurred. I think no one was certain of the ramifications of the amendment.

What is certain is that this program is unique among the various financial aid programs. It uses a small amount of Federal money and the guaranty of the Federal Government to generate large sums of money—a total of 1.5 billion dollars so far—from the private sector. The program is totally dependent on the voluntary participation of lending institutions. Our objective should be to increase the number of institutions in the program. Ths seems to me to be the best way to increase the availability of student loans to larger numbers of students.

The Senate agreed in conference to our amendment which calls for the Secretary of Health, Education, and Welfare to determine to what extent any discrimination against any particular class or category of student does in fact exist. If he finds that a substantial number of students in any area are denied the opportunity to obtain an insured loan because of discriminatory practices on the part of lending institutions, he is then instructed to take appropriate steps to encourage the development of a plan in that area to meet the financial needs of such students. The solution, it is important to note, allows the Secretary to work with all financial aid programs, not just the insured loan program. This approach is the most reasonable if we are truly concerned about helping students attend college.

The Secretary is also required, if he determines that a substantial number of students in an area have been unable to secure loans because of discriminatory lending practices, to "prevent, where practicable," such practices. The phrase "prevent, where practicable" is to give the Secretary broad discretion in adopting or amending regulations pertaining to the student loan program. For example, it would not be practicable to prevent credit unions from requiring membership in their organization as a condition for receiving a loan. Nor would it be practicable to require banks to lend to any and every applicant from outside his normal banking area. I believe that the intent of a majority of the House conferees, at least, was to consider not practicable any action on the part of the Secretary which would drastically reduce the number of participating lenders, and therefore reduce the total number of loans available to students in an area.

Finally, Mr. Speaker, we should recognize the valuable contribution over 19,000 lending institutions are making to our society by participating in this program. Many extend loans as a public service when they could get a significantly higher return on the same money through different types of loans. Many lending institutions have gone ahead in making loans this past 2 months, trusting that the Congress would pass a bill similar to that which is before us.

I sincerely hope that we will, with this bill, attract hundreds of additional lending institutions and that all of them will carry out the intent of this program by making as much money available as possible and without any special preference given to one category of students over another.

Mr. DON H. CLAUSEN. Mr. Speaker, I am pleased to support enactment of the Emergency Insured Student Loan Act of 1969 and I commend the work of the conferees.

The Nixon administration, too, deserves real credit for proposing the creative innovation embodied in this legislation as "special allowances." Thousands of students will be able to go on with their educational program because of this meaningful remedy to the interest problems associated with loans under present economic conditions.

But as significant as this step is, it is responsive only to part of the need. The real "gut issue"—one which must be met head-on if we are to make a breakthrough of the kind needed in this next decade—is the way we can and must increase lender participation.

It is becoming abundantly clear that this cannot possibly be achieved without attention to the liquidity problems facing lending institutions in connection with student loans. Some of us are already at work on the establishment of a secondary market mechanism for student loans and I am anticipating legislation on the subject soon.

Tax policy must also, in my opinion, be given increased attention as a vehicle to help achieve the country's educational needs. I certainly support the administration's proposed amendment to the tax reform bill providing a special tax deduction to financial institutions as an incentive to make socially desirable loans such as student loans, and so forth. This is a giant step in the right direction.

In addition, we need a comprehensive approach to tax incentives for students investing in their own education and meaningful tax relief for those paying dependents educational expenses and/or establishing funds for this purpose. I am carefully exploring these possibilities.

While it is justifiedly appropriate for us to feel satisfaction with the passage of this legislation, much remains to be done in order to provide maximum educational opportunity for all our young people. This must be the goal for which today's legislative accomplishment is the launching pad.

As a personal aside, I have had several opportunities to discuss the whole array of student assistance programs with the gentlewoman from Oregon (Mrs. GREEN) and the gentleman from Illinois (Mr. ERLENBORN). I admire their grasp of the whole field and appreciate their willingness to consider suggestions. I commend their continued leadership in this area.

Mr. STEIGER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. ERLENBORN. I yield to the gentleman.

Mr. STEIGER of Wisconsin. Words were used by the chairman of the full committee on labor and public welfare in the other body in this way:

> The words "where practicable" are intended to give him leeway in devising regulations for credit unions, or other lenders who in their charters or bylaws restrict their activities to members, and do not do business with the general public.

Based on what the gentleman from Illinois just said in his very eloquent statement, do you agree that this interpretation is attempting to give the Secretary the kind of leeway the other body has discussed?

Mr. ERLENBORN. I think that interpretation is much too narrow. That is certainly one of the things the Secretary can do in his discretion as to what is practicable. It was rather our intention, and I hope we are making legislative history here today, to show that the words "where practicable" have a much broader meaning. Basically, what we want to do is to see that the passage of this law will encourage participation of lenders in this program rather than to discourage their participation, which the Kennedy amendment would have done without any question.

Mr. STEIGER of Wisconsin. I appreciate the gentleman's clarification of that point. I think it is very important. I concur with him, as one of the House conferees that the analysis given of this in the other body is much too narrow on this point. It is much broader and I think the language of the amendments adopted by the conference committee clearly indicates a broader definition.

Mr. ERLENBORN. I thank the gentleman.

Mr. DELLENBACK. Mr. Speaker, will the gentleman yield?

Mr. ERLENBORN. I yield to the gentleman.

Mr. DELLENBACK. I commend the gentleman for his statement in connection with the bill. As indeed, I commend my colleague, the gentleman from Oregon, for his fine elucidation of a number of points of importance in the bill.

There is one particular question I would like to ask the gentleman in the well which is along the line of the testimony that you have now been giving.

Is it not true in the study which is to be made by the Secretary of the situation that exists so far as the banks and these loans are concerned, it was specifically added in the conference that he would look not only at the practices but look into the consequences of certain practices.

Is it not also true, I would like to ask the gentleman in the well, that the major purpose in insisting on the study include consequences is corelative and contributory to the basic purpose of the bill, namely, increasing the student loans?

Mr. ERLENBORN. The gentleman is correct. I think it was understood throughout the conference that the Members of the House were not ready to make the judgment that the Members of the other body apparently made, that certain practices existed on a widespread basis and that the consequence of those practices was bad.

We are asking the Secretary to make a study to determine whether certain practices do exist, and, if they do, their consequences. This is very important because I do not think we can take any responsible action in the light of those practices unless we know what their consequences are. That is what we are asking the Secretary to determine, and then to take action based on that certain knowledge.

Mr. DELLENBACK. I would like to ask the gentleman whether it is his opinion that the purpose of this bill is to attempt to regulate banks, or whether the purpose of this bill is to help students get loans, and in this idea of the consequences it would be hoped that the Secretary's actions would be aimed at practices which would stop students from getting loans which are needed, but if he feels a practice helps students to get loans, he would not move in an attempt to prohibit or interfere with those particular practices.

Mr. ERLENBORN. I agree with the gentleman. As I stated in the conference, I would hope that our action is intended to help students and not to slap the banks.

Mr. AYRES. Mr. Speaker, will the gentleman yield?

Mr. ERLENBORN. I yield to the gentleman from Ohio.

Mr. AYRES. I wish to join my colleagues in commending the chairman, the chairman of the subcommittee, and those on our side who worked with them in the conference to bring out what I believe to be a very satisfactory conference report. After all, the intent of the original legislation was to make it possible for deserving students to get loans. That is what we have done.

Mr. Speaker, I believe the Emergency Insured Student Loan Act of 1969 will prove to be a very significant step forward in providing a greater number of students with the necessary financial resources for a college education. The insured loan program, without this bill, would be in substantial danger because of the unusually high interest rates now demanded by lending institutions.

Mr. Speaker, I have been a strong supporter of the GI bill for many years. The Congress can be proud of its record in helping veterans secure a college education. Likewise, we can be proud of our other programs to assist students in continuing their education—especially the NDEA loans, economic opportunity grants, the college work-study program, and Government-insured loans. Each of these programs was aimed to meet a particular need. Each has a specific purpose. And together they form a balanced and impressive effort on the part of the Federal Government to assist hundreds of thousands of students.

Now it is important for us to remember the unique purpose the guaranteed student loan program was designed to fill. This particular program was specifically aimed at helping to reduce the burden of meeting higher education expenses for middle-income families. Large amounts of private credit would be generated by having the Federal Government guarantee individual loans, thereby attracting lending institutions to participate, on a voluntary basis, in meeting the needs of these families. This approach has been successful in generating approximately $1.5 billion of private funds for student loans.

It is interesting to note that, so far, 55 percent of the federally guaranteed loans have gone to families with adjusted incomes of less than $6,000. Seventy-nine percent of the loans to families with adjusted incomes of less than $9,000. So this program is assisting thousands of students who would most likely find it otherwise impossible to attend a college or university. Because the great majority of loans are going to such families, I have no problem with the Federal Government paying lenders a special allowance, up to a maximum of 3 percent as this bill provides, to allow them to continue extending loans to these very needy students.

Mr. Speaker, our objective should be, if we believe in the concept of this program, to do whatever we can to encourage even more lenders of all types to participate in this program. I do not mean to provide lending institutions with possibilities for making large profits on Federal money. Most lending institutions have been willing to participate as a public service, but they do need to be assured of at least breaking even on this program. I believe this bill allows the Federal Government to adjust the return to the lenders, in a fair and equitable manner, whenever economic conditions require in order to see the program continued and hopefully expanded.

I think the House conferees were successful in reaching a fair compromise

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on a Senate provision which would have restricted certain practices of some banks—and maybe even resulted in the withdrawal of many banks from the program altogether—before we knew the extent and consequences of those practices. Part of that compromise, about which the House was most emphatic, will require the Secretary of Health, Education, and Welfare to explore ways of using any of the several student financial aid programs to help meet the needs of students who are unable to secure an insured loan in their home areas.

Mr. Speaker, the House conferees shared the strong concern of the other body that a substantial number of students might be discriminated against by some banks for any of several reasons. But we felt just as strongly that the Secretary of Health, Education, and Welfare should not endanger the total program by taking action prior to the knowledge of the real need for any action.

I believe all of us want to see this program administered in such a way that the greatest possible number of eligible students are able to secure an insured loan. This bill is directed toward the goal.

Mr. STEIGER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. ERLENBORN. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. I particularly want to pay tribute to the gentleman in the well, the gentleman from Illinois, and the gentlewoman from Oregon for having done so much in the subcommittee, the full committee, here in the House, and in the conference. The fact that the conference report came back to us is due to the leadership given by the gentlewoman from Oregon (Mrs. Green), the gentleman from Illinois (Mr. Erlenborn), the gentleman from Minnesota (Mr. Quie), and the chairman of the full committee, the gentleman from Kentucky (Mr. Perkins), all of whom were persevering and dedicated.

Mr. PERKINS. Mr. Speaker, I yield 6 minutes to the distinguished gentleman from Indiana (Mr. Brademas).

Mr. BRADEMAS. Mr. Speaker, at the outset, I should like to pay my respects to the distinguished chairman of the Committee on Education and Labor, the gentleman from Kentucky (Mr. Perkins), and the distinguished chairman of the Special Subcommittee on Education, the gentlewoman from Oregon (Mrs. Green), for their leadership, as well as, indeed, to the members of the subcommittee on both sides of the aisle.

The bill before us today represents a reasonable compromise to which Members of both the majority and the minority side can, I think, in good conscience, give their support. It is a compromise to which Members on both sides made significant contributions.

Having said that, Mr. Speaker, I should like to comment only briefly on some aspects of the conference report before us which I think are worthy of attention.

One of the significant developments in this session of the Congress to which I think a number of observers have given attention is that Congress has seized the initiative from the President in respect to some of the many important public issues that face us in this country. I, therefore, Mr. Speaker, turn the attention of Members back to what happened earlier in this Congress, when this House went on record by a 2-to-1 majority in support of the so-called Joelson amendment, which provided for an increase in appropriations earmarked for education substantially above what had been recommended by the Committee on Appropriations, and $1 billion above the President's proposed budget for education. The Joelson amendment and the increased money for education which it embodied received such extraordinary support, both from Republicans and Democrats in this House—my memory tells me that there were only 120 votes against the appropriations increase—is, I believe, a prime indication of the initiative in Congress to which I have made reference.

What we in the House of Representatives were in effect saying is that the elected Representatives in the Congress of the United States believe that we should, as a nation, be giving much greater priority to education than the President has been willing to do.

Mr. ESCH. Mr. Speaker, will the gentleman yield?

Mr. BRADEMAS. I yield to the gentleman from Michigan.

Mr. ESCH. Mr. Speaker, I was encouraged by the gentleman's comments on the Joelson amendment and I am discouraged by what is happening to it or not happening to it in the Senate. I hope Members on both sides of the aisle will encourage the other body to act a little more expeditiously in regard to this bill. We are already 4 months into the fiscal year. I wonder if the gentleman from Indiana would join me in urging that.

Mr. BRADEMAS. I would be delighted to do so, and I will be glad to mention those views to my colleagues in the Senate if my colleague from Michigan will communicate his judgment to his friends in the administration, and then maybe we could have a little pincers movement on this matter.

Mr. ESCH. I will be happy to.

Mr. BRADEMAS. Mr. Speaker, I want briefly to make another point on the bill before us. It increases authorizations for three major student programs—college work-study, national defense loans, and educational opportunity grants and thereby represents another instance of Members of Congress indicating their deep sense of concern that we are not doing enough to support education, in this particular case, to support student assistance programs.

I quite realize, Mr. Speaker, this is an authorization bill, and that we are not here appropriating money, but I suggest respectfully that in agreeing to these increased authorizations Congress is once again, as we did in the Joelson amendment, saying that we think education is profoundly important.

Mr. Speaker, a final point I want to make has to do with the special allowance that is written into this bill for the purpose of encouraging banks, credit unions and other lending institutions to make more loans to students. I think all of us worked on this bill from the outset—and it was a bipartisan bill—in the hope that we could make possible greater sources of student financial assistance, especially for middle-income students in America.

We all know that we are in a tight money situation which has caused a number of lenders to back away from participating in the insured loan program. I believe that they now have a justification for moving ahead and for being more zealous in providing student assistance loans.

Mr. Speaker, I want to make one other point in this respect. The pattern of participation in the guaranteed loan program across the country has varied considerably depending not only on the interest rate structure, but also on the enthusiasm and initiative and leadership of private lenders in the various communities and States around the country. In certain States, the banks, for example, do a splendid job, and in other States the banks have been doing very little.

I would hope, Mr. Speaker, that the action of the House today in passing this legislation will be taken as an indication to the private lenders of the country of the hope of Congress that those institutions will now regard what we are doing as a vote of confidence in their willingness to loan money to students, and that the banks and other lenders will, in turn, respond by much more zealously and enthusiastically initiating loans to the students of our country.

Mr. PERKINS. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Iowa (Mr. Scherle).

Mr. GROSS. Mr. Speaker, will the gentleman yield very briefly?

Mr. SCHERLE. I am happy to yield to my colleague, the gentleman from Iowa (Mr. Gross).

Mr. GROSS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, the gentleman from Indiana said if we pass this bill, we are approving something in the nature of a vote of confidence in the bankers. I know of no reason why there should be a vote of confidence in the bankers in this instance when they can collect 10 percent interest on guaranteed loans.

Mr. BRADEMAS. Mr. Speaker, I would be glad to respond.

Mr. GROSS. Mr. Speaker, I am not asking a question of the gentleman from Indiana. The gentleman from Iowa (Mr. Scherle) has control of the time.

Mr. SCHERLE. Mr. Speaker, reluctantly I support the conference report on H.R. 13194 on the so-called emergency student loan bill. However, I am very disappointed with the position taken by the House conferees.

The purpose of a conference, supposedly, is to achieve a compromise. Unfortunately, in my humble opinion, the House conferees surrendered to the other body on the only points of difference that really mean anything. We salvaged absolutely nothing out of the House bill.

Aside from mere technicalities that do not matter one way or another, the Sen-

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ate-passed bill differed from the House version in three major respects.

First, unlike the House bill which amended the Higher Education Act to provide a loan adjustment payment to lending institutions at any time these adverse interest rate conditions occur during the life of that act, the Senate bill is completely separate legislation. This leaves the strong suggestion with the lending institutions that these adjustments are not to be a regular part of the insured loan program whenever necessitated by high interest rates, but are completely apart and may not be renewed after 2 years. I think this is very unfortunate, because the whole purpose of this provision is to reassure lending institutions that they will at least break even on student loans.

The House bill was strictly limited to the matter of the adjustment allowance. Everyone will recall that the student loan bill was brought before this House under suspension so that no amendments could be offered. However, the Senate amended the bill in ways never considered by the House or even by our subcommittee on education. The second major point on which the House capitulated was on one such amendment. The Senate bill contained a provision to prohibit participating banks from restricting insured loans to their own depositors. There were indications that rather than accept such a restriction the banks would simply withdraw from the program and devote their loan funds to more profitable purposes. This, of course, would defeat the purpose of the entire legislation. Also, banks alone would not be affected, but credit unions which by law must require borrowers to be members, and labor unions who make loans to students, but usually only to the children of members.

The House agreed to a compromise on this provision, but the compromise simply orders the Secretary of Health, Education, and Welfare to make a determination of the effects of such practices and then authorizes the Secretary to do by regulation what the Senate bill would have mandated by legislation.

The point is that none of these provisions was included in the House bill, and for a very good reason. There was not one iota of testimony before our committee concerning the subject of this provision, and, I might add, virtually nothing before the Senate committee. We were forced to legislate in the dark simply to get a bill passed.

The third major difference was the provision in the Senate bill which amended three other student assistance programs to increase their authorizations for fiscal 1970 and 1971 by a total of $240 million. The other body never held one single day of hearings on these authorization increases.

These figures not only are far in excess of the budget, but they virtually double the higher student aid figures already voted by the House in the 1970 HEW appropriations bill.

In the extremely unlikely event that the Senate actually agreed to the appropriation of such funds and the House concurred for fiscal 1970, we would have ended any chance to hold to the budget. A far likelier result of this reckless action is to raise false hopes that virtually unlimited student aid will be available this year.

This bill was passed in the House without any opportunity for amendments and now is brought back to the House with increased authorizations totaling nearly a quarter of a billion dollars.

Mr. Speaker, on every item covered in the Senate bill and not found in any form in the House bill, the gentlewoman from Oregon (Mrs. GREEN)—the distinguished chairwoman of the Special Subcommittee on Education—had planned extensive hearings. That is the proper course—that is normal procedure—find the facts and then legislate on that basis. The work planned by the gentlewoman from Oregon (Mrs. GREEN) should not have been preempted by a conference committee.

I hope this body takes a long, hard look before it again agrees to consider proposed legislation of this magnitude under a gag rule.

In order for this badly needed student loan program to serve its purpose, I will reluctantly support this bill. The initial delay in passage of this legislation lies with those unwilling to let this body work its will.

But, Mr. Speaker, what really is disturbing is the great semantic game that the House and Senate has played by calling this the Emergency Student Loan Act.

How much of an emergency was there when this conference took 5 weeks to conclude?

How much of an emergency was there when we are already 5 weeks into the present school year?

Or was the term "emergency" used merely as a means into lulling the House into failure to take proper action on this bill in regard to those students who are involved in disorder on our campuses?

Mr. PERKINS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Oregon (Mr. DELLENBACK).

Mr. DELLENBACK. Mr. Speaker, I thank the gentleman from Kentucky for yielding to me and wish to commend him for his very significant role in connection with securing adoption of this conference report.

I rise in support of this bill and urge this body adopt the conference report today.

I think it is of major importance to keep clearly in mind that the purpose of this bill is to help students secure loans to assist their education. There is no requirement that any bank participate in the student loan program involved in this bill. In the modern money market any bank can make loans which will yield it a more substantial return than will be possible to obtain from student loans. Even with the special allowance provided for in this bill that will be true. But this special allowance will, we earnestly hope and expect, cause many banks in the country to participate in making badly needed loans when the economics of the present money market might well otherwise have kept them from doing so.

I call that fact to the attention of my colleagues once again as we prepare to vote on adoption of this conference report. As I have indicated on this floor before, I own some bank stock. This stock is in Oregon banks and was originally acquired a considerable number of years ago because of my desire to support and be involved in an industry of very considerable importance to the citizens of my State. Although I have never inquired and do not know, I expect and indeed hope that both such Oregon banks have made loans to students to help them secure a desired and desirable education.

The amount of gain that either of these banks will make under the provisions of this bill is apt to be quite small, and the gain, if any, accruing to my stock ownership extremely small. But I feel that the gain to students and to the cause of education will be very substantial.

For that reason I rise in support of this bill and I urge my colleagues to adopt this conference report.

Mr. GROSS. Mr. Speaker, will the gentleman yield to me for just 1 minute?

Mr. PERKINS. Yes. I yield to the gentleman from Iowa.

Mr. GROSS. As I understand it, nothing has changed in this legislation since it was first considered in the House except to make it worse. There is no antidemonstration amendment. The interest rate on these Government-guaranteed loans still goes to 10 percent with 3 percent of it paid for by the taxpayers. The only thing that has changed in this legislation as it left the House has been to bust the budget by about $230 million or $240 million.

Mr. PERKINS. To be exact, $240 million. There is $100 million for fiscal year 1970 and $140 million for fiscal year 1971. However, we feel that outside of the increased authorizations, the House prevailed.

Mr. GROSS. I thank the gentleman for yielding to me.

Mr. STEIGER of Wisconsin. Mr. Speaker, I support the conference report and was proud to serve as a conferee. The House position has been essentially upheld. The increase in the authorization for three higher education programs was not a part of the House bill but a majority of the House conferees receded on this point.

I must say, Mr. Speaker, that the August 1, 1969, starting date for the incentive payment is not what I would have liked. July 1 as the House bill adopted was preferable. But I am persuaded the August 1 expective date will treat equitably both students and lending institutions. The record of banking institutions in Wisconsin, for example, is excellent in this past August—having granted more loans this year than last year. This record of willingness to assist students is a good one and it is a part of the reason why this conference report is so urgent. We dare not let down the commitment to both the students and lending institutions.

The length of time needed by the conference to resolve our differences is unfortunate but with adoption of the conference report today the insured loan program can continue and grow.

The SPEAKER pro tempore (Mr.

BOGGS). The question is on the conference report.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SCHERLE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 326, nays 10, answered "present" 2, not voting 93, as follows:

[Roll No. 231]

YEAS—326

Adair
Adams
Addabbo
Alexander
Anderson, Calif.
Anderson, Ill.
Anderson. Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Ashbrook
Ashley
Ayres
Baring
Barrett
Beall, Md.
Belcher
Bell, Calif.
Bennett
Betts
Bevill
Biaggi
Biester
Bingham
Blanton
Blatnik
Boggs
Boland
Bolling
Bow
Brademas
Brinkley
Brock
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Buchanan
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Caffery
Carter
Casey
Celler
Chamberlain
Chappell
Clancy
Clausen, Don H.
Clawson, Del
Clay
Cleveland
Cohelan
Collier
Collins
Colmer
Conable
Conte
Corbett
Corman
Coughlin
Cowger
Cramer
Culver
Cunningham
Daddario
Daniel, Va.
Daniels, N.J.
Davis, Wis.
de la Garza
Delaney
Dellenback
Denney
Dennis
Dent
Derwinski
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Dwyer
Edwards, Ala.
Eilberg
Erlenborn
Esch
Eshleman
Evins, Tenn.
Fallon
Fish
Flood
Foley
Ford, Gerald R.
Ford, William D.
Foreman
Fountain
Fraser
Frelinghuysen
Frey
Friedel
Fuqua
Galifianakis
Gallagher
Gaydos
Gettys
Giaimo
Gibbons
Gilbert
Goldwater
Gonzalez
Goodling
Green, Oreg.
Green, Pa.
Griffiths
Grover
Gubser
Gude
Hagan
Halpern
Hamilton
Hammerschmidt
Hanley
Hansen, Wash.
Harrington
Harsha
Harvey
Hathaway
Hawkins
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Hogan
Holifield
Horton
Hosmer
Hull
Hungate
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Tenn.
Karth
Kastenmeier
Kazen
Kee
Keith
King
Kleppe
Kluczynski
Koch
Kuykendall
Kyros
Langen
Leggett
Lennon
Lipscomb
Long, La.
Long, Md.
Lowenstein
McCarthy
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McKneally
Macdonald, Mass.
MacGregor
Madden
Mahon
Mailliard
Mann
Marsh
Mathias
Matsunaga
May
Mayne
Melcher
Meskill
Michel
Mikva
Miller, Calif.
Miller, Ohio
Minish
Mink
Minshall
Mize
Mizell
Mollohan
Monagan
Moorhead
Morgan
Morse
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
Obey
O'Hara
Olsen
O'Neill, Mass.
Ottinger
Passman
Patten
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Podell
Poff
Preyer, N.C.
Price, Tex.
Pryor, Ark.
Purcell
Railsback
Randall
Rarick
Reid, Ill.
Reid, N.Y.
Rhodes
Riegle
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roth
Roudebush
Roybal
Ruth
Ryan
St Germain
St. Onge
Sandman
Satterfield
Schadeberg
Scherle
Scheuer
Schneebeli
Schwengel
Sebelius
Shipley
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Snyder
Springer
Stafford
Staggers
Stanton
Steiger, Ariz.
Steiger, Wis.
Stokes
Stratton
Stuckey
Sullivan
Symington
Taft
Talcott
Thompson, N.J.
Thomson, Wis.
Tiernan
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Watkins
Watson
Weicker
Whalen
White
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Bob
Winn
Wolff
Wyatt
Wydler
Wylie
Wyman
Yates
Yatron
Young
Zablocki
Zion
Zwach

NAYS—10

Abbitt
Abernethy
Blackburn
Burke, Fla.
Gross
Hall
Landgrebe
Lukens
O'Neal, Ga.
Thompson, Ga.

ANSWERED "PRESENT"—2

Pelly
Quillen

NOT VOTING—93

Albert
Arends
Aspinall
Berry
Brasco
Bray
Brooks
Brown, Calif.
Broyhill, Va.
Burton, Calif.
Cahill
Camp
Carey
Cederberg
Chisholm
Clark
Conyers
Davis, Ga.
Dawson
Devine
Dickinson
Diggs
Dingell
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Evans, Colo.
Farbstein
Fascell
Feighan
Findley
Fisher
Flowers
Flynt
Fulton, Pa.
Fulton, Tenn.
Garmatz
Gray
Griffin
Haley
Hanna
Hansen, Idaho
Hastings
Hays
Howard
Jones, Ala.
Jones, N.C.
Kirwan
Kyl
Landrum
Latta
Lloyd
Lujan
McClory
McCloskey
McMillan
Martin
Meeds
Mills
Montgomery
O'Konski
Patman
Pollock
Powell
Price, Ill.
Pucinski
Quie
Rees
Reifel
Reuss
Rivers
Rodino
Rosenthal
Ruppe
Saylor
Scott
Sisk
Steed
Stephens
Stubblefield
Taylor
Teague, Calif.
Teague, Tex.
Tunney
Utt
Waldie
Wampler
Watts
Whalley
Wilson, Charles H.
Wold
Wright

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Albert with Mr. Arends.
Mr. Hays with Mr. Devine.
Mr. Aspinall with Mr. Saylor.
Mr. Brasco with Mr. Findley.
Mr. Edmondson with Mr. Teague of California.
Mr. Rivers with Mr. Fulton.
Mr. Sisk with Mr. Latta.
Mr. Garmatz with Mr. Berry.
Mr. Feighan with Mr. Bray.
Mr. Farbstein with Mr. Whalley.
Mr. Carey with Mr. Cahill.
Mr. Brooks with Mr. Camp.
Mr. Teague of Texas with Mr. Utt.
Mr. Gray with Mr. Cederberg.
Mr. Griffin with Mr. Dickinson.
Mr. Edwards of California with Mr. McCloskey.
Mr. Clark with Mr. Hastings.
Mr. Davis of Georgia with Mr. Hansen of Idaho.
Mr. Kirwan with Mr. Broyhill of Virginia.
Mr. Howard with Mr. Lloyd.
Mr. Taylor with Mr. Kyl.
Mr. Charles H. Wilson with Mr. McClory.
Mr. Mills with Mr. Martin.
Mr. Rosenthal with Mr. O'Konski.
Mr. Fulton of Tennessee with Mr. Lujan.
Mr. Stephens with Mr. Reifel.
Mr. Stubblefield with Mr. Quie.
Mr. Wright with Mr. Pollock.
Mr. Waldie with Mr. Ruppe.
Mr. Jones of Alabama with Mr. Scott.
Mr. Dingell with Mr. Wampler.
Mr. Edwards of Louisiana with Mr. Wold.
Mr. Patman with Mr. Meeds.
Mr. Pucinski with Mr. Powell.
Mr. Reuss with Mr. Conyers.
Mr. Rodino with Mr. McMillan.
Mr. Brown of California with Mr. Flowers.
Mr. Haley with Mr. Hanna.
Mr. Montgomery with Mr. Tunney.
Mr. Watts with Mr. Landrum.
Mr. Burton of California with Mrs. Chisholm.
Mr. Evans with Mr. Diggs.
Mr. Fascell with Mr. Fisher.
Mr. Flynt with Mr. Steed.
Mr. Rees with Mr. Price of Illinois.
Mr. Eckhardt with Mr. Jones of North Carolina.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. STEIGER of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on the conference report just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

CONFERENCE REPORT ON H.R. 11039, PEACE CORPS ACT AMENDMENTS

Mr. MORGAN. Mr. Speaker, I call up the conference report on the bill (H.R. 11039) to amend further the Peace Corps Act (75 Stat. 612), as amended, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of October 14, 1969.)

The SPEAKER pro tempore. The gentleman from Pennsylvania (Mr. MORGAN) is recognized for 1 hour.

Mr. MORGAN. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, there were three points of difference between the Peace Corps authorization which passed the House and the bill which passed the Senate.

First. The House bill authorized $101,100,000 for fiscal year 1970. The Senate authorization was $95,800,000.

The conference split the difference between these figures so that the authorization is $98,450,000.

Second. The House bill prohibited the use of any Peace Corps funds to bring volunteers from other countries to the United States under the Volunteers to America program or any other such program.

This amendment was adopted on the floor of the House.

The Senate bill authorized the use of Peace Corps funds for this purpose.

The Senate receded. The prohibition in the House bill remains in effect.

Third. The third difference was an authorization in the Senate bill to contribute up to $300,000 for an international Peace Corps.

The House conferees opposed this provision. We finally reached agreement that contributions could be made for an international register of volunteers, which would provide information to interested organizations or governments as to the availability of volunteers.

Mr. Speaker, the bill we have brought back from conference is identical to the House bill except in two respects.

We split the difference on the funds authorized so that the figure is $2,550,000 below the amount that the House approved.

We also authorized contributions of Peace Corps funds, not to exceed $300,000, for an international register of volunteers.

I believe that we have served the House well, and I urge the approval of the conference report.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. Why did the House conferees agree to this $300,000 for—what is it—a register of volunteers?

Mr. MORGAN. Yes. The figure is just a ceiling. It is not an authorization. It is a $300,000 ceiling on the amount of Peace Corps funds that can be used for this purpose. I do not believe they will be using that much.

Mr. GROSS. Ceilings around here have a habit of representing the amount of spending, do they not?

Mr. MORGAN. I have seen many authorizations pass here which turned out to be much higher than the appropriations.

Mr. GROSS. Why should we spend $300,000 to provide information to interested foreign organizations or governments as to the availability of volunteers?

Mr. MORGAN. This is just a register. The $300,000 or less can be spent only to establish this register, which will be a list of names. We did it to avoid getting involved in an international Peace Corps, which was in the bill that passed the other body. You recognize that we stood fast on the amendment prohibiting any contribution to the Volunteers to America, which was written into the House bill on the House floor.

Mr. GROSS. This might well be construed as being only a little less worse than the other?

Mr. MORGAN. This is much less than the provision in the Senate bill. We have not authorized an international Peace Corps. This authorizes only a register where, when people are available, their names can be furnished to organizations or governments who want volunteers.

Mr. ADAIR. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from Indiana.

Mr. ADAIR. In furtherance of what the gentleman has been saying, let me say to my good friend from Iowa that this does represent a real diminution of the authority proposed in the Senate bill. They would have authorized this amount of money to carry on programs, which was the word that was used. So, as one of the compromises in this bill, we, trying to uphold the House position, changed that and we were successful in protecting our position. We limit it only to maintenance of a register. I would say further that the $300,000 figure is obviously an upper limit, and I for one would doubt that any substantial expenditure of that amount of money would be or could be used.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. MORGAN. I yield to the gentleman from Iowa.

Mr. GROSS. I suppose with the explanation of my friend from Indiana we can always be thankful for small favors, but I do not consider it very much of a favor to earmark $300,000 for this purpose.

Let me ask the gentleman one final question, if I may.

How many foreign countries, since the House bill was passed, have kicked out the Peace Corps or threatened to kick it out?

Mr. MORGAN. I think there has been one, possibly, Mr. Gross, since the House passed the bill.

Mr. GROSS. Only one recently. As the Peace Corps is kicked out of foreign countries I assume the chairman of the Committee on Foreign Affairs will, since he is always amenable to reason, be more than glad to cut back on the appropriations for this organization.

I thank the gentleman for yielding.

The SPEAKER pro tempore. The gentleman from Pennsylvania (Mr. Morgan) has consumed 5 minutes.

Mr. MORGAN. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana (Mr. Adair).

Mr. ADAIR. I rise in support of the conference report on the Peace Corps bill. The House conferees worked very diligently to uphold the position of this body, and I am satisfied that the result is a bill which will make possible an effective and improved Peace Corps program in fiscal year 1970.

Chairman Morgan has explained in detail the changes made in conference. The dollar figure of $98,450,000 represents a compromise between the House and Senate figures, and is the smallest amount authorized for the Peace Corps since 1964.

However, I believe that this bill will enable the very competent Peace Corps Director, Joseph H. Blatchford, to continue his efforts to improve the agency's efficiency and effectiveness.

The Peace Corps, under Mr. Blatchford's leadership, is moving in a deliberate and reasonable manner toward an emphasis on quality rather than quantity. I agree with this approach. It is far better to have fewer volunteers with more skills that meet the needs of the host countries, rather than to emphasize the numbers of volunteers. Also this approach is more consistent with this year's Peace Corps bill, which recognizes the need for fiscal restraint while endorsing the continuation of this worthwhile program.

I urge your support of the conference report.

Mr. MORGAN. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

PROGRAM FOR NEXT WEEK

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GERALD R. FORD. Mr. Speaker, I have asked for this time for the purpose of inquiring of the distinguished majority whip the program for the balance of this week and the program for next week.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Louisiana.

Mr. BOGGS. In response to the gentleman's inquiry, we will continue now with the consideration of the Export Control Act which comes to us under an open rule with 1 hour of general debate. We will conclude that bill today and there is no further program for the balance of the week.

In further response to the gentleman's inquiry, the program for next week is as follows:

Monday we will have the call of the Consent Calendar.

We have also scheduled for consideration on Monday two bills under suspension of the rules as follows:

H.R. 14030, to extend the authority to transfer peanut acreage allotments; and

H.R. 14195, the Federal Contested Elections Act.

For Tuesday there will be the call of the Private Calendar and, also, for Tuesday and the balance of the week, the first bill to be considered is H.R. 13827, Housing and Urban Development Act of 1969, under an open rule, with 3 hours of general debate.

This bill is to be followed by the consideration of H.R. 13950, the Federal Coal Mine Health and Safety Act of 1969, again under an open rule with 3 hours of general debate.

Following the disposition of that bill there will be for the consideration of the House H.R. 14001, the Selective Service Amendment Act of 1969, subject to a rule being granted.

I understand the committee completed action on that bill this morning. We would hope that a rule will be granted and that we will be able to consider that bill next week.

As the gentleman knows, conference reports may be brought up at any time and any further program may be announced later.

Mr. GERALD R. FORD. In view of the light schedule of business on Monday, would it be possible to consider the rules for the first two bills listed for Tuesday and the balance of the week?

Mr. BOGGS. Mr. Speaker, if the gentleman will yield further; no, I am afraid not. We have notified the Members that we will only consider suspensions on Monday.

Mr. GERALD R. FORD. There is no prospect for the consideration of any appropriation bill next week?

Mr. BOGGS. No, there is not. There are none ready at this time.

Mr. GERALD R. FORD. I thank the gentleman from Louisiana.

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE ON WEDNESDAY NEXT

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to dispense with business in order under the Calendar Wednesday rule on Wednesday next.

The SPEAKER pro tempore (Mr. Rostenkowski). Is there objection to the request of the gentleman from Louisiana?

There was no objection.

ADJOURNMENT TO MONDAY NEXT

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

EXPORT CONTROL ACT EXTENSION

Mr. MATSUNAGA. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 575 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 575

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4293) to provide for continuation of authority for regulation of exports. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or amendment in the nature of a substitute recommended by the Committee on Banking and Currency now printed in the bill. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. Rostenkowski). The gentleman from Hawaii (Mr. Matsunaga) is recognized for 1 hour.

Mr. MATSUNAGA. Mr. Speaker, I yield 30 minutes to the gentleman from Tennessee (Mr. Quillen), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 575 provides an open rule with 1 hour of general debate for consideration of H.R. 4293. A bill to provide for the continuation of authority to regulate exports. As introduced by the Committee on Banking and Currency, the bill called for a simple 4-year extension of the existing Export Control Act. It was reported with an amendment to provide for a reduced 2-year extension in order to afford Congress an opportunity for reexamination within a relatively short period. The 2-year extension was considered preferable in view of the significant changes which have taken place and continue to take place in our foreign policy since the Export Control Act was passed in 1949. The shorter extension was also deemed necessary because of the possibility of future changes in the U.S. balance-of-payments position, the increased availability to Eastern European countries of goods restricted for export by the United States, and the rapid expansion of Soviet and other Eastern European markets, which now present a significant opportunity for American businessmen.

For the purpose of reducing costs to American exporters, the bill was further amended in committee to direct the administration to revise reporting, recordkeeping and export documentation requirements, consistent with effective enforcement and compilation of useful trade statistics. This amendment would save American exporters an estimated $100 million annually, and was deemed especially appropriate in view of recent developments in documentation, computerization, and containerization of merchandise.

Mr. Speaker, I urge the adoption of House Resolution 575 in order that H.R. 4293 may be considered.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the gentleman from Hawaii (Mr. Matsunaga) has ably stated, House Resolution 575 makes in order for consideration H.R. 4293 under an open rule with 1 hour of general debate.

The purpose of the bill is to extend the Export Control Act of 1949 for an additional 2 years—through June 30, 1971. Additionally, the bill directs the administration, in carrying out the enforcement provisions of the act, to design and develop reporting techniques which reduce the cost to American exporters with respect to recordkeeping and export documentation required by the act.

The Export Control Act of 1949 grants to the President the authority to prohibit or curtail exports from the United States. The act authorizes such control for three purposes: national security, foreign policy, and shortage of supply. Under these limitations, current export policy includes embargo on exports to Communist China, North Korea, North Vietnam, and Cuba and, strict limitations on export to Russia, and Eastern European countries. In furtherance of foreign policy, to cite one example, an almost total embargo on exports to Southern Rhodesia has been in force for several years.

The administrative mechanism of the Export Control Act is carried out by the Department of Commerce which controls U.S. exports through issuance of an export license, to qualified exporters.

The 1949 act has been extended periodically since 1949. The most recent was enacted in 1965 when a 4-year extension was provided.

The bill provides for only a 2-year extension, primarily because the committee wishes to undertake a total evaluation of the program in the near future. Additionally, language was written in the bill requiring improvement in reporting, recordkeeping, and documentation because testimony from U.S. exporter interests indicate that the present recordkeeping system was excessively expensive to carry out. An estimated $100 million can be saved by American exporters, without loss of any necessary information, with an improved system of recordkeeping.

Supplemental views have been filed by the gentleman from Ohio (Mr. Ashley). He notes that in 1949, when the Export Control Act was first adopted, the situation in Europe was substantially different than today. He believes we should reevaluate the program in light of changed circumstances. We are no longer the only technically advanced nation in the Western World. By eliminating or strictly limiting the sale of nonstrategic goods to Communist or unfriendly countries, we limit our export market severely. Additionally, continued pressure on our allies to follow our lead in this matter has placed a strain on our relations with friendly nations. He points out that trade of Eastern Europe with non-Communist nations in 1967 was almost $14 billion. The United States has virtually cut itself off from this trade between allies and Eastern Europe. He believes in view of the situation, Congress should structure the act to bring it in line with reality.

The gentleman from California (Mr. Hanna) has also filed supplemental views indicating that he believes the act should be amended to authorize the President to exercise control over drug exports, which are likely to be unlawfully shipped back to the United States. He has contacted the Attorney General and, if a favorable report is received, he will offer such an amendment.

The gentleman from Kansas (Mr. Mize) has also filed supplemental views. He points out that restrictions in the current law require, as a condition to obtain a license for exporting wheat and feed grains, that 50 percent of such export be shipped in U.S.-flag vessels. He points out the high cost of using American vessels. In the last few years, shipments of wheat and feed grain has fallen off—at the same time it is rising in other countries. He notes that in the last

3 years not a single bushel of wheat has been sold subject to cargo shipment regulations. This has the effect of neither protecting our merchant marine nor assisting our agricultural producers in disposing of surplus. He believes policy should be revised.

Supplemental views have also been filed jointly by the gentleman from Georgia (Mr. BLACKBURN), the gentleman from Alabama (Mr. BEVILL), the gentleman from Mississippi (Mr. GRIFFIN), and the gentleman from Ohio (Mr. WYLIE). They point out that the Export Control Act authorizes the President to prohibit the export of material to any country without notification to, or approval of, the Congress. They believe such a complete embargo is tantamount to economic warfare, and therefore, the consent of Congress should be required. They propose to offer an amendment along these lines at the appropriate time.

The gentleman from Michigan (Mr. BROWN) has also filed supplemental views. He, too, believes that the economic and political realities of today and in the 1970's are fundamentally different than the situation during the postwar period. He proposes an amendment that requires the President to take into consideration the availability of a proposed export product for any nation we have a defense treaty commitment with in determining whether an export license should be granted for its sale abroad. He believes that to the extent our friends and allies operate under liberalized trading agreements, that we should revise our thinking in the matter rather than unilaterally removing ourselves from competing with them. He believes that this may be of assistance in arriving at mutual agreements with our friends and allies on which items should be made available and which restricted.

I have no further requests for time, but I reserve the balance of my time.

I urge the adoption of the rule.

Mr. MATSUNAGA. Mr. Speaker, having no further requests for time, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. BARRETT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4293) to provide for continuation of authority for regulation of exports.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 4293, with Mr. ABERNETHY in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Pennsylvania (Mr. BARRETT) will be recognized for 30 minutes, and the gentleman from New Jersey (Mr. WIDNALL) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. BARRETT).

Mr. BARRETT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the Committee on Banking and Currency met and, by a vote of 35 to 0, reported H.R. 4293, as amended, to extend and amend the Export Control Act of 1949.

The act provides the President with the authority to prohibit or curtail exports from the United States for reasons of national security and foreign policy, and to protect the domestic economy from the excessive drain of scarce materials and to reduce the inflationary impact of abnormal foreign demand.

In the course of the hearings before the subcommittee on international trade, chaired by the gentleman from Ohio (Mr. ASHLEY), the question was raised whether the export control programs might be continued under other legislative authority, such as the Trading With the Enemy Act, and whether extension of the Export Control Act was necessary.

It was pointed out, in response that the Trading With the Enemy Act contains different criminal sanctions for violations than those found in the Export Control Act, and makes no provision for the civil penalty provided for in the Export Control Act.

A good deal of the flexibility available to the administration in the conduct of the control program would thus be lost.

Originally the bill H.R. 4293 called for a simple extension of the Export Control Act for 4 years.

As a result of 5 days of hearings, the subcommittee recommended an amendment which would provide for a 2-year, rather than a 4-year extension, in order to afford the Congress an opportunity for review within a relatively short period.

Extensions of this length have been more typical in the past since initial enactment of the act in 1949.

In view of possible changes in the near future in our foreign policy vis-a-vis Eastern Europe and in our foreign trade and balance of payments it was felt that a 2-year extension is more appropriate at this time.

A second amendment provides that reporting, recordkeeping, and export documentation requirements should be designed to reduce costs to the extent feasible consistent with effective enforcement and compilation of useful trade statistics. Testimony by both administration and public witnesses indicated that recent innovations in documentation and computer techniques point up the need for the Department of Commerce to revise and update its procedures for obtaining compliance with export control regulations and for collecting export statistics.

Superfluous requirements, according to testimony received are costing American exporters an added $100 million annually. Hence, the committee is pleased to recommend legislation which would help to make American exports more competitive, without subsidy, particularly at a time when our trade surplus is all too slender.

Mr. WIDNALL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of H.R. 4293, to extend the Export Control Act for 2 years. I think it is essential that Members understand what this legislation is and what it is designed to accomplish.

The Export Control Act provides the statutory basis for control over the great bulk of U.S. exports. Its policy objectives are to control exports to the extent necessary for reasons of national security, foreign policy, and short supply.

First. Section 3(a) of the act provides for denial of any requested authorization to export commodities or technical data from the United States "to any nation or combination of nations threatening the national security of the United States if the President shall determine that such export makes a significant contribution to the military or economic potential of such nation or nations which would prove detrimental to the national security and welfare of the United States." In administering the act, the Department of Commerce pursues certain key principles to fulfill this directive:

Controls are exercised over U.S. commodities and technology having significant national security aspects.

Particularly close control is exercised over the export to the Eastern European and Asiatic Communist countries of commodities and technical data that the United States and our COCOM allies have agreed to subject to multilateral control.

Control lists are continually reviewed to retain or tighten controls when warranted, and to relax or remove controls when no longer warranted.

Applications for licenses on individual export transactions are approved or denied following a determination on whether they would be detrimental to the national security and welfare. Such a determination is based on a full study of such factors as the nature of the item involved, the availability abroad of comparable commodities and the likely end-use or end-user, whether civilian or military.

The act permits peaceful trade with Eastern European countries, and its administration by the Department of Commerce is designed to facilitate such trade.

Second. Controls over exports are exercised, as necessary, to further U.S. foreign policy objectives and to fulfill U.S. obligations resulting from international agreements. At present, controls under this provision are exercised on exports to the Middle East, South Africa, Southern Rhodesia, Cuba, the Far East Communist countries, and on nuclear-related commodities in support of the Limited Nuclear Test Ban Treaty and U.S. nuclear nonproliferation policy.

Third. The controls are used to the extent necessary to protect the domestic economy from the excessive drain of scarce materials and to reduce the inflationary impact of abnormal foreign demand. At present, only nickel and copper products are under short supply control.

The bill as reported would add a new subsection (d) to section 6 of the act. This provides that reporting, recordkeeping, and export documentation requirements shall be designed to reduce costs to exporters to the extent feasible consistent with effective enforcement and compilation of useful trade statistics. Action to revise these requirements is to be included in the first quarterly report issued after revisions are made. This requirement that the Department of Commerce revise and update its techniques for obtaining compliance with export control regulations and for collecting export statistics gives recognition to the developments which have and are taking place in documentation, computerization, and containerization of merchandise facilitating the movement of goods in our export markets. It is anticipated that the change will facilitate our trade and save our exporters substantial sums of money.

The act, in its present form, provides needed broad flexibility for the President to cope with any contingency. It is essential to give the President such flexibility during these troubled times.

I urge Members to support H.R. 4293.

Mr. BARRETT. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio (Mr. ASHLEY).

Mr. ASHLEY. Mr. Chairman, the Export Control Act was enacted in 1949 as a temporary measure and as a necessary weapon in the evolving cold war. At that time Western Europe, still economically weak from the ravages of the Second World War, appeared to the Congress to be in realistic danger of attack from the monolithic Sino-Soviet bloc under the leadership of Stalin; and it was further believed, comparing our industrial might with both Eastern and Western Europe at that time, that goods withheld from the Soviets by means of controls on American commodities could not be elsewhere obtained.

Responding to the aggressive, monolithic communistic structure which confronted the free world in 1949–50, two separate administrative agencies were established to impose restrictions on free world trade with Eastern Europe. One was our own Office of Export Control and the other was the combined COCOM apparatus by which Western Europe, Japan, and the United States sought cooperatively to withhold certain goods and commodities from the Communist-bloc countries.

It is normal for a country to impose export controls in case of war or other overriding national emergencies. Our 20-year export controls are not of that character. With specific exceptions—as when there are shortages of particular commodities because of strikes or other reasons—the whole machinery of U.S. control has been directed to one end—to severely limit exports to the Communist countries.

This is illustrated by the fact that these two mechanisms, the Office of Export Control and the COCOM, both designed to restrict trade with the Communist nations, have never been closely coordinated. For example, commodities such as milk and cream, not controlled by COCOM, require a validated license for export to some countries of Eastern Europe, but not for export to Poland and Rumania. The wide differential in goods we control unilaterally, but which are not controlled by COCOM, continues in the face of the congressional mandate set forth in section 2(2) of the Export Control Act that:

> It is the policy of the United States to formulate, reformulate, and apply such controls to the maximum extent possible in cooperation with all nations with which the United States has defense treaty commitments, and to formulate a unified commercial and trading policy to be observed by the non-Communist-dominated nations or areas in their dealings with the Communist-dominated nations.

The Subcommittee on International Trade received testimony indicating that we continue to unilaterally control hundreds of categories of goods on political grounds. Testimony taken by the subcommittee indicated that even now, 2,029 commodity categories are under control for such countries as Bulgaria, Czechoslovakia, Hungary, and the U.S.S.R., while 1,753 of these are controlled for Poland and Rumania, at the same time that COCOM has designated 552 categories for control.

The United States has demonstrated an almost compulsive tendency to regard the denial of trade with Communist nations as a primary instrument or weapon of the cold war, whether trade be in strategic or nonstrategic goods. The countries of Western Europe and Japan, on the other hand, have sought through COCOM to prevent strategic exports to Communist bloc nations, but they have regarded trade in nonstrategic goods and commodities to be not only in their commercial interest but also a means of reducing East-West tensions.

West European allies have seen the embargo as playing into the hands of Stalin. It enabled him to consolidate control in the Communist bloc and forced the small Eastern European countries closer to the Soviet Union. On balance, they have seen the embargo as resulting in a strengthening of the military-industrial sector of the Communist bloc. Under the circumstances, it has been advantageous to the Kremlin.

The United States has exerted a tremendous effort to enforce the embargo. U.S. measures have been so stringent that we have risked American political good will with our allies. West Europeans have further resented the accompanying American economic intelligence work within their countries. They have found U.S. pressures alien to a voluntary alliance.

What has been the net effect of this costly and, to our allies, abrasive effort? Any realistic appraisal must admit that the Soviet Union has become a highly industrialized, technologically sophisticated nation with a military force capable of engaging any adversary in the world. The embargo has failed to shift the balance of power. Communism has not been, and it is now even less likely to be, blockaded out of existence.

The Soviet economy, unlike the smaller East European countries, is practically self-sufficient. Total Soviet imports represent a mere 4 percent of the country's gross national product. It is rich in natural resources. Modern science permits great flexibility through substitute alternatives. A bottleneck approach simply does not work with a nation of such natural endowments and technological level. Besides, the embargo items are not unknown to the Communist intelligence network and, in some respects, the list has aided Soviet planners with important information for determining what commodities to purchase, produce, or stockpile.

At this stage of development, the United States has at least as much to gain as the Communist countries from mutual trade and the barring of this trade today is hurting us more than them. This is true because they can find substitute suppliers for almost everything important, while we cannot find substitute markets in a time when we need more exports desperately, and the concept that we have almost all the advanced know-how and products while they have very little is out of date. As far as the export controls are concerned, we have already lost much leverage for concessions from the Communist countries. At the same time, the controls on commercial goods continue not only as an irritant to our allies but as a loss in business to U.S. firms.

If there is any question about this, we need only consider the fact that the trade of Eastern Europe with the non-Communist world in 1967 was almost $14 billion, of which Western Europe and Japan accounted for almost $9 billion. The United States is virtually a nonparticipant in this trade; while we account for about 16 percent of world exports, we have only about 3/10 of 1 percent of the exports to Eastern Europe. It is worth mentioning, too, that East-West trade has more than doubled during the past 10 years and has grown faster than trade either within the Eastern European bloc or among the Western countries themselves. Over the past decade, world trade has been growing at about 8 percent a year, while East-West trade has been growing at about 12 percent. But because of the frozen trade policy pursued by the United States, we have forfeited any advantage from this increased commerce, and in so doing have given other trading nations a most unique and enviable competitive position.

From the standpoint of our national security and the conduct of our foreign affairs, which of course remain paramount in our consideration of export controls, as well as from domestic economic considerations, we have moved into a period in which the Congress should maintain a close, in-depth review of our export control laws with a view to reshaping them in light of political, economic, and technological changes taking place in Western Europe, Japan, and the Communist countries of Eastern Europe.

Just as the special drawing rights needed to be created in order for the world economy to grow and for the U.S. economy to grow with it, so, too, must long standing nontariff barriers to our export trade, including those we have ourselves created, such as our export controls, be more closely and more frequently scrutinized as to their necessity.

Hence, the committee voted unanimously to reduce from 4 years to 2 the time for which the act should be extended.

Mr. Chairman, the direct exclusion of so many of our exports from the Eastern European market has not been without added side effects which have contributed still further to the deterioration of our competitive position in world trade. The desire to severely limit exports to the Communist countries has, over the years, spawned a system of enforcement implemented by an extremely elaborate machinery and a great deal of involved procedure without regard for the cost, both to the government and to the exporter. The elaborate enforcement procedures have continued after better means of control have been discovered. For a long time, proposals for simplifying the policing of the Export Control Act met with little or no action by the Office of Export Control.

Until the Committee on Banking and Currency voted unanimously in favor of the amendment offered in committee by my distinguished colleague from California, Mr. REES, providing that reporting, recordkeeping, and export documentation requirements shall be designed to reduce costs to the extent feasible consistent with effective enforcement and compilation of useful trade statistics, the way in which the enforcement of the current Act was being carried out was costing American exporters an added $100 million annually just to process one outmoded document, the shippers' export declaration. Until then, the American export community had been meeting for over a year and a half with the Office of Export Control in attempts to do away with one wasteful practice.

The Subcommittee on International Trade heard convincing testimony on this problem from the export community. And in testimony before the subcommittee, Assistant Secretary of Commerce Kenneth Davis admitted that—

> Recent developments in documentation, computerization, containerization of merchandise, and continuous movement of goods require revision and updating of our techniques for obtaining compliance with export control regulations and for collecting export statistics.

Yet it was not unti lthe Committee on Banking and Currency by a unanimous vote recommended adoption of the amendment that Secretary of Commerce Stans announced important changes, effective October 1 and November 1, in export documentation requirements consistent with the amendment and the testimony of public witnesses.

Prior to these changes, which are described in the Federal Register—volume 34, No. 180—for September 19, it has been necessary to prepare a separate document to accompany every export shipment with a value of over $100. The cost of preparing and processing each shippers' export declaration has been estimated at more than $160. The export shipments from the United States number between 9,000,000 and 10,000,000 annually, valued at more than $30 billion. This means that many millions of separate pieces of paper have had to be separately prepared to satisfy the Office of Export Control's requirements. This method of policing each individual shipment labored under the misapprehension that all shipments violate the Export Control Act until and unless proven otherwise.

In this philosophy of enforcing the act, the Office of Export Control in its 83d quarterly report, covering activities for the first quarter of 1968, discussed the results of its work. For the preceding fiscal year, when more than 6 million shippers' export declarations were caused to be prepared, it is stated that:

> During 1967 the Department's Office of Export Control opened 169 preliminary inquiries and 210 new investigations. Last year these investigations resulted in the referral of 29 cases to the Department's Office of the General Counsel for consideration of administrative or criminal-civil actions. The Department's Office of the General Counsel referred six of these cases to the Department of Justice for consideration of criminal prosecution.
>
> During 1967 the Department recalled to the United States one shipment valued at $13,854. In this instance, there were reasonable grounds to believe the shipment would ultimately be diverted to a proscribed destination.
>
> Under statutory authority separate from the Export Control Act, the Bureau of Customs is empowered to seize and have forfeited to the U.S. commodities thereunder. During 1967 District Directors of Customs seized 208 shipments, which the Customs Bureau appraised at $29,276.
>
> During 1967 this civil penalty was invoked once, against a carrier, who was fined $1,400 for minor violations of the export regulations.

From this experience it seems obvious that the method of policing practiced until now did not pass the test of practicability. It was almost like diverting the entire military attention of the United States to another possible annoyance in Anguilla.

Effective October 1, exporters will not be required to file shipper's export declarations for general-license shipments—those not requiring a validated export license from the Office of Export Control—to free-world countries when the shipments are valued at $250 or less. This change alone could eliminate 1½ million documents a year, or almost 20 percent of the total now required. At the same time, it would affect statistically only about 1 percent of the dollar value of U.S. exports.

Effective October 1 high volume exporters meeting requirements established by the Office of Export Control and Bureau of the Census have the option of filing monthly export declarations instead of a declaration for each export shipment to free world countries of goods under Department of Commerce jurisdiction. Reports may be filed in specified written summary form or provided appropriately on computer tape or punched cards that are compatible with systems used by the Bureau of the Census.

This change will reduce paperwork on export shipments as the number of qualified exporters availing themselves of this option increases.

Under a proposed rule change to become effective November 1, exporters no longer will be required to submit export declarations to the Bureau of Customs for authentication before loading merchandise moving under Department of Commerce general licenses to free world countries by air or sea. Instead, they may submit the documents directly to carriers that agree to review the declarations for acceptability before loading and to forward them subsequently to Customs.

This proposed change could affect between 85 and 90 percent of all declarations covering shipments to foreign countries other than Canada, which already is exempt from the preauthentication rule. The effect could be to reduce the expense of documentation processing and runner time, reduce storage and demurrage costs caused by delays in paperwork, and speed export shipments.

Mr. Chairman, without danger to our national security, this represents an important step to our efforts to expand our country's commercial exports. The action of the committee to which this reform is related constitutes a congressional mandate, the rejection of which now could only be interpreted as a repudiation of a significant measure to expand peaceful trade.

I urge adoption of the committee amendments when they are offered.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. BARRETT. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I yield to the gentleman from Iowa.

Mr. GROSS. What is the definition of "peaceful goods"?

Mr. ASHLEY. That of course is an administrative judgment which is reached through a committee system of representatives from our defense establishment, representatives from the Congressional establishment, representatives from the Department of State and so forth. They arrive at these definitions.

In response to the gentleman's question, I think he will be amused to find that some of the goods we are excluding include the following: insecticides, weed killers, waxes, cotton tire cord, tobacco cures, water purifiers, prepared knots and tufts, cotton or wool, for broom or broom making.

These are some of the commodities that are included in the restricted list.

Mr. GROSS. Would tools and machines to make automobile crankshafts be "peaceful goods"?

Mr. ASHLEY. It would depend, I suppose, on their ultimate use. If they are used for automobile making, I doubt if they would be considered strategic, that is, with respect to COCOM, but I would have to look at our own export control list to make sure.

Mr. GROSS. Could you use an internal combustion engine to power a tank or an airplane?

Mr. ASHLEY. The gentleman is quite

right. If I understood his question, he is quite right. There is simply no real effort on the part of our Export Control Office to distinguish between those goods and products such as brooms and wigs, which are obviously only for peaceful use, and other products which might perfectly well have a use of strategic importance to the consumer.

Mr. WIDNALL. Mr. Chairman, I yield 5 minutes to the gentleman from Kansas (Mr. MIZE).

Mr. MIZE. Mr. Chairman, the purpose of the Export Control Act and the basic reason for its extension without crippling amendment is to provide the President with flexibility in controlling commercial trade with the Communist bloc. Under the terms of the act, the President has authority to license trade or to restrict it if the national security is involved. Those who support the act, without amendment, look to the Executive branch to make crucial day-to-day decisions on individual commodities and products if our security is not to be jeopardized.

Since the list of items which properly should be embargoed frequently changes—sometimes quite rapidly by congressional standards—the Export Control Act of 1949 provides the best protection by calling upon the Department of Commerce to continually review and regulate our trade flow with the East.

Many feel the Department of Commerce exceeded its authority under the act, however, in 1963. While negotiating a massive wheat sale to the Soviet Union, representatives for the then President Kennedy required at least 50 percent of the shipment to be transacted on American-flag bottoms. The U.S. merchant fleet was unable to accommodate the surge in business at that time, so the requirement was waived on much of the 1963 consigment. But the Department, acting under extreme pressure from shipping interests, and certain unions promulgated regulations which made the 50 percent cargo preference, and other part-cargo requirements, a continuing obligation and prerequisite to trade in several agricultural commodities.

In 1963 wheat was in very short supply in the bloc countries. Today, regrettably, the Soviet Union has a surplus of wheat along with every major producing nation in the world. Competition for wheat sales is intense. Under restrictions imposed by cargo preferences and part cargo requirements, the United States has been priced out of the market in bloc countries, to the positive detriment of shippers and farmers in the United States.

In supplemental views to the committee report on the extension of the Export Control Act, I urged the Nixon administration to repeal these discriminatory regulations. Issued under apparent authority vested by the Export Control Act, they bear little relation to the language or legislative intent of the act. Students of these preferences contend that they are wholly unsupportable and illegal as artificial restrictions to purely commercial trade.

I call attention to my supplemental views, and sincerely hope that other Members will join me in urging the Department of Commerce to repeal the cargo preferences on wheat and feed grains trade with certain bloc countries:

SUPPLEMENTAL VIEWS OF HON. CHESTER L. MIZE

The Department of Commerce should discontinue its practice of imposing discriminatory shipping requirements as a condition to obtaining a license to export wheat and feed grains to several East Europe destinations. These restrictions became effective at the time of a 1963 Presidential decision to sell a large quantity of wheat to the Soviet Union. Since that time, they have remained in force, and having effectively denied a significant market to U.S. grain shippers and farmers.

Since the 1963 Soviet wheat purchase, the Department of Commerce has administered the Export Control Act in such a fashion that at least 50 percent of all wheat and feed grains sold to several Eastern European countries is required to be shipped on U.S.-flag vessels. Testimony before committees of both Houses of Congress has convinced me that these restrictions, imposed on all such sales whether or not they are "Government sponsored" or purely private commercial transactions, are in violation of at least 30 commercial treaties in force between the United States and other nations of the world.

In addition to the questionable legality of the Commerce regulations requiring cargo preferences on grains, there has been an unacceptable practical result The preferences deny U.S. grainmen markets which they desperately need in a period of world oversupply and buyer's market.

The preferences make the U.S. price unacceptably high. From U.S. gulf ports to Black Sea ports, U.S.-flag shipping rates average about $18 per long ton on ships of over 20,000 tons displacement. Comparable foreign vessels will ship the commodities for about $7 per long ton. This disparity in shipping rates has been the reason, by and large, for the failure of American sales in the years the preferences have been in force. During fiscal years 1965 through 1968, the United States shipped just under 2.5 million bushels of wheat to affected destinations. During the same period of time, Canada shipped 551 million bushels; Australia shipped 53 million bushels; and France shipped 102 million bushels. The United States was able to make sales in countries where the restrictions do not apply. In those same years, our sellers shipped 138 million bushels to Poland and Yugoslavia.

I considered offering an amendment to the Export Control Act placing a specific prohibition against the preferences. However, I declined to do so because the origin of the restriction is not in a congressional act but in a decision made by the executive branch. The preferences, therefore, should be removed by the executive branch.

In the past 3 years not a single bushel of U.S. wheat has been sold to any nation subject to cargo preference shipments. Thus, any supposed protection or benefit for the U.S. merchant marine is wholly illusory. The 75,000 members of the maritime union have had no shipments to carry; therefore, they have had no work guaranteed them by the preferences. On the other hand, 1 million U.S. wheat-farmers and thousands of shippers and consignors have been frozen out of a market in which they otherwise would have been competitive bidders.

Meanwhile, the U.S. surplus of wheat has risen to over 800 million bushels, and could soon reach 1 billion bushels. This year, severe allotment cuts for wheat farmers were necessary due to oversupply at home and abroad.

The preference wrongfully interfere with sales of nonstrategic goods. They contribute to the financial burdens of the United States, for they require grain to be stored at home, at Government expense, when it could be sold abroad. Most important of all, they contribute to the crisis of our faltering agricultural exports, which is partially responsible for disgracefully low market prices for commodities in the United States.

Elimination of cargo preferences would in no way curb the flexibility which the administration desires in the Export Control Act. Just as before, any shipment to any Eastern European country could be prohibited for reasons of national security or foreign policy or domestic short supply. Cargo preferences in no way contribute to the stated legislative goals of the Export Control Act.

I support the administration's desire for flexibility. To this end, I have supported a straight extension of the act, without amendment. But I call upon the executive branch to eliminate discriminatory restrictions on purely commercial trade. They are probably illegal; they are certainly unsupportable from a budgetary point of view. They are clearly not in the best interests of all the people.

I should observe that cargo preferences on "Government-sponsored shipments" have historic precedent. Those shipments, such as food-for-peace consignments, are entirely independent of any criticism I have advanced here. As national policy, we have decided that Government-sponsored shipments should be consigned to a large extent on U.S.-flag ships. I have no basis for opposing that policy—there is good evidence to show that without those preferences, the U.S. merchant fleet would become insolvent through inability to compete on the high seas.

Mr. KLEPPE. Mr. Chairman, will the gentleman yield?

Mr. MIZE. I am glad to yield to the gentleman from North Dakota.

Mr. KLEPPE. Mr. Chairman, I wish to associate myself with the remarks of the gentleman from Kansas (Mr. MIZE), and join him in urging the Department of Commerce to eliminate discriminatory cargo preferences and part cargo requirements on shipments of wheat and feed grains to selected Eastern European destinations.

The executive branch has the authority, under the terms of the Export Control Act, to restrict or prohibit shipment of any commodity or product to any bloc country for national security reasons. I would urge nothing to deny the President that authority.

Cargo preferences, however, are based upon Commerce regulations using the Export Control Act as apparent legislative authority. There is, of course, nothing in the language or legislative history of the act which calls for cargo preferences on commercial shipments of wheat and feed grains. The preferences are in violation of commercial agreements this Nation has an obligation to honor. They are applied to commodities determined to be nonstrategic. Their effect has been to deny a lucrative market to U.S. farmers and shippers that they otherwise might well enjoy as competitive bidders.

During the past 3 years, there has been no U.S. sale of wheat or feed grains to any Nation covered by the preferences. Meanwhile, our Canadian, Australian, and French competitors have conducted a lively trade in wheat with those very countries.

I congratulate the gentleman from Kansas for his forthright and well-reasoned supplemental views calling for elimination of cargo preferences on purely commercial sales. There could be no more appropriate time for such action, for never has competition for commodity sales been more intense among exporting nations. U.S. farmers have an 800-million-bushel carryover in wheat that must, in substantial part, be sold abroad if prices in the market place are to be improved. One million U.S. wheat producers, and thousands of consignors, have a direct financial stake in the elimination of cargo preferences on purely commercial sales.

Mr. ZWACH. Mr. Chairman, will the gentleman yield?

Mr. MIZE. I yield to the gentleman from Minnesota.

Mr. ZWACH. Mr. Chairman, I thank the gentleman for yielding. I also wish to associate myself with the most important remarks of the gentleman from Kansas and to express the hope that they can be implemented. This is most important to our agricultural foreign trade.

Mr. SHRIVER. Mr. Chairman, will the gentleman yield?

Mr. MIZE. I am happy to yield to my distinguished colleague from the great State of Kansas.

Mr. SHRIVER. Mr. Chairman, I want to join with my fellow Kansan on the Banking and Currency Committee (Mr. MIZE) in calling on the Department of Commerce to discontinue discriminatory shipping requirements as a condition to obtaining a license to export wheat and feed grains to Eastern Europe.

Since 1963, the Department has required at least 50 percent of all wheat and feed grains sold to selected Eastern European countries to be shipped on U.S.-flag vessels. The unintended result has been a complete cessation of such sales. U.S.-flag shipping rates average about $18 per long ton compared to about $7 per long ton on foreign vessels. Thus, this executive branch decision has made the U.S. price for these commodities unacceptably high, and not a single bushel of U.S. wheat has been sold to the nations in question for 3 years.

The publicized justification for this regulation was the protection of our merchant marine. However, since the regulation has eliminated all of these sales, there obviously can be no benefits to shipping interests.

The practical effect has been the freezing of a potential export market for our 1 million U.S. wheat farmers. Our wheat surplus may soon reach 1 billion bushels, a situation which has led to drastically low domestic market prices and severe allotment cuts for next year's crop.

There is no legitimate reason for continuing this regulation. It has not worked, and it has caused much damage to an important segment of our economy. It should be discontinued.

Mr. ANDREWS of North Dakota. Mr. Chairman, I wish to associate myself with the remarks of my colleague from Kansas (Mr. MIZE) and I want to congratulate him for calling attention to the discriminatory Executive order which requires at least 50 percent of all wheat and feed grains sold to Eastern European countries be shipped in American bottoms.

Since this restriction has been in effect, since 1963, I have objected to it as an intolerable situation without justification. Spokesmen for the maritime industry have insisted that this restriction is essential in order to maintain this country's merchant fleet at a level necessary for defense purposes. I presented this view to then Secretary of Defense Robert McNamara in 1966 when he appeared before the Foreign Operations Subcommittee of the Appropriations Committee, and he replied:

> I will say without any qualification that I see no excuse for insistence on the use of U.S. bottoms for shipping anything other than military goods as a foundation for maintaining a merchant marine capability for defense purposes.

That same year Secretary of State Dean Rusk told our subcommittee the solution must be worked out "between the maritime unions and the maritime industry."

The fact is, the net result of this restriction has been our merchant fleet has been shipping 50 percent of nothing because these countries are not inclined to pay the premium price this restriction imposes on U.S wheat and feed grains.

Mr. Chairman, I want to join with my colleagues in urging President Nixon to rescind this Executive order.

Mr. SEBELIUS. Mr. Chairman, I appreciate very much the opportunity to comment on the remarks of my distinguished colleague, CHET MIZE, concerning a matter of vital importance to the wheat industry.

I am greatly concerned that the Commerce Department has used the Export Act since 1963 to place wheat and feed grains in a special category for export regulations.

I have been unable to find any evidence that the existence of the 50-percent shipping requirement helps the U.S. merchant fleet or any other segment of our economy. I believe that it is a self-defeating device that has limited U.S. agricultural trade opportunity and has weakened our position in world trade.

Agricultural producers should be given equal opportunity to compete in world markets without restrictions presently imposed by the Department of Commerce policy. With intense competition in world trade, this regulation has resulted in the elimination of U.S. wheat and feed grain markets in Eastern Europe. The important role of wheat and feed grains in our critical balance-of-payments situation is another important consideration in reviewing this regulation.

This discriminatory trade practice tends to defeat our efforts to improve trade relations with the Eastern European nations.

The existence of this regulation actually undermines our attempts to get other industrial powers to remove nontariff barriers to trade.

I think it is significant that the entire agriculture community has urged in recent hearings before the Senate Banking and Currency Committee that the Department of Commerce discontinue this practice of imposing discriminatory shipping regulations as a condition to obtaining a license to export wheat and feed grains to several East Europe destinations. The list is most impressive: The American Farm Bureau Federation, National Association of Wheat Growers, Grain & Feed Dealers National Association, Grain Sorghum Producers Association, National Corn Growers Association, National Council of Farmer Cooperatives, National Federation of Grain Cooperatives, National Grange, North American Grain Export Association, U.S. Feed Grains Council, National Grain Trade Council, and the Chicago Board of Trade.

Although an amendment to the Export Control Act would not be an appropriate vehicle for removing this discriminatory trade practice, I want to emphasize my strongest possible support for the request of my good friend and colleague, CHET MIZE, that the Department of Commerce discontinue this trade practice involving our wheat and feed grain industry.

Mr. BARRETT. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana (Mr. RARICK).

Mr. RARICK. Mr. Chairman, this afternoon we consider extending the Export Control Act which will otherwise expire at the end of this month.

After hearing the remarks on the floor and examining the existing law, I am in favor of letting it expire. The absence of any law would offer greater national security than this law.

The American people have been led to believe that this law restricts trading in strategic materials with Communist nations. It apparently does no such thing. What it does is conceal from the American people the names of those who are thus trading with the enemy under Government license. The tenor of the debate makes it plain that big industrialists and not small businessmen are the Americans so favored.

The American people know who the enemy is and reserve the right to regard and treat them as such. The Government should guarantee that they are, in fact, able to exercise this basic right—by publishing the names of firms who are doing business with Communist countries. If the people, then, wish to build any bridges they may do so voluntarily. But if the man and woman who has a son in Vietnam would prefer to see to it that none of their personal dollars go to a firm trafficking with their son's potential killers, they may. Perhaps, in this way, the Government will bring official policies into line with the expression of the national will.

If this law did what it was intended to do—restrict shipment of strategic material to Communist nations—I would certainly be in favor of its extension and its strict enforcement. If we allow it to expire it is possible that a new law which will actually do what Americans thought this one was doing can be enacted.

It is amazing that most of the debate here today indicates this law is being clandestinely manipulated to conceal the identity of the large business interests who deal with the enemy. Members have reported that licenses are refused to small businessmen to export items in the nature of brooms, milk, and cheese. But on the other hand, we find that the official export control report of the Department of Commerce tells of the licensed export of sophistical industrial machinery including automatic piston machine, automatic crankshaft machine, and industrial furnaces, as well as cold-rolled carbon steel sheets, electronic computers, and scientific and electronic instruments and equipment made in the United States going behind the Iron Curtain.

Mr. Chairman, I include in my remarks at this point excerpts of the report to which I referred:

Export Control Report

EXPORT LICENSING TO EASTERN EUROPE

Commodity applications approved

License applications for commodities valued at $36.8 million were *approved* for export to Eastern Europe during the third quarter 1968. Principal destinations were the U.S.S.R., $15.2 million, and East Germany, $9.3 million. This third quarter total compares with $441 million approved in the previous quarter and $23.1 million approved in the third quarter 1967.

Industrial machinery accounted for $15 million of the total value approved, principally to the U.S.S.R., $11.3 million, and Rumania, $1.5 million. The passenger automobile plant being built by FIAT in the U.S.S.R. was the destination for $10.8 million of these goods, including automatic piston machines, $5.1 million, automatic crankshaft grinders, $2.3 million, and industrial furnaces, $1.3 million.

Agricultural commodities valued at $12.3 million were licensed for export, primarily to East Germany, $7.4 million; Hungary, $2.7 million; and Czechoslovakia, $1.5 million. These commodities were corn, $8.5 million; yellow grain sorghums, $2.3 million; and flax, $1.5 million. Chemicals worth $5.3 million were approved for export to Eastern Europe. The U.S.S.R. was the destination for $3.3 million of these, including aluminum oxide worth $1.4 million.

Cold-rolled carbon steel sheets valued at $1.4 million were approved for export to Rumania. Other approvals for Eastern Europe included electronic computers, peripherals, and statistical machines, totaling $1.7 million; and scientific and electronic instruments and equipment, totaling $1.2 million.

EXPORT LICENSING TO CUBA

The Department *approved* exports to Cuba worth $12,533 during the third quarter 1968. These exports consisted of insecticide sprayers, worth $11,960, for the Pan American Sanitary Bureau's yellow fever program; clothing, personal effects, drugs, and medicinals, valued at $523, for American citizens detained in Cuba; and $50 worth of parts for a teletype printing machine used in connection with refugee flights from Cuba.

I would like to ask the chairman of the committee if he is familiar with the fact that in this quarterly report under the Export Control Act they talk about the licensing of these commodities to Eastern Europe. The report says, moreover, that industrial machinery accounted for $15 million of the total value approved, principally going to the U.S.S.R., and that the passenger automobile plant being built by Fiat in the U.S.S.R. was the destination for $10.8 million of these goods, including automatic crankshaft grinders, $2.3 million; and for industrial furnaces, $1.3 million.

I would like to ask the chairman if these matters were brought up in any of the committee hearings on the bill and what was done by the committee to try to put some teeth into this law to stop this practice?

Mr. BARRETT. I shall yield to the gentleman from Ohio (Mr. ASHLEY) in order to respond to the gentleman, but before I yield to him I would state to the gentleman from Louisiana that this was all nonmilitary, nonstrategic material.

Mr. RARICK. I believe I have the floor, Mr. Chairman. Excuse me just 1 minute and let me make this comment. Some of my boys are serving in Vietnam. Recently we have heard a lot about the fact that the Russians are now putting tanks into North Vietnam and also Russian helicopters.

If we have been shipping to them automatic piston machines and automatic crankshaft grinders, these are sophisticated machine tools. Machines which make pistons and crankshafts do not care what type of machinery the pistons and crankshafts will operate. When they are placed into items of military hardware, such as tanks and helicopters, might that not be classified as strategic—even military?

If you are going to build gasoline engines to be used in automobiles, they can be taken out of the automobiles and used to power helicopters, tanks, or other of military equipment. We know that Volkswagen engines are used—by amateur mechanics, even—to power light aircraft.

I include at this point in my remarks news stories relating to the presence of Soviet bulldozers and helicopters in Vietnam:

Russian Bulldozer Captured

A SHAU VALLEY.—A Russian-built bulldozer has been uncovered in the A Shau Valley.

The enemy equipment was found recently by Lt. Col. Joseph L. Hadaway, commanding officer of the 3rd Squadron, 4th Cav., 9th Infantry Division while flying over the area in search of Communist trails and bunker complexes.

The bulldozer was partially buried and hidden by brush on the valley floor. It is a model resembling the U.S. Army's D–6 dozer both in size and estimated capability.

Hadaway contacted the 59th Engr. Co. (Land Clearing) to make the actual recovery of the vehicle.

The commander directed the engineer unit's bulldozers as they cut a road to the Russian-made equipment. After recovery, the dozer was taken to FB Rendezvous.

Lt. Col. Stuart Wood Jr., commander of the 27th Engr. Bn. remarked, "It's rather surprising to come upon a piece of enemy equipment which is more or less the counterpart to some of your own. Possibly, it was building a road just like ours—only from the opposite end.

"We've decided to make the machine operational, if possible," he added.

The task of putting the vehicle in operating condition again is under the direction of Lt. Robert A. Goodell, the battalion maintenance officer.

He commented that the dozer was in fairly good shape. "I think our main problem is going to be replacing unrepairable parts. I don't know if the Russian equipment uses metric threads," he said.

Soviet-Built Copters Used by North Viets

SAIGON.—The North Vietnamese are now using a small but significant force of Soviet-built helicopters in Laos and Cambodia, U.S. officers reported Wednesday.

Some of the helicopters are the world's largest, capable of speeding troops and cargo from North Vietnam to bases in those two countries adjacent to South Vietnam.

The choppers operate at night at near treetop level along the route of the Ho Chi Minh trail stretching down from Vietnam through Laos and into Cambodia.

Officially, the U.S. Command has no comment on the reports. A ranking officer admitted, however, that such reports had been cropping up and that it was known the North Vietnamese had a force of Soviet-built helicopters available.

There has been no visual sighting of the helicopters from the Vietnamese side of the frontier. The reports have come from agents from radar sightings and at least one prisoner of war who reported being brought from North Vietnam to Cambodia in a troop-carrying helicopter.

Most of the helicopter sightings have been by radar. So far as is known, none has been shot down.

"They operate almost every night," one U.S. officer reported. "They prefer to operate when there is no moon or when the weather is overcast. On moonless nights we get 20 to 30 reports."

BIGGEST IN WORLD

They are put down in American intelligence reports the same way that flying saucers are listed, as "unidentified flying objects."

One type in operation is the M16, code named "Hook" in American military parlance, U.S. officers say. The biggest helicopter in the world, it can carry up to 120 people or around 2.2 tons of cargo.

It gets its name "Hook" because a hook often is suspended from the helicopter to carry additional cargo.

Another type believed in operation is a "Flying Crane" helicopter capable of transporting tanks such as the Soviet-built PT76 models that hit a U.S. Special Forces Camp at Ben Het recently.

Ben Het is in the central highland just across from a densely jungled area of northern Cambodia largely controlled by the North Vietnamese. This is the farthest south that enemy armored vehicles have entered into combat.

In addition to the giant choppers, the Russians are believed to have furnished liaison and light observation helicopters.

Military officers do not expect the enemy to move troops by helicopters to the Vietnamese side of the border. With American control of the air, anything more than a hit-and-run mission would be suicidal.

Mr. WIDNALL. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia (Mr. BLACKBURN).

Mr. BLACKBURN. Mr. Chairman, I rise today to propose an amendment to the bill under consideration, a bill to extend the Export Control Act of 1949. As you are aware, with the authority granted to the President under the Export Control Act, he can declare an economic embargo against any nation as he sees fit through the institution of certain procedures described under section 3 of this act. He does not have to inform the Congress of his action or ask the Congress for their consent. The power to regulate commerce with foreign nations is invested with the Congress by the provisions of our Constitution. It is an abdication of our duty to allow the President to institute such proceedings without some action by the Congress.

A complete embargo is tantamount to a declaration of economic warfare. I do not believe that the President should be allowed to declare economic war upon any nation without first receiving the consent of the Congress. At this time, when the Congress is concerned over the foreign commitments of this Nation, it should be giving equal attention to economic commitments. An economic embargo is a national commitment and, therefore, the Congress should pass upon it. Today I am proposing an amendment which will require the President to obtain the consent of Congress before he can maintain any long-term economic embargo. We are aware that international situations can arise in which immediate executive action is required. A prime example would be the Cuban missile crisis.

I stipulate in my amendment that the President can impose an embargo for 60 days without first receiving the consent of the Congress, but if consent is not obtained within the stated period the embargo is immediately lifted and cannot be reimposed for at least 12 months without first obtaining congressional authorization.

During the past few years, we have seen an ever-increasing share of the power of Congress over international relations delegated to the Chief Executive. As representatives of the people of the United States, the Congress has a responsibility to pass upon matters of economic importance which affect the international trade policies of the United States. I believe that my amendment is a step in restoring some control over this vital area of the foreign commerce policies of the United States.

All Members of this body know that the international trade policies of our Nation have a direct impact upon the daily affairs of our citizens whether they be laborers, managers, or investors. The Members of Congress, as spokesmen for these citizens, should exercise authority in the area of international economic policy commitments.

Therefore, I urge the Members of this body today to favorably consider my amendment when it is read for approval.

Mr. BARRETT. Mr. Chairman, we have no further requests for time.

Mr. WIDNALL. Mr. Chairman, at this time I yield 5 minutes to the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. Mr. Chairman, I had not expected to take time during general debate on this bill, but I do so in order to ask the gentleman from Georgia (Mr. BLACKBURN) a few questions about the significance of his proposed amendment.

As I understand the gentleman, his is an astonishing attempt to try to restrict what the Export Control Act actually delegates to the executive branch, and I wonder what he is attempting to accomplish.

In the first place, the amendment, as I understand it, refers to an embargo on exports, which are supposed to be substantial or total in their effect. But the act itself does not even use the word "embargoes." It is basically an export control act, trying to restrict certain goods of a national security nature from countries that might use them in ways hostile to us.

True, we have delegated that responsibility to the Executive. As I understand it, the gentleman does not trust those in the executive branch to carry out their responsibility to prevent certain goods from falling into the hands of an enemy. Does he feel there must be an automatic lapsing of those controls, unless the Congress takes affirmative action?

I will be glad to yield to the gentleman to answer the question.

Mr. BLACKBURN. Yes, if the gentleman will yield.

Mr. FRELINGHUYSEN. I yield to the gentleman.

Mr. BLACKBURN. This act, of course, deals with the whole spectrum of export policy and there can be no greater export control, of course, than total prohibition against an export to any nation.

Mr. FRELINGHUYSEN. May I point out to the gentleman——

Mr. BLACKBURN. In that regard, if the gentleman will allow me to continue, I think my amendment certainly addresses itself well to this act.

Now the implication that I or the Congress does not trust the Chief Executive, I think is an improper implication. It is not a question of trust—it is a question of responsibility.

As I read the Constitution, the responsibility for the regulation of foreign commerce does rest with the Congress. I think it is a matter of policy to which we address ourselves today; the question, to what extent should the Congress have a right to delegate completely its responsibility to the Chief Executive.

Mr. FRELINGHUYSEN. I might say that all the gentleman's amendment would accomplish, if I understand it correctly, would be to hamstring the Executive in what the legislative body has said we would like the Executive to do. That job is to define what kind of goods should not be exported to certain countries, if this amendment were approved, it would not be possible for a decision on export controls to stick unless we took affirmative action to support the Executive.

Yet, if we take affirmative action, we have added nothing to what the Executive has already done. If we take negative action by saying in effect that we think certain goods which those in the executive branch think are strategic are not then these goods could go to those who might possibly be enemies or might possibly use the goods in ways that are inimical to our national security. To suggest that this act itself covers any kind of control over exports or embargoes is not—I hope—quite true. At least I hope the gentleman's amendment does not attempt to interfere with the embargoes that the United States has agreed to. Would it apply to embargoes applied at the United Nations with respect, quite frankly, to Rhodesia? I had assumed that perhaps that was the objective that he was seeking, to prevent the Executive from applying such an embargo.

Under this act is there authority for the Executive to act in this area or not?

What he seems to be driving at is trying to change or check on the nature of goods that can be exported, or the countries that may be exported to. I do not see what would be accomplished by this kind of hamstringing. Actually, it would require affirmative action by Congress regarding a great deal of complicated lists that have been developed, and which change from time to time. It is all very well to suggest that the Congress should have certain prerogatives with respect to international trade. Congress has been exercising its prerogatives. In this case it has delegated certain responsibilities to the Executive, an action which I think is entirely appropriate.

Mr. BLACKBURN. Mr. Chairman, will the gentleman yield?

Mr. FRELINGHUYSEN. I yield to the gentleman again.

Mr. BLACKBURN. Well, I suspect that you and I just have a difference of opinion, and I respect your right to differ with me.

Mr. FRELINGHUYSEN. I might say that I am unclear what the objective is of the gentleman—whether he really thinks that by undoing what the executive branch is attempting to do in restricting imports is going to accomplish very much, except perhaps to release goods that otherwise would not be allowed to leave our shores, and to release them to those that I would assume the gentleman would not want to benefit.

Mr. BLACKBURN. If the gentleman will yield, in the first place I do have some confidence that this body will exercise its responsibility with good judgment. I think if the administration makes a reasonably good case for its export policies that they will be supported by this body. But I for one do not, to put the parallel, mistrust the Executive with what I consider to be exercising the responsibilities of this body.

Mr. FRELINGHUYSEN. Is the gentleman attempting in any way to interfere with national commitments that have been made at the U.N., or with respect to the total embargo placed on certain goods from Rhodesia?

Mr. BLACKBURN. I would be willing, to be very candid with the gentleman, to do so, but I do not think the amendment could have that effect, because this embargo to which you refer was placed as a result of the U.N. Participation Act. But the President in his proclamation also cited the Export Control Act as a part of the authority that he was utilizing.

Mr. FRELINGHUYSEN. So does the gentleman think that this amendment in some way could tie the President's hands with respect to international commitments which have been made and which have been endorsed on several occasions by the United States at the United Nations?

Mr. BLACKBURN. I am not going to try to look that far into the future. I, for one, am perfectly willing to look into some of these commitments and determine for myself, and I will ask Congress to make the determination.

Mr. FRELINGHUYSEN. The gentleman is not answering my question. If there is any possibility that this might in any way restrict obligations which this country has entered into at the United Nations; if that might be the effect, I think that is an automatic reason for opposing it most strongly.

Mr. BLACKBURN. If the gentleman will yield further for a quick response, I do not interpret this as having any effect on the United Nations Participation Act.

Mr. FRELINGHUYSEN. I do not believe the administration has had any opportunity to evaluate the effects of this particular amendment.

Mr. WIDNALL. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan (Mr. BROWN).

Mr. BROWN of Michigan. Mr. Chairman, we are here today discussing the extension of the Export Control Act. Probably the most significant aspect of that law is its strategic goods provisions. The strategic goods provisions of the Export Control Act are in the law because we wish to control and deny receipt of certain exports to certain nations whose interests are inimical to our own. Probably when we look at it from that standpoint it would be more appropriate for us to call this act the "Unfriendly Nations Receipt Control Act," because that is the basic objective of the act. By these provisions of the law we intend that nations whose interests are inconsistent with ours will not get goods from our exporters which will help them and be detrimental to our national security.

But that law, in order to be effective, must do more. It must have an impact above and beyond our own exporters if we are going to deny receipt of goods to unfriendly nations, to Eastern Europe and to the Russian bloc nations.

The 1949 enactment of the Export Control Act reflected circumstances and conditions that existed at that time. Our friends and allies in 1949 were not competitive in the export market because they did not possess the necessary level of sophistication in technology, nor the productive capacity, to be competitive. Therefore our unilateral controls through the Export Control Act were adequate for controlling receipt of goods by unfriendly nations.

Today is a different story. Our friends and allies are aggressive traders. They oppose controls on trade with the East and do not restrict their industries in the export of goods to the extent that we do ours.

The net effect is ironic. Our Export Control Act provides our friends and allies with an unchallenged market and denies to our industries a market for their goods.

This harms our balance of trade, yet does nothing to further the objectives of the Export Control Act, because elimination of our source of supply to the East does not prevent the receipt of the same goods from Western Europe, Japan, and other free world nations.

Modification, I think, is needed. When we talk about modification, we have two routes we can take. The first I consider to be the realistic approach, and the other is an approach which I think is politically unacceptable.

I reject as politically unacceptable modification which has as its policy liberalization of our definition of strategic goods and trade therein. I reject as unrealistic a continuation of the present policy which does not accomplish our objective, but penalizes our industries and our workers and really harms our balance of payments situation.

In view of this I propose to offer two amendments. Briefly stated the first will give much more flexibility to the President in determining what items can be controlled. Presently the "findings" of the Export Control Act deal only with "materials." My language would add to the word "materials," the words "information and technology," so that the President under the Export Control Act would have the right to control the export of not only materials, but information and technology which would be detrimental to the national security of the United States. Therefore, the President is given broader authority to control by this amendment.

My second amendment is probably the crux of the strategic goods question. It provides very simply and, I might add, very realistically that the President in determining the impact upon our national security of an export, shall look at the availability of that export elsewhere—not elsewhere in the East, but available elsewhere from a friendly nation, a nation with which we have a defense treaty commitment.

At this time I will not expand further upon the amendments.

I think the previous administration was wrong in thinking we could at this point in time, with the problem in Vietnam, get the American people or even the Congress to think politically acceptable, legislation which would liberalize the definition of strategic goods and trade therein.

At the same time, I think it is unrealistic for the present administration to advocate a straight extension of the act, when they don't deny that most of the things I have said are true, and in fact admit that they are using availability elsewhere" as a factor in making some of their present decisions. I think Congress should approve use of that factor and do it now.

(Mr. LIPSCOMB (at the request of Mr. WIDNALL) was granted permission to extend his remarks at this point in the RECORD.)

Mr. LIPSCOMB. Mr. Chairman, the purpose of the bill before the House of Representatives at this time, H.R. 4293, is to extend the Export Control Act of 1949, as amended, for an additional period of time, until June 30, 1971. I support this legislation.

It is because of the Export Control Act of 1949 that we have a program under which items and data proposed to be exported from the United States are systematically evaluated to determine whether their shipment to various destinations would be in keeping with our national interests.

The export control program is an important element in our national defense effort. It is necessary that we have the machinery to help prevent shipments of equipment and data which can help to build up the economic and military potential of Communist nations. This is why it is so essential that the act be extended.

The bill would also amend the Export Control Act by adding a clause stating that in every way feasible reporting requirements under the act should be kept at a minimum to reduce as much as possible the cost for reporting, recordkeeping and export documentation consistent with effective enforcement and compilation of useful trade statistics. Attempting to help reduce nonproduction costs is a worthwhile goal in that it could help ease the economic impact of the program on exporters and to that extent such a provision would in my view not be objectionable and in fact could represent a useful addition to the Export Control Act.

I would trust however that in carrying out such a provision the Department of Commerce, which administers the Export Control Act, would exercise every due care to be absolutely assured that the effectiveness of the program is not diminished through weakened reporting requirements. Certainly, too, it should by no means be viewed as a reason or excuse to halt issuance of the Department publication entitled "Export Licenses Approved and Reexports Authorized" which is issued on a daily basis. Several years ago an attempt was made to halt this publication and from all appearances the basic reason for that proposal was to withdraw the document from public scrutiny so the people would not know what is going on in this area, such as what kind of export licenses are being issued, to what countries exports are authorized for shipment, value of the goods, equipment or data sold, and so forth. The attempt should not be repeated.

Though the primary purpose of H.R. 4293 is to provide essentially a straight extension of the Export Control Act this legislation touches on issues much more involved than just the matter of extending the program. It is regrettable that over the years, in spite of the need for a strong export control program because of the threat posed by Communist aggression, the Export Control Act has been administered in such a way that increasingly less stringent policies have been followed in policing the flow of goods to the Communist nations. With the export Control Act due for extension, there have been persistent efforts to seize the opportunity to try to modify the language of the act in such ways which would have the effect of further diminishing its effectiveness in restraining shipment of commodities, goods, and data to the U.S.S.R. and other Communist nations. These efforts must be turned back.

It has been alleged, for example, that modifications are needed because the act is outmoded, that it is too restrictive, and so forth. These allegations in my view are simply without merit.

While restrictions on exports are also for the purpose of controlling short supply items and for foreign policy generally, the central purpose of the Export Control Act of 1949 is to control exports because of their significance to our national security. The act contains a declaration that the "unrestricted export of materials without regard to the potential military and economic significance may adversely affect the national security of the United States."

It provides that rules and regulations

adopted to carry out the act "shall provide for denial of any request of application for authority to export articles, materials, or supplies including technical data, or any other information, from the United States, its territories and possessions, to any nation or combination of nations threatening the national security of the United States if the President shall determine that such export makes a significant contribution to the military or economic potential of such nation or nations which would prove detrimental to the national security and welfare of the United States."

This language sets forth the very minimum we must maintain as a test to apply in determining whether proposed exports should be cleared for shipment overseas.

I certainly do not agree that the act is outdated or outmoded.

During these critical times there is a continuous need for a strong export control program. Secretary of Commerce Stans in a recent letter to me stated:

> It is the Administration's position that this is not the time to significantly reduce our export controls unilaterally.

The argument is sometimes advanced that there is a large potential market in the U.S.S.R. and Eastern European countries for U.S. goods and commodities and that we are missing the boat economically so to speak if we do not practically scrap the Export Control Act and expand trade with those countries. This approach is misleading and is not based on reality. The hearings on the legislation to extend the Export Control Act contain repeated warnings that the potential for trade between the United States and Eastern Europe should not be exaggerated. A Commerce Department spokesman said that it is not likely to amount to more than 1 percent of our total annual trade in the foreseeable future, even with significant lowering of barriers to commercial East-West trade. It was testified that the prospects for an increase in nonstrategic trade with Eastern Europe and the Soviet Union under present conditions are modest at best.

Also, the impact of our export controls in limiting the volume of our trade with the Soviet Union and Eastern Europe has frequently been exaggerated. It is pointed out that in fact there are serious trade impediments on the part of the Eastern European countries. These include the inconvertibility of their own currencies on world money markets, the limited amounts of convertible currency they have to buy our goods, the fact that they are bilateral trade agreements extensively, the limited appeal in the United States of the kinds and qualities of goods and technical data they produce, the controls the Communists have on all aspects of their foreign trade that result from their totalitarian system of government.

Now, if we are not talking about a wide range or a large volume of goods, precisely what kind of trade is involved in references made to trade with the U.S.S.R. and Eastern European nations which comes under the controls by virtue of the Export Control Act of 1949?

What is involved to a considerable degree is sophisticated equipment, commodities, and technical data because the U.S.S.R. and other Communist nations are attempting to utilize the United States as a shopping center to obtain advanced equipment, techniques, factories, and supplies.

This means such items as electronic equipment, machine tools, petroleum equipment, mining equipment, chemical facilities, industrial processes, computers, and whole factories. Allowing Communist nations to buy such things here means that they can fill gaps in their industrial and economic makeup, or obtain prototypes to eliminate timely and costly research. In other words, they would capitalize on our industrial, scientific, and related achievements. At the same time it allows them to continue channeling inordinate amounts of their resources into military efforts, their space programs, and other high-priority programs which the Kremlin has decreed are needed to help advance the cause of communism around the world.

In this regard, it is sometimes stated that if we do not sell items to the U.S.S.R. and other Communist countries they will obtain them anyway from other Western countries. This argument for lessening export controls is invalid on a number of counts and likely will remain invalid for a long time to come.

A professor of economics, Prof. H. E. Michl, of the University of Delaware, during the hearings on this legislation assessed this argument very well when he said, in part:

> The . . . argument of those who support increased trade, that we should supply these countries because if we don't they will obtain the goods from other countries of the West, is weak and, even if true, is immoral. It is not a fact that the East can obtain from other countries of the West the items they want most—items that embody sophisticated technology. Even when such items are available elsewhere they are frequently of inferior quality or are subject to long delays in delivery. To supply our enemies with goods and equipment which they can use against our troops in Vietnam or in future wars for the sake of a small decrease in the deficit of our balance of payments is, in my opinion, indefensible.

The Export Control Act should be extended. It should not be weakened. We must also require that it be administered in such a way so that we have maximum assurances that equipment, technologies, commodities, and data going to the U.S.S.R. and other Communist nations are not detrimental to our national security and welfare.

Mr. WIDNALL. Mr. Chairman, I have no further requests for time.

Mr. BARRETT. I yield such time as he may consume to the gentleman from New York (Mr. Podell) for a very important report.

(By unanimous consent, Mr. Podell was allowed to speak out of order.)

WELL, WHADDYA KNOW? THE METS ARE WORLD'S CHAMPS

Mr. PODELL. Mr. Chairman, when the greatest city in America, New York, goes in for any major effort, it goes all out, producing the best or most unique of almost anything it turns its hand to. Such is the case in political campaigns, some mayors, and professional football and baseball teams. Not too long ago, a fearsome aggregation of behemoths from somewhere in Maryland encountered Joe Namath and the New York Jets. The Jets are now world's champions of professional football.

Today we have had a repetition of this wonder in professional baseball, for the New York Mets just became the world's champions as they have swept their fourth straight game in this year's world's series, and that another team from somewhere in Maryland has bitten the dust at the hands of our metro's Mighty Mites. New York City should change its name to "Championship City," because it is truly the city of champions.

The team beaten today by the Mets was a mighty mover and shaker in its day, striking terror into the hearts of all opposition. Astronomical was the number of runs they scored. Baseballs sailed out of stadiums wherever they went, and the moan of the opposing pitching coach was heard in the land and across their league, whose name also escapes me. Batting averages were stratospheric. Earned run averages were microscopic.

Enter David from the peaceful rural hamlet of New York City: The New York Mets of the National Baseball League. Words cannot describe the caliber of their play. An amalgam of the Bums and Giants, who followed the holy grail of more cash into the far-off interior, the Mets occupy a special place in all New York hearts. They are loved by the sufferin' fan. To the stupefaction of all save New Yorkers, the Mets won the pennant in 1969, demolishing a not-so-Brave team from somewhere in straight sets. The world series stage was set for their dismemberment, and the horselaugh of the out-of-town sportswriter, oddsmaker and fan was heard across the Republic.

Today the New York Mets are woild's champeens. Shades of Bedford Avenue and the "Duke." That I should have seen this day—that other team—are they still in the league?

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. PODELL. I am delighted to yield to the gentleman from Iowa.

Mr. GROSS. Was that statement cleared by the gentleman from Maryland (Mr. Friedel)?

Mr. PODELL. It was concurred in after the ball game by the gentleman from Maryland.

Mr. HALPERN. Mr. Chairman, we are again engaged, as we have been eight times in the past 20 years, in deliberations as to whether the Export Control Act of 1949 ought to be extended. Actually, there does not seem to be too much controversy about its extension—most of us seem to agree that it ought to be extended. The controversy rather is centered primarily around whether it ought to be significantly changed in the light of the present realities of international trade, especially trade with the countries of the Communist bloc, against which the act is primarily aimed.

There is no doubt in my mind, Mr. Chairman, that in 1949 legislation designed to control and curtail the exportation of American goods and knowhow to the Soviet bloc, and especially to the Soviet Union, was well-advised. In 1949, you will recall, the memory of the Soviet Union's tightening of its grip on Poland and gaining control of Czechoslovakia the year before, was still fresh in everyone's mind. The cold war had escalated to fever pitch.

In addition to these political grounds for the economic isolation of the Communist countries, such a policy of isolation implemented by the United States appeared feasible also on economic grounds. The countries of the Soviet bloc, ravaged by the destruction wrought upon them by war operations, had barely begun to dig out from under the ruins and to rebuild their economies. In this process, they were in great need of supplies, raw materials and capital goods, from abroad. Most of their traditional suppliers, the countries of the industrialized Western Europe, had been themselves devastated by war and could not be, initially, counted upon to satisfy even partially the needs behind the Iron Curtain. The only potential supplier, economically strong and untouched by the ravages of war, was the United States. In 1949, then, interdicting or controlling U.S. exports to the bloc was tantamount practically to interdicting or controlling all significant exports to the bloc.

With the gradual recovery of Western economies, greatly helped by the Marshall plan, the exclusivity of the United States as the potential source of supplies for the bloc, gradually began to wane. True, the American program of export control was supplemented at an early stage by the international export control program, operating through the Consultative Group-Coordinating Committee network, whose effectiveness was further enhanced by the threat of sanctions embodied in the Battle Act of 1951. Yet, this threat of sanctions, tied as it was to Western Europe's dependence on American foreign aid, became less and less effective as our allies regained their economic strength and grew more and more independent of our assistance. Their economic recovery on the one hand provided the Soviet bloc with alternative sources of needed supplies and knowhow, and on the other hand, made any international export control system increasingly less subject to the U.S. pressures and more contingent on the willingness of our allies to cooperate in it.

Thus a situation exists today, Mr. Chairman, where our allies, who are at the same time members of the international export control system, follow, by and large, a considerably less restrictive and less discriminatory export policy toward the countries of the East. While they all support in word and deed the international program of strict control over clearly strategic materials and information, they also conduct with the countries of the Soviet bloc brisk trade in other commodities which the international consensus as expressed through the Coordinating Committee does not consider of prime strategic importance yet which the United States still persists in subjecting to its own unilateral export controls.

I should like to emphasize that this international consensus is reached by agreement of all the COCOM members, including the United States, as to what types of export controls ought to be placed internationally and on what categories of commodities. Thus the United States seems to follow an inconsistent, not to say clearly schizoid policy in this respect. In international forums it is of the opinion that certain commodities are not strategic enough to be controlled as far as their exports to the Soviet bloc are concerned, while in its own bailiwick it still maintains controls over their exportation.

We may now ask ourselves, Mr. Chairman, what the net result of this somewhat confused and confusing export control policy has been. Has it really achieved the purpose for which it had originally been designed? I submit, Mr. Chairman, that it has not, at least not in the extent or the manner that would be really significant. I am quite willing to agree that by pursuing with the Soviet bloc a considerably more restrictive trade policy than our industrialized allies have, we have been expressing in a tangible way our special disapproval of the international policy of the Soviet bloc in general and of the Soviet Union in particular. But this can be classified only as an act of political import with but scanty bearing on economic realities.

In the extensive hearings before the Subcommittee on International Trade, of which I have the honor of being a member, the point was stressed repeatedly that our export control policy may have, indeed, initially retarded somewhat the economic recovery of the Soviet Union and its satellites and limited the subsequent technological development of some sectors of their economy. On the other hand, the same interdicting policy also spurred them, especially the Soviet Union, into relying almost exclusively on their own resources and developing a high level of industrial and military technology, perhaps even much higher than they would have felt the need to develop under less adverse and hostile circumstances. Let us admit that, if the intent of the U.S. export control policy has been one of preventing the Soviet Union from becoming a first rate world power, both economically and militarily, the policy has failed. I fear it has failed dismally.

Whatever significant or insignificant gains our policy may have made, it also placed our producers and exporters at a distinct disadvantage, for they could not and still cannot export to the Soviet bloc countries a whole array of commodities that our allies have been selling to them for years, all within the international regulatory framework to which the United States itself had agreed. I would like to point out the paradox of the situation. By its official action the United States permits a British, or German, or French, or Japanese manufacturer to make a sale which it does not permit one of our own businessmen to make. The bloc is not thereby deprived of a Western commodity, but the American manufacturer of the same commodity has no chance at all of profiting from it.

It is high time, Mr. Chairman, to put an end to such an anomalous situation. There is, of course, no question about relaxing controls over the exportation of strategic commodities and know-how that would jeopardize our national security. But trade in peaceful goods, goods which our allies have been selling to the Soviet bloc with our consent for years, can only be of benefit to all concerned.

I would be, of course, overly optimistic if I expected that a relaxation of our export controls would or even could result in an immediate large increase in the trade between the United States and the Soviet bloc countries. I am fully aware that developing and expanding such trade ties takes time, especially in a situation where a lot hinges also on the policies and practices of one's trading partner. But I am firmly convinced that progress cannot be made unless the unreasonable fetters placed on such trade by our side are first removed.

Therefore, Mr. Chairman, I also intend to support any other legislative action that would be directed at eliminating any unreasonable and unwarranted restrictions on our exports.

Mr. BARRETT. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, and no further comments on the New York Mets, the Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 12 of the Export Control Act of 1949 (63 Stat. 9; 50 U.S.C. App. 2032), as amended, is amended by striking out "1969" and inserting in lieu thereof "1973".

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: Page 1, strike out lines 3 through 5 and insert in lieu thereof the following:

"SECTION 1. Section 12 of the Export Control Act of 1949 (50 U.S.C. App. 2032) is amended to read as follows:

" 'TERMINATION DATE

" 'SEC. 12. The authority granted in this Act terminates on June 30, 1971, or on any prior date which the Congress by concurrent resolution or the President may designate.' "

AMENDMENT TO THE COMMITTEE AMENDMENT OFFERED BY MR. ASHLEY

Mr. ASHLEY. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. ASHLEY: Page 2, immediately after line 4, insert the following:

"SEC. 2. Section 1 of the Export Control Act of 1949 (50 U.S.C. App. 2021) is amended (1) by redesignating subsection (b) as subsection (c), and (2) by inserting the following new subsection immediately after subsection (a):

" '(b) Expanded trade in peaceful goods

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and technology with all countries with which we have diplomatic or trading relations can further the sound growth and stability of the United States economy as well as further our foreign policy objectives.'

"SEC. 3. Section 2(3) of the Export Control Act of 1949 is amended to read as follows:

" '(3) The Congress further declares that it is the policy of the United States to encourage trade in peaceful goods and technology with all countries with which we have diplomatic or trading relations, except to the extent that the President determines such trade to be against the national interest.' "

And redesignate the succeeding section accordingly.

The CHAIRMAN. The gentleman from Ohio (Mr. ASHLEY) is recognized for 5 minutes in support of his amendment.

Mr. ASHLEY. Mr. Chairman, I believe that it is time to give full congressional recognition to the value in expanding trade in peaceful goods and technology with the Soviet Union and the other countries of Eastern Europe; and I believe it is time our export control laws and policy implemented this objective.

The Export Control Act should be amended to include a finding that expanded trade in peaceful goods and technology with all countries with which we have diplomatic or trading relations can further the sound growth and stability of the U.S. ecopomy as well as further our foreign policy objectives. The act should be further amended to include a declaration that it is the policy of the United States to encourage trade in peaceful goods with all countries with which we have diplomatic or trading relations, except to the extent that the President determines such trade to be against the national interest.

Let me emphasize that I am talking about trade in peaceful goods. The United States and COCOM nations would continue to maintain lists of products of direct military relevance which, indeed, should not be sold or transferred to Eastern Europe. These include direct military items, items in the atomic energy field, and a list of nonmilitary items which are considered to be closely related to the military capabilities of the Soviet Union and the other Communist nations of Eastern Europe. These items are embargoed and are not sold at all or if sold, are sold only after full consultation with the members of COCOM. This would continue to be the situation.

Briefly stated, the basis for this new finding is no more than a return to the historic and traditional policy of the United States to engage in world commerce with nations with whom we are not at war. Our Nation has many obligations but none is more important than our responsibility to the cause of peace. This cause, as we know from our history, can be promoted by contacts—including trade—with nations with whom we have very real ideological differences. It is equally clear that inflexibility and refusal to communicate and explore contacts can only foster deeper antagonisms and bring us closer to war.

There logically follows from this a new, additional congressional declaration in section 2 that it is the policy of the United States to encourage trade in peaceful goods and technology with all countries with which we have diplomatic or trading relations, except those countries with which such trade has been determined by the President to be against the national interest. There has been an entirely unwarranted stigma attached to legitimate trade with Eastern Europe which has inhibited many firms from actively pursuing trade opportunities which would cumulatively serve our national security, foreign policy, and economic welfare. It is time to remove what may be even so much as a hiht or trace of any such stigma.

As I indicated in my remarks in general debate, the Subcommittee on International Trade received testimony indicating that we continue to unilaterally control hundreds of categories of goods on political grounds. Testimony taken by the subcommittee indicated that even now, 2,029 commodity categories are under control for such countries as Bulgaria, Czechoslovakia, Hungary, and the U.S.S.R., while 1,753 of these are controlled for Poland and Rumania, at the same time that COCOM has designated 552 categories for control.

Hundreds of these commodities which we continue to control are viewed as peaceful, it seems, by everyone but our Office of Export Control. Consider, for example, the following which continue to be controlled: milk and cream; wheat, rice, barley, corn, rye, oats, grain sorghum; oil seeds, flaxseed and vegetable oils. The grains among these are subject to such restrictive requirements that they are virtually impossible to sell competitively from the United States.

Other examples of categories embrace all types of the following: Waste and scrap and reclaimed rubber, coloring materials, varnishes, insecticides, disinfectants, weed killers, waxes, farm tractor tires, sponge rubber and foam rubber goods, cotton tire cord, fiber glass yarn, glass in balls, rods, or tubes, cast iron soil pipe, hand tools for pipe threading, shoe lasts, ovens, furnaces, cane and maple syrup evaporators, crop dryers, forage dehydrators, tobacco curers, pulp and paper mill machines, water purifiers, softeners, filters and other machines for water treatment and sewage disposal, weighing machines and scales, propellors and paddle wheels for watercraft, electric steam cabinets for turkish baths, face and hand dryers, storage batteries, electrical traffic control equipment, electrical components and parts for machinery and appliances, electrical apparatus and parts, nonmilitary buses, parts and accessories for nonmilitary vehicles, prepared knots and tufts, cotton or wool, for broom or brush making, vacuum bottles, jugs and chests, and miscellaneous manufactured articles, not elsewhere classified.

Here are some of the items destined for Eastern Europe which, in just the past few days, required a specific export license:

A $184 control instrument for office building air conditioning in Czechoslovakia.

Door seals for passenger cars, valued at $3, in the U.S.S.R.

Synthetic leather, valued at $27,000, for the making of shoes in East Germany.

A motion picture sound track, valued at $980, for Czechoslovakia.

Yellow corn, for animal feed, valued at $6,100,000, broken into two licenses, for East Germany.

Chemical analysis equipment, valued at $3,987, for wine products research, authorized for reexport from Switzerland to Hungary.

It should also be understood that thousands of items for which licenses to ship to non-Communist countries have been approved must be amended if the value of the shipment for one reason or another, changes. For example, a licensed shipment of resistors to Taiwan, changed in value from $312,458 to $317,649, required approval of an amended license.

In this attempt to police the world, the Office of Export Control requires validated licenses for the reexport of thousands of items from one free world country to another. Just the other day, it was necessary for one of our exporters to obtain specific permission to send $4,382 of industrial chemicals from Belgium to Argentina. A license was required to send $100 of synthetic resins from West Germany to France, and to send an oscillator valued at $600 from West Germany to Italy.

Mr. Chairman, is it any wonder that our international business firms find it increasingly difficult to compete in the world economy? It costs more than $160 just to process the shippers' export declaration. The licensing process itself is costly. Its use to inhibit the flow of peaceful goods in these times is indefensible. My amendment to the Export Control Act would mandate the Department of Commerce to shear the unwarranted shackles that have been put on our export trade. I urge its adoption.

Mr. SCHERLE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the many fine American military personnel of Swedish descent serving valiantly in Vietnam must be tragically disappointed by the ungrateful and morale-defeating attitude of the mother country, to which they bear close ethnic and emotional ties, for her harsh snub to the United States. Sweden, the European haven for American deserters and draft dodgers, has just announced plans to support Hanoi to the tune of $40 million in loans and grants over a 3-year period. State Department information indicates that these moneys are scheduled to begin flowing to Hanoi next July 1.

Before Sweden can give these millions to an avowed enemy of the United States, we should insist this "professionally neutral" country repay the balance of her multi-million-dollar loans from the Export-Import Bank, which is wholly American supported. Even though amendments to the Export-Import Bank legislation demand a complete credit cutoff to any country aiding North Vietnam, those provisions do not go into effect before the fact. Consequently, Sweden could continue to borrow hard-earned American dollars until next July. It had obviously never occurred to Sweden that the U.S. Congress could be farsighted enough to enact legislation which would automatically stop any further dollar drain through the Export-Import Bank in situations like this. Sweden did not know there was a limit to just how much of an international patsy the American taxpayers could be forced to be.

The new Swedish Prime Minister, Olof Palme, former Minister of Communications, will be responsible for implementing this policy and has already announced his intention to increase Swedish aid to Cuba. His "credentials" include participation, with a North Vietnamese diplomat, in the anti-American torchlight parade which triggered the recall of the American Ambassador from Stockholm, and Palme's appearance in the highly controversial and allegedly pornographic Swedish film "I am Curious, Yellow."

The United States has always considered Sweden a friend worth aiding, both financially and with favorable trade agreements; but it is the height of folly for this country to support those who give aid and cash comfort to our enemies. Since when is friendship a one-way street?

The gentleman from Ohio (Mr. WYLIE) was the author of an amendment to the Export-Import Bank Act which cuts off loan applications to countries who give aid and comfort to the enemy. Is the same restriction in this bill and if not, should it not be?

Mr. WYLIE. Mr. Chairman, will the gentleman yield?

Mr. SCHERLE. I yield to the gentleman.

Mr. WYLIE. In specific answer to the question of the gentleman from Iowa, the Export Control Act of 1949 does not contain language to which the gentleman has referred and which was incorporated in the act known as the Export-Import Bank Act of the United States.

As the gentleman suggested, an amendment was offered and adopted which would prohibit a loan from the Export-Import Bank to any country with which we are engaged in armed conflict, or to any country dealing directly or indirectly with any country with which we are engaged in armed conflict. The same restriction is not in the Export Control Act of 1949 specifically. Although I am told by persons in the Department of Commerce that the executive branch has imposed economic sanctions along the lines that the gentleman from Iowa has suggested and, as a matter of fact, no export trade is authorized with North Vietnam, Cuba, North Korea or Red China.

As the gentleman pointed out, however, Sweden has borrowed money from the United States through the Export-Import Bank which is wholly owned and wholly controlled by the United States, and Sweden is, in turn, loaning the same money—I suppose it is the same money—to North Vietnam.

Now, I compliment the gentleman from Iowa——

Mr. ASHLEY. Mr. Chairman, will the gentleman yield?

Mr. SCHERLE. I would prefer that the gentleman from Ohio (Mr. WYLIE) be permitted to complete his statement.

Mr. WYLIE. I would just like to say that I compliment and agree with the gentleman from Iowa.

It seems to me that to trade with those who aid the war potential of an enemy nation that is at this moment killing our boys in Vietnam is a travesty and is morally indefensible.

The Export Control Act of 1949 (50 U.S.C.A., App. 2021–2032) in section 2, declares that exports should be controlled "to further the foreign policy" of the United States and enhance our national security. It further states that the United States should apply the controls in cooperation with allied nations in trading with Communist dominated countries.

The President is given broad authority to implement these policies by prohibiting or curtailing exports from the United States.

Common knowledge indicates that many of our allies and other friendly nations engage in active trading with our Communist enemy in North Vietnam. This trade strengthens the industrial base of North Vietnam and relieves pressure on their domestic economy, thereby helping place North Vietnam in a position to manufacture some of its own war materials.

I would like to urge the President to exercise every effort, legally and morally, to convince our friends and allies to refrain from trading with North Vietnam. If these efforts fail, I would suggest that the President take appropriate steps to curtail or halt all U.S. trade with those nations that trade with North Vietnam.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

(On request of Mr. ASHLEY, and by unanimous consent, Mr. SCHERLE was allowed to proceed for 1 additional minute.)

Mr. ASHLEY. Mr. Chairman, will the gentleman yield?

Mr. SCHERLE. I yield to the gentleman from Ohio.

Mr. ASHLEY. Mr. Chairman, I think the record should be made clear. If the gentleman from Ohio is saying that the Export-Import Bank issued credit to Sweeden, which in turn was loaned by Sweden to another country, then the gentleman has a rather remarkable misunderstanding of the Export-Import Bank. The Export-Import Bank finances domestic manufacturers in their sales abroad, so the statement by the gentleman from Ohio would be manifestly wrong.

Mr. SCHERLE. Along with good common business sense a principle also is involved. It would be utter hypocrisy to extract money from the American taxpayer and give it to a "neutral" country like Sweden and they in turn loan it to the very people who are dedicated to killing our boys on the battlefields of Vietnam. How stupid can we get?

Mr. WYLIE. Mr. Chairman, will the gentleman yield?

Mr. SCHERLE. I yield to the gentleman from Ohio.

Mr. WYLIE. With reference to the statement by the gentleman from Ohio (Mr. ASHLEY) in the Export-Import Bank bill it says that the bank shall not guarantee, insure, or extend credit, or participate in the extension of credit in connection with the purchase of any product, technical data, or other information by a national or agency of any nation which engages in armed conflict, declared or otherwise.

And then there is another section which applies the same prohibition to a country which deals directly or indirectly with a nation with which we are engaged in armed conflict.

Mr. SCHERLE. Mr. Chairman, if for no other reason than principle alone, I think the amendment offered by the gentleman from Ohio (Mr. ASHLEY) should be voted down.

One ironic coincident is that on the very day that Sweden's Foreign Minister Nilsson announced that that country was going to grant $40 million in assistance to Hanoi, the U.S. Tennessee Valley Authority awarded a $2 million order for electrical transformers to ASEA, a Swedish heavy electric equipment company.

It is also my understanding that a group of junketing Swedish parliamentarians are soon to visit this country. They are reported to want to visit with American Congressmen. I am sure that the purpose of that trip is to find additional ways for Sweden to "tap the till" of the American taxpayer.

Mr. REES. Mr. Chairman, I rise in favor of the amendment.

Mr. Chairman, I speak in favor of the amendment bceause I think it is good business for the United States, and I think it is good for our foreign policy. Right now we have a group that you have heard about during the debate called COCOM, which is a group of industrialized nations, that have agreed upon a list of materials that will not be sent to Communist nations because these materials directly aid their war potential. But the list that we have in our Export Control Act is far more comprehensive than the COCOM list, includes many items not related to the military potential of a country. The problem for an exporter is that he has to deal with three different governmental agencies to try and find out what he can export to an Iron Curtain country.

I am an exporter by trade, although I have only dealt with Mexico. It is tough enough just dealing with non-Iron Curtain countries when you have to go through all the bureaucracy that we have in the Federal Government to obtain the export license and the export financing that you need.

When one has to go through COCOM to get an OK by the State Department and the Defense Department and the Commerce Department, it means money lost and at times a lost export because of the delay.

So American exporters of American products do not get into many of the Iron Curtain countries, and I think it is good that our products get there because it makes for a dependence on American technology and on American supplies.

Let me give you one example.

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Yugoslavia, considered a "hard" Iron Curtain country in our Export Control Act, is in between. But Yugoslavia just a few years ago was a "hard" Iron Curtain country. Yugoslavia a few years ago did most of their trade with the Soviet Union and the Soviet bloc. But today Yugoslavia is dealing primarily with the Western bloc.

If you want to study their economy and ideology, you probably will find that Yugoslavia's economic system is closer to our own economic system than they are to the Soviet system.

Just last week it was announced that a consortium of Western banks from the United States and Western Europe, is now going into equity financing of investments in Yugoslavia.

So here is a country that was once a hard-line country. Now they were able to trade with the Western bloc and have developed a stable currency and become a member of the International Monetary Fund. We find Yugoslavia is independent—they are no longer a confirmed, iron-core Communist country. When we have a tragic event like the invasion of Czechoslovakia, we find that Yugoslavia has the guts and the independence to stand up and condemn this move.

Look at other Iron Curtain countries, for example, Rumania. Here is a country that is trying to develop an independent policy, independent from Soviet domination. I think we should be doing everything we can in our own foreign policy and in our own trade policy to try to encourage Rumania to have trade relations with the West and become less dependent on the Soviet bloc.

This amendment is a good amendment. It will build up our trade. As you know, our trade balance has been going into the red. We should be encouraging trade, not discouraging it.

An enlightened policy puts our products into a country where product dependence will be built up. Also, it means, eventually—looking at what has happened historically in the past—it will bring these countries closer to the United States and further away from the Soviet economic domination.

I am convinced that if we had had a more liberal policy with Czechoslovakia, the invasion might not have happened.

If we were able to grant Czechoslovakia the most-favored-nation treatment, and if we were able to develop a more liberal trade policy toward Czechoslovakia, perhaps the Soviet tanks would not have gone in there and smashed the Dubcek regime.

The amendment is good for the United States, and it is good for our business. It is good for our foreign policy. I would urge its adoption.

Mr. WYLIE. Mr. Chairman, will the gentleman yield?

Mr. REES. I yield to the gentleman.

Mr. WYLIE. Are we not now exporting to Yugoslavia under this law?

Mr. REES. Yes. Yugoslavia is an exception from the Export Control Act, an exception from this bill. But what you have going on is that Rumania might bring this country into the same situation as Yugoslavia. This amendment would hasten this trend.

Mr. WYLIE. The point I am making is that under the present law, the executive branch could authorize trade with Czechoslovakia if it felt it to be in our best interest just as it has authorized exports to Yugoslavia; could it not?

Mr. REES. No; there are several restrictions. One is the most-favored-nation treatment not granted to other countries of the Iron Curtain except Poland.

The Executive does not have the power automatically to grant most-favored-nation treatment.

Mr. WYLIE. Is Yugoslavia a most favored nation?

Mr. REES. Yes; Yugoslavia and Poland are two countries that have most-favored-nation treatment. I think Rumania should be considering their foreign and economic policy.

Mr. WYLIE. Within the purview of the present law, could we not grant the same treatment to Czechoslovakia if in the opinion of the executive department such action was proper?

Mr. REES. This act has to do strictly with export control. What we are trying to do here is to remove nonstrategic goods from the control of the triumvirate of the bureaucracy that now controls export licenses.

Mr. WYLIE. I thank the gentleman.

The CHAIRMAN. The question is on the amendment to the committee amendment offered by the gentleman from Ohio (Mr. ASHLEY).

The question was taken; and on a division (demanded by Mr. ASHLEY) there were—ayes 10, noes 23.

So the amendment to the committee amendment was rejected.

AMENDMENT TO THE COMMITTEE AMENDMENT OFFERED BY MR. LANDGREBE

Mr. LANDGREBE. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

> Amendment to the committee amendment offered by Mr. LANDGREBE: On page 2, after line 4, insert the following:
>
> "SEC. 4(c). No commodities, military or otherwise, shall be authorized for shipment to any foreign nation which sells or furnishes to North Vietnam or which permits ships or aircraft under its registry to transport to or from any equipment, materials or commodities or gives any form of assistance to North Vietnam."

Mr. LANDGREBE. Mr. Chairman, the wording of the amendment is almost identical to the wording of Resolution No. 89, which I introduced earlier in this session, and which so far has received no consideration. The wording and intent of the amendment are crystal clear.

For many years—actually, no one knows how many years—we have been involved in a military struggle with the small nation of North Vietnam. We have honored boundaries, sanctuaries, agreements. We have played by the rules. We have honored Geneva treaties on warfare. Yet, this flyspeck on the globe continues to infiltrate South Vietnam and continues to kill and maim a significant number of our troops as well as our friends in South Vietnam, civilian and military. It would be absolutely impossible for this small country to continue to hack away, hammer away at us without the support of many of the major nations of the world.

I know there are many industries, and so forth, in this country that are most anxious to continue to expand their markets, and I am all for them—after a cease-fire has taken place. There is only one way in which we are ever going to bring about a cease-fire. We have pleaded with the North Vietnamese. President Johnson and President Nixon have done so. We have made every conceivable offer. It has even been suggested on the floor of the House this week that we completely withdraw our troops in the hope that the people of this tiny nation would be kind enough to stop shooting our people and stop murdering the civilians of South Vietnam.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. LANDGREBE. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman's amendment is very similar to one which I offered to the foreign aid bill in 1967. The amendment was adopted by the House and, as is so often the case, it was lost in conference. I commend the gentleman for offering his amendment. It ought to be adopted.

Mr. REES. Mr. Chairman, will the gentleman yield?

Mr. LANDGREBE. I yield to the gentleman from California.

Mr. REES. Mr. Chairman, under the gentleman's amendment any country that has any trade whatsoever with North Vietnam would be affected.

Mr. LANDGREBE. It would be excluded.

Mr. REES. Yes. So it would mean under the gentleman's amendment, it would be prohibited for the United States to trade in any commodity with any country that traded with North Vietnam.

Mr. LANDGREBE. Exactly right.

Mr. GROSS. Right. But all those countries would have to do would be to cease trading with North Vietnam, and it would not disturb our relations at all with them.

Mr. LANDGREBE. Mr. Chairman, I am really not interested in closing the factories of the United States, nor am I anxious to further cripple our farmers, but I am most terribly concerned about the number of American boys who are being shipped home from Vietnam in boxes, without any assistance or without any sympathy from those great nations such as West Germany and England and so on.

We are committed to fighting this battle and we fully believe our commitments there are good and proper, so how can we continue to trade and deal with countries who are aiding the enemy which is killing our boys and our friends?

Mr. RARICK. Mr. Chairman, will the gentleman yield?

Mr. LANDGREBE. I yield to the gentleman from Louisiana.

Mr. RARICK. Mr. Chairman, I compliment the gentleman for the nobility of his purpose in offering this amendment. I think it is the solution to our floundering struggle for peace. If we discontinue trade with the countries trading with North Vietnam, we will have bloodlessly crippled that country's capacity to wage war. I wholeheartedly support the gentleman's amendment.

Mr. LANDGREBE. Mr. Chairman, I thank the gentleman from Louisiana.

I could repeat what I said and speak until midnight on my convictions about the Vietnam war—I have heard many other Members expound at length on this subject in the last few days—but I will close with a sincere plea to my colleagues on both sides to support this amendment.

Mr. BARRETT. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. REES), a member of the committee.

Mr. REES. Mr. Chairman, I rise in opposition to the amendment. If this were passed, it would mean we would have no exports to our major trading partners, including Japan, Great Britain, Canada, Mexico, Scandinavia, West Germany, Italy, and most other major trading nations. This would ruin our balance-of-payments situation. If Members think we have inflation now, it would be 10 times worse if this passed. We would have complete economic chaos in this country.

We must realize the countries which are supplying North Vietnam are primarily the Soviet Union and Red China, and very few supplies come from Western Europe and Japan. There are some exports from those countries, but they are not necessary to North Vietnam in their continuation of the war.

Mr. Chairman, I sympathize with those people who deplore the fact that our men are being killed in a questionable war, but the amendment will not help our Armed Forces; it will only ruin the United States economically and bring it into complete chaos by destroying our foreign trade.

Mr. FRASER. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Eighty-four Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 232]

Abbitt
Albert
Arends
Aspinall
Baring
Berry
Blatnik
Brasco
Bray
Brooks
Brotzman
Brown, Calif.
Broyhill, Va.
Burton, Calif.
Burton, Utah
Byrnes, Wis.
Caffery
Cahill
Camp
Carey
Cederberg
Celler
Clark
Conte
Conyers
Cunningham
Dawson
Dennis
Devine
Dingell
Dorn
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Evans, Colo.
Fallon
Farbstein
Fascell
Feighan
Findley
Fisher
Flowers
Flynt
Fountain
Fulton, Tenn.
Garmatz
Gibbons
Griffin
Haley
Hansen, Idaho
Hansen, Wash.
Harsha
Hastings
Hays
Hébert
Horton
Hosmer
Jarman
Johnson, Calif.
Jones, Ala.
Jones, N.C.
Kee
Kirwan
Kluczynski
Kyl
Landrum
Latta
Leggett
Lloyd
Long, La.
Lujan
McClory
McCloskey
McMillan
Martin
Meeds
Mills
Montgomery
Morton
Murphy, N.Y.
O'Konski
Olsen
Patman
Pepper
Pollock
Powell
Price, Ill.
Pucinski
Quie
Reifel
Reuss
Rivers
Roberts
Rodino
Rosenthal
Ruppe
St. Onge
Saylor
Sisk
Smith, Calif.
Steed
Steiger, Wis.
Stokes
Stubblefield
Taylor
Teague, Tex.
Tunney
Utt
Waldie
Wampler
Watts
Whalley
Wilson, Charles H.
Wold
Wright

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ABERNETHY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 4293, and finding itself without a quorum, he had directed the roll to be called, when 314 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from Iowa is recognized.

Mr. GROSS. Mr. Chairman, the gentleman from California (Mr. REES), in his opposition to this amendment, said that he sympathizes with the Americans who are being killed in Vietnam. Perhaps this is understandable, because the gentleman from California (Mr. REES), also told us that he is an exporter.

There is not one thing that this amendment will do to injure any nation which is supplying the North Vietnamese Communists. All any nation needs to do to avoid being penalized is stop trading with the North Vietnamese.

I want to go further than sympathizing with dead men. I say to Members of the House it is time the Congress spoke out; it is time this Congress displayed enough morality to say to these countries that there will be no more trading with the United States if they are going to supply those whose principal interest these days is the killing of Americans.

Mr. Chairman, if the House rejects this amendment and again refuses to penalize those who are helping prolong the war in Vietnam, it will have made a mockery of the purpose of this legislation—export control—and I will have no alternative but to vote against it.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana (Mr. RARICK).

Mr. RARICK. Mr. Chairman, we are considering an amendment which will prohibit trading with any country trading with North Vietnam.

Insofar as North Vietnam trade is concerned, there is only one trade that we should even consider—a trade of war prisoners.

There are no fewer than 40,000 reasons to support this amendment—40,000 Americans murdered by North Vietnam.

Mr. Chairman, all are acutely aware that in many instances our fighting men are being maimed and killed by sophisticated weapons. These weapons are known to be supplied to the enemy by the nations to whom we are building trade bridges and others to whom trade dollars and profit are worth more than American lives.

Since our military is restrained from interdicting the flow of enemy weapons—the least we can do is to make sure that no American profits from the sale of weapons to kill other Americans. Fratricide for profit strikes most Americans as immoral. If it is our national policy that our fighting men not be permitted to win militarily, then we can most assuredly win this war economically—simply by ceasing to aid the enemy.

I wholeheartedly support the amendment and urge its adoption.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania (Mr. BARRETT).

(By unanimous consent, Mr. BARRETT yielded his time to Mr. ASHLEY.)

Mr. ASHLEY. Mr. Chairman, this amendment in all truth should be defeated. I say that sharing the frustration of many who would tend to support the amendment because of the conflict in Vietnam. But, Mr. Chairman, the thrust of this amendment would be to make our export policy considerably more restrictive than it is today.

Let there be no question about this: The administration in office today opposes this amendment. The administration wants a straight extension of the Export Control Act on the basis that there is ample flexibility within the Export Control Act to achieve the purposes and the policies of this administration.

This amendment may have some superficial appeal, but Mr. Chairman, it could work against the very purposes that the author and supporters of this amendment have in mind. I urge its defeat.

Mr. FOREMAN. Mr. Chairman, I support this important amendment to halt all exports to, and trade with, those countries trading with North Vietnam. I regret that we cannot get a record rollcall vote on this vital matter.

So long as hostilities in Vietnam continue, so long as Americans are fighting and dying in a foreign land, it is immoral, it is unconscionable, and it is un-American not to use every available means to stop vital supplies from reaching the enemy, and flowing through channels provided by countries receiving American tax dollars in aid and grants and/or trade or exports.

The CHAIRMAN. All time has expired.

The question is on the amendment to the committee amendment offered by the gentleman from Indiana (Mr. LANDGREBE).

The question was taken; and the Chairman being in doubt, the Committee divided, and there were—ayes 53, noes 84.

So the amendment to the committee amendment was rejected.

AMENDMENT TO THE COMMITTEE AMENDMENT OFFERED BY MR. BROWN OF MICHIGAN

Mr. BROWN of Michigan. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. BROWN of Michigan: On page 2, after line 4, insert the following:

SEC. 5. Section 1(c) of the Export Control Act of 1949 (as so redesignated by section 3 of this Act) is amended to read as follows:

(c) The unrestricted export of certain materials, information, and technology may adversely affect the national security of the United States."

Mr. **BROWN** of Michigan. Mr. Chairman, although my interest in modification of the Export Control Act has been looked upon by some as reflecting a liberal approach, let me assure the Members that on this issue I am a hawk. I want an export control policy that works, not one that just penalizes our exporters.

The amendment which is before the committee at this time, one of two I shall offer, broadens the findings of section 1(b) of the Export Control Act of 1949 to conform to the 1965 amendment to the act, which gave the President authority to prohibit or curtail the exportation of "technical data and other information."

The amendment would further broaden the finding by removing the test of "potential military and economic significance" in regard to the exportation of materials which may adversely affect the national security. By removing those words "potential military and economic significance" the amendment reshapes the findings to accommodate the economic and technological changes of the past 20 years. The 1949 findings are limited to a condition that existed in 1949 and are unrealistic in light of the circumstances of today and of the 1970's.

Certain materials no longer fall within the category of military and economic significance, but still those materials might be detrimental to the security of the United States.

The amendment to section 1(b) would conform to the amendment of section 3(a), the intent of which is to give the President greater flexibility in determining what materials, information, and technology should be approved for export.

As I have said, this amendment basically broadens the discretion of the President as to what items may be controlled under the Export Control Act. He no longer will have to tie the denial of a license to a finding that this particular export has a military or economic significance. If it has any detrimental impact upon the national security of the United States he may deny the export license.

I believe the amendment should be adopted.

Mr. **ASHLEY**. Mr. Chairman, will the gentleman yield?

Mr. **BROWN** of Michigan. I yield to the gentleman from Ohio.

Mr. **ASHLEY**. Mr. Chairman, I rise to commend the gentleman from Michigan for his amendment. As I understand the purpose of his amendment, it is to introduce a fact of life with respect to the formation of the list of commodities to be excluded. It would require the Department of Commerce to consider availability as one of the criteria. Is my understanding correct?

Mr. **BROWN** of Michigan. The gentleman from Ohio is partially correct. The amendment which more specifically deals with the question of availability will be the second amendment I will offer. This deals with findings. The other deals with the alternative section of the statute. They complement one another.

Mr. **ASHLEY**. I thank the gentleman.

The **CHAIRMAN**. The question is on the amendment to the committee amendment offered by the gentleman from Michigan (Mr. BROWN).

The amendment to the committee amendment was agreed to.

AMENDMENT TO THE COMMITTEE AMENDMENT OFFERED BY MR. BROWN OF MICHIGAN

Mr. **BROWN** of Michigan. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. BROWN of Michigan: On page 2, after line 4, insert the following:

"SEC. 4. The third sentence of section 3(a) of the Export Control Act of 1949 (50 U.S.C. App. 2023(a)) is amended by changing 'shall determine that such export makes a significant contribution to the military for economic potential of such nation or nations which' to read 'determines, taking into consideration its availability from other nations with which the United States has defense treaty commitments, that such export'."

The **CHAIRMAN**. The gentleman from Michigan (Mr. BROWN) is recognized for 5 minutes.

Mr. **BROWN** of Michigan. I thank the Chairman.

Mr. Chairman, this is the amendment that the gentleman from Ohio (Mr. ASHLEY) alluded to, which, in simple terms, says that in determining whether or not an export license shall be granted or whether a commodity shall be denied the right of export, the President shall look to see what our friends and allies are doing. Then, if the export is readily available from our friends and allies with whom we have defense treaty commitments, that then a license can be granted.

This amendment adds new language to section 3(a). It requires matters to be considered in connection with controlling exports, such as the availability of such exports elsewhere. This amendment does not force the President to approve of an export that would be detrimental to the national security of the United States. It says, though, that in making such determination of the impact on our national security the availability of this export from nations with which we have defense treaty commitments—that the availability shall be taken into consideration and shall be a factor in determining whether an export license is granted or denied.

Now, why do we need this language? We need the language, I believe, because we need to have Congress tell the executive branch of the Government that we approve of this practice and approve of their looking to other friendly nations to see what they are exporting in determining what our policy shall be.

A further impact of this is in touchy areas where there are dual-use products and matters of that nature, where our administration, in negotiating with friends and allies toward a multilateral policy of restrictions on trade, will be able to say, "If you are going to trade in these items, then we are going to trade in them, also." In many of these areas which are of questionable strategic value we can trade in them more advantageously and we can sell cheaper and, as a consequence, we would be getting the trade that other nations are presently getting. At that point in time our friends and allies will recognize that it would be as much to their advantage to put the item on the restrictive trade list as it would be to leave it off. In that way our export control policy would have a multilateral and multinational effect instead of an impact only on our exporters, as it presently has.

Mr. **HANNA**. Mr. Chairman, will the gentleman yield?

Mr. **BROWN** of Michigan. I yield to the gentleman from California.

Mr. **HANNA**. Is the position of the administration that the gentleman's amendment would make export licensing easier or more difficult with regard to the arguments you have made?

Mr. **BROWN** of Michigan. At the outset I cannot speak for the administration, because it requested an extension and I am seeking a modification.

Mr. **HANNA**. Getting an export license is not easy in almost any respect and we are discouraging a tremendous amount of trade simply because we botched up our export licensing applications so much that businessmen are getting a little bit sick of it. I hope you are not making it more difficult than it already is.

Mr. **BROWN** of Michigan. The gentleman is correct. It would make it easier. He is correct on a further point, that a part of the problem is the delay in granting an export license. Granting an export license, even though it is eventually granted, oftentimes has an impact on denying to our exporters trade that they would otherwise have, which, of course, harms our balance of trade.

Mr. **ASHLEY**. Mr. Chairman, will the gentleman yield?

Mr. **BROWN** of Michigan. I am happy to yield to the gentleman from Ohio.

Mr. **ASHLEY**. Again, I think that the gentleman's amendment is a good amendment and should be adopted.

The **CHAIRMAN**. The question is on the amendment to the committee amendment offered by the gentleman from Michigan.

The amendment to the committee amendment was agreed to.

AMENDMENT TO THE COMMITTEE AMENDMENT OFFERED BY MR. BLACKBURN

Mr. **BLACKBURN**. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. BLACKBURN: On page 2, after line 4, add the following language to the committee amendment:

"SEC. 3. Section 3 of the Export Control Act of 1949 is amended by adding the following new subsection at the end:

" '(d)(1) Except as provided in paragraph (2) of this subsection, any embargo imposed by the President against any nation shall

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lapse sixty days after it is imposed or sixty days after the enactment of this subsection, whichever is later.

"'(2) With the approval of Congress expressed by a concurrent resolution passed by both Houses within sixty days before or after the imposition of an embargo by the President against any nation or, in the case of an embargo in effect on the date of enactment of this subsection, passed within sixty days after that date, the embargo may be continued against that nation until such date as the Congress by concurrent resolution or the President may determine.

"'(3) If an embargo against any nation has lapsed pursuant to paragraph (1) of this subsection or been terminated pursuant to paragraph (2), the President may not impose a new embargo against that nation within 12 months after the date of lapse or termination unless specifically authorized by legislation enacted after the date of enactment of this subsection.

"'(4) As used in this subsection, the term "embargo" refers to a total or substantially total embargo imposed under authority of this Act.'"

Mr. BARRETT. Mr. Chairman, will the gentleman yield to me?

Mr. BLACKBURN. I shall be happy to yield to the gentleman from Pennsylvania.

Mr. BARRETT. I wonder what effect the gentleman's amendment would have on the mandatory sanctions and international legal obligations of the United States?

Mr. BLACKBURN. I assume the gentleman is referring specifically to the Rhodesian embargo?

Mr. BARRETT. That is right.

Mr. BLACKBURN. My interpretation would be that this would not affect that situation, although I would be perfectly willing to approach that problem at the proper time with the proper legislation.

My understanding is that that is imposed by reason of the U.N. Participation Act, and it involves the authority of the President of the United States, acting under the U.N. Participation Act, under which this action was taken.

However, the Export Control Act is primarily aimed at restricting trade with Communist-oriented countries. I do not think there has been any charge that the Rhodesian Government is Communist dominated or Communist oriented. So I do not think this act is the one under which the President is acting.

Mr. BARRETT. Mr. Chairman, if the gentleman will yield further, I would like to ask the gentleman this question: Very frankly, I will say that the gentleman is one of the most capable members of our Committee on Banking and Currency and is well respected by the members of that committee on both sides. However, I am inclined to think that this type of amendment may distort our intentions with other countries throughout the world. It is my further opinion that if this were explored further by holding hearings, we could explore all its ramifications. However, at this time I am inclined to think I cannot support the gentleman's amendment.

Mr. BLACKBURN. I thank the gentleman from Pennsylvania for his candor.

I would like to point out to the Members of this body, however, that it is going to be at least 2 years before we bring this back up for consideration—at least the lethargy of the House being what it is—it will be 2 years before this act expires. I think there is involved a very important policy matter upon which we must act today. It is an important question that I present to the House today: To what extent do we in the Congress have the right to completely delegate the authority under the Constitution to regulate foreign commerce?

I recognize the Chief Executive is charged with the duty of handling our foreign affairs, and that he must give us direction in the handling of foreign commerce. But I think that this body, as the spokesman for the people of the United States, should have some voice in deciding whether or not the President, acting under the authority of this act, should have the total power to declare total economic warfare against any country.

One of the things that has been debated in recent weeks is the degree to which the Congress is subject to some criticism, perhaps, for permitting the Bay of Tonkin resolution to be treated as a blank check for total involvement in Vietnam.

If the Congress is going to continue to permit its power to be eroded by legislation which the Congress enacts, then it is subject to criticism.

I think it is our responsibility to the people of the United States, before we allow economic warfare being declared against any nation, that the Congress should reflect the desires of the people.

Under my proposal the President could declare such an embargo for a period of 60 days without congressional approval, but during that 60-day period the Congress could look into the matter, could hold hearings, and then the Congress could pass a resolution approving it if in the opinion of the Congress such embargo should be continued.

What I am saying is that the Congress has the responsibility, and I think the people of this country have the right to expect us to shoulder that responsibility and not give it away. That is the reason that I have introduced this amendment before this body today.

Mr. Chairman, I yield back the balance of my time.

Mr. ASHLEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment offered by a member of the committee was never offered for consideration in the debate during the period of consideration before the Subcommittee on International Trade, or before the full committee.

Mr. BLACKBURN. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I yield to the gentleman from Georgia.

Mr. BLACKBURN. Mr. Chairman, I want the gentleman from Ohio to be completely candid with the Members of this body.

I circulated a letter. As I recall, at the first meeting we had of the subcommittee, before we started preparing any amendments, and before we decided what we were going to do about the bill, that there was an agreement that each of us would circulate a letter outlining what we thought we might want to do in the way of amendments. I circulated this amendment to the members of the subcommittee. I later circulated it to the members of the full committee. I explained that because of the request of the administration that this bill should be brought before the floor of this House without any substantial amendment I withheld my amendment. But I told everyone from the very beginning that my amendment would be introduced.

So I certainly would take some exception to any implication that I have brought this in at the last minute without previous notice to the members of the committee.

Mr. ASHLEY. Mr. Chairman, I did not mean to infer any such activity, or motive on the part of the gentleman from Georgia.

However, I do not quite understand the differentiation in the offering of the amendment now and in failing to introduce the amendment in a timely fashion before the subcommittee, or before the full committee.

The gentleman says this was at the behest of the administration, yet the gentleman is not at all reluctant to offer it on the floor of the House today. I simply do not see what the difference is.

All it means is it was not possible for it to have the full consideration and a vote upon the amendment offered by the gentleman from Georgia during the period of time when the bill was being considered and marked up.

The administration is opposed to this measure. This administration, just as the last administration, does not want a less flexible trade policy than we now have. The amendment offered by the gentleman from Florida most certainly would render our trade policy considerably less flexible if that amendment is adopted.

Mr. BLACKBURN. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I yield to the gentleman from Georgia.

Mr. BLACKBURN. Mr. Chairman, I want to point out to the Members of this body, and to the gentleman who is speaking, that other amendments have been offered here today by Members of the committee which we did not consider and vote upon in the committee, and there has been no objection made to this body considering those amendments. So I do not think the argument is a valid argument against my amendment any more than it would be against any other, and I really do not think it is a valid argument in any event.

Mr. ASHLEY. All I am suggesting is, of course, if the gentleman had offered his amendment in timely fashion, the administration witnesses who appeared before our committee would have been obliged to take a position on his amendment. His failure to offer his amendment and to discuss his amendment at the time of our hearings, of course, make it impossible for this body to be apprised of the position of the administration.

The reason I can say that with some assurance that the administration is opposed to the amendment is because they have indicated no later than this morning, because they made it abundantly clear—and I am talking about the Defense Department, the Commerce Department, and the State Department—they do not want a less flexible policy than we now have. They do not want a more liberal policy. They say they want the same policy that they feel they can administer satisfactorily.

Mr. BLACKBURN. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I yield to the gentleman.

Mr. BLACKBURN. I would just make the observation, of course, that the initial amendment I had proposed contained language which is not in the current amendment. After I had prepared my initial proposal in which I made my amendment apply to any act which is on the books, it became readily apparent—and, of course, we had the committee print out and we were working under great pressure at that point—and it became apparent that this would be subject to a serious question of parliamentary procedure. That being the case I have deleted the language which would have caused strong objection from the administration. But the fact that the administration neither approves nor disapproves or has not taken any action on this, should not act as a deterrent to this body in exercising its will.

Mr. ASHLEY. I am in perfect agreement with the gentleman on that. I acknowledge that the amendment, that is the other amendment, would certainly have had far greater implication than does the amendment now before us. My opposition to the amendment is simply on the basis that we have not yet had sufficient opportunity to go into all of the aspects that attend an amendment as broad even as this one is.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I yield to the gentleman.

Mr. WIDNALL. The U.S. obligation to embargo Rhodesia under the U.N. Charter is implemented under the Export Control Act. Therefore, the administration is against the Blackburn amendment even as it is constituted right now.

Mr. HANNA. Mr. Chairman, I move to strike out the last word and rise to speak in opposition to the amendment.

Mr. Chairman, I take this opportunity to speak against this amendment, but also to bring the attention of this House to something I think has not been made very strongly here.

We have, I think, been addressing ourselves as the gentleman from New Jersey just now pointed out to you on some policy in the wrong direction. We have a Trading With the Enemy Act. Policies with reference to trade with an enemy country should fall in that area of the law. We have an Export Trade Act in which we can direct ourselves in terms of our trade in the international market.

What we are talking about now is extending legislation that we hope will encourage and expand genuine exports by our country. Mr. Chairman, we live in a marginal society just like everybody else in this world. Four percent of our gross national product now is in international trade. If it falls below that, we are in trouble.

I will tell you. When you sell anything today—and when you buy your car, you buy your car and you buy your financing. If it is a choice between whether you are going to get a first-class Pontiac or a first-class Chevrolet, you are going to find out what your financing benefits are. If you can get a better financial package buying one way rather than the other, gentleman, that is what you do. Everybody in the whole world, when they are buying react exactly as you do. Our job in this Congress is to encourage trade under this Export Act and to help finance it under the Export-Import Bank legislation.

By comparison with competing free world countries our financial package is beginning to look pretty sorry. The ability of our business to get licenses to trade is beginning to look rather sorry and we are going to be hurt if we are going to fall below 4 percent of our GNP that is going into international trade.

You are not in this bill talking about trade between some country and our enemies. You are talking of trade between American businessmen and an international purchaser. This is the only trade that you are talking about in this bill.

I think you had better get your sights squared away on what you are doing here. I do not think you want to do what it appears to me you are doing. I suggest that this amendment just like some others have pointed out how seriously we can go awry when we let our emotional binges take over instead of our good solid judgment.

If you want to be against some of these things, address yourselves in the appropriate legislation that can effectively deal with that problem. But do not foist it upon an exporter who simply is trying to sell an American product with some kind of financial package; a competitive financial package with what the businessman in a competing country can offer to the same customer.

If we are not prepared to do that, gentlemen, we are prepared to help put this country down the road to a diminishing trade and worsening balance of payments and a real impact upon the economy that will mean loss of jobs, including a further impact on unemployment. This is the best way I know of to start a cycle of depression in this country.

We are able to protect ourselves against those cycles in the domestic economy, but we have no protection against the impact that will come from our international trade. If 4 percent of $1 trillion does not mean anything to you, you had better sharpen up your arithmetic. I yield back the balance of my time.

Mr. BARRETT. Mr. Chairman, I know the gentleman from New Jersey (Mr. FRELINGHUYSEN) desires to speak. I wonder if the time for debate on the amendment could be limited.

The CHAIRMAN. If the committee is so disposed.

MOTION OFFERED BY MR. BARRETT

Mr. BARRETT. Mr. Chairman, I move that all debate on this amendment and all amendments thereto conclude at 5 p.m.

PARLIAMENTARY INQUIRY

Mr. ASHBROOK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ASHBROOK. Did the Chair recognize the gentleman from New Jersey for 5 minutes? Would that be included in the limitation?

The CHAIRMAN. No, the Chair has not recognized the gentleman from New Jersey.

Mr. BLACKBURN. I wonder if the gentleman from Pennsylvania would amend his motion so as to have the time expire, say, 5 minutes after 5.

Mr. BARRETT. That would be satisfactory. I so amend my motion.

The CHAIRMAN. The question is on the motion offered by the gentleman from Pennsylvania.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Mr. Chairman, I think it is an outrageous operation to cut off debate on a matter of such substance, and I regret very much that the Chairman made the move he did.

I rise in strong opposition to the amendment. Its effect would seem to be to require a lifting of controls on strategic goods that the executive branch decides should not go to certain countries, unless the Congress takes certain action. And it would also seem quite possible under the terms of the amendment to require a lifting of an embargo such as that imposed against Rhodesia by Executive order. The fact that the sponsor of the amendment says he is doubtful whether it would have that effect, but that he hopes it will, is no consolation to me at all.

I would suggest that if we have our wits about us, we will vote down the amendment. This has been a disheartening debate. It has been seriously suggested that we ought to cut off trade relations with our major trading partners because we are unhappy about their trade with North Vietnam. Now because of an individual's feeling, we must consider an ambiguous and far-reaching amendment such as the one proposed, but with no opportunity to consider the specific language, its purpose or its effect.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. REES).

Mr. REES. Mr. Chairman, I yield back my time.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio (Mr. ASHBROOK).

Mr. ASHBROOK. Mr. Chairman, I ask unanimous consent that my time be given to the gentleman from Georgia (Mr. BLACKBURN).

Mr. FRELINGHUYSEN. I object.

Mr. ASHBROOK. Strangely enough, the gentleman from New Jersey objects. But I rise to support the position that he took.

Mr. BLACKBURN. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Georgia.

Mr. BLACKBURN. I would like to point out to the gentleman from New Jersey that this amendment will not affect any partial banning of strategic goods, and it is not designed for that purpose. I think to the extent the gentleman has addressed himself to the fact that this would cut off any restriction on trade is not a valid observation, because the amendment itself defines the term "embargo" as being a total or substantially total embargo.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. No, I will not yield to the gentleman since he would not agree to my unanimous-consent request.

The **CHAIRMAN.** The Chair recognizes the gentleman from Georgia (Mr. BLACKBURN).

Mr. BLACKBURN. Mr. Chairman, I want to address myself to some of the comments made by the gentleman from California (Mr. HANNA). The gentleman's presentation, as I recall, was that my amendment is going to restrict the growth of international trade. I would like to point out we are the body who should be the spokesman for the very businessmen about whom the gentleman was expressing such concern.

When the President declares a total economic warfare against another nation and puts our businessmen out of the business of selling goods, and Congress lacks the power to approve or disapprove this act, I think the gentleman's argument is more in favor of my position than against it. We should be the ones to stand up and take the responsibility of saying to the businessmen no, you do not trade with those countries, or we should say that we think the President is wrong. It is time we exercise our responsibility.

The **CHAIRMAN.** The Chair recognizes the gentleman from New York (Mr. BINGHAM).

Mr. BINGHAM. Mr. Chairman, I expressed the view this amendment would apply to the embargo under the United Nations Participation Act. The gentleman has explained it would not apply in his view, because that embargo is imposed under a statute of the United Nation Participation Act. But surely any embargo imposed by the President must be pursuant to a statute. He cannot impose an embargo on his own executive authority. Therefore, the first sentence of this must apply to any embargo the President applies pursuant to the statute, and that would apply to the Rhodesian situation. It would be contrary to our position under the U.N. charter, and it would be to the benefit of 200,000 whites who are ruling Rhodesia as a small minority in that country.

The **CHAIRMAN.** The Chair recognizes the gentleman from Pennsylvania (Mr. BARRETT) to close the debate.

Mr. BARRETT. Mr. Chairman, I yield back my time.

The **CHAIRMAN.** The question is on the amendment to the committee amendment offered by the gentleman from Georgia (Mr. BLACKBURN).

The question was taken; and on a division (demanded by Mr. BLACKBURN) there were—ayes 28, noes 44.

So the amendment to the committee amendment was rejected.

The **CHAIRMAN.** The question is on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

COMMITTEE AMENDMENT

The **CHAIRMAN.** The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 2, immediately after line 4, insert the following:

"SEC. 2. Section 6 of the Export Control Act of 1949 (50 U.S.C. App. 2026) is amended by adding at the end thereof the following new subsection:

" '(d) In the administration of this Act, reporting requirements shall be so designed as to reduce the cost of reporting, recordkeeping, and export documentation required under this Act to the extent feasible consistent with effective enforcement and compilation of useful trade statistics. Reporting, recordkeeping, and export documentation requirements shall be periodically reviewed and revised in the light of developments in the field of information technology. A detailed statement with respect to any action taken in compliance with this subsection shall be included in the first quarterly report made pursuant to section 8 after such action is taken.' "

AMENDMENT TO THE COMMITTEE AMENDMENT OFFERED BY MR. PODELL

Mr. PODELL. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. PODELL: On page 2 after line 4 insert the following:

"SEC. 2. Section 2 of the Export Control Act of 1949 is amended by adding at the end thereof the following new paragraph:

" '(5) The Congress further declares that it is the policy of the United States to prohibit exports to any country which permits the refining, manufacturing, or trading in narcotic drugs (as defined in section 4731(a) of the Internal Revenue Code of 1954) or depressant or stimulant drugs (as defined in section 201(v) of the Federal Food, Drug, and Cosmetic Act).' "

Mr. PODELL. Mr. Chairman, at the outset let me say I must apologize to the committee for not having submitted this amendment during committee deliberations on the bill. This amendment has coalesced since that activity concluded.

This is a permissive amendment. It does not require the President or the Congress to do anything, but merely declares it is the policy of the United States of America to prohibit exports to any country permitting refining, manufacture, or trading and dealing in narcotic drugs as defined by the Internal Revenue Code.

We do know that now, in Marseilles, France, there is a refining operation, permitted by that country, which is refining opium into morphine and heroin, and exporting all or almost all of these finished products into this country. Organized crime operates with impunity, and we here in America suffer.

If we walk the streets of our country, no matter where, we will find youngsters on those streets and children in our schools becoming narcotics addicts. We have in New York City upwards of 100,000 narcotic addicts, stealing approximately $100 a day in goods to feed their habit. This is what is turning our urban areas into jungles.

We are talking about 40 percent of the crime in our country today. Now we know what is causing this, and it is about time the Congress spoke up and did something about this. Words have flowed endlessly. Now we have a chance to put certain governments on notice that their tolerance of this traffic is at an end.

All we do with this amendment is to give official notice to the President that it should be the policy of this country to stop trading with those countries that permit refining, manufacture, or trading in opium and various narcotics as defined by the Internal Revenue Code.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. PODELL. I am glad to yield to the gentleman from Texas.

Mr. WHITE. Does the gentleman have a definition, as described in the amendment, of the provision in the statute?

Mr. PODELL. I do not have that section of the Internal Revenue Code here. It defines and outlines narcotics, barbiturates, and stimulants which do come under official regulation.

Mr. WHITE. Some of those are manufactured in the United States for legitimate purposes. If the definition said the "illegal manufacture" of course I would go along. If it merely defines the barbiturates and narcotics, perhaps we are doing an injustice to the legitimate trade and the legitimate manufacture in the country. Every country does manufacture or produce.

Mr. PODELL. The section we refer to here deals only with illegal traffic.

Mr. WHITE. Is that the definition?

Mr. PODELL. In the section, yes. First it deals only with illegal traffic. Second, it permits the President to make such policy. There is no congressional mandate. He will make policy only under circumstances where, of course, the activity is patently illegal.

Mr. WHITE. I thank the gentleman.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. PODELL. I yield to the gentleman from New Jersey.

Mr. WIDNALL. Would not this section prohibit the trading with any country that is selling us drugs for medicinal purposes at the present time?

Mr. PODELL. If the President or administration in its wisdom felt that a particular country was permitting such drugs to be illegally exported to our country, the administration or the President would have a right to exercise this prerogative and prohibit further exports.

Mr. WIDNALL. The amendment does not say that.

Mr. PODELL. It certainly does. May I repeat it for the gentleman:

> The Congress further declares that it is the policy of the United States—

That it is merely the policy—

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to prohibit exports to any country which permits the refining—

Obviously, those countries which do refine drugs for medicinal purposes certainly would be permitted to continue to do so, and we may continue to deal with them.

Mr. WIDNALL. It says nothing about "illegal."

Mr. HANNA. Mr. Chairman, will the gentleman yield?

Mr. PODELL. I yield to the gentleman from California.

Mr. HANNA. I wonder if the gentleman would entertain an amendment to his amendment to add "pornography." I believe, if the export policy is going to handle communism and our drug problems, we ought to have an export policy of this Nation taking care of pornography.

Mr. PODELL. If it is the gentleman's purpose and desire to be facetious, let me remind the gentleman to ask Art Linkletter, from his own State, whether he would feel we are being premature in dealing in such a manner with drug problems in our country. The gentleman might ask some of his neighbors down the street. On any street, for that manner. This flood of poison pours like cancer into our bloodstream, ruining lives, weakening our society's fabric and fattening up organized crime. We must serve notice on nations tolerating such traffic, and their authorities are fully informed on it, that we shall retaliate economically at any regime which allows further activities of this sort to continue within its borders.

I submit to the gentleman that this is the most pressing domestic problem in our country today. Our children, yours and mine, in the schools of this country are being infected with this horror. It is about time we took a forward step and took action in this area. Each of us knows of one case after another where drugs have crumbled the existence of young Americans. Remedies are available, and we have one here at hand.

Mr. ASHLEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am very sympathetic to the gentleman from New York and the amendment he has offered. I agree with him that there are few matters of more pressing domestic concern than the increased availability and the increased use of drugs among our young and among many Americans.

In all truth, though, Mr. Chairman, the bill before us is not a Christmas tree to be adorned with ornaments. The gentleman is quite right when he says that our committee did not have an opportunity to study the amendment that has been proposed. It does seem to me that a matter as pressing as the matter to which his amendment is addressed should certainly have the consideration of the legislative committee reporting the bill. This is the view that has been taken by the Department of Commerce. In a letter received quite recently, the Department of Commerce says as follows:

The Department fully supports enactment of comprehensive Federal legislation designed to effectively meet the narcotic and dangerous drug problem at the international as well as domestic level. However, we oppose a premature and fragmented attempt to deal with the problem of illicit drug trade such as is contemplated in H.R. 13792.

This is a bill very similar to if not exactly the same as that incorporated in the gentleman's amendment. Continuing:

To regulate exports without concurrent controls over imports of dangerous drugs would not preclude the clandestine importation of those commodities produced abroad, nor the diversion of domestically produced drugs into illicit channels. The surveillance of exports of such drugs can be carried out through cooperation between the investigatory units of various Federal agencies including the Department of Commerce, without unnecessarily burdening lawful trade in these commodities, as would be the case if we imposed validated licensing requirements.

Mr. PODELL. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I am happy to yield to the gentleman from New York.

Mr. PODELL. I thank the gentleman for yielding.

Is it not correct that this bill will not come up for passage again for 2 years?

Mr. ASHLEY. That is not necessarily true. The bill before us calls for a 2-year extension, but this obviously does not preclude my subcommittee or the full Committee on Banking and Currency from considering amendments to the Export Control Act that might be introduced during the intervening period.

Mr. PODELL. Will the gentleman yield further?

Mr. ASHLEY. Yes.

Mr. PODELL. Does the gentleman believe, as the administration does believe, according to their letter, that action on behalf of this problem is being premature? Does the gentleman believe we have any more time in dealing with this narcotic problem in our country? Does the gentleman really believe we can waste 1 more second or 1 more minute in stopping countries like France from refining these poppy narcotics and having them sold here in our country?

Mr. ASHLEY. I do not believe we can afford to waste one moment at all, but I think we are wasting time when we consider an amendment such as the one the gentleman offered very properly and in good faith but which has not had full consideration, full deliberation and testimony from those who are competent to give it. I think in answer to that that consideration of the amendment is not appropriate at this time.

The CHAIRMAN. The question is on the amendment to the committee amendment offered by the gentleman from New York (Mr. Podell).

The amendment to the committee amendment was rejected.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

AMENDMENT OFFERED BY MR. BINGHAM

Mr. BINGHAM. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Bingham: On page 2, line 19, add the following new section at the end:

"Sec. 3. Section 8 of the Export Control Act of 1949 is amended by striking all including the heading thereof, and inserting in lieu thereof the following:

" 'REPORTING AND INFORMATION

" 'Sec. 8 (a) The head of any Department or agency or official exercising any functions under this Act shall make a quarterly report, within 45 days after each quarter, to the President and to the Congress of his operations hereunder. In each such report, the Secretary of Commerce shall review all lists of articles, materials, or supplies, including technical data or other information, the exportation of which from the United States, its territories and possessions, is prohibited or curtailed with a view to making promptly such changes and revisions in such list as may be necessary or desirable in furtherance of the policy, purposes, and provisions of this Act. The Secretary of Commerce shall further include a detailed statement with respect to actions taken in compliance with the provisions of Paragraph 3 and the justifications thereof in the second quarterly report (and in any subsequent report with respect to actions taken during the preceding quarter) made by him to the Congress after the date of any extension of this Act.

" '(b) The Secretary of Commerce shall use all practicable means available to him to keep the business sector of the nation fully apprised of changes in export control policy and procedures instituted in conformity with this Act. Pursuant thereto, and in order to enable United States exporters to coordinate their business activities with the export control policies of the United States Government, the agencies, Departments, and officials responsible for implementing the rules and regulations authorized under this Act shall, insofar as it is consistent with the national security, the foreign policy of the United States, and the effective administration of this Act—

" '(1) inform each exporter of the considerations which may cause his export license request to be denied or to be the subject of lengthy examination;

" '(2) inform each exporter of the circumstances arising during the Government's consideration of his export license application which are cause for denial or for further examination;

" '(3) give each exporter the opportunity to present evidence and information which he believes will help the agencies, Departments, and officials concerned to resolve any problems or questions which are, or may be, connected with his request for a license, and

" '(4) inform in writing each exporter of the specific reasons for a denial of an export license request.' "

Mr. BINGHAM. Mr. Chairman, the amendment I propose would make no change in the trade policies of this country, but is designed to improve administration and operation of the export control system for the benefit of American business. It is supported by the U.S. Chamber of Commerce. Specifically my amendment would:

First. Require the Secretary of Commerce to review on a quarterly basis all items prohibited or curtailed for export, with a view to making promptly such changes and revisions as may be desirable consistent with the purposes of the act;

Second. Require that all officials responsible for implementing rules and regulations under the export control system fully inform exporters of consider-

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ations which may cause license requests to be denied or subject to lengthy examination;

Third. Require that exporters be given full opportunity to present evidence and information on behalf of export license applications; and

Fourth. Require that prospective exporters be informed in writing of the specific reasons for denial of any export license request.

I would like to read from a telegram sent yesterday to me and other Members by Mr. Hilton Davis on behalf of the U.S. Chamber of Commerce:

> The National Chamber has long called for the thorough and continuous reexamination and reevaluation of the present system of export controls, with the view to eliminating those not necessary for the security of the U.S. and which result in discrimination harmful to its competitive position. The chamber also believes that authority given to administrative agencies should be policed by Congress and that these agencies should be required to keep the public fully informed as to their structure, functions and actions.
>
> The Bingham amendment seems designed to carry out these objectives as they apply to export controls. We urge your vote for this amendment.
>
> HILTON DAVIS,
> *General Manager, Legislative Action.*

I repeat: the amendment to the Export Control Act extension that I am proposing makes no change in the trade policies of this country. It is designed, instead to help eliminate the apparent trade disadvantage and difficulty encountered by many businessmen as a result of the complexity of the system of trade restriction and the clumsiness of its implementation. I refer specifically to the fact that a great many items continue to appear on the list of items restricted for export—particularly those items restricted unilaterally by the United States—which have no apparent national security or foreign policy significance. Looking through one recent version of the list, for example, I noted the following: "knots and tufts for broom or brush making," "animated displays for window dressings," "cow dip," "belt clasps," "typewriters"—multitype only)—"type fonts," "lavatories and plumbing fixtures," "used clothing," "voice and music recorders," and "terrestrial and celestial globes." While there may be good reason to restrict these items, they certainly are not apparent, and Federal authorities should be required to review and report their reasoning in restricting these items.

As I understand it, for purposes of most destinations in Communist dominated areas, all items are assumed to be prohibited for export unless ruled otherwise. As a result, the list of items for which licenses must be granted is long. It is gradually being "shaken down" through what one Federal official has called a "gradual evolutionary process." That is, certain items are removed from the list as applications to export them are filed and determination is made that there is no need to restrict their export. In addition, there have been occasional general reviews of these lists—the latest one as far as I can determine in 1965—which have resulted in the removal of literally hundreds of irrelevant items.

The Department of Commerce claims to make a continuing review of the commodity control list without waiting for specific applications for exports to be made. The specific results of these reviews for individual items, however, are not made generally available. It is, therefore, difficult for policymakers or businessmen to challenge these findings or conclusions should they wish to do so. As many businessmen have claimed in testimony, the justifications for retaining certain items on the restricted list and the kinds of considerations that are made is a very "foggy" and confusing area.

My amendment would assure that broad reviews of the commodity control list are undertaken on a continuing basis. Without such general reviews, removal of irrelevant items proceeds quite slowly, impeding and slowing down legitimate trade by necessitating added license applications. My amendment would require the Secretary of Commerce to undertake a continuing general review of all lists with an eye toward removing those that are irrelevant even before any export license application is filed; it will further require that justifications for retaining or removing items be reported to Congress quarterly.

Any export control system, regardless of the policy pronouncements on which it is based, is a difficult mechanism to administer and inevitably detains and restricts trade unless it is efficiently and smoothly administered. In the course of hearings on both the House and Senate sides, it has become evident that a great many businesses are losing trade opportunities not only because license applications are refused on certain items, but also because of the great delay that often occurs in reaching a decision on license applications and the lack of information available to businesses on the status of the applications and the relevant considerations being used to determine whether a given application will or will not be granted. This is particularly the case when the item under examination falls in the "gray" area—items which have both clear, peaceful, and potential military uses.

I note with satisfaction the efforts that are continuing to be made by the Department of Commerce and other agencies with authority under the Export Control Act to streamline the procedures for ruling on license applications. In May 1968, for example, the Department announced a new procedure that permits an exporter to receive an export license for samples of his product without any advance determination being required as to whether a commercial quantity might also be approved. It is the latter process which so often takes inordinate and critical time. But I am persuaded that much remains to be done to make the process of ruling on license applications more efficient and more responsive to the needs and requirements of the business community. My amendment, therefore, would require that potential exporters be fully informed at all stages of the licensing process of the status of their application and the considerations which may cause the application to be delayed or denied. It would also require that exporters be given an opportunity to present evidence and information which they believe will help their case and help the agencies concerned reach a rapid and favorable decision on license requests.

Finally, my amendment would require that exporters be notified in writing of the specific circumstances and considerations surrounding any denial of an export license request. It is my belief and hope that these requirements will expedite and improve the licensing process and enable businesses to salvage much potential trade which they are now losing merely as a result of the clumsy and closed operation of the licensing mechanism.

The requirement I mentioned earlier that the Secretary report his justifications for retaining or removing items from the commodity control list quarterly, will also enable businesses to operate with more knowledge and rationality in the export field, and permit them to challenge judgments of the Federal Government responsibly should they have evidence which they feel are contrary to official findings.

I hope my amendment will be approved.

Mr. ASHLEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the amendment which has been offered by the gentleman from New York. It is a good amendment.

As I pointed out in my earlier remarks, both statistically and by example, the control lists embrace hundreds of categories accounting for thousands of products which are unrelated to the strength of the Eastern European countries within the context of the potential threat they pose to our national security.

The redtape that emerges from this vast network together with the admission by administration witnesses that little has been done to clean out the control lists, certainly indicates the good sense of an amendment with language requiring a systematic justification of the need to maintain the vast list of barriers to trade.

From testimony taken from several public witnesses, together with other written communications, it does appear that there is a need to establish closer coordination between business and government in the implementation of our export control policies.

The Subcommittee on International Trade took extensive and detailed testimony which pointed up the frustrations of exporters in attempting to work through this program. Not only are they faced with long delays which discourage further sales efforts on their part and cause them to lose sales to foreign competitors whose governments process applications much faster, they are also left uninformed about the status of their license applications and are not given reasons for denial which might enable them to reorient their marketing and production activities. The amendment, as I understand it, would diminish another of the barriers to the pursuit of export sales by enabling American businessmen to

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keep abreast of the status of their applications without unduly hampering the functions of the Department of Commerce.

Hence, I support the amendment.

Mr. Chairman, I understand that there is no objection on the part of the committee members on this side of the aisle to the amendment which has been offered by the gentleman from New York.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I shall be glad to yield to the gentleman from New Jersey.

Mr. WIDNALL. Mr. Chairman, I feel that this amendment has some very good ideas, but it would be the quickest way to build up a large bureaucracy in the handling of these matters. The sixth section of this bill provides for reporting requirements which I feel are ample, and which would expedite action, and I oppose the amendment.

Mr. BINGHAM. Mr. Chairman, I think the businessmen who have had experience under this act, as they testified before the Senate committee and the House committee, have indicated that they are floundering, that they are not given guides, and they do not know what the criteria are, and they have difficulties. This is an attempt to solve their problem by increasing certain reports.

I might add that this amendment has been adopted in practically the same fashion by the committee in the other body, and recommended to the other body for passage.

I hope that this amendment, which is a pro-American business amendment, will be adopted.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. BINGHAM).

The question was taken; and the Chairman being in doubt, the Committee divided, and there were—ayes 23, noes 47.

So the amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ABERNETHY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 4293) to provide for continuation of authority for regulation of exports, pursuant to House Resolution 575, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. WYLIE

Mr. WYLIE. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. WYLIE. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. WYLIE moves to recommit the bill H.R. 4293 to the Committee on Banking and Currency.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. ASHBROOK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 273, nays 7, not voting 151, as follows:

[Roll No. 233]

YEAS—273

Abernethy
Adair
Adams
Alexander
Anderson, Calif.
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Annunzio
Ashley
Ayres
Barrett
Beall, Md.
Belcher
Bennett
Betts
Bevill
Biaggi
Biester
Bingham
Blackburn
Boggs
Boland
Bolling
Bow
Brademas
Brinkley
Brock
Broomfield
Brown, Mich.
Broyhill, N.C.
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, Utah
Bush
Button
Byrne, Pa.
Cabell
Casey
Chamberlain
Chappell
Cleveland
Cohelan
Collier
Collins
Colmer
Conte
Corman
Coughlin
Cramer
Culver
Daddario
Daniel, Va.
Daniels, N.J.
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Denney
Dickinson
Diggs
Donohue
Dowdy
Downing
Dulski
Duncan
Edwards, Ala.
Eilberg
Esch
Evins, Tenn.
Fish
Flood
Foley
Ford, William D.
Foreman
Fountain
Fraser
Frelinghuysen
Frey
Friedel
Fulton, Pa.
Galifianakis
Gallagher
Gaydos
Gettys
Giaimo
Gilbert
Goldwater
Gonzalez
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gubser
Gude
Hagan
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Harrington
Harvey
Hathaway
Hawkins
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Hogan
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Jacobs
Johnson, Pa.
Jonas
Jones, Tenn.
Karth
Kastenmeier
Kazen
Keith
King
Kleppe
Koch
Kuykendall
Kyros
Langen
Leggett
Lennon
Lipscomb
Long, Md.
Lowenstein
McCarthy
McClure
McCulloch
McDade
McDonald, Mich.
McFall
McKneally
Macdonald, Mass.
MacGregor
Madden
Mahon
Mailliard
Mann
Marsh
Matsunaga
May
Mayne
Melcher
Meskill
Michel
Mikva
Miller, Calif.
Miller, Ohio
Minish
Mink
Minshall
Mizell
Mollohan
Monagan
Moorhead
Morgan
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
Obey
O'Hara
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patten
Pelly
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Podell
Poff
Preyer, N.C.
Price, Tex.
Pryor, Ark.
Purcell
Quillen
Railsback
Randall
Rees
Reid, Ill.
Reid, N.Y.
Rhodes
Robison
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roth
Roudebush
Roybal
Ruth
Ryan
Sandman
Satterfield
Schadeberg
Scheuer
Schneebeli
Schwengel
Scott
Sebelius
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Springer
Stafford
Staggers
Steiger, Ariz.
Steiger, Wis.
Stephens
Stokes
Stratton
Stuckey
Sullivan
Symington
Talcott
Teague, Calif.
Thompson, N.J.
Thomson, Wis.
Udall
Van Deerlin
Vanik
Vigorito
Waggonner
Watkins
Watson
Weicker
Whalen
White
Whitehurst
Widnall
Wiggins
Williams
Wilson, Bob
Wolff
Wydler
Wyman
Yates
Yatron
Young
Zablocki
Zion
Zwach

NAYS—7

Ashbrook
Clancy
Gross
Landgrebe
Rarick
Scherle
Wylie

NOT VOTING—151

Abbitt
Addabbo
Albert
Andrews, N. Dak.
Arends
Aspinall
Baring
Bell, Calif.
Berry
Blanton
Blatnik
Brasco
Bray
Brooks
Brotzman
Brown, Calif.
Brown, Ohio
Broyhill, Va.
Buchanan
Burton, Calif.
Byrnes, Wis.
Caffery
Cahill
Camp
Carey
Carter
Cederberg
Celler
Chisholm
Clark
Clausen, Don H.
Clawson, Del
Clay
Conable
Conyers
Corbett
Cowger
Cunningham
Dawson
Dellenback
Dennis
Dent
Derwinski
Devine
Dingell
Dorn
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Erlenborn
Eshleman
Evans, Colo.
Fallon
Farbstein
Fascell
Feighan
Findley
Fisher
Flowers
Flynt
Ford, Gerald R.
Fulton, Tenn.
Fuqua
Garmatz
Gibbons
Griffin
Grover
Haley
Hall
Hansen, Idaho
Harsha
Hastings
Hays
Holifield
Horton
Hosmer
Jarman
Johnson, Calif.
Jones, Ala.
Jones, N.C.
Kee
Kirwan
Kluczynski
Kyl
Landrum
Latta
Lloyd
Long, La.
Lujan
Lukens
McClory
McCloskey
McEwen
McMillan
Martin
Mathias
Meeds
Mills
Mize
Montgomery
Morse
O'Konski
Olsen
Patman
Pepper
Pettis
Pollock
Powell
Price, Ill.
Pucinski
Quie
Reifel
Reuss
Riegle
Rivers
Roberts
Rodino
Rosenthal
Ruppe
St Germain
St. Onge
Saylor
Shipley
Sisk
Smith, Iowa
Smith, N.Y.
Snyder
Stanton
Steed
Stubblefield
Taft
Taylor
Teague, Tex.
Thompson, Ga.
Tiernan
Tunney
Ullman
Utt
Vander Jagt
Waldie
Wampler
Watts
Whalley
Whitten
Wilson, Charles H.

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Winn
Wold
Wright
Wyatt

So the bill was passed.

The Clerk announced the following pairs:

Mr. Holifield with Mr. Dennis.
Mr. Hays with Mr. Derwinski.
Mr. Aspinall with Mr. Corbett.
Mr. Brasco with Mr. Findley.
Mr. Edmondson with Mr. Camp.
Mr. Rivers with Mr. Byrnes of Wisconsin.
Mr. Garmatz with Mr. Cederberg.
Mr. Feighan with Mr. Berry.
Mr. Farbstein with Mr. Grover.
Mr. Carey with Mr. Cahill.
Mr. Brooks with Mr. Kyl.
Mr. Johnson of California with Mr. Del Clawson.
Mr. Griffin with Mr. Lloyd.
Mr. Edwards of California with Mr. Bell of California.
Mr. Addabbo with Mr. Andrews of North Dakota.
Mr. Kirwan with Mr. Hall.
Mr. Albert with Mr. Gerald R. Ford.
Mr. Taylor with Mr. Hansen of Idaho.
Mr. Blanton with Mr. Hastings.
Mr. Rodino with Mr. Horton.
Mr. Celler with Mr. Conable.
Mr. Edwards of Louisiana with Mr. Lujan.
Mr. Roberts with Mr. Bray.
Mr. Dent with Mrs. Dwyer.
Mr. Sisk with Mr. Hosmer.
Mr. Shipley with Mr. Brotzman.
Mr. St. Onge with Mr. Cunningham.
Mr. Price of Illinois with Mr. Erlenborn.
Mr. Pepper with Mr. Broyhill of Virginia.
Mr. Mills with Mr. Arends.
Mr. Long of Louisiana with Mr. Snyder.
Mr. Jones of Alabama with Mr. Thompson of Georgia.
Mr. Charles H. Wilson with Mr. Don Clausen.
Mr. Teague of Texas with Mr. Dellenback.
Mr. Abbitt with Mr. Devine.
Mr. Blatnik with Mr. Harsha.
Mr. Baring with Mr. Ullman.
Mr. Kee with Mr. Clay.
Mr. Evans with Mr. Meeds.
Mr. Olsen with Mr. Eshleman.
Mr. Watts with Mr. Latta.
Mr. Jarman with Mr. Morse.
Mr. Tiernan with Mr. McEwen.
Mr. Steed with Mr. Martin.
Mr. Haley with Mr. Lukens.
Mr. Pucinski with Mr. McClory.
Mr. Reuss with Mr. O'Konski.
Mr. Fuqua with Mr. Pettis.
Mr. Rosenthal with Mr. McCloskey.
Mr. St Germain with Mr. Pollock.
Mr. Fulton of Tennessee with Mr. Quie.
Mr. Waldie with Mr. Mathias.
Mr. Wright with Mr. Reifel.
Mr. Patman with Mr. Mize.
Mr. Gibbons with Mr. Reigel.
Mr. Fallon with Mr. Saylor.
Mr. Clark with Mr. Smith of New York.
Mr. Kluczynski with Mr. Ruppe.
Mr. Fascell with Mr. Stanton.
Mr. Whitten with Mr. Taft.
Mr. Flowers with Mr. Utt.
Mr. Montgomery with Mr. Vander Jagt.
Mr. Caffery with Mr. Wampler.
Mr. Fisher with Mr. Whalley.
Mr. Stubblefield with Mr. Winn.
Mr. Landrum with Mr. Wold.
Mr. McMillan with Mr. Wyatt.
Mr. Jones of North Carolina with Mr. Buchanan.
Mr. Eckhardt with Mr. Brown of Ohio.
Mr. Flynt with Mr. Carter.
Mr. Dorn with Mr. Cowger.
Mr. Tunney with Mr. Conyers.
Mr. Brown of California with Mr. Dawson.
Mr. Dingell with Mr. Powell.
Mr. Burton of California with Mrs. Chisholm.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

PERMISSION FOR CLERK TO CORRECT SECTION NUMBERS, CROSS REFERENCES, AND PUNCTUATION IN ENROLLMENT OF H.R. 4293

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the Clerk may correct section numbers, cross references, and punctuation in the enrollment of the bill just passed, H.R. 4293.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

GENERAL LEAVE

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous matter on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

PERSONAL EXPLANATION

(Mr. DON H. CLAUSEN asked and was given permission to address the House for 1 minute.)

Mr. DON H. CLAUSEN. Mr. Speaker, I was unavoidably detained at a meeting at the executive offices when the vote was taken on the bill, H.R. 4293, the Export Control Act extension and was, therefore, unable to be here for the purpose of the voting.

Therefore, I want the RECORD to reflect my position as being in favor of the extension of the Export Control Act, and had I been present I would have voted aye.

PERSONAL EXPLANATION

Mr. ESHLEMAN. Mr. Speaker, I would like the RECORD to show that I was on my way to the floor of the House at the time of the rollcall and would have voted "yea" on the bill just passed had I been able to reach the floor in time to do so.

The SPEAKER. The gentleman's remarks will appear in the RECORD.

PERSONAL EXPLANATION

Mr. FULTON of Pennsylvania. Mr. Speaker, I would like to make a statement with reference to the vote on the student loan bill conference report. I was returning from my Pittsburgh office for today's session and my plane was several hours overdue at the Washington National Airport.

Had I been able to be present, I would have voted "yea" on final passage of the student loan bill conference report on rollcall No. 231 this afternoon.

PERMISSION FOR COMMITTEE ON RULES TO FILE A PRIVILEGED REPORT ON H.R. 13950

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file a privileged report on the bill H.R. 13950.

The SPEAKER pro tempore (Mr. GRAY). Is there objection to the request of the gentleman from Arkansas?

There was no objection.

THE OIL INDUSTRY WINS—THE TAXPAYERS LOSE

(Mr. PODELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PODELL. Mr. Speaker, while the Nation is paying major attention to the moratorium and world's series, the oil industry is quietly carving out of the House-passed tax reform bill provisions eroding its accumulated tax privileges. Yesterday, the Senate Finance Committee began the quiet process of evisceration, dropping from the tax reform measure two sections which would have cost the oil industry $65 million in added taxes. This is just a bare beginning. The first benefit handed back on a silver platter to the oil industry was the foreign tax credit, which the House had repealed. This is the credit American companies may take on their U.S. tax returns for taxes paid to a foreign government. So oil companies, under action taken yesterday, would still be able to deduct losses on new overseas operations against domestic income in 1 year, then apply the foreign tax on those same operations against income earned here in another year.

This confers a double benefit upon the oil industry, violating the rule that a foreign tax credit cannot be larger than the U.S. tax that would otherwise have been paid.

Mr. Speaker, the tax reform bill now before the Senate Finance Committee is the most delicate of compromises. In it, each vested interest affected has lost a small but significant portion of its accumulated tax privileges, all gained at the expense of the average lower- and middle-income taxpayer. This bill is broad enough, but certainly not deep enough. Nonetheless, it is acceptable for now as a beginning, although many Members of the House, myself among them, approved of its final form grudgingly, because it was too shallow in total cuts made in tax privileges.

Many vested interests in the Nation were prevailed upon to accept a cut in tax privileges on the ground that all other interests were sacrificing some of their tax benefits so the average taxpayer could receive some relief. The specter was often raised of one industry or interest using its influence to render itself immune to such a compromise. It was added that such an act would be foolhardy, because it would unravel the entire skein of compromise which was the backbone holding the entire tax bill together. Few felt one industry would be foolish enough to do such a thing, but it has now happened.

Mr. Speaker, the oil industry is destroying the entire tax bill, depriving every American taxpayer of desperately needed financial relief and tax justice. Oil will undoubtedly succeed in eliminating almost every provision of the bill applying to its operations. This, in turn, will be the signal to every other concentration of strength to do the same. If the oil crowd is thumbing its nose at the public and getting away with it, why not the rest?

I shall never vote to accept any conference report which allows the oil industry to get away with such a blatant outrage. It is a deliberate insult to every person in this country who demands tax reform. Think of the prices we shall all have to pay this winter for fuel oil and gasoline. Twice what the going world rate is to any other consumer outside the United States. We are even going to have to pay indirectly for the many full page ads they are running in the papers defending their privileges, for these are all tax deductible.

There can be no tax reform without including the oil industry. They have shown their contempt for the actions of this House and needs and requests of the American people.

In 1967, major oil companies paid out 8.3 percent of their net income before taxes as Federal income tax. Last year, in 1968, that figure dropped to only 7.7 percent of their income in the form of Federal tax. Sinclair Oil earned a $101 million profit before taxes and received a tax credit from the overburdened taxpayer of $2.7 million. Together Atlantic and Sinclair netted $341,537,000 while paying a total combined Federal income of $200,000. Gulf cut its tax rate from 7.8 percent to less than 1 percent, while netting almost $1 billion. The lowest percentage rates belong to large companies able to apply their royalties abroad against Federal tax liabilities, which is exactly the penalty removed yesterday by the Senate Finance Committee.

This is the cold, harsh truth. If the people want to know who is arrogantly cheating them while daring them to do something about it, there they are. I fervently hope this House will reject any tax bill benefiting the oil industry.

TAX REFORM, WILL WE GET IT?

(Mr. HICKS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HICKS. Mr. Speaker, there is every indication that both the Nixon administration and the Senate are determined to scuttle the tax reform bill passed by the House in August. First, there came the administration's ironic complaint that the House-passed reform bill would provide too much tax relief lor lower- and middle-income taxpayers, while shifting too much of the burden onto corporations and the wealthy. Then, the Senate began showing signs of bending under the pressure mounted by special interest groups organized in opposition to tax reform.

One by one, long-sought reform measures are being placed on the Senate's chopping block. How is this all being justified? As one Member of the Senate remarked, "The general public's intense fervor for tax reform has greatly subsided since summer."

Apparently the Senator has been listening and talking with a strangely different "general public" than I have. The message I have been receiving lately from the district which I represent merely underscores the average citizen's demand that Congress deliver on last year's promise for tax reform and deliver now. If the enthusiasm for tax reform has cooled, it has cooled in the executive suites of America's corporations. Ever since the wealthy has discovered that for once they may have to pay something that resembles their "fair share" of the Federal income tax, there has been nothing but wailing from one end of Wall Street to the other.

Of course, the sad fact for the millions of average American taxpayers is that these cries against tax reform are being heard. I was pleased to note, however, that instead of trying to squeeze more "reform" out of the House tax reform bill, Senator YARBOROUGH suggested that the Senate add to this legislation by raising the personal exemption.

Along with other Members last April, I introduced H.R. 10592, which provided for an increase in the personal exemption of the Federal income tax from $600 to $1,000. Much to my disappointment, the Ways and Means Committee failed to include any increase in the personal exemption in the tax reform bill presented to the House. Although I believe the tax reform bill represents a great milestone in tax legislation, no tax reform can be complete without raising the personal exemption.

Since its adoption in 1948, the personal exemption has not been raised despite the fact that the cost of living in America has jumped nearly 53 percent. If Congress is to begin living up to its obligation to the average wage earner, who is paying the lion's share of America's tax bill, then it must start by increasing the personal exemption to at least $1,000. I, therefore, hope the Senate will heed the advice of Senator YARBOROUGH and amend the House-passed tax reform bill to include a $1,000 personal exemption.

DEMAND FOR RESIGNATION OF DR. YOLLES

(Mr. WATSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WATSON. Mr. Speaker, all of you are aware of the liberal attitude taken by Dr. Stanley Yolles, head of the National Institute of Mental Health, relative to his position on the sale and use of marihuana.

But yesterday at our crime hearings this gentleman testified, and in response to my specific question as to whether or not he favored dropping or removing minimum mandatory jail term for sellers of hard drugs, specifically heroin, to minors and teenagers, Dr. Yolles responded in the affirmative.

Dr. Yolles' response to my specific question about drug pushers and other questions, as well as the context of his testimony, convinced me that he is unfit to serve longer in this or any other administration. His views are indefensible, and they are completely contrary to the efforts of the Nixon administration to crack down on narcotics. Regardless of what may motivate his thinking, in my judgment his permissive approach to this critical national problem will come as welcome news to every dope peddler in the country.

Dr. Yolles' views are an affront to every decent, law-abiding citizen in America. At a time when we are on the verge of a narcotics crisis, a supposedly responsible Federal official comes along with the incredibly ridiculous idea of dropping mandatory jail sentences for those who push dope, even for those adults selling hard drugs to minors.

I do not believe that Dr. Yolles' views are shared by one-tenth of 1 percent of the American people. It is obvious to me that he has no grasp whatsoever of this problem. But time just does not allow us an opportunity for him to escape from his ivory tower and get in touch with reality. He can peddle these views as a private citizen if he likes, but I do not think the American taxpayer should have to foot the bill for such irresponsibility. I call upon Dr. Yolles to resign forthwith, and in the event he fails to do so, I do not think that this administration should any longer put up with the embarrassment he has caused it.

VIETNAM

(Mr. CARTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER. Mr. Speaker, our country has long been disturbed by the war in Vietnam. Now, when we delve into the reasons for our being in Vietnam, three basic ones are given: First, to permit self-determination by the people of the type of government the majority desires; second, to contain communism; and, third, the domino theory.

In 1964, it was evident that the 17,000 American troops and the South Vietnamese were facing defeat and that our forces were on the brink of being thrown out of Vietnam.

The Tonkin Gulf incident occurred at this time, purportedly two of our destroyers, the *Turner Joy* and the *Maddox*, were attacked while on the high seas. Immediately, the United States retaliated by bombing North Vietnamese bases. Next, Congress was given the above information and was asked to pass the Tonkin Gulf resolution, which it did with small dissent.

Today, it is accepted that the *Turner Joy* and *Maddox* were not under attack.

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The commanding officers do not so state; actually, they were with South Vietnamese ships attacking North Vietnam. Suppose Miami were under attack by Argentina's vessels and two Mexican ships were in their midst, actually we would shoot at all the ships, would we not? Yet, it is not shown that our ships were fired upon.

By the authority of the Tonkin Gulf resolution, our troops were increased in number to 542,000, and the bloodiest conflict since World War II was begun.

It seems quite logical that the Gulf of Tonkin incident was a ploy to arouse public indignation, and support of intervention.

The ruse was transiently effective. With the country feeling our ships had been attacked, the increased troop deployment was approved.

On investigation and study of the reasons for increased involvement, the purpose for the creation of the Tonkin Gulf incident was perceived by many people throughout our country, thousands, even millions of our citizens became convinced that we were no longer basing our actions on the premise that right makes might—in other words, our country was departing from the paths of righteousness.

Conduct of the war was strictly controlled from the White House; advice of military leaders of recognized ability was disregarded. The enterprise, winning the war in Vietnam, lost the name of action. Vacillation and indecision were costly in lives and treasure. By 1967, it was clear that the war in Vietnam was being lost and that there was not the determination in the leadership to win.

With Congressmen STANTON, of Ohio, and DUNCAN, of Tennessee, at our own expense, we visited Vietnam in 1965. We were with the "Big Red One," the 1st Division at Bienhoa, and with the 1st Cavalry Division at An Khe. We saw the finest, best-trained, best-equipped young soldiers the world has ever seen.

We visited villages supposedly pacified, one in particular was called Happy Valley.

I also visited general hospitals in the Saigon area. Conditions were terrible. Two or more patients were often in one bed. Diseases rarely seen here were rampant there—malaria, tuberculosis, leprosy.

The Vietnamese are of small stature. The average weight is about 110 pounds and height 5 feet, 4 inches. But for all their illnesses and smallness in stature, they are highly intelligent.

In 1966, I was a member of the Speaker's Committee of Combat Veterans of World War II sent to evaluate the war effort. On this occasion, we visited I Corps commanded by Gen. Lou Walt. We were privileged to see our Marines in action. Again, they were the finest young men I have ever seen.

We visited the 1st Cavalary Division at An Khe. This time artillery was firing from the division perimeter, "Happy Valley," the pacified village, was neither happy nor pacified. We were no longer permitted to enter.

I visited the Mang Yang Pass where, in 1954, 5,000 of the flower of the French Army was attacked by the Vietnamese, where 3,900 lonely graves mark the spot where these young Frenchmen lost their lives.

We also visited the Montegnard villages and saw these people in their native habiliments. The men wore loin cloths. The women wore only short skirts. Their houses were built of bamboo with thatch roofs. Their educational level evidently was quite low. It was my feeling that they knew nothing about the war, communism, or any other ideology. They apparently wanted peace—and this desire was evident in all villages throughout South Vietnam.

What has this war cost us? The lives of 40,000 of the flower of American manhood, 250,000 maimed and mangled, and 120 billions of dollars.

Every 30 days as much blacktop is laid in Vietnam as there is in the New Jersey Turnpike. Every 60 days as much concrete is poured as is in Route 495, Washington's outer drive.

Also, this war has caused serious dissension among the youth of our country who may be called to serve. The questionable morality of the war and the serious inequities of the draft have caused thousands of youngsters to lose faith in our beloved country. Again, the war must be brought to a conclusion to cut short incipient revolt and rebellion.

The purposes of our being in Vietnam stated by the previous administration will be discussed in order.

First. That we are there to contain communism.

Does it make sense to contain communism 10,000 miles from home when Communist Cuba lies 90 miles off our shore, with its cancerous tentacles infiltrating and enmeshing the countries of South and Central America? Not only that, known Communists are permitted to work in our defense plants here.

Second. That we are in South Vietnam so that they may determine the type of government they want.

Numerous authorities, including Eisenhower, stated that 80 percent of the people would have gone with Ho Chi Minh if they had been permitted to hold fall elections in 1956, as had been provided by the Geneva Conference Convention, but our country went blindly in on the side of the 20 percent. Therefore, our argument for self-determination is spurious.

Third. That all countries of Southeast Asia would fall to communism.

The countries which would be affected do not fear this or they would have combat forces to the limit of their abilities in South Vietnam. Australia has fewer soldiers in Vietnam than it had at Tobruk. The Philippines have no combat forces. Malaysia and Indonesia have none. If they do not fear invasion, why should we sacrifice the lives of our young men to prevent it?

Our young people in America know the sordid reasons for this war. They feel that when they die in Vietnam, their lives are not given in defense of the United States. And their lives are all they have. They feel that their visions, dreams, and hopes for the future are sacrificed to keep a few Vietnamese dictators in power.

I submit that this is the basic reason for unrest in our colleges and universities. The war must be ended expeditiously. I support the administration's policy for ending it.

Before entrance into any war, we must know beyond reasonable doubt that the future of our country is threatened, basing our actions on the words of Lincoln:

> Let us have faith that right makes might, and in that faith let us dare to do our duty as we understand it.

We cannot fail.

ARTHUR GOLDBERG WRITES ABOUT THE GREEN BERETS

(Mr. MOSS asked and was given permission to address the House of 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MOSS. Mr. Speaker, I insert with these remarks an editorial from this week's issue of Life magazine by Arthur Goldberg, formerly an Associate Justice of the Supreme Court of the United States, a man who has rendered distinguished service as our Ambassador to the United Nations and who performed most effectively as Secretary of Labor under the late President John F. Kennedy.

Mr. Speaker, from the first unfolding of the recent Green Beret incident, I had a strong sense of personal disquiet. Somehow the development did not conform with American traditions nor with the traditions of Anglo-Saxon jurisprudence which form the foundations upon which the legal system of this Nation is built.

Freedom has been recognized throughout history as fragile requiring protection of every facet of its many sides if the whole was to survive. I believe that in the recent Green Beret case something of great significance was taken from the American Government and the American people. Arthur Goldberg expresses quite eloquently and objectively the nature of that element of loss. After reading it I hope that many of my colleagues will share my feeling that something more must be done than to just brush this case under the rug.

Those the Government charged initially with a crime will, I think, throughout their lives be faced with the fact that no mechanism is provided to clear them, if in fact they are not guilty. On the other hand, if they were guilty no mechanism is provided to then impose punishment which our system demands must be given if law is to continue to be the basis for our society.

Mr. Goldberg's article follows:

ARTHUR GOLDBERG WRITES ABOUT THE GREEN BERETS

The dropping of murder charges in the now famous Green Beret case has almost everywhere evoked a widespread sense of relief.

I must confess that I find this reaction—and, even more, the powerful political clamor against prosecution which preceded the

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dropping of charges—profoundly disturbing. In them I note an appalling, indeed frightening, deterioration in our national standards of morality and law.

Two comments are necessary by way of preface. First, what I say must not be construed as reflecting adversely upon the soldiers who were charged with murder, or as a judgment upon the facts of the case. Although the eight men will now not have their day in court, the old principle that persons accused of crime are presumed innocent until found guilty still lies at the heart of our legal system. The charges that were levied against the Berets were only charges. They were not evidence. Still less were they a finding of guilt.

Second, I do not have access to information which would enable me to judge whether the national security would indeed have been jeopardized by disclosures which might have resulted had the case been brought to trial. Nor, in fact, do I have any quarrel with the general proposition that considerations of national security may sometimes justify a decision by the authorities not to prosecute a particular set of charges.

What does alarm me is the way we have responded as a nation to the grave allegation that one or more of our uniformed soldiers ~~*executed*~~ *without trial* a foreign national whom they had in their complete control, because they suspected him to be a double agent.

Few of our people, and even fewer of our leaders, have manifested any sense of outrage that such an execution without trial might have occurred, or might have been ordered by American officers. Indeed, General Creighton Abrams, our commander in Vietnam and a brave and forthright soldier who knows the rules of war, has come under sharp public criticism for having insisted on their applicability in this case—to the point of ordering that murder charges be brought.

Of course war is hell. I suppose there has never been a war in which troops under the stress of battle have not committed acts of savagery which they would not think of performing under other circumstances. And I recognize that a counter-guerrilla war in the jungles and rice paddies of South Vietnam is peculiarly prone to instances of misconduct of this kind.

But the Green Beret incident, as alleged, does *not* involve lapses of discipine under battlefield conditions. The charge was that a South Vietnamese agent in our employ and control was simply executed—rather than being detained, or tried, or turned over to the South Vietnamese for trial. No civilized nation can permit individual members of its armed forces to take this kind of action on their own initiative. Down that road lies anarchy.

Article 106 of the Uniform Code of Military Justice provides that alleged spies caught behind our lines and not in uniform may be punished by death—but not before trial and conviction by an appropriate tribunal. Articles 93 and 118 of the Code make it a crime for an American serviceman to murder or even to practice cruelty toward "any person subject to his orders." The Geneva Conventions to which we subscribe impose similar restrictions.

At the end of World War II we participated in war crimes trials at Nuremberg and elsewhere in which enemy military personnel who mistreated prisoners under their control were prosecuted, convicted and punished. We sentenced General Yamashita, the "Tiger of Malaya," to death not for his own acts but for his failure to control the conduct of troops under his jurisdiction. We treated as war criminals those German generals who had executed uniformed soldiers and agents whom the Office of Strategic Services had sent into occupied Europe to train partisans, gather intelligence and commit sabotage—despite the generals' defense that Hitler had ordered them to do so. Under international law, as we applied it, an order such as Hitler's was an unlawful one, and therefore not entitled to obedience.

I take great pride in this nation's historic fidelity to the rules which govern civilized societies even when they are at war. Traditionally we have never allowed expedience to justify departures from these rules. In August of 1776, when our nation's very ability to survive was in doubt, the Continental Congress provided that alien spies were to be executed only according to the law and usage of nations, and on the sentence of a general court martial. The rule was followed from the bleak days at Valley Forge to the end of the war.

In 1942, when our struggle against the Axis powers was at its most desperate, the United States Supreme Court interrupted its summer recess for the first time in 22 years to reconvene and review the procedural protections being afforded eight Nazi saboteurs in civilian garb who had been landed in this country by submarine.

Has the time now come, after all these years, to adopt a lower standard of conduct?

The war in Vietnam is a tragic war, marked by events which no human being can applaud. Whether or not the national interests assertedly at stake there warrant our participation in it—at such sacrifice in lives, treasure and morality—the situation in Vietnam cannot justify us as a nation now, for the first time in our history, to tolerate—more, to legitimate—the cold-blooded murder of individuals wholly under the control of our troops. We may jail spies or prosecute them. But individual American soldiers may not take it upon themselves, away from the battlefield, to serve as prosecutor, judge and executioner. That is utterly unacceptable—now, as it was in 1776.

If the price of the war in Vietnam includes our coming to tolerate or applaud this sort of moral breakdown, it is one I am not willing to pay. Nor should any civilized nation. As a great patriot, Tom Paine, once said:

> "He that would make his own liberty secure must guard even his enemy from oppression, for if he violates this duty he establishes a precedent that will reach to himself."

PRISONERS OF WAR: THE MEN IN LIMBO

(Mr. NELSEN asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. NELSEN. Mr. Speaker, there are hundreds of American citizens, members of the armed services, being held prisoner in North Vietnam. We have been able to positively identify 401 men as captured. Approximately a thousand others, who are listed as missing in action, are thought to be help captive.

Today I am introducing a resolution which would express the sense of the Congress that our Nation and the people of the world do all in their power to obtain the humane treatment and prompt release of prisoners of war held by the North Vietnamese.

The Communist government calls the men "war criminals," and denies that as such they are entitled to the basic rights under the Geneva Conventions. In fact, they are the victims of the guerrilla war engineered by the Government of North Vietnam.

I believe it is time that the antiwar protesters in this country begin looking at the Communist nation that is responsible for the countless deaths in South Vietnam and the atrocities being committed daily in the name of a "war of liberation."

It would be a great step forward if American boys received treatment half as humane as that received by Vietcong and North Vietnamese Army prisoners. The noisy demonstrators here at home would be well advised to work for this goal rather than the often meaningless slogans of the "new left."

People advocating the unilateral withdrawal of U.S. forces do not seem to remember those of our troops over whom we have no control: the men held under subhuman conditions by the north.

I believe it is time to make every possible move to put pressure on Hanoi through diplomatic channels to free American men held by the Communists.

There are "free" nations which are on cordial terms with Hanoi. Sweden, for example, has most recently agreed to a $40 million aid package for Hanoi. It is difficult to imagine that efforts by the Swedish Government in behalf of humane treatment for POW's would be unproductive.

I include the text of my resolution in the RECORD at this time:

H. CON. RES. 414

Whereas the United States Government and the Republic of Vietnam have continuously honored the requirements of the Geneva Convention relating to the treatment of prisoners of war;

Whereas the United States Government has repeatedly appealed to North Vietnam, and the National Liberation Front of South Vietnam to respect the requirements of the Geneva Convention, which North Vietnam has endorsed;

Whereas the North Vietnamese and the National Liberation Front of South Vietnam have disregarded the provisions of the Geneva Convention and refused to release the names of prisoners of war who are members of the Armed Forces of the United States, to permit the regular flow of mail to or from those prisoners, and otherwise to accord humane treatment to those prisoners, and to permit inspection of the facilities in which those prisoners are held: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that the President, the Department of State, the Department of Defense, and all other concerned departments or agencies of the United States Government, the United Nations, and the peoples of the world to appeal to North Vietnam and the National Liberation Front of South Vietnam to comply with the requirements of the Geneva Convention relating to the treatment of prisoners of war and to take such steps as may be appropriate to obtain the prompt release of all members of the Armed Forces of the United States so held as prisoners of war.

AID FOR BIAFRA

(Mr. PHILBIN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. PHILBIN. Mr. Speaker, some of us who are interested in alleviating dire hunger, privation, and suffering in Biafra have been making urgent, persistent efforts to step up the aid being rendered by our Government, take satisfaction in knowing that our efforts are continuing, and that our intercessions and those of interested private, charitable, and religious groups are also helping a great deal to ease this horrible situation.

I am particularly pleased to bring to the attention of the House the recent action of President Nixon in making available two C–97 transport planes to joint church aid for their Biafran relief operations. Mr. William E. Timmons, Deputy Assistant to the President wrote me on October 10, as follows:

THE WHITE HOUSE,
Washington, October 10, 1969.

Hon. PHILIP J. PHILBIN,
House of Representatives,
Washington, D.C.

DEAR MR. PHILBIN: As you recall, I wrote you on August 29 in response to your letter to the President on behalf of the Interfaith Effort for Biafran Relief. At that time, I stated I would be in further touch with you. I have been requested to inform you that the two C–97 transport planes have been transferred to Joint Church Aid for their relief operations.

The transfer of these aircraft is another indication of the President's deep and abiding concern to help relieve suffering in this tragic conflict. You can be sure we will continue our generous support of these humanitarian efforts.

With cordial regard,
Sincerely,

WILLIAM E. TIMMONS,
Deputy Assistant to the President.

This is good news indeed, but it remains very clear that we must not rest on our oars in this matter. I recognize the operational problems of getting adequate relief to the sources, and they are serious, but some of the agencies concerned have found ways to circumvent them, and are managing to get urgently needed supplies into this distressed land to save the lives of young children and people who are suffering indescribably from lack of food and other necessaries of life.

From the start, I have been making every possible effort to increase our aid to these woefully stricken people, and in thanking the President for his most recent action, I am again urging him to see to it that we keep up our country's strong financial support, in joining as we have been doing so generously, to send specific help to these stricken people.

Up to this time our Government has made available about $63 million in aid which represents two-thirds of the global contributions, and which includes very substantial food donations under Public Law 480, to such commendable, human-spirited outside relief groups as the Catholic Welfare Service, Church World Service, Protestant, Jewish and other relief groups, UNICEF, and the world food program.

In addition, private U.S. organizations to date have made available about $12 million in funds to assist the Biafran cause.

I am saddened to note, however, that some of the planes performing acts of mercy to bring food and other supplies to these poor people have been shot down, and otherwise restricted in their missions of mercy, making it very difficult in carrying out their dedicated, often hazardous, work to help these desperately needy people.

Nevertheless, this work must go on, and we must do everything we can, not only to provide funds, but where possible, to provide aircraft that other people are so bravely willing to fly in order to bring food and material relief to the sorrowfully afflicted children and people of Biafra.

I know that we who are so deeply interested in this great, humanitarian cause must and will continue to do everything we can to alleviate the truly deplorable hunger and privation which have caused widespread deaths, emaciation and untold distress.

Let me thank and hail the wonderful leaders and helpers enlisted in this cause. I am very proud of the church folks and others in my own great congressional district who are contributing such glorious efforts and very generous help to this great, human mission. The Good Lord will bless them and I am confident their work will continue until this great battle of mercy has been won.

I especially want the President to know of our deep gratitude for his effective and sustaining help.

MRS. NIKI ABINANTI

(Mr. DON H. CLAUSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. DON H. CLAUSEN. Mr. Speaker, all too seldom in this day and age does anyone make a concerted effort to publicize the constructive activities of American youth, especially those who are attending America's universities and colleges; a fact in itself that is deplorable and inexcusable.

If one were to believe only what is reported concerning American youth, it would seem that the radical, irresponsible, and disruptive young people were in the majority. Quite frankly, such is not the case. In my judgment, the publicity seeking radicals constitute only a very small minority of our young people, while the majority are responsible and are constructively seeking ways to improve society.

Recently a young mother in my district in California set out to prove to the general public that the young people attending Humboldt State College were, indeed, acting constructively and responsibly, and her efforts have been more than successful.

Mrs. Niki Abinanti of Arcata became aroused by the reports in the media concerning the college riots and other disruptive activities of a minority of students and decided that it was time that someone publicized the responsible actions of the majority.

In order that my colleagues may know of this dynamic lady's efforts, I am including an article written about her from the Humboldt Times-Standard. I hope that, in this way, others might be encouraged to step forth and become involved in a similar way.

LAUDING HSC WORKERS: SHE SPEAKS OUT FOR OUR QUIET STUDENTS

A petite one-woman steamroller has been quietly at work championing the activities of college students on the Humboldt State College campus.

Her concern is that "the radical, rowdy, publicity—seeking minority of students on California campuses and throughout the nation" have been getting the spotlight in the news.

In the meantime, the vast majority is not only unheard—but unheralded—a situation which, she says, broadens the so-called generation gap.

WRITING, PHONING

Mrs. Niki C. Abinanti, 1112 Chester Ave., Arcata, is either at her typewriter or on the telephone these days in a concerted effort to start a movement to publicize the constructive activities of students here. She has high hopes the movement will spread, with the help of other adults, throughout the state and nation.

To this end she has sent communications to CBS's Walter Cronkite, Harry Reasoner, Roger Mudd and Mike Silver; to Joey Bishop, who, she says has indicated some interest; California's Governor Ronald Reagan; Time Magazine's San Francisco headquarters.

She has also been in touch with a friend who could contact Danny Thomas; Kay Hart, a singer at Bimbo's Supper Club, local legislators and state legislators, including Assemblyman Jess Unruh.

So far she has a lot of communications she can exhibit for her efforts, some 80 registered air mail letters to CBS alone—but no takers.

A Time official said it was possible they could draw a "parallel" in the fall.

CELEBRITY VOICE

The housewife-mother believes that celebrities with their facility to reach millions of people could interest others, like herself, in projecting the good which is predominent in the youth of today. This could be done from community to community, in programs which would vary depending on environmental factors.

Mrs. Abinanti began searching the news, collecting accounts of the activities of college students on the HSC campus when campus troubles elsewhere were at their peak. She said "It was exceedingly gratifying to find that a vast majority of students were not only refraining from revolt, but were actually engaged in constructive activities, to the benefit of the entire community."

It was she who conceived the idea, and through the cooperation of Channel 3 and TV executive Paul Hoff, a student question and answer program was taped and presented in prime time locally. After the students' opinions were aired, the station received a barrage of mail and an extremely favorable public reaction.

She believes that such coverage nationwide would be highly relevant and would afford a pleasant change of pace besides giving the "forgotten majority" its chance to be heard.

ADVICE WELCOME

Reluctant to take the limelight, Mrs. Abinanti is quick to point out in her communications to others she has not had any experience in "this type of thing," and if she can do anything at all to get the ball rolling that is sufficient evidence that others can readily do it too.

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Her approach to the problems relating to inadequate quarters and accommodations at Humboldt County's Juvenile Hall and Probation Building over the past years, however, was hardly reluctant.

It was her perseverance, along with that of interested community officials, which is largely responsible for the building of a new facility, now under construction.

If anyone can promote her present idea to fruition and wants to wager—best bets would be on this soft-spoken ball of fire.

AFTER THE MORATORIUM

(Mr. BUCHANAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BUCHANAN. Mr. Speaker, as the tumult and shouting of the moratorium demonstrations fade into history, certain facts seem clear to me.

In the first place, a great many Americans earnestly desire peace in Vietnam.

No American desires this more than the President of the United States himself and he has embarked on a course which he hopes can bring honorable and lasting peace there.

The second fact which emerges is that the multiplicity of voices of critics of the Vietnam policy have, for all their noise and thunder, failed to come up with a clear and viable alternative to the President's present policy of step by step withdrawal and Vietnamization of the war.

This stands in vivid contrast to the tragic disregarding of any hope for freedom and self-determination for the people of Vietnam and the total waste of billions of dollars and 38,000 precious American lives which total and immediate withdrawal would entail.

The third thing that is clear to me is that many critics underestimate both the strength and virtue of the elected government in Saigon and underestimate the weakness and evil of its Communist challengers.

When I visited Vietnam in February of this year, I found a strong note of confidence in the increasing strength and popularity and the viability of that infant constitutional republic expressed by its military, government, and business leaders and by our military officials and those in our State Department.

There is every reason for such confidence.

The 1968 Tet offensive decimated the Vietcong forces, which were created and have already been sustained by Hanoi, and strengthened the hand of the Saigon regime. Its growing strength and responsiveness to the people have increased its popularity.

And as it grows month by month stronger and able to assume the burden of combat and as it grows more experienced in government, I am confident it can and will succeed in securing freedom and self-determination for the people in South Vietnam.

I urge every American to support the President's right and honorable course in Vietnam.

I feel the Governor of Alabama spoke for the overwhelming majority of the people of my State and for millions of other Americans in the following statement which was published in the Birmingham News:

[From the Birmingham (Ala.) News, Oct. 15, 1969]

WHICH: THE EASY—OR HONORABLE WAY?

Another time of testing has come to America.

Many times in our history as a nation, we have had to decide between the easy way and the honorable way, both at home and abroad.

While our decisions to stand firm in behalf of freedom and justice have not always been universally popular, they have always been supported by the great majority of American people.

Today, we reach a time when we must decide again between the easy way and the honorable way.

Our flag flies in battle on foreign soil—while at home there are those who would have us believe that our people have lost the will to meet our commitments.

Let the word go forth from Alabama and America today that this vocal minority does not speak for the tens of millions of silent Americans whose deep desire for peace burns as brightly as the fires of our warriors' camps but who know that a peace without honor and justice is no peace at all.

Let every enemy, wherever he may be, know that we as Americans have again chosen the honorable way. (Albert Brewer, Governor of Alabama, Oct. 15, 1969.)

VIETNAM

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Alabama (Mr. BUCHANAN) is recognized for 30 minutes.

Mr. BUCHANAN. Mr. Speaker, while many of us have been critical of the conduct of the war in Vietnam—some of us desiring a more decisive military policy and others advocating total, immediate withdrawal—President Nixon has embarked, in a relatively short time, on a course in Vietnam which I believe may well prove sound.

It consists of a step-by-step withdrawal of American forces coupled with the Vietnamization of the war over a period of time so that the government in Saigon, created and elected by the people of that nation, shall not be undermined in the process and so that the Vietnamese military will have time to take over combat operations.

If this policy is allowed to proceed, I have every confidence that the South Vietnamese Government and military will become strong enough to guarantee self-determination for the people of the Republic of Vietnam and a free choice of their own government and governmental leaders.

Total and immediate withdrawal of American forces at this time would constitute nothing less than unconditional surrender and the unnecessary undermining of any hope of self-determination for the people of South Vietnam not to mention the wanton slaughter of thousands of individuals in that land. After the expenditure of 38,000 precious American lives and the investment of billions of dollars, such a withdrawal is, of course, unthinkable.

Self-determination for the people of Vietnam is the one basic principle which the Nixon administration feels is not negotiable.

Under these circumstances, the war moratorium proposal is, in my judgment, destructive and remarkably unrealistic.

Had the President escalated the war or made new, unreasonable demands on the Communists, such demonstrations as those we have witnessed this week might be understandable, although I would disagree with those who participated.

Supporters of the moratorium say they are demonstrating to stress to the President their feelings and bring the situation to his attention.

Earlier this year, in a speech to the Nation, Mr. Nixon expressed his extreme concern about the Vietnamese situation saying nothing had taken so much of his time and energy as the search for a way to bring lasting peace to Vietnam.

He said, and I quote:

> I want to end this war. The American people want to end this war. The people of South Viet-Nam want to end this war. But we want to end it permanently so that the younger brothers of our soldiers in Viet-Nam will not have to fight in the future in another Viet-Nam someplace else in the world.

There is no question of the President's concern.

Also, there are already indications that the growing vocalization of opposition to Mr. Nixon's policies are hampering our efforts in the Paris peace talks.

According to a wire service story last week, negotiators for the North Vietnamese and the Vietcong appealed directly to the American public to increase opposition to the President's policies to force him to accept their negotiation proposals in Paris.

The release goes on to say that Col. Ha Van Lau and Mme. Nguyen Thi Binh, and I quote, "whose governments apparently are setting great hopes on opposition to Nixon, warmly applauded the dissent in Washington."

The Communists could not ask for more in the way of support for their goals nor for their reluctance to negotiate a peace settlement.

Just what is our policy in Vietnam today, which is being so violently attacked?

One major negotiating position of the United States is the withdrawal in stages over a period of 12 months the major portions of all United States, allied, and other non-South Vietnamese forces immediately after an agreement is reached.

An international supervisory body, acceptable to both sides, would be created for the purpose of verifying withdrawals and for any other purposes agreed upon between the two sides.

This international body would begin operating in accordance with an agreed timetable and would participate in arranging supervised cease-fires.

As soon as possible after it began functioning, elections would be held under agreed procedures and under the supervision of this international body.

The United States does not insist that North Vietnam admit that it has forces in South Vietnam, for, as you know, no such admission has ever been made by the North Vietnamese delegation.

Arrangements would be made for the

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earliest possible release of prisoners of war on both sides.

This country is seeking no bases or military ties in Vietnam and we are willing to agree to neutrality for the country if that is what the South Vietnamese people freely choose. Nor does this country have any intention of imposing any form of government upon the people of South Vietnam.

Our negotiators have said that we are prepared to accept any government that results from the free choice of the South Vietnamese people themselves.

The proposal to pull totally and immediately out of Vietnam or to tell the North Vietnamese that we will withdraw by a specific date could be disastrous not only for South Vietnam, but other nations in Southeast Asia which are trying desperately to determine their own futures without outside interference.

Vietnam represents a commitment by the United States to freedom in the world. It is a seedbed of individual rights which, if nurtured by American support, can spread these rights and keep them alive throughout Asia.

If the United States withdraws from Vietnam now, it will mean that this country has foresaken its obligations to the world and especially to Asia. It will open the floodgates of communism which would suppress their freedoms.

I do not want to bear the responsibility for this in Asia and I do not think the American people want to sit by and watch while one nation after another succumbs to Communist aggression.

Our policies in Vietnam during the last two administrations were unwise and led to the problems facing this Nation today. We should not, therefore, at a time when we are finally on the right track, turn around and resort to another egregious error in Vietnam policy—the immediate withdrawal of American troops.

Under previous administrations, we made the mistake of sending American combat troops to Vietnam. Once we sent them to that country, we should have had unrestricted military policies aimed at a real victory.

Massive campaigns by the North Vietnamese and Vietcong over the past year and a half, such as the Tet offensive in 1968, have ended in total failure and have, in fact, resulted in stronger support of the Republic of Vietnam's Government.

The Tet offensive was aimed at displaying the strength of opposition to President Thieu's government by taking over cities and attracting the wholesale support of the people.

Instead, the people of South Vietnam fled in terror and were further alienated from those who were supposedly liberating them by the Communist atrocities committed in the process.

These offensives have decimated the Vietcong so that current opposition in South Vietnam is composed of about 75 percent North Vietnamese forces.

It is generally agreed that following the failure of the Tet offensive in February of 1968, the Vietcong were placed on the defensive. North Vietnam was hard-pressed to supply enough men for the battle in the South and Hanoi reflected noticeably the effects of U.S. bombing while South Vietnam, in the wake of national elections, showed new confidence and ability in governing and defending itself.

After the Vietcong's unsuccessful 1968 Tet offensive, if President Johnson and Secretary McNamara had listened to the urgent request of our military leaders, the enemy forces could have been brought to their knees and negotiations started on our terms.

This, however, was not the case.

Mr. Speaker, I have listened to many critics of this administration's policy in Vietnam and some of them, in my judgment have assumed the National Liberation Front to have greater strength than it in fact has.

The NLF, which was created, sustained and has been directed by the North Vietnam Communist government, lost much of its intrastructure during the Tet offensive and has reached a position of relative impotence.

The Government of the Republic of South Vietnam, to contrast, has grown step by step stronger through the support of the people of that country which created the government in Saigon.

It is unjust and highly inaccurate to refer as some Members have done to both governments as two dictatorships without recognizing the basic distinctions between the government in Hanoi and the government in Saigon.

The Saigon government is moving toward freedom and individual rights and it is my desire to see it become stronger and purer and a better government.

Most importantly, this desire is strongly shared, to my personal knowledge, by many in the legislative and executive branches of the Government of the Republic of Vietnam.

To equate the infant representative republic in South Vietnam with the gangster government of Hanoi is, in my judgment, libelous.

It is as though these critics are saying that a child who has the measles is as sick as one who has cancer, so it is good to give the first child cancer because there is no hope for him anyway. Or it is to equate a sometimes-errant teenager with a hardened psychopathic criminal.

Mr. Speaker, I cannot understand this position.

On the positive side, within the past 2 years there has been created a constitutional republic in South Vietnam with the constitution drafted by a representative assembly and approved by a free vote of the people. It created a tripartite system of government including an executive branch and legislative branch elected directly by the people plus an independent judiciary.

The present Government of South Vietnam under President Thieu is not perfect, no government ever is. But it is the elected government, chosen by the people of South Vietnam in a free election despite acts of terrorism by the Vietcong.

President Thieu and others in the South Vietnamese Government want peace and have made a number of concessions to the North Vietnamese to attain this goal.

Their country has been war-torn for years. It is unrealistic at this time, when an acceptable solution is in sight, to abruptly halt our efforts.

The Government of South Vietnam is becoming stronger, so is its military. Many critics of the war are addicted to disparaging remarks about the South Vietnamese people, about their alleged corruption, their laziness, their unwillingness to fight. As one who has visited Vietnam on several occasions, talked with her leaders and to many others who have been in Vietnam, I must set the record straight.

The South Vietnamese are a resourceful people who, although engaged in a war of survival for nearly 20 years, have held free elections, kept fighting in the face of often impossible odds and displayed incredible energy and ingenuity in so doing.

I am confident of their ability to sustain a viable, stable government and to take over the operations of the war in their country if given the time to do so.

In keeping with his drive for peace in Vietnam, President Thieu, in a speech following his Midway Island conference with President Nixon last summer, offered to talk privately with the National Liberation Front without preconditions toward the solution of the internal political problems of South Vietnam.

He called for the participation of all political parties and groups, including the NLF, in elections if they renounce violence and pledge themselves to accept the results of the elections. Thieu has said his regime would abide by such results.

This, in my judgment, is not too much to ask. It is a reasonable step.

At the same time, President Thieu warned that the other side should not misconstrue his desires for peace as a sign of weakness. He said, and I quote:

> It should not be induced by our repeated acts of goodwill into believing that it has only to remain adamantly negative for us to accept eventual surrender.

The United States has provided a foundation on which the Republic of Vietnam can build itself militarily and politically. To remove that foundation without permitting South Vietnam to shore up its own strength would be to topple that nation.

It would seem to me, therefore, that under the circumstances, the movement toward step-by-step withdrawal which the President has initiated, is in order. While the limitations of our policy in the past have prevented a clear-cut victory, I think it would be a mistake to believe that nothing has been accomplished in Vietnam or that we will make no further progress.

What can still be accomplished is freedom and self-determination for the people of the Republic of Vietnam, a better hope for peace and stability in all of Asia, and the continued confidence of other nations in the strength and the will of our own great republic.

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THE NAVY NEEDS TO SET THE RECORD STRAIGHT ON THE TRUE SHAPE OF THE SOVIET SUBMARINE THREAT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. STRATTON) is recognized for 15 minutes.

Mr. STRATTON. Mr. Speaker, the other day the Nation's press featured stories attributed merely to "Navy sources" which poof-poohed the Soviet submarine threat and spoke in glowingly optimistic terms of the Navy's ability to handle this threat.

These stories represented a very grave distortion of the actual facts. Having had the privilege for the past 3 years of serving as chairman of the Antisubmarine Warfare Subcommittee of the House Armed Services Committee, and as such having acquired some knowledge of where the Russians stand in the submarine field as well as where we stand in our ability to counter them, I simply cannot in good conscience allow these damaging anonymous stories to remain unchallenged.

These reports appeared widely on October 8 and 9, and proclaimed that the United States has a very comfortable 10-year lead over the Soviets in both the submarine and antisubmarine field. Here are a few of the more sensational assertions made in these stories, contrasted with what are the actual facts:

First. The "U.S. is about 10 years ahead of the Russians in antisubmarine capability." The fact is that our lead is in only one single aspect of antisubmarine warfare. In many others the Russians are plainly ahead of us, for example, in the sheer size of their submarine fleet, in their vastly greater capacity to build new and different submarines, and in the two new antisubmarine helicopter carriers of the *Moska* class, now operating in the Mediterranean, which have been termed the most advanced new ships in any navy today by Jane's Fighting Ships.

Second. The newest Soviet submarines are "noisier than expected and thus less able to conceal their location." This just is not so. Vice Admiral Rickover testified to our committee in 1968 in the published record that in terms of quieting, the Soviets had reached a point in 1968 that our intelligence experts had not expected them to reach until 1975. In other words, the Russians are 7 years ahead of our expectations, not 10 years behind.

Third. "The Soviets have never deployed missile-firing submarines within range of this country." This, too, is false. Soviet missile-firing submarines patrol regularly in range of Hawaii, and in December 1967, at the time of the wedding of President Johnson's daughter Linda Bird, one came so close to Washington that the whole Atlantic command was placed on alert and urgent efforts were made to chase the missile-firing submarine out of range.

This notion that the seriousness of the Soviet submarine threat is just a fantasy of some alarmist Congressman, which one local newspaper had charged on the basis of these stories, is utter hogwash. Admiral Rickover told Congress in 1968 that if he had to choose between commanding the present Soviet submarine fleet or the present American one, he would choose the Soviets without any hesitation. But Admiral Rickover, these anonymous Navy sources are also quoted as saying, "lacks the antisubmarine warfare expertise of other top officers."

The fact is that Vice Adm. Turner Caldwell, who is the Navy's own antisubmarine warfare czar and possesses probably more expertise in this field than any other Navy officer, testified before our committee this year on recent Soviet progress in the submarine field as follows:

> Last year I was concerned. This year I am frightened.

Of course, the net effect of all these stories, if they are allowed to remain officially unchallenged by the top leadership of the Navy and the Pentagon, will be to undermine everything that Congress has tried to do in recent years to improve one important area of our Nation's defenses which, because of a certain lack of glamor, has all too often been the Navy's own stepchild.

So if the Navy really wishes to keep its ASW forces intact, and continue to do a better job of intercepting intruders than the Air Force did in Florida the other day, I would suggest that they take off the gloves, come out fighting, and set the record straight publicly and unequivocally for quotation.

Various news stories follow:

[From the Washington (D.C.) Star, Oct. 9, 1969]

UNITED STATES YEARS AHEAD OF RUSSIA IN SUBS, NAVY SOURCES SAY

(By Orr Kelly)

The Soviet Union is lagging at least 10 years behind the United States in submarine development, according to well-informed Navy sources.

Although new Soviet subs have come close to the speed of the most modern American subs—a fact which caused a flurry of apprehension when it was first discovered in January 1968—the Soviet subs are far noisier than their American counterparts.

This means that American sailors can hear Soviet subs twice as far away as they can be heard. In undersea warfare, this would almost certainly be a critical difference.

This margin of silence is also one major reason U.S. Navy officers are confident their subs would more than hold their own against the Soviet sub fleet even though they would be outnumbered more than 3 to 1 in the event of war.

REDS HAVE 350 SUBS

The Soviet Union now has some 350 submarines and is engaged in a vigorous construction program. In less than two years, four new classes of Russian subs have been seen—two of which are of special interest to the U.S. Navy.

One is the Yankee class, which is similar to the American Polaris and carries 16 medium-range missiles. It has not yet been determined whether the missiles carry multiple warheads. One model of the Polaris missile now carries a cluster of three warheads and the Poseidon, which can carry 10 or more small, independently targetable warheads, is under development.

Of the half dozen Yankee class boats so far produced, two have recently deployed for what appeared to be training cruises in the North Atlantic, but neither came within missile range of the United States.

NEVER WITHIN RANGE

In fact, Navy sources said, the Soviets have never deployed missile-carrying submarines within range of this country.

On the other hand, Polaris boats have long been stationed within range of Russian targets, prepared to fire if the United States were attacked.

For several years, the Soviets have had diesel-powered Golf and Hotel class submarines on station in the Atlantic.

They carry three relatively short-range missiles in their sail, or conning tower. The missiles could not reach this country unless the subs moved in much closer.

Navy officers had speculated that the Golf and Hotel subs might have been sent out to prepare the way for the nuclear-powered Yankee class subs with their longer-range missiles. So far, however, the new subs haven't moved into the positions occupied by the older boats.

Because they have produced relatively few of the Yankee class subs and have not yet deployed them in a meaningful pattern, Navy experts don't yet know how they will be used or what threat they may pose to this country.

The other submarine being watched with special care is the Charlie class. On its bow, it has four tubes, angled upward at an angle of about 30 degrees. So far, the Navy hasn't seen the tubes used and doesn't know what they are for.

[From the New York Times, Oct. 9, 1969]

NEW SOVIET SUBS RELATIVELY NOISY, EASY TO DETECT

(By William Beecher)

WASHINGTON, October 8.—Recent intelligence reports on Soviet nuclear-powered submarines have convinced military analysts that in the rivalry for supremacy under the seas the United States is likely to stay ahead for some years to come. The reports find the newest Soviet submarines noisier than expected and thus less able to conceal their locations.

The information became available during recent Soviet maneuvers in the North Atlantic with the newest submarine, the "Y" class. The nuclear-powered submarine has 16 long-range missiles similar to those of Polaris system.

Some analysts say that because of the noise American nuclear attack submarines should be able to determine the location of Soviet submarines at about twice the distance that the Russians need to become aware of an American submarine.

OBSERVED IN THE ATLANTIC

But the rate and variety of Soviet submarine development and construction is of some concern, the analysts say. Over the last year or so, American intelligence has learned of four new types of Soviet submarines, three nuclear-powered and one propelled by a diesel-electric engine.

Within the last several weeks, according to these sources, the Russians have ventured into the Norwegian Sea and the North Atlantic with some of their first six deployed "Y" class submarines. Three or four others are being made ready for deployment and an undetermined number are under construction in covered construction yards. The Soviet Union is believed capable of building 7 to 12 nuclear submarines a year.

While the Russians have placed older missile submarines, whose missiles have a 700-mile range, on patrol within 1,000 miles of the coasts of the United States, the new "Y" class, with a missile range of 1,000 miles, has not yet been stationed near the United States.

Because Soviet submarines are so noisy, some military analysts are inclined to be less concerned than Defense Secretary Melvin R. Laird and Vice Adm. Hyman G. Rickover over the potential vulnerability of the

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41 Polaris submarines during the next decade.

DETECTION GEAR AT ISSUE

Their concern seems to be based on the belief that the Soviet Union could achieve a technological breakthrough in the field of underwater detection that might be hard to counter.

The analysts contend that the American antisubmarine warfare program is 10 years ahead of the Soviet program.

So far the "Y" class submarines have been assigned to the Northern Fleet, operative in the Barents Sea. None are believed to have operated in the Pacific, the Mediterranean or the Indian Ocean. As their number increases, they are expected to be assigned to all Soviet fleets.

According to the intelligence reports, the other new Soviet types of submarines are:

The "C" class, a nuclear-powered attack submarine with a bulbous bow that is believed to contain a new type of weapon. The analysts do not know whether this is an antisubmarine rocket, an antishipping missile or a coastal bombardment missile.

The "V" class, a more conventional nuclear-powered design, believed to carry homing torpedoes for use against shipping.

The "B" class, a diesel-powered submarine, smaller than the others, believed designed for close-in defense near the Soviet coasts.

The Soviet Union has about 350 to 375 submarines, roughly 65 of which are nuclear-powered. The United States has 156 submarines, of which about 85 are nuclear-powered.

[From the Washington (D.C.) Daily News, Oct. 9, 1969]

Navy Gives Reds 10-Year Sub Gap

(By Mike Miller)

The U.S. has a 10-year lead on Russia in the quality of attack submarines and antisubmarine warfare (ASW) capability. Navy sources said today.

This surprisingly optimistic assessment of the U.S. submarine program conflicts, however, with many public statements by Defense Secretary Melvin Laird.

During the recent congressional debate over the Safeguard anti-ballistic missile (ABM) system, Mr. Laird voiced fears that the missile-firing U.S. Polaris' strategic subs might become vulnerable to attack by Russian submarines in the next five years.

But the Navy sources predicted it will be perhaps as long as 20 years before the Russians can score a technological breakthru that would enable them successfully to track Polaris subs at sea.

The sources also gave this comparison of the relative capabilities of the U.S. and Soviet nuclear-powered attack submarines—vessels designed to find and attack other submarines and ships rather than fire missiles like the Polaris.

The latest Russian attack subs are comparable to the Thresher class of U.S. subs deployed 10 years ago. To catch up, the Russians will have to go thru a similar 10-year period of technological development.

While the Russians have demonstrated dramatic speed increases with their latest models, pulling about even with the speed of U.S. subs, they have done so at the expense of noise. Meanwhile, the U.S. has concentrated on building quieter submarines to avoid detection by enemy ASW forces.

Russia's latest nuclear subs are about twice as noisy as the advanced U.S. models. Thus, the U.S. subs can hear the Russian ones long before being detected. Speed then becomes a secondary factor because there is plenty of time to move away and avoid detection by an approaching Russian sub.

Meanwhile, the U.S. is developing a new, high-speed nuclear attack sub, which promises to be faster than anything the Russians have fielded, and an experimental super-quiet model.

Sources said U.S. sonar equipment is far superior to that of the Russians, enabling the Navy to do a reasonably successful job of tracking the position of Russian subs in vital areas of the high seas.

They acknowledged, however, that the world's oceans are too vast and the problems of ASW too complex for the Navy to pinpoint the specific location of all the Russian subs as sea at a given time. The problem is particularly acute in the Mediterranean, where a high noise level from ocean currents makes detection difficult. The Russians have substantially increased their Mediterranean fleet, including submarines, since the middle east war of 1967.

The Navy sources added that:

Despite years of trying, the Russians have never succeeded in tracking a U.S. nuclear sub, attack model or Polaris, at sea. U.S. subs use various secret methods to evade Russian subs which loiter outside U.S. nuclear submarine ports and try to follow them.

Russia now has six Polaris-class strategic submarines equipped to fire 16 missiles each. Two of these have made shakedown cruises in the Atlantic but their paths caused no alarm in the U.S. intelligence community over the possibility of an attack. None of the Russian Polaris-class boats has yet remained at sea long enough for the U.S. fully to assess its capabilities.

Some congressional committees have expressed concern in recent years over Soviet nuclear submarine advances and the fact the Russians have 350 submarines to 145 for the U.S. These reports are fueled by Vice Adm. Hyman G. Rickover, the "father" of U.S. nuclear subs who is impressed with the Russian program and wants the U.S. to build faster models.

While hailing Adm. Rickover as the foremost builder of nuclear subs, the sources said he lacks the ASW expertise of other top officers.

The sources also sought to put down persistent reports the nuclear submarine Scorpion, lost in the Atlantic last year, may have been destroyed by a Russian sub. There were no Russian submarines in the area at the time, the sources said.

Run Silent, Run Deep

After all the reports about Russia developing new terror weapons, it is comforting to hear that the United States has a 10-year lead on the Soviets in quality of nuclear-attack submarines and anti-submarine warfare capability.

This assessment, reported in The Washington Daily News and other Scripps-Howard newspapers, comes from highly reliable Navy sources.

It is both surprising and encouraging because for years we have been hearing mostly scare stories that Russia is rapidly overtaking the United States in submarine technology, posing a grave military threat. It turns out that we have not been getting the whole story.

According to the Navy sources:

Russia's latest subs are fast—about as swift as our models. But they are noisy—twice as loud as ours. This means the United States subs can detect Russian subs long before being heard themselves. To overcome this gap will cost the Russians heavily in time and rubles.

The Navy's sonar detection equipment also is years ahead of Russia's. This enables the Navy to do a reasonably successful job of tracking Russian subs in vital areas of the high seas. The Soviets are said never to have successfully tracked a U.S. nuclear-powered sub at sea.

Congressmen and others who often sound the alarm about Russian subs want the United States to continue building rather than stopping with 41 Polaris missile-firing strategic nuclear subs and 69 nuclear-powered attack subs—the program established by former Defense Secretary Robert S. McNamara. They may have a good point.

But the Navy sources, by getting out the word on relative capabilities of current U.S. and Soviet subs, have performed a public service. And Russia is learning the hard way that modern nuclear subs should run silent as well as deep.

ON VIETNAM

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. Morton) is recognized for 10 minutes.

Mr. **MORTON**. Mr. Speaker, when the people of this country made the decision in the fall of 1968 to change the complexion of their Government by electing a Republican President, there was evidence enough of the need for change and redesign. The overcreative approach of the past two administrations had far outstripped the basic requirement of Government to manage efficiently the affairs of the Nation and to solve the problems current to our society. This resulted in a climate of promise and in a catalog of false hopes.

In order to respond to the demands of the people of America who brought into being the Nixon administration, the new President has addressed himself to the hard task of solution. The time now is for picking up the pieces—the time now is for management, for discipline, for constructive action. The time now is to face four-squarely the reform of those things which consume the public resource but do not contribute to the public welfare. In short, the time is for reorganization and for hard decision.

The overriding problem, and the one most churning in the national conscience, is the war in Vietnam. It represents a position not well enough understood by the American people. It grew out of a tradition of assistance to emerging nations; it developed from a belief in the principle that peoples have an inherent right to establish government of sovereignty vested in themselves.

The failures to recognize sooner the effects of massive involvement of American manpower were a matter of history before Mr. Nixon took office in January 1969. Nevertheless, these failures, along with the fatigue and sacrifices, we have experienced as a nation because of years of involvement without the kind of success which has been traditionally ours, weighed heavily not only on us, but also on the nations who were historically our friends.

Out of this the President has developed a new direction, a new leadership toward peace. It must be a peace that will work amid the massive political forces inherent to Southeast Asia. It must not be a false peace which will content Americans who may be living in a dream world of neo-isolationism. If it is a peace that results in the massacre of dissenters who believe in their own right to elect their own government, it will not be a peace at all but an outright surrender. It will be a turning of the tide in this world toward the subordination of man's spirit to a totalitarian concept of communism which we have rejected time and time again as being inadequate to serve the best interests of mankind.

No President in history has inherited a more complex, a more difficult, or a more frustrating situation than is represented by our involvement, for more than a decade, in the wars of Vietnam.

The opportunity for solution, the opportunity for broadening the basic principle of self-determination, will be greatly enhanced by the singleness of purpose and sense of unity on the part of the American people.

Wars are terminated by hard decision, and skilled leadership. Effective leadership nearly always is a reflection of national purpose. The purpose here is to bring about a lasting conclusion and a meaningful peace. No one in this administration, from the President on down, deviates from that purpose. Is it asking too much that, as the world's most powerful nation, we Americans join hands and hearts in a spirit of national pride and overriding dedication to our own institutions of government, to our own President? It has been this great spiritual dimension of America that has brought us to a point of magnificent opportunity to perfect our civilization with new technologies. It has been this spirit which has kept alive the desire for freedom in the hearts of men wherever they exist on this planet. It has been this spirit which has been the source of our great strength and our contributions to mankind.

Today in history when the American spirit is needed so badly, why do we consider the proposition of abandoning it?

THE VIETNAM MORATORIUM

The SPEAKER pro tempore. (Mr. Gray). Under a previous order of the House, the gentleman from New Jersey (Mr. Hunt) is recognized for 15 minutes.

Mr. HUNT. Mr. Speaker, it is indeed ironic that the hard-won freedoms for which millions of Americans have fought and died since the beginning of the history of our Republic should now serve the purposes of those who would destroy it and those same freedoms on which they must depend to sustain their cause. But this was not unpredictable; our forefathers foresaw the possibility, and indeed, the right to dissent openly and freely has held an important place in checking what some may call "government by consensus."

And so, today, the Vietnam moratorium proceeds unobstructed, and as characteristic of the inherent nature of dissent, it has the unfortunate tendency of being construed as the mouthpiece of public opinion, because it is organized and because dissent generates its own sensationalism which readily finds its way into print for mass consumption. How true it is that dissent will always motivate overt action, while the lack thereof is merely tacitly relished, leaving the mind at rest and giving little cause to rant and rave as to one's own peacefulness that all is well.

Thus, the moratorium has become the symbol of dissent of an unpopular war abroad, but in my view, is also the manifestation of the present-day objective of protest for whatever alleged grievance—to force upon the majority the dissenters' views, if not by persuasion, by threat of or actual violence. This is the alternative, in the view of an impressionable minority, to seeking change through the established institutions of representative government. The President is claimed to be "insensitive" to the demonstration; he is chastised for "failing" to be responsive to the realities of public concern. It is difficult for me to conceive of the naivete of those who believe that today's demonstration should be the cause for the President to radically alter his policy, for the only alternative presented to him is total and unconditional withdrawal of our forces within a specified period of time. I go on record as stating my unequivocal support of the President's policy of seeking an honorable and durable peace in Vietnam, as it would be presumptuous of me, or anyone else, to think that we as individuals have the wisdom or, more importantly, the means to implement and effect the intricacies of negotiations in the absence of a policy of total and unilateral withdrawal, a completely repugnant option to me and, I believe, to the majority of concerned Americans.

Consider the President's own words:

> First, there is a clear distinction between public opinion and public demonstrations. To listen to public opinion is one thing; to be swayed by public demonstrations is another. A demonstration—in whatever cause—is an organized expression of one particular set of opinions, which may or may not be shared by the majority of the people. If a President—any President—allowed his course to be set by those who demonstrate, he would betray the trust of all the rest. Whatever the issue, to allow government policy to be made in the streets would destroy the democratic process. It would give the decision, not to the majority, and not to those with the strongest arguments, but to those with the loudest voices . . .
>
> The planned demonstrations will tell us that a great many Americans are deeply concerned about the war; that some of these consider U.S. participation immoral; that many want U.S. troops withdrawn immediately and unconditionally. But all of us in the Administration are already well aware of this sentiment . . .
>
> There is nothing new we can learn from the demonstrations. The question is whether in the absence of any new evidence or any new arguments, we should be turned aside from a carefully considered course. The policies we are now following reflect our own best judgment, based on exhaustive study of all available evidence, of how to achieve that goal. To abandon that policy merely because of a public demonstration would therefore be an act of gross irresponsibility on my part . . .
>
> One of the first acts of my Administration was to review, exhaustively and comprehensively, every aspect of the nation's policies in Vietnam. We have drastically altered the policies we inherited . . . For nine months, we have worked every day for a just end to a conflict which has been building for more than eight years.

Indeed, if for no other reason, the motives of the so-called moratorium are suspect for proclaiming that the President has done "nothing" to end the war—one that has gone on for 8 years—during the period of only 9 months in office. The only conclusion to be reached, again, is that the dissenters will consider nothing less than total and unconditional withdrawal of American forces, regardless of the consequence of this Nation's vital interest in the security of that part of the world; the credibility of its commitments throughout the world; the tenacity of its adherence to the principles of individual freedom and self-determination for all peoples and nations; and the sure fate of a bloody and barbaric Communist suppression of the South Vietnamese people. I do not believe that the spirit of this Nation could withstand the consequences of such a move at the cost, already, of some 40,000 American lives in South Vietnam.

To be sure, the President's course of action, even in the face of the implacable North Vietnamese and Vietcong negotiators, has been radically altered from the past realities of escalation and the virtually complete domination of the war by American forces. Succinctly stated, a recent article in the National Review summarized:

> The outlines of President Nixon's Vietnam policy have now become clear. During the next eighteen months a substantial number of American troops will be withdrawn—around half the number now there. Drastic tactical changes and increasing use of Vietnamese troops and regional forces will 1) greatly reduce American casualties, and 2) eliminate the possibility of a Communist takeover. Those American troops remaining in Vietnam will be volunteers, largely professionals, rather than draftees.
>
> This strategy is entirely plausible—so plausible, in fact, that the hard Left is moving at full speed to counter it. The principal instrument thus far has been designed by the "Vietnam Moratorium Committee" and consists of a McLuhanized variation on the old General Strike . . . There will be teach-ins, demonstrations and all the rest of it. The Moratorium Committee also proposes that the strikes expand by one day each month as long as the war continues. The Left has thus threatened to disrupt higher education, and whatever else it can get its hands on, in the interest of bringing about a humiliating American defeat in Vietnam . . .
>
> It is unprecedented, not to say unspeakable, that American forces in the field should be undercut at home by an effort of this sort, and it is even more contemptible in light of the President's now evident strategy. What the October 15 movement tells us is that de-escalation is not enough; that a reduction in casualties is not enough; that fighting a de-Americanized war with volunteers is not enough. Nothing but an American defeat, with a consequent Communist takeover in the South . . . will do.

Even more damaging than the moratorium itself, in terms of jeopardizing the lives of American forces remaining in Vietnam and solidifying the gap between the Paris negotiators, is the weight given to the cause of defeat and Communist victory by the overt support of a number, however few, of persons who, by virtue of their positions in government, education, or elsewhere, give backbone to an otherwise ill-advised, ill-informed, and generally impulsive minority who would, and do, protest anything—from saying a prayer on the moon to fighting a war, any war. In a word, columnist Richard Wilson, basing his observation on an in-depth survey by the respected Institute of Social Research at the University of Michigan, says:

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> Members of Congress, college presidents and government administrators who, *because of expediency or intimidation*, have aligned themselves with the war protest and have joined an anemic, if rowdy, company with no political clout. [Emphasis added.]

It is for certain that such individuals have, in recent days, been vigorously competing for television time to express their views on Vietnam. Richard Wilson's column, appearing in the October 13, 1969, issue of the Washington Evening Star, follows:

VIET PROTESTERS DELUDE POLITICIANS, SURVEY SHOWS

President Nixon says that he will not be affected by anti-war demonstrations and he has very sound ground for ignoring them. They do not represent significant political opinion even among the young.

It is possible to say this with more than impressionistic assurance on the basis of indepth surveys of the 1968 presidential election by staff members of the highly respected Institute for Social Research at the University of Michigan.

Members of Congress, college presidents and government administrators who, because of expediency or intimidation, have aligned themselves with the war protest have joined an anemic, if rowdy, company with no political clout. The protesters are a small fraction of the young. Most of the young who oppose the Vietnam war disapprove their tactics. Others oppose not only their tactics but everything they stand for.

Such conclusions flow naturally from the findings of the Michigan researchers on the phenomena of the 1968 election which have upset a great many preconceived ideas of the mass media, especially television, on what happened in that dark and confused year, viz: Gene McCarthy's support came as much from hawks who hated Johnson for bungling the war as from the peaceniks who wanted him to end it.

Other astonishing conclusions bear on the present resurgence of war protest which has unhinged so many members of Congress, probably to their future regret.

One such astonisher is that George Wallace got more than his share of the support of the young. "One of the major ironies of the election," the Michigan researchers wrote, "was that Wallace made his appeal to the old but mainly received the vote of the young."

The Michigan academicians saw it this way: "Although privileged young college students angry at Vietnam and the shabby treatment of the Negro saw themselves as sallying forth to do battle against a corrupt and cynical older generation, a more head-on confrontation at the polls, if a less apparent one, was with their own age mates who had gone from high school off to the factory instead of to college, and who were appalled by the collapse of patriotism and respect for law that they saw about them."

The vanguard of youthful revolution, the researchers found, is numerically swamped even within its own generation. The wave of the future for 1970 and 1972 promises several times more votes to politicians by leaning toward George Wallace than by leaning toward Gene McCarthy, the researchers found.

If the Michigan researchers are right (they support their conclusions with the most advanced sociological techniques) the Vietnam Moratorium is more likely to create an unfavorable reaction than to advance the cause of Peace. But even if the researchers have been so scientific as to mislead themselves, common observation supports their intimation that great masses, young and old, do not like this kind of thing.

President Nixon's problem is to marshal this mass reaction on his side, which he has not been too successful in doing. If he is to pursue his course of measured disengagement without sacrificing his ultimate goals then he probably will have to speak and act in more blunt terms.

He will have to ask and answer what the consequences will be if he withdraws abruptly from Vietnam, as the peace elements demand.

Will such an abject surrender create strong undercurrents of resentment which will fester in American life for generations? It will not be enough to say that he will not be the first American president to preside over a military defeat, nor that he will not be influenced by the anti-war demonstrations. He will have to spell out why in the most direct and simple terms, not sparing the members of his own party whose political courage in these circumstances is not equal to his.

The reason the President will have to speak this way is so that he can command the respect and support of the middle America he supposes he represents. Nixon will have to demonstrate that the noisy manifestations of dissent are those of a minority who will be satisfied with nothing less than abject and apologetic defeat as a lesson against such involvements in the future and irrespective of the fate of the Vietnamese people, the prestige of America and the future of Asia.

If the President does not wish to do this, if he wishes to continue to be ambivalent so as to appease those who are trying to destroy him, he will sooner or later discover that they cannot be appeased short of total American humiliation in Vietnam. That does not go for the great numbers who are sick of the war but want an honorable settlement. It does go for radical activists, their academic and intellectual sympathizers, and frightened politicians.

There are those who have said they are tired of hearing the same "old" argument that antiwar protests in the United States have the effect of aiding and abetting the enemy. But, in fact, it is no secret that the Communist North Vietnamese and Vietcong have long savored the unrest caused by the anti-Vietnam protesters which has certainly been given consistent and broad coverage in the news media. I dare say that from the arguments and demands set forth by the antiwar demonstrators and the Communist negotiators, it is difficult to determine who is feeding whom the line. The occasion of this moratorium is the first, I believe, where the Communists have so blatantly and outspokenly endorsed the antiwar movement and denounced the President in connection with it. Said Mrs. Nguyen Thi Binh, the foreign minister of the Communist provisional revolutionary government—a government in fiction only:

> The Vietnamese people warmly acclaim this movement of the American people who demand that the Nixon administration put an end to the war of aggression in Vietnam and rapidly and totally withdraw American troops.

The gist of this propaganda—to end the war according to the Communist design—was again broadcast by Radio Hanoi last night and monitored throughout the country. No better a propaganda forum has been available to the Communists than the Paris negotiations, and no more damaging propaganda has been supplied them than that by their "sympathizers" here in the United States. While paying lipservice to "peace," they denounce and make a mockery of the only means by which an endurable peace can be achieved—through the office of the President of the United States. As columnist David Broder has said, writing in the Washington Post:

> Given the impatience in this country to be out of that miserable war, there is no great trick in using the Vietnam issue to break another President. But when you have broken the President, you have broken the one man who can negotiate the peace.

This column, appearing in the October 7 issue of the Washington Post, follows:

A RISKY NEW AMERICAN SPORT: "THE BREAKING OF THE PRESIDENT"

(By David Broder)

CAMBRIDGE, MASS.—If there are any smart literary agents around these days, one of them will copyright the title "The Breaking of the President" for the next big series of nonfiction best-sellers. It is becoming more obvious with every passing day that the men and the movement that broke Lyndon B. Johnson's authority in 1968 are out to break Richard M. Nixon in 1969.

The likelihood is great that they will succeed again, for breaking a President is, like most feats, easier to accomplish the second time around. Once learned, the techniques can readily be applied as often as desired—even when the circumstances seem less than propitious. No matter that this President is pulling troops out of Vietnam, while the last one was sending them in; no matter that in 1969 the casualties and violence are declining, while in 1968 they were on the rise. Men have learned to break a President, and, like any discovery that imparts power to its possessors, the mere availability of this knowledge guarantees that it will be used.

The essentials of the technique are now so well understood that they can be applied with little waste motion.

First, the breakers arrogate to themselves a position of moral superiority. For that reason, a war that is unpopular, expensive and very probably unwise is labeled as immoral, indecent and intolerable. Critics of the President who are indelicate enough to betray partisan motives are denounced. (That for you, Fred Harris.) Members of the President's own party who, for reasons perhaps unrelated to their own flagging political careers, catapult themselves into the front ranks of the opposition are greeted as heroes. (Hooray for Charley Goodell.)

The students who would fight in the war are readily mobilized against it. Their teachers, as is their custom, hasten to adopt the students' views. (News item: The Harvard department of biochemistry and molecular biology last week called for immediate withdrawal from Vietnam.)

Next, a New England election (the New Hampshire primary is best but the Massachusetts Sixth Congressional District election will do as well) surprisingly shows that peace is popular at the polls. The President's party sees defeat staring it in the face unless it repudiates him, and the Harris poll promptly comes along to confirm his waning grip on public trust. The Chief Executive, clearly panicky, resorts to false bravado and says he will never be moved by these protests and demonstrations, thus confirming the belief that he is too stubborn to repent and must be broken.

And then, dear friends, Sen. Fulbright and the Foreign Relations Committee move in to finish off the job.

All this is no fiction; it worked before and it is working again. Vietnam is proving to be what Henry Kissinger once said he suspected it might be—one of those tragic, cursed messes that destroys any President who touches it.

That being the case, any President interested in saving his own skin would be well-advised to resign his responsibility for Vietnam and publicly transfer the assignment of ending the war to Congress or the Vietnam Moratorium Committee or anyone else who would like to volunteer for the job.

But he cannot. And that is the point the protesters seem to overlook. Assume that they and the President are both right when they assert the time has come to end this war. Assume that the protesters know better than the President how to do so—despite the conspicuous absence of specific alternatives to the President's policies in their current manifestos.

There is still a vital distinction, granting all this, to be made between the constitutionally protected expression of dissent, aimed at changing national policy, and mass movements aimed at breaking the President by destroying his capacity to lead the nation or to represent it at the bargaining table.

The point is quite simple. Given the impatience in this country to be out of that miserable war, there is no great trick in using the Vietnam issue to break another President. But when you have broken the President you have broken the one man who can negotiate the peace.

Hanoi will not sit down for secret talks with the Foreign Relations Committee. Nor can the Vietnam Moratorium's sponsors order home a single GI or talk turkey to Gen. Thieu about reshaping his government. Only the President can do that.

There is also the matter of time. It is one thing to break a President at the end of his term, as was done last year. It is quite another thing to break him at the beginning, as is being attempted now.

The orators who remind us that Mr. Nixon has been in office for nine months should remind themselves that he will remain there for 39 more months—unless, of course, they are willing to put their convictions to the test by moving to impeach him.

Is that not, really, the proper course? Rather than destroying his capacity to lead while leaving him in office, rather than leaving the nation with a broken President at its head for three years, would not their cause and the country be better served by resort to the constitutional method for removing a President?

And what a wonderful chapter it would make for Volume 2 of "The Breaking of the President" series.

In conclusion, Mr. Speaker, we may rightly ask what purpose the Vietnam moratorium serves. Will it alter the President's course of action? As he has stated, no. Does it express the desire of the majority of the American people to unilaterally, totally, and unconditionally withdraw within a fixed time? I do not believe so. Is this alternative, as sought to be imposed on the President, designed to be constructively critical? The fact that it is a fixed alternative answers that question in the negative. In my estimation, the only purpose to be served at all, if any, is to limit the options to two: First, unilateral, total, and unconditional withdrawal in a specified time, or, second, support of the President's policy to negotiate a lasting peace, with the cooperation of the Government of South Vietnam, and without a fixed time limit for withdrawal or a wholesale, unilateral withdrawal in the absence of mutual withdrawal—and to polarize American opinion accordingly. I am firmly of the belief that given these two choices now at issue, the overwhelming majority of Americans will come to the support of the President. The spirit of the American people to end this war honorably and the interest of international peace depend on it.

THE WRONG CURE FOR INFLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. WYATT) is recognized for 30 minutes.

Mr. WYATT. Mr. Speaker, we in this country are consumed with our desire to terminate the war in Vietnam, and to do so in such a way that the peoples of South Vietnam will continue to have the right of self-determination, and to protect the lives of our own troops in withdrawal, and to prevent the butchering of hundreds of thousands of South Vietnamese by the North.

However monumental this effort may be, we simply cannot let slide or gloss over the state of the domestic economy. We are in most serious trouble. The $25 billion deficit which we suffered in fiscal 1968, on top of substantial previous deficits, together with what I consider to be the irresponsible action of the Federal Reserve Board in ballooning the supply of money during the last half of fiscal 1969, shifted our country into high-gear inflation. I have great concern over the efforts which have been made thus far in an effort to deal with this tremendous problem. The efforts have been courageous and well intentioned, but I for one feel that they are not hitting the mark, and are not strenuous enough.

My concern as a Congressman from the Northwest in regard to the measures which have been taken are perhaps more exaggerated than that of the average Member. As in the past, the traditional cures for inflationary trends have an immediate depressant effect on the homebuilding industry and on construction generally. We in the Northwest feel this effect exactly the same as all other areas in the United States. However, there is another and a secondary effect, much more devastating, that we feel which is not felt in other parts of the country. Oregon's economy is timber and lumber oriented. The woods fiber industry is the backbone of our entire economy. When home building and construction drops, the core of our economy is hurt. Thus we suffer with all other areas, and we suffer acutely the additional problem of hardship in the woods fiber industry.

At the present time, there are in excess of 10,000 unemployed in this industry in the Northwest. It appears obvious that the situation is going to become much worse before it starts to recover for the Northwest.

With the start of President Nixon's administration, the Federal Reserve Board wisely reduced the rate of increase of the money supply, a policy of gradualism, until May of this year, when the supply's increase was completely cut off, a situation which I am advised still continues. Our economy has started to slow, reacting to the policy of gradualism in money supply and to other brakes placed on the economy. I am advised further that it will probably be nearly the first of the year before the "no increase" policy of money supply will be felt. I would expect that there will be grave and extended reaction at that time, which, of course, will make the economy of the country and of the Northwest in particular suffer much more intensely than at the present. This policy must be changed.

Perhaps this is a price that we could and would pay if we were certain that our inflationary problems would be cured in the process. However, I see no real signs of any relief, and very little promise of meaningful relief. I believe that it is evident that wage demands will be even higher than in the past, and that prices subsequently will follow the resultant upward path in the continuing cycle.

Although there is some argument about it, I am convinced that we are in the cost-push type of inflation, as distinguished from the traditional high demand-low supply type. The use of fiscal and momentary controls has and can be effective against traditional inflation, but I do not think it is the proper medicine for cost-push inflation. If wage demands continue high, prices will continue to rise, and the cycle goes on, catching in the squeeze the millions of people in this country who cannot protect themselves.

I would respectfully suggest that the administration should immediately restudy our posture in the war against inflation, lest we be caught in the dreadful position of the worst of both worlds, simultaneous recession with continued high inflation.

Specifically, I would suggest the most serious consideration of the following measures:

First, an immediate return to the policy of gradualism by the Federal Reserve Board in increasing the money supply;

Second, the imposition of selective credit controls on many installment consumer purchases;

Third, continuation of the Kennedy investment tax credit at its present level, thus permitting productivity to increase, and permitting the United States to maintain a better position of competition in the world markets;

Fourth, an immediate halt to statements by officials of this administration that wage and price controls are not being considered. This situation is akin to a spectator watching a fire blazing out of control, and announcing repeatedly that the nearby water hydrant will not be used.

Fifth, a request by the administration for standby wage and price control legislation, with a clear and loud public announcement that it will be implemented by the President retroactively if wages and prices continue to accelerate;

Sixth, muscular jaw-boning by the President himself in an effort to persuade industry and labor that they each have a very high interest in containing inflation. The past administration attempted the jaw-boning technique so often, with no parallel governmental effort to reduce its own spending, that the process was cheapened to the point of uselessness. President Nixon has made

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an excellent start in fulfilling his campaign pledges of reducing Government spending, and has made substantial cuts, even in the previously sacrosanct defense budget. He has thus established his own credibility and I believe would be effective in efforts in the private sector; and

Seventh, concerted effort should be made in addition to the foregoing suggestions to spread the sacrifice around, and not concentrate it in the home building and construction industries. The recent Federal construction cutback will have little immediate effect, other than to cause hardship to many contractors, and in the end will result in even higher construction costs. Any one huge industry cannot be mobilized and demobilized, and once again mobilized without the consumer ultimately paying a substantial penalty. High interest rates and tight money are the principal causes of the drastic reduction in our commitment to the housing goals of this Nation. Placing contractors in a worsened position will not solve either of these basic problems, and will have no real effect on home building starts.

Focusing specifically on the homebuilding problem, in addition to the other suggestions, I believe immediate attention should be given to the following possibilities for relief:

First, appropriation, on a loan basis of a substantial amount of money for the home loan bank system to enlarge their credit supplying capacities to savings and loan associations;

Second, exempt the first $750 of interest earned on savings in institutions which invest a substantial percentage of their deposits in single-family home mortgages;

Third, legislation limiting the Federal tax exemption enjoyed by pension and retirement funds to those that invest a substantial percentage of their funds in single dwelling family home mortgages; and

Fourth, legislation permitting the Veterans' Administration national service life fund to be available for direct loans for single family homes for veterans.

There are several other programs suggested by the National Association of Home Builders which merit very careful and immediate serious consideration.

I know that the President and other high ranking officers in the administration are determined to break the inflationary cycle. I know that great effort has been made to correct this situation. I am, however, fearful that too much emphasis has been placed on textbook remedies, and not enough consideration has been given to the practical proposals which I believe would spread the burden of the fight more evenly, and would bear much more promise of success than what has been undertaken to date.

We are in a domestic emergency of frightening proportions, and I am only asking that a reevaluation of our remedies be made, and that it be made on an objective, practical basis. I hope that our administration never makes the mistake of automatically attempting to justify past policy, with the inevitable result of a hardheaded continuation on a course which, without a genuine review, might turn out to be wrong.

EXCHANGE OF FOOD STAMPS FOR PREPARED MEALS FOR THE ELDERLY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. Biester), is recognized for 10 minutes.

Mr. BIESTER. Mr. Speaker, today, along with 78 other Members of Congress, I am introducing legislation which would amend the Food Stamp Act of 1964 to authorize elderly persons to exchange food stamps under certain circumstances for meals prepared and served by nonprofit organizations.

The bill is identical to language contained in the recently passed Senate food stamp bill and was originally sponsored by Senator Hugh Scott, of Pennsylvania. It would extend the benefits of the food stamp program to elderly persons now denied eligibility because they are physically unable to cook for themselves. Under this legislation, nonprofit, charitable organizations would be authorized to accept food stamps in exchange for cooked meals prepared either for home delivery or for consumption in community dining halls.

Under the present law, persons who otherwise meet age, residency and income reqiurements are not eligible for food stamps if they do not have cooking facilities in their households. If individuals are physically incapacitated or have a chronic illness which makes it impossible to shop or prepare food, and if they have no one to do these things for them, these persons are in effect denied the use of food stamps. We see no reason why these citizens, who are often among the most isolated and needy in the community, should be denied the benefits which the Food Stamp Act was enacted to provide.

This legislation would amend the Food Stamp Act to meet this problem. It would authorize the Secretary of Agriculture, under regulations carefully prescribed and administered by him, to designate specific church and other nonprofit organizations of a bona fide charitable nature, to accept food stamps in exchange for prepared meals. Although the redemption of these stamps would assist eligible groups in the purchase of food, the stamps themselves would be issued only to individuals who would be the direct beneficiaries of this amendment. By engaging the cooperation of nonpofit, charitable organizations, this proposal would be in keeping with the current trend of relying more heavily on private initiative for solutions to pressing national problems.

In these times of unprecedented economic achievements, the basic goal of "having enough to eat" still remains, for too many Americans, a promise rather than a reality.

GIMMICKRY BY THE BIG FOUR AUTOMOBILE MANUFACTURERS

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the Record.)

Mr. HANLEY. Mr. Speaker, a few days ago a brutal automobile accident occurred in Syracuse, N.Y., in my congressional district. This tragic event compels me to speak out on a matter which has been on my mind for some time.

During the last few years, an ominous trend in automotive manufacturing has taken place, foreboding an increasingly dangerous situation on our Nation's highways. With the advent of the so-called supercar, the death rate and the incidence of partial and permanent maiming resulting from highway accidents have skyrocketed. Only a short time ago, the Nation's foremost insurance companies announced that they were increasing the premiums on supercars by over 50 percent. I am not addressing myself to the merits or lack of merits of the insurance companies' decision to increase their premiums. I am citing their decision rather as a concrete example of the concern which has been raised over this situation. Nor am I questioning the freedom of an individual to purchase the automobile of his choice. That freedom, of course, is an essential ingredient in the democratic process. What I am concerned about, Mr. Speaker, and what every parent and responsible American should be concerned about is the gimmickry which the automobile manufacturers, the big four of the industry, engage in in attempting to induce our young people to purchase these highway missiles.

We have witnessed a great deal of debate and discussion recently on the issue of automobile safety. We have witnessed massive recalls of defective automobiles, defective from both a mechanical and a safety standpoint. These alone should make one stand up and take notice. But, coupled with a monumental sales campaign put on by the automobile manufacturers to convince the public that happiness is a warm, supercharged automotive animal, capable of leaping tall buildings at 100 miles an hour, the whole situation demands an element of self-imposed restraint on the part of the manufacturers.

Day in and day out, in the newspapers and on the radio and television, the manufacturers offer an engaging invitation, particularly to our young people, to get away from it all in overpowered, superperformance, death-defying cars that purportedly are the envy of an Indianapolis contestant. Yet, whether intentionally or not I cannot say, they offer us these earthbound spaceships in the sublime surroundings of a traffic-free highway, a lonely seashore or a Nevada desert. Now, I do not know about the rest of my colleagues in the Chamber today, but I for one have not traveled on a traffic-free highway in some time, and I guarantee that only a tiny percentage of our population spends much time cavorting around the Nevada deserts. The point here is that high-powered, supercharged automobiles are presented to the public in surroundings that exist only in the mind of some Madison Avenue huckster. The fact is that these cars are going to be driven on city streets and country roads which are designed for conventional highway travel. They should be advertised and sold to the public on that basis. If a youngster is brainwashed into believing that a supercar is supposed to be driven at 80 miles an hour, the chances are that he might be tempted to do just that.

I do not believe that Congress, or any other legislature, has or should have the right to tell automotive manufacturers how to advertise their products. But I do believe we have a moral responsibility to plead with them to consider the consequences of their decisions. One can multiply the tragedy in Syracuse a thousandfold across the country.

No one is suggesting that supercars be banned from manufacture; no one is suggesting that the public be denied the right of choice in its purchase of an automobile. I am suggesting, however, that automobile manufacturers redirect their advertising campaigns to avoid the implication that supercars are harmless toys that offer a measure of security, a sense of social acceptance, and a high rating on the popularity chart simply by depressing the accelerator as far as it will go.

FRESHMAN ECONOMICS NO. 8—UP, UP AND AWAY GO PRICES

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PODELL. Mr. Speaker, it is quite possible that this administration will succeed in being the first American Government to maximize unemployment, cost of credit, and interest rates while inflation hits an alltime high. Truly a breathtaking accomplishment, given all the factors involved. If it were not so sad, the soothing gurgles passing for public statements of the ruling economic whiz-bangs would be amusing. As it is, they are merely ludicrous. Let us therefore proceed to further explorations into the world of freshman economics.

The aluminum industry rates a gold star this time, because it has shown the greatest corporate irresponsibility in recent price increases. Kaiser upped aluminum ingots $20 per ton on primary metal forms, plus it increased prices for insulated wire and cable by 4 percent. Alcoa followed in a spirit of true American competition. And was it not surprising that the rest of the industry followed the same day with the same hikes?

Louis Allies Co., a subsidiary of Litton, raised induction motor prices 7 percent. Gould, Inc., increased prices on rechargeable batteries. Not wishing to be considered nonconformist, Goodyear upped prices on its passenger, truck, and farm tires and tubes by 2½ percent. This rise is the second for Goodyear in 4 months. The rest of the newsprint industry raised their rates. More good news followed as RCA, United States Steel, and Armco Steel played follow the leader in a variety of hikes. TV sets, stereo receivers, stainless steel, foundry coke, grinding and lapping machines, and insulated wire and cable product prices shot upwards, as industry again demonstrated its public spirit and desire to ease inflation.

Retail meat prices are a national scandal, as meat producers continue to enjoy the privilege of grazing their animals on millions of acres of public domain at bargain prices. In the past 5 months, retail meat costs to consumers have risen at the rate of 12.6 percent. Yet we are told by the administration's consumer advocate that they are actually going down.

Then Control Data Corp. raised charges for computer products and maintenance services. Monsanto, Container Corp. of America, and Mead Corp. further brightened our lives by upping prices on chemicals, folding cartons, and white paper. Note that all these products are basic to everyday life, being either sold directly to consumers or used in a wide variety of essential products.

Meanwhile, public holders of almost a quarter of Government securities maturing October 1 and December 15 decided they would rather be paid in cash than take new Treasury notes yielding as much as 8 percent, the highest return on Government issues in 110 years. Confidence in our Government is mounting, as we can see. Reflecting pressures exerted by American policies, British and Belgian banks upped their prime rates.

Construction costs have risen more rapidly in recent months than at any time since World War II. The Nation's railroads have agreed to seek an across-the-board freight rate increase of 6 percent. Unless the ICC intervenes, these will take effect October 18. Net new orders for machine tools, the production machinery that goes into the Nation's assembly lines, continued their precipitous decline.

This was all capped by a momentous announcement by the Labor Department, which announced the greatest jump in unemployment in 9 years. At least half a million more Americans are pounding the pavements looking for jobs as a result of the economic policies of the administration. The Secretary of the Treasury announces that such a 4-percent unemployment level is "acceptable." Enlightening and eloquent, to say the least. Compassion and sympathy are his middle names.

Meanwhile, the Federal Government grows richer through the progressive growth of its sources of taxation. Simultaneously, the tax sources of our cities shrink in proportion to their rising costs of operation. And the administration gaily slices away at essential programs, such as model cities and medical research, to name only a pair, for the entire list is as long as it is sad and depressing. Plenty of money for wars and military boondoggles, such as ABM. Nothing for the cities.

This type of national policy is as silly as raising homing pidgeons and then moving. At this rate, by the time we will have caught up with the Joneses, they will have refinanced or gone to the poorhouse, if one remains. Our Government has a combination of the financial cold wobblies and economic cholera morbus. The average major corporation leader sports an income as fat as a young sequoia as unemployment lines lengthen. The facts are plain, yet the Government ignores them, tightens the screws, and pretends that all is well. Was it not a little boy who was supposed to whistle as he passed the cemetery? Such folly is 110 proof.

MANPOWER DEVELOPMENT AND TRAINING ACT

(Mr. ANNUNZIO asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ANNUNZIO. Mr. Speaker, during the last several years, I have maintained a keen interest in the activities conducted under the Manpower Development and Training Act and have been most impressed by the institutional programs conducted under this act. Some 540,400 trainees have been reached through over 10,000 projects since the inception of the act.

The Division of Manpower Development and Training in the Office of Education has been constantly attuned to the needs of the unemployed it serves particularly the so-called hard core trainee and has provided outstanding leadership in the development of programs specifically structured to their needs.

The institutional programs—under MDT—offer trainees the only opportunity for hard-core individuals to obtain a base of occupational knowledge that will permit them not only to become employed but to advance in the occupation. Entirely new opportunities for upward mobility have been opened up in the health field, the clerical field as well as in other occupations. This training has made possible for nurses aides to utilize their base of training to progress as licensed practical nurses.

The clerical training program has made available to the disadvantaged in such new areas of endeavor as stock brokerage clerk.

I have recently become aware of a new development that can be supportive to any of the programs that relate to the disadvantaged, that is the Area Manpower Institutes for Development of Staff—AMIDS. These are in five separate locations and are conducted through contracts with the Office of Education. They were developed to provide needed training in relating to the needs of the trainees served by manpower programs. They have served not only instructors, counselors, and administrators of these programs, but also employment service counselors and coordinators, national contractors, and personnel from industry.

It is with interest that I follow this program and I commend the Division of Manpower Development and Training, Office of Education, for the contribution it is making in breaking the cycle of poverty for the disadvantaged that are really being reached in the institutional programs under MDTA.

A CONVINCING CALL FOR EDUCATIONAL LEADERSHIP

(Mr. ANNUNZIO asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ANNUNZIO. Mr. Speaker, there has just been brought to my attention the recent statement of the National Advisory Council on Education Professions

Development, entitled "Leadership and the Educational Needs of the Nation." This powerful appeal to action was sent by a distinguished panel of educators and lay citizens to the President, to the Senate, and to our own House of Representatives earlier this month. It strikes out in poignant language about the national mood of "cutting back":

> Everywhere the mood appears to be one of cutting back—withdrawing—seeing how little we can get along with; in short, a steady retreat from the bold plans the nation launched several years ago.

The statement goes on to demand that the political leadership of America—in the executive branch and in the Congress "demonstrate to the young that the Nation can envision a future of hope and that we can translate that vision to tangible policies and sensible priorities. We could do no better in this than to start with the field of education itself." It continues:

> If the Executive Branch feels that Congress has not moved in a fashion appropriate to the time, let it take leadership. If the Congress feels that the Executive Branch has not sensed the urgent need for a bold educational policy for the nation, let it provide the leadership. But let us have leadership.

Because this cogent and carefully reasoned statement deserves widespread discussion, I include the text of the entire statement of the National Advisory Council on Education Professions Development in the RECORD at this point:

LEADERSHIP AND THE EDUCATIONAL NEEDS OF THE NATION

The National Advisory Council on Education Professions Development is charged with reviewing and evaluating programs of the Federal government which support the training and development of educational personnel. We come to Washington several times each year to review with those responsible for the administration of these programs the progress they are making in their efforts to provide the best teachers for our schools and colleges. We have just concluded one such meeting. We are deeply disturbed about what we find.

Everywhere the mood appears to be one of cutting back—withdrawing—seeing how little we can get along with; in short, a steady retreat from the bold plans the nation launched several years ago.

Specifics are not hard to come by. Only last week the U.S. Commissioner of Education pronounced the "right to read" for every youngster in the nation. At that very time, the Department of Health, Education, and Welfare was directing the Office of Education to cut $8 million of a $13 million program, a substantial portion of which was designed to improve the preparation of teachers of reading.

Just two months ago, the House of Representatives cut appropriations supporting the chief program of the Federal government for the preparation of college teachers. The 1969 appropriation of $70 million was reduced by $14 million.

In neither case has there been offered any compelling evidence to warrant such reductions.

But it is not only a matter of reduction in funds. There is also an absence of any bold planning to meet the problems of tomorrow. We have reviewed a recently-completed report recommending programs related to the training of educational personnel that should be undertaken by the Federal government. This report, a plan for the next five years, was prepared by one of several sub-groups of a Task Force on Education appointed by the Department of Health, Education, and Welfare. There are many worthy programs in this plan. We commend the Department for taking this kind of initiative in looking ahead. But we find the conception and scale of the plans no match for the needs. In fact, the so-called plans are timid and token. It would appear that instead of taking as a point of departure a searching inquiry into the needs of education and concluding with a determination of the resources required to meet these needs, this group was faced with an assumption of severe financial constraints and the necessity to fit its planning into this assumption.

In dramatic fashion, these decisions and actions add up to default on the proclaimed responsibility of the Federal government to act as a partner with the other levels of government in supporting the nation's educational enterprise. The Council believes strongly in this notion of partnership. We reject any suggestion of domination of the Federal government. But each partner must do its *share*. And when we find that the States have, in the last two years, increased their expenditures for higher education by 38% for elementary and secondary education by 28%, and when we find that at the same time the Federal government is cutting back, we can conclude only that there is, in fact, a default of responsibility on the part of the Federal government.

Recently the House of Representatives voted a substantial increase in appropriations for education. We commend the leadership of both parties in this effort. But apart from this action—which has yet to be voted by the Senate and signed by the President—retrenchment is the only signal coming out of the Federal government at the present time. This signal creates a mood—a mood that is affecting the thinking and actions of those in the Federal agencies responsible for administering educational programs and of those in the field who are trying to provide new prospects for the young.

While we sit for two days as members of a Federal Advisory Council and read this signal and sense this mood, we bring with us a sense of another reality "out there"—as the principal of an elementary school in a ghetto, as a school board member in Oregon, as president of a university in Appalachia, as a graduate dean in a private university in New England, as a superintendent of schools in the fourth largest city in the nation, as a profesor of physics in a Midwest university, as a guidance counselor in Arizona—as people from a variety of educational settings and various parts of the country. Here we read a different set of signals, sense a different mood.

Above all, we sense a worsening climate in American schools and colleges. While increased controls by school and university authorities may be necessary to check the activities of certain small destructive groups, we assert that present national conditions are deleteriously affecting the studies, the hopes, and the convictions of a wide and responsible segment of the educational community. A new and ugly cynicism and anti-intellectualism is infecting American education. Repressive measures will not arrest this trend, and may even accelerate it; positive and affirmative leadership promptly to end the war and to address forthrightly our domestic problems *can* do so. While these attitudes stem from the war and the disparity between the ideals of the nation and present realities, it is the judgment of this Council that, as Representative Brock and his colleagues so sensitively discerned, the source of much of the disquiet can be traced to fundamental inadequacies of education itself. The needed improvements and reforms will come about only if appropriate leadership is offered, leadership in the educational community and leadership in government, particularly—as we have noted earlier—from the national government.

Too many of our young are concerned by what they are *against*—the war, racism, poverty, corruption. They need, as have all youth in all times, to be *for* things, to have a star, a dream. While we recognize that such affirmative leadership is subtle, and will require politically difficult actions, we feel that the growing dismay and cynicism of our youth could develop into a calamity of devastating proportions. The future college and school teachers—*the people of greatest concern to this Council*—are a centrally important group among our youth, and their disaffection can have serious effects in future years.

It would be unfortunate if our political leadership were to take the position that a response to the dissatisfactions of the past—or the yearnings for a different kind of future—must await the ending of the war, or some other development. It is now we must plan. It is now we must act. It is now that we must demonstrate, *mainly to ourselves*, that a nation which can take such just pride in its extraordinary achievements in the material realm is no less resourceful, no less vigorous, no less sacrificing in dealing with matters of the spirit.

Competent observers have noted a growing sense of purposelessness on the part of an influential segment of our student population—a feeling of these young people that it is not possible for our social institutions to cope with an increasing complexity.

If politics is the art of the possible, then our political leaders have a special opportunity to demonstrate to the young that the nation can envision a future of hope and that we can translate that vision to tangible policies and sensible priorities. We could do no better in this than to start with the field of education itself. More policemen in the schools is not a policy; it is an admission of failure.

If the Executive Branch feels that Congress has not moved in a fashion appropriate to the time, let it take leadership. If the Congress feels that the Executive Branch has not sensed the urgent need for a bold educational policy for the nation, let it provide the leadership. But let us have leadership.

NATIONAL ADVISORY COUNCIL ON EDUCATION PROFESSIONS DEVELOPMENT

Adron Doran, President, Morehead State University, Morehead, Kentucky.

Annette Engel, Director of Special Education, Roosevelt School District, Phoenix, Arizona.

Rupert N. Evans, Professor of Vocational and Technical Education, University of Illinois, Urbana, Illinois.

Susan W. Gray, Director, Demonstration and Research Center for Early Education, George Peabody College, Nashville, Tennessee.

Laurence D. Haskew (Chairman), Professor of Educational Administration, University of Texas, Austin, Texas.

E. Leonard Jossem, Chairman, Department of Physics, Ohio State University, Columbus, Ohio.

Marjorie S. Lerner, Principal, George T. Donoghue Elementary School, Chicago, Illinois.

Kathryn W. Lumley, Director, Reading Clinic, Public Schools of the District of Columbia, Washington, D.C.

Carl L. Marburger, Commissioner of Education, State Department of Education, Trenton, New Jersey.

Edward V. Moreno, Executive Secretary of the Mexican-American Commission, Los Angeles City Schools Districts, Los Angeles, California.

Lloyd N. Morrisett, President, Markle Foundation, New York, New York.

Mary Rieke, Member, Board of Education, Portland, Oregon.

Theodore R. Sizer, Dean, Graduate School of Education, Harvard University, Cambridge, Massachusetts.

Bernard C. Watson (Vice Chairman), Deputy Superintendent for Planning, Philadelphia School System, Philadelphia, Pennsylvania.

Joseph Young, Executive Director.

VIETNAM

(Mr. HUNT asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. HUNT. Mr. Speaker, yesterday the distinguished gentleman from Wisconsin (Mr. Kastenmeier), objected to a unanimous-consent request for the immediate consideration of House Resolution 582, jointly sponsored in a bipartisan effort by both the majority and minority leaders. It was acknowledged that the resolution was in response to the open letter to the American people from the Premier of North Vietnam in support of the Vietnam moratorium, or, as the Premier called it, "their fall offensive" whose purpose he construes to be forcing the United States "to withdraw completely and unconditionally" from Vietnam. The specific purpose of the resolution was twofold:

First, to endorse the right of all Americans to responsible and peaceful dissent, but to abhor the Premier's attempt to associate those Americans who demonstrate for peace with the cause of our enemy; and

Second, to repudiate the Premier's letter and call upon all Americans to disassociate themselves from North Vietnam's declaration.

As I understand the gentleman's reasons for his action, under leave to extend his remarks, they are that—

First, the subject matter is too important not to be given due consideration;

Second, there is some hidden implication in the words of the resolution;

Third, it was wrong for "certain prominent" Americans to call attention to the Premier's letter in the first place; and

Fourth, it would be more appropriate to condemn those of our own citizens who sought to give attention to the letter with the inference that it was done to discredit the moratorium.

Mr. Speaker, the words of the resolution are in plain and clear English and it was certainly not intended to support or reject the administration's policy. Regardless of the gentleman's reasons, his action is certainly another feather in North Vietnam's propaganda cap and that is all that will be reported in the Communist press. I include the text of the resolution for all to judge accordingly:

H. Res. 582

Resolution relating to demonstrations for peace

Whereas responsible dissent and freedom of speech are among the most sacred traditions of the American people; and

Whereas many Americans are demonstrating their concern for peace pursuant to rights enjoyed under the Constitution of the United States, from wihch springs our Nation's deep commitment to peaceful debate, the essence of our free political system; and

Whereas the Premier of North Vietnam has publicly described the Vietnam Moratorium in an open letter to the American people as "their fall offensive" aimed at forcing the United States "to withdraw completely and unconditionally" from Vietnam; and

Whereas the said Premier greatly misjudges Americans, and deceives himself if he believes that those who demonstrate are doing so with a desire to assist Hanoi; and

Whereas the said Premier's letter to the American people is a blatant and insolent intrusion into the affairs of the American people by an enemy; Therefore be it

Resolved by the House of Representatives, That we support the inherent right of all Americans to responsible and peaceful dissent, but we abhor the attempt of Premier Pham Van Dong to associate those Americans who demonstrate for peace with the cause of our enemy; and be it further

Resolved, That we repudiate the Premier's letter and call upon all Americans to disassociate themselves from North Vietnam's insolent and intolerable declaration.

AN ARTIST PASSES

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, I have lost a friend. The world has lost an artist who took great delight in extracurricular activities in every phase of civic endeavor including chairmanship of the Redding-Georgetown Democratic Town Committee.

I was personally proud in June 1966 when Hugh Donnell made the principal nominating speech in my favor at the district congressional nominating convention. It was a sad day for me on September 26, 1969, when I received word of Hugh Donnell's death following a short illness.

The Redding Pilot of October 2 published the report of Hugh Donnell's death and included with it a biographical report replete with identity of the many commendable areas of interest to Hugh Donnell, and in which he performed with a genuine feeling for the public interest. I include the report from the Redding Pilot herewith:

Hugh Donnell Dies at Age 66

Hugh Donnell, chairman of the Redding-Georgetown Democratic Town Committee from 1951 to 1966, died at Age 66 last Friday at Danbury Hospital following a short illness.

A familiar figure on the Redding scene, Mr. Donnell was active in almost every field of civic endeavor. He was particularly visible at town meetings, where over the years he crusaded for diverse personal and political causes ranging from the Saugatuck Reservoir battle of the late 1930's to the workmanship of a neighboring developer as late as this summer.

A skilled and humorous public speaker, Mr. Donnell was called upon to nominate U.S. Rep. John S. Monagan at the June 1966 Fifth Congressional District convention. He himself ran on the Democratic ticket for State Representative from Redding in 1960.

Although his was a distinctly minority party in a heavily Republican region, Mr. Donnell used to recall that when he and Mrs. Donnell moved here from New York in 1928, the first selectman and most other major town officials were Democrats. And he used to predict that the tables would someday turn again.

His involvement in community affairs sometimes went beyond the community. He even served as chairman of the Danbury Chamber of Commerce. In Redding, he served on the Police Advisory Board until his death, and he was at one time a commissioner of the West Redding Fire Department.

His skills as a professional artist were put to use in creating a distinctive image for the Annual Town Reports, the Bicentennial program in 1967, and numerous pamphlets and publications for the town's two libraries, the Boys' Club, and the Boy Scouts.

Mr. Donnell was born in New York City in 1902, the son of the late Samuel J. and Dorothy Lang Donnell. He attended the Art Students League in New York and in 1928 married Lola Michele, his only survivor.

The Donnells came to Redding immediately following their marriage and made their permanent home on Diamond Hill Road.

A commercial artist by profession, Mr. Donnell also developed a highly personal style for this "serious" painting, reworking vacation sketches into warm, multi-faceted land and seascapes; one of his pet causes, unrealized, was to obtain a gallery of some kind in which Redding's many resident artists could display their work.

Early this year, Mr. Donnell dropped his account with Volkswagen of America, for which he was art director of "The Weather Vane." But he continued his long association with Hal Foster of Lee Lane, creator of the "Prince Valiant" comic strip, as colorist, working in his crowded studio at the rear of his home.

His work has been represented in one-man or group shows at the Metropolitan Museum of Art, the Museum of Modern Art, the Silvermine Gallery, and New York's ACA Gallery. He served for several years on the Connecticut Commission for the Arts.

The Rev. James B. Yee, pastor of the First Church of Christ Congregational, officiated at a burial service at Umpawaug Cemetery on Monday, Sept. 29.

LAW ENFORCEMENT ASSISTANCE AMENDMENTS

(Mr. POFF asked and was given permission to extend his remarks at this point in the Record.)

Mr. POFF. Mr. Speaker, in concert with Senator Hruska, of Nebraska, I have introduced a bill to amend title I of the Omnibus Crime Control and Safe Streets Act enacted last year.

This legislation would make two principal changes. First, it would authorize $650 million for fiscal year 1971. Second, it would promote greater flexibility in the administration of the 15 percent discretionary funds authorized under section 306 of the act.

For the current fiscal year, moneys available to fund the Law Enforcement Assistance Administration do not yet exceed $300 million. Plans submitted by States if fully funded would require more than $1.1 billion for fiscal 1971. While most of these plans appear meritorious and while some might even be called urgent, it is felt that $650 million is a more realistic estimate of the total commitment that can be made at this time. While our legislation does not make any provision for fiscal years 1972 and 1973, it is anticipated that when the program becomes fully operational, it will require an appropriation in the neighborhood of $900 million.

I do not look upon these expenditures as an extravagance. On the contrary, they represent an essential investment. I have made it my concern to survey the work of the Law Enforcement Assistance

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Administration, and I must say that I am much pleased with the progress it has made. Title I of the Omnibus Crime Control and Safe Streets Act was designed to activate a working partnership between Federal, State, and local governments insofar as such a partnership can properly function without violence to jurisdictional concepts in the Constitution. In its truest sense, the process of monetary grants by the Federal Government to the States and localities is a splendid example of the new concept of revenue sharing. It can become a showcase for utilization of the concept on a broader scale.

When title I was passed, it was assumed that section 306 was broad enough to permit LEAA the discretion necessary to administer the discretionary fund in a genuinely discretionary manner. Under that section, 85 percent of the funds is allocated to State planning agencies. The other 15 percent can be used by LEAA as it thinks best in promotion of the criminal justice system. In practice, the language has been found to be too restrictive. The amendment proposed in the legislation Senator HRUSKA and I have introduced would make it possible to make discretionary grants to units of general local public agencies, Federal or State law enforcement offices or agencies, institutions of higher education, or combinations of the same.

I hope the Committee on the Judiciary can give early attention to this legislation.

MORATORIUM

(Mr. RANDALL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RANDALL. Mr. Speaker, it is by intention and not by oversight or omission that I have withheld comment about the moratorium until the day of observance has passed.

I have waited not only to find out whether it was peaceful or violent, but because I did not want to associate myself in any possible way with the efforts of the National Moratorium Committee who have called for the immediate and total withdrawal of all our troops from South Vietnam without at the same time making any demands whatsoever of the North Vietnamese.

Not a single one of us wants to continue this war any longer than is necessary to secure an honorable conclusion. One thing we must never forget, however, is the consequence of an immediate and unilateral withdrawal. We must think of the effect this will have, not for the moment, but for the future. Throughout all of Asia, whether in the Philippines, Taiwan, Japan, Pakistan, Indonesia, Malaysia, Australia, and New Zealand there exists gnawing fear of the consequences of a hasty United States withdrawal from Vietnam. Put in a few words, there would come into being the widespread feeling that no one in the future could rely on the United States as they have in the past.

If we disengage without some type of honorable conclusion but simply walk out and turn South Vietnam over to the Communists then we have charted our course not simply for Vietnam, but for all of Asia.

The head of the independent State of Singapore has said that as much as he hates communism, if the United States makes no firm stand but acquiesces to all of the demands of North Vietnam and the Vietcong, then he will have no future course but to embrace their principles and accept their dictation as a matter of self-survival.

If leaders of the National Moratorium Committee could only realize that their demand to disengage immediately and unilaterally means to charge off all of Asia, not just Vietnam, and leave our friends to the mercy of their foes, then, they might make a more responsible request for a moratorium in the hope that the war would end as a result of mutual deescalation. If they had any intention to be more responsible they would limit their demands to a temporary cease-fire to see if the North Vietnamese and the Vietcong would respond. If on the other hand the present policy advocated by the moratorium committee were followed the consequences would amount not to peace but to a policy of surrender.

The worst thing about the moratorium movement is that it may give the North Vietnamese and Vietcong in Paris the impression that the mood of our country is one of surrender. If this impression is gained by our enemy then the advocates of "peace" may actually be serving the complete opposite purpose of prolonging the war.

Now, Mr. Speaker, I was present in the House last Tuesday night. I participated in my own way by listening to those who had asked for special orders as well as those who challenged their remarks. My participation did not take the form of speaking or engaging in debate. Instead, my contribution was to be present to vote to protect the rights of those whose persuasions were in opposition to my own views. I voted against both motions to adjourn. I was present and answered to my name on the quorum calls.

Who can say whether those who spoke in favor of immediate withdrawal from Vietnam, last Tuesday night, changed the minds of any one single House Member? Even if that did not happen, I left the floor late Tuesday evening greatly impressed with the dignified manner in which the proceedings were conducted. Although I must state frankly I was not swayed from the course I feel we must follow in Southeast Asia, I was proud of the respect shown on the House floor for conflict of opinion.

I bow to no one who may think he has a greater desire to see an end to the hostilities in Vietnam than myself. I think we all want peace returned to the world. Yet, it is wrong to conclude that the large outpouring of thousands of demonstrators yesterday and last night and the eloquence of the speakers on the House floor Tuesday night accurately reflects the sentiments that the majority of our people want to let Hanoi take the war by default and for our country to suffer the loss of prestige and honor that would result if we were to turn tail and run leaving thousands of South Vietnamese helpless before the onslaught of a heartless and murderous Hanoi takeover of all of Vietnam.

Every one of us is as weary of the war as those speakers who expounded on an immediate and unilateral withdrawal from Vietnam. Clearly, the most significant thing about the moratorium is the fact that those who spoke and those who marched were able to do so in this land of the free. They could march, carry their candles, show their placards, and openly express their views. The most impressive thing of all about the moratorium is that a protest of this kind could take place in an orderly manner without many incidents of violence. Even though I found their arguments defective, I am happy and proud that my colleagues were given the opportunity last Tuesday evening to express their views by speaking on the House floor. There are far too many countries in the world where such freedom of expression would not be tolerated.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted to:

Mr. MORSE (at the request of Mr. GERALD R. FORD), for October 17, on account of official business as U.S. observer to NATO parliamentary Conference.

Mr. PETTIS (at the request of Mr. GERALD R. FORD), for today, on account of official business.

Mr. CHARLES H. WILSON (at the request of Mr. MOSS), for today through Monday, October 20, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. BUCHANAN, for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. GUDE); to revise and extend their remarks and include extraneous matter:)

Mr. MORTON, for 10 minutes, today.

Mr. HUNT, for 15 minutes, today.

Mr. DUNCAN, for 60 minutes, on October 21.

Mr. WYATT, for 30 minutes, today.

Mr. GOLDWATER, for 15 minutes, today.

Mr. BIESTER, for 10 minutes, today.

Mr. STRATTON, for 15 minutes, today.

Mr. GONZALEZ (at the request of Mr. ALEXANDER), for 10 minutes, today; to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. DON H. CLAUSEN immediately following the remarks of Mr. ERLENBORN on the conference report on H.R. 13194 today.

Mr. GROSS to revise and extend his remarks on the conference report on H.R. 13194, today.

Mr. MORGAN during the consideration of the conference report on H.R. 11039.

Mr. Andrews of North Dakota immediately following Mr. Mize during general debate in the Committee of the Whole today.

Mr. Sebelius to follow the remarks of Mr. Mize during general debate today.

Mr. Foreman prior to the vote on the Landgrebe amendment during consideration of H.R. 4293.

Mr. Randall in two instances and to include extraneous matter.

Mr. Rarick during debate on H.R. 4293 and to include extraneous matter.

(The following Members (at the request of Mr. Gude) and to include extraneous matter:)

Mr. Gude.
Mr. Gubser.
Mr. Pelly.
Mr. Brown of Michigan.
Mr. Schadeberg.
Mr. Nelsen.
Mr. Roudebush.
Mr. Wyman in two instances.
Mr. Duncan in two instances.
Mr. Harsha.
Mr. Horton in two instances.
Mr. Ashbrook in two instances.
Mr. Shriver in two instances.
Mrs. Dwyer in three instances.
Mr. Schwengel.
Mrs. Reid of Illinois.
Mr. Bow.
Mr. Morse.
Mr. Broomfield.
Mr. Carter.
Mr. Railsback.
Mr. Michel.
Mr. Coughlin.
Mr. Bush.
Mr. Zwach.
Mr. Chamberlain.
Mr. Keith.
Mr. Halpern.

(The following Members (at the request of Mr. Alexander) and to include extraneous matter:)

Mr. Long of Maryland in three instances.
Mr. Dingell in three instances.
Mr. Matsunaga in two instances.
Mr. Rarick in five instances.
Mr. Ottinger.
Mr. Montgomery.
Mr. Farbstein in four instances.
Mr. Biaggi in six instances.
Mr. Chappell in two instances.
Mr. Gallagher.
Mr. Green of Pennsylvania.
Mr. Reuss in 10 instances.
Mr. Gonzalez.
Mrs. Hansen of Washington in two instances.
Mr. Fuqua.
Mr. Moss.
Mr. Fascell in two instances.
Mr. Symington in two instances.
Mr. Clay in five instances.
Mr. Gibbons in three instances.
Mr. Nedzi.
Mr. Sisk.
Mr. Kastenmeier in two instances.
Mr. Mann in three instances.
Mr. Hanna.
Mr. Nix in two instances.
Mr. Eilberg.
Mr. McCarthy in three instances.
Mr. Minish.
Mr. Charles H. Wilson.
Mr. Addabbo in five instances.
Mr. Albert.
Mr. Brasco.
Mr. Pickle in two instances.
Mr. Daniels of New Jersey.
Mr. Murphy of New York in three instances.
Mr. O'Neill of Massachusetts in two instances.
Mr. O'Hara.
Mrs. Mink.
Mr. Rogers of Florida in five instances.
Mr. Fountain in two instances.
Mr. Hagan in five instances.
Mr. Miller of California in five instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2910. An act to amend Public Law 89–260 to authorize additional funds for the Library of Congress James Madison Memorial Building; to the Committee on Public Works.

ENROLLED BILLS SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 12781. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1970, and for other purposes; and

H.R. 13194. An act to authorize special allowances for lenders with respect to insured student loans under title IV–B of the Higher Education Act of 1965 when necessary in the light of economic conditions in order to assure that students will have reasonable access to such loans for financing their education, and to increase the authorizations for certain other student assistance programs.

ADJOURNMENT

Mr. ALEXANDER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 5 minutes p.m.), under its previous order, the House adjourned until Monday, October 20, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1263. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to authorize the Secretary of Transportation to prescribe rules, regulations and performance and other standards as he finds necessary for all areas of railroad safety and to conduct railroad safety research; to the Committee on Interstate and Foreign Commerce.

1264. A letter from the Postmaster General, transmitting a draft of proposed legislation to amend sections 501 and 504 of title 18, United States Code, so as to strengthen the law relating to the counterfeiting of postage meter stamps or other improper uses of the metered mail system; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RIVERS: Committee on Armed Services. H.R. 7618. A bill to provide for the conveyance of certain real property of the Federal Government to the Board of Public Instruction, Okaloosa County, Fla.; with amendments (Rept. No. 91–571). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS: Committee on Armed Services. H.R. 8664. A bill to authorize an increase in the number of flag officers who may serve on certain selection boards in the Navy and in the number of officers of the Naval Reserve and Marine Corps Reserve who are eligible to serve on selection boards considering Reserves for promotion (Rept. No. 91–572). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS: Committee on Armed Services. H.R. 9564. A bill to remove the restrictions on the grades of the director and assistant directors of the Marine Corps Band (Rept. No. 91–573). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS: Committee on Armed Services. H.R. 8662. A bill to authorize command of the U.S.S *Constitution* (IX–21) by retired officers of the U.S. Navy (Rept. No. 91–574). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS: Committee on Armed Services. H.R. 10317. A bill to adjust the date of rank of commissioned officers of the Marine Corps; with an amendment (Rept. No. 91–575). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS: Committee on Armed Services. H.R. 11548. A bill to amend title 10, United States Code, to permit naval flight officers to be eligible to command certain naval activities and for other purposes (Rept. No. 91–576). Referred to the Committee of the Whole House on the State of the Union.

Mr. HÉBERT: Committee on Armed Services. H.R. 14001. A bill to amend the Military Selective Service Act of 1967 to authorize modifications of the system of selecting persons for induction into the Armed Forces under this act (Rept. No. 91–577). Referred to the Committee of the Whole House on the State of the Union.

Mr. ANDERSON of Tennessee: Committee on Rules. House Resolution 584. Resolution for consideration of H.R. 13950, a bill to provide for the protection of the health and safety of persons working in the coal mining industry of the United States, and for other purposes (Rept. No. 91–578). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BIAGGI:

H.R. 14376. A bill to authorize the Secretary of Health, Education, and Welfare to make grants for treatment and rehabilitation centers for drug addicts and drug abusers, and to carry out drug abuse education curriculum programs, and to strengthen the coordination of drug abuse control programs by establishing the National Council on Drug Abuse Control; to the Committee on Interstate and Foreign Commerce.

By Mr. BUTTON:

H.R. 14377. A bill to amend the Social Security Act concerning psychiatric benefits available under titles XVIII and XIX; to the Committee on Ways and Means.

By Mr. CABELL:

H.R. 14378. A bill to provide for additional penalties for commission of a crime in the District of Columbia when armed; to the Committee on the District of Columbia.

By Mr. CUNNINGHAM:

H.R. 14379. A bill to prohibit the use of Federal funds for sex education in elementary and secondary schools; to the Committee on Education and Labor.

By Mr. GAYDOS:

H.R. 14380. A bill to encourage the growth of international trade on a fair and equitable basis; to the Committee on Ways and Means.

By Mr. HOWARD:

H.R. 14381. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. KLUCZYNSKI (for himself and Mr. Chappel):

H.R. 14382. A bill to provide that the fiscal year of the United States shall coincide with the calendar year; to the Committee on Government Operations.

By Mr. RYAN:

H.R. 14383. A bill to prohibit the procurement of California table grapes by the Department of Defense; to the Committee on Armed Services.

By Mr. ST. ONGE:

H.R. 14384. A bill to amend the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

By Mr. STAGGERS:

H.R. 14385. A bill to provide authority for subsidized transportation for Public Health Service employees affected by the transfer to the Parklawn Building in Rockville, Md.; to the Committee on Interstate and Foreign Commerce.

By Mr. ZWACH:

H.R. 14386. A bill to amend the Public Health Service Act to provide grants to develop training in family medicine; to the Committee on Interstate and Foreign Commerce.

By Mr. BIESTER (for himself, Mr. Brock, Mr. Cramer, Mr. Mikva, Mr. Addabbo, Mr. Anderson of California, Mr. Anderson of Illinois, Mr. Bingham, Mr. Brasco, Mr. Brown of Michigan, Mr. Buchanan, Mr. Burton of California, Mr. Bush, Mr. Carter, Mr. Don H. Clausen, Mr. Clay, Mr. Collier, Mr. Conte, Mr. Corbett, Mr. Córdova, Mr. Corman, Mr. Coughlin, Mr. Daddario, Mr. Dellenback, and Mr. Derwinski):

H.R. 14387. A bill to amend the Food Stamp Act of 1964 to authorize elderly persons to exchange food stamps under certain circumstances for meals prepared and served by private nonprofit organizations, and for other purposes; to the Committee on Agriculture.

By Mr. McDADE (for himself, Mr. Edwards of California, Mr. Findley, Mr. Friedel, Mr. Fulton of Pennsylvania, Mr. Fulton of Tennessee, Mr. Gallagher, Mr. Gibbons, Mr. Gude, Mr. Harvey, Mr. Hastings, Mrs. Heckler of Massachusetts, Mr. Helstoski, Mr. Hicks, Mr. Horton, Mr. Koch, Mr. Kuykendall, Mr. Lowenstein, Mr. Lukens, Mr. McCarthy, Mr. McClory, Mr. McCloskey, Mr. Mailliard, Mr. Michel, and Mr. Minish):

H.R. 14388. A bill to amend the Food Stamp Act of 1964 to authorize elderly persons to exchange food stamps under certain circumstances for meals prepared and served by private nonprofit organizations, and for other purposes; to the Committee on Agriculture.

By Mr. FOLEY (for himself, Mrs. Mink, Mr. Moorhead, Mr. Morse, Mr. Mosher, Mr. Nedzi, Mr. Obey, Mr. Olsen, Mr. Pepper, Mr. Podell, Mr. Quie, Mr. Railsback, Mr. Rees, Mr. Riegle, Mr. Ruppe, Mr. St Germain, Mr. Scheuer, Mr. Schneebeli, Mr. Schwengel, Mr. Stanton, Mr. Stokes, Mr. Talcott, Mr. Thompson of New Jersey, Mr. Tunney, and Mr. Vigorito):

H.R. 14389. A bill to amend the Food Stamp Act of 1964 to authorize elderly persons to exchange food stamps under certain circumstances for meals prepared and served by private nonprofit organizations, and for other purposes; to the Committee on Agriculture.

By Mr. STEIGER of Wisconsin (for himself, Mr. Whalen, and Mr. Yates):

H.R. 14390. A bill to amend the Food Stamp Act of 1964 to authorize elderly persons to exchange food stamps under certain circumstances for meals prepared and served by private nonprofit organizations, and for other purposes; to the Committee on Agriculture.

By Mr. DOWDY (for himself and Mr. Cabell):

H.R. 14391. A bill to authorize the establishment of the Big Thicket National Monument in the State of Texas, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. GARMATZ:

H.R. 14392. A bill to amend title II of the Social Security Act to provide a 15-percent across-the-board increase in monthly benefits, with subsequent cost-of-living increases in such benefits and a minimum primary benefit of $80; to the Committee on Ways and Means.

By Mr. GUDE:

H.R. 14393. A bill to provide authority for subsidized transportation for Public Health Service employees affected by the transfer to the Parklawn Building in Rockville, Md.; to the Committee on Interstate and Foreign Commerce.

By Mr. HECHLER of West Virginia:

H.R. 14394. A bill to provide for the protection of the health and safety of persons working in the coal mining industry of the United States, and for other purposes; to the Committee on Education and Labor.

By Mr. MURPHY of New York:

H.R. 14395. A bill to protect interstate and foreign commerce by prohibiting the movement in such commerce of horses which are "sored," and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PETTIS (for himself, Mr. Gubser, Mr. Tunney, Mr. Hanna, and Mr. Corman):

H.R. 14396. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Chemehuevi Tribe of Indians; to the Committee on Interior and Insular Affairs.

By Mr. POFF:

H.R. 14397. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to modify the provisions relating to discretionary grants to the States, to limit the Law Enforcement Assistance Administration to one block grant per State per year from 85 percent funds, and to provide authorization of appropriations for fiscal year 1971; to the Committee on the Judiciary.

By Mr. VANIK:

H.R. 14398. A bill to provide for the establishment of a U.S. Peace Academy; to the Committee on Foreign Affairs.

By Mr. COHELAN (for himself, Mr. Rogers of Colorado, Mr. Don H. Clausen, Mr. Bell of California, Mr. Widnall, Mr. Mosher, Mr. Reuss, Mr. Kee, and Mr. Andrews of North Dakota):

H.J. Res. 957. Joint resolution to supplement the joint resolution making continuing appropriations for the fiscal year 1970 in order to provide for carrying out programs and projects, and for payments to State educational agencies and local educational agencies, institutions of higher education, and other educational agencies and organizations, based upon appropriation levels as provided in H.R. 13111 which passed the House of Representatives July 31, 1969, and entitled "An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1970, and for other purposes"; to the Committee on Appropriations.

By Mr. FASCELL:

H.J. Res. 958. Joint resolution to authorize the President to proclaim the month of January of each year as "National Blood Donor Month"; to the Committee on the Judiciary.

By Mr. PURCELL (for himself and Mr. Wright):

H.J. Res. 959. Joint resolution to supplement the joint resolution making continuing appropriations for the fiscal year 1970 in order to provide for carrying out programs and projects, and for payments to State educational agencies and local educational agencies, institutions of higher education, and other educational agencies and organizations, based upon appropriation levels as provided in H.R. 13111, which passed the House of Representatives July 31, 1969, and entitled "An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1970, and for other purposes"; to the Committee on Appropriations.

By Mr. SYMINGTON:

H.J. Res. 960. Joint resolution to designate Route 70 of the National System of Interstate and Defense Highways as the Eisenhower Memorial Highway; to the Committee on Public Works.

By Mr. WIDNALL:

H.J. Res. 961. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. BOW:

H. Con. Res. 412. Concurrent resolution urging the adoption of policies to offset the adverse effects of inadequate long-term financing upon the housing industry; to the Committee on Ways and Means.

By Mr. McCARTHY:

H. Con. Res. 413. A Concurrent resolution condemning the treatment of American prisoners of war by the Government of North Vietnam and urging the President to initiate appropriate action for the purpose of insuring that American prisoners are accorded humane treatment; to the Committee on Foreign Affairs.

By Mr. NELSEN:

H. Con. Res. 414. A Concurrent resolution expressing the sense of the Congress with regard to North Vietnam and the National Liberation Front of South Vietnam and their compliance with the Geneva Conventions on Prisoners of War; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. MESKILL introduced a bill (H.R. 14399) for the relief of Nelly J. Ainslie, which was referred to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

295. By the SPEAKER: Petition of the New York State Council, Junior Order United American Mechanics, relative to placing the flag in public school classrooms; to the Committee on Education and Labor.

296. Also, petition of Louis Cohen, Brooklyn, N.Y., relative to ending the war in Vietnam; to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

NONSECRET MOON FLIGHT

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. TEAGUE of Texas. Mr. Speaker, there are many ways to view the accomplishments of our national space program and particularly the recent monumental success of Apollo 11 in landing men on the Moon. The Evening Bulletin, of Philadelphia, Pa., on Thursday, July 17, 1969, carried an interesting article by Mr. Max Lerner pointing out the significance and value of the open space program that the United States is conducting. As Mr. Lerner points out:

> I welcome the stress on manned and humanized space flight as against the Soviet stress on unmanned and the impersonal.

The importance of Mr. Lerner's words should not be forgotten as we seek direction as to the future of our national space program. The article follows:

NONSECRET MOON FLIGHT

(By Max Lerner)

WALTHAM, MASS.—There has never been a moment in human history so massively and carefully prepared and so intensely watched by the whole sweep of the earth's population as the projected landing on the moon by the American astronauts. But there are no sure precisions in the cosmos, whether in the world of nature or of man. After everything has been planned for, there remains the element of accident or contingency—what we call "luck."

What the world therefore will really be watching—each group with whatever form of prayer or propitiation it owns up to—is to see whether luck or mishap will attend the fateful moment.

PRESTIGE DAMAGED

Soviet leaders, it seems to me, have chosen with an unsurprising lack of grace, to barge into this moment of history and crash the party. It is a way of recognizing that science is not only science but a form of political and prestige rivalry, too.

The original Sputniks and the slow American start in space gave the Russians a huge start some 12 years ago. They have since fallen behind, as the Americans have moved toward space primacy in the past eight years—since President Kennedy's grave decision. Mr. Kennedy said to Khrushchev, at the summit meeting in 1961, "Let us go to the moon together." The Russians refused. Now their intent seems to be to undercut or upstage the drama they've been unable to prevent.

There's more than rivalry at stake here. There are two basic life-styles and civilization-styles engaged in the same effort, and the way they operate in it sheds considerable light on their nature and destiny.

The usual way of seeing the difference between the two approaches is to stress the difference between unmanned and manned flight. But there is a larger difference into which that fits—the difference between secrecy and openness.

PRICE FOR OPENNESS

There were Soviet economic and technical failures in the first half of the Sixties that slowed the Russians, including some tragedies with a high cost in human life, never officially revealed. Nobody knows the troubles the Russians have seen in recent years, although Sir Bernard Lovell estimates that they have again fallen a year behind in their schedule.

The Americans have had to pay a high price for their openness, especially when the grisly death of three astronauts made them stop and revamp their technological and safety apparatus. But even here it was a case of one step backward and two steps forward.

The openness of the tragedy goaded the Americans into an urgency they might not otherwise have achieved.

The American program is bound to have tragedies again. The open society, like the closed society—the open life, like the secret life—cannot escape the tragic, but its wrestling with the tragic and its transcending of it are also open, and inspiring.

AMERICAN APPROACH

By the American style, the harvest—if all goes well—is a greater focusing on the symbolic event before and after it happens, a greater drama and, therefore, a greater glory. If things go badly, the misery and heartaches also are greater.

The Soviet method cuts not so much the loss or tragedy as the vulnerability to open failure.

The corollary to secrecy is in personality. Young Americans have the right intuition when they worry about becoming impersonal items in a computerized world and when they link it potentially with a closed society. Yet, the fact is that this linkage, which has been made in modern totalitarian society, is being resisted in America, and not only by the young rebels. That is why I welcome the stress on manned and humanized space flights as against the Soviet stress on the unmanned and the impersonal. You have to mix science and technology not only with vast economic resources and planning, but also with compassion, imagination, sweat and a big chunk of humanity.

MRS. ANNA CORNEHL

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. BIAGGI. Mr. Speaker, I recently informed the President's office that a very fine lady who is one of my constituents would be celebrating her 100th birthday. The President responded by sending the lady a congratulatory telegram. She was, of course, overjoyed and grateful. I, too, wish to say "thank you" to the President for his thoughtfulness and consideration.

The lady is Mrs. Anna Cornehl, and an excellent weekly newspaper known as the Bronx Press-Review also contributed to the enjoyment of her birthday by publishing an article about her. As a tribute to Mrs. Cornehl, I am entering the complete text of that article into the CONGRESSIONAL RECORD.

The article follows:

A 100-old woman recalls with gratitude that when she came to Unionport as a bride the townsmen refrained out of delicacy from "shooting over my head," in deference to the fact that she wasn't a local girl.

The shooting wasn't to have been in anger: it was a form of "shivaree," rough and rustic romping to mark a local wedding night. The playful shots were reserved for local girls in the village of 500, back in 1893.

"The bride of that time is Anna Cornehl, of 2953 Philip Ave., who last Sunday was tendered a special reception in the church she helped to found, walking the rural roads and traveling by wagon, to sign first members.

Mrs. Cornehl is a spry lady this day. She complains a little of a partial hearing loss, and of twinges of arthritis. But she still is able to prepare meals, and to talk of the old days to friends and neighbors who come to see her often. "I love to have people drop in," she says.

She was born Anna Heick in Wehrendorf, Hanover, Germany, and came to this country with her mother and sister. Her great grandfather and grandfather had come to the United States earlier. The family chafed against the "Prussianizing" of their native land. For a time she lived in Hawkeye, Iowa, on a farm, then came to New York. Employment was difficult, and she was untrained, like most women, for work. She found a post as a maid in a home next door to the family of former Governor Alfred E. Smith, in Greenwich Village.

She married a maritime officer, George H. Cornehl, and they came uptown by train to Van Nest and were taken to their home on Havemeyer Ave. by public coach, driven by a man named Dannenfeiser, she recalls.

The villagers who forbore from shooting guns over the bride's head greeted them at a celebration given by the couple, at which all who wanted were treated to food and drink.

The Cornehls were to occupy several other quarters after their first. They lived on Gleason Ave., and then Lurting Ave. Mrs. Cornehl lives now with her daughter, Augusta, in the Philip Ave. house.

She sighs as she notes that "people nowadays" aren't as "nice" as they were in her girlhood. "They think too much about themselves now," she says a little mournfully.

She doesn't look mournful often. Mrs. Cornehl is a woman of high spirits, with a wide smile in her age-carved face. She is slight but active and she still has traces of a German accent. She and her daughter amiably disagree over some of her recollections, which she has to strain through nearly a century of remembrance. Details sometimes differ from the family records handed down to her daughter orally.

When she came to Unionport, there were two main East-West streets, Westchester Ave. and Eastern Blvd. (now Bruckner Blvd.) and three North-South streets, Aves. A (Zerega Ave.), B (Castle Hill Ave.) and C, (Havemeyer Ave.) Castle Hill Ave. was the local shopping center, but for important purchases Unionporters went to "The Village," at Westchester Square.

The centenarian recalls that when she came to Unionport there was no policeman, but that somehow there was a jail on Gleason Ave. The Odd Fellows Home was on its present site, but then consisted only of a small frame building. PS 36 on Castle Hill Ave. gave public school instruction.

The religious centers were historic St. Peter's Episcopal Church, attended by the owners of the beautiful large estates that bordered the East River waterfront, and St. Raymond's the "Mother Church" of the Bronx Catholics.

But she was a German Lutheran, and there was no church for her. So she started out to organize one. She visited the many German families resident in those days in Unionport, and the young matron soon had the congregation founded. It is still active, in a small frame building at 2134 Newbold Ave.—St. Paul's Evangelical Lutheran Church of

XUM

Unionport, where the celebration was held on Sunday.

Every once in a while she recalls, with some emotional warmth and some economic pain, that she used to buy milk at three cents a quart. "There were cows all around here," she notes. "Chickens, too." She paid ten cents a dozen for eggs.

She remembers that the boys from the old Catholic Protectory, the site of which is now occupied by Parkchester, used to bathe in Westchester Creek. Mrs. Cornehl remembers good times in Sehring Park, on Starling Ave. where there was bowling and dancing. But a "rough crowd" from Bergen Ave. broke up the place one night, and it was not reopened, she recalls.

There was a home for alcoholics on Westchester Ave. in those days, too.

Progress came to Unionport when the IRT Pelham Bay Line subway was built—the community was changed from rural to suburban. She says "it's being heard today that 'some of the nicest people moved away'."

"Mrs. Cornehl bore two children, and was attended by a Dr. Droogan, who made house calls on a bicycle. Another local physician was Dr. Ellis, of Doris St. She doesn't recall first names.

Her son Fred, a Certified Public Accountant in government employ, died last year in St. Petersburg, Fla. Her daughter, Augusta, called Connie, still lives with her. They live an amiable and interesting life, entertain often, talk lightly.

"I've had a good life," Mrs. Cornehl says. "People will age less if they keep active. I've always been on the go. My church work has been greatly rewarding, religiously and socially." She admits she likes an occasional glass of champagne.

Her husband won a citation for saving survivors of the U.S. battleship Maine, at Cuba—the sinking incident blamed on the Spaniards which was a cause celebre in the Spanish-American war. He was first officer of the City of Washington, which joined in the rescue work. Later he became a captain of Ward Line vessels plying to Cuba. Mrs. Cornehl recalls that when they met "it was love at first sight."

It was love at first sight when she encountered life. She still is in love—although sometimes slightly bewildered by its changes—with life.

"But it doesn't seem like 100 years," she says.

LEAD-POISONED KIDS

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. RYAN. Mr. Speaker, there is a silent epidemic in the ghettos of our urban centers affecting children who live in dilapidated housing. It is lead poisoning.

Lead poisoning results from old paint which peels off walls and fire escapes and falls within easy reach of children who eat it. The disease in its early stages is just like a virus, and most often is not reported until it has reached its most critical stages. When it gets this far, it results in epilepsy, cerebral palsy, permanent mental retardation, and death.

It is estimated that 25,000 to 30,000 children suffer from lead poisoning in New York City alone.

I have introduced three bills to combat lead poisoning: H.R. 9191, H.R. 9192, and H.R. 11699. In July, these bills were reintroduced with 18 of my colleagues as cosponsors. These bills are H.R. 13256, H.R. 13254, and H.R. 13255.

I am inserting in the Record an article from the October 21 issue of Look magazine. Written by Margaret English, the article, "Lead-Poisoned Kids," cites the seriousness of this disease around the Nation.

I urge my colleagues to read this well-documented article, and to support the essential legislation to alleviate the problem:

Lead-Poisoned Kids

(By Margaret English)

On April Fool's Day, 1969, two-year-old Yanda Russell began throwing up everything she ate. On April 4, her frightened mother took her to Children's Hospital in Washington, D.C. Six hours after she was admitted, Yanda went into convulsions and became semi-comatose. The resident on duty had seen too many similar cases, and he half expected Mrs. Russell's answers to his gentle questioning. Like most people in the area, she lived in a decayed, prewar tenement. The paint in her apartment peeled away in strips, and holes in the plaster were within easy reach of a two-year-old. For 11 months, she had been yelling at her daughter to quit picking at the paint.

Tests showed that Yanda's blood contained more than three times the safe amount of lead. X-rays revealed lead deposits in her bones. Lead in her brain had caused it to swell inside her skull and had brought on the vomiting and convulsions. She was treated with chemicals that flushed the lead out of her system, and, in three weeks, she was walking, talking and eating normally. Now, she has a 50–50 chance at a healthy life. If she is unlucky, she will suffer permanent neurological damage. Her chances of fighting her way out of the slum she was born in have been reduced by half, all because she ate as few as three flakes a week of lead-containing paint from the walls of her home. There are thousands like her.

Lead paint has not been used on interiors for over ten years, but in old buildings, it lies just beneath the surface of the newer coats of lead-free paint. When the walls are not properly maintained, the old paint lifts away in layered chips along with the new. This is the decor of slum housing.

Most of the children who eat paint have pica, a vaguely defined craving for non-food substances that afflicts about one child in five. Some pediatricians say that pica is caused by minor brain damage, insufficient mothering or overuse of oral pacifiers. However, Dr. Agnes Lattimer, director of Ambulatory Pediatrics at Chicago's Michael Reese Hospital, tends to put down the psychological causes of pica. "Most of these children are anemic," she says. "We're not sure just why, but we find that when we treat the iron anemia, the pica improves." In any case, to her, pica is almost a side issue. A child who lives in a new or well-maintained house can have all the pica in the world, and he won't get lead poisoning.

About 200 kids die from lead every year. Between 12,000 and 16,000 are treated and survive. Half of these are left mentally retarded. Only about one case in 25 is treated. This means that every year, as many as 400,000 kids may be poisoned, half of them ending up with a permanent handicap, like behavior problems or impaired intellectual ability.

The early symptoms are mild and vague. Constipation, clumsiness, lethargy, crankiness or nausea could mean lead poisoning or any number of other childhood ailments. Often, the symptoms go completely unnoticed and disappear, leaving the child with only a little bit of brain damage—perhaps just enough to keep him from getting through high school or holding down a steady job later on. No one can positively identify these victims, but we understand enough about lead poisoning to know that they must exist.

Health officials have learned that when they go out looking for cases, they find them, and the more they look, the more they find. Chicago began a mass screening program in 1966. In 1967, 27,959 Chicago slum kids were tested. Although only a third of the children were in the high-risk age group (one to three years), 2,379 had dangerously high levels of lead in their blood.

Chicago prides itself on having the most extensive screening program for lead poisoning in America, but Mrs. Catherine Smith, of the South Side, is not impressed. Four of her children have been poisoned. Only when she withheld rent for five months did her landlord repair the paint and plaster in her apartment—and then just in the most conspicuous spots. There is still loose lead paint within reach of her youngest son, who nibbles at it when her back is turned. Mrs. Smith would like to get her kids into a housing project where the paint is tight and lead-free. So would the 70,000 other people on the public-housing waiting list in Chicago. If Mrs. Smith could have a safe home, she would be a little more impressed.

Baltimore doesn't have a screening program, but the city does get very tough with landlords of lead-poisoned children. Once a Baltimore child is hospitalized, the Health Department will force the landlord to remove all peeling paint and any tight lead paint from chewable surfaces below a height of four feet. Mrs. Burrie Green's apartment walls in Baltimore were partially stripped after her infant son Larry was hospitalized in the summer of 1968. But when he came home, flakes of old paint still fell within his reach, and a year later, he was poisoned again in the same apartment that had been officially declared lead-free. Twice poisoned, Larry now has little hope of a full recovery.

Still, Chicago and Baltimore are two of the best cities to live in if you can't afford to settle anywhere except in the lead belt.

If Mrs. Barbara Last lived in Chicago instead of Boston, her daughter Debbie might have been screened and treated before she started getting stomachaches and acting crazy. Then maybe she could have been promoted from the first grade last year. Specialists at Children's Hospital Medical Center, Boston, have developed a method for detecting lead poisoning in children from the lead deposits in their hair. This is how Debbie's case was finally diagnosed. Yet Children's Hospital couldn't get the necessary funds to run a mass hair-testing this summer.

When Mrs. Brenda Scurry left Florida for New York in 1964, she wasn't thinking about lead poisoning. She just thought that things were better up North, which may account for why she didn't end her journey in Baltimore. If she had, perhaps her daughter Janet would be alive. Dr. J. Julian Chisolm, Jr., of Johns Hopkins says of the Baltimore Pediatrics clinics, "We take the attitude that any child who vomits in the summertime has lead poisoning until proven otherwise." If Janet had arrived at a Baltimore hospital in a coma and with a history of paint eating, she might have been tested and treated in time. As it was, she was taken to a Bronx hospital on April 15. No one thought of testing her for lead poisoning until April 21. On April 22, she died. More than a week after she buried her daughter, Mrs. Scurry learned the results of the blood test: Lead poisoning.

This can be stopped. Mass screening and testing programs help, and every city with prewar dilapidated housing should have them. Cracking down on a landlord after a kid has been poisoned helps too. But Paul Du Brul, an anti-lead activist from New York's Lower East Side, believes we should go further: "There shouldn't be any lead poisoning, at least not on the scale that we have it in this country. It is completely within our power to prevent mental retardation in thousands of children a year. All we have to do is keep lead paint out of the reach of little kids who put everything in their mouths." That means making their homes lead-free—either by stripping the walls and repainting them or covering the old paint with wallboard.

It's no use telling women not to let their children eat paint. They try, but it does about as much good as telling a child not to suck his thumb. Dr. Lattimer of Chicago lays it out: "You have to have a home safe enough to put a child down in while you do the washing and ironing. You can tie him down, but then he doesn't get to explore his environment. Then the Head Start people tell you he's culturally deprived. If you live in a lead trap, you can't win."

The landlords will squawk when they have to panel or strip their buildings. They'll say they can't afford it, and some of them won't be able to. Dr. René Dubos, who won a Pulitzer Prize for his book, *So Human an Animal*, likens the elimination of lead poisoning in the slums to the pasteurization of milk. At one time, the dairy people insisted there was no way to market milk that was guaranteed not to give you tuberculosis. The public demanded, and it was done. Dr. Dubos says the same must be done with lead: ". . . This problem is so well defined that it may provide an occasion to introduce a kind of social accounting. . . . If we do not act in a ruthless manner on this limited problem, then I believe that our society is intellectually and morally dishonest in talking about improving social conditions or improving our total environment. If we, with all our technological means, are not willing to make the effort that would be demanded to get rid of [lead poisoning], then our society deserves all the disasters that will come to it."

In St. Louis, a few concerned people are trying to organize a lead-poisoning program. It hasn't really gotten off the ground yet, because the medical folk believe that they have to run a pilot test to find out if there is really enough lead poisoning in St. Louis to bother with. You have to get funding for this kind of thing. Mrs. Sandra James lives with her two-year-old son and a couple of older kids, in a tottering frame house down on Mills Street in St. Louis. She hasn't heard of the citizens' committee, and she doesn't know too much about lead poisoning. In her apartment, the paint lifts off the walls in sheets, and there are holes in the plaster right through to the beams. One of them is about a foot off the floor next to the kitchen door. "That's the hole my baby eats out of," she said. "I smack him for it, but he keeps doing it anyway." I ask Mrs. James if I could have a piece of the paint: "Help yourself," she said. I brought it back to New York and had it analyzed. Of course, it was full of lead.

SENATE DESIRE TO CUT TAX PRIVILEGES FOR WEALTHY LAGS

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. LONG of Maryland. Mr. Speaker, on August 7 the House passed the most extensive tax reform bill in history. This bill is not yet adequate, but it is a major step toward fairness to the middle-income taxpayer. Portions of my own bill to close 13 loopholes, including the oil depletion allowance, through which the wealthy escape paying their fair share of the tax burden and thereby dump it on the rest of us were part of the tax package which passed the House.

The tax reform bill now lags in the Senate, where it appears to be rapidly losing momentum. Until the Senate passes the tax reform measure, tax inequities will persist.

The American people have not forgotten the urgent need for tax reform. Congress should not forget that need either. Mr. Stuart S. Smith, a correspondent for the Baltimore Sun, recently wrote a penetrating and well-balanced article on the tax reform package which I share with my colleagues by including it in the CONGRESSIONAL RECORD:

SENATE DESIRE TO CUT TAX PRIVILEGES FOR WEALTHY LAGS

(By Stuart S. Smith)

WASHINGTON.—The most sweeping tax reform measure in the history of the republic is in danger of foundering because the ordinary American citizen is no longer paying attention.

Important proposals to ensure that wealthy individuals and powerful corporations shoulder a fair share of the federal budget burden are in jeopardy. The flagging interest is reflected in a sharp drop in mail demanding tax justice. All last winter, spring and summer Capitol Hill offices were flooded with letters insisting on knowing who was getting a tax break and why.

Numerous writers told their congressmen they had just been reading astonishing and to them little-realized facts about the Internal Revenue Service. Not infrequently they enclosed clippings. Some said they had learned for the first time, that all too many wealthy individuals and more than a few big businesses pay taxes on gross income at a lower rate than, say, a scrubwoman earning an income below the federal poverty level.

PROTECT NO. 1

Carried along on this tide of consternation, the House last August passed the most forthright set of Revenue Code amendments ever adopted since the income tax was established in 1913. In the interim, however, this flow of mail has ebbed and changed. Those who write now are no longer outraged small businessmen, pensioners or fathers and mothers supporting families from modest salaries.

These days most of the letters are written by those who get, and want to keep, the special benefits the House bill reduced or eliminated. The signers include persons who are allowed specific advantages from undistributed corporate profits, tax-free bond interest, estate tax manipulations, capital gains deductions, dividend credits, accelerated real estate depreciation, inflated expense account deductions, intangible oil and gas drilling expense write-offs and oil depletion allowances. Altogether, these privileges, which all but a miniscule per cent of the nonrich cannot obtain, cost the Treasury an estimated $22.1 billion a year and reduce the tax base by almost $50 billion. Even though the House only slightly narrowed this escape hatch (or "loopcavern," as one expert called it), those who stood to lose were incensed.

Meanwhile, the reform legislation was handed to the Senate Finance Committee, a majority of whose members have strong ties to large industrial and financial circles and who time and again have demonstrated their partisanship for special interests on the Senate floor.

Shortly after returning from the summer holidays, the committee began hearings. It took testimony from 269 witnesses and received more than 400 supplementary statements. Almost all who appeared in person or sent in written comment for the committee record argued against one or another of the House provisions. This testimony was offset only in small part by the mere handful of individuals who bothered to speak up in behalf of the general public.

IMPORTANT ISSUES BECLOUDED

Moreover, the issues of paramount importance to the ordinary consumer have been beclouded by the noisy dispute over deductible gifts to non-profit institutions and tax-free municipal bonds—problems which concern less than 5 per cent of the personal income tax payers.

To be sure, Senator William Proxmire (D., Wis.) testified one day that "any tax system which requires 2.2 million people under the poverty level to pay federal income taxes, yet allows Atlantic Richfield Oil Company to earn over $465 million between 1964 and 1967 without paying one red cent in federal income taxes clearly requires revision."

However, the senator, who is not a committee member, never received an answer to his implied question; that is, what mechanism permits this injustice and what does the committee propose to do about it? Indeed, the panel heard very little testimony at all about the special tax advantages oil firms enjoy, especially including drilling cost deductions as well as oil and gas depletion allowances. Some Washington commentators suggested that this was not by chance. The Associated Press discovered and reported that Senator Russell B. Long (D., La.), the committee chairman, has since 1964 collected at least $329,151 in oil royalties that were tax-free because of the 27.5 per cent exemption he is currently defending in Congress.

The somewhat mysterious figure of 27.5 per cent was a compromise set a quarter-century ago after the House called for 25 per cent and the Senate said 30 per cent was better. It permits any oil well owner to deduct that amount from each well's gross earnings—year after year even though no additional drilling expenses are ever incurred.

GRANDER THAN TEAPOT DOME

The House measure made the relatively modest proposal of dropping the depletion figure to 20 per cent. After all, as even the Supreme Court once pointed out, the deduction is "arbitrary" and "bears little relationship to the capital investment."

It is, furthermore, one of the biggest giveaways to a wealthy special class ever dreamed up by United States officials, and by its sheer enormity makes even the noxious Teapot Dome episode seem like a minor boondoggle.

In "The Rich and the Super-Rich," Ferdinand Lundberg, a New York University adjunct professor and former newspaper financial writer, charged that "the depletion allowance is a plain gouge of the public for the benefit of a few ultragreedy overreachers and is plainly the result of a continuing political conspiracy in the United States Congress."

Even Milton Friedman, one of the country's most prominent conservative economists and the man who advised Richard M. Nixon on financial matters during the presidential campaign, abhors this tax favoritism with his customary vehemence.

Testifying before the Joint Economic Committee's economy in government subcommittee October 6, Mr. Friedman declared: "The alleged objective of our scandalous collection of special measures about oil—prorationing, depletion, oil import quotas and still others . . . is the preservation of oil reserves for time of national emergency. It would be far cheaper, and far less corrupting politically, to subsidize this objective directly—if indeed any subsidy is necessary—than to continue our present policies."

TAXPAYERS REVOLT PREDICTED

To be sure, President Nixon does not listen to such experts alone. In the South and West, oil is an invincible political force and is not to be scorned in the East, either. In the year 1965 alone, Standard Oil Company of New

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Jersey had a gross revenue of $11.471 billion—which exceeded the combined revenues of 30 state governments, which that year raised $11.375 billion.

The Internal Revenue Service refuses to disclose by how many millions Standard Oil was able to reduce its corporation tax through depletion deductions and other write-offs, but President Nixon made plain his reluctance to tackle such influence. Harry S. Dent, one of the President's chief political aides, even had the temerity to write a Republican inquirer in Texas in Mr. Nixon's behalf that David M. Kennedy, the Secretary of the Treasury, would "soon" correct his Finance Committee testimony accepting the allowance cutback to 20 per cent. Mr. Kennedy, however, failed to reappear before the committee.

Some senators are ready for a showdown, with or without administration and committee support. Noting that the Treasury has calculated that the depletion and intangible oil well drilling expense write-offs result in $1.3 billion in lost revenues every year, Senator Proxmire pointed out that this amount is three times the federal law-enforcement expenditures, 15 times over the federal court budget and three times more than the school lunch and food stamp program budget.

Other congressmen have warned that their current mail does not reflect the country's true sentiment and have predicted that a taxpayers revolt will result if meaningful reform legislation is not enacted.

The committee, which went behind closed doors last week to ponder the matter in secret, has promised to report to the Senate by the end of this month. At that time the letter writers on both sides will learn how much their pleading and cajoling accomplished.

KOREA'S POLITICS—IN PROSPECTIVE

HON. DONALD E. LUKENS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. LUKENS. Mr. Speaker, since the end of World War II, Korea has always been a focal point of the world's attention. Its land is still divided into north and south, and the Communists in the north pose a constant threat to the south. Korea is a frontier of freedom in the Far East and plays an important role for the security of the United States as well as the free world nations in the Far East. As Korea has a strategical significance, the United States maintains its troops in Korea for the common defense of freedom.

Despite the invasion and continuous threat of the Communists in the north, Korea has enjoyed political and economical stabilities over the past several years. Furthermore, Korea's internal policies to attain self-sustaining national defense and economy have been successfully carried out. All of this has been accomplished with the help of the United States. A feat of which we can be justly proud.

The fact that Korea has made immense progress should not divert our attention from the fact that Korea still has many typical domestic problems, detrimental factors which stand in the way of insuring a free political system and economical growth. There remains, of course, the ever-present threat from the north.

The proposed constitutional amendment bill permitting President Park to seek the third consecutive term brings the issue of Korea's future clear to the forefront. Many question whether any other leader on the scene today is capable of leading the country through the trying times ahead. President Park's record is impressive. He has successfully normalized Korea-Japan relations. He has made the controversial decision to dispatch troops to Vietnam. Both of these actions will serve the interests of our country.

The third term also raises the question of Korea's commitment to democratic government. In my judgment, the lack of experience in the practice of democracy has caused a head-on crash between the supporters and oppositionists over the proposed amendment of the constitution. I expect it will take a considerable time to see Korea reflect the qualities of democratic government as they exist in advanced nations. The experience of our Nation would indicate that when national survival is at stake, progress in the development of democratic institutions is retarded. In fact, Korea is still under quasi-war conditions and the achievement of self-sustaining readiness in national defense and economy is so paramount that progress in the other aspects of social development must, of necessity, be slow.

Whether President Park is to be allowed to seek a third term is an issue for the Korean people. To those who question the practice of amending the constitution to make this possible, I would point out that we as Americans should recognize that our national interest has been ill served when we meddled in the internal affairs of other nations. Korea is proud of the progress made in constructing its institutions and we should be constructive in our criticism, lest this brave little nation and strong ally shrink from the common cause which binds us.

CAN LAW RECLAIM MAN'S ENVIRONMENT?

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. DINGELL. Mr. Speaker, the August-September 1969 issue of Trial magazine carried a most informative article entitled, "Can Law Reclaim Man's Environment?" So that my colleagues may have an opportunity to read this article, I insert its text at this point in the RECORD:

CAN LAW RECLAIM MAN'S ENVIRONMENT?

"For a long time I made speeches. I thought that was the answer. Now I am convinced the answer is in the courtroom."

So spoke Dr. Clarence C. Gordon, botany professor at the University of Montana to more than 1000 lawyers at the recent Denver, Colo. convention of the American Trial Lawyers Association.

"The nation just hasn't time to wait to correct environmental insults," he warned—a warning echoed by noted conservationist, Dr. Charles F. Wurster, Jr. of the State University of New York, Atty. Victor J. Yannacone, Jr. of the Environmental Defense Fund, Consumer Crusader Ralph Nader and Prof. James W. Jeans of the University of Missouri-Kansas Law School.

The lawyers were hearing for the first time why they must join the front ranks of fighters to preserve our biosphere from disintegrating.

They were being told—in no uncertain terms—that "insults to our environment by modern technology" belonged in a new category of "corporate crime."

Nader urged them to treat this crime as "one which utterly dwarfs into insignificance crime on the streets—in terms of people injured and killed because of dangerous machinery, pollution, and unsafe household products."

"And a major group of corporate criminals are those industries responsible for environmental pollution," he said.

"Those companies are pushing mankind to the brink of environmental doomsday," Dr. Gordon added.

Yannacone—who through the Environmental Defense Fund has been battling U.S. and state governmental agencies, large industries and the many self-motivated groups—declared that civil law suits, based on damages, are "necessary to protect Americans fast enough before they are dead."

"Every member of the trial bar," he said, "must knock at the door of courthouses throughout the nation and seek the protection of equity of our environment.

"Let each man and every corporation so use his property as not to injure that of another, particularly so as not to injure that which is common property of all the people. Let no wrong be without a remedy."

Yannacone made these points: that legislative relief is too slow and cumbersome; that U.S. agencies (the Army Corps of Engineers, Department of Agriculture, Atomic Energy Commission, state flood control agencies, etc.) are too self-centered in their role as defendant, judge and jury; that the billion-dollar agriculture industry sways state legislatures even in the face of death-dealing pesticides (DDT and other chlorinated hydrocarbonates); and that modern scientific methods have been developed to determine relative social costs and benefits of "public improvement" projects for this and coming generations.

Yannacone said:

"Conventional conservation education and action will not save any natural resource which has become the object of private greed or public blundering.

"Only imaginative legal action on behalf of the general public in class actions for declaratory judgments and injunctive relief will get the story told and lay the matter before the conscience of the community in a forum where the conflict can be resolved and evidence tested in cross-examination.

"Although we in the trial bar consider it a major part of our professional obligation to avoid litigation, and encourage settlement and compromise, there is a time not to settle. There is a time not to compromise. There is a time to try the case. Litigation seems the only rational way to focus the attention of our legislators on the basic problems of human existence—the protection of the basic elements of our environment, air and water and the diverse, viable population of plants and animals on the ground, in the air and in the seas."

Do we have sufficient time on this earth to delay taking action—legislative and judicial? TRIAL has made an exhaustive survey of environmental insults and ensuing dangers, and it states editorially: We don't have time.

As Barry Commoner, director of the Center for Biology of Natural Systems, Washington University, St. Louis, Mo., warned the Senate Governmental Relations Subcommittee:

" . . . we need to reassess our attitudes toward the natural world on which our technology intrudes. . . . Modern technology has

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so stressed the web of process in the living environment at its most vulnerable points that there is little leeway left in the system.

"And the time is short; we must begin now to learn how to make our technological power conform to the more powerful constraints of the living environment."

Dr. Commoner cited the prediction from the National Academy of Sciences/National Research Council of a crisis in water pollution by 1980.

The warning is simple and stark: Because of natural biological cycles by the present technology of sewage treatment and crop production we have begun to stress the self-purifying power of the nation's surface waters to the point of biological collapse.

Representatives of the growing breed of scientists willing to become involved in public crusades against such things as DDT, highway building, air and water pollution, Dr. Paul R. Ehrlich, population biologist at Stanford University, asserts:

"The trouble with almost all environmental problems is that by the time we have evidence to convince people, you're dead. . . . Drastic action is needed to head off a catastrophic explosion. . . . If we had a 100 years to solve it, I would be optimistic. . . ."

Dr. Charles F. Wurster, organic chemist at the State University of New York, calls for an end of the world's great experiment with DDT, charging that the chlorinated hydrocarbon insecticides are contaminating and seriously degrading biotic communities in many parts of the world. Ecological sanity is needed today," he asserts.

Dr. Charles C. Johnson, Jr., Consumer Protection and Environmental Health Administrator, Public Health Service, pinpoints just a few of the environmental stresses on the average American today:

1) toxic matter released in the air at the rate of 142,000,000 tons a year from motor vehicles, factories, power plants, municipal dumps and backyard incinerators.

2) microbiological contamination of food (compounded by the use of "convenience foods" which require little or no heating); 50% increase of food additives in the past 10 years; pesticide residues on food crops; traces of veterinary drugs in meat, milk and eggs.

3) more than 3.5 billion tons of solid waste discarded each year—marring landscapes; adding to malodorous, polluting dumps; and breeding rats, disease organisms and filth.

4) more than 500 new chemicals and chemical compounds introduced annually into industry, along with countless operational innovations—causing thousands of workers to suffer from cancer, lung disease, loss of hearing, dermatitis and other ocupational diseases.

5) chemical, viral and bacteriological wastes contaminating our rivers and lakes—increasing the difficulty to find water supplies treatable for human consumption.

6) radiation sources from large-scale applications of nuclear energy, laser and microwave technology, medical X-rays and radionuclides, and household electronic equipment—against which science has only begun to develop protection.

7) thousands of new miracle drugs produced by pharmaceutical research to treat specific disease problems that often cause unforeseen side effects and possibly serious genetic defects.

The economic cost of this pollution—in medical bills, household maintenance, etc.? Each of the 200 million Americans pays $65 per year in less polluted areas and as much as $200 per year in highly polluted areas.

Recent events indicate the rising concern of our federal and state governments:

The U.S. Health, Education and Welfare Department is sponsoring a scientific symposium to determine full biological effects and health implications of the gigantic microwave industry, medical use of radionuclides, use of microwave ovens, and other electronic equipment which is used in homes.

A secret special committee within the Agriculture Department has called for stoppage of all aerial dusting with DDT and its use in aquatic areas.

Congress is going beyond President Nixon's budget to allot $750 million a year to combat water pollution.

New Jersey has instituted suit against seven major airlines for $55,000 in damages for air pollution due to exhausts from their jets.

States, overwhelmed by the tremendous costs of fighting environmental insults, are seeking help from industry. (One exception: California bowed to the $4.4 billion agriculture industry and allowed the continued use of DDT.)

The following hypothetical problem offered by Dr. J. Douglas Smith and Dr. Joseph J. Harrington of Harvard University, president and vice president of Process Research, Inc. (a water pollution control firm in Cambridge, Mass.) dramatizes the complexities of environmental control. Lawyers must be prepared to resolve the legal ramifications of such a problem:

Cranberry growers on Cape Cod, concerned with improving agricultural benefits, have adopted a policy of spreading chemical fertilizers on their cranberry bogs; these fertilizers eventually run off into the tidal inlets of the Cape, where there exists a concerned clam digging industry. As well as stimulating cranberry growth, these fertilizers stimulate the growth of other sorts of plant life; on the tidelands of the Cape, the growth of unicellular algae has recently been prolific. Clams feed by filtering food from large volumes of water and collect appreciable quantities of such algae. When the accumulated algae decompose, they generate enough gas to make the clams buoyant. Great numbers of clams have floated to the surface and drifted to sea on outgoing tides. Along with seriously endangering Cape Cod's clam digging industry, tons of rotting clams washed onto the beaches at Newport, Rhode Island, have created an air pollution problem of such magnitude as to threaten cancellation of this summer's Newport Jazz Festival.

U.S. REVOLUTIONARIES LINKED TO HANOI

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. DUNCAN. Mr. Speaker, in today's Washington Post, October 15, Jack Anderson has a thought-provoking column concerning the link between Hanoi and the anti-Vietnam war movement in the United States. I recommend this to all readers of the RECORD, especially those who are participating in today's moratorium. I cannot help but think that among the demonstrators are those who would withdraw if they knew just how much they are aiding Hanoi's efforts. The article follows:

U.S. REVOLUTIONARIES LINKED TO HANOI

(By Jack Anderson)

TOKYO.—For the millions at home who will demonstrate against the Vietnam war today, the intelligence files here contain some facts worth pondering.

This column has examined documentary evidence that a few rabid revolutionaries who seek to dominate the anti-war movement in the United States are receiving instructions from Hanoi. They aren't against war at all; they merely are on the enemy's side.

Indeed, their aim is to stir up new "wars of liberation," including guerrilla warfare in the streets of America, to advance the Communist cause. Their immediate instructions are to agitate in the United States for an unconditional withdrawal from Vietnam.

In retrospect, I believe it was a mistake for the U.S. to plunge into the Vietnam conflagration. This remote patch of jungle simply hasn't been worth the price in American blood and treasure.

But those who are in a big rush to write off 38,887 American war dead and $81,407,000,000 of the taxpayers' money should consider the French experience. The French pullout of North Vietnam 15 years ago precipitated a Communist slaughter that hadn't been duplicated since the mad days of Adolph Hitler.

Too hasty abandonment of South Vietnam likewise might produce another bloodbath. Yet the Hanoi-directed militants, according to intelligence documents, are striving to turn the antiwar protest into a national demand for "quick and complete withdrawal of U.S. troops from South Vietnam."

Possibly to avoid treason charges, the American militants are not in direct touch with the Hanoi government. Most contacts, apparently, have been kept on a friend-to-friend or organization-to-organization basis.

The Hanoi-controlled South Vietnam Liberation Students' Union, for example, maintains an underground liaison with U.S. leaders of the Students for a Democratic Society and the Students' Committee for the End of the Vietnam War.

On the eve of the Vietnam Moratorium, Tran Buu Kiem, the Students' Union chairman and former chief Vietcong delegate in Paris, wrote a letter to his American disciples urging "the active and massive participation of the American youths and students in this fall struggle movement."

HANOI LETTER

The letter, dated Oct. 6, called for a prompt American pull-out from Vietnam. Kiem contended that "the replacement of a score of thousands of troops is insignificant, as compared with about half a million U.S. youths still remaining in South Vietnam.

"Your interests and those of the American people and the United States do not lie in such a drop-by-drop troop pullout, but in the quick and complete withdrawal of U.S. troops from South Vietnam; not in the Vietnamization or de-Americanization of the war in South Vietnam, which is unpopular and costly in human and material resources, but in ending it. . .

"If Mr. Nixon sincerely wants to live up to his promise to end the war, a promise which he made when he ran for office and when he took over the presidency," the Kiem letter continued, "there is no other way than to respond to the 10-point solution of the Republic of South Vietnam's provisional revolutionary government by quickly withdrawing all U.S. and satellite troops from South Vietnam without imposing any conditions and by abandoning the lackey Thieu-Ky-Khiem administration, leaving the South Vietnamese people to decide their own internal affairs.

"You are entering a new, seething and violent struggle phase. We hope that you all will pool your efforts in achieving great success in this fall struggle phase."

INTELLIGENCE REPORT

Another intelligence document, made available to this column, casts a revealing light on the North Korean role in stirring up opposition to the constitutional amendment, which will determine the future of South Korea. A national referendum will be held Friday to determine whether South Korea's bantam President Chung Hee Park can run for a third term.

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"In connection with the constitutional amendment," declares the intelligence analysis, "the Pyongyang regime is trying to arouse popular views adverse to the constitutional amendment in an effort to create political chaos in the Republic of Korea. The Pyongyang regime is concentrating all efforts on its psychological warfare to encourage the recalcitrant elements in the South."

The attempt to extend President Park's rule for another term has been described, even in the Western press, as undemocratic. The truth is that the Park government has adhered scrupulously to the democratic processes.

Once the referendum is decided by popular vote on Friday, South Korea's troubles may merely be beginning. The intelligence document estimates that North Korea will intensify its efforts to subvert South Korea next year, thus "taking advantage of the possible political chaos in the ROK during the 1971 election."

GENERAL SERVICES ADMINISTRATION ADVISORY BOARD

HON. PAUL J. FANNIN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Thursday, October 16, 1969

Mr. FANNIN. Mr. President, a meeting is now taking place at the General Services Administration that offers great encouragement for the new direction of the Federal Government under the Presidency of Richard Nixon. I refer to the recently created National General Services Public Advisory Council, which is meeting today for the first time.

It is with justifiable pride that I announce one of the members comes from my home State of Arizona, Mr. Gordon Marshall of Phoenix, vice president and general manager of American Concrete Pipe Co. Mr. Marshall joins the Council with many years of experience in the contracting business and a varied background of public service. He is a past president of the Arizona Chapter of Associated General Contractors, an associate director of Associated General Contractors of America and chairman of the Bureau of Reclamation Task Unit. He acts as treasurer and member of the Executive Committee of the Arizona Association of Manufacturers and serves on the City of Phoenix Finance and Services Committee and the conservation committee. He is a member of the Phoenix Chamber of Commerce, is on the board of the Visiting Nurse Service, a vestryman, and past senior warden of All Saints Episcopal Church, and past precinct committeeman and member of the State Republican Committee.

The Chairman of the Council is Mr. Robert A. Forsythe, a Minneapolis attorney and former Assistant Secretary of Health, Education, and Welfare. Mr. Forsythe is no stranger to the Senate, having served as administrative assistant to the late Senator Thye of Minnesota.

Topics under discussion at today's meeting range from GSA activity in product testing and Federal procurement to Federal building projects and property management. Included on the agenda are discussions on Federal communications and transportation, disposal of surplus property, retention and disposal of Federal records, and the programs of equal employment opportunity and minority business enterprise.

Mr. President, I call the new National General Services Public Advisory Council to the attention of Senators to show an example of the positive actions being taken by the executive branch to make this Federal Government more responsive to the people. This direct involvement by the public, through the advisory council technique, will strengthen present programs and lead the way for sound planning for the future.

The 16-member panel was sworn into service by Administrator Robert L. Kunzig, who heads GSA, the multibillion dollar agency that acts as the business manager of the Federal Government.

Administrator Kunzig is to be commended for establishing this advisory group for the purpose of injecting a greater degree of public involvement in the affairs of GSA. It is interesting to note that the lady and gentlemen who are council members come from the business, academic, and other segments of the general public. These are successful people who will contribute much to the General Services Administration. As public minded-citizens, they are meeting without pay.

The other members of the National General Services Public Advisory Council are Jay Davis, Jr., vice president and director of Southern Counties Gas Companies of Los Angeles; William J. Dorgan, former mayor of Palisades Park, N.J., and a partner in Torway Warehouse, Inc., of Edgewater, N.J.; Kenneth C. Foster, of Newark, N.J., executive vice president of the Prudential Insurance Co. of America; Robert L. Froemke, of Pompano Beach, Fla., dean of the College of Business and Public Administration of Florida Atlantic University; Stanley Gaffin, who heads his own public accounting firm in Boston; John W. Galbreath, who operates his own real estate, mortgage and insurance companies out of Columbus, Ohio, and is president and principal owner of Pittsburgh Pirates baseball club; Robert T. Handren, an architect-engineer who is a senior partner in the firm of Handren, Sharp & Associates of New York City; Ralph A. Hart, president and chief executive officer of Heublein, Inc., a Hartford, Conn.-based food and beverage manufacturer, importer and exporter; Stanley W. McKiernan, partner in the law firm of Slane, Slane, Lane & McKiernan of Los Angeles; Mrs. Carmel C. Marr, a New York attorney who presently serves on the New York State Human Rights Appeal Board; George M. Page of Austin, Tex., a principal of Page, Southerland & Page, architects and engineers; Alfred M. Snipes, a prominent administrator-businessman from Oklahoma City; Ray A. Watt, of Washington, D.C., president of the National Corporation for Housing Partnerships; and John T. Wiley, of Atlanta, assistant vice president of Southern Bell Telephone & Telegraph Co.

THRIFT

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. RAILSBACK. Mr. Speaker, while the administration is waging the frustrating battle against inflation, it might be wise and prudent at this point to determine how we got into such financial trouble in the first place, as well as how to prevent it from occurring again.

There are many self-proclaimed experts who have ready answers to the spiraling boom we are in today. Many have just cause to debate the issue for they are truly knowledgeable of their field; others might best keep quiet and let the experts attempt to find ways to stem inflation.

However, I think it important to bring to the attention of my colleagues a piece by Fred Emery of the Galesburg, Ill. Labor News.

His column, "Point of View," offers a succinct and logical exegesis of the roots of inflation. Mr. Emery correctly points out that the incentive for thrift is disappearing in our society along with the individuality of the working man. A man must be rewarded for saving instead of penalized; borrowing must not be so attractive and the credit card so popular.

I commend this article to my colleagues for I believe it should be read by all who are sincerely interested in solving the economic problems of not only individuals but of the Nation.

The article follows:

POINT OF VIEW

(By Fred Emery)

The incentive for thrift in our society is being lost today and with it we are losing our freedom as individuals.

The worker who is thrifty and tries to become self-sufficient by putting aside a portion of his paycheck each week is penalized by the government who rewards his efforts by taxing his savings and the interest on his savings. On the other hand the worker who spends his paycheck each week on loan payments is rewarded by a tax exemption on his interest payments.

The worker who tries to provide for his old age through saving for the future, finds that inflation which is fed by easy credit has destroyed the value of his savings faster than he can save. Thus, why save at all he reasons.

Personal savings and personal security were once the basis of personal pride and integrity. Today however, personal pride is gained by the amount of credit cards a person can boast of and the level of living one can obtain through credit.

By the destruction of habits of thrift in our society, people are becoming more and more dependent on the government to provide for their personal welfare and consequently losing the freedom that comes from personal responsibility.

The thrifty worker has long provided the basis for his own welfare in a capitalist society because his savings provide the necessary capital to business to provide the jobs that provided his income.

Today when credit replaces thrift as a basis for our economy the borrower finds that the increased cost of his purchase leaves him less for the necessities of life and makes an ever increasing income imperative, thus feeding the fires of inflation that are destroying his ability to become a financially responsible citizen.

Credit unions, bank and all lending institutions have depended on the thrifty to provide the capital for loans both business and personal. But because people today find that being thrifty is becoming a liability rather than an asset they are losing confidence in savings institutions to help them provide for their personal social welfare and are looking increasingly to their government and employer to provide their social security needs. This in turn enslaves them to their employer and government.

Even credit unions, which are owned by the shareholders or savers, strive to give the borrower greater advantages and limit their saving members to less and less benefits, thus killing the incentive for thrift. Some credit unions today are taking away some of the savings insurance benefits of their savers that have encouraged their members to save and become less dependent on their employer and government.

As personal responsibility for one's own welfare decreases so does freedom. When a worker becomes dependent on his employer for his retirement benefits he becomes enslaved by his employer.

When social security benefits become his only other means of retirement income because inflation has wiped out the value of whatever else he might have accumulated, the worker finds that he becomes totally dependent on others for his welfare. We must have social security benefits and other types of group retirement programs, but the individual must also be given the opportunity to provide an even greater measure of security in his personal life.

If our free capitalist society is to survive and freedom along with it, the incentive for thrift must be restored. Personal thrift, initiative, and financial responsibility of the workingman must be rewarded instead of penalized.

TRIBUTE TO GEORGE SHICK

HON. HARRISON A. WILLIAMS, JR.

OF NEW JERSEY

IN THE SENATE OF THE UNITED STATES

Thursday, October 16, 1969

Mr. WILLIAMS of New Jersey. Mr. President, one of the most respected and popular State house reporters in New Jersey, George Shick, of the Trenton Evening Times, recently passed away. His life provided memories of integrity, professionalism, humor, and warmth to countless friends. His death leaves a void impossible to fill. In its final tribute, the Evening Times simply and eloquently stated what so many of us feel about George. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Trenton (N.J.) Evening Times, Oct. 13, 1969]

GEORGE SHICK

Some people, they say outlive their enemies. George Shick didn't. He never had any to begin with. The Times Newspapers' longtime State House reporter liked life and liked people very much and you had to like him too, and the better you knew him the more drawn you were to his extraordinary personality, which blended humor and irreverence and old-fashioned graciousness and a lot of other good qualities in a compelling mixture.

Nobody could resist it. Not the three New Jersey governors who came to his retirement dinner; not the legion of other movers-and-shakers whom he knew and bantered with during his 41 years of covering the State House; not the two generations' worth of reporters and editors who worked with him; not the hundreds—maybe it was thousands—of other people who neither wrote for papers nor appeared in them, but whose friendship he treasured.

He was much more than just a man everybody liked, although that alone would have marked him as distinctive. He was also a thorough professional who was doing exactly the kind of work he wanted to do and so repaid the fates for this good fortune by always giving the job the best that was in him, which was considerable. And in covering four decades of news stories he inevitably came to know as much about state government, how it worked and who made it work as anyone under the gold dome, and he shared his knowledge gladly, to the unending gratitude of a long procession of young reporters from his own and other newspapers.

There is nothing tragic about the death of a man at 74 with a rich life behind him, a legacy of fine children and grandchildren, and a state full of friends who remember him with great affection. You have the feeling that this is how it ought to be; that the passing of all humans should come as George Shick's did, with the job done and the potentialities all fulfilled.

WASHINGTON POST INSULTS NEW HAMPSHIRE

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. WYMAN. Mr. Speaker, if one wants to find out why things are as wrong with people in this country as they are, especially with certain alienated young people, one needs look no further than a page 1 story in the Washington Post of today, the day after the so-called Vietnam moratorium. This story, written by Colman McCarthy of the Post's staff, insults New Hampshire in general and Nashua in particular by suggesting that the values which obtain in the granite State are old fashioned, obsolete or church-dictated. The Post was put out that little attention was paid to the moratorium in Nashua and its article included such choice exercises in prejudice as:

> The 300 Nashuans who publicly rallied for peace in Viet Nam did it without help from their neighbors who preferred peace in Nashua but of a different, sleeper kind. . .
>
> Without Sanders Nashua would be just another minor shrub in the rocky New England garden. . . .
>
> Although town meetings are traditional in New England, and much boasted about, town demonstrations are not. Private feelings even about the war, even when 204 New Hampshire boys have been killed, are not meant for public display. . .
>
> Nashua is still basically an old French Catholic town. The authoritarianism that was basic to pre-Vatican II Catholicism is still in the bones and in the souls. . .
>
> Possibly the deepest reason is that it is now a quiet season in Nature. . .
>
> As for the rest of Nashua, the large majority who ignored the moratorium, it is getting along fine with the world. At least today.

Mr. Speaker, such writing in a metropolitan paper like the Washington Post is not surprising but it is downright insulting to the good citizens of New Hampshire who are deeply grieved about the tragic losses of their sons in Vietnam, yet who know the United States is at war there. They are not going to undermine negotiations by the American President for an honorable end to the war. Beyond that fundamental, New Hampshire men and women are not buying Hanoi's bidding to Americans to demonstrate against their Government.

Nashua, N.H., is a progressive, dynamic, growing community, with fine schools, expanding industries, and enlightened self-government. It would survive and flourish with or without any single industry. For the Post to imply that the resentment of its citizens against war in general and the Vietnam war in particular is dulled or stilled by dependence on a war-related industry is slanderous in the extreme for it is false and suggestive of dishonor.

As for those precepts of respect, courtesy, honor, propriety, and religious conviction of which the Post speaks with thinly disguised distaste, well, we have such principles and precepts in New Hampshire in good measure and we are proud we do. The Nation could use more of such principles. So could the Washington Post.

However, the Post would not understand, for it consciously reflects the urban blight that dims individual independence and sublimates character to the metro dry rot syndrome that helps to destroy personal strength of character in so much of urban United States of America today.

The article by McCarthy follows:

FOR SOME IT MEANT CHANGE BUT OTHERS IGNORED PROTEST

(By Colman McCarthy)

NASHUA, N.H., October 15—The jackhammer of the antiwar protest that pounds other parts of the land today produced little more than trembles in this small, solid town in the Merrimack Valley, a part of simpler America and its quieter culture.

The shops stayed open to serve the town's 50,000 citizens, the schools did their teaching, most of the mothers kept to the chores of home, and the businessmen, always in groups and breaking out cigars or breaking into laughter, lunched as usual in undingy places like the Berkshire Country Inn.

The 300 Nashuans who publicly rallied for peace in Vietnam did it without help from their neighbors who preferred peace in Nashua, but of a different, sleepier kind.

The Nashua Telegraph, which has been dispensing conservatism since the days of local hero Daniel Webster and his devil, ran a Page 1 story Tuesday on veterans who agreed with a statement by New Hampshire's senior senator, Norris Cotton. Moratorium day was anti-American, said the senator; further, it was anti-Nixon, anti-peace, and pro-Hanoi.

The Telegraph, which apparently savored the senior senator's statement as much as the vets, had no space for junior Sen. Thomas J. McIntyre who gave a speech in the state the same day. Once pro-war, lesser fry McIntyre searched his politician's soul before an audience in Hanover, saying the U.S. should now "get out of Vietnam with all due speed."

As for news of the upcoming events of moratorium day. Tuesday's Telegraph put it on an inside page, between the obituaries and a listing of recent drunk drivers.

A second possible reason for Nashua's mood of guarded quiet is the presence of

Sanders Associates, Inc. As the state's, as well as the town's largest single employer—over 7,000—Sanders produces electronic equipment and devices. Its biggest customer is the U.S. government, particularly the Defense Department. Last year, Sanders did $198 million worth of business, much of that for the production of war tools.

Few in Nashua are naive enough to fear that if Vietnam suddenly ends, the Sanders defense contracts will terminate and then who will replace this goose and its golden Defense Department eggs? Yet among many citizens who talked about the company today, moratorium day was unfigurable. The event did not strike them as a destructive act; it seemed more like a defacement. It was indirectly hacking at Nashua's foliage, the part which has grown thick enough to conceal the stem of the town that knows that without Sanders. Nashua would be just another minor shrub in the rocky New England garden.

ANTIWAR TEACHER

What peace activity there was in Nashua began early among those whose necks will soon be on the Selective Service line: the high school juniors and seniors. At 7:30 a.m., the English class of William Hodge met in a second-floor room of Nashua Senior High. Hodge, strongly antiwar, has been warned by the principal against imposing his views on students.

"I don't," says Hodge. "Whenever I say something about the war that is not in the area of fact, I say, clearly. 'This is my opinion.' The kids know this. So they shoot back with their opinions.

"These are ways of getting the kids informed about the war, rather than merely getting them riled. I think if they have all the facts, then they can't do anything but oppose the war. If they are going to refuse in conscience to cooperate with the government, then it's my job as a teacher to help inform those consciences. With facts, not arguments."

In other classes this morning, mostly in English and social studies, students discussed Vietnam. More opposed the war than not. But even to many of them, their own remarks came out formless and wan. They know that next year at this time they might be in Vietnam, no matter what they say or think now.

At 8 a.m., local station WOTW held a discussion on the moratorium. In a near parody of talk shows that love to pit lefties against righties, nothing new was said about the war.

One radio tuned to the show was that of Mayor Dennis Sullivan. But the mayor was out of town, so it was his secretary who had it on. "Even if Mayor Sullivan was here," she said, "he had planned to totally ignore the moratorium in Nashua. For him, it isn't even happening." What is happening is the mayor's re-election campaign, which he announced two days ago. Neither of his two opponents has mentioned the moratorium, either.

At 11 a.m., a church service was held. The gathering of 200 was mostly young people, mostly male. At noon, they marched to City Hall Plaza, the spot where John Kennedy launched his presidential campaign in 1960 and where Gene McCarthy spoke to a crowd of 8 people early in his New Hampshire campaign. Speeches were made and donuts were passed through the crowd.

At 1:30 p.m., the people, still munching, broke up. The kids, who were almost the whole crowd, drifted away. A few of them joined with adults in cars and headed for Manchester, the state's largest city, 17 miles north. It was hoped the yearning for peace would be more visible and vocal there.

The life-as-usual mood of Nashua today was not created by any large pro-war sentiment. Many say the town is about evenly divided about the war, so one group does not dominate the other. Paradoxically, the mood of Nashua was created not by those who oppose the moratorium, but by those who supported it but didn't turn out.

DOVES STAY IN COOP

Three reasons exist for the Nashua doves keeping to their coops.

First, they maintain with some impatience that they already declared themselves for peace in Vietnam 18 months ago when they sent Gene McCarthy on his way. This New Hampshire expression for peace was done through the ballot box, the proper and truest form of democracy; so why repeat it now with marches and vigils, a lower form?

Second, Yankee propriety. Although town meetings are traditional in New England, and much boasted about, town demonstrations are not. Private feelings, even about the war, even when 204 New Hampshire boys have been killed, are not meant for public display.

Third, Nashua is still basically an old French Catholic town. The authoritarianism that was basic to pre-Vatican II Catholicism is still in the bones and in the soul. Since the Catholic hierarchy itself is divided on Vietnam, or is when it occasionally gets around to the subject, what can the humble Catholic in the pew be expected to know?

Possibly, the deepest reason for Nashua's quiet mood is that it is now a quiet season in nature. The Merrimack Valley is plush with color-tossed trees, rich in russets, mauves and spirited yellows; everywhere is the wrapping paper of autumn.

A few miles from Nashua is Derry, where Robert Frost once farmed and wrote poems. The epitaph he wrote for his tombstone would serve well as the motto of the peace seekers today: "I am in a lover's quarrel with the world." As for the rest of Nashua, the large majority, who ignored the moratorium, it is getting along fine with the world. At least today.

THE BIRMINGHAM NEWS COUNTER-DEMONSTRATION TO THE MORATORIUM ON THE WITHDRAWAL OF TROOPS FROM VIETNAM

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Thursday, October 16, 1969

Mr. THURMOND. Mr. President, Mr. Clarence B. Hanson, Jr., publisher of the Birmingham News and Post-Herald newspapers in Alabama is to be highly commended for his counter-demonstration to the moratorium on the withdrawal of all troops from Vietnam. The manner in which the News backed our men in Vietnam was highly impressive.

Mr. President, the News devoted the entire front page to counter these incredible demonstrations. The front page displayed a large American flag in colors. The headline banner quoted President Nixon's sentence:

> Our road is not easy, not simple. . . . But right.

In large type across the bottom of the front page, the News printed a quotation from the Honorable Albert P. Brewer, Governor of Alabama. I ask unanimous consent for his quotation to be printed at this point in the RECORD.

There being no objection, the quotation was ordered to be printed in the RECORD, as follows:

WHICH: THE EASY—OR THE HONORABLE WAY?

(By Albert P. Brewer)

Another time of testing has come to America.

Many times in our history as a nation. we have had to decide between the easy way and the honorable way, both at home and abroad.

While our decisions to stand firm in behalf of freedom and justice have not always been universally popular, they have always been supported by the great majority of American people.

Today, we reach a time when we must decide again between the easy way and the honorable way.

Our flag flies in battle on foreign soil—while at home there are those who would have us believe that our people have lost the will to meet our commitments.

Let the word go forth from Alabama and America today that this vocal minority does not speak for the tens of millions of silent Americans whose deep desire for peace burns as brightly as the fires of our warriors' camps but who know that a peace without honor and justice is no peace at all.

Let every enemy, wherever he may be, know that we as Americans have again chosen the honorable way.

Mr. THURMOND. Mr. President, Mr. Hanson sent a letter along with a copy of the News to U.S. Senators. His letter appropriately describes the actions of the demonstrators. I was very much impressed with Mr. Hanson's patriotic response to the demonstrators, and I commended him in a telegram which reflected my opposition to the moratorium.

Mr. President, I ask unanimous consent that Mr. Hanson's letter and my reply be printed in the Extensions of Remarks.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

THE BIRMINGHAM NEWS CO.,
Birmingham, Ala.

DEAR SENATOR: Whatever their motivation, whether misguided thinking or, in some cases, traitorous intent, those who are leading and supporting the so-called "Vietnam Moratorium" are doing the United States grave damage. At the minimum, these people are encouraging the Communist North Vietnamese to intensify their intransigence so amply demonstrated in the months of futile talks in Paris.

If the North Vietnamese succeed, with the help of these Americans, in their obvious aims, the credibility and influence of the United States in its historic and demonstrated efforts to create a world of peace and justice will be drastically reduced, leading to possibly catastrophic consequences.

Wednesday, October 15, 1969, was a black day for the United States. The Birmingham News resorted to its own counter-demonstration, using all its front page to show that most Americans strongly dissent from the views of the "Vietnam Moratorium" crowd and their ilk.

Sincerely yours,
CLARENCE B. HANSON, Jr.,
Publisher.

OCTOBER 16, 1969.

Hon. CLARENCE B. HANSON, Jr.,
Publisher, Birmingham Post-Herald and News, Birmingham, Ala.:

The front page of your October 15 edition is impressive and thanks for sending me a copy. The counter-demonstration as displayed by your newspaper reflects the true and dedicated American spirit. I wish more of our Nation's media would respond like the Birmingham News. The following is a statement I made on October 14:

"I do not agree with the National Moratorium Committee's October protest movement to withdraw all U.S. troops from Vietnam. I support President Nixon's current initiatives for a lasting and honorable peace. Such withdrawal proposals strengthen Hanoi's position, prolong the war, forfeit all the

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objectives supported by four Presidents and break faith with our brave men who have given their lives for their country, world security and freedom."

Keep up your fine patriotic work.

STROM THURMOND,
U.S. Senator.

VIETNAM IN PERSPECTIVE

HON. CHARLES E. WIGGINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. WIGGINS. Mr. Speaker, for some weeks I have wanted to restate my views on Vietnam in greater detail. Perhaps this reflects an uncertainty in the correctness of my position, and perhaps it does, since I know of the intelligence and patriotism of my friends who hold contrary views. In the final analysis, the correct policy for America is a matter of informed judgment, and where precise answers are not possible, reasonable men can, and often do, disagree.

The October 15 moratorium provided the immediate catalyst for the exposition of my views. I harbored strong, strong feelings about the propriety of this event. Its sponsors did not truly seek to develop a dialog on the war as was announced. The repetition of such nonsense was insulting to the listener. The sponsors all possessed positive and often expressed opinions against the war in Vietnam. Their objective was simply to change current U.S. policy by forcing our political leadership to capitulate to their views. It is not unfair to characterize such coercive tactics as a repudiation of democracy. Although tactics may be deplored, the right of such protesters to dissent is unquestioned. It is the utter impossibility of our President conducting an intelligent foreign policy when badgered by fanatics and publicity seeking politicians—as well as concerned, confused, and frustrated Americans—that I find so offensive. The moratorium was not helpful to the President in exercising his constitutional responsibility to shape our foreign policy. That, at least, is one fact about which I am absolutely sure.

I have often thought that any responsible appraisal of Vietnam policy would first require certain emotional catch phrases to be discarded. One of the most abused is "Peace in Vietnam." How often have we heard that peace in Vietnam can be achieved only if American troops are withdrawn? Of course, this is utter nonsense.

An illusory "peace" will come to America if we no longer engage in war in Vietnam. But the war and the killing will surely continue until it is ended, as all wars are, by one side achieving a victory over the other, or at least so imminently threatening to do so that a negotiated cessation of hostilities affords the best chance of salvaging national interests. Unless we cling to a selfish definition of "peace" for America, and to hell with the world, it must be evident that precipitous withdrawal will not bring peace to Vietnam, but will merely enhance the chances of victory by the forces of North Vietnam, or at best, a negotiated settlement upon their terms.

The question is, therefore, will such a foreseeable consequence be in the long-range policy interests of the United States?

At this point, it is not a digression to discuss this policy interest of the United States and how it evolved.

Although some might disagree, I could never be shaken from my absolute conviction that the main thrust of American foreign policy in this century has been peace—world peace—a secure peace—genuine peace. World peace is America's foreign policy.

Since World War I—to pick a convenient starting place—the methods of achieving this shining goal have changed in response to domestic pressure and world events. But we have never lost sight of our objective, and this objective—world peace—surely is the only defensible reason for our present involvement in Vietnam.

Immediately after World War I, our statesmen and returning doughboys were united in one firm conviction: the world had bled enough. We must never permit such a catastrophe as a world war to occur again, it was said. But tactics differed. The League of Nations, a world forum for resolving disputes short of war, was best calculated to maintain the peace, thought some. Others were fearful of standing international organizations and preached nonalinement and selective multilateral disarmament pacts. In the end, much of the world took the former course and the United States, the latter.

During the period between the wars, a new generation was born which did not share that conviction so deeply held by those who had fought and suffered in World War I. This new breed had ample reason to take up the torch for internal social change. For after all, dust was blowing across the Great Plains, displacing millions of farmers; the economy was sick and soup kitchens for the hungry were a real fact of life. In this environment, the young became involved, seeking economic and social change. Under these circumstances, they were to be excused, perhaps, from failing to notice that equally powerful forces were afoot elsewhere in the world.

The Japanese began a long war of conquest against China. The "rape of Nanking" and the attack on the Panay rated newspaper mention but did not truly arouse our interest.

The Italian venture into Ethiopia and the pitiful plea of Haile Selassie for assistance before the League of Nations were not sufficient to arouse our national interest either. Nor did the early machinations of Adolph Hitler in Europe. After all, it was said, these events were "halfway around the world" and the "pressing priorities at home" demanded that we not "stick our nose in other people's wars" or become an "international policeman."

It was expedient during the thirties to rely upon the inexpensive and relatively painless course of isolationism. But it did not work and proved very expensive and tragically painful after all.

The world became involved in a war and it ultimately and inevitably involved the United States.

Twenty years ago, events had reached full circle. Immediately after World War II, our statesmen and returning GI's were united in the same conviction held by their fathers a generation earlier: the world had bled enough. We must never permit such a catastrophe as a world war to occur again. "If only they had stood up to Hitler when he marched into Austria, all this could have been avoided," was the generally accepted postmortem.

This time, however, there was little disagreement upon tactics. An international body must be organized and the United States must be a part of it. And we must never again be indifferent to aggression anywhere in the world. Aggression feeds upon itself, we learned at a fearful price, and must be stopped by concerted action early before it consumes us all.

Such was the lesson of World War II. And we learned it well, for it has been the main source of American foreign policy ever since.

The Truman doctrine, our support of Greece, the Marshall plan, the policy of containment, intervention in Lebanon, regional alliances, the Berlin airlift, our response in the Middle East in 1956, massive retaliation, the Korean war, our policy in the Congo, and, yes, Vietnam—are all manifestations of, and variations from, the same theme.

The exception, proving the rule, was Hungary. But Hungary, and more recently Czechoslovakia, merely reflected certain military realities; and more importantly, Hungary and Czechoslovakia were not considered a part of the free world to which our policy has consistently applied.

It is a fact which should not be forgotten that the basic reason for American intervention in Vietnam in the first place was that our then President was persuaded that world peace could best be maintained by resisting acts of aggression against a piece of geography which we chose to include as part of the free world.

Whether that initial decision was a wise one depends upon one's view of America's basic postwar policy of resistance to aggression; whether aggression in fact occurred; and whether we correctly included South Vietnam within the penumbra of free world protection.

It is my judgment that the initial decision was correct.

I shall not defend our basic policy further than to say that it has been the policy of every President and every Secretary of State since World War II. Their collective wisdom is impressive and it reflects the hard lessons of history.

Nor is it necessary to dwell upon the favorite debating point of some that aggression never occurred in Vietnam, since Ho Chi Minh was merely a popular nationalist leader bent upon reunifyiing his country. The facts are otherwise. He was a cutthroat of the worst kind, who was fanatically obsessed with imposing a Communist totalitarian government upon all of the territory embraced by former Indochina, and perhaps beyond. This remains the policy of North Vietnam today.

A more debatable question concerns the propriety of including South Vietnam within the free world's protective sphere.

Again, it is unnecessary to belabor this overworked point. The decision was a judgment one and was based, I am sure, upon an appraisal of the world and its prospects for peace if South Vietnam were permitted to fall. Pertinent to this decision was the lesson of Korea where an armed invasion promptly followed a misunderstood decision to exclude Korea from free world protection; the question of a SEATO commitment to Thailand, and the credibility of our treaty commitments elsewhere; the likely extension of Ho Chi Minh's domination into Cambodia and Laos; the effect of American timidity upon the future actions of China against Formosa, for instance, or by North Korea against South Korea, for another.

In summary, the risks to world peace, if aggression were permitted to succeed in South Vietnam, were sufficiently clear and present to justify our intervention.

If one accepts the correctness of the initial intervention, then the often-repeated refrain that "we should not have become involved in the first place, but our honor requires that we see it through" makes no sense at all. Honor, saving face, or prestige have nothing to do with it. It is world peace we are after and there is nothing immoral nor inconsistent in fighting to maintain it.

A proper decision reached more than 10 years ago should not be followed blindly, however, if circumstances have changed. Many point to the schism between Peking and Moscow as evidence of a fundamental change in the Communist world, justifying policy changes on our part. Whether communism may or may not be monolithic is a matter of academic interest only. It is irrelevant to their potential and propensity for aggression against their neighbors. Such differences as may exist within the Communist world have not disturbed their common opposition to the United States, nor their zeal to export revolution.

Try as I might, I cannot see any change in the objectives of North Vietnam. The very actions by the Communist North which provoked our intervention in the first place still exist today. Unless resisted, North Vietnam still intends to force its will upon the people of South Vietnam and neighboring countries. And this aggression must be resisted, in the name of peace.

It does not follow, of course, that adherence to a policy of resisting aggression requires that American troops bear the brunt of the fighting and the dying. Local forces have the first responsibility for defense. President Nixon's "plan" which tantalized the electorate last fall is now being implemented and involves a proper shift of combat responsibility to the South Vietnamese themselves. If successful, it may involve a withdrawal of American troops, but it does not represent a retreat from those basic American policy interests which prompted our involvement in the first place.

Those who passionately cry "Peace now!" seldom confuse their thinking with a sober consideration of the consequences of precipitous withdrawal. But the President must.

For example, if America withdraws from Vietnam, is it more or less likely that the "quiet war" in northern Thailand will intensify? If the fighting increases, what should our response be? Should we honor treaty commitments to Thailand, if requested to do so? If we do not, what will be the effect upon the credibility of our commitments elsewhere? Are the prospects for peace in Europe enhanced if the other side has reason to doubt the American resolve to honor its NATO commitments?

Will China be more likely to attempt to remove Formosa and Nationalist China as a thorn in its side, if America manifests weakness in Asia? If China should try, what should our response be?

Will the irresponsible and unpredictable government of North Korea be more or less likely to keep its promise to invade South Korea, if we withdraw under pressure from North Vietnam? If the war in Korea is resumed, what should our response be?

The questions go on and on. And each must be carefully considered in connection with our Vietnam decisions because they are all interrelated and any miscalculation, on our part or theirs, could bring us eyeball to eyeball with a nuclear war.

Much of what I have said will, of course, be rejected out of hand by the professional "doves." Over the years, I have heard all of the contrary arguments and believe, in sum, they represent either basic disagreement with America's postwar foreign policy—an alternative is seldom mentioned—or genuine faith in the peaceful intentions of the major Communist countries. How simple the questions of defense become if one admits of no threat. Constructive debate at this time should not focus on the emotional issue of bringing the boys home, but rather on workable foreign policy alternatives in the seventies.

Reason will not reach the professional doves, but I am supremely confident of the willingness of the American majority to unite behind their President if he takes them into his confidence and shares with them the peaceseeking reasons for his apparently warlike actions.

Johnson was never able to verbalize the reasons for a similar policy. Nixon must try harder or he may be faced with the necessity of abandoning tested policy abroad as the price of internal stability at home. To force our President into such a decision would be a tragedy for American and for world peace.

NATIONAL BUSINESS WOMEN'S WEEK, OCTOBER 19–25, 1969

HON. CHARLOTTE T. REID

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mrs. REID of Illinois. Mr. Speaker, during the week of October 19 to 25 our Nation will once again observe National Business Women's Week which was established by the National Business and Professional Women's Clubs in 1928.

This annual observance gives all of us an opportunity to honor once again the working women in the United States who now number more than 29 million. It also calls attention to their accomplishments in the past and the present, and spotlights the urgent need for constructive use of women's full capabilities in business and the professions in the future.

As a woman in the Congress, as well as member of the Aurora, Ill., Business and Professional Women's Club, I am proud that women all across the country are more aware than ever of the importance of an informed, active electorate and realize the necessity for civic responsibility and service. The more than 3,800 affiliated clubs with over 180,000 members throughout the United States are affording commendable leadership to women everywhere.

This past July the national federation held its 50th anniversary convention in St. Louis. These 50 years have seen great strides made by working women in all fields—business, education, the professions, and so on. Today, women can be found in each of some 480 occupations listed by the U.S. Census Bureau. This is a marked contrast to the era when the Business and Professional Women's Clubs were first organized—when only a few types of jobs were open to women.

I hope all of you will join with me in applauding the achievements of the National Federation of Business and Professional Women's Clubs during National Business Women's Week, and will give your support to their praiseworthy efforts for a better America.

BIG TRUCK BILL

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. SCHWENGEL. Mr. Speaker, my editorial for today is from the Shreveport Times, Shreveport, La. The editorial follows:

[From the Shreveport Times, Shreveport, La., Sept. 4, 1969]

NIXON AIDE TESTIFIES: BIGGER TRUCK DECISION IS LEFT UP TO CONGRESS

(By Dan Rapoport)

WASHINGTON.—The Nixon administration left it up to Congress Wednesday to decide whether heavier and bigger trailer trucks and buses are safe enough to be permitted to travel on interstate highways.

Federal Highway Administrator F. C. Turner told a House Public Works subcommittee his agency did not have "sufficiently reliable evidence" to determine whether the increased sizes of trucks and buses proposed in controversial legislation would mean additional safety hazards to motorists.

If Congress decides motorists' safety is not affected "measurably," Turner said, the Administration would urge that implementation be delayed until July 1, 1972, rather than on the date of passage. The government needs the three years to set performance standards for the bigger trucks, he said.

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Turner's long-awaited disclosure of the Administration position on the bill, while not an endorsement, brought smiles to the faces of subcommittee members who support the legislation.

An opponent, Rep. Fred Schwengel, R-Iowa, said it was "incredible" that the Transportation Department did not recommend delay in action on the bill until it could collect adequate safety data.

The bill, supported by the trucking industry and opposed by the American Automobile Association, would increase from 8 feet to 8½ feet the maximum allowable width of trucks and buses using the interstate highway system.

The limit on weight would be raised from 73,280 pounds to 108,500 pounds. The length, which is not limited now, would be set at 70 feet. Turner recommended a maximum length of 65 feet.

The trucking industry says bigger vehicles would permit more economical movement of freight and more comfortable bus travel. The bill's opponents say the larger vehicles would increase the risk of traffic accidents and cost the government millions of dollars each year in repairs caused by added wear and tear on the highways.

Turner acknowledged that large trucks affect "the mental and emotional attitude of the general motoring public." But he said government studies presented no evidence that such trucks are involved in more accidents than smaller ones. He did say that when a car is struck by a truck 15 or 20 times its size, "the truck tends to demolish the smaller vehicle."

Schwengel said President Nixon had declared during his election campaign last Fall he would oppose any legislation that did not protect the "safety and convenience" of the traveling public.

In view of Turner's testimony, Schwengel said, "I have a feeling that Dick Nixon didn't get the full story. I intend to do my best to see that he does."

Consumer advocate Ralph Nader termed the Administration's decision "a flight from responsibility because Congress does not have the resources" to decide the safety issues.

But Nader said "Mr. Nixon's Transportation Department does and the Federal Highway Administration should immediately disclose all the secret studies it has conducted regarding the hazards of giant trucks." Nader said Turner is deliberately suppressing the studies.

On Tuesday, two law students working for Nader issued a preliminary report of a summer-long study of the trucking industry which charged that it operates defective tractor trailers and overworks its drivers.

Under federal law, truck drivers are limited to 10 hours of driving at a time. The students claimed the law has been consistently ignored. In two cases, they said, drivers were killed in accidents attributable to fatigue and defective equipment.

SST WILL BE ECONOMICALLY COMPETITIVE WITH SUBSONIC JETS

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. PELLY. Mr. Speaker, the SST has been accused with being an airplane for the "elite," or for the "jet-setter." The inference is that the average person will not be able to afford to fly in the SST because of the cost of the aircraft to the airlines.

The truth is that the SST will be four times as productive as the Boeing 707 subsonic jet now in service. This fact makes it possible for the price of a ticket on the American SST to be competitive with the fare on a present-day 707.

Mr. Speaker, associate editor of the Seattle Times, Robert L. Twiss, has written an article which appeared in the October 5, 1969 edition, which adds to this contention. The article follows:

SST WILL BE ECONOMICALLY COMPETITIVE

(By Robert L. Twiss)

Two factors studied at length by The Boeing Co. show the firm's Model 2707 supersonic transport will be competitive economically with the best of the subsonic jets, H. W. Withington said yesterday.

Withington is a Boeing vice president and manager of the Supersonic Transport Division of the firm's Commercial Airplane Group.

"The SST definitely will be competitive with the subsonic jets, at first from higher load factors resulting from its passenger appeal and then from resistance to inflation," Withington said in an interview.

Withington said he bases his conclusions on extensive studies completed by Boeing in the past year.

"This is one of the most important things to come out of this program in the past six months to a year," Withington said.

Discussing higher load factors expected during the early years of SST operation, beginning in 1978, Withington noted that subsonic jets captured about 90 per cent of the North Atlantic market within three years after entering service.

This was because of their tremendous passenger appeal, including their great speed advance over piston-engine transports and their comfort and quietness in the cabin.

Load factors or percentage of seats occupied in the subsonic jets began to level off after the first three years of service, as expected, with more jets flying and travelers taking jet speed and comfort for granted.

In the case of the SST, however, the 1,800-mile-an-hour delta-wing plane is expected to have five years of greater benefit from its great passenger appeal and the much larger market, Withington said.

The higher load factors expected during this period will offset the slightly higher seat-mile costs of the SST, compared with an advanced-technology subsonic jet, such as the Boeing 747, he added.

Then the SST will be more inflation-resistant than subsonic jets, he explained. The Boeing economic study assumed that inflation would continue as it has in the past five years.

"The SST is less people-sensitive than a subsonic jet," Withington said.

He meant the greater productivity of the SST would resist higher costs in flight-crew and ground-personnel salaries and wages better than subsonic jets. Costs of fuel and materials are escalating less rapidly than salaries and wages, he said.

Fuel costs actually decreased between 1955 and 1965 and then leveled out and began to climb at the present rate ½ of 1 per cent a year. Why did airlines show financial gains with jets during the latter part of that decade?

"The conclusion is increased productivity of the subsonic jets and airline personnel," Withington explained. "Both people and equipment productivity went up." As time went on, however, airline costs outstripped even the great productivity of the subsonic jets, so fares began to go up.

The Boeing SST will be four times as productive as the Boeing 707, which means the faster-than-sound airliner will be more inflation-resistant than today's subsonic jets, Withington continued. The great productivity of the SST thus would offset the steady increase in labor costs, which will affect operating expenses of the subsonic jet transport more than it will affect the SST's operating cost, he said.

Historically, with the passage of time, labor costs steadily increase because of inflation, wage increases and other factors. Because the SST is more productive for each hour of labor, it is less sensitive to wage-escalation pressures than subsonic jets, Withington said.

"By 1988, the total operating cost of the SST and the 747 will be essentially comparable," Withington said.

"Boeing studies of load factors expected for the SST were based on extremely conservative assumptions," Withington said. These include a free-world traffic growth rate of 10 per cent a year and a stringent sonic-boom assumption, with no SST flights figured over land south of the Arctic Circle.

Taking out short-haul flights from the forecast of revenue passenger miles expected to be flown in 1980, the studies show supersonic transports such as the Anglo-French Concorde and the Boeing plane will have about 200 billion revenue passenger miles available over such SST routes as the North Atlantic.

A revenue passenger mile is one passenger flown one mile. Withington said the 200 billion figure which would be available to SST's in 1980 is about the total free-world revenue-passenger-mile figure of a couple of years ago.

SST market penetration, of course, depends on the number of planes delivered and placed in service. Withington said the Boeing studies were based on expected Concorde and Boeing SST manufacturing rates, about three a month for the Concorde and five a month for the Seattle-built plane."

"By the summer of 1979, about 15 months after the United States SST enters service, the Boeing SST and the Concorde would provide 30 per cent of the total potential SST market in that time period," Withington said.

That percentage would climb as more SSTs are delivered and SST flights are expanded throughout the free world's overwater routes, Withington said.

VOLUNTARY PRAYER

HON. RICHARD L. ROUDEBUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. ROUDEBUSH. Mr. Speaker, to provide the schoolchildren of this Nation with a chance to start the school-day with a voluntary prayer, we have been offering five prayers weekly for the CONGRESSIONAL RECORD.

These prayers can be recited from the RECORD without interference from the Supreme Court which has approved the distribution of pornographic and obscene literature, but sought to halt prayer and Bible reading by American schoolchildren.

The prayers offered for this week include:

I

For blue of stream
 and blue of sky,
Father, we thank Thee;
For pleasant shade
 of branches high,
Father we thank Thee;
For fragrant air
 and cooling breeze,
For beauty of
 the blooming trees,
Father in heaven,
 we thank Thee.

II

God made the little flowers bloom,
    And made each rustling tree;
He made each bird and blade of grass,
    And then He thought of me.
    Thank you,
Dear God, for making the flowers,
    And touching each rustling tree;
For making birds and a blade of grass,
    And thank You for making me.

III

A great gray elephant,
A little yellow bee,
A tiny purple violet,
A tall green tree,
A red and white sailboat
On a blue sea . . .
All these things
You gave to me,
When you made
My eyes to see . . .
Thank You, God!

IV

We offer Thee thanks for
    the moon in the night;
And thanks for the rain and
    the sun's golden light;
And thanks for the wind and
    bright, falling leaves;
And thanks, too, for flowers
    and deep-rooted trees.

V

Here a little child I stand,
Heaving up my either hand;
Cold as paddocks though they be,
Here I lift them up to Thee,
For a benison to fall
On our meat and on us all.

SMUT PEDDLERS USE MASS MAILING LISTS

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. NIX. Mr. Speaker, on Sunday, October 12, Edith Kermit Roosevelt, a distinguished journalist, authored a column which appeared in the Philadelphia Bulletin on the subject of obscenity and the use of mailing lists to push pornographic material into American homes through the family mail box.

Her article was outstanding because it sums up the case against pandering advertising based on hearings taking place before my Subcommittee on Postal Operations. We will have additional hearings on this subject. Our next hearing date is October 22, in the Cannon House Office Building. We will hold a day long hearing in Philadelphia on November 1 in the U.S. courthouse.

I want to express my appreciation to Edith Kermit Roosevelt publicly for her article.

I believe that freedom of expression is threatened to a far greater extent by the contempt for the ideal of freedom of expression as a right inspired by massive distribution of pornography than by mild regulation which protects the privacy of families from the intrusion of pornographic junk mail advertising.

The article entitled "Smut Peddlers Use Mass Mailing Lists" is hereby submitted for inclusion in the CONGRESSIONAL RECORD at this point:

SMUT PEDDLERS USE MASS MAILING LISTS

(By Edith Kermit Roosevelt)

WASHINGTON.—The right of privacy as a distinct and separate American law is winning expanded interpretations. One reason for this is easy to see. As the means of communications bring us closer together, it becomes easier for those who pander to commercialism, to intrude upon the intimacies of our lives.

An area of privacy which is of increasing public concern is the right of a person to be protected in his home from receiving pandering advertisements which may be sexually provocative or distasteful to him or his family. The number of complaints received by the Post Office Department alone have soared to more than one-half million in the past three years. A Gallup Poll released three months ago reveals that 85 out of 100 adults interviewed said they favor stricter laws dealing with obscene literature sent through the mails.

MASS MAILINGS

The major source of outrage among our citizens is the unsolicited mass mailing of advertisements by some 15 to 20 large firms. These operators generally send out computerized first-class mailings to rake in profits amounting to as much as $10 million a year in a market that runs into billions of dollars.

Many smut merchants operate by means of mailing lists, which contain the names of pre-teen children. These names are gathered through the purchase of pre-teen mailing lists compiled originally by other businesses who sell to children by mail, such as stamp clubs and record clubs.

The greatest cause of public concern is the fear that sexually perverted material will endanger the ethical, mental and moral health of children. Rep. Robert N. C. Nix, Philadelphia Democratic congressman who is chairman of the Postal Operations subcommittee, is in charge of the current hearings on smut peddlers.

He says "such mailings have the effect of undermining parents in their attempt to educate their children as to the meaning and purpose of sex. Pornography undermines the family because by its nature, it preaches that men and women are sexual objects to be exploited for personal pleasure."

CHANCE TO OPEN MAIL

Do children actually get their hands on this material?

Consider these figures from the Bureau of Labor Statistics. The highest labor force among women of all ages in March, 1967, was that of married women with children from ages 6 to 17. This group represented 45 percent of the entire women's labor force and totaled more than 6 million.

From this, we might properly infer that several millions of children who have arrived at a crucial, inquisitive time of life have an unsupervised opportunity to open the mail before their working parents return home even if it is not addressed to the youngsters personally.

Is exposure of children to pornographic material harmful?

Many persuasive statements by responsible experts reinforce the common sense judgments of most parents concerning the harmful effects of salacious literature on juvenile behavior. Dr. Benjamin Karpman, while chief psychotherapist at St. Elizabeth's Hospital here, told the Congress that you can take a perfectly healthy boy or girl and by exposing them to abnormalities you can virtually crystalize and settle their habits for the rest of their lives.

BURDEN OF RESPONSIBILITY

Why then has not this flagrant misuse of the mails been halted?

In 1967, the Congress established a procedure which has proved to be inadequate. A citizen, once he determines that mail he has received is "erotically arousing or sexually provocative," can file wtih his post office a judicial enforceable order prohibiting the sender of that pornography from directing any further mail to his home. There are at least two weaknesses in this procedure:

First, the individual has to receive at least one pornographic mailing before he can initiate the procedure for having his name removed from the sender's mailing list.

Second, the Government's directive to have a smut peddler remove an individual's name from his mailing list does not always work. This is because some smut peddlers put out successive mailings under a different company name, usually with different company officers listed. The Government's directive applies to the old company, not to the new one which more often than not is operated by the same people.

A number of new measures have been introduced in the Congress designed to close the loopholes and to strengthen the smut laws in accordance with President Nixon's proposals. Certainly, any legislation that is passed should place the burden of responsibility on the senders of the pornographic material and not on the protesting householders.

THE WAR IN VIETNAM: ENOUGH

HON. LEONARD FARBSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. FARBSTEIN. Mr. Speaker, tomorrow, October 15, 1969, has been set aside by many Americans as a day of dedication to peace and of demonstration against U.S. involvement in the war in Vietnam.

As an American and a Member of this most distinguished House of Representatives, I hope that all Americans will observe it as a day of prayer, rededication, and respect: prayer for those lost in the conflict in Vietnam and their families, rededication to those principles of freedom and equality on which we have always prided ourselves, and respect for the sacrifices made for those principles by our men in Vietnam and throughout the world.

There are those who charge that participants in the demontrations against the war are less than patriotic and that their dissent is un-American. How much further from the truth can they be? The great majority of those involved are protesting precisely because they feel it is their responsibility as Americans to do so.

Indeed, 160 years ago one of our Nation's founders, Thomas Jefferson spoke out on this subject at his first inauguration. Viewing the spectrum of dissent and disagreement over basic principles then prevalent, Jefferson stated that in our country "every difference of opinion is not a difference of principle. We have called by different names brethren of the same principle." Indeed sir, our Nation is not so different than it was in Jefferson's day. We are still "a rising nation, spread over a wide and fruitful land, traversing all the seas with rich

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production of our industry, engaged in commerce with nations who feel power and forget right, advancing rapidly to destinies beyond the reach of mortal eye." I fear, sir, that while we have felt power, we have forgotten the right. The right of American boys to live full lives in peace, and the right of the Vietnamese people to choose a government that is truly representative of their own will. The will of the people must in the end prevail.

While moratorium day will be a day of national protest and demonstration against the war and its evils, it will also be another type of demonstration—of democracy in action. The entire world shall be witness to the true greatness of the American system of self-government.

From the banks of the Yalu River in Communist China to the wall of silence in East Berlin, from Johannesburg in racially divided South Africa to the shores of the island of perpetual terror in our own hemisphere, Haiti, the greatness of our democracy will be in evidence. That evidence will lie in our freedom of expression, of peaceful protest, of respected disagreement—even over government policies—permitted every citizen. For the many millions in this world who live under totalitarian regimes, or worse, who have no say in the shaping of their own destinies, this peaceful demonstration tomorrow will be a beacon of hope, that somewhere it is possible to be a free man, speak your mind, and remain a free man.

I have long opposed the war and have doubted the righteousness of our commitment. Supposedly we became involved in the war in order to defend in the Far East the principles of democracy and freedom which we ourselves enjoy. I do not see though, that a country which imposes strict press censorship, jails political opponents and has no civilians in its topmost government posts can represent these principles. And I do not see how we can, in good conscience, continue to defend with our lives and treasure a dictatorship or a tyranny.

Putting aside the thought that we should never have become involved in the Vietnamese war in the first place, there is little doubt that we should have removed ourselves from it long ago. But, as a result of faulty advice and information, we find ourselves still embroiled in this senseless conflict.

Earlier this year I called for removal of half our troops from Vietnam by the end of this year and the swiftest possible withdrawal of the remainder. I see no added benefits accruing from a delayed withdrawal which we would not have from an immediate withdrawal—except an added loss of life and an added burden of sorrow for our country.

This most cruel and destructive war has lacerated our country. It has slashed into the very heart of this Nation by cutting into the hearts of those mothers and fathers whose sons will not be coming home again. While the casualty figures of the war exceed 45,000 men, the real casualty rate is infinitely higher. For, how many families have been buried with their sons, buried by the mantle of unending grief? What of the mothers whose eyes gleamed with their sons' reflection, who loved their sons more than themselves? What of the fathers who worked their hands to the bone so that their sons could have more time to enjoy their young lives, who watched their sons growing into manhood and then were informed that death had snuffed out this manhood in a far-off land?

Mr. Speaker, from Appalachia to Death Valley, from the factories of Detroit to the waters of the Rio Grande, all along this great country I hear America cry. It is a silent cry, but in its silence it rings in the ears of the Nation. It is the yearning of a mother for her son, a young wife for her husband, children for their father. We not only hear it, but we can see it in their leaden eyes. The vacuum left by death can never be really filled. How much longer shall we allow this to continue? No one has the right to expect us to become like stone, to become deaf like the very stone slabs on the graves of our sons.

Mr. Speaker, I look forward with great anticipation to the time when this war will no longer plague our Nation. There is much that needs to be done here at home, and it must be a united effort.

The scars of this war will be evident long after the hostilities end. While the American people are passionate and outspoken when they feel a basic principle has been violated, they have an unshakable faith in the ideals that form the pillars on which this Nation is founded.

In this time of protest, faith in the American ideal still remains strong and unwavering. The words of Abraham Lincoln over 100 years ago apply so well to the America of today and the future:

> Though passion may have strained, it must not break our bonds of affection. The mystic chords of memory, stretching from every battlefield and patriot grave to every living heart and hearthstone over this broad land, will yet swell the chorus of the union when again touched, as surely they will be by the better angels of our nature.

VIETNAM

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. BRASCO. Mr. Speaker, I deeply regret that the House will now adjourn without giving all who so desire the opportunity to participate in the debate relative to our policy in Vietnam.

The gallery is filled with Americans, both young and old, who are dignified in their demeanor and deeply desirous of obtaining congressional direction in this most critical problem. It is, I believe, a mistake to turn concerned Americans out into the street with the feeling that this great Chamber, whose tradition is steeped with the richness of debate on major issues, refuses to give more than a couple of hours to a discussion which has divided our people as it has indeed caused cleavages amidst our community of nations.

I also find it regrettable that the President saw fit to stifle the dissent through the release of a letter from the Premier of North Vietnam, allegedly supporting the Vietnam moratorium. To intimate that Americans who disagree with administration policy may be unpatriotic does a disservice to all Americans who have died on farflung battlefields to preserve the right to dissent, to all Americans who believe in our democracy, and certainly to the high office of the President of the United States.

Mr. Speaker, what disturbs Americans most is that they perceive what the administration does not—namely, that we cannot expect either South Vietnam or North Vietnam to help us out of our dilemma. Certainly the South does not want America to withdraw her troops. It is a known fact that their regime could not last without our support, and they will never attempt much-needed reforms, or discuss the formation of a broad-based government as long as they know we are prepared to stay in their country indefinitely, and as long as they have a veto power over American military policy. Also, we can be assured that the North is prepared to stall at the negotiating table while casualties continue to increase.

The administration places emphasis on an appropriate response from Hanoi in determining our timetable for disengagement. The North could withdraw all its forces from the South immediately; then what would be our response? I suppose the answer would be to withdraw all of our military personnel. I submit that once we are gone, North Vietnam could, if they so desired, renew the conflict. What then would our answer be?

Mr. Speaker, as you can readily see, this would be like chasing one's own tail. The American people see and understand this, and cannot understand why our administration does not. Therefore, what Americans are asking is that the President make a determination based not on what either North or South Vietnam wants, but on what is best for America. They want to save the lives of American boys, and want to begin to expend our great resources to combat the domestic crises which already threaten to destroy us from within. Is that unpatriotic?

Is it unpatriotic for Americans to petition their President to readjust our priorities and set up a timetable to bring our troops home as soon as possible, while continuing our efforts to strengthen the Government of South Vietnam so that they can assume full responsibility for the war?

Mr. Speaker, is it unpatriotic for Americans to be concerned about the excessive war expenditures which cut deep into the pockets of taxpayers, lay bare the backs of the needy, and allow critical domestic needs to go unattended? Are these motives sinister? Should they be misinterpreted? I say emphatically, "No."

Mr. Speaker, most Americans want to support their President, but they want his support in return. They want peace, and they want it now.

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CONGRESSMAN CARL ALBERT INVITES ATTENTION TO NATIONAL BUSINESS WOMEN'S WEEK

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. ALBERT. Mr. Speaker, the progress of our American business women in the economic phase of our national life has been nothing less than phenomenal. Over the past 50 years American women have taken an ever increasing part in the business life of our Nation.

Consequently, I invite the attention of my colleagues to the fact that the week of October 19–25 is being observed by the business and professional women's clubs all over the United States as National Business Women's Week.

The National Federation of Business and Professional Women's Clubs is an organization representing millions of our American women in making their influence for good and for progress a telling force in the United States. I wish to join them in saluting the achievements of all business and professional women in the thousands of communities across the country. More than 3,800 of these clubs have organized into a federation which each year promulgates and publishes a legislative program approved by our American women. At this time I offer a copy of that legislative program for publication in the CONGRESSIONAL RECORD. I congratulate the Federation on its excellent program which reads as follows:

NATIONAL LEGISLATIVE PLATFORM ADOPTED BY THE NATIONAL CONVENTION JULY 20–24, 1969, ST. LOUIS, MO.

ACTION ITEMS

Item 1. Constitutional Amendment. Support legislation to amend the Constitution of the United States to provide that equality of rights under the law shall not be denied or abridged on account of sex.

Item 2. Actively work for pending legislation providing for: (a) a broadened head-of-household benefit under the Internal Revenue Code; (b) increased personal exemption and credit for dependents under the Internal Revenue Code; and (c) a more equitable distribution of the tax burden.

Item 3. Propose and support legislation to provide: (a) uniform laws and regulations for men and women as to working hours, working conditions, rates of pay, equal employment, including retirement for age; (b) equal treatment for working men and women in the area of survivor and retirement benefits; and (c) increased child care deduction under the Internal Revenue Code.

Item 4. Propose and support state legislation to provide for uniform jury service and uniform qualifications in the selection of men and women to serve on grand or petit juries in any court.

Item 5. Propose and support legislation to bring about more effective crime control and law enforcement.

POLICY ITEM

Support measures within the framework of the Constitution of the United States that promote peace and strengthen national security and make more effective the United Nations and such other international organizations of which the United States is a participant, without relinquishment of our basic freedoms.

Special note is called to the United Nations Convention pending before the United States Senate on the political rights of women and to the longstanding support for ratification of this convention by the Federation.

BEST POVERTY PROJECT: GREEN THUMB PROGRAM

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. CARTER. Mr. Speaker, there is one program funded by the Office of Economic Opportunity and administered by the U.S. Department of Labor, the Green Thumb program, which I wholeheartedly endorse in Estill County, Ky.

The Green Thumb project is directed by Mr. Charles Bishop with assistance of the local county agent, Clarence Bayes. This program involves retired carpenters, welders, brick layers, painters, farmers, and members of other trades in this county.

This group of retirees has been active in roadside beautification, historic cemetery restoration, and the establishment of recreational areas. The members, though possibly they may work more slowly, have proven themselves extremely capable.

I include an article from the Lexington Leader of September 19, 1969, for the perusal of the Members:

BEST POVERTY PROJECT? COUNTY AGENT SAYS IT'S THE GREEN THUMB PROGRAM

(By Nevyle Shackelford)

IRVINE, KY.—"They may be old and slow but when it comes to getting the job done, I'll match them against any equal number of young men any day."

This was how foreman Charles Bishop described his crew of what he called "oldsters" who are participants in the Kentucky Green Thumb Program here in Estill County.

"And more than that," Bishop—an oldster himself—added, "we can do just about anything. You name any job within reason and we can do it."

In total agreement with Bishop, County Extension Agent Clarence Bayes said the Green Thumb Project was the best of the so-called "poverty programs" in the county.

On one job alone, Bayes said, the Green Thumbers saved the Estill County Fair Board hundreds of dollars by completely refurbishing the local fairgrounds and facilities.

These men, he said, rebuilt and repainted the grandstands, repaired buildings, and did a lot of other improvement work that the Fair Board otherwise might not have done.

One of the reasons Charles Bishop was so confident in the ability of his men to do any job within reason is that the group is made up of retired carpenters, welders, bricklayers, painters, farmers and members of several other trades. Also, always used to working, it is no trouble to get them to work. As a matter of fact, Bishop said, he has to watch to see that they don't work too hard.

In their enthusiasm at again being given a chance to do something useful, these men often forget they "ain't as glib as they used to be" and overdo the job by scaling ladders, climbing trees and attempting other feats that might endanger their safety. One of Bishop's duties is to see that his men do not do "any such stuff."

Projects completed in Estill County by Green Thumbers include highway parks, roadside beautification, historic cemetery restoration and the establishment of recreation areas. This group was mainly responsible for the Cottage Furnace Recreation Area, which was opened for picnicking this year in the Daniel Boone National Forest. They now are renovating the Estill County jail and restoring the historic Civil War Cemetery at Chestnut Stand.

A product of the U.S. Department of Labor, the Green Thumb Program was set up to give employment to senior citizens in the lower income group in rural areas. To become a member of the work crew, a man must be 55 years of age or older. Preference, however, is given to those over 65.

The program mainly concerns itself with conservation and beautification projects, but under certain circumstances can work on jobs like improving public facilities or renovating public buildings. They can do this if there are sponsoring agencies such as fiscal courts or city councils and if these agencies provide all necessary materials. The Green Thumbers cannot work on private projects.

Green Thumb members work three days a week and are allowed to earn up to $1,500 annually on the job. But there are other benefits.

According to Charles Bishop, who is 68, it gives a man who has been placed on the shelf a new lease on life.

"To enter again in the mainstream of life," he said, "gives a man a greater incentive for living and improves the health and morale. It gives him that good feeling of being useful again and adds years to his life."

Of one thing there is little doubt: Green Thumbers—in Estill County at least—take great pride in their work and are as enthusiastic about their jobs as schoolboys about swimmin' holes. As Langley Reed said as he swung a briar hook, "it makes us feel young in spirit and gives us a good appetite." If all this is so, it may indeed be as Clarence Bayes observed the best of the poverty programs."

PRIVATE ENTERPRISE CAN PROVIDE INITIATIVE

HON. R. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. COUGHLIN. Mr. Speaker, I have always believed, and continue to believe, in a private enterprise approach to the problems facing us.

Business is, in fact, the forward thrust in our economy. This is very different from other economies where government is the forward thrust.

The fact that business is the forward thrust rather than government is the real genius of our system, for business can and should react faster than government to the needs and desires of people. Government can only and should only be the leavening element to control abuses.

Creative enterprise, encouraged by government, knows few limits. It can create an industrial revolution or shoot for the moon.

Recognizing this, our job in government is to make our problems into our profit centers. By the same token, business must move into our problem areas if it is to avoid further expansion of government.

American enterprise is fast coming to the realization that the future depends to a large extent upon how the business community responds to the many formidable problems facing the country.

Today, I would particularly like to comment on the insurance industry.

I see men and companies developing creative insurance against the hazards of illness, casualty and loss of life—insurance available to people in all walks of life.

I see insurance adapted to encouraging social goals, such as nonsmoking and safe driving. I see insurance marketed in such a way that it is available to more people.

Security is a fair desire of all people—security in old age, in illness, in disaster. To the extent private enterprise can help solve these problems through insurance, to that extent government interference is avoided.

To the extent government can help by encouraging private enterprise to do this, to that extent we will help people both as individuals and as taxpayers.

WILLIE WHITE OF ROCHESTER, N.Y., THWARTS YOUNG MUGGER; COURAGEOUS EXAMPLE OF RESPONSIBLE CITIZEN INVOLVEMENT

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. HORTON. Mr. Speaker, too often we hear about victims of muggers, rapists, and robberies whose screams and shouts for help went unanswered. The tragic reply seems to be, "Well, I just did not want to get involved."

I would like to share with my colleagues the story of one man who did get involved. Willie White, Jr., of Rochester, N.Y., stopped early one morning to change a flat tire. Nearby a 61-year-old woman walking to catch her bus was suddenly attacked by a young man. Without hesitation Mr. White came to her help.

This takes courage. But responsible persons have always had courage to do what they have to do.

There is a sad side of this story, Mr. Speaker. And it speaks ill for society today. Mr. White's actions are the exception to the rule. Until this situation is reversed, we are getting nowhere in our fight against crime in the streets.

Every citizen must take the responsibility. We must stop looking the other way when others break the law. Every one of us must strive for that day when the act of violence is the exception and not the act of mercy.

I commend the efforts of Mr. White, Mr. Speaker, as I am sure the other Members of the body will do when they read the following article from the Rochester Times Union, and an editorial from the Rochester Democrat & Chronicle:

[From the Rochester Times Union, Oct. 6, 1969]

AIDED WIDOW—WILLIE WHITE GOT INVOLVED

(By Dick Cooper)

"I don't like to see things like that happen. I can't understand why no one else came to her aid," said Willie White Jr., 45, of 475 Cottage St.

White was talking about the woman he saved from an assailant on Genesee Street.

The woman, Mrs. Charlotte T. Eichler, a 61-year-old widow, was walking to catch a 6:30 a.m. bus to work last Wednesday when a man came up from behind and grabbed her purse and lunch bag.

Mrs. Eichler hung on to the purse and the assailant dragged her, screaming, along the sidewalk.

At that point White looked up from his car where he was changing a tire. He called to the man to let the woman alone.

"The woman yelled 'Help. Help. Won't somebody help!' " White said.

"I ran over carrying a flashlight," he said. "The man, about 25 years-old, took off carrying the woman's bag."

"I chased him about a block and hit him with the flashlight," he said.

He said the assailant was stunned by the blow, dropped the bag but ran on.

White, a mechanic for the Monroe County Water Authority, is married and has four children. He said he was not scared during the chase but was quite shaken when he returned to help Mrs. Eichler to her feet.

"Thinking back," White said, "I don't know what I would have done if I caught the fellow, but I didn't think of that at the time."

"I just don't like to see things like that happen."

White said he couldn't understand why none of the motorists passing the scene stopped to assist.

"One young fellow came by in a car and saw me chasing the guy and all he did was speed on by," White said.

Deputy Police Chief Harry Griswold said the case would be reviewed and White's name would be submitted to a board of judges to recommend him for a commendation during next year's Police Week.

[From the Rochester Democrat & Chronicle, Oct. 10, 1969]

GET INVOLVED ON THE LAW'S SIDE

On a recent day Rochesterians read about a New York City policeman who pleaded in vain for passersby to notify police that he needed help in arresting three prisoners whom he held at gun point.

They also read of a heart-warming local incident that shows not everyone is unresponsive. That was the purse and lunch bag snatching assault upon a Genesee Street widow in which motorist Willie White Jr., 475 Cottage Street, pursued the assailant and retrieved the stolen articles.

This doesn't balance the books. Too many citizens are timid beyond reason in coming to the aid of their fellow men. In New York City the policeman asked six pedestrians to call police; there was no physical risk involved; only when a police patrol car showed up was the off-duty officer able to book and jail his prisoners, who had tried to rob him.

Rochesterian White put the question of chronic non-involvement cogently: "I can't understand why no one else came to her aid." None of the motorists who saw what was happening bothered to stop.

It is not only the apathetic witnesses of these two events who are, in a sense, on trial. Every Rochester resident, through the Police Bureau's recent city-wide mailing, has been invited—admonished might be a better word—to report any actions that indicate a crime is about to be committed. He should do so by calling 232-3311, the police emergency number. Is this too much to ask?

As new as the project is, police already can cite instances in which burglars have been caught as the result of alerts by neighbors. Getting adequately involved on the law's side can give us a safer city.

A LESSON IN CIVICS FOR MAYOR LINDSAY

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. MICHEL. Mr. Speaker, an editorial appearing in today's edition of the Chicago Tribune discusses some aspects of the so-called Vietnam moratorium day and its application to the city of New York. The editorial says it all and there is no need for further comment from me. I commend it to my colleagues and insert it in the RECORD at this point:

A LESSON IN CIVICS FOR MAYOR LINDSAY

Hanoi may be grateful to its "Dear American Friends" for the so-called Viet Nam Moratorium day demonstrations yesterday but they must have been a sad disappointment for New York's Mayor John Lindsay, who had called for a civic protest against the war. The response in New York was a civic repudiation of Mayor Lindsay. This should be a lesson to Hanoi, as well as the mayor for if there is a center of anti-war sentiment in this country it is "Fun City."

Lindsay draped New York's city hall in mourning and ordered all flags on municipal buildings to be flown at half-staff. The police and fire departments openly defied the mayor. All police and fire company stations proudly flew their flags at full-staff. The Uniformed Firefighters association issued a statement saying it would take no part in "this day of national disgrace." The Patrolmen's Benevolent association adopted a resolution denouncing "organized public attacks on the foreign policy of the United States" and expressing "full confidence" in President Nixon's conduct of the war.

As additional evidence of their repudiation of the mayor, all New York police patrol cars kept their lights on in daylight. Sen. Hugh Scott (R., Pa.), minority leader of the Senate, had suggested this sign of contempt for the enemy-inspired, communist-organized anti-war demonstrations. New York taxi drivers and many bus drivers also kept their lights on.

The mayor had requested that all public schools be closed. Altho attendance was somewhat below normal, the schools stayed open. Acting Supt. Nathan Brown pointedly remarked that school children in poverty areas, for whom Lindsay professes such loving solicitude, would be deprived of their usual free lunches if the schools were closed.

Lindsay had requested all churches in New York to toll their bells for the dead in Viet Nam. Only 15 of the city's thousands of churches agreed to toll their bells, and our New York correspondent said none could be heard in the Times Square area. He said he saw only one black arm band in the same area.

When the commissioner of baseball ordered the flag at Shea stadium to be flown at half-staff for the World Series game, in compliance with the mayor's request, the army and marine corps bands said they would not play the national anthem. The commissioner ordered the flag raised.

New York's Gov. Nelson Rockefeller expressed his well-known disdain for Lindsay, a fellow Republican "liberal," by flying the flag over his New York City headquarters at full-staff. The American Legion had declared that lowering the flag on such a day could not be considered as honoring the dead but would be a "capitulation to the enemy."

Lindsay was supported, however, by elements who are described collectively as "limousine liberals" by City Controller Mario Procaccino, one of the mayor's two opponents in his campaign for reelection. At an all-day service in Trinity church, in the Wall street district, names of the dead in Viet Nam were read by bankers, brokers, and industrialists. Other supporters of the mayor included the nude show, "Oh, Calcutta," which ran an ad in the New York Times saying "Viet Nam is obscene," and the cast of "Hair," a show which combines nudity with blasphemy and desecration of the flag. The "Hair" company participated in demonstrations in Hammarskjod square [the United Nations] and Bryant park.

On the whole New York gave a fitting response to Lindsay's contemptible attempt to exploit anti-war sentiment for political advantage by calling for a day of protest that would have given the enemy immense aid and comfort if it had been more successful. New York demonstrated that Americans may be against the war but are not un-American. In the words of Fred Hampton, Illinois chairman of the Black Panther party, Lindsay's fiasco was "anarchistic, opportunistic, and Custeristic."

TABULATION OF QUESTIONNAIRE

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. BOW. Mr. Speaker, tabulation of my annual questionnaire reveals that the great majority of my constituents who responded are in favor of President Nixon's major proposals in the field of postal and welfare reform, revenue sharing and providing food for needy Americans.

Given five possible policies in Vietnam, the largest number, more than one-third, approve of the Vietnamization of the war.

A surprisingly large percentage, 72.8 percent, would remove all earnings limitations upon the social security beneficiary and the cost-of-living proposal for keeping social security abreast of the cost of living has strong support.

As a supporter and friend of the President for many years, I take particular pleasure in the fact that 14.5 percent of the respondents believe he is doing an excellent job, 42.7 percent rate him "good," 32.7 percent "fair," and only 10.1 percent disapprove of his conduct of the office.

Approximately 10,000 individual questionnaires were returned to me, almost all of which contained the views of more than one member of a family so that I believe the response represents the opinion of at least 17,000 residents of the 16th Congressional District.

The tabulation of the poll is as follows:

RESULTS OF FRANK T. BOW'S 1969 QUESTIONNAIRE

[In percent]

	Yes	No
1. Do you favor a Federal tax-sharing program under which the Federal Government would share a portion of its revenues with the States giving them broad discretion in the expenditure of the money	81.3	18.7
2. From what you have read about the tax reform bill passed by the House of Representatives this month do you believe that most of the so-called tax loopholes have been closed	15.3	84.7
3. Do you favor the bill soon to be debated in the House to abolish the electoral college and choose our President by direct popular vote	84.9	15.1
4. Should Federal scholarship and loan funds be withheld from students who participate in criminal, destructive, or disruptive behavior at the institutions they attend	94.6	5.4
5. Do you favor President Nixon's program of selecting postmasters and rural letter carriers on the basis of merit rather than that of political appointment	95.8	4.2
6. Do you favor removing the limitations on earnings of those who receive social security retirement or disability payments	72.8	27.2
7. In his proposals, the President would lower the cost of food stamps for the poor; the very poor could get them free. The amount of food the stamps could buy would be increased. The authorizations for the relief of hunger in the United States would be increased by $1,000,000,000 from the present $1,500,000,000. Do you favor these proposals	69.5	30.5
8. Would you support a complete overhaul of the welfare system which included these features: (1) uniform national standard of payments to provide minimum necessary income for the aged, disabled, children without parents; (2) an annual minimum income guarantee for families which include a potentially able-bodied worker with provisions for job training and incentives to make the family become self-sustaining	85.5	14.5
9. Do you favor President Nixon's recommendation for a limited anti-ballistic-missile program	62.9	37.1
10. Do you favor establishing the territorial limits of the United States (now 3 miles out at sea) with respect to the ships of any other country at the same distance as the territorial limits claimed by that country	88.7	11.3
11. Do you support President Nixon's proposal to convert the Post Office Department into a self-supporting Government-owned corporation	78.0	22.0

				In percent
In the following questions, please indicate the alternative that most closely represents your opinion:				
1. With regard to the Middle East, the United States should—				
(a) Give maximum support to Israel including military equipment				10.3
(b) Give maximum support to the Arab nations including military equipment				.5
(c) Work with the Soviet Union, England, and France to effect a settlement of the Arab-Israeli dispute				52.6
(d) Adopt a hands-off policy				36
2. With regard to Vietnam, the United States should (check 2 if necessary)—				
(a) Continue withdrawal of American troops regardless of consequences				26.5
(b) Continue withdrawal as quickly as South Vietnam troops can take over the military responsibility				35.0
(c) Make additional concessions at the Paris peace talks				6.8
(d) Increase military pressure on North Vietnam in an effort to bring about concessions from that nation and the Vietcong				13.3
(e) Resume bombing in an effort to win military victory				18.4
3. With regard to social security benefits, we should—				
(a) Enact the Bow bill for automatic cost-of-living increases (about 7 percent if enacted effective this month)				87.0
(b) Enact a 15-percent benefit increase even though this might require additional payroll taxes				13.0
4. With regard to the Selective Service System do you believe Congress should—				
(a) Modify the basic rule for selective service, selecting by lot first from the youngest in the prime age group, ages 19 to 26, and work up, rather than from the oldest and work down, and also permit graduate students who are selected after undergraduate deferment to finish an academic year if already started				41.7
(b) Abandon the Selective Service System for a voluntary military manpower procurement system to provide for meeting the manpower needs of the Armed Forces through a completely voluntary system of enlistments except in times of declared war				58.3
5. With the completion of the successful Apollo 11 moon landing, do you believe that the United States should now—				
(a) Continue to increase its space budget with a new goal of landing a man on Mars and/or other planets by the end of this century				22.2
(b) Scale down our space budget and concentrate on domestic human needs				77.8
6. Would you rate President Nixon's performance to date as (circle 1)—				
	Excellent	Good	Fair	Poor
	14.5	42.7	32.7	10.1

PEACE MORATORIUM

HON. BURT L. TALCOTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. TALCOTT. Mr. Speaker, probably no event has been more overpromoted by the news media than the so-called "Peace Moratorium"—not World War II, no U.S. Government bond sale, no call for help after any disaster.

In spite of this extraordinary promotion, in spite of the distortion of the premises and of the goals of the moratorium, in spite of the enormous bias of the press favoring the opponents of President Nixon's efforts to achieve a lasting peace, it should be noted by someone that the overwhelming majority of this House and the overwhelming majority of the American people support the President and sincerely believe that he is doing everything he can, that he is making the correct moves, to achieve peace as quickly as possible.

As one who voted not to cut off any so-called debate in the House, as one who sat through most of the session, as one who did not vote to adjourn, I can say I heard nothing new—the same old weary statements, few facts, some inappropriate poetry—but nothing constructive toward achieving peace. I heard and saw documented confirmation of what we all knew, namely, that the government in Hanoi applauded and abetted the moratorium, even though some of the moratorium proponents and assisters disclaimed any allegiance in fact, finance or spirit.

The debate in the House could be described as gentlemanly—with a few infractions—because this is the venerable custom of the House. The galleries were full much of the time, but gallery passes were promoted by only a few Members. The speakers pleaded for nonviolence on the morrow, in a manner designed to excuse themselves from any culpability if violent or obnoxious behavior resulted.

In spite of this extraordinary promotion, the overwhelming majority of this House supports the President in his efforts, however excruciating, to extricate us from this miserable war, even though we tolerated the series of monologues last night.

Sometimes our tolerance can be mistaken for approval. Sometimes our tolerance can embolden the enemies of our Government here and abroad. Sometimes our tolerance can lead to an apathy which will usher in a modification of our representative parliamentary system by a chaotic system of settling societal problems by demonstrations in the streets and revolution.

I believe that most of the persons who participated in the moratorium actually supported the President's efforts and objectives. Only the headcore leaders actually proposed immediate unconditional withdrawal from Vietnam. It is not so easy to identify those who want peace at any price.

The moratorium did not appear to prove much other than most people want to end the war in Vietnam. It was, however, extremely successful—as a training program and proving ground for future demonstrations against the Government during the deescalation of hostilities and after the war is ended.

In the future, U.S. citizens should be more careful and discriminating about the objectives for which they march—otherwise they are likely to be joining with persons with whom they conscientiously disagree.

CRISIS AND OPPORTUNITY

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. MURPHY of New York. Mr. Speaker, under leave to extend my remarks in the RECORD, I include an outstanding address by Maritime Administrator A. E. Gibson before the American Merchant Marine Conference on October 15, 1969:

CRISIS AND OPPORTUNITY

(By A. E. Gibson)

One hundred and fifty years ago the city of Savannah saw the dawn of the age of the steamship. There is no more appropriate place in which to greet the coming of a new day for the U.S. Merchant Marine.

So I hope you will permit me the prerogative of a keynote speaker to transpose my composition into a major rather than a minor key. Instead of talking about the U.S. Merchant Marine—A National Crisis, I would like to talk about the U.S. Merchant Marine—A National Opportunity.

That the crisis is real, I cannot deny. We have steadily lost ground to foreign competitors in commercial service until we now carry less of our own trade than ever before in our history. Two-thirds of our merchant fleet is already at the vanishing point, and it is too late to prevent a further decline in our maritime capability in some very important areas. We must all fervently hope that there will be no national emergency within the next few years that would call for the ships we will no longer have.

President Nixon's new maritime policy will give us the opportunity to make a new start. It will reaffirm the intent of the Merchant Marine Act of 1936—to provide and maintain a fleet built and operated under U.S. flag, capable of carrying our domestic and a substantial part of our foreign waterborne trade, and of serving as a naval auxiliary in a national emergency.

Under the new program we shall be able to provide incentives for increased efficiency in ship operations, with less need for government aid and intervention.

It will enable both shipbuilders and operators to increase their share of commercial trade.

And finally it will increase our research and development efforts to narrow the cost margin between U.S. and foreign shipbuilding and operation.

With the advent of the President's new maritime policy, we shall have passed the crisis and shall be on our way to recovery Our ailing Merchant Marine will still have some bad days to go through, but at last the prognosis is favorable.

The United States is engaged in nearly one-third of the world's trade and provides much of the defense capability of the free world. How can we afford anything less than a modern and efficient merchant fleet? Yet government policy in the past has failed to achieve the valid objectives of the Merchant Marine Act of 1936, not simply because of poor programs, but because of lack of consistent support, lack of flexibility in meeting changing conditions, and lack of adequate funding. The new maritime program is planned to overcome these deficiencies and to strengthen our government's commitment to a strong merchant marine.

In the past the government has not only failed to make a total commitment, but the pieeemeal and uncoordinated way in which various programs have been administered by both the Maritime Administration and the Navy has not encouraged efficient shipbuilding.

Much of the great productivity and low cost of Japanese shipbuilding is a result of the very large orders for similar types of ships which have enabled the Japanese to take advantage of the economies of mass production which they have so skillfully learned from us. There is not a Japanese yard today that would compete with an American yard in complexity and variety of ships built—tankers, containerships, complicated naval vessels, nuclear and conventionally powered ships. Yet, this very variety and complexity is expensive and time-consuming When ordered in small lots of two or three, such ships are bound to cost more and take longer to build.

This system runs counter to all the American mass production techniques that have given many of our other industries their economic strength and competitiveness in foreign markets. It is of interest to note that the larger portion of U.S. shipbuilding costs are attributable not to labor but to material. One efficient U.S. shipbuilder estimates material costs at about 65%, as compared with labor and overhead costs of 35%. This means that U.S. material costs alone are greater than the cost of the whole ship built in a low cost foreign yard.

This differential is clearly seen in the prices recently quoted by one U.S. yard for building two containerships. The price was about $1,000,000 less for comparable unsubsidized construction when certain machinery components were purchased from foreign suppliers, compared to the cost for a nearly identical ship which, because it involved an application for construction-differential subsidy, would require all components to be of U.S. manufacture. I believe we should identify more clearly the reason for some of the additional cost of U.S.-built ships.

The fact that several of our American yards have already undertaken to modernize their facilities and even to build totally new and highly productive yards is a tribute to their optimism and their business acumen. The prospect of building tankers of 200,000 deadweight tons and over for transportation of Alaskan oil has spurred plans for facilities capable of building such ships. When there is a reasonable prospect of orders, I have every confidence that U.S. shipyards will be ready to handle them.

The Maritime Administration has sought to encourage more efficient contracting procedures by instituting a design competition for a series of basic ship designs that may comprise our merchant fleet in the next decade. The initial response is imaginative and exciting. This gives the shipyards, naval architects, and owners an opportunity to combine their talents to design ships which lend themselves to efficient shipbuilding and operating practices. We have clear evidence in recent multiple ship orders that very substantial price reductions are achievable by concentrating on a single standard design.

By using more productive and profitable ships and by adopting new management techniques, more of our shipping lines may be able to operate without government help. As you know, several containership operators have already demonstrated that these highly efficient ships can compete internationally without operating subsidy.

Probably we shall not see the day soon when all differentials can be removed. But with the more capital-intensive type of operations now being employed, seamen's wages become a relatively less significant part of total costs. The development of the total system concept—the coordination of land and sea transportation to provide direct producer-to-consumer service—requires the kind of large-scale organizational capability in which Americans have traditionally excelled. As in other U.S. industries which are able to compete internationally, we shall be doing what we can do best.

The new program will be designed to make private investment in our Merchant Marine more attractive by minimizing the bureaucratic control and overseeing which has been winding the industry in a cocoon of red tape.

With the development of a modern, privately owned fleet in active service, it will no longer be necessary to keep large numbers of reserve fleet ships idle against emergency needs.

In return for greater flexibility and support by the government, I believe we have a right to ask for greater initiative and effort on the part of shipbuilders and their supplier industries and ship operators to improve their competitive position in relation to foreign yards and operators.

I am concerned at the apparent growing dependence, particularly of some subsidized lines, on military cargo. This is not a healthy situation. The service provided by U.S. flag berth liners and tramp ships in Vietnam over the last four years has been essential to conduct of our military operations there. Response of our commercial shipping to military requirements has been in the national interest and in the best tradition of our Merchant Marine.

But a continuation of substantial dependence on military cargo when no longer required as an emergency measure cannot be justified. The emphasis on the declaration of policy in the Merchant Marine Act of 1936 is on support of our trades at all times, with military support only in time of war or national emergency.

Although U.S. liners are carrying about 24% of U.S. liner cargoes, this can hardly be viewed as a substantial portion of such trade. Steps should be taken promptly to concentrate their sales efforts to a much greater extent on commercial cargoes.

U.S. shipbuilding also depends heavily on military orders. Well over half of the total number of employees in commercial shipyards are engaged in naval work. As I have pointed out, these are highly complex ships, often of new designs, ordered, at least originally, in small lots. They require a completely different type of production set-up from that required for series production of comparatively simple, standardized merchant ships.

To the extent that commercial yards are deterred by dependence on naval work from automating their facilities and actively seeking to design and produce merchant ships at lower cost, they will be failing to seize the opportunity that will be offered by the new maritime program to regain their place of preeminence in merchant shipbuilding.

In the new maritime program, we expect to have the opportunity to use government research and development, in conjunction with industry research efforts, to help in the search for continued and improved competitiveness in the U.S. merchant fleet. Government research is particularly appropriate in

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areas beyond immediate commercial feasibility.

One such field is of course the planning for the development of advanced nuclear ships. In building and operating the NS *Savannah*, we have demonstrated not just the possibility of nuclear ship propulsion, which naval shipbuilding had already shown, but its eventual commercial feasibility, by opening many of the ports of the free world to nuclear shipping. The Germans and the Japanese will be reaping the advantages of this effort as they send their own nuclear ships into service, especially as the Japanese nuclear ship is intended to transport fissionable materials.

I think it would be as short-sighted as the Government's failure to pursue the promise of the SS *Savannah* in 1819, if we failed now to carry out the additional research and development required to produce a nuclear ship that is completely competitive with conventionally powered vessels. The advent of very large fast containers and the huge icebreaking tankers forecast by the successful passage of the *Manhattan* through the Arctic ice fields demands some such propulsion.

One of the most important elements in any new maritime program is one seeking to encourage the development of procedures to resolve labor-management or interunion disputes without work stoppages. It has been my belief that, as with the obsolescence of our ships and shipyards, the unsatisfactory state of our maritime labor relations has been in large measure attributable to a vacillating, inadequate government maritime policy. I am hopeful that with the assurance of the government's commitment to a rational long-range program, both maritime labor and management will recognize the importance of resolving their differences without disruption to service. Reliability of service is even more important than new ships to exporters and importers.

A new maritime program is bound to cost something. But the cost of our indecision, indifference, and neglect in the past has already been high and may, if not promptly paid, be the price of our nation's security, and certainly of its economic preeminence.

The crisis of our Merchant Marine offers us the opportunity for a new beginning. Let us rededicate ourselves to the objectives of the Merchant Marine Act of 1936—the development and maintenance of a fleet that will be fully capable of carrying our trade and of meeting our defense needs. Let us seize with vigor and determination the chance to build the strongest and soundest Merchant Marine this country has ever had.

This, then, is the keynote that I would like to strike for your conference. Let it not be a mourning note for a sorry state of affairs that results from the sins of commission and omission of the past. With the assurance of President Nixon's backing for a new maritime policy, let us determine to restore our American Merchant Marine to its rightful place of leadership in furthering our national policy. Let our keynote be one of hope and optimism for the future.

NATIONAL BUSINESSWOMEN'S WEEK

HON. JULIA BUTLER HANSEN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mrs. HANSEN of Washington. Mr. Speaker, it is a great honor today to call to the attention of my colleagues the fact that next week is National Businesswomen's Week. Since I have been a member of the Business and Professional Women's Club most of my adult life and have had the great joy of participating in their activities and in trying to reflect their aims and goals, I am taking this opportunity to place in the RECORD at this point the legislative platform adopted at the B. & P.W. national convention during July at St. Louis. This speaks eloquently of some of the major goals of the organization:

Item 1: Constitutional Amendment—Support legislation to amend the Constitution of the United States to provide that equality of rights under the law shall not be denied or abridged on account of sex.

Item 2: Actively work for pending legislation providing for: (a) a broadened head-of-household benefit under the Internal Revenue Code; (b) increased personal exemption and credit for dependents under the Internal Revenue Code; and (c) a more equitable distribution of the tax burden.

Item 3: Propose and support legislation to provide: (a) uniform laws and regulations for men and women as to working hours, working conditions, rates of pay, equal employment opportunity, including retirement for age; (b) equal treatment for working men and women in the area of survivor and retirement benefits; and (c) increased child care deduction under the Internal Revenue Code.

Item 4: Propose and support state legislation to provide for uniform jury service and uniform qualifications in the selection of men and women to serve on grand or petit juries in any court.

Item 5: Propose and support legislation to bring about more effective crime control and law enforcement.

In addition, this week can be a time for women to rededicate themselves to increased public service either in elective office or public participation.

It is strange and singularly tragic that in the United States while there are 202 million Americans with 102,291,000 of them women, yet in the House of Representatives with 435 Members there are only 10 women; and in the U.S. Senate of 100 Members, there is the single distinguished Senator from Maine, the great lady of America, MARGARET CHASE SMITH, beloved by women everywhere.

Interestingly enough, only this week I had the pleasure of an hour-long visit with Senora Nelly Turbey de Munoz from Bogotá, Colombia, who informed me that in Colombia where they have had the vote for women only 12 years and where there are 200 members of the House of Representatives, 10 are women and of their 100-member senate, five are women. Therefore, it would seem to me that American women need to involve themselves in all areas of our public life from school board to the Senate, from participatory town meeting discussions to the Cabinet, and to represent those great fundamental principles American women stand for—justice, equality, a better nation for all our citizens, and an increasing awareness of our sense of values and standards. American women through organizations such as the Business and Professional Women have a magnificent contribution to make to our Government.

We can no longer ignore the responsibilities of citizenship. They are not a luxury nor a privilege; they are a necessity and a responsibility. It is only dedication to service and building the kind of world we want for ourselves and our fellow human beings that will bring about the kind of changes necessary to meet the stormy tides of today's life.

I congratulate the Business and Professional Women upon their long service. I am proud to be a member and I am proud to be a woman who has had an opportunity to try and implement the ideals of our organization.

FASCELL SUPPORTS ESTABLISHMENT OF A COMMISSION ON MARIHUANA

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. FASCELL. Mr. Speaker, this week I joined with our colleague from New York in sponsoring an important proposal to establish the Presidential Commission on Marihuana.

The commission, a nine-man team to be appointed by the President, will be charged with examining all of the questions relating to the use and abuse of marihuana. It will conduct a study including, but not limited to, the following areas:

First, the extent of use of marihuana in the United States to include number of users, number of arrests, number of convictions, amount of marihuana seized, type of user, nature of use;

Second, an evaluation of the efficacy of existing marihuana laws;

Third, a study of the pharmacology of marihuana and its immediate and long-term effects, both physiological and psychological;

Fourth, the relationship of marihuana use to aggressive behavior and crimes; and

Fifth, the relationship between marihuana and the use of other drugs.

An indepth study of this nature is long overdue. It is particularly important that we have an authoritative and scientific answer to the third, fourth, and fifth questions. Reports have been made in the past, but each seems to refute the other and, therefore, leaves considerable doubt.

I wholeheartedly concur with the Miami Herald's editorial, "A Study of Marihuana Would Serve the Nation," which I hereby call to the attention of my colleagues:

[From the Miami Herald, Sept. 22, 1969]

A STUDY OF MARIJUANA WOULD SERVE THE NATION

President Nixon, following a border meeting with Mexico President Diaz Ordaz, announced a crackdown on marijuana that will be the largest search-and-seizure operation ever conducted by this nation's civilian authorities.

That the use of marijuana has become widespread and a major problem is apparent. But the nature of the problem is not so clear.

For example, the President's new health chief at the Department of Health, Education and Welfare, Dr. Roger O. Egeberg, says marijuana should be placed in a different category from other drugs. He says present laws on marijuana are punitive and "completely out of proportion" to the dangers.

Former President Johnson's National Crime

Commission reported two years ago: "Marijuana is equated in law with the opiates, but the abuse characteristics of the two have nothing in common . . . The desired dose of opiates tends to increase over time, but this is not true of marijuana."

Last year, a British Advisory Commission on Drug Dependence found no evidence that marijuana-smoking led to violence or serious dependence.

Yet these findings are directly contradicted by law enforcement officers who encounter the problem every day. Most contend that introduction to marijuana can be the beginning of abnormal behavior that has wide range, and frequently that the dabbling in marijuana leads to experiments with heroin or other harder drugs. It is a psychological matter of seeking greater kicks, the officers say.

The Presidential study group which recommended the marijuana crackdown said that some 60 per cent of college students use marijuana, or pot, as it is popularly called. At a recent rock music festival in New York, reports indicated that some 300,000 or more students attending almost all used pot. In Dade County and Florida, officials say the use of marijuana has become widespread even at the public school level.

In Florida, it is a felony to possess marijuana. Federal law provides a mandatory minimum sentence of two years for possession and for selling it a felony conviction with a minimum sentence of five years.

If marijuana is harmful to the health, and leads to use of harder drugs, the U.S. student population appears headed for disaster. If it is not, laws providing severe penalties for its use seem out of order.

The nation needs a clearer picture of what marijuana is and what its use can cause. Without it the demand for the drug and the supply of it seem near impossible to curb.

U.S. Attorney General John N. Mitchell warns that youths by the thousands are turning to marijuana and describes laws and scientific ignorance on the subject a "never-never land." He wants new laws that will be tougher on peddlers, more lenient with youthful experimenters and that distinguish between hard narcotics and marijuana.

Voices are being raised everywhere on the subject. U.S. Rep. Claude Pepper thinks the U.S. surgeon general ought to provide a study of marijuana similar to the one that pointed up dangers in cigaret smoking.

A New York congressman has proposed a Presidential commission, on the scale of the Warren or Kerner commissions, to define authoritatively what problem the use of marijuana constitutes for this country. We endorse the idea.

A. L. BETHEL

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. GUBSER. Mr. Speaker, Mr. A. L. Bethel, general manager, Marine Division, Westinghouse Electric Corp., Sunnyvale, Calif., will today deliver a most interesting paper at the Shipbuilders Council of America Panel at the 1969 Propeller Club convention and American Merchant Marine conference.

As one who has long been concerned over the future of the U.S. Navy and the Merchant Marine, I feel Mr. Bethel's remarks about the future of shipbuilding in the United States are most significant, and I am pleased to insert them in the CONGRESSIONAL RECORD:

SUPPORTING INDUSTRY LOOKS AT SHIPBUILDING IN THE 1970's

I appreciate the opportunity of meeting here with you today. Since the Division of my company that I represent exists primarily to serve in the manufacture and development of propulsion machinery for both naval and maritime industries, our interest in this question is a longstanding one. Unfortunately, no subject since World War II has been talked about more, with less action, than the plight of the U.S. merchant marine and our rapidly obsolescing Navy. It is difficult for me to understand how this problem could receive such low national priority in view of the widespread agreement that urgent action is required to save the U.S. merchant marine and modernize our aging Navy.

In spite of the long history of many promises with little action, I still feel optimistic for the future. Future bright predictions are often quite difficult to make, especially when the extrapolations are made from the atmosphere of the not-so-bright present. Fortunately, there are some very stimulating signs afoot which lead me to view the next decade in shipbuilding with some excitement.

The first fact facing us is that as the population grows, so does the need for world transport. The need for sea transport will go up in the world and not down. Air transport, while on the increase, does not change this fact. Even behemoths like the C5A airplane can carry only 100 tons of freight compared to container ships now contemplated, which may carry upwards of 15,000 tons of cargo. The issue is not how the goods will be carried, but what share the United States will capture of this world sea transport market.

It is also inconceivable to me, with a continually rising gross national product, which indicates a need for even a greater foreign exchange base, that we can continue depending on foreign flag ships for 95 percent of our shipments and foreign building for such a large fraction of our ships and their machinery. The very essence of the strength and development of this country originated with and was sustained by its aggressive merchant marine. Even the Soviet Union, which is primarily a huge land-mass nation, has come to recognize the high seas as a growing instrument for expanding its influence and its power both militarily and commercially. Thus, while the United States naval might is succumbing to obsolescence and the U.S. maritime strength is dwindling to insignificance, the Soviets have steadily and intensively built up both their navy and their merchant marine.

My optimism for the future stems from the fact that the needs of world shipping are increasing and that more and more people are becoming convinced that the U.S. maritime problem has reached such a serious stage that national action must be taken now.

I am encouraged by the positive attitude and actions of the new Maritime Administrator. The recent Woods Hole Conference on Maritime Research and Development is a good indication that we may now start getting some action. Here, however, I must inject a note of caution. An aggressive R&D program is fine, provided it complements aggressive ship construction, but it is not desirable to make it a prerequisite to an expanded construction program. Technology exists now to revitalize the merchant marine and to modernize the Navy. We must be careful that the R&D program is not held out, or accepted, as a sedative for our ailments. The only cure that will work is to build ships, and build them now.

Another basis for my optimism is that I sense a great technical awakening of an industry that has long been accused of being a dead, unimaginative one. There is real progress in all aspects of ship development, ship propulsion, and cargo handling. The era of the 15 to 17 knot ship is passing. The 25 to 30 knot container ship has arrived to take its place and, as you know, action is being taken now to build even larger container ships powered with 120,000 SHP plants, with sustained speeds of 30 knots or more. The day of fast sea transport is upon us. These new highspeed ships are having a profound technical impact on the naval architect, the marine engineer, and the cargo handler. These ships will not only require ingenuity in powering but also in hull form and hull strength. They give us the opportunity to exercise fully all of our skills in the ship design and ship construction fields.

I have been most encouraged by the comments and actions by the Maritime Administrator, Mr. Gibson, regarding the use of nuclear power for merchant ships. I am confident that in the years to come our high speed, highly productive ships will be powered by this remarkable fuel. My company is one of the leaders in the manufacture of nuclear generating equipment for land based or utility use. We have designed most of the nuclear systems now powering the nuclear Navy. With some positive interest from the operators and the appropriate government agencies, we are prepared to extend this vast experience to the marine industry. Our foreign competitors are currently building ships utilizing nuclear power plants. It would be a virtual catastrophe should we fail to move ahead with a technology peculiarly American in development. We must not let this occur.

Any conversation with people in the marine industry ultimately turns to tankers and their spectacular development in the past decade. I believe we have not yet seen the full impact that these large ships will have on the world sea transport thinking in the decade ahead. Yet, we have to recognize that credit for the emergence of the 200-300,000 deadweight ton giants must go to foreign yards.

Speaking of tankers, I, like all of you here, am eagerly awaiting the evaluation of the ice breaking tanker experiment in the voyage of the *Manhattan* through the Northwest Passage to Prudhoe Bay. Irrespective of the outcome of the ice breaking mission itself, the stirring story of the conversion of the ship, with the vast amount of engineering and construction effort, involving a cooperative venture of four shipyards, in a time frame of only eight months, shows what this industry can do when properly motivated and turned on. As a tribute, I suggest that the official drink for this convention be—Manhattan on crushed ice!

The prospect of larger, faster, high-powered, quick turn-around ships, with fast freight handling shows that the U.S. marine industry can be creative and face up to new needs and threats from foreign competition. We must now marry our technical skills with a corresponding national determination to carry us into a brighter future.

Some of the antagonists of an expanded and viable maritime program state that there is inadequate shipbuilding and manufacturing capacity in the United States to meet an expanded program. They cite delays that have been encountered in the existing limited programs as evidence for lack of capacity. It would be foolish to deny such delays. But many of these stem from the piecemeal shipbuilding programs of the past, which provided little opportunity for intelligent planning and programing. But I think the memories of the antagonists are short, for no country has ever produced the tonnage or variety of ship designs in so short a period of time as the United States did in World War II. And there is no doubt in my

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mind that given a clearly-stated, long-term national objective, accompanied by a substantively expanded construction program, American industry will rise to the occasion and provide the labor base, and expanded shipbuilding and manufacturing facilities to meet whatever size shipbuilding program the country determines is reasonable. We must all debunk the proposition that the Nation does not have the ability to take on an expanded shipbuilding program.

At this point, I would like to bring up an old thought for new consideration. Looking to the future, I would hope that in a push toward an expanded merchant marine, new emphasis will be given to standardization. More standardization is essential to reducing prices and meeting foreign competition and I understand that foreign supply is likely to be a near term consideration. While we do have the engineering flexibility and the technical know-how to design propelling machinery for almost any configuration of ship or horsepower, we must recognize that there is little payoff from building ships or their machinery in quantities of one and two, with a multitude of design variations.

In summary, my view of the '70s rests largely on the fact that the need for sea transport is increasing not decreasing; that the words of the '50s and the '60s deploring the state of our aging Navy and merchant marine will be replaced by actions of the '70s; that American industry is ready, willing and able to provide the skills, manpower, and facilities to meet an expanded naval and maritime program; that the industry, desiring a greater share of the world market, will discard old practices and mores and engage in far more standardization than has ever been the case in the past; and that the shipbuilding and shipping industries will continue to develop exciting and imaginative forms of transport that are already beginning to set the pace on the worldwide scene. The direction we have to take is obvious, and paraphrasing a recent historic message—we only have to take a small step to create a giant leap forward. All we have to do nationally is to say—Go!

THREE CALIFORNIA CITIES JOIN SMOG CASE CRITICS

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. BROWN of California. Mr. Speaker, three more California cities have expressed their support of efforts now underway to call for a full open trial in the antitrust suit pending against automobile manufacturers accused of a 15-year conspiracy to retard development of air pollution controls.

I commend the leaders of my hometown Monterey Park, Desert Hot Springs, and Corona for their interest in this vital matter, and I now insert in the RECORD the respective resolutions passed by these cities pertaining to the smog antitrust case:

RESOLUTION 7387

A resolution of the City Council of the City of Monterey Park authorizing the Federal Department of Justice to file certain litigation on behalf of the City of Monterey Park relating to a civil antitrust suit against certain automobile manufacturers

The city council of the city of Monterey Park does resolve:

Whereas, the City Council of the City of Monterey Park endorses and supports the Board of Supervisors Resolution No. 113 relating to uniting in a common interest against violators of the Sherman Antitrust Act, including concrete and steel pipe manufacturers and electrical equipment manufacturers, resulting in refunds from overcharges from price fixing and the imprisonment of presidents of several companies for law violations; and

Whereas, the County of Los Angeles has been fighting all forms of air pollution since 1953 and, because the automobile industry is the major contributor to air pollution, has repeatedly urged and warned the presidents of certain automobile manufacturers to equip motor vehicles with smog control devices; and

Whereas, a Federal Grand Jury was impaneled in 1966 and after meeting for eighteen months in secret session forwarded its findings to the Attorney General who brought suit against the major automobile manufacturers for conspiring, in violation of the Sherman Antitrust Act, to restrain and delay the development and installation of smog control devices; and

Whereas, since the Department of Justice has petitioned to settle the case out of court, the County of Los Angeles has petitioned to intervene in the suit against the automobile manufacturers, asking $100,000,000 damages for injuries to public health and welfare and the cost of Air Pollution Control.

Now, therefore, be it further resolved:

Section 1. That the City Council of the City of Monterey Park urges the governing bodies of the major cities and counties of the United States to endorse the County Counsel of Los Angeles, John Maharg, by filing similar petitions to intervene in the suit.

Section 2. That the governing bodies be invited to send representatives to observe the hearing on the intervention action by Los Angeles County which is scheduled to take place in the Federal Court at Los Angeles on October 13, 1969.

Section 3. That copies of this resolution be transmitted to each Senator and Representative from California in the Congress of the United States and to Judge Jesse W. Curtis, United States District Court, Central District of California; State Senator Alfred H. Song, 28th District; Assemblyman Walter Karabian, 45th District; Supervisor Kenneth Hahn, and Supervisor Ernest E. Debs, Los Angeles County Board of Supervisors, by the City Clerk.

Section 4. That the City Clerk shall certify to the adoption of this Resolution.

Approved and adopted this 6th day of October, 1969.

KENNY GRIBBLE,
Mayor of the City of Monterey Park, Calif.

Attest:

LAURA LEE MCMILLEN,
City Clerk.

I hereby certify that the foregoing Resolution was adopted by the City Council of the City of Monterey Park at a regular adjourned meeting held on the 6th day of October, 1969, by the following vote of the Council:

Ayes: Councilmen: Karnos, Kreger, Lewis and Gribble.

Noes: Councilmen: None.

Absent: Councilmen: Erambert.

LAURA LEE MCMILLEN,
City Clerk of the City of Monterey Park, Calif.

RESOLUTION

A resolution of the City Council of the City of Desert Hot Springs urging the Justice Department of the U.S. Government to vigorously pursue its action against the big four auto makers for entering unlawful agreements that delayed development and installation of antipollution devices for motor vehicles

The City Coucil of the City of Desert Hot Springs does hereby resolve as follows:

Whereas, the residents of the City of Desert Hot Springs, the State of California, and the United States of America are vitally concerned with the pollution of our environment; and

Whereas, it has been conclusively shown that the major cause of air pollution is the internal combustion engine; and

Whereas, there is apparently significant evidence to indicate that the four major automobile producers and their trade association entered into unlawful agreements that delayed development and installation of anti-pollution devices for motor vehicles; and

Whereas, this City Council believes that it would be in the best interests of the American public for this matter to be brought before the public eyes for its scrutiny; and

Whereas, the Justice Department of tne United States Government has, in a suit brought by it against the four major automobile manufacturers and its trade association, agreed to a consent judgment thus precluding a fair and open trial on the matter;

Now, therefore, be it resolved that the City Council of the City of Desert Hot Springs does hereby respectfully request that the Justice Department of the United States Government reverse its position with regard to said consent decree and vigorously pursue this action against the auto makers to its completion;

Be it further resolved that a copy of this Resolution be forwarded by the City Clerk to the Honorable John N. Mitchell, Attorney General of the United States.

Passed and adopted this 17th day of September, 1969.

Attest:

STONE WRIGHT,
Mayor.

WILLIAM D. WILLIAMS,
City Clerk.

RESOLUTION 3677

Resolution of the City Council of the City of Corona, State of California, protesting the U.S. Department of Justice's proposed out-of-court settlement of United States of America *v.* Automobile Manufacturing, Inc., et al., U.S. district court for the central district of the State of California, 69–75–JWC and authorizing the city's attorney to file therein objections by the city to the proposed consent judgment

Whereas, cities, counties and other units of government have in the past, united in common interest against violators of the Sherman Antitrust Act, including concrete and steel pipe manufacturers and electrical equipment manufacturers, resulting in refunds from overcharges from price fixing and the imprisonment of presidents of several companies for law violations; and

Whereas, the City of Corona for many years has been fighting all forms of air pollution; and

Whereas, a federal grand jury was impaneled in 1966 and after meeting for eighteen months in secret session forwarded its findings to the Attorney General, who brought suit against the major automobile manufacturers for conspiring, in violation of the Sherman Antitrust Act, to restrain and delay the development and installation of smog control devices; and

Whereas, the Department of Justice has petitioned to settle the case out of court; and

Whereas, such a settlement will preclude an open trial of the issues of said suit and possibly leave the City of Corona without sufficient legal grounds to institute damage actions against the defendants for air pollution caused by motor vehicle exhaust emissions; and

Whereas, the proposed settlement will for the aforesaid reasons and many others be extremely detrimental to the public health and safety of the citizens of the City of Corona;

Now, therefore, be it resolved by the City Council of the City of Corona, in special session assembled this 3rd day of October, 1969, as follows:

1. It hereby protests the U.S. Department of Justice's proposed out of court settlement of United States of America v. Automobile Manufacturing, Inc. et al, U.S. Dist. Ct. for Central District of Southern California 69–75–JWC.

2. It hereby authorizes its City Attorney to file in said suit this City's Objections to the Proposed Consent Judgement.

Be it further resolved, that a certified copy of this resolution be sent to the following governmental officials: United States Attorney General John N. Mitchell; Senators George Murphy and Alan Cranston; Congressman George Brown; and Supervisor Kenneth Hahn, Second District, County of Los Angeles.

Adopted on this 3rd day of October, 1969.

TONY BOLLERO,
Mayor of the City of Corona, Calif.

Attest:

BLENDA M. NEUENDORF,
City Clerk.

I, Blenda M. Neuendorf, City Clerk of the City of Corona, California, do hereby certify that the foregoing resolution was regularly introduced and adopted by the City Council of the City of Corona, California, at a special meeting thereof held on October 3, 1969, by the following vote of the Council:

Ayes: Councilmen Biandi, Bollero, Hart, Parker, Rust.

Noes: None.

Absent: None.

In witness whereof, I have hereunto set my hand and affixed the official seal of the City of Corona, California, this 3rd day of October, 1969.

BLENDA M. NEUENDORF,
City Clerk of the City of Corona, Calif.

CLEAN WATER RESTORATION ACT

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. DINGELL. Mr. Speaker, the League of Women Voters of Baton Rouge, La., has forwarded to me an editorial carried in the September 5, 1969, issue of the Baton Rouge Morning Advocate in support of the recent effort to secure full funding of the Clean Water Restoration Act. So that my colleagues may be aware of the views expressed by the Morning Advocate, I include the text of the editorial at this point in the CONGRESSIONAL RECORD:

THE MURKY OUTLOOK FOR CLEAN WATER

"Water, water, everywhere,
Nor any drop to drink."

With these words the poet Coleridge depicted the plight of a marined becalmed in a windless sea and perishing of thirst. On every hand and to the farthest horizon he sees nothing but water, in inexhaustible supply. But it is all polluted, with salt, and to drink it would mean death.

The average land-going American of today may be in little danger of so painful a fate. But what will be the lot of his children or his grandchildren may be another question.

Already some major rivers have become so polluted by industrial and municipal wastes and from other sources that their water is suited for very few uses, even industrial, without expensive purification. One of the Great Lakes is believed by some experts to be lost and on the way to conversion into a huge slough as a direct consequence of pollution.

The American people have become concerned over this situation and the danger to our water supply, one of our two greatest and most indispensable resources, the other being air, also seriously polluted.

Congress also is concerned, to the point of passing the Clean Water Restoration Act of 1966 and authorizing the expenditure of $1 billion for assistance to local governments in sewage treatment plant construction and improvement—a basic project in water pollution control. But Congressional interest has a way of becoming very intermittent and Congress now seems inclined to go along with an administration proposal to actually appropriate only $214 million, less than a fourth of what has been authorized.

To bring about funding of the full amount of $1 billion and to support other pollution control measures is the goal of the recently formed "Citizens Crusade for Clean Water." Member groups in the crusade include the League of Women Voters, the AFL–CIO, the United States Conference of Mayors, the Council of State Governors, the Izaak Walton League, and about 30 others, plus many individual citizens. But as the League of Women Voters points out, even this respectable backing will not be enough unless the Congressmen themselves see that the public is truly interested in the clean water campaign and unless they hear from their constituents to that effect. Time is growing short for action at this session.

The Federal Water Pollution Control Act of 1965 will require specified degrees of treatment for both municipal and industrial wastes by 1972. To meet the deadline will require a pooling of resources by the federal government, the states and the cities, with full participation by private industry. If any member of this partnership lags, the others may lag also and the situation may be worse in 1972 instead of better.

OPPRESSED WITH TWO WEAK EVILS

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. HORTON. Mr. Speaker, over 400 years ago, Shakespeare called "two weak evils, age and hunger." One of these evils should have disappeared by now. You would think that after a man has lived a full and productive life, old age could be enjoyed without the penalty of hunger. But that is not the case.

All over the country, in every State, in every county, in every congressional district, even my own, there are older Americans who do not enjoy their old age. Instead of a reflective period of wisdom and security, old age is still a time of struggle. Never mind the luxuries, it is simply a struggle to live.

This is inexcusable in our time. Every benefit that we can provide elderly citizens should be, and not only should, but has to be provided.

Mr. Speaker, we have in effect today the Food Stamp Act, designed to relieve some of the hunger around us. I am pleased to cosponsor today a bill to amend the Food Stamp Act to allay the emptiness of the elderly. This legislation will allow older people to exchange food stamps for meals prepared and served by private, nonprofit organizations.

Recently, our colleagues in the Senate recognized the need and passed such a bill.

There are so many elderly people who are physically unable to shop for or prepare food. Under the present law, people who otherwise meet age, residency, and income requirements are not eligible for food stamps if they do not have cooking facilities in their homes. I see no reason why the elderly, often the most isolated and deprived, should be denied the benefits of food stamps.

The legislation I am cosponsoring allows nonprofit, charitable organizations to accept food stamps in exchange for cooked meals prepared for home delivery or for consumption in community dining halls.

It authorizes the Secretary of Agriculture to designate authentic nonprofit organizations which could accept the food stamps.

This legislation follows the concept of utilizing private initiative for solutions to our problems. The redemption of the stamps would assist the specific church or nonprofit organization to purchase food. Possibly, this would encourage more church groups and charitable organizations to undertake the needed work of bringing a hot meal to our elderly.

I urge my colleagues to consider the debt we owe our senior citizens, and then to fully support this measure.

WEDNESDAY'S MORATORIUM

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. OLSEN. Mr. Speaker, the House of Representatives was seen at its best and, regrettably, at its worst, on the evening of Tuesday, October 14.

On the one hand, as those present know and as the press has reported, the 2 hours of debate conducted under special orders on this Nation's involvement in Vietnam were thought provoking, illuminating, in good taste and dignified, and marked by mutual respect.

Here was a demonstration that there is nothing to fear from the frank, open exchange of differing opinions and views. Here, if you will, was an example of democracy at work—an example of freedom of expression we like to tell the world to take as a pattern in forming their own governments.

And, though it was short lived, the exchange should serve as a pattern not only for the free world but, I submit, for the Members of this body.

But there was an irony in the forced conclusion of our discussion Tuesday evening.

There was irony in the fact that a quorum could not be found to keep the House in session, yet a subsequent vote on adjournment produced a quorum.

There was irony in the fact that those who argued, conscience bound, to defend with arms another people's right to freedom of expression voted to silence the equally concerned and sincere voice of the elected representatives of approximately 25 percent of this Nation.

There was irony in the fact that those who argued that a coalition government cannot succeed in South Vietnam knocked another block from the foundation on which our democracy was built. Mr. Speaker, those who voted to silence Members of the House who were prepared to defend the right of thousands of our citizens to express their conscience and their concern peacefully only called attention to a primary reason why more and more citizens are taking their concern to the streets.

Some argue that Wednesday's moratorium was "shameful." I argue, Mr. Speaker, that there is a degree of shame in the fact that this was the first exchange of this sort in the House of Representatives despite the fact that 6 years and more than 40,000 American lives have been spent in Vietnam. I hasten to add that I have served in the House during those 6 years and I do not hold myself without fault.

The will of the American people will be heard one way or another. If it is not heard by the Government, it will be heard in spite of it. A cursory analysis of election results in the last year and a half illustrate what I mean. How many who have campaigned on a platform to escalate or even continue our involvement in Vietnam have been defeated?

The will of America's young people will be heard. If it is not heard by elected representatives who today discount the value of their counsel, it will be heard in 1970. It will be heard in 1972. As I left the House floor Tuesday evening I overheard one representative of the news media discount the significance of the overflowing galleries that evening because "they were a bunch of kids 18, 19, and 20." Their day will come and it is not far off. The fact that a debate took place in the House at all Tuesday evening indicates their voice is already being heard.

Many charges have been leveled at today's generation of young people, but it has been several years since I have heard our youngsters as a group charged with apathy. They are concerned; they are involved; they are not phony; they have principles and consciences; they are eager to, and will, participate actively in government.

Yes, there were a lot of young people in the galleries the other evening and, without exception, they were well-behaved, courteous, and orderly. There were no disruptions or boos—no catcalls when opposing views were expressed.

Let us be wary of writing off the import of our gallery visitors because of their age. Let us take note of their courtesy and concern and applaud them for both.

Mr. Speaker, there is a message for all of us in the Gallup poll results reported in the last week. On Sunday, Gallup reported poll results indicating that 57 percent of the American people favor complete withdrawal of American forces from Vietnam by the end of 1970. This morning Gallup reported results of a poll indicating an identical 57 percent approval of President Nixon's leadership. It is significant that results of the first poll were reported in terms of an upward trend; the second poll in terms of a downward trend. I am absolutely convinced that the question of whether or not these two percentages will ever meet again depends on one thing alone: the success of the President in implementing his announced plan to disengage from Vietnam and transfer the responsibility of that war to the South Vietnamese.

Mr. Speaker, I was one of more than 20 Members of this body who remained unheard when the House voted by a vote of 112 to 110 to adjourn Tuesday evening. I include the statement which I prepared for presentation at that time at this point in the RECORD:

STATEMENT BY MR. OLSEN

In the last several years I have registered my misgivings and my personal recommendations on Vietnam policies to high ranking individuals in the Administration and I have joined in introducing legislation in the Congress which called for greater effort on the part of our government to place this issue before the United Nations.

I have never issued public statements regarding the conduct of the war unless I sincerely believed specific action on the part of our government was in the interest of the peaceful goal all of us seek.

However, after years of frustrated involvement in Vietnam, I believe there comes a time in foreign affairs, as in domestic, when the "people" must be heard. The mounting tension in American democracy between the "people" and their chosen representatives has reached the point where policies directing this Nation's efforts in South Vietnam fail to command respect in the conscience of the American people. When government policies no longer express the will of the people those laws lose their natural legitimacy and such is the case in Vietnam.

A 1967 Congressional poll indicated that 80.2% of the people in the Western District of Montana wanted to continue the then course of the war or escalate with 63% of these in favor of an all out military effort to win. Only 12.8% were in favor of withdrawal. One year later in 1968 another Congressional polling of the same area showed that those in favor of maintaining the status quo or stepping up our military effort had slipped to 55% and that those in favor of de-escalation had risen to 45%. A private poll of the Northwestern states, including Montana, which was completed in August of this year indicated that 52% of those asked were in favor of withdrawal of American Troops and turning the fighting to the South Vietnamese. Another 22% recommended immediate withdrawal. Results of the most recent Gallup Poll show that the percent of Americans favoring complete withdrawal of American troops from South Vietnam by the end of 1970 to be 57%.

All of these polls results and the mail I received daily in my office have convinced me a significant trend has developed. It is a trend that must be reckoned with and the leaders of this nation should not turn a deaf ear.

President Nixon, in a letter to a Georgetown University student this week drew a distinction between "public opinion" and "public demonstrations" vowing government policy would not be "made in the streets." White House sources further pointed out that his reply to the student was directed not at the "shouters" but to the "concerned majority" of Americans who have remained silent. The results of the Polls I have cited, which polled not only people in the streets, but also the "silent Americans" or the "concerned majority" to which President Nixon was referring, has indicated their "will" overwhelmingly in favor of withdrawal of American troops.

The President is free to decide to pay no attention to the thousands of persons participating in the moratorium, but can he ignore the will of a growing majority (currently 57%) of the people as reflected in the trusted public opinion polls. When President Nixon took office last January, I didn't detect any lack of willingness to accept the will of just 43.4% of the voting public.

Administrations past and present have been guided by military leaders who have shown many blatant and obvious cases of misjudgment: the tragic loss of 74 lives when a navy destroyer on routine maneuvers off the Philippines was sliced in two when it turned into the path of the Australian carrier: the navy sending the underarmed and tiny electronic spy ship, Pueblo, and 82 men into North Korean waters despite a high level intelligence warning of danger. Not long after the Pueblo and its crew were captured, an unprotected electronic "snooper" plane was shot down as it passed over the shores of North Korea with the loss of 30 lives: the Pentagon also authorized a secret contingency arrangement with Thailand, which, if mutually invoked, would have placed U.S. troops under Thai command: the testing of poisonous gas, resulting in the death of 640 sheep in Utah and the storage on Okinawa of gases which sent 26 men to the hospital not to mention the additional strains placed on Japanese and United States relations.

I say this series of bumblings, including the mishandling of our effort in Vietnam, has led the majority of the people in this country either to apathy or to outright opposition, in varying degrees, across the country.

A very important point that is often overlooked is that the South Vietnamese have to take over the operation and defense of their own country—whether now, or one to ten years from now. Are we to leave more than a half million men in Vietnam while we wait for Saigon and Hanoi to come to some political settlement? I believe *that* is not our obligation.

Since the beginning of the cold war we have intervened on an average of once every 18 months in some foreign country. We have often looked at these interventions as our duty bound response to moral imperatives. We have somehow convinced ourselves and are telling the world that our interference in the affairs of other nations grows out of our determination for justice, self-determination, and freedom for all men. I am not saying these ambitions are wrong but that they are clearly not the major reasons for our interventions. It has been on the basis of cold war fears and our anti-communist diplomacy that we have continued to become involved in these crises.

Following the second World War we were cast as the protector of freedom. It is a role we took unwillingly but are now afraid to relinquish.

Ronald Steel made a similar observation in his outstanding book, *Pax Americana,* when he wrote "where a communist problem exists, as in Vietnam, we have found the defense of freedom to be an unshirkable obligation, even if performed on behalf of a regime which may be as indifferent to freedom as the communist one it opposes. When we decide to honor our moral duty, the label that the oppressor wears is exceedingly important."

The United States waded into Vietnam for no other reason than to prevent domination of the South by the Viet Cong. Surely we have alway realized that we cannot *be* South Vietnam. We cannot govern South Vietnam. We cannot accept full responsibility for the war. Our commitment is limited. The outcome of that struggle depends now, as it always has, on the ability of the people of South Viet Nam.

There have been many disappointments in our relations with the South Vietnamese and the government of South Vietnam. We had hoped that we could help the South Vietnamese to help themselves to build a na-

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tion and a government that could attract the support of its own people and to achieve a political victory over the Viet Cong.

Time and time again our hopes have been dashed by the corruption of our South Vietnam ally—a government, as Senator Kennedy said, that "has consistently proved incapable or unwilling to meet the demands of its own people, a government that has demanded ever more money, ever more American lives to be poured into the swamp of their failure."

The casualties are still coming home and the thought of more dead, more bombed villages, more children maimed and made homeless is increasingly repugnant.

From January 1961 to date, the war has taken 45,598 American lives and left 254,274 of our troops wounded. It has cost the taxpayers of this nation a total of more than 81 billion dollars with an additional 25.3 billion dollars to be spent in Viet Nam in fiscal year 1970.

In Montana alone 202 deaths have already resulted from our defense of the South Vietnamese. Their names are:

Anderson, David Anthony.
Barber, David Lynn.
Barnum, Wayne Alan.
Burkhardt, Larry James.
Burns, James Lynn.
Byington, Steven L.
Carroll, Robert Hugh.
Deitchler, Russell Floyd.
Derenburger, Ronald Hal.
Dean, Lester Allan.
Dorris, David Walter.
Edden, George Edward.
Fish, Glenn Charles.
Fuhrman, James Francis.
Gallagher, Raymond Leroy.
Grayson, Reid Ernest, Jr.
Han, Charles William.
Hinther, Gary Rodger.
Johnson, Lester Wesley, Jr.
Kriskovich, Raymond George.
Lockwood, Harold Spencer.
Martin, Ronald Steven.
Moe, Ronald John.
Murphy, Jon Michael.
Murphy, Steven Patrick.
Nathe, Michael Leo.
Osterloth, James Allan.
Peters, George Edward, Jr.
Picard, Michael W.
Pickle, Jimmy Dee.
Rollins, Dale Franklin.
Rowland, Zack Oscar.
Sullivan, David Patrick.
Tillotson, Robert Virtus.
Uhren, Bernard Jeffrey.
Wear, Dennis William.
Welch, Robert Edward.
Wiest, John Robin.
Williams, Ralph Leroy.
Woods, Albert Clarence, Jr.
Zahn, Florian J.
Allen, Robert Christian.
Anderson, David George.
Archer, Sanford Kim.
Boyer, Charles Goodhue.
Chavez, Paul Edward.
Crase, Lionell Russell.
Doane, Michael Leo.
Healy, Louis Glenn.
Hendrickson, Michael Franc.
Howard, Walter John, Jr.
Johnson, William Michael.
Kendall, George Percy, Jr.
Light, Glee Roy.
Loyd, Harold Ivan.
Nelson, Louis Howard.
Padilla, Michael David.
Schwarz, Larry Edward.
Sonsteng, Dennis Wayne.
Stockburger, Arthur Lee.
Wood, Alvy Eugene.
Zerbst, Gilbert Leroy.
Cawley, Robert William.
Clifford, Gregory Allen.
Hagl, Edward Allen.
Helsley, Gregory Phillip.
Lawrence, Delmar Leon.
Beary, Dan Warren.
Birkland, Wiley Cole.
Byford, Gary D.
Chopper, Franklin Delano.
Clark, Richard Dewyatt, B.
Cyr, William Louis.
Derheim, Kenneth Lee.
Eckstein, Rodger Dean.
Frank, Edward Roy.
Haakensen, David Arnold.
Hinkle, Mark Gordon.
Hoerner, Raymond Dale.
Kern, Douglas Duane.
Kleiv, Manford Lloyd.
Knudson, Kenneth Max.
Locher, Walter Norvel.
Miller, Bernhardt William.
Mooer, Gary Owen.
Murrey, Tracy Henry.
Naasz, Larry Duane.
Nelson, Ray La Grande.
Parker, Joseph E., Jr.
Pokerjim, Joseph Louis.
Polk, Preston Wayne.
Reece, Weston Henry.
Salyer, Stanley William.
Swensgard, William Elling.
Urban, John Robert.
Vandenacre, Howard.
Wandler, Louis John.
Whetham, Vernon E.
Dudley, Charles Glendon.
Richardson, Roger Paul.
Sampson, Leslie Verne.
Anderson, Jack Herbert.
Babich, Ronald Gregory.
Backeberg, Bruce Burton.
Casey, Dennis Lee.
Fleming, Patrick Jay.
Fried, Douglas Lawrence.
Garcia, Frank, Jr.
Havranek, Michael William.
Johnson, Lyle Albert.
Jordet, Ronald George.
Juel, Darryl Richard.
Klemencic, Joseph Gordon.
Lehuta, Donald Alexander.
Mayes, Richard Le Otis.
Nelson, Stephen Carl.
Schultz, Danny Carl.
Stephens, James Williams.
Street, Douglas Gerald.
Green, Robert William.
Prather, Christopher. D.
Hobbs, Charles M.
Joyce, John G.
Veale, Ralph D.
Bois, Richard J.
Lameiras, Richard A.
Lamieux, Walter J.
Fowler, Donald L.
Richardson, Robin W.
Hudson, Joseph W.
White, Gordon G.
Ferguson, Ronald Bruce.
Habets, Gregory Lee
Hood, Roger William
O'Neill, Daniel John
Dunbar, Doyle Daniel
Greiner, Gary James
Griffin, Gary O'Neal
McCarvel, Stephen Lewis
Thomas, Roy Stephen
Barton, Jim Albert
Pickett, Richard Dale.
Summers, Jon Ray.
Westervelt, Johnnie Bowen.
Bristal, Clarence Frank.
Kilyine, Richard James.
Plamaray, Alexander P.
Webster, Christopher C.
Grasser, Arthur.
Henderson, Hal Kent.
Langaunet, Bruce Magnus.
Stenbridge, Wayland D.
Sib, Ervin Rinal, Jr.
Hamilton, Don David.
Biberdorf, Dennis Floyd.

In addition to the tragic loss of lives, that is yet to follow, there is also the loss of the 2.1 billion dollars being spent each month in Vietnam which could provide, if used domestically, public libraries for 12 million of Americans who have no library facilities; eliminate the backlog of need for: 169,000 school teachers; 125,000 nurses; and some 50,000 doctors by providing four years medical or teacher training for 344,000 young people and give a college education to the 100,000 young people who were not able to go on to college this year because of the lack of funds.

The cost of all housing and urban affairs programs of the federal government, including slum clearance and other efforts to make the nation's cities safer and more satisfying places of human habitation represent only 6 weeks of the cost of the Vietnamese war. Our entire contribution to the United Nations organizations comes to 80 hours or 3 days of war expenditures in Vietnam.

Our children may well wonder at the sense of values of a nation which spends $52,000 to kill one guerrilla on the other side of the world.

The United States began some time ago to take steps to persuade the South Vietnamese to take eventual complete control of the War. But despite the fact that never before in history has a nation done for another what we have done for South Vietnam, it has been to little avail. It seems to me that with our generous contribution of resources—human, monetary and material—South Vietnam should have triumphed long ago if it had a government with the desire or capability to meet the needs of its people.

Perhaps we have performed a disservice to those we would help by holding onto the initiative of that conflict: by permitting them to depend too much upon the United States: and by looking the other way and sometimes contributing to the corruption of the South Vietnamese government.

It would appear a mistake to continue our present policy which allows things to drift on in the wild hope that some solution will be found. The time has come for the Congress to act within the limits of its power and recommend continuous and orderly withdrawal of United States forces as expeditiously as possible until all American forces are removed, the pace of withdrawal to be limited only by steps to insure the safety of our forces.

MARIHUANA STUDY

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. MIKVA. Mr. Speaker, the public's concern about the growing use of marihuana is coupled with some confusion about legal and medical aspects of the matter.

In light of the hearings before the House Judiciary Subcommittee No. 3 on the problem of drugs, I thought that the following editorial in the Chicago Sun-Times of September 19 would be of interest to my colleagues:

FOR A MARIHUANA STUDY

The Nixon administration, concerned about the growing use of drugs, has offered a new control bill to Congress that seems hastily conceived.

The heavy increase in the use of marihuana has given law enforcement officials a special problem. An entire generation is emerging that sees no more harm in marihuana than in alcohol or tobacco. The recent gathering of some 300,000 youths in Bethel, N.Y., many of whom were pot-smokers, demonstrated that when enough persons ignore a law, as Americans did during prohibition, it is unenforceable.

While Atty. Gen. Mitchell conceded that authorities are operating in a "never-never land" of insufficient information about marihuana, his bill put it in the same category as heroin and LSD. Possession of any of them would be punishable by prison sentences, although Mitchell said in some cases rehabilitation programs would be advisable and leniency might be extended toward youthful drug experimenters. Nevertheless, the entire resources of the Federal Bureau of Narcotics would be devoted to stamping out marihuana and other dugs that have no recognized medical use.

To make them more effective, Mitchell would give narcotics agents the right to "no-knock" drug raids. The constitutionality of such raids is dubious. In "The American Constitution," Prof. C. Herman Pritchett says, "Whether armed with a warrant or not, officers cannot break down a door to effect a lawful arrest and the seizure of incriminating evidence unless they are refused admission after giving clear notice of their authority and purpose." (*Miller vs. The U.S., 1958*).

Before the nation embarks on the monumental task of stopping marihuana smoking and college campuses are infiltrated with narcotics agents, the subject should be removed from its "never-never land." A high level commission should be appointed to report definitely on the effects of marihuana.

Rep. Claude Pepper (D-Fla.) suggests the U.S. surgeon general make a study of marihuana as he did of cigarette smoking. This is surely in order.

The war on hard drugs must go on and the salvation of narcotics addicts should be a government goal. But a great deal more should be known about marihuana before the government attempts what could be a "noble experiment" such as prohibition, which bred contempt for the law and worse evils.

COLUMBUS DAY

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. ADDABBO. Mr. Speaker, Americans have traditionally honored men who excel in fields of exploration, particularly those whose feats of courage and imagination have led to the opening of vast new worlds.

The birthday of Christopher Columbus is a time for celebrating the most significant feat of exploration for our Nation. As we honor Columbus for his achievement of 477 years ago, we realize the overwhelming importance of his deed by looking at Columbus and his voyage in light of the space exploration activities of 1969.

The new world of freedom made possible by Christopher Columbus is still embarked on its mission of discovering still newer worlds. As our children and our grandchildren look back to the beginning of the space age, they will also look further back in history to the miracle of 1492 as the time when it all started.

The Congress has assured the appropriate place in history for Columbus by designating Columbus Day an official national holiday beginning in 1971. This will serve not only to remind us of a hero who braved the unknown to discover a new land but also to teach us to strive for new and better worlds, never taking freedom for granted or accepting our society as the end-all. We have to improve our society or perish and to succeed we need the courage and determination of men like Christopher Columbus.

MR. DIAMOND REMEMBERED HIS START

HON. G. ELLIOTT HAGAN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. HAGAN. Mr. Speaker, a native son of the First District of Georgia has died—Mr. B. F. "Barney" Diamond—and he will be sadly mourned by all of us who have had the good fortune to have known him.

"Barney" Diamond's outstanding rise from orphan to one of Savannah, Ga.'s biggest industrialists is in the very spirit and tradition of our great country. His work, his interests, and his remarkable concern about people, and his disassociation with titles, offices, and personal recognition will be remembered and admired for many years to come.

I feel that the following story about this amazing individual—B. F. Diamond—from the October 13 edition of the Savannah Evening Press merits your attention:

HE WENT ON TO SUCCESS AND REMEMBERED START

(By Ann Marshall)

Savannah industralist B. F. "Barney" Diamond was born in Bulloch County and grew up here at Bethesda Home for Boys.

Despite worldwide success and recognition, Bethesda remained the center of his interest and charities.

When Diamond died yesterday, his construction firm was completing work on a bridge across Shipyard Creek at the very site where he lived on the Bethesda marshes.

The roadway which will open Skidaway to development as an oceanographic center and will add thousands of homesites to the growth of Chatham County and the whole state, is considered one of the major construction projects of the times.

Land for the approaches to the causeways was obtained from the Union Society at the edge of the Bethesda property.

He refused time and again to take the presidency of the Union Society, which runs Bethesda, and of the Bethesda Alumni Assn. Both were continuing beneficiaries of the Bernard F. Diamond Foundation and of his private gifts.

From large financial grants to priceless bushes from his extensive private gardens, from jobs for Bethesda alumni to inspiration for Bethesda boys, through the more than 40 years since his own time there, Diamond remained a devoted alumnus.

He died about 7:30 p.m. yesterday at St. Joseph's Hospital after a short illness. He would have been 68 tomorrow.

He was president of the B. F. Diamond Construction Co. and was a resident of 18 South Rockwell Ave. in Vernonburg.

Chatham County Commission Chairman Robert F. Lovett expressed regret at the "great loss to the community," and said, "He'll be missed. He was a wonderful fellow."

Mayor J. Curtis Lewis said he was "distressed" to learn of the death.

"Mr. Diamond was a remarkable man. He was a self-made man who deserved a tremendous amount of credit for his accomplishments," the mayor said.

Mr. Diamond shunned personal acclaim, turning down posts such as the presidency of the Union Society.

The president of the society, Wade Layton, expressed the sorrow of the group, of which Diamond was a board member.

"I know I express the regret of every member of the Union Society," Layton said. "We tried to get him to take the presidency over and over, and again this year, but he never would do it."

W. Lee Mingledorff, Jr., chairman of the Savannah Port Authority, called him "a staunch member of SPA."

INTERESTED IN WATERFRONT

"He showed a great deal of interest in the Savannah riverfront and will be missed very much by the authority in its efforts on behalf of the community," Mingledorff said.

The B. F. Diamond Construction Co., which Diamond founded in 1930, has its headquarters on the riverfront here. Diamond had acquired his technical knowledge through correspondence courses when he began as a steel-erection contractor in Washington, D.C., and Baltimore, Md.

He also was owner of Marine Construction and Engineering Co. Ltd. of Freeport, Grand Bahama Island, and owned a 1,200-acre cattle farm near Savannah.

His various enterprises included construction of the new Bull River Bridge for the State Highway Dept., construction of the second Elizabeth River Tunnel between Portsmouth and Norfolk, Va., in 1962 and the rebuilding of the Pennsylvania Railroad bridge over the Potomac River in 1943 without interrupting traffic.

During World War I, he went to sea in the merchant marine, and in World War II his company completed many projects for the Navy. He was given the Navy "E" award for these.

The highest honor given in the construction industry, the Moles award for "outstanding achievement," was given to Diamond in 1967.

The Diamond firm specializes in heavy and marine construction, manufacture of many types of marine equipment and steel fabrication, and general construction in Freeport.

He was a member of the Oglethorpe Club, the Savannah Golf Club and the board of stewards of the Savannah Yacht and Country Club. He had been a member of the "Geechee" syndicate which won the 1966 Miami-to-Nassau sailing race.

With Frank S. Jackson, Charles S. Sanford and Julian F. Corish, he had founded the Bernard F. Diamond Foundation Inc. in 1952 to support the Union Society and other charitable organizations.

NAMED DIRECTOR

He had been named a director of the Liberty National Bank and Trust Co. in 1967, and also was appointed that year to the SPA by Mayor Lewis.

Funeral services will be held Wednesday at 11 a.m. at Sipple's Mortuary. Burial will be in Hillcrest Abbey.

Surviving are his wife, Mrs. Delores Austin Diamond; a son, John A. Diamond; two stepdaughters, Miss Pamela Alkazin and Miss Cheryl Thompson; a brother, Raleigh B. Diamond of St. Augustine, Fla., and three grandchildren.

PENNSYLVANIA A LOW TAX STATE

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, the Shafer administration said that a new report by the U.S. Census Bureau proves that Pennsylvania is a low tax State.

The census report, which was published in this week's U.S. News & World Report, shows that Pennsylvania ranks

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45th among the 50 States and the District of Columbia in the amount of State and local taxes paid by individual citizens.

In a statement, Gov. Raymond P. Shafer said:

> This report further supports the statements I have been making throughout this year that Pennsylvania, by comparison to other states, is not overtaxing her people for the kind of services they are getting at the State and local level.
>
> I hope that those people who constantly complain that they pay the highest taxes in the Nation in Pennsylvania will study the report so they can better understand the truth.
>
> Too often, the emotions of raising new revenues cover over the facts—and if we are to solve our current crisis, every citizen has the responsibility of at least making an attempt to learn the facts. I hope that this report will help all Pennsylvanians in that attempt.

The new report shows that Pennsylvania taxpayers pay $113.38 in State and local taxes for every $1,000 earned. The national average is $134.51. The highest State and local taxes are in North Dakota where a citizen pays $190.96 for every $1,000 earned.

In the two industrial States that are larger than Pennsylvania, which ranks third in population, the State and local taxes are: California, $160.84; New York, $158.21.

EFFORT TO CORRECT INEQUITY

HON. SAM GIBBONS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. GIBBONS. Mr. Speaker, on behalf of the retired military men who reside in my district I am today introducing a bill to correct a grave injustice to retired members of our uniformed services.

For a hundred years prior to 1958 the statutes clearly guaranteed that retired pay was to be passed upon a percentage of active duty base pay, the multiplier being determined by the number of years service up to a total of 30 years, after which no additional benefits accrued.

It appears to me, Mr. Speaker, that persons who entered the service under that rule have every moral right to expect the Government to make good on its guarantee.

Today the Department of Defense and the Congress are embarked upon a campaign to make military service more attractive. I approve of that effort. One thing that is proposed is to make military pay comparable to that of civil service employees and of workers in private industry. But military retirees of today, especially the older ones, will not receive the benefits of that campaign. Instead, they received low pay in anticipation of an attractive retirement pay system, now arbitrarily denied to them.

As a result, older retirees now receive substantially smaller retired paychecks than younger retirees of the same grade and number of years of service with the difference in some cases exceeding 50 percent. This discrepancy which comes about entirely because of a breach of faith with them on the part of the Government will continue to increase with each future pay raise for the Active Forces.

In 1966 the President's Cabinet Committee on Federal Staff Retirement Systems proposed a far-reaching code of standards relating to Federal retirements of all kinds. Prominent among the proposals was one which would insure that—

> Whenever a staff retirement system is changed, provision shall be made to protect the equities of any individuals who would be adversely affected by such change.

Mr. Speaker, my bill would simply apply that principle to persons who had served or were serving prior to the abolishment of the statutory guarantee for continuing computation of pay based upon the rates in effect for active duty personnel. That action took place on June 1, 1958, and my bill is limited in its application to those persons who entered the service prior to that time. It provides that the retired pay of such persons be recomputed on the new active duty rates in effect at the time those rates were changed.

I believe that the Government can do no less than live up to its word. I urge my colleagues to support the proposal which I am introducing.

BLACKLISTED BY MEN WEARING WHITE HATS

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. GALLAGHER. Mr. Speaker, blacklisting of scientists for the Health, Education, and Welfare Department's advisory committees is a practice which has been going on since at least 1953. It has become encrusted on the bureaucratic keel, and I am convinced that it does not represent evil men at work. I think it is simply too inconvenient for those now making the decisions to do the hard work necessary to come up with new methods.

An editorial in the Washington Post of October 11, 1969, makes this point very succinctly. "Blacklisting for the Fun of It" is close to being correct for I believe that those who do it are not vicious unprincipled men, but merely those who find a precedent for their actions which is always easier than making a decision.

But, Mr. Speaker, it is certainly no fun for those who have been blacklisted. One of the central points of my continuing privacy studies within the House Committee on Government Operations has been that a man should be informed of the range of charges against him. He must have the right to confront the record, if not to confront his accuser directly.

For example, during hearings on Retail Credit Co. of Atlanta, Ga., in May of 1968, I bore down heavily on the following phrase in their basic agreement for services:

> All reports, whether oral or written, will be kept strictly confidential. Except as required by law, no information from reports nor your identity as the reporting agency will be revealed to the person reported on . . .

Mr. Speaker, I was pleased that Retail Credit's new contract, dated June 1968, had removed the words "nor your identity as the reporting agency." The removal from the basic contract of those words I regard as a small step toward decency.

The individuals who have been injured by that practice of Retail Credit Co. were denied insurance and employment opportunities with no chance to find out who was generating the information which occasionally was in error. Qualified scientists are now being denied the opportunity to gain the academic prestige which comes from membership on such advisory panels and, worst of all, our Government and our Nation are being denied the insights and experience they could bring to bear on solving our problems.

Mr. Speaker, two points should be made. First, the vast majority, I believe in almost every single case, the advisory panels do not deal with classified information. Press reports even state that some who are alleged to have been blacklisted for HEW actually have clearance to participate in top-secret Department of Defense advisory panels.

The second important point is that opposing blacklisting does not mean that all standards must be abolished. I certainly recognize that some people may be unsuitable for a number of quite legitimate reasons which have nothing to do with their supposed loyalty to America or their support for the war in Vietnam.

The central question in this is why the practice has been allowed to continue for this length of time. I hope that the review of Secretary Finch will move HEW to a more reasonable position and perhaps a broader focus should be brought to bear on this issue.

Mr. Speaker, at this point in my remarks, I insert the editorial from the Washington Post:

BLACKLISTING FOR THE FUN OF IT

Blacklisting is always an abomination. It is peculiarly so when it is practiced by the government of a people guaranteed equality of opportunity. It is at its very worst when the blacklisting carries with it a stigma of untrustworthiness and disloyalty. For more than 20 years the United States government—ever since the inauguration of the so-called loyalty-security program in the Truman administration—has been compiling blacklists, stigmatizing employees or applicants for government employment as "security risks" and doing so on the flimsiest of foundations, the unverified allegations of faceless informers unknown not only to their victims but unknown even to those who must make judgments on the basis of what they whisper. Selection of government employees by lot would constitute a safer system.

This blacklisting procedure, excoriated when it was viciously exploited by the late Sen. Joseph McCarthy, has been brought to light again just recently by scientists who complained that it is being applied with particular rigidity and folly by the Department of Health, Education and Welfare in regard to Public Health Service appointments and to the selection of scientists for part-time advisory posts. Science, the magazine of the American Association for the Advancement of Science, published two searching articles by Bryce Nelson last summer exposing these practices. And this newspaper itself carried an extensive article by staff writer William Greider on June 30 elaborating on the ways in which the HEW security system barred certain scientists from advisory panels.

One high-ranking health official in the Johnson administration, George A. Silver, then deputy assistant secretary of HEW, decried this process of blacklisting as totally needless in regard to the commissioning of Public Health Service doctors. "What possible security problems would they represent?" he asked. The procedures followed, he said, "sharply limit the opportunity to get creative people with an innovative viewpoint" in the Public Health Service.

Investigation of the cases of some of these blacklisted persons shows unmistakably that nonconformity of any sort tends to be penalized as evidence of unsuitability. Mere opposition to official policy on the war in Vietnam has been used to put a job applicant on a blacklist. Sen. Edward Brooke, outraged by the treatment of one of his constituents, said concerning the procedures: "There are certainly grave questions about the desirability and constitutionality of governmental practices by which anonymous officials use secret information and undisclosed criteria to deny someone a job in a nondefense-related field."

Most victims of the blacklistings never know their names are there—and so can do nothing to clear or redeem themselves. No one, indeed, can know what doors may have been closed to him by a vilification muttered behind the hand of an unidentified character assassin. It is as senseless as it is unjust. And it is an absurd myth that these blacklists are kept confidential or inviolable; there are leaks about them all the time, destroying reputations, wrecking careers. They inflict wanton injury at once upon the individuals involved and upon the Government of the United States.

Queried by Science last June, HEW Secretary Robert Finch said he was "looking into" the matter of blacklists. How does he like what he sees? Does it make any sense? Is it honorable? Does it comport with the American concept of freedom?

HOUSING NEEDS AND THE MARYLAND MORTGAGE CRISIS

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. GUDE. Mr. Speaker, shortage of mortgage money for the housing market in the State of Maryland has reached near crisis proportions. The Maryland Governor has been urged to call a special sesson of the General Assembly to resolve the problems. These issues were well presented by my distinguished Maryland colleague, Mr. HOGAN, in an address delivered before the Maryland Association of Real Estate Boards. I commend these remarks, as follows, to my colleagues:

REMARKS OF CONGRESSMAN LAWRENCE J. HOGAN BEFORE THE MARYLAND ASSOCIATION OF REAL ESTATE BOARDS, INC., ANNAPOLIS, MD., OCTOBER 10, 1969

The Realtors' theme of the day is the same, I am sure, as it has been for the past several months—Help! Today I want to discuss with you the role the Federal Government can be expected to play in providing the needed assistance.

Of course there is no need for me to relate in detail the problems presently facing real estate all over the country, and particularly in Maryland, as you are certainy more aware of them than I. Quite simply, the latest increase in the interest rate has resulted in the unavailability of funds for mortgage lending as well as more expensive housing, which combined have either priced the middle and low income families entirely out of the market or made funds totally unavailable to them. With the interest rate on the open market at the highest level since the mid 1800s, the major investors in mortgage loans, the thrift institutions, are unable to attract savings, resulting in a curtailment or complete halt in some areas, of their mortgage lending operations.

In addition, statutory ceilings imposed on the interest rates on FHA and VA mortgages, have worked a major difficulty in obtaining funds for these loans. Some lenders are simply withdrawing from the market and investing their funds in other outlets rather than accept the low interest rate permissible on FHA–VA loans or incure adverse publicity from increasing the yield on such loans through charging points.

To get quickly to the main subject of your concern—our Maryland problem—you may be sure that I fully realize the desperate conditions presently existing in the Maryland market as a result of the state usury limit of 8% as well as a limitation on the points which may be charged. If it is any solace, several other states—13, I believe—also find themselves in this same predicament. These low usury ceilings have led to the withdrawal of private investment funds from the mortgage market and finally the withdrawal of FNMA, resulting in a "no loan" situation.

Many real estate agents have stopped sales completely. Others have been forced to close down their business offices. Sellers cannot sell homes. Buyers of moderate and low incomes cannot get loans to buy. Returning veterans from Vietnam are unable to take advantage of the benefits which Congress has given then under the VA mortgage provisions because lenders will not finance homes in Maryland.

Although the national market conditions have had their effect on your business, I am sure your primary concern at the moment is what can be done to relieve the situation here in Maryland, and your first question is "What can Congressman Hogan do in this regard."

It has been suggested that I and other similarly concerned Representatives and Senators amend VA and FHA bills currently being considered to exempt VA and FHA-insured loans from state usury ceilings. On the surface this sounds like a simple solution. Unfortunately, it is an impractical solution, as the suggestion of such an effort arouses the ire of every states rights defender in the House and Senate who promptly rise to their feet in oratory.

During the recent House debate on a bill to extend the authority of the Administrator of the VA to set interest rates on mortgage loans. Representative Joel Broyhill, my colleague from northern Virginia, offered an amendment to exempt VA-insured loans from the District of Columbia's usury statute. I will add that this amendment was passed, but not without protest. The issue of states rights did not enter in here, however, as Congress has the specific charge of legislating for the District and such action was entirely appropriate and considered necessary under the present conditions.

At that time I spoke with Members about the possibility of having this amendment extended to exampt VA-insured loans nationwide, and received the reactions. . . . "This is not a problem for Congress, but for the state legislatures." . . . "Since only 13 states are involved, why should those of us who represent the other 37 states get involved." . . . "It's a problem for the legislatures of those 13 states."

With all due respect for the rights of each state to legislate for itself, I feel the national interests involved in the making of FHA and VA loans provide a substantial case for Congressional consideration of such exemption. Since this problem in Maryland has reached crisis proportions and our Governor refuses to call a special session of the state legislature to relieve the situation, at the time Rep. Broyhill offered his amendment I called upon the Members of the Veterans Affairs Committee to give prompt consideration to such an exemption for VA loans and I requested the Banking and Currency Committee to consider a similar exemption for FHA loans.

My requesting Federal action in this regard and my personal support for a Federal law exempting VA and FHA loans from the state usury laws should not be construed to indicate that I in any way relieve Governor Mandel of his responsibility to assist the Maryland legislature in achieving the earliest possible passage of corrective legislation. If the Governor and the state legislature cannot be depended upon by the people of Maryland to act in their best interests at a time like this, they are not really concerned about their responsibilities. I plead with them to remember the low and middle-income homebuyers who are being hurt the most by their inaction. Yet the effects will not be felt by individuals only. Mortgage bankers will simply move out of Maryland. thus cutting off funds for community development and industry also. Low rates on municipal and school bonds will drastically cut back sales. It is doubtful that we will know for months to come the total extent of the effect this will have on the economy of Maryland.

Again, I urge the legislature to fulfill its responsibility promptly upon being called into session and not prolong this worsening situation.

Well, I have cited the primary avenue open to the state legislature to help solve the problem. Hopefully, no later than early January this will be done. After that time, however, we will still have with us the problems of inflation and high interest rates, shortage of mortgage funds on a nationwide scale, and further solutions will have to be found, for the most part by the Federal Government.

What can the Federal Government do? Well, two major and obvious answers come to mind—curtail inflation through reduction in Government spending, and redirect Federal funds into housing. To assist in accomplishing the latter, we are fortunate in having the recently published results of a study by the Commission on Mortgage Interest Rates, which the 90th Congress authorized to analyze the problem of increasing interest rates. I consider this to be a very valuable report in that it realistically and fully lays the problem before us, and I am hopeful that the recommendations of the Commission will be given serious and prompt consideration. It appears there is no magic formula. Resolution of the problem will require the combined efforts of the President and the leaders of Congress through executive order and legislation to redirect various Government assets into the housing sector.

As some of you may not be familiar with the recommendations of the Commission, I would like to briefly present some of them to you as well as legislative response to the same:

The Commission recommended that legislation be enacted to increase the Federal Home Loan Bank System's authority to borrow from the Treasury an amount necessary to provide an emergency backstop for the credit lines given to member associations. In response, Senator Proxmire has introduced S. 2572 to increase the System's borrowing authority from $1 billion to $2 billion.

The Commission recommended the Federal Reserve make a meaningful effort to improve the market for Federal Agency securities by buying and selling such issues in the open market on an outright basis as well as under re-purchase agreements, while some members of the Commission, including Chairman Wright Patman of the House Banking and Currency Committee, wanted to go beyond

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this and *require* the Federal Reserve to support housing-oriented Federal agencies directly. Chairman Patman thereafter introduced H.R. 13939 directing the Federal Reserve Board to purchase FNMA obligations to assure that it has adequate funds to support the secondary conventional market as well as its existing function in Government-backed mortgages. Also, Senator John Sparkman, Chairman of the Senate Banking Committee, introduced S. 2958 to give the FNMA the authority to provide a secondary market for conventional mortgages, much as it does in the FHA–VA market.

The Commission calls our attention to pension and mutual funds, noting that while such funds had total financial assets of about $200 billion at the end of 1968, their total mortgage portfolio amounted to only about $10 billion, a mere 5 per cent of their assets. The Commission's report specifically notes that the Federal Government's own pension and trust fund accounts are the worst offenders in ignoring the mortgage market, with nearly all of their assets held in U.S. Government bonds. Private pension funds only held about 4 per cent of total assets in mortgages while state-managed pension funds held nearly 15½ per cent of their assets in mortgages in mid-1967. In partial response to this observation, Chairman Olin Teague of the House Veterans' Committee has introduced H.R. 9476 to make up to $5 billion in reserves in the National Service Life Insurance Fund available for purchase of VA guaranteed mortgages, thus providing more credit for this market and insuring a high return to the Fund.

I would like to comment here that I feel that private pension funds and mutual funds should be encouraged to invest heavily in mortgages.

The Commission, though not unanimously, recommended that the abolition of the statutory 6% ceiling on the interest rates on FHA–VA mortgages and enactment of legislation to establish a dual market system for a three-year trial period, which will permit much greater flexibility than administratively established ceilings of the past have permitted. During the three-year trial period of the Commission's dual market approach, under one part, loans would be made under a "free" rate with no discount in the primary market. Under the other part, the market would continue to operate much as it does now with ceilings regularly reviewed and changed to keep in line with market rates and minimize discounts.

Under the Housing Act of 1968 the Congress authorized the establishment of the Government National Mortgage Association to guarantee bonds issued by FNMA or other approved issuers based on and backed by a pool of Federally-insured or guaranteed mortgages. It was expected this mechanism would improve the efficiency of the mortgage market and enable the housing sector to compete more effectively for funds in the over capital market than ever before. Also, the sale of these mortgage-backed securities would increase the potential liquidity of the portfolios of mortgage institutions, and would provide an attractive investment alternative for investors who heretofore have not invested funds in mortgages for various reasons. Although these objectives can be accomplished with a minimum extension of Government activities, the President has not as yet issued any regulations regarding guarantees on marketable securities, depriving FNMA and other private institutions of an important vehicle for attracting funds. I join the Commission in urging the President to implement this legislation without delay.

Legislation to exempt interest or dividends received on savings in institutions which invest the bulk of their funds in residential mortgages has been suggested as an approach by other sources. Although the House has already acted upon tax reform and any such measure introduced in the House at this point would receive no consideration, it would be timely for the Senate to give attention to such an exemption in its review of tax reform proposals.

I present these to you in order that you may see and know some of the possible approaches of action available to the Congress and the President and be aware of those which will be receiving consideration.

In closing, I wish to assure you that I am at present thoroughly reviewing the pros and cons of these and other proposals and will make every effort to assist the leaders of Congress in taking the appropriate corrective action to redirect funds into the housing market.

Once again, I urge the President, Members of Congress, the Governor and the Maryland State Legislature to do everything within their respective capacities to deal with this situation which has reached crisis proportions in the State of Maryland.

VIETNAM MORATORIUM

HON. RICHARDSON PREYER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 14, 1969

Mr. PREYER of North Carolina. Mr. Speaker, a negotiated settlement in Vietnam does not now appear likely. What then, should we do?

We could make an all-out effort to win the war, which means pouring in more troops and greater casualties. The American public has overwhelmingly rejected this solution.

We could withdraw immediately. I believe our people reject this equally extreme solution.

Instead, we have adopted the policy of gradual withdrawal. To work, this policy must make it clear to Saigon that there is a limit of time to our participation there and that Saigon will therefore have to shape up if it wants to survive and also find some way to negotiate a settlement with the National Liberation Front and Hanoi. The time limit should be announced to Saigon—but not to the world.

How long a period of time should this be? The withdrawal must be sufficiently slow and steady, so that we do not seem to be pulling the rug out from underneath Saigon. If the time limit were very short, if out of frustration we suddenly withdraw, then the whole world would think that we went back on our commitments and would doubt our maturity and stability. It might lead to the deaths of many South Vietnamese. The American public would be revolted by this. Therefore, there must be a period in which we gradually shift from participation to retirement from the war. This gives Saigon a chance. If during this period Saigon could not shape up, it would prove that Saigon could never stand on its own feet. Nobody would blame us for not trying to prop them up forever. We would not be "bugging out." We would have acquitted ourselves with honor.

During this period, everything possible must be done to reduce the level of fighting and the number of casualties. Firm order to that effect should be issued by the President.

How long should this period of time be, then? Clark Clifford—with the partial endorsement of the President—has suggested that all troops be withdrawn by the end of 1970; former Ambassador to Japan, Edwin Reichauer, has suggested the end of 1971. This is a question of judgment. What is important is that some definite time be set and be firmly communicated to Saigon, and the level of fighting be reduced as much as possible in anticipation of this. In my judgment, to carry out this policy it is necessary for President Nixon to begin announcing further withdrawals on a much larger scale than he has so far. It takes a considerable period of time to get out; it is a big logistic move. And larger troop withdrawals may be the only way to make it clear to Saigon that there is a definite limit of time to our participation there.

Finally, we must enunciate a new Asian policy, a policy of less military commitment. We must learn some good lessons from this tragic Vietnam war. The President has suggested the outlines of this new policy. It is a policy that says we are not going to say out of involvement in the internal instabilities of the nations of Asia because we have shown in Vietnam that we cannot do much about internal instabilities. In fact, our presence seems to make matters worse rather than helping. At the same time, the President is trying to reassure Asians that we will remain concerned in their future, in a part of the world that has more than half of the world's population, and that we will do our best on the economic side and maintain an option on the military side in the event there is some type of situation—such as blatant aggression—that we might be able to do something about. But we are going to be less committed militarily. In short—no more Vietnams.

HOPEFUL SIGNS IN FIGHT ON CRIME

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. ASHBROOK. Mr. Speaker, although the crime situation in the United States continues to be a major problem, basic steps are being taken by the Attorney General's office to correct the unreal approach to law enforcement which has been characteristic in past years. The issue of wiretapping is an excellent example.

In the last administration the use of wiretaps was restricted to the area of national security alone. The present Attorney General, John Mitchell, made it quite clear in January that the use of this device would be made "carefully and effectively" against organized crime and other major crimes as well. As a result of this commonsense approach, progress is being made. The Attorney General, in a speech on September 29 in Miami Beach, stated:

> While we have had only limited experience with judicially approved wiretapping authorizations, this experience has proved to be very successful in combating organized racketeers, especially in the field of narcotics.

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> In New York City, 124 pounds of heroin was seized as a result of a wiretap. In Washington, 41 persons involved in an alleged narcotics trafficking ring were apprehended as the result of one wiretap. Some of them reportedly had organized crime connections. In Ohio, a wiretap led to the seizure of $100,000 in counterfeit bills and the arrest of seven persons; and in Buffalo, 23 persons were arrested on a charge of being involved in a United States-Canadian gambling organization.

The above are some of the results of the "new look" at the Department of Justice. Ironically, the changes of policy in the Department are merely a returning to the basic functions for which the Justice Department was created. The Attorney General stated the case bluntly and briefly in the above-mentioned speech:

> There has been a tendency to ignore the law enforcement community in favor of the social scientists who can explain the motivations of the criminal, but who can do little to protect the innocent against the mugger or armed robber.
>
> Let me tell you that, as Attorney General, I am first and foremost a law enforcement officer. I believe the Department of Justice is a law enforcement agency. I think that persons who break the law ought to be promptly arrested and tried *today*.
>
> While I sympathize with physical conditions and emotional problems which may cause persons to commit crimes, I cannot sympathize with those who seek only to excuse criminals.

In the Miami Beach speech Attorney General Mitchell outlined various measures which have been proposed by his department to counter the crime wave. The attack on this monumental problem, the program of the Nation's chief law-enforcement officer, should be of interest to all concerned citizens. For this reason I include the above-mentioned speech by Attorney General Mitchell in the RECORD at this point:

ADDRESS BY HON. JOHN N. MITCHELL, ATTORNEY GENERAL OF THE UNITED STATES, AT THE ANNUAL CONVENTION OF THE INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE, HOTEL FONTAINBLEAU, MIAMI BEACH, FLA., SEPTEMBER 29, 1969

I. INTRODUCTION

1. It is a pleasure to address the annual convention of the International Association of Chiefs of Police.

I understand that I am a last minute substitute for Prseident Nixon. Unfortunately, the President is unable to be with you today. I know that he wanted to be here to assure you of his support of your efforts in the field of law enforcement.

During the past eight months, I have been in close communication with the IACP, especially with your most able Executive Director, Quinn Tamm.

Several months ago, I participated in your working seminars held in Washington. A major portion of these discussions concerned student violence and civil disorders. What particularly impressed me was the awareness, by the participating police officials, of the necessity for preventive law enforcement. These seminars emphasized that law enforcement is not merely the application of force. Enlightened police officials recognize that careful pre-planning, communication and negotiation can frequently avoid serious confrontations.

I was pleased that the IACP stressed that law enforcement officials should be flexible in order to solve new law enforcement problems within the currently prevailing social and legal philosophies of the nation. The American law enforcement community would do well to look to your leadership.

Your high standards of professionalism, your openness to new ideas, your desire to bridge the gap between law enforcement officials and certain alienated parts of our citizenry, have made you leaders in the administration of justice at the state and local level.

We, at the Justice Department, have called on you in the past for your help and advice. We will continue to call on you in the coming years.

We will continue to support this organization and its more than 7,000 members in every way possible, especially through the Law Enforcement Assistance Administration grant program. We hope that you will seek our counsel when you have problems to be solved.

2. I have come to Miami Beach today to speak to you about the single most pressing problem that I face as Attorney General and that you face as concerned and responsible police officials—crime in America.

The latest FBI Uniform Crime Reports show that in 1968 there were 4.5 million serious crimes committed in the United States, a 17 percent increase over 1967.

There was a 30 percent increase in armed robbery; a 15 percent increase in rape; a 13 percent increase in murder and an 11 percent increase in aggravated assault.

From 1960 to 1968, the volume of serious crime has risen 122 percent, while the population has increased only 11 percent. The citizen risk of becoming a victim of a crime has nearly doubled from 1960 to 1968.

In February 1967, the President's Crime Commission reported: "There is much crime in America, more than ever is reported, far more than ever is solved, far too much for the health of the nation. Every American knows that. Every American is, in a sense, a victim of crime . . . The most understandable mood into which many Americans have been plunged by crime is one of frustration and bewilderment."

Despite the Presidential report and the ever increasing crime rate, there has been a tendency in the past to shrug our shoulders and to hope that if we talk about crime it will eventually disappear.

There has been a tendency to ignore the law enforcement community in favor of the social scientists who can explain the motivations of the criminal, but who can do little to protect the innocent against the mugger or armed robber.

Let me tell you that, as Attorney General, I am first and foremost a law enforcement officer. I believe the Department of Justice is a law enforcement agency. I think that persons who berak the law ought to be promptly arrested and tried *today*.

While I sympathize with physical conditions and emotional problems which may cause persons to commit crimes, I cannot sympathize with those who seek only to excuse criminals.

When this Administration took office eight months ago, we decided that the time had come to stop talking to stop offering excuses and to start acting *now*. And we did act—we have put forward a carefully-planned, well-financed, and aggressive action program to combat crime *now*.

Of course, we recognize the need for and we strongly supnort research and development projects which may help us solve crime tomorrow—sometime in the future.

But tomorrow is too late for the ghetto housewife who is many times more likely to be mugged than the suburban housewife. Tomorrow is too late for the small store owner who is killed in a holdup by a narcotics addict.

Indeed, tomorrow may be too late for all of us. That is why we have launched a comprehensive anticrime campaign as a first priority in our domestic program.

As President Nixon has said: "The public climate with regard to law is a function of national leadership."

The leadership of this nation believes that any effective anticrime campaign must rely primarily on law enforcement officials. The police are the first line of defense, and they must be given every reasonable tool if they are to meet the challenge of crime in an increasingly complex society. For this reason, the Administration's executive, legislative and budgetary proposals to combat crime concentrate strongly on the law enforcement function.

I think that you will find that this Administration is sympathetic to law enforcement and that, in areas of doubt, we tend to put our faith in the good intentions of the police, rather than to rely on the bad intentions of criminals.

Let me give you some examples of how we have exercised our federal leadership—how we have resolved areas of doubt in favor of law enforcement:

The previous Administration refused to use Congressional authority—Title III of the Omnibus Crime Bill—to wiretap except in national security cases. We have reversed that policy. We have authorized wiretapping for organized crime and narcotics crimes on a highly selective basis. So far, we have found court-approved wiretapping to be extremely productive and a major aid to law enforcement.

The prior Administration failed to suggest any method for detaining criminal suspects prior to their trial even if these suspects showed a substantial likelihood of committing another crime. We have proposed a pretrial detention bill which would, on a rational basis, deny freedom to those who appear likely to commit another crime pending their trial.

The prior Administration declined to utilize Congressional authorization in Title II of the Omnibus Crime Bill for the admission of voluntary confessions which did not strictly adhere to the *Miranda* warning requirements. We have reversed that policy.

While we still require federal law enforcement officers to give the complete *Miranda* warning, we will not automatically concede a case if, by inadvertence, the complete warning has not been given in obtaining a voluntary confession.

We hope that these actions will aid our federal efforts against crime. We also hope that these actions will say to state and local law enforcement officers: "The Justice Department is with you. We want to help you whenever and wherever possible."

As further evidence of our commitment to law enforcement, I would like to outline for you briefly some highlights of the federal government's anticrime program in terms of Executive action, legislative proposals and fiscal appropriation requests.

II. WASHINGTON MODEL PROGRAM

By far the most serious aspect of crime we face as a nation is crime in the streets. I have told you of the latest FBI Uniform Crime Reports which show a 17 percent increase in serious crime.

What the FBI reports do not show is the increase in fear and national anxiety. For every law-abiding citizen who is the victim of a crime, there are dozens of friends, relatives, business associates and neighbors, who fear that they may be next.

Basically, the federal government has very limited jurisdiction over street crime. We can set the tone for leadership. We can initiate pilot projects. We can offer financial and technical assistance. But the primary responsibility is still with the state and local governments.

One place where the federal government does have substantial jurisdiction over street crime is in the District of Columbia. In the first six months of this year, the District of Columbia crime rate increase has exceeded the national average.

In many ways Washington is a microcosm of the national crime problem. It has had a major racial disorder. It has a high welfare and unemployment rate. Some of its downtown area suffers from economic blight. Many of its citizens are afraid to walk alone in the evening.

Very early in his Administration, on January 31st, President Nixon launched an ambitious program to combat crime in the District of Columbia. It was generally designed to be a model program for other cities.

As the President said: "By searching for new ways of applying the resources of the federal government in the war against crime here (in Washington), we may discover new ways of advancing the war against crime elsewhere."

A critical part of the model anticrime program for Washington is massive aids to law enforcement.

We believe that the well-trained beat patrolman is our most effective single weapon against the street criminal.

Therefore, we asked for the addition of 1,000 policemen to the authorized force and for more effective recruiting methods to fill the existing vacancies.

As a result, the Metropolitan Police Department is now recruiting about 115 officers per month as opposed to 18 per month in 1967. We have agreed with the Department of Defense to participate in a pilot project which would permit a six-month early release from military service of individuals who qualify and agree to become police officers.

Our plan also calls for improved management and manpower utilization. For example, we have asked for an increase in police cadet and civilian positions which will hopefully release professional policemen for patrol and law enforcement functions.

We have asked for an expansion of the police Legal Advisor Officer. These Legal Advisors are available to advise police officers on the street about complex legal requirements which arise during investigations.

We have proposed or supported legislation which would aid the police in apprehending criminals—by authorizing police to wiretap under judicial supervision, by making it illegal to resist an unlawful arrest, by permitting police to stop and frisk criminal suspects and by eliminating the "no-knock" bar to searches where the evidence is in danger of being destroyed.

As part of the model District of Columbia plan, we have also placed great emphasis on criminal trial and court procedure. We have proposed a complete reorganization of the local court system where, unfortunately at present, the median time from indictment to disposition of a criminal case is now 10 months.

We have asked for more judges so that the guilty may be convicted quickly and the innocent may be cleared.

We have asked for more prosecutors in the United States Attorney's office. We have established a Major Crimes Unit which will handle serious criminal problems such as professional narcotics traffickers and organized gangsters. We have set up two and three-man Crime Teams who will be able to devote enough time to difficult and important prosecutions.

We have proposed legislation which would correct some of the technical barriers that now unnecessarily tie up criminal trials and exclude otherwise reliable evidence of guilt.

Justice must be evenhanded to be effective. Therefore, we have proposed legislation which would establish a full-fledged Public Defender Service, capable of offering free lawyers for about 60 percent of the indigent persons who appear in most criminal, juvenile and civil commitment proceedings.

We have also supported legislation which would increase payments to private lawyers who represent indigents and which would permit these payments in a wide variety of cases in Washington and in other federal jurisdictions.

We have proposed legislation which would expand the District of Columbia Bail Agency to permit more effective investigation of the background and personality of an arrested suspect in order to determine whether he should be released pending his trial.

We have made special provisions for the juvenile who now accounts for 38 percent of our crime index arrests.

We are asking for the establishment of a combined Juvenile-Family Court which can more sensibly handle many of the problems of juvenile offenders and intra-family offenses. We have asked for an expansion of a juvenile group rehabilitation project and for a well-staffed psychiatric-care residential facility for delinquents.

We have also requested major reforms in the local corrections system with new physical facilities, more use of halfway houses and expanded rehabilitation counseling. About 46 percent of arrested suspects have previously been in prison.

This is just a brief summary of our model anticrime package. The federal government and the District of Columbia government have implemented much of the Washington plan by Executive action.

But the Congress has not approved a single legislative proposal. Nor has the Congress approved a single dollar of the $22 million in additional monies which was requested for fiscal 1970, which commenced on July 1, 1969. Without the money, the District of Columbia anticrime program will be paralyzed. Without court reorganization and the other legislation we have requested, our anticrime efforts may fail.

Crime continues to rise in the District of Columbia.

The citizens of Washington—and the people of this country who look to Congress for leadership—should not be forced to wait longer.

III. LAW ENFORCEMENT ASSISTANCE ADMINISTRATION

The other major area where the federal government can lead the way to combat street crime is through the Law Enforcement Assistance Administration of the Department of Justice. The LEAA is the federal government's major commitment to help states and local communities improve their police and criminal justice systems.

In its first year of operation in 1968–1969, it expended most of its $63 million budget—$19 million in planning grants to states and local communities; $29 million in action grants, including special funds for 11 major cities; $3 million for research and development into crime problems; and perhaps most promising was $6.5 million to finance college studies for law enforcement personnel.

For the current fiscal year, we have asked for $296 million for the Law Enforcement Assistance Administration. If appropriated, $250 million of this is scheduled to go to the states for action programs.

The greatest single emphasis in the LEAA program has been the funding of police efforts to decrease street crime.

For example, one large midwestern state received $1.3 million last year. Of this amount $236 thousand was awarded for police civilian disorder control; $120 thousand for the development of police training programs; $30 thousand for a study of how to use civilians in police departments; $48 thousand for a special program to train promising young police officers; $180 thousand for management studies of the efficiency of local police departments; and $60 thousand to establish model community relations units.

In other states, we have funded experiments in using helicopter patrols, in setting up new electronic alarm systems in high burglary rate areas; in establishing special teams to deal with youth gangs; and in funding statewide criminal teletype networks.

Our studies of plans submitted by all 50 states show a most promising and continued emphasis on law enforcement, with 77 percent of the funds going to the police and to anti-street crime programs. The larger breakdowns show 18 percent for police training, salary increases and career development; 22 percent for police civil disorder control programs, and 11 percent for detection and apprehension techniques.

Unfortunately, I must tell you that not only has the Congress failed to pass this $296 million appropriation request, but it appears to be headed toward a substantial decrease.

Law enforcement agencies all over the nation will suffer if the *full* appropriation is not passed promptly.

IV. NARCOTICS

Another area in which the federal government has substantial jurisdiction involving street crime is the battle against illegal narcotics and dangerous drugs. Between 1967 and 1968, there was a 64 percent increase in arrests for narcotics and marihuana. Half of those now being arrested for drug abuse are under 21 years of age.

The battle against narcotics is an integral part of the Administration's anti-street crime program. A narcotics addict may need $70 or $80 a day to satisfy his habit. Thus, he turns to robbery, mugging and burglary in order to obtain money. It was recently estimated that in New York City alone $2 billion a year is stolen by narcotics addicts and that about 11 percent of those arrested for violent crimes have a history of narcotics addiction.

Last July 14, President Nixon delivered a statement on the problem of drug abuse and promised that action would be taken by this Administration now. The President said: "A national awareness of the gravity of the situation is needed; a new urgency and concerted national policy is needed at the federal level to begin to cope with this growing menace. . . "

One of the most significant parts of the program so far has been a landmark proposal called the Controlled Dangerous Substances Act of 1969. It would consolidate and reorganize all the existing drug laws—some of which date back to 1914. It would substantially expand federal law enforcement authority to control narcotics, barbiturates, amphetamines and marihuana.

For example, it would authorize agents of the Bureau of Narcotics and Dangerous Drugs to arrest persons for violations of any federal law and not just for violations of the federal narcotics statute. It would permit agents to break into suspected premises without knocking and would also permit them to conduct administrative searches for illegal drugs and marihuana.

I know there is a great deal of controversy surrounding the use of marihuana. But marihuana is an illegal substance. Most medical authorities have stated that it is at least a hallucinogenic with no known medical purpose. If used excessively, it can be dangerous. Furthermore, current statistics indicate that many hard narcotics users started off on marihuana.

Under these circumstances, we decided to stop closing our eyes to the marihuana problem in this country. Two weeks ago, we launched the first major search and seizure border operation history aimed at stopping the importation of illegal drugs from Mexico.

It is estimated that the Mexican border traffic accounts for 80 percent of the illegal marihuana in this country, 20 percent of the heroin and large amounts of barbiturates, amphetamines and other dangerous drugs.

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By utilizing the resources of the Department of Justice, Bureau of Customs, the Department of Defense, and other agencies, we have started a coordinated and intensive land, sea and air operation against border smuggling.

We realize that the wide publicity given to this operation will probably deter many smugglers and may not result in large scale seizures. But if we can keep marihuana and other drugs out of the United States by whatever means possible, then I think we will have succeeded. Our goal is not the occasional user. It is the large scale professional trafficker who makes a living out of smuggling illegal narcotics.

The Bureau of Narcotics and Dangerous Drugs in the Department of Justice is our main agency concerned with the enforcement of federal drug laws. We have asked for an increase in its appropriations from $17 million in fiscal 1969 to $25 million in fiscal 1970, and an increase in its personnel from about 1300 to almost 1500.

These increased appropriations and manpower will permit the Bureau to step up its enforcement program in our cities, to implement its plan to train 22,000 state and local law enforcement officers and to expand its international operations.

Our goal is not long jail sentences for the average narcotics addict who must sell a bag or two of heroin in order to sustain himself. He should be the object of research and rehabilitation. I am interested in prosecuting those who make their living by dealing in substances which ruin men's mental and physical health, and which poses a danger to our general welfare.

V. ORGANIZED CRIME

Another aspect of crime where the federal government has broad jurisdiction is organized crime.

Relying on the hopelessness of ghetto residents, organized criminals sell heroin and cocaine; playing on insecure credit, they loanshark the honest working man; recognizing elector indifference, they corrupt labor unions and political leaders.

Here again, President Nixon proposed an aggressive program to combat this interstate network of criminal syndicates. He said that "the moral and legal subversion of our society is a life-long and lucrative profession" for the organized racketeer.

The core of the federal effort against organized crime has been to reorganize the Strike Forces. They are interagency teams designed to throw a whole net of federal law enforcement over an organized crime family in a particular city. We have expanded these teams from four to seven, and we plan to reach 20 by the end of fiscal 1971.

In addition, we have set up a federal-state racket squad in New York City. If this joint venture proves to be successful, we plan to organize others in an effort to cooperate with state and local authorites in our Strike Force assault.

The LEAA has also made several initial grants to states and cities to aid them in establishing organized crime units. If their appropriation is approved, we hope that more localities will apply for funds to combat organized crime.

We have also asked for additional legislation to help us in the battle against the organized gangster. Among the bills we have proposed or supported are a general witness immunity law which would have a broad scope for many potential witnesses against organized crime; an amendment to the Wagering Tax Act which would expand our current ability to prosecute gambling; and a law designed to make it a federal crime to corrupt local police and other public officials.

While we have had only limited experience with judicially approved wiretapping authorizations, this experience has proved to be very sucessful in combating organized racketeers, especially in the field of narcotics.

In New York City, 124 pounds of heroin was seized as a result of a wiretap. In Washington, 41 persons involved in an alleged narcotics trafficking ring were apprehended as the result of one wiretap. Some of them reportedly had organized crime connections. In Ohio, a wiretap led to the seizure of $100,000 in counterfeit bills and the arrest of seven persons; and in Buffalo, 23 persons were arrested on a charge of being involved in a United States-Canadian gambling organization.

In order to mount this broad attack on organized crime, the Administration has asked for a $25 million increase in funds for all government agencies involved in this effort—a 40 percent increase over the previous Administration request. About $16 million of this will go for more FBI and IRS personnel, to work with the Strike Forces. Almost $3 million will go to the Criminal Division of the Justice Department and the remainder of the money will be spread among the Secret Service, the Department of Labor, and other government agencies.

The result of our activities so far has been promising. In fiscal 1969, 44 indictments were returned against 59 suspected organized crime figures (38 more than in 1968) and 29 suspected organized crime figures were convicted. In total, 71 organized crime figures were either indicted or convicted in this fiscal year as compared with only 48 the previous year.

Furthermore, we have arrested a number of crime figures who are members of the ruling commission of the organized crime syndicate in Buffalo, in Newark, in New Orleans, in Rhode Island and in Chicago. We think that this new assault shows great hope of success against this difficult problem..

VI. CONCLUSION

A model program for the District of Columbia, direct federal grants to states and local communities, and aggressive new programs against narcotics crimes and organized crime—these are some of the highlights of this Administration's action plan to reverse the flood of crime now.

In each one of these programs, there has been special emphasis on law enforcement. I want criminals off the streets and there is no better way to get them off the streets than by relying upon you—the law enforcement community in this country.

You can be sure that this Administration will, to the best of its abilities, marshall all of its moral, political and economic power to support law enforcement officers in our battle to defeat crime.

We all know that with your help we will succeed and without your help we will only face a national disaster.

MAO'S CHINA ASSESSED AT WEAK, DIVIDED AND CHAOTIC

HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. BUCHANAN. Mr. Speaker, for those interested in obtaining a concise survey of the military, political, and economic events in China since Mao Tse-tung assumed power in 1949, I heartily recommend an excellent booklet put out by the Committee of One Million entitled "Twenty Years of Tyranny."

Openly against the admission of Red China to the United Nations, the Committee of One Million has enlisted the able assistance of three distinguished experts on Communist China, Dr. Jurgen Domes, of the Free University of West Berlin; Dr. James T. Myers, of the University of South Carolina; and John F. Lewis, American journalist and editor.

Together they conclude that 20 years under Mao and Communism has left China "weak, divided, and chaotic, teetering on the brink of anarchism."

On the 20th anniversary of Mao's ascent to power, "Twenty Years of Tyranny" reveals China as a "record of squandered human resources and political resources of support, both within the party and without, which if not unprecedented, must still be recorded as gross political ineptitude or outright stupidity.

In conclusion the authors feel that China still needs today, as she needed in 1949, political leaders who are able to bring internal peace, stability and a measure of prosperity to this vast and potentially great nation.

AMERICAN BANKER EDITORIAL

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. REUSS. Mr. Speaker, the following editorial from the American Banker is especially appropriate in view of the recently concluded meetings of the World Bank and International Monetary Fund:

PROFESSIONALS ON THE JOB

A feeling of justified confidence in the work that has already been done, creating a climate for constructive adjustment to the needs of the future, characterizes the international financial community as its leaders gather for the annual meetings of the World Bank and International Monetary Fund.

The shocks and tremors of the international financial community during the past year, and the difficulties and disappointments over the slow pace of development among the poor nations are not a cause for alarm, for the systems have worked through the problems which they were designed to handle, and on balance, on almost all fronts, have finished the year stronger than when they started it.

Nor, though, is survival being taken as the basis for complacency. Sound theoretical work and analysis has been done, and new machinery set in place to handle the well-discerned problems of the future; and as these sensible approaches are put into practical use, the whole structure is strengthened and the way made clear to develop techniques for further advances, to deal with the next great series of problems.

The 112 member nations of the IMF have done great creative work during the past year in bringing into final form the concept of Special Drawing Rights, to meet the needs of the non-Communist trading world for additional international liquidity. And even as they will be taking the final procedural steps at this meeting to make SDRs a reality, they will be turning their full attention to problems of the adjustment mechanism. There has already been much thoughtful discuscussion about the need to make international exchange rates more flexible, and such specific concepts as crawling pegs and wider bands. Now it will advance from the theoretical to the practical and political, subject to hard, selfish, sensible questioning on behalf of national interests and mutual goals.

On the World Bank side, firm direction markers have emerged at the end of Robert McNamara's first full year. The Bank is bringing both its soft-loan affiliate, the International Development Administration, and its catalytic agent for private investment, the International Finance Corp., into much closer coordination for the achievement of policy objectives. It is demonstrating a willingness to take a more vigorous role in encouraging governments to create the conditions which will support development efforts. It is bringing cool, precise and detailed analysis to the problems it confronts, as a basis for the most effective allocation of its resources. Parenthetically, it can be noted that this reflects the personal style for which Mr. McNamara drew world attention when he ran the U.S. Defense Establishment; it has become manifest once again in the way he is running the World Bank.

But it is not just the institutional personalities that impart strength to these organizations. The individual members, tough, experienced, and realistic, know where they have been, and know where they are going as they convene in the 25th of these annual meetings since the Bank and Fund were founded at Bretton Woods. They do not diminish for a moment the dimensions and crucial importance of the problems they face; but they share a sense of accomplishment in having dealt reasonably successfully with problems in the past which appeared to pose even greater threats; a realization that it will require new ideas and high morale to deal with the problems of the present and the future; and a quiet conviction that, as seasoned professionals, they will be able to do the job.

DAY OF RETROSPECT

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. SHRIVER. Mr. Speaker, Ron Loewen, of Wichita, Kans., is serving this semester as president of the student body at Kansas State Teachers College of Emporia. Mr. Loewen has suggested to his fellow students and to the faculty and administration on his campus that a "day of retrospect" be initiated to allow students and faculty to spend a normal class day discussing curriculum. His leadership and initiative have been recognized not only on campus but by the editorial writers of the Wichita, Kans., Eagle. Ron Loewen has made a constructive and positive suggestion which could lead to better communication not only on the campus at Emporia, but other higher education institutions throughout the Nation.

Of course, I am pleased and proud to take note of Mr. Loewen's idea because he demonstrated the same kind of interest, responsibility, and initiative while serving as a congressional intern in my Washington office during the past summer.

Under the leave to extend my remarks in the Record, I include the following editorial from the Wichita Eagle:

Day of Retrospect

The president of the student body at Kansas State Teachers College, Emporia, appears to be a young man with good sense.

He has called for a "day of retrospect" on the KSTC campus.

Outlined in his "State of the College" message, Ron Loewen's plan is for faculty and students in each department to meet during a normal class day to discuss curriculum.

Students would have an opportunity to offer suggestions on curriculum improvement or relevancy and to seek justification for some of the courses being taught and to request some that are not offered.

The faculty then could talk openly with the students and explain obstacles in the way of requests and to explain the rationale of the curriculum offerings.

Loewen's approach beats mindless obstruction and rioting which accomplishes nothing.

He proposes bridging the gap in communications and putting the students and faculty in a face-to-face situation where wrongs can be righted.

Why should students be saddled with courses they see no need for? Why shouldn't they be consulted on courses that ought to be added?

VIETNAM MORATORIUM

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. SCHEUER. Mr. Speaker, in the course of the moratorium yesterday millions of words were spoken across the Nation. Out of the welter of speeches, most provocative and a few thoughtful, the remarks of our colleague, the Honorable Frank Thompson at Princeton University were outstanding for their clarity, depth, and vision. I believe that my colleagues will be impressed by his thoughts which follow:

Speech by Representative Frank Thompson, Jr., Democrat of New Jersey, for Delivery at Princeton University in Observance of the Vietnam Moratorium, October 15, 1969

Thank you for inviting me to be here in Princeton with you today. I am grateful to share this solemn day with you. I assure you that I am more comfortable here than I would be in Washington.

This is not the first time Americans have gathered to call for an end to the killing in Vietnam. Nor is it unusual to see organized dissent from our policies. We have been at it for a long time. Some things have changed, however; for now we are no longer a voice in the wilderness nor even a disgruntled minority. Make no mistake about it—a clear majority of Americans now recognize our policies as ill-advised and want now an end to this divisive and foolish conflict.

Along the way, we have learned some terrible lessons.

First, we have learned that it is senseless to send American troops to save a government that is opposed by its own people. We went into Vietnam, presumably, to protect that country's right to determine its own future. Let us resolve today that what we mean by assisting a nation in "self-determination" is not the perpetuation of a military dictatorship.

Second, we have learned that it is superficial and ultimately self-defeating to judge national security solely in terms of numbers of troops, bombs, ships, and missiles. In Vietnam, we the strongest of nations, face one of the weakest. Yet their resolve to stand against outside force has thwarted the quick "victory" so many have promised us. We also have been denied progress at home. In our country, the true measures of national security—domestic tranquillity and the quality of life—and the true reasons for caring about national security—justice, equality, and freedom—are in a real sense casualties of the war. While we are destroying one country in order to save it, we are tearing our own country apart in order to protect it.

We have learned further that the American people will not long follow leaders who talk nonsense to them. Nor will they long tolerate those who fail to respond to the popular will. Richard Nixon said of today's moratorium, "As far as this kind of activity is concerned . . . under no circumstances will I be affected whatever by it." George McGovern has provided a good answer . . . "American foreign policy cannot be formed in defiance of American idealism and conscience." I think that message is fair warning to those who think that they can keep the lid on for another two or three years. Let's have no more talk about an acceptable minimum of casualties—I guess that means acceptable to everyone but those included in the minimum. If there is a reason to continue the war—and I do not think there is—it is certainly not by buying time from the American people at the cost of some acceptable minimum of American lives.

Now perhaps not all of us have learned these lessons. I recognize that there are sincere men among us who would like to end the war but dare not; or perhaps fear that the terms are not yet good enough. Most of these even admit that probably it was a mistake to become involved at all. But now they say, having committed our prestige and sacrificed many lives, we cannot simply "cop out." I understand their anguish. No one likes to lose face. No one likes to suggest that the only true heroes of this war—the Americans and Vietnamese who have fought and died in it—were sacrified in vain. But I think we must measure the loss of face against the failure of courage. And the loss of lives against the loss of still more. It does this country no credit and it honors those who have died not at all for us to admit an error and then fail to act on that admission. It is an admirable thing to admit guilt, but redemption lies only in acting to right whatever wrongs we have done. And I believe that many have been wronged in this conflict.

Our military forces have been asked to do a job for which they are ill-suited, a job which can never be done by outsiders anyway. Our people have been asked to tolerate injustice at home because we need the money for foreign ventures. And the Vietnamese have been promised a solution to their problems—a solution now best expressed by the American major who explained, "It became necessary to destroy the town in order to save it."

I say let's make an end of it. Therein lies honor and patriotism. For what is the real standard of men who care about their country? It is, I think, that they are willing to call it to a higher standard. That's what thousands of Americans are doing today.

The fact that we are ready to do so should give all of us hope for the future. It's true that as a people our problems have never appeared more difficult. Some even have turned away from the struggle—an understandable reaction to frustration and failure. But I think that those who take the relative lull of the last nine months as a sign that the old ways will still work are tragically mistaken. This country, both on days of massive dissent like this one and during weeks of quiet brooding, is moving right out from under its old leaders. This country is changing and I think for the better. Change is often accompanied by uncertainty, and it usually springs from a period of frustration. We are on the edge, though, not of an abyss, but of a national rebirth. For you represent a generation that is truly committed to the ideals so long taught in our schools and voiced by our leaders. I don't believe that you're going to forget all that. You can turn this country around, not through violence and revolution, but through your idealism and energy.

So I urge you to stay in the struggle. You are making a difference. And we are making a difference today. The unfinished agenda in this country is long, but it begins with putting an end to the war. Only then can we turn with some hope of unity and a major commitment of resources to the great tasks at home.

I do not believe, however, that the conclusion of the war will lead to speedy solutions to all our problems. We will need to be watchful that the fruits of peace are not stolen from us. The President has already suggested that there will be no peace dividend. But that need not be so. Money now being spent in Vietnam can be channeled to domestic problems if the President and Congress have the will. And they will have the will if you make your voices heard. There are many who see the 30 billion dollars now being expended annually on the war as a future source of funds for more engines of war. Let us who see in this war's end the hope of feeding the hungry and housing the poor contest this distorted sense of American priorities.

John F. Kennedy began this decade by summoning the nation anew to greatness. The least we can do to honor that legacy is to end the decade by putting an end to the killing in Vietnam and finding a way to peace at home.

Let us go on then from this October 15th to Peace.

Let us go on to find new hope for this country. Let us find a way to redeem our time with a better vision of the future.

CONDEMN HANOI'S TREATMENT OF OUR SOLDIERS

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. McCARTHY. Mr. Speaker, one of the most tragic aspects of the war in Vietnam is the plight of American prisoners of war held in North Vietnam. These men have sacrificed their freedom, their health, and the peace of mind of their families. Hundreds of these prisoners, unprotected by the Geneva Convention of 1949, barely survive in Vietcong jungle camps and Vietnamese prisons. From those few prisoners who have been released have come glaring evidence of mistreatment—bad food, solitary confinement, looting of mail, and even torture.

The families that remain behind also are severely affected by these practices. Living in a perpetual state of uncertainty, they have no way of knowing whether their loved ones are alive or dead. Mrs. Richard Cooper, a sister of a Vietnamese prisoner of war from Amherst, N.Y., states better than I the frustration that the anxious families feel. In a letter dated September, 22, she said:

AMHERST, N.Y.,
September 22, 1969.

DEAR MR. MCCARTHY: As the sister of a prisoner of war in North Vietnam, I beg you to speak out against the inhumane treatment of these prisoners by the North Vietnamese. No matter what one's views are on the war in Vietnam, one cannot tolerate this flagrant violation of the four basic tenets of the Geneva Convention: the free flow of mail, impartial inspection of camps, the release of the sick and wounded and, above all, the release of a list of the prisoners. The information we've received from the two Navy prisoners recently released is grim and shocking.

Any public statement by you on this matter will be greatly appreciated by the families and friends of these men.

Very truly yours,
ELLEN T. COOPER.

At this time I would like to join with all my colleagues who have called for the public condemnation of Hanoi's treatment of our soldiers. I am, therefore, introducing a resolution that urges that the North Vietnamese comply with the tenets of the Geneva Convention and immediately remove those conditions that are threatening the lives of our captured soldiers.

This issue cannot be looked upon as a partisan issue. Rather it is one that concerns every single Member here. I urge, therefore, that all those gentlemen who have not yet done so join in this attempt to secure better treatment of our POW's.

JEFFERSON HIGH SCHOOL MORATORIUM PROGRAM

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. CHARLES H. WILSON. Mr. Speaker, as part of the nationwide Vietnam moratorium, I had the privilege of participating in a frank discussion of the war in a program put on by the students of Jefferson High School in Annandale, Va. I would like to take this opportunity to publicly express my appreciation to the students, faculty, and administration of Jefferson for inviting me to present my views concerning Vietnam and to commend them for encouraging free and constructive discussion on what is probably the most pressing issue of our time.

Joining me on the program was Mr. Dolph Droge, an officer of the Agency for International Development's Vietnam Bureau. Each of us presented a statement containing our appraisal of the Vietnam situation and then answered questions submitted by the student body. Since it can safely be stated that almost all Americans want peace, the differences in point of view between Mr. Droge and myself centered around the question of what the most effective course to pursue to achieve that peace would be. The student body itself seemed to have fairly mixed feelings on what approach the United States should follow in Vietnam. Our dialog, I feel, provided them with facts not previously presented and stimulated the submission of approximately 250 questions directed to Mr. Droge and myself. I think that everyone who attended came away with more information than they had upon entering and that is a good thing. Peaceful discussion of opposing or variant points of view can only serve to make the decisionmaking process of legislators more accurate and responsive to the will of the people.

Finally, I wish to praise Mr. Jordan, principal of Jefferson High School and Mrs. Krist, the faculty member who recruited me, Mr. Sane, adviser to the student cooperation association, and Brian Lewis, president of the SCA and moderator of the program. All these people worked very hard to make the program a success. But most of all, I wish to congratulate the students of Jefferson High who were responsible for the entire program. They conceived it, organized it, and ran it. And they did all the above with professional-like efficiency accompanied by a sincere desire to learn more about the conflict in Vietnam and the different proposals for peace. Unlike the situations encountered at some other schools in the area, schools whose administrators did not have the foresight to provide for free discussions, the students of Jefferson had the opportunity to voluntarily participate in the Vietnam moratorium day special assembly periods. All in all, I think it was a most worthwhile endeavor.

HONORS MEMORY OF CHRISTOPHER COLUMBUS

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. DANIELS of New Jersey. Mr. Speaker, on October 11, 1969, my distinguished colleague and good friend the gentleman from Pennsylvania, JAMES A. BYRNE, delivered a most eloquent speech on Christopher Columbus to the Columbus Square Civic Association in Philadelphia.

Mr. BYRNE is well informed on Columbus and his speech shows a fascination with the great Italian explorer that we both share.

I am happy to commend his speech, which follows, to my colleagues:

HONORS MEMORY OF CHRISTOPHER COLUMBUS

(By Congressman JAMES A. BYRNE)

I take it as a great personal honor that you have invited me here tonight to participate in this affair honoring the memory and achievements of a great man—and without this man, we would not be here tonight; neither you nor I, nor the 200 million Americans of our beloved nation, nor the millions more who inhabit the mainland and the islands from the northern tier of Canada to Cape Horne to the south.

I am, frankly, very unmoved by theories advanced in recent years that Christopher Columbus was not the first European to sight the land of the Western Hemisphere.

Even if these so-called theories have a grain of truth—and I am not persuaded they do—I don't believe for an instant that they detract one bit from the glory and honor due to Christopher Columbus.

For the important fact is that Christopher Columbus and no one else was responsible for opening these great continents to colonization, providing for the homeless, the hungry, the ambitious and the adventurous from Europe's teeming shores, a new land with new opportunity, where all would one day be equal, with this equality limited only by each man's qualifications and ability and not based on what rank his father held.

If, indeed, there were precursors of Columbus who touched upon these shores, then let me say they had a great opportunity but did not follow through the way Columbus did.

They left no maps for the Genoan navigator to follow. As Columbus himself put it, he found these shores through prophesy and not maps.

If indeed Columbus was preceded by other mariners, then we must remember that this land lay fallow for another 500 years before Columbus opened the Americas for colonization and civilization.

Even the most complex proposal seems simple after one has showed the way, and it was Christopher Columbus who showed the way, despite the doubters and the obstructionists. After him came many; but he was first to show the way.

In his own words, he stated, "They all made fun of my plan then; now even tailors wish to discover."

Of course, many legends, some sure to be apocryphal, have grown about a man as famous as Columbus. I think his accomplishments were great enough not to require that we add to his luster accomplishments he did not claim himself.

Christopher Columbus was *not* the first man to believe that the Earth was round and he was not the first to propose that the rich lands of the east could be reached by sailing west.

History tells us that this latter suggestion was first promulgated by another Italian, the Florentine cosmographer Paolo Toscanelli, and Toscanelli's papers were indeed utilized by Columbus in drawing up *his* proposals for discovery.

Some people are quick to paint a portrait of a great man in stark white and blacks. Of course, this is unfair, unfair to history and unfair to the individual. Columbus was a complex individual straightforward in purpose but embittered by the tribulations of life.

Physically, he was a tall man of dignified carriage, with pale skin and red hair. When angered, he was known to acquire a red face; and he was often angry. This was his entitlement, considering the frustrations he suffered at the hands of those not as confident and not as brave.

The school books do not give sufficient credit to what he accomplished *despite* the fruitless, frustrating, years of waiting followed by years of hardship; and then followed by years of fighting for the honor, wealth and credit which he believed was his due.

There is no question that these frustrations contributed to his failing health, which resulted in his subsequent death—alone and bitter.

We know very little of the early years of this mystical, determined sailor, not even the date of his birth—there was no Bureau of Vital Statistics in those days.

We *do* know he was born in Genoa in 1451, the son of Domenico Colombo, a weaver, and his wife, the former Suzanna Fontanarossa. His childhood is clouded, but at the age of 14 he first went to sea and fought in many battles, finally being shipwrecked off the Portuguese coast on Aug. 13, 1476.

But the hunger for adventure and discovery was strong within him and he sailed to Iceland and the South Atlantic. In the waters of the South Atlantic, he often came upon pine tree trunks and wrought wood. This strengthened his belief in the lands to the west.

The king of Portugal rejected his proposals in 1484 and he went to Spain to try his luck there. His arguments took *eight long years* before the Spanish monarchs granted him the ships and the crews for this prophetic journey.

When we say ships, we must qualify that statement; they were hardly more than boats: the Santa Maria about 117 feet long and the Pinta and Nina each about 50 feet long.

Oh yes, we can say that much smaller vessels have crossed the Atlantic and even circumnavigated the globe in recent years. But the thing to remember was that Columbus did it without any knowledge of what lay before him; without maps; with only a dream.

On Aug. 3, 1492, the small fleet sailed from the harbor of Palos, arriving at the Canary Islands on Aug. 12. From there they left on Sept. 6, sailing into the unknown and foreboding western ocean, where none had gone before.

Actually, in a matter of time, the voyage was not very long—a month and six days. But these were 36 days of fear, of rebellion, of privation.

On Oct. 12, 1492, the fleet reached land—an island of the Bahamas which Columbus called San Salvador. He believed these were the Indies off the shore of the continent of Asia. How was he to think otherwise? To this point, no one knew that these vast lands even existed.

During his cruises of the islands, the Santa Maria went aground and was a complete loss. After establishing a colony on Hispaniola, Columbus set sail for a return to Spain in the two tiny caravels.

Three more times, Columbus set sail from the old world to the new, carrying colonists and establishing colonies. But Columbus was a better admiral than he was a politician; he just wasn't in the same league as the members of the Spanish court who poisoned his reputation at home and in the new world.

The Spanish crown broke the agreements made with Columbus. On May 19, 1506, still a relatively young man, he died at Valladolid, Spain, a frustrated man.

Actually, Columbus did not accomplish what he set out to do. He did not find a route to the rich lands of Asia; he did not find the vast quantity of jewels and gold he had set as his aim.

But if Columbus today could see the results of his voyages and explorations, I think he would be satisfied. We—all of us—owe a debt to him which can never be repaid.

COMMENDING THE PEACEFUL APPROACH TO VIETNAM

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. CLAY. Mr. Speaker, the issue of Vietnam now rests with the people. It is only a matter of time before the people who want this war stopped now overcome the belligerency of an administration which states its premeditated reluctance to listen to the crowds in the streets.

Yesterday's moratorium on war produced a sincere and peaceful effort of American citizens to secure redress for their grievances from their Government. I will continue—so long as the war drags on, hanging in limbo—with no specific policy for getting out.

We cannot tolerate any further the lack of specific stated objectives for ending our involvement. It was precisely such a lack of specific and meaningful objectives which produced the tragedy of Vietnam.

I commend to the attention of my colleagues two editorials from WCBS News Radio 88, New York City. I am pleased to point out the evidence that WCBS does incorporate a concern for diverse views within its editorial policy. The first editorial, "Vietnam—VI" is a station editorial. The second is a reply to a previous WCBS editorial. Fredric Carlin, vice president of the Organization for Urban Responsibility wrote the reply.

These comments are worthy of note. Like the participants in the moratorium on war and its purpose, these views deserve attention.

The editorials follow:

VIETNAM—VI

Vice President Spiro Agnew has done it again. This time, one of his utterances concerns the forthcoming Vietnam Moratorium. It seems destined to join the declaration "if you've seen one ghetto, you've seen them all" as another classic example of insensitivity.

Seventeen United States Senators and 47 members of the House have endorsed the planned non-violent protest by students opposed to the Vietnam war. Leaders of all religious faiths, including Cardinal Richard Cushing, have given the demonstration their blessing. So have the trustees of Massachusetts Institute of Technology, the Senate of Columbia University and the Faculty of Arts and Sciences of Harvard University.

Yet—Vice President Agnew has dismissed the student protest set for Wednesday as "ironic and absurd". Previously, in discussing the Vietnam Moratorium, President Nixon had assured a White House news conference: "Under no circumstances whatever, will I be affected by it."

Both statements apparently proceed from the same tunnel vision that afflicted the previous Administration concerning American involvement in Vietnam. They reflect contempt for a substantial body of public opinion which cuts across age and party.

Informed national policy demands that leaders listen carefully to dissent, from whatever quarter it comes and however unwelcome. It is precisely the conviction that theirs are voices in the wilderness, dismissed as of no political consequence, that has brought a great many thoughtful students to the point of desperation and alienation.

The peaceful demonstration of opposition which has been planned is an essentially constructive and moral action. It is intended to bear public witness to the belief of millions of Americans that President Nixon must take the initiative in ending, speedily, this disastrous and divisive war. It is a war which has for too long ravaged the spirit and the resources of this nation.

VIETNAM

WCBS radio recently broadcast an editorial urging that President Nixon fulfill this campaign promise of "new ideas, new men" to end the war in Vietnam. However, the editorial opposed Senator Charles Goodell's bill calling for withdrawal of all American troops from Vietnam by December of 1970 on the grounds that it goes too far. Here now, replying to the editorial, is Fredric Carlin, vice president of the Organization for Urban Responsibility.)

In its latest editorial on the deplorable war in Vietnam, WCBS accurately pointed out that the present South Vietnamese regime "freely countenances wholesale corruption . . ." and "has done little to initiate much-needed reforms to which the United States has pledged its support."

Senator Charles Goodell's thoughtful new approach provides a positive method of ending this quagmire in Southeast Asia. It provides a new direction to the unending war, leading to a specific end by December, 1970. It provides for a change of American priorities so that our actions as a nation can be directed not toward projects for war but to programs for peace and progress here at home.

It is apparent that the South Vietnamese government is more interested in perpetuating its own continuity in office than in making concessions that might end this war and not take this horrible and horrendous war as seriously as does our government. Their interests and American interests are no longer parallel.

As Mayor Lindsay has so accurately pointed out, America's essential interest as we enter the 1970's is the future of our cities. Our obligation is to act—now—to redevelop the inner city, to create new housing, to build new schools, promote new industry, to alleviate poverty, to assure effective health care services and to guarantee protection for our citizens in the subways and in the streets.

We can no longer afford the useless and futile luxury of pouring nine billion dollars

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into a meaningless war while programs such as Model Cities are cut for lack of funds and vital efforts such as Head Start are unable to expand.

Senator Goodell has demonstrated, by his courage and by his understanding, that the Congress can initiate action to change America's misdirected and outdated courses of action, and act for our urban priorities now.

SYRIA'S CREDENTIALS FOR MEMBERSHIP IN THE U.N. SECURITY COUNCIL

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. EILBERG. Mr. Speaker, I appeal to President Richard M. Nixon with all the sincerity and depth of feeling I can command to use the full effect of the highest position in the world in combating the efforts of the Syrian Arab Republic to be elected as a member of the Security Council. Can any decent human being be other than appalled at the prospect of this bandit-country becoming a member of the Security Council? Were this to happen, the United Nations surely would suffer a greater loss of respect. Recognizing that the U.S. Government is only one among the member nations and has carefully tried to avoid dominating the United Nations, nevertheless, certainly this is an issue which calls for the use of our full influence.

Documentation of the case against Syria appears in the following policy background released by the Embassy of Israel in Washington, D.C., on October 13, 1969:

SYRIA'S CREDENTIALS FOR MEMBERSHIP IN THE U.N. SECURITY COUNCIL

1. Article 23 of the United Nations Charter specifies:

"The General Assembly shall elect six Members of the United Nations to be non-permanent members of the Security Council, *due regard being specially paid, in the first instance, to the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization.*"

On October 20, 1969, the Syrian Arab Republic will present itself for election as a member of the Security Council to take up the seat vacated by Pakistan. It is an amazing prospect.

2. For the sake of the UN's own integrity and credibility, there will be members of the General Assembly who will want to look into the credentials of the Syrian Arab Republic before casting their votes, as the Charter specifies. The accident of geographic location is of itself not sufficient qualification for membership in the body charged by the Charter with "primary responsibility for the maintenance of international peace and security."

Assuming the UN Charter is the guide and the General Assembly no mere international rubber stamp, the credential check will bar the Syrian Arab Republic from election to the Security Council. For what are the credentials which the Syrian Arab Republic offers in respect of international peace and the other purposes for which the United Nations stands?

The Syrian Arab Republic defied the United Nations in 1948 by launching an unprovoked war of aggression against a neighboring State. The Israeli villages captured were razed to the ground and when the Syrian army withdrew in 1949 it left behind a wasteland of destruction.

The Syrian Arab Republic has declared ever since that it will persist in waging war against Israel despite the Charter of the United Nations and despite its own international obligations.

The Syrian Arab Republic renounced its armistice agreement with Israel and repeatedly exploited the strategic Golan Heights to shell and launch terror raids against vulnerable farm villages in Israel's northern lowlands.

The Syrian Arab Republic was the first to organize terror bands against Israel. El Fatah was originally organized in Syria as an arm of the Syrian army's Deuxieme Bureau. Israel brought complaints to the Security Council on Syria's role in initiating warfare by terror as far back as 1965 and 1966. Syria has since been implicated in organizing terror warfare against Ethiopia.

The Syrian Arab Republic has rejected the UN Security Council Resolution of November 22, 1967 and has refused even to receive the Special Representative of the UN Secretary General.

The Syrian Arab Republic has throughout conducted a campaign of persecution against its Jewish community, subjecting the Jews to arbitrary imprisonment, loss of civil rights, confiscation of property and curfew. To compound the felony, Jews are not permitted to leave Syria.

Christians in Syria, too, have been the victims of discriminatory measures, their schools closed and their freedom of worship inhibited.

The Syrian Arab Republic sent raiders to kidnap Israeli farmers and fishermen from Israeli territory, incarcerating them in the prisons of Damascus and Palmyra where they were subjected to the most inhuman physical and mental torture. For years, while they were lingering in these jails, the Damascus authorities denied even that they were being held in Syria. No appeals, no interventions from the United Nations, from the International Red Cross, from the Vatican, from third Governments helped. When, after more than twelve years, Syria finally admitted to holding these persons and agreed to return them, those who came back to Israel alive were wrecks of human beings, all but one of whom had to be confined in mental hospitals.

And, most recently, and most notoriously: The Syrian Arab Republic has, for more than a month, held in detention two Israeli civilians hijacked by Arab terrorists to Damascus in an American civil aircraft on an international flight. The continued forcible detention of these innocent civilians, who were brought to Syria by violence, is an act of piracy for which the Syrian Arab Republic is accountable before international law. All the efforts of the civil airline authorities, of the U.S. Government, and of other Governments and international agencies to secure their release have met, thus far, with failure.

3. These are the credentials which the Syrian Arab Republic brings before the members of the UN General Assembly. If they are ignored and Syria is indeed elected to the Security Council, it will serve only to broaden the gap between the UN Charter principles and the UN as an instrument of international justice and peace.

THE METS

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. HALPERN. Mr. Speaker—

We've seen the mighty rise and fall
The Yankees, Dodgers came and went
But who could have imagined all
The glory coming to the Mets!
The Series' heroes beat the odds
We say, do wonders never cease?
To their shining standard, nod.
If they can do it, so can "Peace."

A QUESTION FOR THE LIBERALS ON THE VIETNAM MORATORIUM AND FORTHCOMING PROTESTS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. ASHBROOK. Mr. Speaker, I have been approached many times in the past few weeks by people who ask whether I am for the organized Vietnam protests. My answer is a flat "no." This leads immediately to, "Why not? Don't you want peace?"

This is the compelling question thrust at some of us who do not support these protests by the Vietnam moratorium and the New Mobilization Committees. This is the question that is supposed to separate the peace lovers from the warmongers. Sadly, this is the way many people—usually left of center—view the war and its ancillary protests and demonstrations. If you want peace you must be for the demonstrations and if you are against the demonstrations you must be a warmonger. Of course, the logic is absurd but that does not make it any less common.

If the good, honorable, and sincere people who oppose the war were not so naive they would not tie up with the worst revolutionary elements in the country. This is one thing I have never been able to understand about the American left. Why did not the good liberals say, "You nuts go ahead and have your demonstrations on October 15 and November 15. Thanks, but we will have our protest on November 1 or some other time."

The truth of the matter is that the organizers of the October 15 moratorium and forthcoming protests represent a galaxy of who is who in radical life today. The draft evaders, draft card burners, flag burners, rioters, Communists, and anarchists with all their obscenity and hate-filled propaganda get the ball rolling and good, sincere American liberals follow behind their banner. That banner, for the most part, is down-the-line anti-Americanism and propaganda.

The organization leading the protests is called New Mobilization Committee To End the War in Vietnam—New Mobe or NMC, for short. Over the last few years several of these groups have operated in the anti-Vietnam effort. As soon as one group was demonstrated to be heavily Communist dominated and Communist influenced, it would be dissolved and another would appear in its place. For example, NMC springs from the National Mobilization Committee which succeeded the Spring Mobilization Committee, which committee was found to be dominated by Communists of various factions by the House Committee on Un-American Activities. Of 48 initial leaders of NMC's steering committee, at least 30 of them were leaders, sponsors, or officials of the National Mobilization. Fully three-fourths of the 48 were either connected with a previous radically oriented committee, known Communists, or extreme leftist radicals. This list of 48 includes some new names, but it also includes a number of identified Communists of long standing such as Arnold Johnson, Irving Sarnoff, and the Trotskyite Fred Halstead. I think you can see from this why I find it difficult to understand how sincere liberals can support this type of organization. If they want to protest, I suggest they set up their own organization free of these influences.

The thing that impressed me the most about our marathon session on October 14 which was set up by Congressmen who oppose the war, was that they had little in common with those who had organized the October 15 moratorium. As pointed out in the House debate on October 14, a leader of the moratorium stated that the objective of the moratorium was to support complete, immediate, and unilateral withdrawal of our troops from Vietnam. He further stated that "we want out now, and this is not contingent on anything that Hanoi or the Vietcong might do." Presumably, this means that if thousands of Communist troops streamed down through the DMZ tomorrow and into South Vietnam, this would not stop us from withdrawing our troops completely and immediately. I am sure not too many Members of the House would support this policy.

I reject the idea of guilt by association but a person ought to use some commonsense to keep from being used by groups which are the antithesis of his own beliefs and standards. Herein we see a strange double standard, too. It is all right for the liberals to get on platforms and programs with the anarchists, Communists, or leftist extremists but think of what would be said if those on the American right were to do the same thing.

If I supported a rally of the Ku Klux Klan, or endorsed the efforts of the American Nazi Party, would you not be appalled, and would you not throw the verbal book at me, and endorse candidates to run against me, and try to throw me out of office? Of course, and you would be right in doing so. These are totalitarian, terrorist groups some would place on the very far right and they have no place in our future. Do extremists on the left deserve different? Of course not, but those who support these October 15 protests are readily willing to associate with, support, condone, encourage, finance, laud, and lend near allegiance to the totalitarian counterparts of the left. Like it or not, the Communist Party, the Socialist Workers Party, the Young Socialist Alliance, the SDS, and others are doing a great deal of the leading and organizing, yet many Americans blissfully join in. What is worse, they feel justified in criticizing others who do not follow along.

How any American can join with protestors who carry the Vietcong flag is beyond my understanding. You will recall these same anti-Vietnam people burned an American flag in New York City at their April 1967 protest. Their Pentagon protest in October 1967 brought a mire of filth.

Valid protest can bring about valid changes of American policy and I would under no circumstances attempt to curtail these efforts. But any protest must be responsible. Protestors must realize the ends which they are trying to produce cannot be achieved by improper means. As staged, the protestors call for immediate withdrawal of American troops from Vietnam. Both moratorium and new mobilization committees have flatly stated this as their immediate objective. But this means death for tens of thousands of South Vietnamese people, not life and freedom; it means the destruction of their culture, their so recently taken steps toward sound government; their varied religions; the growing industrial, agricultural, and educational achievements; it means that another 15 million people will be ground into slavery by the tanks and tortures of communism.

This administration has moved as far in the direction of peace as anyone can realistically expect until some response is received from the enemy. So, to the protestors I suggest they protest, long and loud, but I think they should redirect their voices and, to use the popular phrase, "Tell it to Hanoi."

Like it or not, those who joined in the October 15 moratorium have supported one of the initial actions of the fall offensive. The following information might be of use to them in deciding whether they wish to continue.

THE FALL OFFENSIVE

The September 27 issue of the Guardian, a Communist newspaper, carried this invitation: "Join the Fall Offensive Against the War."

The Student Mobilization Committee To End the War in Vietnam—SMC—controlled by the Trotskyite Communists, has as a heading for one of its recent pamphlets: "Join the Fall Antiwar Offensive."

The New Mobilizer, the publication of the radical New Mobilization Committee To End the War in Vietnam—NMC—in its September 25 issue states: "Fall Offensive Skyrockets."

A letter of September 29, 1969, addressed to antiwar GI newspaper editors by the Vietnam Moratorium Committee—VMC—the sponsor of the October 15 Vietnam moratorium demonstrations, begins by saying:

> By now you are probably aware of the Vietnam Moratorium Committee and its part in the "Fall Offensive" against the war in Vietnam. . . .

What is the fall offensive?

It is a series of demonstrations, mostly in October and November, in which the above-mentioned organizations, SMC, NMC, and VMC—and also SDS—conduct various forms of protest against the war in Vietnam. Despite pious references to "peace," the main objective of the drive is to pull all American troops out of Vietnam now, regardless of the degree of preparedness of South Vietnam to defend itself from a Communist takeover and its people from further Communist atrocities. The schedule of demonstrations, including two actions by Students for a Democratic Society—SDS—were listed in the New Mobilizer as follows:

> FALL CALENDAR OF NATIONAL ACTIONS
>
> Sept. 24: *Conspiracy Trial* opens in Chicago. Mass rally at Federal Building, endorsed by NMC.
>
> Oct. 8–11: *SDS Actions* in Chicago: "Bring the War Home."
>
> Oct. 15: Vietnam Moratorium: effort to "stop business as usual" for one day & engage in community ed. against the war. Moratorium will be extended to 2 days in Nov. if war is not ended.
>
> Oct. 25: *New Mobilization* actions in Chicago, relating to "Conspiracy" trials and the war. Guerilla theater march down State St., tribunal on war & repression and rock concert are planned.
>
> Nov. 8–15: *Week of local activities* around war & U.S. imperialism relating to several constituencies and political styles. Plans: Joe Hill caucus, SDS.
>
> Nov. 13–14: Possible dates for November Moratorium.
>
> Nov. 13: *Washington Action* (sponsored by NMC). March Against Death: A Vietnam Memorial begins at Arlington Cemetery, Wash., D.C. at midnight. Single file procession from cemetery past White House to Capitol, with candles. Names of U.S. war dead & Viet towns & villages destroyed will be called out as line passes White House; names put in casket at Capitol.
>
> Nov. 14: *Student Strike*, called by Student Mobe, endorsed by NMC.
>
> Nov. 15: *Washington Action* (sponsored by NMC):
>
> 9 a.m. March on Washington. Assembly begins at The Mall (between 3d & 6th sts. NW).
>
> 10 a.m. March Against Death. Concludes with a brief memorial at Mall.
>
> 11 a.m. Mass March to White House begins. Special contingent of GIs and Death Marchers will lead march and a delegation will present political demands & caskets with war dead names at White House.
>
> 2 p.m. Rally at Ellipse. Speakers & rock concert.
>
> 8 p.m. Meetings by various groups to discuss strategy for next few days.
>
> Nov. 15: *San Francisco Action* (sponsored by NMC). Mass March and Rally.
>
> Nov. 16: *National Workshop on the Draft*. Sessions on draft resistance, counseling, possible repeal of draft laws and discussion of ways of working with GIs.

The riotous, violence-packed "Bring the War Home" SDS "demonstrations" in Chicago last week, the October 8 through 11 phase of the offensive, could be a foretaste of other things to come before the fall offensive is over.

In view of the inadequate coverage given by the press to the nature of the NMC, SMC, and VMC it would be helpful to provide some background information for future reference.

NEW MOBILIZATION COMMITTEE TO END THE WAR IN VIETNAM

The July 18, 1969, issue of the Militant, the Trotskyite Communist newspaper, reported on a meeting of "antiwar activists" in Cleveland on July 4 and 5 of this year as follows:

> A broadly representative gathering of antiwar activists meeting here July 4–5 initiated plans for a massive fall offensive against the Vietnam war culminating with a giant Washington demonstration Nov. 15 for the immediate withdrawal of all U.S. forces from Vietnam.

As a result of the conference the New Mobilization Committee To End the War in Vietnam was formed to succeed the National Mobilization Committee To End the War in Vietnam. The September 5 issue of New Mobilizer, the publication of NMC, stated:

> To carry forward the work of the old National Mobilization Committee to End the War In Vietnam in a time when the forces against the war now constitute a clear political majority, a new anti-war coalition was formed to effect the inclusion of a wider social base among GIs, high school students, labor, clergy and third world communities. The new anti-war coalition is aptly called the New Mobilization Committee to End the War in Vietnam.

What was the "old National Mobilization Committee?"

This was the group that played the key role in organizing the violent confrontations and disruptions during the 1968 Democratic National Convention, and whose leaders are now on trial in Chicago for conspiring to incite the Chicago riots. It also staged the violent Pentagon "confrontation" of October 1967.

Earlier, under a different name, the "Spring Mobilization Committee," this organization had staged Vietnam Week, April 1967.

The Committee on Un-American Activities, in an official House report, found that Communists were playing "dominant" roles in the Spring Mobilization Committee. Not long after HCUA issued its report, "Spring" Mobilization changed its name to "National" Mobilization, but even the Daily Worker pointed out that it was the same old committee with no more than a change in the first word of its name.

Basically, the New Mobilization Committee which is playing a major role in the fall offensive is the same old National Mobilization Committee. Following are some of the NMC steering committee members who were also active in the National Mobe:

Arnold Johnson, the public relations director of the Communist Party: Irving Sarnoff, identified as a member of the CP who took the fifth amendment when asked if he was a member; Sylvia Kushner, who has long participated in leftist causes, is the wife of Sam Kushner, a member of the CP; Otto Nathan, charged by the State Department with having been a Communist in Germany in the 1930's and who refused to tell HCUA in June 1956 if he had ever been a Communist; Rennie Davis and Dave Dellinger, both now on trial in Chicago for the Democratic Convention disruptions; Sidney Lens, who made two trips to Cuba and conferred with Fidel Castro and "Che" Guevara and who allowed his name to be used, and spoke at meetings of, the Fair Play for Cuba Committee, which committee, according to testimony before the Senate Internal Security Subcommittee in 1961, had from its inception been subsidized by the Cuban Government.

A quick check of the 48 persons listed as members of the steering committee of New Mobe reveals that at least 30 were officials, sponsors, or organizers of National Mobe. The 30 are:

Stewart Meacham, served as National Mobe sponsor.

Katherine Camp, National Mobe sponsor.

Richard Fernandes, National Mobe sponsor.

Barbara Bick, sponsor.

Norma Becker, sponsor.

John McAuliff, sponsor.

Dave Dellinger, sponsor and National Mobe's national chairman, and a self-described Communist.

Rennie Davis, sponsor and spokesman for National Mobe, and advocate of the cause of North Vietnam.

Sidney Lens, sponsor.

Sidney Peck, sponsor.

John Wilson, sponsor and official of SNCC.

Robert Greenblatt, sponsor and former national coordinator of National Mobe.

Arnold Johnson, organizer of National Mobe, admitted Communist and party's legislative representative.

Fred Halstead, organizer of National Mobe, admitted Communist and SWP candidate for Vice President.

Irving Beinin, organizer of National Mobe, and writer for the Guardian.

Irwin Bock, organizer.

Donald Kalish, organizer.

Sylvia Kushner, organizer.

Max Primack, National Mobe organizer.

Larry Seigle, organizer of National Mobe and national chairman of YSA.

Abe Bloom, organizer.

Ron Young, organizer.

Arthur Waskow, organizer.

Allan Brick, organizer.

Jerry Gordon, Cleveland affiliate of National Mobe.

Cora Weiss, organizer of National Mobe.

Carol Lipman, organizer of National Mobe and member of YSA.

Allan Myers, organizer.

Al Evanoff, organizer.

Brad Lyttle, organizer.

Some 70 percent of those persons listed on the steering committee are either old hands from the National Mobilization Committee or identified Communists and far leftists. There is no coincidence here, but there is planning. Thirty of the 48 persons can be directly traced to National Mobe where they served in various capacities including positions as national chairman, national coordinator, and major spokesman.

In addition, New Mobe has among its leaders: Harry Ring and Gus Horowitz, both long-time members of the Socialist Worker's Party; Joe Miles, a member of Young Socialist Alliance, and Bob Green, long-time associate of many SWP front groups.

At this point I believe we should think back to the Democratic Convention riots which I noted a few minutes ago. It was here that the leaders stated that any violence would be "initiated by the police," the "police would be responsible." The demonstrators were attempting to set the police up as the scapegoats and to make the world believe that the demonstrators were all for peace. In the same manner, protesters now are decrying violence, yet, can we expect the same thing?

It should be remembered that the "peaceful" demonstrators organized by National Mobe to go to Chicago went there with football and motorcycle helmets, metal crotch protectors, and wearing heavy hiking and work shoes. Some of them carried knives. They hurled practice golf balls with 3-inch nails projecting out of them at police.

What happened in Chicago was primarily the responsibility of the National Mobilization Committee. With the same people, by and large, now at work for New Mobe we can only wonder whether the outcome of "New" Mobe demonstrations will be the same.

THE STUDENT MOBILIZATION COMMITTEE

The Student Mobilization Committee To End the War in Vietnam—SMC—is, by self-description "the national organization of all high school and college students who are united in uncompromising struggle against the war in Vietnam." In addition to supporting the Vietnam Moratorium Committee's October 15 function, SMC is sponsoring a national student strike against the war on November 14.

The origin of SMC dates back to a 1966 conference to call a national student strike against the war in that year. The strike and conference were proposed by Bettina Aptheker, a member of the national committee of the Communist Party and daughter of Herbert Aptheker, a longtime CP functionary. SMC was Communist dominated from its inception. There were Communists from both the CP and Socialist Workers Party—SWP—a Trotskyite Communist organization, in SMC until June 1968. Trotskyites are now in control and have declared their intention to keep it a single-issue organization—demonstrating and agitating solely against the war in Vietnam. The SWP, cited by the Attorney General as a subversive organization, has as its youth organization the Young Socialist Alliance—YSA.

Two individuals who are serving on both NMC and SMC are Carol Lipman and Allan Myers. Both are members of the YSA, with Carol Lipman, a member of the staff of the Young Socialist, the national magazine of YSA, and in addition the executive secretary of SMC. Allan Myers is the editor of the GI Press Service, a service which recently published a listing of GI antiwar newspapers and their locations at the various military bases.

An article from the Washington Post of September 30 reported that on the previous day SMC announced a "No Peace for Nixon Campaign." According to a national organizer of SMC, Don Gurewitz, SMC plans student demonstrations across the country at every public appearance of the President. Let us take a look at some of SMC's demonstrations in the past, as told by Director J. Edgar Hoover of the FBI in his Appropriations testimony earlier this year:

> The Student Mobilization Committee To End the War in Vietnam, which is controlled by members of the Young Socialist Alliance, the youth group of the Socialist Workers Party, sponsored anti-Vietnam war demonstrations in various cities throughout the United States from April 4 to 6, 1969. Many antiwar protest groups participated in the demonstrations which had two main themes—namely, to bring servicemen home from Vietnam and to achieve free speech for servicemen advocating antiwar sentiments. The principal demonstrations were conducted at New York City; Chicago, Ill.; and San Francisco, Calif. At New York City, 30,000 individuals participated in a march and rally. Among the demonstrators were members of the Communist Party, the Socialist Workers Party and its youth group, and Students for a Democratic Society (SDS). At Chicago, approximately 10,000 individuals participated in a march and rally.

> One of the principal speakers at the rally was an official of the Black Panther Party. At San Francisco an estimated 10,000 demonstrators marched through San Francisco to the Presidio, a military base. Several arrests were made by the San Francisco Police Department and several military policemen were injured when the marchers attempted to force their way into the Presidio.

VIETNAM MORATORIUM COMMITTEE

As is well known by now, the prime movers of the VMC, which is sponsoring the October 15 moratorium as part of the fall offensive, are Sam Brown and David Hawk. The purpose of the VMC's demonstration is to bring a halt to "business as usual" on that day on the Nation's campuses, in businesses, and factories. If successful, the moratorium would be extended to 2 days in November, 3 in December, 4 in January, and so forth, and it would end only when all U.S. troops are withdrawn immediately and unilaterally from Vietnam. Peaceful and nonviolent means are stressed by the VMC.

The October 11 issue of Human Events, the Washington news weekly, reported on a visit of one of its reporters to the VMC office:

> While the VMC is not Communist-controlled, it nevertheless is working hand-in-glove with "New Mobe" whose steering committee is rife with Communists and pro-Communists. The VMC, for instance, is using the suite of rooms just below the suite being used by "New Mobe" and the traffic between the two floors is extensive. Members of both VMC and the "New Mobe" acknowledge close cooperation and the ironically named David Hawk, a leader in the VMC, appears on the steering committee of "New Mobe."

These observations are borne out by the October 13 issue of the National Observer which quoted Sam Brown on VMC's relationship with NMC or "New Mobe":

> The New Committee's (NMC or "New Mobe") headquarters is just one floor above the moratorium committee's here. Mr. Brown says his group has "very friendly, co-operative relationships" with it and that "I expect we'll be able to support" the Nov. 15 march.

The VMC is also cooperating with SMC, if the Militant of July 18, the publication of the Socialist Workers Party, is stating the case factually:

> SMC will also help build the nationwide moratorium against the war, planned by the Vietnam Moratorium Committee for October 15; the leaders of SMC and the Moratorium Committee agreed to cooperate in getting the participation of hundreds of thousands of students."

A member of the staff of U.S. News & World Report in its October 13 issue also appraised the relationships among the three anti-Vietnam groups. He quotes a Government official as saying he has "no reason to believe this whole movement is Communist activated, although it is obviously an enormous boost to their side in Vietnam." He further observed: "The three committees in charge of these plans are separate organizations, with separate leaders, but some 'interlocking directorships.' "

Those who have endorsed the October 15 demonstrations might also do well to consider this statement by Sam Brown as quoted by Theodore White on page 87 of his book, "The Making of the President—1968":

> Think of what we've grown up with. We've recognized the true nature of the United States. We saw the United States attack Cuba, it attacked the Dominican Republic, it attacked South Vietnam. The Communists are now a fragmented force; *the United States is now the great imperialist-aggressor nation of the world.* (Emphasis added.)

This charge might require some tall explaining on the part of some churches, businesses, schools, and individuals who endorsed the October 15 demonstrations in the face of Ho Chi Minh's butchery of South Vietnamese civilians over the years or the Soviet Union's 1968 invasion of Czechoslovakia.

In addition, the supporters of the October 15 affair could well be hard pressed to explain to their constituents, congregations, and clients who believe in supporting our Government by the purchase of savings bonds their position on a VMC directive to GI newspaper editors: "Cancel those ——— savings bonds."

Sam Brown, along with Marge Sklencar of the VMC Washington office, participated in Vietnam summer, a 1967 radical-left, anti-Vietnam protest project which attracted extremists from various segments of the left movement. Some of the prime movers in this project were Mike Ansara of the SDS at Harvard; Lee Webb, a former national secretary of SDS; and Richard Fernandez, a member of the steering committee of NMC. Fernandez was a sponsor of spring mobilization committee and treasurer of November 8 mobilization committee, "spring's" predecessor.

David Hawk played a key role, according to the press, in obtaining signatures to a pledge made public earlier this year in which almost 200 college leaders—editors of campus newspapers and heads of student bodies—said they would refuse to be drafted to fight in Vietnam. He has, in other words, organized what some people would consider the cream of our campus youth to defy the laws of the United States. Living up to the pledge he signed, he himself has refused to be drafted and is awaiting trial in Scranton, Pa., for refusing induction into the Army.

The VMC makes no bones about the fact—and actually publicizes—that Hawk was a SNCC worker in 1964 and 1966 in the South at the very time Stokely Carmichael and other members of the group were fomenting riots and were generally engaged in highly inflamatory racial agitation.

In fairness to the VMC leaders it should be pointed out that they have said they reject SDS tactics and want no part of any SDS violence which may occur.

It is important to note, however, that David Hawk is on the steering committee of NMC, which under its former name was the prime organizer of the 1968 Chicago convention violence. This group—under President Johnson as well as recently—has probably done more to undercut U.S. policy in Vietnam than any other organization in the Nation.

THE PARTY LINE

On September 10, 1965, the national organizing department of the Communist Party of the United States sent a communication "to all districts" suggesting slogans to "strengthen the campaign to end the war in Vietnam." The first four of nine suggested slogans were:

1. End the War in Vietnam!
2. Stop U.S. Aggression Against Vietnam!
3. Bring Our Boys Home!
4. Withdraw All U.S. Troops!

Over 4 years later, the party line is still the same, but how the orchestration has crescendoed for a unilateral and immediate withdrawal of American troops from Vietnam. The VMC, according to a news release of October 8, expects to enjoy its greatest initial success on the campuses, with growing support coming from among the clergy, professional people, businessmen, Government employees, Members of Congress and the public at large.

THE FALL OFFENSIVE AND SOME COMMUNIST REACTIONS

Reactions from Communist quarters are understandably favorable. The Chicago Tribune of October 10 carried an article from Paris with headlines stating: "Reds Applaud U.S. War Foes; Blast Nixon." The news item explained that the National Liberation Front's "foreign minister" said in Paris that "the Vietnamese people warmly acclaim this movement" and that the movement "tightens the solidarity betwen the Vietnamese people and the progressive people in the United States."

The Communists are taking full advantage of propaganda value in the protests and the Communist press-in-residence in the United States, the Daily World, noted on October 9 in an editorial:

> Popular support for the October 15 Moratorium against the war in Vietnam is mushrooming, with the turnout on that day expected to exceed anything so far produced by the U.S. peace movement.
>
> This newspaper urges an all-out turnout.

No less enthusiastic in their support were broadcasters from Hanoi who beamed a message to various parts of the world. It included these remarks addressed specifically to NMC and the Communist newspaper, the Guardian:

> We [North Vietnam's leaders] are very elated to learn that you will launch a big fall campaign against the Nixon Administration's war policy, urging it to put an end to the war in Vietnam and to bring all U.S. troops home immediately.
>
> We warmly welcome your initiative and highly appreciate your great efforts to coordinate actions in the campaign.
>
> We wish you great success in the fall campaign . . . We would like to convey to you our sincere thanks and best regards.

THE "UNITED FRONT" OPERATION

What we see in the fall offensive is a near perfect example of a Communist united front operation. The Student Mobilization Committee, although Trotskyite-Communist controlled, has other types of Communists in it and, also, of course, many non-Communist radicals, leftists, pacifists, and idealists.

The New Mobilization Committee is itself a united front or umbrella-type operation. Working together in it are Moscow-type Communists, Trotskyite Communists, Castro Communists and others, and also a broad assortment of fellow travelers, leftists, radical pacifists, and some gullible idealists.

SDS, as is well known, is infiltrated by both CPers and members of the Peking-oriented Communist organization, the Progressive Labor Party, although the bulk of its membership is apparently made up of more or less native radical youths.

The Vietnam Moratorium Committee has the support of all of these groups—and of the CP itself—in its program for protest. In turn, it has won the cooperation of numerous non-Communists and even anti-Communists who would not normally aid any SDS, SMC, or NMC project. But this is the method of the "united front." Through their united front tactic the Communists are working for one of their major goals and—by one means or another—they are winning the cooperation of some people and organizations from the left, the right, and the center.

VMC is not Communist. I am not implying that it is, but its skirts are not clean on the question of cooperating with Communists. David Hawk, we should remember, is on the NMC steering committee. Also, VMC proclaims in its literature that it has the endorsement of the New Mobilization Committee as well as the acknowledged endorsement of such Communist-infiltrated groups as Women's Strike for Peace. Although its leaders say they have no tie with the Student Mobilization Committee, as long ago as last July a spokesman for SMC in announcing the fall offensive, included VMC's moratorium as a part of it.

To the best of my knowledge, the leaders of the Vietnam moratorium have at no time made a clear-cut statement excluding themselves from the SDS–SMC–NMC cooperative operation. At no time have they said that they do not want these groups to support or participate in the moratorium.

Thus, we have the "united front" operation. VMC leaders, I believe, must certainly be aware of the nature of SDS, NMC, and SMC. They are not ignorant. They are not being duped, yet they are willingly cooperating with these groups

Let us stop and think again for a minute of the announced goal of the people behind the moratorium. In an October 8 release the Vietnam Moratorium Committee stated that its goal is an "immediate and final end to American involvement in the Vietnam war."

What does this mean?

Let us forget for a moment about Communist strategy and tactics here in this country, about the pros and cons of various elements of our Vietnam policy, and think about people, about human beings—millions of them. Let us think for a while, as all good Americans should, about fellow humans. Let us think realistically, as the VMC people say we should, about killing, injury, death, agony, and blood. We know South Vietnam is not now able to defend itself from the combined power of the VC and North Vietnam, supported by the colossi of communism, the U.S.S.R. and Red China. What will happen if we do what the VMC wants us to do; that is, pull out of Vietnam?

The late Dr. Tom Dooley, who we would all agree was one of the greatest humanitarians of our era, has given us an idea of what will happen in his book, "Deliver Us From Evil," in which he recounted his experiences as a naval medical officer at Haiphong, then a staging area for those refugees who chose to leave North Vietnam as guaranteed by the Geneva agreement of 1954. One example cited by Dr. Dooley will suffice:

> Now two Viet Minh guards went to each child and one of them firmly grasped the head between his hands. The other then rammed a wooden chopped chopstick into each ear. He jammed it in with all his force. The stick split the ear canal wide and tore the ear drum. The shrieking of the children was heard all over the village.

So appalling were Tom Dooley's experiences at Haiphong among victims of Communist terror that he felt compelled to devote one full chapter to the brutality inflicted on these innocent people. Dr. Dooley stated:

> The purpose of this book is not to sicken anyone or to dwell upon the horror of oriental tortures. But I do want to show what has come upon these people of the delta. And justice demands that some of the atrocities we learned of in Haiphong be put on record.

Dr. Dooley was not the only one who has pointed up what will happen if unprotected people are left to the mercy of the Vietcong or the North Vietnamese Communists. The November 1968 issue of the Reader's Digest featured an article, "The Blood-Red Hands of Ho Chi Minh," by John G. Hubbell, which provides further evidence of what an immediate U.S. pullout would mean to many thousands of women and children, as well as men, in Vietnam. Author Hubbell describes the unbelievable brutality of Dak Son where mostly women and children were killed with flamethrowers by the Vietcong. Another case of Communist genocide was that of Hue in which 1,000 civilians were slaughtered by the Communists.

A later article on the same Hue massacre placed the number of dead at 2,200, exhumed from 25 different locations; 800 persons are still unaccounted for. The later account of the massacre by James Cary in the June 19, 1969, issue of the Copley News Service, gives a chilling idea of what would happen if an immediate U.S. withdrawal left the Vietnamese people without adequate protection:

> Nationality, occupation or political background was no protection. Scores of Buddhists in Hue's strong, anti-government resistance movement were slaughtered. So too were American and German civilians, French priests, South Vietnamese Government officials, anyone with relatives in the South Vietnamese army, village chiefs, political leaders, anyone who worked for the Americans, and particularly anyone who was known for his opposition to the Viet Cong.

It is not unreasonable to ask at this point whether the exponents of immediate withdrawal would be willing to assume some degree of responsibility if repetitions of the Hue massacre followed an immediate pullout.

Lt. Gen. Lewis W. Walt of the U.S. Marine Corps who commanded I Corps area of South Vietnam in 1966 and 1967 commented on the above-mentioned article by John Hubbell of the Reader's Digest. Stated General Walt:

> This article accurately depicts the true nature of the enemy in South Vietnam. I saw the little boy with his hands cut off. I have seen heads impaled on stakes, and disemboweled bodies.
>
> I learned early in my two years of duty in South Vietnam, fighting and working alongside the South Vietnamese forces, that the communist terrorism described in this article is no mere accident of war but a program of systematic butchery. This deliberate and brutal assault against the grassroots citizenry is one reason why we who have responded to South Vietnam's call for assistance believe devoutly that our efforts to save this nation are worthwhile, necessary and important.

After reading this article, I for one could not see how any Member of this House, of the Congress, or any American citizen worthy of the name, could knowingly and consciously support a complete and immediate withdrawal of all U.S. troops from Vietnam. I insert the article. "The Blood-Red Hands of Ho Chi Minh," by John G. Hubbell, at this point in the Record:

THE BLOOD-RED HANDS OF HO CHI MINH

(By John G. Hubbell)

The village chief and his wife were distraught. One of their children, a seven-year-old boy, had been missing for four days. They were terrified, they explained to Marine Lt. Gen. Lewis W. Walt, because they believed he had been captured by the Vietcong.

Suddenly, the boy came out of the jungle and ran across the rice paddies toward the village. He was crying. His mother ran to him and swept him up in her arms. Both of his hands had been cut off, and there was a sign around his neck, a message to his father: if he or anyone else in the village dared go to the polls during the upcoming elections, something worse would happen to the rest of his children.

The V.C. delivered a similar warning to the residents of a hamlet not far from Danang. All were herded before the home of their chief. While they and the chief's pregnant wife and four children were forced to look on, the chief's tongue was cut out. Then his genital organs were sliced off and sewn inside his bloody mouth. As he died, the V.C. went to work on his wife, slashing open her womb. Then, the nine-year-old son: a bamboo lance was rammed through one ear and out the other. Two more of the chief's children were murdered the same way. The V.C. did not harm the five-year-old daughter—not physically: they simply left her crying, holding her dead mother's hand.

General Walt tells of his arrival at a district headquarters the day after it had been overrun by V.C. and North Vietnamese army troops. Those South Vietnamese soldiers not killed in the battle had been tied up and shot through their mouths or the backs of their heads. Then their wives and children, including a number of two- and three-year-olds, had been brought into the street, disrobed, tortured and finally executed: their throats were cut; they were shot, beheaded, disemboweled. The mutilated bodies were draped on fences and hung with signs telling the rest of the community that if they continued to support the Saigon government and allied forces, they could look forward to the same fate.

These atrocities are not isolated cases; they are typical. For this is the enemy's way of warfare, clearly expressed in his combat policy in Vietnam. While the naïve and anti-American throughout the world, cued by communist propaganda, have trumpeted against American "immorality" in the Vietnam war—aerial bombing, the use of napalm, the inevitable (but relatively few) civilian casualties caused by American combat action—daily and nightly for years, the communists have systematically authored history's grisliest catalogue of barbarism. By the end of 1967, they had committed at least

100,000 acts of terror against the South Vietnamese people. The record is an endless litany of tortures, mutilations and murders that would have been instructive even to such as Adolf Hitler.

Perhaps because until recently the terrorism has been waged mainly in remote places, this aspect of the war has received scant attention from the press. Hence the enemy has largely succeeded in casting himself in the role of noble revolutionary. It is long past time for Americans, who are sick and tired of being vilified for trying to help South Vietnam stay free, to take a hard look at the nature of this enemy.

BLOOD-BATH DISCIPLINE

The terror had its real beginning when Red dictator Ho Chi Minh consolidated his power in the North. More than a year before his 1954 victory over the French, he launched a savage campaign against his own people. In virtually every North Vietnamese village, strong-arm squads assembled the populace to witness the "confessions" of landowners. As time went on, businessmen, intellectuals, schoolteachers, civic leaders—all who represented a potential source of future opposition—were also rounded up and forced to "confess" to "errors of thought." There followed public "trials," conviction and, in many cases, execution. People were shot, beheaded, beaten to death; some were tied up, thrown into open graves and covered with stones until they were crushed to death.

Ho has renewed his terror in North Vietnam periodically. Between 50,000 and 100,000 are believed to have died in these bloodbaths—in a coldly calculated effort to discipline the party and the masses. To be sure, few who escape Ho's terror now seem likely to tempt his wrath. During the 1950s, however, he had to quell some sizable uprisings in North Vietnam—most notably one that occurred in early November 1956, in Nghe An province, which included Ho's birthplace village of Nam Dan. So heavily had he taxed the region that the inhabitants finally banded together and refused to meet his price. Ho sent troops to collect, and then sent in an army division, shooting. About 6000 unarmed villagers were killed. The survivors scattered, some escaping to the South. The slaughter went largely unnoticed by a world then preoccupied with the Soviet Union's rape of Hungary.

With North Vietnam tightly in hand, the central committee of the North Vietnamese communist party met in Hanoi on March 13, 1959, and decided it was time to move against South Vietnam. Soon, large numbers of Ho's guerrillas were infiltrating to join cadres that had remained there after the French defeat in 1954. Their mission: to eliminate South Vietnam's leadership, including elected officials, "natural" leaders, anyone and everyone to whom people might turn for advice. Also to be liquidated were any South Vietnamese who had relatives in their country's armed forces, civil services or police; any who failed to pay communist taxes promptly; any with five or more years of education.

A captured V.C. guerrilla explained how his eight-man team moved against a particular target village: "The first time we entered the village, we arrested and executed on the spot four men who had been pointed out to us by the party's district headquarters as our most dangerous opponents. One, who had fought in the war against the French, was now a known supporter of the South Vietnamese government. Another had been seen fraternizing with government troops. These two were shot. The others, the village's principal landowners, were beheaded."

General Walt tells of the "revolutionary purity" of Vietcong who came home to two other villages. In one case, a 15-year-old girl who had given Walt's Marines information on V.C. activities was taken into the jungle and tortured for hours, then beheaded. As a warning to other villagers, her head was placed on a pole in front of her home. Her murderers were *her brother* and two of his V.C. comrades. In the other case, when a V.C. learned that his wife and two young children had cooperated with Marines who had befriended them, he himself cut out their tongues.

Genocide. In such fashion did the storm of terror break over South Vietnam. In 1960, some 1500 South Vietnamese civilians were killed and 700 abducted. By early 1965, the communists' Radio Hanoi and Radio Liberation were able to boast that the V.C. had destroyed 7559 South Vietnamese hamlets. By the end of last year, 15,138 South Vietnamese civilians had been killed, 45,929 kidnapped. Few of the kidnapped are ever seen again.

Ho's assault on South Vietnam's leadership class has, in fact, been a form of genocide—and all too efficient. Thus, if South Vietnam survives in freedom, it will take the country a generation to fully replace this vital element of its society. But the grand design of terror involves other objectives, too. It hopes to force the attacked government into excessively repressive anti-terrorist actions, which tend to earn the government the contempt and hatred of the people. It also seeks valuable propaganda in the form of well-publicized counter-atrocities certain to occur at the individual level—for South Vietnamese soldiers whose families have suffered at communists' hands are not likely to deal gently with captured V.C. and North Vietnamese troops.

Dr. A. W. Wylie, an Australian physician serving in a Mekong Delta hospital, points out that a hamlet or village need not cooperate with the Saigon government or allied forces to mark itself for butchery; it need only be neutral, a political condition not acceptable to the communists. After a place has been worked over, its people of responsibility are always identifiable by the particularly hideous nature of their wounds. He cites some cases he has seen:

When the V.C. finished with one pregnant woman, both of her legs were dangling by ribbons of flesh and had to be amputated. Her husband, a hamlet chief, had just been strangled before her eyes, and she also had seen her three-year-old child machine-gunned to death. Four hours after her legs were amputated, she aborted the child she was carrying. But perhaps the worst thing that happened to her that day was that she survived.

A village policeman was held in place while a V.C. gunman shot off his nose and fired bullets through his cheekbones so close to his eyes that they were reduced to bloody shreds. He later died from uncontrollable hemorrhages.

A 20-year-old schoolteacher had knelt in a corner trying to protect herself with her arms while a V.C. flailed at her with a machete. She had been unsuccessful; the back of her head was cut so deeply that the brain was exposed. She died from brain damage and loss of blood.

Flamethrowers at Work. Last December 5, communists perpetrated what must rank among history's most monstrous blasphemies at Dak Son, a central highlands village of some 2000 Montagnards—a tribe of gentle but fiercely independent mountain people. They had moved away from their old village in V.C.-controlled territory, ignored several V.C. orders to return and refused to furnish male recruits to the V.C.

Two V.C. battalions struck in the earliest hours, when the village was asleep. Quickly killing the sentries, the communists swarmed among the rows of tidy, thatch-roofed homes, putting the torch to them. The first knowledge that many of the villagers had of the attack was when V.C. troops turned flamethrowers on them in their beds. Some families awoke in time to escape into nearby jungle. Some men stood and fought, giving their wives and children time to crawl into trenches dug beneath their homes as protection against mortar and rifle fire. But when every building was ablaze, the communists took their flamethrowers to the mouth of each trench and poured in a long, searing hell of fire—and, for good measure, tossed grenades into many. Methodical and thorough, they stayed at it until daybreak, then left in the direction of the Cambodian border.

Morning revealed a scene of unbelievable horror. The village now was only a smoldering, corpse-littered patch on the lush green countryside. The bodies of 252 people, mostly mothers and children, lay blistered, charred, burned to the bone. Survivors, many of them horribly burned, wandered aimlessly about or stayed close to the incinerated bodies of loved ones, crying. Some 500 were missing; scores were later found in the jungle, dead of burns and other wounds; many have not been found.

The massacre at Dak Son was a warning to other Montagnard settlements to cooperate. But many of the tribesmen now fight with the allies.

MUTILATION ON THE SCHOOL BUS

If the communists' "persuasion" techniques spawn deep and enduring hatred, Ho could not care less; the first necessity is the utter subjugation of the people. Ho was disturbed by the rapid expansion of South Vietnam's educational system: between 1954 and 1959, the number of schools had tripled and the number of students had quadrupled. An educated populace, especially one educated to democratic ideals, does not fit into the communist scheme. Hence, the country's school system was one of Ho's first targets. So efficiently did he move against it that the World Confederation of Organizations of the Teaching Profession soon sent a commission, chaired by India's Shri S. Natarajan, to investigate.

Typical of the commission's findings is what happened in the jungle province of An Xuyen. During the 1954–55 academic year, 3096 children attended 32 schools in the province; by the end of the 1960–61 school year, 27,953 were attending 189 schools. Then the communists moved in. Parents were advised not to send their children to school. Teachers were warned to stop providing civic education, and to stop teaching children to honor their country, flag and president. Teachers who failed to comply were shot or beheaded or had their throats cut, and the reasons for the executions were pinned or nailed to their bodies.

The Natarajan commission reported how the V.C. stopped one school bus and told the children not to attend school anymore. When the children continued for another week, the communists stopped the bus again, selected a six-year-old passenger and cut off her fingers. The other children were told, "This is what will happen to you if you continue to go to that school." The school closed.

In one year, in An Xuyen province alone, Ho's agents closed 150 schools, killed or kidnapped more than five dozen teachers, and cut school enrollment by nearly 20,000. By the end of the 1961–62 school year, 636 South Vietnamese schools were closed, and enrollment had decreased by nearly 80,000.

But, in the face of this attack, South Vietnam's education system has staged a strong comeback. Schools destroyed by the communists have been rebuilt, destroyed, and rebuilt again. Many teachers have given up their own homes and move each night into a different student's home so the communists can't find them, or commute from nearby cities, where they leave their families.

Against such determination, the size of Ho's failure can be measured: in 1954, there were approximately 400,000 pupils in school in North and South Vietnam together; today South Vietnam alone has some two million in school. About 35,000—four times as many as in 1962—now attend five South Vietnamese universities, while 42,000 more attend night college.

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A South Vietnamese government official explains: "A war shatters many traditional values. But the idea of education has an absolute hold on our people's imagination."

BAR OF JUSTICE

The pitch of communist terrorism keeps rising. After the Tet carnage at Hue early this year, 19 mass graves yielded more than 1000 bodies, mostly civilians—old men and women, young girls, schoolboys, priests, nuns, doctors (including three Germans who had been medical-school faculty members at Hue University). About half had been buried alive, and many were found bound together with barbed wire, with dirt or cloth stuffed into their mouths and throats, and their eyes wide open. The communists came to Hue with a long list of names for liquidation—people who worked for the South Vietnamese or for the U.S. government, or who had relatives who did. But as their military situation grew increasingly desperate, they began grabbing people at random, out of their homes and off the streets, condemned them at drumhead courts as "reactionaries" or for "opposing the revolution" and killed them.

"The Tet offensive represented a drastic change in tactics," says General Walt. "This is a war to take over the South Vietnamese people. Ho launched the Tet offensive because he knew he was losing the people. But his troops didn't know it; they were told that they didn't need any withdrawal plan because the people would rise and fight with them to drive out the Americans. What happened was just the opposite. Many fought against them like tigers." Some of the Tet offensive's explosion of atrocities probably can be attributed to sheer, vengeful frustration on the part of Ho's terror squads—which Ho may well have foreseen, and counted on.

The full record of communist barbarism in Vietnam would fill volumes. If South Vietnam falls to the communists, millions more are certain to die, large numbers of them at the hands of Ho's imaginative torturers. That is a primary reason why, at election times, more than 80 percent of eligible South Vietnamese defy every communist threat and go to the polls, and why, after mortar attacks, voting lines always form anew. It is why the South Vietnamese pray that their allies will stick the fight through with them. It is why the vast majority of American troops in Vietnam are convinced that the war is worth fighting. It is why those who prance about—even in our own country—waving Vietcong flags and decrying our "unjust" and "immoral" war should be paid the contempt they deserve.

Finally, it is why the communists should be driven once and for all from South Vietnam—and why, if possible, the monsters who presently rule North Vietnam should be brought before the bar of justice.

MEMORIAL TO THE VIETNAM WAR DEAD

HON. BILL CHAPPELL, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. CHAPPELL. Mr. Speaker, to date over 38,864 American boys have died in the Vietnam War. Most of these men felt they were dying for a cause—the protection of freedom and democracy throughout the world and the ultimate protection of their loved ones here at home.

One group has seen fit to recognize these war dead through dedication of a memorial. I wish to congratulate the Vietnam War Dead Memorial Committee of Ocala and Marion County for this deeply felt and humane consideration of fellow Americans who have died in battle for them. The memorial has been built in the shape of a map of Vietnam with the American flag staff standing tall above it. Listed on the monument are the names of the war dead from Marion County. This memorial will be dedicated in Belleview, Fla., on November 9, 1969.

At a time when many are demonstrating against the war, let us pause to remember these dead and to acknowledge this group of dedicated Americans for building the first memorial in the Nation to the Vietnam war dead.

SERVICEMEN'S HONOR ROLL BOARD IN NEW RICHMOND, OHIO

HON. WILLIAM H. HARSHA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. HARSHA. Mr. Speaker, since our Nation's proud birth in 1776, American men and women have been honored to serve our country, dedicating their "lives, fortunes, and their sacred honor." Such men founded our Nation, and have always defended it against threat both foreign and domestic with such diligence that the United States of America became known around the world as the land of the free, and the home of the brave.

Now, in the last few years, we have witnessed a new phenomenon. Cowardice and disloyalty have for some become virtues, and love of country has been termed "square."

I am extremely proud that these views are those of a small, but vocal minority. Here in Ohio, a part of what Dwight Eisenhower called America's heartland, Americans still deem it an honor to serve their Nation, and they are in turn honored by a grateful community. This is the real America. This is the America of Washington, Lincoln, and Theodore Roosevelt, and this is why America will pass safely through its present crisis. It will remember and be grateful to its sons and daughters who serve it in our generation, as it does those who have served it in times before. Because, as one of history's greatest philosophers has said:

> A man's love of his country is the noblest emotion of all.

In the town of New Richmond, in Clermont County, Ohio, American Legion Post No. 550—John Farina—and the Servicemen's Mothers Club of Clermont County have erected a servicemen's honor roll board. This board will honor the men and women of New Richmond who have served their country in the armed services since 1964. The honor roll board will be dedicated on October 26, 1969.

I wish to commend the citizens of New Richmond and Clermont County for honoring their servicemen. In these times when misguided youths and even adults publicly disgrace our Nation by praising our enemies, it is heartening and reassuring to be reminded that America's heartland is still firm, and the same spark of patriotism that was first struck at Lexington and Concord still kindles a flame in all true Americans.

Y'KNOW

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. MORSE. Mr. Speaker, we have heard a good deal in recent months about the communications gap. Symptomatic of this phenomenon is the line from a recent Paul Newman movie—"What we have here, is a failure to communicate."

All around us people cannot seem to talk to each other—parents cannot talk with their children, students with their teachers, oldsters with youngsters, and so on and on.

A recent editorial in the Boston Globe, written by David B. Wilson, suggests one of the inputs into this whole communication problem. It is, in his words, "the maddening repetition of 'y'know,' a once delicately meaningful phrase and its simultaneous decline in communicative content." Mr. Wilson calls this one of the "minor annoyances of the age."

I think it is a major catastrophe. How many of us have had even short conversations where the expression "y'know" cropped up five, 10, or more times, with no special relationship to the subject being discussed—with no function in the sentence other than to punctuate it occasionally with this meaningless phrase.

I commend Mr. Wilson's editorial to my colleagues' attention. Y'know, with a little attention to this problem, we might just help save the language.

I include Mr. Wilson's article in the RECORD as follows:

Y'KNOW

(By David B. Wilson)

"Y'know," they say. Y'know?

Maddening repetition of this once delicately meaningful phrase and its simultaneous decline in communicative content are among the minor annoyances of the age.

Sentences begin and end with it, and it surrounds "buts" and "ands" the way "er" and "uh" and "well" once did. Parents are reduced to incoherent mutterings as their young conduct discourse of about one-third "Y'know" and the rest "groovy," "cool" or "blast."

You used to be able to say quite a bit with the phrase, before the hips and kids debased it.

"YOU know" meant "You, Fred, possessed of superior intelligence, know what others do not know."

It could be "You KNOW," meaning, "Don't give me that malarkey, you really agree with me."

Then there was the slower, "Y-o-u-k-n-o-w," with a slight rising inflection, which meant, "You don't know, but I had a terrific idea which I am about to tell you about."

There was the falling, confidential inflection of the "You Know . . ." that meant something like "We both know what she was up to last Summer with Wilma's husband when she went to her mother's, but we both are too nice to discuss it."

Closer to contemporary usage was the "You know," often delivered with a shrug, which meant, "We both know but the matter is far too tedious and complicated and boring to discuss further.

A young person of my acquaintance, mulling the matter for a mini-moment between telephone calls consisting almost entirely of "Y'knows," guessed she said it a lot in order to reassure herself that somebody was paying attention to what she was saying.

Similarly, according to a friend who once worked in a brass factory in New Haven, the girls on the screw machines there used it in a subconscious attempt to check on whether they were being properly understood. "Y' know" tended to break out where language failed.

Atrophy of the cerebral cortex, inflicted by the mindless din of media, is probably responsible. Defensively, with sanity maintenance our intention, we tune out (turn off, if you will) most of what we physically are required to hear, straining sound of thoughtful content to preserve the integrity of our own thoughts and dreams.

After some two decades of the television set's one-way communication with us, we are unused to answering back. Debate is somewhat out of style in the schools. Students feel they're mostly talked at. The tube dominates conversation.

How many times recently have you been interrupted because you were intruding on someone else's relationship with a television set?

"Y'know" is symptomatic of the dissolution of intellect wrought in our technosphere, of the savagery that awaits when the Word is heard no longer.

To speak in sentences, complete and composed, taking thought for meaning, thrust and overtones, is to be polite and concerned, to respect one's auditor, to care enough about people, ideas, things and, indeed, life, to call them by their right names. "Y'know" evades and abdicates the burden of having a brain.

The phrase used to have a confidential and conspiratorial quality, and, in that sense, was not unaffectionate, assuming that the person addressed did, in fact, know. This sense is almost lost.

Now it is "Nixon, y'know," "the blacks (Jews, WASPs, Irish, Arabs), y'know" or the government, the Church, lawyers, the Army or whatever, the only meaning being an often frustrated hope of mutual understanding that the speaker wishes to convey a negative and almost tropistic response to the subject at hand.

This way lies ultimate meaninglessness and the exhaustion of understanding. There may, however, be a solution.

Next time somebody flashes a vacuous "Y-know" at you, interrupt and explain, politely, that you do not, in fact, know but are interested in finding out. This interest will puzzle the habitual "Y'know" user and require him to ask himself just what it was he did mean. It just might save the language.

LEAGUE'S 50TH YEAR

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. KEITH. Mr. Speaker, one of the most significant anniversaries to occur this year is certainly the 50th anniversary of the League of Women Voters. In my district, and undoubtedly in many others, this organization has long been a leader in the task of educating the public on issues of the day. On many issues I find myself in agreement with the league's stands; and even when I do not, I am impressed with their reasoning and their activity. They serve a much-needed function in this Nation, and I am pleased to offer my congratulations to them on this, their 50th anniversary.

At this time I am introducing into the RECORD an editorial from the Quincy Patriot Ledger, which notes and praises this worthwhile organization:

LEAGUE OF WOMEN VOTERS

Triumphant in their drive to win the vote, suffragettes gathered in Chicago for a "Victory Convention" 50 years ago.

Mrs. Carrie Catt, president of the American Suffrage Association, exhorted the membership to battle society's ills: "Arise, women voters of East and West, of South and North, in this, your first union together. Strong of faith, fearless of spirit, let the nation hear you pledge all that you have and all that you are to a new crusade."

Thus the League of Women Voters was born. Fifty years after Mrs. Catt's militant address, the League flourishes, one of the most commendable of all public-minded organizations. Through the years, the League has provided forums for political candidates, launched voter registration drives, initiated governmental reforms, and educated more voters than any other group.

Non-profit and non-partisan, the League is undertaking an $11-million fund drive to modernize and continue its work. We urge support of this fund drive. The League's services to the nation, to Massachusetts and to this community have been significant.

SENIOR CITIZENS MUST NOT BE FORGOTTEN

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. MINISH. Mr. Speaker, today a group of my colleagues and I are introducing a measure to amend the Food Stamp Act of 1964, to enable eligible elderly persons to exchange food stamps for meals prepared and served to them by private nonprofit organizations.

This bill is designed to assist elderly persons who would otherwise be eligible for food stamp aid when measured by age, residency, and income requirements, but who are considered ineligible because they do not have cooking facilities in their households. The beneficiaries of this measure, the crippled and infirm, are physically unable to cook for themselves. Very often, the chronically ill and aged cannot shop or prepare food. Under present law, they are denied the use of food stamps. They are most needful of the benefit extended to them by this measure.

The legislation that I am sponsoring, in concert with some of my colleagues, would authorize the Secretary of Agriculture to designate specific church and other nonprofit organizations to accept food stamps in exchange for prepared meals. Although the redemption of the stamps could be made by the charitable organization, the stamps would be issued initially to the eligible individual.

The elderly require proper care and close attention. We certainly cannot permit them to go hungry, and I believe that the measure that I am cosponsoring would minimize such a possibility. I hope that the House of Representatives responds by enacting this legislation.

LET IT BEGIN WITH YOU

HON. CHARLES E. CHAMBERLAIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. CHAMBERLAIN. Mr. Speaker, many millions of words have been written and spoken concerning the October 15 moratorium. All of the noted commentators and columnists have had their say. However, after having read and listened to a good number of these statements, I find that one that particularly impressed me was an editorial appearing in the Town Crier of Stockbridge, Mich. I commend it to the attention of my colleagues and believe it fully deserves to be included as part of the record relating to this event. I insert in the RECORD the editorial, "Let It Begin With You," which appeared in the October 15 issue of one of the fine weekly newspapers serving Michigan's Sixth Congressional District:

LET IT BEGIN WITH YOU

Many thousands of college students, university faculty members, and even some government officials are supporting today's "Moratorium for Peace" at various types of meetings all over the country.

Some groups hope to fill huge football stadiums with war protesters while others will be satisfied to distribute leaflets in the community.

Students throughout the country are joining in a national movement to demonstrate their support for an immediate end to the war in Vietnam. However most college and university officials have said there will be "classes as usual" today.

Many Stockbridge residents agree that the war in Vietnam should be ended as soon as possible. But many also stated that they are not certain that mass demonstrations are the answer.

We would agree that what took years for a former administration to do cannot be undone in a few short months by a new administration.

The war in Vietnam is an unpopular one. It has damaged America's prestige more than any other single action in all history. But, as President Nixon recently stated, "It cannot be settled in the streets."

We agree. We also feel that widespread, and often violent, demonstrations, hurt our chances for success at the Paris peace talks. The demonstrations in the streets of our country only serve to convince the North Vietnamese that Americans are not behind their president.

Peace must come. We are behind that one hundred percent. We believe however that the solution must be left up to those persons who were delegated by the President to handle the job. Mass demonstrations in the streets and on the campuses of our universities will only compound the difficulties faced by our negotiators.

We elected a new President last November. We hope and pray that he has the best interests of this country at heart, and is doing everything in his power to settle the war in Vietnam as quickly as possible. We hope

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it can be done so that those who lost their lives there will not have died in vain, and that those whom we have been defending from Communism will not be left helpless against a ruthless aggressor.

Peace, so desperately wanted by the people of this country, actually is not a normal state of life. Have we not had more war than peace throughout all of history?

Many of those who have demonstrated for peace have been guilty of reviling law enforcement officials and anyone else who stood in their way. They have claimed to be for peace, yet they have shown hate for their own countrymen.

Only when all mankind comes to love his neighbor, without regard to race, color or creed, will lasting peace ever be achieved.

Where, and with whom, shall peace have its real beginning? Why not let it begin with you.

TASK FORCE HEARS DR. EGEBERG

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. BUSH. Mr. Speaker, the Republican Task Force on Earth Resources and Population, of which I am chairman, heard testimony last week from Dr. Roger O. Egeberg, Assistant Secretary for Health and Scientific Affairs, Department of Health, Education, and Welfare. Dr. Egeberg had some very positive remarks about the need for increased family planning services and better health service delivery systems. The Secretary's comments were very encouraging indeed. His understanding of the organizational problems left a feeling of optimism among the Task Force members.

Mr. Speaker, I offer the highlights of this hearing for the Record for the benefit of my colleagues:

House Republican Task Force on Earth Resources and Population

HEARING HIGHLIGHTS, OCTOBER 9, 1969

(By Dr. Roger O. Egeberg)

Dr. Egeberg stated that if he were starting from scratch, he would have to list population as the most important health problem of today. However, since we have to start with the operational program that is ongoing, we must consider delivery of health services as the number one problem, population second, and environmental quality number three.

A Population Institute of some very visible structure must be our ultimate goal. However, this can not happen over night. Dr. Egeberg stressed this point several times during the discussion. He felt that for starters we we needed more basic research within NIH. We need increased education throughout our institutions on the whole range of family planning, fertility, maternal care, and infant care. Also, Dr. Egeberg feels that there should be a Deputy Assistant Secretary to oversee the entire family planning effort.

Dr. Egeberg feels that the biggest job right now is to give the program visibility. The Secretary has legislation of this effect over at the Bureau of the Budget for approval.

However, without a good service delivery system, these programs will not succeed. More cooperation with volunteer organizations is need. It is time for a rallying point.

There are five million women who want family planning services. We must reach these women. The middle class can be depended upon to take care of itself. This it is doing on an expanded basis. But, among the poor, we just have not had the money or the facilities to really campaign on this. A good first goal would be to satisfy those who want it and do not know how to go about getting the help.

RELATIONSHIP BETWEEN HUMAN DIGNITY AND PATRIOTISM

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. SCHADEBERG. Mr. Speaker, in the midst of all the turmoil, dissent, protest, disruption, and civil disobedience of the past years, few persons have addressed themselves to the true meaning of patriotism and its ability to help us understand our dreams and ideals and to realize what this Nation stands for. Last month, Dr. John A. Howard, president of Rockford College, Rockford, Ill., outlined to Rockford students his understanding of the relationship between human dignity and patriotism. On Thursday, October 9, the Christian Science Monitor carried excerpts from his remarks. I take pleasure in enclosing them in the Congressional Record in the hopes that it will provide some understanding of ourselves, our dreams, and our future:

A man without aspirations is not a whole man. A society without a shared and cherished vision of what might be is a desolate society, one lacking in vitality and cohesiveness.

In the Godkin Lectures at Harvard University last March, John W. Gardner asserted, "A high level of morale is essential if a society is to succeed in the arduous tasks of renewal." A high level of morale is exactly what we do not have in the United States.

Some times back, an African student attending Rockford College spoke to a group on our campus. In the question period which followed, he was asked about his long-range plans. He replied that he wanted to get the best possible education so he could return to serve his people and his country. He said this with vigor and pride and conviction. A glance around the room showed admiration and approval on the part of everyone who heard this testimonial of commitment.

Compare, if you will, the probable reaction that the academic community would give to an American student who asserted that his great life's hope was one of patriotism, that he wanted to devote himself to serving his country and his people. I suspect that a large portion of intellectual America would be at the very least, embarrassed by such an outburst of patriotic sentiment, if not actually frightened by the fervor of such "unenlightened insularity." Love of country, that is our country, is now passé, or gauche, or intolerable in much of academia.

IS THERE A DIFFERENCE?

What is this? A double standard? Why is patriotism a glory when it operates in a developing nation which may be plagued with gross inequities and bloody struggles for power, and patriotism in an advanced nation a source of indifference, scorn or alarm?

First, I believe this is not an independent phenomenon, but rather one facet of a pervasive cynicism that has infected every aspect of our own culture. James B. Reston writes of the "new pessimism." He quotes Dr. Arthur F. Burns, a top adviser to President Nixon, as saying, "What worries me more than all these financial questions—I think a great sickness has gripped our society. I think a great many citizens have lost faith in our institutions."

In an essay in the Saturday Review several months ago, Archibald MacLeish writes of the loss of belief in man and his dignity.

The arts have deadened the soul, or rather they reflect a deadened soul, says Mr. MacLeish.

In times gone by, there were those who thought that great art should enable or exalt. Now, many prize that art which "tells it like it is," not like it could be. We are raising whole nations of young people whose steady musical diet has been the complaints and the protest and the focus on physical gratification of rock music and never even exposed to the exhilaration of Beethoven, or the tranquility of Mendelssohn, or the sheer joy of Mozart.

But philosophy, too, has contributed to what Mr. MacLeish sees as the flatness of life, the loss of a dimension in the world. Thomas Molnar's recent book entitled "Sartre: Ideologue of Our Time" provides a keenly perceptive analysis of this most influential philosophical writer. Mr. Molnar points to the basic Sartrian concept of "a morally neutral world where good and evil have been absorbed and made irrelevant."

Philosophy used to aspire to provide understanding so that man could climb toward the heights. Some large portion of current philosophers, having rejected the concepts of good and evil, of heights and depths, simply assert the flatness of life and analyze man's permanent state of nausea or despair, or else have abandoned the concern for man altogether and have wandered off into semantics.

With no hopes, no dreams, no vision of what could be, man becomes petty and quarrelsome and ruthless.

I think we have some choice in this matter. Man can free himself from this bondage if he chooses to. Our preoccupations are those which we permit to prevail.

As I have indicated, my central concern in this talk is the subject of patriotism. It is a challenge for a speaker to knock on this door in the house of intellect, for the mere word, patriotism, is sufficient to cause many scholars to slam the bolt and fix the latch chain. (And such a reaction is, itself, a sorry commentary on the family that dwells in the home of the open mind.)

Patriotism is not just blind love for a piece of property. Nor is it simply a mutual defense pact that remains in force only as long as there is an external threat. Patriotism, true patriotism, is an eternal and legitimate love affair with a set of principles, with a common vision of the good life.

Listen to the words of Mary Antin from her book "The Promised Land":

"So at last I was going to America! Really, really going at last! The boundaries burst. The arch of heaven soared."

And later in the same book:

"Spirit of all childhood! Forgive me for so lightly betraying a child's dream-secrets. I that smile so scoffingly today at the unsophisticated child that was myself, have I found any nobler thing in life than my own longing to be noble? Would I not rather be consumed by ambitions than live in stupid acceptance of my neighbor's opinion of me?"

Immortal aspirations were what attracted the floods of immigrants to this land, for they saw this land as a place where by public commitment, each person was assumed to have worth and granted equal rights under the law, and where differences of faith and opinion were welcomed.

Having grown up with these concepts as the conditions of our living, we cannot comprehend, we cannot register upon how revolutionary they were when first proclaimed,

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nor do we realize how they contrast with what exists in the police-state nations, nor how they differ from contemporary democracies that carry still the deep-rooted psychological mind-set of their monarchical heritage.

The existence of a House of Lords and a House of Commons maintains the message that the common man, even risen to the highest position, remains a commoner. Through much of continental Europe, the peasant, whatever his talents and accomplishments, remains a peasant in his own eyes and in the mind of the people.

The centuries-deep acceptance of class and station continues to mock the concept of true dignity for each man. By contrast, in our country, with our inheritance of assumptions, the phrase "second-class citizen" very rightly stirs indignation, for with us, it is a contradiction in terms.

The most obvious and pervasive disillusionment with our country stems from the war in Vietnam. Here again, I suppose it is only fools who rush in, or even pussyfoot into this subject, since many academic folk have made up their minds on this matter and are far more interested in telling the other fellow than in listening to any other thoughts about this issue. Still, there are some aspects of this grief-bearing chapter that need further probing.

REASONS LACK PERSUASION

Has it occurred to you that there are scarcely four presidents in our history who were more dissimilar in their cultural, vocational, emotional, intellectual, and political attributes than Presidents Eisenhower, Kennedy, Johnson, and Nixon? And yet each of them when faced with the responsibilities of the presidency, and when made aware of the full range of information available to that office, has held to the course of supporting the South Vietnamese in their defense against the Viet Cong and the North Vietnamese.

On the other hand, there can be no question that all four administrations have grievously failed in a very important obligation. Although our presidents have seen fit to maintain our participation in this conflict, they have not conveyed to our people persuasive reasons to do so.

The vacuum created by this absence of public and persuasive justification has been filled by conjectures and claims and counterconjectures and counterclaims which have intensified to the point of hysteria, to the point that reason gives way before shrill nonthought.

The novel, "Catch-22," offers an illustration of what I consider shrill, polemical nonthought. This book has had a great vogue and has been one of the most powerful influences in persuading youth that war must be rejected above all. The protagonist of the book, an American airman named Youssarian serving in World War II, equates his commanding officer with the enemy, because, he says, they both want to get him killed. Since U.S. officers must send their troops on dangerous missions, Youssarian considers his superior officer as an effective enemy.

This is distorting history and misreading motives with a vengeance. The sad facts are that while conscientious leaders of France and England were trying every conceivable means to negotiate a reasonable peace with Hitler, his blitzkreigs were capturing the peoples of Czechoslovakia, Austria, and other lands. Finally, it was recognized that it was impossible to negotiate with Adolf Hitler. The only options were to fight or surrender.

And a great many people fought in that war in the belief that they were engaged in trying to prevent a fate worse than death. As the stories have been pieced together about such places as Belsen, Buchenwald, and Dachau, it is clear that to be the captives of a power that could conceive and operate such inhuman compounds was, indeed, a fate worse than death.

Next, some brief observations on the blacks and the whites. The black-power movement, as its name implies, is founded in a philosophy that perceives the central factor in human relationships to be that of who controls whom, of how much force—political force, economic force, armed force, force by fear—can be exerted by one man or one group upon another. This attitude, it seems to me, is analogous to the philosophical foundations of the governments which ours was established to counteract.

All governments of the past operated in circumstances where the people were permanently split between the privileged governors and the less privileged governed. And their political systems were drawn to exercise power to maintain this situation.

Power was the glue that kept the society together. Some had it, and nothing short of the assemblage of a greater counterpower could change that circumstance. The wars of succession down through the ages provide rueful and ever recurrent proof that governments which are organized upon the assumption that some are to have more power than others will always be subject to internal strife and bloodshed.

In the almost two centuries of the history of our nation, the only massive instance of citizens killing citizens was, of course, occasioned by this same question: Shall one group of people, with governmental cooperation, be maintained in a position superior to another group of people? This was the issue of the Civil War and it also is what has been at issue on all of the civil-rights questions ever since.

BOLD DECLARATION

The American Revolution was a bold and incredibly perceptive declaration of the nature and the rights of man and it launched an experimental government painstakingly designed to minimize the principal threats to those rights. One of the foremost threats was perceived to be the instinctive thrust of men to obtain and exercise power over other people. An elaborate mechanism was therefore established to disperse the powers of government. The separation of executive, legislative and judicial branches was instituted precisely for this reason.

Now I want to propose just one more large category of concept and activity which, I believe, is contributing to an attitude of hostility toward the American dream. It is the spreading preoccupation, particularly among the youth, with one's own comfort, one's own physical gratification, one's right to do whatever he pleases as long as he doesn't significantly harm someone else.

The government inaugurated in 1789 was committed to maximizing the dignity of all citizens. However, in attending to all aspects of maximizing human dignity, the whole structure of the government was posited upon the requirement that the citizens, every citizen, would have to make some very great sacrifices.

Against this necessity for sacrifice, the current insistence upon exercising one's own whims with a disregard for the sensitivities of others, the quickening readiness to pronounce one's own particular objectives as uniquely moral and therefore beyond the purview of publicly established limits—all of these attitudes and actions stand in hostility to what this country is all about, and contribute to the disenchantment with America.

We must, I think, recognize that there are two basic ways of conceiving of human life. In one view man is merely an animal of superior gifts and intelligence with no meaning to his existence beyond his own enjoyment, and his only obligation is to get everything he can for himself and let the chips fall where they may.

Given that view of life, there is no hope for peace anywhere, since each person is a predator preying upon everyone else with whatever wiles, strategems or force he can bring to bear. If one perceives man in this fashion, it will follow that groups will band together observing common limits when it works to their own advantage to do so, but all outsiders are fair game for any cruelties, deceptions or pilfering which can be devised.

The other view of man perceives a dignity—that is, a basic worthiness—in each person and perceives a transcendence in life that gives value to the sacrifices one makes that will benefit others, either now or in the future. Only in this view of life does the term, ideal, take on any meaning.

Of course, each man has his own vested interests, and each group its own vested interests, as does each nation and each philosophy. There will be the pushing and shoving and insults and crime, because man is human. But man also has a sublime spark which stirs the sacrifices of one for another, which gives rise to compassion and considerateness and friendship and rejoicing in another's good fortune.

HOPE IN HUMAN DIGNITY

To the extent that such consideration can take precedence over the most damaging aggressions of self-interest, man can inch forward in the centuries-long journey toward peace and brotherhood. There will not be any instant answers. International and national and personal cruelties cannot be banished at once by any means.

It seems to me that the long-range hope is to enlist all of mankind in pledging allegiance to human dignity and in devising the ground rules which will enable and encourage each man to express himself and seek his own goals [within the context of] the common good.

And that objective is exactly what the great American experiment is all about. It was and is a commitment, such as no other people has ever made, to devise a means of living together which would most greatly enhance the worth and most greatly involve the participation of each citizen. It was and is a reaching out for the stars.

For those who conceive man as having a soul, a dimension superior to and beyond his own gratification, truly the sky is the limit in the relevance and satisfactions of seeking to find how men can live together in greater justice and harmony and of trying to devote one's life to that end.

AMERICA'S VIEW OF INDIA AND NORTH VIETNAM

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. BROOMFIELD. Mr. Speaker, it has come to my attention that the Government of India is considering extending full diplomatic recognition to North Vietnam. This news disturbs me greatly.

While I would not presume to interfere in the internal policy decisions of the Indian Government, I can, I believe, offer some advice about how such a decision would be greeted by the American people.

As every Member of this body is aware, the war in Vietnam is an extremely sensitive issue, very much on the minds of most Americans. Its early resolution is something we all earnestly desire. I believe the American people would take a decidedly dim view of any neutral nation which extends a hand to North Vietnam at this crucial time. Once this tragic war is concluded, such intense feeling almost certainly will subside.

Timing, in a very immediate sense, is also a consideration that should not be overlooked. Over the years the United States has sent some $9 billion in aid to India, and although some critics might disagree, most fair-minded observers hold that India has used it well.

As a member of the House Foreign Affairs Committee, which is now involved in drafting the 1970 foreign aid request, I cannot help but be aware of the growing mood of disenchantment in Congress toward aid programs generally.

The emergence of a peaceful and stable India, in my view, is vital to the future of Asia and the world. The United States can and must assist in seeing that India achieves that goal. Recognition of North Vietnam by India at this time could only add further obstacles for those of us seeking to follow that path.

JERRY KOOSMAN—AN INSPIRATION TO YOUTH

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. ZWACH. Mr. Speaker, there was a big surprise party in Baltimore and in New York these past few days when the once lowly New York Mets of the National League defeated the highly regarded Baltimore Orioles of the American League for the baseball world series title.

While normally a fan of the American League, where our Minnesota Twins were the western division champions, I was pulling for the National League in this series because one of my constituents plays with the New York Mets.

Mr. Speaker, I would like to pay a small tribute to that constituent, a strong boy off one of our Sixth Congressional District farms, Jerry Koosman, fastball pitcher for the New York Mets and a two-game winner in the series.

A native of Appleton, Minn., where his family still farms, Jerry now spends the off season in Morris where he has his home.

Jerry Koosman is a typical Minnesota farm boy. Between his chores on the farm, he managed to find time to become a pretty fair country baseball player. He played high school and American Legion ball and then went into the Armed Forces.

His career with the New York Mets has been phenomenal. He was an instant success, a winner in his rookie year.

Although he won only 17 games this year, a slightly poorer record than in his rookie year, he came through with two big victories in the series and, for a .048 average hitter, did the almost impossible of hitting a two bagger in the final series game.

Mr. Speaker, this countryside boy is now the toast of our Nation's largest city. Where, but in America, is a success story such as this possible?

I salute Jerry Koosman. May he be an inspiration to every young man who aspires to a career in our great national pastime.

TECHNOLOGY ASSESSMENT—CRUCIAL ITEM ON THE NATION'S AGENDA

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. MILLER of California. Mr. Speaker, technology is often considered synonymous with progress. And, in fact, our rapid progress during the 20th century has been directly attributable to the technological advancements of this period.

There must come a time to assess the impact of such developments on society as a whole. Anyone who drives an automobile in Washington, D.C., must realize that traffic jams and air pollution are the byproducts of our transportation evolution. We hurry and hurry to produce more effective and efficient conveniences and conveyances, yet little or no thought is given to the effect of our "progress" on our environment.

However, there are a few farsighted individuals who have become concerned with the future impact of today's technology. One of these is the Honorable EMILIO Q. DADDARIO of Connecticut, who I am proud to say is a member of the House Committee on Science and Astronautics, of which I am chairman. In a recent article by William Leavitt, "Technology Assessment—Crucial Item on the Nation's Agenda," which appears in the Air Force and Space Digest, great credit is given to Representative DADDARIO for his outstanding efforts in focusing attention on the need to assess the effect of our technological progress. He deserves a great deal of credit for his tenacity and farsightedness.

Mr. Speaker, Mr. Leavitt's article on this subject is most timely and thought provoking. I, therefore, commend it to the attention of my colleagues. The article follows:

TECHNOLOGY ASSESSMENT—CRUCIAL ITEM ON THE NATION'S AGENDA

(By William Leavitt)

America the beautiful? By now thoughtful citizens across the land, bombarded daily with newspaper stories and television programs lamenting the deterioration of our air and water and the approaching paralysis of our cities by auto traffic and the frequent collapse of public services we once took for granted, are asking how much longer we can utter that phrase with any degree of confidence.

The villain, an increasing number of social critics assert, is the technology that has brought higher standards of living to the majority of Americans and has provided mobility, instant communications, convenience foods, stylish ready-to-wear clothes, fancier medical care, and the host of other amenities that mark America in the last third of the twentieth century and that are, in one form or another, aspired to by less-developed cultures around the world.

To blame technology for the threat to the environment may seem unfair and even silly to the casual observer. It is fair to ask the antitechnologists if they would be willing to go back to the "good old days" of travel by horseback, of kerosene lamps, and deadly epidemics against which medicine was virtually powerless.

But dismissing the critics so lightly is no answer. There *are* increasing threats to our environment. The air *is* bad in our cities. The mobility that is so dear to us *has* begun to strangle our cities and has contributed to an unbelievable sprawl. And there is increasing and terrifying scientific evidence that the ecological cycle on which all of us must depend for our sustenance *is* being disturbed, perhaps irreversibly in some cases.

What is clearly needed is a new set of approaches to the utilization of technology, without which we cannot survive as a modern society but the *consequences* of which must be examined much more carefully than ever before. Happily, there are people in important positions facing up to this issue. And if they can make some headway in their campaign for new institutions to analyze the consequences of the utilization of technology, it is at least possible that, at long last, both the private and public sectors can be imbued with a new sense of responsibility in the employment of technology.

One man who nearly single-handedly, as a member of Congress, has been leading a quiet campaign for a number of years to develop such new institutions for what in the jargon is called "technology assessment," is Rep. Emilio Q. Daddario, Democrat of Connecticut. He is a member of the House space committee and is the chairman of the space committee's Subcommittee on Science, Research, and Development.

Congressman Daddario, in his years as chairman of the subcommittee, has managed to spark the creation of an effective partnership between Congress and the scientific and engineering community. In tandem with Mr. Daddario, the National Academy of Sciences and the National Academy of Engineering have been working at analyzing the implications of technology for society. In public seminars and by means of special studies of science and technology and their impact on public policy, the savants have finally begun to get some congressional and public attention. This is no mean achievement in a political environment in which the executive branch has for so long had primacy by virtue of its army of "experts" and the natural unity of the executive as compared to the pluralism of a Congress, made up of several hundred individuals of varying views, competences, and susceptibility to pressures.

The latest achievement of the Daddario subcommittee has been the enlistment of a distinguished panel of scientists and engineers, under the aegis of the National Academy of Sciences and chaired by Harvey Brooks, Dean of Engineering at Harvard University. The panel has prepared a wide-ranging report (*Technology: Processes of Assessment and Choice*, available for 75¢ from the Superintendent of Documents, US Government Printing Office, Washington, D.C. 20402) on possible approaches to the creation of some kind of mechanism or mechanisms within the federal government that would have the job of analyzing *in advance* the implications to society of implementing currently available technology or of proceeding along technological paths which seem tempting now but which, if they were examined closely in terms of potentially harmful effects, might seem far less desirable.

In 150-odd pages, the authors of the report trace, philosophically and by way of specific example, the mistakes of the past—the era we have already lived through—during which commercial advantage and often an uncaring fascination with technology for its own sake have ruled policymaking or, put another way, made for virtually no policy. As an example of failures of imagination and the difficulty of long-term prediction of social and environmental effects of proliferative technology, the panel notes, on the subject of the ubiquitous automobile, that "to predict that such vehicles would chemically pollute the atmosphere more than vehicles driven by steam or electricity would have been simple, [but] to predict that the automobile (of which there were four in the United States in 1895 and some 80,000,000 in 1968) would become the chief source of urban air pollution would have been far more difficult."

As to important peripheral effects, who would have guessed, the panel asks, even twenty-five years ago that one of the main causes of the logjam in our courts would be the enormous number of damage suits by one citizen against another, all growing out of auto accidents?

And the auto is not the only villain. Any number of other kinds of hardware and their supporting systems, the panel points out, have proliferated to awe-inspiring proportions, as have their societal side effects. For that matter, how many people twenty-five years ago could have predicted the pervasiveness of television and the frequent "mind-pollution" of the medium? In its way. TV may be even more dangerous than auto fumes.

The National Academy panel acknowledges but is at least a little hopeful about the commercial-political problems of technological assessment. "Comprehensive efforts to assess the consequences of a technology can often be effective," the panelists note, "even if they are delayed until the initial stages of research and development have been completed and the technology is at the threshold of commercial introduction. So long as one does not wait until very substantial interests have vested in a particular mode of application, one still has a reasonable opportunity to influence the eventual outcome by a careful examination of alternative possibilities and their implications. Recent withdrawals of defective cars by automobile manufacturers demonstrate how public opinion and the threat of possible regulation or legal liability can modify corporate behavior far beyond the early stages of development."

The panelists, throughout their report, dwell on the crucial need for better technology-assessment mechanisms within government on the one hand, while at the same time examining the built-in conflicts of interest created by the present system. They cite the problems posed by the existence of federal agencies like the Atomic Energy Commission or the National Aeronautics and Space Administration or the Department of Transportation, among others, where the prime purpose is necessarily the promotion of a particular set of technologies. Clearly, there are limitations to the degree of detachment such agencies can exercise in their analysis of the social implications of their own technologies. In a different way, the regulatory agencies of government suffer from limitations in that they are often overly sympathetic to the industries they regulate or in other situations unimaginatively rigid in their regulation. This latter fact sometimes prevents the introduction of new technology that might serve the public not only more economically but also with less deleterious effects. The problems are endless.

But, the panel declares, the fact that they are endless and so complex does not obviate the need for the new technology-assessment institutions.

Such new institutions, watchdogs, and analyzers "should operate," the panel urges, "at a strategic level in the political process, close to both the legislative and executive branches, in order to attract the most competent and imaginative personnel available and to enhance the quality of governmental response to the problems and opportunities of technological development."

These are more than words. What the Academy panelists are saying is that wherever in the federal government such new institutions or agencies might be located—and there are strong arguments for having parallel structures in both the executive and legislative branches—they should have real prestige and influence across the government spectrum. They should most certainly have access to and the support of the President, whose role as chief decision-maker is so crucial to the tone of his entire administration and its technological commitments.

"The primary effort [of any new technology-assessment mechanism or set of mechanisms] would be," the Academy panel suggests, "to project social and environmental effects in the most comprehensive terms possible, with particular attention to dimensions of impact and options for policy that other assessments of the [technological] area have failed to explore fully."

A crucial role of such a new outfit or outfits would be to provide a focus for hitherto unrepresented citizens or citizen groups who up to now have been factored out of technologically oriented decisions, either because they have not known what was up in time to object to, or, conversely, to argue in favor of particular technological proposals. In too many cases, people or groups who ought to be heard have simply not had the money to organize themselves into effective lobbies. There needs to be a place for ombudsmanship or public advocacy for citizens and groups with legitimate gripes about public policy in the field of technology.

The Academy panelists offer a long list of assignments for the new watchdog outfit or outfits: the kind of ombudsmanship alluded to in the previous paragraph; the sponsorship of basic research on technology assessment itself; the review of technology assessment being performed by other government agencies; and the maintenance of an information center on technology assessment "which would in time become a primary source of critical data with respect to pertinent activities carried on in government, in the universities, and in other organizations."

The Academy panel also proposes that the new technology-assessment organization or organizations issue an annual report that would summarize its efforts and "seek to develop a framework for public discussion of . . . issues and . . . seek to publicize matters relevant to technology assessment that seem unlikely to receive adequate public attention through other channels."

Perhaps the most important function of such a public report would be to suggest priorities "as to the most pressing (technological) problems and the most promising opportunities in technological assessment."

Priorities would reflect such factors as urgency of technological issues with respect to the degree to which irreversible consequences could be expected from postponement of decisions or the imminence of large commitments of monies and resources to particular technological proposals.

Also, because of the importance of congressional and presidential understanding of and attention to technological policy issues, a major function of the new mechanism or mechanisms would be, in the view of the Academy panelists, to prepare in-house policy papers "recommending specific actions to the Congress, the President, executive agencies, (and) administrative bodies."

The Academy panel explores a number of ways such new technology-assessment institutions could be organized, ranging from a special staff to be added to the existing presidential Office of Science and Technology to a new and well-staffed Joint Committee of Congress on Technology Assessment. The panel even considered something along the lines of the quasi-independent Federal Reserve Board. Each approach has its promise and its pitfalls.

But, withal, the question is not so much exactly where in the government such a new organization or organizations should be located as it is of making sure that the new institutions have competence, detachment, and significant influence on the decisionmakers. The military is not left out. The panel acknowledges the need for security and military strength. But at the same time the panel urges that in order for military-based technology to be properly introduced into the civilian environment, some reasonable extension of the "need-to-know" concept be made so that more useful and reasoned criticism can be fed in from the outside when military-technology questions are being decided upon.

"Our study," the Academy panelists report, "has revealed that existing mechanisms, whether they involve government agencies, private industries, or professional groups, possess intrinsic limitations, some structural and others psychological, that leave serious gaps in the spectrum of processes that assess and direct the development of technology in our society.

"In the formulation of issues for assessment and in the attributions of value to alternative outcomes, those processes too often ignore the broader social and environmental contexts in which their effects are felt. In the calculation of costs and benefits, they ascribe too little significance to the preservation of future options. They give too little attention and support to research and monitoring programs calculated to minimize technological surprise and to deal more rationally with the burdens of uncertainty. They frequently reflect the views, interests, enthusiasms, and biases of unduly narrow constituencies and create insufficient opportunities for meaningful public participation in choices having major consequences."

A collection of all-powerful wise men of science to decide what technological choices we should make as a nation is not at all what the Academy panel has in mind.

"We do not contemplate or forsee in the future a highly centralized process of technological evaluation, even for the areas of technology that are largely dependent on federal programs and policies," the panelists assert. "Such centralization would be not only unworkable but unwise, politically, unacceptable, and extremely dangerous."

The panel urges, rather, the creation of "a constellation of organizations, with components located strategically within both [legislative and executive] branches, that can create a focus and a forum for responsible technology-assessment activities throughout government and the private sector."

Such organizations, it is advanced, should be clearly separated from "any responsibility for promoting or regulating technological applications," so that detachment and ombudsmanship roles can be played effectively.

The urgency of the requirement for such new institutions is underscored by the Academy panel report's final words:

"The future of technology holds great promise for mankind if greater thought and effort are devoted to its development. [But,] if society persists in its present course, the future holds great peril, whether from the uncontrolled effects of technology itself or from an unreasoned political reaction against all technological innovation."

As we prepare for a second manned landing on the moon, what the Academy is trying to tell Congress about affairs on earth is something the rest of us should be thinking about.

PFC. NATHANIEL BUSH DIES IN WAR

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. LONG of Maryland. Mr. Speaker, Pfc. Nathaniel Bush, a fine young man from Maryland, was killed recently in

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Vietnam. I wish to commend his courage and to honor his memory by including the following article in the RECORD:

PFC. NATHANIEL BUSH DIES IN WAR; WAS DUNBAR ATHLETE

Another Baltimore soldier has been killed in action in Vietnam, the Pentagon reported yesterday.

Army PFC Nathaniel Bush, 22, of 5119 Queensberry avenue, was killed October 2 when his combat patrol was ambushed in the city of Tay Ninh, 70 miles northwest of Saigon.

Drafted last December, Private Bush was sent to Vietnam four months ago as an infantryman with the 1st Cavalry Division (Airmobile).

A native of Baltimore, he graduated from Dunbar High School in 1966. Private Bush was on the Dunbar basketball and tennis teams and in his spare time worked on old cars.

Private Bush was buried yesterday in National Cemetery after a ceremony at the Waters A.M.E. Church.

He is survived by his mother, Mrs. Gladys C. Bush; two brothers, Hollis, L. Bush and Bradley L. Bush; and two sisters, Mrs. Lillie M. Watkins, and Mrs. Carol L. Cofield, all of Baltimore.

FROM HERE TO OBLIVION?

HON. LUCIEN N. NEDZI

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. NEDZI. Mr. Speaker, the October 1969 issue of Field & Stream carried an excellent article by Michael Frome, entitled "From Here to Oblivion?" So that my colleagues may have an opportunity to be aware of Mr. Frome's provocative views, I insert the text of his article at this point in the CONGRESSIONAL RECORD:

FROM HERE TO OBLIVION?

The question before the house, and not only the House but the Senate as well, and the President and his Cabinet too, is how to get the reins on a headstrong, runaway national environment and turn it in the right direction before it goes completely, everlastingly, irreversibly haywire.

The answer may be difficult to come by, but the facts of the case are now clearly known. I hear them stated again and again in sundry Washington quarters. The nation is always catching up with crises after the damage is done, they say, whether from pesticides, pollution, oil slicks, or other abuses of the once beautiful earth God bestowed upon us. Unless we can get out front, with long-range plans, including firm restraints and disciplines over industrial production, resource use, and human population growth, then the country will prove unworthy of its natural blessings; it will pass the point of no return on the course of ecological disaster before we know it.

There is no doubt of a growing sense of awareness and concern. One gets the feeling of it in contacts with some quarters of the Nixon Administration. An appreciable number of Congressmen of both parties, especially among the young members, are eager to get going with constructive legislative action. Even spokesmen of large corporations in Washington are reporting on the establishment of "environmental control committees" within their firms. These signs are all to the good.

Unfortunately, we are still falling behind in the race with the environment. The clean air and clear water calamities are worsening, not easing, because of the niggardly appropriation of funds and weakness of Federal regulations. Congress as a whole persists in weighing the desires of the special economic interests above the needs of the people, and of survival. It is little wonder that we are about to permit the unleashing of a whole new generation of supertankers on the spurious grounds of "economy" without reckoning the ultimate cost to society of potential superdisasters many times larger than the *Torrey Canyon* or Santa Barbara.

Besides which, no force on earth can command the whole Federal Government to "Go save the environment," and expect it to be done. At least eleven executive departments and sixteen independent agencies are involved in environmental programs, but too many are self-propelled and inbred, working at bureaucratic cross-purposes with each other, tied to powerful economic constituencies which lobby for expanding budgets. At best, personnel are limited in perspective by the tunnel vision of their specialized training. As Ralph McMullan, the Director of Natural Resources in Michigan and an outstanding state leader, declared in recent testimony before a Congressional Committee, "The air pollution specialist who thinks that replacing the soot-throwing, fossil-fueled electric generating plant with a nuclear-powered monster is going to eliminate environmental contamination has his head in the sand. He is forgetting that thousands of cubic feet per minute of hot water discharge isn't exactly a minor environmental problem."

Nevertheless, the President has taken promising steps toward charting a unified new course. His establishment of an Environmental Quality Council, composed of himself, the Vice President, and six Cabinet members, marks a milestone in Federal attitudes toward natural resources. For the first time, at the highest level, the executive departments will have the means for developing and coordinating a comprehensive and continuing effort. Certainly the President's participation as chairman adds a new dimension and sharpens the focus of his Cabinet members on the issues.

Functions assigned to the Council in the President's executive order include the assessment of new and changing technologies for their potential effects on the environment; encouragement of timely public disclosure by all levels of Government and by private parties of plans that would affect the quality of environment, and stimulation of public and private participation in programs and activities to protect against pollution of the nation's air, water and land, and its living resources.

Mr. Nixon has a long way to go to prove himself a conservation President. He must back these words with strong medicine on specific issues and go to Congress for money to fund critical programs like the Clean Water Restoration Act, even though it may mean cutting another billion dollars of fat from the Pentagon budget. He must ask members of the Environmental Quality Council: "Shall we look back at what we have accomplished, or at what we have talked about?"

Still, the Administration gives reason for hope. For example, Secretary of Transportation John A. Volpe came through by establishing a new office in his department to coordinate environmental problems, headed by the former mayor of Seattle, J. D. Braman; and, better yet, by backing its recommendation to deny Federal funds for the proposed New Orleans expressway because it would impair the quality of the historic French Quarter. This is the more remarkable considering Mr. Volpe's background in private contracting, serving then as a tried and proven member of the highway lobby, and that he is surrounded now by a crowd in the Bureau of Public Roads used to having its way. But his decision opened the path for rescuing parklands threatened by roads in Memphis, San Antonio, in the middle of the Potomac River outside of the nation's capital, and for yet aborting the Everglades jetport in Florida before that ugly monster is born.

The President himself came through in his message to Congress on July 18 in which he recommended establishing a Commission on Population Growth and the American Future specifically to avert an over-impact on natural resources and the quality environment. "Pure air and water are fundamental to life itself," Mr. Nixon declared. "Parks, recreational facilities, and an attractive countryside are essential to our emotional well-being. Plant and animal and mineral resources are also vital. A growing population will increase the demand for such resources. But in many cases their supply will not be increased and may even be endangered. The ecological system upon which we now depend may seriously deteriorate if our efforts to conserve and enhance the environment do not match the growth of the population."

These momentous issues are much before both houses of Congress. If I am not mistaken, more than forty bills were introduced early in this session to create a national environmental council in one form or another, and one bill alone carried the names of forty sponsors. I believe a lot of this action was triggered by the persistence of Senator Gaylord Nelson, of Wisconsin, who came to Washington a few years ago as a proven conservation governor of Wisconsin with new ideas about the need of ecological research and surveys. Then last year Senator Henry Jackson, of Washington State, chairman of the Senate Interior Committee, took the lead by conducting an earnest discussion program involving Cabinet members, Congressmen and chosen outsiders, which led to his "National Environmental Policy Act of 1969."

The Jackson Bill has already been approved by the Senate; it varies in some ways with those bills in the House, but essentially they would all require Congress and every Federal agency to fully demonstrate ecological responsibility and would also establish a board of environmental advisers to evaluate and criticize the work of the agencies and to advise the President. "In both Federal and state governments, we have often indulged ourselves in the illusion that we are doing a grand job, but the facts don't support it," Senator Jackson told his colleagues. "Our responses have been too narrow, too limited, and too specialized. We have established programs without clear enough perception of objectives and goals."

During the recent summer, two progressive subcommittees of the House conducted hearings on environmental bills, providing a forum for warnings by scientists, citizen organizations, and public officials on the current ecological collision course. Representative John Dingell, of Michigan, noted that the basic jurisdiction of the subcommittee over which he presides relates to fisheries and wildlife. "However," he declared, "we can no longer hide from the fact that fish and wildlife are affected adversely by many other factors, including air pollution, water pollution, and the increasing misuse of pesticides. We must consider the interrelationships of these problems in formulating legislative policy." On this basis he introduced an amendment to the Fish and Wildlife Coordination Act that would establish a Council on Environmental Quality in the office of the President, and then fought hard to get action on it.

The other environmental hearings were held on a bill before the Conservation and Natural Resources Subcommittee of the Committee on Government Operations, a group that has not hesitated to tackle tough and broad-gauged issues. Representative Henry S. Reuss, the chairman, and his colleagues have also conducted hearings on the dangers of open-air testing of chemical poisons and on pollution and extensive fill-

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ing of San Francisco Bay (as part of an intensive investigation into destruction of estuaries and waterways), and the last time I looked they were readying for new hearings on population problems. They courageously blocked a smelly landfill scheme on the Potomac River; criticized the Navy as the worst pesticide polluter in the Potomac Basin; and succeeded in getting the Interior Department to deny intrusive rights-of-way across Indian lands. The Democratic chairman has been blessed with the bipartisan cooperation of three energetic young Republicans—Gilbert Gude, of Maryland, Guy Vander Jagt, of Michigan, and Paul McCloskey, of California—all of whom have been pushing worthy conservation projects of their own. The latter, in fact, had fifteen interns in Washington during the summer studying national land-use policy and population problems.

The Republicans in the House have a Task Force on Earth Resources and Population, and the Democratic Study Group (an informal alliance of the young-in-spirit) has a Task Force on Natural Resources and the Environment. Representative Richard Ottinger, of New York, has gone further by forming an Ad Hoc Committee on the Environment, composed of 119 members of both houses; through the nongovernmental offices of the Environmental Clearinghouse, they exchange communications with leading scientists and conservationists.

But not all of Congress is tuned in. Although young members are ready for action, the leadership of both parties, in both houses, skirts the issues and continues to miss the big picture. The little done for the conservation cause in recent years is like a bone thrown to the dogs; it demonstrates the scope of the backlog of inaction piled up by Congresses, Democratic and Republican alike, for thirty years.

This is illustrated in the recent House Appropriations Committee report on the budget of the Interior Department and related agencies. After lamenting that inadequate attention is being given to conservation of natural resources, the committee proceeded to allocate less than one and a half percent of the total Federal budget for this purpose and sought to place the blame on the executive department. It specifically deleted funds for the President's Environmental Quality for Council, charging it to be a patchwork approach, "little better than nothing"—which is precisely how one might interpret the Appropriations Committee's actions and attitude on these issues.

The day of lip service is done. The people must have an accounting of the management of our little biosphere. No Federal agency can be exempt from scrutiny, for the opportunity to wreak lasting damage is now much too great. I fear the course of the Atomic Energy Commission, which is scheduled this fall to explode a massive "calibration shot" in the Aleutians as the prelude to bigger and better things, climaxing in the "full yield final device." Not only here but in other operations AEC is playing a dangerous game. There is no time to lose in getting a firm public fix on H-bombs, germ warfare, pesticides, and the rest of the deadly threats to the environment. Or the question of saving it will become purely academic.

LET US NOT DESTROY THE PRESIDENCY

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. SHRIVER. Mr. Speaker, at this time when there is so much discussion taking place on the issue of the war in Vietnam, I think the following editorial that appeared in the Wichita Eagle, of Wichita, Kans., on October 13, 1969, is of great significance:

ACHESON MAKES SENSE ON THE PRESIDENCY

Perhaps it's too much to expect that the United States of 1969 or 1970 will have the patience and intelligence to follow the advice of Dean Acheson, who was Secretary of State under President Truman.

Mr. Acheson wishes the country would stop trying to destroy its presidents. He pointed to the viciousness of attacks on President Nixon, which repeat the pattern of criticism of Lyndon B. Johnson.

"I think we're going to have a major constitutional crisis if we make a habit of destroying presidents," said Acheson. "We'll have the situation we had after the Civil War when the presidency practically disappeared—from Andrew Jackson to McKinley."

This country must have a chief executive who will make decisions and carry them out. Otherwise it will dissolve into anarchy. Many Americans don't understand this basic fact of life. No President can possibly please everybody. And Americans increasingly are prone to turn upon the hapless chief executive and try to tear him to pieces the minute he doesn't please.

This does no good. It hampers the man in his work. Either he becomes more obstinate in pursuing his own course because he can see that much of the criticism reaches the point of irrationality; or he becomes so confused by the whirlwind of criticism that he cannot make good decisions.

Anti-authoritarianism has always been a facet of American character, but it wasn't until the administration of Lyndon Johnson that anti-presidential criticism reached such heights that the President no longer could appear in public. If criticism of Nixon continues, he'll be in the same sorry predicament.

No executive—be it college president, mayor, or the father in the home—can keep things running smoothly when subjected to constant irrational and vindictive opposition and criticism.

It's time America learned to quit destroying its presidents. Many a country which fell into such vicious anti-authoritarianism has ended with the worst authoritarian of all—a dictator, for only a dictator can rule an unruly mob.

THE NEED FOR A MARITIME PROGRAM

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. O'NEILL of Massachusetts. Mr. Speaker, you have often heard me speak of our need for a new, efficient maritime program. Again, I will remind my colleagues of the complete lack of order and innovation in shipbuilding and transporting.

No nation has ever stayed a world power without a competent, productive merchant marine. Yet, we are almost totally dependent on other countries for our ocean transport. This not only loses billions of dollars for the United States every year in payment for freight carried, wages lost to American citizens, and taxes lost from large corporations that own the ships, but also endangers American cargoes and crews since many foreign builders do not comply with our safety standards. What is worse, we are insuring that the future will be the same, since we are not encouraging skilled manpower in this field.

In relatively peaceful times, the inconvenience of not having a strong merchant marine of our own may not be obvious. However, in emergencies, it is evident that our supply of ships and needed cargoes will be dominated by the whims of other countries. This, of course, could cut us off from many desired products.

The first step to remedy this situation would be to improve our shipbuilding efforts. Edwin M. Hood, president of the Shipbuilders Council of America, before a summer seminar on shipbuilding at the Massachusetts Institute of Technology, stated that our shipyards have the ability to produce the needed ships, but the inconsistencies and fluctuations in our national policy stops all improvements in this field. There is a definite lack of order and aim in our present program. It seems as if no one in the administration is certain of what should be done. This uncertainty leads to confusion, and, thus, nothing is being accomplished. While we, Americans, are dropping behind in this field, other countries, realizing the importance, are forging ahead and have more than caught up to our once "first rate" sea program.

Mr. Speaker, I commend Mr. Hood's remarks to my colleagues:

THE NEED FOR A MARITIME PROGRAM

(By Edwin M. Hood)

It is a pleasure to be among such a gathering of experts on shipbuilding and related disciplines. You know far better than I that the technology of ship construction has been steadily advancing throughout the world. You know as well as I that from a purely technical standpoint, the opportunities for further advancement are infinite. In the years ahead, you and your counterparts elsewhere will have a substantial role in the application of technology to the construction of needed ships at lowest possible costs and in keeping with reasonable delivery schedules.

The technological advances, to which I refer, are found and will be found, in shipyards large and small—old and new. They are not limited by geographical boundaries; no one has a monopoly on ideas or ingenuity, and few, if any, technological leads are ever held for long. But, it seems to me that the potentials for continually expanding gains in shipbuilding technology can be circumscribed by one very definite consideration—national purpose. This comment, I am sure, has meaning to all in this audience whether they come from the United States or abroad.

The affairs of government affect technology just as do the influences of the market place. It can be argued which takes precedence—government or economics—but, in this country, shipbuilding is, and has been, very much a pawn on the chessboard of governmental policy making. Ups and downs, starts and stops, backing and filling, in the past two decades, can be traced to the vagaries of national policy pertaining to U.S. sufficiency on the oceans.

Levels of ship construction, in that period, have failed to offset the impediments of age which have plagued our naval fleet and merchant marine simultaneously. This situation results from the continued reliance on vessels built during World War II: nearly two-thirds of the active naval fleet and three-quarters of the active American-flag merchant marine are today composed of ships 20 years of age or older.

Because of these deficiencies, it has variously concluded that the strategic, foreign policy and merchantile interests of the

United States have been inhibited: not fully exploited. Statistics pertaining to the relative balance of ocean strength between the United States and the Soviet Union, as well as those portraying the steady decline, by volume, in the carriage of U.S. commerce in American flag bottoms, lend credibility to such a conclusion.

With a transfer in the reins of government such as has taken place in Washington during the past seven months, there is expectation that a change—something different from the past—will develop. President Nixon has appointed experienced and competent people to high posts which bear, either directly or indirectly, on the shaping of national purpose and the formulation of national policy affecting shipbuilding. Among these should most surely be included Secretary of Commerce Maurice H. Stans, Deputy Secretary of Defense David Packard, Secretary of the Navy John H. Chafee, Under Secretary of Commerce Rocco C. Siciliano, Maritime Administrator Andrew E. Gibson, Helen Delich Bentley as Chairman of the Federal Maritime Commission, and others. At The White House, too, unlike in days gone by, there are those who are genuinely interested in the improving posture and strength of the United States on the oceans.

But, to bring order out of what has heretofore been a vast array of disorder, these officials in the Executive Agencies—and the Congress as well—have no easy task. Since shipbuilding has long been regarded as the "nub" of the nation's sea power problem, the present frame of mind of the shipbuilding industry illustrates my point.

The principal shipyards of the United States remain confident and optimistic about their ability to produce needed ships—both naval and merchant—to assure a continuity of U.S. sea power. They are, however, concerned by the lingering absence of a national policy to encourage stability in the industry and to produce the kind of procurement environment necessary to marshal the combined capabilities of American shipyards effectively and efficiently. This situation derives from factors and influences beyond the control of the shipbuilding industry.

It is becoming increasingly evident that if the nation's shipyard capabilities, resources and potentials are to be utilized in an optimum manner, uncertainty and confusion must be quickly replaced, to the maximum degree possible, by rational direction and reasonable order.

At this very moment, there is uncertainty as to the dimensions of the naval shipbuilding program next year and in succeeding years.

There is uncertainty as to the dimensions of the Nixon Administration's much-awaited maritime program for the next five to eight years.

There is uncertainty as to whether the funds needed to correct the high degree of physical obsolescence in the U.S. Navy and the American Merchant Marine will survive present budgetary stringencies.

There is uncertainty as to whether new appropriations for merchant shipbuilding under Federal auspices in the present Fiscal Year will be zero, $15.9 million, $145 million or $200 million.

There is uncertainty as to whether 100,000 dwt., 250,000 dwt. or some other size tankers—smaller or larger—will be required in the 1970–1975 period to transport oil from the North Slope of Alaska to U.S. refineries, the location or locations of which have yet to be decided.

There is uncertainty as to whether these new tanker routes will involve 20, 40 or more tankers, and as to when construction contracts will be placed with the shipyards.

There is further uncertainty as to whether a pipeline or oceangoing tankers will, in the final analysis, be employed to move oil from Alaska to the "lower 48" states.

There is uncertainty as to whether one, three or more shipyards will share in the construction of "more than 30" advanced design destroyers (DD-963 formerly DX) for the U.S. Navy; meanwhile at least three shipyards are tentatively reserving their capabilities pending award of a production contract (or contracts) in November—4 months hence—at the earliest.

There is uncertainty as to the reality and scope of various shipbuilding efforts now under consideration by commercial shipping lines.

There is uncertainty as to the availability of skilled manpower.

There is uncertainty as to whether cost-additive contract conditions and specifications will at long last be eliminated as a step toward the creation of a more effective procurement environment.

There is uncertainty as to whether naval and merchant shipbuilding requirements—both of substantial magnitude—will be considered and treated on a coordinated basis so that the nation's productive capacity will be used efficiently and strengthened for the future.

Separately and jointly, consciously or subconsciously, these uncertain circumstances are constraining actions of individual shipyards. Confusion has surely been compounded. Restoration of order lies not so much in the existing or latent capabilities of the industry to construct ships or to respond to particular requests for bids but in the urgency of a prompt and concise statement of purpose and policy by the Nixon Administration.

It might therefore be useful and timely to attempt to define national purpose in the context of shipbuilding.

By his 1968 campaign statements, President Nixon has indicated that the United States should, and must, be a first-rate sea power with a naval fleet second to none and a modern maritime fleet capable of carrying 30 percent of U.S. exports and imports by volume, instead of approximately 6 percent as at present. Presumably, the national purpose in terms of ocean strength for the next four years—or possibly the next eight years—will be dedicated to the assurance of the availability of naval and merchant ships in adequate numbers and appropriate quality for commerce, a favorable balance of payments, and support of our country's overseas interests and commitments.

That ships are essential to our national security and our commercial interests is a proven historical fact. That our Navy must be adequate to our global commitments should be self-evident. That our merchant marine must be adequate to our standing as the world's most powerful and leading trading nation should be self-evident. That our shipyards must be among the best in the world there should be little question.

However, the President's statements leave unclear the national purpose with respect to modern, efficient shipbuilding and ship repairing facilities as a basic foundation block of first-rate sea power. A similar void persisted in the enunciation of priorities by previous Administrations.

From a purely military standpoint, the Department of Defense has consistently held that a shipbuilding capability is essential to the national interest. In like manner, the military establishment has consistently supported the concept that a combined government-owned and commercially-owned ship repairing capability is essential to maintain the naval fleet in a constant state of readiness. These justifications derive from the valid—and time-proven—postulates that, in times of emergency, in an ever-changing geopolitical world, shipyard facilities on foreign soil will not necessarily be available. These justifications have thus gained virtually absolute acceptance.

As to a shipyard capability to support merchant shipping, a controversy has frequently developed. The Congress, the labor movement, and others, have held that the criteria for justification should be no less than for naval ships. Shipbuilders and shipowners alike have argued, with the logic of past experience favoring them, that a ship repairing capability is not possible without a shipbuilding capability. Generally speaking, the latter precedes the former.

The relationship of shipyards, especially those geared to the construction of merchant vessels, to the national interest has an even more exacting significance when viewed from the perspective of contributions to the nation's economic strength.

For example, many merchant ships are today registered under the flags of Panama, Honduras and Liberia, but it could never be claimed that these countries are maritime powers, let alone sea powers, for they lack a supporting maritime industrial base, including shipyards. Though providing accommodations to international economics to citizens of other countries at minimal fees, these small nations leave to other powers the function of providing world order.

It is highly improbable that the Pan-Hon-Lib countries would ever come within the traditional definition of sea power:

. . . the ships nominally identified with them have no intimate association to their internal well-being,

. . . they have no particular economic strength to project into the oceans in times of peace, and no defense mobility to project in times of emergency, and

. . . shipyards, for them, are thus unnecessary.

On the other hand, any fair assessment of history leads to a conclusion that a balanced industrial maritime base is no less important an element of effective sea power than the naval and merchant fleets themselves. History also illustrates that the nation which builds the ships, carries the cargoes, and collects the revenues therefrom has generally been internationally powerful and economically affluent.

Japan has long held to the policy that programs to expand domestic shipping resources as well as export opportunities should be pursued for the specific purpose of promoting domestic shipbuilding as a function of national affluence. This policy has been formulated and executed with a degree of cooperation between government and shipyards which does not now exist on the same scale elsewhere in the world.

Accordingly, shipbuilding has become a substantial factor in Japan's national economy and balance of trade. Shipbuilding in Japan is regarded as a prestige industry. It is considered essential to the public good. The marketing of shipbuilding capabilities with considerable governmental stimulus, encouragement and support has been effectively developed to the point that Japanese shipyards today lead the balance of the world in the construction of merchant ships.

The Japanese cannot be totally wrong in their policies of emphasis on shipping and shipbuilding. Judging from their records of success, it would appear that they are very much on the right course. They are clearly assigning a high priority to this effort. They clearly possess the will to preserve and expand their own national and mercantile interests, as well as their own shipyards.

It is likewise clear that the Japanese understand another historical truth: a merchant marine and a maritime industrial base are the parents—not the offspring—of effective sea power.

Moreover, the national policy of Japan envisions that while capturing a steadily increasing share of the world shipbuilding market, all ships for the Japanese flag merchant marine will be constructed in Japanese shipyards. Over the last decade, not a single vessel for Japanese registry has been built outside of that country. This national purpose is in sharp contrast to the call for foreign construction of certain U.S. merchant ships which has been voiced from time to time by government officials and others in the United States.

These same persons have frequently cited Russia's sometime practice of procuring merchant ships from shipyards of other countries as a justification for their position. But, in so doing, they have ignored or minimized a basic fact: the Soviet Union has been obliged to rely on alien shipyards because of insufficient domestic shipbuilding capacity to fulfill the demands of a 5-year merchant ship buildup.

More recently, however, Soviet leaders have revealed that this practice is to be reversed and soon discontinued. Three reasons are given:

To avoid the excessive commitments of foreign exchange which are involved.

Russian shipyards have been modernized and expanded, and must be operated at the greatest possible utilization, and

A high level of reliance on foreign yards is incompatible with the elevation of the Soviet Union to the status of a world maritime power.

The Soviets thus seem to recognize—and properly so—that a modern, efficient maritime industrial base, properly coordinated, is a fundamental ingredient of effective sea power.

It should be noted that the relative balance between U.S. and Russian strength at sea has altered significantly since the end of World War II. In the short span of 10 years, the Russians have perceptibly narrowed the margin of U.S. sea power superiority. The Soviet Navy is today second only to that of the United States, and the Soviet merchant marine will shortly be larger than the American maritime fleet in both numbers and tonnage.

All evidence points to a conclusion that Soviet Russia is mounting at sea a new challenge with which the United States will have to deal long after American troops are withdrawn from Vietnam. It would seem clear that the Russians have grasped the full meaning of sea power: the judicious allocation of production and financial resources to produce naval and merchant ships for the exploitation of economic, psychological and political objectives. By contrast, the Japanese, with strictures on the magnitude of their self-defense forces resulting from post World War II agreements, use the oceans exclusively for economic purposes.

The fixed national purpose with respect to shipbuilding which the Japanese and the Russians have seen fit to adopt and pursue in their own national interest might well serve to remind the United States of the basic truths of sea power. No similar national purpose, or declaration of national intentions, has been voiced in this country since the World War II days.

The function and adequacy of U.S. shipbuilding will therefore in large measure be determined by a variety of factors: (1) the ability of the Nixon Administration to establish and articulate a conceptual unity of purpose toward restoration of the United States as a first-rate sea power, (2) the ability of the Nixon Administration to dissipate lingering and momentary uncertainties, (3) the ability of the Nixon Administration to coordinate the substantial requirements for naval and merchant shipbulding so that the productive resources of the country will be effectively employed, and (4) the ability of the shipyard industry to respond to these substantial requirements. On the final point, I harbor no doubts or reservations. On the other three, only time will tell, but I for one stand optimistic.

HIGH AIR POLLUTION—HIGHER DEATH RATES

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 16, 1969

Mr. MIKVA. Mr. Speaker, the declining quality of our environment constitutes a problem which merits the continuing attention of my colleagues.

While industrial and bacterial waste poisons our rivers, lakes, and streams, the pall of air pollution hangs heavy over city and countryside alike. The urban centers, however, have been most drastically tainted by the scourge of air-born pollutants.

Because of my distress about air contamination in our Nation's cities, I invite my colleagues' attention to a recent article which describes the probability that high air pollution areas of Chicago also have higher death rates than areas with lower pollution. The article by Donald M. Schwartz, which appeared in the September 17, 1969, issue of the Chicago Sun-Times, follows:

DEATH RATE, AIR POLLUTION LINKED

(By Donald M. Schwartz)

A Stritch School of Medicine researcher has found that high air-pollution areas of Chicago have higher death rates than areas with lower pollution.

Prof. Julius Goldberg, in a report he will make to the Department of Health, Education and Welfare, found, for example, that deaths of white males in high pollution areas averaged 1,949 per 100,000, while deaths among a comparable group in low pollution areas was 1,389 per 100,000.

Goldberg, in his work at the Stritch school, which is part of Loyola University, put together air pollution data collected at 20 stations around the city, census information on persons living in the affected areas and Board of Health death reports.

Goldberg is cautious about drawing conclusions from the results, but he observed: "When we look over deaths from all causes, there is a very decided decline in favor of low-pollution areas."

He said his findings parallel those in other cities.

Goldberg was interviewed in his office at the Stritch school, 2160 S. 1st, Maywood.

The first results, on death, are part of a continuing series of studies. Goldberg has embarked on an investigation of pollution and illness, for which he is trying to get the cooperation of families, of children attending nursery schools and day-care centers.

For the study already completed, 29 different causes of death are included, plus a 30th catch-all category.

The statistics for pneumonia show that for the moderate socio-economic group, deaths per 100,000 averaged 95 in the high pollution areas and roughly half that rate—or 46—in low pollution areas.

Goldberg said death totals are annual averages for the 1960–1962 period.

The Loyola professor noted that in many of the cause-of-death categories the decline in mortality rates from high to low pollution areas was more consistent in the moderate socio-economic group than in the high or low socio-economic groups.

Statistics for the low group are more erratic, Goldberg said, and the high socio-economic group appears to be much less affected by differing pollution exposures than the other two groups.

Goldberg observed, however, that simply living in the area of high or low pollution may not be the whole story—the affluent, for example may spend more time in air-conditioned rooms protected from surrounding pollution.

That is one reason why Goldberg wants to make further studies of social factors in the health effects of pollution.

The fact that the well-to-do are exposed to high pollution is shown graphically by a map on Goldberg's office wall. The map indicates that the highest of 20 pollution areas in the city begins at about Navy Pier and runs north to about Fullerton, covering N. Lake Shore, the Near North Side and Old Town.

A pollution area for purposes of the study was a circle with a radius extending 1¼ miles from a city air pollution collection station.

Pollution statistics were limited to particles suspended in the air, but Goldberg said figures for compounds of sulphur, such as sulphur dioxide, probably would be similar.

HOUSE OF REPRESENTATIVES—*Monday, October 20, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

The fruit of the spirit is in all goodness and righteousness and truth.—Ephesians 5: 9.

Our Father, who art in heaven, we wait upon Thee with receptive minds and responsive hearts that the uplift of Thy spirit can be ours as we face the beginning of a new week. May we take up the work of these days with courage and confidence knowing Thou art with us and believing Thou art endeavoring to lead us in great and good ways. Grant that what we do may fulfill Thy purposes for us, for our Nation, and for our world.

Deepen the minds of men in truth and justice and mercy that order may prevail, laws be obeyed, good will be followed and people learn to live together with reverence before Thee, with respect for each other, and with a real faith in our beloved country.

In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, October 16, 1969, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 338. Concurrent resolution authorizing the printing as a House document of hearings on Science and Strategies for National Security in the late 1970's by the Subcommittee on National Security Policy and Scientific Developments, and of additional copies thereof.

The message also announced that the Senate had passed with amendment, in which the concurrence of the House is requested, a concurrent resolution of the House of the following title:

H. Con. Res. 368. Concurrent resolution providing for the printing of copies of the eulogies on Dwight David Eisenhower.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11039) entitled "An act to amend further the Peace Corps Act (75 Stat. 612), as amended."

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2214. An act to exempt potatoes for processing from marketing orders.

DEATH OF ANTONI NICHOLAS SADLAK

(Mr. MESKILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MESKILL. Mr. Speaker, I have the unpleasant task today of informing my colleagues that a former Member of this body, Congressman Antoni Sadlak, died on Saturday, October 18, at the age of 61, in his hometown of Rockville, Conn.

Congressman Sadlak was born on June 13, 1908. He attended the parochial schools in his hometown and graduated from George Sykes Manual Training and High School there and Georgetown University School of Law.

He served as a special inspector for the Department of Justice from July 1941, to December 1942, and as assistant secretary-treasurer of the Farmers' Production Credit Association, from 1944 to 1946.

Then he became secretary to former Congressman Boleslaus Monkiewicz in 1939, 1940, 1943, and 1944.

Then he resigned to accept a commission in the Naval Reserve, and he served in New Guinea and the Philippines and China. He was discharged as a lieutenant in April 1946, and then was educational supervisor in Connecticut in the department of education from 1946 to September of that year, when he was elected as a Republican to the 80th Congress. He was reelected in the five succeeding Congresses as an at-large Representative from my State. He served as regional assistant manager of the Veterans' Administration in Hartford, Conn., from March 30, 1959, to May 2, 1960. At the time of his death he was serving as judge of probate for the probate district.

I know I speak for all in extending our sympathies to the members of his family. We are all saddened by this loss.

Mr. Speaker, I include at this point a clipping from the New York Times of October 20, 1969:

Antoni Sadlak Dies in Rockville; Served in Congress for Six Terms

Rockville, Conn., October 18.—Antoni Sadlak, who served as a Connecticut Representative for six terms in the House died here on Saturday at the age of 61.

A VARIED CAREER

Mr. Sadlak served as a chief aide to Representative-at-large Boleslaus J. Monkiewicz in the 76th and 78th Congress. He won his own seat in the House in the 80th Congress as Representative-at-large.

That was in 1946, and Mr. Sadlak served six straight terms until his defeat in 1958 by Frank Kowalski, a Democrat.

Service in Congress was the highlight of an extremely varied career for the Republican, who was born in Rockville, Conn., on June 13, 1908.

He attended the George Sykes Manual Training High School in Rockville and went on to obtain his law degree at Georgetown University, from which he also received the Doctor of Laws degree in 1958, the year that he unsuccessfully sought the Republican nomination for Governor in Connecticut.

He had served as a special inspector for the Justice Department. In this post, at the outbreak of World War II, he was detailed on a special mission to round up enemy aliens in California.

In 1944, he resigned his post with Representative Monkiewicz to enter the Navy and was assigned as communications watch officer and top secret officer on the staff of Adm. Thomas C. Kincaid, Commander of the Seventh Fleet, serving in and around New Guinea, the Philippines and China.

In 1959-1960, he served as assistant manager of the Veterans Administration Regional Office in Hartford.

In his campaigns he claimed a broad knowledge of agricultural problems, based on his years as assistant secretary-treasurer for the Farmer's Production Credit Association in Hartford.

Mr. Sadlak served on the House Ways and Means Committee, where he worked for various tax reform bills. Early in 1958, he urged a major income tax reduction as the best means of halting the recession then in progress.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. MESKILL. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I was deeply shocked to learn of Toni Sadlak's death. It was my privilege to have served with him from the 81st Congress until he left the House. He was a very diligent, conscientious, constructive, and able Member of this body. He was a close personal friend of mine. I was proud to call him my friend. Toni was a relatively young man and I am sure he had many, many long years of productive life ahead of him if this tragedy had not happened. He will be badly missed by his thousands of friends who admired and appreciated his many years of dedicated public service.

Mr. Speaker, I join with the gentleman from Connecticut in extending to Toni Sadlak's family our deepest condolences.

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. MESKILL. I yield to the gentleman from Washington.

Mr. PELLY. Mr. Speaker, I, too, feel very sad at this news. I always enjoyed my service with Toni Sadlak. He was a very fine legislator and a very able one. Of course, also to those of us who knew him, he was a real friend. I had occasion frequently to go to Connecticut and often I have seen our former colleague there. I always looked forward to that. Now it grieves me greatly to think that when I go there he will no longer be there. Toni Sadlak certainly performed great service to his country. He was a very fine person in every sense of the word.

Mr. Speaker, I join the gentleman from Connecticut in expressing our sorrow to his beloved ones.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. MESKILL. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I did not know about the death of my friend, Antoni Sadlak, until I heard it from the gentleman from Connecticut this morning. I knew him very well as a Member of the House and I knew him as a most conscientious and dedicated Member and a Christian gentleman, always cooperative, always willing to carry his share of the work.

I was shocked to get the news which the gentleman has brought. I join the gentleman from Connecticut and others in extending our deepest sympathy to the family of our late former colleague.

Mr. RHODES. Mr. Speaker, will the gentleman yield?

Mr. MESKILL. I yield to the gentleman from Arizona.

Mr. RHODES. Mr. Speaker, I thank my friend, the gentleman from Connecticut, for yielding.

Mr. Speaker, it was with deep sorrow that I learned of the passing of my old friend and colleague, Antoni Sadlak. I served with Toni from the 83d Congress, when I joined this body, until he left it to go back home. I always valued his friendship and advice. He was certainly an able and diligent Member. The Congress of the United States was the beneficiary of his great talents.

Mr. Speaker, I join my colleagues in sending condolences to the family of Toni Sadlak. May God rest his soul.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. MESKILL. I yield to the gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, I appreciate the gentleman yielding.

Mr. Speaker, I join my colleagues in expressing great sorrow at the passing of our friend, Toni Sadlak. Like others who have spoken here, I knew our former colleague very well, and I appreciate the great contributions he made to this body.

Mrs. Boggs and I had the pleasure of attending, with Toni and Mrs. Sadlak, some meetings of the Interparliamentary Union. We got to know Mrs. Sadlak very well, and we know of the great loss this is to her and to their family. I join with others in expressing condolences to the family.

Mr. ST. ONGE. Mr. Speaker, it is with a heavy heart and a great deal of sorrow that I learned of the untimely passing of our former colleague, Antoni Nicholas Sadlak, of Connecticut. He died of a heart attack Saturday at the General Hospital in Rockville, Conn.

Many of our colleagues here will surely recall Toni Sadlak, who served in this body as Congressman at large from Connecticut for a period of six terms uninterruptedly. His service included the 80th through the 85th Congresses, from January 1947 to January 1959.

Although we were not of the same political affiliation, we had a very pleasant personal relationship and I had great admiration for him as a legislator, as a community leader, and as a person. He was a man of integrity, honest, sincere, and forthright. He was a deeply religious person and a patriotic citizen.

Toni Sadlak was born in Rockville, Tolland County, Conn., on June 13, 1908. He was thus only 61 at the time of his death. He was raised and educated in Rockville, and subsequently studied at Georgetown University and at Georgetown University School of Law in Washington, D.C., from which he was graduated in 1931. In 1958 Georgetown conferred upon him the honorary degree of doctor of laws.

In 1939 he returned to Washington as a secretary to Representative Boleslaus J. Monkiewicz of Connecticut, which position he held for nearly 4 years. He left to enter the U.S. Navy during World War II, served in New Guinea, the Philippines, and China, was a secret officer under Adm. Chester W. Nimitz, and was discharged as a lieutenant in April 1946.

Toni Sadlak also rendered fine service with the U.S. Government. In 1941–42 he was a special inspector for the Department of Justice and in this capacity he served in a special mission to round up enemy aliens in California after the attack on Pearl Harbor and U.S. entry into World War II. In 1959–60 he held the post of assistant manager of the Veterans' Administration regional office in Hartford, Conn.

In recent years Sadlak was for several years executive director of the Rockville Area Chamber of Commerce, and in 1966 was elected judge of probate for the Ellington-Vernon District which post he held until his death. He was active in church groups, in veterans' organizations, Polish-American circles, and many civic and fraternal organizations.

In Congress, Sadlak first served for several years on the House Post Office and Civil Service Committee and later on the Ways and Means Committee where he became in time the ranking Republican member of the committee. He represented this House at several Interparliamentary Union Conferences abroad. Among legislation he introduced in Congress were proposals for a gradual reduction of income taxes, aid to redevelopment of slum areas, and stricter enforcement of narcotics laws.

He leaves a widow, Mrs. Alfreda Z. Sadlak; a son, Antoni, and a daughter, Alita, as well as a brother and four sisters. The funeral will take place Tuesday morning, October 21, in Rockville.

To his widow, his children, and other members of his family I wish to extend my sincerest condolences and sympathies on this sad day of their bereavement. We share their loss and we shall remember him for many years. He leaves a great name behind and many fine achievements which should be a consolation to his family. Our thoughts and our prayers are with them.

GENERAL LEAVE TO EXTEND

Mr. MESKILL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the life, character, and public service of the late Antoni Sadlak.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

"NO EXIT FROM VIETNAM"—SIR ROBERT THOMPSON'S NEW BOOK ON VIETNAM

(Mr. BOLLING asked and was given permission to address the House for 1 minute.)

Mr. BOLLING. Mr. Speaker. I have just read Sir Robert Thompson's new book on Vietnam—"No Exit from Vietnam." Sir Robert played a key role in the defeat of Communist insurgency in Malaya. He is well qualified by experience, knowledge and demonstrated wisdom to comment on the role of the United States in Vietnam. He is critical of past American military-political policy, strategy and tactics in Vietnam. If his criticisms are sound and I believe many of them are, it is urgent that American policymakers in the executive, both civilian and military, and every Member of the Congress become familiar with them.

On the other hand, Sir Robert is not an advocate of U.S. withdrawal from Vietnam. In fact he says that we have only two alternatives: "selling out" or "to develop a long-haul, low-cost strategy."

His book should be read by "hawks" and "doves" alike as well as those who are neither and continue to seek the wisest course in the longrun interests of the people of the United States.

I urge each of my colleagues to read this important book.

I will include its last chapter in the Extensions of Remarks of the RECORD.

THE LATEST INTEMPERATE OUTBURST FROM THE ADMINISTRATION

(Mr. JACOBS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JACOBS. Mr. Speaker, sensible Americans agreed with President Nixon's inaugural admonition:

> In these difficult years, America has suffered from a fever of words . . . from angry rhetoric that fans discontents into hatreds; from bombastic rhetoric that postures instead of persuading.
>
> We cannot learn from one another until we stop shouting at one another.

It was gratifying, therefore, to see millions of Americans of all ages exercising that kind of restraint last week, in their gentle efforts at communicating to the President their longing hope for an end to our unfortunate intervention in Vietnam.

All the more unfortunate, then is this latest intemperate outburst from the adminstration by Vice President SPIRO T. AGNEW, on October 19, 1969, at a fundraising affair, New Orleans, La.:

> A spirit of national masochism prevails encouraged by an effete corps of impudent snobs who characterize themselves as intellectuals.

TRIBUTES TO THE HONORABLE JOHN W. McCORMACK, SPEAKER OF THE HOUSE OF REPRESENTATIVES

(Mr. BURKE of Massachusetts asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURKE of Massachusetts. Mr. Speaker, the Honorable JOHN W. McCORMACK, Speaker of the U.S. House of Representatives, has given of himself to his country, his State, and his native community. He is loved and respected by all those who know him.

When the record of the history of this great Nation is written, the name of JOHN W. McCORMACK will rank among the greatest Speakers in our Nation's history.

JOHN W. McCORMACK was born in the teeming tenement district of South Boston. I was born in that district. We were brought up, raised in a decent way in a very poor neighborhood.

This section of the Nation has produced some of our great leaders in government, religion, and business, and JOHN McCORMACK ranks among the best.

JOHN McCORMACK has given years of service with an unblemished record—a record of decency and integrity—a record that will stand the test of time and the spotlight of publicity.

You and I know that the field of politics is the roughest field in the world. You know about the slings and arrows that come at us every day in the week. But JOHN W. McCORMACK has stood the slings and arrows and he will continue to stand the test of time, he will always have the faith and confidence of the people of his native district in South Boston and, yes throughout the State of Massachusetts and throughout the Nation by all those who know him.

I am happy and I am proud and I am privileged to serve under his great leadership in this House.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. BURKE of Massachusetts. I am happy to yield to the distinguished majority leader.

Mr. ALBERT. Of course what the gentleman has said is something that every Member of this House knows is true.

The Speaker's record has been an open book for more than 40 years here in the House of Representatives. He has been elected and reelected by his constituents. He has been reelected Speaker of the House more times than any other man, except Sam Rayburn, in all its history, elected, if you please, by those who have known him and worked with him daily year in and year out.

I have served close to the Speaker for a long time, as all Members know. I have never once in all those years had one single reason to doubt that JOHN McCORMACK in personal life and in public trust represents to the very core of his being the highest moral traditions of this country. He is not only a great man, he is a good man, a model for young people. He is a Christian gentleman and a statesman of the highest order.

XUM

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. BURKE of Massachusetts. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. I think we all read the news stories over the weekend. One sentence in one story appealed to me particularly. It said that the Speaker of the House of Representatives had a reputation of being a Puritan. That may not be a completely accurate restatement of the full sentence in the story, but it was the thrust of the article.

Let me say with deep feeling and strong conviction, everything I have ever known personally about John McCormack would indicate that he was a Puritan in the highest and finest tradition, and that is a good enough recommendation for me.

Mr. BURKE of Massachusetts. I thank the gentleman. I yield to the gentleman from Louisiana (Mr. Boggs).

Mr. BOGGS. Mr. Speaker, I think we all appreciate what the gentleman has said. The gentleman from Michigan has well defined the Speaker again in the highest traditions of that word.

His whole life has been devoted to his country, to his church, to his wife, to his State, and to his constituents and this House of Representatives.

I think he has been an inspiration to all of us in his devotion to his country and to this great representative body. Anyone who would question his integrity would not know the man in any sense of the word. I join with my colleagues in expressing my pride in having been associated with the Speaker for well over a quarter of a century.

Mr. ANDREWS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. BURKE of Massachusetts. I yield to the distinguished gentleman from Alabama.

Mr. ANDREWS of Alabama. Mr. Speaker, I want to say I have been in this House for 26 years and I have never known a finer man than our Speaker. I wish every American led as clean a life as he does. I stayed at the Washington Hotel where he lived for many years. There has never been a more devoted husband in America than Speaker John McCormack. In my opinion, he is ruggedly honest. I want to say that the last two times he ran for Speaker he got all the Democratic votes in the State of Alabama, and the next time he runs, if I am dean of the delegation, I think I can assure him he will get all of the Democratic votes in the State of Alabama. We love him and we consider him a fellow southerner, because, as the gentleman said, he is from South Boston.

Mr. BUCHANAN. Mr. Speaker, will the gentleman yield?

Mr. BURKE of Massachusetts. I yield to the gentleman from Alabama.

Mr. BUCHANAN. Mr. Speaker, as a junior Member on the minority side. I would like to say all of us here know John McCormack to be a Christian gentleman in the highest sense of that term. The distinguished Speaker's integrity is unimpeachable and beyond challenge so far as every Member of this House is concerned, and we deeply appreciate it.

Mr. EVINS of Tennessee. Mr. Speaker, I want to join with my colleagues in paying a richly deserved tribute to the Speaker and to his great record of public service in the Congress and to the people throughout our Nation.

Certainly no American has had a more important part in championing legislation of benefit to our people than Speaker John W. McCormack, and I want to commend and congratulate him for his great leadership, his unassailable integrity, and for his great ability.

We have all read over the weekend the report of the suspension his administrative assistant, and the allegations that he exceeded his authority without the Speaker's knowledge or consent.

Certainly this development should in no way be construed as a reflection upon Speaker McCormack, as we all know that the Speaker is the soul of honor and the embodiment of integrity. We all know that John W. McCormack has always scrupulously adhered to the highest ethical standards, that Speaker McCormack is a Christian gentleman, and that his life is exemplary in every respect.

Mr. Speaker, we all admire you, and our trust in you is absolute and implicit. I want to assure you of our continuing trust and confidence in you as a man and as a great leader of honor and integrity.

Mr. RARICK. Mr. Speaker, I rise to compliment the gentleman from Massachusetts (Mr. Burke) for his forthrightness in coming to the defense of our Speaker, and would hope he will be joined by the great majority of our colleagues.

The underhanded innuendoes and sly insinuations that have been instigated to discredit a loyal and faithful public servant come as an affront to all honorable Members of this body.

One of the reasons for the current smear attack on the Speaker is reported to be his courage in supporting me—a junior Member who could do nothing for the Speaker or his district—when I was attacked by this same group. No one can appreciate better than I, his fearless dedication—without prospect of personal gain—to principles of right and fair play. Especially is this evident when we realize that the Speaker was well aware that his impartiality in so doing would make him vulnerable to just such vituperative types of attack.

Those of us in Washington know full well the purpose of these attacks and calculated character assassination—a new leftist attempt at guilt by association. What the American people do not know and are not being told is that this assault is but another rule-or-ruin attempt by the same ambitious clique of leftists within the Democratic Party who were defeated at Chicago, who were defeated here in January when we organized this House, and who have been soundly repudiated at every opportunity offered the people to voice an expression.

This group has organized in the best militant style of the streets. Without authority, they brazenly operate a party within a party—a parallel government in this House, a Satyagraha—complete with officers, goals, whip system, and party discipline.

The Speaker has always been a truly progressive leader of the Democratic Party. As a young Member of Congress responsible to the wants and wishes of my people, I have always found him attentive and fair, and I respect his adherence to the philosophy that there is room under the broad umbrella of the Democratic Party for many different political viewpoints.

Our Speaker, the Honorable John McCormack, has served our country long and ably. When history records the great Speakers of this House, the name of John McCormack will be high on the list, while the names of his detractors will have blown away like dust.

Mr. PATMAN. Mr. Speaker, when we eulogize great men, great leaders, and statesmen who have entwined their lives in any significant degree with the warp and woof of the national fabric of this country, it is generally the custom to speak in glowing terms of qualifications and accomplishments without mentioning any minor shortcomings. The resulting appreciation too often presents an effigy that is noble and edifying, but also far removed from the turmoil of human existence. Our own House of Representatives, where legislative crosscurrents are constantly at work and where the most placid surface can in a moment become a vortex of conflicts, is possibly the last place in the world to look for a portrait in classic marble.

The Speaker of the House of Representatives since the second session of the 87th Congress, the Honorable John W. McCormack, of Massachusetts, cannot be viewed apart from his legislative function, and I hope you will permit just a few observations which reflect my respect, understanding, and high regard for a colleague who, in the leadership of this body, must possess the technical skills of an inspired parliamentarian, the wisdom of a philosopher king, and patience as time defying as interplanetary space. But no matter how far reaching the superlatives, the gentleman from Massachusetts (Mr. McCormack) persists in being a grand human being with the tang of everyday salt in his style and makeup. He has mingled in the fray of battles without number, his scars speak of brave endurance when most have fled the field, and if he has enemies they stand in deep shadow where his sharp eye cannot find them.

Incidentally I have found that Speaker McCormack has never made a speech that did not teach me something, and usually a great deal. Although I am not a member of his church I feel that all of us in the House of Representatives share in his abiding faith, and that each Member is the beneficiary of his great and singular devotion.

The Honorable John W. McCormack is a man of indomitable conscience.

Mr. TALCOTT. Mr. Speaker, I disagree with the Speaker on most political issues. I would prefer that he be the minority leader rather than Speaker. But today I rise to congratulate and commend the Speaker. More importantly, I rise to thank him.

These days must be sad for him. One of his trusted friends and employees was alleged to have violated a special trust and taken advantage of a long friendship. Loyalty, trust, and dedication are precious commodities in and around the Congress. Each of us may know this better than any employee, student, or Reporter of the House of Representatives.

It is not easy to discover, acknowledge, or appreciate such breaches of trust and such disloyalty.

I believe the Speaker suspended his administrative assistant as soon as he had information to indicate that his assistant may have misused his position or his close relationship with the Speaker. This immediate response is highly commendable. We have learned to expect this impeccable integrity of the Speaker.

The Speaker not only acted courageously and correctly in his own behalf, he performed a special service for the House of Representatives.

Incidents like this will occur from time to time. When Members respond with the alacrity and integrity of the Speaker, they enhance the reputation and image of the House.

So I commend and thank the Speaker for putting his concern for the House and its reputation above his own personal friendships, trusts, and feelings.

I know the Speaker must have been torn between long personal friendship and the reputation of the House, between his strong loyalty to trusted employees and his obligation to maintain the integrity of the functions of the Congress.

After thorough and careful scrutiny, there may be a determination that there was no breach of trust or misuse of position, but the Speaker came up on the side of the Congress.

Each of us ought to be thankful to, and proud of, the Speaker for his courageous conduct on behalf of the House. This is selfless leadership that seldom attracts any acclaim.

As one Member of this House, I say thank you, Mr. Speaker.

GENERAL LEAVE TO EXTEND

Mr. BURKE of Massachusetts. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on this subject.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER. The Chair expresses his appreciation to the gentleman from Massachusetts as well as all of the others who have spoken here today.

The time of the gentleman has expired.

THE HONORABLE JOHN W. McCORMACK, SPEAKER OF THE HOUSE OF REPRESENTATIVES

(Mr. O'NEILL of Massachusetts asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. O'NEILL of Massachusetts. Mr. Speaker, I have asked for this time in order to pay tribute to one of the greatest living Americans. He is a man whose political and personal lives have been marked by compassion, honesty and fair play. He is responsible not only for the greatest legislative feats in the history of our Nation, but also for inspiring Members of this body to perform their duties to the best of their abilities, and to seek a better world for all mankind.

I am sure you all know that I am describing our beloved Speaker, the Honorable JOHN W. McCORMACK. Our Speaker is a great man, loved by every Member of this body.

We all know that recent events have made this a personally trying and distressing time for him. Therefore, I want to take this opportunity to express my utmost confidence in him, my loyalty to him and his leadership, and my faith in his ability to carry on in the great tradition he has established in this body. I hope it will help him to know that we are with him at this time, and that there is no faltering or diminishing of our confidence or loyalty.

I know his great faith, which has brought him through many a personal tragedy and helped him lead this Nation during its greatest perils, will carry him through this trying time, and I hope the knowledge of our devotion and fidelity will in some small way help him to weather this storm.

More than any other man I have known, our beloved Speaker loves his fellow man and loves this House. I want him to know at this time that the Nation he has served and is so ably serving is grateful for his leadership—and that I and my colleagues are constant in our loyalty and devotion. I also want him to know more than anything else that he has our confidence and our love.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL of Massachusetts. I yield to the gentleman from Massachusetts.

Mr. BOLAND. Mr. Speaker, I join with my distinguished colleagues from Massachusetts, Congressman BURKE and Congressman O'NEILL and other Members of the House in this expression of confidence in Speaker JOHN W. McCORMACK.

I am sure that his record needs no defense from us. It has been written over a period of more than 40 years, a brilliant legislative record of intelligent action and leadership during some of the most trying times in the history of this Nation.

Mr. Speaker, the fact that Members from both sides of the aisle have today paid tribute to him indicates the respect in which he is held by the membership in this body.

I have confidence that recent newspaper stories will wash out insofar as Speaker McCORMACK is personally concerned. I feel, too, that Speaker McCORMACK's impeccable reputation for honesty and integrity will not be sullied.

Mr. FULTON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL of Massachusetts. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. Mr. Speaker, I would like to join with the gentleman from Massachusetts (Mr. O'NEILL) in expressing our confidence in the Speaker. Certainly, we Members have always appreciated his fairness and his friendship and I hope he will continue just as he is.

It has been a pleasure as a Congressman of the opposition party to serve through the years with JOHN McCORMACK, of Massachusetts. I have served under his excellent leadership in the early days of space on the original Select Space Committee of the House, as well as on the House Science and Astronautics Committee, to each of which committees JOHN McCORMACK has given progressive, forward-looking leadership as chairman.

Congressman JOHN McCORMACK has increased the prestige of the speakership of the U.S. House of Representatives, and the House of Representatives, as well.

Mr. ST GERMAIN. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL of Massachusetts. I yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. I come from the neighboring State of Rhode Island and want to rise and pay tribute to the Speaker and to thank him on behalf of the constituents whom I represent and have represented over the years. I further would like to say that during my tenure the distinguished Speaker has taken of his valuable time on hundreds of occasions to speak with, advise, and assist constituents of mine. When the people who are reading these stories that are being written stop and think of the multiplicity of duties of the Speaker, they should ask themselves how can one man perform all that he has performed over the years.

Upon reflection and upon careful analysis, the people of this Nation are and ought to be grateful for the fact that we have a JOHN McCORMACK heading this House of Representatives.

Mr. O'NEILL of Massachusetts. I thank the gentleman for his comments.

THE MORATORIUM

(Mr. RYAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RYAN. Mr. Speaker, in the latest administration attempt to discredit the October 15 Vietnam moratorium, Vice President AGNEW has said that it was "encouraged by an effete corps of impudent snobs who characterize themselves as intellectuals."

Mr. Speaker, to whom was the Vice President referring? Was he referring to Ambassador Averell Harriman, who was the chief negotiator in Paris for President Johnson? Ambassador Harriman supported the moratorium.

Was he referring to former Supreme Court Justice Arthur Goldberg, our former Ambassador to the United Nations? Justice Goldberg supported the moratorium.

Was he referring to the many Members of the House and Senate who have been deeply concerned about the war in Vietnam?

Was he referring to the 79 college and university presidents who appealed to President Nixon for "a stepped up timetable for withdrawal from Vietnam?"

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Was he referring to the millions of American citizens—young and old, black and white, rich and poor—throughout this land who expressed deep concern on October 15 about the continuation of the tragic war in Vietnam?

Continued attempts to discredit the determination of millions of Americans to see peace achieved in Vietnam will only make less credible whatever efforts the administration is pursuing. How long will the administration remain insensitive to, unaffected by, and unable to learn anything new from the yearning for peace as evidenced by the outpouring of citizen concern across this country?

The October 15 Vietnam moratorium was expressed in legitimate and traditional American fashion. It is important for the President and Vice President to recognize this is no longer dissent. It is now a majority sentiment.

Mr. Speaker, the Gallup poll has reported that a majority of the American people now want to see the war in Vietnam brought to a prompt end. Fifty-seven percent of the citizens sampled, according to the Gallup poll, support bringing home U.S. troops within 1 year and 58 percent believe that the war in Vietnam was a mistake from the beginning. That was the message of the American people when they elected President Nixon. Let it be heeded.

WHO NEEDS NOBEL PRIZES, ANYWAY? OR ONCE YOU'VE SEEN ONE NOBEL PRIZE, YOU'VE SEEN THEM ALL

(Mr. PODELL asked and was given permission to address the House for 1 minute and revise and extend his remarks.)

Mr. PODELL. Mr. Speaker, I was among those Americans who were proud and most thrilled to see the Nobel Prize for medicine awarded last Thursday to three Americans. In the midst of worsening economic news, domestic turmoil over Vietnam, foreign conflicts, and the general worries of the world, here was a bright spot to lighten my spirits and uplift my heart. I believe millions shared this feeling. Government assistance over the years to the ongoing process of medical research had once again borne ripe fruit, not only for individuals and our country, but for all mankind.

It has since been revealed that each of these three American scientists who participated in the winning of the Nobel Prize for medicine have had their research funds cut by the Federal Government.

The disclosure came the day after the Department of Health, Education, and Welfare, which controls such research spending, sent each of them a telegram of congratulations. Sort of like offering a last drag on a cigarette to the man about to be shot by the firing squad; no?

Dr. Max Delbruck, of California Institute of Technology at Pasadena, had his funds cut 8 percent; from $406,274 to $373,760. Dr. Alfred D. Hershey, of the Carnegie Institution in Cold Spring Harbor, N.Y., had his funds cut 10 percent; from $45,399 to $40,860. Dr. Salvador E. Luria of MIT at Cambridge had his funds reduced by 9 percent; from $60,731 to $55,266.

Mr. Speaker, there are many indignant words which can be uttered here, and although ordinarily I am not lacking in a supply of them, I shall not utilize them. The facts speak for themselves.

I hope that these cuts will be restored by the administration in the interests of all Americans.

MORATORIUM DAY PARTICIPANTS SINCERE

(Mr. PELLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PELLY. Mr. Speaker, the press this morning carries a story quoting Vice President AGNEW as having said participants in last Wednesday's "Moratorium day" were "impudent and snobs."

Well, Mr. Speaker, I disagree. Anyone who has read my congressional mail would realize the amount of sincerity that was involved in this movement of October 15, and this sincerity should be realized and respected. Those participating in "Moratorium day" proved themselves not a lawless mob but rather they conducted themselves in such a manner the police here in the Nation's Capital had high praise for their behavior.

I reiterate my position which I stated on the floor of the House of Representatives October 15. The President has done more in the last 9 months than any man in an attempt to end the war in Vietnam, and I commend him.

Further, when President Nixon addresses the Nation November 3, it has been hinted he will go further and seek U.S. disengagement from the war.

However, Mr. Speaker, it seems to me that unnecessary name-calling has no place in our administration's moves toward peace in Vietnam.

As former Vice President Hubert Humphrey said, emerging from a meeting with President Nixon at the White House recently:

> I believe the President is proceeding along the right path in Vietnam . . . and I think the worst thing we can do is try to undermine the efforts of the President. I believe that no man in this country is more desirous of bringing about an acceptable and workable settlement in Vietnam than the President of the United States.

PERSONAL EXPLANATION

(Mr. MIZE asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. MIZE. Mr. Speaker, on Thursday, October 16, 1969, the House passed H.R. 4293, a bill to extend the Export Control Act, by a vote of 272 to 7 on rollcall No. 233. While I had an opportunity to participate in the debate on this legislation, I was absent for the final vote on passage to attend a meeting at the White House with the President.

Although I was paired, had I been present I would have voted "yea" on this bill.

ODE TO THE METS, ETC.

(Mr. BUCHANAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BUCHANAN. Mr. Speaker, in New York City today there is a tickertape parade honoring the world's series champions. Since the triumph of the lowly Mets is of particular inspiration to Republican Members, I would like to insert the following in the RECORD:

ODE TO THE METS, ETC.

Down and out and trampled under
Were the Mets, a winless wonder
Cynics said it would forever be their fate.
Their games went like Nixon's races
They kept falling on their faces
Striking out each time they came up to the plate.

But each time they didn't win
They'd stand up and try again
Herein lies a lesson no one wise forgets.
Failure need not be a prison
Worms can turn, and cream has risen
Just consider Richard Nixon, and the Mets.

Now my team is losing races
From the West's wide open spaces
To the Speaker's state of old Massachusetts.
But we'll keep a vision glorious
Of Republicans victorious
Just rememb'ring Richard Nixon, and the Mets.

From the ashes, from the dust
Truth can rise—indeed, it must
Democratic friends, I say with no regrets.
When our efforts are expended
You may find yourselves upended
Just remember Richard Nixon, and the Mets.

Mr. NELSEN. Mr. Speaker, will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman from Minnesota.

Mr. NELSEN. Mr. Speaker, I hope the gentleman will keep in mind that Mr. Koosman is a Minnesota product.

PERMISSION FOR COMMITTEE ON BANKING AND CURRENCY TO SIT DURING GENERAL DEBATE TODAY

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may be permitted to sit during general debate today.

The **SPEAKER** pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Louisiana?

There was no objection.

THE VICE PRESIDENT'S COMMENTS WITH RESPECT TO THE MORATORIUM

(Mr. RIEGLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RIEGLE. Mr. Speaker, it is with a sense of sadness and a sense of disappointment that I read in this morning's paper of the comments of the Vice President with respect to the moratorium, which was just referred to by the last speaker.

I would say that I do not feel the comments which were made by the Vice President reflect the feelings of the President. I do not believe he speaks for the President on this issue, nor do I believe he speaks for the national party, because I read and heard, as you did, that the chairman of our National Republican Party thought the moratorium was a

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good thing and was so quoted as having said so.

I noticed, also, the Vice President, in the remarks quoted, used the phrase "dangerous oversimplification." I believe it is a dangerous oversimplification to ever try to paint everybody with the same brush, particularly with respect to the moratorium.

I would hope that we in our party, that started as a civil liberties party with Abe Lincoln and with the idea there were some careful distinctions which ought to be made with respect to civil rights, will look for ways to disassociate ourselves from any form of extremism, any form of branding and labeling anybody, whether it be with phrases like "Communist sympathizers," "impudent snobs," or anything of the kind.

I believe the times we are in are much more serious than that. All of us, regardless of party and regardless of position, have to take the time to be very careful in defining exactly what we mean.

I stand here with a great sense of disappointment about the Vice President's remarks, and I want to make sure it is clear they do not represent the views and feelings I have as one within the Republican Party, and I believe they do not accurately reflect the views of many others.

CONSENT CALENDAR

The **SPEAKER** pro tempore. This is Consent Calendar Day. The Clerk will call the first bill on the Consent Calendar.

TRANSFER OF PEANUT ACREAGE ALLOTMENTS

The Clerk called the bill (H.R. 14030) to amend section 358a(a) of the Agricultural Adjustment Act of 1938, as amended, to extend the authority to transfer peanut acreage allotments.

Mr. **RYAN**. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

AMENDING THE ACT OF DECEMBER 11, 1963 (77 STAT. 349), RELATING TO THE ROSEBUD SIOUX INDIAN RESERVATION, S. DAK.

The Clerk called the bill (H.R. 3247) to amend the act of December 11, 1963 (77 Stat. 349).

The **SPEAKER** pro tempore. Is there objection to the present consideration of the bill?

Mr. **GROSS**. Mr. Speaker, reserving the right to object, I should like to ask one question concerning this legislation.

Suppose the insurance company proceeds on the basis of the pending legislation to make a loan to the Rosebud Sioux Indians, and then is forced to foreclose. Would the insurance company get title to the land foreclosed to settle the judgment? What would be the situation?

Mr. **BERRY**. Mr. Speaker, will the gentleman yield?

Mr. **GROSS**. I yield to the gentleman from South Dakota.

Mr. **BERRY**. The insurance company would get title under the laws of the State of South Dakota.

We passed the original legislation in 1963, I believe it was, to permit the tribe to consolidate its holdings and to sell and mortgage land that was in adjoining counties, some distance from the reservation, but we did not provide that a mortgage in default could be foreclosed in State courts. That is all that this does, is to give the mortgagee the right to come in to State court and foreclose the mortgage.

Mr. **GROSS**. It is not proposed to somehow or other induce these Indians to go into debt and then foreclose on them under adverse circumstances and take their lands?

Mr. **BERRY**. No. Of course that is not the purpose.

Mr. **GROSS**. But this could be the result of the insurance company having loaned the money. They could be foreclosed upon and the insurance company step in and take over the land. Is that not true?

Mr. **BERRY**. It could be, but before the loan is made it must be approved by the Secretary of the Interior. So there is no danger of any company, that is, any insurance company, taking advantage of the tribe or any individual Indian under this bill.

Mr. **GROSS**. I thank the gentleman. I appreciate that assurance for the record.

Mr. **ASPINALL**. Mr. Speaker, will the gentleman yield to me?

Mr. **GROSS**. I yield to the chairman of the committee.

Mr. **ASPINALL**. Mr. Speaker, this bill amends a 1963 statute which permits the Rosebud Sioux Tribe to mortgage isolated tracts of tribal land on the reservation in lieu of selling them, and to use the mortgage money to acquire lands within the tribal consolidation area. The 1963 act does not specify the procedure to be used in the event it is necessary to foreclose a mortgage of this kind. H.R. 3247 spells out his procedure by saying that the foreclosure will be in the State court in accordance with the State law.

The enactment of the bill is needed before the commercial lending agencies will lend money on the basis of tribal mortgages and the tribe has asked that the bill be enacted.

The **SPEAKER** pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 3247

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of December 11, 1963 (77 Stat. 349), Public Law 88–196, entitled "An Act to authorize the sale and exchange of isolated tracts of tribal land on the Rosebud Sioux Indian Reservation, South Dakota", be and the same is hereby amended by adding a section 3 reading as follows:

"SEC. 3. Any land mortgaged under section 2 of this Act shall be subject to foreclosure or sale pursuant to the terms of such mortgage or deed of trust in accordance with the laws of South Dakota. For the purpose of any foreclosure or sale proceeding, the Rosebud Sioux Tribe shall be regarded as vested with an unrestricted fee simple title to the land, the United States shall not be a necessary party to the foreclosure or sale proceeding, and any conveyance of the land pursuant to the foreclosure or sale proceeding shall divest the United States of title to the land. Title to any land redeemed or acquired by the Rosebud Sioux Tribe at such foreclosure or sale proceeding shall be taken in the name of the United States in trust for the tribe. Title to any land purchased by an individual Indian at such foreclosure sale or proceeding may, with the consent of the Secretary of the Interior, be taken in the name of the United States in trust for the individual Indian purchaser."

With the following committee amendments:

Page 2, line 10: Following the word "Indian" insert "member of the Rosebud Sioux Tribe."

Page 2, following line 13: Add a new section as follows:

"SEC. 2. The Act of December 11, 1963 (77 Stat. 349), Public Law 88–196, entitled 'An Act to authorize the sale and exchange of isolated tracts of tribal land on the Rosebud Sioux Indian Reservation, South Dakota', is further amended by adding a section 4 reading as follows:

" 'SEC. 4. The provisions of this Act shall not apply to the foreclosure of a mortgage or a deed of trust which is then owned by an individual Indian.' "

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. **ASPINALL**. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate bill (S. 73) to amend the act entitled "An act to authorize the sale and exchange of isolated tracts of tribal land on the Rosebud Sioux Indian Reservation, South Dakota."

The Clerk read the title of the Senate bill.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 73

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of December 11, 1963 (77 Stat. 349, Public Law 88–196), entitled "An Act to authorize the sale and exchange of isolated tracts of tribal land on the Rosebud Sioux Indian Reservation, South Dakota", be and the same is hereby amended by adding a section 3 reading as follows:

"SEC. 3. Any land mortgaged under section 2 of this Act shall be subject to foreclosure or sale pursuant to the terms of such mortgage or deed of trust in accordance with the laws of South Dakota. For the purpose of any foreclosure or sale proceeding, the Rosebud Sioux Tribe shall be regarded as vested with an unrestricted fee simple title to the land, the United States shall not be a necessary party to the foreclosure or sale proceeding, and any conveyance of the land pursuant to the foreclosure or sale proceeding shall divest the United States of title to the land. Title to any land redeemed or acquired by the Rosebud Sioux Tribe at such foreclosures or sale proceeding shall be taken in the name of the United States in trust for the tribe. Title to any land purchased by an individual Indian member of the Rosebud Sioux Tribe at such foreclosure sale or pro-

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ceeding, many, with the consent of the Secretary of the Interior, be taken in the name of the United States in trust for the individual Indian purchaser."

AMENDMENT OFFERED BY MR. ASPINALL

Mr. ASPINALL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: Strike out all after the enacting clause of S. 73 and insert the provisions of H.R. 3247 as passed, as follows:

"That the Act of December 11, 1963 (77 Stat. 349), Public Law 88-196, entitled "An Act to authorize the sale and exchange of isolated tracts of tribal land on the Rosebud Sioux Indian Reservation, South Dakota", be and the same is hereby amended by adding a section 3 reading as follows:

" 'SEC. 3. Any land mortgaged under section 2 of this Act shall be subject to foreclosure or sale pursuant to the terms of such mortgage or deed of trust in accordance with the laws of South Dakota. For the purpose of any foreclosure or sale proceeding, the Rosebud Sioux Tribe shall be regarded as vested with an unrestricted fee simple title to the land, the United States shall not be a necessary party to the foreclosure or sale proceeding, and any conveyance of the land pursuant to the foreclosure or sale proceeding shall divest the United States of title to land. Title to any land redeemed or acquired by the Rosebud Sioux Tribe at such foreclosure or sale proceeding shall be taken in the name of the United States in trust for the tribe. Title to any land purchased by an individual Indian member of the Rosebud Sioux Tribe at such foreclosure sale or proceeding may, with the consent of the Secretary of the Interior, be taken in the name of the United States in trust for the individual Indian purchaser.'

"SEC. 2. The Act of December 11, 1963 (77 Stat. 349), Public Law 88-196, entitled 'An Act to authorize the sale and exchange of isolated tracts of tribal land on the Rosebud Sioux Indian Reservation, South Dakota', is further amended by adding a section 4 reading as follows:

" 'SEC. 4. The provisions of this Act shall not apply to the foreclosure of a mortgage or a deed of trust which is then owned by an individual Indian.' "

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 3247) was laid on the table.

PLACING IN TRUST STATUS CERTAIN LANDS OF THE STANDING ROCK SIOUX INDIAN RESERVATION IN NORTH DAKOTA AND SOUTH DAKOTA

The Clerk called the bill (H.R. 3334) to place in trust status certain lands on the Standing Rock Sioux Indian Reservation in North Dakota and South Dakota.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that an identical Senate bill, S. 74, be considered in lieu of the House bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There being no objection, the Clerk read the Senate bill, as follows:

S. 74

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall hereafter be held by the United States in trust for the benefit of the Standing Rock Sioux Indian Tribe all the right, title, and interest of the United States in and to the following described land on the Standing Rock Sioux Indian Reservation in North and South Dakota.

The Southwest quarter southwest quarter southwest quarter southeast quarter of section 35, township 132 north of range 83 west of the fifth principal meridian, Sioux County, North Dakota, containing 2.5 acres more or less.

SEC. 2. This conveyance is subject to all valid existing rights-of-way of record.

SEC. 3. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the beneficial interest conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission.

Mr. ASPINALL. Mr. Speaker, this bill transfers to the Standing Rock Sioux Tribe a trust title to approximately 2.5 acres of land that were acquired by the United States in 1938 for an Indian school. The school has been discontinued and the property is excess to the needs of the Department of the Interior. The land is within a portion of the reservation where the tribe is attempting to consolidate its land holdings and the tribe wishes to acquire the land. The land has a fair market value of $700.

Although the bill provides for a transfer without a consideration, the bill contains a requirement that the Indian Claims Commission consider whether the value of the land should be setoff against any future claims judgment against the United States.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 3334) was laid on the table.

DECLARING THAT CERTAIN FEDERALLY OWNED LAND IS HELD BY THE UNITED STATES IN TRUST FOR THE CHEYENNE RIVER SIOUX TRIBE OF THE CHEYENNE RIVER INDIAN RESERVATION

The Clerk called the bill (H.R. 4226) to declare that certain federally owned land is held by the United States in trust for the Cheyenne River Sioux Tribe of the Cheyenne River Indian Reservation.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. PELLY. Mr. Speaker, reserving the right to object, I would like to inquire as to whether the committee considered the Bureau's question whether mineral interests should be transferred and with respect to other questions that were raised by the Bureau of the Budget.

Mr. BERRY. Mr. Speaker, will the gentleman yield

Mr. PELLY. I yield to the gentleman from South Dakota.

Mr. BERRY. The tribe is not primarily interested in the mineral rights. The purpose of the bill is to transfer this land to the tribe because we have a company that is coming in to put in a tanning plant on this land adjacent to Oahe Lake and Reservoir which will employ 100 to 200 Indian people. We have plenty of water and power and everything at this point. The tribe is interested in getting this land, which is ideally located for this plant. This is the purpose of the legislation.

Mr. ASPINALL. Mr. Speaker, will my colleague yield to me?

Mr. PELLY. I yield to the gentleman from Colorado.

Mr. ASPINALL. Mr. Speaker, this legislation would transfer the mineral rights, whatever they might be, and they are taking it into consideration as a part of the appraised valuation.

Mr. PELLY. Would the gentleman indicate as to the position of the Treasury in reporting on this legislation? There is nothing that I can find that indicates whether they were in support of this legislation.

Mr. ASPINALL. Mr. Speaker, if the gentleman will yield, I do know that this bill has the approval of the Bureau of the Budget and therefore, I would think that under those circumstances it has the support of the Department of the Treasury.

Mr. PELLY. As I understand, Mr. Speaker, the Bureau of the Budget said that the Treasury Department would comment but insofar as I know the Treasury Department has not as yet commented upon it. However, I think this is a small item in this bill and the only reason I raise the point, Mr. Speaker, is because the next bill on the Consent Calendar is more substantial and, again, the question was raised by the Bureau of the Budget as I understand it as to whether the property was to be donated or sold, and other points that were raised and as to whether or not the property should be held in trust rather than in a fee status.

Mr. ASPINALL. Mr. Speaker, if the gentleman will yield further, the bills that we have here are similar bills that we have passed year after year for housekeeping purposes in order to put the Indians into a position where they themselves could carry on their business. That is all that is involved here.

It seems to me that this is a better way to do it than under the HEW approach.

Mr. PELLY. I am sure the gentleman has handled a lot of these bills and if he thinks that is the way to handle them it is probably the best procedure, but I saw these points which were raised by the Bureau of the Budget.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from Iowa.

Mr. GROSS. I am still not clear—perhaps the gentleman from Washington is—but I am still not clear as to whether the mineral rights in connection with this land are protected.

Is the gentleman saying that the mineral rights have been protected, no matter what the acreage involved? This is not an extraordinarily large acreage, but there may well be valuable minerals on

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small acreages. I still do not know whether the mineral rights have been protected or not. The Bureau of the Budget questioned this matter with relation to this bill.

Mr. PELLY. As I understand it, the property is rather small and there is no knowledge at this time to the effect that there would be any real value in mineral rights. But I think the principle is one that I am sure the very distinguished chairman of the Committee on Interior and Insular Affairs and the members of that committee have considered. However, I think we ought to raise this issue when legislation of this kind comes to the floor.

Mr. BERRY. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman.

Mr. BERRY. There are no known minerals in this area.

Mr. PELLY. Well, that has been true in parts of the country when it was said there were no great minerals involved. Yet, they discovered oil later. There is the case of the city of Long Beach which does not represent a large area but which gets large oil royalties. So I think, as a matter of principle, the committee ought to consider possible mineral rights and I am sure it has.

Therefore, Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the present consideration of the bill?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that an identical Senate bill, S. 921, be considered in lieu of the House bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There being no objection, the Clerk read the Senate bill, as follows:

S. 921

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all right, title, and interest of the United States in land heretofore used in connection with the Cheyenne River Boarding School described as the east half section 19 and the west half section 20, township 13 north, range 31 east, Black Hills Meridian, Dewey County, South Dakota, comprising approximately 640 acres, together with all improvements thereon except fencing owned by Indian permittee, are hereby declared to be held by the United States in trust for the Cheyenne River Sioux Tribe of the Cheyenne River Indian Reservation. The land conveyed by this Act is subject to all valid existing rights-of-way.

SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claims against the United States determined by the Commission.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 4226) was laid on the table.

(Mr. ASPINALL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ASPINALL. Mr. Speaker, this bill transfers to the Cheyenne River Sioux Tribe a trust title to approximately 640 acres of land that were purchased by the United States in 1940 as a pasture for an Indian school beef herd. The Indian boarding school has been discontinued and the property is now excess to the needs of the Department of the Interior. The land is within a portion of the reservation where the tribe is attempting to consolidate its land holdings and the tribe wishes to acquire the land. It has a present fair market value of $22,000 and has a potential for industrial development that will provide jobs for many Indians.

Although the bill provides for a conveyance without consideration, a committee amendment requires the Indian Claims Commission to consider whether the value of the land should be set off against any future claims judgment against the United States.

DECLARING THAT CERTAIN FEDERALLY OWNED LANDS ARE HELD BY THE UNITED STATES IN TRUST FOR THE INDIANS OF THE PUEBLO OF LAGUNA

The Clerk called the bill (H.R. 9424) to declare that certain federally owned lands are held by the United States in trust for the Indians of the pueblo of Laguna.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 210, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There being no objection, the Clerk read the Senate bill as follows:

S. 210

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all right, title, and interest of the United States in and to the following described federally owned lands and all improvements thereon, situated in Valencia and Sandoval Counties, New Mexico, which were acquired for school, sanatorium, clinic, agency, or other administrative purposes, are hereby declared to be held by the United States in trust for the Pueblo of Laguna:

Antonio Sedillo Grant administrative site situated in unsurveyed sections 2, 11, 12, and 14, township 8 north, range 3 west, New Mexico principal meridian, and more particularly described as beginning at center of west line of section 11, thence south along same section line approximately one-sixteenth mile to a point where a fence line ties on to west line of same section; thence southeasterly along said fence line approximately one mile through the southwest quarter and southeast quarter section 11, and to a point in the northeast quarter section 14 where said fence corners; thence in a northeasterly direction along same fence line through sections 14, 11, and 12 to a point where said fence ties on to a mesa rim; thence in a northeasterly direction along mesa rim to a point where same mesa rim turns in an easterly direction; thence north approximately fifty yards to a water gap on Rio San Joe in northwest quarter section 12; thence in a northwesterly direction through the northwest quarter section 12, northeast quarter section 11 and southeast quarter section 2 to a point where channel of Rio San Jose turns westerly; thence along said channel of Rio San Jose westerly, southwesterly and northwesterly approximately one mile to a point of intersection of said channel with the west line of section 2; thence south along west lines of sections 2 and 11, township 8 north, range 3 west, to point of beginning, containing 640 acres, more or less.

Bernabe M. Montano Grant administrative site described as the southwest quarter section 7 and northwest quarter section 18–8; township 12 north, range 1 west, New Mexico principal meridian, containing 320 acres, more or less.

Laguna Sanatorium site situated in sections 4 and 5, township 9 north, range 5 west, New Mexico principal meridian, described in quit-claim deed dated June 7, 1923, from the Pueblo Laguna to the United States of America, as follows: From the southeast corner of the school tract, north 32 degrees 15 minutes east 6.47 chains to the southwest corner of the addition; thence south 57 degrees 45 minutes each 4.00 chains to the southeast corner; thence north 21 degrees 57 minutes east 7.00 chains; thence north 77 degrees 09 minutes east 6.05 chains; thence north 13 degrees 39 minutes east 3.87 chains; thence north 7 degrees 33 minutes east 9.47 chains to the northeast corner; thence north 82 degrees 27 minutes west 1.97 chains to the northwest corner; thence south 32 degrees 15 minutes west 22.62 chains to the place of beginning, containing 9.90 acres more or less.

Government excluded tract that was excepted and excluded from United States Patent Numbered 89,316 dated November 15, 1909, to the Pueblo of Laguna covering the Pueblo of Laguna grant in townships 9 and 10 north, ranges 5 and 6 west, New Mexico principal meridian, described as beginning at a point 72 feet westwardly from the center of the main line of the Santa Fe Pacific Railroad and 75 feet northwardly from Robert G. Marmon's north fence; thence north 32 degrees 15 minutes east on a line parallel to the railroad, 21 chains 47 links to the northeast corner, which is a mound of stone; thence north 57 degrees 45 minutes west, 15 chains to the northwest corner which is a pile of stone; thence south 32 degrees 15 minutes west, 21 chains 47 links to the southwest corner, which is a point; thence south 57 degrees 45 minutes east, 15 chains to the southeast corner and place of beginning, containing 32.20 acres, more or less.

Encinal School site (acquired by condemnation in case numbered 1604, equity, in the United States District Court in the District of New Mexico), situated in section 3, township 10 north, range 6 west, New Mexico principal meridian, and more particularly described as follows: The place of beginning is a point located north 44 degrees 40 minutes east a distance of 1,300.0 feet and thence north 56 degrees 15 minutes east a distance of 232.0 feet from the southwest section corner of section 3, township 10 north, range 6 west. From said place of beginning line runs north a distance of 335.1 feet; thence east 260.0 feet; thence south 335.1 feet; thence west 260.0 feet to a point of beginning, and contains 2 acres, more or less.

Laguna Day School site (acquired through condemnation proceedings in United States District Court in the District of New Mexico, case numbered 2895; final decree filed May 19, 1937), consisting of two parcels described as follows:

Parcel numbered 1 situated in section 5, township 9 north, range 5 west, New Mexico principal meridian, lying south of and adjacent to the United States Government excluded tract situated in said section, and more particularly described as beginning at the northeast corner of parcel numbered 1, which corner is located on the south boundary of the said United States Government excluded tract, and bears north 57 degrees 45 minutes west 212.7 feet from the southeast corner of the said United States Government excluded tract, and running thence north 57 degrees 45 minutes west 210 feet, more or less, along the south boundary of the said United States Government excluded tract to the northwest corner of said certain tract; thence south 32 degrees 16 minutes west 173.3 feet, more or less, to the southwest corner, thence south 54 degrees 06 minutes east 197.7 feet to the southeast corner; thence north 36 degrees 03 minutes east 186.9 feet, more or less, to the point of beginning, containing 0.83 acres, more or less.

Parcel numbered 2 situated in section 5, township 9 north, range 5 west, New Mexico principal meridian, lying south of and adjacent to the United States Government excluded tract situated in said section, and more particularly described as beginning at the northwest corner of parcel numbered 2, which corner is located at the intersection of the south boundary of the United States Government excluded tract with the south right-of-way line of United States Highway Numbered 66 and bears north 57 degrees 45 minutes west 503 feet, more or less, from the southeast corner of the said United States Government excluded tract, and running thence south 57 degrees 45 minutes east 81 feet, more or less, to the northeast corner of said tract; thence south 32 degrees 16 minutes west 173.2 feet to the southeast corner of said tract; thence north 54 degrees 06 minutes west 227 feet, more or less, to the southwest corner, which corner is a point on the south right-of-way line of United States Highway Numbered 66; thence following a 3-degree 5.2-minute curved line curving to the right and following the said south right-of-way line of Highway Numbered 66 a distance of 217 feet, more or less, to the point of beginning, containing 0.61 acres, more or less.

Paguate School site (acquired by condemnation in case numbered 125, in the United States District Court in the District of New Mexico; judgment rendered July 5, 1912), situated in section 33, township 11 north, range 5 west, New Mexico principal meridian, and more particularly described as beginning at the 11th mile corner on the north boundary of the Paguate purchase; thence south 34 degrees 20 minutes west, a distance of 36.25 chains; thence south 3 degrees 50 minutes east, a distance of 32.00 chains; thence south 17 degrees 41 minutes east, a distance of 95.18 chains to the southwest corner of the lot; thence south 77 degrees 15 minutes east, a distance of 3.395 chains; thence north 10 degrees 43 minutes east, a distance of 3.82 chains; thence north 89 degrees 38 minutes west, a distance of 2.175 chains; thence south 30 degrees 40 minutes west, a distance of 0.67 chains; thence north 82 degrees 33 minutes west, a distance of 1.06 chains; thence south 9 degrees 54 minutes west, a distance of 2.613 chains to the southwest corner, containing 1.11 acres, more or less.

Mesita School site (acquired by condemnation in case numbered 86; judgment rendered June 3, 1912), situated in section 18, township 9 north, range 4 west, New Mexico principal meridian, and more particularly described as beginning at the southwest corner of the school site, which is north 1 degree east a distance of 3 miles 24.6 chains from the standard corner of township 9 north, ranges 4 and 5 west, New Mexico principal meridian; thence south 84 degrees 46 minutes east, a distance of 4.00 chains; thence north 5 degrees 14 minutes east 2.50 chains; thence north 84 degrees 46 minutes west 4.00 chains; thence south 5 degrees 14 minutes west 2.50 chains to point of beginning, containing 1 acre, more or less.

Paraje School site described as south half northwest quarter northwest quarter southeast quarter section 33, township 10 north, range 6 west, New Mexico principal meridian, containing 5 acres, more or less.

Seama Government site described as northwest quarter southwest quarter southwest quarter northwest quarter section 6, township 9 north, range 6 west, New Mexico principal meridian, containing 2.50 acres, more or less.

Seama School site (acquired by condemnation in case numbered 1604, equity), situated in section 36, township 10 north, range 7 west, New Mexico principal meridian, and more particularly described as follows: The place of beginning is a point on the one-sixteenth subdivision line 1,251.3 feet west from the east one-sixteenth corner of the southeast quarter section 36, township 10 north, range 7 west, New Mexico principal meridian. From said place of beginning, line runs west on said one-sixteenth subdivision line for a distance of 208.7 feet; thence north 417.4 feet; thence east 208.7 feet; thence south 417.4 feet to place of beginning, containing 2 acres, more or less.

Sec. 2. This conveyance is subject to all valid existing rights-of-way of record; and to the right of the United States Public Health Service to continue use and occupancy of that property, presently in use by it, for so long as is necessary.

Sec. 3. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of any lands and improvements placed in a trust status under the authority of this Act should or should not be set off against any claim against the United States determined by the Commission.

AMENDMENT OFFERED BY MR. ASPINALL

Mr. ASPINALL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Aspinall: On page 4, line 6, delete the word "while" and substitute in lieu thereof the word "which".

The amendment was agreed to.

(Mr. ASPINALL asked and was given permission to extend his remarks at this point in the Record.)

Mr. ASPINALL. Mr. Speaker, this bill transfers to the Pueblo of Laguna trust title to approximately 1,016.65 acres of land that are now owned by the United States. The land is in 11 widely separated tracts that range in size from less than 1 to 640 acres. All of the land is within the boundaries of the reservation. Nine hundred and sixty acres out of the total of 1,016 acres were acquired by the United States in 1930's under its so-called submarginal lands program. Over 300,000 acres of the submarginal lands were transferred to the Pueblo in 1949, without consideration, and these 960 acres were reserved because at that time they were still needed for administrative purposes. They are no longer needed by the Government and should be added to the 304,473 acres previously transferred.

The remainder of the lands covered by the bill are six former school sites and one sanatorium site. They also are excess to the needs of the Government except for a small area still used by the Public Health Service, and the bill reserves the right to continue this use.

The present fair market value of the land is about $130,000, and although the bill provides for a conveyance without consideration the bill also contains the usual setoff provision requiring the Indian Claims Commission to determine whether the value of the property should be setoff against any future claim recovered by the tribe against the United States.

The Senate bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 9424) was laid on the table.

DECLARING THAT THE UNITED STATES SHALL HOLD CERTAIN LAND IN TRUST FOR THE THREE AFFILIATED TRIBES OF THE FORT BERTHOLD RESERVATION, N. DAK.

The Clerk called the bill (S. 775) to declare that the United States shall hold certain land in trust for the Three Affiliated Tribes of the Fort Berthold Reservation, N. Dak.

There being no objection, the Clerk read the bill, as follows:

S. 775

Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled, That all of the right, title, and interest of the United States in and to the surface of the following described land (together with all buildings and other improvements thereon), such land and improvements having been declared excess to the needs of the Bureau of Indian Affairs, are hereby declared to be held by the United States in trust for the Three Affiliated Tribes of the Fort Berthold Reservation, subject to the right of the United States, its successors or assigns to use the west 75 feet of the parcel for a road right-of-way so long as it is needed, as determined by the Secretary of the Interior, for such purposes: southwest quarter southwest quarter northwest quarter of section 21, township 150 north, range 90 west, of the fifth principal meridian, North Dakota, comprising 10 acres.

Sec. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claims against the United States determined by the Commission.

(Mr. ASPINALL asked and was given permission to extend his remarks at this point in the Record.)

Mr. ASPINALL. Mr. Speaker, this bill transfers to the Three Affiliated Tribes of the Fort Berthold Reservation a trust title to approximately 10 acres of land that were acquired by the United States in 1954 for Indian day school purposes. The day school was destroyed by fire in 1963 and will not be replaced. The property is excess to the needs of the Department of the Interior but is needed by the tribes for use in connection with their community meetings, adult education, social gatherings and recreational programs.

The property has a fair market value of $5,070 and although the bill provides for a conveyance without consideration it contains the usual provision requiring the Indian Claims Commission to consider whether the value of the land should be setoff against any future claim recovered by the tribe against the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING APPROPRIATION OF FUNDS FOR FORT DONELSON NATIONAL BATTLEFIELD, TENN.

The Clerk called the bill (H.R. 13767) to authorize the appropriation of funds for Fort Donelson National Battlefield in the State of Tennessee, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

H.R. 13767

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, there are hereby authorized to be appropriated such sums as may be necessary to satisfy the final judgments totaling $12,721.25 (that is, $23,381.25 minus $10,660 deposited in court) rendered against the United States in civil actions numbered 3371 and 3397 in the United States District Court for the Middle District of Tennessee, Nashville Division, for the acquisition of lands for the Fort Donelson National Battlefield. The sums herein authorized to be appropriated shall be sufficient to pay the amount of said judgment, together with interest as provided by law.

With the following committee amendment:

Page 1, beginning on line 5, after the word "final", strike out the remainder of the language and insert in lieu thereof the following: "net judgments rendered against the Unites States in civil actions numbered 3371 and 3397 in the U.S. District Court for the Middle District of Tennessee, Nashville Division, for the acquisition of lands for the Fort Donelson National Battlefield, totaling $12,721.25, plus interest as provided by law."

The committee amendment was agreed to.

(Mr. ASPINALL asked and was given permission to extend his remarks at this point in the Record.)

Mr. ASPINALL. Mr. Speaker, the Committee on Interior and Insular Affairs recommends the enactment of H.R. 13767, as amended.

This bill was introduced by our colleague, the gentleman from Tennessee (Mr. Jones). It authorizes the appropriation of sufficient funds to satisfy the outstanding judgments against the United States arising from the acquisition of certain lands at the Fort Donelson National Battlefield in the State of Tennessee.

In 1960, when the Congress expanded this area, an appropriation of $226,000 was authorized for the acquisition of additional lands. Pursuant to this authority, the National Park Service has acquired most of the privately owned lands; however, title to the four tracts involved in this legislation—totaling 72.3 acres—was acquired through eminent domain proceedings. The Park Service deposited the estimated fair market value of the properties in court, but the judgments were in excess of the estimates. As a consequence, the United States is obligated to pay the deficiency. Our only option is to pay it promptly with interest at the rate of 6 percent or to pay it later with more interest.

Before concluding my remarks, I do want to emphasize that this does not complete the acquisition program at this park facility. There are still approximately 87 acres to be acquired. Before they can be acquired, additional funds must be authorized sometime in the future, because the existing authorization ceiling has been fully appropriated and expended. The committee was told that no other declarations of taking have been filed, so we should not be confronted with this same situation without having an opportunity to ascertain the desirability of purchasing the remainder of the lands inside the park boundaries.

Mr. Speaker, with that brief explanation, I recommend the approval of H.R. 13767, as amended.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE DISPOSAL OF CERTAIN REAL PROPERTY IN THE CHICKAMAUGA AND CHATTANOOGA NATIONAL MILITARY PARK, GA., UNDER THE FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

The Clerk called the bill (H.R. 9163) to authorize the disposal of certain real property in the Chickamauga and Chattanooga National Military Park, Ga., under the Federal Property and Administrative Services Act of 1949.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, I would like to determine why this apparently surplus area and probably of remote historic association and tenuous accessibility to the Chickamauga and Chattanooga National Military Park, and is not simply declared surplus and is to be disposed of in this manner, as prescribed.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am glad to yield to the gentleman.

Mr. ASPINALL. This is just a very small area of land administered by the National Park Service. It came to the Park Service when the military made the whole transfer on it, an area that is attached to the other area as if it were just a square area attached at the corner. It was used in military days for the gathering of wood in order to keep soldiers who occupied the area warm, and for cooking purposes. It no longer is needed. At the present time the people involved in Georgia are willing to let it go through the usual procedures, relative to the disposal of surplus property, with the understanding that undoubtedly it will be the county or school district that will be able to get the land. There is a highway at the present time that is running through one corner of the land. This will be a wonderful place for an educational center. They told the committee, and they made a good record, for school development in that particular area.

They are taking their chances that nobody else is going to pick it up, and that it will be used for governmental purposes.

That does not answer the gentleman's question as to why it should not be transferred another way, but it should go this way in our opinion for the simple reason that its value for school purposes is such that we should give cognizance to the area which is worth very little so far as the Park Service is concerned. It might be more valuable if it were to be used for residential purposes.

The gentleman from Georgia (Mr. Davis) is present, and he may wish to say more if the gentleman will yield.

Mr. HALL. Mr. Speaker, I appreciate the distinguished chairman's reassurance, but that is my very point.

As we all know, under the laws of this land and the regulations implementing the same, the GSA, in turn, makes surplus property available to other Federal agencies, educational organizations at the Federal and State level, and others are given priorities in the acquisition of surplus lands. If the gentleman is so sure that the educational people will get it anyway and that it will be used for this purpose, then I still do not know why we have a special bill on the Consent Calendar for that purpose.

Mr. ASPINALL. If my colleague will yield again. It is apparent that I did not understand my colleague's question. This is the one way that this land, which is a part of the National Park Service, can be disposed of. National park areas are inviolate within themselves. They do not come under the provisions of the Surplus Property Act of the United States.

Mr. DAVIS of Georgia. Mr. Speaker, will the gentleman yield?

Mr. HALL. I thank the gentleman from Colorado, and I yield to the gentleman from Georgia.

Mr. DAVIS of Georgia. I thank the gentleman. I would simply like to point out to the gentleman that the Park Service has made the point that they are not in the business, of course, of educating children. I see their point. That is my purpose, though, actually.

The background of this bill is the fact that we have a situation in Catoosa County, which is across the borderline of the State of Tennessee in the suburbs of Chattanooga. It has a very low tax base. It is under the obligation of educating many, many children in a so-called bedroom county. It occurred to me that the best way to make an educational center out of this land would be to throw this over into the regular GSA disposal procedures. It so happens that the Park Service does not dispose of its land in that way.

But it is a fair procedure, and under the GSA disposal of surplus property procedures all of the Federal agencies are first canvassed, and then State agencies are canvassed. If none of those agencies express interest in the land, then it becomes the prerogative of the county to take up the land.

It is still public land and it is still people you are dealing with. It is still completely public. There is no private interest that has any interest in this at all.

This is a county that deserves this consideration and needs it quite badly.

While the bill passed the House last year, it did not pass the Senate. So I had to reintroduce it this year. It came out of the distinguished chairman's committee unanimously.

I think it is a good bill. I think it serves a good purpose. I would hope that the gentleman would not object to it.

Mr. HALL. Mr. Speaker, I appreciate the gentleman's forthright statement. I wonder if he would assure me that this land will not fall into the hands of entrepreneurs or those who would profit excessively or speculate on this land if it is allowed to go the development or housing route?

Mr. DAVIS of Georgia. May I say this in that connection, that I had to fight off a situation that might have led down that avenue last year, and I can assure you that such a thing is completely blocked out. It has been successfully stiff-armed, if I may use that word.

Mr. HALL. Mr. Speaker, I again say I appreciate the gentleman's forthright reassurance.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding.

Mr. Speaker, the facts are that this land was bought by the Federal Government many years ago. It involves not a very substantial financial consideration, but this bill ought to have in it two provisions: It ought to have provided for the fair market value of the land, and that payment be made at the fair market value; and it ought to have had a reverter clause in it. In other words, if the land is not used for the public purpose for which it was turned over, then it should revert to the Federal Government. I am a little surprised that the committee did not insert both provisions in the bill.

I say again, Mr. Speaker, that I am not going to make an issue of it because I think the land will be used for a worthy public purpose. I do hope that the committee will keep this transaction in mind, and if the land is turned over by the State to private investors, the committee will then move to recapture the land.

Mr. HALL. Mr. Speaker, I thank the distinguished gentleman from Iowa. His thinking is parallel to my own.

Mr. DAVIS of Georgia. Mr. Speaker, will the gentleman yield?

Mr. HALL. Mr. Speaker, further reserving the right to object, I yield to the gentleman from Georgia.

Mr. DAVIS of Georgia. Mr. Speaker, I offer one comment to complete the record. The bill as it stands before this House at this time provides that the land shall be devoted to public purposes. I would like also to say, as a member of the bar of Georgia, and in practice for about 30 years, I think it is extremely unlikely, and I do not think it is even practical under our laws to divert public land to private use without giving the public a chance at it—in other words, a refusal. I do not conceive that this would ever happen. Our State board of education and our county board of education in this particular instance plan to make an educational center out of this tract of land. I can assure my colleagues that this will happen.

Mr. HALL. Mr. Speaker, again the gentleman's words are very reassuring. However, it is the duty of those who must pass on the unanimous-consent bills to be eternally vigilant because such things have happened in the past and can be easily cited.

Mr. Speaker, I appreciate the explanation by the distinguished chairman of the committee, and I am reassured. I appreciate the statement of the gentleman from Georgia, and I withdraw my reservation of objection.

(Mr. ASPINALL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ASPINALL. Mr. Speaker, the Subcommittee on National Parks and Recreation conducted hearings on H.R. 9163 which was introduced by our colleague, the gentleman from Georgia (Mr. DAVIS). The Department of the Interior indicated that it had no objection to its enactment and no one appeared in opposition to it.

In essence, this bill authorizes the Secretary of the Interior to declare a tract of land, totaling approximately 155.46 acres, as excess to the needs of the Department at the Chickamauga and Chattanooga National Military Park. Part of this park is located in the State of Tennessee, but the tract of land involved is located in the State of Georgia.

The committee was advised that the property is not used in connection with the national military park and that its historical connection with the historic battle which took place there is remote. We were told that it poses some administrative problems for the national park system.

The property was originally acquired by the War Department in 1898, when it administered the area, but its location has never been conducive to development for any park purpose. Since the lands reserved for, or dedicated to, national park purposes cannot be disposed of without congressional approval, the enactment of H.R.9163 is necessary in order to subject the property in question to the usual procedures for the disposal of surplus property.

Mr. Speaker, as chairman of the Committee on Interior and Insular Affairs, I recommend the approval of H.R. 9163.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 9163

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding section 3(d) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 472(d)), the Secretary of the Interior may designate as excess property under that Act lot 94 in the ninth district and fourth section of Catoosa County, Georgia, the same consisting of one hundred and sixty acres, more or less, in the Chickamauga battlefield section of the Chickamauga and Chattanooga National Military Park in the State of Georgia, and such lot shall be utilized or disposed of by the Administrator of General Services in accordance with the remaining provisions of such Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the Consent Calendar.

CALL OF THE HOUSE

Mr. WYDLER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 234]

Adair
Addabbo
Anderson, Ill.
Andrews, N. Dak.
Arends
Ashbrook
Ashley
Baring
Beall, Md.
Bevill
Biaggi
Blatnik
Brademas
Brasco
Brock
Brooks
Brown, Calif.
Brown, Ohio
Broyhill, Va.
Burton, Utah
Bush
Cahill
Camp
Carey
Celler
Clark
Clausen, Don H.
Clawson, Del
Clay
Conte
Corbett
Corman
Cowger
Cramer
Culver
Dawson
Dent
Devine
Diggs
Dingell
Donohue
Dorn
Downing
Eckhardt
Edwards, Ala.
Fallon
Fascell
Findley
Fish
Fisher
Flynt
Fountain
Frelinghuysen
Gallagher
Gibbons
Goldwater
Gray
Griffin
Griffiths
Hagan
Halpern
Harrington
Harsha
Hays
Hogan
Howard
Jacobs
Jarman
Jonas
Jones, N.C.
Jones, Tenn.
Kirwan
Kluczynski
Koch
Landgrebe
Landrum
Long, La.
Lowenstein
Lukens
McCarthy
McClure
McCulloch
McDonald, Mich.
McEwen
Mailliard
Martin
Mathias
Mills
Monagan
Moorhead
Morse
Morton
Murphy, Ill.
Murphy, N.Y.
Nix
O'Konski
Passman
Pepper
Philbin
Pollock
Powell
Purcell
Quie
Rees
Reid, N.Y.
Reifel
Rivers
Rodino
Rosenthal
Rostenkowski
Roudebush
St. Onge
Sandman
Sikes
Sisk
Smith, Iowa
Stubblefield
Taft
Teague, Tex.
Thomson, Wis.
Ullman
Utt
Watkins
Whalley
Wiggins
Wilson, Charles H.
Winn
Wold
Wright

The SPEAKER. On this rollcall 302 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PRESIDENT NIXON'S STRONG ACTION ON INFLATION

(Mr. WYATT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WYATT. Mr. Speaker, last week I made an appeal to the administration to take a different direction, and more aggressive action in connection with the war on inflation. Since then, President Nixon has made a forceful appeal to the nation by radio, and by letter to the business community. I commend the President for his strong leadership. I would also urge once more that the very serious consideration be given to the other suggestions I made for remedial action, and specifically for relief of the home building industry.

Essential, if we are to avoid over-reaction around the first of this coming year, is a change in the monetary policy of the Federal Reserve Board. This would seem to be our very most serious immediate problem. The reduction of the increase in the money supply to near zero may already contain the seeds of disaster for us after the first of the year, even if changed now. The return to the policy of gradualism, adopted by the Federal reserve shortly after the first of this year is an absolute must if we are to avoid a real serious situation this coming spring.

TRANSFER OF PEANUT ACREAGE ALLOTMENTS

Mr. O'NEAL of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 14030) to amend section 358a(a) of the Agricultural Adjustment Act of 1938, as amended, to extend the authority to transfer peanut acreage allotments.

The Clerk read as follows:

H.R. 14030

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 358a(a) of the Agricultural Adjustment Act of 1938, as amended, is amended by changing "and 1969" to read ", 1969, and 1970".

The **SPEAKER.** Is a second demanded?

Mr. BELCHER. Mr. Speaker, I demand a second.

The **SPEAKER.** Without objection, a second will be considered as ordered.

There was no objection.

The **SPEAKER.** The gentleman from Georgia is recognized for 20 minutes.

Mr. O'NEAL of Georgia. Mr. Speaker, this lil' ol' bill simply extends for 1 year the authority originally granted 2 years ago in Public Law 90–211 for farmers to transfer peanut acreage allotments to each other within their own county.

It was before the House 2 weeks ago on the Consent Calendar. At that time the gentleman from New York (Mr. RYAN) asked that the bill be passed over without prejudice. It is now on the Suspension Calendar, where it quite properly belongs, because the time of the House should not be taken up with a rule on a simple 1-year extension of an act that was debated and approved overwhelmingly by the House 2 years ago.

H.R. 14030 has the approval of the Department of Agriculture, the Bureau of the Budget, and the House Committee on Agriculture. Enactment of this measure will not result in any expense to the Government, nor will it add anything to consumer cost.

Many of my colleagues will recall that authorization to transfer peanut allotments was originally granted by the Congress for a 2-year period in 1967.

The present law has met with nearly unanimous approval throughout the peanut industry in every geographical area. I do not personally know of anyone in the peanut industry who opposes the right of farmers to transfer acreage allotments as long as the present tight restrictions remain in effect.

This legislation is needed primarily to permit farmers to increase the size of their allotment in order to realize a more reasonable return of their considerable investments. There are many peanut acreage allotments too small to constitute an economic unit in view of rising production and harvesting costs.

The Department of Agriculture reports that more than one-fourth of all peanut allotments are 5 acres or less and more than one-half are 10 acres or less. The average size of established allotments is approximately 18 acres.

Problems connected with small allotments become more serious each year as production costs per acre continue to increase. A farmer with an allotment of 5 acres must use the same type expensive equipment, herbicides, and improved methods of cultivation as a farmer with 100 acres.

This bill permits some small but capable farmers to become a little more efficient by increasing their allotments while others, who wish to discontinue growing peanuts, could transfer their resources to other crops or retire from peanut production entirely and still receive a small remuneration.

My primary interest in introducing the original legislation was to allow a new grower to acquire an allotment without increasing the national allotment by a single acre. This legislation permits a new grower to obtain an allotment up to 50 acres through lease or outright purchase. This, of course, presents a golden opportunity to the young man who decides on a career in agriculture or to the sharecropper who has long dreamed of owning a farm, but who did not inherit an allotment.

The committee feels that the authority to lease, sell, or transfer peanut acreage allotments should continue, as in 1968 and 1969, to be accompanied by language in the legislation which would guard against any speculation or overproduction which might otherwise result from this authority. Therefore, the committee left unchanged the following conditions:

First. Under no condition may allotments be transferred across county lines.

Second. No allotment may be transferred from a farm subject to a mortgage or lien unless the transfer is agreed to by the lienholders.

Third. No sale of a farm allotment from a farm shall be permitted if any sale of allotments to the same farm has been made within the three immediate preceding crop years.

Fourth. No transfer of allotment shall be effective until a record thereof is filed with the county committee of the county in which the transfer is made and until the county committee determines that the transfer complies with the provisions of the law.

Fifth. If there is not more than a 10-percent difference in production per acre, transfers shall be on the basis of acre for acre; however, in cases where the transferred acreage goes to a farm where the production per acre exceeds that of the transferred acreage by more than 10 percent, there shall be a corresponding downward adjustment in the amount of acreage transferred to assure that no overproduction would result from the transfer.

Sixth. Where an allotment is transferred to a farm which at the present time is not irrigated but which within 5 years places the transferred allotment under irrigation, the Secretary of Agriculture shall then make a downward adjustment in the amount of acreage transferred to assure that there would be no increased production as a result of irrigating the transferred acreage.

Seventh. The land on the farm from which the entire peanut allotment has been transferred shall not be eligible for a new farm peanut allotment during the 5 years following the year in which such transfer is made.

Eighth. Leases of any portion of a peanut allotment shall not exceed 5 years.

Ninth. The total peanut allotment transferred to any farm by sale or lease shall not exceed 50 acres or any lesser amount prescribed by the Secretary.

H.R. 14030 does not modify any of the conditions imposed by the original legislation. The only change being proposed is to extend the transfer authority for 1 year.

Peanut farming has undergone very great changes in recent years.

When the present allotments were required in 1949, nearly all of the harvesting was done by hand labor using pitchforks to pile the newly plowed vines and nuts in stacks, so that the wind and sunshine would dry them in a process that might take many weeks.

Now the labor is scarce and the stacks are nonexisting.

Virtually every peanut farmer in America uses a windrow process that requires expensive machinery, and as a result an investment is required of many thousands of dollars.

The same allotment useful to the farm with labor in the family or nearby is "gone with the wind."

The farmer either has to buy this machinery himself or pay someone else who has brought the machinery.

So, he has virtually the same cost of harvesting 20 acres as he would 50 acres.

If this bill becomes law, it will not cause an increase in production. Extreme care has been taken to write in it language that will not cause it, but it will bring about a general reduction in costs per acre.

It will not affect the national volume, but it will permit a net profit to the individual farmer by merely reducing his cost per acre.

Many of these allotments are held by people who have inherited them with the land, but who do not farm them. They rent out the land and the allotment to active farmers who buy the big machines but who have no security because of changing whims of landlords affected by changing agriculture programs such as soil bank and cropland adjustment programs.

This will enable this man who was born 20 years too late to buy into his security by owning the allotment along with the machinery he has to invest in.

The provisions of this bill are virtually parallel with those of a bill permitting the sale and lease of cotton allotments—passed in 1965 by the 89th Congress.

And parallel with the provisions of a bill passed by the 90th Congress with reference to two or three types of tobacco.

The only difference is that this bill regarding peanuts is more restrictive—the committee recognizing clearly that the problems of commodities are different.

Mr. KYL. Mr. Speaker, will the gentleman yield?

Mr. O'NEAL of Georgia. I am glad to yield to the gentleman from Iowa.

Mr. KYL. I thank the gentleman for yielding so that I might ask a couple of questions.

Suppose farmer Brown sells his right to produce the peanuts. What does he then use his ground for? Can he plant corn or soybeans?

Mr. O'NEAL of Georgia. For general farm purposes, if he uses it for anything. He might want to put it into that. He might put it into corn or some other crop he is able to put it in under the law.

Mr. KYL. On page 3 of the report one of the supposed benefits of the bill is: "at the same time it guards against any major geographical switch in peanut production which would undoubtedly be injurious to the economy of many counties."

The really serious question I have about this legislation—and I am not opposing it at this point—is this: This man takes his peanut production right and sells it, and then he plants, say corn on his entire farm. Is there any difference between injuring a southern farmer by transferring the right to produce peanuts geographically and injuring a midwest farmer by transferring the production of corn to the South.

Mr. O'NEAL of Georgia. I will say to the gentleman, if he plants corn it probably would replace the corn for the farm that took the peanut allotment. This thing cannot cross county lines. I would say there would be no danger of any violence being done to the production of other commodities.

Mr. KYL. Mr. Speaker, will the gentleman yield for a further question?

Mr. O'NEAL of Georgia. I yield.

Mr. KYL. In the case when the farmer gives up his right to produce peanuts, can he immediately, after having been paid for relinquishing the prior right, go into another Government price support program on the same land producing a different crop?

Mr. O'NEAL of Georgia. The only thing I would say in that connection is he would have the regular restrictions on going into other Government-paid crops already existing. There would be no change there.

Mr. KYL. But he could, as a matter of fact, go into the production of other price-supported crops.

Mr. O'NEAL of Georgia. If there is some way to get in, yes.

Mr. KYL. And we assume that there would be a way to get in.

Mr. O'NEAL of Georgia. There might be. We understand that the same thing we deal with here has a precedent in respect to cotton and tobacco already.

Mr. KYL. I thank the gentleman.

Mr. FOUNTAIN. Mr. Speaker, will the gentleman yield?

Mr. O'NEAL of Georgia. I yield to the gentleman from North Carolina.

Mr. FOUNTAIN. Is it not true that if he should get into some other controlled commodity production he would still have to keep within whatever allotment there is, so there would not be an increase?

Mr. O'NEAL of Georgia. Certainly. He would have to comply with all the regulations of the new commodity he planted.

Mr. FOUNTAIN. I thank the gentleman.

Mr. THOMPSON of Georgia. Mr. Speaker, will the gentleman yield?

Mr. O'NEAL of Georgia. I yield to the gentleman from Georgia.

Mr. THOMPSON of Georgia. Will this in any way increase the peanut allotment in any particular county?

Mr. O'NEAL of Georgia. It cannot possibly.

Mr. THOMPSON of Georgia. Will it decrease the peanut allotment?

Mr. O'NEAL of Georgia. I say it cannot possibly increase it. It is not likely to decrease it, because I do not believe anybody would be foolish enough to buy a peanut allotment to go on an unproductive farm.

Mr. THOMPSON of Georgia. May I ask a further question? If a farmer has part of his land in peanuts and part in some other commodity such as cotton, he could still participate in the cotton program?

Mr. O'NEAL of Georgia. Yes, indeed.

Mr. THOMPSON of Georgia. This would not change that?

Mr. O'NEAL of Georgia. This would not affect that at all.

Mr. STEED. Mr. Speaker, will the gentleman yield?

Mr. O'NEAL of Georgia. I yield to the gentleman from Oklahoma.

Mr. STEED. As the gentleman knows, one of the major crops in my district is peanuts. I have had an opportunity to observe the operation of this program.

I believe it is important to point out that this is a program which benefits almost entirely the very small farmers involved in peanut production. While it does provide an advantage to a large number of farmers, the number of acres involved is comparatively small, when compared to the whole peanut program. Without this advantage all the farmers involved in this program are the ones who will have to suffer.

Mr. O'NEAL of Georgia. It just permits them to be a little more efficient.

Mr. STEED. That is right.

Mr. O'NEAL of Georgia. It does not cost the Government anything. It does not add anything to the price of peanuts but just lets the little farmer become a little bit more efficient.

Mr. STEED. And because there is so much expense involved in peanut production and harvesting it makes it economically unsound for a farmer with a very small acreage to operate on the basis of price. By pooling together it becomes a good central economic operation for the farmer.

Mr. O'NEAL of Georgia. The gentleman is exactly right.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. O'NEAL of Georgia. I am happy and honored to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I desire to associate myself with the remarks of my colleagues and those of the gentleman from Georgia.

Peanuts are grown in a number of counties in my district. We have heard a lot recently about large payments to farmers. I do not think there is one large peanut farmer in my entire section of the country and I doubt that there are any very large ones anywhere in the United States. These are basically family-type farms. They need to have some flexibility in transferring allotments in order that they may profitably buy their equipment and harvest their crops.

I think the bill called up by the gentleman from Georgia has merit, and I hope that other Members will believe likewise.

Mr. O'NEAL of Georgia. I want to thank the majority leader from the bottom of my heart.

Mr. ANDREWS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. O'NEAL of Georgia. Yes, I am happy to yield to the distinguished gentleman from Alabama.

Mr. ANDREWS of Alabama. Mr. Speaker, I want to commend the gentleman from Georgia for the fine effort he has made over the years here for the peanut farmer. The gentleman in the well has the privilege of representing one of the big peanut-producing districts of this country. His district neighbors mine, and my district is a big peanut-producing district.

The gentleman is correct in saying that this will not add to the total amount of peanuts produced nor will it add to the price. As pointed out by the distinguished gentleman from Oklahoma, most peanut farmers are small family-type farmers.

This legislation will serve a good purpose.

Again I wish to commend the gentleman for the untiring effort he has shown on the part of the peanut farmer throughout the years he has been in Congress. He is one of the best friends that the peanut farmer has.

Mr. O'NEAL of Georgia. I thank the gentleman.

Mr. Speaker, this bill does no violence whatsoever to any aspect of the program. I hope that the House will let us have it for 1 more year through this bill.

Mr. STEIGER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. O'NEAL of Georgia. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Speaker, I appreciate the distinguished gentleman from Georgia yielding to me.

I opposed this bill the last time it was voted on. I have listened with interest to the debate and have reviewed the report. In the committee report on page 2 it says that the size of the allotments, when they were first established, in 1941, was based on the producer's production during the previous 3-year history of production on the farm. My question is whether or not the 3-year basis still continues in the allotments under consideration in this bill.

Mr. O'NEAL of Georgia. I think the allotments that people now have are based on that 3-year period. Yes, sir.

Mr. STEIGER of Wisconsin. Given that fact, may I say to the gentleman from Georgia that by extending the transfer allotment concept for 1970, we have then, am I correct, extended it for a 3-year period, for the crop years 1968, 1969, and 1970, so a new allotment then is based on the past 3-year history, which would perhaps even increase the allotment available to those farmers who have had peanut acreage allotments transferred to them?

Mr. O'NEAL of Georgia. I do not know that I understand the gentleman's point. Any allotment anyone has now is based on a 3-year period of some 25 or 30 years ago, but nobody anticipates, that I know of, a reshuffling of the deck at any time after this comes up.

Mr. STEIGER of Wisconsin. Mr. Speaker, if the gentleman will yield further, am I correct that the Acting Secretary of Agriculture, Mr. J. Phil Campbell, indicates that a 1-year extension would give them an opportunity for evaluating the overall effectiveness and desirability of the transfer authority for all allotment crops, peanuts included?

Mr. O'NEAL of Georgia. I think they should study all of these commodities whatever they may be and then make recommendations affirmatively for one or in the negative for another. This is something that has to be studied. This is the reason for asking for a 1-year extension. My original bill asked to make it permanent. I think it was a good bill. It has worked wonderfully well. It has not done any damage in any way. But I could not get a permanent program recommended by the Secretary. The Secretary says let us have a 1-year bill. The same could be said about these other commodities.

Mr. STEIGER of Wisconsin. I thank the gentleman for yielding and because this program is now underway and has operated well shall support the limited extension.

Mr. O'NEAL of Georgia. I thank the gentleman from Wisconsin for his comments.

Mr. MILLER of Ohio. Mr. Speaker, will the gentleman yield?

Mr. O'NEAL of Georgia. I am happy to yield to my distinguished colleague from Ohio.

Mr. MILLER of Ohio. Mr. Speaker, I appreciate the gentleman from Georgia yielding. I am not opposed to the bill, but I do have a couple of questions.

As I understand the allotment it is really a license to grow peanuts?

Mr. O'NEAL of Georgia. That is what all allotments are, I suppose.

Mr. MILLER of Ohio. Mr. Speaker, if the gentleman will yield further, that is right. But would the gentleman tell me for what those allotments sell. In other words, if I wanted to buy an allotment that covered 1 acre for what would it sell?

Mr. O'NEAL of Georgia. I am sorry but I cannot answer the gentleman's question. I made considerable effort to find out the answer to that question but the Department of Agriculture would not require these people to state what they were paying. This would be difficult to do anyway because people do not like to report what they pay for land or anything else they buy. So, it is impossible for me to answer the gentleman's question. I do not know. I imagine, however, that it varies in different communities and counties.

Mr. MILLER of Ohio. Mr. Speaker, if the gentleman will yield further, on page 3 of the report with reference to item (7) there is stated:

> The land on the farm from which the entire peanut allotment has been transferred shall not be eligible for a new farm peanut allotment during the 5 years following the year in which such transfer is made.

With the wording "entire peanut allotment has been transferred," does that mean if 1 acre was kept on that farm, then the transfers could be made back and forth and could that farm be used as a bank or exchange for an allotment broker?

Mr. O'NEAL of Georgia. The gentleman points out to me wording that I had not noticed before. I do not know how to interpret it. But I will say that there have been no complaints coming out of the Department of Agriculture in relation to this. I do not know why this wording is in here.

Mr. BELCHER. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania (Mr. GOODLING).

Mr. GOODLING. Mr. Speaker, first of all, I want to advise my good friend from Georgia that I am not rising to oppose his bill. I have asked for this time, however, to point out this one other phase of the Agricultural Act of 1965 which, in my opinion, is not working but is costing the taxpayers of America millions and millions of dollars.

Each day I receive—and I assume every member of the Committee on Agriculture receives—a daily summary from the USDA. I read this rather religiously. Early last spring I asked the Department to give me some answers on this particular question.

I have a letter here which was written on April 17, 1969, and I am going to mention tong oil here simply because it is written into this letter where I requested information on peanuts. I read as follows:

> The Department acquired the tong oil about which you ask at a price of 24 cents per pound, excluding storage and handling charges. Competitive bids are invited twice monthly on 1 million pounds of CCC-owned tong oil. Sales prices on bids accepted recently have been a little over 12 cents per pound.

This occurs every month through the sale of surplus tong oil. This is in addition to storage and handling charges.

Now, I want to get on with the subject we are discussing, and that is peanuts.

August 6, 1969, USDA sells peanuts for domestic crushing or export. USDA announced the sale of 2,172,483 pounds of shelled and 1,500,000 pounds of farmers' stock peanuts for domestic crushing or export.

On August 13 the USDA announced the purchase of 229,320 cases, or 9,459,450 pounds of peanut butter.

I think it is safe to assume that the peanuts that were sold to the crushers was put into peanut butter and salad oil, and the CCC in turn comes along and buys the surplus.

On August 20 the USDA announced the sale of 2,172,483 pounds of shelled peanuts and 2 million pounds of farmers' stock peanuts for domestic crushing or export.

On Wednesday, October 1, the USDA sells peanuts for crushing or export, and on this occasion the amount was 2,669,373 pounds of shelled peanuts, and they also offered approximately 3,490,628 pounds of shell, and 500,000 pounds of farmers' stock peanuts for domestic crushing or export.

On October 8, 1969, the USDA announced the sale of 3,490,628 pounds of shelled, and 611,000 pounds of farmers' stock peanuts for domestic crushing or export.

On Wednesday, October 15, the USDA sells peanuts for domestic crushing or export. This time the sale was for 4,459,545 pounds of shelled peanuts and approximately 5,104,570 pounds of shell, and 10,600,000 pounds of farmers' stock peanuts.

Now, I could go on and on, but I just picked a few of these figures from my files.

Now, let me read what I learned in this letter of April 17:

> Peanuts, now being sold, were acquired by the CCC at an average price per pound of approximately 16.3 cents for shelled peanuts, and approximately 16 cents per pound excluding handling and storage costs for farmers' stock. The average selling price of the 1968 crop for marketing to date have a market value to date that is approximately 6.4 cents per pound for shelled peanuts, and 8.1 cents per pound for kernels, and farmers' stock.

I want to point out to the membership of this House that we are trying to balance budgets, and I think it is a commendable thing to do, but I do want to take this opportunity to point out to the membership of this House just how much we are losing through the sale of surplus peanuts, and that, ladies and gentlemen, "ain't peanuts."

Mr. KYL. Mr. Speaker, will the gentleman yield?

Mr. GOODLING. I am glad to yield to the gentleman.

Mr. KYL. Do I correctly understand that what the gentleman is saying is that a man who has a surplus of peanuts can sell them to the Government for approximately 16 cents a pound, that the same individual could buy those peanuts back for approximately 12 cents a pound or 6 cents a pound, whatever the figure was, and then having purchased those peanuts, he can crush them, make peanut butter, and sell the peanut butter back to the Commodity Credit Corportion? Is that what the gentleman said?

Mr. GOODLING. I said there is a great possibility of that being done. I am not absolutely certain it is being done. It is a logical conclusion.

Mr. KYL. Is there anything in the law that would prevent such a course of action?

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Mr. GOODLING. I think we should get rid of the original law and avoid some of the complications we are having here today.

Mr. O'NEAL of Georgia. Mr. Speaker, will the gentleman yield?

Mr. GOODLING. I yield to the gentleman from Georgia.

Mr. O'NEAL of Georgia. If the gentleman will inquire, he will find that peanuts held by the CCC are crushed into oil.

Mr. GOODLING. I am sorry; I did not hear the gentleman.

Mr. O'NEAL of Georgia. I said I believe if the gentleman will make the proper inquiry, he will find that all the peanuts held by CCC are crushed for oil and for no other purpose. It goes into oil for export. I do not think it is possible under the law for any of it to go into peanut butter.

Mr. GOODLING. You will probably agree that when CCC peanuts were sold to crushers, the crushers in turn resold their surplus to the Government; is that correct?

Mr. O'NEAL of Georgia. I suppose what you are saying is that there might be some cheating somewhere. Is that what you are saying?

Mr. GOODLING. I beg your pardon?

Mr. O'NEAL of Georgia. I suppose what you are really saying is that there might be some cheating somewhere?

Mr. GOODLING. No; I do not think there is any cheating. I think it is all legitimate.

Mr. POAGE. Mr. Speaker, will the gentleman yield?

Mr. GOODLING. I yield to the gentleman from Texas.

Mr. POAGE. I think it should be understood that all peanuts are divided into either edible peanuts or peanuts for oil purposes. The Government does not sell anybody edible oil peanuts, and let them then turn them into edible peanuts and crush them into peanut butter. It allows them only to crush the peanuts into oil and that oil is sold into industry. The edible peanuts are a completely different commodity from oil peanuts. A man cannot legally buy that. The gentleman suggested a point, probably thinking of somebody doing something against the law—I know that is not the gentleman's intention—but if a man obeying the law buys oil peanuts, all he can do is take them to an oil mill where they are crushed into oil and for stock food. If he buys edible peanuts and pays the edible price for them, it is a great deal higher than the oil price.

Mr. GOODLING. The letter I have states that 8.1 cents a pound was the selling price at this particular time.

Mr. POAGE. For oil purposes, not for edible peanuts.

Mr. GOODLING. It does not change the fact that we are losing millions of dollars every year in selling surplus peanuts.

Mr. O'NEAL of Georgia. Mr. Speaker, will the gentleman yield further?

Mr. GOODLING. I yield to the gentleman from Georgia.

Mr. O'NEAL of Georgia. What you are saying is that the peanut program is costing money. But will you agree that it is costing far less money in proportion to other agricultural commodity programs?

Mr. GOODLING. I think you are absolutely correct.

Mr. O'NEAL of Georgia. I thank the gentleman.

Mr. GOODLING. We are doing the same thing with too many farm commodities, in my opinion.

The SPEAKER pro tempore. The gentleman from Oklahoma is recognized.

Mr. BELCHER. Mr. Speaker, I yield myself 1 minute.

Regardless of what we may think of the peanut program or any other farm program, as far as that is concerned, this bill itself is a good bill and should be passed. This bill will not cost the Government. It has been successful. As I have said, regardless of what you think of farm programs or what you think of the peanut program or anything else, this a good bill and should be passed.

Mr. Speaker, I have no further requests for time.

Mr. O'NEAL of Georgia. Mr. Speaker, I yield whatever time he may consume to the gentleman from North Carolina (Mr. FOUNTAIN).

Mr. FOUNTAIN. Mr. Speaker, I support this legislation. Many of the peanut growers in my area are among our poorest farmers. In the event of a bad year due to unfavorable weather conditions, many of our smaller growers are forced to seek help from the welfare department.

Passage of H.R. 14030, transfer of peanut acreage allotments, is therefore of vital concern to the peanut growers of North Carolina and especialy in my congessional district.

This bill is simply a 1-year extension of an act which passed 2 years ago by a vote of 256 to 57.

In the past 2 years the act has proved highly beneficial in allowing the consolidation of small allotments into larger and more economical groupings.

Under the act producers have been able to acquire enough peanut acreage to grow this important crop on a sounder economic basis. It has benefited both the lessee and lessor of peanut allotments. Most peanut growers are very small producers. Some grow nothing else of any consequence. Peanuts are their only source of livelihood.

The act has enabled those peanut growers who wanted to go out of peanut production to do so, yet to retain some benefit. Thus, all sides have been able to have opportunity for profit, however small.

The act has put peanut production into the hands of those who want to grow peanuts, yet at the same time has prevented allotments from leaving the county of origin.

The present law has met with almost unanimous approval and the new bill, which simply extends the act for another year, is a wise and proper measure.

Mr. Speaker, I am in favor of this legislation and urge its passage. I hope it will pass the House unanimously.

Mr. O'NEAL of Georgia. Mr. Speaker, I yield to the gentleman from Ohio (Mr. MILLER).

Mr. MILLER of Ohio. Mr. Speaker, I rise in support of the bill.

Mr. BURLESON of Texas. Mr. Speaker, on March 19, 1969, I introduced legislation for the purpose embodied in the bill now before us.

Several speakers have mentioned that this is a measure which will benefit the very small farmer most. In some instances the producer can do better by leasing or selling his allotment to a neighbor under circumstances which make it most difficult for him to operate a very small unit. Those who want to establish a larger operation must necessarily have more acreage. The price of machinery which now goes into peanut farming has, as everyone knows, increased tremendously in price, which makes farming a tremendously expensive undertaking.

There is good reason to provide the transfer of acreage within the county lines for the reasons pointed out by our able colleague the gentleman from Georgia (Mr. O'NEAL). I hope we may have your support for this bill which can mean a great deal to many of our peanut farmers.

The SPEAKER. The question is on the motion of the gentleman from Georgia that the House suspend the rules and pass the bill H.R. 14030.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. O'NEAL of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill (H.R. 14030) just passed.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

FEDERAL CONTESTED ELECTION ACT

Mr. ABBITT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 14195), to revise the law governing contests of elections of Members of the House of Representatives, and for other purposes, as amended.

The Clerk read as follows:

H.R. 14195

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Federal Contested Election Act".

DEFINITIONS

SEC. 2. For purposes of this Act—

(a) The term "election" means an official general or special election to choose a Representative in or Resident Commissioner to the Congress of the United States, but does not include a primary election, or a caucus or convention of a political party.

(b) The term "candidate" means an individual (1) whose name is printed on the official ballot for election to the House of Representatives of the United States, or (2)

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notwithstanding his name is not printed on such ballot, who seeks election to the House of Representatives by write-in votes, provided that he is qualified for such office and that, under the law of the State in which the congressional district is located, write-in voting for such office is permitted and he is eligible to receive write-in votes in such election.

(c) The term "contestant" means an individual who contests the election of a Member of the House of Representatives of the United States under this Act.

(d) The term "contestee" means a Member of the House of Representatives of the United States whose election is contested under this Act.

(e) The term "Member" means an incumbent Representative in or Resident Commissioner to the Congress of the United States, or an individual who has been elected to either of such offices but has not taken the oath of office.

(f) The term "Clerk" means the Clerk of the House of Representatives of the United States.

(g) The term "committee" means the Committee on House Administration of the House of Representatives of the United States.

(h) The term "State" includes territory and possession of the United States.

(i) The term "write-in vote" means a vote cast for a person whose name does not appear on the official ballot by writing in the name of such person on such ballot or by any other method prescribed by the law of the State in which the election is held.

NOTICE OF CONTEST

SEC. 3. (a) Whoever, having been a candidate for election to the House of Representatives in the last preceding election and claiming a right to such office, intends to contest the election of a Member of the House of Representatives, shall, within thirty days after the result of such election shall have been declared by the officer or Board of Canvassers authorized by law to declare such result, file with the Clerk and serve upon the contestee written notice of his intention to contest such election.

(b) Such notice shall state with particularity the grounds upon which contestant contests the election and shall state that an answer thereto must be served upon contestant under section 4 of this Act within thirty days after service of such notice. Such notice shall be signed by contestant and verified by his oath or affirmation.

(c) Service of the notice of contest upon contestee shall be made as follows:

(1) by delivering a copy to him personally;

(2) by leaving a copy at his dwelling house or usual place of abode with a person of discretion not less than sixteen years of age then residing therein;

(3) by leaving a copy at his principal office or place of business with some person then in charge thereof;

(4) by delivering a copy to an agent authorized by appointment to receive service of such notice; or

(5) by mailing a copy by registered or certified mail addressed to contestee at his residence or principal office or place of business. Service by mail is complete upon mailing;

(6) the verified return by the person so serving such notice, setting forth the time and manner of such service shall be proof of same, and the return post office receipt shall be proof of the service of said notice mailed by registered or certified mail as aforesaid. Proof of service shall be made to the Clerk promptly and in any event within the time during which the contestee must answer the notice of contest. Failure to make proof of service does not affect the validity of the service.

ANSWER; DEFENSES MADE BY MOTION

SEC. 4. (a) Any contestee upon whom a notice of contest as described in section 3 shall be served, shall, within thirty days after the service thereof, serve upon contestant a written answer to such notice, admitting or denying the averments upon which contestant relies. If contestee is without knowledge or information sufficient to form a belief as to the truth of an averment, he shall so state and this shall have the effect of a denial. Such answer shall set forth affirmatively any other defenses, in law or fact, on which contestee relies. Contestee shall sign and verify such answer by oath or affirmation.

(b) At the option of contestee, the following defenses may be made by motion served upon contestant prior to contestee's answer:

(1) Insufficiency of service of notice of contest.

(2) Lack of standing of contestant.

(3) Failure of notice of contest to state grounds sufficient to change result of election.

(4) Failure of contestant to claim right to contestee's seat.

(c) If a notice of contest to which an answer is required is so vague or ambiguous that the contestee cannot reasonably be required to frame a responsive answer, he may move for a more definite statement before interposing his answer. The motion shall point out the defects complained of and the details desired. If the motion is granted and the order of the committee is not obeyed within ten days after notice of the order or within such other time as the committee may fix, the committee may dismiss the action, or make such order as it deems just.

(d) Service of a motion permitted under this section alters the time for serving the answer as follows, unless a different time is fixed by order of the committee: If the committee denies the motion or postpones its disposition until the hearing on the merits, the answer shall be served within ten days after notice of such action. If the committee grants a motion for a more definite statement the answer shall be served within ten days after service of the more definite statement.

SERVICE AND FILING OF PAPERS OTHER THAN NOTICE OF CONTEST; HOW MADE; PROOF OF SERVICE

SEC. 5. (a) Except for the notice of contest, every paper required to be served shall be served upon the attorney representing the party, or, if he is not represented by an attorney, upon the party himself. Service upon the attorney or upon a party shall be made:

(1) by delivering a copy to him personally;

(2) by leaving it at his principal office with some person then in charge thereof; or if the office is closed or the person to be served has no office, leaving it at his dwelling house or usual place of abode with a person of discretion not less than sixteen years of age then residing therein; or

(3) by mailing it addressed to the person to be served at his residence or principal office. Service by mail is complete upon mailing.

(b) All papers subsequent to the notice of contest required to be served upon the opposing party shall be filed with the Clerk either before service or within a reasonable time thereafter.

(c) Papers filed subsequent to the notice of contest shall be accompanied by proof of service showing the time and manner of service, made by affidavit of the person making service or by certificate of an attorney representing the party in whose behalf service is made. Failure to make proof of service does not affect the validity of such service.

DEFAULT OF CONTESTEE

SEC. 6. The failure of contestee to answer the notice of contest or to otherwise defend as provided by this Act shall not be deemed an admission of the truth of the averments in the notice of contest. Notwithstanding such failure, the burden is upon contestant to prove that the election results entitle him to contestee's seat.

TAKING TESTIMONY BY DEPOSITION

SEC. 7. (a) Either party may take the testimony of any person, including the opposing party, by deposition upon oral examination for the purpose of discovery or for use as evidence in the contested election case, or for both purposes. Depositions shall be taken only within the time for the taking of testimony prescribed in this section.

(b) Witnesses may be examined regarding any matter, not privileged, which is relevant to the subject matter involved in the pending contested election case, whether it relates to the claim or defense of the examining party or the claim or defense of the opposing party, including the existence, description, nature, custody, condition and location of any books, papers, documents, or other tangible things and the identity and location of persons having knowledge of relevant facts. After the examining party has examined the witness the opposing party may cross examine.

(c) The order in which the parties may take testimony shall be as follows:

(1) Contestant may take testimony within thirty days after service of the answer, or, if no answer is served within the time provided in section 4, within thirty days after the time for answer has expired.

(2) Contestee may take testimony within thirty days after contestant's time for taking testimony has expired.

(3) If contestee has taken any testimony or has filed testimonial affidavits or stipulations under section 8(c), contestant may take rebuttal testimony within ten days after contestee's time for taking testimony has expired.

(d) Testimony shall be taken before an officer authorized to administer oaths by the laws of the United States or of the place where the examination is held.

(e) Attendance of witnesses may be compelled by subpena as provided in section 9.

(f) At the taking of testimony, a party may appear and act in person, or by his agent or attorney.

(g) The officer before whom testimony is to be taken shall put the witness under oath and shall personally, or by someone acting under his direction and in his presence, record the testimony of the witness. The testimony shall be taken stenographically and transcribed. All objections made at the time of examination to the qualifications of the officer taking the deposition, or to the manner of taking it, or to the evidence presented, or the conduct of any party, and any other objection to the proceedings, shall be noted by the officer upon the deposition. Evidence objected to shall be taken subject to the objections. In lieu of participating in the oral examination, a party served with a notice of deposition may transmit written interrogatories to the officer, who shall propound them to the witness and record the answers verbatim.

(h) When the testimony is fully transcribed, the deposition shall be submitted to the witness for examination and shall be read to or by him, unless such examination and reading are waived by the witness and the parties. Any changes in the form or substance which the witness desires to make shall be entered upon the deposition by the officer with a statement of the reasons given by the witness for making them. The deposition shall be signed by the witness, unless the parties by stipulation waive the

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signing or the witness is ill or cannot be found or refuses to sign. If the deposition is not signed by the witness, the officer shall sign it and note on the deposition the fact of the waiver or of the illness or the absence of the witness or the fact of refusal to sign together with the reason, if any, given therefor; and the deposition may then be used as fully as though signed, unless on a motion to suppress, the committee rules that the reasons given for the refusal to sign require rejection of the deposition in whole or in part.

NOTICE OF DEPOSITIONS; TESTIMONY BY AFFIDAVIT OR STIPULATION

Sec. 8. (a) A party desiring to take the deposition of any person upon oral examination shall serve written notice on the opposing party not later than two days before the date of the examination. The notice shall state the time and place for taking the deposition and the name and address of each person to be examined. A copy of such notice, together with proof of such service thereof, shall be attached to the deposition when it is filed with the Clerk.

(b) By written stipulation of the parties, the deposition of a witness may be taken without notice. A copy of such stipulation shall be attached to the deposition when it is filed with the Clerk.

(c) By written stipulation of the parties, the testimony of any witness of either party may be filed in the form of an affidavit by such witness or the parties may agree what a particular witness would testify to if his deposition were taken. Such testimonial affidavits or stipulations shall be filed within the time limits prescribed for the taking of testimony in section 7.

SUBPENAS; PRODUCTION OF DOCUMENTS

Sec. 9. (a) Upon application of any party, a subpena for attendance at a deposition shall be issued by:

(1) a judge or clerk of the United States district court for the district in which the place of examination is located;

(2) a judge or clerk of any court of record of the State in which the place of examination is located; or

(3) a judge or clerk of any court of record of the county in which the place of examination is located.

(b) Service of the subpena shall be made upon the witness no later than three days before the day on which his attendance is directed. A subpena may be served by any person who is not a party to the contested election case and is not less than eighteen years of age. Service of a subpena upon a person named therein shall be made by delivering a copy thereof to such person and by tendering to him the fee for one day's attendance and the mileage allowed by section 10. Written proof of service shall be made under oath by the person making same and shall be filed with the Clerk.

(c) A witness may be required to attend an examination only in the county wherein he resides or is employed, or transacts his business in person, or is served with a subpena, or within forty miles of the place of service.

(d) Every subpena shall state the name and title of the officer issuing same and the title of the contested election case, and shall command each person to whom it is directed to attend and give testimony at a time and place and before an officer specified therein.

(e) A subpena may also command the person to whom it is directed to produce the books, papers, documents, or other tangible things designated therein, but the committee, upon motion promptly made and in any event at or before the time specified in the subpena for compliance therewith, may (1) quash or modify the subpena if it is unreasonable or oppressive, or (2) condition denial of the motion upon the advancement by the party in whose behalf the subpena is issued of the reasonable cost of producing the books, papers, documents, or tangible things. In the case of public records or documents, copies thereof, certified by the person having official custody thereof, may be produced in lieu of the originals.

OFFICER AND WITNESS FEES

Sec. 10. (a) Each judge, clerk of court, or other officer who issues any subpena or takes a deposition and each person who serves any subpena or other paper herein authorized shall be entitled to receive from the party at whose instance the service shall have been performed such fees as are allowed for similar services in the district courts of the United States.

(b) Witnesses whose depositions are taken shall be entitled to receive from the party at whose instance the witness appeared the same fees and travel allowance paid to witnesses subpenaed to appear before the House of Representatives or its committees.

PENALTY FOR FAILURE TO APPEAR, TESTIFY, OR PRODUCE DOCUMENTS

Sec. 11. Every person who, having been subpenaed as a witness under this Act to give testimony or to produce documents, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the contested election case, shall be deemed guilty of a misdemeanor punishable by fine of not more than $1,000 nor less than $100 or imprisonment for not less than one month nor more than twelve months, or both.

CERTIFICATION AND FILING OF DEPOSITIONS

Sec. 12. (a) The officer before whom any deposition is taken shall certify thereon that the witness was duly sworn by him and that the deposition is a true record of the testimony given by the witness. He shall then securely seal the deposition, together with any papers produced by the witness and the notice of deposition or stipulation, if the deposition was taken without notice, in an envelope endorsed with the title of the contested election case and marked "Deposition of (here insert name of witness)" and shall within thirty days after completion of the witness' testimony, file it with the Clerk.

(b) After filing the deposition, the officer shall promptly notify the parties of its filing.

(c) Upon payment of reasonable charges therefor, not to exceed the charges allowed in the district court of the United States for the district wherein the place of examination is located, the officer shall furnish a copy of deposition to any party or the deponent.

RECORD; PRINTING AND FILING OF BRIEFS AND APPENDIXES

Sec. 13. (a) Contested election cases shall be heard by the committee on the papers, depositions, and exhibits filed with the Clerk. Such papers, depositions, and exhibits shall constitute the record of the case.

(b) Contestants shall print as an appendix to his brief those portions of the record which he desires the committee to consider in order to decide the case and such other portions of the record as may be prescribed by the rules of the committee.

(c) Contestee shall print as an appendix to his brief those portions of the record not printed by contestant which contestee desires the committee to consider in order to decide the case.

(d) Within forty-five days after the time for both parties to take testimony has expired, contestant shall serve on contestee his printed brief of the facts and authorities relied on to establish his case together with his appendix.

(e) Within thirty days of service of contestant's brief and appendix, contestee shall serve on contestant his printed brief of the facts and authorities relied on to establish his case together with his appendix.

(f) Within ten days after service of contestee's brief and appendix, contestant may serve on contestee a printed reply brief.

(g) The form and length of the briefs, the form of the appendixes, and the number of copies to be served and filed shall be in accordance with such rules as the committee may prescribe.

FILINGS OF PLEADINGS, MOTIONS, DEPOSITIONS, APPENDIXES, BRIEFS, AND OTHER PAPERS

Sec. 14. (a) Filings of pleadings, motions, depositions, appendixes, briefs, and other papers shall be accomplished by:

(1) delivering a copy thereof to the Clerk of the House of Representatives at his office in Washington, District of Columbia, or to a member of his staff at such office; or

(2) mailing a copy thereof, by registered or certified mail, addressed to the Clerk at the House of Representatives, Washington, District of Columbia: *Provided*, That if such copy is not actually received, another copy shall be filed within a reasonable time; and

(3) delivery or mailing, simultaneously with the delivery or mailing of a copy thereof under paragraphs (1) and (2) of this subsection, such additional copies as the committee may by rule prescribe.

(b) All papers filed with the Clerk pursuant to this Act shall be promptly transmitted by him to the committee.

TIME; COMPUTATION AND ENLARGEMENT

Sec. 15. (a) In computing any period of time prescribed or allowed by this Act or by the rules or any order of the committee, the day of the act, event, or default after which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it is a Saturday, a Sunday, or a legal holiday, in which event the period shall run until the end of the next day which is neither a Saturday, a Sunday, nor a legal holiday. When the period of time prescribed or allowed is less than seven days, intermediate Saturdays, Sundays, and legal holidays shall be excluded in the computation. For the purposes of this Act, "legal holiday" shall mean New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, Christmas Day, and any other day appointed as a holiday by the President or the Congress of the United States.

(b) Whenever a party has the right or is required to do some act or take some proceeding within a prescribed period after the service of a pleading, motion, notice, brief, or other paper upon him, which is served upon him by mail, three days shall be added to the prescribed period.

(c) When by this Act or by the rules of any order of the committee an act is required or allowed to be done at or within a specified time, the committee, for good cause shown, may at any time in its discretion (1) with or without motion or notice, order the period enlarged if request therefor is made before the expiration of the period originally prescribed or as extended by a previous order, or (2) upon motion made after the expiration of the specified period, permit the act to be done where the failure to act was the result of excusable neglect, but it shall not extend the time for serving and filing the notice of contest under section 3.

DEATH OF CONTESTANT

Sec. 16. In the event of the death of the contestant, the contested election case shall abate.

ALLOWANCE OF PARTY'S EXPENSES

Sec. 17. The committee may allow any party reimbursement from the contingent fund of the House of Representatives of his reasonable expenses of the contested election case, including reasonable attorneys fees, upon the verified application of such party accompanied by a complete and detailed account of his expenses and supporting vouchers and receipts.

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REPEALS

Sec. 18. The following provisions of law are repealed:

(a) Sections 105 through 129 of the Revised Statutes of the United States (2 U.S.C. 201–225).

(b) The second paragraph under the center heading "House of Representatives" in the first section of the Act of March 3, 1879 (2 U.S.C. 226).

(c) Section 2 of the Act entitled "An Act further supplemental to the various Acts prescribing the mode of obtaining evidence in cases of contested elections", approved March 2, 1875 (2 U.S.C. 203).

EFFECTIVE DATE

Sec. 19. The provisions of, and the repeals made by, this Act shall apply with respect to any general or special election for Representative in, or Resident Commissioner to, the Congress of the United States occurring after the date of enactment of this Act.

The SPEAKER pro tempore. Is a second demanded?

Mr. KYL. Mr. Speaker, I demand a second.

Mr. RYAN. Mr. Speaker, is the gentleman from Iowa opposed to the bill?

Mr. KYL. Mr. Speaker, I am not opposed to the bill.

The SPEAKER pro tempore. The gentleman cannot demand a second.

Mr. RYAN. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Is the gentleman from New York opposed to the bill?

Mr. RYAN. I am opposed to the bill, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from New York qualifies.

Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Virginia (Mr. ABBITT) will be recognized for 20 minutes, and the gentleman from New York (Mr. RYAN) will be recognized for 20 minutes.

The Chair recognizes the gentleman from Virginia (Mr. ABBITT).

Mr. ABBITT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 14195 would completely revise the existing law governing contests of elections of Members of the House of Representatives, which was passed in 1851 in a form substantially identical to the contested-election law enacted in 1798 by the fifth Congress. The 1851 law prescribes antiquated and cumbersome procedures which are unsuitable for the changed conditions of our time. H.R. 14195 would provide modern procedures for a contested election case to be heard in the House, permitting a more efficient and expeditious processing of the case than does existing law.

It should be noted that this bill does not set out any substantive grounds for upsetting an election, such as fraud or other irregularities. It is strictly limited to prescribing a procedural framework for the prosecution, defense, and disposition of contested-election cases patterned upon the Federal rules of civil procedure used for more than 20 years in our U.S. district courts. It should also be noted that the bill does not affect other methods of challenging an election, such as a protest or memorial filed in the House by a citizen or a motion made by a Member of the House.

Briefly, the bill would permit any candidate in the general election for a House seat to challenge the election of the candidate declared to be the winner. "Candidate" is defined to include a bona fide write-in candidate. The contest would be initiated by a sworn notice of contest describing the grounds of the contest with particularity, filed with the Clerk of the House and served upon the contestee within 30 days after the official declaration of the election results. The contestee has 30 days within which to answer or to file a motion challenging the legal sufficiency of the notice or the service of the notice or to move for a more detailed statement of the grounds. Each party is allowed a specified time for taking testimony of witnesses by deposition—the total time for taking testimony by both parties is 70 days. Attendance of witnesses and production of documents and papers including ballots can be compelled by subpena. Once the testimony is completed, briefs would be filed by the parties under much the same procedure as followed in the Federal appellate courts. The Committee on House Administration would consider the case on the entire record of depositions, papers, and exhibits filed with the Clerk and the briefs and oral arguments of the parties. The decision of the committee, as in the past, would be reported to the House in the form of a resolution.

Mr. Speaker, H.R. 14195 will accomplish a much needed and long overdue reform of our contested election procedures. I urge its passage.

Mr. BLACKBURN. Mr. Speaker, will the gentleman yield?

Mr. ABBITT. I yield to the gentleman from Georgia.

Mr. BLACKBURN. As the gentleman in the well is aware, I am very familiar with election contests.

A question occurs to me as to whether the committee has dealt with the question of whether or not the certified winner of a general election would be seated pending the outcome of the contest. Has the committee given this attention?

Mr. ABBITT. The committee gave it no attention whatever. We did not intend to change any basic rule of law. This is purely and simply a procedural matter, so as to expedite the hearings and to bring the contest to a head, to help the parties. It spells out for the contestant how he can act. It spells out for the contestee what he can do. It provides for a decision in a more expeditious manner.

Mr. BLACKBURN. Just for the purpose of clarifying the record, this deals with the mechanics of an election contest and not the substance.

Mr. ABBITT. Purely and simply the mechanics.

Mr. BLACKBURN. This action would not be construed as changing the present precedents, which are to the effect that the certified winner will take his seat pending the outcome of the contest?

Mr. ABBITT. So far as I can ascertain, it does not affect the basic law one iota. It is merely intended to expedite the hearings, so that the matter can be brought to a decision as quickly as possible.

Mr. BLACKBURN. I thank the gentleman and the members of the committee for the work they have done on this. I have read it over. It is a tremendous piece of work I am happy to support.

Mr. ABBITT. I thank the gentleman.

Mr. KYL. Mr. Speaker, will the gentleman yield?

Mr. ABBITT. I yield to the gentleman from Iowa.

Mr. KYL. Mr. Speaker, the bill before the House of Representatives today, H.R. 14195, is to modernize the outdated statutory procedures relating to contested elections of Members of the House of Representatives.

The House Administration Committee has referred to the present contested election law as a "relic of a bygone era." This is literally the case since the present law was passed in 1851 and at that time was patterned substantially after a contested election law passed in 1798.

Revision is long overdue. Though some election contests generally occur each new Congress, under present conditions they must be adjudicated under cumbersome, antiquated procedures. Some of the inadequacies of the present statute are listed in the report. They are:

1. The question of who has standing to initiate a contest has been made unclear by the House's conflicting interpretation of the law over the past century.

2. There being no requirement for filing contest papers with the Clerk until testimony has been taken, the House is usually not officially cognizant of the case until several months after its inception.

3. Given the speed of modern communication and transportation, the 90 days allowed for taking testimony by deposition is too long.

4. There is no clear authority for contestant to take testimony if contestee fails to answer the notice of contest.

5. There is no procedure for challenging the legal sufficiency of the notice of contest by a motion in the nature of a demurrer.

6. Existing law does not provide contestee with any means of compelling contestant to furnish a more definite statement of the grounds of the contest in the event the notice of contest is vague or ambiguous.

7. The Clerk is required to decide which portions of testimony are to be printed if the parties fail to agree.

8. Witnesses who testify on deposition must sign the transcript of deposition. There is no provision for waiver of signature.

9. The 75-cent-per-day witness fee is insufficient by contemporary standards.

10. The penalty for failure of a witness to appear and testify at a deposition is outdated ($20 forfeiture plus suit costs to be recovered by party, at whose instance witness was called, in an action for debt in Federal court; also liable to indictment for misdemeanor and punishment by fine and imprisonment of an unspecified amount and duration.)

It is essential that we provide a means not only to help decide election cases in a fair manner but also to do this as efficiently and quickly as possible. This is the purpose of H.R. 14195.

The procedures it contains for pleading, taking testimony and briefing a case are patterned roughly after the Federal Rules of Civil Procedure. The bill deals only with procedures, not substantive grounds for dealing with House election contests.

It is in the interest of the House of Representatives and the public to have efficient, up-to-date procedures to handle contested election cases. I urge passage of H.R. 14195.

In further response to the question which was directed to the gentleman, going back to 1941 we have had seven cases.

The recent precedents involving contests brought against Members-elect by persons who were not candidates in the general election show that the House of Representatives regards such persons as lacking standing to bring an election contest under the statute. In dismissing each of the following contested election cases, brought by a contestant who was not a candidate, the House cited contestant's lack of standing under the statute as a ground for dismissal:

Miller v. *Kirwan* (77th Congress, 19th District, Ohio), dismissed on January 10, 1941, by House Resolution 54, volume 87, CONGRESSIONAL RECORD, page 101; *McEvoy* v. *Peterson* (78th Congress, First District, Georgia), dismissed on May 5, 1944, by House Resolution 534, volume 90, CONGRESSIONAL RECORD, pages 4074, 4078; *Woodward* v. *O'Brien* (80th Congress, Sixth District, Illinois), dismissed on July 26, 1947, by House Resolution 345, volume 93, CONGRESSIONAL RECORD, page 10445; *Lowe* v. *Davis* (82d Congress, Fifth District, Georgia), dismissed by House Resolution 398 on August 31, 1951, volume 97, CONGRESSIONAL RECORD, page 10479; *Frankenberry* v. *Ottinger* (89th Congress, 25th District, New York), dismissed on January 19, 1965, by House Resolution 126, CONGRESSIONAL RECORD, volume 111, part 1, page 951; *Five Mississippi Election Contests* (89th Congress, First, Second, Third, Fourth, and Fifth Districts, Mississippi), dismissed September 17, 1965, by House Resolution 585, CONGRESSIONAL RECORD, volume 111, part 18, page 24263; *Lowe* v. *Thompson* (90th Congress, Fifth District, Georgia), dismissed on July 11, 1967, by House Resolution 541, CONGRESSIONAL RECORD, volume 113, part 14, page 18290.

In each of those cases the precedent was held in the case of a contest brought by an individual who was not actually a candidate. The House of Representatives regarded such persons as lacking in standing to bring an election contest under the statute.

As the gentleman has said so ably, this bill does not attempt to change substantive law. It is merely for procedural purposes entirely. If someone wants to change the law to permit someone other than a candidate to bring a contest this should be done in a separate piece of legislation which looks to changing the basic law rather than changing the procedures under which contests are held.

Mr. ABBITT. The gentleman is eminently correct. I thank him for his contribution.

The SPEAKER pro tempore. The gentleman has consumed 8 minutes.

Mr. ABBITT. Mr. Speaker, I reserve the balance of my time.

Mr. RYAN. Mr. Speaker, I demanded a second because, in reviewing the legislation before us I recalled the situation which confronted the House in 1965 when we had before us the question of the contested elections in the five congressional districts in the State of Mississippi. Although those election contests were dismissed by the House on September 17, 1965, by a vote of 228 to 143, at least the statutory machinery was made available to the contestants, depositions were taken and evidence presented. H.R. 14195 would preclude similar contests.

I am concerned about the failure of this bill to protect one who is a candidate but who is unable to obtain a position on the ballot because of discriminatory action of State officials.

In the 1965 Mississippi contested election case, I believe that three of the contestants had attempted to become independent candidates on the ballot in the State of Mississippi. They obtained the required number of signatures, but were denied a place on the ballot through discriminatory rulings. They were Mrs. Fannie Lou Hamer, Mrs. Annie Devine, and Mrs. Victoria Gray.

The bill before us makes it very clear that the term "candidate" means an individual whose name is printed on the official ballot or one whose name is not printed on the official ballot but who is a write-in candidate in a State where write-in voting is permitted. This leaves no recourse to the individual who is denied a place on the ballot in a particular State, either the officially printed ballot or through a write-in. I believe it is unwise to prevent an individual in that situation from contesting an election.

Mr. KYL. Mr. Speaker, will the gentleman yield?

Mr. RYAN. In just a moment.

To be sure the House has held, through its action on contested elections in recent years, that the statute requires a contestant to be a candidate on the ballot. Nevertheless, the present statute itself does, despite the actions of the House, refer to "any person." Section 105 of the Revised Statutes states, "Whenever any person intends to contest an election of any Member of the House of Representatives," he shall follow certain procedures. My concern is that under the proposed bill there is no statutory protection available to the person whose name either does not appear on the officially printed ballot or as a write-in candidate.

I am now glad to yield to the gentleman from Iowa.

Mr. KYL. I thank the gentleman for yielding to me.

In order to clarify this a bit, under the prevailing statutes, rules, and precedents of the House, today the House may adjudicate the question of the right to a seat in any of the following cases, and I will start with the second: "A protest or memorial filed in the House by an elector of the district involved; or, third, a protest or memorial filed by any other person; or, a motion made by a Member of the House."

None of these three matters are changed a bit by this bill.

Mr. RYAN. I understand that. However, only through a contest instituted in accordance with the contested election law, does a person have the right to initiate a contest, with the power of subpena, which may result in a full investigation. As I understand it, under a protest or memorial filed by an elector or by any other person, it is discretionary with the House as to whether an investigation shall go forward; and the person filing the protest or memorial has no right to subpena witnesses or take depositions or otherwise initiate an action.

What I am trying to do is to suggest that there should be protection for the individual who through discrimination or otherwise is denied a place on the ballot in a particular State.

Mr. KYL. Mr. Speaker, if the gentleman will yield further, since this bill does deal with procedures rather than substantive law, assuming that the gentleman in the well is absolutely correct in his desire and in his purpose here, he would agree, would he not, that the correct place to make the alteration he desires would be in a separate bill dealing with the substantive law rather than through this mechanism now pending here on the floor today, which is procedural in nature?

Mr. RYAN. I must disagree with the gentleman because I view the bill as one dealing in substance. It repeals existing law and provides a new statute under which an election may be contested. It goes beyond a procedural matter in providing who may contest an election. Unfortunately, the bill is before us under suspension of the rules—a procedure which prevents any amendments being offered and limits discussion of it. If the bill were open for amendment, in my opinion it would be entirely proper to amend the definition of the term "candidate" under section 2(b) in order to include the person with whom I am concerned.

Mr. KYL. Mr. Speaker, if the gentleman will yield further, there is another matter which complicates all these things that the gentleman from New York is speaking of, and that is the fact that most election laws are State election laws where we have no jurisdiction. But in this instance it simply is trying to put into law what the House of Representatives since 1941 has decided is the proper approach to the entire problem. In other words, it is not only the attitude of the committee today but is in accordance with precedents established by the Congress at an earlier date.

I thank the gentleman for his concern about this matter but I, personally, think that this bill is about the most perfect piece of legislation with which to accomplish the purpose which the committee set out to correct.

Mr. RYAN. Mr. Speaker, I would like to quote from the minority views of report No. 1008 which accompanied House Resolution 585 in the 89th Congress, wherein the writers of the minority views stated as follows:

> It must be obvious to everyone that to require an individual to be a candidate before he can contest an election in a jurisdiction where it is impossible for him or her to register and vote, let alone get his or her name on the ballot, makes a contest impossible and deprives the Constitution, statutes, and rules of all meaning in this regard.

I do not believe we can ignore those views as expressed in 1965 at the time the Mississippi contests were before the House.

Now, if I may, I should like also to refer to another section of the same report, and that is the majority part of the report which states—and this was in connection with the dismissal of the Mississippi contests in September 1965—and I quote from that report:

> The committee recommends as follows:
>
> (1) That the House Administration Committee, because of its concern over present House procedures governing election contests, undertake a thorough review of such procedures in the light of this case and make recommendations for improving and clarifying them so as to deal more expeditiously with such cases in the future, particularly those involving violations of the Voting Rights Act of 1965.

Mr. Speaker, I stress and emphasize the words "particularly those involving violations of the Voting Rights Act of 1965."

I should like to ask the distinguished gentleman from Virginia, the sponsor of the bill, what recommendations the committee has made to deal with violations of the Voting Rights Act of 1965?

Mr. ABBITT. Insofar as I know the committee has taken no action in that field.

Mr. RYAN. I appreciate the gentleman's answer, and I think it points up again the need to take a very careful look at this legislation. Discriminatory exclusion from the ballot should be grounds for a statutory contest. May I remind the House that the Voting Rights Act of 1965 expires next year and so far the Rules Committee has not granted a rule to bring to the floor the 5-year extension bill reported by the Judiciary Committee.

It is essential that the Voting Rights Act of 1965 be extended. But if by any chance it is not extended, then I think all of us can anticipate a variety of obstacles not only to registration and voting but to the efforts of candidates to have their names placed on the ballot. Thus, it is all the more important to provide recourse and protection to a candidate who under the proposed bill would be denied an opportunity to contest an election.

Mr. FARBSTEIN. Mr. Speaker, will the gentleman yield?

Mr. RYAN. I yield to the gentleman.

Mr. FARBSTEIN. Presumably this applies solely to election contests on election day. I understand, of course, that the State rules and State laws govern elections within the State, particularly the primaries. I do not think this bill has anything in it dealing with primaries. But nevertheless since it has become very stylish for individuals of great substance to run for Congress, and the expenditure of tremendous sums of money in order to obtain nominations has become the vogue of late, it appears to me that perhaps there should be something in this legislation dealing with that subject.

I admit that the primaries, of course, are a function within the State laws, but nevertheless a primary deals with the office of a Member of the House of Representatives. In view of the failure of this legislation to make any mention of that fact, perhaps this may raise a question as to its desirability. Would the gentleman care to comment on that?

Mr. RYAN. Yes. I would say that the gentleman has touched upon a very significant problem, that is, the need to control the cost of elections. The House should be concerned not only with contested general elections, but with primaries, because, as we all know, in many areas of the country there are one-party districts where a primary victory is tantamount to election, and at the present time there is no regulation by the Federal Government of primary elections as to finance or otherwise.

Mr. KYL. Mr. Speaker, will the gentleman yield?

Mr. RYAN. I am glad to yield to the gentleman.

Mr. KYL. The matter of primary elections, of course, is a matter that belongs to the State. As a matter of fact, the House Administration Committee has always taken into consideration what happens in primary elections. But always those cases have come to us after the contest in the primary has gone through all of the legal procedures of the State.

For instance, in the last case which was brought, there was a decision rendered by the Supreme Court of the State regarding the primary election. So the House Administration Committee, which knows that the House is not bound by this under Hinds' Precedents has accepted the Supreme Court's word in the State as the final word so far as the primary election is concerned.

Mr. RYAN. I think the gentleman from New York is concerned about the fact, that the House itself, although it attempts to regulate the general elections, does not do so with respect to primary elections.

Mr. FARBSTEIN. Mr. Speaker, will the gentleman yield?

Mr. RYAN. I yield to the gentleman.

Mr. FARBSTEIN. There is no question but what the House in a general election will recognize the expenditure of vast sums of money in order to take office as a Member of the House of Representatives as being a basis for denying that seat. Nevertheless, by indirection one can evade that precedent by spending money in the primaries. The question of expenditures in a primary cannot be brought up in the determination of the right to contest an election under this law.

Am I correct in that?

Mr. KYL. Mr. Speaker, will the gentleman yield?

Mr. RYAN. I yield to the gentleman.

Mr. KYL. I would like to make two observations as a result of the questions raised by the gentleman from New York.

Number one, if he is earnestly interested in getting a good Corrupt Practices Act out of the House Administration Committee, I hope he will put enough pressure on certain Members, and will visit them privately, so that they can get that bill out and control the matter of which he speaks.

The other matter which I would just like to mention in passing, is this: With reference to a voting rights act here, all contested elections in the United States are not going to occur in the Southern States. I cannot understand how we have people objecting to the extension of the Voting Rights Act to apply to the 50 States at the present time, and yet we have this objection.

Mr. FARBSTEIN. I do not propose at this moment to go into the question raised by the gentleman from New York (Mr. RYAN) in connection with primaries in those States where the primary election is, in reality, a general election. I am directing my attention to those areas where there is both a primary and a general election. So I do not know that I can take that into consideration.

Mr. KYL. Mr. Speaker, will the gentleman yield further?

Mr. RYAN. I yield to the gentleman from Iowa.

Mr. KYL. I thank the gentleman for yielding.

If the gentleman would compare Federal statutes covering expenditures for campaigns with State laws at this time, he would find that most State laws are infinitely tougher than those of the Federal Government.

Mr. FARBSTEIN. Most, perhaps, but not all of them. I think we should not make fish of one and fowl of another.

Mr. RYAN. Mr. Speaker, in conclusion, let me point out that my opposition to this bill rests on the fact that it is before us under a procedure which denies us an opportunity to offer amendments. I am particularly concerned, as far as this particular piece of legislation is concerned, H.R. 14195, with its failure to protect an individual who seeks to be a candidate and who is denied an opportunity to appear on the ballot through discriminatory action on the part of the State. Under the proposed statute he would not be in a position to contest an election in the House of Representatives, nor would he have available to him the subpena power which the proposed statute would give to a person it defines as a candidate—and the definition is more narrow than the statute which it seeks to replace.

Mr. THOMPSON of Georgia. Mr. Speaker, will the gentleman yield?

Mr. RYAN. I yield to the gentleman from Georgia.

Mr. THOMPSON of Georgia. I would like to ask a question which perhaps the gentleman from Virginia would have to answer. I have had the experience of having elections contested a couple of times. The first time it occurred the notice that was given to me I did not recognize as being a legal notice. There was no statement on the document that it had to be answered within a specific period of time. I did not answer that notice that was given by my opponent, and I was not quite sure whether it constituted notice or whether it demanded notice. Is there anything in this legislation which would require a statement to be placed somewhere on the notice that is filed by the contestant with the successful candidate that an answer is required and, if so, by what authority?

Mr. ABBITT. Mr. Speaker, will the gentleman yield?

Mr. RYAN. I yield to the gentleman from Virginia.

Mr. ABBITT. I refer the gentleman to

page 3 of the bill, section 3(b), which covers the notice to which the gentleman has referred:

> (b) Such notice shall state with particularity the grounds upon which contestant contests the election and shall state that an answer thereto must be served upon contestant under section 4 of this Act within thirty days after service of such notice. Such notice shall be signed by contestant and verified by his oath or affirmation.

If the gentleman will yield further, what we have tried to do is to spell out some things that we think would help the parties get to the issue expeditiously.

Mr. THOMPSON of Georgia. I would like to say this: I think that certainly improves the current law—the fact that he would have to specify that an answer was required. It would give personal notice that an answer is required.

I thank the gentleman.

Mr. RYAN. Mr. Speaker, I simply wish again to express my concern with the narrowing of the definition of "candidate." Although recent House actions have held that, in order to have a standing, a contestant should have been a candidate on the ballot; nevertheless, the report on this bill, H.R. 14195, states on page 3—

> The question of who has standing to initiate a contest has been made unclear by the House's conflicting interpretation of the law over the past century.

I would agree that the question of standing should be clarified—but not as the proposed bill does. This bill would prevent candidates who are denied a place on the ballot through discriminatory action from contesting an election. Had it been in effect in 1965, the five Mississippi contests would not have been brought before the House.

Mr. ABBITT. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I would like to say, with reference to the points raised by the gentleman from New York, this bill just simply spells out in plain language what the House Administration Committee and this House have decided on numerous occasions, that no one has any standing to contest except a person who was a candidate. We go even further in this bill and say a person could contest if he is a bona fide write-in candidate. He can contest.

Now, as to the right of the contestant, to subpena that is true, but that really can also be abused, as was done in a number of cases, as some of the Members know. If everybody has a right to contest and subpena witnesses, he can run a House Member up and down the State, and no one knows how long it would take to settle it.

As to the primary, this bill makes no change. Under the present law, we have no jurisdiction over the primary.

(Mr. CLEVELAND (at the request of Mr. KYL) was granted permission to extend his remarks at this point in the RECORD.)

Mr. CLEVELAND. Mr. Speaker, although I favor most of H.R. 14195, the Federal Contested Election Act, I shall be constrained to vote against it for one reason. My objection is that this measure expressly confines the right to contest an election to candidates, and thus excludes the general public. Once before, I protested this matter—see CONGRESSIONAL RECORD for the first session, 89th Congress, January 4, 1965, pages 39 et seq. I believe that any citizen should have the right to contest an election to the House of Representatives under the provisions of our contested election law. The House did not sustain my position in 1965—see CONGRESSIONAL RECORD for 89th Congress, January 19, 1965, page 929 et seq.

The question then before the House was whether the law permitted anyone but a defeated candidate for the House to bring a contest under the provisions of the contested elections laws. I cited numerous precedents, which I still believe should control in these cases. They support my position that any elector is qualified to bring election contests.

As I noted, the House voted down this position and, in effect, ruled that only candidates were qualified to contest elections.

It is with a certain wry interest, therefore, that I find the following language in the report on H.R. 14195—page 3:

> (1) The question of who has standing to initiate a contest has been made unclear by the House's conflicting interpretation of the law over the past century.

My efforts 4 years ago, had they been successful, would have eliminated much of that confusion. H.R. 14195 would eliminate confusion, also, but I believe it goes in the wrong direction in this respect.

There are many reasons why the right to contest a congressional election should not be confined only to the defeated candidate.

Illness might prevent his pressing a contest. Lack of personal financial resources might do so. A reluctance to be thought a poor loser, thereby possibly clouding his appeal as a future candidate, might do so. Perhaps the candidate could be persuaded by the winning side in some manner not to make a contest.

There are innumerable possibilities.

I doubt very much if it is sound public policy to preclude the right of any American to come before the House and proceed under our contested election law to question the propriety of an election to this body.

That is what H.R. 14195 would do and therefore, in spite of the improvements and clarification which it contains, I shall vote against it.

I shall do so in full recognition of the fact that the bill would leave untouched certain other remedies by which citizens may challenge the outcomes of elections to the House. A motion of contest could still be made by a Member of the House; and the public at large would still be entitled to file protests and memorials to the House.

I feel, however, that the public should have the full range of remedies available to it and that this measure would substantially curtail the general public's rights.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Virginia that the House suspend the rules and pass the bill H.R. 14195, as amended.

The question was taken.

Mr. RYAN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 311, nays 12, not voting 108, as follows:

[Roll No. 235]

YEAS—311

Abbitt
Abernethy
Adair
Adams
Albert
Alexander
Anderson, Calif.
Anderson, Tenn.
Andrews, Ala.
Annunzio
Ashley
Aspinall
Ayres
Barrett
Belcher
Bell, Calif.
Bennett
Berry
Betts
Bevill
Biaggi
Biester
Blackburn
Blanton
Blatnik
Boggs
Boland
Bow
Bray
Brinkley
Broomfield
Brotzman
Brown, Mich.
Broyhill, N.C.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Caffery
Carter
Casey
Cederberg
Celler
Chamberlain
Chappell
Clancy
Collier
Collins
Colmer
Conable
Corbett
Coughlin
Cunningham
Daniel, Va.
Daniels, N.J.
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dellenback
Denney
Dennis
Derwinski
Dickinson
Dowdy
Dulski
Duncan
Dwyer
Edmondson
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Feighan
Fish
Flood
Flowers
Foley
Ford, Gerald R.
Ford, William D.
Foreman
Fountain
Fraser
Frey
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gaydos
Gettys
Giaimo
Gilbert
Gonzalez
Goodling
Gray
Green, Oreg.
Green, Pa.
Gross
Grover
Gude
Hagan
Haley
Hall
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harvey
Hastings
Hathaway
Hébert
Hechler, W. Va.
Heckler, Mass.
Henderson
Hicks
Holifield
Horton
Hosmer
Hull
Hungate
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Karth
Kastenmeier
Kazen
Kee
Keith
King
Kleppe
Kuykendall
Kyl
Kyros
Langen
Latta
Leggett
Lennon
Lloyd
Long, Md.
Lujan
McClory
McCloskey
McDade
McDonald, Mich.
McEwen
McFall
McKneally
McMillan
Macdonald, Mass.
MacGregor
Madden
Mahon
Mann
Marsh
Matsunaga
May
Mayne
Meeds
Melcher
Meskill
Michel
Mikva
Miller, Calif.
Miller, Ohio
Minish
Mink
Minshall
Mize
Mizell
Mollohan
Montgomery
Morgan
Morton
Mosher
Moss
Murphy, Ill.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
Obey
O'Hara
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Patman
Patten
Pelly
Perkins
Pettis
Pickle
Pike
Pirnie
Poage
Podell
Poff
Preyer, N.C.
Price, Ill.
Price, Tex.
Pryor, Ark.
Pucinski
Purcell
Quillen
Railsback
Randall
Rarick
Rees
Reid, Ill.
Reuss
Rhodes
Riegle
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Roth
Roybal
Ruppe

Ruth
St Germain
St. Onge
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Scheuer
Schneebeli
Schwengel
Scott
Sebelius
Shipley
Shriver
Sisk
Skubitz
Slack
Smith, Calif.
Smith, N.Y.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stuckey
Sullivan
Symington
Talcott
Taylor
Teague, Calif.
Thompson, Ga.
Thompson, N.J.
Tiernan
Tunney
Udall
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Wampler
Watson
Watts
Weicker
Whalen
White
Whitehurst
Whitten
Widnall
Williams
Wilson, Bob
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Yatron
Young
Zablocki
Zion
Zwach

NAYS—12

Bingham
Burton, Calif.
Clay
Cleveland
Cohelan
Conyers
Edwards, Calif.
Farbstein
Hawkins
Helstoski
Ryan
Stokes

NOT VOTING—108

Addabbo
Anderson, Ill.
Andrews, N. Dak.
Arends
Ashbrook
Baring
Beall, Md.
Bolling
Brademas
Brasco
Brock
Brooks
Brown, Calif.
Brown, Ohio
Broyhill, Va.
Burton, Utah
Bush
Cahill
Camp
Carey
Chisholm
Clark
Clausen, Don H.
Clawson, Del
Conte
Corman
Cowger
Cramer
Culver
Daddario
Dawson
Dent
Devine
Diggs
Dingell
Donohue
Dorn
Downing
Eckhardt
Edwards, Ala.
Fallon
Fascell
Findley
Fisher
Flynt
Frelinghuysen
Garmatz
Gibbons
Goldwater
Griffin
Griffiths
Gubser
Halpern
Harrington
Harsha
Hays
Hogan
Howard
Jonas
Jones, N.C.
Jones, Tenn.
Kirwan
Kluczynski
Koch
Landgrebe
Landrum
Lipscomb
Long, La.
Lowenstein
Lukens
McCarthy
McClure
McCulloch
Mailliard
Martin
Mathias
Mills
Monagan
Moorhead
Morse
Murphy, N.Y.
O'Konski
Passman
Pepper
Philbin
Pollock
Powell
Quie
Reid, N.Y.
Reifel
Rivers
Rodino
Rosenthal
Rostenkowski
Roudebush
Sikes
Smith, Iowa
Stubblefield
Taft
Teague, Tex.
Thomson, Wis.
Ullman
Utt
Watkins
Whalley
Wiggins
Wilson, Charles H.
Wold

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. Hayes with Mr. Arends.
Mr. Addabbo with Mr. Conte.
Mr. Rostenkowski with Mr. Anderson of Illinois.
Mr. Garmatz with Mr. McCulloch.
Mr. Passman with Mr. Ashbrook.
Mr. Dent with Mr. Mailliard.
Mr. Mills with Mr. Morse.
Mr. Monagan with Mr. Lukens.
Mr. Teague of Texas with Mr. Andrews of North Dakota.
Mr. Howard with Mr. Del Clawson.
Mr. Brasco with Mr. Halpern.
Mr. Brooks with Mr. Devine.
Mr. Carey with Mr. Cahill.
Mr. Daddario with Mr. Gubser.
Mr. Donohue with Mr. Beall of Maryland.
Mr. Philbin with Mr. Wiggins.
Mr. Fascell with Mr. Broyhill of Virginia.
Mr. Murphy of New York with Mr. Frelinghuysen.
Mr. Clark with Mr. Harsha.
Mr. Rivers with Mr. Hogan.
Mr. Rodino with Mr. Mathias.
Mr. Charles H. Wilson with Don H. Clausen.
Mr. Kluczynski with Mr. Martin.
Mr. Fallon with Mr. Utt.
Mr. Kirwan with Mr. Cramer.
Mr. Jones of North Carolina with Mr. Jonas.
Mr. Brademas with Mr. Cowger.
Mr. Long of Louisiana with Mr. Camp.
Mr. Moorhead with Mr. Brown of Ohio.
Mr. Rosenthal with Mr. Findley.
Mr. Griffin with Mr. Edwards of Alabama.
Mr. Flynt with Mr. Burton of Utah.
Mr. Dingell with Mr. Whalley.
Mrs. Griffiths with Mr. Bush.
Mr. Jones of Tennessee with Mr. Brock.
Mr. Landrum with Mr. Goldwater.
Mr. Corman with Mr. Lipscomb.
Mr. Culver with Mr. Taft.
Mr. Gibbons with Mr. O'Konski.
Mr. Baring with Mr. Reifel.
Mr. Sikes with Mr. Thomson of Wisconsin.
Mr. Fisher with Mr. Roudebush.
Mr. Downing with Mr. McClure.
Mr. Dorn with Mr. Landgrebe.
Mr. Smith of Iowa with Mr. Pollock.
Mr. Pepper with Mr. Watkins.
Mr. Ullman with Mr. Quie.
Mr. Stubblefield with Mr. Wold.
Mr. McCarthy with Mr. Reid of New York.
Mr. Brown of California with Mr. Diggs.
Mr. Harrington with Mr. Powell.
Mr. Lowenstein with Mrs. Chisholm.
Mr. Koch with Mr. Eckhardt.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

LET'S BE VIGILANT NOT TO HURT THE HELPLESS IN OUR FIGHT AGAINST INFLATION

(Mr. MELCHER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MELCHER. Mr. Speaker, fighting inflation by trimming the Federal budget does not necessarily trim just "fat." Two recent events bring this into focus for me. The Washington Post Saturday reported the three Nobel Prize winners in medicine have had their Federal research grants cut for this year.

The grants are true partnership where States, business, charities, or other private sources or private universities and colleges contribute in facilities, equipment, or salaries to further basic research.

In Great Falls High School, in another partnership between Federal and local government, seven teenage boys on work-study as a part of their special education have had the Federal contribution terminated to "fight inflation." Seven exceptional boys, mentally retarded, not capable of keeping up with normal academic studies but performing successfully in a combined work-study program, are the victims of the search to cut fat from the Federal budget to help control inflation. Their pay was $1.60 per hour, for 16 hours each per week.

In neither case are the cuts justified. In fact the long-range effect will be to hinder our national progress toward goals that are in the best interests of mankind's unceasing and noble efforts to heal the sick.

Speaking of "national priorities" rings hollow when these two related examples are weighed against the billions of Federal dollars casually spent for destructive weapons which we desperately hope will never be needed nor put to use.

President Nixon is doing well by withdrawing our men from South Vietnam and his policy offers us hope for peace and stability in Southeast Asia.

I do not believe, however, his fiscal advisers are providing him with a sound plan for handling domestic spending.

The two examples of cutting basic medical research and a training program for retarded teenagers are truly "penny wise and pound foolish." In neither case will the tax money be saved, because costs in both cases are the best buys the taxpayers can get. To delay in these areas is the real waste.

I call on the President to reverse his administration's policy in these two areas and review many other similar basic research and medical cuts that are not savings but cruel and unnecessary interruptions in our drive toward the goal of relieving misery, suffering and hopelessness.

The drop in the level of fighting and the withdrawal of our troops from Vietnam means instant savings in lives and materials. Part of the savings in the reduced expenditures from Vietnam should be devoted to the most pressing and worthy of our national efforts to combat disease and mental retardation.

I call on the Congress to form a committee of vigilance to perform its function in citing the needs of the Nation's ills, in citing the needs of this generation and the generations to follow where hopelessness can be helped and where disease can be defeated. Being the watch dog of the Treasury brings no honor when we snuff out tiny candles of hope. I shall try to help the seven boys in Great Falls and others who may have become the victims of the search for trimming fat. I ask you to also be vigilant for worthy causes that our compassion guides us to maintain.

PEACE WITHOUT VICTORY—THE ROAD TO SLAVERY

(Mr. RARICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RARICK. Mr. Speaker, 25 years ago today, General of the Army Douglas MacArthur led American troops ashore at Leyte, in the Philippines. Keeping our pledge to our Asian allies, Americans pressed forward to victory in the Pacific. We liberated those held prisoner by the Japanese—Americans as well as others. Literally millions are free today because we achieved an honorable victory. This great American had stated a simple truth:

> In war there is no substitute for victory.

By contrast, in 1951, politicians had decided not to win the war in Korea—a war into which we were drawn because of diplomatic blundering. And General MacArthur was relieved of his command.

After countless unnecessary casualties, another general became the first American general to sign a ceasefire without victory. The politicians had won out, and secured a peace claiming the bloodshed in Korea was over. But the unfolding of history belies the claim.

Mr. Speaker, over 400 American fighting men—men who fulfilled their duty to their country and expected their Government would fulfill its duty to them—are still held captive by the Communist enemy in Korea. Large numbers of Americans continue until this day to defend the cease-fire battleline in Korea. Young Americans who were not even born when the Korean war commenced are being killed today on its cease-fire line. Because the solution accepted excluded victory, there is no peace today.

Buried on the inside pages of the newspapers this weekend is the tragic story of four more American soldiers killed in action—vicitims of the phony peace—in Korea.

The news media gives more priority to dignifying the morbid demonstrations last week than to telling the American people the sordid results of the last negotiated peace with Communists.

The wives and mothers of our fighting men remember. They apparently anticipate what can be expected. Having given up in despair and disgust at the calloused indifference of national leaders, these brave women feel compelled to act on their own initiative. American leaders take a back seat as they witness wives and mothers plaintively trying to negotiate as individuals for release of the prisoners-of-war.

Never, since before the days of Caesar, has the world witnessed a nation's women being forced to plead with an enemy on behalf of their men captured in battle.

Mr. Speaker, in war there is no substitute for complete and total victory. Without victory, we do not recover our captive fighting men. Without victory, we do not cease taking casualties. Without complete victory, we find ourselves forced to fight again and again on an ever-shrinking perimeter, until ultimately we are compelled to fight on our own soil, for our own homes—with little hope of victory—when peace can only be attained through slavery.

I insert two news articles:

[From the Washington Post (Wash., D.C.) Oct. 16, 1969]

Hanoi Gives Captive-Release Terms

Paris, October 15.—The North Vietnamese told two U.S. women today that Hanoi would not release their prisoner husbands unless the women demonstrated against the war. The Hanoi officials also said the U.S. prisoners would not be released as a group until the United States withdraws its troops from Vietnam and the war has ended.

This was reported by Sue Shuman and Martha Doss, two Virginia Beach, Va., women who met for 75 minutes with two members of North Vietnam's delegation to the Paris peace talks.

"We wanted to obtain the release of all the sick and wounded prisoners," Mrs. Shuman said, "But they told us we would have to wait until all the American troops are out of Vietnam and the war is over."

The Vietnamese advised the women to demonstrate against the war if they wanted to speed their husband's release.

"I would never demonstrate against my government," Mrs. Shuman said. "That would dishonor my husband." The Vietnamese "kept repeating that we should demonstrate," Mrs. Doss added.

"They seemed to feel strongly that the prisoner thing is not humanitarian but political," Mrs. Shuman said. "Every time we would bring up the humanitarian thing," Mrs. Doss said, "They would say if we wanted to get our husbands out, we would have to demonstrate."

North Koreans Kill Four GIs in Ambush

Seoul, October 18.—North Korean troops ambushed and killed four U.S. infantrymen in the Demilitarized Zone today, an American communique reported.

A U.S. military spokesman said a North Korean force of unknown size attacked a troop truck with hand grenades and small arms fire in the southern portion of the DMZ that divides North and South Korea under the 1953 armistice agreement.

The Americans were returning to their unit after performing maintenance chores at a U.S. guard post near the southern boundary of the DMZ, the spokesman said. All four bodies were found in the vehicle, indicating the Americans had no chance to fight back.

The men were believed attached to the U.S. 2d Infantry Division, but identification was withheld pending notification of relatives in the United States. The 2d Division mans a 15-mile front in the western sector of the truce border.

It was the first ground clash involving U.S. troops in five months. On Aug. 17, North Korean gunners shot down a small unarmed American helicopter which U.S. officials said strayed into Communist territory by mistake. North Korea said the helicopter was spying, and is still holding the three wounded crewmen.

The last U.S.-North Korean ground action was on May 20, when U.S. troops reported killing one North Korean intruder in a firefight.

Mr. DICKINSON. Mr. Speaker, will the gentleman yield?

Mr. RARICK. I yield to the gentleman.

Mr. DICKINSON. Mr. Speaker, I would like to commend the gentleman for his statement and his observation.

I would like to inform the gentleman, if he does not know it, that in addition Secretary of Defense Laird has given his personal assurance, speaking for the administration also, that no treaty or agreement that is to be made in Paris will be made without predicating it on the release of prisoners of war.

I would like the gentleman also to know that I am in touch with the representatives at the United Nations, and I am informed that there will be a major speech made at the United Nations the latter part of this month or the first of December, bringing this problem to world attention. I want the gentleman to know that progress is being made in that respect.

I appreciate the gentleman yielding.

Mr. RARICK. I thank the gentleman for his comments.

AN EVALUATION OF "MORATORIUM DAY"

(Mr. NICHOLS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. NICHOLS. Mr. Speaker, efforts are now being made to evaluate the effect of last Wednesday's Moratorium Day. Those who organized the demonstration claim a great victory and apparently believe that they have spoken for the vast majority of the American people. I do not agree with them, and I do not believe the great majority of the American people agree with them.

One of the finest evaluations of the demonstrations was made by the Montgomery Advertiser. I would like to share the Advertiser's editorial with my colleagues as I believe the majority of them will also agree with it.

Also, Mr. Speaker, I would like to place in the Record a very fine statement made by Gov. Albert Brewer of Alabama last Wednesday. This statement, along with a full page reproduction of the American flag appeared on the front page of the Birmingham News:

[From the Montgomery (Ala.) Advertiser]

The Great Flop

The Boston businessman, who with divinity student Sam Brown conceived the Vietnam Moratorium Day, said he was delighted with the response.

Jerome Grossman, president of the Massachusetts Envelope Co., said: "We are overwhelmed . . . *We don't see how President Nixon can fail to change his policies.*"

Hold on, Grossman, The Associated Press, in a nationwide guess, said some 500,000 took part. In a later estimate, the highest we've seen, the AP said as many as 1,000,000 "may" have taken part.

Taking the higher guess, which would include the curious, those who showed up with no sympathy whatever for the movement, or those who merely came out for the "happening" or the entertainment, this was a pathetic turnout.

The moratorium was, by any numerical assessment, a flop, although the publicity build-up was masterful.

In a nation of more than 200,000,000, a half-million or even a million is the barest token. Dr. King's Washington March in 1968 attracted about 250,000—*in a single city*. The Woodstock folk festival in August attracted at least as many as AP's lower figure and approached, according to some figures, the higher estimate—counting all those who couldn't get near the pasture. And this too was in one location.

Grossman and Brown call it a mandate for Nixon. Ridiculous. More than nine times as many as AP's highest estimates went to the polls and voted for George Wallace last November, and George certainly didn't claim he'd won.

In all, more than 73,000,000 Americans voted last November. Do a few thousand kids, students, idlers, curiosity-seekers, draft-dodgers and the like speak for them? By what strange non-Euclidian mathematics is it that this small number—small in both individual city turnouts and the wildest national estimates—can conceivably be said to represent 200,000,000 Americans, some 122,000,000 of them voting age?

It was a massive flop, despite all the feature attractions, the speakers, the entertainers, etc. We would have confidently predicted in advance that quite a few million would have massed across the nation. They didn't.

The result is inescapable—a backfire. The TV cameras and reporters didn't see the millions of Americans who went about their business and dismissed the whole thing in disgust. But if the number of those who bothered to put out flags at full staff, burned their headlights, or otherwise demonstrated their support of the Administration were counted, we believe even this number—a small portion of those who don't subscribe to surrender—would have vastly outnumbered the pacifists.

A great and powerful nation was more interested in the fate of the New York Mets than even bothering to tell the demonstrators to go fly a kite.

But saying that it was a bust, which it was, does not alter the fact that such crowds as did gather helped Hanoi immensely in its determination to yield nothing in Paris. The propaganda uses of the films will be evident

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all over the world to make it appear (falsely) that Americans have staged a mass revolution against their elected leaders.

This is a lie. But it may be a successful lie, because the skil'ful use of film clips of crowds can make it *appear* that an entire nation is up in arms with the Administration's policy.

Nothing could be further from the truth. Many of those who did turn out oppose immediate withdrawal or unilateral retrenchment without communist quid pro quos. Many who listened to speeches, and more who stayed at home, are sick of the war, but they are more nauseated by the demand for surrender.

Nixon has not been handed anything approaching a plebiscite to alter the course he has chosen, weighing all the risks and imponderables. On the contrary, he has been given a highly articulate, silent mandate to continue on course. He was given this by more than 199,000,000 Americans who *didn't* turn out for what was suggested by some wire services and newspapers, with reckless abandon, to be an overwhelming expression for immediate withdrawal.

It wasn't. It was a microscopic show in terms of numbers. Still, it served the communists well. It will almost certainly complicate Nixon's peace plans, and may well cost the lives of many more brave Americans.

But we hope the message is communicated to our fighting men: the surrender crowd gave a party and almost nobody came.

Those that did are hardly worth a moment's anger in Vietnam—except for the knowledge that they have made an honorable end more difficult and more distant.

[From the Birmingham (Ala.) News, Oct. 15, 1969]

Which: The Easy or Honorable Way?

Another time of testing has come to America.

Many times in our history as a nation, we have had to decide between the easy way and the honorable way, both at home and abroad.

While our decisions to stand firm in behalf of freedom and justice have not always been universally popular, they have always been supported by the great majority of American people.

Today, we reach a time when we must decide again between the easy way and the honorable way.

Our flag flies in battle on foreign soil—while at home there are those who would have us believe that our people have lost the will to meet our commitments.

Let the word go forth from Alabama and America today that this vocal minority does not speak for the tens of millions of silent Americans whose deep desire for peace burns as brightly as the fires of our warriors' camps but who know that a peace without honor and justice is no peace at all.

Let every enemy, wherever he may be, know that we as Americans have again chosen the honorable way.

Albert P. Brewer,
Governor of Alabama.

POINT REYES

(Mr. COHELAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COHELAN. Mr. Speaker, I rise today to introduce a bill to amend the Land and Water Conservation Fund Act of 1965, to suspend the mineral leasing authority during the periods when amounts in the Land and Water Conservation Fund are withheld or impounded.

This bill will suspend the authority of the executive branch to enter any lease agreement if the full amount of the Land and Water Conservation Fund is not expended, and will also direct suspension of drilling operations under leases granted after passage of this bill in the same circumstances.

The need for this legislation is simple—certain amounts in this fund were earmarked for use for national parks. This money is not being used for the purposes for which it was intended, therefore, present drilling activity and future leases should be stopped until the receipts from this activity are used for the purposes which the Congress originally intended.

Last year this body, recognizing the increased demand for outdoor recreation facilities and realizing the scarcity of funds available to acquire these needed lands, passed an amendment to the Land and Water Conservation Fund which supplemented the fund with the lease receipts received under the authority of the Outer Continental Shelf Land Act. At that time, my distinguished colleague Wayne Aspinall, chairman of the full Committee on Interior and author of this amendment, saw the need for an effective Land and Water Conservation Fund as the only way to make authorized outdoor recreation facilities a reality.

It was my clear understanding at the time of the debate on this issue that one of Mr. Aspinall's principal reasons for this bill was to increase the level of the fund to $200 million annually for a period of 5 years. This year, however, the present administration only wants to spend $124 million. To my mind this is clearly contrary to the original legislative intent. We have acted to correct the shortage of funds and to provide, as Mr. Aspinall requested, the "capacity to make our authorized Federal projects a reality" and what has happened? We continue to have a backlog of authorized projects, because the funds that were provided to correct this situation are being withheld. I am hard put to understand this, Mr. Speaker.

I have on many occasions urged this body to take the necessary steps to assure acquisition of the entire acreage of Point Reyes as originally dictated by the Congress in 1962. Seven years has now passed since the official establishment of this park and in that time the Federal Government has only acquired 22,543 of the total 53,483 acres of land in question. The Point Reyes peninsular faces and irreparable splintering, that if allowed to happen will spoil much of this unique and beautiful natural preserve.

Point Reyes, poetically described as an "island in time" is held by some as a monument to natural beauty and to man's aspirations setting, has the added diversity of grassy moors, flowering fields, rolling hills, and pine-studded ridges. This area is so special, so unique, and so beautiful—the Congress recognized this once before and acted to make these lands part of our national preserve once and for all.

But now some of the choicest lands within the Seashore boundaries are about to be lost. Private landowners can no longer afford the cost of waiting for the Federal Government to buy their lands. The threat of bulldozing and subdividing is real. The "island in time" will in all probability soon become a dream rather than a Federal commitment and a reality if the needed 38 million is not appropriated and appropriated this year.

There are seven bills now pending in the House which provide for the additional funds to complete this project. This effort is bipartisan in nature and has the support of most of the California delegation, including both our Senators. I know that many more of my colleagues in the House share my interest and enthusiasm in conservation projects and my sincere belief in the need to preserve the small bit of this country that remains natural, beautiful, and free. Point Reyes is an excellent example of this type of terrain, a wild, unfettered expanse, an embodiment of the soul of this country.

The question of whether we can save Point Reyes lies entirely with the administration. We have utilized practically every means possible to impress upon them the urgency of this situation. The unwillingness of the administration to approve full funding for the Land and Water Conservation Fund sorely inhibits this effort. As we know the Congress appropriated only $124 million for the Land and Water Conservation Fund and of this only $17 million was appropriated for land acquisition for the entire National Park System for fiscal year 1970, an amount equal to less than 12 cents for each person in the country and less than half of what is needed for Point Reyes alone. None of this money was designated for Point Reyes.

MISUSES OF FUNDS OF THE SMALL BUSINESS ADMINISTRATION—BRISTOL ELECTRONICS, INC.

(Mr. GROSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GROSS. Mr. Speaker, I have called attention several times in the past to the manner in which the Small Business Administration flagrantly has played politics with the people's money. I would like to discuss briefly another case at this time.

It concerns the award of a $4.3 million contract for portable radio transmitters and receivers to Bristol Electronics, Inc., of New Bedford, Mass.

When Bristol originally submitted its bid, the Army rejected it because of serious deficiencies in the company's capacity and credit, and also because it had failed to perform adequately on previous Government contracts.

But Bristol had friends in Washington and it applied to the SBA for a certificate of competency, the issuance of which would force the Army to give it the contract.

After reviewing the identical data used by the Army in reaching its conclusion that Bristol could not perform the contract, the Small Business Administration somehow managed to reach the opposite conclusion and Bristol was given the contract.

It promptly fell on its face, just as the Army experts said it would.

As of the end of 1968, Bristol was delinquent in the delivery of 5,138 of the 8,554 radios called for in the contract.

I have also been advised that a former Assistant Secretary of the Army was under heavy pressure to bail out this company, but even after the delivery schedule was modified, Bristol was delinquent in producing the radios called for in the contract.

This contract was supposed to have been completed in 1967, and at one time the Government had made progress payments of $3.8 million and had received slightly more than $2.1 million worth of radios.

Furthermore, a quantity of these radios, which had been accepted by the Defense Department inspector assigned to Bristol's plant, were rejected by the Army on receipt at the depot to which they were shipped, and had to be reworked before they could be used.

Finally, I am informed that, incredibly, Bristol has only recently been given a brand new contract for more of these radios with the interesting exclusion of certain requirements imposed on several other firms that are also producing them for the Army.

I have asked the General Accounting Office to investigate this case. I trust its report will shed further light on this mess.

What is most basically disturbing about this affair is that, under the previous administration, the SBA was so willing and able to force other agencies of the Government to give lucrative contracts to politically favored companies and individuals.

The Universal Fiberglass case was a flagrant example of this policy. So was the infamous loan to the motel-owning Democrat functionary in Alaska. And now Bristol Electronics.

There have been altogether too many misuses of funds of the Small Business Administration and the present Administrator, if he has not already done so, should move promptly to expose those guilty and straighten out this agency.

ABBOTT LABORATORIES COMMENDED IN ACTION ON CYCLAMATES

(Mr. McCLORY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCLORY. Mr. Speaker, over the weekend we learned that the artificial sweeteners known as cyclamates would be withdrawn from the list of products "Generally Regarded as Safe"—GRAS—by the Food and Drug Administration—FDA. Apparently foods and drugs containing cyclamates will be withdrawn from the market and future manufacture of consumer products containing cyclamates will be discontinued.

The largest manufacturer of cyclamates is Abbott Laboratories which has its headquarters in my congressional district in North Chicago, Ill.

While there is no evidence that use of cyclamates—even when consumed in excessive amounts—will cause any serious human problems, I was pleased to note the full cooperation of Abbott Laboratories and the various manufacturers of soft drinks and other concerns which use its products.

Even more significant is the continued research which Abbott Laboratories has itself conducted, and the findings which these research studies have produced and upon which the Department of Health, Education, and Welfare and the Food Drug Administration have relied in connection with the Federal action. Mr. Speaker, the responsible conduct and public concern such as has been displayed by Abbott Laboratories deserve our careful and thoughtful attention as well as our appropriate recognition.

As indicated in the article which appeared in yesterday's New York Times, the research "was sponsored by Abbott Laboratories, principal American manufacturer of cyclamates. This pharmaceutical company brought its information to the attention of the National Cancer Institute last Monday."

While certain tests conducted during the Abbott-sponsored research on rats and mice induced cancer in the bladders of some of the test animals, there is still no evidence that the same condition would or could develop in humans.

As pointed out by Dr. Roger O. Egeberg, Assistant Secretary for Health and Scientific Affairs of the Department of Health, Education, and Welfare, cyclamates have been of direct medical benefit to a tremendous number of persons suffering from diabetes and hypertension who are forbidden to use sugar in their diets. Dr. Egeberg added:

> Cyclamates and artificial sweeteners have saved or prolonged a lot of lives in recent years by causing people to keep their weight down.

Aside from the benefits which cyclamates may have produced, it is my purpose today merely to recount the high standard of professional conduct and the broad public interest which has characterized the actions of Abbott Laboratories in its research programs and its prompt public disclosures. It is heartening to know that this great and responsible private industrial concern which has benefited millions of Americans through its products would, itself, disclose the evidence resulting in a reduction in sales and profits. In other words, Abbott Laboratories has shown that its primary concern is for the safety and welfare of the American public.

I congratulate Abbott Laboratories, and its chairman of the board and chief executive officer, George A. Cain, and all who direct this great enterprise.

HEW ACTION ON CYCLAMATES

(Mrs. SULLIVAN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SULLIVAN. Mr. Speaker, several weeks ago, I criticized the Secretary of Health, Education, and Welfare, Mr. Finch, for what clearly appeared to be an effort to crack down on, and suppress, information within his Department on the possible genetic dangers from the cyclamates used in soft drinks and many foods—a danger which has always been implied by the warning the Food and Drug Administration has required to be used on the labels of these products. On Saturday, Mr. Finch suddenly took the necessary and courageous step of banning the cyclamates for general use in food products, and I congratulate him for it.

Under the law, his duty was clear and unmistakable. No longer was it merely a case of possible danger to humans, based on incomplete and inconclusive laboratory evidence. As of last week, the cyclamates were determined by a board of scientific experts to cause cancer in animals. This requires their removal from regular food products under the Delaney-Sullivan anticancer amendment of the Food Additives Act of 1958. Whether or not there is any evidence that they do cause cancer in man, the cyclamates must be taken off the market under that clause of the 1958 act because they cause cancer in animals.

Mr. Speaker, as one who was closely connected with the bitter battle from 1954 to 1958 over that provision of the legislation, I want to take this opportunity to express the thanks of the American people for the work done by a great Member of this House, a pioneer in the field of consumer protection, who fought an often lonely and a terribly important fight for nearly a decade to write the anticancer clause into our food laws.

I did not see a word in the New York Times articles on the cyclamates yesterday on the role played by a New Yorker, Congressman JAMES J. DELANEY, in protecting the public from what now appears to have been a possibly deadly menace in foods consumed in vast quantities by millions of Americans, and particularly by children.

Congressman DELANEY, in 1949 and 1950, conducted a comprehensive investigation as chairman of a select committee of the House studying the use of chemicals in foods and cosmetics. It was one of the most significant inquiries ever conducted here in the consumer's behalf, and grew out of the postwar technological explosion in the use of new and untried chemicals in all types of consumer products—not to improve their quality, but to achieve shortcuts in production, extend shelf life, prevent spoilage, or increase profits. He sounded a warning here which, at first, few took seriously. But by exhaustive research and exhausting effort he finally convinced not only the scientific community, but business and the general public, that the unrestricted use of untested chemicals in consumer products was threatening the life and health and safety of American consumers.

This effort culminated in 1958 in the Food Additives Act, one of our landmark consumer protection laws. And one of its main features is the provision prohibiting the use in foods of any chemical which has been found to cause cancer in man or animals. It was under that provision that Secretary Finch was required to take action Saturday to remove cyclamates from most of the food products in which they have been used.

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Jim Delaney deserves the thanks of the American people and a rousing vote of appreciation from his colleagues in this House.

VICE PRESIDENT MISQUOTED AGAIN

(Mr. SYMINGTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SYMINGTON. Mr. Speaker, I regret to say I think the Vice President has been misquoted again. He was attempting to align himself with the national chairman of his party, another gentleman from Maryland, in support of the humbler purposes of the moratorium: the Nation's concern, the right of debate on great matters, and so forth. But as in the past, his words have been twisted by a mischievous press. At first glance the expression "impudent snob" does appear to convey a mildly pejorative meaning. But we must remember that the person who uttered it is the No. 2 spokesman of the administration and would never deliberately say anything to offend large numbers of Americans. We must also remember that when he speaks we are called upon to interpret the remarks of a distinguished, practicing semanticist. One of the fringe benefits of the Vice President's tenure is his continuing reminders to us that English is an imprecise language. At his approach, I for one instinctively reach for a dictionary. Various meanings are attached to the word "snob." What the Vice President had in mind was one, "who seeks association with those he regards as superiors." He was suggesting that of the thousands who marched and prayed, all but a misguided few, consider the leaders of our great country as superiors, and were trying to associate with them. The word "impudent" requires no less careful construction. It should be limited to its secondary meaning of "disregard of others." What the Vice President clearly said, if we had but the patience to listen, was that the supporters of the moratorium were people anxious to associate themselves with the administration, in brave disregard of those who opposed it.

If this was not the intended thrust of his statement, then in the words of another great American, "we are not affected by it at all."

FAILURE TO PROVIDE TOTAL POSTAL REFORM IGNORES WILL OF PEOPLE

(Mr. CUNNINGHAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CUNNINGHAM. Mr. Speaker, it is always disappointing to see the will of the people ignored in the Congress.

This is what happened recently when the House Post Office and Civil Service Committee failed to approve the administration's proposal to provide total postal reform by transferring the Post Office into a wholly owned Government Postal Service Corporation.

The vote was close; a 13-to-13 tie. But close is not enough.

We need to approve this measure.

We must respond favorably to the wishes of the vast majority of the people who are tired of footing the bill for a postal system that is a financial burden and on the verge of collapse.

What is needed is not a temporary band aid as now proposed. What is required is a program of total postal reform.

The Postal Service Act of 1969 would accomplish this. It will revitalize the mail system and usher in a new and enlightened era for postal employees. By removing the Post Office from the Cabinet and creating an independent, federally owned postal service, the mails will be freed from irrelevant, restrictive political considerations. This will permit the kind of employee participation, management effectiveness and financial flexibility essential for the successful operation and growth of this vital link in America's social and economic lifeline.

I urge the Congress to join with me in heeding the call of Americans from every walk of life—and from both political parties—for an efficient and economical postal system.

Time is running out. We need a program of total postal reform that will provide the public with the type of mail service it demands and has every right to expect.

Let us act now before it is too late.

THE FAMILY ASSISTANCE PLAN: A FUNDAMENTAL INCOME STRATEGY

(Mr. MacGREGOR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MacGREGOR. Mr. Speaker, the President's proposed family assistance plan represents a genuinely revolutionary effort, the first in some three decades, to transform a welfare system in crisis. It is the spearpoint of a total strategy—an income strategy—to assist the poor to work themselves into the Nation's productive mainstream.

For those family heads who have the potential to become self-supporting, this strategy offers an avenue to a living income through expanded work incentives, job training, and employment opportunities. For those who cannot support themselves, and for the mothers of preschool children, it offers a basic Federal floor of assistance.

The total income strategy includes also the administration's food stamp program and proposed improvements in the Social Security System. Taken all together, these programs promise to reduce the poverty gap in this Nation by some 60 percent—to cut by this amount the difference between the total income of all impoverished Americans and the total income they would need to rise out of poverty. With respect to one category of the poor, elderly couples over 65, the family assistance plan would in fact wipe out the difference entirely.

Of course, these proposed reforms would not eradicate the blight of poverty overnight—they do not constitute the end of the process but, rather, the essential beginning, the first steps toward self-support and dignified lives for all Americans. They are not mere skirmishes. They represent a real war on poverty.

We will have before us in this Congress no more urgent business than the consideration, and the improvement where possible, of these initiatives. We will have no greater opportunity to serve the interests of the entire American community.

OEO NEEDS AN AUTHORIZATION BILL

(Mr. STEIGER of Wisconsin asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEIGER of Wisconsin. Mr. Speaker, the authorization for the Economic Opportunity Act expired on June 30 of this year. The Office of Economic Opportunity and its programs have been operating on a continuing resolution since that date.

As my colleagues can imagine, it is extremely difficult for an agency to operate on a continuing resolution. Final plans for allocations of funds can not be drawn up until an appropriation bill has been passed. The agency in question must exist on a day-to-day basis without any guidance from Congress as to which of its programs may be receiving additional funds or which of its programs may be cutback. Its new and innovative programs must wait.

But for one-third of this fiscal year OEO had to operate in just this manner. And now we are getting ready to ask them to continue in this state of uncertainty for another indefinite period of time.

This procedure makes it very difficult for OEO to do an efficient job. Right now Donald Rumsfeld is doing everything he can to get the agency operating at maximum efficiency. Yet he is being hindered by the fact that he must operate on a continuing resolution.

Mr. Speaker, what steps must be taken so that OEO can operate at maximum efficiency? First OEO needs an authorization bill. We must act to show our commitment to this program by considering and passing an authorization bill which would extend the Economic Opportunity Act for 2 years. Until the House acts on this matter, we cannot even begin to consider an appropriations bill.

President Nixon has urged Congress to move rapidly on programs of concern to this Nation. Surely the poverty program is important to the Nation. The President recognized this fact when he called for a 2-year extension of the program. A 2-year extension would give us the advantages of longer range planning, more orderly and efficient allocation of funds for a better ability to attract good personnel. Given the time lost, Mr. Speaker, one can argue that the 2-year extension is inadequate and the House should pass a 3-year extension. The President has recognized that an innovative agency has need for both continuity and flexibility. We in Congress also have a responsibility to recognize this need.

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Unless Congress is willing to accept this responsibility and act quickly to extend the program, Congress will be offering the poor only frustration and hopelessness instead of the opportunity and advancement the administration's proposals offer.

THE PRESIDENT SHOULD SEND NO MORE DRAFTEES TO VIETNAM

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from New York (Mr. FARBSTEIN) is recognized for 20 minutes.

Mr. **FARBSTEIN.** Mr. Speaker, I have today introduced House Concurrent Resolution 416, calling upon the President to send no more draftees to Vietnam.

I am appalled by the fact that a much higher percent of draftees are sent to Vietnam than enlisted men. As of June 30 of this year, 15 percent of the personnel in the armed services are draftees, but 26 percent of those in Vietnam.

It is a tragedy if any American has to suffer and die in Vietnam. It is bad enough if he is a man who wants to serve in the military and go there, but it is incomparably more senseless if he is an unvolunteered victim of our meat grinder method of military personnel selection.

There are approximately 110,000 soldiers now in training who would be affected by an end to the sending of draftees to Vietnam.

This seems to be the next logical step the President could take to reform the draft. With Hershey out, the draft temporarily suspended, and the Congress moving toward some reform in the system, the Nixon administration could show a sign of good faith to those already victims of the draft by not sending any further draftees to Vietnam. Hopefully, within a year we can bring out a total abolition of the draft.

If there are not enough volunteers to replace those finishing their tour of duty, then the American deescalation from Vietnam could be just that much more rapidly carried out.

The concurrent resolution follows:

H. CON. RES. 416

Concurrent resolution expressing the sense of Congress with respect to the assignment to Vietnam of persons inducted into the Armed Forces

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that the President should take such action as may be appropriate to insure that no individuals inducted pursuant to the Military Selective Service Act of 1967 on or after the date of the adoption of this resolution for training and service in the Armed Forces may be assigned to active duty in Vietnam and the waters adjacent thereto (as designated in Executive Order No. 11216, dated April 24, 1965).

A DIFFERENCE OF OPINION ON HOW TO FIGHT INFLATION

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 30 minutes.

Mr. **REUSS.** Mr. Speaker, President Nixon over the weekend mailed the following letter to 2,200 business and labor leaders on the subject of inflation:

In view of the growing concern about the rising cost of living, I would like to share with you at some length my thoughts about what is being done and what we must do to curb inflation.

The danger of inflation is real; the cure requires some unpleasant medicine, patience on the part of all and self-discipline by the Government, business and labor.

This Administration is determined to control inflation without imposing controls upon the economy.

Four great forces make up the free market: Government, business, labor and the consumer. A Government that tolerated huge budget deficits could not fairly heap the blame for the ravages of inflation onto any of the other market forces. It was past Government policy that caused our present inflation.

That is why I have refused to look for a scapegoat amid the genuine national concern about the rising cost of living.

That is why I have insisted Government put its own economic house in order before enlisting other forces in the fight against inflation.

HARD DECISIONS

Hard decisions had to be made to extend the surtax; to slash Federal spending by more than $7-billion dollars a year; to drastically curtail construction commitments by the Federal Government; to place a strong budget surplus in tandem with a restrictive monetary policy. Economic policy needed backbone rather than jawbone, and backbone is exactly what our record shows.

We have taken the unpopular road to earn back Government's credibility in fiscal affairs, and by our actions we have shown that we mean what we say about cooling inflation.

Because of this record, everyone should realize that Government will continue to do whatever is necessary in the future to curb the rising cost of living.

Because Government's house is now in order, we can turn to business and labor to remind them that inflation is everybody's problem and fighting inflation is everybody's business.

LABOR IS CAUTIONED

It is in the interest of private business to consider pricing policies in the light of Government's determination to check inflation. The business that commits errors in pricing on the up side, expecting to be bailed out by inflation, is going to find itself in a poor competitive position. Betting on ever-higher prices is a sure way of losing.

It is in the interest of every union leader and workingman to avoid wage demands that will reduce the purchasing power of his dollar and reduce the number of job opportunities.

Government has set the example of restraint, and will continue to set that example. When we combine labor restraint and business restraint, we can build a foundation for an on-going prosperity.

In curbing inflation, we must continue to move deliberately, with a careful eye on the unemployment picture. The percentage of our work force unemployed is more than a statistic—it is a human condition that deserves the close attention of every American.

New laws and new restrictions are not required, if we treat with respect the law of supply and demand. Government's recent action in the construction industry, to increase the supply of skilled labor and materials so as to curb the excessive expansion of demand, is a case in point.

Because we add no artificial controls does not mean that there are no controls in operation. The free market has its own controls on those who flout responsibility: loss of profits to the businessman, loss of jobs to the workingman. These are losses that responsible action can avert.

A sense of responsibility must be part of every prudent judgment concerning prices and wages, now that Government has repudiated the previous inflationary policies. Price and wage decisions that anticipate inflation's continuing at or near present levels would be shortsighted, imprudent, and unprofitable.

ADMINISTRATION POLICY

For your own planning the policy of this Administration in the fight against inflation will be:

First, to continue stern restraints on Federal spending.

Second, to insist on a tax system that has the capacity to generate enough revenues to cover spending outlays. I shall not tolerate, for example, a tax bill that would result in an irresponsible budget.

Third, to rely strongly on the forces of reason and moderation within the private economy, so that governmental intervention will rarely be necessary.

The ultimate consequences of runaway inflation—the bust that follows, with the suffering that accompanies huge unemployment—must never again be inflicted upon the American people. Instead, we will take every measure necessary to build a sound prosperity, temporarily unpopular as some restraints may be.

I would be interested in your own views as to how the private sector and Government can work together in holding down the cost of living. In this cause—hard to explain, hard to achieve, but fundamental to the economy of our nation and the progress of our people—I trust that I can count on your support.

A different view of how to attack inflation is presented by the communication sent the President last week by 45 Members of the House:

A PLEA TO PRESIDENT NIXON TO TAKE ACTION AGAINST INFLATION

Inflation is causing great hardship. The consumer price index has been increasing at a rate of 7 percent since President Nixon's Inaugural in January; the wholesale price index at a rate of 6 percent.

Instead of temporizing with inflation, and hoping it will go away eventually, the Administration should stop it in its tracks—*now*. The Administration's sole "fight" against inflation has been orthodox fiscal and monetary policies—a budget surplus and tight money.

Orthodox fiscal and monetary measures, if properly applied, can be effective against demand inflation—too much money chasing too few goods. But they fail to come to grips with three other types of inflation currently at work:

1. *Cost-push inflation* is obviously present in those highly concentrated industries where major companies and unions have substantial discretion in their price and wage decisions. Cost-push inflation accounts for the current rash of price increases in automobiles, steel, tires, gasoline, copper, nickel, zinc and aluminum, to mention a few.

2. *Credit inflation* continues despite the fact that the Federal Reserve is choking off supply. Banks have increased their lending to business—for everything from new plants and equipment to inventories to the financing of conglomerate takeovers—by a staggering 15 percent this year. Large banks, particularly, have been able to "buy their way out of" tight money by obtaining further lending funds from the Euro-dollar market, the federal funds market, by issuing commercial paper through subsidiaries, and by selling off Treasury securities and municipal bonds from their portfolios. Excessive bank

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> lending for business capital investment beyond the immediate needs of the economy, which overstrains resources of manpower and machinery, is responsible for much of our current inflation. Such excessive lending has also contributed to the exorbitantly high interest rates, up 26 percent since the first of the year. These high interest rates have especially harmed the home building industry, state and local governments, small business, and the installment consumer.
>
> 3. *Supply-bottleneck inflation* exists in many areas where prices have gone up beyond the average. Two of the worst examples are costs of homeownership, in large part through high interest rates and taxes, and the cost of hospital and medical care.
>
> We call upon the Nixon Administration to stop inflation now. This can be done if it will move vigorously in the public interest with respect to cost-push, credit, and supply-bottleneck inflation:
>
> A. It should withdraw its oppostion to the pending bills to establish effective wage-price guideposts. These bills would require the President to announce wage-price guideposts, after full consultation with management and labor. They also would require him to focus the spotlight of public opinion on specific wage and price decisions that are inconsistent with the guideposts and that threaten national economic stability. Similar systems of wage-price guideposts worked well in this country during the 1962–66 period. They are in effect today in practically every other industrialized country, including West Germany, Canada, the Netherlands, Great Britain, Austria, Denmark, Belgium, Norway and France.
>
> B. To combat credit inflation, the President and the Federal Reserve Board should jointly issue a request to banks not to increase their business lending over that currently outstanding. Such a procedure was successfully used during the Korean War in the early 1950s and again during the credit crunch of 1966. Similar standstill directives on bank lending are being successfully used in the United Kingdom and in France. The President should also request legislative authority, on a standby basis, to impose consumer credit controls.
>
> C. To insure equality of sacrifice, the President should attack the principle supply-bottleneck sources of inflation. In health care, for example, this would mean expediting programs to train medical and paramedical personnel as the best way of bringing costs down. The setting up of wage-price guideposts and a standstill on bank lending to business would help on housing, by containing inflation and by releasing more credit to the housing industry, respectively. In addition, the Administration could and should help housing by backing legislation to increase the resources of the Home Loan Bank system; it should urge the Federal Reserve to purchase FNMA and Home Loan Bank Board securities; and it should permit government trust funds to be invested in official housing securities. Such measures, taken together, would make possible an immediate rollback of present exorbitant interest rates.
>
> If the President will mount a genuine war on inflation, we pledge our best efforts to help him.

The President, according to the New York Times, reports that his efforts to curb inflation are bearing fruit. The 45 Members who wrote the letter reproduced above are in effect asking: What efforts? What fruit?

Inflation continues at a completely unacceptable 6 percent rate in the Consumer's Price Index. The administration's entire reliance on tight money and fiscal austerity are proving wholly inadequate to do the job.

Indeed, exclusive reliance on fiscal and monetary measures is producing an entirely unnecessary increase in unemployment, which could have been avoided, and still can be, by use of the additional measures recommended by the 45 Members.

The President's letter admits that fiscal and monetary measures are not sufficient—which is precisely what the 45 Members have been urging.

But the President asks restraint by private citizens, without giving them standards for applying restraint. Borrowers are told to take it easy on credit applications, without being told what this involves. The 45 Members, on the other hand, suggest specific guidelines to prevent credit inflation.

Business and labor are likewise enjoined by the President to show restraint in their price and wage increases. But this request, by itself, gives no guideposts to business or labor as to what constitues inflationary behavior. The 45 Members, for their part, call for the reestablishment of effective wage-price guideposts. Only the creating of such guideposts can give business and labor a fair standard to which to adhere.

To Congress, the President says that we should cut spending, and avoid reducing taxes. How does the President square this admonition to the legislative branch with two of his actions in the last few weeks—to add another $92 million to this year's budget for the wholly unnecessary supersonic transport plane, and reduce the corporate income tax over that stipulated by the House-passed tax reform bill?

Inflation is indeed a prime domestic problem. If the President will table before the Congress a program to deal with it, we can all join in bringing inflation under control.

IS ECOLOGICAL DISASTER "ACCEPTABLE," TOO?

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, Mark Twain can be paraphrased today if we say that everyone talks about contamination of our finite environment, but no one is doing anything about it. As disaster bears down upon us, we prattle on about committees, studies, States rights, and who is to blame. Soon all these arguments shall be moot.

Instead of initiatives from the Federal Government, what have we received? The President created an Environmental Quality Council on May 29, 1969. Since that date, all that is heard from its direction is a crashing silence. According to the President, it was to "provide the focal point for this administration's efforts to protect all of our natural resources."

The Council is composed of the Vice President and six Cabinet members. It held a brief organizational meeting in June. Monthly meetings were to be held. Only one has been convened, in September. No meeting is scheduled for October. Obviously the gentlemen are too busy telling the public that all is well or that 4-percent unemploidment is "acceptable." Be that as it may, this prime vehicle for environmental quality on the Federal level sits there with its engine roaring and its tires flat.

On the same day this Council was established, a Citizens' Advisory Committee on Environmental Quality was also set up. With some rather shrill fanfare, this group was billed as an expanded and improved version of the Johnson Advisory Committee on Recreation and Natural Beauty. As of now, the President has not reappointed or named new appointees for four of the Johnson citizen advisers. Their terms expired in August. The committee has not met, and has not had a staff director since May. Such is the state of the environmental art now. Surely, one would think that a few presidents of major polluters might be found to utter appropriate platitudes when the natives get a bit restless over dead lakes, dying rivers, and unbearable smog. Alas, even this flimsy camouflage is ignored, for antipollution efforts of any kind are really foreign words to the present administration.

Air pollution sources are now hurling 140 million tons of contaminants into our atmosphere annually. Two years ago the figure was 130 million tons. Yet 2 weeks ago the Republic Steel Corp. could tell a member of the Cabinet that it was none of his business whether or not that company was ceasing to pollute Lake Erie, America's largest open air sewer.

Man is a destroyer as well as a builder, and now he endangers himself, totally. Conservation-pollution-ecology go together, and the Federal Government must set the pace, which it has not done in the past year. Our time grows short. Destruction bears down upon us with appalling swiftness. No action has been taken against companies to set an example. No action has been taken against auto pollution, which is so all-pervasive as to defy any and all defense. Look at the skies above our cities . . . the water we consume. Much of it has already passed through several other human beings.

Look off our coasts, where the oil industry pollutes merrily away from offshore drill rigs and tankers. Thermal pollution is a looming threat from multiplying numbers of nuclear powerplants. Noise levels in our cities are surpassed only by pollution from our rapidly choking skies. Nor is anything sacred.

The Everglades stand threatened by a proposed jetport. Mineral King Valley faces a facelift in the holy name of entertainment. On and on goes the litany of devastation. Bulldozers crunch. Trees topple. Swamps fill. Wildlife dies and we are next.

Everywhere we fill the air with manmade poisons. Nature's most perfect food, mother's milk, now comes complete with DDT residues. The few voices which cry out are drowned by commercialism and government inertia. I maintain people have a right to quality of existence as well as to quantity. Just as we have addressed ourselves previously to measures ensuring that people receive educations, Social Security, medical care and unemployment insurance, so we must establish precedents ensuring that their lives are livable in a qualitative sense.

Mass public complaints against environmental conditions must be recognized in our courts, just as they should be on the part of victimized consumers. Law is geared to offenses and cases by one individual against another. Mass public inconvenience and danger should no longer be acceptable in the cause of private enterprise. When private effort begins to damage our environment to an unacceptable degree, menacing millions of people, then people should have a right to take them to court and end their activities legally. This was recently recognized in New York State, where a court ruled that conservationists had a right to challenge a Federal Power Commission permit granted for a proposed power plant.

We must recognize the concept that much, if not all, land and other resources are really held in trust by government and its delegated and duly elected representatives. They are charged with ensuring that such irreplaceable resources are used for public good. Therefore, government has a duty to protect them from temporary, arbitrary abuses by any vested interest, unless such a use is absolutely essential to the national well-being or defense.

This means more than creating a make-believe environmental council and advisory group. Such ghastly charades are an affront to the rising demand by an aroused and endangered public that the Government set an example. All the menaces are known, catalogued and studied to death. All solutions are right at hand. All power reposes in the hands of the Government, yet it will not act, allowing, in the Lake Erie example, a company to insult a Cabinet officer and get away with it. No examples are set or made of offenders.

Mr. Speaker, the ecological clock inexorably ticks away whatever time we have left, and scientists tell us it is not much. We shall suffer even more than our patrimony, if estimates are correct. We killed Lake Erie. We set the Cuyahoga River on fire. We are killing the forests around Los Angeles. It is up to us to act. Or is a level of total pollution "acceptable" to the present government?

WORLD BANK AND WASHINGTON TOO

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, the World Bank and all of its international affiliates at last publicly acknowledge they realize where the fountain of money is located.

The Sunday paper carries the announcement that they are so attached to Washington, D.C., they want to make it their international headquarters.

I insert two local news clippings following my remarks:

[From the Washington Post, Oct. 19, 1969]

WASHINGTON, D.C., AS WORLD BANKING CENTER—THE INTERNATIONAL BANK WORKS TO MAKE WASHINGTON ITS BASE

(By William H. Jones)

Washington is clearly the world capital for international financial aid and development, as the seat of the International Monetary Fund, the World Bank and its development affiliates, the Export-Import Bank, and the Inter-American Development Bank. In addition, the United States itself has been the single largest contributor of its own funds in foreign aid—although the aid has been declining in recent years.

In private sector international banking matters, however, Washington has never been known as a particularly important center. One thinks of New York, Paris, Geneva, London and Amsterdam—but not Washington.

A bank that calls itself "America's leading merchant bank" is trying to change that impression.

The International Bank, with worldwide headquarters at 1701 Pennsylvania Ave., NW, has staked out that claim on the basis of these facts:

It is engaged in banking, insurance, industry and mortgage banking in the United States and 12 other countries.

Total assets of affiliated banks and companies now exceeds $3 billion.

This total of assets is exceeded by only 20 of the 500 largest industrial companies, 12 of the 50 largest insurance companies, and 17 of the largest commercial banks in the United States.

It has pioneered in establishing American-style retail banking in Britain, Western Europe, Africa, and Middle East and the Caribbean, bringing banking services to middle income persons and small businesses often for the first time.

It is a major shareholder (22.9 per cent) of Financial General Corp., the largest and oldest bank holding company incorporated in Virginia, which has headquarters in the District.

It recently acquired Financial Security Corp., bringing to International Bank a group of industry, insurance and finance companies. Financial Security comprises the non-banking interests formerly held by Financial General Corp. FGC made the divestiture of these interests last year under provisions of the Bank Holding Company Act, as amended in 1966. Provisions specify that registered bank holding companies cannot hold non-banking interests.

George Olmsted, International Bank president and board chairman, described his bank recently as "the bringing together of the traditional concept of British merchant banking which has played a leading role in England's financial leadership in the world for more than 200 years, and today's modern, advanced techniques of American financial know-how."

The International Bank opened here in July 1920 and was reorganized in the 1950s, when present management took over. Under this management, according to Olmsted, stockholders' equity in the bank, on a valuation basis, has grown from half a million dollars to $84.8 million. Combined assets of banks and companies in which it has major investments leaped from $1 million to $3 billion.

Overseas, Olmsted emphasizes partnership of International Bank with business and financial leaders of the countries where the bank has interests, offering "interdependence" instead of "economic imperialism."

In a letter to stockholders last March, for example, the bank president stated:

"The growing resistance to some American companies in other countries is based on a form of economic imperialism we avoid. We practice a concept of having local partners share in the ownership, control and earnings of all our overseas enterprises. We believe this is the road all American concerns should follow in other countries."

Olmsted adds that International Bank offices abroad have become known and supported as local institutions "rather than branches of a distant American management too often unresponsive to local considerations."

Foreign operations and percentage of International Bank ownership are: the International Trust Company of Liberia in Monrovia (80.3); Security Trust Co. of Birmingham, England (50); Credit Europeen, Luxembourg (77); Europabank, Ghent, Belgium (92.8); Europe Bank Kredit and Sparbank, Saarbrucken, West Germany (7.5); Trans-orient Bank, Beiurt (72); Intertional Bank of Washington (Bahamas), Nassau (100); Equity Finance Corp., Nassau (100); Olds Discount Co. of Jamaica, Kingstom (95); and International Trust of Washington (Caribbean), Port-of-Spain, Trinidad (81.8).

This weekend, International Bank announced it has been granted permission by the Central Bank of Iran to open a representative office in Teheran.

In the United States, Olmsted sees International Bank's role as assisting, advising and supervising various units, "refraining, however, from interference in the day-to-day operational decisions."

Domestic operations include Tico, Inc. (66.6 per cent owned), headquartered in Atlanta, including the McCrary subsidiaries which provide scientific and technical help in telephone installations as well as municipal engineering and construction; Central National Bank and Trust Co. (66.8 per cent), of Des Moines, Iowa; the First National Bank building in the District, headquarters for International Bank a block west of the White House.

Domestic operations also include Globe Industries, Inc. (81 per cent), with plants in Chicago, Lowell, Ind., and Whiting, Ind., engaged in the manufacture and sale of a line of sound-control padding and acoustical materials for autos, as well as the sale of building supplies.

In addition, the Intermediate Credit Corp. (100 per cent owned), engaged in venture capital financing, equipment leasing and related activities, which in turn has a 40.1 per cent interest in Small Business Investment Co. of New York, a licensed small business investment concern; an 80 per cent interest in Financial Realty Corp., engaged in the purchase and sale of real estate property in the Washington area and elsewhere; and a 33.3 per cent interest in Marion Malleable Iron Works, of Marion, Ind., with sales in 1968 of $7.2 million.

International Bank's principal industrial holding is Bradford Speed Packaging and Development Corp. (53.3 per cent), which in turn has major interests in Kliklok Corp., Woodman Co., Inc., Pierce Governor Co., Inc., and Foster Wheeler Corp. The firms manufacture and sell automated machinery and packaging, manufacture governors of tractors and trucks, and are engaged in engineering, design and manufacture of processing plants.

The insurance and finance group of International Bank includes 11 U.S.-based companies with total assets in excess of $300 million, and Associated Management, Inc., a newly-acquired management company of a mutual fund, based here. Three life insurance companies in this group are Bankers Security Life (40 per cent owned), of Washington; United Services Life (26 per cent), of Washington, and Bankers Financial Life (70 per cent), of Arlington.

The International Bank investment with the greatest impact locally is Financial General Corp., which traces its history back to 1910 in Norfolk, when a unique bank was opened, offering consumer credit in the United States for the first time.

Arthur J. Morris founded the bank, and by 1925 the so-called "Morris Plan" was in operation in 16 cities. Now, it's part of American banking history.

Today, such banks are known as industrial banks—a bit of a misnomer since few of its loans are made to industrial customers. The expression is derived from the fact that its customers fall largely into the industrial or working class. Most loans made by such banks are of the consumption type and seldom exceed a few thousand dollars at most.

The original loan contract in a Morris-plan bank combined both lending and savings features. Many of these institutions now make conventional loans in addition, and have moved into the installment-credit field, home repairs loans and loans to small businessmen. Banking legislation in recent decades has tended to enlarge scope and powers of such banks and today industrial banks get a sizable portion of their loanable funds from depositors.

FGC has 128 offices, 14,000 stockholders and is listed on the American Stock Exchange. The group also has 2,600 employees—1,500 in the Washington area alone (an annual payroll of nearly $4.5 million).

Its impact in the area is wide, with 56 bank offices and two mortgage companies. In the District, the banks are First National Bank of Washington and Union Trust Co.; in Maryland, American National Bank, headquartered in Silver Spring; and in Virginia Alexandria National, Arlington Trust, Clarendon Trust, and the Peoples National Bank of Leesburg. Total resources of the Washington area banks, as of last June 30, were $76,595,000, with deposits of $687,102,000.

Impressive as this record is, the future is seen as even better. Officials report that banking deposits were up 8.9 per cent in the first six months of this year, capital funds jumped 7.2 per cent and resources increased 10.1 per cent.

Looking to the future, Olmsted recently told newsmen he sees continued expansion of both domestic and foreign activities "both by internal growth and by acquisition." FGC president William L. Cobb sees a number of future growth areas in Virginia, particularly the Tidewater area and Fairfax County.

"And," added Olmsted, "we are fully convinced that Washington is an ideal spot for the headquarters of America's leading merchant bank."

[From the Washington Star, Oct. 19, 1969]

MONEY: A NEW EPOCH—IMF CREATION OF PAPER GOLD CALLED INEVITABLE EVOLUTION

(By J. A. Livingston)

The 1969 annual meeting of the International Monetary Fund in late September could not have been timed more auspiciously.

It began as the German elections ended. Pierre-Paul Schweitzer, the managing director of the IMF—a Frenchman—opened the sessions by answering what delegates from 113 nations were wondering and worrying about: West Germany finally had decided to raise the price of the mark.

Hardly more could be asked for—even though the new price was not yet set.

Only six weeks before, the price of the franc was lowered. Surely, this realignment of continental Europe's two most important currencies would terminate the disabling speculation in foreign exchange, which whooshed Eurodollars and other funds from London, Milan, Paris, Brussels, Copenhagen, and other financial capitals to Frankfurt, Germany, and then out again!

That was the setting as the IMF members voted to create $9.5 billion of "paper gold"—Special Drawing Rights on which members could draw if temporarily embarrassed for gold bullion, dollars, or other reserves.

STEP IN EVOLUTION

Thus began a new epoch in the inevitable evolution of money from cattle, wampum, feathers, whales' teeth, salt, tobacco and nails to silver, gold, goldsmiths' receipts, and finally paper money and paper gold.

"A momentous innovation," pronounced Schweitzer.

"A significant turning point in the monetary system," declared Secretary of the Treasury David M. Kennedy.

Former Secretary Henry H. Fowler, who put President Johnson's power and prestige behind this evolution in 1965, gave a cocktail party.

"A triumph of collective diplomacy," said Fowler. "Special Drawing Rights have been ratified by the highest authorities of nations. They are not a confection of a small group of finance ministers and central bankers in a smoke-filled room."

IMF delegates could return to their homelands with a sense of momentary calm and accomplishment.

SOME DOUBTS

Still, there were doubts. Fundamental imbalances might still remain. Was—is—further change required?

"The international monetary system which nurtured postwar prosperity is in trouble. That means that world prosperity—the rise in employment, trade and living standards in the United States, Europe, Japan and the rest of the world—faces trouble.

"The system is in trouble because the dollar is no longer almighty. It limps from crisis to crisis—first the devaluation of sterling in November 1967 then the forced shutdown of the gold pool in March 1968. A prudent man will expect more crises," I wrote 15 months ago.

Since then the dollar has become superficially stronger. But only because of the weakness of the franc and worries about social conditions in Europe.

INFLATION EXPLAINED

The men responsible for the management of the world's money—the heads of the Federal Reserve System, German Bundesbank, Bank of England, the Netherlands Bank and so on—have been unable to manage money because they've been unable to manage politicians. Votes dictate economic and social decisions of government—not gold reserves and foreign exchange rates.

That explains today's worldwide epidemic: Inflation.

In the postwar era, politicians have been haunted by the Great Depression. Never again high unemployment! Always onward and upward with economic growth! Even at the expense of price stability!

But now the economic consequences of inflation are so luminous that monetary and fiscal restraint are being applied—in the U.S., Great Britain, France, Germany and other parts of continental Europe. A recession in the U.S.—yes, even in the world—is possible.

Why?

Because people distrust paper currencies. They reach for anything that might go up in price—gold, works of art, antiques, real estate, stocks. They flee—in desperation—from one paper currency to another—from the franc, pound, and lira to the German mark, or Swiss franc or Netherlands guilder.

According to the International Monetary Fund, the designers at Bretton Woods 25 years ago never expected that governments would "have to be so much concerned about the public's changing views" on currencies: Which is going up in price? Which down?

MONETARY CONVULSION

But dollars floating around the world, especially in the Euro-dollar market, have ballooned the "volume" of short-term funds that can potentially move from financial center to financial center.

Two monetary crises in the last year—the result of currency speculation—illustrate the political impotence of central bankers.

In November 1968, funds from all over the world, but particularly from France and Great Britain, stampeded into Germany. "It was a monetary convulsion," said the sober German Bundesbank in its annual report.

Karl Schiller, German Minister of Economics, hastily summoned finance ministers and central bankers to Bonn: What could be done?

Newsmen covering the meeting conjectured: The German mark would be revalued—raised in price. Simultaneously, the French franc would be devalued—lowered in price. This, so the reporters theorized, would correct the economic disharmony between France and Germany.

VALUES IMBALANCED

Logic dictated this. Germany had a substantial trade surplus. Its exports far exceeded imports. An increase in the price of the mark would raise German export prices. Therefore, German sales of goods abroad would tend to fall. Collaterally, Germans—with their higher-priced marks—would buy foreign goods at lower prices. Therefore, imports ought to rise.

As for the French, the opposite—a lower-priced franc would boost exports, lower imports. The French trade deficit would be reduced or eliminated.

But no!

Despite the urging of Karl Blessing, head of the Bundesbank, Schiller insisted that the mark stay at four to the dollar—25 cents.

And President Charles de Gaulle, despite the urging of close advisers, stood pat on the franc. It would remain at five to the dollar—20 cents.

As a palliative, as a concession to the world, the Germans imposed a tax on exports and rebate on imports of 4 percent.

Objective: To raise prices of goods Germany sold abroad and lower the prices of goods coming into Germany. But Germany continued to pile up big trade surpluses. And the French balance-of-trade deteriorated further.

In May 1969, again funds stampeded into Germany. Speculators sucked foreign exchange out of central banks throughout Europe. At one point, for lack of foreign exchange, it was touch and go whether Denmark would be able to pay its bills. A weekend loan saved the day!

This time Schiller said yes. He would go along with the Bundesbank and revalue the mark. He explained that he had changed his mind because the 10 percent U.S. tax surcharge in 1968 had not slowed down the U.S. economy. In November, he feared that the rate of growth in world trade would fall and German exports would suffer.

STRAUSS SAYS NO

Now Minister of Finance Franz-Josef Strauss said no. Why should German exporters be penalized for their efficiency? The remedy was less inflation in the United States, France and elsewhere, not less German competition.

Besides, revaluation of the mark would lower commodity prices, particularly agricultural prices. Unless the government granted farmers a massive cash subsidy, farm votes would be lost.

Before making his decision, Chancellor Kurt Kiesinger arranged a "debate" of experts. Hermann Abs, former head of the Deutsche Bank, largest and most powerful bank in Germany, presented the case against revaluation. Otmar Emminger, the Bundesbank's respected internationalist, argued for.

Observers subsequently said: "The arguments didn't matter. The decision was political."

A beleaguered French official remarked: "Isn't it extraordinary—the government of 50 million Frenchmen is terrified by devaluation because it will raise prices! And the government of 60 million Germans is worried about revaluation because it will lower prices.

"Economics just isn't for the average man!"

SERIES ON "LAW AND ENVIRONMENT"—III

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, the third article in the Christian Science Monitor series on "law and environment" touches on the "burden of proof" in court cases involving environmental issues. For the most part, the burden of proof is on the plaintiff which means the public-at-large as distinct from the public as represented by the Government. In the situation today where Government itself is a major source of pollution, the citizen often finds himself squeezed between two giants—Government and industry.

The article points out that the common law generally gives preference to the initiator of development forcing the aggrieved citizen to show why the law should be invoked to halt such development. This time-honored practice has not been seriously challenged until recently. However, if a body of law is to be developed to protect the environment, the challenge must succeed.

Conservationists have known for a long time of the "multiplier" effect of any private or government decision that effects nature; the drive for a "law of the environment" is a way of saying that a larger public is looking for legal remedies to protect against potentially harmful environmental decisions.

The article follows:

Natural-Resource Suits: Lawyers Stress Imagination

(By Robert Cahn)

Washington.—Citizens along the Hudson River near Tarrytown, N.Y., who were concerned that a six-lane expressway irreversibly alter a pleasing environment sought to take their problem to the courts.

As plaintiffs (in this case against federal and states agencies) with the burden of proving that irreversible damages would develop from the expressway, their case looked almost hopeless once the federal government's Department of Transportation decided that the highway was necessary.

Instead of trying to base a fight only on constitutional grounds, however, counsel raised a statutory technicality charging that the government was acting illegally. And by such a seemingly inconsequential point as the definition of a dike in a 19th-century act of Congress, the government has been put on the defensive and the expressway has been blocked—at least temporarily.

LANDFILL NEEDED

The proposed expressway would extend along the east shore of the Hudson River near the Tappan Zee Bridge. About five miles of the road will rest on landfill which extends at one point 1,300 feet into the river. Lawyer David Sive, who represented the Citizen's Committee for the Hudson Valley and the Sierra Club, contended that the federal government had acted illegally in issuing a permit for the construction without authorization of Congress.

Mr. Sive dug out the 1899 Rivers and Harbors Act, which required congressional approval for dikes in United States navigable waters. The landfill, he argued, was such a dike. Attorneys for the federal and state government countered that a dike meant a wall which substantially affected navigation by confining river flow.

The United States District Court would not accept Mr. Sive's other arguments that constitutional rights of citizens were involved. But, said the court, a dike is a dike, and the Army Corps of Engineers exceeded its statutory authority in issuing the permit without permission of Congress. So construction has been halted, at least until a higher court can hear the appeal of the government.

At the first conference on law and the environment held recently in Warrenton, Va., the participating lawyers discussed this case and others relating to the difficulties of citizens' overcoming the "burden of proof" in environmental cases.

In most cases, lawyers for citizens' groups may not have the statutory grounds that were available to Mr. Sive. And until constitutional grounds can be developed and accepted by the courts, lawyers may be required to depend on imaginative uses of existing law.

In conference discussion, James Krier noted that the common law generally gives preference to the initiator of development and forces the aggrieved person to show why the law should intervene to stop or modify the development. He pointed out that in environmental litigation this produces a major handicap because environmental damage is hard to specify and needed expert information may be known only to the developer.

Mr. Krier pointed to the Texas Eastern case as an example of how existing burden-of-proof rules can be used to promote environmental values and to encourage developers in giving more consideration to the impact on the environment.

The Texas Eastern Natural Gas Company, which as a public utility can use the power of eminent domain, wanted to condemn a right of way through the Troy Meadows preserve in New Jersey to build a pipeline. Lawyers for the private preserve alleged that wilderness use by the public would be damaged by the pipeline. This loss would outweigh any loss to the company if it had to select another route, they said.

A trial court rejected the conservation position. Then the Supreme Court of New Jersey reversed the lower court. The Supreme Court held that the plaintiff had established the initial burden of showing that there might be serious damage to the nature preserve from the pipeline, and that there were other alternative routes available. It required the company to present evidence at a new trial that there would not be serious damage and that the route chosen was the best one.

Even though ultimately the gas company won the case, the developer has been forced to assume a major share of the burden of proof and to present previously unavailable information to explain why the action was necessary.

Prof. Joseph Sax of the University of Michigan, who has written several textbooks and articles on natural-resource law, believes that new legislation may be necessary to help the environmental plaintiff.

LEGISLATION URGED

Professor Sax recently urged the Michigan Legislature to pass a law allowing court actions by state officials or citizens against any person, including the government, "for the protection of the public trust in the natural resources of the suits."

The law should further provide, he says, that if a case can be made that a developer is reasonably likely to damage the environment, then the developer must have the burden of showing that there is no feasible and prudent alternative to his actions and that the development is in the public interest.

Environmenal plaintiffs have other burden-of-proof problems when a disaster has already taken place, such as the Santa Barbara oil spill. Participants at the conference agreed that some way should be found to require developers to include as a cost of doing business financial responsibility for environmental damage.

In suits to collect damages for the oil spill, plaintiffs had had difficulty obtaining information from the government and the oil companies. Without the information, the plaintiffs face an almost insurmountable burden of proof, especially when it is necessary to prove negligence.

INTRODUCING LEGISLATION TO ELIMINATE SUGAR QUOTA FOR SOUTH AFRICA

(Mr. BINGHAM asked and was given permission to extend his remarks at this point in the Record.)

Mr. BINGHAM. Mr. Speaker, last April, along with a number of colleagues, I introduced a bill—H.R. 10239—to end the current subsidy to South Africa's sugar producers by eliminating its sugar quota. That legislation stated clearly that—

> It is not in the interest of the United States to provide official support in any form to a country whose racial policies are anathema to the conscience of the world.

An identical bill was introduced in the Senate by Senator Edward Kennedy.

Not only is our sugar quota a subsidy to South African apartheid—it is also a form of scarce foreign economic assistance. South Africa, however, is a highly developed nation which does not require the aid through trade offered by the sugar quota it currently enjoys. By contrast, the developing nations of Africa and the rest of the world do have great need for such assistance.

With these considerations in mind, I am today, with the support of 16 of my colleagues in the House, introducing legislation which amplifies my earlier bill to cut off the South African sugar quota. The legislation we are today introducing would redistribute the South African quota among the other four sugar exporting nations of Africa: Uganda, Mauritius, Malagasy, Swaziland.

Passage of this legislation would represent a concrete gesture of American support for and confidence in the developing nations of Africa. More specifically it would be an appropriate means of commemorating the seventh anniversary of the independence of Uganda, which was celebrated on October 9.

Uganda is a new nation richly deserving of our assistance. So far, despite a thriving sugar export capacity, Uganda has not been included in the group of nations permitted to export sugar to the United States under our sugar quota system. This legislation would permit such exports on a par with Mauritius, Malagasy, and Swaziland. The sugar quotas currently delegated to the latter three nations are well below their export capacity, and this legislation would provide significant increases in their quotas.

I hope this legislation will be given prompt consideration and approved.

OCEANOGRAPHY—NATIONAL OCEANIC AND ATMOSPHERIC AGENCY

(Mr. TUNNEY asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. TUNNEY. Mr. Speaker, discussion during recent months and the efforts of many concerned Americans in recent years have given rise to a wave of legislative concern over the relation between the Nation and the oceans.

The commendable report of the Presidential Commission on Marine Science, Engineering, and Resources, entitled "Our Nation and the Sea," was a fascinating study of an untapped resource whose proper usage will be of the great-

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est consequence. Even more importantly, the report was a challenge to this great Nation. And still more significantly, this has been one Commission whose findings are not going unheeded. Happily, its labors are resulting in action.

The importance of devoting a full-scale, national effort to the development of ocean resources cannot be overemphasized. Ours is a world where we are beset by an alarmingly urgent crisis of a rapidly increasing population. It is a world where the needs of a rampantly progressive technology grow vaster and vaster while we rapidly consume the subsoil resources which satisfy these needs. It is time that we must methodically seek the untouched subsea treasures. Four-fifths of our earth is under the seas—it is there that we must now turn.

For success in such a mammoth venture the ultimate in organization and coordination is necessary. Our successful effort will come from a comprehensive and long-range program of research, development, exploration, and utilization of our marine environment. The establishment of such a program should be of concern to everyone.

By cosponsoring the bill I introduce today I join in lending my support to the creation of a program to accomplish, as soon as possible, these vital goals.

The bill when enacted, will become the National Oceanic and Atmospheric Program Act of 1969. It declares that it is the policy of the United States to encourage, develop, and maintain a comprehensive, coordinated, and continuing national program in marine and atmospheric science, technology, and technical services for the benefit of mankind through the enhancement of commerce, transportation, and national security; the protection of health and property; the rehabilitation of our commercial fisheries; and the increased utilization of these and other resources.

The stated objectives of the program include: the accelerated development and utilization of the resources of the marine environment; the expansion of human knowledge of the marine and atmospheric environment; the encouragement of private investment participation; the advancement of education and training in marine and atmospheric science, technology, and technical services; and the cooperation by the United States with other nations and international organizations in marine and atmospheric activities.

The means by which we aim to attain our objectives is the creation of a National Oceanic and Atmospheric Agency. The establishment of such an independent agency within the Executive Branch was the single most important recommendation of the Presidential Commission on Marine Science, Engineering, and Resources. The Agency's creation is the key to effectively opening wide the treasure chest waiting beneath our seas.

In addition, Mr. Speaker, the bill calls for the establishment of a permanent 15-member committee as a National Advisory Committee for Oceans and Atmosphere. This Advisory Committee will provide continuing review of the progress of the Nation in achieving the objectives of its Oceanic and Atmospheric Program. It will advise the Administrator of the NOAA and will, in addition, submit comprehensive biennial reports to the President and the Congress.

These are the first small steps which must soon be taken if we are to make that giant leap into the depths of inner space—the unexplored spaces wherein can be found many of the solutions to problems we face here on the surface.

REAR ADM. JOHN HARLLEE

(Mr. TUNNEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. TUNNEY. Mr. Speaker, my good friend, Rear Adm. John Harllee, a man with a distinguished record of nearly 40 years of public service, left Government service on September 1, 1969. His outstanding career spanned service in the U.S. Navy, private industry, and the Federal Maritime Commission, where he was chairman. In all these areas Adm. John Harllee exhibited exceptional perspicacity, innovative leadership, mettle, hard work, and honesty. They are his attributes and are a palpable part of his record. He, his family, and friends can all be justifiably proud of it. His career is worthy of note and our commendation.

The son of Mrs. Ella F. Harllee and the late Brig. Gen. William C. Harllee, U.S. Marine Corps, retired, John Harllee graduated from the U.S. Naval Academy in 1934.

After participating in the defense of Pearl Harbor, where he was stationed, Admiral Harllee distinguished himself in a variety of commands. He commanded Torpedo Motor Boat Squadron 12 which was awarded the Presidential Unit Citation for outstanding combat performance in the Southwest Pacific during 1943 and 1944. He also served for a year as chief staff officer of the PT organization in that area, which included 10,000 officers and men, 200 PT boats, 11 supporting ships, and seven bases. During World War II, Admiral Harllee's service was recognized with the award of the Silver Star and Legion of Merit with Combat V.

From 1947 to 1948, Admiral Harllee served in the Navy's congressional liaison unit. From 1948 to 1949, he commanded the destroyer U.S.S. *Dyess*, which won the annual divisional competition. Subsequently, he attended the senior course of the Naval War College.

During the Korean conflict, Admiral Harllee was executive director of the cruiser *Manchester*. He received the Commendation Ribbon for conduct in action, and various other campaign and service medals, including 10 battle stars.

From 1955 to 1958 he distinguished himself in his assignments which included commanding Division 152, commander of all surface ships on Formosa patrol, chief of staff of Destroyer Flotilla 3 and commander of the U.S.S. *Rankin*, which won more awards than any other ship during peacetime. All Hands magazine in January 1959 in a special report on the U.S.S. *Rankin* and its captain John Harllee drew one conclusion—that any ship that John Harllee commanded would deserve and win many awards.

Admiral Harllee voluntarily retired from the U.S. Navy in 1959 and for 2 years worked in private industry prior to becoming a consultant to the Under Secretary of Commerce for Transportation.

In August 1961, President Kennedy appointed John Harllee to the Federal Maritime Commission. Two years later he was named Chairman of the Commission. He ably served in that capacity, having been appointed to a second term by President Johnson on July 20, 1965.

Admiral Harllee's service as Chairman of the Federal Maritime Commission has been acclaimed by many individuals and groups. He received the Man of the Year Award by the New York Foreign Freight Forwarders and Brokers Association. In presenting the award the President of the Association noted Admiral Harllee's patience, dedication and concern. He stated:

> In our memory he is the first Chairman to sit down with forwarders . . . and review in detail the operations of our industry. We are most impressed with this willingness to exchange views. We find it indeed heartening that the Chief of an important Federal regulatory agency is willing to seek out the facts and consider our views as to solutions for existing problems.

The Admiral also received the Golden Quill Award from the Rudder Club of New York, the Order of Maritime Merit by the San Francisco Port Authority, the Honorary Port Pilot Award from the Port of Long Beach, Calif., and for his outstanding work in the field of maritime law, he was recently honored by the Federal Bar Association.

The many encomiums that have been heaped on Adm. John Harllee, have been well deserved. His family, friends and country have been well served.

SUGGESTIONS FOR CONGRESSIONAL REFORM

(Mr. TUNNEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. TUNNEY. Mr. Speaker, ours is a reform-oriented society. People are confident that if institutional deficiencies are exposed, something will be done about them. Congress is one institution which is almost constantly under popular attack as archaic in structure, cumbersome in procedure, and unresponsive to popular demands. The criticism abounds but little is done by Congress itself to produce change.

The House of Representatives has been the recipient in recent years of more reformist pressure than the Senate. The House has reacted by showing even greater reluctance than its sister body to modernizing its rules and practices.

Congress has not reorganized itself since 1946. In 1967 a reorganization bill passed the Senate but foundered in the House Rules Committee, where the matter was never even brought to a vote. As a result, the 435 Members of the House never got an opportunity to vote for or against the measure.

The fact that eight members of the Rules Committee can prevent the entire House from voting on legislation highlights one of the major obstacles to reform. To produce reform, interested Congressmen have to follow the very same rules and procedures that have stimulated the outcry for reform in the first place. The mechanisms which invite reformation are the ones which inhibit it.

I am now embarking on my third 2-year term in the House. There are many traditions in the House that I have come to love, but there are many others which I believe necessitate fresh thinking and creative refurbishing.

No Member can fail to appreciate the genius of our forefathers who established an institution which reflects the microcosmic interests of the diverse American citizenry. One cannot fault the organization of these various Representatives into a complex legislative body which is capable of functioning in peaceful as well as crisis days. It is, however, the quality of the legislative process as well as its responsiveness to the needs of the Nation as a whole that is today quite properly the concern of all Americans.

One important area of congressional affairs which needs remodeling is the seniority system. In the House, a Member ascends to the chairmanship of a committee when he has served longer on that committee than any other Congressman of the majority party. With most committees, the chairman hires and fires the staff for all subcommittees as well as the full committee.

POWERS OF A CHAIRMAN

The chairman establishes the calendar for the consideration of bills. If a chairman does not want a bill to be heard, he simply does not put it on the calendar for hearings. The chairman is responsible for getting a bill from his committee to the House floor. Once the debate starts, the chairman is in control of the time, although hallowed tradition compels him automatically to turn over 50 percent of debate time to the committee's ranking minority party member. If a Member wants to speak during the debate, he must secure permission from either the chairman or the ranking minority member.

The net effect of the seniority system is to give tremendous power to committee chairmen. Presently chairmen have served in the House an average of 6 years as committee chairmen, are on the average 66 years old, and 61.9 percent represent primarily rural districts. When you consider that 69.9 percent of the population lives in urban areas and that 50 percent of Americans are less than 25, it is clear that the House power structure is unrepresentative of the population.

The seniority system has not always been a part of House tradition. It represented a reform in 1910 when dissident Members revolted against the autocratic one-man rule of Speaker Joe Cannon. In those stormy days Speaker Cannon appointed committee chairmen. Those who displeased him were replaced. Insecurity stimulated a passion for change. The result is the seniority system where the rise of members to the top is dependent on longevity.

The mystery of the seniority system is that it works as well as it does. There are many committees where the most talented, most knowledgeable man on the committee is the chairman. There are others where he clearly is not.

The House needs democratization and the seniority system must be modified. Numerous suggestions have been offered by critics. I would like to put forward several of my own which I believe are feasible and timely.

First, the most senior man of the majority party would become chairman unless, at the committee's organization meeting in each Congress, he failed on a secret ballot to get at least one-third of the votes of his own party. Only committee members could vote. Failure to get one-third of the votes would mean the chairmanship would devolve to the second most senior man of the majority party, unless he failed to get one-third of his party's votes. The chairmanship would then pass down the line on the basis of seniority until one man gets the necessary one-third support.

Second, every committee member would have at least one professional staff man on each of his committees. This would allow individual members to make a much greater contribution to the committee, particularly in light of the plethora of complex legislation that is currently before every committee.

Third, no chairman could serve in that capacity for longer than 8 years. This is the same limitation that we place on our Presidents because of fear that a protracted concentration of power in one man for too long a time is unwise. It seems appropriate that a similar rule should apply to powerful congressional committee chairmanships.

JOB FOR AN OMBUDSMAN

Another category of congressional activity which needs imaginative overhauling is constituent services. Every Congressman receives numerous requests from his constituents asking help in problems they are having with the Federal agencies. I average over 30 such requests a day. The assistance needed varies from getting the Social Security Administration to act on a retirement claim, to finding available space for a veteran in a veterans' hospital.

In cases like this the Congressman is the only one to whom a person can turn to get relief from the real or imagined sins of the Federal bureaucracy. Acting as a champion against impersonal Government is a key feature of a Congressman's job. It can be done much more efficiently, however.

As it now stands, at least 50 percent of the staff effort in most congressional offices is devoted to servicing constituent needs. Because of the wide variety of problems and agencies involved, it is impossible for a Congressman or his staff to be expert in interpreting all the various laws and regulations involved. Most often the official who is being asked to do some act is the only one with sufficient expertise to know whether he can and should do that which is requested of him.

What is needed is a separate office of ombudsman established by the Congress and reporting only to Members of Congress or, where appropriate, to the Congress as a whole.

This office would be staffed by experts in each of the various executive departments. All congressional inquiries in a particular field could, at the discretion of the Congressman or Senator, be funneled to the ombudsman-expert who would communicate with agency officials at the same level of expertise. It would be impossible for an official to obfuscate the clear meaning of the law. The ombudsman would, whenever justified, insist on corrective action being taken and then report back directly to the Congressman.

Two important benefits would be derived from an office of ombudsman. First, citizens complaints would be more effectively resolved and second, the Congressman would be able to have his staff devote more time to his primary function—that of a legislator, drafting and voting on the laws of the land.

Congressional reform is a fertile topic deserving close attention by the public. Everyone has his own pet peeves and suggestions for improvement. The important thing is that results flow from the debate. It is time for Congress to be shaped in the image of the last half of the 20th century.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MORSE (at the request of Mr. GERALD R. FORD), for the week of October 13, on account of official business conferring with chairman and members of the U.S. delegation to Paris Peace Conference and U.S. delegate to conferences of the Development Assistance Committee of the OECD.

Mr. JONES of Tennessee (at the request of Mr. ANDERSON of Tennessee), for today, on account of official business.

Mr. CORMAN, for Monday, October 20, on account of official business.

Mr. ASPINALL, from October 22 to October 27, 1969, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. HAMMERSCHMIDT); to revise and extend their remarks and include extraneous matter:)

Mr. HALL, for 60 minutes, on October 27, 1969.

Mr. DEVINE, for 60 minutes, on October 27, 1969.

Mr. KUYKENDALL, for 30 minutes, on October 21, 1969.

(The following Members (at the request of Mr. CAFFERY); to revise and extend their remarks and to include extraneous matter:)

Mr. FARBSTEIN, for 20 minutes, today.

Mr. REUSS, for 30 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

Mr. RYAN, for 60 minutes, on November 13.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

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Mr. Kyl to revise and extend remarks made in connection with H.R. 14195.

Mr. Abbitt to revise and extend remarks and include extraneous matter in connection with H.R. 14195.

(The following Members (at the request of Mr. Hammerschmidt) and to include extraneous matter:)

Mr. Robison.
Mr. Wyman in two instances.
Mr. Halpern.
Mr. Steiger of Wisconsin.
Mr. Snyder.
Mr. Broomfield.
Mr. Langen.
Mr. Johnson of Pennsylvania.
Mr. Dickinson.
Mr. Skubitz in two instances.
Mr. Springer.
Mr. Michel.
Mr. Derwinski in two instances.
Mr. Taft in two instances.
Mr. Chamberlain in two instances.
Mr. Rhodes.
Mr. Stafford.
Mr. Bray in two instances.
Mr. Reid of New York.

(The following Members (at the request of Mr. Caffery) and to include extraneous matter:)

Mr. Marsh in two instances.
Mr. Purcell.
Mr. Long of Maryland in two instances.
Mr. Fisher in two instances.
Mr. Bolling.
Mr. Teague of Texas in six instances.
Mr. Baring.
Mr. O'Hara in three instances.
Mr. Rarick in three instances.
Mr. Johnson of California.
Mr. Cohelan in two instances.
Mr. William D. Ford.
Mrs. Sullivan in two instances.
Mr. Friedel in two instances.
Mr. Waldie in two instances.
Mr. Celler in two instances.
Mr. Hamilton in 10 instances.
Mr. Helstoski.
Mr. Udall in seven instances.
Mr. Ottinger.
Mr. Fountain in two instances.
Mr. Olsen in three instances.
Mr. Gonzalez in two instances.
Mr. Eilberg.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2214. An act to exempt potatoes for processing from marketing orders; to the Committee on Agriculture.

ENROLLED BILL SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 11039. An act to amend further the Peace Corps Act (75 Stat. 612), as amended.

ADJOURNMENT

Mr. CAFFERY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 12 minutes p.m.), the House adjourned until tomorrow, Tuesday, October 21, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1265. A letter from the Director, Federal Judicial Center, transmitting the second annual report of the Center (H. Doc. No. 91–181); to the Committee on the Judiciary and ordered to be printed.

1266. A letter from the adjutant general, Veterans of Foreign Wars of the United States of America, transmitting the audit of the quartermaster general of the VFW for the fiscal year ended August 31, 1969, pursuant to the provisions of Public Law 630 (74th Congress); to the Committee on Armed Services.

1267. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Public Health Service Act so as to extend for an additional period the authority to make formula grants to schools of public health; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PHILBIN: Committee on Armed Services. H.R. 4296. A bill to amend title 37, United States Code, to provide for the procurement and retention of judge advocates and law specialist officers for the armed forces; with amendments (Rept. No. 91–579). Referred to the Committee of the Whole House on the state of the Union.

Mr. FISHER: Committee on Armed Services. H.R. 82. A bill to amend title 37, United States Code, to modify requirements necessary to establish entitlement to incentive pay for members of submarine operational command staffs serving on submarines during underway operations; with amendments (Rept. No. 91–580). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANNUNZIO (for himself, Mr. Burke of Massachusetts, Mr. Burton of California, Mr. Cahill, Mrs. Chisholm, Mr. Clay, Mr. Dent, Mr. Fulton of Pennsylvania, Mr. Halpern, Mr. Miller of California, Mrs. Mink, Mr. Moss, Mr. O'Neill of Massachusetts, Mr. Rosenthal, Mr. Sisk, Mr. Tunney, and Mr. Vigorito):

H.R. 14400. A bill to amend title XII of the National Housing Act to provide, under the urban property protection and reinsurance program, for direct Federal insurance against losses to habitational property for which insurance is not otherwise available or is available only at excessively surcharged rates, to make crime insurance mandatory under such program, to provide assistance to homeowners to aid in reducing the causes of excessive surcharges, and for other purposes; to the Committee on Banking and Currency.

By Mr. BIESTER (for himself, Mr. Halpern, Mr. Hungate, Mr. Matsunaga, and Mr. Whitehurst):

H.R. 14401. A bill to amend the Food Stamp Act of 1964 to authorize elderly persons to exchange food stamps under certain circumstances for meals prepared and served by private nonprofit organizations, and for other purposes; to the Committee on Agriculture.

By Mr. BINGHAM (for himself, Mr. Brasco, Mr. Brown of California, Mr. Clay, Mr. Culver, Mr. Diggs, Mr. Edwards of California, Mr. Farbstein, Mr. Fraser, Mr. Green of Pennsylvania, Mr. Koch, Mr. Lowenstein, Mr. Mikva, Mr. Ottinger, Mr. Reid of New York, Mr. Ryan, and Mr. Scheuer):

H.R. 14402. A bill to amend the Sugar Act of 1948 to terminate the quota for South Africa, and to redistribute said quota among certain developing African nations; to the Committee on Agriculture.

By Mr. BLACKBURN (for himself, Mr. Moorhead, and Mr. Chappell):

H.R. 14403. A bill to amend the Bank Holding Company Act of 1956; to the Committee on Banking and Currency.

By Mr. BOGGS:

H.R. 14404: A bill to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors; to the Committee on the Judiciary.

By Mr. BROTZMAN:

H.R. 14405. A bill to amend title II of the Social Security Act to increase from $160 to $250 a month the amount of the gratuitous wage credit allowed in computing benefits thereunder for active military or naval service performed during World War II or the Korean conflict; to the Committee on Ways and Means.

By Mr. COHELAN (for himself, Mr. Anderson of California, Mr. Brown of California, Mr. Burton of California, Mr. Corman, Mr. Edwards of California, Mr. Hanna, Mr. Holifield, Mr. Leggett, Mr. Miller of California, Mr. Moss, Mr. Rees, Mr. Roybal, Mr. Tunney, Mr. Van Deerlin, Mr. Waldie, and Mr. Charles H. Wilson):

H.R. 14406. A bill to amend the Land and Water Conservation Act of 1965 to provide that authority to enter into certain mineral leases with respect to the Outer Continental Shelf shall be suspended during any period when amounts in the land and water conservation fund are impounded or otherwise withheld from expenditure, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. COLLIER:

H.R. 14407. A bill to amend the Federal Water Pollution Control Act, as amended, to provide adequate financial assistance and to increase the allotment to certain States of construction grant funds; to the Committee on Public Works.

By Mr. CONABLE:

H.R. 14408. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. DULSKI:

H.R. 14409. A bill to amend title II of the Social Security Act to provide a 15-percent across-the-board increase in monthly benefits, with subsequent cost-of-living increases in such benefits and a minimum primary benefit of $80; to the Committee on Ways and Means.

By Mrs. DWYER:

H.R. 14410. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

H.R. 14411. A bill to amend title II of the Social Security Act to increase from $1,680 to $3,000 (or $4,200 in the case of a widow with minor children) the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. KLEPPE:

H.R. 14412. A bill to protect interstate and

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foreign commerce by prohibiting the movement in such commerce of horses which are "sored," and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MIKVA:

H.R. 14413. A bill to extend the fourth-class mail rate for books and educational materials to photographic prints mailed to and from amateur photographers and nonprofit photographic exhibitions, photographic societies, and photographic print study groups; to the Committee on Post Office and Civil Service.

By Mr. MIKVA (for himself and Mr. Edwards of California):

H.R. 14414. A bill to prohibit hiring professional strikebreakers in interstate labor disputes; to the Committee on Education and Labor.

By Mr. MOSHER:

H.R. 14415. A bill to provide that the fiscal year of the United States shall coincide with the calendar year; to the Committee on Government Operations.

By Mr. ST. ONGE:

H.R. 14416. A bill to amend the Social Security Act to provide increases in benefits under the old-age, survivors, and disability insurance program, to provide health insurance benefits for the disabled, and for other purposes; to the Committee on Ways and Means.

By Mr. STAGGERS (for himself, Mr. Springer, Mr. Gerald R. Ford, Mr. Boland, and Mr. Conte):

H.R. 14417. A bill to authorize the Secretary of Transportation to prescribe rules, regulations, and performance and other standards as he finds necessary for all areas of railroad safety and to conduct railroad safety research; to the Committee on Interstate and Foreign Commerce.

By Mr. TUNNEY:

H.R. 14418. A bill to amend the Marine Resources and Engineering Development Act of 1966 to establish a comprehensive and long-range national program of research, development, technical services, exploration, and utilization with respect to our marine and atmospheric environment; to the Committee on Merchant Marine and Fisheries.

By Mr. WEICKER:

H.R. 14419. A bill to authorize the Secretary of Transportation to prescribe rules, regulations, and performance and other standards as he finds necessary for all areas of railroad safety and to conduct railroad safety research; to the Committee on Interstate and Foreign Commerce.

By Mr. ZWACH:

H.R. 14420. A bill to extend for 3 years the authority of the Armed Forces and the Veterans' Administration to use dairy products purchased by the Commodity Credit Corporation; to the Committee on Agriculture.

By Mr. KEITH:

H.J. Res. 962. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. BLACKBURN:

H. Con. Res. 415. Concurrent resolution urging the adoption of policies to offset the adverse effects of governmental monetary restrictions upon the housing industry; to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H. Con. Res. 416. Concurrent resolution expressing the sense of Congress with respect to the assignment to Vietnam of persons inducted into the Armed Forces; to the Committee on Armed Services.

By Mr. FRIEDEL:

H. Con. Res. 417. Concurrent resolution to provide that failure of executive departments, agencies or instrumentalities of the Federal Government to respond within 60 days to requests from committees of Congress for reports on pending legislation shall create the conclusive presumption that such agencies favor enactment of the legislation and that enactment is consistent with the legislative program of the President; to the Committee on Rules.

By Mr. HANNA:

H. Con. Res. 418. Concurrent resolution urging the adoption of policies to offset the adverse effects of governmental monetary restrictions upon the housing industry; to the Committee on Ways and Means.

By Mr. PURCELL (for himself and Mr. Collins):

H. Con. Res. 419. Concurrent resolution urging the adoption of policies to offset the adverse effects of governmental monetary restrictions upon the housing industry; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BERRY:

H.R. 14421. A bill to provide for the conveyance of certain property of the United States located in Lawrence County, S. Dak., to John and Ruth Rachetto; to the Committee on Interior and Insular Affairs.

By Mr. MURPHY of New York:

H.R. 14422. A bill for the relief of Giuseppe Musumeci and Concetta Franca Mellia Musumeci; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 14423. A bill for the relief of Alfio Occhio; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 14424. A bill for the relief of Loretta, Blondel, Brenalyn, Benaud, Beverly, and Brenda Lee Jones; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII,

268. The SPEAKER presented a memorial of the Legislature of the State of Wisconsin, relative to questions proposed to be asked on the 1970 decennial census, which was referred to the Committee on Post Office and Civil Service.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

297. By the SPEAKER: Petition of the American Ornithologists' Union, Washington, D.C., relative to establishing the Buffalo River as a national wild river; to the Committee on Interior and Insular Affairs.

298. Also, petition of Henry Stoner, York, Pa., relative to debate on Vietnam; to the Committee on Rules.

299. Also, petition of Francis A. Briney, Rocky Mount, N.C., relative to pensions for veterans of World War I; to the Committee on Veterans' Affairs.

SENATE—*Monday, October 20, 1969*

The Senate met at 12 o'clock noon and was called to order by the President pro tempore.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

> "Holy Spirit, Truth divine,
> Dawn upon this soul of mine;
> Word of God, and inward Light,
> Wake my spirit, clear my sight."
> —Samuel Longfellow, 1864.

Eternal Father, may this song of the soul awaken us to all true values, clear our sight, and so guard and guide us that daily duties may be lifted into acts of worship. Refresh us at this noonday altar lest we weary before our work is done or despair because the tasks are too difficult. In a world uncertain about many things make us certain of Thee with an inner certitude of experience which endures "the strain of toil, the fret of care." Keep us clear in mind, steadfast in spirit, resolute in righteousness, that we may be used by Thee for the welfare of all mankind and the fashioning of this Nation in the pattern of the kingdom whose maker and ruler is God.

In His name we pray. Amen.

REPORTS OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of October 16, 1969, the following reports of a committee were submitted on October 17, 1969:

By Mr. CRANSTON, from the Committee on Labor and Public Welfare, without amendment:

H.R. 2768. An act to amend title 38 of the United States Code in order to eliminate the 6-month limitation on the furnishing of nursing home care in the case of veterans with service-connected disabilities (Rept. No. 91–482); and

H.R. 3130. An act to amend title 38, United States Code, to provide that the Administrator of Veterans' Affairs may furnish medical services for non-service-connected disability to any war veteran who has total disability from a service-connected disability (Rept. No. 91–483).

By Mr. CRANSTON, from the Committee on Labor and Public Welfare, with an amendment:

H.R. 9334. An act to amend title 38, United States Code, to promote the care and treatment of veterans in State veterans' homes (Rept. No. 91–484).

By Mr. CRANSTON, from the Committee on Labor and Public Welfare, with amendments:

S. 1279. A bill to provide that any disability of a veteran who is a former prisoner of war is presumed to be service-connected for purposes of hospitalization and outpatient care (Rept. No. 91–486);

H.R. 693. An act to amend title 38 of the United States Code to provide that veterans who are 72 years of age or older shall be deemed to be unable to defray the expenses of necessary hospital or domiciliary care, and for other purposes (Rept. No. 91–481); and

H.R. 9634. An act to amend title 38 of the United States Code in order to improve and make more effective the Veterans' Administration program of sharing specialized medical resources (Rept. No. 91–485).

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, October 16, 1969, be dispensed with.

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The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries, and he announced that the President had approved and signed the following acts and joint resolution:

On October 14, 1969:

S. 330. An act for the relief of Dr. Konstantinos Nicholaos Babaliaros.

S. 2068. An act to amend section 302(c) of the Labor-Management Relations Act of 1947 to permit employer contributions to trust funds to provide employees, their families, and dependents with scholarships for study at educational institutions or the establishment of child-care centers for preschool and school-age dependents of employees.

On October 15, 1969:

S.J. Res. 46. Joint resolution to authorize the President to designate the period beginning November 16, 1969, and ending November 22, 1969, as "National Family Health Week."

EXECUTIVE MESSAGES REFERRED

As in executive session the President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

H.R. 12781. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1970, and for other purposes; and

H.R. 13194. An act to authorize special allowances for lenders with respect to insured student loans under title IV-B of the Higher Education Act of 1965 when necessary in the light of economic conditions in order to assure that students will have reasonable access to such loans for financing their education, and to increase the authorizations for certain other student assistance programs.

WAIVER OF CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

RETIREMENT OF JUSTICES AND JUDGES OF THE UNITED STATES

Mr. MANSFIELD. Mr. President, for the information of the Senate, the pending business, S. 1508, a bill providing for the retirement of U.S. judges after 20 years of service, will be laid aside for a period of time and will not be considered today or in the immediate future.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. SCOTT. This bill was introduced by the Senator from Maryland (Mr. Tydings) and myself. I understand the Senator's request, and I have no objection, but I do hope that this matter can be brought up soon.

Mr. MANSFIELD. The request of the distinguished minority leader will be given every consideration. May I say that the majority leader is acting at the request of the Senator from Maryland, which I am sure the distinguished minority leader understands.

INTRODUCTION OF BILLS AND SUBMISSION OF RESOLUTIONS

Mr. MANSFIELD. Mr. President, on behalf of myself and the distinguished minority leader, I ask unanimous consent to have printed in the Record a letter which the minority leader and I have sent to the Secretary of the Senate. We hope that all Senators will carefully note its contents.

There being no objection, the letter was ordered to be printed in the Record, as follows:

U.S. Senate,
Office of the Majority Leader,
Washington, D.C., October 1, 1969.

Hon. Francis R. Valeo,
Secretary of the Senate,
Washington, D.C.

Dear Frank: As you know, under Rule VII, the introduction of bills and resolutions is limited to the period for the transaction of morning business unless unanimous consent of the Senate is obtained. The Senate rule controlling the introduction of private bills and resolutions, however, is more liberal than that applicable to public bills, providing as follows:

"Senators having petitions, memorials, pension bills, or bills for the payment of private claims to present after the morning hour may deliver them to the Secretary of the Senate."

While the practice for many years has been to interpret the latter provision as permitting staff aides of Senators to deliver such items to the desk, it would appear to us that a stricter interpretation is now in order. After consultation with Senators of both parties, including the Chairman of the Ethics Committee (Mr. Stennis), it is our joint view that in accordance with the rules, bills and resolutions should no longer be received at the desk by the Parliamentarian for reference to the appropriate standing committees unless they are signed by and delivered at the desk, in person, by the Senator introducing them.

Mike Mansfield.
Hugh Scott.

BOARD OF EDUCATION, LEE COUNTY, S.C.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 339, H.R. 9946.

The PRESIDENT pro tempore. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 9946) to authorize and direct the Secretary of Agriculture to quitclaim retained rights in certain tracts of land to the Board of Education of Lee County, S.C.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, I send to the desk, on behalf of the distinguished Senator from Wisconsin (Mr. Proxmire), an amendment to the bill.

The PRESIDENT pro tempore. The amendment will be stated.

The legislative clerk read as follows:

On page 1, beginning in line 5 with the word "a", strike all through the word "to" in line 9, and insert "an agreement subordinating all right, title, and interest of the United States of America in and to the land hereinafter described to a lien or liens to be executed by the said Board of Education of Lee County, South Carolina, its successors or assigns for the financing of consolidated public school improvements on the said land, which consists of".

Mr. HOLLINGS. Mr. President, by way of explanation of H.R. 9946, now under consideration, the purpose of the bill is to direct and authorize the Secretary of Agriculture to execute and deliver to the Board of Education of Lee County, S.C., an original quitclaim deed conveying and releasing all rights, title, and interest of the United States of America. At present, the rights, title, and interest of the United States is shared with the South Carolina Rural Rehabilitation Corp. on an undivided basis. The United States holds a 61.9-percent interest; the remainder is held by the South Carolina Rural Rehabilitation Corp. The amendment offered by the Senator from Wisconsin (Mr. Proxmire) would eliminate the quitclaim deed aspect and subordinate all rights, title, and interest of the United States to a lien or liens to be executed by the Board of Education of Lee County, S.C., its successors, or assigns, which would permit the board of education to issue bonds required to finance the construction for a consolidated high school.

Since the proposed amendment would permit the original intent of the bill, I urge that the matter receive favorable consideration by the Senate.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Wisconsin.

The amendment was agreed to.

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The **PRESIDENT** pro tempore. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The **PRESIDENT** pro tempore. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 9946) was passed.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–344), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

> This bill directs Secretary of Agriculture to quitclaim all interest of the United States in approximately 285 acres to the Board of Education of Lee County, S.C. The United States owns an undivided 61.9 percent interest in retained reversionary rights and mineral interests. The other 38.1 percent is owned by the South Carolina Rural Rehabilitation Corp. The property was acquired by the United States and the Rehabilitation Corp., for a resettlement project and the United States conveyed its interest in 1945 and 1946 to the South Carolina State Superintendent of Education, subject to the right to reenter if the property was not used for school and community purposes. The South Carolina State Department of Education transferred the property to the Lee County Board of Education on May 20, 1953. The Lee County Board of Education has, since 1953, operated a 12-grade public school on the land. In an effort to comply with an order of the U.S. District Court of South Carolina to provide integrated educational facilities in Lee County, the board of education has proposed, the Department of Health, Education, and Welfare has approved, the construction of a single high school for Lee County on the property in question. Clear title to the land is a prerequisite to the issuance of construction bonds required to finance the project.
>
> The Department of Agriculture suggested amendments (1) directing the Secretary of the Interior to join in the conveyance, since he administers the reserved mineral rights; and (2) conditioning the conveyance upon conveyance by the rehabilitation corporation of its interest. The committee did not adopt either of these amendments, because neither of them appeared necessary, and their adoption might result in some delay in passage of the bill. Enactment is regarded as urgent to permit the board of education to comply with the court order. The rehabilitation corporation advised the House Committee on Agriculture that it was preparing a deed to quitclaim its interest. The Department of Agriculture advised informally that it did not regard its suggested amendments as essential.
>
> COST
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> Enactment of the legislation will result in a savings to the Government. Passage of the bill will enable the Lee County Board of Education to comply with a Federal court order, the continued enforcement of which would result in expenses to the Government.

The title was amended, so as to read: "An Act to authorize and direct the Secretary of Agriculture to execute a subordination agreement with respect to certain lands in Lee County, South Carolina."

PROGRAM FOR VETERANS DAY AND THANKSGIVING

Mr. **SCOTT**. Mr. President, I rise to ask the distinguished majority leader what the program is for the period over Veterans Day, November 11, and for the period over Thanksgiving.

Mr. **MANSFIELD**. Mr. President, in response to the question raised by the distinguished minority leader, the Senate will be in session on Veterans Day, which is Tuesday, November 11. The Senate will be out of session from the conclusion of business on the Wednesday before Thanksgiving Day until noon the following Monday.

I think it is better to operate in that fashion this particular year, so that we can comply with the request of the President that his legislation be given as expeditious consideration as possible.

Also, I am fearful that, with Veterans Day falling on a Tuesday, we might have a poor attendance on Monday or Wednesday.

So in this instance I would say that discretion is the better part of valor.

Mr. **SCOTT**. And on Veterans Day we can make due observance, I take it, of the original purpose for which the day was established—that is Armistice Day—in memory of those who have fallen in our numerous wars.

Mr. **MANSFIELD**. Yes, indeed; and I expect to make some remarks of that nature on that day. I know the distinguished minority leader will make some, and so will other Members of the Senate; and we will pay our respects to those who have done so much for their country in serving it in time of war and given their lives in its cause.

Mr. **SCOTT**. I thank the distinguished majority leader.

POTATO RESEARCH AND PROMOTION ACT

Mr. **HOLLAND**. Mr. President, while both distinguished leaders are in the Chamber, and while the distinguished Senator from North Dakota (Mr. YOUNG) is also present, I wish to have an important matter cleared up.

Last Thursday, when the Senate passed S. 1181, the Senator from North Dakota (Mr. YOUNG) offered an amendment in behalf of the Senator from Alaska (Mr. STEVENS) extending the provisions of the bill to the States of Alaska and Hawaii, the Senator from Alaska being at that time absent from the Senate on official business in Europe.

While the production of potatoes in those two States is negligible at the present time, I stated that if the Senator from Alaska wished to offer an amendment, or some other Senator wished to offer it for him, I would have no objection to it and would yield to the sponsors and authors of the bill on that matter.

Both the Senator from North Dakota and I have found since passage of the bill that the Senator from Alaska had determined that the bill should not be extended to Hawaii and Alaska at this time, and did not intend to offer his amendment.

I ask unanimous consent therefore, to reconsider the vote by which S. 1181 was read a third time and passed and that the words "forty-eight contiguous States of the" be inserted after the word "the" on line 16, page 3, and also that those words be inserted on page 5 after the word "the" on line 1, and that the bill be read again the third time and passed.

I may say, for the information of the Senate, that this matter has been worked out with the Parliamentarian and with the distinguished Senator from North Dakota, and I understand that it fully complies with the present request of the distinguished Senator from Alaska.

I yield to the distinguished Senator from North Dakota.

Mr. **YOUNG** of North Dakota. Mr. President, I support the request of the Senator from Florida. I did offer the amendment for Senator STEVENS, in his absence, not knowing that he had made a request that it not be considered. He had made this request through the mail, and there was some delay in the mail reaching us.

Mr. **HOLLAND**. Mr. President, this is a sad commentary on the state of our mail service. The letter was received by both the Senator from North Dakota and myself 3 days after its mailing here in the Senate and was received after the passage of the bill, so the mistake was thoroughly understandable because the Senator from Alaska had changed the previous intention after exploring the matter with the potato producers of his State.

Mr. President, I now renew my unanimous consent that the Senate reconsider the vote by which S. 1181 was read the third time and passed.

The **PRESIDENT** pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1181) to enable potato growers to finance a nationally coordinated research and promotion program to improve their competitive position and expand their markets for potatoes by increasing consumer acceptance of such potatoes and potato products and by improving the quality of potatoes and potato products that are made available to the consumer.

The **PRESIDENT** pro tempore. Is there objection to the request of the Senator from Florida? The Chair hears none, and it is so ordered.

Mr. **HOLLAND**. Mr. President, I ask unanimous consent that the Senate reconsider the vote by which the amendment offered by the Senator from North Dakota (Mr. YOUNG) on behalf of the Senator from Alaska (Mr. STEVENS) was agreed to.

The **PRESIDENT** pro tempore. Is there objection to the request of the Senator from Florida?

The Chair hears none, and it is so ordered.

Mr. **HOLLAND**. Mr. President, I ask unanimous consent that the changes requested in my original request be made in order to restore the bill to its original form; that is, that the words "forty-eight contiguous States of the" be inserted after the word "the" on line 16, page 3, and also that those words be inserted on page 5 after the word "the" on line 1, and that the bill be repassed.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Florida? The Chair hears none, and it is so ordered. The original language will be reinserted in the bill.

The bill (S. 1181) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1181

An act to provide for potato and tomato promotion programs

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—POTATO RESEARCH AND PROMOTION

This title may be cited as the "Potato Research and Promotion Act".

FINDINGS AND DECLARATION OF POLICY

SEC. 2. Potatoes are a basic food in the United States. They are produced by many individual potato growers in every State in the United States. In 1966, there were one million four hundred and ninety-seven thousand acres of cropland in the United States devoted to the production of potatoes. Approximately two hundred and seventy-five million hundredweight of potatoes have been produced annually during the past five years with an estimated sales value to the potato producers of $561,000,000.

Potatoes and potato products move, in a large part, in the channels of interstate commerce, and potatoes which do not move in such channels directly burden or affect interstate commerce in potatoes and potato products. All potatoes produced in the United States are in the current of interstate commerce or directly burden, obstruct, or affect interstate commerce in potatoes and potato products.

The maintenance and expansion of existing potato markets and the development of new or improved markets are vital to the welfare of potato growers and those concerned with marketing, using, and processing potatoes as well as the general economic welfare of the Nation.

Therefore, it is the declared policy of the Congress and the purpose of this title that it is essential in the public interest, through the exercise of the powers provided herein, to authorize the establishment of an orderly procedure for the financing, through adequate assessments on all potatoes harvested in the United States for commercial use, and the carrying out of an effective and continuous coordinated program of research, development, advertising and promotion designed to strengthen potatoes' competitive position and to maintain and expand domestic and foreign markets for potatoes produced in the United States.

DEFINITIONS

SEC. 3. As used in this title:

(a) The term "secretary" means the Secretary of Agriculture.

(b) The term "person" means any individual, partnership, corporation, association, or other entity.

(c) The term "potatoes" means all varieties of Irish potatoes grown by producers in the forty-eight contiguous States of the United States.

(d) The term "handler" means any person (except a common or contract carrier of potatoes owned by another person) who handles potatoes in a manner specified in a plan issued pursuant to this title or the rules and regulations issued thereunder.

(e) The term "producer" means any person engaged in the growing of five or more acres of potatoes.

(f) The term "promotion" means any action taken by the National Potato Promotion Board, pursuant to this title, to present a favorable image for potatoes to the public with the express intent of improving their competitive positions and stimulating sales of potatoes and shall include, but shall not be limited to, paid advertising.

AUTHORITY TO ISSUE A PLAN

SEC. 4 To effectuate the declared policy of this title, the Secretary shall, subject to the provisions of this title, issue and from time to time amend, orders applicable to persons engaged in the handling of potatoes (hereinafter referred to as handlers) and shall have authority to issue orders authorizing the collection of assessments on potatoes handled under the provisions of this title, and to authorize the use of such funds to provide research, development, advertising, and promotion of potatoes in a manner prescribed in this title. Any order issued by the Secretary under this title shall hereinafter in this title be referred to as a "plan". Any such plan shall be applicable to potatoes produced in the forty-eight contiguous States of the United States.

NOTICE AND HEARING

SEC. 5. When sufficient evidence is presented to the Secretary by potato producers, or whenever the Secretary has reason to believe that a plan will tend to effectuate the declared policy of this title, he shall give due notice and opportunity for a hearing upon a proposed plan. Such hearing may be requested by potato producers or by any other interested person or persons, including the Secretary, when the request for such hearing is accompanied by a proposal for a plan.

FINDING AND ISSUANCE OF A PLAN

SEC. 6. After notice and opportunity for hearing, the Secretary shall issue a plan if he finds, and sets forth in such plan, upon the evidence introduced at such hearing, that the issuance of such plan and all the terms and conditions thereof will tend to effectuate the declared policy of this title.

REGULATIONS

SEC. 7. The Secretary is authorized to make such regulations with the force and effect of law, as may be necessary to carry out the provisions of this title and the powers vested in him by this title.

REQUIRED TERMS IN PLANS

SEC. 8. Any plan issued pursuant to this title shall contain the following terms and conditions:

(a) Providing for the establishment by the Secretary of a National Potato Promotion Board (hereinafter referred to as "the board") and for defining its powers and duties, which shall include powers—

(1) to administer such plan in accordance with its terms and conditions;

(2) to make rules and regulations to effectuate the terms and conditions of such plan;

(3) to receive, investigate, and report to the Secretary complaints of violations of such plan; and

(4) to recommend to the Secretary amendments to such plan.

(b) Providing that the board shall be composed of representatives of producers selected by the Secretary from nominations made by producers in such manner as may be prescribed by the Secretary. In the event producers fail to select nominees for appointment to the board, the Secretary shall appoint producers on the basis of representation provided for in such plan.

(c) Providing that board members shall serve without compensation, but shall be reimbursed for reasonable expenses incurred in performing their duties as members of the board.

(d) Providing that the board shall prepare and submit to the Secretary for his approval a budget, on a fiscal period basis, of its anticipated expenses and disbursements in the administration of the plan, including probable costs of research, development, advertising, and promotion.

(e) Providing that the board shall recommend to the Secretary and the Secretary shall fix the assessment rate required for such costs as may be incurred pursuant to subsection (d) of this section; but in no event shall the assessment rate exceed 1 cent per one hundred pounds of potatoes handled.

(f) Providing that—

(1) funds collected by the board shall be used for research, development, advertising, or promotion of potatoes and potato products and such other expenses for the administration, maintenance, and functioning of the board as may be authorized by the Secretary;

(2) no advertising or sales promotion program shall make any reference to private brand names or use false or unwarranted claims in behalf of potatoes or their products or false or unwarranted statements with respect to the attributes or use of any competing products; and

(3) no funds collected by the board shall in any manner be used for the purpose of influencing governmental policy or action, except as provided by subsection (a)(4) of this section.

(g) Providing that, notwithstanding any other provisions of this title, any potato producer against whose potatoes any assessment is made and collected under authority of this title and who is not in favor of supporting the research and promotion program as provided for under this title shall have the right to demand and receive from the board a refund of such assessment: *Provided,* That such demand shall be made personally by such producer in accordance with regulations and on a form and within a time period prescribed by the board and approved by the Secretary, but in no event less than ninety days, and upon submission of proof satisfactory to the board that the producer paid the assessment for which refund is sought, and any such refund shall be made within sixty days after demand therefor.

(h) Providing that the board shall, subject to the provisions of subsections (e) and (f) of this section, develop and submit to the Secretary for his approval any research, development, advertising or promotion programs or projects, and that any such program or project must be approved by the Secretary before becoming effective.

(i) Providing the board with authority to enter into contracts or agreements, with the approval of the Secretary, for the development and carrying out of research, development, advertising or promotion programs or projects, and the payment of the cost thereof with funds collected pursuant to this title.

(j) Providing that the board shall maintain books and records and prepare and submit to the Secretary such reports from time to time as may be prescribed for appropriate accounting with respect to the receipt and disbursement of funds entrusted to it and cause a complete audit report to be submitted to the Secretary at the end of each fiscal period.

PERMISSIVE TERMS IN PLANS

SEC. 9. Any plan issued pursuant to this title may contain one or more of the following terms and conditions:

(a) Providing authority to exempt from the provisions of the plan potatoes used for nonfood uses, and authority for the board to require satisfactory safeguards against improper use of such exemptions.

(b) Providing for authority to designate different handler payment and reporting schedules to recognize differences in marketing practices and procedures utilized in different production areas.

(c) Providing for the establishment, issuance, effectuation, and administration of appropriate programs or projects for the ad-

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vertising and sales promotion of potatoes and potato products and for the disbursement of necessary funds for such purposes: *Provided, however,* That any such program or project shall be directed toward increasing the general demand for potatoes and potato products: *And provided further,* That such promotional activities shall comply with the provisions of section 8(f) of this title.

(d) Providing for establishing and carrying on research and development projects and studies to the end that the marketing and utilization of potatoes may be encouraged, expanded, improved, or made more efficient, and for the disbursement of necessary funds for such purposes.

(e) Providing for authority to accumulate reserve funds from assessments collected pursuant to this title, to permit an effective and continuous coordinated program of research, development, advertising and promotion in years when the production and assessment income may be reduced: *Provided,* That the total reserve fund does not exceed the amount budgeted for two years' operation.

(f) Providing for authority to use funds collected herein, with the approval of the Secretary, for the development and expansion of potato and potato product sales in foreign markets.

(g) Terms and conditions incidental to and not inconsistent with the terms and conditions specified in this title and necessary to effectuate the other provisions of such plan.

ASSESSMENTS

SEC. 10. (a) Each handler designated by the board, pursuant to regulations issued under the plan, to make payment of assessments shall be responsible for payment to the board, as it may direct, of any assessment levied on potatoes; and such handler may collect from any producer or deduct from the proceeds paid to any producer, on whose potatoes such assessment is made, any such assessment required to be paid by such handler. Such handler shall maintain a separate record with respect to each producer for whom potatoes were handled, and such records shall indicate the total quantity of potatoes handled by him including those handled for producers and for himself, shall indicate the total quantity of potatoes handled by him which are included under the terms of a plan as well as those which are exempt under such plan, and shall indicate such other information as may be prescribed by the board. To facilitate the collection and payment of such assessments, the board may designate different handlers or classes of handlers to recognize difference in marketing practices or procedures utilized in any State or area. No more than one such assessment shall be made on any potatoes.

(b) Handlers responsible for collection of assessments under subsection (a) of this section shall maintain and make available for inspection by the Secretary such books and records as required by the plan and file reports at the times, in the manner, and having the content prescribed by the plan, to the end that information and data shall be made available to the board and to the Secretary which is appropriate or necessary to the effectuation, administration, or enforcement of this title or of any plan or regulation issued pursuant to this title.

(c) All information obtained pursuant to subsections (a) and (b) of this section shall be kept confidential by all officers and employees of the Department of Agriculture and of the board, and only such information so furnished or acquired as the Secretary deems relevant shall be disclosed by them, and then only in a suit or administrative hearing brought at the direction, or upon the request, of the Secretary, or to which he or any officer of the United States is a party, and involving the plan with reference to which the information to be disclosed was furnished or acquired. Nothing in this section shall be deemed to prohibit—

(1) the issuance of general statements based upon the reports of a number of handlers subject to a plan if such statements do not identify the information furnished by any person, or

(2) the publication by direction of the Secretary of the name of any person violating any plan together with a statement of the particular provisions of the plan violated by such person.

Any such officer or employee violating the provisions of this subsection shall upon conviction be subject to a fine of not more than $1,000 or imprisonment for not more than one year, or both, and shall be removed from office.

PETITION AND REVIEW

SEC. 11. (a) Any person subject to a plan may file a written petition with the Secretary stating that such plan or any provision of such plan or any obligation imposed in connection therewith is not in accordance with law and praying for a modification thereof or to be exempted therefrom. He shall thereupon be given an opportunity for a hearing upon such petition, in accordance with regulations made by the Secretary. After such hearing, the Secretary shall make a ruling upon the prayer of such petition which shall be final, if in accordance with law.

(b) The district courts of the United States in any district in which such person is an inhabitant, or has his principal place of business, are hereby vested with jurisdiction to review such ruling: *Provided,* That a complaint for that purpose is filed within twenty days from the date of the entry of such ruling. Service of process in such proceedings may be had upon the Secretary by delivering to him a copy of the complaint. If the court determines that such ruling is not in accordance with law, it shall remand such proceedings to the Secretary with directions either (1) to make such ruling as the court shall determine to be in accordance with law, or (2) to take such further proceedings as, in its opinion, the law requires. The pendency of proceedings instituted pursuant to subsection (a) of this section shall not impede, hinder, or delay the United States or the Secretary from obtaining relief pursuant to section 12(a) of this title.

ENFORCEMENT

SEC. 12. (a) The several district courts of the United States are vested with jurisdiction specifically to enforce, and to prevent and restrain any person from violating any plan or regulation made or issued pursuant to this title.

(b) Any handler who violates any provisions of any plan issued by the Secretary under this title, or who fails or refuses to remit any assessment or fee duly required of him thereunder shall be subject to criminal prosecution and shall be fined not less than $100 or more than $1,000 for each such offense.

INVESTIGATION AND POWER TO SUBPENA

SEC. 13. (a) The Secretary may make such investigations as he deems necessary for the effective carrying out of his responsibilities under this title or to determine whether a handler or any other person has engaged or is engaging in any acts or practices which constitute a violation of any provision of this title, or of any plan, or rule or regulation issued under this title. For the purpose of any such investigation, the Secretary is empowered to administer oaths and affirmations, subpena witnesses, compel their attendance, take evidence, and require the production of any books, papers, and documents which are relevant to the inquiry. Such attendance of witnesses and the production of any such records may be required from any place in the United States. In case of contumacy by, or refusal to obey a subpena issued to, any person, including a handler, the Secretary may invoke the aid of any court of which such investigation or proceeding is carried on, or where such person resides or carries on business, in requiring the attendance and testimony of witnesses and the production of books, papers, and documents; and such court may issue an order requiring such person to appear before the Secretary, there to produce records, if so ordered, or to give testimony touching the matter under investigation. Any failure to obey such order of the court may be punished by such court as contempt thereof. All process in any such case may be served in the judicial district whereof such person is an inhabitant or wherever he may be found. The site of any hearings held under this section shall be within the judicial district where such handler or other person is an inhabitant or has his principal place of business.

(b) No person shall be excused from attending and testifying or from producing books, papers, and documents before the Secretary, or in obedience to the subpena of the Secretary, or in any cause or proceeding, criminal or otherwise, based upon, or growing out of any alleged violation of this title, or of any plan, or rule or regulation issued thereunder on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that any individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

REQUIREMENT OF REFERENDUM

SEC. 14. The Secretary shall conduct a referendum among producers who, during a representative period determined by the Secretary, have been engaged in the production of potatoes for the purpose of ascertaining whether the issuance of a plan is approved or favored by producers. No plan issued pursuant to this title shall be effective unless the Secretary determines that the issuance of such plan is approved or favored by not less than two-thirds of the producers voting in such referendum, or by the producers of not less than two-thirds of the potatoes produced during the representative period by producers voting in such referendum, and by not less than a majority of the producers voting in such referendum. The ballots and other information or reports which reveal or tend to reveal the vote of any producer or his production of potatoes shall be held strictly confidential and shall not be disclosed. Any officer or employee of the Department of Agriculture violating the provisions hereof shall upon conviction be subject to the penalties provided in paragraph 10(c) above.

SUSPENSION OR TERMINATION OF PLANS

SEC. 15. (a) The Secretary shall, whenever he finds that a plan or any provision thereof obstructs or does not tend to effectuate the declared policy of this title, terminate or suspend the operation of such plan or such provision thereof.

(b) The Secretary may conduct a referendum at any time and shall hold a referendum on request of the board or of 10 per centum or more of the potato producers to determine if potato producers favor the termination or suspension of the plan, and he shall terminate or suspend such plan at the end of the marketing year whenever he determines that such suspension or termination is favored by a majority of those voting in a referendum, and who produce more than 50 per centum of the volume of the potatoes produced by the potato producers voting in the referendum.

AMENDMENT PROCEDURE

SEC. 16. The provisions of this title applicable to plans shall be applicable to amendments to plans.

SEPARABILITY

SEC. 17. If any provision of this title or the application thereof to any person or circumstances is held invalid, the validity of the remainder of this title and of the application of such provision to other persons and circumstances shall not be affected thereby.

AUTHORIZATION

SEC. 18. There is hereby made available from the funds provided by section 32 of Public Law 320, Seventy-fourth Congress (49 Stat. 774), as amended (7 U.S.C. 612c), such sums as are necessary to carry out the provisions of this title: *Provided*, That no such sum shall be used for the payment of any expenses or expenditures of the board in administering any provision of any plan issued under authority of this title.

EFFECTIVE DATE

SEC. 19. This title shall take effect upon enactment.

TITLE II—TOMATO ADVERTISING PRODUCTS

SEC. 201. Section 8c(6)(I) of the Agricultural Adjustment Act, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is amended by striking out "or avocados" in the proviso, and inserting in lieu thereof "avocados, or tomatoes".

Mr. HOLLAND. Mr. President, I wish to express appreciation to the presiding officer, the Senator from North Dakota (Mr. YOUNG), and both leaders in straightening out this matter which was wholly the result of a misunderstanding on the part of all Senators concerned.

SENATOR GOLDWATER URGES SPECIAL OBSERVANCE OF VETERANS DAY

Mr. GOLDWATER. Mr. President, in a speech to the California State Convention of the Air Force Association in Long Beach, Calif., last Saturday night, I urged the American people to make a special occasion of their observance of Veterans Day on November 11 this year to show our fighting men in Vietnam that we are solidly behind them.

As I expressed it in my speech:

> I believe it is extremely important that each and every man who is risking his life and serving his country in the cause of freedom for South Vietnam understand very clearly that the tremendous majority of American people are deeply grateful for the sacrifice they are making . . .
>
> I think it is important to rededicate our nation and ourselves to the principles of national honor and patriotism that have made this country great. I can think of no better time to do this than on the date that we used to regard as Armistice Day and which is now dedicated to veterans of all wars.

Mr. President, since the subject of my speech has been broadcast and published in the newspapers, I have been deluged with expressions of support and requests from people who want to know exactly what to do. I have one specific suggestion and one I believe will be as important as it is lacking in public drama. I think it would be a fine thing for every responsible, concerned and patriotic American to use November 11 as the time for sitting down and writing a personal letter of thanks to some American serving with the military in Vietnam. I believe it is important to personalize our feeling of gratitude in a way that will be understood unmistakably by the recipient of such a letter.

Mr. President, I should like to clarify the fact that I am not here calling for demonstrations and some great public display of emotion. Rather, I am calling upon the conscience of all true and patriotic Americans for a personal expression of their support.

BEHAVIOR OF MORATORIUM PARTICIPANTS COMMENDED

Mr. SAXBE. Mr. President, as one who questioned the moratorium held on October 15, I was pleasantly surprised by the behavior of the people who engaged in the moratorium. I was distressed originally that the so-called extreme elements or "crazies" might take over, but nowhere did I see the Vietcong flag, nowhere did I hear obscenities, and nowhere did I see people gathering other than in an orderly demonstration, which is their privilege under our Constitution.

I think those who handled the moratorium should be commended for this behavior and for their ability to put together something of this magnitude in keeping with good manners and good conduct. I do not think, however, they should fail to recognize that there is danger in the pyramiding of these days, one on the other, and the fact that there are those who will take advantage of these demonstrations in the future. However, on this particular occasion I think all of us who are critical, all of us who are apprehensive, should recognize that it was handled in a way that we can commend.

As to the effect, I cannot say at this time, nor can anyone. But I know that the actions taken by the President both before and subsequent to the moratorium have been toward ending the war in Vietnam. I cannot help feeling that, regardless of the nature of his statement, it will be effective and that we will see more actions in keeping with this end. I think we should be patient. As I said last week, there is no one except the President—the Executive—who can do the things that need to be done. I think we should recognize that an honest effort is being made.

In an editorial entitled "Piercing Some Bunk on War and Peace," written by my friend John S. Knight, which was published in the Akron Beacon Journal and other Knight newspapers throughout the country, Mr. Knight points out that the actions taken to date comply with the peace plank that was proposed and defeated at the Democratic National Convention last year and even go beyond it.

The PRESIDENT pro tempore. The Chair regrets to advise the Senator that his 3 minutes have expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator may proceed for an additional 5 minutes.

The PRESIDENT pro tempore. Without objection, the Senator is allotted an additional 5 minutes.

Mr. SAXBE. I thank the Senator.

I believe that we have read in this editorial and in others the thoughtful reaction of people deeply concerned over the country and a reaction that says we are responding, that we feel the urgency. I think the Executive feels the emergency, and I think the Executive, our President, is responding.

So while I hesitate to caution, because my cautioning before was unnecessary, I believe they should recognize that once demonstrations do get out of hand, a serious detriment to the cause they espouse could happen, and I do not want that to happen, and I know they do not want it to happen.

Mr. President, I ask unanimous consent to have printed in the RECORD the editorial written by my friend, Mr. John Knight, together with some additional information regarding Mr. Knight and his approaching 75th birthday.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BACKGROUND INFORMATION ON JOHN S. KNIGHT

John S. Knight is president and editor of the Akron Beacon Journal and also publishes newspapers in several of our major cities. For many years his "Editor's Notebook" has been appearing each week in these and dozens of other papers throughout the nation.

His weekly column should be must reading for all Americans. The most recent, from editions of Sunday, Oct. 19, 1969, looks at the Oct. 15 "peace moratorium" and some of the events connected with it.

Mr. Knight, who turns 75 years of age on Oct. 25, could serve as a model for many of us. He still turns up at his office each morning, and remains until late afternoon. Quite often, this remarkable editor is one of the last to leave.

[From the Akron Beacon Journal, Oct. 19, 1969]

PIERCING SOME BUNK ON WAR AND PEACE

Moratorium Day has come and gone, the Republic still stands and everybody is talking about the "marvelous Mets."

Being a student of percentages, I back the Orioles, a species of black and orange birds able to build hanging nests but not much on catching a fly.

So let us talk about Moratorium Day. One can speculate as to why its sponsors picked that name. Why not simply Day of Dissent? Or, Stop the War Day? Yet Moratorium does sound terribly important and this was serious business.

But what did it prove?

Well, for one thing, it proved that Americans cherish their precious privilege "peaceably to assemble and to petition the Government for redress of grievances," as provided in the First Amendment to the Constitution.

"Bah," says my Congressman, "we cannot make foreign policy in the streets. The only person who can dictate what will happen in the field of foreign policy is the Commander-in-Chief, the President."

"Nonsense," say I. The President can "dictate" only in the sense that he formulates foreign policy.

The Constitution provides that the President shall have the power to make treaties "with the advice and consent of the Senate" and with the further stipulation that "two-thirds of the Senators present concur."

Treaty making is obviously an important part of foreign policy with responsibility being shared by the President and the Senate. The President cannot dictate, even though his influence is strongly felt.

A classic example of the rebuke of Presidential power was seen in March of 1920

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when the Senate voted 49 to 35 to reject U.S. participation in President Wilson's League of Nations. The League, a treaty to enforce peace, had been negotiated by President Wilson in Paris.

It was the Southeast Asia Treaty Organization, a collective defense pact, which led to our involvement in Vietnam. The Senate gave its approval only after assurances that this treaty would in no way obligate the United States to go to war.

Today, SEATO is generally accepted as a "sacred commitment." Actually it is nothing of the sort.

In Article I, section 8 of the Constitution, it is stated that "Congress shall have power to declare war . . . "

The bloody struggle in Vietnam is certainly a war, a miserable and tragic mistake. Still, it is not a declared war in the Constitutional sense. We simply blundered our way into this morass with Congress and the people meekly accepting Presidential dictum as fact.

The demonstrations and Moratorium Days are expressing the bitter resentment of the people over having been conned into our country's greatest misadventure with little or no hope of attaining the stated objective of past leaders.

President Nixon can attempt to brush aside the significance of these protests.

The Vice President may find them "absurd" and slur his critics as "pushy youngsters and middle-aged malcontents."

Yet the undeniable fact remains that the protesters were indeed only exercising their constitutional rights on Moratorium Day, and generally in the form of peaceable assembly, while petitioning the government for a redress of grievances.

When President Nixon named Judge Warren Burger as Chief Justice of the Supreme Court, he mentioned that he wanted strict constructionists on the Court.

In that light, the moratorium parades of students, professors, clergy, mothers, politicians and businessmen were conservative in the eyes of the Constitution and not acts of radicalism as my Congressman would have us believe.

As the New York Times points out, Moratorium Day was observed with "a sense of both dignity and urgency—an observance in keeping with this country's tradition of pluralism and lawful dissent . . . the keynote was responsibility, not coercion or disruption."

Despite the bland brush-offs by government spokesmen who say the President "cannot be influenced by demonstrations," you may be sure that the normally savvy Mr. Nixon is feeling the hot breath of public discontent on his neck.

My Congressman also observes that many members of the House and Senate now attacking President Nixon's Vietnam policies are "doing it to save their political hides."

His point is indeed well taken. Some of Mr. Nixon's most vociferous critics have only lately come out of the woodwork.

For years they sat silently by while President Johnson was consigning this nation to near disaster. When they did rise to make a speech noted only by the Congressional Record, it was to praise the President's "wise policies" and pledge to him their "unstinting support."

Only a mere handful of Senators, notably Fulbright, Morse, Gruening, McCarthy, Young, McGovern and in later years Church, Percy, Gore, Aiken, Hatfield and Symington dared to challenge the Johnson course in Vietnam.

Since most of Mr. Nixon's war critics are of the Democratic faith, it is fair to examine their positions at the 1968 convention in Chicago.

David Broder of the Washington Post reminds us that the minority plank at Chicago, endorsed by all the doves, recommended precisely what President Nixon is doing now.

The plank called for a halt to the bombing of North Vietnam. This has been done.

It called for a reduction in offensive operations in South Vietnam. President Nixon has so ordered and it is now in effect.

The Democratic minority urged "a phased withdrawal over a relatively short period of time" of all foreign troops. Nixon moved to pull Americans out of Vietnam without waiting for North Vietnam to agree, as the doves felt would be required.

And finally, writes Mr. Broder, the minority plank recommended that the United States use the leverage of troop withdrawal to "encourage" the Saigon government to negotiate a political reconciliation with the Viet Cong while recognizing that the plan would be a matter for the South Vietnamese to determine.

In short, President Nixon is implementing the very policies which the Democratic minority regarded with such high favor in Chicago.

At some stage of his present torment, the President might well read the record to his political assailants, and to their confusion.

Yes, as my Congressman says, there are a lot of "hide savers" in Washington who are playing politics with the war issue.

Neither President Nixon nor anyone else can get us out of Vietnam instanter.

Politicians should avoid raising false hopes by feeding the American public with sugar-coated pabulum.

JOHN S. KNIGHT.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. SAXBE. I yield.

Mr. MANSFIELD. Mr. President, I think the record should be made straight on the question of the President and his attempts to achieve a responsible solution to the tragedy which is Vietnam. I think we ought to also keep in mind that if any decision is going to be made, it is going to be made by the President of the United States.

What the President has done has been to bring about a deescalation of the conflict. What we have seen is 7 months of very reduced infiltration and 7 weeks of a decided lull in the fighting, up to this time. What we have seen is a reduction in personnel of 60,000 men, and it is hoped that more will be coming home before the end of this year. What we have seen is the inauguration of a new policy instead of the old "search and destroy" strategy sometimes referred to as a policy of "maximum pressure."

What we have now is a military policy known as protective reaction, which, in effect, means that if we are going to be attacked we will act accordingly, and if fired upon we will fire back. It approaches, in essence, a sort of cease-fire and standfast policy.

I would like to see the country get behind President Nixon, not for the purpose of prolonging the war but for the purpose of bringing about a responsible settlement and a responsible peace at the earliest possible opportunity.

I would like to see us encourage President Nixon in the efforts he has made in that direction.

I would like to see him pull out our troops faster.

I would like to see the war brought to an end sooner.

I have made my position known on Vietnam for the past 6 years. But the President is the one at whose desk, in the words of Harry S. Truman, "The buck stops." President Nixon is the one who will have to make the final decision.

It is my hope that we will encourage him to keep going along the road he has followed and is following, and that he will do all that he can to speed up the resolution of the conflict in which we are involved.

President Nixon is aware, as all of us are—perhaps he more so—that the deaths of Americans in Vietnam, up to this time, are about 45,000 from all causes; that the wounded are pretty close to 250,000; and that the cost is well in excess of $100 billion.

He is aware of the fact that we have problems at home which must be faced up to but which cannot be faced up to, as they should be, unless and until the tragedy in which we are involved in Vietnam is brought to a responsible conclusion.

I want to say, as a Democrat, that it would be my intention to support the President in every effort he would make toward a responsible and a peaceful departure from the quagmire in which we are caught, and I assure him that, so far as we are concerned, there will be no politics involved, because this is not a Republican responsibility, except that the President happens to be a Republican. It is a responsibility which can be placed, if we go back far enough—and not too far—on the shoulders of Democrats and Republicans alike.

What I am trying to say in brief is that this is something in which we are all involved and in which all of us must bear a certain share of the blame.

I think that the most important question now is to get out of this war responsibly and as quickly as possible; and, when we do, not to maintain a residual number of troops in Vietnam or in any other part of the Southeast Asian mainland but that, once a settlement is achieved there, to pull out, lock, stock, and barrel. Vietnam is not and has not been vital to the security of this Nation.

I would hope that when that day comes—and it will be a day not for rejoicing for those who pay with their lives and their bodies, but a cause for relief—when that day comes, I would like to see us enter into an agreement with other powers to insure the neutrality of all Southeast Asia, including Thailand, to the end that that region can achieve some stability and can look forward with some hope, because they have been immersed in war too long—and so have we.

I thank the Senator from Ohio.

Mr. SAXBE. Mr. President, I could not agree more with the distinguished Senator from Montana. Having heard his most statesmanlike remarks a moment ago, I think that the key word is "responsible."

We do not want a Dunkirk, as some people have indicated. We want a responsible withdrawal which will permit us to disengage without further loss of life.

There is talk today of a "cease-fire in place." I cannot help believing that we have achieved this to some degree already, as the distinguished Senator from Montana has stated.

It would not be too much of a step

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to move even further. Then we can have an orderly withdrawal.

I would go even further than the Senator from Montana, not only in regard to a cease-fire and withdrawal from Vietnam, but also in regard to our military missions far flung all over the world and of a questionable nature.

Realizing that we are living in the nuclear age, we should look at each one of our commitments as to its military necessity both in manpower and in cost. We should also look to the question of whether we are desired in the countries we occupy. It hurts Americans everywhere to see signs "Yankee Go Home." I question how much good we do when we impose ourselves in places where we are not wanted.

Mr. MURPHY. Mr. President, I am pleased to have been in the Chamber to hear the distinguished majority leader express his position on Vietnam and his hope that there might be, in the not too distant future, an international arrangement put together which would guarantee the freedom of Southeast Asia. I should think that this would be probably the most productive thing that could happen.

I might suggest that perhaps we should include the Middle East at the same time.

Let me say to the distinguished Senator from Ohio (Mr. SAXBE), who seemed uncertain as to the effect of the recent moratorium, that there is one effect of which we can be sure—and I know whereof I speak—that it is creating a condition that he would not desire, nor would I; namely, creating great international propaganda for the enemy—the Communists in Hanoi. That is the unfortunate part of it.

Mr. GRIFFIN subsequently said: Mr. President, although the distinguished majority leader has left the Chamber temporarily, I wish to join the distinguished Senator from Ohio (Mr. SAXBE) and the distinguished Senator from California (Mr. MURPHY) in commending the majority leader for his statesmanlike support of President Nixon's efforts to end the war in Vietnam.

I noticed, however, the use of the term "lock, stock, and barrel withdrawal." That is a phrase that might mean different things to different people. I was pleased that the majority leader spoke in terms of a withdrawal on a responsible basis.

It is very important to keep in mind that when we support the President of the United States, we do not do so on a basis of seeking to push him into making what I, as one Senator, would consider unwise policy decisions. I am sure that the President does not intend to be pushed into unwise decisions from the standpoint of history. For example, I believe that one point is still nonnegotiable: That is the right of the people of South Vietnam to choose their own government and to choose their own destiny.

I think that any withdrawal from Vietnam must continue to take into account what happens to the American prisoners of war and surely it must also take into account what reasonable assurance we will have that those in South Vietnam who have sought freedom from coerced Communist domination will not be massacred by the Communists.

We all share the wish and the desire that we could withdraw all our troops from all parts of Southeast Asia. It would be fine if there were no requirement for our troops to be in Korea, for example, or anywhere else. But it would be foolhardy if, willy-nilly, we created a vacuum in Southeast Asia, until and unless there were meaningful international guarantees.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. GRIFFIN. I yield.

Mr. BYRD of West Virginia. Mr. President, I know the Senator would not wish to leave in the RECORD the impression that he feels the able majority leader has sought to press the President into taking an "unwise position."

Mr. GRIFFIN. Absolutely not.

Mr. BYRD of West Virginia. I am quoting the Senator when he used the words "an unwise position." The majority leader strives to assist in any way he can, and I think whatever he advocates, he advocates as being a wise approach, in his opinion.

Mr. GRIFFIN. Absolutely; he advocates it as being a wise approach, and he advocates it as a distinguished Senator, a great American, and a great majority leader, though there are times when perhaps others might believe that a particular position would be unwise under the circumstances.

Mr. BYRD of West Virginia. Yes; but never would his motive be an ulterior one.

Mr. GRIFFIN. I agree most wholeheartedly with the distinguished Senator from West Virginia.

Mr. BYRD of West Virginia. I thank the Senator.

CINCINNATI, OHIO—A GREAT CITY

Mr. SAXBE. Mr. President, a great city is much more than bricks and mortar, concrete and stone. A great city is people—young and old, rich and poor, black and white. Often their only bond is the city itself and it is the blending of this bond, the joining of the bricks and mortar and the people therein, that makes any city more than just another collection of buildings. Such a city is Cincinnati, Ohio, now in the final stages of an exciting rebirth of its downtown. Henry Wadsworth Longfellow, the poet, once described this great American metropolis as the "Queen of the West," a jewel sitting high on the banks of the Ohio River, a joy to its beholders.

Mr. President, a recent article in the Sunday New York Times caught particularly well the flavor of the city of Cincinnati. The article, by Reporter Jerry M. Flint, captured what some of the good people of the town are doing to make Cincinnati a better place to live.

Because I believe so strongly in cities like Cincinnati, and because I believe that so much of what happens in building a better America depends on what happens in our cities, I ask unanimous consent to have the article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Oct. 19, 1969]

OLD CITY STOPS TO ADMIRE ITS NEW FACE

(By Jerry M. Flint)

CINCINNATI, October 18.—The Queen of the West, as Cincinnatians like to call their city, celebrated the downtown's rebirth today before thousands, serenaded by the Cincinnati Symphony, Smittie's Band and soul singers.

The focal point of the festivities is perhaps the campiest fountain in the Midwest, 98 years old but a jewel in the eye of its Cincinnati beholders and the centerpiece in the new downtown.

The massive 43-foot-high fountain had been hidden on a traffic island, but was moved out to decorate a $2-million square atop an underground garage, flanked by a new 32-story office tower on one side and a new seven-story bank on another.

The heart of the old downtown, Fifth, Sixth, Vine and Walnut streets, was torn down for the square and building, Block A, of a 12-block renewal area with new buildings up, under way or committed to eight of the 12 blocks.

There is a new Convention Center, too, finished two years ago, and under construction are a baseball-football stadium on the riverfront, downtown's first high-rise apartment, and more than a mile of elevated walkways at second-story level—to wind around the downtown leading from parking buildings into and alongside department stores and to the stadium: a new approach to the problem of crowded sidewalks and narrow and congested streets.

"In another 10 years there won't be any of the old stuff left down there," said a Kentucky cab driver, one of many in the Cincinnati work force who lives across the Ohio River in neighboring Kentucky. "But the old stuff won't be missed."

The old downtown, filled with two and three-story buildings, many unused above the ground floor, was showing signs of blight and decay, Fred Lazarus 3d, president of the Chamber of Commerce and head of the Federated Department Store chain, said.

There are four major department stores downtown—a renewal block is now reserved for a fifth—but the suburban centers, 15 to 20 minutes from downtown by freeway—were luring away the customers.

"I think the downtown would have deteriorated if this wouldn't have been done," he said. "Now we've been able to pretty much hold our own volume downtown while increasing our suburban stores. We think this is pretty good when we see what's happening around the country."

"Ten years ago they talked about Pittsburgh's Golden Triangle, and the St. Louis riverfront," said Francis Dale, publisher of the Cincinnati Inquirer. "We're ahead of Pittsburgh now. This city has a better chance than any other city in America to keep a vibrant downtown."

The rebuilding isn't all in concrete. Mr. Dale's special project is raising $750,000 for a sculpture fund from $5 contributions to produce $40,000 a year or so from interest. This would bring a noted sculpture to Cincinnati each year and commission a new work a year for the city.

"Every time a dignitary gets the key to the city we take him for five bucks," he said brightly.

At the red-block city hall, whose mate could be found anywhere in Germany, a reminder of Cincinnati's German heritage Richard Krabach, the city manager, said the renewal had kept major companies such as Procter & Gamble, with headquarters here, from moving to the suburbs.

The renewal plan isn't full of "Wishbook ideas" or schemes that "look good from a planner's viewpoint but can't be implemented, he said.

Rapid transit, for example, is "an impos-

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sible dream and not in the plan," the city manager said.

"People here like to be called conservative," he said. "They enjoy it."

The downtown rebuilding has been pushed by a select committee of businessmen and Government officials and backed by a $16-million city bond issue, $22-million in Federal renewal money, and "what will be more than $100-million in private investment," Mayor Eugene Ruehlmann said.

Cincinnati, ringed by hills that lead into town as the fingers of a hand lead to the palm, was founded on the Ohio River in 1788 and named Losantville, but the Governor of the Northwest Territory could not stand that name and in 1790 renamed the settlement "'Cincinnati,'' for the Society of Cincinnati, a group of Revolutionary War officers.

The steamboats on the Ohio and the German migration led to dynamic growth. Henry Wadsworth Longfellow called the city "Queen of the West" in a poetic tribute to Ohio wine.

Cincinnati was a river gateway to the South, and even today the nation's north-south freeway runs through it. But the Civil War and the railroads ended that pattern of growth.

Today the city of 500,000—1.4 million in the metropolitan area—seems more Appalachian than Northern in life style, and the Southern Ohio.

FUTURE FARMERS OF AMERICA

Mr. MURPHY. Mr. President, last week, the Future Farmers of America held their 42d annual convention in Kansas City. Prior to this, I had the opportunity to meet some of the fine young men studying vocational agriculture from the California association of the FFA who were visiting Washington before attending the conference.

Agriculture is the single largest industry in my State of California, Mr. President. The California delegation of Future Farmers consisted of 110 young men and their advisers, representing some 14,500 agriculturally oriented families throughout the State.

Seldom have I seen such a fine looking large group of clean-cut, well-mannered and obviously interested young men. Not only was there not one long-haired, ungroomed boy in the group, but each that I had the opportunity to chat with showed a keen historical interest in the world around him and a credible knowledge of current affairs, and a definite objective and purpose planned for his own future.

Mr. President, I was proud of these young men, not only for their appearance and behavior, but also because I believe that they represent a great "silent" segment of today's youth who know what direction they want to take and who embark upon it with enthusiasm, dedication, and respect. They have chosen to enter a field which will benefit us all and which is essential to the survival of mankind, and their decision deserves our recognition.

So I salute these delegates from the California association of the FFA, who I believe were a refreshingly welcome scene in these great corridors of the Capitol and a true credit to their State and their Nation.

Unfortunately, too often the advertisements are used to portray troublemakers and those young people who do not seem to have any direction to their lives. I hope that the Future Farmers of America will serve as a direction to those young people and to many others who, I am sure, are just as ready and as able as the young Future Farmers from California whom I have had the pleasure of greeting.

WHY WAS THAT SACRIFICE NECESSARY?

Mr. YOUNG of Ohio. Mr. President, my purpose in speaking out today is to urge that our Government immediately—and by immediately, I mean not later than early this week—announce to the world that the hundreds of thousands of men in our Armed Forces in South Vietnam will stop all offensive operations against the forces of the National Liberation Front, or VC. Furthermore, that all napalm and other bombing by our bombers and warships will cease and that we shall continue this purely defensive policy until and unless our forces are attacked. In addition, that we will withdraw our combat soldiers and marines from Vietnam this year, bringing them back in the same manner we sent them in—by ships and planes.

Administration leaders should then announce and make it loud and clear to our own people and to the heads of state throughout the world that we will continue and, in fact, redouble our efforts to reach a diplomatic settlement and an official cease-fire in this immoral, unpopular, undeclared war in which we should never have been involved in the first instance.

When I first spoke out in the Senate Chamber against our involvement in a civil insurrection in a faraway country of no importance whatever to the defense of the United States, and when I proved in statements I made in the Chamber and elsewhere that, in fact, there were no commitments made by three Presidents to fight a major war in Vietnam or to intervene and keep in power a militarist regime in Saigon, letters, telegrams, and telephone calls came to me in great numbers denouncing me as a Communist sympathizer and even as a traitor.

Since that time, particularly during recent months, the messages I have received from Ohio citizens are precisely the opposite. In nearly every small community in Ohio and, in fact, everywhere in our Nation the priceless life of some recent high school graduate has been ended violently in Vietnam. The bitterness and sorrow of our involvement in this little faraway country has now touched many thousands of American families whose sons and brothers have been killed or wounded in combat or who have died due to what the Pentagon terms "accidents or incidents" or from bubonic plague, hepatitis, malaria fever, or other jungle diseases.

Mr. President, I shall read and embody in my remarks a letter that came to me today, written by Mrs. Sandra Fraser, who was born and reared in Oak Harbor, Ohio, which is within a few miles of where, in my youth, I spent some of the happiest days of my life along the beautiful shores of Lake Erie. Mrs. Fraser lives at present in Springfield, Va. I read her letter:

SPRINGFIELD, VA.,
October 13, 1969.

DEAR MR. YOUNG: Recently my twenty year old brother was killed in Viet Nam.

Do you know what it's like to get that most horrid telephone call?

Do you know what it's like to wait almost two weeks for his body to be returned home?

Do you know what it's like to watch a father bury his only son?

Do you know what it's like to fly home to north western Ohio in May to see him off to Viet Nam and in August, to fly home to Ohio again, to bury him?

Do you know what it's like to see a picture of our Secretary of Defense and his family—all smiling—and know that his 21 year old son is deferred because of "purine metabolism?" In all my days of nursing—I never heard of that particular deficiency being disabling.

Do you know what it's like seeing newscasts from Viet Nam and see the bodies of young soldiers covered with blankets and know that your brother was under one of those blankets just a few months ago?

Do you know what it's like to send a brother off to this "war" alive, happy and proud and have him come home in a box with no face and chest?

Do you know how hollow the letters of sympathy sound coming from official Washington? "It was a pleasure to serve with him." From a military man who makes flying trips to very secure areas infrequently. "The most supreme sacrifice a man can make for his country." I ask you Mr. Young—why was that sacrifice necessary?

Sincerely,

MRS. SANDRA FRASER.

MICHIGAN STATE UNIVERSITY NAMES NEW PRESIDENT

Mr. GRIFFIN. Mr. President, last Friday the board of trustees of Michigan State University, after sifting and considering as many as 300 possible nominees, selected a successor to Dr. John A. Hannah, now administrator for the Agency for International Development, to be president of the great university located at East Lansing, Mich.

The new president is Dr. Clifton Reginald Wharton, Jr., a 42-year-old economist who has distinguished himself in the field of education and in other fields as well.

It happens that Dr. Wharton is the first Negro ever selected to head a major university with a predominantly white student body. It is also important, however, to note that Dr. Wharton is eminently qualified, and that his record and his whole life promise great and outstanding leadership for this great university in my State.

I ask unanimous consent to have printed in the RECORD an article entitled "Negro Economist Is Named To Head Michigan State University," and a biographical sketch, both published in the New York Times of Saturday, October 18, 1969.

There being no objection, the article and biographical sketch were ordered to be printed in the RECORD, as follows:

NEGRO ECONOMIST IS NAMED HEAD OF MICHIGAN STATE U.—CLIFTON WHARTON, AIDE ON DEVELOPMENT COUNCIL, TO SUCCEED HANNAH

EAST LANSING, MICH., October 17.—Dr. Clifton Reginald Wharton Jr., a 43-year-old economist from New York City, today was elected

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president of Michigan State University, which has 40,000 students.

Dr. Wharton, who is the first Negro to head a major public university in the North, on Jan. 2 will succeed Dr. John A. Hannah, who left Michigan State after 28 years to become administrator of the Agency for International Development.

Dr. Wharton, the son of a career diplomat, is vice president of the Agricultural Development Council, a private, nonprofit organization with extensive projects in Southeast Asia and Latin America, headed by John D. Rockefeller 3d.

Two days ago, a Negro educator from Michigan, Dr. John W. Porter, was named by the State Board of Education as Acting State Superintendent of Public Instruction, another first in the nation.

The choice of Dr. Wharton was marred by bitter political feuding among the university's trustees. They divided, 5 to 3, in Dr. Wharton's favor after rejecting G. Mennen Williams, a six-term Michigan Governor, by the same vote.

ONE OF FOUR BACKED

Dr. Wharton was one of four nominees who had been endorsed by a 12-member faculty-student search and selection committee after more than 300 possibilities had been screened for the post. Mr. Williams was not so endorsed.

Dr. Wharton was elected by a combination of three Republicans and two of the five Democrats—the board's chairman, Don Stovens, the education director of the Michigan State A.F.L.-C.I.O., and Blanche Martin, a Negro dentist.

Clair White, a Democratic trustee, attributed the vote to pressure in Dr. Wharton's behalf by Dr. Hannah and Governor Rockefeller of New York. Mr. White said that Mr. Rockefeller had used his influence in repayment of preconvention support that Dr. Hannah gave him in 1968 for the Republican Presidential nomination.

[In New York, a spokesman for Governor Rockefeller said of Mr. White's assertion: "This is utter nonsense. The Governor had no contact whatsoever with anyone on this matter."

[Later, the Governor issued a statement on the appointment. It described Dr. Wharton as "an able administrator and a talented innovator." It added: "He has demonstrated a deep commitment to achieving the kind of understanding needed so badly between young and old, between persons of different cultures, religions and nationalities. He was an invaluable member of the recent Presidential mission to Latin America. I hold him in the highest esteem."]

REJECTED OWN SECRETARY

On a 4-to-4 tie vote, the board rejected its own secretary, Jack Breslin, a former M.S.U. football star. Mr. Breslin, a Republican, had not been cleared by the faculty committee.

After Dr. Wharton's selection, made behind closed doors, was confirmed in an open meeting, Mr. Breslin was given the title of university executive vice president and secretary.

In the resolution of appointment, Dr. Wharton was hailed as possessing the "unusual combination of insight, ability and leadership necessary" to direct the university.

Negro Pace Setter: Dr. Clifton Reginald Wharton Jr.

Clifton Wharton has done it again. As the newly appointed president of Michigan State University, Dr. Wharton will be the first Negro president of a major, predominantly white college in the country.

His new job adds to a long list of firsts for Dr. Wharton. Friends recall that he was the first Negro to join the student radio station at Harvard, the first national secretary and one of the founding members of the National Student Association, the first, in 1948, black student at the Johns Hopkins University School of Advanced International Studies. Early this year, Dr. Wharton became the first Negro to be elected a director of the Equitable Life Assurance Society.

The 42-year old economist will leave his current post as vice president of the Agricultural Development Council, Inc., to assume the presidency of Michigan State. The council is a philanthropic enterprise of the Rockefeller family devoted to problems of agricultural growth in developing nations.

"It's not as big a change as it might appear," Dr. Wharton said yesterday in an interview. "All my career has been devoted to working on the problems of underdevelopment and poverty, and I think a university, and especially a land-grant university such as Michigan State, has a long tradition of service to similar problems in the nation and the world."

SERVICE TO OTHERS

Nor does he see his appointment as a simple accomplishment of personal power, but more as an opportunity to pursue his ethic of service to others.

"The university is made up of faculty and students and the public it serves. I see myself not as the man who will simply be at the head of Michigan State but as one who is in service to the people who make it up."

Dr. Wharton has an example of public service—and success—in his father, C. R. Wharton. The senior Mr. Wharton was the first Negro to rise through the ranks of the Foreign Service to become an ambassador. Before his retirement in 1964, he was Ambassador to Norway.

How does Dr. Wharton feel about his long list of accomplishments as a Negro?

"I'm a man first, an American second and a black man third," he said. "I do feel that my appointment at Michigan is an important symbolic occasion, but that is not the criterion of it. It shows that if one has the skill and the talent, you're going to make it."

But he admits that in the decision to call him to Michigan State, which has a long history of promoting Negro enrollment, his race, "may have been an added attraction."

Before becoming vice president of the Agricultural Development Council, Dr. Wharton spent six years in Malaysia, teaching at the University of Malaysia and working on the council's program in Thailand, Vietnam and Cambodia. During those years he learned lessons that he believed could apply to the United States and his own place in America.

"Mankind is heterogeneous in race, religion and culture, and that's the beauty of it," he said. "The problem is to find ways of living with this heterogeneity, and of not letting it destroy us."

The Whartons live in Manhattan with their two sons, Clifton 3d, 17, and Bruce, 10. The boys attend the Dalton School.

In whatever spare time he can find, Dr. Wharton enjoys ice skating and tending an aquarium of tropical fish.

"I first bought the fish for the boys," he said, "but then I got interested in them."

PRESIDENT NIXON IS MAKING PROGRESS IN BATTLE AGAINST INFLATION

Mr. GRIFFIN. Mr. President, over the past weekend, President Nixon took several important additional steps in his administration's determined and continuing battle against inflation—steps which should be hailed by all who share his deep concern about the rising cost of living.

With typical and commendable forthrightness, President Nixon "laid it on the line." Speaking to business and labor leaders, to Members of Congress, and to the public at large, he made it clear that he was determined to deal with runaway inflation even though the cure has involved and will involve the administration of "some unpleasant medicine."

Let me list the steps taken by the President over the weekend:

First, he delivered a radio address to the Nation Friday afternoon, and reported encouraging successes in the effort to halt the inflationary spiral. He called for support, and pointed up the special responsibilities that must be borne by the Government, business, labor, and the public. Importantly, he called upon all Americans to restrain themselves "in their personal and credit decisions, so as to reduce the pressures that help drive prices out of sight."

Second, he released a letter written to 2,200 leaders of business and labor, urging them, in their own interest as well as the national interest, to avoid price and wage decisions which will further contribute to inflationary pressures.

Third, he announced his intention to appoint Dr. Arthur F. Burns as Chairman of the Federal Reserve Board, to succeed William McChesney Martin, Jr., when the latter steps down next January 31.

The announcement concerning Dr. Burns has been appropriately hailed in business and banking circles around the world as welcome evidence that the Federal Reserve System will continue to be guided by sound money policies.

In some quarters, Dr. Burns is regarded as a conservative. Needless to say, such terms as "conservative" and "liberal" have different meanings for different people.

In that regard, I believe it might be noteworthy to focus on several paragraphs of an article published in the New York Times last Saturday:

> Nowadays, Dr. Burns is customarily regarded as a conservative—probably the most conservative member of President Nixon's inner circle, except Attorney General John N. Mitchell. That is because he is a conservative on many of today's most pervasive and controversial domestic policy issues—the restructuring of welfare programs, for example.
>
> But another, older group of domestic policy issues have by no means disappeared, although most publicity and attention, nowadays, is focused on the specific problems of the cities, the blacks and the poor.
>
> On these issues, relating basically to the means of keeping the basic economy in good health, Dr. Burns was relatively liberal in the Eisenhower Administration— and may turn out to be something of a liberal during the Nixon years as well—perhaps not only more liberal than Mr. Martin but also more liberal than President Nixon's Council of Economic Advisors.
>
> The key point is that in basic economic policy—the role of the Federal Government in keeping the economy growing without inflation—Dr. Burns has always been an activist.

Mr. President, I ask unanimous consent that the text of President Nixon's radio message to the Nation on inflation, the letter from President Nixon to business and labor leaders, and the article entitled "Burns and Nixon's Aims," written by Eileen Shanahan, and published in the New York Times of October 17,

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1969, to which I have referred, be printed in the Record.

There being no objection, the items requested were ordered to be printed in the Record, as follows.

Text of the Radio Address of the President on the Rising Cost of Living

Today I would like to share my thoughts with you about a problem that worries millions of Americans—high prices that keep getting higher.

All across this land, hard working men and women look at paychecks that say they've had a raise. But they wonder why these bigger checks just don't buy any more than their lower paychecks bought four years ago.

All across this land, men and women in their retirement, who depend on insurance and on Social Security and on their life savings, look at their monthly checks and wonder why they just can't seem to make ends meet any more.

And all across this land, housewives wonder why they have to pay 66 cents for a pound of hamburger that cost 53 cents four years ago; people who are ill want to know why in those four years the cost of one day in a hospital has gone from $27 to $48; children who pay a nickel for a candy bar want to know why that bar is only half as big as it used to be.

When it comes to rising prices, it seems to most people that there is no end in sight. Many Americans are upset, and many are even angry about this. They have a right to be—because the ever-rising cost of food and clothing and rent robs them of their savings, cheats them of the vacations and those necessary extras that they thought they had been working for.

Why does everything cost so much? And what can we do to hold down the upward climb of prices?

For five long years, you have heard politicians and economists denouncing "the high cost of living." Back in 1966 and '67, when prices rose by 3% a year, everyone said how bad that was; in 1968, when prices speeded up by 4%, everyone agreed something ought to be done; and now, when momentum has carried the rise to nearly 6%, the same heads are shaking.

You might begin to wonder: If a rising cost of living has so many enemies, why has it been allowed to grow so fast? For years, in political speeches, the high cost of living has been as safe to denounce as the man-eating shark; but after the speeches were over, nobody seemed to be doing anything about it.

There was a fairly simple reason why your cost of living got out of hand: the blame for the spiral of wages and prices falls fundamentally on the past policies of your government.

The Federal government spent a lot more than it raised in taxes. Some of that spending was on the war in Vietnam, some of the spending was on new social problems, but the total spending was very heavy. Now we're paying for all that red ink—not only in higher taxes, but in higher prices for everything you buy. To put it bluntly, the frequent failure to balance the Federal budget over the past five years has been the primary cause for unbalancing the family budgets of millions of Americans.

Today I want to tell you what we have been doing to make it easier for you to balance your family budget. I want you to know what results we are beginning to see, and to understand the meaning of the news about the economy you will be reading in the coming months. And finally, I want to suggest what the American people can do together to hold down the cost of living.

When this Administration took office nine months ago, we decided that we were going to stop talking about higher prices and we were going to start doing something about them. We knew that some sophisticated investors could make out fairly well in a time of skyrocketing prices, but the average family bore the brunt of the high cost of living, and the family on a fixed income was being driven up the wall.

And so, to meet the real needs of most Americans, we began a steady effort to take the upward pressure off your cost of living.

Of course, there was a faster way available to bring prices down—many people suggested that we slam on the brakes hard and fast, and bring about a recession. But that kind of shock treatment is harsh and unnecessary—we want to level things off, not shake them up and down.

Step by step we took those measures necessary to get our nation's house in order.

Step One was to cut Federal spending, which more than anything else was pushing your prices up. We cut proposed Federal spending by more than seven billion dollars. We have taken it out of defense, we are cutting back on construction projects, we are squeezing it out of many other departmental budgets. We have been selective in these cuts, recognizing urgent national and social needs, but hardly anything has escaped some reduction. One area that was not cut in the Federal government was the Department of Justice, which had fallen far behind in the war against crime.

Next, working with the Congress, we proposed to phase out the tax surcharge over the course of a year. We could not afford to let the surtax lapse in the middle of 1969, because that would have driven up the prices you pay for everything.

Also, we have supported our central banking system in its policy of keeping money hard to borrow. When too much money is borrowed, this money is simply used to bid prices up higher.

Let's face it: Holding down government spending and holding up the tax rate, and making it harder for people to get credit, is not the kind of policy that makes friends for people in politics. We have asked the American people to take bitter medicine. We believe that the American people are mature enough to understand the need for it.

Here we are, nine months later, and I can report to you that the medicine has begun to work. There will be no overnight cure, but we are on the road to recovery from the disease of runaway prices.

Let me be careful not to mislead anyone: Prices are still going up, and many continue to do so for a while—a five year momentum is not easy to stop. But now prices are no longer increasing faster and faster—the increases not only have slackened, but the rates of increase are actually declining. Without shock treatment, we're curing the causes of the rising cost of living.

For some time to come, you will be reading about how some business is not doing very well. Sales may be sluggish in department stores; new housing—which the nation needs—has declined; the production of our industry has edged down for the first time in a year.

Ordinarily, this is bad news. But today these declines are evidence that our policy of curbing the rising cost of living is beginning to take hold.

We must be realistic; as we gently, but firmly, apply the brakes, we are going to experience some "slowing pains." Like growing pains, these are a healthy development—but painful nevertheless. My point is this: We have undertaken a policy that is slowing down the rise in prices. Unfortunately, some industries and some individuals will feel this necessary adjustment more directly than others. But difficult though it may be, and unpopular though it may become when the water gets a bit choppier, by curbing inflation we do what is best for all the American people.

Just as we must be realistic, we must be compassionate; we must keep a close watch on the rate of unemployment. Now, there are some who say that a high rate of unemployment cannot be avoided.

I do not agree. In our leveling-off process, we intend to do everything we can to resist increases in unemployment, to help train and place workers in new jobs, and to cushion the effects of readjustment.

For example, we have overhauled and modernized our job training programs, and we have proposed reforms extending unemployment insurance to millions not now covered, with higher benefits paid over longer periods to those in the system. We have proposed a computer job bank, to match workers with hundreds of thousands of vacant jobs.

The nation must dedicate itself to the ideal of helping every man who is looking for a job to find a job. Today, about 96% of the work force is employed; we want it to be more, but we cannot effectively and fairly make it more by ignoring the widespread hardship that a runaway cost of living imposes on so many Americans.

Now that we have begun to detect the signs of success in slowing down, what can you expect your government to do next?

First, let me tell you what we are *not* going to do.

We are *not* going to change our game plan at the end of the first quarter of the game. We are not going to turn away from treating basic causes to start treating symptoms.

In other words, we are *not* considering wage or price controls. My own first job in government was with the old Office of Price Administration at the beginning of World War II. From personal experience, let me say this: Wage and price controls are bad for business, bad for the workingman, bad for the consumer. Rationing, black markets, regimentation—that's the wrong road for America, and I will not take the nation down that road.

Nor are we considering putting the government into the business of telling the workingman how much he should charge for his services or how much the businessman should charge for his goods. Those are called "guidelines," and they collapsed back in 1966 because they failed to get to the root of the problem.

What we *are* going to do is based on total realism.

This weekend, I am sending a letter to a cross-section of leaders in labor and business calling their attention to the latest facts of economic life.

I am asking them to take a hard look at what government has done in these nine months—not just our words, but our deeds. And I am asking them to make their own future plans on the basis of working and selling in a country that is not fooling about slowing down the rise in the cost of living.

Instead of relying on our jawbone, we have put some backbone in government's determination to hold the line for the consumer. We are going to continue to exercise that backbone in the face of criticism by a lot of special interests. You can rely on that, and most important, you can make your plans on the basis that price rises are going to be slowing down.

As workingmen and businessmen get that message—as they see that government is willing to live up to its responsibilities for doing what is needed to hold down prices—we can expect to see a new responsibility in the decisions of labor and business. By responding to the changed conditions, they will be following their self-interest and helping the national interest as well.

Today, I have laid out our strategy to take the pressure off the prices you pay. There is a good reason for spelling out the strategy right now, at the beginning of a turning point in the struggle.

You see, there is a secret weapon that we intend to use in the battle against rising

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prices. That secret weapon is the confidence of the American people.

In recent years, that confidence, in our ability to slow down the upward spiral has been missing. More and more, a paralyzing fatalism has crept into our view of prices. Too many of us have made the mistake of accepting ever-higher prices as inevitable, and as a result, we have planned on higher prices. And what we expected—we got.

Only our secret weapon of American confidence in ourselves will get us out of that vicious circle.

More than a generation ago, in the depths of a depression, an American president told you—over this medium of radio—that the only thing we had to fear was fear itself.

Today, in a prosperity endangered by a speed-up of prices, the only thing we have to fear is fatalism—that destructive habit of shrugging our shoulders and resigning ourselves to a hopeless future on a wage-price treadmill.

I say to my fellow Americans: The runaway cost of living is no cross we are obliged to bear. It can be brought under control. It is being slowed by firm and steady action that deals with its root causes.

And as you plan for your own future on the assumption that the rise in prices will indeed slow down, you will be bringing our secret weapon into play. Your confidence in the strength of our economy, your confidence in the determination of America to win this battle—that is what will turn the tide.

On that note of confidence, let me issue this call:

I call upon the Congress to extend the surtax at half-rate, 5%, from January 1 to June 30 of next year. Also I call upon the Congress, when it passes tax reform legislation, which is greatly needed, not to make a net tax reduction of a size that will help push up prices that the consumer has to pay.

I call upon Americans to urge their Congressmen to pass those measures of manpower training and unemployment insurance I have proposed—measures that would help make it easier for people to adjust to change.

I call for your support in our policy of holding down Federal spending so that we are able to continue setting an example with a responsible budget for fiscal 1971.

I call upon citizens to urge their State and local governments to cooperate in postponing spending that can appropriately be delayed.

I call upon labor's leadership and labor's rank and file to base their wage demands on the new prospect of a return toward price stability.

I call upon businessmen to base their investment and price decisions on that new economic climate, keeping in mind it is in their private interest to be realistic in their planning and to help build a strong economy.

I call upon all Americans to bear the burden of restraint in their personal credit and purchasing decisions, so as to reduce the pressures that help drive prices out of sight.

I am convinced that Americans will answer this call.

I am convinced that a new confidence will be felt in this country when we match the strength of our resources with the strength of our resolution.

The dollar you earn should *be* worth a dollar. The dollar you save should *stay* worth a dollar. This is no impossible dream—this is something you are entitled to.

The cost of living affects the quality of life. Together we are going to improve the quality of life—and together, we are going to succeed in slowing down the rise in your cost of living.

Text of Letter From the President to 2,200 Business and Labor Leaders

In view of the growing concern about the rising cost of living, I would like to share with you at some length my thoughts about what is being done and what we must do to curb inflation.

The danger of inflation is real; the cure requires some unpleasant medicine, patience on the part of all and self-discipline by the Government, business and labor.

This Administration is determined to control inflation without imposing controls upon the economy.

Four great forces make up the free market: Government, business, labor and the consumer. A Government that tolerated huge budget deficits could not fairly heap the blame for the ravages of inflation onto any of the other market forces. It was past Government policy that caused our present inflation.

That is why I have refused to look for a scapegoat amid the genuine national concern about the rising cost of living.

That is why I have insisted Government put its own economic house in order before enlisting other forces in the fight against inflation.

HARD DECISIONS

Hard decisions had to be made to extend the surtax; to slash Federal spending by more than $7-billion dollars a year; to drastically curtail construction commitments by the Federal Government; to place a strong budget surplus in tandem with a restrictive monetary policy. Economic policy needed backbone rather than jawbone, and backbone is exactly what our record shows.

We have taken the unpopular road to earn back Government's credibility in fiscal affairs, and by our actions we have shown that we mean what we say about cooling inflation.

Because of this record, everyone should realize that Government will continue to do whatever is necessary in the future to curb the rising cost of living.

Because Government's house is now in order, we can turn to business and labor to remind them that inflation is everybody's problem and fighting inflation is everybody's business.

It is in the interest of private business to consider pricing policies in the light of Governments' determination to check inflation. The business that commits errors in pricing on the up side, expected to be bailed out by inflation, is going to find itself in a poor competitive position. Betting on ever-higher prices is a sure way of losing.

LABOR IS CAUTIONED

It is in the interest of every union leader and workingman to avoid wage demands that will reduce the purchasing power of his dollar and reduce the number of job opportunities.

Government has set the example of restraint, and will continue to set that example. When we combine labor restraint and business restraint, we can build a foundation for an on-going prosperity.

In curbing inflation, we must continue to move deliberately, with a careful eye on the unemployment picture. The percentage of our work force unemployed is more than a statistic—it is a human condition that deserves the close attention of every American.

New laws and new restrictions are not required, if we treat with respect the law of supply and demand. Government's recent action in the construction industry, to increase the supply of skilled labor and materials so as to curb the excessive expansion of demand, is a case in point.

Because we add no artificial controls does not mean that there are no controls in operation. The free market has its own controls on those who flout responsibility: loss of profits to the businessman, loss of jobs to the workingman. These are losses that responsible action can avert.

A sense of responsibility must be part of every prudent judgment concerning prices and wages, now that Government has repudiated the previous inflationary policies. Price and wage decisions that anticipate inflation's continuing at or near present levels would be shortsighted, imprudent, and unprofitable.

ADMINISTRATION POLICY

For your own planning, the policy of this Administration in the fight against inflation will be:

First, to continue stern restraints on Federal spending.

Second, to insist on a tax system that has the capacity to generate enough revenues to cover spending outlays. I shall not tolerate, for example, a tax bill that would result in an irresponsible budget.

Third, to rely strongly on the forces of reason and moderation within the private economy, so that governmental intervention will rarely be necessary.

The ultimate consequences of runaway inflation—the bust that follows, with the suffering that accompanies huge unemployment—must never again be inflicted upon the American people. Instead, we will take every measure necessary to build a sound prosperity, temporarily unpopular as some restraints may be.

I would be interested in your own views as to how the private sector and Government can work together in holding down the cost of living. In this cause—hard to explain, hard to achieve, but fundamental to the economy of our nation and the progress of our people—I trust that I can count on your support.

Burns' and Nixon's Aims: President's Appointment Apparently Is Move in the Battle Against Inflation

(By Eileen Shanahan)

WASHINGTON, October 17.—It seems more than likely that President Nixon chose today to announce his choice of Arthur F. Burns to be chairman of the Federal Reserve Board as part of his grand strategy in the battle against inflation.

He spoke to the public on this issue by radio this afternoon. The Burns appointment spoke, and was doubtless intended to speak, to a different constituency—the business and financial community.

The message intended by the announcement of the appointment—three months before the scheduled retirement of William McChesney Martin Jr.—was clearly this: the Federal Reserve System is going to remain safely in the hands of a conservative, a sound-money man.

VIEW MAY BE SHORT

A look at history suggests, however, that this characterization of Dr. Burns may be true only in the immediate economic situation, which finds the Administration grappling with a seemingly intractable set of inflationary forces and feelings. Dr. Burns, only yesterday, both predicted and endorsed continuing the present anti-inflationary policies of the Administration and of the independent Federal Reserve System.

Yet at one time Dr. Burns was in sharp—although mainly quiet—disagreement with the policies followed by the Federal Reserve Board under Mr. Martin, the man he will replace. At least twice during the Eisenhower Administration, in the mid-fifties and in 1960, he suggested the Federal Reserve was restricting credit too harshly, threatening first to create and thereafter to prolong a business contraction.

Nowadays, Dr. Burns is customarily regarded as a conservative—probably the most conservative member of President Nixon's inner circle, except Attorney General John N. Mitchell. That is because he is a conservative on many of today's most pervasive and controversial domestic policy issues—the restructuring of welfare programs, for example.

OTHER ISSUES REMAIN

But another, older group of domestic policy issues have by no means disappeared,

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although most publicity and attention, nowadays, is focused on the specific problems of the cities, the blacks and the poor.

On these issues, relating basically to the means of keeping the basic economy in good health, Dr. Burns was relatively liberal in the Eisenhower Administration—and may turn out to be something of a liberal during the Nixon years as well—perhaps not only more liberal than Mr. Martin but also more liberal than President Nixon's Council of Economic Advisers.

The key point is that in basic economic policy—the role of the Federal Government in keeping the economy growing without inflation—Dr. Burns has always been an activist.

He has spent much of his adult life in economic research on the subject of business cycles—booms and busts and how to detect when one is turning into the other.

It seems reasonable to assume that he would believe, based on a lifetime of work, that he had some skill in determining when the underlying economic trends were turning—and when Federal Reserve policy ought also to turn.

On this judgment, he could conceivably come into conflict with the present economic advisers, notably the Council's Chairman Paul W. McCracken, and another member, Herbert Stein, both of whom have repeatedly expressed skepticism about anyone's ability to call such turns with any precision.

Both men hold that many of today's economic troubles—specifically today's persistent inflation—stem from the Johnson Administration's errors in reacting too swiftly to what seemed to be economic downturns, but which turned out not to be.

PREACHED "HERESY"

It is assumed, then, that Dr. Burns will remain an economic activist—as he was in the nineteen-fifties, preaching the then-heresy for Republicans that the Federal Budget should not always be balanced, particularly in bad times.

But whatever his policies and stance, Dr. Burns will be only one member of a seven-member Federal Reserve Board, in the old phrase, the first among equals. And Federal Reserve Board policies are determined by a simple majority vote.

This being the case, a key question becomes: What will be his ability to influence his fellow governors and the presidents of the 12 regional Federal Reserve Banks.

It is here that Dr. Burns is very much an unknown. He strikes many people as arrogant, even those who freely concede that he possesses a most strikingly superior mind.

MARTIN HAS PREVAILED

Mr. Martin has been able to operate to conciliate and, generally, to prevail. He has been able to maintain a broad constituency, in the business community and elsewhere, in support of his policies and views.

Even when he publicly disagreed with the Presidents under whom he served—as he has with every one except, so far, Mr. Nixon—he always seemed able to keep lines of communication open and personal relationships amicable.

Will Dr. Burns be able to do this, with all of the vast intellect and energy (not even allowing for his age) that he will bring to his new job? The answer is not yet known.

THE PRESIDENCY—THE POPULAR WILL

Mr. HANSEN. Mr. President, the Washington, D.C., Sunday Star of yesterday, October 19, 1969, contained a reasonable and reasoned editorial about the October 15 Vietnam moratorium which deserves the attention of all.

The editorial, "The Presidency and the Popular Will," put the question of the just concluded Vietnam moratorium, specifically, and public protest, in general, into the proper perspective.

The President, after all is said and done, has to make his decisions on the basis of what will best serve the interests of all Americans, not just those who have been most vocal.

Further, I firmly believe that we are making progress in Vietnam, as the result of the President's policies. The President is working hard, to end the war in Vietnam. Among other things, he is withdrawing troops. He has significantly reduced the level of fighting. He has given top priority to turning the war over to the South Vietnamese.

To object so strenuously to what we are trying to accomplish, to oversimplify the problem so greatly with sloganeering, to demand that we "get out of Vietnam," that we "end the war," is to do a grave disservice to the men who have died there.

Perhaps the "popular will" could be served by such unrealistic action, but our country's pledge to help maintain freedom would be destroyed.

The distinguished Senator from Montana (Mr. Mansfield) commented recently on the President's efforts in Vietnam. He noted, in a speech here in the Senate on October 15, that he had just returned after 3 days in Montana and that he was asked there about his views on the situation in Vietnam.

Senator Mansfield noted:

> I told my fellow Montanans that it seemed to me that the President was doing all that he could do on the basis of the best advice he had available to bring about a responsible settlement. I stated further that, in my opinion, there were elements which were encouraging and which might lead toward a possible settlement.
>
> I pointed out that in the 7-month period since last March, the total number of North Vietnamese infiltrees numbered approximately 20,000 compared with an annual rate of infiltration last year between 7,000 and 13,000 a month; I pointed out that there had been a lull in the fighting, that the casualties had been reduced though, in my opinion, they were still too high; I pointed out that the President had ordered the withdrawal of 60,000 troops by the end of this calendar year and that this was a decided shift away from escalation toward deescalation; I pointed out that a new military strategy of "protective reaction" had replaced the strategy of "maximum pressure" which had been followed in the previous administration and during the first months of this administration.
>
> I stated further that it was my understanding that the orders for this shift had gone to General Abrams last July. To me, a strategy of "protective reaction" means that we have moved a long distance in the direction of a cease fire and stand fast policy because, as I interpret it, the search and destroy missions are a thing of the past, and under the new policy, we will fire only when there is a threat that our forces will be fired on even while remaining prepared to undertake necessary action should any attack be in the offing.
>
> I said to the people of Montana that I thought the President was moving in the right direction, that, from our point of view, progress was being made toward a settlement.

Mr. President, the Sunday Star's editorial rightfully notes that "the President's special interest is the welfare of the United States." The Star also said:

> He cannot become obsessed with the pursuit of a single objective. He must consider every proposed action in the light of its total consequence. And in reaching decisions, the President has available to him information that must exceed that of the best informed citizen.

Mr. President, it is my sincere hope that those persons who are even now planning another demonstration for mid-November will keep those points firmly in mind.

I ask unanimous consent that the editorial to which I have referred be printed in the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Presidency and the Popular Will

Last week's Vietnam Moratorium has been generally hailed as a success. The exact turnout will never be known, but no one would question the fact that it was an impressive and unique demonstration of disapproval of a uniquely unpopular war.

Now that the day has passed, the focus of attention shifts from the streets to the White House. How should the President, the official charged with the ultimate responsibility for the conduct of American foreign policy, react to this tangible evidence of the public will?

For the leaders of the Moratorium, the answer is simple. He should do as he is told. He should order an immediate cease-fire—whether or not the enemy responds in kind. He should assemble all available means of transport and he should evacuate all United States military personnel just as quickly as possible.

Their enthusiasm is understandable. A degree of irresponsibility is one of the several glories of youth. But the cry for instant presidential response is not limited to the campus. It has been taken up by a surprising number of senators, representatives, assorted local politicians and professors. It has been echoed by a number of editorialists, columnists and news interpreters.

The Moratorium, so the reasoning goes, proves that the Nixon administration is out of step with the people. Such a massive manifestation of discontent should shift the decision-making process from the elected officials to the street. Isn't that what democracy is all about?

There is, to be sure, such a definition of democracy. It can mean the direct and leaderless rule of the people. But the word also applies to a system of government in which carefully defined powers are vested in agents chosen by the people in free elections. And that is what American democracy is all about.

Such a formula does not deny the right of the people to assemble, to march, to protest, to speak and to demonstrate for or against any cause they care about. Nor does it mean that the elected agents should be unmindful of such demonstrations.

No one in any way responsible for the future of the United States could truly remain totally unaffected by any mass demonstration. As a political animal—and one who presumably has some interest in personal political survival—President Nixon has to consider every manifestation of public will.

But a recognition of the trends of public opinion is far removed from the abdication of presidential responsibility that is being demanded. The former is a proper application of practical politics. The latter is an open invitation to chaos.

To begin with, the people of the United States do not speak with a single voice. They never have. And as long as the human mind continues to function, they never will. The

Moratorium was a case in point. It was a generalized statement of public discontent. But on the question of specifically how and when the United States should extricate itself, opinions spanned the spectrum from the hope for a swift Viet Cong victory to demand for precisely what is happening: A phased withdrawal timed to the ability of South Vietnam to fend for itself politically and militarily.

But let us, for the sake of argument, assume that the demonstrators did speak with a single voice. Let us also increase all published estimates of the total turnout and say that an even million marchers turned out to demand immediate and total withdrawal from Vietnam. Should the President discard his own views and accept this mandate from the people?

If he should do so, what would become of the rights of the remaining 199 million Americans? The majority of those of voting age elected a president to fullfill his constitutional function. They did not go to the ballot box to name an observer of street demonstrations or an interpreter of public opinion polls.

The framers of the constitution and those who have refined it through the years were quite specific in defining the powers, duties and rights of the different branches of government. And the rights of the people under that government are also carefully set forth.

The people have the right to vote. They have the right—perhaps the obligation—to make their opinions known to their government through free speech, peaceful assembly and petitions for redress of grievances. But they have no right to dictate specific policy decisions from the street.

There is no abridgement of freedom or dilution of the democratic process. It is a practical recognition of the fact that the elected officials—and the president in particular—have a different view of the nation than the man in the street can possibly have. The president's special interest is the welfare of the United States. He cannot become obsessed with the pursuit of a single objective. He must consider every proposed action in the light of its total consequence. And in reaching his decisions, the president has available to him information that must exceed that of the best informed citizen.

This was the case in the infancy of the nation. It applies a thousandfold to the infinitely complex world today.

President Nixon has made it clear enough that he does not intend to turn aside from his obligation to frame foreign policy and to turn that function over to the Moratorium committee. He has said it in his press conference statement. He has repeated it in his reasoned letter of reply to the student who protested Mr. Nixon's press conference remark. But the matter does not end there.

The promise is for increasing pressure, in the form of future mass demonstrations, to force the President to capitulate. The chances are that the moratoriums planned for November and December will prove, in terms of numbers, something of an anticlimax. But it is not unlikely that they will make up in intensity and violence what they will lack in size.

Regardless of the nature or the size of the protest, Mr. Nixon, from all available evidence, will continue to follow the policies that he determines to be in the best present and future interests of the United States. But there is danger that the notion of immediate popular authority, which is being thoughtlessly touted today, will gain such currency that some future chief executive will feel compelled to disregard his constitutional obligations and to turn the decision-making process over to that multivoiced, semi-informed, whimsical and indecipherable entity called public opinion.

Presidents can be wrong. That's why protesters, commentators, editorialists and voters were born. The means to correct the problem of human frailty or errors of judgment in high places is indeed vested in the citizens. But the proper exercise of that power is not the bullet, not the brickbat, not the dictatorship of the people.

It is the vote.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on Approval of Loan to Golden Valley Electric Association, Inc., of Fairbanks, Alaska

A letter from the Administrator, Rural Electrification Administration, United States Department of Agriculture, transmitting, pursuant to law, a report on the approval of a loan to the Golden Valley Electric Association, Inc. of Fairbanks, Alaska, in the amount of $9,214,000 which includes $5,827,200 for the financing of certain new transmission and generating facilities and the completion of a previously loaned transmission project (with an accompanying report); to the Committee on Appropriations.

Proposed Legislation Authorizing and Fostering Joint Rates for International Transportation of Property

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to authorize and foster joint rates for international transportation of property, to facilitate the transportation of such property, and for other purposes (with accompanying papers); to the Committee on Commerce.

Report of Comproller General

A letter from the Comptroller General of the United States, transmitting, pursuant to the request of the Chairman, Committee on Ways and Means, House of Representatives, a report on the results of his monitoring of a special review of the aid to families with dependent children in New York City, conducted by the Department of Health, Education, and Welfare and the New York State Department of Social Services, dated October 17, 1969 (with an accompanying report); to the Committee on Government Operations.

Report of Comptroller General

A letter from the Director of the Federal Judicial Center, transmitting, pursuant to law, the Second Annual Report of the Federal Judicial Center, dated October 1, 1969 (with an accompanying report); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of Wisconsin; to the Committee on Post Office and Civil Service:

"Assembly Joint Resolution 44

"Memorializing Congress to reform the 1970 decennial census and assure a complete count of the population

"Whereas, Article I of the United States Constitution requires a decennial census for the purpose of apportionment of the House of Representatives and therefore requires no data on extraneous subjects; and

"Whereas, this constitutional purpose for the census has been distorted into a complex and overly personal interrogation of all Americans, as evidenced by the final plans for the 1970 census containing questions on population, housing and employment totalling 67 different subjects; and

"Whereas, the scope of these questions results in harassment of our citizens who are faced with a 60-day jail sentence or $100 fine, or both, if they refuse to submit to these inquiries, including the following questions: have you been married more than once; (if a woman) number of babies born, not including stillbirths; where did you live in April 1962; what was your major activity in April 1962; what is the value of your property; what is your rent; did you work any time last week; and

"Whereas, the right to personal privacy of our citizens is trammeled by extraction of extensive facts regarding marital life, income and personal background and by the threat of criminal penalty for failure to answer questions including those concerning household equipment, all of which flouts the cherished "right to be left alone" on which this nation is founded; and

"Whereas, the state of Wisconsin requires early and complete population counts from the decennial census, as does every other state and the federal government, in order to apportion and redistrict election districts of all types; and

"Whereas, in 1950 5.6 million people were missed by census takers though this fact was not uncovered until 1965; and

"Whereas, nearly 20 billion dollars in federal grants-in-aid and other financial assistance to states and their political subdivisions are distributed annually by Congress with population an important criteria in this disbursement; now, therefore, be it

"Resolved by the assembly, the senate concurring, That the Congress of the United States is memorialized to adopt legislation to return the decennial census to its intended constitutional purposes, restore the personal privacy rights of the American people through repeal of offensive criminal penalties and provide every possible assurance that the count of population will be conducted accurately; and, be it further

"Resolved, That duly attested copies of this resolution be transmitted to the secretary of the senate of the United States, the chief clerk of the house of representatives and the members of Wisconsin's congressional delegation.

"Harold V. Froehlich,
"Speaker of the Assembly.
"Wilmer H. Struebing,
"Assembly Chief Clerk.
"William P. Nugent,
"Senate Chief Clerk."

The petition of Daniel Edlord Leveque, of Sheboygan, Wis., praying for a redress of grievances; to the Committee on the Judiciary.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session, the following favorable reports of nominations were submitted:

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare:

William O. Baker, of New Jersey, to be a member of the Board of Regents, National Library of Medicine, Public Health Service; and

Jack Malcolm Layton, of Arizona, to be a member of the Board of Regents, National Library of Medicine, Public Health Service.

ADDITIONAL COSPONSORS OF BILLS

S. 2674

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from

Hawaii (Mr. Inouye), I ask unanimous consent that, at the next printing, the name of the Senator from Kansas (Mr. Dole) be added as a cosponsor of S. 2674, to amend title 37, United States Code, to provide for the procurement and retention of judge advocates and law specialists officers for the Armed Forces.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2876

Mr. HART. Mr. President, I ask unanimous consent that, at the next printing, the names of the Senator from New Jersey (Mr. Williams) and the Senator from Idaho (Mr. Church) be added as cosponsors of S. 2876, to amend the Communications Act of 1934 to provide candidates for congressional offices with certain opportunities to purchase broadcast time from television broadcasting stations.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSOR OF CONCURRENT RESOLUTION

SENATE CONCURRENT RESOLUTION 41

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at the next printing, the name of the Senator from Utah (Mr. Bennett) be added as a cosponsor of Senate Concurrent Resolution 41, urging the adoption of policies to offset the adverse effects of governmental monetary restrictions upon the housing industry.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE BRANCH APPROPRIATION BILL, 1970—AMENDMENT

AMENDMENT NO. 251

Mr. PROXMIRE (for himself, Mr. Case, Mr. Kennedy, and Mr. Brooke) submitted an amendment, intended to be proposed by them, jointly, to the bill (H.R. 13763) making appropriations for the legislative branch for the fiscal year ending June 30, 1970, and for other purposes, which was ordered to lie on the table and to be printed.

NOTICE CONCERNING NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. HRUSKA. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Paul C. Camilletti, of West Virginia, to be U.S. attorney for the northern district of West Virginia for the term of 4 years, vice John H. Kamlowsky, resigned.

James T. Lunsford, of Alabama, to be U.S. marshal for the middle district of Alabama for the term of 4 years, vice William M. Parker, Jr.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Monday, October 27, 1969, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE OF HEARING ON NOMINATIONS

Mr. HRUSKA. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, October 28, 1969, at 10:30 a.m., in room 2228, New Senate Office Building, on the following nominations:

Henry L. Brooks, of Kentucky, to be U.S. circuit judge for the sixth circuit to fill a new position created by Public Law 90-347 which was approved June 18, 1968.

Alfred T. Goodwin, of Oregon, to be U.S. district judge for the district of Oregon, vice John F. Kilkenny, elevated.

R. Dixon Herman, of Pennsylvania, to be U.S. district judge for the middle district of Pennsylvania, vice Frederick V. Follmer, retired.

David L. Middlebrooks, Jr., of Florida, to be U.S. district judge for the northern district of Florida, vice George Harrold Carswell, elevated.

Cristobal C. Duenas, of Guam, to be judge of the district court of Guam for the term of 8 years, vice Paul D. Shriver, resigned.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from Mississippi (Mr. Eastland), chairman; the Senator from Arkansas (Mr. McClellan), and myself.

TAX REFORM NO. 3: DEMOCRATIC STUDY GROUP TAX REFORM FACT BOOK

Mr. METCALF. Mr. President, today I shall place in the Record another section of the Tax Reform Fact Book prepared by the Democratic Study Group in the House of Representatives. Today's section discusses the capital gain preference.

The House bill would provide a moderate reduction of this tax preference, in part, by lengthening the holding period from 6 months to a year and eliminating the 25-percent alternative rate. When administration officials testified before the Committee on Finance, they announced their opposition to these changes. Here is what Assistant Secretary of the Treasury Edwin S. Cohen said about these provisions on September 4:

> We are opposed to the complete elimination of the alternative tax and to the extension of the holding period. These changes in our judgment impose too great a burden on capital investment. The effect of the bill would be to remove a large measure of the incentive for private capital to engage in new and expanded business ventures. Present capital investments would tend to be frozen and the economy as a whole would suffer. We believe that the six months' holding period should be maintained and that, in general, the alternative tax should be retained.

On September 25 the former Assistant Secretary of the Treasury, Stanley S. Surrey, commented on his successor's objections to these changes:

> But these dire forebodings are strange indeed when placed alongside its actual recommendations. For the Treasury is obviously aware that the capital gain preference is the single most important factor in permitting high income persons greatly to reduce their effective rate of tax, so that the equity and fairness of the tax system are markedly reduced. Hence, it recommends a complex limitation on the use of the 25 percent alternative rate which is in effect a special minimum tax applicable to capital gains. Under this approach the revenue gain in the capital gain and loss area would be $425 million—or about 66 percent of the House Bill gain of $635 million. It is hard to see how this $210 million additional gain under the House Bill—less than one percent of the present yield from capital gains taxation of individuals—can have the adverse effects on investment painted by the Treasury. In this light, the House bill approach, which is direct and far simpler, is to be preferred.

On October 10 the Committee on Finance agreed to delete from the House bill the provision that would have extended the holding period for a long-term capital gain to 12 months instead of the present 6-month requirement. The House Committee on Ways and Means had estimated that an increase in the holding period to 1 year would have resulted in an annual revenue gain of $100 million in 1970 and $150 million in subsequent years. The only reason given for deleting this provision from the bill was that the administration was not sure that revenues would be increased by as much as $150 million a year. I am not persuaded by that argument. On the contrary, after examining the available evidence gathered at the hearings, I am convinced that this provision must be restored to the House bill when it reaches the Senate floor.

Mr. President, I ask unanimous consent to have printed in the Record the section of the DSG Fact Book on Tax Reform which discusses in detail the capital gain provisions contained in the House-passed bill. On Tuesday, October 21, I shall place in the Record the section which discusses the taxation of corporations.

There being no objection, the section was ordered to be printed in the Record, as follows:

DSG Tax Reform Fact Book Section Two—Capital Gains

ELIMINATE PREFERENTIAL TREATMENT FOR CAPITAL GAINS

The problem

Highly preferential tax treatment is provided for capital gains—appreciation of such assets as stocks, real estate and other property not held for use in the taxpayer's trade or business plus profits from the sale of such assets as livestock, royalties, and real estate used in business.

Originally capital gains were taxed like other income. But through the 1930s various approaches were tried as support grew for preferential treatment. Finally, in 1942, the present system was adopted. A strong push for heavier taxation for capital gains was made in 1962 but Congress finally abandoned the effort.

At least $15 billion in unrealized capital gain now escapes taxation every year. Another $25 billion in reported gain is subject to capital gains treatment and taxed

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at rates ranging from 7% to 25%. This yields around $5 billion to $6 billion in revenue a year.

This special treatment for unearned income, according to Treasury studies, is more important than any other factor in reducing tax rates of high-income individuals. It also distorts the economy as capital asset sales are timed to maximize loss write-offs and postponed to meet requirements for tax-free transfers at death.

Present law

Reported capital gains now are taxed at half the normal rate, up to 25%. Gains on stocks, real estate and other appreciated assets transferred at death escape taxation. Further, the law allows liberal capital loss writeoffs, enabling taxpayers to program transactions in different years so each $1 of capital loss be used to wipe out at least $2 in profit.

Pending proposals

None of the tax reform proposals introduced this year would eliminate preferential treatment of capital gains. Several, however, would sharply limit this tax preference.

Revenue impact

Treasury estimates that taxing all capital gains as ordinary income would increase revenue about $8.5 billion a year.

Proponents and opponents

The U.S. Chamber of Commerce, New York Stock Exchange, American Farm Bureau Federation, and American Bankers Association are leading opponents of proposals to end preferential treatment of capital gains. The AFL–CIO, UAW and Longshoremen's Union testified for this change.

Administration action

The Treasury, in its December recommendations, urged taxation of capital gains now untaxed at death but did not deal with other preferential provisions.

The Nixon Administration's proposals do not deal directly with eliminating preferential treatment. They would tighten provisions dealing with capital loss deductions, however, and require taxation of appreciation of property donated to charity.

House action

The House adopted several changes limiting capital gains preferences. One would require, for individuals, that net long-term capital losses be reduced by 50% before deduction from ordinary taxable income. Another would extend the long-term capital gains holding period from six months to one year. Still another would eliminate the 25% ceiling on taxation of capital gains, requiring taxation at one-half regular rates for individuals. The captial gains tax rate for corporations would be raised from the present 25% to 30%. Further, lump-sum distribution from qualified pension, profit-sharing, stock bonus and annuity plans, now taxed at capital gains rates, would get this treatment only for the excess of distribution over contributions by the taxpayer involved. The amount represented by employer contributions would be taxed as ordinary income.

RESOURCE REFERENCES

Ways and Means hearings, Volumes 8 and 13; Treasury Studies, Part 3.

REQUIRE EQUAL TREATMENT OF CAPITAL GAINS AND LOSSES

The problem

Unequal tax treatment of capital gains and losses gives investors, especially those speculating in the stock market or in real estate, a substantial break.

One half the *profit* from sales of such assets as stocks and real estate held more than six months is tax-free and the other half qualifies for highly preferential capital gains treatment. Yet *losses* from these same kinds of transactions are fully deductible against both the taxable portion of profit and ordinary income. This enables taxpayers to program sales in different tax years so each $1 of capital loss can be used to wipe out at least $2 in profit. Further, up to $1,000 in additional losses can be written off each year against ordinary income.

Present law

All taxpayers may deduct capital losses at least to the extent of capital gains. Further, in the case of individuals, capital losses that exceed capital gains may be deducted against ordinary income up to $1,000 a year, with an unlimited right to carry any excess forward to future taxable years.

Pending proposals

None of the tax reform measures introduced in the House deal specifically with a requirement for equal treatment of losses and gains.

Revenue impact

Treasury estimates limiting capital loss deductions to 50% and tightening restrictions on the $1,000 a year in losses allowable against ordinary income would raise $60 million in new revenue the first year and $100 million a year when fully effective.

Proponents and opponents

The U.S. Chamber of Commerce and the New York Stock Exchange opposed limits on capital loss deductions. The Tax Council proposed a new system of taxing capital gains with full, unlimited loss offsets against long-term gain and unlimited carryover of excess losses.

Administration action

The Administration has recommended that each dollar of net long-term capital loss be permitted to offset only 50 cents of ordinary income. The annual deduction limit would be held at $1,000 with unlimited carryover. It also calls for an annual limit of $500 each for married persons filing separate returns.

House action

The House voted to require, in the case of individuals, that net long-term capital losses be reduced 50% before deduction from ordinary taxable income. Net short-term capital losses, under this plan, would continue to be fully deductible. The overall limit of $1,000 on capital loss offset against ordinary income also would continue (except for a $500 limit on married persons filing separate returns).

Resource references

See Ways and Means hearings, Volume 8; Treasury Studies, Part 2.

TAX CAPITAL GAINS NOW UNTAXED AT DEATH

The problem

It is estimated that at least $15 billion in realized appreciation in securities, real estate and other property escapes income taxation every year, either in the hands of the original owner or his heirs. This appreciation becomes irretrievable as a possibility for income taxation when the owner dies.

One result of this is that investors, particularly older people, hold their property for their estates instead of selling it and allowing the gain to be taxed. This artificial economic restraint has a "locked-in" effect. Another result is loss of a considerable amount of tax revenue.

A proposal to tax unrealized gains at death was rejected by Congress in 1963. Treasury's general counsel at that time issued an opinion concluding taxation of gains in this manner would be constitutional.

Present law

Gain on stocks, real estate and other appreciated assets transferred at death now escapes income taxation. In addition the basis of the asset for tax purposes is stepped up to market value at the time of transfer. Thus, in any subsequent sale by the heir, no tax is paid on the increase between the basis of the asset in the hands of the decedent and the market value at the time of transfer.

Pending proposals

A large number of tax reform bills introduced in the House call for taxation of capital gains now untaxed at death. H.R. 5250 (Reuss and others) would tax unrealized gain at capital gains rates in the final income tax return of the decedent. Identical or similar measures are H.R. 6206, 6770, 7040, 7045, 7346, 7585, 8144, 9195, 9759, 9852, and 10253.

Revenue impact

Most estimates of revenue that would be raised by taxing unrealized capital gains appreciation at death range from $2.5 billion to $3.1 billion, depending on exemptions and other variable provisions.

Proponents and opponents

The American Bankers Association, New York Stock Exchange, National Association of Manufacturers, and American Farm Bureau Federation all testified in opposition to this reform. The latter two groups, in fact, urged more liberal capital gains treatment. The AFL–CIO, UAW and Longshoremen's Union all testified in favor of taxing unrealized capital gains at death.

Administration action

The Treasury recommendations submitted in December called for taxing unrealized capital gains on transfer by gift or at death. The proposal included provisions for a substantial exclusion and provided for reporting in the decedent's final income tax return.

The Nixon Administration's proposals submitted in April did not include any provisions for taxing unrealized capital gains at death.

House action

None.

Resource references

Ways and Means hearings, Volumes 8 and 13; Treasury Studies, Part 3.

VICE PRESIDENT'S NEW ORLEANS SPEECH

Mr. DOLE. Mr. President, Vice President AGNEW spoke to a citizens testimonial dinner in New Orleans last evening. He gave a concise description of the Nixon administration's policy in Vietnam, supported draft reform, discussed our defense posture and inflation. These subjects went unreported by the press.

To put the Vice President's speech in the proper perspective, I ask unanimous consent that the complete text of his remarks be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ADDRESS BY THE VICE PRESIDENT

Sometimes, it appears that we are reaching a time when our senses and our minds will no longer respond to moderate stimulation. We seem to be approaching an age of the gross. Persuasion through speeches and books is too often discarded for disruptive demonstrations aimed at bludgeoning the unconvinced into action.

The young, at the zenith of physical power and sensitivity, overwhelm themselves with drugs and artificial stimulants. Subtlety is lost, and fine distinctions based on acute reasoning are carelessly ignored in a headlong jump to a predetermined conclusion. Life is visceral rather than intellectual, and the most visceral practitioners of life are those who characterize themselves as intellectuals.

Truth is "revealed" rather than logically proved, and the principal infatuations of

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today revolve around the social sciences, those subjects which can accommodate any opinion and about which the most reckless conjecture cannot be discredited.

Education is being redefined at the demand of the uneducated to suit the ideas of the uneducated. The student now goes to college to proclaim rather than to learn. The lessons of the past are ignored and obliterated in a contemporary antagonism known as the generation gap. A spirit of national masochism prevails, encouraged by an effete corps of impudent snobs who characterize themselves as intellectuals.

It is in this setting of dangerous oversimplification that the war in Vietnam achieves its greatest distortion.

The recent Vietnam Moratorium is a reflection of the confusion that exists in America today. Thousands of well motivated young people, conditioned since childhood to respond to great emotional appeals, saw fit to demonstrate for peace. Most did not stop to consider that the leaders of the Moratorium had billed it as a massive public outpouring of sentiment against the foreign policy of the President of the United States. Most did not care to be reminded that the leaders of the Moratorium refused to disassociate themselves from the objective enunciated by the enemy in Hanoi.

If the Moratorium had any use whatever, it served as an emotional purgative for those who feel the need to cleanse themselves of their lack of ability to offer a constructive solution to the problem.

Unfortunately, we have not seen the end. The hard-core dissidents and professional anarchists within the so-called "peace movement" will continue to exacerbate the situation. November 15 is already planned—wilder, more violent, and equally barren of constructive result.

Is all this justified? Are we imperialist war mongers? Let's look for a moment at the President's policy in Vietnam in the light of political and military conditions as they were and as they are today.

The situation as of January 20, 1969:

MILITARY CONDITIONS

The number of U.S. troops to Vietnam was still increasing (When the men on their way there on January 20 finally arrived, it reached an all-time high level in February.) We appeared still to be seeking a military solution.

Military operations were characterized by maximum military pressure on the enemy, through emphasis on offensive operations.

Progress in strengthening the South Vietnam army was slow; resources being devoted to this effort did not receive high priority.

POLITICAL CONDITIONS

We found only a general and vague set of proposals for political settlement of the war. While they called for "self-determination," they provided no specific program for achieving it.

Mutual withdrawal of forces was provided for under the Manila Declaration, which envisioned that the Allied withdrawal would be completed within six months of the withdrawal of North Vietnamese forces and the subsiding of the level of violence.

The situation today:

MILITARY CONDITIONS

We have instituted a Vietnamization program which envisages South Vietnamese responsibility for all aspects of the war—coping with both Viet Cong insurgency and regular North Vietnamese forces—even if we cannot make progress in the political negotiations.

We have offered the withdrawal of U.S. and Allied forces over a 12 month period, if North Vietnamese forces also withdraw.

We have declared that we would retain no military bases.

We have begun to reduce our presence in South Vietnam by setting in motion the replacement of over 60,000 U.S. troops (12% of total troops, or 20% of combat troops.) This is a meaningful act of de-escalation.

We have emphasized to our military commanders the requirement that losses be held to an absolute minimum, consistent with their mission to protect Allied forces and the civilian population. (Casualties in the first nine months of the Administration are one-third less than during the comparable period last year.)

POLITICAL CONDITIONS

For the first time, concrete and comprehensive political proposals for the settlement of the war have been made:

We have proposed free elections organized by joint commissions under international supervision.

We and the government of South Vietnam have announced that we are prepared to accept any political outcome which is arrived at through free elections.

We have offered to negotiate supervised ceasefires under international supervision to facilitate the process of withdrawal.

We have expressed willingness to discuss the 10-point program of the other side, together with plans put forward by the other parties.

In short, the only item which has not been declared negotiable is the right of the people of South Vietnam to determine their future, free of outside interference.

PROGRESS MADE TO DATE IN VIETNAM

The enemy was unable to launch the summer offensive which everyone had predicted.

The infiltration rate is down by ⅔ (which means that the possibility of an offensive this fall has receded).

Casualties for the first nine months of this year are down ⅓ compared with the comparable period last year.

The South Vietnamese army is larger, stronger and more well-equipped.

The influence of the government of South Vietnam has expanded substantially throughout the countryside and the government has made significant progress in coping with its domestic problems.

Let us turn for a moment to a legitimate complaint of our young people—the draft.

The draft, at best, is a necessary evil—one that President Nixon wants to do away with as soon as possible. But while the draft is still necessary, our government has a moral obligation to make it as fair and as reasonable as possible. Our failure to do mocks the ideals we profess so often.

What is it that makes our draft system so *un*fair and and *un*reasonable?

Essentially, there are two problems: first—the present system creates for our young men a long period of draft vulnerability, one which begins at age 19 and stretches for seven long years—unless the young man is drafted sooner. During this time, his educational plans, his career, even his decisions concerning marriage and family are distorted by his inability to predict the impact of the draft. All of this constitutes a terrible pressure, a dark shadow which falls across the lives of young Americans at the very time when they should be greeting the opportunities of adulthood with the greatest sense of excitement and adventure.

Prolonged uncertainty is one problem with the draft. Unfair selection is a second. Though all are technically vulnerable to the draft, those who are able to go on to college and then into certain graduate programs or occupations are often able to escape induction. In short, the current draft system creates frustration and mocks justice; it is both unfair and unreasonable.

This is not my opinion alone. It is widely shared—by members of all age groups in all parts of the country. Two panels composed of distinguished citizens—one headed by General Mark Clark and one headed by Mr. Burke Marshall—have reached the same conclusion in recent years. So have the reports of both the House and Senate Armed Services Committees and so have many leaders of both parties in the House and Senate.

Months ago President Nixon took the lead in the battle to reform the draft. On May 13, 1969, he sent a message to the Congress in which he asked that body to reduce the period of prime vulnerability from seven years to one and to institute a fair, random selection system. Under this arrangement, everyone would be eligible for the draft at age nineteen and would be randomly assigned a place in the order of call at that time. He would remain in a condition of prime eligibility for 12 months. If he were not drafted in that time, he would move into less vulnerable categories. Those who chose to take a deferment at age nineteen, to go on to college, for example, would do so knowing where they fell in that order of call and could plan their lives accordingly. They would then spend their year in the prime vulnerability group at the time they left school.

Few of the President's statements have brought more favorable reaction than his suggestions for reforming the draft. Despite the widespread dissatisfaction with the draft and despite the widespread praise which greeted the President's message—the Congress waited until this week to act. The House Armed Services Committee unanimously has reported the bill favorably, and early House action is expected. Senate action will depend on prompt attention by Senator Stennis' Committee.

As Secretary Laird recently explained, all that is necessary is that one sentence be changed in the current draft law, a sentence introduced as a last minute afterthought back in 1967. This single sentence now prevents the President from switching to the random selection process. It is true that the President could reduce the seven-year period to one year on his own; in fact, the President has indicated that he might take this step unilaterally even if Congress does not act. But he would much prefer to take the two steps together—and that means Congress must cooperate.

Why does he prefer both steps at once? If the President should go ahead and reduce the period of prime vulnerability to one year without Congressional cooperation, a strange thing would happen. The law would still require that the *oldest* nineteen year olds be drafted first—which could mean, for example, that everyone born in January and February might be drafted every year, while everyone born in November and December might regularly go unaffected. If Congress lets him, the President would avoid that systematic inequity by scrambling the 365 days of the year and rearranging them each year in a different order. Then everyone whose birthday was drawn first would be called first, and those who birthdays were drawn last would be called last. This is clearly the fairest system.

Certainly this is the time for the people to join the President in making their desires felt. For if reform is frustrated, it will be a defeat not only for the President, but also for the Democratic process. Above all, it will be a defeat for the principles of reason and justice which we value so highly in this country, principles which we preach with great ardor to our young people, but which we have not yet achieved in our selective service legislation.

Among the inaccurate tirades against the present foreign policy of the United States is an oft repeated allegation that we are mostly at fault for the strategic arms race with Russia.

If we examine the record of the past few years, it is quite clear that the United States has exercised considerable restraint in its strategic weapons programs, probably more than was prudent.

We built up to a force of about 1,000 ICBM's by mid-1967 and held it there;

We began building the last of our 41 ballistic missile submarines in 1965 and we have built none since;

Even though President Kennedy was being pressed to deploy an ABM as early as 1961, the U.S. refrained from a decision to deploy the ABM until 1967. Moreover, it was decided to modify the previous Administration's ABM system to emphasize further that the U.S. deployment was not intended to be provocative;

We have stretched out a decision to deploy a new manned bomber for nearly a decade.

The Soviet Union's record should be judged against this background of U.S. restraint.

The Soviets have already deployed 64 ABM's, and they are pursuing an active ABM development program; they have more ABM's today than we will have by 1974;

Their recent SS–9 tests with multiple warheads suggest that they are also pursuing a MIRV development program, a development which is of grave concern to us;

They have several ICBM's in development and production and have overcome our lead in deployed ICBM's already this year they have started construction on upwards of 100 new ICBM's; and they show no signs of slacking off;

They are continuing to build and deploy ballistic missile submarines and test new missiles for them;

They are continuing to build up their air defense systems;

They are developing mobile missile systems.

In summary, they are active across the board in developing and deploying strategic systems.

Interest in arms control cannot be one sided. It takes two sides to have a competition. I believe our record is clearly one of restraint. Moreover, since this Administration took office, we have studied in detail every aspect of limiting strategic weapons.

For example, for many weeks we have had a panel of experts examining in depth the possibilities and pitfalls in limiting the development and deployment of MIRV's.

We have had another panel doing a detailed study of U.S. intelligence capabilities and our ability to verify compliance with an arms control agreement.

These studies have shown that clear cutoff points are very difficult to establish. For example, it would not be enough simply to ban MIRV testing in order to stop MIRV deployment. We would have to have collateral restrictions on the testing of most space and weapons systems involving multiple or maneuvering objects in order to have confidence that MIRV deployment was in fact banned. This makes a unilateral moratorium very risky.

Complex questions such as these will not be resolved overnight. We look forward to discussing strategic arms limitation issues with the Soviet Union. Until such discussions clearly demonstrate a mutual concern in restraining the strategic arms competition, we believe we must pursue a course of action that preserves our security against the threats we continue to face.

We gain nothing, and the prospects for successful negotiations are not advanced one iota, by restraint which is not reciprocated. Why should the Soviet Union bargain seriously with us if they can have what they want without paying any price whatever? We would be playing Russian roulette with U.S. security if we failed to take the minimum essential steps to maintain our security.

Finally, we are beset with the accusation that this Administration is insensitive to domestic needs; that we are not spending enough on the problems of the poor; and that we, in fact, do not have a domestic program.

The decisions and actions of this Administration, since it came to office on January 20th, have been conditioned by the economic environment that we inherited. By Inauguration Day, 1969, the Federal government had run for eight years an unbroken string of budget deficits that added more than $78 billion to the Federal debt. The impact of these deficits on the national economy was far reaching.

By this past January, price inflation had been generated and propelled to the point where the cost of living was surging upward at a rate of five per cent a year. These price increases, coupled with tax increases, meant that the average American workingman had made no gain at all in real income in more than three years. For those below the national average—the Americans who live on pensions or fixed income—these three years had been even more difficult. These Americans were worse off economically in terms of real income in January of 1969 than they had been in December of 1965—despite the growth in the economy.

The imperatives of this economic situation dictated to a great extent our legislative and administrative priorities.

We made initial cuts of some $4 billion in the proposed 1970 fiscal year budget. Later, we made additional cuts of more than $3 billion to hold to our spending ceiling of $192.9 billion for this fiscal year. A short tight leash on Federal spending is the most effective means of controlling inflation—we shall continue to use it.

We recommended an orderly phase-out of the surtax at the full ten per cent for the second half of 1969 and at five per cent for the first six months of calendar year 1970. Congress has so far only granted the first and most vital part of this request. We ordered a cutback of 75 per cent in all Federal construction; we have asked the states to cut back construction as much as they can; we have followed the restrained and responsible monetary policy which our precarious economic situation requires.

While controversial and unpopular in the short run to many Americans, these measures are essential to the long-run stability and security of the economy on which the well-being of both the public sector and the private sector ultimately depend.

Even with a tight budget leaving little room for fiscal maneuver, we have come forward with legislative initiatives that break new ground in half a dozen areas, that entail historic reform in others, and that will enable us to test a philosophy of government that rejects the old centralism that guided Federal policy most of the past four decades.

Among our recommendations to this first session of the Ninety-First Congress are:

1. The most extensive overhaul of the welfare system since the beginning of the New Deal.

2. The beginning of an historic redistribution of power from the national capital to the state capitals and city halls through a sharing of Federal income tax revenues with the states.

3. The first major reform of the Federal Tax Code in 50 years.

4. The first major reform of Selective Service System since conscription became a permanent feature of American life in 1948.

5. A major attack on organized crime and the narcotics traffic.

6. A concerted national effort to eliminate the vestiges of hunger and malnutrition from our national life.

7. Replacement of the 189 year old United States Post Office Department with a government-owned corporation operating on business principles rather than political patronage.

8. The most extensive Federal commitment to mass transit and aviation in history.

Taken together, these recommendations represent our best judgment as to the priority of the competing and legitimate claims on the Federal government. This is our assessment of where existing Federal resources can best be distributed for the good of the entire country. If our diplomatic policies can produce an honorable peace in Asia and our economic policies can halt inflation in the economy, we shall be able to take up at once other urgent needs of our people.

Great patriots of past generations would find it difficult to believe that Americans would ever doubt the validity of America's resolve to protect free men from totalitarian attack. Yet today, we see those among us who prefer to side with an enemy aggressor rather than stand by this free nation. We see others who are short-sighted enough to believe that we need not protect ourselves from attack by governments that depend upon force to control their people—governments which came into being through force alone and continued to exist by force alone.

I do not want to see this nation spend one dollar more on defense than is absolutely necessary, but I would hate to see this nation spend one dollar less on defense than is absolutely necessary. Until the principle of open representative government exists among all nations, the United States must not abandon its moral obligation to protect by any means necessary the freedoms so hard won by the 400,000 Americans who made the ultimate sacrifice in dedicated belief that some things are more precious than life itself.

THE PRESIDENCY AND THE POPULAR WILL

Mr. McGEE. Mr. President, there has been considerable debate concerning the impact of last week's Vietnam moratorium, particularly as it is or is not reflected by the President of the United States. There should be more attention to the question of whether or not the Chief Executive should be influenced by the demonstrations in the street.

Happily, the question has not been ignored. The Washington Sunday Star of October 19, in its lead editorial, dealt at some length with the question of the Presidency and the popular will, and did so without questioning the impressive and unique demonstration which occurred last Wednesday. Yet, as the Star points out, the leaders of the moratorium, and all who participated for that matter, I would add, enjoy a high degree of irresponsibility in that they are not answerable for the consequences of the policies they espouse. The President most assuredly is, and he is answerable to all the people.

To follow the dictates of the moratorium committee would be to shift the decisionmaking process from elected officials to the street. Our leaders, elected by all the people, are charged with the decisionmaking process. That is what American democracy is all about. As the Star editorial puts it:

> The people have the right to vote. They have the right—perhaps the obligation—to make their opinions known to their government through free speech, peaceful assembly and petitions for redress of grievances. But they have no right to dictate specific policy decisions from the street.

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No one in a position of responsibility can remain totally unaffected by a mass demonstration such as we witnessed last week. But the recognition of an expression of this sort is far removed from the abdication of presidential responsibility, and that is what the more militant of the demonstrators seek, apparently.

Mr. President, because of its careful and intelligent discussion of this vital question, I commend the Star's editorial to all and ask unanimous consent that it be printed in the RECORD.

THE MORATORIUM AND THE PRESIDENT

Mr. DOLE. Mr. President, all Americans, whether in or out of public life, are reflecting on the meaning, effects, and influences of the Vietnam moratorium last Wednesday. Most would agree that it was a significant event. Much has been devoted to the manifestation of the popular will which the President is bound to heed. I, for one, do not find this point of view to be consistent with my understanding of the system of government established by the Constitution. This great document assures the people a firm and decisive voice in the affairs of government, but the voice is to be articulated in the voting booth not in the street.

Mr. President, the lead editorial of the Washington Sunday Star is most cogent and well reasoned in its assessment of the moratorium. I join the Senator from Wyoming in asking unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Sunday Star, Oct. 19, 1969]

THE PRESIDENCY AND THE POPULAR WILL

Last week's Vietnam Moratorium has been generally hailed as a success. The exact turnout will never be known, but no one would question the fact that it was an impressive and unique demonstration of disapproval of a uniquely unpopular war.

Now that the day has passed, the focus of attention shifts from the streets to the White House. How should the President, the official charged with the ultimate responsibility for the conduct of American foreign policy, react to this tangible evidence of the public will?

For the leaders of the Moratorium, the answer is simple. He should do as he is told. He should order an immediate cease-fire—whether or not the enemy responds in kind. He should assemble all available means of transport and he should evacuate all United States military personnel just as quickly as possible.

Their enthusiasm is understandable. A degree of irresponsibility is one of the several glories of youth. But the cry for instant presidential response is not limited to the campus. It has been taken up by a surprising number of senators, representatives, assorted local politicians and professors. It has been echoed by a number of editorialists, columnists and news interpreters.

The Moratorium, so the reasoning goes, proves that the Nixon administration is out of step with the people. Such a massive manifestation of discontent should shift the decision-making process from the elected officials to the street. Isn't that what democracy is all about?

There is, to be sure, such a definition of democracy. It can mean the direct and leaderless rule of the people. But the word also applies to a system of government in which carefully defined powers are vested in agents chosen by the people in free elections. And that is what American democracy is all about.

Such a formula does not deny the right of the people to assemble, to march, to protest, to speak and to demonstrate for or against any cause they care about. Nor does it mean that the elected agents should be unmindful of such demonstrations.

No one in any way responsible for the future of the United States could truly remain totally unaffected by any mass demonstration. As a poltical animal—and one who presumably has some interest in personal political survival—President Nixon has to consider every manifestation of public will.

But a recognition of the trends of public opinion is far removed from the abdication of presidential responsibility that is being demanded. The former is a proper application of practical politics. The latter is an open invitation to chaos.

To begin with, the people of the United States do not speak with a single voice. They never have. And as long as the human mind continues to function, they never will. The Moratorium was a case in point. It was a generalized statement of public discontent. But on the question of specifically how and when the United States should extricate itself, opinions spanned the spectrum from the hope for a swift Viet Cong victory to demand for precisely what is happening: A phased withdrawal timed to the ability of South Vietnam to fend for itself politically and militarily.

But let us, for the sake of argument, assume that the demonstrators did speak with a single voice. Let us also increase all published estimates of the total turnout and say that an even million marchers turned out to demand immediate and total withdrawal from Vietnam. Should the President discard his own views and accept this mandate from the people?

If he should do so, what would become of the rights of the remaining 199 million Americans? The majority of those of voting age elected a president to fullfill his constitutional function. They did not go to the ballot box to name an observer of street demonstrations or an interpreter of public opinion polls.

The framers of the constitution and those who have refined it through the years were quite specific in defining the powers, duties and rights of the different branches of government. And the rights of the people under that government are also carefully set forth.

The people have the right to vote. They have the right—perhaps the obligation—to make their opinions known to their government through free speech, peaceful assembly and petitions for redress of grievances. But they have no right to dictate specific policy decisions from the street.

This is no abridgement of freedom or dilution of the democratic process. It is a practical recognition of the fact that the elected officials—and the president in particular—have a different view of the nation than the man in the street can possibly have. The president's special interest is the welfare of the United States. He cannot become obsessed with the pursuit of a single objective. He must consider every proposed action in the light of its total consequence. And in reaching his decisions, the president has available to him information that must exceed that of the best informed citizen.

This was the case in the infancy of the nation. It applies a thousandfold to the infinitely complex world today.

President Nixon has made it clear enough that he does not intend to turn aside from his obligation to frame foreign policy and to turn that function over to the Moratorium committee. He has said it in his press conference statement. He has repeated it in his reasoned letter of reply to the student who protested Mr. Nixon's press conference remark. But the matter does not end there.

The promise is for increasing pressure, in the form of future mass demonstrations, to force the President to capitulate. The chances are that the moratoriums planned for November and December will prove, in terms of numbers, something of an anticlimax. But it is not unlikely that they will make up in intensity and violence what they will lack in size.

Regardless of the nature or the size of the protest, Mr. Nixon, from all available evidence, will continue to follow the policies that he determines to be in the best present and future interests of the United States. But there is danger that the notion of immediate popular authority, which is being thoughtlessly touted today, will gain such currency that some future chief executive will feel compelled to disregard his constitutional obligations and to turn the decisionmaking process over to that multivoiced, semi-informed, whimsical and indecipherable entity called public opinion.

Presidents can be wrong. That's why protesters, commentators, editorialists and voters were born, The means to correct the problem of human frailty or errors of judgment in high places is indeed vested in the citizens. But the proper exercise of that power is not the bullet, not the brickbat, not the dictatorship of the people.

It is the vote.

SAN FRANCISCO SCHOOLS AND SAN FRANCISCO EXAMINER SUPPORT S. 2625

Mr. MURPHY. Mr. President, on July 15, I introduced the Urban and Rural Education Act of 1969. The San Francisco Examiner, in an editorial, commented on the statement I made when introducing the measure. I ask unanimous consent that this editorial be printed in the RECORD.

In addition, I received a letter of endorsement from Superintendent Robert E. Jenkins of the San Francisco Unified School District. The superintendent said that he was "in complete agreement with the suggestions" incorporated in the Urban and Rural Education Act of 1969. I ask unanimous consent that the superintendent's letter also be printed in the RECORD.

There being no objection, the editorial and letter were ordered to be printed in the RECORD, as follows:

[From the San Francisco Examiner, Aug. 3, 1969]

THE NEW PATTERN OF SCHOOL NEEDS

Senator George Murphy has put his finger on some of the stark facts of education today in seeking added federal help for schools—rural and urban—with concentrations of disadvantaged pupils. It would amount to $220 million, not much but a start.

He said in a Senate speech, "In our naton's 15 largest cities, the school dropout rate varies from a high of 46.6 percent to a low of 21.4 percent. In three schools in a predominantly Negro area of Los Angeles two-thirds of the students drop out before completing high school."

As for rural areas, "Approximately 415,000 children of migrant parents have been estimated not to attend school on a regular basis . . . There are still about 10,000 one-room schools in this country."

Obviously the money should be put where the need lies. Unfortunately it is not going there now because of antiquated distribution

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formulas. Alan K. Campbell pointed out in the Saturday Review earlier this year that "The tax base in large cities has not kept pace with the most recent growth and changing nature of the school population in the cities."

The tax base of impoverished rural areas is equally distressing.

Although the central city once generated ample school funds as compared with the suburbs, that situation no longer holds. Murphy told the Senate, "By 1965 in the 37 largest metropolitan areas the average per pupil expenditure was $449 for the central city and $573 for the suburbs. All indications are that this expenditure gap is growing dramatically."

That certainly applies to California, as Gov. Reagan recognized in a report to the people last May: "Elementary school district expenditures range from as little as $289 per student per year to $2662." Anyone who calls this "equalization" needs to review grade school arithmetic and develop a sense of proportion.

Federal and state funds must be channeled into those school districts where the demand is for special educational means that cost money in terms of materials and teacher strength. We are glad to hear that point driven home so eloquently by Sen. Murphy on the floor of the Senate.

San Francisco Unified School
District, Office of the Superintendent,
San Francisco, Calif., September 10, 1969.

Hon. George Murphy,
U.S. Senate,
Washington, D.C.

Dear Senator Murphy: I have just completed reading the text of the Congressional Record for Tuesday, July 15, 1969. It was very interesting to see how closely our thinking is related to the whole matter of urban education and possible solutions.

I am in complete agreement with the suggestions which are made by you in your introduction to the Urban and Rural Education Act of 1969.

I am sure that you are aware that not only in our city, but throughout the State of California, the present Title I ESEA funds are being used as suggested in your Bill. The major problem, however, is that adequate funds have not been provided by Congress to follow through on the fine suggestions which have been made,

I hope that you will seek the support of other Congressional members so that your ideas can become reality. I shall call this to the attention of other school people to encourage their support of your action.

Sincerely,

Robert E. Jenkins,
Superintendent of Schools

PROPOSED REPEAL OF EMERGENCY DETENTION PROVISION OF INTERNAL SECURITY ACT OF 1950

Mr. INOUYE. Mr. President, earlier this year I introduced with 26 cosponsors, S. 1872, a measure to repeal the emergency detention provision of the Internal Security Act of 1950.

I have been pleased and heartened by the number of people throughout the Nation who have expressed to me their support for the proposed legislation. As a sample of the widespread support for S. 1872, I have received resolutions from the following organizations urging that the emergency detention provision be repealed: Board of Supervisors of County of Los Angeles; Monterey Park City Council; Salt Lake City branch of NAACP; Federated Auxiliaries of the International Longshoremen's & Warehousemen's Union; Office & Professional Employees Union, Local 29, Oakland, Calif.; Salt Lake chapter of the Spanish Speaking Organization for Community, Integrity and Opportunity.

I ask unanimous consent that text of these resolutions be printed in the Record.

Further, I have received reports that the administration is prepared to oppose the repeal of this law; however, despite repeated inquiries, the administration has not responded to my request and the request of a number of other House Members for a report or a position on this legislation. Therefore, I again urge that early hearings be scheduled on S. 1872.

There being no objection, the resolutions were ordered to be printed in the Record, as follows:

Resolution by the Board of Supervisors, County of Los Angeles

Whereas, with knowledge of the experience of Japanese-American citizens in emergency detention, we recognize the danger of Subtitle II of the Internal Security Act of 1950 (Emergency Detention Act), to the civil rights of all Americans, and

Whereas, American citizens of all nationalities regret that said part of our recent history, and

Whereas, the Emergency Detention Act provides that, during periods of "internal security emergency," any person who *probably* will engage in, or *probably* will conspire with others to "engage in, acts of espionage or sabotage" can be incarcerated in detention camps, and

Whereas, a person detained under the Emergency Detention Act will not be brought to trial under law, but instead will be judged by a Preliminary Hearing Officer and a Detention Review Board, wherein the detainee must prove his innocence, but the government is not required to disclose evidence or produce witnesses to justify the detention, and

Whereas, said procedures violate all constitutional guarantees and protections and are unnecessary, as existing laws and procedures are available and are completely adequate to safeguard internal security,

Now, therefore be it resolved that this Board hereby expresses its opposition to Subtitle II of the Internal Security Act of 1950 (Emergency Detention Act), and,

Be it further resolved that this Board's position be made known to all members of the Congressional Delegation from the Los Angeles area, with a request that they exert their influence to bring about repeal of the Emergency Detention Act.

Resolution 7384

A resolution of the City Council of the city of Monterey Park recommending the repeal of subtitle II of the Internal Security Act of 1950, adopted on June 10, 1969

The City Council of the city of Monterey Park does resolve:

Whereas, the existence of Title II of the Internal Security Act of 1950 (Emergency Detention Act) provides that, "the Attorney General *may apprehend and detain* any person who *probably* will engage in, or *probably* will conspire with others to engage in, acts of sabotage or espionage," and

Whereas, a person who is detained under the Emergency Detention Act is denied his rights to due process of trial under law; and

Whereas, there exist more effective laws and procedures to safeguard internal security.

Now, therefore, be it resolved that the City Council of the City of Monterey Park requests the Congress to repeal Sub-Title II of the Internal Security Act of 1950.

The City Clerk shall certify to the adoption of this Resolution and is hereby directed to send a copy thereof to Senator Daniel Inouye, Senate Office Building, Washington, D.C.

Adopted and approved this 22d day of September, 1969.

Kenny Gribble,
Mayor of the City of Monterey Park, Calif.

Attest:

Laura Lee McMillen,
City Clerk.

I hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Monterey Park at a regular meeting held on the 22d day of September, 1969, by the following vote of the Council:

Ayes: Councilmen: Karnos, Kreger, Erambert and Gribble.

Noes: Councilmen: None.

Absent: Councilmen: Lewis.

Laura Lee McMillen,
City Clerk of the City of Monterey Park, Calif.

A Resolution Passed Unanimously by the Salt Lake Branch of the National Association for the Advancement of Colored People—NAACP

Whereas, the NAACP is long familiar with the tyranny that exists where the rights of man and due process of law do not, and

Whereas, the NAACP has long fought to establish the right of all persons to receive their fullest constitutional protection under law, and

Whereas, the arrest and detention of persons in places of confinement solely on the grounds of suspicion and belief without due process of law and without having been convicted of a crime by a jury of their peers is contrary to the beliefs of and abhorrent to the members of the NAACP, and

Whereas, there now exists under the provisions of Public Law 831, 81st Congress; Title II, Section 102, 103, 104 (The Emergency Detention Act of 1950, the possibility of just such arrest of persons and their confinement in detention camps, such camps having already been built, without conviction for crime or due process of law, and

Whereas, Senator Daniel K. Inouye and 22 co-sponsors have introduced Senate Bill 1872 in the United States Senate and Congressman Spark M. Matsunaga and Chet Holifield have sponsored H.R. 11825 in the United States House of Representatives for the purpose of repealing the Emergency Detention Act of 1950.

Therefore, the Salt Lake Branch of the NAACP unanimously resolves to give its wholehearted support to repeal of the Emergency Detention Act of 1950 and urges Senator Wallace F. Bennett, Senator Frank E. Moss, Congressman Lawrence Burton and Congressman Sherman P. Lloyd to work for and to vote for the repeal of an act so contrary to American belief in freedom and justice, and

Further resolves that a copy of this resolution be sent to each Utah Senator and Congressman, and to Senator Daniel K. Inouye and Congressman Spark M. Matsunaga and Chet Holifield to show our support for the repeal of the Emergency Detention Act of 1950, and further that a copy be sent to the Salt Lake Branch of the Japanese American Citizens League that they may know we have committed ourselves to the campaign for repeal.

International Longshoremen's and Warehousemen's Union, Federated Auxiliaries—Resolution to Repeal Title II of the McCarran Act

Whereas: The Internal Security (McCarran) Act of 1950 was enacted in the McCarthy era, over the veto of President Truman, who declared "the act would strike blows at our liberties"; and

Whereas: The International Longshoremen's and Warehousemen's Union (ILWU) Federated Auxiliaries has consistently opposed this Act; and

Whereas: Title II of the Act, known as "The Emergency Detention Act" gives power to the President or his agent to detain persons "if there is reasonable ground to believe that such person will engage in or *probably* will with others engage in acts of espionage or sabotage"; and

Whereas: A person so detained will not be brought to trial, but must prove his innocence before a Hearing Officer. However the government is Not required to disclose or produce witnesses to justify the detention; and

Whereas: With the knowledge of the experience of the more than 110,000 citizens and non-citizens of Japanese ancestry (men, women and children) who were incarcerated, in 1942, in 10 concentration camps without hearing or due process of law because of racism and war hysteria; and

Whereas: In a May 1968 report, the House Un-American Activities Committee recommended use of Title II to detain in concentration camps, militant black leaders; and

Whereas: Senator Daniel Inouye of Hawaii, at the behest of the National Japanese Citizens League (JACL) Committee To Repeal Title II, has introduced Senate Bill #1872 to repeal the Emergency Detention Act, and 23 senators are cosponsors; and

Whereas: It has been and is the consistent policy of the ILWU Federated Auxiliaries to defend and protect constitutional rights and principles of democracy and to fight racism;

Therefore Be It Resolved: That the 14th BIENNIAL CONVENTION of the ILWU Federated Auxiliaries, assembled in Seattle, Washington this 18th day of June, 1969 while re-affirming our opposition to the entire McCarran Internal Security Act of 1950, hereby goes on record to support passage of S. 1872, and

Be it further resolved: That S. 1872 be considered and enacted as separate legislation and not attached to any pending and/or contemplated legislation; that copies of this resolution be sent to all ILWU Auxiliaries for action: that we take appropriate steps to have the various State Legislatures, in which we have auxiliaries, to pass resolutions to memorialize Congress for "DO PASS S. 1872"; to have Brother Al Lannon, ILWU Washington represent us at any hearings that may come up on this issue before Congress; and request Brother Lannon to take proper steps to have our resolution made a part of the Congressional Record; that we reach as many other Women's organizations as possible; to pass similar resolutions and finally that copies of this resolution be sent to Senator Inouye; to The Senate Committee on Judiciary and to the Press.

Adopted by ILWU Federated Auxiliaries 14th Biennial Convention Seattle, Wash., June 18th, 1969.

VALERIE TAYLOR,
President.
NORMA WYATT,
Secretary.

Resolution To Repeal Title II of Internal Security Act by Passage of Senate Bill 1872 and House Resolution 11825

Whereas: The Internal Security (McCarran) Act of 1950 was enacted in the McCarthy era, over the veto of President Truman, who declared "the Act would strike blows at our liberties"; and

Whereas: Title II of the Act, known as "The Emergency Detention Act" gives power to the President or his agent to detain persons "if there is reasonable ground to believe that such person will engage in or *probably* will with others engage in acts of espionage or sabotage"; and

Whereas: A person so detained will not be brought to trial, but must prove his innocence before a Hearing Officer, however the government is NOT required to disclose or produce witnesses to justify the detention; and

Whereas: With the knowledge of the experience of the more than 110,000 citizens and non-citizens of Japanese ancestry, who were incarcerated, in 1942, in 10 concentration camps without hearing or due process of law because of racism and war hysteria; and

Whereas: Senator Daniel Inouye of Hawaii, at the behest of the National Japanese American Citizens League (JACL) Committee To Repeal Title II, has introduced Senate Bill #1872 to repeal the Emergency Detention Act, and 23 Senators, including Alan Cranston and George Murphy, are cosponsors; and

Therefore be it resolved that Local 29, Office and Professional Employees Union, AFL-CIO go on record to support passage of SB 1872 which eliminates Title II—the Emergency Detention Section; and

Be it further resolved that we make public this action through every means at our command; and

Be it further resolved that copies of this resolution be sent to the Senate Committee on Judiciary and Senators Inouye, Cranston and Murphy; and

Be it further resolved, that the Senate consider SB 1872 and enact as separate legislation and not attached to pending and/or contemplated legislation; and

Be it finally resolved that similar resolution be sent by our Local on HR 11825, simliar legislation introduced by Congressmen Matsunaga, Holifield and many other Congressmen.

Resolution Passed Unanimously by the Salt Lake Chapter of the Spanish-Speaking Organization for Community Integrity and Opportunity—SOCIO

Whereas, it is one of the goals of SOCIO to promote the dignity, integrity and freedom of all persons, and

Whereas, the arrest and detention of persons in places of confinement on the basis of suspicion and belief without due process of law and conviction for crime by a jury of their peers is contrary to the beliefs of and abhorrent to the members of SOCIO, and

Whereas, there now exists under the provisions of Public Law 831, 81 of Congress, Title II, Section 102, 103, 104. (The Emergency Detention Act of 1950) the possibility of just such arrest of persons and their confinement in detention camps, such camps having already been built, without conviction for crime or due process of law, and

Whereas, Senator Daniel K. Inouye and 22 co-sponsors have introduced Senate Bill 1872 in the United States Senate and Congressmen Spark M. Matsunaga and Chet Holifield have sponsored H.R. 11825 in the United States House of Representatives for the purpose of repealing the Emergency Detention Act of 1950,

Therefore, the Salt Lake Chapter of SOCIO unanimously resolves to give its wholehearted support to repeal of the Emergency Detention Act of 1950 and urges Senator Wallace F. Bennett, Senator Frank E. Moss, Congressman Lawrence Burton and Congressman Sherman P. Lloyd to work for and to vote for the repeal of an act so contrary to American belief in freedom and justice, and

Further resolves that a copy of this resolution be sent to each Utah Senator and Congressman, and to Senator Daniel K. Inouye and Congressmen Spark M. Matsunaga and Chet Holifield to show our support for the repeal of the Emergency Detention Act of 1950, and further that a copy be sent to the Salt Lake Chapter of the Japanese American Citizens League that they may know we have committed ourselves to the campaign for repeal.

A TRIBUTE TO ROLLA A. CLYMER, OF EL DORADO, KANS.

Mr. PEARSON. Mr. President, as a part of its Media Appreciation Day activities Wichita State University proclaimed October 4 as Rolla A. Clymer Day.

Rolla Clymer is the editor of the El Dorado Times and I know of no other editor more deserving of this tribute. Rolla has been a towering figure in Kansas journalism and the affairs of the State for half a century. He has contributed greatly to the quality of Kansas journalism. The community of El Dorado and the State as a whole are better off because of Rolla Clymer. And through his lilting prose we have come to see and more keenly appreciate the enduring beauty of the magnificent Kansas Flint Hills.

Mr. President, it was quite appropriate that Clyde Reed, editor and publisher of the Parsons Sun and a distinguished editor in his own right, delivered the principal tribute to Mr. Clymer.

His words are a fitting tribute to this great and beloved Kansan and I ask unanimous consent that Mr. Reed's statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Statement of Clyde M. Reed

This university has chosen wisely today to cite Rolla A. Clymer of El Dorado for his contributions to Kansas, to Kansas journalism, to Wichita State itself.

Wisely, because no man is more deserving of the honor, this towering figure of Kansas life for a full 50 years, this master craftsman of the editorial sanctum, this beloved friend of countless Kansans from the lowliest stations to the highest callings within the borders of our glorious commonwealth.

It is a painful but nevertheless necessary duty to issue a warning at the outset of these meager and wholly inadequate remarks about Rolla Clymer. The first rule of journalism, to be objective, will be discarded forthwith. For how can you be objective about this man? Certainly not one who has looked to him for 25 years as a father confessor, who has been given a helping hand over life's rough spots, who has been the beneficiary of encouragement which somehow and unfailingly balances the scales leaning heavily if momentarily in the direction of despair or distress.

There is temptation to call our noble friend the "dean of Kansas journalism." But that doesn't fit. The term "dean" denotes a bit of stuffiness, if one dares to say so here in the midst of ivy and academic tassels.

No one ever has accused Rolla Clymer of being stuffy. No one ever will. That would be slander. He is everything else but. He has spent his life sticking needles into pomposity, deflating the unduly inflated, reducing the self-exalted to earthly and humble measurements.

He is honored here today as the senior practicing editor of his state, not in years alone but in the beauty, the sparkle and the wisdom which have poured forth from his typewriter in prodigious, delightful volume for half a century.

Many, if not most, of his contemporaries in his salad days of Kansas journalism long since have written their "30's" and departed

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for that Valhalla reserved for editors who in mystical fashion have met the weekly payroll, survived the ire of subscribers, dodged the withering wrath of vengeful politicians and yet produced the unsurpassed wit and wisdom found only in newspaper editorial columns.

"Our friend Clymer," as his late and dearly departed comrade, F. W. Brinkerhoff of Pittsburgh, used to call him, has done all of that and more, for he has weathered hell on earth in these recent months in the form of cruel physical adversity and today stands taller than ever in the eyes of his friends and as the editor of the El Dorado Times, the title which fits him best.

The same Rolla Clymer. Who else?

The rollicking Rolla Clymer who wet nurses and hand feeds a diverse stable of mischievous characters in his column of pungent paragraphs quoted so widely. Ham Berger, a thinly-veiled facsimile of the editor himself who gardens ardently and keeps a running score on the natural enemies nailed in defense of this year's radish crop. Or Ham Berger who visits full fury on those who peddle or eat onions and garlic, commodities he considers relentless foes of man's digestive processes and inner serenity, and whose growers are but lickspittles for the producers of assorted breath sweeteners hawked as the saviors of young love via the video tube.

There's Lem Lump, the town ne-er do well who has weightless opinions on all the weighty subjects of the day. There's Old Nosy, the coyote friend from the Hills who keeps the editor informed of happenings seen through carnivorous eyes, intelligence hot off the Bluestem.

The same Rolla Clymer. Who else?

Editorialist Clymer whose genius in words is unsurpassed in Kansas, past or present, only by that of his teacher and early confidant, the late William Allen White of Emporia.

Editorials in the Times are and have been for many years the standards by which all other journalistic output is judged. The style, the rhythm, the vocabulary, not to mention the content, are the products of a master and a perfectionist.

They are at once penetrating and indignant, kindly and humorous, not to mention condemning and forgiving, for Rolla Clymer is a true artist of words and moods as he sits at his easel, the typewriter, and daily composes the editorial canvas which has brought him lasting notice and a succession of recognition and honors.

But it is for his readers he writes. That is the important and only genuine purpose of the editorial.

First and foremost Rolla Clymer knows his town and his people. He has labored in it and among them for half a century, through days of boom and depression, in years that have been alternately rewarding and trying. But always the focus is on El Dorado and El Doradoans.

The late Jack Harris of the Hutchinson News once wrote that if you have to die some time, a reasonable assumption, the best place in Kansas to depart this earth is El Dorado for there are published editorial obituaries without parallel. They are knowingly and tenderly written about the lives and contributions of deceased townsmen, the little people and the leaders alike. The true Clymer touch probably is never better reduced to words than in this exercise of pure human love for fellow man.

Forgiving is this man, too. He can belt in stinging terms the pratfalls from grace of fellow editors, candidates, or, occasionally a combination of both, who are so unknowing and undiscerning as to advocate a severance tax on oil and gas production for the enrichment of the public treasury and the greater enlightenment of the state. But mercy breaks through by the time the last pain of the lashes has disappeared although certain posterior tenderness may still be in evidence. All is right again with the world.

And indignant as well this fellow Clymer can be when the occasion arises.

There was the day that an edition of a northeast Kansas paper was unwrapped on the Times' exchange table and perused by the probing eyes of our El Dorado friend.

A young colleague, with far more courage than wisdom but perhaps pushed for column material on a dull day, had discoursed on the "knobby-kneed steers". which were said to inhabit what were pictured as the rather commonplace Flint Hills.

The reaction was as instantaneous as it was violent. The Clymer typewriter became Mount Vesuvius. Angry smoke belched forth in far greater volume than Gary, Indiana, has ever known. Molten lava rushed northeastward in torrents reminiscent of the black Friday of 1951 on the overburdened rivers of Kansas. The heavens shook. The hapless young man, so perfidiously attacking the Big Beef Steer which abounds in the Kingdom of Butler, and the Hills whose praises Rolla Clymer has sung in memorable prose, was blistered and scorched. He was left to stew in his own juices along the Missouri River mud flats whose detractions from the Kansas landscape were enumerated regularly with clymerian relish in ensuing issues of the Times.

The Hills. The Flint Hills. They have been Rolla Clymer's love ever since he set foot in El Dorado early in 1918, and even before. He has put their virtues into words which promise to live as long as the Hills themselves. He writes gracefully of the unfolding, unending miracles of their changing seasons. They sleep, they wake, they flower into supernal glory, they fade—and then they sleep again.

No one knows the Hills better or cherishes them with more soul-felt affection. None is able to speak of their June loveliness in such eloquence, or with more feeling about the twilight of November "when the light lingers briefly before bidding a reluctant farewell to this ancient land of beauty."

Rolla Clymer, the poet laureate of the Hills, a designation richly earned and beyond challenge—an added dimension of a gifted editor.

The El Dorado Times has been the paper that Rolla Clymer has wanted it to be, for he was fortunate not only to have his own ambitions and ideas but also to have been provided a blueprint by his mentor, "Father" White, soon after he left the office of the Emporia Gazette and the bustle and excitement that marked it as the shrine of small town journalism in America.

The young editor, tried and tested in the mysteries of newspaperdom from hand-blistering operations of the Washington hand press to the marvels of Mergenthaler to the precarious balancing of front office books, moved to El Dorado.

Today it is less than a hour's piece down the Kansas Turnpike from Emporia. In 1918 it may have seemed half a continent away to a youthful mind bent upon a newspaper of its own at last.

Soon followed the gospel from "Father" White. On March 29, 1918 he wrote to his protege embarking upon uncertain seas in what then was a competitive town.

"Of course," advised the Emporia editor, "the first job of the newspaper is to print the news, but on the other hand after you have piled your paper full of names, you must have a policy, and I should say that policy should be the material and spiritual improvement of all El Dorado, and do not forget that the spiritual improvement stands for dozens of things."

Young Clymer was informed that "you may have to tear up your city printing contract, but do it. And you may have to tear up your county printing contract, but do it, and do it in a cold-blooded way. You will find that the confidence of the community in the paper's integrity is worth three times as much as the contracts which you lose. And you will only lose those contracts temporarily, for when your integrity is established, they will come back, and then they will stay with you. A newspaper's good name is its chief asset, it brings not only circulation but power and prosperity. There isn't anything else in the newspaper business as sacred as that axiom. . . ."

And it is on that axiom that the El Dorado Times has functioned and flourished for five decades under the firm, inspired hand of our friend. Rolla Clymer never forgot that advice.

All the while the Clymer dedication to Kansas, his native state, has been total and unbroken. His first brush with printer's ink came in Miltonvale, as the young son of a Presbyterian minister. High school and after-hours newspapering continued in Quenemo, nestled along what Fred Brinkerhoff termed the "uncertain banks of the classic Marais des Cygnes." Then college at the College of Emporia and later at the University of Kansas, a four-year turn on a Democratic weekly—Democratic, it is emphasized—in Olathe, on to Emporia and ultimately El Dorado.

This is a day for Rolla Clymer and for journalism. A recitation of his busy outside life as a citizen, a community and state leader and a doer of all good things in any event is too well known to be enlarged upon here. Suffice to say it is as broad as it is productive. Failure is a stranger in that roll call of accomplishments. Not a total stranger, for he did serve as a Republican presidential elector in 1936, but nevertheless a force most conspicuous by its absence.

Here we gather to honor him, this remarkable and indestructible soul, and honor him we do, glorying in the successes and renown which have been his, but above all, the rich and wonderful friendships with him that stretch over the years in endless directions.

As a younger friend, chosen as I was to deliver the message to Clymer upon this occasion, I hope you will forgive a personal note. But to me, and I hope to you, it expresses simply and movingly what all of us have in our hearts at this moment.

I called our mutual friend, Jim Pearson, in Washington one day late in the summer of 1968 to break the sad news of impending events in Rochester, Minnesota.

There was silence at the senatorial end of the line and then these poignant words:

"Thank God, they can't take his typewriter away from him."

Thank God, indeed.

IMPLEMENTATION OF HUMAN TREATIES

Mr. PROXMIRE. Mr. President, last week I spoke of the report recently published on the treaty making power of the United States in human rights matters. This report, prepared by the Special Committee of Lawyers of the President's Commission for the Observance of Human Rights Year 1968, presents a detailed argument for the ratification of the three human rights conventions covering genocide, forced labor, and the political rights of women. The report analyzes the two principal problems surrounding implementation:

> For the United States, problems of implementing human rights treaties have two dimensions: the nature of the implementation procedure proved for in treaties themselves and the built in implementation procedure peculiar to the United States arising out of the fact that its treaties are the supreme law of the land.

The report outlines three procedures for implementing human rights treaties:

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judicial proceedings, conciliation, and Government reporting. Judicial proceedings are undertaken by the International Court of Justice at the request of a government and are binding on the government requesting the proceedings. In the United States, this procedure is limited to commitments where the Court's jurisdiction does not extend to "disputes with regard to matters which are essentially within the domestic jurisdiction of the United States as determined by the United States."

The second method for implementing human rights treaties is the use of conciliation procedures. These have recently been established by two effective instruments, the protocol to the UNESCO Conventions Against Discrimination, and the Convention on Elimination of All Forms of Racial Discrimination. In each case special committees have been set up which are ready to handle individual complaints. They make suggestions and recommendations which are then summarized in a final annual report.

Government reporting is used to keep members of the Committee of Experts on the Application of Conventions and Recommendations abreast of Government efforts to implement ratified conventions. The committee then uses these reports to make suggestions to the General Assembly on better implementation and enforcement methods.

Mr. President, these three implementation methods, judicial proceedings, conciliation, and Government reporting insure that once the conventions are ratified, adequate implementation procedures will be available. The time for action by the Senate on these three conventions is long overdue. The enforcement procedures are ready for use. Senate action is needed now.

Mr. President, I wish also to clarify one point. I have spoken about the report prepared by the Special Committee of Lawyers of the President's Commission for the Observance of Human Rights Year 1968. In earlier remarks I referred to this Committee as being appointed by President Johnson. The President's Commission for the Observance of Human Rights Year 1968 was appointed by President Johnson who in turn appointed the able and distinguished W. Averell Harriman as Chairman of the Commission. Mr. Harriman in turn appointed the Special Committee of Lawyers of the President's Commission for the Observance of Human Rights Year which was headed by former Supreme Court Justice Tom Clark.

THE MILITARY-INDUSTRIAL COMPLEX: A PERSPECTIVE

Mr. GOLDWATER. Mr. President, since the 91st Congress convened last January, we have heard and read literally thousands of words on the general subject of the so-called military-industrial complex. However, I do not believe that anyone has presented this subject in its true perspective any better than did Eugene M. Zuckert, former Secretary of the Air Force, in a recent speech before the Defense and Contract Procurement Administration Conference in Detroit, Mich.

Mr. Zuckert, who has a long experience in Government circles closely associated with the Defense Department, makes an especially important point concerning the critics of the military-industrial complex. He put it this way:

> You are all familiar with the government's long-established policy against undue concentration of economic power in our corporations and you are seeing the grim spectre raised of undue power in the military-industrial complex.
>
> But I have heard no such hue and cry raised against the undue concentration of propaganda power that results from the ideological interlock among our Liberal mass news media and certain faculty members of our universities, and the editors of most journals of opinion.
>
> Yet all too often, in the name of free expression and academic freedom, we find this great concentration of propaganda power attempting to preempt the functioning of the Presidency and the Congress in the field of foreign policy.

Mr. President, we have recently seen a typical example of propaganda power in connection with the recent Vietnam moratorium.

I ask unanimous consent that the full text of Mr. Zuckert's remarks be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

THE MILITARY-INDUSTRIAL COMPLEX: A PERSPECTIVE

(By Eugene M. Zuckert, former Secretary of the Air Force)

For twenty-five years I worked in a variety of capacities to help build a proper and productive relationship between government and industry—a relationship necessary to meet the needs of our national defense. Today I am saddened. That relationship has been misunderstood, has been criticized, has been denigrated, and the term "military-industrial complex" has been used as a mark of opprobrium. This has been true even though it took the same skills and the same resources of the very same complex to produce the much-applauded Apollo 11.

How and why has this come about?

What I hope to do this evening is to give you some views, based on my own experience, what I believe lies behind the public controversy which now pours more heat than light on the problems of our national defense and defense establishment.

I am proud of the Defense Establishment of today, that I have had some share in building it to its present level of effectiveness. But, at the same time, I am not blind to the faults, the failings and the built-in inefficiencies that one can find in the Defense Establishment or in any huge organization, particularly one which does not have to sell its products to the public to stay in business.

I have spent good part of a lifetime looking for those faults and for ways to correct them. I only wish that the current critics of the Defense Establishment were looking sincerely for genuine faults and positive corrections. But basically, that is not at all what the most vocal of the critics are after.

What is the thread of the allegations against the military and its supporting industry? It goes far beyond a concern for the proper level of military expenditures. There is an underlying charge that a conspiracy exists among our military and the defense industry that results in wasteful spending for arms with consequent profits to industry and an inordinately swollen military posture. For that running start, the charges fan out and derive nourishment from sensationalized treatment of a variety of examples of mistakes and inefficiencies, real or alleged.

At the same time, a whole host of newly qualified military experts spring up on all sides; there is a startling discovery that the military has run wild because of perfunctory scrutiny of the defense budget. That is particularly ironical to me because I recall the vigorous McNamara budget process. The fashionable criticism in those days was that our military suffered an excess of civilian control with a resulting downgrading of experienced military judgment.

It is my considered judgment that the current furor over the military industrial complex is really an attack on an unpopular war. Wasn't it Arnold Toynbee, the great historian, who said that war weariness is a most useful tool for dictators and demagogues? The critics of the Vietnam war have been raging on the Potomac since 1965, and they are not likely to subside soon. The professors, politicians and pundits who are already in the fray are enjoying it immensely, and they have friends who also are bound to claim "a piece of the action."

There is a long list of things which the storm over the military industrial complex is not:

It is *not*—as advertised—a Great Debate over American Defense and Foreign Policy. A Great Debate, in my opinion, is desperately needed. But this isn't it.

It is *not*—as some claim—a popular uprising against militarism and procurement hanky-panky in the Pentagon. Waste there is and always will be. But these critics are opposed to the Defense Establishment no matter how well run.

Nor is it—as claimed—a "concerned dialogue" over national priorities. How can you have a "dialogue" on whether we should have obsolete weapons systems or higher vertical slums? The two serious problems deserve serious attention, not rhetorical flimflam.

What we're experiencing is not even a rational discussion of the weapons systems our current national defense posture requires. One cannot find in all the arguments an effort to define our needs and then measure the Defense Establishment against the requirements.

Superficially, the controversy over the military-industrial complex might seem to arise from any or all of these issues, depending on what syndicated column or Washington newsletter you read.

But don't you believe it. All the sloganeering just doesn't add up: How we must reassess our national priorities by cutting back our defense expenditures; how we have to get the military under civilian control; how we are headed down the road to militarism and fascism.

The controversy over the military industrial complex is the same tired old combination of *unilateral disarmament* and pious hopes that we have seen played on the Washington circuit off and on for well over a quarter of a century! The young ones don't know it, and the old ones too often have forgotten, but we've seen and heard it all before.

To be sure the format has been updated. Now it's a kind of ideological Western. The military industrial complex is cast in the role of the bad guys. Forty years ago it was the "Merchants of Death"—but the plot was the same.

All reasonable persons can applaud conscientious dispassionate inquiry into and search for evidence of stupidity, incompetence, favoritism and waste in military procurement. Responding to such inquiries is a legitimate part of the job for the uniformed and civilian Defense leaders who must defend their management before Congress.

The cost of the C5A transport or blunders on the Cheyenne helicopter and the effectiveness of the supertank—these are all appropriate subjects for Congressional investigation by the able committees charged with that responsibility.

But what I regard as dangerous and illegitimate is the highly organized and furiously pressed propaganda assault on our defense institutions disguised as a selfless effort by "concerned" intellectuals to save the nation from takeover by an alleged combination of defense industry profiteers and a war-minded military.

There are some who may say this merely is symptomatic of the malaise of our times—part of the current attack on so many of our established traditions and institutions. There are some who will insist that a better-educated and more enlightened populace has finally risen in righteous wrath and indignation against a longtime evil.

Actually, however, the scenario is old hat.

It was first staged in the early '30s by a curious combination of far-out Liberal intellectuals and a group of Republican isolationist Senators of that era. The isolationist Senators just did not want the United States in any more European wars. Some of the involved intellectuals believed that the French and British were about to join with Hitler in common cause against Russian communism. But whatever the motivations, and they were mixed, everybody in the combination wanted to make sure that Wall Street and the munitions-makers of World War I were blamed for whatever past, present or future problems could be claimed.

So what played the Washington circuit then was a truly memorable extravaganza. A Senate Committee (to become famous as the Nye Committee) set out to investigate the relationship between Wall Street and American War profiteers and munition-makers who stood accused of having dragged the United States into World War I. The production played to standing room only. It received tremendous publicity and developed a new "devil image" for Wall Street and American Big Business, the evil.

Congress rushed to pass the Neutrality Act of 1935. Free from the machination of the Merchants of Death we were all, presumably, safe.

Sure we were—until the roof caved in on us at Pearl Harbor.

Today, many of the players are different. But the arch-villain is the same—something called this time the military industrial complex.

But what the nation could endure in the peaceful, nonnuclear '30s becomes an irrational luxury in the nuclear, cold war '60s. We Can see the danger now that a colossal demonstration of pacifist sentiment may well lead to hasty and ill-advised actions designed to fetter our defense establishment and impair our defense posture. This, in turn, could be misread as a sign of our weakness, and it could trigger the very confrontation that the anti-military group presumably wants to avoid.

Does this sound far-fetched? I don't think so. Let's look at what happened in the '40s, the '50s, as a result of so-called "popular demand":

Remember the frantic demobilization of our fighting forces and the defense industry we had built to meet the needs of World War II? We paid heavily for that spasmodic reflex to strident, fomented hysteria. I had a ringside seat at the anti-military fights that went on before, during and after that struggle. (I was then Special Assistant to Stuart Symington, Assistant Secretary of War for Air.) The critics hastily cut the armed forces and just as hastily rebuilt them for Korea.

In 1949 I watched the late Defense Secretary, Louis Johnson—acting under Presidential orders to economize—cut the military budget to the bone. That was the year when Russia developed her own A-bomb, on which *we* were supposed to have a monopoly for at least twenty years.

It took the communist invasion of Korea in 1950 to teach us the hard way that the ill-considered demobilization and disarmament after World War II was a disaster never again to be invited.

That's when we started, painfully and expensively, to rebuild the defense establishment we had deliberately and ruthlessly wrecked.

The furious controversy over our development of nuclear and thermonuclear weapons compounded the difficulties of recapturing and rebuilding our initiative in nuclear technology. This was brought home to me when I served as an Atomic Energy Commission member from 1952 to 1954.

I went back to the Pentagon in January of 1961 as Secretary of the Air Force under a truly great Secretary of Defense—Robert S. McNamara. During that tour of duty, in the Administrations of Presidents Kennedy and Johnson, I saw the Defense Establishment revitalized in muscle and posture.

There was a sharp break with former Treasury Secretary Humphrey's insistence that a balanced national budget must be accorded priority over the requirements of national security.

A defense policy based on the Dulles doctrine of massive retaliation was replaced with President Kennedy's posture of "flexible response" to aggression.

He made a unique contribution of great permanent significance in substantially improving the quality of information that forms the basis of the decision process in the Pentagon.

And probably most important, Secretary McNamara made giant strides toward the nation's goal of actually unifying the missions of our armed forces which the Unification Act, as amended in 1958, called for.

Secretary McNamara put together a defense establishment under civilian control of which the nation can be proud. And he established the elements of the sound and proper relationship between our military leadership and the nation's defense industry which I devoutly hope will endure in the years ahead.

This is only part of what is being threatened today.

In Vietnam our soldiers fight in a war that could well be won for the enemy on the propaganda front at home. Right here.

In the new concept of revolutionary warfare—between an open society like ours and the closed systems of Russia, China and North Vietnam—our public opinion environment becomes the decisive battleground. Both Ho Chi Minh and General Giap have repeatedly declared that the propaganda front of American public opinion will be the threater of the final and decisive communist victory in the Vietnam War. You may be sure they have taken great care to secure Hanoi's homefront against the kind of disruptive tactics which are a daily occurrence here.

In North Vietnam, offenses such as "disrupting public order," speaking against the war, staging student demonstrations or "undermining the solidarity of the people" draw penalties ranging up to life imprisonment and death.

None of us would want to see any of our freedoms so constrained. We must use self-restraint as we exercise our hard-won rights of free speech. And we must face realities. We must understand that a major war goal for Ho Chi Minh and General Giap is a psychological one—the dramatic and enduring humiliation of the United States with a significant influence on the shadow and substance of American power, particularly in Asia.

For the President (any President) and the Senate (any Senate) Vietnam presents an issue of American foreign policy which will *not* be solved simply by bringing our troops home in a blind rush.

Vietnam is a test of the Truman Doctrine, established in 1947 by a Democratic President with the solid approval of the Republican 80th Congress. A defeat for the policy in Vietnam will invite similar challenges elsewhere.

These are strange times indeed. The Democratic Party seems to be abandoning the Truman Doctrine. The stance of many of its leaders in the fight against deployment of an ABM carried overtones of a reversion to the Dulles policy of "massive retaliation." Some of the Liberal intellectual rhetoric sounds like an echo of the old arch-conservative rallying cry of "Fortress America."

I don't get it.

One thing I do get. Inevitably and unavoidably, in the absence of clearly defined policies or clairvoyance of the future, the military establishment must plan to fight almost every kind of war that could be thrust upon us.

Another anomaly. So many ardent supporters of the late President Kennedy are now enthusiastic participants in the campaign against the Vietnam War and the off-shoot crusade against the military industrial complex. Have they forgotten the words of President Kennedy in his Inaugural Address? He said:

"We dare not tempt them with weakness. For only when our arms are sufficient beyond doubt can we be certain beyond doubt that they will never be employed."

I haven't forgotten.

You are familiar with the government's long-established policy against undue concentration of *economic* power in our giant corporations and you are seeing the grim spectre raised of undue power in the military industrial complex.

But I have heard no such hue and cry raised against the undue concentration of *propaganda* power that results from the ideological interlock among our Liberal mass news media and certain faculty members of our universities, and the editors of most journals of opinion.

Yet all too often, in the name of free expression and academic freedom, we find this great concentration of propaganda power attempting to preempt the functioning of the Presidency and the Congress in the field of foreign policy.

Just as the interpreters of the Constitution have concluded that the economic freedom guaranteed to us does not include the power to monopolize or near-monopolize to the detriment of all of us, so I believe that the freedom of speech guaranteed to us by the Constitution does not intend that any group of like-thinkers should spawn a complex of *Propoganda* power—a complex so potent in our kind of society today, that it makes the economic weight of the military and industry seem puny by comparison.

As a lawyer and a Liberal Democrat I am dedicated to the principle of free speech. As a longtime public servant I've taken the oath to support and protect the Constitution of the United States which guarantees that freedom. But I've also had some responsibility for the preservation of the security of this country and for equipping our young people for modern warfare and assigning them, men and arms, to battle in far-flung places.

Small wonder then that I cannot accept that "anything goes" under the banner of free speech and academic freedom.

In an age of instant and all-pervasive mass communications a pressure-group democracy such as ours should not, dare not, permit the exercise of a form of monopoly propaganda power over the public dissemination of information.

Since 1959, the propaganda power con-

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glomerate has accomplished much. And much that is not good.

It has pre-empted the Constitutional role of the President as the nation's voice in its foreign affairs. *Challenged* and influenced by indirection the President's powers and responsibilities as Commander-in-Chief. *Systematically eroded* the nation's will to defend its interests and its capability to wage modern warfare. *Convinced our enemies* as well as our allies that our Constitutional anarchy is an open invitation to calculated aggression or institutional subversion.

We have seen an effective, powerful and liberal President practically driven from office, the Truman Doctrine discredited as a basic American bipartisan policy, the credibility of the Kennedy doctrine of flexible response to communist-supported "wars of national liberation" undermined.

And once again we have a defense establishment with morale impaired, its competence, integrity and effectiveness challenged.

There are those who profess to believe that it is the government, particularly the Defense Department, which is trying to monopolize public information. Persons who believe this do not understand the real world of information. A government can only make information available to the news media. It cannot hide information. There are no secrets from a hard-working press. The government, day-in-day-out cannot even communicate directly with the public. It must do so through privately owned news media which transmit the information or ignore it or reshape it as it sees fit. In our society, the government cannot monopolize information; only a combination of news media can do that.

I base my opposition to the concentration of information power on the danger it poses in our kind of open society, but I also would like to point out that the record of the people who enjoy this great power today is very poor on the basic foreign-policy challenge of this century. Our great problem is to survive with our free institutions in the face of a Communist movement that wants to change our institutions. It has been well demonstrated that alert and firm American leaders can check the Communist, but it also has been well demonstrated that too many of the persons who dominate the information media today are neither alert nor firm. To put it bluntly, they are starry-eyed in a world that is tough and realistic about power.

I believe that with strength and skill we can indeed negate the aggressive Communist power and gradually arrive at live-and-let-live agreements so indispensable in a world of nuclear weapons. But it won't be easy and it won't be quick. And it won't come at all if we follow the lead of the writers, the professors and the politicians who seek us to disarm, be sweet, hope for the best.

What these people are really doing is assuring us that they can predict the future and that the future will pose no problems to us that cannot be handled with good will. No problems in our hemisphere, no problems in Europe or Africa or Asia which will threaten our interests and which cannot be handled with clever phrases.

That's just not the real world. The institutions of enlightened societies are all too often changed by the physical power of some group of men of ill-will. Often the power need not even be used. Its existence, its implied threat of use, can change the governments of other countries.

There is nothing in the record of the Communist countries to indicate that they are ready to bubble over with good will if only we will disarm ourselves and talk to them nicely.

The historic fact is that we have treated the Soviet Union with considerable generosity. In the early '30s we as a country tried to be decent to Stalinist Russia at a time when many other leading nations wouldn't recognize the Communist government. We helped defend the Soviet Union during World War II when we could have stood back and watched the Nazis and Communists chew each other to bits. We gave the Soviet Union a free hand in Eastern Europe. We offered to share our nuclear secrets with her.

It would be hard to convince anyone that our restraint has brought increased civil liberties, free speech, academic freedom and anything else good to any group of human beings. But firmness has. Those who remember way back into the late '40s will recall that some of the greatest democracies in Europe were about to lose their freedoms under Communist pressure. There were no overt threats of Soviet invasion, merely the existence of power on one side of the Iron Curtain and weakness on the other. By placing our power on the side of Western Europe we blunted the threat.

Now, some of the critics of the defense establishment may well claim that this is not what the so-called dialogue is all about. They don't want to knuckle under to Communist pressure; they merely want to deprive American militarists of unneeded money.

One would have to be very young, quite oblivious to history or short on common sense to believe this. The campaign of these intellectuals adds up to isolationism and pacifism or it adds up to nothing. If they were sincere about wanting to improve the military establishment, wanting to get the best defense for the dollar, wanting to tailor our arms to our potential needs, then the current debate would be changed drastically.

Let me emphasize that I believe that the military establishment does need change and improvement. And let me also offer some specific areas in which truly concerned people can carry on fruitful discussion. I don't have instant answers to the issues which I will list here, but I can assure all of you that there will be profit to our nation and to our freedom if we address these issues in a responsible way.

1. *Our Foreign Policy Philosophy and Posture.* If our international role is to be one of *pacifism* in isolation the people of the United States should know that fact from their elected representatives. They should not have to rely on contrived concensus. If it is to be *isolationism* in *Fortress America* they should know the implications from their elected representatives.

If our elected representatives believe that our true course lies in a responsible *international* role, then a rational dialogue should include such questions as these: What values—material, moral, spiritual—are we prepared to fight for? . . . Real estate? Access to vital resources? The values of the Judeo-Christian civilization? National honor?

This question—What are we prepared to fight for?—arises in many forms. In the Middle East. Israel. West Berlin. Africa. Latin America.

Rational dialogue would develop a viable and credible foreign policy, a realistic defense strategy and a stable defense planning and funding policy.

2. *Can we, in this day and age, develop a bipartisan foreign policy matrix?* The creation of West Germany, the Berlin Airlift, the Marshall Plan, the Japanese Peace Treaty are milestones of bipartisan cooperation. I believe it could work for us again. Perhaps a Special Commission, consisting of members appointed by the President, the President of the Senate and the Speaker of the House might be able to develop such a matrix by 1972.

3. *How do we avoid undermining the homefront in a real albeit undeclared shooting war?* The Founding Fathers just never had to consider the possibility of limited and undeclared wars in which the propaganda front is as vital as the military front. But these struggles constitute a fact of life in our times. Perhaps (when American Forces are actively engaged in some undeclared conflict) it might be possible to have, say, a "State of Belligerency" proclaimed. When our men are asked to risk their lives on a foreign field of battle, can the rules at home be the same as in peacetime?

4. *Should there be a ceiling on the Defense Budget?* There may be ways of stabilizing the Defense budget. There is merit in the idea that the President place his prestige behind a determination that there be allocated a certain percentage of the Gross National Product to national defense under conditions of "normalcy." In conditions short of formally declared war or a Special State (such as Belligerency) the percentage of GNP could then more likely be held firm, regardless of what political party may be in office.

5. *Why not periodic review of our Commitments and Contingency Plans?* Some steps are already being undertaken by a subcommittee of the Senate Foreign Relations Committee under Senator Stuart Symington. It is a highly constructive idea, long overdue, and it can produce reasoned, dispassionate conclusions. After all, the level of our Defense expenditures is based primarily on the number and nature of our foreign commitments—not on the pie-in-the-sky desires of the generals and admirals.

6. *Why should not concerted effort be made to improve the military reality and thereby the Military Image?* Technology has changed the face of war. Propaganda has created a new dimension of war in a clash between our open society and a closed system. Our Armed Services should be encouraged to modernize their philosophy, doctrine and education curricula.

Perhaps impartial civilian review of procurement policies and practices on a periodic basis under any Administration would be a step forward in this direction. But, more important, starting with the Service Academies, the military services must make concerted effort to build leaders with an understanding of the separate and combined roles of *all* the Armed Services. The ability to communicate modern military values to men under their command should be encouraged and nurtured as an essential of military leadership.

7. *Rapport between the Business Community and the Intellectual Community.*[1] In what remains of the century there will be a reengineering of the nation's social, economic, educational, military and political institutions. Industry—the productive core of the "complex" we've been talking about—*must* help solve the problem of achieving equitable distribution of abundance while preserving basic free institutions.

Like industry, our intellectual community is indispensable to this effect. There ought to be a cease-fire in the cold war between the intellectuals and business which has been going on for much too long. Each needs the other in the common cause.

I could go on, but these few agenda items will show that there is real need for a concerned public discussion.

Because this is a world where widespread unrest and conflict are manifest against the background of the unsolved and growing problems of nuclear weapons, I close with a note of warning sounded by the late President Kennedy in his first State of the Union Message. Listen:

"I speak today in an hour of national peril and national opportunity. Before my term has ended we shall have to test anew whether a nation organized and governed such as ours can endure. The outcome is by no means certain."

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[1] This subject was considered in detail in my Stanford Business Conference speech of February, 1967.

That test of our survival is now upon us.

GUN CONTROLS WORK

Mr. TYDINGS. Mr. President, before, during, and after the enactment of the gun control bill in 1968, critics have persistently claimed that gun-control measures would have little or no effect upon crime. Proponents of these bills, on the other hand, have repeatedly pointed out that gun controls will provide a significant aid in the deterrence and apprehension of criminals.

Most gun-control laws are new; our Federal law is barely a year old. The empirical evidence is not finally proven either side correct yet. But there are strong indications, mostly from the result of local laws, that gun-control measures do have a significant impact upon the level of crime.

Last week's Wall Street Journal reported one such instance of the effectiveness of gun laws. Toledo, Ohio, enacted a gun ordinance in 1968 and violent crimes dropped 31.5 percent from the first half of 1968. Meanwhile the national violent crime average rose 9 percent. Here is what the Chief of Police in Toledo says:

> The sale of cheap guns is down to nothing. The punk who walks down the street, buys a gun, and knocks off a gas station—that's all been eliminated.

The mayor of Toledo agrees—he credits a general police and court crackdown also, but adds:

> You just know that the unavailability of guns has got to be a big factor.

Other cities are following Toledo's example: Wichita, Los Angeles, Dayton, Cleveland, Baltimore, and Cincinnati. I think the evidence is pretty clear: gun controls work.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CURBING FIREARMS: VIOLENT CRIMES DROP IN TOLEDO AFTER IT GETS LAW CONTROLLING GUNS—TOTAL OFF 31.5 PERCENT IN FIRST HALF—RESULTS LESS ENCOURAGING IN OTHER CITIES WITH CURBS—CHEAP PISTOLS SALES SLASHED

(By Jerry Landauer)

TOLEDO.—This city of 400,000 on the western tip of Lake Erie was once known as the gun capital of the Midwest. Firearms of all kinds could be bought at jewelry stores, gasoline stations and pawn shops. Gun dealers hawking pistols for as little as $4.95 vied for choice locations along roads leading in from Detroit, where controls were stricter. The crime rate soared.

The state legislature declined to restrict the trafficking in lethal weapons despite repeated appeals from Toledo officials. So in August 1968, the city council enacted an ordinance aimed especially at the sale of "Saturday-night specials"—cheap guns toted by holdup men to terrorize merchants on busy weekends. The ordinance prohibits anybody in the city from keeping or obtaining a pistol, revolver or other handgun without a license from the police.

At the time, few law officers believed the ordinance would reverse the city's mounting crime rate; unlicensed residents can still buy outside the city limits. But whether because of the gun-control law or because of other anticrime measures or even mere chance, crime is abating here while still surging higher in most cities.

DRAMATIC STATISTICS

This development shows up most dramatically in statistics released late last month by the FBI. For the nation, the violent crimes of rape, murder, robbery and aggravated assault—armed or otherwise—rose 9% in the first six months of 1969 from the like period last year. But in Toledo these violent crimes dropped 31.5% from the first half of 1968. "We're the only major city which shows such a dramatic decrease," exults John J. Burkhart, the city's chief counsel.

Indeed, crime in most other cities that have adopted gun controls, such as Washington, D.C., continues to move up pretty much in step with the national pattern. "Even if firearms were totally eliminated," contends a gun-control foe, "other weapons would be substituted."

However, crimes committed with a gun in Philadelphia have dropped since that city adopted a licensing law in 1965, even though the law exempts firearms owned at the time. In New York, Mayor John Lindsay credits gun laws with keeping murder rates low; despite its rising crime, New York often ranks lowest among the 10 largest U.S. cities in number of homicides per 100,000 population.

But Toledo's experience is unique. It may be traceable in part to special restrictions on gun dealers as well as owners, to a tough, well-publicized court crackdown on violators of the control law and to other city efforts against crime.

CRIME CATEGORIES ANALYZED

Whatever other factors may enter in, gun-control advocates insist that a close look at developments in major crime categories here supports their case:

In the year before the ordinance was adopted, Todelo's police counted 422 aggravated assaults, with guns and without; these include shootings, stabbings and other attacks intended to maim or kill. In the year after enactment, the number of such attacks dipped 9% to 385. But the assaults with guns dropped much more steeply—from 152 to 83, or 45%.

In the year before the ordinance, 36 people were murdered, 22 by handguns; in the following year, murders totaled 14, of which eight were by gun. (Because murders with other weapons dropped at roughly the same rate as murders with guns, it's possible that some factor other than the control law may be at work.)

Robberies both armed and unarmed dropped from 1,188 in the year before gun control to 798 in the next year, a decline of 33%. But gun robberies dropped even more sharply—from 350 to 160, or 54%.

RIFLE GROUP'S VIEW

Statistics can be tricky, of course. Woodson D. Scott, a New York attorney who is president of the National Rifle Association, an opponent of most gun control, says: "The statistics only prove that the statistics are down. In terms of cause and effect, it doesn't prove a thing."

The unexpected crime statistics have sent city counsel Burkhart scrambling to recheck them. "I've gone over every possible angle to see whether there might have been a mistake. I can't find any," he reports.

"I'm as much puzzled as anybody," Mr. Burkhart adds, noting that Toledo enacted its ordinance primarily to persuade the legislature that gun controls can be imposed with little inconvenience and minimum intrusion on citizens' rights. "It was really an effort to sell the General Assembly," says the city counsel. "I didn't think we'd be able to make an impact on crime in less than three or four years."

His caution in checking and interpreting the statistics arises partly from the gun law's relatively lenient licensing standards. Unlike New York's Sullivan Law, the Toledo plan doesn't require residents to show good cause for possessing a gun. Instead, the police must issue a numbered "handgun owner's identification card" costing $3 and good for three years to all applicants except fugitives, minors under 21, certified mental cases, narcotics addicts, habitual drunks or people who have been convicted twice in the past year of crimes involving the use or threat of force.

So far the police have issued 16,000 ID cards; roughly 100 applications have been rejected. It also seems likely that some people have been deterred from buying guns because, for various reasons, they did not want to apply to the police for a license.

Police Chief Anthony Bosch reports the law has had a harsh effect on gun dealers who formerly sold to almost any cash customer. One such dealer ran Toledo's biggest gun store in a seedy neighborhood on Jackson Street just five minutes from Interstate Route 75 linking Toledo and Detroit. In one nine-month period, his register rang up sales of 16,000 guns, including 5,500 to residents of Michigan who couldn't legally buy at home without a police permit (the revolver used in the highly publicized 1966 synagog slaying of Detroit Rabbi Morris Adler came from Toledo). But now, along with perhaps half the other gun outlets in town, the big store stands abandoned.

Besides the Toledo gun law's licensing provision, it requires detailed monthly gun sales reports to the Toledo police. It also prohibits selling to out-of-towners who aren't armed with authorization from their local police chief or sheriff.

SEVERE SENTENCES

"The sale of cheap guns is down to nothing," Chief Bosch says. "The punk who walks down the street, buys a gun and knocks off a gas station—that's all been eliminated."

In municipal court, Judge George M. Glasser says severe sentencing of violators may be another reason for the gun law's apparent effectiveness. Already, court records show, city judges have packed 37 people off to jail (the average is 90 days), mainly for possessing a gun without a license. In addition, judges have imposed 27 fines ranging from $25 to $1,000.

"The word is out that you can't just carry a gun around here without doing days in the workhouse," says Chief Counsel Burkhart, praising newspapers, radio and television for publicizing the court crackdown.

(In contrast to Toledo, crime-ridden Washington can impose penalties no harsher than 10 days in jail or a $30 fine—the maximum allowed by Congress. So far there have been no prosecutions.)

In the mayor's office here, square-jawed ex-Marine William J. Ensign cites other measures that may have helped bring crime down. He points to improved street lighting; an expanded, improved police department; an active program to prevent juvenile crime; an ordinance making it a crime to harass or abuse school children or newsboys; more effective probation and parole procedures, and a 4,000-member citizens group that distributes cards pledging people to cooperate with the police whenever possible.

INQUIRIES FROM OTHER CITIES

Mayor Ensign also feels sure that the gun law helps a lot. "You just know that the unavailability of guns has got to be a big factor," he observes. Officials in other cities think so, too. The drop in crime here is drawing inquiries about the Toledo ordinance from Wichita, Los Angeles, Dayton, Cleveland, Baltimore and Cincinnati.

As these inquiries suggest, the gun-control controversy agitation in Washington and

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in state capitals is losing steam. Last year, of course, Congress banned mail-order sales of all firearms across State lines except to licensed dealers and prohibited dealers from selling handguns over the counter to out-of-State customers. One hope was to encourage state and local governments to enact stricter controls.

One Federal official who has urged local authorities to act is FBI Director J. Edgar Hoover. He has said: "I see no great problem to the individual in requiring all guns to be registered, if the owner has nothing to hide and if he is a law-abiding citizen."

But some local policemen oppose municipal gun controls. Deputy Chief Lloyd Forbus of the Columbus, Ohio, police force, for example, asserts that the possible crime-curbing effects of local gun-control laws don't justify violating a cardinal principle of the National Rifle Association—that restrictions should be aimed only at those who misuse firearms. Mr. Forbus is an NRA member and serves as a sales manager for a gun wholesaler in his spare time.

Many hunters, marksmen and gun collectors remain convinced that ordinances such as Toledo's will eventually disarm the law-abiding citizenry.

DR. N. EDD MILLER, PRESIDENT, UNIVERSITY OF NEVADA

Mr. BIBLE. Mr. President, for many years I have been telling everyone who would listen that the young people of Nevada differ somewhat from the accepted image of youth nationwide. It is not that they are necessarily more liberal, or more conservative. They are simply more independent. And they are very special, indeed.

An excellent example was provided late last week when more than 2,000 students at the University of Nevada's Reno campus equipped themselves with bullhorns, picket signs, and fireworks to stage a mass demonstration on the lawn in front of the administration building.

There is nothing unusual about a campus demonstration, but this was different—perhaps even unique—in one respect: the students were demonstrating for the university president.

Dr. N. Edd Miller is one of the West's most respected educators. Since arriving on the Reno campus in 1965, he has earned the respect and admiration of the university for his imaginative, innovative approach to the educative process. And since assuming the presidency last year, he has demonstrated a remarkable ability to lead a large center of learning. He maintains open lines of communication with the student body. He listens well, and he is flexible.

So the students' desire to arrange an appropriate tribute was understandable. But this was no ordinary tribute. A mass rally, involving hundreds of participants, requires detailed organization and planning. Moreover, it was hoped the demonstration would come as a complete surprise to Dr. Miller.

It did indeed, and the result was both spontaneous and heartwarming. Dr. Miller, visibly moved, was treated to a 24-gun salute and a number of testimonial speeches from student leaders. Later, at a luncheon in his honor, he received a plaque and his wife was given a bracelet. Then a police escort took the couple to the airport to begin a student-paid weekend in San Francisco.

Mr. President, I have never been prouder of my alma mater than when I learned of this splendid tribute to the university's president. The action by the student body represents an example of the high and affectionate regard in which he is held.

Saturday's editions of the Washington Post gave prominent feature to a United Press International story on the testimonial rally. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RENO STUDENTS STUN PRESIDENT—DEMONSTRATION IS FOR HIM

RENO, NEV., October 17.—Dr. N. Edd Miller, president of the University of Nevada at Reno, works an 11-hour day that starts at 6:30 a.m.

As he drove to work in the pre-dawn darkness today, he sensed something amiss.

When he reached the main gate of the campus, he saw a crowd of 2,000 students massed on the lawn. They carried bullhorns and picket signs and banged on garbage can lids. Fireworks crackled in the gloom.

In the din Miller heard people cheering. As the crowd surged forward he was able to make out the signs:

"N. Edd Miller Day."

Chanting, "We want Edd," the students took him to the administration building, where he stood blinking back tears while student body president Jim Hardesty said, "We want you to know the appreciation we have for you."

The students had been working in secrecy on "Edd Miller Day" for days.

An ROTC squad fired off a 24-gun salute. A thousand helium-filled balloons sailed into the sky as Miller went to lunch, where he was presented a plaque and his wife was given a bracelet.

Student leaders read dozens of telegrams they had solicited from friends and educators around the country. Harold's Club sent over a cake big enough to serve 400—but it was far too small.

Miller is "a giant of a man to those who know and work with him," the student newspaper, Sagebrush, said in an editorial.

Miller, a 49-year-old former speech professor, came to the Reno campus in 1965 and became president in 1968. He has been a strong supporter of student government, which he feels helps prevent campus turmoil.

After the lunch, a police escort took Miller and his wife to the airport for a student-paid weekend in San Francisco.

"Aside from being married, this is the nicest thing that ever happened to me," he said.

TAX REFORM ACT of 1969—ACTION OF COMMITTEE ON FINANCE

Mr. LONG. Mr. President, on Thursday, October 16, the Committee on Finance met in executive session and announced decisions with respect to the portions of the Tax Reform Act of 1969 which revise the tax treatment of financial institutions and which extend the income-tax surcharge at a 5-percent rate through June 30, 1970.

So that Senators might follow the progress of these executive sessions, I ask unanimous consent that a press release be printed in the RECORD.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

COMMITTEE DECISIONS, TAX REFORM ACT 1969: 5 PERCENT SURTAX EXTENSION—FINANCIAL INSTITUTIONS

The Honorable Russell B. Long (D., La.), Chairman of the Senate Committee on Finance, announced today that the Committee was nearly a full day ahead of schedule in its effort to complete action on the Tax Reform Act of 1969 and ordered the bill reported to the Senate by October 31, 1969. By completing action on the portions of the bill which revise the tax treatment of financial institutions and by acting to extend the income tax surcharge at a 5 percent rate through June 30, 1970, the Chairman observed that some of the most difficult work of the Committee was now done. He expressed confidence that the Committee would finish its work in executive session and order the tax reform legislation reported by the agreed-upon date.

The full description of the Committee's decisions follows:

FIVE-PERCENT SURTAX

The Committee agreed with the House of Representatives and with the administration that the income tax surcharge should be extended for an additional 6-month period—through the first half of 1970—at a 5 percent rate. Provisions to accomplish this result are already contained in the House bill. The extension of this surtax through June 30, 1970 involves $3.1 billion in additional revenue.

FINANCIAL INSTITUTIONS

The Committee agreed with the House of Representatives that the tax benefits presently available to banks, savings and loan associations and mutual savings banks should be scaled down. However, the Committee concluded that rather than fix permanent rules for the future, as the House bill would do, it would be preferable to scale down the tax advantages in such a way that the matter can be reviewed again in a few years in the light of conditions as they exist at that time.

COMMERCIAL BANKS

Under present law commercial banks are allowed to make tax-deductible additions to bad debt reserves up to 2.4 percent of their outstanding loans. The House bill would have substituted for this bad debt reserve treatment a new system under which future additions would have been based on the bank's actual loss experience calculated over a six-year period. The Committee on Finance decided that in lieu of the approach taken by the House it would be preferable to reduce the 2.4 percent ceiling on bad debt reserves to 1.8 percent. Banks with current reserves in excess of 1.8 percent would begin paying greater taxes in 1970 just as they would have under the House bill.

SAVINGS AND LOAN ASSOCIATIONS; MUTUAL SAVINGS BANKS

The Committee approved the provisions of the House bill repealing the so-called "three percent" method for computing additions to bad debt reserves of mutual thrift institutions.

It also agreed to reduce the special deduction of 60 percent of taxable income (for amounts added to bad debt reserves) to 50 percent over a four-year period. (The House bill would have reduced the 60 percent deduction to 30 percent over a ten-year period.) Under the Committee decision, the 60 percent limitation would be reduced to 57 percent in 1970, 54 percent in 1971, 51 percent in 1972 and finally to 50 percent in 1973.

The Committee also agreed that mutual savings banks and savings and loan associations in the future must allocate their dividend-received deduction between their taxable income and their additions to bad debt reserves. This action will reduce the incentive presently available to these institutions to invest in corporate stocks, report only 15 percent of their dividend income for tax purposes (since they are allowed an 85 percent deduction for the dividends they receive) and then deduct the entire amount either as interest paid to depositors or as additions to bad debt reserves.

BONDS HELD BY FINANCIAL INSTITUTIONS

The Committee agreed to the provisions of the House bill which subject the gain realized on the sale of securities held by financial institutions (banks and mutual thrift institutions alike) to ordinary income tax rather than to the more favorable capital gains treatment. Losses on these bonds are presently deductible from ordinary income. However, the Committee provided a special transitional rule under which gain from bonds owned by the institution on July 11, 1969 (the same effective date as provided by the House bill) may continue to receive capital gains treatment if the gain is realized within five years. The House bill would have applied ordinary income tax to gain on bonds disposed of in taxable years beginning after July 11, 1969.

FOREIGN DEPOSITS IN U.S. BANKS

The Committee agreed to the House provision extending until 1975 the period during which foreign persons may deposit non-business funds in U.S. banks without being taxed on the interest earned on these deposits. However, it also approved an amendment limiting the exemption where the foreign person deposits his money in a U.S. branch of a foreign bank to situations where the deposits were not "effectively connected" with a trade or business carried on in the U.S.

YOUTH INVOLVEMENT

Mr. HART. Mr. President, several weeks ago the National Conference on Citizenship held its annual convention at the Mayflower Hotel. Coupled with this conference were Citizenship Day ceremonies on September 17, 1969, honoring the signing of the Constitution on September 17, 1787.

The National Conference on Citizenship was founded in 1946 and chartered by the U.S. Congress in 1953. Among its purposes is to encourage more effective participation in citizenship activities and to promote a spirit of cooperation on the part of all American citizens. It is authorized by its charter to function as a nonpartisan, nonprofit organization for education and patriotic purposes.

It is at present giving major emphasis to the problems of the youth of our country. It is concerned not only because widespread youth unrest often erupts into violence, but also because this youth unrest is a reflection of disillusionment with our society.

During the 3 days of the convention a number of speeches were made that I believe would be of significance to Senators. They include the keynote address by the Honorable Brooks Hays, a former Member of the House of Representatives, and now executive director of National Conference; a luncheon address by Dr. Joseph Douglass, executive director of the 1970 White House Conference on Children and Youth; dinner addresses by Mr. Justice Tom C. Clark, president of the National Conference and by Dr. James E. Allen, Commissioner of Education, and Assistant Secretary for Health, Education, and Welfare; as well as remarks by the distinguished Senator from Maine (Mr. Muskie) who gave the principal address at the Citizenship Day ceremonies on the Washington Monument Grounds. I ask unanimous consent that the speeches be printed in the Record.

There being no objection, the speeches were ordered to be printed in the Record, as follows:

Prodigal Sons or Prodigal Fathers?

(Address by the Honorable Brooks Hays)

Of major concern to most Americans today is the crisis confronting our country about what is commonly referred to as the "generation gap." At a period in our history when we are involved with major difficulties abroad and at home, our young people in many cases seem to feel that their country has either not lived up to its traditions and ethical principles or has not changed rapidly enough to deal effectively with new problems.

As we gather here tonight to undertake the formal opening of our Conference on "Youth Activism," I would like to pay tribute to Judge Carl B. Hyatt who recognized the serious nature of our growing polarization and warmly embraced the increased efforts of our Conference to do something about this polarization. We all mourn the loss of our dear friend but know that he would be delighted at this fine turnout of delegates to continue to work with youth as he so eagerly helped initiate. For it was Judge Hyatt who encouraged us to respond affirmatively to the righteous demands of our young people for reforms in America's society. As his successor, I hope that I can fulfill that promise.

At the National Conference on Citizenship, we have come to recognize that the concept of citizenship has vast and broad connotations. It, of course, means devotion to country and to the preservation of the legal processes of our system. It means welcoming newcomers to our shores and help making citizens of them, and it means urging all citizens to participate in the electoral process. But it also means a great obligation on the part of all citizens to guarantee that every segment of our society, white and black, brown and yellow, men and women, young and old, rich and poor, Protestant, Catholic and Jew, shall have the opportunity to share fully in both the rights and obligations of citizenship. For our democratic way of life cannot survive without ensuring that all of these groups share in the decision-making processes as applied to political, economic and social power.

Our Conference this week is designed to give primary attention to complaints of young people in general and young minority persons in particular that their rights and aspirations have been overlooked in the establishment of national priorities.

America is confronted with a very serious problem of alienation of young people. This alienation affects young people generally, especially college and high school students who oppose the Vietnam war among other things, and minority groups in particular. What we are faced with is the confrontation between the basic requirement for obedience to law for society to survive and moral and ethical considerations which compel young people to challenge what they believe to be unjust laws and to call for immediate change in existing discriminatory patterns.

In the 1960's we have been confronted with a revolt of young people on and off the campus that is a fairly new phenomenon for our country. Until this time, our young people have generally been either submissive or very practical-minded. While generally idealistic, they have not attempted to put their ideals into action. Even in the depths of depression, very few young people were activists. What has happened with rather remarkable suddenness is a wide-spread refusal on the part of young people to accept the existing pattern of life and thought merely because it exists.

This does not mean that most of our young people are active conscious participants in the revolt. As is always the case, a relatively small minority of the group leads the way. But their leadership affects the destiny of all of those in the group. Even though most young people today are probably not in any overt way giving evidence of rebellion, most of them would likely subscribe to the existence of a special independent outlook and orientation of the youth generation. The present revolt is profoundly affecting the lives of all of them.

Those who are challenging society's conventional wisdom are following one of two paths: either the path of "opting out," the path that has produced the hippies, the psychedelic addicts, the flower children and others who have quietly divorced themselves from the mainstream of life, or the path of activism and militancy, the path of passionate devotion to the cause of the blacks and other minorities, and the poor, the path which has led to the drive for student domination of university management and to such causes as opposition to the war in Vietnam and to the draft. They participate vigorously in the life around them to advance those causes. It is people such as these who were significant participants in the Freedom March and earlier marches, and have a history of involvement in the struggle to end discrimination. They have developed considerable talent in the organization of mass activities to achieve their objectives.

To sum up, what then are the reasons for the revolt of many of our youth? They are many, and I will only try to catalog a few of the most important ones at this time:

(1) The great prosperity of our society with the accompanying disinterest of most young people in the process of economic survival and their shock at their discovery that this affluence does not extend to almost one-fifth of the American people, many of them of the minority groups who live in misery;

(2) Their concern over the long period of national involvement in the war in Vietnam with its accompanying growing casualty list, mostly of young men from 18 to 20;

(3) The existence of atomic weaponry with the growing capacity of mankind to obliterate itself, leading to accompanying uncertainties and fears;

(4) The related tensions and instabilities associated with the possibility of military service;

(5) Concern that their universities and their faculties are not being responsive to the demands of our time and are undertaking activities that are unrelated either to appropriate educational processes or the problems of their communities;

(6) General disillusion with the performance of the older generation in living up to the ideals of Western civilization or in failing to adapt to new moral and ethical requirements; and

(7) A growing awareness that there are techniques available which if utilized with conviction and sound organization can triumph over the weakness of the Establishment.

To turn to the minority revolt, among the basic causes of disillusionment with the American system on the part of young Blacks as spelled out in the Kerner Commission Report, are the following:

(1) Pervasive discrimination and segregation as evidenced by continued exclusion of great numbers of Negroes from the benefits of economic progress through discrimination in employment and education and their enforced confinement in segregated housing and schools. The corrosive effects of this con-

tinue and the attitudes that underlie it are the source of the deepest bitterness and at the center of the problem of alienation from American society.

(2) The massive and growing concentration of improverished Negroes in major cities resulting from migration of Negroes from the rural South, rapid population growth and the continued migration of whites to the suburbs has created a growing crisis of segregated facilities and services.

(3) In these teeming racial ghettos, segregation and poverty have intersected to destroy opportunity and hope and to stress failure.

Adding to these three basic causes are three more recent developments:

(1) The expectations aroused by the great judicial and legislative victories of the civil rights movement have led to frustration, hostility and cynicism in the face of the persistent gap between promise and fulfillment.

(2) A climate of approval and encouragement of violence as a form of protest has been created by white terrorism directed against non-violent protest, by open defiance of law and Federal authority by State and local officials resisting desegregation, and by so-called civil disobedience by protest groups who do not abhor violence.

(3) Many blacks and especially the young have come to believe that they are being exploited politically and economically by the white power structure. The frustrations of powerlessness have led some to the conviction that there is no effective alternative to violence as a means of expression and redress. It is in this context that one can understand how volatile is a mixture in which the major confrontations between black and white are between the ghetto blacks and the white policeman.

What then has generally been the reaction of elder white America to the signs and symptoms of youth unrest? The picture is mixed. On the one hand, many older Americans are attempting to understand the motivations of our youth and to take corrective actions that will deal with the root causes of the problem.

On the college and high school scene, for example, while there have been some notable failures of administrations to cope satisfactorily with actual or budding disruptions, there have also been a number of instances when school officials have done an admirable job of either dealing with the crises once they have arisen or initiating major reforms in the operation of their institutions which are designed to meet the legitimate claims of young people involved. To date, the Congress has exercised admirable restraint in dealing with legislation to provide major support for our educational institutions without hamstringing the efforts of our educators to deal wisely with grave challenges. In the fields of business, religion and law, people of goodwill are struggling to develop means of bridging the generation gap that will help us achieve a new stability.

At the same time, however, there is considerable apprehension on the part of older persons about the behavior patterns of many young people. There is often a lack of understanding of exactly what young people are attempting to accomplish and some reservations about permitting young people to share in the decisions our society must make if it is to solve its problems.

It is for that exact reason we are devoting the full energies of this Conference at this time to the job of providing the older participants in our Conference with as full an understanding as possible of the steps that need to be taken to avoid the dangerous trends towards polarization.

I must say at this time, however, that it is my firm belief that the context in which change must take place is the context of the rule of law. This is the rule of law that is not arbitrary law but flexible law based on our Constitution.

To permit factions to resort to force when they feel—however correctly—that a particular law or policy is wrong would be to renounce our own experience and that of the founding fathers. As Justice Frankfurter said: "Violent resistance to law cannot be made a legal reason for its suspension without loosening the fabric of our society."

Our system contemplates that there may be a moral right to "civil disobedience" that exists notwithstanding a "legal" duty to obey. This moral right should be exercised only after the most painful and introspective reflection and only when the firm conclusion is reached that obedience offends the fundamental personal values. If human society is to enjoy freedom, it cannot tolerate license. The ultimate legal success as well as the intrinsic moral quality of civil disobedience turns on the restraint with which it is exercised. Martin Luther King's performance of this matter will always be cited as the height of moral and responsible protest.

One might say that our Constitution provides for a "permanent peaceful alternative to revolution," and we should make use of this instrument for guaranteeing the rights of all to participate in our national decision-making. I call on the participants in this Conference, therefore, to devote their energies to the preparation of the blueprints for youth involvement in the American decision-making process. You will be hearing more about the details of what is involved in developing such blueprints from others who are providing direction for the Conference workshops. But I would like here simply to urge all of the delegates, both young and old, to work honestly with each other, to speak frankly of their agreements and disagreements and to feel free to air their grievances.

The history of human society is the history of conflict between the demands of ordered society and the desires and aspirations of the individual. The very individual liberty that those who struggle against the State are attempting to implement would be lost if the rule of law were subverted. We are in a period of enormous stress on the fabric of our society, while we attempt to carry out the enormously costly and disruptive task of the reforming of our system (caused by deeply ingrained patterns of discriminations) and restructuring the standards of our society to accommodate the drive of our youth for a greater share of social and economic and political power.

In many ways, the assertion of the youth generation of its claims for authority is a most difficult one for society to adjust to. We have yet to resolve the problem of maintaining considerable latitude for dissent and opposition while still minimizing the opportunities for violence and disorder. Almost forgotten in the assessment of the power struggle in our system is the fact that our Constitution provides that through its processes the development and exercise of power can be achieved peacefully.

If young people, black or white, are to regain their sense of identification with the mainstream of American society, that mainstream will have to show them that it is prepared to make the kind of commitment necessary to deal meaningfully with America's problems, both at home and abroad. Unless we can achieve that sense of commitment and national dedication to human values, America will be torn asunder from within and without, since we cannot survive four-fifths affluent and one-fifth wretched. If Americans continue to view this as someone else's problem, they will be struck down by the wrath of historical vengeance. We have almost sinned away a 100-year day of grace.

CITIZENSHIP: SOME NEW DYNAMICS

(By Joseph H. Douglass, Ph. D.)

I am deeply pleased and honored to be invited to say a few words to you on this occasion, and I am particularly gratified that this conference is directly and fully involving a large segment of youth. A nation which places its children and youth at the center of its concerns is wise. Youth always are the bridge generation—the connecting link between the heritage of the past and the image a society holds of its future. Accordingly, to invest fully in our young, I believe, is to help assure that the best which we have produced will be preserved and strengthened.

Now as it always has in the past, however, the older generation can impart to the young only the best that they know and believe. Thus, the accumulated wisdom and experience of the ages can serve as a storehouse from which the young may select—or reject—as they move to shape and conquer new worlds in which they will be the leaders, the decision-makers, and, hopefully, the champions.

THE INTERGENERATIONAL DIALOGUE

The older generation in certain respects always has the advantage, however, in any inter-generational dialogue. Much of its life is behind it. Present problems and difficulties are seen by the old from the vantage points of both past and present. The old agree with Santayana in that those who do not learn from history are doomed to repeat it. The young, on the other hand, often regard history as an irrelevant chronicle of failures. They live in the present and shape their future within a constantly changing frame of reference. They look and dream ahead and want solutions. They are not afraid of change, and often they are impatient or radical in their pursuit of it. The young are eager to reform anything that is less than ideal; and in the process they are willing to discard very nearly any credo, social institution, or political system which seems to them poorly conceived or hypocritical.

Change is so rapid today that the young have a shortened expectation of the amount of time required for change. They have the feeling that ending poverty is surely no more difficult than flying to the moon and that eradication of poverty, like the moon landing, easily could be achieved if the goal were set, billions allocated, and the full determination of this country were turned to that end.

Older people, on the other hand, know that poverty has decreased in America during their lifetimes. They know too the relative dimensions of it. As examples, it is one thing for a recipient of welfare assistance to weigh two hundred pounds because he eats potatoes and cannot afford meat but quite another for a child to eat grasshoppers until he starves in Biafra or for a twenty-five-year-old mother to wheeze to death with tuberculosis in a hillside cardboard and tin shanty in Hong Kong. The older generation looks to the past, compares relative situations throughout the world, and takes courage in what they regard as progress in comparison with former times. They are grateful for social, political, and technological advances which the young largely assign to the very capacious category of irrelevance.

The inter-generational dialogue, however, does not have to be one in which there is conflict in attitudes, opinions, or points of view—especially in regard to a shared vision of the future. Life is much like the relay race where each runner takes his turn and passes the baton to the next one, who then, starting afresh, must run his race in his own way.

REAFFIRMATIONS: THE SPIRIT OF NATIONHOOD, THE POWER OF THE INDIVIDUAL, AND THE RELEVANCE OF JUSTICE

A national conference devoted to citizenship can imbue us with a fresh and revived spirit of nationhood and national unity. It can serve as a reminder that nations which have achieved the heights of greatness have been characterized by citizens who have been imbued with a sense and spirit of nationhood, who have been zealous in the preservation of their nation's cherished values and

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institutions, and who have been mutually supportive of the total welfare of the body politic.

A conference such as this can reaffirm our national purpose and restate the basic principles of our way of life. Citizenship in a democracy necessarily implies equality and justice in all things public, shared concern and responsibility for the total welfare, and an obligation on the part of everyone to preserve, defend, and work for the ideas and ideals on which the nation is based and those toward which it collectively aspires. As Harlan Cleveland puts it, "We have quite deliberately built a nation on the proposition that no one will be fully in charge so that each . . . will have to be partly in charge." [*Outlook*, May, 1969]

A national conference on citizenship can do other things. It can recall the great power of the human will and the supreme importance, under God, of the individual. History is replete with illustrations of the power and prowess of the single person—the resolve of the single citizen—who in his imagination, courage, or faith if you will, stood against the tide or otherwise became the agent of monumental change. Many of the world's major religions can be attributed to the inspiration and thought of one human being. Columbus set out in little more than a rowboat by present standards and discovered a new world. One man invented the electric light bulb, and brought the world out of darkness for all time. In recent years, one little lady one day for some reason said, "I shall never again sit in the back of a bus because someone else wills that I do so." In accord with an old hymn of the Southland, she said simply, "I shall not be moved."

To me these are some of the examples and dimensions of what a national conference on citizenship means or ought to mean—a reaffirmation of the preamble to the constitution of our great nation: "We, the people, in order to form a more perfect union. . . ."

A national conference on citizenship—this national conference on citizenship—can serve another, if not the most important, useful purpose. It can diagnose our imperfections, our imbalances, our continuing absurdities, and our ills; and if it is worth the effort to come here, it can resolve individually and collectively to leave this place and do something about them in every town, hamet, byway, and metropolis of our great land and throughout the world, while there is yet time.

This is what the so-called "youth thing" or the youthful protest is all about. In their language, too many of us continue to be "too uptight." Too many of us for some complex of strange reasons are *afraid to be free*, to stand up and be counted on the side of justice or right—and try as one will to negate it, everything does have a right and just side. It is reported that Thomas Jefferson once said, "I tremble for my country when I remember that God is just."

DRIVING FORCES IN THE NEW DYNAMICS OF CITIZENSHIP

I propose there are at least five or six major complexes of problem areas—none of which can be dissociated—presently confronting the citizens of America and in a larger sense the citizens of the world. These problems are driving forces which call for and are eliciting new dynamics in citizenship. They are central issues which we must confront.

First, there is the matter of war and peace. Second, there is technological scientism and its largely derogatory impact on humanistic social values. Third, there is urbanization and related dysgenic conditions of environmental pollution, overcrowding, squalor, and civil disruption. Fourth, there is the problem of human or inter-personal relations—the isolation of individuals and groups on the bases of race, national origin, religion, and socioeconomic class—and the disadvantages, including poverty, which persistently accompany such isolation. Fifth, there is the youth revolution. And sixth, transecting all of the first five, there is the matter of the inter-relationship of government and private responsibility in ameliorating problems, in preventing unacceptable conditions from developing, and in curing the ills which have established themselves with such savage malignity throughout the body politic of the most affluent nation in the world.

THE THREAT OF WAR

The world is producing instruments of annihilation at a rate approaching three-quarters of a trillion dollars per year. There is no comparable expenditure on peace research or on any other work of non-annihilation. [W. H. Ferry, *The Center Magazine*, July, 1969.] Mr. C. C. Johnson, an Administrator of the Public Health Service, indicates further that "Accidents—many of them involving hazardous products—take the lives of 100,000 Americans every year and injure 52 million more. Some 3,000 deaths occur every year from accidental ingestion of poisons—most of these among children." There is cynical talk of a poor man's H-bomb for underdeveloped nations. Poison gas, defoliants, and viruses are already in such abundant supply that disposal of the excess threatens not only to poison the air we breathe but to pollute the seas, and spread from underground garbage dumps to poisoning the soil we mine, cultivate, and walk on. "Toxic matter," Mr. Johnson states, "is being released into the air over the United States at a rate of more than 142 million tons a year, or three-quarters of a ton for every American. It comes from 90 million motor vehicles, from factories, power plants, municipal dumps, and and backyard incinerators." In the event of nuclear attack, the chemical and biological agents which could be released by accident from present military stores would probably be enough to wipe out any trace of human or other life that might survive the initial holocaust. If we imagine with some that World War III will in fact be Space War I, it seems feasible the earth itself could be destroyed. Doubtless we are on the threshold of developing technological capability to pulverize the planet.

SCIENTISM AND TECHNOLOGY

We are in thrall to fear of disaster and an increasing sense of helplessness in the face of science and technology which seem to be acquiring autonomous powers beyond the control of human beings. Science shakes our belief, and technology dwarfs our capabilities. Since we have made concrete accomplishment our goal and have placed pragmatism apparently at the apex of our value system, we continuously turn over to machines not only the execution of specific chores but frequently much of the decision-making process itself. Man cannot compete with machines in tasks performed at speeds measured in milli-seconds and at levels of accuracy incompatible with the magnitude—or more properly "minitude"—of the human senses. Further, since we have dedicated ourselves to an all-out search for demonstrable knowledge, we must swallow and queasily digest a relentless flow of quantitative data and revised theories emanating from our laboratories. Wisdom remains the province of man—it is not found in test tubes and it is not an attribute of machines—but we are easily confused in our attempts to decide, let alone assert, what is true, just, or desirable in the face of what is measurable, feasible, or cost-effective. The dilemma of scientism and technology involves international relations, domestic politics, social planning, and economic policy. The implications for citizenship reverberate through every aspect of the social and personal life of man.

It is impossible and undesirable to stem the scientific and technological tide, but it is crucial to guide and channel it. The history of the last few decades shows that whatever can be done most often is done. Capability becomes an end in itself, and too often enthusiasm with new-found power is so great that moral and philosophical judgment are usurped by a compulsion to do whatever is possible. What is the relative importance of reaching Alpha Centuri which is millions of light years away beyond the sun as against abolishing pollution on earth? Science promises ultimately the power to determine the intelligence, character, and physical attributes of unborn generations—and that suggests the possibility of totalitarianism and an amorality more complete than any nightmare previously dreamed of. Meteorologists say we may one day control the weather—this poses questions about warfare as well as possibilities for hightened agricultural productivity. It is difficult for man to choose effectively the ends to which science and technology are applied. Especially since humanists are increasingly embarrassed to assert "unscientific" philosophies and defend the abstract values on which much socially meaningful progress must be based.

The answers this society is producing in greatest number are scientific and technical answers. For this reason, many of the most vital human questions remain unanswered. How should we live? What are or should be the aims of organized society? [John Wilkinson, *The Center Magazine*, July 1969.] How can we reconcile the conflicting frustrations of the majority and minority groups? It is in response to scientism and dehumanization that some of our young people reach into the grab-bag of psychedelia, mysticism, and drugs, reject all knowledge and all systems, and do "the soul thing." Many youth say that they want to feel, to love, to choose, to be. They want to feel fully human and count and recount the ineffable things which can't be counted—the things which science and technology tell us that if they can't be counted do not count. There is a religious revival going on, but many persons are of the opinion that the church is missing out on it. A youth at a recent conference felt that "The church, as it exists now, has to die . . . The Church has to die so that it will clear the path for a rebirth of a new form of organized or unorganized religion. It is too late to try and paste religion back together. We have been trying to do this since the turn of the century, and it has only decayed more." [Academy of Religion and Mental Health, *Academy Reporter*, Vol. 14, No. 6, September, 1969.]

URBANIZATION AND ASSOCIATED PROBLEMS

All this reflects a sort of latter day utopianism which is part of the longstanding American yearning for an environment that is manageable and small enough for citizens to influence the balance of decisions. Urbanization makes this increasingly impossible.

Consider the case of a small town which is geographically far removed from the closest urban center. Can that small community keep an eight-lane highway from crossing the land within its boundaries? Can it prevent jets from breaking the sound barrier overhead? Can it stop smog, radiation, or pollution from floating into its domain? Can it shut off the communications media which chatter at it constantly, urging it to buy and think and do as the rest of the country does? If small communities cannot meaningfully control and choose their destinies, what about big cities?

What about urban crime, overcrowding, ghettos, filth, traffic jams, hatred, poverty, and civil disorders? What about urban expansion? We are now in the incredible situation of being able to produce more food than we can possibly consume. Will the day come when we find we have paved farm lands we desperately need? An American is born every eight seconds. In terms of numbers alone, how can we solve the problems which presently beset us, others which threaten our future—and how can be do it through the democratic process, which to deserve its name must involve millions of people from hundreds of socioeconomic, ethnic, racial and religious groups which constitute our society?

INTER-GROUP TENSIONS AND POLARIZATION

While at present America is producing more than enough for everyone, the gulf between the "haves" and "have-nots" widens as certain portions of our society continue to become more affluent while others selectively are left behind. One of the critical challenges to all citizens in the United States today is the increasing polarization of those who are *in* society versus those who are *out*. Racial problems reflect the mounting tensions and hostilities across group lines which are finding expression in violence and other forms of irrationality in this country and throughout the world.

As pointed out by the Institute of Race Relations in London, ideas about race play a part in every major confrontation in the world today. World poverty, world hunger, world population, and the operation of aid programs are all affected. Efforts for peace, the activities of the United Nations, and the working of international agencies are frustrated by the suspicions and resentments which arise from race. It is noted that failure to solve the domestic problem in the United States . . . failure to enforce the views of the United Nations in South West Africa . . . failure to achieve peace in Vietnam—all increase frustration among developing nations. The line between rich nations and poor and the line between white and non-white are dangerously near coinciding. There are people who speak of a "race war" on a world scale as inevitable if not already in progress. Surely there are more reasonable courses if men apply their minds to the possibilities. [Institute of Race Relations, London]

In America, many persons feel that the current state of affairs between whites and blacks is much more serious than *ever* before. At the heart of white racism is the "conviction" or doctrine that merely being Caucasian is preferable to any and all other states of existence and that all other racial or ethnic groups are inferior to whites. Black racism rejects values and white acceptance. The increasing danger of the present period is that it is now most difficult for blacks and whites to communicate. One militant black man suggests a very interesting exception to this however. He says, "There is in America today a generation of white youth that is truly worthy of a black man's respect." In the same vein, a white youth observed that "As an individual must learn to love himself, before he can truly love others, the black man must find his identity, and the white man must find his before the two can live together in harmony and understanding." [Academy of Religion and Mental Health, *Academy Reporter*, Vol. 14, No. 6, September, 1969] Young people—white and black—have evidently been talking to each other and profiting by it. [Congressional Digest, April 16, 1969]

YOUTH AND THE FUTURE

Mr. Archibald MacLeish points out that the younger generation is not perhaps as sophisticated politically as it or its activist spokesmen would have us think. Neither is its moral superiority to earlier generations in every instance as great as it apparently believes. But MacLeish stresses and I agree that this generation of youth possesses one virtue to a degree not equalled by any generation in this century: it believes in man. It is an angry generation, but *its resentment is not disgust for human life* but *resentment on behalf of human life*. It is indignation that we permit ourselves to exist in a selfishness and wretchedness and squalor which we have the means to abolish. Resentment of this kind is founded on belief in man—*and a return to the belief in man is, I believe, the reality and the sensibility on which a new age can be built.*

Writing of the future of man, Pierre Bertaux suggests that for the first time in history man has reached the point where he can transform to reality whatever image of the future he adopts. Science and technology permit this. Though they appear at times as bogey men, they are in the last analysis man's very useful tools. Bertaux says, "If we admit that the image of the future can be effectively introduced as an efficient . . . element in the chain of causality; if we further admit that our image of the future is in some way and to some extent our own choice and responsibility; then we have here not only a way of reconciling our belief in determinism and our belief in freedom, but also a direct challenge."

It is this challenge I wish to place before this national conference on citizenship—the challenge of thinking positively of the future and of making that thought productive.

RESPONSE TO NEW DYNAMICS OF CITIZENSHIP

A whirligig is spinning us out of old habits and traditional complacencies. In many respects, we are now truly citizens of the world. Our political, cultural and personal involvements grow day by day under the influence of instantaneous global communication, supersonic global transit, conflicting ideologies, and the spectre of global war. We are no longer cushioned by separations in time and space which once limited so called "spheres of influence" and kept most of the world's peoples out of most of other peoples' affairs. Americans today see more of the big picture than ever before, but there is deep doubt that the sense of unity and wholeness which usually rewards broadened understanding is keeping apace. The global panorama is for the most part a morass of irrationality, injustice, and squalor. It is depressing and discouraging. Wise citizens can understand the anger and malaise of our times.

On the domestic scene, our social and political institutions are subjected to pressures from all sides. There is thunder on the right and thunder on the left. The nation is torn in its effort to maintain law and order and preserve the right of dissent in the midst of ferment. The "red flag of uproar" and "the clenched fist" go up throughout the land, calling forth accusations and counter-accusations, violence, panic, defeatism, radicalism, repression, and "pig" rhetoric.

WE NEED NOT FEAR CHANGE

In response to new situations, citizenship is acquiring new dynamics. New pressures can and must be accommodated *within* our socio-political framework—*within* our concept of "good citizenship." The nation's constitution was written specifically to facilitate orderly change in response to the people's desires and to sustain peace and freedom in the face of monumental stresses to which it was known, even in 1789, that our government would be subjected. Often we forget that radicalism and social protest were part of the genteel tradition in colonial times. The writers of the constitution expected that our government would be subjected to scrutiny and criticism, that it would be opposed in various contexts by its own citizens, all of whom would cite freedom, justice, patriotism and God for support.

The American constitution is dynamic and flexible. If we affirm it and apply it reasonably with imagination and fairness in light of present situations, *we need not fear change*. We need only be wary of our response to change. Most importantly, we must influence the direction of change to desirable ends.

We must provide alternatives to confrontation and encourage new types and sources of leadership in America. It is imperative that we broaden our definition of "a good citizen" to permit many stances and many modes of individual participation from all walks of life in this nation's everyday life. The people—all the people—must have outlets and widened options for expression and means of effectively influencing what happens in their lives and those of their children. This is a pluralistic nation. We must reaffirm our national pride in diversity and our national willingness to assure equal opportunity for everyone.

It is important to recognize that some things are so deplorable that they cannot be reformed. We must abolish racism—white and black—*not* reform it. We cannot reform injustice. We are either just or unjust. We must go beyond half-measures aimed at damping down explosive situations in the cities and symbolic gestures calculated to appease the rising voices of discontent on Indian reservations or the "barrios" and in the mines of Appalachia or the plains of the Ozarks.

Expectations are rising, and our understanding, compassion and vision must rise to meet them. We must mount programs of education to instill and bulwark pride in diverse life styles, occupations, skin colors, religions, and ethnic histories. We must decolonize the ghettos—white and black and transfer not only ownership and proprietorship but a fair and continuing share in the decision-making processes which shape national and local distribution of goods, services, wealth, and social status.

There must be new forms of cooperation between private and government sectors, between science and the humanities, between the technocrats and the sociologists. We must act to truly redistribute economic and political power so that submerged sectors of society are buoyed into the mainstream of American life. We must give full opportunity for citizenship and reach out to teach the full meaning of citizenship and its responsibility to those who have been and even now are largely excluded. It is along these dimensions that it is my earnest hope that the 1970 White House Conference on Children and Youth will be designed—as a vehicle or change for all our children and youth and for those who shall follow them.

THE VIABILITY OF CITIZENSHIP

Is the individual citizen impotent in today's world? If he is not—and I believe he is not—in what does his virility and viability rest? How can each of us cope with the new dynamics of citizenship—as teachers and students, as employers and employees, as consumers and purveyors—as professionals, amateurs, and volunteers? Each of us is at some level a policy-maker. Certainly we are policy-makers in personal matters and in our treatment of and relationship with others. Each of us has a responsibility to convey to others the rationale of our decisions and to seek the counsel and if possible the consent of others who are affected by the policies we set. We must impart knowledge and spread power. We must seek to give more people a "share of the action" and, even more important, understanding of the implications of alternative actions. Decisions increasingly are made by a few in behalf of many, and increasingly those who feel they have no influence are lashing out—right or wrong—against forces which seem to them impersonal and uncaring. What can citizens do, individually and collectively, to remedy this situation?

For one thing, as professionals in various fields of problem-solving, we can take time to follow-up in real life the good works we begin at our desks. Upward Bound may send a young black man from Harlem to an Ivy League school, but who counsels that onetime gang leader after he arrives on campus?

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We cannot assume that goals will be achieved automatically if appropriate programs are set in motion. We must remember the human factor in dealing with all our fellow citizens, whom we hope to serve, teach, work with or help.

We must not only use specialized knowledge to work out feasible solutions; we must also use human understanding to follow through. A corporation may donate computer time and the services of an analyst to map out commercial development for a depressed area, but who explains to the neighborhood folk why the corner delicatessen it being torn down? Does some one communicate to those slum-dwellers the fact that technology cares about them? That the same types of machines which sent man to the moon are now being used to help them? That the redevelopment project *will* meet their needs and *does* deserve their support? A little interpretation for the man on the street, by professionals or informed laymen, can do much to enlist the good will of those who mistakenly feel thwarted, impotent or used by planners.

The new dynamics of citizenship require imaginative responses from us as specialists—they also demand of us at a very mundane, day-by-day level the thoughtful helpfulness toward others that always has been associated with good citizenship in America. Do you consider yourself a good troubleshooter? Go shoot some for a sanitation worker whose family is about to be evicted from a tenement. Are you good at making ends meet? Help an eighteen-year-old housewife learn to find bargains in food and clothing for her children. Do you read newspapers and magazines? When election time comes, go talk to some people who don't or can't—help *them* understand the issues they are expected to vote on. The successful, educated, upstanding citizens of this country—young and old—must turn their talents to teaching others to develop the qualities on which they pride themselves. Only if we share and teach our everyday talents for living can we expect the inept and the uneducated to learn the skills of good citizenship, achieve lifestyles which they have a stake in protecting, and join in the effort to improve and maintain this country as a place most worth living in.

We can respond to the new dynamics of citizenship institutionally as well as individually. In some universities, for instance, students are seated on the boards of trustees. In some high schools, pupils write and enforce codes of dress and conduct and draw up and administer their own bills of student rights. In some underdeveloped neighborhoods, banks and insurance companies have signed over to community action councils major financial interest in the branch offices and regional sales programs which operate there. In some business districts, housewives and merchants have formed councils to adjudicate consumer complaints and evolve credit, return, and billing policies which are fair to shopkeepers as well as the shoppers they serve. Similarly, some law schools offer courses in corporation law—courses, for instance, on legal ramifications of landlord-tenant disputes, loan-sharking, and credit gyps—courses, for instance, on how to fairly *defend* those accused of mugging, child-beating, loitering, drunkenness, assaulting an officer, and the multitude of other major and petty offenses which typically bring into our jails and court rooms that 25 percent of our nation which is poor. Innovations such as these reflect a promising rise in the level of tolerance and empathy shown by so-called "Establishment Figures" for so-called "Victims of the Establishment." They bode well for the viability of citizenship.

SUMMARY

To make citizenship viable—and to preserve and protect our political, economic, and social institutions—I believe, in summary, that we must expand options and understanding of the rationales behind different options; that we must develop new leadership forms; that we must broaden the base of citizen participation and determinism in policy formulations; that we must build upon the positives of ethnocentric pluralism; that we must establish alternatives to disorderly confrontations; that we must evolve new forms of private-public ventures; that we must maximize the linkages of technological and social science insight; that we must reorder priorities and reexamine assumptions on which priorities are based; and, last and most important, that we must place and maintain the self-realization of the individual and personal freedom under God at the apex of national purpose.

OUR FUTURE COMMITMENT

(By Justice Tom C. Clark)

I am pleased to speak to you tonight about the new phase being entered into by the National Conference on Citizenship as a dynamic force in keeping the concept of citizenship a meaningful one to the American people.

Our Conference has played an historic role in providing national leadership in areas of major concern. We are, of course, proud of the leading part Judge Hyatt played in this effort. Going back to the First National Conference on Citizenship sponsored by the National Education Association, held in Philadelphia in 1946, we have brought a wide range of organizations together for a mutually beneficial discussion of the responsibilities of citizenship. By the Third National Conference, I am also proud to point out that the Justice Department acted as a cosponsor with the NEA during my tenure as Attorney-General. We have, of course, continued to emphasize the principle of private leadership of the Conference with governmental support and assistance but not control.

I am especially pleased that the Congress in 1953 enacted legislation providing a National Charter for our organization. The law was signed by President Eisenhower on August 13, 1953. Many distinguished persons have since served on our board and many outstanding speakers have delivered major addresses here. We have been honored by a number of Presidents, by many other distinguished public officials and have had outstanding participants from the fields of business and industry, labor, law, religion, social welfare, etc.

It is only fitting and proper at this stage of the development of American society that our Conference should be giving major attention to the problems of young people. Anyone concerned about the national well-being must recognize that the difficulties our society is confronted with at this time cannot be ignored by a Conference on Citizenship. We have come full circle from the early days of the Conference when the National Education Association expressed a great interest in a program for community recognition of the youthful voter. We now recognize that the matters of concern to young people are not only voting, but the role of the University, the role of the high school, the concerns and aspirations of minority persons, the relevance of business, labor and agriculture to young people's lives, and the whole range of issues involved in the sharing of economic, political and social power.

Just as many other groups in the past have clamored for their rightful place in the American decision-making process, so also are our young people doing so today. Among previous examples are the women's suffragettes of the 'teens and the labor leaders of the thirties.

As various groups become accepted in the power structure of American society, they often become identified with the term "Establishment." I would like to think that this Conference has not been an exercise of confrontation between the Establishment and young people. I would like to think that our young and older participants have not polarized in developing opposite viewpoints on the issues of our time. And I would like to think rather that we have bridged the generation gap through a full exploration of the issues confronting American society and free and frank exchange about their differences of opinion.

It is in the American tradition to have a free exchange of ideas which does not mean that we paper over our differences but simply that we bring them to the full light of day and then work constructively for meaningful solutions. That has been the guiding theme of this Conference this year. I am especially pleased at the large number of young people who have participated and have made a significant input into their elders' understanding of their own perspectives.

And now I would like to call on the representatives of the many organizations that have participated in this Conference to consider their participation as simply the beginning of a major involvement in the solution of the current American dilemma. I hope that each of you will go back to your organizational activities inspired to carry out specific programs of action that will make a major input to the national well-being. If at least a measurable number of those here today will follow through on their resolution to provide solutions rather than exacerbate present tensions, this Conference will have served as an outstanding catalyst in reversing the national trend toward polarization.

The Conference staff is prepared to provide followthrough and technical assistance on a year-round basis to all of those who are developing blueprints for action. It is only in this way that we can guarantee that this Conference has been a meaningful one. The staff is deeply committed to making the tentative plans evolved during these few days into firm ones that can be effectively implemented. We believe that no less than the fate of our American way of life is at stake. Your consideration of the proposals mentioned in the Business Session to provide for a formalized affiliation with this Conference would do much to ensure our success.

As a final message to the young people who have performed so admirably here these past few days, I would like to repeat what John W. Gardner, Chairman of the Urban Coalition and former Secretary of Health, Education and Welfare, has said: "You *can* remake this society. There are many ways that you can work to bring about the reforms that you feel so essential." As Mr. Gardner went on to say, "You can renew this society, but not in a fit of impatience and not without effort. You must be discriminating critics of your society seeking to identify, cooly and precisely, those things about it that thwart or limit human potentialities and therefore need modification." I call only for renewed dedication to the constitutional process of change which provides for the preservation of what is good and sound in our society as well as the reform of those elements in our society that have not withstood the test of time and morality. There could be no better time for young people to be alive to effectuate change. Do not lose the opportunity in pursuit of false goals. I hope that this Conference has at least partially served to convince you that many of your elders are sympathetic with your cause and anxious to participate with you in the creation of a better America.

EDUCATION IN ACTION

(By James E. Allen, Jr.)

"Citizenship" has been the subject of after-dinner speeches for so many years that one

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might think there would be very little left to say about it. There is very little left to say about citizenship as people used to think of it. But citizenship takes new forms in the face of new problems. I believe that, in your discussions of citizenship in the past three days, you have been tackling one of the most critical issues of our times—how to give the Nation's young people a part in shaping the decisions which affect their lives.

Young people looking at their nation and their world have seen urbanization bring people together in greater and greater aggregations only to destroy their sense of community. They have seen the communications media confuse the meaning of events in its outpourings of information about them. They have seen technological growth produce material affluence at the cost of spiritual depletion.

Youth's response has been to question, and often to reject, the traditional values and goals of the United States. But young people are doing more than questioning and rejecting. They are actively seeking a new quality of life, new modes of expression, new avenues of communal participation, a new style of citizenship.

The energy and trained intelligence they represent is a force that can go far in transforming both education and the larger society. We should foster the development of self-help opportunities for students so that they can define their dissatisfactions and work out remedies for legitimate grievances—those connected with their own lives in an immediate sense, and those that reflect their concern about wrongs in the larger society. Actually, a number of such self-help projects have already gone into operation in various parts of the country.

Meanwhile, however, student dissatisfactions have been dramatized by the news media—sometimes excessively. As a result, student unrest has become an issue, a problem, and thus separated from the rest of society rather than being accepted as a lively and a necessary part of the community.

One of my assistants summed it up by saying, "If you feel student unrest is a problem rather than a manifestation of root problems within our society—then you are a part of the problem." I do not suggest here that violence and destruction can be condoned. It must be firmly dealt with in terms of the laws that apply. But a repressive approach is a simplistic approach, one that could do far more harm than good. We need instead, to look, to listen, and to learn more about what underlies the growing unrest.

There is a new breed of student on the nation's campuses today. According to a recent survey of private state-supported and denominational institutions of higher learning, today's students does more than agitate to change the world: he is willing to work to bring the change about. The majority of students polled had engaged in some type of community service. They not only want to talk about a better society; they want to help refashion it.

Each of you here has been struggling with the complex economic and cultural forces contributing to the nation's ills. You have more easily identified the problems than the solutions. The national issues that tear at the very fabric of our society—Vietnam, the draft, racial oppression, and the economic strain cannot be resolved so easily by you as individuals.

However, each of you has a more important role in carrying out the National Conference goals—to encourage more effective participation in citizenship activities and to promote a spirit of cooperation on the part of all American citizens.

Your role calls for greater involvement—to be more aware and sensitive, to your own environment, the community in which you live.

During the fall semester I expect student involvement to focus on reforms in traditional educational practices, the inclusion of students in the governing structure of schools and identifying the universities' role in servicing the needs of the surrounding community. If this is the direction for this year's student involvement then you have your work cut out for you. This is where you can make an impact.

As one who speaks from a background in the field of education, I like to think of education in its broadest sense; that is, with more emphasis on the totality of an experience than on mere vocational training, and more in terms of personal development than of the mere accumulation of knowledge. I want to share with you some of the ways young people are creating a new citizenship role for themselves while bringing about needed change in our society. These youth-conceived and youth-initiated projects represent "education in action." They serve as models for new citizen participation.

The activities through which students are attempting to reform education and educational institutions tell a great deal about what youth is advocating in the way of social change.

In New England, for example, an alliance has been formed by students who have been working toward reform on their particular colleges or universities. The main goal of their regional organization, called New England Community Toward Educational Reform (N.E.C.T.E.R.), is to allow students on different campuses to learn from and support each other.

Members of the Center Toward Student Community, a NECTER affiliate at the University of Massachusetts, have instituted a new course called Learning and Self-Evaluation Skills. Through what may be the focal point for the college experience of the future, this experimental course allows students to determine what they want to learn and how they want to absorb it. The students then evaluate the learning experience.

In the area of student-organized research, the Associated Students of the California Institute of Technology (ASCIT), after receiving a $10,000 foundation grant last year, awarded small sums to students for research projects in such areas as off-shore oil pollution and policy-making for school systems. Individual professors have volunteered to give technical assistance to students involved in research. During the past year, students at the Research Center have raised $225,000 for various research projects.

Student-initiated projects in community action have increased in number and sophistication during the past few years. Students seem to be working much closer with grass-roots community organizations and in many cases are bringing much needed expertise to community-run programs.

In Detroit, for example, University of Michigan students from the urban and regional planning, landscape architecture, and general architecture programs are serving as Community planners in several ghetto neighborhoods. These students work with neighborhood groups in facilities development, program planning, and community organizations.

An excellent model that has helped foster student-initiated projects is New York's Urban Corps program. This project in three years has brought more than 6,000 students from over 150 colleges and universities into close contact with the problems and prospects of one of the nation's most troubled cities. Summer interns and part-time workers that participate through the school year represent a cross-section of the student population ranging from freshmen to doctoral candidates. They have been assigned to more than 75 agencies and departments of the City government, working in such diverse areas as community development, medical technology, documentary film-making, legal assistance, and air pollution control.

The program has been so successful that last year the Ford Foundation issued a grant to promote the establishment of Urban Corps in other cities. More than 25 cities are now involved.

My concept of education-in-action is also reflected in the activities of many high school and non-college youth groups.

The Parkway program in Philadelphia has not only established a new framework for high-school education, but paved the way for student-initiated social action.

Students of Parkway grow through their own direct experience by finding out the "how" and "why" of society's processes and institutions from the people actively engaged with them.

One-hundred fifty Philadelphians of high school age are enrolled in this experimental project funded through a Ford Foundation grant.

It is a school without walls, its only physical plant a rented loft where students meet with their faculty each week to coordinate their activities. The rest of the time they may meet at the police department or the city hall, at a TV station, in the composing room of a newspaper, or in the offices of a local business firm. Here, from practicing professionals, they learn government, communications, and business procedures. Working in small groups with their own faculty, they continue to build knowledge and skills in such basics as English, mathematics, language, and history. With the city as their schoolroom students extend their school day through participation in community projects.

Unorthodox as this program is, it has won general community support. There were 2,000 applicants for places in it last year. Next year, 700 more than this year's 150 will be accepted. Other cities are interested in introducing the program in their educational systems.

The New York State Council on the Arts is sponsoring an experimental project in multi-media usage. Utilizing the arts as a language of communication, teenagers of ten New York State communities showcase their towns to each other, as well as memers of their communities throughout the State.

Here in Washingon, D.C., there are a number of projects developed by youth. With school board permission, students at predominantly Black Eastern High School established a "Freedom Annex" through which they created courses in Black History and Black Literature for academic credit. Participating students spent their afternoons at the Freedom School.

Many similar projects have been launched under the auspices of Youth Organizations United, a national confederation of more than 300 inner-city groups formed in 1968. Pooling their ideas through YOU, inner-city young people have learned from each other about the techniques of successful community action. They have also helped to bring national attention to the needs of minorities, and to give Black, Brown, Indian and Oriental youth and opportunity—often the first—to participate in the running of their society.

Projects are as varied as the problems of the disadvantaged. In Minneapolis, former gang members have established what is called Operation Chain Gang, a school for 75 problem children. Its guiding principle is "everyone a student, everyone a teacher." A child with sixth grade ability in airthmetic teaches another on the second grade level in this school and is paid for his teaching time.

In East Harlem, the Real Great Society, formed out of what was once a Puerto Rican gang structure, has created a community-run prep school. The school has already had

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10 former dropouts and delinquents accepted by colleges.

In New Orleans, a consortium of gangs has established a dropout prevention center through which it offers, with private industry cooperation, a vocational orientation to dropouts. After tours of area corporations and whatever remedial education is necessary, the dropouts are encouraged to return to school to pursue whatever vocational goal they have set for themselves.

Of course, not all the groups undertaking constructive projects are new. Today we find new emphasis in old programs, as, for example, the Boy Scouts' redirection of their traditional activities to meet the needs of inner city and rural boys.

Another established youth-serving organization, the National 4-H Clubs, is bringing beneficial rural knowledge to the cities. Young members are now providing information about nutrition, food stamps, and gardening techniques to residents of the inner city.

The traditional structure and operations of our educational system have tended too often to direct programs at youth, rather than allowing young people to play a role in planning and administering programs that affect them. Certainly the Federal Government has done far too little in this area.

As a first step in changing that pattern I asked one of my special assistants in May to work with the Office of Education young employees and the 225 summer interns to prepare recommendations and to develop models for involving youth at the Office of Education.

Through their suggestions along with other student and youth group recommendations I have established an Office of Student and Youth, which will be headed by Toby Moffett, a young man who has worked on youth programs in the office of Education during the last year.

The new office will help the Office of Education develop structures for bringing young people into the planning of Federal education programs at all levels. Advisory committees made up of youth from all over the country will, we hope, keep us abreast of young people's thinking on crucial educational and social issues. The Office will convene problem-focused youth task forces when necessary to research and report on such issues.

The new office will also offer technical assistance to the kinds of projects which we have discussed this evening. This will include the dissemination to student or youth groups of information on programs through which they may be eligible to receive assistance.

Although the programs we have discussed this evening differ from one another in many respects, I believe that some valid generalizations can be made about them. First, it is clear that many young people are participating in the work of society in nontraditional ways. Old-style hierarchies and leadership patterns are conspicuously absent. Less and less is heard about heroes or older leaders.

Second, young people are working to improve their society, not only for themselves but for others who have been deprived of its benefits for so long. And they are demonstrating that, even though citizenship is hard work, they are equal to the challenge.

It appears, then, that in terms of the first goal of the National Conference of Citizenship, that of increased participation in citizenship activities, the youth movement is getting results.

As we examine the kinds of youth activities highlighted tonight, in terms of the second goal, that of cooperation between citizens, again we find young people making their influence felt. Young people are restating and revitalizing the time-honored ethic of cooperation. They are cooperating within homogeneous youth groups. More significantly they are reaching out to extend the same kind of cooperation to relationships between young people from drastically different backgrounds.

I believe in this. I also believe that cooperation between the generations should increase. In spite of what we hear about the generation gap, I find it hard, as an adult, to oppose the goals of young people who preach love rather than hate, peace instead of war, and closer relationships between human beings rather than the impersonal organization of human life.

The future must be our primary concern and one of the most significant factors in determining the shape of the future will be the continuing citizenship attitudes of our youth. The character of these attitudes will rest in large measure on how the "over thirties" react to the "new citizenship" of youth. Treated with respect this new youth concept of citizenship can be the stirring force that will bring the strength and the renewal of vitality necessary to correct the ills of society and at the same time protect and preserve the basic values of a democratic society. Derided and unheeded, it can become a negative force as our young people, in their disillusionment, cease to believe either in the ability or the promise of their Nation to promote basic human values. I cannot urge too strongly that we listen to what our young people are saying and heed what they are doing.

Alfred North Whitehead once observed that much of the greatest progress made in society comes about through processes that all but wreck it. Our task is to contain the forces of change so that they will achieve their purposes without tearing down the good with the bad in the existing social framework. This means encouraging the proliferation of projects like the ones that are already proving themselves in action.

The Office of Education is committed to do this. We do not mean merely to react to challenges from youth. We mean to be active in seeking out young people's ideas so that the generations may join forces in moving toward goals which are, after all, as old as they are perennially new.

REMARKS BY SENATOR EDMUND S. MUSKIE

In a nation occupied with disagreement, dissent and disorder, the recollection of the signing of the Constitution should be an occasion of hope.

In the midst of turmoil—as all of us are caught up in the fury of a social revolution—we should take some time to recall what was in the minds of the men who felt it necessary to declare themselves free, to sever the political ties which bound them to their government, to fight a revolution, and to write the Constitution. It was their dream that the principles of the Declaration of Independence could be the basis of the new nation and that armed revolution would never be necessary again.

Deprived of meaningful participation in an absentee government, the colonists had exhausted the available opportunities of political dissent. They reluctantly chose revolution as the only course left. They knew the price of the citizenship that had been effectively denied to them by the British.

The preservation of the elements of citizenship for themselves and their children was a problem which no society before them had been able to solve. There was no proven answer, no form of self-government, nor democratic theory that they could be sure would work.

The Constitution has developed as no more than an incredibly durable product of their experiences, their values, and the traditions of British law. It is an experiment in representative, democratic government that has survived and evolved only through the continuous reaffirmation of liberty, freedom, and justice.

The Constitution has never been a magic wand of meaningful self-government. It is a human institution, dependent on people to make it work.

The Constitution has never guaranteed peace, tranquility, and happiness. It only offers the opportunity for the citizens to pursue those human goals without recourse to armed revolution.

As long as there was plenty of room in America for men to grow and fulfill their potential, this experiment was a great success. For Americans who controlled their own destinies, shaped their own social and political institutions, and enjoyed unmatched economic opportunity, our Constitutional principles were easily applied. Change came slowly, and the future was bright.

Suddenly this has changed, and the application of the Constitution is less sure and less steady.

"Whether or not the bombs go off," says Paul Goodman, "human beings are becoming useless. Old people are shunted out of sight at an increasingly earlier age, young people are kept on ice till an increasingly late age. Small farmers and other technologically unemployed are dispossessed or left to rot . . . Racial minorities that cannot shape up are treated as a nuisance . . . Since labor will not be needed much longer, there is vague talk of a future society of 'leisure,' but there is no thought of a kind of community in which all human beings would be necessary and valued."

So we ask if the Constitution can keep up with an America where scientific achievement has become a cult, where technology thrives on itself at an inhuman pace, and where social and political institutions have become centralized and removed from the communities and neighborhoods.

This feeling of loss of identity and lack of control is shared by the young, the Blacks, the Mexican-Americans, and the poor whites, and it is spreading. A new foreign policy, significant tax reform, and the protection of the environment—substantive reforms which we all know we need—are not alone going to awaken the citizenship that is missing.

What many Americans have lost to modern society consists of much more basic human needs—needs recognized by the men who wrote the Constitution. These needs are the opportunities which enable citizens to assert effective control over their own lives.

As time has passed in America, the distance between the people and their government has increased as fast as our population. And that ever-widening separation has made it more and more difficult for people to get together to solve their problems—to eliminate the gaps between generations and races.

The concepts of citizenship and self-government have come to have little meaning to a man who cannot find a job, adequate medical care, or a decent home. They have little meaning to a man whose taxes buy a freeway when he needs a subway to commute to work, or whose taxes pay a farmer not to grow crops when he cannot get enough food for his family.

The ideals of citizenship are scorned by a younger generation asked to fight in a war of dubious origin and uncertain purpose, facing a future in a world dehumanized by technology, and then told to wait for their turn to participate in the decision-making process.

The guarantees of the Constitution are questioned by the hundreds of thousands of District of Columbia residents whose relationship to their government is that of tenants to an absentee landlord.

This is the most serious problem that faces America: How can we get some life back into the democratic experiment?

The only answer is to see that the tools of the democratic experiment—the Constitutional guarantees of freedom, liberty, justice, and social economic and political participation—be fully available to all Americans.

This equality was missing in America before 1776, was the premise of the Constitution, and is comprised too seriously in 1969.

Together we must humanize and decentralize our public and private institutions—remaking them to respond to all Americans.

Almost 200 years after the Revolutionary War, Washington, D.C. is a colony of absentee rule, the American people lack a direct voice in the election of their President, millions of citizens are disenfranchised, and some Americans are more equal than others.

We cannot afford to widen the gap between promise and performance any more. When life for some Americans becomes this intolerable, our lack of action is no more acceptable than an over-reaction which widens the gap.

Our only choice is to work together on equal terms—not as parts of the "problem" on the one hand and as parts of the "solution" on the other, but as partners in an effort to restore the most basic concepts of the Constitution to the life of each citizen.

This is the challenge of citizenship today.

Walter Lippmann recently put it this way:

"This is not the first time that human affairs have been chaotic and seemed ungovernable. But never before, I think, have the stakes been so high. I am not talking about, nor do I expect, a catastrophe like nuclear war. What is really pressing upon us is that the number of people who need to be governed and are involved in governing threatens to exceed man's capacity to govern. This furious multiplication of the masses of mankind coincides with the ever-more-imminent threat that, because we are so ungoverned, we are polluting and destroying the environment in which the human race must live.

The supreme question before mankind—to which I shall not live to know the answer—is how men will be able to make themselves willing and able to save themselves."

FAMILY PLANNING: PUBLIC PRIORITY AND PRIVATE RIGHT—III

Mr. TYDINGS. Mr. President, Dr. Ansley J. Coale is director of the office of population research at Princeton University, professor of economics at Princeton, and U.S. Representative to the United Nations Population Commission. At the 1968 annual meeting of the Population Association of America, Dr. Coale delivered an excellent presidential address entitled "Should the United States Start a Campaign for Fewer Births?"

As a part of this series of RECORD insertions, I have been offering as background material for the hearings on family planning legislation of which the Senator from Missouri (Mr. EAGLETON) will be chairman shortly, I believe Dr. Coale's address would be a valuable addition. Therefore, I ask that unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SHOULD THE UNITED STATES START A CAMPAIGN FOR FEWER BIRTHS?

(By Ansley J. Coale)

(NOTE.—This paper, presented at the 1968 Annual Meeting of the Population Association of America as Professor Coale's presidential address, will be published in the October, 1968, issue of the Population Index, publication of the Office of Population Research, Princeton University.

(Ansley J. Coale, Ph. D., Director of the Office of Population Research at Princeton University, is Professor of Economics at Princeton. He serves as U.S. Representative to the UN Population Commission.)

Each generation seems to assume that the demographic circumstances it is experiencing will persist and tries to formulate population policies to insure that they won't. During the 1930's social scientists, noting that fertility had been declining for more than a century in the United States and for 50 or 60 years or more in most of the wealthier European countries, and observing that although natural increase was still positive for most of these populations, current fertility was below replacement and the intrinsic rate of increase was negative, foresaw a declining population in the near future. The economic and social implications of a declining population were expected to be unfavorable. In fact, according to some economists, slow population growth in the 1930's was one of the major reasons for the worldwide depression. These circumstances and trends led some alarmists to speak of incipient race suicide, and others to deplore the supposed dysgenic effects of especially low fertility among the educated and the wealthy.

There was much discussion of the need for pro-natalist policies. A number of countries, some authoritarian governments and others quite democratic, started a pro-natalist program of one kind or another. Today, after some 20 years of fertility well above the pre-World War II levels, it has become fashionable to explain almost every national failure or shortcoming by rapid population growth—the ugliness and hopelessness of slum life, wasteful and irritating traffic jams, unemployment and delinquency among the disturbingly large fraction of adolescents who drop out of school, the pollution of air and water, and the disappearance of the natural beauty of our country behind a curtain of billboards and under a blanket of kleenex and beer cans. The most dramatic example of blaming population for our problems was a full-page ad that appeared recently in New York and Washington papers showing an older man being assaulted, his glasses falling off, one hand of his assailant around his neck and the other holding a knife. The caption asked, "When were you last mugged?" and ended with a plea for funds for an anti-natalist organization.

Here, I am taking the opportunity of expressing my own opinion, in large part an uncertain and tentative one, on what policy on population might be appropriate in the United States. My subject is not population policy within the less developed countries nor the appropriate policy of the United States with regard to population problems in these countries. Within the national context, I shall consider only policies directed towards influencing the *growth* of the population (not its location or quality) and shall indeed confine myself to policy designed to influence natality, not touching on migration, and assuming that the general policy with respect to mortality will be a continued effort to reduce it. I shall discuss, in other words, the considerations that might underlie a national policy designed to influence the future of American natality.

VOLUNTARISM AND POPULATION GROWTH

One policy towards natality that has very widespread, though of course not universal, support is to seek to make available to every couple and indeed to every woman the means of insuring that no pregnancy should occur except as the result of a deliberate decision to become pregnant. Opposition to this policy is on primarily religious grounds, and this does not seem an appropriate time or place to discuss moral or religious issues.

Recently, the movement to insure that each pregnancy is a planned one has been criticized as inadequate population policy since, if every woman in the United States were to experience the number of births that she seems to want, the result would be an increase in the population of some 40% per generation, or an average annual growth of more than one per cent. In the long run a continued growth at such a rate would be disastrous, leading to such well known absurdities as one person per square foot in six to eight centuries and a mass of Americans outweighing the earth after a few more centuries. The continued achievement of recently expressed family size targets would yield a population of over 300 million before the end of this century and over a billion before the end of the next. Thus, if preferences for the number of children remain fixed and the supposed association between traffic congestion, air and water pollution, juvenile delinquency and the like on the one hand and population growth on the other is accepted, it appears that a policy of just extending planned parenthood might be wholly inadequate even during the next few decades.

THE DEMOCRATIC TRADITION

One reason the policy of seeking to make voluntary fertility universal is appealing—whether adequate or not—is that it is a natural extension of traditional democratic values: of providing each individual with the information he needs to make wise choices, and allowing the greatest freedom for each to work out his own destiny. The underlying rationale is that if every individual knowledgeably pursues his self-interest, the social interest will best be served. Indeed, I am confident that in America universal and completely effective birth control would cause population growth to cease before the Malthusian positive checks of famine and disease reassert themselves.

If the cost of living space became high enough relative to other costs, people with a free choice would come to prefer a smaller number of children. But it is clearly fallacious to accept as optimal a growth that continues until overcrowding makes additional births, intolerably expensive. In fact, this is a classic example of the fallacy of composition: the fallacy of assuming that in social affairs the whole is the sum of the parts. There are many instances where the individually advantageous choice is not socially desirable. For example, in a period of incipient inflation, the most advantageous action for each individual is to get rid of his money as quickly as he acquires it and obtain and hoard real assets—an action which, generally followed, naturally makes the inflation worse.

THE RISK OF GROWTH

In other words, to fulfill the stated preferences for numbers of children of American couples today would lead to a rate of increase well above zero, a rate that would in the long run be catastrophic. We cannot count on the automatic effect of self-interest to reduce the growth rate soon enough, even if contraception were universal and virtually perfect. In fact, we cannot be sure what the future growth of population will be with or without explicit measures to influence desired family size. We must recall that fertility was low and rapidly falling in the prosperous 1920's, that it rose to unexpected heights in the postwar period and has been falling steadily for the past decade. Not all of the fluctuations are caused by changes in completed size of family. We know that a large part of the "baby boom" was a change in the tempo of childbearing and so is some of the decline. Nevertheless, no one—not even Professor Ryder—can confidently predict the average number of children that will be born by today's adolescents. [Norman Ryder, Univ. of Wisconsin sociologist, is co-director of the 1965 National Fertility Survey.]

However, the possibility must be taken seriously that fertility in America, even when wholly subject to voluntary control, may re-

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sult in persistent growth at a rate of perhaps one per cent annually. Since this possibility implies that a policy aimed merely at improving the means and extending the availability of contraception might permit a socially undesirable growth in population, ways to affect the number of children people want must be examined.

GOALS OF POPULATION POLICY

The design of policies to influence the number of children people want raises two questions. The first is the specific content of the policies, i.e., by what means are couples to be induced to alter the number of children they want, and what are the associated side effects, so to speak, of these specifics on social and political goals other than population growth itself? Secondly, leaving aside the means of influencing desired family size, what should the target of policy be in terms of the socially desired number of births? I shall discuss the second question first. Assuming that natality could be influenced with no adverse social or individual costs, what should the target be?

A few years ago, the answer to this question would be sought by trying to estimate the optimum population. If the optimum were larger than the current population, the target should be a positive rate of growth until the optimum was reached. The rate of growth should be zero if the optimum were approximately the same as the current population, and so on. More recently, the emphasis has shifted from attempting to choose the best population size, to choosing the best rate of increase. Lincoln and Alice Day in their book *Too Many Americans* proposed the target of a zero rate of increase at an early date. This goal was vigorously endorsed by Kingsley Davis in his provocative article in *Science* in November, 1967.

A MODEST TARGET

In the long run, an average rate of increase of zero is not only desirable but inevitable. The population of the world in 8000 B.C., prior to the appearance of the earliest known farming communities, has been estimated as 5 million. Today—10,000 years later—it is nearly 1,000 times larger at 3.5 billion, yet the intervening average rate of increase has been less than 1 per 1,000 per year, a very precise balance indeed between births and death. If we agree that the earth will have at least 5 million inhabitants and at most 5 trillion 10,000 years hence, the average rate of increase (positive or negative) must be within 1 per 1,000 of zero. In other words, a long-range average growth of zero will be the inevitable consequence of inevitable limits—on the one hand of standing room only or on the other extinction. The question is really *when* is it desirable to attain zero rate of increase? We can rule out a target of zero growth beginning this year since to achieve it would require reducing the birth rate to about nine per thousand, i.e., to equality with the death rate, and the consequence would be such a precipitous decline in the number of children and such an irregular subsequent age distribution that a large number of unnecessary social burdens would be incurred. A more acceptable goal would be the achievement of mere replacement for the cohort of women now entering childbearing, i.e., women 15–19. This more modest target would bring an increase to over 250 million by the year 2000 and a stabilization a few years later at about 290 million, in the absence of further immigration.

INCOME, NOT RACE, DECISIVE

If population growth is accepted as the cause of overcrowding, poverty in the slums, daily traffic jams and pollution of air and water, then the early achievement of a zero growth rate is clearly desirable and it might even seem worthwhile to contemplate a shrinking population to diminish these problems. However, it seems to me that the association between the overall size and growth of the U.S. population and these problems is really rather indirect. For example, high fertility is one of the factors helping to perpetuate the deprivation suffered by racial minorities in this country. However, it is a particularly flagrant error to attribute their deprivation primarily to this cause, and a very dangerous doctrine with overtones of prejudice to advocate special measures to reduce their fertility.

The fact is that Negroes with a northern urban background have no higher fertility than whites with equivalent education and income. Negro women married to men with college education, with professional or related occupations, and with incomes of about the $7,000 level have lower fertility than comparable white groups. Nearly half of the Negro urban population 20 to 30 years old in 1960 had been rural residents in 1950. Rural southern residents did not overcome the effects of meagre education and the other shortcomings of the environment in which they had been raised when they moved to urban areas, but took the effects of their upbringing, including high fertility, with them. Fertility in the urban ghettos will fall if discrimination is alleviated, if educational and employment opportunities are equalized.

SMOG IN AUSTRALIA

Pollution is caused by internal combustion engines as operated at present and by the unrestricted discharge of noxious fumes from other sources into the atmosphere. Similarly water pollution is caused by the discharge of noxious effluents into rivers, lakes and oceans. A population half or three-quarters the current one in the United States could ruin the potability of our fresh water supplies and poison our atmosphere by the unrestricted discharge of waste. Australia has a population of less than 12 million in an area more than 80% that of the United States. Yet Sydney has problems of smog, water pollution and traffic jams. In fact, most of the social and economic problems ascribed to our excessive population in the United States or to its excessive rate of growth are affected more by how our population has chosen to distribute itself than by its size. The problems arise from excessive concentration in the metropolitan areas, not from excessive total numbers.

MOST COUNTIES DECLINED

More than half the counties in the United States have *lost* population in each of the last two inter-censual decades. The density of population is 4.5 times greater in France, 10 times greater in the United Kingdom, and 30 times greater in the Netherlands than in the United States; yet pollution, traffic jams, and delinquency are no worse in those countries than here. Even if our population rose to a billion, its average density would not be very high by European standards. It seems to me that we must attack the problems of pollution, urban deterioration, juvenile delinquency and the like directly; and if sensible programs are evolved, continued population growth in the order of one per cent annually would not make the programs tangibly less effective.

A POPULATION OF THE AGED

But what reason, if any, is there to postpone the target of zero growth? One reason is that a stationary population has unfavorable as well as advantageous effects. The most conspicuous disadvantage is the age composition implied by a stationary population, especially at the low mortality that has been achieved in advanced countries. A stationary population with an expectation of life of 70 years has as many people over 60 as under 15. The distribution is essentially vertical up to age 50 or 55. The median age is about 37 years. A society with such an age structure is not likely to be receptive to change and indeed would have strong tendency towards nostalgia and conservatism. A French writer has characterized a stationary population as, "a population of old people ruminating over old ideas in old houses." As Myrdal pointed out years ago, in a statutory population there is no longer the consonance that there is in a growing population between the pyramid of responsibility and the age pyramid.

When the population is stationary, there is no longer a reasonable expectation of advancement in authority with age, since the number of 50 year olds is little different from the number of 20 year olds. I repeat that zero growth rate is inevitable in the long run and desirable before overcrowding becomes painful. However, it is not clear that this generation would choose wisely to accept during its lifetime the costs of a stationary society rather than to pay during its lifetime the costs of continuing growth. To put the point in different terms: the logical argument that the population must become stationary could have been made in 1920 or in 1900 or in 1850. It might have been wiser (indeed, I think it would) to have encouraged slower population growth than the United States experienced in the late 19th Century. However, it does not seem obvious that it would have been to the advantage of Americans then or now had a stationary population been chosen at some earlier time. Nor does it seem certain to me that the earliest possible stationary population is the best choice today.

CITIZENS VERSUS DESCENDENTS

The question is one of balance between the disadvantages of further growth and greater population size on the one hand, and the disadvantages of a stationary population on the other. The problem is complicated by the fact that the choice is inevitably not only for ourselves but also for future generations. Many of the burdens of allowing the population to grow during the next 100 years will be borne by descendents who will live after the middle of the next century.

However, not only is it difficult to visualize these burdens (and also difficult for many of us to be concerned about them); it is also uncertain as to how the burdens will be viewed by the future citizens themselves. It is my observation that the disadvantages of a larger population are seen most vividly by those who were born in an earlier era. Often the current inhabitants see nothing wrong with many of the changes that the older citizens decry. I feel deprived by the disappearance of open land around Princeton. My children never miss it. People raised in Manhattan not only find life there tolerable, but preferable. In other words, to pay the price of an early achievement of a stationary population in order to spare our descendents from a higher population density may be to do them a favor that they will never appreciate.

METHODS OF INFLUENCING POPULATION GROWTH

I have doubtless taken longer than I should to say, on the one hand, that the case for the immediate achievement of zero growth is inconclusive and, on the other, that we cannot count on universal planned parenthood to achieve zero growth at the best possible moment. In other words, whether or not we need programs right now to affect people's preferences for more or fewer babies, we may need them in a generation or two and must face the question of what sorts of programs would be suitable.

One can begin by describing some of the properties a good program should have and some of the pitfalls that it must avoid. A major consideration is the effects the program might have other than on the birth rate. Preoccupation with population growth should not serve to justify measures more dangerous or of higher social cost than population growth itself. At the end of a working day during the construction of the Brooklyn Bridge, an Irishman was returning to the ground from work high on one of the towers. He was sliding down a rope and was still more than 30 feet above the ground when he fell. One of his friends came up as Pat was waiting for the ambulance and asked "What happened, Pat? Did you lose your grip?" "No," he said. "I let go of the rope." "Why in heavens name? "Because I thought it was going to break."

THE QUESTION OF CHOICE

An ideal policy would permit a maximum of individual freedom and diversity. It would not prescribe a precise number of children for each category of married couples, nor lay down a universal norm to which all couples should conform. Some people have a stronger preference for children than others within any overall social context and the ideal policy would permit the expression of this diversity of individual values.

Some of the changes that contributed to the post-war baby boom seem to me desirable from the point of view of the individual family. The changes to which I refer include a substantial decline in the proportion remaining single, a very large decrease in childlessness, and a marked diminution in the proportion of couples having only one child. Nor do I think we should view it as individually reprehensible if some couples desire to have three, four, or more children. After all, the psychological burden of being an only child is well known, and in a two-child family sibling rivalry is at a maximum, and when there are three children, two are likely to gang up on one. Thus, when the extra burden of the fourth child does not worsen parental dispositions or health, four does not seem an undesirable number from the point of view of the children in the family.

It would be clearly inconsistent to argue that four should be the norm when discussing a policy intended to produce a zero rate of increase, since to achieve replacement the average number born to married couples must be about 2.3. However, the ideal policy would permit a minority of families (families in which the parents are prepared to substitute expenditures on more children for expenditures on luxury goods and in which the housewife is prepared to devote her talents and energy to child-raising rather than to some alternative career) to choose an above-average number of children without being viewed with scorn or disapproval.

A POLICY OF INCENTIVES

An ideal program designed to affect the number of children people want would help promote other goals that are worth supporting on their own merits, or at least not conflict with such goals. Specifically, the program should not have the inequitable effect of adding to the burdens of the underprivileged, and ideally should reduce inequity by easing their burdens. A program for *increasing* the number of children people want is more readily reconciled with humane goals than a program for diminishing the number they want. In the 1930's, when the Swedish birth rate was well below the level required for long-range replacement, the liberal Swedish government proposed a number of measures intended to increase fertility. The Swedes were opposed to the cash benefits then being introduced in totalitarian Germany and Italy. They felt that financial inducements might appeal to the persons least equipped to provide a good home environment for the next generation. The Swedish policies were designed to remove or to reduce the restraints that were then preventing responsible parents from having more children. They provided free pre-natal care and lying-in hospitals to minimize the danger and cost of childbirth. They offered to large families lower rates of rental per room in government housing, so that the cost of extra space would not serve as a deterrent to having more children. They increased the number of state scholarships in Swedish universities, so that parents could hope that they could afford to educate an extra child.

No one would advocate the converse of these proposals as an ideal program for reducing fertility when it is too high. The reason that there is an instinctive negative reaction to deliberately increasing medical charges for pre-natal care and delivery, purposefully raising rents for large families and reducing scholarships at the universities, is that such measures and others that have sometimes been proposed, such as tax scales that increase with size of family, would all have the effect of imposing hardships on those who are already deprived. Measures to discourage fertility by imposing additional burdens on those who bear children will almost inevitably be unfair so long as a substantial proportion of births, especially to those with high fertility, result from accidental pregnancies. If another unwanted child is added to a large family, his lot will scarcely be improved if his parents face some kind of financial or other penalty as a result of his birth.

MEETING HUMAN NEED

The planned parenthood program of making people aware of the possibility that the number of children born can be regulated consciously and of making readily accessible truly effective means of contraception that do not interfere with sexual pleasure meets these criteria. To eliminate unwanted childbirth clearly increases freedom of choice. Since the burden of unwanted pregnancies is greater for the underprivileged, as is the incidence of such pregnancies, extension of effective fertility control contributes slightly at least to a narrowed difference between the privileged and the deprived. The proportion of most recent births characterized as not wanted is especially high among Negroes at the lower end of the scales of income and education. However—we must repeat—a planned parenthood program is not necessarily adequate to achieve the growth that public interest requires.

AN EXERCISE IN FICTION

Economists at the University of Chicago are famous for judging a public policy as desirable to the extent that it operates through the mechanism of a free market. I have heard it facetiously suggested as the ideal form of fertility regulation to introduce a highly effective anti-fertilitiy agent in the water supply and then to sell the antidote at a controlled price, allowing market forces to do the rest. When the birth rate is too high, the price of the antidote can be raised, and vice-versa. People who place an especially high value on children can have as many as they can afford. The less doctrinaire economists of this school might be willing to complicate such a method of regulation by a scale of prices to allow for the different economic circumstances of different purchasers. The system could be extended to cover fertility below replacement even when the price of the antidote is zero by offering a subsidy under these circumstances to persons willing to take the antidote. The feature of an approach like this that I find most appealing is the fact that it does not attempt to enforce a limitation of two births or three births per couple, as has been recommended for example by Lincoln Day.

Of course, the solution I have attributed to the Chicago school of economics is an exercise in science fiction. It is probably more unrealistic politically than technologically. I describe it only to characterize, even if in an unrealistic fashion, features that one would like to find in a program for regulating fertility. There are more feasible measures that might be implemented, such as reducing the remaining discriminatory rules and attitudes about the employment of women, further equalizing educational opportunities at both the undergraduate and professional level, and in general opening further career opportunities as an attractive alternative to motherhood. A liberalization of laws on abortion would be a useful supplement to the "planned parenthood" program outlined earlier.

A set of measures of this sort does not add up, of course, to a tidy and logical but unrealistic Chicago economists' program. Perhaps the greatest weakness of such measures is that their effect on fertility is uncertain and occurs after a substantial lag in time. Also, the measures are irreversible—it would hardly be feasible to increase discrimination against women if the birth rate fell too low. Fortunately, as was stated in the first part of these remarks, I do not think that we need to rush into a program of special inducements for lower family size targets. After all, the gross reproduction rate in 1967 was only about 1.30, some 28% below its peak in 1957. The birth rate of January 1968, moreover, shows an especially sharp additional drop, even after seasonal adjustment. It is possible that by the time a feasible program is ready for formulation in the form of legislative proposals, we shall be seeking ways of increasing fertility in order to avoid a declining population.

PROPOSED REPEAL OF EMERGENCY DETENTION PROVISIONS OF INTERNAL SECURITY ACT OF 1950

Mr. INOUYE. Mr. President, I was most pleased to read an editorial published in yesterday's Washington Post, urging the speedy consideration of S. 1872, a bill I introduced, with 26 cosponsors, to repeal the emergency detention provision of the Internal Security Act of 1950. I believe the editorial gets to the heart of the matter by stating:

> It is idle to say that the law will never be put into effect by an American President. If it will never be put into effect, it should be repealed.

Therefore, I am urging again, that hearings be conducted by the Committee on the Judiciary and that speedy and favorable consideration be given to S. 1872. I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

A Slur on America

Most Americans, if told by some foreigner that the Government of the United States was contemplating the construction of concentration camps, would respond either with derision or with indignation. Concentration camps are the ugliest symbol of totalitarianism; they are as "un-American" as gas chambers. Yet the sad truth is that in the hysteria of 20 years ago over communism, Congress passed a law—the Internal Security Act of 1950 more commonly referred to as the McCarran Act—giving the government authority, in a period of national emergency, to put into concentration camps, called "detention centers", persons deemed likely to commit espionage or sabotage. That evil law remains on the statute books today, a legacy of the panic that prompted it.

It is idle to say that the law will never be put into effect by an American President. If it will never be put into effect, it should be repealed; but the Department of Justice, Columnists Evans and Novak report, flatly opposes repeal. It is idle to say that Negroes are absurd to be fearful these camps are intended, at some period of crisis, to confine any of their leaders who may become too militant from a white point of view. Negroes cannot forget that they were once treated as chattels in this free country simply because their skin was black; and they remember that native-born American citizens were penned into detention centers during World War II simply because their skin was yellow. It is idle to say that political nonconformists need have no fear these camps will be employed to silence them. Silencing opposition is the very point and purpose of a concentration camp.

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It is a reproach to the United States that its Congress should fail to repudiate so strange a statute. Several bills have been introduced to repeal Title II of the McCarran Act. They ought to be passed by acclamation, regardless of the Department of Justice. It will not diminish the security of this country to restore the ancient pride of Americans that they cannot be imprisoned save in accordance with due process of law.

TAX REFORM ACT OF 1969—ACTION OF COMMITTEE ON FINANCE

Mr. LONG. Mr. President, on Friday, October 17, the Committee on Finance met in executive session and reached decisions on many important sections contained in the Tax Reform Act of 1969. These sections include the tax treatment of farm cooperatives and rural electric cooperatives; Federal land banks; farm losses and hobby losses; holding period for livestock; and livestock depreciation recapture. Additionally, the committee added to the bill two amendments relating to, first, crop insurance proceeds, and, second, health insurance and medicare and medicaid.

So that Senators might follow the progress of these executive sessions, I ask unanimous consent that a press release be printed in the RECORD.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

[A press release from the Committee on Finance, U.S. Senate, Oct. 17, 1969]

TAX REFORM ACT OF 1969—ACTIONS IN EXECUTIVE SESSION

Honorable Russell B. Long (D., La.,), Chairman of the Senate Finance Committee, announced today that the Committee had reached further major decisions with respect to the Tax Reform Act of 1969. The important subjects before the Committee at today's executive session concerned the treatment of farm cooperatives and farm losses.

A complete explanation of the actions taken by the Committee follows:

FARM COOPERATIVES

The Committee deleted from the House bill the provisions which would have required farm cooperatives (1) to pay out in cash 50 percent (instead of 20 percent, as provided by existing law) of patronage dividends if they are to qualify for deduction, and (2) to redeem the patronage dividend within 15 years. The Committee noted that the House provisions would not have produced any additional revenue for the Federal Treasury.

However, in a related move, the Committee directed the staff to explore the possibility of taxing cooperative organizations on their income which is not related to the purpose for which the cooperative was created. This would enable the Committee to determine whether the competitive advantage available to cooperatives which engage in a profit-making business enterprise can be removed without jeopardizing the purposes for which cooperatives were granted a tax advantage.

A technical amendment was also approved to allow cooperatives 8½ months after the close of the year to make cash payments of per-unit retain allocations and deduct them, thus conforming to the period presently allowable in the case of non-cash allocations.

In addition the Committee agreed to provide a 10-year carryback with respect to bad debts of the banks for cooperatives.

RURAL ELECTRIC COOPERATIVES

The Committee also added to the bill an amendment which would require rural electric cooperatives to pay tax on the interest income they receive on Federal government obligations they own if they also have borrowed from the Federal government loans bearing a special low rate of interest.

FEDERAL LAND BANKS

The Committee approved an amendment to terminate the Federal income tax exemption (first enacted in 1916) for Federal Land Banks over a 5-year transition period. This action should add approximately $12 million to Federal reserves.

FARM LOSSES

The Committee agreed with the House that the tax treatment of farm losses should be brought under greater control. However, it felt that the approach taken by the House was unnecessarily complicated. Accordingly, the Committee agreed to a substitute for the House provision. Under this substitute, an individual who has more than $50,000 of non-farm income and who incurs a loss from his farm operation of more than $25,000 (these are the same tests provided in the House bill) will be allowed to deduct currently only one-half of his farm losses in excess of $25,000 against his non-farm income. The remaining portion of his farm loss which would not be allowed as a deduction in the year it is incurred could be carried over for an indefinite period but could be used only to offset future farm income.

Under the Committee substitute, farm losses up to $25,000 could continue to be deducted in full against non-farm income but deductions in excess of $25,000 (where the taxpayer has non-farm income of more than $50,000) could be subject to an initial 50% disallowance.

Initially, the Committee substitute would produce more revenue for the Federal government than the House bill. This is so because the House bill allowed a full current deduction of farm losses but then recaptured at ordinary income tax rates the amount previously deducted when the farm property is sold at a capital gain.

CROP INSURANCE PROCEEDS

The Committee added an amendment to the bill (Amendment No. 243, Senator Miller (R., Iowa)) to provide that at his election a farmer whose crops have been destroyed and who receives crop insurance proceeds in compensation for his loss may elect to defer the immediate reporting of these proceeds for Federal income tax purposes until the year following the year of destruction, provided that is the year in which he would normally have reported the income from the sale of the crop if it had not been destroyed.

HOLDING PERIODS FOR LIVESTOCK

Under existing law livestock must be held for one year in order for the gain on its sale to qualify for favorable capital gains treatment. The House bill would have changed the holding period so that livestock must be held for at least one year after the animal would ordinarily have been used for draft breeding and dairy purposes. Because this test was difficult to apply in the case of many types of livestock the Committee approved an amendment under which horses and cattle must be held for at least two years in order to qualify for capital gains treatment. Other types of livestock would remain subject to the one-year holding period presently in existing law.

LIVESTOCK DEPRECIATION RECAPTURE

The Committee adopted the House bill provision which provides for the recapture of ordinary income tax rates of gain on the sale of livestock to the extent depreciation deductions had previously been taken with respect to purchase livestock and deduct it against ordinary income. Under present law, all the gain on the sale of livestock is treated as a capital gain.

HOBBY LOSSES

Under the House bill, the hobby loss provision in existing law would be replaced with a rule that disallows the deduction of losses from an activity which is not carried on with a *"reasonable expectation of profit."*

The House bill presumed the activity to be carried on without an expectation of profit where the losses from the activity were greater than $25,000 in three out of five years. The Committee agreed with the House as to the desirability of tightening up on the deduction for hobby losses. However, testimony presented at the hearings indicated considerable difficulty could be expected from the subjective nature of the test applied by the House bill. For this reason, the Committee modified the House bill in such a way as to disallow losses with respect to an activity which the taxpayer is *"not engaged in for profit."*

The Committee also provided that if the taxpayer has profits in two out of five years from the activity in which he is engaged, he would be presumed to have engaged in that activity for profit and the Internal Revenue Service would be under a burden to rebut this presumption.

The Committee also approved technical amendments, the most important of which would assure the continued deductibility for items which would be deductible without regard to a trade or business. Items referred to include deductions for interest, State and local taxes, and long-term capital gains. In this same vein, the Committee agreed that even in the case of a hobby loss the expenses involved would be deductible to the extent of the income received from the activity.

Because concern has been expressed as to whether there would be a reasonable administration of this provision, the Committee expressed its intent that the Treasury should establish two advisory groups drawn from the cattle and horse industries to assist the Commissioner of Internal Revenue by examining the reasonableness of cases which agents would contemplate bringing under the new hobby loss provision. One advisory-agreed group would be concerned with livestock operations and the other with horse raising, breeding and racing operations. These advisory groups would be composed of industry experts and would examine and recommend action to the Service with respect to cases involving their industries. This action would precede the disallowance by the Internal Revenue Service of deductions of losses under this provision. This would assure taxpayers of a high level review of their cases by responsible representatives of their industry. This intent will be repeated in the Committee reports and the tax reform bill.

MEDICAL INSURANCE; MEDICARE

The Committee approved an amendment which will be added to the bill to require that payments made under the Medicare and Medicaid programs and payments made by *private* medical insurance carriers must be reported to the Federal tax collector if they aggregate $600 or more during the year. This amendment would also require that the Department of Health, Education, and Welfare record transactions with respect to these programs on the basis of the individual's social security number. The payments which must be reported include those made directly to the health care practitioner who accepts an assignment from his patient and those for which a patient submits bills and is paid for services rendered by the health care practitioner. The amendment also requires that the Secretary of Health, Education, and Welfare submit an annual report to the Finance Committee and to the Ways and Means Committee, identifying each person paying a total of $25,000 or more under Medicare and Medicaid.

MINNESOTA CITY

Mr. MONDALE. Mr. President, one of the concerns for the future of the Nation is how and where to accommodate a population which will increase by some 100 million by the year 2000 and double to 400 million Americans within 50 years.

One answer lies in the creation of new communities. In my State of Minnesota we are moving ahead on two fronts. The new city of Jonathan, near Chaska, is working closely with the Department of Housing and Urban Development, under its New Communities Act created by the historic Housing and Urban Development Act of 1968, to create a new city in relation to the infrastructure of a small town.

Since mid-1966, the energies of the University of Minnesota, the State and Federal Governments, and our business community have joined to probe the creation of an entirely new kind of city.

I believe this latter effort, which is moving from the initial phase of theory to the second phase of experiment and development, is of extreme interest to Members of Congress and others who are concerned with the future urbanization of this country.

I ask unanimous consent that the text of the remarks by Otto A. Silha, chairman of the experimental city steering committee, be printed in the RECORD. Mr. Silha, who is also executive vice president and publisher of the Minneapolis Star and Tribune Co., spoke at a new towns developers conference.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

THE EXPERIMENTAL CITY AND THE FUTURE OF URBAN AMERICA

This has been a year of significant milestones for what many now consider one of the most important and far-reaching undertakings ever launched in America . . . the planning and eventual building of an experimental city for the United States.

I hope that I may be able to leave with you a greater appreciation for the project and—especially—for what it can mean for Minnesota, the Midwest, and indeed for our entire nation as a partial but vital solution to many of our rural and urban problems.

Since mid-1966, when an experimental city was initially proposed, the energies of the University of Minnesota, the State and Federal governments, and our business community have been harnessed in developing, during Phase I, the theoretical foundations of this entirely new kind of city.

The project has maintained from the beginning, a certain magnetic quality, attracting the brainpower, experience, and talent of more than 170 workshop participants from all over America and symbolized by our Steering Committee. Let me quickly review the Committee's membership:

Gaylord W. Anderson, Director, School of Public Health, University of Minnesota.

Dr. James C. Cain, Professor of Clinical Medicine, Mayo Clinic, Rochester, Minnesota.

Max L. Feldman, Products Planning Associates, Santa Barbara, California.

Mrs. Rita E. Hauser, U.S. Representative, Human Rights Commission of the United Nations, New York, N.Y.

Walter W. Heller, Regents' Professor, Department of Economics, University of Minnesota.

Martin E. Marty, Professor, Divinity School, University of Chicago.

Malcolm C. Moos, President, University of Minnesota.

Joseph A. Pechman, Director, Economic Studies, Brookings Institution, Washington, D.C.

Roger Revelle, Head, Center for Population Studies, Harvard University, Cambridge.

General B. A. Schriever, U.S.A.F. (ret.), B. A. Schriever Associates, Arlington, Virginia.

Mrs. Muriel S. Snowden, Associate Director, Freedom House, Inc., Roxbury, Massachusetts.

Wayne E. Thompson, Vice President, Dayton-Hudson Corporation, Minneapolis.

Walter K. Vivrett, Professor, Architecture and Planning, University of Minnesota.

William L. C. Wheaton, Dean, College of Environmental Design, University of California, Berkeley.

Walter M. Beattie, Jr., Dean, School of Social Work, Syracuse University.

Harrison Brown, Professor, Geo-Chemistry, California Institute of Technology, Pasadena.

Arthur S. Fleming, President, Macalester College, St. Paul.

R. Buckminster Fuller, Engineer and Professor, Southern Illinois University, Carbondale.

Harvey S. Perloff, Dean, School of Architecture and Urban Planning, University of California, Los Angeles.

Athelstan Spilhaus, President-Elect, American Assn. for the Advancement of Science.

O. Meredith Wilson, Director, Center for Advanced Study in Behavioral Sciences, Stanford University, Palo Alto.

Paul N. Ylvisaker, Commissioner, Department of Community Affairs, Trenton, New Jersey.

Whitney M. Young, Jr., Executive Director, National Urban League, Inc., New York.

As a result of nearly three years of counsel and direction by these prominent Americans, and the work of a competent staff at the University, the State of Minnesota is in the forefront of an effort to find workable alternatives to the solution of our national urban crisis. No other large scale study of the potential of a new kind of city is currently under way in the United States. The importance of this effort is further underscored by the fact that the Minnesota Experimental City is the first research project in our nation's history to receive joint funding from three departments of the Federal government—the Department of Commerce, the Department of Health, Education and Welfare, and the Department of Housing and Urban Development. In addition, twelve private corporations, nine of which are headquartered in Minnesota, demonstrated their commitment to the City by contributing more than 25% of the $320,000 required to complete the first phase of the project, which ended with the publishing of our Phase I Progress Report in June of this year.

At the outset, to give greater focus to the project, let me briefly review with you the 1969 nomenclature of "the cities."

The Minnesota Experimental City is frequently confused with the Model City program, which is essentially a much-needed extension of what we have come to know in previous years as urban renewal, a super coordination effort involving the many departments of government which deal with the problems of the city.

Let me emphasize that the Model Cities program basically involves the replacing of slum areas with new construction, along with attempting to deal simultaneously with the overwhelming "people problems" in these dense urban settings.

A second designation for urban development which has come into the vocabulary recently is the "New Town." There are now in construction or on drawing boards, more than 250 "New Towns" in the United States. The two with which you are probably most familiar are Reston and Columbia, both of them in the greater Washington, D.C., areas. Jonathan in Carver County is the nearest counterpart in this part of the country.

Actually, in oversimplified terms, the New Town is a real estate development. They are all primarily in the private sector and many of them are spearheaded by large corporations.

Interestingly enough, almost all of these planned "New Towns" are located around the "rims" of the United States. You can trace the concentration starting from the Boston area in New England down along the East Coast into Florida, across the Gulf Coast into Texas, through Arizona and then up to the West Coast of California. Very few of them are mapped out for the Midwest.

I want to make the distinction now between the Model Cities, the New Cities and the Conference subject—the Experimental City. The key phrase which I prefer to use in describing the Experimental City is that it will comprise an *overleap* in research and in seeking more alternatives in dealing with the problems of the city.

This experimental overlap would offer an opportunity to start anew rather than dealing with the entangling restrictions of every sort—power, transportation, sewer lines, to name a few—which are ever present when we attack the problems of the established city or even the environs of an established metropolitan area.

The Minnesota Experimental City has been conceived as a totally new city in which innovations—technological, social, economic, and physical—could be developed, experimented with, and evaluated. Such a city concurrently could lead the way to a more humanized order of urban living. In short, the objective of the Minnesota City is to improve dramatically the quality of life by providing a major advance in man's ability to shape his environment.

We know that today's urban systems are complex and interacting; thus only through a new city is a total systems experiment possible. The Minnesota Experimental City, located some 100 to 150 miles from any existing urban center and housing eventually some 250,000 people, will provide that opportunity.

The fragmented experiments possible in existing urban settings are no substitute for what we envision here. Tradition and the status quo can be—and frequently are—deadly enemies of human progress but, in a new city, it will be possible to experiment in a coordinated way with a wide myriad of human and environmental factors.

Thus, we look upon the Experimental City as a national proving ground for demonstrating our social, economic and physical capabilities for building cities that can be truly responsive to man's changing needs. The real premise of the City, then, is that 1) man can creatively mold his environment; 2) that we can uniquely unite the technological resources of the private sector with the authority of the public sector; and, finally, that we can do much more to serve people by harnessing an reorienting the social, economic and physical forces about us.

And, what is the great force compelling us to forge ahead . . . people. Dr. Patrick Moynihan, President Nixon's urban adviser, has repeatedly spoken of the need to deal boldly and imaginatively with the American population explosion. America's population trend is irreversible—despite a birthrate of only one per cent, the United States will grow by 100 million people in the next thirty years.

We must find the means to locate these Americans in other than existing urban centers. In short, as Dr. Moynihan says, we need to build in the United States one city the size of Tulsa, Oklahoma each month for the next thirty years just to keep pace with our population explosion.

The question of numbers aside, we are also rightfully concerned with the "quality of life" for our people.

The MXC project proposes to create near the geographic center of the North American continent a new city which can serve in 1976 as a symbol of the progress of two hundred years of an evolving democratic society—its people, institutions, and technology.

In several of our MXC workshops, participants stressed the importance of the City subscribing to a set of community and human values consistent with the following principles:

(1) That citizen participation in evaluation and change be encouraged so as to develop mechanisms for achieving further progress.

(2) That social interaction within and among age, religious, racial and ethnic groups and subgroups be fostered.

(3) That personal integrity, individuality and freedom of choice be upheld.

(4) That protection and security be assured; and

(5) That the City will provide for creative and renewing experiences for its inhabitants.

Hence, the search for innovation will not be limited to physical hardware and physical arrangements; equal significance will be given to the need for genuinely new and progressive social institutions and social arrangements.

The Minnesota Experimental City, by its very nature, would have a number of inherent advantages, including:

(1) Lower land costs, particularly if the ultimately selected site is removed from an area currently under development or if it were already in the public domain.

(2) Housing of diverse types and sizes could be built into the communities to accommodate the full life cycle, and to experiment with intermixes of different income, age, and ethnic groups.

(3) Fewer legal and regulatory restrictions would deter innovation in construction technology; and

(4) Community attitudes would be more conducive to change and experimentation; far fewer economic or socio-psychological commitments would manifest themselves as barriers to change.

As an instant city, defined to mean a ten-year development effort from the beginning to substantial completion, the Experimental City would permit a coordinated application of social and physical know-how in a working, demonstration of what man can achieve if he so desires.

For the first time in the history of man, we are advancing the concept of building a complete city from an ecological base. Past Steering Committee deliberations and MXC workships have generated some exciting concepts for intensive investigation, research and/or development during Phase II. Here are but a few of the ideas:

The feasibility of free public mass transportation being built into The City the way an elevator is built into a building.

The possibility exists for co-ordinated testing and experimentation with MXC ideas in the near-term future. We find an emerging interest in conducting experiments wherever possible in existing communities, including our central cities. For example, certain experimental ideas may be suggested for the Model City area of Minneapolis.

The whole concept of research on "the new" and people's capacity to absorb new ideas and new things. The "marketing" aspects of new ideas constitute a whole new field for concentrated research.

A "situation room" or an "information transfer" room may be constructed for use in the planning and design stages of The City, but also as an experiment for early application in existing cities.

Development of the first air world transportation center for the United States.

The educational possibilities of the project itself. Can a new kind of university "without walls" be built into the project as it unfolds? We believe so.

What new horizons can be explored in supplying food to a city?

Again, these are only some of the interesting thoughts which have developed in the first planning stage of MXC. Many more are discussed in the formal report.

Minnesota has demonstrated a traditional concern for the quality of life. Thus it is fitting that we should be instrumental in leading the way toward a new and better environment. However, the tasks ahead are enormous. Only through a level of cooperation unique in our nation's history can the Minnesota City come into fruition. The cornerstone of this cooperation has already been set in the project's unique tripartite partnership of private enterprise, the academic community, and government evidenced during the first phase.

Many major companies joined the University and the Federal agencies in providing the funding needed to complete Phase I. The following contributed $10,000 or more toward the initial research:

Dayton-Hudson Corporation; the H. B. Fuller Company; Honeywell, Inc.; IBM; Minneapolis Banks' Clearing House Association; Minneapolis Star and Tribune Company; Northern Natural Gas Company; Northern States Power Company; Northwestern Bell Telephone Company; Polaroid Corporation; Boise-Cascade Corporation; Control Data Corporation.

Even greater support and cooperation is necessary now in Phase II which encompasses actual experimental and development work . . . work designed to evaluate untried concepts and systems in a laboratory environment, to experiment with small scale models, and to investigate anticipated operational problems. Phase II is roughly estimated to cost some four million dollars and the Steering Committee is rightfully encouraged by the continuing high level of interest in both the public and private sectors and by the financial commitments already secured from private industry.

We have every reason to be encouraged. In recent weeks Minnesota City project has received grants from the private sector totaling $500,000 for Phase II work—including a $100,000 cash grant from the American Gas Association in conjunction with an additional AGA grant of $250,000 in stipulated research. Most of the companies mentioned previously have already contributed $25,000 each for this second phase.

As you can see, the private sector has played and will continue to play a major role in the conception and development of the Minnesota City. But, more than that, our business community is demonstrating a steadfast commitment to a better life for all our people in the years to come.

In addition, the Ford Foundation has made a grant to the University of $46,000 to conduct an on-site research evaluation of the evolution of the new town of Jonathan in Carver County. Surely such research efforts there will provide many insights and improve our capability to deal with the manifold problems to be encountered in buliding the Minnesota City.

Turning to the public sector, developments there also have been impressive and encouraging. Before adjourning, the 1969 Minnesota Legislature, by concurrent resolution of the House and Senate, authorized an interim legislative study of the Minnesota Experimental City, its needs and requirements, to be undertaken by a special Joint Committee. Such a study, to be underwritten by legislative funds, will be the first of its kind in the nation and will be instrumental in getting positive legislative action in the 1971 session. Important areas such as the formation of a semi-public corporation—with both public and private financing—to actually build the city, the granting of condemnation and bonding powers to the corporation, insurance ratings, building codes, school aid payments and taxation, and innumerable questions affecting the public health and safety need to be researched with recommendations made. The Joint Committee has now been appointed under the chairmanship of Senator Stanley Holmquist and Representative John Johnson, and its work program will be under way shortly.

Thus, in directing this committee to report back legislative recommendations by January of 1971, the Legislature has taken a major stride in advancing the feasibility of the Minnesota City. Only through a positive legislative response can we ultimately succeed and this 1969 action is a significant breakthrough with far-reaching ramifications.

We are gratified by this interest and cooperation shown by the Legislature and by the considerable assistance given to us by Minnesotas Executive Branch. The Governor, the Attorney General and the operating departments have been most helpful and we are assured of their continuing support during Phase II.

At the Federal level prospects are equally bright. Since taking office, Vice President Agnew—the President's liaison with the cities of America—has held two sessions with the nation's leading urban experts on the topic of "new towns." I was privileged to have been invited to the May session and it appears to me that we are witnessing in Washington a greater awareness than ever before that the new cities concept can be a viable solution to many of our current ills.

In Washington the MXC project enjoys the support of the Minnesota congressional delegation. And, in addition, we have visited with several cabinet-level officials, White House staff members, and with the Vice President as well to discuss the City and our plans for Phase II. We are now completing our Federal grant applications and, hopefully, we can look forward to broadened Federal support in the immediate months ahead.

From this brief overview I hope you will conclude with me that we are well on the way toward the day when people will live in the Minnesota City. To our supporters, we are most appreciative; to the "doubters" we also express a certain gratitude for, throughout history, they have impelled man to think the unthinkable and conquer the unconquerable. And, so it is with the Experimental City.

Less than two months ago, Americans witnessed the culmination of our multi-billion dollar lunar program with the landing of our astronauts on the moon. Once again, man achieved the impossible.

If American technology and know-how can overcome this incredibly complex and difficult challenge, surely we can grapple more successfully with our people-problems here on earth. What we so desperately need is the resolve to do so . . . and that means we must re-examine our priorities.

Vice President Agnew, writing in the forward of *The New City*—recently published for urban America by the National Committee on Urban Growth Policy—commented: ". . . the problems faced by American cities seem an unending chain of crises. Not only are suggested solutions few, but the general ability to thing through the intricate maze of political, technical and geographic relationships is almost totally lacking.

"Everyone concerned knows that something must be done. Without cities of a new kind, cities which exist to serve human life and not detract from it, our complex civilization cannot survive . . ."

Let me conclude by observing that we have begun to cut through this intricate maze and we are proposing, by the creation of the Experimental City, one real alternative to the decay of urban America and the decline of our civilization.

Thank you.

BEN ROSENZWEIG AND THE GREENBELT CONSUMER SERVICES, INC.

Mr. TYDINGS. Mr. President, the rise of the consumer cooperative has been an exciting and productive development in our society. I am proud to have one of the most progressive, successful consumer cooperatives located in my State in Greenbelt, Md. The Greenbelt Consumer Cooperative has not only provided quality service to the consumer in many areas, but has served as a valuable information resource to those of us in public life who are concerned with the welfare of the consumer.

Ben Rosenzweig, who has just retired from the governing board of Greenbelt Consumer Service, deserves special recognition for the contribution he has made to the cooperative movement. His life has been devoted to this worthwhile cause, and it is with great pleasure that I ask unanimous consent that the article in his honor be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BEN ROSENZWEIG RETIRES FROM GCS BOARD BUT . . .

(By Penny Dressel)

While some people may think that to retire, means to withdraw from active duty or business, that is not the way Ben Rosenzweig, immediate past president and now retiring member of GCS Board, looks at it. His recent acceptance of chairman of a task force on "Possible Alternatives to the Patronage Refund" is enough to indicate that Ben will be no passive commentator on events he helped to shape in GCS.

A long-time resident of Greenbelt, Maryland, he began his association with GCS thirty years ago when he rang doorbells to solicit individual membership fees of fifty cents. He was a member of the Greenbelt delegation for fourteen years and was one of the principal founders of the Cooperative Institute Association. For the past twelve years, at CIA's annual summer rally, he has conducted a course on the responsibilities of a co-op director. He has been active in Group Health Association, Navy and Pentagon Federal Credit Unions.

More recently he was president of GCS for six years and had been vice president for five years before moving to the presidency. He has been a GCS board member for eighteen years.

At present, he is a member of the Greenbelt congress area council, assistant secretary and board member of the Greenbelt Federal Credit Union.

Two years ago he retired from the Office of the Secretary of Defense where he worked as a suprvising engineer for technical data and scientific information since 1945.

He is continuing to teach in the technology department of the Department of Agriculture's graduate school, as he has done for the past eighteen years. In September he will also conduct a five-week course for one hundred and fifty Navy department engineers at the Munitions Building, Washington, D.C.

A firm believer in the democratic application of co-op philosophy, Ben's eyes were bright and alert behind hornrimmed spectacles when he spoke of his hopes for GCS's future at the dinner given at Blair Mansion Inn, Maryland, to honor his retirement from the Board. Although he tried to keep his comments light and amusing and sprinkled with typical Rosenzweigisms, his voice edged from time to time more from irony than humor. He stressed the importance of trained leadership in successful cooperative enterprise.

Of conflicting character, his cautious conservatism is offset by an unquenchable idealism that sees social purpose in cooperatives, too, and would like greater participation in inner city ongoing projects.

His wife, Ethel, understands and supports her man in his cooperative endeavors. She herself has given dedicated effort to many programs. She recalls when Ben, a young man, full of dreams and talent and ideals came to Washington, D.C. in 1936, while she and their first-born, Martin, remained in New York City until Ben himself could establish and provide a home for them.

In proof of how effective he was, Ben and Ethel celebrate their fortieth year of marriage September 15. They have five children: Martin, 34, assistant professor and statistician at the University of Pennsylvania's Wharton's School; Richard, 31, a Maryland salesman in food distribution; Ira, 27, in the same line of business; Michael, 26, associate professor and mathematician at Annapolis Naval Academy; and Phyllis, 19, sophomore at Maryland University, who plans to major in mathematics and computer science.

Their three older boys are married and have made them grandparents to six grandchildren. Ben and Ethel hope the seventh will arrive to be present at the family celebration of their anniversary.

Never above hard work on the real problems threatening the Co-op's survival and growth, a chronological review of excerpts, from Ben's comments in GCS annual reports to members during his six years as president, would appear to carry through to a projection of the future.

1962

A year which has tested this organization to its core. After this severe trial I believe we are in the process of emerging leaner, harder, tougher.

1963

While 1963 was a year of trials, tribulations and drastic changes, we reversed the downward trend.

1964

A year of achievement and I am more enthusiastic and confident than ever about our Co-op.

1965

Expansion of our charter flights to Europe, the initiation of an auto leasing program, and successful group activities for homemakers, folk dancers and single people are all part of our broadened program to meet needs strongly felt and to respond with service to satisfy these needs.

1966

We are now big enough and efficient enough to save many thousands of dollars for shoppers who use our stores.

1967

The year caused us to review our objectives, to examine our performance, and to really appreciate the importance of detailed training of personnel at every level in our fast-growing operation.

Though Ben is not in the job market his long experience with GCS has deepened his interest in many co-op questions, and his current assignments show that he is willing to accept new challenges. Indeed, he shows willingness to face problems of the present and future head-on—an intrepid cooperator who will neither die, fade away or retire.

NATIONAL BUSINESSWOMEN'S WEEK

Mr. DOLE. Mr. President, this week, October 19–25, has been designated National Business Women's Week. It is fitting that such recognition be given the role of American women in our commercial and professional communities.

This year marks the 50th anniversary of an organization which has enjoyed a long reputation as one of the foremost women's organizations in this country. I am speaking of the National Federation of Business and Professional Women's Clubs, Inc. The ladies in this organization have set an outstanding example of sustained devotion to the causes of women's rights and civic improvement. Their efforts to examine issues in all areas of citizen concern have earned them a well-deserved reputation as invaluable contributors to the public good.

I am proud that the business and professional women of Kansas have taken a leading role in the affairs of their communities and exert a positive and constructive influence in our State's political and civic life. Their numerous programs to inform the public on important issues and to stimulate voter registration and participation are an invaluable contribution to the political process and excellence in government. This year the program of Kansas business and professional women's clubs are emphasizing the heritage of our flag, safety and utilization of the talents and abilities of our handicapped citizens.

Mr. President, I commend the business and professional women of America for their services to our Nation and wish them continued success in their endeavors.

THE INSTITUTE FOR POLICY STUDIES

Mr. THURMOND. Mr. President, among the groups participating in the demonstrations here in Washington, October 15, was an outfit known as the Institute for Policy Studies. On past occasions, I have called attention to this group whose avowed purpose is to study ways of promoting and developing the concept of revolution. The Institute for Policy Studies is concerned with developing broad changes in our social structure without reference to the political structure upon which our Nation is based. Its members seek to override the republican form of government and to institute those changes which they, as an elite, feel will be beneficial without reference to the desires of the American people or the Federal and State governments.

I am sorry to say that the Institute for Policy Studies has received substantial support from tax-free institutions. In effect, our tax policy is subsidizing the revolutionary theory of the Institute for Policy Studies. The taxpayers are paying for attacks upon themselves whether they like it or not.

Mr. President, I do not know whether or not the program of the Institute for Policy Studies includes violence, but it is evident that they are studying ways of promoting widespread disruptions in our social fabric.

The activities of this group were admirably exposed in a recent pair of articles in Barron's Weekly by Mrs. Shirley Scheibla. Mrs. Scheibla is well-known for her extensive and penetrating studies of agencies which attempt to use public money or public privileges to introduce changes into our Nation without reference to the desires of the people of our Nation. A current series on the Institute for Policy Studies is no exception. She shows, for example, how the institute participated in the recent attack upon the administration's military procurement authorization bill. She shows how this group is functioning as its own con-

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gressional committee and seeking to circumvent the committee system in Congress and she shows how the group is inter-connected with other organizations supporting sweeping changes in our society.

In her second article, Mrs. Scheibla discusses the institute's theory of "creative disorder" which is nothing but a euphemism for inducing anarchy and destroying authority in order to impose the will of the minority upon the people. Mrs. Scheibla points out that the head of the institute, Mrs. Arthur Waskow, helped plan the demonstrations at the Democratic National Convention in Chicago. She says, and I quote:

> The subsequent need to call up the police to enable an institution of government to operate, and the resulting cries of police brutality, ran true to IPS theory espoused by Mr. Waskow and other exponents of the New Left affiliated with the Institute.

Mrs. Scheibla, of course, is referring to the riots which led to the indictment of eight of the leaders under the Thurmond anti-riot amendment to the 1968 Civil Rights Act and to the trial in Chicago which is now in progress before Judge Hoffman.

Mrs. Scheibla also shows how the theories of the Institute for Policy Studies have been extended in the Government programs, such as the Office of Economic Opportunity. She shows how Mr. Waskow and the institute have been advocating so-called community control of schools, public health services and police departments. I think it is clear from her articles that this so-called "community control" is euphemism for rendering the police, the health offices and the school system helpless as agents of the highly organized radical minorities developed and fostered by the Institute for Policy Studies and its graduates.

Mr. President, I urge all Members of this body to read these articles carefully, keeping in mind the nature of the facts revealed and Mrs. Scheibla's excellent reputation for reporting.

Mr. President, I ask unanimous consent that these two articles entitled "Radical Thank-Tank" from the October 6 issue of Barron's and "Ivory Tower Activists" from the October 13 issue of Barron's be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From Barron's, Oct. 6, 1969]

Radical Think-Tank—The Institute for Policy Studies Aims To Disarm the United States

Senator Strom Thurmond, Republican of South Carolina: By giving a tax exemption to an organization like the Institute for Policy Studies, our government is allowing tax exemption to support revolution. (Congressional Record, December 4, 1967)

(By Shirley Scheibla)

Washington.—The vicious attack, in and outside of Congress, on the so-called military-industrial complex has enlisted the support of an ally as powerful in and around the nation's capital as it is unknown to the U.S. at large, an organization called the Institute for Policy Studies (IPS).

For example, IPS is represented on the staff of the Joint Economic Committee, which under the leadership of Senator William W. Proxmire (D., Wis.), has spearheaded the assault on the Pentagon's proposed budget. An economist with the committee, Richard Kaufman, is in charge of his staff work; Mr. Kaufman also happens to be an associate fellow of IPS. IPS defines associate fellows as "part-time faculty who have led seminars, participated in social inventions, or have engaged in individual research projects supported by the Institute." It says associate fellows sometimes, but not always, receive honorariums for their work. Mr. Kaufman told Barron's he did not care to comment on whether he has received pay for his work for IPS.

Until 1967, when Mr. Kaufman went to work for the committee, it had left the military budget to the Armed Services and Appropriations Committees. Now the staff economist, undismayed by Senator Proxmire's recent failure to win major Senate cutbacks on military spending, including a halt to purchases of the C5A aircraft, says he is planning a five-year campaign against military spending.

OFF-THE-RECORD BRIEFINGS

Mr. Kaufman wears his two hats with careless ease. Earlier this year, in his official capacity, he invited 27 Congressional assistants to off-the-record briefings on military spending under the auspices—and at the expense—of the Institute. They lasted several hours each, included dinner, and were held once a week for several months at the Congressional Hotel.

The Institute has arranged similar conferences for other interested groups, including the National Conference on Military Priorities; IPS officials also have worked with the Council for a Livable World (which now ranks as the third-biggest spender among U.S. lobbyists), the members of Congress for Peace Through Law, and the New National Mobilization Committee to End the War in Vietnam.

What is the Institute, and why is it so concerned with the military-industrial complex? It characterizes itself as a "think tank"; calls most of its officials "fellows," and enjoys tax exemption as an educational institution. It is supported by tax-exempt contributions from foundations, universities, colleges and individuals. And, as will be seen, it is directed by leaders of the New Left, a movement which J. Edgar Hoover, in testimony before the House Subcommittee on Appropriations, recently called "clearly subversive . . . an ever-increasing danger to our national welfare and security."

Organized six years ago, the Institute has an annual budget which currently runs to $400,000 a year. Financing has come from the Ford Foundation, Edgar Stern Family Fund, Samuel Rubin Foundation, Irving Lauck, the Institute for International Order, Milbank Foundation, "the Fontaney Corp., through the generosity of James P. Warburg," Society for the Psychological Study of Social Issues, National Board of Missions of the Presbyterian Church, Field Foundation, Cudahy Fund, Edwin Janss Foundation, Jennifer Cafritz, Walter E. Meyer and Michael Gellert.

ACTIVE FELLOWS

Support for the Institute also comes from publishers, who, according to IPS Co-Director Marcus Raskin, have printed about two dozen books and several thousand articles by its personnel. Mr. Raskin explained to Barron's that IPS furnishes an office and a salary for the fellows who perform such work, and fees and royalties go directly to them. Moreover, IPS principals serve on a number of university faculties, including those at Harvard, Duke, the University of Maryland and the University of Chicago.

IPS had its genesis in the Peace Research Institute, which began operations in Washington on April 5, 1961, with an announcement that it would serve as a private agency to undertake and stimulate research in all fields relevant to peace, security, disarmament and international order. Shortly afterward it obtained a $20,000 contract for a study for the Arms Control and Disarmament Agency.

Signed by Arthur I. Waskow, now the senior fellow of IPS, the document called for an international police force to keep world peace and see that nations disarmed. The author also suggested that disputes in a disarmed world could "be settled by reference to the International Court of Justice, to various mediation services, to various organs of the United Nations, etc." A relative unknown at the time, he had come to IPS from his job as legislative assistant to Representative Robert Kastenmeier (D., Wis.,); Mr. Waskow now has become a public figure because of his active role in demonstrations, including those at the Pentagon and the Democratic National Convention in Chicago.

JOINING FORCES

Late in 1963, the Peace Research Institute merged with the Institute for Policy Studies, which had just been founded by Marcus Raskin and Richard Barnet, who once served as deputy director of political research for the U.S. Arms Control and Disarmament Agency (Barron's, April 29, 1968). Mr. Waskow then went to work for IPS as its senior fellow.

In August of 1965, Mr. Waskow represented IPS at a meeting in Santa Barbara, Calif., at the Center for the Study of Democratic Institutions, which produced a "Call for a New Politics," a hope for a united Left in the U.S. A year later, a National Conference for a New Politics (NCNP) was held in Chicago.

Over the Labor Day weekend in 1967, Mr. Waskow attended the first NCNP convention in Chicago; subsequently he was identified on the floor of the U.S. House of Representatives as "one of the founders and leaders of the NCNP."

Mr. Raskin's Washington career began in 1960, when he served as clerk and free lance writer to several Congressmen, including Representatives Kastenmeier, Herman Toll (D., Pa.), James Roosevelt (D., Calif.) and William S. Moorhead (D., Pa). Mr. Raskin soon co-authored a report with Mr. Waskow for Representative Kastenmeier. Copyrighted in 1961, it was titled "Deterrence and Reality," and, so far as can be determined, constituted the first advocacy of U.S. unilateral disarmament on Capitol Hill. Mr. Waskow subsequently expanded the report into a book, The Limits of Defense.

THE LIBERAL PAPERS

According to a press release by Representative Kastenmeier, Mr. Raskin also served as group secretary for the Liberal Papers, a collection of essays written by more than a dozen professors for a number of Democratic Congressmen, made public early in 1962. Among other things, the essays urged the U.S. to allow Russia to plug in to this country's warning defense system (DEW); recognize and admit to the United Nations Communist East Germany, Red China, North Korea and North Vietnam, unilaterally abandon nuclear tests; break up NATO; abandon Berlin and neutralize central Europe under terms proposed by Communist Poland.

With the advent of the New Frontier, Mr. Raskin was called to the White House to join the special staff of the National Security Council as an aide to McGeorge Bundy, who now heads the Ford Foundation. Mr. Raskin also served as a member of the American delegation to the 18-nation disarmament conference at Geneva.

Mr. Raskin subsequently became chairman of the Committee for the Formation of a New Party. On August 1, 1968, the Committee issued a statement by the chairman in which he said the New Party "will stand for the dismantling of an obsolete, dangerous military establishment that is over-extended and over-reaching. It will insist that there be an arms control and disarmament law in the U.S. applicable to citizen and police as well. . . . It will insist that revolution in other nations or insurgencies therein should not cause interventions and suppressions by the American military."

IN THE HEADLINES

Last January, the New Party announced it had elected Dick Gregory and James P. Dixon, president of Antioch College, as co-chairmen to succeed Mr. Raskin. Mr. Dixon is an IPS trustee, and Antioch is one of the colleges associated with the Institute. Nevertheless, Mr. Raskin remains in the headlines, primarily because of his indictment (and subsequent acquittal) on a charge of conspiring to advise draft evasion, along with Dr. Benjamin Spock and the Reverend William Sloan Coffin, Jr.

Since its inception, the Institute has fought military defense through "seminars," chiefly for members of Congress and their assistants. In 1967–68 (it operates on a school year), IPS held a series of conferences for Congressional assistants on "The Impact of the War on American Society." Besides Co-Director Barnet, one of the speakers was Michael Tigar, whose subject was "The War and the Draft."

Mr. Tigar is well known as a student leader of the 1964 disturbances at the University of California at Berkeley. He is a former member of the executive board of the National Capital Area Civil Liberties Union and served as attorney for members of the Students for a Democratic Society charged with seizing and occupying George Washington University's Sino-Soviet Institute in April. Last month he was jailed in Chicago on a charge of contempt of court in connection with his defense of "the Chicago eight," charged with conspiring to incite a riot during the 1968 Democratic National Convention. (The charge against Mr. Tigar has been dropped.)

STUDY ASSIGNMENTS

IPS' 1968–69 schedule for "seminars" describes the aforementioned Mr. Kaufman's assignment as "a work study project to analyze the war machine as a public-private corporate structure. Topics covered will include cost, benefits, public relations and distribution of profits." The project assignment for Mr. Kaufman in the IPS 1969–70 budget is "Defense Procurement."

Senator Proxmire told Barron's he had heard that Mr. Kaufman is associated with the Institute, but that he is not familiar with it. However, Proxmire's Committee has published two essays by Milton Kotler, who the Committee itself has identified as a "Resident Fellow, Institute for Policy Studies, Washington, D.C." Senator Proxmire said "further that he considers what Mr. Kaufman does with his time after working hours is his own business.

"IPS principals seem to be very busy men. Co-Director Barnet and Trustee Hans Morgenthau, professor of history, government and international relations at the University of Chicago, are advisers to the Council for a Livable World. IPS Fellows Waskow and Leonard Rodberg, former bureau chief with the Arms Control and Disarmament Agency, have done work for it.

"A Senate report has described the Council's goals as unilateral disarmament and 'turning this country into a fourth-rate power at the mercy of the international wolf-pack.' The Council is the third highest spender of the lobbying organizations which filed reports for 1968. With outlays of $154,022 (up from $77,470 for 1967), it topped even such famous lobbying groups as the American Legion and the American Medical Association, and was outranked only by the United Federation of Postal Clerks (AFL–CIO) and the AFL–CIO.

"LEADING PEACENIK

"According to the same Senate document, the Council takes credit for assuring the original election victory of one of the Senate's leading peaceniks, George McGovern (D., S.D.), by having its membership put $22,000 into his campaign, enough to win a close contest in a sparsely populated state.

"Senator McGovern, in turn, is vice-chairman of a group called Members of Congress for Peace Through Law. Its chairman is Representative Bradford Morse (R., Mass.), and its members include Representatives Rosenthal and Kastenmeier (Mr. Waskow's former employer), all three of whom have attended 'seminars' at IPS headquarters.

"Last July that group issued a report, labeled 'personal and confidential,' which said that the recommendations of the Joint Economic Committee can serve as guidelines for positive reform in military procurement. Among other things, the report called for moratoria on the construction of aircraft carriers, F–14A planes, advanced manned bombers and chemical and biological warfare centers. It also urged drastic curtailment in Sentinel-Safeguard deployment and the ABM research and development program."

[From Barron's Oct. 13, 1969]

IVORY-TOWER ACTIVISTS—IPS FELLOWS LEAD THE RADICAL THRUST FOR SOCIAL CHANGE

(By Shirley Scheibla)

WASHINGTON.—To judge by their public pronouncements, leaders of the Institute for Policy Studies (IPS) hold the view that demonstrations, boycotts and similar disruptive tactics are acceptable means of effecting revolutionary change in government; moreover, attempts by duly constituted authority to quell such activities, even when they prevent federal institutions from functioning effectively, constitute "repression."

No ivory-tower scholars, some of the principals of IPS have been as good as their word. Several have organized and participated in unruly demonstrations, while seven belong to the Committee to Defend the Conspiracy, organized in connection with the current trial of "the Chicago 8" on charegs of conspiring to incite a riot during the 1968 Democratic National Convention. The Committee members, according to the September 1 issue of the newsletter Combat, included Marcus Raskin, IPS co-director; Arthur Waskow, senior fellow; Gar Alperovitz, Paul Goodman and Christopher Jencks, fellows; I. F. Stone, associate fellow; and Harold Taylor, an incorporator of the Peace Research Institute, now merged with IPS.

CREATIVE DISORDER

Writing in New University Thought last year, Mr. Waskow declared that the Institute is committed to the view that to develop social theory, one must be involved in social action and experiment. Toward this end, he advocated "creative disorder," which, he said, means "to simply keep experimenting and to discover at what point one is neither smashed nor ignored, but creates enough change to move the society." Admitting a "gut preference for disorder," Mr. Waskow said IPS "stands on the bare edge of custom in the United States as to what an education research institution is."

In short, it not only develops and promulgates theories but also seeks to implement them. Aside from its failure so far in unilaterally disarming the U.S. (discussed last week in the first article in this series), IPS has enjoyed considerable success, even to the extent of Mr. Waskow being asked to give his expert advice on police problems in a project partially funded by the Justice Department.

The Institute actually has set up communes and neighborhood corporations with the ultimate aim of taking over important functions of municipal government, including the control of police, schools, housing for the poor and health services. According to at least one IPS book, Neighborhood Government, the message of the riots is that the poor want such community control, and civil war will result unless they get it. Nothing less will suffice, it maintains. The ultimate aim is to establish such control through a network of federally funded ghetto corporations.

HOLD GOVERNMENT POSTS

At least two IPS associate fellows hold government posts in which they are able to apply such theories. Other fellows, once having held such posts, apparently continue to influence the executive and legislative branches of government.

Anyone studying IPS and the turmoil plaguing the nation might be tempted to conclude that the Institute had written the scenario. According to The Washington Post, Mr. Waskow helped plan the demonstrations at the Democratic National Convention in Chicago. The subsequent need to call out the police to enable an institution of government to operate, and the resulting cries of police brutality, ran true to IPS theory espoused by Mr. Waskow and other exponents of the New Left affiliated with the Institute. Back in 1965, Mr. Waskow wrote in the Saturday Review that as revolutionists force tyranny to stop them, they will gain increasing acceptance.

According to the Daily World, Mr. Waskow also masterminded the counter inauguration of a pig for president at the time of President Nixon's inauguration.

The Institute goes far beyond demonstrations in exercising influence. Its theory of community control through the device of neighborhood corporations has been set forth repeatedly by fellow Milton Kotler. A couple of years ago, the Urban Affairs Sub-committee of the Joint Economic Committee of Congress published two of his essays on the subject as part of a compendium by 22 urban specialists.

ENJOYS TAX EXEMPTION

A footnote identified Mr. Kotler as an IPS resident fellow. His opening sentences read: "At the outset, let me say that this paper is not a study. It is an argument . . . intending to persuade you toward a course in urban legislation. . . ." (Nevertheless IPS has not registered as a lobbyist, and enjoys tax exemption as an educational institution.)

"Riots," wrote Mr. Kotler, "reflect the formation of a new local community power in combat with the established power. . . . Unless existing established federal, state and municipal governments transfer a proper portion of their authority in Negro communities, today's domestic warfare will grow."

(At about the time the essays were published, black employes of the Library of Congress began receiving cards. One side was headed, "Committee for Emergency Support," and bore the address of the Institute. It read, "We are in sympathy with the despair of the black people in America. We share their sense of powerlessness to relieve repressive conditions by conventional political means. We are frustrated in our attempts to control the decisions which affect our lives in the capital city. We are all victims. We are ready in an emergency to assist the black community of Washington with food, housing, medical care and legal aid. We are committed to act to remove repressive military and political intervention."

(The other side of the card advised calling the IPS phone number "in a riot or rebellion to obtain information, for legal assistance, for medical aid, for food and housing, to report police brutality." Shortly thereafter, Mr. Waskow began calling for the collection of bail funds in advance of violence.)

TRANSFER OF AUTHORITY

In his essays for the Committee, Mr. Kotler suggested a transfer of authority through "creative federalism." He explained, "The federal government must first assist the organization of legal neighborhood corporations with some initial funding. . . . Funding from the government is more important for legitimizing the development of neighborhood self-government as a unit of local rule

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in the society than for the money itself. . . . This proposal is already before the Senate in the form of Senate bill 1433. . . . It deserves your consideration and support."

S1433 expired in 1967. But on July 11, 1968, Roy Innis, Acting National Director of CORE, and Representatives Charles E. Goodell (R., N.Y., now a Senator), William B. Widnall (R., N.J.) and Robert Taft, Jr. (R., Ohio) jointly introduced legislation to create community development corporations "to finance, acquire, own and manage productive business enterprise located in the community, and to use the profit from such enterprise to finance its own education and social service programs in the community."

Financing for the corporations, they explained, would come from community development banks (CDBs) "analogous to Federal Land Bank Associations and Production Credit Associations, under the supervision of the Comptroller of the Currency." They estimated that federal capitalization of the CDBs initially would involve annual federal spending of $1 billion.

Last December the measure was discussed at a "self determination symposium" at the Washington Hilton Hotel. According to The New York Times, Senator Charles H. Percy (R., Ill.) told the gathering, which included black militants, that "Mr. Nixon had expressed approval of the concepts in the bill and that Nixon aides had informed him that the President-elect 'strongly supports the bipartisan concept.' "

PENDING BILL

That bill, of course, expired with the 90th Congress. Senator Goodell, however, now is revising a similar one he introduced this year which is pending before the Senate Finance Committee.

The impetus for all this began four years ago, according to an IPS booklet called "The First Three Years," when "after long discussions with Kotler, a number of residents and organizational leaders in a poor neighborhood decided to organize the East Columbus Citizens Organization (ECCO)." To date, the Office of Economic Opportunity has approved grants of $432,219 for ECCO and expects funding eventually to total $757,113. The agency calls it a demonstration of community self-government through a corporation.

OEO also has announced what it calls its "Community Capitalism Program"; under it, the agency plans to make grants of $10 million this year to community corporations. (Mr. Kotler says there now are 70 of them.) Grants already made public include $1 million to the Inner-City Business Improvement Forum (Detroit), $900,000 to the Human Development Corp. (St. Louis), $1.1 million to the North Lawndale Economic Development Corp. (Chicago), $600,000 to the Harlem Commonwealth Council (New York) and $1.5 million to the Hough Area Development Corp. (Cleveland).

All this ties in too with the Model Cities program; by happenstance, Stanley L. Newman, an IPS associate fellow, is Chief of the Planning and Relocation and Public Administration Branch of the Division of Program Development and Evaluation in the Office of the Assistant Secretary of Housing and Urban Development for Model Cities and Governmental Relations.

EMINENT DOMAIN

Now Mr. Kotler is elaborating on his theory. In a book titled Neighborhood Government, just published by Bobbs-Merrill Co., he demands regulatory power for the community corporations to assure that money earned in the community will stay there. He also writes: "It is necessary for the corporation both to have the power to tax its residents and to be able to dispose of its territory. This means the governmental power of eminent domain." He says it also would be reasonable for the corporation "to control prices, rents, licensing and banking." Further, he would like communities to govern themselves based on custom rather than outside laws.

Calling the community "the action unit of this emerging revolutionary class," Mr. Kotler says, "The neighborhood organization . . . must be prepared to defend gains in jurisdiction by the threat of war to any who would endeavor to deny these gains."

Meanwhile, Mr. Waskow has pursued the IPS idea of community control of schools. Some years ago he became secretary of a community anti-poverty group here. The Adams-Morgan Community Council, just as federal policy-makers insisted that the D.C. Board of Education allow the Council to run the Morgan Elementary school as an experiment in community control.

Shortly thereafter, John R. Immer, president of the Federation of Citizens Association of the District of Columbia, wrote President Johnson that the children at the school were being cheated out of a good education. He declared: "The teachers maintain no discipline, are hippies, use vile language, have had little or no teaching experience and have and are using untried teaching methods."

CAMELOT PATRONS

Nevertheless, President Johnson's cabinet officers and their wives worked with Mr. Waskow in the presentation of the movie, "Camelot," at the Warner theater in Washington, as a benefit for the Morgan school. Among the patrons listed by Mr. Waskow were (then) Justice & Mrs. Abe Fortas (IPS lists his former law partner, Thurman Arnold, as one of its original trustees), Secretary of Defense Robert S. McNamara, Attorney General Ramsey Clark, Secretary of the Interior Stewart L. Udall, Secretary of Commerce Alexander B. Trowbridge and Secretary of Agriculture Orville Freeman.

Federal support also has been forthcoming for a new venture in higher education in which Mr. Waskow will play a significant role. The Justice Department recently agreed to underwrite loans and grants to students pursuing programs at a new Center for the Administration of Justice at American University in Washington. According to AU President George H. Williams, "The initial award (from Justice) exceeds $200,000, and anticipated funding for the academic year may exceed $500,000."

William M. McDowell, AU information officer, told Barron's that Mr. Waskow has been asked to serve as an expert consultant to the Center on how it can best serve the Washington community and that he may occasionally lecture on police problems.

Writing in a local underground newspaper, the Quicksilver Times, last July, Mr. Waskow advocated: "(1) Neighborhood control of police through citizen-elected commissions. (2) Creation of countervailing organizations such as unions of those policed. (3) Changing the role of the professional, tough cop to one of a more everyday civil servant doing his job, keeping the peace, rather than enforcing the law." A year ago, according to press reports, Mr. Waskow headed a rally here in front of the 13th police precinct station to demand immediate community control of the police.

To develop ways of establishing community control of health services, IPS held a seminar three years ago under the direction of Dr. William Kissick, associate fellow and then Chief of the Division of Public Health Methods in the Office of the Surgeon General of the U.S. (Dr. Kissick now is teaching at the University of Pennsylvania.)

BACKGROUND MATERIAL

According to Pierce Rollins, Acting Director of Information for the Office of Community Health Service of the Public Health Service (PHS), the material resulting from the conferences in that seminar has been compiled in two volumes by the Milbank Memorial Foundation. Mr. Rollins says the Department of Health, Education, and Welfare, parent agency of PHS, uses the volumes as background material prepared by experts to help it set health policy.

The official explains that PHS now is funding the planning of health services at state, area, city and that the various entities are free to subcontract with IPS experts to help in the planning.

The general idea, Mr. Rollins adds, is to fund community health services only after area-wide planning. But because of the desperate need, PHS is making funds available without area planning. It has financed, he says, 22 community health centers and others for rat control and the treatment of venereal disease. So far PHS has made 2,500 health planning grants, Mr. Rollins reports.

Tangible results also have emanated from a 1968–69 IPS seminar conducted by Rick Margolies, an associate fellow. According to the Institute, it aimed "at developing a theory of social change based upon the possibility of a movement of small groups living communally and acting as agents of change in their larger environment. It is assumed that the small group will begin to live in the manner it wishes the society at large to adopt. . . . Some individual seminars will be theoretical and historical, while others will be more specifically programmatic. The first section, 'Toward a New Life Style.' will include discussions of human communion and human need, the extended family and child rearing . . .; 'The History of Intentional Communities' will include American 'utopian' experiments, communist collectives and communes, the Kibbutzim; 'Toward a Praxis of Community' will synthesize lessons learned in the above sections and work toward a plan for a communitarian movement."

INSURGENT ACTIVITIES

Mr. Margolies told Barron's that he now has communes in operation in the Adams-Morgan area of Washington. After starting with money from the Stern Family Foundation, commune members now support themselves by working part-time at the Quicksilver Times and the Washington Free Press, another underground newspaper, Mr. Margolies explained. Among other things, the Free Press has printed detailed instructions on how to conduct "insurgent activities." Now Mr. Margolies is preparing a new magazine, to be called The People in the Streets.

In view of the success of IPS in developing and implementing theories, its present studies and projects for the future take on added significance. One plan is to set up a network of institutes like IPS all over the country to serve as counter-institutions to established ones. Gar Alperovitz, IPS fellow and former legislative assistant to Senator Gaylord A. Nelson (D., Wis.), already has launched one at Cambridge, Mass., with the help of Christopher Jencks, IPS fellow and Harvard professor.

According to Tina Smith, IPS administrative assistant, Alan Haber and Barry Weisberg are setting up a Bay Area Institute in San Francisco. Gerry Hunnius, having just completed an IPS study of "the possibility of workers' control of factories based on Yugoslav model," now is in Toronto exploring the possibility of setting up an institute. Miss Smith says IPS also is discussing the possibility of setting up one in the South.

Also on the agenda for IPS is "investigations of operations of foreign aid." Handily, Jack Heller, an associate fellow, is director of the Office of Development Programs for the Bureau for aLtin America of the Agency for International Development.

A project listed in the IPS 1969–70 budget is a "Middle-East Peace Mission," under the direction of Cherif Guellal, IPS fellow, and Algerian Ambassador to the U.S. until his country broke off diplomatic relations.

WENT TO AFRICA

About a year ago, Ivanhoe Donaldson, IPS fellow and member of SNCC, went to Africa for IPS to study self-government there and to contact members of the African National

Congress and Pan African Congress. Now his assignment is to set up liaison with both groups, "in order to make accurate information available to American educational institutions on both secondary and college levels."

The IPS assignment for fellow Frank Smith is "to set up a chain of cooperative food markets in an effort to bolster the concept of community control by trying to develop viable and democratic models for community control of food, shelter and clothing businesses." Mr. Smith, who formerly served as Coordinator of the Community Staff of the notorious Child Development Group of Mississippi (Barron's, September 26 and October 24, 1966), is a member of SNCC, CORE and the Mississippi Freedom Democrat Party.

All last summer, IPS had several students interviewing the members and staff of the Federal Communications Commission and studying public records. As a result, the Institute now has elaborate plans for challenging the licenses of broadcasting stations, particularly when it doesn't consider them responsive enough to the views of the New Left.

MORE MATERIAL REGARDING LACK OF LEGAL SERVICES PROGRAM IN CALIFORNIA

Mr. CRANSTON. Mr. President, on October 14, in a statement on the floor of the Senate, I referred to the outstanding work being done by the legal services program in California. I received unanimous consent to place in the Record reports from three such programs. Inadvertently, I did not at that time discuss the extremely diversified and important work being done by the San Mateo County legal services program. I have received copies of reports about that program, indicating that its attorneys have represented poor clients in 39 cases in the first 6 months of this year; participated in a substantial number of activities in community education regarding the available services of the program; represented and worked with neighborhood groups and associations on, among others, an economic development program and a housing program; and instituted a release on own recognizance bail program.

Mr. President, I ask unanimous consent that reports regarding these vital legal assistance activities by the San Mateo Legal Aid Society be printed in the Record.

There being no objection, the reports were ordered to be printed in the Record, as follows:

Narrative Report for San Mateo County Legal Services Program January 1–March 31, 1969

The Legal Aid Society of San Mateo County is a delegate agency of the San Mateo County Economic Opportunities Commission.

INTERESTING CASES

(1) Matter of Yang, et al (immigration law). Request to Exchange Visitor Waiver Review Board, Washington, D.C., for reconsideration rewaiver of foreign residence requirement on visa for foreign student here under National Defense Education Act. Congressman McCloskey has acted to introduce a private bill for permanent residency.

(2) Rivas & Ramirez (farm workers wage standards). Horticultural employers in Daly City—Colma area have kept transient and other field workers in a state of peonage. Legal Aid is seeking enforcement of minimum wage standards through Labor Commissioner.

(3) Merchants Collection v. Austin (garnishment). Appeal from Oakland Municipal Court ruling denying claim of exemption on basis that petroleum products are a common necessary of life.

(4) J. Chargin vs. Daniels; Santa Clara Valley Adjustment Service v. Mullins. Regarding the matter of Claims of Exemptions, it appears that we have raised a new defense. That is, if the debt is for furniture, but is not for an item which is exempt from execution under provisions of CCP 690.2, we have, on two occasions, successfully argued that the debt is not for a common necessary of life.

(5) Carpenter vs. Trujillo. We are pursuing an appeal, arguing that where on a claim of exemption the debts consist of both the necessaries and non-necessaries of life, the entire claim of exemption should be granted.

(6) Household Finance vs. Banks. We are contemplating a suit against a finance company (Household Finance Company) which called one of our clients' employer re a debt. The debtor was not delinquent, but as a result of the call to client's superior, he was dismissed from his position as a CHP cadet for a period of six months.

COMMUNITY EDUCATION

Law reform staff, supplemented by neighborhood office attorneys, continue to arrange speaking engagements before social workers, high schools, community groups, etc., on such topics of interest or concern as welfare rights, WIN program, draft law, etc.

Representatives of the Conference on Race, Religion and Social Concern were addressed on the availability and feasibility of nonprofit sponsorship of low-income housing under Federal housing laws.

Law Reform also participates in a consultative and resource capacity on the Technical Advisory Committee, to the countywide Citizens' Advisory Committee for a Workable Program.

Continued attendance at Board of Health and Welfare (Advisory); various proposals presented.

Neighborhood Councils are attended and advised regarding legal and organizational matters.

Law Reform continues to prepare flyers and brochures for distribution in the community on welfare, landlord-tenant, etc.

Present plans include speaking engagements in North county on legal aspects of abortion to social workers, and on consumer law to WIN participants.

STAFF TRAINING

Staff meetings continue to be conducted on at least a monthly basis, with Law Reform scheduling speakers and discussion on topics of interest or concern to Legal Aid.

Law Reform and staff attorneys have attended Continuing Education of the Bar courses in subjects pertinent to Legal Aid problems.

Law Reform continues to consult with staff attorneys in the various neighborhood offices on legal questions, and improved techniques of practice and procedure, and to furnish memos to staff on welfare law, consumer protection, and other subjects of interest.

TEST CASES

(1) Percy v. Montgomery (Welfare Law). Case pending before 3-judge Federal Court in San Francisco, challenging the constitutionality of state welfare statute and regulations concerning the so-called "man-in-the-house" situation, and depriving needy child of welfare benefits. The court was asked to vacate its earlier memorandum opinion which invalidated HEW regulations on which the case was based. HEW also moved to intervene because of the significance of the rulings. The Law Reform unit is preparing an appeal directly to the United States Supreme Court.

(2) Furitani v. Ewigleben (student unrest). Suit filed in U.S. District Court in San Francisco on behalf of five students at College of San Mateo to enjoin college administrations from refusing to allow students to resume their standing following expulsion but before trial on criminal charges arising out of student demonstrations. Trial court denied relief on ground of prematurity, and stated students could block admission of evidence from the expulsion hearings if offered for introduction at the criminal trials. Law Reform Unit did not appeal.

(3) Oliver, McClanahan, Pelaez, et al (Welfare Recipient Tax Relief). Welfare recipients have requested and been denied homeowner's property tax relief (both refund and exemption). Complaint is being prepared for filing to test the constitutionality of statutory provisions, excluding welfare recipients from class of property-owners held exempt.

(4) Miller (Senior Citizens Property Tax). Administrative appeal to State Board of Equalization from denial by Franchise Tax Board of tax rebate to senior citizen property owner.

(5) Roman v. John Robert Powers (consumer fraud). Plaintiff, induced by false representations and coercive tactics to sign up for overpriced modeling course, seeks affirmative relief and damages against collection agency and assignor school. Demurrers filed, to be argued.

(6) Perez (auto consumer fraud). Complaint being prepared to hold assignor seller and assignee holder, plus third party lender which financed down payment, on grounds of fraud, misrpresentation, duress, and violation of Rees- Levering Act (auto installment sales)—also involving unjust enrichment theory for punitive damages.

(7) Budget Finance v. Spears (auto consumer fraud). We are currently defending a suit by a finance company to collect on a note. One of our defenses is that the note was actually a side note in an automobile sale contract and thus is an illegal contract.

(8) Woodberry (Welfare Fair Hearing). Favorable administrative decision by hearing officer in AFDC case, involving regulations concerning assumed income in unmarried father case situation.

(9) Jordan (Welfare Law). Favorable decision by SDSW approving arrangement proposed by Law Reform for compliance with fair hearing decision to repay county and to receive retroactive benefits.

(10) Garvey (Welfare fair hearing). Law Reform challenged county welfare fraud policy and application of "man-in-the-house" regulations. Fair Hearing requested.

(11) Alexander v. Merchants Collection Agency (Unruh Act—jurisdiction). On the issue of whether CCP 1810.12 of the Unruh Act is jurisdictional, we had our first contested case. In this action, the San Francisco Muni. Court held that the statute is jurisdictional, but our motion for dismissal with prejudice was denied. However, the ruling is still significant in that parties against whom a deficiency judgment has been taken are not limited by CCP 473 in moving to set aside the default.

(12) Empire Credit v. Kody (Unruh Act—jurisdiction). Motion to dismiss on jurisdictional grounds, a L.A. Muni. Court collection case, involving an Unruh Act (retail installment contract) where defendant sued in wrong county. Pending.

(13) Sequoia Apts. vs. Chestnut (Waiver of appeal costs). Favorable decision by judge Edson—order permitting appeal from Small Claims judgment without requiring appeal bond.

(14) Manganiello v. San Mateo Junior College (mandamus). Appeal pending from Superior Court order denying Petition for Writ of Mandate, etc., asking order to CSM administration to permit client to enroll as a student for spring semester. Board of Trustees of CSM had upheld the denial by the Admissions Committee based on client's allegedly disruptive role in the College Readiness Program; Petition for Writ of Mandate asserted

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client met all statutory qualifications for admission.

NEIGHBORHOOD GROUPS AND ASSOCIATIONS

Law Reform continues to meet regularly with and advise neighborhood improvement groups, welfare rights groups, and tenants' union groups; Housing and Welfare are the predominant problem areas.

Preparation of articles of incorporation and by-laws for Neighborhood Information and Referral Centers, and for a youth center on drug abuse. Outreach through San Mateo Information Center—Law Reform services clients.

(a) Mission Rebels. We are representing the Mission Rebels, a Youth organization, in their effort to secure a permit to sell candy in the City of Menlo Park.

NARRATIVE REPORT FOR SAN MATEO COUNTY LEGAL SERVICES PROGRAM FOR APRIL, MAY, AND JUNE 1969 (FIRST QUARTER OF VISTA—1969–70)

I. INTERESTING CASES

A. Russell v. Peninsula Chevrolet

Our client, Mrs. Russell, a welfare mother, left her ten year old automobile with Peninsula Chevrolet to enable them to look at the car and provide her with an estimate as to the amount of money necessary for repairs. The payment for the repairs turned out to be about $70.00 which was too much for Mrs. Russell. She told the auto company that she would not be able to have the car repaired there and asked to have the car returned. They refused, claiming $20.00 involved in looking at the car and estimating the repairs. They refused to give the car to Mrs. Russell until she paid the $20.00.

Negotiations were attempted and our attorney asked the auto company to simply return the car. Our request was refused. The auto company at this point demanded not only $20.00 for repairs but also $5.00 per day as storage for the car and claimed a mechanic's lien. The total market value of the car was under $100.00.

Our attorney filed suit against Peninsula Chevrolet, seeking damages for loss of the use of the car and punitive damages. Discovery procedures including interrogatories and depositions were employed. Upon Peninsula's refusal to answer certain interrogatories relevant to their financial status and ability to respond in punitive damages, Peninsula was required to post a $5,000.00 bond. Despite this extensive litigation, Peninsula continued to refuse to turn the car over to Mrs. Russell without being paid the $20.00.

The case was tried and the judgment awarded Mrs. Russell $300.00 compensatory damages and $700.00 punitive damages. Peninsula Chevrolet has complied with the judgment and made the payment of $1,000.00 to Mrs. Russell.

B. Arreola v. Hershey, unfiled

Raul B. Arreola, age 21, a Mexican-American student was reclassified I–A and ordered to report for induction by his local draft board. The action by the draft board was taken in spite of the clear entitlement of Arreola to a high school student deferment. In part because of Arreola's lack of fluency with the English language, there had been some communication difficulties with the draft board. When the draft board and the state director of the Selective Service Program refused to withdraw the order to report for induction as a delinquent, we prepared a lawsuit to enjoin his induction and failed to file the suit only because the state director rescinded the order on the afternoon before the case was to be presented in Federal District Court.

Because many other members of the Mexican-American and Black communities in our county lack an understanding of their rights and obligations under the Selective Service Laws, we intend to be in contact with several local high schools through the counseling programs to advise student assemblies of potential draft problems.

COMMUNITY EDUCATION

1. Our attorneys have continued working with the Neighborhood Councils from the various target areas. In addition, the neighborhood attorneys maintain close contact with the Information and Referral Centers located in the target areas.

2. Attorneys have been actively involved in meeting with welfare rights groups in the county. During the past eight months, three newly organized WRO chapters have been formed. Some attempt has been made at coordinating these efforts on a countywide basis. Representatives from these groups have commenced attending the Board of Health and Welfare meetings, and they have begun articulating their feelings to the Board members.

3. Attorneys have met with the WIN program training sessions. One of the prime areas of activity in those sessions has been the trainees' rights as welfare recipients.

4. Attorneys have continued attending local high schools when invited. Most recently, several classes at Sequoia High School invited our attorneys to come to discuss general legal problems they would meet as members of the community. Our attorneys have also talked with classes at Ravenswood, Jefferson, Burlingame and Mills High Schools.

5. One of our attorneys has been meeting with the California Social Workers Organization. In part, his activity has centered on informing that organization of pending legislation related to social welfare matters. Also, he has stressed the importance of the involvement of welfare recipients in projects such as CSWO is interested. Subsequently, representatives from the local WRO's have been invited to attend CSWO meetings with the result that a new alliance is emerging and a new base of lobbying has developed.

6. The County Welfare Department has invited our attorneys to attend their training and orientation sessions in which incoming social workers become acquainted with welfare policy. It is anticipated that this opportunity to meet with social workers at the outset of their careers may provide us with an opportunity to establish better lines of communication and understanding.

7. *Housing Authority Advisory Committee.* A group of representatives from various low-income communities in the county formed a committee and approached the Housing Authority regarding inadequacies in the existing rent supplemental program. Several of our attorneys were involved in advising the committee on tactics and procedures. Following several meetings with the Housing Authority, a formal, low-income advisory committee to the Housing Authority Board was created. Several sessions of picketing at the Housing Authority and various other localities has resulted in significant alterations in the Housing Authority's orientation toward poor people. In one instance, a landlord who had approximately thirty units in the rent supplement program was persuaded not to resign from the Housing Authority in large part because of the publicity focused on his action by this low-income group. More recently, the group dramatized the lack of housing in the county by picketing and demonstrations. The result was an increase in the number of units applied for by the Housing Authority from 750 to 2000. A VISTA worker attached to the Legal Aid Society has played a major role in advising this tenant's group.

STAFF TRAINING

1. An attorney from this program is attending the National Institute for Education on Law and Poverty Colloquium for Legal Services Attorneys in Vail, Colorado, in August. The subject of the Colloquium is "Equal Access to Public Benefits."

2. Three staff attorneys from the Economic Development unit, Nairobi Development Co., attended the Western Center Program on Economic Development in San Diego.

3. One attorney and one VISTA law graduate attended the Beverly Hills Housing Conference.

4. All of the staff attorneys in the program, with the exception of the one attorney in the Economic Development unit, attended the continuing education of the bar courses and the program on "Truth in Lending" and the Rees-Levering Act held in San Francisco.

5. Weekly or bi-weekly staff meetings are used to provide presentations or discussions on specialty areas.

6. Staff attorneys are asked to write memorandums on specialty areas, a case of law which might be of general interest, or a case of litigation which may be of use or interest to other attorneys. Memorandums prepared and distributed to all the staff attorneys include the following titles:

A. Increased housing allowance for welfare recipients.

B. Suspension of driving privilege where uninsured operator fails to post security (VC 1600 et seq.).

C. New cost schedule for AFDC budget.

D. Commencement of divorce action to qualify for AFDC assistance.

E. Special provision for meeting unmet costs of housing and AFDC recipients.

F. Special needs allowance for welfare recipients.

G. Truth in Lending Act—Civil enforcement.

H. Welfare and institutions Code, Section 11254.

I. Educational trust funds for welfare recipients.

TEST CASES

1. *Lewis* v. *Montgomery* (formerly *Percy* v. *Montgomery*), jurisdictional statement filed in United States Supreme Court, July 7, 1969, Docket No. 560 Misc. The *Lewis* case is a challenge to Section 11351 of the California Welfare and Institutions Code and regulations promulgated thereunder which establish budgetary rules when an AFDC family lives with a "man-in-the house." The lawsuit, initially filed in United States District Court as two actions, contended that California's rules conflicted with various federal statutory, regulatory and constitutional standards. A three-judge court denied plaintiff's relief. The case is on direct appeal to the Supreme Court. We expect the Department of Health, Education and Welfare, through the Department of Justice, to submit an *amicus curiae* brief in support of our case. The action is being prosecuted by our program in conjunction with attorneys from the Berkeley Neighborhood Legal Services and the San Francisco Neighborhood Legal Assistance Foundation.

2. *Maxine Betts* v. *San Mateo County Housing Authority,* Superior Court, San Mateo County.

This action seeks to invalid a barrier erected by the town of Menlo Park against further implementation of the rent supplement program in that area. The suit contends that the provisions of Section 23 of the Housing Act preclude from interferring with the operation of the program once they have begun participation. The motion for a temporary restraining order was denied, and the case was set for hearing on the preliminary injunction.

3. *Jordan* v. *Chope,* Docket No. 144934, filed in the Superior Court of San Mateo County on May 5, 1969.

This Superior Court Writ of Mandate sought to secure compliance from the County Welfare Department with a fair hearing decision. The judge signed an alternative writ of mandate and the county paid the petitioner the retroactive monies she was seeking. The issue was significant because under a recently revised rule the receipt of retroactive benefits is conditioned upon the claimant's repayment to the county of benefits received. Because such a condition may be a practical impossibility for a welfare client, we successfully devised a new method in repaying involving an escrow devise. The State Department of Social Welfare approved of this arrangement, as did the county subsequent to the issuance of the alternative writ.

The same technique has been used to secure further retroactive benefits for Mrs. Jordan from San Francisco County, the county to which she moved during the pendency of the above action.

4. *In the Matter of Barbara Gray* (Fair Hearing before the State Department of Social Welfare.)

Claimant contested the county's continuing practice of terminating assistance without a prior hearing as required by state regulations and a recent California court decision. A further issue involved the county's policy of withholding welfare checks at the request of the district attorney. The division is expected within a short time.

5. *In the Matter of Ellis Jean Barker* (Fair Hearing before the State Department of Social Welfare.)

Claimant sought enrollment under the ATD program because of combined emotional and physical disorders. A state regulation requiring an emotional impairment to have existed for at least three years prior to the date of application has been challenged as contrary to due process guarantees. The decisions has not yet been rendered.

6. *In the matter of Gloria McQuillan* (Fair Hearing before the State Department of Social Welfare.)

Claimant sought to establish an educational set-aside fund for the benefit of her minor children, who received child support from their absent father. Although this policy has been recently followed in other counties. San Mateo County resisted this trend. The principal issue concerns the interpretation of state regulations and whether this county will abide by such interpretation. The case is under submission.

7. A study of the County General Assistance Program has been undertaken by one of the staff attorneys in conjunction with several graduate students at Stanford University. It is expected that a substantial report will be the product of the survey and that recommendations for complete revision of the Program by the County Board of Supervisors.

8. Subsequent to the decisions of the United States Supreme Court regarding welfare residence requirements, our attorneys negotiated with the County Welfare Department regarding the continued application of the County's residence requirement in the General Assistance Program. The issue was presented to the Board of Health and Welfare to no avail, the County contending that litigation would be necessary to secure their compliance. Accordingly, we submitted materials to assist the San Francisco Neighborhood Legal Assistance Foundation in securing a summary judgment in the case of *Burns* v. *Montgomery*. Following that decision, our demand on our County Welfare Department was complied with without the need for further litigation.

CLAIM OF EXEMPTION CASES

In several cases, we have extended the scope of the Claim of Exemption application in the County Municipal Courts. In the case of *Ernestine Smith*, the plaintiff obtained a default judgment on a debt which Mrs. Smith had incurred on the purchase of pots and pans from a door-to-door salesman. We were successful on the Claim of Exemption on the ground that although pots and pans are necessaries, these supposedly superior-grade waterless cookers were not necessaries but luxuries. In *Credit Bureau* v. *Easley*, the defendent had borrowed money to use as a down-payment on the purchase of a home insured by FHA. Housing is normally a necessary but we were successful on the argument that the Federal Law, which is the supreme law of the land, precludes the use of side loans as a part of the purchase money in federally assisted home loans. Therefore, since the loan in this case was against the public policy and the statutory law of the United States, the loan should not be enforceable in the State Courts. In a third Claim of Exemption case, the argument of our attorney was upheld that the use of the money was irrelevant, even if for a necessary, as long as the loan had been a straight loan of money.

10. In Helen Strauter v. Joseph & Mary Carrere, Pacific Plan and Suburban Homes, Inc., we sought affirmative remedies against a landlord and his management company for violation of housing and building codes. In January, 1969, the ceiling of Mrs. Strauter's bedroom collapsed due to heavy rains, making the room entirely unfit for occupancy and destroying much of her personal property contained therein. Mrs. Strauter was forced to vacate the room and has ever since been living in the rest of the house, sharing the one remaining bedroom with her son. The building inspector from Menlo Park gave an extensive inspection report in which he cited some 15 code violations existing on the premises. After correspondence with the landlord and Suburban Homes, an action was filed on behalf of Mrs. Strauter praying for injunctions requiring immediate compliance with applicable building, health and safety codes, declaratory relief to the effect that no rent was due and owing during the continuance of the code violations and for damages for dispossession of the premises, loss of use, and recovery of all rent paid during the time that the code violations existed. The complaint alleged that the violations of the codes, coupled with dispossession of part of the premises constituted a nuisance, a breach of an implied warranty of tenantability, breach of an implied warranty of quiet possession, failure of consideration, and rendered the rental agreement void and illegal as contrary to public policy. The complaint also sought to enjoin the defendants from continuing to do business unlawfully and unfairly under Civil Code 3369. At this time the case is in negotiation between Mrs. Strauter and the landlord and appears to be headed toward a favorable settlement.

11. *Helen Thibeaux* (*Stanley Keiles vs.*) was an action in the Small Claims Court for back rent. Mrs. Thibeaux had vacated her house after Mr. Keiles had sold the premises and the new owners informed Mrs. Thibeaux that she must vacate over a weekend so that they could occupy the house the following Monday. She was never served any demand for rent due and owing. We cross-complained against Keiles for wrongful eviction, intentional infliction of mental distress and negligence. In the Small Claims Court, Keiles was awarded recovery and Mrs. Thibeaux was not allowed to present or argue her cross-complaint. Mrs. Thibeaux filed an immediate appeal and petitioned for leave to file in forma pauperis. The Municipal Court granted Mrs. Thibeaux's motion and allowed filing of the appeal without the necessity of any fees, and specifically waived the bond on appeal normally required by Small Claims Court procedures. Upon petition to Superior Court, Mrs. Thibeaux's motion to file her action in forma pauperis was similarly granted without the necessity of fees or bonds. Mrs. Thibeaux's petition was based on arguments that the bond was specifically waivable under the rule announced in *Roberts vs. Superior Court*, and a denial of the waiver of bond precluded in effect the appeal which was necessary to guarantee Mrs. Thibeaux's constitutional rights to attorney and to a full, fair and complete trial. The case is to come on for hearing in the Superior Court on August 1, 1969.

V. GROUP PRESENTATION

1. *Welfare rights organizations*. Our Welfare specialist in the Law Reform unit has assisted in the formation of three more Welfare Rights Organizations in the county. This attorney works with these groups and assists individual clients in the groups in a number of ways. He has been appearing at the regular meetings of the San Mateo County Health and Welfare Board, a copy of one newspaper write-up is attached as Enclosure III.

2. All of our attorneys work closely with the Neighborhood Councils and have incorporated three of the info centers.

3. *Housing groups*. The Senior Law Reform counsel has been working with a number of housing groups, including the San Mateo Council of Churches, a Task Force of the Urban Coalition, the Redwood City Neighborhood Council, Consumers Mutual Housing, and the Hillcrest Development Group. The direction of these various groups is to organize and build low-cost housing. Because of the inactivity of the San Mateo County Housing Authority in this area, we feel it may be necessary for the Legal Aid Society to fill the gap and assist in the organization of low-cost housing.

4. *Tenants' association*. The Law Reform Unit drafted by-laws and otherwise assisted in the organization of the Tenants' Association. The Association recently picketed the Housing Authority and some of the apartment-house owners. The suit against the Housing Authority in the City of Menlo Park, referred to above, was instituted both at the request of the individual client and the Tenants' Association.

5. *Hermanos Latinos*, has been incorporated by the So. San Francisco Neighborhood Office and assisted in the formation of a Spanish-language group for county-wide representation of Spanish surname people.

6. *Ushiriki Development Co.* Ushiriki has been incorporated by the Law Reform unit. The organization began as a committee of the East Palo Alto Municipal Council formed for the purpose of encouraging and influencing economic development in the East Bay Shore area. The Law Reform unit and the VISTA project are working with Ushiriki to analyze the needed development and to encourage development in this area.

UNIQUE FACETS

1. Economic development program

The Nairobi Development Co. continues to work with small businesses in the East Palo Alto area. One of the four VISTA attorneys works primarily in this area and has set up five operating businesses. Some of the businesses which have been set up have not been successful. The ones presently in operation include an African print shop, a book store, a car wash, and a photography shop.

2. Political development program

The Nairobi Development continues to provide studies for the proposed incorporation of East Palo Alto into a municipal corporation. A feasibility study has been completed and circulated and is in the process of being revised and expanded.

If the people of East Palo Alto decide that they wish to incorporate, the time for placing the issue on the ballot would be in eleven months, next July, in order to accumulate states subventions during the fiscal year.

3. Release on own recognizance bail program

After various problems and reverses, the Release on Own Recognizance Program has become highly successful. One of several recent newspaper articles concerning the project is enclosed as Enclosure IV.

The project was initiated about nine months ago with a proposal by the San Mateo County Legal Aid Society to VISTA for the sponsorship of Release on Own Recognizance project. Throughout the past nine months, VISTA has supplied between four and five VISTA volunteers and the Legal Aid Society has provided office space, secretarial, office equipment, and supplies, and has, in addition, provided a full-time director.

The Legal Aid Society originally sponsored and assumed the full burden of the R.O.R project because no other County organization could be found which would take on this responsibility. Approaches were made to numerous County agencies, such as the Bar Association, the San Mateo Service League, and others, asking their sponsorship, with negative results. The Society, nevertheless, felt that in the interests of the poor of San Mateo County it was vital that a R.O.R. project be instituted in this county and authorized the expenditure of non-federal funds for this purpose.

After nine months' operation, the utility of this Program has been demonstrated and the judiciary of San Mateo County are virtually unanimous in approving the operation of the project. It should be added that additional impetus has been given the Program by overcrowded conditions in the San Mateo County Jail.

Because of the success of the project, the Bar Association is now willing to sponsor the program. The Bar, in San Mateo County, operates a quasi Public Defender Program in which the Bar contracts with the County for the provision of Criminal defense services. Members of the Bar are then paid on a case basis for providing these services. It has been realized by the Bar that the R.O.R. project works well with this Bar Public Defender program.

The County of San Mateo has come to realize the importance of a Release on Own Recognizance project for the administration of justice and has budgeted $17,000.00 for the Program for the next year. This sum has not been formally appropriated as yet, however appropriation of the full amount is anticipated.

In view of the above, the Bar Association is now willing to assume completely the sponsorship of the Program. Accordingly, the Directors of the Legal Aid Society have voted to transfer sponsorship to the Bar Association who will assume the full administrative burden of carrying on the Program in a proper manner.

VISTA, in view of the success of the R.O.R. Program, has increased the allocation of VISTA's to eight and is providing, in addition, $6,000.00 cash fund for a VISTA Supervisor.

An enormous amount of effort and a substantial amount of non-Federal funds have gone into the R.O.R. project over the last two years. The results, however, have justified the expenditures.

A progress report covering the period January 1 to June 15, 1969, follows:

SAN MATEO COUNTY BAIL PROJECT
"O.R."
PROGRESS REPORT (JANUARY 1–JUNE 15)

INTERVIEWS

Since the Beginning of January, the Project has interviewed 608 persons in the county jail; most of whom were arrested in the Southern Judicial District.

	Interviews
January	77
February	75
March	99
April	136
May	143

RECOMMENDATIONS FOR RELEASE

The Project has recommended that 253 persons be released on their own recognizance (O.R.). 147 of our recommendations for release on O.R. have been released by the courts. Of the remaining 106 persons, 65 were rejected. The remaining made bail before the recommendation could be noted, were dismissed or otherwise disposed of.

Total recommended for O.R	253
Bailed, dismissed, etc	41
Rejected by the courts	65
Granted O.R	147

It must be kept in mind that the Project makes its recommendations regardless of the seriousness of the offense.

PERCENTAGE RELEASED O.R.

24.3% of all those interviewed obtained release O.R. Defendants are disqualified because of inability to reach references, inability to meet objective criteria, prior criminal record or falure to keep court appearance dates. Our percentage of release is quite high in comparison to the San Francisco Project using a similar criteria. The San Francisco Project releases 10% of those interviewed. However their percentage of rejection by the courts of recommendations is somewhat lower.

COURT APPEARANCES AND SKIPS

In the Southern Municipal Court a total of 186 appearances have been made by persons O.R. by the recommendation of the Project. It has been necessary to issue seven bench warrants. Of these, four were withdrawn the next day because the defendants misunderstood court dates; in one instance, the case was dismissed. Another defendant voluntarily returned the following day. There have been only two actual failures to appear. Of these one person was apprehended and the other remains at large. Letters were written to this defendant by the Project, and phone calls made in an effort to get him in. Finally, the information we had was turned over to the Sheriff's Office.

In Superior Court a total of 23 appearances of our O.R.'s were made. There have been no failures to appear by those recommended by the Project. As of June 15:

Overall court appearances of the 147 O.R.'s	212
Total actual skips	2
Percentage of actual skips	1.4%
San Francisco O.R. skips	3%–4%

4. *Housing program*. The housing situation for low-income families in San Mateo County continues to deteriorate. Overcrowding, dilapidated, substandard and unsanitary premises and jacked-up rents remain the rule. Over 2,000 eligible families are on the San Mateo County Housing Authority leased housing waiting list. This list could be expanded several times over because many more persons urgently needing housing with rent supplement are anxious to add their names.

Despite the shortage of leased housing units, the fact is that certain county officials have tended to discourage expansion of low-income housing development. The Law Reform Unit of the Legal Aid Society continues to work together with EOC organizers and other community workers toward getting the Housing Authority to act aggressively and positively and to utilize federal and state housing laws and programs in order to increase the inventory of safe, sanitary and adequate housing throughout the county but particularly in or near the target areas.

As a result of community pressure, the Housing Authority has increased its request to the Department of Housing and Urban Development (HUD) for certification and funding from 750 units to 2,500 units.

The Law Reform Unit of the Legal Aid Society also continues to counsel tenants associations, welfare rights groups and low-income individuals in the legal means to community action in order to achieve prompt and satisfactory resolution of their housing needs.

Twenty-nine tenants in the La Selva Apartments in San Mateo were threatened with eviction. They were counseled by Legal Aid, a tenants group was formed and protests were organized. As a result, lease agreements between the manager and the Housing Authority were renewed instead of being terminated and tenants remained in occupancy.

In addition, the Legal Aid Society continues to service, on an individual basis, those clients who—usually for reasons of poverty—find themselves facing eviction by private landlords. A test case on the constitutionality of a law which allows a private landlord to seize and sell personal effects and furniture in order to satisfy a judgment for rent owed is presently on appeal. A lawsuit has been filed for a resident of Menlo Park, acting on behalf of herself "and all other persons similarly situated" against the Housing Authority to try to set aside as illegal and unconstitutional a housing moratorium which the Housing Authority imposed upon itself despite the serious housing need of Belhaven area residents. A temporary restraining order was obtained and the application for a federal injunction against the moratorium has been entered in San Mateo County Superior Court. A decision is awaited at the time of this writing.

Further lawsuits are contemplated to get the Housing Authority to correct long standing unsanitary and unsafe conditions existing in leased housing premises. More vigorous code enforcement is being sought.

Legal Aid Society Law Reform Unit has informed the Housing Authority that its one-year residential preference rule is unconstitutional and has requested that the Housing Authority eliminate this rule from its eligibility procedures. A test case will be filed if the Housing Authority fails to comply within a reasonable time.

The Legal Aid Society also stands ready to assist nonprofit sponsorship of low-income housing (both rental and home ownership) in securing approval by FHA under applicable federal housing laws, and to encourage development of new techniques and systems of home construction to help bring soaring building costs to within feasible low-income limits.

SAN MATEO COUNTY ECONOMIC DEVELOPMENT

For those professionals and others working in the fields of community and economic development as they pertain to the poverty areas of San Mateo County, it has become clear that the solutions to most of the socio-economic problems of low-income families and individuals require some sort of local political autonomy coupled with overall planning and programs for implementation of economic development, based on realistic goals and priorities.

The common problems of inadequate housing, poor educational achievement and bare subsistence levels of income besetting much of the population of such areas as East Palo Alto, East Menlo Park, Redwood City, East San Mateo, Daly City and South San Francisco have to be met with a concerted attack utilizing all available community resources and know-how, supported by governmental agencies and structures at local, state and federal levels.

Commencing in East Palo Alto, where the East Palo Alto Municipal Council—an elected advisory body established for the unincorporated area by the San Mateo County Board of Supervisors—noted the lack of central direction in the community with respect to the needs and priorities of economic and community development, a group of individuals active in the community and designating themselves the Economic Development Advisory Committee (EDAC) was named to advise the Council on matters relating to the economic development of the East Palo Alto community, and also to plan and coordinate present and future efforts. Community participation was a key element in both planning and implementation.

The EDAC proposed first the formation of a non-profit corporation dedicated to community economic development, and run by the community, to be the officially recognized economic development agency for East Palo Alto. This non-profit corporation named "Ushirika Development Corporation" is in the process of formation at the present time, and it will seek tax exempt status in order that it may more readily be the locus of grants, contributions and other types of funding for its objectives.

These include: (1) developing a master plan for economic development in the community east of Bayshore Freeway roughly encompassing East Palo Alto and East Menlo and environs; (2) initiating and promoting efforts which will help fill the requirements of the master plan; (3) coordinating economic development activities in the defined community; (4) advising the Municipal Council on issues relating to economic and community development, and (5) providing a forum for community participation in developing a program for economic development, and for educating the community on the objectives of development and ways of achieving them.

A survey of existing business and commercial enterprises is on the list of projects, along with plans for inviting and encouraging industrial development—particularly in growth-type industries, so as to accomplish the two-fold purpose of increasing the tax base and of upgrading the skills and income levels of those persons unemployed or underemployed in the community.

Lastly, but not least, a feasibility study of the possibilities of incorporation of East Palo Alto was undertaken under the auspices of Legal Aid Society of San Mateo County. This study has been made available to the Municipal Council, which thereupon drafted a request to the San Mateo County Local Agencies Formation Commission (LAFCO) for approval of a so-called "Sphere of Influence" including certain areas now included within the boundaries of the City of Menlo park, with a view toward ultimate annexation into an incorporated East Palo Alto.

At the request of EDAC, VISTA volunteers working in conjunction with the Legal Aid Society of San Mateo County have prepared and on August 25, 1969, submitted a carefully drafted report entitled "The Economic Implications of Annexing All or Part of East Menlo Park." This report attempts to analyze the economic effect of annexation of various alternative areas on the tax rate and on the revenue available for municipal services. This report is presently under study by the Municipal Council.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 451, 474, and 477.

The PRESIDING OFFICER. Without obligation, it is so ordered.

EQUALIZATION OF RETIREMENT BENEFITS FOR COMMISSIONED OFFICERS OF THE PUBLIC HEALTH SERVICE

The Senate proceeded to consider bill (S. 2452) to amend section 211 of the Public Health Service Act to equalize the retirement benefits for commissioned officers of the Public Health Service with retirement benefits provided for other officers in the uniformed services.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–455), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

NEED FOR LEGISLATION

At the present time, the Commissioned Corps of the Public Health Service is the only uniformed service whose members do not have available to them the same formula for computation of retired pay as do the other uniformed services. All other members of the uniformed services can use their years credited to them for basic pay purposes, before June 1, 1958 (not to exceed 30 years) in computing retired pay. This credit is only applicable after an officer becomes eligible for retirement—that is, after 20 years of active duty. Passage of this bill would correct a serious inequity by giving equal retirement benefits to commissioned officers of the Public Health Service.

PRINCIPAL PURPOSE OF THE BILL

The bill would equalize retirement benefits for members of the Commissioned Corps in the Public Health Service with the retirement benefits received by members of the uniformed services. The formula for computing retired pay of PHS officers, which would be authorized under the bill is identical to the formula which is provided for military personnel. The bill is supported by the Department of Health, Education, and Welfare, the Bureau of the Budget, and the Civil Service Commission.

COMMISSIONED CORPS

The Commissioned Corps of the Public Health Service is the oldest medical service in the Federal Government. It has a long and proud history and distinguished record of achievement. Its work of protecting and advancing national health, alleviating human suffering, guarding against the dangers of disease, and improving and prolonging human life started with the enactment of legislation to establish a Marine Hospital Service in 1798.

In 1889, Congress officially established the Commissioned Corps along military lines, with titles and pay corresponding to Army and Navy grades. It then became one of our country's uniformed services.

An officer of the Commissioned Corps may serve in clinical medicine, epidemiological field work, laboratory or clinical research, or public health administration. He could be assigned to Vietnam, to the Pribilof Islands in the Bering Sea, or to Africa, to a Coast Guard vessel, to Alaska, or to an Indian reservation. He is part of the Public Health Service team which has the ultimate responsibility of safeguarding the Nation's health.

Mr. YARBOROUGH. Mr. President, I wholeheartedly support the passage of this bill (S. 2452), which I introduced, to equalize the retirement benefits for commissioned officers of the Public Health Service with retirement benefits provided for other officers in the uniformed services.

The Commissioned Corps of the Public Health Service is the oldest medical service of the Federal Government. It has a long and proud history and distinguished record of achievement. Its work of protecting and advancing national health, alleviating human suffering, guarding against the dangers of disease, and improving and prolonging human life, started with the enactment of legislation to establish a Marine Hospital Service in 1798. In 1889, Congress officially established the Commissioned Corps along military lines, with titles and pay corresponding to Army and Navy grades. It then became one of our country's uniformed services.

An officer of the Commissioned Corps may serve in clinical medicine, epidemiological fieldwork, laboratory or clinical research, or public health administration. He could be assigned to Vietnam, to the Pribilof Islands in the Bering Sea, or to Africa—to a Coast Guard vessel, to Alaska, or to an Indian reservation. He is part of the Public Health Service team which has the ultimate responsibility of safeguarding the Nation's health.

Mr. President, at the present time the Commissioned Corps of the Public Health Service is the only uniformed service whose members do not have available to them the same formula for computation of retired pay as do the other uniformed services. All other members of the uniformed services can use their years credited to them for basic pay purposes, before June 1, 1958—not to exceed 30 years—in computing retired pay. This credit is only applicable after an officer becomes eligible for retirement; that is, after 20 years of active duty. Passage of my proposal would correct a serious inequity and would accord commissioned officers of the Public Health Service a retirement benefit they rightfully deserve.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2452

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (4) of section 211(a) of the Public Health Service Act (42 U.S.C. 212(a)(4)) is amended by inserting the word "plus" after the semicolon at the end of clause (ii), and by adding after clause (ii) the following new clause:

"(iii) the number of years of service with which he was entitled to be credited for purposes of basic pay on May 31, 1958, or (if higher) on any date prior thereto, reduced by any such year included under clause (i) and further reduced by any such year with which he was entitled to be credited under paragraphs (7) and (8) of section 205 (a) of title 37, United States Code, on any date before June 1, 1958;".

SEC. 2. The amendments made by this Act shall apply in the case of retired pay for any period after the month in which this Act is enacted.

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COMMUNICABLE DISEASE CONTROL AND VACCINATION ASSISTANCE AMENDMENTS OF 1969

The Senate proceeded to consider the bill (S. 2264) to amend the Public Health Service Act to provide authorization for grants for communicable disease control which had been reported from the Committee on Labor and Public Welfare, with amendments, on page 1, line 4, after the word "Control", insert "and Vaccination Assistance"; in line 5, after the word "Control" insert "and Vaccination Assistance"; on page 2, at the beginning of line 3, strike out "and"; in line 4, after the word "and", strike out "for each fiscal year thereafter," and insert "$75,000,000 for the fiscal year ending June 30, 1972,"; in line 11, after the word "disease", insert "and vaccination"; in line 13, after the word "controlling", strike out "such"; in the same line, after the word "diseases" insert "for which assistance is available under this subsection"; in line 15, after the word "control", insert "or vaccination"; in line 18, after the word "be", strike out "epidemiologically", in line 19, after the word "of", strike out "communicable" and insert "such"; in line 22, after the word "promotional," strike out "and other"; in the same line, after the word "epidemiologic," insert "and other"; at the beginning of line 25, insert "and immunization"; on page 3, line 4, after the word "control" insert "or vaccination"; in line 8, after the word "whooping", strike out "cough and other communicable diseases which are transmitted from State to State, are amenable to reduction, and which are determined by the Secretary on the recommendation of the National Advisory Health Council to be of national significance, and", and insert "cough, or Rh disease, or any other disease which the Secretary finds represents a major public health problem in terms of high mortality, morbidity, disability, or epidemic potential and to be susceptible of practical elimination as a public health problem through immunization with vaccines or other preventive agents which may become available in the future, and"; on page 5, line 3, after the word "control" insert "or vaccination"; in line 8, after the word "controlling" strike out "communicable diseases." and insert "diseases covered by this subsection."; and after line 9, insert:

> (7) Nothing in this subsection shall be construed to require any State or any political subdivision or instrumentality of a State to have a communicable disease control or vaccination program which would require any person who objects to such treatment to be treated, or to have any child or ward of his treated.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–478), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

SUMMARY

This bill, the Communicable Disease Control and Vaccination Assistance Amendments of 1969, would authorize a 3-year program of project grants to continue our commitment to States and local governments for assistance in eliminating diseases that are susceptible to vaccination or communicable disease control programs.

Contagious diseases such as tuberculosis, venereal disease, and measles know no geographic boundaries. Such diseases pose a threat to the health of not only the afflicted individual but also those with whom he is in contact. It is a needless threat when we have the medical knowledge to prevent or control illness due to these diseases.

S. 2264 would authorize $60 million in appropriations for 1970, $75 million for 1971, and $75 million in 1972 to be awarded to States, and, with the approval of the State health authority, to political subdivisions or instrumentalities of the States by the Secretary of Health, Education, and Welfare. In making these awards the Secretary would be required to give consideration to the relative extent of the communicable disease and vaccination problems and to the levels of performance in preventing and controlling these diseases. The diseases to be combated include tuberculosis, venereal disease, rubella, measles, poliomyelitis, diphtheria, tetanus, whooping cough, and Rh disease.

This legislation was supported by testimony from the National Tuberculosis and Respiratory Disease Association, the National Foundation—March of Dimes, the American Social Health Association, and the Association of State and Territorial Health Officers.

BACKGROUND

When a polio vaccine became available, the Congress approved the Poliomyelitis Vaccine Assistance Act of 1955 and later extended it through June 30, 1957. This financial assistance was instrumental in dramatically reducing the incidence of polio in the United States. But the Federal aid was curtailed in 1957 and by 1960 it became apparent that polio would continue to take a needless toll in pockets of poverty. There were epidemics in Providence, Chicago, and Detroit. In May 1960, a special appropriation of $1 million was approved for the purchase of oral polio vaccine to be used to control epidemics. It was not until 1962 that it became apparent that continuing financial assistance was required to combat polio and this led to the passage of the Vaccination Assistance Act of 1962. The act, which provided funds to combat measles, poliomyelitis, whooping cough, diphtheria, and tetanus, was extended for 3 additional years in 1965.

The Vaccination Assistance Act expired June 30, 1968. Funds appropriated under this legislation were exhausted earlier this year. The continuation of such financial assistance is essential if we are to eliminate the threat of epidemics, particularly in rural poverty and ghetto areas.

In the past, measles has been an almost universal childhood disease. Although many consider it to be rather benign, it sometimes has serious complications, such as encephalitis, otitis, and pneumonia.

Before vaccines were widely used, this disease represented a major public health problem in the United States; an estimated 4 million cases of measles, 4,000 cases of measles encephalitis, and 400 deaths occurred each year.

There is disturbing evidence, however, that the measles vaccine that is available is not being fully utilized. More cases of measles have been reported to the National Communicable Disease Center this year than last year. There were 20,875 cases of measles reported to the Center during the first 40 weeks of 1969 as compared to 20,000 during the same period in 1968.

Both the National Nutrition Survey and the Office of Economic Opportunity report that less than one-half of the preschool children in poverty areas are adequately immunized against polio, measles, and other preventable diseases. Consequently, the committee expects that programs for preschool vaccination will be continued and expanded.

German measles is another communicable disease that can be prevented with a vaccine. Each year about 50,000 cases of German measles are reported although the actual incidence is estimated to be approximately 2.5 million. This is a disease that brings mild discomfort to children. When transmitted to pregnant women, however, it carries with it the risk of death, physical disability, and mental disorder to the unborn child. Approximately 25 percent of the women who have German measles during the first trimester of pregnancy give birth to infants with severe congenital defects. These defects may be so severe as to cause stillbirth. The living birth may be a child with severe heart defects, deafness, blindness, or mental retardation. During the 1964 epidemic 20,000 children were born with congenital abnormalities. A major German measles epidemic is predicted for 1970–71. It is estimated that there are now some 50 million children who need protection against German measles. Each year approximately 4 million newborns are added to the susceptible population.

Still another communicable disease that can be controlled is tuberculosis. In 1963 the House Appropriations Committee expressed "real concern over the current degree of effectiveness of tuberculosis control efforts in the United States," and suggested that "serious thought should be given to a study of the tuberculosis problem similar to that made by the Surgeon General's Task Force on Eradication of Syphilis." About 10 years earlier drugs were discovered that made specific chemotherapy for the disease possible—therapy that has been proven to be highly effective for more than 95 percent of newly diagnosed cases. A task force of the Surgeon General of the Public Health Service in 1963 recommended a 10-year program for the control of tuberculosis that had as its goal a reduction in the number of new active cases from 54,000 per year to 22,000 per year. The number of new active cases was brought down from 54,000 in 1963 to 42,758 in 1968.

It is doubtful that this progress will continue if the 1970 budget amendments pertaining to tuberculosis control as submitted by the Department of Health, Education, and Welfare are approved by Congress. These budget amendments would eliminate $18 million in project grants for the control of tuberculosis and add $18 million in formula grants that States would be encouraged to use for the control of tuberculosis, venereal diseases, and alcoholism. To further complicate the picture, the project grants for tuberculosis control were concentrated in States with the highest incidence of tuberculosis, but the formula grants by law must be allocated only on the basis of population and financial need without regard to the extent of the tuberculosis problem. This revision in the allocation of funds will have a serious impact because the new active tuberculosis case rate ranges among the States from a low of 5.5 per 100,000 population to the high of 52 per 100,000. Many States with the most severe tuberculosis problem will lose substantial sums of money in the shift from tuberculosis project grants to formula or block grants.

The venereal diseases are another pressing public health problem. While it is true that there has been a gradual decline in the number of cases of syphilis, there has been a dramatic rise in the incidence of gonorrhea. As a nation, we should be doing much more to combat venereal diseases that now account for some 2,400 deaths each year and take a needless toll in disability. The steady increase in the number of cases of gonorrhea is evidence enough of the need for new legislation to control this communicable disease. Between 1958 and 1968 the number of newly reported cases of gonorrhea increased from 232,513 to 431,380.

Rh disease, or hemolytic disease of the newborn due to Rh incompatibility, is another disease that can be prevented. Rh disease can lead to death, severe anemia, and jaundice of the infant in the case of an Rh negative mother with an Rh positive baby. The National Foundation—March of Dimes estimates that one out of every four women who need the vaccine is not receiving it. About 8 percent of white maternity patients and 4 percent of black maternity patients are candidates for the vaccine.

The table below summarizes the toll taken by some of the diseases that could be prevented or controlled through the provisions of S. 2264:

Disease	Cases		Deaths	
	1965	1968	1965	1968
Diphtheria	164	243	18	32
Measles	261,904	22,527	276	81
Polio	72	57	16	16
Rubella	46,975	48,433		
Tetanus	300	159	181	144
Tuberculosis	49,016	42,758	7,934	6,901
Syphilis	112,842	98,195	2,434	2,381
Gonorrhea	324,925	431,380	9	11

Source: Public Health Service.

EXPLANATION

This legislation would provide financial assistance to the States to prevent or control the introduction, transmission, or spread of diseases susceptible to vaccination or communicable disease control in the United States from foreign countries and from interstate and intrastate sources. Grants would be awarded by the Secretary of Health, Education, and Welfare to States and to political subdivisions of States with the approval of the State health authority to assist in financing disease control programs. The grants would finance the purchase of vaccines or other agents for those population groups determined to be important to the control of the disease as well as payments for personnel and other program expenses needed for organization, promotion, surveillance, and other epidemiologic activities. A most important feature of the legislation is the requirement that the project grants be awarded after consideration of performance standards. For example, in the case of vaccinations, the actual number performed would be considered. Similarly, the number of tuberculosis cases under control would also be a consideration in the award of funds.

A communicable disease control or vaccination program is defined as a program to contribute to the nationwide effort against tuberculosis, venereal disease, rubella, measles, poliomyelitis, diphtheria, tetanus, whooping cough, or Rh disease or any disease that the Secretary finds to be a major public health problem that is susceptible of practical elimination through vaccination or other preventive agents.

THE COST

This legislation provides for the following appropriation authorizations:

Fiscal year 1970	$60,000,000
Fiscal year 1971	75,000,000
Fiscal year 1972	75,000,000

In relation to the needs for funds to prevent or control the diseases that would be combated through this legislation the authorizations for appropriations are modest. For several years there has been a total of $18 million per year in project grants to combat tuberculosis. The annual authorization for appropriations under the Vaccination Assistance Act was $11 million for 1968. The legislation did not provide for rubella. To prevent rubella will require at least $30 million according to the National Foundation—March of Dimes. The American Social Health Association recommends that $20 million per year is needed to control venereal diseases. Thus, an annual authorization for more than $75 million in appropriations, can be justified on the basis of actual experience plus recommendations of the appropriate voluntary health agencies, particularly if programs to eliminate such diseases as Rh disease are expanded. The committee believes such programs should be expanded.

HEARINGS

Hearings on S. 2264 were held by the Subcommittee on Health of the Committee on Labor and Public Welfare on June 30, 1969. Full support for the legislation was expressed by the National Tuberculosis and Respiratory Disease Association, the Association of State and Territorial Health Officers, the National Foundation—March of Dimes, and the American Social Health Association. The support of the American Medical Association was limited to the provisions of the legislation that would continue Federal financial assistance through vaccination programs against such infectious diseases as rubella, poliomyelitis, tetanus, diphtheria, whooping cough, and measles. The American Medical Association supports Federal financial assistance to control tuberculosis and venereal disease but not through the authority of section 361 of the Public Health Service Act.

Mr. YARBOROUGH. Mr. President, I offer my enthusiastic support for the passage of the Communicable Disease Control and Vaccination Assistance Amendments of 1969, S. 2264, which I introduced and which was cosponsored by the Senator from Massachusetts (Mr. Kennedy) and the Senator from Alaska (Mr. Gravel).

Senator Kennedy, as a member of the Health Subcommittee of the Committee on Labor and Public Welfare, has had a vital role in its passage. Earlier this year he introduced the Vaccination Assistance Act of 1969, S. 1622. His bill was combined with S. 2264 by a series of amendments to S. 2264. I express my appreciation for his diligent work in this area.

The Vaccination Assistance Act expired June 30, 1968. Funds appropriated under this legislation were exhausted earlier this year. The continuation of such financial assstance is essential if we are to eliminate the threat of epidemics, particularly in low-economic and ghetto areas.

Both the National Nutrition Survey and the Office of Economic Opportunity report that less than one-half of the preschoolchildren in poverty areas are adequately immunized against polio, measles, and other preventable diseases.

Contagious diseases such as tuberculosis, venereal disease, and measles know no geographic boundaries. Such diseases pose a threat to the health of not only the afflicted individual, but also those with whom he is in contact. It is a needless threat when we have the medical knowledge to prevent or control illness due to these diseases.

S. 2264 would authorize $60 million in appropriations for 1970, $75 million for 1971, and $75 million in 1972 to be awarded to States, and, with the approval of the State health authority, to political subdivisions or instrumentalities of the States by the Secretary of Health, Education, and Welfare. In making these awards, the Secretary would be required to give consideration to the relative extent of the communicable disease and vaccination problems and to the levels of performance in preventing and controlling these diseases. The diseases to be combated include tuberculosis, venereal disease, rubella, measles, poliomyelitis, diphtheria, tetanus, whooping cough, and Rh disease.

The proposed legislation was fully supported by testimony from the National Tuberculosis and Respiratory Disease Association, the National Foundation—March of Dimes, the American Social Health Association, and the Association of State and Territorial Health Officers.

Mr. PROUTY. Mr. President, the measure now before us, S. 2264, the Communicable Disease Control Amendments of 1969, sets a national policy that communicable disease prevention and control is fundamental to public health. I concur in this policy.

This is not to say that we have overlooked the control of infectious and contagious disease in the past. On the contrary, the past 75 years have been marked by significant accomplishments in the diagnosis, treatment, and control of such diseases.

However, we cannot assume that because of these advances, tuberculosis, diphtheria, poliomyelitis, measles, and other diseases have been conquered. No communicable disease has been totally eradicated in this country. Our efforts must continue.

This measure responds with project grant funds to continue our efforts in controlling tuberculosis, venereal disease, rubella, measles, poliomyelitis, diphtheria, tetanus, whooping cough, and other communicable diseases.

While I consider the prevention and control of all infectious and contagious diseases to be vital to our Nation, I would like to call my colleagues' attention to the testimony of health experts that rubella epidemics occur every 6 or 7 years and that since our last rubella epidemic was in 1964–65, it may be anticipated that the cycle will reoccur in the next few years.

Rubella, or German measles, is a mild disease in children, but when it occurs in women in early pregnancy the disease is passed to the child, who suffers congenital defects. We are all aware of the tragic aftermath of the 1964–65 rubella epidemic and must take every possible step to prevent a reoccurrence of this tragedy in the next few years.

Placing communicable disease prevention and control programs on a categorical grant basis assures that our efforts to build a wall of rubella immunity around mothers will be increased. Likewise, our efforts against tuberculosis, venereal disease, and other infectious and contagious diseases will not slacken.

I urge my colleagues to support this measure.

Mr. MANSFIELD. Mr. President, I commend both the distinguished chairman of the Committee on Labor and Public Welfare and the assistant majority leader for their efforts on behalf of S. 2264, the Communicable Disease Control and Vaccination Assistance Amendments of 1969. Unfortunately, Senator Kennedy is absent on official business today as a member of the Senate delegation to the 15th annual session of the North Atlantic Assembly, now meeting in Brussels to consider the political, military and economic issues facing the Atlantic Alliance.

As Members are aware, Senator Kennedy played a major role in the development of S. 2264 by the Subcommittee on Health. At the time of the hearings on the bill last June, Senator Kennedy personally appeared before the subcommittee to urge reenactment and extension of the Vaccination Assistance Act of 1962. Senator Kennedy's testimony continues to be a timely and detailed analysis of the need for this legislation, and I believe it will be of interest to Members of the Senate and to all those who are concerned with our continuing efforts to eradicate infectious disease from the Nation. I therefore ask unanimous consent that Senator Kennedy's testimony be printed in the Record.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

Statement of Senator Edward M. Kennedy on the Vaccination Assistance Act, June 30, 1969

Today, the Senate Subcommittee on Health opens hearings on a number of legislative proposals of major importance in our continuing efforts to eradicate infectious disease in America. The Vaccination Assistance Act has proved to be a measure of vital significance in these efforts, and I am hopeful that the Congress will extend its provisions for another five years.

In the few brief years of its existence, the Act has enabled the Federal Government to join in partnership with State and local governments throughout the nation in a wide variety of successful immunization programs. The cost of these programs has been modest. Yet, they have already saved millions of dollars in medical expenses that would otherwise have been paid by our citizens and the nation in providing health care for the victims of a broad range of infectious childhood and other diseases.

In February, 1962, when President Kennedy first proposed the Vaccination Assistance Act in his Special Message to the Congress on National Health, he said:

"There is no longer any reason why American children should suffer from polio, diphtheria, whooping cough, or tetanus—diseases which can cause death or serious consequences throughout a lifetime, which can be prevented, but which still prevail in too many cases."

When the Vaccination Assistance Act was signed into law in October 1962, the nation launched a massive immunization campaign against many of the infectious diseases that had plagued the nation for so long. In the past six years, the Act has brought immense protection to millions of America children threatened by the suffering, disability, and death brought by these diseases. It has brought continuing protection for children against tetanus, diphtheria, and whooping cough. It has helped to assure the virtual eradication of polio in the nation, and it has played a major role in the dramatic reduction of the incidence of measles.

In spite of the progress we have made, it is clear that we have not yet accomplished our goals. Therefore, the present hearings on the Vaccination Assistance Act are especially timely. I am convinced that its provisions deserve to be renewed, and I am hopeful that these hearings will help to illuminate the areas where special new efforts must be made.

For the purposes of illustration, I would like to place special attention in this statement on our efforts to eradicate measles. Between 1965 and the present time, the use of measles vaccine has brought about the following dramatic results in the United States:

15 million children were spared from infection caused by measles.

The incidence of the disease dropped from 140 cases per 100,000 population to only 12 cases per 100,000 population.

91,000 children were spared from hospitalization with measles.

15,000 children were spared from encephalitis caused by measles.

5,000 children were spared mental retardation caused by measles.

1,500 children were spared from death.

The American medical profession deserves our highest commendation for this achievement, which has reduced the incidence of measles by over 90% since the vaccine first became available.

Through the efforts of our dedicated private practitioners and public health officers, our progress toward the eradication of measles has been faster than with diphtheria, tetanus, whooping cough, or even polio. I believe that the federal funding of State and local immunization projects through the Communicable Disease Center of the U.S. Public Health Service has made the difference, and has brought about the remarkable decline in the incidence of the disease. Unfortunately, however, the rate of decline halted abruptly at the end of 1968, and has recently begun to show a slight increase in the nation as a whole, with substantial increases in 17 states. To me, it is more than a coincidence that the three-year decline in the incidence of measles came to a halt just as funds for the Vaccination Assistance Act were depleted last year.

We know today that our efforts to eradicate measles have not been completely successful. The figure I have mentioned—12 cases per 100,000 population—translates into 24,000 cases of measles in the United States this year. According to information in the most recently available Morbidity and Mortality Report of the Public Health Service, the number of reported cases of measles for the first half of 1969 is 17,270 cases, or slightly more than for the same period in 1968.

For all practical purposes, diphtheria, tetanus, and polio have been eradicated in the United States, since they now number less than 200 cases per year for each disease. We cannot say the same thing about measles, when 22,500 cases were reported in 1968, and 24,000 cases are anticipated in 1969. The job simply is not finished.

Indeed, on the basis of our past experience, we know that the actual number of cases of measles in the nation is over ten times the number of reported cases. This means that in 1969, about 250,000 children will develop measles. As a result of the disease, in 1969 alone, 1,500 children will be hospitalized for a total of 14,250 hospital days; 250 will develop encephalitis; 80 will be permanently retarded; and 25 will die.

In addition, some 375,000 school days will be lost during 1969, because of measles, and the illness will cost our economy more than $12 million in treating its effects.

In this brief statement, I have concentrated primarily on the disease of measles in an effort to highlight the long-range need for extension of the Vaccination Assistance Act. I would like to make clear, however, that I believe there are numerous other areas where the provisions of the Act could be vital in helping to control or eliminate disease. In closing I would like to discuss briefly two other examples:

First, in the case of Rh hemolytic disease, recent reports indicate that 25% of the pregnant women who should be protected are still not being reached by the new antibody vaccine recently developed by medical researchers. Yet we know that the vaccine has been totally effective in preventing the disease wherever it has been used.

Second, in the case of rubella, or German measles, numerous medical experts across the country have stated that we face the prospect of a severe epidemic in 1970 or 1971. Today in the United States, 50 million children and child-bearing women are unprotected against rubella. Unless adequate precautions are taken to prevent the disease, thousands of children will be born blind, deaf, or with heart defects or mental retardation because their mothers contracted this disease during pregnancy. At the recent International Conference on Rubella Immunization, it was estimated that the eventual cost of the epidemic to the United States economy would total over three billion dollars.

As in the case of common measles, German measles can be eliminated through an effective immunization campaign of the sort that could be mounted under the Vaccination Assistance Act. Indeed, the imminence of the approaching rubella epidemic offers what I believe may be the strongest immediate argument for extending the Act. We simply cannot afford to gamble with the health of millions of our nation's children by failing to protect them in the most effective possible way. The Vaccination Assistance Act has demonstrated its value time and again in recent years as a method of providing mass community protection against disease. It is therefore the most obvious available tool to press into service to combat the anticipated rubella epidemic.

Unless the provisions of the Vaccination Assistance Act are carried forward, I do not believe we will be able to eradicate common measles from America or prevent the epidemic of German measles. Unless the Act is extended I do not believe we will be able to continue the enormous progress we have made against the Rh disease and other diseases in recent years.

Under ideal circumstances, it might be possible for other federal programs providing comprehensive health care to take over the immunization programs contained in the Vaccination Assistance Act. It appears, however, that priorities have already been established for these other programs. I am skeptical that they are flexible enough to allow inclusion of the immunization programs. The possibility of expanding other federal programs in this way has been available for some time. Yet, little action has been taken. In many parts of the country, it is the States themselves who refuse to give adequate priority to far-reaching vaccination programs.

Infectious diseases in our society have no geographic boundary. They concern the health and economy of the entire nation, and it is our obligation to see that every available effort is made to eradicate them. I therefore welcome these hearings as a means of bringing fresh attention to these urgent problems. I commend the Chairman for his important efforts in this vital field, and I look forward to early enactment of comprehensive legislation to achieve our goals.

Mr. MURPHY. Mr. President, as a member of the Health Subcommittee, I support S. 2264, the Communicable Disease Control and Vaccination Assistance Amendments of 1969.

S. 2264 would authorize a 3-year program of project grants to States and their political subdivisions to prevent or control the introduction and spread of diseases susceptible to vaccination or communicable disease controls. This would include tuberculosis, venereal disease, rubella, measles, poliomyelitis, diphtheria, tetanus, whooping cough, and Rh disease.

Mr. President, this is an important bill for effective nationwide control of contagious diseases is a matter of con-

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cern to all of our citizens. Given the mobility of our population, the effectiveness and adequacy of these programs in one part of the Nation is a concern to citizens all across the country. These diseases know no national, State, or county boundaries.

The importance of these programs can be seen by examining some of the individual diseases. For example, rubella or German measles is a communicable disease which can be controlled by vaccination. German measles is a disease that brings relatively mild discomfort to children but when transmitted to women during their first 3 months of pregnancy, it can spell disaster to unborn children and their parents. For statistics indicate that 25 percent of the children whose mothers had contracted German measles during their first 3 months of pregnancy will be born with congenital defects. Time is of the essence in dealing with this problem for we are told that another rubella cycle is projected for 1970–71 and it has been estimated that 50 million children are in need of the vaccination. Local health department budgets are unable to support the necessary activities without continued Federal support.

In the last rubella epidemic which took place in 1964, 20,000 children were born with congenital abnormalities, 1,000 in California. Therefore, Mr. President, it is imperative that we move quickly to vaccinate these children, so that thousands of other children and their families will be spared needless suffering and deformities as a result of the 1970–71 rubella outbreak.

Another important area, Mr. President, is tuberculosis control. I am proud to say that the State of California has a very successful tuberculosis control program. In 1967, for example, California had an 11-percent decrease in mobility or 552 fewer newly active cases, and a 16-percent reduction in mortality with 82 fewer deaths from tuberculosis. Last year, the State reduced the number of newly reported active TB cases by 407 from the 1967 figure to 4,099. This, I am told, is the largest drop in California since 1963, and there is a general feeling that Federal assistance has been critical of bringing about this progress.

Venereal diseases are also of major importance as they are reaching epidemic proportions in some areas. Gonorrhea in California cannot be effectively controlled with the public health resources at hand. In 1968, 76,000 cases were reported, and in 1969, about 85,000 probably will occur. Currently California has 18,000 of the Nation's venereal disease cases with only about 10 percent of the population. Special grants for venereal diseases control are needed to focus on this problem.

I am pleased, Mr. President, to support this bill both in committee and here on the floor, and urge its prompt enactment by the Congress.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2264

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Communicable Disease Control and Vaccination Assistance Amendments of 1969".

GRANTS FOR COMMUNICABLE DISEASE CONTROL AND VACCINATION ASSISTANCE

SEC. 2. Section 361 of the Public Health Service Act (42 U.S.C. 264) is amended by inserting at the end thereof the following new subsection:

"(c) (1) There are hereby authorized to be appropriated $60,000,000 for the fiscal year ending June 30, 1970, $75,000,000 for the fiscal year ending June 30, 1971, and $75,000,000 for the fiscal year ending June 30, 1972, to enable the Secretary to make grants to States, and, with the approval of the State health authority, to political subdivisions or instrumentalities of the States under this subsection. In the award of such grants the Secretary, in accordance with appropriate regulations, shall give consideration to the relative extent of the communicable disease and vaccination problems and to the levels of performance in preventing and controlling diseases for which assistance is available under this subsection. Such grants may be used to pay that portion of the cost of communicable disease control or vaccination programs which is reasonably attributable to (A) purchase of vaccines or other agents needed to protect those portions of the population determined to be important to the control or prevention of such diseases and (B) salaries and related expenses of additional State and local health personnel needed for planning, organizational, promotional, epidemiologic, and other activities in connection with such programs, including studies to determine the communicable disease control and immunization needs of communities and the means of best meeting such needs and personnel and related expenses needed to maintain additional epidemiologic and laboratory surveillance occasioned by such programs.

"(2) For the purposes of this subsection—

"(A) a 'communicable disease control or vaccination program' means a program which is designed and conducted so as to contribute to a nationwide effort against tuberculosis, venereal disease, rubella, measles, poliomyelitis, diphtheria, tetanus, whooping cough, or Rh disease, or any other disease which the Secretary finds represents a major public health problem in terms of high mortality, morbidity, disability, or epidemic potential and to be susceptible of practical elimination as a public health problem through immunization with vaccines or other preventive agents which may become available in the future, and

"(B) the term 'State' includes the Commonwealth of Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, the Virgin Islands, and the District of Columbia.

"(3) Payments under this subsection may be made in advance on the basis of estimates or by way of reimbursement, with necessary adjustments on account of underpayments, or overpayments, in such installments and on such terms and conditions as the Secretary finds necessary to carry out the purposes of this subsection.

"(4) The Secretary, at the request of a recipient of a grant under this subsection, may reduce the money grant to such recipient by the fair market value of any supplies (including vaccines and other preventive agents, or equipment furnished to such recipient and by the amount of the pay, allowances, traveling expenses, and any other costs in connection with the detail of an officer or employee to the recipient when the furnishing of such supplies or equipment, or of the detail of such officer or employee (as the case may be), is for the convenience of and at the request of such recipient and for the purpose of carrying out the program with respect to which the grant under this subsection is made. The amount by which any such grant is so reduced shall be available for payment by the Secretary of the costs incurred in furnishing the supplies, equipment, or personal services on which the reduction of such grant is based, but such amount shall be deemed a part of the grant to such recipient and shall, for the purposes of paragraph (3) of the subsection, be deemed to have been paid to such agency.

"(5) Nothing in this subsection shall limit or otherwise restrict the use of funds which are granted to a State or to a political subdivision of a State under other provisions of this Act or other Federal law and which are available for the conduct of communicable disease control or vaccination programs from being used in connection with programs assisted through grants under this subsection.

"(6) Under this subsection, the Secretary shall be required to submit an annual report on performance in preventing and controlling diseases covered by this subsection.

"(7) Nothing in this subsection shall be construed to require any State or any political subdivision or instrumentality of a State to have a communicable disease control or vaccination program which would require any person who objects to such treatment to be treated, or to have any child or ward of his treated."

Passed the Senate October 20, 1969.

Attest.

Secretary.

The title was amended so as to read: "A bill to amend the Public Health Service Act to provide authorization for grants for communicable disease control and vaccination assistance."

MEDICAL LIBRARY AND HEALTH COMMUNICATIONS ASSISTANCE AMENDMENTS OF 1969

The Senate proceeded to consider the bill (H.R. 11702) to amend the Public Health Service Act to improve and extend the provisions relating to assistance to medical libraries and related instrumentalities, and for other purposes which had been reported from the Committee on Labor and Public Welfare, with an amendment, strike out all after the enacting clause and insert:

That this Act may be cited as the "Medical Library and Health Communications Assistance Amendments of 1969."

CLARIFYING AND TECHNICAL AMENDMENTS

DECLARATION OF POLICY AND STATEMENT OF PURPOSE

SEC. 2. (a) (1) Clause (3) of subsection (b) of section 390 (42 U.S.C. 280(b)) of the Public Health Service Act is amended by striking out "the awarding of special fellowships to physicians and other practitioners in the sciences related to health and scientists," and inserting in lieu thereof "grants to physicians and other practitioners in the sciences related to health, to scientists, and public or nonprofit private institutions on behalf of such individuals,"; and

(2) Clause (4) of such subsection is amended by striking out "research and investigations" and inserting in lieu thereof "research, investigations, and demonstrations"; and

(3) Clause (5) of such subsection is amended by striking out "improving" and inserting in lieu thereof "establishing, improving,".

ASSISTANCE FOR CONSTRUCTION OF FACILITIES

(b) (1) Subsection (b) (1) (B) of section 393 of such Act (42 U.S.C. 280b-3) is amended by striking out "subject to subsection (c),".

(2) Section 393 of such Act is further amended by striking out subsection (c)

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thereof and redesignating subsections (d), (e), (f), (g), (h), and (j) as subsections (c), (d), (e), (f), (g), and (h), respectively.

ASSISTANCE TO SPECIAL SCIENTIFIC PROJECTS

(c) (1) The heading of section 395 of such Act (42 U.S.C. 280b–5) is amended to read:

"ASSISTANCE FOR SPECIAL SCIENTIFIC PROJECTS, AND FOR RESEARCH AND DEVELOPMENT IN MEDICAL LIBRARY SCIENCE AND RELATED FIELDS"

(2) The second sentence of section 395 of such Act is amended by striking out "Surgeon General for the establishment of special fellowships to be awarded to physicians and other practitioners in the sciences related to health and scientists" and inserting in lieu thereof "Secretary to make grants to physicians and other practitioners in the sciences related to health, to scientists, and public or nonprofit private institutions on behalf of such individuals".

(3) The third sentence of such section is amended (A) by striking out "In establishing such fellowships, the Surgeon General" and inserting in lieu thereof "In making such grants, the Secretary"; and (B) by striking out "fellowships are established" and inserting in lieu thereof "grants are made".

RESEARCH AND DEVELOPMENT IN MEDICAL LIBRARY SCIENCE AND RELATED FIELDS

(d) Subsection (a) of section 396 of such Act (42 U.S.C. 280b–6) is amended by striking out "research and investigations in the field of medical library science" and inserting in lieu thereof "research, investigations, and demonstrations in the field of medical library science".

GRANTS FOR IMPROVING AND EXPANDING THE BASIC RESOURCES OF MEDICAL LIBRARIES AND RELATED INSTRUMENTALITIES

(c) (1) The heading of section 397 of such Act (42 U.S.C. 280b–7) is amended to read:

"GRANTS FOR ESTABLISHING, IMPROVING, AND EXPANDING THE BASIC RESOURCES OF MEDICAL LIBRARIES AND RELATED INSTRUMENTALITIES"

(2) The first sentence of subsection (b) of such section is amended by striking out "expanding" and inserting in lieu thereof "establishing, expanding,".

(3) Subsection (c)(2) of such section is amended to read as follows:

"(2) In no case shall any grant under this section to a medical library or related instrumentality for any fiscal year exceed $200,000; and grants to such medical libraries or related instrumentalities shall be in such amounts as the Secretary may by regulation prescribe with a view to assuring adequate continuing financial support for such libraries or instrumentalities from other sources during and after the period for which Federal assistance is provided."

GRANTS FOR ESTABLISHMENT OF REGIONAL MEDICAL LIBRARIES

(f) (1) Subsection (b) of section 398 of such Act (42 U.S.C. 280b–8) is amended by striking out "and" at the end of clause (4), by redesignating clause (5) as clause (6), and by inserting a new clause (5) to read as follows:

"(5) planning for services and activities under this section; and"

(2) Subsection (c)(1) of such section is amended by striking out "(A) to modify and increase their library resources so as to be able to provide supportive services to other libraries in the region as well as individual users of library services" and inserting in lieu thereof "(A) to modify and increase their library resources and to supplement the resources of cooperating libraries in the region so as to be able to provide adequate supportive services to all libraries in the region as well as to individual users of library services".

(3) Subsection (c)(2) of such section is amended by striking out clause (A) and redesignating clauses (B) and (C) as clauses (A) and (B), respectively.

(4) Such section is further amended by adding at the end thereof the following new subsection:

"(f) The Secretary may also carry out the purposes of this section through contracts as well as grants, and such contracts shall be subject to the same limitations as are provided in this section for grants."

AUTHORIZATION OF APPROPRIATIONS EXTENSION OF DURATION

SEC. 3. (a) Section 399a of the Public Health Service Act (42 U.S.C. 280b–10) is amended to read as follows:

"SEC. 399a. Funds appropriated to carry out any of the purposes of this part for any fiscal year shall remain available for such purposes for the fiscal year immediately following the fiscal year for which they were appropriated. Funds appropriated under this part for grants for construction shall remain available until expended".

ASSISTANCE FOR CONSTRUCTION OF FACILITIES

(b) Effective with respect to fiscal years ending after June 30, 1970, subsection (1) of section 393 of such Act is amended to read as follows:

"(1) For the purposes of carrying out the provisions of this section, there are hereby authorized to be appropriated for the fiscal year ending June 30, 1971, $11,500,000, for the fiscal year ending June 30, 1972, $14,000,000, and for the fiscal year ending June 30, 1973, $16,500,000."

GRANTS FOR TRAINING IN MEDICAL LIBRARY SCIENCES

(c) Effective with respect to fiscal years ending after June 30, 1970, subsection (a) of section 394 of such Act is amended by striking out "In order to enable the Surgeon General to carry out the purposes of section 390(b)(2), there are hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1966, and ending with the fiscal year ending June 30, 1970, such sums not to exceed $1,000,000, for any fiscal year, as may be necessary. Sums made available under this section shall be utilized by the Surgeon General in making grants—" and inserting in lieu thereof "In order to enable the Secretary to carry out the purposes of section 390(b)(2), there are hereby authorized to be appropriated for the fiscal year ending June 30, 1971, $2,000,000, for the fiscal year ending June 30, 1972, $2,500,000, and for the fiscal year ending June 30, 1973, $3,000,000".

ASSISTANCE FOR SPECIAL SCIENTIFIC PROJECTS

(d) (1) Effective with respect to fiscal years ending after June 30, 1970, the first sentence of section 395 of such Act is amended to read as follows: "In order to enable the Secretary to carry out the purposes of section 390(b)(3), there are hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1971, and ending with the fiscal year ending June 30, 1973, such sums, not to exceed $500,000 for any fiscal year, as may be necessary."

(2) The first sentence of such section is amended by striking out "Surgeon General" and inserting in lieu thereof "Secretary".

RESEARCH AND DEVELOPMENT IN MEDICAL LIBRARY SCIENCE AND RELATED FIELDS

(e) (1) Effective with respect to fiscal years ending after June 30, 1970, the first sentence of subsection (a) of section 396 of such Act is amended to read as follows: "In order to enable the Secretary to carry out the purposes of section 390(b)(4), there are hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1971, and ending with the fiscal year ending June 30, 1973, such sums, not to exceed $3,000,000 for any fiscal year, as may be necessary."

(2) The second sentence of subsection (a) of such section is amended by striking out "Surgeon General" and inserting in lieu thereof "Secretary".

GRANTS FOR IMPROVING AND EXPANDING THE BASIC RESOURCES OF MEDICAL LIBRARIES AND RELATED INSTRUMENTALITIES

(f) (1) Effective with respect to fiscal years ending after June 30, 1970, subsection (a) of section 397 of such Act is amended to read as follows:

"(a) In order to enable the Secretary to carry out the purposes of section 390(b)(5), there are hereby authorized to be appropriated for the fiscal year ending June 30, 1971, $4,000,000 for the fiscal year ending June 30, 1972, $5,000,000, and for the fiscal year ending June 30, 1973, $6,000,000."

(2) Subsection (b) of section 397 of such Act is amended by striking out "Surgeon General" and inserting in lieu thereof "Secretary".

GRANTS FOR ESTABLISHMENTS OF REGIONAL MEDICAL LIBRARIES

(g) (1) Effective with respect to fiscal years ending after June 30, 1970, the first sentence of subsection (a) of section 398 of such Act is amended to read as follows: "In order to enable the Secretary to carry out the purposes of section 390(b)(6), there are hereby authorized to be appropriated for the fiscal year ending June 30, 1971, $3,000,000, for the fiscal year ending June 30, 1972, $4,000,000 and for the fiscal year ending June 30, 1973, $5,000,000."

(2) The second sentence of such subsection (a) is amended by striking out "Surgeon General" and inserting in lieu thereof "Secretary".

FINANCIAL SUPPORT FOR BIOMEDICAL PUBLICATIONS

(h) (1) Effective with respect to fiscal years ending after June 30, 1970, the first sentence of subsection (a) of section 399 of such Act is amended to read as follows: "In order to enable the Secretary to carry out the purposes of section 390(b)(7), there are hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1971, and ending with the fiscal year ending June 30, 1973, such sums, not to exceed $1,000,000 for any fiscal year, as may be necessary".

(2) The second sentence of such subsection (a) is amended by striking out "Surgeon General" and inserting in lieu thereof "Secretary".

TRANSFERABILITY OF FUNDS

(i) Part I of title III of the Public Health Service Act is amended by adding after section 399a (as redesignated by section 4 of this Act) thereof the following new section:

"TRANSFERABILITY OF FUNDS

"SEC. 399b. (a) Notwithstanding any other provision of this part, whenever there is appropriated any amount for any fiscal year (beginning with the fiscal year ending June 30, 1971) to carry out any particular program or activity authorized by this part, the Secretary shall have the authority to transfer sums from such amount, for the purpose of carrying out one or more of the other programs or activities authorized by their part; except that—

"(1) the aggregate of the sums so transferred from any such amount shall not exceed 10 per centum thereof,

"(2) the aggregate of the sums so transferred to carry out any such program or activity for any fiscal year shall not exceed 20 per centum of the amount appropriated to carry out such program or activity for such year, and

"(3) sums may not be transferred for any fiscal year to carry out any such program or activity if such transfer would result in their being available (from appropriated funds plus the sums so transferred) to carry out such program or activity for such year amounts in excess of the amounts authorized to be appropriated for such year to carry out such program or activity.

"(b) Any sums transferred pursuant to subsection (a) for any fiscal year for the purpose of carrying out any program or activity shall remain available for such purpose to the same extent as are funds which are specifically appropriated for such purpose for such year."

REDESIGNATIONS

Sec. 4. (a) Title III of the Public Health Service Act is amended—

(1) by redesignating part I as part J;

(2) by redesignating the part H entitled "Part H—National Library of Medicine" as part I; and

(3) by redesignating sections 371, 372, 373, 374, 375, 376, 377, and 378 as sections 381, 382, 383, 384, 385, 386, 387, and 388, respectively.

(b) (1) Subsection (c) of the section of such Act redesignated as section 382 is amended by striking out "section 373" and inserting in lieu thereof "section 383".

(2) The section of such Act redesignated as section 385 is amended by striking out "section 373" and inserting in lieu thereof "section 383".

(3) Section 391(2) of such Act is amended by striking out "section 373(a)" and inserting in lieu thereof "section 383(a)".

(4) Section 392 of such Act is amended—

(A) by striking out in subsection (a) "section 373(a)" and inserting in lieu thereof "section 383(a)",

(B) by striking out in such subsection "section 373" and inserting in lieu thereof "section 383",

(C) by striking out in subsection (d) "section 373(d)" and inserting in lieu thereof "section 383(d)", and

(D) by striking out in such subsection "part H which deals with the National Library of Medicine" and inserting in lieu thereof "part I".

(c) (1) Section 395 of such Act is amended—

(A) by inserting "(a)" immediately after "Sec. 395."

(B) by striking out in the second sentence "under this section" and inserting in lieu thereof "under this subsection", and

(2) Section 396 of such Act is amended—

(A) by striking out "Sec. 396. (a)" and inserting in lieu thereof "(b)",

(B) by striking out in the second sentence of subsection (a) "under this section" and inserting in lieu thereof "under this subsection",

(C) by redesignating subsection (b) as subsection (c), and

(D) by striking out the section heading.

(3) Sections 397, 398, 399, 399a, and 399b of such Act are redesignated as sections 396, 397, 398, 399, and 399a, respectively.

MEANING OF SECRETARY

Sec. 5. As used in the amendments made by this Act, the term "Secretary" means the Secretary of Health, Education, and Welfare.

EFFECTIVE DATE

Sec. 6. Except as otherwise provided, the amendments made by the preceding provisions of this Act shall take effect July 1, 1970, and shall be effective with respect to grants and contracts made after June 30, 1970.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–480), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

SUMMARY

H.R. 11702 would extend for 3 years the current program to provide financial assistance for the construction of health library facilities; to support training to health librarians and other information specialists; to expand and improve health library services through the provision of grants for library resources; to support projects of research and development in the field of health communications, and related special scientific projects; to support the development of a national system of regional medical libraries; and to support selected biomedical scientific publications projects. This bill would increase the total authorization for funding for these programs from the current $21 million per year to $25 million in fiscal year 1971, $30 million in fiscal year 1972, and $35 million in fiscal year 1973. In addition, certain technical and clarifying amendments are proposed.

BACKGROUND

The programs of support which H.R. 11702 would extend and amend are authorized by the Medical Library Assistance Act of 1965 (Public Law 89–291), which this committee also endorsed following its consideration of S. 597 in June 1965.

The expanded authorities and resources provided by the Medical Library Assistance Act have permitted the National Library of Medicine to initiate coordinated programs of support for health libraries and health information service and research activities. The committee believes that these programs have already begun to ameliorate the serious shortages of health information facilities and resources, manpower, and technological development which concerned the Congress at that time.

HEARINGS

At hearings held before this committee on July 31, 1969, all witnesses with the exception of the Department of Health, Education, and Welfare, urged the extension of these valuable programs for a longer period than the 1 year and emphasized the need for adequate funding if the objectives of the program are to be achieved. The committee agrees that major health library deficits remain to be corrected and that new demands caused in part by the creation and development of new Federal health programs further urge an expanded and creative outlook upon such programs of assistance. Taking into account the progress which has been made and the continuing and new problems which do exist in the area of health communications and information services, the committee has given favorable consideration to H.R. 11702, as reported.

THE PROBLEM

The September 20, 1965, report of this committee to accompany S. 597 summarized briefly the scope of the health information service deficits which faced the United States at a time when there was increasingly sharp focus on the health needs of this country and the magnitude of the resources which would have to be gathered to meet those needs. Witnesses reported that over $100 million would be needed for construction of medical school libraries alone to provide adequate space for documents, staff, and readers. An equal sum was then required to bring medical library collections up to desired standards. There was also a critical shortage of professional personnel trained to meet the special needs of health science libraries and the medical communities they serve.

The Medical Library Assistance Act of 1965 permitted a good beginning toward the solution of health information problems. By improving and strengthening health libraries the Act has assisted faculties, students, and practicing physicians to keep more fully informed on research findings and new developments in the field of medicine and allied subjects. Ultimately, this has meant better health care for the American people. However, the committee is impressed by the magnitude of the problems which remain. The complexity and the mass of health information produced by our advanced scientific society have outstripped our ability to store, retrieve, and deliver information in useable form to the people who need it.

At the frontier of interdisciplinary research, traditional information services are no longer adequate. New ways of organizing and presenting information must be developed. Particularly at the educational frontier where students must learn so much in so little time, modern technologies for information transfer must be employed. The committee believes that only through the development and utilization of the most sophisticated approaches to transmitting health information can new medical knowledge be communicted from the "leading edge" of medical research to those who minister daily to the Nation's health in hospitals, medical offices, clinics, and other places where illnesses are diagnosed and treated.

Under the Medical Library Assistance Act of 1965 $70 million was authorized for fiscal years 1966–69 for the seven programs funded under this legislation. A total of $34 million has been appropriated for these programs during that time. Witnesses testifying in behalf of extension of the Act have expressed concern over the discrepancy between the magnitude of the need, the level of authorization provided under the original legislation, and the limited appropriations which have been provided to date.

A fair appraisal would be that the act has fallen short of its objectives. One reason is that appropriations have totaled less than half of the funds authorized. Further, what was adequate in 1965 is not adequate in 1969. It will be even less so in the 1970's. Two specific instances of cost increases which confront health libraries are the higher prices of subscription to health journals, and staff salaries. In the past 10 years the costs of medical periodicals have almost doubled; costs of medical books have risen over 50 percent. Librarians' salaries, which have never been high and are not adequate now, have nevertheless risen by an estimated 25 to 30 percent in the past 5 years.

Without continued and expanded support as recommended in this bill, our health information problems can only worsen. On the basis of current progress and future plans, it is estimated that over 10,000 physicians will graduate from medical school in 1975, an increase of one-third over the present yield. Leaders in other health professions are also preparing for greatly expanded personnel requirements in the next decade. All educational resources will need to be expanded to meet the instructional requirements of this growing community of health personnel, including health information resources such as medical libraries. As our Government exhorts health professional schools to educate and train more personnel it must provide the library resources to assist in this process.

The Medical Library and Health Communications Assistance Amendments of 1969 will not resolve all the needs and problems in health communications. They will, however, provide significant assistance where needed to stimulate the formulation and adaptation of new ideas and new concepts for making health information available. To provide stability in the recruitment and retention of personnel in this field, the committee believes a 3-year period of assistance will be required.

RECOMMENDED PROGRAM

Summary of provisions

H.R. 11702 as reported would extend for 3 years the programs authorized by the Medical Library Assistance Act of 1965. The committee is convinced that the objectives of the Medical Library Assistance Act remain valid for current and future national health information needs and H.R. 11702, would propose no change in these objectives. It would permit a higher level of expenditure toward these objectives. An important committee amendment would permit the Secretary to transfer funds under specified limitations within the authorization permitted by this act. This will assure that the congressional responsibility for program authorization is retained, while permitting a more flexible administration of the programs. Other amendments proposed are intended to increase the efficiency and responsiveness of these programs of assistance.

For the construction assistance program the bill would increase the authorization ceiling from $10 million to $11.5 million in fiscal year 1971, $14 million in fiscal year 1972, and $16.5 million in fiscal year 1973 for new health library construction and for projects to renovate and expand existing health library space. It would make two changes in the law, to provide that funds for construction remain available until expended and to delete the present authority which permits awards in the absence of the required 25 percent non-Federal contribution.

For the program to train health librarians and other information specialists for administrative, service, and research positions, the bill would increase the authorization for the support of training grants and fellowships from $1 million to $2 million in fiscal year 1971, $2.5 million in fiscal year 1972, and $3 million in fiscal year 1973.

H.R. 11702, as reported, would combine the two sections of the Medical Library Assistance Act which authorize special scientific projects and research and development in order to emphasize the focus of both these programs on scholarly activity and research to advance health communications. For special projects, this bill proposes that the term "grant" be substituted for "fellowship", in recognition of the research orientation of such projects, and proposes that such awards be authorized to institutions as well as to individuals. For the research program, authority would be added to permit the support of demonstration projects for new techniques, devices, or systems which are ready for application.

For the program to provide library resource grants the bill would increase the authorization for funding from $3 million to $4 million in fiscal year 1971, $5 million in fiscal year 1972, and $6 million in fiscal year 1973. It would also provide authority to establish new collections and would delete the provisions of the current Act which requires that grants for health library resources be in amounts determined on the basis of the library's budget and that the grant once awarded be reduced in amount for each subsequent year of support. A requirement would be added for assurance of continuing local support during and after the period of Federal assistance.

The authorization for the regional medical library program would be increased from $2.5 million per year to $3 million in fiscal year 1971, $4 million in fiscal year 1972, and $5 million in fiscal year 1973. In addition to provision of library services the bill would authorize support of planning and data gathering activities, essential to the development of sound regional medical library programs, by the participating institutions and individuals; it would permit the designated grantee library for such a program to provide necessary resources to other libraries which cooperate in the program; and it would delete an ambiguous criterion for award contained in the current act. This bill would also permit the selective use of the contract mechanism, as well as grants-in-aid, to support specific regional services.

For the program to support biomedical scientific publication projects, this bill would authorize $1 million per year during the 3 years of the extension, the present level.

Factors considered by the committee

The committee weighed carefully the administration's request, reflected in S. 2239, that the current program be extended for 1 year only. The witnesses who testified before this committee on July 31, 1969, as well as action of the House of Representatives and the report of the House Committee on Interstate and Foreign Commerce with respect to H.R. 11702, clearly support the position of this committee that a longer period of extension is entirely justified.

H.R. 11702, as reported, would add "health communications" to the title under which these programs are gathered. Eligibility for participation in the programs authorized by the Medical Library Assistance Act has always been intended to include all appropriate public and private institutions and individuals active in the provision of health services or in health related teaching and research; within the provisions of the law, and the terms used in this act are defined accordingly. While the intent of the act was broad, and its programs have been implemented accordingly, the committee accepted the value of added emphasis to this concept. The term "health communications" in the title of H.R. 11702 is an appropriate indicator of the broad intent of the program. The committee expects these programs to extend eligibility for participation to all clinical fields including medicine, dentistry, optometry, pharmacy, osteopathy, veterinary medicine where relevant to human health, nursing, public health, other health-related fields, and fundamental and applied sciences when related thereto.

The committee preferred the program-by-program authorizations for Federal support proposed in S. 2549 and H.R. 11702 to the single, nonspecific appropriation authority contained in S. 2239, for two reasons. First, the committee fells that it is useful to designate the level of the Federal contribution which would be desirable for these programs, as guidance for their implementation, at the same time allowing some program flexibility through limited authorization for transfer of funds among programs. Secondly, the committee endorses the original concept of the act, to provide coordinated assistance for all areas of need through balanced support for each of the seven programs.

H.R. 11702, as amended by the committee, increases the authorization for Federal support for four of the seven programs. In the opinion of the committee, those programs which contribute to improved facilities and resources and manpower and which help to provide better access to existing centers for health information services should be supported at substantially higher levels than heretofore. During the initial years, policies and procedures have been developed and tested, and expansion of the Federal contribution is now justified.

The level of support wasn't increased for scientific and technical publications which help expand the production of aids to information searching, such as indexing, abstracting, and other reference aids. No increase in funding was provided for the special projects and research programs; such support should be highly selective, with emphasis on contemporary health problems, such as drug abuse and alcoholism.

In summary, S. 2549 would authorize a moderate increase in funding. The committee judges that the level of support is commensurate with the demonstrated needs which must be met. The committee based its acceptance of the funding levels on the following considerations:

Health library construction.—The Medical Library Assistance Act authorized $40 million for the 4-year period—fiscal 1967–70—for grants to public or private nonprofit agencies or institutions towards the cost of construction of any medical (health) library facility. The Federal contribution under this law may not exceed 75 percent of the necessary cost of construction. Section 393 of this act authorizes the construction of health library facilities per se, without reference to educational, teaching, or research functions. It is the only Federal construction program which can provide for medical library and information facilities needed for nonteaching, nonresearch institutions such as hospitals, clinics, community health service programs. Through fiscal 1970 the National Library of Medicine will have provided 11 construction grants for health school library construction, totaling $11.25 million. While the 330,000 net square feet of new library space provided by this small number of projects will have a considerable value to the Nation, the contribution from this and other Federal programs does not begin to meet the need identified in 1965 and since reaffirmed. For this reason the committee endorsed provisions to increase the yearly funding authorization from $10 million to $11.5 million in fiscal 1971, $14 million in fiscal 1972, and $16.5 million in fiscal 1973; to provide $42 million for construction, renovation, and expansion of health library facilities for the period July 1, 1970, to June 30, 1973.

Training in medical library sciences.—The Medical Library Assistance Act of 1965 authorized $1 million per year to support training grants and fellowships to train medical librarians and other much-needed information specialists. With the $4.5 million which has been appropriated in the National Library of Medicine has established approximately 20 training programs. Some of these provide training opportunities for medical librarians; others explore new ways of training individuals to organize and utilize the new information-processing technology to apply it to health fields. Still others support training for research careers in information fields. During the initial years of this program some 300 individuals will have completed training. While this is an encouraging beginning it does not begin to meet the identified need. In 1965 there were approximately 6,000 medical libraries in the United States with fewer than 3,000 trained librarians or other appropriate persons to staff them. The committee endorsed provisions to increase the authorization ceiling to $1 million per year to $2 million in fiscal year 1971, $2.5 million in fiscal year 1972, and $3 million in fiscal year 1973, with the expectation that this program, now that it is well established, can expand to provide large numbers of the skilled library and information personnel needed.

Special scientific projects and research and development.—The authorities for these programs under the Medical Library Assistance Act have permitted support and encouragement of useful projects to explore the needs and preferences of health workers for information services and to encourage and support the development of new systems and techniques. The committee believes that a research program at the current level authorized, $500,000 per year for special projects and $3 million per year for research development, and demonstration projects will permit an adequate level of activity, provided the funds are appropriated. The committee took note of the fact that, while $12 million was authorized for research and development during fiscal years 1966–69, only about $5.3 million was appropriated. It is the opinion of the committee that appropriated funds be used for contemporary health problems such as alcoholism, drug abuse, population control, and environmental health.

Grants for library resources.—The Medical Library Assistance Act authorize $3 million a year for this program, which has received enthusiastic endorsement from witnesses testifying in behalf of H.R. 11702 and related bills. In its initial years of development, this mechanism has been shown to be an effective one for encouraging medical and other health libraries to acquire the documents, materials, staff, equipment, and systems to permit them to provide better services. However, the $9.7 million which has been appropriated and expended for such grants does not begin to approach the need, reported in 1965 as in excess of $100 million for medical library collections at that time. This program should be expanded. H.R. 11702 would provide for such expansion, authorizing $15 million during the 3-year period of the extension. At the same time the committee wishes to emphasize that expanded, support through this program of grants for library resources should not replace local support for health libraries. H.R. 11702 retains the $200,000 ceiling on individual grants specified in the current act, and requires assurance of adequate continuing financial support for such libraries or instrumentalities during and after the period of Federal assistance. Related to this expansion, the bill would also provide authority to permit the establishment of new collections. With increasing emphasis upon continuing education of local health service personnel, such new information centers can contribute significantly to the information resources available for this crucial function.

Grants for regional medical libraries.—H.R. 11702 would increase the authorization for support for regional library service programs from $2.5 million to $3, $4, and $5 million per year, providing a total of $12 million for the 3-year period of the extension. The current authorization would have provided a maximum of 12.5 million for fiscal 1966–70. During fiscal 1966–69, $3.2 million was appropriated for regional library programs. The committee recognized that efforts to encourage and support the development of cooperative, coordinated programs to share information resources within large geographic regions of the United States is a complex task which would necessarily proceed slowly. Progress under the current legislative authority has been very encouraging; the response of the health library community in its voluntary efforts to work with this program has been enthusiastic. Eight of 10 planned grant-supported regional library programs have received their initial awards. This program has shown that it is possible by sharing library resources to improve the quality and speed of health information services to users of health information who are geographically remote from centers for such services. Such a system can also avoid the costly duplication of specialized or unusually complete collections of health literature. Regional library programs can not only provide conventional library services but can also serve as catalysts to encourage and develop needed innovations and improvements to the kinds of services available to health practitioners.

With the expectation that the transition must soon occur to the provision of full regional library services, and that preparation for special efforts to reach geographically isolated health workers and their institutions will soon begin, it is evident that this program requires substantially greater support than that which has been available under the present law. Continuity of support is essential for this program. Extension of this authority for less than 3 years would, in the opinion of the committee, be detrimental to its effectiveness.

Other amendments provided by H.R. 11702 for this program would help to assure effective administration and improve the responsiveness of this program to the ultimate user of information services. Support of planning activities is particularly important since an accurate knowledge of the health information resources and needs of the region is the only sound base upon which to plan a realistic program which will meet local needs. H.R. 11702 would also permit the selective use of the contract mechanism for certain specific activities which require direct guidance by the National Library of Medicine, such as MEDLARS and other computer-based services.

Support of biomedical scientific publications.—The committee noted that one of the problems which led to passage of the Medical Library Assistance Act was the rapid, accelerating growth of the volume of health documents and information which had to be processed. The Congress recognized that simply to make primary health literature available as it is published is not enough to assure the efficient flow of vital information from its point of generation to the ultimate user. It is also necessary to categorize and analyze this literature and provide locating devices to make it possible for each health worker to find the information which meets his individual needs. Such locating devices include universal and selective abstracting and indexing services, and annual, updated, and critical reviews of the literature for specific subject areas. To encourage the support of such worthwhile activities, H.R. 11702 maintains the authorization for the selective support of health-related publications at $1 million per year or $3 million during the 3-year period of the extension.

Mr. YARBOROUGH. Mr. President, I support the passage of H.R. 11702, the Medical Library and Health Communications Assistance Amendments of 1969. The Labor and Public Welfare Committee reported the House passed bill, H.R. 11702, after substituting the provisions of of S. 2549, a bill which I introduced, in an amended form.

The reported bill would amend the Public Health Service Act to improve and extend the provisions relating to assistance to medical libraries and related instrumentalities. Its principal purpose is to extend for 3 years the current programs providing financial assistance for construction of medical library facilities; training of biomedical librarians and information specialists for service and research; expansion and improvement of health library resources; projects of research, development, and demonstrations in medical library science and health communications, and related special scholarly scientific projects; and development of regional medical library programs. For these purposes, a total of $90 million is authorized for 3 years.

There is a vital need to assist the orderly growth of our country's health communication resources. At the frontier of interdisciplinary research, traditional information services are no longer adequate. New ways of organizing and presenting information must be developed. At the educational frontier, where students must learn so much in so little time, modern technologies for information transfer must be employed. At the health service frontier, there is an even greater challenge, that of communicating the new medical knowledge to those who minister daily to the Nation's health in the hospitals, medical offices, sickrooms, and other places where illnesses are diagnosed and treated.

Mr. President, I urge passage of this bill because it will provide assistance where needed and stimulate the formulation and adaptation of new ideas and new concepts for making health information available.

Mr. PROUTY. Mr. President, the bill now before us, H.R. 11702, as reported unanimously by the Committee on Labor and Public Welfare, renews a commitment which began 4 years ago with the enactment of the Medical Library Assistance Act of 1965.

At that time we recognized that the rapid surge in medical knowledge required innovative information storage and retrieval methods and Federal assistance to medical schools and hospitals so that the most up-to-date information would be available to all.

In hearings on this measure, I was most impressed by the testimony of Stephen McCarthy, executive director of the Association of Research Libraries. Commenting on the bill, Mr. McCarthy made an excellent observation when he said:

> It is not a bill for medical librarians, nor is it, in its final purpose, a bill for medical libraries. Instead it is an integral part of the national effort to provide improved health care by strengthening the information agencies that serve the medical profession. The objective of better medical and health care must be sought along many avenues simultaneously.

I agree with Mr. McCarthy's observation and share his view that this measure is part of our overall strategy to deliver the benefits of modern medicine to all Americans. To do this we must provide up-to-the-minute information to all areas of the country.

I call my colleagues' attention to the benefits accrued through the regional medical library program, which has brought Vermont and all the New England States into a network of knowledge called the New England Regional Medical Library Service.

Looking ahead, I envision through continued programs new ways of sending the latest medical information from information centers to outlying areas.

Our methods for disseminating medical information must be as modern as the information itself if all Americans are to benefit from the advances in medicine.

In concluding, I would point to one amendment offered by the minority and unanimously accepted by the Health Subcommittee. This amendment allows some transferability among the six major programs in this measure. I believe this amendment will prove of great benefit, in that it will permit a flow of funds to areas of most critical need.

I believe that in the past 4 years, the wisdom of the Congress in enacting the Medical Library Assistance Act has been proven. I urge my colleagues to approve the measure before us as reported by the Committee on Labor and Public Welfare.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. ELLENDER. Mr. President, these two retirement bills are important bills. I wonder what cost would be entailed.

Mr. MANSFIELD. The first bill that was passed concerning the equalization of retirement benefits for uniformed officers of the Public Health Service would apply, I understand, to about 20 persons annually with an added annual cost of about $38,000.

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Mr. ELLENDER. Are those retirement benefits?

Mr. MANSFIELD. They are the annual added retirement benefits of commissioned officers of the Public Health Service.

Mr. ELLENDER. Would that be in addition to what they are now receiving?

Mr. MANSFIELD. About 20 officers of the Public Health Service a year would get the benefits now obtained by Army, Navy, Marine Corps, and Air Corps officers; this proposal would make them equal.

Mr. ELLENDER. Mr. President, were the bills unanimously reported?

Mr. MANSFIELD. They were.

Mr. ELLENDER. What does the bill, with respect to the medical libraries, entail?

Mr. MANSFIELD. Mr. President, H.R. 11702 would increase the total authorization for funding for these programs from the current $21 million a year to $25 million in fiscal year 1971, $30 million in fiscal year 1972, and $35 million in fiscal year 1973.

In addition, certain technical clarifying amendments were proposed in the bill.

Mr. ELLENDER. That is merely authorization.

Mr. MANSFIELD. The Senator is correct.

Mr. ELLENDER. That pertains to the furnishing of medical books to libraries and services throughout the country.

Mr. MANSFIELD. The Senator is correct.

Mr. ELLENDER. Mr. President, Members of Congress are sometimes prone to forget that every bill which is enacted involves a lot of money.

Mr. MANSFIELD. Every single one.

Mr. ELLENDER. The first bill that was passed, S. 2452, would involve a considerable increase for retirement over the amount now provided.

Mr. MANSFIELD. The Senator is correct. It would add about $38,000 annually. However, it would bring these Public Health Service commissioned officers to parity in relation to commissioned officers of other services.

Mr. ELLENDER. We are trying to provide parity for everyone. Some of these increases are going through automatically without hearings by Congress. I am opposed to the delegation of congressional authority over pay and retirement matters to the President, or to some Presidentially appointed commission.

It is my belief that matters on this subject ought to be carefully studied by the appropriate committee rather than having Congress enact them without hearings or presentations.

Mr. MANSFIELD. Mr. President, there are two factors to be considered. One is that the measures have been cleared unanimously on both sides. Otherwise, they would not have been brought up for consideration. Second, the Senator will have a chance in the Appropriations Committee to go into the measures again and in greater detail.

Mr. ELLENDER. Mr. President, along that line I would point out that similar legislation has been enacted from time to time for the benefit of military retirees as well as the civil service. Recently, the trend has been to remove congressional control from civil service benefits, and I am hopeful that trend can be reversed. The concern in recent years has been with the bringing about of "parity" between the benefits of Government and private employment. Congress has been quite liberal in this regard for the past 6 or 7 years. Everybody has been helped out, except maybe the taxpayers.

As a matter of fact, many private employers believe that Congress has overreached itself in the scramble for "parity." Many pay scales are now below those approved for the civil service.

It must not be forgotten that the military retirement program is now closely tied to the civil service benefits. This adds to the cost tremendously. Not too many years ago, military retirement costs amounted to about $190 million annually. It now has reached almost $3 billion a year.

I was looking at the amount the other day. I developed information on this point during hearings on the defense appropriations bill. If we were to stop inducting soldiers this year and just had to pay those who are entitled to retirement, it would cost the Government more than $80 billion to settle the current debt.

Mr. President, I ask unanimous consent that a table I had prepared for inclusion in the Record of the defense appropriations hearings on the fiscal 1970 appropriations bill be printed at this point in the Record. Congress should be apprised of what we will be faced with in the future, whether or not further increases are granted.

There being no objection, the table was ordered to be printed in the Record, as follows:

MILITARY RETIRED PAY

Fiscal year	Average number of retirees (thousands)	Average cost per man	Total cost (millions)	Unfunded "past service" liability (millions)
1969	694.6	$3,527	$2,450	$83,616
1970	759.6	3,600	2,735	86,332
1971	820.0	3,600	2,952	88,922
1972	880.0	$3,600	$3,168	$91,383
1973	940.0	3,600	3,384	93,710
1974	1,000.0	3,600	3,600	95,899
1975	1,060.0	3,600	3,816	97,956
1976	1,111.0	3,600	4,000	99,886
1977	1,162.0	3,600	4,183	101,698
1978	1,210.0	3,600	4,356	103,397
1979	1,255.0	3,600	4,518	104,991

Assumptions:

1. No future pay or price index increases.
2. No change in retirement laws.
3. No change in retirement patterns.
4. A continuation of a total active duty military force of approximately, 3,450,000.

LEGISLATIVE BRANCH APPROPRIATIONS, 1970

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 476, H.R. 13763. I do this so that the bill will become the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The Assistant Legislative Clerk. An act (H.R. 13763) making appropriations for the legislative branch for the fiscal year ending June 30, 1970, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, for the information of the Senate, no action will be taken on the legislative appropriation bill this afternoon. We have no further business to consider, but on the possibility that there may be Members who wish to make some remarks, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RETIREMENT OF JUSTICES AND JUDGES OF THE UNITED STATES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order of Thursday, making Calendar No. 445, S. 1508, the pending business, be vacated, and that the measure, as such, be put back on the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Bayh in the chair). Without objection, it is so ordered.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 1 o'clock and 12 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, October 21, 1969, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate October 20, 1969:

Office of Economic Opportunity

Wesley L. Hjornevik, of Texas, to be Deputy Director of the Office of Economic Opportunity.

In the Army

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be general

Lt. Gen. Lewis Blaine Hershey, 579-52-4352, Army of the United States.

EXTENSIONS OF REMARKS

THE COP-OUT MORATORIUM

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Monday, October 20, 1969

Mr. THURMOND. Mr. President, most of the Nation's press has gone out of its way to present the October 15 moratorium as an event of great significance and importance for the cause of peace.

I do not believe that the moratorium did one thing to encourage the cause of peace. There was nothing in it which would encourage Hanoi to soften its demands or to bring it closer to the negotiating table.

However, the press attitude on the moratorium was by no means unanimous. The Columbia Record, the evening newspaper in Columbia, S.C., and one of the distinguished newspapers in our State, published a very sound analysis on the eve of the moratorium. The Columbia Record has a fine reputation for realistic analysis of national and international events and in its editorial entitled "The Cop-Out Moratorium," it does not fail its reputation. The Record says:

> The strength of the "peace movement" in legislative halls and on big city streets, has already prolonged the war, seriously impaired the negotiative power of the U.S. and South Vietnamese governments and cast enduring doubt on the American will to fulfill written and verbal agreements to free people anywhere in the world.

The Columbia Record quite frankly points out the long-range prospects of the fall of South Vietnam to Communist control. The Record says that Europeans, for example, have said that Americans cannot be depended upon to defend Europe. And not only the defense of Europe would be put in doubt; our credibility in Japan, Indonesia, India, Pakistan, Australia, Latin America and any other country would be in great doubt. The Record says:

> Watching the "peace" demonstrations tomorrow, they must—with great sadness—redesign their internal security plans, resurvey their military, diplomatic and economic arrangements with the rest of the world.

Mr. President, I regard this editorial as a major statement of opinion from South Carolina, and I ask unanimous consent that it be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The "Cop-Out" Moratorium

The eyes of Washington and Hanoi will be fixed on the hundreds of places tomorrow where thousands of idealistic youngsters and elders will observe a "moratorium" on the Vietnam War. But there will be pragmatic watchmen in the towers of our nation as well, assessing the short-range and long-range effects of the unusual demonstration.

In the beginning, there can be no doubt about what the overwhelming majority of the participants want. It is not just "peace in Vietnam," an objective shared by President Nixon, but immediate and unconditional withdrawal of American troops—in brief, surrender.

The President desires "peace" as expeditiously as any of the protestors. That's neither the question nor the point. (Former Vice President Humphrey, acutely conscious of the position the U.S. is forced to occupy in today's world and of the complexities of Vietnam, has endorsed Mr. Nixon's peace program.) The question is (a) whether the U.S. will disengage with honor in Vietnam, or (b) withdraw immediately, dragging the red-white-and-blue colors in the sandy soil, dirtied, for the whole world to see.

Those who believe that a great power like the U.S. can blow the bugle, assemble its troops in airborne or seaborne carriers and bring them home unconditionally and immediately may well dwell in some euphoric land where all is unreal, where all men love "peace." They dream the dreams of a psychotic.

The strength of the "peace movement," in legislative halls and on big city streets, has already prolonged the war, seriously impaired the negotiative power of the U.S. and South Vietnamese governments and cast enduring doubt on the American will to fulfill written and verbal agreements to free people anywhere in the world.

Beyond the moratorium, what? A weakened U.S. posture in Paris, where Communist negotiators have rightly predicated their intransigence upon growth of the "peace movement" within this country. Based on their parlayings with the French and the decay in Paris, they have placed their bets well.

President Nixon's options have been considerably reduced; including the virtual elimination of any military redress to hasten a peace settlement. The sole remaining question is how much honor can the U.S. salvage when it comes home from Vietnam? Can it insure, as it has pledged, free determination by the South Vietnamese of their own government? Or will the U.S., and South Vietnam, be forced to accept a government that will be directly or indirectly Communist? Will the South Vietnamese people be forced to serve under totalitarian rulers and subjected to a bloodbath?

The long-range doubt is even more frightening. For a number of years, Charles de Gaulle of France spoke quite frankly to Europeans and said that Americans could NOT be depended upon to defend Europe. How right he might have been. Those who participate in the moratorium tomorrow either believe, or are inclined to believe, that the U.S. should withdraw to a Fortress America.

Berlin doesn't matter. Yugoslavia doesn't matter. Rumania doesn't matter. Nor France, Italy, Denmark, Sweden, Norway, Finland, Belgium, the Netherlands, Britain. Should the Soviet ground forces roll, let 'em roll! What happens in Europe is none of our business.

Japan doesn't matter. Indonesia, India, Pakistan, Laos, Thailand, the Philippines, Australia.

Brazil doesn't matter. Nor Argentina, Chile, Uruguay, Panama, Ecuador, Peru—all of Central America, South America and the Caribbean.

Israel doesn't count. Why should we intervene in the affairs of the Middle East. Let Israel and the Arab states settle their own affairs. But, above all, don't get us involved! No more Vietnams!

Ethiopia doesn't matter. It's only a squiggly line on Africa—a whole mass of squiggly lines with names that don't concern us. Nigeria, Biafra, the Congo (and which is which?), Rhodesia, South Africa, Liberia, Tanzania, etc.

What does matter? The continental United States. It is perhaps even true that two of the states, in the attitudes of the New Isolationists, can be written off. Hawaii is far, far off in the Pacific; and didn't we have a frightful Second World War that began at Pearl Harbor? And frigid Alaska, with its new-found oil, couldn't it really be written off?

Direct attack upon the continental U.S. itself might—just MIGHT—stir the New Isolationists to consider serious military action.

The foregoing thoughts are not ours alone; they are serious thoughts of serious men in the foreign ministries of the world, who must be concerned about the security of their own countries. Some possess written promises of the United States: they wonder, today, whether the words have any meaning whatsoever. Watching the "peace" demonstrations tomorrow, they must—with great sadness—redesign their internal security plans, resurvey their military, diplomatic and economic arrangements with the rest of the world. The United States, many will conclude in the language of the youngsters who demonstrate tomorrow, is "copping out."

PLANNING METHOD FOR OUR WATER RESOURCES

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. COHELAN. Mr. Speaker, Dr. Paul Taylor of Berkeley is an expert in the field of the control, development, and utilization of water resources.

Dr. Taylor has, on numerous occasions, spoken out on the proper planning method for our water resources. The statement I am submitting for the Record was Dr. Taylor's statement before the Water Resources Council in September of this year. I am pleased to insert Dr. Taylor's comments in the Record at this point.

Statement by Paul S. Taylor to Water Resources Council

1. My name is Paul S. Taylor and I reside in Berkeley, California. Between 1943 and 1952 I served as consultant on water matters in the Department of the Interior, and have continued this interest ever since. This statement focussing primarily on western reclamation, represents my personal views.

2. Regrettably, administrators of water resource development overlook too easily the fact that the purpose of reclamation is "to benefit people, not land." The relevance today of these 1958 words of the Supreme Court is emphasized by the 1966 statement of Gilbert F. White, Chairman of the Committee on Water of the National Research Council of the National Academy of Sciences, pointing out that "the management of water resources has evolved to a stage where planning should center upon the needs of people rather than upon water per se. This viewpoint implies that a broad range of alternatives must be considered before a decision is made to develop a water resource. To deal effectively with the increasingly complex nature of the decision process, new institutional arrangements may be needed to take account of intangible as well as

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tangible objectives." (Preface, Alternatives in water management.)

3. His Water Committee added explicitly:

> The effects of water decisions . . . have to do with the total net benefits to society regardless of who receives benefits or who is adversely affected. A different dimension, too long neglected as a matter of systematic analysis, has to do with the distribution of benefits among persons and among areas . . . there should be explicit consideration of the distributional effects of water decisions. (Ibid., 29)

4. The principles that people should benefit from development of water resources and that the benefits should be distributed widely among them are not new. They rest upon the historic foundations of the national conservation movement. The first Governors' Conference on Conservation declared in 1908:

"We agree that the sources of national wealth exist for the benefit of the People, and that monopoly thereof should not be tolerated." (Gifford Pinchot, Breaking New Ground, 351.)

5. It would be unnecessary to repeat these principles now, except that they are so largely unobserved in current practice. Reclamation is a prime example. The excess land provisions of reclamation law, the instrument for distributing benefits of water resources development widely among people, is honored mainly in the breach. A Secretary of the Interior confessed to Congress in 1964 that "both Congress and the executive branch have on occasion exhibited a degree of concern for the excess-land owner which may be difficult to reconcile with the policies embraced by the excess land laws." (Acreage limitation policy: study prepared by the Department of the Interior pursuant to a resolution of the Senate Committee on Interior and Insular Affairs, 88 Cong., 2 sess., xiii.)

This confession—an understatement—has not been followed by visible improvement of administration by the Interior Department.

6. A first essential for return to the fundamental principles of conservation is the will to abide by them. Given the will, legal techniques are at hand for achievement of results in harmony with the principle that people shall benefit widely.

7. Present law requires landowners on reclamation projects to empower the Secretary of the Interior to sell their lands in excess of 160 acres at pre-water prices. We should empower the Secretary to buy these same excess lands. This has been recommended often, beginning with the Governor of Montana in the early nineties, followed by the famous Fact Finders Report of the Coolidge era, by the Veterans of Foreign Wars of the United States and California Labor Federation in the forties, and by the National AFL-CIO, Northern California Council of Churches and Sierra Club in the sixties.

8. Government purchase of excess lands would facilitate achievement of true public objectives for water development:

(a) Enforcement of reclamation law by providing owners of excess lands with a ready market.

(b) Publicly planned open spaces and agricultural greenbelts preserved from encroachment of suburban sprawl and slurb, through regulation of land use upon resale or lease.

(c) Assignment of incremental land value revenues arising from public investment in public resource development to public purposes, such as—

(1) "Water grants" for education, in the tradition of land grants for education.

(2) Enrichment of the National Conservation Fund.

(3) Enrichment of the National Treasury.

9. The Nation should discontinue policy and practices described by Major General Jackson Graham in these words:

"Is a man entitled to buy up, settle or promote a chunk of desert and then demand that his government bring water to him from the general direction of the North Pole?" (Wildlife Management Institute, Outdoor News Bulletin, May 24, 1968, 2.)

COMMUNIST CHINA: A POLITICAL ASSESSMENT

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Monday, October 20, 1969

Mr. SCOTT. Mr. President, because there are so few calm, dispassionate examinations of Communist China these days, I am happy to recommend to Senators, and to all interested in the Peking regime, an article, entitled "Communist China: A Political Assessment," written by Dr. James T. Myers, of the University of South Carolina. The article appears in the booklet, entitled "Twenty Years of Tyranny: Communist China 1949–69," published by the Committee of One Million, on whose steering committee I serve.

Dr. Myers, who has authored a number of articles about Communist China and is fluent in Chinese, examines the record of Mao Tse-tung from October 1, 1949, to the present. He traces the euphoric early years, the growing disillusionment, the failure of the great leap forward, and the terror and anarchy produced by the great proletarian cultural revolution. Dr. Myers concludes:

> The Maoists' grand schemes, such as the Great Leap Forward and the Great Proletarian Cultural Revolution, have wreaked havoc with the political, economic and educational systems. The damage will require decades, at least, to repair. Any Chinese leader, of whatever political persuasion, will be faced with the necessity of devising practical political programs to deal with these problems. Despite the undeniable technical accomplishments, especially in the early years, one sees overall a record of squandered human resources and political resources of support both within the Party and without, which if not unprecedented, must still be recorded as gross political ineptitude or outright stupidity. China still needs today, as she needed in 1949, political leaders who are able to bring internal peace, stability and a measure of prosperity to this vast and potentially great nation and great people.

Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks Dr. Myers' probing analysis, entitled "Communist China: A Political Assessment."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COMMUNIST CHINA: A POLITICAL ASSESSMENT

(By Dr. James T. Myers)

THE EARLY YEARS

On October 1, 1949, Mao Tse-tung stood atop the ancient Gate of Heavenly Peace in Peking to proclaim the establishment of the Chinese People's Republic. This joyous occasion for the Communist leaders marked the end of a grim and prolonged struggle which had seen the Communist forces suffer many years of bitter defeat and adversity. The years prior to the war against Japan had indeed been hard and cruel. But the hard years had been years of building and consolidation of the Chinese Communist Party (CPC) as well, and had been capped by the Red Army's stunning successes in the field against the legions of the Kuomintang.

If one could select a single phrase to represent the spirit of the first years of the Communist regime it would be "New China," the epithet used everywhere in place of the formal name of the new regime. The spirit of these first years was precisely the spirit of "new"; of sweeping away the old and advancing with giant strides into the future. When Chairman Mao made his famous statement at the ceremonies marking the founding of the new government, "Our nation will never again be an insulted nation. We have stood up!" or when he spoke in 1950 of the "founding of our new country," Chinese of a broad variety of political persuasions displayed pride in the resurgence of Chinese political power and a national unity which had eluded the suffering Chinese for over a century.

A "PEOPLE'S REPUBLIC"

Observers of the Chinese Communist movement in 1949 spoke of its vigor and dynamism and of the unity and dedication of the Chinese leadership. Nor was the leadership of the new government, in theory, to be exclusively in the hands of the Communist Party. As a "People's Republic" the country was to be ruled by a coalition of classes, represented on the new Chinese flag by the four small stars around the large star of the Communist Party. The Political Consultative Conference, convened at Peking in September, 1949, to serve as an interim legislative assembly, contained a great many persons representing non-Communist parties and organizations. It was the members of the "democratic united front" groups and other non-Communist elements who were expected to provide a large share of the technical and managerial expertise which the new regime would require.

As Chinese with nationalistic feelings, these "democratic personages" may have rejected much of the Marxist dogma and many elements of the Communist program for China as well. But they shared a common desire to see China restored to her former greatness and they saw the Communist revolution as the most likely vehicle then available for the achievement of their aims. Though they failed to share the ultimate goals of the Communist movement, if, indeed, they actually perceived the nature of these goals, they joined forces with the movement in the spirit of a joint venture for the future of China. Individual non-Communist intellectuals and other technical and managerial elites who stayed behind on the mainland or who returned there from other parts of the world, may or may not have liked the leadership and programs of the Chinese Communist Party, but they felt they could work with the Communists and were willing to put their trust in the Party for the task of building a new China.

Likewise the Party enjoyed the confidence of its own membership. 1949 marked the zenith of the power and the prestige of Party Chairman Mao Tse-tung and was, perhaps, the high water mark of Party unity, discipline, and shared confidence as well. The public documents of the early years reflect an apparent genuineness, an elan, the evidence of confidence that important new accomplishments lay just over the horizon. In addition, Communist China immediately gained a powerful ally in the Soviet Union. Though Communist China became the junior partner in a somewhat unequal relationship, her leaders clearly looked to the heartland of Marxism-Leninism for support, both spiritual and material.

It was with these considerable resources of faith, dedication and trust, then, that the leaders of the Chinese People's Republic embarked on the path of building a new socialist China.

Though trained and educated non-Communists were willing to join with the Communists in rebuilding mainland China, mere acquiescence or neutrality toward the regime was not considered by the Party to be a sufficiently reliable political attitude. Mao Tse-tung's dictum that "neutralism is a camouflage" applied to internal politics as well. It was not enough that the non-Party elites were willing to go along with the plans of the new regime. Communist doctrine provides for temporary alliances with nationalist elements which serve a "progressive" role in bringing about the collapse of the old order. That doctrine does not, however, accept the nationalist goals of these elements, nor does it allow for a permanent alliance with them. Early in the life of the regime, therefore, non-Communist elites began to feel the pressure of conformity, a pressure fully backed by the coercive power of the state.

The "Suppress Counter-Revolutionaries Campaign" which began in 1951 marked the first organized attempt by the Communist leadership to bring leading non-Communist elements to heel. As Mu Fu-sheng observes:

"There can be little doubt that the Communists wanted to get rid of all leadership and prestige except that of the Communist Party, hence missionaries, heads of schools, great businessmen and anyone who commanded respect, were—whether innocent or guilty by the legal standards of the non-Communist world—charged, imprisoned, humiliated in public, and then expelled or 'liquidated'."[1]

This movement was followed in 1952 by the "Three Anti" and "Five Anti" campaigns. The "Three Anti" was directed primarily at non-Communists working in the government, although Party members were, to some extent, affected as well. The "Five Anti" was directed primarily at owners and executives of commercial and business enterprises which had not been completely taken over by the government.

Unable to withstand the pressure of the campaigns and finding it impossible to escape, many Chinese chose death by suicide. So numerous and widespread were the suicides, that it was rumored that people in the commercial center of Shanghi were afraid to go out of their houses lest they be hit by falling bodies. While the campaigns were theoretically directed at the two categories of persons described above, they were, in fact, as Mu Fu-sheng observes, used "to crush anyone the regime found objectionable, and charges, based upon mere suspicion and anonymous informers and supported by flimsy evidence, were brought against the enemies of the government."

Despite the brutality of the drives of the early 1950's, mainland China's leading non-Communist elements were not entirely liquidated. They were, however, clearly put on notice that the regime lacked no reluctance to use force and terror against them; a lesson they would not easily set aside when later offered the opportunity to voice their discontent.

THE HUNDRED FLOWERS AND THE GREAT LEAP FORWARD

The alienation and discontent of the educated non-Communist Chinese remained for the most part submerged in the several years following the terroristic drives of 1951–1953. Indeed, it appears that the Communist leaders believed that the "democratic personages" had been won over to the Party or at least to have come under the Party's sway and control. How gross a miscalculation this proved to be was revealed in the spring of 1957 when, for a few brief weeks, the Hundred Flowers blossomed forth.

The concern expressed throughout the Communist world, combined with the unrest in East Europe following Khrushchev's "de-Stalinization" speech in February, 1956, prompted Peking to issue two long political statements in which, for the first time, Mao Tse-tung appeared to be making an attempt to assert his ideological leadership on an international scale. The implied message of these statements, penned in April and December, 1956, was that if the fraternal Parties had the wisdom to practice the Chinese Communist "style of leadership" and "method of work," their own internal affairs would suffer no serious disorders. Internally, at the same time, the Chinese Communists launched an attempt to allow for, indeed to encourage, greater intellectual dissent and debate. Although some analysts have seen the call for criticism as a trap to smoke out the remaining dissidents and malcontents among intellectual circles, the weight of the evidence would seem to indicate that the Communist leadership believed the intellectuals to be fully under control if not ideologically "remolded" as well.

Throughout 1956 and the early months of 1957, the call for "100 flowers" to blossom and "100 schools of thought" to contend for acceptance met with only limited response. Cautious intellectuals, having earlier felt or seen exhibited the full coercive power of the state, displayed no eagerness to become martyrs to a hopeless cause. Only after several apparently genuine indications of the Party's desire for criticism did the bottled-up discontent pour forth in the spring of 1957. Instead of the mild criticism which the Party leaders hoped for and expected, however, the intellectuals responded with a torrent of abusive denunciation.

Members of the "democratic" parties complained that they were mere window dressing and that the coalition government was a sham. They denounced the Communist Party's monolithic structure and the arrogance with which the Party assumed responsibility for all important state decisions. Intellectuals in all areas of academic endeavor attacked the meddling and interference of Party cadres, claiming that academic matters should be handled by academic persons. In general the criticism of the Hundred Flowers period saw the omniscience of Chairman Mao questioned, and the Communist system and Party subjected to close inspection—and found wanting. The response of the Party was to institute yet another drive against the intellectuals—the "Anti-Rightist" campaign—in which the offending critics were either criticized; held up to public ridicule; scorned and ostracized by their frightened colleagues; "sent down" to the countryside (as a part of the *hsia-fang* or "downward placement" movement), or shot.

Although the Party had apparently squandered the tremendous reservoir of support available among non-Communist intellectual circles, the Party itself appeared to react to the criticism of the Hundred Flowers period with solidarity and singleness of purpose. Both the right and left wings of the Party joined to suppress criticism, the vast majority of which came from non Communists elements. Later developments revealed, however, that the Party had already been suffering from serious internal strains and tensions by the summer of 1957—a condition rendered considerably worse by Mao Tse-tung's Great Leap Forward in 1958.

It is clear from material now available that throughout 1956 and part of 1957, a bitter and divisive debate developed within the top ranks of the Communist Party over the character and thrust of the second five-year plan, which was to begin in 1958. Party Chairman Mao Tse-tung sought to recast the entire economy, to achieve a Great Leap Forward by organizing the labor power of millions of human beings. Mao's Great Leap was eventually put into effect over what appears to have been substantial, although not decisive, opposition within the highest circles of the Party.

The Great Leap was, in almost every respect, a complete failure, bringing not only a calamitous disruption of the Chinese economy but an increasing awareness among many top Chinese Communist leaders that Chairman Mao and the great "Thought of Mao Tse-tung" were inadequate to the task of leading Communist China along the path of national reconstruction and political stability. By the time the Central Committee of the Communist Party met in plenary session in December, 1958, the full extent of the Great Leap disaster was becoming apparent. Those who had opposed the scheme from the beginning, led by Minister of Defense Marshal P'eng Teh-huai, were joined by others who had supported the Great Leap with varying degrees of reluctance. A general retreat from the radical programs of the Great Leap was begun and, more importantly perhaps, Mao Tse-tung was forced to step down from his position as Chairman of the Government, though not relinquishing his post as Chairman of the Communist Party.

The partial demotion of Mao Tse-tung, however, apparently was not enough for Marshal P'eng and his supporters. They pressed their attempt to have Mao's hands removed completely from the reins of power. The matter came to a head in September, 1959, when the Party Central Committee met once again in plenary session. While the majority of the Party leaders were willing to oppose Mao's radical domestic social and economic policies, the person and image of Chairman Mao were too intimately wedded to the whole fabric of Communist rule in China to have the Great Helmsman held up to public abuse or ridicule. The settlement reached at this meeting, therefore, represented a rather unstable compromise.

Marshal P'eng and a number of his high-ranking associates lost their Army and Government posts, although they were not officially expelled from the Communist Party and Marsal Lin Piao, Mao's strongest supporter at the meeting, was installed as Minister of Defense. In turn, assurances appear to have been given that more sober minds would direct the affairs of state than under the stewardship of Chairman Mao. The task of undoing the failures of the Great Leap fell to Liu Shao-ch'i, second-ranking member of the Communist hierarchy and newly-installed Chairman of the Government.

Even though Mao Tse-tung was not personally subjected to public criticism or held up to ridicule, he left the September, 1959 meeting considerably reduced in power and influence. The Mao mystique had been shattered. The Great Helmsman was no longer viewed by the inner circle of Party leaders as omniscient and omnicompetent, the leader who always arrived at the proper solution to difficult problems and who managed to maintain a unity of purpose and a consensus within his own leadership group. Moreover, the episode left the Party with divisions which, although papered over, would grow deeper and wider over the years which followed.

THE GLORIFICATION AND ABUSE OF CHAIRMAN MAO

In the six years following the September, 1969 plenary meeting of the Party Central Committee, two simultaneous developments accelerated the divisions within domestic political factions. First, Chairman Mao and his supporters intensified the campaign to glorify Mao and refurbish his tarnished image. Chief among the purveyors of the now-expanded Mao cult were Ch'en Po-ta, Mao's long-time ghostwriter and personal secretary, and Marshal Lin Piao (later to become famous as the author of "Long Live the Victory of People's War"), the then newly-installed Minister of Defense.

It became the task of Lin Piao to rebuild the shattered unity of the People's Liberation Army (PLA), which had resulted from the purges of P'eng Teh-huai and a number of

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[1] Mu Fu-sheng, *The Wilting of the Hundred Flowers—The Chinese Intelligentsia Under Mao*, (New York: Frederick A. Praeger, 1969), p. 142.

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his high military associates. A principal element in the Lin strategy was the attempt to infuse the ranks of the PLA with a deep and thoroughgoing loyalty to the Party and to Chairman Mao. Given the serious damage which had been done to Mao's prestige and personal image by the failure of the Great Leap and subsequent attacks by the P'eng Teh-huai group, the glorification campaign assumed added importance. Mao's image and authority were central to the whole network of loyalties which the Communist Party had attempted to create since 1949.

The celebrations surrounding the tenth anniversary of the founding of the Chinese People's Republic, which followed the September plenary meeting by only one month, provided the first important opportunity for Lin Piao to reveal the thrust of the new campaign. In a major policy address, Lin affirmed the unconditional loyalty of the PLA to the Communist Party. Lin emphasized that the "predominant side" of military education must be the political side; that the PLA must "never forget politics" but must "emphasize politics," and that it was an army "in the service of politics."

The focus of Lin's campaign was further revealed in a collection of secret PLA documents.[2] The documents show the deep divisions and unrest in the ranks of the PLA as well as the extent of the campaign to politicize, reunify, and insure the loyalty of the armed forces. The attempt to build loyalty in the PLA received further impetus from campaigns to emulate army heroes who had displayed the proper level of devotion to the Party and Chairman Mao. The two earliest and perhaps best known of the heroes, who now number several score both living and dead, were Lie Feng and Wang Chieh (the latter being the famous "ever rust-proof screw"). Both died leaving diaries which showed them to have an unusually keen appreciation for and devotion to the thought of Chairman Mao. The diaries, which are marked by a rather obvious artificiality, should not be accepted at face value, but are illustrative of the type of model life which the PLA and eventually the rest of the Chinese were urged to emulate.

The progaganda surrounding the PLA heroes, especially the campaign to "emulate Comrade Wang Chieh," became an important element in the nationwide campaign to make the PLA and its personnel the models of proper Communist behavior for the entire country. The call rang out that "The Whole Country Must Learn From The PLA." A national conference of workers in commercial departments concluded that the working style of the PLA was "the basic attitude in perfecting commercial work." The young people of China were urged to "go all-out in learning from the PLA." In addition, political departments similar to those found in the PLA were established, first in industrial and communications ministries and later in other types of organizations, on the assumption that the "fundamental aspects of political work in the PLA were entirely applicable to the industrial and communications departments."

ADVANCE OF LIN PIAO

The thrust and purpose of these campaigns were closely related to the advance of Lin Piao's personal fortunes. Lin could scarcely fail to benefit from the growing position of prominence assumed by the PLA from 1960 onward. He could also expect to benefit from the fact that he was increasingly recognized as the person who correctly summed up and interpreted the thought of the Great Helmsman. That is not to say that Lin was playing a calculating game to advance his own political position.

There is no reason to believe that prior to the onset of the violent phase of the Great Proletarian Cultural Revolution Lin failed to share the goals of Mao Tse-tung and his supporters, including (a) re-establishment of Party authority within the military; (b) elevation of the PLA as the model of Communist behavior; (c) purge of troublesome intellectuals in Peking; (d) general tightening of control in domestic policies, and finally, for Lin personally, (e) the possibility of securing the removal of some important and high-ranking potential rivals for leadership.

This latter consideration was undoubtedly of considerable importance to Lin if he had serious political ambitions. He could scarcely have hoped to displace Liu Shao-ch'i, Party General Secretary Teng Hsiao-p'ing, or Premier Chou En-lai, nor to advance his own position substantially by siding with the moderates or anti-Maoists in the intra-party struggle already under way. By casting his lot with Chairman Mao, by becoming, in fact, the principal pillar of Maoist support, he could hope to gain the inside track for the top position in China once Mao was gone.

While Lin Piao and other supporters of Mao Tse-tung pressed their campaigns on behalf of the Great Helmsman, other factions within the Party pursued entirely different goals. Under the administration of State Chairman Liu Shao-ch'i and Party General Secretary Ten Hsiao-p'ing, the programs and machinery of the Great Leap continued to be dismantled and a general deradicalization in domestic affairs encouraged. Each attempt by the Maoist faction to re-introduce radical social or economic programs through the formal machinery of the Communist Party was either defeated or, if formally adopted, was handled by Party cadres who went through the motions and mouthed the proper slogans without giving the program any meaningful or substantive thrust. Indeed, the Maoist faction's growing reliance on the PLA as a vehicle to spread the Maoist-style revolution in Communist China in the early 1960's was in part dictated by their realization that the regular Party machinery had become thoroughly unreliable.

Nor was their belief in the unreliability of the Party machinery based entirely upon the Party's unwillingness to adopt radical domestic programs. Shortly after the close of the September, 1959 plenary meeting of the Party Central Committee, a subtle campaign pursued mainly through the literary devices of parable and satire was initiated to ridicule and discredit Mao Tse-tung personally. The two principal authors of the attacks, Ten T'o and Wu Han, were highly placed in the Communist Party hierarchy of the capital city of Peking. Wu Han was a prominent intellectual and Deputy Mayor of Peking. Teng T'o had been for six years, up to 1959, the editor-in-chief of the *People's Daily*, official news organ of the Party Central Committee, and subsequently held high posts in the Peking Municipal Committee and North China Bureau of the Communist Party.

The campaign came to light toward the end of 1965 when Wu Han came under fire as the author of an historical drama, "Hai Jui's Dismissal From Office." In this drama Hai Jui was presented as an upright official of the Ming Dynasty who fought for the interests of the peasants against the corrupt "retired Prime Minister" and his group. It was apparently clear to all who read this drama, as well as some prose pieces about Hai Jui also written by Wu Han, that Hai Jui represented the purged Minister of Defense P'eng Teh-huai, and that the corrupt "retired Prime Minister" was none other than Mao Tse-tung.

Perhaps the most abusive attack on Chairman Mao came in an article by Teng T'o titled, "Special Treatment for Amnesia," which contained only thinly disguised references to Mao's rumored mental instability. The author advised hitting the patient over the head with a special club to induce a state of shock.

The fact that the latter essay was published in *Frontline*, the official fortnightly journal of the Peking Committee of the Communist Party of China, points up a fundamental dissimilarity with the attacks of the Hundred Flowers period. The attacks of Wu Han and Teng T'o were attacks from within the Party. Wu and Teng were Communist Party intellectuals, writing in official Party journals, largely for the consumption of other Party intellectuals.

Moreover, these publications were under the jurisdiction of P'eng Chen, a member of the ruling Politburo, Mayor of Peking, and First Secretary of the Communist Party's Peking Municipal Committee. P'eng Chen occupied positions of great strategic and political importance as head of the Peking Municipal Government and leader of the one and one-quarter million member Peking Party organization. As First Secretary of the Peking Party Committee, P'eng Chen directed the affairs of more than seven percent of the entire membership of the Communist Party.

THE PARTY UNDER SIEGE

By the fall of 1965, a serious crisis had developed in the top echelons of the Communist Party. A number of policies had gone wrong for the leadership, and several potential conflicts had come to a head by November, 1965. In early October there had been a breakdown of Sino-Indian relations and the destruction of the Peking-oriented Communist Party of Indonesia. There had also been a collapse of the Afro-Asian conference following Peking's failure to have the Soviet Union excluded from the meeting. The Sino-Soviet conflict, which had been growing in intensity since 1956 as a result of the arrogant, belligerent attitude of Chairman Mao and his followers, had reached a new level of hostility by November, 1965. Peking declared that the conflict between the CPC and the Soviet Communist Party had become an "irreconcilable antagonism."

Perhaps the most important single factor precipitating the open outbreak of hostilities may be found in the events surrounding a high-level meeting of the Chinese Communist Party in September and October, 1965. Available evidence indicates that Mao Tse-tung made several proposals at this meeting which were either rejected outright or accepted and then not put into effect.

In general the tide in domestic affairs was running against the Maoist faction as the more moderate views of anti-Maoist groups held sway. Moreover, the summer of 1965 had brought the extraordinary appointment of the purged Minister of Defense P'eng Teh-huai to the position of Third Deputy Director of the Control Commission of the Party's Southwest Bureau and the appointment of his former subordinate, Huang Ko-cheng, the purged Chief of the PLA General Staff, to a position as Vice Governor of Shansi Province. These events, combined with the fact that the Party authorities in Peking continued to assume a highly protective attitude toward Chairman Mao's literary critics, must have indicated to Mao and his supporters that a strong group at the top level of the Party hierarchy had determined to resist any new tightening up, or radicalization, in domestic policy.

Failing to have his proposals accepted, Chairman Mao retired from Peking sometime in November and disappeared from public view for six months. When he did return to Peking in July, 1966, it was on the heels of a lightning military takeover of the capital city by his chief supporter, Defense Minister Lin Piao.

The Mao forces, with the support of the

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[2] The King Tso T'ung Hsun, (Work Bulletins [of the PLA], Translated in *The Politics of the Chinese Red Army*, J. Chester Cheng (Ed.), Hoover Institution Publications Stanford, California, 1966.

central military leadership, quickly purged imprisoned, or otherwise eliminated their opponents at the top level of the Party. The Maoists then turned their attention to the Party apparatus in the provinces which, in their view, had become totally unreliable. The revolutionary youth who had been cultivated over the years were organized into Red Guard units and dispatched to the provinces to take over, by force if necessary, errant Party organizations. They were to stage a total revolution in the Party and country—a Great Proletarian Cultural Revolution. The Red Guard movement met with stiff resistance, however, from well entrenched power holders in the provinces and failed to achieve the aims of the Mao faction. Indeed, by accentuating the existing divisions in the Party, the excessive behavior of the Red Guard may have made the ultimate victory of the Maoists far more difficult.

In a very real sense, the story of the Great Proletarian Cultural Revolution is the story of the ascendence of the military in Chinese Communist politics; a development treated elsewhere in these pages by a distinguished expert. It is, however, also the story of the destruction of the organized machinery of the Communist Party of China, the full magnitude of which is revealed in the statistics of the purges carried out over the last several years. The power vacuum into which the military has moved was caused by the removal of over forty of the ninety-three full members of the Party Central Committee known to be alive at the end of 1965—and the disappearance of a number of others.

Of the seventy-nine alternate members of the Central Committee, forty were purged. The purges also claimed three of the six First Secretaries of the Regional Bureaus of the Central Committee and twenty-one of the twenty-nine provincial First Party Secretaries. So complete has been the destruction of the party that, on the Provincial level, most Party headquarters were occupied by the army and the Party Committee ceased to exist as an operative unit.

Despite current attempts to rebuild the Party following the adoption of a new Party Constitution at the Ninth Congress of the CPC held in April, 1969, the military shows few signs of relinquishing the power it has inherited. At the provincial level, the "Revolutionary Committee" continues to be the relevant locus of political power, and the Revolutionary Committees continue to be dominated by the PLA. Should the Revolutionary Committees eventually develop into new subordinate committees of the Party, the likelihood exists that those presently holding power will simply continue to do so under new titles.

On the national level as well, the power of the PLA is evidenced by the unprecedented number of positions occupied by the military on the newly-elected ruling Politburo of the Communist Party. Therefore, while the Cultural Revolution has played havoc with the Communist Party and brought about the purge of a number of Chairman Mao's enemies, it has not resulted in the installation of units of government ready to respond eagerly to a Maoist call for the adoption of new radical social and economic programs.

ON THE EVE OF THE TWENTIETH ANNIVERSARY

The Chinese People's Republic approaches its twentieth birthday in a condition which can only fairly be described as exceedingly unstable. Despite Mao's apparent victory over his opponents within the Party, the possibility of the development of independent regional bases of power by Provincial or Military Area Commanders of the PLA remains a threat to central leadership. There is yet no evidence that key commanders have exercised a very high degree of independence from the central political or military authorities, but there is equally little evidence to suggest that they have been pushed to the point where they would be inclined to do so. Another potentially more serious problem is contained in the fact of the Maoist victory itself.

The political situation is bound to remain unstable as long as the Maoist inner circle can continue to manipulate Mao's image as a God-figure whose "Thought" forms the only reliable source of political wisdom, a source to which every one must at least pay lip service.

It is precisely the application of this "Thought" which brought forth the series of crises in recent Chinese Communist history. Indeed, it is strikingly incongruous that at the very time when the reputation of Mao's "Thought" has fallen to its lowest ebb in mainland China, when the Great Helmsman's revolutionary doctrine has been rejected by his life-long comrades-in-arms, this same doctrine has found widespread acceptance among radicals of various political colorations in the West.

The Maoists' grand schemes, such as the Great Leap Forward and the Great Proletarian Cultural Revolution, have wreaked havoc with the political, economic and educational systems. The damage will require decades, at least, to repair. Any Chinese leader, of whatever political persuasion, will be faced with the necessity of devising practical political programs to deal with these problems. Despite the undeniable technical accomplishments, especially in the early years, one sees overall a record of squandered human resources and political resources of support both within the Party and without, which if not unprecedented, must still be recorded as gross political ineptitude or outright stupidity. China still needs today, as she needed in 1949, political leaders who are able to bring internal peace, stability and a measure of prosperity to this vast and potentially great nation and great people.

PRIZES FOR TORTURE

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. WALDIE. Mr. Speaker, I recently received a strongly worded letter of rightful anger and frustration from a constituent regarding the apparent popularity in junior and senior high school science classes for experimentation with birds and other small animals, these inept experiments usually result in death and suffering to the animal as the experimenter is frequently unskilled and lacks proper equipment to perform the surgery called for in the experiment.

It is equally apparent, Mr. Speaker, that the science contests sponsored by private and federally funded foundations are encouraging this cruel experimentation by offering prizes and trips to young persons engaging in this practice.

I wish, Mr. Speaker, to submit an article from the New York Times of May 10, 1969, and from the Friends of Animals "Action Line" for inclusion in the RECORD, which more fully explains this sad situation.

The article follows:

[From the New York Times, May 10, 1969]

PRIZES FOR TORTURE

There is a growing fad among high school students to perform heart transplants, brain surgery and other radical experiments on animals. Among youngsters interested in science, this desire to imitate the more spectacular work being done by mature professions on the far frontiers of science is understandable. But it is a desire that must be brought under control.

High school students are not usually skilled enough to perform these difficult operations. They frequently end by torturing the helpless monkey or bird or rabbit or inadvertently sending it to a slow, lingering death. Adult scientists doing medical research sometimes have to perform painful animal experiments, but youngsters who do these botched-up imitations are not advancing the cause of medical knowledge.

Unfortunately, many adult organizations thoughtlessly encourage high school students to perform these atrocious "experiments." Science fairs at the local, state and national level often award prizes to students whose only real achievement has been the deliberate or inadvertent torture of animals.

High school science teachers and national organizations can bring this unhealthy fad under control by refusing encouragement and prizes for bizarre and inappropriate biological projects.

[From Friends of Animals]

ARE THE SCHOOLS IN YOUR COMMUNITY TEACHING CHILDREN TO BE CRUEL IN THE NAME OF "SCIENCE"?

Investigate the schools in your area and find out what projects involving animals are part of the curriculum or are encouraged by circulating information on the Westinghouse Corporation's Science Service organization. If you discover that live animals are used in classrooms or children are encouraged to experiment on animals at home or to participate in "science" fairs, you will want to go all out to enlist local newspapers in publicizing the cruelties and in getting parents to squelch the projects. Your Congressmen should learn that you do not want your tax monies spent in educating children to be cruel or callous about animal suffering. And, you may decide not to buy Westinghouse products. If so, let them know in writing at 200 Park Avenue, NYC.

As an example of the cruelty which is taught by schools, the Federal Government's National Science Foundation and Westinghouse, we reprint a June 5, 1969 article written by William C. Epler, Editor of the Brewery Gulch Gazette, Bisbee, Arizona.

Cruelty to animals by teenaged youths under the guise of scientific inquiry has grown to serious proportions because money and free trips are offered as rewards.

For example, this March the Westinghouse Corporations gave $250 and an expense paid five-day trip to Washington to a girl who blinded house sparrows by removing their eyeballs, starved a number of these blind birds for six days till some of them died, and subjected them to electric shock punishments if they were unable to find food in her maze. Her inspiration for these activities came from the National Science Foundation grant she received last summer enabling her to observe the blinding and testing of sparrows at the University of Texas. She hopes to get another grant.

National Science Foundation grants come from U.S. Government funds. Every taxpayer should have a voice in how this money is spent. Westinghouse Corporation funds are private, but if the Corporation is not taxed on the money it pays to Science Service, it is the taxpayer again who is subsidizing the cruelty.

Following are a few of the projects which won local science fairs and were displayed at the International Science Fair held May 6–9 in Fort Worth, Texas under the auspices of Science Service which also runs the Westinghouse competition.

A boy from Tennessee froze 10 mice and 36 hamsters by pouring liquid nitrogen over them and then tried to revive them. In childlike printing he struggled unsuccessfully with the English and spelling in his large signs. For example: "Procedure. 1. Specimens were securely immotivated (sic) in freezing jar. 2. The liquid nitrogen was quickly poured on them. 3. Reviving consisted of electrical shock in different manners. 4. Heat and electrified water brought about quicker recoveries. 5. Stimulants did not prevent death after recovery. Specimens lived from a few minutes to several hours." Under the heading "Hypothesis" another large sign read "Specimens may respond to right stimulant. 1. Electrical stimuli. 2. Chemical stimuli. 3. Infared (sic) treatment."

In short, this boy was rewarded for painfully freezing, painfully reviving and then watching the death agony of the small captive animals pompously described under the general heading, "The Effects of Suspended Animation and Recovery in Higher Mammals induced by Cryogenical Methods."

A boy from Florida describes his two-year project thus: "The study involved the subjection of dogs and guinea pigs to anaphylactoid shock and anaphylactic shock, respectively." The photograph of a cowering dog, fearfully turning its head away from the person drawing blood from it, was displayed at the booth. In response to a question the youthful experimenter replied, "I use the dogs for my serum source, and I only do surgery on the dead dogs who don't survive the histamine shock." He does this at the Miami Heart Research Institute after school.

A boy from Jamaica, Long Island, performs his brain surgery at home, and he has been rewarded by trips to both Washington, D.C. (Westinghouse Science Talent Search) and Fort Worth, Texas (International Science Fair), Commissurotomy—dividing the brain—in mice is his specialty and though the animals usually die in this amateur surgeon's hands, his prize-winning project appears under the title "Psycho Biological Effects of Commissurotomy on Mice."

A boy from Mississippi calls his exhibit "Artificial Heart—A New Concept" and his extensive surgery on rabbits was shown in detail in photographs at his booth.

A Virginia youth placed rats in a vise-like instrument and implanted electrodes in their brains.

Last year monkey experiments described in the enclosed reprint of an article by John Hillaby in The New Scientist involved the same type of cruelty—putting the animal's head in a stereotaxic instrument, drilling holes in its skull and implanting or trying to implant electrodes.

The cruelty and stupidity of his project on delicate squirrel monkeys was underlined by the post-mortem examination of a dying monkey displayed at the booth. The report of veterinary pathologists at Michigan State University showed the ignorant abuse and long suffering to which the animal had been subjected.

This year, Science Service was taking no chances on a similar demonstration of the false premises on which its promotion of cruel experiments by untrained youths is based. A new rule for the 1969 International Science Fair prohibited display of any live animal. But photographs and signs described even more projects inflicting pain, fear or death on animals than at last year's Fair. The cruelty continues to grow while Science Service continues to defend its ill-conceived program. Even abstracts were hard to find at the 1969 Fair, and every booth was defended with a big bar preventing the public from walking in as is normal at exhibits. Security guards patrolled the Fair—a curious way to advance science.

WITHDRAWAL FROM VIETNAM

HON. GEORGE MURPHY

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Monday, October 20, 1969

Mr. MURPHY. Mr. President, amidst the clamor of recent days from those who would seek to induce President Nixon to abandon South Vietnam, a thought-provoking editorial was published in the San Diego Union of October 9. It asks several important questions involved in the withdrawal and views as unthinkable, thoughts of an instant surrender.

I ask unanimous consent that the editorial, entitled "Trust Must Rise Above Clamor," be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Vietnam Surrender Unthinkable—Truth Must Rise Above Clamor

Again there is a strong riptide of activity in the United States of America which seeks to induce President Nixon simply to abandon South Vietnam.

The riptide is visible in Congress where, individually and in small groups, legislators are urging a condemnation of the American commitment in Southeast Asia.

The riptide is also visible in the national agitation—professional or naive—for a demonstration Oct. 15 to force President Nixon to make a more firm but generally undefined commitment to retreat.

Amid the clamor of the claques, there are some things that are evident and even more that are not—things that Americans would do well to keep in mind as they try to distill some truth from the confusion.

The first is that whatever the mistakes of the past, the United States cannot roll back the calendar in South Vietnam. We have to deal with the war on the basis of the present realities.

And we must, in seeking the truth, challenge the depth of thinking as well as the credentials of the experts, be they self-styled or real.

It is a truth and a reality that the United States is diminishing its Vietnam commitment at a rate deemed prudent by the person upon whose shoulders falls the responsibility for making the awesome judgment—the President of the United States.

What exactly do the critics of our current actions want? More rapid withdrawal? How rapid? Is open retreat their real object?

Do the critics of the war know whether it is possible to move our men home from Vietnam more rapidly simply from the standpoint of logistics?

Would those who favor pellmell withdrawal be willing to endorse the inevitable bloodbath in Southeast Asia that such a retreat would create?

Are those who urge our surrender in Vietnam prepared to accept the responsibility for its effect upon the hundreds of our young men being held prisoners by North Vietnam? Several already have been executed and Hanoi says it may "try" the remainder as war criminals.

Is the Greek chorus baying at the heels of the President prepared to face the worldwide implications of a United States' surrender?

The fact is they advocate nothing but the negative—get out. Has anybody heard acceptable positive programs from these self-styled experts to preserve the seedling of self determination in Vietnam and prevent the writing of an ignominous, bloody chapter in our history?

We have not heard them.

All that we have heard so far is that if we vaporize the American presence in Vietnam immediately, somehow everything will turn out all right despite the obvious and imminent dangers. It will not.

Americans should view with suspicion the thought that there is an instant solution in instant surrender.

FORCE ACCOUNT CONSTRUCTION DOES NOT MEAN IMPORTATION OF SCAB LABOR

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Monday, October 20, 1969

Mr. METCALF. Mr. President, I wish to relate a recent incident in Montana in connection with Federal contracting that will not, I trust, become a pattern.

The Corps of Engineers is constructing Libby Dam in northwestern Montana under an international agreement with our Canadian neighbors. Incidental to the building of that dam is the construction of a small fish barrier dam at Young Creek.

The Young Creek Dam was advertised with invitation to bid on July 17. Bids were opened on August 7. The low bid was $84,100. This compared with the Government estimate of $44,802.

The Government decided—and properly so, from the record available to me—that the low bid was too high. There was some urgency attached to construction of this dam. Therefore, rather than readvertising, the Corps elected to build the dam by force account, that is, by direct Government hiring of labor. Here again—from the record available to me—it appears that the decision to go force account, rather than readvertise, was a reasonable choice.

However, I object to the fact that the corps—in going force account—bypassed the normal and logical sources of labor. They are the Montana Employment Service and the local unions.

Local union officials protested the corps action. The Hungry Horse News, the Pulitzer Prize-winning weekly published at Columbia Falls, Mont., reported the union objection in an article published on September 19.

I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Hungry Horse News,
Friday, Sept. 19, 1969]

Unions Protest Corps Action Building Dam

Kalispell.—Northwest Montana Building and Construction Trades Council has announced a formal protest against the U.S. Corps of Engineers method of building the Young Creek Fish Barrier Dam.

This dam on Young Creek eight miles from Eureka is for protection of a hatchery that will be built.

The Corps of Engineers rejected bids from private contractors, and are building the dam through "force account."

James Wehr, president of the Northwest Montana Buildings and Construction Trades Council, said: "The situation is that the Corps of Engineers is bringing men in from outside this area to build the dam. These men are costing local men jobs, and we object."

Roger Blades, business manager of the Operating Engineers, added: "We wouldn't be too unhappy about the Corps building the dam, if they'd use local union help. The idea of their using non-union members—as far as we know—is something we can't tolerate."

There were two bids for the dam—$84,000 by Harding and Sons, Sandy, Ore.; and $111,000 by Mottner-McCutchen, Seattle. Engineers' estimate was $44,802.

Mr. METCALF. Mr. President, James Wehr, president, and Perry S. Melton, secretray, of the Northwestern Montana Building and Construction Trades Council at Kalispell, strongly protested the corps action.

The Corps of Engineers, in its September 26 letter to Mr. Melton, said:

> For future jobs under similar circumstances we will certainly check first with the local Montant State Employment Office to see whether they have qualified people available.

Mr. Melton, in his September 30 reply, suggested that "a similar check with craft labor unions in the area would prove beneficial to all concerned."

Mr. President, I thoroughly agree with Mr. Melton on that point.

I ask unanimous consent to have printed in the Record the letters to which I have referred and other pertinent correspondence.

There being no objection, the letters and correspondence were ordered to be printed in the Record, as follows:

[Telegram]

Kalispell, Mont.
September 9, 1969.

Lee Metcalf,
U.S. Senate, Old Senate Office Building, Washington, D.C.:

Corp of Engineers constructing Young Creek fish barrier in connection with Libby Dam project at Libby, Mont. We violently protest the Corps doing this work. We feel that work of this nature should be performed by building and construction trades people. Your assistance in this matter will be appreciated.

James Wehr,
President, Northwestern Montana Building and Construction Trades Council.

Department of the Army,
Seattle District, Corps of Engineers,
Washington, D.C., September 17, 1969.

Hon. Lee Metcalf,
U.S. Senate,
Washington, D.C.

Dear Senator Metcalf: This letter is in further response to your recent letter to General Frederick J. Clarke, Chief of Engineers, which inclosed a telegram from Mr. James Wehr, Kalispell, Montana, concerning the construction of Young Creek fish barrier in Libby, Montana.

The Young Creek fish barrier dam is being constructed as a part of a pilot program to evaluate fish production potential in tributaries of the Kootenai River to offset fish losses in the river resulting from the construction of Libby Dam. Creation of Libby Reservoir will reduce the production of game fish in 48 miles of the Kootenai River within the United States. Libby Dam will prevent movement of game fish into this river reach from downstream areas. Loss of production in the reservoir may be partially offset by achieving maximum production of game fish in streams tributary to the reservoir. Development of suitable fish production in tributaries would require habitat improvement to increase productive potential and construction of a barrier dam to exclude the large numbers of non-game fish that are expected to be present in the reservoir. A pilot program to evaluate the feasibility of developing fish production in tributaries was proposed by Montana Department of Fish and Game and agreed to by the Corps of Engineers. A three-year contract was executed in July 1969 between the Seattle District and the Department of Fish and Game to evaluate this proposed method. Young Creek, a west bank tributary of the Kootenai River near the Canadian border, was selected as the trial stream. The barrier dam is an essential facility in this evaluation. Montana has employed a fishery scientist and assembled the material to proceed with the evaluation.

All reservoirs are biologically most productive during the early years after impoundment. High productivity decreases rapidly during the first 5 to 10 years. Establishment of desirable fish stocks must be accomplished during this period of high productivity. Completion of the pilot program on Young Creek will provide firm direction for essential development of suitable game fish production to mitigate game fish losses in the Kootenai River. Early completion of the barrier dam is essential to the pilot program.

Our policy for construction of this type is to perform the work by contract with competitive bidding. The Young Creek fish barrier dam was advertised with invitation to bid on 17 July 1969. Bids were received and opened at 2:00 p.m. 7 August 1969. The low bid was $84,100 compared to the Government estimate of $44,802. After evaluation of bids, it was obvious that the low bid could not be accepted in light of the Government estimate. There was not sufficient time to readvertise and award a contract that could be completed before 15 October, which is about as far into the winter as satisfactory working conditions can be expected to prevail. Accordingly, it was decided to accomplish the construction by Government-hired labor and an expedited work plan was started.

The urgency of completing the fish barrier facility this fall is related to the fish mitigation program for the Libby Reservoir. If the project is not functional next spring, the fish production evaluation program will be set back one full year. The importance of production of game fish to the State of Montana could not be overlooked.

It is hoped that the information provided herein meets your requirements. If there are further questions, please feel free to contact this office.

Sincerely yours,
R. E. McConnell,
Colonel.

Northwest Montana Building and Construction Trades Council,
Kalispell, Mont., September 19, 1969.

Mr. Anthony Miele,
Labor Relations Officer, Department of the Army, Seattle District, Corps of Engineers, Seattle, Wash.

Dear Sir: This letter is to support and verify other contacts and communications we understand you have recently received from spokesmen for craft unions affiliated with the Northwest Montana Building and Construction Trades Council concerning the method of construction of Young's Creek Dam, as part of development of a fisheries pilot program for the Libby Dam project.

To us it is unethical, to say lhe least, for the Corps of Engineers to have publicly advertised for and considered bids for the Young's Creek Dam, rejected the bids received and, without again calling for bids, gone ahead with the job by directly employing workmen without regard to availability of local area qualified workmen and in disregard of well known established relationship with labor unions maintained by contractors on all other phases of the Libby Dam project.

While it may legally be the prerogative of the Corps of Engineers to follow a procedure such as above outlined, we wish to have it understood that we intend to pursue a course of opposition to such procedure through all available channels. We take this position on the premise that the Corps, or any other agency of government, has no moral right to, in essence, put itself in a position of open competition to tax paying employers and employees who customarily make their living in the construction industry and particularly those residing in the immediate area of work contemplated and/or in progress.

We herewith request that reconsideration be given to the policy being pursued on the Young's Creek Dam and request that your office promptly bring this letter to the attention of officials who can expedite such reconsideration.

Thank you for giving this matter your attention. We await your reply.

Very truly yours,
Perry S. Melton,
Secretary.

Department of the Army,
Seattle District, Corps of Engineers,
Seattle, Wash., September 26, 1969.

Mr. Perry S. Melton,
Secretary, Northwest Montana Building and Construction Council, Kalispell, Mont.

Dear Mr. Melton: This is in reply to your letter of 19 September 1969 regarding the construction of Young's Creek Dam by the Corps of Engineers. Please be advised that we made the decision to proceed to complete the job by hired labor methods for reasons most beneficial to the public interest. Our agreement with the Montana Department of Fish and Game was to complete the job by 15 October 1969, and there was not enough time to readvertise in order to get the job done by that date.

The Corps of Engineers does not wish to compete with contractors in the construction field. However, we intend to discharge our responsibility to protect the public interest and must reserve the right to make such decisions under certain circumstances, as in the case of Young's Creek Dam. For future jobs under similar circumstances we will certainly check first with the local Montana State Employment Office to see whether they have qualified people available.

If there are further questions, please feel free to contact this office.

Sincerely yours,
H. W. Munson,
Major.

Kalispell, Mont.,
September 30, 1969.

Maj. H. W. Munson,
Department of the Army, Corps of Engineers, Seattle, Wash.

Dear Sir: Thank you for your letter of September 26 in reply to ours of September 19 relating to construction of Young's Creek Dam. We note that you stress the viewpoint of "benefit" to and "protection" of the "public interest" as justification for the procedure used by the Corps of Engineers and refer to your "agreement with the Montana Department of Fish and Game to complete the job by October 15, 1969" as being of paramount importance.

We would remind you that the "public interest" is made up of many more segments of our democratic society than the Corps of Engineers and the Fish and Game Department. No small part of public interest is ex-

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emplified by ordinary working people and the organizations they maintain to protect their welfare, i.e. labor unions, among others.

Therefore if, in truth, you seek to protect and benefit the public interest, we suggest that, in any matters involving jobs for working people, you extend such people the courtesy of being consulted prior to, and not after, making decisions ostensibly in their best interests.

If those working people have the skills necessary to build Libby Dam, and obviously they have, then they quite probably could have made a contribution toward more readily resolving the Young's Creek Dam difficulty. On the other hand some thought should have been given to the possibility of legitimate protest from these people in less mild form than letter writing, etc.

We favorably note your expressed intention that "for future jobs under similar circumstances we will certainly check first with the local Montana State Employment Service to see whether they have qualified people available." We suggest that a similar check with craft labor unions in the area would prove beneficial to all concerned.

Respectfully yours,

PERRY S. MELTON,

Secretary, Northwest Montana Building and Construction Trades Council.

PENDING LEGISLATION ON CAMPUS DISORDERS

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, the Committee on Federal Legislation of the Association of the Bar of the City of New York recently completed a very thorough study and analysis of legislative proposals dealing with campus disorders.

The work of this committee deserves the attention of all Members of Congress, and I include in the RECORD as a part of my remarks the full text of the report:

PENDING LEGISLATION ON CAMPUS DISORDERS

(By the Committee on Federal Legislation)

INTRODUCTION

Widespread campus disorders during recent years have led to the introduction in the present session of Congress of more than twenty bills which would use the termination of federal aid to schools, students and faculty members as a means of control. The spectacle of student sit-ins, strikes and protests has become a common part of every newspaper reader's picture of contemporary America. Regardless of the underlying causes, these events have caused deep concern in many quarters.

Despite the justifiable concern, however, responsible studies, such as that made by the National Commission on the Causes and Prevention of Violence, have concluded by cautioning against federal legislation in this area.[1] This view has been seconded by most educators and other persons familiar with campus problems. Our review of this legislation has led us to similar conclusions. In our opinion the proposed federal legislation, particularly since it relies on termination of federal aid as a sanction, would be self-defeating. We urge Congress not to enact any of the bills now before it which rely on such sanctions.

FEDERAL AID TO EDUCATION PROGRAMS

Since the current bills rely heavily on the use of federal aid to influence rebellious students, we will begin with a survey of the federal programs which supply aid to education. Prior to World War II, there were few legislative evidences of congressional interest in the field of education. The Morrill Acts of 1862 and 1890, the creation of the Department of Education in 1867, the Smith-Hughes Act of 1917, and various emergency relief measures adopted during the depression years represented the significant federal aid to education developments before the Second World War.[2]

Since World War II, Congress has undertaken a number of broad range programs in the field of higher education. These include programs: to provide loans, federal scholarship aid, loan insurance, including subsidies on interest for needy students, to educate veterans, to lend colleges and universities funds for construction of dormitories and academic facilities, and to make grants and loans for pure and applied research and to assist in the education of science and mathematics teachers.[3] In 1954, the federal government spent approximately 160 million dollars in support of higher education activities. By 1965, the amount had grown to three and one-half billion dollars.

Federal aid has come to influence almost all aspects of academic life. Many students have become dependent on it. At the same time there has been little federal interference with the traditional prerogatives of local governments and private institutions and little federal effort to exercise general regulatory powers over higher education. Indeed, in enacting the program designed to assist schools, students and teachers, Congress clearly indicated that it did not intend to have legislative controls accompany federal aid because such controls would be inconsistent with the purposes underlying the enactments.[4]

CAMPUS UNREST 1964–69

The first major disorder affecting American college campuses in recent years occurred at the Berkeley campus of the University of California in 1964.[5] Between 1964 and 1968, campus discontent grew throughout the country, and confrontations between students and school officials took place at other campuses. During the 1967–1968 school year alone, more than 100 demonstrations occurred on college campuses.[6]

The number and intensity of campus disorders increased during the 1968–1969 school year. Most involved the seizure of buildings and some degree of violence.

In an effort to understand the causes giving rise to campus disorders, numerous groups and individuals have made in-depth studies of the subject. The National Commission on Violence concluded that "there is no single cause, no single solution" and that the problem of campus unrest has its roots "deep in the larger society." [7] The studies that have been made indicate that Vietnam originally served as one of the focal points for student dissent and that "it is still a major source of alienation and dissatisfaction with our society and our national government." [8] The National Commission on Violence found that a problem coupled with Vietnam is that of the draft. Students "face the prospect of being compelled to fight in a war most of them believe is unjustified" and they live in constant uncertainty as to when the course of their lives may be interrupted by the draft.[9]

The studies reveal that unrest exists not only as a result of the conduct of the war itself, but also because of the relationship of the war to domestic problems which are considered urgent and which many students feel should have priority. "Students see us spend billions on armaments while poverty and ignorance continue at home." [10] The National Commission on Violence observed that "today's intelligent, idealistic students see a nation which has achieved the physical ability to provide food, shelter and education for all, but has not yet devised social institutions that do so. They see a society, built on the principle that all men are created equal, that has not yet assured equal opportunity in life." [11]

The National Commission on Violence found that not all the causes of student unrest are external. "There are undoubtedly internal emotional pressures and internal value conflicts in many students which contribute to their own dissatisfaction and thus to the tension and turmoil of campus life." The Commission noted that students have directed this pressure, in part, at the university because they see it "as an engine for powering the reform of the larger society, and as the first institution they are in a position to reform." [12] Some students view the university as a corporate bureaucracy suppressing their individuality.[13] Many "feel unable to communicate with administrators and faculty" and believe that "no adequate channel is open to them to make their views known." [14]

As to the degree to which students disorders may be centrally organized and coordinated. Attorney General Mitchell has stated that "it would be an oversimplification to blame all of the trouble on campuses today on the SDS." [15] He also said that "many disorders have occurred in which its members have not been present. . . ." The Brock Report states that the "problem is far deeper and far more urgent than most realize, and that it goes far beyond the efforts of organized revolutionaries." [16]

THE 1968 LEGISLATION

In response to campus disorders, Congress in 1968 passed four measures designed to cut off federal aid to students under various circumstances,[17] and one that would cut off aid to entire institutions.[18] While there was widespread sentiment in favor of condemning the student protesters, there was less agreement as to precisely how that disapproval should be expressed. As a result, the measures that passed in 1968 differ with one another in certain respects. For instance, the acts vary as to the grounds necessary for termination of aid to students. Three require a criminal conviction, while a fourth requires a finding of a serious violation of a school regulation which contributed to disruption.[19] Two acts place the burden of administration on the school and offer the student a hearing, while two others place the burden of administration on the funding agency and provide no hearing for the student.[20] Perhaps, at least in part, because of these differences, not one student had had his scholarship or loan terminated under the 1968 legislation as of February 1969.[21]

SUMMARY OF CURRENT PROPOSALS

One group of proposals would require the Commissioner of Education to terminate federal aid to any institution that experienced a campus disorder and failed "to take appropriate corrective measures forthwith." [22] These proposals provide for the restoration of aid upon the determination by the Commissioner that the disorder has ended and the institution had adopted a plan which, in his judgment, "provides reasonable assurances that such disorders or similar disorders, will not recur." These proposals also require the Commissioner to terminate assistance to teachers who "participate" in campus disorders.

A bill introduced by Congresswoman Edith Green and other representatives (H.R. 11941) contains two major proposals. As originally written, Title I would require colleges and universities to file with the Commissioner of Education a plan of action, including penalties, for dealing with campus disorders. Schools refusing to file such plans would have all their federal funds terminated. Title II would amend a 1968 law to allow schools to terminate for a period "up to

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Footnotes at end of article.

five years" federal aid to students who are convicted of crimes as a result of engaging in campus disorders or are found by the school to have violated "a lawful regulation or order of such institution and that such refusal was of a serious nature and contributed to a substantial disruption of the administration of such institution."[23] The bill would extend the cutoff provision to students receiving aid under the G.I. bills and the children's allowance section of the Social Security Act. The proposal also would require students and faculty members applying for federal aid to file an affidavit attesting to their involvement, if any, with respect to campus disorders. In committee, Title I of H.R. 11941 was amended to delete the filing requirement so that schools would only have to develop a plan and have it available upon request.[24]

Another group of bills would terminate aid to institutions that attempt to minimize certain aspects of their cooperation with the Defense Department. Some would terminate funds to a school that either terminates or or refuses to give credit to ROTC programs.[25] others, to schools that refuse to undertake research designated as important to national security;[26] and still others, to schools which fail to provide a reasonable opportunity for the Armed Forces, government agencies, or any defense contractor to recruit on campus.[27]

A few proposals are directed at individuals rather than institutions. Four appropriation measures which contain provisions designed to deal with campus disorders are presently pending in the Congress. The appropriations measures for the Departments of Labor and Health, Education, and Welfare (H.R. 13111) bars funds from individuals who, on or after October 12, 1968, have "engaged in conduct . . . which involves the use of (or the assistance to others in the use of) force or the threat of force or the seizure of property under the control of an institution of higher education, to require or prevent the availability of certain curriculum, or to prevent" persons "from engaging in their duties or pursuing their studies at such institution. . . ."[28] The bill further provides that it shall not apply to a particular individual until the institution at which the conduct occurred has had an opportunity to "initiate or has completed such proceedings as it deems appropriate but which are not dilatory in order to determine whether such individual was involved in such conduct." Similar provisions appear in an appropriations bill for the Departments of State, Justice and Commerce, the Judiciary, and other agencies (H.R. 12964), with the further requirement that institutions must certify their compliance with such provisions.[29] The appropriations bill for the National Aeronautics and Space Administration forbids the payment of funds to individuals who wilfully refuse to obey a lawful regulation or order of an institution and such refusal is of a serious nature and contributes to the disruption of the administration of such institution; and to individuals convicted of "inciting, promoting, or carrying on a riot or . . . of any group activity resulting in material damage to property, or injury to persons. . . ."[30] The appropriations bill for the Department of Housing and Urban Development contains a provision that no funds shall be paid to an institution which is not in full compliance with the 1968 Amendments to Section 504 of the Higher Education Act of 1965.[31]

EVALUATION OF CURRENT PROPOSALS

General

With respect to the need for additional legislation, there is a substantial body of opinion that legislation is not the proper vehicle for solving problems of campus unrest. In its statement on campus disorders, the National Commission on Violence stated:

"We are equally disturbed, however, by the direction of much public reaction to campus unrest. Those who would punish colleges and universities by reducing financial support, by passing restrictive legislation, or by political intervention in the affairs of educational institutions, may unwittingly be helping the very radical minority of students whose objective is to destroy our present institutions of higher education.

"More than seven million young Americans are enrolled in the nation's colleges and universities; the vast majority neither participate in nor sympathize with campus violence.

"If aid is withdrawn from even a few students in a manner that the campus views as unjust, the result may be to radicalize a much larger number by convincing them that existing governmental institutions are as inhumane as the revolutionaries claim.

"If the law unjustly forces the university to cut off financial aid or to expel a student, the university as well may come under widespread campus condemnation."[32]

Similar views were expressed by the 22 Representatives who visited many of the nation's campuses to talk informally with students, faculty, administrators, and other officials regarding the problem of campus unrest:

"Perhaps our most important and pressing conclusion is that rash legislative action cutting off funds to entire institutions because of the actions of a minority of students would play directly into the hands of these hardcore revolutionaries. Legislation which treats innocent and guilty alike inadvertently confirms extremist charges that the 'establishment' is repressive and indifferent to citizen needs and concerns. We must not put ourselves in the position of aiding the handful of anarchists.

"In our opinion, the fundamental responsibility for order and conduct on the campus lies with the university community."[33]

In his testimony before a Special Subcommittee of the House Education and Labor Committee, Attorney General Mitchell said:

"Since most illegal activity on college campuses is in violation of state and local laws—such as trespass, illegal entry, assault and malicious destruction of property—I believe that current Federal laws are adequate. I therefore do not recommend to Congress that additional legislation be enacted at this time."

In contrast, there is little, if any, evidence which shows that additional legislation would be effective. The fact that as of February 1969 not one student had had his scholarship or loan terminated under the 1968 legislation suggests that legislation of the kind presently under consideration in Congress is unworkable and ineffective. Moreover, if, as reported, many of those leading campus unrest are not aid recipients, the proposed legislation would be almost totally ineffective in dealing with the problem.[34]

We consider it unwise for the federal government to interfere with and be responsible for discipline on our nation's campuses. The problems of campus disorder can best be dealt with by leaving it to school authorities to adopt, in accordance with their own processes and on their own initiative, such programs and plans as they deem appropriate for preventing and dealing with campus disorders. In this regard, it is significant that schools throughout the country have already undertaken reforms and have adopted plans which deal with disorders and define student rights and responsibilities.[35]

We do not believe that schools need any additional tools for dealing with campus disorders, including the power to terminate aid to individuals who participate in campus disorders. Schools have effective tools to enforce their traditional rights to discipline students to the extent of expulsion, and to discipline teachers to the extent of dismissal.

It bears repeating that from the inception of our nation to the present time, it has been a fundamental principle that the effective functioning of the educational processes at American schools rests with the schools themselves. As the federal government's financial assistance to educational institutions has increased, the Congress has repeatedly recognized the wisdom of this principle and has affirmed that it does not intend to attach controls to its financial assistance.[36] Congressmen of both parties and of both liberal and conservative persuasion, in committee reports and in debate, have emphasized that education is a local responsibility and that the administration of the proposed programs would be the basic responsibility of the institutions themselves and of local authorities. These positions have been sound; we see no reason to reverse them.

Termination of aid to institutions

We regard as most inappropriate and unwise those proposals that would cut off federal aid to schools which (i) experience disorders and fail to take forthwith appropriate corrective masures, (ii) fail to adopt plans of action for dealing with disorders, and (iii) fail to withhold federal benefits from individuals involved in such disorders. One of the main defects in these proposals is that termination of aid to entire institutions could irreparably undermine the educational process and would affect every teacher and student at such schools regardless of individual participation. There can be no justification for legislation which operates to penalize the vast majority of the school population, particularly persons who have not been involved in campus disorders.

By automatically terminating aid to an institution which has experienced any kind of substantially disruptive disorder, regardless of the circumstances, H.R. 10136 may well be so sweeping as to interfere with the first amendment rights of free speech and peaceful assembly.[37] The Supreme Court made it clear in *Sherbert* v. *Verner,* 374 U.S. 405 (1963) that "conditions upon public benefits cannot be sustained if they so operate, whatever their purpose, so as to inhibit or deter the exercise of First Amendment freedoms."[38] As H.R. 10136 stands, it could deter faculty and students from engaging in various protected activities for fear that their conduct will be interpreted as a type of "other disorder" causing "substantial disruption." For example, a faculty member or student might refrain from addressing a campus group as to what he feels is the propriety and necessity of civil disobedience or revolt on the campus for fear that any active response by his listeners may be interpreted as constituting or causing a substantially disruptive disorder. Members of campus communities may be wary of engaging in peaceful demonstrations which include such protected activities as orderly marching and peaceful picketing out of concern that this activity might be considered an illegal "disorder." Students might be reluctant to join organizations which are politically active on campus so as not to add strength to an organization that had the potential to create substantial disruptions of campus activities.

The requirement contained in H.R. 11941 that funds be cut off from institutions that have failed to develop plans for dealing with campus disorders could penalize schools that have never had any disorders. These comprise the great majority of schools. It may well be that a particular institution can best deal with the problem of disorders without formalizing a plan of action. Yet under this proposal institutions could be denied this discretion because of the sanction of losing federal aid.

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In general, we believe that these proposals would constitute an unwarranted intrusion into the internal affairs of educational institutions.

Termination of aid to individuals

Proposals that would cut off aid to individuals rather than institutions are also subject to objection.

First, they would penalize only those students who receive financial aid and teachers whose salaries are paid from federal funds. Affluent students would be able to ignore the penalty while poor students would be vitally affected by it. These proposals may well result in such ludicrous situations as students slightly involved in campus disorders being punished, while those primarily responsible for such disorders receive no effective penalty; or of teachers equally involved in a disorder being treated differently, depending on whether or not their salaries are derived from federal funds.

Second, while most of the proposals vest the responsibility of terminating aid in the schools themselves, schools are granted no discretion as to the penalty. They would have to terminate aid to individuals once the conditions set forth in the legislation had been met. In our view, schools must be afforded flexibility in dealing with campus disorders in the light of their own judgment and experience and under the circumstances of each case. Discipline for a certain type of activity may be appropriate in one case and not in another. These proposals, however, would curtail this flexibility.

Third, a number of the proposals run contrary to basic notions of fairness. They fail to provide any right to a hearing for an affected student or faculty member or to require a criminal conviction or violation of a university rule as a condition precedent to the denial of aid. For example, the riders to the appropriation bills for the Departments of State, Justice, Commerce, Labor and Health, Education and Welfare provide that no aid shall be withheld until the institution at which the conduct occurred has had an opportunity to initiate or complete such proceedings as it deems appropriate but "which are not dilatory. . . ." Under this provision a school might "deem" no hearing appropriate. Moreover, if a school were dilatory in completing a proceeding, the provision would seem to require that aid be cut off to individuals before they have even been adjudged guilty.

Fourth, the riders to the appropriation bills for the Departments of State, Justice, Commerce, Labor and Health, Education and Welfare are plainly deficient in their requirement that the sanction applies to individuals who have engaged in the prohibited conduct on or after October 12, 1968. This would impose punishment retroactively. While October 12, 1968, is the date of the adoption of the amendments to Section 504 of the Higher Education Act, those amendments applied only to students convicted of certain crimes or found guilty of violating a university rule or regulation. As noted, the appropriation bills do not require a conviction or disciplinary action as a condition precedent to cutting off aid, and they would apply to teachers as well as students.

Fifth, if Congress should decide to adopt legislation providing for the termination of aid to students and teachers, we believe that legislation should be embodied in a single bill and not in the form of riders to various appropriation measures. The appropriation measures which have passed the House of Representatives and are pending in the Senate differ with one another as well as with the 1968 Amendments to Section 504 of the Higher Education Act of 1965. If these bills are adopted in their present form, these differences are likely to pose serious problems of interpretation and administration for both governmental and school authorities. For instance, under Section 504 funds can not be withheld without a hearing and not then if there has been no "conviction" or violation of a university rule or regulation. However, under H.R. 13111 and H.R. 12964 there are no similar requirements. Thus, in some circumstances schools might find themselves required to make two determinations with respect to the same student. In addition, Section 504 would disallow benefits for a two year period while H.R. 13111 and H.R. 12964 would terminate aid permanently. It is unclear whether Section 504, the authorization act, would take precedence over the provisions contained in the appropriation measures.

CONCLUSION

We believe that the proposed federal legislation involving the use of termination of federal aid to schools, students and faculty members is one of the worst possible responses at this time to campus disorders. Not only might it have the effect of encouraging campus unrest but it could undermine the painstaking efforts now being made by schools and local groups to deal with the problem. In our opinion, campus disorders may best be dealt with under each school's own disciplinary procedures and under state and local law. Accordingly, we disapprove and recommend against passage of the proposed legislation.

Respectfully submitted.

AUGUST 7, 1969.

Eastman Birkett, Chairman; Thomas L. Bryan, John F. Cannon, Harvey P. Dale, Nanette Dembitz, Ambrose Doskow, John D. Feerick, Robert L. Friedman, Robert J. Geniesse, Louis Henkin, Robert M. Kaufman, Kenneth J. Kwit, and David Levitan.

Jerome Lewine, Arthur Liman, Jerome Lipper, John Lowenthal, James H. Lundquist, Edward A. Miller, Gerald Oscar, Alan Palwick, Leonard B. Sand, Myra Schubin, Leon Tykulsker, and Irving Younger.

THE COMMITTEE ON FEDERAL LEGISLATION OF THE ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK

FOOTNOTES

[1] Following Robert Kennedy's assassination, President Johnson appointed a National Commission on the Causes and Prevention of Violence (herein referred to as the National Commission on Violence). On June 9, 1969 the Commission issued the text of a statement on campus disorders. The New York Times, June 10, 1969, at 30, cols 1–8.

[2] Congress and the Nation, 1945–1964, p. 1196 (Washington; Congressional Quarterly Service, 1965).

[3] The legislative enactments in the post-World War II period establishing higher education programs include the Higher Education Act of 1965 (20 U.S.C. § 1001 et seq.), Higher Education Facilities Act of 1963 (20 U.S.C. § 701 et seq.), National Defense Education Act of 1958 (20 U.S.C. § 401 et seq.). National Science Foundation Act of 1950 (42 U.S.C. § 1871 et seq.), and the Housing Act of 1950.

[4] Thus, it was stated in the report of the House Education and Labor Committee accompanying the HDEA of 1958 that the proposed legislation sought to preserve the fundamental principle that education . . . is a state and local responsibility" and that the administration of the proposed programs would be the "basic responsibility" of the "state and institutions of higher education." H. Rep. No. 2157 (1958). See infra note 36. Section 803(a) of the Higher Education Act of 1965 (20 U.S.C. § 1144(a) specifically states:

"Nothing contained in this chapter shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution, or over the selection of library resources by any educational institution."

[5] Congressional Quarterly Fact Sheet "On Student Aid Restrictions," 2 (1968) [hereinafter cited as CQ FACT SHEET]. Students were protesting campus restrictions on political activities in what has become known as the Berkeley "Free Speech" Movement. Id.

[6] *See* CQ Fact Sheet, at 2.

[7] The New York Times, June 10, 1969, at 30, col. 1. See "Crisis at Columbia," Report of the Fact-Finding Commission Appointed to Investigate the Disturbances at Columbia University (Cox Commission Report); R. Kennedy, To Seek A Newer World 3 (1967).

[8] Report on "Campus Unrest" submitted to the President on June 17, 1969, by twenty-two House Republicans, at 24 [hereinafter cited as Brock Report]. Twenty-two House Republicans organized by Congressman William E Brock made a private tour of college and university campuses. When they returned, President Nixon asked them to submit a report of their findings. See Cong. Q. Weekly Report 1066 (June 20, 1969).

[9] The New York Times, June 10, 1969, at 30, col. 2.

[10] R. Kennedy, supra note 7, at 5.

[11] The New York Times, June 10, 1969, at 30, cols. 1–2.

[12] The New York Times, June 10, 1969, at 30, col. 2.

[13] R. Kennedy, supra note 7, at 8.

[14] Brock Report, at 6.

[15] Testimony of Attorney General John N. Mitchell given before the Special Subcommittee on Education of the Committee on Education and Labor of the House of Representatives on May 20, 1969.

[16] Brock Report, at 1.

[17] Provisions for terminating aid to students appeared in the following legislation: (1) the authorization law for programs under the Higher Education Act (PL 90–575); (2) the funding law for Higher Education programs (PL 90–557); (3) the appropriations law for the Department of Defense (PL 90–580); and (4) the appropriations law for the National Science Foundation (PL 90–550).

[18] The authorization law for the National Aeronautics and Space Administration (NASA) provided for the withholding of NASA funds from any school whose administrative policy bars recruiting on campus by the armed forces (PL 90–373).

[19] Higher Education authorization law, the Higher Education funding law; and the Defense Department Appropriations law provided for convictions. See supra note 17.

[20] The Higher Education authorization law and the NSF appropriations law provided for hearings and placed the burden of administration on the schools themselves. The Higher Education funding law and the Defense Department appropriations law did not so provide. The burden of administering the provisions of the NASA funding bill as to entire institutions was vested in the funding agency.

[21] The New York Times, Feb. 16, 1969, at 1, col. 5.

[22] E.g., H.R. 10136, H.R. 10074, H.R. 10806, H.R. 10821, H.R. 10848, H.R. 10895, H.R. 10929, H.R. 10970, H.R. 11010, H.R. 11018, H.R. 11029, H.R. 11065, 91st Cong., 1st Sess. (1969). See also S. 2055, H.R. 11491, H.R. 11658, 91st Cong., 1st Sess. (1969).

[23] The 1968 law in question was the authorization law for programs under the Higher Education Act (PL 90–575), which provided for a two-year cut off period.

[24] On July 1, 1969, the House Committee on Education and Labor rejected Title I, as amended, by a vote of 19 to 16. The Committee also voted, 18 to 17, to send the entire proposal back to subcommittee. The New York Times, July 2, 1969, p. 1.

[25] E.g., S. 2111, 91st Cong., 1st Sess. (1969).

[26] E.g., H.R. 10849, 91st Cong, 1st Sess. (1969).

[27] E.g., S. 2049, 91st Cong., 1st Sess. (1969).

[28] This measure passed the House of Representatives on July 31, 1968. A rider was stricken from the bill providing for the termination of aid to institutions which failed to cut off funds to students or faculty members who had engaged in the described conduct (CONGRESSIONAL RECORD, p. 21653, July 31, 1969).

[29] This proposal passed the House of Representatives on July 24, 1969.

[30] H.R. 11271, 91st Cong., 1st Sess. (1969). This proposal passed the House on June 10, 1969. The Senate version does not include the section on campus disorders.

[31] H.R. 12307, 91st Cong., 1st Sess. (1969). This bill passed the House on June 24, 1969. The 1968 law (hereafter referred to as the 1968 Amendments) amended Section 504 of the Higher Education Act of 1965 to provide that funds must be withheld for two years from students who are convicted of a crime or disobey a lawful regulation or order of their school, resulting in substantial disruption of the school. The Second Supplemental Appropriations Act of 1969 (PL 91–47), which was approved on July 22, 1969, provides that funds for annual interest grants authorized by section 306 of the Higher Education Facilities Act shall not be used by HEW "to formulate or carry out any grant to any institution of higher education unless such institution is in full compliance with section 504 of such Act."

[32] The New York Times, June 10, 1969, at 30, cols. 1 and 8.

[33] Brock Report, at 3–28.

[34] See, e.g., the testimony of Dr. Helen R. Bedesem, Director of Financial Aid, San Francisco State College, given before the Special Subcommittee on Education of the House Committee on Education and Labor on February 3, 1969.

[35] See The New York Times, August 21. 1969, p. 28, cols. 4–8.

[36] E.g., the preamble to the National Defense Education Act of 1958 provides that, "The Congress reaffirms the principle and declares that the States and local communities have and must retain control over and primary responsibility for public education. The national interest requires, however, that the Federal Government give assistance to education for programs which are important to our defense." See supra note 4.

[37] The operative language of the bill provides:

"The Commission of Education shall forthwith suspend financial assistance (by way of grant, loan, or contract) under the provisions of law referred to in subsection (b) to any institution of higher education at which, by reason of violent demonstrations, riots, seizure of institution property, or other disorders, there is a substantial disruption of the administration of the institution, or students, teachers, or officials are prevented from pursuing their studies or duties and the administrative officials of such institution fail to take appropriate corrective measures forthwith."

[38] See also Speiser v. Randall, 357 U.S. 513 (1958); Note, "Unconstitutional Conditions," 117 U. Pa. L. Rev. 144 (1968).

TAX REFORM

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Monday, October 20, 1969

Mr. THURMOND. Mr. President, Mr. Willis Stone has presented an interesting proposal to the Senate Finance Committee which is pertinent to the Senate tax reform hearings. As national chairman of the Liberty Amendment Committee of the U.S.A., Mr. Stone represents the viewpoint of a substantial number of our citizens. These citizens have done a considerable amount of research in the area of tax reform and their views deserve to be recognized.

Mr. President, I ask unanimous consent that the statement by Mr. Stone be printed in the Extensions of Remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF WILLIS E. STONE, OCTOBER 3, 1969

As a matter of identification, I am Willis E. Stone, National Chairman of the Liberty Amendment Committee with headquarters at 6413 Franklin Avenue, Los Angeles, California. I speak for all the members, supporters and friends of the Liberty amendment, pending before the Congress as House Joint Resolution #23. They are organized in every state in the Union and more than 700 counties. Members of more than 7,000 other organizations have adopted resolutions of support for it, and seven states have formally petitioned the Congress to submit this question of public policy to the American people for decision. I speak with their knowledge, consent and support. I make that distinction to differentiate my testimony from that which may be given you by those who speak in the name of organizations without the knowledge, consent or support of their membership.

Many long years have passed since a vast segment of the American people last had an opportunity to express their views that true tax reform and constitutional liberty are the same things and can only be had through the literal enforcement of the Constitution of the United States. These fundamental truths have gone unheeded, and the cumulative disasters visited upon the American people are largely traceable to the fact that violations of Constitutional principles continue to accelerate at ever increasing cost to the taxpayers.

The tax reform hearings being held by this Committee were impelled by the growing clamor of aggravated and frustrated taxpayers. These hearings implied a purpose of heading off, rather than increasing the tide of taxing and spending, which are the inseparable parts of the same things. The American people now find themselves in a political and economic straight-jacket of terrifying magnitude. They earnestly beseech you to actually seek true tax reform before your tax levies strangle the productive impulses of the goose that provides the plunder. I believe each of you agree there is monumental evidence to support this plea for real tax reform. As the great Al Smith so often said: "Let's look at the record."

The Statistical Abstract of the United States tells us the federal "tax and spend" spiral took a terrible toll in the 1950's. A resentful people provided the impelling motive for the tax reform hearings of 1958.

Consider the magnitude of the pressures involved. Individual tax collections by 1950 had risen to the staggering figure of $18.4 billion—almost twice the cost of government for the first hundred years of this nation. The restraints and limitations upon the use and abuse of power appeared to have been broken. The anguish and concern of a great people made it quite necessary to call the 1958 "tax reform hearings."

Unfortunately, the effects of these hearings, insofar as can be observed, were more detrimental than beneficial to the people. The tax and spend philosophy was stepped up rather than diminished—as is evident by the fact that federal individual income tax collection in 1960 reached $39.5 billion, more than doubling in the ten-year interval. This is indeed tax reform in reverse. But, we didn't know the half of it then, did we?

By 1963, the product of the 1958 "Tax Reform Hearings" should have been operative, yet individual income tax collections skyrocketed another 25 percent to $48.2 billion that year. The idea began to emerge that there has been no validity in Congressional declarations of tax reform or equity.

This opinion was further supported by the accelerating tax demands put upon the people, drying up incentives to produce, as federal individual income taxes increased nearly half again over 1963 during the next five years, reaching the fantastic figure of $68.7 billion for 1968, with a projected individual income tax collection of $90.4 billion for 1970! No wonder the spirit of rebellion is loose in the land.

Despite this accelerating tax take from a reluctant people, there appears to be no pretense of keeping spending within income. The national debt is skyrocketing steadily toward the point of national bankruptcy. Referring again to the Statistical Abstract, the recorded federal debt in 1950 was $257.4 billion. It climbed to $276.3 billion by 1958. The debt went right on up to $290.8 billion in 1960—and on up to $310.8 billion in 1965—and on up to $369.7 billion in 1968.

There is no indication that this is the end of the road you gentlemen are traveling, because you recently approved an increase in the so-called "tax ceiling" of $12 billion.

It is worth noting in this connection that in 1968 your tax levies managed to take more money from the American people than any nation in history ever extracted from its people, yet Congress managed to spend $25.4 billion more than was taken in, adding that much to an already crushing debt. Neither is it considered a coincidence that this money was borrowed at the highest rate of interest this nation ever paid which tends to reflect a lack of public confidence in government's fiscal integrity. Confidence in your fiscal and Constitutional integrity can be reestablished by this Committee if you honestly propose taxation solely to finance the constitutionally authorized functions of government—finance them adequately—while at the same time withdrawing funds from the multitude of activities carried on by bureaucratic agencies without the slightest pretense of Constitutional authority.

There is no mystery about the agencies involved in these unauthorized functions, nor in the volume of plunder they extract from our people to sustain their interest free, rent free and tax free empires in direct and ruthless competition with tax paying enterprises. Neither is there any mystery about the corruption and waste of these specially priviledged enterprises which are immune from law—local, state and federal.

The Hoover Commission's Report of 1955 revealed countless ways of instituting tax reform. We augmented that study with our own and have listed more than 700 federal agencies involved in these unauthorized activities. A copy of this list is handed to each of you herewith. To make very sure that it is beyond dispute in this Committee or elsewhere, there is, following every agency named on the list, a number, a symbol and another number providing official reference that qualifies each agency for a place on that list.

The appearance of a named agency on that list only stipulates that in some way that agency has exceeded constitutional limitations and invaded the private areas of activity which were, by the design of the Constitution, prohibited to government. The fact of that intended prohibition is clearly established by the 9th Amendment which provides that: "The enumeration of the Constitution of certain rights, shall not be construed to deny or disparage others retained by the people."

The founding fathers attempted to make doubly sure of this limitation upon your powers by the terms of the 10th Amendment

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which provides that "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

Despite these safeguards, however, we have this vast array of federal agencies' operating powers which were never delegated to government by the people, and exercising rights not enumerated.

The great dilemma of our time is your quest for revenue with which to maintain these illicit empires, which have already taken over forty percent of the land area and an estimated twenty percent of the industrial capacity of this nation without any Constitutional authority for doing so.

The people yearn for tax reform—true tax reform—and pray that you at long last will take steps designed to provide it by simply stopping the financing of these lands and enterprises which exist without constitutional authority. Adequate evidence exists to indicate that fully half of the federal revenue each year finds its way, through your appropriations, to the maintenance and growth of these unauthorized activities. This is an amount greater each year than the total amount of federal individual income taxes collected.

Your own reports show that, even in war, the civil functions of the federal bureaucracy demand and get greater increases in appropriations each year than the true military expenditures for national defense.

At the 1958 Tax Reform Hearings in the House of Representatives, I presented a summation of a highly objective analysis of the projected budget spending under the 1959 budget which was then before you. It was ignored, but the subsequent developments have confirmed every factor therein. I again present this summation, together with a comparable summation of the potential savings under the 1967 budget, showing a very similar pattern. Because of the ultra conservative basis of these computations it is doubtful that any overstatement will be found therein.

I am certain each of you know of these gigantic potentials for true tax reform. You may not agree in all details but you can not successfully contest the facts because they are too evident for denial.

There are, as you well know, hundreds of ludicrous but tragic examples of bureaucratic incompetence. There was the abortive political effort to raise Abaca in Central America, and the more disastrous political idea of mining low grade nickel in Cuba. There is the continuing program of compelling American farmers *not* to produce sugar which, as a side result, sentenced Cuban farmers to a life-time of peonage to tyrants there. There was the ridiculous Eskimo Housthe program—only slightly more ridiculous than the rest of the housing programs spawned here in Washington at the cost of countless billions of American tax dollars, and resolving nothing.

There is the thoroughly silly story of the steam-heated railroad tunnel in Alaska, and the bureaucratic effort to corner the world's tin supply which ended in disaster for us, and produced the turmoil in Bolivia that ended in a Communist take-over of that unhappy land. There is also the current mania for financing a road through Asia which the U.S. Army Engineers are building at our expense for our Communist enemies.

There is an endless variety of such amazing and unauthorized dissipation of the productive energies of the American people—your people. They want it stopped. It is the first necessity for producing true tax reform on the heroic scale that will glorify you, our nation and our people for centuries to come. It can be done by just living according to our Constitution. Vast numbers of people, all across this broad land, are gathering in support of the Liberty Amendment, which is designed as the best possible instrument for restoring the Constitution to full force and effect, and compelling government to live within its organic law.

It is a tragic commentary that the people are coming to believe it necessary to forcibly apply the principles of the Liberty Amendment to reapply the rule of law upon those who represent us in government. It would be much more to the point, and infinitely more desirable in every way, if you, our leaders in government, would approach the great problem of tax reform from this traditional and truly basic viewpoint. The tremendous problems which confront you will rapidly diminish if you do this, and stop the insane spiral of spending by our bureaucratic empire builders.

What does the future hold? By the arbitrary imposition of the tax and spend philosophy which has destroyed countless nations, we can go deeper into the morass of tumult, conflict, rioting, burning, right into the agony of revolution in the eternal struggle of power and plunder. I am sure all of us want to prevent that.

Our people prayerfully hope that your Committee will find the way, in these tax reform hearings, to restore the tranquillity and equity of just and equal law under the Constitution. We pray you will finance only constitutionally authorized functions of government, leaving all else to the sovereign states and the free people of this great land.

How can we reach your ears, your minds, your hearts, and inform you, our leaders, regarding the will of the American people, and inspire you to the task of repairing the sanctuary of the Constitution as the only safeguard to our lives, liberties and property. Surely, the stark, silent but immutable message of the public will to be free of oppressive governmental taxing and spending has long been evident to those who will listen. We pray that you hear these truths, and heed them, and bring about that "rebirth of freedom" for which your people yearn.

POSTAL REFORM

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. RHODES. Mr. Speaker, President Nixon declared in his recent address to the Congress:

> We intend to begin a decade of government reform such as this nation has not witnessed in half a century.

The House has before it several proposals which represent initial steps in this direction.

One of the most important, in my judgment, is the President's proposal for total reform of the U.S. Post Office.

That proposal—H.R. 11750—has been stalled in the Post Office and Civil Service Committee by a tie vote on whether to report the measure.

Although it is clear to me that the American public strongly supports this measure, it is apparent the strong special interests which oppose this bill have prevailed in this committee action.

Mr. Speaker, if this is any indication of how the Congress is going to respond to the awesome challenge of making our National Government more workable for the last third of the 20th century, then I submit our Nation is in for a serious crisis.

Mr. Speaker, I am gravely concerned that this action may prevent meaningful postal reform. I urge that the committee reconsider its vote, and permit the Congress to act upon the public mandate for action in the important area of postal reform.

ESCALATOR FOR SOCIAL SECURITY

HON. ALBERT W. JOHNSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. JOHNSON of Pennsylvania. Mr. Speaker, President Nixon's proposal for a 10-percent hike in social security benefits and the automatic escalator provision to compensate for inflation offers a permanent, equitable solution to serious problems which have plagued this system since its enactment.

Unfortunately, much of the criticism of the President's proposal which has been heard recently in this body must be classified as an attempt at "political one-upsmanship," designed not to help those on social security, but merely to further the partisan interests of the critics.

A recent editorial in the Los Angeles Times discusses the benefits which will result from removing this system from "biennial politics," and urges adoption of the President's proposal. I commend this editorial to the attention of my colleagues:

ESCALATOR FOR SOCIAL SECURITY

Issue: Why should we not provide, as Mr. Nixon suggests, for automatic boosts in Social Security as living costs rise?

Congress should give early and favorable consideration to President Nixon's proposal for enactment of an escalator clause which would automatically boost Social Security benefits as the cost of living goes up.

The President, recognizing that inflation has cut painfully into the purchasing power of those who are dependent upon Social Security checks, has recommended a 10% hike in benefits.

Democratic leaders on Capitol Hill, not unmindful that millions of old people will be voting in next year's congressional elections, having gone on record in favor of a larger, 15% boost.

Mr. Nixon is quite correct in concluding that the time has come to stop this kind of political one-upsmanship, which has been almost a biennial event ever since the Social Security program was enacted in the 1930s.

The 10% hike which he proposes would be enough to cover the inflation which has occurred since the last increase in benefits in early 1968. It would take effect next April.

After that date, there would be an automatic adjustment once a year in order to reflect increases in the consumer price index. Specific congressional action would no longer be required.

The major attraction of the President's proposal is one of equity. It would write into law the principle that Social Security beneficiaries will not be victimized by runaway inflation.

Beyond that, of course, the automatic escalator provision would, as Mr. Nixon observed last Friday, "do much to remove this system from biennial politics."

Actually, the automatic escalator concept is not new. It has long been proposed by Republican study groups in Congress, and it was specifically endorsed by President

Nixon in a campaign speech last September. The idea also has been supportd in past Times editorials.

It has not, unfortunately, developed the same backing among Democrats.

Aside from the proposed boost in benefits, an attractive feature of the Administration's Social Security plan is the proposal that retirees be allowed to earn up to $1,800, instead of the present limit of $1,680, without any diminution of Social Security benefits.

Earnings in excess of $1,800 also would be treated more liberally than at present.

In considering this recommendation, however, the responsible congressional committees must carefully weigh its effect on the job market—and on the already high level of Social Security payroll deductions.

DEMONSTRATION, LARGELY FUTILE

HON. WILLIAM L. DICKINSON

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. DICKINSON. Mr. Speaker, last Wednesday's moratorium apparently was many things to many people.

To those, such as the New York Times, who wanted it to be a success, it was a success. To others it was less of a success. To some it was an exercise in futility.

That point of view was best expressed by the Scripps-Howard papers of last Thursday, which I now insert in the Record:

Demonstration, Largely Futile

[From the Scripps-Howard Papers, Oct 16, 1969]

If it had been altogether an objective demonstration in behalf of worldwide peace, the so-called "moratorium" of yesterday would have been symbolic of the paramount hope of all peoples—and in that sense perhaps even useful.

If the demonstration had been wholly motivated and designed as evidence of the overwhelming American desire for a respectable end to the war in Vietnam and American determination to bring this about at the earliest moment, it could have been a stimulating and effective exercise.

If the demonstration had been arranged and conducted primarily to impress Hanoi and Moscow and Peking, rather than the demonstrators themselves and possibly Washington, it might have been a beneficial operation.

As it turned out, it was none of these things. As a practical matter, it largely was an energetic exhibition of futility. Many of the politicians who joined in did so chiefly as opportunists, or to embarrass the Nixon Administration for partisan reasons. Many people doubtless took part from an honest but vague belief that their participation somehow would end the war. A few simply were egoists enjoying the display of their own images.

All of these diverse groups, of course were linked in this movement to the radical, pro-Hanoi elements which have been a basic sparkplug in many of these outbursts.

It is because of these disruptive elements, if for no other reason, that the demonstrations quite plainly served much more to spur on the North Vietnamese aggressors rather than encouraging them to negotiate a reasonable settlement of the conflict.

Some of the "moratorium" speakers to the contrary, there is no sentiment in this country favoring war. Nobody yearns for war. Regardless of the strategic wisdom (or lack of it) in sending U.S. troops to Vietnam, the purpose was not simply to engage in armed conflict, but to resist an unprovoked, deliberate attempt to subvert and subjugate a relatively defenseless people. Our judgment, from the standpoint of self-interest, may be questioned—but not our motives.

Few in this country question the right to dissent, or the privilege of dramatizing the right of petition, both of which were exercised so lavishly yesterday. But the judgments and motives of the dissenters and demonstrators may be questioned—that is another precious right still extant in this country, we hope.

In this light, it seems clear that the "moratorium" was characterized by more blindness than vision. More important, the net of it is likely to be wasteful divisiveness at a time when solidarity is crucial. It is a shame that so much energy could not have been expended in a more constructive manner.

TO THE VETERANS' BELLE

HON. WALTER S. BARING

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. BARING. Mr. Speaker, it is my pleasure to enter into the Congressional Record the story of a true belle for all veterans who has given her volunteer services to our Reno, Nev., Veterans' Hospital. Her 9 years of unselfish dedication to our former fighting men will not go unnoticed.

The story follows:

"Tinkerbell" Well Known Around Veterans Hospital

(By Susan Mathes)

A small figure walks down the hospital corridor dressed in blouse and slacks. On her tennis shoes she wears two tiny bells that jingle, letting patients know of her approach.

She is well-known to many patients of the Veterans Hospital as "Tinkerbell."

A volunteer worker for the Veterans Administration, Miss Maxine Emily Brown has contributed more than 13,000 hours in the nine years she has been with the VA.

When asked why she decided to become a volunteer worker, Miss Brown said, "I had newspapers on the floor for my cats and saw an article asking for volunteer workers for the Veterans Hospital. I've been here ever since."

"When I first started working for this voluntary program, I was despondent," Miss Brown continued. "I have no children. But you quit feeling sorry for yourself when you see others worse off than you."

"They (the patients) have helped me as much as I have helped them," she said.

Mr. Kenneth Lucht, VA Voluntary Services Director, said of Maxine, "She takes a deep personal interest in the hospital as a whole, and the patients in general."

Miss Brown's duties include escorting patients from room to room, helping them eat, running errands for patients and nurses, and finally, working in those areas most closely related to the patients.

Miss Brown also makes artistic posters in correlation with hospital activities, and helps in patient reception.

She likes to make the patients laugh. "The first or second time they meet you they just look; but once they know you're sincere, they start liking you," she said.

Miss Brown recalled an incident that happened to her at the hospital a few years ago prior to a back operation.

"I received cards from the Veterans Hospital with 198 signatures. The card had been signed by patients, nurses and doctors of the Veterans Hospital. It gave me one of my biggest boosts," she said.

Miss Brown is one of 90 regularly-scheduled volunteers and is not affiliated with any organization.

In addition to receiving a special pin for her many hours of voluntary service from the VA, Miss Brown also received a Senior Citizen's Award (although she is not a member) commending her on her outstanding service to the hospital.

Miss Brown, 53, was born in Digne, France, but has spent most of her life in the United States.

VA Director Charles Lappin said "My praise of Maxine can't be high enough. She is a woman dedicated to the serving of others."

NO EXIT FROM VIETNAM

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. BOLLING. Mr. Speaker, in the body of this Record, I stated my view that policymakers in the executive and every Member of the Congress should read Sir Robert Thompson's new book, "No Exit From Vietnam." To encourage the largest number to read the whole of this book, I include its final provocative chapter:

Chapter XIII—No Exit

It is interesting to speculate what President Nixon might have been able to do if President Johnson had stood firm on the reciprocity issue until the end of his term of office and had made it abundantly clear that, although he would have liked to achieve peace, he was not prepared to make concessions which suggested the possibility of a sell-out. In these circumstances the new President would have been in a much stronger position. My own view as to his course of action would have been that, with the full agreement of his allies, he should have announced an immediate bombing halt without requiring or even discussing any reciprocal action on the part of Hanoi. Everyone would have known that, coming from him, this did not presage a sell-out. It would have put Hanoi in an awkward position. She would have had to reciprocate in some precise manner to show good faith and negotiations proper would have had to follow immediately. Procedural questions and the agenda could then have been thrashed out leading perhaps to a broadened conference or, if considered likely to be more fruitful, still confined to the two major parties. All the time there would be hanging over Hanoi's head the threat that the bombing might be resumed with greater force and greater justification. This threat (and the threat is more compelling than the act) is now denied to the new President because it has become almost impossible for him to resume the bombing when he lacks the credit for having stopped it. Moreover, no one has been told whether or not Hanoi made any concessions and, if so, what they were. She can hardly, therefore, be accused of breaking them and has indeed secured an unconditional halt to the bombing. While this did not alter the options available to the United States, it did weaken her hand in a situation of fighting while negotiating.

There were by the end of 1968 only two apparent options, both unpleasant, facing the new American President—either to end the war, by deliberately selling out or by allowing himself to be pressured into a camouflaged sell-out and so leaving the

South Vietnamese to their fate, or to develop a long haul low cost strategy as the only acceptable alternative and as a means of countering a return to protracted war on the part of Hanoi.

A negotiated settlement, as a means of obtaining an 'honourable' peace, was not an option because Hanoi would agree neither to a cease-fire nor to any compromise settlement which did not guarantee an eventual take-over of the South. Mme. Nguyen Thi Binh, the leader of the NLF delegation made the first quite clear on her arrival in Paris, when, in a cloud of Chanel No. 5 (which was well reported), she announced that there could be no cease-fire until all American forces had been withdrawn. This was not quite so well reported because no one wanted to hear or believe it. Ho Chi Minh made the second equally clear when in a speech on 3 November he barely mentioned negotiations and called for a 'heightened struggle' to achieve victory. To Hanoi negotiations were part of the war and the table was just as much a battlefield as the ricefields of the Mekong Delta. The United States had yet to learn that negotiations would provide no exit and that she on her side would have to use the negotiating table to foil Hanoi's purpose and to justify the second option of a long haul low cost strategy. If she failed to adopt this approach the United States would find herself compelled in the end, by an erosive process both in Vietnam and at the table, to accept a sell-out, not necessarily as a matter of choice, but as the inevitable agonizing outcome.

'More of the same' or further escalation were no longer options. Neither was acceptable nor were they likely to be effective. The continuation of the previous strategy of attrition with yet more men in the elusive search for a military victory would obviously lead to greater disaster. Whatever losses the North Vietnamese and the Vietcong might have suffered in 1968, by the summer of 1969 they could be expected to have recovered sufficiently to continue countering such a strategy in exactly the same way as they had done through 1966 and 1967, quite possibly at a lower cost in manpower owing to an American reluctance to take correspondingly heavy casualties. A resumption of the bombing of the North, although circumstances such as a failure of negotiations might seem to warrant it, would not now be easy for a new President to justify in support of this worn-out strategy. Further escalation, such as an invasion of the North requiring as it would at least a million men and inviting Chinese intervention, was no longer plausible. There was also nothing to suggest that a massive conventional bombing of the North would be effective in solving the problems of the South. While it might not invite Russian or Chinese intervention, this would only be because such action would in itself be fatal to American grand strategy in that it would tear the country apart and seriously damage the standing and prestige of the United States for decades.

The option of intentionally ending the war by a sell-out was also not one that could be undertaken lightly. Plenty of hopeful reasons have been produced on economic and political grounds to justify the United States getting out of Vietnam at any cost. It is interesting to note that very few have been prepared to spell out the likely consequences of such an eventuality. Even assuming that the negotiations were so well handled both in Paris and in their effect on Saigon that a withdrawal was covered by the facade of a settlement, without leading to a collapse within South Vietnam thereby turning withdrawal into expulsion, it could still not be disguised that the United States would have suffered an ignominious defeat. Plenty of excuses might be advanced and the blame thrown on the South Vietnamese. One of the more fashionable alibis now in favour is that the Vietnam war was unique and could never have been won by anyone. This simply will not wash. Vietnam may have been different from other insurgencies but then all wars are different, in the sense that the last one is never quite the same as the next, as Generals have learned to their cost. But to claim that it was unique is equivalent to saying that no future war can be won if it is too different from the last one. Certainly Vietnam was very different from Korea but, nevertheless, it was subject to rules and principles which have proved valid elsewhere.

A sell-out would be an inexcusable defeat and the predictable consequences of such a defeat need to be carefully weighed. In South Vietnam itself a people would go under. Judging from past experience in China and North Vietnam perhaps several hundred thousands, who have supported the war and fought valiantly and who would certainly oppose the conqueror's subsequent collectivization programme, might be slaughtered. This will not be shown on television, and so may not worry subverted liberals and fellow travelers,[1] but others may have it on their conscience. There is after all no Formosa to which the victims can escape nor has any area been set aside for them in the Californian desert. In a year or two they will be conveniently forgotten, while the victor is applauded for his acts of expropriation and the consequent stagnation of the economy is advanced as a specious argument for international aid.[2]

There are too many who will see through a camouflaged sellout and who will object, notably in the United States itself. While Senator Joe McCarthy's witch hunts may not be repeated, there cannot fail to be recrimination, not confined only to the powerful military lobby. This on top of America's inevitable loss of confidence in herself could be more damaging to American unity in the next few years than all the dissent of the past few years and seriously weaken the United States' position as leader of the West. After "We will stand in Vietnam" every other American commitment will be exposed to doubt and anxiety on the part of those in whose favour it was made. There will be a tendency on the part of the United States either to retreat towards isolationism or to reconfirm such commitments with added protestations of support (compare the guarantees given to Poland after Munich in 1938). The former would stimulate the "domino theory" while the latter could pave the way for more Vietnams.

The "domino theory" will in any case begin to operate not necessarily, as I have explained, with an immediate outbreak of fresh insurgencies, but rather with drastic realignments of policy certainly in South East Asia, probably in Africa and possibly even in Latin-America. With the failure of western methods of defense in Vietnam, all western methods will be downgraded even in the political, economic and technical fields. The development of freedom and democracy, through plural economic and political societies and the concept of free enterprise, will cease to be attractive because they will appear to render states vulnerable to subversive attack. The great majority of the countries concerned are all basically agricultural ("the countryside of the world") where millions are acutely anxious less about their form of government than about where the next bowl of rice or maize is coming from. If the industrial countries of the West led by the United States ("the cities of the world") fail or, because of Vietnam, default on their obligation to remedy this situation and to close the widening gap between the rich and poor nations of the world, then these so called "newly emerging forces" will be in a great danger of becoming the future starving masses. It is hard to think of a more explosive situation looming ahead than that a large part of the world, with its backward agriculture and expanding population, may become both communist controlled and starving.

In the atmosphere of turbulence and distrust which would inevitably follow an American defeat in Vietnam, the risk of a third world war would increase. With the United States discredited and the British withdrawing from east of Suez, the Russian penetration of the Indian Ocean would gather momentum and effect. It would also be folly to assume that China would not be looking for further easy pickings and a spread of influence with a united Vietnam as one of her instruments. In the circumstances which would prevail in Asia alone there are at least three countries which, within the next decade, would have to consider going nuclear—India, Japan and eventually Australia. Added to all this there is the danger that, with communist power no longer monolithic but polycentric, with the turmoil of the cultural revolution in China and with the cracks in the eastern bloc revealed by the occupation of Czechoslovakia, a defeat in Vietnam which tended to isolate the United States from her friends and allies could lead to a situation where the chances of miscalculation on all sides would be greatly increased.

It is, therefore, my view that now, more than at any time in the past decade, it is vital for the United States to keep its pledge and stand by South Vietnam. There is no exit and the new President does not really have much choice as far as policy is concerned. He does, however, have the opportunity to change the strategy. The American aim should be revised to read: 'To establish, at a cost acceptable to the United States, South Vietnam as a free, united and independent country which is politically stable and economically expanding'. This does not require a defeat of the North but only that its design to take over the South should be frustrated. To achieve the aim does, however, leave a long haul low cost strategy as the only option.

To be successful, the first requirement is reorganization to provide for joint American/South Vietnamese control machinery at all levels as a means of ensuring a more coordinated and integrated effort in every aspect of the war. On the military side the joint command established in the Saigon area should be considered for the Corps and Divisional Commands (but excluding reserve forces). At the same time there should be a complete reorganization, including some amalgamation, of all South Vietnamese paramilitary forces, followed by retraining courses to improve the performance of those now under arms before there is any question of increasing the numbers. At the highest level of joint control clear priorities should then be laid down with regard to the area to be pacified first and the measures to be taken. The first area selected should be within the heavily populated provinces of the Mekong Delta. Forces should then be allocated to the task and their respective roles clearly defined. It should be the primary objective of the strategy to protect the population within the selected area through the techniques of pacification, including the building of strategic hamlets where necessary, to be followed by normal but not lavish aid programmes. Within the area the enemy underground organization should be ruthlessly weeded out, for which purpose the intelligence organization needs to be steadily improved and a greater number of small unit actions initiated with emphasis on ambushes at night. While regular South Vietnamese and American forces must give direct support to the pacification programme, especially through Combined Action Platoons, the majority of the regular units will be required to hold the ring against the main North Vietnamese and Vietcong units, for which purpose a limited number of fix[3] and destroy operations should be mounted together with air attacks outside the populated areas. Outside the selected priority area, within the populated areas of all other provinces, it should be the initial intention merely to maintain the existing situation. This cannot be done by adopting a purely defensive posture. Offensive operations into contested and enemy held areas will still be necessary, for which reason the securely held areas should be limited to allow for an adequate reserve of forces for such operations.

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[1] See *Revolutionary Warfare and Communist Strategy* by Geoffrey Fairbairn (Faber and Faber, 1968) for the manner in which such people are manipulated or coerced.

[2] See William Pfaff, a critic of the war, in Kahn's *Can we win in Vietnam?* p. 167—"What they (the left-wing critics do not concede is that a Communist victory in Vietnam might create a repressive and antiliberal society, that reprisals and militant ideological indoctrination of an unwilling population might take place, that a Communist government might prove itself quite as capable of despotism and cruelty as any of the non-Communist regimes of the last fifteen years."

Behind all this there should be a much greater emphasis on nation building, on improving the structure of the government and on training the personnel required to staff it. Here the initial problem will be the direction of South Vietnamese manpower and the deployment of resources so that there is a balanced advance on all fronts. For example, as the pacified area expands, so must government departments with trained personnel available be ready to administer it. This is all a painfully slow process, especially in the early stages, before any momentum is gained. The chief enemy will always be impatience which, as in the past, will tend to encourage an overcommitment of resources over too wide an area, thereby bringing the programme to a standstill.

The effect of this strategic approach should be to reduce the tempo of the war and to achieve an economy of effort. No hard and fast targets should be set but it should be the general intention, within the first year, to reduce the strength of American forces by approximately 100,000 men. A start on this should be possible as a result of the bombing halt, and further economies might be made by a close analysis of the value of certain units, including support units, and by a measure of 'house cleaning'. It should also be possible to reduce costs by cutting down all those activities which produce a negligible return for the effort expended. This covers much of the air reconnaissance and of the harassing fire. Within a reasonable period of one to two years it should be possible to halve the cost of the war and gradually to reduce it further to a level roughly equivalent to the annual increase in Federal revenue. With a reduction in search and destroy operations and with the enemy being forced to come out and fight on ground not of his own choosing, the casualty rate should be significantly reduced though there is bound to be an occasional bad week. In this way the whole cost of the war, in every sense, could be reduced to a level which would be acceptable to the majority in the United States, without proving to be an excessive drain on her manpower, money or emotions.

At the same time the continuation of the war must be justified. Quite apart from both the enormously satisfying result, if the aim is achieved and the pledge honoured, and the benefits which would follow for the South Vietnamese, it is for this reason that negotiations must be kept going however far apart both sides may find themselves at the table. It would be a good starting point for the United States to suggest a return to the Geneva Agreements, to include a referendum within the South, which would answer Hanoi's main public justification for the war. This would compel Hanoi to explain what exactly she expected to get over and above the Agreements and to justify her case for such gains other than as the spoils of aggression. There are two main points on which no concession should be made—any further partition of South Vietnam or any form of coalition government, with the Vietcong holding certain Ministries in the government by right of conquest. The latter did not work in Czechoslovakia in 1948, nor in Laos in 1962, nor will it work in South Vietnam in 1969. The most that should be accorded, in the new U.S. President's words, is 'participation in the political processes . . . by those who may now be in the NLF, provided that they renounce the use of force and accept the verdict of elections'—that is of the majority. If the United States goes beyond this and holds out the prospect of an eventual victory at the table, both the fighting and the negotiating will go on, until that victory is attained. The answer to fighting while negotiating is to fight while negotiating—but to fight for a positive, honourable and acceptable solution.

Hanoi's reaction to a long haul low cost strategy can be expected in three stages. The first, in 1969 or early in 1970, might be to mount another all out offensive in an attempt to demonstrate that no progress was being made and to keep American costs high especially in casualties. At this she might have some success but at a great cost to herself. Strictly in terms of statistics it might be made to look like the Tet offensive all over again, but here it is necessary to discriminate between an operation carried out when on the strategic offensive and an operation carried out when on the strategic defensive. The first is a bid for victory while the second is a counter-attack to stave off defeat (compare the German Ardennes offensives of 1940 and 1944). That it was the second would have to be made abundantly clear.

Following on a failure of the first, and after a rearguard-like action of perhaps a year or two of intermittent guerrilla activity, during which the constructive programmes would gain momentum and a continuing reduction in cost and in American troop levels would become possible, the second reaction might be to accept a settlement at the negotiating table in the hope of being able to revert to a 'legal struggle'. Ideally the correct answer to this would be refusal, as Tunku Abdul Rahman refused Chin Peng's offer at Baling in 1955. However, this could not be done since the United States has already committed herself to the acceptance of an honourable settlement and could not go back on it. This would be the moment when the negotiations might be broadened, as a means of guaranteeing the settlement (though China would not oblige), and the United Nations might be brought in, rather than the International Control Commission, to establish the supervisory machinery. Upon the effectiveness of the guarantees would depend the third reaction with Hanoi falling back on the *status quo* in the hope that, when the dust of this war had settled, another opportunity would arise in the future. That in turn would depend on the success of the nation building programme and on the recovery made by South Vietnam in the post-war years, which could, with American help, be quite remarkable.

In 1969, therefore, the United States will have to make her choice either to end the war or to continue fighting while negotiating by adopting a long haul low cost strategy. The first requires only an acceptance of defeat whatever the consequences may be. The second will require courage, determination, persistence and, above all, patience. It could take three to five years before Hanoi was compelled to give up her purpose and to negotiate a real settlement (or just fade away). Even then the United States could not relax. A continuing but much reduced military commitment would still be required, as in Korea, and there would be a great reconstruction task ahead for many years. This would not be a simple or easy solution but a complete if not altogether a happy victory could still be won.

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[3] "Fix" rather than "search", i.e., destroy when you get a fix and do not waste too much effort searching.

NATIONAL MAGAZINE PRAISES COLUMBUS' ARCHITECTURAL PROGRAM

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. HAMILTON. Mr. Speaker, under leave to extend my remarks in the RECORD, I insert this excellent article from the October 19 issue of This Week magazine, which outlines a unique community improvement program in Columbus, Ind.

Columbus' outstanding public buildings and religious structures have been drawing worldwide attention in recent years. The This Week article, by Mr. Victor Block, describes the efforts of the Cummins Engine Foundation in Columbus in getting the Nation's top architects to design these structures.

As a resident of Columbus, I can attest to the success of the program in providing the impetus for community improvement programs.

As pointed out by Mr. Block, the program also is helping to attract and keep intelligent, vigorous young people, who will continue to work to make Columbus an attractive place in which to work and to live.

The article reads as follows:

HOW COLUMBUS DISCOVERED ARCHITECTURE AND BECAME BEAUTIFUL

(By Victor Block)

Until the mid-1950's Columbus, Ind.—a town of less than 30,000 people located about 40 miles south of Indianapolis—was a typical, disorganized sprawl of houses and hodgepodge of neon-lighted stores, like so many small towns. Then a resident with an idea began to change that pattern.

J. Erwin Miller is chairman of the board of the Cummins Engine Co., Inc., the world's largest producer of diesel engines. Miller's uncle had started the firm in his garage. As it grew, Cummins Engine found it increasingly difficult to attract high-salaried engineers and executive to the small Midwestern town.

This problem, combined with the artistic interests of Miller, a graduate of Yale and Oxford, an amateur musician and a Greek scholar, started an architectural revolution that revitalized the town and that has drawn the attention of architects throughout the world.

A basis for the ambitious architecture program already existed in a simple and tasteful First Christian Church, designed in 1940 by famed Finnish architect Eliel Saarinen. It was one of the first contemporary churches in this counrty.

After World War II, Miller, commissioned Eero Saarinen, Eliel's son, to draw the plans for the Irwin Union Bank, a block from the famous church. The success of the low, glass-walled bank building led Miller to implement his architectual plan.

The Cummins Engine Foundation, established by Miller in 1954, offered to pay the architect's fee for any new school building if the school board would choose from a list of six or more first-rank architects, suggested for each school by a disinterested panel. The architect would have totaled responsibility for planning and design of the school.

Not surprisingly, the school board accepted this offer. Leading architects—Harry Weese of Chicago; Norman Fletcher of The Architects Collaborative of Cambridge, Mass.; John Carl Warnecke of San Francisco; Edward Barnes of New York—took assignments in Columbus, and outstanding school buildings were built in all sections of town.

Residents, somewhat skeptical at first, were won over by the imaginative and artful ways these architects applied their skills to very practical problems. For example, Warnecke's McDowell Elementary School, built in an old, somewhat drab section of town, consists of four clusters, each with three glass-walled classrooms, connected by covered walks. The small, park-like area enclosed by the buildings provides garden plots for children to plant and tend.

The Richards Elementary School, designed by Edward Barnes, has saw-toothed skylights which provide natural light for classrooms and leave walls free for displays and work tables. The angular silhouette also provides contrast with the monotonous repetition of the subdivision homes in the neighborhood.

Lincoln School, designed by Gunnar Birkerts of Birmingham, Mich., is surrounded by small frame houses. Birkerts designed a two-story building with the bottom floor below street level and had trees planted around the square-block site. As the trees grow, they will completely shield the school from its urban surroundings. Earth embankments and spacing of play areas at varying levels contribute to the maximum use of limited space. Inside, classrooms and corridors surround a central core, a two-story-high gymnasium-cafeteria-assembly area, lighted through roof-top skylights and fluorescent lighting.

When taxpayers complained about the cost of these "fancy" schools, supporters of the program had a ready reply. Dr. Clarence Robbins, the school superintendent, pointed out that one elementary school completed in 1963 cost $15.48 per square foot, compared with the statewide average that year of $15.44. Today, the square-foot cost remains only slightly above the state average.

Dr. Robbins also claims that benefits derived from the architectural quality far outweigh the slight cost difference. Good schools attract better teachers and administrators. More than 40 per cent of the teachers in Columbus have advanced degrees or are working on them. In addition, the reputation of the town's outstanding school system attracts new, well-educated citizens who are interested and active in efforts to further improve the quality of education for their children.

The success of this school building program soon paid off in still other ways. Harry Weese was commissioned to design new factory and research buildings for Cummins, branches for the Irwin Union Bank, and a clubhouse for the 18-hole municipal golf course, itself laid out by the leading course planner Robert Trent Jones and donated to the city by the Cummins Engine Co. Even the architect's fee for a new sub-regional U.S. Post Office that is now under construction was paid by Cummins.

Today, a tour booklet distributed by the Columbus Area Chamber of Commerce to tourists, architecture students, and other visitors lists 31 examples of outstanding buildings. Aside from schools, churches, and banks, these include a library, children's home, home for the aged, hospital annex, two fire stations, and a clubhouse built alongside the town's ice skating rink, which was donated by another local foundation following Cummins' lead.

The fact that not all of the buildings result directly from participation by the Cummins Engine Foundation, which has spent about $1.5 million to date, indicates the positive results of such a program. For example, the Bartholomew County Library Board hired architect I. M. Pei, designer of the Kennedy Memorial Library and other monumental projects, for the new Cleo Rogers Memorial library.

Architectural fees for two churches—the North Christian Church designed by Eero Saarinen and the First Baptist Church by Harry Weese—were paid by their congregations. Saarinen's design alone would be enough to draw international attention to Columbus. The church is hexagon shaped, the hexagon representing Judaism's Star of David from which Christianity emerged. It is topped by a slender 192-foot spire. The interior, almost windowless and soft-lighted from a skylight and by reflection through openings under the eaves, has strong, simple lines that give a feeling of both peace and spiritual uplift.

The interest in quality architecture that has led to construction of such outstanding buildings has not stopped there. Cummins got a leading urban planner and designer, Alexander Girard of New Mexico, to suggest a method of breathing life into Columbus' aging downtown. Girard's plan: Join the shops with a continuous valance across their fronts, and replace the wild jumble of competing signs with coordinated lettering. Then, to accent the elaborate cornices and fancy moldings on the rows of late-19th century buildings that line Washington Street, paint them a variety of bright contrasting colors.

Cummins paid to have a test block renovated and the idea began to catch on. Freshly painted buildings on nearby blocks now dot the downtown shopping area.

The feeling of pride in their town by the residents of Columbus has brought other benefits. Warnecke's glass-walled McDowell school, built in a low-income neighborhood, has had very few windows broken in the years since it was completed. Furthermore, residents near new buildings, even in homes priced under $10,000, have begun to paint and face-lift their modest dwellings.

Old apartment buildings and other downtown structures have been freshly painted. Instead of being torn down, as some people suggested, the quaint Victorian courthouse near the center of town has been renovated, in part to serve as contrast to the modern, new buildings rising around it. And the Columbus Jaycees are turning a swampy area that was once the site of tar-paper shacks into Mill Race Park, a recreation area with boating and fishing facilities, picnic tables, play equipment, and an old covered bridge that was carted to the site.

Today, Cummins has little trouble attracting the well-educated young management and research people it needs, and, because Miller turned his dream into reality, Columbus is one of the fastest growing, most active communities in Indiana.

AMERICAN TEAMWORK

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. RHODES. Mr. Speaker, teamwork is the hallmark of Americans. No people are more noted for their ability to pitch in together and get the job done—especially when the need is great and the job ahead is hard.

Now President Nixon has called for teamwork in a time of great need. The job ahead is hard indeed. For the present, let us sink our partisan differences, put politics aside for the period we need to accomplish the vital reforms the President has put before us. The objectives—as Mr. Nixon has pointed out—are those which the American people have commissioned Congress and the President to achieve. Bickering over who is to blame for not yet accomplishing these objectives will not help anything. We have a job to do. The President and the people have asked us to get the job done. Let us pitch in and do it—and sort the political credits out later.

A UKRAINIAN RESOLUTION ON RELIGION AND HUMAN RIGHTS

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. HELSTOSKI. Mr. Speaker, on June 9, 1969, the Ukrainian organizations of New Jersey, affiliated with the Ukrainian Congress Committee, held a meeting at Newark, N.J., at which time they adopted a resolution condemning the harsh treatment of the Ukrainian people by their alien rulers.

As Members of Congress, we have risen many times to deplore the acts of the alien governments in trying to impose their rule upon the nations behind the Iron Curtain. Each one of these nations is desperately trying to obtain freedom for themselves and the right to live as an independent nation.

Through this resolution, the New Jersey group of Ukrainians condemns this harsh treatment endured by the Ukrainians and asks for a peaceful and just solution to put an end to it.

The resolution follows:

RESOLUTION OF UKRAINIAN CONGRESS COMMITTEE OF AMERICA

We, the undersigned, the representatives of the Ukrainian Organizations under the direction of the Executives of the Newark Branch of the Ukrainian Congress Committee of America, the national representative body of over 2 million Americans of Ukrainian descent, gathered at a special meeting, held on Monday, June 9, 1969, in Newark, N.J., unanimously adopted the following resolution:

Whereas, the Soviet Government destroyed the Ukrainian Autocephalic Orthodox Church in the 1930's by murdering over 30 archbishops and bishops, and over 20,000 clergy; and

Whereas, the Kremlin has ruthlessly annihilated the Ukrainian Catholic Church in Western Ukraine by arresting 11 bishops and over 2,000 Catholic priests, monks and nuns, and forced some 5 million Ukrainian Catholics into the fold of the Communist-Controlled Russian Orthodox Church against their will and conviction; and

Whereas, on January 27, 1969, the KGB has arrested in Lviv, Ukraine, Archbishop Vasyl Welychkovsky, a high-ranking prelate of the Ukrainian Catholic Church, as well as a number of other Catholic priests; and

Whereas, the Soviet government persistently harasses and persecutes Christian adherents in Ukraine by closing the houses of worship of the Baptists, Evangelics, Jehovah's Witnesses and others; and

Whereas, the government of the Soviet Union has been engaged in a relentless policy of russification in Ukraine by imposing the Russian language and culture, and by arresting, trying and deporting Ukrainian intellectuals for their loyalty to and defense of the Ukrainian culture and national heritage; and

Whereas, the Soviet government is guilty of flagrant and systematic violations of the *Universal Declaration of Human Rights*, to which it has been an official signatory, particularly Art. 18 of the said Declaration, which provides for the right to freedom of thought, conscience and religion, as well as Art. 2 and 15 which provide for the equality of all races and nationalities.

Now, therefore, we hereby unanimously resolve:

1. To dispatch this resolution to the two Senators and the U.S. Representatives from the State of New Jersey, and to members of the State Legislature of the State of New Jersey, so as to inform them about the religious, political and cultural persecution of some 46,000,000 Ukrainian people by the alien regime of Communist Russia;

2. To ask these elected representatives of the State of New Jersey to prevail upon the U.S. Government to raise at all high-level conferences with the rulers of the USSR the question of the actual negation of the right of self-determination of the Ukrainian Nation as well as all other captive nations now enslaved by the USSR and its subservient communist satellites in Europe and Asia.

Alliance of the Friends of Ukrainian Democratic Republic Branch in Newark, N.J.

American-Ukrainian Citizen Club, Inc. Newark, N.J.

Association for Free Ukraine, Inc. (O.P.W.B.U.).

Brotherhood of Former Soldiers of the First Ukrainian Div. U.N.A.

Fathers' Committee of St. John Ukrainian Catholic School in Newark, N.J.

Federation of Ukrainian Student Organizations of America Branch of Newark, N.J.

Ladies Sodality.

Organization for the Defense of Lemkivshtchyna Branch No. 5 in Newark, N.J.

Organization for the Rebirth of Ukraine (ODWU) Inc. Branch No. 70 in Newark, N.J.

Organization of Defense of Four Freedoms of Ukraine, Inc. Branch No. 1 in Newark, N.J.

"Plast" Inc. Ukrainian Youth Organization, Chapter No. 17.

Ridna Shkola.

Selfreliance Association.

Society of Veterans of Ukrainian Insurgent Army, Inc.

The Providence Association of the Ukrainian Catholics in America.

The Ukrainian Music Institute of America, Inc. Branch Newark, N.J.

Ukrainian-American Businessmen's Association of Newark, N.J.

Ukrainian American Youth Association, Inc.

Ukrainian Athletic Association "Chornomorska Sitch", Inc.

Ukrainian Choir Society "Trembita."

Ukrainian Community Center, Inc.

Ukrainian Congress Committee of America, Inc. Branch for Newark, N.J. and Vicinity.

Ukrainian Evangelical Baptist Church in Newark, N.J.

Ukrainian Hetman Organization of America, Inc., Branch No. 14, Newark, N.J.

Ukrainian National Aid Association of America, Branch No. 161, Newark, N.J.

Ukrainian National Association Inc., District Committee, Newark, N.J.

Ukrainian National Women's League of America, Inc. Branches No. 28 and No. 86 in Newark, N.J.

Ukrainian Orthodox Church of the Holy Ascension in Newark, N.J.

Ukrainian Orthodox Church of the Holy Trinity in Irvington, N.J.

Ukrainian Research and Information Institute, Inc., Branch No. 7 in Newark, N.J.

Ukrainian Workingmen's Association of State of New Jersey.

United Ukrainian War Veterans in America.

MINERAL ENTRY IN THE PUBLIC LANDS

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. JOHNSON of California. Mr. Speaker, one of the hardest working organizations devoted to the preservation of our minerals industries is the Western Mining Council directed by its president, Mr. Lee I. Rowland, of Mariposa, Calif.

Mr. Rowland is a miner of many, many years experience and is recognized as an outstanding spokesman for the industry and especially for the small miners which contributed so much to the growth and greatness of the Mother Lode area of California which I am proud to represent here in Congress.

Recently the Western Mining Council published its recommendations to the President of the United States and to this Congress relating to the procedures pertaining to mineral entry within the public land. These recommendations have been submitted by me to the Public Land Law Review Commission and to the President and I would like to share with my colleagues the recommendations made by the Western Mining Council and insert these in the Record at this point:

Western Mining Council Recommends to the President and Congress of the United States the Following Procedures Pertaining to Mineral Entry

Western Mining Council believes that whenever feasible, all minerals located on lands about to be inundated by lakes or reservoirs should be removed before the construction of the dams or other structures that are to be built in these areas.

Western Mining Council opposes the addition to the Federal Mineral Leasing Act, any minerals other than those already being administered under this Act. We believe that all minerals not now under the Federal Mineral Leasing Act should remain under the regulation of the Mining Laws of 1872, and should be open for entry to anyone that locates and develops these ore bodies.

Western Mining Council further believes that the intent of the Mining Laws of 1872 are clearly defined and spelled out. However, the executive agency seems to have chosen to misinterpret the intent and purpose of these laws, resulting in harassment and intimidation of mining claim holders, and in our opinion, illegal invalidation of mining claims. We therefore ask you to revert to the principles of the Mining Laws of 1872.

Western Mining Council feels that any tampering with the Mining Laws that would in any way change the intent of the Mining Laws of 1872, or tend to disenfranchise the rights of prospectors and mining claim holders would be in violation of the intent and purpose of the Preamble of the Constitution of the United States of America, and would impair the economy of this Nation today and for generations to come.

Western Mining Council recommends that in the future all Bills or Laws pertaining to the administration of the public lands of the United States shall be written in such a manner so as to fully state the intent and purpose of these laws and the method of administration shall be stated in such a manner as to leave no doubt as to the administration procedure of said Bill or Act.

Western Mining Council asks Congress to classify the public lands of the United States in such a manner that will promote the production of domestic minerals and enhance mining in the United States. We feel that we would be making a mistake to allow our economy to become dependent upon minerals imported from other countries for use in our industries.

FROM MISSOULA WITH LOVE FOR THE EVERGLADES

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. OLSEN. Mr. Speaker, high level talks have continued for the past several weeks relative to the proposed construction of a jetport to service Everglades National Park, Fla. Proponents and opponents have vigorously debated all ramifications of the project, and national attention has been directed to the predicted destruction of the park's facilities.

All ages, all walks of life, all conservation-minded Americans are awaiting the final decision, and one particularly knowledgeable group from Montana's Garden City—Missoula, has taken the time to let me know exactly what they think. And I think what they have to say is worth repeating for my colleagues to hear.

For the Record, and to be underscored as opponents to the construction of the Everglades Jetport, I would offer the following statements from members of the fifth grade class at Cold Springs School, Missoula, Mont.:

> It (the jetport) will kill good fishing and a lot of wild life. In a way I think animals are better than people so please don't harm them.

> I think it is mean to kill all those animals and destroy the forest. Animals are just as important as people and we need the wilderness to make the world beautiful.

> Animals like to live in peace, why disturb their life? Why let them live a life of confusion? It's bad enough for us to live in a world of confusion.
>
> The jetport to be constructed in Florida will destroy 20 different kinds of animal life. For your information, you and I are animals ourselves. Just because we have guns, machines, money, metals, and plastics, etc., beavers don't need concrete or heavy machinery. They use what they can find like sticks for metal and mud for concrete. You fancy people don't know the affairs of the common people or animals. People slaughtered buffalo and eagles, and here come the Everglades' animals.

> I don't like the idea of ruining the Everglades by that stupid jetport. They can build it someplace else. The alligators need some place to live. It would be like someone taking your home from you.

> I heard about the jetport and killing the animals in Florida. I do not think that it should happen. Because we get food from them. And also they are just as good as us.

XUM

I hope you heard about the new industry in the Everglades National Park. About the biggest airport in the whole world. Why can't they build it in Kansas or Georgia?

The names of these fifth graders are: Scott Diettert, Ted Craft, Stacey Jordan, David Bristow, Scott Sax, Debbie Larson, Jim Bradford, Tommy Gress, Ken Brown, Felicia Fahey, Gina McDowell, Steve Daniels, Terri Anderson, Colleen Flynn, Debbie Roberts, Karl Morgan, Terri Rasmussen, Douglas Turman, Renee Oertli. Their teacher is Raymond D. DeNeve.

LEGISLATION TO TERMINATE THE SUGAR QUOTA FOR SOUTH AFRICA

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. REID of New York. Mr. Speaker, I am pleased to join with my colleague from New York (Mr. Bingham) in introducing legislation to terminate the sugar quota for South Africa and to redistribute this quota among certain developing Africa nations.

In April of this year, along with other Members of this House and Senator Kennedy in the other body, we introduced a bill to terminate the South African sugar quota which amounts to an annual subsidy to South Africa of about $4 million. The racial policies of South Africa are repugnant to many citizens of this country, and have been condemned by most of the countries of the world. The sugar subsidy benefits not the black South African who works on the sugar plantation but the white minority—which already enjoys one of the highest standards of living anywhere in the world. Our support, through the sugar subsidy, of the policy of apartheid is an affront both to our own black citizens and to the nations of black Africa.

Equally, the developing nations of black Africa need the assistance now going to the racist government of South Africa for their own economic development. In particular, Mauritius, Malagasy, Swaziland, and Uganda produce sugar well in excess of their own consumption requirements and, in the case of the first three, well in excess of their present small U.S. sugar quotas. Uganda has no U.S. quota at all.

The President has the authority to suspend South Africa's sugar quota by Executive order but specific legislation is required to redistribute it to particular non-Western Hemisphere countries. Thus, our bill would redistribute the South African sugar quota to Mauritius, Malagasy, Swaziland, and Uganda.

Mr. Speaker, in my view, it is essential that this legislation be considered at the earliest possible opportunity by this Congress. Enactment of this measure will be a signal to black Africa that the United States is willing to back its moral opposition to apartheid with concrete actions.

GRASSROOTS SENTIMENT OF MORATORIUM DAY

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. MICHEL. Mr. Speaker, I would be the last person in the world to make suggestions to our friends in the newspaper business with regard to personnel assignments for their reporters and columnists but I have often thought that reporters assigned to New York and Washington ought to be required to spend several weeks or longer serving a stint in other parts of the country. Perhaps an exchange program could be arranged with newspapers in smaller towns and cities around the country who would take these big city reporters and put them in close touch with the real grassroots sentiment on some of the major issues of the day, hopefully to give them a broader picture than what they seem to get in talking to each other and reading each other's material.

In any event, I include the following editorials from the Peoria Journal Star edition of October 17 and the Chicago Tribune edition of today relating to the Vietnam Moratorium Day exercise last Wednesday in the Record at this point so that our friends in the press gallery can get an idea of the sentiment being expressed in other sections of the country:

The "Liberal" Line

Some very strange conclusions have attended last week's Viet Nam "moratorium," which its organizers hope to make a monthly thing. The Crimson, student newspaper at Harvard, not only printed a Viet Cong flag on its front page but also ran an editorial supporting the National Liberation Front, political facade for the communist guerrilla operation.

It said that the front, "whom we have been trying to exterminate, has the support of the people of Viet Nam" and therefore "it deserves our support." This hardly accords with the fact, to which we gave editorial attention yesterday, that the government of South Viet Nam controls areas of South Viet Nam in which 89 per cent of the people live, and that these people have organized self-defense forces against the Communists numbering a million and a half persons.

In other quarters the "moratorium" was seized on by "liberal" columnists as an excuse for threatening the Nixon administration. Joseph Kraft, who fancies himself as a latter-day Walter Lippmann, remarked with evident relish that the President was being "pushed into a corner where his only choice will be a bugout." This callous indifference to defeat and disgrace, and to the repudiation of the nation's commitment to defend a friendly people from conquest and mass murder at the hands of the Communists, is unseemly in anyone pretending to be a responsible commentator.

Mr. Kraft's itch to whoop up an enemy victory is also reflected in the comment of Nicholas von Hoffman, columnist for the Washington Post, that the "moratorium" constituted an "ultimatum" to Mr. Nixon and other politicians. "Either the war must end or the resistance must grow and take tougher forms," he says. This is an incitement to violence by anti-war groups.

Mr. von Hoffman also celebrates as heroes those who broke into draft induction centers and threw blood on files "or got their heads beaten standing in front of induction centers or, like Capt. Howard Levy, took a court martial and a jail sentence." The destruction of draft files is unlawful, and the refusal of an officer in uniform to obey lawful orders is a betrayal of the oath he takes when he is commissioned, but Mr. von Hoffman sees nothing to object to in such behavior.

Then there is Harrison Salisbury, assistant managing editor of the New York Times, who said at a book forum here just after all the furor of the "moratorium" that he seriously saw the possibility of a war between Russia and Red China and threw in the observation that this would be a war from which this country could not stand aside.

We don't know where Mr. Salisbury stands on bugging out of Viet Nam, but from some knowledge of his intellectual history we assume that he would be in favor of it. It is certainly strange that at a time when so much emotion has been generated to that end anybody should be proposing that we get out of one war only to jump into another bigger and nastier one—a war, moreover, over which most Americans would be disposed to cry: "Go it, bear! Go it, dragon!

If, as Mr. Salisbury conceives, it is America's duty to go to the aid of one or the other communist adversary, which does he nominate as our prospective ally? Whichever we might adopt would, at least, have the ironic effect of creating even more poisonous divisions among the fractured factions of the peacenik left, some of which are Maoists, some Kremlin lovers, some Castroites, and some something else.

And just why, we inquire, if Viet Nam is not the right war at the right place and at the right time, would our barging into a Sino-soviet brawl be all of these things?

A Great Show

(By C. L. Dancey)

It was a great show.

Every trick in the trade was used, except naked actors.

They trotted out Ted Kennedy in Boston, Mrs. Martin Luther King in Washington, Harry Belafonte in California. They offered the kids an excused holiday from the boredom and labor of classwork. On selected campuses, they moved in famous TV newsmen with their camera crews . . . which added to the excitement, of course.

Then, these few unique campuses bustling with national network attention, were presented to the nation as the representative examples of what was happening! Three months of organized effort was billed as "spontaneous", "mushrooming" reaction!

And there was an extra added bonus, not so available during the long years of this war when there were no withdrawals only increases, and when casualties were running 400 per cent higher than today.

That was the political addition of prominent Democrats eager to begin the process of ripping apart a Republican president—and who cares how?

I think it was Walter Cronkite who described this without mentioning its obvious partisan motive and flavor as a phenomenon whereby the protests were becoming "respectable!"

So, it was a great show, and a galloping propaganda coup.

As an expression of the American people, however, and a meaningful political exercise, we do not share the confidence of some that propaganda is all powerful and promotion assures the swaying of the 200,000,000 Americans who didn't take part.

To people enamored of their role in blatting out promotion and seeking their own political consequences, this may be the magic "key" to "control" of America's electorate.

XUM

We are not so enamored. We are not so contemptuous of the public. We are not blind to the 150,000,000 Americans living in modest towns and villages and cities across the land who were skipped over as unimportant in this coverage of major city shows and college towns.

We are not blind to the fact that across Illinois, colleges with thousands of students had thousands of students attending class as usual while only a few hundred on each campus took holiday and a meaningful part in the "protest." We are not blind to the fact that in hundreds of cities and towns with no college, not a single two-finger salute was even raised.

I am sure that most students, and most people are concerned—indeed, deeply concerned. But I doubt that they are so eager to shoot down a President who has been the first to conceive of a process for extricating ourselves that is actually functional.

I doubt if they are eager to add to Hanoi's confidence and arrogance.

I doubt if they are eager to play Hanoi's game, as Hanoi is now publicly bidding them to do.

I doubt if they look any way but with a jaundiced eye on those opportunistic Democrats who have changed their tunes so drastically now that there is a Republican in office trying to clean up the mess.

One suspects that this great mass of Americans is getting jaded with this hokey, show business approach to the serious business at hand.

One suspects that they are getting fed up to the eyeballs with abusive, exaggerated, demagogue blasts and the theory that democracy "like a harlot" functions in the streets.

And, as usual, the desperate politicians, the entertainer-professors, and the eager "part of the action" campus movers lag behind the public moved changes—and will be the last to know . . . except possibly for Walter Cronkite.

This is a funny country. Again and again we have seen a tide swell on the surface and the "trend" seem to be rampaging uncontrolled—until suddenly comes the straw that breaks the camel's back.

Suddenly, discover with shock and surprise that "enough is enough", and we are smashed by a truly spontaneous and universal public reaction from the people who are accused of apathy because they do not respond to the "pep rally" approach and do not stampede at the first drumbeat of the propagandists.

In them decision-making builds slowly. It simmers. And when it surfaces, their numbers and their power is surprising, shocking, and shattering.

The propaganda blasts are stirring them, now—but how? For? or Against?

We believe the restraint of the mass of Americans at moratorium time, in the face of massive drumbeating, the various extra-added attractions, had a subtle new flavor, We believe, this time, it was a uniquely AWARE and CONSCIOUS restraint.

There were stirring in it and faint rumbles.

Something is building in the folks who don't stampede before gimmickery and show business tricks. Sooner or later it will likely surface with its awesome power.

MAJORITY VIEWPOINT

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. WYMAN. Mr. Speaker, the Warner & Swasey Co. is noted for its cogent advertisements. One such appearing in the current issue of U.S. News & World Report follows. I share this company's hope that Americans will say so in the most effective way they can—which is at the ballot box next fall.

The article follows:

WE'RE NOT RUNNING FOR OFFICE SO WE CAN SPEAK OUR MINDS

1. No taxpayer we know would allow anyone to go hungry, but he's getting tired of soaring relief rolls in this decade of all-time high prosperity, and he feels he's being overtaxed to support people not willing to look very hard for jobs to support themselves.

2. We believe leaders who know far more about it than we do got us involved in Vietnam, and other leaders will get us out as soon as it is safe for America, but in the meantime we believe we should support our fighting men and not support our enemies by attacking our government.

3. We think every worker should be paid well for what he produces, but we object to the kind of inflation brought on by unions who demand more and more money for no more productivity.

4. Every American should get as much education as he can afford and absorb, but we think unkempt youngsters trying to tell a college what to do should be disciplined and sent home until they learn manners.

5. We believe this is the greatest nation in the world but that's in spite of—not because of—too many politicians who keep themselves in power by squandering the taxpayers' hard-earned money.

And we think the great majority of the 200 million Americans feel the same way we do.

We hope they'll say so.

YOUNG GIVE THE OLD A HAND

HON. ODIN LANGEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. LANGEN. Mr. Speaker, I have always held a high regard for the young people in this Nation. For the most part, they are active, intelligent, and sincerely interested in a better society. Most teenagers in America are patriotic, brave, and understanding people. I wish to take this opportunity to pay them another compliment.

The occasion of these remarks is the publication of an Associated Press story in the Minneapolis Tribune newspaper. In the account of an incident in Westbury, N.Y., teenagers are pictured as the good citizens I know them to be. The community of Westbury, according to the story, reduced the funds available to the local senior citizen program because of an economy drive. Without funds, the senior citizen activities would have had to be discontinued. The high school, junior high school, and other students took up the program as their project.

I insert the article in the RECORD as follows:

[From the Minneapolis Tribune, Oct. 14, 1969]

STUDENTS HELP SAVE PROGRAM FOR ELDERLY

WESTBURY, N.Y.—Hundreds of teen-agers are working enthusiastically to save a program that enriches the lives of the older people residing in Westbury, a Long Island community.

The Westbury Senior Citizens' program faces extinction because funds for the 13-year-old project were eliminated from the Westbury budget as an economy move. The program provides educational, creative art and social activities for older residents. About 170 persons participate regularly.

When Westbury's young people learned that $5,500 was needed to keep the oldsters' project going until July 1970, they began working to make up the deficit.

The Westbury High School senior class of 1970 decided that aid to the senior citizens would be their class project. The student council and the junior high school pupils joined in the task.

Thomas A. Harris, an insurance man who is helping Westbury's senior citizens, said the efforts of the youngsters have netted about $1,500. Some of this sum came when 500 attended a spaghetti dinner in the high school cafeteria.

The teen-agers and their elders in this middle-class suburb of New York City are preparing for another fund-raising affair, a band concert at the high school.

James W. Hardy, president of the Westbury Senior Citizens Program, was asked how he felt about the help from the teen-agers. Hardy, 86 years old and retired, said:

"The young people were given an opportunity to do something constructive. They rose to the occasion. It's when youngsters have nothing to do that they often get into trouble.

"Give them opportunities for good works. Give them responsibilities. They won't let you down."

RECENT DEVELOPMENTS IN VOCATIONAL EDUCATION

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. WALDIE. Mr. Speaker, Dr. Claude M. Ury, a member of the faculty of San Francisco State College, and a member of the Presidential Task Force on Education, has written a most informative article on new developments in vocational education which has appeared in the September issue of Catholic School Journal.

Because of the great interest of the Federal Government in these programs, and the great expenditure of public funds to support them, I would hope that the Members would review Dr. Ury's comments.

The article follows:

RECENT DEVELOPMENTS IN VOCATIONAL EDUCATION—THE VOCATIONAL EDUCATION AMENDMENTS OF 1968 AUTHORIZE NEW FUNDS FOR VOCATIONAL TRAINING IN SCHOOL OR ON THE JOB

(By Claude M. Ury)

We live in a time when there is an alarming estrangement of youth from many of our cultural and religious values. Young people are not so unperceptive that they cannot sense what is irrelevant in education or what "short-changes" them. The result can be a total estrangement from all values represented by the educational institution. That would be tragic.

If, for any reason, good vocational counseling is impossible or incompatible with the present school structure, perhaps the school's administration should consider the following policies:

Refuse to take all "comers" and admit only those who can succeed in and afford a college education.

XUM

Re-evaluate expensive sports programs and see if precious dollars can be channeled into guidance or industrial arts programs.

Take a hint from the thinking behind the new federal legislation for vocational education: almost every person can be trained for some gainful occupation. If he is not so trained, then society is failing him. Can we honestly wash our hands of the underachiever simply by flunking him?

If anyone doubts the grave shortages of properly trained skilled workers he has only to recall the last time he tried to get his automobile repaired, or his television set, or his washing machine. He has only to look at the want ad section of the newspaper filled with the same help-wanted classifieds every day. The auto industry alone can use 5,000 new auto mechanics every year. Industry is clamoring for technicians to work with engineers. Recent government estimates claim that a million more jobs for technicians will be available by 1975.

Federal funds for vocational education alone come to nearly a billion dollars annually and, with local expenditures, the total comes to several billion dollars. As rapidly as possible, states are moving to provide all types of vocational training. Area vocational schools are being built at the rate of about fifty a year. By 1970 there will be over a thousand technical schools providing sub-baccalaureate training programs.

It would be a shame if the products of our Catholic high schools were not prepared to take full advantage of the training opportunities these schools will offer.

Preparation of young people for the world of work is an essential function of society. Currently, there are many interacting forces that influence newly emerging patterns of the occupational world. These forces are especially evident in the large cities of the United States. The development of the large urban complex, continued population growth and changing population characteristics, the imbalance between manpower supply and labor market demands, accelerated technological development and the challenge of automation are illustrative of conditions that have major implications for programs of preparation for the world of work.

Jacob J. Kaufman of Pennsylvania State University, in his recently completed study "The Role of the Secondary Schools in the Preparation of Youth for Employment," has concluded: "Vocational guidance should be expanded in a number of directions. It should begin in the elementary school to prepare youngsters for their experiences in the redirected form of vocational education. In the junior and senior high school, courses in the nature of occupations should supplement vocational courses. To free more of the counselor's time for student contact greater reliance should be placed on group counseling, technological innovations, and clerical assistance."

The U.S. Senate Committee on Labor and Public Welfare has stated: "The unemployment of youth between the ages of 16 and 21 . . . is approximately three times the level of the total labor force. It has been estimated that 1,100,000 young people between 16 and 21 are neither in school nor at work." A large portion of this group is concentrated in the urban centers of our country. Unemployment is costly not only to those directly involved but to the whole society. Not only do the unemployed contribute nothing to the economy, but their impact on the community is felt in increased relief and welfare payments, delinquency and crime.

Several illustrative research projects, which have been funded by the U.S. Office of Education, seek to develop new and more effective guidance materials and procedures. One project, for example, at Stanford University has been experimenting with ways of simulating actual job experiences, thus providing the young person wtih a more realistic appreciation of what it means to be an accountant, an X-ray technician or a police officer. Experimental kits have been developed that stimulate students to explore groups of occupations.

In another project, concerning vocational development and vocational education in adolescence, Professor John Crites of the University of Iowa constructed and standardized a test for measuring vocational maturity in adolescence. The test includes an attitude scale designed to measure certain attitudes that are assumed to play an important part in the process of choosing a vocation.

The Office of Education, the American Institute for Research and the public school system of Quincy, Mass., are collaborating to build a complete curriculum for Quincy. The Quincy program involves the tenth grade and above, including a two-year, post secondary curriculum. The program is built around "families of occupations encompassing 255 specific occupational skills." The content for the curriculum is explicitly derived from an analysis of desired student behavior after graduation. The two-year, post secondary school is open to those who graduate from high school. This secondary school program is paralleled by the rapid development of junior and community college programs as evidenced in the states of California, Pennsylvania, New York and Ohio. Attempts are being made to apply newly developed educational technology to the design, conduct and evaluation of the instructional program. Included in this new technology are methods of defining educational objectives, drawing topical content for courses, preparing students in prerequisite knowledge and attitudes, individualizing instruction, measuring student achievement and establishing a system for evaluating program results in terms of outcomes following graduation.

In some school systems, experimental programs have been introduced. The Richmond plan is being conducted in high schools in Richmond, Calif. Subsequently, other school systems in California have inaugurated this program. Its target is the specially oriented student who often is experiencing academic difficulty in the general education program. The ultimate occupational goal of the Richmond program is the engineering technician. Modifications of the Richmond plan are directed to a variety of occupational goals. Curriculum units are planned by a teaching team around a core technical project provided by the industrial arts instructor. Each instructor in math, science and English structures his offering around that project stressing an interdisciplinary approach.

This project has demonstrated the effectiveness of such an employment-oriented approach in achieving a variety of occupational goals. About 40 schools in the San Francisco Bay Area have adopted the approach applying it to 12 different occupational goals.

One of the more interesting and successful programs has been Project Feast (Food, Education and Service Technology), which provides the student with training either for additional formal education or for immediate employment in the field of commercial food service. It also contains the features of co-operative work programs. By enrolling students of all ability levels, it has been especially effective and appropriate for those of less than average ability. Close liaison with the Hotel and Restaurant Foundation at San Francisco City College has assured both employment and further educational opportunities to the students involved.

An outstanding innovation in career guidance for high school students is the mobile career guidance trailer operated by the Solano County (California) Office of Education.

The purpose of the facility is to provide resources from which students can explore career fields. A vocational advisor is on the trailer at all times when students are aboard. Students are given a brief orientation to the equipment in the trailer and are then free to explore. At the same time they are encouraged to consult the advisor for additional help.

The facility contains the latest equipment and materials. Career information is provided on microfilm and can be printed for students to carry away. Other materials and equipment include a table-talk projector with guidance film; a Fairchild projector with career cartridges, two tape recorders with interview tapes provided by Guidance Associates and a complete set of career information briefs from the California State Employment Service.

The technology for Children project co-sponsored by the New Jersey State Department of Education and the Ford Foundation, the Nova Schools in Florida, and the American Industries Project at Stout State University in Wisconsin are examples of programs that expose children early to the vocational choice they will eventually have to make. New Jersey's program consists of a systematic kindergarten through grade twelve view of the workings of the economy and the nature of the occupations within it.

The Nova (Florida) children in grades one to six are introduced to a wide range of employment-related experiences through tools, mechanical devices and games. The program becomes more specific in grades seven to twelve. In grades seven and eight, the students are introduced to fundamental concepts of technology. A variety of introductory experiences is provided to help the student become more aware of vocational alternatives and career requirements. Specialization increases in grades nine to twelve with encouragement constantly offered to remain in school as long as the student can profit from further education. All student experiences and decisions are intended to motivate the student in his educational achievement.

The American Industries Project begins in the eighth grade. The student is allowed to progress according to his ability to recognize and solve complex industrial problems within broad concept areas or clusters of concepts appropriate to the individual's interests and abilities from a general understanding of the major concepts of industry and technology and simple problem-solving techniques.

The Nova pre-employment program provides each student an opportunity to select one technological science course each year. Additionally he enrolls in science, social studies, English, mathematics and foreign language courses, each with units and activities directly related to the student's field of interest. Teaching the student concepts and processes of the work world and problem-solving techniques prepares him for current employment yet still enables him to cope with change.

The San Mateo Unified School District in San Mateo, Calif., has developed a "zero-reject" concept for curriculum planning. The assumption is that with proper teaching techniques every student can earn a high school diploma with a broad liberal and vocational education. It is the school's responsibility to see that students are employable whenever they choose to leave school, whether as a school dropout from grade ten or with a doctorate. Occupations are grouped into clusters and by levels that form ladders of progression throughout the entire educational system of the school district.

The Oakland (California) Unified School District has instituted a program for all seventh, eighth and ninth grade students in the process of career planning and development. This project, Choice or Chance, derives from a project funded under the Vocational Education Act of 1963 entitled Employment Readiness Activities. The intent of both projects is to provide youth with a greater understanding of themselves and the opportunities available to them in the world of work. Emphasis is upon the data required for effective decision making. The Choice or Chance units have been developed as a cooperative counselor, teacher, student activity funded by the Elementary and Secondary Education Act, Title I. The program is incorporated into the English classes; the skill development is in the area of communications; the content is career planning.

It is this writer's contention that one can expect to see great improvements in work-experience programs as a result of the recently enacted Vocational Education Amendments of 1968. The amendments create a viable framework to equip young people with skills they must possess if they are to secure adequate employment. The implementation of the legislation can prepare students with a sound basic education that can be used as a foundation for further education and training should they decide to continue their studies.

The new legislation authorizes exemplary programs and projects to ease the transition from school to work. Provisions for intensive guidance and counseling as well as initial job placement are included. Programs in career planning can be undertaken as early as the sixth grade to acquaint students with the broad range of occupational opportunities.

Special provisions have also been made to assure adequate funding of programs for those individuals who have completed or left high school and are unable to study on a full time basis before entering the labor market. Beginning in fiscal year 1970, 25 per cent of the portion of each state's allotment in excess of its base allotment may be used for programs to enable these persons to prepare for good jobs.

The amendments can assist the states to expand their programs of work study, which by simultaneously combining education with work experience can teach students the value of learning a skill to get a good job. The amendments provide for 100 per cent federal financing for the states to hire personnel to coordinate such programs and to furnish instruction related to work experience. They also provide reimbursement to employers for certain costs they may incur while providing on-the-job training, and will pay the costs of providing other services, such as transportation of students participating in the program. The amendments also increase the proportion of federal matching funds that will be available under the work-study program from the previous 75 to 80 per cent.

Under the amendments assistance is offered to state and local educational agencies in the development of curriculums better adapted to the requirements of new and changing occupations, and in the dissemination of existing curricular materials.

The provisions of the 1968 Vocational Education Amendments, in short, will greatly strengthen this country's effort to help its youth find meaningful jobs.

THE PRESIDENT'S COMMITMENT TO END HUNGER IN THE UNITED STATES

HON. ROBERT T. STAFFORD

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. STAFFORD. Mr. Speaker, the President's commitment to end hunger in this land of plenty is a call for action we must respond to. He has pointed the way—proposing a long-needed reform of our entire welfare system, and outlining an expanded food stamp program which would see that the poorest people receive food stamps free of cost.

Within its own sphere the administration has already acted. It has recognized Department of Agriculture food help programs—creating the Food and Nutrition Service specifically for this major job. Executive departments—such as Agriculture and Health, Education, and Welfare—have achieved harmony in working together to relieve hunger and malnutrition. The President has called a White House Conference on Food and Nutrition for December.

Congressional action is needed. Let us join and support the President in assuring that every American family will have a nutritionally complete diet. Let us eliminate hunger in America—now, and for all time to come.

HOW A BILL BECOMES A LAW

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. COHELAN. Mr. Speaker, one of my constituents, Dr. Claude Ury, of Berkeley, Calif., recently sent me an article on "How a Bill Becomes a Law" by Col. George F. Meyer and Lt. Col. John G. Garvin. This article presents an overall view of our legislative process. Periodically I am amazed at the lack of the public's knowledge of the Federal legislative system. Perhaps this article will lessen some of the popular misconceptions of the democratic process of Congress.

Mr. Speaker, at this point I include this article in the RECORD for the benefit of the readers:

HOW A BILL BECOMES A LAW

(By Col. George F. Meyer, Jr., USA, retired, and Lt. Col. John G. Garvin, USAF, retired)

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. . . ."—thus read the first two lines of every bill introduced in the Congress. To discover why this should be so one needs only to read Article I, Section 1, of the Constitution of the United States, which provides that:

"All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives."

Are you really familiar with this most important and historic document—the Constitution? How long has it been since you have read the Constitution from beginning to end? A week, a month, a year, 10 years—or have you ever read it? Whatever your answer, why not stop right now and read it? It won't take long—about 20 minutes—to read, including the 25 amendments.

Each year Congress takes action on thousands of legislative proposals. Although more than 25,000 bills and resolutions were introduced during the 90th Congress (1967–1968), less than 10% were enacted into law.

Proposals for legislation originate in many ways. A senator or a representative may introduce a measure he thinks is good for his district, his state, or the entire nation. The President may recommend legislation in his messages to Congress. An executive department or agency of the government may suggest legislation. Or private citizens may urge their congressmen to enact certain laws.

Whatever their origin, such proposals share a common purpose: They seek to solve a problem faced by large numbers of Americans.

The legislative process begins with the introduction of a measure which may be either a bill or a resolution. Although a bill may originate in either body of the Congress, bills to raise revenue must originate in the House of Representatives, and bills to appropriate money, by custom and tradition, also originate in the House. In the Senate, a bill is introduced by a senator arising, being recognized by the presiding officer, and stating that he introduces a bill. He may or may not give a short explanation of what it is and what it is intended to accomplish. A bill is introduced in the House by dropping it into a box known as the "hopper." Only a member of Congress may introduce a bill.

Upon introduction, a legislative proposal is given a number. A bill, if introduced in the Senate, is preceded by "S," or if introduced in the House by "H.R." Thus H.R. 1 (91st Congress) was the first bill introduced in the House during the 91st Congress. The numbering continues through the second session and any special session if one is called. This bill designation continues to be used even after the measure has passed one body and is being considered by the other body. A bill introduced in the first session of a Congress may be considered during that session, or in the second, or in a special session. However, if it is not enacted into law by the close of a Congress, it cannot be acted upon by a later congress unless it is again introduced.

A Public Bill is one of general application and, if enacted into law, becomes a Public Law. A Private Bill, often called a Relief Bill, affects only a person or a particular group or organization. However, in some cases, bills affecting only one or a few named persons have been denominated as Public Bills.

In addition to bills, there are joint resolutions (H.J. Res or S.J. Res.), concurrent resolutions (H. Con. Res. or S. Con. Res.), and resolutions (H. Res. or S. Res.) For the purpose of simplicity, we will confine this discussion to bills only.

CONGRESSIONAL COMMITTEES

After the legislative proposal has been introduced and has become a bill, the next step is its referral to the proper committee. There are 21 standing committees in the House of Representatives, 16 in the Senate, and several joint standing committees of the two Houses, the most prominent of which is the Joint Committee on Atomic Energy. The members of a standing committee are appointed by the full body of each House, and the proportion of Democrats to Republicans on each committee generally is the same as the proportion of Democrats to Republicans in the full body. The House Committee on Rules, which has 15 members, is an exception to this proportionate representation, since two-thirds of its members are always from the majority party. The number of members of the other standing committees vary according to the nature of the committee. The largest committeee in each House is the Committee on Appropriations with 24 members in the Senate and 51 members in the House. Some committees have as few as eight or nine members. Generally there are corresponding committees in the two Houses.

Most senators serve on two or more standing committees and may also serve on one or more joint committees. Due to the large membership in the House, many members serve on only one standing committee. Most committees have standing subcommittees. Special subcommittees are often appointed as the need arises. Invariably, the committee chairman is the member of the majority political party in that body who has the longest continuous service as a member of that committee.

XUM

An extremely important factor in the functioning of each Congressional committee is its staff, and the importance of the work of the staff members should not be underestimated. Each committee has a permanent staff and, when required, may have some temporary staff members. The professional staff of most committees is generally appointed on a permanent basis without regard to political affiliations. The clerical staff is also appointed by a majority vote of the committee. The committee staff analyzes each bill, requests reports from interested agencies and organizations, recommends which ones should have priority, briefs the committee members, often questions the witnesses during a hearing, prepares the committee report, and goes on the floor when the bill is being debated and to the conferences. However, they do not speak on the floor.

Committee action is undoubtedly the most important phase of congressional procedure. It is in this phase that a proposed measure receives detailed and intensive consideration and where the proponents or opponents of the proposal are given an opportunity to be heard. The tremendous volume of hard work done by the members and the staff of the committees is generally unknown to the public and is most often overlooked or at least misunderstood.

COMMITTEE HEARINGS

Congressional committee hearings may be legislative or investigative. A bill of sufficient importance, particularly if it is controversial, is usually considered by the committee in an "open" or public hearing. Legislative hearings involve a bill or resolution, whereas an investigative hearing is one in which a matter is being investigated to determine whether legislation is necessary. The latter is far more likely to receive the public attention as evidenced by the televised hearings of recent years which have almost all been investigative in nature. Notices of hearings are published in advance, and the testimony, for and against a bill, is recorded by an official reporter and is frequently published at the conclusion of the hearing. This transcript is in addition to the committee report.

Hearings may be held, first, by a subcommittee and later by the full committee. The subcommittee may vote to report the bill favorably to the full committee, with or without amendment, or unfavorably, or may suggest that it be tabled. Quite often the full committee only hears a brief report of its subcommittee and then votes to "favorably" report the bill to the floor of the body to which the committee belongs. A vote to table a bill is normally effective in preventing action on it.

You can see that the fate of the proposed legislation usually rests with the chairman and the members and staff of the subcommittee. It is here that all of the advanced preparation is tested. It is here that the proposal either succeeds or fails. It is here the witness becomes all important. As with any witness, his honest answers and the accuracy of his information are of prime importance.

If the full committee decides to report a bill favorably, a report must be filed while the House or the Senate is actually in session, unless unanimous consent is obtained to file at a later time.

ACTION IN THE HOUSE

Whereas committee procedures are similar in the two bodies, there are differences in the floor consideration, that is, consideration by the full body. Public Bills, if they involve, directly or indirectly, the raising of revenue, or appropriating money or property, are placed on the Union Calendar. The large majority of Public Bills are placed on it. Other Public Bills are placed on the House Calendar. Bills of a private character are placed on the Private Calendar which normally is called on the first and third Tuesday of each month. If a committee does not act on a measure after 30 days, any member of the House may move that the committee be discharged from further consideration of the measure, and the motion is placed on the Discharge Calendar. If a measure pending on either House or Union Calendar is of a noncontroversial nature, it may be placed on the Consent Calendar by any member of the House. This calendar is called on the first and third Monday of each month. If there is no objection, when a measure is called on the Consent Calendar, it is passed unanimously without debate. A measure on the Consent Calendar involving a million dollars or more is objected to automatically.

In order to expedite the consideration of bills and resolutions, the rules of the House require that all measures involving taxes, appropriations or authorizing payments out of appropriations already made must be considered by the Committee of the Whole House on the State of the Union, before being acted upon by the House. Only 100 members, instead of the usual 218, constitute a quorum under this rule.

A special resolution or "rule" reported by the Committee on Rules fixes the length of debate by the Committee of the Whole. Upon the adoption of the "rule," the speaker appoints a chairman to preside over the committee and then leaves the chair. At the conclusion of debate on a bill, the Committee of the Whole rises and reports to the House and then the House acts on the recommendation of the committee. An interesting point in connection with this committee procedure is the fact that the mace is removed from its usual pedestal when the House resolves itself into the Committee of the Whole House on the State of the Union. The mace (a bundle of 13 ebony rods bound with silver and surmounted by a silver ball on which stands a silver eagle with outspread wings), the visible symbol of government, is used by the sergeant-at-arms to preserve order. A spectator may determine whether the House or the Committee of the Whole is in session by observing whether or not the mace is on its pedestal to the right of the speaker. Another clue is the fact that the presiding officer is addressed by the members as "Mr. Chairman" rather than "Mr. Speaker" as is done when the House is in session.

There are two other ways of obtaining consideration of a measure by the House. On what is known as Calendar Wednesday (Wednesday of each week), the speaker calls the committees in alphabetical order, and a committee chairman may call up for consideration any bill on the House or Union Calendar which his committee has previously reported. A motion to suspend the rules may be made on the first and third Monday of each month and during the last six days of a session. It takes a two-thirds vote of the members voting, a quorum being present, to suspend the rules.

Prolonged speeches, known in the Senate as filibusters, are not possible in the House. An accurate account is kept of the time used for debate and when all the time used for debate and when all the time allowed under the "rule" has been consumed, the chairman terminates the debate. No member is permitted to speak more than once or for longer than five minutes regarding any proposed amendment.

After favorable action upon a measure, it is "engrossed" by the enrolling clerk, to provide an exact copy, including amendments, of the measure passed by the House. After favorable action by one body, a bill is then known as an "act." The Clerk of the House signs the engrossed copy, and it is delivered to the Senate in a traditional formal ceremony.

SENATE ACTION

An engrossed bill, or a bill originally introduced in the Senate, is referred to the appropriate standing committee, where it received the same detailed consideration it had in the House. This procedure would be reversed if the Senate passed a measure and referred it to the House.

There is only one Calendar of Bills in the Senate. The Senate rules require consideration of the Calendar on every "legislative day." Therefore, the Senate quite often will recess rather than adjourn at the end of the day to obviate the necessity of calling the Calendar the following day. Thus the date line on a Congressional Record may show a "legislative day" several days or weeks prior to the actual date the Record is published.

Bills are considered at the conclusion of the morning business in the order in which they were placed on the Calendar. A senator is entitled to speak once and for not more than five minutes on bills that are not objected to. An objection to further consideration of a bill may be interposed at any time but upon motion the Senate may continue consideration after the Calendar call is completed, and the time limit on debate does not apply. On any day, except Monday, following the "morning business," any senator gaining recognition may move to take up any bill on the Calendar, regardless of its place on the Calendar. The motion to call a bill for debate is, in itself, debatable. There is no time limit on debate on the bill or on motion to call the bill, and the lack of any time limit may occasion lengthy speeches known as filibustering. Debate may be closed under the Cloture Rule—the famous Senate Rule XXII—if 16 senators sign a motion to that effect and the motion is carried, without debate, by two-thirds of the total membership of the Senate.

Whereas amendments on the floor of the House may be limited by the resolution of the Committee on Rules, there is no such limitation on the floor of the Senate.

CONFERENCE ACTION

If the Senate passes a House measure, or vice versa, without amendment, it is returned to the originating body, enrolled on parchmont paper and forwarded to the President for his approval. It now becomes known as an enrolled bill. If the measure is amended by the other body, it is returned to the originating body with a request that it concur in the amendments. There is usually no objection to concurrence, if the amendments are minor in nature.

In the case of amendments of a substantial nature, the originating body may refuse to concur and request a conference with the other body. If there is no objection, conferees are appointed by both the House and Senate. Technically, only those portions of the measure on which there is disagreement may be considered, and the substantive amendments by the conferees are limited to the extremes of disagreement. However, the subject matter in conference may be greatly expanded if either body amended the bill by striking out all after the enacting clause.

The Senate conferees vote among themselves, as do the House conferees, with one final conference vote for each body on each question. Therefore the number of conferees from each body is unimportant. The measure, as agreed upon by the conferees, is reported to the House and Senate. It is usually adopted without objection, but if either body fails to adopt the conference report, the measure is defeated unless further effort is made to reach agreement. If the conferees cannot reach complete agreement, then in the body originating the measure, the amendments may be voted on separately and may be adopted by a majority vote, though no conference had been had with respect to the amendments.

The request for a conference can be made only by the body in possession of the papers, and this is significant inasmuch as the body asking for the conference has the advantage of acting last upon the report to be submitted by the conferees. One body, anticipating that the other may not concur in its amendments, may make a request for a conference at the time of sending the papers back upon passage of a measure with amendments.

PRESIDENTIAL ACTION

Article I, Section 7, of the Constitution, provides that:

"Every Bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a Law, be presented to the President of the United States; If he approves he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it."

If each body approves the measure by a two-thirds vote after a veto, it becomes law without Presidential approval. If the President fails to approve or disapprove a measure within 10 days after it is presented to him (Sundays excepted), it becomes law without his approval unless the Congress, by adjournment, prevents its return, in which case it does not become law. The latter is known as a pocket veto.

The Supreme Court has stated that the President, when approving Bills, may be said to participate in the enactment of laws, which the Constitution requires him to execute.

The Constitutional requirement of a two-thirds vote of each body in order to override a Presidential veto gives the President considerable power and influence over the Congress. Except in times of unusual feeling or when a bill of extraordinary importance is involved, Congess has seldom passed a measure over the veto of the President. Much deference is shown by the Legislative Branch of the Government to the opinion of the Executive Branch, to which the Constitution commits a share of the law-making power.

PUBLICATION

The last step in the often lengthy, somewhat complicated, but extremely vital legislative process, is to make the law known to the people who are to be bound by it. After it is signed, the original Enrolled Bill is sent from the White House to the administrator of General Services for publication. There it is assigned a Public Law number. These numbers run in sequence for each Congress and, beginning in 1957, are prefixed by the number of the Congress, e.g., the first Public Law of the 91st Congress was designated as Public Law 91–1. Copies, called slip laws, are printed by a photoelectric offset process from the original Enrolled Bill and are available the next day. At the end of each session of the Congress, bound volumes, called Statutes at Large, are printed and contain the laws of that session.

It is hoped that this brief discussion of some of the many procedures and ramifications of the legislative process will help you to better understand and appreciate your Congress. It is a complex, but orderly system. The system works, and it works well.

IN SUPPORT OF CORPORATION FOR PUBLIC BROADCASTING

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. CELLER. Mr. Speaker, the Corporation for Public Broadcasting measure will bring more public enlightenment and public enlightenment will help to solve some of our vexatious problems. We have plenty of problems that plague us. Public enlightenment brings relief—relief is as refreshing as a cool breeze in the heat of summer.

Educational TV and radio has no ax to grind. It is free of prejudice or bias. It is free of ties to the advertisers. There is no need to pander to economic interests. Its only boss is the public. It takes no one off the air if it offends a customer or has a low rating. Culture and intelligence are the tests. It bends a knee to no one.

Commercial television has not provided the public with imaginative programs, nor given to the public programs leading to cultural growth and understanding. Regrettably, it underestimates the American viewer.

The TV channels and radio that are aided by the Corporation for Public Broadcasting are immunized from untoward interests.

We should support the CPB to the hilt. I personally support the CPB by my own personal contribution to channel 13 in New York.

We cannot be pinchpenny or parsimonious. We cannot be stingy. You know, the stingy are always poor. Being stingy with the Public Broadcasting Corporation would leave us poor indeed—poor in spreading the gospel of truth in news, fairness in editorial policy, honesty in comment and criticism of the operations of Government, and in the expansion of culture.

We cannot rely solely on private TV and radio broadcasting. If we did so, we would stumble and blunder.

The sum of $20 million is asked for, to be distributed to the various public stations throughout the country during the fiscal year 1970, and $15 million each year from 1971 through 1973. This is indeed an investment that will yield rich dividends.

SOCIAL SECURITY MORE SECURE?

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. LONG of Maryland. Mr. Speaker, I am deeply concerned about the plight of our senior citizens—many of whom have no source of income other than social security payments. Floods of letters from my older constituents outlining the difficulties they are encountering in trying to make ends meet have prompted me to introduce a bill which would raise social security benefits 15 percent and minimum payments 45 percent. In my October newsletter, I discussed this bill and other issues of interest to my constituents. I should like to share this mailing with my colleagues by including it in the CONGRESSIONAL RECORD:

SOCIAL SECURITY MORE SECURE?

Social Security benefits would go up 15 percent under my bill, and minimum benefits would increase from $55 to $80 a month. Social Security has not kept up with living costs. A 73-year-old widow writes: "My only income is Social Security, $111.40 a month. $69 must pay the rent and they are going to raise that again. With doctor bills, there is nothing left." The House Democratic Caucus has endorsed my proposal, and hearings by the Ways and Means Committee have just begun.

EAU DE BACK RIVER

Back River needs a new sewage plant. The present one has been smelling up the area for years. At my urging, millions of Federal dollars have been allocated. But construction won't be completed until after 1972. How to stop the smell in the meantime? Officials there promise me they will use deodorants on sludge at all times, instead of now and then. Will officials keep their promise? Use your nose! Every time the smell comes your way, call the plant (288–1585) and my office (828–6616). Keep the pressure on and we can end those odors.

SUPPORT YOUR LOCAL SCHOOLS

Baltimore County could get an extra $1 million, Harford County an additional $250 thousand, under a resolution sponsored by your Congressman to provide more Federal aid to schools and colleges.

BAN DDT

DDT kills insects and pests. But DDT is also a "hard" pollutant which does not dissolve with passage of time. Instead, it accumulates in crabs, fish, birds or other game. What will it do to people? Your Congressman's bill would ban production and sale of DDT.

GENERATION GAP—IT'S NARROWING

Students of Ridgely Junior High in Timonium suggested my bill to establish National Youth-Adult Communications Week. The bill passed. At a recent assembly, your Congressman presented the Presidential proclamation and pen to John Pennhellagon, one of the student leaders of Ridgely who lobbied for the bill.

CLEAN BILL OF HEALTH FOR EDGEWOOD

On my recent tour of Edgewood Arsenal, open-air nerve gas testing appeared to be conducted as safely as humanly possible. I got the Army to suspend tests, however, until my findings could be supported by a panel of civilian scientists which I asked the Secretary of the Army to appoint. Conclusions have not yet been published, but unofficial reports indicate this independent panel has given the tests a clean bill of health.

OFFICE ON WHEELS

Problem with the Federal Government? Want a law passed or repealed? Come to my Office on Wheels, Saturday:

October 25—Chase Post Office, 10 a.m.; Whitemarsh Post Office, 11 a.m.

November 8—Bel Air Post Office, 10 a.m.

TO OUR PRESIDENT

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. DERWINSKI. Mr. Speaker, now that assessments are being made on the impact of the so-called Vietnam moratorium of October 15 and much is being written over the effect it will have on U.S. policy, I submit for the RECORD two pertinent articles.

The first is by the international correspondent of the Copley News Service, Dumitru Danielopol, which involves the format of an open letter to President Nixon which was carried in the October 14, Joliet, Ill., Herald-News.

The second is a column by Jeffrey Hart in the October 17 edition of the New World, a publication of the Catholic Archdiocese of Chicago.

The articles follow:

XUM

[From the Joliet Herald-News, Oct. 14, 1969]

Dumitru Danielopol: To Our President

President Richard M. Nixon,
The White House,
Washington, D.C.

Dear Mr. President: Don't feel lonesome on Wednesday—Vietnam Moratorium day—when anti-war demonstrators attack you and try to force you to do something you know is wrong.

There are hundreds of millions of people here in the United States and around the world who know that you are right. They know that freedom is indivisible, that it cannot accommodate tyranny in one corner of the world and survive in another.

People like myself whose birthplaces are now behind the Iron Curtain are wholeheartedly with you. We have learned about communism at first hand. Poles, Czechs, Hungarians, Bulgarians, Albanians, Romanians, Lithuanians, Latvians, Estonians, Yugoslavs, Ukranians, Cubans, Chinese, Jews, Christians, Mohammedans—no matter what color, race or creed—we have suffered indiscriminately at the hands of the Communists. We know their ruthlessness and their perfidy.

The tens of millions who have taken refuge from communism in free lands stand by you.

We don't want to see what happened to us happen to the people of Vietnam, if it can be prevented.

And you know, and we know, that it can be prevented.

The great majority of native-born Americans back you, too, Mr. President, especially those sent overseas to fight the Nazis and the Fascists because governments in democratic countries in Europe in the 1930s failed to understand totalitarianism and failed to do what America is doing right now—stopping aggression while there is still time.

Every major national veterans organization in this country is on record in support of U.S. involvement in Vietnam.

No one wants to prevent free discussion, free opinion and even dissent—but on the condition that our rights are respected, too.

It seems incredible that so many people in high places advocate appeasement and the abandonment of a country fighting for its inalienable right to self determination.

Never in history have the aims of the Communists coincided with those of free people. Never have they voiced any policies that did not try to destroy freedom somewhere in the world. Yet today they seem to have so many articulate allies.

We know, Mr. President, that should the Americans abandon Vietnam—as the dissenters insist—America will cease to be the greatest country in the world.

There are times in the history of great countries and of great men when they have to stand up—even if alone—for what is right.

I witnessed some of those moments in the House of Commons when Winston Churchill tore his government and his party to shreds for the shameful Munich agreement of 1938. He was powerless, but he knew he was right.

From London, I heard Col. Charles de Gaulle, an unknown, call on his fellow Frenchmen, who had been shamefully defeated, to rally against overwhelming odds in the summer of 1940. He, too, was powerless, but he knew he was right.

Mr. President, you are in a much more favorable position than those leaders. You have the power, you have the time, for you are our President and our Commander in Chief, and you have an arsenal that can bring an honorable conclusion in Vietnam.

And, Mr. President, you have us on your side. We don't march or demonstrate, but that doesn't mean we aren't ready to help you.

Sincerely,

Dumitru Danielopol.

Washington, D.C.

[From the New World, Chicago (Ill.), Oct. 17, 1969]

Moratorium Implausible: Students Do Not Make U.S. Policy

(By Jeffrey Hart)

The nation's colleges and universities held their so-called Vietnam Moratorium Oct. 15, organized by the old student workers who backed Gene McCarthy—principally Sam Brown and David Hawk.

The war is, of course widely unpopular, and most students feel, at best, that it is esoteric; and a good many undergraduates welcomed an excuse to cut classes for respectable reasons.

A number of my own students, of all moods and all shades of opinion, have questioned my attitude toward the Moratorium.

I find that the symbolism of the whole thing was, to say the least, unanalyzed. Is it plausible for an anti-war student to say, in effect: "President Nixon, I am against this war, and unless you end it forthwith, I will cut one class in English 39"?

And then, to escalate, as the Vietnam Moratorium committee has posited, cutting an additional class for every month as war goes on: "President Nixon, the war has now gone on a whole year since the moratoria began, and so I am now going to cut 12 sessions of English 39."

Nixon's only possible reply is the one he gave, and for which he has been roundly criticized. As far as the Vietnam Moratorium is concerned, he doesn't care.

The foreign policy of the United States is not made on the campuses; it is not even made in English 39.

It is made by the elected representatives of the people, preeminently President Nixon; and if the campus proletariat—as Theodore White calls it in his latest book—chooses not to attend classes for a day or for 500 days, well, that is their business.

I do think it is a fault on the part of the administration that the course in Vietnam for the next couple of years has not been spelled out.

As the war now stands, people are not sure how long it is going to last, whether it can be won, or, if it can be won, how much winning it might cost.

The widespread uncertainty is demoralizing, and, even more important, gives demagogues an opening to exploit. Nevertheless the outlines of the administration's policy are now tolerably clear.

During the next year or year and a half, about half the American troops will be withdrawn. That will leave about a quarter of a million Americans in Vietnam; but these will be for the most part in supporting roles—supply, logistics, aviation, and the like, as well as specialized combat troops operating closely with Vietnamese units.

With a shift in tactics away from search and destroy to an in-depth defense of populated areas, the bet is that the communists can be prevented indefinitely from achieving any important or lasting success.

Meanwhile, though the fighting will go on at a reduced level, American losses will drop. In addition, only volunteers—professional soldiers rather than draftees—will be used in Vietnam.

It is very difficult to see how an effective opposition to this strategy can be mounted. Surely no large segment of American opinion actively desires to see the communists in control of South Vietnam, slaughtering those who have cooperated with us.

When the direction of American policy becomes clear, the leftist protesters here will lose many of their allies; and this is the reason why both the President and Senator Scott have called for a moratorium on divisive criticism. It is also the reason why the hard left is escalating its criticism.

The left does not think that Nixon's policy is implausible; it thinks that it is only too plausible; and that it will in fact forestall a communist victory in the South.

CERAMIC TILE INDUSTRY FEELS SHARP IMPACT OF HOUSING CRISIS: TEMPORARY RELIEF SOUGHT

HON. GRAHAM PURCELL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. PURCELL. Mr. Speaker, the shortage of available mortgage funds and other long-term credit has had and is having a drastic effect in curtailing and postponing the construction of residential dwellings and commercial buildings normally subject to mortgage financing.

This drop in housing starts, according to a spokesman for the National Association of Home Builders, has placed the housing industry in "the most urgent crisis it has experienced in the past quarter of a century."

In August of this year, the rate of housing starts had dropped 30 percent to a level of 1.3 million units and Secretary of Housing and Urban Development George Romney has stated he fears it will drop further to below the 1-million level.

The decline in the market has had a severe impact on the ceramic tile industry. This is due to a couple of seasons: First, because a majority of the industry's production goes into new home construction and second, because the problem is heightened by the nature of foreign competition to which this industry has been subjected.

Foreign imports of ceramic tile are presently at an alltime high and account for over one-third of the total market. These importers have an increasing share of these sales through a number of predatory practices that would constitute statutory violations if engaged in by U.S. manufacturers.

Such practices weakened and damaged the industry to a point several years ago that a Treasury Department investigation forced the Japanese to take corrective measures. By that time, however, some companies had passed the point of no return, and in the 1966 housing collapse, 13 plants closed their doors.

At the present time, a giant British tile cartel is waging a massive dumping campaign. Through the use of this predatory practice, it has doubled its share of the U.S. market in the past year.

"Dumping" involves sales in the United States below the home-market price with the objective being penetration and rapid expansion of the importers' share of our market. Past history has shown that once dumping has driven plants out of business, an increase in the price of the foreign product usually follows. What initially appears to be a break for the consumer, results in a higher price later following the destruction of domestic firms.

The Bureau of Customs is currently investigating flagrant violations of U.S. laws by the British ceramic tile manufacturers. Incidentally, the largest British firm is now 15 times as large as the average American tile company—the result of a recent merger designed to facilitate more rapid exploitation of the U.S. market.

As a result of the current housing market contraction, foreign importers are also reaping further gains due to a shift in the nature of the type housing being built. Last year, for the first time in history, apartment units represented more than 50 percent of residential construction, and it is in apartment construction that the foreign manufacturer finds its most receptive market.

There is a clear and present danger that manufacturing plants throughout the country will be forced to reduce their operations or close their doors with a resulting loss of jobs and investment.

In my own State of Texas, for example, ceramic tile companies employed 483 workers in 1968 with a payroll of $2,009,000 and total sales of $6,124,000. Assuming an income multiplier of 2.5, the total economic benefit to Texas would be in the order of $15,310,000, but because of import competition, these companies used only 62 percent of their capacity. At full capacity, it is estimated that the total economic benefit would be over $20 million.

Mr. Speaker, there is an alternative—a means of supplying temporary relief to this beleagured, old and established industry which consists largely of small independent firms. That is through the bipartisan support of the concurrent resolution I introduce today.

This resolution, which has already been introduced by 21 of my colleagues in the House expresses the sense of Congress that, in the current period of monetary restraint, the executive branch using its existing authority should take steps to prevent injury to U.S. industries and to offset undue competitive advantages accruing to firms and industries in foreign countries engaged in exporting to this country, through voluntary reduction in ceramic tile imports until such time as these restraints are removed and free market conditions are restored.

Last year, this House passed the Housing and Urban Development Act. It established a national housing goal of 26 million units over the next decade.

If this goal is to be attained, then America must have strong and viable firms to supply the products such a program will demand. I believe that the ceramic tile industry's call for a temporary and equitable offset of the advantage presently enjoyed by the foreign manufacturers merits the careful consideration by each Member in this body.

If we close our eyes to the real peril with which this industry is now confronted, there is the distinct possibility that an increased portion of American homes will bear the mark "Made in U.K." or "Made in Japan."

WOMAN BUSINESS AGENT SELECTED BY LARGEST UNION LOCAL IN UPPER MIDWEST

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. FRASER. Mr. Speaker, I recently learned that in early October, Honeywell Teamster Local 1145 chose a new business agent. Newspaper announcements of similar news seldom appear on the women's page. In this case, the news did because the new union official is Mrs. Peg Miezwa, a friend of mine and an employee of the Honeywell concern for 28½ years.

Local 1145 is the largest union in the upper Midwest. It has over 12,000 members, and I am proud to count many of these members as constituents. I look forward to working with Mrs. Miezwa on matters of importance to her union, the company she works for, and the district.

A feature article which appeared in the Minneapolis Star (October 10, 1969) points out that "Women business agents are so rare that none of the officers interviewed could recall hearing of another one in any large union of mixed membership." This is unfortunate, because women comprise an important and growing segment of our working population. I hope that this great reservoir of talent, working women, will more frequently be tapped for union leadership. This would then become another area where unions lead the way in progressive social change.

The Minneapolis Star announcement by Susan Abbasi of Mrs. Miezwa's selection follows:

FEMALE BUSINESS AGENT IN HONEYWELL UNION CALLED BREAKTHROUGH

When Honeywell Teamsters Local 1145 appointed Mrs. Peg Miezwa business agent last week, it was a big advance in the status of women within the union, according to several of the organization's officers.

"This really represents a breakthrough in unions, and it's symbolic of changes all over the country," declared Mrs. Marie Nagengast, recording secretary and executive board member. "This is the largest union—more than 12,000—in the Upper Midwest, and it's big news among Teamsters, too."

There are two women on the seven-member executive board, elected by a membership which is 50 percent female. Elected in 1968, they are the first women to hold the top positions.

Because business agents are responsible for negotiating grievances with management for union members, the matter of who holds the position is a matter of personal concern for the membership, Mrs. Nagengast said.

WOMEN AGENTS RARE

Women business agents are so rare that none of the officers interviewed could recall hearing of another one in any large union of mixed membership.

"Even when most of the members are women, they usually have men as the agents," said Mrs. Dorothy Provost, the other female executive board member.

A business agent is appointed by the secretary-treasurer—presently a man, James Gorman—and ratified by the membership. In Mrs. Miezwa's appointment, the ratification vote was very close, but close votes for business agents are the rule, the officers agreed.

Ed Wages, executive board member, said, "Men are finally realizing women have qualifications to hold important positions, and they are now voting on qualifications of the person, not on sex."

In the 1968 elections, when the first two women, Mrs. Nagengast and Mrs. Provost, took their positions on the executive board, there was a big swing toward more liberal attitudes, all agreed.

TREND TO RIGHTS

"It's the trend of the times," Wages said. "There's more realization of everybody's rights everywhere, and this is naturally part of what's happening in the unions."

Both the women and Wages expressed pride in their union for the interest and participation that has brought more women into the leadership.

"We're really proud of our local for recognizing the fact that women have their place in the higher positions," Mrs. Provost said.

"It's the most progressive and democratic union I've been in, and I've been in several," Wages declared.

Wages acknowledged that his own attitudes toward women in union leadership have changed a lot.

"I was really hard-core for men in the leadership until my wife had to help out when I was injured once. Now she's working to help support our family, and I can see women as serious full-time workers now. I think if they have the qualifications, they should have the same chance as the men at all the union positions," he said.

Mrs. Miezwa began working at Honeywell 28½ years ago. She immediately became active in union affairs; two years ago she was appointed full-time staff aide, working for the union.

Mrs. Nagengast, a factory worker at Honeywell the past eight years, is enthusiastic about the response of both men and women, but feels there is a long way to go. "That's another big advantage in Peg's appointment," she declared, "She will be sort of a model for the other women to take themselves seriously as workers."

AMERICA WANTS A TIMETABLE FOR A VICTORIOUS PEACE

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. VANIK. Mr. Speaker, few in America have been so persistent and as consistent in advocating a cessation to the hostilities in the Vietnam conflict than Harry Volk who is editor-in-chief of the Sun Papers of my congressional district. His articulate and compassionate arguments for peace date back to the very beginnings of this dreadful conflict. To his credit Mr. Volk has not given up his fight and continues to write clearly and concisely on this vital subject. I concur with Mr. Volk that an immediate cease-fire should be ordered in Vietnam. I am inserting in the RECORD an editorial Mr. Volk wrote for the October 16 edition of the Sun Papers. This fine editorial is as follows:

[From the Sun Press, Oct. 16, 1969]

AMERICA WANTS A TIMETABLE FOR A VICTORIOUS PEACE

(By Harry Volk)

Yesterday's nationwide Vietnam Moratorium, in which millions of students and other anti-war demonstrators took part in relatively peaceful protest, should underline for President Nixon that a victorious pursuit of peace in Vietnam is what this honorable nation demands.

The Moratorium, unique in American history, should have made clear to the President that the nation wants all of our troops out of Vietnam in a definite schedule of withdrawals.

President Nixon, unfortunately said on Sept. 26, in commenting on the Moratorium, that "under no circumstances will I be affected whatever by it." These must be hard words to swallow today but swallow them he must.

XUM

Half-measures such as "token" withdrawals and the meaningless numbers game as far as draftees are concerned are no longer acceptable. A total of 291,000 men have been drafted this year to date as compared with 296,000 last year. Obviously, there has been no real reduction in the number of young men called into service.

Yesterday's Moratorium also underscored the fact that although the Moratorium began as a student protest it embraced civic, religious, education, labor, and political leaders of both parties, plus millions of just ordinary men and women, who believe we had no business getting into the war in the first place and feel there is no moral justification for our presence there now.

President Nixon, whatever may have been his disdainful rhetoric prior to the Moratorium, could not fail but be impressed by the sincere, deep yearning for peace in Vietnam that manifested itself yesterday throughout the length and breadth of this land.

We are certain that President Nixon wants peace, too, but he must pursue it with a timetable of troop withdrawal that says clearly to South Vietnamese leaders that the war is going to be completely their war by a certain, fixed date.

There is nothing like a deadline to force action and our involvement now needs a termination date. Otherwise the war will continue to drag endlessly as it has since we made our first meager commitments in a calamitous military mistake eight long years ago.

We hope President Nixon's address to the nation Nov. 3 will include a dramatic offer to Hanoi for a cease-fire in Vietnam as a prelude to peace, At least we should offer to stop the needless slaughter while our nation pursues a victorious peace.

That takes moral courage, Mr. President.

THE NATIONAL STUDENT MORATORIUM ACTIVITIES

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mrs. MINK. Mr. Speaker, I am pleased that the national student moratorium activities were peaceful and that so many people participated throughout the country. I saw a recap of the day's activities on television on October 15, and noticed that there was no mention of the involvement of high school students.

My own daughter is a high school senior at the National Cathedral School for Girls, and I know and witnessed the sincerity of the girls at that school as they sought ways in which they could also be a part of this witness to peace. The school did not permit official recognition of this moratorium, however after much negotiation girls who wished were allowed to participate in a chapel service given by the chaplain at the counterpart school for boys, St. Albans.

The girls issued a special publication on the moratorium, and I submit a few articles for this:

The Vietnam Moratorium

(By Mr. Curran)

During this past week, several students have dropped by my office to discuss the October 15 Moratorium. I have listened to many points of view and many interpretations of the present Vietnam situation and what we should or should not do. I think it is important for you to know the stand of the school in regard to this day.

First of all, let me reiterate that a school's primary obligation is to its students and their education. The student body in a school such as N.C.S. is varied, and individuals represent a variety of positions on major issues—political and otherwise.

Now, the Vietnam war and the present debate on this subject are not simple matters. We are dealing with a most complicated and complex issue—one that is a major concern of this administration as well as past administrations. A high school (and we are also an elementary school) is committed to its primary role of education and is not meant to act as a proponent to one side of another in a political debate. Obviously, the subject can and will be discussed within the framework of the classroom and certainly the individual student can feel free to observe this day as she wishes before or after school.

Your position in this situation is a personal and individual matter. If you, as an individual, feel passionately committed to participating in this day by staying away from school, then go ahead. But know that in so doing *you* are making a decision, and with your decision, you must be prepared to take the risks that go along with commitment.

If you are excused from school by a note from your parents (as for a doctor's appointment) you may be absent from classes. If you choose to cut without an excuse handed in ahead of time, then your cut will be considered an unexcused absence from school and treated accordingly.

As adults you are asked to make many decisions. Let your conscience guide you in making yours and when you have made it, act as an individual and try not to criticize others for having decided differently. Do not condemn your school, or your parents, for not making your decision for you. We are here to serve *all* of you.

Vietnam: The American Commitment

United States involvement in Vietnam finds its beginnings in 1954, when it refused to be a signatory of the Geneva Agreements. In this action, which was, in part, a result of the hysteria created by the McCarthy era, the U.S. was joined only by South Vietnam. The other members of the Geneva Conference, including Great Britain, France, the U.S.S.R., Red China, North and South Korea, Cambodia, and Laos, signed the Agreements in an attempt to restore and guarantee peace in Indochina.

Although the Agreements were essentially an acknowledgement of France's surrender at Dien Bien Phu to the forces of the Viet Minh, or alliance for independence, the United States regarded most of the provisions of the treaty as a "surrender to Communism". Consequently President Eisenhower could only ensure United States respect for the treaty, not consummate acceptance. Therefore, it was without apprehension that, in January of 1955, the United States began to render direct assistance to the government of South Vietnam, headed by Ngo Dinh Diem.

Since President Eisenhower's decision in October of 1954 to grant assistance to the South Vietnamese, the United States has steadily increased both its human and technological contributions; that is, until June of this year, when President Nixon announced the beginning of a phased withdrawal of American troops from Vietnamese territory. During the Kennedy Administration, U.S. assistance coagulated into involvement in the actual combative conflict between North and South Vietnam. However, it was during the Johnson Administration that we became inextricably emmeshed in the conflict.

With the adoption of the Gulf of Tonkin Resolution by Congress in 1964, the United States became legally involved in the war. The Resolution was proposed after two U.S. Navy destroyers were reportedly attacked by North Vietnamese torpedo boats. Although no flotsam or jetsam were found as proof of wreckage, the Congress voted overwhelmingly in favor of the Resolution, which condemned Communist naval units in Vietnam for "deliberately and repeatedly attacking United States vessels lawfully present in international waters, therefore creating a serious threat to international peace." Senator Morse of Oregon and Senator Gruening of Alaska were the only voting members of either house of the Congress who opposed the adoption of the Resolution.

The Gulf of Tonkin Resolution was not a formal declaration of war on the North Vietnamese. Although U.S. retaliatory bombing raids were part of the military reaction to the attack, no U.S. aggression was advocated. Rather, the resolution authorized the President to use his constitutional discretionary powers to "take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Defense Treaty." The date of termination of the treaty was not determined, leaving the decision up to the President, or future concurrent resolution of the Congress. To this date, the Gulf of Tonkin Resolution has not been revoked.

Consequently, until Congress repeals the Resolution, it is the responsibility of President Nixon to put an end to the merciless slaughter of millions of men. And it is our duty as Americans to see that that end is reached. For it is too late to mourn over our mistakes at the Geneva Convention fifteen years ago or over Congress' hasty adoption of the Gulf of Tonkin Resolution in August of 1964. The people of this country must now unite to show our leaders that prolonged and arbitrary involvement in Vietnam will not be tolerated. We must demonstrate our willingness to accept the burden of humiliation so that we may make a positive contribution to the goal of international peace, which the Geneva Conference labored to attain. For, as John Kenneth Galbraith writes: "to continue to invest in error is the only unforgetable mistake."—Wenry Mink.

The purpose of this handbill is not to advocate the idea that people are obligated to protest the war or even go to other colleges and universities to hear speakers, attend seminars and participate in various demonstrations. As the D.C. Moratorium coordinator explained, "We don't want students to leave classes on October 15, but we urge high school administrators to suspend classes in the afternoon and keep students on campus to conduct a day of inquiry." This request appears quite reasonable, but since at Cathedral, we are not to be permitted any way of expression our opinions (in either direction) in terms of what is being planned at other high schools and colleges in the Washington area and around the country, those concerned must act independently of the school. Individuals do have the opportunity to become involved in the following activities which will hopefully provide some answers and raise many more questions.—Debby Van Dyken.

The Vietnam Moratorium, and, on a larger scale, other anti-war demonstrations have been criticized on several grounds.

The critic who upsets me the most is someone who says, "I'm only one person—what can my involvement do? My part in the Moratorium, or the Moratorium itself—are they really big enough to be important?" If this issue is what is at question, then so is the whole principle of democracy—the voice of the people. If you do not feel involvement as a single component in a complicated structure, why vote, why care? Obviously the democratic system in our government is ineffective, or this demonstration would be unnecessary. But only in asserting your extra-governmental power as a citizen can you regain your due power.

Another question asked is, "Why get involved in the Moratorium until you know it's going to be really effective, a success?" My answer to this is: If there is no doubt or uncertainty, there is no question, and if there is no question, there is no solution.

Obviously, the issues at stake meet with diversified opinions, and this is a good thing. But a truly unbiased position for any institution permits vocalization of all these opinions. Some people think that the Vietnam War is an evil, immoral thing, and that the U.S. troops should withdraw immediately—some don't. But it is unfortunate that in order to express her opinion against the war the student needs to adopt an anti-administration stand as well. We are trying to make progress, not trouble.—Ashton Applewhite.

The War Moratorium is an important issue for many students. I cannot honestly share their sentiments, pro or con, and therefore can take no active part in the October 15 demonstration. I am not well enough informed on the reasons for U.S. commitment in the war to condemn the present policy. Also, I have no immediate contact with the war. I believe Nixon is doing his best to pull out our troops and end the fighting. I am also sympathetic to the protestors' cause and think they have every right to express their views. I would like to be an observer, remaining open to both sides of the issue.—Dede Doyle.

The price we pay for principles is
Neither worth its weight in gold.
Nor its toll in bodies,
We fight proudly as if
Something were really at stake
Besides spilt blood.

Oh, America!
The judges sit appalled for they know all
Whom they judge must be heralded murderers:
We are in blood up to here . . . and
Even our newborn babies are steeped in corruption, for blood is the way of the world . . .?
From blood we have come, to
Blood we shall answer and
The thick red charisma shall crust slow
Slide up to our dishonest elbows and for this
We must never blame the communists
Oh, America!

For the soul of America—in our haste—
Falls from dust to atoms. From
That which in our hearts says: "no"
We turned without a word
Lifting gleaming swords to the stars . . .
The Peace we await with this war's end
Will not come.

ARNETT HOLLOWAY.

A TIME FOR CHOOSING

HON. M. G. (GENE) SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. SNYDER. Mr. Speaker, in a time when crime is rampant and America's values are threatened, I wish to suggest the following article to those of us who will be making decisions on vital issues and to the man on the street who is affected by them.

It was written by the Reverend Robert G. Eppler, pastor of Christ Covenant Church, Louisville, Ky., for the October issue of the Badge—official publication of the Jefferson County Fraternal Order of Police, Louisville, Ky.

The article follows:

A TIME FOR CHOOSING

(By Rev. Robert G. Eppler)

"And Elijah came unto all the people, and said, How long halt ye between two opinions? if the Lord be God, follow Him: but if Baal, then follow him." First Kings 18:21

The Constitution of these United States represents one of the finest gifts a wise and benevolent God could grant His people. Divinely conceived and nobly perpetuated, this sacred document is designed to ensure our citizens those self-evident truths of "life, liberty and the pursuit of happiness." Perhaps it was inevitable that modern-day barbarians assault this bastion of social and political freedom. Today, it has become the favorite refuge of hardcore revolutionaries, unwashed hippies, pot smoking "love children," academic weird-os, predatory politicians and liberals so blind, they should not be allowed on the streets without a seeing eye dog.

Each day brings news of campus riots, rebellion, hoodlums terrorizing innocent women and children, anarchists openly planning the burning and looting of America. I, for one, have had it! When will decent, God-fearing, law abiding citizens of this afflicted land rise up and shout, "Uncle Sam! Enough is enough!" When are YOU going to rebel against this insane, absurd, mind-sapping nonsense that masquerades as social reform?

The time has come for a New Revolution of the "silent middle"—an uprising of indignant people—people who are fed to the gills with punks, malcontents, beatniks, peaceniks and just plain scum, all dedicated to overthrowing the land we love. Let there be a call to arms . . . to hearts and minds that are willing to oppose this despicable tyranny. Let there be a nation-wide demonstration of Parent-Power, aimed directly against those who seek our destruction.

Brethren, the times are out of joint! The cart is before the horse. Common sense must once again prevail. When I, as a lad, disobeyed my father he did not negotiate with me concerning my constitutional rights! Justice was swift and sure, applied to the true seat of learning, where it did the most good. I am grateful that I, like many others, absorbed those stern lessons of discipline and obedience. The bedrock of law and order was never in doubt: God, my father and the paddle. I quickly learned to love the first two and to respect the last. Perhaps a public flogging might cool the ardor of someone bent on depriving us of our civil rights.

The so-called "Generation Gap" is merely a fictitious gimmick, a deadly instrument devised by our enemies to divide and conquer us. In truth there is no "Gap," only widespread confusion as to the role adults and parents should play in this permissive society. The fault lies with willful parents who pander to the insatiable appetites of those young people who are hopelessly spoiled, pampered, ego-centered. Arrogant, vulgar, lacking in elementary courtesies, often unwashed, unsaved and terribly alone, these youngsters indict our generation by their hostility and contempt. Far too many of them have been abandoned by parents who lack the intestinal fortitude to set up guidelines, impose discipline and say "No!" with finality. Where there is no leadership in the home, no firm moral commitment, no strong sense of right vs wrong, children lose confidence in their parents, while love and respect give way to sneering condemnation.

The important battle for our children's minds and souls, is being lost by default. More and more of today's young people rally around the Pied Pipers who speak with authority. Tragically the loudest voices in the land cry rebellion, lawlessness, indulgent sex, drugs, etc. We have only ourselves to blame for those in the present generation who have degenerated into spineless, sheeplike, brain washed flower children. Into *these hands* the future of our country—a country presently under all-out attack by a ruthless foe—must inevitably fall! It's a sobering thought.

Over stimulated and undereducated, with moral values significantly blurred, they are easy prey for highly trained Communist agents, systematically planning their cold-blooded destruction. An entire generation of American youth destroyed, for their nefarious purposes. The final irony? When and if the Marxist possess this precious land they will immediately ban the indiscriminate use of drugs; rock music, pornography, etc. Why? Because they will have served their purpose—the total corruption of our youth.

How long will you tolerate this treachery? It is no longer a question of believing in this group or that society. You have now but to awaken to the awesome dimension of the treason confronting you.

You who love God, your family and your country. You who earn your daily bread by sweat of brow and toil of hands; you who stagger under the ever-increasing burden of confiscatory taxation; you who are bled white by predatory politicians and led astray by "social-ist workers" posing as ministers; and by churches that long ago sold their souls to Satan . . . how long will you endure?

Brethren, it is time to choose sides! It is time to rout the intruders from our streets, homes, governments, schools and churches. What this country needs is an old fashioned back-to-God revival! We need to fall on our knees in repentance and rise to our feet in righteous anger . . . and drive the rascals out. From the rat-infested Berkeley Campus to the dishonored halls of Harvard; from the far reaches of the North to the Southern shores where Soviet submarines even now lurk beneath the waters . . . we are compromised. The enemy is in our midst!

Let us appeal then to the good, the intelligent and the Divine that is within us. With a prevailing faith in the power of a sovereign God to overcome, let us resolutely repossess our land. Brethren, like Elijah of old, we must this day choose sides.

FEDERAL PAY BILL

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. UDALL. Mr. Speaker, with House passage of the 1969 Federal salary bill, H.R. 13000, several newspaper articles have shed additional light on the important subject the House debated last week.

John Cramer, perceptive columnist for the Washington Daily News has written a clear and concise article on the real costs of the bill and on Friday morning the New York Times reported that two New York City postmen have filed for welfare support because of their low salaries. I want to share these two articles with my colleagues because I believe they fairly state the need for H.R. 13000.

The two articles follow:

[From the Washington Daily News, Oct. 17, 1969]

NIXON FIGURES ON UDALL BILL MISLEADING

(By John Cramer)

The Johnson Administration, as I was wont to report from time to time, wasn't above

XUM

using misleading figures to combat proposed federal employee pay raises it considered excess.

Now we have the Nixon Administration doing the same thing.

In an effort to head off the Udall federal pay bill (H.R. 13000) President Nixon Tuesday sent a "Dear Jerry" letter to Minority Leader Gerald Ford, R-Mich.

In it he said, without any qualification whatever:

"In its present form H.R. 13000 would add approximately $4.3 billion a year to federal expenditures. It would balloon expenditures in the remainder of the fiscal year by $1.5 billion."

There is no quarrel with the second sentence.

MISLEADING

Even the first is technically correct.

But it also is highly misleading.

It clearly leaves the impression that the Udall bill would cost us taxpayers $4.3 billion annually which otherwise would be saved.

That simply isn't the case.

The Udall bill, if accompanied by proportionate increases for military personnel, would indeed cost $4.3 billion in fiscal 1971, the new government year which begins next July 1.

COST ALMOST AS MUCH

But what the "Dear Jerry" letter didn't say was that the President's own pay proposals would cost almost as much.

By official Budget Bureau figures the Udall bill would cost $371 million more than the President's proposals in fiscal '71. That's no small sum. It's well worth attention of a President with inflation problems.

But it's a far cry from $4.3 billion!

By official budget figures, the eventual extra cost of the Udall bill would top $1 billion annually. But again, it's not $4.3 billion.

The extra cost in the Udall bill would come mainly from what the President described as its "disproportionate benefits" for postal employes:

By budget figures, a two-step within-grade raise for postal employes in the first 11 grades, retroactive to Oct. 1, would add $338 million to fiscal 1971 expenditures.

Again by budget figures, a speed-up in postal within-grade promotions, effective July 1, would add $33 million to the fiscal-71 budget.

But after eight years, this speed-up would be costing almost $800 million.

Add the $338 million to the almost-$800 million and the President had every reason to tell "Dear Jerry" that the Udall bill "eventually" would add $1.138 billion annually to federal expenditures.

But that still isn't $4.3 billion. And it can't possibly come out that way.

The MAJOR part of the $4.3 billion comes another way. It comes from the concept originated in the Eisenhower days, first implemented in the Kennedy years, supported by President Johnson, endorsed by President Nixon, that federal pay rates (civilian and military) should be "comparable" to national average private rates.

In harmony with this concept, the Nixon Administration's own pay proposals were presented to the House Civil Service Committee June 17 by Civil Service Commission Chairman Robert Hampton.

In dollar content, they differed from the Udall proposals only in two ways:

First—no "special" raises for postal employes.

Second—a slightly slower approach to the "comparability" pledged by Presidents Eisenhower, Kennedy, Johnson, and Nixon.

Mr. Hampton proposed:

A raise next July to bring postal and classified (white collar) employes to the national average private enterprise level of June, 1969, as developed by the 1969 Bureau of Labor Statistics survey of private rates.

A second raise, early in 1971, to bring them to the private level of June, 1970. Mr. Hampton suggested this second increase take effect "as soon as practical" after the end of the 1970 BLS survey. He left no doubt that he meant raises in the first half of calendar 1971, and falling within the fiscal 1971 budget.

By contrast, the Nixon attacked Udall bill proposed a raise next January to bring employes to the June, 1969, private level; a second raise, a year later, to bring them to the June, 1970, private level.

The difference there is small . . . a matter of timing. Here, too, the Udall bill would add a certain amount to the fiscal 1971 budget. But it would not thereafter effect the annual "federal expenditures" mentioned in the "Dear Jerry" letter.

It takes incredibly big money these days to payroll the federal establishment—something more than $40 billion annually, civilian-military combined.

But nothing is gained by dealing in phony figures.

That's the stuff "credibility gaps" are made of.

[From the New York Times, Oct. 17, 1969]

Two Mailmen Point to Pay and Ask Relief

(By Francis X. Clines)

Two letter carriers applied for welfare yesterday to demonstrate that under the present day scales young family men can qualify for relief in the form of income supplementation.

Labor leaders of the letter carriers, accusing President Nixon of reneging on a campaign promise to increase postal salaries, said that as many as 3,500 of the 50,000 postal workers in the metropolitan area already received partial welfare aid.

The two postmen, James W. Warden, a father of three, and Victor Irizarry, a father of six, said they took home $100 or less each week in salary. They joined the relief application line at the Department of Social Services center at 260 West 30th Street, behind a young woman holding an infant.

"It's a damn shame that New York has to subsidize a Federal employe because the Government is not paying people a living wage," Gustave J. Johnson, president of the New York Letter Carriers, declared.

$6,167 TO $8,440 PAY

Mr. Johnson said he encouraged other letter carriers to "swallow their pride" and apply for aid. The pay scale, ranging from $6,167 to $8,440 after 20 years, is so low, the labor leader asserted, that hundreds of carrier jobs are vacant in the city and many carriers are exhausted from having to work at two jobs.

Economists have estimated that scores of thousands of city residents are paid so low that they qualify for supplementary relief of hundreds of dollars a year. Most have never come forward, fearing the scorn of fellow workers, according to welfare officials.

In the past, leaders of low-paid workers' unions have shied away from emphasizing relief eligibility to their lower-paid members. But Mr. Johnson said he had acted after receiving word from Washington that a bill to raise postal salaries by $412 a year would be vetoed by the President.

Representative Gerald R. Ford, the Republican minority leader in the House indicated this week that the Administration strongly disapproved of a pending Federal payrise bill contending it would contribute to inflation.

DECISIONS PENDING

Ten other carriers were scheduled to join their colleagues in seeking welfare, but some were delayed by the opportunity for overtime and others hesitated at the last minute, according to Mr. Johnson.

The two who applied were referred to another center to obtain proper application forms, and they hoped for a decision on their eligibility today.

Supplemental aid is available to a full-time worker if his gross salary minus taxes, insurance, pension and work-related expenses is less than the standard welfare payment, according to a spokesman for the Department of Social Services.

In the case of Mr. Irizarry, his latest week's take-home pay was $93.87. The deductions from his gross salary of $122.73 included $8.40 in taxes, $7.97 in pension payments, $5.92 in health insurance and $2.88 in life insurance.

"I got carfare in my pocket, that's all," he said.

If the Irizarry family were jobless and entirely on welfare, it would receive a total of $508 a month from the city, including its rent of $125. This is $133 more than the letter carrier now takes home each month.

A Social Services Department spokesman estimated unofficially that a family such as Mr. Irizarry's might, be entitled to this $133 difference plus work-related expenses such as carfare.

Among the points to be investigated, the spokesman said, would be any liquid assets held by the family, which would be deducted from the formula.

A WIDER AUDIENCE

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. EILBERG. Mr. Speaker, educational television is finding a growing audience for its excellent programing. But it too has its critics.

These critics have charged that educational television presents elitist fare with appeal to a narrow, intellectual audience. To survive, of course, ETV must find a wider audience.

It has heard this criticism and is now embarking on a wider range of programing for two reasons. First, it has recognized that it can provide genuine service if it broadens its program spectrum. Second, by drawing the interest of a wider audience it hopes to hold this audience for its more traditional programing.

If this experiment is successful, the lie might be put to the view that the commercial demands of most television, and these are legitimate demands not to be lightly dismissed, will not sustain a higher level of programing.

Recently, Rex Polier, the television critic of the Philadelphia Bulletin, the distinguished evening newspaper in my city, discussed one technique educational TV is employing.

With the unanimous consent of my colleagues, I enter Mr. Polier's column in the Record:

How-To Programs Boom on Educational Stations

(By Rex Polier)

The "How-To-Do-It" programs are to educational TV what the Westerns and situation comedies are to commercial stations.

"I guess you could call them our Beverly Hillbillies," a Channel 12 executive reflected the other day. He was looking over a long list of "how-to-do-it" series that have given the station a loyal and vocal audience since 1964.

Commercial TV offered instructions in

home repairs, gardening, and other areas early in its history. But most of these fell by the wayside as competition in programming increased.

The non-commercial channels were left with an almost open field for this inexpensive, yet very helpful, type of programming. Since almost every non-commercial channel of any size in the country produces at least one such series, and they exchange them freely with each other without cost, there is always an abundant supply.

Julia Child is the prototype and most successful of educational TV's how-to people. Her following on Channel 12 set a record for the station. Appeals for support and offers of her cookbooks, tied in with the show, still bring a large viewer response. The surprising thing is that her shows, which originate in Boston, have been in re-runs for the past two years. She hasn't made a new one in all that time, but says she plans to when she completes a book she is now writing.

Another very popular series is Channel 12's own production of TV Garden Club featuring Swarthmore botanist and horticulturist Roy Kersey. It is seen on Fridays, 7:30 P.M. Kersey, a colorful, personable man who enjoys a large following hereabouts, draws approximately 5,000 letters weekly asking for resumes of his lectures. The program's switch to color recently and its inclusion on the Pennsylvania Public TV Network, has increased its audience.

Kersey, who began his TV career originally on WFIL–TV, is No. 1 on the garden set hit parade. The Philadelphia Flower Show offered Channel 12 a free booth last year if Kersey would agree to appear at it and meet the public. He has even had an African violet named after him.

Another popular series, and one that always draws a big response whenever it is rerun, is Nine to Get Ready. It consists of 12 half-hour programs conducted by Dr. J. Robert Bragonier dealing with pre-natal care.

Two series of instructions on the folk and classical guitars brought thousands of requests for an instructional booklet that was used. A 13-week program in color which featured skiing instruction by some of the nation's top experts, attracted an ardent following.

Channel 12 has in its library similar series on antiques, auto mechanics, home repairs, everyday electronics and even chess. The chess series, featuring an expert named George Koltonowski, drew a small but terribly intense audience. Currently, a Pittsburgh bridge expert named Jean Cox is offering weekly instructions in that game and an attractive Chinese-American named Joyce Chen has an enthusiastic following for the Chinese cooking instructions she gives on Tuesdays, 7 P.M.

MEDAL OF HONOR AWARD

HON. JOE SKUBITZ

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. SKUBITZ. Mr. Speaker, on October 16 the President of the United States awarded the Congressional Medal of Honor posthumously to Sp3c. Edgar E. McWethy, Jr. of Baxter Springs, Kans. His parents, Mr. and Mrs. Edgar Lee McWethy, Sr., received the medal at White House ceremonies from President Nixon.

In being awarded the Medal of Honor, Specialist McWethy has performed the greatest service to his Nation that he could.

The Medal of Honor is awarded in the name of Congress to a person in the armed services who distinguishes himself conspicuously by gallantry and intrepidity at the risk of his own life above and beyond the call of duty while engaged in an action against any enemy of the United States. The deed performed must have been one of personal bravery or self-sacrifice so conspicuous as to clearly distinguish the individual above his comrades and must involve risk of life.

Specialist McWethy, who deserved to live, gave the greatest sacrifice he could to his country. I feel it is fitting that his citation be inserted into the Congressional Record:

Citation

The President of the United States of America, authorized by act of Congress, March 3, 1863, has awarded in the name of The Congress the Medal of Honor posthumously to Specialist Five Edgar L. McWethy, Jr., United States Army, for conspicuous gallantry and intrepidity in action at the risk of his life above and beyond the call of duty:

Serving as a medical aidman with Company B, 1st Battalion, 5th Cavalry, 1st Cavalry Division (Airmobile), in Binh Dinh Province, Republic of Vietnam, on 21 June 1967, Specialist McWethy accompanied his platoon to the site of a down helicopter. Shortly after the platoon established a defensive perimeter around the aircraft, a large enemy force attacked the position from three sides with a heavy volume of automatic weapons fire and grenades. The platoon leader and his radio operator were wounded almost immediately, and Specialist McWethy rushed across the fire swept area to their assistance. Although he could not help the mortally wounded radio operator, Specialist McWethy's timely first aid enable the platoon leader to retain command during this critical period. Hearing a call for aid, Specialist McWethy started across the open toward the injured men, but was wounded in the head and knocked to the ground. He regained his feet and continued on but was hit again, this time in the leg. Struggling onward despite his wounds, he gained the side of his comrades and treated their injuries. Observing another fallen rifleman lying in an exposed position raked by enemy fire, Specialist McWethy moved toward him without hesitation. Although the enemy fire wounded him a third time, Specialist McWethy reached his fallen companion. Though weakened and in extreme pain, Specialist McWethy gave the wounded man artificial respiration, but suffered a fourth and fatal wound. Through his indomitable courage, complete disregard for his own safety, and demonstrated concern for his fellow soldiers, Specialist McWethy inspired the members of his platoon and contributed in great measure to their successful defense of the position and the ultimate route of the enemy force. Specialist McWethy's profound sense of duty, bravery, and his willingness to accept extraordinary risks in order to help the men of his unit are characteristic of the highest traditions of the military service and reflect great credit upon himself and the United States Army.

THE MORATORIUM

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 15, 1969

Mr. KEITH. Mr. Speaker, today millions of Americans, from every walk of life, are interrupting the daily routine of their lives to discuss the greatest issue in our national life—the war in Vietnam. From the smallest hamlet to the halls of the Congress, concerned citizens are participating in an unprecedented national dialog.

For too long, I feel, the war debate has been confined to extremists on both sides. As President Nixon pointed out in his inaugural address, those who shouted the loudest held the center of the stage, while rational, reasonable arguments too often were lost in the tumult.

But, as we saw in the House Chamber last night, this time it is different. What we heard there—and what is being heard all across the country—is not the voice of ideological radicals spouting mindless slogans. Nor the voices of the self-centered, self-styled "revolutionaries" who have dominated the headlines so much in recent years, but concerned men and women, aware of the complexities of the issue, and trying to reach honest and practical judgments as to what course the country can take to get out of the present unsatisfactory situation.

This kind of activity is not the great "fall offensive" that Hanoi would like to believe. Rather, it is a manifestation of something uniquely American—the right, and indeed the obligation, in a democracy for all citizens to participate in the search for solutions to great national problems. This is as it should be—for the success or failure of those policies intimately affects their lives, their children's lives, and history as well.

Those who say that the sole effect of this activity is to strengthen Hanoi are missing the whole point. Hanoi can believe whatever it wants to about the aims of the moratorium. But I think that this kind of activity can strengthen America, more than Hanoi. It will make more people aware of the realities of the situation, and of the options open to us. In the end, I hope, it will make many people much more sympathetic to the position of the President. And from this dialog, I hope, will come a sense of direction in this Nation—not one imposed from above, like the totalitarian unity of the North Vietnamese, but a genuine, majority agreement on our ends and goals. And that majority view, I believe, will not be too much at variance with the position of this administration.

The administration, as we know, has reacted to the idea of a moratorium with a great deal of trepidation, if not outright hostility. And considering the history of antiwar demonstrations, that is a reasonable reaction. Too often the extremists have taken over such demonstrations, and the far-out discord has been both embarrassing and damaging. But this movement today is more broadly based, and so lacking in rigidity, that I feel the administration has very little to lose by it, and indeed has much to gain. For when reasonable men look at the facts of the matter, in a calm and understanding atmosphere of realism, they will almost certainly find themselves supporting most of what the President has done, and wants to do. They may conclude that he should move faster in one direction or another, and I think that he will, take that advice with good grace. As the Washington Post said recently, the President himself is a "charter member" of those who want peace. He has much in common with those who are walking around the White House tonight with lighted candles, and I think that by the end of the day both he and they will know it.

NATIONAL BUSINESS WOMEN'S WEEK

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. MARSH. Mr. Speaker, on the calendar of designated weeks, we have reached National Business Women's Week.

While the proliferation of special weeks has prompted light comments, this designation is a dignified and well-established one. It seeks to cast a spotlight on the contribution of career women to community and national achievement by their effective and expanding service in business and the professions.

More than 3,800 Business and Professional Women's Clubs will be participating this week in Congresses of Career Women Leaders.

In recent years, there has been accelerated progress in the matter of equal employment opportunity for women, and the Congress has assisted in this. The recognition of the capacities of well-trained women to assume responsibilities at high levels in our complex, technological economy has spread across the higher echelons of business management.

At the same time, the ladies see much more as needed to be done in this regard, and I am sure their programs of the week will not be spent in self-congratulation—although feminine superachievers will be honored.

In pursuing the objective of a rewarding existence for all citizens, including the enjoyment of the advantages of improved education, health services, housing and the myriad conveniences of our advancing technology, it is important that the nation have the advantage of every talent—of every individual ambition.

In education, we are seeking to "train up" to maximum capacity our young people without regard to sex, race, or economic situation of the parents. Our goal in this has not been reached, but remarkable progress has been made.

The value of attaining the goal will be debased significantly, however, if the trained-and-ready young citizen of either sex, or of any ethnic background, is not welcomed into the professional and business mainstreams of the national economy.

Beyond this, there must be continuing recognition of the principle of career advancement on merit, without prejudicial inhibitions.

National Business Women's Week should serve to remind us of this.

CHAVEZ AIMS PLEA AT HILL

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. WILLIAM D. FORD. Mr. Speaker, on the 1st of October, my good friend and colleague, the gentleman from Michigan (Mr. O'HARA), invited members of the Education and Labor Committee, and Members of the House who had sponsored farm labor and occupational safety and health legislation to a public meeting to discuss these and related problems with Cesar Chavez, director of the United Farm Workers Organizing Committee, AFL–CIO.

It was a remarkable meeting. Held in the main hearing room of the Committee on Education and Labor, the meeting attracted 19 Members of the House, and a standing-room-only crowd of spectators. The Members present were by no means of one mind about Cesar Chavez and his cause, and the discussion was vigorous and not always wholly amicable. In my judgment, this may have been one of the most useful hearings I have ever attended in this field of public policy.

In yesterday's Washington Post, there appeared a story by Frank C. Porter, giving his impressions of the meeting, and of Cesar Chavez. I include the story at this point in the RECORD:

CHAVEZ AIMS PLEA AT HILL—GRAPE BOYCOTT LEADER SHOWS HIS CHARISMA

(By Frank C. Porter)

There he sat, Cesar Chavez, saint or devil depending on one's viewpoint, looking like a little boy after a bout with the flu.

Sitting in a low-slung rocking chair prescribed by Dr. Janet Travell, his head and shoulders barely rose above the witness table.

His characteristic red lumberjack shirt (Chavez refuses to dress other than as the campesinos he leads) struck a note of incongruity in the opulent Rayburn Building hearing room.

Once stocky, his legs had become thin and he looked almost emaciated the result of recurrent illness compounded by back trouble since his 25-day fast last year in protest against the cult of machismo and stirrings toward violent action within his United Farm Workers Organizing Committee, AFL–CIO.

Flanking him at the witness table were Jerome Cohen, UFWOC's counsel; Andy Imutan, Filipino-American and a vice president, and Mac Lyon, a black organizer. Only Cohen wore a coat and tie. It was possibly the most ethnically diverse panel ever to grace a congressional hearing.

Except it wasn't really a hearing. It was, in the words of Rep. James G. O'Hara (D-Mich.), a "public meeting" to which House members interested in the plight of the farm worker had been invited.

It was also a study in the charisma Chavez radiates, a charisma which his enemies concede makes him a formidable foe and which they charge tends to distort or obscure the issues in dispute.

There was no question about the frankly adulatory partisanship of the gathering. In addition to the almost universally sympathetic representatives ranged about the double tier of committee seats, the room was packed with worshipful supporters mostly youngsters, a few hippies but mostly freshly scrubbed, straight-looking college kids.

O'Hara himself set the tone. He introduced Chavez as "a great American, a great labor leader, a truly good and gentle man but a man who is as controversial as any figure to blaze across our skies in decades. He has made bitter enemies, and some of us love him for the enemies he has made. He had made devoted friends, and some of us are honored to be among those friends . . . There are very few neutrals where Cesar Chavez is concerned."

The deceptive innocence, the compound of his unwrinkled features, betrayed no pride in the extravagant praise. Chavez went on to tell once again the story of the five-year campaign to win bargaining rights for California grape pickers.

Most of the congressional audience had heard it before—old admirers such as O'Hara and Reps. Philip Burton (D-Calif.), Ogden R. Reid (R-N.Y.), Roman C. Pucinski (D-Ill.), William D. Ford (D-Mich.), and John H. Dent (D-Pa.). But they sat rapt.

Chavez went into the question of racial diversity, how once growers used it to pit worker against worker, how now there are even camps of Arab and Portuguese fieldhands in California. "It takes a long time to get them to learn to live together," he said.

He renewed his charges of non-cooperation of Federal and state agencies on such problems as illegal migrant workers and pesticides. "It's impossible to deal with them."

He gently mocked the organizational efforts to circumscribe his power through such groups as the American Farm Bureau Federation, the National Right-to-Work Committee, the John Birch Society and even the Mothers Against Chavez and the Mexican-American Democrats for Republican Action (MADRA).

He said the contracts UFWOC had won from a dozen wine grape firms are working well. And the nationwide table grape boycott would not have been extended to all California growers had not UFWOC's primary target, Guimarra Vineyards, borrowed some 50 different labels from its competitors, he explained.

He said UFWOC's big objective is simply recognition. And he again condemned the Congress for failing to extend to farm workers the guarantee of organizational and bargaining rights accorded industrial workers for more than 30 years.

He said that a 350 per cent increase in California grapes bought by the Defense Department for its troops in Vietnam over the past year or so is the biggest reason 10 maverick table grape growers broke off negotiations with the union in late June. (South Vietnam is now the third biggest grape importer in the world, he said; it used to be 27th.)

When Chavez finished and his lieutenants had had their say, the questioning began. The queries were friendly, mostly supportive of Chavez's argument or adding favorable points he had not touched upon.

They were sympathetic, that is, until it came the turn of Rep. William J. Scherle (R–Iowa).

Scherle, a tough but amiable giant of a man who grows grain and livestock in Iowa and is one of the House's more outspoken no-nonsense conservatives, gave it to Chavez.

He ridiculed Chavez's contention that pesticides are affecting the health of a majority of California's farm workers. He uses pesticides extensively on his farm, Scherle said, never uses gloves even and never has suffered the slightest symptoms from them. Neither have any of his friends or neighbors, he said.

In rebuttal, Cohen cited what he said were Food and Drug Administration figures showing 80,000 to 90,000 injuries a year from pesticides and 800 to 1,100 deaths.

Scherle challenged whether the grape

pickers were so downtrodden after all. "Some of these people are making $95 a week" he said. "What more can you give them?"

Chavez's youthful supporters in the audience hooted with derisive laughter.

Pucinski attempted to intervene on Chavez's behalf. "You're no farmer and you can't talk about agriculture," Scherle told the Chicagoan. Later Pucinski said "I don't think he (Scherle) has held a handful of dirt for a long time."

Scherle suggested Chavez and the union are attempting to deny the right to work to California fieldhands. "Is this your supreme effort—compulsory unionism?" he asked.

"I think a union shop is a good arrangement," Chavez replied. He said that under UFWOC contracts there have been only eight or 10, all Anglos, who didn't want to join. They were exempted, he said, and allowed to contribute the $3.50 a month in dues required by the contract to the Red Cross or other charities.

(Earlier this year Chavez argued that farm unions be permitted to negotiate closed shops, barred under present law, in order to catch up to their industrial counterparts. A union shop requires membership by some specified time after a worker is hired. A closed shop requires that the worker be a member before he is hired.)

When it was over, it was quite apparent Scherle had not changed his ideas. Nor was there any evidence that anyone else in the room had changed his mind.

What this unorthodox and highly partisan meeting did indicate was that, regardless of the arguments, the biggest obstacle California growers have to overcome is the magnetism of Cesar Chavez.

ANNIVERSARY OF THE BATTLE OF LEYTE

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. FISHER. Mr. Speaker, at 10 o'clock on the morning of October 20, 1944, American troops went ashore on the island of Leyte, Philippine Islands. This began the decisive battle which was to continue for over 4 months, and the defeat of the imperial Japanese forces. The architect of the campaign was that great soldier and statesman, Gen. Douglas MacArthur.

A constituent and friend of mine, Mr. Edward D. Speakman, of San Antonio, Tex., served in the Leyte campaign. He was then 19 years of age. During the course of a patrol he came across a leaflet which had been air dropped to the Philippine people just prior to the landing on Leyte. It was retained by the finder.

It appears that few copies of the leaflet have survived through the past 25 years. Mr. Speakman has furnished me with a copy of it. It would seem that on this, the 25th anniversary of that historic landing it is appropriate to include the contents of that leaflet as a part of my remarks. This historic proclamation issued by General MacArthur follows:

PROCLAMATION OF GENERAL HEADQUARTERS, SOUTHWEST PACIFIC AREA, OFFICE OF THE COMMANDER IN CHIEF, TO THE PEOPLE OF THE PHILIPPINES

I have returned. By the grace of Almighty God our forces stand again on Philippine soil—soil consecrated in the blood of our two peoples. We have come, dedicated and committed, to the task of destroying every vestige of enemy control over your daily lives, and of restoring, upon a foundation of indestructible strength, the liberties of your people.

At my side is your President, Sergio Osmena, worthy successor of that great patriot, Manuel Quezon, with members of his cabinet. The seat of your government is now therefore firmly re-established on Philippine soil.

The hour of your redemption is here. Your patriots have demonstrated an unswerving and resolute devotion to the principles of freedom that challenges the best that is written on the pages of human history. I now call upon your supreme effort that the enemy may know from the temper of an aroused and outraged people within that he has a force there to contend with no less violent than is the force committed from without.

Rally to me. Let the indomitable spirit of Bataan and Corregidor lead on. As the lines of battle roll forward to bring you within the zone of operations, rise and strike. Strike at every favorable opportunity. For your homes and hearths, strike! For future generations of your sons and daughters, strike! In the name of your sacred dead, strike! Let no heart be faint. Let every arm be steeled. The guidance of divine God points the way. Follow in His Name to the Holy Grail of righteous victory!

DOUGLAS MACARTHUR.

MAYORS, GOVERNORS SEE LIGHT—ASK NAMES BE REMOVED FROM POSTAL CORPORATION LOBBY

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. DULSKI. Mr. Speaker, it is my sad duty to inform the House that the so-called Citizens Committee for Postal Reform is foundering. It is already down by the stern and sinking from the weight of its own bilge despite the frantic efforts of big business to bail it out.

A number of the key members of its crew, including many mayors and several Governors, have already abandoned ship. Others have apparently elected to go down with the two captains who sweet-talked them into signing on in the first place. I predict, however, that others will change their mind before the final plunge.

I had not planned to call attention to this minor tragedy on the high seas of fat-cat finance in the belief that the "committee" deserved the dignity of a quiet departure. But the shrill distemper of its hired hands, having found their way into the CONGRESSIONAL RECORD, cannot remain unanswered.

ABOUT THAT PRESS RELEASE

We are indebted to my friend, the distinguished gentleman from Illinois (Mr. DERWINSKI), for the insertion in the RECORD on October 3 of a press release from the so-called committee which—had it not been so published—obviously would never have been published anywhere.

The target of this so-called press release was my equally good friend Pat Nilan, the national legislative director of the United Federation of Postal Clerks, AFL–CIO, who had earlier accused the "committee" of "hoodwinking" scores of mayors and Governors into supporting the administration's Postal Corporation scheme without full knowledge of what is involved.

Mr. Nilan had the temerity to suggest that the cochairmen of the committee, former Postmaster General Lawrence O'Brien, and former GOP National Chairman Thruston Morton, failed to specify in their original letter of invitation that the body was being created with the support of the U.S. Chamber of Commerce to lobby for a Postal Corporation as such.

WHO MISLED WHOM?

Mr. Nilan further accused Messrs. O'Brien and Morton of "outrageously misleading the Nation's mayors by claiming that postal reform would make a billion dollars a year available for urgent social purposes"—a pledge that I am sure the Members of this House will view with great interest.

In response to these documented charges, a Mr. James J. Marshall, decribed in his own press release as the committee's public affairs director, cried out that Mr. Nilan's remarks were—among other things—fallacious, irresponsible, intolerable, atrocious, reckless, false, highly insulting, ridiculous, incredible, preposterous, astounding, curious, ludicrous and above all serious.

Mr. Marshall, who obviously would never be caught in public without his Thesaurus, was long on objectives but strangely short on rebutting Mr. Nilan's factual charges that "at least two Governors and six mayors have asked that their names be removed from the letterhead of the Citizens Committee for Postal Reform." Instead, Mr. Marshall demanded "a full public apology from Mr. Nilan."

APOLOGIZES FOR UNDERSTATEMENT

I can now report to the House, after consulting with Mr. Nilan, that he is happy to make a full public apology for understating the facts. Mr. Nilan now tells me that the actual total of resignations from the committee has in fact risen to at least three Governors and nearly a dozen mayors.

The committee, for example, lists as one of its sponsors the Honorable Richard J. Hughes, Governor of the great State of New Jersey.

Yet under date of August 12, 1969, on the letterhead of the Governor of New Jersey, the following letter was received by John R. Napurano, president of the New Jersey State Federation of Postal Clerks:

STATE OF NEW JERSEY,
Trenton.

DEAR MR. NAPURANO: Thank you for your letter regarding my position on the bill to place the United States Post Office Department in the hands of a public corporation, H.R. 11750.

Unfortunately, I believe you have been misinformed, as I am not a member of the Committee on Postal Reform. In any case,

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the decision rests completely in the hands of the Congress, and as you are surely aware, it is beyond the jurisdiction of a Governor.

I am pleased, however, to have received the information you have provided on the issue, and I consider myself better informed as a result of your understandable error.

Thank you for having taken the time to write.

Sincerely,

RICHARD J. HUGHES,
Governor.

When Mr. Nilan charges that the committee has been hoodwinking Governors and mayors if not the public itself it seems to me that something more than a long string of adjectives is required to explain letters like the foregoing.

The committee's hired hands use up a great deal of space abusing Mr. Nilan but they never quite come to grips with the fact that many of the Nation's leading mayors have in fact actually quit the committee just as Mr. Nilan has pointed out.

For the sake of the record I am going to include here the text of several other letters from former members of the committee which tell their own story without benefit of adjectives:

STATE OF MAINE,
Augusta, Maine, August 21, 1969.

Mr. CLAUDE J. DESAUTELS,
Executive Director, Citizens Committee for Postal Reform, Washington, D.C.

DEAR MR. DESAUTELS: In recent months, I have had an opportunity to study the proposal advanced by Postmaster Blount for the creation of a government-owned corporation to handle postal matters, and H.R. 4 introduced by Congressman Dulski to reform the postal system.

After careful consideration, I must conclude that, of the two alternatives, Congressman Dulski's proposal is more desirable. Therefore, I request that my name be removed as a member of the Citizens Committee for Postal Reform. I apologize for any inconvenience I may have caused you.

Sincerely,

KENNETH M. CURTIS,
Governor.

Finally, I should like the record to show that Mayor James Brennan, of Somerville, Mass., has recently been defeated in a reelection bid and can no longer officially represent his community on the committee.

In pointing out these facts it is my hope that the committee will not also accuse me of fallacious, irresponsible, intolerable, atrocious, reckless, false, highly insulting, ridiculous, incredible, preposterous, astounding, curious, ludicrous, or even serious misrepresentation. Indeed, the real danger is that their rhetoric may soon be reduced to a burp.

Here are some of the other "interesting" letters from top executives:

CITY OF MIAMI, FLA.,
August 21, 1969.

Mr. CLAUDE J. DESAUTELS,
Executive Director, Citizens Committee for Postal Reform, Inc., Washington, D.C.

DEAR MR. DESAUTELS: After giving the matter of serving on the Citizens Committee for Postal Reform, Inc. further consideration, I am requesting that my name be withdrawn as a member of this Committee effective today.

Sincerely,

STEPHEN P. CLARK,
Mayor.

CITY OF LYNN, MASS.,
July 25, 1969.

CITIZENS COMMITTEE FOR POSTAL REFORM, INC.
Washington, D.C.

GENTLEMEN: In response to your letter of June 18, 1969 seeking support for what was described as a system which would "give this country the most efficient and economical postal service in the world and will give the postal workers the opportunity to realize their full potential," I sent to you permission to use my name. Subsequently it has come to my attention this assent has been used to indicate support of a particular bill; such certainly was not my intention.

I remain anxious that postal service be improved, and that postal workers be provided full opportunity to realize their full potential. To do both requires working conditions in which the morale of the postal worker is assured by the fairness of the system itself.

It is my understanding that the Citizens Committee for Postal Reform, Inc. is sponsoring a specific bill which precludes an effective view for postal employees. In the light of this, will you kindly remove my name from the list of those who endorse your present activity.

Very truly yours,

IRVING E. KANE,
Mayor.

STATE OF MAINE,
Augusta, Maine, September 29, 1969.

Mr. PATRICK J. NILAN,
Legislative Director, United Federation of Postal Clerks, AFL-CIO, Washington, D.C.

DEAR MR. NILAN: Thank you for your letter of September 26 and the enclosed copy of the official publication of the United Federation of Postal Clerks.

I have studied the contents of H.R. 11750 and H.R. 4 sponsored by Representative Dulski. After this study, I decided that H.R. 4 was the more desirable bill. I therefore requested that my name be withdrawn from the Citizens Committee for Postal Reform, Inc. I am no longer a member of that Committee.

Sincerely,

KENNETH M. CURTIS,
Governor.

CITY OF FALL RIVER, MASS.,
October 1, 1969.

Mr. PATRICK J. NILAN,
Legislative Director, United Federation of Postal Clerks, Washington, D.C.

DEAR SIR: Thank you very much for your letter of September 26th.

After talking with postal clerks, carriers, postmaster, and attending the Postal Forum in Washington, I agree with you; and as of last week I sent in my resignation as a Director on the Committee for Postal Reform. Your letter may have been late, but the postal employees in this district are working well and have proved their point.

Sincerely,

NICHOLAS W. MITCHELL,
Mayor.

CITY OF FALL RIVER, MASS.,
September 24, 1969.

CITIZENS COMMITTEE FOR POSTAL REFORM, INC.,
Washington, D.C.

GENTLEMEN: Thank you very much for the honor bestowed upon me to be a director of the new postal reform.

I attended the Conference in Washington on September 8th and 9th and enjoyed listening to both of you. In fact, all the speakers had a message to convey. From reading, listening, and seeing certain things, I feel at this time that I would best serve you by resigning from the directorship. I don't feel I can give the time, the effort or whatever else is needed to help you in your search for a better service.

I feel the Postal Service is just such a service to the people of the United States, and I hope that you and your committee in your judgment devise a way which will be helpful to the mailers, the clerks, the carriers and everyone having anything to do with the service.

Again, thank you for choosing me. I am sorry that I cannot be of any more service to you. Kindly remove my name from the list.

Very truly yours,

NICHOLAS W. MITCHELL,
Mayor.

NEWARK, N.J.,
August 12, 1969.

Mr. JOHN R. NAPURANO,
President, New Jersey Federation of Postal Clerks, West Orange, N.J.

DEAR MR. NAPURANO: This will acknowledge your letter of August 3, 1969, with regard to the listing of my name as a member of the Committee for Postal Reform. I am sorry this happened. Unfortunately, I did not know all the facts concerning this bill, and have written to the Committee asking that my name be removed.

With kindest regards,

Sincerely,

HUGH J. ADDONIZIO,
Mayor.

CITY OF NEW BEDFORD, MASS.,
October 1, 1969.

Mr. PATRICK J. NILAN,
Legislative Director, United Federation of Postal Clerks, AFL-CIO, Washington, D.C.

DEAR SIR: I have revised my position of advocacy to H.R. 11750. I have withdrawn from the Citizens Committee for Postal Reform. I have advised the membership of your local union of my position, and it has been carried in their publication.

I took these courses of action several weeks ago.

With kindest personal regards.

Sincerely,

EDWARD F. HARRINGTON,
Mayor.

CITY OF BETHLEHEM, PA.,
September 30, 1969.

UNITED FEDERATION OF POSTAL CLERKS, AFL-CIO,
Washington, D.C.

GENTLEMEN: Thank you for sending me the material expressing your views on the merits of H.R. 4 as opposed to those of H.R. 11750.

I believe the enclosed copy of my recent letter to the Citizens Committee for Postal Reform will clarify my position.

Sincerely,

H. GORDON PAYROW, Jr.,
Mayor.

SEPTEMBER 26, 1969.

CITIZENS COMMITTEE FOR POSTAL REFORM,
Washington, D.C.

GENTLEMEN: Many months ago I joined your group in a spirited effort to bring about efficiencies and economies in our U.S. Postal Service.

After reviewing H.R. 11750 and H.R. 4, I find that H.R. 4 will do as good a job, and possibly better, in bringing about postal reform than your sponsored legislation. My main concern is the protection of postal employees which is provided in H.R. 4.

I have also discussed the merits of both bills with our local postal employees. It appears to me that after H.R. 4 is passed a sincere effort should be made to provide the real efficiencies we need in our postal service.

By this letter I ask that you remove my name as a sponsor of the Citizens Committee for Postal Reform.

Sincerely,

H. GORDON PAYROW, Jr.,
Mayor.

SALT LAKE CITY CORP.,
Salt Lake City, Utah, September 10, 1969.
Mr. JOHN VOSS,
President, United Federation of Postal Clerks, Temple, Tex.

DEAR MR. VOSS: I sincerely appreciate your taking the time to write me as you did recently regarding the proposed postal reform.

This is to advise you that I have asked that my name be withdrawn from the postal reform committee.

Sincerely yours,
J. BRACKEN LEE,
Mayor.

OFFICE OF THE MAYOR,
Scranton, Pa., October 3, 1969.
Mr. PATRICK J. NILAN,
Legislative Director, United Federation of Postal Clerks, AFL–CIO, Washington, D.C.

DEAR MR. NILAN: Thank you for your letter of September 26th.

I am enclosing copies of my letters to Lawrence F. O'Brien and Thruston B. Morton, National Co-Chairmen of the Citizens Committee for Postal Reform and Mr. Nicholas Shyshuk, Vice-President, of the United Federation of Postal Clerks of Pennsylvania, presenting my views on H.R. 11750 and H.R. 4.

Sincerely,
JAMES J. WALSH,
Mayor.

OFFICE OF THE MAYOR,
Scranton, Pa., July 18, 1969.
LAWRENCE F. O'BRIEN,
THRUSTON B. MORTON,
National Cochairmen,
Washington, D.C.

DEAR MESSRS. O'BRIEN AND MORTON: Since joining your committee in the early part of June, I have had an opportunity to check some of the pending legislation for congress concerning postal reform.

As you stated in your letter, the objective of the Citizens Committee is the active support of legislation which will give this County the most efficient and economical postal service in the world, and give the postal worker the opportunity to realize their full potential.

I have made the following decision:

The two major pieces of legislation for postal reform are H.R. 11750 and H.R. 4. I would like you to know that I believe that H.R. 4 is the most acceptable bill before Congress to bring about needed reform. It appears to provide the machinery for the necessary physical improvements; and at the same time, it gives some degree of protection to the employees of the postal service.

Since I volunteered to join this committee, I felt it encumbent on my part to let you know how I felt concerning the two pieces of pending legislation.

Sincerely,
JAMES J. WALSH,
Mayor.

STATE OF NEBRASKA,
Lincoln, July 30, 1969.
DONALD J. URWILLER,
Editor, Nebraska Postal Clerk,
Hastings, Nebr.

DEAR MR. URWILLER: Thank you for your letter in which you discuss the planned Postal Corporation.

As of this date, I have not been advised as to a meeting of the Postal Reform Committee; therefore, I doubt if much will come out of it.

You have certainly demonstrated in your letter that you know a good deal more about the Postal Corporation plan than I do, and simply because I have consented to appear on the Committee does not necessarily mean that I endorse wholeheartedly the concept of the Corporation.

I can assure you that I am interested in some postal reform in order to remove as much of the political patronage aspect of it as possible. There are inequities in the postal system and it would be my hope that these would be changed.

I guess what I am trying to say is that I doubt if you and I disagree very much on the way postal reform should be handled, and I appreciate your letter and please feel free at any time to express your opinion.

Kindest personal regards,
Very truly yours,
NORBERT T. TIEMANN,
Governor.

STATE OF IDAHO,
Boise, October 1, 1969.
Mr. PATRICK J. NILAN,
United Federation of Postal Clerks, AFL–CIO, Washington, D.C.

DEAR MR. NILAN: I appreciated your comprehensive letter of September 26 regarding postal reform, together with the enclosed brochure.

While I have not had time to go through the material thoroughly, I nevertheless will certainly keep it on file for future reference.

The postal corporation approach seems to be buried for this session of the National Congress.

I would agree with your statement that the goal of everyone is the best possible postal service for the people of this country, and hopefully, we can look forward toward attainment of that goal in the near future.

Sincerely,
DON SAMUELSON,
Governor.

ALLEGHENY VALLEY
CHAMBER OF COMMERCE,
Tarentum, Pa., October 14, 1969.
Hon. HUGH SCOTT,
Senate Office Building,
Washington, D.C.

DEAR SENATOR SCOTT: Concern about needed Postal Reform has initiated an indepth study of the Kappel Commission Report and legislation sponsored for Total Postal Reform and Partial Postal Reform.

After this study and recommendation to the Board of Directors of the Allegheny Valley Chamber of Commerce, it was moved that the Chamber support H.R. 4, authorized by the Chairman of the House Post Office and Civil Service Committee, Representative Thaddeus Dulski.

Your support of this Postal Reform bill will be appreciated.

Sincerely,
DONALD J. STEFL,
President.

RAIL PASSENGERS ASK PENN CENTRAL TO CLARIFY DOWNGRADING OF SERVICE

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. OTTINGER. Mr. Speaker, an important factor in the increasing focus of attention on railroad passenger service has been the efforts of the National Association of Railroad Passengers and its chairman, Anthony Haswell. When legislation is enacted to establish Federal standards for railroad passenger service, much of the credit will belong to the NARP.

Ever alert to reports of downgraded service, the NARP recently asked Penn Central officials to clarify persistent rumors that it plans to substantially downgrade its east-west intercity passenger service effective October 26. As of today, the Penn Central had not responded to the NARP's request.

This is a matter which clearly should be subject to full and fair scrutiny. If Penn Central's intercity service is being downgraded, the public has a right to know that, and the reasons for it. If the rumors are unfounded, the railroad certainly should set the record straight.

I present herewith for inclusion in the RECORD the text of the NARP's news release on the reports:

RAIL PASSENGER GROUP ASKS PENN CENTRAL TO CLARIFY REPORTS OF SERVICE DOWNGRADING

WASHINGTON.—The National Association of Railroad Passengers said today it had asked Penn Central for clarification of "persistent rumors" that the railroad is planning a "substantial downgrading" of its east-west intercity passenger service coincident with publication of new timetables on October 26.

NARP Chairman Anthony Haswell requested the clarification in a telegram to Penn Central Chairman Stuart Saunders on Wednesday morning (October 15). A reply was requested by the close of business on Thursday, NARP said no reply had been received by the requested deadline.

Haswell said that according to the reports, the downgrading would include the elimination of dining and sleeping car service on some trains and schedule changes which could result in missed connections.

"Downgrading of service would seriously weaken chances for Congressional action on a reasonable program of Federal assistance and would thus not serve the best interests of the industry and traveling public," Haswell's message declared. Text of telegram follows:

"NATIONAL ASSOCIATION OF RAILROAD PASSENGERS,
"Washington, D.C.

"Mr. STUART SAUNDERS,
"Chairman of the Board, Penn Central Railroad, Philadelphia, Pa.:

"We have heard persistent rumors that Penn Central is planning a substantial downgrading of east-west intercity passenger service to coincide with the Oct. 26 timetable change. According to these reports, dining and sleeping car service would be removed from some trains and others would be rescheduled to less convenient times which could result in missed connections. It is our hope that these rumors have no basis in fact. Downgrading of service would seriously weaken chances for Congressional action on a reasonable program of Federal assistance and would thus not serve the best interests of the industry or traveling public. Would appreciate a reply as to the veracity of these reports by the close of business on Thursday, October 16.

"ANTHONY HASWELL,
Chairman."

OPERATION ARBOR GREEN IN BROOME COUNTY, N.Y.

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. ROBISON. Mr. Speaker, recently I received the October issue of Soil Conservation which has an article entitled "Operation Arbor Green Charms Suburbanites." According to the article, Sam Rizzi and the Broome County soil and water conservation district have found a novel way to be of greater service to suburbanites.

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Far too often the suburban landowner is unable to use the services of essentially agricultural agencies. However, thanks to the imaginative thinking of Sam Rizzi, hundreds of suburbanites in the Binghamton area now have two, three, or even a dozen trees planted in their yards. I congratulate Sam Rizzi and the Broome County SCS for their initiative in extending a SCS program to suburban landowners. The details of "Operation Arbor Green" are in the article that follows:

OPERATION ARBOR GREEN CHARMS SUBURBANITES

A thousand trees ordered by suburbanites in an hour stirred up more excitement in Binghamton, Broome County, than did the planting of more than a million trees last spring by landowners in another rural county in New York.

Those thousand-an-hour trees bought from a commercial nursery and sold by the Broome County Soil and Water Conservation District weren't sold in one bundle, but singly, or in packages of three or seven trees—whatever number the buyer needed. The demand was so great that some 2,000 people called or queued up to buy 26,500 trees and plant them on at least a thousand small properties.

Sam Rizzi started it all. He's one of the new breed of conservation district directors, representing the nonfarm landowners and land-users in the Broome County District. He doesn't own a farm. He likes trees, though.

"The State Conservation Department sells trees only in bundles of a thousand. My neighbors in the housing development need two, or maybe 20, trees for planting a steep bank, or a clump for wildlife cover, or just for beauty," said Rizzi.

So Sam persuaded the other directors that the Broome District should buy a thousand seedlings from a commercial nursery for resale. Sam agreed to handle the publicity for "Operation Arbor Green."

As soon as the story broke in the papers and was announced on the radio and TV, orders started coming in and didn't stop when the thousand trees were gone.

"What do we do now?" cried the two district clerks. The private nurseryman was contacted again. Yes, he'd be very happy to supply another 25,000 trees and so on.

The girls spent several days just answering telephone inquiries. People who couldn't get a call through stood in line outside the office door to order trees.

The girls figured they had more than 2,000 callers. Very few of these people had ever had any previous contact with the district, or any of the other agencies in the Broome County Farm and Home Center. They were glad to learn how the district directors working with commercial nurserymen could provide this much needed service.

Next year the district directors plan to increase the number of varieties of trees and add some wildlife shrubs. They hope this is just the beginning of many new ways the district can expand its program to reach more urban and suburban landowners and get more land treatment done.

THE SHERWOOD FOREST OF AUTO REPAIRS SHOPS

HON. SEYMOUR HALPERN

OF NEW YORK

Monday, October 20, 1969

IN THE HOUSE OF REPRESENTATIVES

Mr. HALPERN. Mr. Speaker, a recent editorial in the Washington Post spoke of auto mechanics as unrelenting "Blackbeards" in their appraisal of our automobile problems, and bemoaned the disadvantaged consumer's plight in the murky "Sherwood Forest" of auto repair shops. The metaphors, if somewhat bitterly humorous, are nevertheless indicative of a serious public mood today. Many car owners have a deeply felt mistrust and cynicism toward those men who repair their vehicles. To expose this emotion in its true depth, perhaps the editorial's sharp irony was necessary and I commend it for my colleagues' perusal.

Indeed, it is this very deterioration in the business relationship between the public and the tradesmen that I seek to reverse in my legislation to provide Federal support for State training and licensing of auto mechanics.

I would also like to commend Senator HART, who has recently drawn attention to the need for licensing auto mechanics in the opening statement of his subcommittee investigation into the auto repair industry. I trust he will devote a major portion of these hearings to this key contributing factor in the high cost of repairs.

Therefore, I would like to insert in the RECORD the October 10, 1969, editorial of the Washington Post, as follows:

REGULATING THE MECHANICS

It may well be that Sen. Philip A. Hart—and he himself comes from Michigan, mind you—has taken the most significant step toward rationalizing the automobile and mitigating its mastery of man since the invention of the internal combustion engine. The senator has proposed a national program for licensing auto repair facilities and for certification of mechanics who perform repair work. Hallelujah! "When a motorist takes his car in for repairs, he has no assurance whatsoever that the facility is adequate or the mechanic skilled," the senator said.

Now, there stands the understatement of the decade. No assurance whatsoever? Actually, what the sucker has assurance of is that he is going to have to mortgage his house in order to get his car back. Taken as a class, automobile repair men are undoubtedly the most winsome, charming, sympathetic, and ruthless characters ever to band together for the beneficent exploitation of innocence. A garageman telling a disconsolate car owner that he must summarily consign his almost brand new widetrack Typhoon V-9 to a junk heap unless he is prepared to equip it with an entirely new lower intestinal tract can be as tender as a mother, as understanding as a father-confessor—yet as firm and unrelenting as Blackbeard at a gangplank.

No one could be nicer—or more patently distressed—than the garage mechanic who, rising from a cursory inspection of your automobile engine, regretfully tells you that the amblifators are intoxinated, the diatherms seriously calsified, and the whole varicose system in urgent need of a complete underhaul. All of this, he tells you, sadness softening his rather attractively smeared countenance, can be taken care of for hardly more than half of what it would cost to purchase one of the new models of your particular brand of white elephant.

Yes, they're delightful fellows, almost without exception. But should they be allowed to go on practicing their form of witchdoctory without any let or hindrance? Senator Hart thinks not. According to the lowest estimates, he says, one-third of all auto repairs are unsatisfactory. He means, we surmise, unsatisfactory to the auto owner, not unsatisfactory the repairman. "The consumer who visits the barber or beautician, the podiatrist or plumber knows that to receive their licenses certain skills were necessary," the senator pointed out. "Yet anyone can hold himself out as an expert mechanic, although human lives literally may depend on how well he knows and performs his job."

Well, we don't mean to get moralistic about the situation or to quibble about a fatality or two resulting from faulty repair jobs. Errors and accidents can occur in any line of work. And we should not like on any account to sour the dispositions or cloud the compassion of the merry men who inhabit the Sherwood Forests called repair shops. We suggest no more—and neither, we are confident, does Senator Hart—than that charm be supplemented by some rudimentary understanding of what goes on underneath the hood of an automobile and that a twinge of scruple be injected into this form of freebootery. We are not asking for an even break, you understand; we'd just like the kind of reassurance one gets from a doctor's diploma hung on the waiting room wall.

OCTOBER 19–25 MARKS 21ST ANNUAL OBSERVANCE OF CLEANER AIR WEEK

HON. ROBERT TAFT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. TAFT. Mr. Speaker, this week, communities throughout the country are observing the 21st annual Cleaner Air Week, from October 19 through the 25th.

As my colleagues know, Mr. Charles N. Howison, a constituent of mine, was the originator of what has become a very widely observed and most worthwhile week in October.

Each year, Mr. Howison compiles a Cleaner Air Week handbook, for use by city, county, and State officials in coordinating efforts to observe Cleaner Air Week. The last page of this year's handbook features a most interesting editorial by Mr. Howison.

The editorial follows:

A GENERATION OF PROGRESS

(By Charles Howison)

If asked to label the past, present and future of air conservation as they appear in the perspective of Cleaner Air Week's 21-year involvement with air problems, we would call on three tenses of the intransitive verb, to be:

Much Has Been Done
MUCH IS BEING DONE
Much Remains To Be Done

All three divisions of the story are vital information, but we have enclosed the present tense in capitals to emphasize one of the greatest—and least known—chapters in the annals of cooperative human achievement that is presently unfolding in urban America.

Growth is the operating environment we know best in America. Each year, for example, our production technology rises to new heights in bringing more and more material advantages to an ever-increasing population. Thus, more and more of our people possess increasing *means* to pursue the *ends* of each individual's choice—whether those ends be spiritual, educational, political, purely pleasurable, selfish or magnanimous.

Those two concomitants of our free enterprise system—population growth and technological development—generally treat us like Dutch uncles, and we count among the

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blessings they have bestowed upon us the greatest political freedom and the highest economic attainments ever known to man.

THE ACHES AND PAINS OF GROWTH

The flow of benefits, as a matter of fact, has been a little bit faster than we can handle and we have been known to yell pretty loudly when caught in jammed highways, crowded airports, standing-room-only classrooms, snail-paced mail service—and in eddies of fly ash from an over-worked air conservation system.

Programs now under way in every community are closing the technological gap between our escalating production and the control of these unwanted by-products. The national Cleaner Air Week committee is particularly proud of the gains our engineers are scoring in restoring the quality of the air which they have so badly overworked in the jet age. There is irony, too, in the increasing volume of public indignation. Pollution's irritations to our sense of sight, smell, and taste, it seems, become harder and harder to bear, even as the fantastically intricate clean air prescriptions of our area control officials bring us closer and closer to our air quality goals.

America has a way of shortcutting in solving a problem. It calls up an emotionally aroused public and the nearer we come to a solution, the louder becomes the hue and cry for a solution—now! It's an expensive process, but it works. It is working so well for Cleaner Air Week, as a matter of fact, that our theater of operations has expanded from 42 metropolitan areas to 170 in the last ten years.

One of the casualties of spotlighting the unsolved air conservation problems has been our awareness that a great deal is being done to solve them. Pittsburgh, for example, approaches the five hundred million dollar mark in expenditures for control hardware alone and the steel city is the rule rather than the exception to the metropolitan area progress story. Inevitably, it seems, the sure, steady progress of community conservation programs becomes lost as public attention increasingly focuses on the more spectacular unsolved remainder.

THE PROGRESS STORY

There's a time, however, when the crisis approach has spent its usefulness and in our field of air conservation, that time is now. We only have to look at the March 19 announcement of the Air Pollution Control Association which revealed dramatic improvements in particular reduction in 21 metropolitan areas throughout the country. True, the APCA announcement didn't fully penetrate the blizzard of panic propaganda beclouding the air conservation atomsphere. It did, however, find daylight in many publications. In Perth Amboy the News-Tribune chose this good news as the subject of an editorial. The authoritative Air and Water Pollution Report was so delighted at its upbeat contents that they published every word of this pivotal APCA release. Most gratified by this announcement, however, were the area control officials whose achievements made up the body of the announcement. These men represent the backbone of APCA's membership—the hundreds of local conservation quarterbacks who are calling signals for community air quality teams.

Cleaner Air Week—Edition 21—salutes the unsung hero of air conservation—the metropolitan area control official. All too often he's too deeply involved in his community's battle for clean air to blow his own horn. And this year, Cleaner Air Week presents area committees with the ideal opportunity to help remedy this omission of communication. Every Cleaner Air Week Committee will have scores of occasions to relate different aspects of the year's control progress under the leadership of the man down at City Hall who spends ten hours a day coaxing wheedling, threatening, engineering, policing, and panning a better atmosphere for his growing, crowding, jamming, seam bursting, and thriving community.

FEDERAL TRIBUTE

The Air Quality Act of 1967 pays the sincerest tribute of all to the metropolitan area control director by setting up the administration of air pollution control by regions. We applaud this acknowledgement that air conservation is a local responsibility and predict that regional air quality gains will be greatest where full use is made of the expertise and authority of the man who shoulders the day-to-day responsibility for safeguarding community air quality.

A generation of Cleaner Air Weeks have joined the interests of industry, government, education and the individual resident in a community-wide approach to air conservation. We've driven pretty hard at times and spared no person or group in pursuing "what needs to be done" in restoring air quality.

From here on out, let's couple what needs to be done with "what is being done."

AUTOMOTIVE PRIVILEGES FOR THE DISABLED

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. TEAGUE of Texas. Mr. Speaker, Harry A. Schweikert, Jr., administrative assistant, Paralyzed Veterans of America, Inc., has compiled a most interesting and helpful digest of the various State laws regarding automobile privileges for the disabled. Under leave to extend my remarks, I include the text of this article:

METHODS OF TRAVEL

There are five general modes of transportation. These are auto, bus, taxi, plane, and rail. The person confined to a wheelchair cannot use the bus unless he and his wheelchair are physically carried aboard individually. Today's rail and subway systems are not only inaccessible, but their design presents many hazards to the w/c/b traveler. Air travel is the best and safest means of travel for long distances, yet the carriers are not only reluctant to carry these disabled, but many times actually prohibit it. The taxi is a reasonable method of transportation, second only to the private automobile, but it is expensive, and it is not always available. In addition, many cabbies will not stop for the w/c/b person.

That leaves the automobile, which is the best means of travel for the severely disabled person. It is safe and comfortable. It is always there. And, when one can afford it, it is always reliable. Persons with good upper extremities can drive a hand-controlled car with ease and safety. Thanks to the many power assists in today's car, even those with limited use of their upper extremities can be good drivers.

Country driving is good for the soul, they say. But it also poses no problems. To the urban commuter, there are some forbidding obstacles. It is not the moving traffic which threatens. And it is not the wild pedestrian. It is the elusive and sometimes non existent parking place. Of course, this is a problem for all commuters. But the non-disabled commuter can park a block away or across the street with little hazard to himself. The w/c/b person must find a spot close to his place of employment, or wherever he may go, not only for convenience, but for safety. If he parks far away he must cross busy thoroughfares. And he will require help up and down curbs. If he parks on the wrong side of the street, or if there is an obstacle on the curb-side, he will have to get into his wheelchair right in the busy traffic lane.

The answer to the driving and parking problem for the disabled is good, cognizant legislation. Today thirty-nine of our states provide some type of privilege for the disabled person who drives a car, owns a car, or must use one for his transportation. These range from the excellent, all-inclusive, to the minimum. However, there are eleven states which, at this writing, have done nothing. These are Alaska, Iowa, Mississippi, Missouri, Montana, Nebraska, Ohio, Texas, Virginia, and Wyoming. To these we can add the most impossible of all, our Nation's Capital, the District of Columbia.

SURVEY OF STATES

The following represents the results of a survey conducted by the Paralyzed Veterans of America on the automotive privileges which each state extends to the disabled motorist. It is an updated and expanded version of a previous survey published in 1963. In the original, our attention was focused on the civilian disabled. Here, we include laws granting privileges to civilian and war veterans.

Our survey concentrated on eleven specific questions presented to the motor vehicle agency of each state in the following manner:

1. Does your State issue special license plates and/or other identification tags for the automobiles of disabled individuals?
2. Are any special provisions made for disabled veterans?
3. Does your State grant special parking privileges for the disabled motorist?
4. What type and extent of disability must exist before such privileges are granted?
5. What proof of disability do you require?
6. Must the individual to whom these privileges are extended be the actual owner of the vehicle?
7. Must the individual to whom these privileges are extended be the actual driver of the vehicle?
8. How many disabled drivers are using these privileges?
9. How many veterans are using these privileges?
10. Has your State completed any survey on the driving habits of the disabled in your State?

As is usual with government agencies, the response was varied. Some responded immediately with all information requested plus copies of all relative laws. Others responded less enthusiastically, and several did not respond at all. Where information was not completely provided, follow-up letters were sent, in some instances using the offices of U.S. Senators to prod their cooperation. Where there was interpretive question the services of the Library of Congress were used. And verbatim copies of all state laws were received and recorded.

In presenting these findings to you, we will first list the privileges extended state by state. Then we shall append some special remarks relative to the subject. Lastly, you will find a chart outlining in simple form the privileges, noted, with footnotes.

STATE PRIVILEGES

Alabama.—Any handicapped or paraplegic driver may, upon payment of a one-dollar fee, be issued a distinctive flag of distress. This flag may be displayed when the driver is getting into or out of the car, or when in motor vehicle distress. (Code of Alabama, Laws of 1961, Chapter 20, title 51, Section 700 to 720.)

Any veteran who is suffering a physical disability which requires that any motor vehicle he operates be equipped with special mechanical controls, is eligible upon payment of one dollar for issue of a special dis-

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abled veterans plate. This fee shall be in addition to any other fees and taxes charged. (Title 36, Section 75(17)).

A veteran of any war or other hostility, who has received a grant from the Veterans Administration toward the purchase of a car is exempt from payment of all license fees and ad valorem taxes so long as the vehicle is used only for private use. He is not exempt from the payment of the one-dollar fee for special disabled veteran plates. (Title 51, Section 717(1)).

Arizona.—Any person who has sustained a permanent disability rendering it difficult and burdensome to walk, may be issued a special identification insignia by the State Motor Vehicle Division. This does not convey any special parking privileges on the state level. (Arizona Revised Statutes, Section 28-873.01) (Ostensibly, the provision of special privilege is left to the local governments.)

Arkansas.—Any veteran who has received a grant from the Veterans Administration toward the purchase of a car shall be exempt from payment of registration fee. (1957 Replacement, Section 75-261).

Each veteran who is issued free registration is also eligible for a special emblem for attachment to his license plate. (Section 75-262.) This emblem shall identify the owner and operator as a disabled veteran and shall exempt him from requiring any license or payment of any fee for the privilege of operating his vehicle upon the streets or alleys of any city, town, or incorporated village.

(Respondent indicates that some cities in the State do grant special parking privileges to the physically handicapped under local ordinances.)

California.—Any person who has lost, or lost the use of, one or both legs, or is so severely disabled as to be unable to move without the aid of a mechanical device, may be issued a distinguishing disabled person license plate. There shall be no fee over and above the regulation registration fee. (California Vehicle Code, Section 22511.5.)

Any veteran who as a result of his military service has lost, or lost the use of both legs, or who is blind, may be issued a distinguishing disabled veterans plate without payment of registration or other fee. (Section 9105).

The disabled person to whom these special plates are issued, shall be allowed to park for unlimited periods in parking zones restricted as to the length of parking time permitted. It shall not apply to zones where stopping, standing, or parking is prohibited to all vehicles, or which are reserved for special types of vehicles.

Colorado.—Any veteran who, as a result of his military service suffered the loss or permanent loss of use of one or both feet, or one or both hands, or who has permanent impairment of vision in both eyes, shall be eligible for special disabled veteran license plates without payment of registration fee. (Colorado Revised Statutes, Section 13-3-23(f)).

Connecticut.—Any person holding an operator's license, whose ability to walk is seriously impaired, may be issued a special identification card. This will permit overtime parking without penalty in legal parking areas restricted as to time for the holder of the permit. (General Statutes, Chapter 246, Section 14253)

A veteran of any war who has lost, or lost the use of, one or both arms or legs, or who is blind, paraplegic, or hemiplegic as a result of his military service, may be issued a special identification plate without payment of registration or other fee. (Section 14-49(o)) A special identification card shall also be issued which will permit the owner to park overtime in any legal area without penalty, except that such time will not exceed 24 hours. (Section 14-254)

Delaware.—Any person who has lost, or lost the use of a leg or both legs, or arm or both arms, or any combination thereof, may be issued a special registration plate at no fee above the normal registration fee. (Delaware Code Annotated, Section 2134)

The handicapped person to whom the special plate is issued, or the person operating the vehicle for him, will be permitted to park 90 minutes longer than the legal parking period allowed without penalty. This does not apply where there is an ordinance prohibiting parking during heavy traffic periods during morning, afternoon, or evening rush hours, or where it would clearly present a traffic hazard. (Chapter 21, Section 4180A)

Delaware has a code restricting the amount of surcharge for assigned risk insurance. If a person tries two insurance companies and is refused both times for some reason, the Insurance Commission can direct a carrier to accept him (Chapter 29, Section 2907).

Florida.—Any person who has suffered the loss or loss of use of one or both legs, and who is licensed to operate a motor vehicle in the State of Florida, may be issued a special identification certificate and sticker for display on his vehicle. No county, city, town, or any agency thereof, shall exact any fee for parking on the public streets or highways. No penalty shall be imposed for parking in such metered space for longer periods of time than are permitted by ordinance. (Florida Statutes, Section 317.01011)

Any veteran who has received a grant from the Veterans Administration toward the purchase of a car may be issued special disabled veteran plates without payment of registration or other fee. (Section 320.084)

Any veteran who has been discharged from the Armed Forces with a 100% service connected disability, and who is qualified to obtain an operator's or chauffeur's license, is exempt from all driver license fees. (Section 322.21)

Georgia.—Special and distinctive license plates may be issued to any veteran who has suffered the loss or loss of use of one or both feet, or one or both hands, or who has permanent impairment of vision in both eyes. Those veterans who suffered their injuries in service as a result of war or other armed conflict shall be exempt from payment of registration fee. Veterans of WWI who receive statutory awards from the VA for similar disabilities, shall likewise be exempt from payment of registration fee. Disabled veterans not entitled to free plates will be eligible for the distinctive plates at regular registration fee. (Georgia Code Annotated, Section 68-254; 254.1, and 254.2)

It has been reported that the following cities in the State of Georgia grant certain parking privileges to disabled veterans: Athens, Augusta, Dublin, Fort Valley, Griffin, Jackson, Macon, Monticello, Monroe, Perry, Savannah, Savannah Beach, Sparta, Sylvester, and Valdosta.

Hawaii.—Any veteran who has received a grant from the Veterans Administration toward the purchase of a car is exempt from payment of license fee and county vehicular taxes. (Hawaii Revised Statutes, Section 249-6, previously known as Hawaii Rev. Law Sec. 130-6)

Idaho.—Any veteran who is in receipt of compensation from the Veterans Administration or from any of the Armed Forces in lieu thereof, for 100% total service-connected disability, or the loss or loss of use of one or both feet or one or both hands, or permanent impairment of vision in both eyes constituting virtual blindness, shall be eligible for special disabled veteran plates without fee or registration cost. (Idaho Code, Section 49-109, as amended by House Bill No. 99, eff. June 7, 1967.)

Illinois.—Any veteran who has received a grant from the Veterans Administration toward the purchase of a car, or who is in receipt of compensation for a total and permanent service-connected disability, is eligible for the issue of special registration plates at no cost to the veteran. (Illinois Revised Statutes, Chapter 95½, Section 3-608)

Indiana.—Any veteran who has suffered the loss, or permanent loss of use, of one or both feet, or one or both hands, as a result of his service in the Armed Forces, shall be eligible for the issue of special disabled veteran plates without payment of fee. (Burns Indiana Statutes, Chapter 12, Section 47-2627 to 47-2629)

Any vehicle displaying the special disabled veteran plates shall be permitted to park on the streets of any town or city within the State without regard to any local ordinance which fixes a time limit for the parking of motor vehicles.

Kansas.—Any veteran who is entitled to compensation from the Veterans Administration for a service incurred disability involving the loss, or permanent loss of use of one or both feet, or one or both hands, or for permanent visual impairment of both eyes to a prescribed degree, is eligible for the issue of special disabled veteran plates without charge. (Kansas Statutes annotated, Section 8-160)

Motor vehicles bearing the distinctive disabled veteran plates shall be permitted to park without charge in any metered zone of any city of the first, second, or third class. (Section 8-161)

Any disabled citizen's organization, duly authorized to operate as a nonprofit organization within the State, and has actually established and is operating motor vehicle drivers training courses for disabled citizens, shall be eligible for issue of up to two sets of registration plates entitled to have two passenger vehicles and two trucks registered, and be issued special distinctive license plates without charge to such organization. (Section 8-161 a & b)

Respondent indicates that some cities in the State of Kansas issue identifying insignia to severely disabled residents granting them special parking privileges.

Kentucky.—Any person who has lost the use of a leg or both legs, or an arm or both arms, or who is blind, is eligible for the issue of a special decal which shall identify the vehicle as belonging to a handicapped person. There shall be no charge or other fee than the regular fee for registration of the car. (Kentucky Revised Statutes, Section 189-445, Paragraph 1.)

Any motor vehicle exhibiting this special insignia may, when it is being operated by or for the benefit of the handicapped person, be parked for a period of two hours in excess of the legal parking period permitted by local ordinance. It does not apply to areas where parking is specifically prohibited, where it may be hazardous, or where police regulations are posted to provide for the accommodation of heavy traffic during rush hours. (Paragraph 2.)

Louisiana.—Any amputee or blind veteran of World War II, or of service on or after June 27, 1950, who has received a grant from the Veterans Administration toward the purchase of a car, is exempt from payment of any registration or license fee for a special non-transferrable license plate. (Revised Statutes of 1950, Section 47-463B)

The City of New Orleans issues placards to persons delivering or picking up double amputees which permits the driver a maximum of fifteen minutes parking time in any restricted zone. There is no indication that any parking privilege is extended to the disabled driver himself.

Maine.—Any person who is permanently confined to a wheelchair, or restricted to the permanent use of crutches or braces, or otherwise handicapped in such a way that his mobility is seriously restricted, shall upon payment of a one-dollar fee, be eligible to receive a special designating tag or placard identifying the vehicle as belonging to a disabled person. (Revised Statutes, Chapter 25, Section 252)

Any amputee or blind veteran who has received a grant from the Veterans Administration toward the purchase of a car, is exempt from payment of any registration fee. (Revised Statutes, title 29, Section 251) Such veteran shall also be eligible for an operator's license without fee (Section 536) and exemption from excise taxes (title 36, Section 1483 (12) and sales taxes (Section 1760 (22)) on such vehicles.

Any amputee or blind veteran receiving compensation from the Veterans Administration for a service-connected disability and who shall have a specially designed motor vehicle, is exempt from payment of any registration fee. (Chapter 25, Section 251)

Any veteran who is exempt from registration fee under Section 251 of this act, is eligible for issue of special disabled veteran plates.

Maryland.—Any veteran who has lost or lost the use of one or both legs, or an arm or a hand, or who is blind, shall be eligible for distinctive registration plates and identification marker provided he is a certified member of the American Legion, Disabled American Veterans, or Veterans of Foreign Wars. (Annotated Code of Maryland, Article 66½, Section 32) Any veteran who has received a grant from the Veterans' Administration toward the purchase of a car shall be exempt from payment of fees for registration and Certificate of title. (Article 66½ Section 23.)

The City of Baltimore, in extended hardship cases, will set aside a special parking place for specific disabled individuals. However, each case will be processed individually and on its merit.

Massachusetts.—Any person who is blind, or who has suffered the loss or permanent loss of use of one or both feet or hands, is eligible upon payment of regular fee for issue of special distinctive license plates for his car. (Massachusetts General Laws, Chapter 90, Section 2)

A veteran of any war who by reason of his service in the Armed Forces suffered loss or loss of use of one or both feet or hands, or who is blind, is eligible for issue of distinctive numbered license plates. (Chapter 90, Section 2) No fee shall be exacted for either registration or license of any veteran who is issued special plates. (Chapter 90, Section 33)

No excise tax shall be imposed on vehicles of the disabled or blind. (Chapter 60A, Section 1)

No fee shall be exacted and no penalty shall be imposed for parking in a meter or other time-limited zone of any vehicle bearing the distinctive license plates issued to the disabled and blind. (Chapter 40, Section 22A)

In addition to the State authorized parking privileges, the City of Boston permits handicapped drivers to park in downtown parking zones where such parking is prohibited between the hours of 8:00 and 9:30 A.M., thereby giving the handicapped worker an unlimited choice of parking space.

Michigan.—Any veteran who has been honorably discharged from the Armed Services and who has lost or lost the use of one or both feet, or one or both hands, or suffers permanent impairment of vision of both eyes, and any physically handicapped person who possesses material incapacity for ambulation, shall be entitled to receive a serially numbered certificate of identification for the personal use of the veteran or physically handicapped person. (Michigan Vehicle Code, Chapter 75b, Section 9.2375)

The veteran or physically handicapped person shall be entitled to courtesy in the parking of his vehicle which shall relieve him from any violations with respect to parking. Such privilege does not extend to local ordinances which may restrict certain areas for the purpose of creating fire lanes, or to provide for the accommodation of heavy traffic during rush hours.

Minnesota.—Any person who has sustained an amputation or permanent material disability of either or both arms or legs, or who has been otherwise permanently disabled in any manner rendering it difficult and burdensome to walk, shall be eligible for issue of two special identifying emblems, without charge, for display upon each plate of his car. (Minnesota Statutes Annotated, Section 169.345)

Any veteran who has received a grant from the Veterans Administration toward the purchase of a car, shall be exempt from payment of motor vehicle registration tax. (Section 168.031)

Any physically handicapped person who displays the distinguishing insignia upon his car shall be entitled to courtesy in the parking of his car. Such courtesy shall not be extended to any zone or area where local ordinance prohibits parking for the purpose of creating a fire lane or for the accommodation of heavy traffic during the morning or afternoon rush hours, nor shall it apply to any street or highway where parking has been strictly prohibited. (Section 169.345)

Any physically handicapped driver shall upon the payment of a $1.00 fee, be eligible for issue of a distress flag which can be displayed by him when getting into or out of his vehicle, or when in motor vehicle distress. (Section 169.755)

Any person operating a motor vehicle in the state of Minnesota shall bring such vehicle to a stop and give the right-of-way at any intersection of any street, avenue or alley, or other public highway, to a blind person carrying a white painted cane when such blind person enters said intersection by holding out his white cane with the arm extended. (Section 169.202)

Missouri.—There are not indicated privileges on the State level for the disabled motorist. However, our informant states that at least two cities, Joplin and Springfield, issue special windshield identification stickers which permit the disabled motorist to park in metered zones without charge. There are signs posted at some metered zones which say "Reserved for Physically Handicapped."

Nevada.—Any person who has a permanent physical handicap which impairs his mobility when not in a motor vehicle, shall be entitled to issue of a special parking permit upon payment of one dollar. (Nevada Revised Statutes, Section 482.384)

New Hampshire.—Any person who is unable to walk without the assistance of crutches, canes, braces, artificial limbs or other similar walking aids, or who is confined to a wheelchair, shall be eligible for a special vehicle identification card at no cost. (Revised Statutes Annotated Chapter 260 Section 18a) He shall also be eligible for issue of a distress signal for use in any motor vehicle emergency. (Chapter 260 Section 18b)

Any amputee or blind veteran who has received a grant from the Veterans Administration toward the purchase of a car shall be exempt from the payment of registration fee, and shall be eligible for issue of special vehicle identification tag at no cost to the veteran. (Chapter 260 Sections 17, 18, 28 and 29)

Any motor vehicle displaying the special vehicle identification tag or card shall be allowed free parking in any city or town for a continuous period of not more than 24 hours at one time. (Chapter 249 Section 4a)

New Jersey.—Any person who has sustained an amputation or either or both legs or arms, or of parts of either or both legs or arms, or who has been otherwise disabled in any manner rendering it difficult or burdensome to walk, shall be eligible at no cost for special identification card and other insignia. No penalty will be imposed on any car exhibiting such identification under any law or municipal ordinance for periods of parking not to exceed 24 hours in any one location. (Revised Statutes, Sections 39:4–204 through 39:4–207)

A disabled veteran who has received a grant from the Veterans Administration toward the purchase of a car shall be exempt from payment of registration fee. (Section 39:3–27.1)

New Mexico.—Any veteran who served in the Armed Forces between September 16, 1940, or after June 1, 1950, and who suffered the loss or complete and total loss of use of one or both legs at or above the ankle, or one or both arms at or above the wrist, while so serving, or from a service-connected cause, shall be exempt from payment of any motor vehicle registration fee on one passenger vehicle owned by him. (New Mexico Statutes Section 64–11–7)

New York.—Any disabled veteran who has received a grant from the Veterans Administration toward the purchase of a car will be exempt from payment of registration fee. (New York State Vehicle and Traffic Law, Section 401–6–C)

The State of New York does not issue any special plates or identification tags to disabled persons, and there are no provisions of the law which afford disabled persons special parking privileges. The Commissioner of Motor Vehicles is empowered, and does, issue distinctive disabled veteran plates to individuals and to members of various veterans' organizations.

The New York State Thruway Authority authorizes the issue of special identification plates and stickers for veterans who are eligible for free disabled veteran plates. This identification permits the veteran to use the State Thruway System without payment of fee.

There are several cities and towns which authorize special parking privileges for the disabled. The most significant of these is the City of New York, which issues a Special Vehicle Identification Permit to persons suffering permanent disability seriously impairing mobility, requiring the use of private automobile for transportation. Display of this certificate permits parking in metered zones without fee. However, it prohibits vehicles from parking double, in bus stops, hack stands, at fire hydrants, in fire zones, on crosswalks, or in zones designated for exclusive use of an agency or department. There can be no parking where "No Standing" or "No Stopping" regulations are in effect, or where a traffic hazard would be created. It must be noted that in order to be eligible for this certificate, the disabled person must be employed or a student a major part of the week in New York City.

The City of New York also exempts from sales tax the original car purchased from proceeds of the federal auto grant as issued by the Veterans Administration. (New York City Law 27, of 1946, Section L, Subsection N–41–2.0)

In the State of New York, every powered vehicle must have been registered and licensed. However, a motorized wheelchair is excused providing it is used by the disabled person alone, and carries no cargo or passenger.

North Carolina.—Any person who has an impairment that for all practicable purposes confines such person to a wheelchair, or that causes such person to walk with difficulty or insecurity and includes but is not limited to those persons using braces or crutches, may be issued upon the payment of $2.00, a special distinctive flag and an identification card. (General Statutes 20–37.2) Such flag is to be exhibited visibly by the handicapped person when getting into or out of his car, or when in motor distress.

Any veteran who has received a grant from the Veterans Administration toward the purchase of a car shall be charged a registration fee of only $1.00 and shall be exempt from personal property tax. (General Statutes 20–87(5); 105–297(13), and 165–44)

XUM

Special operator's license and permanent registration plates may be issued to afflicted or disabled persons for motorized vehicles weighing not more than 1000 pounds. (General Statutes 20-37.1)

North Dakota.—Any person who has sustained an amputation or material disability of either or both legs, or who has been otherwise disabled in any manner rendering it difficult or burdensome to walk, shall be eligible to receive without cost a distinguishing certificate or insignia which shall identify the vehicle as belonging to a physically handicapped person. (North Dakota Century Code, Section 39-01-15)

Any veteran who has received a grant from the Veterans Administration toward the purchase of a car, shall be exempt from payment of registration fee and from State sales or use tax. On payment of $1.00, said veteran shall receive special license plates and emblems. (Sections 39-04-18 and 39-04-19)

Any physically handicapped person who displays the special certificate or other identification upon an automobile parked by him or under his direction and for his use, shall be entitled to courtesy in the parking of his vehicle. Provided, however, that any municipality may by ordinance, prohibit parking on any street or highway for the purpose of creating a fire lane, or to provide for the accommodation of heavy traffic during morning and afternoon rush hours, under which circumstances, such courtesy shall not apply.

The City of Bismarck will issue to any person who has lost or has lost the use of one or both legs, or is so severely disabled as to be unable to move without the aid of crutches, braces, canes, wheelchair, or other mechanical device, a special identification permit for his car. This permit, when displayed prominently on his car, shall permit that disabled person to park his car in any time limiting parking zone for unlimited periods. The parking privileges shall not apply to any parking zone in which stopping, parking, or standing of motor vehicles is prohibited, or which is reserved for special use. (Revised Ordinances of the City of Bismarck, Article 17, Chapter X, Section 10.1702)

Oklahoma.—Any disabled veteran who has received a grant from the Veterans Administration toward the purchase of a car is exempt from payment of registration fee. Statutes Annotated, title 47, Section 38.1)

Eligible veterans may secure special vehicle identification plates for an automobile, pickup truck, or farm truck, not to exceed two tons carrying capacity, which is not for hire. A fee of $2.15 shall be charged for such special plates.

While there is no state law granting special parking privileges to the disabled motorist, respondent indicates that certain municipalities do have such privileges.

Oregon.—Any person who is so severely physically and permanently disabled as to be unable to move from place to place without the aid of a wheelchair is eligible to receive without charge a special decal and identifying plates which shall be conspicuously displayed. (Oregon Revised Statutes, Sections 483.352 and 483.356.)

Any vehicle marked with this distinctive insignia may park overtime without penalty in zones where parking is permitted one hour or more. Such parking shall be allowed without regard to parking restrictions imposed by any city or county ordinances. This privilege shall not apply to zones where stopping, parking, or standing of all motor vehicles is prohibited, to zones where parking is restricted to under one hour, or to zones reserved for special types of motor vehicles or activities. (Section 483.354.)

Pennsylvania.—Any person who has lost the use of one or both legs, or one or both arms, or who is blind, is eligible for special license plates identifying the vehicle as belonging to a handicapped person. (Act No. 353, approved November 10, 1965, creating Section No. 501.1 in the Vehicle Code and amending No. 1021.)

Any amputee, blind, or paralyzed veteran, who suffered his disability in the Armed Forces during a period of war or armed conflict, is exempt from the payment of fees for certificate of title and registration. (Pennsylvania Statutes 75 Section 729.)

Any vehicle displaying a handicapped person's plate, when operated by or for the benefit of such handicapped person, shall be relieved of any liability with respect to parking for a period of ninety minutes in excess of the legal parking period permitted by local authorities except where local ordinances or police regulations prohibit parking on the highway for the purpose of creating a fire lane or where said ordinances or police regulations provide for the accommodation of heavy traffic during morning, afternoon or evening hours or where such motor vehicle is parked in such a manner as to clearly be a traffic hazard.

Rhode Island.—Any person who has lost or lost the use of one or both arms or legs by reason of amputation, or by consequence of paralysis or other permanent injury, and who is licensed to operate a specially designed pleasure motor vehicle, shall be eligible for issue of special metal tags without cost which shall identify the vehicle as belonging to such disabled person. (General Laws of Rhode Island, Section 31-28-7.)

Any veteran who served honorably in the Armed Forces during wartime or other campaign, and who has lost or lost the use of one or both his arms, hands, feet, or legs, or who has received a grant from the Veterans Administration toward the purchase of a car, shall be forever exempt from payment of all registration and license fees. (Section 31-6-8)

Any veteran who served honorably in the Armed Forces during wartime or other campaign, and who by reason of such service has become totally blind, shall be exempt from payment of any registration fee. (Section 31-6-9)

Any person who displays upon his vehicle the special identification tags authorized under Section 31-28-7, and any veteran displaying special registration plates authorized under sections 31-6-8 and 31-6-9, shall be exempt from any fee for parking on the public highways or in the metered parking spaces and zones of any city or town, and no penalty shall be imposed for overtime parking in such areas. These privileges shall not extend to places where parking is otherwise restricted or prohibited. (Sections 31-28-4; 31-28-5, and 31-28-6)

Any person suffering from paraplegia shall be exempt from payment of sales and use taxes on the purchase of a motor vehicle. (Section 44-18-30)

Any nonprofit charitable organization shall be forever exempt from the payment of any fee for the annual registration of a certain type of motor vehicle commonly known and described as a motorized wheelchair, and any person designated in writing by such nonprofit charitable organization, who shall operate the same, shall be exempt from any license requirements and fee for the operation thereof. (Section 31-6-7)

South Carolina.—Any person disabled by an impairment in the use of one or more limbs and required to use a wheelchair, but otherwise qualified for a driver's license, is eligible for a special plate identifying the vehicle as belonging to such disabled person. (Code of Laws, Article 7.3, Section 46-95.41)

Any veteran of wartime service who is entitled to compensation for the loss or loss of use of one or both legs, or one or both arms, or suffers from permanent impairment of vision in both eyes, is eligible for the issue of special disabled veterans plates for his personal motor vehicle or truck not to exceed three-quarter ton and is exempt from such registration and license fees as may be applicable. (1952 Code, Article 4, Section 46-61)

Personal vehicles owned by disabled veterans, for which special tag was issued, are exempt from state, county, and municipal taxes. (Article 65, Section 1522 (13))

South Dakota.—Any person who is disabled by paraplegia so as not to be able to get about without great difficulty, shall be eligible for issue of special license plates which will identify his car as belonging to an individual so disabled. (South Dakota Code, Section 44.0352)

Any veteran who is eligible to receive a grant from the Veterans Administration toward the purchase of a car, or any veteran who is in receipt of a statutory award for total disability which is service-connected in origin, shall be entitled to receive a special certificate of identificaton for his car. (Section 41.0512)

Any disabled person who displays upon his car the special registration plates or identification card shall be entitled to courtesy in the parking of such automobile which shall relieve him from liability for any violations with respect to parking. State law prohibits parking on the traveled portion of the highway in any spot unless a 15-foot lane is left unobstructed and there is a clear view for two hundred feet in either direction. Local authority may also prohibit parking on any street or highway for the purpose of creating a fire lane or accommodating heavy traffic during the morning and afternoon rush hours. (Sections 41.0513 and 44.0324)

Any vehicle owned and operated by a person authorized the special paraplegic license plates, may be equipped with not more than two flashing lights emitting an amber light without glare. One such lamp may be mounted on the front and one on the back of the car, not more than three inches from each plate. These may be used only when the car is stopped and the owner-operator is in need of assistance. (Section 44.0352)

Tennessee.—A veteran of any war or other hostility who, as a result of his service in the Armed Forces, suffered loss or permanent loss of use of one or both feet or hands, or who is blind, shall be exempt from payment of registration fee for either one automobile or one pick-up truck, if the pick-up is the veteran's only mode of transportation and is not used for hire. (Tennessee Code, Section 59-439)

Utah.—Any person who has lost or has lost the use of both legs or is so severely disabled as to be unable to ambulate without the aid of a wheelchair or other mechanical device, qualifies for issue of distinctive license plate or decal. (Enacted by Chapter 104, Laws of Utah 1967, Section 41-1-49.8)

Any person whose vehicle displays the significant license plate or decal shall be permitted to park his passenger vehicle for reasonable periods without charge in metered parking zones without regard to any other state or municipal ordinance or parking restriction. (Section 41-1-49.9)

Vermont.—Any veteran who has received a grant from the Veterans Administration toward the purchase of a car is exempt from payment of registration and driver's license fees. (Vermont Statutes Annotated, Section 23:378, 609)

Respondent states there are no state laws granting parking privileges for the disabled motorist, but some municipalites do.

Washington.—Any person who has lost, or lost the use of, both lower extremities, or who is so severely disabled as to be unable to move without the aid of crutches or a wheelchair, shall be eligible for issue of special distinguishing plates for his car, identifying that car as belonging to such disabled person. (Revised Code of Washington, Section 46.16)

Any veteran who is eligible to receive a grant from the Veterans Administration toward the purchase of a car, is exempt from payment of registration fee. (Section 73.044.110)

Any person who displays upon his car the special distinguishing plate authorized the disabled shall be allowed to park his vehicle for unlimited periods of time in parking zones or areas which are otherwise restricted as to length of time parking is permitted. These privileges shall not apply to those zones or areas in which the stopping, parking, or standing of all vehicles is prohibited or which are reserved for special types of vehicles. (Section 46.48).

West Virginia.—Any veteran who has received a grant from the Veterans Administration toward the purchase of a car is exempt from payment of registration fee. Such exemption does not extend to payment of privilege tax or one dollar title fee. (West Virginia Code, Chapter 17-A, Article 10, Section 8)

Wisconsin.—Any person who is disabled by paraplegia, or the loss or loss of use of a leg, a foot, or both hands, or has minimum faulty vision of 20/200, or other condition certified to be of equal degree in disability so as not to be able to get about with great difficulty, shall be eligible for issue of special distinctive plates which identify the vehicle as belonging to such disabled person. (Wisconsin statutes, Section 341.14(1a).)

Any veteran who, as a result of his military service, is disabled by paraplegia, or the loss or loss of use of a leg, a foot, or both hands, or has minimum faulty vision of 20/200 or other condition certified to be of equal degree in disability so as not to be able to get about without great difficulty, shall be eligible for issue of special disabled veterans plates at no charge other than regular registration fee (Section 341.14(1))

An automobile bearing the special handicapped or disabled veteran plates as provided under these laws is exempt from any ordinance imposing time limitations on parking in any street or highway zone and parking lot, municipally owned, or a municipal parking utility. Where the time limitation on a metered stall is one-half hour or more, no meter payment is required. It is otherwise subject to all other laws related to parking. (Sections 346.50(2) and 346.50(2a)).

Wyoming.—Any war veteran who has not had full exempton from assessment as provided therein shall be exempt from payment of the county registration fee not in excess of such balance of exemption not taken. (Wyoming Statute, Section 31-16e)

DEFINITIONS

Blindness.—According to the Social Security Law, blindness is considered to exist when there is central visual acuity of 20/200 or less in the better eye with the use of correcting lens. An eye whch is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered . . . as having a central visual acuity of 20/200 or less. (Social Security Act, Section 216 (i)(1).) A veteran is considered to be blind with 5/200 visual acuity or less. (Title 38, U.S. Code, Section 314(1))

License.—Means any license issued under the laws of any state pertaining to the licensing of persons to *operate* a motor vehicle.

Registration.—Means the registration certificate or certificates and registration plates issued under the laws of any state which register and identify the vehicle. (Sometimes called license tags; registration plates, etc.)

Driver Restriction.—". . . persons whose mental or physical disability makes them incapable of exercising control over motor vehicles . . ."

SPECIAL REMARKS

The information above should not be taken literally. It is meant to acquaint the residents of each state with a brief description of the automotive privileges that state affords. For further specific information, the reader should write to his state's department of motor vehicles.

In some instances it was indicated on the survey that it was necessary for the disabled individual to be both owner and driver. Yet inspection of the statutes by the author proved otherwise. In most cases, those states which exempt from payment of registration and other fees all veterans who received a VA grant for the purchase of a car, also extend the same benefits to the veteran who is eligible for the grant but has not taken advantage of it. Likewise, most states continue these privileges for any car replacing the original vehicle.

Several states issue special identification plates or other insignia for the automobile, but then do not enact any law granting special parking privileges. It will be found that many law enforcement personnel will recognize these insignia and refrain from issuing parking tickets. This is a matter of personal cognizance, however, and all laws pertaining to parking are otherwise enforceable.

Many cities and communities within a state may have special parking privileges for the disabled. If there is a state law granting such privileges, the state law suprecedes that of any municipality. On the other hand, there are states which enact laws granting special parking privileges, but make them subject to local ordinances.

All existing parking privileges refer strictly to the vehicle which has special identification when it is being operated by or on behalf of the disabled person himself. But most states have severe penalties for non disabled persons who take advantage of the privilege, and the disabled person would be wise to see that this does not occur under penalty of losing that very essential privilege.

REFERENCE CHART

The chart below is included for simple reference. In reading it, please be guided by the remarks and footnotes which follow. The first three columns (A,B,C) refer generally to persons without military experience, but may include veterans when there is no special legislation for that group. The next two columns (D,E) refer to specific legislation for veterans of the Armed Forces. The last five columns (F,G,H,I,J) refer generally to both groups. The (X) indicates a positive response and the (—) a negative response. The numerals in parentheses refer to special circumstances which are explained following the chart. The subjects covered are:

A. Special automotive privileges for disabled (civilian).

B. Special plates or other identifying insignia issued.

C. Fee exempt (or amount of fee).

D. Special plate or other insignia issued to veteran.

E. Fee exempt (or amount of fee).

F. Special parking privelege provided under columns (A) and/or (D).

G. Recipient must be actual owner.

H. Recipient must be actual driver.

I. Number of non veterans issued privilege.

J. Number of veterans issued privilege.

	Civilian			Vet		General				
State	A	B	C	D	E	F	G	H	I	J
Alabama	—	×	(1)	×	(2)	(3)	—	—	—	—
Arizona	—	×	×	—	—	—	—	—	—	—
Arkansas	—	—	—	×	×	×	×	—	—	1,100
California	×	×	×	×	×	×	×	—	2,500	1,500
Colorado	—	—	—	×	×	—	×	—	—	1,400
Connecticut	×	×	×	×	×	×	×	(4)	1,200	500
Delaware	×	×	×	—	—	×	×	—	50	—
Florida	×	×	(5)	×	×	×	×	(6)	785	—
Georgia	—	—	—	×	(7)	(8)	×	—	—	—
Hawaii	—	—	—	—	(9)	—	×	×	—	79
Idaho	—	—	—	×	×	—	×	—	—	81
Illinois	—	—	—	×	×	—	×	—	—	2,200
Kansas	—	—	—	×	×	×	×	—	—	360
Kentucky	×	×	×	—	—	×	×	—	119	—
Louisiana	—	—	—	×	×	—	×	—	—	—
Maine	×	×	×	×	×	—	×	(10)	17	—
Maryland	—	—	—	×	(11)	—	×	—	—	2,816
Massachusetts	×	×	×	×	×	×	×	—	2,345	1,380
Michigan (12)	×	×	×	×	×	×	—	—	3,300	—
Minnesota	×	×	(13)	—	×	×	—	—	959	36
Nevada	×	×	(14)	—	—	(15)	—	—	61	—
New Hampshire	×	×	×	×	×	×	×	(16)	360	—
New Jersey	×	×	×	(17)	×	×	(18)	—	2,276	—
New Mexico	—	—	—	—	(19)	—	×	—	—	—
New York	—	—	—	(20)	(21)	—	×	—	—	1,000
North Carolina	×	×	(22)	—	(23)	(24)	—	×	42	—
North Dakota	×	×	×	×	(25)	×	×	—	265	—
Oklahoma	—	—	—	×	(26)	—	×	—	—	1,000
Oregon	×	×	×	—	—	×	×	—	100	—
Pennsylvania	×	×	×	—	×	×	×	—	2,650	—
Rhode Island	×	×	×	×	×	×	×	(27)	500	300
South Carolina	×	×	×	×	×	(28)	×	—	—	394
South Dakota	×	×	×	×	×	×	×	×	35	20
Tennessee	—	—	—	—	×	—	×	—	—	900
Utah	×	×	×	—	—	×	×	—	56	—
Vermont	—	—	—	—	×	—	×	—	—	—
Washington	×	×	×	—	×	×	×	—	400	—
West Virginia	—	—	—	—	(29)	—	×	—	—	229
Wisconsin	×	×	×	×	×	×	×	—	520	800

Where column (C) indicates an exemption from fee payment, it means that there is no special fee other than the regular registration fee. Where column (E) indicates exemption from fee payment, it means the veteran is exempt from payment of all fees, except as noted. Where there is one total figure under column (I), there were no figures available for veterans. Where one figure is noted between columns (I) and (J), the sum includes both veterans and non veterans.

(1) $1.00 fee for flag. (2) $1.00 fee for special disabled veteran plates; no registration for disabled war veterans; regular fee for non-war veteran. (3) No discernible parking privileges. (4) Disabled civilian must be operator. Disabled veteran need not be. (5) 50¢ fee. (6) Veteran need not be actual driver. (7) Fee exempt for veterans who receive auto grant. Fee payable for others. (8) No special parking privileges under state law, but are granted locally as indicated. (9) Exempt from license fee and vehicular taxes only. (10) The disabled civilian and the 100% service-connected veteran are required to be the operator of the car also. Under Section 320.084, the veteran need not be the driver. (11) Fee exempt for VA Grant recipients only. (12) Law applies equally to veteran and

civilian. (13) No fee for emblems, but $1.00 fee for distress flag. (14) $1.00 fee. (15) parking privileges not defined. (16) Disabled veteran need not be driver, but disabled civilian must be. (17) Veteran receives same insignia as civilian, but special plates are available through veterans organization. (18) in order to receive insignia, recipient need not be the owner. In order to receive free plates, veteran must be the owner. (19) Registration fee exempt for service-connected veteran, payable by others. (20) Special plates are available through veterans organizations. (21) Registration fee exempt for service-connected, payable by others. (22) Fee of $2.00. (23) Fee of $1.00. (24) The distress flag permits one to stop presumably to discharge the disabled person, but the law does not set forth or define parking privileges. (25) Special fee of $1.00 for plates. (26) Registration free, but special fee of $2.15 for plates. (27) Veteran need not be licensed to drive. (28) The significance of special plates is lost as there are no special parking privileges indicated. (29) Veteran is exempt from registration fee, but not from payment of privilege tax and certificate of title fee.

DEMOCRACY IN DRIBLETS

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. MIKVA. Mr. Speaker, October 15 was a portentous day in our Nation's recent history. It was a day that was frequently dramatic and occasionally inspirational in its evocation of the sincere and profound commitment of so many of our fellow citizens to peace in Vietnam. I say that this day was portentous and I say this advisedly, because the impact of this day remains to be felt. My own hopes are twofold. First, that the President will respond constructively to the national sentiment, in spite of his recent disclaimer, and increase the pace of our extrication from Vietnam. Second, and corollary, that the events of October 15 will signal the rejuvenation of nonviolent speech and assembly as an effective, as well as an appropriate, strategy of dissent. Too many voices in the land are shrieking that only violence brings results and that speech is for suckers. I hope that Moratorium Day can stand as impressive proof to the contrary.

But, Mr. Speaker, I do not rise to speak of these events in detail. Rather, I wish to speak of an equally portentous event that occurred right here in this Chamber on the evening of October 14. There occurred approximately 2 hours of high-level debate about the most important question dividing the country today. It was stimulating, it was instructive, and it was incisive. But on that same evening, this great body freely chose to violate not merely its own traditions, but a tradition and principle which this Nation has cherished and relied upon since its establishment. On that evening, the House of Representatives, after 2 hours of such debate chose to shut it off. Apparently, such democratic norms are heady stuff and can only be taken in small doses.

As every Member of this body must know, my distinguished and esteemed colleagues, the gentleman from Indiana (Mr. JACOBS) and the gentleman from New York (Mr. ROSENTHAL) had requested special orders for the evening of October 14, which was to be the occasion for a full and free debate on our Nation's policies and actions in Vietnam. This discussion was abortive because the House, in its wisdom, chose to adjourn, early in the proposed program of presentations, but after the open and constructive nature of the debate must have been demonstrated to the satisfaction of all.

I must candidly admit that I felt particularly aggrieved by the decision to adjourn because I was to have been one of the next speakers. There were arguments I wished to make, policies I wished to challenge and questions I wished to raise for consideration and discussion with my colleagues. I was not afforded the opportunity to do so, and I shall not try to minimize my disappointment. And there were many of our colleagues, more experienced and more insightful than I, who were similarly denied their opportunity to discuss our Vietnam dilemma directly with our colleagues and indirectly with all our fellow citizens.

But this is only a minor consideration in comparison with the truly distressing implications of the decision by this House to adjourn rather than to permit—and even cherish—the continuation of the debate.

There was some concern expressed at the beginning of the discussion that the debate would be a monolog dominated by those of us who are critical of our policies in Vietnam. But during the course of the early evening, two of my distinguished colleagues of Illinois (Mr. PUCINSKI and Mr. ANDERSON) both graciously and accurately complimented the House on the fact that the discussion was both open and constructive—indeed, perhaps one of the most constructive debates of this current session.

As a Member of this House, therefore, I must express my profound disappointment that we refused to permit those who wished to remain the opportunity to continue this debate. But both as an elected official and as a private citizen concerned about the current high level of unrest in our country, my distress runs deeper.

Mr. Speaker, I am confident that every Member of this House has frequently deplored the violence that has accompanied many recent protests against our national policies, both foreign and domestic. I am equally confident that all of us have counseled our constituents—particularly our younger constituents—that the right to dissent is a cherished privilege and responsibility, that the freedom of speech and assembly will continue to be protected vigilantly, and that dissent expressed peaceably and lawfully will be heard and, indeed, heeded to the extent that it is logically compelling and persuasive.

Mr. Speaker, the next time I am told that the proponents of some position or some cause have not had the opportunity to present their views freely and fully, I shall not reply by quoting the first amendment without first considering what we did here. The next time I am told that mere speech and free assembly are insufficient and ineffective in expressing dissent, I must again consider what we did here. The next time I am told that our Government will not heed criticism, no matter how constructive and how well intentioned, I must once again consider what we did here. For what we did was to deny to ourselves in practice the same right of free speech and open dissent that we so proudly proclaim in rhetoric.

Mr. Speaker, I remain optimistic that our Government will listen and will respond. But the action of this body on October 14 has not made me more sanguine, and I must again express my profound dismay and disappointment.

ANTIWAR MORATORIUM

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. PICKLE. Mr. Speaker, a few days before the antiwar moratorium demonstrations I made a statement to the press of my district giving my general feelings on those events. I would like at this point to reprint this statement, then make some additional observations which have come to mind since Wednesday's events.

The statement was as follows:

> The demonstrations planned for Wednesday can only give the appearance of indecision and disunity on the part of the United States and encourage North Vietnam to delay in making any serious efforts at peace negotiations.
>
> Generally, I will support President Nixon in the conduct of the war as long as he is making every possible effort to bring this war to a close. And, I think he is making that effort.
>
> I do not intend to participate in the moratorium. I will be at work on Wednesday, and I believe the majority of Americans will be, too. Nor will I make any speeches on the floor of the House in support of this demonstration. We have but one voice in this matter—the President's. It saddens me to see all these fragmented groups trying to establish this nation's international policy in the streets.
>
> Our agreement with Viet Nam is one of some 50 international agreements the United States has with other nations. This is a vital commitment by the leader of the free world; if we do not see this one through, consider how we will have undermined this government's foreign policy for generations to come.
>
> Although these demonstrators are sincere, their methods are just feeding the Communists. North Vietnam has exhibited an absolute unwillingness to negotiate because they are relying on the weakness and division created by things like this moratorium.
>
> I believe perhaps public opinion on Vietnam is crystallizing along the lines of "get out or get in." This is a last resort position, but North Vietnam should know that this is a real possibility.
>
> What distresses me the most is that the United States has won the major objective we set out to accomplish. We have stopped the spread of aggression in Southeast Asia and we have given the South Vietnamese the opportunity to create the kind of government they want and can support.

Mr. Speaker, now that the demonstrations of the moratorium have been held and relative calm has been restored, I think it is well that we again review the problem facing this country. Again, we must all realize that in this free country, people have the right to dissent and express views as they did on moratorium day. The basic question remains, however, what is best for our country in the long run?

I am concerned that if this kind of trend of confrontation and disunity continues, we will see the course of the war being directed not by the obligations and commitments of the United States, but rather by the rule of the political expedient. We are withdrawing troops from Vietnam now, and I hope that future events allow this to continue. But I do not think we should allow ourselves to be driven to the position in which withdrawal will continue, regardless of the presence of justifiable moves on the other side. By justifiable moves, I mean either reciprocal "scaling down" gestures on the battlefield or progress in the Paris talks.

President Nixon in his latest news conference indicated that he hopes the United States will be out of Vietnam by 1970 or 1971. At one point, he is quoted as saying:

> Once the enemy recognizes that it is not going to win its objectives by waiting us out, then the enemy will negotiate and we will end this war before the end of 1970. That is the objective we have.

Mr. Speaker, I would hope that this statement might be borne out in events. I would hope that it is the kind of timetable that we might see. But at the same time, I question the approach of saying in one breath that our resolve is such that the enemy cannot wait us out, yet saying in another that we are making every effort to be out by 1970 or 1971.

Every patriotic American searches in his own heart and mind for a solution to the Vietnam problem. As I see it, our Government is the leader of the free world, and as such, we have given protection—and in turn, faith and hope—to the smaller nations of Southeast Asia. We have become involved more than we as a peace loving Nation want to be involved. But I believe, Mr. Speaker, there must always be some nation strong enough to maintain the peace. If the Vietnam involvement were strictly a nationalistic fight between the North and South Vietnamese, then our approach to the problem would be entirely different.

However, we became involved because the aggression against South Vietnam was another example of the aggression and mass slaughter of innocent people. Therefore, I think we were right in the giving of this help to South Vietnam. If it was right when we stopped this slaughter then it is right that we see this thing through to an honorable conclusion.

The moratorium did allow a lot of people to express their objections to the war, but the moratorium also has aroused in many Americans an even stronger feeling to "get all the way in or out." This would be a horror to contemplate. But, I sense a growing feeling on the part of many people that we should use all out force if peace is not obtained rather than move all our troops out abruptly.

The leaders in Hanoi should know this growing feeling of Americans and this same note of warning should be heard by Russia and China.

As long as President Nixon is making a valiant effort to obtain peace, the American people should support him. What concerns me is that he may pull the troops out too fast as an expediency, rather than as a reflection of a meaningful peace settlement.

NIXON PEACE PLAN DESERVES A CHANCE

HON. CHARLES E. CHAMBERLAIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. CHAMBERLAIN. Mr. Speaker, the State Journal of Lansing, Mich., in its editorial of Wednesday, October 15, on the occasion of the moratorium asserted "Nixon Peace Plan Deserves A Chance." In support of that view a number of persuasive arguments are made and I commend them to the attention of my colleagues:

NIXON PEACE PLAN DESERVES A CHANCE

Many thousands of persons from all walks of life participated today in one form or another against the continuation of the American involvement in the Vietnam War.

The Moratorium involves primarily sincere dissent of persons of all age groups who want to see this agonizing conflict halted. That is the one point upon which just about everyone seems to agree.

And so the big question remaining is, how?

President Nixon, we believe, is no less anixous to see the war ended than anyone else. He has taken the initial steps through troop withdrawals, toning down the fighting and through appeals to Saigon and Hanoi to negotiate.

We believe the President will continue to move ahead with disengagement of American forces just as rapidly as it is possible to turn the burden of the military defense over to the South Vietnamese.

As columnist David Broder noted Tuesday, the President is, in fact, following the dove platform approved at the Democratic National Convention in 1968.

Yet, many of Nixon's critics now attack him for not moving fast enough and some are demanding an immediate withdrawal of all American forces and let the chips fall where they may.

The President inherited the war from another administration. It would have been easy enough for him, upon taking office, to simply take the steps that his severest critics now demand.

But to do so, he would have to cross off all American casualties as meaningless, and leave those thousands of South Vietnamese who have resisted or refused to join the Communists to the kind of fate which is now well known.

If President Nixon did this there is every reason to believe he would be savagely criticized and probably by some of the very same people who are now urging him to pull out of Vietnam immediately.

The Hanoi leaders thus far have not shown the slightest indication that they will negotiate on anything except their own terms.

Thus, in our view, President Nixon is taking the only reasonable course open to him. That is a gradual disengagement of U.S. forces while giving the South Vietnamese people time to take over the fight themselves.

No one can predict what this course will bring for the people of South Vietnam. But there is at least reason to hope that our allies in that country will hold their own and thus force the Communists to quit or negotiate.

There is little or no likelihood that that will happen if the President turns his back and walks out overnight as his more vocal critics now demand.

Again, everyone agrees that the American participation in this war must end as soon as possible.

We believe that the President is attempting to do exactly that, his critics to the contrary.

THOSE WHO HELP VIOLENCE

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. WYMAN. Mr. Speaker, there is increasing evidence that the radical thrust behind much of today's unrest is being pushed from the far left. This is demonstrable in the case of some urban riot activity. It was also demonstrable at certain levels on the so-called moratorium day, October 15.

All thinking citizens favor improving our society, strengthening it, increasing our standard of living, providing greater opportunities to individual citizens, regardless of race, color, or religious preference. However, our society presently existing is not so bad as to justify urging that we burn down the barn to get out a few rats inside.

We had better take a good careful look at those who urge burning down the barns in America. In this connection, I commend the reading of the following article entitled "Ivory-Tower Activists" by Shirley Scheibla appearing in Barron's issue of October 13, 1969:

IVORY-TOWER ACTIVISTS IPS FELLOWS LEAD THE RADICAL THRUST FOR SOCIAL CHANGE

(By Shirley Scheibla)

WASHINGTON.—To judge by their public pronouncements, leaders of the Institute for Policy Studies (IPS) hold the view that demonstrations, boycotts and similar disruptive tactics are acceptable means of effecting revolutionary change in government; moreover, attempts by duly constituted authority to quell such activities, even when they prevent federal institutions from functioning effectively, constitute "repression."

No ivory-tower scholars, some of the principals of IPS have been as good as their word. Several have organized and participated in unruly demonstrations, while seven belong to the Committee to Defend the Conspiracy, organized in connection with the current trial of "the Chicago 8" on charges of conspiring to incite a riot during the 1968 Democratic National Convention. The Committee members, according to the September 1 issue of the newsletter Combat, included Marcus Raskin, IPS co-director; Arthur Waskow, senior fellow; Gar Alperovitz, Paul Goodman and Christopher Jencks, fellows; I. F. Stone, associate fellow; and Harold Taylor, an incorporator of the Peace Research Institute, now merged with IPS.

"CREATIVE DISORDER"

Writing in New University Thought last year, Mr. Waskow declared that the Institute is committed to the view that to develop social theory, one must be involved in social action and experiment. Toward this end, he advocated "creative disorder," which,

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he said, means "to simply keep experimenting and to discover at what point one is neither smashed nor ignored, but creates enough change to move the society." Admitting a "gut preference for disorder," Mr. Waskow said IPS "stands on the bare edge of custom in the United States as to what an education research institution is."

In short, it not only develops and promulgates theories but also seeks to implement them. Aside from its failure so far in unilaterally disarming the U.S. (discussed last week in the first article in this series), IPS has enjoyed considerable success, even to the extent of Mr. Waskow being asked to give his expert advice on police problems in a project partially funded by the Justice Department.

The Institute actually has set up communes and neighborhood corporations with the ultimate aim of taking over important functions of municipal government, including the control of police, schools, housing for the poor and health services. According to at least one IPS book, Neighborhood Government, the message of the riots is that the poor want such community control, and civil war will result unless they get it. Nothing less will suffice, it maintains. The ultimate aim is to establish such control through a network of federally funded ghetto corporations.

HOLD GOVERNMENT POSTS

At least two IPS associate fellows hold government posts in which they are able to apply such theories. Other fellows, once having held such posts, apparently continue to influence the executive and legislative branches of government.

Anyone studying IPS and the turmoil plaguing the nation might be tempted to conclude that the Institute had written the scenario. According to The Washington Post, Mr. Waskow helped plan the demonstrations at the Democratic National Convention in Chicago. The subsequent need to call out the police to enable an institution of government to operate, and the resulting cries of police brutality, ran true to IPS theory espoused by Mr. Waskow and other exponents of the New Left affiliated with the Institute. Back in 1965, Mr. Waskow wrote in the Saturday Review that as revolutionists force tyranny to stop them, they will gain increasing acceptance.

According to the Daily World, Mr. Waskow also masterminded the counter-inauguration of a pig for president at the time of President Nixon's inauguration.

The Institute goes far beyond demonstrations in exercising influence. Its theory of community control through the device of neighborhood corporations has been set forth repeatedly by fellow Milton Kotler, A couple of years ago, the Urban Affairs Subcommittee of the Joint Economic Committee of Congress published two of his essays on the subject as part of a compendium by 22 urban specialists.

ENJOYS TAX EXEMPTION

A footnote identified Mr. Kotler as an IPS resident fellow. His opening sentences read: "At the outset, let me say that this paper is not a study. It is an argument . . . intending to persuade you toward a course in urban legislation. . . ." (Nevertheless IPS has not registered as a lobbyist, and enjoys tax exemption as an educational institution.)

"Riots," wrote Mr. Kotler, "reflect the formation of a new local community power in combat with the established power. . . . Unless existing established federal, state and municipal governments transfer a proper portion of their authority in Negro communities, today's domestic warfare will grow."

(At about the time the essays were published, black employees of the Library of Congress began receiving cards. One side was headed, "Committee for Emergency Support," and bore the address of the Institute. It read, "We are in sympathy with the despair of the black people in America. We share their sense of powerlessness to relieve repressive conditions by conventional political means. We are frustrated in our attempts to control the decisions which affect our lives in the capital city. We are all victims. We are ready in an emergency to assist the black community of Washington with food, housing, medical care and legal aid. We are committed to act to remove repressive military and political intervention."

The other side of the card advised calling the IPS phone number "in a riot or rebellion to obtain information, for legal assistance, for medical aid, for food and housing, to report police brutality" (Shortly thereafter Mr. Waskow began calling for the collection of bail funds in advance of violence.)

TRANSFER OF AUTHORITY

In his essays for the Committee, Mr. Kotler suggested a transfer of authority through "creative federalism." He explained, "The federal government must first assist the organization of legal neighborhood corporations with some initial funding. . . . Funding from the government is more important for legitimizing the development of neighborhood self-government as a unit of local rule in the society than for the money itself. . . . This proposal is already before the Senate in the form of Senate bill 1433. . . . It deserves your consideration and support."

S1433 expired in 1967. But on July 11, 1968, Roy Innis, Acting National Director of CORE, and Representatives Charles E. Goodell (R., N.Y., now a Senator), William B. Widnall (R., N.J.) and Robert Taft, Jr. (R., Ohio) jointly introduced legislation to create community development corporations "to finance, acquire, own and manage productive business enterprise located in the community, and to use the profit from such enterprise to finance its own education and social service programs in the community."

Financing for the corporations, they explained, would come from community development banks (CDBs) "analogous to Federal Land Bank Associations and Production Credit Associations, under the supervision of the Comptroller of the Currency." They estimated that federal capitalization of the CDBs initially would involve annual federal spending of $1 billion.

Last December the measure was discussed as a "self determination symposium" at the Washington Hilton Hotel. According to The New York Times, Senator Charles H. Percy (R., Ill.) told the gathering, which included black militants, that "Mr. Nixon had expressed approval of the concepts in the bill and that Nixon aides had informed him that the President-elect 'strongly supports the bipartisan concept.' "

PENDING BILL

That bill, of course, expired with the 90th Congress. Senator Goodell, however, now is revising a similar one he introduced this year which is pending before the Senate Finance Committee.

The impetus for all this began four years ago, according to an IPS booklet called "The First Three Years," when "after long discussions with Kotler, a number of residents and organizational leaders in a poor neighborhood decided to organize the East Columbus Citizens Organization (ECCO)." To date, the Office of Economic Opportunity has approved grants of $432,219 for ECCO and expects funding eventually to total $757,113. The agency calls it a demonstration of community self-government through a corporation.

OEO also has announced what it calls its "Community Capitalism Program"; under it, the agency plans to make grants of $10 million this year to community corporations. (Mr. Kotler says there now are 70 of them.) Grants already made public include $1 million to the Inner-City Business Improvement Forum (Detroit), $900,000 to the Human Development Corp. (St. Louis), $1.1 million to the North Lawndale Economic Development Corp. (Chicago), $600,000 to the Harlem Commonwealth Council (New York) and $1.5 million to the Hough Area Development Corp. (Cleveland).

All this ties in too with the Model Cities program; by happenstance, Stanley L. Newman, an IPS associate fellow, is Chief of the Planning and Relocation and Public Administration Branch of the Division of Program Development and Evaluation in the Office of the Assistant Secretary of Housing and Urban Development for Model Cities and Governmental Relations.

EMINENT DOMAIN

Now Mr. Kotler is elaborating on his theory. In a book titled Neighborhood Government, just published by Bobbs-Merrill Co., he demands regulatory power for the community corporations to assure that money earned in the community will stay there. He also writes: "It is necessary for the corporation both to have the power to tax its residents and to be able to dispose of its territory. This means the governmental power of eminent domain." He says it also would be reasonable for the corporation "to control prices, rents, licensing and banking." Further, he would like communities to govern themselves based on custom rather than outside laws.

Calling the community "the action unit of this emerging revolutionary class," Mr. Kotler says, "The neighborhood organization . . . must be prepared to defend gains in jurisdiction by the threat of war to any who would endeavor to deny these gains."

Meanwhile, Mr. Waskow has pursued the IPS idea of community control of schools. Some years ago he became secretary of a community anti-poverty group here. The Adams-Morgan Community Council, just as federal policy-makers insisted that the D.C. Board of Education allow the Council to run the Morgan grammar school as an experiment in community control.

Shortly thereafter, John R. Immer, president of the Federation of Citizens Association of the District of Columbia, wrote President Johnson that the children at the school were being cheated out of a good education. He declared: "The teachers maintain no discipline, are hippies, use vile language, have had little or no teaching experience and have and are using untried teaching methods."

CAMELOT PATRONS

Nevertheless, President Johnson's cabinet officers and their wives worked with Mr. Waskow in the presentation of the movie, "Camelot," at the Warner theater in Washington, as a benefit for the Morgan school. Among the patrons listed by Mr. Waskow were (then) Justice and Mrs. Abe Fortas (IPS lists his former law partner, Thurman Arnold, as one of its original trustees), Secretary of Defense Robert S. McNamara, Attorney General Ramsey Clark, Secretary of the Interior Stewart L. Udal, Secretary of Commerce Alexander B. Trowbridge and Secretary of Agriculture Orville Freeman.

Federal support also has been forthcoming for a new venture in higher education in which Mr. Waskow will play a significant role. The Justice Department recently agreed to underwrite loans and grants to students pursuing programs at a new Center for the Administration of Justice at American University in Washington. According to AU President George H. Williams, "The initial award (from Justice) exceeds $200,000, and anticipated funding for the academic year may exceed $500,000."

William M. McDowell, AU information officer, told Barrow's that Mr. Waskow has been asked to serve as an expert consultant to the Center on how it can best serve the Washington community and that he may occasionally lecture on police problems.

Writing in a local underground newspaper, the Quicksilver Times, last July, Mr. Waskow advocated: "(1) Neighborhood control of

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police through citizen-elected commissions. (2) Creation of countervailing organizations such as unions of those policed. (3) Changing the role of the professional, tough cop to one of a more everyday civil servant doing his job, keeping the peace, rather than enforcing the law." A year ago, according to press reports, Mr. Waskow headed a rally here in front of the 13th police precinct station to demand immediate community control of the police.

To develop ways of establishing community control of health services, IPS held a seminar three years ago under the direction of Dr. William Kissick, associate fellow and then Chief of the Division of Public Health Methods in the Office of the Surgeon General of the U.S. (Dr. Kissick now is teaching at the University of Pennsylvania.)

BACKGROUND MATERIAL

According to Pierce Rollins, Acting Director of Information for the Office of Community Health Service of the Public Health Service (PHS), the material resulting from the conferences in that seminar has been compiled in two volumes by the Milbank Memorial Foundation. Mr. Rollins says the Department of Health, Education and Welfare, parent agency of PHS, uses the volumes as background material prepared by experts to help it set health policy.

The official explains that PHS now is funding the planning of health services at state, area, city and community levels, and that the various entities are free to subcontract with IPS experts to help in the planning.

The general idea, Mr. Rollins adds, is to fund community health services only after area-wide planning. But because of the desperate need, PHS is making funds available without area planning. It has financed, he says, 22 community health centers and others for rat control and the treatment of venereal disease. So far PHS has made 2,500 health planning grants, Mr. Rollins reports.

Tangible results also have emanated from a 1968–69 IPS seminar conducted by Rick Margolies, an associate fellow. According to the Institute, it aimed "at developing a theory of social change based upon the possibility of a movement of small groups living communally and acting as agents of change in their larger environment. It is assumed that the small group will begin to live in the manner it wishes the society at large to adopt. . . . Some individual seminars will be theoretical and historical, while others will be more specifically programmatic. The first section, 'Toward a New Life Style,' will include discussions of human communion and human need, the extended family and child rearing . . .; 'The History of Intentional Communities' will include American 'utopian' experiments, communist collectives and communes, the Kibbutzim; 'Toward a Praxis of Community' will synthesize lessons learned in the above sections and work toward a plan for a communitarian movement."

INSURGENT ACTIVITIES

Mr. Margolies told Barron's that he now has communes in operation in the Adams-Morgan area of Washington. After starting with money from the Stern Family Foundation, commune members now support themselves by working part-time at the Quicksilver Times and the Washington Free Press, another underground newspaper, Mr. Margolies explained. Among other things, the Free Press has printed detailed instructions on how to conduct "insurgent activities." Now Mr. Margolies is preparing a new magazine, to be called The People in the Streets.

In view of the success of IPS in developing and implementing theories, its present studies and projects for the future take on added significance. One plan is to set up a network of institutes like IPS all over the country to serve as counter-institutions to established ones. Gar Alperovitz, IPS fellow and former legislative assistant to Senator Gaylord A. Nelson (D., Wis.), already has launched one at Cambridge, Mass., with the help of Christopher Jencks, IPS fellow and Harvard professor.

According to Tina Smith, IPS administrative assistant, Alan Haber and Barry Weisberg are setting up a Bay Area Institute in San Francisco. Gerry Hunnius, having just completed an IPS study of "the possibility of workers' control of factories based on Yugoslav model," now is in Toronto exploring the possibility of setting up an institute. Miss Smith says IPS also is discussing the possibility of setting up one in the South.

Also on the agenda for IPS is "investigations of operations of foreign aid." Handily, Jack Heller, an associate fellow, is director of the Office of Development Programs for the Bureau of Latin America of the Agency for International Development.

A project listed in the IPS 1969–70 budget is a "Middle-East Peace Mission," under the direction of Cherif Guellal, IPS fellow, and Algerian Ambassador to the U.S. until his country broke off diplomatic relations.

WENT TO AFRICA

About a year ago, Ivanhoe Donaldson, IPS fellow and member of SNCC, went to Africa for IPS to study self-government there and to contact members of the African National Congress and Pan African Congress. Now his assignment is to set up liaison with both groups, "in order to make accurate information available to American educational institutions on both secondary and college levels."

The IPS assignment for fellow Frank Smith is "to set up a chain of cooperative food markets in an effort to bolster the concept of community control by trying to develop viable and democratic models for community control of food, shelter and clothing businesses." Mr. Smith, who formerly served as Coordinator of the Community Staff of the notorious Child Development Group of Mississippi (Barron's, September 26 and October 24, 1966), is a member of SNCC, CORE and the Mississippi Freedom Democratic Party.

All last summer, IPS had several students interviewing the members and staff of the Federal Communications Commission and studying public records. As a result, the Institute now has elaborate plans for challenging the licenses of broadcasting stations, particularly when it doesn't consider them responsive enough to the views of the New Left.

THOMAS BROWN, JR., KILLED IN VIET HELICOPTER CRASH

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. LONG of Maryland. Mr. Speaker, Army WO Thomas F. Brown, Jr., a fine young man from Maryland died recently in Vietnam. I wish to commend his courage and to honor his memory, by including the following article in the RECORD:

THOMAS BROWN, JR., KILLED IN VIET HELICOPTER CRASH

Army WO Thomas F. Brown, Jr., of Forestville, Md., was killed in a helicopter crash in South Vietnam October 10, Pentagon officials reported yesterday.

Mr. Brown was piloting the craft on a "military mission" when it crashed near the 1st Air Cavalry base at Phuoc Vinh, South Vietnam.

Before going to Vietnam six weeks ago, Mr. Brown trained at several bases in this country and concluded his pilot training at Fort Hunter, Ga.

A native of Washington, he graduated in 1966 from Crossland Senior High School in Temple Hills, Md.

While in high school he met his future bride, the former Patricia J. Chochola, whom he married May 30, 1969.

Mr. Brown attended Prince Georges County Community College for two years before enlisting in the Army.

In a letter to his wife, he said he was "proud" to be in Vietnam and he wished that every American could go to Vietnam "to see how good we have it back here."

Survivors include his wife; his parents, Mr. and Mrs. Thomas F. Brown, Sr., of Morningside Md.; two brothers, William G. Brown and Steven G. Brown; and two sisters, Helene N. Brown and Kathy L. Brown, all of Morningside.

A PEACE DEMONSTRATOR DENOUNCES THE STUDENT FAST FOR FREEDOM COMMITTEE

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. CLAY. Mr. Speaker, I, WILLIAM L. CLAY, private citizen, taxpayer, veteran of the Korean war, father of a 13-year-old son, Member of Congress, American, wish to take sharp issue with the student Fast for Freedom Committee. This committee has accused me of "advancing the victory of totalitarian communism." The committee even implies that my action in supporting the October 15 moratorium may "insure the slaughter of many thousands of innocent civilians" in Vietnam.

Mr. Speaker, I know precisely why American troops should not be in Vietnam. I challenge the student fasters to document a reasonable basis for them to be there.

I am in favor of American withdrawal because 859 of my fellow Missourians have been slaughtered for some imaginative, self-righteous proclamation. I am for American withdrawal because more than 40,000 Americans have sacrificed their lives in a war which was conceived, designed, approved, and executed by less than 20 people in our country.

To those who say that opposition to the war in Vietnam is un-American, I say it is un-American to spend $77 billion on defense and only $3 billion on education. It is un-American to spend $5 billion on the C5–A airplane and less than $2 billion on the poverty program. It is un-American to spend $40 billion on space exploration and only $186 million on cancer research. It is un-American to spend $20,000 for the ammuntion to kill each Vietcong and only $53 a year to educate each American child. Yes, somebody is un-American but it is not the war protestors.

Mr. Speaker, I call to the attention of the student fasters who are so greatly concerned about the freedom of the people of South Vietnam the fact that the manpower, the armed forces, and the natural resources of both North and South Vietnam are equal in every respect. I

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further contend, Mr. Speaker, that if the people of South Vietnam are as interested in freedom as the student fasters say they are, then they can and will fight and win it.

Mr. Speaker, if the student fasters are truly committed to "self-determination" for the Vietnamese then our troop withdrawal would provide them with exactly that decision. Would they determine to fight against Communist aggression and dictatorial rule or would they determine that a potential dictatorship of the government from the north would be no worse than the actual dictatorship they now live under in the south.

Mr. Speaker, in closing I wish to pose two questions to those of the student fast for freedom who embrace the concept that Vietnam communism is so reprehensible and repugnant that Americans must destroy it at the cost of American lives. I ask, Mr. Speaker, how does Vietnamese communism differ from the communism of Russia, China, Cuba, Czechoslovakia, or Rumania? If we are really in Vietnam to preserve freedom and liberty and to assure self-determination by the majority of the people in that country, why are American troops not now dying in the Union of South Africa and Rhodesia where evidently freedom and liberty of the majority have been suppressed by a minority?

Finally, Mr. Speaker, I honestly suspect the vociferous proclamations for freedom and liberty 12,000 miles from America to be for lack of a better word idle "jawboning." In light of this, millions of black Americans are this very day being denied that same freedom and liberty in our homeland.

Since the committee of student fasters would on this very day deny me the freedom to speak and dissent, I question whether the South Vietnamese could truly appreciate the kind of freedom espoused for them by this committee.

NATIONAL BUSINESS WOMEN'S WEEK

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. SPRINGER. Mr. Speaker, this is National Business Women's Week. This gives us the opportunity once again to congratulate the National Federation of Business & Professional Women's Clubs, which held its 50th anniversary convention in St. Louis this past summer. The growth of this organization has paralleled the ever-increasing contribution of women to the business and professional life of our Nation. The oganization today has more than 180,000 members in 3,800 clubs in every State of the Union, the District of Columbia, Puerto Rico, and the Virgin Islands.

In paying merited tribute to the National Federation of Business & Professional Women's Clubs, we also are indirectly recognizing efforts of all the more than 29 million women who may be found working in almost every occupation in the United States. Few occupations were open to women around the turn of the century. Now few, if any, are closed to them. This fact tells more than a thousand words about the accomplishments of women in the last half century.

DARTMOUTH—ACADEMIC FREEDOM DENIED

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. RARICK. Mr. Speaker, extremists at Dartmouth College have shattered the institution's image as a libertarian, intellectual community. For the first time in the history of the college, free speech has been denied on its campus.

Dr. William Shockley, Nobel laureate, and a scientist of Stanford University, was prevented from delivering an address before a meeting of the National Academy of Sciences whose members were invited guests on the campus. Reportedly, Dr. Shockley's subject was one on which he is well qualified to speak and entitled to be heard—"Offset Analysis Description of Racial Differences."

Because of the disgraceful conduct of a militant little band of "civil righters," inquiring minds—searching for truth, and not being satisfied to accept contemporary liberal dogma and taboos—will now be compelled to contact Dr. Shockley to obtain a copy of his report in order to learn what the Dartmouth students so greatly feared they would have it suppressed. Perhaps, if order could have been maintained, they would have learned whether or not their behavior merely demonstrated the accuracy of Dr. Shockley's report.

However, since Dr. Shockley's report is concerned with intelligence, it probably remains for other scientists to conduct studies related to Dr. Shockley's to determine whether the students proved the validity of his thesis.

With its students shrouded by superstitious fears, Dartmouth's intellectual community is retrogressed to the dark ages where unreason prevails and discourse is suppressed.

Mr. Speaker, one of the few newspapers in our country carrying a full report of this travesty of a free society was the courageous Manchester Union Leader of Manchester, N.H.

The Union Leader report and editorial follow:

[From the Manchester (N.H.) Union Leader, Oct. 16, 1969]

DISRUPTIONS PREVENT DARTMOUTH SPEECH: SHOCKLEY DENIED RIGHT TO SPEAK

(By Joe Duggan)

HANOVER.—A "disappointed" physicist and Nobel prizewinner, Dr. William Shockley, yesterday left Dartmouth College campus enroute back to California after being refused by demonstrating negro students the opportunity to deliver a controversial scientific paper.

About 30 negro students in an audience of more than 200 persons stood to loudly applaud when Dr. Shockley was introduced to deliver his paper to the National Academy of Sciences meeting at the morning session.

At first, the rest of the audience joined in and then stopped, but the negro students, seated down in front of the Steele Hall auditorium, didn't stop, but remained standing and applauding drowning out any attempt by Dr. Shockley to be heard.

Other faculty members failed to break up the demonstration until Prof. John G. Kemeny wrote on the slate board in front of the speakers platform pleading for an opportunity to speak.

Dr. Kemeny wrote "I am chairman of the Committee on Equal Opportuntity. If you do not let me speak, you are ruining all the gains so far." The clapping stopped and Professor Kemeny pleaded with them to let Dr. Shockley be heard.

Then Prof. Jonathan Mirsky moved in and spoke, directing his remarks to those whites present. Mirsky sympathized with the negro demonstrators but the clapping resumed directly after his remarks and lasted a considerable time afterward..

Discussion groups then took place as faculty members attempted to negotiate with the negro students, but the disruption passed the hour mark and at 12 noon, NAS chairman and Dartmouth Chemistry Prof. Walter H. Stockmayer, formally accepted Dr. Shockley's paper without presentation and adjourned the NAS meeting.

Just before the adjournment, Dartmouth's new dean, Carroll Brewster, spoke to the audience and expressed his concern at preventing Dr. Shockley from speaking.

"What has happened here is so grave that I find it difficult to express my concern. You all know how I and most of us feel on this issue. But you don't fight an idea by trying to hide an idea and give it currency," Dean Brewster said.

"We had an opportunity here to expose bad thinking, but in losing this opportunity we have all lost," he said. The dean indicated he would summon an all-college convocation to discuss this critical breach of free speech.

There was no indication from any faculty member present that any disciplinary measures would be taken against the protesting students. It was brought out that the 30 negroes were a small representation of the 170 on campus.

Dr. Shockley's paper, "Offset Analysis Description of Racial Differences" was the last of five scientific papers being presented in the concluding session of the three-day NAS fall meeting at Dartmouth.

The morning meeting started in a Wilder Hall lecture room, but as students began to fill the building just prior to the final paper to be given by Dr. Shockley, Prof. Stockmayer shifted the meeting to a larger hall next door in Steele Hall, in order to give everyone a chance to hear Dr. Shockley.

Fears were voiced earlier that members of Students for a Democratic Society might try to disrupt Dr. Shockley's presentation but the 30 negro students apparently surprised all and stole the thunder away from the SDS.

It was the first time at Dartmouth College that a speaker had been refused a chance to speak. Embarrassing to Dartmouth was the fact that Dr. Shockley, a member of the National Academy of Sciences, was delivering an address to Academy members—who were invited guests of the college. It was declared not the same as if Dr. Shockley was simply a visiting lecturer.

[From the Manchester (N.H.) Union Leader, Oct. 17, 1969]

SAVAGES TAKE OVER AT DARTMOUTH

(By William Loeb)

Last Wednesday at Dartmouth there occurred an utterly disgraceful denial of free speech to no less than Nobel laureate Dr.

William Shockley of Stanford University. Dr. Shockley was attending the meeting of the National Academy of Sciences at Dartmouth and was scheduled to give a speech on "Offset Analysis Description of Racial Differences."

But, he was never allowed to make the speech.

After being introduced, the Stanford University professor rose to speak and was met by "applause" led by some 30 black savages who currently are called "students" at Dartmouth. And, they never did allow Dr. Shockley to be heard. So, eventually, the professor had to abandon his attempts to speak.

Of course, any individual, white as well as black, who prevents an invited speaker to a college campus from being heard flouts not only the civil rights of every American to be heard but also desecrates the concepts of academic freedom and open discussion.

Actually, the savages, black or white, who behave in this fashion negate the very concept of a university—to encourage the inquiring mind. Freedom of study and inquiry becomes impossible under circumstances where witch doctors and jungle methods are allowed to prevail.

This newspaper feels quite sure, however, that the faculty and administration of Dartmouth, while embarrassed, will do nothing except possibly to apply a slight slap on the wrist to the anti-intellectual savages who destroyed the right of Dr. Shockley to be heard.

Until Dartmouth and other U.S. colleges and universities take severe steps against those who use brute force to allow only what they approve to be said, thought, and inquired into on a university campus, the universities of this nation will not only be intellectually desecrated but also they will be worthless as educational institutions.

The permissive, gutless faculties and administrations and the trustees of the universities, by their moral and intellectual cowardice, are doing nothing less than digging the graves of these institutions and, in a very real sense, their own. Such a climate will continue to worsen. And, the next time it may not be Dr. Shockley. Any professor, any administrator who has gone against the wishes of the black and white mobs will suffer.

The incident at Dartmouth is a disgrace to that institution which Daniel Webster loved so well, but it should come as no surprise after the outrageous treatment accorded the former governor of Alabama, George Wallace, or the seizure of the administration building last year.

It is quite clear that freedom and honest intellectual inquiry at Dartmouth are dead and will remain so until the anti-intellectual savages, white as well as black, are dismissed from the university.

[From the Manchester (N.H.) Union Leader, Oct. 16, 1969]

DARTMOUTH OFFICIALS PRAISED BY SHOCKLEY

HANOVER.—Dr. William Shockley took time before leaving here yesterday to praise the Dartmouth College faculty and administration for their handling of the protest demonstration that in unprecedented action kept him from delivering a scientific paper before the National Academy of Sciences meeting.

The Nobel laureate, who said he couldn't imagine how the situation might have been handled by officials any other way, described the incident as "a symptom of the times."

The physicist said there had to be a complete "lack of faith in the power of the mind to deal with a general problem." Dr. Shockley was prevented from making a presentation of a controversial topic concerning racial differences between white and negro.

Before boarding his afternoon flight enroute back to the West Coast he added "I was far more disappointed that I was not given a chance to deliver my paper."

FALSE ECONOMIZING

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. FEIGHAN. Mr. Speaker, the necessity for taking immediate steps to curb rising inflation is indisputable. It is imperative, however, that the measures we adopt in effecting this goal be carefully considered. We cannot afford to economize on the welfare of the American people, although it would appear that this is exactly what is happening.

The following editorial which appeared in the Cleveland Plain Dealer, October 15, 1969, points out the perils of of following a course of misdirected economizing:

NO SAVINGS IN SCIENCE CUTBACKS

Efforts in the White House and in Congress to save government money are misdirected when applied severely to agencies which foster discovery and progress in the sciences and thereby make Americans' lives healthier and more liveable.

All the serious talk of holddowns in current and future budgets for support of research and training has alarmed leaders in science and medicine. They should be alarmed, and so should all citizens who recognize that the state of the nation and the condition of its people tomorrow depend in large part upon what is done today.

The now bleak outlook for the primary agencies which spur scientific advancement is well described in a report this week by Victor Cohn of the Washington Post staff. He made special note of these points:

A House appropriations subcommittee has cut $80 million from the Nixon budget request for $500 million for the National Science Foundation which supports investigation and training in the physical sciences.

The same Nixon budget reduces by $290 million the $1.93 billion allotted last year to the National Institutes of Health for biomedical and health projects, study and training.

Cohn reports the concern of leaders in the scientific and medical communities over ill-advised attempts to save government money. They protest that budget cuts would not only prevent new undertakings—they would cause projects already underway to be abandoned. Still other worthwhile programs would be adversely affected because reduced budgets make no allowance for inflation-pushed cost increases.

The head of the Association of American Medical Colleges, Dr. John Cooper, says cuts in research and training grants would do great harm to the nation's medical schools which need the grants to survive and grow. Grants account for upwards of 40% of the medical schools' total income.

Budget cuts also pose a threat to important National Institutes work dealing with many fatal and disabling ailments—heart disease, cancer, diabetes and arthritis, to name a few. And that is not all. Other authorities agree with Dr. Cooper's view that cutdowns in research and training grants discourage those who might choose to make academic medicine their life's work. The peril to medical faculties, needed to train more people to meet the health needs of an ever-increasing population, appears very real.

Congress and the White House should pay attention to what respected men of science and medicine are saying about reductions in the level of federal support for research and training. Economy affecting the future good health of Americans is false economy.

PUBLIC LEERY ABOUT ATOMIC POWER

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. KASTENMEIER. Mr. Speaker, an article in the October 19 Washington Post by staff writer Victor Cohn reports on the nuclear power issue in Minnesota. The State of Minnesota is seeking to impose standards which are tougher than those required by the AEC for regulating the release of radioactive waste from nuclear power plants. Mr. Cohn also comments on the Symposium on Nuclear Power and the Public, held at the University of Minnesota on October 10–11.

The public is becoming increasingly concerned about the potential health hazards and risks to the environment that are associated with atomic power. Furthermore, many citizens have begun to question the propriety of one Government agency, the AEC, acting both as the promoter of nuclear power and the regulator of nuclear power safety.

Mr. Speaker, in view of the importance of the Minnesota case, I call Mr. Cohn's article to the attention of my colleagues:

PUBLIC FIGHTS A-POWER

(By Victor Cohn)

MINNEAPOLIS.—Minnesota has looked at the atom and found it partly evil.

On the verge of what seems an inevitable age of nuclear power, citizens here—citizens in several states, in fact—are starting afresh with this form of energy.

They are rediscovering the fact, known in bomb testing, that using the atom has a price. The price is an inevitable addition, "slight" or "great" depending on whom you ask, to the quiet violence that modern man does to air, water, land, and himself.

The price has led the state of Minnesota into a grim legal confrontation with the U.S. Atomic Energy Commission. It is a fight—"a landmark fight," say federal and power industry officials—that threatens the growth of atomic power, threatens AEC regulatory authority all over the country and challenges the AEC's very doubleheaded structure as both promoter and protector in atomic matters.

To put it simply, Minnesota wants to be tougher than the AEC in regulating release of radioactive waste into the air and water. Minnesota Gov. Harold LeVander—middle road conservative who is far from a crusader in other areas—is deeply committed to this. At a recent National Governors Conference, he won the unanimous support of fellow governors, Republican and Democratic.

The issue will be examined by the Joint Senate-House Committee on Atomic Energy at six days of hearings in Washington starting Oct. 28. But it is already being examined by state officials and many citizens in Minnesota, Maryland, Vermont, New York State and the metropolitan New York City area, Illinois, Oregon and Colorado.

Since the Nov. 9, 1965, New York power blackout—Black Tuesday—"a handful of people have successfully delayed or blocked every major power plant proposed for the New York area," complained a recent double-page ad in the New York Times. The ad was inserted by the McGraw-Hill power industry magazine Electrical World, which complains, with the industry, that powermakers are suddenly caught in America's new awareness that pollution imperils man's survival.

A SYMBOL FOR POLLUTION

The public, AEC Chairman Glenn T. Seaborg points out, is "uptight about the environment." At the same time, the United States is growing so fast and using so much electricity—for air conditioning, electronic computing and home hair drying—that generating capacity, more than doubled just since 1950, must double again by 1980 and more than triple by 1990.

At the same time, nuclear energy—until recently an expensive experiment—finally seems to be coming into its own. Today only 1 per cent of U.S. electricity is nuclear-generated, but the AEC says the figure will be 50 per cent by the year 2000. Seventy-nine civilian A-power plants are now on order or building.

"It isn't fair," complained an atomic industry public relations man at a University of Minnesota nuclear power conference, a conference inspired by the nuclear fight. "The militant conservationists are not doing much about the automobile. They're not all that excited over the coal- and oil-burning power plants that are putting out sulphur dioxide and other ugly chemicals. But they're after us. They've made us a symbol."

"Indeed we have," a Minnesota militant replied. "If we can win this one, if we can arouse the people over this kind of pollution, maybe we can arouse them over others."

What one AEC commissioner terms the "antinuclear movement" began, in this state of lakes and streams, when Northern States Power Co.—slogan, "Electricity is Penny Cheap"—began building a big 560-megawatt atomic plant near Monticello, on the fresh-flowing Mississippi River just north of Minneapolis and St. Paul.

At first, all went swimmingly. Then Northern States Power sought a waste disposal permit from the new Minnesota Pollution Control Agency. The agency, needled by a set of young University of Minnesota biologists, engaged Dr. Ernest C. Tsivoglou, professor of sanitary engineering at Georgia Tech, as a consultant.

Tsivoglou, chief of radiological water pollution control in the U.S. Public Health Service from 1956 to 1966, acknowledged that nuclear plants in the United States commonly discharge only a small percentage of the radioactive contaminants that the AEC would permit. Northern States Power in fact said it would discharge no more than 1 to 4 percent of the radioactivity that the AEC would allow.

Tsivoglou also acknowledged that the AEC has prudently set its standards in accordance with recommendations of both the Federal Radiation Council, representing several federal agencies, and expert national and international bodies.

But he argued that knowledge of the effects of low-level radiation is highly imperfect, and future research may turn up new harm. He said that radiation should be more strictly limited in order to leave a reserve in case of future nuclear accidents or resumed atomic weapon tests in the atmosphere. He looked to the day when atomic plants will dot the shores of the Mississippi and other U.S. waters, each adding its share of radioactive effluents. Northern States Power already is building two more big nuclear plants side by side at Prairie Island, south of Minneapolis-St. Paul, and has revealed plans for still more.

In effect, therefore, Tsivoglou recommended a set of standards at about 2 per cent of the AEC level. And in May, the Minnesota Pollution Control Agency issued Northern States Power an operating permit specifying such standards.

The company said it could meet the new standards almost all the time, but occasionally might have to exceed them. It said it would have to modify its plant and shut it down more frequently to adjust to them, and additional annual operating expenses would be a prohibitive $3.5 million a year, making future electricity slightly more than penny cheap in the upper Midwest.

THE PUBLIC'S ROLE

Northern States Power has sued the state of Minnesota in both state and federal courts, charging that its restrictions are unjustified and illegal. Nuclear power plant builders like Westinghouse and General Electric and even publicly managed utilities such as the Tennessee Valley Authority have rallied to Northern States Power's support.

And leaders of the congressional Joint Committee on Atomic Energy—in particular Rep. Chet Holifield (D-Calif.), chairman, and Rep. Craig Hosmer (R-Calif.), ranking minority member—have sharply and impatiently questioned Minnesota's action.

Appearing on the University of Minnesota power conference platform, Hosmer firmly said that Congress has "pre-empted" the field of nuclear regulation for the federal government as one too complicated for state-by-state action. He and others said that where states have exercised radiation controls—as in uranium mining and in medical X-raying—they have done miserably.

But also, he charged, the Minnesota issue is "a big political football—certainly it is among the Minnesota delegation in Congress." He attached "the professors around here who have been sounding off in the newspapers" and "Minnesota's underexperienced do-it-yourself stab at visceral regulation."

He said any complaints about radiation standards should go to the Federal Radiation Council. "They're not a subject for public rallies and placard making," he said, and "you can't have 200 million people deciding" them.

In reply, Dr. Barry Commoner of St. Louis—Washington University biologist and environmental crusader—said "informed public opinion" should indeed rule, even to accepting or rejecting a particular plant.

"The public is entitled to this vote," agreed Prof. Harold Green of George Washington University's National Law Center, a former AEC associate general counsel. "Why, in a democracy, should the public not have the full opportunity to decide for itself, rationally or irrationally, what benefits it wants and what price it is willing to pay?"

SCIENTISTS DISAGREE

Conference discussion then centered on that price: the alleged hazards or virtual lack of hazards of power plant radiation. There were scientists on both sides.

Commoner and Dr. Arthur Tamplin of the University of California's Lawrence Radiation Laboratory at Livermore emphasized hazards. Commoner saw a possible U.S. increase in thyroid cancer of several hundred cases a year from power plant radiation escaping into the environment. Tamplin said nuclear plants now measure only overall radioactivity, but particular radionuclides—individual elements or their radiation-produced daughters—may cause greater than average harm.

He pointed to tritium, a heavy form of hydrogen, chemically inseparable from ordinary hydrogen. Once in human cells, it becomes part of the human heritage—incorporated into the DNA that tells future cells and future children how to grow. He said AEC standards should be made more strict, individual radionuclides should be monitored and almost no plant wastes should be discharged into rivers. Instead, he said, all should be buried in atomic graveyards.

Dr. Stanley Auerbach of Oak Ridge National Laboratory and Dr. Merril Eisenbud, New York City environmental protection administrator and former AEC official, replied: "Man lives in a radioactive environment," absorbing radiation all the time from cosmic rays, building materials, and the earth. Radiation from A-power plants can add only a few percentage points more. Despite many bugaboos, there is no laboratory or medical evidence of any ill effects of low-level radiation, they argued.

Other possible power plant dangers were discussed: their considerable "thermal pollution" from the discharge of hot water, as well as possible plant accidents—"a remote danger," it was generally agreed, but a horrendous one. On each point, some speakers saw little problem, others peril.

When scientists disagree, concluded lawyer Green, the public and public bodies must decide. But the AEC, he maintained, has "a bifurcated interest," a "conflict of interest" in acting by congressional mandate as both A-power's developer and salesman and its government regulator.

He told how AEC officials, once they decide a plant is safe, become its enthusiastic supporters and defenders. "Clearly," said Commoner, "standard setting belongs in the hands of an agency concerned with all aspects of the environment," such as the Department of Health, Education and Welfare's Consumer Protection and Environmental Health Services.

S. David Freeman, director of energy policy for Dr. Lee Dubridge, President Nixon's science adviser, agreed that this policy issue "deserves thoughtful consideration."

Again and again at the Minnesota conference, Rep. Hosmer bristled. "It is time," he said, "that people quit painting the AEC as some kind of a nuclear Mafia engaged in a vast conspiracy." Even gentlemanly AEC Commissioner James T. Ramey said Minnesota "is making a mountain out of a molehill."

SOME NEW DIRECTIONS

Yet out of the Minnesota fight there may come some agreements or at least some new directions for nuclear power.

Commoner, Hosmer and Freeman agreed that environmental licensing and monitoring ought to encompass all kinds of power plants, not just A-plants.

Radiation standards in one way or another will probably be toughened. Northern States Power and the state of Minnesota are discussing a compromise which would in effect establish the right of a state to talk tough to powermakers. "There is not much question in my mind but that limits [of radiation tolerance] will be decreased as time goes on," said Dr. Carroll Zable of the University of Houston, until recently chairman of the AEC's important Advisory Committee on Reactor Safeguards. "We are looking at them," Ramey conceded.

This high-energy civilization needs to keep looking at other sources of power, not just the atom. Unless more and more power is provided us, we will flick the switch one day soon but nothing will happen. "There is no doubt in my mind," said Prof. Green, "that if in 1946 we had created a similar commission and joint committee to maximize the use of fossil fuels without polluting the environment, we would not need to rush so to build nuclear plants today."

The concern of the "new militant" environmentalists has only begun. "I assure you, gentlemen of the atomic power industry, you are not the targets," said Prof. Commoner. "All polluters are."

Gov. Tom McCall of Oregon has announced a nuclear power conference for Dec. 4–5. "I expect there will be a need for additional ones," patiently said AEC Commissioner Ramey.

"We are," Commoner thought, "in the midst of a revolution in public attitudes toward the moral acceptability of a level of environmental deterioration which has for a long time been accepted without general complaint." If this is true, the future will see more and more placarding about DDT, offshore drilling, gigantic accident-prone oil tankers and even, it may be, pollution-belching cars.

It may even see placards about people. The Minnesota conference's oldest speaker was white-haired M. King Hubbert, U.S. Geological Survey research geophysicist and respected world authority on man's resources. He spoke for developing new, advanced forms of nuclear reactors—breeder reactors—to conserve man's richest atomic fuels. But he pointed out that the nuclear fight, like the pollution fight, depends ultimately on control of man himself: "It is mandatory that we stabilize human population at some level we can live with—and we may even have to drop the population back to some livable level."

THE WIDESPREAD FEELING HELD BY PEOPLE IN THE HEARTLAND OF AMERICA

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. CUNNINGHAM. Mr. Speaker, following are two editorials and an editorial page column which indicate the widespread feeling held by people in the heartland of America.

I commend these pieces from the Omaha World-Herald and the Bellevue Press in Bellevue, Nebr., to the attention of my colleagues and all others who receive and read the CONGRESSIONAL RECORD.

AFFIRMATION DAY

On this page today David Broder of the Washington Post Service states plainly and chillingly the danger this country will be in if the attack upon President Nixon's handling of the Vietnam war is successful.

The aim of the President's opponents is to break him on this issue by creating the impression at home and abroad that the country does not support him.

Irresponsibility is to be expected among campus militants. If they can create the impression that the antiwar protest of a fraction of the nation's seven million college students is the voice of 200 million Ameircans, so much the better from their point of view.

But the battle in Congress involves men of whom more is expected. President Nixon has begun the withdrawal of American combat troops; the withdrawal of many more or all of them is in prospect. The withdrawals have been accompanied by a lowering of the draft call.

The direction in which the President is moving is inescapable: Under the most difficult circumstances the President is trying to end American participation in the war and resolve that war by negotiation in Paris and the buildup of effective South Vietnamese military strength.

The men in Congress who are battling the President are acting as if nothing in Vietnam policy had changed since the departure of Lyndon Johnson and that the words and actions of Richard Nixon are meaningless or even fraudulent.

The contemptuous response of a number of senators to Nixon's plea for a 60-day moratorium on criticism of his war policies was itself contemptible. It was as if they felt they had the President on the run and were determined to ruin him no matter what the consequences might be for their country.

Was it too much to ask that the critics restrain themselves? If the critics are right, was a great deal to be lost by postponing their I-told-you-so comments until late November? We think not.

The men who fight the President, with the exception of Sen. Goodell, R-N.Y., are not honest enough to say that they want to "bug out" of the war, to use the expression popularized by the President. The Fulbrights, the Kennedys and the Harrises will not say openly that they favor a cut-and-run policy, but their recommendations would leave no other alternative.

Wednesday there is to be a day of protest against the war. If it were an honest expression of war weariness and an earnest plea for our leaders to find an honorable solution as quickly as possible, the whole of America could join in.

But its promoters have made it clear the Oct. 15 protest is no such thing. It is an attack on President Nixon and the handling of the war. Its timing and the nature of its sponsorship permit no other explanation. It is part of a new, intensive effort to destroy Nixon's prestige and give our enemies reason to believe that the American people are eager to surrender.

It cannot and should not be allowed to become a surrender day. It should be an affirmation day in which Americans show the President they are with him in his efforts to get us out of Vietnam honorably.

Vice President Agnew has proposed that Americans who stand with the President drive with lights on Oct. 15. It would also be an especially good day for flying the American flag.

BREAKING OF A PRESIDENT, PART 2

(By David S. Broder)

CAMBRIDGE, MASS.—If there are any smart literary agents around these days, one of them will copyright the title, "The Breaking of the President," for the next big series of best-selling nonfiction narratives.

It is becoming more obvious with every passing day that the men and the movement that broke Lyndon B. Johnson's authority in 1968 are out to break Richard M. Nixon in 1969.

The likelihood is great that they will succeed again. Breaking a president is, like most feats, easier to accomplish the second time around. Once learned, the techniques can readily be applied as often as desired—even when the circumstances seem less than propitious.

No matter that this President is pulling troops out of Vietnam, while the last one was sending them in; no matter that in 1969 the casualties and violence are declining, while in 1968 they were on the rise. Men have learned to break a president, and, like any discovery that imparts power to its possessors, the mere availability of this knowledge guarantees that it will be used.

The essentials of the technique are now so well understood that they can be applied with little waste motion.

First, the breakers arrogate to themselves a position of moral superiority. For that reason, a war that is unpopular, expensive and very probably unwise is labeled as immoral, indecent and intolerable.

Presidential critics who are indelicate enough to betray partisan motives are denounced (that for you. Fred Harris). Members of the president's own party who, for reasons perhaps unrelated to their own flagging political careers, catapult themselves into the front ranks of the opposition are greeted as heroes. (Hooray for Charley Goodell).

The students who would fight in the war are readily mobilized against it. Their teachers, as is their custom, hasten to adopt the students' views. (News item: the Harvard Department of Biochemistry and Molecular Biology last week called for immediate withdrawal from Vietnam.)

Next a New England election (the New Hampshire primary is best, but the Massachusetts Sixth District election will do as well) surprisingly shows that peace is popular at the polls. The president's party sees defeat staring it in the face unless it repudiates him, and the Harris Poll promptly comes along to confirm his waning grip on public trust.

The chief executive, clearly panicky, resorts to false bravado and says he will never be moved by these protests and demonstrations, thus confirming the belief that he is too stubborn to repent and must be broken.

Then, dear friends, Sen. Fulbright and the Foreign Relations Committee move in to finish off the job.

This is no fiction, it worked before and it is working again. Vietnam is proving to be what Henry Kissinger once said he suspected it might be—one of those tragic, cursed messes that destroys any president who touches it.

That being the case, any president interested in saving his own skin would be well-advised to resign his responsibility for Vietnam and publicly transfer the assignment of ending the war to Congress or the Vietnam moratorium committee or anyone else who would like to volunteer.

But he cannot—and that is the point the protestors seem to overlook. Assume that they and the president are both right when they assert that the time has come to end this war. Assume that the protesters know better than the president how to do so—despite the conspicuous absence of specific alternatives to the president's policies in their current manifestos.

There is still a vital distinction, granting all this, to be made between the constitutionally-protected expression of dissent aimed at changing national policy and mass movements aimed at breaking the president by destroying his capacity to lead the nation or to represent it at the bargining table.

The point is quite simple. Given the impatience in this country to be out of that miserable war, there is no great trick in using the Vietnam issue to break another president. But when you have broken the president, you have broken the one man who can negotiate the peace.

Hanoi will not sit down for secret talks with the Foreign Relations Committee, nor can the Vietnam moratorium sponsors order home a single G.I. or talk turkey to Gen. Thieu about reshaping his government. Only President Nixon can do that.

There is also the matter of time. It is one thing to break a president at the end of his term, as was done last year. It is quite another think to break him at the beginning, as is being attempted now.

The orators who remind us that Nixon has been in office for nine months should remind themselves that he will remain there for 39 more months—unless, of course, they are willing to put their convictions to the test by moving to impeach him.

Is that not, really, the proper course, rather than destroying his capacity to lead while leaving him in office, rather than leaving the nation with a broken president at its head for three years?

Would not their cause and the country be better served by resort to the constitutional method of removing a president?

And what a wonderful chapter it would make for Volume 2 of "The Breaking of the President" series.

[From the Bellevue Press]

IT SERVED NO GOOD . . .

(By Jack L. Allen)

A former Bellevue High student, now in college, who used to spend many of his free hours debating current issues with me, has written that he is surprised that I haven't commented so far on the so-called moratorium yesterday.

While I agree that the time is nearing for an end to American involvement in Vietnam, I was, for what it's worth, totally opposed to yesterday's activities by the anti-war forces.

President Nixon inherited the war. It is completely unreasonable to expect that he could, in ten months, undo what took years to create.

When Richard Nixon was inaugurated in January, America had long passed the point at which a so-called "victory" was feasible. It might be possible to bring the enemy to its knees through military power, but the President can judge the country and he knows that to try to do so, so late, would rip the United States apart and no efforts to solve America's domestic problems could survive the emotions over the war.

I think President Nixon has done everything possible to date, to encourage negotiated peace. He has made many concessions to the enemy, including our willingness to accept any type of Vietnam government decided in free elections, and has started withdrawing troops in the hopes that he can remove most of them within 12 to 15 months.

Yet he is attacked daily by those who offer no American alternative, except that we abandon our commitment to South Vietnam. To set a deadline for the final withdrawal of American forces would play into the hands of Hanoi.

We all want peace. We shouldn't be in Vietnam, but we are there and the problem is how to get out without losing South Vietnam to communist conquest. Because, after all, it has been to keep the Reds from conquering South Vietnam through force that thousands of young Americans have died.

The campus leftists who march and scream, who fly the enemy's flag from fraternity windows and drape college buildings with Red slogans, and their sympathizers in the clergy, communications and politics, make no contribution to the cause of peace.

They have the right to think what they may and say what they may, but they cannot bargain with the enemy at the conference table. Only the President can bargain for peace, and October 15 served no other purpose but to undermine his bargaining position.

If those who ignored their studies and jobs yesterday, really had America's best interests at heart, they would have marched in the streets to call the world's attention to the fact that every move by America toward peace has been rejected by the communist dictators in Hanoi.

But that doesn't seem to be on the minds of those who, through their actions, signal Hanoi that it should be patient while the "New Left" trys to force an American surrender in Vietnam, as the only way to bring peace to America's streets and campuses.

Yesterday's moratorium participants no doubt included many sincere persons, who consciences force them to oppose the war. But no one will ever convince me that those who organized it and gave it the publicity to build it out of proportion, are not, in fact, motivated by the desire to destroy the presidency of Richard Nixon.

They "tasted blood" in 1968 when they destroyed Lyndon Johnson and they want more blood.

But as someone else said the other day, America's foreign policy cannot be decided from day to day on the basis of what will or won't send the campus leftists into the streets. To do so would mean anarchy.

It is my belief that those who lead these demonstrations, those who seem to want anarchy, would demand peace and an American surrender even if Soviet troops were marching into Washington, D.C.

If America in the early 1940s had witnessed the spectacle of October 15, 1969, and Chicago, August of 1968, it is very possible that today we would be speaking Japanese and German.

PROJECT SANGUINE

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. OBEY. Mr. Speaker, a few days ago I placed an article in the CONGRESSIONAL RECORD concerning Project Sanguine, the Navy-sponsored communications project scheduled for construction in 26 counties in northern Wisconsin, including some in my congressional district. Several other articles on this matter have recently been published, one in the New York Times, one in the Milwaukee Journal, and another in the Progressive magazine.

As these articles point out, this project would be the only one of its kind in the United States, and in case of nuclear attack could be used to communicate with Polaris submarines which may be cruising at 500 or 600 feet below the surface of the ocean.

A quick review of one of these articles may lead one to believe that this is a partisan matter. This is certainly not the case.

Whether or not to build Project Sanguine is at least, in part, an environmental issue. The Navy has indicated on numerous occasions, in fact, that environmental issues will definitely be considered before a final decision to complete the project is made.

Conservationists have given a great deal of study to Sanguine and they have expressed grave reservations as to what results it may have for the ecology of this vast area. There is great uneasiness about Sanguine on the part of many Wisconsin citizens, and legitimate questions about its needs, reliability, and consequences are being asked. I think these questions deserve answers, if need be, by an independent committee of ecological experts familiar with the area, by persons in the Department of the Interior or members of the President's Office of Science and Technology.

In discussions with my colleagues I have discovered that aside from a few notable exceptions, there are very few persons outside the State of Wisconsin who are aware of Project Sanguine or its implications. At this point I include in the RECORD the following articles:

[From the New York Times, Oct. 14, 1969]

CONTROVERSY AND ANTENNAS GROW IN WISCONSIN FORESTS

(By Anthony Ripley)

CLAM LAKE, WIS.—There is a strange and mighty visitor stirring in the vivid autumn woods four miles south of here.

It is the United States Navy and, depending on one's point of view, the Navy is going to turn the northern Wisconsin forests into either the world's biggest electric chair or a "world peace center."

These are the most emotional descriptions yet in a growing public debate over Project Sanguine, once such a highly classified matter that the Navy even stamped newspaper clipping on the subject "secret."

Beginning last fall and working through the winter, the Navy has installed one of the world's largest radio transmitters four miles south of Clam Lake, a settlement of 75 persons in the Chequamegon National Forest.

2.4 MILLION WATTS

Two 14-mile-long antennas, crossing in the middle, stretch out along 30-foot swaths cut into the forest. The antennas hang from heavy-duty utility poles and are capable of sending a powerful, low-frequency radio signal around the world.

The average toaster operates at 1,000 watts and the largest commercial AM radio stations in the nation are limited to 50,000 watts. The Clam Lake transmitter can put out 2.4 million watts.

Such current thrown into the air electrifies metal objects nearby and can upset telephones, television and household lighting.

Ultrahigh frequencies can have physical effects on man, animals and plants. The Navy plans to use ultralow frequencies where little is known about side effects because such radio waves have been little more than a laboratory curiosity in the past.

ONE-WAY TRANSMITTER

But Navy spokesmen say this curiosity can be made into a one-way transmitter. Although incapable of sending a human voice, it can slowly transmit coded signals in the 40-cycle to 80-cycle range that are practically unjammable.

The spokesmen have indicated that "hot line" messages from the White House or Pentagon could order signals from such a transmitter to Polaris submarines that cruise the world's oceans with nuclear missiles. Because of the long wavelengths, the signals penetrate the ocean water to great depths and the submarines will not have to surface for instructions.

If four to six years of testing with single transmitters go well and the giant antennas do not cause too many electrical problems in the forests and homes nearby, the Navy plans to install a gigantic underground grid of cables and transmitter stations that could cover most of northern Wisconsin.

THREAT TO WILDLIFE

Those who regard Sanguine as "an electric chair" believe its tremendous size and currents will drive away game and fish electrifying everything in sight. And they think the project is an escalation of the arms race.

"World peace center" believers feel that the project will help guarantee peace through power, that the Navy can take care of any electrical problems and that the whole thing will help the region's depressed economy.

At Clam Lake, few are sure yet what the project means.

When the Office of Economic Opportunity opened a Job Corps center near Clam Lake, there was strong opposition initially. But the arguments died out when it was discovered that jobs and income were there for local residents. The Job Corps center is now closed.

Louis Hanson, a former State Democratic chairman, lives in Mellen, Wis., with his wife, Camilla, the former Mrs. Theodore C. Sorensen, and her three sons. He works as home assistant to Senator Gaylord Nelson, a Democrat, and thinks that Sanguine borders on insanity.

In July and August of 1968, when the Navy announced it, Senator Nelson began wondering when he had ever voted for such a project," Mr. Hanson said. "So he called an admiral and he came over with another man who had a briefcase shackled to his wrist.

"They opened the briefcase and it had newspaper articles in it stamped secret. That caused a little stir at the time. They don't do it anymore."

Mr. Hanson said the first appropriations had been voted in 1958 as part of a general Navy research and development program. Since then, at least $28-million has been spent on the project.

Northern Wisconsin was chosen as the site because of an ancient rock formation, the Laurentian Shield, which is dry and noncon-

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ductive, providing a base that will not cause heavy losses of current along the huge antennas.

The Laurentian Shield extends through 26 counties in Northern Wisconsin, Mr. Hanson said. These counties make up 41 per cent of the state and contain about a million persons.

He added that the final antenna grid might be as big 150 miles wide and 150 miles long, with 240 transmitters, and would cost from $2-billion to $10-billion.

The Navy maintains that there are no final figures on how big or costly the project might be because it is still in an early test phase. Although a number of conflicting figures have been published, they have no substance, according to John Hennessey, Public Congressional Affairs officer for the Naval electronic systems command in Washington.

The first Sanguine experiments were conducted on a mountaintop in 1962 in Southwestern Virginia and North Carolina, Mr. Hennessey said in an interview. The experiments caused some telephone and electric difficulties near Mount Airy, N.C., but the Navy said these were solved and the transmitter there was still in use.

Although confident that most of the electrical side effects in Wisconsin can be "mitigated," the Navy added a series of tests on plants and animals when protests grew. A study was ordered from Hazleton Laboratories, Inc., of Falls Church, Va., but it only added to the controversy.

In its proposal for the study, the laboratory noted:

"It has been shown that there can be pronounced effects on the longevity, body weight, growth, behavior, central nervous system, reproduction, etc., in animals as well as effects on plant development from ultrahigh frequencies."

In the low frequency ranges, the proposal added, little work has been done although "there may be some effect on sperm production," according to a study done in 1967.

POSSIBLE EFFECTS

"The antenna will be enormous and, therefore, many people, domestic and farm animals, fish, insects, earthworms, birds and indigenous plant life will all be exposed to its fields for very long periods of time unless they are killed by it, are removed, or, in the case of free-ranging animals, are driven out by noxious effects. Of course, it may be that the fields will be totally benign."

Opposition has boiled up, mostly in the Democratic party and among conservationists.

A Stop Sanguine Committee has been organized by Kent D. Shiffert, a history instructor at Northland College in Ashland. The state Democratic party has passed a resolution arguing for more studies on environmental effects. Senator Nelson has branded the Hazleton study as "totally inadequate."

One of Sanguine's prime defenders has been Representative Alvin E. O'Konski, a Republican, whose district includes the Sanguine area.

When the Navy scheduled a meeting last July to explain things to Ashland County officials, the county's New Democratic Coalition urged the public to attend in a mocking advertisement in The Ashland Daily Press that read in part:

"Hear the genuine Navy captain talk about the world's biggest electric chair. Caution! Asking questions that embarrass the Navy may be unpatriotic."

The meeting was stormy but the Navy prevailed.

William R. Hayford of Camden, N.J., an engineer who is site manager at Clam Lake for the RCA Corporation, a major contractor, said the test facility was designed to answer all the questions raised.

"We've got to convince people we're not guessing," Mr. Hayford said.

"These people are asking honest and fair questions and they have to be answered and they will be and that's why we're here."

Mr. Hennessey, the Navy spokesman, said the final Sanguine system would have to be "survivable" after an atomic attack.

In military jargon, survivability is determined by four factors: dispersion (how widely it is spread out), redundancy (having a large number of similar installations), hardness (keeping it in a safe place, such as underground) and mobility.

Mr. Hennessey said Sanguine would meet three of the four requirements.

He described the project as an "adjunct" to existing communications systems and said it was not totally protected from enemy jamming. Any radio signal can be jammed by building a larger, more powerful transmitter and overwhelming the old signal.

Mr. Hennessey emphasized that the Navy was not going ahead with Sanguine unless all problems could be "mitigated."

"Either Sanguine is compatible with its environment or we don't build it," he said.

Last summer, in Park Falls, Wis., protesters put up a picture of an electric chair on a rented billboard with the legend, "Project Sanguine—Shocking, Isn't It?"

Within 24 hours the sign was smeared with paint and someone had written, "Go Navy."

[From the Milwaukee Journal, Oct. 12, 1969]

THE UNSEEN MACHINE

(By Harry Pease)

Sometime within the next decade the population of northern Wisconsin—people, deer, bear, fish, pine and popple—may begin living on top of the biggest radio antenna ever built by man.

Hundreds—more likely thousands—of miles of cable may be buried under some 20,000 square miles of field, forest and lake. Individual cables, which would be fed by underground transmitters, might be 5 to 50 miles apart. Their periphery might be 150 miles on a side and could embrace part or all of 26 counties.

The prospect is both exciting and disquieting.

Exciting because the system would open a new field of communication, a single source of signals which would spread around the world higher than airplanes fly and deeper than military submarines dive. Defense officials say it would increase the effectiveness of our nuclear weapons carriers in war and reduce the chance of an accidental attack in peacetime.

Disquieting because people, plants and animals would be exposed to an electrical environment different from any in which successive generations have heretofore been born and lived out their lives. This unseen machine would use 800 million watts of power, more than enough to serve half the households in Wisconsin.

Like many first steps in costly technology—radar, jet aircraft, nuclear power and space vehicles leap to mind—the giant radio station is a military concept. The navy, the service in charge, calls it Project Sanguine.

The name has no particular significance. It happened to be at the top of a preselected list of code designations when this effort was begun.

It has turned out to be apt, though. Sanguine can mean either "optimistic" or "bloody."

If the worst fears of conservationists and the direst predictions of antimilitarists prove true, Sanguine could upset the whole balance of life in the woods. If the navy's expectations turn out to be justified, few creatures—human or otherwise—will even know Sanguine is there.

Lots of misinformation has come into circulation since the program was publicly announced July 1, 1968. Whether it arose from or gave rise to a rapidly developing controversy is not clear.

Few sensible decisions have ever been reached from wrong premises. Beginning on Capitol Hill, proceeding through the old navy building in Washington and several libraries, and winding up at a test site near Clam Lake in the Chequamegon national forest, I tried to trace out the accurate history, purpose and current status of Sanguine.

I encountered some surprises.

The navy, which wants to build the giant transmitter, has thought up a whole lot more possibly unpleasant consequences than has the fiercest opponent of the project.

Despite all the talk about a "secret communications facility," hardly anything that could affect Wisconsin is classified. Naval officials and their contractors decline to spell out how the signals would be used in military operations, but seem willing to tell all they know about the transmitter and antenna.

And, much as they want the service Sanguine could furnish, the navy men are remarkably hard nosed about protection of our north woods and its inhabitants.

"If Sanguine cannot be made compatible with its environment, Sanguine cannot be built," said John R. Hennessey, civilian public and congressional affairs officer for the naval electronic systems command.

At least six private contractors have been hired by the navy to investigate various kinds of hazards and ways they can be reduced. Another, the research institute of the Illinois Institute of Technology in Chicago, has been hired as a watchdog to make sure the first six do their work properly. Four government agencies in addition to the navy itself will be watching the watchdog.

"If anything, we could be faulted for wasting money on unnecessary research," said Martin Abromavage, an electrical engineer in the interference mitigation branch of Project Sanguine. "But we have to convince the public—and we're not all that confident that we know all there is to know about our frequencies."

The uncertainty is one reason why no operational Sanguine system has been designed. The navy has not asked for authority or money, and will not for several years, because it does not know what it will want to build.

It has been widely reported that "the" Sanguine system would consist of a grid of north-south and east-west cables six miles apart extending from Superior to Niagara and from Chippewa Falls to Oconto Falls. Two hundred forty transmitters would feed the antenna.

Thomas P. Quinn, director of field projects for the office of naval research, explained that this was a base line system—a crude concept drawn up as a guide so engineers could envision the kinds of tests that would have to be made and the general range of power that would be dealt with.

"It probably would work, but Sanguine will almost certainly not be built that way," he said.

Some time a couple of years from now, when testing is further advanced, the navy will get contract definitions—tentative designs—from several contractors who have expressed interest in bidding. The designs will be studied and their best features will be combined into one, for which construction contracts will be let if the department of defense and congress authorize the project and provide funds.

For the moment, no exact location can be stated nor can any reliable cost be estimated. Rep. Alvin E. O'Konski (R-Wis.) has guessed $1.5 billions, which the navy says is probably too high.

Hennessey said an operational Sanguine system was at least four years away. When I asked where the electricity to operate it was coming from, he conceded that the navy would have to negotiate with some utility

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for construction of a new generating plant—probably nuclear—and that lead time for the power plant itself would probably be four years after the navy made up its mind.

Sanguine has been a long time in gestation.

Its remote ancestors were German scientists during World War I. They had an idea for eavesdropping on telephone conversations between French commanders. Sappers wriggled out into no man's land and thrust electrodes into the ground, hoping to detect the current that leaked from French telephone lines.

It didn't work. All they heard was noise, which later was traced to distant lightning. Evaluating the failure, the experts noted a particularly strong resonance—an energy peak—at 7 cycles a second.

Decades later another German, W. O. Schumann, became interested in atmospheric physics, including the "broadcasts" from lightning. He came to a remarkable conclusion.

The ionosphere is an electrically charged upper air layer more than 100 miles thick. Schumann concluded that it and the surface of the earth formed a spherical resonant cavity in which very long radio waves would reinforce one another. The effect was most notable at 7 cycles a second, but could be seen at several frequencies below 100.

Schumann published his work, beginning in 1952. Other scientists took it up. The American office of naval research became interested in 1958.

Since then the navy has spent about $28 million on extremely low frequency radio research. It has good reason to be interested.

Few Americans realize how tenuous are the communications through which our Polaris missile submarines get their orders.

The submarines stay under water for two months at a time. They can, and presumably do, run 600 feet beneath the surface routinely and dive somewhat deeper if necessary. But at these depths they are completely deaf to commands from their government.

To receive signals from any of the five existing low frequency radio transmitters they must rise virtually to periscope depth. Even there, they must tow long antenna wires through the water.

In a period of international tension a commander might be unwilling to expose his ship this way. Even if he did, his radio might be useless because of lightning, solar storm, intentional jamming by an enemy or atmospheric nuclear burst.

Military men read these facts as a weakness in our ability to retaliate, and therefore in our ability to scare an enemy out of starting a war. They avoid discussing the possibility that a misguided skipper, acting independently, could precipitate nuclear tragedy.

Radio signals in the Sanguine frequency range penetrate the oceans to depths perhaps as great as 1,500 feet. They are less subject to natural or man made interference, and can be received by antennas mounted on a submarine hull. Sanguine would permit positive control.

Any communications system which would meet the submarine's needs would also do for land, air and surface sea forces too. A single transmitter in the United States would end our dependence on cables, microwave links and higher frequency transmitters in some 75 countries around the globe.

To utilize those very long radio waves man would have to pay a price. He would need an enormous antenna, and it would be highly inefficient. One of the reasons the Sanguine system is so resistant to jamming was stated succinctly by Cdr. William K. Hartell, a SeaBee officer who manages the facilities engineering branch of the interference mitigation program.

"An enemy would have to build a Sanguine system of his own," Hartell said.

If the transmitting facility were in a particularly favored spot, designers could hope to radiate 150,000 watts of the 800 million watt power they fed the transmitter. Northern Wisconsin is the only such favored spot in the United States.

The power will be fed into cables in the order of 50 miles long, grounded at both ends. Tests are being run at about 500 volts, with 500 amperes of current flowing. Test frequencies are 45 and 75 cycles; an operational system would use one or more frequencies in between.

The return path for the current would be deep underground.

Bedrock in northern Wisconsin is the worn down remnant of a granite mountain range born some 2.5 billion years ago, a formation called the Laurentian shield.

The rock contains little water and few cracks, or faults. Electrons escaping the antenna would spread downward three to five miles, giving the effect of a giant loop. The series of loops which make up the entire grid must be fairly accurately aligned, and faults in the rock might skew them and reduce their effectiveness. Moisture in the bedrock would let the electrons get home at more shallow levels, partially collapsing the loops.

The Appalachians and the Rockies are made of the right kind of rock, but it is massively faulted and the surface slopes are so rugged that construction of a working Sanguine system would be costly if it were possible at all.

The navy made its first Sanguine tests with a cable strung on poles that followed an Appalachian ridge through southern Virginia and northern North Carolina.

That facility, built in 1962, proved that extremely low frequencies could be used for communications. Neither voice nor Morse code was practical, but a sort of computer language that could be interpreted by the proper kind of receiving machine was successful.

The antenna not only communicated. It rang telephones in the Mount Airy (N.C.) exchange whether anybody was calling or not. This was the navy's introduction to practical problems which arise from a fundamental law of physics.

If you end an electrical current through any conductor, electrical currents will be induced in nearby conductors. The induced voltage depends on distance from the primary, or antenna; length of the secondary, its angle to the primary (parallel gives the greatest voltage) and the conductivity of the earth.

One class of Sanguine problems stems from this effect.

Induced electricity could interfere with telephones, change the frequency of power transmission lines and upset such appliances as television sets and electric clocks, and charge fence lines, pipe lines and even the reinforcing rods in concrete highways.

All these difficulties can be overcome, the navy men think. They built a Wisconsin test facility to experiment with methods—neutralizing transformers, ground systems and simply clipping fence lines into shorter lengths connected by insulators.

Critics have declared that Sanguine would "charge every doorknob." The navy says this is untrue; an object must have considerable length to be affected appreciably. However, they expect that 1,000 feet of fence a mile from an antenna cable and parallel to it could pick up a 52 volt charge if no preventive action were taken.

The test antenna near Clam Lake is strung on 30 foot utility poles in the form of a plus sign with each of its four legs seven miles long. Ground wires add another seven miles to the total array. Make believe power lines and telephone cables have been strung at various distances out to 2,000 feet.

The transmitters which feed the wire will draw nearly three million watts of power from a commercial electric substation when the facility is running full tilt. That will not happen before next spring.

"Our test instruments are so sensitive they would be saturated by the electrical field in a New York street," said William R. Hayford, of Camden, N.J., site manager for RCA, the navy's contractor.

The navy has been as careful not to despoil the forest esthetically as it is to avoid inducing voltages in the sparse and distant wiring. The cables have been trenched under main roads and streams used for recreation.

No messages ever will be sent from the Clam Lake facility. Its purpose is only to test interference and means of mitigating it.

Phase I testing, as the navy calls the Clam Lake activity, will continue through most of next year.

Other testing will go on concurrently.

Bell Telephone Laboratories has been engaged to study ways of mitigating telephone interference. RCA will do the same for power lines. The Batelle Memorial Institute in Columbus, Ohio, has been charged with finding out whether the proximity of the big antenna would speed corrosion of pipe lines.

The navy is negotiating a contract with Boeing to determine whether Sanguine would interfere in any way with aircraft communications or navigation.

Dr. William B. Kouwenhoven of Johns Hopkins university will make some fundamental studies of electric shock at Sanguine frequencies.

Using human test subjects he will determine how high a voltage must be to be sensed as a shock and how high it must be before the muscles contract and keep a person from letting go of a wire he has grasped. A part of the study will include the effects of wet clothing, cuts or abrasions on the skin which touches the conductor, and possible differences when people are dressed or gloved in various natural or synthetic fabrics.

Using dogs, he will determine how much of a shock is required to interfere with the action of both normal and abnormal hearts.

The navy says its goal will be to reduce the charge induced on every object within Sanguine's range below the level of perception.

Hazelton Laboratories in Falls Church, Va., will use techniques similar to those used in drug evaluation to test the effects of life in electrical and magnetic fields the size of Sanguine's.

Generation after generation of bacteria and fruit flies will be grown to see whether there is any effect on heredity. Cages and stalls have been fitted with coils and electrodes, and rats and cattle will be bred under Sanguine conditions—rats at least two generations.

Other tests will be run on onion plants, rabbits, turtles, bluegills, ducks, dogs, cats and possibly other animals and plants. Groups of animals will be tested without any electrical field, with a field equal to that expected directly above a Sanguine antenna cable, and at 10 times the Sanguine level.

The studies will include such factors as central nervous system function, blood and other biochemistry, reproduction, effects on cells of various organs and the like.

The Hazleton contract alone calls for $173,000 initially and extension if any hint of adverse affect appears.

If all the Phase I tests and laboratory results are favorable, the navy will ask for funds to build Phase II, an underground cable and transmitter layout southeast of Park Falls. Still only a minimum experimental facility, it will take about two years to install and run through its planned test program.

I came away from my quick look at Project Sanguine with the feeling that protests are premature.

The navy is proceeding slowly, cautiously, conscientiously as far as I could see. Its spokesmen admit candidly that science has not answered all the questions about Sanguine, and repeatedly declare that there will be no wiring of the woods until all the answers are in and all are adjudged favorable.

There will come a time, perhaps in two or three years, when the nation will want to look hard at the program as it would at any other major defense expenditure. Neither Wisconsin senator is favorably disposed now; there is no reason to believe that the sponsors of Sanguine will get it without hostile scrutiny.

On the other hand, there is no evidence that the navy plans to despoil our wilderness recreation area, harass our people and our wildlife or charge recklessly into an unexplored zone of technology.

In fact Wisconsin, the navy and United States of America all seem to be on the same side.

[From the Progressive magazine, October 1969]

PROJECT SANGUINE—THE NAVY IN THE NORTH WOODS

(By Erwin Knoll)

A funny think happened this summer in the area around Park Falls in northern Wisconsin. Local telephones suddenly went on the blink. Residents heard hums, buzzes, the crackle of static. It was a minor and momentary inconvenience—merely the latest bad break to befall Project Sanguine, the U.S. Navy's ambitious plan to turn a twenty-six-county area of Wisconsin into the world's largest radio transmitter.

Project Sanguine has had more than its share of bad breaks. Not major naval disasters, mind you, such as colliding with an Australian aircraft carrier or sinking a submarine at dockside or losing a spy ship to a third-rate power. Just little troubles that make for nasty little items in the newspapers—and items in the newspapers are precisely what the Navy had hoped to avoid in connection with Project Sanguine.

Only a year ago, in fact, Project Sanguine was a very hush-hush. The Navy hardly talked about it at all, and all documents pertaining to Sanguine were stamped "Secret." Among the documents so stamped were the newspaper clippings that started cropping up in the Wisconsin press as Phase I of Sanguine got under way in the Chequamegon National Forest. When word leaked out about the Pentagon's curious practice of applying the secrecy classification to published news reports, an embarrassed Defense Department memorandum set forth a new and radical policy—"articles appearing in newspapers, magazines, or elsewhere in the public domain will not be classified." To the Navy's dismay, that memo, too, made news.

The purpose of Project Sanguine is to provide the Navy with a transmitter powerful enough to send signals to ships and installations around the world, and particularly to Polaris missile submarines that may be cruising deep below the oceans' surface. Present communications methods, the Navy contends, are susceptible to interference by hostile powers or adverse weather conditions.

Sanguine would rely on the extra-low-frequency (ELF) range of the radio spectrum—waves that move along the earth's crust, immune to atmospheric disruption. The system does not lend itself to the transmission of sophisticated messages—but it would suffice to convey a simple coded command to attack, and perhaps even to designate a target.

To furnish the power and range the Navy seeks, the Sanguine system would require a vast tic-tac-toe grid of electric cables buried about six feet underground. The rolling terrain and subsurface rock formations of northern Wisconsin are said to be ideal for the purpose. If present tests prove the feasibility of the project, the Navy plans to install some 6,000 miles of cable under a 25,000 square mile area by the mid-1970s, at an ultimate cost of $2 billion or more. About $27 million has been spent so far in the testing phase.

The anonymous Defense Department masterminds in charge of Project Nomenclature—the folks who gave us such delights as "Safeguard" for the ABM system—hit the jackpot when it came to naming Project Sanguine. *Sanguine* is one of those wonderfully ambiguous words. It can mean *cheerful*. It can mean *bloody*. The first sense is undoubtedly the one the Navy had in mind. The second seems much more apt to many of those who are beginning to take a close and critical look at Project Sanguine.

"This new comunication system will decrease our reliance on our foreign-based communication radio relay stations, and will help us in reducing our gold flow to foreign countries," says the narrator of "A New Voice in the North Woods," a cheery Navy propaganda film that has been given frequent showings in northern Wisconsin recently to help allay the growing uneasiness of residents in the Sanguine region.

It is an effective film, replete with stirring footage of Navy ships and planes in action, and it ends on this rousing note:

"This powerful military establishment exists *only* to insure peace and the security of the United States and our allies. The state and the people of Wisconsin are playing a key role in the development of this new worldwide command and control communication system.

"Your cooperation and continued support of this vital project is a significant contribution to our nation's security and its capability for maintaining the peace in this troubled world."

To some residents of the beautiful but chronically depressed north woods, Sanguine also promises to make a significant contribution to the local economy. An avid booster is Republican Representative Alvin E. O'Konski, who rushed the news of Project Sanguine to his constituents last year in terms that might more properly be reserved for the Second Coming. Local news stories inspired by O'Konski (and promptly stamped "Secret" by the Pentagon) predicted that Sanguine would provide the area with at least 5,000 new jobs—a figure that appears to have been exaggerated by about 2,500 per cent. In an unfortunate figure of speech, O'Konski also asserted that "I'll sleep well once I know the system is working."

Despite O'Konski's hosannas for Sanguine and the exertions of the Navy propagandists, Northern Wisconsin residents in growing numbers are voicing apprehensions about the project. The state's two Democratic Senators, William Proxmire and Gaylord A. Nelson, are receiving much mail reflecting concern about possible problems ranging from the trivial to the cosmic.

Will Sanguine's underground wires interfere with surface telephone, radio, and television reception? Will the electrification of a vast area endanger plant and animal life, disturb the ecology of the region, and perhaps even imperil human life? Will the installation make northern Wisconsin a prime nuclear target in the event of war? The Navy, while frequently invoking the secrecy requirements of "national security," has attempted to provide answers to these questions, but has failed to satisfy those who raise them.

In an early, pre-Wisconsin test of Project Sanguine several years ago, telephones for miles around a test site in South Carolina were set to constant ringing by a small grid of ELF transmission wires. The telephone interference experienced this summer in the Park Falls area occurred when a small "dummy load" of electricity was sent through some Sanguine lines. "The customers complained that they could not use their phones," said the district manager of the General Telephone Company, and an official of the Wisconsin Natural Resources Department reported that the state's conservation communications network had been temporarily put out of business.

The Navy's comment on such incidents is that every effort will be made to "mitigate" Sanguine's effect on civilian communications before the full-scale network is put into place. Dan Satran, the editor of the *Vilas County News-Review* in Eagle River, Wisconsin, wrote a few months ago:

"The thing that worries some of the North country folks is that the Navy authorities constantly and persistently stick to the term 'mitigate' rather than 'eliminate' and some know there is a world of difference between the two terms. Webster defines *mitigate* as 'causing to become less harsh or hostile—to make less severe or painful.'

"At its best, Project Sanguine's side effects may be only a little less painful—and at its worst the north woods of Wisconsin may turn up on a map in Moscow with a big red circle around Park Falls and the button at their control center may be connected to a missile that could be dispatched for a catastrophic landing in the Chequamegon National Forest."

Mrs. Camilla R. Hanson, the Democratic chairman of Ashland County, is convinced that "there is a very real danger that Northern Wisconsin would become a prime target for nuclear attack in the event that Sanguine is built." She conveyed her concern last spring to Defense Secretary Melvin R. Laird who, as a former Wisconsin Congressman, is presumably well briefed on the details of Sanguine. Mrs. Hanson received a reply from Rear Admiral Francis J. Fitzpatrick, the Assistant Chief of Naval Operations, that left her far from reassured. "It is impossible," the Admiral wrote, "to prove that a Sanguine system would not be a prime target. However, one way of discouraging such an attack would be by constructing it to be so survivable that it would prove too costly and ineffective an effort for any enemy to make such an attack."

More imminent than the danger of retaliatory nuclear devastation is the possibility that Project Sanguine will drastically affect the balance of nature in northern Wisconsin. Lowell L. Klessig, a conservationist and environmental scientist at the University of Wisconsin's School of Natural Resources, points out that once the installation of Sanguine is completed, "the whole region will be bathed in low-frequency radio waves radiating from the transmitters." Klessig, who is attempting to mobilize opposition to Sanguine through "all legal means of political warfare," makes this case:

"Every biologist knows that the nervous system and other biological processes operate on the principle of internal electrical fields. To put an organism in an external electric field such as is proposed by the Navy in Sanguine may very well alter those biological processes. . . . Fish and earthworms are especially vulnerable since they live in the high conductivity media of water and ground. However, the electromagnetic fields may even influence the guidance system of migratory birds such as ducks and geese and cause them to lose or change their flyway patterns. Other animals might leave the area of intense stimulation or be destroyed by it."

Under a $175,000 Navy contract, Hazleton Laboratories, Inc., of Falls Church, Virginia, is now attempting to analyze the "potential biological hazards" of Project Sanguine. Senator Nelson, who has consistently questioned the necessity and desirability of the Navy project, calls the Hazleton survey "inadequate in scope from the very beginning." His skepticism is based in part on such language as this in Hazleton's research proposal:

"The potential hazard from temperature increases associated with antenna elements, after power is on, will be investigated only to a limited extent, using plants. It is our opinion that such animals as groundhogs are not of sufficient economic value to be of concern."

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"That kind of unconcerned arrogance is frightening," Nelson says.

Under the heading, "Responsiveness to Navy Direction," the Navy's instructions to the research laboratory contain this interesting paragraph:

"This task is not a grant to research topics in which individuals may be interested or competent. The task is intended to provide answers to questions posed by the U.S. Navy. In the course of the work, initial directions of study may prove fruitless and substantial changes may have to be made in the task. Evidence should be given that individuals assigned will subordinate their own interests and will take directions from Navy project managers who may have little knowledge of biological science." That doesn't leave much room for doubt about who will call the turn on Hazleton's research.

The Navy concedes that one side-effect of Project Sanguine will be the transmission of a "mild electric shock" through all metallic objects in the area. It plans to insulate all wire fences, metal guard rails, and other objects that might become unintended conductors of potentially hazardous currents. Farmers will be subjected to "unbelievable" complications when they put in new fencing or change a fence line, Nelson says.

"The most frightening thing, however," the Senator adds, "is what happens in the case of old, abandoned fence lines the Navy hasn't found because they are rusting away and half-buried in the forests. The chance of a hunter or a small child on a rainy day touching one of these unmitigated lines could bring a real tragedy."

In a recent response to a Wisconsin acquaintance who inquired about Sanguine's possible harmful effects on humans and wildlife, Secretary Laird wrote: "In any steps the Navy takes in implementing Project Sanguine, all possible consideration will be given to its effect on natural resources. At the same time, Defense Department responsibilities include investigating developments which may lead to an improvement in the defense posture of our country."

Curiously, the precise impact of Project Sanguine on the "defense posture of our country" has been the aspect last discussed, either in Wisconsin or in Washington. Yet this may be the most urgent reason for putting obstacles in Project Sanguine's path. Some analysts are privately suggesting that Sanguine, like the ABM and MIRV, is primarily not a defensive but an offensive device. They reason that the Navy's present communications system is quite adequate for the maintenance of a credible nuclear deterrent; even if only half the force of Polaris (or Poseidon) submarines were to receive the word, they could mount a more than adequate retaliatory second strike. The reason for the Navy's eagerness to go ahead with Sanguine, these experts suggest, is that the total communications system is essential to the mounting of a concerted first-strike attack.

There is no way, of course, of proving or disproving this thesis. It is merely plausible. And with the other problems, large and small, posed by Project Sanguine, it seems to constitute reason enough to keep the Navy out of the north woods.

APOLLO FOOTNOTES

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. TEAGUE of Texas. Mr. Speaker, as the Apollo 11 astronauts were returning home from their historic journey to the moon, the Birmingham News of July 22 examined several significant aspects of our national space program. This editorial points out the importance of our industrial capability and our open program as being major contributors to the success of our national space program. The points raised in this editorial are of underlying importance to the future of our national space effort. This significant editorial does much to reinforce the importance of these ideas. The editorial follows:

APOLLO FOOTNOTES

They may not be the most obvious or the most important facets of the incredible story which has been written during the past week, but a couple of things ought to be asterisked and recorded in footnotes as the Columbia sails across the space sea from the distant shore its crew has visited.

One is that this first small step-giant leap away from the earth toward exploration of the universe, this triumphant achievement of a national goal set for America by its President eight years ago when it seemed impossibly out of reach, is a product of the technological sophistication and capability of modern industrial America's free enterprise system.

It is a product, in short, of the very thing which so many these days have seen fit to deride. "Military-industrial complex" has become an epithet. But the fact is that America's "military-industrial complex," which a quarter of a century ago in time of war saved the nation through quick mobilization of power to meet the threat of aggressors who thought the U.S. would be a pushover, once again rose to the peaceful challenge of space exploration.

It simply wouldn't have been possible without the know-how and the ingenuity and the superb performance of literally hundreds of thousands of individuals and companies who are the flesh and blood reality of the sinister "complex" about which we hear so much nonsense these days.

A second point is that the difference between the free, open American society and the closed, secrecy-shrouded society on the other side of the Iron Curtain was never more dramatically evident.

While every step, ever moment of the Apollo 11 mission, as of all America's previous missions, was open to public gaze, Russia's simultaneous Luna 15 mission, like previous Russian missions, went mysteriously along its path. The world will know only what the Russians choose to tell about it, when they choose to tell it.

Huge crowds thronged around television sets and radios around the world for reports on Apollo. They were eye-witnesses to spectacular success, and they would have been eye-witnesses if, God forbid, there were spectacular failures.

We believe that the open window, whatever the risks involved, has a greater impact—not only in the details of a specific mission but in the impression formed of the society which has confidence enough to open the shutters—which will not be lost upon the peoples of the world.

MORATORIUM—AN INQUIRY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. RARICK. Mr. Speaker, the moratorium demonstration on October 15, 1969, is further evidence of the all-out war being waged against the people of the United States.

This activity was not a spontaneous reaction of the masses but the result of general staff type of planning and vast financing for what in either World Wars I or II would have been dealt with as treason.

There are two questions that should be asked: Who were the planners? Who supplied the millions of dollars that the moratorium must have cost?

These questions must be answered if the agents for creating chaos and their financial supporters are to be identified and the people of the United States, their Government, and institutions protected against serious injury.

Several articles follow:

[From the Washington (D.C.) Post, Oct. 18, 1969]

MORATORIUM DEMONSTRATION AGAINST WAR BOOMERANGED

(By William S. White)

The central and the ironic reality in the wake of the much-advertised "moratorium" demonstration against the Vietnam war is that this attack upon President Nixon's position, and that of the mildly hawkish forces in general, has boomeranged.

The Vietnamese Communists on the one side and—of all people—Vice President Agnew on the other side broke the moratorium's back before it had really begun. That this is the plain fact will not of course ever be publicly conceded by those dove senators who had abetted what they had believed would be an irresistible spasm of emotional pressure upon the President to open a general retreat from Vietnam forthwith.

All the same, how the doves really estimate the situation in the after-time is clearly shown by their actions. For the only politicians who are now talking much about the great moratorium are the politicians who had opposed it in the first place. The doves, for their part, are beginning a slow process of disassociation—of "Who, me?" from the happening of Oct 15.

These fellows, when all is said and done, were out to get the President, and in this they have signally failed. It would go too far to say that he has wound up by getting them. It is, however, entirely true that he has come out of this affair in incomparably better shape than the most optimistic of his advisers had believed to be possible. Moreover, it is plain that many, many Americans are beginning to have second thoughts about this whole business of turning a vastly complex foreign-policy problem out into the public streets.

The bedrock reason for the President's relative success is that North Vietnamese Communist Premier Pham Van Dong made a colossal blunder in addressing a "Dear American Friends" open letter to the antiwar people in this country and Vice President Agnew brilliantly exploited an arrogant intrusion by an enemy engaged at that moment in killing American troops.

The prospective demonstrators on this side of the water were thrown into a panicky disarray. This was for the very good reason that the vast majority of them were fundamentally decent Americans, however deluded, to whom protest was one thing but open palship with an enemy dictator was quite another thing.

Indeed, in looking back on it all, the overmastering reaction among many here—including very important persons in the White House—is one of amazement that Pham Van Dong could have made so incredible an error. Nobody in authority here had been prepared to condemn M–Day as a Communist-front operation; for, of course, it was not. Actually, many of those instant experts on foreign affairs who were in the streets—here in Washington, at any rate—were all of 14 years old and were quite as innocent of Communist connection as of simple, adult common sense.

Still, the fact remained, too, that home-grown Communists were indeed seeking to use the innocents; the problem for the administration was how to make this clear to the nation without seeming to be against "free dissent" and all that The Premier of North Vietnam most accommodatingly took care of the matter for the President, who then sent Agnew to the front to blast the thing from the White House steps.

Finally, the man who gained most of all was Spiro Agnew. For months poor Agnew had been the butt of condescension and ridicule, and if anything to his credit ever got to the public's attention, it was by accident. Indeed, he was strongly remindful of another Vice President called Harry Truman, who was also fashionably dismissed as a nonentity—and who, like Agnew, had the curious habit of saying just what he thought, to the pain and derision of the pseudosophisticates.

Today there is a "new" Agnew. For it cannot be denied that he did quite a job here. So he is now, and for the first time, the second biggest man in Washington.

[From the Washington (D.C.) Post, Oct. 18, 1969]

NIXON, HUMPHREY SEE HASTY PULLOUT CREATING WORSE PROBLEM THAN WAR

(By John P. Roche)

On October 10, former Vice President Hubert Humphrey, at President Nixon's invitation, spent more than an hour in the Oval Office discussing the Vietnamese situation.

It was the first time that Mr. Nixon has opened up to his opponent of 1968 and it can be reliably reported that Mr. Humphrey was greatly impressed by the President's conviction and logic in setting forth the administration's program for ending the war. Indeed, at his own suggestion, Humphrey later went into the press lobby at the White House and urged nonpartisan support for Mr. Nixon's peacemaking efforts.

For this, he was promptly denounced by the "pull out overnight" wing of the Democratic party. However, in fairness to both Humphrey and the President it should be noted that a strong case can be made that such a pullout would create far greater problems for American society than does the war. On this point President Nixon was, according to well-informed sources, particularly persuasive in his session with Humphrey.

Both the President and Humphrey were senators in the early '50s and they share the memory of the impact that the fall of mainland China had on American politics. The same Americans who would have bellowed with rage in 1949 if massive military efforts had been made to preserve the Nationalist regime from the Communists, were surging around the countryside by 1952 looking for the traitors who "betrayed China to the Reds." And no Americans were killed in China.

The President reportedly is concerned that Vietnam could touch off a yahoo crusade that would make the work of the "China Lobby" of almost 20 years ago look like a political picnic. Forty thousand Americans have been killed, 200,000 wounded, perhaps $100 billion spent in Vietnam, and the mood of the American people is obviously ugly.

If the President were prepared to accept a thinly camouflaged defeat and pull all our forces out some dark night, the first reaction would undoubtedly be a national sigh of relief. But then what?

Then, according to the same sources, Mr. Nixon anticipates a two-pronged public response. First, the revival of militant isolationism, a cutback in American commitments all the way from Southeast Asia to Berlin and Israel—in short, a retreat to "Fortress America." Second, a bitter quest for scapegoats that would be reinforced by the butchery which would accompany a Hanoi takeover in South Vietnam. (Some years ago Peking admitted quite casually that some 10 million Chinese had been liquidated in the early years of its regime; on a smaller population base, Hanoi could be counted on to be similarly savage.)

The President's stubborn quest for an honorable peace is therefore based on his estimate that any alternative will both undermine the stabilizing role of the United States in the world—which in fundamental terms has maintained the peace since 1946—and generate a political lynching bee in American domestic politics. Moreover, he is said to be convinced that his program of "Vietnamization," coupled with staged withdrawals of American troops, will, in fact, work; that given another six months Hanoi will give up its present all-or-nothing gamble (in which American antiwar opinion is its hole card) and enter into genuine negotiations in Paris.

Although Humphrey was accused of being "brainwashed," any American politician (Democrat or Republican) who dismissed the President's forebodings as self-serving fantasies merits retirement. The easy thing for a liberal Democrat to do right now is to bask in the sunshine of antiwar militancy—the youngsters provide wonderful ego valet-service for those who feed their frenzy. Humphery took the harder road. Although he clearly explained to the President his support for accelerated de-escalation and a cease-fire (as well as his absolute opposition to a rumored threat of hard-line action if negotiations continue to stall), he agreed that the administration is sincere in its search for peace and needs time. When he repeated this to the press, he demonstrated the kind of moral courage that other would-be Democratic Presidents would do well to emulate.

[From a paper by Comdr. M. C. Perry, U.S. Navy, read before the American Geographical and Statistical Society, at a meeting held March 6, 1856]

It requires no sage to predict events so strongly foreshadowed to us all: still "Westward" will "the course of empire take its way." But the last act of the drama is yet to be unfolded; and notwithstanding the reasoning of political empirics, Westward, Northward and Southward, to me it seems that the people of America will in some form or other, extend their dominion and their power, until they shall have brought within their mighty embrace multitudes of the Islands of the great Pacific, and placed the Saxon race upon the eastern shores of Asia. And I think too, that eastward and southward will her great rival in future aggrandizement (Russia) stretch forth her power to the coasts of China and Siam: and thus the Saxon and the Cossack will meet once more, in strife or in friendship, on another field. Will it be in friendship? I fear not! The antagonistic exponents of freedom and absolutism must thus meet at last, and then will be fought that mighty battle on which the world will look with breathless interest; for on its issue will depend the freedom or the slavery of the world—despotism or rational liberty must be the fate of civilized man. I think I see in the distance the giants that are growing up for that fierce and final encounter; in the progress of events that battle must sooner or later inevitably be fought.

COMMERCIAL ENTERPRISES AND ASSOCIATIONS

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. O'HARA. Mr. Speaker, I have been critical of a proposal by the Internal Revenue Service to assemble and publish income tax data by zip code area.

My contention has been that it will target areas of affluence for direct-mail advertisers and door-to-door salesmen.

A complete list of "commercial enterprises and associations" which have expressed an interest in this information will follow my remarks. I will deal in greater detail with several of the prospective clients in a moment.

Among the 14 "commercial enterprises and associations" at least half of them conduct direct-mail advertising campaigns. I was unable to get complete data on the business operations of the others.

Poore's Directory of Corporations lists the principal business of one of the firms, R. L. Polk & Co. as "Direct-mail advertising and the furnishing of mailing lists and specialized lists and mailing service."

Another potential purchaser of the IRS information is the Old American Insurance Co. Best's Insurance Reports says that this company has "developed a substantial direct mail solicitation on a nationwide basis."

Among the other potential purchasers are American Mail Associates and Names Unlimited.

For some years the IRS has published income statistics for the Nation's major metropolitan statistical areas. This year, by isolating major zip code groupings, it was able to publish this information for middle-sized cities.

Now the IRS plans to go even further by publishing income statistics for specific zip code areas, a geographical unit which can be measured in city blocks.

This would pinpoint neighborhoods in which direct-mail advertisers, and possibly door-to-door salesmen, would find their best sales prospects.

I strongly feel that this puts the IRS in the position of encouraging invasion of privacy. At the same time, it distorts the responsibility of the IRS.

I have written IRS Commissioner Randolph Thrower of my continued reservations about this project.

I recently received information from the IRS that it is reviewing this project. Presumably the IRS may cancel it.

However, I fear that the IRS will decide to pursue the project, thus inviting a deluge of direct-mail advertising down upon affluent or moderately affluent neighborhoods.

I hope that, as a result of this review, the Internal Revenue Service will conclude that it should drop plans to extend its statistical data publishing service and instead devote itself to its primary task, collecting taxes as efficiently and as fairly as possible.

Mr. Speaker, my letter to Commissioner Thrower and the list of prospective clients for the IRS zip code income tax data follows:

OCTOBER 15, 1969.

RANDOLPH A. THROWER,
Commissioner, Internal Revenue Service,
U.S. Treasury Department,
Washington, D.C.

DEAR COMMISSIONER THROWER: I am in receipt of a letter dated September 19, 1969, from Mr. Albert W. Brisbin, Assistant Commissioner, Planning and Research, Internal Revenue Service.

Mr. Brisbin was responding to a letter which I wrote to you on July 7 in which I objected to IRS plans to make zip code area

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income tax statistics available to commercial buyers.

At that time, I expressed the belief that this information would be invaluable to direct mail advertisers and door-to-door salesmen. I wrote that "I question whether it is the business of the Internal Revenue Service to draw targets for commercial interests who can proceed to invade the privacy of citizens who happen to live in moderate or relatively high income areas, as identified by the IRS statistics."

While declining to address himself in detail to my specific objections, Mr. Brisbin was kind enough to provide me with a list of potential commercial subscribers to the proposed new IRS statistical service. An examination of the list proves, I believe, that my fears were based on fact: that publication of the statistics will be of great help to direct mail advertisers. Evidence that it will also help door-to-door salesmen, is, I admit, inconclusive at this time.

It was not possible, because of lack of address and other pertinent information to discover the principal business interests of all the "Commercial Enterprises and Associations" which have expressed an interest in purchasing the IRS zip code data. However, virtually all of those which we were able to check on are involved in direct mail advertising.

The activities of such institutions as Sears, Roebuck and Co., Spiegle, Inc., Look Magazine and Time, Inc., are well known. It could be, of course, that these companies are interested in this data for market research, rather than direct-mail advertising purposes.

I would like to call your particular attention to two of the potential subscribers—R. L. Polk and Company and Old American Life Insurance.

Of the R. L. Polk and Co., Poore's Directory of Corporations says: "Principal business, publishing city directories, and bank directories; *Direct mail advertising;* statisticians for auto industry and other related subjects, *furnishes mailing lists and specialized lists and mailing services.*" (emphasis is mine)

Of the Old American Insurance Company, Best's Insurance Reports—Life/Health says: "Agency operations are conducted through branch offices in metropolitan centers with general agencies being used elsewhere. *In addition, the company has developed a substantial direct mail solicitation on a nationwide basis.*" (emphasis again mine)

Two other potential clients for the IRS service also aroused my interest, but because of lack of definitive information, I was unable to gather information on their activities. They are *"Names Unlimited, Inc."* and *"American Mail Associates."*

In his letter to me, Mr. Brisbin asserts that "Your assumption that this data will be valuable only to door-to-door salesmen and direct mail advertisers . . . completely misses the mark . . ." He adds that "The usefulness of this data for desirable public purposes is indicated by the list of subscribers who have written us requesting copies of the file in whole or in part."

Nowhere in my letter of July 7 did I say that the data would be valuable *only* to door-to-door salesmen and direct mail advertisers.

In fact, I prefaced my main points with the comment that I have no objeciton to the collection of information for legitimate government uses. I did say that I have serious reservations about the use of *tax data* by other governmental agencies. I note that some six governmental agencies, ranging from the Department of Housing and Urban Development to the Port of New York Authority, have also indicated an interest in the IRS information. I acknowledge that they may want this material for "desirable public purposes."

I recognize too that it would not be feasible to make this information available to governmental agencies while withholding it from private enterprise. Therefore, I think it desirable for public agencies to get their income statistics from sources other than the Internal Revenue Service.

But as for commercial users, which outnumber governmental agencies 2–1, it remains my contention that the majority of commercial users of the zip code area data plan to utilize the statistical information for direct mail advertising purposes.

Can you tell me which of those Commercial Enterprises and Associations which have expressed an interest in purchasing the IRS zip code area data actually plan to use it for purposes *other* than direct mail advertising?

I still say that it would be relatively simple—if more expensive—for these businesses to do their own income research. The avalanche of direct mail advertising directed at certain neighborhoods would be the same, perhaps, but at least the Internal Revenue Service—the nation's tax collector—would not be a party to it.

I note with some encouragement Mr. Brisbin's report that "the question of publishing the zip code data is under review" by the IRS.

I hope that this review concludes that the Internal Revenue Service should drop plans to extend its statistical data publishing service and instead devote itself to its primary task—collecting taxes as efficiently and as fairly as possible.

Very truly yours,

James G. O'Hara,
Member of Congress.

P.S.—I would appreciate having the business addresses of the various Commercial Enterprises and Associations which have indicated a desire to buy the Zip Code Area Data. And will you please keep me informed as additional business firms express an interest in the information.

Lists of Subscribers of IRS Zip Code Tax Data

GOVERNMENTAL AGENCIES

U.S. Department of Commerce, Office of Business Economics.
U.S. Department of Housing and Urban Development.
Tennessee Valley Authority.
Department of the Army, Office of Civil Defense.
Federal Deposit Insurance Corporation.
Port of New York Authority.

NONPROFIT RESEARCH ORGANIZATIONS

National Bureau of Economic Research, Inc.
The Urban Institute.

COMMERCIAL ENTERPRISES AND ASSOCIATIONS

American Mail Associates, Inc.
Associated Merchandising Corporation.
Data Use and Access Laboratories.
F K and S Marketing Consultants.
Look Magazine.
Names Unlimited, Inc.
Sears, Roebuck & Co.
Larry Smith and Company.
Spiegel, Inc.
Time, Inc.
Albert R. Young Associates.
Old American Life Insurance.
R. L. Polk and Company.
Hart Schaffner & Marx.

THE VIETNAM WAR

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. KEITH. Mr. Speaker, since he took office, President Nixon has taken significant steps toward ending the American involvement in this war. He has reduced the number of American troops there, and promises to reduce them still more. In this course, I believe, he has the strong support of the American people. In spite of his unfortunate statement about paying no attention whatever to the moratorium, he has paid attention to the views of participants—indeed, he has implemented much of what the war critics were clamoring for a year ago.

The President is right in ignoring the chorus of demands to "bug out" of this conflict immediately, and totally. He is trying to keep to a statesmanlike approach, so that we may gain at least some of the goals that we had when we entered this conflict.

His aim, expressed both by him and by administration spokesmen, is twofold: First, to extricate the United States from this war and, second, and equally important, is to do it in such a way as to encourage the stability and confidence of the other nations in the area in their future national security.

Vital to this second goal is leaving behind a strong, unified regime in South Vietnam, representing most of the vital and dynamic political groupings in that nation. This is our goal: up to now it would appear that it has not been sufficiently shared by the Thieu-Ky regime.

That is why it is so important that we continue our pullout. For as long as the Saigon government thinks we are going to stay and support them, they have less reason to change. Hopefully, when it is clear to them that in a limited time they will have to stand up on their own, they will take the steps that must be taken to broaden and unify their nation's government.

If the Thieu regime accepts the twin responsibilities of Vietnamization and democratization, then we hopefully can leave Vietnam, secure in the knowledge that we have won our goals.

And the government we leave behind will be one that can stand on its own, rather than be propped up by American bayonets. Our leaving under such circumstances will accomplish the second part of President Nixon's twin goals—it will leave the rest of Southeast Asia with a sense that the United States is not abandoning the area in flight, but in an orderly fashion, leaving behind a regime that could stand on its own.

The great danger, however—and I am confident that the President is aware of it, and will continue to try and avoid it—is that, in our aiming to leave in the most orderly manner possible, and to foster the greatest possible sense of security and stability in the area, we will lose sight of the first goal, disengagement.

And that is as the President realizes, an equally important goal. For it will do us no good to foster a sense of security and unity and confidence in Southeast Asia, if we lose it at home. Under our system of government, the majority rules—and it is clear that the majority wants our involvement in Vietnam to end. So it must end, and it will. But it is the President's hope—and my own—that it can end in a manner that will leave Southeast Asia with a sense of stability, security, and confidence in the American word and in the American presence. If it does not—and it would not if we withdrew im-

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mediately and totally—then the deaths and expense there would truly have been in vain.

MARK 50TH YEAR IN BUFFALO OF GENERAL ELECTRIC PLANT

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. DULSKI. Mr. Speaker, a half century of operation in the Buffalo area was marked this past weekend by the General Electric plant, located at the corner of Fillmore and Ferry Streets in my district in Buffalo, N.Y.

It was an honor and a pleasure for me to be a participant in the anniversary program and then to make a tour of the installation with the acting plant manager, William S. Munday, as my escort.

There was a special plaque presentation to mark the occasion, with two of the plant's original employees, now pensioners, Agnes Berchou and Anna Kurtz, doing the honors of receiving the memorial from Vice President Halbert Miller.

The Buffalo plant's role in industrial development of our Nation is almost a history of the half century. Started as a plant to make lamps, the production turned to cathode ray tubes, to television picture tubes, and then switching into semiconductor products, including germanium transistors, low current rectifiers, silicon unijunctions, and tunnel diodes.

RELATIONS IN COMMUNITY

In his presentation, Mr. Miller noted the fine relationship of the plant to the community, commenting:

> We are all proud of the fine relationship between the people and the plant . . . this is my third visit here. . . . I could feel the support and pride of the employees as members of this organization.

Other GE officials attending were Dr. Leonard Maier, vice president and general manager; James Donnalley, SPD general manager; George Finch, SPD manager of manufacturing; and Robert Beck, newly appointed Buffalo plant manager.

Following the plaque presentation, a reception was held. A group of employees selected from all work areas in the plant also attended the reception.

These employees were Geraldine Sopczky, Mildred Przybyl, Rose Pijacki, Dolores Wagner, Bernice Maston, Carol Carter, Florence Budzynski, Bonnie Wozniak, Wanda Rozek, Eddie Kwiecinski, Virginia Wroblewski, Norbert Lotz, Tim Regan, Don Petrillo, Chet Malach, George Deiboldt, Mary Louise Wickett, Jim Hall, Florence Strzelecki, Cassie Winnicki, Dan Millick, Mildred Hill, Irene Laudan, Jane Paske, Bessie Albert, and Jerry Batt.

On the following day, the plant had a family day open house which was attended by more than 2,500 persons.

Following is an interesting history of the Buffalo GE plant:

BUFFALO PLANT HISTORY

The General Electric Company's transistor plant is located in the heart of the City of Buffalo. Manufactured here are high quality semiconductors, such as transistors and rectifiers for use in business, industry, missiles, military guidance systems, communications systems and other electronic control equipment, just to list a few applications. Still other transistors are shipped to manufacturers of such consumer products as electronic organs, home radios, and even educational model kits and toys.

The Buffalo Plant is proud of it's product and proud of the skilled men and women who have been building high quality General Electric products in this Plant since 1919. The Plant was designed and built by the Company's Lamp Department to manufacture miniature incandescent lamps. A "Mazda Lamp" sign was located on top of the building and was a familiar land mark around the neighborhood for nearly a quarter of a century.

Many of the current employees started their careers with General Electric in those early years and have remained loyal employees ever since. Today they, and their sons and daughters, cousins, aunts and uncles are employees working on semiconductors. More than 107 employees have served General Electric for 25 years or more, nearly one employee in every three has 15 or more years of service and 50 per cent of the employees have at least 10 years of service.

Following nearly a quarter of a century of successful lamp production, the Plant switched over to the manufacture of electronic tubes in 1942 as part of the Company's war effort. Following the war, General Electric's Cathode Ray Tube Department started the manufacture of television picture tubes. The first TV picture tube manufactured on a production basis by General Electric came off the assembly line in January, 1946.

SEMICONDUCTOR PRODUCTS START

Then in 1957, the Semiconductor Products Department established a satellite manufacturing plant in Buffalo and began producing transistors in the Spring of that year. A series of interior improvements have gradually turned the Plant into the modern, ultra-clean facility needed to successfully manufacture transistors. The main three-floor building facing Fillmore Avenue, as well as a two-story addition built in the early 1950's, was completely renovated during the early 1960's.

The Buffalo manufacturing facility is one of General Electric's 280 facilities in the United States and Canada. Located in over 135 communities in 33 states, Canada, and Puerto Rico, General Electric is the world's largest electrical manufacturer. The Company employes over 400,000 people to manufacture more than 200,000 different products. More than 29,000 employees hold degrees in engineering or the physical sciences. They work and study on product development in over 100 laboratory locations. More than 40,000 patents have been issued to the Company since the Company was founded in 1892, the highest number ever awarded to any one company.

The Buffalo Plant is proud of the General Electric Heritage and proud of the record of achievement which it has helped to forge over the years. Today, as the 50th Anniversary is celebrated, employees look forward to greater strengths and achievements in the days and years to come.

SIGNIFICANT DATES IN BUFFALO PLANT HISTORY

1918: Plant construction begins by Lamp Department.

1919: July 1st—Official Dedication.

1919: Production of lamps commences.

1932–36: Closed during depression.

1942: Cathode Ray Tube Department begins operation producing special electronic tubes.

1946: 1st TV picture tube produced.

1950: One Millionth TV picture tube produced August 16th.

1957: Semiconductor Products Department begins operations. Manufacture of germanium transistors.

1965: Low current rectifiers start production.

1966: Silicon unijunctions begin production.

1969: Tunnel diode production begins.

1969: 50th Anniversary celebrated.

PUBLIC BROADCASTING FACILITIES GRANT PROGRAM

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. FRIEDEL. Mr. Speaker, the House passed almost unanimously, H.R. 7737, the Educational Television and Radio Amendments of 1969 on October 9. This act originated in the Committee on Interstate and Foreign Commerce, of which I am the ranking member.

There is one particular section I would like to refer to and that is the public broadcasting facilities grant program. Until recently my State of Maryland did not participate in this program.

However, October 5 marked the official inaugural program of WMPB—UHF, Channel 67—with an interview of our Governor, the Honorable Marvin Mandel. Maryland has become the 47th State to enter the public broadcast service.

Mr. Speaker, I insert an article that appeared in the Washington, D.C., Star on October 5 pertaining to the official inauguration of this service:

PUBLIC TV CHANNEL 67 MAKING DEBUT AT 6 P.M.

(By Jack Kneece)

OWINGS MILLS, MD.—If you are the sort who becomes angry enough to smash a television set over insipid commercials, you may welcome a public television channel making its Baltimore-Washington debut at 6 o'clock tonight.

The official inaugural program of WMPB (UHF Channel 67) begins with an interview of Gov. Marvin Mandel by David Frost, an English performer, before a studio audience of 400 invited guests.

Maryland's venture into public broadcasting will not have a single commercial. Funded by federal, state and private money, the station is the culmination of efforts begun in the mid-1960s to bring educational TV to Maryland.

But its staff says WMPB is not strictly an educational type operation, although that is a basic part of its goal.

WON'T DODGE ISSUES

Dr. Frederick Breitenfeld Jr., executive director of the Maryland Center for Public Broadcasting, said, "We aren't going to be non-controversial."

Breitenfeld said the new channel—one of seven to be established under the direction of the center in Maryland—will tackle any subject from sex education to fascism.

"We will be left, right, center. We'll try to present a fair picture," he said. "We won't have editorials or take sides, but we'll serve a public need."

MORE STATIONS PLANNED

Maryland's Legislature passed enabling legislation for the center in 1966 and the center's $1.25 million modernistic headquarters north of Baltimore was recently completed.

The next station to be begun by the center will be in Salisbury, scheduled for completion late next year. Others will be in Hagerstown, Annapolis, Frederick, Waldorf and Cumberland.

Although there are educational TV stations in 47 other states, the staff of WMPB feels that it is different in many respects. Its programming, said its staffers, will be daringly innovative.

One such example, they said, is the program, "Urban 30." This dramatic series is designed to act out problems of the inner city in a way that inner city residents can see how such problems can be solved.

Most daytime viewing will be aimed at the classroom, although much of it on a sophisticated level. There will be classes in lip reading, German language plays with pamphlet texts furnished to German scholars, chess, speed reading and many other subjects on more rountine academic topics.

The station will not attempt to complete with regular commercial stations on news coverage. Typically, its staffers will single out a big news story of the day and attempt to analyze its ramifications in-depth.

About those commercials: just so viewers will not be too lost without them, WMPB is initiating what it calls "Hmph! spots."

This is a tidbit of history, technology or interesting facts read at usual station break time. The idea, said staffers, is to cause a viewer to say, "Hmph! I didn't know that."

PLAN NATIONAL HOOKUP

The station will hook into the National Educational Television Network for some of its programming, but it will do this less than most ETV stations.

One major series of programs planned for the station and its million-watt transmitter—powerful enough to reach into Delaware, Pennsylvania and Northern Virginia—is a series on Maryland's history.

The title of this series, written by Helen Jean Burns, head writer for the center, is "Nightmare's Child." It depicts the story of one family who sought refuge in the new colony from the oppressive rule of Oliver Cromwell. It is the first of 30 such telecasts written, acted and directed by center personnel.

The 50,000 square foot center has three studios, all fully equipped for color broadcasting. One of them, 60 by 80 feet, is the largest TV studio in the state.

AUCTION IS PLANNED

The center's budget for the current year is $2.48 million but it will depend in the future on a heavy public contribution. Just how heavy, officials declined to say, but other stations have solved this problem, oddly enough, with auctions.

Televised auctions of merchandise donated by local merchants raised about $500,000 in Boston. Callers simply bid by telephone on items they like.

A byproduct of the auctions, said center officials, is that viewer interest runs so high during an auction week that even local commercial TV is momentarily abandoned. An auction by WMPB is planned for next April.

An invaluable service of WMPB, said officials, is the education of adults unable to attend adult education courses in person.

"We'll have a vast hidden audience," Breitenfeld said of the adult viewers, many of them middle-age persons who need help in learning such basics as reading.

SEEK MEMBERSHIP FEE

The addition of Channel 67, and the planned addition of Channel 20 in the Baltimore area via a repeater set up in Towson, makes the Baltimore-Washington corridor the most TV saturated area in the U.S., said center officials. Some viewers situated between the two metropolitan areas can now choose between 14 stations, they said.

But WMPB is one of the few on the Eastern seaboard asking its viewers to send $10 for an annual membership, tax deductable, in order to help its financial situation.

William F. Hallstead, director of community services for the center, recently announced that over 500 memberships have been received—even before WMPB went on the air.

MORALE IS HIGH

Hallstead said there is a kind of missionary elan among the 120 employes of the center. Many of them left the restrictions and daily deference to sponsors, he said, to come to the center, where salaries are just a shade lower than with commercial television.

One of the refreshing things about WMPB, said its staff, is that it does not have to worry about offending a sponsor or maintaining a certain kind of audience for a sponsor.

And the new station offers another plus, noted staffers: its kiddie programs are "guaranteed to drive no one up the wall."

This might be the best news of all—especially to those parents awakened on Saturday morning by that other kind of television . . . the kind with commercials rather than Hmph! spots.

DEATH OF SAMUEL DALSIMER IS A NATIONAL LOSS

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. CELLER. Mr. Speaker, the untimely death of Samuel Dalsimer, national chairman of the Anti-Defamation League, shocked many of us, who knew him for his dedication to the public welfare, for his integrity, and for his sensitivity to human needs. From the ADL Bulletin of October 1969 comes a true estimate of this man's worth and I believe that it merits the attention of all. The text of the article follows:

"Words don't mean a thing unless you follow up with well-programmed action," Samuel Dalsimer said last April when we interviewed him shortly after he was elected national chairman of the Anti-Defamation League.

On August 22, two days after he had suffered a heart attack and stroke, Samuel Dalsimer was dead at the age of 60.

The ADL Bulletin, four months before, had described him as "a tall, slim, young 60." We used words like quiet, sincere, and warm, and said he had "the mien of a friendly doctor who has known the family for years—and cares about each member."

The suddeness of his passing was met with shock and disbelief by "the family" outside his real family who knew and cared for Samuel Dalsimer—his many friends; his colleagues at Grey Advertising, where he had been vice chairman of the board, and those at the Anti-Defamation League, lay leadership, administrators and staff.

More than 500 attended his funeral. Benjamin R. Epstein, the League's national director, delivered the eulogy. This is what he said:

"Half a dozen years ago Adlai Stevenson received the Anti-Defamation League's America's Democratic Legacy medallion. As he responded, Sam Dalsimer—seated nearby at the head table—nodded his agreement with Stevenson's advice on how to live a good life and what makes a man. These were Adlai Stevenson's words:

" 'Go placidly amid the noise and the haste, and remember what peace there may be in silence. As far as possible without surrender be on good terms with all persons. Speak your truth quietly and clearly; and listen to others.

" 'You are a child of the universe no less than the trees and the stars; you have a right to be here.

" 'Therefore be at peace with God whatever you conceive Him to be, and whatever your labors and aspirations, in the noisy confusion of life keep peace with your soul. With all its sham, drudgery and broken dreams, it is still a beautiful world. Be careful. Strive to be happy.' "

Sam did not really need those words—they were already his philosophy of life.

It has been said that each man's life is a mosaic and the beauty of the design is measured by the way in which the tiles fit into one another.

Sam's professional life was a richly colored segment. At Grey Advertising Agency, where he spent the last sixteen years of his life, he was loved and respected by all with whom he worked. He was the one person in the agency who was contemporary with the older as well as the younger members of the staff. The young turned to him because they knew they could trust him to be sympathetic, to be fair and to plead their case. He was unusual in that he was the confidant, the counsellor for the entire agency, because he was fair and objective.

At Grey, where he was vice-chairman of the board and a director, he was the man to whom all public service roles of the agency were given. He coordinated and supervised programs in which the government and the Advertising Council were involved. He served on the Mayor's Committee to develop a program to combat crime.

Through his position at Grey he was involved in a number of minority group programs, including one for high school dropouts who work for Grey half a day and attend classes in English, math and speech in the agency's offices the other half.

Communal obligations which Sam assumed formed another part of the mosaic. His activities included the Jewish Family Service, the Advertising Council, the camps of the Associated YM-YWHA's of Greater New York, of which he was a trustee, and the Anti-Defamation League.

It was Judge Meier Steinbrink, then national chairman of the League, who first interested Sam in its work. Meier had come to know Sam through the close friendship he shared with the Steinbrink children, Miriam and Stuart. It was with the League that he found the opportunity to express in meaningful terms his dedication to fairness, to the struggle for religious and racial harmony, to the fight against anti-Semitism, racism, and every form of bigotry. He served as a member and vice-chairman of the League's Eastern regional board and was elected a national commissioner in 1959. For 12 important years he was the chairman of the League's national program committee, which developed a major educational program in the struggle against bigotry under his capable leadership. He was among the first to see the need for scientific research into the causes of anti-Semitism and he fathered a major five-year social research project at the Survey Research Center at the University of California at Berkeley.

There were hundreds of projects to which he lent his thoughtful direction, but one that was closest to his heart was the Cardinal Bea Memorial program of closed-circuit television programs entitled "The Image of the Jews," jointly produced by ADL and the Archdiocese of New York.

I'll never forget the luncheon where I told him the ADL nominating committee had decided to recommend him for election as national chairman. He said, "Oh, Ben, why me? I'm not looking for anything like that; I'm enjoying my work with the program committee." He then told me of his plan to retire at 60; to take things easy, and to do those things he loved so much. He wanted more time to pursue his interest in Haiti, an interest which developed through collecting

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Haitian stamps. He had found expression in painting. He was enrolled in courses in cultural anthropology and the masterpieces of art. He wanted more time to garden, more time for his photography, more time to enjoy his home at Neponsit—and above all, more time for his family: his beloved wife, Shirley; his sons Jimmy and Andy; the daughters who came to him through his children's marriages, and his lovely grandchildren.

He was flattered by our desire for him to serve as national chairman. I told him we understood he was not seeking the job, the job was seeking him. A week later, Dore Schary and I met with him again and assured him that he would have our full support and cooperation, that he could make a great contribution to a significant cause, that he would enjoy the opportunity to guide this agency in this vital work. He agreed to consider it. I know he discussed it with Shirley, who encouraged him to do what he loved—and he telephoned Dore to say—"Let's go to work."

In the months he served as chairman he steeped himself in the work. He studied each of our divisions, spending hours with the staff directors and then would come to my office with his loose-leaf notebook and sit down and say, "Ben, I have so many questions I must talk to you about." He was the most thorough and best organized man I've ever worked with—and all with a deep sense of commitment, a remarkable sense of balance and proportion, and a perception and analysis that were beautiful to behold.

To capsule the life of a man is not easy. Sam was a unique man. I have never heard anyone say an unkind word about him. It reflected his own attitude to his fellowman. He was warm, gentle, softspoken, with an unusual gift of humor. Rarely did he raise his voice in anger. On those few occasions when he did raise his voice it was to protest an injustice, or to defend someone unfairly treated.

If there is one word to characterize Sam it is fairness—he had a deep sense of fairness, he could empathize with people and understand their problems.

And so, Sam was deeply committed to the cause of justice. He resented deeply the injustices of bigotry and particularly anti-Semitism. He did not believe in formalized religion, but he was a deeply intense and committed Jew. He was a proud American Jew and devoted his life to enhancing the dignity and prestige of the American Jew.

As a personality he had a warmth and a friendly manner that endeared him to all with whom he came into contact. His face would light up as it broke into a smile. And he smiled easily and often. He was a sophisticated man—he was a man of grace and charm and style and wit.

One of his special talents was his facility to write poetry. He was an early contributor to the NEW YORKER magazine and Franklin P. Adams published many of his poems in his famous column, "The Conning Tower."

Many of you may have read these poems without knowing Sam was the author, for in his typically humorous fashion he signed them REMISLAD—Dalsimer spelled backward. He entertained his friends by writing poems about them and would come to a party with a poem describing, in light verse, each of their special qualities.

We have spoken about Sam, but let Sam speak for himself, through two of his more serious poems. The first is called "Writer's Prayer":

"Dear Lord, please give me sight to see the sheer
  And narrow road that Reason walks—the sweet,
  Unbending path she talks on certain feet,
  And let the rightness of each step be clear.
  And if it please You so, I ask an ear
  To trap the faint but ever-present beat.
  Of Truth's own heart; the skill to plot the neat,
  Appointed course each word should steer.

"And then, when I have looked with knowing eyes
Along the cool and shaded avenue
  Of logic; and my ears have learned to prize
  The word that inescapably is true,
  Then, let my heart infuse both word and thought,
  That out of these a living thing be wrought."

The second poem, "Now, Tomorrow," is in a prophetic vein. It is almost as if he had written it so that he might share it with us on this day:

"What cruel fate has crushed the first fine flame
  That burned uncaring at the candle's end?
  When once it glowed with radiance to shame
  Us cautious souls, who stay at home to mend
  The shabby fabric of our faith against
  That day when we shall put it on and walk
  Abroad—now all at once it has commenced
  To fade; the bud is dying on the stalk.

"You'd never shun today and look a bit
  Along the years. With simple faith somehow
  You held your flame and never cared for it
  Would die, as long as it burned brightly, now.
  I hope the flame that's dimmed did not depart.
  But burns for some tomorrow in your heart."

And so today we remember Sam Dalsimer as a man of heart, a man of conviction, a man of honor, a man of love, a man of charm and modesty, an optimistic man, a devoted family man. In short, Samuel Dalsimer was a beautiful man.

EMPHASIS: SAFETY

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. LONG of Maryland. Mr. Speaker, Mr. J. M. Durham, corporate director of safety of the Martin Marietta Corp., recently wrote an article entitled "Emphasis: Safety" for the August issue of National Safety News. I was delighted to learn that Martin Marietta, which has a plant in Baltimore County, has had a markedly better safety record than in previous years as a result of emphasis on accident and injury prevention. I would like to commend Martin Marietta for its interest in industrial safety by including Mr. Durham's article in the CONGRESSIONAL RECORD:

EMPHASIS: SAFETY

(By J. M. Durham)

When the injury loss statistics continue to climb, what do we do? This was the question posed to a group of safety leaders at the recent National Safety Council Industrial Conference meeting in Chicago. Preliminary injury frequency rates for all injury reporters for 1968 showed another increase from 1967—the fourth consecutive year of ascending rates—for a total increase of 20 per cent in five years!

The Martin Marietta Corporation experienced a comparable rise from 1964 through 1967, as shown in the accompanying comparison Table, but obtained a sharp reversal of the upward injury trend after initiation of a special campaign.

In addition to the increase in frequency rate during the 1965–67 period, there was a sharp increase in the corporation's severity rate during 1967 and early 1968, and an increase in fire losses and vehicle mishaps. Although the injury rates could still be considered acceptable when compared to national statistics, they seemed to be unnecessarily high and led the corporate staff to question what could be done to reverse the upward trend.

Martin Marietta operations consist of rather diverse activities: aerospace; production of Portland cement, lime, and refractories; the building and erection of farm silos; processing of crushed stone, sand, and gravel; the manufacture of dyestuffs, printing inks, and chemicals. The divisions operate autonomously in 300 plant and office locations with 28,000 employees under only general direction from the New York corporate offices. Loss prevention is controlled by these individual divisions, most of which have safety engineers. A small corporate safety staff monitors and coordinates their efforts.

Already, accident prevention staffs had been expanded in several divisions. The usual defenses of good guarding and physical facilities, supervisor and employee courses, formation of committees, and the institution of safety meetings and five-minute talks had been pushed. There seemed to be little additional potential in these areas. Existing promotional materials from private and quasi-public sources had been used in varying degree at the discretion of local safety directors and plant managers.

MARTIN MARIETTA VERSUS THE FIELD—INJURY FREQUENCY RATES FOR ALL NATIONAL SAFETY COUNCIL REPORTERS COMPARED TO THOSE OF THE MARTIN MARIETTA CORP., 1964-69

Year	Rate of NSC reporters	Rate of Martin Marietta
1964	6.45	2.80
1965	6.53	3.30
1966	6.91	3.45
1967	7.22	3.48
1968	[1] 7.35	2.72
1969 (5 months)	([2])	2.64

[1] Preliminary.
[2] Not available.

Inasmuch as the losses frequently involved imprudent actions on the part of the injured or his co-worker, failure to follow established regulations and procedures, and seeming inattention, the director of safety recommended the adoption of a one-year corporate accident prevention publicity and promotion campaign aimed at better safety communication with management, reminder information for employees, and the achievement of better safety cooperation of everyone. The request was approved, and a publications group in one of the divisions was selected to edit, illustrate, print, and distribute the materials.

Beginning in late May 1968, the program was introduced under the by-line of *Emphasis '68*. It was endorsed by the president and executive vice-president of the corporation. Each of the group presidents at corporate headquarters participated in presenting and endorsing the plan to division presidents. The division presidents were asked to have meetings with their staffs as the next step, and so on down the supervisory channels to the first level supervisor or foreman.

At the beginning, it was planned that all employees of the corporation would see or receive some special material—a poster, a pamphlet, or a newsletter twice a month. Later, the period between distribution was lengthened to three or four weeks.

It was emphasized that these materials were intended only as tools to facilitate communication by supervisors with their employees and would be virtually useless if handled on an impersonal, mass distribution basis. Most materials were the same, whether used in a scientific research area or in a stone quarry. They dealt with the psychological and motivational aspects of safety, with little regard for engineering and physical safeguards, because those were believed to be generally adequate and also too diverse to handle in this manner. This effort was aimed at revitalizing the application by management personnel of what they already knew about preventing accidents.

What happened?

No one can give specific reasons, but in 12 months there was a 22 per cent reduction in the injury frequency rate and a 27 per cent reduction in the injury severity rate, compared with the previous 12-month period. This is interpreted as a definite break from the escalating trend that had been experienced. As this promotion was the only change made in the safety program, it apparently revitalized safety attitudes throughout the corporation. The cost of time and materials for creation, printing, and distribution was approximately $1.20 per employee. The monetary savings can't be calculated, however, because insurance loss reports aren't complete, but the saving is expected to be at least $100,000 in direct injury costs for the 12 months of the promotion.

Some of the techniques applied in the program are summarized below for the benefit of those contemplating similar ventures.

(1) Produced "in-house," the promotional materials were tailored to the specific needs of Martin Marietta, based on plant visits by the corporate safety staff, suggestions from safety directors and plant managers, and periodic reviews of such statistics as "sources of injury" and "types of activities resulting in disabilities." Supervisory and employee newsletters, prepared individually for each of the four basic divisions, were the principal media for providing specialized information. Promotional activities by individual plants were encouraged, and the corporation-wide program appeared to serve as a catalyst in obtaining increased enthusiasm in this area.

(2) "Total participation" was emphasized—that is, involvement by everyone from top management to those performing the most routine duties. The distribution of materials to employees by supervisors on a personal basis or in meetings provided supervisors with an opportunity to highlight local problems and solutions. Increased employee participation was obtained by a) initiating suggestion systems in plants that had not used this technique and b) by having employees sign safety pledge cards. Distribution of materials was monitored by division safety directors. The influence that renewed emphasis on loss prevention had on the morale and effectiveness of these safetypros cannot be fully evaluated, but it should not be underestimated.

(3) The need for attracting the attention and arousing the interest of employees, who are regularly subjected to sophisticated promotional efforts by the mass communications media, was recognized. Accordingly, graphics, color, and human interest approaches were widely applied. The tone of text material was based on the theory that "preaching is *dead*—facts and news are alive."

(4) A "change of pace" was considered essential to maintaining effectiveness of the program. This was accomplished by alternating the media used. The beginning of 1969 saw increased use of Martin Marietta statistics, case histories, and discussion of specific areas where the record was not as satisfactory as that for the average of National Safety Council members. In 1969 a reduction in the severity rate was established as a major goal, and emphasis placed on preventing the more serious accidents.

The promotional program gave accident prevention a boost by increasing attention and interest at all levels of the organization without detracting from any of the accident prevention methods already in use. It seemed inevitable that an improvement would result, but the quick benefits favorably impressed even its originators. To date, injury and severity rates are still on a downward trend. However, the staff, fully aware that any special program is effective usually for only a limited time, is now thinking about what procedure to follow next.

NATIONAL BUSINESS WOMEN'S WEEK

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 20, 1969

Mr. RHODES. Mr. Speaker, I am privileged today to join my colleagues in saluting the working women of America.

This is National Business Women's Week and offers an opportunity for all of us to pay tribute to the millions of business and professional women of this country and to salute the contributions and achievements that they have made to the Nation and to their communities.

The task of running this country is a partnership—a partnership between government and the private sector, a partnership between labor and business, a partnership between black and white; and, it is a partnership between the men and women of America.

There are accomplishments posted by men and accomplishments posted by women, but they are first, accomplishments by Americans.

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